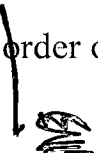


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1562/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/11/2022	<p>The appeal of Mr. Munib-ur-Rehman received today by post through Mr. Shahzad Shakoor Advocate. It is fixed for preliminary hearing before touring Single Bench A.Abad on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR. 1

Service Appeal No: 1562 of 2022

Munibur Rehman S/O Abdul Ghafoor (Ex Assistant Director (P&D) Directorate of Curriculum and Teacher Education (DCTE) Khyber Pakhtunkhwa Abbottabad) NOW ASDEO Abbottabad R/o Mahallah Kohas, village & P.O Roper, via Lora Tehsil & District Abbottabad

Appellant

Versus

Accountant General Khyber Pakhtunkhwa Peshawar and others.


Respondents


SERVICE APPEAL

INDEX

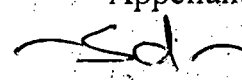
S.No	DESC: OF DOCUMENTS	ANNEXURES	PAGE No
1	Memo; of Service Appeal with	----	1 to 5
2	Copy of relevant pages of promotion order dated 12/04/2019.	A	6 to 9
3	Copy of order dated 25/04/2019	B	10
4	Copy of order dated 26/05/2021	C	11
5	Copy of Notification dated 24/02/2022 & charge report dated 01/03/2022	D	12 to 13
6	Copy of February 2022, Rs salary slip 64870 PM BPS 17	E	14
7	Copy of March 2022 reduced to Rs 58430 PM BPS 16	E-1	15
8	departmental appeal, through registered post on 07/07/2022, along with registered receipt	F	16 to 17
9	Copy of attorney and Wakalatnama	G	18-19

Dated 03/11/2022


(Munibur Rehman)
Appellant


(Rashid Iqbal Khan Jadoon)
Advocate IBC Islamabad
Attorney Abbottabad.

Through


(Shahzad Shakoor)
Advocate High Court Abbottabad

Abbott Law Chamber
Office No 51, Ayub Tanoli lawyer plaza
Abbottabad. 0333-5025002, 0316-9343818

(1)

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.**

Service Appeal No: 1562 of 2022

Munibur Rehman S/O Abdul Ghafoor (Ex Assistant Director (P&D) Directorate of Curriculum and Teacher Education (DCTE) Khyber Pakhtunkhwa Abbottabad) Now ASDEO Abbottabad R/o Mahallah Kohas, village & P.O Roper, via Lora Tehsil & District Abbottabad.

Appellant

Versus

- 1 Accountant General Khyber Pakhtunkhwa Peshawar.
- 2 District Comptroller of Accounts, Abbottabad.
- 3 Government of Khyber Pakhtunkhwa through Secretary (Elementary & Secondary Education), Department, Peshawar.
- 4 The Director, Directorate of Elementary, & Secondary Education Department, Peshawar.
- 5 The District Education Officer (Male), Elementary & Secondary Education Department, Abbottabad.

Respondents

APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974, THE AGAINST THE IMPUGNED ACT OF NON GRANTING OF PAY PROTECTION ON THE JOINING OF ASDEO (M) CIRCLE BIROTE ABBOTTABAD BPS 16 FROM ASSISTANT DIRECTOR (BPS 17) DCTE ABBOTTABAD IN PURSUANCE OF TERMINATION OF LIEN RETENTION ORDER DATED 24/02/2022, PASSED BY COMPETENT AUTHORITY (DIRECTOR E/SE KP PEHAWAR) AND FOR ACCEPTANCE OF DEPARTMENTAL APPEAL.

PRAER:-

ON ACCEPTANCE OF INSTANT SERVICE APPEAL, IMPUGNED ACT OF NON GRANTING OF PAY PROTECTION ON THE JOINING OF ASDEO (M) CIRCLE BIROTE ABBOTTABAD BPS 16 FROM

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ASSISTANT DIRECTOR (BPS 17) DCTE ABBOTTABAD MAY PLEASE BE DECLARED ILLEGAL, MALAFIDE AGAINST LAW AND RESPONDENTS BE DIRECTED TO ALLOW/GRANT PAY PROTECTION ON THE JOINING OF ASDEO (M) CIRCLE BIROTE ABBOTTABAD BPS 16 FROM ASSISTANT DIRECTOR (BPS 17) DCTE ABBOTTABAD TO APPELLANT.

Respectfully Sheweth,

FACTS

- 1) That appellant while he was performing his duties as ASDEO (Management Cadre) BPS 16, had succeeded in Competition/promotion of Head Master BPS 17, conducted by PSC KP Peshawar, his promotion order was issued on 12/04/2019. Copy of relevant pages of promotion order is annexed as Annexure "A"
- 2) That the post of Head Master in BPS 17 was pertained to teaching cadre, while appellant wanted to reserve his rights in Management Cadre, so he applied for right of his lien on his post, ASDEO (Management Cadre) BPS 16, which was not only approved, but relevant order was issued by the competent authority and retained him for two years in order dated 25/04/2019. Copy of order dated 25/04/2019 is annexed as Annexure "B"
- 3) That on the completion of two years period of lien, respondents extended the period for one more year through order 26/05/2021. Copy of order dated 26/05/2021 is annexed as Annexure "C"
- 4) That on the termination of lien retention orders of appellant, by the respondents on 24/02/2022, appellant relieved from the services of Assistant Director (P&D) DCT KP Abbottabad on 28/02/2022 and rejoined his previous post and take charge as ASDEO (Management Cadre) BPS 16, on very next day on 01/03/2022. Copy of Notification dated 24/02/2022 & charge report dated 01/03/2022 is annexed as Annexure "D"

- 5) That appellant, after fulfilling all the process of the rights of his lien on his post (ASDEO (Management Cadre) BPS 16) and respondents (Competent Authority) allowed officially and after their official order, appellant rejoined his previous post, but unfortunately it came in to the knowledge of appellant that his salary has been reduced and DAO Abbottabad did not fix appellant's pay by giving him legal pay protection and Basic Pay Rs 64870 PM BPS 17, reduced to Rs 58430 PM PBS 16. Copies of both Monthly salary slips are annexed as Annexure "E" & "E-1"
- 6) That appellant submitted and sent his departmental appeal, through registered post on 07/07/2022, through proper channel to the respondent no 1 (Accountant General KP Peshawar), the same is not decided with statutory period of 90 days, Copy is annexed as Annexure "F", Hence this appeal is filing within statutory period of 120 days, inters-alia on the following grounds.

Grounds

- a) That the act of DAO Abbottabad is not only illegal but with out jurisdiction, appellant was entitled for pay protection on the basis of relevant law, as he worked in BPS 17 on the pleasure and approval of competent authority and rejoined his previous post on the settled and legal way.
- b) That the act of illegal reduction of pay made by District Accounts Officer Abbottabad on rejoining previous post ASDEO (Management Cadre) BPS 16 by appellant, which is completely adopted by concerned Department and also appellant under the legal procedure, the whole process of reduction of pay is beyond of DAO's powers jurisdiction and a result of misreading and non reading of relevant rules and it seems the ignorance of office of the District Accounts Officer. That in the said matter, value able rights of appellant is

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involved and DAO did not have any knowledge, that the reduction of pay would be seen as punishment.

- c) That it is undoubted fact that respondents illegally snatched the legal rights of the appellant in an uncivilized way in a very haste manner, which is against the equity and there is no single example is available in the civilized society.
- d) That appellant is dragged into litigation, the conduct of the respondents is admittedly arbitrary capricious unjust and against all norms of justice and as such requires indulgence of this Honourable Court by awarding appropriate Cost to the respondents.
- e) That respondents ignored the provisions of Article 4 and 25 of the Constitution of Pakistan while exercising their illegal of impugned act of reduction of pay.


It is, therefore, respectfully prayed that on acceptance of instant service appeal, Basic pay of appellant may please be fixed in BPS 16 on the equal stage of Rs 64870, if available in BPS 16 or be fixed in above stage in the interest of justice.

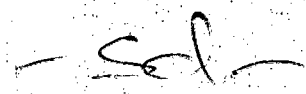
Any other relief for which the appellant is entitled, and the same is not asked/prayed specifically, may very kindly be granted in favour of the appellant.

Dated 03/11/2022


(Munibur Rehman)
Appellant

Through


(Rashid Iqbal Khan Jadoon)
Advocate IBC Islamabad
Attorney Abbottabad.


(Shahzad Shakoor)
Advocate High Court Abbottabad

Abbott Law Chamber
Office No 51, Ayub Tanoli lawyer plaza
Abbottabad. 0333-5025002, 0316-9343818

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**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.**

Service Appeal No: _____ of 2022

Munibur Rehman S/O Abdul Ghafoor (Ex Assistant Director (P&D) Directorate of Curriculum and Teacher Education (DCTE) Khyber Pakhtunkhwa Abbottabad) NOW ASDEO Abbottabad R/o Mahallah Kohas, village & P.O Roper, via Lora Tehsil & District Abbottabad.

Appellant

Versus

Accountant General Khyber Pakhtunkhwa Peshawar and others.


Respondents

Affidavit

I, Munibur Rehman S/O Abdul Ghafoor (Ex Assistant Director (P&D) Directorate of Curriculum and Teacher Education (DCTE) Khyber Pakhtunkhwa Abbottabad) NOW ASDEO Abbottabad R/o Mahallah Kohas, village & P.O Roper, via Lora Tehsil & District Abbottabad, do here by affirm on oath that contents of instant appeal is correct and true according to my best knowledge and belief and nothing has been suppressed from this Honourable Tribunal and this instant appeal is first appeal & same nature of any other appeal is not pending before Honourable Tribunal

Dated 03/11/2022

CNIC No 13101-0928730-5


(Munibur Rehman)
Appellant

DEPONENT



3/11/2022



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211419

Annexure (A)

Dated Peshawar the April 12, 2019

NOTIFICATION

NO.SO(SM)E&SED/3-2/2016/Recruitment of Male 191 HM (BS-17): Consequent upon the recommendation of Khyber Pakhtunkhwa Public Service Commission vide letter No.001638 dated 23.01.2019 & No.005640 dated 18.03.2019, the Competent Authority/Chief Secretary Khyber Pakhtunkhwa is pleased to appoint the following one hundred and thirty three (133) candidates as Headmaster (BS-17) (@Rs.30370-2300-76370) plus usual allowances as admissible under the rules, on regular basis under the existing policy of the Provincial Government.

2. Consequent upon their appointment as Headmaster (BS-17), they are posted on positions and stations as noted against each:

Sr#	Name with Father's Name	Domicile/Zone	Posted as	Remarks
1.	Ayaz Ahmad S/O Fida Muhammad Khan	Swabi/2	Headmaster (BS-17) GHS Jalbai Lahor Swabi	Against vacant post
2.	Muhammad Ramzan S/O Allah Nawaz	D.I. Khan/4	Headmaster (BS-17) GHS Bagh Pur Dheri Haripur	-do-
3.	Mushtaq Ahmad S/O Zubair Khan	Malakand/3	Headmaster (BS-17) GHS Kamala Dir Lower	-do-
4.	Muhammad Younas S/O Abdul Jalil	Karak/4	Headmaster (BS-17) GHS Town Committee Karak	-do-
5.	Zahid Ali S/O Moosa Khan	Abbottabad/5	Headmaster (BS-17) GHS Kukmong Abbottabad	-do-
6.	Sahib Zada S/O Badshah Zada	Bajaur/1	Headmaster (BS-17) GHS Toor Qila Dir Lower	-do-
7.	Said Jamal S/O Hazrat Usman	Swat/3	Headmaster (BS-17) GHS Jano Swat	-do-
8.	Niaz Ali S/O Sardar ali	Tank/4	Headmaster (BS-17) GHS Toran Tank	-do-
9.	Haji Malang S/O Hazrat Mir	Mohmand/1	Headmaster (BS-17) GHS Sagi Bala Mohmand	-do-
10.	Mushtaq Ahmed S/O Muhammad Ismaeel	Manshra/5	Headmaster (BS-17) GHS Hangrai Balakot Manshra	-do-



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211419

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45.	Rohul Amin S/O Jamroz Khan	Malakand/3	Headmaster (BS-17) GHS Habitgram Malakand	-do-
46.	Shoukat Ali Khan S/O Muhammad Ali Khans	Lakki Marwat/4	Headmaster (BS-17) GHS Wanda Baroo Lakki Marwat	-do-
47.	Muhammad Aamir Ali S/O Qazi Muhammad Tahir Ali	Abbottabad/5	Headmaster (BS-17) GHS Satora Abbottabad	-do-
48.	Muhammad Shahid Khan S/O Aslam Khan	South Waziristan/1	Headmaster (BS-17) GHS Wanda Jamal D.I. Khan	-do-
49.	Rehmat Ullah S/O Raqim Khan	Tank/4	Headmaster (BS-17) GHS Kaka Khel Tank	-do-
50.	Afzal Khan S/O Shadi Khan	Kohat/4	Headmaster (BS-17) GHS Kandar Kohat	-do-
51.	Tariq Mehmood S/O Muhammad Afzal	Abbottabad/5	Headmaster (BS-17) GHS Badhora Abbottabad	-do-
52.	Arif Hussain S/O Ali Janan	Kurram/1	Headmaster (BS-17) GHS Amal Kot Kurram	-do-
53.	Saif Ur Rehman S/O Abdur Rehman	Lakki Marwat/4	Headmaster (BS-17) GHS Matora Lakki Marwat	-do-
54.	Asmat Ullah Khan S/O Naimat Ullah Khan	Bannu/4	Headmaster (BS-17) GHS Ismaili Mama Khel Bannu	-do-
55.	Riaz Hussain S/O Bakht Ahmad	Bajaur/1	Headmaster (BS-17) GHS Gujrat Mardan	-do-
56.	Ihsan Ullah S/O Sabz Ali	Peshawar/2	Headmaster (BS-17) GHS Kurri Nowshera	-do-
57.	Sartaj Khan S/O Shir Dal Khan	Buner/3	Headmaster (BS-17) GHS Matwani Buner	-do-
58.	Inyat ullah S/O Taj Muhammad	Malakand/3	Headmaster (BS-17) GHS Shah Noor Pul Takht Bai Mardan	-do-
59.	Zia Ullah Khan S/O Ghulam Subhani	Swat/3	Headmaster (BS-17) GHS Pishmal Swat	-do-
60.	Munibur Rehman S/O Abdul Ghafoor	Abbottabad/5	Headmaster (BS-17) GHS Garhi Nurpor Abbottabad	-do-
61.	Shad Ali S/O Meer Dad Khan	Swabi/2	Headmaster (BS-17) GHS Yaqoobi Swabi	-do-
62.	Muhammad Shahzad Khan S/O Bahadar Khan	Mardan/2	Headmaster (BS-17) GHS Babaini Mardan	-do-



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211419

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131.	Said Qamar S/O Shah Nazar	Shangla/3	Headmaster (BS-17) GHS Basi Alpuri Shangla	-do-
132.	Mr. Muhammad Javed S/O Alam Sher	D.I. Khan/4	Headmaster (BS-17) GHS Mitha Pur D I Khan	-do-
133.	Mr. Muhammad Shoaib Afzal S/O Muhammad Afzal	Abbottabad/5	Headmaster (BS-17) GHS Kanthiali Abbottabad	-do-
ADJUSTMENT				
134.	Muhammad Naqib Ullah, SS H/Civics (BS-17) working against HM (BS-17) GHS Khutti D.I. Khan	SS H/Civics (BS-17) GHSS Shore Kot D.I. Khan		-do-

Terms and Conditions:

1. They shall be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973 and the rules made thereunder.
2. Their pay shall be released subject to verification of their academic documents/testimonials from the concerned Board/University by the District Education Officer (Male) concerned.
3. Their services shall be considered regular and they shall be eligible for pension/deduction of GP Fund in terms of the Khyber Pakhtunkhwa Civil Servants Act, 1973 as amended in 2013.
4. Their services are liable to termination on one month notice from either side. In case of resignation without notice, their one month's pay/allowances shall be forfeited to the Government.
5. They shall be on probation for initial period of one year extendable for further one year as per rules.
6. They shall be governed by such rules & regulations as may be issued from time to time by the Government.
7. Their services can be terminated at any time, in case their performance was found unsatisfactory during probationary period.
8. The appointees shall join their posts within 30 days of the issuance of this notification and the Director E&SE Khyber Pakhtunkhwa Peshawar shall furnish a certificate to the effect that the candidates have joined their posts.



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211419

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failing which their candidature shall expire automatically and no subsequent appeal etc shall be entertained.

9. Charge assumption report should be submitted to all concerned.
10. No TA/DA shall be allowed to the appointees for joining their duties.

SECRETARY
E&SE Department
Khyber Pakhtunkhwa

Endst: of even No. & Date :-

Copy forwarded to the:

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar, along-with application forms of the above Headmasters.
3. Director (Recruitment) Khyber Pakhtunkhwa Public Service Commission Peshawar.
4. District Education Officers (Male) Concerned.
5. District Accounts Officers Concerned.
6. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
7. PS to Advisor to CM for E&SE Department, Khyber Pakhtunkhwa.
8. Director EMIS, E&SE Department for uploading at the official website.
9. PS to Secretary E&SE Department, Khyber Pakhtunkhwa.
10. Headmasters concerned.
11. Master file.

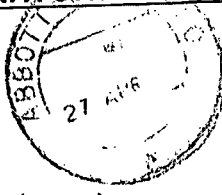
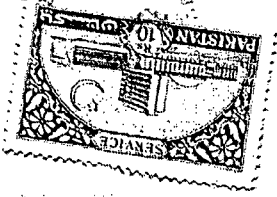
Mohammad Shoaib
(MOHAMMAD SHOAB)
SECTION OFFICER (SCHOOLS MALE)

DESPATCHER
Director (E&SE)
KPK Peshawar.

Annexure B

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION

KHYBER PAKHTUNKHWA, PESHAWAR.



10

The lien in respect of the following ASDEOs (Management cadre) is hereby retained for two years against the ASDEO (Male) Circle posts with effect from the dates of their taking over charge against the post of Headmasters due to their appointments as Headmasters (BS-17) at this Department appointment notification issued by the Administrative Department vide No. SO (S/M) E&SED/3-2/2016/Recruitment of Male 191 HM (BS-17) dated 12-04-2019.

1. Mr. Munib Ur Rehman ASDEO (Male) Circle Lora Abbottabad.
2. Mr. Abdul Waheed ASDEO (M) Circle Abbottabad.

Note:- Necessary entry should be made in their services records.

DIRECTOR

Endst: No. 9530 /F.No.112/SST (M) Lien/Apptt; of SST.

Dated Peshawar the 25/4 2019

Copy of the above is to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. District Education Officer (M) Abbottabad w/r to his letter No.4481 dated 16-04-2019.
3. District Accounts Officer Abbottabad.
4. SDEO (M) concerned.
5. Officials concerned.
6. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
7. Master File.

Deputy Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa

25-4-19



(11)

Annexure C,
**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR**

OFFICE ORDER

The Competent Authority is pleased to withdraw this office Notification bearing No.1794-96 dated 09-01-2020 and extend the Lien in respect of Mr. Munib Ur Rehman ASDEO (M) Circle Lora District Abbottabad for another year, as retained already by this office vide No. 9530-35 dated 25-04-2019 against the post ASDEO.

DIRECTOR


Elementary & Secondary Education
Khyber Pakhtunkhwa


Endst: No. 776-28 /F.No.112/SST (M) Lien/Cases.

Dated Peshawar the 26/5 /2021

Copy of the above is to the:-

1. District Education Officer (M) Abbottabad.
2. District Accounts Officer (M) Abbottabad.
3. Officer concerned.
4. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
5. Master File.


Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa

 25/05/2021



Register

DIRECTORATE OF ELEMENTARY & SECONDARY
EDUCATION KHYBER PAKHTUNKHWA PESHAWAR

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Annexure (D)

NOTIFICATION

The Competent Authority is pleased to terminate the Lien Retention order in respect of Mr. Munib Ur Rehman presently serving as Assistant Director (BPS-17) at Directorate of Curriculum and Teacher Education (DCTE) Abbottabad against the post of ASDEO (M) granted by this office vide No.776-35 dated 26-05-2019, in the light of DCTE Abbottabad letter No.648 dated 08-02-2022 with immediate effect in the best interest of public service.

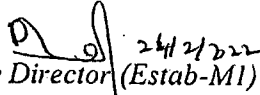
Furthermore he is adjusted as ASDEO (M) circle Birote District Abbottabad with immediate effect.

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa

Endst: No. ²⁹⁴⁹⁻⁵⁰ F.NO.112/SST (M)/Lien Cases Dated the Peshawar 24-02-2022

Copy forwarded to the:

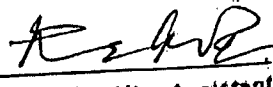
1. District Education Officer (Male) Abbottabad.
2. Directorate of Curriculum and Teacher Education (DCTE) Abbottabad.
3. District Accounts Officer Abbottabad
4. Officer Concerned.
5. Master Copy

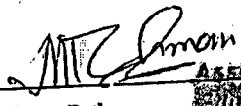

Deputy Director (Estab-M1)
Elementary & Secondary Education
Khyber Pakhtunkhwa

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CERTIFICATE OF TRANSFER OF CHARGE

Certified that Mr. MUNIB UR REHMAN at the office of SDEO (male) District Abbottabad has on this day 01.03.2022 (F/N) took over the charge against the post of ASDEO at the office of ASDEO (Male) CIRCLE Birote vide Director, Elementary & Secondary Education KPK Peshawar Endst No 4949-52 F.NO.112/SST(M) Lien cases dated Peshawar 24-02-.2022.

Signature of Relieved: 
Government Servant: Muzaffar Ali Assistant Sub Divisional
Designation: ASDEO Circle Birote Education Officer (Male)
District Abbottabad

Signature of Receiving: 
STATION: ASDEO (M) Circle Birote Government Servant: Munib ur Rehman Assistant Sub Divisional
Dated: 01/03/2022 (A/N) Designation: ASDEO(B-16) Education Officer (Male)
District Abbottabad


OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (MALE) ABBOTTABAD

Endst: No. 250-55/

Dated 01-03-2022.

Copy of the above is submitted to the following Officers for information.

1. Director Education officer (Male) Abbottabad
2. Directorate of curriculum and Teacher Education (DCTE) Abbottabad.
3. District Account officer Abbottabad
4. Officer concerned
5. Master copy.


Sub Divisional Education Officer
(Male) Abbottabad.
Sub Divisional Edu: Officer
(Male) Abbottabad

Government of Khyber Pakhtunkhwa
District Accounts Office Abbotabad
Monthly Salary Statement (February-2022)



Annexure E

Personal Information of Mr MUNIBUR REHMAN d/w/s of ABDUL GHAFOOR

Personnel Number: 00009528 CNIC: 1310109287305 NTN: 0
 Date of Birth: 10.09.1973 Entry into Govt. Service: 22.03.1992 Length of Service: 29 Years 11 Months 008 Days

Employment Category: Active Temporary

Designation: ASSISTANT DIRECTOR 80000309-GOVERNMENT OF KHYBER PAKH
 DDO Code: AD4335-Directorate of Curriculum & Teacher Education NWFP Abbottabad
 Payroll Section: 003 GPF Section: 001 Cash Center: 42
 GPF A/C No: EDU 015890 GPF Interest applied GPF Balance: 1,319,390.00 (provisional)
 Vendor Number: 30500609 - MUNIB UR REHMAN ASSISTANT DIRECTOR
Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 17 Pay Stage: 15

Wage type		Amount	Wage type		Amount
0001	Basic Pay	64,870.00	1001	House Rent Allowance 45%	6,650.00
1210	Convey Allowance 2005	5,000.00	1947	Medical Allow 15% (16-22)	2,546.00
2148	15% Adhoc Relief All-2013	1,260.00	2199	Adhoc Relief Allow @10%	840.00
2211	Adhoc Relief All 2016 10%	4,276.00	2224	Adhoc Relief All 2017 10%	6,487.00
2247	Adhoc Relief All 2018 10%	6,487.00	2265	Adhoc Relief All 2019 05%	3,243.00
2309	Adhoc Relief All 2021 10%	6,487.00	2315	Special Allowance 2021	6,074.00
5975	Adj Adhoc Relief All 2016	600.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3017	GPF Subscription	-4,270.00	3501	Benevolent Fund	-1,500.00
3609	Income Tax	-4,065.00	3990	Emp.Edu. Fund KPK	-250.00
4004	R. Benefits & Death Comp:	-900.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 46,400.70 Recovered till FEB-2022: 30,145.00 Exempted: 0.90- Recoverable: 16,256.60

Gross Pay (Rs.): 114,820.00 Deductions: (Rs.): -10,985.00 Net Pay: (Rs.): 103,835.00

Payee Name: MUNIBUR REHMAN
 Account Number: 3074852235
 Bank Details: NATIONAL BANK OF PAKISTAN, 231609 NBP LORA, Abbottabad

Leaves: Opening Balance: Aailed: Earned: ¹ Balance:

Permanent Address: City: ATD Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official
 Temp. Address: City: Email: munibabbasi92@gmail.com

Dist. Govt. KP-Provincial
District Accounts Office Abbotabad
Monthly Salary Statement (March-2022)



Annexure E-1

Personal Information of Mr MUNIBUR REHMAN d/w/s of ABDUL GHAFOOR

Personnel Number: 00009528 CNIC: 1310109287305 NTN: 0
 Date of Birth: 10.09.1973 Entry into Govt. Service: 22.03.1992 Length of Service: 30 Years 00 Months 011 Days

Employment Category: Active Permanent

Designation: 80000496-DISTRICT GOVERNMENT KHYBE
 DDO Code: AD6249-SUB DIV OFFICER (MALE) ABBOTTABAD
 Payroll Section: 003 GPF Section: 001 Cash Center: 42
 GPF A/C No: EDU 015890 GPF Interest applied **GPF Balance:** 1,322,730.00 (provisional)
 Vendor Number: 30500609 - MUNIB UR REHMAN ASSISTANT DIRECTOR
Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 16 Pay Stage: 26

Wage type		Amount	Wage type		Amount
0001	Basic Pay	58,430.00	1001	House Rent Allowance 45%	4,091.00
1210	Convey Allowance 2005	5,000.00	1947	Medical Allow 15% (16-22)	2,546.00
2148	15% Adhoc Relief All-2013	1,260.00	2199	Adhoc Relief Allow @10%	840.00
2211	Adhoc Relief All 2016 10%	4,276.00	2224	Adhoc Relief All 2017 10%	5,843.00
2247	Adhoc Relief All 2018 10%	5,843.00	2264	Adhoc Relief All 2019 10%	5,843.00
2309	Adhoc Relief All 2021 10%	5,843.00	2315	Special Allowance 2021	3,500.00

Deductions - General

Wage type		Amount	Wage type		Amount
3016	GPF Subscription	-3,340.00	3501	Benevolent Fund	-1,500.00
3609	Income Tax	-2,974.00	3990	Emp.Edu. Fund KPK	-150.00
4004	R. Benefits & Death Comp:	-650.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 42,038.48 Recovered till MAR-2022: 33,119.00 Exempted: 0.66- Recoverable: 8,920.14

Gross Pay (Rs.): 103,315.00 Deductions: (Rs.): -8,614.00 Net Pay: (Rs.): 94,701.00

Payee Name: MUNIBUR REHMAN
 Account Number: 3074852235
 Bank Details: NATIONAL BANK OF PAKISTAN, 231609 NBP LORA, Abbottabad

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: City: ATD Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official
 Temp. Address: City: Email: munibabbasi92@gmail.com

Annexure F,

16

To

**The Accountant General
Khyber Pukhtunkhwa,
Peshawar.**

Subject: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ACT OF NON GRANTING OF PAY PROTECTION ON THE JOINING OF ASDEO (M) CIRCLE BIROTE ABBOTTABAD BPS 16 FROM ASSISTANT DIRECTOR (BPS 17) DCTE ABBOTTABAD IN PURSUANCE OF TERMINATION OF LIEN RETENTION ORDER DATED 24/02/2022, PASSED BY COMPETENT AUTHORITY (DIRECTOR E/SE KP PEHAWAR).

Memo:

With due respect it is stated that appellant was performing his duties as ASDEO (Management Cadre) BPS 16 and got successful in Competition/promotion of Head Master BPS 17 conducted by PSC KP Peshawar, his promotion order was issued on 12/04/2019. (Relevant pages of order is attached)

- 2) That appellant applied for right of his lien on his post, ASDEO (Management Cadre) BPS 16, which was not only approved, but relevant order was issued by the competent authority and retained him for two years in order dated 25/04/2019. (Copy of order is attached)
- 3) That before the completion of two years period of lien, competent authority was extended the period for one more year on my request through order 26/05/2021 (Copy attached)
- 4) That on the termination of lien retention order of appellant, by competent authority on 24/02/2022, appellant relieved from the services of Assistant Director (P&D) DCTE KP Abbottabad on 28/02/2022 and rejoined his previous post on very next day on 01/03/2022.
- 5) That appellant fulfilled all coddle formalities, but it came in to the knowledge of appellant that his salary has been reduced and in this regard, for further clarification, he got salary slip for the month of April on 26/06/2022.
- 6) That from salary slip, it revealed that DAO Abbottabad did not fix appellant pay by giving him legal pay protection and Basic Pay Rs 64870 PM BPS 17, reduced to Rs 58430 PM PBS 16.

- 7) That the act of DAO Abbottabad is not only illegal but without jurisdiction, appellant was entitled for pay protection on the basis of relevant law, as he worked in BPS 17 on the pleasure and approval of competent authority and rejoined his previous post on the settled and legal way.
- 8) That the act of illegal reduction of pay made by District Accounts Officer Abbottabad on rejoining previous post ASDEO (Management Cadre) BPS 16 by appellant, which is completely adopted by concerned Department and also appellant under the legal procedure, the whole process of deduction of pay is beyond of DAO's powers jurisdiction and a result of misreading and non reading of relevant rules and it seems the ignorance of office of the District Accounts Officer.
- 9) That in the said matter, value able rights of appellant is involved and DAO did not have any knowledge, that the reduction of pay would be seen as punishment.

In the light of above circumstances it is requested that on acceptance of instant appeal, basic pay of appellant may please be fixed in BPS 16 on the equal stage of Rs 64870, if available in BPS 16 or be fixed in above stage in the interest of justice.

Munibur Rehman 6/07/2022

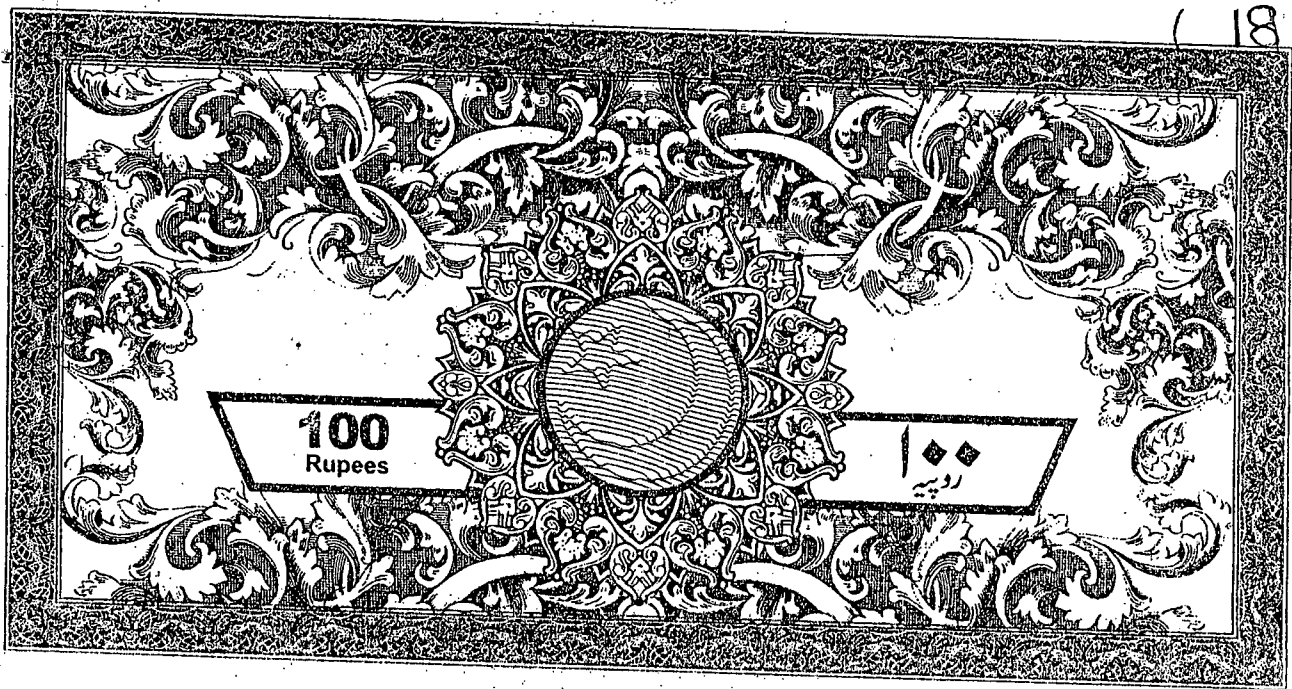
Munibur Rehman S/O Abdul Ghafoor (Ex Assistant Director (P&D) Directorate of Curriculum and Teacher Education (DCTE) Khyber Pakhtunkhwa Abbottabad) Now ASDEO Abbottabad R/o Mahallah Kohas, village & P.O Roper, via Lora Tehsil & District Abbottabad.
03144473888

No. 1421 For Insurance Notices see reverse. Rs. Ps.
Stamps affixed except in case of uninsured than 80/-
RGL05184498 than prescribed in the Post Office Guide or on which no acknowledgement is due.

Received a registered* addressed to To: The Accountant

*Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.
Initials of Receiving Officer Supriya Khyber
Insured for Personal (in words)

If insured. } Insurance fee Rs. Personal Weight Nil (in words) Nil Grams
Name and address of sender 9/0/22



BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Petition No: of 2022

Munibur Rehman S/O Abdul Ghafoor (Ex C.T teacher) Assistant Director (P&D)
Directorate of Curriculum and Teacher Education (DCTE) Khyber Pakhtunkhwa
Abbottabad R/o Mahallah Kohas, village & P.O Roper, via Lora Tehsil & District
Abbottabad.

Petitioner

VERSUS

District Comptroller of Accounts, Abbottabad and 3 others.

Respondents

EXECUTION PETITION FOR IMPLEMENTATION OF FINAL JUDGMENT DATED
12/05/2009 PASSED IN APPEAL NO 1278 OF 2007 BY THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR (CAMP COURT
ABBOTTABAD).

POWER OF ATTORNEY

NAME & OTHER PARTICULARS OF ATTORNEY

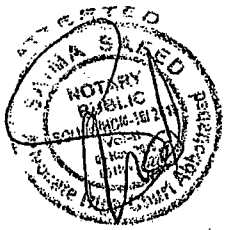
Mr Rashid Iqbal Khan Jadeon S/o Shamarez Khan Jadeon resident of Street no 15,
Mohallah Khawaja Ahmad Khail, Jadeon Colony, Link Road Narriari Cantt; Tehsil
and District Abbottabad. CNIC No 13101-0944593-9. Cell no 0333-5025002

I, Munibur Rehman S/O Abdul Ghafoor (Ex C.T teacher) Assistant Director (P&D)
Directorate of Curriculum and Teacher Education (DCTE) Khyber Pakhtunkhwa
Abbottabad R/o Mahallah Kohas, village & P.O Roper, via Lora Tehsil & District
Abbottabad, deponent, do hereby solemnly affirm and declare on oath that I appoint
above named as attorney to act as my substitute and he would be competent to
exercise all the powers which I myself holds as petitioner, he is authorized all powers,
to institute case, to appear, to submit any kind of application or reply, argue the case,
in short, all powers or authority which I am entitled being petitioner, would be
transferred to above named attorney through instant power of attorney.

Sworn at Abbottabad Dated this 31 day of ~~February~~ January, 2022.

CNIC No 13101-0928730-5


DEPONENT



31/01/2022



100 منیب الرحمن ولد عبد القورمان کتہ لوہاس، روڈ بین گولیاں ابرو:

13101-0928730-8

M. Rahman



3055	مختار نام
31101	پسر و صفوہ
2082	

بھوہ رائد اصباح خان ولد مسعود خان کتہ روڈ نرگال محال کتہ 101 ابرو:

13161-0944593-9

محمد عارف
147
پتھری کپا کتہ ابرو

ISSUED STAMPS TO
STAMP VENDORS.
27 JAN 2011
TREASURY OFFICE
ABBOTTABAD

S.No. 180860

Name of Advocate

DBA NO.

TBA NO.

BC No.

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R.s.200/=

180860
وکالت نامہ
19
SIBI SALMA
Finance Secretary
District Bar Association
Abbottabad

KP ST Peshawar بعدالت

Gout بنام Munibus Rehman عنوان

منجانب: Appellate نوعیت مقدمہ سرواں
باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا نصف مقدمہ مقامی کے لیے طے

کوحسب ذیل شرائط پروکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا ہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی اور پوزیشن میں درجہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروقت تظیل سے روٹی کولنے والے ذمہ دار ہوں گے اور مقدمہ پکھری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تظیل یا پکھری کے اوقات سے پہلے پیشی ہوتے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا جمانے کے ذمہ دار ہوں گے۔ مجھ کو مل سکتے پر داختمہ صاحب موصوف مش کر وہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراء کے ڈگری و نظر ثانی اپیل گرائی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرنے اور ہر قسم کا رویہ وصول کرنے اور سید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ثانی اور اس نام و نشان پر حلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات از پکھری صدر اپیل و برآمدگی مقدمہ یا مستوی ڈگری یا طرفہ درخواست علی استغای باقرنی یا گرفتاری مل از گرفتاری و اجراء ڈگری بھی صاحب موصوف کو بشرط ادا سنگی علیحدہ مختار پیروی کا اختیار ہوگا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے کسی جزوی کارروائی کے یا بصورت اپیل کسی دوسرے مقام یا عدالت میں لے جائے اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہونگے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تارن پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورخہ 2022/11/03

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔ دن ماہ سال

نوٹ: وکالت نامہ کی فوٹو کاپی مندرجہ بالا کے ساتھ منجانب سے

Acceptance
Munibus Rehman
SIBI SALMA