


Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
<p style="text-align: right;">31.07.2017</p> <p style="text-align: right;">Hamid</p>		<p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></p> <p style="text-align: center;">Appeal No. 1222/2015</p> <p style="text-align: center;">Date of Institution ... 29.10.2013 Date of Decision ... 31.07.2017</p> <p style="text-align: center;">Behram Khan, Lecturer in Geography, (BPS-17), Government Degree Collage Jamrod, Khyber Agency. -----Appellant</p> <ol style="list-style-type: none"> 1. The Additional Chief Secretary, FATA, FATA Secretariat Warsak Road Peshawar. 2. The Secretary Social Sectors Department, FATA Secretariat Peshawar. 3. The Director Education FATA, FATA Secretariat Warsak Road Peshawar. 4. Rab Nawaz, Lecturer in Geography, Government Degree College Sam South Waziristan Agency. <p style="text-align: right;">-----Respondents</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> Learned counsel for the appellant and Mr. Zia Ullah, Deputy District Attorney for the respondents present.</p> <ol style="list-style-type: none"> 5. Appellant Behram Khan, Lecturer in Geography has filed the present appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the respondents wherein he made impugned the order dated 05.08.2015 whereby he was transferred from Government Degree College Jamrud Khyber Agency to Government Degree College Sam South Waziristan Agency. 6. Arguments of learned counsel for the appellant and learned Deputy District Attorney heard. File perused. 7. Learned counsel for private respondent i.e. respondent No. 4 stated that the impugned order is no more in field.

8. Appellant duly assisted by his counsel also stated that he has now been promoted as Assistant Professor and posted at Government Degree College at FR Kohat.

9. In view of the above the present appeal has become infructuous and as such the same is hereby dismissed. Parties are left to bear their own costs. File be consigned to the record room.


(GUL ZEB KHAN)
MEMBER


(MUHAMMAD HAMID MUGHAL)
MEMBER

ANNOUNCED
31.07.2017

Order

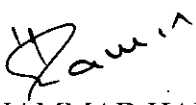
10. 31.07.2017

Learned counsel for the appellant and Mr. Zia Ullah, Deputy District Attorney for the respondents present. Arguments heard. File perused. Vide separate judgment of today of this Tribunal placed on file, the present appeal has become infructuous and as such the same is hereby dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

31.07.2017


(GUL ZEB KHAN)
MEMBER

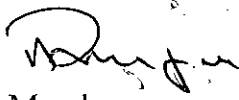

(MUHAMMAD HAMID MUGHAL)
MEMBER

09.01.2017

Counsel for the appellant, Assistant AG for the official respondents and counsel for private respondent No.4 present. Arguments on application for impleadment of Mr. Muhammad Iqbal principal heard and record perused.

Appellant has impleaded the relevant authorities including Secretary Social Sectors Department, FATA Secretariat, Peshawar who had issued the impugned transfer order. As such the principal is not a necessary party. The application is therefore dismissed.

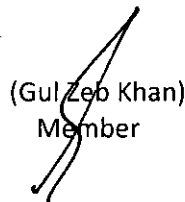
Learned counsel for the appellant however, requested that the attendance register regarding the attendance of the appellant may also be procured for arguments. The respondents are directed to produce attested copy of the said register of attendance on the next date of hearing. To come up for such record and arguments on 16/5/2017 before D.B.


Member


Chairman

16.05.2017

Junior to counsel for the appellant and Mr. Syed Daud Jan, Supdt alongwith Mr. Kabir Ullah Khattak, Assistant AG for the respondent present. Junior to counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 31.07.2017 before D.B.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

27.1.2016

Counsel for the appellant, Daud Jan, Supdt. alongwith Assistant AG for official respondents No. 1 to 3 and counsel for private respondent No. 4 present. Comments submitted. The matter requires further probe and hearing as such appeal is admitted to regular hearing. Security and process fee be deposited within 10 days. The appeal is assigned to D.B for rejoinder and final hearing for 12.5.2016. Learned counsel for the appellant requested for production of summary No. 306 dated 29.7.2015 mentioned in the notification dated 2.8.2015. The same be also requisitioned for the date fixed.

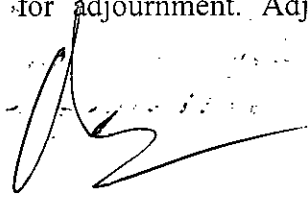

Chairman

12.5.2016

Appellant in person and Mr. Dawood Jan, Supdt.

alongwith Mr. Muhammad Jan, GP for respondents present.

Requested for adjournment. Adjourned for arguments on 30.9.2016.


Member


Member

30.09.2016

Appellant with counsel, Mr. Daud Jan, Superintendent alongwith Mr. Muhammad Jan, GP for official respondents No. 1 to 3 and counsel for private respondent No. 4 present. The respondents are directed to submit reply to application of the appellant dated 12.05.2016 which is for impleadment of Principal Muhammad Iqbal. To come up for such reply and arguments on application as well as on main appeal on

9-1-17


(ABDUL LATIF)
MEMBER



(PIR BAKHSH SHAH)
MEMBER

12.11.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant is serving as Lecturer (BPS-17) at Government Degree College, Jamrud Khyber Agency. That vide impugned order dated 5.8.2015 appellant was transferred from the said College to Government Degree College Sam South Waziristan where against he preferred departmental appeal on 29.8.2015 which was rejected on 19.10.2015 but was not communicated to the appellant and hence the instant service appeal on 29.10.2015.

That the appellant has been transferred to the College which is not functional and that his transfer is against to the spouse policy as wife of the appellant Dr. Rashida Begum is serving as WMO at MPSC Landi Kotal, and apart from the above, appellant is a student of Ph.D and as such his future carrier is adversely affected.

Pre-admission notice be issued to the respondents for 22.12.2015 before S.B.


Chairman

22.12.2015



Counsel for the appellant and Mr. Daud Jan, Supdt. alongwith Assistant AG for respondents present. Requested for adjournment. To come up for further proceedings on 27.1.2016 before S.B.


Chairman

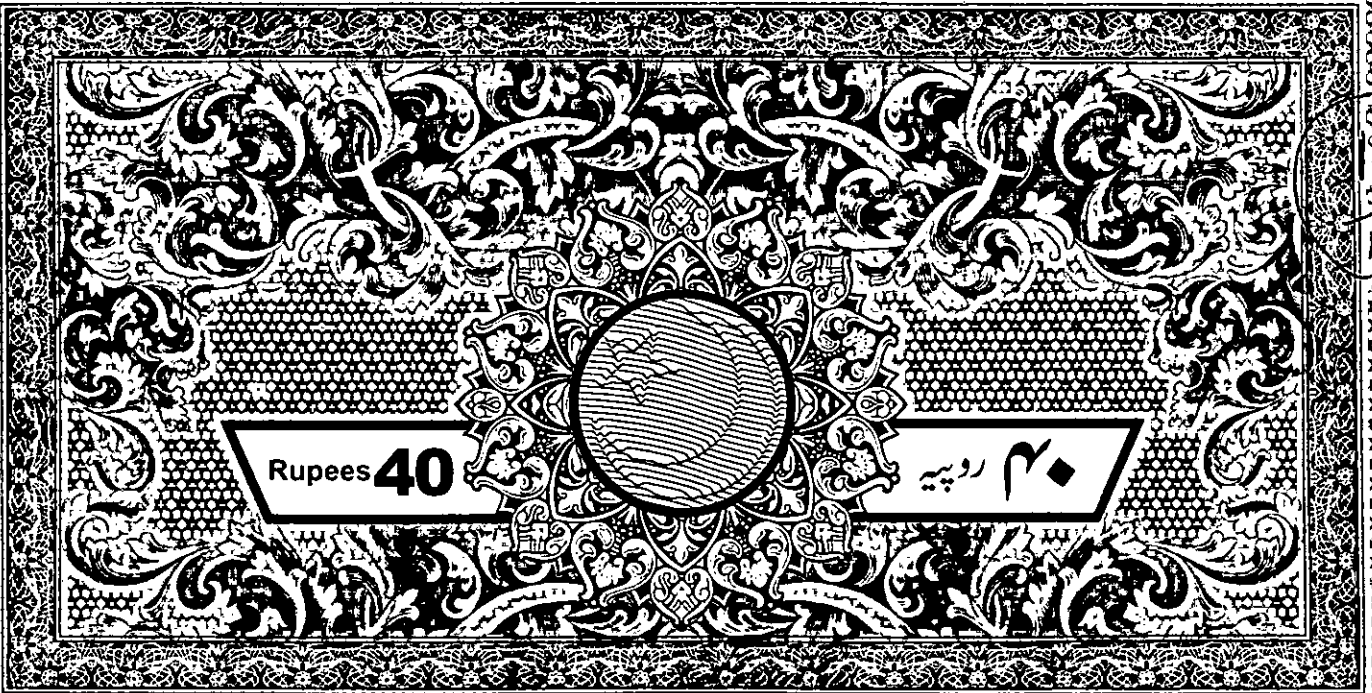
Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1222/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	03.11.2015	<p>The appeal of Mr. Behram Khan resubmitted today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2		<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>12-11-15</u></p> <p style="text-align: right;"> CHAIRMAN</p>

939038



8
A

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

Service Appeal No:- _____/2015

Behram Khan

Versus

Additional Chief Secretary

FATA & others

..... Appellant

..... Respondent

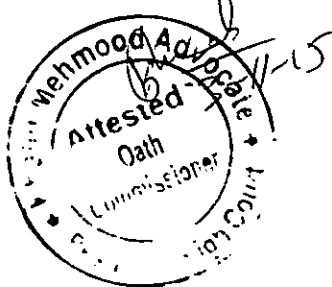


AFFIDAVIT

I, **Behram Khan** Lecturer in Geography, (BPS-17) Govt: Degree College, Jamrud Khyber Agency, do hereby solemnly affirm and declare on oath that I was told on 20/10/2015 the my departmental appeal has been field on 19/10/2015, I requested for providing me copy of order dated 19/10/2015 and even submitted application on 21/10/2015 for providing me copy of order but even then copy was not provided to me.

Further stated that the above stated contents are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.

DEPONENT
DATE: 28/11/15




The appeal of Mr. Behram Khan Lecturer in Geography Govt. Degree College Jamrud Khyber Agency received to-day i.e. on 29.10.2015 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Copy of impugned order dated 19.10.2015 mentioned in the heading of the appeal is not attached with the appeal which may be placed on it.

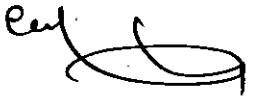
No. 1678 /S.T,

Dt. 30-10 /2015


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

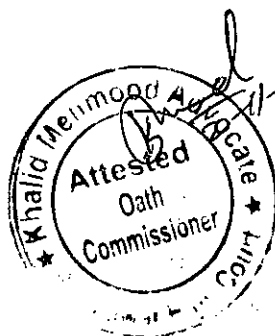
Mr. Fazal Shah Mohmand Adv. Pesh.


Sir, Copy of the order is not provided to the appellant, despite application Annexure 'C' page 13 of the appeal, hence the appeal may kindly be placed before the Tribunal.


Ado
30-10-15

~~SP~~ stated on oath that appellant approached respondents for providing him copy of order but was not provided the same.

~~Ado~~




Fazal Shah Mohmand
Adv
2/11/15

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 1222 /2015

Behram Khan.....Appellant

VERSUS

ACS and Others.....Respondents

INDEX

S No	Description of Documents	Annexure	Pages
1.	Service appeal with affidavit		1-4
2.	Application for suspension of impugned Order with affidavit		5-6
3.	Copies of documents	A	7-11
4.	Copy of Notification dated 05-08-2015	B	12-
5.	Copy of appeal and Application dated 21.10.2015	C-D	13-14
6.	Copy of the order	E	15-17
7.	Copy of application	F	18
8.	Wakalat Nama		19

Dated:-29-10-2015


Appellant

Through


Fazal Shah Mohmand
Advocate, Peshawar

OFFICE:-

Cantonment Plaza Flat 3/B, Khyber Bazar Peshawar Cell # 0301 8804841

1

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 1222 /2015

Behram Khan, Lecturer in Geography, (BPS-17), Govt. Degree College Jamrod, Khyber Agency.....Appellant

W.P. Province
Service Tribunal
Diary No. 1306
Dated 29-10-2015

VERSUS

1. Additional Chief Secretary, FATA, FATA Secretariat Warsak Road Peshawar.
2. Secretary Social Sectors Department, FATA Secretariat Peshawar.
3. Director Education FATA, FATA Secretariat Warsak Road Peshawar.
4. Rab Nawaz, Lecturer in Geography, Govt. Degree College Sam South Waziristan Agency.

.....Respondents

APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 19-10-2015, WHERE BY DEPARTMENTAL APPEAL OF THE APPELLANT FILED AGAINST THE ORDER DATED 05-08-2015 WHEREBY THE THE APPELLANT WAS TRANSFERRED FROM GOVT. DEGREE COLLEGE JAMROD, KHYBER AGENCY TO GOVT. DEGREE COLLEGE SAM SOUTH WAZIRISTAN AGENCY, HAS BEEN FILED.

PRAYER:-

On acceptance of this appeal the impugned order dated 19-10-2015 of respondent No 1 and Order dated 05-08-2015, may kindly be set aside and the appellant may kindly be ordered to be transferred/posted as Lecturer in Geography at Govt. Degree College Jamrod, Khyber Agency.

File to day
29/10/15

Respectfully Submitted:-

1. That the appellant has qualified his M.Phill in Geography and is a Student of Phd in Geography at the University of Peshawar and was appointed as Lecturer in Geography BPS-17 on 07-04-2009 and since then he performed his duties as assigned and with honesty and full devotion and

re-submitted to-day and filed,
3/11/15

2

to the entire satisfaction of his superior officers. **(Copies of documents are enclosed as Annexure A).**

2. That the appellant was posted to Govt. Degree College Lakaro, Mohmand Agency and was transferred to Govt. Degree College Jamrod, Khyber Agency in May 2012 where he took charge on 01-07-2012
3. That astonishingly, maliciously and illegally the appellant was transferred to Govt. Degree College Sam South Waziristan Agency vide Notification dated 05-08-2015 and respondent No 4 was transferred in his place. **(Copy of Notification dated 05-08-2015 is enclosed as Annexure B).**
4. That the appellant submitted Departmental appeal, on 29-08-2015, and the appellant was told ^{on 2} 20-10-2015 that his appeal has been filed on 19-10-2015. The appellant requested for providing him copy of the order dated 19-10-2015, but of no avail, even the appellant requested through application for the same but even then copy has not been provided to him maliciously. **(Copy of appeal and application dated 21-10-2015 are enclosed as Annexure C & D).**
5. That the impugned orders dated 19-10-2015 of respondent No 1 and order dated 05-08-2015, are against the law, facts and principles of justice on grounds inter alia as follows:-

GROUND:-

- A. That the impugned orders are illegal and void ab-initio.
- B. That the impugned order is without jurisdiction and legal authority, thus not maintainable in the eyes of law.

- C. That the orders are based on nepotism and favoritism besides politically oriented and thus not maintainable in the eyes of law.
- D. That the impugned orders are based on malafide as despite decision and application the copy of order is not provided to the appellant.
- E. That the wife of the appellant is serving as Lady Medical Officer in Landikotal Khyber Agency and even as per spouse policy, the impugned order is liable to be set aside. **(Copy of the order is enclosed as Annexure E).**
- F. That even the appellant is the student of Ph.D and if he is transferred from his present place, he would suffer irreparable loss. Furthermore the area of research of the appellant is Khyber Agency.
- G. That even the College to which the appellant has been transferred is non-functional and as such too the impugned order is liable to be set aside.
- H. That the appellant has also learnt that he has been transferred on the basis of a complaint, however despite application copy of the same is not provided to the appellant. **(Copy of application is enclosed as Annexure F).**
- I. That even there is no complaint of any sort against the appellant.
- J. That mandatory provisions of law have been violated by the respondents while taking action against the appellant.

9

K. That the appellant has about 06 years of service with unblemished service record and has not relinquished the charge yet.

L. That the appellant seeks the permission of this honorable Tribunal for further/additional grounds at the time of arguments.

It is therefore prayed, that appeal of the appellant, may kindly be accepted as prayed for.

Any other relief deemed appropriate in the circumstances of the case and not Specifically asked for, may also be granted in favor of the appellant.

Dated:-29-10-2015

Appellant

Through

**Fazal Shah Mohmand
Advocate, Peshawar**

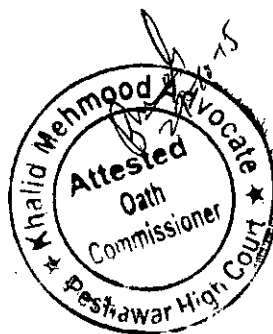
AFFIDAVIT

I, Behram Khan, Lecturer in Geography, (BPS-17), Govt. Degree College Jamrod, Khyber Agency, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

DEPONENT

Identified by

**Fazal Shah Mohmand
Advocate Peshawar**



K. That the appellant has about 08 years of service with
undiminished service record and has not indulged the
charge yet.

L. That the appellant seeks the permission of this honorable
Tribunal for further additional grounds at the time of
arguments.

It is therefore prayed, that appeal of the appellant may
kindly be accepted as prayed for.

Any other relief deemed appropriate in the circumstances
of the case and not specifically asked for, may also be granted
in favor of the appellant.

Appellant

Date: 29-10-2012

Through

Fazal Shah Mohmand
Advocate, Peshawar

AFFIDAVIT

I, Behram Khan, Lecturer in Geography, (BP-17) Govt. Degree
College Jamrud, Khyber Agency do hereby solemnly affirm
and declare on oath that the contents of this Appeal are
true and correct to the best of my knowledge and belief and
nothing has been concealed from this honorable Tribunal.

DEPONENT

Identified by

Fazal Shah Mohmand
Advocate Peshawar

5

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2015

Behram Khan.....**Applicant/Appellant.**

V E R S U S

ACS and Others.....**Respondents.**

**APPLICATION FOR THE SUSPENSION
OF IMPUGNED ORDERS DATED 19-10-
2015 AND 05-08-2015 TILL THE FINAL
DISPOSAL OF TITLED APPEAL BY
MANTAINING STATUS QUO.**

Respectfully Submitted:-

1. That the above titled appeal is being filed today, in which no date of hearing has been fixed so far.
2. That the facts and grounds of appeal may kindly be considered as integral part of this application.
3. That the applicant/appellant has got good prima facie case and is sanguine of its success.
4. That the balance of convenience also lies in favor of the applicant/appellant.
5. That the applicant/appellant is still holding the charge of his post and if the impugned orders are not suspended the applicant/appellant will suffer an irreparable loss.

6

It is therefore prayed that on acceptance of this application, the impugned orders dated 19-10-2015 and 05-08-2015 may kindly be suspended till the final disposal of the titled appeal by maintaining status quo.

Dated:-29-10-2015

Applicant/Appellant
Through


Fazal Shah Mohmand
Advocate Peshawar.

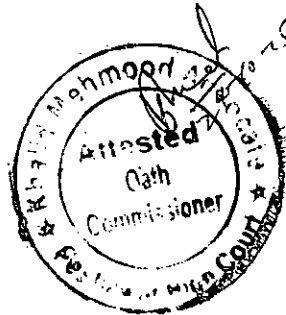
AFFIDAVIT

I, Behram Khan, Lecturer in Geography, (BPS-17), Govt. Degree College Jamrod, Khyber Agency, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by


Fazal Shah Mohmand
Advocate Peshawar


DEPONENT



It is therefore prayed that on acceptance of this application, the impugned orders dated 19-10-2012 and 02-08-2012 may kindly be suspended till the final disposal of the filed appeal by maintaining status quo.

Applicant/ Applicant

Through

Date: 22-10-2012

Fazal Shah Mohmand
Advocate Peshawar.

AFFIDAVIT

I, Fazal Shah Mohmand, Lecturer in Geography, (BSc) Govt Degree College, Khyber Agency, do hereby solemnly affirm and declare on oath that the contents of the Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

DEPONENT

Identified by

Fazal Shah Mohmand
Advocate Peshawar



DEPARTMENT OF GEOGRAPHY
UNIVERSITY OF PESHAWAR – PAKISTAN


Ph No.+92-91-9221033, Fax No. +92-91-9221034
PBX.No. +92-91-9216701 to 20 Ext: 3032
E-mail: geography@upesh.edu.pk.com



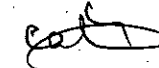
Dated: 22.09.2015

TO WHOM IT MAY CONCERN

This is to certify that Mr. Behram Khan S/o Jamroz Khan is a bonafide student of Ph.D Geography for the session 2007-08. He has successfully completed his course work and thesis is in progress.


Chairman 22/9/15

CHAIRMAN
Department of Geography
University of Peshawar

Attested

Zu

Form 3 - G.P.A

UNIVERSITY OF PESHAWAR, PESHAWAR, PAKISTAN



Department/College/Institute: Geography

Class: Ph.D

Name of student: Behram Khan

Father's Name: Jamroz Khan

Date of Admission: 25.08.2007

Enrolment No. 02

Registration No: 88-CH-2194

Semester: 2007 - 2008

Course No.	Title of Course	% Marks Obtained	Value	Semester Cr.Hrs	Grade Points (Values Cr.Hrs)
713	Soil Studies	62.0	2.7	4	10.8
734	Disaster Planning & Management	71.0	3.4	4	13.6
831	Geography of Housing	68.0	3.2	3	9.6
832	Advance Environmental Impact Assessment	70.0	3.3	4	13.2
833	Metropolitan Planning	68.0	3.2	4	12.8
838	Biogeography	72.0	3.4	3	10.2
839	Advance Remote Sensing (RS)	82.3	4.0	3	12.0

This represents the academic record of the students
This is not the Transcript of Credits.
Requirement or degree complete/incomplete

Grade Point Average = 82.2
(Total Grade Pts-Total Cr.Hrs.)
Cumulative Grade Point Average = 3.3

Dated 07/11/2009

CHAIRMAN

Chairman

Department of Geography
Urban and Regional Planning
University of Peshawar



**DIRECTORATE OF EDUCATION
(FATA), NWFP PESHAWAR**

Phone No. 091-9210166 Fax No. 091-9210216

9

388
No. ___ / AD (C)E-3/File No
Dated Peshawar the 16 / 3 / 2010

To.

The Principal,
Govt. Degree College Lakaro,
Mohmand Agency.

Subject: NOC FOR CONTINUATION OF P.HD PROGRAMME

Memo:

I am directed to refer to your office memo No 23 dated 23-2-2010 on the subject noted above.

This Directorate would have no objection on the continuation of P.hd Programme in r/o Mr. Behram Khan lecturer in Geography of your college subject to the condition that the officer concerned will not study during the working hours in the college and that he will not apply for study leave, at the subsequent stage.

Deputy: Director Education
(FATA), NWFP Peshawar

Indst

Copy forwarded for information to the:-

1. SO(Estab) FATA Secretariat NWFP, Peshawar.

Sd/-

Deputy Director Education
(FATA), NWFP Peshawar

DIRECTRATE OF ADMISSIONS
UNIVERSITY OF PESHAWAR.



No. 6039 /PhD/Adms-III

Dated: 25/04/2011

From: **The Director Admissions**
University of Peshawar

To: **The Chairman,**
Department of Geography, Urban & Regional Planning,
University of Peshawar

Subject: **EXTRACT FROM THE MINUTES OF THE MEETING OF THE
ADVANCED STUDIES AND RESEARCH BOARD DATED 30.3.2011 &
06.04.2011.**

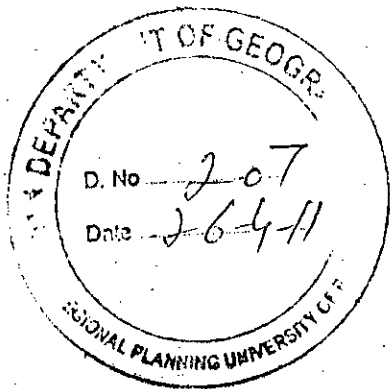
Dear Sir,

An extract of PhD (Item No.19) from the minutes of the meeting of
Advanced Studies and Research Board dated 30.03.2011 & 06.04.2011 is sent herewith
for your kind information and necessary action, please.

Munir
Deputy Registrar (Adms)
University of Peshawar

Copy to the concerned

file



Attested

A trail from the Minutes of ASRB held on 30/3/2011 ✓
6/9/2011

Item No. 18 APPROVAL OF RESEARCH TOPIC AND RESEARCH PROPOSAL IN RESPECT OF MR. SAJID ALI, PhD RESEARCH SCHOLAR, CENTRE OF BIOTECHNOLOGY & MICROBIOLOGY (SESSION 2008—2009)

On recommendation of the Supervisor, the Board approved the following Research Topic and Research Proposal in respect of Mr. Sajid Ali, Ph.D Research Scholar, Centre of Biotechnology & Microbiology:

RESEARCH TOPIC: INTERFERON BASED THERAPY OF CHRONIC HEPATITIS C PATIENTS, A CASE STUDY OF KHYBER PAKHTUNKHWA

RESEARCH PROPOSAL: Introduction: "Hepatitis C and researchers".
(Annexure - XVIII)

REFERENCES: 1-15

Item No. 19 APPROVAL OF RESEARCH TOPIC AND RESEARCH PROPOSAL IN RESPECT OF MR. BEHRAM KHAN, PhD RESEARCH SCHOLAR, INSTITUTE OF GEOGRAPHY, URBAN & REGIONAL PLANNING (SESSION 2007—2008)

On recommendation of the Supervisor, the Board approved the following Research Topic and Research Proposal in respect of Mr. Behram Khan, Ph.D Research Scholar, Institute of Geography, Urban & Regional Planning:

RESEARCH TOPIC: CAUSES, EFFECTS AND REMEDIES FOR FLASH FLOODS: (A CASE STUDY OF KHYBER AGENCY, FATA-PAKISTAN)

RESEARCH PROPOSAL: Introduction: "Pakistan suffers and descriptions".
(Annexure - XIX)

REFERENCES: 1-39

Item No. 20 APPROVAL OF RESEARCH TOPIC AND RESEARCH PROPOSAL IN RESPECT OF MS. FAIZA MUBASHREEN, PhD RESEARCH SCHOLAR, DEPARTMENT OF ENVIRONMENTAL SCIENCES (SESSION 2007—2008)

On recommendation of the Supervisor, the Board approved the following Research Topic and Research Proposal in respect of Ms. Faiza Mubashreen, Ph.D Research Scholar,

Attended
[Signature]



FATA SECRETARIAT
Social Sectors Department
Warsak Road Peshawar

"B"
B
12

Transfer order 1533-40

Dated Peshawar the 05-08-2015.

NOTIFICATION

NO.S.O /Edu/1-30/Transfer/ Consequent upon the approval of the Competent Authority the following Lecturers Geography (BS-17) are hereby transferred against the post in his own pay and scale in the interest of public service.

S. No.	Name/ designation & Address	Transfer/Adjustment	Remarks
1	Mr. Behram Khan Lecturer in Geography (BS-17) Govt. Degree College Jamrud Khyber Agency	Lecturer in Geography (BS-17) Govt. Degree College Sam South Waziristan Agency	Vice S. No. 2
2	Mr. Rab Nawaz Lecturer in Geography (BS-17) Govt. Degree College Sam South Waziristan Agency	Lecturer in Geography (BS-17) Govt. Degree College Jamrud Khyber Agency	Vice S. No. 1

Note:

1. TA/DA is not allowed.
2. Charge reports should be submitted to all concerned.

SECRETARY (SSD) FATA

Endst: No. & date as above.

Copy to:-

1. The Director of Education FATA Peshawar w/r to his summary No. 306 dated 29-07-2015.
2. Agency Accounts Officer Khyber Agency.
3. Agency Accounts Officer South Waziristan Agency
4. Agency Education Officer Khyber Agency
5. Agency Education Officer South Waziristan Agency
6. Principal Concerned.
7. P.S to Secretary Social Sectors Department FATA.
8. Officer concerned.

Ashfaq Ahmad
(Ashfaq Ahmad)
Section officer (Edu:)

12/8/15

11/8/15
5853
13/8/15

Ahmed
ed

The Secretary,
Social Sectors Department,
FATA Secretariat Peshawar.

C
13

Subject: Request for Cancellation of Transfer Order in Respect of Behram
khan Lecturer in Geography GDC Jamrud Khyber Agency.

R/Sir,

It is submitted in your honour that I am working as Lecturer in Geography at GDC Jamrud, Khyber Agency. Now I have been transferred to GDC Sam, South Waziristan Agency vide notification No. S.O/ Edu/ 1 – 30/Transfer/ 1533 - 40 dated 05/08/2015. (Annex - I)

Sir, I have some genuine reasons which may please be considered for cancellation of my transfer order:

- First, I am enrolled in Ph. D programme in University of Peshawar and my research is in the last stages, my transfer will cause in to discontinue my research. (Annex - II)
- Second, my Ph.D. research is on Khyber Agency. My transfer will cut off me from the study area and I will not be able to do my field work. (Annex - III)
- Third, my wife is working as Woman Medical Officer/ Sociologist in Population Welfare Department (FATA) at Khyber Agency. My transfer will make it impossible for her to carry on her duties at separate station. (Annex - IV)
- Fourth, I along with my wife and 3 years old kid live in Hayatabad Peshawar, there is no one in my house to take care of my wife and kid, if they are left behind here in Peshawar alone. (Annex - V)

In view of the above mentioned context, it is requested in your honour to kindly favour me under study rules, wedlock policy and on humanitarian grounds to cancel my transfer order. It will save me and my wife and kid carrier.

Looking forward for your favourable consideration.

Sincerely Yours,

Behram khan

Lecturer in Geography,

GDC Jamrud Khyber Agency.

Cell # 03015976005

28/9/2015

Attest
[Signature]

The Director of Education,
FATA Secretariat,
Peshawar.

Subject: Request for a copy of appeal's result/decision in written

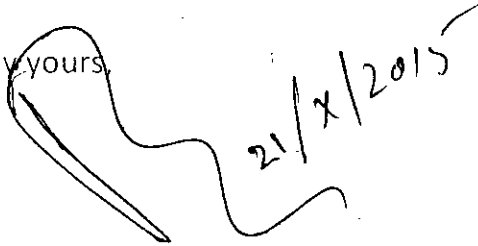
R/Sir,

With reference to my transfer from GDC Jamrud, Khyber Agency to GDC Sam, South Waziristan Agency vide notification No. S.O/ Edu/ 1 – 30/Transfer/ 1533 - 40 dated 05/08/2015.

I had submitted appeal to Secretary Social Sectors Department for cancellation of my transfer order on 28/9/2015 which was forwarded to your office vide SSD No.492 dated 28/9/2015. I was told verbally that the said appeal has been filed on dated 19/10/2015. But I require the result of my appeal in written for court.

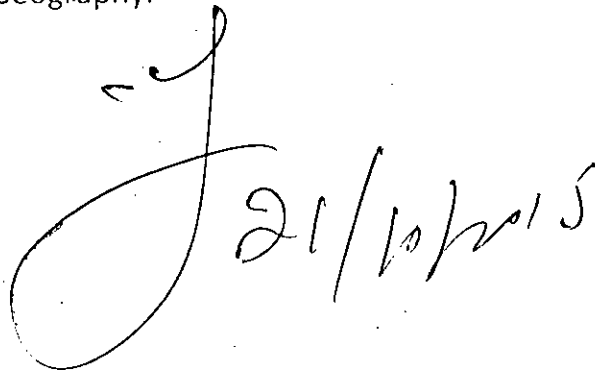
In view of the above, it is requested in your honour to kindly give me the result of my appeal in written so that I may be able to go to law for seeking justice.

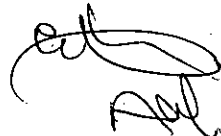
Sincerely yours,


21/10/2015

Behram Khan

Lecturer in Geography.


21/10/2015

Attested


11/11





"E" ~~SECRET~~
15

**POPULATION WELFARE DIRECTORATE
FATA SECRETARIAT**

populationfata@gamil.com

PH: 091-9239315
FAX: 091-9212711

STREET NO 05 HOUSE NO 05
ABSHAR COLONY,
WARSAK ROAD, PESHAWAR

F.No 1(1) Vol-II/2012-13/Pop/6999-08

Dated 27/12/2012

OFFICE ORDER

Upon the recommendations of the departmental selection committee, the competent authority has been pleased to appoint the following candidate as a Women Medical Officer/Sociologist (Female) for Multi Purpose Services Centers Project on fixed pay basis and on the following terms & conditions.

S.No	Name of candidate	Father Name	Domicile	Project
1	Dr. Rashida Begum	Ghulam Rasool Khan	Mohmand Agency	Multi Purpose Services Centre

TERMS AND CONDITIONS OF EMPLOYMENT ON FIXED PAY BASIS.

1. That your appointment is on fixed pay @ 45,000/- per month on fixed pay initially for one year, extendable to the life of the project subject to satisfactory performance and fresh order for extension.
2. Your services are liable to be terminated at any time without any notice or any reason being assigned.
3. That you are declared medically fit for Govt: Service.
4. Either party can terminate the contract with 60 days notice a pay in lieu thereof.
5. That you well not be entitle to any TA/DA and other allowance.

Attested
[Signature]

That you are not Civil Servant/nor regular employees and not entitle to claim regularization at any forum.

7. If you accepted the above terms and conditions, you are directed to report for duty to this Directorate within 15 days after issuance of this order for your further posting to your duty station. This office order shall be considered cancelled if you failed to report for duty within the above mentioned period.

Sd/xxxx
Secretary
Social Sectors Department
FATA


F.No 1(1) Vol-II/2012-13/Pop/
Dated 27/12/2012

C.C

- Secretary Admn & Coordination FATA Secretariat for information please.
- Secretary Social Sectors Department FATA for information please.
- Deputy Secretary Finance FATA Secretariat for information please.
- Additional Accountant General Sub office Peshawar for compliance please.
- PS to Additional Chief Secretary FATA for information please.
- Assistant Director Tech. Population Welfare Department FATA for information please.
- Assistant Director (N/T) Population Welfare Department FATA for information please.
- Account Section of PWD FATA.
- ✓ Official Concerned.


Dr. Lal Zari
Deputy Director
Population Welfare Department
FATA

Attested


Adw



POPULATION WELFARE DIRECTORATE FATA

populationfata@gmail.com

PH: 091-9239315
FAX: 091-9212711

STREET NO 05 HOUSE NO 05,
ABSHAR COLONY,
WARSAK ROAD, PESHAWAR

F.No. 1(1) Vol-II/2012-13/Pop/7063-75

Dated 02/01/2013

17

OFFICE ORDER

With approval of the competent authority and their appointment orders & consequent upon arrival reports for duty (copies attached), the undersigned has been pleased to order the posting of the following officers/officials (fixed pay) at Multi Purpose Service Center Khyber Agency with immediate effect till further order in the best interest of department/public.

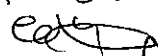
S.No	Name	Designation	Place of posting	Remarks
1	Dr. Rashida Begum	WMO/Sociologist (Female)	MPSC Landi Kotal Khyber Agency	
2	Miss. Mehwish Rehman	Computer Teacher(Female)	MPSC Landi Kotal Khyber Agency	
3	Miss. Qurat-u-Ain	Sewing & Handicraft Teacher(Female)	MPSC Landi Kotal Khyber Agency	
4	Miss. Sadia Miran	Family Welfare Assistant (Female)	MPSC Landi Kotal Khyber Agency	
5	Mr. Sami Ullah	Family Welfare Assistant (Male)	MPSC Landi Kotal Khyber Agency	
6	Mr. Siraj Khan	Driver	MPSC Landi Kotal Khyber Agency	
7	Mr. Israel Shah	Sweeper	MPSC Landi Kotal Khyber Agency	

Sd/xxxxxx
Secretary
Social Sectors Department
FATA

Copy forwarded to:

- Secretary Social Sectors Department FATA Secretariat for information please.
- AGPR Sub Office Peshawar for information & necessary action please.
- Agency Accounts Office Khyber Agency for information & necessary action please.
- Agency Population Welfare Officer Khyber Agency with the request to take on staff strength of MPSC Khyber Agency and report back to the undersigned please.
- Accountant of PWD FATA Peshawar.
- Officers/Officials concerned to immediately report for duty in MPSC Khyber Agency.


Dr Lal Zari
Deputy Director
Population Welfare Department
FATA

Attest


The Director of Education,
FATA Secretariat,
Peshawar.

4 F^U 5 E
18

Subject: Request for a photo copy of Principal's Complaint against me.

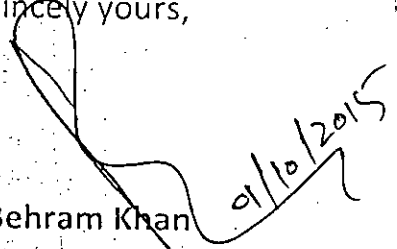
R/Sir,

It is submitted in your honour that I am working as Lecturer in Geography at GDC Jamrud, Khyber Agency. Now I have been transferred to GDC Sam, South Waziristan Agency vide notification No. S.O/ Edu/ 1 - 30/Transfer/ 1533 - 40 dated 05/08/2015.

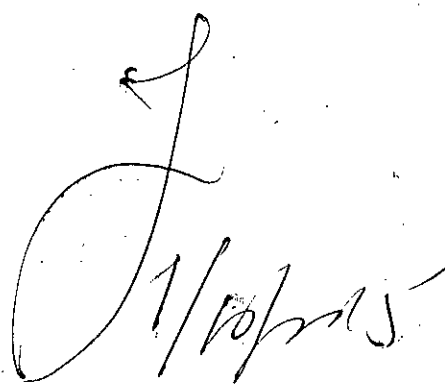
It has come to my notice that I have been transferred as a result of a complaint of my college Principal against me, but I don't know about the allegations against me.

In view of the above, it is requested in your honour to kindly give me a photo copy of the said complaint so that I may able to defend myself.

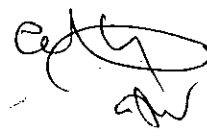
Sincerely yours,


Behram Khan
Lecturer in Geography,
GDC Jamrud, Khyber Agency.
Cell # 03015976005

Received Policy


1/10/15

Attested



2012ء منجانب اللہ

پیرام خان بنام ACS و سندھ

مورثہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام لٹاور کیلئے غنفل شاہ محمد ادریس کی مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے دہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

پیرام خان ولد محمد نور خان

المرقوم 29 ماہ التوالہ 2012ء

مقام لٹاور کے لئے منظور ہے۔

Attested & Accepted

(Signature)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESAHWAR

APPEAL NO. 1222/2015

Behram Khan

VS

A.C.S FATA & Others

REPLY ON BEHALF OF RESPONDENT NO.4
(RAB NAWAZ) IN RESPONSE TO THE
APPEAL SUBMITTED BY THE APPELLANT

R/SHEWETH:

PRILIMINARY OBJECTIONS:

- 1- That the appellant has got no cause of action.
- 2- That appellant has got no locus standi to file the instant appeal.
- 3- That the instant appeal is badly time barred.
- 4- That the appeal bad for mis-joinder and non-joinder of necessary parties.
- 5- That the appellant has concealed materials facts from this august Tribunal and not come with clean hands.
- 6- That under section- 10 of the Civil Servant act 1973 the appellant is bound to serve where posted by the competent authority.

ON FACTS:

- 1- Incorrect and misconceived. That appellant is non punctual, irresponsibly and habitual absentee. That from the very first day of his transfer to GDC Khyber at Jamrud till date the appellant is not willing to perform his duty regularly.
- 2- Correct to the extent that appellant was transferred to GDC Khyber at Jamrud in May, 2012 and as such he has completed his tenure at GDC Khyber at jamrud. Moreover under the transfer/ posting policy of the provincial Government the normal tenure for hard areas is 18 months, so keeping in view the above policy the appellant has spent more than three years, therefore the appellant was rightly been transferred to sam south Waziristan Agency.

- 3- Incorrect and misconceived. That after spending more than three years the appellant was transferred to GDC sam South Waziristan Agency vide order dated 5.8.2015 and the replying respondent who have also completed his tenure at sam Waziristan Agency was transferred in place of appellant. Moreover the Principal of the Government Degree College Khyber at jamrud has also filed several complaints against the appellant before the competent authority about his lack of interest in his official duty. Copies of the record is attached as annexure R.
- 4- Incorrect and misconceived. That appellant has filed his Departmental to wrong forum rather the appellant was require to file his Departmental to the Honorable A.C.S FATA.
- 5- Incorrect and misconceived. That no appellate order has been issued by the appellate authority, therefore the instant appeal is not maintainable.

ON GROUNDS:

- A- That the transfer order dated 5.8.2015 has been issued by the competent authority in accordance with law and prevailing Rules and as such no violation has been made by the authority.
- B- Incorrect and misconceived. That the transfer order has been issued by the competent authority.
- C- Incorrect and misconceived. That the transfer order is just and legal one and as such no political interference has been made by the replying respondent for his transfer to GDC Khyber at Jamrud.
- D- Incorrect and misconceived hence denied.
- E- Incorrect and misconceived. That wife of the appellant is serving the population welfare Department as Medical Officer on purely contract basis. That the appellant can not take shelter in light of the spouse policy because the spouse policy is only effective for regular employees and not for contractual employees. Moreover the spouse has already completed his tenure in the concerned station, therefore they are not entitle to stick themselves to one station.
- F- Incorrect and misconceived hence denied.

- G- Incorrect and misconceived. That the concern Principal time and again lodged complaints against the appellant due to his ill attitude and absenteeism.
- H- Incorrect and misconceived hence denied.
- I- Incorrect and misconceived. That according to Section 10 of the Civil Servant Act 1973 the appellant is duty bound to serve the Department where posted by the competent authority.
- J- Incorrect and misconceived hence denied.

It is therefore most humbly prayed that on acceptance of this reply the appeal of the appellant may be dismissed with cost.

RESPONDENT NO.4


RAB NAWAZ

THROUGH:


**NOOR MOHAMMAD KHATTAK
ADVOCATE**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESAHWAR

APPEAL NO. 1222/2015

Behram Khan

VS

A.C.S FATA & Others

REPLY ON BEHALF OF RESPONDENT No.4
(RAB NAWAZ) IN RESPONSE TO THE
APPLICATION SUBMITTED BY APPELLANT
FOR THE GRANT OF STATUS QUO

R/SHEWETH:

- 1- That the above mentioned appeal is pending for adjudication before this august Service Tribunal and is fixed for 27.1.2016.
- 2- That the appellant cannot satisfy all the three necessary ingredients under order 39 rule 1 and 2 which is must according to the Supreme Court judgments.
- 3- That as the order has been passed by a proper Government authority; therefor under 56 (d) of Specific Relief Act such orders can not be stayed/suspended.

It is therefore most humbly prayed that on acceptance of this reply the application of the appellant for the grant of status quo may kindly be dismissed.

RESPONDENT NO.4


RAB NAWAZ

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

R-4

Sheet no. 1

Tank-S.W.Agency

S#:1

P Sec:001 Month:December 2015
TW0014 -Principal G C Sam
Min. Of Education

Pers #: 00412003 Buckle:
Name: BEHRAM KHAN
LECTURER
CNIC No.1710211785401
GPF Interest Applied
17 Vocational Temporary

NTN:
GPF #: KH EDU 4060CSS
Old #:

TW0014 -

PAYS AND ALLOWANCES:

0001-Basic Pay	36,230.00
1000-House Rent Allowance	2,955.00
1210-Convey Allowance 2005	5,000.00
1528-Unattractive Area Allow	2,000.00
1947-Medical Allow 15% (16-22)	2,679.00
1948-Adhoc Allowance 2010@ 50%	7,145.00
2148-15% Adhoc Relief All-2013	4,200.00
2174-Adhoc Relief Allow-2014	2,800.00
2198-Adhoc Relief All 7.5%	2,717.00
Gross Pay and Allowances	65,726.00

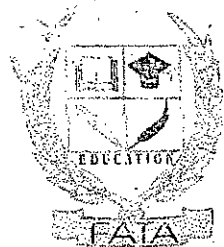
DEDUCTIONS:

IT Payable 3,797.30 Deducted	2,247.00	TAX: (3509)	760.00
GPF Balance 422,574.00		Subrc:	2,240.00
3561-E.E.F (Exchange)			200.00
3701-Benevolent Fund(Exchange)			250.00
3704-Group Insurance(Exchange)			230.00
3711-Addl Group Insuranc(Exch)			25.00

Total Deductions	3,705.00
	62,021.00

ATTACHED

D.O.B 10.11.1968 LFP Quota:
16 Years 05 Months 001 Days HABIB BANK LIMITED UNIVERSITY CAMPUS
23434-7



(5)

OFFICE OF THE PRINCIPAL
GOVT DEGREE COLLEGE
JAMRUD KHYBER AGENCY
PHONE # 091-5820252
No. 669
Dated 6/04/2015

To:

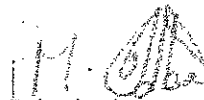
The Director of Education,
(FATA) Peshawar.

Subject: Transfer of Mr: Behram Khan Lecturer in Geography.

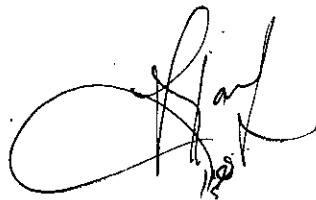
Memo:

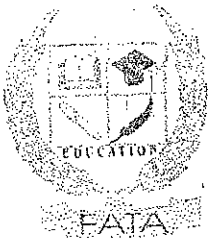
Mr: Behram Khan Lecturer in Geography is a non punctual, irresponsible and non serious person. He is not performing his duty properly. He usually comes to the college very late. When he goes on leave, he does not give leave application.

He may be transferred to any other college.


Principal
Govt Degree College
Jamrud Khyber Agency

ATTESTED





(6)

GOVT: DEGREE COLLEGE
JAMRUD KHYBER AGENCY
PHONE. 091-5820252
NO. 671 DATE 10 / 10 / 2015

To

The Director Education,
FATA Khyber Pakhtunkhwa Peshawar.

Subject: - **ABSENTEES.**

Memo:-

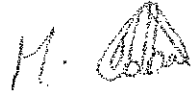
As I Have written to your good Office that Mr. Behram Khan. Lecturer in Geography is not performing his duty properly and he does not give any leave application when he goes on leave. His absence dates are as under:-

In the Year 2013. September, 2013, 4 and 30
October, 2013 7, 9, 11 and 25. November, 2013, 2, 4, 11, 20, and 28. December, 2013, 2, and 17.

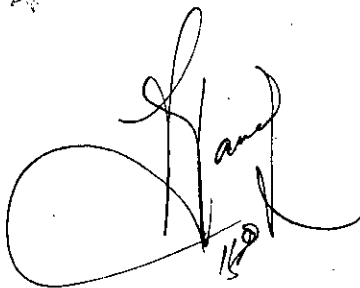
In the Year 2014. January, 2014, 2, 9, 16, 18, 20, 24, 28, and 31. February, , 2014-6, 10, 12, 17, 24 and 28.

September, 5, 9, 17, 18, 22 and 24. October, , 2014 4, 13, 20 and 30. November, , 2014 20 and 24. December, , 2014 6, 8, 9, 10, 12 and 16.

In the Year 2015. January, 2015, 16, 19, 27, 28, 29, 30 and 31. February, 2015, 3 and 24. March, , 2015, 5 and 7.


PRINCIPAL,
GOVT: DEGREE COLLEGE,
JAMRUD KHYBER AGENCY

ATTESTED.



7

OFFICE OF THE PRINCIPAL GOVT: DEGREE COLLEGE JAMRUD KHYBER AGENCY.

RELIEVING CERTIFICATE

In compliance to the Notification SO/Edu:/1330,/Transfer Dated 5.8.2015, issued by the Secy: SSD, FATA, Peshawar, Mr. Behram Khan Lec; in Geog: of this college is hereby relieved of his duties on after noon of 18.9.2015 (AN.N) and directed to report to his new: assignment.

M. 
PRINCIPAL

GOVT: DEGREE COLLEGE
JAMRUD KHYBER AGENCY

ATTESTED


18

B.Sc Biological Sciences Part-2

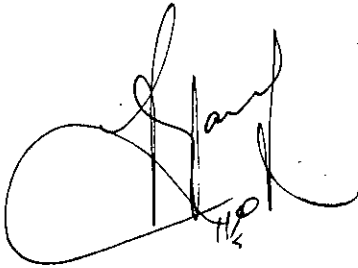
9

Result statement for Degree. Examination 2015 (A)

S/No.	Subject	Total	Absent	Appeared	Pass	Fail	Pass %age
1	Chemistry	13	1	12	12	0	100
2	Botany	27	2	25	24	1	96
3	Zoology	27	2	25	9	16	36
4	Geography	14	0	14	0	14	0
5	Pak.Study	27	0	27	27	0	100

Overall	Total	Absent	Appeared	Pass	Fail	Percentage
	27	1	26	26	0	100

ATTESTED



PRINCIPAL
S.O College
Sairud K/A

B.Sc Biological Sciences Part- 1

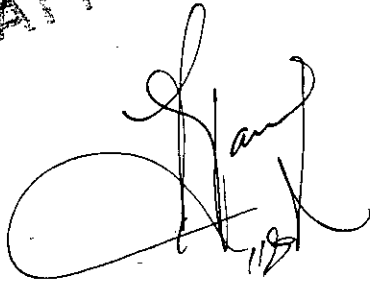
10

Result statement for Degree. Examination 2015 (A)

S/No.	Subject	Total	Absent	Appeared	Pass	Fail	Pass %age
1	Chemistry	19	0	19	10	9	53
2	Botany	36	3	33	33	0	100
3	Zoology	36	0	36	13	23	36
4	Geography	17	1	16	5	11	31
5	Ist(C)	36	0	36	33	3	92

Overall	Total	Absent	Appeared	Pass	Fail	Percentage
	36	0	36	31	5	86

ATTESTED



M. 

PRINCIPAL
G.D. College
Jamrud K/A

GDC JAMRUD KHYBER AGENCY

B.Sc Bio. Sciences Part- I

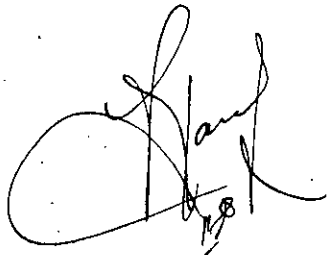
10

Result statement for Degree. Examination 2014 (A)

S/No.	Subject	Total	Absent	Appeared	Pass	Fail	Pass %age
1	Chemistry	15	0	15	7	8	47
2	Botany	33	2	31	30	1	97
3	Zoology	33	0	33	10	23	30
4	Geography	18	0	18	4	14	22
5	Isl..Study	33	0	33	33	0	100

Overall	Total	Absent	Appeared	Pass	Fail	Percentage
	33	0	33	30	3	91

ATTESTED



M. 

PRINCIPAL
G.D.College
Jamrud K/A

B.Sc Biological Sciences Part- 2

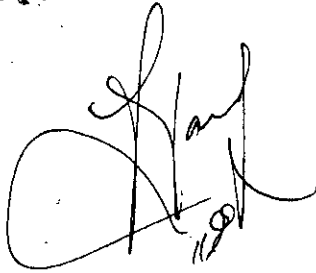
(12)

Result statement for Degree. Examination 2014 (A)

S/No.	Subject	Total	Absent	Appeared	Pass	Fail	Pass %age
1	Chemistry	30	0	30	25	5	83
2	Botany	33	0	33	21	12	63
3	Zoology	33	0	33	33	0	100
4	Geography	3	0	3	1	2	33
5	Pak. Study	33	0	33	33	0	100

Overall	Total	Absent	Appeared	Pass	Fail	Percentage
	33	0	33	33	0	100

ATTESTED


M. 

PRINCIPAL
G.D. College
Jamrud K/A

PAYMENTS 49,973.00 DEDUCTIONS 3,714.00 GPF#:
 Branch Code: 250302 B.I.S.E. JAMRUDD Allied Bank Limited B.I.S.E. JAMRUDD NET PAY 46,259.00
 Accat. No: 0010004147870034

50196027 MUHAMMAD TARIQ PAYMENTS	Prev Pers No: AMOUNT	No: DEDUCTIONS	Desig: LECTURER AMOUNT	(00000869) Grade: 17 NTN: LOAN/FUND	Buckle No.: PRINCIPAL	Gazetted/Non-Gazetted: 6 REPAID BALANCE
0001 Basic Pay	23,790.00	3609 Income Tax	111.00-		INCOME TAX 1,167.12	314.00 553.45
1000 House Rent Allowance	2,955.00					
1210 Convey Allowance 20	5,000.00					
1528 Unattractive Area A	2,000.00					
1947 Medical Allow 15% (1	1,846.00					
1940 Adhoc Allowance 2010	4,925.00					
2148 15% Adhoc Relief All	2,580.00					
2174 Adhoc Relief Allow-2	1,720.00					
2199 Adhoc Relief Allow 0	2,379.00					
5964 Adj Adhoc Relief All	2,778.00	3017 GPF Subscription - Rs	2,898.00-		GPF#:	39,396.00

13

PAYMENTS 49,973.00 DEDUCTIONS 3,009.00 GPF#:
 Branch Code: 250316 MUNICIPAL BUS STAND PESHAWAR Allied Bank Limited MUNICIPAL BUS STAND PESHAWAR NET PAY PESHAWAR 46,964.00
 Accat. No: 0010024480770010

50203043 RAM MAHAZ PAYMENTS	Prev Pers No: AMOUNT	No: DEDUCTIONS	Desig: LECTURER AMOUNT	(00000869) Grade: 17 NTN: LOAN/FUND	Buckle No.: PRINCIPAL	Gazetted/Non-Gazetted: 6 REPAID BALANCE
0001 Basic Pay	22,235.00	3017 GPF Subscription - Rs	2,898.00-		GPF#:	30,436.00
1000 House Rent Allowance	2,955.00	3661 E.E.F (Exchange)	200.00-		INCOME TAX 2,100.04	1,582.00 518.35
1210 Convey Allowance 20	5,000.00	3701 Benevolent Fund(Excha	250.00-			
1528 Unattractive Area A	4,500.00	3704 Group Insurance(Excha	230.00-			
1693 15% Medical Allowanc	1,847.00	3609 Income Tax	104.00-			
1973 Adhoc Allowance 2011	4,925.00					
2151 Adhoc Allowance 2012	1,600.00					
2174 Adhoc Relief Allow-2	1,600.00					
2198 Adhoc Relief All 7.5	1,668.00					

12/2015-

PAYMENTS 46,330.00 DEDUCTIONS 3,682.00 NET PAY
 Branch Code: 226315 LANDIKOTAL Habib Bank limited LANDIKOTAL 42,648.00
 Accat. No: 03157900121703

50251401 ANJAN AFRIDI PAYMENTS	Prev Pers No: AMOUNT	No: DEDUCTIONS	Desig: ASSISTANT AMOUNT	(00000078) Grade: 16 NTN: LOAN/FUND	Buckle No.: PRINCIPAL	Gazetted/Non-Gazetted: 6 REPAID BALANCE
0001 Basic Pay	13,945.00	3561 E.E.F (Exchange)	125.00-			
1000 House Rent Allowance	1,818.00	3701 Benevolent Fund(Excha	250.00-			
1210 Convey Allowance 20	5,000.00	3704 Group Insurance(Excha	173.00-			

ATTESTED

[Signature]

attested
M. *[Signature]*

PRINCIPAL
G.D. College
Jamrud K/A

Accounts Office khyber
PAYROLL REGISTER
For the month of November ,2015

Page
Date

14

KH9000 PRJ. GDC JAMRUD KHYBER AGENCY		Payroll Section : 001 section 1		Cash Center:		Buckle No.:		Gazetted/N	
03043 RAB NAWAZ		Prev Pers No:		Desig: LECTURER		Grade: 17 NTN:		PRINCIPAL	
P A Y M E N T S		D E D U C T I O N S		A M O U N T		L O A N / F U N D		R E P A I D	
1 Basic Pay	20,680.00	3017 GPF Subscription - Rs	2,898.00-						
0 House Rent Allowance	2,955.00	3661 E.E.F (Exchange)	200.00-						
0 Convey Allowance 20	5,000.00	3701 Benevolent Fund(Excha	250.00-						
8 Unattractive Area A	4,500.00	3704 Group Insurance(Excha	230.00-						
3 15% Medical Allowanc	1,847.00	3609 Income Tax	62.00-						
3 Adhoc Allowance 2011	4,925.00								
1 Adhoc Allowance 2013	1,600.00								
4 Adhoc Relief Allow-2	1,600.00								
8 Adhoc Relief All 7.5	1,551.00								
PAYMENTS	44,658.00	DEDUCTIONS	3,640.00-	NET PAY				41,018.00	01.11.
nch Code:220315	LANDIKOTAL	Habib Bank limited	LANDIKOTAL					Accnt.No: 031	

51481 ADNAN AFRIDI		Prev Pers No:		Desig: ASSISTANT		Grade: 16 NTN:		Buckle No.:		Gazetted/N	
P A Y M E N T S		D E D U C T I O N S		A M O U N T		L O A N / F U N D		PRINCIPAL		R E P A I D	
1 Basic Pay	12,910.00	3300 GPF Dther Govt. Emp	2,275.00-								
0 House Rent Allowance	1,818.00	3661 E.E.F (Exchange)	125.00-								
0 Convey Allowance 20	5,000.00	3701 Benevolent Fund(Excha	250.00-								
3 Unattractive Area A	1,500.00	3704 Group Insurance(Excha	173.00-								
3 Adhoc Allowance 2011	3,030.00	3711 Addl Group Insuranc(E	19.00-								
4 Medical Allowance 20	909.00										
3 15% Adhoc Relief All	1,500.00										
4 Adhoc Relief Allow-2	1,000.00										
3 Adhoc Relief All 7.5	968.00										
PAYMENTS	28,635.00	DEDUCTIONS	2,842.00-	NET PAY				25,793.00	01.11.		
nch Code:250865	PDA BUILDING HAYATABAD PESHAWAR	Allied Bank Limited	PDA BUILDING HAYATABAD PESHAWAR					Accnt.No: 001			

attested
M. [Signature]
PRINCIPAL
G.D. College
Jamrud KIA

Accounts Office khyber
PAYROLL REGISTER
For the month of October, 2015

Page : 3,632
Date : 26.10.2015

15

DDO : KH9000 PRL. GOC JAMRUD KHYBER AGENCY
1000 House Rent Allowance 2,955.00
1210 Convey Allowance 20 5,000.00
1520 Unattractive Area A 2,000.00
1947 Medical Allow 15% A 1,846.00
1948 Adhoc Allowance 2010 4,925.00
2148 15% Adhoc Relief All 2,580.00
2174 Adhoc Relief Allow-2 1,720.00
2198 Adhoc Relief All 7.5 1,668.00
✓ 5950 Adj: Adhoc Relief All 120.00

Payroll Section : 001 section 1

Cash Center:

PAYMENTS
Branch Code: 250316

45,049.00
MUNICIPAL BUS STAND PESHAWAR

DEDUCTIONS
Allied Bank Limited

2,240.00-

2,317.00-

GPF#:

33,609.00

NET PAY
PESHAWAR

42,732.00 01.10.2015 31.10.2015
Acct.No: 0010024480770010

50203043 RAK HAWAZ
PAYMENTS ✓

Prev Pers No:
AMOUNT

Desig: LECTURER

(00600869)

Grade: 17 HTN:
LOAN/FUND

Circle No.:
PRINCIPAL

Gazetted/Non-Gazetted: G
REPAID BALANCE

0801 Basic Pay 20,680.00
1800 House Rent Allowance 2,955.00
1210 Convey Allowance 20 5,000.00
1520 Unattractive Area A 4,500.00
1893 15% Medical Allowanc 1,847.00
1973 Adhoc Allowance 2011 4,925.00
2151 Adhoc Allowance 2013 1,600.00
2174 Adhoc Relief Allow-2 1,600.00
2198 Adhoc Relief All 7.5 1,551.00

DEDUCTIONS
3017 GPF Subscription - Rs 2,240.00-
3661 E.E.F (Exchange) 200.00-
3701 Benevolent Fund(Excha 250.00-
3704 Group Insurance(Excha 230.00-
3609 Income Tax 63.00-

AMOUNT
2,240.00-
200.00-
250.00-
230.00-
63.00-

GPF#:
INCOME TAX 1,849.24

1,416.00

24,640.00
434.21

10/2015

PAYMENTS
Branch Code: 220315

44,658.00
LANDIKOTAL

DEDUCTIONS
Habib Bank limited

2,983.00-

LANDIKOTAL

NET PAY

41,675.00 01.10.2015 31.10.2015
Acct.No: 03157900121703

attested

M. Abbas

PRINCIPAL
G.D.College
Jamrud K/A

BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No: 1222/2015

Behram Khan Lecturer in Geography (BPS-17) GDC Jamrud Khyber Agency....Appellant.

VERSUS

1. Additional Chief Secretary FATA Secretariat Warsak Road Peshawar.
2. Secretary Social Sector Department FATA Secretariat Peshawar.
3. Director Education FATA Secretariat Peshawar.
4. Rab Nawaz Lecturer in Geography, GDC Sam SWA.

Para-wise comments on behalf of respondent No:1, 2 & 3

Respectfully Sheweth:

Preliminary Objections

1. That the appellant has got no cause of action to file the instant appeal.
2. That the appellant has not come to this Honourable Tribunal with clean hands.
3. That the appellant has concealed material facts from this Honourable Tribunal.
4. That the appellant is estopped by his own conduct to bring the present appeal.
5. That the appeal is bad due to mis-joinder and non-joinder of necessary parties.
6. That the appeal is barred by law and no departmental appeal is made to the competent authority against the impugned order. Hence not maintainable under Section-4 of Service Tribunal Act.

On Facts:

1. No comments. Pertains to record.
2. No comments. Pertains to record.
3. Incorrect. According to Posting Transfer Policy the appellant has completed his normal tenure and his transfer has been issued by the Competent Authority in the interest of Public and for the smooth running of the Department. According to Section-10 of Khyber Pakhtunkhwa Civil Servant Act-1973 "that every civil servant shall be liable to serve anywhere inside or outside the province". Therefore the appellant has no right to perform his duty according to his wishes.
4. Incorrect. The Departmental appeal has not been accepted as the appellant has completed his normal tenure and has not been performing his duties according to rules and creating problems for his superiors. In this connection principal of the college submitted a letter to the Director of Education FATA and stated that the Lecturer concerned is a non-punctual, irresponsible and non-serious person. He is not performing his duty properly (copy attached as Annexure-A). The Principal concerned has reported the appellant, that he is not punctual and take the leave without permission/proper application, report of abseentism attached as (Annexure-B) furthermore progress of the lecturer concerned has poor result, report attached as (Annexure-C).
5. Incorrect. The appellant transfer order has been issued by the Competent Authority in the interest of public and for the smooth running of the Department in accordance with law/rules. No action has been taken by the respondents which are against the rules/principle of justice.

Grounds:

- A. Incorrect. According to rules the appellant has completed his tenure. There is no provision in the rules on the basis of which the appellant can serve according to his wishes. Therefore the appellant has no right to perform his duty on one station forever.
- B. Incorrect. The transfer order has been issued by the Competent Authority in accordance with law and rules invogue in Education Department.

- C. Incorrect. As explained in Para-A above.
- D. Incorrect. As explained in Para-B above.
- E. Incorrect. The transfer order has been issued by the Competent Authority in accordance with law & rules as no one is allowed to violate the rules/regulations.
- F. Incorrect. Each & every Govt: Employee are bound to perform their duties according to instructions given by the Govt: from time to time in the interest of Public therefore no one is allowed to violate the Govt: rules.
- G. Incorrect. All employees including Principal attends the college regularly for look after and in the interest of Public according to the instructions of the high-ups of the Department.
- H. Incorrect. As explained in Para-F above.
- I. No comments: Pertains to record.
- J. Incorrect. As explained in Para-A above.
- K. Incorrect. Pertains to record.
- L. Respondents also seek permission to advance other grounds & proofs at the time of arguments.

In light of the above facts it is humbly requested to please dismiss the appeal having no legal grounds with cost.

Respondent NO. 1

For 
Additional Chief Secretary FATA

Respondent NO. 2


Secretary Social Sector FATA

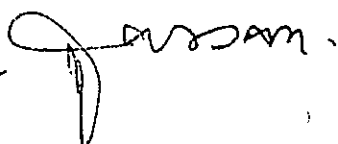
Respondent NO.3


Director Education FATA

AFFIDAVIT

We the above respondents do hereby declare and affirm that the above comments are true and correct to the best of our Knowledge and belief that nothing has been concealed from this Honorable Tribunal.

Respondent NO. 1

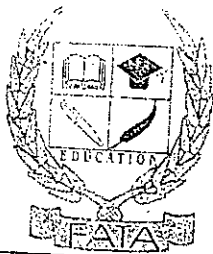
For 
Additional Chief Secretary FATA

Respondent NO. 2


Secretary Social Sector FATA

Respondent NO.3


Director Education FATA



186142

OFFICE OF THE PRINCIPAL
GOVT DEGREE COLLEGE
JAMRUD KHYBER AGENCY
PHONE # 091-5820252
No. 669
Dated 6/04/2015

To:

"A"

The Director of Education,
(FATA) Peshawar.


Subject: Transfer of Mr:Behram Khan Lecturer in Geography.

Memo:

Mr. Behram Khan Lecturer in Geography is a non punctual, irresponsible and non serious person. He is not performing his duty properly. He usually comes to the college very late. When he goes on leave, he does not give leave application.

He may be transferred to any other college.

8/4/2015

M. 
Principal
Govt Degree College
Jamrud Khyber Agency


Adil (CE)

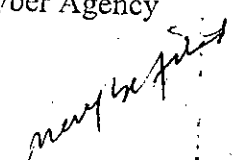
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30/4/15

DDCC)

2353

9/4/2015


9/4/15


DDCC) m27/11/15



GOVT: DEGREE COLLEGE
JAMRUD KHYBER AGENCY
PHONE. 091-5820252

NO. 671 DATE 10 / 4 / 2015

To

The Director Education,
FATA Khyber Pakhtunkhwa Peshawar.

Subject:- **ABSENTEES.**

Memo:-

As I Have written to your good Office that Mr. Behram Khan. Lecturer in Geography is not performing his duty properly and he does not give any leave application when he goes on leave. His absence dates are as under:-

In the Year 2013. September, 2013, 4 and 30

October, 2013 7, 9, 11 and 25. November, 2013, 2, 4, 11, 20, and 28. December, 2013, 2, and 17.

In the Year 2014. January, 2014, 2, 9, 16, 18, 20, 24, 28, and 31. February, , 2014-6, 10, 12, 17, 24 and 28.

September, 5, 9, 17, 18, 22 and 24. October, , 2014 4, 13, 20 and 30. November, , 2014 20 and 24. December, , 2014 6, 8, 9, 10, 12 and 16.

In the Year 2015. January, 2015, 16, 19, 27, 28, 29, 30 and 31. February, 2015, 3 and 24. March , 2015, 5 and 7.

M. 

PRINCIPAL,
GOVT: DEGREE COLLEGE,
JAMRUD KHYBER AGENCY



PRINCIPAL
G.D. College
Jamrud K/A


B.Sc Biological Sciences Part- 2

"C"

Result statement for Degree. Examination 2015 (A)

S/No.	Subject	Total	Absent	Appeared	Pass	Fail	Pass %age
1	Chemistry	13	1	12	12	0	100
2	Botany	27	2	25	24	1	96
3	Zoology	27	2	25	9	16	36
4	Geography	14	0	14	0	14	0
5	Pak.Study	27	0	27	27	0	100

Overall	Total	Absent	Appeared	Pass	Fail	Percentage
	27	1	26	26	0	100

M. 
PRINCIPAL
G.D. College
Jamrud K/A


9/4/2015

B.Sc Biological Sciences Part-1

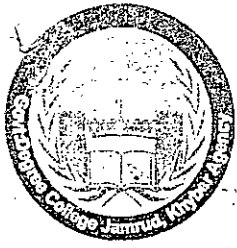
Result statement for Degree. Examination 2015 (A)

S/No.	Subject	Total	Absent	Appeared	Pass	Fail	Pass %age
1	Chemistry	19	0	19	10	9	53
2	Botany	36	3	33	33	0	100
3	Zoology	36	0	36	13	23	36
4	Geography	17	1	16	5	11	31
5	Isl(C)	36	0	36	33	3	92

Overall	Total	Absent	Appeared	Pass	Fail	Percentage
	36	0	36	31	5	86

M. 
PRINCIPAL
G.D. College
Jamrud, K.A.

9/4/2015



GOVT: DEGREE COLLEGE
JAMRUD KHYBER AGENCY
PHONE. 091-5820252
NO. _____ DATE _____ / _____ /2015

B.Sc.BIOLOGICAL SCIENCES PART -II

Result Statement for Degree Examination 2014 (A).

S.NO	SUBJECT	TOTAL	ABSENT	APPEARED	PASS	FAIL	PASS %
1	CHEMISTRY	30	0	30	25	5	83
2	ZOOLOGY	33	0	33	21	12	63
3	BOTANY	33	0	33	33	0	100
4	GEOGRAPHY	3	0	3	1	2	33
5	PAK.STD	33	0	33	33	0	100

OVERALL	TOTAL	ABSENT	APPEARED	PASS	FAIL	PASS%
	33	0	33	33	0	100%

M. 
PRINCIPAL

GDC JAMRUD KHYBER AGENCY.

PRINCIPAL
G.D.College
Jamrud K/A

9/4/2015




GOVT: DEGREE COLLEGE
JAMRUD KHYBER AGENCY
PHONE. 091-5820252
NO. _____ DATE _____ / _____ /2015

B.Sc.BIOLOGICAL SCIENCES PART -I

Result Statement for Degree Examination 2014 (A).

S.NO	SUBJECT	TOTAL	ABSENT	APPEARED	PASS	FAIL	PASS %
1	CHEMISTRY	15	0	15	7	8	47
2	BOTANY	33	2	31	30	1	97
3	ZOOLOGY	33	0	33	10	23	30
4	GEOGRAPHY	18	0	18	4	14	22
5	ISL(C)	33	0	33	33	0	100

OVERALL	TOTAL	ABSENT	APPEARED	PASS	FAIL	PASS%
	33	0	33	30	03	91%

M. 

PRINCIPAL
GDC JAMRUD KHYBER AGENCY.

PRINCIPAL
G.D.College
Jamrud KIA

9/4/2015

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR.

Service Appeal No 1222/2015

Behram Khan.....Appellant.

V E R S U S

ACS an Others..... Respondents

APPLICATION FOR THE IMPLEADMENT OF MR. MUHAMMAD IQBAL, PRINCIPAL GOVT. DEGREE COLLEGE JAMRUD KHYBER AGENCY IN THE PANEL OF RESPONDENTS.

Respectfully Submitted:-

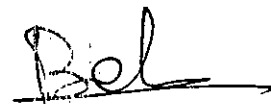
1. That the above titled Appeal is pending before this honorable Tribunal in which is fixed for today, i,e 12-05---2016.

2. That the transfer order of the appellant was issued on the basis of a complaint made by the mentioned Principal of the college and further he has also alleged that the result of the appellant is also poor, while the situation is otherwise, hence his impleadment is necessary for the just and proper disposal of the instant appeal.

That the valuable rights of the appellant are involved and if the mentioned Muhammad Iqbal is not made party, the appellant would suffer an irreparable loss besides there is no bar on his impleadment.

It is therefore prayed, that on acceptance of this application, the motioned Muhammad Iqbal may kindly be impleaded in the column of respondents.

Dated:--12-05-2016



Appellant

Through



Fazal Shah Mohmand

Advocate Peshawar.

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR.

Service Appeal No 1222/2015

Behram Khan.....Appellant.

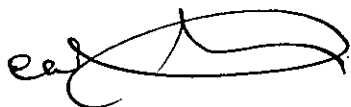
VERSUS

ACS an Others.....Respondents

A F F I D A V I T :-

I, Behram Khan S/O Jamroz Khan Lecturer in Geography (the applicant/appellant), do hereby solemnly affirm and declare on oath that the contents of this Application are true and correct to the best of my knowledge and belief and that nothing has been concealed from this honorable Tribunal.

Identified by



Fazal Shah Mohmand

Advocate Peshawar



DEPONENT

