

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 Painsdakhel, 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

18.03.2022


Due to retirement of the Hon'able Chairman, the Tribunal is defunct, therefore, the case is adjourned for the same before on 20.05.2022

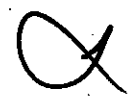

Reader

20.05 2022

Appellant in person present. Mr. Naseer Uddin Shah, Assistant Advocate General for the respondents present.

Appellant requested for adjournment on the ground that his counsel is not available today to argue the case. Adjourned. To come up for arguments before D.B on 22.07.2022 at camp court Abbottabad.

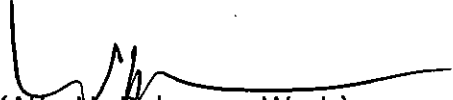

Fareeha Paul
Member (E)


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

20.11.2020

Mr. Ikram-ul-Qayyum, Advocate, for appellant is present.

It was contended by the learned counsel that appellant was appointed against the vacant post of CT at GHS Garhi Habibullah 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 Ghory Phair Garhi Habibullah. 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 points 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 16.02.2020 before S.B at Camp Court, Abbottabad.

(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT ABBOTTABAD

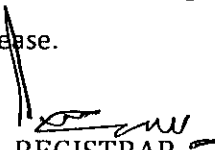

24/12/20
and Deposited
& Process Fee

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 8635 /2020


| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1- | 27/07/2020 | <p>The appeal of Mr. Zardad Khan resubmitted today by post through Ikram-ul-Qayum 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>20/11/20</u></p> <p style="text-align: right;"> CHAIRMAN</p> |

The appeal of Mr. Zardad Khan Ex-C.T GMS Ghory Phair Mansehra received today i.e. on 09.07.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- Annexures A and B of the appeal are illegible which may be replaced by legible/better one.

No. 1638 /S.T,

Dt. 10-07 /2020.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Ikram-ul-Qayyum Adv. Adv. Mansehra.

①

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN
KHWA PESHAWAR

8635
Service appeal No..... of 2020

Zardad Khan son of Hidayatullah r/o village and p/o Las
Maira U/C Garhi Habibullah, Tehsil Balakot District
Mansehra, Ex CT GMS Ghory Phair Mansehra

Appellant
Khyber Pakhtunkhwa
Service Tribunal

Versus

Case No. 6546
Date: 09/7/2020

- 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 NO 2011-15 DATED 28-02-2020
WHEREBY RESPONDENT NO 03 HAS WITHDRAWN
THE APPOINTMENT NOTIFICATION OF THE
APPELLANT VIDE ENDST NO 10268-74 DATED
20.06.2019 AND AGAINST NOT TAKING ANY ACTION
ON THE DEPARTMENTAL APPEAL OF THE
APPELLANT WITHIN STATUTORY PERIOD OF NINETY
(90) DAYS.

PRAYER:-

On acceptance of the appeal, the impugned
NOTIFICATION NO. 2011-15 Dated 28-02-2020 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 GHS Garhi Habibullah Mansehra
vide appointment Order Endst: No.27560-71 Dated
20.10.1996 by Competent Authority (Respondent No
03)

(Copy of appointment order dated 20.10.1996 is
annexed as annexure "A").

Filed to-day
Registrar
9/7/20

Re-submitted to -day
and filed.

Registrar
27/7/2020

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 No.16052-189 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 issuing of appointment order 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 Ghory Phair Garhi Habibullah (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 Ghory Phair Garhi Habibullah 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 GHS Garhi Habibullah Mansehra 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. 2011-15 dated 28-02-2020, by Respondent No. 03.

(Copy of impugned Notification dated 28-02-2020 is annexed as annexure "F").

- 9) That, appellant filed a departmental appeal against impugned Notification vide dated 28-02-2020, before appellate authority (Respondent No 02) on 25-03-2020, and waited for 90 days but no reply has been received by the respondent to the appellant so for.

(Copies of departmental appeal dated 25-03-2020 is annexed as annexure "G").

That, felling aggrieved from the impugned Notification dated 28-02-2020 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.

GRUNDS:

A) That, admittedly, appellant was initially, appointed against the vacant post of CT on dated 20.10.1996 and till 07.07.1997, he performed his duties and kept on receiving his salary/ pay. Whereas the impugned Notification vide dated 28-02-2020 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 Chairmen ship 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 malifide 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, unlawful unconstitutional, based on malafide by ignoring the facts and relevant records, without statement of allegation, over riding the rules, on the basis on report, which is although and favour of applicant wherein the Headmaster GHS Garhi Habibullah Mansehra through telephonically and written verification letter wherein the Headmaster stated that it was brought into kind notice that the earth quick of 2005 and too other fire event, the whole record of the school was destroy and the relevant record to the extend of the appointee (appellant) has not been found in school concerned but except arrival report of said employee and also due to thoroughly checked and verbal source of employee of the said school that the appellant was duly appointed 1997. Which is no legal and justified reason on the basis of which the appointment order of appellant was withdrawn. Which is illegal and is liable to be struck down.

(Copy of report and other relevant record are annexed as Annexure "I")

- E) That, the impugned notification vide dated 28-02-2020 against the law, rules, and also against the judgment of Hon'ble 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, and also malafide statement of Head Master due to

which the impugned notification dated 28-02-2020 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 28-02-2020 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 thorough 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 28-02-2020, 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 unheard.
- 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 thorough 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 thought 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 Petition 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 thought.
- 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,

8

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:-

In view of the above circumstances and facts it is therefore, most humbly prayed and requested that on acceptance of the appeal, the impugned NOTIFICATION NO. 2011-15 dated 28-02-2020 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 Post of 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.

Dated 25-06-2020

Zardad Khan
Zardad Khan
(Appellant)

Through:

[Signature]
IKRAM UL QAYYUM
&

[Signature]
BABAR ILYAS
Advocates High Court
District Courts Mansehra

VERIFICATION:

ZARDAD KHAN SON OF HIDAYATULLAH R/O VILLAGE LAS MAIRA POSTOFFICE GARHI HABIBULLAHTEHSIL BALAKOT DISTRICT MANSEHRA, EX CT GMS GHORAY PHAIR GARHI HABIBULLAH MANSEHRA DO HEREBY VERIFY 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..

Zardad Khan
ZARDAD KHAN
(DEPONENT)

9

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN
KHWA PESHAWAR

Zardad khan.....Appellant

Versus

Secretary, Elementary and Secondary Education Department
Peshawar etc.....Respondents

APPEAL

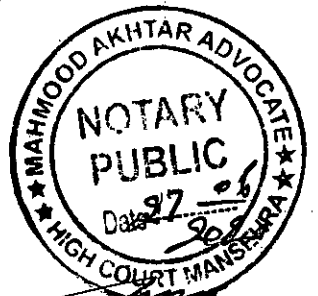
AFFIDAVIT

I ZARDAD KHAN SON OF HIDAYAULLAH R/O VILLAGE LAS MAIRA GARHI HABIBULLAH TEHSIL BALAKOT DISTRICT MANSEHRA, EX CT GMS GHORAY PHAIR GARHI HABIBULLAH 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.

Zardad Khan

ZARDAD KHAN
DEPONENT

ATTESTED



10

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN
KHWA PESHAWAR**

Zardad Khan.....Appellant

Versus

Secretary, Elementary and Secondary Education Department
Peshawar etc.....Respondents

APPEAL

CORRECT ADDRESSES OF THE PARTIES

Respectfully sheweth!

Correct addresses of the parties are as under: -

APPELLANT

Zardad Khan son of Hidayatullah r/o village and p/o Las
Maira U/C Garhi Habibullah, Tehsil Balakot District
Mansehra, Ex CT GMS Ghory Phair Mansehra

RESPONDENTS

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

Dated 25-06-2020

Zardad Khan

Zardad Khan
(Appellant)

Through:

IKRAM UL QAYYUM

IKRAM UL QAYYUM
&

BABAR ILYAS

BABAR ILYAS
Advocates High Court
District Courts Mansehra

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN
KHWA PESHAWAR

Zardad KhanAppellant

Versus

Secretary, Elementary and Secondary Education Department
Peshawar etc.....Respondents

APPEAL

INDEX

| S# | Description of documents | Annexure | Page# |
|-----|---|----------|-------|
| 1. | Memo of appeal | | 1-8 |
| 2. | Affidavit | | 9 |
| 3. | Correct addresses of parties | | 10 |
| 4. | Copy of appointment order dated 24-04-1996 | A | 11 |
| 5. | Copy of termination order dated 07-07-1997 | B | 12-19 |
| 6. | Copy of appointment order 20-06-2019 | C | 15-16 |
| 7. | Copies of Charge report/arrival report 22.06.2019 | D | 17-18 |
| 8. | Copy of Show cause notice | E | 19 |
| 9. | Copy of impugned Notification dated 28.02.2020 | F | 20 |
| 10. | Copy of appeal to department | G | 21-27 |
| 11. | Minutes of DSC meeting | H | 28-32 |
| 12. | Copy of report | I | 33-34 |
| 13. | Wakalat Nama | | 35 |

Dated 25-06-2020

Zardad Khan

Zardad Khan
(Appellant)

Through:

[Signature]

IKRAM UL QAYYUM
&

[Signature]
BABAR ILYAS
Advocates High Court
District Courts Mansehra

91

Annexure A

OFFICE OF THE DIVISIONAL DIRECTOR OF EDUCATION (S) HAZARA ABBOTTABAD

OFFICE ORDER NO. 128

DATED 20/10/1996

APPOINTMENT

The following candidates are hereby appointed against vacant AC/CT/SV/DM/DT position the Schools mentioned against each their names below in R-S fixed or R-2 (Rs. 165-27-3060) in case of trained plus usual allowances as admissible to them under the rules w.o.F. the date of their taking over charge on the following terms and conditions.

| S/No | Name of candidate with Father's Name & Address | Qualification on | School where appointed | Remarks |
|------|---|------------------|-----------------------------|---------------------|
| 1 | Abdul Malik S/O Khan Gul Village Sub Bary Balakot | | FACT GMS Balakot | Ag:CT Post in BPS-2 |
| | Zardad Khan S/O Hadrat Tullah R/O/V. Balakot | | FA CT GMS Ghary Habib Ullah | Do/ |
| | Shah Zaman S/O Bago R/O Village Balakot Distt. Manshera | | FA GMS Bandi Korah | Do/ |

NOTE: NO TA/DA & TG is allowed.

Change reports should be sent to all concerned.

CONDITIONS

- i) The appointments are purely on temporarily basis and liable to termination at any time w/out any notice or assigning reason.
- ii) They/He/She should produce their/his/her Age & Health Certificate from the Medical Supt. concerned.
- iii) Ministry of Institution is required to check all the original Education/Professional documents before giving over charge to them.
- iv) They are required to get verify their academic Certificates from university concerned.
- v) In case they he/she wish to resign from service they/he/she will have to give on month's notice or for effect on month's pay in lieu of short notice.
- vi) The appointments will automatically stand cancelled if they/he/she fail to join the post within 15 days of issue of this letter.
- vii) The candidate should not be handed over charge if their age has exceeded 30 years or below 18 years.

(AZAM-UR-REHMAN KHAN)
DIVISIONAL DIRECTOR OF EDUCATION (S)
HAZARA DIV. ABBOTTABAD

Order No. 27550/1 Appnt/Trg. Date issued the 20/10/1996
Copy to the:-

1. P/S to Hon. Minister for Education, P.S.P.
2. Director of Secondary Education Peshawar.
3. District Education Officer (M) (P) Copy
4. Principal/Headmaster / Headmistress Manshera
5. Candidates Concerned
6. ADE Local Director.
7. Office Order File.

DI. DIRECTOR OF EDUCATION (S)
HAZARA DIV. ABBOTTABAD

Ikram-ur-Rahman
Advocate High Court
Manshera

(A1 - A)

BETTER COPY

OFFICE OF THE DIV: DIRECTOR OF EDUCATION (E) HAZARA ABBOTTABAD

OFFICE ORDER NO. 128

DATED 20.10.1996

APPOINTMENT

The following candidates are hereby appointed against vacant AT/CT/SV/DM/PET position on the Schools mentioned against each their names below in R-S fixed or B-9 (Rs. 1605-67-3060) in case of trained plus usual allowances as admissible to them under the rules w.e.f the date of their taking over charge on the following terms and conditions.

| S.No. | Name of candidate with father's name, address with qualification on | School where appointed | Remarks |
|-------|---|------------------------|----------------------|
| 1. | Abdul Malik S/O Khan Gul Village Sut Bany Balakot | FACT GMS Hillkot | Ag: CT Post in BPS-9 |
| 2. | Zardad Khan s.o hatiat-Tullah R/O Vill: Bararkot | Ghari habibullah | -do- |
| 3 | Shah Zaman S/o Baga R/O Village Balakot District Mansehra | FA GMS Bandi Kanth | -do- |

Note:- NO/TA/DA AND TG is allowed
Charge reports should be sent to all concerned.

CONDITIONS.

- i) The appointments are purely on temporarily basis and liable to termination at any time w/out any notice or assigning reason.
- ii) They/He/She should produce their/his/her age and health certificate from the Medical Supdt: concerned.
- iii) The head of Institution is required to check all the original Educational/Professional documents before adding over charge to them.
- iv) They are required to get verify their academic certificates from university concerned.
- v) In case they he/she wish to resign from service they/he/she will have to give one month's notice or for effect on month's pay in local or short notice.
- vi) The appointment shall automatically cancelled if they/he/she filed to join the post within 15 days of issue of this letter.
- vii) They/candidate should not be handed over charge if their/his/her age exceed 32 years or below 18 years.

Sd/-
(FAZAL-UR-REHMAN KHAN)
DIV: DIRECTOR OF EDUCATION(S)
HAZARA DIV: ABBOTTABAD

Endst. No. 27560-71/Appt/Trf: Dated A/Abad the 20.10.1996

Copy to the: -

- 1) PS to Honourable Minister for Education NWFP
- 2) Director of Secondary Education Peshawar
- 3) District Education Officer (M)(F) Peshawar
- 4) Principal/Headmaster/Headmistress Mansehra
- 5) ADE Local Director
- 6) Office order file

Sd/-
(FAZAL-UR-REHMAN KHAN)
DIV: DIRECTOR OF EDUCATION(S)
HAZARA DIV: ABBOTTABAD.

On the basis of relevant records the appointment of the following (Male) teachers have been found eligible, eligible, void and against the he prescribed rules therefore, their services, are hereby dispensed with immediate effect.

RECOMMENDATION

DATE: 12/12/2011
OFFICE OF THE
DIRECTOR

12
B
Kumar

- 1. Mr. Mohd. Faruk S/O Abdul Salam
- 2. Mr. Faruk S/O Abdul Salam
- 3. Mr. Faruk S/O Abdul Salam
- 4. Mr. Faruk S/O Abdul Salam
- 5. Mr. Faruk S/O Abdul Salam
- 6. Mr. Faruk S/O Abdul Salam
- 7. Mr. Faruk S/O Abdul Salam
- 8. Mr. Faruk S/O Abdul Salam
- 9. Mr. Faruk S/O Abdul Salam
- 10. Mr. Faruk S/O Abdul Salam
- 11. Mr. Faruk S/O Abdul Salam
- 12. Mr. Faruk S/O Abdul Salam
- 13. Mr. Faruk S/O Abdul Salam
- 14. Mr. Faruk S/O Abdul Salam
- 15. Mr. Faruk S/O Abdul Salam
- 16. Mr. Faruk S/O Abdul Salam
- 17. Mr. Faruk S/O Abdul Salam
- 18. Mr. Faruk S/O Abdul Salam
- 19. Mr. Faruk S/O Abdul Salam
- 20. Mr. Faruk S/O Abdul Salam
- 21. Mr. Faruk S/O Abdul Salam
- 22. Mr. Faruk S/O Abdul Salam
- 23. Mr. Faruk S/O Abdul Salam
- 24. Mr. Faruk S/O Abdul Salam
- 25. Mr. Faruk S/O Abdul Salam
- 26. Mr. Faruk S/O Abdul Salam
- 27. Mr. Faruk S/O Abdul Salam
- 28. Mr. Faruk S/O Abdul Salam
- 29. Mr. Faruk S/O Abdul Salam
- 30. Mr. Faruk S/O Abdul Salam
- 31. Mr. Faruk S/O Abdul Salam
- 32. Mr. Faruk S/O Abdul Salam
- 33. Mr. Faruk S/O Abdul Salam
- 34. Mr. Faruk S/O Abdul Salam
- 35. Mr. Faruk S/O Abdul Salam
- 36. Mr. Faruk S/O Abdul Salam
- 37. Mr. Faruk S/O Abdul Salam
- 38. Mr. Faruk S/O Abdul Salam
- 39. Mr. Faruk S/O Abdul Salam
- 40. Mr. Faruk S/O Abdul Salam
- 41. Mr. Faruk S/O Abdul Salam
- 42. Mr. Faruk S/O Abdul Salam
- 43. Mr. Faruk S/O Abdul Salam
- 44. Mr. Faruk S/O Abdul Salam
- 45. Mr. Faruk S/O Abdul Salam
- 46. Mr. Faruk S/O Abdul Salam
- 47. Mr. Faruk S/O Abdul Salam
- 48. Mr. Faruk S/O Abdul Salam
- 49. Mr. Faruk S/O Abdul Salam
- 50. Mr. Faruk S/O Abdul Salam

ADVOCATE GENERAL
MADRAS HIGH COURT

Advocate High Court
MADRAS HIGH COURT
MADRAS

Allex

ATTACHED

ADVOCATE GENERAL
MADRAS HIGH COURT

1147
S. 3

- 28. Zarg Khan S/O Sur Khan R/O Abbottabad.
- 29. Mahmood-Ur-Rahman S/O Noor Hassan.
- 30. Shoukat Hussain S/O Jalal Shah.
- 31. Mide Ahmed Abbassi S/O Musnad R/O Abbottabad.
- 32. Muhammad Inshad S/O Muhammad Arshad R/O Abbottabad.
- 33. Hafiz-Ur-Rahman S/O Manzoor-Ur-Rahman.
- 34. Biogat Mahmood S/O Ali Akbar R/O Haripur.
- 35. Sardar Ali S/O Ali Akbar R/O Abbottabad.
- 36. Attiqur-Rahman S/O Abdur-Rashid R/O Abbottabad.
- 37. Mazhar Ali S/O Khawaja R/O Manshera.
- 38. Kamshad Khan S/O Younas Khan Abbottabad.
- 39. Iftikhar Ahmad S/O Fazzalur Rahman.
- 40. Zahid Farvez S/O Dilaver Khan Haripur.
- 41. Lotshan Ahmad S/O Shabir Ahmad Attd.
- 42. Ashfaq Ahmed S/O Taj Mohd Attd.
- 43. Ali Ahmed S/O Fasherwan.
- 44. M. Kamshad Shabir S/O Waris Haripur.
- 45. Jasin Asghar S/O Ali Asghar Attd.
- 46. Anwarul Haq S/O Mohd. Ilyas.
- 47. Mohammed Javed S/O Ajob Khan.
- 48. Mohan-mad Saraz S/O Noor Khan Manshera.
- 49. Khalid Mahmood S/O Khuda Dakan.
- 50. Kamshad Ahmad S/O Mohd. Kamranid.
- 51. Kamshad Khan S/O Farid Khan Attd.
- 52. Abdul Zameer S/O Reham Shah Manshera.
- 53. Zahid Khan S/O Ajob Khan Attd.
- 54. Abadur Hussain S/O Khalilur Rahman Attd.
- 55. Wagar Gul Khan S/O Khan Gul Attd.
- 56. Mohammad Saifur S/O Jangand Khan Attd.
- 57. Munir Ahmad S/O Mefoo zullich Manshera.
- 58. Mohammad Hamayun S/O Mir Khan Manshera.
- 59. Mubtillah S/O Qazi Ayez Khan Attd.
- 60. Mohammed Arshad S/O Gulistan Khan Attd.
- 61. Attiqur Rahman S/O Abdulla Khan.
- 62. Iftikhar S/O Alizaman.
- 63. Kamshad Khan S/O Hamayun Khan Attd.
- 64. Arif Lodhi S/O Ayub Lodhi Attd.
- 65. Naveed Ayez S/O Mohd. Ayez Khan Manshera.
- 66. Mohammad Ali Khan S/O Mohammad Anwer Khan Attd.
- 67. Gulshad Khan S/O Mohsan Manshera.
- 68. Qaiser Rehman S/O Abdur Rehman.
- 69. Hussain Shah S/O Ilyas Shah.
- 70. Adil Mir S/O Abdur Latif Mir.
- 71. Maroof shah S/O Afsar Khan.
- 72. Amin Khan S/O Mohsan Khan.
- 73. Binayeen S/O Mohd. Ramzan.
- 74. Mazakat Hussain Shah S/O Amin Shah.
- 75. Mohammed Inshad S/O Shahn Attd.
- 76. Iftikhar Ahmad S/O Shabir Ahmad.
- 77. Abdur Rashid S/O Sultan Khan.
- 78. Ghulam Waqar S/O Ghulam Rasool.
- 79. Kamshad Khan S/O Kamshad Khan.

all

Ukrainian Copywriter
Advocate High Court
Manshera

ATTESTED
CERTIFIED TRUE AND COPY

MASTUR-UL-HAQ-DAR
Advocate High Court
Abbottabad

14

- 93. Sheeraz Khan S/O Ghawaj Mond.
- 94. Ghulam Ahmad S/O Asghar Din.
- 95. Ghulam Ali Khan S/O Mond Ayub.
- 96. Mohammad Javed S/O Mir Ahmad.
- 97. Sarfaraz Khan S/O Arshad Khan.
- 98. Idris Khan S/O Amirud Din.
- 99. Mohd-Raza S/O Mohd-Samir.
- 100. Amir Raza S/O Baggah.
- 101. Masood S/O Mond-Farooq.
- 102. Hafiz Jabul S/O Ghulam Sarwar.
- 103. Moinam ad Mahya S/O Mohd-Aslam.
- 104. Gul Hamid Khan S/O Abidur Rehman.
- 105. Khalifa Moinood S/O Mohd-Yousaf.
- 106. Mohd-Farooq S/O Mohd-Sajid.
- 107. Mohd-Javed S/O Mir Ahmad.
- 108. Kabir Ahmad S/O Bashir Ahmad.
- 109. Moname S/Said S/O Mohd-Aslam.
- 110. Fida Ahmad S/O Fiaz Ahmad.
- 111. Mohammad Sadiq S/O Sultan.
- 112. Abdul Gaffar S/O Lal Khan.
- 113. Monama d Taskeem S/O Umar Khattab.
- 114. Mohd-Saeed Iqbal S/O GRS, Kot Na, Mullah Bpr.
- 115. Mazhar Iqbal S/O Fazalur Rehman.
- 116. Hanboobur Rehman S/O Fazaal Dad.
- 117. Saeed Khan S/O Saeed Khan.
- 118. Mohd-Hafiq S/O Ali Asghar.
- 119. Faqir S/O Jaffer Khan.
- 120. Ar. Siqur Rehman S/O Mearuz Rehman.
- 121. Mohd-Farooq S/O Alledad Manshra.
- 122. Riaz Ahmad S/O Nizamuddin Qasim.
- 123. Waris S/O Mahabubur Rehman.
- 124. Mohd-Khan Khan S/O Mond-Aslam.
- 125. Gul Javed S/O Mansur Khan.
- 126. Attiqur Rahman S/O Abdur Rashid.
- 127. Mohd-Abid S/O Saifur Khan.
- 128. Rafiqat Ali S/O Khazi Sarwar.
- 129. Naseerud Din S/O Nawab Din.
- 130. Zulfikar S/O Abdul Basir.
- 131. Anwar Gul S/O Alledad Msh.
- 132. Mohd-Javed S/O Rustom Khan.
- 133. Mohd-Raza S/O Ali Asghar S.
- 134. Mohammad Javed S/O Mir Ahmad, GRS, Salhad.

Handwritten signature/initials

TESTED
CERTIFIED TRUE PHOTOCOPY

RAJIBUL-HAQ QARI
 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.

(MEMBER FAROOQ)
 DEVLIL: DIRECTOR OF EDUCATION(S)
 HAZARA DIVISION ABBOTTABAD.

Encl: No. 16052-189 /ME-III-B Dated 07/7 /1996

Copy to:-
 1-25 The DDOs (K) Secy-3/Abad, Rawipur, Manselra, Dattagram and Kohistan.
 6-136 All the Principals/Headmasters GRS/GNS/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/DOs concerned, will be personally responsible if any teacher is kept and allowed to continue in service. Complete particulars of above mentioned teachers may also please be furnished in the following form:-
 Name/Father's Name, Present Locality, P.O. No., D/O Approval No. & Designation. School. Date. Signature of Head of Institution.

Approved: _____
 Director of Education (S)
 Hazara Division Abbottabad.

12-A

13

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 |

13 - A

14

| | |
|-----|---|
| 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 | Attigur 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 |

14-A

15

| | |
|-----|---|
| 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 | Attiqur 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 | Attiqur 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



(15) *Assure*

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, 27-03-2018, 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 orders of Honorable High Court in COC No. 22-A/2016, COC No. 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:-

| S. # | Name | Father's Name | Date Of Birth | Domicile | Permanent Address | Place of posting | Remarks |
|------|----------------|---------------|---------------|------------|--|---------------------|---------------------|
| 1 | M. PERVAIZ | DURIAMAN | MANSEHRA | 05-06-1963 | VILLAGE PATHANI P/O SERI PERHINNA TEHSIL & DISTRICT MANSEHRA. | GHS CHINARKOT | AGAINST VACANT POST |
| 2 | M. NAWAZ | M. MUMTAZ | MANSEHRA | 01-02-1972 | VILLAGE DADAR NOORI MAIDAN P/O DHARYAL TEHSIL & DISTRICT MANSEHRA. | GHS MAITHAL JABBORI | AGAINST VACANT POST |
| 3 | MUHAMMAD SAJID | M. SADIQ | MANSEHRA | 01-03-1971 | VILLAGE & P/O UPPER CHANNAE TEHSIL & DISTRICT MANSEHRA | GMS BAI PAIEN | AGAINST VACANT POST |
| 4 | SHER AFZAL | SHER MUHAMMD | MANSEHRA | 28-03-1972 | VILLAGE RAHAMKOT TEHSIL OGIH DISTRICT MANSEHRA 1 | GMS KHANIAN KHAKI | AGAINST VACANT POST |
| 5 | RAFAQAT ALI | KHANIZAMAN | MANSEHRA | 10-5-1972 | VILLAGE AND P/O KANSHIAN TEHSIL BALAKOT DISTRICT MANSEHRA | GHS BAILA MANOOR | AGAINST VACANT POST |
| 6 | EJHAZ AHMED | M. QASIM | MANSEHRA | 02-03-1973 | VILLAGE KANSHIAN P/O BALAKOT TEHSIL BALAKOT DISTRICT MANSEHRA | GMS BATANGI | AGAINST VACANT POST |
| 7 | MUNIR AHMED | HAFIZULLAH | MANSEHRA | 01-01-1969 | VILLAGE NARAL P/O GARHI HABIBULLAH TEHSIL BALAKOT DISTRICT, MANSEHRA | GHS KHAIRABAD | AGAINST VACANT POST |
| 8 | ZARDAD KHAN | HADAYTULLAH | MANSEHRA | 03-08-1965 | VILLAGE LASS MAIRA BARARKOT P/O GARHI HABIBULLAH TEHSIL BALAKOT DISTRICT, MANSEHRA | GMS GHORY PHAIR | AGAINST VACANT POST |
| 9 | ABDUL MALIK | KHAN GUL | MANSEHRA | 06-02-1976 | VILLAGE KHABA KHATTA GALI P/O SAT BANI TEHSIL BALAKOT DISTRICT MANSEHRA | GMS SERI MANOOR | AGAINST VACANT POST |
| 10 | SHAH ZAMAN | BAGA | MANSEHRA | 05-05-1977 | VILLAGE BATSANGRA TEHSIL BALAKOT DISTRICT MANSEHRA | GHS PARAS | AGAINST VACANT POST |


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 in e 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 office for verification from Board /University/Institutions before any payment made to them.

OR

16


11. They should join their post within 15 days of the issuance of this notification. In case of failure to do so in 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 the 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 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 convy 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 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 instant order issued erroneously.
19. The candidates appointed against the school(s) falling in summer vacation shall be handed over the charge w 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.


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


17

→ Non

Annure 'D'

CHARGE REPORT

1. Certified that / i have on the fore / afternoon of this day respectively made over and received charge of this office of the Govt.

Middle School Ghoray Phaw Garhi Habibullah
District Mansehra

2. Particulars of cash and important secrets and confidential documents handed over are noted on the reverse:

Signature of Relived

Government Servant vacant post

Designation _____

Station:

Gms, Ghoray Phaw
Distt: Mansehra.

Government Servant @dun

Designation ct

Dated: 21-6-2019 (P.N)

verified by

[Signature]
Head master
Gms Ghoray Phaw
Garhi Habibullah

[Signature]
Ikram-ul-Qayyum
Advocate High Court
Mansehra


18

(D) 2

ARRIVAL REPORT

In compliance with the order of District Edu; Officer School and literacy
Mansehra vide Endst: No. 10268-74 Dated 20-6-2019.

I Mr; Zardad Khan Submit my arrivals report to day
on 21-6-2019(F.N) As a C.T (Sacked employees) at GMS, Ghoray Phair
Garhi Habibullah District Mansehra.

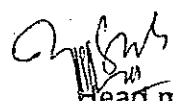
SIGNATURE 


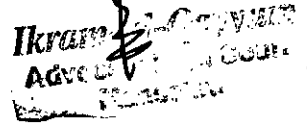
NAME Zardad Khan

DESIGNATION C.T

No. 225 dated 21-6-2019

verified by


Head master
Gms Ghoray Phair
Garhi Habibullah



(19)

Amuse. 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 a show cause notice to Mr. Zardad Khan CT GMS Ghory Phair on account of producing fake /tempered documents for appointment in District Mansehra are as follows:

- i. Whereas a Showcause Notice was issued vide this office No.16334 dated 07-10-2019 & 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. Zardad Khan CT was reappointed and posted at GMS Ghory Phair 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 Garhi Habibullah Mansehra for re-verification of record of Mr. Zardad Khan s/o Hadiyatullah Ex- CT GHS Garhi Habibullah vide letter No.10701 dated 25-06-2019.
- vi. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- vii. Whereupon during the course of scrutiny of their documents/service record, it was pointed out that Mr. Zardad Khan tempered his name at serial No.17 in termination order vide Endst No.16052-189 dated 07-07-1996. It shows that you have committed misconduct /illegality thus violated E&D rule, 2011.
- viii. 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) 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.

Handwritten signature

**Ikromul Qayyum
Advocate High Court
Mansehra**

Handwritten signature
COMPETENT AUTHORITY

Zardad Khan S/o Hadiyatullah CT
GHS Garhi Habibullah
District Mansehra

(20) Answer: F

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Phone # 0997-382271

Fax # 0997-382274

E-mail Address: edoedu.mansehra@yahoo.com

NOTIFICATION

Mr. Zardad Khan S/O Hadiyatullah CT GMS Ghory Phair Mansehra. WHEREAS Mr. Zardad Khan CT GMS Ghory Phair 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.

- x. Whereas Mr. Zardad Khan CT was reappointed and posted at GHS Ghory Phair 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.
- xi. 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."
- xii. Whereas after issuing of appointment order the competent authority sent a letter to the Head Master GHS Garhi Habibullah Mansehra for re-verification of record of Mr. Zardad Khan Ex- CT GHS Garhi Habibullah vide letter No.10701 dated 25-06-2019.
- xiii. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- xiv. Whereas, as per report of the Principal GHSS Garhi Habibullah vide dated 10-07-2019 with the remarks that "Mr. Zardad Khan CT has never ever been appointed vide Endst No.27560-71 dated 20-10-1996 at GHS Garhi Habibullah, 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, only arrival report was found on record.
- xv. Whereupon the initial inquiry conducted by the officer on 06-08-2019, the said committee submitted report to this office on 11-08-2019, with the remarks that Mr. Zardad Khan CT tempered/forged his name at serial No.17 in Termination order vide Endst 16052-187 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.
- xvi. WHEREAS as per inquiry report dated 12-08-2019, a showcause notice was issued to concerned vide this office No. 16334 dated 07-10-2019, but Mr. Zardad Khan Failed to reply / Final show cause notice issued vide Endst No.17697 dated 07-11-2019, and received reply of showcause on 09-11-2019
- xvii. Whereas, he was called for personal hearing vide this office No.18160-61 dated 25-11-2019, but he did not attend the personal hearing before the Competent Authority. Whereas he was again called for personal hearing on 30-01-2020, while attending the office of undersigned on 15-02-2020 and heard.
- xviii. 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. Zardad Khan CT GMS Ghory Phair 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. 2011-15 /F.No. Final Showcause/Appoint: 2019 (M)//Dated 28/2/2020

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 Ghory Phair.
5. Mr. Zardad Khan Residence of village Las Maira Bararkot P/o Garhi Habibullah, Tehsil Balakot District Mansehra.
6. Office File.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Adv

(21) Asmr G

To,

THE DIRECTOR,
Elementary and Secondary Education,
Peshawar.

Subject: APPEAL FOR RE-INSTATEMENT
AGAINST THE ORDER VIDE WITHDRAWAL
ORDER NO.2011-15 DATED 28.02.2020
WHEREBY APPELLANT APPOINTMENT
ORDER WAS WITHDRAWN.

Respectfully Sheweth!

1. That, the appellant was appointed against vacant post of C.T and posted at Government High School Garhi Habibullah, Tehsil Balakot District Mansehra.
2. That, appellant performed his duty whereby appellant was terminated vide termination order dated 07.07.1997.
3. That, after, enforcement of Sacked Employees appointment Act 2012, appellant was re-instated under Sacked Employee Act, 2012 vide appointment order bearing No.2021-25 dated 28.06.2019. (Copy attached).
4. That, the appellant was duly appointed after recommendation of Departmental Selection Committee and scrutinized the document and adopting all the codal

[Signature]
HUMAN-RI-GUYUN
Advocate for Court,
Mansehra

formalities with regard to the appointment order of the petitioner wherein the petitioner was appointed vide appointment order bearing No.10268-74 dated 20.06.2019.

5. That, appellant took over the charge at the post of C.T at Government Middle School, Ghoray Phir, appellant is devotedly serving at that post, with the best interest of students and his abilities. *(Copy of charge report alongwith relevant documents are attached).*
6. That, appellant being Sacked Employee was appointed after checking/security of application and relevant documents as per record is office concerned and on the recommendation of D.S.C and as per judgment of Honourable High Court, appellant was appointed after adopting codal formalities and checking of all relevant record, wherein D.E.O (M) Mansehra, ignoring the facts and relevant record without show cause, explanation, overriding the rules, on the basis of so-called report, which is although in favour of appellant wherein Headmaster Government High School Garhi Habibullah, Tehsil Balakot District Mansehra through telephonically and by written verification letter wherein it is brought into kind notice that the earthquake of 2005 and two other fire events, the whole record of the school was destroyed and the relevant record to the appointee has not been found in the

23

office but due to thoroughly checking and verbal source of the employee of the said school, the appellant was duly appointed in the year 1997. *(Copy of report and other relevant record are attached).*

7. That, the D.E.O Mansehra, deliberately ignoring the recommendations of D.S.C and report of Headmaster for verification of previous services of appellant and also bypassing the order/judgment of Honourable High Court vide judgment dated 26.09.2019, passed by Honourable High Court in Writ Petition No.944-A of 2019, the impugned notification of withdrawal of appointment order was issued vide dated 28.02.2020 which is against the rules and policy and also against the spirit of Sacked Employee Act, 2012. *(Copy of ... order are attached).*

It is, therefore, most graciously prayed that on acceptance of the instant appeal, the impugned notification vide dated 28.02.2020 may kindly be set aside and the appellant may graciously be reinstated in Government service with immediate effect.

Dated 25.03.2020

Yours sincerely,

ZARDAD KHAN

Son of Hidayatullah

Resident of village and post office

Las Maira Bararkot union council

Garhi Habibullah, Tehsil Balakot District Mansehra.



REMINDER - I

To,

The Director,
Elementary & Secondary Education,
Peshawar

Subject: **APPEAL FOR RE-INSTATEMENT
AGAINST THE ORDER VIDE
WITHDRAWAL ORDER NO. 2011-
15 DATED 28.02.2020 WHEREBY
APPELLANT APPOINTMENT
ORDER WAS WITHDRAWN.**

Respected Sir,

- 1) That, the appellant has submitted an appeal through registered post vide receipt No. 1301 vide dated 25.03.2020, due to lock down COVID 19, which might not be received to the office concerned whereas this is an reminder of the said appeal. (Photo copy of receipt is attached).
- 2) That, the appellant was appointed against vacant post of C.T. and posted at Government High School Garhi Habibullah, Tehsil Balakot District Mansehra.
- 3) That, appellant performed his duty whereby appellant was terminated vide termination order dated 07.07.1997.

- 4) That, after enforcement of Sacked Employees Appointment Act 2012, appellant was re-instated under Sacked Employee Act, 2012 vide appointment order bearing No. 2021-25 dated 28.06.2019. **(Copy attached).**
- 5) That, the appellant was duly appointed after recommendation of Departmental Selection Committee and scrutinized the document and adopting all the codal formalities with regard to the appointment order of the petitioner wherein the petitioner was appointed vide appointment order bearing No. 10268-74 dated 20.06.2019.
- 6) That, appellant took over the charge that the post of C.T. at Government Middle School, Ghoray Phair, appellant is devotedly serving at that post with the interest of students and his abilities. **(Copy of charge report alongwith relevant documents are attached).**
- 7) That, appellant being Sacked Employee was appointed after checking/security of application and relevant documents as per record is office concerned and on the recommendation of D.S.C and as per judgment of Honourable High Court, appellant was appointed after adopting codal formalities and checking of all

relevant record, wherein DEO (M) Mansehra ignoring the facts and relevant record without show cause, explanation, over riding the rules, on the basis of so called report which is although in favour of appellant wherein Headmaster Govt. High School Garhi Habibullah, Tehsil Balakot District Mansehra through telephonically and by written verification letter wherein it is brought into kind notice that the earthquake of 2005 and two other fire events, the whole record of the school was destroyed and the relevant record to the appointee has been found in the office but due to thoroughly checking and verbal source of the employee of the said school, the appellant was duly appointed in the year 1997. **(Copy of report and other relevant record are attached).**

- 8) That, the DEO Mansehra, deliberately ignoring the recommendations of DSC and report of Headmaster for verification of previous services of appellant and also bypassing order/judgment of Honourable High Court vide judgment dated 26.09.2019 passed by Honourable High Court in Writ Petition No. 944-A of 2019, the impugned order of withdrawal of appointment order was issued vide dated 28.02.2020 which is against the rules and

27

policy and also against the spirit of Sacked Employee Act, 2012. (Copy of order is attached).

- 9) That, it is highly discriminated that the similarly placed Sacked Employees namely Javed Shah CT and Khaqan son of Haider Zaman CT posted at GHS Mari Timber Khola Mansehra are still working due to same legal termination order and the appellant is also terminated in the said order of similar Sack Employee.

It is, therefore, most graciously prayed that on acceptance of the instant appeal, the impugned notification vide dated 28.02.2020 may kindly be set aside and the appellant may graciously be reinstated in Government service with immediate effect.

Dated 04.06.2020

Yours sincerely,

ZARDAD KHAN

Zardad Khan

Son of Hidayatullah

Resident of Village and Post Office
Las Maira Balakot Union Council
Garhi Habibullah, Tehsil Balakot
District Mansehra

28



Anx - B'

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, COCS8-a/2016, COC33-a/2016, in the light of judgments/order sheer vide dated 24-05-2016, 27-03-2018, 03-04-2018 & 07-03-2019, in w/p no S16-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 Moitik 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 6359-51/ 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, COCS8-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 a report on 13-03-2019.

[Signature]
Advocate High Court
Mansehra

[Signature]
KARAM-UL-QAYYUM
Advocate High Court
Mansehra

[Signature]

29

29

DECISIONS:

After thorough deliberation and perusal of record the committee recommended the candidates at serial No 55-54 and 36-30(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 employee (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.01-54, and 71-125 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 CT 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 | DGMIG ILS | Endst No. | DATE OF 1ST APPOINTMENT: | Issuit g Authority | Endst No | D/O Termination | App: CNIC | App: it: orde r | Arr: Repo rt | S/ Book | Att: Reg: | Qual ity | Dom: ity | Termination order | REMARKS | |
|----|-----------------|-------------|---------------|-----------|-----------|--------------------------|---------------------|-----------|-----------------|-----------|-----------------|--------------|---------|-----------|----------|----------|-------------------|---------|-----------------------------|
| 1 | M. PERVAIZ | DURIAMAN | 5/6/1963 | Mans ehra | 1232 +26 | 30/05/1995 | Div: Dir: Hazar Atd | 2134-3528 | 13-2-1997 | Yes | Yes | Yes | Yes | yes | Yes | 3A | Yes | Yes | RECOMMENDED FOR APPOINTMENT |

0
Director
Government High School
Mans ehra

FORM

30

28 (13)

27

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 | Yes | DIFFERED/NEED VERIFICATION FROM DEC (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 | Nil | FA | Nil | Nil | Rejected |
| 5 | S. ZAHOOR H. SHAH | S. HAZRAT A.SHAH | 2/2/1972 | Mans ehra | 2117 3-80 | 31/12/1995 | do | 2134-3528 | 13-2-1997 | Yes | Yes | Nil | NIL | Yes | Nil | FA | Yes | Yes | DIED |
| 6 | MUHAMMAD SAJD | 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 MUHAMMD | 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 | RAFAQAT ALI | KHANITAM 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 | 5061-69 | 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 | HADAYTULL AH | 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 |

ADDITIONAL CHIEF SECRETARY

Handwritten signature

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: (Esit:) DEO (M) Office Mansehra. _____
5. Saif ul Malik ADEO (Esit:) DEO (M) Mansehra _____
6. Sakinullah ADEO (Lit) DEO(M) Mansehra. _____

Ends No. 994-67 /sacked employee Dated Mansehra the 15/12 /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

Ilm-ul-Qayyum
Advocate High Court
Mansehra

DISTRICT EDUCATION OFFICER,
(MALE) MANSEHRA

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

31 39

11

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 APPO |
| 2. | MUHAMMD SULTAN | GHULAM QADAR | 03-12-1964 | MANSEHRA | 20394-403 27-8-1995 | 2134-3528 13-2-1997 | OK | RECOMMENDED FOR APPO |
| 3. | ZARDAD KHAN | HADAYTULLA H | 03-08-1965 | MANSEHRA | 27560-71 20-10-1996 | 16052-189 7-07-1997 | OK | RECOMMENDED FOR APPO |
| 4. | MUNIR AHMED | HAFIZULLAH | 01-01-1969 | MANSEHRA | 10845-920 12-5-1996 | 16052-189 7-07-1997 | OK | RECOMMENDED FOR APPO |
| 5. | ABDUL JALIL | ABDUL RAZZAQ | 06-07-1969 | MANSEHRA | 11460-76 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 APPO |
| 7. | RIAZ MUHAMMAD | SAID REHMAN | 03-03-1971 | MANSEHRA | 11959-66 24-11-1996 | NIL | FAILED TO PROVIDE TERMINATION ORDER ATTENDENCE REGISTER,S/Book | REJECTED |
| 8. | MUHAMMAD NAWAZ | MUHAMMD MUMTAZ | 01-02-1972 | MANSEHRA | 21329-35 04-9-1995 | 2134-3528 13-2-1997 | OK | RECOMMENDED FOR APP |
| 9. | SYED ZAHOR HUSSAIN SHAH | SYED HAZRAT ALI SHAH | 02-02-1972 | MANSEHRA | 21173-80 31-12-1995 | 2134-3528 13-2-1997 | OK | RECOMMENDED FOR APP |
| 10. | SHER AFZAL | SHER MUHAMMD | 28-03-1972 | MANSEHRA | 15270-76 19-11-1995 | 1444-094 25-6-1997 | OK | RECOMMENDED FOR APP |
| 11. | RAFAQAT ALI | KHANIZAMAN | 10-05-1972 | MANSEHRA | 6050-59 24-4-1996 | 16052-189 07-7-1997 | OK | RECOMMENDED FOR APP |
| 12. | EJAZ AHMED | MUHAMMAD QASIM | 02-03-1973 | MANSEHRA | 6061-69 24-4-1996 | 16052-189 07-7-1997 | OK | RECOMMENDED FOR APP |
| 13. | ABDUL MALIK | KHAN GUL | 06-02-1976 | MANSEHRA | 27560-71 20-10-1996 | 16052-189 07-7-1997 | OK | RECOMMENDED FOR APP |
| 14. | SHAH ZAMAN | BAGA | 05-05-1977 | MANSEHRA | 27560-71 20-10-1996 | 16052-189 07-7-1997 | OK | RECOMMENDED FOR APP |
| 15. | MUHAMMAD IQBAL | GUL DAN | 12-11-1977 | MANSEHRA | 27604-11 20-10-1996 | NIL | FAIL TO PROVIDE TERMINATION ORDER ATTENDENCE 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.

Advocate

Advocate

THEOLOGY TEACHERS:

33

Annure I

OFFICE OF THE PRINCIPAL GHSS GARHI HAB IBULLAH

No. 309 Dated 29-01- 2020

The District Education Officer (Male),
District Mansehra.

Subject: Verification of sacked employee Mr.Zardad Khan CT GHS Garhi Habibullah

Sir,

Refence your letter No. 10702 Dated: 25-06-2020 above cited subject, it ios stated that Mr.Zardad khan Ct was appointed at GHS Garhi Habibullah on 20-10-1996 vide Endst: No. 27560-71 and was term,inated from 07-07-1996 vide Endst: No. 16052-189.

It is brought into your kind notice that in the earthquake of 2005 and in two other fire events, the whole record of the school got destroyed. So we don't have any other record of the said sacked employee except the Arrival report which has already been submitted in your office.

[Handwritten Signature]
PRINCIPAL
GHSS GARHI HABIBULLAH
PRINCIPAL
Dist. High Sch. School
Garhi Habibullah

[Handwritten Signature]
~~Principal~~
Adve. Officer
Garhi Habibullah

(36)

Annex I

حاکمیت راجستری

آج 21-10-1896 میل از دہلی سرور دار خان ولد پیراٹ اللہ آج

۲۰ دہلی راجستری انڈسٹری انکوائس ایٹ آباد سے طرز کردہ

آرڈر اینڈ ویٹ نمبر 27560-7 کے تحت سپر باؤ 2 گورنمنٹ ہائی سکول

گورنمنٹ ہائی سکول حاکمیت راجستری سے حاکمیت راجستری دفتر عدالت ارسال شدہ ہے

سنگر و پیراٹ کی جانب سے جو جملہ انکوائس معہ میٹرک راجستری

دو دن کے اندر اندر دفتر عدالت و پیراٹ حاکمیت راجستری ہائی سکول راجستری

کارروائی دفتر ارسال فرمات ہے

کے

Principal

G. H. S.
G. Hacıbulah

Address: ...

21-10-1896

33569



DBAM No. _____

199

S.No _____

BC No. _____

10-2818

Fee Rs. 100/-

Name of Advocate _____

اکرام القیوم

وکالت نامہ

General Secretary
District Bar Association
Manshara

(35)

بعدالت: سرس کرسوٹیل سٹارڈ

عنوان: رردارخان

بنام: حکومت دسٹر

منجانب: اسٹریٹ

نوعیت مقدمہ: کرس اسٹریٹ

باعث تحریر آنکھ

دریں مقدمہ عنوان بالا میں اپنی طرف سے برائے بیرونی وجوہ دہی بمقام

اکرام القیوم - مابہ اسٹریٹ

کو بدیں 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 کچہری کے علاوہ

کسی اور جگہ کچہری کے مقررہ اوقات سے پہلے یا بروز تعطیل بیرونی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ کچہری کے علاوہ

کسی اور جگہ سماعت ہو یا کچہری 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 کاروبہ وصول

کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور سپر دثاشی و رضی نامہ و دستبرداری و اقبال و 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 بیگی علیحدہ محتاتنا 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 بیرونی نہ کریں اور ایسی حالت

میں میرا مطالبہ وکیل موصوف کے برخلاف نہیں ہوگا مجھے کل ساختہ پر داخنتہ 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۔

مورخہ 27 جون - 20

ACCEPTED

رردارخان
اکرام القیوم
Rardard Khan

original

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

Service Appeal No.8635-A/2020


Zardad Khan.....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 | | 1-5 |
| 2. | AFFIDAVIT | | 6 |
| 3. | Copy of the Original termination order | A | 7-8 |
| 4. | Copy of the tempered termination order | B | 9-10 |
| 5. | Letter to Head Master & Report of Head Master GMS Kajla | C & C1 | 11-12 |
| 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 |
| 10. | copy of the personal hearing | H | 23 |
| 11. | copy of the questionier | I | 24-26 |
| 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.8635-A/2020

Zardad Khan.....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 GHS Garhi Habibullah 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 17 is Muhammad Javaid S/O Rustam Khan but the appellant Zardad Khan S/O Haiditullah tempered and illegally inserted him name at Serial 17 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 Principal GHS Garhi Habib Ullah 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 Principal GHS Garhi Habib Ullah forwarded a letter to the DEO Male Mansehra with the remarks that "Mr. Zardad Khan CT was appointed at GHS Garhi Habibullah (GHSS Garhi Habibullah)". His Arrival report was also found on record." 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 Principal GHS Garhi Habibullah 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 Principal GHS Garhi Habibullah (Now GHSS Garhi Habib Ullah) for the clarification of service record of the appellant, the Principal GHS Garhi Habib Ullah (Now GHSS Garhi Habib Ullah) 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. 16334 dated 07-10-2019 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 07-11-2019, whereas the reply of the showcause was received on 09-11-2019. 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. 18160-61 dated 25-11-2019 and but appellant did not appear before the competent authority and once again the appellant was called for personal hearing on 30-01-2020 and the appellant appeared before the competent authority on 15-02-2020. 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 the final showcause, copy of the reply of showcause, copy of the personal hearing, copy of the questionnaire, 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 by the respondent department.
- 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. 2011-15 dated 28-02-2020 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. 1469 dated 01-09-2020 ***(copy of the rejected appeal is attached as a Annexure L)***

- (4)
- 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 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.

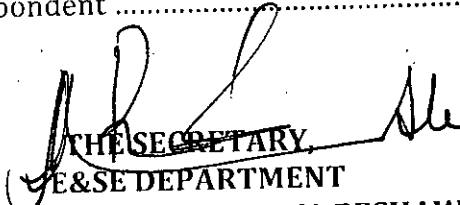
3

- n) Para N is totally incorrect and misleading. The appellatant was not sacked employee, so the competent authority rightly withdrawn the order of the appellatant.
- 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.

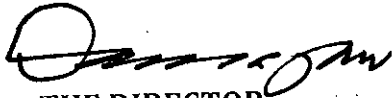
It is therefore, humbly prayed that on acceptance of the above submissions, the instant appeal may very graciously be dismissed in the favour of the answering Respondents in the interest of the Justice

Respondent

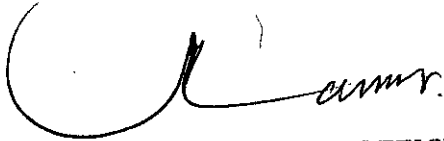


THE SECRETARY,
E&SE DEPARTMENT

KHYBER PAKHTUNKHWA PESHAWAR.



THE DIRECTOR,
E&SE DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR.



THE DISTRICT EDUCATION OFFICER,
(MALE) MANSEHRA

97

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD.

6

Service Appeal No.8635-A/2020

Zardad Khan.....APPELLANT.

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.8635-A/2020 Titled as Zardad Khan 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

29

7-8

Annex 'A'

(28)

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

OFFICE ORDER NO. /
AS-III-CP
(M.L.Q.)
DATED /1997.

TERMINATION.

On the perusal of relevant record the appointment of the following (M.L.Q.) teachers have been found illegle, null and void against the prescribed rules, therefore, their services, are hereby dispensed with, with immediate effect:-

S.No. Name and Pathan Name

1. Saif-Ur-Rehman S/O Abdul Azam.
2. Sartaza Khan S/O Iqbal Khan R/O Abbottabad.
3. Ashfaq Ahmad S/O Mohd Amin, R/O Abbottabad.
4. Khan Arsan S/O Mir Afzal Khan R/O Abbottabad.
5. Raja Khan S/O Ghulam Javed R/O Haripur.
6. Muhammad Saleem S/O Muhammad Ashraf.
7. Saifur Javed S/O Muhammad Bushir.
8. Muhammad Akhtar S/O Mir Afzal.
9. Abdul Khattab S/O Muhammad Ishaq.
10. Saifur Mahmood S/O Muhammad Younis.
11. Khan Gul S/O Gul Hassan R/O Abbottabad.
12. Arshad Khan S/O Saeed Ahmad R/O Mansohra.
13. Samia 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. Tariq Mahmood S/O Muhammad Afzal R/O Haripur.
17. Muhammad Javid S/O Raza Khan.
18. Saifur Iqbal S/O Noor Muhammad.
19. Mir Bahadar S/O Ghulam Jader.
20. Akhtar Nawaz S/O Ghulam Hyder R/O Haripur.
21. Amir Fazal S/O Fazal-Ur-Rehman R/O Abbottabad.
22. Subashir Ahmad S/O Nazim Muhammad R/O Haripur.
23. Khalid Zaman S/O Saifur Zaman.
24. Iqbal Khan S/O Ilyas Khan.
25. Hameedullah Ali S/O Muhammad Zubair R/O Mansohra.
26. Khushal Khan S/O Sher Ali Khan R/O Abbottabad.
27. Shoukat Ali S/O Muhammad Yousaf.

M. N. U.
Energy & Accounts Officer
Ministry of Education
Government of Punjab

dated: on P/2.

8

13

- 96. Hamroz Khan S/O Khawaj Mohd.
- 97. Riaz Ahmed S/O Roshan Din.
- 98. Ghulam Jilani S/O Mohd Ayub.
- 99. Mohammad Javed S/O Mir Ahmad.
- 100. Hafiz Muhammad S/O Mir Ahmad.
- 101. Mohd Nawaz S/O Mohd Zaman.
- 102. Faraj Ali S/O Jaser Daraz.
- 103. Rashid S/O Mohd Farooq.
- 104. Jaffar Iqbal S/O Ghulam Sarwar.
- 105. Mohammad Yahya S/O Mohd Aslam.
- 106. Gul Hamid Khan S/O Abidur Rehman.
- 107. Khalid Mahmood S/O Mohd Yousef.
- 108. Mohd Farooq S/O Mohd Sajid.
- 109. Mohd Javed S/O Mir Ahmad.
- 110. Kabir Ahmad S/O Bashir Ahmed.
- 111. Mohammad Sadeq S/O Mohd Aslam.
- 112. Tida Ahmed S/O Nisar Ahmed.
- 113. Mohammad Sajid S/O Sultan.
- 114. Abdul Qayum S/O Lal Khan.
- 115. Mohammed Aslam S/O Umar Khatab.
- 116. Mohd Saeed S/O TT, GHS, Kot Nejiullah Hpr.
- 117. Mazhar Iqbal S/O Fazalur Rehman.
- 118. Mehboobur Rehman S/O Fazal Dad.
- 119. Mirdad Khan S/O Jehandad Khan.
- 120. Mohd Rafique S/O Ali Asghar.
- 121. Faqir S/O Jaffar Khan.
- 122. Atiqur Rehman S/O Hoorur Rehman.
- 123. Mohd Tufail S/O Alladed Manshura.
- 124. Mohd Shafique S/O Banaras.
- 125. Waris S/O Mahmoodur Rehman.
- 126. Mohd Azam Khan S/O Mohd Aslam.
- 127. Gul Javed S/O Mansif Khan.
- 128. Attiqur Rehman S/O Abdur Rashid.
- 129. Mohd Abid S/O Saider Khan.
- 130. Ejaz Ali S/O Jehandad Khan.
- 131. Maseerud Din S/O Nawab Din.
- 132. Zulfiqar S/O Abdul Baber.
- 133. Anwar Gul S/O Alladed Mohd.
- 134. Mohd Javed S/O Rustom Khan.
- 135. Mohd Nawaz S/O Ali Asghar.
- 136. Mohammad Naveed S/O DM, GMS, Salhad.

IME

Mu
 Budget & Accounts Officer
 District Education Office
 (Female) Manshura

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)

DEPUTY DIRECTOR OF EDUCATION(S)
 HAZARA DIVISION Abbottabad.

Encl. No. 16052-189/AE-III-D

Dated 07/7/1998

Copy to:-
 1-5 The DEOs (M) Secy: A/Abad, Haripur, Manshura, 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 service. Complete particulars of above teachers may also please be furnished in the following form:-
 S.No. Name/Father's Name Present Ssk Gulf School. 1st: D/O Appt: No & Date 2nd: ps. Of. of Appt: 3rd: Order.

Photo stat attested
 copy of Appt. order may
 also be furnished.

For/S

DEPUTY DIRECTOR OF EDUCATION(S)
 HAZARA DIVISION A/ABAD.

42

BAL
 BUR

Annex B

9

order

OFFICE ORDER NO.

DATE 07/07/1994

TERMINATION

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

- 1. Numa and Pakhat Numa
- 2. Saif-Ur-Rahman S/O Abdul Azam.
- 3. Murtaza Khan S/O Israail Khan R/O Abbottabad.
- 4. Ishaq Ahmed S/O Mohd Amin, R/O Abbottabad.
- 5. Aman Afzar S/O Mir Afzal Khan R/O Abbottabad.
- 6. Kiaz Khan S/O Ghulam Sarwar R/O Haripur.
- 7. Muhammad Saleem S/O Muhammad Ashraf.
- 8. Qaiser Javed S/O Muhammad Eusair.
- 9. Muhammad Akhtar S/O Mir Afzal.
- 10. Abdul Khattib S/O Muhammad Ishaq.
- 11. Talib Mahmood S/O Muhammad Younis.
- 12. Khagga S/O Heister Zaman.
- 13. Arshad Khan S/O Saeed Ahmed R/O Mansehra.
- 14. Hamid Khan S/O Muhammad Rafique Khan R/O Abbottabad.
- 15. Muhammad Rafique S/O Muhammad Khan.
- 16. Junaid Khan S/O Farid Khan R/O Abbottabad.
- 17. Tariq Mahmood S/O Muhammad Afzal R/O Haripur.
- 18. Zardad Khan S/O Haidatullah.
- 19. Zaffar Iqbal S/O Noor Muhammad.
- 20. Mr. Bahadar S/O Ghulam Qader.
- 21. Akhtar Nowaz S/O Ghulam Hyder R/O Haripur.
- 22. Amir Fazal S/O Fazal-Ur-Rehman R/O Abbottabad.
- 23. Mubasher Ahmed S/O Nazir Muhammad R/O Haripur.
- 24. Abdul Malik S/O Khan Gul.
- 25. Ihtisam Khan S/O Ilyas Khan.
- 26. Nawazish Ali S/O Muhammad Zohed R/O Mansehra.
- 27. Khushdar Khan S/O Shar Dil Khan R/O Abbottabad.
- 28. Shoukat Ali S/O Muhammad Younis.

ATTEST
CERTIFIED TRUE

MAJID AHMED
Advocate
Mansehra

Contact on P/2

DIRECTOR OF EDUCATION OFFICER
(MALE) MANSEHRA

- 1. Khan S/O Khawaj Mohd
- 2. Ahmad S/O Jashar Din
- 3. Mohd. Khalid S/O Mohd. Ayub
- 4. Muhammad Javed S/O Mir. Ahmad
- 5. Jaffer Khan S/O Aslam Khan
- 6. Abid Khan S/O Amirud Khan
- 7. Mohd. Nawaz S/O Mohd. Zagan
- 8. Mohd. Farooq S/O Hassan
- 9. Rashid S/O Mohd. Haroon
- 10. Jaffer Iqbal S/O Ghulam Sarwar
- 11. Mohd. Ad. Wahy S/O Jashar Aslam
- 12. Gul Hamid Khan S/O Abidur Rehman
- 13. Khalid Mahmood S/O Mohd. Yousaf
- 14. Mohd. Farooq S/O Mohd. Sajid
- 15. Mohd. Javed S/O Mir. Ahmed
- 16. Kabir Ahmad S/O Bashir Ahmed
- 17. Mohammad Saeed S/O Mohd. Aslam
- 18. Fida Ahmad S/O Nisar Ahmed
- 19. Mohd. Sajid S/O Salim
- 20. Abdul Qayum S/O Lal Khan
- 21. Mohammad Hashim S/O Umar Khatab
- 22. Mohd. Saeed S/O G.S. Kot No. 1, Abdullah Ipr
- 23. Mazhar Iqbal S/O Fazalur Rehman
- 24. Mehboobur Rehman S/O Fazal Dad
- 25. Firdad Khan S/O Jashar Khan
- 26. Mohd. Rafiq S/O Ali Asghar
- 27. Faqir S/O Jaffer Khan
- 28. Atiqur Rehman S/O Nourur Rehman
- 29. Mohd. Farid S/O Alimuddin Manshra
- 30. Jashar S/O Muhammad Qasim
- 31. Waris S/O Mahmoodur Rehman
- 32. Mohd. Anam Khan S/O Mohd. Aslam
- 33. Gul Javed S/O Mansif Khan
- 34. Atiqur Rehman S/O Abd ur Rashid
- 35. Mohd. Abid S/O Saifur Khan
- 36. Faraz Ali S/O Khair Ahmad
- 37. Maseerud Din S/O Nawab Din
- 38. Zulfikar S/O Abdul Babor
- 39. Anwar Gul S/O Alimuddin Msh
- 40. Mohd. Javed S/O Mustam Khan
- 41. Mohd. Nawaz S/O Ali Asghar
- 42. Mohammad Naveed S/O Mir. Din, GMS, Salhad

(tempored name)

ADVOCATE
 CERTIFIED TRUE COPY
 RAS. (D) 11-11-13
 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)

DIVISIONAL DIRECTOR OF EDUCATION
 HAZARA DIVISION ABBOTTABAD.

Order No. 16052-189/14E III-D Dated 07/7/1989

Copy to:-

The DSOs (M) Secy: A/Abad, Haripur, Mangera, Pattogram and Pakpattan
 All the Principals/Headmasters, GSSS/GMS/GMS in Hazara Division
 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
 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 Sch. Galt. D/C Int: D/O Apptt. Order
 Designation. School. Apptt. No. of Apptt. Order.

Photo not attested
 copy of Apptt. order may
 be furnished.

DISTRICT EDUCATION OFFICER
 (MALE) MANSEHRA

Ann C3 (11)

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

No 10701 /Litigation (M)/ Date 25/06/2019

The Head Master,
GHS Garhi Habibullah Mansehra.

Subject: VERIFICATION OF RECORD IN R/O MR.ZARDAD KHAN
S/O HADIYATULLAH EX-CT GHS GARHI HABIBULLAH
MANSEHRA (UNDER SACKED ORD:2012).

Memo:

Reference to the subject cited above i am directed to inform you that Mr. Zardad Khan S/o Hadiyatullah resident of village Bara Kot , who was appointed against CT post in BPS-09 vide Endst No.27560-71 dated 20-10-1996, 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 20-10-1996 to 07-07-1996.
2. The appellant was appointed at GHS Garhi Habibullah Mansehra.
3. All the record i.e Charge report, Attendance Register, Acquaintance role, log book, and other relevant record in r/o Mr. Zardad Khan may be verified and submit clear cut findings within 03 days time positively.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Annex 'C'

(12)

OFFICE OF THE PRINCIPAL GHSS GARHI HABIBULLAH (MANSEHRA)

No. 244/ Dated: 10-7-2019

The District Education Officer (Male),

Dist: Mansehra.

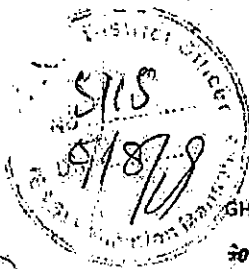
Subject: Verification of sacked employee: Mr. Zardad Khan CT GHSS Garhi Habibullah

Sir,

Reference your letter No: 10702 Dated: 25/06/2019 about the subject cited above, it is stated that Mr. Zardad Khan CT was appointed at GHS Garhi Habibullah now (GHSS Garhi Habibullah) vide Endst: No. 10702 Dated: 25/06/2019 (Copy attached). His arrival report was also found on record. (Copy attached)

So the Verification report is put up for necessary action please.

ADO (M/S)
for m/s
AD
18/7/19



Principal

GHSS Garhi Habibullah
PRINCIPAL
Govt. Higher Sec. School
GARHI HABIBULLAH

AN
ACT

Ann. D.

(13)

*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.

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:

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.

16

(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

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

(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

Annex E

18
31



OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT MANSEHRA

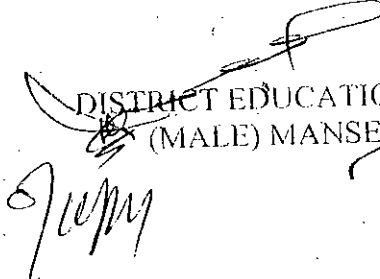
No 16334 /Lit/ Date 07/10/2019

To

The Head Master,
GMS Ghory Phair..

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

Show cause notice in R/O Mr. Zardad Khan S/o Hadiyatullah CT GMS Ghory Phair 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



OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT MANSEHRA

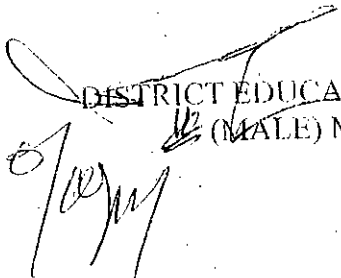
No 16334 /lit/Date 07/10/2019

To

The Head Master,
GMS Ghory Phair..

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

Show cause notice in R/O Mr. Zardad Khan S/o Hadiyatullah CT GMS Ghory Phair 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




SHOWCAUSE 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 a show cause notice to Mr. Zardad Khan CT GMS Ghory Phair on account of producing fake /tempered documents for appointment in District Mansehra are as follows:

- i. Whereas Mr. Zardad Khan CT was reappointed and posted at GMS Ghory Phair 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 Garhi Habibullah Mansehra for re-verification of record of Mr. Zardad Khan s/o Hadiyatullah Ex- CT GHS Garhi Habibullah vide letter No.10701 dated 25-06-2019.
- iv. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- v. Whereupon during the course of scrutiny of their documents/service record, it was pointed out that Mr. Zardad Khan tempered his name at serial No.17 in termination order vide Endst No.16052-189 dated 07-07-1996. It shows that you have committed misconduct /illegality thus violated E&D rule, 2011.
- vi. 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) 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

Zardad Khan S/o Hadiyatullah CT
GHS Garhi Habibullah
District Mansehra

15/11

2

Annex F

2

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT MANSEHRA

No 17697 /Lit/ Date 07/11 /2019

To

The Head Master,
GMS Ghory Phair..

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

Show cause notice in R/O Mr. Zardad Khan S/o Hadiyatullah. CT GMS Ghory Phair 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



OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT MANSEHRA

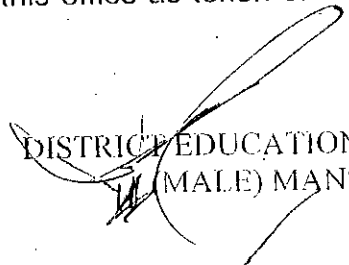
No 17697 /lit/Date 07/11 /2019

To

The Head Master,
GMS Ghory Phair..

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

Show cause notice in R/O Mr. Zardad Khan S/o Hadiyatullah CT GMS Ghory Phair 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

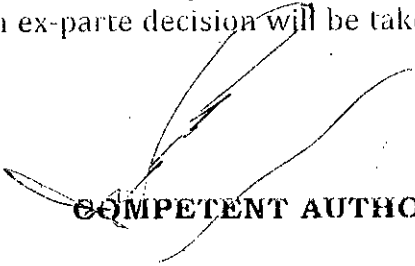
FINAL SHOW CAUSE NOTICE.

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 a show cause notice to Mr. Zardad Khan CT GMS Ghory Phair on account of producing fake /tempered documents for appointment in District Mansehra are as follows:

- i. Whereas a Showcause Notice was issued vide this office No.16334 dated 07-10-2019 & 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. Zardad Khan CT was reappointed and posted at GMS Ghory Phair 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 Garhi Habibullah Mansehra for re-verification of record of Mr. Zardad Khan s/o Hadiyatullah Ex- CT GHS Garhi Habibullah vide letter No.10701 dated 25-06-2019.
- vi. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- vii. Whereupon during the course of scrutiny of their documents/service record, it was pointed out that Mr. Zardad Khan tempered his name at serial No.17 in termination order vide Endst No.16052-189 dated 07-07-1996. It shows that you have committed misconduct /illegality thus violated E&D rule, 2011.
- viii. 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) 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

Zardad Khan S/o Hadiyatullah CT
GHS Garhi Habibullah
District Mansehra

جناب ڈسٹرکٹ ایجوکیشن آفیسر (اردانہ) سے



Adell
Part 14



بعض تو ان شوکار برائے طلبی دفتر
گزارش ہے کہ سابق گورنمنٹ مڈل سکول گھوڑے پھر میں
C.T سے فراہم منبجی سرانجام دے رہے، لیکن ایجوکیشن دفتر
سے شوکار موصول ہوا کہ آپ کے سابق ریکارڈ حاصل ہیں
جناب سے استدعا ہے کہ یہ تفریحی 20 اکتوبر 1996ء میں گورنمنٹ

ٹائی سکول گھڑھی حبیب اللہ میں ہوئی تھی جس کا ریکارڈ وہاں موجود ہے اگر نہیں
مل رہا تو پورکھادینا کو علم ہے 2005ء کے قیامت خیز زلزلہ نے بالاکوٹ، گھڑھی حبیب اللہ
اور لواحی سے تباہ و برباد کر کے زمین برائے مذکورہ سکول میں آتشزدگی کے
باعث کچھ ٹکڑے اور ریکارڈ جلا ہے

شوکار میں شامل ہے کہ عدالت لسٹ میں آپ کا نام (Tempered)
کیا گیا ہے مجھ سے اس بار اتنی رسائی کہاں رکھتا ہے عدالت میں میں کہیں حکام
اور فیصلے پر میری تفریحی ہوئی ہے۔ اگر کوئی چیز (Tempering) ہے تو
آپ کے آفس کے لوگ ذمہ دار ہیں۔

سید اکبر ہے تاکہ ہمیں پریشان کرنے کا راستہ مل سکے
نہیں اور اس کا کھنڈہ تمام عمر دعا گو رہے گا انکو ادنیٰ مل کر کے پھر حق میں ثبت
فیصلہ صادر فرمائیں شکر

الذی
زرد ادخال
C.T گورنمنٹ مڈل سکول گھوڑے پھر

9/11/2019

(23)

Annex H1

(126)

REGISTERED/ ACKNOWLEDGEMENT



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

No 1145-46 /F.No Lit/Final Show cause/Reply/S/Employee Date 30/01/2020

To,

1. Mr. Rafaqat Ali CT GHS Bela Manoor District Mansehra.
2. Mr. Zardad Khan CT GMS Ghory Phair Mansehra.

Subject: **PERSONAL HEARING.**

Memo:

It is to 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 hereby directed to attend this office in the stipulated period otherwise ex-parte proceeding shall be initiated against you under E&D rules 2011.

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

فرداد خان

آئی

گورنمنٹ کالج

15-02-2020

نمبر

تاریخ

ال نمبر 01: آپ کی تعیناتی کس سال، کونسے سکول اور کس سوٹی؟ اس وقت ایک عمر کتنی تھی؟
اسٹریٹ: مہری تعیناتی گورنمنٹ ہائی سکول گڑھی چشتیہ 2 نومبر 1996 میں ہوئی تھی۔ اس وقت مہری عمر تقریباً 13 سال تھی

ال نمبر 2: آپ نے اپنا آڈر کیا اور کس اتھارٹی سے وصول کیا؟ (1996ء یا اور کوئی تاریخ)
میں نے اپنا آڈر ڈائریکٹر سے ایڈس آفیسر کے حکام پر وصول کیا

ال نمبر 3: آپ آڈر کونسے سکول میں ہوئے اور کتنا عرصہ نوکری کی، اور اس کی تنخواہ وصول کی؟ اگر کی تھی تو اس کا کوئی
صدقہ بیوتہ ہے آپ کے پاس؟
مہرا آڈر گڑھی چشتیہ میں ہوا، یہ 8 ماہ ستمبر 2011 کو نوکری کی۔ تنخواہ ایڈس نے نہیں دی تھی
مہرا سٹافنگ ایڈس اور سٹریٹنگ ایڈس میں 10 سال نوکری تھی۔

ال نمبر 04: پہلی تعیناتی جس سکول میں ہوئی وہ کونسی ہے؟ اساتذہ کا عہدہ اور نام بتائیں؟
مہرا ایڈس کا نام SET ایڈس ہے۔ پروفیشنل ایڈس DM - کافی سٹریٹنگ ایڈس
نور ایڈس آئی۔ ایڈس ایڈس SET - ایڈس ایڈس SET

ال نمبر 05: دوبارہ تعیناتی کے کاغذات لینے میں تاخیر خود کونسی ہے؟
خود کونسی ہے؟

ال نمبر 06: آپ نے Appointment اور Termination آڈر جو دفتر یا میں جمع کیے۔ وہ کہاں سے لیتے تھے؟
دفتر سے لیتے تھے

سوال نمبر 07: Appointment اور Termination آڈر میں؟ ٹیئرنگ کی تھی ہے اس کے بارے میں آپ کو کیا معلوم ہے؟
Termination and appointment میں کونسی ٹیئرنگ تھی؟
میں کوئی علم نہیں ہے۔ جیسا نامہ ایڈس کے پاس ہے

سوال نمبر ۹۸: کیا آپ کے پاس ان تمام سکولز کا تعداد اور رینج، جہاں پر آپ نے بقول آپ نے ڈیوٹی کیا ہے

۱۹۸۸

سکول کیمبرجی ۲۰۰۵ کے زمانے میں تیار ہوئے تھے اس لیے جو فوج میں تھے وہ سکول میں آگے لے کر لائے گئے تھے

25

سوال نمبر ۹۹: آپ کا وہ پہلی تعیناتی کا حراز آئس کون تھا؟ اور آپ کی اس وقت تعلیم کتنی تھی؟

پہلی تعیناتی کا حراز انٹر کالج تعلیم نزارہ خیراں تھا جس میں فیصل اللہ خان

آئس کولج تعلیم B.A

سوال نمبر ۱۰۰: آپ اپنے دفاع میں کوئی Valid ثبوت یا کوئی حسیہ جواب دینا چاہتے ہیں تو دے سکتے ہیں

میں کوئی حسیہ یا ثبوت نہیں دے سکتا۔ میرا نام ہے

میرا Appointment and Termination یا نقل و حرکت ہے اور یہ حلیم بیگم سے ہوا ہے۔ یہ سب کوئی ثبوت نہیں ہے

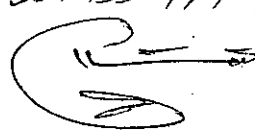
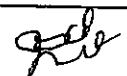
15/2/2022

(26)

(137)

Saeed Employee Attendance Sheet

Personal Hearing on 15-02-2020

| S.No | Name of Teacher | Design | Name of School | Signature |
|------|-----------------|--------|-------------------|--|
| 1 | Rafiqat Ali | CT | GHS Bela Manoor | 13501-1330477-7  |
| 2 | Zardad Khan | CT | GMS Ghury Pharian |  HO 13501-04841351 |

ADDO (Lit).
Local office
Assistant District Education
Officer Litigation (Male)
Mansehra

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA.

MS

DETAIL REPORT OF PERSONAL HEARING DATED 15-02-2020 IN R/O MR. RAFAQAT ALI CT GHS BELA MANOOR & MR ZARDAD KHAN CT GMS GHORY PHAIR, MANSEHRA.

In the response of letter No.1145-46.F.No.Lit/Final showcause/Reply/S/Employee dated 30-1-2020, 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) MansehraChairman.
2. Syed Sultan Shah B & AO local office Mansehra.....Member.
3. Waheed Khan ADEO (Estab) local office.....Member.
4. ADEO (Litigation) local office Mansehra.....Member.

The letter was issued to the candidates for personal hearing and attend the office for Personal Hearing on 15-02-2020 i.e. Mr. Razaqat Ali CT GHS Bela Manoor & Mr.Zardad Khan CT GMS Ghory Phair District Mansehra.

1. MR. RAFAQAT ALI CT GHS BELA MANOOR:-

Mr. Razaqat Ali CT attended the personal hearing before the competent authority, where different questions were asked regarding the previous service record. He stated that he was appointed as a CT GMS Sokhal Mansehra in the year 1996. 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.10702 dated 25-06-2019 GMS Sokhal for verification of service record of Mr Razaqat Ali CT GMS Sokhal. In compliance of the office letter No.10702 dated 25-06-2019, As per report of the Head Master GMS Sokhal vide dated 07-10-2019 Mr. Razaqat Ali was never ever been appointed as Certified Teacher at GMS Sokhal Mansehra vide Endst No.6050-59 dated 24-04-1996 at GMS sokhal, whereas the appointment documents in r/o Mr Razaqat Ali CT are Fake, some unscrupulous elements are trying to submit the fake record of sacked employee in your office, 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 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 submitted his documents in this office. Whereas the committee asked the question about tempering /forgery in Termination order at serial No.126 vide Endst 1605-189 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.

1. MR. ZARDAD KHAN CT GMS GHORY PHAIR.

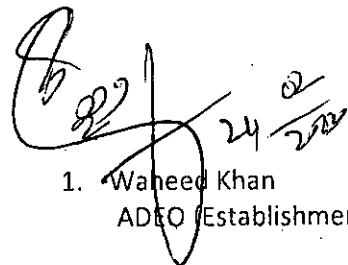
Mr. Zardad Khan CT attended the personal hearing before the competent authority, where different questions were asked regarding the previous service record. He stated that he was appointed as a CT GHS Garhi Habibullah Mansehra in the year 1996. He failed to provide any cogent reason before the committee, by failing to provide the supporting documents in his favour. As the Competent authority sent a letter vide No.10701 dated 25-06-2019 GHS Garhi Habibullah for verification of service record of Mr Zardad Khan. In compliance of the office letter No.10701 dated 25-06-2019, As per report of the Principal GHS Garhi Habibullah vide dated 10-07-2019 Mr. Zardad Khan was never ever been appointed as Certified Teacher at GHS Garhi Habibullah Mansehra vide Endst No.27560-71 dated 20-10-1996 at GHS Garhi Habibullah, His First appointment order, charge 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 Principal Acquaintance role, attendance register, log book and appointment order file were checked but no record in r/o above name teacher found, only arrival report was found on record. 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.17 vide Endst 16052-189 dated 07-07-1997, his answer was that he doesn't know about that.

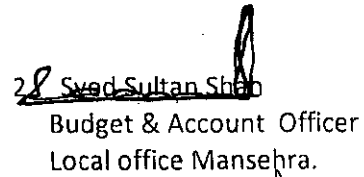
He totally failed to produce any evidence regarding his initial appointment and other service record.

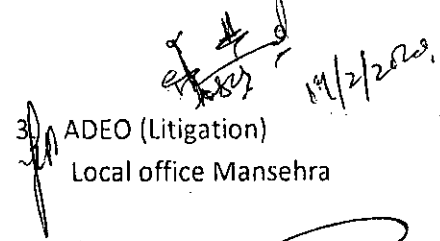
742

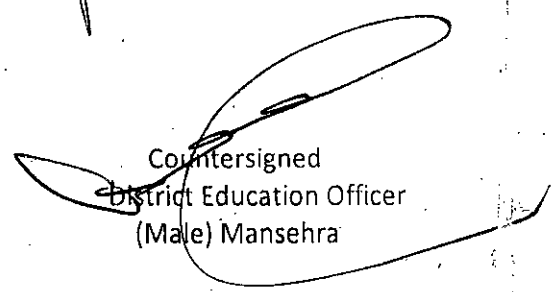
28


24/2/2020

1. Waheed Khan
ADEO (Establishment)


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


19/2/2020
3) ADEO (Litigation)
Local office Mansehra


Countersigned
District Education Officer
(Male) Mansehra

Ann - K'

29

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Phon : # 0997-382271

Fax # 0997-382244

E-mail Address: edoedu_mansehra@yahoo.com

VERIFICATION

Zardad Khan S/O Hadiyatullah CT GMS Ghory Phair Mansehra. WHEREAS Mr. Zardad Khan CT GMS Ghory Phair 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.

- x. Whereas Mr. Zardad Khan CT was reappointed and posted at GHS Ghory Phair 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.
- xi. 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."
- xii. Whereas after issuing of appointment order the competent authority sent a letter to the Head Master GHS Garhi Habibullah Mansehra for re-verification of record of Mr. Zardad Khan Ex- CT GHS Garhi Habibullah vide letter No.10701 dated 25-06-2019.
- xiii. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- xiv. Whereas, as per report of the Principal GHS Garhi Habibullah vide dated 10-07-2019 with the remarks that "Mr. Zardad Khan CT has never ever been appointed vide Endst No.27560-71 dated 20-10-1996 at GHS Garhi Habibullah, 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, only arrival report was found on record.
- xv. 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. Zardad Khan tempered/forged his name at serial No.1 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.
- xvi. WHEREAS as per inquiry report dated 12-08-2019, a showcause notice was issued to concerned vide this office No. 16334 dated 07-10-2019, but Mr. Zardad Khan Failed to reply Final show cause notice issued vide Endst No.17697 dated 07-11-2019, and received reply of showcause on 09-11-2019
- xvii. Whereas, he was called for personal hearing vide this office No.18160-61 dated 25-11-2019, but he did not attend the personal hearing before the Competent Authority. Whereas he was again called for personal hearing on 30-01-2020, while attending the office of undersigned on 15-02-2020 and heard.
- xviii. 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. Zardad Khan CT GMS Ghory Phair 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. 2011-15 /F.No. Final Showcause/Appoint: 2019 (M)//Dated 29/02/2020.

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 Ghory Phair.
5. Mr. Zardad Khan Residence of village Las Maira Bararkot P/o Garhi Habibullah, Tehsil Balakot District Mansehra.
6. Office File.

BY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Ans "

30

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR

No. 1469 / F.No.100/Vol:40/Appeal for RE-instatement in service. Dated: 1/9/2020.



To

The District Education Officer (Male) Manshira.

4818
15/9/2020

Subject: - DEPARTMENTAL APPEAL FOR RE-INSTATMENT IN SERVICE.

I am directed to refer to your letter No. 5644 Dated 03.08.2020, on the subject cited above and to ask you that appeal in respect of Mr. Zardad Khan Ex: CT GMS Ghory Phair District Manshira, has been rejected.

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

3/8/2020
Assistant Director Estab (Male)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar
3/8/2020

Endst No. _____/

Copy of the above is forwarded to: -

- 1. Mr. Zardad Khan Ex: CT GMS Ghory Phair District Manshira.
- 2. PA to Director E&SE local Office.
- 3. Master File.

Letter relates to
District: Manshira

Support
ADSE, Pesh

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

PL do this
need for
19/9/2020

14

کورٹ فیس

وکالت نامہ
22/03/22

Service Tribunal (PTE) Peshawar عدالت

Zardad Khan نام Secretary Elementary عنوان

Appellant منجانب:

سوم اپیل نوعیت مقدمہ:

باعت خیر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دی کل کاروائی متعلقہ آن مقام

Mr. Arshad Man Tani ASC ATO

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

کرنے 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 ہوا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

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

لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

بمقام: Abbottabad المرقوم: 22/03/22

العباد

العباد