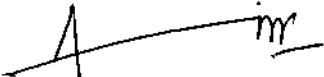


FORM OF ORDER SHEET

Court of _____

Case No.- _____ **154/2023** _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/1/2023	<p>The appeal of Mr. Haris Iqbal presented today by Syed Noman Ali Bukhari Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Parcha Peshi is given to appellant/counsel.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 154 /2023

Haris Iqbal

V/S

Edu Deptt:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of Appeal	-----	01-07
2.	Copy of appointment order	-A-	08-09
3.	Copy of attendance register	-B-	10-16
4.	Copy of salary slip	-C-	17-23
5.	Copy of inquiry report	-D-	24-25
6.	Copy of impugned order	-E-	26
7.	Copy of Departmental appeal	-F-	27-28
8.	Walakat Nama	-----	29

Haris Iqbal
Appellant
Haris Iqbal

THROUGH:

Haris Iqbal
(SYED NOMAN ALI BUKHARI)
ADVOCATE, HIGH COURT

&
Uzma Syed
(UZMA SYED)
ADVOCATE, HIGH COURT

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 154 /2022

Haris Iqbal Ex-Junior Clerk
O/o GGHSS, Pir Piai District Nowshera.

(Appellant)

VERSUS

1. The Director Education, Elementary & Secondary Education Peshawar.
2. The District Education Officer (Female) Nowshera.

(Respondents)

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACTS, 1974, AGAINST THE AGAINST NOTIFICATION NO. 3242-42 DATED 20-08-2022, WHEREBY THE APPOINTMENT ORDER OF THE APPELLANT WAS WITHDRAWN AND AGAINST NOT DECIDING THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF 90 DAYS.

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 20/08/2022 MAY PLEASE BE SET-ASIDE AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

RESPECTFULLY SUBMITTED:

FACTS:

1. That the appellant was appointed as Junior Clerk (BPS-11) at GGHHS Pir Piai Nowshera vide Appointment order No.4670-77 dated 23/11/2021. **Copy of appointment order is attached as annexure-A.**
2. That appellant was appointed after fulfillment of all the codal formalities and by observing due course of law/rules in vogue.
3. That since his appointment till termination the appellant rendered unblemished service up to the entire satisfaction of his high ups.
4. That after getting the aforesaid appointment, genuine expectations of the appellant naturally developed and therefore he performed his duties with due diligence and without any complaint whatsoever on his part. **Copy of attendance register and salary slip are attached as annexure-B & C.**
5. That with the utter surprise of the appellant, the department malafidly initiated inquiry against the appellant after the period of almost 7 months of his service. The inquiry officer concluded the matter ex-parte without any opportunity of defense to appellant with the recommendation that the appellant "may be terminated.". **copy of the inquiry report is attached as annexure-D.**
6. That thereafter directly the appointment order of the appellant was withdrawn vide order dated 20/08/2022 without any prior notice, charge sheet regular inquiry and show cause notice which is mandatory in law, against which appellant filed departmental appeal which was not responded within statutory period of 90 days . **(copy of impugned order and departmental appeal is attached as Annexure-E & F)**
7. Hence the appellant constrained to file the instant service appeal on the following grounds amongst others.

GROUND:

- A. That the impugned order are against the law, facts, norms of justice, and material on record, therefore not tenable and liable to be set aside.

- B.** That the appellant simply filed application for appointment under Deceased Son quota under Rule 10(4) of the APT Rules 1989. The appellant has no knowledge about appointment of his brother under deceased son quota but the concerned deptt has fully knowledge about the same then why the deptt issued appointment order and the latter on after 9 months withdrawn the same. Which is not permissible in the eye of law. Hence liable to be set-aside.
- C.** That neither charge sheet, statement of allegation, show cause notice was served upon the appellant nor inquiry was conducted against the appellant, which was necessary and mandatory in law before taking adverse action which is violation of law, rules and norms of justice.
- D.** That the appellant has not been treated under proper law despite he was a civil servant of the province, therefore, the impugned order is liable to be set aside on ther score alone.
- E.** That the appellant has not been treated according to law and rules and has been deprived from the monthly salaries despite proper performance of duty, thus the action of the respondents is totally illegal and without lawful authority.
- F.** That the appellant has been condemned unheard in violation of Article 10-A of the Constitution of Islamic republic of Pakistan and in violation of maxim "Audi Alterum Partum" and has not been treated according to law and rules. That according to reported judgment cited as *2019 CLC 1750* stated that Audi Alterum Partum" shall be read as part and parcel of the every statute. The same principle held in the Superior Court judgments cited as *2016 SCMR 943, 2010 SCMR 1554 and 2020 PLC(cs) 67.*
- G.** That according to Federal Shariyat court Judgment cited as *PLD 1989 FSC 39* the show cause notice is must before taking any adverse action, non-issuance of show cause notice is against the injunction of Islam. Hence the impugned order is liable to be set-aside.
- H.** That the show cause is the demand of natural justice and also necessary for fair trial and also necessary in light of injunction of Quran and Sunnah but show cause was not given to the appellant. So, fair trail denied to the appellant which is also violation of Article 10-A of the constitution. Further it is added that according to reported judgment cited as *1997 PLD page 677* stated that every action against

natural justice treated to be void and unlawful. Hence impugned order is liable to be set-aside. The natural justice should be considered as part and parcel of every statute according to superior court judgment cited as 2017 PLD 173 and 1990 PLC cs 727.

- I. That the appellant have never committed any act or omission with bad or malafide intentions which could be termed as misconduct, albeit the appellant was dismissed from the service. Which is violation of reported judgment cited as 1997 PLC cs 564.
- J. That no proper regular inquiry was conducted to dig out the real facts Rule-10 (b) and Rule 11 (1) of the E&D Rules 2011., which were totally ignored before imposing punishment which is illegal and against the law, rules and natural justice. The same principle held in the Superior Court judgments cited as 2010 SCMR 1554, 2016 SCMR 108, 2009 PLC (cs) 19, 2008 SCMR 1369, 2009 SCMR 412, 2007 PLC cs 247 and 2008 PLC cs 1107.
- K. That the opportunity of personal hearing and personal defense was not provided to the appellant which was violation of **Rule 7(d)** in case inquiry was not necessary **and 14(5) of the E&D rules 2011** in case where inquiry is necessary. The same principle held in the Superior Court judgments cited as 2006 SCMR 1641.
- L. That the appellant was condemned unheard, and by this way not only the basic and fundamental right of the appellant was violated but a gold principal of law was also ignored.
- M. That the appellant neither committed any violation nor did he enter into service by ghost or illegal manners.
- N. That the appellant bonafidely applied to the department for his appointment and the department was pleased to appoint him on the subject post and if the department committed any violation in the process of appointment as they allege, the same cannot be attributed to the appellant.
- O. That the appellant is the sole bread earner of his family and the termination of his service will subject his family member to huge financial implications.


- P. That the act of the department of terminating service of the appellant is the source of promoting unemployment in the society and will result into distress, pessimism, and escapism.
- Q. That it is pertinent to mention here termination from service will cause irreparable lose to the appellant because appellant given his peak time young age to the department and after termination he is no more eligible for government jobs being over aged.
- R. That the termination order of the appellant is against the principle of "locus poenitentiae" as the appointment order create valuable rights to appellant which cannot be terminated /rescinded so easily.
- S. That neither the appellant was served with charge sheet and statement of allegation nor regular enquiry was conducted in the matter so much so the respondents also violated the rules-5 (1) (a) of E&D Rules 2011. Whereby it was mandatory under the law to pass the speaking order for dispensing with the enquiry. Thus, the lacking such procedure the impugned order is liable to be set aside.
- T. That the appellant cannot be held responsible for the lapse / irregularities committed by the department and in such cases the Hon'ble Supreme Court of Pakistan has held the department responsible and reinstated the poor employees.
- U. That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.


APPELLANT

Haris Iqbal

THROUGH:


(SYED NOMAN ALI BUKHARI)

ADVOCATE, HIGH COURT

&


(UZMA SYED)

ADVOCATE, HIGH COURT

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2023

Haris Iqbal

V/S

Edu Deptt:

CERTIFICATE:

It is certified that no other service appeal earlier has been filed between the present parties in ther Tribunal, except the present one.

DEPONENT

LIT OF BOOKS:

1. Constitution of the Islamic Republic of Pakistan. 1973.
2. The ESTA CODE.
3. Any other case law as per need.

(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2023

Haris Iqbal


V/S

Edu Deptt:

AFFIDAVIT

I, Haris Iqbal, (Appellant) do hereby affirm that the contents of the service appeal are true and correct, and nothing has been concealed from the honorable Tribunal.

DEPONENT


Haris Iqbal



**DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA**
Phone/Fax No. 9923-9220105
Email: deofemalensr@gmail.com

A
C

APPOINTMENT ORDER

In pursuance of rule (10) sub rule (4) of the Khyber Pakhtunkhwa civil servants (Appointment, Promotion and Transfer) rules 1989, the following candidate is hereby appointed (under deceased's Children (Children of deceased employees) as Junior Clerk in BPS-11 (Rs: 12570-880-38970) @Rs: 12570/- PM plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and conditions given below with effect from his taking over charge.

S.#	Name, Qualification with CNIC	Father's Name	Address	Place of Posting
01	Mr. Haris Iqbal (SSC/D.Com) CNIC No: 17201-3426504-9	Iqbal Hussain Ex. Chowkidar GGPS, # 02 Kandi Taza Din (Died on 13-07-1995)	Vill. & PO Kandi Taza Din Tehsil Pabbi District Nowshera	J Clerk (B-11) GCHSS, Pir Puri Nowshera

TERMS & CONDITIONS:-

1. No TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned.
3. He should not be handed over charge if he exceeds 30 years or below 18 years of age, age relaxation case may be submitted to competent authority.
4. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities, any one found producing bogus certificate-degree will be reported to the law enforcing agencies for further action.
5. Health and age certificate should be produced from the Medical Superintendent concerned before taking over charge.
6. The appointee should join his post within 15 days of the issuance of this order positively otherwise the appointment shall stand cancelled.
7. He will be governed by such rules and regulations as may be issued from time to time by the Government.
8. His services are liable to termination on one month's notice from either side, in case of resignation without notice his one month pay and allowance shall be forfeited to the Government.
9. His services shall be terminated at any time, in case his performance is found unsatisfactory during his service period, in case of misconduct, he shall be proceeded under the rules framed from time to time.
10. Before handing over charge his documents may be checked once again, if he has not the required relevant qualification as per rules, he may not be handed over charge.

(DU'RE SHAWARI)
DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

Endstt: No. 4670-77 Dated Nowshera the 27/11 2021

Copy of the above is forwarded for information & necessary action to the:-

1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar
2. Senior District Accounts Office Nowshera.
3. Principal/Head Mistress Concerned.
4. Medical Superintendent District Head Quarter Hospital Nowshera.
5. ADEO (F) Secy: & Primary Establishment branch Local Office.
6. Superintendent Establishment branch local office.
7. Candidate concerned.
8. Master File

DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

9

OFFICE OF THE PRINCIPAL GGHSS PIR PIAI NOWSHERA

CHARGE REPORT

Consequent upon the Appointment order issued by the District Education Officer (Female) Nowshera vide Endst: No. 4670-77 Dated 23-11-2021. I Mr. Mans Iqbal Junior Clerk, No. 11, took over charge of my duties this day 24/11/2021 (P/noon) at Govt. Girls Higher Secondary School Pir Piai Nowshera.

Yasmeen
Principal
Govt. Girls Higher
Secondary School
Pir Piai (NSR)

Mans Iqbal
Mr. Mans Iqbal

Designation Junior Clerk Office

Dated 24-11-2021

OFFICE OF THE PRINCIPAL GGHSS PIR PIAI NOWSHERA.

NO. 851-54 Dated 24/11/2021.

Copy of the above is forwarded to the:

- 1 District Education Officer (Female) Nowshera.
- 2 District Accounts Officer Nowshera.
- 3 Office record.
- 4 Official concerned.

Yasmeen
PRINCIPAL

GGHSS PIR PIAI NOWSHERA

Principal
Govt. Girls Higher
Secondary School
Pir Piai (NSR)

(10) B

رہنما قاضی میرزا عطاء اللہ خان گورکھپوری، گورنمنٹ کالج، سکول، بریلی، اتر پردیش، بابت ماہ اگست 2021ء

آرٹیکل نمبر	مبادلہ شریفان		حالیہ حالت		پیشہ شریف		ادویں نمبر
	آدم	سختی	رواقی	سختی	آدم	سختی	
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30	P	8AM	P	8AM	P	8AM	145
31	P	8AM	P	8AM	P	8AM	145

چھٹیوں کی تفصیل

نمبر	تاریخ	وقت	مبادلہ	مبادلہ	مبادلہ	مبادلہ	مبادلہ	مبادلہ	مبادلہ

جسٹریٹ جی ایم ایف کے ساتھ
 ڈیپوٹنگ آف ایس ایف کے ساتھ سرکاری ہاٹ باک اپنیل

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20	10:00	10:00	10:00	10:00	10:00	10:00	10:00	10:00	10:00
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مختصوں کی فہرست

رد نمبر	پست	پست	پست	پست	پست	پست	پست
01							
06							
07							

رجسٹر حاضری کے ساتھ گورنمنٹ ریسرچ ہائیڈرو پراجیکٹ کے لیے اہلکاروں کی فہرست۔ اہلیت ماہ دسمبر

ردیف	عنوان	تعمیراتی	تعمیراتی	تعمیراتی	تعمیراتی	تعمیراتی	تعمیراتی	تعمیراتی	تعمیراتی
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31	...	P 8:30	P 8:30	P 8:30	P 8:30

مختص کی فہرست

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**Dist. Govt. NWFP-Provincial
District Accounts Office Nowshera
Monthly Salary Statement (June-2022)**

C (17)

Personal Information of Mr HARIS IQBAL d/w/s of IQBAL HUSSAIN

Personnel Number: 00985661 CNIC: 1720134265949 NTN: _____
Date of Birth: 01.05.1992 Entry into Govt. Service: 24.11.2021 Length of Service: 00 Years 07 Months 07 Day

Employment Category: Active Temporary

Designation: JUNIOR CLERK 80005748-DISTRICT GOVERNMENT KHYYEH
DDO Code: NR6096-G.G.H.S PIRPIAI
Payroll Section: 001 GPF Section: 001 Cash Center: _____
GPF A/C No: _____ Interest Applied: Yes GPF Balance: 3660.00
Vendor Number: -
Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BC: 11 Pay Stage: 0

Wage type		Amount	Wage type		Amount
0001	Basic Pay	12,570.00	1091	House Rent Allowance 45%	2,775.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2211	Adhoc Relief All 2016 10%	1,051.00	2224	Adhoc Relief All 2017 10%	1,257.00
2247	Adhoc Relief All 2018 10%	1,257.00	2264	Adhoc Relief All 2019 10%	1,257.00
2309	Adhoc Relief All 2021 10%	1,257.00	2315	Special Allowance 2021	3,500.00
2341	Dispr. Red All 15% 2022KP	1,885.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3011	GPF Subscription	-1,290.00	3501	Benevolent Fund	-1,200.00
3534	R. Ben & Death Comp Fresh	-600.00	3990	Emp. Edu. Fund KPK	-125.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till June-2022: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 31,168.00 Deductions: (Rs.): -3,215.00 Net Pay: (Rs.): 27,953.00

Payee Name: HARIS IQBAL
Account Number: 0109000267631139
Bank Details: UNITED BANK LIMITED. 211269 FABBIPABBI

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: City: NOWSHERA Domicile: NW - Khyber Pakhtunkhwa Mailing Status: No Office
Temp. Address: City: Email:

Dist. Govt. NWFP-Provincial
District Accounts Office Nowshera
Monthly Salary Statement (May-2022)

Personal Information of Mr HARIS IQBAL d/w/s of IQBAL HUSSAIN

Personnel Number: 00985661 CNIC: 1720134265949 NTP: -
 Date of Birth: 01.05.1992 Entry into Govt. Service: 24.11.2021 Length of Service: 03 Years 05 Months 17 D.

Employment Category: Active Temporary

Designation: JUNIOR CLERK SR0037JR-DISTRICT GOVERNMENT KHYBE
 DDO Code: NR6096-G.G.H.S PIRPIAI
 Payroll Section: 001 GPF Section: 001 Cash Center:
 GPF A/C No: Interest Applied: Yes GPF Balance: 0000.00
 Vendor Number: -
 Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil 572: 11 Pay Stage: 1

Wage type		Amount	Wage type		Amount
0001	Basic Pay	12,570.00	1001	House Rent Allowance 45%	2,775.00
1210	Convey Allowance 2005	2,856.00	1500	Medical Allowance	1,500.00
2211	Adhoc Relief All 2016 10%	1,051.00	2224	Adhoc Relief All 2017 10%	1,257.00
2247	Adhoc Relief All 2018 10%	1,257.00	2264	Adhoc Relief All 2019 10%	1,257.00
2309	Adhoc Relief All 2021 10%	1,257.00	2315	Special Allowance 2021	3,500.00
2341	Dispr. Red All 15% 2022KP	1,885.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3011	GPF Subscription	-1,290.00	3501	Benevolent Fund	-1,200.00
3534	R. Ben & Death Comp Fresh	-600.00	3990	Emm.Edu. Fund KPK	-151.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till May-2022: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 31,168.00 Deductions: (Rs.): -3,215.00 Net Pay: (Rs.): 27,953.00

Payee Name: HARIS IQBAL
 Account Number: 0109000267631139
 Bank Details: UNITED BANK LIMITED, 211269 PABBI PABBI.

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address:

City: NOWSHERA Domicile: NW - Khyber Pakhtunkhwa Housing Status: No. Of Land:
 Temp. Address: City: Email:

Dist. Govt. NWFP-Provincial
District Accounts Office Nowshera
Monthly Salary Statement (April-2022)

(19)



Personal Information of Mr HARIS IQBAL d/w/s of IQBAL HUSSAIN

Personnel Number: 00985661 CNIC: 1720134265949 NTN: _____
 Date of Birth: 01.05.1992 Entry into Govt. Service: 24.11.2021 Length of Service: 00 Years 05 Months 108 Days

Employment Category: Active Temporary

Designation: JUNIOR CLERK 8093748-DISTRICT GOVERNMENT KHYBER
 DDO-Code: NR6096-G.G.H.S PIRPIAI
 Payroll Section: 001 GPF Section: 001 Cash Center:
 GPF A-C No: Interest Applied: Yes GPF Balancer: 6431870
 Vendor Number: -
 Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil EPF: 11 Pay stage: 0

Wage type		Amount	Wage type		Amount
0001	Basic Pay	12,570.00	1001	House Rent Allowance 45%	5,775.00
1219	Convay Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2211	Adhoc Relief All 2016 10%	1,051.00	2224	Adhoc Relief All 2017 10%	1,257.00
2247	Adhoc Relief All 2018 10%	1,257.00	2264	Adhoc Relief All 2019 10%	1,257.00
2309	Adhoc Relief All 2021 10%	1,257.00	2315	Special Allowance 2021	3,500.00
2341	Dispr. Red All 15% 2022KP	1,885.00	5155	Adj. Dispr. Red All 2022KP	1,885.00

Deductions - General

Wage type		Amount	Wage type		Amount
3011	GPF Subscription	-1,290.00	3501	Benevolent Fund	-1,290.00
3534	R. Ben & Death Comp Fresh	-600.00	3990	Emp. Edu. Fund KPK	-125.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till April-2022: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 33,054.00 Deductions: (Rs.): -3,215.00 Net Pay: (Rs.): 29,839.00

Payee Name: HARIS IQBAL
 Account Number: 0109000267631139
 Bank Details: UNITED BANK LIMITED, 211269 FABB/ PABSI

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: City: NOWSHERA Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Off. Hg.
 Temp. Address: City: Email:

Dist. Govt. NWFP-Provincial
District Accounts Office Nowshera
Monthly Salary Statement (March-2022)

20



Personal Information of Mr HARIS IQBAL d/w/s of IQBAL HUSSAIN

Personnel Number: 00985661 CNIC: 1720134265949 NTN:
 Date of Birth: 01.05.1992 Entry into Govt. Service: 24.11.2021 Length of Service: 00 Years 11 Months 00 Days

Employment Category: Active Temporary

Designation: JUNIOR CLERK 80093743-DISTRICT GOVERNMENT CLERK
 DDC Code: NR6096-G.G.H.S FIRPIAI
 Payroll Section: 001 GPF Section: 001 Cash Center:
 GPF A/C No: Interest Applied: Yes GPF Balance: 5,157.00
 Vender Number: -
 Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 11 Pay Stage: 1

Wage type		Amount	Wage type		Amount
0001	Basic Pay	12,570.00	1001	House Rent Allowance 45%	2,778.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance 1	1,500.00
2211	Adhoc Relief All 2016 10%	1,051.00	2224	Adhoc Relief All 2017 10%	1,257.00
2247	Adhoc Relief All 2018 10%	1,257.00	2264	Adhoc Relief All 2019 10%	1,257.00
2309	Adhoc Relief All 2021 10%	1,257.00	2315	Special Allowance 2021	2,500.00

Deductions - General

Wage type		Amount	Wage type		Amount
3011	GPF Subscription	-1,290.00	3501	Benevolent Fund	-1,200.00
3534	R. Ben & Death Comp Fresh	-600.00	3990	Emp. Edu. Fund KPK	-125.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till March-2022: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 29,283.00 Deductions: (Rs.): -3,215.00 Net Pay: (Rs.): 26,068.00

Payee Name: HARIS IQBAL
 Account Number: 0109000267631139
 Bank Details: UNITED BANK LIMITED, 211269 PABBI PABBI

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: City: NOWSHERA Domicile: NW -Khyber Pakhtunkhwa Housing Status: No Official
 Temp. Address: City: Email:

Dist. Govt. NWFP-Provincial
District Accounts Office Nowshera
Monthly Salary Statement (February-2022)

(21)



Personal Information of Mr HARIS IQBAL d/w/s of IQBAL HUSSAIN

Personnel Number: 00985661 CNIC: 1720134265949 NTN:
 Date of Birth: 01.05.1992 Entry into Govt. Service: 24.11.2011 Length of Service: 10 Years 10 Months 14 Days

Employment Category: Active Temporary

Designation: JUNIOR CLERK 80065748-DISTRICT GOVERNMENT KHYYE
 DDO Code: NR6096-G.G.H.S PIRPIAJ
 Payroll Section: 001 GPF Section: 001 Cash Center:
 GPF A/C No: Interest Applied: Yes GPF Balance: 1,870.00
 Vendor Number: -
 Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 11 Pay Stage: 0

Wage type		Amount	Wage type		Amount
0001	Basic Pay	12,570.00	1001	House Rent Allowance 45%	2,778.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2211	Adhoc Relief All 2016 10%	1,051.00	2224	Adhoc Relief All 2017 10%	1,257.00
2247	Adhoc Relief All 2018 10%	1,257.00	2264	Adhoc Relief All 2019 10%	1,257.00
2309	Adhoc Relief All 2021 10%	1,257.00	2315	Special Allowance 2021	3,500.00

Deductions - General

Wage type		Amount	Wage type		Amount
3011	GPF Subscription	-1,290.00	3501	Benefvolent Fund	-1,290.00
3534	R. Ben & Death Comp Fresh	-600.00	3990	Emp. Edu. Fund KPK	-155.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
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Deductions - Income Tax

Payable: 0.00 Recovered till February-2022: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 29,283.00 Deductions: (Rs.): -3,215.00 Net Pay (Rs.): 26,068.00

Payee Name: HARIS IQBAL
 Account Number: 0109000267631139
 Bank Details: UNITED BANK LIMITED, 211269 PABBI PABBI

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address:

City: NOWSHERA Domicile: NW - Khyber Pakhtunkhwa Housing Status: No GPF/old
 Temp. Address:
 City: Email:

**Dist. Govt. NWFP-Provincial
District Accounts Office Nowshera
Monthly Salary Statement (January-2022)**

27



Personal Information of Mr HARIS IQBAL d/w/s of IQBAL HUSSAIN

Personnel Number: 00985661 CNIC: 1720134265949 NTN: _____
Date of Birth: 01.05.1992 Entry into Govt. Service: 24.11.2004 Length of Service: 07 Years 11 Months 07 Da

Employment Category: Active Temporary

Designation: JUNIOR CLERK S0003748-DISTRICT GOVERNMENT KATYBE
DDO Code: NR6096-G.G.H.S PIRPIAI
Payroll Section: 001 GPF Section: 001 Cash Center: _____
GPF A C No: _____ Interest Applied: Yes GPF Balance: 2,580.00
Vendor Number: -
Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: CIVIL BPS: 11 Pay Stage: 0

Wage type		Amount	Wage type		Amount
0001	Basic Pay	12,570.00	1001	House Rent Allowance 45%	2,775.00
1210	Convey Allowance 2005	2,356.00	1300	Medical Allowance	1,500.00
2211	Adhoc Relief All 2016 10%	1,051.00	2224	Adhoc Relief All 2017 10%	1,257.00
2247	Adhoc Relief All 2018 10%	1,257.00	2264	Adhoc Relief All 2019 10%	1,257.00
2309	Adhoc Relief All 2021 10%	1,257.00	2315	Special Allowance 2021	3,500.00
5002	Adjustment House Rent	648.00	5011	Adj Conveyance Allowance	666.00
5012	Adjustment Medical All	350.00	5149	Adj. Special Allow 2021	817.00
5151	Adj. Adhoc Rel Allow 2021	293.00	5322	Adj Adhoc Relief All 2018	393.00
5336	Adj Adhoc Relief All 2019	293.00	5601	Adj Basic Pay	2,935.00
5975	Adj Adhoc Relief All 2016	245.00	5990	Adj Adhoc Relief All 2017	393.00

Deductions - General

Wage type		Amount	Wage type		Amount
3011	GPF Subscription	-1,290.00	3501	Benevolent Fund 1	-1,000.00
3534	R. Ben & Death Comp Fresh	-600.00	3990	Emp. Edu. Fund KPK	-127.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till January-2022: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 36,114.00 Deductions: (Rs.): -3,215.00 Net Pay (Rs.): 32,899.00

Payee Name: HARIS IQBAL
Account Number: 0109000267631139
Bank Details: UNITED BANK LIMITED, 211269 PABBI PABBI

Leaves: Opening Balance: Aailed: Eamed: Balance:

Permanent Address: City: NOWSHERA Domicile: NW - Khyber Pakhtunkhwa Housing Status: No OI/hoi
Temp. Address: City: Email:

Dist. Govt. NWFP-Provincial
District Accounts Office Nowshera
Monthly Salary Statement (December-2021)

23



Personal Information of Mr HARIS IQBAL d/w/s of IQBAL BUSSAIN

Personnel Number: 00985661 CNIC: 1720134265949 NTN: _____
 Date of Birth: 01.05.1992 Entry into Govt. Service: 24.11.2021 Length of Service: 00 Years 01 Month 01 D

Employment Category: Active Temporary

Designation: JUNIOR CLERK 80003749-DISTRICT GOVERNMENT KHYSR

DDO Code: NR6096-G.G.H.S PIRPIAI

Payroll Section: 001 GPF Section: 001 Cash Center: _____
 GPF A.C No: _____ Interest Applied: Yes GPF Balance: 1,290.00

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 11 Pay Stage: 7

Wage type		Amount	Wage type		Amount
0901	Basic Pay	12,570.00	1001	House Rent Allowance 45%	2,778.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2211	Adhoc Relief All 2016 10%	1,051.00	2224	Adhoc Relief All 2017 10%	1,257.00
2247	Adhoc Relief All 2018 10%	1,257.00	2264	Adhoc Relief All 2019 10%	1,257.00
2309	Adhoc Relief All 2021 10%	1,257.00	2315	Special Allowance 2021	3,500.00

Deductions - General

Wage type		Amount	Wage type		Amount
3011	GPF Subscription	-1,290.00	3501	Benevolent Fund	-1,290.00
3534	R. Ben & Death Comp Fresh	-600.00	3990	Emp. Edu. Fund KPE	-125.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till December-2021: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 29,283.00 Deductions: (Rs.): -3,215.00 Net Pay: (Rs.): 26,068.00

Payee Name: HARIS IQBAL

Account Number:

Bank Details: . . .

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: NOWSHERA Domicile: NW - Khyber Pakhtunkhwa Housing Status: N's Official

Temp. Address:

City: Email:



OFFICE OF THE PRINCIPAL
GOVERNMENT GIRLS HIGHER SECONDARY
SCHOOL NOWSHERA CANTT

(Office Phone & Fax # 497-973, 9220102 & Email: principalstcvt16@gmail.com)

No. 506 Dated 06/06/2022

Subject: - ENQUIRY REPORT REGARDING ILLEGAL
APPOINTMENT UNDER DECEASED SON QUOTA.

INTRODUCTION: -

I, the undersigned, have been nominated as Chairperson accompanied with Ms. Haseena Fida Principal GGHSS, Nizampur Nowshera (member) of the Inquiry committee vide District Education Officer (Female) Nowshera Office Order No. 1275-80 Dated: Nowshera the 02-07-2022 to probe into the matter in illegal appointment under deceased son quota.

FINDINGS: -


1. The undersigned paid visit to the Office of the District Education Office (Female) Nowshera on 06/07/2022 to collect information of both deceased employees.
2. The Office provide us record i.e. appointment order of Mr. Kashif Iqbal S/O Iqbal Hussain (Late) J/C Office of the SDEO(F) Pabbi, who was appointed under deceased son quota vide DEO(F) Nowshera office order No. 3074-80 Dated 23/08/2013. (Annexure-A)
3. The Office also provide us the appointment order of Mr. Haris Iqbal S/O Late Iqbal Hussain issued vide DEO(F) Nowshera office order Endst: No. 4670-77 Dated: 23/11/2021, brother of the said Mr. Kashif Iqbal J/C o/o SDEO (Female) Pabbi, who already availed deceased son quota. (Annexure-B)

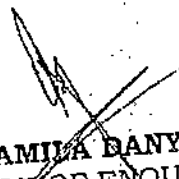
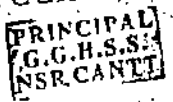
CONCLUSION: -

The undersigned reached to the conclusion that both brothers availed deceased son quota.

RECOMMENDATIONS: -

In view of the above findings and conclusion, it is recommended that Mr. Haris Iqbal S/O Late Iqbal Hussain JC GGHSS, Pir Piai Nowshera may be terminated.


(HASSEENA FIDA)
Member of Enquiry Committee
Principal GGHSS, Nizampur
Principal
GGHSS Nizampur


(JAMILA DANYAL)
CHAIRPERSON OF ENQUIRY COMMITTEE
Principal GGHSS, NOWSHERA CANTT



14/07/2022.

(DURE SHAWAR)
DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

Endst; No. 3242-47 /Dated Nowshera the 20/07 /2022.

Copy forwarded for information and necessary action to:-

1. Principal GGHSS, Pir Piai Nowshera.
2. Senior District Accounts Officer Nowshera
3. District Monitoring Officer Nowshera
4. Superintendent Establishment local office
5. ADEO Establishment Secondary (Female) Local Office
6. Mr. Haris Iqbal J/C GGHSS, Pir Piai Nowshera


DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

E (27)
Dated August 29, 2022

To,

The Director,
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.

Subject: Appeal/Representation against Notification No. 3242-42 dated 20-08-2022
Whereby the appointment order of the appellant was withdrawn may please be set
aside and services of appellant may please be restored.

Respected Sir!

1. That the appellant was appointed as Junior Clerk (BPS-11) at GGHS Pir Piai Nowshera vide Appointment order No.4670-77 dated 23/11/2021.
2. That appellant was appointed after fulfillment of all the codal formalities and by observing due course of law/rules in vogue.
3. That since his appointment till date the appellant rendered unblemished service up to the entire satisfaction of his high ups.
4. That after getting the aforesaid appointment, genuine expectations of the appellant naturally developed and therefore he performed his duties with due diligence and without any complaint whatsoever on his part.
5. That with the utter surprise of the appellant, the department vide order dated 02-07-2022, mala fide initiated inquiry against the appellant after the period of almost 7 months of his service.
6. That the inquiry officer concluded the matter with the recommendation that the appellant "may be terminated."
7. That the appellant was condemned unheard, and by this way not only the basic and fundamental right of the appellant was violated but a golden principal of law was also ignored.
8. That the appellant neither committed any violation nor did he enter into service by ghost or illegal manners.
9. That the appellant bonafidely applied to the department for his appointment and the department was pleased to appoint him on the subject post and if the department committed any violation in the process of appointment as they allege, the same cannot be attributed to the appellant.

1660

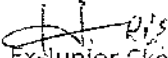
25/9/22

12. That the appellant is the sole bread earner of his family and the termination of his service will subject his family member to huge financial implications.
13. That the act of the department of terminating service of the appellant is the source of promoting unemployment in the society and will result into distress, pessimism, and escapism
14. That it is pertinent to mention here termination from service will cause irreparable loss to the appellant because appellant given his peak time young age to the department and after termination he is no more eligible for government jobs being over aged.

Keeping in view the forgoing grounds it is humbly requested that the Notification No. 3242-42 dated 20-08-2022 whereby the appointment order of the appellant was withdrawn may please be set aside and the appellant may please be restored into service.

Yours obediently

Haris Iqbal


Ex-Junior Clerk
O/o GGHSS, Pir Piai
District Nowshera.
Cell#

VAKALAT NAMA

APPEAL NO. _____ /20

IN THE COURT OF KP _____

Haris Iqbal Appellant
Petitioner
Plaintiff

VERSUS

Edo Deoti Respondent (s)
Defendants (s)

I Haris Iqbal (Petitioner) do hereby appoint and constitute the **SYED NOMAN ALI BUKHARI Advocate High Court** for the aforesaid Appellant(s), Petitioner(S), Plaintiff(s) / Respondent(s), Defendant(s), Opposite Party to commence and prosecute / to appear and defend this action / appeal / petition / reference on my / our behalf and all proceedings that may be taken in respect of any application connected with the same including proceeding in taxation and application for review, to draw and deposit money, to file and take documents, to accept the process of the court, to appoint and instruct council, to represent the aforesaid Appellant, Petitioner(S), Plaintiff(s) / Respondent(s), Defendant(s), Opposite Party agree(s) ratify all the acts done by the aforesaid.

DATE _____ /20

(CLIENT)

ACCEPTED

SYED NOMAN ALI BUKHARI
ADVOCATE HIGH COURT
BC-15-5643

UZ
Date

Name and Designation of the officer attesting officer (Items 1 to 8)	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Nature and dura- tion of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		Signature of the head of the office or other attesting officer.	Reference to any recorded punishment or censure, or reward or praise of the Government - Servant
					Period	Government to Which debitible		
Principal Govt. Girls Higher Secondary School Pir Piai (NSR)					Appointment as Junior Clerk BPS-11 @ (Rs 12570 - 2800 - 38970) @ Rs 12570/- Plus usual allowances as admissible			
	30/11/2021	A/L/2021			Under the Rule on Regular basis Under the existing policy of the Provincial Govt order issued by DEO (E)			
					NSR vide Edstl. No. 4670-77 Dated Nowshera the 23-11-2021.			
							Principal Govt. Girls Higher Secondary School Pir Piai (NSR)	
					TR 743 Dtd 10/12/2021			
					Suma I wife of Pir in Dec 2021.			
					TR 175 Dtd 6/1/2021			
					Amount of Rs 6833/- paid on 20/11/21 to 30/11/21			
					Yasmeen Signature Verified with 24/12/2021 to 28/12/2021 from the roll and other records of this office.			
					Principal Govt. Girls Higher Secondary School Pir Piai (NSR)			

Heirs.

1. SSC Exama from BISE Mardan Under Roll No. 64917 Session (A) 2010 obtained marks 614/1050 Result declared on 29 June-2010.
2. D-Com Exama from KPK BTE Peshawar Under Roll No. 4613-6 Session (A) 2011 Result declared on 19-07-2011. obtained marks 765/1200.
3. B-Com Exama Passed from ANKUM Under Roll No. 2429 Session (A) 2013 obtained marks 745/1400 result declared 29-08-2013
4. Pass M-Com Exama from Uni. of Peshawar Under Roll No. 850-6 Session (A) 2016 obtained marks 675/1400 Result declared on 08-11-2016. received back
5. Pass D.I.T Exama from KPK TT B Peshawar Under Roll No. 49517 Session (A) obtained marks 1153/1400 Result declared on 03-02-2017

Left Thumb Impression

Principal
Govt. Girls Higher
Secondary School
Dir. Piai (NSP)

Qualification	Date	Qualification
English		First Arts
Pushto		B.L. or B.A
Urdu		Pledership examination
Plan-drawing		Training School Final examination
Finger Print		Other qualifications
Drill Instructing		
Court Duties		
Reserve Duties		

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

Name: HARIS IQBAL

Race: Afghan

Residence: Mohallah Naalik Khel Village Kandi Taza Din
P/O & Tehsil Pabbi District Nowshera (NSR)

Father's name and residence:

IQBAL HOSSAIN

Date of birth by Christian era as nearly as can be ascertained:

01-05-1992 (1st May N/H Ninety Two)

Exact height by measurement:

5-7

Personal marks for identification:

NIL

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

Little Finger:



Ring Finger:



Middle Finger:



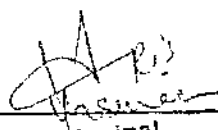
Fore Finger:



Thumb:



Signature of Government Servant:


Principal
Govt. Girls Higher
Secondary School
P/O Pabli (NSR)

1. Signature and designation of the Head of the office, or other Attesting Officer.

Original



D.H.Q. Hospital, Nourshera
Medical Certificate

MTC No: 11712/011-1311/21.15.91-91

Name of Official ARIIS ZOBAL

Photo of case [Signature]

Teacher's Name ZOBAL HUSAIN

Residence Village Kandi Taza
District Nourshera

Date of Birth 01-05-1992

Exact height by measurement 5-7

Personal marks of identification

Signature of Official [Signature]

Signature of head of school [Signature]
Principal
Govt. Girls High School
Secondary School
Pir Piai

I do hereby certify that the above named ARIIS ZOBAL
employment in the office of Education Department
and can not discover that he had any other employment
and is fit

I do not consider this as a qualification for the job; the only reason for the
RE: ARIIS ZOBAL
and by appearance [Signature]

OFFICER IN CHARGE

[Signature]

11/1/92

Notice

SHOW CAUSE NOTICE

I, Mst. Dure Shawar District Education Officer (F) Nowshera as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Mr. Haris Iqbal J/Clerk GGHSS, Pir Piai NSR., as follows:

1. (i) That consequent upon the completion of inquiry conducted against you by the inquiry committee for which you were given opportunity of hearing; and
- (ii) On going through the findings and recommendations of the inquiry committee the material on record and other connected papers including your Defence before the inquiry committee,-

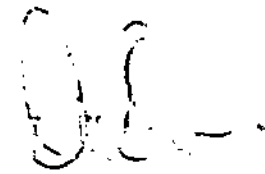
I am satisfied that you have committed the following acts/omissions specified in rule 3 of the said rules:

- (a) Availed deceased quota two times.
2. As a result therefore, I, as competent authority, have tentatively decided to impose upon you the major penalty of termination from service under rule 3 of the said rules.
3. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
4. If no reply to this notice is received within seven (07) days or not more than fifteen (15) days of its delivery, it shall be presumed that you have no Defence to put in and in that case an ex-parte action shall be taken against you.
5. A copy of the findings of the inquiry committee is enclosed.

COMPETENT AUTHORITY

Endst; No. 1491/092 / Dated: 14-07 /2022

1. Principal GGHSS, Pir Piai Nowshera with the remarks to serve the said show cause notice on the accused.
2. Mr. Haris Iqbal J/C GGHSS, Pir Piai NSR


DISTRICT EDUCATION OFFICER (F)
NOWSHERA



OFFICE OF THE
DISTRICT EDUCATION OFFICER (FEMALE)
NOWSHERA

(Office Phone#0923-9220105. Fax#0923-9220105)

No, 2256 / Dated 01/08 2022

To

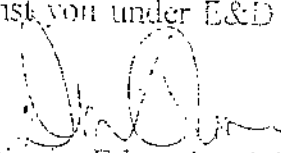
Mr. Haris Iqbal J/Clerk
GGHSS. Pir Pia Distt. Nowshera

Subject: **Personal Hearing**

Memo:

Reference Show cause notice vide this office memo: No. 1491-02
Dated Nowshera the 14/07/2022.

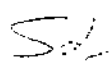
You are hereby directed to appear before the undersigned in this office for personal hearing on any working day within a week time positively otherwise an ex-part decision will be taken against you under E&D Rules, 2011.


District Education Officer
(Female) Nowshera

Endst: No. and Date Even:

Copy forwarded for information to the:-

1. Director E/S Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Nowshera
3. Principal GGHSS, Pir Pia Nowshera


District Education Officer
(Female) Nowshera



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.
 No. 51011 / F.No. 15/16-quisition
 Dated Peshawar 16/11/2017
 Phone: (091) 9225-644 Email: dde@kpe.gov.pk

To: The District Education Officer
 (Private) Nowshera.

Subject: APPEAL

Monitor:

I am directed to refer to the subject noted above and to refer herewith a copy of appeal lodged by Mr. Harris Iqbal Ex. Junior Clerk GCHSS Pir Pao District Nowshera and to ask you submit detailed report/comments at an early date.

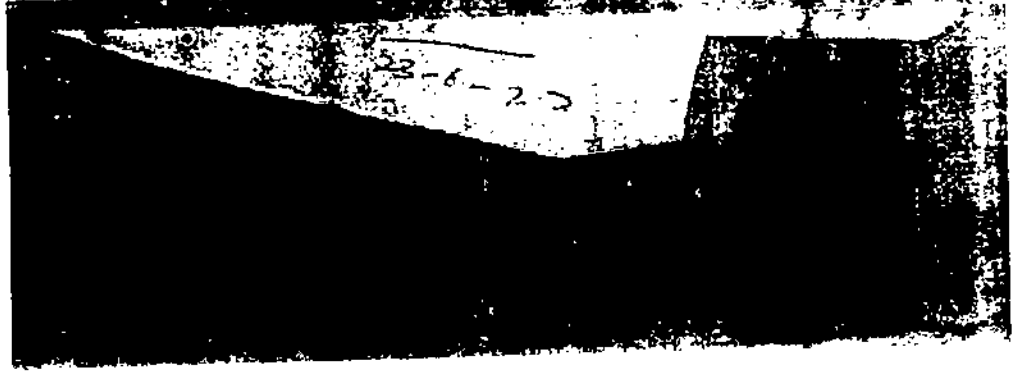
(Signature)
 Assistant Director (Admin)
 Directorate of Elementary Education
 Khyber Pakhtunkhwa Peshawar

Encl: No. _____

Copy forwarded to the -

1. Mr. Harris Iqbal Ex. Junior Clerk GCHSS Pir Pao District Nowshera
2. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
3. Master File.

Assistant Director (Admin)
 Directorate of Elementary Education
 Khyber Pakhtunkhwa Peshawar



VAKALAT NAMA

APPEAL NO. _____/20

IN THE COURT OF KP Service Tribunal, Peshawar

Haris Iqbal

Appellant
Petitioner
Plaintiff

VERSUS

Edu Dept

Respondent (s)
Defendants (s)

I Haris Iqbal (Petitioner) do hereby appoint and constitute the **SYED NOMAN ALI BUKHARI Advocate High Court** for the aforesaid Appellant(s), Petitioner(S), Plaintiff(s) / Respondent(s), Defendant(s), Opposite Party to commence and prosecute / to appear and defend this action / appeal / petition / reference on my / our behalf and all proceedings that may be taken in respect of any application connected with the same including proceeding in taxation and application for review, to draw and deposit money, to file and take documents, to accept the process of the court, to appoint and instruct council, to represent the aforesaid Appellant, Petitioner(S), Plaintiff(s) / Respondent(s), Defendant(s), Opposite Party agree(s) ratify all the acts done by the aforesaid.

DATE _____/20

Haris Iqbal

(CLIENT)

ACCEPTED

Syed Noman Ali Bukhari
SYED NOMAN ALI BUKHARI
ADVOCATE HIGH COURT
BC-15-5643

Uzma Syed
UZMA SYED
Advocate High Court

CELL NO: 0306-5109438