

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.569/2017

Date of Institution ... 02.06.2017
Date of Decision ... 22.07.2022

Mr. Muhammad Fahim Lecturer (BPS-17), Government Degree College
No. 2, Mardan.

... (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through Chief Secretary
Khyber Pakhtunkhwa, Peshawar and two others.

... (Respondents)

Syed Noman Ali Bukhari,
Advocate

... For appellant.

Naseer Ud Din Shah,
Assistant Advocate General

... For respondents.

Mrs. Rozina Rehman
Miss Fareeha Paul

... Member (J)
... Member (E)

JUDGMENT

ROZINA REHMAN, MEMBER (J): The appellant has invoked the
jurisdiction of this Tribunal through above titled appeal with the prayer
as copied below:

**"On acceptance of this appeal the order dated
25.03.2016 and 08.05.2017 may be set aside and the
respondents may be directed to restore two annual
increments from due date with all back and consequential
benefits".**

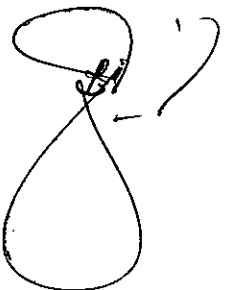
2. Brief facts of the case are that appellant was appointed as
Lecturer (BPS-17). During service, when he was assigned the duty of



Superintendent in the Inter Examination 2015, he was served with a show cause notice which was properly replied and vide impugned order dated 25.03.2016, penalty of withholding of two annual increments was imposed upon him. He filed departmental appeal which was not entertained by showing reasons that the appeal had to be addressed to the next higher authority which in the instant case was Chief Minister, where-after, he filed appeal to Chief Minister which was rejected, hence, the present service appeal.

3. We have heard Syed Noman Ali Bukhari, Advocate learned counsel for the appellant and Naseer Ud Din Shah, learned Assistant Advocate General for respondents and have gone through the record and the proceedings of the case in minute particulars.

4. Syed Noman Ali Bukhari Advocate, learned counsel for the appellant argued inter alia that the impugned orders dated 25.03.2016 and 08.05.2017 were against law, facts and norms of justice as appellant was not treated according to law. He contended that no proper inquiry was conducted and the penalty was imposed without adopting proper procedure; that the whole proceedings were conducted in violation of law and rules which are not tenable in the eyes of law. He submitted that the allegations against the appellant were baseless as the performance of the appellant could be better judged in view of the result of appellant's Hall and Examination Hall of BISE Mardan. Lastly, he submitted that the appellant was performing the duty of Superintendent who used to search the students properly before entering in the examination hall and that he performed his duties with full devotion, sincerity and in accordance with law and rules and that no undue favor was given to any student.



5. Conversely, learned AAG submitted that the Secretary Higher Education himself, while on visit alongwith Deputy Secretary (Colleges) and Deputy Chief Planning Officer of the Department, witnessed the ongoing malpractice on the part of the appellant, thus while obtaining formal approval from the competent authority, it was added that as per provision of Rule-7 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, the formal inquiry was dispensed with and show cause notice was recommended to be issued. Thus, on the approval of the competent authority, direct show cause notice was served upon the appellant instead of opting for formal inquiry.

6. From the record it is evident that during the Inter Examination 2015, appellant while performing his duty as Deputy Superintendent in the examination hall. The Secretary Higher Education paid surprise visit to the examination hall and found some students busy in use of unfair means. In this regard, show cause notice was issued to the appellant on the ground of misconduct and inefficiency. Relevant Paras of the said show cause notice are hereby reproduced for ready reference:

i. "That you were found actually supporting the examinees to copy the answers from the unauthorized copying material which they possessed in the examination hall.

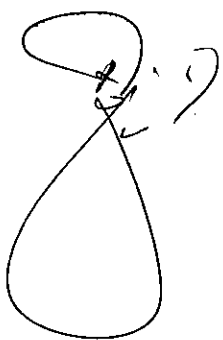
ii. That in accordance with rules, you were supposed to ensure conduct of examination fairly and transparently. However, you indeed did the otherwise and thus render the examination process tainted and unfair.



iii. *That after the students were caught red handed while copying from unauthorized material, you were reluctant to initiate disciplinary action against the concerned. Thus, you did not conduct yourself in accordance with the requirement of order by which you were to supervise the examination."*

7. As per record, Secretary Higher Education Department paid surprise visit to examination centers in which certain supervisory and invigilatory staff had been proposed to be issued show cause notices on account of their inefficiency and supporting unfair means. Similarly, supervisory staff caught the students red handed while copying from the unauthorized materials but they did not initiate any disciplinary action against them which also come under misconduct. Therefore, the appellant alongwith one Khan Muhammad were issued show cause notices. Admittedly, just show cause notices were issued to the appellant and one Khan Muhammad and no proper inquiry was conducted. No charge sheet alongwith statement of allegations were ever served upon appellant and interestingly inquiry was dispensed with but no reason was given. Record is also silent as to who paid visit. Neither their statements nor their reports are available. Formal inquiry is also not available on record which means that no proper procedure was followed.


8. The respondents have very blatantly violated the set norms and rules and conducted the proceedings in an authoritarian manner. We have observed that the appellant was kept deprived of affording appropriate opportunity of defense. In the whole process, no inquiry

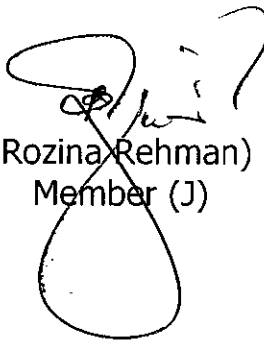


was conducted. Appellant was not afforded any opportunity as is required under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

9. We are unison on acceptance of this appeal in the light of our observation in the preceding paras which immediately call for the acceptance of the instant service appeal as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
22.07.2022


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

ORDER

22.07.2022

Appellant present through counsel.

Naseer Ud Din Shah learned Assistant Advocate General for respondents present. Arguments heard. Record perused.

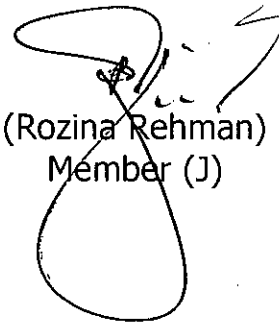
Vide our detailed judgment of today of this Tribunal place on file, instant service appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.

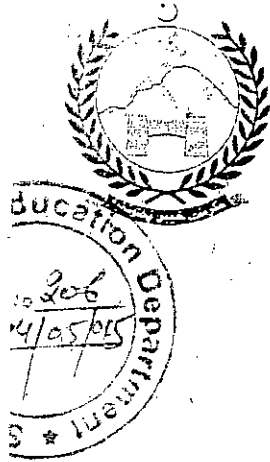
22.07.2022



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES & LIBRARIES
DEPARTMENT

NOTE FOR CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Subject: **Deteriorating standard of education – use of unfair means in 2015**
Higher Secondary School Certificate (HSSC) Examination

Minister
for Higher Education
Khyber Pakhtunkhwa

Traditionally, higher education has been a priority of public policy in our province. This is indicated by the fact that over the last five years, the Provincial Government has invested around Rs.53 billion in higher education sector alone. Though over the last ten years, we have grown tremendously in term of number of centers of higher learning; quality of higher education still appears far from satisfactory by any reasonably acceptable scale.

2. One of many factors contributing to deteriorating standard of higher education is lowering of standard of education at the level of feeding institution - the schools. Situation is made worst by the fact that examination system at schools and intermediate level has been noticed to be totally faulty and criminally posed against the spirit of merit based competition. Thus, the low quality stuff when enters the higher educational institutions; affects their standard as well.

3. In accordance with permission granted by the Chief Secretary **Annex - A)** a tour was undertaken on May 6 & 7, 2015 to such areas as Mardan, Batkhela, Bara Kot, Mingora, Khuwaza Kheila, Shangla, Besham & Kohistan. Purpose was to inspect the Government colleges and developmental schemes of the Department. Further, in accordance with the consent given by Secretary of Department of Elementary Education, examination centers conducting HSSC Examination were also checked en-route.

2
1

4. Five examination centers Viz, Government College for Girls Thakt Bhai, Government Boys Degree College Thakt Bhai, Government Degree College for Girls Ihanna, Government Degree College for Girls Mingora -- Swat and Government Degree College for Boys Pattan were visited just to find that cheating was rampant in most of the Centers; in active connivance with the Invigilating Staff belonging to Government colleges and schools. For instance, examination center established in Government Degree College for Boys Pattan had four students appearing in examination in afternoon on May 7, 2015. Three out of four were caught copying from books which they carried despite the fact that they were supervised by two invigilating officials.

5. Most of the supervisory staff visited in the examination centers were found inefficient and actively supporting the cheating by the students appearing in the examination. Superintends of the Examination Center in Government Degree College for Boys -- Thakt Bhai & Government Degree College for Boys Pattan were literally forced to take legal action against those candidates who were found using the cheating material despite the fact that they were duty bound to take action against the concerned themselves. Detail of cases caught red handed by the undersigned along-with information related to supervisory staff may please be seen as **Annex - B**.

6. In order to know causes of such a rampant malpractice in examination system at the level of our feeding institution and identify possible remedies; we intend to have a consultative workshop of all stakeholders along-with Department of Elementary Education in near future. However, blatant corrupt practice of the supervisory staff in the instant cases if remained unnoticed, will not only add to the menace of cheating in the examinations but would also put in jeopardy objectives of the Provincial Government to enhance quality of education. In view of the above, a disciplinary action is suggested against the concerned.

7. Since, malpractice has been witnessed by the undersigned himself along-with accompanying Deputy Secretary (Colleges) and Dy. Chief Planning Officer of the Department, there does not appear justification for a formal enquiry. Hence, in accordance with provisions of Rule 7 of Khyber Pakhtun Khuwa Government Servants (Efficiency & Disciplinary Rules) 2011, formal enquiry may kindly be dispensed with and show cause notices are recommended to be issued to the concerned officials working under administrative control of this Department. With regard to officials working under Department of Elementary Education, concerned Department

may like to move an independent case for disciplinary action on the similar lines, if otherwise deemed appropriate.

8. Chief Secretary is requested to kindly:

- a) Accord approval to issuance of respective Show Cause Notice (**Annex - C**) to the concerned officials working under administrative control of Higher Education Department by signing the same and setting in motion process of legal action.
- b) Allowing advising Chairmen of the respective Boards of Examination to ensure disciplinary action against the concerned students as per detail given in **Annex - B**.

9. Secretary Department of Elementary Education is also requested to add comments.


(Muhammad Ali Shahzada)

Secretary

May 14/2015

Minister, Higher Education, Archives & Libraries Department:

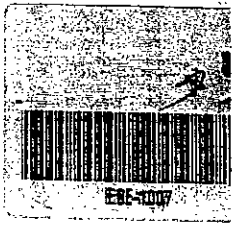

MUSHTAQ AHMAD GHANI

Minister for Higher Education & Information
Khyber Pakhtunkhwa

Secretary, Department of Elementary Education:

Chief Secretary:

P.T.



Refer para- 9 of the Note.

10. It is stated that Elementary & Secondary Education Department has adopted a multi-pronged strategy for eradicating the curse of cheating practices from SSC & HSSC examinations. Furthermore, certain other steps have also been taken, i.e. ensuring computerized draw for examination duty; constitution of vigilance committees and installation of CCTV cameras etc.

11. Secretary, Higher Education Department has paid surprise visits to examination centers in which certain supervisory/ invigilatory staff have been proposed to be issued show cause notices on account of their inefficiency and supporting unfair means, as reflected vide para-5 above. Similarly, the supervisory/ invigilatory staff caught the students red handedly while copying from unauthorized materials but they did not initiate any disciplinary action against them which also comes under misconduct. Hence, E&SE Department fully supports the disciplinary action initiated by Secretary Higher Education Department. However, it is added that as the instant charges of misconduct and inefficiency levelled by Secretary, Higher Education Department need to be equally applied for imposition of minor/ major penalties upon all the accused, hence it is proposed that Higher Education Department may prepare show cause notices to the accused officers/ officials both of Higher Education Department/ E&SE Department, and move a consolidated case to Chief Secretary. After imposition of penalties by the Competent Authority, penalties regarding officers/ officials of E&SE Department shall be notified by the E&SE Department.

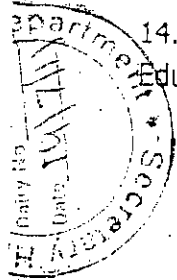
12. The case is returned to Higher Education Department for action as proposed in para-11 above.

1/1/23
(AFZAL LATIF)
SECRETARY

SECRETARY HIGHER EDUCATION DEPARTMENT.

NPP

13. After obtaining comments of Elementary & Secondary Education Department vide Para's 10 & 11 of the Note, Show Cause Notices to the accused officers/ officials of Elementary & Secondary Education Department have also been incorporated as **(Annex-D)**.



14. Para 08 incorporating the concerned official of Elementary & Secondary Education Department is submitted for perusal /approval please.

(Muhammad Ali Shahzada)

SECRETARY

HIGHER EDUCATION DEPARTMENT

July 14/15

CHIEF SECRETARY,
KHYBER PAKHTUNKHWA

57-2-27

15. Views please.

Secretary Establishment

Sd/-
Chief Secretary
14.07.2015

14/7/15

New Page

16- Note for Chief Secretary examined. Proposal of Higher Education Department contained in Para-8 is endorsed. Chief Secretary, being competent authority may sign the show cause notices at Annex-C&D and insert major penalties of reduction to lower stage in time scale by three stages and black listing for examination duty of the accused officers at Annex-B, in the space left blank for the purpose.

(Syed Alamgir Shah)
Special Secretary (Establishment)
July 24, 2015

Chief Secretary, Khyber Pakhtunkhwa.

17. *Show cause notice needs correction*

~~SECRETARY~~ ESTAB

Chief Secretary
Govt. of Khyber Pakhtunkhwa

Diary No. 4700
Date 3.7.15

24/7/15

NO. 29/7
Date 29/7

SS/ey
A

Qees
3/8/15

P.T.O

Para-17 refers

18- As per remarks of the Chief Secretary, the show cause notices may be corrected/prepared according to the standard format (F/E) and resubmitted for signature of the competent authority.

Dr. Akhtar Nazir

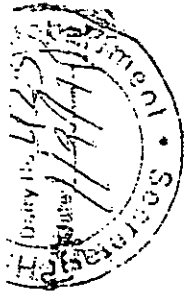
(Dr. Akhtar Nazir)
Secretary Establishment
August 05, 2015

Secretary, Higher Education Department.

5/18/11

P.T.O

19. As desired by Chief Secretary, the Show Cause Notices have been prepared according to the standard format and are resubmitted for signature please.



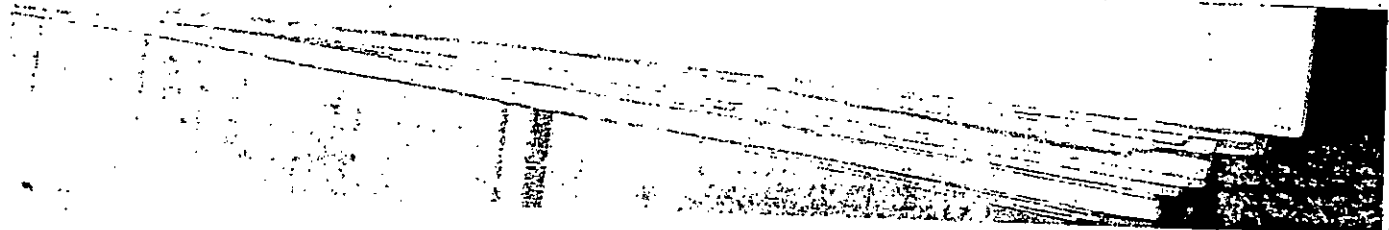
**SECRETARY,
ESTABLISHMENT**

W. S. Dany
SECRETARY 27/8/15
HIGHER EDUCATION DEPARTMENT

SECRETARY
ESTABLISHMENT

5/16/10
R. G. S.

alex. Page



20- Note for Chief Secretary examined. The show cause notices have been rectified and prepared according to the standard format (F/C & D). Chief Secretary, being competent authority, may sign the same and insert penalty in the blank space therein as deemed appropriate.

[Handwritten Signature]
(Hassan Mehmood Yousufzai)
Secretary Establishment
September 21, 2015

Chief Secretary, Khyber Pakhtunkhwa.

needful done

SECRETARY HED

Ali
27/9/15
Chief Secretary
Govt. of Khyber Pakhtunkhwa

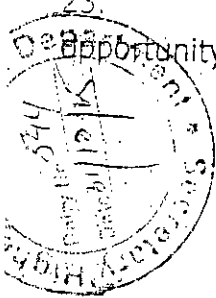
23/9/15 22/9/15

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21. In response to Para-20 of the Note, Show Cause Notices containing the Major Penalty of "Dismissal from Service" were served upon the Muhammad Fahim lecturer in Statistics GDC No. 2 Mardan and Mr. Khan Muhammad lecturer in Statistics GDC Lund Khwar Mardan for showing negligence in their examination duties. The cases of Elementary & Secondary Education Department were forwarded to the concerned Department for the necessary action at their end (F/E).

22. Both the accused lecturers have submitted replies to the Show Cause Notice which are placed at **F/F & F/G**.

23. The Competent Authority, may grant the accused officers the opportunity of personal hearing, please.



Chief Secretary.

Ata Ur Rehman
(Dr Ata Ur Rehman) 31/12/15
Secretary
Higher Education

2072
31/12/15

NPP

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Please examine.

Sd/-
CHIEF SECRETARY
1-1-16

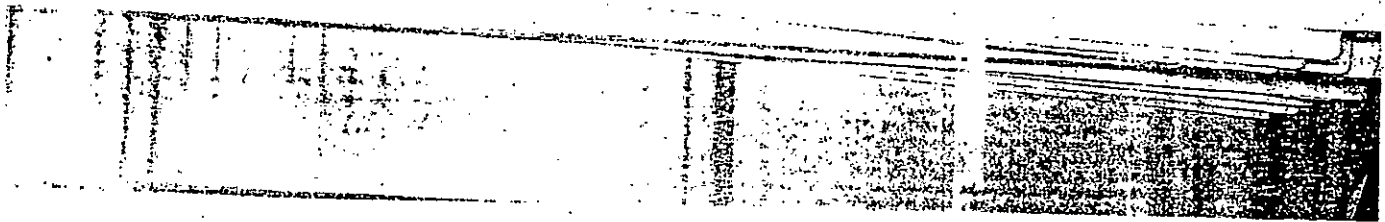
SECRETARY ESTABLISHMENT

31-12-15

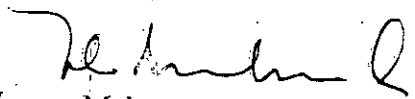
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5-1-16

Next Page



25. Note for Chief Secretary regarding deteriorating standard of education - use of unfair means in 2015, Higher Secondary School Certificate (HSSC) Examination has been examined. The accused Mr. Muhammad Fahim, Lecturer in Statistics GDC No.2 Mardan and Mr. Khan Muhammad, Lecturer in Statistics GDC Lund Khwar Mardan were awarded with major penalty of "Dismissal from service" tentatively as per recommendations of the Administrative Department. Now both the accused officers have replied to the show-cause stating therein that they may be exonerated from the charges and the penalty imposed upon them. They have also requested for grant of opportunity of personal hearing. Proposal of Higher Education Department contained in Para-23 is endorsed. The Chief Secretary, being competent authority may afford personal hearing to both accused officers as per provision of the E&D Rules, 2011.


(Hassan Mehtood Yousafzai)
Secretary Establishment
22 January, 2016

Chief Secretary,
Khyber Pakhtunkhwa.

25-1-16
25/1/16

Dist. Secy. (E&D)
Govt. of P.K.

26. The accused Muhammad Fahim, Lecturer in Statistics GDC No. 2 Mardan and Mr. Khan Muhammad, Lecturer in Statistics GDC Lund Khwar Mardan were given personal hearing in the presence of Departmental Representative Mr. Habib-ur-Rehman, Deputy Secretary (Colleges), Higher Education Department on 16.02.2016 at 1100 Hrs. Both the accused explained that they tried to stop cheating in the examination hall. They also said that the Inspectors visited the examination hall have also confirmed their stance.

27. In view of above the both the accused(s) Muhammad Fahim, Lecturer in Statistics GDC No. 2 Mardan and Mr. Khan Muhammad, Lecturer in Statistics GDC Lund Khwar Mardan cannot be fully absolved from the charges level against them, the major penalty of "Dismissal from service" tentatively imposed upon both the accused(s) is hereby reduced to minor penalty of "withholding of two increments for two years".

Ahmed

Chief Secretary
Khyber Pakhtunkhwa

Secretary, Higher Education, Archives & Libraries Department

5842
23-2-16

as.

For further m/a

DS(C)

SO(C-II)

8/eno

27

Two DFA'S are submitted for perusal/Approval, please

VO(C-II)

30

DS(C)

Please discuss

SO(C/II)

31

Pl amend and p.o.

Stepo (C-II)

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24/02/16

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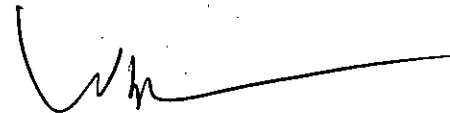
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21/3/16

19.01.2022

Junior to counsel for the appellant present. Mr. Javaidullah, Asstt. AG alongwith Qazi Muhammad Ayaz, Litigation Officer for the respondents present.

Former seeks adjournment due to indisposition of senior counsel for the appellant. Request accorded. To come up for arguments on 10.05.2022 before the D.B.



(Atiq-Ur-Rehman Wazir)
Member (E)



Chairman

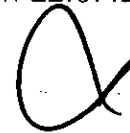
10.05.2022

Junior to counsel for the appellant present. Mr. Riaz/Khan Paindakheil, Asstt. AG for the respondents present.

Junior to counsel for the appellant requested for adjournment as senior counsel for the appellant is not available today. Last opportunity is granted. Last opportunity is granted. To come up for arguments before the D.B on 22.07.2022.



(Fareeha Paul)
Member (E)



Chairman

29.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 25.08.2021 for the same as before.

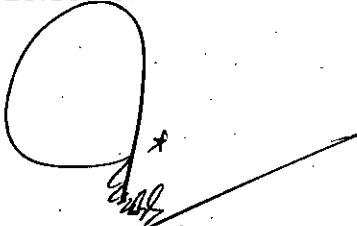

Reader


25.08.2021

Nemo for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Qazi Ayaz, Litigation Officer for the respondents present.

Previous date was changed on Reader note, therefore, notice of prosecution of the appeal be issued to the appellant as well as his counsel. Adjourned. To come up for arguments before the D.B on 20.10.2021.

Mr. Shah
13/9/21

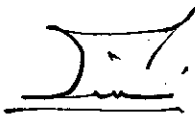

(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

20.10.2021

Junior to learned counsel for the appellant present. Mr. Noor Zaman, District Attorney for the respondents present.

Former requests for adjournment as learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court. Request is accorded. Case to come up for arguments on 19.01.2022 before D.B.


(Salah-Ud-Din)
Member (Judicial)

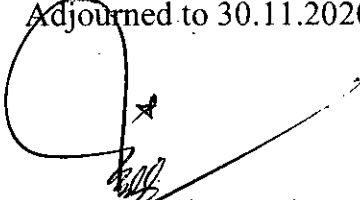

Chairman

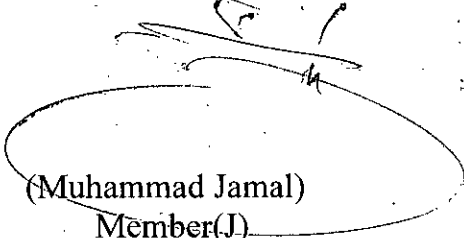
10.09.2020

Mr. Noman Ali, Advocate, junior to counsel for the appellant is present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

According to the junior counsel his senior counsel has proceeded to Islamabad for attending the august Supreme Court of Pakistan in connection with other cases, therefore, he could not attend the Tribunal. He requested for adjournment.

Adjourned to 30.11.2020 for arguments before D.B.


(Mian Muhammad)
Member (E)

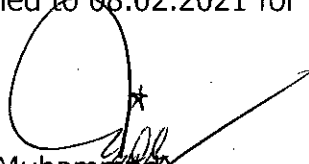

(Muhammad Jamal)
Member(J)

30.11.2020

Junior to counsel for the appellant and Zara Tajwar, DDA for the respondents present.

Appellant requests for adjournment as learned senior counsel for the appellant is busy before the Honourable High Court in various cases today.

Adjourned to 08.02.2021 for hearing before the D.B.


(Mian Muhammad)
Member(E)


Chairman


08.02.2021

Due to COVID-19, the case is adjourned for the same on 29.04.2021 before D.B.


READER

24.02.2020

Learned counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney present and seeks adjournment to produce report of Secretary Higher Education in relation to misconduct committed by the appellant and other accused officials and on the basis of which Show Cause Notice was issued. Kazi Ayaz Litigation Officer representative of respondent department absent. He be summoned with direction to furnish report of Secretary Higher Education mentioned above. Adjourn. To come up for additional documents and arguments on 27.03.2020 before D.B.



Member



Member

27.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 17.06.2020 before D.B.



Reader

17.06.2020

Due to Covid-19, the case is adjourned. To come up for the same on 10.09.2020 before D.B.



Reader

03.10.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney present. Arguments heard. To come up for order on 16.10.2019 before D.B.


Member


Member

16.10.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney present. Learned counsel for the appellant stated that he has already submitted for placing on file additional documents i.e. Communication Reference dated 22.08.2016 which is now available on file. Adjournment requested for arguments. Adjourn. To come up for arguments on 20.12.2019 before D.B.


Member


Member

20.12.2019

Appellant in person present. Mr. Riaz Paindakheil learned Assistant Advocate General present. Appellant submitted application for adjournment. Adjourn. To come up for arguments on 24.02.2020 before D.B.


Member


Member

09.05.2019

Clerk to counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. The learned Member (Executive) Mr. Hussain Shah is on leave, therefore, the bench is incomplete. Adjourned. To come up for arguments on 02.07.2019 before D.B.


(Muhammad Amin Khan Kundi)
Member

02.07.2019

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Adjourned. To come up for arguments on 26.08.2019 before D.B


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

26.08.2019

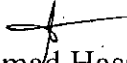
Clerk to counsel for the appellant present. Addl: AG for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike on the call of Peshawar Bar Association. Adjourn. To come up for arguments on 03.10.2019 before D.B.


Member


Member

05.12.2018

Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Learned counsel for the appellant submitted rejoinder, copy of the same is handed over to learned Deputy District Attorney. Adjourned. To come up for arguments on 29.01.2019 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

29.01.2019

Junior to counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Junior to counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 19.03.2019 before D.B.


(Ahmad Hassan)
Member

(M. Hamid Mughal)
Member

19.03.2019

Counsel for the appellant and Mr. Ziaullah, DDA for respondents present.

Learned counsel for the appellant requests for time to place on record additional documents relevant for the purpose of appeal.

May do so positively on the next date of hearing. Adjourned to 09.05.2019 before D.B.



Member


Chairman

03.07.2018

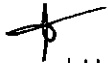
Junior counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court. Adjourned. To come up for rejoinder and arguments on 30.08.2018 before D.B.



(Ahmad Hassan)
Member


(Muhammad Amin Kundi)
Member

30.08.2018


Junior counsel for the appellant and Mr. Riaz Ahmad Paindakhel, Assistant AG for the respondents present. Junior counsel for the appellant seeks adjournment on the ground that learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court. Adjourned. To come up for rejoinder and arguments on 19.10.2018 before D.B.



(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

19.10.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 05.12.2018 before D.B.


(Hussain Shah)
Member


(Ahmad Hassan)
Member

15.01.2018

Clerk of the counsel for appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Representative of the department is absent despite issuance of notice. Again notice been issued to the respondents with the direction to direct their representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 13.02.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member


13.02.2018


Clerk of the counsel for appellant present. Mr. Kabirullah Khattak, Additional AG alongwith Murad Khan, Superintendent for the respondents also present. Written reply on behalf of respondents No. 1 & 3 submitted. Representative of the department rely on the written reply submitted by respondents No. 1 & 3 on behalf of respondent No. 2. Adjourned. To come up for rejoinder and arguments on 17.04.2018 before D.B.


(Muhammad Amin Khan Kundi)
Member (J)

17.04.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Murad Ali, Superintendent for the respondents also present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for rejoinder/arguments on 03.07.2018 before D.B.



(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

concerned authority and thereafter he filed departmental appeal before the Chief Minister, therefore, the appeal of the appellant is time barred.

Perusal of the record reveals that the impugned order was passed on 25.03.2016 and thereafter the appellant filed departmental appeal to the Secretary Higher Education but the concerned authority informed the appellant to file departmental appeal before the next higher authority which is Chief Minister instead of Secretary Higher Education, therefore, the appellant after receiving such information preferred departmental appeal to the Chief Minister within time and after rejecting the departmental appeal the appellant filed present service appeal within time. Moreover no regular/proper inquiry was conducted nor any charge sheet was issued to the appellant therefore, the contentions raised by learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to limitation and all legal objections. The appellant is directed to deposit of security and process fee within 10 days, thereafter notice be issued to the respondents for written reply/comments for 20.11.2017 before S.B.

Appellant Deposited
Security & Process Fee


(Muhammad Amin Khan Kundi)
Member

20.11.2017

Counsel for the appellant present. Mr. Riaz Paynda Khel, Assistant AG for the respondents also present. Representative of the department is not in attendance therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date. Adjourned. To come up for written reply/comments on 15.01.2018 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

04.10.2017

Counsel for the appellant present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving as Lecturer in Higher Education Department and during his service he was performing the duty of Superintendent in inter examination 2015. It was further contended that later on he was charge sheeted and disciplinary proceedings was initiated against him on the allegation that he was supporting the examinees to copy the answers from the unauthorized copying material which they possessed in the examination hall and after conducting the inquiry the competent authority imposed minor penalty of withholding of two increments for two years vide order dated 25.03.2016. It was further contended that against the impugned order appellant filed departmental appeal to the Secretary Higher Education and after some time the appellant was informed that the Secretary Higher Education is not departmental authority and directed to file departmental appeal to the concerned authority, therefore, he again filed departmental appeal to the Chief Minister on 24.10.2016 just after receiving the letter from the Secretary Higher Education and the departmental authority decided the departmental appeal of the appellant on 08.05.2017. It was further contended that the appellant filed service appeal on 02.06.2017 well within time therefore, the present service appeal is within time. It was further contended that no regular/proper inquiry was conducted therefore, the impugned order of withholding of two increments for two year is illegal and liable to be set-aside.

W. Amin
4.10.2017

On the other hand learned Additional Advocate General Mr. Kabirullah Khattak opposed the contention of learned counsel for the appellant and contended that the impugned order was passed on 25.03.2016 and the appellant filed departmental appeal before the wrong forum therefore, the appellant was informed to file departmental appeal before the

07.08.2017

Counsel for the appellant and Addl: AG for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for preliminary hearing on 08.08.2017 before S.B.


(Ahmad Hassan)
Member


08.08.2017

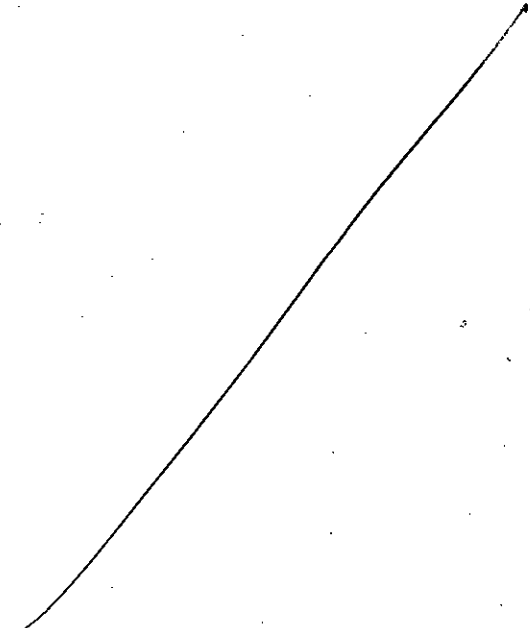
Clerk to counsel for the appellant and Addl: AG for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike of the Bar. Adjourned. To come up for preliminary hearing on 07.09.2017 before S.B.


(Ahmad Hassan)
Member

07.09.2017

Appellant absent. Notice be issued to the appellant for attendance. To come up for preliminary hearing on 04.10.2017 before S.B.


(Muhammad Hamid Mughal)
Member (J)



22.06.2017

Counsel for the appellant present and requested for adjournment. Adjourned. To come up for preliminary hearing on 03.07.2017 before S.B.


(Muhammad Amin Khan Kundi)
Member

04.07.2017

01/1/17



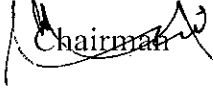
Counsel for the appellant present. Preliminary arguments heard and case file perused. Learned counsel for the appellant argued that the appellant was serving as Lecturer (BPS-17) in Higher Education Department. He was deputed to perform duty as Deputy Superintendent in Intermediate Examination 2015 at GDC, Takhtbai, Mardan. Being involved in malpractice, disciplinary proceedings were initiated which culminated in imposition of minor penalty of withholding of two annual increments for two years vide impugned order dated 25.03.2016. He preferred an undated appeal to the Secretary Higher Education (respondent no.3), who was not the appellate authority in this case. Thereafter vide letter dated 17.10.2017 he made departmental appeal to the competent authority which was rejected on 08.05.2017. Apparently, the appeal is time barred. When learned counsel for the appellant confronted on the point of limitation he relied on 2007 SCMR 73. However, he was unable to give a plausible explanation for delay in the case in hand. Let pre-admission notice be issued to the AAG to assist the Tribunal on the point of limitation. To come up for further preliminary hearing on 07.08.2017 before S.B.


(Ahmad Hassan)
Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 570/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	02/06/2017	<p style="text-align: center;">The appeal of Mr. Muhammad Fahim presented today by Mr. Muhammad Asif Yousafzai Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;">  REGISTRAR 2/6/17 </p>
2	7-6-17	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>14.6.17</u>.</p> <p style="text-align: right;">  CHAIRMAN </p>
14.06.2017		<p style="text-align: center;">Clerk of counsel for the appellant present and requested for adjournment. Adjournment granted. To come up for preliminary hearing on 22.06.2017 before S.B.</p> <p style="text-align: right;">  Chairman </p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 570/2017

Muhammad Fahim

V/S

Govt of KPK etc


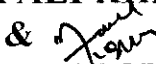
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APPELLANT
Muhammad Fahim

THROUGH:


M.ASIF YOUSAFZAI
ASC


TAIMUR ALI KHAN
& 
SYED NOMAN ALI BUKHARI
(ADVOCATES, PESHAWAR)

BEFORE THE KHYBER PAKHTU NKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 570 /2017

Mr. Muhammad Fahim Lecturer (BPS-17),
Government Degree college No.2, Mardan..

Khyber Pakhtukhwa
Service Tribunal

Diary No. 628

Dated 02-6-2017

(Appellant)

VERSUS

1. The Government of KP through Chief Secretary KP Peshawar.
2. The Chief Secretary KP Peshawar.
3. The Secretary Higher Education Deptt: civil Secretariat, KP Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 25.03.2016 AND AGAINST THE REJECTION ORDER DATED 08.05.2017 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED WITHOUT SHOWING ANY COGENT REASON.

PRAYER:

Filed to-day

Registrar

2/6/17

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 05.03.2016 AND 08.05.2017 MAY BE SET-ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO RESTORE THE TWO ANNUAL INCREMENT FROM DUE DATE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS TRIBUNAL FIT AND PROPER MAY ALSO BE AWARDED IN THE FAVOUR OF APPELLANT.

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant was appointed as Lecturer (BPS-17) in Higher Education Department through Public Service Commission and posted as Lecturer in Government Degree college No.2 Mardan vide order dated 23.01.2015 and the appellant since his appointment working with full zeal and zest. **(Copy of appointment order is attached as Annexure-A).**
2. That the appellant was appointed to perform duty as superintendent in inter examination 2015 and the appellant performed his duties to the best of his capabilities and efficiently to make the examination transparent and fair.
3. That without charge sheet, statement of allegation and without any inquiry, the show cause notice was served upon the appellant on 26.10.2015. The appellant properly replied to the show cause notice and denied the entire allegation. **(Copy of show cause and reply is attached as Annexure-B & C).**
4. That thereafter the impugned order dated 25.03.2016 was served upon the appellant whereby the minor penalty of *"withholding of two annual increment for two year"* was imposed upon the appellant. **(Copy of order is attached as Annexure-D).**
5. That the appellant filed departmental appeal against the impugned order dated 25.03.2016, which was not entertained by showing reasons vide letter dated. 08.08.2016 that "the appeal has to be addressed to the next higher authority which in the instant case is Chief Minister instead of Secretary Higher Education Department." The said information was given to appellant vide letter dated. 22.08.2016 and received by appellant on 20.10.2016. **(Copy of departmental appeal and letter dated 08.08.2016 is attached as annexure-E).**
6. That thereafter appellant filed appeal to Chief Minister against the order dated 25.03.2016, within 30 days on 24.10.2016 which was rejected vide order dated 08.05.2017 without showing any cogent reason. **(Copy of departmental appeal and rejection order is attached as annexure-F & G).**
7. That thereafter appellant filed another appeal to Chief Minister against the order dated 25.03.2016 which was rejected vide order dated 08.05.2017 without showing any cogent reason. **(Copy of**

departmental appeal and rejection order is attached as annexure-F & G).

8. That now the appellant comes to this august Tribunal on the following grounds amongst others.

GROUNDS:


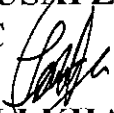

- A) That impugned order dated. 25.03.2016 and 08.05.2017 is against the law, facts, norms of justice and material on record. Therefore, not tenable and liable to be set aside.
- B) That no charge sheet and statement of allegation was served upon the appellant which is Violation of E&D Rules 2011.
- C) That the no inquiry was conducted, no procedure was followed before the penalty was imposed upon the appellant which is against the law and rules.
- D) That no proper procedure has been followed before the awarding the penalty, the whole proceedings were conducted in violation of law and rules. Thus, not tenable in the eye of the law.
- E) That no regular inquiry has been conducted and there is no order in black & white form for dispensing with regular inquiry. So, the impugned order has nullity in the eye of law.
- F) That the appellant performed his duty as superintendent. The appellant properly search the student before entering the examination hall. The appellant performed his duties full devotion, sincerity, according to rules and neither unfair nor any undue favor was given to any candidate.
- G) That student from which .the unauthorized materials were discovered during body search immediate action was taken against the candidates and U.F.M cases were sent to BISE Mardan. **(Copy of list of the UFM cases is attached as Annexure-H).**
- H) That the allegations against the appellant are baseless because by comparing the result of appellant's hall with the result of the examination hall of BISE Mardan , the position would be clarified that the performance of the appellant can be better judged. **(Copy of result comparison and result sheet are attached as Annexure-I).**

- I) That the rejection order, dated 08.05.2017 is not a speaking order which is also violation of the Section 24-A of the General Clauses Act and Supreme Court judgment reported as 1991 SCMR-2330.
- J) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.


APPELLANT
Muhammad Fahim

THROUGH:


M.ASIF YOUSAFZAI
ASC

TAIMUR ALI KHAN
& 
SYED NOMAN ALI BUKHARI
(ADVOCATES, PESHAWAR)



GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

Dated January 23rd, 2015.

A 5

NOTIFICATION

O. SO(COLLEGES-II)HED/10-19/2014. Consequent upon the recommendation of Khyber Pakhtunkhwa Public Service Commission, the Competent Authority is pleased to appoint the following recommendees as lecturers in Statistics (BPS-17) of College Cadre in Higher Education Department, with immediate effect; on the following terms and conditions, and to post them in the colleges mentioned against each:-

Sl. No.	Name / Address	Proposed College	Remarks
1.	Imad Khan S/o Bahadar Khan Village & P/o Mohib Banda Mohallah Gardzi Tehsil Pabli District Nowshera.	Govt. Degree College, Kadang, Mardan.	Against vacant post
2.	Abdul Salam S/o Khalista Gul Owais Book Stall Rajjar Chowk District and Tehsil Charsadda.	Govt. Degree College, Shawa, Swabi.	Against vacant post
3.	Muhammad Irfan S/o Wazir Muhammad Village & P/o Shawa Tehsil Adenzai Lower Dir.	Govt. Degree College, Batkhe's, Malakand Agency.	Against vacant post
4.	Naqeeb Ullah Khan S/o Abdur Rehman H. No. 21, Street No. A-2 Asad Anwar Colony Gulbahar No. 1, Peshawar City.	Govt. Degree College, KDA Kohat.	Against vacant post
5.	Momin Shah S/o Ayub Shah Jehangir Abad No. 2 Haroon Abad near Ring Road, P/o Pekha Ghulam Peshawar.	Govt. Post Graduate College, Mardan.	Against vacant post
6.	Adil Ishaq S/o Muhammad Ishaq Inzal Karyana Store near Police Line Lower Malkpur Abbottabad.	Govt. Post Graduate College, No. 1, Abbottabad.	Against vacant post
7.	Muhammad Fahim Khan S/o Muhammad Shamim Khan C/o Ubaidullah S/o Gulab Khan, Village and P/o Pawaka Tehsil and District Peshawar.	Govt. Degree College, No. 2, Mardan.	Against vacant post
8.	Ayaz Akhtar S/o Imtiaz Akhtar Mohallah Wall Abad Village Adhara Canal Road, University Town, Peshawar.	Govt. Post Graduate College, Swabi.	Against vacant post
9.	Hameed Ullah S/o Ahmad Jehan Village Ser Tehsil & P/O Charbech District Swat.	Govt. AKI PG Matta, Swat.	Against vacant post
10.	Shoaib Ahmad Shah S/o Nasir Ahmad Shah Village Sheikh Sultan P.O Sheikh Uttar District Tank.	Govt. Degree College, Tank.	Against vacant post
11.	Ahmad Saeed S/o Saeed ur Rehman Ababul Aza, Shop # 10, outside near Lery Adla Nowshera.	Govt. Degree College, Darband, Nowshera.	Against vacant post

ATTESTED

✍

TERMS AND CONDITIONS.

- i. They will have all rights / privileges contained in Khyber Pakhtunkhwa Civil Servants Act, 1973 with all amendments made therein including Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2013 and Rules made there-under.
- ii. In case of resignation, they will have to give one-month prior notice. In lieu of such notice, their one-month pay shall be forfeited to Government.
- iii. The appointees should join their posts within 30-days of the issue of this Notification failing which it shall be presumed that he is not interested to join the same. Change report should be submitted to all concerned. The Director, Higher Education, Khyber Pakhtunkhwa, Peshawar should furnish a certificate to the effect that the appointees have joined their posts, or otherwise, after one month of the issue of this Notification.
- iv. In case of disciplinary matters, Khyber Pakhtunkhwa Government Servants, (Efficiency & Discipline Rules), 2011 shall be applicable.
- v. They will be on probation for a period of one year to be extended for another period of one year in terms of Section-15 of Appointment, Promotion and Transfer Rules, 1959.
- vi. They will undergo mandatory training for the purpose of promotion / direct recruitment as the case may be.
- vii. They will get pay in BPS-17 including usual allowances as admissible under the rules. They will be entitled to annual increments like other Civil Servants.

SECRETARY TO GOVT. OF
KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT

Endst: No. & Date Even.

A copy of the above is forwarded for information and n/ action to the:-

- 1- Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2- Director, Higher Education, Khyber Pakhtunkhwa Peshawar. Application forms received from the PSC are attached with the request that the documents / degrees / testimonial may be verified from the concerned Universities / Boards.
- 3- Director Information, Khyber Pakhtunkhwa, Peshawar.
- 4- Director Recruitment, Khyber Pakhtunkhwa Public Service Commission, 2-Fort Road, Peshawar Cantt. With reference to letter No. SR-VII/91641 dated 15.10.2014.
- 5- District Accounts Officers, concerned.
- 6- Principals, of the Govt. colleges concerned.
- 7- Manager, Government Printing Press, Khyber Pakhtunkhwa, Peshawar.
- 8- Deputy Director (IT), HEMIS Cell, Higher Education Department.
- 9- Lecturers concerned.

ATTESTED

(HAMID ALI)
SECTION OFFICER (COLLEGES-1)

DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA,
KHYBER ROAD PESHAWAR

No. 26235 / CA-II / Estt: Branch/A-12 / Mohid Fahim Khan / Statistics
Phone # 091-9210242, 9211025 / Fax # 9210215

Dated Peshawar the 26/10/2015

To

The Principal
Govt; Degree College, No. 2 Mardan.

SUBJECT

DETERIORATING STANDARD OF EDUCATION-USE OF
UNFAIR MEANS IN 2015 HSSC EXAMINATION.

Memo:

I am directed to refer to the subject cited above and to enclose herewith two copies of Show Cause Notice duly signed by the Competent Authority in respect of Mr. Mohammad Fahim Khan Lecturer in Statistics (B-17) of your College with the request that the same may be served upon the accused lecturer and return one copy to this office after obtaining his signature as token of receipt for onward submission to the Provincial Government.

DY: DIRECTOR (ESTABLISHMENT)

Endst. No.

Copy of the above is forwarded to the:-

1. Section Officer (Colleges-I) Govt; of Khyber Pakhtunkhwa, Higher Education Department Peshawar with reference to his letter No. SO (Colleges-I) /HE/1-1/2015/Secretary Inspection/434 dated 05.10.2015.
2. PA to Director Higher Education Khyber Pakhtunkhwa.

ATTESTED

DY: DIRECTOR (ESTABLISHMENT)

Signature of Mr. Fahim Khan
Lecturer in Statistics (B-17)
G.D.C. No. 2 Mardan.

SHOW CAUSE NOTICE

8

Vide order of the Provincial Govt. you Mr. Muhammad Fahim lecturer in Statistics Govt. Degree College No. 2 Mardan were appointed to perform duty as Superintendent in inter examination 2015. You were accordingly expected to ensure transparent and fair examination at the specific place of your duty viz Govt. Degree College for Boys Takht Bhai. However, on 06th of May 2015, Secretary Higher Education Archives & Library Department alongwith two other Officers of the Department paid a surprise visit to the place where you were supervising conduct of examination. The Secretary has reported detail of misconduct by you as invigilating staff, which needs appropriate disciplinary action:

Therefore I, Amjad Ali Khan, Chief Secretary, Khyber Pakhtunkhwa, the Competent Authority, under the Khyber Pakhtunkhwa Efficiency & Discipline Rules, 2011, do hereby serve you, Mr. Muhammad Fahim, Lecturer in Statistics (BS-17), Govt. Degree College, No. 2 Mardan as follows:

- i. That you were found actually supporting the examinees to copy the answers from the unauthorized copying material which they possessed in the examination hall.
- ii. That in accordance with rules, you were supposed to ensure conduct of examination fairly and transparently. However, you indeed did the otherwise and thus render the examination process tainted and unfair.
- iii. That after the student were caught red handed while copying from unauthorized material, you were reluctant to initiate disciplinary action against the concerned. Thus, you did not conduct yourself in accordance with the requirement of order by which you were to supervise the examination.

2. Hence, I am satisfied that you are guilty of committing the following offences specified in Rule-3 of Khyber Pakhtunkhwa Efficiency & Disciplinary Rules, 2011.

- (a) Mis-conduct.
- (b) In-Efficiency

3. As a result thereof, I, as Competent Authority, have, decided to impose upon you the penalty of Dismissal from Service mentioned in Rule - 4 of Khyber Pakhtunkhwa Efficiency & Disciplinary Rules, 2011.

4. You are, therefore, required to show cause as to why a penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

5. If no reply to this notice is received within seven days of its delivery, in the normal course of circumstances, it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.

Signature of Mr. Muhammad Fahim

Received in Statistics
GDC No. 2 Mardan.

AMJAD ALI KHAN,
CHIEF Secretary,
KHYBER PAKHTUNKHWA

29-10-2015

ATTESTED

A

To,

The Chief Secretary,
Government of Khyber Pakhtunkhwa,
Peshawar.

C

9

Subject:

REPLY TO SHOW-CAUSE NOTICE VIDE NO. 26235/CA-II/ESET:
BRANCH / A.12/ MUHAMMAD FAHIM KHAN / STATISTICS DATED
26/10/2015 PESHAWAR TO MR. MUHAMMAD FAHIM KHAN
LECTURER IN STATISTICS AT GDC NO. 2 MARDAN.

Respected Sir,

With reference to your Letter / Show-Cause Notice afore mentioned I humbly submit my case as under:-

1. That the applicant was appointed as a lecturer in Statistics through Public Service Commission on 24/01/2015 and since then, the applicant is performing his duties to the entire satisfaction of his superiors and the service record of the applicant is spotless and blameless.
2. That the applicant was appointed by the BISE Mardan as a Superintendent in Inter Annual Examination 2015 in Hall "A" at GDC Takht Bhai Mardan through Draw and not by chance.
3. That the exam was running smoothly according to rules and regulations of BISE Mardan and for transparency the applicant in accordance with the social and ethical norms proper searched the students, before entering the Hall.
4. That according to my duty as a Superintendent I was assigned a file work and over all supervision of the Hall.
5. That being as a Superintendent I performed my duty with full devotion and sincerity and according to the rules and nothing unfair and unjust was done. nor any undue favour was given to any candidate.
6. That those students who were caught red handed while copying from un-authorized material immediate action was taken against the candidates and U.F.M cases were sent to BISE Mardan. (The list of the U.F.M cases is attached) and also the list of the same candidates (on letter vide No. 2682, dated 07/05/2015 was sent to the Secretary Higher Education Department on the very next day under the title "names and designation of the Supervisory Staff of Hall "A" for F.A. I. Sc including U.F.M cases.
7. That Honourable Authority can compare the result of this Hall with result of the overall results of BISE Mardan annual exam 2015 from which the performance of the applicant can be better judged. (Copies of results are attached).
8. That the performance of the applicant may be confirmed from the reports of the inspectors who visited on different dates towards the hall from B.I.S.E. Mardan.
9. That the allegations mentioned in the show-cause notice issued by your good office please may be compared with the performance of the applicant.


ATTESTED




10. That the applicant has not committed any mis-conduct in assigned duty.

It is therefore, most humbly requested that the applicant is innocent and performed his duty with all zeath and properly adopted all the rules therefore denied all the allegations. In case the Competent Authority is not satisfied with the applicant's written defense, he is whole heartedly willing to defend himself and clear his position in person before the authority concerned.

Yours truly,


Mr. Muhammad Fahim Khan
Lecturer in Statistics
G.D.C No. 2 Mardan.

APPROVED



BY REGISTERED POST.



GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

Dated Peshawar the 25.03.2016.

NOTIFICATION / 53

NO. ISO (COLLEGES-II)/HED/1-1/2015. WHEREAS Khan Muhammad, Lecturer in Statistics (BS-17), Govt. Degree College, Lund Khwar Mardan and Mr. Muhammad Fahim Lecturer in Statistics GDC No. 02 Mardan were proceeded against under the Khyber Pakhtunkhwa Efficiency & Discipline Rules, 2011 for not discouraging the use of unfair means by the students in the inter examination.

2. AND WHEREAS the act of misconduct of the accused officers was reported by the Secretary Higher Education Department as a result of his personal visit in the presence of other officers of the department, so direct Show Cause Notices were served upon the accused officers.

NOW THEREFORE the Competent Authority (Chief Secretary, Khyber Pakhtunkhwa) after having considered the charges, evidence on record, the explanation of the accused officers and in exercise of powers of the Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011 imposed upon the accused officers the major penalty of "dismissal from service" which has been converted into the minor penalty of "withholding of two increments for two years" after personal hearing.

SECRETARY TO GOVT. OF
KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT

Endst: No. & Date Even.

Copy for information forwarded to the:-

1. Director, Higher Education, Khyber Pakhtunkhwa, Peshawar for necessary action at your end.
2. Principal Govt. Degree College, Lund Khwar Mardan/ GDC No. 02 Mardan.
3. District Accounts Officer, Mardan
4. Officer concerned. GDC, NO MARDAN

ATTESTED

Rukhsana Jabeen
(RUKHSANA JABEEN)

To

Thse Secretary,
Higher Education Department,
Khyber Pakhtunkhwa, Peshawar.

Subject: Appeal for the remission of Minor Penalty

Respected Madam,

I humbly State:


1. that I, Muhammad Fahim Khan, Lecturer in Statistics posted presently at GDC No.2 Mardan, received a Show Cause notice from Mr. Amjid Ali Khan, the honorable Chief Secretary of Khyber Pakhtunkhwa under the Khyber Pakhtunkhwa Efficiency and Discipline Rules 2011, for allowing unfair means and cheating materials to students in 2015 HSSC Annual examination, in which I was performing my duties as superintendent.
2. that I denied the allegations and defended my innocence with solid proofs and data that I collected from all related and concerned areas.
3. that I personally attended the honorable Chief Secretary office and very humbly presented my true account to the competent authority.
4. that the honorable Chief Secretary was kind enough to remit me from the major penalty which was "dismissal from Service".
5. that the honorable secretary for higher education office gave me a minor penalty which is "withholding of two increments for two years" after personal hearing.

Now I very humbly and respectfully appeal

6. that I am a teacher, at the beginning of my career.
7. that my performance in classroom depends upon my mental health and upon my confidence about my future in society.
8. that I belong to a really poor rural family.
9. that I am the sole supporter of my parents, brothers and sisters.
10. that I have huge economic responsibilities to fulfill regarding my family's sustenance, health and education.
11. that these two increments, if withheld, will be a huge economic loss to me.

Therefore, I humbly appeal that the above stated minor penalty may kindly be remitted in my favor. I will really be thankful to you for this act of kindness for the rest of my life.

Yours Obediently,


Muhammad Fahim Khan,
Lecturer in Statistics,
GDC No. 2 Mardan

To,
**The Chief Minister,
Government of Khyber Pakhtunkhwa,
Peshawar,**

F (13)

Subject: **APPEAL FOR THE REINSTATEMENT OF WITHHOLDING OF
THE ANNUAL INCREMENTS FOR THE COMING TWO YEARS**

Respected Sir,

It is humbly requested in your honor that currently I am working as lecturer in statistics at GDC No.2 (Mardan). Last year i.e. in 2015, I was appointed as a deputy superintendent in the InterAnnual examination at GDC TakhtBhai hall "A". The Secretary Higher Education visited the hall in the fifth paper Urdu (compulsory) and searched out unauthorized material through body search from nine students out of 213 total students. In the month of October 2015, a direct show-cause notice was issued from the honorable Chief Secretary office and claimed the allegations of misconduct and inefficiency in the hall and decided the penalty of "dismissal from the service". We desired for personal hearing whole heartedly to defend our innocence before the competent authority with solid proofs. However after hearing the honorable chief sectary imposed the penalty of withholding of the two annual increments for the coming two years on me as a superintendent and deputy superintendent and **exempted all other staff members from the penalty**. The allegations claimed by the sectary higher education of supporting the candidates is baseless and against the reality. The applicant denied the allegations completely with the following points and claimed that he neither committed any misconduct nor inefficiency in the examinations.

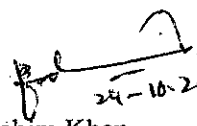
1. That the applicant was appointed as a lecturer in Statistics through the Public Service Commission on 24/01/2015 and since then the applicant is performing his duties to the entire satisfaction of his superiors and the service record of the applicant is spotless and blameless.
2. That the applicant was appointed by BISE Mardan as a Superintendent in the Inter Annual Examination 2015 in Hall "A" at GDC TakhtBhai, Mardan.
3. That the exam was running smoothly according to the rules and regulations of BISE Mardan for the transparency the applicant in accordance with the social and ethical norms proper search the students before entering the hall.
4. That according to my duty as a superintendent I was assigned a duty of file and supervision of the overall Hall.
5. That the applicant performed his duty according to the rules and best stratification of the applicant.
6. That before entering the Examination Hall the applicant had properly searched the students.
7. That being as a Superintendent I performed my duty with full devotion and sincerity and according to the rules and neither unfair nor any undue favor was given to any candidate.

ATTESTED

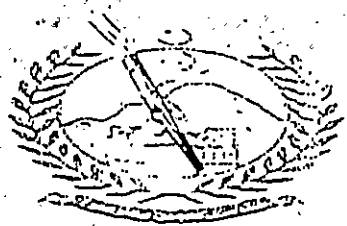
A

- 8. That those students from which the unauthorized materials were discovered during body search immediate action was taken against the candidates and U.F.M cases were sent to BISE Mardan (The list of the UFM cases is attached)
- 9. That the honorable authority can compare the result of this hall with the overall results of the examination halls of BISE Mardan from which the performance of the applicant can be better judged (Copies of the results are attached).
- 10. That the performance of the applicant and other members can also be better judged from the reports of the number of inspectors who visited to the concerned hall from BISE Mardan.
- 11. That the allegations mentioned in the show-cause notice issued from the office of the chief secretary please may be compared with the performance of the applicant.
- 12. That the applicant has not committed any misconduct in assigned duty.
- 13. That I denied the allegations and defended myself with solid proofs and data that I collected from the concerned area.

It is therefore requested that the two increments may please be reinstated on sympathetic and humanitarian basis for the uplift of justice, keeping in view the above mentioned facts the proceeding initiated from the chief sectary office against the applicant may kindly be filed and the action took against the applicant of withholding of the two annual coming increments may kindly be set aside.

Yours truly, 
 24-10-2016
 Muhammad Fahim Khan
 Lecturer in Statistics GDC
 No.2, Mardan

ATTESTED

GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

9
15

No. SO (C-II) HED/1-1/201/M.Fahim
Dated Peshawar the 08.05.2017

4827

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To

The Director,
Higher Education, Khyber Pakhtunkhwa,
Peshawar.

SUBJECT: APPEAL FOR RESTORATION OF ANNUAL INCREMENT FOR
THE COMING TWO YEARS

I am directed to refer to your letter No. 773/CA-II/Estt: Branch dated 09-01-2017 on the subject noted above and to state that the Competent Authority has regretted the appeals of Mr. Khan Muhammad, Lecturer in Statistics (BS-17); Govt; Degree College, Lundkhar Mardan and Muhammad Fahim, Lecturer in Statistics (BS-17), Govt. Degree College No. 2 Mardan for restoration of annual increment for the coming two years

M. Aslam Khan
(M.ASLAM KHAN)

SECTION OFFICER (COLLEGES-II)

Endst: No. & Date Even

Copy to the:-

1. PS to Secretary, Higher Education Department.
2. P.A to Additional Secretary, Higher Education Department.
3. P.A to Deputy Secretary (Colleges), Higher Education Department.

DD (EA) **TESTED**

SECTION OFFICER (COLLEGES)

CA II
113
56

H (16)

U.F.M
By Secretary to Govt
FOR SUPERINTENDENTS OWN RECORD (E)
Memo for Examiners

FA/FS Examination, Subject Urdu
Paper (H) Superintendent M. Fahim
khan Center G.D.C. Takht Bhai

Reports despatch of one Packets
By G.D.C. Takht Bhai Containing
Paper of 11 Eleven Candidates (detail given
below) examined at this Center.

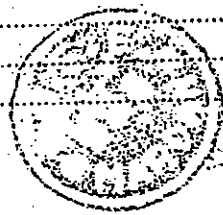
Roll Number of
Candidates whose
Answer books are
Being despatched

/
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/

- 45494 = (07) 45515 = (07)
- 45530 = (07) 45544 = (07)
- 45547 = (07) 45559 = (07)
- 45558 = (07) 46593 = (07)
- 51440 = (07) 51476 = (07)
- 51502 = (07)

Total 11

Roll Number of Absentees -



Total
(Signed) [Signature]
Superintendent

Date 06/05/2015

To be I
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Result Comparisons
GDC Thakht Bhai Hall (A) with overall result of BISE Mardan

FSc (Part I) Hall (A)			FSc (Part I) overall result of BISE Mard		
Total Student =	227		Total Student =	9150	
Pass Student =	122		Pass Student =	6197	
Fail Student =	105		Fail Student =	2953	
Pass Percentage =	53.74		Pass Percentage =	67.73	
FSc (Part II) Hall (A)			FSc (Part II) overall result of BISE Mard		
Total Student =	200		Total Student =	7007	
Pass Student =	132		Pass Student =	5011	
Fail Student =	68		Fail Student =	1996	
Pass Percentage =	66.00		Pass Percentage =	71.51	

ATTESTED
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Roll No	Name	Father's Name	Marks	Grade	Remarks
45437	Shiraz Khan	Muhammad Rizq	574	C	CH-II, Result
45438	Asif Ali Shah	Zubair Shah			

GOVT. HIGHER SECONDARY SCHOOL TAKKAR MARDAN

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45439	Behzad Karzem	Abdul Kareem	672	B	
45440	Tariq Jamal	Husain Khan	579	C	
45441	Ismail Shah	Ibraheem Shah	513	D	
45442	Bakht Ali	Mir Alain	576	C	
45443	Abdullah	Ajab Khan			CH-II,
45444	Zarshad	Qahir			CH-II,
45445	Mehran	Abdur Rahman			CH-II,
45446	Bilal Khan	Ayub Khan	616	C	
45447	Noman Khan	Barkhurder			CH-I, Fail-II
45448	Imtiaz Ali	Rahmat Gul			CH-II,
45449	Ikram Ullah	Zahir Mula Khan	541	D	

GOVT. DEGREE COLLEGE TAKHT BHAI MARDAN

Pre-Medical

45450	Asad	Sher Hassan			PH-II,
45451	Anjad Ali	Khaista Gul	603	C	
45452	Bashir Khan	Wazir Zada	678	B	
45453	Muhammad Jalal	Wazeer Muhammad	612	C	
45454	Jalal	Jehangir	667	B	
45455	Shafiq Ahmad	Ziarat Gul	579	C	
45456	Irfanullah	Noor Alam Khan	641	C	
45457	Jawad Khan	Anwar Khan			CH-I,
45458	Attaur Rahman	Shamcon Khan			PH-II,
45459	Khial Muhammad	Raza Khan	551	C	
45460	Aurangzeb	Jehan Zeb	631	C	
45461	Ameer Badshah	Bal Khan	653	C	
45462	Sadiq Ali	Gul Muhammad	625	C	
45463	Liaqat Ali	Gulab Saig	655	C	
45464	Abdur Rahman	Morjan	568	C	
45465	Aizaz Ahmad	Sher Muhammad	661	B	
45466	Naseer Ahmad	Sher Gulab	671	B	
45467	Zahid Ali	Rahim Dad	692	B	
45468	Noor Ul Islam	Israrul Haq			CH-II,
45469	Wajid Ali	Ajmal Khan	618	C	
45470	Muhammad Uzair	Muhammad Hasham	586	C	
45471	Junaid Khan	Amir Zada	579	C	
45472	Yasir Khan	Bahadar Khan			PH-II,
45473	Sheraz Khan	Muslim Khan			PH-II,
45474	Zahir Said	Umar Rahman	654	C	
45475	Waqar Ahmad	Taj Muhammad	639	C	
45476	Saleem	Fathur Rahman	686	B	
45477	Naveed Ahmad	Faqir Gul	652	C	
45478	Haider Khan	Tasleem Shah	563	C	
45479	Nowshad	Reza Khan	586	C	
45480	Bialkhan	Imran Khan			PH-II,
45481	Muhammad Salman	Majeed Gul	700	B	
45482	Saeed Ahmad	Ahmad Khan	611	C	
45483	Shakeel Saifullah	Saifullah Jan			PH-II,
45484	Misbahud Din	Najeed Ullah	575	C	
45485	Imad Ali	Sardar Ali	590	C	
45486	Shah Faisal	Mahbood Ali	529	D	
45487	Muhammad Usman	Haider Khan	596	C	

ATTESTED

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Name	Father's Name	Marks	Grade	Remarks
Nishad Khan	Jan Said	505	D	
Gul Nabi	Rujat Khan	615	C	
Taimoor Shehzad	Shehzad Gul			PH-II,ZOOL,
Khalil Khan	Muhammad Iqbal			Fail-II
Arshad Ali	Jehan Zeb	612	C	
45493 Attullah	Khiwa Taj	654	C	
45494 Mushtaq Ahmad	Jannat Gul			CH-II,See Annex-A
45495 Muhammad Adnan	Shakirullah	563	C	See Annex-A
45496 Subhan Ullah	Ghulam Habib	646	C	
45497 Rehan	Mahyud Din	611	C	
45498 Saeed Anwar	Hussain Badshah	682	B	
45499 Subhan Ullah	Ajab Khan			CH-I,
45500 Inam Ul Haq	Sadrul Haq			BOT,ZOOL,
45501 Nazirullah	Roshan Khan	516	D	
45502 Noman	Dilawar Khan	537	D	
45503 Shahabud Din	Fareed Khan	485	D	
45504 Shah Zaman	Bacha Said	682	B	
45505 Abid Ali	Wakeel Khan	847	A	
45506 Naveed Khan	Fazale Rahman	636	C	
45507 Muhammad Asim	Rasheed Khan	580	C	
Amanullah	Shahzada	645	C	
Wisat Ahmad	Asad Ali			BOT,
45510 Muhammad Waseem Khen	Muhammad Ikram	582	C	
45511 Wajid	Sher Zaman			PH-II,
45512 Ibrahim Khan	Rasool Khan			CH-I,PH-II,
45513 Mukhtiar Khan	Abdul Matin	558	C	
45514 Abdul Wahid	Khalil Ur Rahman	519	D	
45515 Noor Ullah	Shad Muhammad	524	D	See Annex-A
45516 Jawad Khan	Alif Khan	526	D	
45517 Shamai Said	Ghulam Said			PH-II,
45518 Pir Zubair Shah	Pir Sulatan Mehnood			PH-II,
45519 Mudassir	Muhamamad Gul	506	D	See Annex-A
45520 Farhan Alam	Mir Alam Khan	630	C	
45521 Muhammad Bilal	Sher Zada			BOT,
45522 Muhammad Yasir	Abdul Nasir	612	C	
45523 Asfandia Ali Shah	Mian Ajmir Shah	570	C	
45524 Shah Saud	Hazrat Bilal	582	C	
45525 Shahid Ali	Noor Rahman			PH-II,
45526 Naur Rahman	Zamin Khan	602	C	
45527 Noor Ali	Salim Khan			CH-II,
45528 Ahmad Ali	Wazir Zada			CH-II,
45529 Kamran Khan	Inayatullah Jan			BOT,CH-II,
45530 Muhammad Ishaq	Abdur Razaq			BOT,PH-II,CH-II,See Annex-A
45531 Junaid Khan	Sher Bahadar			CH-I,
45532 Sajid Khan	Bacha Khan	709	B	
45533 Rohanullah	Sher Zada			CH-II, ✓
45534 Sohail Khan	Qaim Khan			BOT(Can),CH-II,
45535 Muhammad Shoaib	Gul Zaman Khan			CH-II,
45536 Fazli Haq	Gul Bar			PH-II,
45537 Abbas Ali	Sardar Ali			BOT,PH-II,CH-II,
45538 Waqar Ahmad	Jamshed Khan			PH-II,
45539 Zahid Ali	Shah Izat Khan			BOT(Can),
45540 Muhammad Ilyas	Muhammad Hassan	601	C	
45541 Naveed Ahmad	Amir Khan			BOT,CH-II,

ATTESTED



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Roll No	Name	Father's Name	Marks	Grade	Remarks
45542	Asad Khan	Mosher Awan			CH-II,
45543	Sahib Jamal	Pir Dad	466	D	PH-II, CH-II,
45544	Sulaiman Shah	Abdur Rahman			See Annex-A
45545	Noman Ali	Malak Taj	569	C	CH-I, BOT, PH-II, CH-II,
45546	Muhammad Uzair	Safdar Khan			BOT, PH-II, See Annex-A
45547	Murad Ali	Islam Said			PH-II,
45548	Shah Faical	Muhammad Ibrahim	834	A	
45549	Usman Saeed	Said Rahman	587	C	
45550	Hamza Khatak	Zafar Ali	746	B	
45551	Muhammad Bilal	Sher Zada	706	B	
45552	Shahab Ahmad	Hussain Gul	671	B	
45553	Saqib Khan	Nasir Ali			BOT, PH-II, CH-II, See Annex-A
45554	Asad Ullah	Sardar Khan			A

45555	Alam Nigar	Abbas Ali			PH-II, CH-II, See Annex-A
45556	Guidar Khan	Abdur Rahman			FOUR EXAMS CANCELLED
45557	Sardar Muneer	Khan Sher			CH-II,
45558	Basit Ali	Nihar	695	B	U-II(Can), PH-II,
45559	Haroon Iqbal	Iqbal Khan	594	C	
45560	Ihtesham Khan	Hidayat Ullah			PH-II, CH-II,
45561	Muhammad Kamran Khan	Fazal Akbar			PH-II, CH-II,
45562	Taimur Khan	Alam Gir			CH-I, BOT, PH-II, CH-II,
45563	Feroz Khan	Noor Muhammad			

GOVT. HIGHER SECONDARY SCHOOL TAKHT BHAJ MARDAN

45564	Akhtar Ali	Latif Ahmad			PH-II, CH-II,
45565	Izhar Ali Shah	Zafar Ali Shah			CH-II,
45566	Shaukat Ali	Gul Ahmad			CH-II,
45567	Abdullah	Gul Zadin			BOT, CH-II, ZOOI,
45568	Muhammad Ishfaq	Muhammad Ishaq			BOT, CH-II, ZOOI,
45569	Minib-Ur Rahman	Shafiq Ur Rahman			BOT, PH-II, ZOOI,
45570	Jehan Zeb Khan	Ibrahim Khan			PH-II,
45571	Sheraz Khan	Fazal Maula Khan			BOT, PH-II, CH-II,
45572	Wajid Ali	Bacha Rahman			BOT, CH-II,
45573	Qasim Khan	Noor Muhammad			BOT, CH-II,
45574	Usman Khan	Ameer			BOT, PS, CH-II,
45575	Muhammad Shahid	Shamsul Haq			CH-I, BOT, CH-II, ZOOI
45576	Hamid Khan	Eadshah Mir			BOT, PS, CH-II,
45577	Muhammad Tufail	Sultan Muhammad	582	C	
45578	Khalil	Nisar Khan			CH-I, BOT, CH-II,
45579	Niaz Muhammad	Bahadur Khan			BOT,
45580	Muhammad Zubair	Sher Ali Bacha			BOT, CH-II,
45581	Arif Khan	Umara Khan			
45582	Ijaz Ahmad	Umar Muhammad			CH-I, BOT, CH-II,
45583	Wajid Ali	Zahir Shah			BOT, CH-II,
45584	Tanveer Alam	Alam Khan			BOT, CH-II,
45585	Muhammad Umair Khan	Fida Muhammad			CH-II,
45586	Rasheed	Habib Ur Rahman			PH-II,
45587	Shahid Khan	Niaz Ali Khan			BOT,
45588	Farooq Ahmad	Akram Khan	542	D	
45589	Abdul Fahim	Abdul Qayum Khan			

SULTAN MUHAMMAD MEMORIAL COLLEGE TAKHT BHAJ MARDAN

Farmanullah	Farooq Jan	817	A
Muhammad Zafir	Zareen Khan	806	A
Ali	Muhammad Ali	655	C

Cell BISE, Mardan

ATTESTED

(Signature)

Roll No	Name	Father's Name	Marks	Grade	Remarks
7009	Latif Khan	Khaista Rahman			CH-I, BOT,
7010	Muhammad Ismail	Roohul Ameen			CH-I,
7011	Sardar Badshah	Sher Zameen			CH-I,
7012	Asad Ali	Mumtaz Khan			CH-I,
7013	Abdul Wahab	Shamshad Khan			CH-I,
7014	Faizur Rahman	Rozi Akbar			CH-I,
7015	Muhammad Ikram	Feroz Khan			Fail-I,
7016	Jameel Khan	Gul Faraz Khan			CH-I, BOT,
7017	Shahab-Ali	Saeed Ullah Khan			PH-I, CH-I,
7018	Yasir Jamal	Liaqat Ali Khan			CH-I,
7019	Faiz Ullah	Misal Khan			CH-I,
7020	Muhammad Dawood	Ajab Khan			CH-I,
7021	Hazrat Ali	Bostan			CH-I,
7022	Imran Khan	Farman Ullah			Fail-I,
7023	Muhammad Ilyas	Muhammad Ali			PH-I, CH-I,
7024	Sultan Zeb	Jehan Zeb			PH-I, CH-I,
7025	Altaf Khan	Ameen Ullah Khan			Fail-I,
7026	Anees	Bahram	224		
7027	Haroon Khan	Safdar Khan			CH-I, BOT,
7028	Muhammad Khan	Naurooz Khan	306		
7029	Younas Khan	Mehroban Shah			PH-I,
7030	Yasir Ali	Noor Malik			PH-I, CH-I,
7031	Rasheed Khan	Azam Khan			PH-I, CH-I,
7032	Waid Ali	Sher Muhammad Khan			Fail-I,
7033	Sultan Ahmad	Ali Rahman			CH-I, BOT,
7034	Asif Ahmad	Murtaza Khan			CH-I, BOT,
7035	Hazrat Bilal	Musa Khan			BOT,

Pre-Medical Part-I

GOVT. DEGREE COLLEGE TAKHT BHAI MARDAN

7036	Muhammad Shafeeq	Dost Muhammad	333		
7037	Hidayat Ullah	Munir Khan	311		
7038	Shamshad Ahmad	Saif Ur Rahman	336		
7039	Sohail Khan	Din Muhammad	293		
7040	Abdul Wahid	Hamid Khan	277		
7041	Muhammad Ibrahim	Mahmood Khan	357		
7042	Ubaid Ullah	Shah Zareen	363		
7043	Mudassir Khan	Rahman Gul	378		
7044	Abdullah	Muhammad Saeed	392		
7045	Shafi Ur Rahman	Kashmir Khan	353		
7046	Idrees Gul	Yaqoob Gul	360		
7047	Said Ali Shah	Muhammad Shah	393		
7048	Jameeullah	Gul Sher Khan	320		
7049	Ihtisham Hussain	Said Bad Shah	319		
7050	Mansoor Khan	Habib Ullah	300		
7051	Sikandar Zafar	Zafar Ullah Khan	364		
7052	Muhammad Ibrahim Shah	Rahmat Gul	350		
7053	Hanif Ur Rahman	Zamin Khan	360		
7054	Atta Ullah	Bahadar Khan	367		
7055	Muhammad Yasin	Alim Said	382		
7056	Muhammad Ali	Farid Khan	339		
7057	Abdur Rahman	Mir Aslam Khan	269		
7058	Shahid Khan	Muhammad Shareef	364		
7059	Irshad	Hussain Khan	331		
7060	Akhtar Ali	Farman Ullah	265		
7061	Aman Ullah Khan	Inayat Ullah	298		

ATTESTED

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Name	Father's Name	Marks	Grade	Remarks
7063	Abdullah			
	Qaisar Khan	286		
7064	Hazrat Hussain	288		
	Khawar Khan	338		
	Hidayat Ullah	345		
7067	Hazrat Bilal	351		
7068	Shah Faisal			CH-I,
7069	Muhammad Numan	350		
7070	Muhammad Atiq	297		
7071	Muhammad Sair	311		
7072	Anayat-Ur-Rahman	318		
	Haroon Khan	330		
	Haroon Bacha	311		
	Usman Muhammad	247		
7076	Abbas Said	370		See Annex-A
7077	Ibrarullah			CH-I,BOT,
7078	Saqib Amin			CH-I,
7079	Abdullah	309		
7080	Anees-Ur-Rahman	296		
7081	Yaseen Khan	285		
	Muhammad Rahman			BOT,
	Irfan Ali	303		
7094	Muhammad Jalal	296		
7095	Muhammad Zawar Khan			PH-I,CH-I,
7096	Muhammad Hilal	312		
7087	Jawad Ali	327		See Annex-A
7088	Muhammad Arif			BOT(Can),
7089	Gulzar Ali	294		
	Fazal E Akbar			BOT,
	Muhammad Irfan			CH-I,BOT,
	Aqib Junaid	275		
7093	Muhammad Adil Shakeel			CH-I,BOT,
7094	Liaqat Ali	299		
7095	Abid Ali			BOT,
7096	Asif Khan			BOT,
7097	Muhammad Ali			BOT,
7098	Obaid-Ur-Rahman			BOT,
7099	Sehatullah			BOT,
	Jalal Qasim	289		
7101	Ashfaq	298		
7102	Nasir Khan			BOT,
7103	Muhammad Tayyab			CH-I,BOT(Can),
7104	Samiullah	305		See Annex-A
7105	Javid Khan	262		See Annex-A
7106	Muhammad Luqman	360		See Annex-A
7107	Zubair Khan	286		See Annex-A
	Muhammad Hamayun Khan	285		
	Qasim Khan			BOT,
7110	Mubasir Khan	304		
7111	Saifullah			BOT,
7112	Bahid Iqbal			BOT(Can),
7113	Wahid Khan			CH-I,BOT,
7114	Yasar Khan			BOT,
7115	Muhammad Jalal			PH-I,
7116	Aftab Ahmad			BOT,
				Fail-I,

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ATTESTED




7117	Sajjad Ahmad	Wazir Gul			PH-I,CH-I,
7118	Dawood Khan	Yousaf Khan			CH-I,
7119	Sajid Ullah Khan	Akbar Khan			CH-I,
7120	Haider Ali	Alif Gul			E-I,CH-I,
7121	Sohail Khan	Fazal Subhan	250		
7122	Muddasir Khan	Zakir Ullah			CH-I,
7123	Imran Khan	Haleem Shah	268		
7124	Shoaib Ahmad	Noor Rahman			CH-I,
7125	Bilal Ahmad	Dost Muhammad			CH-I,
7126	Muhammad Usman	Asif Khan	328		
7127	Ali Muhammad	Jan Muhammad	268		
7128	Shah Muhammad	Juma Khan			BOT,
7129	Dawood Khan	Sher Muhammad	245		See Annex-A
7130	Muhammad Ayaz	Muhammad Riaz	255		
7131	Irfan Ali	Ayub Khan	295		
7132	Abbas Khan	Nizar Muhammad	285		
7133	Sikandar	Yar Muhammad Khan	249		
7134	Asif Ali	Awal Khan	258		
7135	Saliman Khan	Abdul Sattar	256		
7136	Safdar	Ali Zaman			CH-I,
7137	Adil	Pasham Gul			E-I,CH-I,See Annex-A
7138	Sher Zamin	Ali Rahman			E-I,BOT,
7139	Dawood Khan	Tila Khan			E-I,CH-I,See Annex-A
7140	Zia Ul Haq	Haji Nadar	250		
7141	Abbas Hassan	Hasan Khan	244		
7142	Fawad Ahmad	Farhad Ali	285		
7143	Numan Saeed	Said Rahman	223		
7144	Aftab Ahmad	Muhammad Shah	340		
7145	Syed Muhammad Jamal Uddin	Kamal Said			CH-I,
7146	Muhammad Iftikhar	Muhammad Khan			Fail-I,
7147	Muhammad Bilal	Abdul Ghaffar	318		
7148	Habibullah	Inayatullah	289		
7149	Iftikhar Shah	Munir Said	261		
7150	Asghar Ali	Noora Jan	247		
7151	Sheraz Khan	Sardar Khan	271		
7152	Shakeel	Muhammad Roz	291		
7153	Usman Khan	Shah Bahadar	335		See Annex-A
7154	Abbas Khan	Muhammad Gul	319		
7155	Luqman Khan	Wazir Zada	291		

GOVT. HIGHER SECONDARY SCHOOL TAKHT BHAI MARDAN

7156	Mustajab Khan	Fida Muhammad	277		
7157	Muhammad Sohail	Muhammad Ilyas	268		
7158	Kaleemullah	Safiullah			PH-I,BOT,
7159	Bilal Khalid	Khalid Mahmood	245		
7160	Shahid Khan	Gul Baz Khan	262		
7161	Asad Khan	Islam-Ud-Din			CH-I,
7162	Israil Khan	Fazal Rahman			CH-I,
7163	Adnan Ahmad	Muhammad Diyar			CH-I,
7164	Sami Ullah	Aman Ullah	244		
7165	Ateeq Ur Rahman	Muhammad Javed			CH-I,
7166	Muhammad Iqbal	Muhammad Zaman			PH-I,CH-I,
7167	Muhammad Asif	Nazir Khan			Fail-I,
7168	Abdul Waheed	Muqarab Khan			Fail-I,
7169	Suliman Shah	Jehan Zeb Khan			CH-I,BOT,

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Roll No	Name	Father's Name	Marks	Grade	Remarks
12579	Ayub Muhammad	Lal Muhammad			M-I.
12580	Arshad Ali	Muhammad Sadiq	249		M-I.
12581	Adil Khan	Saif Ur Rehman			M-I.
12582	Dawood Hussain	Muhammad Yunas	282		
12583	Hammad Khan	Gul Rahman	289		
12584	Basit Ali	Roidar Khan	267		
12585	Salman Farooq	Muhammad Farooq			M-I.
12586	Najeeb Ullah	Muhammad Tahir			M-I.
12587	Shahab Ud Din	Hazrat Amin	359		
12588	Imad Ali	Naseeb Khan			M-I,CH-I.
12589	Iftikhar Ali	Hazrat Jan	313		
12590	Abbas Akbar	Akbar Aman	286		
12591	Nasir Khan	Abdullah	289		
12592	Muhammad Wisal Khan	Hakim Khan			

BAIZAI PUBLIC HIGHER SECONDARY SCHOOL LUND KHWAR MARDAN

12593	Sadiq Hussain	Ashiq Hussain	251		CH-I.
12594	Shahzad Akhtar	Akhtar Munir			PH-I,CH-I.
12595	Tauseef Ahmad	Najeem Khan			Fail-I.
12596	Muhammad Tariq	Salat Khan			

FRONTIER COMPREHENSIVE COLLEGE SHER GARH MARDAN

12597	Shabir Khan	Wazir Khitab	265		M-I.
12598	Inayat Ur Rahman	Umar Khan	287		
12599	Muhammad Hamid Naseer	Naseer Uddin	288		
12600	Ibrar Ullah	Jamal Ud Din			Fail-I.
12601	Abdus Salam	Zamin Khan			PH-I.
12602	Asghar Ali	Fazal Hakeem			Fail-I.
12603	Fawad Ahmad	Salih Muhammad			

GOVT. HIGHER SECONDARY SCHOOL PIR SADDI MARDAN

12604	Shahid Khan	Hazrat Muhammad			PH-I,CH-I.
12605	Ismail	Mian Khan			CH-I.
12606	All Rahman	Hazrat Malang	312		CH-I.
12607	Tariq Shah	Gul Hassan	286		
12608	Bashir Khan	Wazir Muhammad			

GOVT. HIGHER SECONDARY SCHOOL TAKKAR MARDAN

12609	Imtiaz Khan	Muhammad Nisar	287		M-I.
12610	Sheh Zeb Khan	Sher Gul			M-I,PH-I.
12611	Khadim Khan	Muhammada Gul	225		
12612	Yasir Khan	Nasir Khan			PH-I.
12613	Aamir Shah	Zubair Ali Shah			M-I,PH-I.
12614	Zahid Khan	Fazil Subhan			

GOVT. DEGREE COLLEGE TAKHT BHAI MARDAN

Pre Engg. Part I

12615	Musa Khan	Akbar Shah			Fail-I.
12616	Uzair Ali	Menhajuddin			M-I.
12617	Mudassar Khan	Sahar Gul			M-I,CH-I.
12618	Hazrat Bilal	Ameer Muhammad			M-I.
12619	Lugman Khan	Syed Maroof Shah			M-I,CH-I.
12620	Asif Ali	Ihsan Muhammad	260		
12621	Liaqat Ali	Noor Muhammad			CH-I.
12622	Riaz Ahmad	Feroz Shah	253		
12623	Tayyab Anwer	Zafer Iqbal	292		
12624	Bub Hanullah	Fazal Akbar			M-I.
12625	Muhammad Zalan Khan	Daulet Khan	385		

ATTESTED

(Signature)

Roll No.	Name	Father's Name	Marks	Grade
12626	Waqas Khan	Zahid Shah		
12627	Mujoob Ullah	Aslam Khan	344	
12628	Jawad Ali	Muhammad Sadiq	307	
12629	Hazrat Bilal	Muhammad Zada	290	
12630	Syed Abdul Nawaz Khan	Khan Zada		Fail-I,
12631	Muhammad Shahbaz	Faqir Taj		E-I,M-I,
12632	Muhammad Ismail Shah	Rahmat Gul		E-I,M-I,
12633	Shah Zeb	Nawaz Khan		Fail-I,
12634	Islamuddin	Jumaddin		E-I,M-I,
12635	Junaid Ahmad	Ameer Zada	250	
12636	Asad Ullah	Mukhtair		M-I,
12637	Abdur Rahman	Muhammad Aseel Zada	261	
12638	Yasir Khan	Nadar Khan	261	
12639	Kaleem Ullah	Zabita Khan	240	
12640	Zia Ur Rahman	Usman Ghani	304	
12641	Mehran Ullah	Said Jan	276	
12642	Faheem Hasan	Muhammad Hasan	255	
12643	Mustafa Kamal	Muhammad Sher Khan		CH-I,
12644	Junaid	Rahim Shah		M-I,
12645	Muhammad Kamil Khan	Muhammad Gul	236	
12646	Abdullah	Abdul Khaliq	254	
12647	Ali Haidar	Muqarab Khan	270	
12648	Bilal Khan	Ghani Ur Rahman	340	
12649	Johar Ali	Abdul Sadceq	342	
12650	Sohail Khan	Gul Badshah	260	
12651	Muhammad Basit Ali	Fazal Ur Rahman	338	
12652	Bacha Munir	Namir Khan		Fail-I,
12653	Junaid Khan	Saqao Khan		Fail-I,
12654	Waqas Umar	Umar Gul		Fail-I,
12655	Younas Khan	Taj Muhammad		M-I,
12656	Aman Ullah Jan Barq	Diyar Anmad		CH-I,
12657	Adnan	Muhammad Yousef		CH-I,
12658	Ishtaiq Ahmad	Bakht Munir		M-I,CH-I,
12659	Muhammad Bilal	Bad Shah Rahman		M-I,CH-I,
12660	Abur Rahman	Mir Alam Khan		M-I,CH-I,
12661	Muhammad Shoalb	Saeed Gul		M-I,
12662	Muddasir	Zahir Khan	270	
12663	Atif Muhammad	Nisar Muhammad		M-I,CH-I,
12664	Taimur Khan	Muhammad Ayaz	295	
12665	Muhammad Sohail	Sardar Bahadar		Fail-I,
12666	Guhar Ali	Muhammad Gul	264	
12667	Umair Firdos	Firdos Khan		M-I,
12668	Basit Ali	Ghulam Muhammad	264	
12669	Usman	Ajab Khan		E-I,CH-I,
12670	Umar Ayaz	Umar Bacha		Fail-I,
12671	Basit Ali	Aurshullah		E-I,M-I,
12672	Salman Khan	Aitbar Khan		Fail-I,
12673	Tufail Khan	Aslam Pervez		Fail-I,
12674	Abdullah	Muhammad Zahir Shah		E-I,CH-I,
12675	Mohsin Khan	Noor Muhammad		E-I,CH-I,
12676	Zahid Ur Rahman	Sardar Rahman	276	
12677	Muhammad Shoalb	Khan Bahadar		M-I,
12678	Irfan Ullah	Sardar		Fail-I,
12679	Waqas Haidar	Ghulam Haidar		M-I,CH-I,
12680	Abdullah Khan	Nisar Khan	228	Fail-I,

ATTESTED

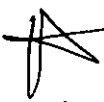
(Signature)

		Father's Name	Marks	Grade	Remarks
12681	Ilyas Khan	Alam Zeb			Fail-I
12682	Itimad-Ul-Haq	Fazli Wahid			M-I,CH-I
12683	Muhammad Irshad	Intizar Khan			M-I,CH-I
12684	Maazullah	Fazal Maula	280		
12685	Muhammad Asif	Kameen Khan	268		
12686	Said Muhammad	Mumtaz Khan			E-I
12687	Salman Zeb	Anwar Zeb	269		
12688	Mohib Ur Rahman	Shafiq Ur Rahman			Fail-I
12689	Hassan Khan	Noor Zamman			M-I
12690	Noor-Ul-Hassan	Lal Zada			Fail-I
12691	Abdur Rahman	Ahmad Khan	288		
12692	Fawad Ali	Muhammad Sher.Khan			E-I,CH-I
12693	Dawud Shah	Gul Muhammad Khan			E-I
12694	Nasir Khan	Qadar Khan			CH-I
12695	Irfan Ullah	Askar Khan	262		
12696	Salman	Jahan Zeb	280		See Annex-A
12697	Gul Muhammad	Mir Akbar			CH-I
12698	Atta Ullah	Shereen			CH-I
12699	Kamran Khan	Habibur Rahman			CH-I
12700	Mian Muhammad Adil	Anwar Khan			M-I
12701	Farhad Ali	Amir Sardar	246		
12702	Ashfaq Ahmad	Muhammad Zaman	237		
12703	Syam Khan	Faqr Gul	249		See Annex-A
12704	Muhammad Hussain	Iqbal Hussain	250		
12705	Zahid Khan	Shamshad Khan			M-I,CH-I
12706	Samee Ul Haq	Abdul Khaliq			M-I
12707	Anees Ahmad	Zabita Khan			M-I,CH-I
12708	Atta-Ur-Rahman	Sartaj Khan			M-I,CH-I
12709	Abid Ullah	Muhammad Ayaz			M-I
12710	Shakir Khan	Zafar Khan			E-I,M-I
12711	Numan Khan	Sharif Khan			PH-I
12712	Inayat Ur Rahman	Khista Rahman	236		
12713	Tahir Ali	Dost Muhammad Khan	291		
12714	Nihad Ali	Khalid Khan	246		
12715	Jawad Ali-	Pardol Khan			E-I,PH-I
12716	Junaid Khan	Javid			M-I
12717	Junaid Ahmad	Dilaram Khan			E-I
12718	Muhammad Shoaib Khan	Misri Khan			M-I
12719	Mansoor Umar	Umar Dad			M-I,CH-I
12720	Salah U Din	Maaz Ullah			M-I,CH-I
12721	Tilawat Shah	Mian Ahmad Gul			Fail-I

GOVT. HIGHER SECONDARY SCHOOL TAKHT BHAI MARDAN

12722	Hamayoon Khan	Ibrahim Khan			M-I,CH-I
12723	Hidayat Shah	Kiramata Shah			M-I
12724	Asif Khan	Habib-Ur-Rahman			M-I,CH-I
12725	Shahzad Gul	Sawab Gul			Fail-I
12726	Nasir Khan	Bakht Muneer			Fail-I
12727	Shehbaz Khan	Muhammad Zaman			Fail-I
12728	Muhammad Islam	Muhammad Ismail			Fail-I
12729	Awais Khan	Zahir Shah			CH-I
12730	Junaid Khan	Fazal Muhammad			M-I,CH-I
12731	Fayaz Khan	Taj Muhammad			M-I,CH-I
12732	Tariq Khan	Hazrat Gul			M-I,CH-I
12733	Bilal Ahmad	Fazal Hakim			Fail-I

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Name	Father's Name	Marks	Grade	Remarks
Waseem Sajjad	Shah Nawaz Khan			PS,
Muhammad Tauib	Noor Dali			E-I,CH-II,

FRONTIER COMPREHENSIVE COLLEGE SHER GARH MARDAN

Wajidullah	Nadar Khan	690	B	
Farmanullah	Naqeebullah			M-II,CH-II,
Muhammad Junaid Alam	Abdul Ghafar	572	C	
Habibullah	Rahman Gul			PH-I, Fail-II
Muhammad Ali	Miraj Nabi			CH-II,
Atizaz Hassan	Nawaz Khan			CH-II,
Haris Malook	Bakht Malook	595	C	
Samiullah	Zafrullah			M-II,CH-II,See Annex-A
Muhammad Tufail	Ayub Khan			PH-I,M-II,CH-II,
Muhammad Sheraz Khan	Zahid Hussain			Fail-IISee Annex-A
Ijaz Gul	Ikhtiar Gul			CH-II,
Muhammad Awais	Dawood Khan			CH-II,
Saqib Ali	Amir Rahman			CH-II,
Abbas Khan	Qadar Khan	569	C	
Tahseenuallah	Ahmad Gul	547	D	
Sayyed Rehan Shah	Sayyed Hafth Aqleem Shah			Fail-II
Samiullah	Nasrullah Khan			CH-II,
Muhammad Naveed Khan	Rashid Khan			CH-II,
Jawad Gul	Siraj Gul			CH-II,

GOVT. HIGHER SECONDARY SCHOOL PIR SADDI MARDAN

Adnan	Zainullah Khan			M-II,
Sayad Khan	Muhammad Khan			CH-II,
Muhammad Bostan	Jamal Shah	504	D	
Abdul Jalal	Khan Zaman	560	C	
Sabir Shah	Zahir Shah	660	B	
Uzair Khan	Khaista Zamin	589	C	
Akbar Hussain	Saudagar			M-I,M-II,
Taufiq Ahmad	Fazal Rahim			CH-II,
Muhammad Siddiq	Fazal Rahim	582	C	
Farhad Ali	Fazal Wahid			CH-II,
Ayaz	Mohib Ullah			M-I,CH-I,M-II,CH-II,
Mati Ullah	Anwar Khan			CH-II,
Ghulam Ishaq	Muhammad Ashraq			CH-I,

GOVT. HIGHER SECONDARY SCHOOL TAKKAR MARDAN

Adnan Khan	Izharud Din			M-II,
Ata Ur Rahman	Ali Rahman			M-II,
Muhammad Jameel	Muhammad Ali Khan			M-II,CH-II,
Zeeshan Ahmad	Sher Ghani			CH-II,
Said Rahman	Mashang			PH-II,CH-II,
Naheed Gul	Hazrat Bacha	517	D	
Parvez Khan	Itbar Said	570	C	
Mufran Khan	Bahadar Sher			PH-II,CH-II,
Iaseer Shah	Rab Nawaz			M-II,PH-II,
Musan Ullah	Amir Nawab			Fail-II
Musad Khan	Shehreyar			M-II,PH-II,

GOVT. DEGREE COLLEGE TAKHT BHAJ MARDAN

Vaqas Ahmad	Shahid Iqbal	609	C	
Milal Ahmad	Hazrat Hussain	516	D	
Dawood Khan	Muhammad Zahir Shah	512	D	

Roll No	Name	Father's Name	Marks	Grade	Remarks
51436	Inayatullah	Hafizur Rahman			PH-II,
51437	Asif Ali	Mir Afzal	548	D	
51438	Muhammad Sohail	Jameel Khan			PH-II,
51439	Mansoor Khan	Mahyuddin			M-II,PH-II,
51440	Sajad Khan	Farman Ali			PH-II,CH-II,See Annex-A
51441	Gul Zada	Abdar Khan			PH-II,
51442	Dawood Said	Muhammad Said Jan	515	D	
51443	Abdul Majid	Ghufranuddin	552	C	
51444	Noor Ul Islam	Fazli Rabbi	546	D	
51445	Sohail Khan	Sarbiland Khan	547	D	
51446	Mehran Yousaf	Hazrat Yousaf			PH-II,
51447	Aizaz Khan	Mukarram Khan			PH-II,
51448	Altaf Hussain	Jamil Khan	547	D	
51449	Shoaib Khan	Abdul Raheem			PH-II,
51450	Mujahid Khan	Mira Jan	582	C	
51451	Abdur Rauf	Yaqoob Khan	527	D	
51452	Jawad Ahmad	Israr Hussain	518	D	
51453	Ikram Ullah	Habib Ullah			PH-II,CH-II,
51454	Nadeem Khan	Azam Khan	511	D	
51455	Rizwan Ullah	Sher Zamin			CH-II,
51456	Ihsan Ullah	Sher Zada			PH-II,
51457	Raheem Dad	Muhammad Jan			CH-I,PH-II,
51458	Samiullah	Abdul Khaliq			PH-II,
51459	Wajid Ali	Akbar Ali	523	D	
51460	Ajeobur Rahman	Gul Zada	620	C	
51461	Mehran	Inayatullah			PH-II,CH-II,
51462	Mubin Khan	Hasham Khan			PH-II,
51463	Sher Khan	Sher Zamin	536	D	
51464	Abdus Samad	Tahoor Muhammad			PH-II,
51465	Muhammad Ishaq	Yousaf Khan	603	C	
51466	Sadam Hussain	Muhammad Kamal	625	C	
51467	Aziz Ur Rehman	Gul Khan	601	C	
51468	Moosa Khan	Eesa Khan	707	B	
51469	Shah Zeb Khan	Kashmali Khan	505	D	
51470	Abdur Rahman	Umar Siddiq	739	B	
51471	Bakht Munir	Fazli Elahi	678	B	
51472	Sulaiman	Shah Rome Shah			PH-II,
51473	Said Rahman	Tariq Muhammad	750	B	
51474	Adil Khan	Khalid Khan	688	B	
51475	Abid	Rahman Wali	675	B	
51476	Farooq Syed	Qayum Shah	629	C	See Annex-A
51477	Faiz Muhammad	Nisar Muhammad	721	B	
51478	Ijaz Ahmad	Mukarram Said	671	B	
51479	Muhammad Ramzan	Abdur Rashid Khan	734	B	
51480	Azmatullah	Hameedullah	689	B	
51481	Adil Khan	Faroz Khan	636	C	
51482	Salem Shah	Muhammad Shah	580	C	
51483	Muhammad Hamza	Muhammad Tahir	688	B	
51484	Asif Khan	Taj Zamin	728	B	
51485	Zahid Khan	Nisar Khan	587	C	
51486	Wasim Khan	Gul Zada	581	C	
51487	Farooq Hussain	Mumtaz Hussain	645	C	
51488	Muhammad Naem	Tahir Saleem	540	D	
51489	Hamza Rauf	Abdur Rauf	597	C	
51490	Ameer Hamza	Ameer Zaman	583	C	

ATTESTED

No	Name	Father's Name	Marks	Grade	Remarks
51491	Asfandiyar	Muhammad Irfan	580	C	
51492	Hiader Ali	Muhammad Sher	577	C	
51493	Abid Khan	Dialwar Khan	748	B	
51494	Sheraz Khan	Zahir Shah	597	C	
51495	Muhammad Ismail	Muhammad Raziq	718	B	
51496	Habibullah	Abdullah			PH-II,
51497	Muhammad Shahab	Zahir Gul	611	C	
51498	Ikramullah	Zuhrab Gul	780	A	
51499	Fawad Ali	Gulistan	534	D	
51500	Hameed Ullah	Master Khan	618	C	
51501	Ameer Hamza	Ali Akbar	605	C	
51502	Juanaid	Ibrahim	545	D	See Annex-A
51503	Raees Muhammad	Wali Muhammad	603	C	
51504	Ziaul Islam	Ihsan Ul Haq			PH-II,
51505	Fazal Malik	Qajeer Gul	602	C	
51506	Yousaf Khan	Lal Zaman	577	C	
51507	Iftikar Khan	Qadar Mand	706	B	
51508	Muhammad Ayaz	Gul Mula	630	C	
51509	Abdur Rahman	Zahir Shah	633	C	
51510	Noman	Rahmat Gul	545	D	
51511	Salman	Shamsir Khan	533	D	
51512	Irfanud Din	Burhan Ud Din			PH-II,CH-II,
51513	Hassan Khan	Rahmat Ullah	551	C	
51514	Muhammad Ikram	All Haldor			CH-II,
51515	Asadullah	Abdul Atoem	629	C	
51516	Haris Sharif	Muhammad Sharif			CH-II,
51517	Maaz	Abdur Rauf	566	C	
51518	Rahmanullah	Muhammad Safdar	534	D	

GOVT. HIGHER SECONDARY SCHOOL TAKHT BHAI MARDAN

51519	Waheed Ullah	Hameed Ullah	666	B	
51520	Muhammad Kashif	Zartaj Khan			M-I, M-II, CH-II,
51521	Inayat Ur Rahman	Hazrat Ullah			M-I, Fail-II
51522	Muhammad Ismail Shah	Akbar Khan			CH-I, Fail-II
51523	Abbas Khan	Muhammad Zaman			Fail-II
51524	Wasil Khan	Misal Khan			CH-I,
51525	Muhammad Shuaib	Aqal Mahmood			M-I, M-II, CH-II,
51526	Mursaleen Khan	Muhammad Ibrahim			CH-II,
51527	Aamir Mashwani	Said Rehman Mashwani			CH-II,

SULTAN MUHAMMAD MEMORIAL COLLEGE TAKHT BHAI MARDAN

51528	Imran Khan	Sher Zada	911	A1	
51529	Mohsin Hayat	Gul Zada	703	B	
51530	Ihsan Ullah	Mahmood Shah	684	B	
51531	Shahzeb	All Rahman	606	C	
51532	Talal Ahmad	Mursaleen Khan	664	B	
51533	Faizan Ahmad Khan	Nasir Khan	819	A	
51534	Muhammad Usman	Aslam Khan			M-I, M-II,
51535	Islam Nabi	Muhammad Nabi	636	C	
51536	Saddam Khan	Rab Nawaz	626	C	
51537	Zahir Gul	Sharif Gul	648	C	
51538	Naveed Ahmad	Jehan Zeb Khan	640	C	
51539	Shahid Khan	Sadullah Khan	648	C	
51540	Shah Zeb	Sultan Zeb	689	B	
51541	Muhammad Musa	Muhammad Khan	619	C	

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VAKALAT NAMA

NO. _____/20

IN THE COURT OF K.P.K Services Tribunal, Peshawar

Muhammad Bahim (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Higher Education Deptt. (Respondent)
(Defendant)

I/We, Muhammad Bahim

Do hereby appoint and constitute **M. Asif Yousafzai, Advocate Supreme Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

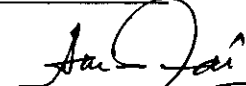
I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.


Dated _____/20



(CLIENT)

ACCEPTED


M. ASIF YOUSAFZAI
Advocate Supreme Court
Peshawar.


Taimur Ali Khan
Advocate High Court


Syed Nauman Ali Bukhari
Advocate

OFFICE:

Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar
Cell: (0333-9103240)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

SA#570/2017

Mohammad Faheem Lecturer (BPS-17).....Appellant.

Versus

Govt of Khyber Pakhtunkhwa,
through Chief Secretary &
Secretary Higher Education Department.....Respondents.

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Respondents

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

SA#570/2017

Mohammad Faheem Lecturer (BPS-17).....Appellant.

Versus

Govt of Khyber Pakhtunkhwa,
through Chief Secretary &
Secretary Higher Education Department.....Respondents.

AFFIDAVIT

I, Murad Khan Superintendant, (Litigation) Higher Education Department do hereby
declare and affirm on oath that the contents of Para Wise Comments are correct to the best of
my knowledge and belief and that nothing has been concealed from this Hon'able Court.

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal # 570/2017

Muhammad Faheem Lecturer (BPS-17)Appellant

Versus

**Govt: of Khyber Pakhtunkhwa through Chief Secretary & Secretary Higher Education,
Archives & Libraries DepartmentRespondents**

Preliminary Objections:

Subject: JOINT PARAWISE COMMENTS ON BEHLAF OF RESPONDENT NO. 1 & 3

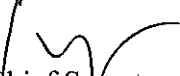
- 1) That the appellant having no cause of action/ locus standi to file this service appeal.
- 2) That the appellant has not come to the learned tribunal with clean hands, as there is burden of misconduct on his part.
- 3) That the appellant has suppressed/concealed material facts from the learned Tribunal , thus the appeal is not maintainable on this score alone.
- 4) The appeal in hand is exaggerated and filed with gross misconceptions and is liable to be dismissed.


FACTS

- 1- Pertains to record, hence no comments.
- 2- Not pertains to answering respondents.
- 3- In correct, misleading, the Secretary Higher Education Khyber Pakhtunkhwa himself while on his visit along with the Deputy Secretary (Colleges) & Deputy Chief Planning Officer of the department witnessed the ongoing malpractice on the part of appellant. Thus while obtaining formal approval from the competent authority it was added that as per provision of Rule-7 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary Rules-2011) the formal inquiry may kindly be dispensed with and show cause notice was recommended to be issued, thus on the approval of the competent authority direct show cause notice was served upon the appellant under the said provision instead of opting for formal inquiry.
- 4- Correct.
- 5- Correct.
- 6- Pertains to record.
- 7- Pertains to record.
- 8- That the appellant has got no cause of action to file instant appeal.

GROUNDS

- A. Incorrect, after codal formalities said orders were passed, thus plea of the appellant is not correct.
- B. As elaborated in Para-3.
- C. As elaborated in Para-3.
- D. As elaborated in Para-3.
- E. As elaborated in Para-3.
- F. As replied in Para-3
- G. As replied in Para-3.
- H. Not pertains to answering respondent.
- I. In correct misleading as elaborated in Para 3 above that the Secretary Higher Education himself alongwith other officers have witnessed the male practice by themselves that cannot be denied by any reasons.
- J. In correct misleading, the departmental appeal formally processed and considered by the competent authority but not acceded to due to avoid of sound substance.
- K. That the respondents seek permission to raise additional grounds at the time of arguments.


Chief Secretary
Khyber Pakhtunkhwa
Respondent No.1


Secretary,
Higher Education Department
Respondent No.3

BEFORE KPK SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 570/2017

Muhammad Faheem

Vs

Govt of KPK.

REJOINDER ON BEHALF OF APPELLANT

PRELIMINARY OBJECTIONS:

(1-4) All objections raised by respondents are incorrect and baseless. Rather estopped to raise any objection by their own conduct.

FACTS:

1. Admitted correct. Facts pertaining to service record available with respondent's department.
2. Admitted correct. Facts pertaining to service record available with respondent's department.
3. Incorrect, hence denied. Appellant can be departmentally proceeded but in accordance with prescribed procedure and not as per respondents whims and wishes. As per verdict of Supreme Court and Article 10-A of Constitution of Pakistan, fair trial is a legal right of every accused. Deviating from the prescribed procedure nullifies the impugned order in the eyes of law.
4. Admitted correct. Need no comments.
5. Admitted correct. Need no comments.
6. Admitted correct. Facts pertaining to service record available with respondent's department.
7. Admitted correct. Facts pertaining to service record available with respondent's department.
8. Incorrect. Appellant has a valid cause of action to file an instant appeal.

GROUND:

- A. Incorrect, hence denied. Passing an impugned order without adopting proper codal procedure is null and void in the eyes of law.

- B. Incorrect, hence denied. Appellant can be departmentally proceeded but in accordance with prescribed procedure and not as per respondents whims and wishes. As per verdict of Supreme Court and Article 10-A of Constitution of Pakistan, fair trial is a legal right of every accused. Deviating from the prescribed procedure nullifies the impugned order in the eyes of law.
- C. As already elaborated in para-B.
- D. As already elaborated in para-B.
- E. As already elaborated in para-B.
- F. As aforementioned in para-B.
- G. As aforementioned in para-B.
- H. Incorrect, hence denied. No opportunity of personal defence and cross examining the witnesses is afforded to satisfy the procedure. It is also pertinent to mention that no evidence, by respondent no. 3 and other concerned officials, is provided to corroborate the accusation/allegation against appellant.
- I. Incorrect, hence denied. As per Supreme Court, Order must be a speaking order and must satisfy the ingredients of Section 24-A of the General Clause Act.
- J. Legal.

It is, therefore, most humbly prayed that the appeal of the appellant may kindly be accepted as prayed for.

APPELLANT

THROUGH


ASAD MAHMOOD
 (Advocate High Court)


M. ASIF YOUSAFZAI
 (Advocate Supreme Court)

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder and appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from the Hon'able Tribunal.


DEPONENT

ATTESTED



**BEFORE THE KHYBER PAKHTUNKUWA SERVICE TRIBUNAL,
PESHAWAR.**

In Service Appeal No. 570/2017

Muhammad Fahim

V/S

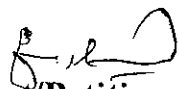
Higher Edu Deptt.

.....
**APPLICATION FOR PLACING ON FILE CERTAIN
DOCUMENTS ATTACHED HEREWITH THE
APPLICATION FOR PERSUAL OF COURT AND TO
MEET THE END OF JUSTICE.**



RESPECTFULLY SHEWETH:

1. That the above mentioned appeal is pending before this august Tribunal and fixed for today.
2. That keeping in view, the reply/comments submitted by the respondents, the appellatant wants to place the certain documents to meet the ends of justice and fair decision.
3. That the attached documents with the present application are necessary for justice and fair conclusion to clarify the position further.

It is, therefore, most humbly prayed that the application may be allowed and the attached documents may please be considered as part of the appeal to meet the ends of justice and to reach the fair conclusion. Any other remedy which august Court deems fit and appropriate that may also be awarded in favour of appellatant.


Applicant/Petitioner
Muhammad Fahim

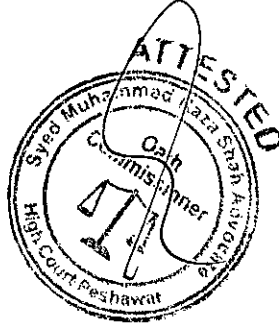
THROUGH:


(M. ASIF YOUSAFZAI
ADVOCATE SUPREME COURT

SYED NOMAN ALI BUKHARI
ADVOCATE HIGH COURT

AFFIDAVIT

I, , do hereby solemnly affirm and declare that the contents of the Application are true and correct to the best of my knowledge and belief.


DEPONENT





OFFICE OF THE DIRECTOR HIGHER
EDUCATION KHYBER PAKHTUNKHWA
PESHAWAR

22/176
22/87

36
رخصه

Copy of the overleaf is forwarded to the Principal Govt Degree College, Lund Khwar (Mardan) with reference to his letter No. 993 dated 06.05.2016 with the remarks to inform the lecturer concerned accordingly.

[Signature]

DY: DIRECTOR (ESTABLISHMENT)

Recieved on
20-10-2016
[Signature]

Recieved on
13-10-2016
[Signature]

عدالت صبا صبرین صاحبہ (منزل صاحب) سروس ٹریڈینگ اور

درخواست نمبر تبدیل تاریخ

صبا عالی

مؤدبانہ گزارش ہے کہ میرا یعنی خان محمد حلقہ پاسپورٹ ایجوکیشن
خبر، خٹوخواہ اور محمد نسیم حلقہ پاسپورٹ ایجوکیشن خبر
خٹوخواہ کا آج تاریخ 20-12-2019

تکن آج ہمارا وکیل آصف پوسفرنی صاحب ہائی کورٹ
میں کسی کیس میں پیشی کی دم سے Available نہیں ہے
لہذا آپ صاحبان پرہیزی کر کے ہمارا تاریخ change
کردیں۔

بتاریخ 20/12/2019



20/12/2019

از طرف: ① خان محمد لکھنوی ڈی سی لونڈورٹ

② محمد نسیم لکھنوی ڈی سی لونڈورٹ

**BEFORE THE KHYBER PAKHTUNKUWA SERVICE TRIBUNAL,
PESHAWAR.**

In Service Appeal No. 570/2017

Muhammad Fahim

V/S

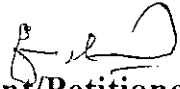
Higher Edu Deptt.:

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Applicant/Petitioner
Muhammad Fahim

THROUGH:


(M. ASIF YOUSAFZAI
ADVOCATE SUPREME COURT

SYED NOMAN ALI BUKHARI
ADVOCATE HIGH COURT

AFFIDAVIT

I, , do hereby solemnly affirm and declare that the contents of the Application are true and correct to the best of my knowledge and belief.


DEPONENT



OFFICE OF THE DIRECTOR HIGHER
EDUCATION KHYBER PAKHTUNKHWA
PESHAWAR

Order No. 22174

22/87

36
بصیر

Copy of the overleaf is forwarded to the Principal Govt. Degree College, Lund Khwar (Atandam) with reference to his letter No. 993 dated 06.05.2016 with the remarks to inform the lecturer concerned accordingly.

[Handwritten Signature]

BY: DIRECTOR (ESTABLISHMENT)

Received on
20-10-2016
[Handwritten Signature]

Received on
13-10-2016
[Handwritten Signature]