

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. 1070/2017

Date of Institution ... 25.09.2017

Date of Decision ... 30.03.2018

Malik Hayat Khan son of Munir Khan R.O Mohallah Khari Qala Ghari, Baghbanan
Post office Musazai, Tehsil and District, Peshawar. ... (Appellant)

VERSUS

1. Secretary to Government of Khyber Pakhtunkhwa E&SE, Peshawar and others.
... (Respondents)

MIAN MUHAMMAD IMRAN,
Advocate

... For appellant

MR. ZIAULLAH,
Deputy District Attorney,

... For respondents.

MR. NIAZ MUHAMMAD KHAN, ...
MR. MUHAMMAD AMIN KHAN KUNDI, ...

CHAIRMAN
MEMBER

JUDGMENT

NIAZ MUIHAMMAD KHAN, CHAIRMAN.- Arguments of the learned
counsel for the parties heard and record perused.

FACTS

2. The appellant had been serving in the Education Department right from 1996 uptil now. He was aggrieved from stoppage of salary somewhere in the year, 2015. In order to get his salary released he first approached the Worthy Peshawar High Court in a writ jurisdiction which was not granted due to lack of jurisdiction.

Thereafter, the appellant after availing the departmental remedy approached this Tribunal for redressal.

ARGUMENTS.

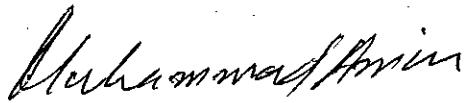
3. The learned counsel for the appellant argued that the appellant had been performing his duty right from the year, 1996 till 2017. That he is still in service. That no order of removal/termination etc. has been passed against the appellant. That the department for the first time produced an enquiry report against the appellant during pendency of Writ before the Worthy High Court regarding absence of the appellant/non-compliance with the orders. That the said enquiry was not conducted under the relevant disciplinary rules in vogue for the time being. That the salary of the appellant could not be stopped under any rules.

4. On the other hand, the learned Deputy District Attorney argued that the enquiry report was a fact finding enquiry and according to that enquiry the transfer order was found bogus. It was also found that the promotion order of the appellant from Naib Qasid to Junior Clerk was also bogus.

CONCLUSION.

5. Admittedly no regular enquiry was conducted against the appellant. At the most the enquiry pressed into service by the department against the appellant was a fact finding enquiry. The department was bound to have taken the issue to its logical ends through regular enquiry under the disciplinary rules in vogue for the time being but nothing of the sort. In absence of any legal order of termination etc. of the appellant his salary could not be stopped nor he be denied from performing his duties.

6. As a sequel to the above discussion, the present appeal is accepted and the department is directed to release the salary of the appellant from the date when his salary was stopped. The department is however, at liberty to conclude the disciplinary proceedings under the relevant rules. Parties are left to bear their own costs. File be consigned to the record room.



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

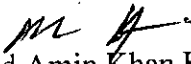


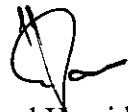
(NIAZ MUHAMMAD KHAN)
CHAIRMAN

ANNOUNCED
30.03.2018

12.03.2018

Appellant with counsel and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Zakiullah for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for rejoinder and arguments on 30.03.2018 before D.B.

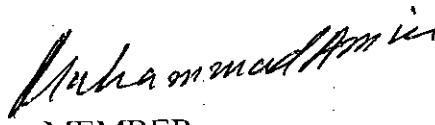

(Muhammad Amin Khan Kundi)
Member



(Muhammad Hamid Mughal)
Member

30.03.2018

Counsel for the appellant and Mr. Ziaullah, DDA alongwith Muhammad Arshad, AD and Zakiullah, Senior Auditor for the respondents present. Arguments heard and record perused.

This appeal is accepted as per our detailed judgment of today. Parties are left to bear their own costs. File be consigned to the record room.


MEMBER


CHAIRMAN

ANNOUNCED
30.03.2018

14.12.2017

Appellant in person and Asst: AG alongwith Mr. Arshid Ali, ADO for respondents present. Written reply on behalf of respondents no. 1 to 4 submitted. To come up for written reply/comments of the remaining respondents on 01.01.2018 before S.B.


(AHMAD HASSAN)
MEMBER

01.01.2018

Clerk of the counsel for appellant present and Assistant AG for the respondents present. Written reply on behalf of respondents not submitted. Learned Assistant AG requested for adjournment. Adjourned. to come up for written reply/comments on 17.01.2018 before S.B.


(Gul Zeb Khan)
Member (E)

17.01.2018

Appellant in person present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Zakiullah, Senior Auditor for the respondents also present. Written reply on behalf of respondent No. 6 submitted. Representative of respondent No. 6 also rely on the written reply submitted by respondent No. 6 on behalf of respondent No. 5. Written reply on behalf of respondents No. 1 to 4 already submitted. Adjourned. To come up for rejoinder and arguments on 12.03.2018 before D.B.


(Muhammad Amin Khan Kundi)
Member

10.10.2017

Counsel for the appellant present. Preliminary arguments heard and case file perused. The appellant was appointed as Behishti in GHS Haji Muhammad Noor Kally(Zangali), District Peshawar on 10.11.1996. Vide impugned order dated 01.01.2014 the appellant was transferred from GGMS no.1 Peshawar to the Directorate of Elementary and Secondary Education Khyber Pakhtunkhwa. Through another order bearing the same date he was further transferred to GHS Sakargah without any cogent reason. Subsequently, the appellant was promoted to the post of Junior Clerk vide order dated 07.06.2014 and was allowed to serve in the above school. His salary was stopped from March 2015. Thereafter vide order dated 19.08.2016 he was transferred to GHS Garhi Muhammad Gul, Mera Surizai Payan. His salary for the month of October, 2016 was released but arrears are still outstanding. He preferred departmental appeal on 25.05.2017 which was rejected on 28.08.2017. As issue of payment of pay is involved, hence, limitation would not affect the cause of action. He has not been treated in according to law and rules.

Appellant Deposited
Security & Process Fee

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 20.11.2017 before S.B.


(AHMAD HASSAN)
MEMBER

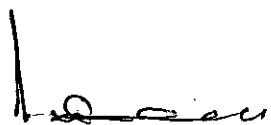

20.11.2017

Counsel for the appellant present. Mr. Riaz Paynda Khel, Assistant AG alongwith Mr. Arshed Ali, ADO and Mr. Zakiullah, Senior Auditor for the respondents also present. Written reply not submitted. Learned Assistant AG requested for adjournment. Adjourned. To come up for written reply/comments on 14.12.2017 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

Form-A
FORM OF ORDERSHEET

Court of _____
Case No. 1070/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	25/09/2017	<p>The appeal of Malik Hayat Khan presented today by Mian Muhammad Imran Advocate, may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p> REGISTRAR 25/9/17</p>
2	26-9-17	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>10.10.17</u>.</p> <p> CHAIRMAN</p>

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No 1070 /2017

Malik Hayat Khan

V
ERSUS

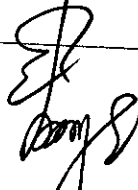
Secretary Elementary & Secondary Education K.P

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Dated: 25/09 2017

Through


MIAN MUHAMMAD IMRAN
Advocates High Court
0333-9577770

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

①

Service Appeal No. 1070 /2017

Khyber Pakhtunkhwa
Service Tribunal

Dir. No. 1098

Date 25/9/2017

Malik Hayat Khan S/O Munir Khan R.O Mohallah khari Qala Ghari
Baghbanan P.O Musazai Tehsil & District Peshawar

.....Appellant

V E R S U S

- 1. Secretary to Government of Khyber Pakhtunkhwa , Elementary & Secondary Education, Sahibzada Abdul Qayum Road, Civil Secretariat Peshawar Khyber Pakhtunkhwa
- 2. Director, Elementary & Secondary Education Khyber Pakhtunkhwa, Main Grand Trunk Road, Near Qila Bala Hisar Peshawar
- 3. District Education Officer (Female), G.T Road Peshawar
- 4. District Education Officer (Male), Elementary & Secondary Education Batagram
5. District Account Officer, Batagram
6. Accountant General, Khyber Pakhtunkhwa, Fort Road Peshawar Cantt

.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT, 1974 KHYBER PAKHTUNKHWA AGAINST THE REJECTION OF DEPARTMENTAL REPRESENTATION/APPEAL DATED:28/8/2017 REGARDING THE RELEASE OF SALARIES SINCE 01/03/2015 TILL DATE EXCEPT OCTOBER 2016

~~Filed to-day~~

Registrar
THE APPELLANT IS PLEASED TO BESECH BEFORE THIS HONORABLE TRIBUNAL AS UNDER;

1. That the Appellant was appointed on 10.11.1996 as a "Behishti" at "Government High School Haji Muhammad Noor Kallay(Zangali)" District Peshawar against a vacant post.

(Copy of appointment order is attached as F/A)

2. That after serving dutifully at the aforementioned "GHS Haji Muhammad Noor Kallay", the Appellant was transferred to GHS Ghari Ghulam Shah District Peshawar as a "Naib Qasib" vide Dated: 01-08-1997, and also served in different other schools of the province which is evident from the service book of the Appellant. **(Copy of Service Book is attached as F/B)**
3. That being Naib Qasid/Behishti, the Appellant worked efficiently, honestly and in a manner that all the high ups were satisfied with his duties as no adverse action has been taken against him during his entire service.
4. That it is further important to submit that the appellant was transferred to "Directorate of E&S K-P Peshawar" from "Government Girls Middle School No. 1 Peshawar Cantt" vide Order Dated: 01/01/2014. **(Copy of the Transfer Order Dated 1/1/2014 is attached as F/C)**
5. That it is further submitted that on the same day vide Dated: 01/01/2014, the appellant was further transferred to GHS Sakargah, District Battagram. **(Copy of Transfer to District Battagram is attached as F/D)**
6. That it is legit to submit that the main purpose to transfer the appellant to District Battagram, was the clandestine and surreptitious aim plus motive of Respondents because the appellant was transferred to Far-Flung District from his home town, so that to cause hardships and create problems but still the appellant complied with.
7. It is also indispensable to submit that the Respondents have always indulged in unlawful posting, transfers and appointments and in this respect; the huge example is the appointment of one "NOUMAN" as a Bhishti on the post of one "UMAR ALP". Apart from it, the said "NOUMAN" was adjusted as "Supper" and later on as a "Naib Qasid" on 05-11-2015 at GGMS NO.1 Peshawar Cantt. So it is no doubt an example of the unlawful and illegal approach of the Respondents.

**Copy of adjustment order of "NOUMAN" as Naib Qasid Dated:
05/11/2015**

- 8. That after getting information regarding adjustment of the aforementioned person "Nauman" on his post of "Naib Qasid" at GGMS No.1 Peshawar Cantt, the appellant also approached the Respondents that he may also be transferred to his hometown so, in response, the Respondents in the beginning, showed reluctance to resolve the issue but later on, they decided to give promotion to the appellant to the post of "Junior Clerk".
- 9. That resultantly, the Appellant was promoted to the position of "**Junior Clerk**" vide order Dated 01.06.2014 at GHS Sakargah, District Battagram. **(Copy of promotion order is attached as F/G)**
- 10. That the Appellant left no stone unturned and with profound satisfaction of his high ups during the new task "**Junior Clerk**" performed his duties.
- 11. That the performance of the appellant remained satisfactory and he has been performing his duties honestly and with the entire satisfaction of his high ups at GHS Sakargah Battagram as a "junior Clerk".
- 12. That the stroke of misfortune hit the Appellant when his salary for the month of March 2015 was not received without any cogent justification and reason.
- 13. That it is pertinent to submit that since inception of the service of the Appellant as "Bahishti" and also later on as "Naib Qasid", received his salary continuously without any hurdle and such remained continue even for a few months after getting promotion to the position of "Junior Clerk". **(Copy of pay slips are attached as F/H)**
- 14. That since March 2015, the Appellant approached various offices of the respondents to unblock his salary and to the very least find out the reasons for blocking his salary but even though the Appellant tried his level best yet the respondents remained adamant and did not disclose anything to the Appellant. **(Copy of applications are attached as F/I)**

15. That it is submitted that despite submission of several applications regarding unblocking of the mentioned above blocked salaries, the respondents remained reluctant to unblock the same and also failed to show any plausible reason that why the salaries of the Appellant were not forwarded/given/released.

16. That on 19-08-2016 the Appellant was transferred to GHS Garhi Muhammad Gul, Mera Surizai Payan, Peshawar as "Junior Clerk". *(Copy of transfer order is attached as F/J)*

17. That it is also submitted that the salary for the month of October 2016 was released by the respondents after the appellant was transferred to GHS Garhi Muhammad Gul, Mera Surizai Payan, Peshawar but the pending unpaid salaries were still not paid/released by the Respondents. *(Copy of the pay slip is attached as F/K)*

18. That even after releasing the salary for the month of October 2016, the appellant was astonished to see and observe that the pay and salary for the following months were also not released.

19. That upon the continuous breach of the fundamental rights of the Appellant, the Appellant approached the Honorable Peshawar High Court Peshawar under Writ Petition No. 4636- P/2016 where the petition was entertained and it was observed that the issue is relating to the Service Tribunal as it touches the terms and condition of the service. *(Copy of Judgment in writ Petition No 4636-P/2016 is attached as F/L)*

20. That it is also indispensable to submit that during the proceeding and hearing of the above mentioned writ petition regarding release of the salaries, the appellant was astonished to know the fact that an enquiry was conducted against him in the month of October 2015 which reflected the point that such enquiry was basically related to some inter-provincial transfer documents which was stated to be fake and bogus. It is further submitted that such documents were produced by the Respondents during the proceedings of the writ petition for releasing of

the stopped and pending salaries. **(Copy of the Inquiry Proceedings and Findings are attached as F/M)**

21. That after acquiring copy of the judgment in the above mentioned writ petition, the appellant again approached to the Respondents regarding such un-lawful enquiry proceedings but still no heed was paid.

22. That it is further axiomatic to submit that the appellant thus on 25/5/2017 preferred a departmental representation to the Director, Elementary and Secondary Education K-P and submitted that such above mentioned inquiry was an ex-parte proceedings and the appellant was condemned unheard and also explained other important things, resultantly the departmental appeal was rejected on 28/8/2017. **(Copy of the Departmental Representation is attached as F/N).**

23. That feeling aggrieved from the un-lawful acts of the respondents, the Appellant approaches this Honorable Tribunal on the following grounds.

GROUND

- A. That the actions of the respondents are perverse, arbitrary and illegal as the Appellant has not committed any illegality and any violation of the rules and also regarding his duties.
- B. That no show cause notice was served on the Appellant and the allege enquiry proceedings were in fact ex-parte/one sided without extending any opportunity to the Appellant to appear before the inquiry officer.
- C. That because the Appellant was never given any sort of termination order etc, he was thereby also usurped of his right to make a departmental appeal at a proper time.
- D. That unceremoniously the Appellant's salary too was stopped long before but though the service book of the Appellant states the employment of the Appellant verified up until 19-08-2016.
- E. That it was mandatory that the Appellant was given a chance of personal hearing but malafidely the same was not given to the appellant.

- F. That to date the Appellant has been kept in dark about his blockage of his salaries, and the Inquiry conducted. Furthermore, even if the provision of the inquiry was dispensed with, the mandatory provisions of section 5, 7 & 9 of the Government Servants (Efficiency & Discipline Rules, 2011) should have been followed, however in the instant case the same were blatantly infringed
- G. That the unlawful acts of the Respondents have cultivated un-precedented problems for the Appellant as his post was re-filled in spite of the fact that he was also serving on the said post which is undoubtedly against the mandate of law and rules.
- H. That any other grounds may be raised at the time of arguments with the permission of this Honorable Tribunal.

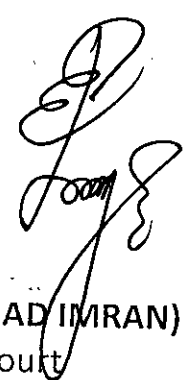
PRAYER:

It is therefore, most convivially and humbly prayed that on acceptance of this Appeal, directions may be issued to the respondents Release the salary/pay of the appellant since 01/03/2015 till date except salary/pay for the month of October 2016 which has already been released.


Any other relief which this Honorable Court deems fit and appropriate may also be awarded in favour of the Appellant.

Dated: 25/09/2017
Through


Appellant



(MIAN MUHAMMAD IMRAN)
Advocate High Court
0333-9577770
&


(MUHAMMAD HAROON DURRANI)
Advocate High Court
0345-9144375

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

Service Appeal No _____ /2017

Malik Hayat Khan

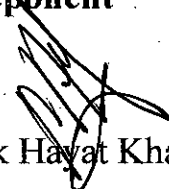
VERSUS

Secretary Elementary & Secondary Education KPK & Others

AFFIDAVIT

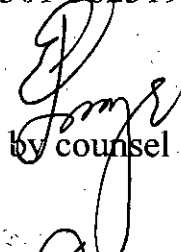
I, **Malik Hayat Khan** S/O Munir Khan R.O Mohallah Ghazi Qala Ghari Baghbanan P.O Musazai Tehsil & District Peshawar do hereby solemnly swear and affirm on oath that the contents of this Appeal are true and correct to the best of my knowledge and nothing has been concealed from this Honorable Court/Tribunal either intentionally or otherwise.

Deponent



Malik Hayat Khan

CNIC: 17301-5823198-5



Identified by counsel

M M Durand

AAC



ATTESTED
MUHAMMAD HAROON DURAND
OATH COMMISSIONER
ADVOCATE HIGH COURT PESHAWAR.

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

Service Appeal No _____ /2017

Malik Hayat Khan

VERSUS

Secretary Elementary & Secondary Education Kpk & Others

APPLICATION FOR CONDONATION OF DELAY IF ANY

Respectfully shewith,

1. That the captioned appeal, with may be read part and parcel of this application, is pending before this learned forum in with I no date of hearing has been fixed.
2. That the appellant time and again approached the Respondents to find about the status of his case but no information of any sort was given to the Appellant.
3. That after much endeavors the Appellant found out that an adverse decision has been passed against him but yet no written documentation given to him.
4. That as such, the Appellant seeks its condonation on the aforementioned grounds.
5. That this learned forum has always leaned in favour of adjudication on merits rather that technicalities.
6. That the appellant is a poor man and seeks kind indulgence of this learned forum.

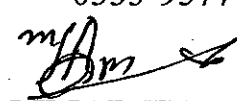
It is therefore most humbly submitted that on acceptance of this application the delay in lodging the captioned appeal may most humbly be condoned in the interest of justice.

Appellant



Through

MIAN MUHAMMAD IMRAN
Advocates High Court
0333-9577770



(MUHAMMAD HAROON DURRANI)
Advocate High Court
0345-91443755

&

[Handwritten signatures and initials]

Assistant Director (Public)
Secondary Education, Peshawar

30.10.1995

Mr. Malik Hayat
District Education Officer (Male)
Secondary Education, Peshawar

1. The accountant General NWFP, Peshawar.
2. The Principal/Headmaster/GNS/GMS/GNS, Haji Mohammad Noor
3. The candidate concerned.
4. The Cashier Local office/ Personal file.
5. Superintendent Estt. Branch.

Copy forwarded for information to the :-
Dated 10-11-1995
Encl: No. 11938/10/
District Education Officer (Male)
Secondary Education, Peshawar

The verification on roll of character and antecedent should be obtained from the candidate concerned on the prescribed form and submitted to the office for further verification and record. The candidate should not be handed over the charge if his exceeds years or below years. He should execute necessary security bond in case, he is required to handle Govt. money or property. The pay scale and service rules would be subject to reversal in accordance with orders to be passed by the Govt. of NWFP. Time to time.

1. Charge reports in duplicate should be submitted to all concerned. No. 7A/DV is allowed being first appointment. No joining time is allowed except that is absolutely necessary for transit. The appointment is purely on temporary basis and subject to termination at any time without assigning any reasons or prior notice. In case, he wishes to leave the post, he shall have to submit one month prior notice or in lieu thereof forfeit one month's pay and allowances to Govt. His educational qualification should be checked before the handing over the charge of the post.

2. He should produce his health and age certificate from the Civil Surgeon concerned within seven days of reporting arrival for duty as required under the Rules (P.R. 10 and S.R. 4). In case, the candidate fails to take over the charge within 10 days from the date of issue of this letter, his appointment will stand cancelled automatically.

3. The verification on roll of character and antecedent should be obtained from the candidate concerned on the prescribed form and submitted to the office for further verification and record. The candidate should not be handed over the charge if his exceeds years or below years. He should execute necessary security bond in case, he is required to handle Govt. money or property. The pay scale and service rules would be subject to reversal in accordance with orders to be passed by the Govt. of NWFP. Time to time.

Mr. Malik Hayat
S/o Munir Khan
Candidate

is hereby appointed as
in the B.P.S. NO. (T) of Rs. - 1245/- 1770 Plus usual allowances as admissible under the Rules with effect from the date of his taking over at 3 GNS Haji Mohammad Noor Killi, Vacant Post

under the following terms and conditions

APPOINTMENT
OFFICER ON THE DISTRICT EDUCATION (MALE) SECONDARY PESHAWAR

(9)

F/B

10

(For use in Police Department only)

Heirs.-

- 1. Passed SSC (A) Exam. 1999 under R. No. 176657 securing 359/850 marks
- 2. in "D" grade.

3.

[Signature]
HEAD MASTER

Govt High School Ghat
Ghulam Shah Peshawar

Verification Roll No.

dated

received back.

Left Thumb-impresion

Qualifications	Date	Qualifications	Date
English		First Arts	
Pushto		B.L. or B.A.	
Urdu		Pleadership Examination	
Plan-Drawing		Training School Final Examination	
Finger Print		Other Qualifications:-	
Drill Instructing			
Court Duties			
Reserve Duties			

[Signature]

[Signature]
HEAD MASTER
G.H.S Garhi Ghind Gul
Ghulam Shah Peshawar

N.B.— Line to be drawn under the qualification possessed

[Signature]
[Signature]

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

1. Name: MAJIK HAYAT

2. Race: PAKISTANI

3. Residence: village and P/O Masazai Tehsil and District Peshawar.

4. Father's name and residence: MUNIR KHAN

5. Date of birth by Christian era as nearly as can be ascertained: 1-11-1978

6. Exact height by measurement: 5-5"

7. Personal marks for identification: Male right side (Chamber)

8. Left hand thumb and Finger Impression of (Non-Gazetted) Officer.

Little Finger

Ring Finger

Middle Finger

Fore Finger

Thumb

[Handwritten signature/initials]

9. Signature of Government Servant: *[Handwritten signature]*

10. Signature and Designation of the Head of the Office, or other Attesting Officer: *[Handwritten signature]*

HEAD MASTER
G.H.S Garhi Wajid Gul
Mera Surizai F. District

HEAD MASTER
G.H.S Haji Mohammad
Noor-Kili Peshawar.

1 Name of Post	2 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 C.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 of Government Servant
<u>BRS No-1 (Rs. 1245-35-1770)</u>							
Belisite at GHS, Haji Mohammad Noor Killa, Peshawar	Off. Temp.		Rs. 1245/- P.M.			10 ¹¹ / ₉₆ (11/96)	محمد حیات
GHS Ghazi Ghulam Shah			Rs. 1245/- P.M.			1/8/97	محمد حیات
			Rs. 1280/- P.M.			1 ¹² / ₉₇	محمد حیات
			Rs. 1315/- P.M.			1 ¹² / ₉₈	محمد حیات
			Rs. 35/- + 35/- 7-0/-			30 ³ / ₉₉	محمد حیات
			Rs. 1385/- P.M.			1 ¹² / ₉₉	محمد حیات
			Rs. 1420/-			1 ¹² / ₉₉	محمد حیات
			Rs. 1455/- P.M.			1 ¹² / ₂₀₀₀	محمد حیات
GHS Akhbar Abad Peshawar			Rs. 1455/- P.M.			31 ³ / ₂₀₀₀	محمد حیات
			Rs. 1495/- P.M.			1 ¹² / ₂₀₀₀	محمد حیات
	Attested						
	HEADMASTER GHS Garhi Mohd Gul Peshawar						

[Handwritten Signature]

[Handwritten Signature]

1 Name of Post	2 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 C.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 of Government S
<u>REVISED BASIC PAY SCALE W.E.F 1-12-2001.</u> (BPS-01 R.S. 1870-55-3520)							
Malik Aspat M/O GHS Wazirabad Mba of Peshawar	R/o	2255/PM				12/2001	[Signature]
	R/o	2310/PM				12/2002	[Signature]
GHS No-3 Peshawar city		R/o-2310/PM				11/03	[Signature]
<u>Revised BPS NO 1 (1870-55-3520)</u>							
GHS No 3 Peshawar city		R/o 2365/-				12/2003	[Signature]
Attest HEADMASTER GHS Garhi Mohi Gul Jera Surizaj, Bawal Pesh		2255/-					[Signature]

2 Administrative
1870-55-3520
2255/-

[Signature]

[Signature]

9	10	11	12	13	14	15
Signature and designation of the head of the office or other attesting officer in columns 1 to 8	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 taken	Allocation of period of leave in average pay upto four months for which leave salary is debitable to another Government	Signature of the head of the office or other attesting officer
					Period	Government to which debitable
<p><i>Qureshi</i> HEAD MASTER Govt. High School Akhoon Abad Peshawar</p>	<p>30/11/2002</p>	<p><i>JK</i></p>	<p><i>Qureshi</i> HEAD MASTER Govt. High School Akhoon Abad Peshawar</p>		<p>30-11-2001</p>	<p><i>Qureshi</i> HEAD MASTER Govt. High School Akhoon Abad Peshawar</p>
<p><i>Qureshi</i> HEAD MASTER Govt. High School Akhoon Abad Peshawar</p>	<p>31/10/2002</p>	<p><i>7300/2002</i></p>	<p><i>Qureshi</i> Govt. Akhoon Abad Head Master GHS. Akhoon Abad Peshawar.</p>		<p>30-11-2002</p>	<p><i>Qureshi</i> HEAD MASTER Govt. High School Akhoon Abad Peshawar</p>
<p><i>Qureshi</i> PRINCIPAL Govt. Higher Secondary School No-3 Peshawar City (Accounts)</p>	<p>31/10/2002</p>	<p><i>7300/2002</i></p>	<p><i>Qureshi</i> PRINCIPAL Govt. Higher Secondary School No-3 Peshawar City (Accounts)</p>		<p>31-10-2002</p>	<p><i>Qureshi</i> HEAD MASTER Govt. High School Akhoon Abad Peshawar</p>
<p><i>Qureshi</i> PRINCIPAL Govt. Higher Secondary School No-3 Peshawar City (Accounts)</p>	<p>30/11/2003</p>	<p><i>7300/2003</i></p>	<p><i>Qureshi</i> PRINCIPAL G. H. S. S. No. 3 Peshawar City</p>		<p>31-10-2003</p>	<p><i>Qureshi</i> HEAD MASTER G.H.S. Akhoon Abad Peshawar</p>
<p><i>Qureshi</i> PRINCIPAL G. H. S. S. No. 3 Peshawar City</p>	<p>30/11/2004</p>	<p><i>7300/2004</i></p>	<p><i>Qureshi</i> PRINCIPAL G. H. S. S. No. 3 Peshawar City.</p>		<p>Services rendered from 1-5-2003 to 31-12-2003</p>	<p><i>Qureshi</i> PRINCIPAL Govt. Higher Secondary School No. 3 Peshawar City.</p>
<p><i>Qureshi</i> HEAD MASTER G.H.S. Garhi Mithal Gul Peshawar</p>						

1 Name of Post	2 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 C.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 of Government Servant
H/R SHS No 3 Pardwan city			Rs: 2420/- P.M			01/12/2004	[Signature]
		Revised EPS No. 1 (2150-65-4100)	Rs: 2800/- P.M			01/7/2005	[Signature]
			Rs: 2865/- P.M			01/12/2005	[Signature]
							[Signature]
							[Signature]
			Rs. - 2930/- P.M			01/12/2006	[Signature]
			Rs. - 3375/- P.M			01/7/2007	[Signature]

Office of the Assistant General
N.W.F.P. Peshawar
Pay Fixed at Rs. 2800/-
with a revised grade pay scale 2005
at Rs. 2800/- (19/07/2005)
12/12/05

15% DA
[Signature]

HEADMASTER
SHS Garhi
Peshawar

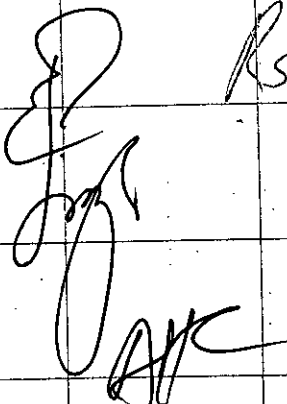
1 Name of Post	2 Whether substantive or officiating and whether permanent or temporary	3 If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371	4 Pay in substantive Post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of Appointment	8 Signature of Government Servant
Narb Rasid	Upgraded	(BPS No 2 to B-2)	RS. 3380/- P.M	(2530-85-5080)		01/7/2007	[Signature]
GHS No-3 Peshawar city	Revised B-2	(3035-100-6035)	RS. 3485/-			12/10/07	[Signature]
GHS No 3 Peshawar city			RS. 4135/2 P.M			7/08	[Signature]
do			RS. 4235/2 P.M.			12/08	[Signature]
<p>2530-85-5080</p> <p>GENERAL</p> <p>BASIC</p> <p>AT RS 3380/-</p> <p>With Next Increment on</p> <p>1.07.2007</p> <p>1.01.2007</p>							
23/8/2		Accounts Officer	[Signature]	[Signature]			[Signature]
GHS No. 1 Peshawar city			RS. 4235/P.M			3/09	[Signature]
	Revised B-2	(B-2) 2530-85-5080					
do	Revised B-2		3485/- P.M			19/07	[Signature]
do	[Signature]		3550/P.M			12/07	[Signature]

1 Name of Post	2 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 C.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 of Government Servant
GHS No. 1 Post city		Revised entry B-2 (3035-100-6035)					
RS - do			Rs. 4235/PM			1-9/08	[Signature]
do			Rs. 4335/PM			1-12/08	[Signature]
do			Rs. 4435/PM			1-12/09	[Signature]
do			Rs. 4535/PM			1-12/10	[Signature]
GHS No. 1 Post p. 10			Rs. 4535/PM			8-3/11	[Signature]
MANAGER GHS Garhi Mohd Gul Jera Surizai, P. 10 Post							

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Ades Aed

[Handwritten initials]

1 Name of Post	2 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 C.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 of Government Servant	
GGMS No. I Cantt, Peshwar			Rs= 4535/-			8 ³ / ₂₀₁₁	to [Signature]	
Revised Pay Scale RPS-2 (4900-170-10000)								
			Rs= 7450/-			1 ⁷ / ₂₀₁₁	to [Signature]	
			Rs= 7620/-			1 ¹² / ₂₀₁₁	to [Signature]	
			Rs= 7790/-			1 ¹³ / ₂₀₁₂	to [Signature]	
	<div style="border: 1px solid black; padding: 5px;"> <p>Office of the Director General N.W.F.P. Peshwar Pay Fixed in the revised basic Pay Scale 2011 of Rs. (4900-170-10000) at Rs. 7450/- N.W.F.P. 17/2011 With effect from 01/12/2011</p> <p><i>[Signature]</i> Director General Pay Fixation, P.W. Peshwar</p> </div>		Rs= 7960/-			01 ¹² / ₂₀₁₃	to [Signature]	
		7450/-		Rs= 7960/-			31 ¹² / ₂₀₁₃	to [Signature]
		Naib Qaid o/o Directorate Peshwar		Rs= 7960/-			01 ⁰¹ / ₂₀₁₄	to [Signature]
			(4900-170-10000) (667-46-2040)					
			7960	8440/-		1 ^b / ₂₀₁₄		
			8420	4600/-				
			2130	2900/-				

Attested

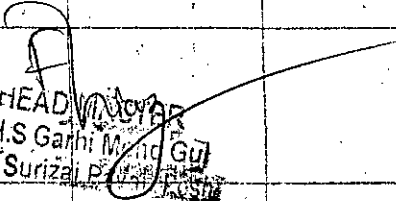
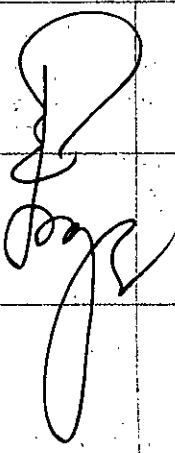

[Signature]
 H.S. Garhi
 Peshwar

Premature (over)

Signature and name of the head of office or other attesting officer in Form No. 8	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	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitabale to another Government		
				Period	Government to which debitabale		
<i>[Signature]</i> D.O. E & S. Edu. Peshawar.			<i>[Signature]</i> D.O. E & S. Edu. Peshawar.		From 6 HSS-NO.1 Peshawar No.1 Peshawar City to GOMS No.1 Peshawar conty vide E.D.O. (E & S) Peshawar order No. 1936-38 dated 07/3/2011		
<i>[Signature]</i> D.O. E & S. Edu. Peshawar.	30/11/2011	Revised Pay Scale	<i>[Signature]</i> D.O. E & S. Edu. Peshawar.				
<i>[Signature]</i> D.O. E & S. Edu. Peshawar.	30/11/2012	A/Spec	<i>[Signature]</i> D.O. E & S. Edu. Peshawar.				
<i>[Signature]</i> D.O. E & S. Edu. Peshawar.	30/11/2013	A/Spec	<i>[Signature]</i> D.O. E & S. Edu. Peshawar.				
<i>[Signature]</i> D.O. E & S. Edu. Peshawar.	11/11/14	A/Spec	<i>[Signature]</i> D.O. E & S. Edu. Peshawar.			Service Verified w.e.f. 2-3-2011 to 30-11-2011 From the A/Roll and other record of this office.	
<i>[Signature]</i> D.O. E & S. Edu. Peshawar.	1/12/2014	Transfer to Director Ex SE Psh. vide Director No. 1952-59 dated 01-07-2014	<i>[Signature]</i> D.O. E & S. Edu. Peshawar.				<i>[Signature]</i> D.O. E & S. Edu. Peshawar.
<i>[Signature]</i> D.O. E & S. Edu. Peshawar.			<i>[Signature]</i> D.O. E & S. Edu. Peshawar.		TR No. 507 dated 17/1/2014	Service Verified w.e.f. 01-12-2011 to 30-11-2012 From the A/Roll and other record of this office.	
<i>[Signature]</i> D.O. E & S. Edu. Peshawar.		Donau, Deputy Director (FA&D) Director of E & SE	<i>[Signature]</i> D.O. E & S. Edu. Peshawar.		17/1/2014 17/1/2014		<i>[Signature]</i> D.O. E & S. Edu. Peshawar.
<i>[Signature]</i> D.O. E & S. Edu. Peshawar.			<i>[Signature]</i> D.O. E & S. Edu. Peshawar.		17/1/2014 17/1/2014		<i>[Signature]</i> D.O. E & S. Edu. Peshawar.
<i>[Signature]</i> D.O. E & S. Edu. Peshawar.			<i>[Signature]</i> D.O. E & S. Edu. Peshawar.		17/1/2014 17/1/2014		<i>[Signature]</i> D.O. E & S. Edu. Peshawar.

Rev. Pind in B-1 8/30/14
 P.M. 4 6/2014
 Attached
[Signature]

[Signature]
 AHC
 Service Verified w.e.f. 01-12-2011 to 30-11-2012 From the A/Roll and other record of this office.
[Signature]
 D.O.
 E & S. Edu.
 Peshawar.

1 Name of Post	2 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 C.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 of Government Servant
The GHS Sakargal Bhatnagar		Bps-11 (6600-460-20400)	Rs 8440/pms			1 6 / 2014	
- do -			Rs 8900/pms			1 12 / 2014	
Pay Revised Entry							
- do -		Bps-11 (8540-595-26390)	Rs 11515/pms			30 6 / 2015	
			Rs 12110/pms			30 6 / 2015	
<p data-bbox="207 1978 478 2091">Attested</p>  <p data-bbox="159 2179 446 2305">HEAD OFFICER G.H.S Garhi Mandi Guj Wara Surizal P...</p>							 

9	Signature and position of the officer or other person attesting to the accuracy of columns 1 to 8
10	Date of termination (such as promotion, transfer, dismissal, etc.)
11	Reason of Signature of the head of the office or other person attesting officer (leave taken of duration payable to another Government Signature of the head of the office or other person attesting to the accuracy of the Government Servant.
12	HEAD MASTER Govt High School Sakragan Bhatnagar
13	Allocation of period of leave on average pay upto four months for which leave salary is payable to another Government Period to which Government debttable
14	Signature of the head of the office or other person attesting to the accuracy of the Government Servant.
15	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.

30/11/2014
HEAD MASTER
Govt High School
Sakragan Bhatnagar

promoted and adjusted on the against
vacant post of T/O at GHS Sakragan
(allow) DEOCM) Bhatnagar vide order issue
order: 3243-47 dt 01-06-2014.

30/11/2014
HEAD MASTER
Govt High School
Sakragan Bhatnagar

Service verified w.e.f 1.7.2014 to
30-11-2014 from the accounts Roll and
other Record of this office.

30/11/2014
HEAD MASTER
Govt High School
Sakragan Bhatnagar

Service verified w.e.f 1.12.14 to 28.5.2015
from the accounts Roll and other Record
of this office.

30/11/2014
HEAD MASTER
Govt High School
Sakragan Bhatnagar

Service verified w.e.f 29.11.2015
from the accounts Roll and other Record
of this office.

30/11/2014
HEAD MASTER
Govt High School
Sakragan Bhatnagar

Service verified w.e.f 29.11.2015
from the accounts Roll and other Record
of this office.

30/11/2014
HEAD MASTER
Govt High School
Sakragan Bhatnagar


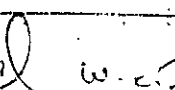
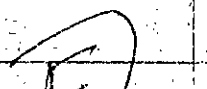
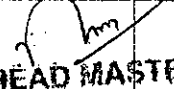

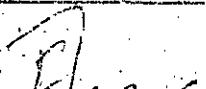
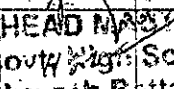
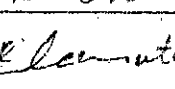
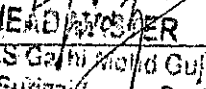
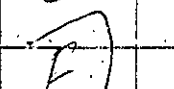

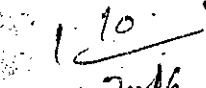

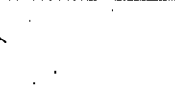
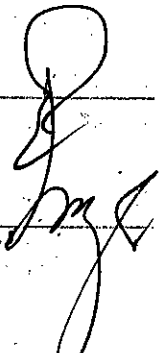
Service verified w.e.f 29.11.2015
from the accounts Roll and other Record
of this office.

30/11/2014
HEAD MASTER
Govt High School
Sakragan Bhatnagar

Service verified w.e.f 29.11.2015
from the accounts Roll and other Record
of this office.

1	2	3	4	5	6	7	8
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 of Government servant
J/clerk G. H. S. Sakargia Bottarga		Bps-11 (10510 - 740 - 32710)	Rs 14950/pm			17/2016	[Signature]
J/c GHS Ghani Mehummal Gul Peshawar			Rs 14950/pm			19/8/2016	[Signature]
do-			Rs 15690/pm			19/8/2016	[Signature]
[Signature]		Accepted					
[Signature]		[Signature]					

HEAD
of the
[unclear]
[unclear]

9	10	11	12	13 Leave		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	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 taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
				Per-iod	Government to which debitable		
 HEAD MASTER Govt. High School Sakargan Battagram	11-1/2016 <i>Pay Revised on 7-30-6-2016</i>				Service Verified w.e.f 1.1.2016 from the Accounts Roll and other record of this office.	 HEAD MASTER Govt. High School Sakargan Battagram	
 HEAD MASTER G.H.S. Garhi Mohd Gul Mera Surzai Peshawar	1-7-2016 <i>Post. Transfer</i>	Transfer from G.H.S. Sakargan Battagram to G.H.S. Garhi Muhammad Gul Mera Surzai Peshawar vide Order issued Directorate of Elementary and Secondary Education Pk part Edent: 7706-12 dt: 19/8/2016	 HEAD MASTER Govt. High School Sakargan Battagram			 HEAD MASTER Govt. High School Sakargan Battagram	
 HEAD MASTER G.H.S. Garhi Mohd Gul Mera Surzai Peshawar	20-8-2016 <i>Post. over charge</i>		 HEAD MASTER Govt. High School Sakargan Battagram			 HEAD MASTER Govt. High School Sakargan Battagram	
 HEAD MASTER G.H.S. Garhi Mohd Gul Mera Surzai Peshawar	TR No 220 dt 7/10/16 2-3 verified for Station of pay in view of G.H.S. Garhi Mohd Gul Mera Surzai Peshawar part w.e.f 1-10-2016		 HEAD MASTER G.H.S. Garhi Mohd Gul Mera Surzai Peshawar		Service Verified w.e.f 1.7.2016 to 19.8.2016 from the Accounts Roll and other record of this office.	 HEAD MASTER Govt. High School Sakargan Battagram	
 HEAD MASTER G.H.S. Garhi Mohd Gul Mera Surzai Peshawar	1-10-2016 2-3 verified for Station of pay in view of G.H.S. Garhi Mohd Gul Mera Surzai Peshawar part w.e.f 1-10-2016		 HEAD MASTER G.H.S. Garhi Mohd Gul Mera Surzai Peshawar		Service Verified w.e.f 1.7.2016 to 19.8.2016 from the Accounts Roll and other record of this office.	 HEAD MASTER Govt. High School Sakargan Battagram	 AHC

F/c

28

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER
PAKHTUNKHWA, PESHAWAR.

U.C.E ORDER

[Handwritten signature]

The mutual transfer in respect of the following Class-IV/Naib Qasid is hereby
ed on their own pay and scale in the interest of public service with effect from the date of
taking over charge.

Name & Designation	From	To	Remarks
Mr. Libas Gul N/Qasid	Directorate of E&SE K.P Peshawar	GGMS No.1 Peshawar Cantt	Vice S.No.02
Mr. Malik Hayat N/Qasid	GGMS No.1 Peshawar Cantt	Directorate of E&SE K.P Peshawar	Vice S.No.01

- 1. Charge report should be submitted to all concerned.
- 2. No TA/DA is allowed.

DIRECTOR
Elementary & Secondary Education
Khyber-Pakhtunkhwa, Peshawar

No. 1952-59/F.No.A-20/C-IV/Pesh/Vol-II. Dated Peshawar 01 / 01 / 2014

- Copy for information to the:-
- Accountant General Khyber Pakhtunkhwa Peshawar.
 - Deputy Director Establishment local Directorate.
 - District Education Officer (I) Peshawar.
 - HM/GGMS No.1 Peshawar Cantt.
 - Cashier concerned.
 - Official concerned.
 - PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa.
 - M/ile.

[Handwritten signature]
Deputy Director (E&S)
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

[Large handwritten signature]

F/D

29

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER
PAKHTUNKHWA, PESHAWAR

OFFICE ORDER

Mr. Malik Hayat Naib Qasid of Govt: Girls Middle School No.1, Cantt: Peshawar is hereby transferred / adjusted against the vacant post of Naib Qasid at Govt: High School Sakargah District Battagram in his own pay & BPS in the interest of public service with effect from the date of his taking over charge.

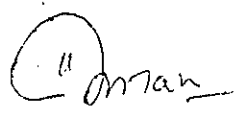
- Note:
- 1: Charge report should be sent to all concerned.
 2. No TA/DA etc is allowed.
 3. Necessary entry to this effect should be made in his service book

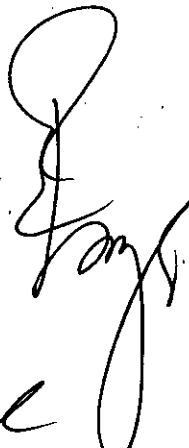

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst No. 1952-59 /F.No. Other District Transfer, Dated 01-01/2014

Copy of the above is to the :-

1. PA to Director (E&SE) Pkhyber Pakhtunkhwa, Peshawar.
2. District Education Officer (Female)/ Peshawar.
3. District Education Officer (Male) Battagram.
4. Head Master GHS Sakargah Battagram.
5. Official concerned.
6. Master File.


DEPUTY DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar



F/E

30

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) PESHAWAR.

APPOINTMENT.

Consequent upon the approval of the Departmental Selection Committee in its meeting held on 6/1/2014, the competent authority is pleased to appoint Mr. Nouman S/O Sher Ali resident of District Peshawar as Bahisti in BPS.01 (Rs. 4800-150-9300) plus usual allowances as admissible under the rules against the vacant post at GGMS Cantt: No.1 Peshawar with effect from the date of his taking over charge on the following terms and conditions:-

TERMS & CONDITIONS :-


- 1 He will be governed by such rules and regulations as may be prescribed by the Govt: from time to time for the category of the Govt: Servant to which he belongs.
- 2 His service will be liable to termination at any time / stage without any notice.
- 3 In case of resignation one month's prior notice should be given by the official concerned otherwise one month pay will be forfeited in lieu thereof in the Govt: Treasury.
- 4 His service is on purely temporary basis and liable to termination / reversion at any stage without assigning any notice / reason.
- 5 He will produce Health and age certificate from the Civil Surgeon concerned before taking over charge.
- 6 Charge report should be submitted to all concerned.
- 7 No TA / DA etc: is allowed being 1st: appointment.
- 8 NOTE :- His appointment order shall be verified by the concerned DDO personally from the office of the DEO (Female) Peshawar before handing over charge to the Officials.

SAMINA GHANI
DISTRICT EDUCATION OFFICER,
(FEMALE) PESHAWAR.

Endst: No. 1313-18 / Apptt: /C-IV/Vol: I/2014 dated Peshawar the 25/1 /2014

Copy forwarded for information and necessary action to the :-

- 1 Accountant General Khyber Pakhtunkhwa Peshawar.
- 2 Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 3 Head Mistress GGMS Cantt: No.1, Peshawar.
- 4 Supdt: Estab: Local Office.
- 5 Casuar Middle schools local office.
- 6 Official Concerned.


DISTRICT EDUCATION OFFICER,
(FEMALE) PESHAWAR.




F/F

31

DISTRICT EDUCATION OFFICER(FEMALE)PESHAWAR.



ADJUSTMENT

Consequent upon the approval of the competent authority Mr Noman Khan Sweeper Govt Girls Middle School No.1 Peshawar cantt is hereby adjusted against the vacant post of Naib Qasid in Govt Girls Middle School No.1 Peshawar cantt with effect from the date of his taking over overcharge.

District Education Officer
(Female)Peshawar.

Dated Peshawar the 5/11 /2015.

Endst No. 124-25 /F.No.

Copy of the above is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Headmistress concerned.
3. Casheir Local Office
4. Official c concerned.
5. M/File.

District Education Officer
(Female)Peshawar.

District Education Officer
(F) Peshawar.

verified

District Education Officer
(F) Peshawar.

11/6/2014

Promotion order to J/c

(32)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) BATTAGRAM.

OFFICE ORDER / APPOINTMENT

Consequent upon the recommendation / approval of the Department Promotion Committee the following Class-IV are hereby promoted as Junior Clerk in BPS-07 (Rs.5800-320-15400) plus usual allowance as admissible under the rules against 33% quota and adjusted / posted against their with immediate effect.

S.No	Name & Designation	Promoted as	Remarks
1	Malik Hayat, Naib Qasid.	Junior Clerk at GHS Sakargah.	Against vacant post

- Note :
1. Charge report should be submitted to all concerned.
 2. On their promotion the official concerned will be on probation for a period of one year in terms in section 6 (2) of the Khyber Pakhtunkhwa civil servant act 1973 read with para 15 (1) of the Khyber-Pakhtunkhwa civil servant (appointment, promotion & transfer rules 1989).

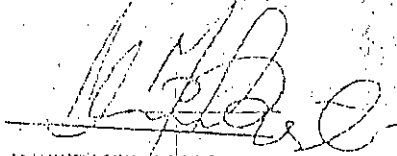
(MUHAMMAD SHOUKAT)
DISTRICT EDUCATION OFFICER
(MALE) BATTAGRAM.

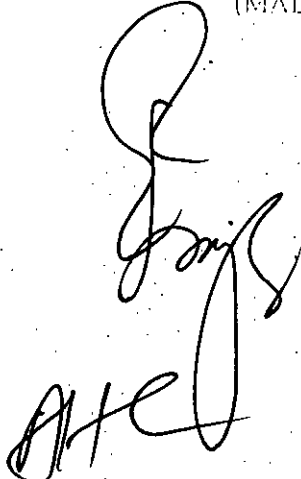
Order No. 3247/2014

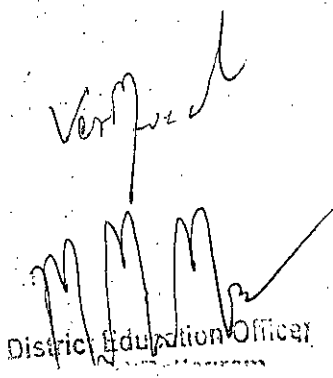
Date 01/6/2014

Copy forwarded for information to the

1. Director E&SE, Khyber Pakhtunkhwa Peshawar.
2. Dy. Commissioner Battagram.
3. District Accounts Officer Battagram.
4. Head Master, GHS Sakargah.
5. Official concerned.


DISTRICT EDUCATION OFFICER
(MALE) BATTAGRAM.




District Education Officer

Batagram

P Sec:002 Month:February 2015
BM7056 -Head Master G.H.S Sarkarga
Education Schools

Pers #: 00048646 Buckle: 0
Name: MALIK HAYAT
JUNIOR CLERK
CNIC No.13781679612
GPF Interest Applied

NTN:
GPF #: EDU 046242
Old #:

BM7056 -02

PAYS AND ALLOWANCES:
0001-Basic Pay
1000-House Rent Allowance
1210-Convey Allowance 2005
1300-Medical Allowance
1923-UAA-OTHER 20%(1-15)
1948-Adhoc Allowance 2010@ 50%
1970-Adhoc Relief Allow 2011
2118-Adhoc Relief Allow (2012)
2148-15% Adhoc Relief All-2013

8,440.00 ✓
1,234.00 ✓
2,856.00 ✓
1,200.00 ✓
1,000.00 ✓
267.00 ✓
680.00 ✓
1,688.00 ✓
1,266.00 ✓
20,631.00

Gross Pay and Allowances

DEDUCTIONS:
GPF Balance 80,729.00
3501-Benevolent Fund
3511-Addl Group Insurance
3604-Group Insurance

Subrc: 675.00
180.00
13.00
115.00

Total Deductions

NET AMOUNT PAYABLE
19,648.00

D.O.B
01.11.1978
18 Years 03 Months 020 Days

LFP Quota:
HABIB BANK LIMITED KHYBER BAZAR, PESHAW
0696000766001

Batagram

P Sec:002 Month:December 2014
BM7056 -Head Master G.H.S Sarkarga
Education Schools

Pers #: 00048646 Buckle: 0
Name: MALIK HAYAT
JUNIOR CLERK
CNIC No.13781679612
GPF Interest Applied

NTN:
GPF #: EDU 046242
Old #:

BM7056 -02

PAYS AND ALLOWANCES:
0001-Basic Pay
1000-House Rent Allowance
1210-Convey Allowance 2005
1300-Medical Allowance
1923-UAA-OTHER 20%(1-15)
1948-Adhoc Allowance 2010@ 50%
1970-Adhoc Relief Allow 2011
2118-Adhoc Relief Allow (2012)
2148-15% Adhoc Relief All-2013

8,440.00
1,234.00
2,856.00
1,200.00
1,000.00
2,267.00
680.00
1,688.00
1,266.00
20,631.00

Gross Pay and Allowances

DEDUCTIONS:
GPF Balance 79,379.00
3501-Benevolent Fund
3511-Addl Group Insurance
3604-Group Insurance

Subrc: 675.00
180.00
13.00
115.00

Total Deductions

983.00
19,648.00

D.O.B
01.11.1978
18 Years 01 Months 023 Days

LFP Quota:
HABIB BANK LIMITED KHYBER BAZAR, PESHAW
0696000766001

34

GOVERNMENT OF PAKISTAN
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA
DISTRICT
PAY ROLL SYSTEM Peshawar Dist.

PAYMENT ADVICE

Sl. No. 125

P. Sec: 002 Month: December 2013

Pers #: 00048646 Buckle: 0
Name: MALIK HAYAT
Dsg.: NAIB QASID
CNIC No. 13781679612
GPF Interest Applied

PR7068 - District Officer (Female)
Min: Education Schools
NTN:
GPF #: EDU 046242
Old DEPTT CODE

PAYS AND ALLOWANCES:		PR7068 -02
0001-Basic Pay		7,960.00
1001-House Rent Allowance 45%		1,366.00
1210-Convey Allowance 2005		1,700.00
1300-Medical Allowance		1,000.00
1833-Integrated Allunce (2005)		300.00
1948-Adhoc Allowance 2010@ 50%		2,267.00
1970-Adhoc Relief Allow 2011		680.00
2118-Adhoc Relief Allow (2012)		1,592.00
2148-15% Adhoc Relief All-2013		1,194.00
Gross Pay and Allowances		18,059.00
DEDUCTIONS:		
GPF Balance 64,907.00	Subrc:	373.00
3501-Benevolent Fund		120.00
3511-Addl Group Insurance		3.00
3604-Group Insurance		58.00
3990-Emp. Edu. Fund KPK		50.00
Total Deductions	NET AMOUNT PAYABLE	604.00

D.O.B 01.11.1978
17 Years-01 Months-023 Days

LFP Quota: HBL 7646-0
KHYBER BAZAR, PESHAW



GOVERNMENT OF PAKISTAN
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA
DISTRICT AG NUFF PESH
PAY ROLL SYSTEM

PAYMENT ADVICE

P. Sec: 008 Month: April 2014
PR5207 - Directorate of Elementary
Min: Education Schools
NTN:
GPF #: EDU 046242
Old #:

Pers #: 00048646 Buckle: 0
Name: MALIK HAYAT
Dsg.: NAIB QASID
CNIC No. 13781679612
GPF Interest Applied
BPS

PAYS AND ALLOWANCES:		PR5207 -02
0001-Basic Pay		7,960.00
1001-House Rent Allowance 45%		1,366.00
1210-Convey Allowance 2005		1,700.00
1300-Medical Allowance		1,000.00
1833-Integrated Allunce (2005)		300.00
1948-Adhoc Allowance 2010@ 50%		2,267.00
1970-Adhoc Relief Allow 2011		680.00
2118-Adhoc Relief Allow (2012)		1,592.00
2148-15% Adhoc Relief All-2013		1,194.00
Gross Pay and Allowances		18,059.00
DEDUCTIONS:		
GPF Balance 66,399.00	Subrc:	373.00
3501-Benevolent Fund		120.00
3511-Addl Group Insurance		3.00
3604-Group Insurance		58.00
3990-Emp. Edu. Fund KPK		50.00
Total Deductions	NET AMOUNT PAYABLE	604.00

QUALIFYING SERVICE
YRS MON

17 Years 05 Months 022 Days

D.O.B 01.11.1978

LFP Quota: HBL 7646-0

KHYBER BAZAR, PESH

Handwritten signatures and initials

Sheet no. 1

Batagram

S# 1

P. Sec: 002 Month: October 2014
BM7056 -Head Master G.H.S Sarkarga
Min: Education Schools
NTN:
GPF #: EDU -046242
Old #:

Pers #: 00048646 Buckle: 0
Name: MALIK HAYAT
Dsg: JUNIOR CLERK
CNIC No. 13781679612

GPF Interest Applied
11 Active Temporary

BM7056 -02

PAYS AND ALLOWANCES:

0001-Basic Pay	8,440.00
1000-House Rent Allowance	1,234.00
1210-Convey Allowance 2005	2,856.00
1300-Medical Allowance	1,200.00
1923-UAA-OTHER 20%(1-15)	1,000.00
1948-Adhoc Allowance 2010@ 50%	2,267.00
1970-Adhoc Relief Allow 2011	680.00
2118-Adhoc Relief Allow (2012)	1,688.00
2148-15% Adhoc Relief All-2013	1,266.00
Gross Pay and Allowances	20,631.00

DEDUCTIONS:

GPF Balance 78,029.00	Subrc:	675.00
3501-Benevolent Fund		180.00
3511-Addl Group Insurance		13.00
3604-Group Insurance		115.00
Total Deductions		983.00
		19,648.00

QUALIFICATION: 17 Years 11 Months 023 Days
D.O.B: 01.11.1978
LFP Quota: HBL
06960007646001
KHYBER BAZAR, PESHAW

GOVERNMENT OF PAKISTAN
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA
DISTRICT PATROLL SYSTEM

PAYMENT ADVICE

P. Sec: 002 Month: October 2014
BM7056 -Head Master G.H.S Sarkarga
Min: Education Schools
NTN:
GPF #: EDU 046242
Old #:

DEPTT CODE BM7056 -02

	8,440.00
	1,234.00
	2,856.00
	1,200.00
	1,000.00
	2,267.00
	680.00
	1,688.00
	1,266.00
	20,631.00
Subrc:	675.00
	180.00
	13.00
	115.00
	983.00
NET AMOUNT PAYABLE	19,648.00

QUALIFICATION: 17 Years 11 Months 023 Days
D.O.B: 01.11.1978
LFP Quota: HBL
06960007646001
KHYBER BAZAR, PESHAW

Handwritten signature and initials.

36

G. P FUND BALANCE SHEET

Page: 344
Date: 24.07.2004

Gov:- NWFP Acc Off:- AG NWFP PESH-
Name: MALIK HAYAT
Desgn: NAIB QASID
Per. No.: 00048646 / GPF Num: EDU 046242
Payroll Section: 003

2003 - 2004
Hiring Date: 10.11.1996
DDO: PR4181- PRL G. H. S. S. NO 3 PESHAWAR CITY
Min/Dep: 6000003 - Education Schools
BPS Grade: 01

PAYROLL MONTHS.	MONTHLY SUBS	ADJUSTMENT AMOUNTS	TEMPORARY ADVANCE	RECOVERY OF TEMP ADV	PERMANENT ADVANCE	PROGRESSIVE BALANCE
July	85.00	0.00	0.00	0.00	0.00	7,310.00
August	85.00	0.00	0.00	0.00	0.00	7,395.00
September	85.00	0.00	0.00	0.00	0.00	7,480.00
October	85.00	0.00	0.00	0.00	0.00	7,565.00
November	85.00	0.00	0.00	0.00	0.00	7,650.00
December	85.00	0.00	0.00	0.00	0.00	7,735.00
January	85.00	0.00	0.00	0.00	0.00	7,820.00
February	85.00	0.00	0.00	0.00	0.00	7,905.00
March	85.00	0.00	0.00	0.00	0.00	7,990.00
April	85.00	0.00	0.00	0.00	0.00	8,075.00
May	85.00	0.00	0.00	0.00	0.00	8,160.00
June	85.00	0.00	0.00	0.00	0.00	8,245.00
TOTAL	1,020.00	0.00	0.00	0.00	0.00	73,330.00
OPENING BALANCE						7,225.00
TOTAL DEPOSITS						1,020.00
PROFIT @ 13.50						1,050.00
BONUS @ 0.00						0.00
TOTAL						9,300.00
LESS WITHDRAWALS						0.00
CLOSING BALANCE						9,300.00

Malik Hayat
AG

خدمت جناب ڈائریکٹر ایلمنٹری اینڈ سکینڈری ایجوکیشن خیبر پختون خوا پشاور

جناب عالی!

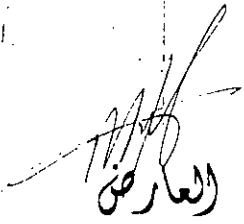
مؤدبانہ گزارش ہے کہ فدوی مورخہ 10.11.1996 کو گورنمنٹ ہائی سکول محمد نور کے حستگی میں بطور بخشی / نائب قاصد بھرتی ہوا اور تقریباً اٹھارہ سال بعد مورخہ 10-06-2014 کو جوئیر کلرک کے عہدہ پر ترقی ہوئی۔ جناب عالی فدوی مورخہ 01-03-2015 تک اپنی عہدہ کے مطابق تنخواہ لیتا رہا لیکن اس کے بعد فدوی کی تنخواہ بند ہوگئی، فدوی نے اپنے حیثیت کے مطابق ہر طرح کی کوشش کی لیکن محکمہ ہذا میں کسی نے تنخواہ بند ہونے کا وجہ نہ بتایا، اس دوران فدوی کی پوسٹنگ ہوئی اور نئی جگہ پر چارج لیکر فدوی کی ماہ ستمبر 2016 پیڈ اکٹوبر کی تنخواہ مل گئی لیکن اس کے بعد پھر سے تنخواہ بند ہوئی جس بابت فدوی نے اپنے افسران بالا کو کئی بار درخواستیں بھجوائیں لیکن کوئی سنوئی نہ ہوئی چونکہ فدوی ایک غریب آدمی ہے اور تنخواہ کے علاوہ اور کوئی بساوات نہیں ہے چونکہ محکمہ میں فدوی کی درخواستوں اور اپیلوں پر کوئی توجہ نہ دی گئی تو فدوی اپنی تنخواہ جاری کرنے کیلئے پشاور ہائی کورٹ پشاور میں چلا گیا، پشاور ہائی کورٹ میں کیس کرنے کے بعد جب محکمہ ہذا نے فدوی کی درخواست کی بابت عدالت عالیہ میں تحریری جواب جمع کرایا تو فدوی کے وکیل نے بتایا کہ "آپ کے خلاف محکمہ انکوائری ہوئی ہے" جس کا فدوی کو کوئی علم نہ تھا۔ اب جب عدالت عالیہ نے فدوی کی درخواست برائے جاری کرنے تنخواہ نمٹائی تو فیصلہ میں لکھا کہ یہ عدالت اس درخواست کیلئے موضوع راستہ نہیں ہے اور بغیر کسی بار آور فیصلہ کے کیس نمٹایا گیا جس میں سروس ٹریبونل کو رجوع کرنے کا کہا گیا ہے۔

جناب عالی! چونکہ پشاور ہائی کورٹ میں کیس کرنے پر فدوی کو معلوم ہوا کہ میرے خلاف محکمہ انکوائری ہوئی ہے جو کہ سراسر غلط ہے، بنیاد اور ذاتی عناد پر مبنی ہے اور یکطرفہ، خود ساختہ اور جھوٹی ہے، اس انکوائری میں نہ تو مجھے بلایا گیا تھا اور نہ ہی مجھے صفائی کا موقع دیا گیا ہے جو کہ خلاف قانون ہے۔

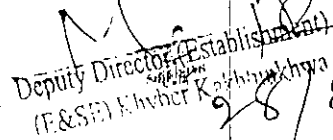
لہذا التماس کیا جاتا ہے کہ فدوی کے خلاف مذکورہ بالا انکوائری کو غیر قانونی قرار دیتے ہوئے حذف کر دیں اور فدوی کے پچھلے تنخواہیں (01-03-2015 تا حال) جاری کرنے کے احکامات صادر فرمائیں۔

جناب کی عین نوازش ہوگی۔

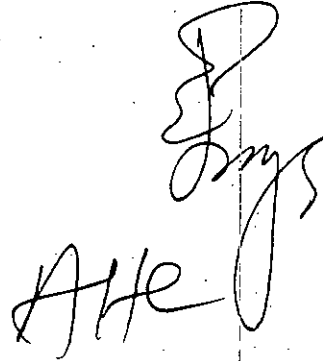
المرقوم 25-05-2017


العارضی

The appeal in hand
is hereby rejected.


Deputy Director (Establishment)
(F&SF) Khyber Pakhtunkhwa
28/8

پستل نمبر 00048646 جوئیر کلرک ملک حیات، گورنمنٹ ہائی سکول میرہ محمد گل سوریزئی پایاں پشاور


AHE

خدمت جناب ڈائریکٹر ایلمنٹری اینڈ سکندری ایجوکیشن خیبر پختون خوا پشاور

جناب عالی!

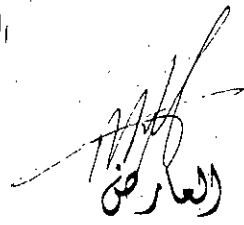
مؤدبانہ گزارش ہے کہ فدوی مورخہ 10.11.1996 کو گورنمنٹ ہائی سکول محمد نور کلمہ سنگھی میں بطور محنتی اناجیٹا صاحب بھرتی ہوا اور تقریباً اٹھارہ سال بعد مورخہ 10-06-2014 کو جو نیر کلرک کے عہدہ پر ترقی ہوئی۔ جناب عالی فدوی مورخہ 01-03-2015 تک اپنی عہدہ کے مطابق تنخواہ لیتا رہا لیکن اس کے بعد فدوی کی تنخواہ بند ہو گئی، فدوی نے اپنے حیثیت کے مطابق ہر طرح کی کوشش کی لیکن محکمہ لہذا میں کسی نے تنخواہ بند ہونے کا وجہ نہ بتایا، اس دوران فدوی کی پوسٹنگ ہوئی اور نئی جگہ پر چارج لیکر فدوی کی ماہ ستمبر 2016 پیڈ اکتوبر کی تنخواہ مل گئی لیکن اس کے بعد پھر سے تنخواہ بند ہوئی جس بابت فدوی نے اپنے افسران بالا کو کئی بار درخواستیں بھیجوائیں لیکن کوئی سنوائی نہ ہوئی چونکہ فدوی ایک غریب آدمی ہے اور تنخواہ کے علاوہ اور کوئی بسا اوقات نہیں ہے چونکہ محکمہ میں فدوی کی درخواستوں اور اپیلوں پر کوئی توجہ نہ دی گئی تو فدوی اپنی تنخواہ جاری کرنے کیلئے پشاور ہائی کورٹ پشاور میں جمع کرایا تو فدوی کے ہائی کورٹ میں کیس کرنے کے بعد جب محکمہ لہذا نے فدوی کی درخواست کی بابت عدالت عالیہ میں تحریری جواب جمع کرایا تو فدوی کے وکیل نے بتایا کہ "آپ کے خلاف محکمہ انکوائری ہوئی ہے" جس کا فدوی کو کوئی علم نہ تھا۔ اب جب عدالت عالیہ نے فدوی کی درخواست برائے جاری کرنے تنخواہ نمٹائی تو فیصلہ میں لکھا کہ یہ عدالت اس درخواست کیلئے موضوع راستہ نہیں ہے اور بغیر کسی بار آور فیصلہ کے کیس نمٹایا گیا جس میں سروس ٹریبونل کو رجوع کرنے کا کہا گیا ہے۔

جناب عالی! چونکہ پشاور ہائی کورٹ میں کیس کرنے پر فدوی کو معلوم ہوا کہ میرے خلاف محکمہ انکوائری ہوئی ہے جو کہ سراسر غلط ہے، بے بنیاد اور ذاتی عناد پر مبنی ہے اور یکطرفہ، خود ساختہ اور جھوٹی ہے، اس انکوائری میں نہ تو مجھے بلایا گیا تھا اور نہ ہی مجھے صفائی کا موقع دیا گیا ہے جو کہ خلاف قانون ہے۔

لہذا التماس کیا جاتا ہے کہ فدوی کے خلاف مذکورہ بالا انکوائری کو غیر قانونی قرار دیتے ہوئے خذف کر دیں اور فدوی کے پچھلے تنخواہیں (01-03-2015 تا حال) جاری کرنے کے احکامات صادر فرمائیں۔

جناب کی عین نوازش ہوگی۔

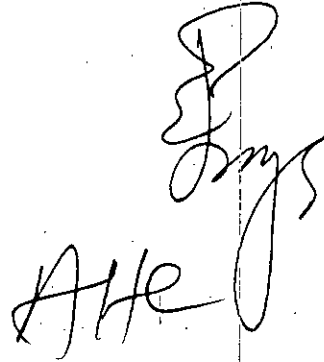
المرقوم 25-05-2017


العارفہ

The appeal in hand
is hereby rejected.

Deputy Director (Establishment)
(E&SE) Khuzdar
28/8

پرنٹل نمبر 00048646 جو نیر کلرک ملک حیات، گورنمنٹ ہائی سکول میرہ محمد گل سو ریڈنی پامیان پشاور


AHE

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No _____/2017

Malik Hayat Khan S/O Munir Khan R.O Mohallah khari Qala Ghari
Baghbanan P.O Musazai Tehsil & District Peshawar

.....Appellant

V E R S U S

**Secretary to Government of Khyber Pakhtunkhwa , Elementary & Secondary
Education, Sahibzada Abdul Qayum Road, Civil Secretariat Peshawar Khyber
Pakhtunkhwa Et. Al.**

.....Respondents

**APPLICATION FOR THE RELEASE OF THE ONWARD
SALARIES OF THE APPELLANT TILL DECISION OF THE
APPEAL**

Respectfully Sheweath,

1. That the applicant/appellant has preferred an appeal before this honorable tribunal for the release of his previous salaries.
2. That this application may be considered an integral part of the accompanied service appeal for the release of his salaries.
3. The the appellant being a civil servant is entitled to get salaries.
4. That being a poor man and having a family, the applicant/appellant has been spending a miserable and hard time.
5. That it is further submitted that if the onward salaries of the applicant/appellant are released, such will no doubt, mitigate the problems and would be beneficial for applicant/appellant and his family.

PRAYER:

It is therefore, most humbly prayed that on acceptance of this application, direction may be issued to release the onward salaries of the applicant/appellant please till the final decision of the main appeal.

Applicant
Through
(Mian Muhammad Imran)
Advocate High Court

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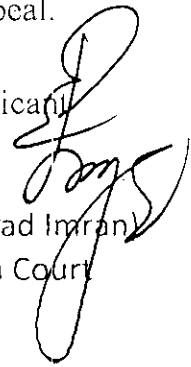
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PESHAWAR HIGH COURT PESHAWAR

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finding / preliminary Enquiry for probing into the charges / allegations leveled against Malik Hayat N/Q G.G.M.S.No.1 Peshawar cantt;.

1) Order of Enquiry / P-42.

The District Education Officer (Female) Education Department Peshawar No. 4726/GB/NOC for IDT dated: 5/9/2015 order for conducting preliminary enquiry and furnish facts and Finding in the matter. (Annex - A).

2) Enquiry Proceeding.

- i) The enquiry officer was directed vide above letter as annex-A to conduct enquiry in the above subject and furnish report within week time positively.
- ii) The enquiry officer visited the G.G.M.S No 1 Peshawar Cantt on 15/9/2015 and collected some record and also the statement of Mrs. Rozeena (Headmistress) and also presented ^{questionnaire} questionnaire to answer.
- iii) Mr. Malik Hayat N/Q hearing and statement could not be established due to his unavailability.
- iv) According to cell No.03139212367 mentioned by G.G.M.S.. H/M Mrs.Rozeena in her statement, Mr Malik Hayat N/Q was contacted several times on his cell phone, but he did not receive the call, even did not call back.
- v) After the lapse of 18 day Mr. Libas Gul N/Q official of Education Department was requested to appear before the enquiry officer and also requested to inform Mr. Malik Hayat N/Q, who is his relative in writing vide u/signed letter No.66 dated 02-10-2015, but he refused to appear before the enquiry officer concern and also stated that I have no contact since three months nor have any information about Malik Hayat.

3) Charges and Replies.

In compliance to the questioner put up to H/M Mrs. Rozeena on 15-09-2015, she submitted her written statement as (Annex - B)

FCN No. 11/2015

P-4

According to her statement that

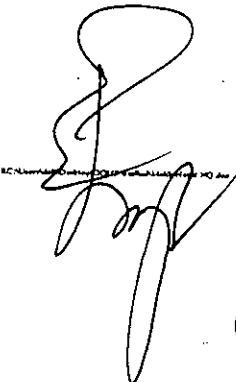

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- ii) He performed his duty in the said school as N/Q w.e.f 17/9/2012 to 21/12/2012 (photo state of attendance register is enclosed as (Annex-D).
- iii) According to statement of Head mistress (Annex-B) Malik Hayat was detailed to directorate w.e.f 22/12/2012 to 31/12/2013 on telephonic message: from directorate.
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- v) On 18/1/2014 DEO(F) relieved him. (Annex-E)
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- vii) The salary transaction is not under D.D.O ship of D.E.O (f) Peshawar (Annex-E) from which it is cleared that he is still on the charge of Directorate from 18/01/2014.
- viii) No transaction has been done by DEO (F) Peshawar regarding his salary since January 2014.

4)

Evidence

- i) From the record, Photo state and statement of Headmistress it is evident that Malik Hayat N/Q remained on duty in the said school w.e.f 17/9/2009 to 21/12/2012, during his job he remained on detailment at Directorate E&S Education KPK.
- ii) According to letter No. 421/NOC/IDT/G.Branch dated 09-06-2015(Annex-F), from D.E.O.(F) to the Director Elementary and Secondary Education KPK Peshawar ,has clearly mentioned that the inter District transfer from G.G.M.S.No.1 Peshawar Cantt. to District Battagram is fake & bogus and

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- iv) He was not on the payroll of D.E.O (f) Peshawar since 10-06-2014, which is evident from his salary record.
- v) According to DEO Battagram through his letter, he informed the Directorate that they have no vacancy of N/ Qasid and also his sign on the inter District transfer has been scanned.

5) Finding:-

It is evident from the above record/evidences that

1. Malik Hayat did not comply with Order No:2172-79/A-20/C-IV/PESH/Vol-II Dated 10/6/2014 and did not took charge at GGMS No 1
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SHAHEEN AKHTAR
 (Enquiry Officer) Head Mistress
 Headmistress G.G.H. School
 Education Department Khabar Pukhtoonkhwa
 8/10/15

PAWAR HIGH COURT PESHAWAR

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A-2021 -

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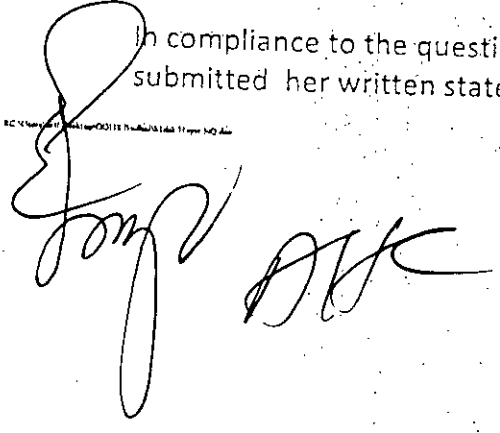
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P-4

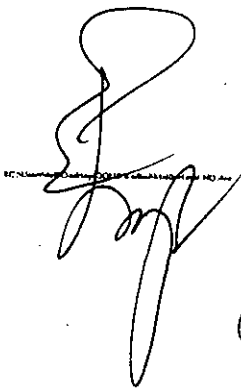
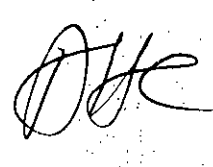
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SHAHEEN AKHTAR
 (Enquiry Officer) Head Mistress
 Headmistress GGHS Bughai
 Education Department Khaber Pukhtoonkhwa

Shahreen Akhtar
 8/10/15

صاحب عالی

”درخواست مراد ننخواہ کا وھول“

صوبہ ماہ گزارش ہے کہ بندہ حاضر سرکار کا حال ^{Sarkars}

سول میں بطور جوئیٹر مگر کہنے والے ہیں سرانجام دے رہا ہے

ملین برصغیر ہے سائل کا ماہ ماہ ننخواہ 2015-2016-05-01 سے

بند ہو گیا ہے سائل نے اپنے ذمہ لے لیا ہے سال نواری کا ہے

اور سائل اس سبب لڑنے سے تعلق رکھتا ہے لڑوں لیا گیا

کا کوئی نتیجہ نہیں ہے

لہذا آئندہ ان بلا سے رہنا چاہئے

سائل کہ ننخواہ لکھنے کا صحیح مدار فرما رہا ہے

سائل نے درخواست شہری بار لیا ہے باقی پتے درخواستوں

کی عمل میں ہے لہذا اس سبب لڑنے کا صحیح مدار فرما

مشورہ فرماؤ

15/05/2015

Sarkars

آئیے نا لکھیں مگر عبات جوئیٹر سرکار کا

Handwritten signature

خدمت صاحب ڈسٹرکٹ ایجوکیشن افسر میں (شکرا)

صاحب خیال

درخواست عدد 12/12/18

گزشتہ وقت خیال ہے کہ سائل کی شکوہ 2015-2016/01/01

Sarkargaj

سے بند ہے بندہ جو نئی طرح سے فریضہ سرکار کا حال

سول بندہ ادا کر رہا ہے بندہ عاجز ہے انتظامہ سال نو کی

سائل کی کما حقہ کا اور زر لقمہ نہیں ہے جو کہ اپنے

دکوں کے اخراجات پوری کر رہا ہے

لہذا استدعا خیالی ہے کہ سائل کو اپنی

مانیہ شکوہ کو لے کر صحیح ماہر فرما کر مسئلہ و مقابلیہ

سائل تا عمر و غنا تو رہے گا سائل کا یہ دوسرا درخواست

ہے جسے در کھیل در آمد نہیں ہو رہا ہے

سین لواریشن صوبی

18/12/18

الگارین

Sarkargaj

آگیا تا بعد از صلوات جو نئی طرح سرکار کا بندہ

[Handwritten Signature]

APK

بکھور صاحب ڈسٹرکٹ ایجوکیشن "میل" شہرا

صاحب عالی

درخواست مراد ننخواہ کا وھول

صوبانہ گزارش ہے کہ بندہ حاضر سرکار کا ^{Sarkara} عالی

سکول صوبہ بکھور جوئیٹر مرکز نے فراٹین سرانجام دے رہا ہے

تیلین برصمن سے سائل کا مایانہ ننخواہ 2015-2016-03-01 سے

بندہ سوائے سائل نے اپنے ذمہ لے اٹھا وہ سال نواری کا ہے

اور سائل ایک فریب گرانہ سے تعلق رکھتا ہے جنوں کئی سماں

کا سکول بند رکھتا ہے

لہذا آفسران بالا سے عرض کیا گیا کہ

سائل کہ ننخواہ کھولنے کا حکم صادر فرمائیں مشورہ مانو

سائل نے یہ درخواست شہری بارگاہ مانو بیچ درخواستوں کی

کوئی عمل نہیں ہوا ہے لہذا اسعد علیا کیلئے کہ ننخواہ کھولنے کا حکم صادر فرمائیں

مشورہ مانو

27/02/2016

Sarkara

آئی اے ایڈیٹر ملک عبادت جوئیٹر مرکز سرکار کا

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خدمت جناب ڈی۔ ای۔ او فیصلہ طلبہ

(41)

جناب عالیہ "ڈی۔ ای۔ او" برائے پوسٹل ایڈجسٹمنٹ

مودیانہ گزارش ہے کہ سائل 1996ء میں

نائب قاصد کے توسط پر یوں ہوا تھا۔ سائل کی

تقریباً 2 سال ملازمت کے بعد بھی "ڈی۔ ای۔ او" اور سائل نے "Terminate"

ہوا ہے کہ "Dismissal orders" سوائے سائل کی تنخواہ بلا اجواز

نہ دی گئی ہے۔ تا حال سائل تنخواہ سے محروم ہے سائل بیت غریب

سائل گورنمنٹ مڈل سکول بٹ لٹ "ڈی۔ ای۔ او" فیصلہ طلبہ (گورنمنٹ)

کے رہائے ہیں۔ لکیر اسٹریٹ لٹ "ڈی۔ ای۔ او" سائل کی تنخواہ کھولنے

کا حکم صادر فرمائے۔

عین انوار لٹ "ڈی۔ ای۔ او" جو

Date 3/7/2017

اللہ ان
ایک سال بعد ملازم ملکہ صاحبہ کا G.G.M.S. میں ایڈجسٹمنٹ

Jay

Rund

7052

617

Dated 3-7-17

AK

(42)

97

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR.

TRANSFERRED / ADJUSTMENT

The Posting / transfer order of the following officials are hereby transfer / adjustment on the posts / station as mentioned against their names with immediate effect:

S. No	Name & Designation	Transferred	Remarks
1	Malik Hayat, Junior Clerk GHS Sakargah Battagram.	GHS Garhi Muhammad Gul, Mera Surizai Payan, Peshawar	Vacant Post

- Note: 1. Charge report should be sent to all concerned
2. No. TA/DA etc is allowed
3. Necessary entry to this effect should be made in his service

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar.

Endst No. 7706-12

Dated 19/8/2016

Copy of the above is to the:-

1. District Education Officer (Male) Peshawar & Battagram.
2. Accountant General of KPK Peshawar.
3. District Account Officer, Battagram.
4. Head Masters Concerned Schools.
5. Official Concerned.
6. PA to Director (E&SE) Khyber Pakhtunwa, Peshawar.
7. Master File.

Transfer to

M. R. e

Deputy Director (Establishment)
(E&SE) Khyber Pakhtunkhwa.

*GHS Garhi Muhammad
Gul, Mera Surizai Payan,
Peshawar*

19/8/2016

43

Peshawar Dist.

S#:
 Pers #: 00048646
 Name: MALIK HAYAT
 JUNIOR CLERK
 CNIC No. 13781679612
 GPF Interest Free

Buckle: 0

P Sec: 003 Month: October 2016
 PW6531 - Govt. High School Garhi Mu
 GHS GARHI MUHAMMAD GUL MI
 NTN:
 GPF #:
 Old #:

11 Active Temporary

PAYS AND ALLOWANCES:

- 0001-Basic Pay
- 1000-House Rent Allowance
- 1210-Convey Allowance 2005
- 1300-Medical Allowance
- 1948-Adhoc Allowance 2010@ 50%
- 2148-15% Adhoc Relief All-2013
- 2174-Adhoc Relief Allow-2014
- 2199-Adhoc Relief Allow @10%

PW6531	-
	15,690.00
	1,235.00
	2,856.00
	1,500.00
	3,000.00
	606.00
	407.00
	2,013.00
	27,307.00

Gross Pay and Allowances

DEDUCTIONS:

- GPF Balance 675.00
- 3501-Benevolent Fund
- 3990-Emp. Edu. Fund KPK
- 4004-R. Benefits & Death Comp:

Subrc:	675.00
	180.00
	100.00
	600.00

Total Deductions

1,555.00
 25,752.00

D.O.B 01.11.1978
 19 Years 11 Months 023 Days

LFP Quota:
 HABIB BANK LIMITED KHYBER BAZAR, PESHAW
 06960007646001

Salary for the
 month of October 2016
 has been taken by
 petitions

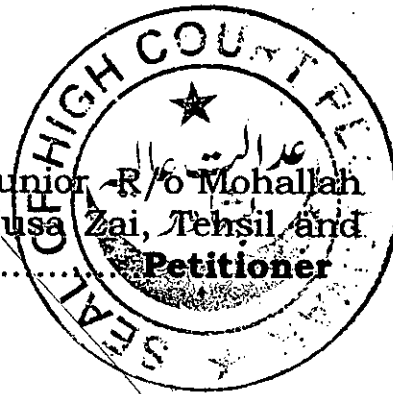
90258

Jay
 Ake

BEFORE THE PESHAWAR HIGH COURT,
PESHAWAR

4626 P
W.P No. _____/2016

Malik Hayat Khan S/o Muneer Khan Junior, R/o Mohallah
khari kala, Ghari Baghwanan, P/O Musa Zai, Tehsil and
District, Peshawar.....
Petitioner



VERSUS

- 1) Govt. of K.P.K, through Secretary Education
Department, Civil Secreterate, Peshawar
- 2) The Accountant General of K.P.K
RAFIQ KHATTAK
- 3) The Director of Education & Secondary Education,
G.T Road, Peshawar, K.P.K
- 4) District Education Officer of Education &
Secondary Education, G.T Road, Peshawar, K.P.K
ROZWALI KHATTAK
.....**Respondents**

WRIT PETITION UNDER ARTICLE 199
OF THE CONSITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN 1973

Respectfully Sheweth:

1. That the petitioner has been inducted in Education
Department against the post (BPS-1) on 10.11.1996.
(Copy of the appointment letter is as annexure "A")
2. That the petitioner has served the department from
the day first till present his performance is
satisfactory. He has rendered valuable service to the

[Handwritten signature]

ATTESTED
[Signature]
EXAMINER
Peshawar High Court
27 APR 2017

FILED TODAY
[Signature]
Deputy Registrar
03 DEC 2016

JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT

Writ Petition No.4636-P/2016 with C.M. No.251-P/2017

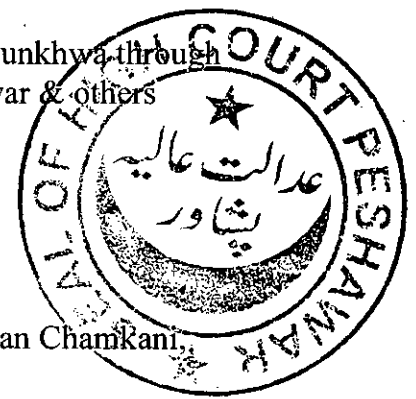
Malik Hayat Khan Vs. Govt: of Khyber Pakhtunkhwa through
Secretary Education Department, Peshawar & others

JUDGMENT

Date of hearing 17.04.2017

Petitioner(s) b y Mr. Aamir-Ullah Khan Chamkani,
Advocate

Respondent(s) by Syed Sikandar Hayat Shah, AAG



MUHAMMAD GHAZANFAR KHAN, J.- Through the instant writ petition, the petitioner, Malik Hayat Khan son of Muneer Khan Junior resident of Mohallah Khari Kala, Ghari Baghwanan, PO Musa Zai, Tehsil & District, Peshawar, has made the following prayer: -

“It is, therefore, most humbly prayed that on acceptance of this Writ Petition the act of the respondents not accepting legal right of salary is based on malafide, without lawful authority and of no legal effect, this Honorable Court may be pleased to declare the act of respondents unlawful, void ab initio, this Honorable Court please may direct the

ATTESTED
EXAMINER
Peshawar High Court
27 APR 2017

respondent No.2 that to act in the matter in accordance with law and to consider the petitioner genuine matter and to restart his salary accordingly.

Any other relief which this Honorable Court may deem appropriate in circumstances of the case may also be granted to the petitioner.”

2. Concise history of the case, as per contents of the petitioner, is that the petitioner was initially appointed in the year 1996 in the Education Department, Peshawar against the post of Behishti (BPS-01) and was later on promoted from Class-IV to the post of Junior Clerk in the year 2014. In the month of November, 2016, his salary was stopped and on query from Accountant General Office, Peshawar, he was told that on the basis of a complaint by his Ex-Head Master of Govt: High School Ghari Muhammad Gul (Mera) Surizai Payan, his salary is stopped. In this connection, he, the petitioner met the said Ex-Head Master and brought from him written no objection on pay roll/slip. The petitioner forwarded application to the respondents No.3 and 4 but they did not accept his application, hence, this petition.

ATTESTED
[Signature]
EXAMINER
Peshawar High Court
27 APR 2017

3. Learned counsel for the petitioner argued that the respondents have not accepted the ex-Head Master verification/NOC on Pay Roll, which is illegal, unlawful and against the rules and policy. The petitioner is still performing his duty, thus stoppage of salary will definitely affect the fundamental rights of the petitioner; that the act of the respondents is discrimination in the eyes of law and thus have acted in violation of Article (4) of the Constitution of Islamic Republic of Pakistan, 1973; that the other employees under the same circumstances are taking their salaries while the petitioner has been deprived, which is also violation of the Article 25 of the Constitution.

4. Conversely, the learned Additional Advocate General mainly contended that the petitioner has prepared forged/fake and bogus promotion order and through forged documents, the petitioner has shown himself at the strength of District Education Officer (Female), Peshawar in GGMS, No1, Peshawar Cantt for the purpose of Inter District Transfer from Peshawar to Battagram. In this respect an inquiry was conducted against the petitioner and it was held that the promotion order as well as Inter District Transfer order, stated above, are fake and bogus and have been scanned. On the above mentioned ground, the salary of the petitioner has been stopped and the petitioner is not entitled to get salary against the post of Junior Clerk.

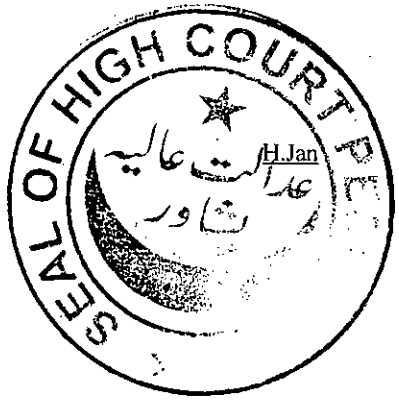
ATTESTED
EXAMINER
Peshawar High Court
27 APR 2017

5. We have considered the respective submissions of the learned counsel for the parties and perused the record with their able assistance.

6. Perusal of record shows that not only the matter in hand pertains to factual controversy regarding fakeness or otherwise of the promotion order of the petitioner which surely needs adjudication after recording pro and contra evidence which is neither domain of this Court while exercising writ jurisdiction nor it is possible in writ jurisdiction to record evidence to resolve controversy between the parties. Secondly, the matter of salary pertains to terms and conditions of service which too is beyond the scope and jurisdiction of this Court while deciding the matter in writ jurisdiction as clear cut embargo has been created by Article 212 of the Constitution of Islamic Republic of Pakistan, 1973. This view has been affirmed by their lordships in a case reported in 2015 PSC 145 citation (h) and (j).

7. For what has been discussed above, this writ petition being without substance is dismissed.

Announced.
Dt.17th April, 2017.



Sd/- Lal Deen Khan

JUDGE

Sd/- Muhammada Gulshan

JUDGE

CERTIFIED TO BE TRUE COPY

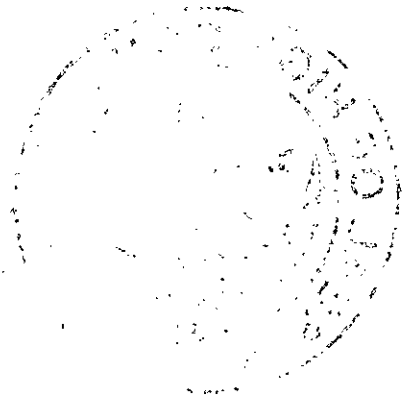
Examiner
Peshawar High Court, Peshawar
Authorized Under Article 87 of
The Qanun-e-Shahadat Order 1984

27 APR 2017

F/L

No. 25219
 Date of Presentation of Application 12/4/17
 No of Pages 577
 Copying fee _____
 Urgent Fee _____
 Total 207
 Date of Preparation of Copy 27/12/17
 Date Given For Delivery 27/12/17
 Date of Delivery of Copy 27/12/17
 Received By C. G. G. G.

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PAWAR HIGH COURT PESHAWAR

P-3

Annex -

... finding / preliminary Enquiry for probing into the charges / allegations leveled against Malik Hayat N/Q G.G.M.S.No.1 Peshawar cantt;

1) Order of Enquiry / P-42

The District Education Officer (Female) Education Department Peshawar No. 4726/GB/NOC for IDT dated: 5/9/2015 order for conducting preliminary enquiry and furnish facts and Finding in the matter. (Annex - A).

2) Enquiry Proceeding.

- i) The enquiry officer was directed vide above letter as annex-A to conduct enquiry in the above subject and furnish report within week time positively.
- ii) The enquiry officer visited the G.G.M.S No 1 Peshawar Cantt on 15/9/2015 and collected some record and also the statement of Mrs. Rozeena (Headmistress) and also presented ^{questionnaire} questioner to answer.
- iii) Mr. Malik Hayat N/Q hearing and statement could not be established due to his unavailability.
- iv) According to cell No.03139212367 mentioned by G.G.M.S.. H/M Mrs.Rozeena in her statement, Mr Malik Hayat N/Q was contacted several times on his cell phone, but he did not receive the call, even did not call back.
- v) After the lapse of 18 day Mr. Libas Gul N/Q official of Education Department was requested to appear before the enquiry officer and also requested to inform Mr. Malik Hayat N/Q, who is his relative in writing vide u/signed letter No.66 dated 02-10-2015 , but he refused to appear before the enquiry officer concern and also stated that I have no contact since three months nor have any information about Malik Hayat.

3) Charges and Replies.

In compliance to the questioner put up to H/M Mrs. Rozeena on 15-09-2015, she submitted her written statement as (Annex - B)

PC-1

P-4

According to her statement that

- i) The mutual transfer order Endst: No. 1936-38-dated: 7/3/2011 Malik Hayat N/Q was transferred to G.G.M.S No.1 Peshawar cantt but he performed his duty in the Directorate of (E&S) Education KPK Peshawar on detailment w.e.f 7/3/2011 to 15/9/2012 (Annex-C).
- ii) He performed his duty in the said school as N/Q w.e.f 17/9/2012 to 21/12/2012 (photo state of attendance register is enclosed as (Annex-D).
- iii) According to statement of Head mistress (Annex-B) Malik Hayat was detailed to directorate w.e.f 22/12/2012 to 31/12/2013 on telephonic message from directorate.
- iv) In compliance of mutual order Endst: No 1952-59/F.No.A-20/C-IV/Pesh/Vol-II dated: 1/1/2014 Malik Hayat N/Q was relieved from station G.G.M.S No.1 Peshawar Cantt by D.E.O (f) Peshawar and the charge was handed over to Libas Gul N/Q.
- v) On 18/1/2014 DEO(F) relieved him. (Annex-E)
- vi) In compliance of Endst: No. 2172-79/A-20/C-IV/PESH/Vol-II. Dated: 10/6/2014 Libas Gul N/Q was relieved by D.E.O (f) Peshawar through L.P.C dated: 30/6/2014 but in reverse Malik Hayat N/Q did not took charge in the said school and the post is vacant till now.
- vii) The salary transaction is not under D.D.O ship of D.E.O (f) Peshawar (Annex-E).from which it is cleared that he is still on the charge of Directorate from 18/01/2014.
- viii) No transaction has been done by DEO (F) Peshawar regarding his salary since January 2014.

4) Evidence

- i) From the record, Photo state and statement of Headmistress it is evident that Malik Hayat N/Q remained on duty in the said school w.e.f 17/9/2009 to 21/12/2012, during his job he remained on detailment at Directorate E&S Education KPK.
- ii) According to letter No. 421/NOC/DT/G.Branch dated 09-06-2015(Annex-F),from D.E.O.(F) to the Director Elementary and Secondary Education KPK Peshawar ,has clearly mentioned that the inter District transfer from G.G.M.S.No:1 Peshawar Cantt. to District Battagram is fake & bogus and

The bottom of the page contains two handwritten signatures. The first signature is on the left, and the second is on the right. There are also some faint stamps or markings near the signatures.

P-5

she did not issue any NOC to Mr. Malik Hayat in this regard, but the Directorate record is silent about the issue of any action against him.

- iii) In compliance to the order No. 2172-79/A-20/C-IV/PESH/Vol-II. Dated: 10/6/2014. he did not submit his arrival report to the office of D.E.O.(F) Peshawar nor took over the charge in G.G.M.S No 1 Peshawar Cantt for the post of Naib qasid till date.
- iv) He was not on the payroll of D.E.O (f) Peshawar since 10-06-2014, which is evident from his salary record.
- v) According to DEO Battagram through his letter, he informed the Directorate that they have no vacancy of N/ Qasid and also his sign on the inter District transfer has been scanned.

5) Finding:-

It is evident from the above record/evidences that

1. Malik Hayat did not comply with Order No.2172-79/A-20/C-IV/PESH/Vol-II Dated 10/6/2014 and did not took charge at GGMS No 1
2. The inter/ intra district proforma is fake due to fake sign of DEO (F) Samina Ghani and DEO (M) Battagram.
3. He is not on the pay roll of DEO (F) Peshawar since January 2014.

SHAHEEN AKHTAR
 (Enquiry Officer) Head Mistress
 Headmistress GGHS Bughai
 Education Department Khaber Pukhtoonkhwa

Wahid
8/10/15




En
 i
 217
 0215
 and
 102

CC: Mr. Malik Hayat

خدمت جناب ڈائریکٹر ایلمنٹری اینڈ سکولری ایجوکیشن خیبر پختون خوا پشاور

جناب عالی!

متوہ بانہ گزارش ہے کہ فدوی مورخہ 10.11.1996 کو گورنمنٹ ہائی سکول محمد نور کلع حسنگلی میں بطور محنتی انا سب قاصد بھرتی ہوا اور تقریباً اٹھارہ سال بعد مورخہ 10-06-2014 کو جو نیر کلرک کے عہدہ پر ترقی ہوئی۔ جناب عالی فدوی مورخہ 01-03-2015 تک اپنی عہدہ کے مطابق تنخواہ لیتا رہا لیکن اس کے بعد فدوی کی تنخواہ بند ہوگئی، فدوی نے اپنے حیثیت کے مطابق ہر طرح کی کوشش کی لیکن محکمہ ہذا میں کسی نے تنخواہ بند ہونے کا وجہ نہ بتایا، اس دوران فدوی کی پوسٹنگ ہوئی اور نئی جگہ پر چارج لیکر فدوی کی ماہ ستمبر 2016 پیڈ اکتوبر کی تنخواہ مل گئی لیکن اس کے بعد پھر سے تنخواہ بند ہوئی جس بابت فدوی نے اپنے افسران بالا کو کئی بار درخواستیں بھجوائیں لیکن کوئی سنوائی نہ ہوئی چونکہ فدوی ایک غریب آدمی ہے اور تنخواہ کے علاوہ اور کوئی سہولت نہیں ہے چونکہ محکمہ میں فدوی کی درخواستوں اور اپیلوں پر کوئی توجہ نہ دی گئی تو فدوی اپنی تنخواہ جاری کرنے کیلئے پشاور ہائی کورٹ پشاور میں چلا گیا، پشاور ہائی کورٹ میں کیس کرنے کے بعد جب محکمہ ہذا نے فدوی کی درخواست کی بابت عدالت عالیہ میں تحریری جواب جمع کرایا تو فدوی کے وکیل نے بتایا کہ "آپ کے خلاف حکمانہ انکوائری ہوئی ہے" جس کا فدوی کو کوئی علم نہ تھا۔ اب جب عدالت عالیہ نے فدوی کی درخواست برائے جاری کرنے تنخواہ نمٹائی تو فیصلہ میں لکھا کہ یہ عدالت اس درخواست کیلئے موضوع راستہ نہیں ہے اور بغیر کسی بار آور فیصلہ کے کیس نمٹایا گیا جس میں سروس ٹریبونل کو رجوع کرنے کا کہا گیا ہے۔

جناب عالی! چونکہ پشاور ہائی کورٹ میں کیس کرنے پر فدوی کو معلوم ہوا کہ میرے خلاف حکمانہ انکوائری ہوئی ہے جو کہ سراسر غلط ہے، بے بنیاد اور ذاتی عناد پر مبنی ہے اور یکطرفہ، خود ساختہ اور جھوٹی ہے، اس انکوائری میں نہ تو مجھے بلایا گیا تھا اور نہ ہی مجھے صفائی کا موقع دیا گیا ہے جو کہ خلاف قانون ہے۔

لہذا التماس کیا جاتا ہے کہ فدوی کے خلاف مذکورہ بالا انکوائری کو غیر قانونی قرار دیتے ہوئے خذف کر دیں اور فدوی کے پچھلے تنخواہیں (01-03-2015 تا حال) جاری کرنے کے احکامات صادر فرمائیں۔

جناب کی عین نوازش ہوگی۔

المرقوم 25-05-2017

العارضی

The appeal in hand
is hereby rejected;

Deputy Director (Establishment)
(E.&SE) Khuzdar Kachhukhwa

پستل نمبر 00048646 جو نیر کلرک ملک حیات، گورنمنٹ ہائی سکول میرہ محمد گل سوریزئی پایان پشاور

ATHE

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No _____/2017

**Malik Hayat Khan S/O Munir Khan R.O Mohallah khari Qala Ghari
Baghbanan P.O Musazai Tehsil & District Peshawar**

.....Appellant

V E R S U S

**Secretary to Government of Khyber Pakhtunkhwa , Elementary & Secondary
Education, Sahibzada Abdul Qayum Road, Civil Secretariat Peshawar Khyber
Pakhtunkhwa Et. Al.**

.....Respondents

**APPLICATION FOR THE RELEASE OF THE ONWARD
SALARIES OF THE APPELLANT TILL DECISION OF THE
APPEAL**

Respectfully Sheweath,

1. That the applicant/appellant has preferred an appeal before this honorable tribunal for the release of his previous salaries.
2. That this application may be considered an integral part of the accompanied service appeal for the release of his salaries.
3. The the appellant being a civil servant is entitled to get salaries.
4. That being a poor man and having a family, the applicant/appellant has been spending a miserable and hard time.
5. That it is further submitted that if the onward salaries of the applicant/appellant are released, such will no doubt, mitigate the problems and would be beneficial for applicant/appellant and his family.

PRAYER:

It is therefore, most humbly prayed that on acceptance of this application, direction may be issued to release the onward salaries of the applicant/appellant please till the final decision of the main appeal.

Through

(Mian Muhammad Imran)
Advocate High Court

Applicant

10

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6573

ایڈووکیٹ: M M Omran
بار کونسل ایسوسی ایشن نمبر: BC-13-4213
رابطہ نمبر: 0333 9577770

پشاور بار ایسوسی ایشن، خیبر پختونخوا

بعدالت جناب:

دعویٰ: <u>سروس اپیل</u>	منجانب: <u>Appellant</u>
علت نمبر: _____	<u>ملک لیاقت خان</u>
مورخہ: <u>25/9/2017</u>	<u>بنام</u>
جرم: _____	<u>سیکرٹری E4SE</u>
تھانہ: _____	<u>dept</u>

بابت تحریر آتھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دی کارروائی متعلقہ مقدمہ
 آن مقام۔ لیساور کیلئے ایمان محمد رحمان اندراج درجہ اول درجہ اول درجہ اول درجہ اول درجہ اول
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زیریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یا دیگر فیصلہ یا اپیل کی برآمدگی اور منسوخی، نیز
 دائر کرانے اپیل نگرانی و نظرقمانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخستہ منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے
 المرقوم: 2017-09-25

ملک لیاقت خان ولد میرزا
 سیدہ خاتون علی محمدی بانہان
 موصوف کی طرف سے

العبد _____ واہد العبد _____

مقام _____ کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔

Accepted by (Mian Muhammad Omran) AHe
 Advocate & Attorney at Law
 م. م. امراں
 م. م. امراں



Before the Khyber Pakhtunkhwa Services Tribunal Peshawar

Appeal No. 1070/2017

Malik Hayat Khan.....Appellant.

V/S

Secretary to Government KP, Elementary and,
Secondary Education, Peshawar and others.....Respondents.

(Reply on behalf of respondent No. 6)

Preliminary Objections:

- 1) That the appellant has no cause of action.
- 2) That the appellant have no locus standi.
- 3) That the appeal is time barred.
- 4) That the petition in hand is not maintainable.
- 5) That the appellant has not come to this court with clean hands.

Respectfully Sheweth:-

Para No. 1 to 22:-

It is submitted that after the proper Scrutiny of the case it is pointed out that the case in hand is concerned with the administrative department of the appellant. And respondent No. 1 to 4, are in better position to comment.

It is pertinent to mention here that after the transfer of the appellant from District Battagram to District Peshawar, his salary was started by respondent No. 6, under the rules. But as and when respondent No. 6, received "change form" submitted by the Drawing and Disbursing Officer of the administrative department for stoppage of the salary, it was stopped accordingly.

Besides, the appellant has raised no grievances against respondent No. 6. It is further pertinent to mention here that an inquiry was conducted against the appellant by his administrative department.

Keeping in view the above mentioned facts, it is therefore humbly prayed that the appeal in hand having no merits may be dismissed with costs.


ACCOUNTANT GENERAL
KHYBER PAKHTUNKHWA

BEFORE THE KPK, SERVICE TRIBUNAL PESHAWAR P-1

Malik Hayat Khan VS Govt: of KPK
Service Appeal No.1070/2017
Reply on behalf of Respondents No.1, 2, 3&4.

Respectfully Sheweth:-

The Respondents submit as under:-

Preliminary Objections:

1. That the appellant has got no cause of action / locus standi
2. That appellant has concealed material facts from this honourable Tribunal.
3. That the appellant has not come to this honourable court with clean hands.
4. That the appellant is not entitled for the relief he has claimed.
5. That appellant is estopped by his own conduct.
6. That the instant appeal is against the relevant service rules / law.
7. That the instant appeal is badly time bard and is not maintainable in its present form.
8. That the appellant has been found guilty by the competent authority.
9. That the instant appeal is based on malafide intentions just to put extra ordinary pressures on the respondents for his illegal and un-lawful service benefits.

On Facts

1. That Para No.1 pertains to record.
2. That Para No.2 is also pertains to record.
3. That Para No.3 pertains to record.
4. That Para No.4 pertains to record.
5. That Para No.5 of the appeal is incorrect. Inter district transfer of the appellant has been declared as fake and bogous by enquiry report annexed with appeal. Moreover, the appellant never remained as a Class-IV or Junior Clerk at GHS Sakargah. He is a stranger in E &SE Department Battagram.
6. That Para No.6 is incorrect and misleading and against the existing rules and policy hence denied. The Appellant has prepared forge/fake and bogous order. Furthermore, inter district transfer of the appellant has been declared as fake and bogous.
7. That Para No.7 is incorrect. The Respondents have acted according to law and rules.
8. That Para No.8 is incorrect and misleading and against the existing rules and policy hence denied. The Appellant has prepared forge/fake and bogous promotion order. Moreover, under the rules it is not possible of a Class-iv of District Peshawar to gets promotion as Junior Clerk in other District.
9. That Para No.9 incorrect. The appellant has neither remained as Class-IV in E&SE Department District Battagram nor been promoted as Junior Clerk. Promotion order dated: 01-06-2014 annexed with appeal is bogus, fabricated,

not issued by lawful authority and has no legal sanctity. It is worthwhile to mention here that it was Sunday on 01-06-2014 as per calendar 2014. Moreover, dispatch No. of the order does not match with office record. Copy of dispatch register and calendar 2014 are attached as Annex: A&B).

10. That Para No.10 is already discussed in above Paras.

11. That Para No.11 incorrect and Misleading. Appellant never remained as Junior Clerk at GHS Sakargah, while single post of Junior Clerk was already occupied by Mr. Saeed Akber since 25-02-2013. Statement of Head Mater GHS Sakargah is attached as Annex: C).

12. That in reply to Para No.12, it is submitted that as by forge / bogous means the Appellant assumes the nomenclature of Junior Clerk, therefore, the salary of the Appellant was stopped.

13. That Para No.13 incorrect. The detail reply has been given in the above Paras.

14. That Para No.14 incorrect, misleading. The detail reply has been given in the above Para.

15. That Para No.15 incorrect, misleading. The detail reply has been given in the above Para.

16. That Para No.16 incorrect, misleading and against the facts. The Headmaster of GHS Ghari Muhammd Gul Mera Surizai Payan stated that the Appellant draw illegally his salary from his school code. Moreover, there is no transfer order available in his school record, therefore, he stopped the illegal salary of the Appellant.

(Statement of the Headmaster is attached as Annex: D & E).

17. That in reply to Para No.17, the Appellant draw his salary through illegally means in this respect the statement of concerned Headmaster is already Annex: as annex: E.

18. That Para No.18 incorrect, misleading and against the facts.

19. That Para No.19 pertains to record.

20. That in reply to Para No.20, it is submitted that the Respondent conducted inquiry regarding the bogous promotion order and inter district Proforma NOC vide letter No.4726/GB/NOC for IDT dated: 05-09-2015. After inquiring the case the inquiry officer stated in his finding that the Appellant did not took charge in GGMS No.1, the inter District Proforma of the Appellant is fake because the sign of DEO (F) Peshawar and DEO (M) Battagram are on the said profarma are fake and bogous and he did not remain on the pay roll of DEO(F) Peshawar since January 2014.

Furthermore, the Anti corruption authority is also investigating into the instant matter who informed through letter No. 285/5A/PS-ACQ/PR dated: 25-09-2017 the DEO (F) Peshawar.

(Inquiry and letter are attached as Annex: F &G).

21. That Para No.21 incorrect, misleading and against the facts. The Respondents conducted the inquiry according to law and rules and bound to act upon the existing law and rules.

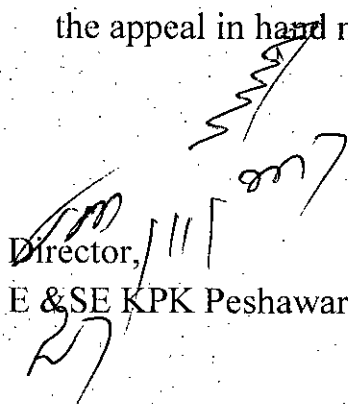
22. That Para No.22 pertains to record.

23. That the Appellant has no cause of action, therefore, he cannot knock at the door of this Hon'ble Tribunal.

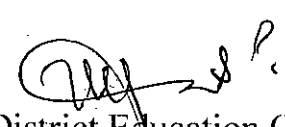
GROUNDS.

- A. That Ground- A incorrect and misleading. The Respondents have acted according to law, rules and policy.
- B. That Ground- B incorrect and misleading. The detail reply has been in the above Paras.
- C. That Ground- C incorrect, misleading and denied. Detail reply has been given in facts Para.
- D. That Ground- D incorrect, misleading and denied. Detail reply has been given in facts Para.
- E. That Ground- E incorrect. The Appellant committed fraud and produce fake/bogous promotion order.
- F. That Ground- F incorrect and misleading. The Respondents have acted according to law, rules and policy and adopted all codal formalities.
- G. That Ground- G incorrect and misleading. The Appellant bound to act upon law, rules and policy.
- H. That respondents also seek leave of this Hon'ble Tribunal to raise additional grounds and present case law at the time of arguments.

It is therefore, most humbly prayed that on the acceptance of this reply, the appeal in hand may very kindly be dismissed with cost.



Director,
E & SE KPK Peshawar



District Education Officer
(Female) Peshawar



Secretary,
E & SE KPK Peshawar



District Education Officer
(Male) Batagram

Pakistan-2014-Printable-Holiday-Calendar.jpg (489x716)

Holiday Calendar Pakistan - 2014

January						
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November						
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Annet (C)

OFFICE OF THE HEADMASTER FOR GOVT. SCHOOLS, BATTAGRAM.

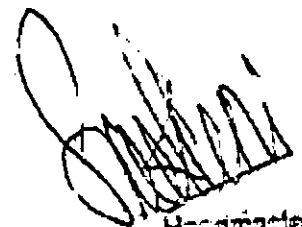
NO. 119
DATE: 09/06/2017

To
The District Education Officer (A),
Battagram.

Subject: APPEAL

Memo:

In response to your office letter No 8318 dated 09/06/2017 it is stated that there is no employee at GHS Sakargah in the name of Malik Hayat who remained or drawn salary on our payroll and nor promoted or adjusted as J/C at GHS Sakargah. It is further added that Mr. Saeed Akbar has been working as regular J/C at GHS Sakargah since 25/02/2013.



Headmaster
Govt. School
HEADMASTER
G.H S Sakargah, Allai
Battagram.

خدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر میل ضلع پشاور

جناب عالی:

گزارش ہے کہ مسمی ملک حیات جو کہ خود کو جو نیئر کلرک ظاہر کرتا ہے۔ نہ تو میرے سکول میں اٹکاٹرانسفر آڈر ہوا ہے اور نہ میں نے اس کی تنخواہ جاری کی ہے۔ لیکن جب میرے سکول کے کوڈ پر مذکورہ شخص نے تنخواہ نکالی اور جب اس کا علم مجھے ہوا تو میں نے فوری طور پر بذاتے خود A.G آفس جا کر ملک حیات کی تنخواہ بند کروا دی۔ اور جو درخواست مسمی ملک حیات نے اپنے رٹ پٹیشن کے ساتھ بمعہ سروس بک و Source III لگائی اس پر میرے دستخط جعلی ہیں۔

فقط آپ تا بعد ار
فلک نیار

ہیڈ ماسٹر گھڑی محمد گل پشاور

HEAD MASTER
G.H. (in-charge) Surizai Payan
Peshawar

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) BATAGRAM

No. DE/11/23/2016

Secretary to Govt of Khyber Pakhtunkhwa
Elementary & Secondary Education Department
Peshawar

Subject: SHORT / FAKE EMPLOYEES REGULARLY DRAWN THEIR SALARIES AGAINST VARIOUS COST CENTERS OF E&SE DEPARTMENT BATAGRAM AND INFLECTED HUGE FINANCIAL LOSS TO THE PROVINCIAL EXCHEQUER AND NAB KP PESHAWAR INITIATED INQUIRY AGAINST UNBANKED SENIOR AUDITOR & HAMID SUB-ACCOUNTANT DISTRICT BATAGRAM AND OTHERS REGARDING MISUSE OF AUTHORITY.

Memo.

The undersigned would like to invite your kind attention to the following facts:

1. That National Accountability Bureau KP Peshawar initiated captioned inquiry and communicated to the District Education Officer Batagram vide letter No: 1609/W/II/NAB(KPK)/1273 Dated 30-06-2016 for provision of complete record regarding salary slips, copy of CNIC & Appointment Orders of 18 employees of E&SE Department Batagram. (Copy Attached and annexed as Annex-A).
2. That this office made request to DAO Batagram for provision of monthly salary slips / Payroll Vide office letter No: 7051-53 Dated 11-07-2016 as the cost center was not mentioned in the letter of NAB KP. (Copy attached and annexed as Annex-B): In response to that DAO Batagram replied vide his office letter No: 471/2016 Dated 14-07-2016 and provide copy of payroll of the 16 Employees out of 18 (Copy attached and annexed as Annex-C).
3. That all the payrolls received from office of the DAO Batagram were submitted to Deputy Director (Coord) NAB KP Peshawar vide this office letter No: 7396 Dated 20-07-2016 (Copy attached and annexed as Annex-D).
4. That after provision of payrolls this office asked the DDOs / Head of Schools / SDEOs concerned for provision of copies of CNIC & Appointment order in respect of all those officials who had drawn salaries against their cost center (Copy attached and annexed as Annex-E) All the concerned DDOs in de reply with the contention that they never activated pay of the fake and ghost employees who had drawn salaries against their cost center (annexed as Annex-F1-F22).
Replies of the DDOs were communicated to NAB KP Peshawar vide this office letter No: 9132-33 Dated 15-08-2016 (Copy attached and annexed as Annex-G).
5. That NAB Peshawar issued call Notices addressed to the Employees through DEO Batagram asking them to attend NAB Office Peshawar on 03-08-2016, however the same were received in this office on 9-8-2016 which were endorsed to concerned DDOs / Head of Schools / SDEOs vide this office letter No: 9134-41 Dated 15-08-2016 (Copy attached and annexed as Annex-H to H2).
6. That Mr. Naeemullah Investigation Officer NAB KP Peshawar intimated his schedule of visit to the office of the DEO (M) Batagram on 17-08-2016 and asked that attendance of all the DDOs in the proceeding is mandatory and same may be ensured please. Accordingly the instruction of the investigation officer was communicated to the concerned DDOs / Heads of the Schools / SDEOs through this office letter No: 9144-52 Dated 15-08-2016 (Copy attached and annexed as Annex-I).

1

That IO initiated the proceedings on 17-08-2016 in the office of the undersigned and subsequently on 18-08-2016 recorded the statements of the DDOs and also received returns upon the DDOs and asked them for their concluding remarks against each employee drawn pay against their cost center. (Copies attached and annexed as Annex- J1-J8).

- 8. That the DDOs facing the inquiry made request to the DAO Battagram to provide the copies of the following documents to judge their legal sanity and validity.
 - 1. Source 1 & 2,
 - 2. Appointment Order
 - 3. MC (Age and health Certificate,
 - 4. Pay release order from the competent authority.
 - 5. CNIC
 - 6. Charge Report.

9. That this office endorsed the request of the DDOs vide letter No: 9287-95 Dated 18-08-2016 to DAO Battagram for provision of said documents to enable the DDOs to avail the opportunity of defence. (Annexed as Annex-K1-K2)

10. That District Accounts Officer Battagram argued vide letter No: 620-23 Dated 18-08-2016 that keeping of such record is the responsibility of the concerned DDO and his office is unable to provide such type of record (Copy attached and annexed as Annex-L).

11. That on 19-08-2016 undersigned vide letter No: 9329-31 Dated 19-08-2016 again made request to the DAO Battagram that DDOs have no record in their offices regarding fake and bogus activation of pay in respect of ghost/ strangers persons drawn their pay through mal-practices without due process as required under the law. (Copy attached and annexed as Annex-M-1).

12. Undersigned submitted detail of case to Director E&SE KP Peshawar regarding the inquiry and copies thereof to Secretary Finance Department, E&SED, Accountant General Additional Director E&SE Directorate & Deputy Commissioner Battagram (Copies attached and marked as M-2-M-4).

13. That it is further added that NAB KP Peshawar provided another list of 65 Employees for their pay slips and other record vide letter No: 1/609/IV- II/NAB(KPK)/1338 Dated 21-07-2016 (Copies attached and marked as Annex- N1 - N3).

14. In pursuance to the same this office approached to the DAO Battagram through letter No: 8967-70 Dated 06-08-2016 as the cost center was not mentioned in the letter of NAB KP. (Copy attached and annexed as Annex-O1-O2).

15. In response to that DAO Battagram replied vide office letter No. 632 Dated 03-08-2016 and provide copies of payroll of all the 65 Employees (Copy attached and annexed as Annex-P).

That after provision of payrolls, this office checked it and found that 33 employees related to E&SE Department District Battagram while the other 32 belong to other various departments. Undersigned asked the DDOs / Head of Schools / SDEOs concerned vide letter No: 9908-15 Dated 01-09-2016 for provision of copies of CNIC & Appointment order in respect of all those officials who had drawn salaries against their cost center. (Copy attached and annexed as Annex-Q1-Q2).

- 16. All the concerned DDOs made replies with the contention that they never activated pay of the fake and ghost employees who had drawn salaries against their cost center except 01 out of 33 employees (annexed as Annex-R1-R21).
- 17. That replies of the DDOs and Payrolls provided by the DAO Battagram were communicated to NAB KP Peshawar vide this office letter No: 10365-71 Dated 19-09-2016 (Copy attached and annexed as Annex-S1-S3).

Para (V)

18. In response to Deputy Commissioner Battagram office letter No. 6179/AE Dated 31-08-2016, brief history / detail of the case of ghost / fake employees reported by NAB KP Peshawar along with mentioned enclosure, have already been communicated to DC Battagram vide the office letter No. 10511-17 Dated 22-09-2016. Copy attached and marked as annex-T1-T2)
19. The NAB KP Peshawar asked information letters / Orders bearing Order Numbers on 7-10-2016 (detail of which is mentioned in letter reply to NAB made vide the office letter No. 12030-32 Dated 14-10-2016. (Copies attached and marked as Annex D1 to D-12). NAB further asked all the DDOs concerned to attend NAB Peshawar Office on 13-10-2016 and this office instructed all the DDOs to attend so (Copy attached and marked as annex-V).

In the light of above facts, you are requested to initiate departmental inquiry against all those officers / officials who have committed misuse of authority and inflicted such a huge loss to Govt treasury through mal-practices.
Detail of fake appointees / Ghost / Strangers employees who had drawn salaries through various DDO Codes / Cost centers are submitted as below:

S.No	AG P.NO.	NAME EMPLOYEE	OF	DDO CODE	SCHOOL / OFFICE NAME
1	711974	SHAH FAISAL		BM 7033	SDEO (M) Battagram
2	701740	Qazi Rashid Hussain		BM 7033	SDEO (M) Battagram
3	684967	Khyal Muhammad	✓	BM 7033	SDEO (M) Battagram
4	699014	Saifaz Khan		BM 7033	SDEO (M) Battagram
5	660390	Fazal Wahab		BM 7033	SDEO (M) Battagram
6	716733	SHAH JEHAN		BM 7034	SDEO (F) Battagram
7	718805	MUHAMMAD TARIQ		BM 7034	SDEO (F) Battagram
8	705608	NAVÉEDA TARIQ		BM 7037	DDEO FEMALE BATTAGRAM
9	705607	Salma Gul		BM 7037	DDEO FEMALE BATTAGRAM
10	48646	Malik Hayat Khan		BM 7056	GHS SAKARGAH
11	720474	AFTAB ALAM		BM 7056	GHS SAKARGAH
12	720499	ETHISHAM UL HAQ		BM 7056	GHS SAKARGAH
13	720677	SHABANA BIBI		BM 7056	GHS SAKARGAH
14	720679	ASIM FAHEM		BM 7056	GHS SAKARGAH
15	709109	FAISAL LATIF		BM 7056	GHS SAKARGAH
16	721561	IMTIAZ ALI KHAN		BM 7056	GHS SAKARGAH
17	721562	IHSAN KHAN		BM 7056	GHS SAKARGAH
18	706712	Ismail Shah		BM 7067	GHS HUTAL BATKOL
19	718804	MUHAMMAD ADNAN		BM 7067	GHS HUTAL BATKOL
20	718227	Muhammad Naem		BM 7070	GHS ASHARBAN
21	718138	MUHAMMAD IQBAL		BM 7070	GHS ASHARBAN
22	718811	AAMIR ZESHAN		BM 7070	GHS ASHARBAN
23	720678	ABDUL AWAL		BM 7070	GHS ASHARBAN
24	718806	ANWAR ZAIB		BM 7070	GHS ASHARBAN
25	718809	NAYAT SHAH		BM 7070	GHS ASHARBAN
26	706741	Neelam		BM 7063	GGHS BANIAN
27	702976	Nazia Hassan		BM 7063	GGHS BANIAN
28	701739	Jisaral Bibi		BM 7063	GGHS BANIAN

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29	70437	NAEEM	BM 7003	GHS BANIAN
30	719734	NADIA NOOR	BM 7003	GHS BANIAN
31	718810	UZMA NOREEN	BM 7003	GHS BANIAN
32	720475	SHAHNAZ-BEGAM	BM 7003	GHS BANIAN
33	720682	BARAHNAZ	BM 7003	GHS BANIAN
34	720683	HUMAY	BM 7003	GHS BANIAN
35	702865	KIRAN QAYUM	BM 7003	GHS BANIAN
36	709110	ZARIFA RONAQ	BM 7003	GHS BANIAN
37	710220	AROJ-TEHSEEN	BM 7003	GHS BANIAN
REPORTED BY HEADMASTER GHS HUTAL BATKOL OTHER THAN NAB INQUIRY				
38	624242	Shahid CT	BM 7007, 6082	GHS HUTAL BATKOL
39	431101	Muhammad Zahoor SST	BM 7007, 6082	GHS HUTAL BATKOL
40	709119	Yasir Anin TT	BM 7007, 6082	GHS HUTAL BATKOL

Sd/
District Education Officer (Male)
Battagram

Dated: ___/10/2016.

Endstt: No: _____

Copy for information & n/a to the:

1. Secretary Government of KP Finance Department Peshawar.
2. Accountant General KP Peshawar.
3. Director E&SE Department Peshawar
4. Additional Director Establishment Directorate of E&SE KP Peshawar.
5. Mr. Naeemullah Investigation Officer NAB KP Peshawar.
6. Deputy Commissioner Battagram.
6. District Accounts Officer Battagram.
8. SDEO (M) Battagram & Allat.
9. All the DDOs / Head Masters Concerned.

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District Education Officer (Male)
Battagram

Ann - F

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Fact finding / preliminary Enquiry for probing into the charges / allegations leveled against Malik Hayat N/Q G.G.M.S.No.1 Peshawar cantt;

1) Order of Enquiry / 1.42

The District Education Officer (Female) Education Department Peshawar No. 4726/GB/NOC for IDT dated: 5/9/2015 order for conducting preliminary enquiry and furnish facts and Finding in the matter. (Annex - A).

2) Enquiry Proceeding.

- i) The enquiry officer was directed vide above letter as annex-A to conduct enquiry in the above subject and furnish report within week time positively.
- ii) The enquiry officer visited the G.G.M.S No 1 Peshawar Cantt on 15/9/2015 and collected some record and also the statement of Mrs. Rozeena (Headmistress) and also presented ^{questionnaire} questioner to answer.
- iii) Mr. Malik Hayat N/Q hearing and statement could not be established due to his unavailability.
- iv) According to cell No.03139212367 mentioned by G.G.M.S.. H/M Mrs.Rozeena in her statement, Mr Malik Hayat N/Q was contacted several times on his cell phone, but he did not receive the call, even did not call back.
- v) After the lapse of 18 day Mr. Libas Gul N/Q official of Education Department was requested to appear before the enquiry officer and also requested to inform Mr. Malik Hayat N/Q, who is his relative in writing vide u/signed letter No.66 dated 02-10-2015, but he refused to appear before the enquiry officer concern and also stated that I have no contact since three months nor have any information about Malik Hayat.

3) Charges and Replies.

In compliance to the questioner put up to H/M Mrs. Rozeena on 15-09-2015, she submitted her written statement as (Annex - B)

According to her statement that

- i) The mutual transfer order Endst: No, 1936-38 dated: 7/3/2011 Malik Hayat N/Q was transferred to G.G.M.S No.1 Peshawar cantt but he performed his duty in the Directorate of (E&S) Education KPK Peshawar on detailment w.e.f 7/3/2011 to 15/9/2012 (Annex-C).
- ii) He performed his duty in the said school as N/Q w.e.f 17/9/2012 to 21/12/2012 (photo state of attendance register is enclosed as (Annex-D).
- iii) According to statement of Head mistress (Annex-B) Malik Hayat was detailed to directorate w.e.f 22/12/2012 to 31/12/2013 on telephonic message from directorate.
- iv) In compliance of mutual order Endst: No 1952-59/F.No.A-20/C-IV/Pesh/Vol-II dated: 1/1/2014 Malik Hayat N/Q was relieved from station G.G.M.S No.1 Peshawar Cantt by D.E.O (f) Peshawar and the charge was handed over to Libas Gul N/Q.
- v) On 18/1/2014 DEO(F) relieved him. (Annex-E)
- vi) In compliance of Endst: No. 2172-79/A-20/C-IV/PESH/Vol-II. Dated: 10/6/2014 Libas Gul N/Q was relieved by D.E.O (f) Peshawar through L.P.C dated: 30/6/2014 but in reverse Malik Hayat N/Q did not took charge in the said school and the post is vacant till now.
- vii) The salary transaction is not under D.D.O ship of D.E.O (f) Peshawar (Annex-E).from which it is cleared that he is still on the charge of Directorate from 18/01/2014.
- viii) No transaction has been done by DEO (F) Peshawar regarding his salary since January 2014.

4) Evidence

- i) From the record, Photo state and statement of Headmistress it is evident that Malik Hayat N/Q remained on duty in the said school w.e.f 17/9/2009 to 21/12/2012, during his job he remained on detailment at Directorate E&S Education KPK.
- ii) According to letter No. 421/NOC/IDT/G.Branch dated 09-06-2015(Annex-F),from D.E.O.(F) to the Director Elementary and Secondary Education KPK Peshawar ,has clearly mentioned that the inter District transfer from G.G.M.S.No.1 Peshawar Cantt. to District Battagram is fake & bogus and

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57 مقام انگریز پستوں پر ایس اے آف ایئر کی 11 ایئرنگ

میں خدمت بنیاد (14) P2/P2 ایئرنگ پر 11/11/2017

عنوان: جی جی ایئرنگ برائے مہلا ایئرنگ، ریٹائرڈ 11/11/2017

پتھر لکھی، ریٹائرڈ 11/11/2017

اللہ علیہ
AM

لنگار ستر کا تحریر ہے کہ ملک بنیاد میں ریٹائرڈ 11/11/2017

اس میں سہیلہ عین ملک بنیاد میں ریٹائرڈ 11/11/2017

سہیلہ عین کے خلاف اب تک حکم تعلیم نہیں مل سکا ہے

پتھر لکھی، ریٹائرڈ 11/11/2017

پتھر لکھی، ریٹائرڈ 11/11/2017