16.12.2021

Petitioner alongwith counsel and Mr. Noor Zaman District Attorney alongwith Asif Nawaz, DHO Tank for the respondents present.

According operative part of the judgment at credit of the petitioner, his appeal was partially accepted with direction to the respondent department to adjust the appellant at his post holding the appellant entitled to monthly salary from the date he rejoins his service. The intervening period was held treated extraordinary leave without pay. According to copy of the arrival report dated 25.10.2017, the petitioner reported ूं to join duty on 25.10.2017 which was duly received by the District Sports Officer, District Tank with his signature and official stamp. Moreover, it has already been observed vide order dated 25.10.2021 that the appellant has rejoined his duty on 25.10.2017 but he was unwarrantedly adjusted on 18.09.2019 with delay of two years. His salary was released since October, 2020. In order to make the thing understandable for execution of the judgment in its letter and spirit, it is observed that the period in-between 20.09.2008 and 25.10.2017 shall be treated as extraordinary leave without pay as directed in the judgment. In case the petitioner had received salary of the period treated as extraordinary leave without pay, the same shall be refundable and recoverable from the arrear of his pay having become

due in his favour from 25.10.2017, if not already paid. Needless to say that the petitioner is entitled for fixation of his pay excluding the period of extraordinary leave with addition of the admissible increments. Today, a revised order dated 24.11.2021 bearing No. 3A/DOP Tank/2015 of even date has been produced whereby, in supersession of the order dated 18.09.2020 sanction has been accorded to the grant of extraordinary leave without pay for the period from 21.09.2008 to 24.10.2017 in favour of the petitioner. The said order will be given effect in accordance with the observations herein before. The execution petition stands disposed of. File be consigned to the record room.

Chaifman Camp Court, D.I.Khan.

ANNOUNCED 16.12.2021 15.12.2021

Counsel for the petitioner and Mr. Muhamad Adeel Butt, learned Additional Advocate General for the respondents present.

Learned AAG states that the concerned departmental authority has informed telephonically for seeking short adjournment to do the needful. Request is accorded. To come up for the needful on 16.12.2021 before S.B at Camp Court, D.I.Khan.

Chairman

Camp Court, D.I.Khan

5.25.10.2021

Petitioner with counsel present. Mr. Muhammad Rasheed, Deputy District Attorney alongwith Asif Nawaz District Sport Officer for respondents present.

As per judgment of this Tribunal dated 25.09.2017, the appellant was required to be adjusted against his post and the appellant was held entitled to monthly salary from the date he re-join his duty. The appellant rejoined his duty on 25.10.2017, but he was adjusted on 18.09.2019 with delay of two years, which was not warranted. The respondents also submitted a salary slip for the month of October, 2020 which is initial pay and not based upon his early service.

In view of the above, it has been noted that judgment of this Tribunal has not been implemented well in time, hence respondents are directed to adjust the appellant from 25.10.2017, the date when he rejoined his duty and his salary shall also be calculated as per law and rules.

Adjourned to 14.12.2021 before S.B at Camp Court, D.I Khan

(ATIQ-UR-REHMAN WAZIR) MEMBER (EXECUTIVE) CAMP COUR D.I KHAN

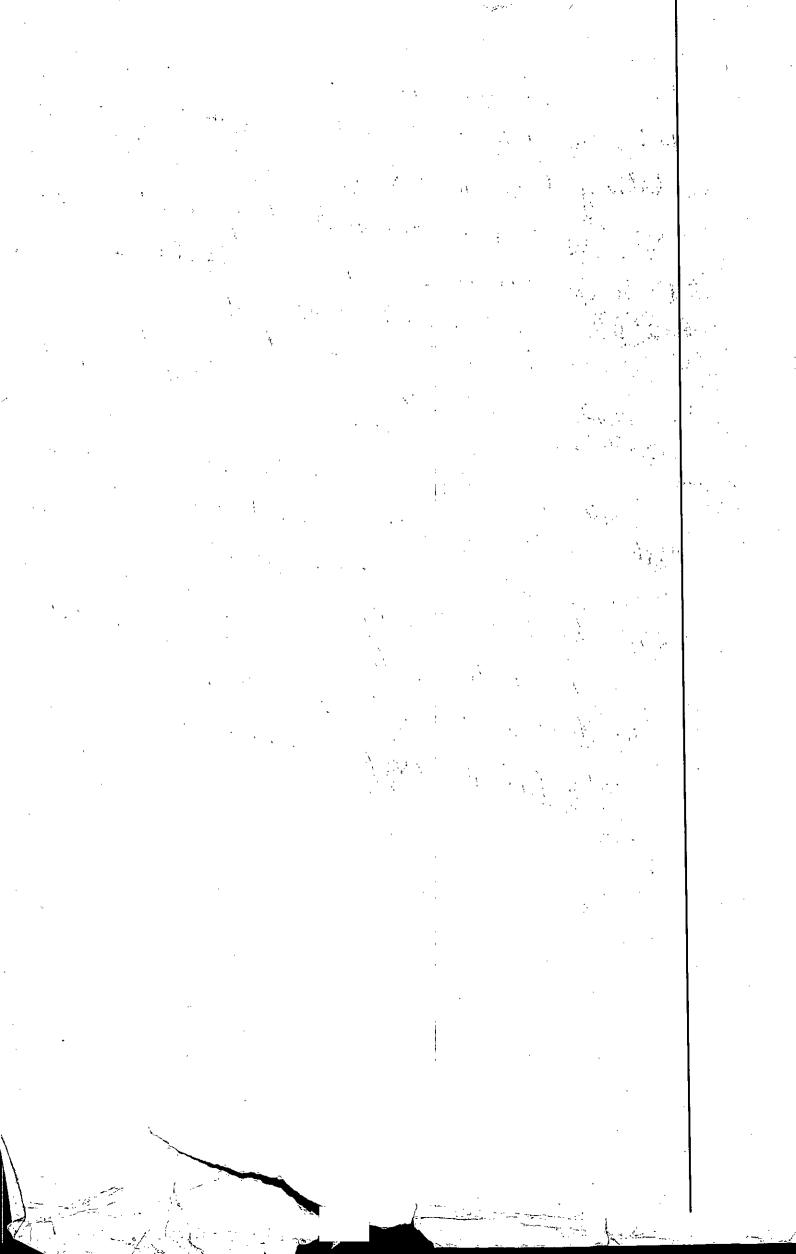
14.12.2021

Counsel for the petitioner and Mr. Muhammad Adeel Butt, learned Additional Advocate General for the respondents present.

Judgment at credit of the petitioner has not been implemented in letter and spirit. Learned AAG seeks short adjournment to take the authority concerned on board to comply with the order dated 25.10.2021 of the Tribunal and submit compliance report on next date. Request is accorded. Case to come up on 15.12.2021 before S.B at Camp Court, D.I.Khan.

Camp Court, D.I.Khan

As per judgment of This Teibran al dt 25/9/2017, The appellant was required to be adjusted against his post 2 the appellant was held entitled to month by Salary fran the dete han se joins his chity. the appellant so-jound his duly on 25/10/2017 but he was adjusted on 1899/2019 with delay of Two years, which was not warrantul. the Espondents also submitted a salvey slips
on month no - 0 1 On month of october, 2020, which is initeal payand not based upon his easily service 92 niew of the abone, it has been notest that Judgenit of This Ribural how met spece. Implemental well in fine, heen a sopportents are died ut to edjust the appellant from 25/10/2017, the date when he se-journel his duty & his salary shall also be calculated as per law 2 sub



Receiver

SUBJECT: <u>ARRIVAL/REPORT</u>

R/Sir,

In Pursuance to the Order issued by the Directorate of Sports K.P.K Peshawar dated 18th September 2019, I hereby submit my arrival report for duty against the post of Junior Clerk BPS 11, in office of District Sports Office Tank on 25.09.2019 (F.N).

Dated: 25/09/2019

Yours Obediently

Javed Khan Junior Clerk Office of D.S.O Tank

Copy to the:-

Director General Sports KPK.
 District Accounts Office Tank.



Sports are essential for the development of a happy, healthy & vigorous society.

DIRECTORATE GENERAL SPORTS KHYBER PAKHTUNKHWA PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT. Ph: # 9212767, Fax # 9212766

No. 1/Court Case/Javed Khan /2021

Dated: 21-06-2021

AUTHORITY LETTER

Mr. Asif Nawaz District Sports Officer Tank is hereby authorized to attend the Service Tribunal D.I. Khan bench on behalf of Director General Sports Khyber Pakhtunkhwa regularly in the case titled Javed Khan Vs Director General Sports & Others till the decision of the case.

DIRECTOR GENERAL SPORTS



DIRECTORATE GENERAL OF SPORTS KHYBER PAKHTUNKHWA

PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.

Ph: # 9212767, Fax # 9212766

Dated Peshawar, the 18th September, 2019.

OFFICE ORDER.

No. 1/Court Case/Javed Khan/2013.- In compliance of Service Tribunal Peshawar Camp Court D.I. Khan order dated 25-09-2017 in Appeal No. 1110/2013 titled Javed Khan V/s Government of Khyber Pakhtunkhwa, the competent authority is pleased to adjust Mr. Javed Khan S/O Ghulam Nabi resident of Aman Chowk Bakhtawar Abad, D.I. Khan against the vacant post of Junior Clerk (BPS-11) in the office of District Sports Officer, Tank subject to the final order, decision or judgement of the Supreme Court of Pakistan in appeal pending in the said Court.

DIRECTOR GENERAL

Dated: 18-09-2019

Endst: No. & date even.

A copy is forwarded for information and necessary action to:-

- 1- The Registrar, Service Tribunal, Peshawar.
- 2- The District Accounts Officer, Tank.
- 3- The Section Officer (Lit), Sports & Youth Affairs Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The District Sports Officer, Tank.
- 5- Mr. Javed Khan S/O Ghulam Nabi resident of Aman, Chowk Bakhtawar Abad, D.I. Khan with the direction to resume duty under intimation to this Directorate so as to issue order regarding extra-ordinary leave (without pay) for the absence period.

6- Personal file of the official concerned.

DIRECTOR GENERAL



OFFICE OF THE DISTRICT SPORTS OFFICER <u>TAN</u>K.

Dated. 23 1/0 /2020.

· To

District Account Officer Tank.

Subject:- RELEASE OF PAY

Memo: Please refer to the Service Tribunal Peshawar Camp Court D.I.Khan order dated 25/09/2020, Director General Directorate General of Sports Khyber Pakhtunkhwa Peshawar Office Order No. 3A/DOP Tank/2015 dated 18th September 2020 and Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar letter No. 511/ST dated 03-03-2020 on the above noted subject. (copies enclosed)

It is therefore, requested to please release the pay of Mr. Javed Khan see Chulan. Nabi, Junior Clerk (BPS#11) of District Sports Department Tank as per law and relevant rules.

DIŞTRICT SPORTS OFFICER
TANK

NO. & DATE EVEN:

Copy to:

- 1. The Registrar, Service Tribunal Peshawar.
- 2. The Director General, Directorate General Sports Khyber Pakhtunkhwa Peshawar.
- 3. Office file.

DISTRICT SPORTS OFFICER
TANK

TO BE SUBSTITUTED BY THE SAME NUMBER & DATE



Sports are essential for the development of a happy, healthy $\pmb{\delta}$ vigorous society

DIRECTORATE GENERAL OF SPORTS KHYBER PAKHTUNKHWA

PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT. Ph: # 9212767, Fax # 9212766

Dated Peshawar, the 18th September, 2020.

OFFICE ORDER.

No. 3A/DOP Tank/2015.- In light of judgement of Service Tribunal Khyber Pakhtunkhwa D.I. Khan Bench dated 25-09-2017, sanction is hereby accorded to the grant of extra-ordinary leave without pay for the period from 21-09-2008 to 24-09-2019 to Mr. Javed Khan, Junior Clerk, office of the District Sports Officer, Tank.

Ć

DIRECTOR GENERAL

Dated: 18-09-2020

Endst: No. & date even.

A copy is forwarded for information and necessary action to:-

- 1- The Registrar, Service Tribunal, D.I. Khan Bench, D.I.Khan.
- 2- The District Accounts Officer, Tank.
- 3- The District Sports Officer, Tank.
- 4- Mr. Javed Khan, Junior Clerk office of the District Sports Officer, Tank.

5- Personal file of the official concerned.

DIRECTOR GENERAL

Tank

B# :

Pers #: 00311997 Bucklet Name: ER JAVED KHAN JUNIOR CLERK CNIC No.1210195213697 GPF Interest Applied

11 Active Temporary PAYS AND ALLOWANCES: 0001-Basic Pay 1000-House Rent Allowance

1210-Convey Allowance 2005 1300-Medical Allowance 1970-Adnos Relief Allow 2011 2211-Adhos Relief All 2016 10% 2224-Adhoc Relief All 2017 10% 2247-Adhoc Relief All 2018 10% 2264-Adhoc Relief All 2019 10%

Gross Pay and Allowances DEDUCTIONS:

99,012.00 GFF Balance 3501-Benevolent Fund

p seci001 Month:October 2020 THEO38 -DISTRICT SPORT OFFICER TAN DISTRICT SPORTS OFFICER T

I WTH

GPF #: GA-TK-15181 014 #: 121019521369

TK6038

12,570.00 1,053.00 2,856.00 1,500.00 957,00 1,051 00 1,257.00 1,257.00 1,257,00 24,558.00

Subrc:

1,290.00 600.00

Total Deductions

1,890.00

22,668.00

D.O.B

03.03.1976

UNITED BANK LIMITED CIRCULAR ROAD

100-6921-0

LFP Quota:

25 Years 01 Months 001 Days

District Account Officer Tank

Sports are essential for the development of a happy, healthy δ vigorous society



DIRECTORATE GENERAL OF SPORTS KHYBER PAKHTUNKHWA

PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.

Ph: # 9212767, Fax # 9212766

Dated Peshawar, the 24th November, 2021.

15/1/2021

OFFICE ORDER.

No. 3A/DOP Tank/2015.- In light of orders / judgment of Service Tribunal-Khyber Pakhtunkhwa D.I. Khan Bench dated 25-10-2021, and in supersession of this Directorate substituted office order of even No. dated 18-09-2020, sanction is hereby accorded to the grant of extra-ordinary leave without pay for the period from 21-09-2008 to 24-10-2017 to Mr. Javed Khan, Junior Clerk, office of the District Sports Officer, Tank.

Endst: No. & date even.

DIRECTOR GENERAL

A copy is forwarded for information and necessary action to:-

- 1- The Registrar, Service Tribunal, D.I. Khan Bench, D.I.Khan.
- 2- The District Accounts Officer, Tank.
- 3- The District Sports Officer, Tank.

المكت Javed Khan, Junior Clerk office of the District Sports Officer, Tank.

5- Personal file of the official concerned.

DIRECTOR GENERAL

Between the control of the state of the stat

Received.

DISTRICT TANK

SUBJECT: <u>ARRIVAL REPORT</u>

R/Sir,

In Pursuance to the Order issued by the Directorate of Sports K.P.K Peshawar dated 18th September 2019, I hereby submit my arrival report for duty against the post of Junior Clerk BPS 11, in office of District Sports Office Tank on 25.09.2019 (F.N).

Dated: 25/09/2019

Yours Obediently

Javed Khan Junior Clerk Office of D.S.O Tank

Copy to the:-

1. Director General Sports KPK.

2. District Accounts Office Tank.

The District Sports Officer Tank

DISTRICT TANK

SUBJECT: ARRIVAL REPORT

R/Sir,

In Pursuance to the Order issued by the Directorate of Sports K.P.K Peshawar dated 18th September 2019, I hereby submit my arrival report for duty against the post of Junior Clerk BPS 11, in office of District Sports Office Tank on 25.09.2019 (F.N).

Dated: 25/09/2019

Yours Obediently

Javed Khan Junior Clerk Office of D.S.O Tank

pred w/ 2519/2519

Copy to the:-

1. Director General Sports KPK.

2. District Accounts Office Tank.

Counsel for the petitioner present. Mr. Muhammad Rashid, DDA alongwith Mr. Muhammad Ismail, Assistant for respondents present.

On the last date of hearing i.e 22.02.2021, Director Sports, Khyber Pakhtunkhwa was directed to attend the court in person or through a responsible officer in order to apprise this Tribunal in respect of service book of the petitioner as well as release of salary. The direction of this Tribunal however, seems to have been ignored and today representative of the department attended the court blank/ without any information. A cost of Rs. 2000/- is therefore imposed on Director with further direction to ensure personal appearance alongwith conclusive implementation report on the next date.

Adjourned to 21.06.2021 before S.B at camp court

D.I.Khan.

(Mian Muhammad)

Member(E)

Camp Court D.I.Khan

2106-21

And to early 19, The Case Vadjaceson To 25.10.21 for Same

Counsel for the petitioner present.

Noor Zaman Khattak learned District Attorney present.

As per order sheet dated 23.09.2020 notice was issued to respondent No.2 i.e. Director Sports Khyber Pakhtunkhwa, Peshawar to attend the court in person or through a responsible office in order to apprise this Tribunal in respect of the Service Book of the petitioner as well as release of salary but till today, no one present on behalf of respondents, therefore, fresh notice be issued to respondents to attend the Tribunal and submit implementation report on the next date positively. To come up for implementation report on 24.03.2021 before S.B at Camp Court D.I Khan.

(Atiq ur Rehman Wazir) Member (E)

Camp Court, D.Í Khan

28.10.2020

Petitioner is present in person. Mr. Usman Ghani, District Attorney and Mr. Asif Nawaz, District Sports Officer, for the respondents are also present.

Petitioner requested for adjournment on the ground that the Members of the High Court as well as of the District Bar Association D.I.Khan are observing strike today, therefore, his counsel is not available today. Adjourned to 21.12.2020 on which date to come up for implementation report before S.B at Camp Court, D.I.Khan.

(MUHAMMAD JAMAL KHAN)

MEMBER

CAMP COURT D.I.KHAN

21.12.2020 Due to Pandemic of Covid-19, the case is adjourned to 22.02.2021 for the same.

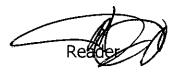
Reader

Due to COVID-19 the case is adjourned. To come up for the same 23/4/2020 at Camp Court, D.I Khan



23 / 4/2020

Due to COVID-19 the case is adjourned. To come up for the same $\frac{23}{3}$ / $\frac{9}{2020}$ at Camp Court, D.I Khan



23.09.2020

Counsel for petitioner present.

Mr. Usman Ghani, learned District Attorney alongwith Asif Nawaz, District Sport Officer for respondents present.

As per order sheet dated 26.02.2020, the respondents were strictly directed to implement the judgment of this Tribunal but till today no salary was paid to the petitioner, therefore, notice be issued to respondent No.2 i.e. Director Sports Khyber Pakhtunkhwa, Peshawar to attend the court in person or through a responsible officer in order to apprise this Tribunal in respect of the Service Book of the petitioner. They are further directed to implement the judgment of this Tribunal and pay salary to the petitioner. To come up for implementation report on 28.10.2020 before S.B at Camp Court D.I Khan.

(Rozina Rehman) Member (J) Camp Court, D.I Khan 26.02.2020

Petitioner alongwith his counsel and Mr. Ziaullah, Deputy District Attorney present.

The petitioner Javed Khan filed service appeal which was partially accepted, the respondent-department was directed to adjust the petitioner at his post and petitioner shall be entitled to monthly salary from the date he rejoin his service. The intervening period shall be treated as (Extraordinary leave) leave without pay. The department was held at liberty to initiate disciplinary action against the petitioner in accordance with law vide judgment dated 25.09.2017. On the basis of judgment of this Tribunal, the petitioner has filed the present implementation application.

Learned counsel for the petitioner stated at the bar that the petitioner has been adjusted vide order dated 18.09.2019 against the vacant post of Junior Clerk BPS-11 in the office of District Sports Officer Tank subject to the final order, decision or judgment of the Supreme Court of Pakistan and the petitioner is also performing duty since that date but the respondent-department is reluctant to pay his salary so far in violation of judgment dated 25.09.2017 passed by this Tribunal, therefore, respondents may be directed to pay the salary to petitioner.

Today, neither respondents nor representative of the department is present, therefore, respondents are strictly directed to implement the judgment of this Tribunal dated 25.09.2017 and pay salary to the petitioner as per direction of judgment dated 25.09.2017 otherwise coercive measures would be adopted against them. To come up for implementation report on 27.03.2020 before S.B at Camp Court D.I.Khan.

(Muhammad Amin Khan Kundi) Member Camp Court D.I.Khan. 29.01.2020

Clerk to counsel, for the petitioner and Mr. Usman Ghani, District Attorney for the respondents present. Clerk to counsel for the petitioner requested for adjournment on the ground that learned counsel for the petitioner is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 26.02.2020 for arguments before S.B at Camp Court D.I.Khan.

M. Amin Khan/Kundi) Member Camp Court D.I.Khan



Learned counsel for the petitioner present. Mr. Farhaj Sikandar learned Deputy District Attorney alongwith Naimat Khan Director Sports present and submitted copy of office order dated 18th September 2019 in relation to the implementation of judgment in question copy of which order handed over to the petitioner. Learned counsel for the petitioner however seeks adjournment. Adjourn. To come up for further proceedings on 23.10.2019 before S.B at Camp court, D.I.Khan.

Mémber Camp Court, D.I.Khan.

23/10/2019 Since tour to D.I.Khan has been cancelled .To come for the same on 27/11/2019.

27.11.2019

Counsel for the petitioner and Mr. Ziaullah Deputy District Attorney alongwith Mr. Muhammad Kamran, ADO (Litigation) for the respondents present. Learned counsel for the petitioner submitted objection petition to the implementation report which is placed on record. Case to come up for arguments on 29.01.2020 before S.B at Camp Court D.I.Khan.

(Muhammad Amin Khan Kundi) Member Camp Court D.I.Khan 24.06.2019

Petitioner in person and Mr. Farhaj Sikandar, District Attorney present. None present on behalf of the respondent-department. On the previous date, salaries of respondents were attached but despite that implementation report has not furnished therefore, Accounts Officer is directed to attach the salary of respondents and also furnish report in this regard. Competent authority, respondent No. 3 is directed to attend the court personally on 26.08.2019 before S.B at Camp Court D.I.Khan.

建设在企业中

(Muhammad Amin Khan Kundi) Member Camp Court D.I.Khan

26.08.2019

Petitioner alongwith his counsel and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Asif Nawaz, District Sports Officer for the respondents present. The appeal of the petitioner was accepted and the respondent-department was directed to adjust the petitioner at his post and the petitioner was held to be entitled to monthly salary from the date of rejoins his service. The intervening period was treated as extraordinary leave without pay. The department was held at liberty to initiate disciplinary action against the petitioner in accordance with law vide judgment dated 25.09.2018. On the previous date implementation report was not furnished despite attachment of salary of the respondents therefore, Account Officer was directed to attach the salary of respondents and also furnish report in this regard. The competent authority i.e respondent No. 3 was directed to attend the court personally but today respondent No. 3 i.e District Sports Officer namely Asif Nawaz present in court and stated that the competent authority is respondent No. 2. Respondent No. 3 also furnished copy of CPLA. All the respondents are directed to provisionally implement the judgment of this Tribunal subject to decision of apex court. Learned counsel for the petitioner also stated that the respondentdepartment is again going to fill up the post of the petitioner despite the facts that the service appeal of the petitioner has been accepted by this Tribunal and the respondent-department have also made advertisement for filling the said post. Learned counsel for the



petitide armado comuse le forhathen petitipo outen respettiment. Il ay habe Sikamalared liame appointment of thorney ical cherwish ly Nathanex Khtan f Direction of pilitsh present datal Adinanced copy of the former itained 18th Septentiation 2019 to py of which hands for our to the petitioner. Learned course for the petitioner seeks adjournment to furnish of Junior Clerk only to the extent of appellant till the next date. written objection against the same. Adjourn. To come up for further proceedings on 23.10.2019 before S.B. at Camp Court, (Muhammad Amin Khan Kundi) Member

Member Camp Court D.I.Khan



19.12.2018

As per direction of the worthy Chairman Khyber for Pakhtunkhwa Service Tribunal, D.I.Khan tour dated 19.12.2018 has been rescheduled and the case is re-fixed for 28.12.2018.

Reader

28.12.2018

Counsel for the petitioner present. Mr. Farhaj Sikandar, District Attorney for the respondents present. Representative of the department is not in attendance therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit implementation report on the next date positively. Adjourned. To come up for implementation report on 26.03.2019 before S.B at Camp Court D.I.Khan.

(Muhammad Amin Khan Kundi)

Member

Camp Court D.I. Khan

26.03.2019

Counsel for the petitioner present. Mr. Farhaj Sikandar, District Attorney for respondents present.

Judgment of this Tribunal dated 25.09.2017, despite affording repeated opportunities is yet to be implemented by the respondents. This shows casual, non-serious and indifferent attitude of the respondents, which is against the established norms of office discipline. In these circumstances, this Tribunal is left with no other option but to adopt coercive measures against the respondents. As a first step salary of Director Sports (respondent no.2) and District Sports Officer (respondent no.3) is attached forthwith. They are again directed to produce implementation report, positively, on the next date of hearing. Case to come up for further proceedings on 24.06.2019 before S.B at camp court, D.I.Khan.

Member
Camp Court, D.I.Khan

Form- A

FORM OF ORDER SHEET

Court of	·	
Execution Petition No.	300/2018	

	Execution	on Petition No 300/2018		
S.No.	Date of order proceedings	Order or other proceedings with signature of judge		
1	2	3		
1	26.09.2018	The execution petition of Mr. Javed Khan subn	nitted by	
		register and put up to the Court for proper order please.	relevant	
		REGISTRAR	6/9/1	
2-	20.11.18	This execution petition be put before S. Bench	at	
		D.I.Khan on <u>29-11-18</u> .		
		(W) CHAIRMAN		
	29.11.2018	Neither appellant nor his counsel present. Notice		
		issued to appellant and his counsel as well as re	esponde	
		for 19.12.2018 before S.B at Camp Court D.I.Khan.		
		Mr.A.		
		(Muhammad Amin Kha Member	n Kundi)	
	`	Camp Court D.I.I	Khan	
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The Execution petition of Javed Khan son of Ghulam Nabi Junior Clerk Sports Dstt. Tank received today by post is returned to the counsel for the petitioner with the remarks that four more copies/sets of the petition along with annexures i.e. complete in all respect may also be submitted with the petition within 15 days.

No. /8 60/S.T, Dt. 18-9 /2018.

Registrar 1819118 Khyber Pakhtunkhwa Service Tribunal Peshawar.

Sheikh Iftikhar-ul-Haq Adv. D.I.Khan

Respected six,

The objection has been removed.

Hence Resubmitted please six.

Four set enclosed, as required. It that

Adv:

BEFORE THE HON'BLE SERVICE TRIBUNAL K.P.K. PESHAWAR.

IMPLEMENTATION PETITION NO. 300 2018

in re Service Appeal No. 1110/2013

JAVED KHAN

V/S

GOVT OF OF KHYBER PAKHTUNKHOWA ETC

INDEX.

S.no.	Particulars of Documents . Ann	exure. pages.
	emo and grounds of implementation — etition.	/-3
2.	Copy of Appeal and order of this Hon'ble ATribumal dated. 25.9.2017.	" 4-10
3.	Copy of Applications to Respondents " ${\cal B}$	" 11-1
4.	Wakalatnama	
		-15-

Your Humble Petitioner.

a voer an an

through Counsel.

(Shailan fftikharul Haq) Advocate High Court.

Dated. 13.9.2018.

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER

PAKHTUNKHWA PESHAWAR.

implementation petition no. 300 /

In Service Appeal No. 1110/2013

Decided on 25.9.2017

Khyber Pakhtukhwa Service Tribunai

Diary No. 100/

Dated 18/9/ 2018

JAVED KHAN S/O GHULAM NABI, JUNIOR CLERK ,SPORTS, DISTT: TANK (Resident of Aman Chowk Bakatawar Abad D.I.Khan.

PETITION ER.

V/S

- 1) GOVT: OF KHYBER PAKHTUNKHOWA THROUGH SECRETARY ,SPORTS PESHAWAR.
- 2) DIRECTOR SPORTSLK.P.K. PESHAWAR.
- 3) DISTRICT SPORTS OFFICER ,DISTT: TANK.
- 4) DISTRICT ACCOUNTS OFFICER , DISTT TANK.

RESPONDENTS.

IMPLEMENTATION PETITION UNDER KHYBER PAKHTUNKHOWA

SERVICE TRIBUNAL ACT 1974 (SECTION -7) READ WITH

KHYBER PAKHTUNKHOWA SERVICE TRIBUNAL RULES. 1974 (AS

AMENDED) FOR IMPLEMENTATION THE ORDER/JUDGMENT IN

SERVICE APPEAL NO. 1110/2013 DECIDED ON 25.9.2017

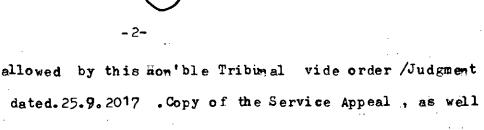
BY THIS HON'BLE TRIBUNAL

Respectfully Sheweth,

The Petitioner humbly submits as under :-

1) That the Petitioner submitted Service Appeal for monthly Salaries
Releasing w.e.f 26.7.2011 uptill date, which was

ih Sibatus



as Copy of the order/Judgment of this Hon'ble Tribunal is enclosed as Annexure A . The concluding para of the Judgment forder is once again reproduced hereunder.

"As consequence, to the aforementioned facts, the instant Appeal is partially accepted and the Respondent-Repartment is directed to adjust the Appellant at his post and the appellant shall be entitled to monthly Salary from the date he rejoins his service. The intervening period shall be treated as (E.O.L) leave without pay. The Department is at liberty to smitiate disciplinary action against the Appellant in accordance with law. Parties are however left to bear their own Costs. File be consigned to the record.

Sd/-Gul Zeb Khan Member Campt Court D.I.Khan

25.9.2017

- 2. That the Petitioner submitted various application for adjustment and duty and rejoin application have also been submitted. Copies are enclosed as Annexure B
- 3. That the Petitioner having no other adequate/
 appropriate remedy now humbly approach this Hon'ble
 Tribunal for implementation of the order/Judgment dated.
 25.9.2017 of this Hon'ble Court on the following grounds amongst others.

GROUNDS.

1. That the acts and omission of the Respondents are Clear cut violations of law and statutes and constitution.

his ton

- 2) That the lame excuse on behalf of Respondents anthomity are not maintainable and the Respondents were required to implement the Judgment and or the of this Non-ble tribunal with letter and spirits.
- 3) That the Petitioner and his family living with starvation . Thus by accepting the instant implementation the salaries of the Petitioner may be released .
- 4. That the Counsel of the Petitioner may also be allowed to raise additional grounds during course of hearing.

It is, therefore, humbly prayed that the Respondents be directed to implement the Judgment/order of this Hon'ble Tribunal in letter and spirit. Any other relief if this Hon'ble Tribunal deem fit, may kindly be given in favour of the Petitioner.

Yours Hymble Petitioner.

O'

Javed Khan

Through Counsel.

(Shaikh Iftikharwl Haq)
Advocate High Court.

ated. 13.9. 2018

Verification. It is verified that it is first Petition and no such like petition has even been filed/submitted in any court of law. The contents of which is true and correct

Va veu man.

Depoyent.

Affidavit. I.Javed Khan S/O Ghulam Nabi k/O Aman Chowk Bakhtawar abad Awan Advoc P.I.Khan do hereby solemnly affirms and declareson oath that the sontents of the petition is true and correct to the best of my

knowledge and belief and that nothing has been kept secret.

Pated. 13.9.2018,

Annenure -

BEFORE THE SERVICE TICIBUNAL KHYBER PAKHTUNKHOWA PESHAWAR

S.T.A No. 2 110 2013

Javed Khan S/O Ghulan Nabi Junior Clerk, Sports, Distt:Tank (R/O Aman Chowk Bakhtawar Abad D.I.Kkan) Appellant.

V/S

- 1. Govt of K.P.K through Secretary, Sports Peshawar.
- 2. Director Sport K.P.K. Peshawar.
- 3. Distt: Sports Officer Distt: Tank. .
- 4. Dy. Conmissioner Tank /E.D.O Sports Tank.
- 5. Distt:Accounts Officer Tank.

Respondents.

Service Appeal under Section 4 of Khyber Pakhtunkhowa Service Tribunal Act 1974.

Prayer.

19/7/13

On acceptance of the instant Appeal the monthry Salaries of the Appellant w.e.f. 26.7.2011 uptill date and in future may kindly be released.

Respectfully Sheweth,

1. That the Appellant was appointed as Junior Clerk on 1.10.1995 in the incumbercy of Respondent authorities.

Copy of the appointment order is enclosed as Annexure -A

2. That the Appellant had been performing his duties since from the date of appointment to the entire satisfaction

Feshawar

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of his superiors . There is no dent and stigms on the performance of his duties.

- That the Appeliant submitted an application 3. for four months leave on 20.5.2008 which was allowed. Thereafter the Appellunt submitted application for Salaries and allowing Extra Ordinary which was forwarded vide letter No.092/TK dated.6.6.2012 by the District Sports Officer Tank . Copy of the leave sanctioned order application for leave and forwarding news is enclosed as Annexure B, C & D :
 - That during the services the Appellant was falsely implicated in Criminal Case by ledging F.I.R Ne.03 dated.29-07.2011 under section 5(2)PC Act of Police Station PCE Tank by one Muhammad Nisar S/O Barkatullah on the basis of personal gruadges with District Sport Officer Tank Muhammad Anwar Kamal Barki and the Appellant was made scapegeab in the above mentioned case . Which was later on released on bail by the Hen'ble Anti Cerruption Court . Copy of F.I.R and order (bail) of the Hen'ble Amti Corruption Court is enclosed as

Amnexure E & F

That Appellant made various requests/application for the release of his salaries and lastly submitted a Departmental Appeal/Representation for releasing his salaries from 26.7.2011 will date . Copy of the Deptt:

Peshawar



Appeal alongwith posal receipt is enclosed as Annexure G

6. That the Respondent authorities have not accepted the Departmental Appeal of the Appellant within stipulated period. Hence the instant Appeal inter alia on the following grounds.

GROUNDS.

- That the act and emission of the Respondent authorities to stop the monthly salary of the Appellant is illegal and against the principal of law and service rule and not in commence of Esta Code.
 - 2. That the pay is a guaranted right of the Govt Servant U/S of Civil Service Rule 1973 and cannot be stopped in any circumstances.
 - That the Appellant has not been charge sheeted, no show cause motice have been issued by the Respondent authorities.
 - the Appellant thus the whole proceeding (although not communicated to the Appellant, if any) which is against the principal of law and natural justice.
 - That the Appellant have been condemned unheard and his salaries have been stopped without any reason and justification. Which is illegal and unlawful.

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6. That the counsel of the Appellant may also be allowed to raise additional grounds during course of hearing.

In wake of submissions made above it is humbly prayed that the monthly salaries of the Appellant w.e.f 26.07.2011 up to date and further be released.

Yours Humble Appellant.

Sd/-

Javed Khan Throgh Counsel.

Sd/-

(Shaikh Iftikhar Haq) Advocate High Courrt.

Date. 16.07.2013

Affidavit.

I. Javed Khan S/O Ghulam Nabi Junior Clerk Sports Distt: Tank do hereby solemnly affirm and declare on oath that the contents of appeal are true and correct to the best of knowledge and belief and that nothing has been concealed from this Hon'ble Court.

Sd/-

Deponent.

Identified by

Sd/-

Sh. Iftikhar Ul Haq





BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR AT CAMP COURT D.I.KHAN.

Appeal No.1110/2013

Date of Institution

19.7.2013

Date of Decision

25.09.2017

Javed Khan S/O Ghulam Nabi, Junior Clerk, Sports, District Tank, R/o Aman Chowk Bakhtawar Abad, D.I.Khan.



(Appellant)

VERSUS

- Govt. of KPK through Secretary, Sports Peshawar.
- 2. Director Sports KPK Peshawar.
- 3. District Sports Officer, District Tank.
- 4. Dy. Commissioner Tank/EDO Sports Tank.
- 5. District Accounts Officer, Tank.

(Respondents)

Shaikh Iftikhar-ul-Haq,

Advocate

For appellant.

Mr. FarhajSikandar,

District Attorney

For respondents.

MR. GUL ZEB KHAN

MEMBER

MR. MUHAMMAD HAMID MUGHAL

MEMBER

<u>JUDGMENT</u>

The aforesaid appeal dated 19/7/2013 has been GUL ZEB KHAN, MEMBER. lodged by Mr. Javed Khan, hereinafter referred to as appellant, under Section-4 of Khyber Pakhtunkhwa Service Tribunal Act 1974, wherein the salaries of the appellant were stopped since 26/7/2011. The appellant filed departmental appeal against stoppage of his salaries, which was not disposed of within statutory period of ninety days and hence this appeal.

2. Brief facts of the case giving rise to the instant appeal are that the appellant initially appointed in the Sports Department as Junior Clerk vide order dated 1/10/1995, was charged in FIR No. 03 dated 29/7/2011 under Section 5(2)PPC at

Police Station PCE Tank, on the basis of illegal drawl of salaries from his bank STED



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account. Later on he was released on bail by Anti Corruption Court. However, the respondent-department is not paying salaries to the appellant since 26/7/2011.

- 3. Learned counsel for the appellant argued before the court that since payment of salaries is a guaranteed right of Government Servant under Section-17 of Civil Service Rules 1973, all the mandatory provisions of the law and rules have badly been violated by the respondents. The respondent department has neither conducted any regular departmental enquiry nor any show cause notice/any chance of personal hearing/ self-defense was given to the appellant, which was mandatory requirement of the law. Learned counsel for the appellant further argued that since stoppage of salaries of the appellant is illegal and without any justification, hence the respondent may be directed to release the monthly salaries of the appellant w.e.f. 26/7/2011.
- 4. On the other side learned District Attorney argued before the court that an FIR was lodged against the appellant on allegation of illegal drawl of salary from his Bank account for the period when he was abroad. During the departmental inquiry, it was established that he was abroad during his absence from office and he did not bother to seek NOC from the department for travelling abroad. The salary of appellant was stopped in light of the inquiry conducted by the Circle Officer, Anti Corruption Establishment Tank vide letter No. 53/CO/ACE dated 23/7/2011 and DCO Tank letter No. 4183 dated 26/7/2011. He further argued that he absented himself from his official duty and went aboard without prior permission of the authority hence the respondent-department has rightly stopped his salary. He also contended that the instant appeal is without any substance and may therefore be dismissed with costs.
 - 5. We have heard arguments of learned counsel for the appellant and learned District Attorney for the respondents and have gone through the record available on ATTESTED

file.





- The perusal of record reveal that appellant was allowed four months earned leave w.e.f. 20/5/2008 to 20/9/2008 but he did not join his duty after expiry of the sanctioned leave. Thereafter the respondents stopped his monthly salaries but without adopting the codal formalities prescribed by law/rules which is mandatory. Till date the respondent department has not conducted any departmental enquiry in the matter. In these circumstances, the act of the respondents taken against the appellant is not sustainable in the eyes of law.
- As a consequence, to the aforementioned facts, the instant appeal is partially 7. accepted and the respondent-department is directed to adjust the appellant at his post and the appellant shall be entitled to monthly salary from the date he rejoins his service. The intervening period shall be treated as (E.O.L) leave without pay. The department is at liberty to initiate disciplinary action against the appellant in accordance with law. Parties are however left to bear their own costs. File be consigned to the record.

ANNOUNCED

25.09.2017

MEMBER: camp court D.I.Khan

ad Hamid Mughal) (Muhami **MEMBER**

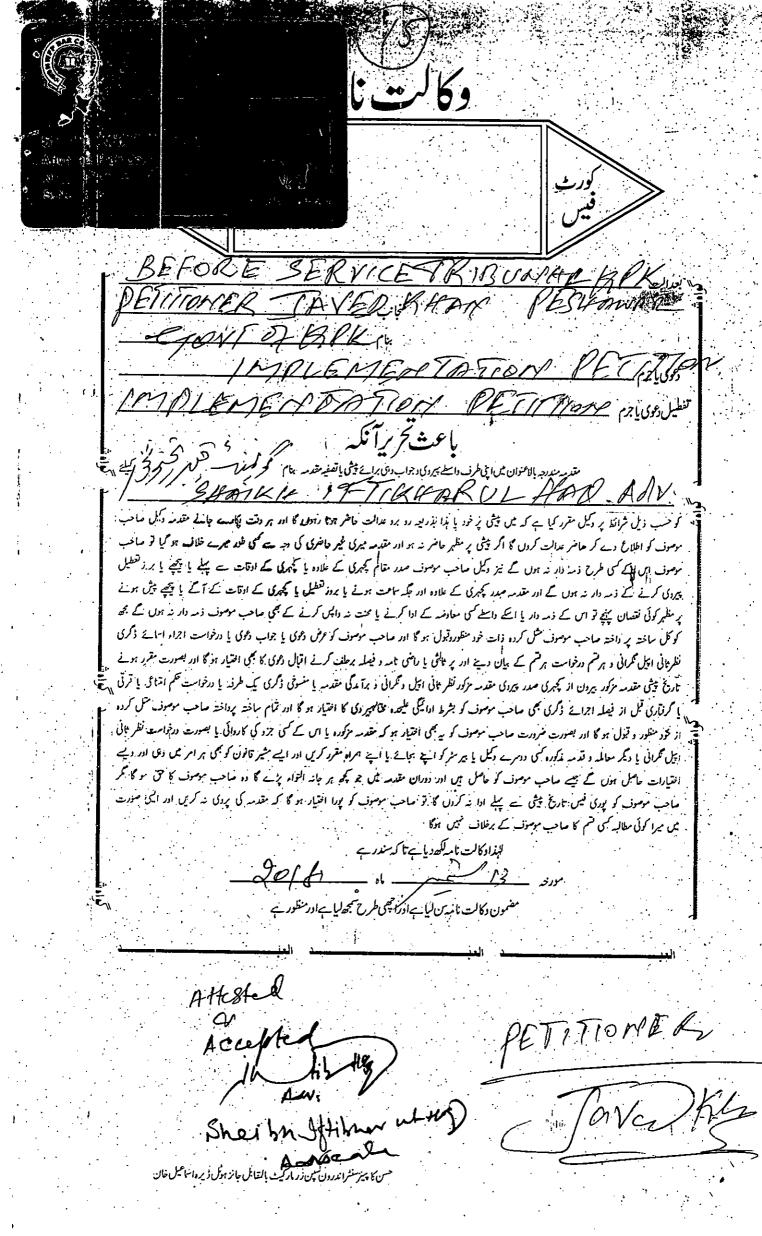
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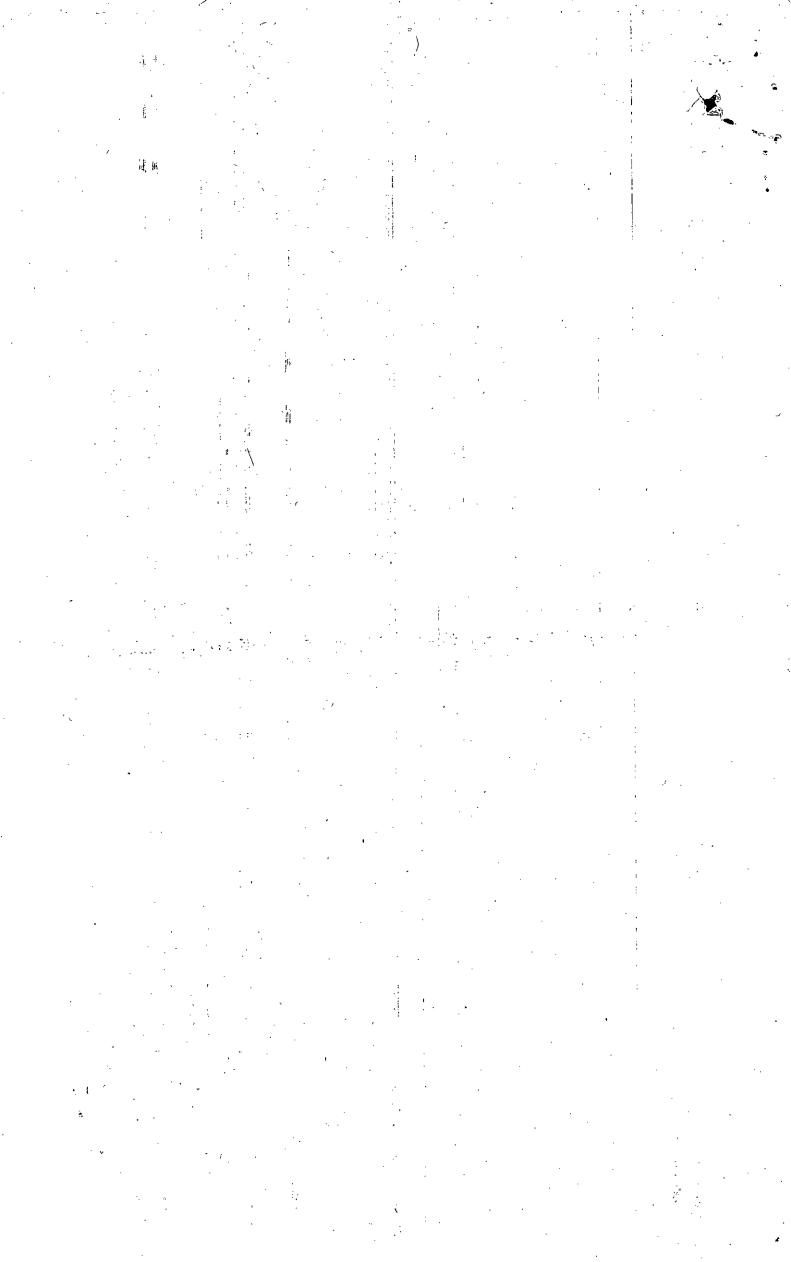
Annenun-B The 101811 Sports Officer Tank Oph M. directed by Hon, Sle Service Probunal K. P.12 Veshauer Camp DTKRam. 9 hereby Rejour my. daly today 25/10/2017. Works Sidlenley.
Varied Khan.
The Tank. DISTRICT SPORTS OFFICER
DISTRICT TANK

Digword 3 23 Cho Zuis Date. 2 8 18 Javed

Directorate Opposite of Sports

KPK Peshawar Cantt. Julys de Rejoin & Comonis o julianing of the Contraction o 1 100 3113 2017 Elle Culin Suice (Culin) Suice (Culin) Suice (Culin) (- 22 f. Chaps 22 is Caulder Carle Older 11/21 (0) (8) (0) (3) (3) (3) (4) (7.2, 3) 200/05/ Lasty Survis Me journ · Og (pulj cine





The Director General,
K.P.K Sports Board

Subject: Application for Implementation of

Judgment and order of Service Tribunal

Partially allowed in favour of Applicant.

Respectfully Sir,

D.I.Khen.

That the Applicant is a Junior Clerk
in Office of Sport Distt Tank, he had filed a Service
Appeal against the Department for releasing of his
salaries which was partically allowed and the Department
has been directed to adjust the applicant on his old service.
The Applicant is feel that although the Judgment/order of
non'ble Service Tribunal was Wrong as Applicant/Appellant
was neither terminated nor he was removed. His Appeal was
only for the releasing of his Salaries which they allowed
in Shape of "Adjustment" Recontly the Applicant received
a notice regarding submission of C.P.L.A in the Supreme
Court of Pakistan Islamabad . Now Copy of C.P.L.A was missing
(not provided according law)

That the Department has not obtained any Stay nor the Judgment/order of the Service Tribunal has been suspended. Thus the Applicant is deserving for releasing of his Saharies since anouncement of Judgement uptill date.

In this connection the applicant met with you in the office at Peshawar and you have assured that his case will be settled in your favour.

further proceedings so that I may approach Service tribunal

once again.

Your Humble Applicant.

Javed &han
Junior Clerk , Sport Deptt:Distt

Tenk.

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 645-46/ST

Dated 1-4- / 2019

То

- 1. The Accountant General, Government of Khyber Pakhtunkhwa, Peshawar.
- 2. District Accounts Officer, Government of Khyber Pakhtunkhwa, District Tank.

SUBJECT:

ORDER IN EXECUTION PETITION NO. 300/2018, MR. JAVED KHAN.

I am directed to forward herewith a certified copy of order dated 26.03.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

REGISTRAR KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR. Sports are essential for the development of a happy, healthy δ vigorous society



DIRECTORATE GENERAL OF SPORTS KHYBER PAKHTUNKHWA

PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.

Ph: # 9212767, Fax # 9212766

Dated Peshawar, the 18th September, 2019.

OFFICE ORDER.

No. 1/Court Case/Javed Khan/2013.- In compliance of Service Tribunal Peshawar Camp Court D.I. Khan order dated 25-09-2017 in Appeal No. 1110/2013 titled Javed Khan V/s Government of Khyber Pakhtunkhwa, the competent authority is pleased to adjust Mr. Javed Khan S/O Ghulam Nabi resident of Aman Chowk Bakhtawar Abad, D.I. Khan against the vacant post of Junior Clerk (BPS-11) in the office of District Sports Officer, Tank subject to the final order, decision or judgement of the Supreme Court of Pakistan in appeal pending in the said Court.

DIRECTOR GENERAL

Dated: 18-09-2019

Endst: No. & date even.

A copy is forwarded for information and necessary action to:-

- 1- The Registrar, Service Tribunal, Peshawar.
- 2- The District Accounts Officer, Tank.
- 3- The Section Officer (Lit), Sports & Youth Affairs Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The District Sports Officer, Tank.
- 5- Mr. Javed Khan S/O Ghulam Nabi resident of Aman, Chowk Bakhtawar Abad, D.I. Khan with the direction to resume duty under intimation to this Directorate so as to issue order regarding extra-ordinary leave (without pay) for the absence period.
- 6- Personal file of the official concerned.

DIRECTOR GENERAL

in re Implementation we. 2016

JAVED KHAN

V/;

GOVT OF K.P.K etc

APPLICATION FOR SUSPENSION OF FURTHER PROCEEDINGS ON THE ADVECTION ENT REGARDING CLOPE.

APPOINTMENT OF JUNIOR 1AND ASSISTANT IN DISTRICT OFFICE SPORT TANK.

Respected Sir.

That the Department have advertised different Fosts of Junior Clerk and Assistant in the K.P.K specially in Tank Sport Office. Test and interview have already been carried out.

That the Applicant is a Junior Clerk in the Sparts Office Tank but he was not being given duty. Although this Hon'ble Court have directed the Department to adjust the applicant.

The Department has once voilated the order of this Hon'ble and going to appoint Junior and Asistant in the District Sport office Tank.

If the Jumier Clerk and Assistant have for appointed and the Post of the Applicant have follow the very purpose of the S. Appeal and implementation application will be-come infructuous.

The Direction of this Kon'ble court ex is existing available for implementation of this Hon'ble-Court and the today appearance has been fixed for implementation.

That the Applicant is suffering with Starvation and having no job .

It is therefore humbly prayed that Stay order for appointment as Junior Clerk and Assistant may kindly be issued in favour of Applicant.

The Department may also be dealt with iron hand for not implementing the order of this Hon'ble Court also.

Your Humble Applicant.

Javed Khan

Dated. 26.8.2019.

Affadavit .

It is solemnly affirm and declare on oath

that the contents of the application are true and

Javed Khan.

VACANCY ANNOUNCEMENT

Directorate General of Sports Government of Khyber Pakhtunkhwa invites applications from suitable condidates of Khyber Pakhtunkhwa for the following positions mentioned against each:

					Marie Malle in normal actions in management despression des proper autorité d'a
5	Vacancies	Location/ District	No. of	Age	- na
#	***************************************	Location/ District	vacancies	(years)	Qualification and Experience
1		01 post each in district D.I. Khan,	J 04 34	18-30	At least Second Class
1 1	Assistant	Nowshela, Mansehra & Digupper (For	- N	12.59	Bachelor's Degree or
1	(BPS-16)	domicile holders of above mentioned	**********		equivalent qualification from a
	· •	districts	16 多点	,	recognized University.
2		02 posts in the Directorate General of	Gert on 1988		
,	, ,,,	Sports Khyber Pakhtunkhwa. (For all	1 (July)	ļ	i. At least Second Class
		domicile holders of Khyber Pakhtunkhwa)	\$ 7 T		Bachelor's Degree in Computer
	Computer	01 post each in district Abbottabad,	SELECTION AND	10 20	Science / Information
	Operator	Peshawar, Mardan, D.I. Khan, Bannu,	1	18-30	Technology (BCS/BIT four
	(BPS-16)	Kohat, Swat, Malakand, Chitrat,	A CANADA		years), from a recognized
	(0, 0 10,	Charsadda, Nowshera, Haripur,	1.5		University; or
		Battagaram, Buner, Mansehra, Shangla,	新建 4	1	ii.At least Second-Class
		Kohistar: Upper, Kohistan Lower, Kolai	1. A. C.	-	Bachelor's Degree from a
		Palas Kohistan, Swabi, Dir Lower, Dir	40.53		recognized University with one
			15.11		year Diploma in Information
		Upper, Lakki Marwat, Karak,, Hangu, Tank	2		Technology from a recognized
		& Tor Ghar. (For domicile holders of the above mentioned districts only)	7 * 1	ŀ	Board of Technical Education.
3			. J . W.	ļ	
3		01 post each in district Abbottabad, D.I.	- 16	18-30	i. At least Second Class
	h •	Khan, Bannu, Battagaram, Mansehra,	41 6 2		Intermediate Certificate or
} }	Junior	Shangla, Kohistan Upper, Kohistan Lower,	3 40 4		equivalent qualification from a
	Clerk	Kolai Palas Kohistan, Torghar, Chitral, Dir			recognized Board; and
]	(BPS-11)	Lower, Lakki Marwat, Karak, Buner &	£ + ₹		li. a speed of Thirty (30) words
		Tank. (For domicile holders of above			per minute in typing,
	······································	mentioned districts only)	ar .		
4	יו	01 post each for Athletics, Swimming,	1 3 35W		At least Second Class
		Hockey, Badminton, Taekwondo, Karate,	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		Secondary School Certificate or
	()	Table Tennis, Table Tennis (Female) &	₹. 08 ÷	:	equivalent qualification from a
		Gym (Female) at the Directorate General	West or the	•	recognized Board, with three
	Junior	of Sports. (For all domicile holders of		,	(03) years experience as coach
	Coach -	Khyber Pakhtunkhwa)			in the relevant games before or
l I	(BPS- 10)	Note: 1 post of Table Tennis Coach is			after Secondary School
	•	reserved against 2% disable quota) .	X ., 3.	·	Certificate; and i. first or
		(For domicile holders of below mentioned	40		second position in the relevant
		districts only)	200		individual sports event as a
		Peshawar: 02 posts i.e Lawn Tennis & Football.	05		player at the National level
		Abbottabad: 02 posts i.e Hockey & Karate.	02	25-40	organized by Pakistan Olympic
	•	Bannu: 02 posts i.e Hockey & Badminton.	. 02 → .		Association or Pakistan Sports
]]	.•	D.I. Khan: 02 posts i.e Football & Wrestling	57-02)		Federation; or
	•	Kohat: 02 posts i.e Cricket & Football.	÷02.		i, participation as a player in
		Mardan: C2 posts l.e Hockey & Swimming.	÷‴ 02 · ★	'	the relevant National level
		Swat: 02 posts i.e Badminton & Table Tennis.	~:. 02	:	sports competition organized
		Malakand: 01 post i.e Wushu.	44 01s		by Pakistan Olympic
		Swabi: 06 post i.e Hockey, Football,	06		Association or Pakistan Sports
		Cricket, Volleyball, Badminton (Female) &	1	İ	Federation and secured at least
	j	Table Tennis (Female).	建		second position Note:
	į	Haripur: 02 posts i.e Wrestling & Athletics.	02		preference will be given to
		Nowshera: 02 posts i.e Football & Cricket.	102 €	.	International Sports persons in
		Buner: 01 post i.e Hockey.	. 01		the relevant field.
•		Adamenhas At most in Colobat	וח	۱ ا	

1 1	INITIACHIOL OF PUBLIC CHEKEL	[图:505] 安富德[[1
	Dir Upper: OI post i.e Badminton.	01	·
	Shangla: 01 post i.e Volleyball	01	·
	Battagram: 01 post i.e Cricket.	01	
	01 posts each of Football Coach for the	MENERS.	~
	below mentioned districts only:-Chitral,	10	
	Dir Lower, Hangu, Karak, Kohistan Upper,	342	
1 ' ' '	Kohistan Lower, Kolai Palas Kohistan,		
	Lakki Marwat, Tor Ghar, & Tank.		_

TERMS AND CONDITIONS:

1. Interested candidates fulfilling the advertised criteria shall apply by filling the prescribed application form available at NTS website www.nts.org.pk. 2. All Khyber Pakhtunkhwa where mentioned in posts location/ districts means KP including newly merged triable districts. 3. NTS will charge Rs. 460/- per candidate applying for single post. An applicant applying for more than one post should submit separate form alongwith fee. 4. Form shall be carefully filled-in by the candidate since the provided information will be considered as final for further processing. Candidate shall be responsible for outcome of any wrong information submitted or late apply. 5. Application form must be submitted to NTS along with fee deposited slip (NTS copy), attested copy of CNIC, and relevant academic/ experience certificates. 6. NTS test will be for screening purpose only. Post-test process will be carried out by the Department as per prevailing rules and regulations. 7. Upper age relaxation may be availed in accordance with the prevailing Govt. rules. No. TA/DA will be permissible apply through proper channel. NOC will be required at the time of interview. 9. Last date of form submission is 01-02-2019 to NTS Head Office street #4 sector H-8/1 Islamabad.

Say No To Corruption | Drugs

For any further information related to test and related matter NTS can be contacted at 051-8444441

in Re Service Appeal 1110/2013 in re Implementation Wo. 2016

JAVED KHAN

¥/S

GOVT OF K.P.K etc

APPLICATION FOR SUSPENSION OF FURTHER PROCEEDINGS ON THE ADVERTISMENT REGARDING CLOCK APPOINTMENT OF JUNIOR IAND ASSISTANT IN DISTRICT OFFICE SPORT TANK.

Respected Sir,

That the Department have advertised different Posts of Junior Clerk and Assistant in the K.P.K specially in Tank Sport Office. Test and interview have already been carried out.

That the Applicant is a Junior Clerk in the Sparts Office Tank but he was not being given duty. Although this Hon'ble Court have directed the Department to adjust the applicant.

The Department has once voilated the order of this Homble and going to appoint Junior and Asiatant in the District Sport office Tank.

If the Junior Clerk and Askistem the very purpose and the Post of the Applicant have fillup the very purpose of the S. Appeal and implementation application will be-come infructuous.

The Direction of this Eon'ble court and is existing available for implementation of this Hom'ble Court and the today appearance has been fixed for implementation.

That the Applicant is suffering with Starvation and having no job.

It is therefore humbly prayed that Stay order for appointment as Junior Clerk and Assistant may kindly be issued in favour of Applicant.

The Department may also be dealt with iron hand for not implementing the order of this Hom'ble Court elso.

Your Humble Applicant.

Javed Khan

Dated. 26. 8. 2019.

Affidavit.

It is solemnly affirm and declare on oath

that the contents of the application are true and

Javed Khen.

VACANCY ANNOUNCEMENT

Directorate General of Sports Government of Khyber Pakhtunkhwa invites applications from suitable candidates of Khyber Pakhtunkhwa for the following positions mentioned against each:

s			No. of Age		
Ħ	Vacancles	Location/ District	vacancles		Qualification and Experience
1		01 post each in district D.I. Khan,	3 34	18-30	At least Second Class
	Assistant	Nowshera, Mansehra & Dirrupper (For-	9		Bachelor's Degree or
	(BPS-16)	domicile holders of above mentioned			equivalent qualification from a
. '	,	districts	-		recognized University.
2		02 posts in the Directorate General of	02		i. At least Second Class
		Sports Khyber Pakhtunkhwa, (For ali			Bachelor's Degree in Computer
		domicile holders of Khyber Pakhtunkhwa)			Science / Information
	Computer	01 post each in district Abbottabad,		18-30	Technology (BCS/BIT four
	Operator	Peshawar, Mardan, D.I. Khan, Bannu,			years), from a recognized
	(BPS-16)	Kohat, Swat, Malakand, Chitral,			University; or
		Charsadda, Nowshera, Haripur,	27		ii.At least Second-Class
		Battagaram, Buner, Mansehra, Shangla,			Bachelor's Degree from a
ł		Kohistan Upper, Kohistan Lower, Kolai			recognized University with one
		Palas Kohistan, Swabi, Dir Lower, Dir			year Diploma in Information
		Upper, Lakki Marwat, Karak,, Hangu, Tank			Technology from a recognized
		& Tor Ghar. (For domicile holders of the			Board of Technical Education.
		above mentioned districts only)			
3		01 post each in district Abbottabad, D.I.	16	18-30	i. At least Second Class
		Khan, Ba mu, Battagaram, Mansehra,	!		Intermediate Certificate or
	Junior	Shangla, Kohistan Upper, Kohistan Lower,			equivalent qualification from a
1	Clerk	Kolai Palas Kohistan, Torghar, Chitral, Dir		İ	recognized Board; and
1 1	(BPS-11)	Lower, Lakki Marwat, Karak, Buner &			ii. a speed of Thirty (30) words
1 1		Tank, (For domicile holders of above			per minute in typing,
		mentioned districts only)			
4		01 post each for Athletics, Swimming,			At least Second Class
		Hockey, Badminton, Taekwondo, Karate,			Secondary School Certificate or
l		Table Tennis, Table Tennis (Female) &	08		equivalent qualification from a
	Junior	Gym (Female) at the Directorate General			recognized Board, with three
	Coach	of Sports. (For all domicile holders of Khyber Pakhtunkhwa)	4 6		(03) years experience as coach
	(BP5- 10)	Note: 1 post of Table Tennis Coach is	No.		in the relevant games before or
1	(6,5 10)	reserved against 2% disable quota)	U		after Secondary School
		(For domicile holders of below mentioned	1.40		Certificate; and i. first or
] [districts only)	40		second position in the relevant
		Peshawar: 02 posts i.e Lawn Tennis & Football,	05		individual sports event as a
		Abbottabad: 02 posts i.e Hockey & Karate.	02	25-40	player at the National level organized by Pakistan Olympic
Ιi		Bannu: 02 posts I.e Hockey & Badminton.	02	23.40	Association or Pakistan Sports
\ \	!	D.i. Khan: 02 posts i.e Football & Wrestling	02		Federation; or
		Kohat: 02 posts Le Cricket & Football.	02		l. participation as a player in
		Mardan: (.2 posts i.e Hockey & Swimming.	- 02		the relevant National level
		Swat: 02 posts i.e Badminton & Table Tennis.	02		sports competition organized
		Malakanc: 01 post i.e Wushu.	01		by Pakistan Olympic
		Swabi: C6 post i.e Hockey, Football,	05		Association or Pakistan Sports
	İ	Cricket, Volleyball, Badminton (Female) &			Federation and secured at least
		Table Tennis (Female).			second position Note:
	•	Haripur: 02 posts i.e Wrestling & Athletics.	02]	preference will be given to
		Nowshera: 02 posts i.e Football & Cricket,	02		International Sports persons in
	•	Buner: 01 post i.e Hockey.	01		the relevant field.
	•	Managher Of nort La Celebri	01	1	Ĭ

INIGHACING - DE PUBLIC PUBLICA.	The strange of
Dir Upper: 01 post i.e Badminton.	34. D1
Shangia: 01 post i.e Volleybali	01 *
Battagram: 01 post Le Cricket.	78年01日
01 posts each of Football Coach for the	
below mentioned districts only:-Chitral,	10
Dir Lower, Hangu, Karak, Kohistan Upper,	
Kohistan Lower, Kolai Palas Kohistan,	
Lakki Manuat Tor Char & Tank	

TERMS AND CONDITIONS:

1. Interested candidates fulfilling the advertised criteria shall apply by filling the prescribed application form available at NTS website www.nts.org.pk. 2. All Khyber Pakhtunkhwa where mentioned in posts location/ districts means KP including newly merged triable districts. 3. NTS will charge Rs. 460/- per candidate applying for single post. An applicant applying for more than one post should submit separate form alongwith fee. 4. Form shall be carefully filled-in by the candidate since the provided information will be considered as final for further processing. Candidate shall be responsible for outcome of any wrong information submitted or late apply. 5. Application form must be submitted to NTS along with fee deposited slip (NTS copy), attested copy of CNIC, and relevant academic/ experience certificates. 6. NTS test will be for screening purpose only. Post-test process will be carried out by the Department as per prevailing rules and regulations. 7. Upper age relaxation may be availed in accordance with the prevailing Govt. rules. No. TA/DA will be permissible paid for test / interview. 8. Applicants working in Govt., Semi Govt. and Autonomous Bodies shall apply through proper channel. NOC will be required at the time of interview. 9. Last date of form submission is 01-02-2019 to NTS Head Office street #4 sector H-8/1 Islamabad.



For any further information related to test and related matter NTS can be contacted at 051-8444441

BEFORE THE BERNICE TRIBUNAL KHYBERR PARH TUNKHOWA PESHAWAR CAMP AT D.I. KHAN.

in Re Service Appeal 1110/2013
in re Implementation No. 2016

JAVED KHAN

V/S

GOVT OF K.P.K etc

APPLICATION FOR SUSPENSION OF FURTHER

PROCEEDINGS ON THE ADVERTISMENT REGARDING

APPOINTMENT OF JUNIOR 1 AND ASSISTANT

IN DISTRICT OFFICE SPORT TANK.

Respected Sir.

That the Department have advertised different Posts of Junior Clerk and Assistant in the K.P.K specially in Tank Sport Office. Test and interview have already been carried out.

That the Applicant is a Junior Clerk in the Sports Office Tank but he was not being given duty. Although this Hon'ble Court have directed the Department to adjust the applicant.

The Department has once voilated the order of this Hon'ble and going to appoint Junior and Asistant in the District Sport office Tank.

If the Junior Clerk and Assistant have appointed and the Pest of the Applicant have fillup the very purpose of the S. Appeal and implementation application will become infructuous.

The Direction of this Hon'ble court as is existing available for implementation of this Hon'ble Court and the today appearance has been fixed for implementation.

That the Applicant is suffering with Starvation and having no job .

It is therefore humbly prayed that Stay order for appointment as Junior Clerk and Assistant may kindly be issued in favour of Applicant.

The Department may also be dealt with iron hand for not implementing the order of this Hen'ble Court also.

Your Humble Applicant.

Javed Kham

Dated. 26.8.2019.

Affidavit .

It is solemnly affirm and declare on oath

your dock

that the contents of the application are true and

Javed Khan

BEFORE THE HONORABLE SERVICE TRUBINAL K.P.K PESHAWAR CAMP AT DERA ISMAIL KHAN

S.T.A No. 11130/2013

Implementation Petition No.

JAVED KHAN

VŠ

GOVT. OF K.P.K ETC

OBJECTION PETITION ON BEHALF OF APPELLANT

Respected Sheweth,

BRIEF FACTS

- That the appellant was appointed as Junior Clerk in the Sports Department
 K.P.K and was performing his duties in the District Sports Office Tank.
- 2. That the Respondents stopped the salary of the appellant w.e.f. 26-07-2011. Therefore he being aggrieved submitted Departmental Appeal with a prayer to release his salaries. Which was not responded. So he filed a service appeal before this Honorable Tribunal for releasing his salaries titled Javed V/s Govt. of K.P.K bearing No. 1110/2013. The Honorable Tribunal comprising Mr. Justice Gul Zeb Khan and Mr. Justice Hamid Mughal were pleased to accept the appeal of appellant in some other shape in result of which many other grievances arosel to the appellant which needs to be resolved through this Honorable Tribunal. The judgment / order of this Honorable Tribunal is reproduced here under.

"As a consequence to the aforementioned facts the instant appeal is partially accepted and the department is directed to adjust the appellant at his post and the appellant shall be entitled to monthly salary from the date he rejoins his service. The intervening period shall be treated as (EOL) leave without pay. The department is at liberty to initiate disciplinary action against the appellant in accordance with law".

- 3. That the Director General Sports K.P.K issued order / compliance report and submitted to this Hc norable Tribunal.
 - i. The department deviated from the judgment and order of this Honorable Tribunal. <u>Adjusted on vacant post</u> "They were required to adjust appellant <u>ir. his post"</u>

- ii. The department were required to make payment of salary from 13-03-2017 upto date. But no response is seem to be done.
- iii. That in regard to leave, the department has not issued order. As there is no intervention by the department. It is also pertinent to mention that the appellant have sufficient credit balance of E.L in his balance.

Total E.L Produced = 365 x 23 + 11 = 763.18–120 already availed

Balance = 763.18 - 120 = 643.18

So that it may not effect annual increment and seniority etc.

iv. That on joining duty appellant come to know that service book has been lost / missing. He was further asked that his fixation and releasing of salaries is not possible in near future.

It is therefore humbly prayed that the above grievances of the appellant may kindly be resolved and the judgment / order of this Honorable Tribunal may kindly be implemented with letter and spirit.

APPELLANT

Javed Kher

Through Counsel

Sheikh Iftikhar-ul-Haq Advocate High Court

Dated: 23 / 10 /2019

AFFIDAVIT. I, Javed S/O Ghulam Mabi R/O D.I. Khan do hereby solemnly affirm and declare on oath that the contents of the Pojection Petition is true and correct.

Deponent.

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 511	· /ST	Dated	ロマ	_	ە 3
No> 11	/51	Dated	~ >		٠ ر

То

The District Sports Officer, Government of Khyber Pakhtunkhwa, Tank.

Subject: -

ORDER IN EXECUTION PETITION NO. 300/2018, MR. JAVED KHAN.

I am directed to forward herewith a certified copy of order dated 26.02.2020 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

REGISTRAR KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

2020

ACANCY ANNOUNCEMENT

Directorate General of Sports Government of Khyber Pakhtunkhwa invites applications from suitable candidates of Khyber Pakhtunkhwa for the following positions mentioned against each:

		, <u>, , , , , , , , , , , , , , , , , , </u>			
S #	Vacancles	Location/ District	No. of vacancles		Qualification and Experience
1	Assistant	01 post each in district D.1. Khan. Nowshera, Mansehra & Dir Upper (For	04	18-30	At least Second Class Bachelor's Degree or
	(8PS-16)	domicile holders of above mentioned districts)			equivalent qualification from a recognized University.
2		02 posts in the Directorate General of Sports Khyber Pakhtunkhwa. (For ali	02		i. At least Second Class Bachelor's Degree in Computer
	Computer	domicile holders of Khyber Pakhtunkhwa) 01 post each in district Abbottabad,		18-30	Science '/ Information Technology (BCS/BIT four
	Operator (BPS-16)	Peshawar, Mardan, D.I. Khan, Bannu, Kohat, Swat, Malakand, Chitral,			years), from a recognized University; or
		Charsadda, Nowshera, Haripur, Battagaram, Buner, Mansehra, Shangla,	27		ii.At least Second-Class Bachelor's Degree from a
		Kohistan Upper, Kohistan Lower, Kolai Palas Kohistan, Swabi, Dir Lower, Dir			recognized University with one year Diploma in Information
		Upper, Lakki Marwat, Karak,, Hangu, Tank & Tor Ghar. (For domicile holders of the above mentioned districts only)			Technology from a recognized Board of Technical Education.
3		01 post each in district Abbottabad, D.I.	16	18-30	i. At least Second Class
	Junior	Khan, Bannu, Battagaram, Mansehra, Shangla, Kohistan Upper, Kohistan Lower,			Intermediate Certificate or equivalent qualification from a
	Clerk	Kolai Palas Kohistan, Torghar, Chitral, Dir			recognized Board; and
	(BPS-11)	Lower, Lakki Marwat, Karak, Buner &			li. a speed of Thirty (30) words
		Tank, (For domicile holders of above mentioned districts only)			per minute in typing.
4		01 post each for Athletics, Swimming,	-		At least Second Class
		Hockey, Badminton, Taekwondo, Karate,			Secondary School Certificate or
		Table Tennis, Table Tennis (Female) &	08		equivalent qualification from a
		Gym (Female) at the Directorate General			recognized Board, with three
	Junior	of Sports. (For all domicile holders of			(03) years experience as coach
	Coach	Khyber Pakhtunkhwa)	CONT. Value		in the relevant games before or
	(BPS- 10)	Note: 1 post of Table Tennis Coach is			after Secondary School
		reserved against 2% disable quota)			Certificate; and i. first or
		(For domicile holders of below mentioned districts only)	` 40		second position in the relevant individual sports event as a
ļ		Peshawar: 02 posts i.e Lawn Tennis & Football.	02		player at the National level
	•	Abbottabad: 02 posts i.e Hockey & Karate.	02	25-40	organized by Pakistan Olympic
		Bannu: 02 posts i.e Hockey & Badminton.	02		Association or Pakistan Sports
İ		D.I. Khan: 02 posts i.e Football & Wrestling	02		Federation; or
Ì	-	Kohat: 02 posts i.e Cricket & Football.	02		l. participation as a player in
		Mardan: 02 posts i.e Hockey & Swimming.	02		the relevant National level
		Swat: 02 posts i.e Badminton & Table Tennis.	02		sports competition organized
		Malakand: 01 post i.e Wushu.	01		by Pakistan Olympic
		Swabi: 06 post i.e Hockey, Football, Cricket, Volleyball, Badminton (Female) &	06		Association or Pakistan Sports
		Table Tennis (Female).			Federation and secured at least second position Note:
		Haripur: 02 posts i.e Wrestling & Athletics.	02		preference will be given to
		Nowshera: 02 posts i.e Football & Cricket.	02		International Sports persons in
		Buner: 01 post i.e Hockey.	01		the relevant field.
ı	ì	Adamsahras M1 nost : a Celebrat	.01		· - ·

1700 to	Triansenia. uz pust ne Criever.			
	Dir Upper: 01 post i.e Badminton.	01		
	Shangla: 01 post i.e Volleyball	01		
	Battagram: 01 post i.e Cricket.	01		
'	01 posts each of Football Coach for the			
· ·	below mentioned districts only:-Chitral,	40		
	Dir Lower, Hangu, Karak, Kohistan Upper,			
	Kohistan Lower, Kolai Palas Kohistan,			
	Lakki Marwat, Tor Ghar, & Tank.			

TERMS AND CONDITIONS:

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Pers #: 00311997 Buckle:

Name: MR JAVED KHAN

JUNIOR CLERK

CNIC No.1210195213697

GPF Interest Applied

11 Active Temporary

PAYS AND ALLOWANCES:

0001-Basic Pay

1000-House Rent Allowance

1210-Convey Allowance 2005

1300-Medical Allowance

1970-Adhoc Relief Allow 2011

2211-Adhoc Relief All 2016 10%

2224-Adhoc Relief All 2017 10%

2247-Adhoc Relief All 2018 10%

2264-Adhoc Relief All 2019 10%

Gross Pay and Allowances

DEDUCTIONS:

GPF Balance 99,012.00

3501-Benevolent Fund

P Sec:001 Month:October 2020 TK6038 -DISTRICT SPORT OFFICER TAN

DISTRICT SPORTS OFFICER T

N'IN:

GPF #: GA-TK-15181

Old #: 121019521369

TK6038

12,570.00

1,853.00

2,856.00

1,500.00

957..00

1,051.00

1,257.00

1,257.00

1,257.00

24,558.00

Subrc:

1,290.00

600.00

Total Deductions

1,890.00

22,668.00

D.O.B

03.03.1976

UNITED BANK LIMITED CIRCULAR ROAD

LFP Quota:

25 Years 01 Months 001 Days 100-6921-0

District Account Officer
Tank