

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Miscellaneous Application No. 585/2022

Taimor Khan Vs. Information and Public Relations Department.

ORDER

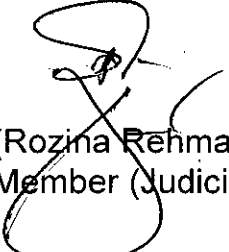
16.05.2022

The instant Miscellaneous application received. It be registered in the relevant register. Appellant in person while respondents are present through Mr. Muhammad Adeel Butt, Additional Advocate General. Record requisitioned and perused.

Through the instant application, the appellant is seeking correction of date of institution, which was inadvertently mentioned in the judgment as 19.10.2019 instead of 19.10.2020. On perusal of the record, it transpired that the concerned Service Appeal bearing No: 12219/2020 titled "Taimor Khan Vs. Government of Khyber Pakhtunkhwa through Secretary Information and Public Relations and one another" was instituted on 19.10.2020 however due to inadvertence, the date of institution was wrongly mentioned as 19.10.2019 in the judgment dated 02.02.2022. This Tribunal within the meaning of Subsection-(02) of Section-7 of Khyber Pakhtunkhwa Service Tribunal Act, 1974 is deemed as civil court under the Code of Civil Procedure, 1908. Section-152 C.P.C provides for amendment of the judgment, decree or orders. It provides that mistakes in judgments, decrees or orders or errors arisen therein from any accidental slip or omission may at any time be corrected by the court either of its own motion or on the application of any of the parties. In the present case, day and month are correct but the year has been written as 19.10.2019 instead of 19.10.2020 due to typographical mistake which is an accidental slip. Therefore, the case is fit for exercise of jurisdiction U/S 152 C.P.C as described before. Office is directed to make necessary correction by substituting the date 19.10.2019 with 19.10.2020 in the judgment and relevant record accordingly. Copy of this order as well as copy of the application be placed on file of Service Appeal No. 12219/2020. After necessary correction in the concerned judgment, certified copies of the same be sent to respondents. File be consigned to the record room after its completion.

ANNOUNCED

16.05.2022


(Rozina Rehman)
Member (Judicial)


(Salah-Ud-Din)
Member (Judicial)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 12219/2020

Date of Institution ... 19.10.2019 19.10.2020
Date of Decision ... 02.02.2022

Taimor Khan (Ex-Chokidar BPS-03) S/O Abdul Sadiq R/O Muhalla
Saeed Abad No.6 District Mardan.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary
Information and Public Relation Department Civil Secretariat
Peshawar and one another.

... (Respondents)

Mubarak Zeb,
Advocate

... For appellant.

Riaz Khan Paindakhel,
Assistant Advocate General

... For respondents.

Salah-Ud-Din
Rozina Rehman


... Member (J)

... Member (J)

JUDGMENT

ROZINA REHMAN, MEMBER (J): The appellant has invoked the
jurisdiction of this Tribunal through above titled appeal with the
prayer as copied below:

**"On acceptance of this appeal, the impugned order
dated 11.06.2020, may please be set aside, similarly
the impugned order dated 27.08.2020 may also be set**



Correction made as per order dated 16.05.2022 Passed in Miscellaneous application # 585/2022

aside and the appellant may graciously be reinstated in service with all back benefits ”.

2. The relevant facts leading to filing of instant appeal are that appellant was appointed as Chowkidar in Information and Public Relation Department. While serving in the said capacity as Chowkidar at Regional Office, Mardan, he was forced to perform duty from 4:00pm to 6:00am (16 hours) without any leave. He filed a complaint to the Chief Minister Complaint Cell against the duty hours which was allowed and the respondents were directed to regularize the duty according to the Provincial Government Circular. Being annoyed from the said complaint, the respondents started calling illegal explanations which was replied but lastly, major penalty of removal from service was imposed upon appellant without observing legal and codal formalities. Being aggrieved from the said order, he filed departmental appeal which was dismissed, hence, the present service appeal.

3. We have heard Mubarak Zeb Advocate for appellant and Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General for the respondents and have gone through the record and the proceedings of the case in minute particulars.

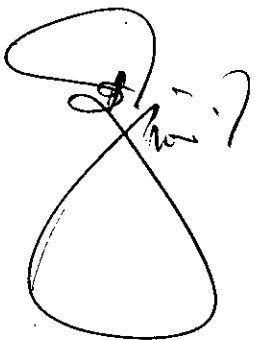
4. Mubarak Zeb Advocate, learned counsel appearing on behalf of appellant, inter-alia, submitted that impugned orders are illegal, arbitrary and void ab initio as appellant was not treated according to law and rules. That the appellant has been discriminated and was



condemned unheard. Learned counsel further contended that no charge sheet with statement of allegations were issued and served upon appellant and that no proper inquiry was conducted. He submitted that the penalty imposed is too harsh which does not commensurate with the guilt of the appellant, therefore, requested for acceptance of the instant appeal.

5. Conversely learned AAG submitted that appellant has proved to be a habitual duty shirker and that almost every officer, under whom he served, has complained against him for avoiding official duty and was resultantly served with explanations/show cause notices and absence notices from time to time. He contended that he was removed from service under Rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 for his willful absence from duty since October, 2019 and that proper notice was served upon him by the respondent department to resume duty within 7 days but he failed. Similarly, another notice was issued through proclamation in the newspapers directing him to report for duty but he failed and ultimately, the competent authority was having no other option but to impose upon him the major penalty of removal from service.

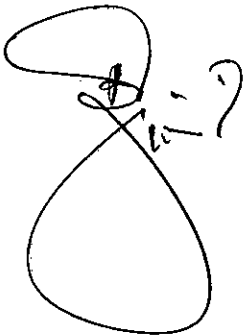
6. Perusal of record would reveal that upon the recommendation of the Departmental Selection Committee, appellant Taimoor Khan was appointed as Chowkidar (BPS-01) vide office order dated 14.12.2012. He used to perform his duty from 4:00pm to 8:00am,



therefore, he submitted a complaint to the Chief Minister Complaint Cell, Mardan which was allowed/redressed and respondents were directed to regularize the duty hours of the appellant according to the Provincial Government Circular, where-after, explanations were called from the appellant time and again which were replied and no further departmental proceedings were initiated against the appellant and it was on 11.06.2020 when major penalty of removal from service was imposed upon appellant for willful absence from duty. Rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 provides procedure in case of willful absence which is hereby reproduced for ready reference:

"9. Procedure in case of willful absence. –

Notwithstanding anything to the contrary contained in these rules, in case of willful absence from duty by a Government servant for seven or more days, a notice shall be issued by the competent authority through registered acknowledgement on his home address directing him to resume duty within fifteen days of issuance of the notice. If the same is received back as undelivered or no response is received from the absentee within stipulated time, a notice shall be published in at least two leading newspapers directing him to resume duty within fifteen days of the publication of that notice, failing which an *ex-parte* decision shall be taken against the absentee. On expiry of the stipulated period given in the notice, major



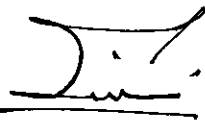
penalty of removal from service may be imposed upon such Government servant” .

7. As per law, in case of willful absence from duty by a Government servant for seven or more days, a notice shall be issued through registered acknowledgement by the competent authority. In the instant case, no such notice is available on file which could show that the present appellant had properly been informed to resume duty which means that the procedure in case of willful absence prescribed by the law was not properly followed by the competent authority.

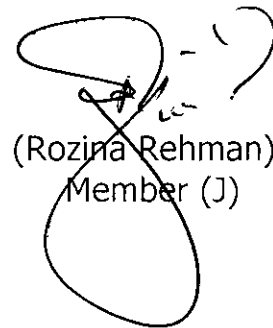
8. For what has been discussed above, instant service appeal is accepted. Consequently, the impugned order is set aside and the appellant is reinstated in service. The intervening period shall be treated as leave without pay. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.

02.02.2022



(Salah-Ud-Din)
Member (J)







(Rozina Rehman)
Member (J)

FORM OF ORDER SHEET

Court of _____

Case No.- 12219 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	19/10/2020	<p>The appeal of Mr. Taimor Khan presented today by Mr. Mubarak Zeb Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	07.12.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>07/12/2020</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Appellant present through representative.</p> <p>Lawyers are on general strike, therefore, case is adjourned to 25.02.2021 for preliminary hearing, before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>
25.02.2021		<p>The learned Member Judicial Mr. Muhammad Jamal Khan is under transfer, therefore, the case is adjourned. To come up for the same before S.B on 15.06.2021.</p> <p style="text-align: right;"> Reader</p>

15.06.2021

Counsel for the appellant present. Preliminary arguments heard.

In term of normal procedure, the appeal appears to be time barred but in view of Section 30 of the Khyber Pakhtunkhwa Epidemic Control and Emergency Relief Act, 2020, the limitation period provided under any law shall remain frozen. This appeal having been filed after promulgation of the said Act, is not affected by bar of limitation. Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 20.10.2021 before the D.B.

Appellant Deposited
Security & Process Fee

24/6/21


Chairman

Order

02.02.2022

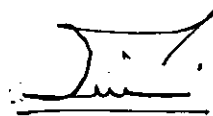
Appellant present through counsel.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General alongwith Farman Ali Deputy Director for respondents present.

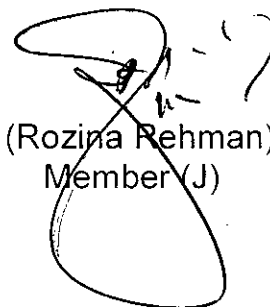
Vide our judgment of today of this Tribunal placed on file, instant service appeal is accepted. Consequently, the impugned order is set aside and the appellant is reinstated in service. The intervening period shall be treated as leave without pay. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.

02.02.2022



(Salah-Ud-Din)
Member(J)



(Rozina Rehman)
Member(J)

Stipulated period passed reply not submitted.

29.07.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

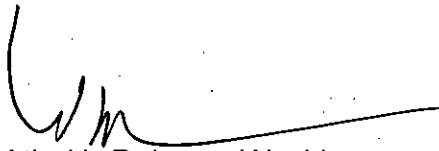

Chairman


20.10.2021

Appellant in person present.

Kabir Ullah Khattak learned Additional Advocate General alongwith Farman Khan ADO for respondents present.

Reply on behalf of respondents is still awaited. Representative of the respondents made a request for time to submit reply/comments; granted with direction to furnish the same within 10 days positively. To come up for arguments on 31.01.2022 before D.B.



(Atiq-Ur-Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

31.01.2022

Appellant with counsel present. Mr. Farman Ali Deputy Director alongwith Mr. Muhammad Riaz Khan Paindakheil learned Assistant Advocate General for the respondents present.

Partial arguments heard. To come up for remaining arguments on 02.02.2022 before the D.B.


(Rozina Rehman)
Member (J)


(Salah-Ud-Din)
Member (J)

5

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Appeal No. _____/2020

Taimor Khan (Ex Chowkidar BPS 3) S/o Abdul Sadiq R/o
Muhalla Saeed Abad No. 6 District Mardan.

(Appellant)

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Information
and Public Relation civil Secretariat Khyber Pakhtunkhwa
Peshawar & Others.

(Respondent)

INDEX

S. NO.	Description of documents	Annexure	Page No.
1	Memo of Appeal along with affidavit		1-
2	Copy of the appointment order	A	5-6
3	Copy of the Complaint dated 25.11.2015	B	7
4	copy of explanation letter dated 22.02.20216 and reply dated 22.02.2016	C & D	8-9
5	Copy of the Explanation dated 28.03.2016 and reply dated 29.03.2016	E&F	10-11
6	Copy of the Office order dated 11.06.2020	G	12
7	Copy of the departmental appeal	H	13
8	Copy of the order dated 27.08.2020	I	14
9	Other documents		15-16
10	Vakalatnama		17

Taimor Khan
Appellant

Through

Mubarak Zeb
Mubarak Zeb
Advocate Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Khyber Pakhtunkhwa
Service Tribunal

12214

Appeal No. _____/2020

Diary No. 11713

Dated 19/10/2020

Taimor Khan (Ex Chowkidar BPS 3) S/o Abdul Sadiq R/o
Muhalla Saeed Abad No 6 District Mardan.

(Appellant)

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Information and Public Relation civil Secretariat Khyber Pakhtunkhwa Peshawar.
2. Director General Information and Public Relation, Civil Secretariat, Khyber Pakhtunkhwa Peshawar.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the impugned Order dated 11.06.2020, whereby the major penalty of Removed from service, was imposed, and against which the departmental appeal dated 06.07.2020 was filed before the competent authority which was also rejected / turn down vide order dated 27.08.2020, which was communicated on 20.09.2020.

Prayer in Appeal: -

Filed to-day

Registrar

19/10/2020

On acceptance of this appeal the impugned order dated 11.06.2020, may please be set aside, similarly the impugned order dated 27.08.2020, may also be set-aside and the appellant may graciously be re-instated in service with all back benefits.

Respectfully Submitted:

1. That the appellant was appointed on the recommendation of the Departmental Selection Committee as Chowkidar on 14.12.2019, in Information and Public Relation Department. (Copy of the appointment order is attached as annexure A)

2. That ever since his appointment, the appellant had performed his duties as assigned with zeal and devotion and there was no complaint whatsoever regarding his performance.
3. That while serving in the said capacity, the appellant while posted as Chowkidar at Regional office Mardan was forced to perform the duties from 4pm to 6 am (16 hours) duty without any leave.
4. That the appellant against the said harsh and inhuman duty hours filed complaint dated 25.11.2015 to the Prime Minister Complaint cell, which was allowed / redressed and the respondents were directed to regularized the duties according to the Provincial Government circular dated 13.05.1990.(Copy of the Complaint dated 25.11.2015 is attached as annexure B)
5. That the respondent department being annoyed from the said compliant started issuing illegal explanation calls from the appellant dated 22.02.2016 which was duly replied vide reply dated 22.02.2016.(Copy of explanation letter dated 22.02.2016 and reply dated 22.02.2016 are attached as annexure C and D)
6. That again the respondent department called explanation dated 28.03.2016, which was duly replied by the complainant vide reply dated 29.03.2016.(Copy of the Explanation dated 28.03.2016 and reply dated 29.03.2016 are attached as annexure E and F)
7. That the respondents without any codal formalities and proper inquiry imposed major penalty of " Removal from service" vide office order dated 11.06.2020. (Copy of the Office order dated 11.06.2020 is attached as annexure G)
8. That aggrieved from the order dated 11.06.2016, submitted his departmental appeal dated 06.07.2020. (Copy of the departmental appeal is attached as annexure H)
9. That the respondent dismissed the departmental appeal of the appellant vide order dated 27.08.2020 and the same was communicated to the appellant on 20.09.2020.(Copy of the order dated 27.08.2020 is attached as annexure I).
10. That the appellant prays for the acceptance of the instant appeal inter alia on the following grounds:-

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Appeal No. _____/2020

Taimor Khan (Ex Chowkidar BPS 3) S/o Abdul Sadiq R/o
Muhalla Saeed Abad No. 6 District Mardan.

(Appellant)

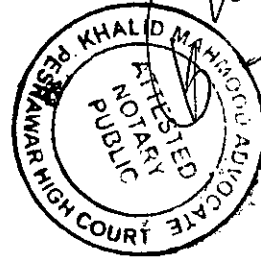
VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Information
and Public Relation civil Secretariat Khyber Pakhtunkhwa
Peshawar & Others.

(Respondent)

AFFIDAVIT

I, Taimor Khan (Ex Chowkidar BPS 3) S/o Abdul Sadiq R/o
Muhalla Saeed Abad No 6 District Mardan, do hereby
solemnly affirm and declare on oath that the contents of the
above noted appeal are true and correct to the best of my
knowledge and belief and that nothing has been kept back or
concealed from this Honourable Tribunal.



Deponent



5
Approved - A

DIRECTORATE OF INFORMATION
GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR

No.INF/Estt:/ 14-27/ _____
Dated Peshawar the ___ / ___ /2012

OFFICE ORDER.

Consequent upon the recommendation of the Departmental Selection Committee after its meeting held on 29.11.2012 at 10:00 A.M. under the Chairmanship of the Director Information, Govt. of Khyber Pakhtunkhwa, the competent authority is pleased to order the appointment of the following candidates against the posts and places of duty mentioned against their names with immediate effect.

S.No	NAME & FATHER NAME	DESIGNATION/ GRADE	PLACE OF DUTY
1	Mr. Waseem Khan S/O Pervez Khan	Driver (BPS-4)	Pakhtunkhwa Radio FM 92.6 MHz; Mardan
2	Mr. Riaz Anwar S/O Anwar Bacha	Driver (BPS-4)	Pakhtunkhwa Radio FM 92.6 MHz, Mardan
3	Mr. Said Badshah S/O Lal Badshah	Driver (BPS-4)	Regional Information Office, Mardan
4	Mr. Muhammad Ayaz Khan S/O Naseer Gul Khan	Naib Qasid (BPS-1)	Pakhtunkhwa Radio FM 92.6 MHz, Mardan
5	Mr. Afsar Ali S/O Rahim Gul	Chowkidar (BPS-1)	Pakhtunkhwa Radio FM 92.6 MHz, Mardan
6	✓ Mr. Taimur Khan S/O Abdul Sadiq	Chowkidar (BPS-1)	Pakhtunkhwa Radio FM 92.6 MHz, Mardan
7	Mr. Hamid Ali S/O Pervez Khan	Sweeper (BPS-1)	Pakhtunkhwa Radio FM 92.6 MHz, Mardan

TERMS AND CONDITIONS ARE AS UNDER:

1. They will be governed by such rules and orders as may be issued from time to time by the Government of Khyber Pakhtunkhwa for the category of the Government servants which they belong.
2. If they wish to resign at any time, they will have to submit two months notice or two months salary in lieu thereof.
3. They may be posted at any station in Khyber Pakhtunkhwa
4. Their appointments to the service shall be subject to the production of Medical Fitness Certificate from the Standing Medical Board.
5. They will be entitled to all the benefits of civil servants except for the purpose of pension and gratuity benefits.
6. They will, in lieu of pension and gratuity, be entitled to receive Contributory Provident Fund (CPF) at prescribed rate.

ATTESTED

[Signature]

6
Endst:No.INF/Estt:/14/27/7877-90 Dated Peshawar, the/4/12/2012

Copy forwarded to the:-

1. Section Officer (INF), Information, PRs & Culture Department, Govt. of Khyber Pakhtunkhwa, Peshawar.
2. District Accounts Officer, Mardan.
3. Regional Information Officer, Regional Information Office, Mardan.
4. Station Manager, Pakhtunkhwa Radio FM 92.6 MHz, Mardan.
5. Mr. Waseem Khan S/O Pervez Khan, R/O Kas Koroon, House NO: 599, Mohallah Tehkadar, Mardan.
6. Mr. Riaz Anwar S/O Anwar Bacha, Naray Baja, Chek Bughdada, Mardan.
7. Mr. Said Badshah S/O Lal Badshah, Mohallah Ikram Abad, Dagai, Tehsil and District Mardan.
8. Mr. Muhammad Ayaz Khan S/O Naseer Gul Khan, R/O Mohallah Yousaf Abad, Gul Colony Sugar Mills Road, Mardan.
9. Mr. Afsar Ali S/O Rahim Gul, Mohallah Zamin Abad, Near Syed Jalal Baba, Mardan.
10. Mr. Taimur Khan S/O Abdul Sadiq, Mohallah Saeed Abad No.6, Mardan.
11. Mr. Hamid Ali S/O Pervez Khan, Cali No.1, Mohallah Koz Kanday, Village Bughdada, Tehsil & District Mardan.
12. Personal Files of the Officials.
13. Office Order File.
14. File No. 14/27.

Amir
ASSISTANT DIRECTOR (ADMN)
FOR DIRECTOR

Attested
3/12/12
Station Manager
Pakhtunkhwa Radio
FM 92.6 Mardan

ny
ATTESTED

محمد قصاب وزیر اعلیٰ متشکا با سیل مردون

Attested B
7

ذرا خواست مراد دارسی و قاضی امداد
من سائل محمود خان ولد عبد القادر جو کبلا دار
حکم الملک ریجنل انفارمیشن آفس مردون

قصابی اور خواست سائل حسب ذیل درج ہے

1۔ کہ میں سائل حکم الملک ریجنل انفارمیشن آفس مردون میں بطور چوکیدار تعینات ہے۔

2۔ کہ میں سائل روزانہ سہ پہر 4 بجے تا صبح 8 بجے تک اپنی ڈیوٹی سرانجام دیتا ہے جو عمل 16 گھنٹے کی ڈیوٹی بنتی ہے۔

3۔ کہ سائل کو بیفٹہ وار چھٹی بیفٹہ، انوار بھی نہیں ملتی۔ حالانکہ ہر دن ایک خیرین ڈیپارٹمنٹ کی چھٹی نمبری 2002 (152) 4-SCA (AD) عرصہ 10/30 کے مطابق چوکیدار کی ڈیوٹی صرف 8 گھنٹے ہو سکتی (چھٹی فیکٹ)

4۔ کہ 16 گھنٹے کی ڈیوٹی اور بیفٹہ وار چھٹی نہ ملنا سائل کے ساتھ سراسر ظلم اور نا انصافی ہے۔ اور قانون کے بھی خلاف ہے

5۔ کہ سائل ایک غریب شخص ہے اور ڈیوٹی کے علاوہ سائل ٹھکانا دار کسبل ہے اور ٹھکانے کی تمام تر ذمہ داری سائل کے ذمے ہے۔

کاپی برائے الملک

0307-8309814

لینڈ اسٹریٹ، قندھوری درخواست ہوا

سائل کی ڈیوٹی بمطابق قانون 8 گھنٹے

کے سائل کی دارسی اور قانونی امداد

کی جائے بحسن نوازش ہوگی

25/11/15

ڈائریکٹر انفارمیشن، ڈائریکٹوریٹ
آف خیر انفارمیشن پشاور
سیکرٹری انفارمیشن، حکومت
خیبر پختونخوا
پرومن ڈائریکشن
حکومت خیبر پختونخوا

ATTESTED

محمود خان ولد عبد القادر حکم الملک ریجنل انفارمیشن آفس مردون
چوکیدار

8

APPROVED - C

REGIONAL INFORMATION OFFICE MARDAN

No. INF/MR: 243-244

Dated: 22/2/2016

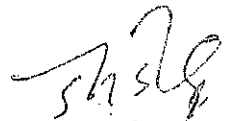
Mr. Taimur Khan, Chowkidar

Subject: **EXPLANATION**

On 17th and 19th February 2016, the undersigned visited the office after office hours at 9:45 PM and 06:00 PM simultaneously and found you absent from your duty.

You were issued verbal directions to be vigilant and careful in regards to your duty. This attitude clearly indicates that you are habitual absentee and if this habit continues, so it might put the office into embarrassing situation.

Therefore, you are directed to explain your position regarding your absence from office, within 03-days positively without fail.


Assistant Director,
Regional Information Office,
Mardan.

No. & date even:

Copy to Director Information & Public Relations, Govt: of Khyber Pakhtunkhwa Peshawar for information, please.

Assistant Director,
Regional Information Office,
Mardan.


ATTESTED

حکومت پنجاب اسٹریٹ ڈائریکٹوریٹ اور محکمہ انفارمیشن اینڈ پبلک ریلیشنز

جواب و مہمات طلبی

ضلع علی

موضوع: جواب و مہمات طلبی نمبر 243-244 INF/MR مورخہ 22/2/2016

2016 مورخہ 22/2/2016 کے تحت جن دنوں آپ نے میرے لیے 04 بجے سے لیکر 12 بجے تک

(کل آٹھ گھنٹے) ڈیوٹی سنبھالنا چاہی۔ تو میں نے ایسی ڈیوٹی سے اس سبب سے انکار کر دیا ہے

عندہ 4 بجے تک ہے۔ اور میں ایسی ڈیوٹی رات 12 بجے تک انجام دیتا ہوں۔

12 بجے کے بعد میں فوراً آتا ہوں۔ آپ مورخہ 17 فروری اور 19 فروری کی بات کر رہے

ہیں۔ تو مورخہ 17 اور 19 فروری کو میں دفتر میں 4 بجے سے لیکر 12 بجے

تک موجود تھا۔ اور میں عصر، صبح اور عشا کی نو دستریں ادا کی ہیں۔ اور میں

عام روڈ کارکن کیلئے دستریں نہیں لگاتا ہوں۔ آپ مجھ سے وہ مہمات طلبی اس لیے کرتے

ہیں تو یہ آپ انسانی کاروائی کر رہے ہیں۔ اس لیے کہ میں نے وزیر اعلیٰ گلبرگ

مردان سے اپنے آٹھ گھنٹے ڈیوٹی کیلئے درخواست دی تھی جس پر عمل درآمد ہوا تھا۔

ان کے علاوہ اگر 12 بجے کے بعد دفتر کو کوئی کوہان چاہی، یا مجھے کوئی کوہان

چاہی تو اس کا ذمہ دار کون ہوگا؟

آپ ڈائریکٹوریٹ انفارمیشن یا سیکریٹری انفارمیشن کے ذریعے مجھے صیغہ کر کے ہیں

اور چھاپہ مار کے ہیں۔ بلکہ وزیر اعلیٰ گلبرگ کیلئے ڈیوٹی کے ذریعے چھاپہ مار رہے ہیں۔

میں آفر سے استعفا کر رہا ہوں۔ کہ یہ انسانی کاروائی بند کر دیں۔ اس لیے میں ایسی ڈیوٹی

نہیں سنبھال رہا ہوں۔ یہی ہدف ہے وہ مہمات طلبی لغو کسی کاروائی کے خارج

الغاب

7 - مقررہ سمجھوتہ ہو گیا اور دفتر ہذا

مورخہ 22-2-16

ATTESTED

10

Approved E

REGIONAL INFORMATION OFFICE MARDAN

No. INF/MR: 271-272

Dated: 28 / 3 / 2016

Mr. Taimur Khan, Chowkidar

Subject: EXPLANATION

The undersigned visited the office ~~you~~ on 24th of March after office hours and found you absent from the duty as the main gate was locked from outside. Before this, numerous times you were issued explanations and also verbal directions to be vigilant enough and be watchful concerning your duty; but your continuous habit of absence certainly proved it that you are not taking interest in execution of your duty.

This time, you are strictly directed to explain your position within 03-days positively regarding your absence from the office, as to why departmental action may not be taken against you.

Assistant Director,
Regional Information Office,
Mardan.

No. & date even:

Copy to Director Information Govt: of Khyber Pakhtunkhwa, Peshawar for information, please.

Assistant Director,
Regional Information Office,
Mardan.

Received
reply of

Explanation
on 30-3-16

ATTESTED

حکومت صوابہ اسٹریٹ ڈائریکٹریٹریٹل الفارمیشن اسٹریٹوں

فہرست

مکمل دو ماہ صوابہ اسٹریٹ / 272-271 INF/MR / 28 مارچ 1907

مکمل دو ماہ صوابہ اسٹریٹ / 272-271 INF/MR / 28 مارچ 1907

مکمل دو ماہ صوابہ اسٹریٹ / 272-271 INF/MR / 28 مارچ 1907

مکمل دو ماہ صوابہ اسٹریٹ / 272-271 INF/MR / 28 مارچ 1907

مکمل دو ماہ صوابہ اسٹریٹ / 272-271 INF/MR / 28 مارچ 1907

مکمل دو ماہ صوابہ اسٹریٹ / 272-271 INF/MR / 28 مارچ 1907

مکمل دو ماہ صوابہ اسٹریٹ / 272-271 INF/MR / 28 مارچ 1907

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مکمل دو ماہ صوابہ اسٹریٹ / 272-271 INF/MR / 28 مارچ 1907

ATTESTER

P.T.C

پیشانیہ سرٹیفکیٹوں کے لیے اس مسئلے کو فوراً طور
پہ پہنچائیں۔ ورنہ میں آج ذرا ہی پہنچانا کا وہ
سے آج دونوں مہمانوں کے خلاف عدالت چاؤنگا

المترجم
29/3/16

العقار
کتاب

تمسور عالی و لکھنؤ علی الصادق جو لکھنؤ دفتر ہذا

ATTESTED



12
Attested G

DIRECTORATE GENERAL INFORMATION & PRs
KHYBER PAKHTUNKHWA, PESHAWAR

No. INF/Estt:/1-28/_____
Dated Peshawar, the ____/____/2020

OFFICE ORDER

WHEREAS, Mr. Taimur Khan, Chowkidar (BPS-03), Directorate General Information & PRs, Khyber Pakhtunkhwa while posted in Regional Information Office, Mardan absented himself from duty since October, 2019.

2. AND WHEREAS on his unauthorized absence from duty since October, 2019, notice was served upon him by this Directorate vide No. INF/Estt:/PF/870 dated 02-03-2020 on his home address to resume duty within seven-days (7), but he failed to comply.

3. AND WHEREAS another notice was issued to him through press which appeared in the Daily "Express" Peshawar dated 06-05-2020 and the Daily "Aaj" Peshawar dated 07-05-2020 directing him to report for duty within 15 days from the date of publication of the notice, but instead of complying with the lawful directive he failed to resume his duty.

4. AND WHEREAS in the circumstances it is not reasonably practicable to give him any further opportunity of showing cause for the action proposed to be taken by the competent authority against him;

5. NOW, THEREFORE, I, Imdadullah, Director General, Information & PRs, Khyber Pakhtunkhwa, as Competent Authority in terms of Rule 4 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 and in exercise of the powers conferred upon me under Rule 9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 do hereby impose the major penalty of "Removal from Service" upon Mr. Taimur Khan, Chowkidar (BPS-03), Regional Information Office, Mardan for willful absence from duty, with immediate effect.

-Sd/-

DIRECTOR GENERAL
INFORMATION & PUBLIC RELATIONS,
KHYBER PAKHTUNKHWA
Dated Peshawar, the 11/16/2020

Endst: No. INF/Estt:/1-28/1733-39

Copy forwarded to the:

1. PS to Secretary Information & PRs Department, Govt. of Khyber Pakhtunkhwa
2. P.S to Director General, Information & PRs, Khyber Pakhtunkhwa
3. Regional Information Officer, Mardan
4. District Accounts Officer, Mardan
5. Mr. Taimur Khan, Chowkidar (BS-03), Regional Information Office, Mardan
R/O Mohallah Saeed Abad No. 06, Mardan, Khyber Pakhtunkhwa
6. Bill Clerk
7. Personal file

ADMINISTRATIVE OFFICER
FOR DIRECTOR GENERAL

ATTESTED

بخدمت جناب سیکرٹری صاحب محکمہ اطلاعات و تعلقات عامہ خیبر پختونخوا
حکمانہ اپیل

جناب عالی!

مودبانہ گزارش ہے میں محکمہ اطلاعات و تعلقات عامہ مردان آفس میں بطور چوکیدار خدمات انجام دے رہا ہوں
مورخہ 11 جون 2020ء کو مجھے اپنے دفتر سے لیٹر نمبر INF/Estt.01-28/1733/39 کے ذریعے مجھے آگاہ کیا گیا کہ
آپ کو نوکری سے نکال دیا گیا۔ آپ کی توجہ اپنے ساتھ زیادتی کی طرف دلانا چاہتا ہوں امید ہے آپ دادرسی فرمائیں گے۔

☆ یہ کہ اکتوبر 2019ء سے لے کر آج تک یعنی 11 جون 2020 تک میں نے کوئی چھٹی نہیں کی اور مجھ پر جھوٹا
الزام لگا کر پھنسا دیا گیا ہے۔

☆ یہ کہ یہ الزام مجھ پر اس وجہ سے لگایا گیا ہے کہ میں نے مورخہ 25 نومبر 2013 کو وزیر اعلیٰ شکایات سیل مردان
میں ایک درخواست دی تھی کہ میری آٹھ گھنٹے ڈیوٹی ہے جس طرح دوسرے ملازمین ڈیوٹی کرتے ہیں مجھے بھی
آٹھ گھنٹے ڈیوٹی دی جائے۔ یہی درخواست منظور ہوگئی اور اس تاریخ کے بعد میں کوئی چھٹی نہیں کی ہے۔

☆ یہ کہ مذکورہ درخواست کی منظوری کے بعد میرے خلاف جھوٹے الزامات لگا کر مجھے نوکری سے نکال دیا گیا۔

☆ یہ کہ وقتاً فوقتاً مجھ پر جھوٹے الزامات لگا کر مجھ سے وضاحت طلب کی گئی ہے جس کی میں نے جوابات دیئے ہیں
اور اس لیٹر کے ساتھ منسلک ہیں۔

☆ یہ کہ میں نے افسران بالا کو حلفاً کہہ دیا ہے کہ میں روزانہ ڈیوٹی پر آتا ہوں اور اپنی ذمہ داری احسن طریقے سے
انجام دے رہا ہوں اس کے باوجود بھی مجھے برخاست کیا گیا ہے جو کہ ہراسنا انصافی ہے۔

جناب عالی!

مودبانہ التماس ہے کہ میں ایک غریب خاندان سے تعلق رکھتا ہوں اور مجھ پر گھر کی طرف سے کافی ذمہ داریاں ہیں اور مہنگائی کے
اس دور میں نوکری کے ساتھ بھی گونا گوں مشکلات کا سامنا تھا نوکری ختم ہونے کی صورت میں میرا اہلخانہ کافی پریشان اور مشکلات
میں پھنس گیا ہے۔ آپ سے التجا ہے کہ میری نوکری بحال کرتے ہوئے انصاف کے تقاضے پورے کئے جائیں۔

نوٹ۔ جناب عالی! جب سے میں وزیر اعلیٰ شکایات سیل میں درخواست دی ہے اس کے بعد مجھے آرام سے نہیں چھوڑا اور اس
درخواست کے سبب میری نوکری کو ختم کیا گیا ہے۔ المرقوم 06 جولائی 2020ء

عین نوازش ہوگی

العارض

تیور خان (چوکیدار) ریجنل انفارمیشن آفس مردان

ATTESTED

Secretary
2020



19
Approved I

GOVERNMENT OF KHYBER PAKHTUNKHWA
INFORMATION & PUBLIC RELATIONS
DEPARTMENT

Dated Peshawar the 27th August, 2020

OFFICE ORDER

No.SO.Estt:(INF)4-115/Inquiry/2018: Whereas Mr. Tamiour Khan, ex-Chowkidar, Directorate General Information & PRs, Khyber Pakhtunkhwa was proceeded under the Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules, 2011 by the Directorate General Information & PRs and major penalty of removal from service has been imposed upon the above said official.

2. **WHEREAS**, the Ex-official preferred an appeal to the appellate authority against the said penalty.

3. **WHEREAS**, the appellate authority perused the record on file, appeal of the ex-employee and reply of the Directorate General Information & PRs in response to the appeal, it is clear that Department has fulfilled all code formalities and more than enough opportunities have been given to the appellant to abstain from willful absence and perform duties.

4. **AND WHEREAS**, in the instant appeal, the appellant has not raised any legal question which warrants intervention of the appellate forum. Besides, he has not produced any official record like attendance register or copies of his replies in response to official explanations called from him by his supervisory officers from time to time and even in the Newspapers.

5. **NOW THEREFORE**, I, in capacity of the Appellate Authority, after having perused the record / appeal of the appellant and in exercise of powers under Rule (5) (1) (c) of the Khyber Pakhtunkhwa Civil Servants (Appeal) Rules, 1986, do hereby declare the appeal being not maintainable and is not accepted.

-Sd-


SECRETARY

GOVT. OF KHYBER PAKHTUNKHWA,
INFORMATION & PUBLIC RELATIONS DEPARTMENT

No.SO.Estt:(INF)4-115/Inquiry/2018: /874-76 Dated Peshawar the 27th August, 2020

Copy of the above is forwarded to the :-

1. Director General, Directorate General Information & Public Relations Khyber Pakhtunkhwa.
2. P.S to Secretary to Govt. of Khyber Pakhtunkhwa, Information & P.Rs Department.
3. Mr. Tamiour Khan, ex-Chowkidar, of the Directorate General Information & Public Relations, Khyber Pakhtunkhwa.


SECTION OFFICER (ESTABLISHMENT)

ATTESTED

15
Copy of letter No: SOA (A.D.) (152) 2001, dated: 23-08-2003 from
Section Officer (ADMN) Govt. of NWFP, Administration Department
to All Heads of attached Department and Other :-

DEMANDS OF CLASS-IV EMPLOYEES ASSOCIATION
(EIGHT HOURS DUTY FOR CHOWKIDARS):*****

I am directed to refer to Provincial Government Circular letter
(S&GAD) (152) / 89-Vol-II, dated: 15-05-1990, wherein the decision of the
Provincial Government to the effect that eight hours duty may please be taken
by Chowkidars of the Provincial Government Departments was communicated
for compliance.

It is once again reiterated that the above mentioned decision of
Provincial Government may please be implemented in letter and spirit by all
concerned.

Yours Faithfully,
Sd/- (SHAH JEHAN)
SECTION OFFICER (ADMN:).

NO. 21630-39/IB/A/96-M(iii), Dated Peshawar, the 15/09/2003.

Copy of the above is forwarded to the:-

- Superintending Engineer, Central Irr. Circle, Peshawar.
- Superintending Engineer, Northern Irr. Circle, Mardan.
- Superintending Engineer, Malakand Irr. Circle, Swat.
- Superintending Engineer, Southern Irr. Circle, Bannu.
- Executive Engineer, Hydrology, Irr. Divn. Peshawar.

Continuation of this office letter No: 13507-31/IB/A/96-M(iii), dated:
for information and note it for compliance please.

*enclose to all
& B.A.K. for info*

JAVED ALI
ADMINISTRATIVE OFFICER
Phone No: 9212122.

11/9/03

12/13/14 and A/6.

ATTESTED

16

GOVERNMENT OF NWFP
ADMINISTRATION DEPARTMENT.

NO. 504 (AD)-4 (152)2003

Dated Peshawar the 30/10/2003

1. All Administrative Secretaries to Govt: of NWFP.
2. All District Coordination Officer in NWFP.
3. All Heads of Attached Departments.
4. All Political Agents in NWFP.
5. The Register Peshawar High Court, Peshawar.
6. All District and Session Judges in NWFP.
7. The Secretary Board of Revenue, NWFP.
8. The Secretary NWFP, Public Service Commission.
9. The The director Anti-Corruption NWFP.
10. The Registrar, NWFP, Service Tribunal Peshawar.

Subject:- DEMANDS OF CLASS-IV EMPLOYEES ASSOCIATION
(EIGHT HOURS DUTY FOR CHOWKIDARS)

Dear Sir,

I have been directed to refer to this department letter of even number, dated 25.08.2003, wherein eight hours duty has been prescribed for Chowkidars.

In this connection, it is further clarified that the Chowkidars should not be made to perform duties exceeding eight hours at one time. This principle is also applicable during working days as well as on holidays.

Yours faithfully,
Sd/-(SECTION OFFICER (ADMIN))

OFFICE OF THE CHIEF ENGINEER IRRIGATION DEPARTMENT PESHAWAR.

NO. 25815-19 /IB/A/96-M(iii), dated Peshawar, the 2/11/2003.

Copy of the above is forwarded to the:-

1. Superintending Engineer Northern Irrigation Circle, Mardan.
2. Superintending Engineer Central Irrigation Circle, Peshawar.
3. Superintending Engineer Malakand Irrigation Circle, Swat.
4. Superintending Engineer Southern Irrigation Circle, Bannu.
5. Executive Engineer Hydrology Irrigation Division Peshawar.
6. Superintending Engineer (Head Quarters), (Local), in continuation of this office letter No. 21630-04 /IB/A/96-M(iii), dated 15/9/2003, for information and necessary action.

ADMINISTRATIVE OFFICER
(PHONE NO. 9212122).

ATTESTED

Copy of the above is for forwarded to all Secys. L. N. C. M. D. W. P. A.

POWER OF ATTORNEY

In the Court of Khyber Pakhtun Khwa Service Tribunal Peshawar
Tamos Khan

} For
} Plaintiff
} Appellant
} Petitioner
} Complainant

VERSUS

Govt of Khyber Pakhtun Khwa
and others.

} Defendant
} Respondent
} Accused
}

Appeal/Revision/Suit/Application/Petition/Case No. _____ of _____
Fixed for _____

I/W, the undersigned, do hereby nominate and appoint **MUBARAK ZEB ADVOCATE**, my true and lawful attorney, for me in my same and on my behalf to appear at _____ to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits. Compromises or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or sub-poena and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out; and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

AND I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

PROVIDED always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

IN WITNESS whereof I/we have hereto signed at Tamos Khan
the _____ day to _____ the year _____
Executant/Executants _____
Accepted subject to the terms regarding fee _____

Mubarak Zeb
MUBARAK ZEB

ADVOCATE, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT
FR-3, Fourth Floor. Bilour Plaza, Saddar Road, Peshawar Cantt
Mobile-0334-4274247
BC-10-3455
CNIC. 17101-3988084-5

REGIONAL INFORMATION OFFICE MARDAN

No. INF/MR: 142-143

Dated: 17/11/2015

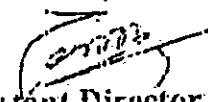
Mr. Taimur Khan, Chowkilar

Subject: EXPLANATION

You were issued warnings to be careful regarding your duty and be vigilant. But still you do not follow the orders of the undersigned, as you were checked randomly and found absent from your duty. Your lethargic attitude will put this office into embarrassing situation.

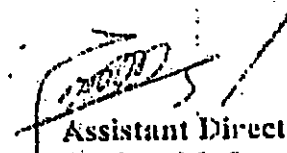
Now it has been decided that your further absence days will be treated as without pay and you are warned hereby again that in future, if you are found absent from your duty, strict action/major punishment would be proposed for you.

However this time, you are strictly directed to explain your position regarding your absence from office, within 03-days positively without fail.


Assistant Director,
Regional Information Office,
Mardan.

No. & date even:

Copy to Director Information & Public Relations, Govt. of Khyber Pakhtunkhwa Peshawar for information, please.


Assistant Director,
Regional Information Office,
Mardan.

*Attested
Permanently*

ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar

4

REGIONAL INFORMATION OFFICE MARDAN

No. INF/MP: _____

Dated: _____/_____/2015

Mr. Taimur Khan, Chowkidar

Subject: EXPLANATION

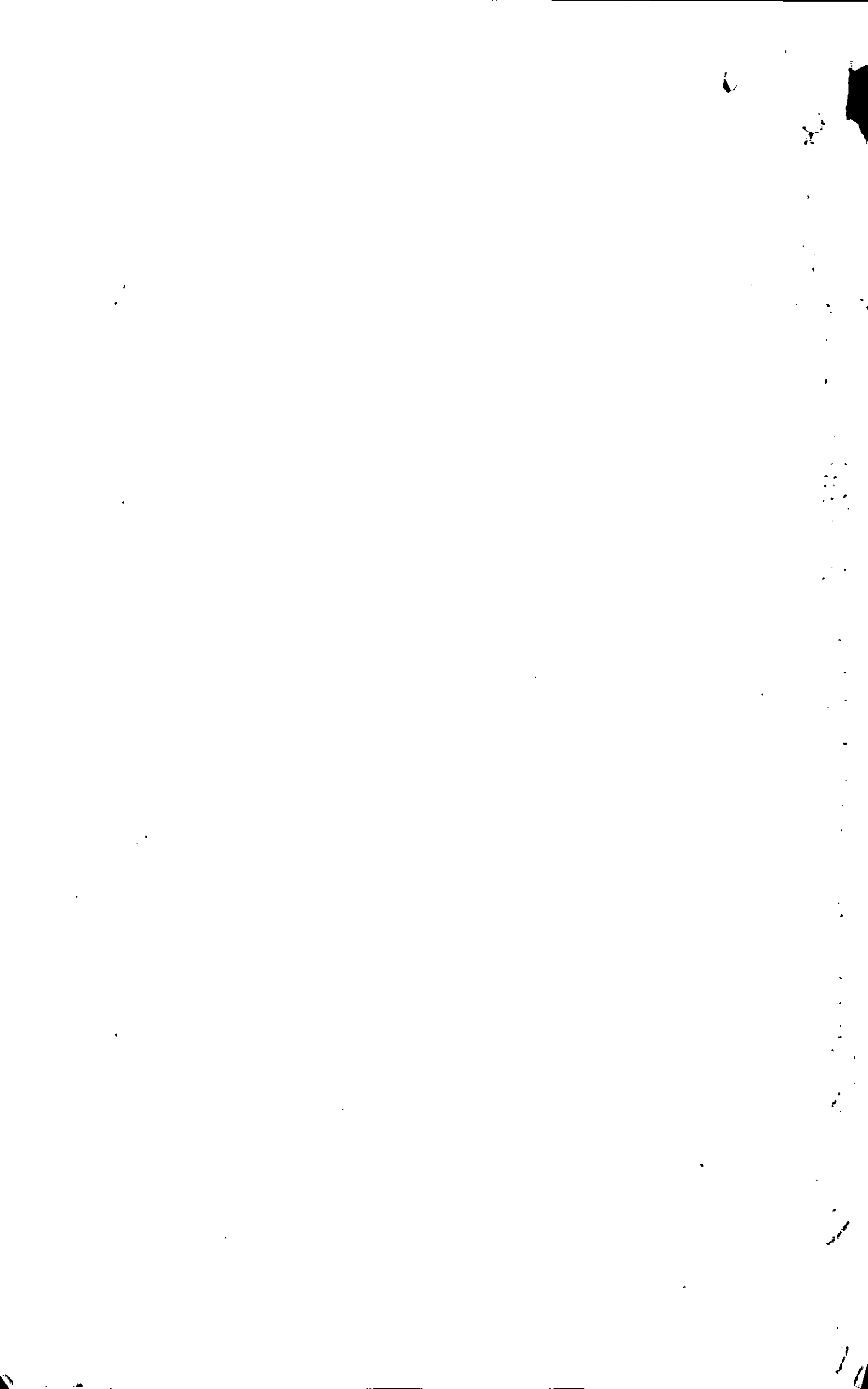
The undersigned alongwith Said Bacha driver visited the office on 23rd of December at 10:30 PM and found you absent from the duty as the main gate were locked from outside. The undersigned waited for about ½ an hour and also called on your mobile but you did not attend the call. Now, it is quite clear from your attitude that you are intentionally not taking interest in your duty and always absent from the office. Furthermore, you were severally warned before, to be careful in future regarding your duty but it is quite regretting to say that you turned your ear deaf.

You are strictly directed to explain your position regarding your absence from the office, within 03-days positively without fail.

[Signature]
Assistant Director,
Regional Information Office,
Mardan.

[Signature]
Ferman Khan

ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar



5

REGIONAL INFORMATION OFFICE MARDAN

No. RIMR: 243-246

Dated: 12/2/2016

Mr. Faimur Khan, Chowkidar

Subject: EXPLANATION

On 17th and 19th February 2016, the undersigned visited the office after office hours at 9:45 PM and 06:00 PM simultaneously and found you absent from your duty.

You were issued verbal directions to be vigilant and careful in regards to your duty. This attitude clearly indicates that you are habitual absentee and if this habit continues, so it might put the office into embarrassing situation.

Therefore, you are directed to explain your position regarding your absence from office, within 03-days positively without fail.

[Signature]
Assistant Director,
Regional Information Office,
Mardan.

No. & date even:

Copy to Director Information & Public Relations, Govt. of Khyber Pakhtunkhwa Peshawar for information. please.

[Signature]
Assistant Director,
Regional Information Office,
Mardan.

[Signature]
[Signature]

ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar

The Director General
Information & Public Relations
Khyber Pakhtunkhwa

14

Subject: REPLY TO SHOW CAUSE NOTICE DATED: 24.04.2018.

Respect sir,

P-138

Reference to your Show Cause notice No.INF/Estt:/PF/2390 dated Peshawar the 24.04.2018, it is humbly submitted that on dated: 19.04.2018, I came to office on 9:30 PM and took charge from Mr. Ayaz Naib Qasid, who was on duty as Chowkidar on the same day and performed my duty till 7:00 AM morning. Which can be confirmed from Ayaz Chowkidar personally.

14

Moreover, the absence day is incorrect and denied, I never remained absent in the past. The explanation have been properly replied and satisfactorily submitted.

Station Manager Shamsul Haq is insisting of taking private job from me and upon refusal, he is pressuring me.

14

I have requested for change of duty as I and my wife are alone in house, however, I never remained absent without prior permission.

For establishing these fact evidence is must, I am ready to take oath on Holy Quran that I have performed my duties to utmost diligence and punctuality from 9:30pm to 7:00am and conversely can be confronted to the station Manager.

It is therefore, humbly requested that the Show Cause notice may kindly be filed without further proceedings. I shall pray for your long life and prosperity.

Yours Obediently,



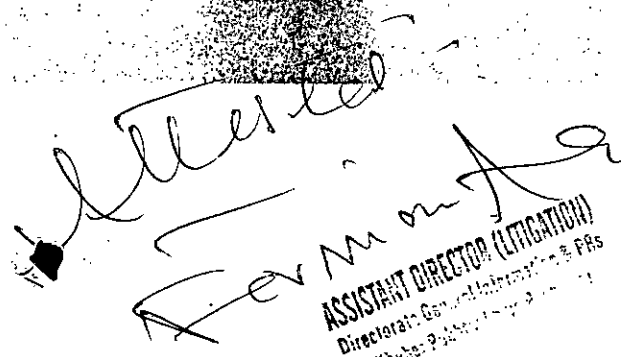
Taimur Khan
Chowkidar
Radio Pakhtunkhwa FM 92.6 MHz
Mardan
Cell: 0313-9781831

03-5-18

DD (A)
3/5/18

SE

3/5/18 1788
3-5-18


ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRS
Khyber Pakhtunkhwa



6

Pakhtunkhwa Radio FM 92.6 MHz Mardan

DIRECTORATE OF INFORMATION
GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR

Phone: 0937 9230610
NO. INF/MDN/IM 161
Dated Mardan the 27 / 10 / 2017

To,

Mr. Taimur Khan,
Chokidar.

Subject: Explanation

You remained absent from your night duty on 05/10/2017 without permission and you even didn't bother to inform the office.

You were asked to explain your position but you failed to explain and responded and unsatisfactorily.

Instead of mending your ways, you again remained absent from your duty on 26.10.2017 and the office remained without guard all the night.

You are hereby directed to explain reason of your absence within three days of the issue of this memo.

You are further directed and warned to be regular and vigilant in future and inform the office in case of any emergency well in time so that alternate arrangement could be made.

6/06/17
1-11-17
Directorate of Information
Government of Khyber Pakhtunkhwa

STATION MANAGER,
PAKHTUNKHWA RADIO
MARDAN

No. & date even:

1

Director General Information, Govt. of Khyber Pakhtunkhwa Peshawar for information please. Personnel file of the official.

DD(A)

SE

01-11-17

STATION MANAGER,
PAKHTUNKHWA RADIO
MARDAN

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ASSISTANT DIRECTOR (ATTENTION)
Directorate General Information & PDS
Khyber Pakhtunkhwa Peshawar



Pakhtunkhwa Radio FM 92.6 MHz Mardan



DIRECTORATE OF INFORMATION
GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR

Phone: 0937 9230610

NO. INF/MDN/FM 28

Dated Mardan the 02/03/2018

To,

Mr. Taimur Khan,
Chokidar.

Subject: Explanation

You were having duty on 28-02-2018 and 01-03-2018 from 12Am to 08Am however you were absent from your duty on both these days.

On 28-02-18 you left the gate in the mid night and the whole office was on the mercy of Amighty Allah and on 1st March 2018 you were found absent from your duty.

You are hereby directed to explain reason of your negligence from duty within three days of the issue of this memo. Otherwise strict action would be taken against you.

You are further directed and warned to be punctual and vigilant in future..

M. J.
ADMIN OFFICER,
PAKHTUNKHWA RADIO,
MARDAN.

No. & date even:

Cc:

- 1. ^{General} Director Information, Govt: of Khyber Pakhtunkhwa Peshawar for information please.
- 2. Personnel file of the official.
- 3. Station Manager Radio FM92.6 Mardan.

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7/3/18

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7-3-18

STATION MANAGER,
PAKHTUNKHWA RADIO
MARDAN

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ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar

170 (8)



Pakhtunkhwa Radio FM 92.6 MHz Mardan

DIRECTORATE OF INFORMATION
GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR



Phone: 0937 9230610
NO. INF/MDN/FM 136
Dated Mardan the 08/08/2018.

To,

Mr. Taimoor Khan,
Chowkidar

Subject: Explanation

You remained absent from your duty on 2nd, 3rd & 5th of August 2018 without prior approval.

You are directed to explain your position that why you didn't performed your duty and remained absent from office without permission on above mention days.

You should submit your explanation within three days after the receipt of this letter; otherwise a disciplinary action will be taken against you.

Station Manager -
Pakhtunkhwa Radio FM 92.6 MHz
Mardan

No. & date even:

1. Director General Information & PRs, Govt. of Khyber Pakhtunkhwa Peshawar for information please.
2. Personnel file of the official.

[Signature]
Station Manager
Pakhtunkhwa Radio FM 92.6 MHz
Mardan

AD/CA
[Signature]
13/8/18
[Signature]
13/8/18

2601
13-8-18

Attest
[Signature]
Forward

ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar

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GOVERNMENT OF KHYBER PAKHTUNKHWA
REGIONAL INFORMATION OFFICE MARDAN

9

No. INF/MR: 208/2019

Dated, 29/11/2019

Mr. Taimur Khan, Chowkidar

Subject: EXPLANATION

It has been noted with great concern that you have been absent from the office, for the last 2-months as you have been regularly checked. You actually do not take interest in the execution of your duties which is quite clear from your service record, as before you were given so many explanations for your willful absence from duty. The record shows that you are a habitual absentee taking no interest what so-ever in your duties for which you have been repeatedly asked both verbally and in writing.

It is therefore, you are once again directed to explain your position as to why disciplinary action is not taken against you. Your explanation should reach this office within 03-days positively without fail. You should also join duties forthwith.

Deputy Director,
Regional Information Office,
Mardan.

No. & date even:
Copy to Director General Information & Public Relations, Govt: of Khyber Pakhtunkhwa Peshawar for information, please.

DDCA
[Signature]
21/12/19

[Signature]
Deputy Director,
Regional Information Office,
Mardan.

SE
[Signature]
21/12

6760
2-12-19

[Signature]
Assistant Director (Litigation)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar

180 (10)

GOVERNMENT OF KHYBER PAKHTUNKHWA
REGIONAL INFORMATION OFFICE MARDAN

No. INF/MIR: 203-204

Dated: 29/11/2019

Mr. Tajmud Khan, Chowkidar

Subject: EXPLANATION

It has been noted with great concern that you have been absent from the office for the last 24 months as you have been regularly checked. You actually do not take part in the execution of your duties which is quite clear from your service record as there you were given so many explanations for your willful absence from duty. The record shows that you are a habitual absentee taking no interest whatsoever in your duties for which you have been repeatedly asked both verbally and in writing.

It is therefore, you are once again directed to explain your position as to why disciplinary action is not taken against you. Your explanation should reach this office within 03-days positively without fail. You should also join duties forthwith.

Deputy Director,
Regional Information Office,
Mardan.

cc: Director

Copy to Director: General Information & Public Relations, Govt of Khyber Pakhtunkhwa Peshawar for information, please.

Deputy Director,
Regional Information Office,
Mardan.

دستخط و تاریخ

میں نے یہیں کو *Explanation* وصول کرنے کے لیے کہا لیکن آپ نے اسے خط و کلام سے اور دستخط سے
ڈیپٹی ڈائریکٹر

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ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PPs
Peshawar, Pakhtunkhwa Peshawar

AL INFORMATION OFFICE MARDAN

No. INF:MR: 157/2018

Dated 12/23/2018

Subject: ORDER OF WITHOUT PAY

On 23rd of December at 10:30 PM. I personally visited the office after office hours. The main gate was found locked from outside. Tamur Khan Chowkida was found absent from his duty. He was issued letter to explain his position for his absence from duty. But his reply was found unsatisfactory. Consequently upon his absence from duty, one day without order is hereby issued i.e for 23rd of December with immediate effect.

Assistant Director,
Regional Information Office,
Mardan.

No. & date even:

Cc:

1. District Account Officer Mardan. He is requested to take necessary action and without pay the aforesaid official for 23rd of December.
2. Director Information, Govt. of Khyber Pakhtunkhwa Peshawar for information, please.
3. Personnel file.

Assistant Director,
Regional Information Office,
Mardan.

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ASSISTANT DIRECTOR (REGISTRATION)
Directorate General Information & PIA
Khyber Pakhtunkhwa Peshawar

REGIONAL INFORMATION OFFICE MARDAN

No. INF/MR: 146-168

Dated: 20/11/2015

Subject: ORDER OF WITHOUT PAY

On 7, 8 and 9th November, I personally visited the office after hours. The main gate was found locked from outside. Taimur Khan Chowkidar was found absent from his duty. Consequent upon his absence from duty, his without pay orders is hereby issued for the aforesaid 03-days.

[Signature]
Assistant Director,
Regional Information Office,
Mardan.

No. & date even:

Cc:

1. District Account Officer Mardan. He is requested to take necessary action and without pay the aforesaid official for 7th, 8th & 9th November.
2. Director Information, Govt. of Khyber Pakhtunkhwa Peshawar for information, please.
3. Personnel file.

[Signature]
Assistant Director,
Regional Information Office,
Mardan.

All is tal
[Signature]
ASSISTANT DIRECTOR (ADMINISTRATION)
Directorate General Information & PR
Khyber Pakhtunkhwa Peshawar



DIRECTOR
KH

GENERAL INFORMATION & PRS
KHYBER PAKHTUNKHWA
AWAR

No. INF/Est/ 2247 Dated Peshawar the 21/4/2018

SHOW CAUSE NOTICE

I, Imdad Ullah, Director General Information & PRs, Khyber Pakhtunkhwa as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Taimour Khan, Chowkidar, FM 92.6 MHz Mardan as following;

"Last night on 19-04-2018 Mr. Shams-ul-Haq, Station Manager, Pakhtunkhwa Radio FM 92.2 MHz Mardan informed that he paid a surprise visit to the Radio Station at 11:30 PM and found you absent from duty without locking the Station. The Station being a sensitive installation without proper watch is a criminal negligence on your part. You are used to remaining absent from duty/leaving the station unmanned in the past too and have already been issued a number of explanations but you flatly ignored the same".

2. I am, therefore, satisfied that you are "guilty of habitually absenting yourself from duty without prior approval of leave" as specified in rule-3 (d) of the said Rules.


3. In terms of Rules-5 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, I, as competent authority, dispense with the inquiry and serve you with a show cause notice under Rule-7 of the Rules ibid.

4. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the following penalty(s) under Rule-4 of the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules, 2011.

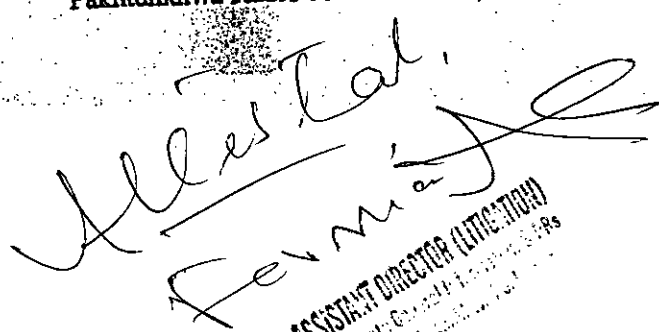
(b) (iii) Removal from service

5. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

6. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, in the normal course of circumstances, it shall be presumed that you have no defense to put in, and in that case, an ex-parte action shall be taken against you.


(IMDAD ULLAH)
DIRECTOR GENERAL
INFORMATION & PRs, KHYBER PAKHTUNKHWA

Mr. Taimour Khan, Chowkidar,
Pakhtunkhwa Radio FM 92.6 MHz, Mardan


ASSISTANT DIRECTOR (INFORMATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa

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DIRECTOR
KHY

GENERAL INFORMATION & PRS
KHYBER PAKHTUNKHWA

No. INF/Estt:/PR/ 870
Dated Peshawar, the 2/13/2020

15

Peshawar

To

Mr. Taimur Khan, S/O Abdul Sadiq
R/O Mohallah Saeed Abad No. 06, Mardan,
Khyber Pakhtunkhwa

Subject: NOTICE

It has been reported that you remained absent from duty since October, 2019 till date without any intimation/cogent reason, which clearly reflects your non devotion to official duty.

Being a government servant, you are required to perform your official obligations with honesty and dedication but it has been observed that despite being reprimanded time and again, you are always avoiding the same on one pretext or the other that causes hardships for the Directorate as well as Regional Information Office, Mardan.

You are hereby directed to resume your duty within seven-days of the issuance of this notice and explain your position with regard to your willful absence; otherwise strict disciplinary action will be taken against you under the rules.

Sd/-

DIRECTOR GENERAL
INFORMATION & PUBLIC RELATIONS
KHYBER PAKHTUNKHWA
Dated Peshawar, the 2/13/2020

Endst: No. INF/Estt:/ 871-73

Copy for Information to the:

1. P.S to Director General, Information & PRs, Khyber Pakhtunkhwa
2. Deputy Director Information/Regional Information Officer, Mardan
3. Personal file of the official

[Signature]
ADMINISTRATIVE OFFICER
FOR DIRECTOR GENERAL

Attestat
Fermansha
ASSISTANT DIRECTOR (ATTENTION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar

ٹوئس غیر حاضری

آپ سکی تیمور خان ولد عبدالصادق، چوکیدار، ریجنل انفارمیشن آفس مردان، اکتوبر 2019 سے اپنی ڈیوٹی سے مسلسل غیر حاضریں ڈیوٹی پر حاضر ہونے کے لئے آپ کو آپ کے گھر کے پتے پر رجسٹرڈ مراسلہ نمبر NO:INF/Estt:/PF/871-73 مورخہ 2 مارچ 2020 کو بھیجا گیا لیکن آپ ڈیوٹی پر حاضر ہوئے اور نہ ہی آپ کی طرف سے کوئی جواب ملا۔ لہذا آپ کو آخری بار اس اخباری ٹوئس کے ذریعے مطلع کیا جاتا ہے کہ اس ٹوئس کی اشاعت کے پندرہ دن کے اندر اندر زیر تخطی کے سامنے پیش ہو کر اپنی غیر حاضری کی وجہ بتائیں، بصورت دیگر آپ کے خلاف حکومت کے مردہ قواعد و ضوابط کے مطابق یکطرفہ کارروائی عمل میں لا کر ملازمت سے برخواست کیا جائے گا۔

ڈائریکٹر جنرل انفارمیشن اینڈ پبلک ریلیشنز، ایف آئی اے، اسلام آباد

(تجاویز ایسٹان ابرین سیری پاکستان)

Our Faith, Corruption Free Pakistan

INF(R) 1540/20

06 مئی 2020 روزنامہ ایکسپریس پٹ 19

ٹوئس غیر حاضری

آپ سکی تیمور خان ولد عبدالصادق، چوکیدار، ریجنل انفارمیشن آفس مردان، اکتوبر 2019 سے اپنی ڈیوٹی سے مسلسل غیر حاضریں ڈیوٹی پر حاضر ہونے کے لئے آپ کو آپ کے گھر کے پتے پر رجسٹرڈ مراسلہ نمبر No:INF/Estt:/PF/871-73 مورخہ 2 مارچ 2020 کو بھیجا گیا لیکن آپ ڈیوٹی پر حاضر ہوئے اور نہ ہی آپ کی طرف سے کوئی جواب ملا۔ لہذا آپ کو آخری بار اس اخباری ٹوئس کے ذریعے مطلع کیا جاتا ہے کہ اس ٹوئس کی اشاعت کے پندرہ دن کے اندر اندر زیر تخطی کے سامنے پیش ہو کر اپنی غیر حاضری کی وجہ بتائیں، بصورت دیگر آپ کے خلاف حکومت کے مردہ قواعد و ضوابط کے مطابق یکطرفہ کارروائی عمل میں لا کر ملازمت سے برخواست کیا جائے گا۔

ڈائریکٹر جنرل انفارمیشن اینڈ پبلک ریلیشنز، ایف آئی اے، اسلام آباد

(تجاویز ایسٹان ابرین سیری پاکستان)

Our Faith, Corruption Free Pakistan

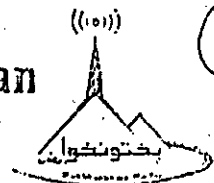
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Pakhtunkhwa Radio FM 92.6 MHz Mardan

DIRECTORATE OF INFORMATION
GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR



Phone: 0937 9230610

NO. INF/MDN/FM 4

Dated Mardan the 26 / 01 / 2018

The Director General,
Information and Public Relation,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: Willful absence of Taimur Khan Chokidar

As discussed on phone and to state the Taimur Khan chokidar of this office use to remain absent from duty either or leave the office unlocked and un guarded at night. He remained absent from night duty on 10, 11 and 13th January 2018 without availing leave or even informing someone at office. He was given an explanation in this regard on 15-01-2018 which he flatly ignored and didn't make any reply so far.

On the night of 25th January 2018 he was found again absent from duty and the undersigned had to depute Riaz Anwar Driver of the office to stay in office and work as chokidar.

The matter is of grave concern as Radio is a sensitive area having sensitive installations and leaving it un-guarded may prove detrimental.

It is therefore requested that the matter may be taken seriously and he may be transferred at least from this office if possible.

847
19-2-18

[Handwritten signature]

STATION MANAGER,
PAKHTUNKHWA RADIO
MARDAN

No. & date even:

Cc:

1.

2.

- 1. P.S. to Secretary Information and PR, Govt. of Khyber Pakhtunkhwa Peshawar for information please.
- 2. Personnel file of the official.

[Handwritten notes and signatures]

STATION MANAGER,
PAKHTUNKHWA RADIO
MARDAN

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ASSISTANT DIRECTOR INFORMATION
Directorate of Information and Public Relations
Government of Khyber Pakhtunkhwa Peshawar



Pakhtunkhwa Radio FM 92.6 MHz Mardan

DIRECTORATE OF INFORMATION
GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR

Phone: 0937 9230610

NO: ISF/MDN/PM-75

Dated Mardan the 11/05/2018

18

To:

The Director General Information,
Khyber Pakhtunkhwa
Peshawar

Subject: Action against Chokidar

The undersigned visited the station on 10-05-2018 at 11:30 PM and found the chokidar absent from duty. The main gate was and guard room was open and no one was there. I asked the Irrigation Department Chokidar on duty who informed that Faizullah chokidar of your office came around 10 PM, took duty from the naib Qasid and left the office at 10:30 PM. I locked the office and requested the Irrigation Department Chokidar to take care of our office. Report is submitted for further necessary action please.

STATION MANAGER
PAKHTUNKHWA RADIO
MARDAN

No. & date given:

Cc:

1. P.S. to Secretary Information & PR, Govt. of Khyber Pakhtunkhwa Peshawar for information please
2. Personnel file of the official

STATION MANAGER
PAKHTUNKHWA RADIO
MARDAN

Ali Aslam
Faizullah
ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar

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پختونخوا ریڈیو ایف ایم 2.6 MHz سرمدان

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(19)

نمبر آئی ایف ایم ڈی این اریڈیو /67- تاریخ 14-09-2018

تیور خان۔ چوکیدار

عنوان۔ وضاحت بارے ڈیوٹی سے غیر حاضری و دانستہ غفلت

یہ کہ تم دفتر ہذا میں بحیثیت چوکیدار تعینات ہو۔ مورخہ 12-14 اور 15 ستمبر 2018 کو تم اپنی ڈیوٹی سے بغیر کسی اطلاع کے غیر حاضر رہے جبکہ 25 ستمبر کو بھی دفتر خالی چھوڑ کر چلے گئے۔ آج محکمہ ایپیکیشن نے بھی اس حوالے سے تحریری شکایت کی ہے کہ پختونخوا ریڈیو کا چوکیدار ڈیوٹی سے غائب رہتا ہے۔

یہ کہ دفتر ہذا ایک حساس نوعیت کا ادارہ ہے اور اس دفتر سے چوکیداری اس طرح غیر حاضری مجرمانہ غفلت کے ذمے میں آتی ہے۔ یہ کہ اس سے پہلے بھی تم اس طرح کی غفلت کے مرتکب ہوتے رہے ہو جس کے لیے تم سے جواب طلبی کی جاتی رہی ہے تاہم تم باز نہیں آتے۔

لہذا بذریعہ اس نوٹس تم سے وضاحت طلب کی جاتی ہے کہ تین دن کے اندر اپنی غیر حاضری کے وجوہات بیان کرو کہ کیوں نہ ڈیوٹی سے مجرمانہ غفلت اور غیر حاضری پر تمہارے خلاف تادیبی کارروائی کی جائے۔

منجانب:

سٹیشن منیجر پختونخوا ریڈیو سرمدان

نمبر و تاریخ ایک

کاپی برائے اطلاع

پی ایس ٹو ڈائریکٹر جنرل محکمہ اطلاعات و تعلقات عامہ خیبر پختونخوا ایشادور

سٹیشن منیجر پختونخوا ریڈیو سرمدان

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Directorate General Information & PRS
Hyderabad - Pakistan Post Tower

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is brought in your
and notice that dg. The
night of 25-26/11/18.
The office Chokidar of your office /
Station was found Absent. Hence
your good office informed that
this office will be not responsible
for any nature of mishap if occurs
in your official premises.

Submitted for information and
Necessary action please.

26/9

Attested
For Marden

ASSISTANT DIRECTOR (LITIGATION)
Directorate of Industrial and PPs
Hyderabad

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179
(2)

GOVERNMENT OF KHYBER PAKHTUNKHWA
REGIONAL INFORMATION OFFICE MARDAN

Phone No. 0937-933137

No. INF/MR: 205

Dated, 12 / 12 / 2019

6944
16-12-19

The Director General,
Information & Public Relations
Govt: of Khyber Pakhtunkhwa.

Subject: ABSENCE OF TAIMUR CHOWKIDAR

I am directed to submit that Mr. Taimur Khan, Chowkidar who has been absent from duty continuously since October, 2019, was called to explain his position. The explanation letter was delivered to him personally at his residential address through Driver Mr.Said Badshah on 29th of November 2019. Though he received the letter but refused to acknowledge the receipt, however the staffer, (Driver Mr.Said Bacha) was conscious enough to make a video of the deliver through his smart phone which is available with us. The next day, in response to the present explanation, he instead submitted the attached application seeking his retirement on medical grounds. In the past too, he had been found negligent in his duties and constantly absent thus proceeded against on so many occasions, a few of which are attached. The record shows that since his appointment, he has taken no interest in his duties, despite warnings and stoppages of his salaries. As the official has not been seen in the office since then, despite so many calls on his cell phone, it is therefore, requested that either disciplinary action be taken against him or his application for premature retirement (which is actually resignation) processed according to law.

Attached: As above
D.I. / DKA,
Deputy Director,
Regional Information Office,
Mardan.
16/12/19

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16/12

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for man

ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar

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GOVERNMENT OF KHYBER PAKHTUNKHWA
REGIONAL INFORMATION OFFICE MARDAN
Phone No. 0937-933137

No. INF/MR: 23

Dated 18/02/2020

The Director General,
Information & Public Relations
Govt: of Khyber Pakhtunkhwa.

Subject: CONTINUOUS & WELLFUL ABSENCE OF TAIMUR CHOWKIDAR

R/sir,

In continuation to our letters vide Nos. INF/MR: 203-204 dated 29.11.2019, INF/MR: 205 dated 12.12.2019, INF/MR: 214, dated 18.12.2019, and INF/MR: 03, dated 21.01.2020 related to the continuous absence of Mr. Taimur Khan, Chowkidar since October, 2019, it is informed that the Official is still absent without any information whatsoever but we have heard of no action or proceedings taken or initiated against him under the E&D rules. As already informed, the only relationship he has maintained with this office is that he has been regularly receiving his monthly salary through bank.

It is therefore once again requested that if at all no action is taken against him at least he be replaced by some willing worker so that at least this Office is not suffered.

Deputy Director,
Regional Information Office,
Mardan.

D.I.
For ml & PL.
21/2/2020

A/O
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24/2

All estd
Formal

ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar

796
24-2-20

GOVERNMENT OF KHYBER PAKHTUNKHWA
REGIONAL INFORMATION OFFICE MARDAN
Phone No. 0937-933137

No. INF/MR: 35

Dated 17/03/2020


The Director General,
Information & Public Relations
Govt: of Khyber Pakhtunkhwa.

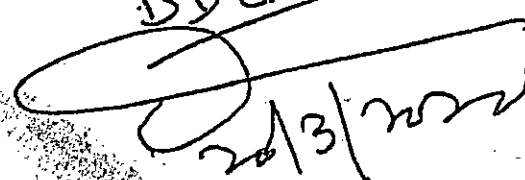
Subject: CONTINUOUS & WILLFUL ABSENCE OF TAIMUR
CHOWKIDAR

Sir,

In continuation to our letters Nos. INF/MR: 203-204 dated 29.11.2019, INF/MR: 205 dated 12.12.2019, INF/MR: 214, dated 18.12.2019, INF/MR: 03, dated 21.01.2020 and letter No. INF/MR: 23 dated 18/2/2020 related to the continuous absence of Mr. Taimur Khan, Chowkidar since October, 2019, it is informed that the Official is still absent without any information whatsoever despite your "Notice" No. INF/Estt:/871-73, dated 2/3/2020.

For an early action, please.


Deputy Director,
Regional Information Office,
Mardan.

DDCA,

20/3/2020

All estd
Per Mardar

ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Government



GOVERNMENT OF KHYBER PAKHTUNKHWA
INFORMATION & PUBLIC RELATIONS
DEPARTMENT

24

Dated Peshawar the 27th August, 2020

OFFICE ORDER

No.SO.Estt:(INF)4-115/Inquiry/2018: Whereas Mr. Tamiour Khan, ex-Chowkidar, Directorate General Information & PRs, Khyber Pakhtunkhwa was proceeded under the Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules, 2011 by the Directorate General Information & PRs and major penalty of removal from service has been imposed upon the above said official.

2. WHEREAS, the Ex-official preferred an appeal to the appellate authority against the said penalty.

3. WHEREAS, the appellate authority perused the record on file, appeal of the ex-employee and reply of the Directorate General Information & PRs in response to the appeal, it is clear that Department has fulfilled all codel formalities and more than enough opportunities have been given to the appellant to abstain from willful absence and perform duties.

4. AND WHEREAS, in the instant appeal, the appellant has not raised any legal question which warrants intervention of the appellate forum. Besides, he has not produced any official record like attendance register or copies of his replies in response to official explanations called from him by his supervisory officers from time to time and even in the Newspapers.

5. NOW THEREFORE, I, in capacity of the Appellate Authority, after having perused the record / appeal of the appellant and in exercise of powers under Rule (5) (1) (c) of the Khyber Pakhtunkhwa Civil Servants (Appeal) Rules, 1986, do hereby declare the appeal being not maintainable and is not accepted.

-Sd-
SECRETARY
GOVT. OF KHYBER PAKHTUNKHWA,
INFORMATION & PUBLIC RELATIONS DEPARTMENT

No.SO.Estt:(INF)4-115/Inquiry/2018: /874-76 Dated Peshawar the 27th August, 2020

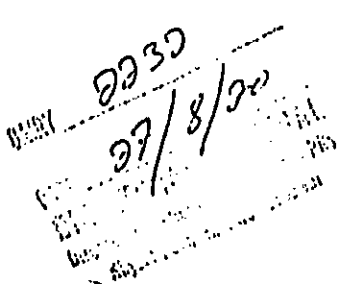
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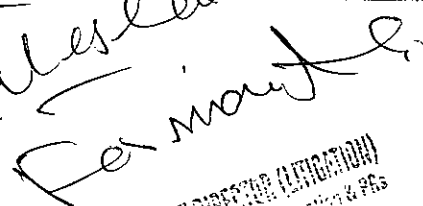
1. Director General, Directorate General Information & Public Relations Khyber Pakhtunkhwa.
2. P.S to Secretary to Govt. of Khyber Pakhtunkhwa, Information & P.Rs Department.
3. Mr. Tamiour Khan, ex-Chowkidar, of the Directorate General Information & Public Relations, Khyber Pakhtunkhwa.


SECTION OFFICER (ESTABLISHMENT)

AP
AF





Attested
For 

ASSISTANT DIRECTOR (INFORMATION)
Directorate General, Information & PRs
Khyber Pakhtunkhwa, Peshawar

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بگمن شخص کا طبی عملے کیلئے ایک ملین ڈالر کا چیک

بگمن شخص کا طبی عملے کیلئے ایک ملین ڈالر کا چیک
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HEADQUARTERS FRONTIER CORPS BALUCHISTAN (SOUTH)
 PROPOSAL FOR PROCUREMENT OF MISCELLANEOUS ITEMS

Headquarters Frontier Corps Balochistan (South) invites Sealed Proposal from the Firms, Original Manufacturers as well as Contractors registered with Income Tax and Sales Tax Departments and who are on Active Taxpayers List of Federal Board of Revenue Pakistan for availability and rates of following:-

Description	Type
Misc Items	(1) Heavy Duty Single Cabin Pick Up 4x4, 4000cc & Above.
	(2) Discrete Armouring solution for Single Cabin Pickups.
	(3) Mil Grade Binoculars Spotting Scopes with built in GPS, Compass, Rangefinder and video recording
	(4) Bullet Proof Protection Sheet with Light Machine Gun Mount Pedestal.
	(5) 3D Nylon or Polyester camouflage net
	(6) Mil Grade Vehicle mounted IR Search Lights.

Sealed Proposal must reach at Electrical & Mechanical Engineering Branch (South), Headquarters Frontier Corps Balochistan Turbat on or before 22 May 2020.

For further inquiry please contact undersigned during working hours on Phone number 0852-412252, Extension 191.

Li Gol
 Inspector General Frontier Corps Balochistan (South)
 (Ali Akram)

AY NO TO DRUGS PID/Q1185/2020

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KHYBER PAKHTUNKHWA
 INFORMATION TECHNOLOGY BOARD
 Government of Khyber Pakhtunkhwa

Job Advertisement

Khyber Pakhtunkhwa Information Technology Board (KPTB), a public sector autonomous organization entrusted with task of accelerating growth of ICT and ICT enabled services sector, invites applications from suitable candidates for the following project-based positions on purely fixed and project-based contract under grant for the program entitled "Digital Jobs in Khyber Pakhtunkhwa" funded by Multi Donor Trust Fund (MDF) and administered through the World Bank:-

- Post: Project Manager (BPS-18), Re-advertisement (01-position); Location: Peshawar
 Eligibility Criteria: Degree in Project Management / Business Administration / Management Science / Computer Science / Information Technology / Software Engineering (at least sixteen years of education) from HEC accredited institution. At least 07 years of post-qualification project management experience in a public or private sector organization. Preference will be given to applicants having PMP/ITIL Certification. Upper Age Limit: 45 years
- Post: Facility Manager (BPS-18), (Night Shift, 02 Positions); Location: Peshawar
 Eligibility Criteria: Degree in Business Administration, Project Management or any other relevant field (at least 16 years of education) with at least 6 years of relevant post-qualification experience. Upper Age Limit: 45 years
- Post: Training Coordinator (BPS-17), Re-advertisement (01-position); Location: Peshawar
 Eligibility Criteria: Degree in Computer Science / Information Technology / Software Engineering / Telecommunication Engineering / Electrical Engineering (Communication) or any other ICT related field. At least 03 years of relevant post-qualification experience in a public or private sector organization. Upper Age Limit: 40 years
- Post: Female Project Coordinator for Gender Inequality (BPS-17) Re-advertisement (03-positions); Location: Peshawar, Mardan, Bumbal and Gurd
 Eligibility Criteria: Degree in Computer Science / Information Technology / Software Engineering / Telecommunication Engineering / Electrical Engineering (Communication) or any other ICT related field. At least 03 years of relevant post-qualification experience in a public or private sector organization. Upper Age Limit: 40 years
- Post: Marketing Coordinator (BPS-17)



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 پاکستان ریڈیویز
 دفتر پروپیگنڈا، راولپنڈی، پی ایچ او، ڈی 11/1
 NO. 13-RHQD-Tender Notice (19-21) Dt: 07-05-20

DIRECTORATE GENERAL INFORMATION
KHYBER PAKHTUNKHWA, PESHAWAR

No. INF/Estt:/1-28/_____
Dated Peshawar, the ____/____/2020

OFFICE ORDER

WHEREAS, Mr. Taimur Khan, Chowkidar (BPS-03), Directorate General Information & PRs, Khyber Pakhtunkhwa while posted in Regional Information Office, Mardan absented himself from duty since October, 2019.

2. AND WHEREAS on his unauthorized absence from duty since October, 2019, notice was served upon him by this Directorate vide No. INF/Estt:/PF/870 dated 02-03-2020 on his home address to resume duty within seven-days (7), but he failed to comply.

3. AND WHEREAS another notice was issued to him through press which appeared in the Daily "Express" Peshawar dated 06-05-2020 and the Daily "Aaj" Peshawar dated 07-05-2020 directing him to report for duty within 15 days from the date of publication of the notice, but instead of complying with the lawful directive he failed to resume his duty.

4. AND WHEREAS in the circumstances it is not reasonably practicable to give him any further opportunity of showing cause for the action proposed to be taken by the competent authority against him;

5. NOW, THEREFORE, I, Imdadullah, Director General, Information & PRs, Khyber Pakhtunkhwa, as Competent Authority in terms of Rule 4 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 and in exercise of the powers conferred upon me under Rule 9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 do hereby impose the major penalty of "Removal from Service" upon Mr. Taimur Khan, Chowkidar (BPS-03), Regional Information Office, Mardan for willful absence from duty, with immediate effect.

-Sd/-

DIRECTOR GENERAL
INFORMATION & PUBLIC RELATIONS,
KHYBER PAKHTUNKHWA
Dated Peshawar, the 11/11/2020

Endst: No. INF/Estt:/1-28/1733-39

Copy forwarded to the:

1. PS to Secretary Information & PRs Department, Govt. of Khyber Pakhtunkhwa
2. P.S to Director General, Information & PRs, Khyber Pakhtunkhwa
3. Regional Information Officer, Mardan
4. District Accounts Officer, Mardan
5. Mr. Taimur Khan, Chowkidar (BS-03), Regional Information Office, Mardan
R/O Mohallah Saeed Abad No. 06, Mardan, Khyber Pakhtunkhwa
6. Bill Clerk
7. Personal file

ADMINISTRATIVE OFFICER
FOR DIRECTOR GENERAL

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ASSISTANT DIRECTOR (GENERAL)
Directorate General Information & PRs
Peshawar

GOVERNMENT OF KHYBER PAKHTUNKHWA
INFORMATION & PUBLIC RELATIONS
DEPARTMENT



No. SO.Esst:(INF) 4-115/2017/Enquiry
Dated Peshawar the 14th July, 2020

To

The Director General,
Directorate General Information & PRs,
Khyber Pakhtunkhwa, Peshawar.

Subject: DEPARTMENTAL APPEAL

I am directed to enclose herewith the departmental appeal of Mr. Taimur Khan, Ex-Chowkidar, Regional Information Office Mardan wherein he has requested for reinstatement in service. The appellant has been removed from service on 11th June, 2020 on the charges of absence from duty vide Director General Information & PRs Office Order dated 11th June, 2020.

It is therefore requested to offer your comments on the departmental appeal to this Department for perusal of Secretary Information & PRs at the earliest.

[Signature]
Section Officer (Establishment)

Encls: as above
Encls: No & date:

Copy of the above is forwarded to the PS to Secretary Information & PRs, Khyber Pakhtunkhwa.

[Signature]
Section Officer (Establishment)

DDCA
[Signature]
14/7/20

1781
14/7/20

ADA
AO

14/7/20

Attested
For Mardan
[Signature]

ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar

بخدمت جناب سیکرٹری صاحب محکمہ اطلاعات و تعلقات عامہ خیبر پختونخوا

نکمانہ اپیل

جناب عالی!

موردبانہ گزارش ہے میں محکمہ اطلاعات و تعلقات عامہ مردان آفس میں بطور چوکیدار خدمات انجام دے رہا ہوں۔
پرندہ 11 جون 2020ء کو مجھے اپنے دفتر سے لیٹر نمبر INF/Estt.01-28/1733/39 کے ذریعے نئے آئیڈیا گیا کہ
آپ نوکری سے نکال دیا گیا۔ آپ کی توجہ اپنے ساتھ زیادتی کی طرف دلانا چاہتا ہوں امید ہے آپ داری فرمائیں گے۔

1 یہ کہ اکتوبر 2019ء سے لے کر آج تک یعنی 11 جون 2020 تک میں نے کوئی چھٹی نہیں کی اور نہ ہی پرچہ بنا
الزام لگا کر پھنسا دیا گیا ہے۔

2 یہ کہ یہ الزام مجھ پر اس وجہ سے لگایا گیا ہے کہ میں نے مورخہ 25 نومبر 2011 کو وزیر اعلیٰ شکایات سیل مردان
میں ایک درخواست دی تھی کہ میری آٹھ گھنٹے ڈیوٹی ہے جس طرح دوسرے ملازمین ڈیوٹی کرتے ہیں مجھے بھی
آٹھ گھنٹے ڈیوٹی دی جائے۔ یہی درخواست منظور ہو گئی اور اس تاریخ کے بعد میں کوئی چھٹی نہیں کی ہے۔

3 یہ کہ مذکورہ درخواست کی منظوری کے بعد میرے خلاف جھوٹے الزامات لگا کر مجھے نوکری سے نکال دیا گیا۔
4 یہ کہ وقتاً فوقتاً مجھ پر جھوٹے الزامات لگا کر مجھ سے وضاحت طلب کی گئی ہے جس کی میں نے جوابات دیئے ہیں
اور اس لیٹر کے ساتھ منسلک ہیں۔

5 یہ کہ میں نے افسران بالا کو جاننا کہہ دیا ہے کہ میں روزانہ ڈیوٹی پر آتا ہوں اور اپنی ذمہ داری احسن طریقے سے
انجام دے رہا ہوں اس کے باوجود بھی مجھے برخواست کیا گیا ہے جو کہ سراسر نا انصافی ہے۔

جناب عالی!

موردبانہ التماس ہے کہ میں ایک غریب خاندان سے تعلق رکھتا ہوں اور مجھ پر گھر کی طرف سے کافی ذمہ داریاں ہیں اور بچپنی کے
اس دور میں نوکری کے ساتھ بھی گونا گوں مشکلات کا سامنا تھا نوکری ختم ہونے کی صورت میں میرا اہلخانہ کافی پریشان اور مشکلات
میں پھنس گیا ہے۔ آپ سے انتہا ہے کہ میری نوکری بحال کرتے ہوئے انصاف کے تقاضے پورے کئے جائیں۔

نوٹ۔ جناب عالی! جب سے میں وزیر اعلیٰ شکایات سیل میں درخواست دی ہے اس کے بعد مجھے آرام سے نہیں چھوڑا اور اس
درخواست کے سبب میری نوکری کو ختم کیا گیا ہے۔ المرجوم 06 جولائی 2020ء

عین نوازش ہوگی

العارض

تیور خان (چوکیدار) ریجنل انفارمیشن آفس مردان

SO (Admin)
Please send
the matters
up re: [unclear]

AS/ [unclear]

Ahmed
Forman



DIRECTORATE GENERAL INFORMATION & PRs
KHYBER PAKHTUNKHWA, PESHAWAR

29

No. INF/Estt./PF/3318

Dated Peshawar, the 11/8/2020

To

The Secretary to Govt. of Khyber Pakhtunkhwa
Information & PRs Department



Subject: DEPARTMENTAL APPEAL

I am directed to refer to Administrative Department's letter No. SO.Estt:(INF)4-115/2017/Enquiry dated 14-07-2020 on the subject cited above and to furnish the following para-wise replies/comments viz-a-viz the departmental appeal of Mr. Taimur Khan, Ex-Chowkidar (BPS-02), Regional Information Office, Mardan for consideration as desired, please.

1. That Para-1 of the appeal is incorrect as the appellant since his appointment as Chowkidar (BPS-02) in December-2012 in Pakhtunkhwa Radio FM 92.6 MHz Mardan (Annex-I) has proved an habitual duty shirker. Almost every officer, under whom he served, has complained against him for avoiding official duty and was resultantly served with explanations (Annex-II) and without pay orders (Annex-III).
2. That Para-2 of the appeal is also incorrect as the appellant, despite being allowed to perform duty for only 8 hours, has never performed his official obligations with honesty and dedication and always put the security of the sensitive installations at stake. The explanations, without pay orders, show cause notice (Annex-IV), Notice (Annex-V) and absence notice (Annex-VI) etc. served upon him from time to time are an ample proof of his non-devotion to official obligations.
3. That Para-3 of the appeal is misleading and baseless as the disciplinary action taken against the appellant by the competent authority is duly in consonance with the rules (Annex-VII) and based on facts. The appellant during his entire service career spanning over a period of seven (07) years has proved a constant source of nuisance for the Directorate as well as the stations wherever he has been posted for he always evaded his duty. He remained absent from official duty for months (Annex-VIII) that trigger disciplinary action against him.
4. That Para-4 of the appeal as drafted by the appellant is incorrect as every officer who remained his boss has complained against him for being a habitual duty shirker. No one has personal grudges against him. It has also been noticed that sometimes he even refused to receive the explanation called from him with his signature. His replies too have always been found un-satisfactory.
5. That Para-5 of the appeal is also incorrect as stated in Para-3 above. Has he been loyal with his official duty, no one would have initiated disciplinary action against him. He was given sufficient opportunities to mend his ways and be punctual but he failed to do so and was eventually removed from service (Annex-VII).

ADMINISTRATIVE OFFICER
FOR DIRECTOR GENERAL

Encl. No. & Date given

Copy forwarded to the:

1. PS to Director General, Information & PRs, Khyber Pakhtunkhwa
2. Deputy Director Information, Regional Information Office, Mardan

ADMINISTRATIVE OFFICER
FOR DIRECTOR GENERAL

Attested,
Fermant

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**GOVERNMENT OF KHYBER PAKHTUNKHWA
INFORMATION & PUBLIC RELATIONS
DEPARTMENT**

30

Dated Peshawar the 27th August, 2020

OFFICE ORDER

No.SO.Estt:(INF)4-115/Inquiry/2018: Whereas Mr. Tamiour Khan, ex-Chowkidar, Directorate General Information & PRs, Khyber Pakhtunkhwa was proceeded under the Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules, 2011 by the Directorate General Information & PRs and major penalty of removal from service has been imposed upon the above said official.

2. **WHEREAS**, the Ex-official preferred an appeal to the appellate authority against the said penalty.

3. **WHEREAS**, the appellate authority perused the record on file, appeal of the ex-employee and reply of the Directorate General Information & PRs in response to the appeal, it is clear that Department has fulfilled all codal formalities and more than enough opportunities have been given to the appellant to abstain from willful absence and perform duties.

4. **AND WHEREAS**, in the instant appeal, the appellant has not raised any legal question which warrants intervention of the appellate forum. Besides, he has not produced any official record like attendance register or copies of his replies in response to official explanations called from him by his supervisory officers from time to time and even in the Newspapers.

5. **NOW THEREFORE**, I, in capacity of the Appellate Authority, after having perused the record / appeal of the appellant and in exercise of powers under Rule (5) (1) (c) of the Khyber Pakhtunkhwa Civil Servants (Appeal) Rules, 1986, do hereby declare the appeal being not maintainable and is not accepted.

-Sd-

SECRETARY

**GOVT. OF KHYBER PAKHTUNKHWA,
INFORMATION & PUBLIC RELATIONS DEPARTMENT**

No.SO.Estt:(INF)4-115/Inquiry/2018: /874-76 Dated Peshawar the 27th August, 2020

Copy of the above is forwarded to the :-

1. Director General, Directorate General Information & Public Relations Khyber Pakhtunkhwa.
2. P.S to Secretary to Govt. of Khyber Pakhtunkhwa, Information & P.Rs Department.
3. Mr. Tamiour Khan, ex-Chowkidar, of the Directorate General Information & Public Relations, Khyber Pakhtunkhwa.

(Signature)
SECTION OFFICER (ESTABLISHMENT)

Ab
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27/8
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27/8/20
INFORMATION & PUBLIC RELATIONS DEPARTMENT

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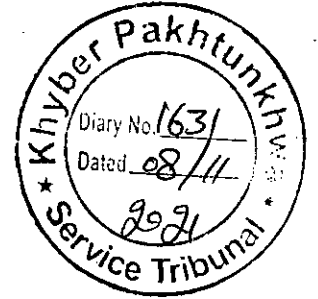
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ASSISTANT SECRETARY (ESTABLISHMENT)
INFORMATION & PUBLIC RELATIONS DEPARTMENT
GOVERNMENT OF KHYBER PAKHTUNKHWA
PESHAWAR

DB II

Put up to the worthy chair
with relevant app. - ow

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



Appeal No.12219/2020

Taimor Khan (Ex Chowkidar BPS 3) S/o Abdul Sadiq R/o
Muhalla Saeed Abad No. 6 District Mardan. (Appellant)

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Information
and Public Relation civil Secretariat Khyber Pakhtunkhwa
Peshawar & Others.

(Respondent)

Application for early hearing in the titled appeal

Respectfully submitted:

1. That the titled appeal is pending adjudication before this Honorable Tribunal in which 31.01.2022, is the dated fixed for hearing.
2. That the appellant has been illegally removed from service by the respondents.
3. That the respondents has filed their written reply, while the appellant has also submitted his rejoinder in the present case.
4. That since the issue of reinstatement in service is involved, hence the instant appeal deserves to be fixed and heard at the earliest.
5. That the date fixed for hearing in the titled appeal is too far hence deserves to be expedited.
6. That there is no legal impediment in early hearing of the titled appeal.

It is therefore, humbly requested that on acceptance of this application the dated fixed for hearing in the titled appeal i.e. 31.01.2022, may kindly be fixed as early as possible in the interest of justice.

Applicant

Through

Mubarak Zeb
MUBARAK ZEB
Advocate, Peshawar.

NFA
[Signature]
10/11/2021

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

Appeal No.12219/2020

Taimor Khan (Ex. Chowkidar BPS 3) S/o Abdul Sadiq R/o
Muhalla Saeed Abad No. 6 District Mardan. (Appellant)

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Information
and Public Relation civil Secretariat Khyber Pakhtunkhwa
Peshawar & Others.

(Respondent)

Application for early hearing in the titled appeal

Respectfully submitted:

1. That the titled appeal is pending adjudication before this Honorable Tribunal in which 31.01.2022, is the dated fixed for hearing.
2. That the appellant has been illegally removed from service by the respondents.
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Applicant

Through

MUBARAK ZEB
Advocate, Peshawar.

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

Appeal No.12219/2020

Taimor Khan (Ex Chowkidar BPS 3) S/o Abdul Sadiq R/o
Muhalla Saeed Abad No. 6 District Mardan. (Appellant)

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Applicant

Through

MUBARAK ZEB
Advocate, Peshawar.

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

Appeal No.12219/2020

Taimor Khan (Ex Chowkidar BPS 3) S/o Abdul Sadiq R/o
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VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Information
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Peshawar & Others.

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Applicant

Through

MUBARAK ZEB
Advocate, Peshawar.

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

Appeal No.12219/2020

Taimor Khan (Ex Chowkidar BPS. 3) S/o Abdul Sadiq R/o
Muhalla Saeed Abad No. 6 District Mardan. (Appellant)

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Information
and Public Relation civil Secretariat Khyber Pakhtunkhwa
Peshawar & Others.

(Respondent)

Application for early hearing in the titled appeal

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Applicant

Through

MUBARAK ZEB
Advocate, Peshawar.



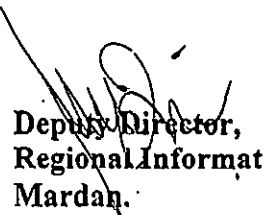
REGIONAL INFORMATION OFFICE MARDAN
GOVERNMENT OF KHYBER PAKHTUNKHWA

No. INF/MR: 101

Dated, 14/11/2018

Subject: OFFICE ORDER

Mr. Taimur Khan Chowkidar is hereby directed to perform security/chovkidar's duty of this office from 06:00 PM to 2:00 AM, with immediate effect. He will avail leave for two days on Saturday and Sunday.


Deputy Director,
Regional Information Office,
Mardan.



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No: 1166 /ST Dated: 25 / 5 /2022

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262


To

Director General Information and Public Relation
Civil Secretariat Peshawar

Subject: **JUDGMENT IN APPEAL NO. 12219/2020 Taimor Khan**

I am directed to forward herewith a certified copy of judgment dated 02.02.2022 passed by this Tribunal on the above subject for compliance please.

Encl:As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

اپیل کرنے کے
لئے اپنی کاپی وصول کی

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 12219/2020

Taimur Khan, Ex-Chowkidar (BPS-03) s/o Abdul Sadiq R/o Muhallah Saeed Abad No. 6,
District Mardan..... **Appellant**

...VERSUS...

1. Secretary to Govt. of Khyber Pakhtunkhwa, Information & PRs Department
2. Director General Information & Public Relations, Khyber Pakhtunkhwa.....**Respondents**

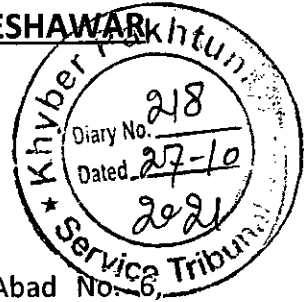
INDEX

S#	Description of Documents	Annex	Page
1	Appointment Order	I.	1-2
2	Copies of Explanations	II.	3-10
3	Copies of without Orders	III.	11-12
4	Copy of Show Cause Notice	IV.	13-14
5	Copies of Notice	V.	15
6	Copy of Absence Notice (Newspaper)	VI	16
7	Copy of Absences from duty	VII	17-25
8	Copy of 'Removal From Service' vide office order No. INF/Estt:/1-28/1733-39 dated 11-06-2020	VIII	26
9	Copy Departmental Appeal	IX	27-28
10	Copy of reply of the Departmental Appeal by the Administrative Department vide officer order No. SO.Estt: (INF)4-115/Inquiry/2018 dated 27-08-2020	X	29-30

Fatma
DEPONENTS

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 12219/2020



Taimur Khan, Ex-Chowkidar (BPS-03) s/o Abdul Sadiq R/o Muhallah Saeed Abad No. 6, District Mardan..... **Appellant**

...VERSUS...

1. Secretary to Govt. of Khyber Pakhtunkhwa, Information & PRs Department
2. Director General Information & Public Relations, Khyber Pakhtunkhwa..... **Respondents**

WRITTEN REPLY ON BEHALF OF RESPONDENTS NO. 1 & 2

PRELIMINARY OBJECTIONS

1. That the appellant is estopped by his own conduct to file the present appeal.
2. That the appellant has not come to the tribunal with clean hands.
3. That the appellant's claim is based on misstatement to misguide the Tribunal, therefore, his appeal is liable to be dismissed.
4. That no legal right of the appellant has been infringed, therefore, the appeal is neither competent nor maintainable.
5. That the present appeal is time barred.

RESPECTFULLY SHEWETH:

REPLY ON FACTS

1. Para 1 of the appeal pertains to record.
2. That Para-2 of the appeal as drafted by the appellant is incorrect as the appellant since his appointment has proved a habitual duty shirker. Almost every officer, under whom he served, has complained against him for avoiding official duty and was resultantly served with explanations (**Annex-II**), without pay orders (**Annex-III**), show cause notice (**Annex-IV**), Notice (**Annex-V**) and absence notice (**Annex-VI**) etc. served upon him from time to time are an ample proof of his non-devotion to official obligations.

3. That Para-3 of the appeal is misleading and baseless. The appellant during his entire service career spanning over a period of seven (07) years has proved a constant source of nuisance for the Directorate as well as the stations wherever he has been posted for he always evaded his duty. He remained absent from official duty for months (**Annex-VII**) that trigger disciplinary action against him.
4. That Para-4 of the appeal as drafted by the appellant is incorrect as he registered a baseless complain to the Prime Minister Complaint Cell, as every officer who remained his boss has complained against him for being a habitual duty shirker. No one has personal grudges against him. It has also been noticed that sometimes he even refused to receive the explanation called from him with his signature. His replies too have always been found un-satisfactory.
5. That Para-5 of the appeal as drafted by the appellant is incorrect as the appellant were served with explanations (**Annex-II**) on various occasions for remaining absent from official duty are fully in consonance with the rules and based on undeniable facts. However, the appellant didn't bother to give proper replies to the explanations.
6. That Para-6 of the appeal is also incorrect as stated in Para-5 above. Has he been loyal with his official duty, no one would have initiated disciplinary action against him.
7. That Para-7 of the appeal is incorrect as the appellant was removed from service (**Annex-VIII**) under the Rule 9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 for his willful absence from duty since October, 2019, notice was served upon him by this Directorate to resume duty within 07 days (**Annex-V**), but he failed. Similarly, another notice was issued through Press which appeared in Daily "Express" Peshawar dated 06-05-2020 and the Daily "Aaj" Peshawar dated 07-05-2020 (**Annex-VI**) directing him to report for duty within 15 days from the date of publications of the notice, but instead of complying with the lawful directive he failed to resume his duty and ultimately the competent authority was having no other option but to impose upon him the major penalty of 'Removal from Service'.
8. That Para 8 of the appeal is true to the extent that the appellant had submitted departmental appeal through Administrative Department (**Annexure-IX**).
9. That Para 9 of the appeal is correct that the departmental appeal was rejected by the Administrative Department mentioning that "the Directorate General Information & PRs in response to the appeal, it is clear that Department has fulfilled all code formalities and more than enough opportunities have been given to the appellant to abstain from willful

absence and perform duties and the appellant has not raised any legal questions which warrants intervention of the appellate forum (**Annex-X**). Besides, he has not produced any official record like attendance register or copies of his replies in response to official explanations called from him by his supervisory officers from time to time and even in the Newspaper".

10. Para-10 of the appeal that he been loyal with his official duty, no one would have initiated disciplinary action against him. He was given sufficient opportunities to mend his ways and be punctual but he failed to do so and was eventually removed from service.


ON GROUNDS:

- A. Ground A of the appeal as drafted by the appellant is incorrect as the office order with regard to his removal from service (**Annex-VII**) is in line with law, rules and principles of natural justice. It is the conduct of the appellant that cost him his service.
- B. As Para-4 of the reply on Facts above.
- C. As Para-7 of the reply on Facts above.
- D. As Para-9 of the reply on Facts above.
- E. In reply to Ground E of the appeal, it is submitted that the appellant has not been faithful and devoted to his official duty and has already been given enough opportunities to mend his ways and be punctual and focused on official duties but he failed to do so and was eventually removed from service.
- F. Para-5 of the appeal pertains to personal life/financial position of the appellant. Moreover, the appellant has been removed from service is in line with law, rules and principles of natural justice.
- G. That the respondents also seek permission to agitate further points at the time of arguments.

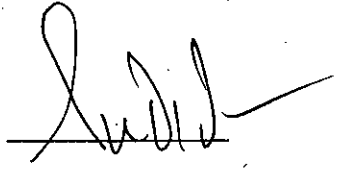
It is, therefore, most humbly prayed before this Hon'ble Tribunal to dismiss the instant appeal of the appellant with costs.

RESPONDENTS

1. Secretary to Government of Khyber Pakhtunkhwa
Information & PRs Department



2. Director General Information & PRs
Khyber Pakhtunkhwa



BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 12219/2020

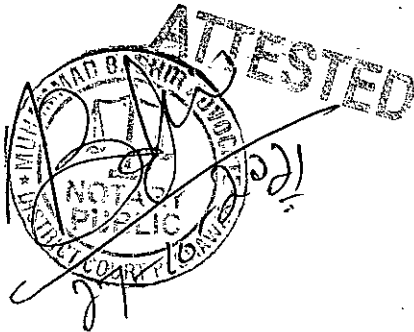
Taimur Khan, Ex-Chowkidar (BPS-03) s/o Abdul Sadiq R/o Muhallah Saeed Abad No. 6,
District Mardan..... **Appellant**

...VERSUS...

1. Secretary to Govt. of Khyber Pakhtunkhwa, Information & PRs Department
2. Director General Information & Public Relations, Khyber Pakhtunkhwa..... **Respondents**

AFFIDAVIT

I Mr. Farman Ali, Assistant Director (Litigation) Peshawar. Do hereby solemnly affirm and declare on oath that the contents Additional Department are true and correct into the best of my knowledge and behalf that nothing has been concealed from the Hon'ble Court.



DEPONENT:

Farman Ali

CNIC NO:

15402-3228053-7

**Identified by Advocate
General, Khyber
Pakhtunkhwa, Peshawar.**



GO

DIRECTORATE OF INFORMATION
GOVT. OF KHYBER PAKHTUNKHWA PESHAWAR

No. INF/Estt./ 14-27/

Dated Peshawar the ___/___/2012

OFFICE ORDER.

Consequent upon the recommendation of the Departmental Selection Committee after its meeting held on 29.11.2012 at 10:00 A.M. under the Chairmanship of the Director Information, Govt. of Khyber Pakhtunkhwa, the competent authority is pleased to order the appointment of the following candidates against the posts and places of duty mentioned against their names with immediate effect.

S.No	NAME & FATHER NAME	DESIGNATION/ GRADE	PLACE OF DUTY
1	Mr. Waseem Khan S/O Pervez Khan	Driver (BPS-4)	Pakhtunkhwa Radio FM 92.6 MHz, Mardan
2	Mr. Riaz Anwar S/O Anwar Bacha	Driver (BPS-4)	Pakhtunkhwa Radio FM 92.6 MHz, Mardan
3	Mr. Said Badshah S/O Lal Badshah	Driver (BPS-4)	Regional Information Office, Mardan
4.	Mr. Muhammad Ayaz Khan S/O Naseer Gul Khan	Naib Qasid (BPS-1)	Pakhtunkhwa Radio FM 92.6 MHz, Mardan
5.	Mr. Afsar Ali S/O Rahim Gul	Chowkidar (BPS-1)	Pakhtunkhwa Radio FM 92.6 MHz, Mardan
6.	Mr. Taimur Khan S/O Abdul Sadiq	Chowkidar (BPS-1)	Pakhtunkhwa Radio FM 92.6 MHz, Mardan
7.	Mr. Hamid Ali S/O Pervez Khan	Sweeper (BPS-1)	Pakhtunkhwa Radio FM 92.6 MHz, Mardan

TERMS AND CONDITIONS ARE AS UNDER:

1. They will be governed by such rules and orders as may be issued from time to time by the Government of Khyber Pakhtunkhwa for the category of the Government servants which they belong.
2. If they wish to resign at any time, they will have to submit two months notice or two months salary in lieu thereof.
3. They may be posted at any station in Khyber Pakhtunkhwa.
4. Their appointments to the service shall be subject to the production of Medical Fitness Certificate from the Standing Medical Board.
5. They will be entitled to all the benefits of civil servants except for the purpose of pension and gratuity benefits.
6. They will, in lieu of pension and gratuity, be entitled to receive Contributory Provident Fund (CPF) at prescribed rate.
7. They should join their post within 30 days of the issuance of this Office Order.
8. They will be on probation for a period of one year extendable for another one year.

Sd/-
DIRECTOR INFORMATION,
GOVT. OF KHYBER PAKHTUNKHWA,
PESHAWAR.

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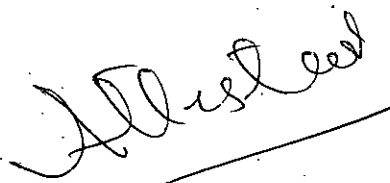
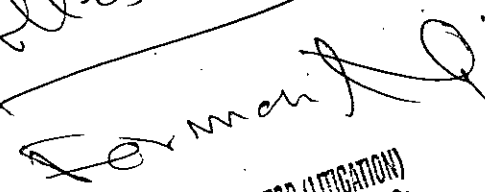
Attest
Perman
ASSISTANT SECRETARY (INFO. TECH.)

Endst: No INF / Estt: / 14 / 27 / ~~7277.90~~ Dated Peshawar, the 14 / 12 / 2012

Copy forwarded to the:-

1. Section Officer (INF), Information, PRs & Culture Department, Govt. of Khyber Pakhtunkhwa, Peshawar.
2. District Accounts Officer, Mardan.
3. Regional Information Officer, Regional Information Office, Mardan.
4. Station Manager, Pakhtunkhwa Radio FM 92.6 MHz, Mardan.
5. Mr. Waseem Khan S/O Pervez Khan, R/O Kas Koroon, House NO. 599, Mohallah Tehkadar, Mardan.
6. Mr. Riaz Anwar S/O Anwar Bacha, Naray Baja, Chek Bughdada, Mardan
7. Mr. Said Badshah S/O Lal Badshah, Mohallah Ikram Abad, Dagai, Tehsil and District Mardan
8. Mr. Muhammad Ayaz Khan S/O Naseer Gul Khan, R/O Mohallah Yousaf Abad, Gul Colony Sugar Mills Road, Mardan.
9. Mr. Afsar Ali S/O Rahim Gul, Mohallah Zamin Abad, Near Syed Jalal Baba, Mardan
10. Mr. Taimur Khan S/O Abdul Sadiq, Mohallah Saeed Abad No.6, Mardan
11. Mr. Hamid Ali S/O Pervez Khan, Gali No.1, Mohallah Koz Kanday, Village Bughdada, Tehsil & District Mardan
12. Personal Files of the Officials.
13. Office Order File.
14. File No. 14/27.


**ASSISTANT DIRECTOR (ADMN)
FOR DIRECTOR**

ASSISTANT DIRECTOR (LITIGATION)
Directorate General Information & PRs
Khyber Pakhtunkhwa Peshawar

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

C.M.No. _____/2022

In

Service Appeal No.12219/2020

Taimoor Khan.....**Appellant**

VERSUS

Govt. of KPK & others.....**Respondents**

INDEX

S.No	Description of Documents	Pages
1.	Application for correction	1-2
2.	Affidavit	3
3.	Copy of order/judgment dated 02.02.2022	4-9
4.	Copy of application	10


Put up to the bench/court with
relevant appeal.



Appellant

Through

Qasim/Stein


11/5/2022

Dated: 11.05.2022



Mubarak Zeb

Advocate,

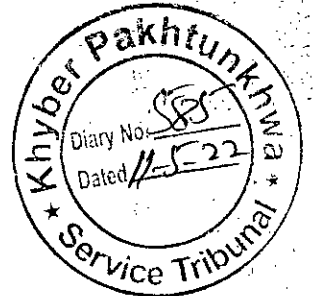
High Court Peshawar

Cell No.0334-4274247

1

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

C.M. No. _____/2022
In
Service Appeal No.12219/2020



Taimoor Khan.....**Appellant**


V E R S U S

Govt. of KPK & others.....**Respondents**

**APPLICATION FOR CORRECTION OF
DATE OF INSTITUTION IN THE JUDGMENT
DATED 02.02.2022 IN THE ABOVE TITLED
SERVICE APPEAL**

Respectfully Sheweth:

1. That the above captioned service appeal has been filed before this Honourable Tribunal which was allowed vide order/judgment dated 02.02.2022
2. That mistakenly the date of institution of the above titled appeal was wrongly mentioned as 19.10.2019 instead of 19.10.2020 which need to be corrected as 19.10.2020. **(Copy of judgment dated 02.02.2022 is attached as annexure "A")**
3. That the appellant approached the Respondent Department and filed an application for his reinstatement on 02.03.2022 but the same was return due to the wrong mentioning date of




institution in the judgment dated 02.02.2022. **(Copy of application is attached as annexure "B")**

4. That the mistake was neither intentional nor deliberate, but due to the typographical mistake.

It is, therefore, most humbly prayed that on acceptance of this application, the correct date of institution kindly be rectified/corrected as 19.10.2020 and be read as such.


Appellant

Through


Mubarak Zeb
Advocate,
High Court Peshawar
Cell No.0334-4274247

Dated: 11.05.2022

3

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

C.M. No. _____/2022
In
Service Appeal No.12219/2020

Taimoor Khan.....**Appellant**

V E R S U S

Govt. of KPK & others.....**Respondents**

A F F I D A V I T

I, Taimoor Khan, (Ex-Chokidar BPS-03) Son of Abdul Sadiq R/o Mohallah Saeed Abad No.6, District Mardan, as per instruction of my client, do hereby solemnly affirm and declare on oath that contents of the **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Identified by:

Mubarak Zeb
Mubarak Zeb
Advocate High Court

Taimoor Khan
DEPONENT
CNIC No.16101-1767545-7
Cell No.0300-7417337

ATTESTED





BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

12214
Appeal No. _____/2020

Diary No. 11713
Dated 19/10/2020

Taimor Khan (Ex Chowkidar BPS 3) S/o Abdul Sadiq R/o
Muhalla Saeed Abad No 6 District Mardan.

(Appellant)

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Information and Public Relation civil Secretariat Khyber Pakhtunkhwa Peshawar.
2. Director General Information and Public Relation, Civil Secretariat, Khyber Pakhtunkhwa Peshawar.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the impugned Order dated 11.06.2020, whereby the major penalty of Removed from service, was imposed, and against which the departmental appeal dated 06.07.2020 was filed before the competent authority which was also rejected / turn down vide order dated 27.08.2020, which was communicated on 20.09.2020.

Prayer in Appeal: -

Filed to-day

Registrar
19/10/2020

On acceptance of this appeal the impugned order dated 11.06.2020, may please be set aside, similarly the impugned order dated 27.08.2020, may also be set-aside and the appellant may graciously be re-instated in service with all back benefits.

Respectfully Submitted:

1. That the appellant was appointed on the recommendation of the Departmental Selection Committee as Chowkidar on 14.12.2010, in Information and Public Relation Department. (Copy of the appointment order is attached as annexure A)

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal

5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 12219/2020

Date of Institution ... 19.10.2019
Date of Decision ... 02.02.2022



Taimor Khan (Ex-Chokidar BPS-03) S/O Abdul Sadiq R/O Muhalla
Saeed Abad No.6 District Mardan.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary
Information and Public Relation Department Civil Secretariat
Peshawar and one another.

... (Respondents)

Mubarak Zeb,
Advocate ... For appellant.

Riaz Khan Paindakhel,
Assistant Advocate General ... For respondents.

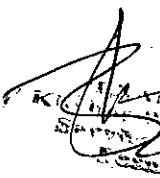
Salah-Ud-Din ... Member (J)
Rozina Rehman ... Member (J)

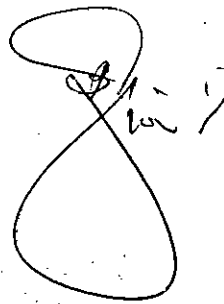
JUDGMENT

ROZINA REHMAN, MEMBER (J): The appellant has invoked the
jurisdiction of this Tribunal through above titled appeal with the
prayer as copied below:

"On acceptance of this appeal, the impugned order
dated 11.06.2020, may please be set aside, similarly
the impugned order dated 27.08.2020 may also be set

ATTESTED


K. I. AMINER
Secretary
Khyber Pakhtunkhwa
Service Tribunal
Peshawar



6

aside and the appellant may graciously be reinstated in service with all back benefits ”.

2. The relevant facts leading to filing of instant appeal are that appellant was appointed as Chowkidar in Information and Public Relation Department. While serving in the said capacity as Chowkidar at Regional Office, Mardan, he was forced to perform duty from 4:00pm to 6:00am (16 hours) without any leave. He filed a complaint to the Chief Minister Complaint Cell against the duty hours which was allowed and the respondents were directed to regularize the duty according to the Provincial Government Circular. Being annoyed from the said complaint, the respondents started calling illegal explanations which was replied but lastly, major penalty of removal from service was imposed upon appellant without observing legal and codal formalities. Being aggrieved from the said order, he filed departmental appeal which was dismissed, hence, the present service appeal.

3. We have heard Mubarak Zeb Advocate for appellant and Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General for the respondents and have gone through the record and the proceedings of the case in minute particulars.

4. Mubarak Zeb Advocate, learned counsel appearing on behalf of appellant, inter-alia, submitted that impugned orders are illegal, arbitrary and void ab initio as appellant was not treated according to law and rules. That the appellant has been discriminated and was

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

condemned unheard. Learned counsel further contended that no charge sheet with statement of allegations were issued and served upon appellant and that no proper inquiry was conducted. He submitted that the penalty imposed is too harsh which does not commensurate with the guilt of the appellant, therefore, requested for acceptance of the instant appeal.

5. Conversely learned AAG submitted that appellant has proved to be a habitual duty shirker and that almost every officer, under whom he served, has complained against him for avoiding official duty and was resultantly served with explanations/show cause notices and absence notices from time to time. He contended that he was removed from service under Rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 for his willful absence from duty since October, 2019 and that proper notice was served upon him by the respondent department to resume duty within 7 days but he failed. Similarly, another notice was issued through proclamation in the newspapers directing him to report for duty but he failed and ultimately, the competent authority was having no other option but to impose upon him the major penalty of removal from service.

6. Perusal of record would reveal that upon the recommendation of the Departmental Selection Committee, appellant Taimoor Khan was appointed as Chowkidar (BPS-01) vide office order dated 14.12.2012. He used to perform his duty from 4:00pm to 8:00am,

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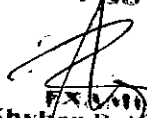
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therefore, he submitted a complaint to the Chief Minister Complaint Cell, Mardan which was allowed/redressed and respondents were directed to regularize the duty hours of the appellant according to the Provincial Government Circular, where-after, explanations were called from the appellant time and again which were replied and no further departmental proceedings were initiated against the appellant and it was on 11.06.2020 when major penalty of removal from service was imposed upon appellant for willful absence from duty. Rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 provides procedure in case of willful absence which is hereby reproduced for ready reference:

"9. Procedure in case of willful absence. –

Notwithstanding anything to the contrary contained in these rules, in case of willful absence from duty by a Government servant for seven or more days, a notice shall be issued by the competent authority through registered acknowledgement on his home address directing him to resume duty within fifteen days of issuance of the notice. If the same is received back as undelivered or no response is received from the absentee within stipulated time, a notice shall be published in at least two leading newspapers directing him to resume duty within fifteen days of the publication of that notice, failing which an *ex-parte* decision shall be taken against the absentee. On expiry of the stipulated period given in the notice, major

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ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar


penalty of removal from service may be imposed upon such Government servant".

7. As per law, in case of willful absence from duty by a Government servant for seven or more days, a notice shall be issued through registered acknowledgement by the competent authority. In the instant case, no such notice is available on file which could show that the present appellant had properly been informed to resume duty which means that the procedure in case of willful absence prescribed by the law was not properly followed by the competent authority.

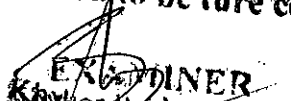
8. For what has been discussed above, instant service appeal is accepted. Consequently, the impugned order is set aside and the appellant is reinstated in service. The intervening period shall be treated as leave without pay. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
02.02.2022


(Salah-Ud-Din)
Member (J)


(Rozina Rehman)
Member (J)

Certified to be true copy


SAH UD DINER
Khyber Pakhtunkhwa
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Peshawar

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درخواست = مردانہ بجائی
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حوالہ = BPS-3

صاحبانگی سٹائل لیس ڈیپارٹمنٹ منسٹر ہاؤس

ڈیپارٹمنٹ منسٹر ہاؤس انفارمیشن ٹیکنالوجی مردانہ میں
حوالہ = BPS-3 (ملازمین کا)

ڈیپارٹمنٹ منسٹر ہاؤس نے عدالت 6/2020 کو سٹائل

کو تفریحی مقاصد کے لیے تدارف سٹائل کے

سروس ڈیپارٹمنٹ منسٹر ہاؤس میں دیکھ کر کیا

عدالت عدالت 2/2022 کو سٹائل کے حقوق میں مسئلہ پیدا
(تفصیلی فیصلہ نو لکھ رہے)

ڈیپارٹمنٹ منسٹر ہاؤس کے فیصلے کے رو سے سٹائل

کو ملازمین کے لیے بحال کرنا ضروری ہے

لکھنؤ اور کراچی کے سٹائل کو اپنے پوسٹ کے لیے بحال

کرنے کے اوقات کا حوالہ دیتے ہیں

2-3-2022

ڈیپارٹمنٹ منسٹر ہاؤس انفارمیشن ٹیکنالوجی کراچی

محمد رفیق خان
محمد رفیق خان