

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 1220/2019

Date of Institution ... 03.10.2019

Date of Decision ... 07.01.2020

Aminullah Ex-Theology Teacher, Government High School Isala District Swat son of Shah Raza Resident of village Roria Tehsil Charbagh District Swat.
... (Appellant).

VERSUS

Executive District Officer Elementary & Secondary Education District Swat and others.
... (Respondents)

Present.

Mr. Ishfaq Ahmad Afridi,
Advocate.

... For appellant

MR. HAMID FAROOQ DURRANI,

... CHAIRMAN

JUDGMENTHAMID FAROOQ DURRANI, CHAIRMAN:-

1. The appellant is aggrieved of order dated 15.01.2010 and 16.07.2019 passed by respondent No. 1 and respondent No. 2, respectively. Through the former the appellant was removed from service on account of his involvement in anti-state activities while through the latter his departmental appeal was rejected.
2. Learned counsel for the appellant heard and available record gone through.

Learned counsel for the appellant attempted to argue that the appellant had remained in unlawful custody of law enforcing agencies since the year 2010. Subsequently, he was released and in that regard a clearance certificate (annexure-C with the memorandum of appeal) was also issued. The appellant,



therefore, could not prefer departmental appeal/representation or service appeal in time. It was also argued that the appellant was discharged on 29.09.2018 by the Judge, Anti-Terrorism Court-I, Malakand at Swat. Thereafter, the departmental appeal was preferred.

3. The reasons for delay, as stated by learned counsel for the appellant, are not convincing firstly, for the reason that in the criminal case registered under FIR No. 178 dated 31.07.2008, the appellant was noted to be on bail in the order dated 29.09.2018. Secondly, the clearance certificate, as relied upon by the appellant, provides that he had voluntarily surrendered to the Security Forces on 11.09.2016. Further, he was released and cleared after due process of law. It seems that the appellant having been removed from service on 20.02.2010, unreasonably slept over his right to prefer departmental appeal for a very long time and preferred the same on 12.03.2019. The documents relied upon by the appellant clearly suggest that he was not impeded for the purpose of seeking remedy under the law. While seeking guidance from the judgments reported as 2006-SCMR-453 and 2012-SCMR-195, the appeal in hand can safely be termed as incompetent due to enormous delay in submission of departmental appeal/representation. The same is, therefore, dismissed in limine.

File be consigned to the record room.


(HAMID FAROOQ DURRANI)
CHAIRMAN

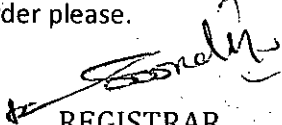


ANNOUNCED
07.01.2020

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1220/2019

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|------------|---------------------------|--|
| 1 | 2 | 3 |
| 1- | 03/10/2019 | <p>The appeal of Mr. Amin Ullah presented today by Mr. Ishfaq Ahmad Afridi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p> |
| 2- | 14/10/19. | <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>28/11/19</u>.</p> <p> CHAIRMAN</p> |
| 28.11.2019 | | <p>Appellant present in person.</p> <p>Requests for adjournment as his learned counsel is not available due to general strike of the Bar today. Adjourned to 07.01.2020 before S.B.</p> <p> Chairman</p> |

(1)

BEFORE THE SERVICES TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1220 /2019

Amin Ullah.....Appellant

V E R S U S

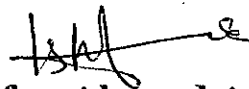
Executive District Officer ETC.....Respondents

I N D E X

| S. No | Description of Documents | Annex | Pages |
|-------|---|-------|-------|
| 1. | Grounds of service appeal & affidavit | | 1-9 |
| 2. | Address of party | | 10 |
| 3. | Copy of appointment order | A | 11 |
| 4. | Copy of Removal order | B | 12-14 |
| 5. | (Copy of clearance certificate is annexed as annexure C). | C | 15 |
| 6. | Copy of FIR & order of the Learned Judge ATC-I | D & E | 16-17 |
| 7. | Copy of appeal & order of the Director Elementary and Secondary Education | F & G | 18-19 |
| 8. | Wakalat Nama | | |

Through

Appellant



Ishfaq Ahmad Afridi
Advocate High Court

Date: 03/10/2019

(2)

BEFORE THE SERVICES TRIBUNAL, KHYBER

PAKHTUNKHWA, PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1341

Dated 3/10/2019

Service Appeal No. 1220 /2019

Amin Ullah, Ex Theology Teacher (TT) School Teacher post Government High School Isala District Swat S/o Shah Raza Resident of village Roria, Tehsil Charbagh, District Swat.

.....**Appellant**

V E R S U S

1. Executive District Officer Elementary and Secondary Education District Swat.
2. The Director Elementary and secondary Education Khyber Pakhtunkhwa.
3. Secretary Education, KPK, Peshawar.

.....**RESPONDENTS**

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 15/01/2010, 16/07/2019 AND 29/08/2019 RECEIVED ON 08/09/2019, WHEREBY THE APPEAL OF THE APPELLANT WAS DISMISSED BY RESPONDENT NO 1, MAINTAINING THE ORDER OF RESPONDENT NO 2 AND 3 WHEREBY APPELLANT HAS BEEN AWARDED PENALTY OF REMOVAL FROM SERVICE.

Filed to-day
 03/10/19
 Registrar

Prayer in Appeal:

On acceptance of this service appeal, the impugned order dated 15/01/2010 & 30/08/2019, passed by respondent No. 1 & 2, which was received on 06/09/2019 may kindly be set aside and the appellant may please be reinstated in service with all back benefits.

Respectfully Sheweth:

Brief facts giving rise to the appeal are as under:

1. That the appellant got inducted in Theology Teacher(TT) in the Education Department on the regular base vide appointment order dated 13/01/1991(**Copy of appointment order is annexed as annexure A**).
2. That on his appointment the appellant performed his duty with full devotion and dedication of base of his ability and according to the satisfaction of his seniors with no complaint or negativity raised by anyone against the appellant.
3. The appellant was lastly posted at Government High School, Isala, District Swat. Amidst, the havoc of militancy in the name of Talibanization was on high peek in the locality of appellant's District Swat, wherein apart from others, many Schools were targeted to destroy the buildings of the Schools with the explosives by the militants. In such like scenario the

Schools could not have possible to attend by the respectable Teachers and the innocent students of the valley of Swat. The state of Pakistan launched military operation against the militancy to curb/eliminate militants from District Swat, in the result of which mass displacement of the inhabitants of the District Swat took place which left many miseries. Resultantly, the appellant along with his family also displaced.

4. That when the situation was got a bit normal in the District Swat, the appellant returned back to his village and resumed his duty in his School as a teacher, furthermore, appellant lastly attend the School 01/08/2009.
5. That again receiving severs threat to his life the appellant compelled to go underground, so as to save his precious life.
6. That on 15/01/2010, the appellant was faced major penalty i.e. removal from service which is provided in section 3[d] of the removal from service [special powers] ordinance,2000, by the district coordination officer Swat being competent Authority vide his office order No.571/DCO/Estt:[CGS] dated 15/01/2010. That the appellant was removed from the service with immediate effect. (Copy of Removal order is annexed as annexure B).
7. That, thereafter, the appellant surrendered before the Armed forces and cleared the appellant from alleged terrorism by the Military Intelligence, Malakan. **(Copy of clearance certificate is annexed as annexure C).**

5

8. That FIR No.178, dated 31/07/2008, u/s 436, 427,120B,124A, 148, 149 & 7 ATA, P.S. Khwaza khila, district Swat in which unknown accused was charged for the destruction/arson the school. Later on the appellant was charged and challan was submitted before Learned Judge ATC-I, Malakand division Swat, in which Public Prosecutor for the State requested to the Learned Trial Court for the discharge of the appellant having no solid evidence against him, hence, he was discharged vide order dated 29/09/2018 from the alleged allegations on which the appellant was illegally, unlawfully removed from service.(Copy of FIR & order of the Learned Judge ATC-I Malakand Division Swat are annexed as annexure D & E respectively).
9. That the appellant approached to the Director Elementary and Secondary Education KPK, Peshawar against the Executive District Officer Elementary and Secondary Education, Swat, dated 27/05/2019, thereafter departmental appeal was turned down by the concerned authority vide order dated 30/08/2019. (Copy of appeal & order of the Director Elementary and Secondary Education KPK, Peshawar are annexed as annexure F & G respectively).
10. That the appellant feeling aggrieved from above referred order of respondent No. 1 & 2, the appellant assails these order before this Honourable Tribunal, inter alia, on the following grounds:

appellant has substantiated his case against the respondents.

- G. That the major penalty has been imposed upon the appellant by respondent No. 1 by removing from service illegally without holding regular inquiry, which was pre-requisite for imposing such penalty, so, non-holding of regular inquiry is against law, procedure and canons of principles of administration of justice.
- H. That impugned order dated 30/08/2019 passed by respondents No. 2 in a slipshod manner and is based on assumptions & presumptions, arbitrary and is not sustainable in the eyes of law.
- I. That order passed by respondents is not speaking order, passed without assigning any cogent reasons, so, it cannot be termed by no stretch of imagination to be a speaking order.
- J. That impugned order is arbitrary, capricious and not maintainable and is the result of misreading and non-reading evidence, hence liable to be set aside.
- K. That the respondent No.1 while awarding major punishment has not ensured the personal attendance and service, nor carried out the procedure according to law and rules and dismissed the appellant without keeping codal and mandatory procedural formalities in the case of appellant.

- L. That appellant belongs to a poor family, low-scale employee, jobless since his removal from service and is sole bread-earner of his entire family. He is not engaged in any profitable activity for earning butter & bread, so, his removal from service, in such circumstances, is against the rights of fundamental enshrined in Constitution of Islamic Republic of Pakistan, 1973.
- M. That any other ground may be adduced during the course of arguments, with the kind permission of this Honourable Tribunal.

It is, therefore, most humbly prayed that on acceptance of this appeal, the impugned orders 05/07/2018 & 09/08/2018 of respondents No. 1 & 3 may kindly be set aside and the appellant may please be reinstated by declaring order dated 25/09/2013 illegal, against law and facts and the with all back benefits

AND

Any other relief which may be deemed proper in circumstances of the case may also be granted in favour of the appellant.

Through


Appellant


Ishfaq Ahmad Afridi
Advocate High Court

Date: 03/10/2019

69

BEFORE THE SERVICES TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. _____/2019

Amin Ullah.....**Appellant**

V E R S U S

Executive District officer ETC.....**Respondents**

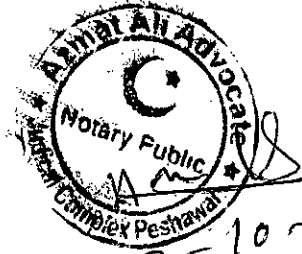
AFFIDAVIT

I, Amin Ullah, Ex Theology Teacher (TT) School Teacher post Government High School Isala District Swat S/o Shah Raza Resident of village Roria, Tehsil Charbagh, District Swat, do hereby solemnly affirm and declare that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

[Handwritten Signature]

DEPONENT

ATTESTED



3-10-2019

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

Service Appeal No. _____/2019

Amin Ullah.....**Appellant**

V E R S U S

Executive District officer ETC.....**Respondents**

ADDRESSES OF PARTIES

APPELLANT

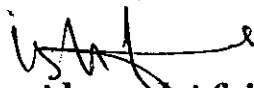
Amin Ullah, Ex Theology Teacher (TT) School Teacher post Government High School Isala District Swat S/o Shah Raza Resident of village Roria, Tehsil Charbagh, District Swat

RESPONDENTS

1. Executive District Officer Elementary and Secondary Education District Swat.
2. The Director Elementary and secondary Education Khyber Pakhtunkhwa.
3. Secretary Education, KPK, Peshawar.

Through

Appellant



Ishfaq Ahmad Afridi
Advocate High Court

Date: 03/10/2019

Amx A

Amended
A (11)

OFFICE ORDER.

APPOINTMENT. Appointments of the following T.T.s/Ceries ordered with immediate effect in BPS.7 @ Rs. 750-31-1370) plus usual allowances as admissible under the rules.

| S.No. | Name | Father's Name | Resid. | School | Remarks. |
|-------|-------------------------|--------------------|-----------------|-------------------|----------|
| 1. | Khan Zada, TT | Kh. Lilur, Rahman, | Dehrai (Beshem) | GHS: Sheng. | V. Post |
| 2. | Habibullah, TT | Mohd. Jalal, | Manglor. | GMS: Tall. | " |
| 3. | Aminullah, TT | Shahzada, Raza | Charbagh. | GMS: Dagei. | " |
| 4. | Noorul Wahab, "Umar | Wahid. | Kabal. | GMS: Manai. | " |
| 5. | Gul Shahzada, "Sultan | Khan. | Barikot. | GHS: Gagra. | " |
| 6. | Habibul Haq, "Anwarul | Haq, | Hiear (D) | GMS: Baikend. | " |
| 7. | Hanifur Rahman, Masood. | | Barjokanai. | GHS: Gadezi. | " |
| 8. | Abdul Qayoom, TT | Mohd Aqia, | Bajkata (D) | GHS: Gadezi. | " |
| 9. | Fatehur Rahman, Mohd | Alam. | Meiro (Beshem) | GMS: Koz Shawa. | " |
| 10. | Fazal Ghafoor, | Mhulam Mohd, | Shalbin. | GMS: Changarai. | " |
| 11. | Mohd Jamal, T.T. | Mohd Afzal. | Kalakhela. | GHS: Daggat Noi. | " |
| 12. | Mohd Ishaq, T.T. | Nazer Mohd. | Qambar. | GHS: Fatehour. | " |
| 13. | Mohd Rahman, T.T. | Shahbaz. | Bashigram. | GHS: Mankiyal. | " |
| 14. | Liyogat Ali, Qar, | Sher Zade. | Kh: Khela. | GHS: Baidara. | " |
| 15. | Noorulullah, | Abdur Rezig, | Paiza (Puran) | GHS: Toorwarank. | " |
| 16. | Fazal Akbar, | Mul Haider Mian. | Ielampur. | GHS: Beha. | " |
| 17. | Rehullah, | Mohd Zakir. | Waira. | GHS: Pishior. (A) | " |
| 18. | Fazil, | halil, | Daggat. | GHS: Gokand (D) | " |

CONDITION OF APPOINTMENTS.

1. His services is liable to termination/Reveration at any time without any reasons being assigned.
2. In case of resignation he will have to submit one Month's pay in lieu there of to the Government.
3. He is required to produce Health and Age Certificate form the Medical Superintendent concerned before taking over charge.
4. No. TA/DA is allowed.
5. Charge Report should be submitted to all concerned induplicate.
6. He should not be allowed to take-over charge if his age is/are less than 18 years or above 23 years.
7. If they fails to make over charge of the post within Fourteen days after the issue of these order the offer of appointment shall stand cancelled.

(MOHAMMAD ZAFFAR JALIL)
District Education Officer (Male)
Swat At Gulkada Saidu Sharif.


OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) SWAT AT GULKADA.

Endst: No. 514-89/A-14/T.T.s Dated 12-1-1991.

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

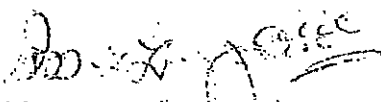
1. All Headmasters Concerned.
2. Sub: Divl: Education Officer (Male) Swat At Gulkada.
3. Candidate Concerned.

ATTESTED


Abdul Rahman
SAT BPS-16
GHS No-4 Mingora Swat.

ATTESTED


Abdul Rahman
SAT BPS 16
GHS No-4 Mingora Swat.


District Education Officer (Male)
Swat At Gulkada Saidu Sharif.

B. AMIN. / ***

*Amended
B*

(12)

OFFICE ORDER

Consequent upon the imposition of major penalty i.e. Removal from service as provided in Section-3[d] of the Removal from service [Special Powers] ordinance, 2000, by the District Coordination Officer Swat being competent Authority, vide his office order No. 571/DCO/Estt: [CGS] dated 15.01.2010, and in the light of the decisions arrived at in a meeting held with the Additional Chief Secretary, Government of NWFP, Home and Tribal Affairs Department, Peshawar, The following officials of different cadres being involved in Anti-State Activities are hereby removed from service with immediate effect.

| S. No. | Name of Officer/Official | Post | BPS | School |
|--------|--|------|-----|---------------------------------|
| 1 | 81 Hassan Zada S/o Hakim Khna R/o Darmai Matta | CT | 12 | GMS: Darmai |
| 2 | 85 Ashraf Ali S/o Azizur Rahman R/o Kalakot | PST | 12 | GPS: Kalakot |
| 3 | 86/ Molana Aurang Zeb S/o Ghulam Hussain r/o Palas Patan Distt: Kohistan present Kozo Durash Khela | TT | 12 | GHS:D/ Khela |
| 4 | 87 Asfandeyar Mola R/o Darmai Matta | TT | 12 | GMS: Darmai |
| 5 | 88 ✓ Zainul Abideen R/o Darmai Matta | PST | 12 | GPS: Dushagram |
| 6 | 89 ✓ Muhammad Iqbal S/o Bakht | PST | 12 | GPS: Koray |
| 7 | 92 Zahoor Ellahi S/o Muhammad Shoib r/o Koza Bandai | PST | 12 | GPS/ K/Bandai |
| 8 | 93 Mian Gul Ghafoor s/o Mian Ali huda Toti r/o Miangan Cham Koza Bandai | PST | 12 | GPS: Koza Bandai |
| 9 | 94 Muhammad Ala Muqam S/o Muhammad Yousaf r/o Kozabandai | PST | 12 | GPS: Bndai |
| 10 | 95 Abdul Jamil S/o Abdul Mateen | TT | 12 | GMS: Bayun |
| 11 | 96 Molana Azizullah S/o Abdul Qadar R/o Barham Patahi Presently Barkaly Khwazakhela | TT | 12 | G. Darul Uloom Isalmia Charbagh |
| 12 | 97 Muhammad Iqbal S/o Hazrat Umar r/o Siinpora Matta | PST | 12 | GPS: Ochrai |
| 13 | 99/ Molana Fatih-ul-Islam S/o Abdül Ghafar R/O Madyan | TT | 12 | GHS: Kidam |
| 14 | 100 Muhammad Zaib S/o Aurang Zeb r/o College chowk Matta | PST | 12 | GPS: Mandoor |
| 15 | 101 Muhammad Naim S/o Muhammad Akram r/o Peochar matta | PST | 12 | GPS: Awarai {on long leave} |
| 16 | 102A Mian Said Wahid s/o Mian Syed Ali r/o Peochar | PST | 12 | GPS: Muraday |
| 17 | 103 Fazal-ur-Rahman S/o Arzoog r/o Aligrama | PST | 12 | GPS: Aligrama |

*Rh
2-10-2010*

A. Usaid
By: Distt. Edu. Officer (M)
District Swat

(13)

| | | | | | service.20.04.2008 |
|------|---|-----|----|-------------------------------|--------------------|
| 108 | Abdul Jabbar r/o Hazara Kabal | PST | 12 | GPS: Hazara | (7) |
| 109 | Afareen S/o Shah Sultan r/o Nasar Khel Barabandai | PST | 12 | GPS: Banadai | |
| 110 | Amir Zaman s/o Musharaf Khan r/o Chalisplo Charbagh | PST | 12 | GPS: Makad | |
| 113 | Aminullah S/o Shah Raza r/o Rohrya Khwazakhela | TT | 12 | GHS: Asala | |
| 114 | Matiullah S/o Molana Azizullah r/ Raja abad | TT | 12 | GHSS: Mingora | |
| 120 | Habibullah S/o Shamsul Wahab r/o Madyan | TT | 12 | GMS: Dabargay | |
| 121/ | Fatehul Islam S/o Movli Abdul Ghafar R/o Madian | TT | 12 | GHSS: Madyan | |
| 122 | Muhammad Alam s/o Muhammad Sadiq r/o Madyan | PST | 12 | GPS:Satal | |
| 125 | Qari Riaz Ahmad so/ Gul Nasim Khan r/o Madyan | PST | 12 | GHS: Madyan | |
| 126 | Molana Muhammad Rahman s/o Shehbaz Khan r/o Madyan | TT | 12 | GMS: Shinko | |
| 130 | Muhammad Ibrahim S/o Abdul Halim | TT | 12 | GMS: Dakorak | |
| 131 | Sher Shah S/o Naushad r/o Gulibagh | PST | 12 | GPS: Gulibagh | |
| 132 | Fazal Hamid s/o Gujar Khan r/o Gulbagh | PST | 12 | GPS: Gar Islampur Khwazakhela | |
| 133 | Shamsher Ali s/o Bakhtyar r/o Islampur | PST | 12 | GPS: Gar Islampur Khwazakhela | |
| 153/ | Molana Muhammad Alam s/o Muhammad Rahim r/o Benawri | PST | 12 | GPS: Chekrai | |
| 154/ | Molana Azizullah R/o Rajabad Mingora. | TT | 12 | GHSS: Mingora | |
| | M. Sahib Zada | PST | 12 | GPS: Said Abad | |
| | Serajur Rahman | PST | 12 | GPS: Nala Qandil | |
| 111A | Zia-u-Haq S/o Fazal Haq R/o Bahrain | DM | 14 | GHS: Bahrain | |
| 128 | Ihsanur Rahman S/o Siraj Gul R/o Kokarai Mingora | AT | 14 | GMS: Dangram | |
| 152/ | Anwarul Haq S/o Muhibul Haq | CT | 14 | GHS:Bandai | |
| 91 | Qaimat Gul S/o Umar Gul r/o Arkot Matta, | CT | 15 | GHS: Matta | |

EXECUTIVE DISTRICT OFFICER
ELEMENTARY AND SECONDARY
EDUCATION SWAT


Ahmed
Dr. District Officer (M)
District Swat.

(14)

(1)

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

1. The Honourable Secretary Elementary and Secondary Education Department NWFP, Peshawar.
2. The Director Elementary and Secondary Education NWFP, Peshawar.
3. The District Coordination Officer Swat at Gulkada with reference to his No. mentioned above.
4. The District Accounts Officer Swat.
5. The Dy; District Officer Elementary and Secondary Education [Male and Female] Swat.
6. The Budget and Accounts officer local office.
7. The Principals/ Headmasters/ Headmistresses of Higher, High and Middle School concerned.
8. The Official concerned.
9. PA to the EDO local Office.


EXECUTIVE DISTRICT OFFICER
ELEMENTARY AND SECONDARY
EDUCATION SWAT



ATTESTED
TO BE TRUE COPY

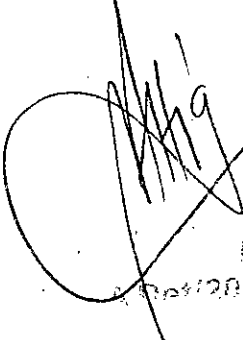
15
Amouse
C.

CLEARANCE CERTIFICATE

Mr Amin Ullah son Shah Raza resident of Roria, P/O Charbagh, Tehsil & District Swat had voluntarily surrendered himself to security forces on 11 September 2016. He had undergone De-Radicalization and Emancipation Program training. He was release after completion of due process of law. He is clear from counter terrorism point of view.

ATTESTED


Abdul Rahman
SAT BPS-16
GHS No-4 Mingora Swat.


MI/Mkd
Lt Col
Def Comd
Det/206 Svy Sec
(Swat)

Amended (16) جنرل پولیس صوبہ سرحد فارم نمبر 42

گورنمنٹ پبلسٹک اور جاب نمبر 19/540 فارم نمبر تعداد 7 ہزار جنرل نمبر 23 مورچہ 2006 بی فور (فارم نمبر جاری) ضمنی فارم (پولیس)

فارم نمبر 23-15 (1)

ابتدائی اطلاعی رپورٹ

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ 152 مجموعہ ضابطہ فوجداری

| تاریخ و وقت رپورٹ | ضلع | لاہرات |
|---|--|--------------------------|
| 1 | 178 | تاریخ 31/7/08 وقت 01:00ء |
| 1- تاریخ و وقت رپورٹ | تاریخ و وقت 31/7/08 وقت 01:00ء | |
| 2- نام و سکونت اطلاع دہندہ مستفیث | مستفیث بلدیہ عالی وولہ اللہ بارخان سنان عالم بیچ | |
| 3- مختصر کیفیت جرم (معدفعہ) حال اگر کچھ لیا گیا ہو۔ | PATA. 436-427-1203-1249-148-149 | |
| 4- جائے وقوعہ فاصلہ تھانہ سے اور سمت | گورنمنٹ پبلسٹک اور جاب نمبر 19/540 فارم نمبر 23 مورچہ 2006 بی فور (فارم نمبر جاری) ضمنی فارم (پولیس) | |
| 5- نام و سکونت ملزم | گورنمنٹ پبلسٹک اور جاب نمبر 19/540 فارم نمبر 23 مورچہ 2006 بی فور (فارم نمبر جاری) ضمنی فارم (پولیس) | |
| 6- کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہو تو وجہ بیان کرو | گورنمنٹ پبلسٹک اور جاب نمبر 19/540 فارم نمبر 23 مورچہ 2006 بی فور (فارم نمبر جاری) ضمنی فارم (پولیس) | |
| 7- تھانہ سے روانگی کی تاریخ و وقت | گورنمنٹ پبلسٹک اور جاب نمبر 19/540 فارم نمبر 23 مورچہ 2006 بی فور (فارم نمبر جاری) ضمنی فارم (پولیس) | |

ابتدائی اطلاع نیچے درج کرو۔
مستفیث صدر چھانڈہ نے جو وقت صدر مجر
مستفیث بلدیہ عالی وولہ اللہ بارخان سنان عالم بیچ
دہندہ کے نام سے لیا گیا ہے اور یہ سب کچھ لیا گیا ہے۔
جو وقت صدر مجر نے لیا ہے وہ ہے جو وقت صدر مجر
بلدیہ عالی وولہ اللہ بارخان سنان عالم بیچ
مستفیث بلدیہ عالی وولہ اللہ بارخان سنان عالم بیچ
مستفیث بلدیہ عالی وولہ اللہ بارخان سنان عالم بیچ
مستفیث بلدیہ عالی وولہ اللہ بارخان سنان عالم بیچ

ATTESTED TO BE
TRUE COPY FIR
RW: DSP LEGAL
BRANCH SWAT
23-9-19

31/7/08

R.W ✓

صبا عالی!

نقل FIR برطالوت

اصل در دست است -

دوره عرضه -

A (17) R/11

Amended
, E

IN THE COURT OF SYED UBaidULLAH SHAH SPECIAL JUDGE, ANTI-
TERRORISM COURT-I MALAKAND DIVISION AT SWAT

Case No: 48/8 OF 2018

The State through

Bakht Biland Khan S/O Sarbaz Khan

R/O Alam Ganj Khwazakhela District Swat

.....Versus.....

Aminullah S/O Shah Raza

R/O Roniyar Charbagh District Swat

Case FIR No: 178 Dated: 31.07.2008

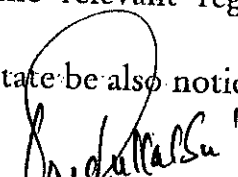
U/Ss 436, 427, 120-B, 124-A, 148, 149 PPC

7-ATA P.S Khwazakhela Distt: Swat

O.....1:-
13.09.2018:-

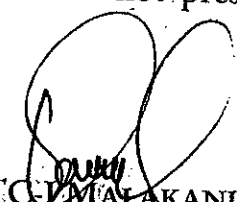
Challan in the subject case received from prosecution
against the accused Aminullah. Be entered in the relevant register.

Accused be summoned for 19.09.2018. PP for the state be also noticed.


JUDGE ATC-I MALAKAND
DIVISION AT SWAT

O.....2:-
19.09.2018:-

PP for the state present. Accused Aminullah not present,
NBW be issued against him for 29.09.2018.


JUDGE ATC-I MALAKAND
DIVISION AT SWAT
Judge Anti Terrorism Court
Malakand Division at Swat



ORDER:-
29.09.2018:-

Accused Aminullah on bail present. PP for the state present and requested for the discharge of the accused having no solid evidence against him.

In the light of record and arguments advanced by the learned PP for the state, the request of the prosecution seems genuine; therefore, accepted and accused, namely, Aminullah is hereby discharged. Sureties of the accused, if any, be relieved from the liabilities of bail bonds.

File be consigned to record room after necessary completion and compilation.

ANNOUNCED
29.09.2018



Aminullah
29/9/18

JUDGE ATC-I MALAKAND
DIVISION AT SWAT
Judge anti Terrorism
Malakand Division at Swat





OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) SWAT

Ammar
Fu (18)

No. 3841 /P/File/TT Dated 27/5 /2019

To,

The Director Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

Subject:- Appeal.

Memo:-

Reference your No. /F.No.2932/F.NO.A-10-Vol-III/appeal of
PST(M)General dated Peshawar the 12-03-2019 on the subject cited above.

I have the honor to submit that the servant concerned
namely Mr. Aminullah Ex-TT GHS: Asala District Swat had been absent from
duty and this office published absence Notice in daily News Paper on 15-01-
2010 after the critical situation in District Swat as per Notification of Chief
Sectary Vide No. SOR-I (E & AD) I-13/81 18-11-2009 and Latter No. COO
/E&3/1-15/2001 dated 21-11-2001 (photo Copy attached). He was removed
from service due to anti sate activities/Service ordinance 2001 Vide office order
No. 3646-54 date 20-02-2010 (Photo Copy Attached) and he was voluntarily
surrendered himself to Security Forces on 11-09-2016 (Photo Copy attached)
which is submitted for your kind perusal and further necessary action please.

Attested with
the remarks that
this appeal may
please be original
trailed

Dr. M. Y. Khan
Distt. Edu. Officer (M)
District Swat.
16/7/09

DISTRICT EDUCATION OFFICER (M)
SWAT



(19) *Amin-ullah, G/O*

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

No. _____ / F.No. A-10/Vol:III/Appeals of PST (M) General
Dated: 30/8/2019

To

The District Education Officer
(Male) Swat.

Subject: - DEPARTMENTAL APPEAL

I am directed to refer to your letter No. 3941 on dated 27.05.2019, on the subject cited above and to ask you that the case/appeal in respect of Mr. Amin Ullah Ex: TT GHS Asala District Swat, has been examined/analyzed by this office. Hence inform the appellant concerned that his appeal has been rejected by the Appellate Authority.

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

Endst No. 4263

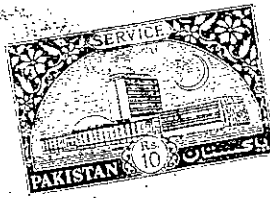
Copy of the above is forwarded to:-



1. Mr. Amin Ullah Ex: TT GHS Asala District Swat.
2. PA to Director E&SE local Office.
3. Master File.

Amin Ullah
29/08/2019
Assistant Director Estab (Male)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

ATTESTED

Abdur Rahman
SAT BPS-18
GHS No.4 Mingora Swat.



| | | |
|--|-------|--|
| قیمت 50 روپے | 28267 |    |
| ایڈوکیٹ: / شرف احمد افریدی بار کونسل / ایسوسی ایشن نمبر: 11-1686-11 رابطہ نمبر: 87 10 499-5332 | | |
| پشاور بار ایسوسی ایشن، خیبر پختونخواہ | | |

سر و سروسٹ

بعدالت جناب:

| | |
|-----------------------------------|-----------|
| مخانب: Applicant | دعویٰ: |
| | علت نمبر: |
| امین اللہ بنام Executive Director | مورخہ: |
| | جرم: |
| | تھانہ: |

باعث تحریر آئکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ آن مقام لکھنؤ کے لیے / شرف احمد افریدی ایڈووکیٹ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم:

الع بد گواہ شد الع بد

مقام کے لیے منظور ہے۔

Accepted

Ashfaq Ahmad Appari

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

امین اللہ بنام

2016-02-15 - 04662