

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALCAMP COURT, SWAT

Service Appeal No. 435/2015

Date of Institution... 14.04.2015

Date of decision ... 05.07.2017

Quwat Khan S/o Bakht Zada
R/o Muhalla Tube Well Colony, Bara Drushkhela,
Tehsil, Matta, District Swat. ... (Appellant)

VERSUS

1. The Government of Khyber Pakhtunkhwa through Secretary, Public Health Department, Peshawar and others. ... (Respondents).

AZIZ-UR-RAHMAN,
Advocate ... For appellant.

MR. MUHAMMAD ZUBAIR,
District Attorney ... For respondents.

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

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN:- Arguments heard and
record perused.

FACTS

2. Brief facts of the present appeal are that the appellant had applied for extraordinary leave from 01.10.2012 to 31.12.2014 and without the sanction of the leave he proceeded on leave. On his absence some notices (almost eight) were issued on his home address at Swat and thereafter he was proceeded against under Rule-9 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules, 2011 and finally the proceedings were culminated into termination of his service on 23.09.2013. The appellant has then filed a Writ

Petition on 29.12.2014 which was withdrawn on 17.2.2015 for approaching this Tribunal. During pendency of that writ a departmental appeal was preferred by the appellant on 07.2.2015 and after the withdrawal of writ this appeal has been filed on 14.04.2015.

ARGUMENTS

3. The learned counsel for the appellant based his arguments mainly on two grounds. One was that the absence of the appellant was not wilful, therefore, this penalty cannot be sustained and that the appellant was not in the knowledge of his termination order as no communication was even made to him by the department and it was for the first time that the same brought into his notice on 2.2.2015 when comments were filed by the department in the Worthy High Court in the said writ petition. He further argued that in case this Tribunal reaches the conclusion that the absence was wilful then the penalty imposed is not commensurate with the breach/misconduct/absence of the appellant for the reason that he served for almost 17 year having unblemished service record and this penalty should be converted into compulsory retirement keeping in view the service record and length of service of the appellant. He further argued that when the leave was not dis-allowed specifically then it could not be taken to the detriment of the appellant and on this score too, one cannot say that absence was wilful. In this regard the learned counsel for the appellant referred to a judgment of the august Supreme Court of Pakistan entitled "*Javed Akhtar Vs. Chief Engineer, Highway Department*" reported as 2006-SCMR-1018. He also relied upon a judgment entitled "*Muhammad Naveed Anwar Vs. Auditor General of Pakisan*" reported as 2015-PLC (C.S) 1432 and another judgment of august Supreme Court of Pakistan entitled "*Muhammad Ali Bukhari Vs. Federation of Pakistan*" reported as 2008-

SCMR-214 wherein in similar circumstances the penalty was converted from dismissal to compulsory retirement.

4. On the other hand learned District Attorney argued that the appellant was served with almost 8 show cause notices which were served under the law through registered acknowledgements. That he was in the knowledge of the termination order. ~~That his departmental appeal as well as present appeal are time~~ barred.

CONCLUSION.

5. After hearing the arguments of both the learned counsel for the parties and perusing the record this Tribunal reaches the conclusion that the proceedings of wilful absence were conducted by the department under Rule 9 of the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 which rule has been given overriding effect over other laws. These rules provide a special procedure for taking action against the wilful absentee by issuing notice through registered acknowledgement on his home address and if the same is received back undelivered and no response is received then a notice shall be published in two leading newspapers to explain his position within stipulated period failing which an ex-parte proceedings shall be taken against the absentee and major penalty of removal from service may be imposed upon him.


6. The issue of wilful absence is to be determined first as it is settled proposition of law that absence from duty for a single day without prior sanction is not only wilful but is also misconduct. The appellant was, at least, in the knowledge that no sanction has been accorded in the leave sought for by him. Therefore it cannot be said that the absence was not wilful on the ground that there was no order of refusal or sanction of leave. Now Rule 9 gives a special procedure

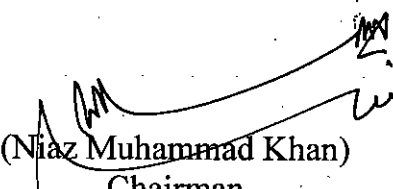
to be adopted by the competent authority in cases of wilful absence which does not enlarge the discretion of the competent authority to see that whether the absentee is residing in country or outside the country or notice was served upon him or not. The department has therefore, rightly followed the procedure. There was no authority with the department to send the notices on his address abroad nor there is any provision that if any absentee is leaving abroad then publication shall be made in foreign newspapers. This Tribunal sits in appeal against the decisions of departmental authorities and if any illegality or irregularity is committed by the departmental authority then this Tribunal can reverse or modify the order of departmental authority which is not the case here as proper procedure has been followed. Secondly after the publication in newspapers it shall be presumed under the law that not only absentee but public at large having no concern with the advertisement are informed about the contents of the advertisement including the period of 15 days of termination from service written in the newspaper is the notice to appellant that he would be terminated after 15 days. Therefore it cannot be argued before that the department should have communicated the termination order in writing to the appellant. The appellant was therefore in the knowledge of termination order under the law. He should have filed departmental appeal within stipulated time and then should have approached the Tribunal within time specified under the law. Approaching the Worthy High Court in the matter regarding the terms and conditions looks somewhat strange when in para-4 of the writ petition it has been specifically mentioned that the appellant was orally informed that he was not more in service than the appellant should have approached this Tribunal and not to the Worthy High Court. It is now the settled proposition of law that even the vires of law relating to terms and conditions of a civil servant is outside the purview of the Worthy High Court. As per judgment of the august Supreme Court of Pakistan entitled "*Muhammad Suleman Versus*

Commissioner of Intax Tax/Wealth Tax, Faislabad" reported as 2012-SCMR-80 wherein the time spent before the High Court was not condoned by holding that such action of appellant was absolutely irrelevant and would not extend the period of limitation. The present appeal is, therefore, hopelessly time barred because the departmental appeal was also time barred.

7. The only legal infirmity which has been noticed by the Tribunal is that the appellant should have been removed from service rather than the termination. But this order can be modified by this Tribunal only when the appeal is maintainable and this Tribunal assumes the jurisdiction. Similarly the conversion of one type of penalty into another type of penalty can only be ordered when this Tribunal has assumed the jurisdiction. Since the appeal is time-barred and this Tribunal has no jurisdiction even to entertain peripheral/secondary and ancillary issue of modification of the penalty. So far as the judgment of the august Supreme Court of Pakistan regarding proceedings on leave without sanction is concerned (2006-SCMR-1018) it pertains to a situation where medical slips were issued by the hospital duly countersigned by the medical officer which is not the case here because that judgment has confined itself to peculiar circumstances of that case.

8. Consequently this appeal is dismissed by leaving the parties to bear their own costs. File be consigned to the record room.


(Muhammad Amin Khan Kundi)
Member

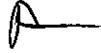

(Niaz Muhammad Khan)
Chairman
Camp Court, ~~Swat~~

ANNOUNCED
05.07.2017

435/2015

09.11.2016

Agent to counsel for the appellant and Mr. Muhammad Zubair, Sr.GP for respondents present. Counsel for the appellant is not in attendance due to death of his relative. Requested for adjournment. Adjourned for final hearing to 06.03.2017 before D.B at Camp Court Swat.



Member



Chairman
Camp court, Swat

06.03.2017

Appellant in person and Mr. Sher Alam Khan, Supervisor alongwith Mr. Muhammad Zubair, Senior Government Pleader for the respondents present. Due to strike of the bar counsel for the appellant is not in attendance. To come up for final hearing on 05.07.2017 before the D.B at camp court, Swat.



Member

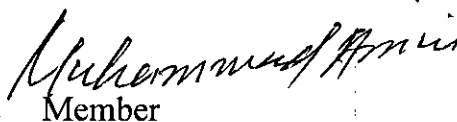


Chairman
Camp court, Swat

05.07.2017

Counsel for the appellant and Mr. Muhammad Zubair, District Attorney for the respondents present. Arguments heard and record perused.

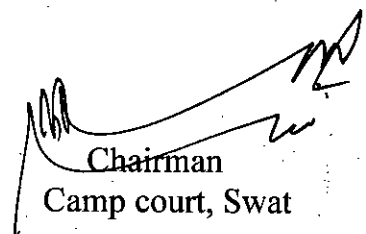
Vide our detailed judgment of to-day, this appeal is dismissed, leaving the parties to bear their own costs. File be consigned to the record room.



Member

ANNOUNCED

05.07.2017



Chairman
Camp court, Swat

5.10.2015


Counsel for the appellant and Mr. Falak Naz SDO alongwith Mr. Muhammad Zubair, Sr. GP for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 12.1.2016 at Camp Court Swat.


Chairman
Camp Court Swat

12.01.2016

Appellant with counsel and Mr. Muhammad Zubair, Sr,GP for respondents present. Rejoinder submitted while request for adjournment for arguments was made. To come up for final hearing before D.B on 12.07.2016 at Camp Court Swat.



Member


Chairman
Camp Court Swat

12.7.2016

Counsel for the appellant and Mr. Muhammad Zubair, Sr.GP for the respondents present. Counsel for the appellant requested for adjournment. To come up for final hearing on 09.11.2016 before D.B at camp court, Swat.


Member

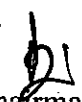

Chairman
Camp Court, Swat

3 1.6.2015

Appellant with counsel present. Learned counsel for the appellant argued that the appellant was appointed as Chowkidar in Public Health Department vide order dated 29.5.1995. That the appellant applied for extra-ordinary leave for 820 days w.e.f 1.10.2012 which application was processed and that respondent No.3 verbally allowed the appellant to avail the leave. That the appellant was dismissed from service vide impugned order dated 23.9.2013 communicated to the appellant on 2.2.2015 regarding which he preferred departmental appeal on 7.2.2015 which was not responded and hence the instant service appeal on 13.5.2015.

That the impugned order of dismissal is against facts and law as the appellant has not wilfully absented himself and moreover the inquiry was not conducted in the prescribed manners.

Points urged need consideration. Admit, subject to all legal objections. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply for 3.8.2015 before S.B at camp court Swat.


Chairman
Camp Court Swat

3.8.2015

Appellant with counsel and Mr. Noor Rehman, SDO alongwith Mr.Muhammad Zubair, Sr.G.P for respondents present. Requested for adjournment. To come up for written reply/comments on 5.10.2015 before S.B at Camp Court Swat.


Chairman
Camp Court Swat



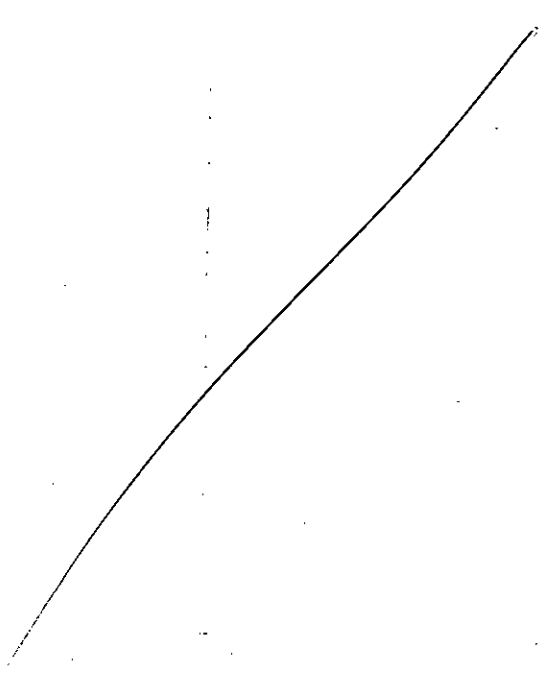
Appellant Deposited
Security & Process Fee



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 435/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	13.05.2015	<p>The appeal of Mr. Mr. Quwat Khan resubmitted today by Mr. Aziz-ur-Rehman Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR - 13/5/15</p>
2	13-5-15 th	<p>This case is entrusted to Touring Bench Swat for preliminary hearing to be put up thereon <u>01-6-15</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> 


This is an appeal filed by Mr. Quwat Khan today on 14/04/2015 against the termination from service against which he preferred/made a departmental appeal on 7.2.2015 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action and also removing the following deficiencies.

- 1- Copy of termination order mentioned in the heading of the appeal is not attached with the appeal which may be placed on it. The letter dated 18.9.2013 Annexure-E is not a termination order.
- 2- The authority to whom the departmental appeal was made/preferred has not been arrayed a party.

No. 499/ST,

Dt. 15/4/2015


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Aziz-ur-Rehman Adv. Swat.

Sis,

Resubmitted after doing the needful.
Furthermore correction has been made with hand
by me. The fill may please be placed
before the Honorable Tribunal.

Inded

Inded Ullah
Advocate Suet

7/5/2015

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

Service Appeal No. 435 of 2015

Quwat Khan S/o Bakht Zada R/o Muhalla Tube Well Colony, Bara Drushkhela,
Tehsil Matta, District Swat.

...Appellant

VERSUS

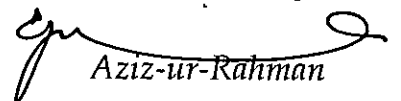
The Government of Khyber Pakhtunkhwa through Secretary Public Health
Department and Others.

...Respondents

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Appellant Through


Aziz-ur-Rahman

Advocate Swat

Office: Khan Plaza, Gulshone Chowk,

Mingora Swat, Cell 0300 907 0671

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BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 435 of 2015

Quwat Khan S/o Bakht Zada R/o Muhalla Tube Well
Colony, Bara Drushkhela, Tehsil Matta, District Swat.

...Appellant

K.W.P. Province
Service Tribunal
Diary No. 342
Dated 14-4-2015

VERSUS

1. The Government of Khyber Pakhtunkhwa through Secretary Public Health Department, Peshawar.
2. The XEN Public Health Department Swat at Saidu Sharif, Swat.
3. The SDO Public Health Department Swat at Saidu Sharif, District Swat.
4. The Superintending Engineer Public Health Dept. Swat ... Respondents

Indef

APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974 AGAINST THE
ORDER NO. 025/02 DATED SWAT THE
Indef 23/09/2013 (WHICH WAS NEVER
COMMUNICATED, BUT THE APPELLANT
GOT KNOWLEDGE WHEN THE SAME WAS
PRODUCED IN COMMENTS TO THE WRIT
PETITION FILED BY THE APPELLANT ON
(02-02-2015) WHEREBY THE SERVICE OF
THE APPELLANT WAS TERMINATED
AGAINST THE LAW, RULES AND FACTS
HENCE LIABLE TO BE SET ASIDE.
FURTHER THAT THE APPELLANT
FEELING AGGRIEVED OF THE SAID
ORDER FILLED A DEPARTMENTAL
APPEAL WHICH IS STILL PENDING
DISPOSAL DESPITE THE STATUTORY
PERIOD OF TIME.

Indef

14/4/15

submitted to-*Indef*
filed.

Indef
13/5/15

PRAYER:

That on acceptance of this appeal the order impugned i.e. order no. O&S/02 dated swat the 23-09-2013, of which the appellant got the knowledge on 02-02-2015, may very kindly be set aside being void ab initio and the appellant reinstated back into service with all back benefits in the shape of seniority, salary and other incentives.

Respected Sir,

Facts:

- I. *That the appellant was appointed as Tube Well Chowkidar on Water Supply Scheme at Bara Drushkhela Tehsil Matta District Swat on 29-05-1995. Copy of the appointment order is enclosed as Annexure "A".*

- II. *That the appellant was regularly performing his duties to the satisfaction of the authorities, without any objections, whatsoever.*

- III. *That the appellant applied for leave without pay for a period of 27 months with effect from 01-10-2012 to 31-12-2014 i.e. total of 822 days, on the prescribed form duly filled in by the respondent No. 3, who also certified that the leave applied for was admissible and necessary conditions are fulfilled. Copy of the prescribed form duly certified and signed by the respondent No. 3 is enclosed as Annexure "B".*

- IV. *That the appellant arrived at his village just before his leave was to end i.e. 31-12-2014, to his astonishment he found a letter No. 021/31219 dated 11-06-2013 issued by the respondent No. 2, wherein the appellant was asked to attend the office of the respondent No. 3 and to explain his position with regards his non availability in the office. Copy of the letter is enclosed as Annexure "C".*

- V. *That the appellant attended the office of the respondent No. 3 and placed before him the afore mentioned documents along with an application to the respondent No. 2. Copy is enclosed as Annexure "D", but the appellant was verbally told that he is no more in service. The appellant asked for anything in black and white, but both the respondents neither assigned him any duty nor showing any reason therefore in writing against the law and rules on the subject.*

- VI. *That feeling aggrieved from the act of neither providing any reason nor assigning the appellant any duty, the appellant filed a writ petition bearing No. 627-M/2014 on the grounds that he may be allowed to continue his duties, as no other quick and efficacious remedy was available to him by then.*

- VII. *That in response to the said writ petition when the respondents filed their comments so the impugned order of termination came for the first time in the knowledge of the appellant i.e. on 02-02-2015, when he got the copy of the*

comments. Copy of the order is enclosed as Annexure "E".

VIII. That the order of termination is made in a very secretive manner and the same has neither been communicated to the appellant nor endorsed to him either.

IX. That feeling aggrieved of the said order the appellant filed a departmental appeal which is still pending disposal despite the statutory period of time. Copy of the appeal is enclosed as Annexure "F". Hence this service appeal on the following grounds.

Grounds:

A. That the appellant has more than 10 years of continuous service at his credit. The appellant had properly applied for the leave, which was duly processed and not rejected. Nevertheless if any further action was to be taken, it was on the part of the respondents, so far as the appellant was concerned the respondent No. 3 fulfilled the requirements, certified and signed the prescribed form for leave of 822 days starting from 01-10-2012 to 31-12-2014 as leave without pay.

B. That the appellant has neither been communicated any order regarding the non-acceptance of the leave nor any thing with regards the cancellation of the same, therefore, without any reason the appellant may not be

allowed to suffer in the circumstances i.e. for the lapse on the part of the respondents.

- C. That the fundamental right of the appellant has been denied to him by not adhering to the Golden Principles of Natural Justice and that of Audi Alteram Partem, which is never approved by the law and rules emanating from the constitution.
- D. That the respondents have misused their official authority in a very arbitrary and chaotic manner, which is never approved of under the law and guidelines laid down by the August Supreme Court.
- E. That the appellant has never willfully absented himself from his duty rather he has proceeded on leave after adopting the due course of law.
- F. That the appellant has never committed any act of commission or omission which may constitute any offence under any law.

It is, therefore, very respectfully prayed that on acceptance of this appeal the order impugned i.e. order No. O&S/02 dated Swat the 23-09-2013, of which the appellant got the knowledge on 02-02-2015, may very kindly be set aside being void ab initio and the appellant reinstated back into service with all back benefits in the shape of seniority, salary and other incentives.

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*Any other relief deemed appropriate in the
circumstances may also very kindly be granted.*

Appellant

Quwat Khan

قوت خان

Through Counsels,

Aziz-ur-Rahman

Imdad Ullah

Advocates Swat

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BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2015

Quwat Khan S/o Bakht Zada R/o Muhalla Tube Well
Colony, Bara Drushkhela, Tehsil Matta, District Swat.

...Appellant

VERSUS

The Government of Khyber Pakhtunkhwa through
Secretary Public Health Department and Others.

...Respondents


Affidavit

I Quwat Khan state on Oath that all the contents of this
appeal are true and correct to the best of my knowledge and
belief and nothing has either been kept concealed or
misstated before this Honourable Tribunal.

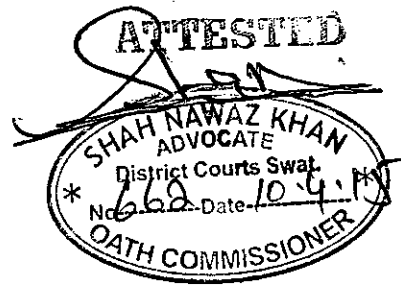
Deponent

قوت خان
Quwat Khan

Identified by:


Imdad Ullah

Advocate Swat



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BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2015

Quwat Khan S/o Bakht Zada R/o Muhalla Tube Well
Colony, Bara Drushkhela, Tehsil Matta, District Swat.

...Appellant

VERSUS

The Government of Khyber Pakhtunkhwa through
Secretary Public Health Department and others.

...Respondents

ADDRESSES OF THE PARTIES

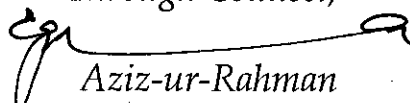
Appellant:

Quwat Khan S/o Bakht Zada R/o Muhalla Tube Well
Colony, Bara Drushkhela, Tehsil Matta, District Swat.

Respondents:

1. The Government of Khyber Pakhtunkhwa through
Secretary Public Health Department, Peshawar.
2. The XEN Public Health Department Swat at Saidu
Sharif, Swat.
3. The SDO Public Health Department Swat at Saidu
Sharif, District Swat.

4. The Superintendent Engrs: Appellant
Public Health Dept: Swat. Through Counsel,


Aziz-ur-Rahman

Advocate Swat

06 / Dated Saidu Sharif Distt.

"A"

(9)

Annexure-----

Mr. Quwat Khan S/O

Mr. Bakhat Zada

Vill: Bara Durshkhela

Distt: Swat

OFFER FOR APPOINTMENT

Interview dated 24-4-95

Subject:-
Reference:-

In consultation with Departmental Selection Committee
You are hereby offered an appointment to purely temporary and contract
basis for a period of one year as Chowkidar at Rs. 1200/- fixed
per month on Water Supply Scheme Durshkhela Distt: Agency
Swat on the following terms and conditions.

- 1) Your appointment will be on purely temporary basis as a stop gap arrangement on contract basis for period of one year extendable till your services are required by the Department. For which then you will have to furnish a fresh agreement for the same.
- 2) Your appointment as Chowkidar (Contract basis) is liable to termination at any time, without assigning any reasons during the period of contract. If your work during the period is not found satisfactory.
- 3) You will be liable to serve anywhere in the Agency with Engg: Division Saidu Sharif Swat during contract period.
- 4) You will have no claim to the right of seniority.

If you are willing to accept the above mentioned terms and conditions you should sign the attached agreement in duplicate and submit the same to Sub-Divisional Officer Public Health Engg: Division Swat upto 14/6/95 alongwith your arrival report for duty which the offer stand cancelled automatically.

[Signature]
Executive Engineer
Public Health Engg: Division
Saidu Sharif Swat.

- Copy forwarded to:-
1. The Superintending Engineer PHE Circle Muzora for information please.
 2. The District Accounts Officer Swat for information please.
 3. The Sub-Divisional Officer PHE S/Divn: Swat dated 11/5 for information w/r to his letter No: 112
 4. The Divisional Accountant (Local) for information.
 5. Office Order File.

[Signature]
Advocate

Executive Engineer
Public Health Engg: Division
Saidu Sharif Swat.

Better copy

10

OFFICE OF THE EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG: DIVISION SAIDU SHARIF SWAT.

No. 31219/ 06/ Dated Saidu Sharif the 29 / 5 / 1995

Mr. Qutwat Khan S/O

Mr. Bakhat Zada.

Vill: Bara Drushikhela

Distt: Swat.

Subject:- OFFER FOR APPOINTMENT.

Reference:- Interview dated 24-4-95.

In consultation with Departmental Selection Committee you are hereby offered an appointment to purely temporary and contract basis for a period of one year as chowkidar at Rs. 1200/- fixed per month on Water Supply Scheme Drushikhela Distt: / Agency Swat on the following terms and conditions.

- 1) Your appointment will be on purely temporary basis as a stop gap arrangement on contract basis for period of one year extendable till your services are required by the Department. For which then you will have to furnish a fresh agreement for the same.
- 2) Your appointment as Chowkidar (Contract basis) is liable to termination at any time, without assigning any reasons during the period of contract appointment. If your work during the period is not found satisfactory.
- 3) You will be liable to serve any where in Public Health Engg: Division Saidu Sharif Swat during contract period.
- 4) You will have no claim to the right of seniority.
- 5) If you are willing to accept the above mentioned terms and conditions you should sign the attached agreement in duplicate and submit the same to Sub Divisional Officer Public Health Engg: S/Division Swat up to 14 / 6 / 95 along with your arrival report for duty failing which the offer stand cancelled automatically.

--sd--

EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG: DIVISION
SAIDU SHARIF SWAT.

Copy forwarded to:-

1. The Superintending Engineer PHE Circle Mingora for information please.
2. The District Accounts Officer Swat for information please.
3. The Sub Divisional Officer PHE S/Divn: Swat for information w/r to his letter Nil dated Nil.
4. The Divisional Accountant (local) for information.
5. Office Order File.

--sd--

EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG: DIVISION
SAIDU SHARIF SWAT.

Attested
Indul
Advocate
1-10-95

To

The Xen,
WS&S Swat

Subject: - To grant long leave.

Sir,

With due respect I would like to bring before your kind notice that I intend to supraise my under constructing house in Karachi, and go to the ummrah and hajj that is why I need long leave for the period of twenty seven 27 months only.

I will be much obliged you kindly bestow me leave for the mentioned period thanks.

SDO PHE Matta
For long vacation 9 months plz
SDO Matta
for discuss plz
Xen: / 13

Yours obediently,
Quwat Khan
Name: Quwat Khan,
Dis: Chwkidar in
Baradurushkhela, tubewell
Apt Date: 14/06/1995
Res: Baradurushkhela Matta Swat
Form: 01/10/2012 to 01/01/2015

Core No. *31219/ob(u-o)dt: 13-9-12*
Diary No. *1101*
Date: *13-9-2012*
ADO
HC
DAO
HO

Forwarded and recommended to P.E.M. PHE Division for further necessary action

H/K
Xen: / 13

E/C
For 9 months
Xen: / 13

Attested
Quwat Khan
Advocate

APPLICATION FOR LEAVE

Notes:- Item 1 to 9 must be filled in by all applicants. Item 12 applies only in the case of Government servants of B.P.S. 16 and above.

- 1. Name of applicant. *Mr. Sunat Khan*
- 2. Leave Rules applicable. *Revised Leave Rules 1981*
- 3. Post held. *Chowkidar*
- 4. Department or office. *Public Health Engg. Sub Division Matia*
- 5. Pay. *Rs. 7350/-*
- 6. House Rent Allowance/Conveyance Allowance or other compensatory allowances drawn in the present post.
- 7. (a) Nature of leave applied for. *Extra ordinary leave (without pay)*
(b) Period of leave in days. *822 days*
(c) Date of commencement. *1-10-2012*
- 8. Particular Rule/Rules under which leave is admissible.
- 9. (a) Date of return from last leave.
(b) Nature of leave.
(c) Period of leave in days: *قوت 6 ن*

Date Signature of applicant.

10. Remarks and recommendation of the Controlling Officer.

11. Certified that leave applied for is admissible under Rules and necessary conditions are fulfilled

Date

Signature
Designation

*Sub Divisional Officer
Public Health Engg. S/Divn
Swat. at Matia*

12. Report of Audit Officer.

Date

Signature
Designation.

13. Orders of the sanctioning authority certifying that on the expiry of leave the applicant is likely to the same post carrying the compensatory allowance being drawn by him.

Date

Signature
Designation.

Attested
[Signature]
Advocate

Annexure

6/13



OFFICE OF THE
EXECUTIVE ENGINEER OFFICER
PUBLIC HEALTH ENGINEERING DIVISION SWAT

Phone No.0946-9240163

Fax No.0946-9240163

No. 021 31219
To,

Dated Swat the, 11/06/2013.

✓ Mr: Quat Khan (Chowkidar)
WSS Bara Durshkhela
Tehsil Matta Distt: Swat.

Subject:
Reference:

ABSENT FROM GOVTT: DUTY.

1. SDO PHE Swat No. E-5/04 dated:12.01.2012.
2. SDO PHE Swat No. E-5/01 dated:13.11.2012.
3. SDO PHE Swat No. E-5/01 dated:11.12.2012.
4. SDO PHE Swat No. E-5/01 dated:19.02.2013.
5. SDO PHE Swat No. E-5/01 dated:2.04.2013.
6. This Office No. 03/31219 dated:26.4.2013.

Refer to above and it is once again desired to attend the office of Sub Divisional Officer in charge and explained your position of will full absence from government duty immediately otherwise disciplinary action of Govt: Servant will be initiated against you.

J. E. Mulla
EXECUTIVE ENGINEER

Copy to SDO PHE S/Division Matta with reference to above and he is directed to further development may be communicated alongwith their comments to proceed further accordingly.

EXECUTIVE ENGINEER

Attested

Mulla
Advocate

بخدمت جناب ایس ای این صاحب ڈبلیو ایس اینڈ ایس سوات

جناب عالی!

مسودہ بانہ گذارش کی جاتی ہے کہ میں نے بمورخہ 01-10-2012 پر 822 دن کی بلا معاوضہ چھٹی کیلئے درخواست گزار تھی۔ میرے چھٹی کی مدت 31-12-2014 پر ختم ہوئی ہے۔ لہذا عرض ہے کہ مجھے ڈیوٹی دینے کا آرڈر صادر فرمادیں۔ تو دعا گو ہوں گا۔

العارض

قوت خان ولد بخت زادہ

چوکیدار ٹیوب ویل برہ درتخیلہ ملہ سوات

مورخہ 26-12-2014

Attested
Indial
Advocate
Jaw



OFFICE OF THE EXECUTIVE ENGINEER
PUBLIC HEALTH ENGINEERING DIVISION SWAT
Tele./Fax# 0946-9240163

Annexure

"E"

15

No. 10 / 31219,
To,

Dated Swat the, 18/09/2013,

The Superintending Engineer
Public Health Engg: Department
Circle Swat.

Subject:
Ref:-

TERMINATION FROM SERVICE

your office letter No. E-8/02 dated 29-07-2013.

Mr. Quat Khan was appointed as a Tube Well Chowkidar on Water Supply Scheme at Bara Drushkhela Tehsil Matta District Swat vide office order No.31219/06 date 29-05-1995. The official reported his arrival for duty on 29-05-1995 but he is absent from Government duty since 12-10-2012 till now.


In this context the case was assigned to Divisional Accounts Officer (local) for enquiry, he is proceeded the case and recommended to issue the show cause notice and take further action accordingly vide his No.31219/04, dated 28-08-2013, this office have issue the show cause notice for attendance of Govt: duty within seven days vide daily news paper Mashriq dated 7th September 2013. (photo copy attached)

After fulfillment of all the formalities the case is submitted for his termination from service under intimation to this office to proceed further accordingly please.

DA/AS above

Copy for information to:-

1. The Inquiry Officer (Divisional Accounts Officer) Local with reference to above quoted letter.
2. The Sub-Divisional Officer PHE Sub Division Matta with reference to his letter No. E-5/02 dated 19-07-2013.


EXECUTIVE ENGINEER

EXECUTIVE ENGINEER

Attested


Advocate

Tagg
[Handwritten signature]

[Handwritten signature]
15A



OFFICE OF THE
SUPERINTENDING ENGINEER
PUBLIC HEALTH ENGINEERING CIRCLE SWAT
E mail: sepheawat@yahoo.com
Tele # 0946-9240048

Dated: 23/09/2013

No. O&SID/

OFFICE ORDER (TERMINATION FROM SERVICE)

While considering the recommendations submitted by Executive Engineer, Public Health Engineering Division Swat vide his letter No.10/31219 dated 18-09-2013, and fulfillment of all codal formalities, Mr. Quat Khan Tube Well Chowkidar on Water Supply Scheme, at Bara Drushkela Tehsil Matta District Swat is hereby terminated from Govt. Service with immediate effect as per Govt. Civil Servant Rules.

SUPERINTENDING ENGINEER

Dated: 23/09/2013

Ends: No. E-8/02

Copies forwarded for information and necessary action to:-

1. The Executive Engineer Public Health Engineering Division Swat.
2. The Sub Divisional Officer Public Health Engineering Division Swat, Matta
3. The Deputy Commissioner Swat.
4. The District Comptroller of Accounts Swat.
5. Official Concerned

[Handwritten signature]
SUPERINTENDING ENGINEER

SDA
F.A.
[Handwritten signature]

E-5

[Handwritten signature]
Sub Divisional Officer
Public Health Engg: Swat, Matta

ATTESTED

[Handwritten signature]

ADVOCATE

To

Annexure "F"

16

The Superintending Engineer,
Public Health Engg: Department,
Swat.

Subject: Appeal against the order No. O&S/02 dated Swat the 23/09/2013 (which was never communicated, but the appellant got knowledge when the same was produced in comments to the writ petition filed by the appellant on 02-02-2015) whereby the service of the appellant was terminated against the law, rules and facts hence liable to be set aside.

Prayer:

That on acceptance of this appeal the order impugned i.e. order No. O&S/02 dated Swat the 23-09-2013, of which the appellant got the knowledge on 02-02-2015, may very kindly be set aside being void ab initio and the appellant reinstated back into service with all back benefits in the shape of seniority, salary and other incentives.

Respected Sir,

The appellant submits as under:

That the appellant was appointed as Tube Well Chowkidar on Water Supply Scheme at Bara Drushkhela Tehsil Matta District Swat on 29-05-1995.

That the appellant was regularly performing his duties to the satisfaction of the authorities, without any objections, whatsoever.

That the appellant applied for leave without pay for a period of three years on the relevant form, which application was duly forwarded by the authority and the appellant was verbally told by the concerned officer to proceed on the requested leave, where after the appellant proceeded on leave.

That just before his leave was to end i.e. 31-12-2014 he reported back to his office to report his arrival, but the same was never accepted neither was the appellant assigned any duty without any reason at all.

ATTESTED
Vided

ADVOCATE

That feeling aggrieved from the act of neither providing any reason nor assigning the appellant any duty, the appellant filed a writ petition bearing No. 627-M/2014 on the grounds that he may be allowed to continue his duties.

That in response to the said writ petition when the respondents filed their comments so the impugned order of termination came for the first time in the knowledge of the appellant i.e. on 02-02-2015, when he got the copy of the comments.

That the order of termination is made in a very secretive manner and the same has neither been communicated to the appellant nor endorsed to him either.

That in violation of all the legal and codal formalities, mandatory under the law and rules contemplating the matter, hence the same is not tenable in the eyes of law and is liable to be set aside being void ab initio.

That the fundamental right of the appellant has been denied to him by not adhering to the Golden Principles of Natural Justice and that of Audi Alteram Partem, which is never approved by the law and rules emanating from the constitution.

That the appellant has never willfully absented himself from his duty rather he has proceeded on leave after adopting the due course of law.

That the appellant has never committed any act of commission or omission which may constitute any offence under any law.

That the appellant wants to be heard in person.

It is, therefore, very respectfully prayed that on acceptance of this appeal the order impugned may very kindly be set aside and the appellant reinstated into service with all back benefits.

Appellant

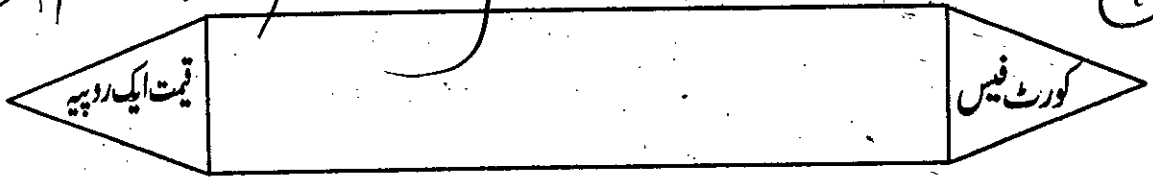
قوت خان Quwat Khan

7/2/2015

Attested

Inded
Advocate

بعد الت جہا سے روٹی لگائی گئی اور ایک روپیہ



مورخہ ۹ اہل کلہ منجانب ایسٹرن
 مقدمہ کوئے خان بنام حکومت و صدر
 دعویٰ جس میں ایسٹرن
 جرم باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام سے روٹی لگائی گئی اور ایک روپیہ / عزیز الرحمن اللہ شاہ پٹوکیس مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوا ایسے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند ہے

المرقوم ۹ اہل کلہ

السعد گواہ شہادہ العبد
 روٹی لگائی گئی اور ایک روپیہ
 مقام کے لئے منظور ہے
 Attested and Accepted by

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.435 of 2015

Quwat KhanAppellant

VERSUS

Govt: of KPK & others.....Respondents

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Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No.435 of 2015

Quwat Khan,R/O Mohallah Tube well Colony,Bara Drushkhela.Tehsil Matta Swat.

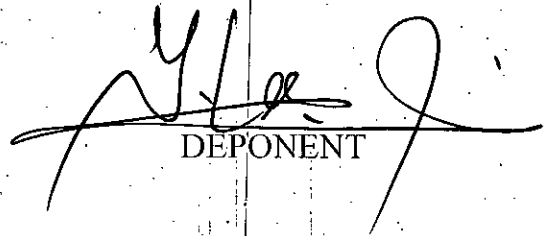
Appellant

VERSUS

Govt: of Khyber Pakhtunkhwa.

AFFIDAVIT

I, Yousaf Khan, Executive Engineer Public Health Engg: Division Swat do hereby solemnly affirm that the contents of the accompanying written statement are true and correct to the best of my knowledge and nothing has been concealed from this honorable court.


DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL PESHAWAR

Service Appeal No.435 of 2015

Quwat Khan,R/O Mohallah Tube well Colony,Bara Drushkheja.Tehsil Matta Swat.

Appellant

VERSUS

1. Govt: of Khyber Pakhtunkhwa. Through Secretary Public Health Engg:Department Peshawar.
2. XEN Public Health Engg:Division Swat.
3. S.D.O Public Health Engg:Sub Division Matta Swat.
4. Superintending Engineer Public Health Engg:Circle Swat.

Appeal under section 4 of the Khyber Pakhtunkhwa Service Tribunal Act.1974.

Joint parawise comments on behalf of respondent No.1 to 4.

PRELIMINARY OBJECTIONS.

1. That the Petitioner has got no cause of action.
2. That the appeal as filed by the appellant is not maintainable in its present form.
3. That the appeal has no locus stand.
4. That the appellant is stopped by his own conduct to bring the appeal in hand.
5. That the appeal is time barred.

FACTS:

1. Correct
2. Incorrect.
3. Incorrect, the appellant applied for leave but not sanctioned from competent authority.
4. Apart from the aforementioned letter, other letters were also issued by respondents No.2 & 3 as well as show cause notice by respondent No.2 published in daily Mashriq Newspaper Peshawar/Islamabad and Awaze Swat Newspaper dated.07/09/2013(copy attached in Annexure-A). Notices were issued about willful absence and resumption of duty to the appellant, which are listed below (Annexure-B).
 1. SDO PHE Matta No.E-5/04 dated 12/10/2012
 2. SDO PHE Matta No.E-5/01 dated 13/11/2012
 3. SDO PHE Matta No.E-5/01 dated 11/12/2012
 4. SDO PHE Matta No.E-5/01 dated 19/02/2013
 5. SDO PHE Matta No.E-5/01 dated 22/04/2013
 6. XEN PHE Swat No.03/31219 dated 26/04/2013
 7. SDO PHE Matta No.E-5/03 dated 02/05/2013
 8. SDO PHE Matta No.E-5/01 dated 8/07/2013

Further more, Divisional Accounts Officer was appointed as inquiry Officer to report about the absence of the appellant. Inquiry Officer also issued letter No.31219/02 dated 12/08/2013 to the appellant regarding absence from duty. Wherein he clarified that the appellant neither attended the office nor replied to any letter and his whereabouts were unknown(Copy attached as annexure:C)

Similarly the inquiry Officer forwarded letter to respondent No.2 wherein he stated that the appellant was not available at home

as the register letter No.31219/04 dated 28/08/2013 returned undelivered with the remarks that the appellant was abroad at Saudi Arabia by the Postman (copy attached as Annexure-D).

- 5. Incorrect, proper procedure for the termination of the appellant has been followed by the respondents. As he is no more the part of this department, this is baseless/illegal to assign duty to the appellant.
- 6. Incorrect the appellant has been informed about termination with reason of long and willful absence. Writ Petition No.627-M/2014 has been filed by the appellant in Darul Qaza (High Court Mingora Bench) next date of hearing is fixed as 02/10/2015.
- 7. Incorrect. The appellant was already informed about his termination which took place vide No.O&s/02 dated 23/09/2013 issued by the competent authority (copy attached as Annexure-E).
- 8. Incorrect. Termination order has been carried out after fulfilling all the codal formalities (as explained in Para-4 of comment). Further more the appelant was settled abroad.

Grounds

- a. Correct/agreed, the appellant has more than 10 year's continuo's service. Further more as the respondent No.3 was not competent authority for the mentioned leave; hence he forwarded his application to the respondent No 2 for onward submission to the competent authority.
- b. As soon as the appellant submitted application, without waiting for the response/reply of application whether

accepted or rejected, he remained absent and his whereabouts were unknown.

- c. Incorrect, the appellant was informed several times through official letters to explain his position regarding willful absence but he neither attended the office nor explained his position.
- d. The respondents fulfilled all the legal formalities and took action under the rules.
- e. Incorrect, the appellant was willfully absent from duty for 27 Months without prior sanction of leave from the competent authority.
- f. The appellant remained absent from duty for 27 Months without sanction of leave and showed lack of interest and ignorance in government duty.

It is therefore requested most humbly prayed that in view of above explanation, the appeal may kindly be dismissed .

Sub Divisional Officer
PHE S/Division Matta

Executive Engineer
PHED Swat

Superintending Engineer
PHE Circle Swat

Secretary to Govt: of KPK
PHE Department Peshawar
Secretary to Govt. of
Khyber Pakhtunkhwa,
P.H.E. Department

Valled

Senior Government Pleader
Swat at Gulkada.

OFFICE OF THE EXECUTIVE ENGINEER
PUBLIC HEALTH ENGINEERING DIVISION SWAT
Tele/Fax # 0946-9240163

19

Dated Swat the, 03/09/2013

Assistant Director
Department: Malakand Division
Swat.

NOTIFICATION OF SHOW CAUSE NOTICE

Show cause notice in respect of Mr. Quat Khan Chowkidar of WSS at Bara Swat is submitted here with for publication in daily News Paper please.


EXECUTIVE ENGINEER

1. The Superintending Engineer PHE Circle Swat for information with reference to his letter No. E-8/02 dated: 29-07-2013.
2. The Enquiry Officer (DAO Local) for information with reference to his letter No.31219/04 dated: 28-08-2013.
3. The Sub Divisional Officer PHE Sub Division Matta for information with reference to his letter No.E-5/02 dated: 19-07-2013.

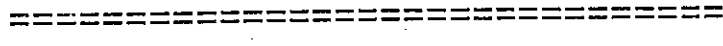

EXECUTIVE ENGINEER

P-719

OFFICE OF THE EXECUTIVE ENGINEER PUBLIC HEALTH ENGINEER

DIVISION SWAT Tele/Fax # 0946-9240163

نوٹس اظہار وجوہ بنام قوت خان ولد بخت زادہ
ٹیوب ویل چوکیدار (سکیل نمبر) واٹر سپلائی سکیم برہہ در شخیلہ تحصیل مٹہ ضلع سوات

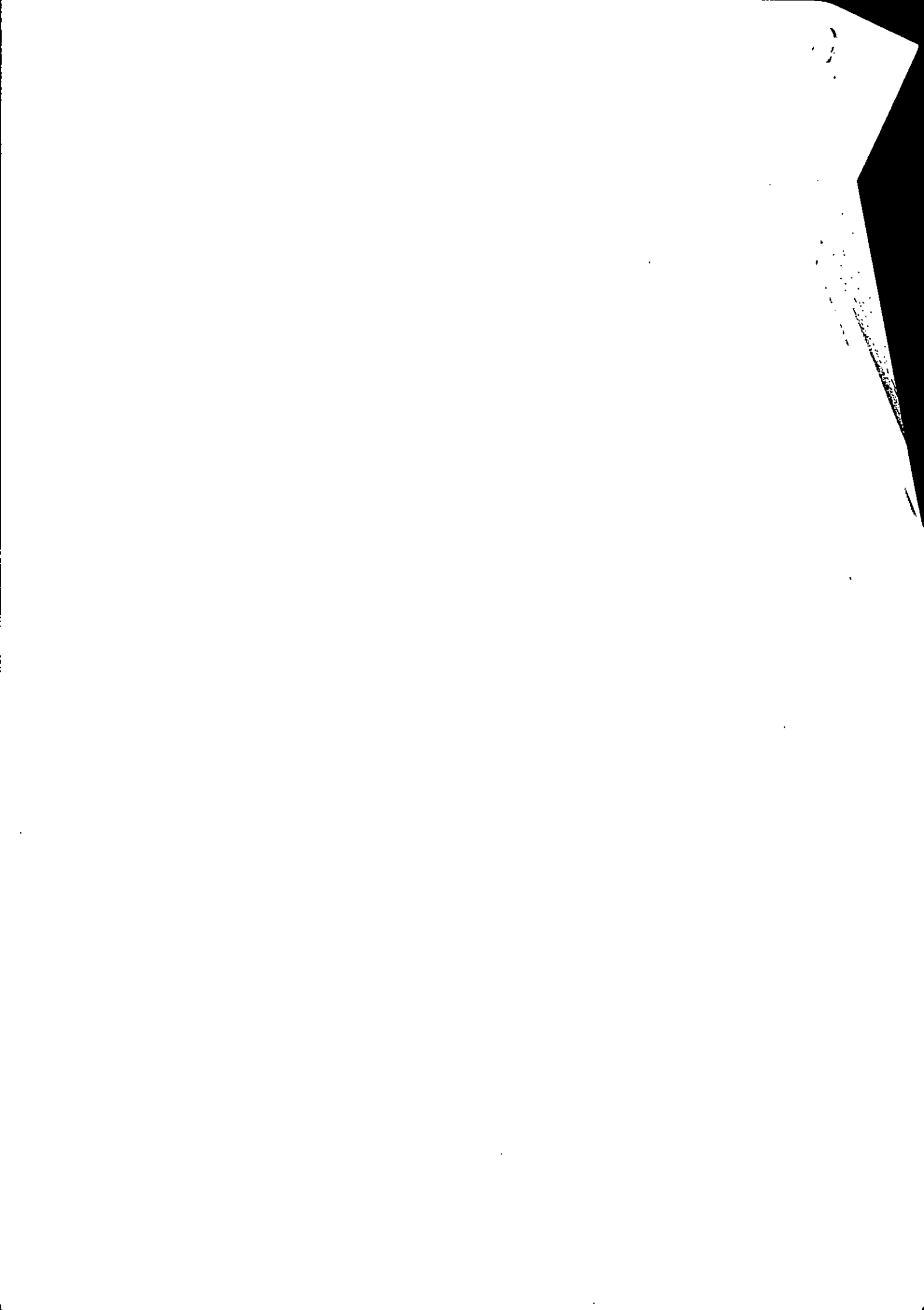


بذریعہ نوٹس ہذا آپ کو مطلع کیا جاتا ہے کہ تمہاری تقرری بحیثیت چوکیدار (سکیل نمبر) واٹر سپلائی سکیم برہہ در شخیلہ سوات پر بحوالہ آفس آرڈر نمبر 31219/06 مورخہ 29-05-1995 کو عمل میں لای گئی تھی۔ اور دفتر پبلک ہیلتھ سوات میں اپنی حاضری کی رپورٹ پیش کی تھی اور اس کے بعد مورخہ 12-10-2012 سے ابھی تک تم اپنی ایض منصبی سے غائب ہو۔ حالانکہ تمہارے گھر کے پتہ پر دفتر ہذا سے کی خطوط ارسال کیے جا چکے ہیں۔ اور آخری (A/L) نوٹس آپ کے گھر کے پتہ پر بحوالہ نمبر 548 مورخہ 19-08-2013 ارسال کیا تھا مگر محکمہ ڈاگ کے طرف سے اسے کہ بندہ سعودی عرب میں مقیم ہے اور تاحال تم اپنی ڈیوٹی پر حاضر نہیں ہوئے۔



اس لیے آپ کو بذریعہ ہذا اخباری نوٹس مطلع کیا جاتا ہے کہ سات (07) یوم کے اندر اندر دفتر ہذا کو حاضر ہو کر طویل غیر حاضری کی وجوہات بیان کریں ورنہ تمہیں نوکری کے طرف کیا جائیگا۔

اگر یکٹیوا بخیر
پبلک ہیلتھ انجنئرنگ ڈویژن سوات





Women Institute of Rehabilitation Sciences

Affiliated with Hazara University & Accredited with Higher Education Regulatory Authority

7th Batch Admissions Open

OFFERING ATTRACTIVE SCHOLARSHIP FOR BRILLIANT STUDENTS

Applicants are invited both for Pakistani and Foreign Nationals against a few vacant seats for admission in

Physiotherapy & Rehabilitation Medicine
 Course duration : 05 Years
 Eligibility : For Females only
 Minimum 60 % (unadjusted) marks in F.Sc (Pre-Medical) or B.Sc with Zoology Botany and Chemistry

Schedule	
Submission of application forms	23-09-2013
Release of Merit List	23-09-2013
Admission of Classes	24-09-2013 to 29-09-2013
Commencement of Classes	03-10-2013

FACILITY AVAILABLE WITHIN THE CAMPUS
 can be obtained from admission office for Rs 300 in cash or by deposit of Rs 150 in favour of Women Institute of Rehabilitation Sciences. Form can also be downloaded from our website

Women Institute of Rehabilitation Sciences
 Hazara Medical College, Wiro Road, Nawan Shehr, Abbottabad
 Phone 92-992-39058 / 390337, 391443 Ext : 328
 Mobile Numbers 032-9576024, 0322-9912963
 Website: www.wimt.edu.pk Email: info@wimt@gmail.com

گردوں کے مرض میں جتلاہت کش کی علاج معالجے کے لئے امداد کی اپیل
 گھر کا واحد کھیل ہوں، تمام جین اپنی علاج پر خرچ کی بیخبر حضرات کو کریں، مشرف شاہ جاردہ (قائد مشرق) سر ڈیڑھی روڑ کے رہائشی ہوئی ہے اور گردوں نے کام چھوڑ دیا ہے اور تمام جین گردوں کے مرض میں جتلاہت کش کی حکومت اور پوری علاج معالجے پر خرچ کی۔ اور اب علاج معالجے کی کوئی سکت نہیں ہے۔ انہوں نے سرکاری سطح پر علاج معالجے کے ساتھ تعاون کریں۔ انہوں نے کہا کہ معالجے کرنے اور بیخبر حضرات سے مالی تعاون کی اپیل میں دوسرا ڈیڑھی روڑ اور حضرت مروری کر کے بچوں کا ہیٹ کی ہے ان سے 03005862488 پر رابطہ کیا جائے۔

نوش اور اظہار وجودہ تمام قوت خان ولد بخت ترادہ
ٹیوب ویل چوکیدار (سکیل نمبر 1) اور اڑیسالی اسکیم برہہ درویشیہ تحصیل منٹل سوات
 بذریعہ نوش ذرا آپ کو مطلع کیا جاتا ہے کہ تمہاری تقرری بحیثیت چوکیدار (نمبر 1) اڑیسالی اسکیم برہہ درویشیہ تحصیل منٹل سوات پر بحالہ اس آرڈر نمبر 31219/06 مورخہ 29-5-1995 کو مل میں لائی گئی تھی اور دفتر پبلک ہیلتھ انجینئرنگ سب ڈویژن سوات میں اپنی حاضری کی رپورٹ پیش کی تھی اور اس کے بعد مورخہ 12-10-2012 سے اس کی تک اپنی اڑیسالی اسکیم میں سے قیام ہو چکا ہے اور تمہارے گھر کے پتہ پر دفتر ذرا سے کی خطوط ارسال کیے جا چکے ہیں اور آخری (ریٹائرڈ) نوش آپ کے گھر کے پتہ پر بحالہ نمبر 548 مورخہ 19-8-2013 ارسال کیا تھا مگر ٹکڑاگ کے طرف سے واپس لیا گیا ہے کہ بندہ ضروری سب میں قیام ہے اور تمام اپنی اڑیسالی اسکیم میں رہتا ہے۔
 اس لئے آپ کو بذریعہ ذرا انجینئر نوش مطلع کیا جاتا ہے کہ سات (07) یوم کے اندر اور دفتر ذرا کو حاضری کرنا پڑے گی ورنہ ماضی کی وجوہات بیان کریں ورنہ سب سے واپس لیا جائے گا۔
انجینئرنگ انجینئرنگ پبلک ہیلتھ انجینئرنگ ڈویژن سوات
ٹیلی فون ایکس 0946-9240163

سرسین ٹائٹس میٹریل کا استعمال
 اجتماع کرتے ہوئے اہل کام سے نوش نے کہا کہ مائیکرو غلطیوں میں غلطیوں سے متنبہ رہنا چاہئے اور (بقیہ صفحہ 10)



اور (کانویشن)
 پتہ: پریس کوارٹرز، سوات، اسلام آباد
 تاریخ: 1/10/13
 اس کے

سیشن	2008-2012
سیشن	2008-2010
سیشن	2009-2011
سیشن	2010-2012

نے دانے کر بجوش کومورخہ 30/9/13
 مل گاؤں زین کریم 30/9/13 پر اپنی سیٹوں پر
 برکن میں شرکت نہیں کریں گے انہیں
 کانویشن میں شرکت کیلئے ہر طالب علم
 کو ڈگری میں رجسٹریشن فیس، گاؤں زین کریم
 سے 700/- روپے قابل واپس ہوئے۔

نی ایک کانویشن میں شامل کرنے کیلئے
 ڈگری دئے ہوئے تاکہ انہیں شرکت کیلئے
 تیسریوں میں
 091-921826 برصالح کی جا سکتی ہیں۔

حکیم خان
اسلام آباد کالج پشاور

ٹینڈر نوٹس

درج ذیل کام کیلئے فریڈم کی فراہمی کے حوالے سے کاٹرز کیریڈن ہیڈ کوارٹرز ڈوشہہ کینٹ گواہیے کنٹرولنگ ڈائریکٹر جو کہ ایم جی (QMG) کی فریڈم کی فراہمی ہیں۔
 مورخہ 23 ستمبر 2013 تک ٹینڈر مطلوب ہیں۔ ٹینڈر دستاویزات دفتر AA & QMG کیریڈن ہیڈ کوارٹرز ڈوشہہ سے حاصل کیے جا سکتے ہیں۔
 کام کی تفصیل درج ذیل ہے۔

نمبر	جانب نمبر	کام کا نام	ٹینڈر بند ہونے کا وقت	ٹینڈر کھلا کا وقت	بیت نمبر
1	1623 (2013-14)	ڈی این ای کیریڈن ہیڈ کوارٹرز فریڈم کی فراہمی	23 ستمبر 2013 بوقت 12:00	23 ستمبر 2013 بوقت 12:30	11

PROVINCIAL HEALTH SERVICES ACADEMY (PHSA)
 HUBBARD ROAD BURAN PUR KHYBER PAKHTUNKHWA PESHAWAR
 PHONE NO: 091-2658861 / 2658858
 FAX NO: 091-261249 / PGPI LRH PHONE NO: 091-9211430 / 3243

MISSION OPEN FOR DIPLOMA COURSES SESSION 2014-15 (14TH BATCH)

We are invited from suitable candidates for the Diploma courses in the following Technologies for the session 2014-15. Applications form can be obtained from PGPI PIMTs D.J. Khan, Swat and Abbottabad.

CATEGORIES:
 (1) Cardiology, (2) Dental, (3) Dialysis, (4) Accident & Emergency
 (5) Gastroenterology, (6) Health, (7) Neuro-physiology, (8) Pathology, (9)
 (10) Physiotherapy, (11) Pulmonology, (12) Mental Health (Psychiatry), (13)
 (14) Surgical (15) Child and Neonatal Health, (16) Ophthalmology (Radiotherapy
 sponsor)

Candidates are not allowed to mention the Technology in admission form. The form will be allotted on the date of interview on merit basis and on district / technology basis. However Reserved Seats Candidates will mark his categories in relevant admission form. Parents Service Certificate must be attached for reserved seats. Submit applications in PGPI LRH and will also appear for interview in PGPI

ڈیڑھی روڑ مڈل سکول بنوں کینٹ
 ڈیڑھی روڑ مڈل سکول بنوں کینٹ میں خالصتاً عارضی بنیاد پر مسترد ذیل خالی آسامیوں کیلئے
 درخواستیں مطلوب ہیں۔

نمبر	آسامی	تفصیلی قابلیت
1	جنرل ٹی ٹی سی (ایس ای، ای ای) فرسٹ لیڈنگ کلاس مشائیں (ای، ڈی ای، بی ای)	ایچ ای ایس میڈیم سکول میں دو سالہ تجربہ دیکھنے والے امیدواروں کو ترجیح دی جائے گی

نوٹ: تمام تفصیلی اسناد کی مصدقہ نقلیہ نسخہ C.V اور شامی کارڈ کی کاپی کے ہمراہ پبلک ڈیڑھی روڑ مڈل سکول بنوں کینٹ کے پتہ پر جو کہ تاریخ اشاعت سے سات روز کے اندر ذریعہ خطی کے دفتر ڈیڑھی روڑ مڈل سکول بنوں کینٹ دوپہر 1:00 بجے تک موصول ہو جائی جائیں۔ صرف شارٹ لسٹڈ امیدواروں کو بلایا جائے گا۔ صرف ڈسٹرکٹ بنوں کے ڈیڑھی روڑ مڈل سکول بنوں کینٹ کے لئے درخواستیں دیں۔
 ہر آسامی کیلئے عمر کی حد 30 سال سے زیادہ نہیں ہو۔

ڈیڑھی روڑ مڈل سکول بنوں کینٹ

سوات میں قیام امن کے لیے ہم نے 800 سے زائد کارکنوں کی قربانی دی ہے اور اگر وطن کو ضرورت پڑی تو مزید قربانی بھی دینگے۔ انہوں نے کہا کہ جنگی کے حوالے سے جلد علاقہ میں برسر کا آغاز کرنا چاہیے، انہوں نے اس عزم کا اعادہ بھی کیا کہ ہم عوامی لوگ ہیں عوام سے رابطہ ہی ہماری سیاست کا محور ہے، عوام کی خدمت اور دستخون علاقہ کے مفادات کا تحفظ ہی صورت

☆.....☆

میں اسلحہ سمیت گرفتار کر کے نامعلوم مقام منتقل کر دیا۔ تفصیلات کے مطابق مد کے علاقہ کوڑا درجیلہ کس میں گزشتہ روز اکبر علی نامی شخص کو ذاتی عہد کے بناہ پر لے کر کے فرار ہونے میں کامیاب ہو گئے تھے۔ گزشتہ روز سیکورٹی فورسز کے رہنمائی ڈرامائی انداز میں تحصیل خزانہ خیلہ کے علاقہ ٹراٹھپورت اڈیشن سے اسلحہ سمیت گرفتار کر کے نامعلوم مقام منتقل کر دیا اور ایسے ہی طرز پر اپنے جرم اکبر علی کے قتل کا اقبال جرم کر لیا۔ اور قتل کا وجوہات بیان کرتے ہوئے کہا کہ اکبر علی کے ساتھ ہمارا ذاتی مسلحہ ملاقات حسین ولد انداز گل سیکورٹی فورسز کے تحویل میں ہے جبکہ پیشگی قتل کرنے کے بعد طرز عمل کو پوچھنے کو حوالہ کیا جائیگا

☆.....☆

مکاتھر عبدالوہاب خان نے عمران سس، شاد اللہ الخائف اور فرمان نے دیگر لیوی فزری کے ہمراہ ساچ شمش عناصر کے خلاف مختلف کارروائیاں کرتے ہوئے گزشتہ دو ماہ کے دوران 60 ملزمان کو گرفتار کر لیا جبکہ 6 ہزار 40 گرام آرس، 100 گرام ہیروئن، 15 بونس شراب، 6 عدد ہتھیار اور ایک کلاشنکوف برآمد کر لیا مشہور نشانات فروشوں کے سرخند آدم خان، آفریدی سمیت سلیم خان انگریزی کے خلاف بھی مقدمات درج کر لئے گئے جس پر عوامی دہشت گردیوں نے خوشی کا اظہار کیا ہے ان کا مطالبہ ہے کہ باہر سے آئے ہوئے نشانات فروشوں کو علاقہ بدر کرنے کے لئے بھر پور کارروائیاں کی جائے تاکہ نشانات کا عمل قلع قمع ممکن ہو سکے۔

☆.....☆

جلد از جلد تحلیل تک پہنچا کر ائمہ اجلاس میں مل دستاویزات کے ساتھ اجلاس میں شرکت کریں، عوامی مسائل کے حل کیلئے ہر ممکن اقدامات اٹھائیں گے، عوامی مسائل کے حل میں کسی قسم کی کوتاہی برداشت نہیں کریں گے، محکمہ صحت، ذہنی وائرس کے خلاف جاری ہم اور ہرے کو گھر گھر پہنچا کر عوامی شکایات کا خاتمہ کریں ان خیالات کا اظہار ڈیڑک کینی ملاکنڈ کے چیئر پرسن اور خاتون ایم پی اے گلہیز خان نے اپنے سربراہی میں منعقدہ سرکاری اداروں کے سربراہان کے اجلاس سے خطاب کرتے ہوئے کیا اجلاس میں سابق چیئرمن ڈیڑک کینی ایم پی اے محمد علی شاہ، اچا سمیت اے سی اسد خان، اے سی عمران خان، سلیم، ابریکش، سی اینڈ ڈیپو، واڈا، چنگ بیلو، لائیو سٹاک،

☆.....☆

مستحکم بنانے کیلئے اب بھی پولیس پریس اور چنگ کا باہمی تعاون، رابطہ اور اعتماد امر ضروری ہے انہوں نے پولیس کو دسائیل، مراعات ایسے اور جدید طرز پر تعمیر کرنے پر سائبانہ موہالی حکومت سے اپیل کی کہ کیونٹی پولیس کو مستقبل کے خنواہ میں اضافہ کیا جائے کیونکہ انہیں جوانوں سے سخت حالات کا ڈٹ کر مقابلہ کرنا ہے اور انہیں دیوانی نے تحصیل کس میں جرائم کے کی پر اسسٹنٹ کمشنر محبوب احمد ڈی ایس پی مڈکشاہ کو تخریج حسین پیش کرتے ہوئے کہا کہ مذکورہ انفران نہ صرف رشوت کے سخت خلاف ہیں بلکہ بہترین پیشہ ورانہ کارکردگی کے بنیاد پر جرائم پر کافی حد تک قابو پایا ہے حکومت کے چاہے کہ اچھی کارکردگی دکھائے دانے انفران کو ترقی اور اپوارڈ سے نواز ا جائے ذہنی وائرس کے حوالے سے ایذاہم دلیلی نے تجویز پیش کی کہ تو

پہلے اس مسئلہ پر سماعت ہو اور پھر اس اقدام میں خواہشیں، مردہ بوزے اور بچوں کے مفت نمیت کراؤے گئے۔ اس سونچ پر ایم آئی ڈی پی سویہ خیبر پختونخوا کے چیف ایگزیکٹو مینجر خان جبکہ سوشل اور گناہز در عرض مہر سیدی بی اقبال احمد سوشل اور گناہز در عرض مہر سیدی بی بی، لیبارٹری ٹیکنیشن عدنان اور مختیار نے بھی موجود تھے۔ فزری ہپاٹائٹس نمیت کپ کے ایم آئی ڈی پی سویہ خیبر پختونخوا کے چیف ایگزیکٹو مینجر خان نے کہا کہ ہپاٹائٹس مرض بہت تیزی کیساتھ پھیل رہا ہے اور اس کی روک تھام کیلئے عوام میں آگاہی ضروری ہے۔ فزری ہپاٹائٹس نمیت مٹانے کا نڈ کے تمام یونین کونسلوں میں مفت کرائے جائے گے۔ جس میں عام لوگوں کیساتھ ساتھ فریب، لاچار اور نادار افراد کے سفید ہو گئے۔ کیونکہ پرائیویٹ لیبارٹریوں

جمہوری فیصلے کی خدمت کرتے کرتے۔ انہوں نے سیڈیکل ہپانڈی کی بھی خدمت کی اور کہا طلباء و طالبات پیچھوڑنے کے کا اپنا ایک شش اور پیمانہ سے ان پر بیضی نام کی پانڈی کوٹ ان کا اصل بیضی نام ہے خصوصی قسم کے بیضی نام کی پانڈی زیادتی ہے ہم اس کی خدمت کر مرکز سے جاری کر رہے ہیں۔ باچا خان موجودہ صوبائی حکومت کو تنقید کا کہا کہ تحریک انصاف کی حکومت کی وزیریں، مشیروں، بڈجٹ سیکریٹریز کی نظر فوج بھرتی شکاری اور اخراجات میں کمی اُخراف کیا اور خزانے پر ناکاہل ہے جو کہ صوبے کے عوام کیساتھ نہ



جلد 5 ہفتہ 07 ستمبر 2013ء 30 ذوال الحکمہ 1434ھ قیمت 07 روپے

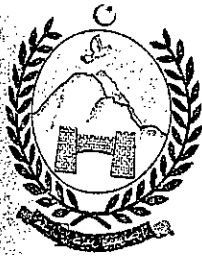
بیرہ خواتین خواہی راج چاہیت کی روٹی میں ضلع بھر میں صفائی و ستھرائی ہم کا جائزہ لیا گیا، اجلاس میں فیصلہ کیا گیا کہ ضلع بھر کے مخصوص علاقوں خان، ربابا، زیارت، تالاش، اوج، سہنہ، کوہل، تلو، شریانی اور میاں میں صفائی کی خصوصی ہم پیکر کی جائیگی، ہم 11 ستمبر سے لیکر 10 اکتوبر تک ایک ماہ کے عرصہ تک جاری رہیگا، اجلاس میں فیصلہ کیا گیا کہ صفائی ہم کو ہر گز سے کامیاب بنانے کے لیے سیڈیا ناما بندگان اور تمام بازاروں کے منتخب نمایندگان کو اعتماد میں لیا جائیگا، جبکہ ہم کی اہمیت اجاگر کرنے کے لیے خصوصی واک منعقد ہو گئے

Advertisement for 'Awaraz' newspaper. It includes the title 'روزنامہ اواز شاہد علی خان' and 'جلد 5 ہفتہ 07 ستمبر 2013ء'. Below this, there is a section titled 'اور از سمون' with a date '03 ستمبر 2013'. The main text of the ad discusses the health of 'Ferry Hepatitis' and mentions a meeting with 'Dr. Feroze Khan' and 'Dr. Feroze Khan'. It also lists contact information: '31219/06', '05-1995', and '19-08-2013'. At the bottom, there is a logo for 'INF/SW' and a phone number '711333'.

Annexure - (B)

P-10

Regd.



OFFICE OF THE SUB DIVISIONAL OFFICER
PUBLIC HEALTH ENGG. SUB DIVISION MATTA AT SAIDU SHARIF.
NO. E-5109 DATED 12 /10/2012

Mr. Quat Khan Chowkidar
WSS Bara Drushkhela

Subject:-

ABSENT FROM DUTY

It has been noticed that you are absent from duty since 26.09.2012 without any information and sanction of leave.

You are therefore directed to explain your position with in three days after the receipt of this letter otherwise necessary action will be initiated against you under the rules.

Copy to:

SUB DIVISIONAL OFFICER

1. The Executive Engineer for information with request to direct the Establishment Clerk to stop pay of the official because his where about is not traceable.

Clk
SUB DIVISIONAL OFFICER



OFFICE OF THE SUB DIVISIONAL OFFICER
PUBLIC HEALTH ENGG:SUB DIVISION MATTA AT
SAIDU SHARIF.

NO. E-5/01 DATED 13 /11/2012

To

Mr, Quat Khan Chowkidar
WSS Bara Drushkhela
Tehsil Matta Distt:Swat


Subject:- ABSENT FROM DUTY.
Reference:- This Office No.E-5/04 dated 12.10.2012

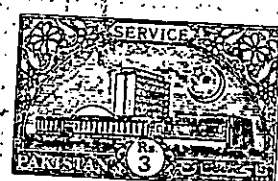
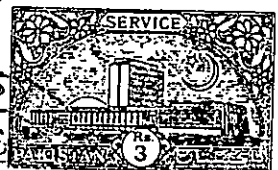
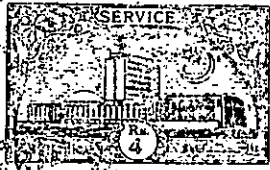
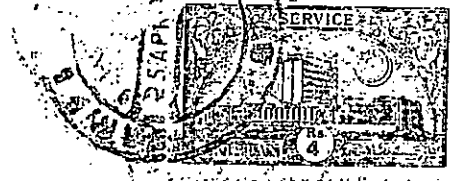
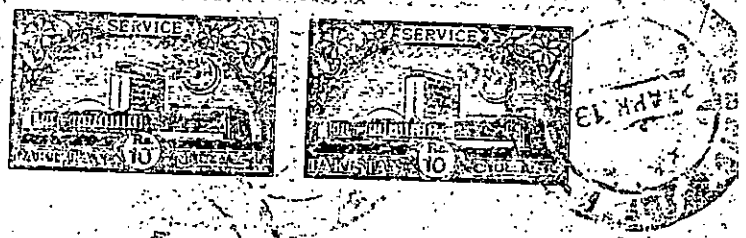
You are once again directed to explain your position within three days after the receipt of this letter and also attend this office.

In case of non compliance your name will be recommended to higher ups for taking disciplinary action under the SPROS 2000.

SUB DIVISIONAL OFFICER

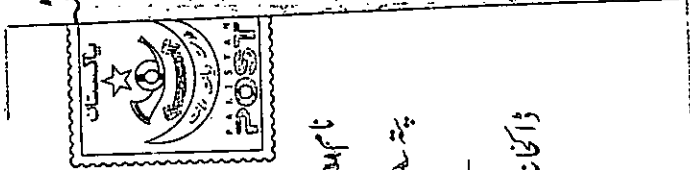
Copy to the Executive Engineer PHE; Swat for information and necessary action please.


SUB DIVISIONAL OFFICER



درمانت بہار سے آہستہ آہستہ جاری ہے
پتہ لاہور 25-4-13

پتہ دریا فونڈ انارک
لاہور



تاریخ
Khetla
ڈاک خانہ

RP-54

رجسٹرڈ پوسٹ

R.I. No

408

Date of Booking

03-4-13

رجسٹری یا بیمہ بھیجنے والے کو پوسٹ پر دیے گئے پتہ پر واپس بھیجا جائے۔

وصول پائی۔

☆ ایک رجسٹری
برائے (نام) قہور خانہ برہو گرام

وزن (تھون میں) گرام

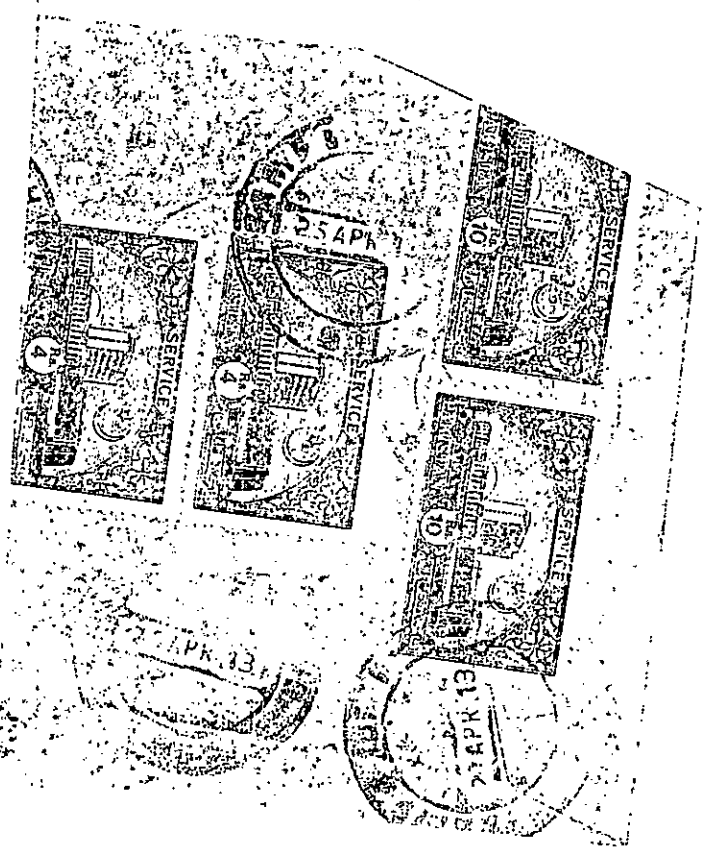
بیمہ کی اہلیت

تاریخ تقسیم

مکتوب الیہ کے دستخط

☆ یہاں چٹھی پوسٹ کارڈ ٹیکٹ یا پارسل جو تجزیہ ہو تجزیہ کریں۔ بیمہ کی صورت میں لفظ بیمہ پہلے تحریر کریں۔
☆ صرف بیمہ کی صورت میں یہاں تاریخ لکریا جائے۔ بصورت دیگر کٹ دیا جائے۔

قیمت: پانچ روپے -/5 Rs.



United Reverse Ltd. 02/07/2015



103

P-114

OFFICE OF THE SUB DIVISIONAL OFFICER
PUBLIC HEALTH ENGG: SUB DIVISION MATTA AT SAIDU
SHARIF.

NO. E-5/01

DATED 11 /12/2012

To

Mr, Quat Khan Chowkidar
WSS Bara Drushkhela
Tehsil Matta Distt: Swat

Subject:-
Reference:-

ABSENT FROM DUTY.

This Office No.E-5/04 dated 12.10.2012

This Office No.E-5/01 dated 13.11.2012

Refer to correspondences mentioned under reference you are once again directed to resume the duty and also explain the reason of your willful absence from duty,

Other wise necessary action will be taken against you under the rules.

SUB DIVISIONAL OFFICER

Copy to the Executive Engineer PHE; Swat for information and necessary action please.


SUB DIVISIONAL OFFICER



OFFICE OF THE SUB DIVISIONAL OFFICER
PUBLIC HEALTH ENGG: SUB DIVISION SWAT AT MATTA.

P- 15

NO.E-5/01

DATED:19/02/2013

To

Mr. Quat Khan (Chowkidar)
Water Supply Scheme,
Bara Drushikhela

Subject: EXPLANATION / ABSENT FROM DUTY.
Reference: 1. T/O No.E-5/04 dated:12/10/2012.
2. T/O No.E-5/01 dated:13/11/2012.
3. T/O No.E-5/01 dated:11/12/2012.

With reference to the above, once again you are directed to attend this office and explained your position of willful absence from Government duty immediately, otherwise disciplinary action will be initiated against you.

SUB DIVISIONAL OFFICER

Copy to Executive Engineer PHE Division Swat for information & necessary action please.


SUB DIVISIONAL OFFICER

the

OFFICE OF THE SUB DIVISIONAL OFFICER
PUBLIC HEALTH ENGG: SUB DIVISION MATTA.

No. ~~W-29M/01~~ ^{E-5} /Dated Matta the, 22 /04/2013.

To,

Mr. Quat Khan (Chowkidar)
Water Supply Scheme
Bara Drushkhela.

Subject:- ABSENT FROM DUTY.

- Reference:-
1. This Office No.E-5/04 dated 12/10/2012.
 2. This Office No.E-5/01 dated 13/11/2012
 3. This Office No.E-5/01 dated 11/12/2012.
 4. This Office No.E-5/01 dated 19/02/2013.

With reference to above quoted letters and you are once again directed to resume your duty and also explain the reason of your willful absence from duty.

Other wise necessary action will be taken against you under the rules.

Sub Divisional Officer

1. Copy to the Executive Engineer PHE Divn:Swat for information & n/action please.

AK Sub Divisional Officer *[Signature]*

P-17



OFFICE OF THE
EXECUTIVE ENGINEER
PUBLIC HEALTH ENGINEERING DIVISION SAIDU SHARIF SWAT
Tel & Fax No: 0946/9240163 Saidu Sharif Swat

03/31219

Dated Swat the 26/04/2013

Mr: Quat Khan Chowkidar
Of WSS Bara Durshekhela
Tehsil Matta District Swat

Subject:
Reference:

- ABSENCE FROM DUTY.
- 1- SDO PHE Matta No. E-5/04 dated:12.10.2012.
 - 2- SDO PHE Matta No. E-5/01 dated:13.11.2012.
 - 3- SDO PHE Matta No. E-5/01 dated:11,12.2012.
 - 4- SDO PHE Matta No. E-5/01 dated:19.02.2013.

E-5

Inspite of repeated notices as referred above you should attend office of SDO PHE S/Division Matta and also explain the position of absence from Government duty. Otherwise disciplinary action will be taken against you.

EXECUTIVE ENGINEER

Copy to SDO PHE S/Division Matta for information w/r to his letter as referred above.

[Signature]
EXECUTIVE ENGINEER

*ODA.
again reminder after one
week if he failed to
comply*



OFFICE OF THE
EXECUTIVE ENGINEER OFFICER
PUBLIC HEALTH ENGINEERING DIVISION SWAT

Phone No.0946-9240163

Fac No.0946-9240163

No. 02/3/2/19

Dated Swat the 11/06/2013

To
Mr. Quat Khan (Chowkidar)
WSS Bara Durshkhela
Tehsil Matta Distt: Swat.

Subject: ABSENT FROM GOVTT: DUTY

- Reference:
1. SDO PHE Swat No. E-5/04 dated:12.01.2012.
 2. SDO PHE Swat No. E-5/01 dated:13.11.2012
 3. SDO PHE Swat No. E-5/01 dated:11.12.2012
 4. SDO PHE Swat No. E-5/01 dated:19.02.2013
 5. SDO PHE Swat No. E-5/01 dated:2.04.2013.
 6. This Office No. 03/31219 dated:26.4.2013.

Refer to above and it is once again desired to attend the office of Sub Divisional Officer in charge and explained your position of will full absence from government duty immediately otherwise disciplinary action of Govt: Servant will be initiated against you.

EXECUTIVE ENGINEER

✓ Copy to SDO PHE S/Division Matta with reference to above and he is directed to further development may be communicated alongwith their comments to proceed further accordingly

EXECUTIVE ENGINEER

Kegad P-20

OFFICE OF THE SUB DIVISIONAL OFFICER
PUBLIC HEALTH ENGG: SUB DIVISION MATTA.

E-5
No. ~~W-29-M/03~~ /Dated Matta the, 02/05/2013.

To,

Mr. Quat Khan (Chowkidar)
Water Supply Scheme
Bara Drushkhela.

Subject:- ABSENT FROM DUTY.

- Reference:-
1. This Office No.E-5/04 dated 12/10/2012.
 2. This Office No.E-5/01 dated 13/11/2012
 3. This Office No.E-5/01 dated 11/12/2012.
 4. This Office No.E-5/01 dated 19/02/2013.
 5. This Office No.E-5/01 dated 2/04/2013.
 6. XEN PHE Swat No.03/31219 dtL26/04/2013.

Refer to above mentioned correspondence and your reply is still awaited.

You are once again directed to explain your position within three days after the receipt of this letter Otherwise your name will be recommended to higher ups for suspension/termination under the rules.

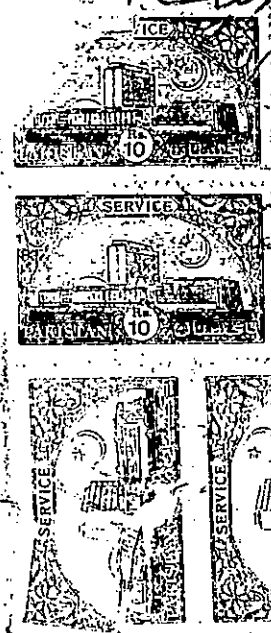
Sub Divisional Officer

1. Copy to the Executive Engineer PHE Divn:Swat for information & n/action please.

Sub Divisional Officer

Water Supply Scheme Bara Duvash
Teh: Matla Swat

Quat Khan (Chowkidar)



Handwritten notes in Urdu and English, including a signature and some illegible text.

R.L. No 647
Date of Booking 9-7-13
To / Term of Booking from

Sub Divisional Officer
Public Health Engg: S/Diva
Swat. at

P-22

(Registered)

OFFICE OF THE SUB-DIVISIONAL OFFICER
PUBLIC HEALTH ENGG: SUB DIVISION MATTA.

No. ^{B-5} ~~W-29-M/01~~ /Dated Matta the, 8 /07/2013.

To,

Mr. Quat Khan (Chowkidar)
Water Supply Scheme
Bara Drushkhela.

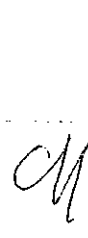
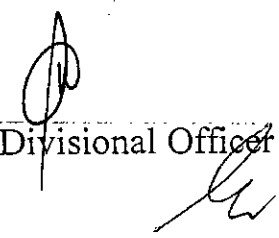
Subject:- ABSENT FROM DUTY.

- Reference:-
1. This Office No.E-5/04 dated 12/10/2012.
 2. This Office No.E-5/01 dated 13/11/2012
 3. This Office No.E-5/01 dated 11/12/2012.
 4. This Office No.E-5/01 dated 19/02/2013.
 5. This Office No.E-5/01 dated 2/04/2013.
 6. XEN PHE Swat No.03/31219 dt:26/04/2013.
 7. This Office No.E-5/03 dated 2/05/2013.
 8. XEN PHE Swat No.02/31219 dt:11/06/2013.

With reference to the above correspondence and you are finally directed to resume the duty and explain your position of willful absence from Govt:duty ,otherwise your name will be recommended for suspension/termination to the higher-ups.

Sub Divisional Officer

Copy to the Executive Engineer PHE Divn:Swat for information & n/action please.

 Sub Divisional Officer 

Annexure-C 1123

REGISTERED A/D

**OFFICE OF THE
EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG: DIVISION SAIDU SHARIF SWAT**

Tel & Fax # 0946/9240163 Saidu Sharif Swat

No.31219 / *02* / Dated swat the 12 /8/2013.
To,

Mr.Quwat Khan Tube well Chowkidar
Water Supply Scheme Bara Drueshkhela
Tehsil Matta District Swat.

Subject:- **ENQUIRY (ABSANCE FROM GOVT; DUTY)**
Reference:- SDO PHE Swat S/Divn: Matta Last notice vide
No.E-5/01 dated 8/7/2013.

The undersigned has been appointed as Enquiry officer in the subjected case vide Executive Engineer PHE Division swat endst: No.03/21319 dated 24/7/2013 (Copy enclosed) As explained in his letter under reference several letters/notices have been dispatched on your home address but neither you attended the office of the Sub Divisional Officer concerned as well as this office nor submitted any reply and your where about is still not known.

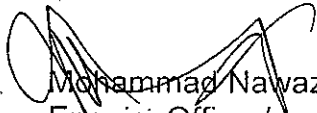
You are therefore directed to attend the office of the undersigned in person with in ten (10) days after the issue of this letter, otherwise ex-part report will be prepared and recommended to the authority concerned against you.

Mohammad Nawaz
Enquiry Officer/
Divisional Accounts Officer(L)
Public Health Engg:Division
Swat.

Copy to:-

- 1:- The Superintending Engineer Public Health Engg: Circle Swat.
- 2:- The Executive Engineer Public Health Engg: Divn: Swat.
- 3:- The Sub Divisional Officer Public Health Engg: Sub Divn; Matta.

All for information please.


Mohammad Nawaz
Enquiry Officer/
Divisional Accounts Officer(L)
Public Health Engg:Division
Swat.

*SDA
File*



TO UNLID
THEN SEAL

Subject:

رجسٹری یا بیمہ بچنے والے کو پشت پر دیئے گئے پتہ پر واپس بھیج دیا جائے۔
☆ ایک رجسٹری نمبر _____ برائے (نام) قوسٹان
○ بیمہ کی مالیت _____ ڈزل (نظروں میں) _____ گرام

تاریخ تقسیم

پکٹ یا پارسل جو چیز ہو کر واپس کریں۔ بیک کی صورت میں لفظ "بیمہ" پہلے تحریر کریں۔
صورت میں یہاں اندراج کیا جائے۔ بصورت دیگر کاٹ دیا جائے۔

قیمت: پانچ روپے - Rs.5/-

**REGULARIZATION OF CONTRACT POSTS
ON STAFF W.E.F 1-1-1992 TO 30-06-
10/PHE (N) dt: 27.8.2013.**

submitted as under please:-

es (Fixed Pay) have already be
nce Department No. Bo1/1-2
moved up/up. graded in BPS-
/FD/1-22/2012-13 dated 3.1.201

trators regularised from their da
General Khybar Pakhtun: K
ses/Corp:/2011-12/1173 datec
D1/FD/1-22/2008-09 dated 7.03.20

rawn with effect from 1.07.2001

nd of all staff has been stopp
effect from 1.04.2013 in acco
D/12-11/2005 dated 27.02.2013.

is are attached herewith for read.

EXECUT

Public Health Engineering
Peshawar for information w
21.03.2013.

ngineer PHE Circle Swat for infor
icer PHE S/Division Swat/Matta

OFFICE OF THE EXECUTIVE ENGINEER
PUBLIC HEALTH ENGINEERING DIVISION
Tele/Fax # 0946-9240163

No. 03 /31219,
To,

Date

The Chief Engineer (North)
Public Health Engineering Department
Khyber Pakhtunkhwa Peshawar.

**REGULARIZATION OF CONTRACT POSTS
OPERATION STAFF W.E.F 1-1-1992 TO 30-06-
10/PHE (N) dt: 27.8.2013.**

Subject:

submitted as under please:-
Employees (Fixed Pay) have already been
in Department No. Bo1/1-2
moved up/up graded in BPS-2
/FD/1-22/2012-13 dated 3.1.201.
Employees regularised from their dates
General Khybar Pakhtun Khy
ees/Corp:/2011-12/1173 dated
01/FD/1-22/2008-09 dated 7.03.20
drawn with effect from 1.07.2008.
and of all staff has been stopped
with effect from 1.04.2013 in accorda
D/12-11/2005 dated 27.02.2013.
Documents are attached herewith for ready ref.

Handwritten notes in Urdu: "میں نے اس کو دیکھا ہے" and "اس کو دیکھا ہے" (I have seen this).

Handwritten date: 28/8/13



**ACKNOWLEDGEMENT DUE
CARD**



Public Health
Engg Division
Samin Shaif Swat
ضلع
ڈاکخانہ
پوسٹ کوڈ
(پوسٹ کوڈ لکھنا ضروری ہے)

EXECUTIVE ENGINEER
Public Health Engineering Division
Peshawar

**OFFICE OF THE
EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG: DIVISION SAIDU SHARIF SWAT**

No.31219 / 04 / 1
To,

Dated Swat the 28 / 8 / 2013

The Executive Engineer
Public Health Engg: Division
Swat.

Subject:- **ENQUIRY (ABSENCE FROM GOVT:DUTY)**
Reference: Your office endst: No.03/31219 dated 24/7/2013.
This Officer No.31219/02 dated 12/8/2013

The undersigned being nominated as Enquiry Office has sent a letter/ notice on the home address of Mr.Quwat Khan Chowkidar through registered A/D vide No/548 dated 19/8/2013 but the same has been returned undelivered with the remarks recorded on envelop by the Post office authority that the said person is not available / present.

As the Chowkidar failed to appear before the undersigned in the stipulated period in connection with the subjected enquiry.

Therefore the undersigned come at the conclusion to recommend for taking further action against Mr.Quwat Khan chowkidar of Water Supply Scheme Dureshkhela and also to issue show cause notice through news paper.

DA/As above.

Mohammad Nawaz
Enquiry Officer/
Divisional Accounts Officer(L)

Copy to the:-

1. Superintending Engineer Public Health Engg: Circle Mingora swat with reference to his office letter No.E-8/02 dated 9/7/2013.
2. Sub Divisional Officer Public Health Engg: Sub Division Matta. All for information and necessary action.

Mohammad Nawaz
Enquiry Officer/
Divisional Accounts Officer(L)

SDA
F.O.

E-5.



OFFICE OF THE EXECUTIVE ENGINEER
PUBLIC HEALTH ENGINEERING DIVISION SWAT
Tele:/Fax# 0946-9240163

No. 10 / 31219,
To,

Dated Swat the, 18/09/2013,

The Superintending Engineer
Public Health Engg: Department
Circle Swat.

Subject: TERMINATION FROM SERVICE
Ref:- your office letter No. E-8/02 dated 29-07-2013.

Mr. Quat Khan was appointed as a Tube Well Chowkidar on Water Supply Scheme at Bara Drushkhela Tehsil Matta District Swat vide office order No.31219/06 date 29-05-1995. The official reported his arrival for duty on 29-05-1995 but he is absent from Government duty since 12-10-2012 till now.


In this context the case was assigned to Divisional Accounts Officer (local) for enquiry, he is proceeded the case and recommended to issue the show cause notice and take further action accordingly vide his No.31219/04, dated 28-08-2013, this office have issue the show cause notice for attendance of Govt: duty within seven days vide daily news paper Mashriq dated 7th September 2013. (photo copy attached)

After fulfillment of all the formalities the case is submitted for his termination from service under intimation to this office to proceed further accordingly please.

DA/AS above

Copy for information to:-

1. The Inquiry Officer (Divisional Accounts Officer) Local with reference to above quoted letter.
2. The Sub-Divisional Officer PHE Sub Division Matta with reference to his letter No. E-5/02 dated 19-07-2013.


EXECUTIVE ENGINEER

EXECUTIVE ENGINEER



OFFICE OF THE
SUPERINTENDING ENGINEER
PUBLIC HEALTH ENGINEERING CIRCLE SWAT

E mail: sepheswat@yahoo.com
Tele # 0946-9240048

Annexure - E

P-28

No. O&S/02

Dated : 23/09/2013

OFFICE ORDER (TERMINATION FROM SERVICE)

While considering the recommendations submitted by Executive Engineer, Public Health Engineering Division Swat vide his letter No.10/31219 dated 18-09-2013, and fulfillment of all codal formalities, Mr. Quat Khan Tube Well Chowkidar on Water Supply Scheme at Bara Drushkela Tehsil, Matta District Swat is hereby terminated from Govt. Service with immediate effect as per Govt. Civil Servant Rules.

Ends: No. E-8/02

Dated : 23/09/2013

SUPERINTENDING ENGINEER

Copies forwarded for information and necessary action to:-

1. The Executive Engineer Public Health Engineering Division Swat.
2. The Sub Divisional Officer, Public Health Engineering Division Swat Matta
3. The Deputy Commissioner Swat.
4. The District Comptroller of Accounts Swat.
5. Official Concerned.

S. Khan
SUPERINTENDING ENGINEER

SOA
File

E.S.

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 435 of 2015

Quwat Khan.

...Appellant

VERSUS

*The Government of Khyber Pakhtunkhwa through
Secretary PHE Department and Others.*

...Respondents

REJOINDER BY THE APPELLANT

Respectfully Sheweth:

Preliminary Objections:

That all the preliminary objections are incorrect, baseless and against the law, rules and facts and are specifically denied. Moreover the appellant has approached this Honourable Tribunal with clean hands well within time and has got a prima facie case and this Honourable Tribunal has got the jurisdiction.

On Facts:

- 1. Para 1 of the comments needs no comments.*
- 2. Para 2 of the comments also needs no comments.*
- 3. Para 3 of the comments as drafted is vague and evasive as the rejection order of the application is till date missing and has not been made, hence as per the law proper rejection order should have been*

made and communicated well in time. Therefore, the para is denied specifically.

4. Para 4 of the comments as drafted is also incorrect and baseless, none of the letters have been communicated to the appellant, as the respondents themselves have admitted the non-communication of the same. As far as the enquiry is conducted so the same is conducted without observing the codal formalities. Hence the para is denied.
5. Para 5 of the comments as drafted is incorrect, baseless and based on misstatements and the due course has never been adopted under the law, hence the para is denied being devoid of merits.
6. Para 6 of the comments as drafted is also incorrect and based on misstatements. The appellant came to know about the termination order when comments were filed in the writ petition, prior to that the order was never communicated to the appellant, hence the para is denied.
7. Para 7 of the comments as drafted is baseless, incorrect, devoid of merits and in need of proof, hence the para is specifically denied.
8. Para 8 of the comments as drafted is incorrect, baseless and devoid of merits and is denied specifically.

On Grounds:

- a. Ground a of the comments as drafted being admission needs no comments.

- b. *Ground b of the comments as drafted is incorrect and baseless. The appellant has properly mentioned the reason for leave, which was put in process, but the appellant was never communicated the fate of the same till date, hence the para is denied.*

- c. *Ground c of the comments as drafted is incorrect and based on misstatements as no letter was ever communicated to the appellant, hence the para is denied.*

- d. *Ground d of the comments as drafted is devoid of merits and in need of proof. The due course required under the law has never been adopted and the appellant has been condemned as unheard. Therefore, the para is denied.*

- e. *Ground e of the comments as drafted is also incorrect and based on misstatements. The appellant never absented himself willfully rather proceeded on leave when his application was processed and no order to the contrary was communicated to him, from which the only inference of its acceptance can be drawn, therefore, the para is specifically denied.*

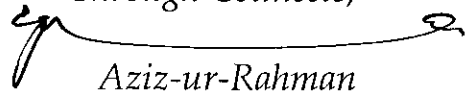
- f. *Ground f of the comments as drafted is incorrect and devoid of merits hence denied.*

It is, therefore, very respectfully prayed that on acceptance of this rejoinder the appeal of the appellant may very kindly be decided as prayed for originally.


Appellant

قوت خان
Quwat Khan

Through Counsels,



Aziz-ur-Rahman



Imdad Ullah

Advocates Swat

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 435 of 2015

Quwat Khan.

...Appellant

VERSUS

*The Government of Khyber Pakhtunkhwa through
Secretary PHE Department and Others.*

...Respondents

AFFIDAVIT

*It is solemnly stated on Oath that all the contents of
this rejoinder are true and correct to the best of my
knowledge and belief and nothing has either been
misstated or concealed before this Honourable Tribunal.*

Deponent

*قوت خان
Quwat Khan*

Identified By:

Imdad
Imdad Ullah

Advocates Swat

ATTESTED

+ M A J
Muazam Ali Advocate
OATH COMMISSIONER
District Courts Swat.

Upto 19-12-2018

No. *13* Date *12-1-16*

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1677 /ST

Dated 11 / 7 / 2017

To


The Superintend Engineer P H E Circle,
Government of Khyber Pakhtunkhwa,
Swat.

Subject: -

JUDGMENT IN APPEAL NO. 435/2015, Quat Khan.

I am directed to forward herewith a certified copy of Judgement dated 05.07.2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.