

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Case No. 3723

Dated 23/2/2023

SERVICE APPEAL NO. 771/ 2022Dr. Tahir Shah S/O Dr. Zahir Shah..... Appellant**VERSUS**Government of Khyber Pakhtunkhwa & Others..... RespondentsINDEX

S. No	Description of Documents	Annexure	Page No
1.	Parawise comments	---	1-3
2.	Affidavit		4
3.	A copy of letter No. SO(LFC)AD-1(478)/PF/2016 dated 13/12/2017	A	5
4.	A copy letter No. DG L&DD (E)/16725 dated 20 12/2017.	B	6
5.	A copy of absentee notice issued to the appellant through letter No. SO(L&DD)AD-1(478)/PF/2016-17 dated 10/8/2018.	C	7
6.	A copy of letter No. SO (LFC)AD-1(478)/PF/2014 dated 03/10/2018 issued to the Director Information along with publication of absentee notice issued to the appellant in two leading newspapers.	D	8-12
7.	A copy of letter No. SO(L&DD)AD-1(478)/PF/2018 dated 22/10/2018.	E	13
8.	A copy of letter No.7695-96 dated 24/10/2018.	F	14
9.	A copy of Notification dated 07/12/2018.	G	15
10.	Reply to a Departmental Appeal by the Respondent no.2 to Respondent no.1 through letter no. DG L&DD(E)/4419/ESTT: dated 16/03/2022	H	16
11.	Authority Letter.	I	17

①

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. 771/ 2022

Dr. Tahir Shah S/O Dr. Zahir Shah..... Appellant

VERSUS

Government of Khyber Pakhtunkhwa & Others..... Respondents

Para-wise comments on behalf of the respondent No. 01, 02 & 03.

Respectfully Sheweth:

PRELIMINARY OBJECTIONS:

1. That the appellant has got no locus standi for filing this Service Appeal.
2. That the appeal is wrong and based on illegal and unlawful presumptions.
3. That the appellant has got no cause of action to file the present Appeal.
4. That the appeal is not maintainable in this present form.
5. That the instant appeal is badly time barred.

FACTS

1. Pertains to record.
2. Pertains to record.
3. No comments.
4. No comments.
5. Pertains to record.
6. Correct to the extent that soon after the arrival of the appellant applied for study leave to the respondent Directorate, which was sent to the respondent No. 02 through letter No. SO (LFC)AD-1(478)/PF/2016 dated 13/12/2017 (Annexure-A), for views and comments, and was accordingly replied by the respondent No. 02 through letter No. DG L&DD (E) / 16725 dated 20/12/2017, wherein, it was clearly stated that the study leave could not be ordinarily granted to the Government Servant with less than 5 (five) years of service as per rule F.R-84 (Annexure-B).
7. Correct to the extent that the appellant had left abroad without waiting for sanction of study leave and NOC, therefore, an absentee notice was issued to the appellant by the competent authority through letter No. SO (L&DD) / AD-1(478)/PF/2016-17 dated 10/08/2018 with directions to join the duty within 15 days and also to explain willful absence from duty (Annexure-C).
8. Correct to the extent that the appellant instead of obeying the directives of the competent authority submitted another application from Turkey for reconsidering his study leave, which was declined due to his willful long absence from official duty.

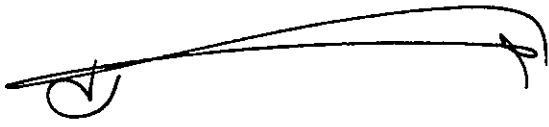
9. Incorrect. The appellant has neither contacted through any telephonic conversation nor given any assurance rather he was proceeded under Efficiency and Disciplinary rules 2011 for being willful absent from duty. In this regard the respondent No. 01 issued an absentee notice of the appellant to the Director Information, Khyber Pakhtunkhwa for publication in leading news paper, which was published on 6th & 7th October 2018 (Annexure-D). It is pertinent to mention here that a letter was issued by the respondent No. 01 addressed to the respondent No. 02 with the request to submit reply whether the appellant has assumed the charge or otherwise. (Annexure-E), which was confirmed from the office of Director Livestock and Dairy Development Department Merged Areas by the respondent No. 02 that the appellant has left abroad without obtaining NOC/ sanction of study leave and intentionally absconded himself from his duty (Annexure-F).
10. Correct to the extent that the appellant was awarded major penalty by imposing "Removal from Service" on account of willful absence from duty vide Notification dated 07/12/2018 (Annexure-G).
11. Incorrect. The Departmental Appeal received by the office of respondent No. 01 was further sent to the respondent No. 02 through letter No. SO (LFC) AD/1-23/2021 dated 15/02/2022 for submission of views/comments, which was accordingly submitted through letter No. DG L&DD (E) / 4419 / Estt: dated 16/03/2022 with the remarks that the appellant has already awarded major penalty under the prescribed rules and may file departmental appeal within thirty days from the date of communication. Therefore, the said appeal is badly time barred, hence the respondent No. 01 did not considered the departmental appeal of the appellant and was filed (Annexure-H)
12. No comments.

Grounds

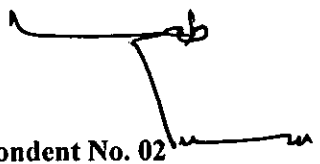
- A. Incorrect. The action of respondents is based on law, rules and policy.
- B. Incorrect. The respondents have acted according to Law and no illegalities and irregularities have been committed as the appellant has been removed from service on account of willful absent from duty.
- C. Incorrect. The appellant applied for study leave immediately after joining his duties, which can only be granted after completion of 5(five) years of service but the appellant did not even bother to wait for the outcome of his application and left abroad without obtaining NOC and sanction of study leave.
- D. Incorrect. The unlawful blaming of the appellant is clear from the fact the instead of providing any solid evidence, he is pointing that his name in the order dated 07/12/2018 is written wrong but the fact is the name of the appellant is correctly written as "Dr. Tahir Shah" in the said office order.
- E. Incorrect. As stated in fact No. 11.
- F. Incorrect. As the appellant left abroad without obtaining NOC and sanction of study leave and he did not even bother to join his duty after receiving absentee notice from the office of respondent No. 01. He was also given a chance of personal hearing in the form of personal hearing and publication of show cause notice in News paper, but did not come back from abroad and remained willful absent from duty, therefore, he was proceeded as per Efficiency and Disciplinary rules 2011.
- G. Incorrect. The statement of the appellant is biased and based on unlawful presumptions.
- H. Incorrect. No Violation of the constitution of the Islamic Republic of Pakistan 1973 has been made by the respondents and the Appellant has been treated as per rules.
- I. Incorrect. The appellant has been treated as per law and no malafide intension is involved in the office order dated 07/12/2018.

J. The respondents seek permission to raise additional grounds at the times of arguments.

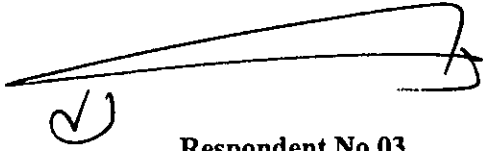
It is, therefore, most humbly prayed that the instant Appeal may kindly be dismissed in favor of the respondents with cost.



Respondent No. 01
Secretary Agriculture, Livestock &
Dairy Development Department, Khyber
Pakhtunkhwa, Peshawar



Respondent No. 02
Director General (Ext) Livestock &
Dairy Development Department
Peshawar.



Respondent No.03
Chief Secretary
Government of Khyber Pakhtunkhwa
Peshawar.

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. 771/ 2022

Dr. Tahir Shah S/o Zahir Shah.....**Appellant**

VERSUS

Government of Khyber Pakhtunkhwa and Others.....**Respondents**

AFFIDAVIT

I, **Dr. Noor Badshah Khattak**, Veterinary Officer (H), office of Director General (Ext), Livestock & Dairy Development Department, Peshawar, do hereby solemnly affirm on oath that the contents of the parawise comments related to the above mentioned Service Appeal are true and correct to the best of my knowledge and belief, and that nothing has been concealed from this Honorable Tribunal.

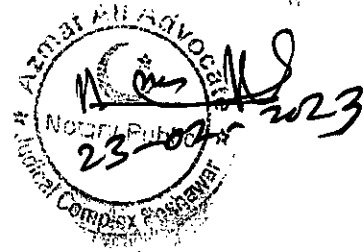


DEPONENT

Identified By: _____

Additional Advocate General Khyber Pakhtunkhwa.

ATTESTED





GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

No. SO(LFC)AD-1(478)/PF/2016
Dated Peshawar the 13th Dec, 2017

To

The Director General (Extension)
Livestock & Dairy Development
Khyber Pakhtunkhwa, Peshawar.

Subject:- **APPLICATION FOR THE GRANT OF STUDY LEAVE**

I am directed to refer to this department letter of even No. 01/12/2016 followed by reminder dated 20/06/2017 on the above captioned subject and to enclose herewith a copy of Section Officer (Estab), FATA Secretariat letter No. FS/E/100-86/2813, dated 06/12/2017 and once again request to furnish views / comments as requested vide this department letter of even No. dated 01/12/2016 without further delay.

(DR. MIR AHMAD KHAN)
SECTION OFFICER
(LIVESTOCK, FISHERIES & COOPERATIVES)

Copy of the above is forwarded to the:-

1. Director L&DD(Extension), FATA with the request to provide information of the whereabouts of Dr. Tahir Shah, Veterinary Officer (Health), In-charge Civil Veterinary Hospital Mandala FR Tank.
2. Section Officer (Estab), FATA Secretariat w/r to his letter referred to above.
3. PS to Special Secretary Agriculture Department.

SECTION OFFICER
(LIVESTOCK, FISHERIES & COOPERATIVES)
Ph: 091-9210973

Handwritten signature

(Annexure A) 5
82
DAB/VQ(B)
13/12
18/12/17



DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT
KHYBER PAKHTUNKHWA

Bacha Khan Chowk, Chorsadda Road Peshawar. Email: dglddext@yahoo.com Tel: 091-9210276, 9210249, Fax: 091-9210285

(Annexure - B)
6

No: DG L&DD (E) / 16795

Dated Peshawar the 20/12/2017

To

The Secretary,
To Government of Khyber Pakhtunkhwa,
Agriculture, Livestock, Fisheries and Cooperative Department,
Peshawar.

Attention Section Officer (LFC)

Subject: **APPLICATION FOR THE GRANT OF STUDY LEAVE**

With reference to your letter No: SO (LFC) AD-1 (478)/PF/2016 dated 13th December, 2017 on the subject cited above and to state that Dr. Muhammad Tahir Shah was appointed vide Government of Khyber Pakhtunkhwa, Agriculture, Livestock & Cooperatives Department Notification No: SO (LFC) AD-DF-E-1 (141)/2016 dated 02.08.2016, and has not completed five years service required for the study leave under F.R-84, wherein, it has been clearly mentioned that study leave should not be ordinarily be granted to government servant of less than five years service. In addition this office has shortage of officers, therefore, this office cannot spare officers as substitute in case study leave is granted.


(DR. SHER MUHAMMAD)
DIRECTOR GENERAL







Registered Post
GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

NO.SO(L&DD)/AD-I(478)/PF/2016-17
Dated Peshawar the 10th Aug, 2018

To

Dr. Tabir Shah
Veterinary Officer (Health) (BS-17)
In-Charge Civil Veterinary Hospital, Jandola
Newly Merged Area Tank

Mailing Address:- HOUSE # A-3 PROFESSORS COLONY UNIVERSITY OF
AGRICULTURE

Permanent Address:- VILLAGE & PO MAINA MALAKAND DISTRICT

Subject: ABSENTEE NOTICE

I am directed to refer to the above captioned subject and to state that Section Officer (Estab), FATA Secretariat vide letter No. FS/E/100-86/5477-80, dated 20/07/2018 has informed that without any sanctioned study leave you have willfully absented yourself w.e.f 17/10/2016 till date.

I am therefore directed to inform you to join duties within fifteen (15) days and explain the reason for willful absence from duty, otherwise, strict disciplinary action shall be initiated against you under Rule-9 of E&D Rules, 2011

(A)MAL KHAN
SECTION OFFICER
(LIVESTOCK, FISHERIES & COOPERATIVE)

Copy of the above is forwarded to the:-

1. Director General (Extension), Livestock & Dairy Development, Khyber Pakhtunkhwa.
2. Section Officer (Estab), FATA Secretariat, Warsak Road Peshawar w.r to letter quoted above.
3. Director Livestock Newly Merged Areas, FATA Secretariat, Warsak Road.
4. PS to Secretary Agriculture, Department

SECTION OFFICER
(LIVESTOCK, FISHERIES & COOPERATIVE)
091-9210973



GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

NO.SO(LFC)/AD-I(478)/PF/2014
Dated Peshawar the 3rd Oct,2018

To

The Director Information
Khyber Pakhtunkhwa, Peshawar.

Subject:- **ABSENTEE NOTICE**

I am directed to refer to the above captioned subject and to enclose herewith ten (10) copies of absentee notice (both in English & urdu) for publication in the two leading dailies at an early date.

Necessary payment shall be made after receipt of bills, please.

Ajmal Khan
3/2/18

(AJMAL KHAN)
SECTION OFFICER
(LIVESTOCK, FISHERIES & COOPERATIVE)

Copy of the above is forwarded to the:-

- ✓ 1. Director General (Extension),L&DD for information.
2. Section Officer (Admn) Agriculture Department.
3. PS to Secretary Agriculture, Department

Ajmal Khan

SECTION OFFICER
(LIVESTOCK, FISHERIES & COOPERATIVE)
091-9210973

Ajmal Khan
[Signature]

16795
04/10/18
Kulpo
H
4/18

پشاور لٹریچر ایسوسی ایشن اور اسلام آباد سے یک وقت شائع ہونے والا کثیر الاشاعت قومی روزنامہ

رہنمائی کی ضمانت آج کا نصب العین

روزنامہ

پشاور
پاکستان

ایڈیٹر
عبدالواحد پوری

268 شماره | 26-2018 | 29 | 17 | 1440 | 29 | 17 | 1440

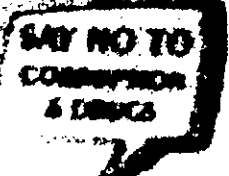
پشاور لٹریچر ایسوسی ایشن

10
6

حکومت خیبر پختونخوا محکمہ زراعت امور حیوانات و امدادی باہمی

نوٹس غیر حاضری

برائے: آپ نے کمرہ برشاہ و ولد طاہر شاہ (معالج حیوانات) محکمہ حیوانات و ترقی توسیعی خیبر پختونخوا
 پشاور پتہ جئے ذیوں (متصل) قبائلی علاقہ ٹانک جنڈولہ) موجودہ متصل قبائلی اضلاع خیبر
 پختونخوا سے سرحد 10.7.2015 سے بغیر کسی منظوری کے مسلسل غیر حاضر ہیں آپ کو بذریعہ
 چتر نمبر 17-16-2016/AD-I(478)SO(L&DD) مورخہ 10/8/2018 مطلع
 کیا گیا ہے کہ آپ کی غیر حاضری کی وجہ سے سرکاری احکام پر عمل درآمد نہیں کیا
 جا سکا ہے۔ آپ کو بذریعہ اخباری نوٹس مطلع کیا جاتا ہے کہ اس نوٹس کی اشاعت کے پندرہ یوم کے اندر
 اندر اپنی ذیوں پر حاضر ہو جائیں اور اپنی غیر حاضری کی معقول وجوہات بیان کریں بصورت دیگر
 آپ کے خلاف نظم و ضبط کے قانون مجریہ 2001ء کی ذیلی شق 9 کے تحت انتظامی کارروائی عمل
 میں لائی جائے گی جس کے نتیجے میں آپ کو سرکاری نوکری سے برخاست بھی کیا جاسکتا ہے۔



INF(P)9898

جمال خان

یکیشن آفیسر (ایل ایف سی)

محکمہ زراعت امور حیوانات و امدادی باہمی حکومت خیبر پختونخوا

www.khyberpakhtunkwha.gov.pk

<http://www.dailymashriq.com.pk>

اللہ تعالیٰ ہمیں مشرق و مغرب القرآن

DAILY MASHRIQ PESHAWAR

پشاور

عہدہ نو کے بانی

سید تاج میر شاہ

روزنامہ

مشرق

سلسل اشاعت کے 51 سال

پشاور اور اسلام آباد سبیک وقت شائع ہونے والا کثیر الاشاعت قومی اخبار

ABC
CERTIFIED

شمارہ
305

ہفتہ 25 محرم الحرام 1440ھ 16 اکتوبر 2018ء 20 سوج قیمت 15 روپے

جلد 51

(10)
(11)



حکومت خیبر پختونخوا محکمہ زراعت، امور حیوانات و امداد باہمی

نوٹس غیر حاضری

ہر گاہ آپ ڈاکٹر طاہر شاہ ولد طاہر شاہ (معالج حیوانات) محکمہ حیوانات و ترقی تو سیمی، خیبر پختونخوا، پشاور اپنی جائے ڈیوٹی (متصل قبائلی علاقہ ٹانک جندولہ) موجودہ متصل قبائلی اضلاع خیبر پختونخوا سے مورخہ 10/07/2016 سے بغیر کسی منظوری کے مسلسل غیر حاضر ہیں۔ آپ کو بذریعہ چٹھی نمبر SO(L&DD)AD-1(478)/PF/2016-17 مورخہ 10/08/2018 مطلع بھی کیا گیا تھا کہ اپنی ڈیوٹی کی جگہ پر حاضری کریں لیکن آپ نے سرکاری احکام پر عملدرآمد نہیں کیا۔ آپ کو بذریعہ اخباری نوٹس ہذا مطلع کیا جاتا ہے کہ اس نوٹس کی اشاعت کے پندرہ یوم کے اندر اندر اپنی ڈیوٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی معقول وجوہات بیان کریں بصورت دیگر آپ کے خلاف نظم و ضبط کے قانون مجریہ 2001 کی ذیلی شق 9 کے تحت انضباطی کارروائی عمل میں لائی جائے گی جس کے نتیجے میں آپ کو سرکاری نوکری سے برخواست بھی کیا جاسکتا ہے۔

اجمل خان سیکشن آفیسر (ایل۔ ایف۔ سی)

محکمہ زراعت، امور حیوانات و امداد باہمی، حکومت خیبر پختونخوا

INF(P)3898

(11)
(12)

(Annex-5)

13



GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK & COOPERATIVES
DEPARTMENT

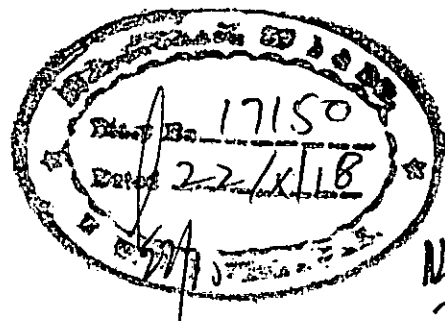
No. SO (L&DD) AD-1 (478)/PF/2018
Dated Peshawar the 22-10-2018.

To

The Director General (Extension),
Livestock & Dairy Development,
Khyber Pakhtunkhwa.

Subject:

ABSENTEE NOTICE.



USE
22/10/18

I am directed to refer to subject noted above and to state that Mr. Tahir Shah S/O Zahir Shah VO (H) BPS-17. is assumed the charge of duties in the department or otherwise.

It is, therefore, requested to submit the reply of the above named officer within 2 days positively on top priority basis to this department to process the case further.

(AJMAL KHAN)
SECTION OFFICER
(LIVESTOCK, FISHERIES & COOPERATIVE)

Copy to:

1. PS to Secretary Agriculture.
2. PA to Additional Secretary.
3. PA to Deputy Secretary (ADMIN).

SECTION OFFICER
(LIVESTOCK, FISHERIES & COOPERATIVE)
091-9210973



DIRECTORATE OF LIVESTOCK AND DAIRY DEVELOPMENT DEPARTMENT
TRIBAL MERGED AREA SECRETARIAT WARSAK ROAD, PESHAWAR.
Tel: 091-9210272 Fax: 091-9212136.

(Annexure - PF)
(14)

No 7895-961

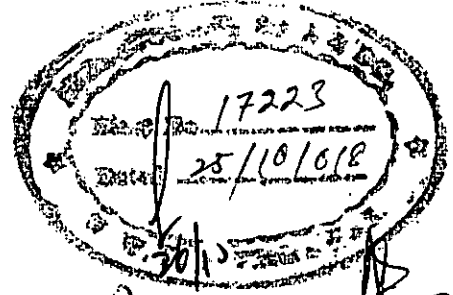
Dated Peshawar

The 24/10/2018

To



The Director General (Ext),
Livestock and Dairy Development,
Pakhtunkhwa, Peshawar

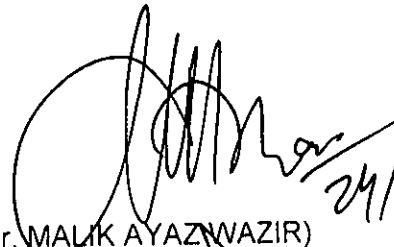


Subject: **ABSENTEE NOTICE**

Memorandum:

With reference to your office endost. No.18789 dated 24.10.2018 on the subject cited above and to state that Dr. Tahir Shah, Veterinary Officer (H), In-charge Veterinary Hospital, Jandola has left the country to Turkey on 17.10.2016 without obtaining NOC/ sanction of leave and intentionally absconded himself from his duty. As per record the officer has not joined his duty yet and continuously absent without any information w.e.f.17.10.2016.

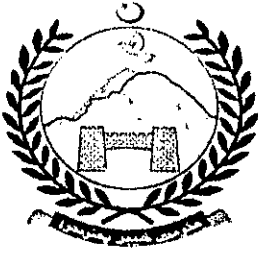
It is, therefore, requested that disciplinary action against the above named officer may kindly be initiated as per rules, please.


(Dr. MALIK AYAZ WAZIR)
DIRECTOR
24/10/18
24/10/18

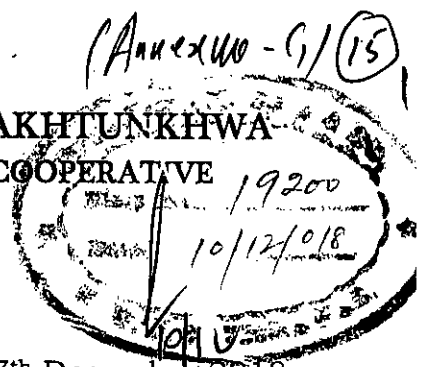
Copy of even number and date.

Forwarded to the Section Officer (LFC) Government of Khyber Pakhtunkhwa, Agriculture, Fisheries and Cooperatives Department, for information with reference to his letter No.SO(L&DD)AD-I(478/PF/2018 dated 22.10.2018

DIRECTOR



GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT



Dated Peshawar the 07th December 2018

NOTIFICATION

No. SO(LFC)AD-I(478)/2018/PF:- WHEREAS, Dr. Tahir Shah Veterinary Officer (Health)(BS-17) In charge Civil Veterinary Hospital Jandola FR Tank, FATA, has applied for the grant of four of the grant of four (4) years study leave for the purpose to avail fully funded Ph.D Scholarship in Turkey through proper channel.

2. WHEAREAS, without waiting for the response to the Department left the country for Turkey.

3. WHEAREAS, it was observed that neither the Officer obtained NOC from Department for seeking admission nor the grant of study leave is the mandate of Agriculture Livestock & Cooperative Department. Accordingly, the officer was served with an absentee notice (through registered post) with the directions to join duties within fifteen (15) days.

4. WHEREAS, the procedure reflected in Rule-9 of the E&D Rules - 2011 was authority in term of 2(1)(c)(f)(ii) of Efficiency & Discipline Rule-2011 read with Rule-4(1)(a) of Appointment, Promotion & Transfer Rules-1989; after having considered the charges, evidence on record has been please to approve the imposition of "Removal from Service" penalty on Dr. Tahir Shah (BS-17) Veterinary Officer (Health) Director General (Extension) Livestock and Dairy Development Department Khyber Pakhtunkhwa, Peshawar from date of willful absence 17.10.2016.

SD/-
SECRETARY
AGRICULTURE, LIVESTOCK &
COOP: DEPARTMENT.

ENDST: of Even No. & Date

Copy of the above is forwarded to:

1. Accountant General Khyber Pakhtunkhwa Peshawar.
- ✓ 2. Director General (Extension) Livestock & Dairy Development Department Khyber Pakhtunkhwa, Peshawar.
3. Dr. Muhammad Tahir Ex-Veterinary Officer (Health)
4. PS to Secretary Agriculture, Livestock Fisheries and Cooperative Department Khyber Pakhtunkhwa Peshawar.
5. P.A to Dy. Secretary (Admn), Agriculture, Livestock Fisheries and Cooperative Department Khyber Pakhtunkhwa Peshawar.

7/12/18
SECTION OFFICER (LFC)



DIRECTORATE GENERAL (EXTENSION)

LIVESTOCK & DAIRY DEVELOPMENT
KHYBER PAKHTUNKHWA

Bacha Khan Chowk, Charsadda Road Peshawar. Email: dglddext@yahoo.com Tel: 091-9210276,
9210249, Fax: 091-9210285

Annexure - (A)
16

No: DG L&DD (E) / 4419 / Estt: Dated Peshawar the 16/2/2022

To

The Secretary,
To Government of Khyber Pakhtunkhwa,
Agriculture, Livestock, Fisheries and Cooperative Department,
Peshawar.

Attention: Section Officer (LFC)

Subject: **APPEAL TO REINSTATEMENT AS VETERINARY OFFICER IN THE DEPARTMENT
LIVESTOCK, FISHERS & COOPERATIVE GOVERNMENT OF KHYBER-
PAKHTUNKHWA**

Reference to your letter No. **SO (LFC)AD/1-23/2021** dated **15th Feb 2022** on the subject noted above and to state that **Dr. Tahir Shah**, was appointed as Veterinary Officer vide your Notification No. **SO (LFC)AD-DF-E-1(141)/2016** dated **02nd August 2016** in Livestock and Dairy Development (Extension) Wing. The Ex-officer requested for the grant of Study leave for four years w.e.f 17.10.2016 for his higher studies abroad, however the Ex-officer left the department without waiting for sanction of leave.

Furthermore, the Ex-officer was absent from the office w.e.f 17.10.2016 and was served with an absentee notice vide your office order **SO(L&DD)/AD-I/PF/2016-17** dated **10th August 2018** (through registered post) to report to the office within 15-days (**Annex-2**) which he failed to do so. The absentee notice was then published in two dailies Newspapers, asking the **Dr. Tahir Shah** to report to office within 15-days, which then he again failed to do so and then in light of E&D rules a penalty was imposed "**Removal From Service**" vide your office Notification No. **SO(LFC) AD-I (478)/2018/PF** dated **07th December 2018** .(**Annex-3**).

Now after lapse of three years, the Ex-office has submitted an appeal to reinstate him as veterinary officer in the department. According to E&D Rule-17 (I):

"An accused who has been awarded any penalty under these rules may, within thirty days from the date of communication of the order, prefer departmental appeal to the appellate authority"

Keeping in view the above facts the case is time-barred, hence, submitted for information and further necessary action, please

Encl: A.A.

(DR. ALAMZEB)
DIRECTOR GENERAL



**DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT, KHYBER PAKHTUNKHWA,
PESHAWAR**

Tel: 091-9210249/9210276, Fax: 091-9210285, E-mail: dglddext@yahoo.com

Web: www.livestockextkp.gov.pk

✓ **AUTHORITY LETTER**

Dr. Noor Badshah Khattak, Veterinary Officer (H) of this office, is hereby authorized to submit/pursue the case in Appeal No. 771/2022, filed by Dr. Tahir Shah S/O Dr. Zahir Shah **Versus** Government of Khyber Pakhtunkhwa & Others before the Khyber Pakhtunkhwa Service Tribunal on behalf of Director General (Ext), Livestock & Dairy Development Department Khyber Pakhtunkhwa, Peshawar (Respondent No.02).

FOR DIRECTOR GENERAL
(DR. ALAMZEB (DHQ))