


22.09.2022

Appellant present in person.

Kabir Ullah Khattak, Additional Advocate General alongwith Hamid Mansoor Assistant for respondents present.

Representative of respondents submitted reply/comments, placed on file. Copy of the same was handed over to appellant. To come up for rejoinder, if any, and arguments on 16.11.2022 before D.B at Camp Court, Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

16th Nov 2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Learned counsel for the appellant seek some time to prepare the case. To come up for arguments on 15.12.2022 before D.B at camp court Abbottabad.



(Salah Ud Din)
Member (Judicial)



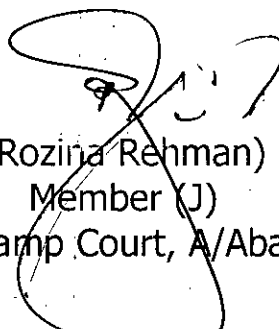
(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

15.11.2021

Appellant present through counsel. Preliminary arguments heard. Record perused.


Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of reply/comments. To come up for written reply/comments on 17.02.2022 before S.B at Camp Court, Abbottabad.

Amount Deposited
Security & Process Fee


(Rozina Rehman)
Member (J)
Camp Court, A/Abad

21th July 2022 Counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney alongwith Mr. Sohail Ahmad Zeb, Litigation Officer for the respondents present.

Written reply/comments on behalf of the respondents not submitted. Last chance is given to the respondents for submission of written reply/comments. To come up for written reply/comments on 22.09.2022 before S.B at camp court Abbottabad.


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

22.10.2020

Nemo for appellant.

Lawyers are on general strike, therefore case is adjourned to 18.01.2021 for preliminary hearing before S.B at Camp Court, Abbottabad. Appellant be put to notice for the date fixed.



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

18/1/2021

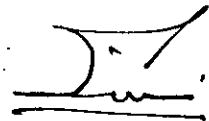
Due to COVID-19, case is adjourned to 20-9-2021 for the same.



20.09.2021

Nemo for the appellant.

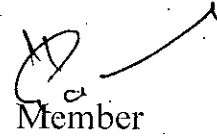
Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel and to come up for preliminary hearing before the S.B on 15.11.2021 at Camp Court Abbottabad.



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

21.01.2020

Appellant in person present and seeks adjournment as his counsel is not in attendance. Adjourn. To come up for preliminary arguments including arguments on the issue of maintainability of the present service appeal on 19.02.2020 before S.B at Camp Court Abbottabad.



Member

Camp Court, Abbottabad

Due to covid ,19 case to come up for the same on / /
at camp court abbottabad.

Reader

Due to summer vacation case to come up for the same on
22 / 10 / 20 at camp court abbottabad.

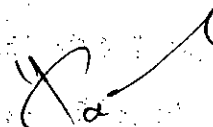


Reader

19.11.2019


Appellant absent. Learned counsel for the appellant absent.

Copy of appointment letter in relation to the appellant is available on file. Perusal of the same would show that the appellant was appointed on contract basis for a period of one year. It appears that the appellant does not qualify the definition of civil servant. To come up for preliminary hearing including hearing on the issue of maintainability of the present service appeal on 16.12.2019 before S.B at Camp Court, Abbottabad. Notice be issued to the appellant for the date fixed.


Member
Camp Court, A/Abad

16.12.2019

Counsel for the appellant present and requested for adjournment. Adjourned to 21.01.2020 for preliminary hearing including hearing on the issue of maintainability of the present service appeal before S.B at Camp Court Abbottabad.

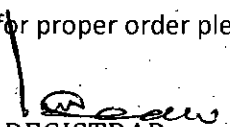


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1348/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	15/10/2019	<p>The appeal of Mr. Haider Ali Shah received today by post through Mr. Sultan Ahmad Jamshed 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 15/10/19</p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>19-11-19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

The appeal of Syed Haider Ali Shah Ex- PST GPS Village Datta District Mansehra received today i.e. on 07.08.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested. ✓
- 2- Annexures of the appeal may be flagged. ✓
- 3- Memorandum of appeal may be got signed by the appellant. ✓
- 4- Affidavit may be got attested by the Oath Commissioner. ✓
- 5- Seven more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal. obscene

No. 1324 /S.T,

Dt. 07/8 /2019.

[Signature]
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Sultan Ahmad Jamshed Adv.
Supreme Court at Abbottabad.

Dear Sir, one of neighbouring office on 5/10/2019 (Saturday) has handed over the files because at the time of handing over postal envelop sent by your goodself office, my office was closed and the postman delivered the same to the neighbouring office. They could not provide me in time but as mentioned above the objections raised are hereby complied with and the file is submitted within time after the receipt of files as mentioned above.

Sultan Ahmad Jamshaid
Advocate Supreme Court at
Abbottabad.

BEFORE WORTHY KHYBER PAKHTOONKAWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.: 1348 2019

Syed Haider Ali Shah

Versus

Government Of KPK & Others

SERVICE APPEAL

INDEX

SERIAL NO.	DESCRIPTION OF DOCUMENTS	Annexures	Page No.(s)
1.	Appeal along with Application Affidavit and certificate and address of the Parties		1-10
2.	Copy of the Appointment order dated 02-04-2015	A	11-16
3.	Copy of the Impugned order of DFO Male Mansehra dated 03-06-2017	B	12
4.	Copy of Departmental Appeal dated 22-06-2017	C	18-20
5.	Copy of Office Diary receipt No 5939 dated 19-06-2017	D	21-22
6.	Copy of order dated 23-06-2018 passed by worthy High Court	E	23
7.	Copy of Inquiry report dated 11-03-2019 received in the office of Director, and copy of order of appointment of Inquiry officer dated 30-01-2019	F	24-27
8.	Copy of order dated 08-05-2019 passed by respondent No 2 & 3	G	28
9.	Copy of acquitted order dated 22-03-2018	H	29-33

...Appellant

Through

Dated: /08/2019

&

Haider
(SULTAN AHMED JAMSHED)

Advocate Supreme Court of Pakistan

Ahmad Arbaz Pervaiz
(AHMAD ARBAZ PERVAIZ)

Advocate High Court

BEFORE WORTHY KHYBER PAKHTOONKAWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.: _____ 2019

Syed Haider Ali Shah S/o Syed Niaz Hussain Shah R/o Ghazikot Mansehra, Ex Pst, Posted at Government Primary School, Village Datta, Tehsil & District Mansehra.

Khyber Pakhtunkhwa
Service Tribunal

Appellant

Diary No. 4156

Dated 07-8-2019

VERSUS

1. Government of KPK, through Secretary Elementary and Secondary Education, Peshawar.
 2. Director Elementary and Secondary Education, Government of KPK.
 3. Assistant Director Establishment, (Male) Elementary and Secondary Education, directorate of BISE Peshawar.
 4. District Education officer (Male), Mansehra.
 5. Head Teacher, Government Primary School, Village Datta, Tehsil & District Mansehra.
- ...Respondents

SERVICE APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT, AGAINST THE ORDER BEARING NO 2727/F.NO 162/VOL :-19 APPEAL PST DATED 08-05-2019 PASSE BY DIRECTOR AND ASSISTANT DIRECTOR E & SE (RESPONDENTS NO 2 & 3), VIDE WHICH THE DEPARTMENTAL APPEAL OF THE APPELLANT IS REJECTED.

PRAYER:-

ON ACCEPTANCE OF THE PRESENT APPEAL THE IMPUGNED ORDERS PASSED BY RESPONDENTS NO 2 & 3, BEARING NO 2727/F.NO 162/VOL :-19 APPEAL PST DATED 08-05-2019 VIDE WHICH THE DEPARTMENTAL APPEAL REPRESENTATION IS REJECTED AND ORDER PASSED BY RESPONDENT NO 4 (DEO, MALE, MANSEHRA) BEARING NO 7707-12 DATED 03-06-2017, THROUGH WHICH THE APPOINTMENT ORDER OF APPELLANT FOR THE APPOINTMENT OF THE POST OF PST AT GOVERNMENT PRIMARY SCHOOL DATTA WAS CANCELLED/ WITHDRAWN, MAY GRACIOUSLY BE SET ASIDE AND STRUCKED DOWN, BEING VOID ABNITIO, UNLAWFUL, BEYOND TO LAW, RULES AND POLICY, RESULT OF WRONG, MIS AND NON APPRECIATION OF LAW, AND

Filed to-day
Registrar
2/9/19

BEYOND TO THE REASON AND CONCLUSIONS AND RECOMMENDATIONS MENTIONED IN THE INQUIRY REPORT BY THE COMPETENT INQUIRY OFFICER APPOINTMENT BY THE RESPONDENT NO 3 HIMSELF MAY PLEASED BE COMPILED WITH ACCORDINGLY THE APPELLANT MAY PLEASED BE REINSTATED TO THE POST AND OFFICE WHERE FROM THE RESPONDENT NO 4 HAD PASSED IMPUGNED ORDER DATED 03-06-2017 WITH ALL BACK BENEFITS OF SALLARY, ARREARS OF SALLARY, SENIORITY AND ALL OTHERS BENEFITS TO WHICH THE APPELLANT IS LEGALLY BEING GOVERNMENT SERVANT OUGHT TO HAVE BEEN ENTITLED AS IF THE IMPUGNED ORDERS HAS NEVER BEEN PASSED WITH ALL APPROPRIATE AND EFFECACIOUS RELIEFS AND REDRESSALS:

Respectfully Sheweth:-

1. That, the petitioner was appointed on 02-04-2015 as Pst and Posted at Government Primary School, Village Datta, Tehsil & District Mansehra, and accordingly the appellant resumed his duties till impugned order dated 03-06-2017 passed by the respondent No 4 vide which the appointment of the appellant was cancelled/ withdrawn.

Copy of the appointment order dated 02-04-2015 (Comprising of 6 pages, and petitioner name figures at serial No 85 of page No 4) dated 03-06-2017 is annexure "A" and impugned order of DEO Male Mansehra No (respondent No 4) dated 03-06-2017 is annexure "B".

2. The appellant preferred and submitted departmental appeal representation to the respondent No 2 (Director), on 22-06-2017, and also applied to respondent No 4 (DEO Mansehra) on 19-06-2017.

Copy of departmental appeal representation submitted to Director, (respondent No 4) showing it's receipt of as diary No 739 dated 22-06-2017 of his office, is annexure "C", while submitted to the DEO/ respondent No 4, which also shows his office diary receipt No 5939 dated 19-06-2017 which is annexure as "D".

3. That, being considering the impugned order dated 03-06-2017 passed by respondent No 4 as void ab initio and unreasonable, petitioner was constrained to submit writ petition before worthy Peshawar High Court, Abbottabad Bench which was however disposed of in the terms of the direction given to the appellate authority, to give decision appeal, preferred to him by the petitioner against the order dated 03-06-2017.

Copy of the order dated 23-06-2018 passed by worthy high court in writ petition No 63-A/2018 which is annexure "E".

4. That, the respondent No 2 (Director) constituted inquiry on 30-01-2019 and inquiry officer submitted his inquiry report dated 11-03-2019.

Copy of the inquiry report dated 11-03-2019 received in the office of Director, (respondent No 2 on 13-03-2019 as diary No 496 as note bears at the top of the report), the same report is annexure "F" and order of appointment of inquiry officer dated 30-01-2019 is annexure "F1".

5. That, the Director, respondent No 2 and Assistant Director of the office of directorate allegedly passed the impugned order on 08-05-2019, through high profile secret means and its proceedings were kept confidential from the appellant which was never communicated to the appellant by either respondents, such conduct of respondents is self explanatory, however appellant succeeded to get the relevant copies 2 days prior to this service appeal.

Copy of the impugned order on 08-05-2019 allegedly passed by the respondent No 2 & 3 is annexure "G".

6. That, the appellant is Syed and belongs to the Shia School of thought, therefore was made victim of highly disgraceful charges by the local enemies of the appellant's school of thought however, the learned competent court of Additional Session judge Mansehra has gracefully acquitted the appellant from the alleged charges by accepting the application of appellant U/S 265-K of CRPC.

Copy of the order of acquittal of appellant dated 22-03-2018 by learned ASJ-1 Mansehra is annexure "H".

7. That, the impugned orders above mentioned, are being assailed on the following amongst other grounds:-

GROUND:-

- i. That, impugned orders are void ab initio, unlawful beyond to authority, highly un reasonable and without reason, result of Mis, Non and wrong appreciation of law, rules, policy natural law and rights of audience, violation of law, Mis administration of Justice and non compliance of, directions of the worthy High Court, thus not sustainable hence bound to be set aside and struck down.
- ii. That, the respondent No 2 Director, being competent authority, competently appointed, inquiry officer, who competently submitted his inquiry report with his recommendations as under:-

(RECOMMENDATIONS OF INQUIRY OFFICER):-

- A. He (Appellant) may be reinstated according to rules and regulations

- B. He (Appellant) may be transferred from this station to any feasible Primary School while at the respective Para & column of the conclusion, the inquiry officer concluded as under:-

Conclusion:-

No 3 inquiry officer clearly mentioned that Mr Javed Hussain, Complainant of FIR/ alleged charges appeared before inquiry committee that he has no grievance or complaint against the appellant.

PARA NO 4:-

The procedure of E & D rules of 2011 was not adopted

- i. The appointment of Mr Haider Ali Shah PST Government Primary School, Datta (Appellant) was withdrawn simply on the basis of FIR lodged against him.
- ii. Head Teacher, Parent Teacher council and parents concerned did not submit any complaint against him (Appellant) to the authorities concerned.
- iii. Neither proper inquiry committee was constituted, nor he (appellant), was suspended according to the E & D rules no show cause notice / charge sheet was served to the accused teacher (present appellant).
- iv. The complaint was not given any opportunity of proper hearing under the rules.
- iii. That, above mentioned conclusion and recommendations of the competent inquiry officer, who was appointed as inquiry officer by the Director/ respondent No 4 himself, that too when the respondent No 4 is a competent authority, so accordingly the respondent No 2 & 3 was bound to act upon the inquiry report when the inquiry committee/ inquiry officer was considered as man of integrity, competent, vice versa at the time of his such appointment, as well as respondent No 2 & 3 even did not suggest any thing against the inquiry committee/ inquiry officer in the impugned order.
- iv. That, the respondent No 2 & 3 was bound to give & advance reasons, legal, factual and plausible when they dissented/ not approved the recommendations and conclusions of the inquiry/ committee inquiry officer and passed the impugned order about the rejection of appeal in presence of the inquiry report above mentioned..
- v. That, respondent No 2 & 3 badly failed to follow the rules, law & policy and unlawfully did not extend the rights of audience to the petitioner while giving findings other than maintained in the inquiry report.
- vi. That, the appellant is serving nowhere after the passing of impugned order dated 03-06-2017 passed by DEO (Male) Mansehra/ respondent No 4, hence entitled to all due back benefits, as prayed for.
- vii. That, this present service appeal is well within time as impugned order of respondent No 2 & 3 is of dated 08-05-2019, but the impugned order has not been properly communicated to

the present appellants, the present appellant managed to get the copies of his own two (2) days prior to the present appeal, so in case question involved is that order passed has deliberately, been not communicated so such conduct of respondents made all there proceedings null & void which does not attract any limitation period.

viii. That, the appellant Sharee, legal and constitutional rights demands that the present appeal of the appellant may pleased be accepted as prayed for.

It is therefore prayed that on acceptance of the present appeal, the Impugned orders may graciously be set aside and appeal may pleased be accepted as prayed for.

Dated: /08/2019

Syed Haider Ali Shah

...Appellant

Through

(SULTAN AHMED JAMSHED)

Advocate Supreme Court of Pakistan

&

(AHMAD ARBAZ PERVAIZ)

Advocate High Court

VARIFICATION:-

I, Syed Haider Ali Shah S/o Syed Niaz Hussain Shah R/o Ghazikot Mansehra, Ex PSI, present appellant do hereby solemnly affirm and declare on oath that the contents of the present appeal are correct to the best of my knowledge & belief and nothing material is concealed from this worthy service tribunal bench.

(Deponent)

Dated: /08/2019

.....APPELLANT

IDENTIFIED BY:-

(AHMAD ARBAZ PERVAIZ)

Advocate High Court

Signature
11/10/2019

Signature

BEFORE WORTHY KHYBER PAKHTOONKAWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.: _____ 2019

Syed Haider Ali Shah

Versus

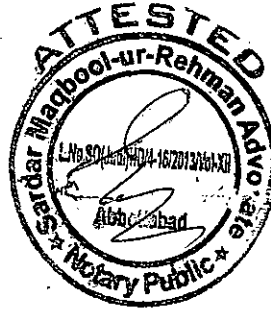
Government Of KPK & Others

SERVICE APPEAL

AFFIDAVIT

I, Syed Haider Ali Shah S/o Syed Niaz Hussain Shah R/o Ghazikot Mansehra, Ex Pst, Posted at Government Primary School, Village Datta, Tehsil & District Mansehra, do hereby solemnly affirm and declare on oath that the contents of the foregoing appeal are true to the best of my knowledge, information and belief and nothing has been concealed.

Dated: /08/2019



Haider

(Deponent)

28 July

7

BEFORE WORTHY KHYBER PAKHTOONKAWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.: _____ 2019

Syed Haider Ali Shah

Versus

Government Of KPK & Others

SERVICE APPEAL

APPLICATION SEEKING PERMISSION AND PASSING OF ORDER OF
DISPENSATION OF ATTACHING AND ANNEXING THE ATTESTED COPIES OF IMPUGNED
ORDER AND OTHER WITH THE PRESENT APPEAL.

=====

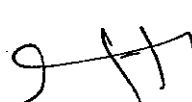
Respectfully Sheweth:-

1. That, this service appeal is being submitted as per law is pending before this august tribunal.
2. That, the respondents had deliberately and unlawfully did not communicate the impugned order dated 08-05-2019 against the law as well as against the petitioners rights and petitioner himself managed to get the photo copies, as now the limitation period is about to finish as ¾ days are left, as petitioner Is R/o Mansehra much away from Peshawar.
3. That, this august Tribunal while passing the order as prayed for, may direct the respondents to attach all relevant record & impugned orders with there comments etc, thus may get satisfaction of the required strength, which is necessary.
4. That, valuable rights of the appellant are involved.

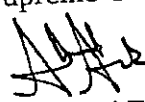
It is therefore prayed that on acceptance of the present application the order as prayed for may pleased be passed.

Dated: /08/2019

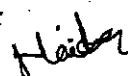
Through


(SULTAN AHMED JAMSHED)
Advocate Supreme Court of Pakistan

&


(AHMAD ARBAZ PERVAIZ)
Advocate High Court

Syed Haider Ali Shah
....Petitioner



BEFORE WORTHY KHYBER PAKHTOONKAWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.: 2019

Syed Haider Ali Shah

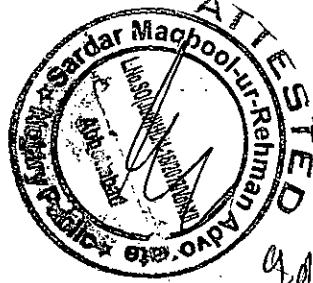
Versus

Government Of KPK & Others

SERVICE APPEALAFFIDAVIT

I, Syed Haider Ali Shah S/o Syed Niaz Hussain Shah R/o Ghazikot Mansehra, Ex Pst, Posted at Government Primary School, Village Datta, Tehsil & District Mansehra, do hereby solemnly affirm and declare on oath that the contents of the foregoing petition are true to the best of my knowledge, information and belief and nothing has been concealed.

Dated: /08/2019



Haider
(Deponent)

28/8/19

BEFORE WORTHY KHYBER PAKHTOONKAWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.: _____ 2019

Syed Haider Ali Shah S/o Syed Niaz Hussain Shah R/o Ghazikot Mansehra, Ex Pst, Posted at Government Primary School, Village Datta, Tehsil & District Mansehra.

...Appellant

VERSUS

1. Government of KPK, through Secretary Elementary and Secondary Education, Peshawar.
2. Director Elementary and Secondary Education, Government of KPK.
3. Assistant Director Establishment, (Male) Elementary and Secondary Education, directorate of BISE Peshawar.
4. District Education officer (Male), Mansehra.
5. Head Teacher, Government Primary School, Village Datta, Tehsil & District Mansehra.

...Respondents

SERVICE APPEAL
CERTIFICATE

Certified that no such APPEAL has earliest been filed before this Hon'ble Service Tribunal.

Through

Dated: /08/2019

&

Haider
....Petitioner

Sultan Ahmed Jamsheed
(SULTAN AHMED JAMSHED)
Advocate Supreme Court of Pakistan

Ahmad Arbaz Pervaiz
(AHMAD ARBAZ PERVAIZ)
Advocate High Court

BEFORE WORTHY KHYBER PAKHTOONKAWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.: _____ 2019

Syed Haider Ali Shah S/o Syed Niaz Hussain Shah R/o Ghazikot Mansehra, Ex PST, Posted at Government Primary School, Village Datta, Tehsil & District Mansehra.

...Appellant

VERSUS

1. Government of KPK, through Secretary Elementary and Secondary Education, Peshawar.
2. Director Elementary and Secondary Education, Government of KPK.
3. Assistant Director Establishment, (Male) Elementary and Secondary Education, directorate of BISE Peshawar.
4. District Education officer (Male), Mansehra.
5. Head Teacher, Government Primary School, Village Datta, Tehsil & District Mansehra.

...Respondents

SERVICE APPEALADDRESSES OF THE PARTIES

Respectfully Sheweth:-

The addresses of the parties are as under;

PETITIONER:-

Syed Haider Ali Shah S/o Syed Niaz Hussain Shah R/o Ghazikot Mansehra, Ex PST, Posted at Government Primary School, Village Datta, Tehsil & District Mansehra.

RESPONDENTS:-

1. Government of KPK, through Secretary Elementary and Secondary Education, Peshawar.
2. Director Elementary and Secondary Education, Government of KPK.
3. Assistant Director Establishment, (Male) Elementary and Secondary Education, directorate of BISE Peshawar.
4. District Education officer (Male), Mansehra.
5. Head Teacher, Government Primary School, Village Datta, Tehsil & District Mansehra.

....Petitioner *Haider*

Through

Dated: /08/2019

(SULTAN AHMED JAMSHED)

Advocate Supreme Court of Pakistan

&

(AHMAD ARBAZ PERVAIZ)

Advocate High Court

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

APPOINTMENT

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of PST, Schools based and 100% u/c wise merit in BPS-12 @ (Rs.7000-500-22000) @ Rs. 7000/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, on the terms and condition given below with effect from the date of their taking over charge :-

S No	ML No	NTS Roll Number	Name of Candidate	Father's Name	Union Council	Address	School	Marks
1	1	761702471	SYED BILAL HUSSAIN SHAH	SYED ZAKIR HUSSAIN SHAH	OGHI	Bandi Sadiq	GPS SAFIDA PAEEN	122.04
2	1	761702332	JAWAD AHMAD	JANIS KHAN	BELIAN	Vill Kotla Agror	GPS KOLIKA	135.55
3	2	761702487	MUHAMMAD RASHID	MUHAMMAD JABBAR	BELIAN	Vill Belian	GPS KOLIKA	121.51
4	3	761702412	IHSAN ULLAH	HAZRAT BILAL	BHERKUND	Seri Khaki	GPS BANDA GIAN	111.83
5	4	761700249	MUHAMMAD QASIM	PAKHTOON WALI	BHERKUND	Bherkund	GPS LEHLAN	109.43
6	10	761700294	RAJA ZAHEER AHMAD	MUSHTAQ AHMAD	BHERKUND	Khaki	GPS KHAKI	106.01
7	3	761701940	BABAR KHAN	MUHAMMAD IRFAN	MALIK PUR	Malik Pur	GPS BANDA SHEIKHAN	116.90
8	8	761700344	ARIF IQBAL	NOOR ULLAH KHAN	BAFFA	Baffa	GMPS HAYATABAD	107.93
9	10	761702388	RAMEEZ AHMAD	MUHAMMAD TAJ	BAFFA	Baffa Mera	GPS BAFFA MERA NO. 1	105.75
10	1	761702368	TAHIR REHMAN	HABIB UR REHMAN	TANDA	Moh Chinar Bajna	GMPS TANDA	130.42
11	6	761700268	MUHAMMAD SAJID RAZA	MUHAMMAD SULTAN	SHAUKAT / BAD	Jhangar	GPS POUCHER MERA	109.83
12	8	761700440	SHAFIQAT HUSSAIN SHAH	SAJAWAL SHAH	SHAUKAT / BAD	Afzal Abad	GPS DAKH DANNA	100.87
13	9	761700280	ABDUL WAHID	KAHIRULLAH	SHAUKAT ABAD	Jhamra Sosul	GPS SOSUL GOWAN	95.94
14	5	761702598	NAQISH	KHAWAS KHAN	INYAT ABAD	Hafeez Bandi	GPS GHANDIAN	118.64
15	1	761702376	ALI NAJAF KHAN	GUL ZAMAN	BALAKOT	Matl Kot	GPS SHOHAL NAJAF KHAN	140.16
16	1	761701924	AWAIS HUSSAIN	GHULAM HUSSAIN	BALAKOT	Mangli	GPS SHOHAL NAJAF KHAN	137.25
17	1	761702582	MUHAMMAD NASIR	SHAH JAHAN	GARLAT	Marrah	GPS SHAGAI	115.36
18	1	761701938	KAMRAN AFZAL	SHAER AFZAL KHAN	TALHATA	Kagal	GPS TALHATA	137.27
19	2	761702444	MUHAMMAD NAEEM SHAHZAD	ABDUL QAYYUM	TALHATA	Kot Bhala	GPS BATORA	129.41
20	7	761702072	AYAZ YOUNAS	MUHAMMAD YOUNAS	KARNOL	Vill Karnol	GMPS BAGLA BANNI	85.37
21	10	761702365	SYED SHAHBAZ ALI NAQVI	SYED BAD SHAH	KARNOL	Khair Abad	GMPS KANDI JAGIR	76.27
22	1	851701424	SAJJAD HUSSAIN	MUHAMMAD ZUBAIR	SHOHAL MUZULLAH	Kummi	GPS KHANGIRI	126.68

23	1	761701827	ABDUL BASIT KHAN ARIF	ARIF HUSSAIN	SHOHAL MUZULLAH	Shohal Muzullah	GPS JABRI KALEESH	124.60
24	4	761702627	EJAZ AHMAD	MUHAMMAD FARID	SHOHAL MUZULLAH	Jabri Kaleesh	GPS KALEESH	121.93
25	5	761702015	LJAQAT ALI	MUHAMMAD FAREED	SHOHAL MUZULLAH	Khangiri	GPS KALEESH	121.39
26	7	761702162	NAEEMULLAH	RAHEEMULLAH	SHOHAL MUZULLAH	Patseri	GPS KALEESH	119.24
27	1	761700451	MUHAMMAD AZHAR	MUHAMMAD ANWAR	KAGHAN	Kamal Ban	GPS DARMIANA K BAN	125.06
28	9	761700256	IBRAR HUSSAIN	MUHAMMAD TAJ	KAGHAN	Kamal Ban	GPS SOACH	119.58
29	10	761701904	SHAFQAT TANVEER	GHULAM RABBANI	KAGHAN	Kamal Ban	GPS SOACH	119.00
30	5	761702210	MUHAMMAD ILYAS KHAN	ABDUL QUDOOS KHAN	KAGHAN	Kamal Ban	GPS BATTI KUNDI	110.78
31	3	761700380	NASEER AHMAD	SHER ZAMAN	KAGHAN	Bela Kaghan	GMPS BEESAN PHAGAL	110.48
32	7	761702195	AFFAB AHMED	MUHAMMAD FAREED KHAN	KAGHAN	Kamal Ban	GPS KANNARI	109.21
33	3	761702624	ABDUL RAZZAQ	KHANI ZAMAN KHAN	KAGHAN	Khanian	GMPS KALAS RAJWAL	107.74
34	7	761701778	SAFED ANWAR	MUHAMMAD ZAMAN	KAGHAN	Bari Phagal	GPS SERI KAGHAN	106.07
35	19	761702570	MUHAMMAD EJAZ	RAJA MUHAMMAD MAHROOF	KAGHAN	Pattan Dais	GPS SERI KAGHAN	104.34
36	9	761700290	SYED ZAFAR ALI TREMZI	SYED ABDUL WAHID SHSH	KAGHAN	Parla Gran	GMPS SUKI KANARI	98.82
37	10	761702048	NAVEED AHMAD	ABDUL HAMEED	KAGHAN	Shangrian	GPS PHAGAL	98.79
38	6	761702317	MUHAMMAD RASHAD	GUL ZAMAN	KAGHAN	Phagal	GMPS REEN JAMAL MARI	97.37
39	7	761702314	MUHAMMAD SHABBIR	ABDUL-MANAN	KAGHAN	Battal Naran	GPS BESSAN PHAGAL	96.96
40	1	761702360	SIRAJ AHMAD	UMAR KHAN	MOHANDARI	Dong Jareed	GPS DONG JAREED	129.13
41	2	761702401	ADIL NAVEED	MUHAMMAD SIDDIQUE	MOHANDARI	Kunhar Danna	GPS KUNHAR DANNA	121.41
42	8	761702232	ZAIN MUHAMMAD	FEROZ HUSSAIN KHAN	MOHANDARI	Dhandan Jaraid	GPS BOGARA	106.56
43	7	761702196	ZAHID HUSSAIN	BADAR ZAMAN	MOHANDARI	Pattlan Jaraid	GPS DOHAR MANOOR	105.81
44	3	761700347	SHAFQUAT HUSSAIN	SHAH ZAMAN KHAN	MOHANDARI	Jaraid	GMPS LASSAN MOHANDARI	102.99
45	5	761702438	MUHAMMAD HANAYOON	MUHAMMAD SAEED	MOHANDARI	Dohar	GMPS NALLA MANOOR	102.95
46	4	761700437	ZIA UD DIN	ISMAIL KHAN	MOHANDARI	Jaraid	GPS PATTI JAREED	99.52
47	4	761702235	ZULFIQAR KHAN	MUHAMMAD FARID	MOHANDARI	Jaraid	GMPS DHANDAN	98.88
48	10	761700397	NASEER AHMED SIDDIQUI	MUHAMMAD SIDDIQUE	MOHANDARI	Moza B Manoor	GPS BANDA MANOOR	98.74
49	5	761702356	SAJJAD AHMED	ABDUR REHMAN	MOHANDARI	Katha ManeenJaraid	GPS BAGA JARED	98.32

50	9	761701809	MUHAMMAD SADAQAT	GHULAM JELANI	MOHANDARI	Sari Bandi Jaraid	GPS MOHANDRI	98.21
51	1	761702140	JAMIL UD DIN TAHIR	MAULANA HAMID UD DIN	KAWAI	Paras	GPS SHOGRAN	137.08
52	3	761702622	IAZ MUHAMMAD	MUHAMMAD ASHRAF	KAWAI	Sangri Paras	GPS THUNIAN	96.98
53	8	761702034	JAVED HUSSAIN	HAMIDULLAH	KAWAI	Kawai	GPS BUDI DA NAKA	89.80
54	9	761702156	SYED WAQAS SHAH	SYED SAKHI SHAH	KAWAI	Kawai	GPS KAWAI	88.64
55	10	761702419	MUHAMMAD SIF	MUHAMMAD MAROOF	KAWAI	Sangri Paras	GPS KOHALI	86.57
56	2	761702503	MUHAMMAD RIZWAN	GHULAM NABBI	HANGRAI	Meesach	GPS CHAKKA	128.08
57	2	761702448	RASHID FIDA	FIDA MUHAMMAD KHAN	HANGRAI	Hangrai	GPS CHOWKANNA	121.97
58	5	761700298	RASHID MEHMOOD	MUHAMMAD BASHIR	HANGRAI	Hangrai	GPS KATHA REESOO	116.09
59	1	761701806	MUHAMMAD SHOUKAT	NOOR MUHAMMAD	SAT BANI	Patlang	GPS PATLANG	143.99
60	2	761702016	KHURAM REHMAN	FAZAL UR REHMAN	SAT BANI	Patlang	GPS DANDAR	126.74
61	3	761702363	MUHAMMAD RAFIQ	IBRAHIM	SAT BANI	Pumhara	GPS MANDI	125.96
62	2	111701508	NISAR HUSSAIN NISAR	QAZI MUHAMMAD HUSSAIN SAJID	GHANOOL	Urban Bhangian	GMPS KHORIAN	120.67
63	3	111701508	AZHAR UL DIN KHAN	SAMUNDAR KHAN	GHANOOL	Josacha	GPS SHIRRI BHANGIAN	117.07
64	3	761700415	MUHAMMAD M. ANAWAR	ABDUR RASHID MUHAMMAD TAMAZ	GHANOOL	Vill Ghanool	GPS BAIDA	116.66
65	9	761702169	SHAH JHAN	MUHAMMAD TAMAZ	GHANOOL	Sangar	GMPS KAITH SAMUNDAR	100.96
66	10	761700260	GUZAREEN	INAYAT SHAH	GHANOOL	Sangar	GMPS NAIKKA HASSAMABAD	95.15
67	8	761700362	ZIA UR REHMAN	ABDUR RASHID	GHANOOL	Vill Ghanool	GPS DABRIAN	93.80
68	16	761702490	BASHIR AHMED	AMIN UL HAQ	GHANOOL	Vill Dabrian	GPS CHAMBER SANGAR	88.05
69	1	761702148	SHAHID NAWAZ	MUHAMMAD SHAH NAWAZ	PHULRA	Bharl	GPS CHONTRAN	115.32
70	2	761702152	BASHARAT HABIB	MOLVI HABIB UR REHMAN	PHULRA	Tangher	GPS GUIRA	114.96
71	4	761700372	ABDUL QADEER	MUHAMMAD SHARIF	PHULRA	Phulra	GPS KANDAR	113.46
72	7	111701536	SAFEER AHMED	MUHAMMAD ASHRIF	PHULRA	Bandi Khankhail	GPS NARA DOGA	105.16
73	1	761700265	MUHAMMAD ARSHAD	MUHAMMAD ARSHAF	LASSAN THAKRAL	Khatehra Bagal	GPS MOHAYAN	119.53
74	1	111701530	ABRAR ALI	KHALIQ DAD	LASSAN NAWAB	Palsala	GPS DHAMAN DHERI	141.55
75	2	111701630	MEHTAB AHMED	SHAFI UR REHMAN	LASSAN NAWAB	Chandhoor Pain	GPS JISGRAN PAYEEN	123.99
76	3	761700405	KHAN AFSAR	SHER BAHADUR MUHAMMAD ASLAM	LASSAN NAWAB	Bai Bohal	GPS KHUDIAN	121.31
77	1	761700373	DILAWAR KHAN	MUHAMMAD ASLAM	SAWAN MERA	Khahri	GPS PAKKHAR KHUI	129.78

[Handwritten signature]

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78	3	761702428	MUHAMMAD RIAFAT	ALAMZEB	SAWAN MERA	Kund	GPS DEHGRI	104.67
79	4	761702583	NADEEM AFZAL	SHER AFZAL	SAWAN MERA	Degree	GPS SAWAN MERA	104.61
80	3	761702375	MUHAMMAD ZAHID	GHULAM HAIDER	PERHINA	Talhari	GPS LUND KUND	103.68
81	1	761702023	ZOHAIB NISAR	NISAR AHMED	BEHALI	Rehar	GPS OGRA	121.10
82	3	761700366	RAZA AHMAD	MUHAMMAD HUSSAIN	BEHALI	Rehar	GPS RATTIAN	110.31
83	4	761702605	LIAQAT HUSSAIN	MUHAMMAD MISKEEN	BEHALI	Rehar	GMPS KARLAL	106.96
84	6	761702343	MUSHTAQ AHMAD	ABDUL HAKEEM	BEHALI	Behali	GPS PAKWAL	103.24
85	3	761700323	SYED HAIDER ALI SHAH	SYED NIAZ HUSSAIN SHAH	DATA	Chamhora	GMPS BOOJIA	111.65
86	6	761700341	DANISH AKBAR	ALI AKBAR	DATA	Chakia	GPS DATA	98.72
87	4	761701792	ZAFAR IQBAL	MUHAMMAD SALEEM	MANSEHRA DEH	Gunda	GPS GANDA	93.50
88	6	761702254	AQEEL AHMED	MUHAMMAD MASHAL	MANSEHRA DEH	Hado Bandi	GPS BATDARIAN	92.00
89	5	761702351	AZIZ UR REHMAN	WALI UR REHMAN	CITY NO.3	Dab No. 2	GMPS DHARMIAN	99.32
90	2	761702551	AURANG ZEB	SAMUNDAR KHAN	SANDAY SAR	Chitta Batta	GMPS SANDAY SAR	113.32
91	4	761702552	MUHAMMAD ZUBAIR	RIAZ KHAN	SANDAY SAR	Chitta Batta	GPS UJARIAN	105.81
92	3	761702327	MUHAMMAD BAROON	MUHAMMAD SALEEM	KARORI	Haryala Parwal	GPS DANDA KHOLIAN	120.84
93	4	761702511	WARIS KHAN SAJJAD	ATIQ UR REHMAN	KARORI	Numbel	GPS MIANA DOGA	112.87
94	6	761700339	MUHAMMAD	ABDUL HAYE	KARORI	Bandi Parawo	GPS MALHAR	108.39
95	8	761702237	MUHAMMAD MUSHTAQ	MUHAMMAD YAQOOB	KARORI	Maira Namshora	GPS SARWAI D KHOLIAN	103.17
96	9	761702601	MUHAMMAD LUQMAN	HABIB UR REHMAN	KARORI	Maira Namshora	GPS SERI MEHR GUL	101.84
97	10	761700263	MUHAMMAD QASIM	SIBGHATULLAH	KARORI	Bandi Parawo	GMPS BAGLAY	102.17
98	4	761702223	AURANG ZEB	DAUR KHAN	NIKA PANI	Kajla	GPS NIKA PANI	115.42
99	8	761702424	ABDUR RASHEED	MUHAMMAD JAN	NIKA PANI	Sheri Rog	GPS BRADER	101.91
100	2	761702436	ABID KHAN	MUHAMMAD YOUNAS	SHANAYA	Larri	GPS MOH	117.97
101	8	761701886	MUHAMMAD	AURANGZEB	SHANAYA	Larri	GPS MANJHANI	105.42
102	1	761700320	ALAMZEB	MUHAMMAD MISKEEN	BANDI SHUNGLI	Tolna Berbat	GPS JIGGI PAIN	127.54
103	2	111701773	MUHAMMAD IRSHAD AHMAD	ABDUR RASHEED	SHER GARH	Bati	GPS KHAR MERA	127.89
104	2	761700332	MUHAMMAD TARIQ IQBAL	MUHAMMAD IQBAL	SHER GARH	Bajna	GPS BATKARAR SHERGAR	120.25
105	3	761700436	MUHAMMAD ZAHID	FAQIR MUHAMMAD	SHER GARH	Takkia	GPS SHER GARH	118.85
106	3	761702495	NAIK MUHAMMAD	BANA	DARBAND	New Mera	GPS NEW DARBAND	106.43
107	6	761702276	MAJID KHAN	MUHAMMAD PERVEZ	DARBAND	Vill Darband	GPS MEHRAN	101.66

108	4	761702400	SYED WAHEED HUSSAIN SHAH	SYED SHABEER HUSSAIN SHAH	DHODIAL	Vill Dhodial	GPS THANDA KATHA	128.86
109	2	761702124	KHALID HUSSAIN	AYUB	SUM	Fateh Mang	GPS SUM	119.86
110	2	761701814	RIASAT ALI MUHAMMAD YOUNAS	FAZAL UR REHMAN	SUM	Fateh Mang	GMPS KHANPUR MERA	116.40
111	6	761702339		KALA	BHOGARMANG	Chitta-Batta Tara	GPS DADAR	100.95
112	7	761702136	SHAHID DILAWAR	DILAWAR KHAN	JABBORI	Chehla Bagh	GPS SUNDHI	111.08
113	8	761702416	ALI ASGHAR	SAHEED UR REHMAN	JABBORI	Jabori	GPS SUNDHI	110.59
114	1	761702430	HARIS KHAN	MUHAMMAD PERVEZ	SACHAN	Giyar Sacha	GPS KERE NAWAZ ABAD	122.86
115	2	761701981	GUL MUHAMMAD	MUHAMMAD MISKEEN	JABBAR DEVL	Pakhal Jabbar	GPS CHUNGARI	155.22
116	8	761702602	KHALID HUSSAIN	GHULAM HASSAN	JABBAR DEVL	Jabbar Gali	GPS AKHORI BEESA	113.71
117	8	761700354	SADAQAT HUSSAIN SHAH	SADIQ HUSSAIN SHAH	JABBAR DEVL	Jabbar	GPS JABBAR DHAIR	107.22
118	14	761700241	SYED AHMAD HUSSAIN SHAH	SYED NAWAB SHAH	JABBAR DEVL	Devli	GPS RATHI NIRAL BAN	106.48
119	14	761702454	IFTIKHAR ALI SHAH	SYED ABBAS ALI SHAH	JABBAR DEVL	Devli	GMPS KHAITAR	105.59
120	2	761700389	KHUSHDIL	AZIZULLAH	BATTAL	Dab Battal	GPS BATTI	116.13
121	4	761702057	MUHAMMAD UMAR	IMAM DIN	BATTAL	Karmang Bala	GMPS BATANGI	109.28
122	5	761700364	MUMAMMAD SAFEER	MUHAMMAD SULAMAN	BATTAL	Shikrari	GMPS BELA BAI PAIN	109.01
123	1	811700378	USMAN	AMEER NAWAZ KHAN	CHATTAR PLAIN	Sharkool	GMPS LALWALI	126.99
124	9	751702005	GHULAM MUSTAFA	HASHAM ALI	HILKOT	Sathan Galli	GPS GALI BALIMANG	106.22
125	7	811700576	MAJID HUSSAIN SHAH	PEER AZAM SHAH	HILKOT	Malookra	GMPS NALI JOGRAM	102.84
126	10	761702325	SHOHAIB MUHAMMAD KHAN	SHAHBAZ KHAN	HILKOT	Hilkot	GMPS BACHA GALI	97.68
127	1	761702445	SYED NIAZ HUSSAIN SHAH	SYED FAREED SHAH	ICHRIAN	Zalmaan Chinarkot	GPS SHAROTA TOOT	122.57
128	4	811700093	MUHAMMAD WASEEM	MUHAMMAD MISKEEN	ICHRIAN	Ahl	GPS BADROCHA	112.63

TERMS & CONDATIONS.

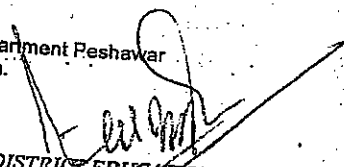
1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year with effect from the date of issue.
4. They should not be handed over charge if he exceeds 35 years or below 18 years of age. Age relaxation case may be submitted to the competent authority.
5. Appointment is subject to the condition that the certificates/documents must be verified from the concerned authorities by the DEO any one found producing bogus Certificate will be reported to the law enforcing agencies for further action.
6. His services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.

7. Pay will not be drawn until and unless a certificate to the effect by DEO is issued that his certificates are verified.
8. The Sub Divisional Education Officer is directed to submit their Degrees /Certificates to this office etc for verification from Board /University institutions before any payment made to them.
9. He should join his post within 10 days of the issuance of this notification. In case of failure to join their post within 10 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
10. Health and Age Certificate should be produced from the Medical Superintendent Mansehra before taking over charge.
11. He will be governed by such rules and regulations as may be issued from time to time by the Govt.
12. His services shall be terminated at any time, in case his performance is found unsatisfactory during his contract period. In case of misconduct, he shall be proceeded under the rules framed from time to time.
13. His appointment is made on School based, He will have to serve at the place of posting, and His service is not transferable to any other station.
14. Before handing over charge once again their documents may be checked if they have not the required qualifications they may not be handed over charge.
15. Before handing over charge he will sign an agreement with the department, otherwise this order will not be valid.
16. The competent authority reserve to right to rectify the error / omission, if any noted /observed at any stage in instant order issued erroneously.

(Abdullah)
 DISTRICT EDUCATION OFFICER,
 (MALE)MANSEHRA.

Endst: No. 5048-182 /File No.1/Vol-II./PST/Adhoc /appointment/Dated Mansehra the 02nd April 2015
 Copy forwarded for information and necessary action to the:-

1. Director, Elementary & Secondary Education Peshawar.
2. Deputy Commissioner Mansehra
3. District Accounts Officer Mansehra
4. District Monitoring Officer Mansehra
5. PS to Secretary Khyber Pakhtunkhwa E&SE Department Peshawar
6. Sub Divisional Education Officer (Male) Mansehra.
7. Teachers Concerned
8. Office File


 Dy: DISTRICT EDUCATION OFFICER,
 (MALE)MANSEHRA

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

NOTIFICATION

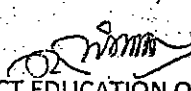
Consequent upon the approval of the competent authority, the contract in r/o Mr. Haider All PST GPS Datta Mansehra Who was appointed as PST at GPS Data vide Endst: No-5048-182 Dated 02/04/2015 at S. No. 85, is hereby cancelled/withdrawn to his involvement in immoral activities at the school with immediate effect in the interest of public service.

Sd/-
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No 7707-12 Dated 03/6 /2017.

Copy for information to the:

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The Deputy Commissioner Mansehra.
3. The District Monitoring Officer Mansehra.
4. District Account Office Mansehra.
5. The Sub Divisional Education Officer (M) Mansehra.
6. ASDEO (M) Circle Concerned.
7. Office Copy.


D.Y: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Attached
to be true
copy

17

C.A. Jamshed
ASC
Alimul Jamshed
District Education Officer (Male) Mansehra

17

22/06-2017

بخدمت جناب ڈائریکٹر صاحب ایگمنٹری & سکیورٹی

ایجوکیشن ڈیپارٹمنٹ صوبہ KPK پشاور

بجالی سروس
 عنوان:
 Government of Punjab
 Department of Education
 Peshawar

جناب عالی!

سائل سید حیدر علی شاہ PST سابقہ استاد گورنمنٹ پرائمری سکول داتہ مانسہرہ معروض ہوں۔

یہ کہ سائل آرڈر نمبر 5048-182/File NO. 1/Vol-II/ PST/ Adhoc

Appointment date 02.04.2015 گورنمنٹ بوائز پرائمری سکول داتہ مانسہرہ میں

بذریعہ NTS تقرری کے ملازمت کرتا رہا۔ (Annexure "A" لف ہے)

یہ کہ مورخہ 03-06-2017 کو مذکورہ سکول میں گاؤں کے تین چار لوگ جو کہ نقل مکانی کر کے

یہاں آباد ہیں، اپنی بچیوں کے ہمراہ جو کہ ہمارے سکول کی باقاعدہ طالبات تھیں ہمراہ ہمارے ادارے

میں آئے اور بے بنیاد، من گھڑت الزامات تھوپنے کی کوشش کی یہاں تک کہ تنگی گالیاں، جان لینے کی

دھمکیاں دینے لگے۔

ہیڈ ٹیچر نے سائل کو کلاس سے دفتر میں بلایا اور خود کلاس میں چلے گئے جبکہ دوسرے ٹیچر بھی اپنی کلاس

میں تھے۔ سائل کو تقریباً دو گھنٹے تک ان لوگوں نے اپنی حراست میں پابند رکھا اور مذکورہ الزامات کو تسلیم

کرنے پر دباؤ ڈالتے رہے۔

یہ کہ کچھ دیر کے بعد معلوم ہوا کہ سکول کے احاطہ کے باہر عوام کا جم غفیر موجود ہے اور سکول کے گیٹ کو

کھولنے کی کوشش کر رہا ہے۔ اور ہیڈ ٹیچر عبدالوحید صاحب نے SDEO (M) صاحب مانسہرہ کو

حالات سے آگاہ کیا۔

یہ کہ نامعلوم اطلاع کے مطابق DSP صاحب ذوالفقار جردون معہ نفری بھی موقع پر پہنچ آئے۔

یہ کہ موقع پر SDEO (M) بھی پہنچ آئے جنہوں نے الزامات سننے کے بعد یہ اعلان کر دیا کہ سائل کو

فی الفور معطل کر کے انکوائری کی جائے گی۔

- ۷۔ IDSP پی Custody میں سائل کو تھانہ متعلقہ لے گئے اسی دوران سائل کے موٹر سائیکل کو توڑ پھوڑ کا نشانہ بنانے کے بعد بالکل کباڑہ کر دیا، اور پولیس اپنی تحویل میں لے کر تھانہ لی گئی۔
- ۸۔ یہ کہ مورخہ 03-06-2017 کو آرڈر نمبر 7707-12 کے تحت سائل کے تقرری آرڈر نمبر 5048-182 مورخہ 02-04-2015 کو منسوخ کر دیا۔ ("B" Annexure لف ہے)
- ۸۔ یہ کہ سائل کے خلاف FIR درج کروادی گئی جس پر Court نے سائل کو ضمانت پر رہا کر دیا۔ (فیصلہ کی کاپی لف ہے "C" Annexure)
- ۹۔ یہ کہ لاگ بک میں آفیسرز صاحبان کے ریمارکس مورخہ 22-10-2015، 12-03-2016 اور 106-03-2017 اس امر کی وضاحت کرتے ہیں کہ ہم نے سکول کے ساتھ کیا محنت کی اور سکول کی تعداد 108 سے 225 تک ہو گئی۔ ("D" Annexure نقل کا پیاں لف ہے)
- ۱۰۔ یہ کہ طلباء کا تعلیمی معیار موجودہ کلسٹر امتحان سالانہ 2017ء بھی اس امر کی وضاحت کرتا ہے کہ سائل کی کلاس کے طلباء نے پہلی پانچ پوزیشن حاصل کی ہیں۔ جبکہ چھٹی پوزیشن GPS حمید آباد اتہ کے طالب علم نے لی۔ ("E" Annexure نقل کا پیاں لف ہے)
- ۱۱۔ یہ کہ محکمہ تنسیق اور حکم نامہ کی صفائی میں سائل صرف اتنا ضرور عرض کرے گا کہ مارچ 2017ء، اپریل 2017ء کے دوران سائل اکیلے سکول کو چلاتا رہا۔ اور عوام کی جانب سے کوئی شکایت ہیڈ میٹر صاحب کے نوٹس میں نہ آئی۔ آرڈر بک کے آرڈر نمبر 98 مورخہ 14-03-2017 اور آرڈر نمبر 101 مورخہ 15-05-2017 اس کی وضاحت کرتے ہیں۔
- ۱۲۔ سائل اس امر کی بھی وضاحت کرتا ہے کہ سائل فقہ جعفریہ کیساتھ تعلق رکھتا ہے اور شاہد چند مذکورہ غیر مقامی لوگوں نے مسلک کو ہوا دی ہو جبکہ کوئی شخص اس کو ثابت نہیں کر سکے گا کہ سائل نے کسی وقت اپنے مسلک کی پرچار کی ہو۔
- ۱۳۔ یہ کہ سائل مورخہ 19-06-2017 کو دفتر DEO (M) صاحب مانسہرہ حاضر ہو کر اپنی داد سری بیان کی۔ درخواست برائے کاروائی جمع کروادی۔ مگر ان کے اس جواب پر کہ ضلعی انتظامیہ محکمہ تعلیم مانسہرہ اس ضمن میں سائل کی کوئی مدد نہیں کر سکتی، نیز یہ بیان فرمایا کہ سائل ڈائریکٹر صاحب محکمہ تعلیمات صوبہ خیبر پختون خواہ پشاور سے رجوع کرے۔ (کاپی درخواست لف ہے "F" Annexure)

۱۴۔ GPS دائرہ مانسہرہ کی حاضری معلمین اور لاگ کی نقول اس امر کی وضاحت کرتے ہیں کہ مذکورہ ادارے میں محکمہ تعلیم مانسہرہ کے کسی آفیسر صاحب نے اس واقع کے دوران سکول کا وزٹ نہیں کیا۔ (نقول لف، ہیں "G" Annexure)

۱۵۔ یہ کہ اس سلسلے میں کوئی انکوائری عمل میں نہیں لائی گئی۔

الف: سائل کو کوئی شوکاژ نوٹس نہیں ہوا۔

ب: سائل کی Suspension نہیں ہوئی۔

ج: کوئی Personal Hearing نہیں ہوئی۔

۱۶۔ المختصر یہ کہ Codal Formlities کو مکمل نہ کرتے ہوئے سائل کے خلاف تادیبی کارروائی عمل میں لائی گئی۔ جو کہ یکطرفہ تھی اور بد نتیجہ پر مبنی ہے۔

لہذا سائل مذکورہ بالا معروضات کے پیش نظر صاحب موصوف سے واقعہ کی تحقیقات اور دوبہ بحالی کی درخواست کرتا ہے۔

لہذا استدعا ہے کہ سائل کے آرڈر نمبر 12-7707 تاریخ 03-06-2017 کو

جاری کردہ از دفتر (M) DEO صاحب ضلع مانسہرہ Cancell/Restored کیا جائے۔

سائل پر امید ہے کہ درخواست ہذا پر ہمدردانہ غور کے بعد سائل کے حق میں مثبت حکم صادر فرمایا جائیگا۔

المرقوم

سید حیدر علی شاہ ولد سید نیاز حسین شاہ

سابقہ PST گورنمنٹ بوائز پرائمری سکول دائرہ مانسہرہ

سندھ غازی کوٹ مانسہرہ

رابطہ نمبر 0312-7590676

(21) "F"

5939

19-06-2017

بخدمت جناب ڈسٹرکٹ ایجوکیشن صاحب (مردانہ) ضلع انیسہرہ

دفعہ 17
مقرر علی صاحب
S.A. Jaffer

عنوان:
Sultan Ahmad Jinnah
Ad-Adab High Cony
Teachers' Staffs Group of Pakistan
Chandiana, Poonjab

جناب عالی!

سائل سید حیدر علی شاہ PST سٹاف ایجوکیشن گورنمنٹ پرائمری سکول دائرہ ماسہرہ معروض ہوں۔

۱۔ یہ کہ سائل آرڈر نمبر / PST / Adhoc / File NO. 1 / Vol-II / 82 / 5048۔

Appointment date 02.04.2015 گورنمنٹ پرائمری سکول دائرہ ماسہرہ میں

بذریعہ NTS تقرری کے ملازمت کرتا رہا۔ (لف ہے)

۲۔ یہ کہ مورخہ 03-06-2017 کو مذکورہ سکول میں گاؤں کے تین چار لوگ جو کہ نقل مکانی کر کے

یہاں آباد ہیں، اپنی بیٹیوں کے ہمراہ جو کہ ہمارے سکول کی باقاعدہ طالبات تھیں ہمراہ ہمارے ادارے

میں آئے اور بے بنیاد، من گھڑت الزامات تھوپنے کی کوشش کی یہاں تک کہ ننھی گالیاں، جان لینے کی

دھمکیاں دینے لگے۔

۳۔ ہیڈ ٹیچر نے سائل کو کلاس سے دفتر میں بلایا اور خود کلاس میں چلے گئے جبکہ دوسرے ٹیچر بھی اپنی کلاس

میں تھے۔ سائل کو تقریباً دو گھنٹے تک ان لوگوں نے اپنی حراست میں پابند رکھا اور مذکورہ الزامات کو تسلیم

کرنے پر دباؤ ڈالتے رہے۔

۴۔ یہ کہ کچھ دیر کے بعد معلوم ہوا کہ سکول کے احاطہ کے باہر عوام کا جم غفیر موجود ہے اور سکول کے گیٹ کو

کھولنے کی کوشش کر رہا ہے۔ اور ہیڈ ٹیچر عبدالوحید صاحب نے SDEO (M) صاحب ماسہرہ کو

حالات سے آگاہ کیا۔

۵۔ یہ کہ نامعلوم اطلاع کے مطابق DSP صاحب ذوالفقار جردون معذرت فرمائی بھی موقع پر پہنچ آئے۔

۶۔ یہ کہ موقع پر SDEO (M) بھی پہنچ آئے جنہوں نے الزامات سننے کے بعد یہ اعلان کر دیا کہ سائل کو

فی الفور معطل کر کے انکوائری کی جائے گی۔

۷۔ DSP اپنی Custody میں سائل کو تھانہ متعلقہ لے گئے اسی دوران سائل کے موٹر سائیکل کو توڑ پھوڑ

کا نشانہ بنانے کے بعد بالکل کباڑہ کر دیا، اور پولیس اپنی تحویل میں لے کر تھانہ لی گئی۔

22

- ۸- یہ کہ مورخہ 03-06-2017 کو آرڈر نمبر 7707-12 کے تحت سائل کے تقرری آرڈر نمبر 5048-182 مورخہ 03-04-2015 کو منسوخ کر دیا۔ (لف ہے)
- ۹- یہ کہ لاگ بک میں آفیسرز صاحبان کے ریمارکس مورخہ 22-10-2013، 03-03-2016 اور 106-03-2017 اس امر کی وضاحت کرتے ہیں کہ ہم نے سکول کے ساتھ کیا محنت کی اور سکول کی تعداد 108 سے 225 تک ہو گئی۔ (نقل لف ہیں)
- ۱۰- یہ کہ طلباء کا تعلیمی معیار موجودہ کلسٹر امتحان سالانہ 2017ء بھی اس امر کی وضاحت کرتا ہے کہ سائل کی کلاس کے طلباء نے پہلی پانچ پوزیشن حاصل کی ہیں۔ جبکہ چھٹی پوزیشن GPS حمید آباد دانہ کے طالب علم نے لی۔
- ۱۰- یہ کہ محکمہ تنسیق اور حکم نامہ کی صفائی میں سائل صرف اتنا ضرور عرض کرے گا کہ مارچ 2017ء، اپریل 2017ء کے دوران سائل اکیس سکول کو چلاتا رہا۔ اور عوام کی جانب سے کوئی شکایت ہیڈ ٹیچر صاحب کے نوٹس میں نہ آئی۔ آرڈر بک کے آرڈر نمبر 98 مورخہ 14-03-2017 اور آرڈر نمبر 101 مورخہ 15-05-2017 اس کی وضاحت کرتے ہیں۔ لف ہیں۔
- ۱۱- سائل اس امر کی بھی وضاحت کرتا ہے کہ سائل فقہ جعفریہ کیساتھ تعلق رکھتا ہے اور شاہد چند مذکورہ غیر مقامی لوگوں نے مسلک کو ہوا دی ہو جبکہ کوئی شخص اس کو ثابت نہیں کر سکے گا کہ سائل نے کسی وقت اپنے مسلک کی پرچار کی ہو۔
- لہذا** سائل مذکورہ بالا معروضات کے پیش نظر واقعہ کی تحقیقات اور دوبارہ بحالی کی درخواست کرتا ہے۔ سائل پر امید ہے کہ درخواست ہذا پر ہمدردانہ غور کے بعد سائل کے حق میں مثبت حکم صادر فرمایا جائیگا۔
- المترقوم

سید حیدر علی شاہ ولد سید نیاز حسین شاہ

سکنہ غازی کونٹ ماہرہ

رابطہ نمبر 0312-7590676

(23)

Appended
to be done
copy

Sultan Ahmad Jamsheed
Advocate High Court
Peshawar
S.A. Jamsheed

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.
FORM OF ORDER SHEET

Court of.....

Case No.....of.....

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
23.10.2018	<p>WP No. 63-A/2018</p> <p>Present: Mr. Sultan Ahmad Jamsheed, Advocate for the petitioner;</p> <p>Mr. Yasir Zahoor Abbasi, Assistant AG alongwith Faheem Anwar, ADO (M) Mansehra.</p> <p>***</p> <p>LAL JAN KHATTAK, J.- As the petitioner has filed a Department Appeal against the order dated 03.06.2017, therefore, it would not be proper for this court to give finding on the issue raised in the writ petition rather we would direct the appellate authority / respondent No. 4 to give decision on the appeal, preferred to him by the petitioner. It will be highly appreciated if the appellate authority decides the petitioner's appeal within a period of thirty (30) days after giving him right of audience.</p> <p>Petition stands disposed of accordingly.</p>

(Arshad Iqbal)

Hon'ble Justices Lal Jan

24

24/6/16

OFFICE OF THE PRINCIPAL GOVT HIGH SCHOOL, SEC#4 KHALABAT TOWN SHIP HARIPUR

No. 540
To

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

Approved
To be sent
copy (3 parts)
G. H. J. J. J.
Dated: 13-3-19

Dated: 13-3-19

P-134

Subject:- **RE: STATEMENT IN SERVICE AS PST AT GPS DATA MANSEHRA.**

ENQUIRY CONSTITUTED	Enquiry constituted by Director of E&SE Khyber Pakhtunkhwa vide 796-17/F.No 7/PST(M)/Enquiry/PST(M) Mansehra dated: 30.01.2019
ENQUIRY OFFICER	1. Mr. Abdul Qudoos Principal (B-19) GHS Khalabat Town Ship Haripur
ENQUIRY	Reinstatement in Service
DATE OF ENQUIRY	19.02.2019

NATURE OF ENQUIRY:-

Syed Haidur Ali Shah s/o Syed Niaz Hussain Shah r/o village Chamhera u/c Data Mansehra was appointed vide DEO (M) Mansehra Endst: No. 5048-182/File No.1/Vol-II/PST/Adhoc/Appointment dated Mansehra the 2nd April 2015 through NTS Process. (Annex-I)

And the DEO (M) Mansehra cancelled/withdrawn his appointment order with the charge of involvement in immoral activities at the school.

The accused lodged an appeal for reinstatement in service to Director E&SE Khyber Pakhtunkhwa on 22.06.2017. (Annex-II)

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13/3

Background:-

- He took over charge on 2.4.2015 and started to perform duties.
- On 3.6.2017 an incident occurred, a few people visited school and blamed immoral activities on Syed Haidur Ali Shah.
- After sometime a mob gathered outside the school with police.
- DSP Mansehra reached at school.
- The Head teacher informed SDEO (M) Mansehra.
- Police took Haidur Ali Shah in his custody from school and detained in police station.
- DEO (M) Mansehra cancelled/withdrawn the appointment order No. 5048-182 issued 02.4.2015 vide his notification Endst: No. 7707-12 dated: 03.06.2017. (After service rendered 2 years, 2 months)

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13/3

FINDINGS/FACTS:-

I visited DEO (M) Mansehra Office and GPS Datta Mansehra on 19.02.2019. The record regarding enquiry was collected from office. Interview and questionnaire was conducted to the complainant.

FIR Against The Accused Teacher:-

i. FIR No. 40 was lodged against Syed Haidur Ali Shah PST GPS Datta Mansehra on 31.05.2017 by Javed Hussain s/o Muhammad Hussain. He was charged in FIR that he committed immoral activities with girl students named Mst: Javeria Bibi age 8 years (Sister of Complainant) and Mst: Shumaila Bibi age 9 Years (Cousin of complainant). They were studying in 4th class at time. (Annex-III)

ADDE

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DD/m

- (25)
- (15)
- ii. **Enquiry Conducted by SDEO (M) Mansehra:-**
An enquiry was conducted by SDEO (M) Mansehra and reported vide his office letter No. 541 dated: 03.06.2017 and recommended that the accused may be suspended with immediate effect. (Annex-IV)
- iii. **Withdrawn of Appointment:-**
DEO (M) Mansehra had withdrawn his appointment order vide his office Endst: No. 7707-12 dated: 03.06.2017 with immediate effect. (Annex-V)
- iv. DPO Mansehra submitted report to Director Elementary & Secondary Education KPK Mansehra and recommended to remove Mr. Haidur Ali Shah PST GPS Datta Mansehra from education Department vide his office Endst: No. 26006-08/PA dated: 20.06.2017. (Annex-VI)
- v. Dy: Director (Establishment) sent a memorandum with subject "Appeal for Re-instatement" vide his order No. 1290/F.No.7/PST dated: 06.07.2017 to DEO (M) Mansehra and directed to sent detail report or comments regarding withdrawn of appointment order of Syed Haidur Ali Shah PST GPS Datta. (Annex-VII)
- vi. **SP (Investigation) Mansehra:-**
Sent memorandum with the subject "involvement of Government in Criminal Case" vide FIR No. 140/U/S376/511 PPC PS Saddar dated: 03.06.2017 and requested to take departmental action against the accused teacher. (Annex-VIII)
- vii. DEO (M) Mansehra submitted a memorandum with the subject "Appeal for Re-instatement" with his comments to Director (E&SE) Khyber Pakhtunkhwa vide his Office Endst: No. 19936-38 dated: 17.07.2017. (Annex-IX)
- viii. **Additional Session Judge-I Mansehra:-**
Announced his decision on 22.03.2018 Mr. Haidur Ali Shah has acquitted from the charges leveled against him. (Annex-X)
- ix. **Statement Javed Hussain s/o Muhammad Hussain**
Permanent Address: Village Khaite Sarash Balakote
Present Address:- Datta Mansehra.
CNIC No: 13501-6489856-1
Cell #-: 0345-8918709
Stated that he had no complaint against the teacher Mr. Haidur Ali Shah. I rushed to school hearing hue and cry. A large numbers of local people were gathered and the police were also there to control them. The police officer said to sign on the written paper. I signed too but I did not know the actual purpose of the statement. I have already submitted the affidavit regarding this in the honorable court of Additional Session Judge Mansehra on 27.10.2017. (Annex-XI A-B)

Conclusion:-

1. Mr. Haidur Ali Shah PST GPS Datta was appointed through NTS on 02.04.2015. This incident was occurred on 03.06.2017 on the charge leveled against him to commit immoral activities with girl students. The Police arrested and lodged FIR against him and DEO (M) Mansehra withdrew his appointment order on 03.06.2017. The accused lodged an appeal to Director (E&S) Education Khyber Pakhtunkhwa for re-instatement of his appointment order.
2. He has also appealed in the court of session judge Mansehra. The court have acquitted Mr. Syed Haidur Ali Shah from the charges leveled against him.
3. Mr. Javed Hussain the complainant in FIR was made written or verbally stated before the enquiry committee that he has no grievances or complaint against the accused teacher.
4. The procedure of E&D Rules 2011 was not adopted.
 - i. The appointment of Mr. Haidur Ali Shah PST GPS Datta was withdrew simply on the base of FIR lodged against him.

- (26) (150) (155)
- ii. Head Teacher, Parent Teachers Council and parents concerned did not submit any complaint against him to the authorities concerned.
 - iii. Neither proper enquiry committee was not constituted nor was he suspended according to the E&D Rules. No Show Cause Notice/ charge sheet was summoned to the accused teacher.
 - iv. The complainant was not given any opportunity of personal hearing under the rules.

Recommendation:-

- He may be reinstated according to rules and regulations.
- He may be transferred from this station to any feasible Primary School.


(Abdul Quddoos) 11/3/19

Principal
GHS Sec#4 KTS

Haripur

PRINCIPAL
G.H.S. SEC:#4
K.T.S. (HARIPUR)

DIRECTORATE OF ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA.

NOTIFICATION.

Mr. Abdul Qadoos Principal (BS-19) GHS Sector No.4 Haripur is hereby nominated as enquiry officer to conduct enquiry in the light of the District Education Officer (M) Mansehra letter bearing No.18343 dated 11.12.2018. (which is self-explanatory).

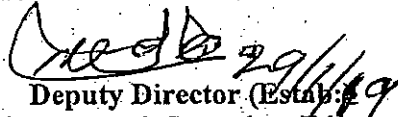
The enquiry officer shall submit his report containing facts/finding and recommendation to this Directorate within a week (07) days.

DIRECTOR

Endst: No. 7961-63 /F. No.7/PST(M)Enquiry/PST(M)Mansehra. Dated Peshawar the 26 / 1 /2019.

Copy forwarded for information and necessary action to the:-

1. Mr. Abdul Qadoos Principal (BS-19) GHS Sector No.4 Haripur.
2. District Education Officer (M) Mansehra with the remarks to provide relevant record to the aforesaid inquiry officer.
3. P.A to Director E&SE, Khyber Pakhtunkhwa, Peshawar.
4. Master File.


Deputy Director (Estab.)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

16/1/19



(28)

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

No. 2727 /F.No. 162/Vol:-19 Appeal PST
Dated: 8/5 /2019.

To

The District Education Officer
(Male) Mansehra.

Subject: - DEPARTMENTAL APPEAL

I am directed to refer to your letter No. 18343 dated 11/12/2018 on the subject cited above and to ask you that the case/appeal in respect of Mr. Syed Haider Ali Shah S/O Syed Niaz Hussain Shah PST GPS r/o village Chamhera UC Data District Mansehra, has been examined/analyzed by this office. Hence inform the appellant concerned that his appeal has been rejected by the Appellate Authority.

8/5/2019
Assistant Director Estab (Male)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Endst No. _____/

Copy of the above is forwarded to: -

1. Mr. Syed Haider Ali Shah S/O Syed Niaz Hussain Shah PST GPS
2. PA to Director E&SE local Office.
3. Master File.

S-d
Assistant Director Estab (Male)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

(29)

طاب الله عليه، له في حقنا قسم في سكنه كمنه من اننا بالذكريه حال زمانه

فصله 376/1

المطابق مع
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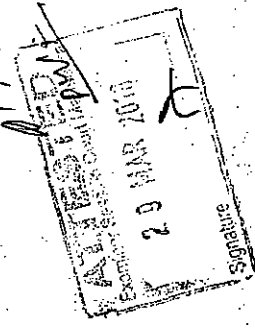
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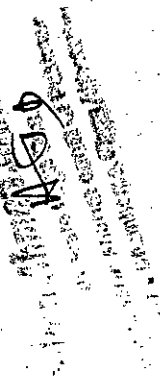
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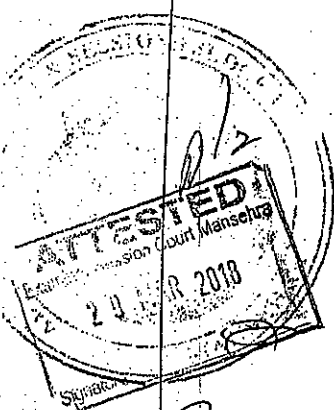
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IN THE COURT OF GHULAM ABBAS, ADDL. DISTRICT JUDGE-L MANSEHRA

The State vs Syed Haider Ali Shah (Case No. 86/7 of 2017)

Sl No. of Order Proceedings	Date of Order of Proceedings	Order/Proceedings
1	2	3
Or--12	22.03.2018.	<p>- Accused is present on bail. Dy. PP for the State present. Accused namely Syed Haider Ali Shah is facing trial in case F.I.R No.140 dated: 03.06.2017, U/Ss 376-511 PPC of Police Station Saddar, District Mansehra. This order is directed against the application submitted by the accused facing trial through counsel for his acquittal Under Section 265-K Cr.PC.</p> <p>Arguments were already heard and record perused.</p> <p>Brief facts of the instant case are that the complainant Javed Hussain in the company of his sister Mst. Javeria Bibi and cousin Mst. Shamaila Bibi both aged 8/9 years lodged the report in the P.S that they were studying in GPS Datta in class 4th. That Syed Haider Ali Shah teacher in GPS (Boys), Datta called them in his office showed obscene pictures on his nobile phone to them and also attempted to commit Zina-bil-Jabbar with them. On such report of the complainant, instant case/FIR was registered against the accused facing trial.</p> <p>On completion of investigation, the complete challan was submitted against the accused facing trial named above, as the accused was on bial, therefore he was summoned, he appeared in the court, provisions of section 265-C Cr.PC.</p>

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 S.A. Haider
 4 pages
 S.A. Haider
 4/9



22/3

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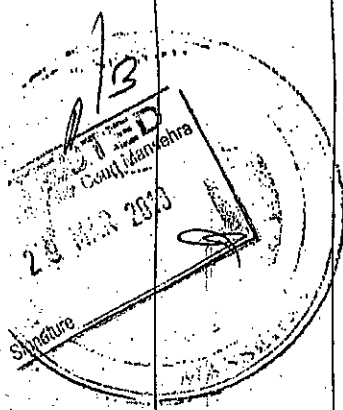
22.03.2018.

were complied with and formal charge against them was framed to which he did not plead guilty and claimed trial and prosecution was allowed to produce and examined its evidence.

In support of its case, prosecution produced and examined Nasir Ali S.I (PW-1) and complainant Javed Hussain (PW-2). In the light of such statements, counsel for the accused filed application for acquittal of the accused under section 265-K Cr.PC, notice of such application was already served upon the State/complainant.

Arguments advanced by the counsel for accused facing trial and learned Dy. PP for the State were heard. Record available on file perused at great length.

From perusal of the record, it reveals that it was prosecution case that accused had shown obscene pictures on his mobile phone to the victim and also attempted to commit Zina-bil-Jabbar with them. The complainant Javed Hussain while appearing PW2, in his cross examination admitted it correct that he was not the eye witness of the occurrence. It is also correct that none else had seen the occurrence. It is correct that when he reached the spot, so many people were assembled and they asked him to lodge the report against the accused facing trial. He also stated that he did not come to the Police Station for lodging the report. It came to my knowledge later on that the people who were gathered at the spot instigated him to lodge the report against the accused



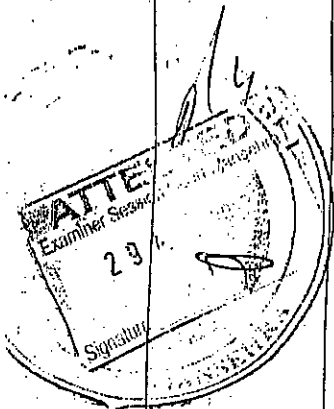
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Or-Contd.

22.03.2018.

just to defame him in the society. He endorsed that later on when he came to know that accused facing trial is innocent, therefore he had patched up the matter with him. The complainant professed his no objection, if the accused is acquitted from the charges leveled against him. It is manifest from the record that the occurrence took place at 31.05.2017, whereas the report was lodged on 03.06.2017. Neither role of commission of zina was attributed to the accused facing trial in the FIR nor victims Javeria Bibi and Shamaila Bibi were medically examined by the doctor nor they charged the accused u/s 164 Cr.PC. At the moment, only the testimony of complainant namely Javed Hussain is worth consideration which is inconsistent to his earlier version, cannot be ignored. Moreover, the complainant is not the eye witness of the occurrence. He also did not deny the suggestion of false implication of accused facing trial. It is pertinent to note that the occurrence allegedly took place on 31-05-2017 and case was registered on 03-06-2017. The accused was arrested on 03-06-17 and the cell-phone was seized on 03-06-17. The objectionable pictures, as per the Extraction Report were downloaded on 04.06.2017 from facebook on the mobile of the accused. Such undeniable technical factum also negates the stance of the prosecution regarding presence of the obscene pictures in the mobile on the alleged date of occurrence. No reason for such belated download, which the cell-phone was in police custody, is furnished on the record.



2273

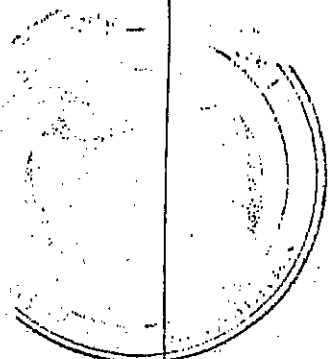
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22.03.2018.

Furthermore, the complainant alleged attempt to commit zina however, statements of victims under section 161 CrPC are destitute of any such accusation, which inconsistency is irreconcilable and creates dent in prosecution case. In the light of available evidence, no probability of conviction of the accused facing trial, even if the remaining prosecution evidence is recorded. Further proceedings would be a futile exercise.

Consequently, for the above reason, this court is of considered view that the case against accused is dubious in material points and there is no probability of conviction of the accused, even if remaining evidence is recorded. Benefit of doubt is extended to accused person. The instant application filed u/s 265-K Cr.PC for acquittal of the accused is hereby accepted and accused facing trial namely Syed Haider Ali Shah is acquitted from the charges leveled against him within the meaning of section 265-K Cr.PC, he is on bail, his bail bonds stand cancelled and sureties thereof are discharged from the liability of such bonds. The case property i.e the mobile be returned to its lawful owner after the expiry of period of appeal/revision. File be consigned to

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Ca No:	3418	Record Room after compilation.
Date:	28-3-2018	
Court Fee:	—	Announced:
Ward:	—	22.03.2018
Total Fee:	—	
Name of:	—	
Date Of Completion:	28-3-18	
Date Of Finalisation:	—	
Cause Of Delay:	—	
Date Of Delivery:	2/3/18	

ATTESTED
Examiner Session Court Mansehra
29 MAR 2018
Signature

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(GHULAM ABBAS)
Additional Sessions Judge-I,
Mansehra.

14698

DBA No.

BC No.

Name of Advocate

S.No

وکالت نامہ



Head Clerk
District Bar Association
Lahore

بعدالت خطاب سرزسی لڈیسول پٹا در
عنوان: صدر علی شاہ
منجانب: ٹینٹین
نوعیت مقدمہ: اپیل
باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام کے لیے
سلطان احمد حسید احمد ایڈووکیٹ
کو حسب ذیل شرائط پروکیل مقرر کیا ہے کہ میں پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے
جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ
سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے
علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل یا بروزی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ پکھری کے علاوہ کسی اور جگہ
سماعت ہونے پر یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے
کسی معاوضہ کے ادا کرنے یا بخاندہ کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داختم صاحب موصوف
مثل کردہ ذات منظور مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل نگرانی و ہر قسم
درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرنے اور ہر قسم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے
اور ہر قسم کے بیان دینے اور اس پر ثالثی و راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے میر و نجات
از پکھری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا طرز درخواست حکم انتہائی یا ترقی یا گرفتاری قبل از گرفتاری و اجراءے ڈگری بھی صاحب
موصوف کو بشرط ادا سنگی علیحدہ مختار پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے
کسی جزو کی کاروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں
وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف
کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ
کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔
مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔
مورخہ: ۲۵/۰۹/۲۰۱۶
دن ماہ سال

Accepted

Accepted

صدر علی شاہ
ملفینہ

original copy

**BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD.**

Service Appeal No. 1348/2019

Syed Haider Ali Shah.....APPELLANT.

VERSUS

1. Secretary Elementary & Secondary Education KPK Peshawar.
2. Director Elementary & Secondary Education KPK Peshawar.
3. Assistant Director Establishment, (Male) E & SE Department KPK Peshawar.
4. District Education Officer (Male) Mansehra.
5. Head Teacher GPS Data Mansehra.....RESPONDENTS.

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO 1, to 05 ARE AS UNDER:-

INDEX

S.No	Description of documents	Annexure	Pages
1.	Comments of Respondents		1-4
2.	Affidavit		5
3.	Copy of First appointment order is annexed as annexure A of Appeal page No. 11-16	A	
4.	Copy of Report of SDEO (M) Mansehra	B	6
5.	Copy of withdrawal order	C	7
6.	Copy of report of DPO Mansehra	D	8-10
7.	Copy of departmental appeal.	E	11
8.	Copy of detail comments by DEO (M) Mansehra	F	12
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10.	Copy of letter appeal guide line and	H	14-15
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DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD.

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4. District Education Officer (Male) Mansehra
5. Head Teacher GPS Data Mansehra.....**RESPONDENTS.**

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO 1, to 05 ARE AS UNDER:-

PRELIMINARY OBJECTIONS:-

1. That the Appellant is not the "AGGRIEVED" person.
2. That the Appellant is estopped by his own conduct.
3. That the Appellant has not come to the Hon'ble Tribunal with clean hands.
4. That the Appellant has no cause of action/locus standi to file the instant appeal.
5. That instant Appeal is against the prevailing law and rules.
6. That the Appellant has concealed the material facts from this Hon'ble Tribunal. Hence not entitled for any relief and appeal is liable to be dismissed without any further proceeding.
7. That the appeal is groundless and based on malafide, ulterior motive, hence the same is liable to be dismissed.
8. The instant appeal is not maintainable in the present form and also in the present circumstances of the issue.
9. The instant appeal is time barred and liable to be dismissed.
10. That the impugned order passed by the respondent Department is according to rules and Law, hence appeal is liable to be dismissed.

FACTUAL OBJECTION:

1. Para No.1 is correct to the extent that the Appellant was appointed purely on temporary and contract basis initially for one year w.e.f the date of issue, Whereafter Mr. Haider Ali Shah involved in immoral activities in the school, as per report of SDEO (M) Mansehra the petitioner was shown the naked movies to the girls student and keep himself very close to girls, the petitioner also confessed before DSP and SDEO (M) Mansehra "that he had taken photographs of girls and uploaded them to Facebook, and also confessed that he shared dirty pictures on whatsapp, whereas the contract of Mr. Haider ali Shah is hereby cancelled/withdrawn to his involvement in immoral activities at the school vide Endst No.7707-12 dated 03-06-2017. As per report

of DPO Mansehra vide dated 20-06-2017 that the aforementioned act on the part of a teacher syed Haider ali shah amount to gross misconduct .he has defamed whole of the education department, he is a black stigma for the education department ,therefore strongly recommended that he may be removed from education department to maintain the integrity of the educational institutional. whereas as per appointment order terms and condition No.12 "his services shall be terminated at any time, In case his performance is found unsatisfactory during the contract period .in case of misconduct, he shall be proceeded under the rule framed from time to time".

(Copy of First appointment order, Report of SDEO (M)Mansehra, withdrawal order and report of DPO Mansehra are annexed as annexure A,B,C & D)

2. Para No. 2 is correct to the extent that the appellant filed departmental appeal on 22-06-2017 by the worthy Director Elementary and Secondary Education Department Peshawar for reinstatement in service, Whereas in response of Appeal respondent No.2 send a letter to the DEO(M) Mansehra for detail report/comments.wherafter DEO(M) Mansehra submitted the detail report vide No.10935 dated 17-07-2017, Whereafter the appeal was decided by the respondent No.2 with the remarks that "the withdrawl order issued by the DEO(M) Mansehra vide Endst No.7707-12 dated 03-06-2017 is hereby retained.

(Copy of departmental appeal, detail comments by DEO(M) Mansehra and retained order annexed as annexure E,F & G)

3. Para No.3 is correct to the extent that the petitioner involved in immoral activities at GPS Data Mansehra, therefore his contarct may be withdrawn/cancelled vide dated 03-06-2017.whereas Mr. Haider Ali shah filed WP No. 63-A/2018 which was dispose of on 23-06-2018 with the direction to appellate authority to give decision of appeal with in the period of 30 days after giving him the right of the audience. whereas the respondent No.03 (DEO) send a letter for guideline in appeal submitted by the Mr.Haider Ali Shah to Respondent No.02(Director) in the light of direction of Honourable Court. whereas Director E&SE KPK Peshawar again reject the appeal vide Endst No.2727 dated 8-05-2019.

(Copy of letter appeal guide line and Rejection of appeal dated 08-05-2019 are annexed as annexure H & I)

4. Para No.04 is correct.
5. Para No.05 is incorrect and misleading.

of DPO Mansehra vide dated 20-06-2017 that the aforementioned act on the part of a teacher syed Haider ali shah amount to gross misconduct .he has defamed whole of the education department, he is a black stigma for the education department ,therefore strongly recommended that he may be removed from education department to maintain the integrity of the educational institutional. whereas as per appointment order terms and condition No.12 "his services shall be terminated at any time, In case his performance is found unsatisfactory during the contract period ,in case of misconduct, he shall be proceeded under the rule framed from time to time".

(Copy of First appointment order, Report of SDEO (M)Mansehra, withdrawal order and report of DPO Mansehra are annexed as annexure A,B,C & D)

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(Copy of letter appeal guide line and Rejection of appeal dated 08-05-2019 are annexed as annexure H & I)

4. Para No.04 is correct.
5. Para No.05 is incorrect and misleading.

6. Para No.06 pertains to record.

7. That the petitioner is not aggrieved Person inter alia in the following Grounds:-

GROUNDS

- I. Incorrect and denied. . because after the telephonic complaint of Head teacher the petitioner involved in immoral activities in the school, as per report of SDEO (M) Mansehra the petitioner was shown the naked movies to the girls student and keep himself very close to girls, the petitioner also confessed before DSP and SDEO (M) Mansehra "that he had taken photographs of girls and uploaded them to Facebook, and also confessed that he shared dirty pictures on whatsapp, whereas the contract of Mr. Haider ali Shah is hereby cancelled/withdrawn to his involvement in immoral activities at the school vide Endst No.7707-12 dated 03-06-2017, As per report of DPO Mansehra vide dated 20-06-2017 that the aforementioned act on the part of a teacher syed Haider ali shah amount to gross misconduct .he has defamed whole of the education department, he is a black stigma for the education department ,therefore strongly recommended that he may be removed from education department to maintain the integrity of the educational institutional. Whereas respondent department exercise his power justly fairly honestly in the light of rules and policy's of the Government not whim and wishes of any body
- II. Para B is correct.
 - A. Pertains to record.
 - B. Pertains to record.

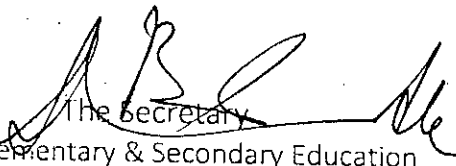
Para No.4 Incorrect and denied. the petitioner confessed that he had taken photographs of girls and uploaded them to Facebook, and also confessed that he shared dirty pictures on whatsapp, because according to the whole critical situation and after the all codal formalities the penalty was imposed to the petitioner. His appointment order may be withdrawn vide dated 03-06-2017.

- i Para No.1 is correct to the extent that the Appellant was appointed purely on temporary and contract basis initially for one year w.e.f the date of issue, whereas as per appointment order terms and condition No.12 "his services shall be terminated at any time, In case his performance is found unsatisfactory during the contract period, in case of misconduct, he shall be proceeded under the rule framed from time to time". Whereas the withdrawl order passed according to the laws, rules and policy of the Government.

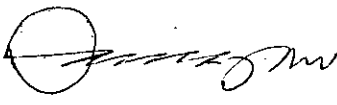
- ii. Incorrect and denied. because after the telephonic complaint of Head Teacher GPS Data after the all codal formalities the proper order is issued against the petitioner.
- iii. Pertains to record.
- iv. Pertains to record.
- iii. Pertains to record.
- iv. Detail reply has already been given in above foregoing Paras.
- v. Incorrect and denied, whereas the appellant has been treated as per law and rules wherein no question of violation of law, rules & policy.
- vi. Incorrect and denied.
- vii. Incorrect and misleading, detail reply has already been given in above Paras.
- viii. The Respondents seek leave of this Honorable Tribunal to submit addition grounds & record at the time arguments.

PRAYER:

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


 The Secretary,
 Elementary & Secondary Education
 Khyber Pakhtunkhwa Peshawar.....

Respondent No.1


 The Director,
 Elementary & Secondary Education
 Khyber Pakhtunkhwa Peshawar

Respondent No.02 & 03

The District Education Officer,
 (Male) Mansehra.....


 Respondent No.04 & 05

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD.

Service Appeal No. 1348/2019

Syed Haider Ali Shah.....APPELLANT.

VERSUS

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2. Director Elementary & Secondary Education KPK Peshawar.
3. Assistant Director Establishment, (Male) E & SE Department KPK Peshawar.
4. District Education Officer (Male) Mansehra
5. Head Teacher GPS Data Mansehra.....RESPONDENTS.

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO 1.to 05 ARE AS UNDER:-

AFFIDAVIT

I, Mr. Faheem Anwar Litigation Officer on Behalf of District Education Officer (M) Mansehra do, hereby solemnly affirm and declare that the Para wise comments of the Service Appeal No1348/2019 titled Syed Haider Ali Shah versus Govt, is true to the best of my conviction and belief and nothing has been concealed from this Honourable Court.

DEPONENT

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA.

Annexure 3

'A'

B

102
158

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (MALE) MANSEHRA

No. 541

Dated 3/6 /2017

To,

The District Education Officer
(Male) Mansehra.

Subject: INQUIRY AGAINST MR. HAIDER ALI PST GPS DATTA

Memo:

Back Ground. Undersigned along with Ghulam Jalani ASDEO visited GPS Datta as per directions of DEO (M) Mansehra and telephonic call by Abdul Waheed SPST GPS Datta.

Police Party under the supervision of DSP Zulfiqar Jadoon was their finding there were more than hundred excited peoples covered the outside of the school with sticks and stone in their hands.

Accused Mr. Haider Ali PST was kept in a room by teachers of the school in safe place as agitated crowd was gathered around, they were of the views that above named teacher had taken pictures of female in the form of group photos and shared on face book with their friends and all, they were also of the view that the teacher concerned was shown naked movies to the girls students and keeping himself very close to girls. Haider Ali PST also confessed before DSP in my presence and all others that he had taken photographs of girls and uploaded them to face book he also confessed that he shared dirty pictures on whats app.

Police party led by DSP Mr. Zulfiqar Khan Jadoon skillfully evacuated the concerned accused from peoples. DSP also promised to the public that he would lodge FIR against teacher.

Recommendation / finding:

1. Haider Ali PST is NTS selectee recruited on 3rd April 2015, NTS posts is nontransferable. His presence in the area can be dangerous even for his life as well as other teacher. Necessary decision about him may be taken as early as possible. He may please be suspended with immediate effect.
2. PSHT Post of this school is laying vacant since long. The post of PSHT may please be filled as early as possible.

SUB DIVISIONAL EDUCATION OFFICER
(MALE) MANSEHRA

Dx/DEO

for immediate & strict action, being his involvement in Moral turpitude / Immoral activities

For 03/06/17

(MALE) MANSEHRA

Annexure 3

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OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

NOTIFICATION

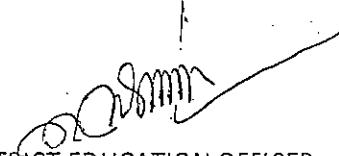
Consequent upon the approval of the competent authority, the contract in r/o Mr. Haider Ali PST GPS Datta Mansehra Who was appointed as PST at GPS Data vide Endst: No 5048-182 Dated 02/04/2015 at S. No. 85, is hereby cancelled/withdrawn to his involvement in immoral activities at the school with immediate effect in the interest of public service.

Sd/-
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No 7707-12 Dated 03/6 /2017.

Copy for information to the:

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The Deputy Commissioner Mansehra.
3. The District Monitoring Officer Mansehra.
4. District Account Office Mansehra.
5. The Sub Divisional Education Officer (M) Mansehra.
6. ASDEO (M) Circle Concerned.
7. Office Copy.


DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

POLICE DEPARTMENT

Office of the DPO Mansehra No. 2605

PA Dated

DISTRICT MANSEHRA

From The District Police Officer,
Mansehra

To The Director,
Secondary & Elementary Education,
Khyber Pakhtunkhwa Peshawar.

Subject: SEXUAL ASSAULT- CASE FIR NO. 140 DATED 31-05-2017 U/S 376/511 PPC PS SADDAR MANSEHRA

Memorandum

Please refer to the subject cited above

It is submitted that on 06-06-2017 an information was received by the local police that a teacher namely Syed Haider Ali Shah s/o Syed Niaz Hussain Shah r/o Charnora Ghazikot posted in Government Primary School Datta Tehsil & District Mansehra as PST was committing immoral activities with the school girls. He was charged with sexual harassment and sexual assault on minor school girls. When this objectionable act of the teacher came to the notice of the locals, they get gathered and caught the said teacher. On receipt of this information the local police reached GPS Datta and got released the teacher. The people were satisfied and the situation was brought under control. Teacher Syed Haider Ali Shah was arrested and brought to the Police Station. A case vide FIR No.140 dated 31-05-2017 U/S 376/511 PPC has been registered at PS Saddar and the investigation is in progress.

The aforementioned act on the part of a teacher Syed Haider Ali Shah amounts to gross misconduct. He has defamed whole of the education department. His retention in the said department may create embarrassment at any time due to which there is likelihood of breach of peace. He is a black stigma for the education department. Therefore it is strongly recommended that he may be removed from education department to maintain the integrity of the educational institutions. Action taken may also be intimated to this office, please.

District Police Officer,
Mansehra

No. 2605-8/PA

Copy submitted for favour of information to:-

1. The Secretary, Education-Khyber Pakhtunkhwa Peshawar
2. The Deputy Inspector General of Police, Operation Khyber Pakhtunkhwa, Peshawar.
3. The Regional Police Officer, Hazara Region Abbottabad



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W

TOP PRIORITY MOST URGENT/IMMEDIATE/ REGISTERED.
DIRECTORATE OF ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA.

No. 1290/F.No.7/PST (M) Mansehra
(Syed Haider Hussain Shah PST GPS Data
Mansehra).

Dated Peshawar the 6/7 /2017.

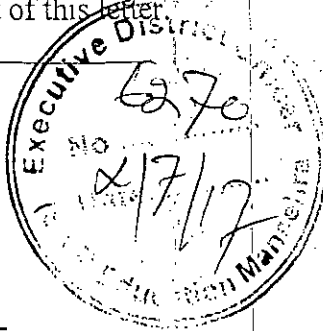
To,

The District Education Officer (M)
Mansehra.

Subject:- **APPEAL FOR RE-INSTATEMENT.**

Memo:-

I am directed to refer to the subject cited above and to enclose herewith a copy of the appeal alongwith its enclosure in respect of Syed Haider Hussain Shah Ex-PST GPS Datta District Mansehra for necessary action under the rules/policy and submit detail report/comments to this within a week of the receipt of this letter.



Sarpedat
put my in file
6/7
DBO

9/19/17

6/7/17

Deputy Director (Etab :)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

Endst: No. _____ /

Copy forwarded to the:-

1. P.A to Director Elementary and Secondary Education local office.

Deputy Director (Etab :)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

(12)
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OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA.

No. 10935 /F. No 19/Vol: II/Comp: /Inq: /PST

Dated Mansehra the 17/7 /2017

To

The Director,
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Subject: * APPEAL FOR RE-INSTATEMENT.
* SEXUAL ASSAULT-CASE FIR NO 140 DATED 31-05-2017 U/S 376/511
PPC PS SADDER MANSEHRA.

Memo:

I am directed to refer to your letter No.1290/F.No.7/PST (M) Mansehra (Syed Haider Hussain Shah PST GPS Data Mansehra) dated Peshawar the 06/07/2017 and No.1251/F.No.7/PST (M) Mansehra (Syed Haider Hussain Shah PST GPS Data Mansehra) dated Peshawar the 10/07/2017 on the subject cited above.

Mr. Syed Haider Ali Shah was appointed as a PST in GMPS Boojia marged in GPS Datta through NTS Vide this Office issued under Endst: No 5048-182 dated 02/04/2015.

An unpleasant incident occurred at said school on 31-05-2017 where the teacher concerned was found involved in moral turpitude i.e. taking pictures of girl students and uploading them on whats-app/ face book. The matter was highlighted by the community and reported to local police, keeping in view the sensitivity of the matter police reached at the school and freed the teacher from agitated mob and lodged FIR against him and also arrested the teacher on spot. (Copy of FIR Annexure "A")

It is further stated that the incident was reported to this office, inquiry was immediately conducted by SDEO (M) Mansehra, whereas the teacher concerned was reported/found guilty of the offence.

Therefore, keeping the situation on ground/report of the police, and findings/ recommendation of the inquiry officer, this office cancelled/ withdrawn the appointment order vide issued under Endst No 7707-12 dated 03/06/2017. (Annexure "B" & "C")

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No. 10936-38 / F. No 19/Vol: II/Comp: /Inq: /PST Dated Mansehra the 17/7 /2017

Copy forwarded to the:-

1. Deputy Commissioner Mansehra
2. District Police Officer Mansehra.
3. Superintendent of police investigation Mansehra with reference to his letter No.3146/Inv: dated 10-07-2017.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA



**DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION KHYBER
PAKHTUNKHWA PESHAWAR.**

677 (20) 13

Handwritten notes:
To: Manshra
Subject: Sexual Assault Case
21/10/17

Stamp:
District Office
8743
21/10/17

No. 3323 /F. No. 7/PST(M)Manshra(Syed Haider Shah PST GPS Data Mansehra).

Dated Peshawar the 17/10 /2017.

To: The District Education Officer (M) Mansehra.

Subject: SEXUAL ASSAULT-CASE FIR NO.140 DATED 31.05.2017 U/S 376/511 PPC PS SADDER MANSEHRA.

Memo:-

I am directed to refer to your letter No.10935 dated 17.7.2017 on the subject noted above and to state that the order issued by the DEO (M) Mansehra vide office Endst: No.7707-12 dated 03.06.2017 is hereby retained.

Signature:
Deputy Director (Etab) Elementary & Secondary Edu: Khyber Pakhtunkhwa Peshawar.
16/11/17

Endst: No. _____ /

Copy forwarded to the:-

1. P.A to Director Elementary and Secondary Education local office.

Deputy Director (Etab :) Elementary & Secondary Edu: Khyber Pakhtunkhwa Peshawar.

Annexure 667H20
(14)



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Most Urgent
Court Matter

No. 18343

Dated 11/12 /2018.

To,

The Director,
Elementary & Secondary Education
Department Khyber Pakhtunkhwa,
Peshawar.

Subject: PROVISION FOR GUIDELINE IN APPEAL SUBMITTED BY MR. HAIDER ALI SHAH EX-PST GPS DATA MANSEHRA.

Memo:

Enclosed please find herewith a written application alongwith the relevant documents submitted to the office of the undersigned by Mr. Haider Ali Shah Ex-PST GPS Data Mansehra after the decision of Civil Court Mansehra in his favour. the detail of the case are as under:-

1. That Mr. Haider Ali Shah was appointed is purely on temporary and contract basis initially for one year vide Endst No.5048-182 dated 02-04-2018.
2. That as per appointment order terms and condition No.12 "his services shall be terminated at any time, In case his performance is found unsatisfactory during the contract period, in case of misconduct, he shall be proceeded under the rule framed from time to time". (Copy of First Appointment order is annexed as annexure A)
3. That the petitioner involved in immoral activities in the school, as per report of SDEO (M) Mansehra the petitioner was shown the naked movies to the girls student and keep himself very close to girls, the petitioner also confessed before DSP and SDEO (M) Mansehra "that he had taken photographs of girls and uploaded them to Facebook, and also confessed that he shared dirty pictures on what sup, whereas the contract of Mr. Haider Ali Shah is hereby cancelled/withdrawn to his involvement in immoral activities at the school vide Endst No.7707-12


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dated 03-06-2017. As per report of DPO Manselra vide dated 29-06-2017 that the aforementioned act on the part of a teacher Syed Halder Ali Shah amount to gross misconduct. He has defamed whole of the education department, he is a black stigma for the education department, therefore strongly recommended that he may be removed from education department to maintain the integrity of the educational institutional. (Copy of Report of SDEO (M) Manselra, Copy of withdrawal order and report of DPO Manselra are annexed as annexure B,C & D)

4. That according to the civil court decision vide dated 22-03-2018, the instant application filed u/s 265-K Cr-PC for acquittal of the accused is hereby accepted and accused facing trial namely Halder Ali Shah is acquitted from the charges level against him within the meaning of section 265-K Cr-PC. (Copy of Judgment Adj-1 dated 22-03-2018 is annexed as annexure E)

5. That the petitioner filed a writ petition PHC Abbottabad for Re-instatement in service after the decision of civil court, whereas PHC bench Abbottabad give direction to the appellant authority to decide the appeal of the petitioner within the period of thirty days after giving him the right of audience (Copy of the order sheet is annexed as annexure F)

The case is submitted for further direction please.


DISTRICT EDUCATION OFFICER,
(MALE) MANSEHRA.



827 (16)

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

No. 2727 /F.No. 162/Vol:-19 Appeal PST
Dated: 8/5 /2019.

To

The District Education Officer
(Male) Mansehra.

Subject: - DEPARTMENTAL APPEAL

I am directed to refer to your letter No. 18343 dated 11/12/2018 on the subject cited above and to ask you that the case/appeal in respect of Mr. Syed Haider Ali Shah S/O Syed Niaz Hussain Shah PST GPS r/o village Chamhera UC Data District Mansehra, has been examined/analyzed by this office. Hence inform the appellant concerned that his appeal has been rejected by the Appellate Authority.

[Signature]
Assistant Director Estab (Male)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Endst No. _____/

Copy of the above is forwarded to: -

1. Mr. Syed Haider Ali Shah S/O Syed Niaz Hussain Shah PST GPS
2. PA to Director E&SE local Office.
3. Master File.

[Signature]
Assistant Director Estab (Male)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

TB

APPEAL No. 1348 of 20 19

Syed Haider Ali Shah
Appellant/Petitioner

Versus

Through Secy. Edu: KP: Peshawar
RESPONDENT(S)

Notice to Appellant/Petitioner

Sultan Ahmed Jamshed
Advocate Supreme Court
of Pakistan at Alehattabad

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 18-1-2021 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Camp Court A Head

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

TB

APPEAL No.....1368..... of 20 19

Syed Haider Ali Shah

Appellant/Petitioner

Versus

Through Syed Edu. 12/10/19

RESPONDENT(S)

Notice to Appellant/Petitioner

Syed Haider Ali Shah
S/o Syed Niaz Hussain Shah
R/o Ghazikat Manshira

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 18-1-2021 at 9:00 AM.

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Camp Court A-Ahead

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

7B

No.

APPEAL No. 1348 of 2019

Syed Haider Ali Shah

Appellant/Petitioner

Versus

Through Secy: Edn: KPr Pesh

RESPONDENT(S)

Notice to Appellant/Petitioner

Syed Haider Ali Shah s/o

Secy Naz Hussain Shah R/o

*Phazikat Village Datta Tehsil Distt:
Manshera.*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on at

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Camp Court A. Abad

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

TB

No.

APPEAL No. 1348 of 20 19.

Syed Haider Ali Shah

Appellant/Petitioner

Versus

through Syed Edris Khan Pesh.

RESPONDENT(S)

Counsel

Notice to Appellant/Petitioner

Sultan Ahmad Jamshed

*Advocate & Ahmad Arshad Perwar
District High Court Abbottabad*

Take notice that your appeal has been fixed for Preliminary hearing, replication/~~affidavit~~/~~counter affidavit~~/~~record~~/arguments/order before this Tribunal on..... at.....

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Camp Court P. Head

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.