

ORDER
22.07.2022

Mr. Muhammad Arshad Khan Tanoli, Advocate for the appellant present and submitted fresh Wakalatnama on behalf of the appellant, which is placed on file. Mr. Hamid Mansoor, Assistant alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, placed on file of Service Appeal bearing No. 5793/2020 titled "Khani Zaman Versus Secretary, Elementary and Secondary Education Department Peshawar and two others", the appeal in hand is allowed by setting-aside the impugned orders and the appellant is reinstated in service for the purpose of de-novo inquiry. The departmental Authority shall conduct de-novo inquiry strictly in accordance with the relevant law/rules within a period of 90 days of receipt of copy of this judgment and the result be intimated to this Tribunal through Registrar. Needless to mention that the appellant shall be associated with the inquiry proceedings and fair opportunity be provided to him to defend himself. Keeping in view peculiar facts and circumstances of the case, the issue of salary and back benefits shall be subject to outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
22.07.2022



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad



(Salah-Ud-Din)
Member (Judicial)
Camp Court Abbottabad

15.11.2021

Counsel for the appellant present and Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Muhammad Tauseef, ADEO for the respondents present.

Representative of the respondents submitted written reply/parawise comments of the respondents, which are placed on file. To come up for arguments on 14.03.2022 before the D.B at Camp Court, Abbottabad.


Chairman
Camp Court, A/Abad

14.03.2022


Due to retirement of the Hon'ble Chairman, the Tribunal is defunct, therefore, the case is adjourned for the same on 19.05.2022.



Reader

19.05.2022

Appellant in person present. Syed Naseer Ud Din, Assistant Advocate General for respondents present.

Learned counsel for the appellant requested for adjournment on the ground that his counsel is not available today. Adjourned but as a last chance. To come up for arguments before D.B on 22.07.2022 at camp court Abbottabad.



(Fareeha Paul)
Member(E)


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

16.02.2021

Junior to counsel for the appellant present. Mr. Riaz Khan Paindakhel learned Asst. AG alongwith Mr. Faheem Anwar Assistant for respondents present.

Written reply/comments on behalf of respondents not submitted. Representative of respondents requested for time to submit reply/comments. Granted. To come up for reply/comments on 20.05.2021 before S.B at Camp Court. A/Abad.


(Atiq-Ur-Rehman Wazir)
Member (E)
Camp Court, A/Abad

20.05.2021

Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 28.09.2021.


Reader

28.09.2021

Counsel for the appellant and Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Muhammad Tauseef Alam, ADEO for the respondents present.

Representative of the respondents seeks further time to furnish reply/comments. Respondents are directed to submit written reply/comments on the next date, failing which their right for submission of written reply/comments shall be deemed as struck off and the appeal will be heard on the basis of available record without reply of the respondents. Case to come up on 15.11.2021 before S.B at camp court, Abbottabad.


Chairman
Camp Court, A/Abad

18.11.2020

Appellant in person alongwith Mr. Ikram-ul-Qayyum, Advocate, is present.

It was contended by the learned counsel that appellant was appointed against the vacant post of CT at GMS Kajla Mansehra where he rendered his duties. His services were terminated on the ground of irregular appointment vide termination order dated 07.07.1997. The Government of Khyber Pakhtunkhwa formulated Sacked Employees Act, 2012, for the purpose of reinstatement of those employees who were sacked during 1996-98, appellant applied for his reinstatement but respondent No. 3 regretted on the ground that he lacked the prescribed professional qualification at the initial period despite the fact that similar sacked employees were reinstated into Government service. He filed Writ Petition in the Hon'ble Peshawar High Court, Peshawar, during the course of which respondent No. 3 issued a letter directing him to furnish relevant record alongwith attested copies of Service Book for reinstatement which was submitted where-after he was reinstated into government service on the recommendation of Departmental Selection Committee in pursuance thereof he assumed the charge of his post by submission of arrival report at GMS Batangi. That astonishingly in the meanwhile respondent No. 3 communicated a show-cause notice in which he was required to explain as to the submission of fake documents of service record which the appellant denied. His appointment order dated 20.06.2019 was withdrawn without holding of any regular inquiry. That the action so taken is unprecedented, not permissible under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011. The departmental appeal proved abortive hence, the present service appeal.

The point so agitated at the bar needs consideration. The appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 16.02.2021 before S.B at Camp Court, Abbottabad.

Appellant Deposited
Security & Process Fee
21/11/20

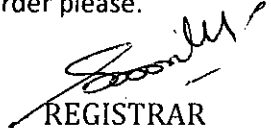

(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT ABBOTTABAD

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 5892 /2020

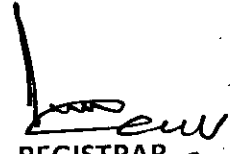
1S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	19/06/2020	<p>The appeal of Mr. Ijaz Ahmad resubmitted today by post through Mr. Ikram-ul-Qayyum Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>18-11-20</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Ijaz Ahmad Ex. C.T GMS Batangi District Mansehra received today i.e. on 03.06.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Affidavit may be got attested by the Oath Commissioner.
- 2- Annexures-A, B and H of the appeal are illegible which may be replaced by legible/better one.
- 3- Annexures of the appeal may be flagged.
- 4- Wakalat nama in favour of appellant be placed on file.
- 5- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1198 /S.T,

Dt. 03-06 /2020.


REGISTRAR -
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Ikram-ul-Qayyum Adv. Mansehra.

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN
KHWA PESHAWAR

Service appeal No. **5892** of 2020

EJAZ AHMAD..... **S**..... APPELLANT

VERSUS

1) Secretary, Elementary and Secondary Education
Department Peshawar..... Respondents

APPEAL

INDEX

<u>S#</u>	<u>DESCRIPTION OF DOCUMENTS</u>	<u>ANNEXURE</u>	<u>PAGES#</u>
1.	Memo of appeal		1-9
2.	<u>Affidavit</u>		10
3.	Correct addresses of parties		11
4.	Copy of appointment order dated 24-04-1996	A	12
5.	Copy of termination order dated 07-07-1997	B	13-15
6.	Copy of appointment order 20-06-2019	C	16
7.	Copies of Charge report/arrival report 21-06-2019	D	17-18
8.	Copy of Showcause notice	E	19-21
9.	Copy of impugned Notification dated 07-11-2019	F	22
10.	Copy of appeal to department	G	23-25
11.	Minutes of DSC meeting	H	26-30

DATED 25-03-2020

EJAZ AHMAD
Through:

IKRAM UL QAYYUM
BABARILYAS ADVOCATES
HIGH COURT

Babar Ilyas
Advocate High Court
Mansehra

(1)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN

KHWA PESHAWAR

Service appeal No. ~~5892~~ of 2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 4650

Dated 3/6/2020

EJAZ AHMAD S/O M QASIM VILLAGE KANSHIAN P/O
BALAKOT TEHSIL BALAKOT DISTRICT MANSEHRA, EX
CT GMS BATANGI MANSEHRA..... APPELLANT

VERSUS

- 1) Secretary, Elementary and Secondary Education
Department Peshawar
- 2) Director, Elementary and Secondary Education
Department Peshawar.
- 3) District Education Officer (Male) Mansehra
..... Respondents

**APPEAL UNDER SECTION 4 OF KPK SERVICE
TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED
NOTIFICATION DATED 07.11.2019 WHEREBY
RESPONDENT NO 03 HAS WITHDRAWN THE
APPOINTMENT NOTIFICATION OF THE APPELLANT
VIDE DATED 20.06.2019 AND AGAINST NOT TAKING
ANY ACTION ON THE DEPARTMENTAL APPEAL OF
THE APPELLANT WITHIN STATUTORY PERIOD OF
NINETY (90) DAYS.**

Re-submitted to-day
and filed.

[Handwritten signature]
Registrar

Filed to-day PRAYER:-

[Handwritten signature]
Registrar
3/6/2020

On acceptance of the appeal, the impugned
NOTIFICATION NO. 17688-92 Dated 07.11.2019 may
graciously be set-aside being illegal, void, without Lawful
authority, of having no legal effect and factually erroneous
and appellant be reinstated into service as CT with all

back benefits and other admissible allowances as per law on the subject and any other order as may deem fit and appropriate in the fact and circumstances of the case.

Respectfully Sheweth:-

1. That, initially, appellant was appointed against vacant post of CT at GMS KAJLA Mansehra vide appointment Order Endst: No.6061-69 Dated 24.04.1996 by Competent Authority (Respondent No 03)

(Copy of appointment order dated 24.04.1996 is annexed as annexure "A").

2. That, appellant performed his duties and continued his services, unfortunately the service of appellant was terminated on grounds of irregular appointment vide termination order dated 07.07.1997 by Competent authority

(Copy of termination order dated 07.07.1997 is annexed as annexure "B").

3. That, the Government of Khyber Pakhtun Khawa, enacted the Khyber Pakhtukhawa Sacked Employees (Appointment) Act, 2012, for reinstatement of Sacked Employees whose terminated during 1996-98, where under, appellant applied for his reinstatement/ appointment through an application in year 2012, whereupon Respondent No. 03 regretted to reinstate/ appoint the appellant on the ground of having not possessing the prescribed professional qualification at the initial period, despite the facts that number of similar placed Sacked Employees were re instated into government service by competent Authority.

4. That, the appellant filed Writ Petition No. 944-A of 2019 before Hon'ble Peshawar High Court Abbottabad bench against the non appointment of appellant as Sacked

Employees, during the pending adjudication of Writ Petition, appellant was re instated/appointed, into Government Service after checking/scrutiny of application and relevant record of the appellant in office concerned and on the recommendation of Departmental Selection Committee, by the respondent No.3 vide appointment Notification Endst: No.10268-74 dated 20-06-2019 and posted as CT at GMS BATANGI (Mansehra) against vacant post.

(Copy of appointment order vide dated 20-06-2019 IS annexed as annexure "C").

5. That, in compliance of appointment order dated 20-06-2019, the appellant took over the charge of the post by submitting arrival report and charge report vide dated 21-06-2019 at GMS BATANGI Mansehra and is devotedly serving with his utmost endeavour and to the best of his ability from the date of his appointment.

(Copies Charge Report vide dated 21-06-2019 and other relevant documents are annexed as annexure "D").

6. That, all of a sudden, and to the utter surprise of the appellant, Respondent No. 03 served a Show Cause Notice upon the appellant in which he was required to explain his position in respect of alleged submission of fake document/service record and no record where found in initially appointed school vide GMS KAJLA to which appellant replied and denied the baseless, after thought and unfounded allegation mentioned in the Show Cause Notice.

(Copy of Show Cause Notice is annexed as annexure "E")

7. That, Respondent no 03 in the ibid Show cause notice was pleased to dispense with the conduct of

formal/regular inquiry without any reason which shows mala-fide on the part of Respondent No 03.

- 8. That, without having proved the allegations leveled in the Show Cause Notice, the appointment order of the appellant vide appointment dated 20.06.2019 was withdrawn with immediate effect through a mechanical impugned Notification Endst: No. 17688-92 dated 07-11-2019, by Respondent No. 03.

(Copy of impugned Notification dated 07-11-2019 is annexed as annexure "F").

- 9. That, appellant filed a departmental appeal against impugned Notification vide dated 07-11-2019, before appellate authority (Respondent No 02) on 28-11-2019, and waited for 90 days but no reply has been received by the respondent to the appellant so for.

(Copies of departmental appeal dated 28.11.2019 is annexed as annexure "G").

- 10. That, felling aggrieved from the impugned Notification dated 07.11.2019 passed by Respondent No. 03, appellant having no other remedy except to file the present appeal before this worthy Tribunal for interference inter alia on the following amongst other grounds.

GROUND:

- A. That, admittedly, appellant was initially, appointed against the vacant post of CT on dated 24.04.1996 and till 07.07.1997, he performed his duties and kept on receiving his salary/ pay. Whereas the impugned Notification vide dated 07-11-2019 of withdrawn of appointment order is perverse, discriminatory, malafide, against the law and liable to be set aside.

- b. That, the services of the appellant were terminated on the ground of irregular appointment in the year 1997, and appellant applied for his appointments in the view of KPK Sacked Employees Act, 2012, respondent No 03 was appointed in due course and after inquiry by concerned quarter and furthermore scrutiny of the service record of the appellant wherein no deficiency in respect of the case of the appellant was found and he was declared "OK"
- c. That the meeting of District Selection Committee was held on 11-06-2019 under the Chairmanship of Respondent No. 3 for determining the eligibility and suitability for appointment of Sacked Employee, wherein the appellant was recommended for appointment as CT being eligible and suitable for appointment, after observing all codal formalities the withdrawal of appointment order appellant is against the law, rules and malafide on the part of respondents and against the natural justice.

(Copy of minutes of meeting of DSC is annexed as Annexure "H")

- D. That, admittedly, appellant being Sacked Employee was appointed by respondent No. 3 after checking/ Scrutiny of all relevant document as per record in office concerned and on recommendation of Departmental Selection Committee and also as per Judgment of, Hon"ble Peshawar High Abbottabad Bench, issuing of impugned Notification vide dated 07-11-2019 is baseless, un lawful unconstitutional, based on malafide and on the bases of wrong statement of Head Master of previous school, wherein he stated that no record of appellant has found in school concerned and has been issuing of legal authority and is liable to be struck down.
- E. That, the impugned notification vide dated 07.11.2019 against the law, rules, and also against the judgment of

(6)

Honble high court, that the appellant was appointed in due course and after adopting all codal formalities and after inquiry by concerned equator and on the recommendation of DSC and scrutiny of documents in office concerned by Scrutiny committee, thereafter, the appointment order vide dated 20-06-2019 was issued by respondent No.3.

- F. That, there is no cavil to the service legal proposition that regular inquiry must be held in denied and disputed question of fact, but department (respondent No.3) with malafide intention dispensed with holding of regular inquiry into the present case, due to which the impugned notification dated 07-11-2019 is not legally sustainable.
- G. That, the appellant was never provided an opportunity to rebut the allegation levelled against him in the show cause notice nor he was confronted with any evidence in respect of fakeness of earlier appointment and termination orders nor appellant was provided in opportunity of personal hearing, hence the impugned notification vide dated 07-11-2019 is inherently flawed and legally unsustainable.
- H. That, the fresh appointment order of appellant dated 20-06-2019, would reveal that it was issued on the recommendation of DSC and after though and in-depth scrutiny of entire record of appellant, and no deficiency of whatsoever kind and nature was found by the scrutiny committee in the case of appellant.
- I. That no regular inquiry was held in the alleged allegation as mentioned in impugned notification dated 07-11-2019, hence the allegation setup by respondent has only remained the allegation and it has not been proved at all.
- J. That, neither any statement of allegation was prepared nor charge sheet was issued to the appellant and he was condemned un heard.

- K. That, no proper and lawful procedure was adopted by respondent, only appointment order was withdrawn on the bases of fake report of Head Master after though and fabricated manner hence the impugned notification is not sustainable.
- L. That, respondent/authorities were biased against the appellant and they wilfully and with malafide intention did not associate the appellant with any procedure.
- M. That, the alleged allegation of the respondent to the effect that the appointment order and termination orders are not available in previous school, where the appellant was initially appointed and not found in record of school concerned as per report of Head Master, are seem to be after though and fabricated by respondent just to deprive the appellant of his vested right.
- N. That, the entire scheme of service law does not recognize the expression '**WITHDRAWN**' of appointment order, hence, respondent No.3 himself fabricated the allegation against the appellant of having fake record or not found in previous school, though self coined terminology of withdrawn of appellant appointment order, which had been issued in compliance of the judgment of Hon"ble Peshawar High Court Abbottabad bench, vide judgments dated 24-05-2016, 27-03-2018, 07,03-2019, in Writ Petitiion No.516-A of 2013, 676-A of 2015, 20-A of 2014, 216-A of 2015, 1155-A of 2015, 702-A of 2014, 115-A of 2014 and 944-A of 2019.
- O. That, facts and circumstance of the case suggest that appellant has been made a scapegoat by respondent No.3 for ulterior motive and with malafide.
- P. That, whatever angle, the legality and propriety of the impugned notification is analyzed, it is liable to be declared void, patently illegal, unlawful, without

jurisdiction and of having no legal effect without second though.

- Q. That, in fact the entire proceeding and action against the appellant were wrong, illegal against the rules and regulation and hence void-ab-intio.
- R. That, this fact may not be left to fade in oblivion that withdrawal of appointment order of appellant is arbitrary, one sided and ex-parte therefore, notification has no legal sanctity and is nullity in the eye of law.
- S. That, there is no other efficacious and prompt remedy available to the appellant except the invocation of jurisdiction of this Hon'ble Tribunal.
- T. That, appellant seeks the permission of this Hon'ble Court to agitate any other grounds available at the time of arguments

PRAYER:-

On acceptance of the appeal, the impugned NOTIFICATION NO. 17688-92 dated 07.11.2019 may graciously be set-aside being illegal, void, without Lawful authority, of having no legal effect and factually erroneous and appellant be reinstated into service as PET with all back benefits and other admissible allowances as per law on the subject and any other order as may deem fit and appropriate in the fact and circumstances of the case.

Dated 25-03-2020


EJAZ AHMAD
(APPELLANT)

Through:

IKRAM UL QAYYUM
BABAR ILYAS
ADVOCATES HIGH COURT
DISTRICT COURT MANSEHRA

Babar Ilyas
Advocate High Court
Mansehra

VERIFICATION:

**EJAZ AHMAD S/O M QASIM VILLAGE KANSHIAN P/O
BALAKOT TEHSIL BALAKOT DISTRICT MANSEHRA,
EX CT GMS BATANGI MANSEHRA do hereby solemnly
affirm and declare that the contents of fore-going
Appeal are true and correct to the best of my
knowledge and belief and nothing has been concealed
or suppressed form this Hon''ble Tribunal.**


EJAZ AHMAD

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN
KHWA PESHAWAR

Service appeal No..... of 2020

EJAZ AHMAD APPELLANT

VERSUS

1) Secretary, Elementary and Secondary Education
Department Peshawar..... Respondents

APPEAL

AFFIDAVIT

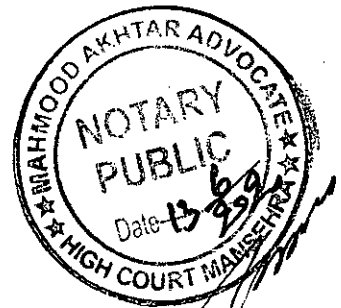
I EJAZ AHMAD S/O M QASIM VILLAGE KANSHIAN P/O
BALAKOT TEHSIL BALAKOT DISTRICT MANSEHRA, EX CT
GMS BATANGI MANSEHRA DO HERBY SOLEMNLY AFFIRM
AND DECLARE ON OATH THAT THE NO SUCH SUBJECT
MATTER APPEAL HAS EVER BEEN FILED BEFORE THIS
HONORABLE COURT NOR PENDING NOR DECIDED. THAT
THE CONTENTS OF FOREGOING AFFIDAVIT ARE TRUE
AND CORRECT TO THE BEST OF MY KNOWLEDGE AND
BELIEF AND NOTHING HAS BEEN CONCEALED OR
SUPPRESSED FROM THIS HONOURABLE TRIBUNAL.


EJAZ AHMAD

DEPONENT

ATTESTED

Babur Ahyas
Advocate High Court
Mansehra



BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN
KHWA PESHAWAR

Service appeal No..... of 2020

EJAZ AHMAD APPELLANT

VERSUS

1) Secretary, Elementary and Secondary Education
 Department Peshawar..... Respondents

APPEAL

COORECT ADDRESSES OF THE PARTIED

APPEALLANT

EJAZ AHMAD S/O M QASIM VILLAGE KANSHIAN P/O
 BALAKOT TEHSIL BALAKOT DISTRICT MANSEHRA, EX CT GMS
 BATANGI MANSEHRA

RESPONDENTS;

DATED 2503.2020


 EJAZ AHMAD

Through;

IKRAM UL QAYYUM

BABAR ILYAS ADVOCATES HIGH COURT


 Babar Ilyas
 Advocate High Court
 Mansehra

Annexure A

Mr/Miss. Muhammad Qasim Umar Ahmad Son/Daughter of S/O
Muhammad Qasim Resident of Village Hasmalaur
District Manshura is hereby appointed as _____
 in EPSC, PS-Office @ _____ with usual allowances of _____ _____
_____ with effect from the date of taking over
 charge in the interest of public service on the following terms
 & conditions:-

TERMS & CONDITIONS.

- 1-The appointment is purely on Temporary basis and liable to be terminated at any time without notice or assigning reasons.
- 2-He/She should produce his/her Health & Age Certificate from the Medical Superintendent concerned.
- 3-The head of the Institution/Office is required to check all the original Edu:Qualification & Professional Qualification Certificates before handing over charge.
- 4-The head of the Instt./Office is required to get verified his/her Certificate from the Board/University/Registrar/concerned.
- 5-The appointment of Trained Candidates who passed their prof: Examinations from other than NWFP is provisional and subject to the verification of Certificates.
- 6-In case he/she wish to resign from service he/she will have to give one month prior notice or forfeit one month's pay in lieu of short notices.
- 7-The appointment shall stand automatically cancelled if he/she failed to join the post with-in fifteen days of the issuance of this ~~order~~ letter / Order.
- 8 Special Relaxation of upper age limit for ~~_____~~ has already been allowed vide Govt: of NWFP, S&GAD letter No. SCS-III (S&GAD) E-94 dated 18-7-1994.
- 9-No TA/DA is allowed on Ist Appointment.
- 10-Charge Reports should be submitted to all concerned.
- 11-He/She should not be handed over charge if his/her age is exceeds 32 years or below 18 years.

(FAZAL-UR-REHMAN KHAN)
 DIVISIONAL DIRECTOR OF EDUCATION (S)
 HAZARA DIVISION ABBOTTABAD.

Endst:No. 4061-69 Dated Abbottabad the 24/4 1996.

Copy of the above is forwarded to:-

- 1-P/S to Minister (S/S) NWFP Peshawar
- 2-The Director Secondary Edu: NWFP Peshawar.
- 3-The District Edu: Officer (M-S) / (Female-Secondary)
- 4-Principal / Headmaster/Headmistress
- 5-District Accounts Officer
- 6-Candidate Concerned (S) ADEO Local Office.
- 7-Office Order File.

DIVISIONAL DIRECTOR OF EDUCATION (S)
 HAZARA DIVISION ABBOTTABAD.

[Handwritten signatures and initials]

BETTER COPY**APPOINTMENT**

Mr./Miss. Ejaz Ahmed Son/Daughter of Muhammad Qasim, resident of Village Kanshian District Mansehra is hereby appointed as _____ in BPS No. BPS of fixed @ 1600/PM as usual allowance at GMS Kaghan with effect from the date of taking over charge in the interest of public service on the following terms and conditions: -

TERMS AND COPNDITIONS.

- 1) The appointment is purely on Temporary basis and liable to be terminated at any time without notice or assigning reasons.
- 2) He/She should produce his/her Health & Age Certificate from the Medical Superintendent concerned.
- 3) The head of the Institution/officer is required to check all the original Edu: Qualification & Professional Qualificational Certificate before handing over charges.
- 4) The head of the Insti/Office is required to get verified his/her Certificate from the Board/University/Registrar concerned.
- 5) The appointment of Trained Candidates who passed their prof: examinations from other than NWFP is provisional and subject to the verification of Certificates.
- 6) In case he/she wish to resign from service he/she will have to give one month prior notice or forfeit one month's pay in lieu of short notices.
- 7) The appointment shall stand automatically cancelled if he/she failed to join the post within fifteen days of the issuance of the letter/order.
- 8) Special Relaxation of upper age limit for 2 years has already been allowed vide Govt. of NWFP; S&GAD letter No. SOS-III(S&GAD) E-94 dated 18.07.1994.
- 9) No TA/DA is allowed on 1st Appointment.
- 10) Charge Reports should be submitted to all concerned.
- 11) He/She should not be handed over charge if his/her age is exceeds 32 years or below 18 years.

(FAZAL-UR-REHMAN KHAN)
 DIVISIONAL DIRECTOR OF EDUCATION (S)
 HAZARA DIVISION, ABBOTTABAD

Endst. No. 6061-69

Dated Abbottabad the 24.04.1996

Copy of the above is forwarded to: -

- 1) P/S to Minister (S/S) NWFP Peshawar.
- 2) The Director Secondary Edu: NWFP Peshawar.
- 3) The District Edu: Officer (M-S) (Female - Secondary)
- 4) Principal/Headmaster/Headmistress _____
- 5) District Accounts Officer _____
- 6) Candidate concerned (8) ADEO Local Office.
- 9) Office Order file.

DIVISIONAL DIRECTOR OF EDUCATION (S)
 HAZARA DIVISION, ABBOTTABAD

Amir

(B)

BETTER COPY

**OFFICE OF THE DIVL: DIRECTOR OF EDUCATION (S) HAZ: DIV:
A'ABAD**

OFFICE ORDER NO. _____/
AEE-III: O/P
(MALE)
DATED 07.07.1997

TERMINATION

On the perusal of relevant record the appointment of the following PST (Male) teachers have been found illegal, abinitio, void and against the prescribed rules; therefore, their services, are hereby dispensed with, with immediate effect: -

S#	Name and father Name
1	Saif-Ur-Rehman S/O Abdul Azam
2	Murtaza Khan S/O Israil Khan R/O Abbottabad
3	Ishfaq Ahmed S/O Mohd Amin R/O Abbottabad
4	Khan Afsar S/O Mir Afzal Khan R/O Abbottabad
5	Riaz Khan S/O Ghulam Sarwar R/O Haripur
6	Muhammad Saleem S/O Muhammad Ashraf
7	Qaiser Javed S/O Muhammad Bashir
8	Muhammad Akhtar S/O Mir Afzal
9	Abdul Khitab S/O Mir Afzal
10	Tahir Mehmood S/O Muhammad Younis
11	Khaqan S/O Haider Zaman
12	Arsalan Khan S/O Saeed Ahmed R/O Abbottabad
13	Hamid Khan S/O Saeed Ahmed R/O Mansehra
14	Muhammad Rafique S/O Muhammad Khan
15	Junaid Khan S/O Farid Khan R/O Abbottabad
16	Tariq Mehmood S/O Farid Khan R/O Abbottabad
17	Zardad Khan S/O Haiditullah
18	Zaffar Iqbal S/O Noor Muhammad
19	Mir Bahadur S/O Ghulam Qadar
20	Akhtar Nawaz S/O Ghulam Hyder
21	Amir Fazal S/O Fazal-Ur-Rehman R/O Abbottabad
22	Mubasher Ahmed S/O Nazatr Muhammad R/O Haripur
23	Abdul Malik S/O Khan Gul
24	Ishmail Khan S/O Ilyas Khan
25	Nawazish Ali S/O Muhammad Zaheer R/O Mansehra
26	Khushdil Khan S/O Sher Dil Khan R/O Abbottabad
27	Shoukat Ali S/O Muhammad Yousaf
28	Abdul Qayyum S/O Sardar Khan
29	Zarq Khan S/O Zar Khan R/O Abbottabad
30	Mehmood-Ur-Rehman S/O Noor Hassan
31	Shoukat Hussain S/O Noor Hassan
32	Fida Ahmed Abbasi S/O Mushal R/O Abbottabad
33	Muhammad Irshad S/O Muhammad Arshad R/O Abbottabad
34	Hafeez-Ur-Rehman S/O Muhammad Arshad R/O Abbottabad
35	Liaqat Mehmood S/O Ali Akbar R/O Haripur
39	Jamshed Khan S/O Younas Khan Abbottabad
40	Iftikhar Ahmed S/O Fazalur Rehman
41	Zahid Pervez S/O Dilawar Khan Haripur

42	Ihtesham Ahmed S/O Shabir Ahmed Atd
43	Ashfaq Ahmed S/O Taj Mohd Atd.
44	Ali Ahmed S/O Noshewan
45	Muhammad Shabir S/O Waris Haripur
46	Jasem Asghar S/O Ali Asghar Atd
47	Anwarul Haq S/O Mohd Ilyas
48	Muhammad Javed S/O Ajab Khan
49	Muhammad Saraj S/O Noor Khan Mansehra
50	Khalid Mehmood S/O Khuda Baksh.
51	Rukhsar Ahmed S/O Muhammad Khurshid.
52	Khawar Khan S/O Fordil Khan Atd.
53	Abdul Zameen S/O Rahim Shah Mansehra
54	Zahid Khan S/O Ajab Khan Atd.
55	Abdur Hussain S/O Khalilur Rehman Atd.
56	Waqar Gul Khan S/O Khan Gul Atd
57	Mohammad Safdar S/O Jehandad Khan Atd
58	Munir Ahmed S/O Mefoo zullah Mansehra
59	Mohammad Hamayun S/O Miskeen Mansehra
60	Amanullah S/O Qazi Ayaz Khan Atd
61	Muhammad Arshad S/O Gulistan Khan Atd
62	Attiquir Rehman S/O Abdullah
63	Iftikhar S/O Ali Zaman
64	Kashaf Khan S/O Hamayun Khan Atd
65	Arif Lodhi S/O Ayub Lodhi Atd
66	Naveed Ayaz S/O Mohd: Ayaz Khan Mansehra
67	Muhammad Ali Khan S/O Muhammad Anwar Khan Atd
68	Gulshad Khan S/O Mohsan Mansehra
69	Qaiser Rehman S/O Abdul Rehman
70	Hussain Shah S/O Ilyas Shah
71	Adil Mir S/O Abdul Latif Mir
72	Maroof Shah S/O Afsar Khan
73	Amin Khan S/O Mohsin Khan
74	Binyameen S/O Mohd: Ramzan
75	Nazakat Hussain Shah S/O Amin Shah
76	Mohammad Irshad S/O Sohaib Atd.
77	Iftikhar Ahmed S/O Shabir Ahmed
78	Abdur Rashid S/O Sultan Khan
79	Ghulam Wajhat S/O Ghulam Rasool
80	Noor Muhammad Shah S/O Rehman Shah Mansehra
91	Shamroz Khan S/O Khawaj Mohd
92	Riaz Ahmed S/O Roshan Din
93	Ghulam Jilani S/O Mohd: Ayub
94	Mohammad Javeed S/O Mir Ahmed
95	Sarfraz Khan S/O Aslam Khan
96	Abid Khan S/O Aslam Khan
97	Mohd Nawaz S/O Mohd Zaman
98	Shah Zaman S/O Baggan
99	Rashid S/O Mohd Farooq
100	Zaffar Iqbal S/O Ghulam Sarwar
101	Muhammad Yahya S/O Ghulam Sarwar
102	Gul Muhammad Khan S/O Abidur Rehman
103	Khalid Mehmood S/O Mohd Yousaf
104	Mohd Farooq S/O Mohd Sajid
105	Mohd Javeed S/O Mir Ahmed

106	Khabeer Ahmed S/O Bashir Ahmed
107	Mohammad Saeen S/O Muhammad Aslam
108	Fida Ahmed S/O Bashir Ahmed
109	Muhammad Sajid S/O Sultan
110	Abdul Qayum S/O Lal Khan
111	Muhammad Tasleem S/O Umer Khatab
112	Mohd Saeed, TT, GHS Kot Najeebullah Hpr
113	Mazhar Iqbal S/O Fazalur Rehman
114	Mehboobur Rehman S/O Fazal Dad
115	Mirdad Khan S/O Jehandad Khan
116	Mohd Rafique S/O Ali Asghar
117	Faqmand S/O Jaffar Khan
118	Attigur Rehman S/O Noorur Rehman
119	Mohammad Tufail S/O Allahdad Mansehra
120	Ejaz Ahmed S/O Muhammad Qasim. ✓
121	Waris S/O Mehmoodur Rehman
122	Mohd Azam Khan S/O Mohd aslam
123	Gul Javeed S/O Munsif Khan
124	Attigur Rehman S/O Abdur Rashid
125	Mohd Abid S/O Safdar Khan
126	Rafaqat Ali S/O Khani Zaman
127	Naseerud Din S/O Nawab Din
128	Zulfiqar S/O Abdul Babar
129	Annar Gul S/O Alladad Msh:
130	Mohd Javeed S/O Rustam Khan
131	Mohd Nawaz S/O Ali Asghar
132	Mohammad Naveed, DM, GMS, Salhad.

All the above mentioned teachers may please be relieved of their duties forthwith where ever they are working at this stage and compliance reported to this office.

(UMER FAROOQ)
DIVISIONAL DIRECTOR OF EDUCATION (S)
HAZARA DIVISION, ABBOTTABAD

Endst. No. 16052-189/AE-III-B Dated 07.07.1997

Copy to: -

- 1-5) The DEOs (M) Secy: A/Abad, Haripur, Mansehra, Battagram and Kohistan
- 6-138) All the Principals/Headmasters GHSS/GHS/GMS in Hazara Division, with the remarks that since present exact where about is not known the services of the above named teachers where ever they are working at this stage stand dispensed with and Head of Institution/DEOs concerned, will be personally responsible if any teacher is left and allowed to continue in service. Complete particulars of above teachers may also please be furnished to the following form: -

S#	Name/Father's Name & designation	Present school	Qulf:	D/O 1 st apptt:	D/O apptt: as CT	No. & date of apptt: order
----	----------------------------------	----------------	-------	----------------------------	------------------	----------------------------

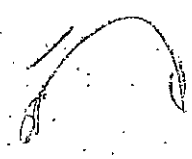
Note: - Photo stat attested copy of apptt: order may please be furnished

Advocate High Court
Manshera
Bakht Iqbal

Order on 2/2

RASMIYAT-I-HAJR
Advocate Manshera Court
Abbottabad

ATTESTED
CERTIFIED TRUE COPY



- 10. No. Name and Father Name
- 11. Sali-Ur-Rahman - S/O Abdul Azam
- 12. Murtaza Khan S/O Izzat Khan R/O Abbottabad
- 13. Shahid Ahmed S/O Mohd Amin R/O Abbottabad
- 14. Khan Azam S/O Mir Azam Khan R/O Abbottabad
- 15. Riz Khan S/O Ghulam Sarwar R/O Haripur
- 16. Muhammad Saleem S/O Muhammad Ashraf
- 17. Jaleel Javed S/O Muhammad Fasih
- 18. Muhammad Akhtar S/O Mir Azam
- 19. Abdul Wahab S/O Muhammad Tahaq
- 20. Ghulam Mahmood S/O Muhammad Younis
- 21. Kagan S/O Mirza Mansur
- 22. Arslan Khan S/O Saeed Ahmed R/O Karsahra
- 23. Hamid Khan S/O Muhammad Rafique Khan R/O Abbottabad
- 24. Mahamud Rafique S/O Muhammad Khan
- 25. Amira Khan S/O Farid Khan R/O Abbottabad
- 26. Tariq Mahmood S/O Muhammad Afzal R/O Haripur
- 27. Zayed Khan S/O Nadeem
- 28. Zafar Iqbal S/O Noor Muhammad
- 29. Mir Bahader S/O Ghulam Qadar
- 30. Akhtar Mawaz S/O Ghulam Hydar
- 31. Amir Raza S/O Fozil-Ur-Rahman R/O Abbottabad
- 32. Mubasher Ahmed S/O Nazir Muhammad R/O Haripur
- 33. Asim Malik S/O Raza Khan Gul
- 34. Iftikhar Khan S/O Ilyas Khan
- 35. Nawazish Ali S/O Muhammad Zuber R/O Manshera
- 36. Khushali Khan S/O Sher Dil Khan R/O Abbottabad
- 37. Shoukat Ali S/O Muhammad Younis

On the perusal of relevant record the appointment of the following (late) teachers have been found illegal, void and against the law, with immediate effect:-

he prescribed rules; therefore, their services, are hereby dispensed-

DATE: 2/2/1997
 ATTESTED BY:
 OFFICE ORDER NO.:

OFFICE OF THE DEPUTY COMMISSIONER (S) HAZ: DIV: A: HAZ:

Handwritten signature and marks, including a circled number 13.

1147
157

- 28. ✓ Sardar Khan S/O Sardar Khan.
- 29. Zarg Khan S/O Zarg Khan R/O Abbottabad.
- 30. Mehmood-Ur-Rehman S/O Noor Hassan.
- 31. Shoukat Hussain S/O Jilal Shah.
- 32. Wida Ahmed Abbasi S/O Mushal R/O Abbottabad.
- 33. Mohammad Irshad S/O Muhammad Arshad R/O Abbottabad.
- 34. Hafoz-Ur-Rehman S/O Manzoor-Ur-Rehman.
- 35. Dilgat Mehmood S/O Ali Akbar R/O Haripur.
- 36. Sardar Ali S/O Ali Akbar R/O Abbottabad.
- 37. Attigur Rehman S/O Abdur-Rashid R/O Abbottabad.
- 38. Mazhar Ali S/O Khawaja R/O Manshera.
- 39. Jamshed Khan S/O Younas Khan Abbottabad.
- 40. Ittikhar Ahmed S/O Fazalur Rehman.
- 41. Zahid Pervez S/O Dilawer Khan Haripur.
- 42. Iqtasham Ahmed S/O Shabir Ahmed Attd.
- 43. Ashfaq Ahmed S/O Taj Mohd: Attd.
- 44. Ali Ahmed S/O Nosharwan.
- 45. Mohammad Shabir S/O Waria Haripur.
- 46. Jaseem Asgher S/O Ali Asgher Attd.
- 47. Anwarul Haq S/O Mohd: Ilyas.
- 48. Mohammad Javeed S/O Ajab Khan.
- 49. Mohammad Saraj S/O Noor Khan Manshera.
- 50. Khalid Mehmood S/O Khuda Paksh.
- 51. Rukhsar Ahmed S/O Mohd: Kausarshid.
- 52. Khawar Khan S/O Farid Khan Attd.
- 53. Abdul Zameer S/O Rehman Shah Manshera.
- 54. Zahid Khan S/O Ajab Khan Attd.
- 55. Abadur Hussain S/O Khalilur Rehman Attd.
- 56. Waqar Gul Khan S/O Khan Gul Attd.
- 57. Mohammad Saifur S/O Jehandad Khan Attd.
- 58. Munir Ahmed S/O Mehmood zullah Manshera.
- 59. Mohammad Hamayun S/O Mis ksen Manshera.
- 60. Amrullah S/O Qazi Ayaz Khan Attd.
- 61. Mohammad Arshad S/O Gulistan Khan Attd.
- 62. Attigur Rehman S/O Abdulla Han.
- 63. Ittikhar S/O Alizaman.
- 64. Kashaf Khan S/O Hamayun Khan Attd.
- 65. Arif Lodhi S/O Ayub Lodhi Attd.
- 66. Javeed Ayaz S/O Mohd: Ayaz Khan Manshera.
- 67. Mohammad Ali Khan S/O Mohammad Anwer Khan Attd.
- 68. Gulshad Khan S/O Mohsan Manshera.
- 69. Qaiser Rehman S/O Abdur Rehman.
- 70. Hussain Shah S/O Ilyas Shah.
- 71. Adil Mir S/O Abdur Latif Mir.
- 72. Haroof shah S/O Aisar Khan.
- 73. Amin Khan S/O Mohsan Khan.
- 74. Binyameen S/O Mohd: Ramzan.
- 75. Mazakat Hussain Shah S/O Amin Shah.
- 76. Mohammad Irshad S/O Shahid Attd.
- 77. Ittikhar Ahmed S/O Shafic Ahmed.
- 78. Abdur Rashid S/O Sultan Khan.
- 79. Ghulam Wajhat S/O Ghulam Rassoq.
- 80. Noor Hassan and Shah S/O Rehman Shah Attd.

ATTESTED
CERTIFIED TRUE AND CORRECT COPY

[Handwritten Signature]

RASHID-UL-HAQ QAZI
Advocate Supreme Court
Abbottabad

[Handwritten Signature]
Badr Ilyas
Advocate High Court
Manshera

[Handwritten Signature]

158

1-5. The D/Os (M) Secy: A/abad, Haripur, Manshera, Dabergar and Khat Khan
 6-138. All the Principals/Headmasters/GSS/GHS/GMS in Hazara Division with
 the names of the above named teachers where ever they are working
 services of the above stand dispersed with and the of Institutions/D/Os
 this stage, will be personally responsible if any teacher is listed
 and allowed to continue in service. Complete particulars of above
 teachers may also please be furnished on the following form:-
 Name/Father's Name: Present Gen. No.: D/O Let: D/O Let: D/O Let:
 School: Designation: Post: Date of appointment:
 Copy to:-

1-5. The D/Os (M) Secy: A/abad, Haripur, Manshera, Dabergar and Khat Khan
 6-138. All the Principals/Headmasters/GSS/GHS/GMS in Hazara Division with
 the names of the above named teachers where ever they are working
 services of the above stand dispersed with and the of Institutions/D/Os
 this stage, will be personally responsible if any teacher is listed
 and allowed to continue in service. Complete particulars of above
 teachers may also please be furnished on the following form:-
 Name/Father's Name: Present Gen. No.: D/O Let: D/O Let: D/O Let:
 School: Designation: Post: Date of appointment:
 Copy to:-

1-5. The D/Os (M) Secy: A/abad, Haripur, Manshera, Dabergar and Khat Khan
 6-138. All the Principals/Headmasters/GSS/GHS/GMS in Hazara Division with
 the names of the above named teachers where ever they are working
 services of the above stand dispersed with and the of Institutions/D/Os
 this stage, will be personally responsible if any teacher is listed
 and allowed to continue in service. Complete particulars of above
 teachers may also please be furnished on the following form:-
 Name/Father's Name: Present Gen. No.: D/O Let: D/O Let: D/O Let:
 School: Designation: Post: Date of appointment:
 Copy to:-

DIALECTOR OF EDUCATION(S)
 (GENERAL INCHARGE)
 HAZARA DIVISION ABBOTTABAD

BADUR KHAN
 Advocate High Court
 Manshera

All the above mentioned teachers may please be relieved of their duties forthwith where ever they are working at this stage and compensation reported to this office.

- 132. Muhammad Javed S/O Mr. GMS, Salma.
- 131. Muhammad Javed S/O Mr. GMS, Salma.
- 130. Muhammad Javed S/O Mr. GMS, Salma.
- 129. Muhammad Javed S/O Mr. GMS, Salma.
- 128. Muhammad Javed S/O Mr. GMS, Salma.
- 127. Muhammad Javed S/O Mr. GMS, Salma.
- 126. Muhammad Javed S/O Mr. GMS, Salma.
- 125. Muhammad Javed S/O Mr. GMS, Salma.
- 124. Muhammad Javed S/O Mr. GMS, Salma.
- 123. Muhammad Javed S/O Mr. GMS, Salma.
- 122. Muhammad Javed S/O Mr. GMS, Salma.
- 121. Muhammad Javed S/O Mr. GMS, Salma.
- 120. Muhammad Javed S/O Mr. GMS, Salma.
- 119. Muhammad Javed S/O Mr. GMS, Salma.
- 118. Muhammad Javed S/O Mr. GMS, Salma.
- 117. Muhammad Javed S/O Mr. GMS, Salma.
- 116. Muhammad Javed S/O Mr. GMS, Salma.
- 115. Muhammad Javed S/O Mr. GMS, Salma.
- 114. Muhammad Javed S/O Mr. GMS, Salma.
- 113. Muhammad Javed S/O Mr. GMS, Salma.
- 112. Muhammad Javed S/O Mr. GMS, Salma.
- 111. Muhammad Javed S/O Mr. GMS, Salma.
- 110. Muhammad Javed S/O Mr. GMS, Salma.
- 109. Muhammad Javed S/O Mr. GMS, Salma.
- 108. Muhammad Javed S/O Mr. GMS, Salma.
- 107. Muhammad Javed S/O Mr. GMS, Salma.
- 106. Muhammad Javed S/O Mr. GMS, Salma.
- 105. Muhammad Javed S/O Mr. GMS, Salma.
- 104. Muhammad Javed S/O Mr. GMS, Salma.
- 103. Muhammad Javed S/O Mr. GMS, Salma.
- 102. Muhammad Javed S/O Mr. GMS, Salma.
- 101. Muhammad Javed S/O Mr. GMS, Salma.
- 99. Muhammad Javed S/O Mr. GMS, Salma.
- 98. Muhammad Javed S/O Mr. GMS, Salma.
- 97. Muhammad Javed S/O Mr. GMS, Salma.
- 96. Muhammad Javed S/O Mr. GMS, Salma.
- 95. Muhammad Javed S/O Mr. GMS, Salma.
- 94. Muhammad Javed S/O Mr. GMS, Salma.
- 93. Muhammad Javed S/O Mr. GMS, Salma.
- 92. Muhammad Javed S/O Mr. GMS, Salma.
- 91. Muhammad Javed S/O Mr. GMS, Salma.

ATTESTED
 CERTIFIED TRUE PHOTO COPY

RAJIND RAO
 Advocate High Court
 Abbottabad

16

Annoucement

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA.

APPOINTMENT

In pursuance of Khyber Pakhtunkhwa Sacked Employees (Appointment) 2012 and Consolidate Judgment passed by Honorable Peshawar High Court Abbottabad Bench Abbottabad vide Dated 24-05-2016, 27-03-20418,03-04-2018 & 07-03-2019 in W/P No 516-A/2013, 676-A/2015,20-A/2014,216-A/2015,1155-A/2015,702-A2014,115-A/2014, and orders of Honorable High Court in COC No.22-A/2016,COCNo. 47-A/2016, COC No. 58-A/2016, COC No. 83-A/2016,COC 14/2019, and recommendation of the Departmental Selection Committee the appointment of the following candidates are hereby ordered against the vacant post of CERTIFIED TEACHER (CT) BPS-15 (Rs.16120-13330-56020) plus usual allowances as admissible under the rules, 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:-

Table with 8 columns: S. #, Name, Father's Name, Date Of Birth, Domicile, Permanent Address, Place of posting, Remarks. It lists 10 candidates for the position of Certified Teacher (CT) BPS-15.

TERMS & CONDITIONS.

- 1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Their Appointment are subject are condition that, their certificates/document and domicile be verify from the concerned authority before releasing their salary in the light of Section 3 of the said ACT.
4. They will be governed by such rules & regulation enforce and as may be prescribed by the Government time to time for the category of the Government savant to which they belong.
5. Their appointment has been made in pursuance of Khyber Pakhtunkhwa, Sacked Employee (appointment) ACT 2012. Hence under Section 5 of the said ACT they shall not be entitled to any claim of the seniority, promotion and back benefits.
6. Their appointment has been made in pursuance of Khyber Pakhtunkhwa, Sacked Employee (appointment) ACT 2012. Hence Section 4 of the said ACT period during which they remained dismissed, removed or terminated from services, till the date of their appointment shall have been deemed atomically relaxed.
7. Their Appointment is subject to the condition that the certificates/documents must be verified from the concerned authorities by the DEO. Anyone found producing bogus Certificate will be reported to the law enforcing agencies for further action.
8. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
9. Their pay will not be drawn until and unless a certificate to the effect by DEO is issued that his certificates/degrees are verified from the concerned board/university.
10. The Principal / Headmaster School concern is directed to submit their Degrees /Certificates etc to this offic for verification from Board /University/Institutions before any payment made to them.

Handwritten signature

Handwritten signature

Advocate High Court Mansehra

11. They should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
12. Health and Age Certificate should be produced from the Medical Superintendent King Abdullah Teaching Hospital Mansehra before taking over charge.
13. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
14. Their services shall be terminated at any time, in case his performance is found unsatisfactory during their probation period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
15. In case of having less qualification which ever is prescribed Academic BA for CT as well as classical certificate as profession the candidate must attain prescribed qualification for his post i.e. Academic & Professional within 3 years after issuance of this appointment order, failing which their appointment order shall stand terminated automatically, without any further notice.
16. Before handing over charge once again their documents must be checked by Head of institution and convey deficiencies in qualification to DEO office.
17. Before handing over charge they will sign an affidavit by stating that they will not claim seniority or back benefits/service and they will acquire required qualification within stipulated period of time, failing which they will have no objection on their removal.
18. The competent authority reserve to right to rectify the error / omission, if any noted /observed at any stage in instant order issued erroneously.
19. The candidates appointed against the school(s) falling in summer vacation shall be handed over the charge w.e.f 01-09-2019 on opening of school after summer vacation.
20. Their documents if found fake/bogus at any stage, their appointment order shall be withdrawn and legal action be taken against him.

[Signature]
DISTRICT EDUCATION OFFICER,
(MALE) MANSEHRA

Endst: No. 16268-74/CT/Sacked Apptt:/2019/Dated Mansehra the 20/6/2019

Copy forwarded for information to the: -

1. Registrar Honorable Peshawar High Court Abbottabad Bench.
2. Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. PS to Secretary Khyber Pakhtunkhwa E&SE Department Peshawar.
4. District Accounts Officer Mansehra.
5. District Monitoring Officer Mansehra.
6. Budget & Account Officer Local Office.
7. Officials Concerned.
8. Office Order File

Sd/-
DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

[Signature]
Babar Iqbal
Advocate High Court
Mansehra

17

Annexure D

CHARGE REPORT

Cerified that Mr. Ajaz Ahmed s/o M. Qasim

Designation CT took over charge against the vacant post of

CT at GMS Battangi District Mansehra

F/N on the day 21-06-2019 vide D.E.O Elementary & Secondary Education Mansehra office order Endst No. 10268-74/CT/ on dated 20/06/2019 sacked A.H.H.;/2019

Handwritten initials

Handwritten signature

HEAD MASTER
Govt. Middle School
Battangi Balakot

No: 389

Dated: 21/06/2109

Copy To:-

District Education Office E&SE (Male) Mansehra ✓

District Account Office

Head Master School Concern

Office Record

Babar Ilyas
Advocate High Court
Mansehra

Handwritten initials

D

ARRIVAL REPORT

Consequent upon the approval of the competent authority Mr. Ajaz Ahmad

S/O M. Qasim who has been appointed as CT in BPS 15

Vide DEO issued under Endst: No 10268-74/CT/sacked/AFM/2019
dated Manshel The 20-06-2019

School GMS BATANGI Dated 21-06-19 at F/N

He has been submitted his arrival at 21-06-2019.

[Handwritten mark]

copy for information;

- ① DEO (M) Manshel.
- ② DAO Manshel.
- ③ office record.

[Signature]
 HEADMASTER
 Govt. Middle School
 Battangi Balakot

[Signature]
 Babar Ali
 Advocate High Court
 Manshelra

[Handwritten mark]

Arzoull E



FINAL SHOW CAUSE NOTICE

I, Mr. Khan Muhammad District Education Officer (M) Mansehra, as competent authority under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Ejaz Ahmed S/o Muhammad Qasim CT GMS Batangi District Mansehra as follows:-

- i. Whereas a Showcause Notice was issued vide this office No.14471 dated 02-09-2019 & you have failed to submit your reply within time.
- ii. Whereas the Final Showcause with same charges is resubmitted to yourself for early reply.
- iii. Whereas Mr. Ejaz Ahmed CT was reappointed and posted at GMS Batangi District Mansehra under sacked Employee Act 2012 vide this office vide Endst No. 10268-74 dated 20-06-2019. On the basis of documents provided by you as per direction of Honourable Peshawar High Court Abbottabad Bench vide his judgment dated 03-04-2018.
- iv. Whereas according to the Terms and Condition NO.20 of the appointment order is that "their documents if found fake/bogus at any stage, their appointment order shall be withdrawn and legal action be taken against him."
- v. Whereas after issuing of appointment order the competent authority sent a letter to the Head Master GHS Kajla Mansehra for verification of record of Mr. Ejaz Ahmed CT GMS Kajla vide letter No.10704 dated 25-06-2019.
- vi. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- vii. Whereas, as per report of the Head Master GHS Kajla vide dated 05-08-2019 with the remarks that "Mr Ejaz Ahmed CT has never ever been appointed vide Endst No.6061-69 dated 24-04-1996 at GMS Kajla, his charge report stamped by GHS Kajla is fake as GMS Kajla upgraded in 2011 as GHS Kajla, acquaintance role, attendance register, log book and appointment order file were checked no such record was found of the said person in our school for the period 1996-1997.
- viii. Whereupon the initial inquiry conducted by the officer on 06-08-2019, the said committee submitted report to this office on 07-10-2018, with the remarks that no record was found in school record the case is fake, so the appointment order may be withdrawn. It shows that you have committed misconduct /illegality thus violated E&D rule, 2011.
- ix. I am satisfied that you found guilty of misconduct, inefficiency and committed illegal act as specified in rule 3 of the said rules. Thus you have rendered yourself liable to be proceeded against under the said rules.

2. In exercise of the powers conferred by the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, the competent authority is hereby pleased to serve you with the show cause notice with the direction to submit your defense in writing within 07 (Seven) days of the receipt of this notice as to why one of the major penalty of rule-4 of the said rules should not be imposed upon you.

3. In case you failed to submit your reply within stipulated Period, it will be presumed that you have no defense to offer and an ex-parte decision will be taken against you

COMPETENT AUTHORITY

Ejaz Ahmed S/o Muhammad Qasim CT
GMS Batangi
District Mansehra

Babur Khan
Advocate
Mansehra

Handwritten signature

قدرت صند - PFO صوبہ مردانہ

فنا عالی

گزشتہ مدت کے لئے کل گورنمنٹ ڈپارٹمنٹ میں شامل شدہ افراد میں سے کل افراد میں سے
کل افراد میں سے کل گورنمنٹ ڈپارٹمنٹ میں شامل شدہ افراد میں سے کل افراد میں سے
کل افراد میں سے کل گورنمنٹ ڈپارٹمنٹ میں شامل شدہ افراد میں سے کل افراد میں سے
کل افراد میں سے کل گورنمنٹ ڈپارٹمنٹ میں شامل شدہ افراد میں سے کل افراد میں سے

عرض قدرت یہ صند یہ بھی ہو سکتا ہے سال 2005 کے رزولوشن میں شامل شدہ افراد میں سے
ہو۔ آپ سے التماس کی جاتی ہے کہ اس سے متعلقہ 1996-97 کو منظور کیا گیا اور جیک کیسا
دوسرا اس وقت کے جو سیدار جوانہ کو بلڈ ٹریوٹمنٹ کے بارے میں اسناد تھی اسے
یوں کہ وہ ہمیں بھی دکھانا پڑتا تھا۔ مافی سیدی تنخواہ نہیں ہوتی تھی ہے تو پوری
سے نکال دیا تھا۔ جیسے تمام دیگر ڈپارٹمنٹوں میں موجود ہے۔

فنا۔ والد سائمن ایضاً سینیٹر کے طور پر بھی کام کر رہے ہیں۔ عدالت عالیہ کے
قسم برضا۔ والد نے سال 2019 اور 2018 میں بھی کام کیا ہے۔

سال 2019 کو ایضاً سینیٹر کے طور پر کام کیا ہے۔ عدالت عالیہ کے
سال 2019 کو ایضاً سینیٹر کے طور پر کام کیا ہے۔ عدالت عالیہ کے

سال 2019 کو ایضاً سینیٹر کے طور پر کام کیا ہے۔ عدالت عالیہ کے
سال 2019 کو ایضاً سینیٹر کے طور پر کام کیا ہے۔ عدالت عالیہ کے

Advocate
Mian

21

المقرر

مقرر العمل في ادارة التعليم العالي
بموجب قرار وزير التعليم العالي رقم 100/19
تاريخ 19/9/2019

بالدوت

100/19

C. No. 03459679324

~~CMIC~~ CMIC: 13501-1321439-7

28/9/19

100/19

100/19

Ahmed F

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Phone # 0997-382271

Fax # 0997-382244

E-mail Address: edoedu_mansehra@yahoo.com

NOTIFICATION

Mr. Ejhaz Ahmed S/O Muhammad Qasim CT GMS Batangi Mansehra. WHEREAS Mr. Ejhaz Ahmed CT GMS Batangi Circle Mansehra was proceeded against under Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 on account of fake and fabricated documents have been found in service record and tempering in documents was proved.

- i. Whereas Mr. Ejaz Ahmed CT was reappointed and posted at GMS Batangi District Mansehra under sacked Employee Act 2012 vide this office vide Endst No. 10268-74 dated 20-06-2019. On the basis of documents provided by you as per direction of Honourable Peshawar High Court Abbottabad Bench vide his judgment dated 03-04-2018.
- ii. Whereas according to the Terms and Condition NO.20 of the appointment order is that "their documents if found fake/bogus at any stage, their appointment order shall be withdrawn and legal action be taken against him."
- iii. Whereas after issuing of appointment order the competent authority sent a letter to the Head Master GHS Kajla Mansehra for verification of record of Mr. Ejhaz Ahmed CT GMS Kajla vide letter No.10704 dated 25-06-2019.
- iv. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- v. Whereas, as per report of the Head Master GHS Kajla vide dated 05-08-2019 with the remarks that "Mr Ejhaz Ahmed CT has never ever been appointed vide Endst No.6061-69 dated 24-04-1996 at GMS Kajla, his charge report stamped by GHS Kajla is fake as GMS Kajla upgraded in 2011 as GHS Kajla, acquaintance role, attendance register, log book and appointment order file were checked no such record was found of the said person in our school for the period 1996-1997.
- vi. Whereupon the initial inquiry conducted by the officer on 06-08-2019, the said committee submitted report to this office on 12-08-2019, with the remarks that Mr Ejhaz Ahmed tempered/forged his name at serial No.120 in Termination order vide Endst 16052-189 dated 07-07-1996 and no record was found in school record the case is fake, so the appointment order may be withdrawn. It shows that you have committed misconduct /illegality thus violated E&D rule, 2011.
- vii. WHEREAS as per inquiry report dated 12-08-2019, a showcause notice was issued to concerned vide this office No. 14471 dated 02-09-2019, but Mr. Ejhaz Ahmed Failed to reply Final show cause notice issued vide Endst No.15698 dated 21-09-2019, and received reply of showcause on 28-09-2019
- viii. WHEREAS, he was called for personal on 08-10-2019, while attending the office of undersigned on 11-10-2019 and heard.
- ix. AND WHEREAS the competent authority District Education Officer (M) E&SE Mansehra after having considered the charges and evidence on record, perusal of reply of show cause notice & Personal hearing, is of the view that the charges against the accused Teacher have been proved. Therefore the appointment order vide Endst No.10268-74 dated 20-06-2019 in r/o Mr. Ejhaz Ahmed CT GMS Batangi Mansehra is hereby **WITHDRAWN** from the date of issue of re-appointment order (Ab-initio Withdrawn) with immediate effect.

Sd/-

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRAEndst: No. 17688-92 /F.No.Final Showcause/Appointt: 2019 (M)//Dated 07/11 /2019

Copy forwarded for information to the:

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Monitoring Officer (IMU) Mansehra.
3. District Account Officer Mansehra.
4. Head Master GMS Batangi.
5. Mr. Ejhaz Ahmed Residence of village kanshian Post Office & Tehsil Balakot District Mansehra.
6. Office File.

Babur Ejaz
Advocate High Court
Mansehra

BY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Babur Ejaz
Advocate High Court
Mansehra

To,

(23)

Arshad

The Director,
E&SE Education Department,
Khyber Pakhtunkhwa Peshawar

Subject: APPEAL FOR RE-INSTANTMENT AGAINST
IMPUGNED NOTIFICATION ENDST: NO. 17686-
92 DATED 07.11.2019 ISSUED BY DEO (MALE)
MANSEHRA WHEREIN APPOINTMENT ORDER
OF APPELLANT WAS WITHDRAWN FROM THE
DATE OF APPOINTMENT.

Respected Sir,

- 1) That, appellant was appointed against vacant post of CT and posted at GMS Kaila. (Copy of appointment order vide dated ~~24~~²⁴/₉₆ is attached).
- 2) That, appellant joined duties and continued in job, meanwhile appellant in the year 1997, vide dated ~~17~~¹⁷/₀₇.1997, appellant was terminated.
- 3) That, in the year 2012 Government of KPK promulgated Khyber Pakhtunkhwa Sacked Employee Act (Appointment) 2012, wherein appellant applied vide that Act for re-instatement.
- 4) That, appellant being sacked employee DEO(M) Mansehra conducted a scrutiny committee for scrutiny committee for scrutiny of documents of appellant, the said documents i.e. application alongwith relevant documents of appellant for re-instatement was referred for appointment to Departmental Selection Committee in the light of recommendations of DSC, appointment order of appellant was issued vide Endst. No. 10268-74 dated 20.06.2019 by DEO (M) Mansehra. (Copy of appointment order is attached).
- 5) That, appellant took over charge that post of CT at GMS Batangi (Mansehra) as per reinstatement order vide dated 20.06.2019 and is devotedly serving with his utmost endeavour and to the best his ability from the date of his appointment. (Copy of charge report is attached).
- 6) That, appellant being sacked employee was appointed after checking/scrutiny of application and relevant document as per record in office.

Babur
Advocate High Court
Mansehra

MA

2

(24)

concerned and on the recommendations of Departmental Selection Committee, as per judgment of Honourable Peshawar High Court, Bench Abbottabad appellant was appointed by DEO(M) Mansehra but inspite of all relevant and reliable facts, the DEO(M) Mansehra issued baseless, without approving relevant record in office concerned, without adopting codel formalities, explanation, show cause etc, on the basis of so-called report of which is depict as Para No. V of Notification dated 07.11.2019 i.e. Head Master of GMS Kajla, the place of first appointment vide dated 24.04.1996 wherein the record of official no available in GMS Kajla, Notification Endst. No. 17688-92 dated 07.11.2019 wherein upon the appointment order vide dated 20.06.2019 was withdrawn, from the date of appointment. (Copy of Notification dated 07.11.2019 is attached).

- 7) That, the appellant being sacked employee was appointed in due course and after adopting all codel formalities and after inquiry by concerned quarter and on recommendations of DSC and Scrutiny Committee of document as per record of office concerned and furthermore attested copies of all relevant documents has been produced before DEO(M) Mansehra time and again, which were verified and checked thereafter appointment order dated 20.06.2019 was issued by DEO(M) Mansehra.
- 8) That, DEO(M) Mansehra deliberately ignored the recommendations of DSC, on the basis of so called report of Head Master GMS Kajla (Mansehra) and so-called allegations issued impugned Notification vide dated 07.11.2019, which is against the rules, policy, norms of justice and spirit of judgment of Honourable Peshawar High Court, Abbottabad Bench was issued vide Endst. No. 17688-92 dated 07.11.2019 which is liable to be set-aside.
- 9) That, appellant has filed a writ petition No. 944-A/19 dated 26-09-19 before Honourable Peshawar High Court Bench Abbottabad against the illegal process of department against the law, withdrawal of appointment order vide dated 07.11.2019 which is subjudice for adjudicate, during pending adjudication of writ petition the appointment order vide dated 20.06.2019 was withdrawal order vide dated 07.11.2019 which is against the law and spirit of judgment of

Baqar Aliyas
Advocate High Court
Mansehra

(Handwritten signature)

Honourable High Court. (Copy of writ petition is attached).

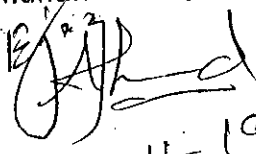
It is, therefore, most graciously requested that on acceptance of appeal, the impugned Notification vide dated 07.11.2019 may kindly be set-aside and appellant may graciously be reinstated into Government Service with immediate effect.

Dated 28.11.2019

Yours Sincerely,


(EJAZ AHMED)


s/o Muhammad Qasim


28-11-19

Address: -

Village Kanshian, Tehsil Balakot
District Mansehra
Ex-CT, GMS Batangi
(Mansehra)




Advocate Fajr Qasim
Mansehra

26



Anx = B2

17

H



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA
MINUTES OF THE MEETING OF DISTRICT SELECTION COMMITTEE HELD ON 11 JUNE 2019 AT 12:00 PM IN THE OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA.

A meeting of the District Selection Committee was held on June 11-06-2019 at 12:00 PM under the chairmanship of District Education Officer (Male) Mansehra for determining of eligibility & suitability for appointment of PST, C.T, T.T, QARI, A.T, DM, PET, junior Clerk & Class-iv Sacked Employees, in the Elementary and Secondary Education Department Khyber Pakhtunkhwa District Mansehra under sacked employee Act 2012 & in light of decision passed by Honorable Peshawar High Court Abbottabad Bench Abbottabad in COC No.22-a/2016, COC 47-a/2016, COC58-a/2016, COC33-a/2016, in the light of judgments/order sheet vide dated 24-05-2016, 27-03-2018, 03-04-2018 & 07-03-2019, in w/p no 516-a/2013, 676-a/2015, 20-a/2014, 216-a/2015, 1155-a/2015, 702-a/2014, 115-A/2014, and under subsequent COC.s under process before Honorable Peshawar High Court Abbottabad Bench.

The following attended the meeting:-

- | | |
|---|---------------|
| 1. Mr. Khan Muhammad D.E.O (Male) Mansehra | In: Chairman. |
| 2. Mr. Zahid Hussain Dy: D.E.O (Male) Mansehra | Member |
| 3. DEO (F) Mansehra: Representative of the Director | Member |
| 4. Mr. Tariq Mehmood Supatt: (Estt:) DEO (M) Office Mansehra. | Member |
| 5. Mr. Saif Ul Malik ADEO (Estt:) (M) Mansehra | Member |
| 6. Mr. Sakinullah ADEO (Lit:) Local Office Mansehra | Member |

The meeting started with recitation from the Holy Quran. The chair briefed the forum regarding criteria of eligibility and suitability for appointment under the Sacked Employee (Appointment) Act 2012. The Assistant District Education Officer (Litigation) explained the legal aspects of the Act and informed the forum that according to the said Act & the judgment of Honorable Peshawar High Court Abbottabad Bench (dated 24-05-2016, 27-03-2018, 03-04-2018 & 07-03-2019) in which the employees who were terminated in the period between 01-11-1993 to 30-11-1996 will have to be re-appointed if they fulfill the criteria fixed for selection. He told the forum that a process was started by receiving the applications from the candidates for re-instatement under the Act as per procedure lays down in sacked Employee Act 2012. The application received on the direction of Honorable Peshawar High Court Abbottabad Bench, this office received applications for each category as per detail given below,

CT=15, PST=133, AT=07, TT=11, DM=01, JC=07, PET=03, QARI=06, C-IV=07 TOTAL=190.

He further told that all the applications were received within stipulated period of time as per directions of the court and this office constituted scrutiny committee vide Endst No 6359-61/ dated 07-04-2018 for scrutinizing the documents of the applicants for determining the eligibility of candidates for re-appointment against the above mentioned posts. The scrutiny committee submitted its report on 29-08-2018, and again re-check the documents and submitted his detail report on 15-03-2019, as per direction of Honorable Court in COC No.22-a/2016, COC 47-a/2016, COC58-a/2016, COC33-a/2016, this office nominated an inquiry officer vide Endst No.14120 dated 24-09-2018, Mr. Luqman Ali Khan Principal GHSS NO:1 Mansehra for verification of record of sacked employee, the officer submitted his complete report with the remarks that the scrutiny committee will considered the eligibility/suitability in the light of sacked Employee Act 2012, the competent authority constituted the scrutiny committee vide Endst No : 9010-11 dated 27-12-2018 for scrutinizing the documents of the applicants for determining the eligibility of candidates for re-appointment against the above mentioned posts. The scrutiny committee submitted its report on 13-03-2019.

Babar Iqbal
 Advocate High Court
 Mansehra

[Handwritten signature]

DECISIONS:

After thorough deliberation and perusal of record the committee recommended the candidates at serial No 85-84 and 86-90(35 Candidates) were possessed the required documents and prescribed qualification i.e. Both academic and professional at the time of their appointment hence the committee declared these candidates as **Recommended** in light of sacked employees (appointment act 2012), while the candidates at serial No 85 and 126 are declared Differed due to non provision of adjustment orders, whereas the candidates at serial No.01-34, and 91-125 and 127-133 were rejected as they did not possessed the required Documents at the time of scrutiny hence the committee declared these candidates were **Rejected** in the light of Sacked Employee (Appointment) Act 2012.

ii. CERTIFIED TEACHERS:

The forum was briefed that only those candidates are eligible in light of Sacked Employee (Appointment) ACT 2012 who were appointed during 01/11/1993 to 30/11/1996 and terminated during the period 01/11/1996 to 31/12/1998. The forum was further briefed that under the C.T Category (15) candidates have submitted their applications other conditions are the same as was for the PST candidates. After detail deliberation/perusal of record the following decision were made. The committee checked the record of all candidates one by one and determined their eligibility and suitability for appointment in light of Sacked Employees (appointment) Act 2012, and recorded their remarks **RECOMMENDED, REJECTED** against the name of each candidate in the column of remark.

S#	NAME OF TEACHER	FATHER NAME	DATE OF BIRTH	DOMICILE	Endst No	DATE OF 1ST APPOINTMENT	issuing Authority	Endst No	D/O Termination	App: CNIC	App: order	Arr: Report	S/ Book	Att: Reg.	Quali: fi	Dom: -	Termination order	REMARKS
1	M. PERVAIZ	DURLAMAN	5/6/1963	Manshera	12324-26	30/05/1995	Div: Dir: Hazar Ata	2134-3528	13-2-1997	Yes	Yes	Yes	Yes	Yes	BA	Yes	Yes	RECOMMENDED FOR APPOINTMENT

28 (13)

29

28

2	M. SULTAN	GHULAM QADAR	3/12/1964	Mans ehra	2039-4-403	27/08/1995	do	2134-3528	13-2-1997	Yes	Yes	Yes			FA		Yes	DIFFERED/NEED VERIFICATION FROM DEO (M) ABBOTABAD	
3	M. NAWAZ	M. MUMTAZ	1/2/1972	Mans ehra	2132-9-35	4/9/1995	do	2134-3528	13-2-1997	Yes	Yes	Yes	Yes		Yes	BA	Yes	Yes	RECOMMENDED FOR APPOINTMENT
4	ABDUL JALIL	ABDUL RAZZAQ	6/7/1969	Mans ehra	1146-8-76	6/11/1995	do	Nil	Nil	Nil	Nil	Nil	Nil	Nil	FA	Nil	Nil	Rejected	
5	S. ZAHOR H. SHAH	S. HAZRAT A. SHAH	2/2/1972	Mans ehra	2117-3-80 as per S/B	31/12/1995	do	2134-3528	13-2-1997	Yes	Yes	Nil	NIL	Yes	Nil	FA	Yes	Yes	DIED
6	MUHAMMAD SAJJID	M. SADIQ	1/3/1971	Mans ehra	6278-83	1/4/1996	do	2134-3528	13-2-1997	Yes	Yes	Yes	NIL	Nil	Yes	FA		Yes	RECOMMENDED FOR APPOINTMENT
7	SHER AFZAL	SHER MUHAMMAD	28-03-1972	Mans ehra	2033-3-38	9-9-1995	do	2134-3528	13-2-1997	Yes	Yes	yes	Yes	yes	yes	FA	Yes	yes	RECOMMENDED FOR APPOINTMENT
8	BARAQAT ALI	KHANIZAM AN	10/5/1972	Mans ehra	6050-59	24/04/1996	do	1605-2-189	7/7/1997	Yes	Yes	Yes	Yes	Yes		BA	Yes	Yes	RECOMMENDED FOR APPOINTMENT
9	EJAZ AHMED	M. QASIM	2/3/1973	Mans ehra	6061-69	24/04/1996	do	1605-2-189	7/7/1997	Yes	Yes	Yes	Yes			BA	Yes	Yes	RECOMMENDED FOR APPOINTMENT
10	MUNIR AHMED	HAFIZULLA H	01-01-1969	Mans ehra	1084-5-920	12/5/1996	do	1605-2-189	7/7/1997	Yes	Yes	Yes		Yes		BA	Yes	Yes	RECOMMENDED FOR APPOINTMENT
11	ZARDAD KHAN	HADAYTULLAH	3/8/1955	Mans ehra	2756-0-71	20/10/1996	do	1605-2-189	7/7/1997	Yes	Yes	Yes	Yes	Yes		FA	Yes	Yes	RECOMMENDED FOR APPOINTMENT
12	ABDUL MALIK	KHAN GUL	6/2/1976	Mans ehra	2756-0-71	20/10/1996	do	1605-2-189	7/7/1997	Yes	Yes			Yes		FA	Yes	Yes	RECOMMENDED FOR APPOINTMENT
13	SHAH ZAMAN	BAGA	5/5/1977	Mans ehra	2756-0-71	20/10/1996	do	1605-2-189	7/7/1997	Yes	Yes	Yes		Yes		MA	Yes	Yes	RECOMMENDED FOR APPOINTMENT
14	MUHAMMAD IQBAL	GUL DAN	12/11/1977	Mans ehra	2760-4-11	20/10/1996	do		NIL	NIL	NIL	NIL	NIL	NIL	NIL	NIL	NIL	NIL	Rejected

Abbotabad
 Ad. Office
 Abbotabad

Handwritten signature/initials

CERTIFIED TEACHERS:

The scrutiny committee was briefed that only those candidates are eligible in light of Sacked Employee (Appointment) ACT 2012 who were appointed during 01/11/1993 to 30/11/1996 and terminated during the period 01/11/1996 to 31/12/1998. The scrutiny committee was further briefed that under the C.T Category (15) candidates have submitted their applications other conditions are the same as was for the PST candidates, After detail deliberation/perusal of record the following decision was made. The scrutiny committee checked the record of all candidates one by one and determined their eligibility and suitability for appointment in light of Sacked Employees (appointment) Act 2012, and recorded their remarks **RECOMMENDED**, **DIFFER & REJECTED** against the name of each candidate in the column of remarks.

S.N O	NAME OF TEACHER	FATHER NAME	DATE OF BIRTH	DOMICILE	DATE OF 1ST APPOINT:	DATE OF TERMIN:	REMARKS	RECOMMENDATION
1.	MUHAMMAD PERVAIZ	DURIAMAN	05-06-1963	MANSEHRA	12324-26 30-5-1995	2134-3528 13-2-1997	OK	RECOMMENDED FOR APPOINTMENT
2.	MUHAMMAD SULTAN	GHULAM QADAR	03-12-1964	MANSEHRA	20394-403 27-8-1995	2134-3528 13-2-1997	OK	RECOMMENDED FOR APPOINTMENT
3.	ZARDAD KHAN	HADAYTULLAH	03-08-1965	MANSEHRA	27560-71 20-10-1996	16052-189 7-07-1997	OK	RECOMMENDED FOR APPOINTMENT
4.	MUNIR AHMED	HAFIZULLAH	01-01-1969	MANSEHRA	10845-920 12-5-1996	16052-189 7-07-1997	OK	RECOMMENDED FOR APPOINTMENT
5.	ABDUL JALIL	ABDUL RAZZAQ	06-07-1969	MANSEHRA	11468-76 6-11-1995	NIL	FAILED TO PROVIDE TERMINATION ORDER & MEDICAL CERTIFICATE	REJECTED
6.	MUHAMMAD SAJID	MUHAMMAD SADIQ	01-03-1971	MANSEHRA	6278-83 01-4-1996	2134-3528 13-2-1997	OK	RECOMMENDED FOR APPOINTMENT
7.	RIAZ MUHAMMAD	SAID REHMAN	03-03-1971	MANSEHRA	11959-66 24-11-1996	NIL	FAILED TO PROVIDE TERMINATION ORDER ATTENDANCE REGISTER,S/Book	REJECTED
8.	MUHAMMAD NAWAZ	MUHAMMAD MUMTAZ	01-02-1972	MANSEHRA	21329-35 04-9-1995	2134-3528 13-2-1997	OK	RECOMMENDED FOR APPOINTMENT
9.	SYED ZAHoor HUSSAIN SHAH	SYED HAZRAT ALI SHAH	02-02-1972	MANSEHRA	21173-80 31-12-1995	2134-3528 13-2-1997	OK	RECOMMENDED FOR APPOINTMENT
10.	SHER AFZAL	SHER MUHAMMAD	28-03-1972	MANSEHRA	15270-76 19-11-1995	1444-894 25-6-1997	OK	RECOMMENDED FOR APPOINTMENT
11.	RAFAQAT ALI	KHANIZAMAN	10-05-1972	MANSEHRA	6050-59 24-4-1996	16052-189 07-7-1997	OK	RECOMMENDED FOR APPOINTMENT
12.	EJAZ AHMED	MUHAMMAD QASIM	02-03-1973	MANSEHRA	6061-69 24-4-1996	16052-189 07-7-1997	OK	RECOMMENDED FOR APPOINTMENT
13.	ABDUL MALIK	KHAN GUL	06-02-1976	MANSEHRA	27560-71 20-10-1996	16052-189 07-7-1997	OK	RECOMMENDED FOR APPOINTMENT
14.	SHAH ZAMAN	BAGA	05-05-1977	MANSEHRA	27560-71 20-10-1996	16052-189 07-7-1997	OK	RECOMMENDED FOR APPOINTMENT
15.	MUHAMMAD IQBAL	GUL DAN	12-11-1977	MANSEHRA	27604-11 20-10-1996	NIL	FAIL TO PROVIDE TERMINATION ORDER, ATTENDANCE REGISTER	REJECTED

DECISIONS:

After thorough deliberation and perusal of record the committee recommended the candidates at serial No.01,02,03,04,06,08,09,10,11,12,13, and 14 (12 candidates) possess the required documents and prescribed qualification i.e. Both academic and professional at the time of their appointment hence the committee declared these candidates as **RECOMMENDED** in light of sacked employee (appointment act 2012). While the candidates at serial 05,07,15, were rejected as they did not possess the required Documents at the time of scrutiny hence the committee declared these candidates **NOT RECOMMENDED DIFFER & REJECTED** in the light of Sacked Employee (Appointment) Act 2012.

III. THEOLOGY TEACHERS:

DECISION:

After thorough deliberation and discussions the committee declared the candidates at serial No.01, 02, 03, 04, 05, 06 and 07 as rejected as they did not possess the required Documents at the time of scrutiny. Hence the committee declared these candidates as Rejected. In the light of Sacked Employee (Appointment) Act 2012.

Meeting ended with vote of thanks and from the Chair:

1. Khan Muhammad , District Education Officer; (Male) Mansehra _____
2. Zahid Hussain Dy: District Education Officer, (Male) Mansehra _____
3. DEO (F) Mansehra Representative of the Director: _____
4. Tariq Mehmood Supdt: (Estt:) DEO (M) Office Mansehra: _____
5. Saif ul Malik ADEO (Estt:) DEO (M) Mansehra _____
6. Sakinullah ADEO (Lit) DEO(M) Mansehra _____

DISTRICT EDUCATION OFFICER,
(MALE) MANSEHRA

Ends: No. 904-67 /sacked employee Dated Mansehra the 15/2 /2019.

Copy forwarded for information and necessary action to the:-

1. The Director, Elementary & Secondary Education Peshawar:
2. District Accounts Officer Mansehra:
3. District Education Officer (Female) Mansehra.
4. PA to Secretary Khyber Pakhtunkhwa E. & SE Department Peshawar:
5. Office File:

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Bo
11/2/2019



General Secretary
District Bar Association
Manshra

DBAM No. 200
BC No. 10-2871
Name of Advocate ایم ایچ زاہر

S.No. 32511
Fee Rs. 100/-

وکالت نامہ

بعدالت: سروس ٹریڈ سونل سٹار
عنوان: ایم ایچ زاہر
منجاب: ایم ایچ زاہر
نوعیت مقدمہ: سروس اسٹار

باعث تحریر آنکہ
دریں مقدمہ عنوان بالا میں اپنی طرف سے برائے پیروی و جواب دہی بمقام ایم ایچ زاہر کے لئے
ماہ اپریل - اکتوبر (سروس ٹریڈ سونل سٹار) کے لئے
کو بدین شرائط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بوقت پکارے
جانے وکیل موصوف کو اطلاع دیکر حاضر کروں گا۔ اگر کسی پیشی پر مظہر حاضر نہ ہوا اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ
میرے خلاف ہو گیا تو وکیل موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل موصوف صدر مقام پکھری کے علاوہ
کسی اور جگہ پکھری کے مقررہ اوقات سے پہلے یا بروز تعطیل پیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ پکھری کے علاوہ
کسی اور جگہ سماعت ہوا یا پکھری کے اوقات کے آگے پیچھے سماعت ہونے پر مظہر کو کوئی نقصان پہنچے تو وکیل موصوف ذمہ دار
نہ ہوں گے اور وکیل موصوف کو عرضی دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست
بیان حلفی و تصدیق کرنے اور اسپر دستخط کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور قسم کاروپہ وصول
کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور اسپر دثالی و رضی نامہ و دستبرداری و اقبال دعویٰ کا اختیار بھی ہوگا
بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا فیصلہ قبل از ڈگری اجراء ڈگری بھی وکیل موصوف
کر بشرط ادا نیگی علیحدہ محتاتانہ ادا کرنے کا مجاز ہوگا اور بصورت ضرورت بدوراں مقدمہ یا اپیل و نگرانی کسی دوسرے وکیل یا بیرسٹر کو
بجائے خود یا اپنے ہمراہ مقرر کریں اور مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے وکیل موصوف کو
اور اگر پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو وکیل موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی حالت
میں میرا مطالبہ وکیل موصوف کے برخلاف نہیں ہوگا مجھے کل ساختہ پرداخت وکیل موصوف مثل ذات خود منظور و قبول ہوگا۔
لہذا وکالت نامہ لکھ دیا ہے اور دستخط / انگوٹھا ثبت کر دیا ہے تاکہ سند رہے مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے۔

ایم ایچ زاہر
د

20

ACCEPTED

ایم ایچ زاہر

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD.

Service Appeal No.5892-A/2020

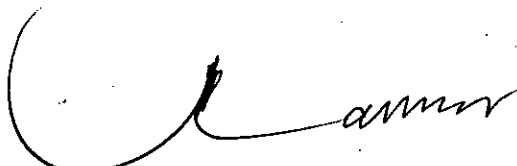
Ejaz Ahmed.....APPELLANT.

VERSUS

1. Secretary Elementary & Secondary Education KPK Peshawar.
2. Director Elementary & Secondary Education KPK Peshawar.
3. District Education Officer (Male) Mansehra.....**RESPONDENTS.**

INDEX

S. NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGES
1.	COMMENTS		1-4
2.	AFFIDAVIT		5
3.	Copy of the Original termination order	A	6-7
4.	Copy of the tempered termination order	B	8-9
5.	Letter to Head Master & Report of Head Master GMS Kajla	C & C1	10-12
6.	Copy of Sacked Employee act 2012	D	13-17
7.	copy of the showcause	E	18-19
8.	copy of the Final showcause	F	20-21
9.	copy of the reply of showcause	G	22-23
10.	copy of the personal hearing	H	24
11.	copy of the questionier	I	25-26
12.	copy of the detail of personal hearing report	J	27-28
13.	Copy of the withdrawal order	K	29
14.	copy of the rejection letter	L	30


DISTRICT EDUCATION OFFICE
(MALE) MANSEHRA

97

①

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD.

Service Appeal No.5892-A/2020

Ejaz Ahmed.....APPELLANT.

VERSUS

1. Secretary Elementary & Secondary Education KPK Peshawar.
2. Director Elementary & Secondary Education KPK Peshawar.
3. District Education Officer (Male) Mansehra.....RESPONDENTS.

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS

NO 1, 2 & 3:-

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. The appellant have prepared fake and bogus record through tempering in order to include / consider him a sacked employee.
11. That the impugned order passed by the respondent Department according to rules and Law, hence appeal is liable to be dismissed.
12. That the appeal is bad for misjoinder and non-joinder of necessary and proper parties.

FACTUAL OBJECTIONS:-

- 1) Para No. 1 is incorrect and misleading the appellant was never appointed against the post of CT at GMS Kajila Mansehra. In the year 1996-98 different teachers in Education department were appointed. Later on many of the employees were terminated from the service because they were not appointed according prescribed manner. The appellant is not employee of the Education Department, because he was never appointed in Education Department in 1996. In the year 2012 the Govt of Khyber Pakhtunkhwa Promulgated the Sacked Employee (Appointment) Act 2012 for reappointment of Sacked employee who were appointed during the period from 1st day of November 1993 to the 30th day of November 1996 (both days Inclusive) and were terminated, dismissed, removed from service during the period from 1st day of November 1996 to 31st day of December 1998 on various grounds. The appellant stance is totally malafide and misleading as he had been never appointed as a CT in Education Department but he totally prepared the fake and fabricated service record to show himself as a sacked employee, actually he was not a sacked employee.
- 2) Para No.02 is correct to the extent that many employee were terminated from service vide Divisional Director Endst No. 2134-3528/AE-III/20/ Dated 13-2-1997 and in the original termination order 16052-189/AE-III/20 Dated 7/7/1997 the original candidate at serial 120 is Muhammad Shafique S/O Banaris but the appellant Ejaz Ahmed S/O Muhammad Qasim tempered and illegally inserted him name at Serial 120 to be considered him a sacked employee whereas actually he was not a sacked employee. To clarify the matter,

DEO Male Mansehra forwarded a letter to the Head Master GMS Kajla Mansehra for the verification of Record of the appellant from the concerned school for which he is claiming that he was appointed in the said school. In response of that letter the Head Master GMS Kajla forwarded a letter to the DEO Male Mansehra with the remarks that "Mr. Ejaz Ahmed CT has never ever been appointed Vide Endst: No. 6061-69, dated 24/4/1996 at GMS Kajla, Also his charge report stamp by GHS Kajla is fake as GMS kajla upgraded 2011 as GHS Kajla as well as acquaintance roll, Attendance register, log book and appointment order file were check but no record in respect of above name teacher found". From the record it is clear that appellant has never been appointed in education department neither remained on the strength of department. The appellant fakely / fabricatedly prepared the whole record by scanning the signature of the competent Authority on them, and declared himself a sacked employee. **(Copy of the Original termination order / tempered termination order and report of the Head Master GMS Kajla are annexed A, B & C)**

- 3) Para No.03 is incorrect and misleading. The Govt of KPK promulgated Sacked Employee (Appointment) Act 2012 to reinstate the terminated employee, who were having the civil post at that time. The appellant has never been appointed nor terminated. The appellant prepared fabricated / tempered record and mislead the department and submitted the same tempered / bogus record to the department for reinstatement in service as a sacked employee. **(Copy of the Act 2012 is annex as annexure D).**
- 4) Para No.04 is correct to the extent that the different candidates were appointed 20/06/2019 vide Endst: No. 10268-74, by the competent authority on the basis of record provided by the appellant. **(Copy of the appointment Order is annexed as Annexure C of the service appeal)**
- 5) Para No 5 as Stated in Paras ibid.
- 6) In reply to Para 6, it is submitted that a complaint had been received from the different resources that the appellant was not a sacked employee, as he had been never appointed in the Education Department. To clarify the matter the respondent No 3 forwarded a letter to Head Master GMS Kajla for the clarification of service record of the appellant, the Head Master forwarded the report, the detail has already been given in aforementioned paras. On the basis of the fake and fabricated record the respondent No 3 issued shown Cause letter Vide Endst No. 14471 dated 2-9-2019 to clarify his position through written reply within the period of the 7 days but he failed to reply in stipulated period. The competent authority issued final shown cause notice with same allegation vide Endst: No. 15698 dated 21-09-2019, whereas the reply of the showcause was received on 28-09-2019. In light of the reply of the show cause the appellant failed to satisfy the respondent department and nothing have been attached with reply of showcause notice in his support, it means that he had failed to clarify his position against the charges upon him. The respondent called the appellant for personal hearing vide Endst: No. 16411-15 dated 5-10-2019 and the appellant appeared before the competent authority on 11-10-2019. The questionnaire was served to the appellant and the appellant replied the questionnaire accordingly but totally failed to produce any evidence regarding his initial appointment and other service record. So the charges against the accused teachers have been proved. **copy of the showcause, Copy of final showcause, copy of the reply of showcause, copy of the personal hearing, copy of the questioneir, copy of the detail of personal hearing report are annex as annexure E, F, G, H, I, & J).**
- 7) Para No 7 is incorrect and misleading. The complete process adopted is as under:-
 - Mr. Ejhaz Ahmed CT was reappointed and posted at GMS Batangi District Mansehra under Sacked Employee (Appointment) Act 2012 vide this office vide Endst No. 10268-74 dated 20-06-2019, on the basis of documents provided by him, as per direction of

Honorable Peshawar High Court Abbottabad Bench vide his judgment dated 03-04-2018.

3

- That after issuing of appointment order the competent authority sent a letter to the Head Master GHS Kajla Mansehra for verification of record of Mr. Ejhaz Ahmed CT GMS Kajla vide letter No.10704 dated 25-06-2019.
- After verification of his documents/service record, fake and fabricated documents have been found in his service record.
- That report received by the Head Master GHS Kajla vide dated 05-08-2019 with the remarks that "Mr Ejhaz Ahmed CT has never ever been appointed vide Endst No.6061-69 dated 24-04-1996 at GMS Kajla, his charge report stamped by GHS Kajla is fake as GMS Kajla upgraded in 2011 as GHS Kajla, acquaintance role, attendance register, log book and appointment order file were checked no such record was found of the said person in our school for the period 1996-1997.
- That the initial inquiry conducted by the officer on 06-08-2019, the said committee submitted report to this office on 12-08-2019, with the remarks that Mr Ejhaz Ahmed tempered/forged his name at serial No.120 in Termination order vide Endst 16052-189 dated 07-07-1996 and no record was found in school record the case is fake, so the appointment order may be withdrawn. It shows that you have committed misconduct /illegality thus violated E&D rule, 2011.
- That as per inquiry report dated 12-08-2019, a show cause notice was issued to concerned vide this office No. 14471 dated 02-09-2019, but Mr. Ejhaz Ahmed Failed to reply Final show cause notice issued vide Endst No.15698 dated 21-09-2019, and received reply of show cause on 28-09-2019.
- Appellant was called for personal hearing on 08-10-2019, and appeared for personal hearing on 11-10-2019 and heard.
- That according to the Terms and Condition, NO.20 of the appointment order i.e. "their documents if found fake/bogus at any stage, their appointment order shall be withdrawn and legal action be taken against him."
- That in pursuance of the initial inquiry, report of the Head Master, perusal of reply of show cause notice, evidence on record & after personal hearing is of the view that the charges against the accused teacher have been proved. Therefore the appointment order in r/o Mr. Ejhaz Ahmed CT GMS Batangi Mansehra was **WITHDRAWN** vide this office Endst: No. 17688-92 dated 07-11-2019 **(All relevant record is enclosed as annexure).**

- 8) Para No 8 is totally incorrect and misleading, whereas the respondent properly verified the record of appellant from the concerned school, proper procedure was adopted in this regard. After all the procedure, the charges against the appellant had been proved, therefore the order issued vide Endst No. 17688-92 dated 07-11-2019 in r/o appellant is hereby withdrawn from the dated of issued of reappointment order (ab-initio withdrawn) with immediate effect. **(Copy of the withdrawal order in annex as annexure K)**
- 9) Para No 9 is correct to the extent that appellant filed the departmental appeal, while rest of para is incorrect as the appeal of the appellant was rejected by the Appellate authority (respondent no 2) vide Endst: No. 7950 dated 16-3-2020. **(copy of the rejected appeal is attached as a Annexure L)**
- 10) Para No 10 is incorrect, the appellant has no right to invoke the jurisdiction of this Hon'ble Tribunal, as the appellant is not aggrieved Person inter alia on the following Grounds:-

REPLY ON GROUNDS:-

- a) Para A is incorrect and misleading. The appellant was not a sacked employee because his appointment order, termination order and other service record were fake and fabricated. The detailed reply has already been given in the above paras.
- b) Para B is correct to the extent that the reappointment order issued on the record provided by the appellant which was scrutinized by the committee and the appellant was reappointed as CT, as after the verification of service record of the appellant, it was found that the whole service record / documents provided by the appellant is fake and fabricated / bogus.
- c) Para C is incorrect, hence denied. The detailed reply has already been given in above paras.
- d) Para D is incorrect and misleading. The appellant has provided the fabricated record before the Peshawar High Court Abbottabad Bench and to the

4

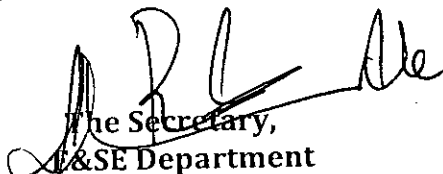
respondent department and also to the Departmental Selection Committee. No salary record of the appellant was found in the school as well as District Accounts Office Mansehra.

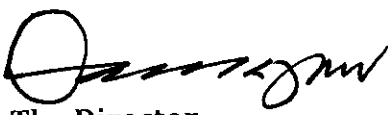
- e) Para E is incorrect and misleading. The proper record was collected by the respondent and on the basis of said record, the major penalty was imposed on the appellant.
- f) Para F is totally incorrect and misleading, hence denied.
- g) Para G is incorrect. The appellant has provided the fake and fabricated record to show himself as a sacked employee. The proper opportunity was provided to the appellant but he failed to satisfy the competent authority.
- h) Para H, as stated above.
- i) Para I is incorrect and misleading. The detail reply is already given in aforementioned paras.
- j) Para J is totally misleading because the appellant has never been appointed neither terminated in the year 1996 to 1998. Appellant prepared the fake and fabricated record to include himself in a sacked employee.
- k) Para K is incorrect, hence denied. Detail reply already given above.
- l) Para L is incorrect, hence denied.
- m) Para M is incorrect and misleading it has already been proved that appellant's whole service record is fake and fabricated.
- n) Para N is totally incorrect and misleading. The appellant was not sacked employee, so the competent authority rightly withdrawn the order of the appellant.
- o) Para O to S incorrect, hence denied. Detail reply have already been given in Paras ibid.
- p) Para T. the respondents also seek the permission of this Hon'ble Tribunal to adduce more grounds and record at the time arguments.

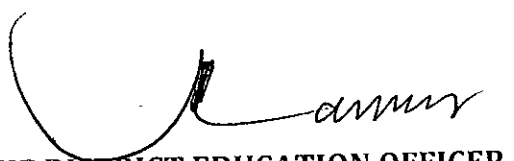
PRAYERS.

It is therefore, humbly prayed that on acceptance of the above submissions, the instant appeal may very graciously be dismissed in the favour of the answering Respondents in the interest of the Justice

Respondent


The Secretary,
E&SE Department
Khyber Pakhtunkhwa Peshawar.


The Director,
E&SE Department
Khyber Pakhtunkhwa Peshawar.


THE DISTRICT EDUCATION OFFICER,
94 (MALE) MANSEHRA

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD.

Service Appeal No.5892-A/2020

Ejaz Ahmed.....APPELLANT.

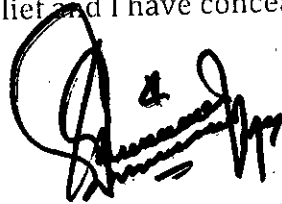
5

VERSUS

1. Secretary Elementary & Secondary Education KPK Peshawar.
2. Director Elementary & Secondary Education KPK Peshawar.
3. District Education Officer (Male) Mansehra.....**RESPONDENTS.**

AFFIDAVIT

I, Muhammad Toseef, litigation Officer to DEO(M) Mansehra hereby solemnly affirm and declare that the content of the reply of the comments in the above appeal No.3634-A/2020 Titled as Razaqat Ali versus Govt. of Khyber Pakhtunkhwa and others are true to the best of my conviction and belief and I have concealed nothing.



ASSISTANT DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

(6)
Ann. A.

OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION (S) HAZI DIV: A'ABAD.

OFFICE ORDER NO. _____ /
AB-III-CR
(MELG)

DATED _____ /1997.

TERMINATION.

On the perusal of relevant record the appointment of the following CR(Male) teachers have been found illegle, nullitio, void and against the the proscribed rules, therefore, their services, are hereby dispensed with, with immediate effect:-

S/O. HAZI and Pathar Name

1. Saif-Ur-Rehman S/O Abd. L. Azam.
2. Muftaza Khan S/O Israail Khan R/O Abbottabad.
3. Ishfaq Ahmad S/O Mohd. Ajin, R/O Abbottabad.
4. Khan Arsan S/O Mir Afzal Khan R/O Abbottabad.
5. Riaz Khan S/O Ghulam Sa'war R/O Haripur.
6. Muhammad Saleem S/O Muhammad Ashraf.
7. Saifur Javed S/O Muhammad Bashir.
8. Muhammad Akhtar S/O Mir Afzal.
9. Abdul Khattib S/O Muhammad Ishaq.
10. Saifur Mehmood S/O Muhammad Younis.
11. Khan Gul S/O Gul Hammad R/O Abbottabad.
12. Arshad Khan S/O Saeed Ahmed R/O Manshra.
13. Dawid Khan S/O Muhammad Rafique Khan R/O Abbottabad.
14. Muhammad Rafique S/O Muhammad Khan .
15. Jamia Khan S/O Farid Khan R/O Abbottabad.
16. Farig Mehmood S/O Muhammad Afzal R/O Haripur.
17. Muhammad Javid S/O Ruzsam Khan .
18. Saifur Iqbal S/O Noor Muhammad .
19. Mir Bahadar S/O Ghulam Jader.
20. Akhtar Nawaz S/O Ghulam Hyder II
21. Amir Fazal S/O Fazal-Ur-Rehman R/O Abbottabad.
22. Subashar Ahmed S/O Nazar Muhammad R/O Haripur.
23. Khalid Zaman S/O Saifur Zaman .
24. Ishmail Khan S/O Ilyas Khan .
25. Nawaz Ali S/O Muhammad Zuboor R/O Manshra.
26. Khushail Khan S/O Sher Dill Khan R/O Abbottabad.
27. Shoukat Ali S/O Muhammad Yousaf.

Muhammad
Director & Accounts Officer
Hazi Division, Abbottabad

Date: on P/2.

7

25

MME

- 97. Shafiq Khan S/O Khawaj Mohd.
- 98. Riaz Ahmad S/O Roshan Din.
- 99. Ghulam Jilani S/O Mohd Ayub.
- 100. Mohammad Javed S/O Mir Ahmad.
- 101. Hafiz Khan S/O Mir Ahmad.
- 102. Mohd Nawaz S/O Mohd Zaman.
- 103. Meraf Ali S/O Umar Daraz.
- 104. Hashid S/O Mohd Farooq.
- 105. Zaffar Iqbal S/O Ghulam Sarwar.
- 106. Mohammad Yahya S/O Mohd Aslam.
- 107. Gul Hamid Khan S/O Abidur Rehman.
- 108. Khalid Mahmood S/O Mohd Yousaf.
- 109. Mohd Farooq S/O Mohd Sajid.
- 110. Mohd Javed S/O Mir Ahmad.
- 111. Kabbar Ahmad S/O Bashir Ahmed.
- 112. Mohammad Saded S/O Mohd Anam.
- 113. Fida Ahmad S/O Nisar Ahmed.
- 114. Mohammad Sajid S/O Sultan.
- 115. Abdul Qayum S/O Lal Khan.
- 116. Mohammad Tasleem S/O Umer Khatab.
- 117. Mohd Saded S/O TT, GHS, Kot Najibullah Hpr.
- 118. Mazhar Iqbal S/O Fazalur Rehman.
- 119. Mehboobur Rehman S/O Fazal Dad.
- 120. Mirdad Khan S/O Jehangir Khan.
- 121. Mohd Rafique S/O Ali Asghar.
- 122. Faqir S/O Jaffer Khan.
- 123. Atiqur Rehman S/O Moorur Rehman.
- 124. Mohd Tufail S/O Alladed Manshra.
- 125. Mohd Shafique S/O Banaras.
- 126. Waris S/O Mahmoodur Rehman.
- 127. Mohd Azam Khan S/O Mohd Aslam.
- 128. Gul Javed S/O Mansif Khan.
- 129. Attiqur Rehman S/O Abdur Rashid.
- 130. Mohd Abid S/O Saffar Khan.
- 131. Ejaz Ali S/O Johanda Khan.
- 132. Nasserud Din S/O Nawab Din.
- 133. Zulfikar S/O Abdul Baber.
- 134. Anwar Gul S/O Alladed Mah.
- 135. Mohd Javed S/O Rustom Khan.
- 136. Mohd Nawaz S/O Ali Asghar.
- 137. Mohammad Naveed S/O DM, GMS, Salhad.

Mu
 Budget & Accounts Officer
 District Education Office
 Faisalabad, Manshra

All the above mentioned teachers may please be relieved of their duties forthwith where ever they are working at this stage and compliance reported to this office.

(UMMER FAROOQ)

DIVIL: DIRECTOR OF EDUCATION(S)
 HAZARA DIVISION AHOTTAHAN.

Encl. No. 16052-189/AE-III-B Dated 07/7/1998

Copy to:-
 1-5. The DEOs (M) Secy: A/Abad, Haripur, Manshra, Battagram and Kohistan.
 6-138. All the Principals/Headmasters GHS/GMS/GMS in Hazara Division, with the remarks that since present exact where about is not known the services of the above named teachers where ever they are working at this stage stand dispensed with and Head of Institutions/DEOs, concerned, will be personally responsible if any teacher is left over and allowed to continue in services. Complete particulars of above teachers may also please be furnished in the following form:-
 S.No. Name/Father's Name Present Ask Qul. Ist: D/O Appt: No & Date
 Designation. School. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

Not attested
 copy of Apptt order may
 also be furnished.

For/ S. JAL DIRECTOR OF EDUCATION
 HAZARA DIVISION A/ABAD.

42

R BAL
 B UR

Am: B

8

order

OFFICE ORDER NO.

DATE 07/07/1994

TERMINATION.

On the personal or relevant record the appointment of the following (Male) teachers have been found illegle, abintis, void and against the prescribed rules; therefore, their services, are hereby dispensed with, with immediate effect:-

Sl. No. Name and Father's Name

- 1. Saif-Ur-Rahman S/O Abdul Azam.
- 2. Murtaza Khan S/O Israil Khan R/O Abbotabad.
- 3. Ishaq Ahmed S/O Mohd Amin, R/O Abbotabad.
- 4. Aman Aisar S/O Mir Afzal Khan R/O Abbotabad.
- 5. Niaz Khan S/O Ghulam Sarwar R/O Haripur.
- 6. Muhammad Saleem S/O Muhammad Ashraf.
- 7. Gaiser Javed S/O Muhammad Bushir.
- 8. Muhammad Akhtar S/O Mir Afzal.
- 9. Abdul Khatib S/O Muhammad Ishaq.
- 10. Talib Mahmood S/O Muhammad Younis.
- 11. Khagga S/O Haidar Hussain.
- 12. Arshad Khan S/O Saeed Ahmed R/O Mansehra.
- 13. Haaid Khan S/O Muhammad Rafique Khan R/O Abbotabad.
- 14. Muhammad Rafique S/O Muhammad Khan.
- 15. Junaid Khan S/O Farid Khan R/O Abbotabad.
- 16. Tariq Mahmood S/O Muhammad Afzal R/O Haripur.
- 17. Zardad Khan S/O Haiditullah.
- 18. Zaffar Iqbal S/O Noor Muhammad.
- 19. Mir Bahadar S/O Ghulam Qador.
- 20. Akhtar Nowaz S/O Ghulam Hyder R/O Haripur.
- 21. Amir Fazal S/O Enzal-Ur-Rehman R/O Abbotabad.
- 22. Mubasher Ahmad S/O Nazar Muhammad R/O Haripur.
- 23. Abdul Malik S/O Khan Gul.
- 24. Ishaq Khan S/O Ilyas Khan.
- 25. Nawazish Ali S/O Muhammad Zohbe R/O Mansehra.
- 26. Khushdai Khan S/O Sher Dil Khan R/O Abbotabad.
- 27. Shoukat Ali S/O Muhammad Younis.

ATTEN CERTIFIED TRUE

MANSEHRA Advocate Captain

Contact on P/2

EDUCATION OFFICER (MALE) MANSEHRA

9

- 1. Khan S/O Khwaja Mohd
- 2. S/O Mosharraf Din
- 3. S/O Mohd Ayub
- 4. Javed S/O Mir Anwar
- 5. S/O Aslam Khan
- 6. S/O Amirul Khan
- 7. S/O Mohd Zagan
- 8. S/O Hassan
- 9. S/O Mohd Farooq
- 10. S/O Ghulam Sarwar
- 11. S/O Mohd Aslam
- 12. S/O Abidur Rehman
- 13. S/O Mohd Yousaf
- 14. S/O Mohd Sajid
- 15. S/O Mir Ahmed
- 16. S/O Bashir Ahmed
- 17. S/O Mohd Aslam
- 18. S/O Nisar Ahmed
- 19. S/O Salim
- 20. S/O Lal Khan
- 21. S/O Umar Khatab
- 22. S/O GMS, Kot No. 1, Abdullah Hpr.
- 23. S/O Fazalur Rehman
- 24. S/O Fazal Dad
- 25. S/O Javed Khan
- 26. S/O Ali Asghar
- 27. S/O Jaffer Khan
- 28. S/O Noorur Rehman
- 29. S/O Manshura
- 30. S/O Muhammad Qasim
- 31. S/O Behar Khan
- 32. S/O Mansur Khan
- 33. S/O Mansur Khan
- 34. S/O Abdur Rashid
- 35. S/O Saifur Khan
- 36. S/O Khwaja Zaman
- 37. S/O Nawab Din
- 38. S/O Abdul Bader
- 39. S/O Alladod Msh
- 40. S/O Rustam Khan
- 41. S/O Ali Asghar
- 42. S/O Salhad

(Tempored Name)

RAJENDRA SINGH
Advocate Supreme Court
Abbottabad

All the above mentioned teachers may please be relieved of their duties forthwith wherever they are working at this stage and compliance reported to this office.

(USHER FAROOQ)
DEPT: DIRECTOR OF EDUCATION (S)
HAZARA DIVISION ABBOTTABAD.

Order No. 16052-189/18-III-D. Dated 07/7/1988

Copy to:-
The DEOs (M) Secy: A/Abad, Haripur, Mansehra, Battagram and Peshawar.
All the Principals/Headmasters, GISS/GMS/GMS in Hazara Division, with the remarks that since present exact where about is not known, the services of the above named teachers where ever they are working, this stage stand dispensed with and Head of Institutions/DEOs, concerned, will be personally responsible if any teacher is late and allowed to continue in services. Complete particulars of above teachers may also please be furnished on the following form:-
Name/Father's Name Present Sch. Cmt: D/O Int: D/O Apptt. Order: & Designation. School. Apptt. as of or Apptt. Order.

Photo not attached
copy of Apptt. Order may be furnished.

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT MANSEHRA

Phone # 0997-382271 Fax # 0997-382244
E-mail Address: edoedu_mansehra@yahoo.com
Facebook Page: www.facebook.com/DEOMMANSEHRA

10

Any
10

No 10704 /Litigation (M)/ Date 25/6 /2019

To

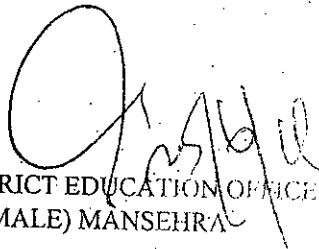
The Head Master,
GHS Kajla Mansehra.

Subject: **REQUEST FOR VERIFICATION OF RECORD IN R/O IJHAZ AHMED EX-CT GMS KAJLA MANSEHRA. (UNDER SACKED ORD:2012).**

Memo:

Reference to the subject cited above i am directed to inform you that that Mr. Ijaz Ahmed s/o Muhammad Qasim resident of village kanshian, who was appointed against CT post in BPS-09 vide Endst No.6061-69 dated 24-04-1996, and was terminated from 07-07-1996 vide Endst No.16052-189 you are directed to provide the following information as per school record.

1. Verify his service for the period w.e.f 24-04-1996 to 07-07-1996.
2. The appellant was appointed at GMS Kajla, whereas charge report is stamp GHS Kajla instead of GMS Kajla.
3. All the record i.e Charge report, Attendance Register, Acquaintance role, log book, and other relevant record in r/o Mr. Ijaz Ahmed may be verified and submit clear cut findings with in 03 days time positively.


DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

11

Amir

OFFICE OF THE HEAD MASTER GOVERNMENT HIGH SCHOOL KAJLA MANSEHRA

NO.122.19

Dated 23.7.19

To:

DISTRICT EDUCATION OFFICER (MALE)
MANSEHRA



SUBJECT: RECORD VERIFICATION IN R/O EJAZ AHMED EX CT

DEAR SIR,

In compliance to directives/memo regarding subject cited above vide letter no. 10704 dated 25/6/19 DEO Mansehra original record is checked and factual information submitted for N/A please.

1. Mr. Ejaz Ahmed ct has never ever been appol red vide endorsement no-6061- 69 dated 24/4/1996 at GMS Kajla.
2. His charge report stamped by GHS Kajla is, fa) as GMS Kajla upgraded in 2011 as GHS Kajla
3. Acquaintance role, Attendance register, Log -bok and Appointment order file were checked but no record in r/o above named teacher found and information submitted positively for N/A please.

Thanking You

Head Master
GHS KAJLA MANSEHRA
HEAD
G.H.S Kajla (Mansehra)

Handwritten notes:
Amir
Put up in file
24/7/19

چارچر ڈیوٹی

محمود اعجاز احمد سی۔ ٹی۔ کے لئے بحوالہ آفس آرڈر نمبر 11

مورخہ 28-04-1996 نڈر انڈر سہاٹ نمبر 6061-60 مورخہ 24-4-1996

آفس آرڈر دستخط ڈائریکٹر ڈائریکٹر ایجوکیشن ایسٹ آباد پورہ
نے ڈیپارٹمنٹ ٹرک سٹو کے کچلہ بال سہرہ میں ٹرک سے اڑھائی
حاضری کر کے چارج لے لیا ہے
حاضری ڈیوٹی ارسال کر دیا ہے

دفعہ 501 کے سیکشنر کی بائیس
2. آفس ریکارڈ کے لئے

Head Master
G.H.S. Raja
Manshra

ATTESTED
CERTIFIED TRUE PHOTOCOPY

RASHID-UL-HAQ QAZI
Advocate Supreme Court
Abbottabad

AN
ACT

Ann D

(12)

to provide relief to those sacked employees in the Government service, who were dismissed, removed or terminated from service, by appointing them into the Government service

WHEREAS it is expedient to provide relief to those sacked employees who were appointed on regular basis to a civil post in the Province of the Khyber Pakhtunkhwa and who possessed the prescribed qualification and experience required for the said post, during the period from 1st day of November 1993 to the 30th day of November, 1996 (both days inclusive) and were dismissed, removed, or terminated from service during the period from 1st day of November 1996 to 31st day of December 1998 on various grounds;

WHEREAS the Federal Government has also given relief to the sacked employees by enactment;

AND WHEREAS the Government of the Khyber Pakhtunkhwa has also decided to appoint these sacked employees on regular basis in the public interest;

It is hereby enacted as follows:

1. **Short title, extent and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012.

(2) It shall apply to all those sacked employees, who were holding various civil posts during the period from 1st day of November, 1993 to 30th day of November, 1996 (both days inclusive).

(3) It shall come into force at once.

19/4

2. **Definitions.**--- In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say,-

- (a) "civil post" means a post created by the Finance Department of Government for the members of civil service of the Province;
- (b) "Department" means the Department and the Attached Department as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985, including the Divisional and District offices working thereunder;
- (c) "Government" means the Government of the Khyber Pakhtunkhwa;
- (d) "Prescribed" means prescribed by rules;
- (e) "Province" means the Province of the Khyber Pakhtunkhwa;
- (f) "rules" means the rules made under this Act; and
- (g) "sacked employee" means a person who was appointed on regular basis to a civil post in the Province and who possessed the prescribed qualification and experience for the said post at that time, during the period from 1st day of November 1993 to the 30th day of November, 1996 (both days inclusive) and was dismissed, removed, or terminated from service during the period from 1st day of November 1996 to 31st day of December 1998 on the ground of irregular appointments.

3. **Appointment of sacked employees.**--- Notwithstanding anything contained in any law or rule for the time being in force, on the commencement of this Act, all sacked employees subject to section 7, may be appointed in their respective cadre of their concerned Department, in which they occupied civil posts before their dismissal, removal and termination from service:

15

Provided that the sacked employees shall be appointed against thirty percent of the available vacancies in the said Department:

Provided further that the appointment of sacked employees shall be subject to the medical fitness and verification of their character antecedents to the satisfaction of the concerned competent authority.

4. **Age relaxation.**--- The period during which a sacked employee remained dismissed, removed or terminated from service, till the date of their appointment shall be deemed to have been automatically relaxed and there shall be no further relaxation under any rules for the time being in force.

5. **Sacked employees shall not be entitled to claim seniority and other back benefits.**--- A sacked employee appointed under section 3, shall not be entitled to any claim of seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment.

6. **Preference on the basis of age.**--- On the occurrence of a vacancy in the respective cadre of the concerned Department of the sacked employee against the thirty percent available share, preference shall be given to the sacked employee who is older in age.

7. **Procedure for appointment.**---(1) A sacked employee, may file an application, to the concerned Department within a period of thirty days from the date of commencement of this Act, for his appointment in the said Department:

Provided that no application for appointment received after the due date shall be entertained.

(2) The concerned Department shall maintain a list of all such sacked employees whose applications are received under sub-section (1) in the respective cadres in chronological order.

(3) If any vacancy occurs against the thirty percent available share of the sacked employee in any Department, the senior in age from such sacked employee shall be considered by the concerned Departmental Selection Committee or the District Selection Committee, as the case may be, to be constituted in the prescribed manner, for appointment:

Provided that no willingness or response is received within a period of thirty days, the next senior sacked employee shall be considered for appointment.

(4) The concerned Departmental Selection Committee or District Selection Committee, as the case may be, will determine the suitability or eligibility of the sacked employee.

(5) If no sacked employee is available against thirty percent vacancy reserved in respective cadre in a Department, then the post shall be filled through initial recruitment.

8. **Removal of difficulties.**--- If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister Khyber Pakhtunkhwa may issue such order not inconsistent with the provision of this Act as may appear to him to be necessary for the purpose of removing the difficulty:

Provided that no such power shall be exercised after the expiry of one year from coming into force of this Act.

9. **Act to override other laws.**--- Notwithstanding anything to the contrary contained in any other law or rules for the time being in force, the provisions of this Act shall have overriding effect and the provisions of any other law or rules to the extent of inconsistency to this Act, shall cease to have effect.

10. Power to make rules.--- Government may make rules for carrying out the purpose of this Act.

(17)
~~107~~

**BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA**

(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

OFFICE OF THE DISTRICT EDUCATION
(MALE) DISTRICT MANSEHRA

No 14471 / lit/Date 02/9/2019

Show cause

18

Amir E

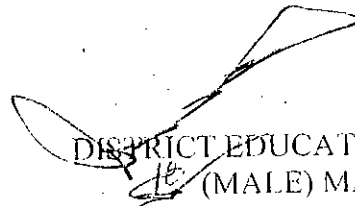
To

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

Subject: **SHOW CAUSE NOTICE.**

Memo;

Show cause notice in R/O Mr. Ejhaz Ahmed CT GMS Batangi Mansehra is attached herewith with the direction to serve the same to the concerned teacher and return one copy to this office as token of receipt duly received by him.


DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Ejaz Ahmad
6/9/19



SHOW CAUSE NOTICE

19

I, Mr. Khan Muhammad District Education Officer (M) Mansehra, as competent authority under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Ejaz Ahmed S/o Muhammad Qasim CT GMS Batangi District Mansehra as follows:-

- i. Whereas Mr. Ejaz Ahmed CT was reappointed and posted at GMS Batangi District Mansehra under sacked Employee Act 2012 vide this office vide Endst No. 10268-74 dated 20-06-2019. On the basis of documents provided by you as per direction of Honourable Peshawar High Court Abbottabad Bench vide his judgment dated 03-04-2018.
- ii. Whereas according to the Terms and Condition NO.20 of the appointment order is that "their documents if found fake/bogus at any stage, their appointment order shall be withdrawn and legal action be taken against him."
- iii. Whereas after issuing of appointment order the competent authority sent a letter to the Head Master GHS Kajla Mansehra for verification of record of Mr. Ejaz Ahmed CT GMS Kajla vide letter No.10704 dated 25-06-2019.
- iv. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- v. Whereas, as per report of the Head Master GHS Kajla vide dated 05-08-2019 with the remarks that "Mr Ejaz Ahmed CT has never ever been appointed vide Endst No.6061-69 dated 24-04-1996 at GMS Kajla, his charge report stamped by GHS Kajla is fake as GMS Kajla upgraded in 2011 as GHS Kajla, acquaintance role, attendance register, log book and appointment order file were checked no such record was found of the said person in our school for the period 1996-1997.
- vi. Whereupon the initial inquiry conducted by the officer on 06-08-2019, the said committee submitted report to this office on 07-10-2018, with the remarks that no record was found in school record the case is fake, so the appointment order may be withdrawn. It shows that you have committed misconduct /illegality thus violated E&D rule, 2011.
- vii. I am satisfied that you found guilty of misconduct, inefficiency and committed illegal act as specified in rule 3 of the said rules. Thus you have rendered yourself liable to be proceeded against under the said rules.

2. In exercise of the powers conferred by the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, the competent authority is hereby pleased to serve you with the show cause notice with the direction to submit your defense in writing within 07 (seven) days of the receipt of this notice as to why one of the major penalty of rule-4 of the said rules should not be imposed upon you.

3. In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defense to offer and an ex-parte decision will be taken against you.


COMPETENT AUTHORITY

Ejaz Ahmed S/o Muhammad Qasim CT
GMS Batangi
District Mansehra



OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT MANSEHRA

No 15698 /Lit/ Date 21/19 /2019

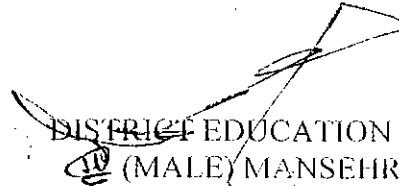
Ann F
43
28

To

The Head Master,
GMS Batangi.

Subject: **FINAL SHOW CAUSE NOTICE.**
Memo;

Show cause notice in R/O Mr. Ejhaz Ahmed CT GMS Batangi Mansehra is attached herewith with the direction to serve the same to the concerned teacher and return one copy to this office as token of receipt duly received by him.


DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA
Jaw



OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT MANSEHRA


No / lit/Date / /2019

To

The Head Master,
GMS Batangi.

Subject: **FINAL SHOW CAUSE NOTICE.**
Memo;

Show cause notice in R/O Mr. Ejhaz Ahmed CT GMS Batangi Mansehra is attached herewith with the direction to serve the same to the concerned teacher and return one copy to this office as token of receipt duly received by him.


DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

21



FINAL SHOW CAUSE NOTICE

I, Mr. Khan Muhammad District Education Officer (M) Mansehra, as competent authority under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Ejaz Ahmed S/o Muhammad Qasim CT GMS Batangi District Mansehra as follows:-

- i. Whereas a Showcause Notice was issued vide this office No.14471 dated 02-09-2019 & you have failed to submit your reply within time.
- ii. Whereas the Final Showcause with same charges is resubmitted to yourself for early reply.
- iii. Whereas Mr. Ejaz Ahmed CT was reappointed and posted at GMS Batangi District Mansehra under sacked Employee Act 2012 vide this office vide Endst No. 10268-74 dated 20-06-2019. On the basis of documents provided by you as per direction of Honourable Peshawar High Court Abbottabad Bench vide his judgment dated 03-04-2018.
- iv. Whereas according to the Terms and Condition NO.20 of the appointment order is that "their documents if found fake/bogus at any stage, their appointment order shall be withdrawn and legal action be taken against him."
- v. Whereas after issuing of appointment order the competent authority sent a letter to the Head Master GHS Kajla Mansehra for verification of record of Mr. Ejaz Ahmed CT GMS Kajla vide letter No.10704 dated 25-06-2019.
- vi. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- vii. Whereas, as per report of the Head Master GHS Kajla vide dated 05-08-2019 with the remarks that "Mr Ejaz Ahmed CT has never ever been appointed vide Endst No.6061-69 dated 24-04-1996 at GMS Kajla, his charge report stamped by GHS Kajla is fake as GMS Kajla upgraded in 2011 as GHS Kajla, acquaintance role, attendance register, log book and appointment order file were checked no such record was found of the said person in our school for the period 1996-1997.
- viii. Whereupon the initial inquiry conducted by the officer on 06-08-2019, the said committee submitted report to this office on 07-10-2018, with the remarks that no record was found in school record the case is fake, so the appointment order may be withdrawn. It shows that you have committed misconduct /illegality thus violated E&D rule, 2011.
- ix. I am satisfied that you found guilty of misconduct, inefficiency and committed illegal act as specified in rule 3 of the said rules. Thus you have rendered yourself liable to be proceeded against under the said rules.

2. In exercise of the powers conferred by the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, the competent authority is hereby pleased to serve you with the show cause notice with the direction to submit your defense in writing within 07 (Seven) days of the receipt of this notice as to why one of the major penalty of rule-4 of the said rules should not be imposed upon you.

3. In case you failed to submit your reply within stipulated Period, it will be presumed that you have no defense to offer and an ex-parte decision will be taken against you.


COMPETENT AUTHORITY

Ejaz Ahmed S/o Muhammad Qasim CT
GMS Batangi
District Mansehra

تقدیرت صاحب ۳۴۵۰ صاحب درام سالہ

فدائی

بگہاں حضرت صدقہ شہل گورنمنٹ ڈپل سٹول ہسٹری میں کالی یونیورسٹی آف فرانس میں اپنی
طرح سے پرائیمری ڈگری ہے۔ یہاں ایک عرب گھرا سے تعلق رکھتا ہے عزت اور نادر بی بی
آپ افراد کی گفتگو کی ذمہ داری ہے۔ ناٹو کی سندھوں پر ہے۔ یہاں کو آج صبح ۲۶/۱۹
کو دفتر سے شہکار نوٹس وصول ہوئے ہیں۔ جس میں تحریر ہے کہ منسلک شدہ دستاویز صاحب ۳۴۵۰
کا نام ہے آپ کی verification میں ہے۔

عزیز حضرت یہ صدقہ یہ بھی پوچھتا ہے کہ سال ۲۰۰۵ کے ریزلٹ میں شہل پرائیمری ڈگری
ہو۔ آپ سے التماس کیجاتی ہے کہ رجسٹرڈ سٹوڈنٹ ۱۹۹۶-۱۹۹۷ کو منگوانا یا اور جیک کیا ہے
میری حاضران رجسٹرڈ سٹوڈنٹس میں بھی ملتی ہیں۔ جو کہ بہت بڑا ثبوت ہے
دوسرا اس وقت کے جو سیدار خوانہ ملک کو ملے گا اس پر پوچھا جائے کہ یہ اسناد تھا یا نہیں
یونکہ وہ ہمیں بھی دکھانا تھا۔ باقی میری تجاویز میں ملتی ہیں تو رہی

سے نکال دیا تھا۔ حکیمانہ نام رکھنا ڈگری ہڈا میں موجود ہے۔
فدائی والد سائز نے اتفاق سے ملے ہیں۔ یہاں تک کہ کیا ہے۔ عدالت عالیہ کے
حکم پر صاحب والد نے سائز آڈیو فائل پر غریب پرورد کی فرمائی
سائز نے بھی ۲۶/۱۹ کو اتفاق سے ملے ہیں۔ دوران حالی ٹورٹ ٹریڈ مارک سے

عالیہ۔ آپ سے ملے ہیں کہ سائز کے آپ ایک غریب، بے بس اور غریبی درخواست پر
حدودہ طور پر ملے ہیں۔ سائز کو سب سے پہلے یہاں رکھا گیا تھا۔ سائز کی زندگی آپ کے
رہنے کے سائز نے علم کا غریب درست میں اس میں کوئی شک نہیں ہے۔
اب یہ حکم سائز کی درخواست کو مدلل ثابت ہونے عدالت عالیہ کے حکم پر عمل درآمد
رہنے کوئی مزید حکم صادر نہیں کریں گے۔ سائز کا حیات ۱۹۶۰-۱۹۶۵



۷۴۷۹

23

المقرر

مقرر این است که در صورتی که گواهیات دولتی ارسال شده
باشد

C. NO. 03459679324

C. NO. CNIC : 13581-1321439-7

28/9/19

REGISTERED/ ACKNOWLEDGEMENT

Anx H'

(24)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)

DISTRICT MANSEHRA

Phone # 0997-382271

Fax # 0997-382244

E-mail Address: edbedu_mansehra@yahoo.com

Facebook Page: www.facebook.com/DEOMMANSEHRA

No 164/15 F.No. Lit/Showcause Final/reply/S/Employee Dated 03/10 /2019

To,


1. Mr.Ghulam Rasool PET GMS Devli.
- ✓2. Mr.Ejhaz Ahmed CT GMS Batangi.
3. Mr. Syed Muhammad Zaffar Shah PST GPS Baila Paras.
4. Mr. Abdul Malik CT GMS Seri Manoor.
- ✓5. Mr.Fida Muhammad DM GMS Devel.

Subject: **PERSONAL HEARING.**

Memo:

It is inform you that competent authority has directed you that, you may be attend the office of undersigned within three (03) days after issuance of this letter regarding your personal hearing before the competent authority.

you are therefore directed to attend this office in the stipulated period otherwise ex-parte proceeding shall be initiated against you under E & D Rule 2011.


DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

CT

عمر

05/11/2019

مکھڑ منڈل ہائی اسکول شہنشاہی پور

کلاس

سوال نمبر 01: آپ کی تعیناتی کس سال، کونسے سکول اور کب ہوئی؟ اس وقت آپ کی عمر کتنی تھی؟

سوال نمبر 02: آپ نے اپنا آڈیٹر کہاں اور کس انتظامی سے وصول کیا؟ (1996ء یا اور کوئی تاریخ)

سوال نمبر 03: آپ کا آڈیٹر کونسے سکول میں ہوا اور کتنا عرصہ نوکری کی، اور اس کی تنخواہ وصول کی؟ اگر کی تھی تو اس کا کوئی حصہ رقم تنوع ہے آپ کے پاس؟

سوال نمبر 04: آپ کی تعیناتی جس سکول میں ہوئی وہ کس پر مبنی ہے جو موجود اساتذہ کا مجلہ اور نام بتائیں؟

سوال نمبر 05: دوبارہ تعیناتی کے کاغذات لینے آفس پڑائیں خود جمع کروانے لے لے

سوال نمبر 06: آپ نے Appointment اور Termination آڈیٹر خود پڑائیں جمع کیے۔ وہ کہاں سے لے لے؟

سوال نمبر 07: Appointment اور Termination آڈیٹر میں جو ٹیپنگ کی گئی ہے اس کے بارے میں آپ کی گزارشات

سوال نمبر ۵۸ : کیا آپ کے پاس ان تمام سکولز کا تعداد دے دیجئے۔ جہاں پر آپ نے تعلیم دلائی ہے۔

۵۸

سوال نمبر ۹ : آپ کا ہمہ پہلی تعلیمی کا حجاز آفسر کون تھا؟ اور آپ کی اس وقت تعلیم کتنی تھی؟

سوال نمبر ۱۰ : آپ اپنے دفاع میں کوئی valid ثبوت یا کوئی سند جو آپ دیکھا جاسکتے ہیں، تو دے سکتے ہیں؟

۱۰

26-1

(69)

GMS Ballyang CT; 1/1/19

26/1/19 ^{Ud} Tamper ^{ATD: Div. DM.}

2-1-19 ^{م. 26/1/19}

03459679326

11/10/19

GMS Devel. Day 1/1/19 (2)

Ud (M)

DE-DM 307/97

Handwritten notes on the left side, including a large bracket and illegible text.

Handwritten notes in the middle section, including the number 40.

Handwritten notes in the middle section, including the name 'H.M'.

H.M

Handwritten notes at the bottom of the middle section, including the number 20.

03439127287

Assistant District Education Officer (Litigation) Male Masera

Handwritten signature and initials.

Assistant District Education Officer (Litigation) Male Masera

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA.

DETAIL REPORT OF PERSONAL HEARING DATED 11-10-2019 IN R/O MR. EJHAZ AHMED CT GMS BATANGI AND MR. FIDA MUHAMMAD DM GMS DEVEL MANSEHRA.

(+1)
Am J
27

In the response of letter No.16411-15/showcause dated 08-10-2019, the following members were nominated for personal hearing under the chairmanship of District Education Officer (Male) Mansehra. The following officer/official attends the meeting of personal Hearing are as under:-

1. Khan Muhammad DEO (M) Mansehra.....Chairman.
2. Syed Sultan Shah B&AO local office Mansehra.....Member.
3. Waheed Khan ADEO (Estab) local office.....Member.
4. Muhammad Ikram Local office Mansehra.....Member.

The letter was issued to the five candidates for personal hearing only two candidates attend the office for personal hearing on 11-10-2019 i.e Mr. Ejhaz Ahmed CT GMS Batangi and Mr Fida Muhammad DM GMS Devel District Mansehra.

1. MR. EJHAZ AHMED CT GMS BATANGI:-

Mr. Ejhaz Ahmed CT attended the personal hearing before the competent authority, whereas different questions were asked regarding the previous service record. He stated that he was appointed as a CT GMS Kajla. He provided the charge report of GHS Kajla Mansehra instead of GMS Kajla, "whereas his Charge report stamped by GHS Kajla is fake as GMS Kajla was upgraded in the year 2011 as GHS Kajla." He failed to provide any cogent reason before the committee, by failing to provide the supporting documents in his favour. As the Competent authority sent a letter vide No.10704 dated 25-06-2019 GHS Kajla for verification of service record of Mr Ejhaz Ahmed. In compliance of the office letter No.10704 dated 25-06-2019, As per report of the GHS Kajla Mr. Ejhaz Ahmed was never ever been appointed as Certified Teacher at GMS Kajla Mansehra vide Endst No.6061-69 dated 24-04-1996 at GMS Kajla, his charge report stamped by GHS Kajla is fake as GMS Kajla upgraded in 2011 as GHS Kajla, Acquaintance role, attendance register, log book and appointment order file were checked but no record in r/o above named teacher found. Whereas the committee asked the question about submission of documents in DEO (M) Mansehra, he accepted that he himself submitted that documents. Whereas the committee asked the question about tempering /forgery in Termination order at serial No.120 vide Endst 16052-189 dated 07-07-1996, his answer was that he doesn't know about that.

He totally failed to produce any evidence regarding his initial appointment and other service record.

2. FIDA MUHAMMAD DM GMS DEVEL.

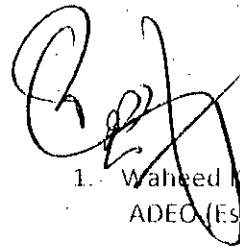
Mr. Fida Muhammad DM attended the personal Hearing before the competent authority, whereas different questions were asked regarding the previous service record. He stated that he was appointed as DM at GMS Ahl Seri in the year 1996. He again stated that his Appointment & Termination order was issued by District Education Officer (Male) Mansehra, which is totally misleading and incorrect, "As per record Appointment and Termination order was issued by the Divisional Directorate of Education Hazara Division Abbottabad."

Another surprising thing about the attendance register is that Mr. Fida Muhammad sign in attendance registered is marked on 14-11-1996, while Mr Faiz ur Rehman was marked on 21-11-1996, so the name of Faiz ur rehman SET should be at column No.04. Whereas Mr. Umer Zeb CT marked in his attendance registered on 16-11-1996 so his name must be after the attendance of Mr Fida Muhammad because both Umer zeb and Faiz ur Rehman were posted later on as compared to Mr. Fida Muhammad. so in attendance register it is not possible that a person whose appointment

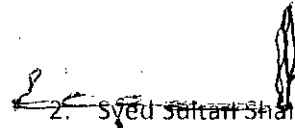
date and he marked his attendance in the last column of the Attendance Register. He stated that both the teachers were Appointed after his taking over charge at GMS Ahl Seri.

His First appointment order, charge report and arrival report is not found on the school record which show that he is never remained on the strength of the said school as per report of the Head Master, also he marked the attendance register fraudulently through unknown resources his termination order is also prepared personally and the sign of the competent authority was scanned. All the evidence shows that he submitted the fake and fabricated documents for appointment as a Sacked Employee.

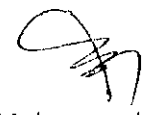
28



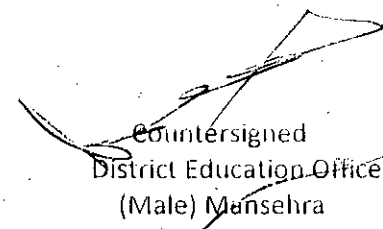
1. Waheed Khan
ADEO (Establishment)



2. Syed Sultan Shah
Budget & Account Officer
Local office Mansehra.



3. Muhammad Ikram J/C local office
Mansehra



Countersigned
District Education Officer
(Male) Mansehra

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Phone # 0997-382271

Fax # 0997-38224

E-mail Address: edoedu_mansehra@yahoo.com



Ans
K

NOTIFICATION

Mr. Ejhaz Ahmed S/O Muhammad Qasim CT GMS Batangi Mansehra. WHEREAS Mr. Ejhaz Ahmed CT GMS Batangi Circle Mansehra was proceeded against under Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 on account of fake and fabricated documents have been found in service record and tempering in documents was proved.

- i. Whereas Mr. Ejaz Ahmed CT was reappointed and posted at GMS Batangi District Mansehra under sacked Employee Act 2012 vide this office vide Endst No. 10268-74 dated 20-06-2019. On the basis of documents provided by you as per direction of Honourable Peshawar High Court Abbottabad Bench vide his judgment dated 03-04-2018.
- ii. Whereas according to the Terms and Condition NO.20 of the appointment order is that "their documents if found fake/bogus at any stage, their appointment order shall be withdrawn and legal action be taken against him."
- iii. Whereas after issuing of appointment order the competent authority sent a letter to the Head Master GHS Kajla Mansehra for verification of record of Mr. Ejhaz Ahmed CT GMS Kajla vide letter No.10704 dated 25-06-2019.
- iv. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- v. Whereas, as per report of the Head Master GHS Kajla vide dated 05-08-2019 with the remarks that "Mr Ejhaz Ahmed CT has never ever been appointed vide Endst No.6061-69 dated 24-04-1996 at GMS Kajla, his charge report stamped by GHS Kajla is fake as GMS Kajla upgraded in 2011 as GHS Kajla, acquaintance role, attendance register, log book and appointment order file were checked no such record was found of the said person in our school for the period 1996-1997.
- vi. Whereupon the initial inquiry conducted by the officer on 06-08-2019, the said committee submitted report to this office on 12-08-2019, with the remarks that Mr Ejhaz Ahmed tempered/forged his name at serial No.12 in Termination order vide Endst 16052-189 dated 07-07-1996 and no record was found in school record the case is fake, so the appointment order may be withdrawn. It shows that you have committed misconduct /illegality thus violated E&D rule, 2011.
- vii. WHEREAS as per inquiry report dated 12-08-2019, a showcause notice was issued to concerned vide this office No. 14471 dated 02-09-2019, but Mr. Ejhaz Ahmed Failed to reply Final show cause notice issued vide Endst No.15698 dated 21-09-2019, and received reply of showcause on 28-09-2019
- viii. WHEREAS, he was called for personal on 08-10-2019, while attending the office of undersigned on 11-10-2019 and heard.
- ix. AND WHEREAS the competent authority District Education Officer (M) E&SE Mansehra after having considered the charges and evidence on record, perusal of reply of show cause notice & Personal hearing, is of the view that the charges against the accused Teacher have been proved. Therefore the appointment order vide Endst No.10268-74 dated 20-06-2019 in r/o Mr. Ejhaz Ahmed CT GMS Batangi Mansehra is hereby **WITHDRAWN** from the date of issue of re-appointment order (Ab-initio Withdrawn) with immediate effect.

Sd/-

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

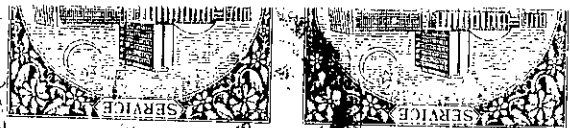
Endst: No. 17688-92 /F.No.Final Showcause/Appointt. 2019 (M)//Dated 07/11 /2019

Copy forwarded for information to the:

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Monitoring Officer (IMU) Mansehra.
3. District Account Officer Mansehra.
4. Head Master GMS Batangi.
5. Mr. Ejhaz Ahmed Residence of village kansarian Post Office & Tehsil Balakot District Mansehra.
6. Office File.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

[Handwritten signature]
26/11/19



Am L
O.P.S.B. (28)

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

No. 2910 /F.No. Appeals/CT/District Manshra.
Dated: 16/3/20 /2020.

Director
KPK Peshawar

1000
to record

The District Education Officer
(Male) Manshra.

2065
16/3/20

Subject: APPEAL FOR RE-INSTANTMENT IN SERVICE.

I am directed to refer to your letter No. 19082 Date 26-12-2019, on the subject cited above and to state that the appeals in respect of the following teachers has been rejected by the worthy Director E&SE Khyber Pakhtunkhwa Peshawar.

1. Mr. Shah Zaman Ex: CT GHS Paras Balakot.
2. Mr. Abdul Malik Ex: CT GMS Serimano.
- ✓ 3. Mr. Ejaz Ahmad Ex: CT GMS Batang.

I am further directed to ask you to inform the appellant concerned accordingly under intimation to this office.

[Signature]
Assistant Director Estab (Male)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar
for 16/3/2020

Endst No. _____
Copy of the above is forwarded to:-
1. PA to Director E&SE local Office.
2. Master File.

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

(MALE) MANSEHRA
ok

SA

کورٹ فیس

وکالت نامہ
۲۷/۱۱/۲۰۲۲بعدالت Servic Tribunal of Peshawarعنوان Secretary Element بنام Ejaz Ahmadمنجانب: Appellantنوعیت مقدمہ Servic Appeal
5892/22

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آل مقام

Ald. M. Arshad Khan Tahmeel Asst. Secy

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری

کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی

بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے

مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

کوئی جز و بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست برآمد استجارت ناش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

المترقوم: 22 جولائی 2022

بمقام: Abbottabad

العبد

Accepted
M. Arshad Khan Tahmeel
Asst. Secy