

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

Service Appeal No. 909/2013

Date of Institution ... 07.05.2013

Date of Decision ... 21.10.2021

Maqsood Ahmad, SET, GHS Bajauro, Talash, Dir Lower.

... (Appellant)

VERSUS

Director, Elementary & Secondary Education (E&SE), Khyber
Pakhtunkhwa, Peshawar and two others.

... (Respondents)

MR. MUHAMMAD ISA KHAN,
Advocate

--- For appellant.

MR. MUHAMMAD ADEEL BUTT,
Additional Advocate General


--- For respondents.

MR. AHMAD SULTAN TAREEN,
MR. SALAH-UD-DIN

--- CHAIRMAN
--- MEMBER (JUDICIAL)

JUDGMENT:

SALAH-UD-DIN, MEMBER:-


Precise facts giving rise to filing of the instant service appeal are that vide notification dated 25.11.2008, the appellant was appointed as SST (BPS-16) on contract basis, however later on his services were regularized vide notification dated 22.09.2010. During the course of his service, disciplinary action was initiated against the appellant and he was issued charge sheet on the allegations which are reproduced as below:-

" (a) You were appointed against SST post
on contract basis for one year vide Notification

Edst: No. 5139-5197 dated 25.11.2008 your contract service was regularized vide Notification No. 5173-85 dated 22.09.2010. but according to the report of the enquiry officer you have provided a fake and bogus B.Ed DMC (Roll No. 2109 having S.No. 43750 Registration No. 2003430152 result declared on 31.12.2007 from Oxford Edu: Academy Batkhela) at the time of your contract appointment while you have produced another B.Ed DMC (No. Roll No. 3062 having S.No. 2138 Registration No. 2003430152 result declared on 04.12.2008 from Dir College of Edu: Timargara Dir Lower) at the time of regularization of your contract service.

(b) As per report of the enquiry officer, your DMCs were verified from the Malakand University and the DMC (Roll No. 2109 having S.No. 43750 Registration No. 2003430152 result declared on 31.12.2007 from Oxford Edu: Academy Batkhela) was found fake and bogus.

(c) You have reported for duty on 24.12.2010 (three months and two days late) after the issue of the regularization order dated 22.09.2010.

(d) You have submitted an arrear bill amounting to Rs. 201641/- to the Accounts Officer without the counter signature of the DDO Principal GHSS Wari while he denied that he did not sign the bill.

(e) you have submitted two different relieving certificates to the Headmaster GHS Bajauro, on was signed by the Principal GHSS Wari as DDO for GHS Seri Sultan Khel and the 2nd was signed by the Incharge Headmaster GHS Seri Sultan Khel, but the Principal and Headmaster disowned their signatures and stamps of the schools. Moreover the relieving chit was given the school dispatch No. 56-58 dated 31.03.2011. which is also found fake as per entries in the issue register.

(f) All the signatures of Mr. Naseeb-ur-Rehman Incharge Headmaster GHS Seri Sultan Khel and Abdul Haleem Principal GHS Wari as DDO of GHS Seri Sultan Khel were found fake and bogus, as they disowned the signatures. The Incharge H.M and J/Clerk have also stated that the stamp used for signatures on different papers is not available at school.

(g) The stamp used for attestation of Subject Specialist is also fake.

(h) You are expert of bogus signatures. You practiced the signatures of different officers and

you collected the stamps of SS. HM. DDO and EDO with you. "

On conclusion of the inquiry, minor penalty of withdrawal of three annual increments falling on 01.12.2012, 01.12.2013 and 01.12.2014 as well as recovery of an amount of Rs. 201641/- was imposed upon him vide impugned order dated 12.12.2012, which was challenged by the appellant through filing of departmental appeal, however the same was not responded, hence the instant service appeal.

2. Notices were issued to the respondents, who approached through their representatives, however they did not submit written reply/comments despite several opportunities being provided to them, therefore, vide order dated 15.08.2014, the right of submitting of written reply of the respondents was forfeited. The respondents submitted an application on 29.12.2015, seeking setting-aside of ex-parte proceedings and placing on file written reply/para-wise comments. On 10.12.2018, the learned Assistant Advocate General stated that he did not wish to pursue the application and was willing to argue the matter on strength of available record. Vide order dated 10.12.2018, the application was thus disposed of in terms of submission so made by the learned Assistant Advocate General.

3. Learned counsel for the appellant has contended that the allegations as leveled against the appellant are wrong and baseless and the disciplinary action against him was taken due to ulterior motive; that the educational testimonials of the appellant are genuine and the same have been duly verified by the concerned University/Board; that vague and bald allegations were leveled against the appellant, however no cogent material was produced in support of the same during the inquiry; that the appellant was not at all associated with the inquiry proceedings and was not at all confronted with the fake degree of B.Ed allegedly produced by the appellant at the time of his initial appointment on contract basis; that the appellant has neither submitted any bill of arrears amounting



of Rs. 201641/- to the Accounts Officer nor he had withdrawn such amount, which fact has been affirmed by District Accounts Officer Dir Upper in his letter addressed to the District Accounts Officer Dir Lower; that the appellant was not provided copy of the inquiry report alongwith final show-cause notice and the same has caused prejudice to the appellant; that the inquiry proceedings were conducted in a slipshod manner, without observing the relevant rules of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, therefore, the impugned order is liable to be set-aside.

4. On the other hand, learned Additional Advocate General for the respondents has contended that the appellant had submitted fake degree of B.Ed at the time of his initial appointment and the said fact stood proved during the inquiry conducted against the appellant; that the appellant was also found involved in other charges leveled against him and he was thus found guilty of misconduct; that the appellant was found guilty in regular inquiry conducted against him, therefore, he has rightly been awarded the minor penalty of withdrawal of three annual increments falling on 01.12.2012, 01.12.2013 and 01.12.2014 as well as recovery of an amount of Rs. 201641/-.

5. We have heard the arguments of learned counsel for the appellant as well as learned Additional Advocate General for the respondents and have perused the record.

6. A perusal of the record would show that the appellant was initially appointed as SST (BPS-16) on contract basis vide notification dated 25.11.2008, however his services were later on regularized under the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 and notification regarding the regularization of services of the appellant was issued on 22.09.2010. One of the allegation against the appellant is that he while appointed as SST (BPS-16) on contract basis had produced fake and bogus DMC of B.Ed issued from Oxford Education Academy Batkhela, whereas at

the time of regularization of his contract service, the appellant produced another B.Ed DMC issued from Dir College of Education Timargara Lower Dir. Available on the record is an application of the appellant addressed to the Director, Schools and Literacy Education Department NWFP Peshawar, wherein it has been requested by the appellant that he took the charge on 01.12.2008, while his B.Ed DMC was issued on 04.12.2008 and thus there is a break of three days between the charge assumption and issuance of B.Ed DMC, therefore, his name may be included in the fresh order to be issued regarding regularization. The notification dated 22.09.2010 issued regarding the regularization of services of the appellant also affirms the fact of passing of B.Ed examination by the appellant on 04.12.2008. Copy of the DMC as well as degree of B.Ed showing Roll Number of the appellant as 3062 are available on the record and the same have been verified and found correct by Controller of Examination University of Malakand. We are thus of the opinion that had the appellant submitted any fake B.Ed DMC bearing Roll No. 2109 showing his date of passing of B.Ed examination as 31.12.2007, he would not have submitted the above mentioned application to the Director, Schools and Literacy Education Department NWFP Peshawar. Furthermore, the respondents have not produced any cogent record which could show that the fake DMC bearing Roll No. 2109 issued from Oxford Education Academy Batkhela was submitted by the appellant at the time of his initial appointment on contract basis.



7. One of the allegation against the appellant is that the order regarding regularization of his services was issued on 22.10.2010, while he reported for duty on 24.12.2010. Available on the record is copy of charge report of the appellant, which would show that the appellant assumed the charge on 23.09.2010. The respondents have not produced any cogent record which could support their stance that the appellant assumed the charge on 24.12.2010 i.e with a delay of 03 months and 02 days. Similarly, nothing has been produced by the respondents to show that the rest of the

allegations leveled against the appellant were proved. Moreover, the respondents have not been able to produce any documentary proof to negate the contention of the appellant that he was not associated in the inquiry proceedings.

8. It is apparent from the record that on somewhat similar allegations, case FIR No. 1 dated 04.01.2012 under sections 409/419/420/468/471 PPC/5 (2) PC, Act PS ACE Dir Lower was registered against the appellant, however ADL submitted his opinion that as the Degrees of the appellant were found correct and the case being a weak one is not worth of prosecution, therefore, the same may be dropped if agreed. The abovementioned FIR was thus dropped and letter bearing Endorsement No. 8525-27 dated 12.09.2012 was sent by the Director Anti-Corruption Establishment, Khyber Pakhtunkhwa Peshawar to the Assistant Director Crimes, Anti-Corruption, Swat in this respect, copy of which is available on the record.

9. In view of the foregoing discussion, the appeal in hand is allowed as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
21.10.2021


(AHMAD SULTAN TAREEN)
CHAIRMAN


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

Service Appeal No. 909/2013

ORDER
21.10.2021

Appellant alongwith his counsel Mr. Muhammad Isha Khan, Advocate, present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present. Learned counsel for the appellant submitted additional documents, which are placed on file. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand is allowed as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
21.10.2021



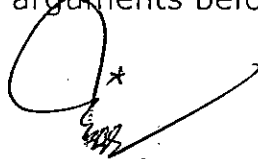
(Ahmad Sultan Tareen)
Chairman



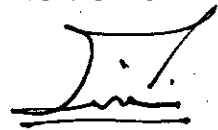
(Salah-ud-Din)
Member (Judicial

24.08.2021

Appellant alongwith his counsel present. Mr. Naseer Ullah, Librarian alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present and sought time for submission of written arguments. Respondents shall submit their written arguments on merits as well as about the point of mis-representation if any on or before the next date in office and to come up for arguments before the D.B on 20.10.2021.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

20.10.2021

Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Arguments on behalf of the appellant have been heard. Learned Additional Advocate General after putting arguments at short length requested for adjournment for further arguments after consulting the department. Case to come up for further arguments on 21.10.2021 before this D.B.



(Salah-Ud-Din)
Member (Judicial)



Chairman

14.06.2021

Appellant with counsel present.

Muhammad Adeel Butt learned Additional Advocate General alongwith Hayat Khan Assistant Director for respondents present.

The departmental respondents through learned A.A.G submit that they apprehend certain misrepresentation about service of process on the respondents and about some applications submitted on their behalf. Right of filing of written reply has already been forfeited vide order dated 15.08.2014, where-after, an application for setting aside ex-parte proceedings against the respondents was submitted on 29.12.2015 but was disposed of in terms of submission made by the learned Assistant Advocate General on 10.12.2018; and accordingly, he made a statement at the bar expressing no wish to pursue the application for setting aside ex-parte proceedings. Without going for questions likely to arise in view of said submissions of respondents, let them submit their written arguments on merits as well as about the point of mis-representation if any on or before the next date in office. To come up for arguments on 24.08.2021 before D.B



(Rozina Rehman)
Member (J)



Chairman

11.03.2021

Appellant present through counsel.

Riaz Khan Pindakheil learned Assistant Advocate General for respondents present.

Again, a request was made for adjournment by the appellant and in this regard, he submitted an application. Learned counsel for appellant (Muhammad Issa Khan Advocate) was stated to be busy in august Peshawar High Court Peshawar.

On the preceding date, last chance was given to the appellant but today his counsel is busy before High Court. The appellant is directed to make sure the presence of his counsel on the next date positively, failing which, case will be decided on the strength of available record.

Adjourned to 14/06/2021 for arguments before D.B.


(Mian Muhammad)
Member (E)

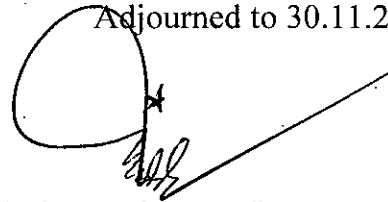

(Rozina Rehman)
Member (J)

24.09.2020

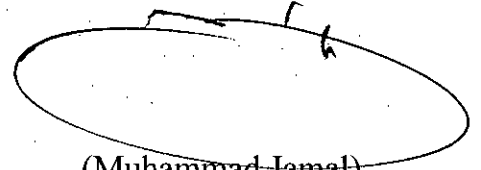
Appellant is present in person. Mr. Muhammad Riaz Khan Painsdakhel, Assistant Advocate General for respondents is present.

Perusal of record revealed that Member copy of the requisite documents have not been provided. Appellant is directed to make up the deficiencies well before the next date of hearing.

Adjourned to 30.11.2020 for arguments before D.B.



(Mian Muhammad)
Member (E)



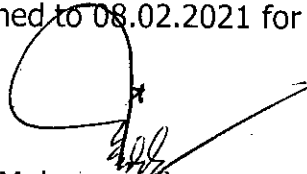
(Muhammad Jamal)
Member(J)

30.11.2020

Appellant alongwith counsel and Addl. AG for the respondents present.

Appellant seeks time to furnish complete set of brief for consumption of learned Member. Appellant is require to submit the same before the next date of hearing.

Adjourned to 08.02.2021 for hearing before the D.B.



(Mian Muhammad)
Member(E)



Chairman

08.02.2021

Junior to counsel for the appellant and Mr. Riaz Khan Painsdakhel learned Assistant Advocate General for respondents present.

Former requests for adjournment as learned senior counsel for the appellant is indisposed today.

Instant appeal pertains to the year 2013, therefore is adjourned to 11.03.2021 before D.B as a last chance.



(Atiq Ur Rehman Wazir)
Member (E)



Chairman

27.02.2020

Appellant in person present. Mr. Riaz Paindakhel Assistant Advocate General for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for further proceedings/arguments on 02.04.2020 before D.B.


Member


Member

02.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 29.06.2020 before D.B.


Reader

29.06.2020

Due to COVID19, the case is adjourned to 24.09.2020 for the same as before.


Reader

10.12.2019

None present on behalf of appellant. Mr. Kabir Ullah Khattak learned Additional Advocate General for the respondents present. Lawyers are on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourned. To come up for further proceedings/arguments on 16.01.2020 before D.B.



Member



Chairman

16.01.2020

Appellant absent. Learned counsel for the appellant absent. Mr. Riaz Painsdakhel learned Assistant Advocate General for the respondents present. Due to general strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for further proceedings/arguments on 12.02.2020 before D.B. Appellant be put to notice for the date fixed.



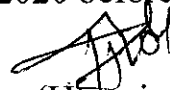
Member



Member

12.02.2020

Appellant in person present. Mr. Kabirullah Khattak learned Additional AG for the respondents present. The worthy Chairman is on leave, therefore the case is adjournment. To come up for further proceedings/arguments on 27.02.2020 before D.B.




(Hussain Shah)

Member

Service Appeal No. 909/2013

06.09.2019 Appellant in person and Mr. Riaz Ahmad Paindakheil, Assistant for the respondents present. Appellant requested for adjournment on the ground that his counsel is busy before the Hon'ble Peshawar High Court. Adjourned to 10.10.2019 for arguments before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

10.10.2019 Appellant in person present. Mr. Ziullah, DDA for respondents present. Appellant submitted application for adjournment. Adjourn. To come up for arguments on 07.11.2019 before D.B.


Member


Member

07.11.2019 Appellant in person present, seeks adjournment and stated that arguments in the instant appeal have already been heard by the bench comprising of learned Chairman and Member Executive (Mr. Hussain Shah). Adjourn. In view of stance of appellant and order dated sheet 01.02.2019, file of the present service appeal be sent to the learned Chairman of this Tribunal for appropriate order/proceedings.


Member


Member

09.04.2019 Appellant in person and Mr. Zia Ullah learned Deputy District Attorney present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn To come up for arguments on 26.06.2019 before D.B.

(Hussain Shah)
Member


(Muhammad Hamid Mughal)
Member

26.06.2019 Appellant in person and Mr. Zia Ullah DDA for the respondents present. Due to incomplete bench, the case is adjourned to 09.08.2019 before D.B


Reader.

09.08.2019 Appellant in person and Mr. Muhammad Jan learned Deputy District Attorney present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 06.09.2019 before D.B.


Member


Member


909/2013

01.2.2019

Mr. Muhammad Isa Khan, Advocate for appellant and Mr. Muhammad Riaz Pinda Khel, Asstt. AG for the respondents were present.

Arguments in the matter were heard on 30.01.2019 and order announced, however, at the time of writing of judgment need for more assistance was felt, therefore, instant appeal is posted for rehearing to 25.02.2019 before this D.B.

Learned counsel for the parties be sent notices for the date fixed.


Member
(Hussain Shah)



Chairman

25.02.2019

Appellant in person and Mr. Ziaullah, DDA for the respondents present.

Appellant requests for adjournment in order to place on record certain additional documents relevant for the case. Adjourned to 09.05.2019 before the D.B.


Member


Chairman

26.10.2018

Due to retirement of Hon'able Chairman, the Tribunal is defunct. Therefore, the case is adjourned for the same on 10.12.2018 before D.B.


Reader

10.12.2018

Counsel for the appellant and Mr. Muhammad Riaz Painsa Khel, Asstt. AG for the respondents present.

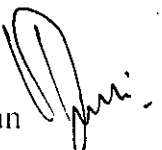
Learned counsel for the parties were heard at some length, however, while the attention of learned AAG was drawn to order dated 15.08.2014, wherein, right of written reply of the respondents was forfeited, he stated that he did not wish to pursue the application for setting aside ex-parte proceedings and was willing to argue the matter on the strength of available record.

Application is disposed of in terms of submissions by the learned Asstt. A.G.

Learned counsel for the appellant at this juncture stated that he was not prepared to argue the appeal, therefore, request for adjournment.

Adjourned to 30.01.2019 for hearing before the D.B.


Member


Chairman 

Service Appeal No. 909/2013

05.07.2018


Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 20.08.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Kundi)
Member

20.08.2018


Clerk of the counsel for appellant and Mr. Riaz Ahmed Paindakheil, Assistant AG for the respondents present. Clerk of the counsel for appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Last chance is granted for arguments. To come up for arguments on 03.09.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

03.09.2018


Appellant absent. Learned counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 26.10.2018 before D.B. ,


(M. Amin Khan Kundi)
Member


(M. Hamid Mughal)
Member

14.02.2018


Learned counsel for the appellant Mr. Riaz Painsa Kheil, learned Assistant Advocate General for the respondents present. Right of the respondents to furnish written reply was forfeited vide order dated 15.08.2014. On 29.12.2015 application for setting aside ex parte proceedings was submitted. Adjournment requested. Adjourned. To come up for reply and arguments on 26.03.2018 before D.B.

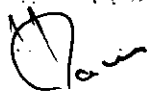

(Ahmad Hassan)
MEMBER


(Muhammad Hamid Mughal)
MEMBER

26.03.2018

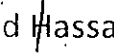
Learned counsel for the appellant and Mr. Zia Ullah, learned Deputy District Attorney for the respondents present. Learned counsel for the appellant submitted reply to the application for setting aside ex parte proceeding. Copy given to the learned DDA. Adjournment request made on behalf of Deputy District Attorney Adjourn. To come up for arguments on application for setting aside ex parte proceedings on 24.04.2018 before D.B.



(Muhammad Amin Kundi)
Member


(Muhammad Hamid Mughal)
Member

24.04.2018

Clerk to counsel for the appellant and Mr. Riaz Painsa Kheil, learned Assistant Advocate General present. Clerk to counsel for the appellant seeks adjournment as learned counsel for the appellant is not available. Adjourn. To come up for arguments on 05.07.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

17. 06.07.2017

Appellant in person present. Mr. Zia Ullah, Deputy District Attorney for the respondent present. Appellant requested for adjournment. Adjourned. To come up for arguments on 01.11.2017 before D.B.

(Gul Zeb Khan)
Member

(Muhammad Hamid Mughal)
Member

01.11.2017

Clerk of counsel for the appellant and Mr. Kabir Ullah Khattak, Additional Advocate General for the respondents present. Due to general strike of the bar, counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 14.12.2017 before D.B.

Member

Chairman

14.12.2017


None present on behalf of the appellant. Mr. Usman Ghani, learned District Attorney for the respondents present. Fresh notice be issued to the appellant and his counsel for attendance. To come up for arguments on 14.02.2018 before D.B

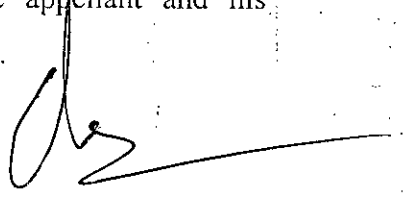
(Gul Zeb Khan)
MEMBER

(Muhammad Hamid Mughal)
MEMBER

15.6.2016

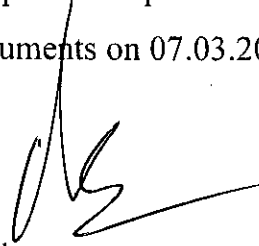
None present for appellant and Assistant AG for respondents present. Notice be issued to the appellant and his counsel. To come up for arguments on 2.11.2016.


Member


Member

02.11.2016

Junior to counsel for the appellant and Mr. Ziaullah, GP for respondents present. Junior to counsel for the appellant requested for adjournment. To come up for arguments on 07.03.2017 before D.B.



Member


Chairman

07.03.2017

Appellant in person and Addl: AG for respondents present. Appellant requested for adjournment. Request accepted. To come up for arguments on 06.07.2017 before D.B.



(ASHFAQUE TAJ)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

9


09.02.2015

None present for appellant. Addl: AG for respondents present. Arguments could not be heard due to incomplete Bench. The case is assigned to D.B for arguments for 22.06.2015.


Chairman

22.06.2015

Junior to counsel for the appellant and Asstt.AG present. Due to general strike of the bar, counsel for the appellant is not available. To come up for arguments on 29.12.2015.


Member


29.12.2015

Junior to counsel for the appellant and Mr. Hameed-ur-Rehman AD (Litigation) alongwith Mr. Muhammad Jan, GP for respondents present. Representative of respondent-department submitted application for setting-aside ex-parte proceedings against the respondents, copy whereof handed over to the learned counsel for the appellant as well as learned GP. To come up for reply on application and further proceedings on 8.3.2016.


Member

08.03.2016

Agent to counsel for the appellant and Mr. Hameed-ur-Rehman, AD (Litigation) alongwith Asst: AG for respondents present. Due to general strike of the bar counsel for the appellant is not available. Therefore, the case is adjourned to 15.06.2016 for arguments.

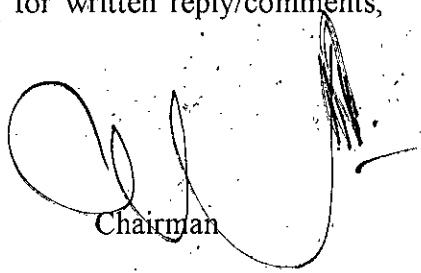

Member


Member

6

7.2.2014

Counsel for the appellant (Mr. Akhtar Ilyas, Advocate) and Mr. Muhammad Jan, GP for the respondents present. Written reply has not been received. Another chance is given for written reply/comments, positively, on 9.5.2014.


Chairman

7

9.5.2014

Clerk of counsel for the appellant and Mr. Khurshid Khan, SO for respondents with Mr. Usman Ghani, Sr. GP present. Written reply has not been received despite another chance given on the previous date. A last chance is given for written reply/comments on 15.8.2014.


Chairman

8

15.08.2014

Clerk of counsel for the appellant, M/S Mosam Khan, AD for respondent No. 1 and Khurshid Khan, SO for respondent No. 2 with Mr. Kabir Khan Khattak, Assistant Advocate General for the respondents present. Written reply has not been received despite last chance given for the purpose on the previous date. Therefore, right of written reply of the respondents is forfeited. To come up for arguments on available record on 9.2.2015.


Chairman

Appeal No. 909/2013.
Mr. Mussood Ahmad

3 01.08.2013

Appellant with counsel present and heard on preliminary.

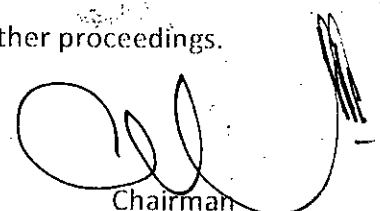
Contended that the appellant has not been treated in accordance with the law/rules. The departmental appeal filed against the impugned order dated 12.12.2012 which has not been responded within the statutory period of 90 days. Hence the instant appeal on 17.05.2013. Points raised need consideration. 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, notice be issued to the respondents. Case adjourned to 28.10.2013 for submission of written reply.

Appellant deposited
Process fee & Security
of Rs. 180/- Bank Receipt
attached with file


Member.

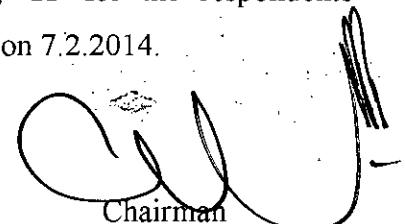
4 1.8.2013

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


Chairman

5 28.10.2013



Counsel for the appellant (Mr. Akhtar Ilyas, Advocate), M/S Mosam Khan, AD for respondent No. 1 and Khurhsid Khan, SO for respondent No. 2 with Mr. Muhammad Jan, GP for the respondents present. To come up for written reply/comments on 7.2.2014.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 909/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	20/05/2013	<p>The appeal of Mr. Maqsood Ahmad re-submitted today by Mr. Muhammad Issa Khan 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	15-7-2013	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>1-8-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>


The appeal of Mr. Maqbool Ahmad SET, GHS, Bajaur Dir Lower received today i.e. on 07/05/2013 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copies of Charge Sheet, Statement of allegations (Annexure-C) and Show Cause Notice (Annexure-E) mentioned in the memo of appeal are not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal may be attested.

No. 754 /S.T,


Dt. 18/05 /2013.

Mr. Muhammad Issa Khan Adv. Pesh.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Sir,

Re-submitted after completion.


20/05/2013.

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

S. Appeal No. 909 /2013

Maqsood Ahmad

SET, GHS Bajauro, Talash, Dir Lower..... Appellant

Versus

Director, Elementary & Secondary Education (E&SE), Khyber

Pakhtunkhwa, Peshawar & others.....Respondents

INDEX

Sr No.	Documents & description	Annexure	Page
1.	Appeal		1-5
2.	Copy of order dated 25.11.2008	A	6-9
3.	Copy of order dated 22.09.2010	B	10
4.	Copy of charge sheet on 13.01.2001	C	11-15
5.	Reply to show cause notice on 28.03.2012	D	16-20
6.	Copy of final show cause notice dated 09.04.2012	E	21-22
7.	Copy of application dated 27.03.2012	F	1723
8.	notification dated 12.12.2012 (Annex "G")	G	1824
9.	Copy of departmental appeal to respondent No.2 on 08.01.2013	H	25-29
10.	Wakalatnama		30-30

Through


Appellant

Muhammad Isa Khan
Advocate, Peshawar.

Off: 6-B, Haroon Mansion
Khyber Bazar,
Peshawar

Cell: 0300-5949173

Dated: 06.05.2013

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BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

S. Appeal No. 909 /2013

~~Q.V. J. D. ...~~
~~...~~
Date 8/7/13
07-5-13

Maqsood Ahmad

SET, GHS Bajauro, Talash, Dir Lower..... Appellant

Versus

- ① Director, Elementary & Secondary Education (E&SE),
Khyber Pakhtunkhwa, Peshawar.
- ② Secretary, Elementary & Secondary Education (E&SE),
Khyber Pakhtunkhwa, Peshawar.
- ③ Executive District Officer (E&SE) Dir Lower.. Respondents

Right of
Respondents
No. 103
is forfeited
vid order dt.
15.8.14

APPEAL U/S 4 OF THE KPK SERVICE
TRIBUNAL ACT, 1974 AGAINST THE
NOTIFICATION DATED 12.12.2012 OF
RESPONDENT NO.1, WHEREBY A
PENALTY OF WITHHOLDING OF 3
ANNUAL INCREMENTS AND
RECOVERY OF RS.201641/- HAS BEEN
IMPOSED UPON THE APPELLANT.

Sheweth;

1. That initially appellant was appointed as SST (BPS-16) in the Education Department vide order dated 25.11.2008 (Annex "A"), and after passing B.Ed examination his services were regularized vide order dated 22.09.2010 (Annex "B").

re-submitted to
and filed,

...
29/5/13

2. That the appellant was issued a charge sheet on 13.01.2001 (Annex "C") with a number of allegations levelled against him, including that the appellant's B.Ed exam and DMC were not genuine.
3. That appellant offered reply to the show cause notice on 28.03.2012 (Annex "D"), in which he denied all the charges with all specification in light of the documents enclosed with the stated reply, but that was probably not found satisfactory by the inquiry officer, hence he started the inquiry proceedings. It may be noted that during the inquiry proceedings only a verbal statement was taken from the appellant and nothing more than that in his presence was done. Neither was any evidence recorded or any witness examined in his presence nor was he confronted with any documentary evidence. So much so, that statement of the appellant was also not reduced into writing.
4. That, however, after the so called proceedings, final show cause notice dated 09.04.2012 (Annex "E") was issued. Appellant was supplied neither with the evidence or the inquiry report, therefore, he made an application dated 27.03.2012 (Annex "F") for the supply of the inquiry report, statement of witnesses and other material on which reliance was placed by the inquiry officer, but the concerned officer even refused to receive the said application and directed the appellant to furnish his reply to the show cause notice. In given scenario the appellant was constrained to make reply to the show cause notice on 28.03.2012, wherein, too, he has repeated the tale of non-supply of the inquiry report and the supporting material, which was his statutory right and the same could not be denied to him.

5. That the appellant is yet again faced with the same situation and, while preparing the memo of appeal, he is still not in possession of the inquiry report and the evidence, whether documentary or oral, if any, recorded by the inquiry officer.
6. That vide impugned notification dated 12.12.2012 (Annex "G") respondent No.1 imposed upon the appellant a penalty of withholding of three (3) annual increments and recovery of Rs.201641/-.
7. That the appellant preferred a departmental appeal to respondent No.2 on 08.01.2013 (Annex "H"), but it was not replied within the statutory period, hence this appeal, inter alia, on the following grounds:-

GROUND

- A. That the appellant has not been dealt with in accordance with law and rules on the subject.
- B. That the appellant was not associated with the inquiry proceedings, in that, neither any witness has been examined in his presence nor was he confronted with any document, hence, the inquiry report is totally illegal and it needs to be discarded at the very outset.
- C. That the non-supply of the inquiry report and the other so-called supporting documents to the appellant, has prejudiced the case of the appellant and on this score alone he needs to be exonerated from the charges.
- D. That at the initial stage of appointment, the appellant had never provided B.Ed certificate, for, at that time he had only taken the examination of B.Ed, but was not issued DMC, because the result

was awaited. However, after qualifying B.Ed and obtaining its certificate, he intimated the department, and it was for this reason that his services alongwith those of two other contract employees were regularized vide order dated 22.09.2010, by specifically mentioning, in a separate column, the date of their passing B.Ed exams. It needs no mention, that initially the appellant and a number of other candidates were appointed on contract basis as untrained teachers.

- E. That the DMC carrying Roll No.2109 of Malakand University never belonged to the appellant and the same seems to have been manipulated against him. It was also verified by District Officer (S&L) that the appellant was appointed on contract as untrained teacher (without B.Ed).
- F. That the record speaks for itself, that the applicant had joined his service on 22.09.2010 as regular employee. The allegation of his having reported for duty on 24.12.2010 is totally incorrect.
- G. That the allegation of submitting an arrear bill of Rs.201,641/- to the account officer is also incorrect and false and is vehemently denied. Though, the bill was prepared and signed by the appellant himself, but it was neither sent to, nor signed from, the accounts officer nor was any amount withdrawn or disbursed on the basis of the said arrear bill. When the bill was neither processed further nor was any loss caused to the Govt. exchequer, so it can not be based upon for inflecting any penalty on the appellant.
- H. That all the inquiry proceedings have been taken in utter disregard and violation of the KPK Civil servants (E&D) Rules, 2011 rather they have been ignored with impunity.

- I. That the law and rules on the subject do not approve of carrying out the disciplinary proceedings in the way and manner as conducted in the case of the appellant. He has not been dealt with in accordance with law, rather has been treated illegally, unfairly, arbitrary, unjustly and with malafide, hence, the proceedings to conducted and the consequent penalty imposed are of no legal effect.
- J. That appellant has been condemned unheard, which is in utter violation of the principle of natural justice.
- K. That the appellant seeks leave of the court to urge additional grounds, after the stance of the respondents becomes known to him.

Prayer

It is, therefore, prayed that, on acceptance of this appeal the impugned order/ Notification dated 12.12.2012 of respondent No.1 may kindly be set aside and the appellant be exonerated from the charges/ penalties.

Any other remedy to which the appellant is found fit in law, justice and equity may also be allowed.

[Signature]
Appellant

Through

Muhammad Isa Khan
Advocate, Supreme Court

&

[Signature]
Akhter Ilyas
Advocates, Peshawar.

AFFIDAVIT

I Masood Ahmad S/o Bahadur Khan R/o Dir(L) do hereby affirm and declare on oath that the contents of the accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

[Signature]
Oath Commission
6.5.2013
PESHAWAR

[Signature]
Deponent

Directorate of Elementary & Secondary Education NWFP, Peshawar

ANNEX - A 6

Notification

In pursuance of the powers conferred under Section 25 of the NWFP Civil Servant Act, 1973 the competent authority is pleased to appoint the following SST Male (Science/General) (B-16) on contract basis as a stop-gap arrangements for a period of one year w.e.f. the date of assumption of charge, till the availability of selectees of the NWFP Public Service Commission / Departmental Selection Committee which ever is earlier:-

S.No	ID	Applicant Name	Father Name	District	Address	Subject	Posted At
1	6251	ZIA, UR. REHMAN	QAZI. SAIF. UR. REHMAN	Abbottabad	Home / Street :HOUSE NO. 1972 PO :NAWANSEHR Village / Town :DHODIAL UC / Tehsil / District :NAWANSEHR / ABBOTTABAD /	Science	GHS Lora Abbottabad
2	10714	GUL SHAH	HADAIT SHAH	Abbottabad	Home / Street :Bilal Cloth House PO :Main Bazar Village / Town :Liaqat Market UC / Tehsil / District :Havelian / Havelian / Abbottabad /	Science	GHS Satora Abbottabad
3	11072	Khalid Mahmood	Mohammad Youis	Abbottabad	Home / Street :- PO :Dalola Village / Town :Dalola UC / Tehsil / District :Dalola / Abbottabad / Abbottabad	Science	GHS Kanthiala Abbottabad
4	11757	shahzad yousaf Abbasi	muhammad Yousaf	Abbottabad	Home / Street : PO :Dalola Village / Town :Dalola UC / Tehsil / District :dalola / Abbottabad / Abbottabad	Science	GHS Majuhan Abbottabad
5	10317	Muhammad Ramazan	Shahzaman Khan	Abbottabad	Home / Street : PO :A.P.S School ATD Village / Town :Dahrian UC / Tehsil / District :Jhangri / Abbottabad / Abbottabad	Science	GHS Gurban Abbottabad
6	9243	NAEEM GUL	MUHAMMAD ANWAR	Abbottabad	Home / Street :Nacem gul c / o Madina PO : chowk Abbottabad Village / Town :electric storetanchi UC / Tehsil / District :Jhangri / Abbottabad / Abbottabad	Science	GHS Ghanbeer Abbottabad
7	9720	Raja Saif ur Rehman	Muhammad Khurshid	Abbottabad	Home / Street : Muhammad Abad PO :Havelian Village / Town :Sultanpur UC / Tehsil / District :Havelian / havelian / abbottabad	Science	GHS Toheed Abad Abbottabad
8	7158	Muhammad Faisal	Muhammad Suleman	Abbottabad	Home / Street :Nil PO :Boi Village / Town :Boi UC / Tehsil / District :Boi / Abbottabad / Abbottabad	Science	GHS Seer Abbottabad
9	10970	mohammad basharat	mohammad yaqoob	Abbottabad	Home / Street :qalanderabad PO :qalanderabad Village / Town :qalanderabad UC / Tehsil / District :banda pir khan / abbottabad / abbottabad	Science	GHS Dalola Abbottabad
10	11024	Murad Khan	Muhammad Anwar Khan	Abbottabad	Home / Street :House # 1473 / T PO :Nawanshehr Village / Town :Nawanshehr Jogan UC / Tehsil / District :Abbottabad / Abbottabad / Abbottabad	Science	GHS Kari Riki Abbottabad
11	12346	Yasir Ali Khan	Muhammad Ashraf	Abbottabad	Home / Street :709 / 3 PO :nawanshehr Village / Town :nawanshehr UC / Tehsil / District :nawanshehr / abbotabad / abbottabad	Science	GHS Molia Abbottabad
12	7805	saqib anwar jadoon	muhammad anwar jadoon	Abbottabad	Home / Street :house no 451 upper PO :abbottabad Village / Town :malik pura abbottaba UC / Tehsil / District :urbanmalik pura / abbottabad / abbottabad	Science	GHS Nathia Gali Abbottabad
13	11011	Zaheer-ul-haq	Ghulam Mustafa	Abbottabad	Home / Street : PO :post office bodla Village / Town :Village Noja bandi UC / Tehsil / District :mujhoon / abbottabad / abbottabad	General	GHS HADORA BAND Abbottabad
14	10730	MUHAMMAD SIDDIQUE	YAQUB	Abbottabad	Home / Street : PO :Kakot Village / Town :Kakot UC / Tehsil / District :Pawa / Abbottabad / Abbottabad	General	GHS Topa Khan Kalan Abbottabad
15	12568	Muhammad Bader Munir	Muhammad Saleheen	Abbottabad	Home / Street :Malik Abad Colony PO :Haripur Village / Town :c / o Sadat Shopkeeper UC / Tehsil / District :Sikandarpur / Haripur / Haripur	General	GHS Lora Abbottabad

SAB-307
Attested
Executive District Officer
(E&S), Upper

	Applicant Name	Father Name	District	Address	Subject	Posted At	
10139	Kilayatullah	Fazal Ahad Jan	Dir Lower	Home / Street : Nil PO : Koto Village / Town : Sharqatangi UC / Tehsil / District : Hayaserai / Balambat / Dir Lower	General	GHS Thal Dir Upper	
305	10927	Atta ur rahman	inam ur rahman	Dir Lower	Home / Street : wab PO : kotigram Village / Town : kotigram UC / Tehsil / District : kotigram / adenzai / dir lower	General	GHS Shinkari Dir Upper
306	6917	IMRAN ULLAH	MUHAMMAD ZAHIR SHAH	Dir Lower	Home / Street : Dir sweat house PO : Timergara Village / Town : Bazar Timergara UC / Tehsil / District : Timergara / Timergara / Dir Lower	General	GHS Shingara Dir Upper
307	11401	MAQSOOD AHMAD	BAHADAR KHAN	Dir Lower	Home / Street : nil PO : ZIARAT TALASH Village / Town : BAJAWRO TALASH UC / Tehsil / District : SHAH KHEL / TIMERGARA / Dir (L)	General	GHS Serai S khel Dir Upper
308	6616	Abdul Sattar Khan	Abdul Salam	Dir Lower	Home / Street : Mayor Khadagzai PO : Mayor Khadagzai Village / Town : Mayor Khadagzai UC /	General	GHS JanBatti Dir Upper
309	10327	Rehan Ali	Rahim Ullah	Dir Lower	Home / Street : Ghanib Abad PO : Hathian Village / Town : Hathian UC / Tehsil / District : Hathian / Takht Bhai / Mardan	General	GCMHS DIR Dir Upper
310	9182	shahid ali shah	zar wali shah	Karak	Home / Street : PO : takht-e-nasrati Village / Town : kanda siraj khel UC / Tehsil / District : siraj khel / takht-e-nasrati / karak	Science	GHS Dager Nari Karak
311	9517	Abdul Tawab	Abdul Wahab	Karak	Home / Street : Mohala landi khel PO : District Karak Village / Town : Karak city UC / Tehsil / District : Karak / Karak / Karak	Science	GHS Esak Kumari Karak
312	10104	Rahmat Shah	Nabi Shah	Karak	Home / Street : Jangi Kala PO : Bogara Village / Town : Bogara UC / Tehsil / District : Takht-e-Nasrati / Takht-e-Nasrati / Karak	Science	GHS Ghunda Shamskhi Karak
313	12093	IMTIAZ ALI SHAH	MUHAMMAD ALI SHAH	Karak	Home / Street : Shah Abad PO : Warana Village / Town : Warana UC / Tehsil / District : Ahmad Abad / Takht-e-Nasrati / karak	Science	GHS Darmalak Kohat
314	8440	umer farooq	said muhammad	Karak	Home / Street : PO : takht-e-nasrati Village / Town : ganderi khattak UC / Tehsil / District : miarki banda / takht-e-nasrati / karak	Science	GHS Nakband Kohat
315	13439	Arshad Iqbal	Misal Dad	Karak	Home / Street : Main Street PO : G.P.O Village / Town : Madina Colony UC / Tehsil / District : Diwala / D.I.KHAN / D.I.KHAN	Science	GHS Gandiri Wazirin Hangu
316	8711	Muhammad Aftab Alam	Umar Khan	Karak	Home / Street : PO : Ghundi Chokara Village / Town : Amin Khel Chokara UC / Tehsil / District : Chokara / T.Nasrati / karak	Science	GHS Mainji Khel Hangu
317	8444	Inam ul Haq	Taj kaiat Khan	Karak	Home / Street : Nari Panos PO : Nari Panos Village / Town : Nari Panos UC / Tehsil / District : Nari Panos / Banda Daud Shah / Karak	Science	GHS Shna Wari Naryabi Hangu
318	8692	ZAHOOR UR REHMAN	SHAMS UR REHMAN	Karak	Home / Street : PO : BOGARA Village / Town : AWAZI BANDA UC / Tehsil / District : CHOKARA / T / NASRATTI / KARAK	Science	GHSS Shaker Dara Kohat
319	11927	sami ullah	musahib gul	Karak	Home / Street : shagi road PO : karak Village / Town : karak UC / Tehsil / District : karak / karak / karak	Science	GHS Ghurzai Payan Kohat
320	7875	ABDUS SABOOR	SIKANDAR KHAN	Karak	Home / Street : NIL PO : JEHANGIRI BANDA Village / Town : YAGHI MUSAKAN BANDA UC / Tehsil / District : JEHANGIRI BANDA / TAKHT_E_NASRATI / KARAK	Science	GHS Landi Kachi Kohat
321	7916	Akbar saeed	Zarat Gul	Karak	Home / Street : C / O Usman Ullah PO : WFGS KDA Village / Town : Computer Instructor UC / Tehsil / District : Township / Karak / Karak	Science	GHS Nandaraka Kohat


Attestation S.No. 307


Executive District Officer
(ERS) Dir Upper

			District	Address	Subject	Posted At
6264	Sami Ullah	Nouroz Khan	FR Bannu / Distri	Home / Street : PO:Mini Khel Village / Town: Marghaji UC / Tehsil / District: Domel / Pannu / Bannu	General	Services are placed at the disposal of Director Education FATA
1097	muhammad ayaz khan	noor sal khan	FR Bannu / Distri	Home / Street : PO:domel Village / Town: village dodi khel UC / Tehsil / District: domel / bannu / bannu	General	Services are placed at the disposal of Director Education FATA
1098	11098 TARIQ WASIM	ASMAT ULLAH	FR Bannu / Distri	Home / Street : NO 622 / L.MOH SHAJI PO: BANNU Village / Town: JAMAN ROAD BANNU UC / Tehsil / District: BANNU CITY 1 / BANNU / BANNU	General	Services are placed at the disposal of Director Education FATA
1099	10792 Muhammad Rashid	Aqal Khan	FR DIKhan / Dist	Home / Street : Sheikh Mela PO: Sheikh Mela Village / Town: Sheikh Mela UC / Tehsil / District: Darazinda / Darazinda / D.I.Khan	Science	Services placed at the disposal of Director Education FATA
1100	11462 Samiullah	Rahmatullah	FR DIKhan / Dist	Home / Street : PO: Dabbara Village / Town: Darwain P.S UC / Tehsil / District: Dabbara / Tank / Tank	General	Services are placed at the disposal of Director Education FATA
1101	10118 Allah Noor	Hazrat Noor	FR DIKhan / Dist	Home / Street : PO: Drazinda Village / Town: Landi Malawan UC / Tehsil / District: / Drazinda / F.R.Dikhan	General	Services are placed at the disposal of Director Education FATA
1102	6893 shafiq ahmad	daud khan	FR DIKhan / Dist	Home / Street : PO: darazinda Village / Town: darazinda UC / Tehsil / District: / darazinda / F.R.DI khan	General	Services are placed at the disposal of Director Education FATA

Terms and conditions of their appointments

- The appointment of the above candidates will be on contract basis for the period of one year from the date of assumption of charge till the arrival of the selectees of the NWFP Public Service Commission / Departmental Selection Committee, which ever is earlier.
- They will get pay in BPS-16.
- No TA/DA will be allowed.
- If they want to resign from the service before expiry of the contract, they will have to serve one month notice in advance, failing which they will have to deposit one month pay in lieu of such notice, in the Government Treasury.
- Their appointment have been made for specific schools, so shall not make any request for transfer from the School where they are posted. In case of such occurrence, their services shall stand terminated.
- They should join their posts within 15-days of the issue of this notification. The Executive District Officer, Elementary Secondary Education concern, should furnish certificate to the effect that the candidates have joined the post or otherwise after 15 days of the issue of this Notification.
- They shall execute an agreement with the Government before taking over charge, signed by the concerned EDOs Elementary Secondary Education, NWFP, on behalf of the Government/Director(E&SE).
- They will not be entitled to any pension or gratuity for the service rendered by them on contract basis and shall not claim regularization for their contract service.
- Charge report in duplicate should be submitted to all concerned.
- Their service shall be terminated if they violate any provision of the terms and conditions specified in the agreement Bond/Dood.
- They shall not be entitled to perform any examination duty of the BISEs/Universities/RDE, NWFP, during the current contract period.


 Director
 Elementary & Secondary Education,
 NWFP Peshawar

Attached


NDST NO.5139-5197/A-14/SST/MF/Contract One Year/

Dated: 25/11/2008

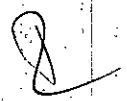
Copy of the above is forwarded to:

- 1) Accountant General, NWFP Peshawar.
- 2) Director Education FATA, Peshawar.
- 3) District Accounts Officer concerned.
- 4) Director Elementary Secondary Education NWFP, Peshawar.
- 5) Executive District Officer (ESE) concerned.
- 6) Principals/Headmasters/Head Mistress concerned.
- 7) SST concerned.
- 8) PS to Minister for Elementary & Secondary Education NWFP.
- 9) PS to Secretary to Govt: of NWFP E&SE Department. Officer concerned.
- 10) All Chairmen of BISE/Registrars of Universities in NWFP.
- 11) PA to Director(E&SE) Local Office.
- 12) Master File.

9



**Deputy Director (Estb):
Elementary & Secondary Education,
NWFP Peshawar**

Asst. Secy


Shi

ANNEX-B

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA
PESHAWAR

10

NOTIFICATION

Consequent upon the decision of the Committee meeting held on 25-8-2010, the competent authority has been pleased to regularize the services of the following Adhoc/contract employees against the post of SST (M) (BPS-16) with effect from the date noted against their names, under the NWFP Employees (Regularization of services) Act, 2009 on the terms & conditions given at the end of this Notification:-

S.No.	Name of SST	Date of passing B-Ed Examination	School address	No. & date of the current contract apptt: order	Date of regularization
1	Fatheullah SST S/O Hazratullah	6-1-2009	GHSS Chaghar Matti Peshawar	No.5139-5197 dated 25-11-2008	6-1-2009
2	Muhammad Khalid Khan SST S/O Nur Rehman	25-2-2009	GMS Kat Gabai Gadoon Swabi	No.5139-5197 dated 25-11-2008	25-2-2009
3	Maqsood Ahmad SST S/O Bahadar Khan	4-12-2008	GHS Seri Sultan Khel Dir upper	No.5139-5197 dated 25-11-2008	1-1-2009

Terms and conditions of their appointment

1. Their services will be considered as regular but without pension and gratuity in terms of Section-19 of NWFP, Civil Servants Acts, 1973 as amended vide NWFP, Civil Servants (Amendment) Act 2005. They will, however, be entitled to Contributory Provident Fund in such a manner and at such rates as prescribed by the Government.
2. The seniority will be determined according to Section-4 of NWFP, Employees (Regularization of service) Act, 2009.
3. They will be required to furnish copies of all their certificates/degrees alongwith original receipts and photo stat copies thereof, pertaining to verification fee of the concerned examining Body (Board & University) to the Executive Distt: Officers (E&SE) concerned.
4. The Executive Distt: Officers (E&SE) concerned are directed not to release their pay until the verification of their documents.

Directress
Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar

Endst: No. 5173-85 /A-14/SET(M) Regularization SST contract Dated Pesh: the 22/9/2010

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. All Executive Distt: Officers concerned
3. All Distt: Accounts Officers concerned
4. All Principals/ Headmasters concerned
5. Teachers concerned
6. PS to the Secretary to Govt: of Khyber Pakhtunkhwa, E&SE Deptt:
7. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.

Deputy Director (Establishment)
E&SE Khyber Pakhtunkhwa, Peshawar

Attested
[Signature]

Attested
[Signature]

[Signature] 22/9/2010

[Signature] 22/9/10

Registered

ANNEX - e (11)

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar.

No. _____ / F.No. 44/ / SET (M)

Dated Peshawar the 13/1/ 2011

To Mr. Hizar Hayat
Principal GCMHS Timargara Dir lower

Subject: - DISCIPLINARY ACTION AGAINST MR. MAQSOOD AHAMAD

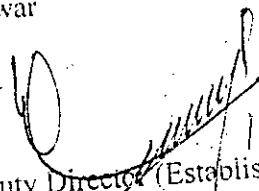
I am directed to refer to the subject noted above and to state that the Director of Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar, in his capacity as a competent authority under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, has been pleased to approve initiation of disciplinary proceedings against Mr. Maqsood Ahmad Ex-SET GHS Seri Sultan Khel Dir upper now GHS Bajauru Talash Dir lower vide attached charge sheet and statement of allegations. Consequently, the competent authority has been further pleased to appoint you as enquiry officer to scrutinize the conduct of the aforesaid accused teacher vis-à-vis the statement of allegations and desires that the inquiry officer, should take further necessary action and submit his findings, recommendations and report in accordance with provision of the said Rules mentioned above within thirty days:-

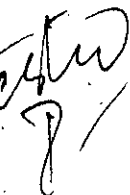
Deputy Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar.


Endst:No. 1704-9

Copy forwarded for information to:-

1. Executive Distt: Officer (E&SE) Dir upper
2. Executive Distt: Officer (E&SE) Dir lower.
3. Principal GHISS Wari Dir upper
4. Headmaster GHS Seri Sultan Khel Dir lower
5. Mr. Maqsood Ahmad Ex-SET GHS Seri Sultan Khel Dir upper now GHS Bajauru Talash Dir lower (the accused teacher/officer) with the directions to appear before the inquiry officer, on the date, time and place fixed by the inquiry officer, for the purpose of inquiry proceedings. (Copies of charge sheet & statement of allegations are attached)
6. PA the Director E&SE Khyber Pakhtunkhwa Peshawar


Deputy Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar
13/1/2012

Attested


Attested


13/1/12

4. Your written defence, if any, should reach the inquiry officer within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.
5. Intimate whether you desire to be heard in person.
6. A statement of allegations is enclosed.

M *A*

(Competent authority)

Mr. Maqsood Ahmad
Ex-SET GHS Seri Sultan Khel Dir upper
now GHS Bajauro Talash Dir lower

Attested
R

DISCIPLINARY ACTION

Rafiq Khattak Director Elementary and Secondary Education Khyber
Government Authority, is of the opinion that Mr. Maqsood Ahmad Ex-SET GHS
Dir upper now GHS Bajauro Talash Dir lower, has rendered himself liable to be
punished as he committed the following acts/omissions, within the meaning of rule 3 of
Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS

He was appointed against SST post on contract basis for one year vide Notification
Endst: No: 5139-5197 dated 25.11.2008. His contract service was regularized vide
Notification No.5173-85 dated 22-9-2010, but according to the report of the enquiry
officer he has provided a fake and bogus B.Ed DMC (Roll No. 2109 having
S.No.43750 Registration No. 2003430152 result declared on 31-12- 2007 from
Oxford Edu: Academy Batkhela) at the time of his contract appointment while he has
produced another B.Ed DMC (No. Roll No. 3062 having S.No. 2138 Registration
No. 2003430152 result declared on 4-12-2008 from Dir College of Edu: Timargara
Dir lower) at the time of regularization of his contract service.

- ii. As per report of the enquiry officer, his DMCs were verified from the Malakand University and the DMC (Roll No. 2109 having S.No.43750 Registration No. 2003430152 result declared on 31-12- 2007 from Oxford Edu: Academy Batkhela) was found fake and bogus.
- iii. He reported for duty on 24-12-2010 (three months and two days late) after the issue of the regularization order dated 22-9-2010.
- iv. He has submitted an arrear bill amounting to Rs.201641/- to the Accounts Officer without the counter signature of the DDO Principal GHSS Wari while he denied that he did not sign the bill.
- v. He has submitted two different relieving certificates to the Headmaster GHS Bajauro, one was signed by the Principal GHSS Wari as DDO for GHS Seri Sultan Khel and the 2nd was signed by the Incharge Headmaster GHS Seri. Sultan Khel, but the Principal and Headmaster disowned their signatures and stamps of the schools. Moreover the relieving chit was given the school dispatch No. 56-58 dated 31-3-2011, which is also found fake as per entries in the issue register.
- vi. All the signatures of Mr. Naseeb-ur-Rehman Incharge Headmaster GHS Seri Sultan Khel and Abdul Haleem Principal GHSS Wari as DDO of GHS Seri Sultan Khel were found fake and bogus, as they disowned the signatures. The Incharge H.M and J/cheik have also stated that the stamp used for signatures on different papers is not available at school.
- vii. The stamp used for attestation of Subject Specialist is also fake.
- viii. He is expert of bogus signatures. He practiced the signatures of different officers and he collected the stamps of SS, H.M, DDO and EDO with him.

2. For the purpose of inquiry against the said accused with reference to the above



3. The inquiry officer shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record his findings and make, within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the inquiry officer.

M 13/1/2012

(Competent authority)

Mr. Maqsood Ahmad
Ex-SET GHS Seri Sultan Khel Dir upper
now GHS Bajauro Talash Dir lower

Attended
2

Director,
Elementary and Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Subject: **Reply to the show cause notice dated 15.03.2012
received to the accused Civil Servant on 21.03.2012.**

R/Sir,

- 1) The accused civil servant (hereinafter referred to as the respondent) was initially appointed as SST vide order dated 25.11.2008 and posted at GHS Serai Sultan Khel, Dir Upper who took charge on 01.12.2008. His service was regularized vide order dated 22.09.2010 on the basis of his having passing B.Ed examination on 4.12.2008.
- 2) That later on due to some personal grudges of certain persons at the helms of affairs, a controversy arose as to the unguineness of the respondent's B.Ed, DMC and in this respect a charge sheet along with statement of allegations was issued to him on 13.01.2011, containing a number of other allegations as well.
- 3) The charge sheet was duly replied by the respondent, denying all the charges with specification duly supported by documentary evidence. However, his reply could not find favour with the inquiry officer and consequently, inquiry proceedings were initiated.
- 4) That during the inquiry proceedings, simply an oral statement was taken from the respondent and nothing else was done within the presence of the respondent.
- 5) That now, the show cause notice under reply has been issued to the respondent but no other document, neither the inquiry report nor any statement of any witness has been provided. In this respect the respondent endeavoured to submit an

Attd
Attd
2

application dated 27.03.2012 for supply of the inquiry report, statements of witnesses and other documents, if any, which were relied upon by the inquiry officer, but your good self refused to receive the application even and verbally directed the respondent yet again to offer reply to the show cause notice.

6) That notwithstanding the respondent has a statutory right to the documents referred to in the application dated 27.3.2012 for enabling him to offer an appropriate reply, he strives to make the answer as follows:

i) That the respondent has not been associated with the inquiry proceedings, in that neither any witness has been examined in his presence nor was he confronted with any document, hence the inquiry report is totally illegal and it needs to be discarded at the very outset.

ii) That the non-supply of the inquiry report and the other so-called supporting documents to the respondent, has prejudiced the case of the respondent and on this score alone he needs to be exonerated from the charges.

iii) That at the initial stage of appointment, the respondent had never provided B.Ed certificate, for, at that time he had only taken the examination of B.Ed but not issued DMC, because the result was awaited. However, after qualifying B.Ed and obtaining its certificate, he intimated the department, and it was for this reason that his services along with those of two other contract employees were regularized vide order dated 22.9.2012, by specifically mentioning, in a separate column, the dates of their passing B.Ed examination. It needs no mention, that initially the respondent and a number of other candidates were appointed on contract as untrained teachers.

Attended
2

(17)

(18)

- iv) That the DMC carrying Roll No.2109 of Malakand University never belonged to the respondent and the same seems to have been manipulated against him. It was also verified by District Officer (S&L) that the respondent was appointed on contract as untrained (without B.Ed).
- v) That the record speaks for itself, that the respondent had joined his service on 23.9.2010 as regular employee. The allegation of his having reported for duty on 24.12.2010 is totally incorrect.
- vi) The allegation No.(d) is also wrong. No such bill of arrears was submitted by the respondent.
- vii) That so far the question of two different relieving certificates is concerned, none of them is fake but issued by the schools concerned.
- viii) That the signatures of the two officers namely, M/S Naseeb ur Rahman and Abdul. Haleem were duly obtained from them and are genuine for all practical purposes. The respondent can prove the genuineness of these signatures from the school record, besides the expert opinion can be obtained to this respect.
- ix) That the allegations of using fake SS stamp for attestation is also incorrect.
- x) That similarly the allegation under note (h) are also incorrect.
- xi) That none of the allegations have been proved through supportive evidence either. The respondent was also denied the opportunity or rebuttal, so much so, he was not given the chance to cross examine the witnesses.

Attached
E

- (30) (29)
- xii) That all the inquiry proceedings have been taken not in consonance and conformity with the KPK Govt. Servants (E&D) Rules, 2011 rather they have been violated and ignored with impunity.
 - xiii) That the law and rules on the subject do not approve of conducting the proceedings in the way and manner as conducted in the case of the respondent.
 - xiv) The respondent is desirous and requests to be heard in person.

In view of the above said facts, it is, therefore, requested that the show cause notice issued to the respondent may be recalled and the charges leveled against him be dropped.

Respondent

Maqsood Ahmad
SET GHS Bajaur,
Talash, Dir Lower

Dated 28.03.2012

Attorney
Q



OFFICE OF THE
EXECUTIVE DISTRICT OFFICER
(E&SE) DISTRICT DIR LOWER

Tel: 0945-9250081
9250082

E. Mail: edosldir@yahoo.com

No, _____ /Dated Timergara the 30 /03/2012
To, _____

The Director(E&SE)
Khyber Pakhtun Khwa Peshawar.

Subject;- DEPARTMENTAL ACTION/SHOW CAUSE NOTICE.
Memo;-

Kindly refer to your letter No,2839/F.No,441/SET(M) dated 15/3/2012, on the subject noted above.

Show Cause Notice served upon Mr, Maqsood Ahmad Ex-SST GHS Seri Sultan Khel now GHS Bajawro Talash on 21/3/2012, and one copy of the same is enclosed herewith, for your kind information.

Moreover reply to the Show Cause Notice, received from the accused teacher, is also enclosed herewith for further necessary action please.

Endst; No, 5281 /

Executive Distt; Officer
(E&SE) Dir Lower.

Copy of the above is forwarded to the accused teacher, for information.

Executive Distt; Officer
(E&SE) Dir Lower

Attended
①

ANNEX E

(2) (21)

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa Peshawar

No. _____/File No. 441/SET (M)

Dated Peshawar the 9/4 /2012

To

The Executive Distt: Officer
Elementary & Secondary Education Dir lower.

Subject: DEPARTMENTAL ACTION/SHOW CAUSE NOTICE

I am directed to refer to this office letter No. 5280 dated 30-3-2012 and to ask you to inform Mr. Maqsood Ahmad Ex-SST GHS Seri Sultan Khel Now GHS Bajwro Talash Dir lower to attend this office for personal hearing on 16-4-2012 at 10.am

Sd/-
Deputy Director (Establishment)
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar

1122-24
Endst: No. _____

Copy forwarded for information to:-

1. Headmaster GHS Bajwro Talash Dir lower
2. Teacher concerned
3. PA to the Directress E&SE Khyber Pakhtunkhwa Peshawar

W. M. M. / 9/4/2012
Deputy Director (Establishment)
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar

Headmaster
D

Asst. Dir.
D

22

SHOW CAUSE NOTICE

I, Mr. Muhammad Rafiq Khattak Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Mr. Maqsood Ahmad Ex-SST GHS Seri Sultan Khel Dir upper now GHS Bajaur Talash Dir lower, as follows:-

1. (i) that consequent upon the completion of inquiry conducted against you by the inquiry officer for which you were given opportunity of hearing and
- (ii) on going through the findings and recommendations of the inquiry officer, the material on record and other connected papers including your defence before the said inquiry officer.

I am satisfied that you have committed the following acts/omissions specified in section 3 of the said rules.

(a) Misconduct

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of removal from service under rules 4 of the said rules.
3. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
4. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.
5. A copy of the findings of the inquiry officer is enclosed.

COMPETENT AUTHORITY

Mr. Maqsood Ahmad
GHS Bajaur Talash Dir lower

Attested
[Signature]

To

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

A.M.A.B.K.F. (27)

Subject: SUPPLY OF THE STATEMENTS OF WITNESSES
AND THE DOCUMENTS RELIED UPON IN THE
INQUIRY REPORT.

Sir,

With due respect and regard it is submitted, that a show cause notice has been issued to the applicant with a covering letter dated 15.3.2012 and received to him on 21.3.2012, calling upon him to show cause within a period of 15 days in maximum, but excepting the show cause notice with the above mentioned covering letter no other documents whatsoever has been provided to him. To reply the show cause notice the following documents are necessary to be supplied to the applicant:

- i) Inquiry Report;
- ii) Statements of the witnesses, if any recorded;
- iii) The alleged documents relied upon by the department as against the applicant; and
- iv) Any other material which has weighed with the inquiry officer.

It is, therefore, requested that in order to enable the applicant to properly answer the show cause notice the afore-referred statements and documents may kindly be supplied to him.

Applicant

Accepted
27-3-2012
Mr. Maqsood Ahmad
GHS Bajauro Talash
Dir Lower

Accepted
D

Accepted
D

Annex A

25

Through Proper Channel

ANNEX-G

28

24

Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar

NOTIFICATION

(Handwritten mark)

1. WHEREAS, Maqsood Ahmad Ex-SET GHS Seri Sultan Khel Dir upper now GHS Bajawaro Talash Dir lower was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, for the charges mentioned in the Charge sheet & Statement of allegations issued vide this office Endst: No 1704-9/ F.No.441/SET(M) dated 13-1-2011.
2. AND WHEREAS, the competent authority has appointed Mr. Hizar Hayat Principal GCMHS Timargara Dir lower as enquiry officer to conduct formal enquiry against the accused teacher, for the charges levelled against him vide this office letter No. 1703/ F.No.441/SET(M) dated 13-1-2011.
3. AND WHEREAS the Enquiry officer after having examined the charges, evidence on record has submitted the report vide No.661 dated 13-2-2012.
4. AND WHEREAS a show cause notice was served upon him through EDO (E&SE) Dir lower vide this office letter No.1121 dated 9-4-2012.
5. AND WHEREAS he was given an opportunity for personal hearing and he was heard in person on 16-4-2012.
6. AND WHEREAS the authority, after having considered the charge, evidence on the record, explanation of the accused teacher, is of the view that the charges against him have been proved.
7. NOW, THEREFORE, in exercise of powers conferred by the Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules 2011, the Competent Authority is pleased to impose minor penalty of "withdrawal of three Annual increments falling on 1-12-2012, 1-12-2013 & 1-12-2014" upon Maqsood Ahmad Ex-SET GHS Seri Sultan Khel Dir upper now, GHS Bajawaro Talash Dir lower and recovery of Rs.201641/- drawn by him vide pay bill for the period from 1-12-2009 to 31-3-2011..

DIRECTOR
ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR

Endst: No. 1038-45 / F.No.441/SET(M)

Dated Peshawar the 12/12/2012.

Copy forwarded to the:-

- 1- Executive Distt: Officer E&SE Dir lower
- 2- Executive Distt: Officer E&SE Dir upper
- 3- Distt: Accounts Officer Dir upper
- 4- Distt: Accounts Officer Dir lower
- 5- Headmaster GHS Seri Sultan Khel Dir upper
- 6- Headmaster GHS Bajawaro Talash Dir lower
- 7- Teacher concerned
- 8- PA to the Director E&SE Khyber Pakhtunkhwa Peshawar

(Signature)
12/12/2012

Deputy Director (Establishment)
E&SE, Khyber Pakhtunkhwa, Peshawar

12/12/2012

T/c do the need
ful

(Signature)

(Signature)

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evidence or the inquiry report, therefore, he made an application dated 27.03.2012 for the supply of the inquiry report, statement of witnesses and other materials on which reliance was placed by the inquiry officer, but the concerned officer even refused to receive the said application and directed the appellant to furnish his reply to the show cause notice. In the given scenario the appellant was constrained to make reply the show cause notice on 28.03.2012, wherein too he has repeated the tale of non-supply of the inquiry report and the supporting material, which was his statutory right and the same could not be denied to him.

5. That the appellant is yet again faced with the same situation and while preferring the instant appeal he is not in possession of the inquiry report and the evidence whether documentary or oral, if any recorded by the inquiry officer.

6. That the impugned notification dated 12.12.2012 is not tenable and requires to be undone for more than one reason?:

i. That it is well settled by now, that at the time the final show cause notice is issued to the accused civil servant, he shall be supplied the inquiry report and other supporting material, i.e. the statements of the witnesses and the documents relied upon by the inquiry officer for giving his findings. Simply the issuance of show cause notice would be of little avail and such a conduct would certainly go to the detriment of the accused civil servant.

ii. That the appellant was not associated with the inquiry proceedings. Apart from hearing verbal narration from the appellant nothing more was done in his presence or in his hearing. Not a single witness was examined in support of the allegations and he was not confronted with any documentary evidence by the inquiry officer, hence, on this score too, the

Attested
[Signature]

- disciplinary proceedings taken against the appellant are nullity in the eye of law and are required to be ignored.
 - iii. That the allegation of producing fake B.Ed DMC is also incorrect and concocted. After qualifying B.Ed and obtaining its certificate, the appellant informed the department and it was for this very reason that his service was regularized alongwith 2 other contract employees on 22.09.2010.
- The appellant had no concern whatsoever with DMC purportedly issued to Roll- No.2109 of Malakand University and it seems that it was manipulated against him. The appellant's position gets support by the fact that, as per verification by District Officer (S&L), the appellant was appointed on contract as untrained teacher (without B.Ed)
- iv. That allegation of submitting an arrear bill of Rs.201641/- to the Account Officer is also incorrect and false and is vehemently denied. Though, the bill was prepared and signed by the appellant himself, but it was neither sent to nor signed from the accounts officer nor was any amount withdrawn or disbursed on the basis of the said arrear bill. When the bill was neither processed further nor was any loss caused to the govt. exchequer, so it cannot be based upon for inflecting any penalty on the appellant.
 - v. That all the inquiry proceedings have been taken in utter disregard and violation of the KPK Civil Servants (E & D) Rules, 2011 rather they have been ignored with impunity.
 - vi. That the law and rules on the subject do not approve of carrying out the disciplinary proceedings in the way and manner as conducted in the case of the appellant. He has not been dealt with in accordance with law, rather has been treated illegally, unfairly, arbitrarily, unjustly and with mala-fide. Moreso, he is condemned unheard.

Attested
[Signature]

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vii. That the appellant is desirous and request to be given personal hearing, so that he is able to bring forth the real facts before the authorities concerned.

Therefore, it is requested that the impugned notification dated 12.12.2012 may kindly be set aside and the penalties imposed thereby on the appellant may be quashed.

Appellant

-SA-
Maqsood Ahmad
SET GHS Bajaro,
Talash, Dir Lower

Dated: 07.01.2013

Attested
[Signature]



OFFICE OF THE
DISTT. EDUCATION OFFICER,
(MALE) DISTRICT DIR, LOWER,

Tel: 0945-9250081
9250082

E. Mail: edostdir@yahoo.com

No. 85 /Dated Timergara 8 /1/2013

To,

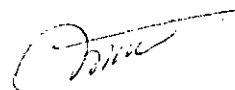
The Director of Education
Khyber Pakhtun Khwa Peshawar.


Subject:-


APPEAL AGAINST THE NOTIFICATION DATED 12/12/2012 OF THE
DIRECTOR(E&SE) KPK PESHAWAR, WHEREBY A PENALTY OF WITH
HOLDING OF THREE ANNUAL INCREMENTS AND RECOVERY OF
RS:201641/-HAS BEEN IMPOSED UPON THE APPELLANT.

Memo:-

Enclosed, please find herewith an appeal in respect of Mr, Maqsood Ahmad ex
SST GHS Bajawro now working at GHS Adam Dehri Dir lower on the subject noted above for
further necessary action.

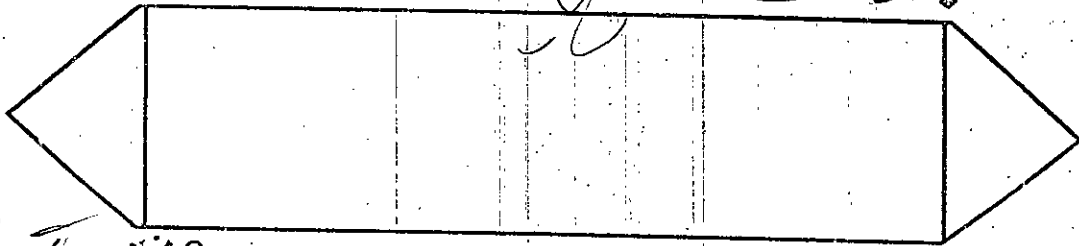

Distt. Education Officer
(Male) Dir Lower

Attested


Attested


29

بعدالت عامر



مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثتہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار 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 با اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو چیز چاہے ہر جانہ التوائے مقدمہ کے سبب سے وہ ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا اوکالت نامہ لکھ دیا کہ سند ہے۔

موزعہ 6/5/13
مقدمہ
دعویٰ
جرم

باعت تحریر آئیکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثتہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار 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 با اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو چیز چاہے ہر جانہ التوائے مقدمہ کے سبب سے وہ ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا اوکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 7
ماہ 2013

بمقام

Acceptance

Acceptance

احدالت سروس ٹریبونل حیدرآباد وختو ٹھوان مشاور

نمبران: ۱۰۰ سروس اپیل نمبر ۱۳/۹۰۹ از معقود احمد بنام گورنمنٹ۔
درخواست عدت ہمارا تبدیل کرنے تاریخ پیشی براے Arguments۔

جناب عالی!

محکومین ہوں کہ سائل کا سروس ٹریبونل میں اپیل مقرر کر رہے ہیں
آج تاریخ پیشی مقرر ہے۔ چونکہ سائل کا وکیل محمد عیسیٰ خان صاحب
موجود نہیں ہے لہذا استدعا کی جاتی ہے کہ سائل کے سروس
اپیل میں تاریخ پیشی تبدیل کرنے کا حکم ہمارے فرماویں تو
لیٹ نواز شہزاد ہوگی۔

الحامد

معقود احمد پیدائشی کنندہ

مورخہ ۱۱-۰۳-۲۰۲۱

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No: 909/2013

Maqsood Ahmad Ex-SST BPS-16 GHS Bajouro Talash District Dir Lower.....Appellant.

VERSUS

Director E&SE Department Khyber Pakhtunkhwa & others.....Respondents

JOINT PARAWISE COMMENTS FOR & ON BEHALF OF RESPONDENTS No: 1-3.

Respectfully Sheweth :-

The Respondents submit as under:-

PRELIMINARY OBJECTIONS.

- 1 *That* the Appellant has got no cause of action/locus standi.
- 2 *That* the instant Service Appeal is badly time barred.
- 3 *That* the Appellant has concealed material facts from this Tribunal.
- 4 *That* the instant service appeal is based on mala fide intentions.
- 5 *That* the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 *That* the instant Service Appeal is against the prevailing law & rules.
- 7 *That* the Appellant has been treated as per law, rules & policy.
- 8 *That* the appeal is not maintainable in its present form.
- 9 *That* the appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 10 *That* the instant Service Appeal is barred by law.
- 11 *That the Notification dated 12-12-2012 of the Respondent No.1 is legal which was substituted vide another Notification No. 2721-23 dated 13-03-2017 whereby major penalty of removal from service was converted in to minor penalty and this fact has been concealed by the appellant from this Honorable Tribunal & a copy whereof is attached for ready reference and liable to be maintained being the result of due process of law and procedure.*
- 12 *That* formal charge sheet has been served upon the appellant wherein has B.Ed degree bearing Roll No.2109 S.No.4375, Registration No.2003430152 dated 31-12-2019 & other S#2138 Registration No.2003430151 dated 04-12-2021 obtained from the oxford Education academy Batkhela and Dir college of Education Timargara Dir Lower respectively & were found fake and bogus by the inquiry committee after verification from the University of Malakand.

- 2
- 13 **That** the appellant has reported for duty on 24-12-2010 after 03 months and 02 days from his Regularization of services against the SST post on his fake & bogus document.
 - 14 **That** the appellant has been found guilty of producing two different relieving reports of the cheats Head master & in charge GHS Seri Sultan Khel as his DDO which were denied by both Mr. Naqeeb Ur Rehman & Abdul Haleem during the inquiry proceedings against the appellant as the appellant is an expert of faker & Bogus signature, hence, found guilty of miss conduct.
 - 15 **That** a Damages Suit bearing No.235/1 of 2018 under case titled Maqsood Ahmad VS Sher Afzal Khan & 07 others has already been dismissed by the Honorable Civil Judge Dir Lower vide Judgment dated 14-04-2021 in favor of the Defendant's on merits of the case & a copy of the cited Judgment is attached for ready reference.

ON FACTS

- 1 **That** Para-1, is incorrect as the B.Ed. degree of the appellant has been found fake & bogus by the inquiry officer during inquiry against the appellant, hence, the claim of the appellant is illegal & liable to be rejected.
- 2 **That** Para-2 is correct to the extent of issuance of charge sheet by the Respondent Department to the appellant. *(Copy of the charge sheet is Annexure-A).*
- 3 **That** Para-3 is incorrect. All the codal formalities are full filed as per law for verification of B.E.d. Degree & DMC, both have been found fake & bogus, hence, after conformation of the codal formalities the impugned order has validly been issued.
- 4 **That** Para-4 is incorrect upon the approaching of University of Malakand.
- 5 **That** Para-5 is incorrect & denied as each & every documents have been provided & landed over to the appellant in due process of law from which the appellant has drafted the instant appeal, hence, the claim of the appellant is illegal & liable to be rejected to being based on miss-statement.
- 6 **That** Para-6 is correct, that vide Notification dated 12-12-2012 the Respondent No.01 after having gone through the whole case record & inquiry report issued the Notification dated 12-12-2012 against the appellant which is illegally competent & liable to be maintained. However, *vide another Notification No. 2721-23 dated 13-03-2017 whereby major penalty of removal from service was converted in to minor penalty and this fact has been concealed by the appellant from this Honorable Tribunal & a copy whereof is attached for ready reference and liable to be maintained being the result of due process of law and procedure.*

- 7 *That* Para-7 is also incorrect & denied as no Departmental appeal has been filed by the appellant against the Notification dated 12-12-2012, hence, got finality under the provision of law of limitation Act 1908 against the appellant. Hence the appeal in hand is liable to be rejected on the following grounds inter alia:-

GROUNDS

- A. **Incorrect & not admitted.** The appellant has been treated as per Law, Rules in the instant by the Respondent vide Notification dated 12-12-2012 after observing all codal formalities, and hence, the plea of the appellant is liable to be rejected.
- B. **Incorrect & not admitted.** The stance of the appellant is without cogent proof of legal justification as fair chance of participation has been approved of the appellant in the instant by the Respondent Department.
- C. **Incorrect & not admitted.** All the required & relevant document have been provided to the appellant by the Respondent Department, hence, the plea of the appellant is illegal & liable to be rejected.
- D. **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & justification because as for available record obtained by the inquiry officer, the B.Ed. degree of the appellant has been declared as fake & bogus by the University of Malakand, hence, the claim of the appellant is illegal liable to be rejected in favor of the Respondents in the interest of justice.
- E. **Incorrect & not admitted.** The plea of the appellant regarding the B.Ed. Degree is baseless & liable to be rejected.
- F. **Incorrect & not admitted.** The appellant has joined his service on fake & bogus documents on 24-12-2012 instead on 22-09-2010 as evident from the record available against the appellant in the Respondent Department.
- G. **Incorrect & not admitted.** The appellant is a master in affixing fake & bogus signature upon the document & same is the case in the matter of passing his arrears bill from the District Account Officer concerned & has thus found guilty in causing millions of losses to the Government Treasury which was directed vide Notification dated 12/12/2012 by the Respondent No.1 from the appellant.
- H. **Incorrect & not admitted.** The inquiry proceeding are within legal sphere & liable to be maintained in favor of the Respondent Department in the interest of justice.
- I. **Incorrect & not admitted.** The act of the Respondent Department with regard to the Notification dated 12/12/2012 is legal & liable to be maintained.
- J. **Incorrect & not admitted.** Proper & fair chance of participation has been provided by the Respondent Department in the instant case to the appellant. Therefore the plea of the appellant is liable to be rejected.


4

K. Legal. However, the Respondent also seek leave of this Honorable Bench to submit additional grounds record & case law at the time of arguments on the date fixed in the titled case.

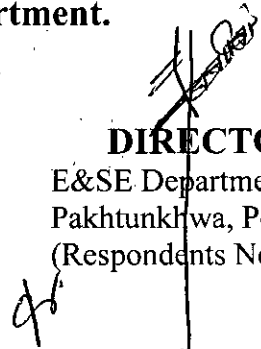
PRAYER.

In view of the above made submissions, it is requested that this Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favor of the Respondent Department.

Dated ___/___/2021.



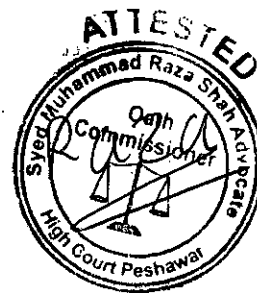
SECRETARY
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 2).


DIRECTOR
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No: 1 & 3).

AFFIDAVIT

I, Dr. Hayat Khan Asstt: Director (Litigation-II) E&SE Department do hereby solemnly affirm and declare On oath that the contents of the instant Parawise Comments are true & correct to the best of my knowledge & belief.


Deponent



Annex- A
5

CHARGE SHEET

I, Mr. Muhammad Rafiq Khattak Director Elementary and Secondary Education Khyber Peshawar, as competent authority, hereby charge you, Mr. Maqsood Ahmad Ex-SST GHS Seri Sultan Khel Dir Upper now GHS Bajauru Talash Dir lower, as follows:-

That you, while posted as SST committed to the following irregularities:-

- (a) You were appointed against SST post on contract basis for one year vide Notification Fndst. No. 5139-5197 dated 25.11.2008 your contract service was regularized vide Notification No.5173-85 dated 22-9-2010, but according to the report of the enquiry officer you have provided a fake and bogus B.Ed DMC (Roll No. 2109 having S.No.43750 Registration No. 2003430152 result declared on 31-12-2007 from Oxford Edu. Academy Batkhela) at the time of your contract appointment while you have produced another B.Ed DMC (No. Roll No. 3062 having S.No. 2138 Registration No. 2003430152 result declared on 4-12-2008 from Dir College of Edu. Timargara Dir lower) at the time of regularization of your contract service. *Fake*
- (b) As per report of the enquiry officer, your DMCs were verified from the Malakand University and the DMC (Roll No. 2109 having S.No.43750 Registration No. 2003430152 result declared on 31-12-2007 from Oxford Edu. Academy Batkhela) was found fake and bogus.
- (c) You have reported for duty on 24-12-2010 (three months and two days late) after the issue of the regularization order dated 22-9-2010.
- (d) You have submitted an arrear bill amounting to Rs.201641/- to the Accounts Officer without the counter signature of the DDO Principal GHSS Wari while he denied that he did not sign the bill.
- (e) You have submitted two different relieving certificates to the Headmaster GHS Bajauru, one was signed by the Principal GHSS Wari as DDO for GHS Seri Sultan Khel and the 2nd was signed by the Incharge Headmaster GHS Seri Sultan Khel, but the Principal and Headmaster disowned their signatures and stamps of the schools. Moreover the relieving chit was given the school dispatch No. 56-58 dated 31-3-2011, which is also found fake as per entries in the issue register. *Admitted signature prepared in A.P.P.*
- (f) All the signatures of Mr. Naseeb-ur-Rehman Incharge Headmaster GHS Seri Sultan Khel and Abdul Haleem Principal GHSS Wari as DDO of GHS Seri Sultan Khel were found fake and bogus, as they disowned the signatures. The Incharge H.M and J/clerk have also stated that the stamp used for signatures on different papers is not available at school.
- (g) The stamp used for attestation of Subject Specialist is also fake. *R*
- (h) You are expert of bogus signatures. You practiced the signatures of different officers and you collected the stamps of SS, HM, DDO and EDO with you.

2. By reason of the above, you appear to be guilty of misconduct under rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule 4 of the rules *ibid*.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

In re:

S.A.No.

Maqoos AhmadAppellant


Versus

Govt. of KPK and others Respondents

I N D E X

S.No.	Description of documents.	Annexure	Pages.
1.	Application for additional documents.		1
2.	Copy of relevant extract of Notification dated 25.11.2006		2-5
3.	Copy of Charge report		6
4.	Copy of letter to Director Schools		7
5.	Copy of Charge report		8
6.	Copy of relieving certificate		9
7.	Copies of attendance register		10-14
8.	Copy of letter to District Accounts Officer		15
9.	Copy of Notification dated 12.12.2012		16
10.	Copy of mercy petition		17
11.	Copy of letter to Asstt; Director Crimes		18
12.	Copies of cheques		19
13.	Copies of verification letters with educational documents		20-30

Appellant
Through


Muhammad Isa Khan Khalil
Advocate,
Supreme Court of Pakistan
Cell: 0300-5949173

Dated:

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

In re:

S.A.No.

Maqoos Ahmad Appellant

Versus

Govt. of KPK and others..... Respondents

APPLICATION FOR PLACING ON
FILE THE DOCUMENTS ATTACHED
WITH APPLICATION

Respectfully Sheweth;

- 1) That the above tilted case is pending before this hon'ble court and is fixed for 09.04.2019.
- 2). That the documents attached with the instant application are necessary for the just decision of the case on merit, hence are required to be placed on file, hence this application.

It is, therefore, humbly prayed that on acceptance of this application the documents may be placed on file.

Appellant

Through


Muhammad Ishtiaq Khan Khalil
Advocate,
Supreme Court of Pakistan

Directorate of Elementary & Secondary Education NWFP, Peshawar

Notification

In pursuance of the powers conferred under Section 25 of the NWFP Civil Servant Act, 1973 the competent authority is pleased to appoint the following ST Male (Science/General) (B-16) on contract basis as a stop-gap arrangements for a period of one year w.e.f. the date of assumption of charge, till the availability of selectees of the NWFP Public Service Commission / Departmental Selection Committee whichever is earlier:-

S.No	ID	Applicant Name	Father Name	District	Address	Subject	Posted At
1	6251	ZIA. UR. REHMAN	QAZI. SAIF. UR. REHMAN.	Abbottabad	Home / Street : HOUSE NO. 1972 PO : NAWANSEHR Village / Town : DHODIAL UC / Tehsil / District : NAWANSEHR / ABBOTTABAD /	Science	GHS Lora Abbottabad
2	10714	GUL SHAH	HADAIT SHAH	Abbottabad	Home / Street : Bilal Cloth House PO : Main Bazar Village / Town : Liaqat Market UC / Tehsil / District : Havelian / Havelian / Abbottabad	Science	GHS Satora Abbottabad
3	11072	Khalid Mahmood.	Mohammad Youis	Abbottabad	Home / Street : PO : Dalola Village / Town : Dalola UC / Tehsil / District : Dalola / Abbottabad / Abbottabad	Science	GHS Kanthiala Abbottabad.
4	11757	shahzad yousaf Abbasi	muhammad Yousaf	Abbottabad	Home / Street : PO : Dalola Village / Town : Dalola UC / Tehsil / District : dalola / Abbottabad / Abbottabad	Science	GHS Majuhan Abbottabad
5	10317	Muhammad Ramazan	Shahzaman Khan	Abbottabad	Home / Street : PO : A.P.S School ATD Village / Town : Dehrian UC / Tehsil / District : Jhangi / Abbottabad / Abbottabad	Science	GHS Sarhan Abbottabad
6	9243	NAEEM GUL	MUHAMMAD ANWAR	Abbottabad	Home / Street : Naem gul c / o Madina PO : chowk Abbottabad Village / Town : electric storelanchi UC / Tehsil / District : Jhangi / Abbottabad / Abbottabad	Science	GHS Ghambeer Abbottabad
7	9720	Raja Saif ur Rehman	Muhammad Khurshid	Abbottabad	Home / Street : Muhammad Abad PO : Havelian Village / Town : Sultanpur UC / Tehsil / District : Havelian / havelian / abbottabad	Science	GHS Toheed Abad Abbottabad
8	7158	Muhammad Faisal	Muhammad Suleman	Abbottabad	Home / Street : Nil. PO : Boi Village / Town : Boi UC / Tehsil / District : Boi / Abbottabad / Abbottabad	Science	GHS Seer Abbottabad
9	10970	mohammad basharat	mohammad yaqoob	Abbottabad	Home / Street : qalanderabad PO : qalanderabad Village / Town : qalanderabad UC / Tehsil / District : banda pir khan / abbottabad / abbottabad	Science	GHS Dalola Abbottabad
10	11024	Murad Khan	Muhammad Anwar Khan	Abbottabad	Home / Street : House # 1473 / T PO : Nawanshehr Village / Town : Nawanshehr Jogan UC / Tehsil / District : Abbottabad / Abbottabad / Abbottabad	Science	GHS Kari Riki Abbottabad
11	12346	Yasir Ali Khan	Muhammad Ashraf	Abbottabad.	Home / Street : 709 / 3 PO : nawanshehr Village / Town : nawanshehr UC / Tehsil / District : nawanshehr / abbottabad / abbottabad	Science	GHS Molla Abbottabad
12	7805	saqib anwar jadoon	muhammad anwar jadoon	Abbottabad	Home / Street : house no 451 upper PO : abbottabad Village / Town : malik pura abbottaba UC / Tehsil / District : urban malik pura / abbottabad / abbottabad	Science	GHS Nathia Gali Abbottabad
13	11011	Zaheer-ul-haq	Ghulam Mustafa	Abbottabad	Home / Street : PO : post office bodla Village / Town : Village Noja bandi UC / Tehsil / District : mujhoon / abbottabad / abbottabad	General	GHS HADORA BAND Abbottabad
14	10730	MUHAMMAD SIDDIQUE	YAQUB	Abbottabad	Home / Street : PO : Kakot Village / Town : Kakot UC / Tehsil / District : Pawa / Abbottabad / Abbottabad	General	GHS Topa Khan Kalan Abbottabad
15	12568	Muhammad Bader Munir	Muhammad Saleheen	Abbottabad	Home / Street : Malik Abad Colony PO : Haripur Village / Town : c / o Sadat Shopkeeper UC / Tehsil / District : : Sikandarpur / Haripur / Haripur	General	GHS Lora Abbottabad

S.No. 307

[Signature]
Executive District Officer
(E&S) Peshawar

3

	Applicant Name	Father Name	District	Address	Subject	Posted At		
0139	Kifayatullah	Fazal Ahad Jan	Dir Lower	Home / Street: Nil PO: Koto Village / Town: Shaktantagal UC / Tehsil / District: Hayaserai / Dalambal / Dir Lower	General	GHS Thal	Dir Upper	
305	0927	Alta ur rahman	inam ur rahman	Dir Lower	Home / Street: wab PO: kotigram Village / Town: kotigram UC / Tehsil / District: kotigram / adenzai / dir lower	General	GHS Shinkari	Dir Upper
306	6917	IMRAN ULLAH	MUHAMMAD ZAHIR SHAH	Dir Lower	Home / Street: Dir sweat house PO: Timergara Village / Town: Bazar Timergara UC / Tehsil / District: Timergara / Timergara / Dir Lower	General	GHS Shingara	Dir Upper
307	11401	MAQSOOD AHMAD	BAHADAR KHAN	Dir Lower	Home / Street: Nil PO: ZIARAT TALASH Village / Town: BAJAWROTALASH UC / Tehsil / District: SHAH KHEL / TIMERGARA / DIR (L)	General	GHS Serai S khel	Dir Upper
308	6616	Abdul Sattar Khan	Abdul Salam	Dir Lower	Home / Street: Mayar Khadagzai PO: Mayar Khadagzai Village / Town: Mayar Khadagzai UC /	General	GHS JanBatti	Dir Upper
309	10327	Rehan Ali	Rahim Ullah	Dir Lower	Home / Street: Gharib-Abad PO: Halthian Village / Town: Halthian UC / Tehsil / District: Halthian / Takht Bhai / Mardan	General	GCMJS DIR	Dir Upper
310	9182	shahid ali shah	zar wali shah	Karak	Home / Street: PO: takht-i-nasrati Village / Town: kanda siraj khel UC / Tehsil / District: siraj khel / takht-i-nasrati / karak	Science	GHS Dager Nari	Karak
311	9517	Abdul Tawab	Abdul Wahab	Karak	Home / Street: Mohala landi khel PO: District Karak Village / Town: Karak city UC / Tehsil / District: Karak / Karak / Karak	Science	GHS Esak Kurnari	Karak
312	10104	Rahmat Shah	Nabi Shah	Karak	Home / Street: Jangi Kalla PO: Bogara Village / Town: Bogara UC / Tehsil / District: Takht-e-Nasrati / Takht-e-Nasrati / Karak	Science	GHS Ghunda Shamshaki	Karak
313	12093	IMTIAZ ALI SHAH	MUHAMMAD ALI SHAH	Karak	Home / Street: Shah Abad PO: Warana Village / Town: Warana UC / Tehsil / District: Ahmad Abad / Takht-e-Nasrati / karak	Science	GHS Darmalak	Kohat
314	8440	umer farooq	said muhammad	Karak	Home / Street: PO: takht-e-nasrati Village / Town: ganderi khattak UC / Tehsil / District: mianki banda / takht-e-nasrati / karak	Science	GHS Nakband	Kohat
315	13439	Arshad Iqbal	Misal Dad	Karak	Home / Street: Main Street PO: G.P.O Village / Town: Madina Colony UC / Tehsil / District: Diwala / D.I.KHAN / D.I.KHAN	Science	GHS Gandiri Wazirin	Hangu
316	8711	Muhammad Aftab Alam	Umar Khan	Karak	Home / Street: PO: Ghundi Chokara Village / Town: Amin Khel Chokara UC / Tehsil / District: Chokara / T.Nasrati / karak	Science	GHS Mainji Khel	Hangu
317	8444	Inam ul Haq	Taj Kaiat Khan	Karak	Home / Street: Nari Panos PO: Nari Panos Village / Town: Nari Panos UC / Tehsil / District: Nari Panos / Banda Daud Shah / Karak	Science	GHS Shna Wari Naryab	Hangu
318	8692	ZAHOOOR UR REHMAN	SHAMS UR REHMAN	Karak	Home / Street: PO: BOGARA Village / Town: AWAZI BANDA UC / Tehsil / District: CHOKARA / / NASRATTI / KARAK	Science	GHSS Shaker Dara	Kohat
319	11927	sami ullah	musahib gul	Karak	Home / Street: shagi road PO: karak Village / Town: karak UC / Tehsil / District: karak / karak / karak	Science	GHS Ghurzai Payan	Kohat
320	7875	ABDUS SABOOR	SIKANDAR KHAN	Karak	Home / Street: Nil PO: JEHANGIRI BANDA Village / Town: YAGHI MUSAKAN BANDA UC / Tehsil / District: JEHANGIRI BANDA / TAKHT_E_NASRATI / KARAK	Science	GHS Landi Kachi	Kohat
321	7916	Akbar saeed	Zarat Gul	Karak	Home / Street: C / O Usman Ullah PO: WFGS KDA Village / Town: Computer Instructor UC / Tehsil / District: Township / Karak / Karak	Science	GHS Nandaraka	Kohat

Added SN: 307

[Handwritten Signature]
 EXECUTIVE OFFICER
 (EPRE) DIR UPPER

	Applicant Name	Father Name	District	Address	Subject	Posted At
6264	Sami Ullah	Nouroz Khan	FR Bannu / Distri	Home / Street: PO: Miri Khel Village / Town: Marghalj UC / Tehsil / District: Domel / Bannu / Bannu	General	Services are placed at the disposal of Director Education FATA
1097	2309 muhammad ayaz khan	noor sal khan	FR Bannu / Distri	Home / Street: no PO: domel Village / Town: village dodi khel UC / Tehsil / District: domel / Bannu / Bannu	General	Services are placed at the disposal of Director Education FATA
1098	11098 TARIQ WASIM	ASMAT ULLAH	FR Bannu / Distri	Home / Street: H / NO 622 / L MOH SHAJI PO: BANNU Village / Town: JAMAN ROAD BANNU UC / Tehsil / District: BANNU CITY 1 / BANNU / BANNU	General	Services are placed at the disposal of Director Education FATA
1099	10792 Muhammad Rashid	Aqal Khan	FR DIKhan / Dist	Home / Street: Sheikh Mela PO: Sheikh Mela Village / Town: Sheikh Mela UC / Tehsil / District: Darazinda / Darazinda / D.I.Khan	Science	Services placed at the disposal of Director Education FATA
1100	11462 Samiullah	Rahmatullah	FR DIKhan / Dist	Home / Street: PO: Dabbara Village / Town: Darwash P.S UC / Tehsil / District: Dabbara / Tank / Tank	General	Services are placed at the disposal of Director Education FATA
1101	10118 Allah Noor	Hazrat Noor	FR DIKhan / Dist	Home / Street: PO: Drazinda Village / Town: Landi Matawar UC / Tehsil / District: / Drazinda / F.R.DIKhan	General	Services are placed at the disposal of Director Education FATA
1102	6893 shafiq ahmad	dauk khañ	FR DIKhan / Dist	Home / Street: PO: darazinda Village / Town: darazinda UC / Tehsil / District: / darazinda / F.R.DIKhan	General	Services are placed at the disposal of Director Education FATA

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Terms and conditions of their appointments

- i) The appointment of the above candidates will be on contract basis for the period of one year from the date of assumption of charge till the arrival of the selectees of the NWFP Public Service Commission / Departmental Selection Committee, which ever is earlier.
- ii) They will get pay in BPS-16.
- iii) No TA/DA will be allowed.
- iv) If they want to resign from the service before expiry of the contract, they will have to serve one month notice in advance, failing which they will have to deposit one month pay in lieu of such notice, in the Government Treasury.
- v) Their appointment have been made for specific schools, so shall not make any request for transfer from the School where they are posted. In case of such occurrence, their services shall stand terminated.
- vi) They should join their posts within 15-days of the issue of this notification. The Executive District Officer, Elementary Secondary Education concern, should furnish certificate to the effect that the candidates have joined the post or otherwise after 15 days of the issue of this Notification.
- vii) They shall execute an agreement with the Government before taking over charge, signed by the concerned EDOs Elementary Secondary Education, NWFP, on behalf of the Government/Director(E&SE).
- viii) They will not be entitled to any pension or gratuity for the service rendered by them on contract basis and shall not claim regularization for their contract service.
- ix) Charge report in duplicate should be submitted to all concerned.
- x) Their service shall be terminated if they violate any provision of the terms and conditions specified in the agreement Bond/Deed.
- xi) They shall not be entitled to perform any examination duty of the BISEs/Universities/RDE, NWFP, during the current contract period.

**Director
Elementary & Secondary Education,
NWFP Peshawar**

NDST NO.5139-5197/A-14/SST/MF/Contract One Year/

(Dated: 25/11/2008)

Copy of the above is forwarded to:

- 1) Accountant General, NWFP Peshawar.
- 2) Director Education FATA, Peshawar.
- 3) District Accounts Officer concerned.
- 4) Director Elementary Secondary Education NWFP, Peshawar.
- 5) Executive District Officer (ESE) concerned.
- 6) Principals/Headmasters/Head Mistress concerned.
- 7) SST concerned.
- 8) PS to Minister for Elementary & Secondary Education NWFP.
- 9) PS to Secretary to Govt: of NWFP E&SE Department. Officer concerned.
- 10) All Chairmen of BISE/Registrars of Universities in NWFP.
- 11) PA to Director(E&SE) Local Office.
- 12) Master File.

[Signature]

Deputy Director (Estb):
Elementary & Secondary Education,
NWFP Peshawar

5

6

CHARGE REPORT.

In compliance with the education department notification No.5139-5197/A-14/SST/MF/Contract, dated.25/11/2008 I took over charge of my duties against SST vacant post at Govt: High school Serai Sultan Khail Distt:Dir upper today on 01/12/2008 (F.N).

Maqsood
Maqsood Ahmad SST (General)
Govt: Servant receiving charge.

Endst No: 107-3

Dated. 01 /12/2008.

Copy forwarded for information to the:-

1. Director (S&L) N.W.F.P, Peshawar.
2. Executive District Officer Elem: & Secy: Edu:Dir Upper.
3. District Accounts Officer Dir Upper.
4. Personal file.

(Signature)
Exec District Officer
Elem: Dir Upper

(Signature)
Head Master,
GHS
Govt: High School Serai (S) Khail
Distt: Dir Upper.

Annex-A

7

To,

The Director,
School and Literacy,
Education Department,
N.W.F.P. Peshawar.

R/Sir,

With great veneration it is stated that Mr. Maqsood Ahmad SST (General) at GHS Serai Sultan Khail Dir (Upper) is performing his duty with regular base.

Now I am facing with the problem that I taken over charge at 01-12-2009 and my B.Ed DMC was issued at 04-12-2009. Now there is a break of three (3) days between my taken over charge and B.Ed DMC, in this regard my name was not included due to three(3) days break in the fresh order for regularization.

It is also mentioned that the applicant also given his M.Ed examination from Malakand University with regular base in the Session 2009 and the result is just awaited, my Roll No slip and date sheet is also attached with this application.

Sir if you given me the opportunity to submit my case and include my name in the fresh order about regularization, I will be very thankful for this action of kindness and oblige.

Maqsood
Yours Obedient,
Maqsood Ahmad SST (General)
GHS Serai Sultan Khail
Dir Upper.

Maqsood
Head Master
GHS S.S. Dir (U)
Dir (U)
Recommended

No 7042 - all 21-12-2009

original application forwarded for further n/a.

[Signature]
District Officer
Schools & Literacy
Dir Upper

**REGULATION OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA
ISPAWAWA**

8

NOMINATION

Consequent upon the decision of the Committee meeting held on 25-8-2010, the competent authority has been pleased to regularize the services of the following Adhoc/contract employee against the post of SST (M) (DP&I6) with effect from the date noted against their names, under the NWFP Employees (Regularization of services) Act, 2007 on the terms & conditions given at the end of this Notification:

S.No.	Name of SST	Date of Posting (Based on nomination)	School address	No. & date of the current contract/ applt. order	Date of regularization
1	Patheullah SST S/O Hozarullah	6-1-2009	GHSS Chaghar Mati Peshawar	No.5139-5197 dated 25-11-2008	6-1-2009
2	Khalid Khan SST S/O Nur Rehman	25-2-2009	GMS Kai Gabai Gudoon Swabi	No.5139-5197 dated 25-11-2008	25-2-2009
3	Maqsood Ahmad SST S/O Bahadar (Khan)	4-12-2008	GHSS Sori Sultan Khal Dir Upper	No.5139-5197 dated 25-11-2008	1-1-2009

2. Terms and conditions of their appointment

- Their services will be considered as regular but without pension and gratuity in terms of Section 19 of NWFP, Civil Servants Act, 1973 as amended vide NWFP, Civil Servants (Amendment) Act, 2005. They will, however, be entitled to Contributory Provident Fund in such a manner and as such rules as prescribed by the Government.
- The seniority will be determined according to Section 19 of NWFP Employees (Regularization of Service) Act, 2007.
- They will be required to furnish copies of all their certificates/degrees along with original receipts and photo copies thereof, pertaining to verification, fee of the concerned examining Body (Board & University) to the Executive District Officer (E&SE) concerned.
- The Executive District Officer (E&SE) concerned are directed not to release their pay until the verification of their documents.

Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar

Indst. No. 5173-85 (M/SET(M) Regularization SST contract Dated Pesh. the 29/12/2010

- Accountant General Khyber Pakhtunkhwa Peshawar
- All Executive Distt. Officers concerned
- All Distt. Account Officers concerned
- All Principals/ Headmasters concerned
- Members concerned
- PS to the Secretary Govt. of Khyber Pakhtunkhwa E&SE Deptt.
- IA to the Director E&SE Khyber Pakhtunkhwa Peshawar

Deputy Director (C&M) (M/ED)
E&SE Khyber Pakhtunkhwa Peshawar

[Signature]
29/12/2010

9

CHARGE REPORT

Certified that I have on the fore noon of this day 23-09-2010 respectively receive charge of this school G.H.S Serai Sultan Khail of the SST. B-16 post w.e.f 1-1-2009 at G.H.S Serai Sultan Khail Dir(u) vide Govt: of K.P.K, (E&S) Edu: Dept : Notification Endst. No.5139-5197/A14/SST/MF/ Contract dated 25-11-2008 at S.No. 307 and regularization notification issued by that office vide his Endst: N o. 5173-85 dated 22-09-2010 at S.No. 3.

Maqsood Ahmad
Signature of relieving
Govt Servant: Maqsood Ahmad
Designation: SST(Gen)B-16

OFFICE OF THE HEAD MASTER GHIS SERI SULTAN KHAİL DIR(U)

Endst: No. 107-3. G.H.S Seri Sultan Khail Dir (u)

Copy of the above is forwarded to

1. The Director (E&S) Edu:K.P.K Peshawar..
2. The Exccutive District Officer (E&S)Edu: Dir(u).
3. the District Accounts officer Dir (u)

Chohan

Bh...

De

Chohan
Head Master
G.H.S Serai Sultan Khail
Dist: Dir (U)
DHO

10

RELIEVING CERTIFICATE

Certified that I have on the afternoon of this day (31-03-2011), respectively handed over and relived from GHS Serai Sultan Khail Dir Upper to GHS Bajawro Talash Dir Lower vide Govt: K.P.K (E&S) Edu: Deptt: notification Endst. No 5139-5197/A14/ SET/MF/ Contract dated 25-11-2008, at S.No, 307, and Regularization notification issued by that office vide his Endst: NO, 5173-85DT 22-09-0210 at S.No-3.

Maqsood
Signature of Relived
Govt: Servant: Maqsood
Ahmad Designation; SST (Gen) BPS- 16

OFFICE OF THE HEAD MASTER GHS SERAI SULTAN KHAIL DIR UPPER

Endst: 56-58 GHS Serai Sultan Khail Dir, Upper, P/File the 31-3-2011

Copy of the above is forwarded to:

1. The Director (E&S) Edu: K.P.K Peshawer.
2. The Executive District officer (E&S) Edu: Dir Upper.
3. The District Accounts Officer Dir Upper.

As signed

~~Bh~~
District Officer
Dir Upper
low

Alamy
Head Master
G.H.S Serai (S) Khel
Distt: Dir (U)
DDO

JAN.	FEB.	MAR.	APR.
MAY.	JUN.	JUL.	AUG.
SEP.	OCT.	NOV.	DEC.

رجسٹر حاضر کی پذیرائیں
 فی فیکٹری 1000
 فی سٹر 1000
 فی پیسٹ 1000
 فی پکٹ 1000
 فی پیسٹریٹ 1000

روز	تاریخ	اپریل	مئی	جون	جولائی	اگست	ستمبر	اکتوبر	نومبر	دسمبر
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اکتوبر 2010

12

JAN	FEB	MAR	APR
MAY	JUN	JUL	AUG
SEP	OCT	NOV	DEC

جسٹریٹریٹرز کابیر سٹریٹ اردو بازار لاہور

بابت ماہ		بابت سال		بابت سال		بابت سال		بابت سال		بابت سال	
1130	870	1130	870	1130	870	1130	870	1130	870	1130	870
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1130	870	1130	870	1130	870	1130	870	1130	870	1130	870
X	X	X	X	X	X	X	X	X	X	X	X
1130	870	1130	870	1130	870	1130	870	1130	870	1130	870
X	X	X	X	X	X	X	X	X	X	X	X
1130	870	1130	870	1130	870	1130	870	1130	870	1130	870
X	X	X	X	X	X	X	X	X	X	X	X
1130	870	1130	870	1130	870	1130	870	1130	870	1130	870
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1130	870	1130	870	1130	870	1130	870	1130	870	1130	870
X	X	X	X	X	X	X	X	X	X	X	X
1130	870	1130	870	1130	870	1130	870	1130	870	1130	870
X	X	X	X	X	X	X	X	X	X	X	X
1130	870	1130	870	1130	870	1130	870	1130	870	1130	870
X	X	X	X	X	X	X	X	X	X	X	X
1130	870	1130	870	1130	870	1130	870	1130	870	1130	870
X	X	X	X	X	X	X	X	X	X	X	X

بوزان	سائتہ	مال	بوزان	سائتہ	مال	بوزان	سائتہ	مال	بوزان	سائتہ	مال	بوزان	سائتہ	مال

دستخط ہیڈ ماسٹر

ITTEFAQ TRADERS KABIR STREET URDU BAZAR LAHORE

نوفمبر 2010

13

FED	MAR	APR
JUN	JUL	AUG
SEP	OCT	DEC

رجسٹر حاضری مدرسہ سین

روز		وقت		نمبر		نام		پتہ		تاریخ	
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C/Leave		1130	830	1130	830	1130	830	1130	830	1130	830
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1130	830	1130	830	1130	830	1130	830	1130	830	1130	830
X	X	X	X	X	X	X	X	X	X	X	X
1130	830	1130	830	1130	830	1130	830	1130	830	1130	830
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X	X	X	X	X	X	X	X	X	X	X	X
C/Leave	1130	1230	830	1130	830	1130	830	1130	830	1130	830
C/Leave	1130	1230	830	1130	830	1130	830	1130	830	1130	830

روز	وقت	نمبر	نام	پتہ	تاریخ
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7	15	3	27	15	1

درخت ہائیڈ ماسٹر ایف 2010

TRADERS KABIR STREET URDU BAZAR LAHORE

دسمبر 2010

JAN.	FEB.	MAR.	APR.
MAY.	JUN.	JUL.	AUG.
SEP.	OCT.	NOV.	DEC.

رجسٹر حاضری و ڈیرین گورنمنٹ ہائی سکول سرگودھا

نمبر	بابت ماہ				وقت	بابت ماہ				وقت						
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3	C/leave															
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5	SUNDAY															
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31	1130	8150	21/7	8/30	1130	8150	21/7	8/30	1130	8150	21/7	8/30	1130	8150	21/7	8/30

نمبر	بروز	ساتھ	مال	بروز	ساتھ	مال	بروز	ساتھ	مال	بروز	ساتھ	مال
1	10	8	2	199	18	1	5	7	3	9	3	9

مارچ 2011

JAN.	FEB.	MAR.	APR.
MAY.	JUN.	JUL.	AUG.
SEP.	OCT.	NOV.	DEC.

رجسٹر حاضری نڈر سٹین ڈرنسٹ ای سٹول سٹری سلطان پور

بابت ماہ مارچ
 نام صاحبزادہ الماراجہ سلطان 2011
 عہدہ

روز	تاریخ	وقت	حاضر	غائب	بیمار	سہولت	نوٹس
	11/20	8:30					
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دستخط میڈیانسٹر



Office of the

District Accounts Officer

16

No.Azmat/GAD/Outward/2013-14/DAO/Dir Upper/ 547-51

Dated 1/9/2014

To

THE DISTRICT ACCOUNTS OFFICER

DIR LOWER AT TIMERGARA.

Subject: TO SCRUTINIZE THE RECOVERY OF OVERPAYMENT OF RS.201641 AND ALLOWENCES IN R/O

MAQSOOD AHMAD SST GHSS SARAI BALA FO THE PERIOD OF 01.12.2009 TO 31.12.2011

(A)

Memo

This is in reference to an application No.3229/Dated GHSS Sarai Bala 22.04.2014 received from the above named SST duly endorsed by the Principal GHSS Sarai Bala on the subject cited above.

After thoroughly scrutinizing the record of this office the above named officer has not been paid for the period 01.12.2009 to 31.12.2011, as he was appointed on contract basis vide Notification no 5139-97/A-14/SST Dated 25.11.2008 for the period of one year, which expired on 26.11.2009. The pay of the officer was stopped on 01.12.2009 (as per SAP System) due to expiry of his contract.

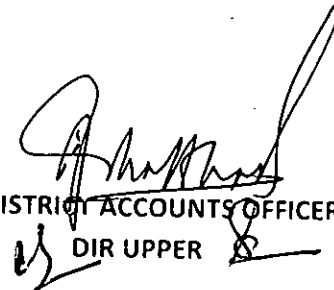
— Sd —

DISTRICT ACCOUNTS OFFICER,

DIR UPPER

Copy forwarded for information to

1. District Education Officer(M) Dir Lower.
2. District Education Officer (M) Dir Upper.
3. Mr. Maqsood Ahmad SST GHSS Sarai Bala.
4. Principal GHSS Sarai Bala Dir Lower.


DISTRICT ACCOUNTS OFFICER,
DIR UPPER

17

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar

NOTIFICATION

1. WHEREAS, Maqsood Ahmad Ex-SET GHS Seri Sultan Khel Dir upper now GHS Bajawaro Talash Dir lower was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, for the charges mentioned in the Charge sheet & Statement of allegations issued vide this office Endst: No 1704-9/ F.No.441/SET(M) dated 13-1-2011.
2. AND WHEREAS, the competent authority has appointed Mr. Hizar Hayat Principal GCMHS Timargara Dir lower as enquiry officer to conduct formal enquiry against the accused teacher, for the charges levelled against him vide this office letter No. 1703/ F.No.441/SET(M) dated 13-1-2011.
3. AND WHEREAS the Enquiry officer after having examined the charges, evidence on record has submitted the report vide No.661 dated 13-2-2012.
4. AND WHEREAS a show cause notice was served upon him through EDO (E&SE) Dir lower vide this office letter No.1121 dated 9-4-2012.
5. AND WHEREAS he was given on opportunity for personal hearing and he was heard in person on 16-4-2012.
6. AND WHEREAS the authority, after having considered the charge, evidence on the record, explanation of the accused teacher, is of the view that the charges against him have been proved.
7. NOW, THEREFORE, in exercise of powers conferred by the Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules 2011, the Competent Authority is pleased to impose minor penalty of "withdrawal of three Annual increments falling on 1-12-2012, 1-12-2013 & 1-12-2014" upon Maqsood Ahmad Ex-SET GHS Seri Sultan Khel Dir upper now, GHS Bajawaro Talash Dir lower and recovery of Rs.201641/- drawn by him vide pay bill for the period from 1-12-2009 to 31-3-2011..

DIRECTOR
ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR

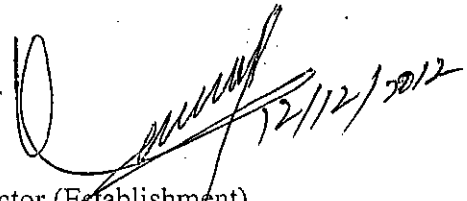
Endst:No. 1038-45 /F.No.441/SET(M)/

Dated Peshawar the 12/12 /2012.

Copy forwarded to the:-

- 1- Executive Distt: Officer E&SE Dir lower
- 2- Executive Distt: Officer E&SE Dir upper
- 3- Distt: Accounts Officer Dir upper
- 4- Distt: Accounts Officer Dir lower
- 5- Headmaster GHS Seri Sultan Khel Dir upper
- 6- Headmaster GHS Bajawaro Talash Dir lower
- 7- Teacher concerned
- 8- PA to the Director E&SE Khyber Pakhtunkhwa Peshawar

Deputy Director (Establishment)
E&SE, Khyber Pakhtunkhwa, Peshawar


12/12/2012

Sub:- Mercy Petition of accused Maqsoor Ahmad Charged in FIR No.01-2012
Ps ACE Dir Lower.

1. As Evident from record, Maqsood Ahmad was recruited as SST in BPS 16 and appointed / Posted to Govt High School Sattam Khel Dir Lower on contract basis. Relevant order is place as A.
2. Later on, vide order No.5173- 85, dated, 22.9.2010, placed as B his services were regularized and posted to GHS Seri Sultan Dir upper and reported his arrival on 1.12.2008, in GHS Seri Sultan Khel on regular basis on 23.9.2010.
3. Later on, the subject teacher was transferred to GHS Bajaro talash and reported his arrival on 21.4.2011.
4. The Head Master GHS Bajaro talash did not honoured his arrival on the grounds that his documents are fake and stopped his monthly salary.
5. The degree of B.Ed / M.Ed. were verified and found correct, but additional charges were levelled that last payment certificate and charge relinquished document are fake.
6. In order to verify the allegation, senior officer of Dir upper and Dir lower were called but they could not produce any solid proof.

In the light of above, record on file and explanation of subject accused, who had passed his B.Ed examination vide Roll No.3062 in session 2007-2008 and M.Ed in year 2009, His Degrees were found correct.

Based on 1 to 6 and the document placed on file there is no evidence against the accused for prosecution in court. Totally a weak case which is not worth prosecution. If agreed case against accused Maqsood Ahmad may please be dropped in the best interest of justice.

Worthy Director ACE

Mian Mustafa Gul
ADL I

As proposed

Anti-conception proposal
for withdraw of FIR

12/9

19

From The Director,
Anti-Corruption Establishment,
Khyber Pakhtunkhwa,
Peshawar.

To The Assistant Director Crimes,
Anti-Corruption Establishment,
Swat.

No. /ACE, dated /6/2012.

Subject: Mercy petition of Accused Maqsood Ahmad, charge in Case FIR No. 1, dated
4.1.2012 u/s 409/419/420/468/471 PPC/5(2) PC, Act, PS, ACE, Dir Lower.

Reference your report dated nil.

The subject FIR has been dropped. Record be completed accordingly. The case
file is returned herewith in original for record.

Director,
Anti-Corruption Establishment,
Khyber Pakhtunkhwa,
Peshawar.

8525-27
No. /ACE, Dated 12/19/2012.

Copy to the: -

1. The Director, Elementary & Secondary Education Khyber Pakhtunkhwa
Peshawar.
- ✓ 2. Circle Officer, ACE, Dir Lower (alongwith case file).
3. SA, ACE, Peshawar for information.

Director,
Anti-Corruption Establishment,
Khyber Pakhtunkhwa,
Peshawar.

EXAMINATION FEE

For Depositor

No. 266

University of Peshawar

Date 7/10/2010

National Bank of Pakistan

University Campus Branch, Peshawar

Account No 16100-2

Name MAJID AHMED

On account of verification of PA Certificate Contd of examination BTSE Peshawar

Rs. (In Figures) 100

Rs. (In Words) hundred

For Bank Use Only

Rs. 100/-

Date 7/10/2010

Sign of Head Cashier

Cash Scroll No.

Officer's Signature

Demand Draft
PPU A.No. 402875

100/- = 100/-

Dated 07-10-10

On Demand Pay to Controller of Examination UIC Malakand

or order

value received

For National Bank of Pakistan

Five hundred only

To National Bank of Pakistan

UIC Malakand

(1990)

Code No.

MANAGER

MAJID AHMED
A-5077

MANAGER

For National Bank of Pakistan

value received

To National Bank of Pakistan

Rupees Five Hundred only

or order

On Demand Pay to Controller of Examination UIC Malakand

Dated 07-10-10

Rs. 100/-

Demand Draft
PPU A.No. 402876

National Bank of Pakistan
National Branch of Peshawar

Account No. 16100-2

Exact Rs. 100/-

20

Allied Bank Limited

CURRENT PAY - IN SLIP
Board of Inter & Secondary Education,
SAIDU SHARI SWAT
FORSSCESHED MONY

No. 88

Date 8-10-2010

Name of Candidate MAJID AHMED

on account of S.C of Adm fee in the balance

for BTSE Peshawar

Rupees in words One hundred only

For Bank Use Only

Rs. 100/-

Date 8-10-2010

Sign of Head Cashier

Cash Scroll of

Officer's Signature



**BOARD OF INTERMEDIATE &
SECONDARY EDUCATION SAIDU SHARIF, SWAT**

No. 2500 / /Certificate / BISE, Saidu Sharif, Swat Dated: 05 / 11 / 2010

To

District Officer (Male)

Elementary & Secondary Education's District Office

21

Subject: VERIFICATION OF THE PHOTOCOPY OF ORIGINAL CERTIFICATE(S)

Memo:

Kindly refer to your letter No. 5995 dated: 27/10/2010

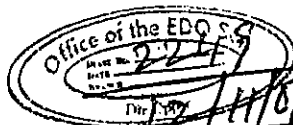
The attached (01) photocopy / photocopies of Original Certificates submitted to this Office for Verification has / have been Verified & Found Correct as per this office record.

S.#	Roll No.	Session	Name	Marks/Grade	DOB
01.	<u>15970</u>	<u>2000</u> <u>8XL</u>	<u>Muhammad Hamed 614 - 14</u>	<u>(-)</u>	<u>10/08/1988</u>
02.	<u>/</u>	<u>/</u>	<u>(-)</u>	<u>(-)</u>	<u>/ / /</u>
03.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>(-)</u>	<u>(/ /)</u>
04.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>(-)</u>	<u>(/ /)</u>
05.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>(-)</u>	<u>(/ /)</u>
06.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>(-)</u>	<u>(/ /)</u>
07.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>(-)</u>	<u>(/ /)</u>
08.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>(-)</u>	<u>(/ /)</u>
09.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>(-)</u>	<u>(/ /)</u>
10.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>(-)</u>	<u>(/ /)</u>

Incharge Verification Certificate

5/11

ADO. Seys



12/11

Muhammad
Assistant Secretary
(Certificate)
BISE, Saidu Sharif, Swat.

**ASSISTANT SECRETARY
(CERTIFICATE)**
B.I.S.E. Saidu Sharif, Swat.

S.No 4887 ✓

Roll No. 15970 ✓



22

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Saidu Sharif, Swat N.W.F.P. Pakistan

Secondary School Certificate Examination

SESSION 2000 (ANNUAL/SUPPLEMENTARY)

CERTIFIED & FOUND WORTHY TO CERTIFY THAT MASOOD AHMAD ✓
Son/Daughter of BAHADAR KHAN ✓
ASST. (CERTIFICATION SECTION) GOVT. HIGH SCHOOL BAJAURO TALASH, DISTRICT DIR.

UNTERSIGNED
(Signature)
Asstt. Secretary

has passed the Secondary School Certificate Examination

of the Board of Intermediate and Secondary Education, Saidu Sharif, Swat held in

Session 2000 as a Regular/Private candidate. He/She obtained 614 ✓ Marks out of 850 possible

The candidate passed in the following subjects:

- 1. Urdu
- 2. English
- 3. Islamiyat
- 4. Pakistan Studies

- 5. MATHS
- 6. CHEMISTRY

- 7. PHYSICS ✓
- 8. BIOLOGY

Representing EXCELLENT

Date of birth according to admission form is TENTH AUGUST
one thousand nine hundred and ~~SEVENTY~~ FORTY FOUR (10-08-1984)

(Signature)
Asstt. Secretary

(Signature)
Secretary

This certificate is issued without alteration or erasure.

(Signature)
Asstt. Secretary
G.H.S. Saidu (S) Khet
Distt. Dir (U)

Office of the E.C.O.
2249
12/11/00

(Certificate)
BISE Swat

23



Office of the EDO S.G.
 No. 2249
 BISE SAIDU SHARIF
 Dt. 12/11

No. 12/11

Secretary
 (Certificate)
 BISE, Saidu Sharif, Swat.
 ASSISTANT SECRETARY
 (CERTIFICATE)
 B.I.S.E. Saidu Sharif, Swat.



BOARD OF INTERMEDIATE & SECONDARY EDUCATION PESHAWAR

No. 11004 / Cert / Inter / BISE, Pesh: Date 5-11-2010

Form:

The Secretary,
Board of Intermediate & Secondary
Education, Peshawar.

24

To

Executive Distt. Officer,
Elementary and Secondary
Education Distt. Office.

Subject: VERIFICATION OF INTERMEDIATE (HSSC) CERTIFICATE.

Memo:

Reference your No. 5994 Dated 27-10-10

Enclosed please find 1 Photostat copy / copies of
Original / Provisional Certificate (s) of Intermediate Examination in respect of the
candidates mentioned in your letter with the remarks noted against each: -

<u>Roll No. & Session</u>	<u>Name & Parentage</u>	<u>Remarks</u>
-------------------------------	-----------------------------	----------------

<u>10150-Inter 402</u>	<u>Magsood Ahmad 50 Bahadar Khan</u>	<u>(Verified)</u>
------------------------	--------------------------------------	-------------------

ADD Boy,

12/11



5/10 hr
Asstt Secretary (Certificate)
Board of Intermediate & Secondary

25

S.No. 123063

Roll No. 12150

Group. Humanities



B.I.S.E PESHAWAR



VERIFIED AND FOUND CORRECT

Education

Assistant Secretary
(Certificates)
BISE/Peshawar.

Board of Intermediate and Secondary Education
Peshawar N.W.F.P. Pakistan
INTERMEDIATE EXAMINATION
SESSION 2002-SUPPLEMENTARY

25

This is to Certify that Magsood Ahmad Son of Bahadar Khan
Dir District Registered No. 681-B/I-2000
and a resident of Dir District
has passed the Intermediate Examination of the Board of Intermediate & Secondary Education, Peshawar
held in December, 2002 as a Private Candidate. He obtained 579 Marks out of 1100
and has been placed in Grade C Representing Good. He has been awarded Grade - on the
basis of internal assessment by the institution concerned. The Examination was taken in parts.

Asstt Secretary

Secretary
Head Master
G.H.S Serai (S) Khet
Distt: Dir (U)

This certificate is issued without alteration or erasure.

EXAMINATION FEE

For Depositor

University of Peshawar

Date 7/10/2010

National Bank of Pakistan

University Campus Branch, Peshawar

Account No 16100-2

Name Muhammad Ahmad

On account of Verification of P.A Certificate Contibor
of examination BISE Peshawar

Rs. (In Figures) 100

Rs. (In Words) Handveed

For Bank Use Only

Rs. 100

Date 7/10/2010

Sign of Head Cashier

Cash Scroll No.

Officer's Signature

26

06

16/11/22

210

Name of
100 100 Sahadath Khan (Verified)

21

10/11/22

Executive Distt Officer
Elementary and Secondary
Education Distt Officer

Secretary

BISE Peshawar



UNIVERSITY OF MALAKAND

PAKISTAN

DETAILED MARKS CERTIFICATE

S.No. 2138

Name: MAQSOOD AHMAD

Dir College of Education Fimergara Dir U

Father's Name: BAHADAR KHAN

Registration No. 2003430152



28

Roll No. 3062

B.Ed. ANNUAL EXAMINATION, 2008

Subject Name	Total Marks	Marks Obtained	Remarks
PERSPECTIVES OF EDUCATION & CONTEMPORARY SOCIAL ISSUES	100	63	PASSED
SCHOOL ORGANIZATION & CLASSROOM MANAGEMENT	50	32	PASSED
EDUCATIONAL PSYCHOLOGY, GUIDANCE & COUNSELLING	100	54	PASSED
EVALUATION TECHNIQUES	50	33	PASSED
CURRICULUM & INSTRUCTION	100	65	PASSED
ISLAMIYAT AND ISLAMIC ETHICS/ ISLAMIC HISTORY	50	30	PASSED
FUNCTIONAL ENGLISH	50	31	PASSED
TEACHING OF ENGLISH	100	56	PASSED
TEACHING OF URDU	100	68	PASSED
FOUNDATIONS OF EDUCATION	100	50	PASSED
TEACHING SKILL DEVELOPMENT (TEACHING PRACTICE)	200	122	PASSED
Subject Passing Percentage: 40 (Theory & Practical Separately), Aggregate Percentage 45		1000	604

Examination Held in Aug 21—Sep 01, 2008

Result Declared on 04-Dec-2008



Verified & Found Correct

Errors and Omissions are subject to subsequent rectification
Examination was taken as a whole/in parts

For [Signature] 8/02/12
Controller of Examination
University of Malakand.

Date of Issue: 04-Dec-2008

[Signature]
09/02/12

[Signature]
Controller of Examinations
University of Malakand

Prepared by: Amjad Shahzad



UNIVERSITY OF MALAKAND PAKISTAN

Annex-C

Am

29

Serial No. BED/RS/0044

This Degree of
Bachelor of Education
Is Awarded to

He/She MASOOD AHMAD Son/Daughter of BAHADAR KHAN

Student/University candidate of DIR COLLEGE OF EDUCATION TIMERGARA DIR LOWER

Having passed the prescribed examination held in AUGUST-SEPTEMBER, 2008

Session 2007-2008 Registration No. 2008430122 Roll No. 3002

Division FIRST

Examination was taken as a whole/1st parts

Assurance Date FEBRUARY 12, 2009

Verified & Found Correct

[Signature]
Controller of Examination
University of Malakand
10/11/2009

Countersigned

[Signature]
Head Master
G.H.S.S. (S) Khel
Dist. Dir (U)

[Signature]
Controller of Examinations

Registrar

Vice Chancellor



UNIVERSITY OF MALAKAND PAKISTAN

Serial No BA/BG/0138

30

This Degree of
Bachelor of Arts
Is Awarded to

Mr/Ms MASOOD AHMAD Son/Daughter of BAHAR KHAN

Student/Private candidate of GOVT. DEGREE COLLEGE TIMARGARA DIR LAGER

Having passed the prescribed examination held in JULY-AUGUST, 2005

Session 2005-2006 Registration No 2005/30152 Roll No 30051

Division SECOND

Examination was taken as a whole/through

Issuance Date JULY 07, 2007

Verified & Found Correct
[Signature]
Controller of Examination
University of Malakand.
10/11/2010

[Signature]
Head Master
GHS Serai (S) Fkot
Dist: Dir (L)

Countersigned

[Signature]
Controller of Examinations

[Signature]
Registrar

[Signature]
Vice Chancellor



**KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

No. 2559 /ST

Dated: 22/12 /2021

All communications should be
addressed to the Registrar KPK Service
Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262


To

The Director E&SE,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: JUDGMENT IN APPEAL NO. 909/2013 MR. MAQSOOD AHMAD.

I am directed to forward herewith a certified copy of Judgement dated
21.10.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR