

BEFORE THE KHYBER - PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

AMENDED SERVICE APPEAL NO.1501/2022

Shouakt Ali

V/S-

Education Deptt:

INDEX

S.No.	Documents	Annexure	P. No.
1	Memo of Appeal	-----	01-04
2	Affidavit	-----	05
3	Copies of FIR	A	06
4	Copy of suspension order	B	07
5	Copies of attendance register, pay slip, CNIC and order dated 24.09.2021	C,D,E&F	08-26
6	Copies of order dated 09.12.2021, departmental appeal and letter dated 15.09.2022	G,H&I	27-30
7	Copy of rejection order dated 05.10.2022	J	31
8	Copies of application and order dated sheet dated 06.03.2023	K&L	32-35

THROUGH:

APPELLANT



TAIMUR ALI KHAN
(ADVOCATE HIGH COURT)

& 

SHAKIR ULLAH TORANI
ADVOCATE

Cell# 0333-9390916

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

AMENDED SERVICE APPEAL NO.1501/2022

Shoukat Ali, Retired PSHT (BPS-15),
GPS Sher Ali Kali, Lower Orakzai.

Khyber Pakhtunkhwa
Service Tribunal
4858
13/4/2023
(APPELLANT)

VERSUS

1. The Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. The Director Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer, District Orakzai.

(RESPONDENTS)

**AMENDED APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974
AGAINST THE ORDER DATED 09.12.2021 RECEIVED BY
THE APPELLANT ON 24.03.2022, WHEREBY THE
SUSPENSION PERIOD OF THE APPELLANT W.E.F
01.04.2021 TO 31.07.2021 (122 DAYS) WAS TREATED
WITHOUT PAY AND AGAINST THE ORDER DATED
05.10.2022 RECEIVED BY THE APPELLANT ON 11.11.2022
DURING THE PENDENCY OF THE INSTANT APPEAL,
WHEREBY THE DEPARTMENTAL APPEAL OF THE
APPELLANT WAS REJECTED FOR NO GOOD GROUNDS.**

PRAYER:

**THAT ON THE ACCEPTANCE OF THIS AMENDED
APPEAL, THE ORDER DATED 09.12.2021 AND ORDER
DATED 05.10.2022 MAY KINDLY BE SET ASIDE AND THE
RESPONDENTS MAY KINDLY BE DIRECTED TO
CONVERT THE SUSPENSION PERIOD OF THE
APPELLANT W.E.F 13.03.2021 TO 13.09.2021 (185 DAYS)**

INTO FULL PAY UNDER FR-53(b). ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO, BE AWARDED IN FAVOUR OF APPELLANT.

RESPECTFULLY SHEWTH:

FACTS:

1. That the appellant was appointed on the post of PST (then PTC) in the respondent department in the year 1990 and since his appointed, the appellant has performed his duty with devotion and honesty, whatsoever assigned to him and no complaint has been filed against her regarding her performing.
2. That the appellant while serving as PSHT in GPS Sher Ali Killi was falsely implicated in criminal case vide FIR No.73 dated 08.02.2021 U/S 380, 411, 457 PPC P.S Ratta Amral Rawalpindi and the appellant has granted pre arrest bail by the competent court of law on 27.07.2021. **(Copies of FIR is attached as Annexure-A)**
3. That on the basis of above mentioned criminal case, the appellant was suspended with immediate effect through suspension order without mention the Endst. No. and date. **(Copy of suspension order is attached as Annexure-B)**
4. That the appellant was on suspension, but he was verbally directed by his department to resume his duty without reinstating him from suspension and on the basis of that direction he resumed his duty on 13.09.2021, which is evident from the attendance register of the school and he also received salary for that period and the appellant regularly performed his duty till his retirement as the appellant was retired from service on attaining the age of superannuation on 31.05.2022, however no proper order of retirement of the appellant has been issued by the department till date, but it can be endorsed from the date of birth mentioned in his CNIC and during performing his duty the appellant applied for bail, which was granted by the competent court of law. **(Copies of attendance register, pay slip, CNIC and order dated 24.09.2021 are attached as Annexure-C,D,E&F)**
5. That although the appellant was on suspension with effect from 13.03.2021 till 13.09.2021, but respondent No.3 passed an order dated 09.12.2021, wherein the period w.e.f 13.03.2021 to 13.09.2021 (185) treated without pay, which is clear violation of FR-53(b). The appellant received the said order dated 24.03.2022 and filed departmental appeal on 07.04.2022, on which comment was called

from respondent No.3 on which he submitted comment through letter dated 15.07.2022 and then the appellant filed the instant appeal before this Honorable Tribunal. **(Copies of order dated 09.12.2021, departmental appeal and letter dated 15.09.2022 are attached as Annexure-G,H&I)**

6. That during the pendency of the service appeal of the appellant before this Honorable Tribunal, the departmental appeal of the appellant was rejected on 05.10.2022 which was received by the appellant on 11.11.2022. **(Copy of rejection order dated 05.10.2022 is attached as Annexure-J)**

7. That as the departmental appeal of the appellant was rejected during the pendency of the instant service appeal, therefore the appellant filed an application to seek permission of this Honorable Tribunal to allow him to amend the instant appeal by impugning the rejection order dated 05.10.2022 in the instant appeal before this Honorable Tribunal which was allowed by the Honorable Tribunal on 06.03.2023. Hence the amended service appeal of the appellant in this Honorable Tribunal for redressal of his grievance on the following grounds amongst others. **(Copies of application and order dated sheet dated 06.03.2023 are attached as Annexure-K&L)**

GROUND:

- A) That the impugned order dated 09.12.2021 and rejection 05.10.2022 are against the law, facts, norms of justice, material on record and violation of FR-53(b), therefore not tenable and liable to be set aside.

- B) That the appellant was suspended on the basis of criminal case pending against him and he is entitled to full amount of her salary and all other benefits and facilities provided to him under the contract of service during the period of suspension under FR-53(b), but his suspension period w.e.f 13.03.2021 to 13.09.2021 (185) days treated without pay, which is clear violation of FR-53 (b).

- C) That the appellant was suspended on the basis of criminal case pending against him, but his suspension period w.e.f 13.03.2021 to 13.09.2021 (185) days was treated without pay through the impugned order dated 09.12.2021, which is clear violation of FR-53(b) and as such the impugned orders is liable to be set aside.

- D) That the appellant was not treated according to law and rules and has been deprived from his legal right of full pay under FR-53(b) for

suspension period w.e.f 13.03.2021 to 13.09.2021 (185) days, which was treated without pay.

- E) That the appellant seeks permission of this Honorable Tribunal to advance others grounds and proofs at the time of hearing.

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



APPELLANT

Shoukat Ali

THROUGH:



(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT

&



SHAKIR ULLAH TORANI

ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

AMENDED SERVICE APPEAL NO.1501/2022

Shoukat Ali

VS

Education Department

AFFIDAVIT

I, Shoukat Ali, Retired PSHT (BPS-15), GPS Sher Ali Kali, Lower Orakzai, (Appellant) do hereby affirm and declare that the contents of this amended service appeal are true and correct and nothing has been concealed from this Honorable Tribunal.



DEPONENT

A B
(A) (B)

ریس ٹیم نمبر 24-5-11

پول نمبر : RWP-RTA-002668

ایسی ہیڈ کوارٹرز کے تحت تمام ایسی ایجنسیوں کو مطلع کیا گیا ہے کہ وہ اپنی اپنی ذمہ داریوں کو نبھانے کے لیے اپنی اپنی سرکاری

ٹیموں کو روانہ کر دیں تاکہ پول نمبر RA-2/8/2021-418 کے تحت ایسی ہیڈ کوارٹرز کے تحت تمام ایسی ایجنسیوں کو مطلع کیا گیا ہے

08-02-2021 11:40 AM

پول نمبر 457/380

ایسی ہیڈ کوارٹرز کے تحت تمام ایسی ایجنسیوں کو مطلع کیا گیا ہے کہ وہ اپنی اپنی ذمہ داریوں کو نبھانے کے لیے اپنی اپنی سرکاری

پول نمبر 457/380

پول نمبر 457/380

پول نمبر 457/380

پول نمبر 17490253

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پول نمبر 17490253

08-02-2021

RECEIVED



OFFICE OF THE DISTRICT EDUCATION OFFICER

DISTRICT ORAKZAI
Phone No. 0925-690017

No. Dated...../...../.....

B 7
B 8

SUSPENSION ORDER:

in light of the GPO Rawalpindi FIR No. No. 73 accused under the law 457/3a(), dated 8/02/2021, the competent authority has been pleased to suspend Mr. Shoukat Ali PSHT at GPS Sher Ali Killi & Mst. Baswari Bibi PST at GGPS Sharo Dogala in Orakzai District with immediate effect till completion of the investigation/decision of the District Magistrate Rawalpindi.

**DISTRICT EDUCATION OFFICER
DISTRICT ORAKZAI**

Encls. No. ?..... Dated:/...../.....

Copy for information to the:

1. Deputy Commissioner, Orakzai.
2. Deputy Director (Estab), Directorate of Education (Merged Areas), Peshawar w.r.t his letter No. 5471/E-6/KC/Orakzai, dated 12/04/2021.
3. City Police Officer, Rawalpindi w.r.t his letter No. 3623, dated 10/04/2021.
4. District Police Officer, Orakzai for necessary legal action.
5. District Monitoring Officer, Orakzai.
6. District Account Officer, Orakzai with the request to stop their salaries with immediate effect.
7. ASDEOs (M/F), Lower Orakzai with the direction to do the needful regarding stoppage of their salaries till decision/clearance.

**DISTRICT EDUCATION OFFICER
DISTRICT ORAKZAI**

ATTESTED

(13)

بابت ماہ اکتوبر 2021ء												رجسٹر حاضر رہنے والے											
نوشاد علی				محمد علی				صباح علی				شوکت علی				ردیف							
جو کبھی				جو کبھی				PST				PSIT				نمبر							
اتوار	پنجشنبہ	جمعہ	ہفت روزہ	اتوار	پنجشنبہ	جمعہ	ہفت روزہ	اتوار	پنجشنبہ	جمعہ	ہفت روزہ	اتوار	پنجشنبہ	جمعہ	ہفت روزہ	نمبر							
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نوشاد علی		میں علی		مستان علی		شیرکت علی	
جو کبھی		جو کبھی		PST		PSHT	
روز	وقت	روز	وقت	روز	وقت	روز	وقت
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
SUNDAY							
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
SUNDAY							
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
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P		P		8:30	1:35	8:30	1:35
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P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
SUNDAY							
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35
P		P		8:30	1:35	8:30	1:35

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رجسٹر حاضرین ملذرتین		بانت ماہ دسمبر		2021	
نمبر	نوعیت	مستان علی	مستان علی	نوعیت	نمبر
	پست	پست	پست	پست	
SUNDAY					
1					
2					
3					
4					
5					
SUNDAY					
6					
7					
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9					
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SUNDAY					
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SUNDAY					
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21					
22					
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24					
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26					
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29					
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بابت سالہ جنوری 2022		سٹر جاسٹری انڈسٹریز					
چوکیدار		چوکیدار		PST		PSHT	
روز	وقت	روز	وقت	روز	وقت	روز	وقت
SUNDAY ہفت روزہ تعطیل 3 جنوری تا 12 جنوری 2022							
SUNDAY							
13	1:30	P	P	8:30	1:35	8:30	13
14	1:30	P	P	8:30	11:50	8:30	14
15	1:30	P	P	C/leave		1:35	8:30
SUNDAY							
17	1:35	P	P	8:30	11:50	8:30	17
18	1:35	P	P	8:30	1:35	8:30	18
19	1:35	P	P	8:30	1:35	8:30	19
20	1:35	P	P	8:30	1:35	8:30	20
21	1:35	P	P	8:30	1:35	8:30	21
22	1:35	P	P	8:30	1:35	8:30	22
SUNDAY							
24	1:35	P	P	8:30	1:35	8:30	24
25	1:35	P	P	8:30	1:35	8:30	25
26	1:35	P	P	8:30	1:35	8:30	26
27	1:35	P	P	8:30	1:35	8:30	27
28	1:35	P	P	8:30	C/leave		28
29	1:35	P	P	8:30	1:35	8:30	29
SUNDAY							
31	1:35	P	P	8:30	1:35	8:30	31

EMA
15/11/2022

(Signature)
15/11/2022
Private

ATTESTED

بابت سالہ تاریخ 2022ء درجہ اولیٰ مدرسہ اسلامیہ


نوشاد علی		حبیب علی		سیدناج علی		شیرین علی		نمبر
Chowkidar		Chowkidar		PST		PSHT		
نمبر	تاریخ	نمبر	تاریخ	نمبر	تاریخ	نمبر	تاریخ	
1	100	100	P	100	1:35	100	8:30	100
2	100	100	P	100	1:35	100	8:30	100
3	100	100	D	100	1:35	100	8:30	100
4	100	100	P	100	1:35	100	8:30	100
5	100	100	P	100	1:35	100	8:30	100
SUNDAY								
7	100	100	P	100	1:35	100	8:30	100
8	100	100	P	100	1:35	100	8:30	100
9	100	100	P	100	1:35	100	8:30	100
10	100	100	P	100	1:35	100	8:30	100
11	100	100	P	100	11:50	100	8:30	100
SUNDAY								
13	100	100	P	100	1:35	100	8:30	100
14	100	100	P	100	12:50	100	8:30	100
15	100	100	D	100	1:35	100	8:30	100
16	100	100	D	100	1:35	100	8:30	100
17	100	100	P	100	1:35	100	8:30	100
18	100	100	P	100	11:50	100	8:30	100
SUNDAY								
21	100	100	P	100	1:35	100	8:30	100
22	100	100	P	100	1:35	100	8:30	100
23	100	100	P	100	1:35	100	8:30	100
24	100	100	P	100	11:50	100	8:30	100
25	100	100	P	100	1:35	100	8:30	100
26	100	100	P	100	1:35	100	8:30	100
SUNDAY								
28	100	100	P	100	1:35	100	8:30	100
29	100	100	P	100	11:50	100	8:30	100
Election Holidays								

تاریخ	نمبر	تاریخ	نمبر	تاریخ	نمبر	تاریخ	نمبر

EMA
5-3-2022

ذمہ دار

2022				مہنت سہ ماہی				حکومتی مدرسہ							
پہلا شیفت		دوسرا شیفت		پہلا شیفت		دوسرا شیفت		پہلا شیفت		دوسرا شیفت		پہلا شیفت		دوسرا شیفت	
آد	دستور	آد	دستور	آد	دستور	آد	دستور	آد	دستور	آد	دستور	آد	دستور	آد	دستور
گوٹا 6 جنوری 2022															
عید الفطر کی جھڑیاں															
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SUNDAY															
Absent - Absent															
SUNDAY															

Sear by

 26/01/22

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Dist. Govt. KP-Provincial
District Accounts Office Orakzai at Hang
Monthly Salary Statement (December-2021)



Personal Information of Mr SHAWKAT ALI d/w/s of ARIF ALI

Personnel Number: 00433762 CNIC: 2160303837903 NTN:
Date of Birth: 07.06.1962 Entry into Govt. Service: 25.05.1987 Length of Service: 34 Years 07 Months 008 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL TEACHER 80926400-DISTRICT GOVERNMENT KHYBE
DDO Code: OI6012-DEO Primary Education Orakzai
Payroll Section: 001 GPF Section: 001 Cash Center: 15
GPF A/C No: GPF Interest Free GPF Balance: 310,593.00 (provisional)
Vendor Number: -
Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 15 Pay Stage: 20

Wage type	Amount	Wage type	Amount
0001 Basic Pay	42,720.00	1000 House Rent Allowance	2,349.00
1210 Convey Allowance 2005	2,856.00	1300 Medical Allowance	1,500.00
1505 Charge Allowance	40.00	1528 Unattractive Area Allow	1,000.00
2148 15% Adhoc Relief All-2013	850.00	2199 Adhoc Relief Allow @10%	568.00
2211 Adhoc Relief All 2016 10%	3,143.00	2224 Adhoc Relief All 2017 10%	4,272.00
2247 Adhoc Relief All 2018 10%	4,272.00	2264 Adhoc Relief All 2019 10%	4,272.00
2309 Adhoc Relief All 2021 10%	4,272.00	2315 Special Allowance 2021	3,500.00

Deductions - General

Wage type	Amount	Wage type	Amount
3015 GPF Subscription	-2,890.00	3501 Benevolent Fund	-1,200.00
3990 Emp.Edu. Fund KPK	-125.00	4004 R. Benefits & Death Comp:	-600.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till DEC-2021: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 75,614.00 Deductions: (Rs.): -4,815.00 Net Pay: (Rs.): 70,799.00

Payee Name: SHAWKAT ALI
Account Number: 29561-7
Bank Details: NATIONAL BANK OF PAKISTAN, 230354 MAIN BRANCH KOHAT MAIN BRANCH KOHAT, KOHAT

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: ORAKZAI AGENCY Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official
Temp. Address: Email: shoukatalihng@gmail.com
City:

ATTESTED

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Dist. Govt. KP-Provincial
District Accounts Office Orakzai at Hang
Monthly Salary Statement (January-2022)



Personal Information of Mr SHAWKAT ALI d/w/s of ARIF ALI

Personnel Number: 00433762 CNIC: 2160303837903
Date of Birth: 07.06.1962 Entry into Govt. Service: 25.05.1987

NTN:
Length of Service: 34 Years 08 Months 008 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL TEACHER 80926400-DISTRICT GOVERNMENT KHYBE
DDO Code: OI6012-DEO Primary Education Orakzai

Payroll Section: 001 GPF Section: 001 Cash Center: 15
GPF A/C No: GPF Interest Free

GPF Balance: 313,483.00 (provisional)

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay-Scale Type: Civil BPS: 15 Pay Stage: 20

Wage type		Amount	Wage type		Amount
0001	Basic Pay	42,720.00	1000	House Rent Allowance	2,349.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1505	Charge Allowance	40.00	1528	Unattractive Area Allow	1,000.00
2148	15% Adhoc Relief All-2013	850.00	2199	Adhoc Relief Allow @10%	568.00
2211	Adhoc Relief All 2016 10%	3,143.00	2224	Adhoc Relief All 2017 10%	4,272.00
2247	Adhoc Relief All 2018 10%	4,272.00	2264	Adhoc Relief All 2019 10%	4,272.00
2309	Adhoc Relief All 2021 10%	4,272.00	2315	Special Allowance 2021	3,500.00

Deductions - General

Wage type		Amount	Wage type		Amount
3015	GPF Subscription	-2,890.00	3501	Benevolent Fund	-1,200.00
3990	Emp.Edu. Fund KPK	-125.00	4004	R. Benefits & Death Comp:	-600.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till JAN-2022: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 75,614.00 **Deductions: (Rs.): -4,815.00** **Net Pay: (Rs.): 70,799.00**

Payee Name: SHAWKAT ALI
Account Number: 29561-7
Bank Details: NATIONAL BANK OF PAKISTAN; 230354 MAIN BRANCH KOHAT MAIN BRANCH KOHAT, KOHAT

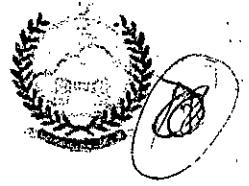
Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: City: ORAKZAI AGENCY Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official
Temp. Address: City: Email: shoukatalihng@gmail.com

ATTESTED

19

Dist. Govt. KP-Provincial
District Accounts Office Orakzai at Hang
Monthly Salary Statement (February-2022)



Personal Information of Mr SHAWKAT ALI d/w/s of ARIF ALI

Personnel Number: 00433762 CNIC: 2160303837903 NTN:
Date of Birth: 07.06.1962 Entry into Govt. Service: 25.05.1987 Length of Service: 34 Years 09 Months 005 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL TEACHER 30926400-DISTRICT GOVERNMENT KHYBE
DDO Code: OI6012-DEO Primary Education Orakzai
Payroll Section: 001 GPF Section: 001 Cash Center: 15
GPF A/C No: GPF Interest Free GPF Balance: 316,573.00 (provisional)
Vendor Number: -
Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 15 Pay Stage: 20

Wage type	Amount	Wage type	Amount
0001 Basic Pay	42,720.00	1000 House Rent Allowance	2,349.00
1210 Convey Allowance 2005	2,856.00	1300 Medical Allowance	1,500.00
1505 Charge Allowance	40.00	1528 Unattractive Area Allow	1,000.00
2148 15% Adhoc Relief All-2013	850.00	2199 Adhoc Relief Allow @10%	568.00
2211 Adhoc Relief All 2016 10%	3,143.00	2224 Adhoc Relief All 2017 10%	4,272.00
2247 Adhoc Relief All 2018 10%	4,272.00	2264 Adhoc Relief All 2019 10%	4,272.00
2309 Adhoc Relief All 2021 10%	4,272.00	2315 Special Allowance 2021	3,500.00

Deductions - General

Wage type	Amount	Wage type	Amount
3015 GPF Subscription	-2,890.00	3501 Benevolent Fund	-1,200.00
3990 Emp.Edu. Fund KPK	-125.00	4004 R. Benefits & Death Comp.	-600.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till FEB-2022: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 75,614.00 Deductions: (Rs.): -4,815.00 Net Pay: (Rs.): 70,799.00

Payee Name: SHAWKAT ALI
Account Number: 29561-7
Bank Details: NATIONAL BANK OF PAKISTAN, 230354 MAIN BRANCH KOHAT MAIN BRANCH KOHAT, KOHAT

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: City: ORAKZAI AGENCY Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official
Temp. Address: City: Email: shoukatalibng@gmail.com

ATTESTED

(20)

Dist. Govt. KP-Provincial
District Accounts Office Orakzai at Hang
Monthly Salary Statement (March-2022)



Personal Information of Mr SHAWKAT ALI d/w/s of ARIF ALI

Personnel Number: 00433762 CNIC: 2160303837903 NTN:
Date of Birth: 07.06.1962 Entry into Govt. Service: 25.05:1987 Length of Service: 34 Years 10 Months 008 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL TEACHER 80926400-DISTRICT GOVERNMENT KHYBE
DDO Code: OI6012-DEO Primary Education Orakzai
Payroll Section: 001 GPF Section: 001 Cash Center: 15
GPF A/C No: GPF Interest Free **GPF Balance:** 319,263.00 (provisional)
Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 15 Pay Stage: 20

Wage type		Amount	Wage type		Amount
0001	Basic Pay	42,720.00	1000	House Rent Allowance	2,349.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1505	Charge Allowance	40.00	1528	Unattractive Area Allow	1,000.00
2148	15% Adhoc Relief All-2013	850.00	2199	Adhoc Relief Allow @10%	568.00
2211	Adhoc Relief All 2016 10%	3,143.00	2224	Adhoc Relief All 2017 10%	4,272.00
2247	Adhoc Relief All 2018 10%	4,272.00	2264	Adhoc Relief All 2019 10%	4,272.00
2309	Adhoc Relief All 2021 10%	4,272.00	2315	Special Allowance 2021	3,500.00

Deductions - General

Wage type		Amount	Wage type		Amount
3015	GPF Subscription	-2,890.00	3501	Benevolent Fund	-1,200.00
3990	Emp.Edu. Fund KPK	-125.00	4004	R. Benefits & Death Comp:	-600.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till MAR-2022: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 75,614.00 Deductions: (Rs.): -4,815.00 Net Pay: (Rs.): 70,799.00

Payee Name: SHAWKAT ALI

Account Number: 29561-7

Bank Details: NATIONAL BANK OF PAKISTAN, 230354 MAIN BRANCH KOHAT MAIN BRANCH KOHAT, KOHAT

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: ORAKZAI AGENCY

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email: shoukatalihng@gmail.com

ATTESTED

21

Dist. Govt. KP-Provincial
District Accounts Office Orakzai at Hang
Monthly Salary Statement (April-2022)



Personal Information of Mr SHAWKAT ALI d/w/s of ARIF ALI

Personnel Number: 00433762 CNIC: 2160303837903 NTN:
Date of Birth: 07.06.1962 Entry into Govt. Service: 25.05.1987 Length of Service: 34 Years 11 Months,007 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL TEACHER 80926400-DISTRICT GOVERNMENT KHYBE
DDO Code: OI6012-DEO Primary Education Orakzai
Payroll Section: 001 GPF Section: 001 Cash Center: 15
GPF A/C No: GPF Interest Free GPF Balance: 322,153.00 (provisional)
Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 15 Pay Stage: 20

Wage type		Amount	Wage type		Amount
0001	Basic Pay	42,720.00	1000	House Rent Allowance	2,349.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1505	Charge Allowance	40.00	1528	Unattractive Area Allow	1,000.00
2148	15% Adhoc Relief All-2013	850.00	2199	Adhoc Relief Allow @10%	568.00
2211	Adhoc Relief All 2016 10%	3,143.00	2224	Adhoc Relief All 2017 10%	4,272.00
2247	Adhoc Relief All 2018 10%	4,272.00	2264	Adhoc Relief All 2019 10%	4,272.00
2309	Adhoc Relief All 2021 10%	4,272.00	2315	Special Allowance 2021	3,500.00
2341	Dispr. Red All 15% 2022KP	6,408.00	5002	Adjustment House Rent	9,045.00
5011	Adj Conveyance Allowance	7,330.00	5012	Adjustment Medical All	3,850.00
5102	Adj Unattractive Area All	3,850.00	5150	Adj. Teaching Allow 2021	8,275.00
5151	Adj. Adhoc Rel Allow 2021	10,965.00	5155	Adj. Disp. Red All 2022KP	6,408.00
5309	Adj. 15% Adhoc Allowance	2,182.00	5322	Adj Adhoc Relief All 2018	10,965.00
5336	Adj Adhoc Relief All 2019	10,965.00	5801	Adj Basic Pay	122,481.00
5975	Adj Adhoc Relief All 2016	8,067.00	5990	Adj Adhoc Relief All 2017	10,965.00

Deductions - General

Wage type		Amount	Wage type		Amount
3015	GPF Subscription	-2,890.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-2,333.00	3990	Emp.Edu. Fund KPK	-125.00
4004	R. Benefits & Death Comp:	-600.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 8,193.45 Recovered till APR-2022: 2,333.00 Exempted: 1194.73 Recoverable: 4,665.72

Gross Pay (Rs.): 297,370.00 Deductions: (Rs.): -7,148.00 Net Pay: (Rs.): 290,222.00

Payee Name: SHAWKAT ALI
Account Number: 29561-7
Bank Details: NATIONAL BANK OF PAKISTAN, 230354 MAIN BRANCH KOHAT MAIN BRANCH KOHAT, KOHAT

Leaves: Opening Balance: Aailed: Earned: Balance:

ATTESTED

22

Permanent Address:

City: ORAKZAJAGENCY

Temp Address:

City:

Domicile: NW - Khyber Pakhtunkhwa

Email: shoukatalibng@gmail.com

Housing Status: No Official

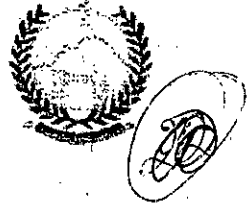


22


ATTESTED

23

Dist. Govt. KP-Provincial
District Accounts Office Orakzai at Hang
Monthly Salary Statement (May-2022)



Personal Information of Mr SHAWKAT ALI d/w/s of ARIF ALI

Personnel Number: 00433762 CNIC: 2160303837903 NTN:
Date of Birth: 07.06.1962 Entry into Govt. Service: 25.05.1987 Length of Service: 35 Years 00 Months 008 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL TEACHER 80926400-DISTRICT GOVERNMENT KHYBE
DDO Code: OI6012-DEO Primary Education Orakzai
Payroll Section: 001 GPF Section: 001 Cash Center: 15
GPF A/C No: GPF Interest Free **GPF Balance:** 325,043.00 (provisional)
Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 15 Pay Stage: 20

Wage type		Amount	Wage type		Amount
0001	Basic Pay	42,720.00	1000	House Rent Allowance	2,349.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1505	Charge Allowance	40.00	1528	Unattractive Area Allow	1,000.00
2148	15% Adhoc Relief All-2013	850.00	2199	Adhoc Relief Allow @10%	568.00
2211	Adhoc Relief All 2016 10%	3,143.00	2224	Adhoc Relief All 2017 10%	4,272.00
2247	Adhoc Relief All 2018 10%	4,272.00	2264	Adhoc Relief All 2019 10%	4,272.00
2309	Adhoc Relief All 2021 10%	4,272.00	2315	Special Allowance 2021	3,500.00
2341	Dispr. Red All 15% 2022KP	6,408.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3015	GPF Subscription	-2,890.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-2,333.00	3990	Emp.Edu. Fund KPK	-125.00
4004	R. Benefits & Death Comp:	-600.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 8,193.45 Recovered till MAY-2022: 4,666.00 Exempted: 1194.66 Recoverable: 2,332.79

Gross Pay (Rs.): 82,022.00 Deductions: (Rs.): -7,148.00 Net Pay: (Rs.): 74,874.00

Payee Name: SHAWKAT ALI
Account Number: 29561-7
Bank Details: NATIONAL BANK OF PAKISTAN, 230354 MAIN BRANCH KOHAT MAIN BRANCH KOHAT, KOHAT

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

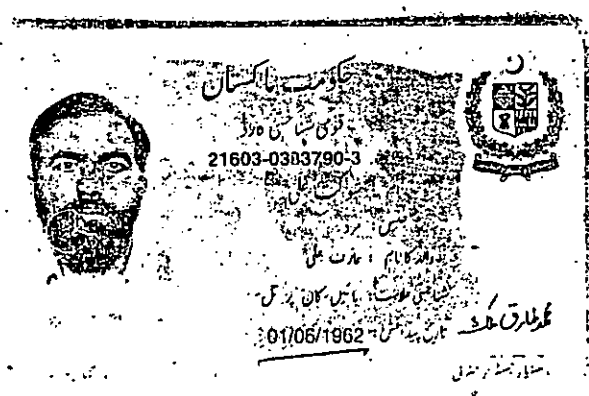
City: ORAKZAI AGENCY Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official

Temp. Address: City: Email: shoukatalihng@gmail.com

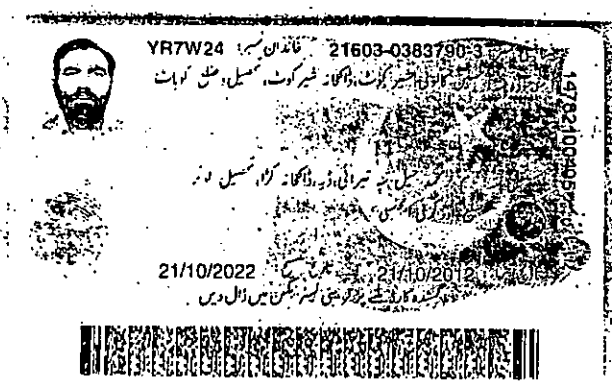
Signature
ATTESTED

E (24)

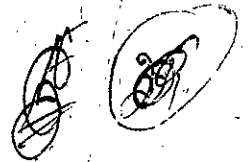
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31/5/2022
 Retirement
 date

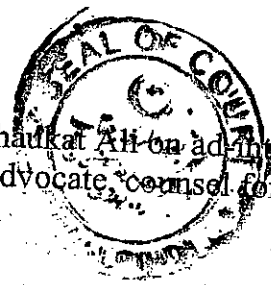


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ATTESTED



24.09.2021

Present:- Accused/petitioner Shaukat Ali on ad-interim pre-arrest bail.
Raja Arshad Hayat Advocate, counsel for the accused/petitioner.
I.O with record.
ADPP for the State.



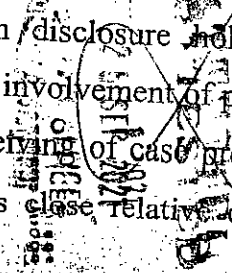
Through instant petition, accused/petitioner Shaukat Ali has sought his pre-arrest bail in case FIR No.73 dated 08.02.2021, offence U/S 457/380/411 PPC, registered at P.S Ratta Amral, Rawalpindi.

2. It has been argued by learned counsel for the accused/petitioner that accused/petitioner is innocent and has falsely been involved in this case on the basis of concocted story; that the accused/petitioner is not nominated in the FIR; that the case of accused/petitioner is one of further inquiry; that the alleged offence does not fall within the ambit of prohibitory clause of Section 497 Cr.P.C; that co-accused have already been admitted to bail by learned Area Magistrate. It has been prayed that by accepting this bail petition, ad-interim pre-arrest bail already granted to the accused/petitioner may be confirmed.

3. On the other hand, learned ADPP on behalf of the State has vehemently opposed this bail petition and has prayed for its dismissal.

4. Arguments heard. Record perused.

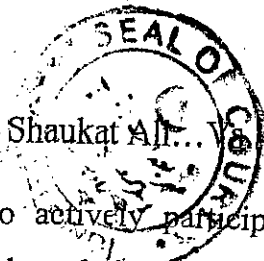
5. The present case was registered against some unknown accused initially and then one of the accused Shahzad Ali was arrested. Upon the disclosure made by accused Shahzad Ali while in police custody, the present accused/petitioner Shoukat Ali as well as the accused Nadia and Baswari Jan were nominated vide Zimni No.20 dated 17.03.2021. The allegation against the present accused/petitioner is only to the extent that the accused Shahzad Ali handed over 660 grams gold i.e stolen property to him and the others for keeping the same in their custody. In this way, the offence attributed to accused/petitioner falls within the definition of offence U/S 411 PPC. As already mentioned the present accused/petitioner has been nominated on the basis of a disclosure by the co-accused but such disclosure holds no importance in the eyes of law. No detail regarding the involvement of present accused/petitioner or the time, date and place of receiving of case property has been provided. The present accused/petitioner is close relative of the



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(Signature)



Shaukat Ali... Vs. The State

other accused who actively participated in the occurrence and his false nomination cannot be ruled out. The main accused who nominated them has already been granted bail. It is pertinent to mention here that two other co-accused Mst.Nadia and Baswari Jan having the same role have also been granted pre-arrest bail vide order dated 27.07.2021 and the present accused/petitioner is also entitled for grant of bail under the rule of consistency. In view of that instant bail petition is accepted and ad-interim pre-arrest bail already granted to the accused/petitioner is confirmed subject to his furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of learned trial Court within seven days of this order. File be consigned to the record room after its due completion and compilation.

Announced
24.09.2021



(Signature)
Tahir Abbas Sipra,
Addl: Sessions Judge,
Rawalpindi

ATTESTED
27 SEP 2021
STATE JEECER
District & Sessions Judge
Rawalpindi

Petition No. 72155
25/9/21
No. of Pages 6
Fees 12
Amount 25000
Amount realised to Applicant 25000
Security 25000

(Signature)
ATTESTED

9 (27)



OFFICE OF THE DISTRICT EDUCATION OFFICER, DISTT:ORAKZAI.

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LEAVE SANCTION ORDER.

In exercise of power conferred upon the competent authority vide rules 5-(a) of the District Govt: Rules of Business 2001 read with NWFP Govt: revised leave rules 1981.Sanction to the grant of following leave are hereby accorded.

S.No.	Name of Official & Desig:	Name of Office/ School	Nature of Leave	Period of Leave	Remarks
1	Mr.Shoukat Ali PSHT	GPS Darvezai	Leave without pay	Wef:13/3/2021 to 13/9/2021(185)	(185 Days without pay)

Note :- Necessary entry to this effect should be made in her/his service books.

(FARID ULLAH MEHSOOD)
DISTT EDUCATION OFFICER,
DISTT: ORAKZAI.

Endst: No. 9126-42 /Dated Orakzai the 9/13 /2021.

Copy to the:-

1. District Accounts Officer, Distt: Orakzai.
2. DDEO (M) Distt: Orakzai.
3. ASDEO Circle Office.
4. DMO Distt: Orakzai.
5. Head Teacher concerned.
6. Official concerned.
7. Office copy

DISTT EDUCATION OFFICER,
DISTT: ORAKZAI.

۲۰۲۱ء ۲۶ مارچ ۲۰۲۲ء آردر ہذا کو منظور کیا گیا

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ATTESTED

H 28

TO

The Director (E&SE) Department,
Khyber Pakhtunkhwa Peshawar.

Subject: **DEPARTMENT APPEAL AGAINST THE ORDER DATED
09-12-2021 OF THE DISTRICT EDUCATION OFFICER
DISTRICT ORAKZAI (COMMUNICATED TO THE
APPELLANT ON 24-03-2022)**

Respected Sir,

Most respected it is stated that:

1. I am regular employee of your department and presently working as Primary School Head Teacher (BPS-15) and while lastly posted at Govt. Primary School, Khair Ali Kali, Lower Orakzai was involved in a concocted case vide FIR No. 73 dated 08-02-2021 u/s 157/380/411 PPC of Police Station Rata Amral, Rawalpindi.
2. I immediately approached the District Education Officer Orakzai by conveying the actual fact regarding false implication in the mentioned case vide application of the even date.
(Copy of the application is attached)
3. In response to the application, I was suspended by the competent authority on the same ground.
(Copy of Suspension Order is attached)
4. After release on bail by the court of Law in September 2021, I approached the competent authority (District Education Officer, Orakzai) for resuming my duties and accordingly started performing my duties. Astonishingly, I was informed that the period of suspension w.e.f 13-03-2021 to 13-09-2021 has been treated as Leave Without Pay (LWP) by the competent authority vide order dated 09-12-2021 which was received by me through my own efforts on 24-03-2022.
(Copy of Impugned order dated 09-12-2021 is attached)
5. In this respect it is stated that the impugned order is illegal on the ground that I was properly suspended as I have timely informed my high ups regarding my false involvement in a criminal.

DDE (01)
22/6

ATTESTED

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6. I properly appeared before the competent court of Law for facing the consequences of the false FIR registered against me wherein I was bail out in September 2021.

7. Accordingly, the prevailing law & rules I am fully entitle for the Pay & Other allowances during my suspension period i.e. 13-03-2021 to 13-09-2021 but unfortunately, the competent authority issued the impugned illegal order dated 09-12-2021 without any cogent reason and without affording any opportunity of my personal defense.

It is, therefore, most kindly requested that the impugned order dated 09-12-2021 may be cancelled and I my allowed to draw the benefit of the period from 13-03-2021 to 13-09-2021 and oblige please.

Dated: 07-04-2022

Obediently Yours,

SHOUKAT ALI (PSHT),

GPS Khair Ali Kali, Lower Orakzai

ATTESTED

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NOTICE (1) - The Post Office is not responsible for loss or damage in the case of inland registered

~~30~~ ~~30~~



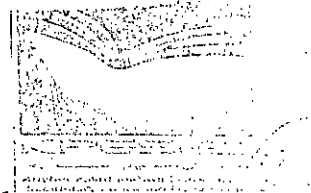
OFFICE OF THE DISTRICT EDUCATION OFFICER-ORAKZAI

Umar Plaza, Main Kohat Road, Muslimabad-Hangu.

Phone # 0925-690017 Fax # 0925-690017

Email: deoorakzai2020@gmail.com

Endst No 4873 Date: 15.9.2022



To,

The Assistant Director (Estab.)
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar.

Subject:

DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 9/12/2021 OF THE DEO ORAKZAI (COMMUNICATED TO THE APPEAL ON 24/3/2022).

Please refer to your office letter No 5759-61/EMMI M:Orak Vol 01, Dated 5/7/2022 on the above captioned subject.

Detail reply of the aforesaid appeal is as under:

1. Mr. Shoukat Ali PSHT was serving at GPS Khair Ali Kili Lower Orakzai, he was absent w/e f from dated 13/3/2021 to 13/9/2021 (185 days) without prior permission from concerns. Absentee's reports of ASDEO Lower & Deputy DEO are annexed.
2. This office approved/converted absent period (185 days) to leave without pay vide No 5186-82 dated 9/12/2021. (Leave sanction order is attached for ready reference)
3. Mr. Shoukat Ali PSHT was charged under FIR No. 73 Dated 8/2/2021, offence U/S 457/389/411 PPC, registered at Police station Ratta Amrat, District Rawalpindi.
4. Bail before arrest (BBA) was granted on 24-9-2021 by Additional Session Judge Rawalpindi (Orak Sheet is attached).
5. Mr. Shoukat Ali resumed his duty from 13/9/2021 in GPS Khair Ali Kili Lower Orakzai and his salary is active since then accordingly. Now he is demanding the salaries of the absentee's period i.e (185 days) which has already been converted to leave without pay. (Application of the applicant is attached).

As the appellant was found absconder by the Punjab Police & remained absent from official duty during the period as mentioned above. Moreover, his absent period has already been converted into leave without pay, hence his pay in the instant period could be not be justified.

Report is submitted for your kind perusal as desired, please

[Signature]
DISTRICT EDUCATION OFFICER
ORAKZAI

Copy of Even No. & Date:

Copy forwarded for information and necessary action to the-

1. PA to the Director (E&SE) Khyber Pakhtunkhwa Peshawar.
2. PA to Additional Director (Estab.), Directorate of Education, Merged Areas, Peshawar.
3. ADEO (Litigation), local office, Orakzai.
4. Mr. Shoukat Ali, PSHT GPS Khair Ali Katal, Lower Orakzai.
5. Office Copy.

[Signature]
DISTRICT EDUCATION OFFICER
ORAKZAI

[Signature]

ATTESTED

OFFICE OF THE DISTRICT EDUCATION OFFICER-ORAKZAI
 Umar Plaza, Main Kohat Road, Muslimabad-Hangu.
 Phone # 0925-690017 Fax # 0925-690017
 EMAIL: DEOORAKZAI2020@GMAIL.COM
 Endst No. 9873 Date: 15.7.2022

To,

The Assistant Director (Estab:)
 Elementary & Secondary Education
 Khyber Pakhtunkhwa, Peshawar.

Subject: DEPARTMENT APPEAL AGAISNT THE ORDER DATED 9/12/OF THE DEO ORAKZAI (COMMUNICATED TO THE APPEAL ON 24/3/2022).

Please refer to your office letter No. 5759-61/EM/II M/Orak Vol 01, Dated 6/7/2022 on the above captioned subject.

Detail reply of the aforesaid appeal, is as under.

1. Mr. Shoukat Ali PSHT was serving at GPS Khair Ali Kili Lower Orakzai, he was absent w.e.f from dated 13/3/2021 to 13/9/2021 (185 days) without prior permission from concerns. Absentee's reports of ABDEO lower & Deputy DEO are annexed.
2. This office approved converted absent period (185 days) to leave without pay vide NO. 9186-92 dated 9/12/2021 (Leave sanction order is attached for ready reference).
3. Mr. Shukat Ali PSHT was charged under FIR No. 91 Dated 8/2/2021 offence U/S 457/380/411 PPC registered at Police station Ratia Amral. District Rawalpindi.
4. Bail before arrest (BBA) was granted on 24-9-2021 by Additional Session judge Rawalpindi (Order Sheet is attached).
5. Mr. Shaukat Ali resumed his duty from 13/9/2021 in GPS Khair Ali Killi Lower Orakzai and his salary is active since then accordingly. Now he is demanding the salaries of the absentee's period i.e (185 days) which has already been convened to leave without pay. (Application of the applicant is attached).

As the appellant was found absconder by the Punjab Police & remained absent from official duty during the period as mentioned above. Moreover, his absent period has already been converted into leave without pay, hence his pay in the instant period could be not be justified.

Report is submitted for your kind perusal as desired, please.

DISTRICT EDUCATION OFFICER
 ORAKZAI

Copy of Even No. & Date:

Copy forwarded for information and necessary action to the:-

1. PA to the Director (E&SE) Khyber Pakhtunkhwa Peshawar.
2. PA to Additional Director (Estab:), Directorate of Education, Merged Areas, Peshawar.
3. ADEO (Litigation), local office, Orakzai.
4. Mr. Shoukat Ali, PSHT GPS Khair Ali Kalai, Lower Orakzai.
5. Office Copy.


ATTESTED

DISTRICT EDUCATION OFFICER
 ORAKZAI

J (31)

Directorate of Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar
No. 9116/GS

The District Education Officer (Male)
Orakzai



Subject: DEPARTMENTAL APPEAL AGAINST THE ORDER DATED
08/12/2021 OF THE DCO ORAKZAI COMMUNICATED TO THE
Appellant: MR. SHAUKAT ALI PSHT

It is directed to refer to the subject cited above and
that after perusal of the case in the light of your letter No. 3473
10/09/2022, the Competent Authority is pleased to recall the
Mr. Shaukat Ali PSHT at GPS Khair Ali Kill Lower Orakzai.

It is further directed to ask you to give the
necessary reply please.

(Signature)
Assistant Director (Male)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar



OFFICE OF THE DISTRICT EDUCATION OFFICER (M)-ORAKZAI
Umar Plaza, Main Kohat Road, Muslimabad-Rangula
Phone # 0925-890017 Fax # 0925-890017
Email deorakzai2020@gmail.com



Copy Forwarded for information to the :-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
2. Shaukat Ali PSHT GPS Khair Ali Kill With the remarks that you're Appeal has been rejected by District Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
3. Local Office Copy

2 مئی 2022ء کو
ڈپٹی ڈائریکٹر

DISTRICT EDUCATION OFFICER
(Male) ORAKZAI

(Signature)
ATTESTED

BETTER COPY-P-31

**DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION KHYBER
PAKHTUNKHWA PESHAWAR**

PHONE: 091-9330242 FAX:

NO. 9146-48/

DATED: 02/10/2022

To

The District Education Office (Male)
Orakzai

SUBJECT:

**DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 09/12/2021 OF THE DEO
ORAKZAI (COMMUNICATED TO THE APPEAL ON 24/03/2021)**

I am directed to refer to the subject cited above and to stated that after perusal of the case in the light of your letter No.9873 dated 16/09/2022 the competent authority is pleased to reject the appeal of Mr. Shaukat Ali PSHT in GPS Khair Ali Kalay Lower Orakzai.

I am further directed to ask you to inform the official accordingly please.

Assistant Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

**OFFICE OF THE DISTRICT EDUCATION OFFICER (M)- ORAKZAI
UMER PLAZA MAIN KOHAT ROAD MUSLIMABAD HANGU
PHONE # 0925-690017 FAX # 0925-690017**

COPY FORWARDED FOR INFORMATION TO THE:

1. DIRECTORATE ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA PESHAWAR
2. SHAUKAT ALI PSHT GPS KHAIR ALI KILLI WITH THE REMARKS THAT YOUR APPEAL HAS BEEN REJECTED BY DIRECTOR ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA PESHAWAR
3. LOCAL OFFICE COPY

ATTESTED



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Service Appeal No. 1501 /2022

Khyber Pakhtunkhwa
Service Tribunal

Order No. 2167

Dated 6-12-2022

Shoukat Ali

V/S

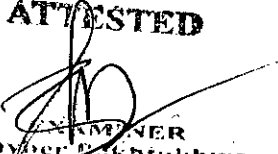
Education Department

APPLICATION FOR PERMISSION TO ALLOW THE APPELLANT TO AMEND THE INSTANT APPEAL DUE THE PASSING OF THE REJECTION ORDER DATED 05.10.2022 RECEIVED BY THE APPELLANT ON 11.11.2022 DURING THE PENDENCY OF INSTANT APPEAL.

RESPECTFULLY SHEWETH:


1. That the appellant has filed the instant against the order dated 09.12.2022 whereby suspension period of the appellant w.e.f 13.03.2021 to 13.09.2021 (185) days was treated without pay and against the order dated 15.09.2022, whereby the respondent No.3 denied the claim of the appellant in the comments on the departmental appeal of the appellant.
2. That respondent No.3 denied the claim of the appellant in the comments on the departmental appeal of the appellant, however, no action has taken on the departmental appeal of the appellant within the statutory period of ninety days.
3. That the appellant filed the instant service appeal in this Honorable Tribunal and during the pendency of the instant service appeal the departmental appeal of the appellant was rejected on 05.10.2022 which was received by the appellant on 11.11.2022 and as the departmental appeal of the appellant was rejected on 05.10.2022 during the pendency of the instant appeal which also needs to be challenged in the instant service appeal before this Honorable

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Tribunal, therefore the appellant wants to amend the instant appeal by impugning the rejection order dated 05.10.2022 in the instant appeal. (Copy of rejection order dated 05.10.2022 is attached as Annexure-R-1)

It is therefore most humbly prayed that on the acceptance of this application, the appellant may kindly be allowed to amend the instant appeal by impugning the rejection order dated 05.10.2020 in the instant appeal before this Honorable Tribunal.

APPELLANT
THROUGH:

TAIMUR ALI KHAN
ADVOCATE HIGH COURT

AFFIDAVIT

It is affirmed and declared that the contents of this application are true and correct to the best of my knowledge and belief.




DEPONENT

6 DEC 2022

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

SERVICE APPEAL NO. 1501/2022

Khyber Pakhtunkhwa
Service Tribunal

Case No. 1547

Dated 07-10-2022

Shoukat Ali, Retired PSHT (BPS-15),
GPS Sher Ai Kali, Lower Orakzai.

(APPELLANT)

VERSUS

1. The Secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
2. The Director Elementary & Secondary Education, Khyber Pakhtunkhwa,
3. The District Education Officer District Orakzai.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974
AGAINST THE ORDER DATED 09.12.2021 RECEIVED BY
THE APPELLANT ON 24.03.2022, WHEREBY THE
SUSPENSION PERIOD OF THE APPELLANT W.E.F 13.03.2021
TO 13.09.2021 (185-DAYS) WAS TREATED WITHOUT PAY
AND AGAINST THE ORDER DATED 15.09.2022, WHEREBY
THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS
REJECTED FOR NO GROUNDS.

File-to-day

Registrar

07/10/2022

PRAYER:

THAT THE ACCEPTANCE OF THIS APPEAL, THE ORDER
DATED 09.12.2021 AND 15.09.2022 MAY KINDLY BE SET
ASIDE AND THE RESPONDENTS MAY KINDLY BE
DIRECTED TO CONVERT THE SUSPENSION PERIOD OF
THE APPELLANT W.E.F 13.03.2021 TO 13.09.2021 (185-DAYS)
INTO FULL PAY UNDER FR-53 (b). ANY OTHER REMEDY
WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND
APPROPRIATE THAT MAY ALSO BE AWARDED IN
FAVOUR OF APPELLANT.

Certified to be true copy

EXCUTER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Appeal No. 1501/2022
Shoukat Ali



35

06.03.2023

Learned counsel for the appellant present.

Learned counsel for the appellant submitted an application to allow him to amend the appeal on the ground that during pendency of the instant service appeal the respondent department issued rejection order dated 05.10.2022 which was received by the appellant on 11.11.2022. Request is allowed. He may do so within seven days. Adjourned. To come up for preliminary hearing on 13.04.2023 before S.B. P.P given to learned counsel for the appellant.

RECEIVED
K.P.S.T
PESHAWAR

(Muhammad Akbar Khan)
Member (E)

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 12/4/23
Number of Pages Page 2
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Name _____
Date of Completion 12/4/23
Date of Delivery of Copy 12/4/23