

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR
AT CAMP COURT ABBOTTABAD

Service Appeal No. 405/2020

Date of Institution ... 10.12.2019

Date of Decision ... 21.12.2021

Muhammad Ayaz, PST, GPS Gesale Tehsil and District Battagram.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar and two others.

... (Respondents)

MR. MUHAMMAD ARSHAD KHAN TANOLI,
Advocate

--- For appellant.

MR. RIAZ AHMED PAINDAKHEL,
Assistant Advocate General

--- For respondents.

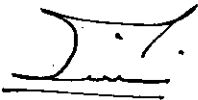
MR. SALAH-UD-DIN
MR. MIAN MUHAMMAD

--- MEMBER (JUDICIAL)
--- MEMBER (EXECUTIVE)

JUDGEMENT:

SALAH-UD-DIN, MEMBER:-

Precisely stated the facts as alleged by the appellant in his appeal are that he was appointed as PST in the year 1983; that the appellant applied for leave with effect from 01.03.1996 to 30.06.2000 and after availing of the leave, the appellant submitted an application to the concerned Authority on 29.05.2000 for his adjustment; that after submitting of so many applications, ultimately an inquiry committee was constituted by the competent Authority, which recommended that the appellant may be retired from service compulsorily but the competent



Authority removed the appellant from service vide impugned order dated 08.10.2019; that the departmental appeal of the appellant was also rejected vide order dated 20.11.2019, hence the instant service appeal.

2. Notices were issued to the respondents, who submitted their comments, wherein they refuted the contentions raised by the appellant in his appeal.

3. Learned counsel for the appellant has contended that the appellant had rendered 13 years service and after availing of leave without pay, he timely submitted an application seeking his adjustment for resuming his duty but the competent Authority did not pay any heed to the request of the appellant; that ultimately an inquiry committee was constituted by the competent Authority, wherein it was affirmed that the appellant had submitted applications for leave without pay, however nothing was found in the record as to whether the same were accepted or rejected; that the appellant was neither issued any show-cause notice nor any disciplinary action was initiated against him, which lends support to the contention of the appellant that his applications for leave without pay were accepted ; that neither any charge sheet nor any statement of allegations was issued to the appellant and he was removed from service on the basis of fact finding inquiry, therefore, the impugned orders are not sustainable in the eye of law and are liable to be set-aside.

4. Conversely, learned Assistant Advocate General for the respondents has contended that the application of the appellant for leave without pay was not sanctioned and he had proceeded to Saudi Arabia without getting Ex-Pakistan leave and obtaining of NOC from the competent Authority; that a proper inquiry was conducted in the matter by the inquiry committee constituted upon the order of the competent Authority and it has been proved during the inquiry that the appellant remained absent from duty for about 22 years, therefore, the appellant has rightly been removed from service. In the last he requested that the

impugned orders may be kept intact and the appeal in hand may be dismissed with costs.

5. Arguments heard and record perused.

6. A perusal of the record would show that two fact finding inquiries were conducted in the matter upon the directions of the competent Authority. The later inquiry committee consisting of Bakhtiar Muhammad Anjum Principal GHSS Paimal Sharif and Gul Muhammad Headmaster GHS No. 2 Battagram submitted inquiry report to the District Education Officer (Male) Battagram on 05.09.2019, whereupon the competent Authority issued the impugned order of removal of the appellant from service. While going through the findings given by the aforementioned inquiry committee in its report dated 05.09.2019, the fact of submission of applications by the appellant for earned leave with effect from 01.03.1996 to 28.02.1998 and then its extension till 30.06.2000 have been affirmed but with the observations that no notification of sanctioning of leave was found in the record. It is an admitted fact that during the period from 01.03.1996 to 30.06.2000, no disciplinary action on account of absence from duty has been initiated against the appellant, therefore, the respondents were duty bound to prove that the applications so submitted by the appellant for earned leave and its extension were regretted by the competent Authority. The respondents had, however been unable to produce any record during the inquiry proceedings, which could show that the applications of the appellant were regretted by the competent Authority.

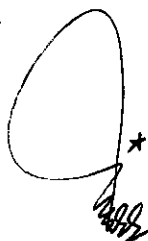


7. The appellant has alleged that he had submitted an application to the concerned Authority on 29.05.2000, seeking his adjustment for resuming of his duty, however no action was taken upon the application of the appellant. The copy of the aforementioned application is available on the record and it bears the remarks of one Sultan Room DA/Battagram. It appears from the record that an application was again submitted by the appellant on 09.03.2018, which was sent by Deputy District Education Officer (Male) Battagram to the Sub-Divisional Education Officer (Male) Battagram. Available on the record is

copy of report dated 30.10.2018 submitted by Mr. Uzair Ullah the then ASDEO Circle Batamore, who inquired and probed into the matter. While going through para-2 of fact findings of the aforementioned report, it is clear that after availing of the leave, the appellant had submitted an application for adjustment in any Government Primary School and that remarks on his application were written by the concerned Superintendent Mr. Sultan Room, who was dealing assistant in the office of SDEO (Male) Battagram at the relevant time. This proves the contention of the appellant that he had submitted application to the competent Authority on 29.05.2000, seeking his adjustment for resuming of his duty. On careful perusal of the available record, the lethargic and casual attitude of the concerned officers/officials is palpable on the record, however no action was taken against them. The removal of the appellant vide the impugned order dated 08.10.2019 by itself proves the fact irrespective of the fact of his absence from duty, the appellant was still in service till passing of the impugned order on 08.10.2019, whereby he was removed from service. The appellant was neither issued any charge sheet or statement of allegations nor any regular inquiry was conducted against him, therefore, the impugned orders are not sustainable in the eye of law.

8. In light of the above discussion, the appeal in hand is allowed by setting-aside the impugned orders and the respondents are directed to adjust the appellant against his post. The intervening period during which the appellant did not perform any duty may be treated as leave without pay on the principle of no work no pay. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
21.12.2021



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)
CAMP COURT ABBOTTABAD



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD


21.12.2021

Appellant alongwith his counsel Mr. Muhammad Arshad Khan Tanoli, Advocate, present. Mr. Lutufullah, Assistant alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand is allowed by setting-aside the impugned orders and the respondents are directed to adjust the appellant against his post. The intervening period during which the appellant did not perform any duty may be treated as leave without pay on the principle of no work no pay. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

21.12.2021



(Mian Muhammad)
Member (E)
Camp Court Abbottabad



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

14.06.2021 Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 27.09.2021.



Reader

27.09.2021 Clerk of counsel for the appellant and Mr. Muhammad Riaz Khan, Painsdakhel, Asstt. AG for the respondents present.

Learned counsel for the appellant is not in attendance and request for adjournment is made on his behalf. Request is accorded. To come up for arguments on 20.12.2021 before the D.B at Camp court, Abbottabad



(Rozina Rehman)
Member(Judicial)
Camp Court, A/Abad

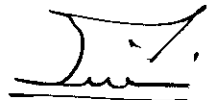


Chairman
Camp Court, A/Abad

20.12.2021 Appellant alongwith his counsel Mr. Arshad Khan Tanoli, Advocate, present. Mr. Riaz Ahmad Painsdakhel, Assistant Advocate General for the respondents present.

Arguments heard. To come up for order on 21.12.2021 before the D.B at Camp Court Abbottabad.

(Mian Muhammad)
Member (E)
Camp Court A/Abad



(Salah-ud-Din)
Member (J)
Camp Court A/Abad

18.01.2021


Due to COVID-19, the case is adjourned for the same on 17.02.2021 before D.B.


READER

17.02.2021

Counsel for the appellant and Riaz Khan Paindakhel learned Asst. AG alongwith Latufullah Assistant for respondents present.

Representative of respondents submitted reply/comments, which is placed on file. Copy of the same is handed over to learned counsel for the appellant. To come up for rejoinder if any, and arguments on 19.05.2021 before D.B at Camp Court, Abbottabad.


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


23.10.2020

Counsel for appellant present. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for written reply/comments. To come up for written reply/comments on 18.01.2021 before S.B at Camp Court, Abbottabad.

Appellant deposited
Security & Process Fee

7/10/20




(Rozina Rehman)
Member (J)
Camp Court, A/Abad

23/10/2020

FORM OF ORDER SHEET

Court of _____

Case No.- 405/2020


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/01/2020	<p>The appeal of Mr. Muhammad Ayaz received today by post through Muhammad Arshad Khan Tanoli 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 16/01/2020 </p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>23-10-2020</u></p> <p style="text-align: right;">  Chairman </p>

The appeal of Mr. Muhammad Ayaz PST GPS Gesale Tehsil and District Battagram received today i.e. on 10.12.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of application for adjustment mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Copy of departmental appeal is not attached with the appeal which may be placed on it.
- 3- Annexures-A, F and copy of enquiry report dated 30.10.2018 are illegible which may be replaced by legible/better one.

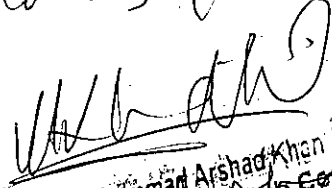
No. 2155 /S.T,

Dt. 11-12- /2019.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

M.Arshad Khan Tanoli Adv.
High Court Abbottabad.

*Siv objection removed
as desired by you*


Muhammad Arshad Khan Tanoli
Advocate High Court
Office No 33 Adjacent
Jusy Bar Abbottabad

**BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No. 405 /2019

Muhammad Ayaz, PST, GPS Gesale Tehsil and District Battagram.

...APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar & others.

....RESPONDENTS

SERVICE APPEAL

INDEX

<i>S. #</i>	<i>Description</i>	<i>Page #</i>	<i>Annexures</i>
1.	Service appeal alongwith affidavit	1 to 7	
2.	Copy of appointment order	8	"A"
3.	Copy of application of the appellant regarding grant leave	9	"B"
4.	Copy of application dated 29/05/2000	10	"C"
5.	Copies of the same applications	11-12	"D"
6.	Copy of inquiry report dated 05/09/2019	13-15	"E"
7.	Copies of removal from service order 08/10/2019 and rejection order dated 20/11/2019	16-28	"F" & "G"
8.	Wakalatnama	29	

M. Ayaz
...APPELLANT

Through

Dated: _____/2019

(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1801

Dated 10/12/2019

Service Appeal No. 405 /2020

Muhammad Ayaz, PST, GPS Gesale Tehsil and District Battagram.

...APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. Director Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) KPK, Battagram.

....RESPONDENTS

SERVICE APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT, 1974, FOR DECLARATION TO THE EFFECT THAT THE APPELLANT APPLIED FOR LEAVE W.E.F 01/03/1996 TO 30/06/2000. AFTER EXPIRY OF LEAVE PERIOD, THE APPELLANT APPLIED FOR ADJUSTMENT ON 29/05/2000 TO 2019 BUT RESPONDENTS' DEPARTMENT INSTEAD OF ADJUSTING THE APPELLANT

Filed to-day

Registrar

10/12/19

**Re-submitted to -day
and filed.**

Registrar

16/01/2020

AS PST IN ANY SCHOOL, REMOVED HIM FROM SERVICE VIDE IMPUGNED ORDER ENDST NO. 411-16 DATED 08/10/2019 AND SIMILARLY, DEPARTMENTAL APPEAL OF APPELLANT WAS ALSO REJECTED ON 20/11/2019. HENCE IMPUGNED REMOVAL FROM SERVICE DATED 08/10/2019 IS ILLEGAL WITHOUT LAWFUL JUSTIFICATION AND IS THE RESULT OF WITHOUT FOLLOWING THE PRESCRIBED PROCEDURE AS WELL AS RELEVANT RULES. THEREFORE, REMOVAL FROM SERVICE ORDER OF THE APPELLANT IS LIABLE TO BE SET ASIDE.

PRAYER: ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, THE IMPUGNED REMOVAL FROM SERVICE ORDERED DATED 08/10/2019 MAY GRACIOUSLY BE ORDER TO BE SET ASIDE AND RESTORE THE APPELLANT WITH ALL SERVICE BACK BENEFIT. ANY OTHER RELIEF WHICH THIS HONOURABLE COURT

DEEM APPROPRIATE MAY ALSO BE
GRANTED TO THE APPELLANT.

Respectfully Sheweth:-

The facts forming the background of service appeal are arrayed as under:-

1. That the appellant got appointment as PST in 1983. Copy of appointment order is attached as Annexure "A".
2. That after rendering 13 years of services, the appellant applied for leave w.e.f 01/03/1996 to 30/06/2000. Copy of application of the appellant regarding grant leave are attached as Annexure "B".
3. That the appellant after availing the leave, applied to the respondent No. 3 for its adjustment. Copy of application dated 29/05/2000 is attached as Annexure "C". Besides, the appellant again and again applied to the concerned authority for adjustment till 2019. Copies of the same applications are attached as Annexure "D".

4. That at last, an inquiry committee was constituted by the competent authority which recommended that the appellant may be retired compulsorily. Copy of inquiry report dated 05/09/2019 is attached as Annexure "E".

5. That inspite of compulsory retirement, the respondent No. 3 removed appellant from service vide impugned order dated 08/10/2019 and departmental appeal has also been rejected on 20/11/2019. Copies of removal from service order 08/10/2019 and rejection order dated 20/11/2019 are attached as Annexure "F" & "G". Hence the instant service appeal is filed, inter-alia on the following grounds:-

GROUND:-

- a) That the appellant has been removed from service w.e.f 01/03/1996 under E&D rules 2011. The said rules are not applicable in the case of the appellant; Therefore, removal from service order is liable to be set aside.

- b) That respondent department did not issue statement of allegation, show cause notice prior to the removal of the appellant from service.
- c) That respondents department has led the appellant to the place which is utterly unknown to the principle of Natural Justice, and jurisprudence.
- d) That the matter relates to the terms and condition of service. Therefore Service Tribunal has jurisdiction to entertain the said service appeal. Beside, service appeal is well within the period of limitation.
- e) That there is no other prompt, efficacious remedy, available to the appellant except the instant appeal.

It is, therefore, humbly prayed that on acceptance of instant service appeal, the impugned removal from

service order dated 08/10/2019 may graciously be order to be set aside and restore the appellant with all service back benefits. Any other relief which this Honourable court deem appropriate may also be granted to the appellant.


...APPELLANT

Through

Dated: _____/2019


(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

VERIFICATION:-

Verified on oath that the contents of foregoing service appeal are true and correct to the best of our knowledge and belief and nothing has been concealed therein from this Honourable tribunal.


...APPELLANT

**BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No. _____/2019

Muhammad Ayaz, PST, GPS Gesale Tehsil and District Battagram.

...APPELLANT

VERSUS

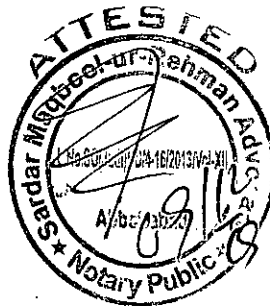
Govt. of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Muhammad Ayaz, PST, GPS Gesale Tehsil and District Battagram, do hereby solemnly affirm and declare that the contents of foregoing service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.



M. Ayaz
DEPONENT

Annex - A

P-8

OFFICE OF THE DISTRICT EDUCATION OFFICER (GOVT.)

C.O.No. 133 / 50

POINTED TO SUBJECT.

Date: 10/10/1953.

On return from PTC training PTC/PTs are hereby ordered at the schools noted against their names in the interest of public service with immediate effect.

S.No.	Name & address of candidate	From	To	Remarks
1.	Mohd. Maroof S/O Jama Khan Vill: Ajmira P.O. Battagram.	Candidate	GPS Ashrokiy.	Post No. 5.
2.	Mohd. Iqbal S/O Sher Mohd. Khan Vill: Ajmira P.O. Battagram.	-do-	GPS Qadera	Against V/Post.
3.	Shah Raza Khan S/O Issa Khan V&P.O. Jaisal.	-do-	GPS Durmira.	-do-
4.	Burhan-ud-din S/O Gul V/Paka Pashtol Teh: Battagram.	-do-	GPS Sarbanjar	-do-
5.	Abdul Latif Shah P.T. - GPS Ashrokiy	-do-	GPS Mill Jara	-do-
6.	Shahker Shah S/O Israeel Shah P.O. Battila.	Candidate	GPS Kalash.	-do-
7.	Mohd. Wazir S/O Abdur Rehman Vill: Tamal P.O. Battagram.	-do-	GPS Mirani.	-do-
8.	Sher Mohd S/O Abdul Latif Khan V& P.O. Zabanda.	-do-	GPS Mirani.	-do-

- Note: -
1. No. P/DA etc is allowed to
 2. Change reports published
 3. They should produce their
 4. the medical certificate from the district
 5. Their appointment is purely
 6. on a time without notice
 7. their original certificate
 8. handing over charges
 9. They should not be less than
 10. 10 years and above 25 years
 11. ✓ 7. Free candidates will get
 12. usual allowances as admitted

Encl: 15.

Copy to the

1. Sub-Divisional Education Officer
- 2-9. Headteacher Govt. P.T. Schools concerned.
- 10-16. Candidates concerned.
17. O.O. File.

ATTESTED

Muhammad Arshad Khan
 Deputy District Officer
 Office No. 35 Adjacent to
 Dist. Office

Better copy
P-8-A

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Appointment/ADJISIMET

O.O.F. 133

Date. 20/10/1993.

Or ret from PTC training PTC/ PTs are here y ordered at the school noted against their as in the interest of public service with immediate effect.

G. No.	Name and address of candidate	From	To	Remarks
1.	Mohd Haroon S/o Juma Khan Vill, Ajmira P.O Battagram.	Candidate	GPS Ashrokly	Vice No.5
2.	Mohd Irshad, S/o Aher Mohd Khan Vill, Ajmira P.O Battagram.	-do-	GPS Qudera	Agaisnt V/Post
3.	Shah Room Khan S/o Gul Vill, Faka Pashto Tehsil Battagram.	-do-	GPS Darmira	-do-
4.	Bar Khan-ud-din S/o Gul Vill, Faka Pashto Tehsil Battagram.	-do-	GPS Suranjar	-do-
5.	Abdul Latif Shah PT	GPS Ashrokly	GPS Ki Para	-do-
6.	Shaker Shah S/o Israeel Shah F.O. Battila.	Condidate	GPS Kelssm	-do-
7.	Mohd Ayaz S/o Abdur Rehman Vill, Tamai P.O Battagram.	-do-	GPS Narai	-do-
8.	Sher Mohd S/o Abdul Latif Khan Vill & P.O Mozabanda.	-do-	GPS Narai	-do-

Note:-

- No. TA/ DA etc is allowed to _____
- Charge reports should be _____
- They should produce their health & _____ from the Medical _____
- Their appointment is purely to temporary and liable to termination at any time without notice and assigning _____ reasons.
- Their original certificates may please _____ before handing over charge.
- They should not be handed over charge if their age is below 18 years and above 25 Years.
- Fresh candidates will get Rs. 560/- R from (BPS-7) plus usual allowances as _____

Office of Education Officer
(Male Mansehra)

Endst: No. 12799-14

Dated _____ to 20/10/1983

Copy to the:-

1. Sub Divisional Education Officer (Male) Battagram.
- 2-9. Neadtoacner Govt. Pry Schools concerned.
- 10-16. Candidates conserved.
17. O.O Fils.

P-9
Annex-B

کمر خیاب ڈسٹرکٹ ہیڈ کوارٹرز ایف بی سی (مردان)

بوسا لیت، سب ڈیپارٹمنٹ ایف بی سی (مردان)

خیاب عالی، (22-2-96) درج ذیل پتہ پر واقعہ

1۔ موصوفہ گزارش ہے کہ مائل مونس نورانی دراصل غازی کاسٹریٹ ہاؤس

اور گورنمنٹ ہائر ایمری سکول جیسول میں کیمپ ٹیچر اور تدریس کرتے

2۔ یہ کہ مائل کا رہائشی مکان نہیں ہے۔ اور مائل پتہ لاہور کے ایک مکان

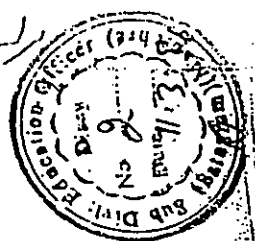
بنانے کا قیام نہیں ہے۔

3۔ یہ کہ مائل پتہ کے ساتھ رہنے والی سرکار کا ریسیدنس ہے

براہ کرم مائل کو ڈسٹریکٹ 3/96 اور 28/98 کے تحت

رک ڈسٹریکٹ کے عطا فرمائی جائے۔

الغرض۔



تالیف و تصدیق کے لیے درج ذیل سکول جیسول میں تدریس کرتے ہیں

M. Arshad

Received to the SDO 1.3.96

(recd) Baitoyan No 12/12

W.P. 1-3-96 to 28/2/98

ATTESTED

To produce Affidavits

8080

12/3/96

Muhammad Arshad
Advocate High Court
Office No. 43 Adjacent
Dist Bar Abbottabad

Annex-C

P-10

خود کا نام ڈسٹرکٹ ایجوکیشن آفیسر - ملتان (مردانہ)
برصغیر - سب ڈسٹرکٹ ایجوکیشن آفیسر - ملتان (مردانہ)
دفتروں کے نام

ذیل

1۔ اس کی طرف سے 3/96 کو ایجنڈے پر پیش کیا گیا ہے

2۔ اس کی طرف سے مذکورہ ذیل کے ایجنڈے پر 3/96 کو پیش کیا گیا ہے

3۔ اس کی طرف سے ایجنڈے پر حاضر رہنے والے افسران کی فہرست

4۔ اس کی طرف سے ایجنڈے پر پیش کیا گیا ہے

5۔ اس کی طرف سے ایجنڈے پر پیش کیا گیا ہے

6۔ اس کی طرف سے ایجنڈے پر پیش کیا گیا ہے

Mr. Sultan Noon
DA/Balochistan
Pl: Put up the case
as per rules to SDE's Office

ATTESTED

Muhammad Arshad Khan Jinnah
Advocate High Court
Office No 33 Adjacent to
Distt Bar Abbottabad

Annex-D

محمد قاضی صاحب مددگار صاحب
مدرسہ اسلامیہ اہل سنت
سید

P-11

دفتر پست پ. س. آ. پست

جناب -

تعداد مدرسین 8
 3/1 کوئی خدمت
 96
 3/1
 1896
 30
 2000

بہترین اہل علم سے درخواست لکھی گئی۔ لکھنؤ میں بھی لکھی گئی۔

تا 28 اپریل 1998ء کو لکھنؤ میں بھی لکھی گئی۔ لکھنؤ میں بھی لکھی گئی۔

29 جولائی 2000ء کو جانر ڈیوی سوا اور درخواست پر Adjustment

دی۔ اس کے نتیجے میں مدرسین کی تعداد میں اضافہ ہوا۔

لینڈ اسٹریٹ کے کچھ مدرسین کو فونڈ کو سٹ پر لکھی گئی۔

فرمان جاری ہے کہ مدرسین کی فہرست

محمد باقر - نائب مدرسہ مدرسہ اسلامیہ اہل سنت
 9/3/18
 جسوسی - جسوسی
 جسوسی

ATTESTED

Muhammad Arshad Khan Tanzeel
 Advocate High Court
 Office No. 33 Adjacent to
 Distt Bar Abbotabad

Annex- P- 2

حکومت پنجاب سب ڈویژنل ایجوکیشن افسر صاحب مردانہ سکول
عزیزانہ - درخواست برائے رخصت استعفا

نیا عیال

گزارش ہے کہ سائل گورنمنٹ پرائمری سکول حیدر میں نائب مدرس
تعمینات ہے۔ سائل بارگاہی مکان میں ہے۔ در سائل اپنے لیے مکان
تعمیر یا اجارہ لینے کے لیے سرکاری امور نمٹانہ مشکل ہے۔

کے
33-
1000

لہذا سائل کو رخصت کرنا چاہیے اور
اس سائل کو گزر دینا

الذکر

محمد امین ز نائب مدرس
11.8.00

ATTESTED

Muhammad Arshad Khan Jenc.
Advocate High Court
Office No 33 Adjacent to
Distt Bar Abbottabad

Ann x- E

OFFICE OF THE PRINCIPAL GOVERNMENT HIGHER SECONDARY SCHOOL PAIMAL SHARIF

No 63 Dated 5/19 2019

P-13

To

The District Education Officer,
(Male) Battagram.

Subject: INQUIRY REPORT IN RESPECT OF Mr. MUHAMMAD AYAZ PST.

In compliance with your Notification No 6211-14 dated 12.06.2019, the undersigned along with Mr. Gul Muhammad Head Master GHS No 2 Battagram visited SDEO (M) Battagram office on 03.8.2019 to probe into the matter.

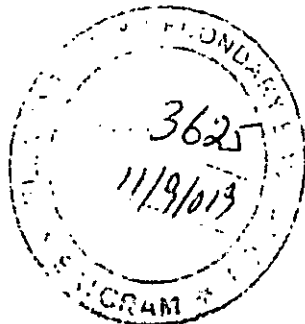
PROCEDURE:

1. Available record was scrutinized thoroughly.
2. A Questionnaire (Annex-I) was administered on Mr. Muhammad Ayaz PST in order to sought his reply (Annex-II).

FINDINGS:

To find out the fact Mr. Muhammad Was given a questionnaire (Annex-I). In the light of the reply of the Mr. Muhammad Ayaz PST and the documents provided by the DEO (M) Battagram office, it was found out that:-

1. Mr. Muhammad Ayaz was appointed as PST Vide DEO (M) Mansehra office order No 133 dated 20.10.1983 (Annex -II) He served as PST at various Primary Schools of District Battagram.
2. In 1996 when he was serving as PST at GPS Jesol he applied for Earned Leave w.e.f.01.03.1996 to 28.02.1998 (Annex -IV). However no proof/ notification of sanction of the leave is available.
3. He submitted an affidavit on 11.04.1996 (Annex -V), stating that during the earned leave period:-
 - a) He would remain at home and would work upon the construction of his house.
 - b) He would not serve at any other place.
 - c) He would not be involved in any type of business.
 - d) He would not travel abroad.
4. In 1998 he applied for extension in earned leave up-to 30.06.2000 (Annex-VI). No proof/ notificat of sanction of extension in leave is available.



Discuss
A.D.O.P,
11/9/2019
D.E.O.M
ATTESTED
Muhammad Arshad
Office No 33 Adjacent
Distt Bar Ab

74 P-14
5. According to Mr. Muhammad Ayaz he applied for re adjustment on 29.05.2000 and submitted another application for readjustment after an interval of about 18 years on 09.03.2018. However no record of his first application is available in concerned office.

6. The teacher failed to produce his international passport on demand to the inquiry committee, which makes it doubtful that whether he stayed within Pakistan, during the leave/absence period.

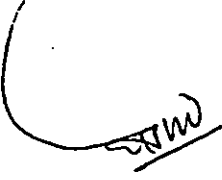
7. No proper record of the case is available in SDEO(M) office Battagram, and no disciplinary action has been initiated/ taken against the teacher by the department in the period of his absence from duty, i.e. 22 years.


RECOMMENDATIONS:

If agreed please:

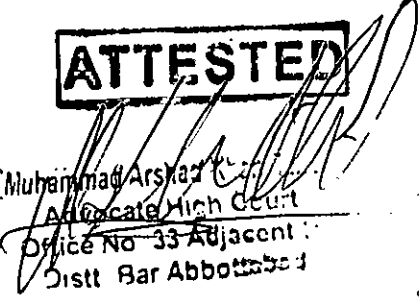
1. Mr. Muhammad Ayaz PST may be immediately removed from service on the basis of compulsory retirement in BPS -7(his BPS at the time of applying for leave i.e. 01-03-1996). The period of absence from duty may be converted into leave without pay.

2. Officers/ Officials who are responsible for misplacing the record and not initiating in time disciplinary action against the teacher, may also be panelized as per E&D Rules 2011 of Khyber Pakhtunkhwa for their negligence and inefficiency in the above mentioned case.


GUL MUHAMMAD
HEAD MASTER
GHS NO.2 BATTAGRAM


BAKHTIAR MUHAMMAD ANJUM
PRINCIPAL
GHSS PAIMAL SHARIF

ATTESTED


Muhammad Arshad
Advocate High Court
Office No-33 Adjacent
Distt Bar Abbottabad



**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
BATTAGRAM**

P-15

No. 3040 Dated 10/04/2018.

To

The Sub:Divisional Education Officer
(Male) Battagram.

Subject:- APPLICATION FOR ADJUSTMENT IN R/O MUHAMMAD AYAZ

Memo:-

Enclosed please find herewith an application along with its
encloser received from Muhammad Ayaz Ex-PTC GPS:Jesool regarding
adjustment as a PST.

You are hereby directed to clarify the position of applicant, he
was on leave or terminated, if terminated then provide termination order if
on leave then provide leave sanction and submit detail report for further
process within 2 days positively.

BY DISTRICT EDUCATION OFFICER
(MALE)BATTAGRAM

No. 1139
10/4
Sup and DA, K6
Prepare. Account
detail report and
submit. M
15/07/18.
SDE
10/4
For report

Sup. do the needful
as guide as per
M

Muhammad Arshad Khan Jaffer
Advocate High Court
Office No 33 Adjacent to
Distt Bar Abbottabad

Annex - F

P-16



OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) BATTAGRAM

Email: emisballagram@gmail.com Tel: 0997-543540

OFFICE ORDER

WHEREAS you Mr. Muhammad Ayyaz Ex-PST Govt. Primary School Jesool District Battagram was proceeded for having committed the following gross irregularities which constitute inefficiency and misconduct under rule 3 sub rule a, b & d of the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011.

ANDWHEREAS you submit the application for adjustment on the vacant post of PST received through this office Diary No 805 Dated 09-03-2018 after lapse 22 years.

ANDWHEREAS this office served a letter to SDEO (M) Battagram bearing No. 3040 Dated 10/04/2018 to update this office about the applicant.

ANDWHEREAS SDEO (M) Battagram submitted report of circle ASDEO concerned bearing No 50 dated 30-10-2018 vide his office letter NO. 887 dated 05/11/2018 whereby you had gone to Kingdom of Saudi Arabia (KSA) in 1997 without sanction of Ex-Pakistan leave and you have been remained absent from duty w.e.f. 01-03-1996.

ANDWHEREAS this office returned the report of ASDEO Circle to SDEO (M) Battagram vide letter No 1008/EB(P) Dated 09/02/2019 with the observations and directions to personally check / inquire the matter and submit report and SDEO (M) Battagram submitted report vide his office NO 296 dated 14-03-2019 along with inquiry report of circle ASDEO Battagram wherein, he has confirmed the fact that leave was not sanctioned.

ANDWHEREAS SDEO (Male) Battagram stated in a letter bearing No. 949 dated 15-07-2000 addressed to DEO (Male) Primary Battagram that you applied for earned leave w.e.f. 01-03-1996 to 30-06-2000 but no earned leave was sanctioned and you remained abroad.

ANDWHEREAS SDEO (Male) Battagram vide letter No. 949 dated 15-07-2000, letter No. 887 dated 05-11-2018 and letter No 296 dated 14-03-2019 confirmed that you remained abroad (KSA) without sanctioning EX-Pakistan leave and without obtaining NOC from the Department you traveled abroad in spite of submission an affidavit on judicial stamp paper dated 11-04-1996 wherein, you had declared that you will not be proceeded to abroad and will be remained at home for construction of house and you left Pakistan without sanctioning of Ex-Pakistan Leave either Earned leave.

ANDWHEREAS office record showed that you have applied for earned leave w.e.f. 01-03-1996 to 30-06-2000 instead of Ex-Pakistan leave but after 30-06-2000 to 09-03-2018 (18 years 03 months) you never approached office for adjustment which clearly shows that you were remained abroad and you also failed to produce your international Passport to the Inquiry committee.

ANDWHEREAS an Inquiry committee were constituted vide this office notification bearing Endstt: No 6211-14/Estb/Pry/ Dated 12/06-2019 to conduct de novo inquiry in the light of the reports of SDEO Male Battagram, ASDEO Circle Battagram, this office letters mentioned above and application submitted by applicant for re-instatement.

ANDWHEREAS Inquiry Committee submit his report vide letter No 63 Dated 05/09/2019 wherein, the committee recommended that you may be immediately removed from service as you were absent from duty for 22 years.

ANDWHEREAS this office served a Show Cause Notice upon you vide this office Endstt No 5768-71 EB/D-1 dated 20-09-2019 wherein you were directed to put forward your written defense if any within 07 (Seven) days and intimate whether you desire to be heard in person.

ANDWHEREAS you have submitted reply to show Cause Notice vide this office diary No 3816 dated 24-09-2019 and failed to appear before the undersigned within stipulated time.

ANDWHEREAS your written reply was unsatisfactory and regretted by the undersigned being competent authority.

NOWHEREFORE, the undersigned being competent authority in exercise of power conferred under Rules 4-b (iii) and 9 of Khyber Pakhtunkhwa Government (Efficiency & Discipline) Rules 2011 is pleased to impose major penalty of "REMOVAL FROM SERVICE" upon you Mr. Muhammad Ayyaz PST GPS Jesool Tehsil & Battagram from the dated of wellful absent i.e. 01-03-1996.

(BAKHIT ZADA)
District Education officer (Male)
Battagram
Battagram th, 2/10/2019

ATTEST

Endstt: NO. 10411-16 /Estb/Pry

Copy for information to the

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Battagram
3. Deputy District Education Officer (M) Battagram.
4. District Accounts Officer Battagram
5. SDEO (M) Battagram with the directions to make entry in the Service Book of the teacher concerned regarding his "Removal From Service" from the date mentioned above & with reference to your office letters as mentioned above.
6. Mr. Muhammad Ayyaz Ex-PST GPS Jesool Tehsil & District Battagram

District Education Officer (Male)
Battagram

Mr Uzair Ullah ASDEO Circle Batamori inquired to probe the matter regarding the leave position / termination status in R/O Muhammad Ayaz Ex PST GPS Jisole.

Fact Findings:

1. Short History:- Mr Ayaz had been appointed as PTC/PT teacher at GPS Merani by DEO Male Manserna vide Endstt: No 133, dated 20-10-1983. (Copy attached)
He Had been transferred to GPS kakarshang on 01-08-1985, and then to GPS Battamori on 03-12-1986. He had been further transferred to GPS Snair on 26-05-1987, and then to GPS Tamai dated 01-03-1988 and latterly to GPS Jisole on 09-1989.
2. Situation of Leave:- According to the verbal statement and application (attached) the fore said teacher had been submitted the long leave application for period of (w.e.f 01-03-1996 To 28-05-2000, on dated 01-03-1996. The concerned teacher Mr. Muhammad Ayaz further told the undersigned that he had only submitted the application for long leave and without getting leave sanction he went to abroad, considering that the only submission of application for long term leave was enough.
The concerned teacher passed four years in Saudi Arabia and then came back to Pakistan, and submitted an application for adjustment in any Govt Primary School, so that he may be able to perform his duty.
The remarks on this application were written by the concerned Superintendent Mr. Sultana Room, who was dealing assistant in the office of SDEO Male Battagram. (These remarks are without date)
By asking the reality that why he had not submitted the applicant application or try his best for the adjustment after came to Pakistan, the afore said teacher told that I myself disappointed from the officials of the SDEO & DEO Male Battagram, Therefore I had gone to Saudi Arabia, and passed some years there and then again came to Pakistan.
The Teacher concerned told the undersigned that he wants to be re-instated as PST/PT teacher in any Govt School as according to the teacher it is his right because he has not received any show cause notice/Termination letter or objection letter on leave.
3. Reality of Earned Leave w.e.f 01-03-1996 TO 28-05-2000, in respect of Muhammad Ayaz Ex PST GPS Jisole.

❖ **SDEO Male Office Battagram.**

❖ **Requesting:-**

According to the verbal statement of the responsible officials of the SDEO Male Office Battagram, there is no any record in respect of Muhammad Ayaz PTC/PT GPS Jisole.
I, The undersigned personally asked again and again from the concerned officials but all in vain. The Officials told me that there is no any record about the long term leave in respect of Muhammad Ayaz PTC/PT GPS Jisole. The undersigned has not received any written record due to the reluctant of officials.

However according to the Photo Copy of requesting letter for sanction from SDEO Male Office Battagram of earned leave on date 15-07-2000, It is very clear that the SDEO Male Office Battagram had sent a letter to the office of the DEO Male Battagram for earned leave w.e.f 01-03-1996 TO 29-05-2000, but very lately requested on date 15-07-2000, which is nothing but a joke, because the applicant had come from Saudi Arabia and had submitted an application for adjustment.

❖ **Office DEO Male Battagram.**

According to the office of DEO Male Battagram, there is no such record of sanctioned leave w.e.f 01-03-1996 To 28-05-2000.

❖ **GPS Batamori, GPS Tamai & GPS Jisole.**

According to the attendance register of GPS Batamori and GPS Tamai, the foresaid teacher had performed his duties as PTC/PT teacher in these schools but according to the record (Attendance Register) there is no such material ground in respect of Muhammad Ayaz PTC Jisole. The reason is that all the registers had been

ATTESTED

Muhammad Arshad Khan
Advocate High Court
Office No 33 Adjacent to
Distt Bar Abbottabad

P-18

relevant materials have been demolished in the earth quake 2005. (The verbal statement of Chowkidar of GPS Jisole)

It is further stated that one Ex PTC Head Teacher of that time at GPS Jisole has been died. It is therefore the undersigned has found no such written record.

Service Book.

The original Service Book in respect of Muhammad Ayaz PT is not found in the office of SDEO Male Battagram, However a photo copy of Service Book with effect from 22-10-1983 To 01-05-1994 is attached here with.

Conclusion / Comments:-

- ✓ Muhammad Ayaz Had been a PTC/PT teacher with effect from 20-10-1983 TO 1996.
- ✓ He had submitted an application for earned leave with effect from 01-03-1996 to 28-05-2000.
- ✓ The foresaid teacher had gone to Saudi Arabia in 1997 without leave sanctioned.
- ✓ According to the rule one Govt Servant can be terminated in such a situation of without taking sanction of long leave (Earned Leave)
- ✓ According to statement of the foresaid teacher, He has not received and show cause notice, Suspension letter or termination letter from any office of the both DEO/SDEO offices w.e.f 1996 till date.
- ✓ It shows very ambiguity/irresponsibility on the part of the officers/officials of both offices. Offices of the DEO and SDEO Male Battagram should issued the show cause notices to the teacher concerned for remaining absent from the duty w.e.f 1996, incase of non sanction of leave. If there is found no such proper reply then, the suspension letter /termination letter should be issued.
- ✓ The undersigned has found no such record of leave sanction /suspension /termination letter in respect of Muhammad Ayaz Ex PTC/PT GPS Jisole.

Recommendations:

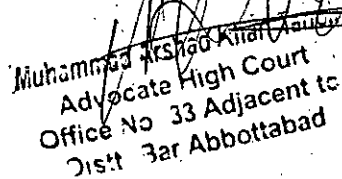
- ✓ The directions to the concerned officials /clerks in the offices of DEO/SDEO Male Battagram, may please be issued to find out the leave sanction/Leave Rejection/Show Cause Notice/Suspension/Termination letter in respect of Muhammad Ayaz PTC /PT GPS Jisole with effect from 01-03-1996 To 28-05-2000.
- ✓ Strict Disciplinary action may please be taken against the officers/Officials concerned, who found responsible to their negligence, irresponsibility and laziness.
- ✓ Warning letter may please be issued to the concerned teacher Muhammad Ayaz Ex PTC/PT GPS Jisole for show negligence, inability, irresponsibility and not performing as a teacher.
- ✓ He may please be explained that on what basis he has submitted an application for re-instatement after a duration of long term 18 years. He further may please be explained that when and to whom he had submitted an application and why he had gone to abroad without leave sanction.

Note:- All relevant documents are attached herewith.


Uzair Ullah

Assistant Sub Divisional Education Officer
(M) Circle Batamori

ATTESTED


Muhammad Arshad Khan Anjum
Advocate High Court
Office No 33 Adjacent to
Distt Bar Abbottabad

Mr. Uzair Ullah A.SDEO Circle Batamoni inquired to probe the matter regarding the leave position /termination in R/O Muhammad Ayaz Ex. PST GPS Jisole.\

Fact Finding:

1. Short History:- Mr. Ayaz had been appearance as PCT/PT Teacher at GPS Merani by DEO male Manshra vide Endst: No 133, dated 20/10/1983. (Copy attached)
He Had been transferred to GPS Kakarshang on 01/08/1985, and then to GPS Tamai dated 01/03/1986 and latterly to been further transferred to GPS Shair on 26/05/1987, and then to GPS Tamil dated 01/03/1986 and latterly to GPS Jesole on 09/1989.

2. Situation of leave;- According to the Verbal statement and application (attached) the fore said teacher had been submitted the long leave application for period of (w.e.f 01/03/1996 To 28/05/2000, on dated 01/03/1996. The concerned teacher Mr. Muhammad Ayaz further told the undersigned that the had only submitted the application for long without getting leave sanction he went to abroad, considering that the only submission of application for long term leave was enough.

The concerned teacher passed four years in Saudi Arabia and then came back to Pakistan , and submitted are application for adjustment in any Govt Primary School, so that he may be able to perform his duty.

The remarks on this application were written by the concerned Superintendent Mr. Sultan Room, who was dealing assistant in the office of SDEO Male Battagram. (These remarks are without date)

By asking the reality that why he had not submitted the applicant application or try is best for the adjustment after came to Pakistan, the afore said teacher told that I myself disappointed from the officials of the SDEO & DEO Male Battagram , Therefore I had gone to Saudi Arabia , and passed some years there and again come to Pakistan.

The Teacher concerned told the undersigned that he wants to be re-instated as PST/PT Teacher in any Govt School as according to the teacher it is right because he has not received any show cause notice/ Termination letter or objection letter on leave.

3. Reality of Earned Leave w.e.f 01/03/1996 TO 28/05/2000, in respect of Muhammad Ayaz Ex GPS jisole.

SDEO Male Office Battagram.

Requesting;-

According to the verbal statement of the responsible SDEO Male Office Battagram there is no any record is respect of Muhammad Ayaz PTC/GPS Jisole.

1. The undersigned personally asked again and again from the concerned officials but all in vain. The Officials told me that there is no any record about the long term leave in respect of Muhammad Ayaz PTC/PT GPS Jisole .The undersigned has not received any written record due to the reluctant of officials.

However according to the Photo Copy of requesting letter for sanction from SDEO Male office Battagram of earned leave on date 15/07/2000 ,it is very clear that the SDEO Male office Battagram has sent a letter to the office of the DEO Male Battagram for earned leave w.e.f 01/03/1996 TO 29/05/2000 , but

P-18-A

very latterly requested on date 15/07/2000, which is nothing but a joke, because the applicant has come from Saudi Arabia and had submitted an application for adjustment.

Office DEO Male Battagram

According to the office of DEO Male Battagram, there is no such record of sanctioned leave w.e.f 01/05/1996 To 28/05/2000

GPS Batamori, GPS Tamai & GPS jisole

According to the attendance register of GPS Batamori and GPS Trañal, the foresaid teacher has performed his duties as PTC/PT teacher in these school but according to the record (Attendance Registry) there is no such material ground in respect of Muhammad Ayaz PTC Jisole. The reason is that all the register and other.

Relevant materials have been demolished in the earth quake 2005. (The verbal statement of Chowkidar of GPS jisole)

It is further stated that one Ex PTC Head Teacher of that time at GPS has been died. It is therefore the undersigned has found no such written record Service Block

The original Service Book in respect of Muhammad Ayaz PT is not found in the office of SDEO Male Battagram, However a photo of Service Book with effect from 22/10/1983 To 01/06/1994 is attached here with.

Conclusion /comments:-

Muhammad Ayaz had been a PTC /PT teacher with effect from 26/10/1983 TO 1996.

- ✓ He had submitted an application for earned with effect from 01/03/1996 to 28/05/2000.
- ✓ The foresaid teacher had gone to Saudi Arabia in 1997 without leave sanctioned.
- ✓ According to the rule one Govt. Servant can be terminated in such a situation of without taking sanction of long leave (Earned Leave).
- ✓ According to statement of the foresaid teacher, He has not received and snow cause notice, Suspension letter or termination letter from any office of the both DEO/ SDEO offices w.e.f 1996 till date.
- ✓ It shows very ambiguity /irresponsibility on the part of the officers/ officials of both offices. Offices of the DEO and SDEO Male Battagram should issued the show cause notice to the teacher concerned for remaining absent from the duty w.e.f 1996. incase of non sanction of leave. If there is found no such proper reply then, the suspension letter/ termination letter should be issued.
- ✓ The undersigned has found no such record of leave sanction/suspension/ termination letter in respect of Muhammad Ayaz Ex PTC/PT GPS Jisole.

Recommendations:

- ✓ The direction to the concerned officials/ clerks in the officials of DEO/SDEO Male Battagram, may please be issued to find out the leave sanction /Leave Rejection/ Show Cause Notice/Suspension/Termination letter in respect of Muhammad Ayaz PTC/PT GPS Jisole with effect from 01/03/1996 To 28/05/2000.

- ✓ Strict Disciplinary action may please be taken against the officers/Officials concerned, who found responsible to their negligence, irresponsibly and laziness.
- ✓ Warning letter may please be issued to the concerned teacher Muhammad Ayaz Ex PTC/PT GPS jsole for show negligence, inability, irresponsibility and not performing as a teacher.
- ✓ He may please be explained that on what basis he has submitted an application for reinstatement after a duration of long term 18 years. He further may pleas be explained that when and to whom he had submitted an application and why he had gone to abroad without leave sanction.

Note;- All relevant documents are attached herewith.

30/10/2018

Uzair Ullah

**Assistant Sub Divisional Education Officer
(M) Circle Batamori**

19-11
Annex-9

کتاب ڈائری کے بارے میں ایڈمنسٹریٹو اور ایگزیکٹو کے درمیان تبادلہ خیال

عنوان: درخواست نمبر 101/2018 کے تحت درخواستی ملازمت

بہن عالی!

1. مؤرخہ 17/03/2018 کے تحت سائل عدنیہ کے نام سے جسٹس ایس ڈی ایس آر ایف اور ایس ڈی ایس آر ایف کے نام سے درخواست آئی جسٹس آر ڈی آر کا پی ایف درخواست (A) ہے
2. یہ کہ سائل کے تحت 03-01-1996 کو دفتر سڈیو ہزارہ سے 03-01-1996 کو 28-02-1998 کو ایس ڈی ایس آر ڈی کے تحت رجسٹرڈ ہے (B)
3. یہ کہ سائل کے تحت ہزارہ ایس ڈی ایس آر کے لئے 03-01-1998 کو ایس ڈی ایس آر کے تحت رجسٹرڈ ہے (C)
4. یہ کہ سائل کے لئے 05-05-2000 کو ایس ڈی ایس آر کے لئے دوبارہ درخواست دی گئی ہے (D)
5. یہ کہ سائل کے تحت ہزارہ ایس ڈی ایس آر کے لئے 03-01-1996 کو ایس ڈی ایس آر کے لئے درخواست دی گئی ہے (E)
6. یہ کہ ایگزیکٹو درخواست دہندہ دفتر سڈیو ہزارہ سے 03-01-1996 کو ایس ڈی ایس آر کے لئے درخواست دی گئی ہے (E)
7. یہ کہ سائل کے لئے ایس ڈی ایس آر کے لئے 03-01-1996 کو ایس ڈی ایس آر کے لئے درخواست دی گئی ہے (E)

رہنمائی کے لیے انکوائریاں حوالہ کر دی۔ نوٹیفیکیشن انکوائری آرڈر کا پی لف (ف) ہے
 8۔ یہ کہ مذکورہ انکوائری آفیسر عزیز اللہ ASD EO نے مورخہ 10/03/19 کو
 دفتر DEO مردانہ آفس کے کلرک اسٹیبلشمنٹ کے خلاف انکوائری
 ریکمنڈیشن دی تھی کہ دفتر اہلکاروں کے خلاف کارروائی کی جائے کہ انہوں نے
 چھوٹی درخواستیں کھول کر اپنے وقت سے کوئی کارروائی نہ کی گئی انکوائری
 رپورٹ لف ہے۔ (غ)

جبکہ انکوائری رپورٹ میں انکوائری آفیسر نے کسی کی زبردان دفتر
 کھرائی کم اتنے لمبے عرصے میں استاد کے خلاف جواب طلبی سیشن کا سبب
 ملازمت کا کوئی لیٹر DEO آفس سے جاری نہ ہوا

9۔ یہ کہ بذریعہ لفی نمبر 6211-14 بتاریخ 06/2019 کو دفتر DEO

(مردانہ) نے مزید انکوائری ٹیم نوکر کی جو کم ذیل افراد پر مشتمل تھی

- | | |
|-----------------|------------|
| ڈان بخشیار احمد | انجم سیال |
| ڈان گل محمد | بیدیا سہیل |
| ASD | انکوائری |
| ASD | انکوائری |

10۔ یہ کہ سائل کہ انکوائری رپورٹ مورخہ 09/19 کو فہری 63
 سے یہ اخذ کیا گیا ہے کہ مذکورہ استاد کو BPS-7 میں جبری ریٹائرمنٹ
 کے احکامات جاری کیا جائے۔ اور جن زبردان نے اس کیس میں غفلت
 برتی ہے ان کے خلاف EXD رولز 2011 کے تحت کارروائی کی
 جائے۔ انکوائری رپورٹ لف ہے (H)

11۔ یہ کہ مورخہ 08/19 کو بذریعہ لفی نمبر 10411-16 دفتر DEO مردانہ

آڈیٹنگ کے لئے انٹرویو رپورٹس کے روشنی کے خلاف سائل کو طبعاً کماؤتھ
بیمار کو کڑی سے پر حاسیت کر دیا جو کہ اسم ناراضی اور کینٹائن کے
کاوی لوف ہے۔

۱۰-۱۱-۱۷
جناب سے معاف نہ کہہ سکتے ہیں کہ سوائس اور ڈرگم
کو خارج کر کے سائل کو ریڈیو سٹیشن کے انٹرویو بہادر پور میں
سائل تا حیات دعا گو رہیگا۔

الکافہ
۷۰۸
مخدایہ سلیم کورسوال بیگم
موبائل نمبر ۰۳۴۳۷۹۵۱۵۷۳
موجودہ
۱۰
14/2018

ADPL (M)
15/10/18

ادنیٰ / ۱-۱۱-۱۷
۱۰
15/10/18



Annex- G

DIRECTORATE OF ELEMENTARY & SECONDARY
EDUCATION KHYBER PAKHTUNKHWA,
PESHAWAR

P-19 21-A

No. _____/F.No.100/Vol:6Appeal.
Dated: 20-11/2019.

To

The District Education Officer
(Male) Battagram.

Subject: - DEPARTMENTAL APPEAL.

I am directed to refer to your letter No. 11410 Date 25-10-2019, on the subject cited above and to ask you that appeal in respect of Muhammad Ayaz Ex: PSTGPS Jesole Tehsil Battagram has been rejected.

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

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

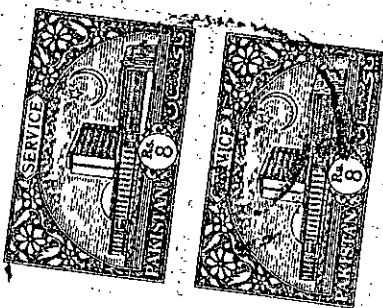
Endst No. 2871-22 /

Copy of the above is forwarded to: -

1. Muhammad Ayaz Ex: PSTGPS Jesole Tehsil Battagram.
2. PA to Director E&SE local Office.
3. Master File.

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

19/11/19



ATTESTED

Muhammad Ayshad Khan
Advocate High Court
Office No 33 Adjacent to
Distt Bar Abbottabad

OFFICE OF THE
DIRECTOR (E&SE)
PESHAWAR

DTA

22-3-96
22-10-83
-5-12

Don = 1.4.96
1.4.65

31

40-1218

P 20

SERVICE BOOK

of

Mohd Ayyaz PT
Village Karwal Dakhili, Tama
Teh. Battagram

ATTESTE

Muhammad Ashraf
Advocate High Court
Office No 33 Adjacent to
Distt Bar Abbottabad

Bohrs,

P-21

received back

dated

Verification Roll No.

Left thumb-impression.

Qualifications	Date
----------------	------

Passed SSC Examinations in English	Grade B
Grade B	31-7-8

English	Grade B
Grade B	31-7-8

Obtaining marks 40	31-7-8
Grade B	31-7-8

Plan-drawing	31-7-8
31-7-8	31-7-8

Printer print	31-7-8
31-7-8	31-7-8

Drill instructing	31-7-8
31-7-8	31-7-8

Court duties	31-7-8
31-7-8	31-7-8

Reserve duties	31-7-8
31-7-8	31-7-8

ATTESTED

Office No 33 Adjacent
Distt Bar Abbc...

N. B. - A line to be drawn under the qualification possessed.

The entries in this page should be removed or re-attested at least every five years and the signature in lines 9 and 10 should be dated.

787d A4403

P-22

1. Name -
2. Race - Swati
3. Residence - Vill: Korwal Teh: Ballagran
Distt: Mansheru

4. Father's name and residence - Abdul Rehman - do -

5. Date of birth by Christian era as nearly as can be ascertained - 1st April NH sixty five (1.4.65) ✓

6. Exact height by measurement - 4.5 (1.4.1965)

7. Personal marks for identification... - nil

8. Left hand thumb and Finger impressions of (non-gazetted) officer

Little Finger. [Impression] Ring Finger. [Impression]
Middle Finger. [Impression] Fore Finger. [Impression]
Thumb. [Impression]

ATTESTED

[Signature]
Muhammad Arif Khan
Advocate High Ct.
Office No. 33 Adalat
Distt Bar Abbottabad

9. Signature of Government servant

10. Signature and designation of the Head of the Office, or other Attesting Officer. 17. 24-21 7 84

[Signature]
H. M. [Name]
[Designation]

[Signature]
Attested
[Signature]
[Designation]

Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment or (ii) whether service counts for pension under Art 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature
<u>Grade 560-23-</u>							
PTC							
MS Miran	0559 Temp		560/- PM			22/10/83	M. A. J.
PT G/S Kakar Zhang	-do-		560/- PM			1/8/85	M. A. J.
-do-	-do-		560/- PM			1/12/85	M. A. J.
G/S Sheer	-do-		560/- PM Fixed			26/5/87	M. A. J.
			Grade = 750-31-1370 B-7				
			750/- PM Fixed			1/7/87	M. A. J.
<u>Grade 1095-60-1995/-</u>							
-do-	-do-		1095/-			1/6/91	M. A. J.
-do-	-do-		1095/-			1/12/91	M. A. J.
-do-	-do-		1095/-			1/12/92	M. A. J.

Office of the Accountant General
 N.W.F.P. Peshawar
 Pay fixed up to 4th and 5th Pay Scales 1987
 of Rs 750/- Fixed (B-7)
 of Rs 750/- Fixed P.O. No. 11-7-1987
 with next increment on 1-12-1987

Accountant General
 Verification Party

ATTESTED
 M. A. J.
 M. A. J. (M. A. J.)

ATTESTED

Muhammad Ishaq
 Advocate High Court
 Office No 33 Adjacent to
 Dist Bar Abbottabad

Office of the Accountant General
 N.W.F.P. Peshawar
 Pay fixed up to 4th and 5th Pay Scales 1987
 of Rs 1095/- Fixed (B-7)
 of Rs 1095/- Fixed P.O. No. 11-5-1991
 With Next Increment on 1-12-1991

Accountant General
 Verification Party
 N.W.F.P. Peshawar

10	11	12	13	14	15	16
Signature and designation of the officer attesting in column 1 to 3	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Nature and duration of leave Extension of period of leave on account of absence from duty Signature of the authority in charge of the office or other Government Period Government to which deductible	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or award or praise of the Government
<p>Signature S.D.E.O. (M) Manshra</p>	<p>31/7/85</p>	<p>Adjustment</p>	<p>Signature S.D.E.O. Manshra</p>	<p>Appointed as P.T.C. Pool at 4P Manshra vide D.O (M) Manshra No. 133 dt: 20.10.83.</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>5/8/87</p>	<p>Trd.</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Leave Sanctioned vide S.D. (M) Battagram office order No. 4248 dated: 11-7-85.</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>30/6/87</p>	<p>Revision in B.P.S</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>W.E.F. 5-8-84 to 13-8-84 with Pa 2, 14-8-84 to 5-8-85 with out Pa</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>31/5/91</p>	<p>OB B.P.S</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Sub Divisional Education Officer (Male) Battagram Manshra</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>30/11/91</p>	<p>-</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Service Verified w. e. 22-10-84</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>30/11/92</p>	<p>-</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Service Verified w. e. 30-11-84 from the Acq. Rolls and other Office Record.</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>30/11/93</p>	<p>-</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Drawn Arrear of Index Pa for the Month of 7/85</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>30/11/93</p>	<p>-</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Amounting to Rs: 76/- vide M.No 87 dated 21-10-8</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>30/11/93</p>	<p>-</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Requested S.D.E.O. (M) Battagram</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>30/11/93</p>	<p>-</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Service Verified w. e. 1-12-84</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>30/11/93</p>	<p>-</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Service Verified w. e. 30-11-85 from the Acq. Rolls and other Office Record.</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>30/11/93</p>	<p>-</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Service Verified w. e. 1-12-84</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>30/11/93</p>	<p>-</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Service Verified w. e. 30-11-85 from the Acq. Rolls and other Office Record.</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>
<p>Signature S.D.E.O. (M) Manshra</p>	<p>30/11/93</p>	<p>-</p>	<p>Signature S.D.E.O. (M) Manshra</p>	<p>Service Verified w. e. 1-12-84</p>	<p>Signature S.D.E.O. (M) Battagram</p>	<p>Reference to any recorded punishment or censure, or award or praise of the Government</p>

High Court
Advocate High Court
Office No 33 Adjacent to
New Bar Abbottabad

Requested
S.D.E.O. (M) Battagram

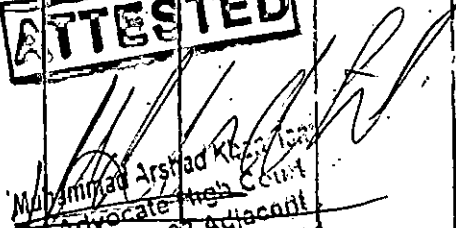
S.D.E.O. (M) Battagram
(Manshra)

Service Verified w. e. 1-12-84
on 30-11-85 from the Acq. Rolls
and other Office Record.

S.D.E.O. (M) Battagram
(Manshra)

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	Is officiating as a (i) substantive appointment, or (ii) under instructions for position under Act 371 of 1956	Pay as indicated in post	Additional Pay as officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature Government servant
EPS. Share	off. Temp.	B-7-	1095/-	AM. Fixed.		01/12/93	Attested by Mr. M. A. Khan (M) District Magistrate

ATTESTED


 Muhammad Arshad Khan
 Advocate High Court
 Office No 33 Adlacraft
 Distt Bar Abbottabad


9	10	11	12	13	14	15
Signature and designation of the officer attending in station	Date of termination of appointment	Reason of termination (such as promotion, transfer, discharge, etc.)	Designation of the officer attending in station	Allocation of period of absence, and the date on which the employee is expected to return to duty	Signature of the Head of the Office or other attending officer	Reference to any recorded punishment or censure, or reward or praise of the Government servant.
<p><i>[Signature]</i></p>					<p>Service verified from the Aqu: roll and other records kept in this office.</p> <p>12 1-28-38</p> <p>S.D.E.O. (M) P. A. Manshrai</p>	<p>12 1-28-38</p> <p>S.D.E.O. (M) P. A. Manshrai</p>
					<p>Service verified from the Aqu: roll and other records kept in this office.</p> <p>12 1-28-38</p> <p>S.D.E.O. (M) P. A. Manshrai</p>	<p>12 1-28-38</p> <p>S.D.E.O. (M) P. A. Manshrai</p>
					<p>Service verified from the Aqu: roll and other records kept in this office.</p> <p>12 1-28-38</p> <p>S.D.E.O. (M) P. A. Manshrai</p>	<p>12 1-28-38</p> <p>S.D.E.O. (M) P. A. Manshrai</p>
					<p>Service verified from the Aqu: roll and other records kept in this office.</p> <p>12 1-28-38</p> <p>S.D.E.O. (M) P. A. Manshrai</p>	<p>12 1-28-38</p> <p>S.D.E.O. (M) P. A. Manshrai</p>
					<p>Service verified from the Aqu: roll and other records kept in this office.</p> <p>12 1-28-38</p> <p>S.D.E.O. (M) P. A. Manshrai</p>	<p>12 1-28-38</p> <p>S.D.E.O. (M) P. A. Manshrai</p>

[Signature]
 Muhammad Arshad
 Advocate High Court
 Office No 33 Adjacent to
 Dist Bar Abbottabad

Attested
[Signature]
 S.D.E.O. (M) P.
 Manshrai

2 Name of post	6 Whether substantive or officiating and whether permanent or temporary	3 If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 G. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature for Government in service file
PTC		B-7- 1095/- PM. Fixed.					
GPS. Share	off./Temp.		1095/-			01/12/93	
		Grade: 1480 - 81 - 2395 =					
d.	to		1480/-			6/94	

Attested
 11/01/93
 Secy. Div. Education, Distt. Bar Abbottabad

ATTESTED

 Advocate High Court
 Office No 33 Adjacent to
 Distt Bar Abbottabad

9 Name and position of the officer or other person in attendance	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attending officer	13 Leave Allocation of periods of leave on average pay upto four months for which leave salary is debitable to another Government Period: Government to which debitable		14 Signature of the head of the office or other attending officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
S.D.E.O. (M) Baggram	3/5/94	Revision of pay scale w.e.f. 1-94	S.D.E.O. (M) Baggram		Service verified w.e.f. 1-12-87 to 30-11-88 from the Acqu roll and other Office Record.	S.D.E.O. (M) Baggram (Manshra)	
S.D.E.O. (M) Baggram					Service verified w.e.f. 1-12-88 to 30-11-89 from the Acqu roll and other records kept in this office.	S.D.E.O. (Male) Baggram	
S.D.E.O. (M) Baggram					Service verified w.e.f. 1-12-89 to 30-11-90 from the Acqu roll and other records kept in this office.	S.D.E.O. (Male) Baggram	
S.D.E.O. (M) Baggram					Service verified w.e.f. 1-12-90 to 30-11-91 from the Acqu roll and other records kept in this office.	S.D.E.O. (Male) Baggram	
S.D.E.O. (M) Baggram					Service verified w.e.f. 1-12-91 to 30-11-92 from the Acqu roll and other records kept in this office.	S.D.E.O. (Male) Baggram	
S.D.E.O. (M) Baggram					Service verified w.e.f. 1-12-92 to 30-11-93 from the Acqu roll and other records kept in this office.	S.D.E.O. (Male) Baggram	

ATTESTED

Muhammad Aslam Khan J.A.C.
 Advocate High Court
 Office No 33 Adjacent to
 Dist Bar Abbottabad

Attest
 S.D.E.O. (Male)
 Baggram
 (M) Manshra

کورٹ فیس

وکالت نامہ

Service Tribunal KPK Peshawar عدالت
عنوان: Muhammad Ayaz نام Govt of KPK etc
منجانب: Appellant
نوعیت مقدمہ:

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسے پیروی و جواب دہی کل کاروائی متعلقہ آس مقام
in Arshad Khan Tanoli Adv 14 c APT

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب
موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء
وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور
کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار
بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و
قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔

نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا اور یہ ایک بار ہو یا حد سے باہر ہو تو وکیل صاحب موصوف
پابند ہوں گے کہ پیروی مقدمہ مذکورہ کو تقرر کر کے اور اس میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف
مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت ناش بصیغہ مفلسی کے دائر کرنے اور اس کے
پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

Acceptd
بمقام

المرقوم:

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No: 33 Adjacent to
Distt Bar Abbottabad

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL CAMP COURT ABBOTTABAD

SERVICE APPEAL No. 405 of 2020

Muhammad Ayaz.....Appellant

VERSUS

Government of Khyber Pakhtunkhwa through Secretary E&SE KPK

Peshawar and others.....Respondents

Index

S. No	Description /Documents	Annexure	Pages
1	Comments		1 to 3
2	Affidavit		4
3	Report of SDEO & ASDEO	A & B	
4	Copy of denovo inquiry report	C	
5	Show Cause Notice	D	
6	Office Order	E	
7	Comments submitted to the directorate	F	
8	Rejection of departmental appeal	G	


Respondent

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL CAMP COURT ABBOTTABAD

SERVICE APPEAL No. 405 of 2020

Muhammad AyazAppellant

VERSUS

**Government of Khyber Pakhtunkhwa through Secretary E&SE KPK
Peshawar and others.....Respondents**

**Para-wise comments /Reply on behalf of
Respondents NO. 1 to 3**

Respectfully Sheweth:

Preliminary Objections

1. That the appellant has no cause of action/locus standi to file the present appeal.
2. That the appellant has concealed the material facts from this Hon'ble Tribunal.
3. That the appellant has not come to this Hon'ble Tribunal with clean hands.
4. That the appellant has filed the instant appeal on malafide grounds, just to put pressure on the respondent Department to be allowed to continue duty unlawfully.
5. That the appellant's appeal is against the prevailing rules and law.
6. That the appellant is estopped by his own conduct to file the instant appeal.
7. That the instant appeal is not maintainable in its present form and also in the present circumstances of the issue.
8. **That the appellant remained absent for a period of 22 years willfully and without getting sanction of leave without pay from competent authority, hence the instant appeal is liable to be dismissed without any further proceeding.**
9. **The appeal is time barred, hence is liable to be dismissed without any further proceeding.**

ON FACTS


1. Para No. 1 of the appeal needs no comments pertaining to the appointment of the appellant.
2. Para No. 2 of the appeal is incorrect. As per detailed inquiry report of SDEO and ASDEO concerned, there is no record of appellant's application for leave without pay sanctioned by the competent authority. Copy of SDEO/ASDEO report is attached as **Annex: "A"**.
3. Para No. 3 of the appeal is incorrect. The appellant's leave without pay was not sanctioned no record found according to a detailed report of ASDEO concerned submitted by SDEO (M) Battagram vide his office letter No. 887 dated 05/11/2018 and letter No. 296 dated 14/03/2019 whereby it is reported and conformed that appellant's application for leave without pay was not sanctioned. Moreover it is also reported in the said detailed report that appellant left the country and gone to Kingdom of Saudi Arabia (KSA) in 1997 without getting Ex-Pakistan leave and NOC from the department. (Copy of inquiry report of ASDEO 30/10/2011 and letters of SDEO are attached as Annex: "A & B").
4. Para No. 4 of the appeal is correct. A denovo inquiry was conducted in the light of the reports of the SDEO Male Battagram and ASDEO Circle Battamori. The inquiry committee submitted its report vide letter No. 63 dated 05/09/2019 recommending that appellant may be immediately removed from service on the basis of 22 years long willful absence from duty . (Copy of denovo inquiry report is attached as **Annex: "C"**).
5. Para No. 5 of the appeal is incorrect. Appellant proceeded under the Khyber Pakhtunkhwa Government Servants Efficiency & Discipline rules 2011 by serving a Show Cause Notice upon the appellant by the competent authority vide Endstt: No. 5768-71 EB/DA-1 dated 20/09/2019 directing to put forward his written defense if any within 07 days. His written reply was unsatisfactory and regretted by the competent authority and he also failed to appear before the competent authority within stipulated time. Moreover his department appeal was also rejected by directorate of Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar vide letter No. 8870/No.100/Vol 6 Appeal dated 20/11/2019 after submission of detailed para wise comments of the DEO (M) Battagram.(Copies of show cause notice, office order, comments submitted to the directorate and rejection of departmental appeal are attached as **Annex: "D, E, F & G"**).

ON GROUNDS:

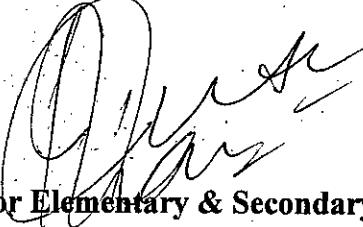
- a. Ground "a" of the appeal is incorrect. Appellant being a civil servant was proceeded under E & D rules 2011 which are applicable to all civil servants.
- b. Ground "b" of the appeal is incorrect. Appellant was served upon a show cause notice which he failed to appear before the competent authority and satisfy the competent authority and a proper inquiry and procedure followed before removal from service detailed reply is given in the preceding paras.
- c. Ground "c" of the appeal is incorrect. Act of the respondents is well within the four corners of law and natural justice. Detailed reply is given in above paras.
- d. Ground "d" of the appeal is incorrect. Appellant has no cause of action/locus standi and his appeal is hit by principle of laches.
- e. Appellant has no cause of action hence his appeal is liable to be dismissed without any further proceedings. Respondents seek permission of this Hon'able Tribunal to raise other factual and legal grounds during the course of arguments.

It is therefore humbly prayed that on acceptance of above Para-wise comments, the appeal of the appellant may graciously be dismissed with cost.


RESPONDENT NO. 3


~~District Education Officer (Male)
Battagram~~
District Education Officer
(Male) Battagram

RESPONDENT NO. 2


Director Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

RESPONDENT NO. 1


SECRETARY
Elementary & Secondary Education, Department,
Government of Khyber Pakhtunkhwa, Peshawar.

Secretary Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL CAMP COURT ABBOTTABAD

SERVICE APPEAL No. 405 of 2020

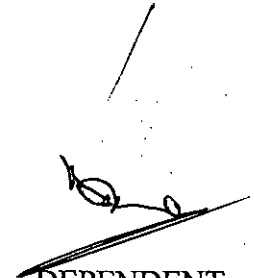
Muhammad Ayaz.....Appellant

VERSUS

Government of Khyber Pakhtunkhwa through Secretary E&SE KPK
Peshawar and others.....Respondents

AFFIDAVIT

I Umar Zaman District Education officer (Male) Battagram do hereby affirm and declare on oath that contents of accompanying **Joint Para-wise comments** on behalf of respondent NO. 1 to 3 are true and correct to the best of my knowledge and belief that nothing has been concealed from this Honorable Court.


DEPENDENT
CNIC: 13504-2260739-1

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (M)

DISTRICT BATTAGRAM

Address: Raja Khairulaza, Inside Kuzu Manda, Battagram (0997-310560) E-mail: sdeom@battagram.gov.pk

No: 276

Dated: 14-03-2019

Annex - A

To: The District Education Officer,
Male Battagram.

Subject: **INQUIRY REPORT REGARDING MUHAMMAD AYAZ EX PST
GPS JESOLE.**

Memo

Reference to your letter No 1008/EB(P), dated 29-02-2019 on the subject cited above.

The reply of observation are as under:

S#	Observation	Reply
1.	Appointment Order not found.	The appointment order is attached on annex No 12
2.	Transfer order not produced both Kakarshang/Batamori and Tamai etc..	Transfer order from Kakarshang to Kohani (1st page) is attached on annex 13. Mutual transfer order between Habib Ullah and Muhammad Ayaz is attached on annex 15 and duty certificate from Head Teacher GPS Tamai is attached on annex no 16. Without attendance register photocopy.
3.	No proof for leave sanction or other official record.	Leave was not sanctioned.
4.	Record for disappointment from SDEO/etc	No record was found.
5.	No written/Documentary proof from the officials concerned (DEO/SDEO) office in annexed with inquiry. Inquiry is based in the verbal statement of the applicant having no investigate. Inquiry is incomplete.	No record was found.

The inquiry report is already submitted during the period of Mr Mir Samad Khan Ex SDEO (M) Battagram vide No 887 dated 5.11.2018, (Inquiry officer at that time was Mr Uzair Ullah Ex ASDEO Circle Batamori). In the light of above observations and reply the report is submitted with the remarks that please do the needful as per rules.

(Photocopies of relevant record is attached).

10/3/19
14/3/19
931
14/3/19

Sub Divisional Education Officer
Male Battagram.

Annex B

Fact Findings:

1. Short history - Mr Ayaz had been appointed as P.T.C/PT teacher in school Jisole by the Government of Punjab, No 133, dated 20-10-1981. (Copy attached). He had been transferred to GPS Kanarshang on 01-06-1982, and then to GPS Jisole on 01-06-1983, and then to GPS Jisole on 09-1989.
2. Situation of Leave:- According to the verbal statement and application letter, the concerned teacher had submitted the long leave application for period of (w.e.f 01-03-1996 to 28-05-2000) on 15-07-1996. The concerned teacher Mr. Muhammad Ayaz further told the undersigned that he had submitted the application for long leave and without getting leave sanction he had to attend school. The undersigned submission of application for long term leave was enough. The concerned teacher passed four years in Saudi Arabia and then came back to Pakistan. He had submitted application for adjustment in any Govt Primary School, so that he may be able to adjust in any school. The remarks on this application were written by the concerned Superintendent of Schools, Male Battagram, who was dealing assistant in the office of SDEO Male Battagram. (These remarks are attached). By asking the reality that why he had not submitted the application for adjustment after came to Pakistan, the afore said teacher told that he had not received any notice from the SDEO & DEO Male Battagram, Therefore I had gone to Saudi Arabia, and passed four years there and then again came to Pakistan. The Teacher concerned told the undersigned that he wants to be re-instated at P.T.C/PT teacher in any Govt School as according to the teacher it is his right because he has not received any notice/ Termination letter or objection letter on leave.

3. Reality of Earned Leave w.e.f 01-03-1996 TO 28-05-2000, in respect of Muhammad Ayaz Ex P.T.C/PT Teacher

❖ SDEO Male Office Battagram.

❖ Requesting:-

According to the verbal statement of the responsible official of the SDEO Male Office Battagram, there is any record in respect of Muhammad Ayaz P.T.C/PT GPS Jisole

1. The undersigned personally asked again and again from the concerned official but he never told me that there is no any record about the long term leave in respect of Muhammad Ayaz P.T.C/PT GPS Jisole. The undersigned has not received any written record due to the reluctant of official.

However according to the Photo Copy of requesting letter for sanction from SDEO Male Office Battagram of earned leave on date 15-07-2000, it is very clear that the SDEO Male Office Battagram had sent a letter to the office of the DEO Male Battagram for earned leave w.e.f 01-03-1996 TO 28-05-2000, but very late, requested on date 15-07-2000, which is nothing but a joke, because the applicant had come from Saudi Arabia and had submitted an application for adjustment.

➤ Office DEO Male Battagram.

According to the office of DEO Male Battagram, there is no such record of sanctioned leave w.e.f 01-03-1996 TO 28-05-2000

➤ GPS Satamori, GPS Tamai & GPS Jisole.

According to the attendance register of GPS Satamori and GPS Tamai, the concerned teacher has not submitted any record of P.T.C/PT teacher in these schools but according to the records, attendance register of GPS Jisole, the concerned teacher has not submitted any record in these schools. The reason for this is that the concerned teacher has not submitted any record in these schools.

To

The District Education Officer,
(Male) Battagram.

Annex-C

Subject: INQUIRY REPORT IN RESPECT OF Mr. MUHAMMAD AYAZ PST.

In compliance with your Notification No 6211-14 dated 12.06.2019, the undersigned along with Mr. Gul Muhammad Head Master GHS No 2 Battagram visited SDEO (M) Battagram office on 03.8.2019 to probe into the matter.

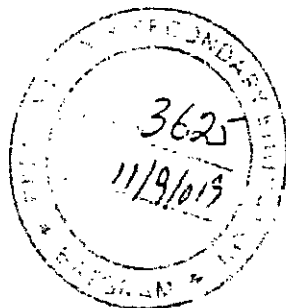
PROCEDURE:

1. Available record was scrutinized thoroughly.
2. A Questionnaire (Annex-I) was administered on Mr. Muhammad Ayaz PST in order to sought his reply (Annex-II).

FINDINGS:

To find out the fact Mr. Muhammad Was given a questionnaire (Annex-I). In the light of the reply of the Mr. Muhammad Ayaz PST and the documents provided by the DEO (M) Battagram office, it was found out that:-

1. Mr. Muhammad Ayaz was appointed as PST Vide DEO (M) Mansehra office order No 133 dated 20.10.1983 (Annex-III) He served as PST at various Primary Schools of District Battagram.
2. In 1996 when he was serving as PST at GPS Jesol he applied for Earned Leave w.e.f.01.03.1996 to 28.02.1998 (Annex-IV). However no proof/ notification of sanction of the leave is available. }
3. He submitted an affidavit on 11.04.1996 (Annex-V), stating that during the earned leave period:-
 - a) He would remain at home and would work upon the construction of his house.
 - b) He would not serve at any other place.
 - c) He would not be involved in any type of business.
 - d) He would not travel abroad.
4. In 1998 he applied for extension in earned leave up-to 30.06.2000 (Annex-VI). No proof/ notification of sanction of extension in leave is available. }



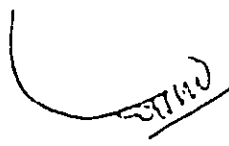
Discuss
A.D.O/P,
11/9/2019
D.E.O/M


- 5. According to Mr. Muhammad Ayaz he applied for re-adjustment on 29.01.2000 and submitted another application for readjustment after an interval of about 18 years on 05.03.2018. However no record of his first application is available in concerned office.
- 6. The teacher failed to produce his international passport on demand to the inquiry committee which makes it doubtful that whether he stayed within Pakistan during the leave/absence period.
- 7. No proper record of the case is available in SDEO(M) office Battagram and no disciplinary action has been initiated/ taken against the teacher by the department in the period of his absence from duty of 22 years.

RECOMMENDATIONS:

If agreed please

- 1. Mr. Muhammad Ayaz PST may be immediately removed from service on the basis of compulsory retirement in BPS -7 (his BPS at the time of applying for leave i.e. 01-03-1996). The period of absence from duty may be converted into leave without pay.
- 2. Officers/ Officials who are responsible for misplacing the record and not initiating in time disciplinary action against the teacher, may also be panelized as per E&D Rules 2011 of Cyber Pakhtunkhwa for their negligence and inefficiency in the above mentioned case.


 GUL MUHAMMAD
 HEAD MASTER
 GHS NO.2 BATTAGRAM


 BAKHTIAR MUHAMMAD ANJUM
 PRINCIPAL
 GHSS PAINAL SHARIF



**OFFICE OF THE
DISTRICT EDUCATION OFFICER
BATTAGRAM**

Phone # 0997311438 & 0997310870

SHOW CAUSE NOTICE

Amex-D

I Mr Bahit Zada, District Education Officer (Male) Battagram as competent authority under the Khyber Pakhtunkhwa Government servants (Efficiency & discipline) rules 2011 do hereby serve this showcause notice upon you Mr Muhammad Ayaz PST GPS Jessore Battagram

- An inquiry committee has been constituted vide this office Enclst No 6211-14 Dated 12/06/2019 and according to its report submitted in this office vide letter No 63 Dated 05/2019, you have been absent from the school for a period of 22 years without any permission of the competent authority
- In exercise of the power conferred upon me by the Khyber Pakhtunkhwa Govt Servant (Efficiency & Discipline) rules 2011, I the undersigned being Competent Authority have tentatively decided to impose upon you the major penalty of "removal from services".
- You are therefore directed to put forward your written defense if any within 07(Seven) days of the issuance of this notice as to why the aforesaid major penalty should not be imposed upon you and also intimate whether you desire to be heard in person
- In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defense to put in and in that case ex-parte decision will be taken against you

Mr Muhammad Ayaz PST
GPS Jessore circle Battagram
Tehsil & District Battagram

Enclst No 5768-7 /ER/DA-I
Copy of the above is forwarded to:-

- The Director(E&SE) Khyber Pakhtunkhwa Peshawar
- SDEO(Male) Battagram with the direction to serve the show cause upon the accused official
- Teacher Concerned
- Office Copy

COMPETENT AUTHORITY

Dated Battagram the 22/9 /2019

DISTRICT EDUCATION OFFICER
(MALE) BATTAGRAM

OFFICE OF THE DISTRICT EDUCATION OFFICER

(MALE) BATTAGRAM

Email: edobattagram@gmail.com Tel: 0997-543540

81

OFFICE ORDER

Annex-E

WHEREAS you Mr. Muhammad Ayyaz Ex-PST Govt. Primary School, Jesole District Battagram was proceeded to being constituted the following gross irregularities which constitute inefficiency and misconduct under rule 3 with effect of the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011

AND WHEREAS you submit the application for adjustment on the vacant post of PST received through this office entry No. 008/Estb/DA/2019 after lapse 22 years

AND WHEREAS this office served a letter to SDEO (M) Battagram bearing No. 3040 Dated 10/04/2018 to update this office about the applicant

AND WHEREAS SDEO (M) Battagram submitted report of circle ASDEO concerned bearing No. 50 dated 30-10-2018 vide his office letter No. 887 dated 03/11/2018 whereby you had gone to Kingdom of Saudi Arabia (KSA) in 1997 without sanction of Ex-Pakistan leave and you have been remained absent from duty w.e.f. 01-03-1996

AND WHEREAS this office returned the report of ASDEO (Circle) to SDEO (M) Battagram vide letter No. 1008/EB(P) Dated 09/07/2019 with the observations and directions to personally check / inquire the matter and submit report and SDEO (M) Battagram submitted report vide his office NO. 296 dated 14-03-2019 along with inquiry report of circle ASDEO Battagram wherein, he has confirmed the fact that leave was not sanctioned

AND WHEREAS SDEO (Male) Battagram stated in a letter bearing No. 949 dated 15-07-2000 addressed to DEO (Male) Primary Battagram that you applied for earned leave w.e.f. 01-03-1996 to 30-06-2000 but no earned leave was sanctioned and you remained abroad.

AND WHEREAS SDEO (Male) Battagram vide letter No. 949 dated 15-07-2000, letter No. 887 dated 05-11-2018 and letter No. 296 dated 14-03-2019 confirmed that you remained abroad (KSA) without sanctioning EX-Pakistan leave and without obtaining NCC from the Department you traveled abroad inspite of submission an affidavit on judicial stamp paper dated 11-04-1996 wherein, you had declared that you will not be proceeded to abroad and will be remained at home for construction of house and you left Pakistan without sanctioning of Ex-Pakistan Leave either Earned leave

AND WHEREAS office record showed that you have applied for earned leave w.e.f. 01-03-1996 to 30-06-2000 instead of Ex-Pakistan leave but after 30-06-2000 to 09-03-2018 (18 years 03 months) you never approached office for adjustment which clearly shows that you were remained abroad and you also failed to produce your International Passport to the inquiry committee.

AND WHEREAS an inquiry committee were constituted vide this office notification bearing Endstt: No 6211-14/Estb/Pry/ Dated 12/06-2019 to conduct de novo inquiry in the light of the reports of SDEO Male Battagram, ASDEO Circle Battagram, this office letters mentioned above and application submitted by applicant for re-instatement

AND WHEREAS inquiry Committee submit his report vide letter No. 63 Dated 05/09/2019 wherein, the committee recommended that you may be immediately removed from service as you were absent from duty for 22 years.

AND WHEREAS this office served a Show Cause Notice upon you vide this office Endstt: No 5768-71 EB/DA-1 dated 20/09/2019 wherein you were directed to put forward your written defense if any within 07 (Seven) days and intimate whether you desire to be heard in person.

AND WHEREAS you have submitted reply to show Cause Notice vide this office diary No 3816 dated 24-09-2019 and failed to appear before the undersigned within stipulated time.

AND WHEREAS your written reply was unsatisfactory and regretted by the undersigned being competent authority.

NOW WHEREFORE, the undersigned being competent authority in exercise of power conferred under Rules 4-b (iii) and 9 of Khyber Pakhtunkhwa Government (Efficiency & Discipline) Rules 2011 is pleased to impose major penalty of "REMOVAL FROM SERVICE" upon you Mr. Muhammad Ayyaz PST GPS Jesole Tehsil & Battagram from the dated of wrongful absent i.e. 01-03-1996

(BAKHT ZADA)

District Education officer (Male)

Battagram

Battagram the, 8/10/2019

Endstt: NO. 16411-16 /Estb/Pry

Copy for information to the

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Battagram
3. Deputy District Education Officer (M) Battagram
4. District Accounts Officer Battagram
5. SDEO (M) Battagram with the directions to make entry in the Service Book of the teacher concerned regarding his "Removal From Service" from the date mentioned above & with reference to your office letters as mentioned above
6. Mr. Muhammad Ayyaz Ex-PST GPS Jesole Tehsil & District Battagram

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) BATTAGRAM

Email: emishbattagram@gmail.com Tel: 0997-543540

11

No. 1110 /Estb: Pry

Date: 25/10/2019

To.

The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Ammeu - F

Subject: DEPARTMENTAL APPEAL.
Memo.

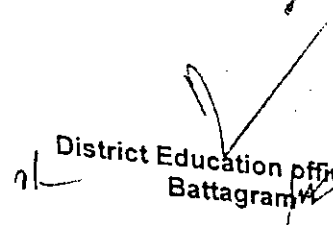
Reference to your office letter No. 742/F.No.100/Vol.06/Appeal Dated Peshawar the 16-10-2019 regarding Departmental appeal in respect of Muhammad Ayaz Ex: PST GPS Jesole Tehsil Battagram wherein, the undersigned has been asked for detail para wise comments. Para wise details are as under -

1. Mr. Muhammad Ayyaz Ex-PST Govt; Primary School Jesoole District Battagram was proceeded for having committed the following gross irregularities which constitute inefficiency and misconduct under rule 3 sub rule a, b & d of the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011.
2. He submits the application for adjustment on the vacant post of PST received through this office Diary No 885 Dated 09-03-2018 after lapse 22 years.
3. This office served a letter to SDEO (M) Battagram bearing No. 3040 Dated 10/04/2018 to update this office about the applicant.
4. SDEO (M) Battagram submitted report of circle ASDEO concerned bearing No. 50 dated 30-10-2018 vide his office letter NO. 887 dated 05/11/2018 whereby, ASDEO stated that he had gone to Kingdom of Saudi Arabia (KSA) in 1997 without sanction of Ex-Pakistan leave and have been remained absent from duty w.e.f.01-03-1996.
5. This office returned the report of ASDEO Circle to SDEO (M) Battagram vide letter No.1008/EB(P) Dated 09/02/2019 with the observations and directions to personally check / inquire the matter and submit report and SDEO (M) Battagram submitted report vide his office NO. 296 dated 14-03-2019 along with inquiry report of circle ASDEO Battamori wherein, he has confirmed the fact that leave was not sanctioned.
6. SDEO (Male) Battagram stated in a letter bearing No. 949 dated 15-07-2000 addressed to DEO (Male) Primary Battagram that he has applied for earned leave w.e.f. 01-03-1996 to 30-06-2000 but no earned leave was sanctioned and he remained abroad.
7. SDEO (Male) Battagram vide letter No. 949 dated 15-07-2000, letter No. 887 dated 05-11-2018 and letter No. 296 dated 14-03-2019 confirmed that he remained abroad (KSA) without sanctioning EX-Pakistan leave and without obtaining NOC from the Department, he traveled abroad in spite of submission an affidavit on judicial stamp paper dated 11-04-1996 wherein, he had declared that he will not be proceeded to abroad and will be remained at home for construction of house and he left Pakistan without sanctioning of Ex-Pakistan Leave either Earned leave.
8. office record showed that he has applied for earned leave w.e.f. 01-03-1996 to 30-06-2000 instead of Ex-Pakistan leave but after 30-06-2000 to 09-03-2018 (18 years 03 months) he never approached office for adjustment which clearly shows that he remained abroad and he also failed to produce international Passport to the inquiry committee.
9. An Inquiry committee were constituted vide this office notification bearing Endstt: No 6211-14/Estb/Pry/ Dated 12/06-2019 to conduct denovo inquiry in the light of the reports of SDEO Male Battagram, ASDEO Circle Battamori, this office letters mentioned above and application submitted by applicant for re-instatement.
10. Inquiry Committee submit report vide letter No. 63 Dated 05/09/2019 wherein, the committee recommended that he may be immediately removed from service as he was absent from duty for 22 years
11. This office served a Show Cause Notice upon him vide this office Endstt: No 5768-71 EB/DA-1 dated 20-09-2019 wherein he was directed to put forward his written defense if any within 07 (Seven) days and intimate whether he desire to be heard in person.

(C) For loss or damage in the case of articles, unless they are...
12 He submitted his reply to show cause Notice vide this office diary No 3816 dated 24-03-2019 and failed to appear before the undersigned within stipulated time.

13 His written reply was unsatisfactory and regretted by the undersigned being competent authority
14 Therefore, the undersigned being competent authority in exercise of power conferred under Rules 4-b (iii) and 9 of Khyber Pakhtunkhwa Government (Efficiency & Discipline) Rules 2011 has imposed major penalty of "REMOVAL FROM SERVICE" upon Mr. Muhammad Ayyaz PST GPS Jesole Tehsil & Battagram from the dated of wellful absent i.e. 01-03-1996.

Page 02 of 02


District Education officer (Male)
Battagram

Amex-69

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

No. 100/Vol 6 Appeal
Dated 25/11/2019

The District Education Officer
(Male) Battagram.

Subject: DEPARTMENTAL APPEAL

I am directed to refer to your letter No. 11410, Date 25-10-2019, on the subject cited above and to ask you that appeal in respect of Muhammad Ayaz Ex: PSTGPS Jesole Tehsil Battagram has been rejected.

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

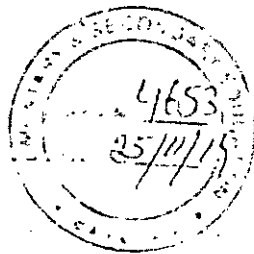
A. S. 19/11/2019
Assistant Director Estab (Male)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar



Copy of the above is forwarded to:-

1. Muhammad Ayaz Ex: PSTGPS Jesole Tehsil Battagram.
2. PA to Director E&SE local Office.
3. Master File.

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



*ADFO Estab - CP
1/11/2019
DEED*

11 This office served a Show Cause Notice upon him vide this office Endstt: No 5768-71 EB/DA-1 dated 20-09-2019 wherein he was directed to put forward his written defense if any within 07 (Seven) days and intimate whether he desire to be heard in person

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)

EMAIL: emisbattagram@gmail.com BATTAGRAM PHONE NO: 0997543540 & 530



No: 12652 / 1

Dated: 5 / 12 / 2019.

(101)

To:

The Sub Divisional Education Officer
(Male) Battagram

Ammer - G7

Subject: REGRETTED
Memo.

Reference to the subject cited above and to state that Mr. Muhammad Ayaz Ex.PST, GPS, Jesol has submitted an appeal to Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar for Retirement/Adjustment, but the competent authority is pleased to rejected/Regretted his appeal.

you are directed to ask /inform the appellant concerned accordingly under intimation to this office.

[Signature]
o/c District Education Officer
(Male) Battagram

Endstt: No: 12633-36 /Est/Appeal/Dated: 6 / 12 / 2019.

Copy for information to the:

1. Director of E&SE Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Battagram.
3. Muhammad Ayaz Ex:PST, GPS Jesole Tehsil Battagram.
4. Office Copy.

[Signature]
o/c District Education Officer
(Male) Battagram

dated 20-09-2019 wherefrom he
(Seven) days and intimate whether he desire to be heard in person.



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No. 65 /ST

Dated: 12/01 2021

All communications should be
addressed to the Registrar KPK Service
Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

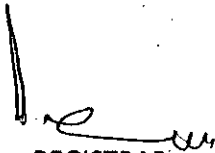
To

The District Education Officer Male,
Government of Khyber Pakhtunkhwa,
Battagram.

Subject: JUDGMENT IN APPEAL NO. 405/2020 MR. MUHAMMAD AYAZ.

I am directed to forward herewith a certified copy of Judgement dated
21.12.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR