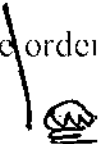


FORM OF ORDER SHEET

Court of _____

Case No. - 92/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	9/1/2023	<p>The appeal of Mr. Amir Afridi resubmitted today by Mr. Irfan Ali Yousafzai Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Parcha Peshi is given to appellant/counsel.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>


This is an appeal filed by Amir Afridi today on 21/12/2022 for release of salaries against which he made/preferred departmental appeal/ representation on 08.10.2022 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority report as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action and also removing the following deficiencies.

- 1- Copy of pay slip mentioned in para-3 of the memo of appeal (Annexure-C) is not attached with the appeal which may be placed on it

No. 3688/ST,

DE 22/12/2022.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Irfanullah Yousafzai Adv.
High Court Peshawar.

*Re-submitted after doing needfull
Please place before court/Bench*

*Quliyul
09-01-2023*

BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR

Appeal No. 92 /2023

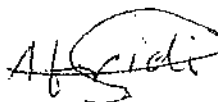
Amir Afridi..... **Appellant**

V E R S U S

EDO (M) and others..... **Respondents**


I N D E X

S.No.	Description of Documents	Annex	Pages
1.	Memo of appeal along with affidavit	*	1-6
2.	Application along with affidavit	*	7-8
3.	Copy of appointment order	A	9-11
4.	Copies of charge report and medical	B	12-14
5.	Copy pay Bill	C	15-17
6.	Copy of the application	D	18
7.	Copy of the letter dated 25/02/2022	E	19
8.	Copy of show cause notice	F	20
9.	Copy of the reply	G	21-25
10.	Wakalatnama	*	26


Appellant

Through

Date: 21/12/2022


Irfan Ali Yousafzai
Advocate, High Court,
Peshawar

Cell# 0314-9070658

E-mail: yousafzai3@gmail.com

①

BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR

Appeal No. 92 /2023

Amir Afridi S/o Afrasiyab Afridi R/o Koki Khel, Katia
Khel, Wazir Dhand P.O & Tehsil Jamrud District Khyber

.....**Appellant**

V E R S U S

1. District Education Officer (Male) District Khyber.
2. District Accounts Officer, Tehsil Jamrud District
Khyber.

.....**Respondents**

APPEAL UNDER SECTION 4 OF KP
SERVICES TRIBUNAL ACT 1974 FOR
RELEASING THE SALARIES OF THE
APPELLANT FROM 01/10/2022 AND
ONWARDS WITH ALL BACK
BENEFITS.

Prayer in Appeal:

On acceptance of this service appeal, the
stoppage of the salary of the appellant may
kindly be declared as illegal and unlawful.

Furthermore release the salaries of the
appellant from 01/10/2022 and onwards with
all back benefits.

Respectfully Sheweth:

1. That the appellant was appointed as Chowkidar on 28/09/2017 in the respondent No.1 department and performing his duty in GPS Sam Ghakhy' Jamrud District Khyber. **(Copy of appointment order is attached as Annexure-A)**
2. That the after the appointment of the appellant, submitted his charge report and medical on 03/10/2017. **(Copies of charge report and medical are attached as Annexure-B)**
3. That the appellant performing his duty with full zeal and zest and receiving his monthly salary. **(Copy pay Bill is attached as Annexure-C)**
4. That the Respondent No.1 stop the salary of the appellant without any reason and in this regard the appellant addressed an application to the honor of the respondent No.1 on 08/10/2022 but no fruitful result. **(Copy of the application is attached as Annexure-D)**
5. That the respondent No.1 conducted inquiry against the appellant without any prior notice and information and even the appellant was unaware from the said inquiry but in this regard

the DEO (P & D) also issued letter dated 25/02/2022 regarding the duties of the appellant; in which clearly stated that the appellant performing his duty according to the rules and regulations of the department. **(Copy of the letter dated 25/02/2022 is attached as Annexure-E)**

6. That on 22/11/2022, the respondent No.1 issued show cause notice to the appellant embodied with some baseless allegations leveled against the appellant but the appellant also unaware from the show cause notice and received on 18/12/2022. **(Copy of show cause notice is attached as Annexure-F)**
7. That the appellant duly replied the show cause notice issued by the respondent No.1. **(Copy of the reply is attached as Annexure-G)**
8. That instead of all the efforts of the appellant, the respondents are refused to release the salaries of the appellant without any legal and plausible reason.
9. That feeling aggrieved from the above mentioned acts and omission of the respondents, the

appellant approaches this Hon'ble Tribunal inter alia on the following grounds:

GROUND S:

- A. That the impugned action and inaction of the respondents are illegal, unlawful, without lawful authority and jurisdiction, liable to be struck down.
- B. That the stoppage of the salary of the appellant is not in accordance with law, facts, evidence on record, rules and principles of justice, hence liable to be set aside.
- C. That the appellant is the only earning hands for his family and the service of the appellant is the only source of income for his family and due to the act of the respondents, the appellant as well as his family is suffering a lot but the respondents are not considered the plea of the appellant, hence needs interference of this Hon'ble Tribunal.
- D. That the appellant performing his duty honestly which is evidence from the letter issued by the DEO (P & D) and also entitled receive his monthly salaries time and the respondents without any reason and legal justification stop

the salary of the appellant from the month of September 2022 which is against the rules and regulations governed by the subject matter and liable to the turn down the acts of the respondents.

- E. That the alleged enquiry against the appellant was conducted unilaterally, one sidedly and at the back of the appellant which in the eyes of law has got no legal value and hence the impugned inquiry and the impugned act of the respondents are not sustainable in the eyes of law. Thus no punishment can be awarded on such a one sided enquiry.
- F. That the respondents are trying to terminate the appellant from his service and adjust his blue eyed one.
- G. That any other grounds will be raised at the time of arguments with prior permission of this Hon'ble Tribunal.

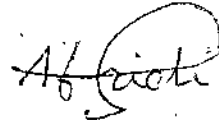
It is, therefore, most humbly prayed that on acceptance of this service appeal, the stoppage of the salary of the appellant may kindly be declared as illegal and unlawful.

6

Furthermore release the salaries of the appellant from 01/10/2022 and onwards with all back benefits.

OR

Any other relief may deemed fit in the circumstances of the law may also be granted in favour of the appellant against respondent.



Appellant

Through



Irfan Ali Yousafzai

Advocate, High Court,

Peshawar

Date: 21/12/2022

BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR

Appeal No. _____/2022.

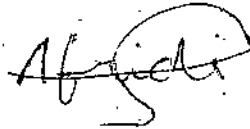
Amir Afridi.....**Appellant**

V E R S U S.

EDO (M) and others.....**Respondents**

AFFIDAVIT

I, **Amir Afridi S/o Afrasiyab Afridi R/o Koki Khel, Katia Khel, Wazir Dhand P.O & Tehsil Jamrud District Khyber**, do hereby solemnly affirm and declare on oath that the contents of accompanying **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.

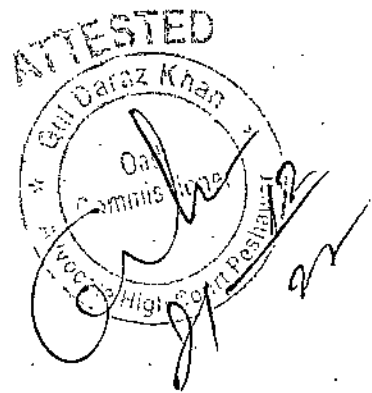


D E P O N E N T

Identified by:



Irfan Ali Yousafzai
Advocate, High Court,
Peshawar.



**BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR**

Appeal No. _____/2022

Amir Afridi.....**Appellant**

V E R S U S

EDO (M) and others.....**Respondents**

**APPLICATION FOR INTERIM RELIEF
BY RESTRAINING THE
RESPONDENTS FROM TAKING ANY
ADVERSE ACTION AGAINST THE
PETITIONER, TILL THE FINAL
DECISION OF THE INSTANT APPEAL**

Respectfully Sheweth:

1. That the accompanying service is being filed before this Hon'ble Tribunal, in which no date of hearing has yet been fixed.
2. That the petitioner has got a good prima facie case in his favour, and is sanguine about its success.
3. That the balance of convenience also lies in favour of the petitioner.

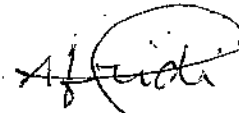
8A

4. That if the respondents are not restrained from taking any adverse action against the petitioner, then the petitioners would suffer irreparable loss.
5. That the facts and grounds of the service appeal may kindly be read as an integral part of this application.

It is, therefore, respectfully prayed that on acceptance of this application, the respondents be restrained from taking any adverse action against the petitioner, till the final decision of the service appeal.

Through

Date: 21/12/2022



Petitioner

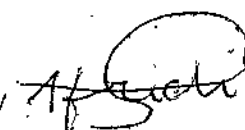


Irfan Ali Yousafzai

Advocate, High Court,
Peshawar

AFFIDAVIT

I, **Amir Afridi S/o Afrasiyab Afridi R/o Koki Khel, Katia Khel, Wazir Dhand P.O & Tehsil Jamrud District Khyber**, do hereby solemnly affirm and declare on oath that the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.



DEPONENT



Dud A
Agency Education Office
Khyber Agency of Jamrud

Phone: 091-5820265 Fax: 091-5820265

(9)

کتاب لیس
 ۳۸۶

APPOINTMENT ORDER

Consequent upon the minutes of departmental selection committee held on 18/7/2017, the following candidates are hereby appointed/recruited against vacant posts and at stations/schools given against each name in BPS-01(9130-290-17830) plus usual allowances as admissible under the rules with effect from the date of their taking over charges, in the interest of public service.

Terms Conditions

1. Charge report should be submitted to all concerned.
2. Appointment of the candidates is made purely on contract basis and is liable to terminate at any time without any notice
3. If the candidates wish to resign their posts they will give one month prior notice or her pay for one month will be forfeited in lieu thereof.
4. Their documents, Date of Births, CNICs and domicile certificates should be checked before handing over charges of the posts and attested copies thereof may be kept on record of the schools
5. They should produce their Health and Age certificate from the Agency Surgeon concerned.
6. They may not be handed over charges if they are below 16-years or above 43-years.
7. If they fail to report their arrivals within 15-days of the issue of this appointment order then their appointments will be treated as cancelled.
8. No salary may be drawn before the verifications of all the testimonials from the quarter concerned.
9. If any technical legal flaw is pointed out, the appointment will stand cancelled

S.No	Name	F/Name	Post	Station/School	Remarks
1	Daud Khan	Jahangir Khan	Chowkidar	GHS Mewaz Killi Bara	NA
2	Muhammad Zahid	Akhtar Jan	Chowkidar	GPS Raza Khan Bara	NA
3	Zohaib Ahmed	Abdul Karim	Chowkidar	GMS Chapari	NA
4	Shomail Khan	Wali Khan	Chowkidar	GHS Muhammad Khan Killi	NA
5	Shakeel Ahmed	Janas Khan	Chowkidar	GHS Janas Khan Killi	NA
6	Aziz Khan	Hamid Ullah	Chowkidar	GPS Shadan Jamrud	NA
7	Irfan Khan	Kusum Shah	Chowkidar	GPS landi Bughdad Khel	NA
8	Sahib Ullah	Aslam Shah	Chowkidar	GPS Shalobar No3 Bara	NA
9	Shaukat Ullah	Kisari Gul	Chowkidar	GPS Tauda Mila	NA
10	Wali Dad	Kalay Khan	Chowkidar	GPS Asif Killi Ghunda Khel Loi Shalman	NA
11	Mannawar Shah	Mir Akbar Shah	Chowkidar	GPS Ghariza	R.S.Q
12	Alam Sher	Narab Khan	Chowkidar	GPS Jani Khel	NA
13	Muhammad Salman	Shaukat Ali	Chowkidar	GGMS Tehsil Bara Khyber Agency	R.S.Q
14	Muhammad Wasim	Arsh Khan	Chowkidar	GGPS Metaf Wans Khan	NA
15	Inam Ullah	Hejri Said Ali Shan	Chowkidar	GGPS Said Ali Shan Gudar Jamrud	NA

TESTED
 For free copy
 Advocate

	Shah Khalid	Muhammad Irshad	Chowkidar	GGPS Abdur Rehman Killi Jamrud	NA
17	Sher Muhammad	Sanver Khan	Chowkidar	GPS Hanif Khan kallay	NA
18	Anwar Ullah	Hidayat Ullah	Chowkidar	GGPS Haji Muhammad Ayub Killi Bara	NA
19	Rahid Ullah	Masnal Khan	Chowkidar	GPS Allah Dand(Bazgar)	NA
20	Aemir Afridi	Afrasiyab	Chowkidar	GPS Afar Siyab Killi Sam Ghakhi Jamrud	NA
21	Hazrat Amin	Masroo Khan	Chowkidar	GHS Kam Shalman Landi Kotal Khyber	NA
22	Mewa Khan	Sahib Khan	Chowkidar	GPS Mewa Khan Killi Jamrud	NA
23	Abdul Wakeel	Khan Akbar	Chowkidar	GGPS Khan Akbar Killi Ghundi	NA
24	Akhtar wais	Muhammad Hanif	Chowkidar	GPS Said Alam Killi piro Khel LKL	R.S.Q
25	Muhammad Rafiq	Abdul Manan	Chowkidar	GPS Murad Dhand	NA
26	Adnan Gohar	Haji Ali Gohar	Chowkidar	GPS Ali Shah	NA
27	Abdul Wahid	Samiand Khan	Chowkidar	GPS Raees Khan Bara	NA
28	Jamshed Ullah	Yasrat Khan	Chowkidar	GMS Gandaw Sepah Bara	NA
29	Rasool Amin	Jan Muhammad	Idari	GHS Haji Gul Zamir Killi Bara	NA
30	Ashfaq Ahmed	Hussain Khan	Naib Qasid	GMS Qadam Jamrud	NA
31	Kaleem Ullan	Mina Jan	Naib Qasid	GHS Janas Khan Killi	NA
32	Khalid Khan	Shereen Khan	Naib Qasid	GHS Janas Khan Killi	NA
33	Amjad Ali	Gulab Sher	Naib Qasid	GHS Muhammad Khan Killi	R.S.Q
34	Imran Afridi	Said Akbar Afridi	Naib Qasid	GGMS Tehsil Bara Khyber Agency	NA
35	Kamran Khan Afridi	Said Akbar Afridi	Naib Qasid	GGM Tehsil Bara Khyber Agency	NA
36	Abdul Salam	Shahab ud Din	Naib Qasid	GMS Mewa Khan	NA
37	Muhammad Nabi	Ghuham Nabi	Naib Qasid	GHS chora Jamrud	R.S.Q
38	Shakir Ullah	Gul Zamir	Sweeper	GHS Haji Gul Zamir Killi Bara	NA
39	Jamshed	Abdul Baz	Sweeper	GMS Mewa Khan	NA
40	Amran Gul	Islam Gul	Sweeper	GHS Shagai Jamrud Khyber Agency	NA

(Muhammad Jadoon Khan)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Endst.No.1728-33/app./C-ivs/40Nos.

Dated: 28/9/2017

1. Director Education (FAIA) at Peshawar.
2. Political Agent Khyber Agency at Peshawar
3. Agency Accounts Officer Khyber Agency at Jamrud.
4. Agency Surgeon Khyber Agency at Landi Kotal.
5. AAEO Local Office/Pay Clerk concerned.
6. Officials Concerned.

AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

RESTRICTED

AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Agency Education Office
Khyber Agency at Jamrud

Phone: 091-5920265 Fax: 091-5820265

11

CORRIGENDUM

In partial modification, the S.No 20 & 28 of this office letter Endst: No.1728-33/app:/C-IV/40Nos. Dated.28/9 /2017 may be read and considered as:

S.No	Name	F/Name	Design:	School	Remarks
20	Aamir Afridi	Afrasiab Afridi	Chowkidar	GPS Afrasiab Kalai Sam Ghakhar Shahkas Jamrud Khyber Agency	NA
28	Jamshed Ullah	Yarat Khan	Sweepér	GMS Gandow Bara Khyber Agency	NA

Muhammad Jadoon Khan
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Endst: No. 1728-33/app:/C-IV/40Nos. Dated Jamrud the 28/9/2017
Copy of the above is forwarded to the:

1. Director Education (FATA) at Peshawar.
2. Political Agent Khyber Agency at Peshawar.
3. Agency Accounts Officer Khyber Agency at Jamrud
4. Agency Surgeon Khyber Agency at Landi Kotal.
5. AAEO Local Office/Pay Clerk concerned.
6. Officials Concerned.

AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

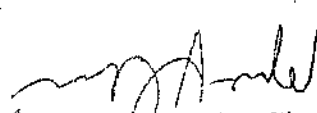
ATTACHED
Copy of this copy
Advocate


Annex "B"

(12)

Charge Report

AAmis Afridi s/o Afrasyab Afridi
took over charge as Chowkidar
at GPS Sanghatibi on
03/10/2017


03/10/17 Assistant Agency
Education Officer Jamrud

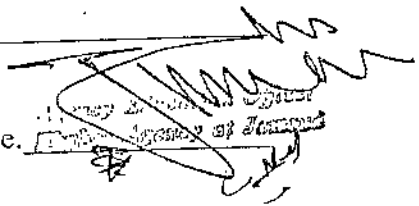
REGISTERED

Date: 03/10/2017

MEDICAL CERTIFICATE.

13

Name of Official MR. Amis Ajidi
Caste of Race. Kybi Icheh
Father's Name. Agrasiale Ajidi
Residence. village Wazir Dhond Tehsil Jamsud
Date of Birth 06-2-1994 Exact height by measurement 5'-6"
Personal Mark of Identification. A sound mark on left hand.
Signature of the official. Ajidi

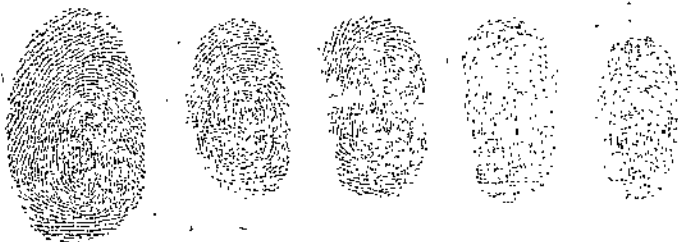
Seal of Office.



I do hereby certify that I have examined Mr. Amis
candidate for employment in the office of the Education Deptt and
can not discover that he had any disease communicable or other constitutional
affection or bodily infirmity except. Nil

I do not consider this as disqualification for employment in the office of the
Education Deptt His age according to School Certificate / NIC is 24 years
and by appearance about Twenty four years.

LEFT HAND THUMB AND FINGER.



M. S. W.
Medical Superintendent,
Agency Headquarter Hospital,
Landikotal.
Medical Superintendent
Agency Headquarter Hospital,
Landikotal.

3/2/17

TESTED
Cur

Note: The entries on this page should be renewed or re-augmented at least every five years and the Signature to lines 9 and 10 should be dated.

(14)

1. Name: AAMIR AFRIDI

2. Race: KUKI Khel

3. Residence: Village Wazir Dhand, Tehsil
Jamrud


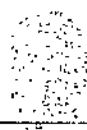



4. Father's name and residence: Afrasiab Afridi

5. Date of birth by Christian era as nearly as can be ascertained: 06-02-1994
6th February, M.M. Ninety Four

6. Exact height by measurement: 5'-6"

7. Personal marks for identification: A wound marks on left hand

8. Left hand thumb and Finger impression of (Non-Gazetted) officer:

Little Finger:		Ring Finger:	
Middle Finger:		Fore Finger:	
Thumb:			

Signature of Government Servant: Amit

Signature and designation of the Head of the office, or other Attesting Officer: [Signature]
Agency Inspection Officer
Miner Agency, Jamrud

REGISTERED
[Signature]
18/11/07

PAYROLL SYSTEM
AMENDMENT FORM
SINGLE EMPLOYEE ENTRY

OFFICE OF THE

FOR THE MONTH OF

K H 0 0 1 2

Cash Center No. 8

Employee Name: Chowkidar

Grade (Pay Scale Group): 01

AGENCY EDUCATION OFFICE KHYBER AGENCY AT JAMRUDD

FORM: PAY02
Date:
Page No. 1

GENERAL DATA CHANGE

Field	Type	Info	Amount	Rupees	Paise	Adj	Effective Date	Remarks
Adj: B Pay	P	5	8	0	1	0	08541	
Adj: TRVA	P	5	0	0	2	0	0834	
Adj: CA	P	5	0	1	1	0	1670	
Adj: MA	P	5	0	1	2	0	1403	
Adj: UVA	P	5	1	0	2	0	0935	
Adj: VVA	P	5	0	7	0	0	0140	
Adj: DVA	P	6	1	4	2	0	0140	
Adj: AR 13	P	5	3	1	1	0	0225	
Adj: AR 15	P	5	9	6	4	0	0145	
Adj: AR 16	P	5	9	7	5	0	0715	
Adj: AR 17	P	5	9	9	0	0	08154	

Amount of pay and allowances on account of 1st apptt: in BPS No. 01 as Chowkidar appointment w.e.f. 03/10/2017.

Agency Education Office
Khyber Agency at Jamrud
Checked By: [Signature]
Date: 11/11/2017

APPROVED
[Signature]

15
15
15

PAYROLL SYSTEM
AMENDMENT FORM
SINGLE EMPLOYEE ENTRY

OFFICE OF THE

FOR THE MONTH OF

DDO Code (Cost Center)
KH0012

Personnel Number

Grade (Pay Scale Group)
01

Chowkidar

Salary Status

Start Stop

Cash Center No. B

Employee Name
Aamir Afridi

National ID Card Number

AGENCY EDUCATION OFFICE KHYBER AGENCY AT JAMRUD

FORM: PAY02

Date

Page No. 1

16

GENERAL DATA CHANGE		CHANGE IN PAYMENTS / DEDUCTIONS	
Info	Fields	Wage Type	Amount
Adp B Pay	3	8	0
Adp HRA	3	0	0
Adp CA	3	0	1
Adp MA	3	0	1
Adp VA	3	1	2
Adp WA	3	0	7
Adp VA	3	1	4
Adp VA	3	0	1
Adp AR 13	3	3	1
Adp AR 15	3	9	6
Adp AR 16	3	9	7
Adp AR 17	3	9	5
New Contents		Rupees	Paise
Adp B Pay		08541	
Adp HRA		00834	
Adp CA		01670	
Adp MA		01403	
Adp VA		00935	
Adp WA		00140	
Adp VA		00140	
Adp VA		00140	
Adp AR 13		00225	
Adp AR 15		00145	
Adp AR 16		00715	
Adp AR 17		00085	

Remarks: Arrear of pay and allowances on account of 1st appt: in BPS No. 01 as Chowkidar appointment w.e.f. 03/10/2017.

Entered / Verified By

Audited/Checked By

Prepared By

AGENCY EDUCATION OFFICE KHYBER AGENCY AT JAMRUD

Prepared By: [Signature]

AGENCY EDUCATION OFFICE
KHYBER AGENCY AT JAMRUD

Aamir Afridi

Design: Chowkidar

Period	Pay due	HRA	CA	MA	LAA	WVA	DVA	AR 2013	AR 2015	AR 16	AR 17	Total
Rate per Month	9130	891	1785	1500	1000	150	150	240	155	764	913	16778
w.e.f 03/10/2017 to 31/10/2017 (29 Days)	8541	834	1670	1403	935	140	140	225	145	715	854	15602
TOTAL	8541	834	1670	1403	935	140	140	225	145	715	854	15602

1. Certified that the amount claimed in this bill has not been drawn previously.
2. Service book attached.

[Signature]
Agency Education Officer
Khyber Agency at Jamrud

[Stamp]
AGENCY EDUCATION OFFICE
KHYBER AGENCY AT JAMRUD

09-Education Affairs & Services
091-Primary Education Affairs
091102-Primary Education
Temporary/Permanent

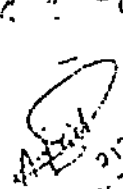
(17)

خدمت منجانب مملکتی افسر آفیسر

منجانب عالی!

مورد بائو گذاریشن ہے کہ سائل گورنمنٹ
 پرائمری سکول (میل) افراسیاب بیلہ، سیم غاضی شاہ کس
 جمہور میں بطور سکول جو کیدار ملازم ہے۔ اور رات کی
 8 گھنٹے ریگولر ڈیوٹی سرانجام دیتا ہے۔ جبکہ آج
 تک ڈیوٹی کے دوران سکول کے کسی ایک اینٹ کو بھی
 نقصان نہیں پہنچا ہے۔ لہذا میری گزارش ہے کہ اس کو


عذرین اذان۔ میں ہوگی


 2210130-7

آپ کا والدہ۔ محاسن آفریدی سولہ افراسیاب آفریدی

قوم کوئی میل (کنیا میل) جمہور

صدر دفتر، جی۔ انور، ۶۵۵۸۹

RECEIVED

 2210130-7



OFFICE OF THE DISTRICT EDUCATION OFFICER
 KHYBER DISTRICT JAMRUD
 NO. _____ / EDU DATED _____ 2022
 EMAIL: DEO@KHYBER7777@gmail.com

Amir Khan 'E'

19

To:

The E.M.A office
 District Khyber.

Sub:

SHOW CAUSE REPLY IN R/O Mr. Amir Khan (Chowkidar)
GPS, Sam Ghakhi Jamrud

It is certified that Mr. Amir Khan Chowkidar of GPS Sam Ghakhi Jamrud, is working
 On Chowkidar post at the said school. He is performing his duty at the above mentioned school.
 Moreover, he is not an abroad and performed his duties at said school may please
 Be submitted for further process please.

M. M. M.
 ASSISTANT
 DISTRICT EDUCATION OFFICER (P&D)
 KHYBER DISTRICT JAMRUD.

Enclst.No. 448-99 Dated: 25/02/2022

- Copy to:
1. DMO EMA District Khyber.
 2. SDEO, Jamrud.
 3. Office file.

M. M. M.
 ASSISTANT
 DISTRICT EDUCATION OFFICER (P&D)
 KHYBER DISTRICT JAMRUD.

REGISTERED
M. M. M.
 DISTRICT EDUCATION OFFICER (P&D)
 KHYBER DISTRICT JAMRUD



" F "


(20)

OFFICE OF THE DISTRICT EDUCATION OFFICER
KHYBER PAKHTUNKHWA
NO 904/EDU DATED 22/10/2022
Email: DEOKHYBER7777@gmail.com

Show Cause Notice

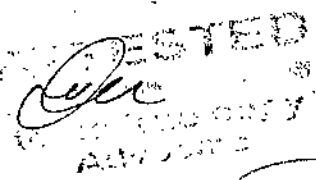
I, Muhammad Uzair Ali, the District Education Officer (M) Elementary & Secondary Education Khyber, Khyber Pakhtunkhwa as Competent Authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you Mr. Amir Afridi Chowkidar GPS Sam Ghawkhil Jararud as follows:

1. That as per report of the Education Monitoring Authority District Khyber, you have been absent from your official duty since 08-09-2019 without permission from the competent authority.
2. That your absence from duty as reported by EMA has been confirmed in the inquiry report ordered against you vide No. 3298-3304 dated 24-10-2022.
3. That your double job as Cashier in Habib Bank Limited Jararud Branch has been proved by the inquiry officer in his inquiry dated 18-11-2022, which is against the service rules.
4. That you did not cooperate with the inquiry committee and refused to answer the questionnaire.
5. That after going through the reports and material on record, I am satisfied that you have committed acts/permissions specified in Rule-3 (b) & (d) i.e.
 - i. "Guilty of misconduct".
 - ii. "Guilty of habitual absence from duty without prior approval of leave".
3. That in exercise of powers conferred under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, I as the Competent Authority, have tentatively decided to impose upon you any of the major penalties mentioned in Rule-4 (b) of the ibid rules.
4. You are, therefore, required to show cause as to why the aforementioned penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
5. If no reply to this show cause is received within 7 days of its receipt, it shall be presumed that you have no defense to put in and, in that case, an Ex-Parte decision shall be taken against you.


 (Muhammad Uzair Ali)
 Competent Authority
 District Education Officer (M)
 E&SE Khyber, Khyber Pakhtunkhwa.

Endst: Even No. _____ Date. _____
 Copy of the above is forwarded for information to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa.
2. Deputy Commissioner District Khyber
3. District Monitoring Officer EMA District Khyber.
4. Litigation Officer Local Office.
5. Concerned Principal/Headmasters/SDEOs.
6. Official concerned.
7. Master File.


 RECEIVED
 DISTRICT EDUCATION OFFICER (M)
 E&SE KHYBER

Competent Authority
 District Education Officer (M)
 E&SE Khyber, Khyber Pakhtunkhwa

To

The District Education Officer (M)
E & S E, District Khyber.

Subject:- REPLY TO SHOW CAUSE NOTICE NO. 4904/EDU
DATED 22/11/2022 ISSUED BY YOUR
ESTEEMED OFFICE

Respected Sir,

Reference to your show cause notice mentioned above which was issued on 22/11/2022 but the undersigned received on 18/12/2022 and the undersigned now replied the said show cause notice which is as under:

1. Incorrect, hence denied. The undersigned is performing his duty in the said school from the date of his appointment and in this respect earlier the undersigned received show cause notice and the worthy DEO (P&D) Khyber also issued letter dated 25/02/2022 which evident regarding the duty and performance of the undersigned. **(Copy of the letter dated 25/02/2022 is attached)**
2. Incorrect, hence denied. The undersigned was unaware regarding the said inquiry which is embodied in the said para. The one sided inquiry conducted against the undersigned and condemned unheard the undersigned and after the acknowledgment of the said inquiry the undersigned addressed an application to the concerned authorities about the disputed/ temporary teachers and also raised some legal

RECEIVED
2022

objections which is fully mentioned in the application which is attached herewith. It is pertinent to mention here that the STC Committee was headed by a person who does not belongs to the vicinity and upon the objection of the undersigned one Afrasiyab was appointed as Chairman of the Committee and also issued official notification but after the summer vacations the administration of the school again the said teacher restored in the school and also head of the STC Committee which is malafide on the part of the administration.

3. Incorrect, hence denied.

4. Incorrect, hence denied. The undersigned was unaware regarding the inquiry conducted against him and also not issued any notice to the undersigned regarding the inquiry.

5. Incorrect, hence denied.

3. Incorrect, hence denied. The undersigned performing the his duties with full zeal and zest which is evident from the letter issued by the DEO (P&D) on 25/02/2022 already annexed with the reply.

4. Incorrect, hence denied. The undersigned fulfill all the requirements of your department and performing his duty according to rules

REGISTERED
[Signature]

(23)

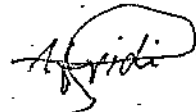
and regulations of your department, so the penalty is not applicable on the undersigned.

5. Incorrect, hence denied. The show cause notice was issued on 22/11/2022 but the undersigned received the said notice on 18/12/2022, thus fully unaware regarding the issuance of the show cause notice.

Keeping in view what has been stated above, it is, therefore, respectfully requested that in the light of above mentioned facts and circumstances, the show cause notice issued to the undersigned may very graciously be withdrawn.

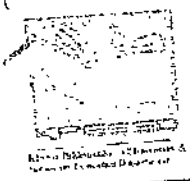
Dated:-21/12/2022

Regards



Amir Afridi
Chowkidar
GPS, Sam Ghawkhi, Jamrud
District Khyber
Cell# 0300-5872281

RECEIVED
21/12/2022
2022



OFFICE OF THE DISTRICT EDUCATION OFFICER
 KHYBER DISTRICT JAMRUH
 NO. _____ / EDU DATED _____ 2022
 Email: DEO@KHYBER7777@gmail.com

24

To:

The E.M.A office
 District Khyber.

Sub:

SHOW CAUSE REPLY BY B/O Mr. Amir Khan (Chowkidar)
GPS, Sam Chokhi Jamrud

It is certified that Mr. Amir Khan Chowkidar of GPS Sam Chokhi Jamrud, is working on Chowkidar post at the said school. He is performing his duty at the above mentioned school. Moreover, he is not an abscond and performed his duties at said school may please be submitted for further process please.

[Signature]
 ASSISTANT
 DISTRICT EDUCATION OFFICER (P&D)
 KHYBER DISTRICT JAMRUH.

Enst.No. 1149-55 Dated: 25/12/2022

- Copy to:
1. DMO EMA, District Khyber.
 2. SDEO, Jamrud.
 3. Office file.

[Signature]
 ASSISTANT
 DISTRICT EDUCATION OFFICER (P&D)
 KHYBER DISTRICT JAMRUH.

RECEIVED
[Signature]

محمد متا جناب مولوی ایجوکیشن آفیسر خیرپور

جناب عالی!

گزارش ہے کہ بیماری باقاعدہ شہکار پتہ پر مولوی ایجوکیشن آفیسر (مائلک) نے

بیتھول PND آفیسر و SDEO آفیسر نے کارروائی کرتے ہوئے باہمی فیصلہ کیا

کہ سکول گری جیٹوں کے لئے یہ ہو جبرہ متعارف عارضی ٹیچر کی بجائے، مقامی VC

سے PTC فزٹ کا کوالیفیڈ ٹیچر بنے در خواست دیندے ٹیچر فرماں دولہ معلوم خان

ڈیوٹی پر سکول جائیگا۔ اور اس سلسلے میں ٹیچر نزل ایجوکیشن آفس میں

بہن خانم پر ٹائپ ڈیوٹی شپرزول میں فرماں ٹیچر کا نام دیکھا کر مطمئن

کیا گیا۔ جبکہ اس کے ساتھ ہی سکول PTC کیٹیگی کا جیٹ پتہ جیسر میں (مائلک) کے

کے نام سے انیشن آرڈر بھی جاری کیا گیا۔ جسکی کاپی منسلک ہے۔

مگر سکول گری جیٹیاں ختم ہوتے ہی ٹیچر نے باہمی فیصلے اور مقامی رول رول

نزل اذکار کرتے ہوئے نہ صرف اسے متعارف عارضی ٹیچر کو جان بوجھ کر سکول

ڈیوٹی کیلئے بھیج دیا بلکہ بغیر کسی اطلاع و توفیق کے مائلک مکان کا نام بھی

جیٹ پتہ میں PTC سکول کیٹیگی سے خارج کر دیا۔

اس سلسلے میں آپ ماعلمان سے التجا ہے کہ ایسے کے مذاکرت کو دیکھتے

ہوئے سری اصلاح و احوال کی کارروائی فرمائی جاویں۔

مخالف قوم کا متنازعہ ٹیچر کا فوراً عین سے تبادلہ اور مائلک مکان کا

جیٹ پتہ میں PTC سکول کیٹیگی کی بجائی گا استوار کرتے ہیں۔ تاکہ المانع

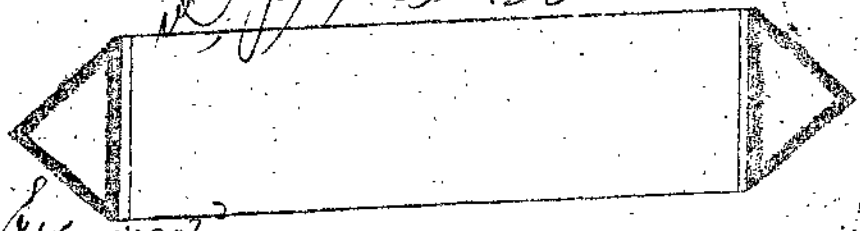
اور رعایا کے نقصان سے بچتے ہو اور اس و امان کے مسائل بھی پیدا

نہ ہو۔ (سب سے بڑے تمام تر مسائل کی ذمہ داری ٹیچر کے متعلقہ آفسر کی

پر ہوگی۔
20/11/2011
ذاتی شش ہفتگی
سید شاہ افراسیاب احمدی۔ مائلک مکان۔ گورنمنٹ پرائمری سکول بولہ، سہ ماہی شاہ کھنڈ
(افریسیاب خان)

ESTEL
2011

بعدالت عالیہ سرحدی ہسپتال



2022ء جناب صاحب
عامر انور پوری بنام ڈسٹرکٹ میڈیکل افسر

موضوع
مقدمہ
دعویٰ
جزم

باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی اور جواب دہی اہل کاروائی متعلقہ کیس
آن مقام ~~کسٹنٹ عہدہ~~ ~~کیسٹنٹ عہدہ~~ ~~کیسٹنٹ عہدہ~~ کیسٹنٹ عہدہ کی طرف سے
مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی اہل کاروائی کا کامل اختیار ہوگا۔ نیز
یکمیل صاحب کو راشی نامہ کرنے و تقررات و فیصلے بر حلقہ دینے جواب دہی اور اقبال دعویٰ اور
انسورٹ اگرنی کرنے اجراء اور سولی چیک ورڈ یہ اور مرضی دعویٰ اور درخواست ہر قسم کی تصدیق
وزرائے پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرف یا ایجنل کی برآمدگی اور منسوخی
نیز دائر کرنے اہل گرائی و انظر ٹائی اور پیروی کرنے کا اختیار ہوگا۔ از بسورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور ریکل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواخذہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جات التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تازہ پیشی مقام دورہ پر یا احدیت باہر ہو تو ریکل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا اذکالت نامہ لکھو یا اگر مسترد ہے۔

Handwritten signature and date: 21/11/2022

المقام 21 دسمبر 2022ء

بمقام ~~کسٹنٹ عہدہ~~ کے لئے منظور ہے۔

Accepted
CMC #16102-4784155-7
Missile #0314-9070658
Oulachan