

16.05.2017

Counsel for the appellant present and requested for adjournment. Adjourned. To come up for preliminary hearing on 07.06.2017 before S.B.

  
(Ahmad Hassan)  
Member

07.06.2017

Clerk to counsel for the appellant present. Clerk to counsel for the appellant submitted fresh Wakalat Nama which is placed on file and requested for adjournment. Request accepted. To come up for preliminary hearing on 04.07.2017 before S.B.

  
(Ahmad Hassan)  
Member

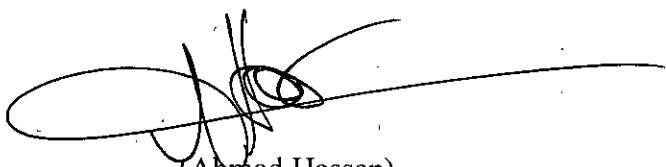
*Grievances of the appellant has been redressed by re-instating the appellant. (Reinstatement order placed on filed). Hence the present appeal is withdrawn, please.*

*VB*  
*4/7/2017*

04.07.2017

Counsel for the appellant present. Counsel for the appellant requested for withdrawal of the instant appeal. He also submitted copy of notification dated 14.06.2017 wherein appellant has been reinstated into service, therefore, the appellant is no more interested to peruse the instant case. As such the appeal in hand is therefore, dismissed as withdrawn. File be consigned to the record room.



Announced:  
04.07.2017

  
(Ahmad Hassan)  
Member

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 422/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	03/05/2017	<p>The appeal of Mr. Abdul Munir presented today by Mr. Abdul Nasir Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16-5-17</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-	4/5/17	

# BEFORE THE SERVICE TRIBUNAL, PESHAWAR

Service appeal No. 422/2017

Abdul Munir Ex Naib Qasid G.M.S Bar Bara Banda Tehsil B.D.Shah District Karak.

(Appellant)

**Versus**

The Govt of Khyber Pakhtun khwa through Secretary, Elementary & Secondary Education K.P, Peshawar and Others

(Respondents)

## INDEX

S.No	Description of Documents	Annexure	Page
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4	Copy of pree arrest bail	C	7
5	Copy of B.B.A confirmation	D	8
6	Copy of a acquittal Order <i>Copy of impugned Removal Order</i>	<i>E</i> <i>E'</i>	<i>9</i> <i>10</i>
7	Application for reinstatement & copy of filing of application.	F & G	<i>11 &amp; 12</i>
8	Copy of Departmental Appeal before responding No.2 (Director Education )	H	13

Dated: - \_\_\_\_\_/2017

Appellant

Abdul Munir

Through:

*A. Nasir*  
Abdul Nasir

Advocate Karak

**BEFORE THE KHYBER PAKHTUNKHWA****Service Tribunal Peshawar**Khyber Pakhtunkhwa  
Service TribunalAppeal No. 422/2017Diary No. 448

Abdul Munir Ex Naib Qasid G.M.S Bar Bara Banda Tehsil B.D.Shah District Karak

Dated 03/5/2017**(Appellant)****VERSUS**

1. The Govt of Khyber Pakhtun khwa through Secretary, Elementary & Secondary Education K.P, Peshawar.
2. The Director Elementary & Secondary Education, K.P, Peshawar.
3. The District education officer (M) elementary & Secondary Education Karak, District Karak.

**(Respondents)**

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the impugned order 1156-60 dated 20-2-2016, whereby the appellant was awarded major penalty of removal from service W.E.F 11-9-2012, against which departmental appeal of 12-1-2017 has not been responded /Decided despite the lapses of 90 days

**Prayer in Appeal:-**

On acceptance of this appeal the impugned order dated 20-2-2016 of removal from service of the appellant may graciously be set a side and the appellant may kindly be reinstated with all back benefits.

**Respectfully Sheweth,**

The appellant submit as under:-

1. That the appellant was inducted in service as Naib Qasid in Elementary & Secondary Education Department in the year of 2004.

**(Copy Annexed as annexure A).**

2. That appellant was performing his duty according to the entire satisfaction of his superiors.
3. That it was 9-11-2012, while appellant was implicated (charged) in the F.I.R No. 147 dated 9-11-2012, Police Station Teri District Karak.

**(Copy of F.I.R is annexed as annexure B).**

4. That the appellant was charged in F.I.R by his opponents due to misunderstanding & misconception.
5. That after involvement in F.I.R case it was impossible for appellant to come to his duty station.

Filed to-day

Registrar

3/5/17.

- 6. That just after few days appellant informed his immediate Boss (Head master) about the circumstances and told him that in such circumstances I am facing difficulties to attend the school and further requested for long leave.
- 7. That then due to disconnection of communication the appellant could not contact the respondents. However appellant was satisfied that Head Master had forwarded/submitted his leave case to the respondent No.3.
- 8. That thereafter, the appellant submitted application for pree arrest bail before the court which was accepted /admitted on 12-05-2016, and later on the same was conformed on 23-05-2016.

**(Copies annexed as annexure C & D).**

- 9. That ultimately the appellant was acquitted by the court on 9-11-2016.

**(Copy of court's order is annexed as annexure E).**

- 10. That after his acquittal the appellant immediately reported his arrival for resuming his duty at his duty station i.e school. But the Head Master told him that the appellant has already been removed from service by respondent No.3 prior to his acquittal and advised him to approach to respondent No.3 in this regard.

*(Copy of Removal annexed as E1)*

- 11. That the appellant submitted application in the office of respondent No.3 for redressing of his grievances on 23-11-2016. But the respondent No.3 took no action and filed the same on 11-1-2017. Copies of application and order of filing it are respectively.

**(Annexed as annexure F&G).**

- 12. That the appellant submitted departmental appeal before respondent No.2 on 12-1-2017, against the filing of his application by respondent No. 3. 11-1-2017. **(Copies annexed as annexure H).**

- 13. That the respondent No2 has not replied despite the lapse of 90 days, hence the present appeal inter alia on the following grounds.

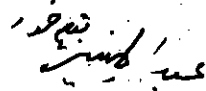
**GROUND OF SERVICE APPEAL**

- A. That the appellant has not been treated in accordance with law, rules and regulations.
- B. That no final show cause notice has been issued by the respondent nor never have been received by the appellant before the imposition of major penalty of removal from service.
- C. That the respondents were morally required to maintain the appellant suspended till the decision of trial court, so that to avoid the present circumstances.
- D. That imposition/ awarding of major penalty of removal from service prior to conviction of appellant i.e decision of trial court and then giving it retrospective effect from 11-9-2012 is quite inadequate, improper, unfair and against the norms of natural justice.
- E. That after acquittal of appellant by the trial court, appellant was deserving to be reinstated in service. But the respondent No.3 did not do so.
- F. That it is a settled principle of law that every person/accused shell be deemed / considered innocent and unguilty until convicted by the court.

- G. That no fair and impartial inquiry has been constituted or conducted against the appellant nor any charge sheet, statement of allegation Etc. has been provided to the appellant.
- H. That no chance of personal hearing has been given to the appellant before imposing major penalty.
- I. That before imposition of major penalty of removal from service no such notice as per rule has been served upon the appellant.
- J. That the appellant was falsely implicated in the F.I.R. so later on when the complainant's party satisfied themselves regarding the innocence of appellant patched up the matter with the appellant and expressed his no objection on his acquittal.
- K. That the responded No.3 impugned major penalty of removal from service to the appellant, without keeping in view several years' best services of appellant. Moreover the respondent No.3 has snatched morsel from the mouth of the innocent children of the appellant by a single shake of his pen.
- L. That the impugned order is suffering from legal infirmities. Such is bad in law.
- M. That the appellant is jobless since the unfair, illegal and inadequate removal from service. That the appellant seeks the permission of hon'ble tribunal to rely on additional grounds at the time of hearing of this appeal. It is, therefore, humbly prayed that on acceptance of this appeal the impugned order dated 20-2-2016 may kindly be set a side and the appellant may graciously be reinstated in service with all consequential benefits.

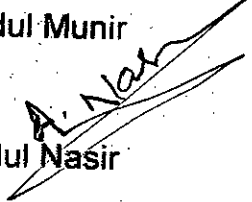
Any other relief which the Hon'ble tribunal deem proper.

Dated: - \_\_\_/\_\_\_/2017

  
 Appellant

Abdul Munir

Through

  
 Abdul Nasir  
 Advocate Karak

**AFFIDAVIT**

I, Abdul Munir (Ex Naib Qasid GMS Bar Bara Banda), do hereby solemnly affirm and declare on oath that all the contents of the appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable tribunal.

  
 Deponent

Abdul Munir

Annexure A

4

1. Name (نام) Abdul Muneer
2. Nationality and Religion Pakistani (Islam)  
(قومیت اور مذہب)
3. Residence village Barbara Teh. B.D. Sak District: Karak  
(مستقل رہائش)
4. Father's Name and residence Sher Baz Gul  
(والد کا نام اور پتہ)
5. Date of birth Christian era as nearly as can be ascertained 1969  
(تاریخ پیدائش مطابق مسیحی عیسوی)
6. Exact height by measurement 5' 4"  
(قد و قامت)
7. Personal mark of identification Scar on Right knee  
(نشانی شناخت)

Left hand/right hand thumb and finger impressions of (Non-gazetted officer)

(بایں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger (پتھلیا) Ring Finger (چھنگلیا کے ساتھ کی انگلی) Middle Finger (انگشت میاں)  
Fore Finger (انگشت شہادت) Thumb (انگوٹھا)

Signature of Govt. Servant (سرکاری ملازم کے دستخط)  
عبداللطیف شاہ

Abdul Aziz  
S.T.E +  
G.H.S.S Karak

10. Signature and designatin of the Head of the Office or other Attesting officer

سرکاری تصدیق کنندہ افسر کے دستخط اور مہر

Deputy Officer (Male)  
School & Literacy Karak 28/10/04

Note: The entries in this page should be renewed or re-aggested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

اس صفحہ کے مندرجہ کم از کم پانچ سال بعد تصدیق ہونا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے نیچے تاریخ لکھنی چاہیے۔  
انگلیوں کے نشانات کے لئے ہر پانچ سال کے بعد تصدیق کی ضرورت نہیں۔





صاحب ذمہ

پیر محمد علی مسعود دار شکر، مظان آرڈر 78-773 بتاریخ 19.1.2004

EDD, Karak 20.01.2004 کو ارسال شدہ درخواست پر جواباً

تاریخ 19.1.2004 کے تحت (نائب صاحب ذمہ) کا جواب سہ ماہی

صاحب ذمہ

تاریخ 20-01-2004

14-3

Head Master  
G.H.S. BARBARA  
(Karak)

Copy To  
EDD, LHEW, Karak.  
DAO, Karak.  
Head Master G.H.S. Barbara Karak

Attested  
Abdul Aziz  
G.H.S. Karak

Head Master  
G.H.S. BARBARA  
(Karak)

Abdul Aziz  
S.T.T. Officer  
G.H.S.S Karak



صاحب سہیل محمد علی 22 روزانہ سیدہ لعلی دریا 174 اور  
 دہشت گردی کا واقعہ۔ سیدہ لعلی کو سیدہ لعلی کے نام سے (جی 17)  
 بطور اسٹیل رپورٹ جاکر سیدہ لعلی کے نام سے سیدہ لعلی کے نام سے  
 انٹرنیٹ پر سیدہ لعلی کے نام سے سیدہ لعلی کے نام سے

M. C. P. S. Karak  
 11-9-17

ATTESTED  
 Examined Copy  
 Branch Karak  
 24-4-17

FD No. 2515  
 Date of Presentation of Application 24-4-17  
 Number of Words 7  
 Copying Fee 7  
 Urgent Fee 1  
 Name of Copyist سیدہ لعلی  
 Date of Preparation 24-4-17  
 Date of Delivery of Copy 24-4-17  
 Date of Dispatch of Copy  
 Date of Service of Notice 17

Office Copy  
 Examiner S.P. Branch  
 Karak 24-4-17

درجہ 344 25099  
 اطلاع کے لیے اطلاع دہندہ کا دستخط ہوگا۔ ایس کی میرٹھن لکھا جائے گا۔ اور انفر تحریر کنندہ ابتدائی اطلاع کا دستخط بطور تصدیق ہوگا۔ حروف  
 اطلاع کے لیے اطلاع دہندہ کا دستخط ہوگا۔ ایس کی میرٹھن لکھا جائے گا۔ اور انفر تحریر کنندہ ابتدائی اطلاع کا دستخط بطور تصدیق ہوگا۔ حروف

Annexure C - C 7

1152  
016

FORM "A"  
FORM OF ORDER SHEET

In the Court of Mr. Javid ur Rehman Addl: Sessions Judge,  
Banda Daud Shah, Karak  
Abdul Munir Khan ... VS.....The State etc. "BBA # 68/4 of 2016"

Serial No. of Order of Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of P. Counsel where necessary.
1	2	3
Order #01	12.05.2016 <i>کارک</i>	<p>The instant BBA submitted by Mr. Qaid Ullah Khan advocate this court. Be registered.</p> <p>Accused/petitioner Abdūl Munir Khan alias Munir Khan s/o Si Gul resident of Barbara Banda Tehsil Banda Daud Shah District alongwith his counsel present, whom has submitted the instant app for pre-arrest bail due to eminent danger of arrest in case FIR No.147/11.09.2012 under Section 302/324/34 PPC, registered in Police Station T</p> <p>Arguments heard today and record perused.</p> <p>As complete case record is not yet available before this however, in the instant application, the accused/petitioner has alleg he has been involved in the instant criminal case with malice and r intention by the complainant. So, due to non-availability of case rec with no contradictory material against accused/petitioner before th at the moment the instant application is accepted and the accused/pe is admitted to pre-arrest bail subject to furnishing bail bonds to the Rs.80,000/- (Eighty thousand only) with two local sureties up satisfaction of concerned Judicial Magistrate/MOD Karak. Furth notice should be issued to the complainant/State, and record should requisitioned for the date fixed. File to come up for arguments on 18. In the meanwhile, accused/petitioner is directed to join investigation appear before this Court on each and every date fixed.</p> <p>ANNOUNCED 12.05.2016</p> <p style="text-align: right;"><i>12</i> Javid ur Rehman Additional Sessions Judge Banda Daud Shah, Karak <b>JAVID-UR-REHMAN</b> Addl. Distt. &amp; Session Judge</p>

*Annexure*  
*A*  
*38*  
S. T. 38/16  
K

Shah, Karak

Ord.....02  
18.05.2016

Mr. Yousaf Jamal APP for the State present. Accused/petitioners are in attendance alongwith counsel. Parties have reached into compromise and counsel for accused requested for an adjournment which is granted. Case file to come up for compromise proceedings on 23.05.2016.

Javid ur Rehman  
Additional Sessions Judge,  
B.D.Shah.

JAVID-UR-REHMAN  
Addl. Distt. & Sess. Judge

ATTESTED  
S. P. J. J. J.  
24-4-17

Annexure D 8

(B)

FORM "A"  
FORM OF ORDER SHEET

In the Court of Mr. Javaid ur Rehman Addl: Sessions Judge, Banda Daud Shah, Karak.  
Abdul Munir ...vs... The State etc  
BBA # 68 /04 of 2016

Serial No. of Order of Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of Parties or Counsel where necessary.
1 Order No. 03	2 23.05.2016	<p style="text-align: center;">3</p> <p>Mr. Umar Niaz APP for the State present. Accused /petitioner Abdul Munir Khan on ad-interim pre-arrest bail present. Today joint statement of complainant Rasool Khan, legal heirs of deceased Rafi Ullah namely: Mst. Shamim (mother), Mst. Mewa Jan (widow) and legal heirs of deceased Ibrahim namely: Masood ur'Rehman (father) and Mst. Alaf Jan (mother) recorded which is placed on file.</p> <p>According to joint statement of complainant and legal heirs of both the deceased recorded today wherein they have effected a genuine compromise with accused/petitioner Abdul Munir outside the court and confirmed that they have pardoned the accused/petitioner in the name of Almighty Allah. They have got no objection if BBA of the accused/petitioner is confirmed through the instant compromise and later on for the acquittal during trial. They further stated that the deceased Ibrahim was un married while deceased Rafi Ullah was married and was issueless. They being the major legal heirs of deceased named above have waived their right of Qisas &amp; Diyat. They produced the compromise deed regarding the deceased Rafi Ullah which is exhibited as ExPA and ExPA/1 while proforma effecting compromise under Qisas &amp; Diyat ordinance is exhibited as ExPB. Similarly they also produced compromised deeds of effecting compromise regarding the murder of deceased Ibrahim which are exhibited as ExPC &amp; ExPC/1 while proforma effecting compromise under Qisas &amp; Diyat ordinance is exhibited as ExPD.</p>

*Atrocis*  
*Abdul Aziz*  
S.I.T. BPS-16  
Karak

ATTORNEY  
General  
Karak  
2017

11/2/16

Serial No. of Order of Proceedings

Date of Order or Proceeding

Order or other Proceedings with Signature of Judge or Magistrate and that of Parties or Counsel where necessary.

Ord #3  
Cont'd

Keeping in view the compoundable nature of the case coupled with the affidavits, joint statement of legal heirs of both the deceased, it seems that the compromise is in the best interest of the parties. Thus, I hereby confirm the BBA of the accused/petitioner on existing bail bonds. Record be returned to the local police with a direction to submit complete challan while file of this court be consigned to record room after its necessary completion and compilation.

Announced  
23.05.2016

*[Handwritten Signature]*

Javaid ur Rehman 23.05.16  
Additional Sessions Judge,  
Banda Daud Shah, Karak

**JAVAIID-UR-REHMAN**  
Addl: Distt. & Session Judge



*[Handwritten initials]*  
24/5/17

Annexure E

FORM A

FORM OF ORDER SHEET

9

In the Court of Mr. Javaid ur Rehman Addl: Sessions Judge, Banda Daud Shah  
The State ... vs ... Abdul Munir "Sessions case No. \_\_\_ /7 of 2016

Serial # of Order of Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of Parties or Counsel where necessary.
1	2	3
Order # 03	09.11.2016	<p>APP for the State present. Accused Abdul Munir on bail with counsel present. Counsel for accused submitted attested photocopies of compromise proceedings which are placed on file. Today complainant Rasool Khan in person present before the court and recorded his statement regarding compromise. Record present before the court have gone through.</p> <p>According to complainant statement and attested copies of compromise proceedings, the matter is patched up in between them outside the court and today complainant produced attested copies of the order of confirmation of BBA, joint statement of all the legal heirs of deceased, compromise deed ExPA, proforma under Qisas &amp; Diyat ordinance ExPB and some other documents and further stated that the compromise is genuine and the same may be accepted.</p> <p>Keeping in view the compoundable nature of the case coupled with the affidavits, I hereby accept the compromise, which is in the best interests of both the parties and for the stated above reasons I hereby, acquit the accused facing trial namely: Abdul Munir Khan from the charges leveled against him on the sole ground of compromise without touching the merits of the instant criminal case. Accused is on bail, his sureties are absolved from liabilities of the bail bonds.</p> <p>In the instant criminal case there is one another absconding co-accused namely: Usman son of Noor Janan resident of Barbar Banda who has already been declared as Proclaimed offender. So case property be kept intact till the arrest of absconding accused. File be consigned to Sessions Record Room after its necessary completion and compilation.</p> <p>ANNOUNCED 09.11.2016</p> <p><i>Abdul Aziz</i> S.T.T. BPS-18 G.H.S.S Karak</p> <p><i>Javaid ur Rehman</i> 09.11.16 Additional Sessions Judge, Banda Daud Shah, Karak</p> <p>ATTESTED Examined Copy Branch Clerk 24/11/16</p>



Annexure E 10

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KARAK

OFFICE ORDER:

1. Whereas you, Mr. Abdul Munir Niab Qasid was proceeded for having committed the following gross irregularities which constituted inefficiency and misconduct under Rule Para No.4 Sub Para No.B-III of the Khyber Pakhtukhwa Efficiency and Discipline Rule 2011.
2. Whereas you have been remained absent and neither performed your duties in any school during the year.
3. Whereas you failed to produce any documentary proof of your services at your school.
4. Whereas Notices issued to you through District Education Officer (Male) Karak vide his office No 4031; dated 20/10/2015 and No.4908 dated 22/12/2015.
5. Whereas a notice was published in the Daily Mashriq dated 28/1/2016.
6. Whereas you were given the chance of Personal hearing within 15-days but you neither joined duty nor attended the DEO office. Which means that you have no cogent reasons to justify your absence?

Now therefore, the Competent Authority in exercise of the Power conferred upon me under Sub Rule 4-B Sub section-III and 9 of the Khyber Pakhtunkhwa Efficiency and Discipline Rules 2011 is pleased to impose the Major Penalty of Removal from Service upon you Mr. Abdul Munir GMS Barbara with effect from 11/09/2012.

DISTRICT EDUCATION OFFICER  
(MALE) KARAK

*Abdul Aziz*  
S.T. BPS-1  
G.H.S.S Karak

Dated Karak the 20/2/2016

Endst. No. 1156-64

Copy to the:

- 1) Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2) District Account Officer Karak.
- 3) Deputy District Education Officer (Male) Karak with the remarks to recover the salary of absentee period from his GP Fund with intimation to undersigned if paid to the official.
- 4) District Monitoring Officer Karak.
- 5) ADO (Secondary) Local Office.

*[Signature]*  
DISTRICT EDUCATION OFFICER  
(MALE) KARAK

مختصر طور پر یہ تحریر ڈیپوٹیشن آفیسر کا (موضوع) مندرجہ ذیل ہے۔

ضابطہ نمبر۔


ڈیپوٹیشن آفیسر کا نام:  $\frac{59}{2512}$  / 11 / عویس احمد / 324/34 / 2016 سے  
 عہدہ: ایس۔ ایف۔ ایف۔ ڈیپوٹیشن آفیسر کا نام سے یہ مندرجہ ذیل ہے۔  
 جس کا نام ہے:  $\frac{60-1156}{1156}$  / 11 / عویس احمد / 20/2/2016 کی مدت سے  
 فرمائش کی گئی۔

یہ مندرجہ ذیل عہدہ کے عہدہ دار نے عہدہ دار  $\frac{60-1156}{1156}$  / 11 / عویس احمد / 20/2/2016 سے  
 کی عہدہ دار سے یہ عہدہ دار ہے کہ جسے ڈیپوٹیشن آفیسر کا نام سے

مندرجہ ذیل عہدہ دار سے

ڈیپوٹیشن آفیسر کا نام  $\frac{11}{2016}$  / 237  
 کا ڈیپوٹیشن آفیسر  
 کا عہدہ دار ہے۔

عہدہ دار (عہدہ دار کا نام)  
 عبدالرشید (عہدہ دار کا نام)  
 ڈیپوٹیشن آفیسر کا نام  
 ڈیپوٹیشن آفیسر کا نام

  
 Abdul Aziz  
 S.T. RPS-16  
 G.H.S.S. Jhalak

Annexure

9

12

Office Address: Karak Township.  
Phone No.0927-291016.  
Email: demiskarak@gmail.com



**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KARAK.**

No. 939

Dated 11/11/2017

To,

Mr: Abdul Munir Naib Qasid,  
GMS Barbara Banda B.D Shah Karak.

Subject:- APPEAL

Memo,

Reference your application/appeal for re-instatement dated 23-11-2016.

You are dismissed/removed from service under E.D rules 2011 there for your case/appeal/herby filed.

*TA*  
District Education Officer,  
(Male) Karak.

*Abdul Aziz*  
S.T.T. BPS-16  
G.H.S.S Karak

AnneXure H

بخصوص صائب ڈائری ٹیکس صاحب ایلمینٹری / ایجوکیشن ڈیپارٹمنٹ نوشہرہ / کراچی

محترمہ ریپبلک پبلک سروسز / اے این ڈی قاصد صاحبہ  
عبدالکھیر خان دہ شیر باز خان 3-1382814-14201

جودہ بنو زینب صاحبہ سے ایس ٹی محمد تقیلم میں بطور نائب قاصد مدد اسکول میراہ میں ڈیوٹی کرانی  
رہے رہا تھا۔

1200 میں ایس ٹی کے خلاف ایس ڈی کے نامہ 4180 ڈیڑھ ماہ قبل جمع کیا گیا

ایس ٹی اپنی ڈیوٹی سے اقصاء متاثر اسکول میراہ میں 4 ماہ عرصے سے قاصد رہا

2- یہ ایس ٹی تقیلم والوں نے مہربانہ خلاف بھی ایس ڈی کے نامہ 2016-2-20-20-60-1156

ڈیڑھ ماہ قبل اپنی ڈیوٹی سے باہر کیا گیا جس کی وجہ سے ایس ٹی اپنی ڈیوٹی سے درخواست کیا گیا

بابت 200 روپے کا ٹیکس ثابت کر دیا۔ جس نے ایس ٹی کے BBA کا ٹورم کی

4- جبکہ مہربانہ تقویت لکھ کر ڈیوٹی سے باہر کیا گیا۔

3- یہ ایس ٹی نے ضلعی افسر میں جانی نوٹری کے بابت درخواست کی جس سے ایس ٹی کو

ایس ڈی کے نامہ سے ایس ٹی کی حدیث کی

6- ایس ڈی کے نامہ سے ایس ٹی کو ایس ڈی کے نامہ سے ایس ٹی کو

7- ایس ڈی کے نامہ سے ایس ٹی کو ایس ڈی کے نامہ سے ایس ٹی کو

8- ایس ڈی کے نامہ سے ایس ٹی کو ایس ڈی کے نامہ سے ایس ٹی کو

9- ایس ڈی کے نامہ سے ایس ٹی کو ایس ڈی کے نامہ سے ایس ٹی کو

10- ایس ڈی کے نامہ سے ایس ٹی کو ایس ڈی کے نامہ سے ایس ٹی کو

11- ایس ڈی کے نامہ سے ایس ٹی کو ایس ڈی کے نامہ سے ایس ٹی کو

Abdul Aziz  
S.T. BPS-16  
G.H.S.S Karak



عبدالکھیر خان دہ شیر باز خان 3-1382814-14201  
تفصیل بابت 200 روپے کا ٹیکس ثابت کر دیا۔ جس نے ایس ٹی کے BBA کا ٹورم کی

12-01  
نوشہرہ 2017

POWER OF ATTORNEY

VAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL, K.P, PESHAWAR

Abdul Munir Khan (Appellant)

versus

Govt of K.P through Secretary E & S Education & Others  
Respondents

I the under signed do hereby nominate and appoint Abdul Nasir Khattak Advocate, District Courts Karak to be counsel in the above matter for me and my or behalf to file petition, statements, accounts, exhibits, comprises or other court in connection with the same matter or any matter arising here from and also to apply for and receive all documents or copies or documents deposition etc and to apply for and issued summons and other writs and subpoena and to apply for and get issued any arrest / attachment of other execution, warranty or order and to conduct any proceedings that may arise there out and to apply for and receive payment of any practitioner authorizing him to exercise the power and authorities hereby conferred on advocate when even to may think fit to do so. And to all acts legally necessary to manage and conduct the said suit in all respects, whether here in specified or not, so may be proper and expedient under or by virtue of these power or of the usual practice in such matter. Provided always the said counsel neither shall nor be held responsible for the same, and we hereby agree that the Advocate, fee remaining unpaid, he shall be entitled to withdraw from the prosecution of the said cause until the same is paid.

In witness where of I have here to signed at 3-5-2017 this day of 2016.

Abdull Munir

Appellant  
Abdull Munir

Attested & accepted

A. Nasir

Abdul Nasir Advocate

3-5-2017

Karak

**VAKALATNAMA**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

\_\_\_\_\_ OF 2017

Abdul Munir

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Education Deptt:

(RESPONDENT)  
(DEFENDANT)

I/We Abdul Munir

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. 07 / 06 / 2017

عبد المنیر

CLIENT

by

**ACCEPTED**

**NOOR MOHAMMAD KHATTAK  
ADVOCATE**

OFFICE:

Room No.1, Upper Floor,  
Islamia Club Building, Khyber Bazar,  
Peshawar City.

Phone: 091-2211391

Mobile No.0345-9383141

Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar

NOTIFICATION.

WHEREAS, on finality of disciplinary proceedings under Khyber Pakhtunkhwa E&D Rules 2011 major penalty of removal from service was imposed upon Mr. Abdul Munir Khan Ex-Naib Qasid GMS Barbara District Karak by the DEO (M) Karak Notification No. 1156-69 dated 20.2.2016.

AND WHEREAS, the said aggrieved Ex-Naib Qasid filed a departmental appeals dated 17.1.2017 to the Director E&SE Khyber Pakhtunkhwa Peshawar (appellate Authority) for redressal of his grievances/reinstatement in service.

AND WHEREAS, the appellate authority in pursuance of Section 17 read with sub rule (1) & (2) of the E&D Rules-2011 called for the record of the case and comments from the concerned DEO vide letter No. 4912 dated 25.1.2017 for consideration of the appeal.

AND WHEREAS, the DEO concerned provided the requisite record/comments accordingly vide her letter No. 1470 dated 14.3.2017. The record was perused. It was found that the accused was not dealt with under FR-53 as he was showed involved in criminal case vide FIR No. 147 dated 11.9.2012.

Now therefore, the appellate authority, the Director E&SE Khyber Pakhtunkhwa Peshawar under section-17 read with rules 2(b) of E&D:Rules-2011 has decided to set aside the major penalty of removal from service imposed by the DEO (M) Karak vide Notification No. 1156-69 dated 20.02.2016 and reinstate Mr. Abdul Munir Khan Ex-Naib Qasid GMS Barbara District Karak in service w.e.f 11.9.2012. His services are placed at the disposal of DEO (M) Karak for further adjustment against first available vacant post of Naib Qasid. The absconding/intervening period from 11.9.2012 to-date is treated as EOL without pay.

DIRECTOR  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Endst: No. 2734-38 /F.No. /A-20/C-IV/Appeal/Abdul Munir Dated Peshawar the 14/6/2017.

Copy of the above is forwarded for information and n/action to the:-

- 1- District Education Officer (Male) Karak w/r to his letter NO. 1470 dated 14.3.2017.
- 2- District Accounts Officer Karak.
- 3- Head Master GMS Barbara District Karak.
- 4- Appellant concerned.
- 5- PA to the Director E&SE Khyber Pakhtunkhwa Peshawar.

  
Assistant Director (Admn)  
E&SE, Khyber Pakhtunkhwa, Peshawar

14/6/2017  
