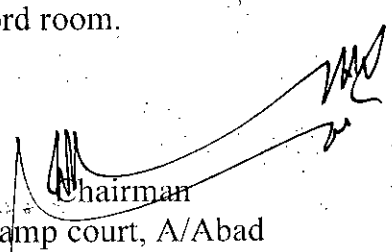


E.P. No. 17/2018  
Naveed Iqbal vs Govt

18.04.2018

Petitioner in person and Syed Hajjaj Hussain Shah, Litigation Officer alongwith Mr. Usman Ghani, District Attorney for the respondents present. Representative of the respondents submitted implementation report. From perusal of the judgment of this Tribunal, it transpired that this Tribunal had reinstated the petitioner and the department complied with the said order. This Tribunal also directed the departmental authority to send signatures of Qazi Tajammul Hussain for verification in the light of the judgment of the august Supreme Court of Pakistan which process is underway.

The present execution petition is not maintainable and is dismissed. File be consigned to the record room.

  
Chairman  
Camp court, A/Abad

ANNOUNCED  
18.04.2018

FORM OF ORDER SHEET

Execution Petition No. 17/2018

S.No.	Date of order Proceedings	Order or other proceedings with signature of Judge
1	2	3
1	15.01.2018	<p>The Execution Petition of Mr. Naveed 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	24-01-2018	<p>This Execution Petition be put up before Touring S. Bench at A.Abad on <u>21-02-2018</u></p> <p><del>Learned Additional Advocate General present. Notice of the present execution petition be given to respondents for 18.04.2018 before S.B at camp court Abbottabad and to come up for reply and implementation report on the date fixed.</del></p> <p style="text-align: center;"><del>Member</del> <del>Camp court, Abbottabad</del></p>
21.02.2018		<p>Learned Additional Advocate General present. Notice of the present execution petition be given to respondents for 18.04.2018 before S.B at camp court Abbottabad and to come up for reply and implementation report on the date fixed.</p> <p style="text-align: right;"><i>[Signature]</i> Member Camp court, A/Abad.</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR  
CAMP COURT , ABBOTTABAD

Execution Petition No. 57 /2018

IN

Service Appeal No. 58/2017

Decided on 24/08/2017

Naveed Iqbal S/o Ghulam Rabbani (A.T) Govt High School No.3, Abbottabad R/o  
Village Banda Khair Ali Khan Post office Dobathar, Tehsil and District, Abbottabad.  
Cell No. 0301-8135181

.....APPLICANT

VERSUS


1. Govt of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Department, Peshawar. Cell No. 091-9210480
2. Director Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar. Cell No. 091-9210389
3. District Education Officer (Male), Elementary & Secondary Education Department, Abbottabad. 0992-9310102 ..... RESPONDENTS

EXECUTION PETITION SEEKING REGULAR RE-INSTATEMENT IN  
SERVICE WITH ALL BACK BENEFITS

INDEX

S.No	DESCREPTION OF DOCUMENTS	ANNEXURE	PAGE NO
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3	Copy of Judgments dated 21.01.2016 & 11.02.2016 by August Supreme Court of Pakistan	B	6-8
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5	Copy of charge sheet dated 14.04.2016	D	10
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Dated 10/01/2018

  
(Naveed Iqbal)  
(Applicant inperson)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR  
CAMP COURT, ABBOTTABAD**

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 70

Dated 15/01/2018

Execution Petition. No. 17 /2018

IN

Service Appeal No. 58/2017

Decided on 24/08/2017

Naveed Iqbal S/o Ghulam Rabbani (A.T) Govt High School No.3, Abbottabad  
R/o Village Banda Khair Ali Khan Post office Dobathar, Tehsil and District,  
Abbottabad. Cell No. 0301-8135181

.....PETITIONER

**VERSUS**

1. Govt of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Department, Peshawar. Cell No. 091-9210480
2. Director Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar. Cell No. 091-9210389
3. District Education Officer (Male), Elementary & Secondary Education Department, Abbottabad. 0992-9310102 ..... **RESPONDENTS**

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**EXECUTION PETITION SEEKING REGULAR RE-INSTATEMENT  
IN SERVICE WITH ALL BACK BENEFITS**

---

**Respectfully Sheweth:**

1. That, Petitioner was working as a "Arabic Teacher" at GMS Todu Maira, District Abbottabad and suspended by respondent No.3 on 09/04/2013 and respondent No.3 issued charge sheet / statement of allegations against the Petitioner on 20/04/2013 and conducted inquiry against the Petitioner. The charges leveled against the Petitioner are as under:-
  - a. That the Petitioner drawn the arrears of his five months pay Rs. 153,850/- through bogus signatures of Ex- DDO (Zafar Arbab Abbasi) Middle School for boys, Abbottabad.

- b. That the Petitioner drawn the arrears of his twelve months pay Rs. 293,723/- through bogus signatures of Ex- DDO (Qazi Tajamal Hussain) Middle School for boys, Abbottabad.
- c. That, the service book of Petitioner was remained in the custody of Petitioner.

**(Copy of Charge Sheet dated 20-04-2013 is annexed as annexure "A")**

2. That, the inquiry committee conducted the inquiry process against the Petitioner and furnished its report to respondent No.3 on 19/06/2013 in which the inquiry committee exonerated the Petitioner from the above said charges of Para No.1 section "a" & "c") and recommended that the signature of Ex-DDO Qazi Tajamal Hussain be sent to the hand writing expert for further verification before the further proceeding against the Petitioner, for allegation mentioned in Section "B" of Para 1.
3. That, respondent No.3 did not sent the signature of Qazi Tajamal Hussain to the handwriting expert and issued order of compulsory retirement of Petitioner on 19/10/2013.
4. That, when the matter came up before this Hon'ble Tribunal vide Service Appeal No. 206/2014, the appeal of Petitioner was dismissed by the this Hon'ble Service Tribunal on 05/10/2015.
5. That, the matter went up before the Honourable Supreme Court of Pakistan vide CPLA No. 3493/2015 and the Hon'ble Supreme Court passed the order on 21.01.2016, that charges leveled against the Petitioner were not made out or had called further investigation against the Petitioner but no further inquiry was conducted against the Petitioner and the Petitioner was terminated from service and thus the August Supreme Court issued notices to respondents for 11/02/2016 to appear and defend the said matter and on the said date, Honourable Supreme Court of Pakistan allowed the petition of Petitioner and the relevant Para is as under:- *"Accordingly, this petition is converted into appeal and the same is allowed. The impugned judgment dated 05/10/2015 of the service tribunal and the orders dismissing the petitioner from service are set aside however, the competent authority may hold a fresh inquiry or may proceed as was suggested by the first inquiry officer"*. (Copy of Judgments dated 21/01/2016 & 11/02/2016 by the August Supreme Court of Pakistan are annexed as annexure "B").
6. That, the respondents were using delaying tactics in the implementation of the above said August Supreme Court's order due to which the Petitioner filed a criminal original petition No. 36 of 2016 in CP No. 3493 of 2015 before the August Supreme Court of Pakistan and when the respondents received notices for contempt of court proceeding, the respondents re-instated the Petitioner and on 29/04/2016 August Supreme Court of Pakistan issued directions to respondents for redressal of grievances of Petitioner for non-payment of the amount but respondent did not implemented the directions of August Supreme court and the

matter is still pending. **(Copy of Judgment dated 29/04/2016 by the August Supreme Court of Pakistan, is annexed as annexure "C")**.

7. That, on 14/04/2016, respondent No.3 issued charge sheet / statement of allegations for conducting a fresh inquiry against the Petitioner and respondent No.3 deliberately changed the allegations in the fresh inquiry and thus the fresh inquiry was conducted against the Petitioner under the modified allegations which is totally illegal because the Hon'ble supreme Court has never allowed for making change in the allegations. The Petitioner faces the fresh inquiry in the compliance of the orders dated 11/02/2016 and 29/04/2016 by the August Supreme Court of Pakistan and inquiry committee submitted its report on 02/08/2016 but during the whole process of fresh inquiry, the signature of Qazi Tajamal Hussain was not proved bogus. **(Copy of charge sheet dated 14/04/2016 issued by respondent No.3, is annexed as annexure "D")**.
8. That, on 27/09/2016, respondent No.3 again issued a order for compulsory retirement of Petitioner and the Petitioner challenged the said illegal order before this Hon'ble Tribunal on 20/01/2017 vide Service Appeal No. 58/2017 and on 24/08/2017, this Hon'ble Tribunal accepted the appeal of Petitioner and issued directions to departmental authority to sent the signatures of said Qazi Tajamal Hussain for verification to handwriting expert which is still pending and the departmental authority could not prove the allegation of bogus signatures against the petitioner. **(Copy of Judgment dated 24/08/2017 passed by this Hon'ble Service Tribunal KPK, Peshawar is annexed as annexure "E")**.
9. That, on 29/08/2017, Petitioner submitted an application alongwith certified copy of Judgment by this Hon'ble Tribunal before respondent No.3 for implementation of Judgment dated 24/08/2017 and requested for grant of all back benefits which was mentioned in Para "A" to "C" of the application. The Petitioner was reinstated in service on 18/09/2017 but the matter of arrears and verification of signatures of Qazi Tajamal Hussain is still pending. **(Copy of application dated 29/08/2017 & reinstatement order of Petitioner are annexed as annexure "F")**.

#### **GROUND:**

- a. That, the matter of verification of signatures of Qazi Tjamal Hussain is time barred because the competent authority is bound to complete the process of inquiry within specified period of 90 days, according to E&D Rules 2011. which has been expired.
- b. That, neither in the first inquiry process dated 19/06/2013 nor in the second inquiry process dated 02/08/2016, the signatures of Qazi Tajamal Hussain was proved bogus and the both the time order of compulsory retirement of the Petitioner was illegal and without proving the allegations.
- c. That, directions dated 24/08/2017 in Service Appeal No. 58/2017 of this Hon'ble Tribunal was not implemented by the respondents and respondent

totally failed to prove the signatures of Qazi Tajamal Hussain bogus through handwriting expert.

- d. That, the fresh inquiry conducted against the Petitioner was totally illegal, based on malafide and was against the Judgment of Honourable Supreme Court of Pakistan dated 11/02/2016.
- e. That, the fresh inquiry conducted against the Petitioner was totally illegal, based on malafide because respondent No.3 (Mr. Zia ud-Din) was personally party in the contempt of court proceeding and thus he was bound to send the matter of fresh inquiry to respondent No.2.
- f. That, in the report of District Account Officer, Abbottabad dated 13/06/2013, it is clearly mentioned that the signature of Qazi Tajamal Hussain are true and genuine. The relevant Para is as under:- *"There is not even a single iota between the signatures on the claim and in our record"*. (Copy of report by District Accounts Officers, Abbottabd is annexed as annexure "G").

*In the light of above submissions, it is submitted that the allegations leveled against the petitioner were totally wrong and respondents could not prove the allegations against the petitioner, thus, the termination from service of the petitioner was totally illegal and without proving allegations. So, it is humbly requested that on acceptance of instant Execution Petition, directions be issued to respondents for regular re-instatement of Petitioner in service with all back benefits.*

Dated: 10/01/2018



Naveed Iqbal .....Petitioner (in person)

**AFFIDAVIT:**

*I, Naveed Iqbal S/o Ghulam Rabbani (A.T) GHS No.3, Abbottabd, the Petitioner, do hereby solemnly affirm and declare that the contents of instant Petition are true and correct to the best of my knowledge and belief and that nothing has been concealed therein.*



DEPONENT

1. I Muhammad Riaz Khan Swati, District Education Officer (Male) Abbottabad as competent authority, am of the opinion that Mr. Naveed Iqbal, Arabic Teacher GMS Todo Maira has rendered himself liable to be proceeded against, as he committed the following acts/omissions, within the meaning of rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) rules, 2011.

**STATEMENT OF ALLEGATIONS**

- a) You have committed gross misconduct and corruption by dishonestly tempering in the Source Form-II in the month of October 2012 with the bogus and tempered signatures of Mr. Zafar Arbab Abbasi, the then DO (M) / DDO of Boys Middle Schools Abbottabad, prepared & entered arrear of pay w.e.f: 01.03.2012 to 30.04.2012 and 01.07.2012 to 30.09.2012 (five months) and unlawfully drawn the amount of Rs.153850/- (One lac fifty three thousand eight hundred & fifty) through pay roll for the month of October 2012.
- (b) You in the month of November 2012, again committed the same mal practices through submission of another bogus Source Form-II under the tempered and bogus signatures of Qazi Tajammal Hussain, the then DO (M) / DDO Boys Middle Schools Abbottabad and drawn the arrears of pay w.e.f: 01.12.2010 to 30.11.2011 (twelve months) amounting to Rs. 293723/- (Two lac ninety three thousand seven hundred & twenty three) through pay roll for the month of December 2012 in a highly bogus manner.
- (c) Your original Service Book, which is a Govt: property, is lying unlawfully in your custody since long. You, inspite of repeated verbal instructions as well as written directions communicated to you through your Headmaster GMS Todo Maira vide this office letter No. 2653 dated: 9.4.2013, failed to return original Service Book to the DDO concerned. Even you did not submit your Service Book before the scrutiny committee constituted for the preparation of Seniority List of Arabic Teachers in connection with the upgradation/promotion cases in the month of December 2012.

2. For the purpose of inquiry of the said accused with reference to the above allegations, an inquiry committee consisting of the following is constituted under rule 10 (1) (a) of the ibid rules:

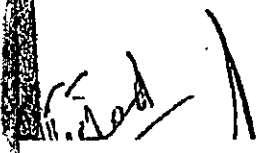
- I. Mr. Abdur Rashid, Principal, GHS No.3 Abbottabad
- II. Mr. Nazir Ahmad, Principal, GHS Dhamtor

- 3. The inquiry officer shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings and make, within fifteen days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.
- 4. The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the inquiry officer.

  
COMPETENT AUTHORITY

Mr. Naveed Iqbal, A/T  
GMS Todo Maira

**ATTESTED**





6

ANNEXURE  
"B"

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**PRESENT:**  
**MR. JUSTICE QAZI FAEZ ISA**  
**MR. JUSTICE MAQBOOL BAQAR**

**CIVIL PETITION NO. 3493 OF 2015**

Naveed Iqbal Petitioner

**Versus**

Government of KPK thr. Secretary Elementary & Secondary Education  
Peshawar & others Respondents

For the Petitioner : In person  
For the Respondents : Not Represented  
Date of Hearing : 21<sup>st</sup> January 2016

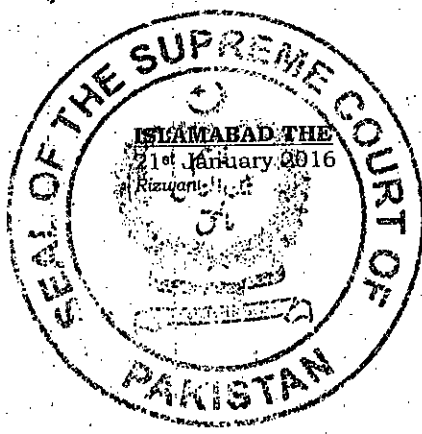
**ORDER**

The petitioner in person states that the inquiry report dated 19<sup>th</sup> June 2013 had ~~to~~ either found that the charges against the petitioner were not made out or had called for further investigation against the petitioner. However, in disregard thereof show cause notice was issued, but no further inquiry was conducted against the petitioner and he was terminated from service on the ground that he had illegally withdrawn an amount of Rupees 4,47,573/-. The petitioner however states that the said amount was due to him as past salary and the amount was not drawn by him but was drawn by the DDO and paid to him which he too refunded as threats were being extended to him. He further stated that these points have not been considered by the Service Tribunal. Let notice be issued to the respondents.

Sd/- Qazi Faez Isa, J  
Sd/- Maqbool Baqar, J

Certified to be True Copy

*[Signature]*  
Court Associate  
Supreme Court of Pakistan  
Islamabad



**ATTESTED**

*[Signature]*

(7)  
B

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**Present:**  
MR. JUSTICE DOST MUHAMMAD KHAN  
MR. JUSTICE QAZI FAEZ ISA

**CIVIL PETITION NO. 3493 OF 2015**  
(Against the judgment dated 05.10.2015 of the Khyber  
Pakhtunkhwa Service Tribunal, Peshawar passed in  
Appeal No. 206 of 2014).

Naveed Iqbal.

... Petitioner

**VERSUS**

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

... Respondents

Petitioner: In-person.  
For the Respondents: Mian Arshad Jan, Addl. AG., KPK.  
Date of Hearing: 11.02.2016.

**ORDER**

**Dost Muhammad Khan, I.-** Petitioner seeks leave to appeal against the judgment of the Khyber Pakhtunkhwa Service Tribunal, Peshawar dated 05.10.2015, dismissing his appeal against the order of the Departmental Authority and the Appellate Authority terminating his services as Arabic Teacher.

2. It is borne out from the record that in the report of preliminary inquiry conducted by a duly appointed inquiry officer it was opined that the material/evidence collected was not sufficient to fully connect the petitioner with the charge framed against him and it needed further probe. It was additionally stated that one DDO accepted his signature on the service book with regard to the disbursement of the alleged amount while for the

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*Mee*

**ATTESTED**

*[Signature]*  
Court Associate  
Supreme Court of Pakistan  
Islamabad

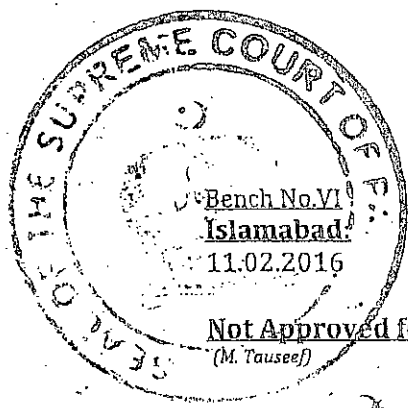
verification of the second signature of the other DDO, the case be sent to the handwriting expert.

3. The competent authority without adopting that course and without taking the matter to a logical conclusion to order a further inquiry or to collect further evidence terminated the petitioner on such inconclusive report which was not warranted in law. The Departmental Authority and the Service Tribunal in the impugned judgments failed to attend to this vital aspect of the case and decided the matter in entire vacuum causing serious miscarriage of justice. Accordingly, this petition is converted into appeal and the same is allowed. The impugned judgment dated 05.10.2015 of the Service Tribunal and the orders dismissing the petitioner from service are set aside. However, the competent authority may hold a fresh inquiry or may proceed as was suggested by the first inquiry officer and thereafter pass an appropriate order. Needless to remark that when the impugned orders have been set aside there is no hurdle in the way of the petitioner to be reinstated till the fresh inquiry, if so thought fit, is held and concluded.

Sd/- Dost Muhammad Khan, J  
Sd/- Qazi Faez Isa, J

Certified to be True Copy

Court Associate  
Supreme Court of Pakistan  
Islamabad



16.2.16

GR No: \_\_\_\_\_ Civil/Criminal

Date of Presentation: \_\_\_\_\_

No of Warrants: \_\_\_\_\_

No of Folios: \_\_\_\_\_

Requisition: \_\_\_\_\_

Copy Fee: \_\_\_\_\_

Court Fee: \_\_\_\_\_

Date of Completion: \_\_\_\_\_

Date of Disposal: \_\_\_\_\_

Complaint No: \_\_\_\_\_

Received by: \_\_\_\_\_

**ATTESTED**

*Na*

ANNEXURE

**IN THE SUPREME COURT OF PAKISTAN**  
(Original Jurisdiction)

**PRESENT:**  
MR. JUSTICE MUSHIR ALAM  
MR. JUSTICE DOST MUHAMMAD KHAN

**Criminal Original Petition No.36/2016 in C.P.3493/2015**  
(Petition for non-compliance of the order dated 11.2.2016 passed by this Court)

Naveed Iqbal .....Petitioner  
**VERSUS**  
Zia ud Din & another .....Respondents

For the petitioner: Naveed Iqbal In person  
For the respondents: Mr. Zia-ud-Din DEO in person  
Date of hearing: 29.4.2016

**ORDER**

Pursuant to the order of this Court dated 11.2.2016, fresh inquiry has been initiated, copy of the notification No.2907-14 including the charge sheet of allegations has been issued on 14.4.2016; such notification has been brought to our notice today.

2. The petitioner in person, states that he has not been paid salaries. The officer, in attendance states that he has already issued LPC, Service Book in respect of the petitioner on 28.4.2016. Copy of the same has also been brought to the notice of this Court.

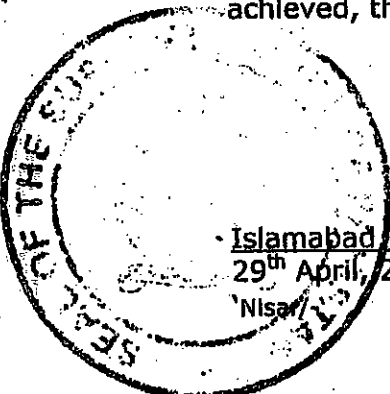
The petitioner may defend the inquiry proceedings in accordance with law and since his grievance to his non-payment of the amount has been redressed, we do not see any justification to take further proceedings.

3. The purpose of the Criminal Original Petition has been achieved, therefore, the same is disposed of.

*Sgt. Mushir Alam, J*  
*Sgt. Dost Muhammad Khan, J*

Certified to be True Copy

Court Associate  
Supreme Court of Pakistan  
Islamabad



**ATTESTED**  
*Mu. Shafiq Muhammad Amer*  
DEO, Supreme Court of Pakistan  
Islamabad. (EPB) Section

10

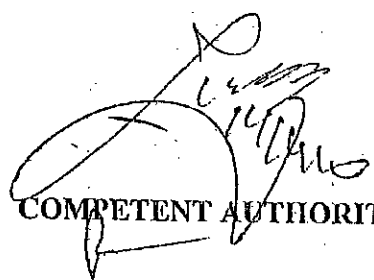
ANNEXURE  
'D'

CHARGE SHEET

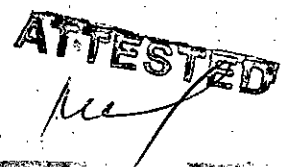
1. I, Zia-ud-Din, District Education Officer (Male) Abbottabad as Competent Authority, hereby charge you, Mr. Naveed Iqbal, AT GHS No.3 Abbottabad as follows:

That you, while posted as Arabic Teacher at GMS Todo Maira Abbottabad committed the following irregularities:

- a. You remained willful absent from duty w.e.from 09-01-2012 to 30-06-2012 as per report of IIM GMS Hazeera Abbottabad vide No.700 dated 30-06-2012, whereas you were adjusted at GMS Hazeera Vide Endst: No.146-49 dated 07-01-2012 on your own request and illegally, fraudulently drawn pay during the absent period.
- b. You have committed gross misconduct, corruption by dishonestly, Illegally & fraudulently drawn through Source Form-II in the month of October 2012 with the bogus and tempered entries of arrears under the signature of Mr. Zafar Arbab Abbasi, the then DO(M)/DDO of Boys Middle Schools Abbottabad and unlawfully drawn the amount Rs.153850/- (One lac fifty three thousand eight hundred & fifty) for the period from 01.03.2012 to 30.04.2012 and 01.07.2012 to 30.09.2012 (five months) through pay roll for the month of October, 2012 without any valid order of the Competent Authority regarding the bogus arrear of pay.
- c. You in the month of November, 2012 again committed the same malpractices through submission of another bogus Source Form-II, under the tempered & bogus signatures of Qazi Tajammal Hussain, the then DO (M)/DDO Boys Middle Schools Abbottabad and Illegally,unlawfully, fraudulently drawn the unauthorized arrears of pay for the period from 01.12.2010 to 30.11.2011 (twelve months) amounting to Rs.293723/- (Two lac ninety three thousand seven hundred & twenty three) through pay roll for the month of December 2012 without any valid order of the Competent Authority regarding the bogus arrear of pay, whereas you remained out of service in result of order of removal from service, reduction to lower post and stoppage of 04(four) increments by the Competent Authority for producing fake/forged letters on behalf of Director, E&SE, Khyber Pakhtunkhwa and Honorable Service Tribunal Peshawar in result of inquiry report of Headinaster GHS Akhoun Abad Peshawar and you also failed to produced any valid order of the Competent Authority regarding the bogus arrear of pay.
- d. Your original Service Book remained in your personal custody just to conceal the facts and avoid entries of penalties/orders previously passed against you but all of a sudden, in result of your adjustment at GHS No.3 Abbottabad, you presented your original Service Book on 08.7.2013. It has been detected through scrutiny that not even a single entry regarding removal from service, reduction to lower post or stoppage of 04 (four) increments were made therein and you remained enjoying the same status by drawing your existing pay without indicating recovery of four increments in result of review order passed by the Appellate Authority. The said left over entries in result of concealment of original service book have been made by the DDO concerned on 22.07.2013.
- e. Outstanding liabilities of Rs.136443/- (One lac thirty six thousand four hundred forty four) in result of re-fixation of pay after provision of his service book.
- 2. By reason of the above, you appear to be guilty of corruption, misconduct, inefficiency, insubordination, gross misconduct, professional dishonesty under Rule 3 of the Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules 2011 and have rendered yourself liable to all or any of the penalties specified in Rule 4 of the rules ibid.
- 3. You are, therefore, required to submit your written defence within ten days of the issuance of this Charge Sheet to the Enquiry Committee.
- 4. Your written defence, if any, should reach the Enquiry Committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.
- 5. Intimate whether you desire to be head in person.
- 6. A statement of allegations is enclosed.

  
COMPETENT AUTHORITY.

Mr. Naveed Iqbal,  
AT GHS No.3 Abbottabad.

**ATTESTED**  


BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
CAMP COURT ABBOTTABAD

Service Appeal No. 58/2017

Date of Institution... 20.01.2017

Date of decision... 24.08.2017



Naveed Iqbal son of Ghulam Rabbani Ex-A. T Teacher, GHS No. 3, Abbottabad  
R/O Village Banda Khair Ali Khan, Post office Dobather, Thsil and District,  
Abbottabad. ... (Appellant)

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and  
Secondary Education, Peshawar and 2 others. ... (Respondents)

Appellant

Pro Se

MR. MUHAMMAD BILAL  
Deputy District Attorney

For respondents.

MR. NIAZ MUHAMMAD KHAN,  
MR. MUHAMMAD HAMID MUGHAL

CHAIRMAN  
MEMBER

**ATTESTED**  
*[Signature]*  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

JUDGMENT

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

FACTS

2. The appellant is charged inter alia, for tampering with the signatures of DDO  
Qazi Tajammul Hussain and thereby wrongly encashing some amount of salary for  
the period of his absence from duty. He is also charged for absence from duty.

ARGUMENTS

3. The appellant *pro se* argued that the charges are baseless. That in the first  
round the august Supreme Court of Pakistan had directed to send the signatures of

**ATTESTED**  
*[Signature]*

DDO for comparison to hand writing expert but that direction has not been followed. That no added proof is available against him.

4. On the other hand the learned Deputy District Attorney argued that the august Supreme Court of Pakistan had directed fresh enquiry and it was for the authority to send the signatures for comparison in the light of fresh enquiry. That charges against the appellant have been proved.

**CONCLUSION.**

5. The appellant was charged in the first round of litigation for tampering with the signatures of two D.D.Os in the bills submitted to the District Accounts Office and encashed some amount. The appellant was compulsorily retired from service in the first round and when the matter came up before this Tribunal, the appeal of the appellant was dismissed. The matter went up before the august Supreme Court of Pakistan and their Lordships of the Supreme Court vide order dated 11.02.2016 set aside the order of this Tribunal as well as the order of compulsory retirement of the appellant with the observation that though the enquiry officer suggested the comparison of the signatures of DDO Qazi Tajammul Hussain through hand writing expert but the authority did not follow the recommendations of the then enquiry officer. After fresh enquiry in the light of the observations of the august Supreme Court of Pakistan, the present appellant has again been compulsorily retired from service through impugned order dated 27.09.2016. But in the fresh enquiry again the signatures of the said DDO have not been sent to hand writing expert and the new enquiry officer has given report against the appellant regarding these signatures. But, if we compare the material collected by the previous enquiry officer and the new enquiry officer there is no added material which could lead to a certain conclusion that the signatures of Qazi Tajammul Hussain are bogus. It means we are again at the same stage at which the august Supreme Court of Pakistan passed the order dated 11.02.2016 . In view of the said

ATTESTED

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

observations of the august Supreme Court of Pakistan, the appeal is accepted and the impugned order is set aside with the direction to the departmental authority to send the signatures of said Qazi Tajammul Hussain for verification to hand writing expert and thereafter proceed by referring the report of the expert to the enquiry officer and the enquiry officer shall submit his new recommendations (after considering report of the expert) to the authority and the authority shall then proceed further on the basis of fresh enquiry report. In the meantime the appellant is reinstated in service till the outcome of fresh enquiry. Parties are left to bear their own costs. File be consigned to the record room.

Announced  
 24.08.2012 *Sd/- Niaz Muhammad Khan*  
 Chairman  
 Camp court H/Abad.

AT  
 24.  
 Certified to be true copy  
 Khyber Pakhtunkhwa  
 Service Tribunal,  
 Peshawar

*Sd/- M. Hamid Nigral*  
 Member

Date of Presentation of Application 28-08-12  
 Number of Words 1200  
 Copying Fee 8  
 Urgent 2  
 Total 10  
 Name of Copy MMD  
 Date of Completion of Copy 28-08-12  
 Date of Delivery of Copy 28-08-12

**ATTESTED**  
*NW*



14

ANNEXURE  
F

To

The District Education Officer (Male)  
E & S Education Department,  
District, Abbottabad.

Subject:

APPLICATION FOR IMPLEMENTATION OF JUDGMENT DATED 24/08/2017 IN SERVICE APPEAL NO.58 OF 2017 PASSED BY KPK SERVICE TRIBUNAL CAMP COURT ABBOTTABAD TITLED "NAVEED IQBAL VERSUS GOVT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY E&SE DEPARTMENT PESHAWAR ETC" WHEREIN APPLICANT REINSTATED IN SERVICE BY SETTING ASIDE THE IMPUGNED ORDER DATED 27/09/2016 WHEREBY THE PREDECESSOR (DEO) OF YOUR GOOD SELF COMPULSORILY RETIRED FROM SERVICE.

Sir,

It is very humbly requested that applicant reinstated in service vide judgment dated 24/08/2017 passed by Service Tribunal and the said Tribunal set-aside the impugned order dated 27/09/2016. (Copy of Judgment of Service Tribunal dated 24.08.2017 is annexed)

That, on 27/09/2016 applicant was serving in BPS-16 as "AT" in GHS No-3 Abbottabad and was adjusted for the purpose of fresh inquiry through order dated 29/03/2016 issued by the DEO(M) on the basis of implementation order of the Hon'ble Supreme Court dated 11/02/2016, which is still existing order of Apex Court and legally Service Tribunal passed its very Judgment dated 24/08/2017 in pursuance of the said Apex Court's order. (Copy of Judgment of Apex Court dated 11.02.1016 is annexed)

That, now legally impugned order is no more in the field and applicant is reinstated in service at previous status and he is also paid his arrival in the office of Principal GHS No-3 (English Medium) Abbottabad. (Arrival report is attached).

That, applicant requests his pending non-implementation matters for proper completion of whole decided subject.

- a) Recover / refunded of Rs. 4,47,573/-
- b) Arrears of Pay w.e.f. 01/10/2013 to 31/03/2016 (30 Months)
- c) Arrears of Pay w.e.f. 01/10/2016 to 31/08/2017 (11 Months)

It is therefore, requested that relevant orders relating to reinstatement of applicant in service as usual keeping in view of his adjustment in GHS No-03, Abbottabad which is noted in order dated 29/04/2017 passed by the Apex Court and detail of arrears given in Para (a) to (c) above, may kindly be drawn to the applicant through massing appropriate directions and such order may please be issued on the basis of implementation of Apex Court as well as Service Tribunal judgments dated 02/05/2013 & 24/08/2017. (Copy of Judgment by KPK Service Tribunal dated 02.05.2013 is annexed).

Yours Faithfully;

Naveed Iqbal (A.T.)  
GHS No-03 (English Medium)  
Abbottabd.

Dated: 29/08/2017

ATTESTED

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

**RE-INSTATEMENT.**

In pursuance to the of judgment of Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No. 58/2017 dated 24.08.2017, Mr.Naveed Iqbal Ex-AT GHS No,3 Abbottabad is hereby re-instated in service till the outcomes of fresh inquiry and further posted against the vacant post of AT (B-15) at GHS No.3 Abbottabad with immediate effect.

- Note:-**
1. Necessary entry should be recorded in his service book.
  2. Charge report should be submitted to all concerned.
  - 3.. No TA/DA is allowed.

*Sd/*  
 DISTRICT EDUCATION OFFICER (M)  
 ABBOTTABAD

Endst: No. 10132-41/EB-II/AT

Dated 18/09 /2017

Copy forwarded to the:-

1. Registrar, Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar with reference to judgment passed in Service Appeal No. 58/2017 dated 24.08.2017,
2. Secretary to Government of Khyber Pakhtunkhwa, E&SED, Peshawar.
3. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
4. Principal GHS No,3 Abbottabad.
5. District Monitoring Officer (IMU) Abbottabad
6. District Accounts Officer Abbottabad.
7. Budget & Accounts Officer local Office.
8. Assistant Programmer EMIS local Office.
9. Mr.Naveed Iqbal Ex-AT GHS No,3 Abbottabad resident of Village Banda Khair Ali Khan P.O.Dobather Abbottabad

*[Signature]*  
 DISTRICT EDUCATION OFFICER (M)  
 ABBOTTABAD

**ATTESTED**

*[Signature]*

16

ANNEXURE

OFFICE OF THE DISTRICT ACCOUNTS OFFICER, ABBOTTABAD

No. Pay. R.M.-II/57-58 Dated Abbottabad, the 13-6-2013

To

The District Education Officer (Male),  
Abbottabad

Subject: - REQUEST FOR PROVISION OF PHOTOCOPIES OF SOURCE FORMS

Memo:

Please refer to the Principal, GHS No. 3, Abbottabad letter No. 166 dated 12.06.2013 on the subject cited above.

In this connection it is stated that multidimensional views of the signatures of the above Officer have been taken and it has been ascertained that all the signatures of the signatories bear some what difference at any other angle or degree, however, a set of the signatures is being appended for further analysis and examination at your end.

So far the claims advertently or inadvertently signed by the above Officer are concerned. It is stated that the claim that has been admitted by the Officer, but the adjustment has been objected by the signatory does not indicate as to why he did not put a cross on the empty space of the claim and as such his objection seems to be frivolous.

It is further elaborated that mutatis mutandis set of the signatures of the above Officer is being processed and followed in this office.

The objection of the signatories to the extent of disowning their signatures may cause problem for this office and may affect the fluent performance of this office because there is not even a single iota between the signature on the claim and in our record.

It is therefore requested that the instrument designed to check the signature may please be communicated enabling this office to carry on official business. However, the vouchers requested ibid can not be entertained without permission of the Accountant General, KPK, Peshawar.

3000  
26.6.13  
EDUCATION ABBOTTABAD

*Discard*  
*21/6/13*

*A.H.*  
District Accounts Officer  
Abbottabad  
*13/6/13*

No. \_\_\_\_\_  
Copy to the Mr. Abdul Rashid, Principal, GHS No. 3, Abbottabad for information

*Discard*  
*21/6/13*

*Review on 25/6/13*

*D/A*  
*Put up on file to be sent to the office*  
*20/6/13*

ATTESTED  
*25/6/13*

*Sol*  
District Accounts Officer  
Abbottabad

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

To be placed on file  
19/2/18

Application No: \_\_\_\_\_/2018

IN

Execution No. 17/2018

IN

Service Appeal No: 58/2017

Naveed Iqbal S/o Ghulam Rabbani (AT), GHS No.3 Abbottabad Resident of Village Banda Khair Ali Khan, Post Office Dobathar, Tehsil & District Abbottabad

.....APPLICANT

**VERSUS**

Govt of Khyber Pakhtunkhwa through Secretary E&S Education Department KPK & two others

.....RESPONDENTS

=====

*APPLICATION FOR grant of regular re-instant of applicant in service with all back benefits and for exemption of appearance before this Hon'ble Tribunal on 21-02-2018*


=====

**Respectfully Sheweth:**

1. That the instant Execution Petition is pending before this Hon'ble Tribunal and fixed for hearing on 21.02.2018 at Camp Court Abbottabad.
2. That, the applicant has to appear before August Supreme Court of Pakistan Islamabad on 21-02-2018 in a service matter due to which the applicant is unable to appear before this Hon'ble Tribunal on said date i.e. 21-02-2018. (Copy of notice by the August Supreme Court is attached herewith).
3. That, on 18/09/2017, the applicant was conditionally re-instated in Service in compliance of the Judgment of Hon'ble Service Tribunal dated 24/08/2017 passed in service appeal No. 58/2017. But the allegation of bogus signature of Qazi Tajamal Hussain was not proved against the applicant through hand writing expert as per direction of this Hon'ble Service Tribunal. (Copy of Judgment is already attached with the Execution petition as annexure "E" at page No. 11-13).

It is therefore, humbly prayed that on acceptance of instant application, the exemption for appearing before this Hon'ble tribunal on 21-02-2018 kindly be granted and directions be issued to the Department for regular reinstatement of Applicant in service with all back benefits.

Dated: 19.02.2018

  
..... APPLICANT  
Naveed Iqbal (-AT)  
GHS No.3, Abbottabad.

**AFFIDAVIT:**

I, Naveed Iqbal S/o Ghulam Rabbani (AT), GHS No.3 Abbottabad Resident of Village Banda Khair Ali Khan, Post Office Dobathar, Tehsil & District Abbottabad, the applicant, do hereby solemnly affirm and declare on oath that the contents of instant application are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Dated: 19.02.2018

  
DEPONENT

فون: 051-9082409  
فیکس: 051-9206151

# سپریم کورٹ آف پاکستان، اسلام آباد

مقدمات کی تاریخ سماعت اور دیگر تفصیلات جاننے کے لیے دیکھیے [www.supremecourt.gov.pk](http://www.supremecourt.gov.pk)

۲۱۰  
۱۹/۲

## نوٹس برائے سماعت مقدمہ

C.P.368/2017

نوید اقبال بنام حکومت خیبر پختونخواہ بذریعہ سیکرٹری ایجنٹ سیکنڈری اینڈ سیکنڈری ایجوکیشن ڈیپارٹمنٹ پشاور وغیرہ

۱۔ آپ کو بذریعہ نوٹس ہذا اطلاع دی جاتی ہے کہ درج بالا مقدمہ کی سماعت سپریم کورٹ آف پاکستان، اسلام آباد میں مورخہ 21-02-2018 کو صبح 9 بجے یا عدالت کی سہولت کے مطابق بعد میں کسی بھی وقت ہوگی۔

۲۔ مقررہ تاریخ کو اسلام آباد آنے سے پہلے مندرجہ بالا ویب سائٹ سے فائنل کالڈسٹ میں اپنے کیس کے گتے کی تصدیق کر لیں۔  
۳۔ آپ کو مزید آگاہ کیا جاتا ہے کہ آپ اپنا اصل قومی شناختی کارڈ عدالت کے احاطہ میں داخلہ اور سماعت کے لئے ہمراہ لائیں۔

اسسٹنٹ سیکرٹری  
(فکسچر)

اسلام آباد 15-2-2018

بنام:-

نوید اقبال ولد غلام ربانی، اے ٹی ٹی ٹی گورنمنٹ ہائی سکول نمبر ۳ ضلع ایبٹ آباد سکنہ گاؤں باٹھہ خیر علی خان ڈاکخانہ دو، تھر

تحصیل و ضلع ایبٹ آباد 03018135181

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

Execution Petition No. 17/2018

In

Service Appeal No. 58/2017

Naveed Iqbal.....Appellant

**VERSUS**

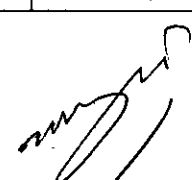
**Government of Khyber Pakhtunkhwa & Others .....Respondents**

**IMPLEMENTATION REPORT ON BEHALF OF RESPONDENT NO. 03**

**INDEX**

<b>Sr.No</b>	<b>Description</b>	<b>Page Nos</b>	<b>Annexures</b>
1	Implementation Report alongwith affidavit	01 to 03	
2	Copy of Reinstatement Order dated 18-09-2017	04	"A"
3	Copy of letter to FSL dated 28-10-2017	05	"B"
4	Copy of FSL Report dated 31-10-2017	06	"C"
5	Copy of letter to District Accounts Officer Abbottabad dated 16-11-2017	07	"D"
6	Copy of reply of District Accounts Officer Abbottabad dated 17-11-2017	08	"E"
7	Copy of letter to FSL dated 21-11-2017	09	"F"
8	Copy of Report of FSL dated 03-01-2018	10	"G"
9	Copy of letter to Inquiry Committee dated 31-03-2018	11 to 12	"H"

Dated: 17/04/2018

  
**District Education Officer (M)**  
**Abbottabad.**  
**(Respondent No. 03)**

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

Execution Petition No. 17/2018

In

Service Appeal No. 58/2017

**Naveed Iqbal.....Appellant**

**VERSUS**

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

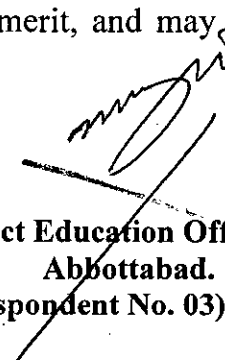
**IMPLEMENTATION REPORT ON BEHALF OF RESPONDENT NO. 03**

**RESPECTFULLY SHEWETH:-**

1. That in pursuance to the judgment of this Honourable Tribunal petitioner was reinstated in service vide Endst: No. 10132-41 dated 18-09-2017. Furthermore, in compliance with the judgment of Honourable Service Tribunal this office submitted the case regarding verification of signatures to the Forensic Science Lab (FSL) Khyber Pakhtunkhwa Peshawar vide letter No. 11811-12 dated 28-10-2017. In response to this office letter quoted above the FSL returned the documents in original vide letter No. 23265/FSL dated 31-10-2017, with the observation that the photostate disputed source form does not serve the purpose of scientific examination and comparison work hence, original may be provided. In pursuance to observation of FSL this office requested the District Accounts Officer, Abbottabad vide letter No. 12756-58 dated 16-11-2017 with the request to provide the original source form for the purpose of scientific examination. In response to this office letter quoted above District Accounts Abbottabad vide letter No. 548 dated 17-11-2017 stated that the original source form is not traceable. (Copies of reinstatement order dated 18-09-2017, letter dated 28-10-2017, 31-10-2017, 16-11-2017 & 17-11-2017 are annexed herewith as annexure "A", "B", "C", "D" & "E" respectively).

2. Further added that this office once again forwarded the entire case to the FSL vide letter No. 12872 dated 21-11-2017 with the request to please proceed further in pursuance to the judgment of Honourable Service Tribunal. In response to above referred letter FSL provided preliminary report vide letter No. 396 dated 03-01-2018. (Copy of letter dated 21-11-2017 & report of FSL dated 03-01-2018 are annexed herewith as annexure "F" & "G" respectively).
3. Moreover, the report of FSL was forwarded to the inquiry committee vide letter No. 3866 dated 31-03-2018 for the purpose of new recommendation after considering the report of expert as per judgment of this Honourable Tribunal and reply of the same is still awaited. (Copy of the letter No. 3866 dated 31-03-2018 is annexed herewith as annexure "H").

It is therefore, humbly prayed that the instant Execution Petition of the petitioner is premature and devoid of merit, and may kindly be dismissed throughout with cost.

  
**District Education Officer (M)**  
**Abbottabad.**  
**(Respondent No. 03)**



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

Execution Petition No. 17/2018

In

Service Appeal No. 58/2017

**Naveed Iqbal.....Appellant**

**VERSUS**

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

**AFFIDAVIT**

I, Mr. Qazi Tajamal Hussain, District Education Officer (M) Abbottabad, declare on oath that the contents of the forgoing Implementation Report are correct and true according to the best of my knowledge and belief and nothing has been suppressed / concealed from this Honorable Tribunal.

  
**DEPONENT**

Annex "A"  
04

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

RE-INSTATEMENT.

In pursuance to the judgment of Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No. 58/2017 dated 24.08.2017, Mr. Naveed Iqbal Ex-AT GHS No,3 Abbottabad hereby re-instated in service till the outcomes of fresh inquiry and further posted against the vacant post AT (B-15) at GHS No.3 Abbottabad with immediate effect.

- Note:-
1. Necessary entry should be recorded in his service book.
  2. Charge report should be submitted to all concerned.
  3. No TA/DA is allowed.

DISTRICT EDUCATION OFFICER (M)  
ABBOTTABAD

Endst: No. 10132-41/EB-II/AT

Dated 18/09/2017

Copy forwarded to the:-

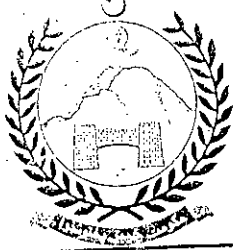
1. Registrar, Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar with reference to judgment passed in Service Appeal No. 58/2017 dated 24.08.2017,
2. Secretary to Government of Khyber Pakhtunkhwa, E&SED, Peshawar.
3. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
4. Principal GHS No,3 Abbottabad.
5. District Monitoring Officer (IMU) Abbottabad.
6. District Accounts Officer Abbottabad.
7. Budget & Accounts Officer local Office.
8. Assistant Programmer EMIS local Office.
9. Mr. Naveed Iqbal Ex-AT GHS No,3 Abbottabad resident of Village Banda Khair Ali Khan P.O. De Abbottabd

DISTRICT EDUCATION OFFICER (M)  
ABBOTTABAD

3/5  
Naveed  
19/9/2017

Annex 3  
OS

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD



No. 1184-137 ADEO LIT

Dated: 28/10/2017

0992-9310102, 0992-330131

E:DO.Education.Atd@gmail.com

To  
The Forensic Science Lab (FSL)  
Khyber Pakhtunkhwa,  
Peshawar.

Subject: VERIFICATION OF SIGNATURE

In pursuance to the Judgment of Honorable Service Tribunal Khyber Pakhtunkhwa Peshawar passed in Service Appeal No. 58/2017, the operative part of the judgment is reproduced as under:

*"The appeal is accepted and the impugned order is set aside with the direction to the departmental Authority to send the signatures of said Qazi Tajammal Hussain for verification to Hand writing expert" (Copy of the Judgment attached).*

The Original Signatures of Qazi Tajammal Hussain then DDO alongwith copy of allegedly disputed signatures, routine signatures are hereby attached with the request to verify the signatures in the light of Judgment of Honorable Service Tribunal.

Encl: as above

District Education Officer (M)  
Abbottabad

Dated: 1/10/2017

Encls: No. \_\_\_\_\_

Copy forwarded to the following for information:

Registrar, Khyber Pakhtunkhwa Service Tribunal Peshawar with reference to letter No.1998 dated 30/08/2017.

District Education Officer (M)  
Abbottabad

Anx "ee"  
06



**JUSTICE THROUGH SCIENCE**  
**FORENSIC SCIENCE LABORTARY, PESHAWAR.**  
**EXAMINATION REPORT FORM (D)**

**IMPORTANT NOTICE**

When summons are issued for the attendance of the EXPERT for evidence, reference must be made to the date and Serial No. of this report.

Laboratory No. 30-991-0-17 DT; 31-10-2017

Subject: VERIFICATION OF SIGNATURE

The following documents were received for examination:-


1. Disputed photostat source form dated 11-09-2012, bearing the questioned English signature of Qazi Muhammad Hussain.
2. Specimens English signatures of the suspect Qazi Muhammad Hussain on three sheets.
3. Photostat show cause notice, charge sheet and statement possessing routine English signatures of Qazi Muhammad Hussain.

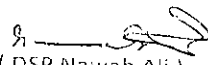
PRELIMINARY REPORT

The preliminary examination of the documents was carried out with the following observations:-

1. The photostat disputed source form, supplied does not serve the purpose of forensic scientific examination and comparison work. Hence original may be provided for detailed examination and comparison purpose.
2. The original/admitted signatures in original of the official Qazi Muhammad Hussain may also be produced of the year 2010, 2011 which he might have had done in the past on some official documents in order to facilitate the examination and comparison work and also to express a definite, professional and accurate opinion.

All the documents are returned herewith for further necessary action.

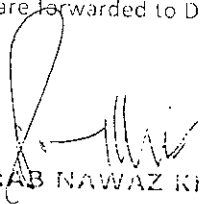
  
(SI Muhammad Irshad)  
Questioned Documents Expert  
FSL, Peshawar

  
(DSP Nawab Ali)  
Questioned Documents Expert  
FSL, Peshawar

No. \_\_\_\_\_/FSL, Dated Peshawar the \_\_\_\_\_/2017

The preliminary report of the expert's alongwith all the documents are forwarded to District Education Officer (M), Abbottabad.

Note: This report carries Emboss Marks.

  
(RAB NAWAZ KHAN)  
Director  
Forensic Science Laboratory  
Khyber Pakhtunkhwa, Peshawar

Am 4 D  
07

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD



No. 12753-3/ADEO LIT

Dated: 13/11/2017

☎ 0992-9310102, 0992-330131

📧 EDO.Education.Atd@gmail.com

To  
The District Accounts Officer,  
Abbottabad.

Subject: VERIFICATION OF SIGNATURE

With reference to letter No. 23265/FSL dated 31-10-2017 on the subject cited above. It is submitted that the operative part of the preliminary report is reproduced as under:

*"The photostat disputed source form, supplied does not serve the purpose of forensic scientific examination and comparison work. Hence original may be provided for detailed examination and comparison purpose".*

It is therefore, you are hereby requested to please provide the Original Source Form in the month of November 2012, in respect of Mr. Naveed Iqbal (AT) for the purpose of verification of disputed signatures to hand writing expert as per judgment of Honourable Service Tribunal Khyber Pakhtunkhwa, Peshawar passed in Service Appeal No. 58,2017.

District Education Officer (M)  
Abbottabad

Endst: No. \_\_\_\_\_

Dated: 11/11/2017.

Copy forwarded to the following for information:

1. Registrar, Khyber Pakhtunkhwa Service Tribunal Peshawar with reference to letter No.1998 dated 30/08/2017.
2. Director, Forensic Science Laboratory Khyber Pakhtunkhwa, Peshawar with reference to letter No. 23265 dated 31-10-2017.

District Education Officer (M)  
Abbottabad

Ann<sup>ce</sup> E  
08

OFFICE OF DISTRICT ACCOUNTS OFFICER, ABBOTTABAD.

No. 548 Admn/DAO/ATD

Dated: 17/11/17

TO.

The District Education Officer (M).  
Abbottabad.

Subject: VERIFICATION OF SIGNATURE

Memo.

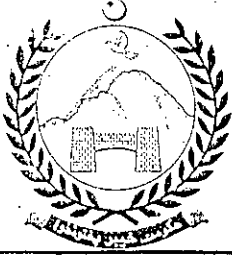
With reference to your letter No. 12756/ADEO (Lit) dated 16-11-2017 on the subject captioned above.

In this context it is stated that record of this Office has been overhauled and shifted but the instant source is not traceable in our record.

It is therefore requested that Office copy of the controversial source may be provided enabling the apex Tribunal to reach the decisive conclusion.

  
DISTRICT ACCOUNTS OFFICER,  
ABBOTTABAD.

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD



No. 12872 / ADEO LIT.

Dated: 21 / 11 / 2017

☎ 0992-9310102, 0992-330131  
✉ EDO.Education.Atd@gmail.com

To

The Forensic Science Lab (FSL)  
Khyber Pakhtunkhwa,  
Peshawar.

Subject: VERIFICATION OF SIGNATURE

In response to your office letter No. 23265 dated 31-10-2017 on the subject cited above it is submitted that this office approached the District Accounts Officer, Abbottabad vide letter No. 12756-58 dated 16-11-2017 with the request to provide the original source form for the purpose of examination and comparison.

As per letter No. 548 dated 17-11-2017 of District Accounts Officer, Abbottabad the relevant portion of the said letter is reproduced as under:

*"In this context it is stated that record of this Office has been overhauled and shifted but the instant source is not traceable in our record." (Copy attached).*

It is therefore, in the light of above referred letter of District Accounts Officer, Abbottabad you are hereby requested to please proceed the further in the light of judgment of Honourable Service Tribunal and the routine / admitted signatures in original of the official are enclosed herewith as directed by your office.

Incl: as above

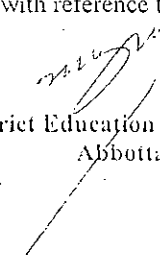
District Education Officer (M)  
Abbottabad

Encls: No. 12873

Dated: 21 / 11 / 2017

Copy forwarded to the following for information:

Registrar, Khyber Pakhtunkhwa Service Tribunal Peshawar with reference to letter No.1998 dated 30/08/2017.

  
District Education Officer (M)  
Abbottabad

ANX "F"  
(09)

Annex 9  
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**JUSTICE THROUGH SCIENCE**  
**FORENSIC SCIENCE LABORATORY, PESHAWAR.**  
**EXAMINATION REPORT FORM (D)**

**IMPORTANT NOTICE**

When summons are issued for the attendance of the EXPERT for evidence reference must be made to the date and Serial No. of the report.

Laboratory No. 30-02-0-18 DT; 03-01-2018

Subject: VERIFICATION OF SIGNATURE

207  
5/1/18

The following documents were received for examination:-

1. Disputed photostat source form dated 11-09-2012, bearing the questioned English signature "*Bayezid Hussain*"
2. Specimens English signatures of the suspect "*Bayezid Hussain*" on three sheets.
3. Four office correspond letters possessing routine English signatures of "*Bayezid Hussain*"

PRELIMINARY REPORT

The preliminary examination of the documents was carried out with the following observations:-

The Photostat disputed source form dated 11-09-2012 supplied does not serve the purpose of minute detailed forensic scientific examination and comparison work. Furthermore photostat does not show any good line quality, hesitation, lifts of the writing instrument, pause, of the writing instrument, speed of execution and other important evidence etc. Therefore original may be provided.

All the documents are returned herewith for further necessary action.

*(Signature)*  
(SI Muhammad Irshad)  
Questioned Documents Expert  
FSL, Peshawar

*(Signature)*  
(DSP Nawab Ali)  
Questioned Documents Expert  
FSL, Peshawar

No. 396 /FSL, Dated Peshawar the 03-01/2018.

The preliminary report of the expert's alongwith all the documents are forwarded to District Education Officer (M), Abbottabad.

Note: This report carries Emboss Marks.

*Handwritten notes:*  
ADOLITY  
For use  
Stills

*(Signature)*  
(RAB NAWAZ KHAN)  
Director  
Forensic Science Laboratory,  
Khyber Pakhtunkhwa, Peshawar



REGISTERED POST

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD



No. 3866 /ADEO (Lit)

Dated: 31 /03/2018

0992-9310102, 0992-330131

EDO.Education.Atd@gmail.com

To

1. Muhammad Salim, Principal GSSNCMHS No. 1 Tank. (Chairman)
2. Sikandar Sher, Principal, GHSS Mansab Dar District Swabi (Member)

Subject: **JUDGMENT IN APPEAL NO. 58/2017 NAVEED IQBAL VS GOVERNMENT OF KHYBER PAKHTUNKHWA & OTHERS.**

In pursuance to the judgment of the Honourable Service Tribunal Khyber Pakhtunkhwa, Peshawar passed in Service Appeal No. 58/2017 the operative part of the judgment is reproduced as under:

“The appeal is accepted and impugned order is set aside with the direction to the departmental authority to send the signatures of said Qazi Tajammal Hussain for verification to hand writing expert and thereafter proceed by referring the expert of the expert to the enquiry officer and the enquiry officer shall submit his new recommendations (after considering report of the expert) to the authority and the authority shall then proceed further on the basis of fresh enquiry report. In the meantime the appellant is reinstated in service till the outcome of fresh enquiry”. (Copy of the judgment attached).

Furthermore, in compliance with the judgment of Honourable Service Tribunal this office submitted the case regarding verification of signatures to the Forensic Science Lab (FSL) Khyber Pakhtunkhwa Peshawar vide letter No. 11811-12 dated 28-10-2017. In response to this office letter quoted above the FSL returned the documents in original vide letter No. 23265/FSL dated 31-10-2017, with the observation that the photostate disputed source form does not serve the purpose of scientific examination and comparison work hence, original may be provided. In pursuance to observation of FSL this office requested the District Accounts Officer, Abbottabad vide letter No. 12756-58 dated 16-11-2017 with the request to provide the original source form for the purpose of scientific examination. In response to this office letter quoted above District Accounts Abbottabad vide letter No. 548 dated 17-11-2017 stated that the original source form is

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**REGISTERED POST MOST URGENT BEING COURT MATTER**

not traceable. (Copies of letter dated 28-10-2017, 31-10-2017, 16-11-2017 & 17-11-2017 are attached).

It is further added that this office once again forwarded the entire case to the FSL vide letter No. 12872 dated 21-11-2017 with the request to please proceed further in pursuance to the judgment of Honourable Service Tribunal. In response to above referred letter FSL provided preliminary report vide letter No. 396 dated 03-01-2018. (Copy of letter dated 21-11-2017 & report of FSL dated 03-01-2018 are attached).

It is therefore, you are hereby requested to submit new recommendations after considering report of the expert as per judgment of the Honourable Service Tribunal to the undersigned within 07 days after the receipt of this letter.

*[Signature]*  
District Education Officer (M)  
Abbottabad  
Dated: 31/3/2018

Endst: No. 3867

Copy forwarded for information to the:-

1. Registrar, Khyber Pakhtunkhwa Service Tribunal Peshawar with reference to letter No. 1998/ST dated 30-08-2017.

*[Signature]*  
District Education Officer (M)  
Abbottabad