

Service Appeal No. 4295/2020

28.11.2022

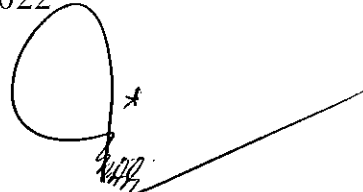
Nemo for the appellant. Mr. Asad Ullah SDEO alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

The appeal in hand was called on for hearing after various intervals, however none appeared on behalf of the appellant till the closing time, therefore, the appeal in hand stands dismissed in default. Parties are left to bear their own costs. File be consigned to the record room

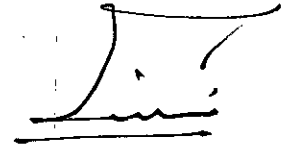
SCANNED
KP&T
Peshawar

ANNOUNCED

28.11.2022



(Mian Muhammad)
Member (Executive)





(Salah-ud-Din)
Member (Judicial)

7th Sept, 2022

Counsel for the appellant present. Syed Naseer Ud Din Shah, Asst: AG for respondents present.


Learned Asst: AG seeks time to further prepare the case. Last opportunity granted for arguments. To come up for arguments on 28.11.2022 before the D.B


(Fareeha Paul)
Member(Executive)


(Kalim Arshad Khan)
Chairman

25.11.2021

Proper DB is not available, therefore, the case is
adjourned to 4/3/22 for the same ^{at} before ~~D.B.~~


Reader

4-3-22

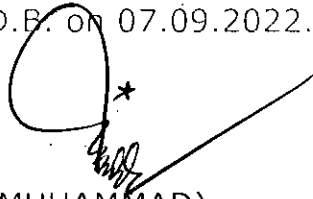
due to Retirement of the Hon.ble Chairman
The case is adjourned to come up for the
same as before on 13-6-22


Reader

13.06.2022

Clerk of counsel for the appellant present. Mr. Naseer-ud-
Din Shah, Assistant Advocate General for the respondents
present.

Clerk of counsel for the appellant stated that learned
counsel for the appellant is unable to attend the Tribunal today
due to strike of Lawyers. Adjourned To come up for arguments
before the D.B. on 07.09.2022.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

28.05.2021

Junior to counsel for the appellant present and submitted an application for adjournment due to indisposition of learned senior counsel for the appellant today. Adjourned to 06.07.2021 for preliminary hearing before S.B.


Chairman

06.07.2021

Counsel for the appellant present. Preliminary arguments heard.

The appellant, in view of his submissions made in the memorandum of appeal, has succeeded to earn recommendation in his favour reflected in minutes of Appellate Committee regarding disposal of departmental appeals. The copy of said minutes is available on file at Page 14 (Annexure-C). The case of the appellant was taken up by the said committee as Item No. 4. In light of said minutes and after assigning certain reason, the committee came up with recommendations for reinstatement of appellant without back benefits converting intervening period into leave without pay. Learned counsel for the appellant contends that this recommendation of the departmental committee has so far not been acted upon by the department and the appellant is nowhere till time.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 25.11.2021 before the D.B.


Chairman

A. No. 4295/2020
M. Ashraf vs Govt

03.02.2021

Counsel for the appellant present.

On the last date of hearing the DEO(M) District Orakzai was impleaded as one of the respondents. The added respondent was required to be issued notice for hearing today and production of record regarding posting and payment of salary to the appellant.

The record reflects that the requisite notice alongwith copy of order dated 04.01.2021 was sent to respondent No.4 through register^{ed} post on 06.01.2021. Despite, neither the concerned respondent is available today nor is being representing^{ed} by duly authorized representative.

In the circumstances, the respondent No.4 shall be issued notice for personal appearance alongwith the requisite record on next date of hearing. Failing which, punitive action shall be initiated against the defaulting official(s) in accordance with law.

Adjourned to 25.05.2021 before S.B.



Chairman

25.05.2021

Counsel for the appellant and Addl. AG for the respondents present.

Learned counsel for the appellant requests for adjournment in order to further prepare the case. Adjourned to 28.05.2021 for arguments before S.B.



Chairman

04.01.2021

Appellant alongwith counsel present.

In pursuance to order dated 08.12.2020, notice of appearance was issued to respondent No. 2. In response, the respondent addressed a memo. to the learned Registrar of this Tribunal. The concerned respondent stated that the appellant belongs to District Orakzai (NMD) and not District Hangu. In view of the reply, learned counsel requests for impleadment of District Education Officer (NMD) District Orakzai as one of the respondents in order to reach just conclusion in the matter.

Request of learned counsel appears to be reasonable, therefore, the office is required to endorse the DEO (M) District Orakzai in the calendar of respondents as per procedure. The added respondent shall be sent notice alongwith copy of instant order for next date of hearing. The added respondent shall produce the record regarding posting and payment of salary to the appellant.

Adjourned to 03.02.2021 before S.B.



Chairman

08.12.2020

Counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Despite directions by the learned Chairman on the preceding date, neither respondent No.2 attended the Tribunal nor requisite record was produced, therefore, notice be issued to respondent No.2 to attend the Tribunal in person alongwith entire record in respect of posting and salaries of the present appellant on the next date of hearing.

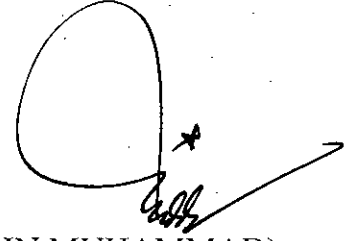
Adjourned to 04.01.2021 before S.B.



(Rozina Rehman)
Member (J)

02.06.2020

None for the appellant present. Notices be issued to the appellant and his counsel. To come up for preliminary hearing on 11.08.2020 before S.B.



(MAIN MUHAMMAD)
MEMBER.

11.08.2020

Counsel for the appellant present.

Notice be issued to respondent No. 2 for production of entire record pertaining to the case of appellant on next date of hearing.

Adjourned to 30.09.2020 before S.B.



Chairman

30.09.2020

Counsel for the appellant and Addl. AG present.

Learned AAG is required to contact respondent No. 2 and facilitate the production of requisite record on next date of hearing. Adjourned to 08.12.2020 before S.B.



Chairman

P-17
delay

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

Service Appeal No. 4295 /2020

Mr. Muhammad Ashraf.....Appellant

V E R S U S

The Govt. of Khyber Pakhtunkhwa
Through Chief Secretary & othersRespondents

I N D E X

S#	Description of Documents	Annex	Pages
1.	Service Appeal		1-4
2.	Affidavit		5
3.	Application for interim relief alongwith affidavit		6-8
4.	Addresses of parties		9
5.	Copy of the appointment order	"A"	10-11
6.	Copy of Order dated 17.02.2017	"B"	12-13
7.	Copy of Minutes of Appellate Committee	"C"	14-16
8.	Copies of the Applications	"D"	17-19
9.	Other documents		20-39
10.	Wakalatnama		40

Through Appellant

Saif Ullah Khan Khalil

&

Murtaza Qureshi
Advocates, Peshawar

Dated ___/02/2020

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 4295/2020

Mr. Muhammad Ashraf TT GPS Ibrahimio Tehsil Central
Orakzai Agency.....

.....Appellant.

Versus

1. The Secretary (Elementary and Secondary Education) Khyber Pakhtunkhwa, Civil Secreteriat, Peshawar.
2. District Education Officer (male) District Hangu...
3. Director Education (Elementary and Secondary Education) Khyber Pakhtunkhwa, Civil Secreteriat, Peshawar.

..Respondents

**SERVICE APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE TRIBUNALS
ACT, 1974.**

Respectfully Sheweth,

1. That appellant the appellant was appointed in the respondents' department on dated 23/11/2009 as Theology Teacher; he has got more than 08 years of service to his credit with unblemished and clean-sheeted conduct record. No complaint or adverse entry has ever been made against him during the above-mentioned period.

(Copy of the appointment letter is attached as Annexure-A).

2. That after appointment the Appellant was posted to Government Primary School, Ibrahim, District Hangu.
3. That the appellant performed his duties at the said School Ibrahim for 2 years but due to security reasons the said School was closed and the appellant was posted to Government Primary School Bagato District Hangu. The Appellant despite receiving threats continued his work and performed his duties to the entire satisfaction of the superiors.
4. That the appellant during his service become ill due to heart attack but even then the plaintiff performed his duties with deteriorating health.
5. That the Respondents on 17/02/2017, without adopting the due course of law, removed the appellant from service illegally and without any justification.
(Copy of order dated 17/02/2017 is attached as Annexure - B)
6. That appellant being aggrieved of above-mentioned acts preferred departmental representation before the respondents, which appeal was accepted vide order dated 12/12/2018 and the appellant was re-instated in the service. However, the said re-instatement was without back-benefits and converted the intervening period into leave without pay..
(Copy of minutes of Appellate committee is attached as Annexure - C)
7. That after the disposal of the Appeal the Appellant approached to the concerned authorities for posting

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of the appellant and for releasing the monthly salary but till today the respondents, on one pretext and other, are not willing for posting and to release the salary of the appellant.

(Copies of the applications are attached herewith as Annexure-D)

8. That appellant, being aggrieved of the acts and actions of Respondents and having no other adequate and efficacious remedy, files this appeal on the following grounds, inter-alia:-

Grounds:

- A. That Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973.
- B. That in the instant case the respondents deliberately delayed the process of appellant, therefore, the in action/delayed action of the respondents is the violation of public trust vested in them, which is not only unwarranted at law, but also highly undesirable.
- C. That the omission of the respondents of not posting the appellant nor releasing his salary clearly shows the malafide intentions of the respondents, which warrant interference of this Hon'ble Tribunal.
- D. That appellant also seeks the permission of this Honourable Tribunal to advance some more grounds at the time of arguments.

It is therefore humbly prayed that on acceptance of this appeal, this Honourable Tribunal may graciously be

7. (4)

pleased to direct the respondents to post the Appellant and release the salary of the appellant,

Furthermore, the appellant may kindly be awarded back benefits and the intervening period may kindly be converted into leave with pay.

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

مُراد شرف

Through

Appellant

Saif ullah Khan Khalil,
&
Murtaza Qureshi
Advocate, Peshawar

Dated: _____ / 02/ 2020

8.5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2020

Mr. Muhammad Ashraf TT GPS Ibrahimio Tehsil Central
Orakzai Agency.....Appellant.

Versus

The Government of Khyber Paktunkhwa through Chief
Secretary, Civil Secreteriat, Peshawar

Affidavit.

I Mr. Muhammad Ashraf TT GPS Ibrahimio Tehsil
Central Orakzai Agency do hereby affirms on Oath that
the contents of the instant appeal are true and correct to
the best of my knowledge and belief and nothing has
been concealed from this Honourable Court.

محمد اشرف

Deponent.

3 (6)

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

Service Appeal No. _____/2020

Mr. Muhammad Ashraf.....Appellant

V E R S U S

The Govt. of Khyber Pakhtunkhwa
Through Chief Secretary & othersRespondents

**APPLICATION FOR GRANT OF INTERIM
RELIEF BY DIRECTING THE
RESPONDENTS TO ISSUE POSTING
ORDERS AND TO RELEASE THE SALARY
OF THE PETITIONER, TILL THE FINAL
DISPOSAL OF THE ACCOMPANYING
APPEAL**

Respectfully Sheweth:

1. That the captioned service appeal is being filed before this Honourable Court, in which no date of hearing has yet been fixed.
2. That the grounds of Appeal may be read as integral part of this application.
3. That on the face of it, the petitioner has got strong arguable case and is sanguine about its success.

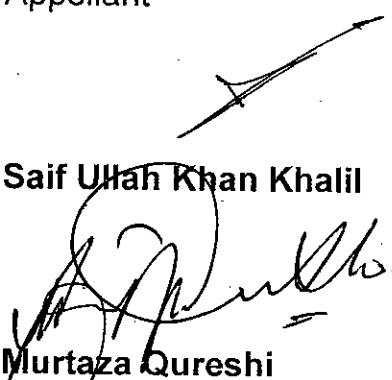
4. That the balance of convenience tilts in favour of grant of interim relief.
5. That if the interim relief is not granted in favour of the petitioner/appellant, then they would suffer irreparable loss.

It is, therefore, most humbly prayed that on acceptance of this application, the respondents may kindly be directed to issue posting orders and to release the salary of the appellant, till the final disposal of the accompanying appeal.

Through Appellant

Saif Ullah Khan Khalil

&


Murtaza Qureshi
Advocates, Peshawar

Dated ___/02/2020

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

Service Appeal No. _____/2020

Mr. Muhammad Ashraf.....Appellant

VERSUS

The Govt. of Khyber Pakhtunkhwa
Through Chief Secretary & othersRespondents

AFFIDAVIT

I, Mr. Muhammad Ashraf, TT, GPS Ibrahimio Tehsil Central Orakzai Agency, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT

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

Service Appeal No. _____/2020

Mr. Muhammad Ashraf.....Appellant

VERSUS

The Govt. of Khyber Pakhtunkhwa
Through Chief Secretary & othersRespondents

ADDRESSES OF PARTIES

APPELLANT

Mr. Muhammad Ashraf, TT, GPS Ibrahim Tehsil Central
Orakzai Agency

RESPONDENTS:

1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar
2. The Secretary Education, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar
3. Agency Education Officer, Orakzai Agency at Hangu

محمد اشرف

Appellant

Through

Saif Ullah Khan Khalil

&

Murtaza Qureshi
Advocates, Peshawar

Dated ___/02/2020

OFFICE OF THE AGENCY EDUCATION OFFICER, ORAKZAI AGENCY AT HANGU

Appointment Order of T.T. (Male)

Consequent upon approval of the Political Agent Orakzai Agency and Selection of Departmental selection committee, the following candidates are hereby appointed as **Theology Teachers (T.T.)** against the vacant posts in BPS No.14 @ Rs.4920/PM (4920-380-16320) plus usual allowances as admissible under the rules w.e.f. the date of their taking over charge.

S#	Name of candidate	Post	Name of School	Remarks
1.	Syed Hamid Hussain S/o Syed Ghamin Hussain	-do-	GPS Oasi	(Open Merit)
2.	Nasir Ali S/o Zawar Ali	-do-	GPS Khamal	(Tehsilwise)
3.	Asif Abbas S/o Israr Hussain	-do-	GPS Bal Kot	(Tehsilwise)
4.	Ismail Khan S/o Kamyra Gul	-do-	GPS Kata Kanri	(Tehsilwise)
5.	Rabit Khan S/o Azmat Khan	-do-	GPS Khando	(Open Merit)
6.	Aurangzeb S/o Mir Salam Khan	-do-	GPS Mian Chan	(Tehsilwise)
7.	Muhammad Ilyas S/o Nadir Khan	-do-	GPS Mazeed Garhi	(Tehsilwise)
8.	Zia Ul Haq S/o Saifur Rehman	-do-	GPS Sar Mela	(Tehsilwise)
9.	Manhaz Ali S/o Rahib Ali	-do-	GPS Mahoora	(Open Merit)
10.	Seraj ud Din S/o Zainul Abedin	-do-	GPS Zoor Chapper	(Tehsilwise)
11.	Muhammad Sharif S/o Aziz Ur Reman	-do-	GPS Badama	(Tehsilwise)
12.	Muhammad Ashraf S/o Muhammad Hussain	-do-	GPS Ibrahimio	(Tehsilwise)
13.	Muhammad Saced S/o Latif Khan	-do-	GPS Mian Khel Tara	(Open Merit)
14.	Muhammad Bahar S/o Gul Dar Khan	-do-	GPS Yousaf Khel	(Tehsilwise)
15.	Muhammad Nawaz S/o Ismail Khan	-d-	GPS Shaker Tangi	(Tehsilwise)
16.	Khaista Mir S/o Gui Ajab Khan	-do-	GPS Ali Khan Garhi	(Tehsilwise)
17.	Amal Hassan S/o Muhammad Hassan	-do-	GMS Darrah Garhi	(Open Merit)
18.	Abdul Wahab S/o Baz Gul Khan	-do-	GPS Nakata	(Tehsilwise)

Terms & Conditions:

1. Charge report in duplicate should be submitted to all concerned.
2. The appointment order is made purely on temporary basis and liable to termination at any time without assigning any reason/notice.

3. If the candidate wants to resign he will to give one month prior notice or forfeit one month pay in lieu thereof.
4. They will not be entitled to get pay unless their domicile/C.N.I.C and other academic/professional qualification documents are verified, for which the concerned AAEO will be responsible.
5. The pay scales and service rules will be subject to revision in accordance with the orders passed by the Government from time to time.
6. They would not be handed over charge if their age exceed, 35 years or is less 18 years.
7. If they failed to take over charge within 15 days their appointment order will be automatically cancelled.
8. They should produce their health & age certificate from the Agency Surgeon Orakzai Agency at Hangu.
9. They will be considered as regular but without pension OR gratuity in term of section 19 of the N.W.F.P. civil servants act 1973 as amended by N.W.F.P civil servants amended act 2005.
10. They will in lieu of pension and gratuity be entitled to receive such amount contributed by them their account in said fund in the prescribe manner as per Government rules/policy.
11. They are entitled to get all benefits of regular employee except pension/Gratuity.

*Agency Education Officer,
Orakzai Agency at Hangu.*

Endst. No. / / Dated Hangu the: 23 /11/2009

Copy for information to the:

1. Political Agent, Orakzai Agency at Hangu.
2. Director of Education (FATA) N.W.F.P. Peshawar.
3. Assistant Political Agent (Lower) Orakzai Agency.
4. Agency Accounts Officer, Orakzai Agency at Hangu.
- 5-6. AAEO & Pay clerk of the local office.
- 6-24. Candidates concerned.

*Agency Education Officer,
Orakzai Agency at Hangu.*

Gen. Orakzai

HP

NOTIFICATION

1. **WHEREAS** Mr Muhammad Ashraf TT GPS Ibrahimio Tehsil Central Orakzai Agency was reported willfully absent w.e.f 03/11/2016 by AEO (Central).
2. **AND WHEREAS** Mr Muhammad Ashraf TT was Charge Sheeted vide this office No.6404-5 Jated 30.12.2016.
3. **AND WHEREAS** Mr Muhammad Ashraf TT GPS Ibrahimio Tehsil Central Orakzai Agency was again reported willfully absent by Pakistan Army vigilance team dt. 08.12.2016.
4. **AND WHEREAS** Mr Muhammad Ashraf TT GPS Ibrahimio Tehsil Central Orakzai Agency was once again reported willfully absent by Pakistan Army vigilance team dt 02/01/2017.
5. Mr Muhammad Ashraf TT did neither appear for personal hearing in response to the Charge Sheet served upon him nor submit any written defense to that effect absenting himself till now running his private business in Kohat.
6. **AND WHEREAS** the Agency Education officer in his capacity as the competent Authority after having examined the record conducting a deep and detailed scrutiny of papers from all the relevant aspects is of the view that the charges of willful and unauthorized absence of Mr Muhammad Ashraf TT GPS Ibrahimio Orakzai Agency has been proved and is accused of misconduct under the rules for his willful absence w.e.f 03/11/2016 to date without the approval of the competent authority.
7. **NOW THEREFORE** In exercise of the powers conferred under Rules 14th and 15th of Khyber Pakhtunkhwa Government Servant (Efficiency and Discipline) Rules 2011, the competent authority the Agency Education Officer Orakzai Agency, is pleased to impose major penalty of "Removal From Service" upon Mr Muhammad Ashraf TT GPS Ibrahimio Orakzai Agency with immediate effect on account of his willful absence with effect from 03 November 2016 without the approval of the competent authority.

Agency Education Officer,
Orakzai Agency at Hangu,
(The competent Authority)

Under No.192/98 dt. Hangu the: 17/12/2017
Copy for information and necessary action to:-

1. Additional Chief Secretary, FATA Secretariat Peshawar.
2. Secretary Social Sector Department FATA Secretariat Peshawar
3. Dir. of Education FATA Secretariat Peshawar
4. Political Agent Orakzai Agency.
5. Agency Accounts officer Orakzai Agency.
6. Mr Muhammad Ashraf TT GPS Ibrahimio
7. Pay clerk for stoppage of his pay and gratuity in his service book.

A/C

Assistant Agency Education Officer,
(Central),
Orakzai Agency at Hangu.

#

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Better Copy

AGENCY EDUCATION OFFICER,
ORAKZAI AGENCY OR HANGU

NOTIFICATION

1. **WHEREAS** Mr. Muhammad Ashraf TT, GPS Ibrahimio Tehsil Central Orakzai Agency was reported, I willfully absent w.e.f 03.11.2016 by AAEO (Central).
2. And whersw Mr. Muhammad Ashraf TT, as charged sheeted vide this office No.6404-5 dated 30.12.2016.
3. **AND WHEREAS** Mr. Muhammad Ashraf TT, GPS Ibrahimio Tehsil Central Orakzai Agency was again reported willfully absent by Pakistan Army Vigilance team dated 08.12.2016
4. **AND WHEREAS** Mr. Muhammad Ashraf TT, GPS Ibrahimio Tehsil Central Orakzai Agency once again reputed willfully absent by Pakistan Army Vigilance team dated 02.04.2017.
5. Mr. Muhammad Ashraf TT, did neither appear for personal hearing in response to the Charge Sheet upon him nor submit any written defense to that effect absenting himself till now running his private business in Kohat.
6. **AND WHEREAS** the Agency Education Officer in his capacity as the competent authority after having examined the record conducting a deep and detailed scrutiny of papers from all the relevant aspects is of the view that the charges of willful and unauthorized absence of Mr. Muhammad Ashraf, TT, GPS Ibrahimio Orakzai Agency has been proved and is accused of misconduct under the rules for his willful absence w.e.f 03.11.2016 to date without the approval of the competent authority.
7. **NOW THE BEFORE**, in exercise of the powers conferred under Rule 4 (b) III of Khyber Pakhtunkhwa Government Servant (Efficiency and Discipline) Rule 2011, the competent authority, the Agency Officer Orakzai Agency, is pleased to impose major penalty of "**Removal from Service**" upon Mr. Muhammad Ashraf TT GPS Ibrahimio Orakzai Agency with immediate effect on account of his willful absence with effect from 9 November 2016 without the approval of the competent authority.

Agency Education Officer,
Orakzai Agency in Hangu
(The Competent Authority)

Endst No.492-98 dated Hangu 17.02.2017

Copy for information and necessary action to:

1. Additional Chief Secretary, FATA Secretariat, Peshawar
2. Secretary Social Sector Department FATA, Secretariat, Peshawar
3. Director Education FATA Secretariat, Peshawar
4. Political Agency Orakzai Agency.
5. Agency Accounts Officer, Orakzai Agency.
6. Mr. Muhammad Ashraf, TT, GPS Ibrahimio
7. Pay clerk for stoppage of his apy and empty his service book

Agency Education Officer,
Orakzai Agency in Hangu
(The Competent Authority)



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FATA SECRETARIAT
DIRECTORATE OF EDUCATION
WARSAK ROAD, PESHAWAR, PAKISTAN
PHONE. 091-9210166 FAX 091-9210215

NO. _____/

DATED ____/____/2018.

**MINUTES OF APPELLATE COMMITTEE REGARDING DISPOSAL OF
DEPARTMENTAL APPEALS.**

A meeting of the committee was held on 16/10/2018 at 11.00 AM in the office of Additional Director (Estab:) FATA in order to examine/scrutinize the appeals submitted by various appellants against the dismissal/removal order issued by Agency Education Officers on various grounds mentioned in the impugned orders. The following attended the meeting.

1. Additional Director (Estab) : Chairman.
2. Deputy Director (F/A). : Member.
3. Deputy Director (Colleges) : Member.

The Appellants were provided opportunity of hearing one by one keeping in view the Principles of natural justice. The committee after perusal of the record available and threadbare discussion on each issue unanimously agreed to submit the following recommendations for approval of the competent authority.

1. Shakeela Masih ExPST NWA.

The appellant was called in person for personal hearing on target dated. She was appointed as per statement on 24/11/2988 and was working as PST teacher at GGPS Miranshah. The appellant found absent from her actual duty during frequent visit of AAEO concerned circle, consequently AEO/DEO proceeded against the appellant by serving upon her show Cause Notice through daily Newspaper vide date 20/2/2018, thereby not responding after the notice served upon her impose major penalty of 'Compulsory Retirement from service' on 21/3/2018.

The appellant during course of hearing contended that she was suffering from skin disease since 2017. Therefore, she was absent from duty on inquiry from the appellant that whether she submit any leave application to the DEO concerned? The appellant remained "MUM" and on the contrary request the committee to convert her compulsory retirement order into Medical retirement, from statement of the appellant presumption can be drawn to the fact, that appellant is still not interested in her services, and remained negligent from her services.

Recommendation.

1. The compulsory Retirement order dated 21/3/2018 may be ordered as intact.
2. DEO may be directed to provide her benefits of retirement expeditiously as permissible under the rules.

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2. Mst: Saira Bibi Ex-PST.

The appellant earlier filed Service Appeal No. 235/2015 in KPK Service Tribunal which was disposed of by the honourable tribunal vide order dated 09/01/2018 for decision and accordingly directions issued by the Service Tribunal was complied with by the Department as case/domicile certificate of appellant was sent for verification to the Political Agent/DC Khyber. It has come to known that the salary of the appellant concerned has been released by DEO Khyber. The appellant now seeks payment of arrears in lieu of salaries un-paid for the period from 2015 to 2018.

Recommendation.

- i. The District Education Officers Khyber may be directed to probe in to the matter and accordingly pay the remaining salaries of the appellant subject to performance of duty.
- ii. In case she had not performed the duty for the prescribed period that may be converted into leave without pay.
- iii. The verification of domicile may be carried out properly.

3. Mst: Robina Kulsoom PST.

The appellant as per her contentions was appointed as PST on 3.5.2007 in Tehsil Para, was transferred to GGPS Malak Wali Khan Jamrud in 2014 and her salary is stopped w.e.f. 28th March, 2017.

Perusal of available record shows that appellant was absent from actual duty as she contends that she was absent due to maternity Leave, on the converse, she did not produce any applications as record.

Recommendation:

The case being incomplete due to lack of complete record on the file, therefore, DEO concerned may be directed to furnish the requisite record and report accordingly present status of the appellant.

4. Mr. Muhammad Ashraf Ex-TT.

The appellant was TT in Orakzai Agency in Ibrahim area, which was closed since 2007-08 to 2016 also the school in which the appellant was appointed was also closed.

Appellant was removed from service due to absence from duty vide order dated 17/2/2017. The appellant, during the course of hearing, contended that whole area was closed and during that period he performed duty in Hangu district which fact were in knowledge of Agency Education Officer, Orakzai.

Recommendation.

The removal order has been passed in hazed, without keeping in view the ground realities i.e. law & order situation, which in fact was deteriorated at that time and appellant,

was declared absent from duty. The case of the appellant is time barred, as far as statutory limitation period for appeal is only a month but the appellant case was not properly disposed, therefore may be re-instated without back benefits converting intervening period into leave without pay.

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5. Mr. Habibullah Ex-PST.

The appellant appointed in October 1994 and removal order issued in 2010.

Recommendation.

Appeal is badly time barred and recommended to be regretted.

6. Mr. Taj Malook S/O Sarwan Khan, The: Dosali NWD.

The appellant was appeared before the committee out of turn as his case was purely of fresh appointment as TF in recruitment process of 2012-13 in North Waziristan, which were cancelled by competent authority being repungment to law/policy. Committee has been informed, that same case has been forwarded for guidance by District Education Officer, North Waziristan District vide an independent letter No. 5450 dated 08/08/2018.

Recommendation.

Since Appellate Committee is authorized to dispose of appeals in which a particular order has been impugned, by Ex-Govt: servant, hence the case is different. Thus regretted with the remarks that proper forum may be contacted for the requested purpose.

1. Additional Director (Estab)

2. Deputy Director (F/A).

3. Deputy Director (Colleges)

DD
08/08/18

Amir
12/12/18

Mueen

(17)

17

خدمت صاف ڈائریکٹر ایجوکیشن سی فیم شدہ اضلاع لیس اور
درخواست برائے بحالی ملازمت

صاف بحالی کے لئے اس سے کہ فردی گورنمنٹ پرائمری سکول ابراہیمو ضلع اڈاکری
میں (TT) پوسٹ پر خدمات انجام دیتا رہا اور ضروری (17)
میں نوکری سے برخاستہ بنا حالانکہ فردی سی ڈی پرائمری سی جیڈ سکول
کی بڑی جموں میں اور دست گرد بار بار دھنیاں دے رہے تھے
مثال سے برخاستگی کے بعد محکمہ ایس ایس سی اور (Scrutiny Committee)
سے فردی کو بحال کیا اور اکتوبر 2018 میں بحالی کے لئے اور
ضلع اڈاکری دفتر سال سکول سے کام لیتا رہا اور آخر کار دفتر
دہانوں کے نومبر 2019 میں محکمہ تعلیم ڈائریکٹوریٹ کو (Guidance)
کے خط لکھا جو کہ (Time baived) تھا
حالانکہ والا فردی ایک عرب ملازم رہا ہے جس کے بعد سے سال سے
میں بعد فردی کے حال پر رقم سرکار بحالی کے حکم جہاں درج ہے

خواجہ 2 جنوری 2020

حافظ محمد شریف

محمد شریف (TT) جی پی ایس
ابراہیمو ضلع اڈاکری

جناب ڈائریکٹر ایجوکیشن خیبر پختونخوا ایشاور

عنوان :- درخواست بحالی ملازمت

گزارش کی جاتی ہے کہ فدوی ضلع اور کڑئی میں بحیثیت ٹی ٹی (GPS) فرائض منصبی خدمات انجام دیتا رہا اور نہایت سخت حالات میں بھی فرائض منصبی ادا کی 2017 میں فدوی کو دھمکی ملنے لگی اور سارا علاقہ 2010 تا 2017 تک دہشت گردی کے لپیٹ میں آ گیا فدوی کے اسی دوران اپنی ڈیوٹی ضلع ہنگو میں شروع کی اس دوران فدوی کی نوکری سے بلاوجہ برخاست کیا اور بعد ازاں ڈائریکٹوریٹ میں اپیل جمع کی اور فدوی کی مجبوریاں مشکلات کو مد نظر رکھتے ہوئے تشکیل شدہ کمیٹی نے بحالی کی سفارش کی مگر افسر برائے ٹال ٹول سے کام لیتے رہے،

فدوی نے دوبارہ درخواست دیدی کہ کمیٹی کی سفارشات کو عملی جامہ پہنائیں اور جناب عالی نے فدوی کے درخواست کو رجسٹر کیا۔

لہذا استدعا اپیل کی جاتی ہے کہ فدوی کے خستہ حال sic نے مجوری کو مد رکھ کر اپیل پر غور فرمائیں اور فدوی کے بال بچے عمر بھر دعا گور ہیں گے۔

عین نوازش ہوگی۔

مورخہ 20 جنوری 2020

حافظ محمد شرف

العارض

محمد شرف سابقہ TT

GPS سنٹرل ضلع اور کڑئی

(20)

(20)

SERVICE BOOK

سروس بک

کتاب ملازمت

★ (28)

Listed

Name	محمد محمد رفیق
Father's Name	والد کا نام محمد رفیق
Qualification	تعلیمت SSC
Designation	نمبر 7.1
Department	تعلیمت
Permanent Address	ستل

بیمار خانہ بک ایجنسی ہنگو
3925-627414
0333-9686123

Name of Post	Whether Substantive of officiating any whether permanent or temporary	Appointment of (ii) whether service counts for pension under rule 3-20 C.S.R. (Pb) Volume II	Pay in substantive position		Additional pay for officiating		Emoluments falling under the term pay	Date of appointment	Signature of government servant
			Rs	P.	Rs	P.			
درجہ ملازمت	عارضی مستقل قائم مقام	اگر عارضی ہے تو رول کے مطابق پیشگی سجسٹی ہے			21		ماسوائے تینڈا دیگر الوانس	تاریخ تقرری	دستخط رکابری ملازمت
BPS NO 15 Rs (16120-1330-56825)									
Rs 25430/- Pm 17/2017									
Rs 26760/- Pm 16/2017									
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p>2017</p> <p>2017</p> </div>									

Name of other officer No. of 1 to 8	Date of appointment	Name of the officer transferring	The officer to whom transferring Officer	Duration of leave taken	Period (in days) to which leave salary is debitable to another Government		Official other attesting officer	Remarks, or reward, or praised to the Government servants
	تاریخ انتظام ملازمت	انجمن انتظامات ترقی کاروں پاکستان	دستخط افسر مجاز	رخصت کی نوعیت دستیار	Period عرہ	Government to which debtible حکومت	دستخط افسر مجاز	سزا یا جزا یا غیر مناسب کارکردگی کا ریکارڈ

UNDER TAKING
 I Mr. M. Akbar is hereby
 undertake that if any error
 made by me as a result of
 information will be
 received from my
 pension, gratuity etc.
 3/1/72

Agency Encl. Office
 District Agency of Hanga

2. Nationality and Religion Pakistan Islam. (مسلم)
(قومیت اور مذہب)
3. Residence Sec. - Nidati village Kundli
(مستقل رہائش)
4. Father's Name and Residence Muhammad Hussain
(والد کا نام اور پتہ)
5. Date of birth Christian era as 02-01-1978
nearly as can be ascertained 2nd January N+H Sevaty
(تاریخ پیدائش مطابق منیمسوی)
6. Exact height by measurement 5-6
(قد و قامت)
7. Personal mark of identification Scar on Lt Side forehead
(نشان شناخت)

24

Left hand/right hand thumb and finger impressions of (Non-gazetted officer)

(مرد کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Finger (پونجی)

Ring Finger (چنگلیا کے ساتھ)

Middle Finger (انگلی)

Little Finger (انگلی چھوٹی)

Thumb (انگوٹھا)

Signature of Govt. Servant (سرکاری ملازم کے دستخط)

M. J. Akbar

Signature and designation of the Head of the Office or other Attesting Officer

(تصدیق کنندہ افسر کے دستخط)

Agency Education Officer
Orissa Agency at

The entries in this page should be renewed or re-aggested at least every five years. The signatures in lines 9 and 10 should be dated. Finger prints need not be taken after 5 years under this rule.

اس صفحے کے متعلقہ کم از کم پانچ سال بعد تصدیق ہونا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے تاریخ لکھنی چاہیے۔ انگلیوں کے نشانات کے لئے ہر پانچ سال کے بعد تصدیق کی ضرورت نہیں۔

درجہ ملازمت	Permanent or temporary عارضی مستقل قائم مقام	Pension under rule 3-20 C.S.R. (Pb) Volume II ار عارضی ہے تو رول کے مطابق پیشین کا سٹی ہے؟	position		circulating		term pay ماسوائے تنخواہ دیگر الوانس	Ment تاریخ تقرری	servant دستخط رکاری سائز
			Rs.	Ps.	Rs.	Ps.			
T.T post of			BPS-14 (4920-380-16320)						
B.P.S. Naibinam			Rs	4920/- pm			24 ¹¹ / ₂₀₀₉		
do	do		Rs	4920/- pm			1 ¹² / ₂₀₀₉		
do	do		Rs	5300/- pm			1 ¹² / ₂₀₁₀		
Revised BPS-14			Rs (8000-610-26200) 1.7.2011						
do	do		Rs	8610/- pm			1 ⁷ / ₂₀₁₁		
do	do		Rs	9220/- pm			1 ¹² / ₂₀₁₁		
do	do		Rs	9830/- pm			1 ¹² / ₂₀₁₂		
			Rs	10440/-			1 ¹² / ₂₀₁₃		
and from 1.1.2014			BPS-15 (3500-700-29500)						
			Rs	9900/-					
			Rs	700					
			Rs	10600 ✓					
			Rs	11300 ✓					

The Head of the officer or other appoint-ment of ment Cust Cust	Termina- tion or appoint- ment (such as transfer, dismissal etc.)	the head of the officer other Attesting Officer	and duration of leave taken	to four months (or earned leave not exceeding 120 days) to which leave salary is debtable to another Government Period of Government to which debtable	punishment of conspire, or reward, or praised o the Government servants
[Signature]	11/30/2009	[Signature]	11 days	11-2009	Appointed as 75 agent under in R.P.S-74, 4920/Per plus under the rules vide the order No 8383-8403 dated 23-11-2009.
[Signature]	11/30/2009	[Signature]	11 days	11-2009	Appointed as 75 agent under in R.P.S-74, 4920/Per plus under the rules vide the order No 8383-8403 dated 23-11-2009.
[Signature]	11/30/2009	[Signature]	11 days	11-2009	Appointed as 75 agent under in R.P.S-74, 4920/Per plus under the rules vide the order No 8383-8403 dated 23-11-2009.
[Signature]	11/30/2009	[Signature]	11 days	11-2009	Appointed as 75 agent under in R.P.S-74, 4920/Per plus under the rules vide the order No 8383-8403 dated 23-11-2009.

Agency Education Officer
Oraxal Agency at Hangu

Agency Education Officer
Oraxal Agency at Hangu

Class of Study detail Adm
from Oraxal Agency
M.A. in Urdu, Roll No.
2026 M.A. in Urdu
205/600, Result dated
25-10-2004.
Verified with No. 3090 dated 11/30/2009

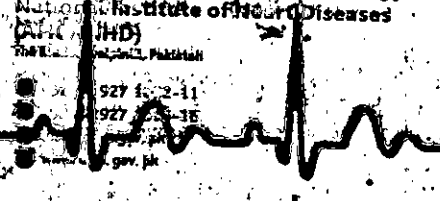
the Head of the
office other
attesting
officer

Government
servants
praised o the
reward, or
conspire, or

98

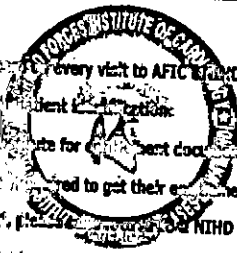
Applied Physics Institute of Cardiology &
 National Institute of Heart Diseases
 (AFIC) (NIHD)
 Rawalpindi, Pakistan

☎ 927 622-11
 ☎ 927 622-12
 ☎ 927 622-13



Instructions

1. Please bring this card every visit to AFIC/NIHD.
2. This card is only for patient identification.
3. This card is not a substitute for any other document.
4. Entitled patients are required to get their enrollment renewed once a year.
5. If this card is found, please return it to NIHD Rawalpindi.



(29)

Dr. Kamran Bangash

M.D, Dip Card "PIC"

Cardiologist / Physician

Consultant Cardiologist

Hayat Abad Medical Complex

Peshawar



ڈاکٹر کامران بنگاش

ایم ڈی، ڈپ کارڈیالوجی

ماہر امراض قلب / فزیشن

کنسلٹنٹ کارڈیالوجسٹ

حیات آباد میڈیکل کمپلیکس پشاور

Name Muhammad Ashraf Age 35y Date 11

Pac

Pal. Symmetric

Pal. Concor 1.20

Pal. Ramiqari 1.25

Pal. Zupent 1.25

Pal. Zupent 1.40

Pal. Becefal 1.11

Mits. beats

- Palpitasi

- chest pain

- 11070

- Mits. beats

- 10000

ave.

Pal. Novaldate

0.75 1.41 2.50

Bangash

کلینک: کمرہ نمبر 210,209 دوسری منزل ابراہیمی ہسپتال، ڈبگری گارڈن۔ فون نمبر 22565776-2667448 تعطیل بروز ہفتہ، اتوار

(30)



8062

Patient Discharge Form-Hungu THQ

Patient Name: M. Ashraf ID#: 5049

Admission date: 26/4/15 Discharge Date: 26/4/15

Age: 35y DOB: 1/1/ Gender: Male Female

Patient Origin: Hangu City Doaba Thal Kurrum Agency Others

Diagnosis: Muscular chest pain. K/C CAD

Treatment Received: Dij- Nalbin Smg 1/ sta0

ECG = PVCs
(Old changes)

Discharged home Left against medical advice Expired
 Referred to another hospital

Medications on Discharge:

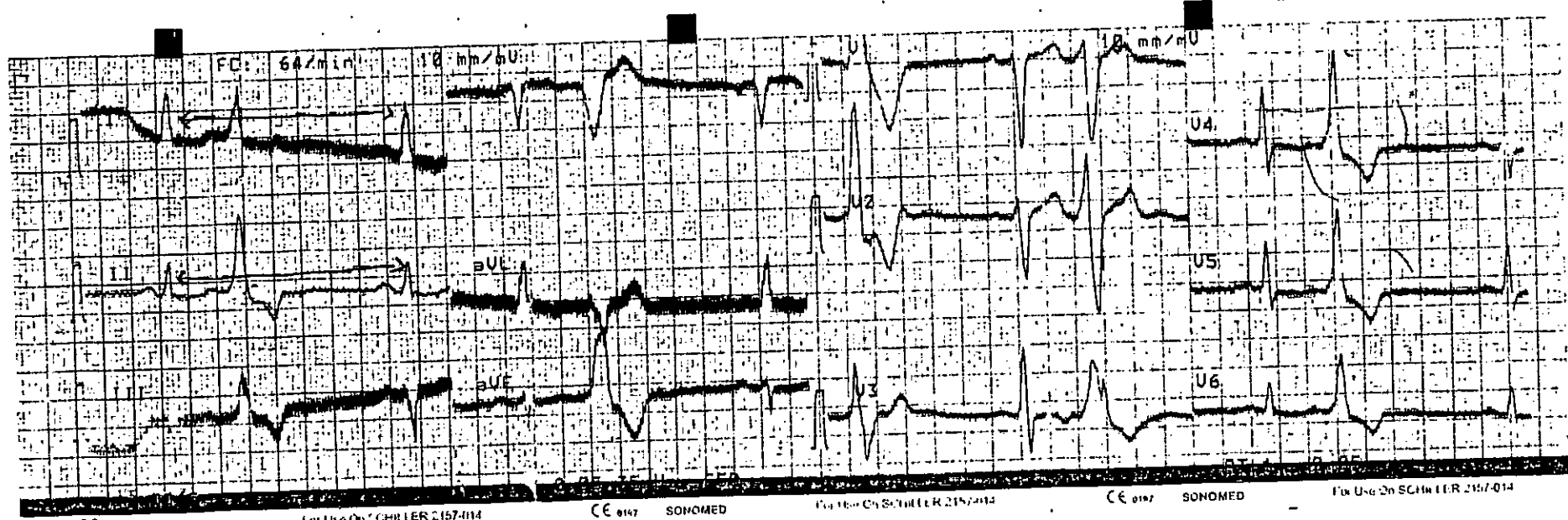
- Tab - PCM 15 P/O T/D For 1 Days
- Tab - Brufen 400mg B/D For 4 Days
- _____ For _____ Days

Advice for home / Follow-up appointment:

Doctor on duty: Masab (pi)

Signature: [Signature]

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HEART CARE CLINIC ECHOCARDIOGRAPHY REPORT

Room#205-B, Ibrahimi Hospital Dabgari Gardens Peshawar.

Clinic: 091-2565776 / 2567448 Ext: 183

Clinic : Babul Madina Hospital, Hangu

Name: MOHAMMAD *Arif* Age: 35 Yrs Date: March 29, 2015
Address: HANGU Sex: Male

ADULT				DOPPLER		
#	PARAMETER	Dimension (cm)	Adult	GRADIENT	Peak mmHg	Mean mmHg
1.	Left Ventricular Diameter (end diastole)	8.2	3.5-5.7	Mitral valve		
2.	Left Ventricular Diameter (end systole)	7.3		Tricuspid Valve		
3.	Right Ventricular Diameter	1.8	0.9-2.6	Aortic valve		
4.	Interventricular septal thickness (diastole)	0.6	0.6-1.1	Pulmonary valve		
5.	Left ventricular posterior wall thickness(diastole)	0.9	0.6-1.1	VSD gradient		
6.	Aortic root diameter	2.6	2.0-3.7	REGURGITATION		
7.	Left atrial dimension	4.7	1.9-4.0	Mitral valve	+2	
8.	Fractional shortening	15%	30-44%	Tricuspid valve		
9.	Ejection fraction	23%		Aortic valve		
10.	Mitral valve area		cm ²	Pulmonary Valve		
11.	VSD size		cm	HAEMODYNAMICS (mmHg)		
				RVSP		
				Pulmonary artery		
				Systemic BP		
				Doppler Mitral valve area	cm ²	

2D COMMENTS:

- > LA is enlarged in size.
- > LV is enlarged in size with impaired function.
- > RV is normal in size with preserved function.
- > Valvular structures appear normal.
- > Segmental wall motion is globally hypokinetic.
- > No definite ASD/VSD seen.
- > No LA or LV clot seen.

DOPPLER COMMENT:

- > MR documented.

CONCLUSION:

CONGESTIVE CARDIOMYOPATHY, MOD MR

[Signature]
SIGNATURE

Dr. Kamran Bangash

M.D, Dip card "PIC"

Cardiologist / Physician

Consultant Cardiologist

Hayat Abad Medical Complex

Peshawar



ڈاکٹر کامران بنگاش

ایم ڈی، ڈپ کارڈ پی آئی سی

ماہر امراض قلب / فزیشن

کنسلٹنٹ کارڈیالوجسٹ

حیات آباد میڈیکل کمپلیکس پشاور

Name Muhammad Ashraf Age 25yrs Date 6

Rx
 Tab. Spironide
 1 20
 Tab. Furosem
 1 4
 Tab. Digoxin
 1 0.25
 Tab. Erento-5R
 1 75
 Tab. Aspirin
 1 75
 Imprinted
 Drug fatigue
 115780
 Bradycardia
 ECG
 CoeM
 - Pre.

Bangash

Dr. Kamran Bangash

M.D, Dip Card "PIC"

Cardiologist / Physician

Consultant Cardiologist

Hayat Abad Medical Complex

Peshawar



ڈاکٹر کامران بنگاش

ایم ڈی، ڈپ کارڈیالوجی
ماہر امراض قلب افزائش
کنسلٹنٹ کارڈیالوجسٹ
حیات آباد میڈیکل کمپلیکس پشاور

Name Muhammad Akbar Age 45 Date 7 JUN 2011

Rx

Tab. Spiramidal

1, 20

Tab. Ramipap

2.5

Tab. Concor

2-8

✓ Cap. Bm3-10

Cap. Eskem
1, 40

1
1
Banyas

Improved

- Malulisa

- 11/1/80

ECG

Lt. Col (R) Muhammad Irfan

MBBS, FCPS (Medicine), FCPS (Cardiology)
Consultant Cardiologist & Electrophysiologist



لیفٹیننٹ کرنل محمد عرفان

ایم بی بی ایس، ایف سی پی ایس (میڈیسن)، ایف سی پی ایس (کارڈیالوجی)
کونسلنٹ کارڈیالوجسٹ اینڈ الیکٹروفزیالوجسٹ
ماہر امراض دل

Name _____ Age _____ Sex _____ Date _____

Rx

To: Wagon of MAH Green

Mr. M. Ashraf (CNIC - 14101-1979359-3)

Suffers from Dilated Cardiomyopathy. He is advised regular medical treatment and duties. He should avoid long distances where no medical facility is available.

Lt. Col (R) Dr. Muhammad Irfan
MBBS, FCPS (Medicine)
FCPS (Cardiology)
Consultant Cardiologist & Electrophysiologist
Rawalpindi Institute of Cardiology

Dr. Kamran Bangash

M.D, Dip Card "PIC"

Cardiologist / Physician

Consultant Cardiologist

Hayat Abad Medical Complex

Peshawar



ڈاکٹر کامران بنگاش

ایم ڈی، ڈپ کارڈیالوجی

ماہر امراض قلب / فزیشن

کنسلٹنٹ کارڈیالوجسٹ

حیات آباد میڈیکل کمپلیکس پشاور

Name Muhammad Ashraf Age 35y Date _____

Rec

- Tab. Spironolide

1 20

- Tab. Ramipril

1 25

- Tab. carvedilol

1-1 6-25

- Tab. Loprin

1 75

- cap. Digoxin 0.25

1-1 26

Bangash

Orthoped

Burns Dept

12/10/20

COCA

PVE

(37)

Service Certificate

Certify that Mr. Muhammad Ashraf S/o Muhammad Hussain T.T (BPS. 15) Orakzai Agency (IDP Teacher) had been deloyed by A.E.O office Orakzai Agency to work at GPS Bagato till next order.

In the complaince of office order Mr. Muhanumad Ashraf S/o Muhammad Hussain had worked at GPS Bagato Hangu w.e.f 9/4/2012 to 28/5/2016.

Further it is certifying that he is a regular, honest and cooperative teacher and bears good moral character wish him successful in future.

Accepted
[Signature]
27/6/17

Sub Divisional Education
Officer (Male) Hangu

[Signature]
Head Teacher
GPS Bagato
Hangu.
ESTD: 1949
P.S.H.T
G.P.S. BAGATO
CODE # 16953

16-12-2017

۸۵



حکومت پاکستان

وزارت خزانہ کارڈ

14101-1978259-3

وزیر خزانہ

جنرل محمد حسین



عثمان یوسف بین
تاریخ پیدائش: 02/01/1978

حکومت پاکستان

دستخط خالی کارڈ

دستخط رجسٹرار جنرل

