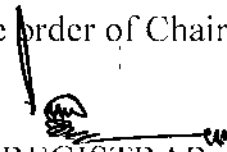


FORM OF ORDER SHEET

Court of _____

Case No. - _____ **103/2023**


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/1/2023	<p>The appeal of Mr. Waqar Ali resubmitted today by Mr. Muhammad Irshad Mohmand Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Parcha Peshi is given to appellant/counsel.</p> <p style="text-align: right;">By the order of Chairman  REGISTRAR</p>

The appeal of Mr. Waqar Ali son of taj Muhammad Ex-Nib Qasid GGHSS Mahmood abad Parkho Dheri Mardan received today i.e. on 6.01.2023 is incomplete on the following score which is returned to the counsel for the appellat for completion and resubmission within 15 days.

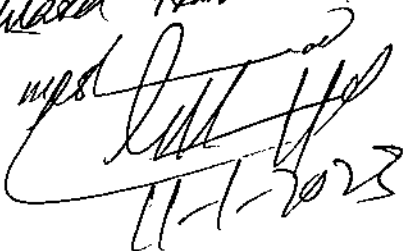
Annexures C& D of the appeal are illegible which may be replaced by legible/better one.


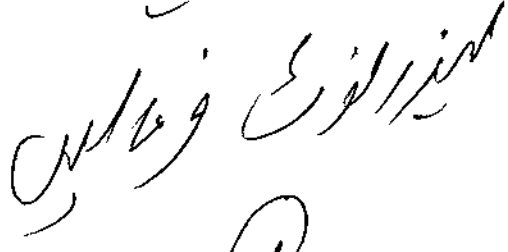

No. 100 /S.T.

Dt. 9-1- /2023


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Muhammad Irshad Mohmand Ad.
High Court Pesh.

Respected Sir:-
After necessary
collection re submitted
for onward transmission.
mpsl

11-1-2023




11/01/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
AT PESHAWAR

Service Appeal No: 103 /2023


Waqar Ali Ex-Naib Qasid GGHSS Mahmood Abad Mardan
(Appellant)


VERSUS

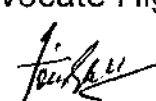
Government of KPK, through Secretary Elementary &
Secondary Education KPK & Others (Respondents)

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Appellant:-Waqar Ali
Through


Muhammad Irshad Mohmand
Advocate High Court


& Farhan Sheikh
Advocate

0300-5917744

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

AT PESHAWAR

Service Appeal No: 103 /2023

Waqar Ali S/o Taj Muhammad **Ex-Naib Qasid** GGHSS
Mahmood Abad Parkho Dheri Tehsil and District Mardan
(Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education KPK, Peshawar
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
3. District Education Officer (DEO) (Female) District Mardan.
4. Principal / Head Mistress GGHSS Mahmood Abad Parkho Dheri Mardan. **(Respondents)**

SERVICE APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNAL ACT, 1974 AGAINST THE OFFICE ORDER NO 4565/6/ DATED 15/06/2022 PASSED BY RESPONDENT NO.3 / DISTRICT EDUCATION OFFICER (FEMALE) MARDAN WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE HAS BEEN IMPOSED ON THE APPELLANT IN DISREGARD OF LAW AND THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS NOT BEEN RESPONDED IN STIPULATED PERIOD.

PRAYER

On acceptance of this Service appeal, the impugned Office Order No 4565/6/ Dated 15/06/2022 of removal from service passed by the Respondent No.3 / DEO (Female) Mardan may kindly be set aside and the Appellant be reinstated to his service along with all back benefits including Seniority.

Any other remedy which this August Tribunal deems appropriate may also be granted to the Appellant

Respectfully Sheweth:-

The brief facts leading up to the filing of this appeal are as under:-

1. That the appellant is law abiding citizen of Pakistan, belonging to respectable family, and having education up to B.A.
2. That the appellant was appointed as Naib Qasid on the recommendation of Departmental Selection Committee after adopting all the legal formalities by the Respondent No 3 and posted in GGHSS Mahmood Abad Parkho Dheri Mardan vide Notification Edst No 9838/G dated 28-9-2017. **(Copy of Appointment order dated 28/09/2017 is attach as Annex "A")**
3. That from the date of joining of duty, the appellant performed his duty with honesty and no complaint has been made by any staff members against the Appellant, it is pertinent to mention here that even the Respondent No 3 issued office order dated 22-02-2018 whereby on the recommendation of the principal, the appellant was granted additional / further duty to assist the principal in his official work of the office in his own pay scale. **(Copy of Order dated 22-02-2018 is attach as Annex "B")**

4. That appellant is the sole bread earner member of his family and regularly performed his duty till the impugned order up to the entire satisfaction of his high ups but without any reason, earlier also the Respondent No 3 issued show cause notice for deduction of one day salary vide order dated 11-08-2021, despite the fact that the appellant was present and also submitted the reply to the said show cause notice and one day salary was deposited by the appellant, it is pertinent to mention here that earlier the appellant was also having problem of brain tumor. **(Copy of Show cause notice for one day salary deduction vide dated 11-08-2021 & Reply is attach as Annex "C")**
5. That the attitude of the Respondent 4 / Principal was not good with the appellant, and on the behest of Respondent No 4 / Principal, the Respondent No 3 / DEO Female Mardan also stop the salary of the appellant from 20-08-2021 without any reason, therefore the appellant also filed application to the Respondent No 3 / DEO for the release of his salary, but with no result.
6. That thereafter the Respondent No.3 / DEO (Female) Mardan without issuance of charge sheet & statement of allegation what to speak of charge sheet & statement of allegation; even the appellant was not put under suspension & without conducting any inquiry, issued the impugned Office Order No 4565/6/ dated 15/06/2022 whereby major penalty of Removal from Service has been imposed on the appellant. **(Copy of impugned Office Order No 4565/6/ dated 15/06/2022 is attach as Annex "D")**
7. That thereafter the appellant filed departmental appeal / representation before the Respondent No.3 / DEO Female Mardan on 29/06/2022 which was kept pending without taking any action on the representation of appellant and on the quarry of the appellant about his departmental appeal,

the Respondent No 3 / DEO Female Mardan asked the appellant to file another departmental appeal before the competent authority i.e Respondent No 2 / Director Education, despite the fact that under the law DEO Female Mardan was legally bound to transmit the same to competent authority, but the same was not transmitted nor decided, therefore the appellant was constrained to file another departmental appeal to the Respondent No 2 / Director Education on 27-09-2022 which is duly received vide diary No 1179 dated 27-09-2022 but the same was not decided within the statutory period. **(Copy of Departmental Appeal dated 29/06/2022 & 27-09-2022 are attach as Annex "E")**

8. That the appellant being aggrieved from the impugned office order dated 15/06/2022 of his removal from service and inaction of Respondents by not responding the departmental appeal of the appellant within the stipulated period preferred the instant appeal on the following grounds:-

GROUND

- A. That the impugned order dated 15/06/2022 of Respondent No.3 / DEO Female Mardan is manifestly illegal, unlawful, without lawful authority, void ab-initio, without jurisdiction and ineffective upon the valuable rights of the appellant, hence not tenable and liable to be set aside.
- B. That the appellant has performed his duty to the entire satisfaction of his high ups, even the duty of appellant has been appreciated by office order dated 22-02-2018 whereby the appellant was granted further duty to assist the principal in his official work of the office in his own pay scale but without issuing any charge sheet & statement of allegation and what to speak of charge sheet & statement of allegation, even the appellant was not put under suspension as provided in Rule 6 of E & D Rule 2011 if there was any alleged inquiry against the appellant, and despite

the fact that no departmental inquiry was conducted in the matter and in disregard of law with one stroke of pen the appellant has been removed from service by imposing major penalty which is against the law & natural justice.

- C. That the August Supreme Court as well as this Honorable Tribunal in various judgment have held that the major penalty of removal from service should not be imposed without conducting detail inquiry
- D. That the alleged enquiry officer / committee have not recorded any evidence nor associated the appellant in the alleged inquiry proceeding, neither the appellant has been provided any opportunity of defense and all the proceeding have been conducted on the back of the appellant, therefore the impugned removal order from service is not only illegal but also against the constitutional provision and rights guaranteed under the Constitution of Islamic Republic of Pakistan, 1973.
- E. That the appellant has been removed from service without any solid or authentic evidence regarding the alleged allegation which is totally illegal and not supported by any provision of law, furthermore the appellant has been penalized before the impugned order of Removal by stopping the salary of the appellant.
- F. That before issuing the impugned order, no final show cause notice has been issued to the appellant before removing the appellant from service, which is amount to condemned unheard and against natural justice & fair play and also in violation of Article 10-A of the Constitution of Islamic Republic of Pakistan, 1973.
- G. That the Respondent while issuing the impugned order has not only violated the law but also infringed the fundamental rights provided under Article 4, & 25 of the Constitution of Islamic Republic of Pakistan 1973.

(6)

- H. That the Appellant is will qualified person and had obtained service through proper procedure duly constituting selection committee, therefore without adopting the proper procedure of inquiry in the matter as provided under the law, and as such the removal order of appellant from service is illegal, unjustified & being void order.
- I. That as per the reported judgment of the Apex Supreme Court of Pakistan as well as delivered by this Honorable Service Tribunal, that no person / official should be penalized without solid reasons & detail inquiry, as the same is against the spirit of services law but the appellant has been illegally removed from service on general allegations without any proof, which is not sustainable under the law.
- J. That any other ground will be raised at the time of final arguments with the permission of this Honorable Tribunal.

Prayer:-

It is therefore most humbly prayed, that on acceptance of this Service appeal, the impugned Office Order No 4565/6/ dated 15/06/2022 passed by the Respondent No.3 / DEO (Female) Mardan of removal from service may kindly be set aside and the appellant be reinstated to his service along with all back benefits.

Any other remedy which this August Tribunal deems appropriate may also be granted to the appellant.

Appellant:-Waqar Ali through

Muhammad Irshad Mohmand
Advocate High Court

& Farhan Sheikh
Advocate

7

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
AT PESHAWAR

Service Appeal No: /2023

Waqar Ali Ex-Naib Qasid GGHSS Mahmood Abad Mardan
(Appellant)

VERSUS

Government of KPK, through Secretary Elementary & Secondary
Education KPK & Others (Respondents)

AFFIDAVIT

I Waqar Ali S/o Taj Muhammad Ex-Naib Qasid GGHSS Mahmood
Abad Parkho Dheri Tehsil and District Mardan do hereby solemnly
affirm and declare that all the contents of the accompanied service appeal
are true and correct to the best of my knowledge and belief and nothing
has been concealed or withheld from this Honorable Tribunal


DEPONENT

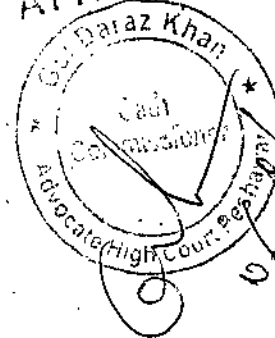
0314-9399882

Identified by.



Muhammad Irshad Mohmand
Advocate High Court
Peshawar

ATTESTED



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
AT PESHAWAR

Service Appeal No:- /2023

Waqar Ali Ex-Naib Qasid GGHSS Mahmood Abad Mardan
(Appellant)

VERSUS

Government of KPK, through Secretary Elementary &
Secondary Education KPK & Others **(Respondents)**

APPLICATION FOR CONDONATION OF DELAY, IF
ANY IN FILLING OF ABOVE NOTED APPEAL

Respectfully sheweth:-

The applicant / appellant submits as under:-

1. That the applicant / appellant is filling the instant application for condonation of delay, if any in the above mentioned appeal.
2. That the impugned Office Order No 4565/6/ dated 15/06/2022 whereby major penalty of Removal from Service has been imposed on the appellant is totally illegal, unwarranted, void ab-initio and the set procedure of law as no charge sheet & statement of allegation has been issued to the appellant, therefore being void order is liable to be set aside and under the law no limitation is run against the void order.
3. That after the impugned office order dated 15-06-2022, the appellant filed departmental appeal before the Respondent No.3 / DEO (Female) Mardan on 29/06/2022 within time and under the law the Respondent No 3 / DEO (Female) Mardan was bound to transmit the same to competent authority but

the same was not transmitted and kept pending undecided and when the statutory period was going to expire, the appellant inquired about his departmental appeal, thereafter the appellant was directed to file another departmental appeal to the competent authority i-e Respondent No 2 / Director Education, therefore the appellant was constrained to file another departmental appeal to the Respondent No 2 / Director Education on 27-09-2022 which is duly received vide diary No 1179 dated 27-09-2022 but the same was not decided.

4. That if there is any delay in filling of departmental appeal as well as service appeal, the same is not intentional but due to above mentioned reason, as the appellant has filed the departmental appeal within time and when the time for filling of service appeal was due, thereafter the appellant was directed to file another departmental appeal before the Respondent No 2 / Director Education E & SE KPK.
5. That furthermore the applicant / appellant has not committed any miss-conduct during his entire service and the appellant has been penalized just for nothing, therefore the impugned order of removal from service is illegal and liable to be set aside.
6. That while issuing the impugned office order of removal from service of appellant, no opportunity of hearing & defense was provided to the applicant / appellant, which is against natural justice and the appellant has been condemned unheard.
7. That the departmental appeal as well as present service appeal of the appellant is well within time, but due to precautionary measure, the appellant is filling the instant application for condonation of delay if any.

10

8. That there is no legal bar on the power of this Honorable Tribunal to condone the delay if there is any for the end of justice.

Prayer:-

It is therefore most humbly requested, that on acceptance of this application, if there is any delay the same may kindly be condoned in the larger interest of justice.

Waqar

Applicant /Appellant: Waqar Ali
Through

Muhammad Irshad Mohmand

Muhammad Irshad Mohmand
Advocate High Court
Peshawar

AFFIDAVIT

I Waqar Ali S/o Taj Muhammad Ex-Naib Qasid GGHSS Mahmood Abad Parkho Dheri Tehsil and District Mardan, do hereby solemnly affirm and declare that all the contents of the accompanied application are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Honorable Tribunal.

Waqar

DEPONENT



10/11/20
0314-9399882

(11)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
AT PESHAWAR

Service Appeal No: /2023

Waqar Ali Ex-Naib Qasid GGHSS Mahmood Abad Mardan
(Appellant)

VERSUS

Government of KPK, through Secretary Elementary &
Secondary Education KPK & Others (Respondents)

ADDRESSES OF PARTIES


Waqar Ali S/o Taj Muhammad Ex-Naib Qasid GGHSS
Mahmood Abad Parkho Dheri Tehsil and District Mardan
(Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education KPK, at Civil Secretariat Peshawar
 2. Director Elementary & Secondary Education Khyber Pakhtunkhwa at G.T Road Peshawar
 3. District Education Officer (DEO) (Female) District Mardan.
 4. Principal / Head Mistress GGHSS Mahmood Abad Parkho Dheri Mardan.
- (Respondents)**



Appellant:-Waqar Ali
Through



Muhammad Irshad Mohmand
Advocate High Court



& Farhan Sheikh
Advocate

12

ANNEX "A"

OFFICE OF THE DISTRICT EDUCATION OFFICER(FEMALE)MARDAN

Notification

Consequent upon the approval given by the Departmental selection committee, in the meeting held on 27.09.2017 the following candidates are hereby appointed in BPS-03 ((Rs=9610-385-21160) per month plus usual allowances in the schools noted against each Vacant C-IV posts with the terms and conditions given below with immediate effect in the interest of public service.

S No	Name/Father Name	Address	School where appointed	PK	Remarks
1	Mr, Asad Ullah/Rambeil Khan	Fazal Abad T/Bhai	GGPS Fazal Abad	27	AVP Chowkidar
2	Mr, Umair /Ali Akbar	Moh: Rawani Takar	GGHSS Takar	27	AVP Chowkidar
3	Mst, Shabana Bibi/Mohsin Ullah	Moh: Mamoti Lund Khawar	GGHS Lund Khawar	27	AVP Lab Attended
4	Mr: Waqar Ali/Taj Muhammad	Mola Jan Killi Parkho	GGHSS Mehmood AbadParkho Dheri	27	AVP N/Q
5	Mr; Sahil/Taj Muhammad Khan	Babo Khan Hatian	GGHS Hatian	27	AVP Chowkidar

Terms & Conditions

- Their Services will be considered regular but without pension & Gratuity in terms of Section-19 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 as amended vide Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2005
- They should join their posts within 15 days of the issuance of this Notification. In case of failure to join the post within 15 days of the issuance of this notification, their appointment will expired automatically and no subsequent appeal etc shall be entertained.
- They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- Charge report should be submitted to all concerned.
- DDO concerned would furnish a certificate to the effect that the candidate has joined the post or otherwise after 15 days of the issue of their posting order.
- The age limit for the above posts is 18-40 years.
- They will produce Health and Age Certificate from the M/S of D.H.Q Mardan.
- Their pay will be released after the verification of their documents by the concerned DDO.
- Their services can be terminated at any time in case of their performance is found unsatisfactory. In case of misconduct they will be proceeded under the rules framed from time to time.
- Their services are liable to termination on one month prior notice from either side. In case of resignation without notice, one month pay/allowances shall be forfeited to Government
- No TA/DA will be allowed to the appointee for joining their duty.

(SAMINA GHANI)
DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN

Endst: No. 9838/G
Copy forwarded to:

Dated 28/09/2017

PRINCIPAL
GGMS3 Abad
Parkho Dheri, Mardan

- Director E & S Education Khyber Pakhtoonkhwa, Peshawar.
- District Account Office Mardan Mardan
- PS to Minister Education Khyber Pakhtoonkhwa, Peshawar
- PS to Secretary E & S Education Khyber Pakhtoonkhwa, Peshawar
- SDEO(F) Mardan/Takht Bhai/Katlang
- Head Mistress/Head Teacher/GGHS/GGMS/GGPS Concerned.
- Official Concerned.

S. Ghani
DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN

ATTESTED

Amlex "B"

(13)



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN.
PHONE/FAX NO.09379230150
Email Address:-EMISMARDAN_DEOFEMALE@YAHOO.COM

OFFICE ORDER

On the recommendation of the Principal GGHSS Mehmood Abad Mr.Waqar Ali N/Qasid of this school is hereby allowed to assist the principal in the official work on his own pay and BPS in the interest of public service till further order.


Note: TA/DA is allowed.

(SAMINA GHANI)
DISTRICT EDUCATION OFFICER
(FEMALE)MARDAN

Endst;No. 1873-74 /Adj;/Transfer of Min;Staff Dated Mardan the 22/12/2018

Copy to the:-

1. DMO Mardan.
2. Principa GGHSS Mehmood Abad Parkho Dheri.
3. Official concernd.


DISTRICT EDUCATION OFFICER
(FEMALE)MARDAN

ATTESTED

(14) ANNEX "C"

Government of Khyber Pakhtunkhwa
Office of the District Education Officer (Female)
MARDAN

43
S.No.1

Show-cause Notice for Salary Deduction


I, DDO FEMALE MARDAN as Competent Authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 do hereby serve
Ms. WAQAR AFTAB, Nali, Qasid, GHISS PAKHIO DIHERI, MARDAN

- 1. In your PMA monitoring report you were found absent from school duty on 16-12-2014 without in prior permission of the competent authority.
- 2. I have perused the material and other connected papers on record under Rule-5 (i) (4) with the inquiry in accordance with Rule-7 of the aforementioned rules. I, the competent authority, am satisfied that you have committed acts/omissions specified in Rule-3 (d) i.e. "guilty of habitually absenting him/herself from duty without prior approval of leave".
- 3. Now, therefore, I as the Competent Authority have tentatively decided to deduct one-day salary in accordance with Rule-4 (a) (iii) and the Finance Department Notification No. SO (FR)/FD/5-14/2014 dated 16-12-2014.
- 4. You are, therefore, required to show cause as to why the aforementioned penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
- 5. If no reply to this show cause is received within 7 days of its delivery, it shall be presumed that you have no defense to put in and in that case an Ex-Parte decision shall be taken against you.

-Sd-
(Mst. Hafsa Gul)
District Education Officer (F) Mardan

No. 2846/K/EMA/EMIS (F) Dated 11/08/2021
Copies of the show cause forwarded to the:-
1. DDO Mardan
2. DDO Concerned
3. DDO Concerned
4. DDO Concerned

ATTESTED


District Education Officer (F) Mardan

By DDO Mardan - Show-cause Notice

GOVERNMENT OF KHYBER PAKHTUNKHWA

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)

MARDAN

Show cause notice for Salary Deduction

I, DEO FEMALE MARDAN as Competent Authority under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 do hereby serve notice to Mr. Waqar Ali, Naib Qasid GGHSS Pakhho Dher Mehmood Anad Mardan the show cause notice as follow:-

1. That as per EMA monitoring report you were found absent from school duty on _____ without prior permission of the competent authority.
2. And that as per the material and other connected papers on record under rule 5 (i) (a) and to dispense with the inquiry in accordance with Rule 7 of the aforementioned rules, I the competent authority, am satisfied that you have committed acts / omissions specified in Rule 3 (d) i.e "Guilty of habitually absenting him / herself from duty without prior approval of leave".
3. Now therefore, I as the Competent Authority have tentatively decided to deduct one day salary in accordance with Rule 4 (a)(iii) and the Finance Department notification No. SO (FR)/FD/5-14/2014 dated 16.12.2014.
4. You are therefore, required to show cause as to why the aforementioned penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
5. If no reply to this show cause is received within 7 days of its delivery, it shall be presumed that you have no defense to put in and in that case an Ex-Parte decision shall be taken against you.

-Sd-

(Mst. Hafsa Gul)

District Education Officer (F) Mardan

No. 2844/4/EMA/EMIS(F) Dated 01.08.2021

Copy of the above is forwarded to the:-

1. DAO Mardan
2. Principal / HM/ DDO Concerned.
3. EDEO Female Concerned.
4. Official concerned.

District Education Officer (F) Mardan

ATTESTED

خدمت جناب اڈسٹریٹ ایجوکیشن افسر صاحبہ (زنانہ) مردان ضلع مردان
بوساطت پرنسپل صاحبہ GGHS محمود آباد پرخوڑھیری
جناب عالیہ

عنوان :- EMA غیر حاضری رپورٹ / جواب طلبی

حوالہ چھیٹ نمبر EMIS 2844/G/EM مورخہ 2021. 8. 11 (فوٹو کاپی لفظ ہے)

جناب عالیہ . فدوی مورخہ یکم جولائی 2021 کو باقاعدہ طور پر سکول میں
حاضری دینے آیا تھا لیکن کچھ گھنٹوں بعد معروضیات کی وجہ سے اس دن
فدوی ایک گھنٹہ لیٹ ہوا تھا فدوی نے باقاعدہ طور پر حاضری لگایا ہوا ہے
تایم حکم کی تعمیل کرتے ہوئے فدوی نے ہر ایک دن کی تنخواہ چلانے
نمبر مورخہ فوٹو کاپی لفظ ہے

اور یہ کہ فدوی انڈر کیلئے محتاط رہے گا

Thanks

الصارفین

ایکٹا نالہ فریڈ و قار علی نائبا قاصر GGHS محمود آباد پرخوڑھیری

Office of the Principal GGHS Mahmood Abad Parkho Sheri
Endst No. Dated

Forwarded to the District Education Officer (F)
Mardan along with photo copy of chetan for favour
of further n/action Please.

RECEIVED

Received
19/9/21

Annex "D"

(16)



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)
MARDAN.
PHONE/FAX NO. 09370130150
Email Address: EMISMARDAN_DEOFEMALE@YAHOO.COM

OFFICE ORDER

WHEREAS Mr Waqar Ali Naib Qasid GCHSS Melimood Abad Parkho (Mardan) is Misbehaviour with school staff and absent from duty without any permission

AND WHEREAS, the competent authority has nominated an Enquiry committee to conduct enquiry against the accused Naib Qasid for the charged level against him.

AND WHEREAS, the enquiry committee after having examined the charges, evident on record has proved the charges against the accused Naib Qasid.

AND WHEREAS, a show cause notice regarding the above allegation was served upon him.

AND WHEREAS, show cause reply received from the accused Naib Qasid but the undersigned is not satisfied from your reply and call for personal hearing along with school principle but the accused Naib Qasid is failed to attend the office of the undersigned.

AND WHEREAS, you did not satisfy the undersigned regarding above mentioned allegation the authority, after having considered the charge, evidence on the record, that the charge against have been proved.

Now therefore in exercise of power conferred under section 4 (b) (iii) Khyber Pukhtun khwa Govt servants (Efficiency & discipline) Rules, 2011. I Mr Zulfiqar-Ul-Mulk District Education Officer (Male & Female) Mardan being the Competent Authority is pleased to impose major penalty REMOVAL FROM SERVICE is hereby imposed upon him in the instant case with immediate effect.

(ZULFIQAR-UL-MULK)
DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN.
Dated 15.06.2022

Endst No 455/16/PF

Copy forwarded to the:

1. Director Elementary & Secondary Education Khyber Pakhtun Khwa Peshawar.
2. Deputy Commissioner Mardan.
3. District Education Monitoring Officer, Mardan.
4. Principal/Head Mistress Concerned.
5. ~~Concerned~~ Concerned.

ATTEST

DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN.

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)
MARDAN

OFFICE ORDER

WHEREAS Mr Waqar Ali Naib Qasid GGHSS Mehmood Abad Parho Mardan is misbehavior with school staff and absent form duty without any permission.

AND WHEREAS, the competent authority has nominated an Enquiry committee to conduct enquiry against the accused Naib Qasid for the charge level against him.

AND WHEREAS, the enquiry committee after having examined the charges, evident on record has proved the charges against the accused Naib Qasid.

AND WHEREAS, a show cause notice regarding the above allegations was served upon him.

AND WHEREAS, show cause reply received from the accused Naib Qasid but the undersigned is not satisfied from your reply and call for personal hearing along with school principle but the accused naib qasid is failed to attend the office of the undersigned.

AND WHEREAS, you did not satisfy the undersigned regarding above mentioned allegation the authority after having considered the charge, evidence on the record, that the charge against have been proved.

Now therefore in exercise of power conferred under section 4 (b) (iii) Khyber Pakhtunkhwa Govt servants (efficiency & Discipline) Rules, 2011, I Mr Zulfiqar ul Mulk District Education Officer (Male & Female) Mardan being the Competent Authority is pleased to impose major penalty **REMOVAL FROM SERVICE** is hereby imposed upon him in the instant case with immediate effect.

**ZULFIQAR UL MULK
DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN**

Endst No. 4565/6/PF

Copy forwarded to the:

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Mardan.
3. District Education Monitoring Officer Mardan.
4. Principal / Head Mistress Concerned.
5. Official Concerned.

**DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN**

ATTESTED

دہشت جیسا ڈسٹرکٹ ایجوکیشن آفیسر صاحب (M.F.) مردان

(17)

ذات عالیہ

معاون ایپل پرائے منسوجی آرڈر نمبر 4565 مورخہ 15.06.2022

گزارش مؤدبانہ ہے کہ فدوی کی اس آرڈر (Removal from Service) کے تحت

مطالبہ حکم نامہ نمبر 4565/9 PF مورخہ 15.06.2022 کو چکا ہے۔

جس کی کاپی لف ہے۔

یہ کہ جس نے ڈاکٹر صاحب سے Appointment لیا تھا۔ جس کی وجہ سے

میں دفتر میں حاضر نہیں ہو سکتا تھا۔ اس کے لئے آپ کے دفتر سے میں

بہت سی اجازت لیکر جس کی کاپی لف ہے اس کے بعد ڈاکٹر صاحب سے ملا۔

اور یہ کہ فدوی نے جتنے بھی چھٹیاں کی ہیں اس کا باقاعدہ ریکارڈ

میرسٹل صاحبہ کو دیا ہے جس کا ریکارڈ اپنے فائل میں موجود ہے

اس لئے اسے دیا ہے کہ فدوی کا مندرجہ 18.06.2022

در مسودہ کیونکہ احکامات صادر فرما کر سمون فرما دیں۔

فدوی تاخیرات دیا تو رہے گا

الرقوم 29 06 2022

تالیق فرمایا

مقامی نائب قاضی GGHS محمود آباد پروفوڈی

ATTESTED

بخدمت جناب ڈائریکٹر سکندری اینڈ ایلمنٹری ایجوکیشن پشاور

عنوان :- اپیل برائے منسوفی آرڈر نمبر 4565 مورخہ 15-06-2022

جناب عالی :-

گزارش موجود ہے۔ کہ فڈوی کا آفس آرڈر Removal of Service برطابق حکم نامہ نمبری 4565/G/PF مورخہ 15-06-2022 ہو چکا ہے۔

جناب من!

فڈوی نے ہر شوکار نوٹس کا بروقت جواب دیا ہے۔ جس کی فوٹو کاپیاں لف ہیں۔ یہ کہ میں نے ڈاکٹر صاحب سے Appointment لیا تھا۔ جس کی وجہ سے میں دفتر میں حاضر نہیں ہو سکا تھا۔ اسلئے آپ کے دفتر سے میں بھی اجازت لیکر جس کی کاپی لف ہے۔ اسکے بعد ڈاکٹر صاحب سے ملا۔ اور یہ فڈوی جتنے بھی چھٹیاں کی ہیں۔ اس کا باقاعدہ درخواست پرنسپل صاحبہ کو دیا ہے۔ جس کا ریکارڈ اس فائل میں موجود ہے۔ اور DEO کے آفس کے فائل میں بھی موجود ہے۔ یہ کہ فڈوی کا تنخواہ بمورخہ 20-08-2021 سے لیکر ابھی تک جتنا بھی بقایا جات اور تنخواہ ہے۔ جو کہ تاحال بند ہے۔ فڈوی نے باقاعدہ سکول میں حاضری کی ہے۔ لیکن پرنسپل صاحبہ نے سکول آنے سے منع فرمایا تھا۔ اس سلسلے میں فڈوی نے آپ صاحبان کو اڈر DEO فیمل کو ایک درخواست ارسال کیا تھا۔ جس کا فڈوی کو کوئی جواب نہیں ملا۔

لہذا استدعا ہے۔ کہ پرنسپل صاحبہ GGHSS محمود آباد رر خود ہدایت فرمائی جائے کہ فڈوی کے تمام بقایا جات اور تنخواہیں دیا جائے۔

تحریر: 27-09-2022

الغرض :-

آپ کا تابع ادارہ قاری نامت قاصد GGHSS محمود آباد رر خود ہدایت فرمائی جائے کہ فڈوی کے تمام بقایا جات اور تنخواہیں دیا جائے۔

رابطہ نمبر: 03,14-9399882

Handwritten signature

TEST

Adman

1179
27-9-22

Handwritten numbers and marks at the bottom

قیمت 50 روپے

107927

ایڈوکیٹ: *[Signature]*

بار کونسل ایسوسی ایشن نمبر: bc-12-3483

رابطہ نمبر: 0300-5917744



پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: *[Signature]* سردار *[Signature]* P.P.K

مخانب: <i>[Signature]</i>	دعویٰ:
 <p>وقار علی بنام <i>[Signature]</i></p>	علت نمبر:
	موردہ:
	جرم:
	تھانہ:

باعث تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ و

آن مقام *[Signature]* کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرھنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے لقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ بااختیارات حاصل ہوں گے اور اس کا ساختہ برداشتہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 30/12/2022

[Signature]

مقام: *[Signature]*