

17.03.2021

Petitioner alongwith counsel present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith Sohail Ahmed Zeb Litigation Officer for respondents present.

Representative of the respondents requested for time to submit implementation report. Request is allowed. To come up for proper implementation report on 16/06/2021 before D.B at Camp Court Abbottabad


(Atiq ur Rehman Wazir)
Member (E)
Camp Court, A/Abad

05.08.2021

None present on behalf of the petitioner. Mr. Kabirullah Khattak, Addl. AG alongwith Saleem Khan, S.O for the respondents present.

The representative of the respondents has produced copy of the notification of promotion of the petitioner with submission that the judgment of this Tribunal directing for promotion of the appellant/petitioner stands complied with. Hence, the petition is filed and consigned to record room.


Chairman

 Sohail Ahmed

21.10.2020

Petitioner in person present.

Usman Ghani learned District Attorney alongwith Sohail Ahmad Zeb Litigation Assistant for respondents present.

As per record, Service Appeal #.952/2016 filed by present petitioner, was accepted on 24.08.2017 vide which department was directed to consider the petitioner for promotion, if he is otherwise eligible. It was further held by the Tribunal that it is the discretion of the department to promote or not promote the petitioner on the basis of his fitness. Notice be issued to the respondents to submit reply in this regard and file to come up for disposal of instant execution petition in the light of report to be submitted by the respondents on 16.12.2020 before S.B at Camp Court, Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

*Due to COVID-19 case is
adjourned to 17-3-2021*



Due to covid ,19 case to come up for the same on / /
at camp court abbottabad.

Reader

Due to summer vacation case to come up for the same on / 21
10 / 20 at camp court abbottabad.


Reader

21.11.2019

Counsel for the petitioner present. Mr. Usman Ghani, District Attorney alongwith Mr. Sohail Ahmad Zeb, Assistant for respondents present.

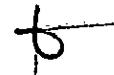
Learned counsel for the petitioner raised objection on order dated 27.05.2019, through which judgment of this Tribunal dated 24.08.2017 was implemented. He also invited attention to Rule-12 Revised Leave Rules 1981, where-under no provision for recovery was available. Prima-facie recovery of Rs. 368674/- from the petitioner on account of fraudulent drawl of pay appears to be against the spirit of judgment of this Tribunal and relevant rules. Despite provision of adequate opportunity proper assistance was not provided to this Tribunal by the respondents. To come up for further proceedings on 21.01.2020 before SB at camp court Abbottabad.


Member

Camp Court Abbottabad

21.01.2020

Petitioner in person present. Mr. Muhammad Jan, DDA alongwith Mr. Sohail Ahmad Zeb, Assistant for respondents present. Learned DDA produced a copy of letter dated 02.12.2019 with regard to execution petition in hand, which is placed on file. Due to general strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for further proceedings on 18.02.2020 before S.B at camp court Abbottabad.



Member

Camp Court A/Abad

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

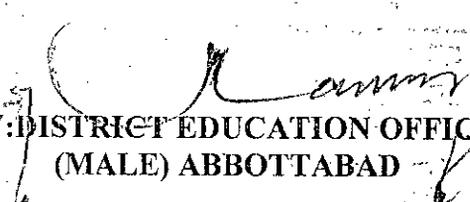
No. 672 / PF Maqsood Ahmad/Vol-III

Dated 23/01 / 2021

**The Sub Divisional Education Officer,
(Male) Abbottabad.**

Subject: **PROMOTION.**
Memo:

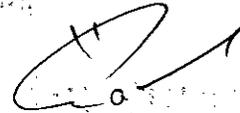
I am directed to refer to your letter No.37 dated 09.01.2021 on the above noted subject and to return the promotion case of Mr.Maqsood Ahmad, PST-GPS-Muslim Town A.Abad with the remarks to resubmit the same after completion in all respects at the earliest.


DY: DISTRICT EDUCATION OFFICER
(MALE) ABBOTTABAD

19.08.2019

Petitioner with counsel present. Mr. Muhammad Bilal learned Deputy District Attorney alongwith Sohail Ahmad Zeb Litigation Assistant present.

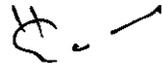
Representative of the respondent department submitted copy of office order dated 10.07.2019 whereby penalty of withholding of promotion of the petitioner for a period of three (03) years was kept intact. Adjournment requested. Adjourn. To come up for further proceedings on 22.10.2019 before S.B before S.B at Camp Court, Abbottabad.



Member
Camp Court A/Abad

22.10.2019

Petitioner absent. Counsel for the petitioner absent. Mr. Usman Ghani, District Attorney present. Syed Hajaj Shah, ADO for the respondents present. To come up for further proceedings before S.B on 19.11.2019 at Camp Court, Abbottabad. Notice be issued to petitioner for the date fixed.



Member
Camp court, A/Abad

19.11.2019

Counsel for the petitioner present. Mr. Usman Ghani, District Attorney alongwith Mr. Sohail Ahmad Zeb, Assistant for respondents present. Learned District Attorney seeks adjournment. Adjourn. To come up for arguments on 21.11.2019 before S.B at Camp Court, Abbottabad.



Member
Camp Court Abbottabad

E.P 113/2018

10.07.2019

Petitioner alongwith his counsel and Mr. Zubair Ali, ADO for the respondents present. Learned counsel for the petitioner requested for adjournment for submission of objection petition. He also requested that the respondents may be restrained for taking adverse action in the present matter against the petitioner till further orders. Request of learned counsel for the petitioner seems genuine, therefore, respondent department is restrained for taking adverse action in the present matter against the petitioner till the next date. To come up for implementation report on 19.08.2019 before S.B at Camp Court Abbottabad.

19.08.2019

Petitioner with counsel present (Muhammad Amin Khan Kundi)
Sila learned Deputy Attorney at Law
Ahmad Zeb Litigation Assistant present
Camp Court Abbottabad

Representative of the respondent department submitted copy of order dated 10.07.2019 whereby penalty of withholding of promotion of the petitioner for a period of three (03) years was kept intact. Adjournment requested. To come up for further proceedings on 21.10.2019 before S.B before S.B at Camp Court Abbottabad.

Sunder
Camp Court Abbottabad

21.05.2019

Petitioner in person and Mr. Zubair Ali, ADO alongwith Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Petitioner requested for adjournment. Adjourned to 18.06.2019 for implementation report/further proceedings before S.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

18.06.2019

Petitioner in person and Mr. Muhammad Bilal, DDA alongwith Mr. Muhammad Shamim, SO and Mr. Sohail Ahmad Zeb, Assistant Litigation for respondents present.

Attention of the petitioner was invited to order sheet dated 20.12.2018 whereby some record was requisitioned. He was unable to give any plausible explanation about production of the same. However, representative of the respondents intimated that de-novo enquiry has already been conducted and necessary order to this effect would be produced on the next date of hearing. Case to come up for further proceedings on 10.07.2019 before S.B at camp court Abbottabad.


(Ahmad Hassan)
Member
Camp Court A/Abad

18.02.2019

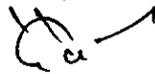
Petitioner alongwith his counsel present. Mr. Sohail Ahmad Zeb, Assistant alongwith Mr. Muhammad Bilal Khan, Deputy District Attorney for the respondents present. Learned counsel for the petitioner requested for adjournment. Adjourned to 20.03.2019 for further proceedings before S.B at Camp Court Abbottabad.



(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

20.03.2019

Petitioner in person present. Sohail Ahmaz Zeb Litigation Assistant representative of the respondent department present. Due to general strike of the bar, learned counsel for the petitioner not in attendance. Representative of the respondent department seeks adjournment to furnish implementation report on the ground that de-novo inquiry is pending against the petitioner in compliance with the judgment in Service Appeal No.313/2017 filed by the petitioner Adjourn. To come up for implementation report/further proceedings on 21.05.2019 before S.B at Camp Court A/Abad.



Member
Camp Court A/Abad.

16.10.2018

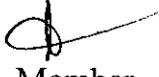
Petitioner in person present. Mr. Said Bacha, ADO along with Mr. Usman Ghani, District Attorney for the respondents present. Representative of the department submitted reply to the implementation report. To come up for arguments/further proceedings on 20.12.2018 before the S.B at Camp Court, Abbottabad.


Member
Camp court, A/Abad

20.12.2018

Counsel for the petitioner and Mr. Usman Ghani, District Attorney for respondents present.

Learned counsel for the petitioner invited attention to para-5 of the reply submitted by the respondents, wherein the promotion case of the petitioner was held up due to service appeal no. 313/2017 pending before this Tribunal for adjudication. The case is fixed for hearing on 14.01.2019. Learned counsel for the petitioner further argued that through the said appeal, the issue of promotion has again been agitated. It would not appropriate to pass any order on the present execution petition unless ~~and until~~ the record of the above appeal is produced before this Tribunal. Learned counsel for the petitioner is directed to produce the record on or before the next date of hearing. Case to come up for further proceedings on 18.02.2019 before S.B at camp court, Abbottabad.


Member
Camp court A/Abad

FORM OF ORDER SHEET

Execution Petition No. 113/2018

S.No.	Date of order Proceedings	Order or other proceedings with signature of Judge
1	2	3
1	11.04.2018	<p>The Execution Petition of Mr. Maqsood Ahmad received to-day by post may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
2-	18-5-2018	<p>This Execution Petition be put up before Touring S. Bench at A.Abad on <u>28-06-2018</u></p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>
	28.06.2018	<p>Petitioner Maqsood Ahmed in person present. Mr. Ziaullah, Deputy District Attorney for respondents present. Notices be issued to the respondents for submission of implementation</p>
28.08.2018		<p>Petitioner in person. Sohail Ahmad Zeb, Assistant for the respondents present. To come up for implementation report on 29.08.2018 before S.B. at camp court, Abbottabad. Due to summer vacations, the case is adjourned. To come up for the same on 16.10.2018 at camp court Abbottabad.</p> <p style="text-align: right;"><i>[Signature]</i> Chairman Camp court, A/Abad Reader</p>
28.08.2018		<p>Petitioner in person. Sohail Ahmad Zeb, Assistant for the respondents present. Due to summer vacations, the case is adjourned. To come up for the same on 16.10.2018 at camp court Abbottabad.</p> <p style="text-align: right;"><i>[Signature]</i> Reader</p>

BEFORE THE SERVICE TRIBUNAL OF KHYBER
PAKHTUNKHWA, PESHAWAR

Execution Petition No. 113 /2018

IN

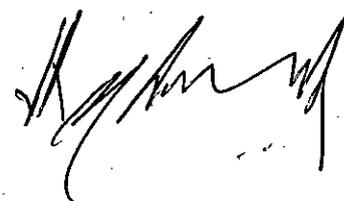
Service Appeal No. 952/2016

Decided on 24/08/2017

Maqsood Ahmed (PST) Govt. Primary School Kamhar Bandi, Circle Sherwan, Tehsil and District, Abbottabad.

....PETITIONER

VERSUS



Govt. of KPK, through Secretary Elementary and Secondary Education of KPK, Peshawar & others.

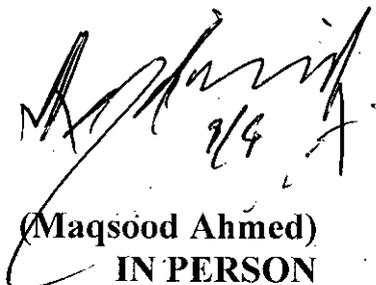
....RESPONDENTS

APPLICATION

INDEX

S.#	Description	Page #	Annexures
1.	Application alongwith affidavit	1 to 3	
2.	Copy of order dated 24/02/2013	4-7	"A"
3.	Copy of order dated 16/02/2016	8-9	"B" C
4.	Copy of promotion order dated 24/08/2017	10-11	"D"
5.	Copy of notification dated 05/12/2017	12	"E"

Dated: 9/4 /2018



(Maqsood Ahmed)
IN PERSON

BEFORE THE SERVICE TRIBUNAL OF KHYBER
PAKHTUNKHWA, PESHAWAR

Execution Petition No. 113 /2018

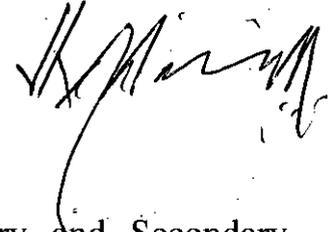
IN

Service Appeal No. 952/2016 Khyber Pakhtunkhwa
Service Tribunal
Decided on 24/08/2017

Diary No. 413
Dated 11/04/2018

Maqsood Ahmed (PST) Govt. Primary School Kamhar Bandi, Circle
Sherwan, Tehsil and District, Abbottabad.

....PETITIONER



VERSUS

1. Govt. of KPK, through Secretary Elementary and Secondary Education of KPK, Peshawar & others.
2. Director Elementary and Secondary Education, KPK
3. District Education Officer Male, Abbottabad.

....RESPONDENTS

EXECUTION PETITION

EXECUTION PETITION SEEKING FOR
IMPLEMENTATION OF JUDGMENT DATED
24/08/2017 PASSED IN SERVICE APPEAL NO.
952/2016 BY THIS HONOURABLE
TRIBUNAL KPK COMP COURT,
ABBOTTABAD.

Respectfully Sheweth:-

1. That 1st promotion order was issued on 24/02/2013 wherein petitioner was deferred from this promotion while his Junior were promoted in the said order dated 24/02/2013. Despite of the fact that no disciplinary proceedings were pending against the petitioner during the period, the DPC was constituted. Copy of order dated 24/02/2013 is annexed as Annexure "A".
2. That respondents issued an order dated 21/05/2013, wherein respondents stopped promotion of petitioner for 03 years the said order dated 21/05/2013 was challenged in service appeal the said appeal was a decided in favour of petitioner on 16/02/2016 by this Honourable Tribunal. Copy of order is annexed as Annexure "B".
3. That again the respondent issued an other order for stoppage of promotion for 03 years vide order dated 13/07/2016, the said order was also set aside by this Honourable Tribunal on 24/08/2017.

4. That an appeal for seeking promotion from due date 18/05/2016 was filed which was decided in favour of petitioner on 24/08/2017. Copy of promotion order dated 24/08/2017 is attached as Annexure "C".

5. That petitioner submitted implementation applications to respondents but there is no positive result has been passed while in the meanwhile Secretary to Govt. of KPK Establishment Department an order dated 05/12/2017, Notification No. SO(Policy)/E&AD/1-16/2017 relating to same nature cases of implementation but even than no response was received by the application up till now. Copy of notification is annexed as Annexure "D".

It is therefore, humbly prayed that on acceptance of instant application, judgment dated 24/08/2017 passed by this Honourable Tribunal may graciously be implemented in the interest of latter in spirit.

Dated: 9/4 /2018


(Maqsood Ahmed)
IN PERSON

BEFORE THE SERVICE TRIBUNAL OF KHYBER
PAKHTUNKHWA, PESHAWAR

Execution Petition No. _____/2018

IN

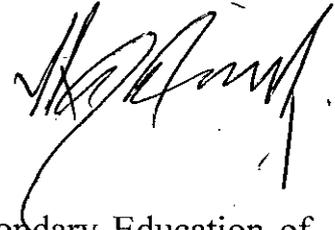
Service Appeal No. 952/2016

Decided on 24/08/2017

Maqsood Ahmed (PST) Govt. Primary School Kamhar Bandi, Circle,
Sherwan, Tehsil and District, Abbottabad.

....PETITIONER

VERSUS



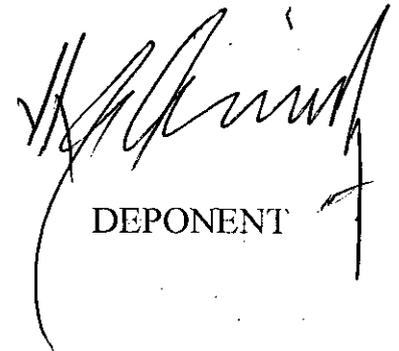
Govt. of KPK, through Secretary Elementary and Secondary Education of
KPK, Peshawar & others.

....RESPONDENTS

APPLICATION

AFFIDAVIT

I, Maqsood Ahmed (PST) Govt. Primary School Kamhar Bandi, Circle
Sherwan, Tehsil and District, Abbottabad, do hereby solemnly affirm and
declare that the contents of foregoing application are true and correct to the
best of my knowledge and belief and nothing has been concealed from this
Honourable court.



DEPONENT

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD
OFFICE ORDER

Consequent upon the recommendations of the departmental promotion committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification: No SO(B&A)/1-8/E&SE/2012 dated 11/7/2012 and Finance Department Endorsement No SO(FR)/FD/10-22(E)/2010 dated 16/7/2012, the following Male PST,s BPS-12 are hereby promoted to the post of Senior Primary School teacher BPS-14(Rs.8000-610-26300) Plus usual allowances as admissible under the rules on the regular basis under the existing recruitment policy of the Provincial Govt: Notified vide No SO(PE)14-5/SSRC/Meeting/2012/teaching cadre dated 13/11/2012 on the terms and conditions given bellow with immediate effect in the interest of public service.

Total No. of PST (M) Posts	2622
No. of Senior Primary School Teacher as per breakup	754
Share of promotion of Senior Primary School Teacher BPS-14 as per breakup	754
Net to be promoted as Senior Primary School Teacher BPS-14	745
No of Deferred Cases due to reasons noted in working papers	009
Working papers and minutes approved but appointment order of candidates are due having Serial No.729 to 745	17

S.No	S/list NO	Name of Teacher	Father Name	School	Circle	Remarks
1	2					
1	2	M. Yousaf	Ali Akbar	GPS BAJWAN	NATHIAGALI	Promoted to BPS 14
2	11	M. Haroon	Sultan Muhammad	GPS Thira Khurd	Sherwan	Promoted to BPS 14
3	13	M. Aslam	Taj Muhammad	Ghorri	Sherwan	Promoted to BPS 14
4	17	Khalid Hussain	Muhd Shaif	GMPS Gran Kahu Sharqi	Birote	Promoted to BPS 14
5	18	SAGHEER AHMAD	ABUJMAN	GPS Tareela	NATHIAGALI	Promoted to BPS 14
6	23	Abdul Wahced	Sadullah Khan	GPS Dhamtour	Dhamtour	Promoted to BPS 14
7	24	S Riaz Hussain shah	S Razi shah	GPS Batolani	Havelian	Promoted to BPS 14
8	25	M. Yaqub	Shah Zaman	GPS Thoha	Hajia Gali	Promoted to BPS 14
9	26	M. Rafique	Sher Ahmad	GPS Banda Sipan	ATO	Promoted to BPS 14
10	30	Salf-ur-Rehman	M. Aslam	GPS Lissan	Hajia Gali	Promoted to BPS 14
11	32	GULZAR HUSSAIN SHAH	ABBUL AZIZ SHAH	GPS KALI DHAR	Q/Abad	Promoted to BPS 14
12	34	M. Akram	Khani Zaman	GPS# 4 Atj	ATO	Promoted to BPS 14
13	36	FAZAL UR-REMAN	MIR AHMAD	GPS JANSA	NATHIAGALI	Promoted to BPS 14
14	37	Kala Khan	Nawab Khan	GPS Fqalr Muhammad	Hajia Gali	Promoted to BPS 14
15	38	Muhd Azam	Muhd Hussain	GPS Dana surjal	Birote	Promoted to BPS 14
16	48	MUHAMMAD ISHAQ	GUL Zaman	GPS Tudomalra	Sherwan	Promoted to BPS 14

Dy. District Education Officer
 Abbottabad

SENIOR PRIMARY SCHOOL TEACHER
(SPST) BPS-14

719	1376	Muhammad Asif Khan	Muhammad Hassan Khan	GPS Manu De Gali	Dhanitour	Promoted to BPS 14
720	1377	Nisar Ahmed	Muhammad Ismail	GPS Chatri	Dhanitour	Promoted to BPS 14
721	1378	Tassarwar Hussain	Fida Hussain	GMPS Nala Usmania	ATO	Promoted to BPS 14
722	1380	M TUFAL	M IQBAL	GPS NATHIAGALI	NATHIAGALI	Promoted to BPS 14
723	1381	M. Farman Ali	M. Zaman	Bega Kot	Sherwan	Promoted to BPS 14
724	1383	M Amin	Fazal kareem	Gps Iari syedien	Havellan	Promoted to BPS 14
725	1384	M. Faz	Azom Khan	GPS Aspadar	ATO	Promoted to BPS 14
726	1385	Ghulam Muftaza	Abdul Ghani	GPS Fqair Muhammad	Hajia Gali	Promoted to BPS 14
727	1387	Khatil-ur-Rehman	Abdul Lateef	Gorian Sherwan	Sherwan	Promoted to BPS 14
728	1388	Intezar Hussain Shah	Imdad Hussain Shah	GPS Khuyian	Lora	Promoted to BPS 14

Terms and conditions:-

01. They would be on probation for a Period of One Year extendable for another one year.
02. They be governed by such rules and regulations as may be issued from time to time by Govt.
03. Their Services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of miss conduct, he shall be preceded under the rules framed time to time.
04. Charge report should be submitted to all concerned.
05. Their inter-Se- Seniority on the lower post will remain intact.
06. No TA/DA is allowed for joining his duty.
07. They will give an under taking to be recorded in their Service Books to the effect that if any over payment is made to him in light of this order will be recovered and if he is wrongly promoted he will be reversed.

Muhammad Riaz Khan Swati
 District Education Officer(M)
 Abbottabad

Endst No 1254-62

Promotion for PST BPS-12 TO Senior PST BPS-14 Dated ATD the 21/02/2013

Copy forwarded for information and necessary action to the:-

01. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
02. PS To Secretary to Govt. Khyber Pakhtunkhwa E&SE Department.
03. Dy: District Education Officer(M) Abbottabad.
04. Sub: Div: Education Officer(M) Abbottabad.
05. All ADOs Circles.
06. District Accounts Officer Abbottabad.
07. B&AO Local Office.
08. All concerned.
09. Office File.

Dy: District Education Officer(M)
 Abbottabad

Dy: District Education Officer
 (M) Abbottabad

6

MEMO TO THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

PST

In pursuance of the recommendations of the departmental promotion committee and in pursuance of the Government of Punjab Primary and Secondary Education Directorate (G.O. (P) 1-8/ES/SE/2012 dated 11/7/2012 and Finance Department Circular No. SO(30)/FD/16-22(E)/2010 dated 16/7/2012, the following Male Senior PSTs BPS-14 are hereby promoted to the post of Primary School Head Teacher BPS-15 (Rs. 8500-700-29500) Plus usual allowances as admissible under the rules on the regular basis under the existing recruitment policy of the Provincial Govt. Notifier vide No SO(9C)14 5/2012/Meeting/2012/teaching cadre dated 13/11/2012 on the terms and conditions given below with immediate effect in the interest of public service.

Total No. of PSHT (B) Posts	2672
No. of Primary School Head Teacher as per provision	737
Share of promotion to Primary School Head Teacher BPS-15 as per bank	737
Not to be promoted as PSHT BPS-15	723
No. of Unfilled Posts due to reasons noted in working papers	000

Sl. No	S/No. NO	Name of Teacher	Father Name	School	Circle	Promoted & Posted as PSHT BPS-15	Posting Circle
1	2	M. Farooq	M. Akbar	GPS BAIWAN	NATHIAGALI	GPS BAIWAN	NATHIAGALI
2	11	M. Haroon	Shah Muhammad	GPS Thora Khurd	Shewan	GPS Thora Khurd	Shewan
3	13	M. A. Jani	Shah Muhammad	GPS Ghori	Shewan	GPS Ghori Shewan	Shewan
4	17	Khalid Hussain	Mohd Shah	GMPS Gran Kahu Sharq	Birote	GPS BANDI BEROTE	Birote
5	18	SAGHEER AHMAD	LIQMAN	GPS Fatreela	NATHIAGALI	GPS Fatreela	NATHIAGALI
6	23	Abdul Wahed	Shahid Khan	GPS Dhamtour	Dhamtour	GPS Dhamtour	Dhamtour
7	24	S Riaz Hussain Shah	S. Tari Shah	GPS Batolai	Havelian	GPS Batolai	Havelian
8	25	M. Yaqub	M. An Zaman	GPS Thoha	Hajia Gali	GPS Thoha	Hajia Gali
9	26	M. Rafique	Shir Ahmad	GPS Banda Sapan	ATD	GPS Banda Sapan	ATD
10	30	Saf-ur-Rahman	M. Aslam	GPS Lissan	Hajia Gali	GPS Lissan	Hajia Gali
11	32	GULZAR HUSSAIN SHAH	ABDUL AZIZ SHAH	GPS KALI DHAR	Q/Abad	GPS KALI DHAR	Q/Abad
12	34	M. Akram	Farooq Zaman	GPS# 4 AID	ATD	GPS# 4 AID	ATD
13	36	TAJUL ULLAH KHAN	M. R. AHMAD	GPS JAMSA	NATHIAGALI	GPS JAMSA	NATHIAGALI
14	37	Kali Khan	M. Asad Khan	GMPS Channasa	Hajia Gali	GPS Jaba Bandi	Hajia Gali
15	38	Mohd Akram	Mohd Hussain	GPS Dana surjal	Birote	GPS Dana surjal	Birote
16	39	MUHAMMAD SHAH	M. H. Zaman	GPS Tardaska	Shewan	GPS Tardaska	Shewan

PRIMARY SCHOOL HEAD TEACHER
BPS-15

Sr	Name of Teacher	Former Name	School	Circle	Promoted & Posted as PSNT/SPS-15	Posting Circle
1376	Muhammad Anif Khan	Muhammad Hassan Khan	GPS Manu De Gali	Dhamtour	GPS Jahaffar	Dhamtour
1377	Hisar Ahmad	Muhammad Ismail	GPS Chatri	Dhamtour	GPS Tharhat	Dhamtour
1378	Tasawar Hussain	Fida Hussain	GIMPS Itala Usmania	ATD	GPS Taror	Lora
1380	M TUFAL	M IQBAL	GPS NATHIAGALI	NATHIAGALI	GPS NATHIAGALI	NATHIAGALI
1381	M. Farman Ali	M. Zaman	Bega Kot	Sherwan	GPS Bega Kot	Sherwan
1383	Manan	Sazal Kareem	Cps Tari syedian	Havelian	GPS Panakha	Hajia Gali
1384	M. Har	Alam Khan	GPS Azpadar	ATO	GPS Sial Khan	Lora
1385	Ghulam Moazz	Abdul Ghani	GPS Fqir Muhammad	Hajia Gali	GPS Gali Batgran	Hajia Gali
1387	Rhahil-ur-Rahman	Abdul Lateef	Gorion Sherwan	Sherwan	GPS Thatti Saydian	Sherwan
1388	Intezar Hussain Shah	Hadad Hussain Shah	GPS Khuyian	Lora	GPS Khuyian	Lora

Terms and conditions:-

01. They would be on probation for a Period of One Year extendable for another one year.
02. They be governed by such rules and regulations as may be issued from time to time by Govt.
03. Their Services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of miss conduct, he shall be preceded under the rules framed time to time.
04. Charge report should be submitted to all concerned.
05. Their inter-Se- Seniority on the lower post will remain intact.
06. No TADA is allowed for joining his duty.
07. They will give an under taking to be recorded in their Service Books to the effect that if any over payment is made to him in light of this order will be recovered and if he is wrongly promoted he will be reversed.

Muhammad Riaz Khan Swati
 District Education Officer(M)
 Abbottabad

Form No. 17/11/11/11/11 [Promotion for Senior PGT SPS-14 TO Primary School Head Teacher SPS-15 Dated ATD the 28/07/2012]

Copy forwarded for information and necessary action to the:-

01. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
02. PS To Secretary to Govt. Khyber Pakhtunkhwa E&SE Department.
03. Dy: District Education Officer(M) Abbottabad.
04. Sub: Div: Education Officer(M) Abbottabad.
05. All ADOs Circles.
06. District Accounts Officer Abbottabad.
07. B&AO Local Office.
08. All concerned.
09. Office File.


 Dy: District Education Officer(M)
 Abbottabad
 Dy: District Education Officer
 (M) Abbottabad

19

8

Annexure B

33

Amme P...
14

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

NOTIFICATION

WHEREAS, as per report of Sub Divisional Education Officer (M) Abbottabad, you Mr. Maqsood Ahmed PST GPS Surjal remained absent from duty for which you were proceeded for having committed the following acts which constitute inefficiency, misconduct and habitually absenting yourself without prior approval of leave and drawn Rs.300438/- as pay for the absent period inflicting huge financial loss to the Govt: treasury in result of dishonestly and fraudulently under Rule-3 Sub Rules-(a),(b) of Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules 2011.

Detail of wilful absent period is as under:-

- | | | | |
|----|------------------------------------|----|------------------------------------|
| 1. | 05.11.2010 to 30.11.2010 (26 days) | 2. | 01.12.2010 to 31.12.2010 (31 days) |
| 3. | 01.01.2011 to 30.03.2011 (89 days) | 4. | 08.05.2011 to 31.07.2011 (85 days) |
| 5. | 21.10.2011 to 31.12.2011 (72 days) | 6. | 01.01.2012 to 28.02.2012 (59 days) |
- Total absent period = 362 days

AND WHEREAS Inquiry Committee was constituted vide this office Endst: No.12440-43 dated 7.7.2012 regarding your absence from duty and illegal drawl of salary for the absent period.

The Inquiry Committee confirmed your wilful absence and recommended recovery of amount of Rs.391604/- drawn as pay without performing any type of duty.

AND WHEREAS a Show Cause Notice was served upon you through Sub Divisional Education Officer (M) Abbottabad vide this office No. 12917 dated 24.7.2012 under charge of wilful absence and irregular drawl of Rs.391604/-.

AND WHEREASE your reply received vide Sub Divisional Education Officer (M) Abbottabad letter No.1888 dated 28.8.2012 and was found unsatisfactory, however you subsequently submitted an other written statement in response to the same show cause notice before the Sub Divisional Education (M) Abbottabad on 15.4.2013 whereby you have admitted your absence period and contended that you performed Censes duty from 01.04.2011 to 7.5.2011 and election duty from 01.8.2011 to 20.8.2011 (03 months & 27 days).

AND WHEREAS by treating the period of Censes/Election duties as duty period, your wilful absent period is 362(three hundred & sixty days) for which you have drawn Rs.300438/- as a pay un-lawfully.

AND WHEREAS you have been found guilty of misconduct, inefficiency and absenting yourself for the period of 362 days and irregular and unauthorized drawl of Rs. 300438/- from the Govt: Exchequer.

NOW THEREFORE, in exercise of Powers conferred by the Khyber Pakhtunkhwa, Govt: servant (Efficiency & Discipline) Rules-2011, the undersigned being Competent Authority is hereby pleased to impose minor penalty of withholding of promotion for a period of three years and recovery of Rs.300438/-(Three lac four hundred & thirty Eight only) @ Rs.7000/- PM. upon Mr. Maqsood Ahmed PST GPS Surjal with immediate effect. Moreover, absent period is converted into Extra Ordinary Leave without pay.

Sd/-
DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

Endst: No. 3728-38 PF Maqsood Ahmed PST

Dated 21/8 /2013

- Copy forwarded to the:-
1. Secretary to Govt: of Khyber Pakhtunkhwa E&SED Peshawar.
 2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
 3. District Comptroller of Accounts Abbottabad
 4. Sub Divisional Education Officer (Male) Abbottabad w/r to his No. 1888 dated 28.8.2012 with the direction that entry should be recorded in the service book & deduction/recovery be made accordingly under intimation to this office.
 5. Official concerned.

[Signature]
DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

(9)

Annexure C

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

ORDER

1. WHEREAS you Mr. Maqsood Ahmed, PST GPS Kumar Bandi (Circle Sherwan) Abbottabad was proceeded for having committed the following gross irregularities which constitute inefficiency, misconduct and corruption under Rule-3 Sub Rules (a), (b) & (c) of the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011.
2. AND WHEREAS, minor penalty of withholding of promotion for a period of three years and recovery of Rs.300438/- (Three lac, four hundred & thirty eight only) @Rs.7000/-PM was imposed upon you regarding your willful absence from duty and dishonestly/fraudulently/unlawfully drawl of above amount as pay for the absent period vide this office Notification issued under Endst: No. 3728-32 dated 21-05-2013.
3. AND WHEREAS, you preferred service appeal in the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar against the said Notification.
4. AND WHEREAS, in pursuance to the judgment of Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No.1252/2013 announced on 16-02-2016, charge sheet, statement of allegation was served upon you and regular inquiry committee was constituted vide this office notifications issued under Endst: Nos.2557-63 dated 02-04-2016, 3168-75 dated 22-04-2016 to inquire the charges leveled against you. The inquiry committee provided you full opportunity of self defence, even to cross examines the evidence against you and submitted its finding/report vide No.378 dated 13-06-2016.
5. AND WHEREAS, as per findings and recommendation of inquiry report, you have illegally, fraudulently and unlawfully drawn Rs.368764/- as pay for the following absent period inflecting huge financial loss to the Govt: Treasury.

S.#	Absence Period.	Months/Days.	Gross Pay.	Pay Drawn.
1	05-11-2010 to 30-11-2010.	26 days.	22732/-	19701/-
2	01-12-2010 to 20-12-2010.	20 days.	23259/-	15005/-
3	23-12-2010 to 31-12-2010.	09 days.	23259/-	6753/-
4	01-01-2011 to 31-03-2011.	03 Months.	23259/-	69777/-
5	07-05-2011 to 09-05-2011.	03 days.	23259/-	2325/-
6	13-05-2011 to 30-06-2011.	01 Months & 18 days.	23259/-	36764/-
7	01-07-2011 to 30-09-2011.	03 Months.	27866/-	83598/-
8	01-10-2011 to 30-11-2011.	02 Months.	27866/-	55732/-
9	01-12-2011 to 22-02-2012.	02 Months & 22 days.	28366/-	79019/-
		Total Amount:-		Rs.368674/=

6. AND WHEREAS Show Cause Notice was served upon you through Sub Divisional Education Officer (Male) Abbottabad vide this office Memo: No.5142 dated 16-06-2016, wherein minor penalties were tentatively proposed under Rule-4(1) Sub Rule (a)(ii)&(iii) of Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rule,2011 with recovery of unlawfully drawn amount of Rs.368674/- from Government treasury, wherein it is clearly mentioned at S.No.4 "that if no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you".
7. AND WHEREAS, you have received the said Show Cause Notice on 23-06-2016 and failed to reply the same within stipulated period. In response to your applications dated 26-06-2016 and 01-07-2016, you was further directed to avoid lame excuses and submit reply to Show Cause Notice upto 01-07-2016 vide this office Memo: No.5415-18 dated 27-06-2016, whereas you have further refused to receive the said letter as per report of ASDEO Circle Sherwan dated 01-07-2016 and the said letter was also sent on your home address through registered post.

8. WHEREAS you have failed to submit your reply of the show cause notice within stipulated period and deliberately delayed the inquiry proceedings, which is established evidence that you have committed gross misconduct, corruption, inefficiency, insubordination, professional dishonesty and financial loss to the Govt: Exchequer.
9. AND By reason of above, charges levelled against you, have been proved and you are found guilty of gross misconduct, corruption, inefficiency, insubordination, professional dishonesty and financial loss to the Govt: Exchequer under Rule-3 of the Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rule, 2011.

NOW THEREFORE, the Competent Authority in exercise of the power conferred upon him under Rule-4(1) Sub Rule (a)(ii)&(iii) of Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rule, 2011 is pleased to impose minor penalty of **"WITHHOLDING OF PROMOTION FOR A PERIOD OF THREE YEARS AND RECOVERY OF Rs.368674/= (Rs. Three lac, sixty eight thousand six hundred seventy four) in installments @ Rs.10000/= PM"** upon Mr. Maqsood Ahmed, PST GPS Kumar Bandi (Circle Sherwan) Abbottabad and the absence period is converted as leave without pay.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

Endst: No. 5612-18 /AE-II/PF Maqsood Ahmed PST

Dated 13/7/2016.

Copy for information & necessary action to the:-

1. Honorable Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar with reference to Execution petition No.49/2016 in service appeal No.1252/2013.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer Abbottabad.
4. FS to Secretary to Govt: of Khyber Pakhtunkhwa E&SED Peshawar.
5. Sub Divisional Education Officer (Male) Abbottabad with the remarks that relevant entry be recorded in his service book.
6. Mr. Maqsood Ahmed, PST Govt: Primary School Kumar Bandi (Circle Sherwan) Abbottabad.
7. Master File.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

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Annexures D

10

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
CAMP COURT ABBOTTABAD

Service Appeal No. 952/2016

Date of Institution... 07.09.2016

Date of decision... 24.08.2017

Maqsood Ahmad (PST) GPS Kamhar Bandi, Circle Sherwan, Tehsil and District,
Abbottabad. ... (Appellant)

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and
Secondary Education, Peshawar and 4 others. ... (Respondents)

Appellant

Pro Se

MR. MUHAMMAD BILAL
Deputy District Attorney

For respondents.

MR. NIAZ MUHAMMAD KHAN,
MR. MUHAMMAD HAMID MUGHAL

CHAIRMAN
MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: - Arguments of the appellant
and learned Deputy District Attorney for the respondents heard and record
perused.

FACTS

2. This is an appeal filed by the appellant against the order of promotion dated
18.05.2016 whereby his juniors were promoted and he was deferred due to
pendency of disciplinary proceedings.

ARGUMENTS

3. The appellant *Pro se* argued that his juniors were promoted and he deserves
promotion but has not been promoted. He further argued that the disciplinary
proceedings pending against him has got no basis. That the disciplinary proceedings

(11)

in which he was awarded minor punishment of withholding of promotion for 3 years has been set aside today by this Tribunal.

4. On the other hand, the learned Deputy District Attorney argued that the appellant was considered for promotion and he was deferred due to pendency of disciplinary proceedings. That in the said disciplinary proceedings he was awarded the minor punishment of withholding of promotion for three years. That though that order is set aside by this Tribunal today but he has been awarded minor penalty of withholding of promotion in another case. He also argued that this Tribunal has got no jurisdiction to decide fitness of a person to be promoted.

CONCLUSION

Proposition
5. It is settled position of law that this Tribunal has got nothing to do with the fitness for promotion case. In this respect a judgment reported as 2013-SCMR-99 is very much clear. This Tribunal can at the most direct the department to consider the appellant, if he is otherwise eligible. The minutes of the Departmental Promotion Committee referred to above already speaks that the appellant was considered for promotion but was deferred due to pendency of departmental proceedings against him. Now after setting aside of the said proceedings today this Tribunal directs the department to consider the appellant for promotion, if he is eligible otherwise. No order as to the fitness for promotion of the appellant is made by this Tribunal. It is the discretion of the department to promote or not promote the appellant on the basis of his fitness. The appeal is accepted in the above terms. Parties are left to bear their own costs. File be consigned to the record room

md.
Sh. Mior Muhammad Khan,
Chairman
complaint Appeal.
Sh. M. Hamid Nigral,
Member

Certified
copy
[Signature]



(12) An "E"
D. Adami

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT.
REGULATION WING

NOTIFICATION

Dated: 05.12.2017

No.SO(Policy)/E&AD/1-16/2017. The Competent Authority is pleased to direct that in the "Khyber Pakhtunkhwa Promotion Policy, 2009" circulated vide this department letter No.SOE-III(E&AD)1-3/2008 dated 28.1.2009, the following amendments shall be made, namely:-

AMENDMENTS

1. The following words (in italic form) shall be added after the word and dot "PER." appearing in the 3rd line of sub-para (a) of para IV:
"The requirement of earning one calendar year report will start from the date the officer joins back and the training period will also be included for completion of the requirement of such PER."
2. After sub-para (h) of para IV the following sub-para (i) shall be inserted:
 "the mere fact that the seniority is sub-judiced will not debar the competent forum to make recommendation. However, in such cases following shall be applicable:
 - (i) All promotion based on sub-judice seniority will be conditional i.e. subject to final outcome of Court cases.
 - (ii) An officer who gets his seniority restored and becomes senior to already promoted officers in the cadre will be considered for promotion by the relevant board from the date when his junior got promoted.
 - (iii) In case, the officer expires or retires from service and subsequently, his seniority is restored his case will be considered for proforma promotion alongwith all financial benefits.
 - (iv) Juniors promoted on sub-judice seniority list will be assigned seniority as per final Court Orders and will be reverted in case there is no vacancy".
3. Para II (b) shall be substituted as follow:
 "(b) This condition will not be applicable to civil servants in specialized cadres such as Doctors, Teachers, Professors, Research Scientists and incumbents of purely technical posts for promotion within their own line of specialization as envisaged in the existing promotion policy. However, for promotion against technical posts in BS-20, which require managerial and administrative skills, the SMC shall be mandatory."

These are Material Amendments.
 Share it with Degrss All Concerned.
 D. Adami
 06.12.2017
 Place on file as well
 07.12.2017

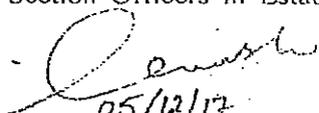
4. The clause (i) of sub-para (a) of para V shall be deleted and the next below clause (ii) and (iii) shall be re-numbered as (i) and (ii). In sub-para (b) of Para V the word three shall be substituted with the word "two".

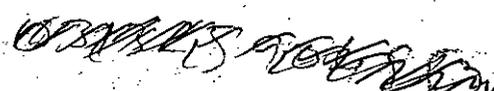
Sd/-
Secretary to Government of Khyber Pakhtunkhwa
Establishment Department

ENDST: NO & EVEN DATE

Copy is forwarded to:-

1. Additional Chief Secretary, Govt. of Khyber Pakhtunkhwa, Planning & Development Department.
2. Additional Chief Secretary (FATA), FATA Secretariat Peshawar.
3. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
4. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
5. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. All Divisional Commissioners in Khyber Pakhtunkhwa.
8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
9. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
10. All Deputy Commissioners in Khyber Pakhtunkhwa and Political Agents in FATA.
11. The Registrar Peshawar High Court, Peshawar.
12. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
13. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
14. All Additional Secretaries, Deputy Secretaries and Section Officers in Establishment Administration Department.


05/12/17
(BEENISH IQBAL)
SECTION OFFICER (POLICY)



BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT ABBOTTABAD

Execution Petition No.113/2018

In

Service Appeal No. 952/2016

MAQSOOD AHMAD.....Appellant

VERSUS

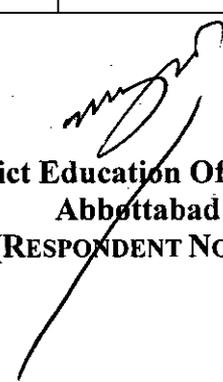
GOVERNMENT OF KHYBER PAKHTUNKHWA & OTHERS.....Respondents

REPLY OF EXECUTION PETITION ON BEHALF OF RESPONDENT NO. 3

INDEX

Sr.#	Description	Page No's	Annexure
1	Reply alongwith Affidavit	01 to 02	
2	Copies of letter No. 6894 dated 08-06-2018	03	"A"

Dated: 16/10/2018


District Education Officer (M)
Abbottabad
(RESPONDENT NO.3)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT ABBOTTABAD

Execution Petition No.113/2018

In

Service Appeal No. 952/2016

MAQSOOD AHMAD.....Appellant

VERSUS

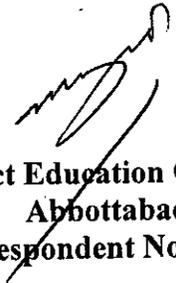
GOVERNMENT OF KHYBER PAKHTUNKHWA & OTHERS.....Respondents

REPLY OF EXECUTION PETITION ON BEHALF OF RESPONDENT NO. 3

Respectfully Sheweth:-

1. In reply to Para No. 1, of the Execution Petition the case regarding petitioner was deferred due to initiation of departmental proceeding.
2. That the Para No. 2, of the Execution Petition relates to record.
3. That the Para No. 3, of the Execution Petition relates to record.
4. That the Para No. 4, of the Execution Petition relates to record.
5. In reply to Para No. 5, it is submitted that promotion of petitioner was withheld vide office order No. 10150-52 dated 13-12-2016 and petitioner impugned this order in Service Appeal No. 313/2017 and case is fixed for argument on 16-10-2018 before this Honourable Court. Furthermore in this respect respondent No. 3 intimated the petitioner through letter No. 6894 dated 08-06-2018. (Copy of letter No 6894 dated 08-06-2018 is annexed herewith as Annexure "A")

It is, therefore, very humbly prayed that in the light of forgoing reply the Execution Petition in hand may graciously be dismissed with cost throughout.


District Education Officer (M)
Abbottabad
(Respondent No. 3)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT ABBOTTABAD

Execution Petition No.113/2018

In

Service Appeal No. 952/2016

MAQSOOD AHMAD.....Appellant

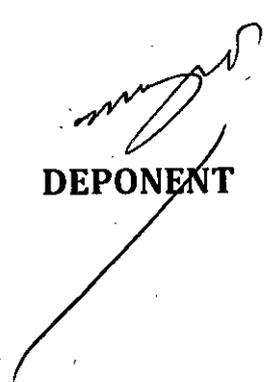
VERSUS

GOVERNMENT OF KHYBER PAKHTUNKHWA & OTHERS.....Respondents

REPLY OF EXECUTION PETITION ON BEHALF OF RESPONDENT NO. 3

AFFIDAVIT

I, Mr. Qazi Tajjamal Hussain, District Education Officer (M) Abbottabad, do hereby affirm and declare on oath that contents of forgoing Reply are correct and true according to the best of my knowledge and belief and nothing has been suppressed from this Honorable Tribunal.


DEPONENT

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OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

/PF Maqsood PST

Dated 8 / 6 /2018

The Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Subject: IMPLEMENTATION OF SERVICE TRIBUNAL DECISION DATED
24.8.2017

Memo:

Kindly refer to your office Memo: No.5289/F.No.34/PST(M) Abbottabad dated 25.5.2018 on the subject cited above and to submit that promotion of Mr. Maqsood Ahmed, PST GPS Muslim Town Abbottabad has been withheld for the period of three years w.e. from 13.12.2016 vide this office Notification issued under Endst: No.10150-52 dated 13.12.2016 and also he filed service appeal No.313/17 before Honorable Service Tribunal Khyber Pakhtunkhwa Peshawar against the Notification cited above and the next date of hearing is fixed on 19.07.2018 for arguments. Hence, appeal in hand may please be kept pending till the decision of Honorable Service Tribunal.


DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

Endst: of even No.& date

Copy forwarded for information to Mr. Maqsood Ahmed, PST GPS Muslim Town near Sabzi Mandi Abbottabad.


DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

DBA number

735

BC No.

S.No 87001

Secretary
District Bar Association
Abbottabad

Name of Advocate

حاجی محمد اویسی

وکالت نامہ

بعدالت جناب جسپر بخش خواں سروس سر بیٹونل، شاہور کمپ کورٹ ایبٹ آباد

عنوان: مقررہ نام گورنمنٹ آف جسپر بخش خواں و سروس

منجانب: اپیلانٹ (Appellant) نوعیت مقدمہ Execution Petition

باعت تحریر آنکہ Cell # 0333-503449

مقدمہ صدر رج بالا عنوان میں اپنی طرف سے اس کے بیرونی جوابدہی پر اپنے پیشگی با تصفیہ مقدمہ بمقام ایبٹ آباد کے لیے

محمد اویسی خان قاضی ایبٹ آباد

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشگی پر خود یا بذریعہ مختار خاص روبرو عدالت حاضر ہوتا ہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشگی پر مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ پکھری کے علاوہ کسی اور جگہ ساعت ہونے پر یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا بخاندہ کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داختمہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر تائیدی دراضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات از پکھری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا قرتی یا گرفتاری قبل از گرفتاری واجراءے ڈگری بھی صاحب موصوف کو بشرط ادا ایگی علیحدہ مختانہ بیرونی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے کسی جزوی کارروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ایسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری نسیں تاریخ پیشگی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی بیرونی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

2018/12/20

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

خورخندہ: دن ماہ سال

Attested & Accepted

مقررہ نامہ وکالت منظور (اپیلانٹ)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

ORDER

WHEREAS major penalty of "*WITHHOLDING OF PROMOTION FOR A PERIOD OF THREE YEARS*" was imposed upon you, Mr. Maqsood Ahmed, while working as PST at GPS Kumar Bandi presently posted GPS Muslim Town Abbottabad vide this office order issued under Endst: No.10150-52 dated 13.12.2016.

- 2 AND WHEREAS, you were proceeded for having committed the following gross irregularities which constitute inefficiency & misconduct under Rule-3 of the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011.
- 3 AND WHEREAS, in pursuance to the Judgment of Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No.313/2017 announced on 19.02.2019, Inquiry Committee was constituted vide this Office Notification issued under Endst: No.3050-55 dated 18.3.2019 to conduct denovo inquiry against you under the rule and provide you the opportunity of self defence and as well as cross examination the witness against you, if any. Charge Sheet and Statement of Allegations was served upon you through SDEO (M) Abbottabad vide this office Memo: No.3049 dated 18.3.2019.
- 4 AND WHEREAS Inquiry Committee provided you the opportunity of self defence as well as cross examination and submitted its findings/recommendation vide Memo: No.1062 dated 06.5.2019.
- 5 AND WHEREAS, Show Cause Notice regarding your refusal to receive this office letter No.5334 dated 23.6.2016 and 5415-18 dated 27.6.2016 in the light of above inquiry report was served upon you vide this office Memo: No.5600 dated 14.5.2019 through SDEO (M) Abbottabad, wherein major penalty under Rule-4 of the rules ibid was tentatively imposed upon you.
- 6 AND WHEREAS, you failed to reply of the show cause notice within stipulated period and submitted an application dated 29.5.2019 wherein in you contended to re-cross examination and personal hearing.
- 7 AND WHEREAS, you were directed vide this office Memo: No.6394-96 dated 30.5.2019 to appear for personal hearing on 01.6.2019 alongwith reply of show cause notice and avail the opportunity of self defence.
- 8 AND WHEREAS you appeared for personal hearing on the due date, submitted reply of show cause notice which was found unsatisfactory, while you badly failed to defend the charges leveled against you.
- 9 AND by reason of above, charges leveled against you have been proved and you were found guilty of misconduct & inefficiency under Rule-3 of the said Rules.

NOW THEREFORE, as per recommendation of the Inquiry Committee, the Competent Authority in exercise of the power conferred upon him under Rule-4 of Khyber Pakhtunkhwa, Government Servant (Efficiency & Discipline) Rules, 2011, that major penalty of "*WITHHOLDING OF PROMOTION FOR A PERIOD OF THREE YEARS*" *already* imposed upon Mr. Maqsood Ahmed, PST Govt: Primary School Kumar Bandi Circle Sherwan presently posted as PST at GPS Muslim Town Abbottabad vide this office order issued under Endst: No.10150-52 dated 13.12.2016 shall remain intact.

Endst: No. 7775-79 /PF Maqsood Ahmed PST
Copy for information & necessary action to the:-

Self
DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD
Dated 10/7 /2019

1. Honorable Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No. 313/2017 announced on 19.02.2019.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Comptroller of Accounts Abbottabad
4. Sub Divisional Education Officer (Male) Abbottabad with the remarks that relevant entry should be made in the service book of the teacher concerned and submit compliance report positively.
5. Mr. Maqsood Ahmed, PST GPS Muslim Town Abbottabad.

[Signature]
DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

324

ORDER

WHEREAS major penalty of "WITHHOLDING OF PROMOTION FOR A PERIOD OF THREE YEARS" was imposed upon you, Mr. Maqsood Ahmed, while working as PST at GPS Kumar Bandi presently posted GPS Muslim Town Abbottabad vide this office order issued under Endst: No.10150-52 dated 13.12.2016.

- 2 AND WHEREAS, you were proceeded for having committed the following gross irregularities which constitute inefficiency & misconduct under Rule-3 of the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011.
- 3 AND WHEREAS, in pursuance to the Judgment of Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No.313/2017 announced on 19.02.2019, Inquiry Committee was constituted vide this Office Notification issued under Endst: No.3050-55 dated 18.3.2019 to conduct denovo inquiry against you under the rule and provide you the opportunity of self defence and as well as cross examination the witness against you, if any. Charge Sheet and Statement of Allegations was served upon you through SDEO (M) Abbottabad vide this office Memo: No.3049 dated 18.3.2019.
- 4 AND WHEREAS Inquiry Committee provided you the opportunity of self defence as well as cross examination and submitted its findings/recommendation vide Memo: No.1062 dated 06.5.2019.
- 5 AND WHEREAS, Show Cause Notice regarding your refusal to receive this office letter No.5334 dated 23.6.2016 and 5415-18 dated 27.6.2016 in the light of above inquiry report was served upon you vide this office Memo: No.5600 dated 14.5.2019 through SDEO (M) Abbottabad, wherein major penalty under Rule-4 of the rules ibid was tentatively imposed upon you.
- 6 AND WHEREAS, you failed to reply of the show cause notice within stipulated period and submitted an application dated 29.5.2019 wherein in you contended to re-cross examination and personal hearing.
- 7 AND WHEREAS, you were directed vide this office Memo: No.6394-96 dated 30.5.2019 to appear for personal hearing on 01.6.2019 alongwith reply of show cause notice and avail the opportunity of self defence.
- 8 AND WHEREAS you appeared for personal hearing on the due date, submitted reply of show cause notice which was found unsatisfactory, while you badly failed to defend the charges leveled against you.
- 9 AND by reason of above, charges leveled against you have been proved and you were found guilty of misconduct & inefficiency under Rule-3 of the said Rules.

NOW THEREFORE, as per recommendation of the Inquiry Committee, the Competent Authority in exercise of the power conferred upon him under Rule-4 of Khyber Pakhtunkhwa, Government Servant (Efficiency & Discipline) Rules, 2011, that major penalty of "WITHHOLDING OF PROMOTION FOR A PERIOD OF THREE YEARS" already imposed upon Mr. Maqsood Ahmed, PST Govt: Primary School Kumar Bandi Circle Sherwan presently posted as PST at GPS Muslim Town Abbottabad vide this office order issued under Endst: No.10150-52 dated 13.12.2016 shall remain intact.

Endst: No. 775-79 /PF Maqsood Ahmed PST
Copy for information & necessary action to the:-

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

Dated 10/7 /2019

1. Honorable Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No. 313/2017 announced on 19.02.2019.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Comptroller of Accounts Abbottabad
4. Sub Divisional Education Officer (Male) Abbottabad with the remarks that relevant entry should be made in the service book of the teacher concerned and submit compliance report positively.
5. Mr. Maqsood Ahmed, PST GPS Muslim Town Abbottabad.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

354

ORDER

WHEREAS major penalty of "*WITHHOLDING OF PROMOTION FOR A PERIOD OF THREE YEARS*" was imposed upon you, Mr. Maqsood Ahmed, while working as PST at GPS Kumar Bandi presently posted GPS Muslim Town Abbottabad vide this office order issued under Endst: No.10150-52 dated 13.12.2016.

- 2 AND WHEREAS, you were proceeded for having committed the following gross irregularities which constitute inefficiency & misconduct under Rule-3 of the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011.
- 3 AND WHEREAS, in pursuance to the Judgment of Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No.313/2017 announced on 19.02.2019, Inquiry Committee was constituted vide this Office Notification issued under Endst: No.3050-55 dated 18.3.2019 to conduct denovo inquiry against you under the rule and provide you the opportunity of self defence and as well as cross examination the witness against you, if any. Charge Sheet and Statement of Allegations was served upon you through SDEO (M) Abbottabad vide this office Memo: No.3049 dated 18.3.2019.
- 4 AND WHEREAS Inquiry Committee provided you the opportunity of self defence as well as cross examination and submitted its findings/recommendation vide Memo: No.1062 dated 06.5.2019.
- 5 AND WHEREAS, Show Cause Notice regarding your refusal to receive this office letter No.5334 dated 23.6.2016 and 5415-18 dated 27.6.2016 in the light of above inquiry report was served upon you vide this office Memo: No.5600 dated 14.5.2019 through SDEO (M) Abbottabad, wherein major penalty under Rule-4 of the rules ibid was tentatively imposed upon you.
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- 7 AND WHEREAS, you were directed vide this office Memo: No.6394-96 dated 30.5.2019 to appear for personal hearing on 01.6.2019 alongwith reply of show cause notice and avail the opportunity of self defence.
- 8 AND WHEREAS you appeared for personal hearing on the due date, submitted reply of show cause notice which was found unsatisfactory, while you badly failed to defend the charges leveled against you.
- 9 AND by reason of above, charges leveled against you have been proved and you were found guilty of misconduct & inefficiency under Rule-3 of the said Rules.

NOW THEREFORE, as per recommendation of the Inquiry Committee, the Competent Authority in exercise of the power conferred upon him under Rule-4 of Khyber Pakhtunkhwa, Government Servant (Efficiency & Discipline) Rules, 2011, that major penalty of "*WITHHOLDING OF PROMOTION FOR A PERIOD OF THREE YEARS*" already imposed upon Mr. Maqsood Ahmed, PST Govt: Primary School Kumar Bandi Circle Sherwan presently posted as PST at GPS Muslim Town Abbottabad vide this office order issued under Endst: No.10150-52 dated 13.12.2016 shall remain intact.

Endst: No. 7775-79 /PF Maqsood Ahmed PST
Copy for information & necessary action to the:-

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD
Dated 10/7 /2019

1. Honorable Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No. 313/2017 announced on 19.02.2019.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Comptroller of Accounts Abbottabad
4. Sub Divisional Education Officer (Male) Abbottabad with the remarks that relevant entry should be made in the service book of the teacher concerned and submit compliance report positively.
5. Mr. Maqsood Ahmed, PST GPS Muslim Town Abbottabad.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD 324

ORDER

WHEREAS major penalty of "WITHHOLDING OF PROMOTION FOR A PERIOD OF THREE YEARS" was imposed upon you, Mr. Maqsood Ahmed, while working as PST at GPS Kumar Bandi presently posted GPS Muslim Town Abbottabad vide this office order issued under Endst: No.10150-52 dated 13.12.2016.

- 2 AND WHEREAS, you were proceeded for having committed the following gross irregularities which constitute inefficiency & misconduct under Rule-3 of the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011.
- 3 AND WHEREAS, in pursuance to the Judgment of Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No.313/2017 announced on 19.02.2019, Inquiry Committee was constituted vide this Office Notification issued under Endst: No.3050-55 dated 18.3.2019 to conduct denovo inquiry against you under the rule and provide you the opportunity of self defence and as well as cross examination the witness against you, if any. Charge Sheet and Statement of Allegations was served upon you through SDEO (M) Abbottabad vide this office Memo: No.3049 dated 18.3.2019.
- 4 AND WHEREAS Inquiry Committee provided you the opportunity of self defence as well as cross examination and submitted its findings/recommendation vide Memo: No.1062 dated 06.5.2019.
- 5 AND WHEREAS, Show Cause Notice regarding your refusal to receive this office letter No.5334 dated 23.6.2016 and 5415-18 dated 27.6.2016 in the light of above inquiry report was served upon you vide this office Memo: No.5600 dated 14.5.2019 through SDEO (M) Abbottabad, wherein major penalty under Rule-4 of the rules ibid was tentatively imposed upon you.
- 6 AND WHEREAS, you failed to reply of the show cause notice within stipulated period and submitted an application dated 29.5.2019 wherein in you contended to re-cross examination and personal hearing.
- 7 AND WHEREAS, you were directed vide this office Memo: No.6394-96 dated 30.5.2019 to appear for personal hearing on 01.6.2019 alongwith reply of show cause notice and avail the opportunity of self defence.
- 8 AND WHEREAS you appeared for personal hearing on the due date, submitted reply of show cause notice which was found unsatisfactory, while you badly failed to defend the charges leveled against you.
- 9 AND by reason of above, charges leveled against you have been proved and you were found guilty of misconduct & inefficiency under Rule-3 of the said Rules.

NOW THEREFORE, as per recommendation of the Inquiry Committee, the Competent Authority in exercise of the power conferred upon him under Rule-4 of Khyber Pakhtunkhwa, Government Servant (Efficiency & Discipline) Rules, 2011, that major penalty of "WITHHOLDING OF PROMOTION FOR A PERIOD OF THREE YEARS" already imposed upon Mr. Maqsood Ahmed, PST Govt: Primary School Kumar Bandi Circle Sherwan presently posted as PST at GPS Muslim Town Abbottabad vide this office order issued under Endst: No.10150-52 dated 13.12.2016 shall remain intact.

Endst: No. 1115-78 /PF Maqsood Ahmed PST
Copy for information & necessary action to the:-

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD
Dated 10/7 /2019

1. Honorable Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No. 313/2017 announced on 19.02.2019.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Comptroller of Accounts Abbottabad
4. Sub Divisional Education Officer (Male) Abbottabad with the remarks that relevant entry should be made in the service book of the teacher concerned and submit compliance report positively.
5. Mr. Maqsood Ahmed. PST GPS Muslim Town Abbottabad.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

**BEFORE THE SERVICE TRIBUNAL OF KHYBER
PAKHTUNKHWA, PESHAWAR**



Execution Petition No. 113 /2018

IN

Service Appeal No. 952/2016
Decided on 24/08/2017

413
Date: 11/04/2018

Maqsood Ahmed (PST) Govt. Primary School Kamhar Bandi, Circle
Sherwan, Tehsil and District, Abbottabad.

....PETITIONER

VERSUS

1. Govt. of KPK, through Secretary Elementary and Secondary Education of KPK, Peshawar & others.
2. Director Elementary and Secondary Education, KPK
3. District Education Officer Male, Abbottabad.

....RESPONDENTS

EXECUTION PETITION

EXECUTION PETITION SEEKING FOR
IMPLEMENTATION OF JUDGMENT DATED
24/08/2017 PASSED IN SERVICE APPEAL NO.
952/2016 BY THIS HONOURABLE
TRIBUNAL KPK COMP COURT,
ABBOTTABAD.

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

NOTIFICATION:-

Consequent upon the recommendation of the Departmental Promotion Committee dated 17.04.2021 and in pursuance to the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department Notification issued vide No. SO (B&A)/1-18/E&SE/2012 dated 11.7.2012, Finance Department Endst: No.SO(FR)/FD/10-22(E)/2010 dated 16.7.2012 & further amendment vide Notification No. SO (PE)4-5/SSRC/Meeting/2012/Teaching Cadre/2017 dated 30/01/2018, the following (01) Primary School Teacher is hereby promoted to the post of SPST BPS-14 (Rs.15180-1170-50280) plus usual allowances as admissible under the rules on regular basis on the terms & conditions given below and are hereby further posted against vacant post of SPST BPS-14 in the school noted against his name with immediate effect.

S #	PST Seniority No.	Name of Teacher	Present School	Place of posting	Remarks
1	578	Maqsood Ahmed	GPS Muslim Town	Promoted & posted in the same school	Against V/Post

Terms & Conditions:

1. On his promotion, the teacher concerned will be on probation for a period of one year in terms of section-6(2) of Khyber Pakhtunkhwa Civil Servant Act 1973 read with rule 15 (1) of civil, Servant (appointment, Promotion & Transfer) Rules 1989.
2. He will be governed by such rules and regulations as may be issued from time to time by the Govt.
3. His services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he will be proceeded under the rules framed time to time unsatisfactory during probationary period. In case of misconduct, he will be proceeded under the rules framed time to time probationary period.
4. His Inter-Se-Seniority on the lower post will intact.
5. He will give an undertaking to be recorded in his Service Books to the effect that if any over payment is made to him will be recovered and if he is wrongly promoted, he will be reversed.
6. He should join his post within fifteen days (15) of the issuance of this order. In case of failure to join his post within 15 days, his promotion will expire automatically and no subsequent appeal will be entertained.
7. Necessary entries should be recorded in his service book.
8. Charge report should be submitted to all concerned.
9. Checking & verification of all documents shall be ensured by the DDO concerned.
10. NO TA/DA is allowed.

MUHAMMAD SHAUKAT
DISTRICT EDUCATION OFFICER (MALE)
ABBOTTABAD

Endst: No. 3104-18 /Promotion PST to SPST 5/2018 *Dated: 13-05-2021*

1. PS to Secretary Govt: of Khyber Pakhtunkhwa E&SED Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
4. District Comptroller of Accounts Abbottabad.
5. Sub Divisional Education Officer (M) Abbottabad.
6. Assistant Programmer EMIS Local Office.
7. Teacher concerned.

[Signature]
DISTRICT EDUCATION OFFICER (MALE)
ABBOTTABAD