



SA 6173/2021

02.02.2023

Appellant in person present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Muhammad Riaz, SET for the respondents present.

Appellant requested for adjournment on the ground that his learned counsel is not available today due to strike of lawyers. Adjourned. To come up for arguments on 11.05.2023 before the D.B.

  
(FAREEHA PAUL)  
Member(E)

  
(SALAH-UD-DIN)  
Member (J)


SCANNED  
K.P.S.T  
Peshawar

19.10.2022

Appellant present through counsel.

Kabir Ullah Khattak, learned Additional Advocate General alongwith Muhammad Riaz ADEO for respondents present.


Representative of respondents submitted reply/comments. Copy of the same was handed over to the learned counsel for appellant. To come up for rejoinder, if any, and arguments on 08.12.2022 before D.B.

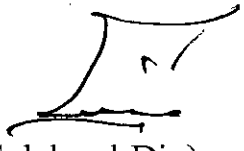
  
(Rozina Rehman)  
Member (J)

08.12.2022

Junior of learned counsel for the appellant present. Mr. Muhammad Riaz, SET alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 02.02.2023 before D.B.

  
(Mian Muhammad)  
Member (E)

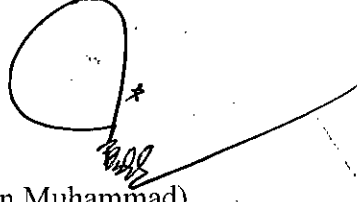
  
(Salah-ud-Din)  
Member (J)

SCANNED  
K. D. T.  
Peshawar

18.07.2022

Mr. Noor Muhammad Khattak, Advocate for the appellant present.

Learned counsel for the appellant argued his case as per assertions and contents of the service appeal. The appellant is aggrieved of the impugned order dated 22.12.2017, whereby he was awarded major penalty of removal from service w.e.f. 27.08.2016. The appellant submitted departmental appeal against the impugned order on 20.02.2021 which was purportedly not decided within the statutory period whereafter he filed the instant service appeal on 14.06.2021. When attention of the learned counsel was drawn towards the limitation period of 03 years and 02 months, he argued that it is a void order and limitation does not run against void order. It is evident from record that the appellant had proceeded abroad for pursuance of further studies/higher qualification but without approval/NOC and sanction of study leave by the competent authority. The service appeal is therefore, not maintainable for regular hearing unless plausible reasons are available in justification of delay. Reliance is placed on the august Supreme Court of Pakistan judgement dated 24.12.2020 delivered in Civil Petition No. 2478 of 2019 and judgement dated 08.10.2020 delivered in Civil Petition No. 44-P of 2015. Let pre-admission notice be issued to the respondents for submission of reply/comments. Adjourned. To come up for reply/comments as well as preliminary hearing on 19.10.2022 before S.B.

  
(Mian Muhammad)  
Member (E)

14.12.2021

Clerk of learned counsel for the appellant present.

Former requests for adjournment on the ground that learned counsel is not available today. To come up for preliminary hearing on 23.02.2022 before S.B. at camp court Abbottabad.

  
(MIAN MUHAMMAD)  
MEMBER (E)

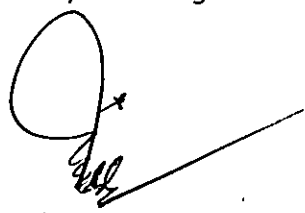
23.02.2022

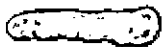
Due to retirement of the Hon'able Chairman, the case is adjourned to 19.05.2022 for the same before D.B.

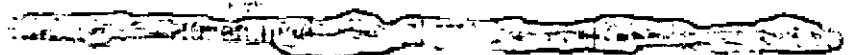
  
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19.05.2022

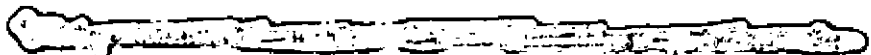
Learned counsel for appellant present and requested for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for preliminary hearing on 18.07.2022 before S.B.

  
(Mian Muhammad)  
Member (E)



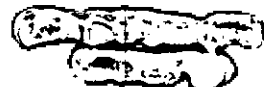













06.10.2021

Junior of learned counsel for the appellant present and requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court. Adjourned. To come up for preliminary hearing before the S.B on 11.10.2021.

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

11.10.2021

Appellant in person present.

Appellant seeks adjournment due to General Strike of the Peshawar Bar Association. Adjourned. To come up for preliminary hearing before the S.B on 24.11.2021.

  
(MIAN MUHAMMAD)  
MEMBER (E)

24.11.2021

Appellant alongwith his counsel present.

Learned counsel for the appellant requested for adjournment. Adjourned. To come up for preliminary hearing on 14.12.2021 before S.B.

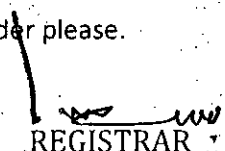
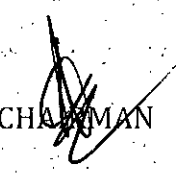
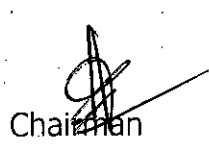
  
(MIAN MUHAMMAD)  
MEMBER (E)

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 6173 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/06/2021	<p>The appeal of Mr. Ziaullah presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	06.08.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>06/08/2021</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Junior to counsel for the appellant present and seeks adjournment due to strike of the lawyers. To come on 06.10.2021 for preliminary hearing before S.B.</p> <p style="text-align: right;"> Chairman</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

APPEAL NO. 6173 /2021

ZIA ULLAH

VS

EDUCATION DEPT

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**APPELLANT**

THROUGH:  
NOOR MOHAMMAD KHATTAK  
ADVOCATE

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

**SERVICE APPEAL NO. \_\_\_\_\_/2021**

Mr. Zia Ullah, Ex-PST (BPS-12),  
GPS, Badraga, District Malakand.

..... **APPELLANT**

**VERSUS**

- 1- The Secretary, (E&S) Education Department, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&S) Education Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (Male), Malakand at Batkhela.

..... **RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED  
ORDERS DATED 22-12-2017 COMMUNICATED TO THE  
APPELLANT ON 17-12-2021 WHEREBY MAJOR PENALTY OF  
REMOVAL FROM SERVICE HAS BEEN IMPOSED ON THE  
APPELLANT AND AGAINST THE IMPUGNED INACTION OF  
THE RESPONDENTS BY NOT DECIDING THE DEPARTMENTAL  
APPEAL OF THE APPELLANT WITHIN THE STATUARY PERIOD  
OF NINETY DAYS.**

**PRAYER:**

That on acceptance of this service appeal the impugned order dated 22-12-2017 may very kindly be set aside and the appellant may be re-instated into service with all back benefits. Any other remedy which this august Tribunal deems fit that may also be granted in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

- 1- That the appellant was appointed in the respondent department as PST (BPS-12) vide order dated 15-03-2017 and was posted at GPS, Badragga, District Malakand. Copy of the appointment order dated 15-03-2017 is attached as annexure .....**A.**
- 2- That after the appointment was medically examined and being medically fit took over charge of his post on 17-03-2017 and started performing his duty with zeal and zest. Copies of the medical certificate and charge report are attached as annexure .....**B&C.**



- 3- That by joining the service, the service book of the appellant was prepared by the responsible officer. Copy of the service book is attached as annexure .....**D.**
- 4- That it is pertinent to mentioned here that salary of the appellant was also released vide order dated 11-09-2017 by the respondents after verification of the education testimonials from the concerned Boards and Universities. Copy of the order dated 11-09-2017 is attached as annexure.....**E.**
- 5- That it is important to mention here that Higher Education being the fundamental rights of every person, therefore, the appellant applied for scholar ship to the Doctorate in Finance to one of the university of China and the same was sanctioned to the appellant w-e-f September, 2017 to July 2021. Copies of the admission certificate along with other documents are attached as annexure .....**F.**
- 6- That it is worth to mention here that the appellant was abroad for the higher studies and the respondents have issued a notice and asked explanation form the appellant vide the notice dated 29-09-2017. Copy of the notice dated 29-09-2017 is attached as annexure .....**G.**
- 7- That as the appellant was out of the country so he was not in knowledge of any kind of notice/ explanation letter, furthermore the respondents have not bring in to the notice of any of the family member of the appellant of the said explanation letter/ absence notice and without following the codal formalities and regular inquiry in to matter straight away issued the impugned removal order dated 22-12-2017 with retrospective effect. Copy of the impugned order dated 22-12-2017 is attached as annexure .....**H.**
- 8- That appellant after completion of his higher studies abroad, on arrival approached to the duty station, the appellant was informed that he has been proceeded in his absence and also has been removed from service vide order mentioned above. That appellant feeling aggrieved from the impugned order dated 22-122017 preferred a departmental appeal before the appellate authority but no response have been given till date. Copy of the departmental appeal is attached as annexure .....**I.**
- 9- That by not deciding the departmental appeal of the appellant within the statutory period of ninety days, the appellant feeling aggrieved from the inaction of the respondents and having no other remedy but to file the instant service appeal on the following grounds amongst the others.

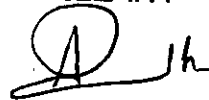
**GROUND:**

- A- That the impugned order dated 22-12-2017 and the inaction of the respondents by not deciding the departmental appeal are against

- the law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.
- B- That appellant has not been treated by the respondent department in accordance with law and rules on the subjected noted above and as such respondents violated the Article 4 and 25 of the Constitution of Islamic Republic of Pakistan.
- C- That no absence notice has been served on the appellant before issuing the impugned order dated 22-12-2017.
- D- That no publication has whatsoever been made by the respondent Department before issuing the impugned order dated 22-12-2017 which is necessary as per Rule-9 of the Civil Servant (Efficiency & Discipline) Rules, 2011.
- E- That the impugned order dated 22-12-2017 contain a retrospective punishment, therefore, the same is void ab initio and in nullity in the eye of law, hence liable to be set aside.
- F- That absence of appellant was not willful but he was abroad for the higher studies and the same is the fundamental right of the appellant, therefore, the impugned order dated 22-12-2017 is not tenable in the eye of law and liable to be set aside.
- G- That the appellant seeks permission to advance any other ground and proofs at the time of hearing.

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

APPELLANT



ZIAULLAH

THROUGH:



NOOR MUHAMMAD KHATTAK

&



KAMRAN KHAN



UMAR FAROOQ  
ADVOCATES

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

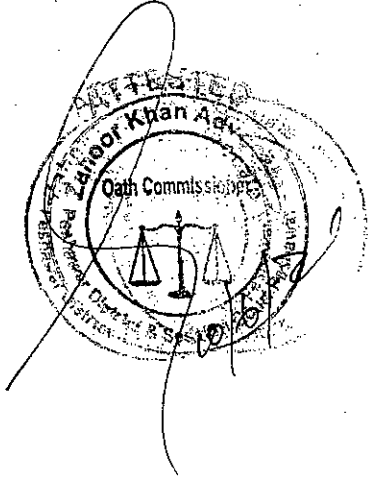
**ZIA ULLAH**

**VS**

**EDUCATION DEPTT**

**AFFIDAVIT**

Stated on oath that the contents of the accompanying service appeal are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.



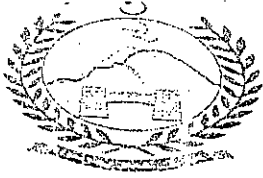
  
**DEPONENT**

**CERTIFICATE:**

Certify that no earlier service appeal has been filed by the appellant in the instant matter before this Honorable Service Tribunal.

  
**CERTIFICATION**

Appointment Order PST (M) BPS-12 Adhoc school based contract



## District Education Officer (Male) Malakand at Batkhela

### APPOINTMENT NOTIFICATION

Consequent upon the recommendation of Departmental Selection Committee, appointment of the following candidates are hereby ordered against the posts of Primary School Teacher (PST) school based in BPS-12 Fixed (Rs. 11140-800-35140) plus usual allowances as admissible purely on adhoc based (contract) under the existing policy of the Provincial Government in the Schools noted against their names on the terms and conditions given below with effect from the date of their taking over charge.

S. No.	Name	Father's Name	CNIC	Candidate Union Council	Name of School	Total Score	Remarks
1	UBAID ULLAH	ANWAR KHAN	15402-1581388-7	AGRA	GPS Landay Agra	136.26	AVP
2	MUHAMMAD ASIF NAWAZ KHAN	YOUSAF KHAN	15402-4477369-3	AGRA	GPS Adli Banda	136.19	AVP
3	UZAIR BADSHAH	SAID BAD SHAH	15402-1416336-1	ALLADAND	GPS Shaba khel	111.97	AVP
4	MOHAMMAD ANWAR	MOHAMMAD ISMAIL	15402-5924779-9	ALLADAND	GPS No.1 Alladand	109.11	AVP
5	RASHID KHAN	BADSHAH HUSSAIN	15402-3404490-7	ALLADAND	GPS Shaba khel	106.72	AVP
6	INA'AT UR RAHMAN	FAZAL RAHMAN	15402-9350717-7	ALLADAND	GPS Sahib Zada Baba	97.13	AVP
7	MUHAMMAD ISHAQ KHAN	MUHAMMAD AFZAL KHAN	15401-5940707-3	BADRAGGA	GPS Gul ghafoor Banda	130.94	AVP
8	MURAD ALI KHAN	MUHAMMAD NAWAB	15401-3126315-5	BADRAGGA	GPS Badragga	126.89	AVP
9	ZIAULLAH	HUSSAIN KHAN	15401-8284840-5	BADRAGGA	GPS Badragga	124.33	AVP
10	NAVEED AHMAD	NOOR ZADA	15401-5733814-5	BADRAGGA	GPS Zahoor Abad	119.97	AVP
11	NASAR JAMAL	FAZAL HUSSAIN	15401-3318440-7	BADRAGGA	GPS Badragga	117.66	AVP
12	KAMRAN	FARID GUL	15402-2363820-7	MIDDLE BATKHELA	GPS No.1 Batkhela	119.47	AVP
13	RAFI UD DIN	MUNEER KHAN	15402-0706926-5	MIDDLE BATKHELA	GPS No.1 Batkhela	102.52	AVP
14	WASEEM AKRAM	MUHAMMAD UZAIR	15401-2297015-1	DARAGAI	GPS Khattako Shah	102.35	AVP
15	AFTAB AHMAD	GUL RAHMAN	15401-5318348-5	DARGAI	GPS Jabban Power House	97.6	AVP
16	AFTAB AHMAD	ABDUL GHAFFAR	15402-6944300-7	DERHI ALLADAND	GPS Said Abad	118.7	AVP
17	MUHAMMAD FARAZ KHAKSAAR	MUHAMMAD FARAZ	15402-1624326-5	DEHRI ALLADAND	GPS No.3 Alladand	117.1	AVP
18	FAROOQ ISLAM	BAHRAMAND KHAN	15402-8524322-9	DERHI ALLADAND	GPS Zalam Kot	114.95	AVP
19	REHAN ULLAH	SAJID ULLAH	15402-7359128-1	DERHI ALLADAND	GPS Zalam Kot	112.49	AVP
20	SYED SHAFI UR RAHMAN	MIAN SAID ABAS	15402-6204700-7	DERHI ALLADAND	GPS Zalam Kot	111.22	AVP
21	AFTAB AHMAD	MAJEED GUL	15402-8462917-1	DERHI JULAGRAM	GPS Julagram	118.04	AVP
22	SALMAN ALI	AMANULLAH KHAN	15402-1536549-5	DERHI JULAGRAM	GPS Thrai Julagram	115.88	AVP
23	HAZ UL HAQ	KHAISTA MUHAMMAD	15402-9941888-1	DERHI JULAGRAM	GPS Police Banda	106.4	AVP
24	SAJAD RAHIM	NAIK RAHIM KHAN	15402-8619577-7	DERHI JULAGRAM	GPS Thrai Julagram	104.98	AVP
25	WAJID ALI	ZEER ULLAH KHAN	15401-3331517-1	GARHI USMANI KHEL	GPS Anar Tangi	119.44	AVP
26	NAVEED KHAN	SARFARAZA KHAN	15401-7957158-1	GARHI USMANI KHEL	GPS Shah Haidor Banda	112.91	AVP
27	GOUHAR ALI	SHAH ZAMIN	15401-8123614-3	GARHI USMANI KHEL	GPS Ghangri Abad	109.98	AVP
28	ABDUL WAHAB	ABDUL QAYUM	15401-8873430-1	GARHI USMANI KHEL	GPS Saidra Juwar	108.65	AVP
29	HAZRAT GUL	SARDAR KHAN	15401-5624310-7	GARHI USMANI KHEL	GPS Saidra Juwar	104.91	AVP
30	IMRAN KHAN	BAKHT BILAND	15402-4131322-9	GARHI USMANI KHEL	GPS Saidra Juwar	104.45	AVP
31	IFTIKHAR	MUHAMMAD GHAFFAR	15401-5981543-7	G U KHEEL	GPS Khushal Korona	102.55	AVP
32	HABIB UR RAHMAN	SAID RAHMAN	15401-8436155-1	HEROSHAI	GPS Haryan Kot	137.68	AVP
33	PIR MUHAMMAD	NAUROZ KHAN	15401-6265131-1	HERO SHAH	GPS Hazrat Manan Korona	132.25	AVP
34	DANYAL KHAN	MOMIN KHAN	15401-3736168-5	HEROSHAI	GPS Jannat Abad	128.09	AVP
35	ROVIAD KHAN	UMAR KHALIQ	15401-3181763-9	HERO SHAH	GPS Standaro Kaly	123.95	AVP
36	JAWAD AHMAD	GHAFFAR GUL	15401-3992876-1	HERO SHAH	GPS Nashro Kandow	122.46	AVP
37	SALEEM MALIK	KHAISTA QADAR	15401-1957227-9	HERO SHAH	GPS Barh Ghakhay	121.99	AVP
38	HUSSAIN AHMAD	MUNAWAR SHAH	15401-5427494-1	HERO SHAH	GPS Haryan Kot	121.7	AVP
39	MUHAMMAD SHAKHEEL	KHAISTA RAHMAN	15401-2846070-3	HERO SHAH	GPS Aghi Garh	115.56	AVP
40	MUBARAK SHAH	AWAL SAID	15401-4059005-3	HERO SHAH	GPS Hazrat Manan Korona	114.87	AVP
41	FAZAL MAULA	KARAM BADSHAH	15401-7240319-1	HERO SHAH	GPS Narai Obu	114.19	AVP
42	MUHAMMAD ALAM	SAID KARAM	15401-1962283-9	HERO SHAH	GPS Nasimullah Kaly	112.36	AVP

33	ARSHAD KHAN	KHAN BAHADAR	15401-1003175-3	HEOSHAH	GPS Narai Obu	111.64	AVP
44	ASHEFAQ AHMAD	SARDAR AHMAD	15402-4040615-5	KHAR	GPS No.1 Khar	96.32	AVP
45	JAMAL HAO	FAZAL WAHID	15402-2591053-5	KHAR	GPS Khar Banda	94.91	AVP
46	IRFAN KHAN	FAZAL KHAN	15402-4459421-5	KHAR	GPS Sabeel Banda	92.62	AVP
47	MUHAMMAD ZUBAIR	MUHAMMAD SAID	15401-1606361-1	KOPER	GPS Mir ekbar Khan Banda	134.42	AVP
48	MUJAHID KHAN	MUHAMMAD WASIR	15401-5842751-3	KOPER	GPS M. Amin Kaly	128.19	AVP
49	MUHAMMAD RAHMAN	HAKIM KHAN	15402-9980075-3	KOT	GPS Mungai Kot	135.36	AVP
50	MUHAMMAD IQBAL	SAID NABI	15402-1343349-9	KOT	GPS Faizghai Kot	124.94	AVP
51	INAM UDDIN	ISLAM UD DIN	15402-5135665-3	KOT	GPS Muna Shah	124.9	AVP
52	SHAHAB AHMAD	IKRAM ULLAH	15402-6768379-5	KOT	GPS Maina	124.03	AVP
53	SULIMAN KHAN	BARKAT KHAN	15402-0283308-5	KOT	GPS Batoo	119.85	AVP
54	FAIZ MUHAMMAD	SAID MUHAMMAD	15402-6148080-1	KOT	GPS No.1 Kot	118.51	AVP
55	WAQAR AHMAD	BAHRAMAND	15402-1015510-9	KOT	GPS Jai Kot	115.36	AVP
56	FAWAD WALI	WALI SHAH	15402-3718257-5	MALAKAND	GPS Jalal Kot	102.55	AVP
57	NAVEED AHMAD	BARKAT KHAN	15402-7412975-9	MALAKAND	GPS Painda Kandaro	98.1	AVP
58	MUHAMMAD IFTIKHAR	ABDUL MALIK	15402-1449297-9	MALAKAND	GPS Hatam Banda	94.98	AVP
59	ZAWAR KHAN	KHALID KHAN	15401-0665459-9	MEHERDI	GPS Musa Maina	128.61	AVP
60	ZAFAR IQBAL	UMAR MUHAMMAD	15401-6333960-5	MEHERDI	GPS Musa Maina	124.38	AVP
61	INAM ULLAH	AZIZ ULLAH	15401-0394854-7	MEHERDI	GPS Musa Maina	119.57	AVP
62	FAZLI MANAN	FAZLI SATTAR	15401-3236823-5	MEHERDI	GPS Salgaro Banda	119.27	AVP
63	ASGHAR HUSSAIN	BAD SHAH GUL	15402-9598258-1	PALAI	GPS Jala Pur	127.81	AVP
64	NIHAL HUSSAIN	MUHAMMAD SALIM	15402-3313119-3	PALAI	GPS No.1 Palai	121.85	AVP
65	SHEHZAD HUSSAIN	SARDAR HUSSAIN	15402-6813491-1	PALAI	GPS Mura Banda	116.6	AVP
66	BAKHT RAWAN	MUHAMMAD RAZAQ	15402-2739663-5	PALAI	GPS Khogdara	109.01	AVP
67	HUMAYOON KHAN	SHER ALI KHAN	15402-7474331-9	PIR KHEL	GPS Mainagah	133.18	AVP
68	ARSHAD ALI	GHULAM MUHAMMAD	15402-7003423-1	PIR KHEL	GPS Samsa Sar	128.3	AVP
69	IMRAN KHAN	MUHAMMAD KHAN	15402-5833856-7	PIRKHEL	GPS No.2 Mekhband	118.64	AVP
70	WAQAR HUSSAIN KHAN	AZIZ UR REHMAN	15402-9190622-3	PIRKHEL	GPS No.2 Mekhband	118.45	AVP
71	BACHA RAHIM	MUHAMMAD IQBAL	15402-2603211-5	PIRKHEL	GPS Sholawai	117.13	AVP
72	MUSHTAQ AHMAD	GUL MALIK	15402-3462817-7	PIRKHEL	GPS Qila Pirkhel	112.46	AVP
73	IMRAN KHAN	MAHBOOB KHAN	15402-7306474-9	PIRKHEL	GPS No.2 Mekhband	109.29	AVP
74	WASAL KHAN	NASEEB KHAN	15402-3460278-7	PIRKHEL	GPS No.2 Pirkhel	108.94	AVP
75	AZMAT ALI KHAN	DOST MUHAMMAD	15401-9818115-9	SAKHAKOT BANDA JAT	GPS Ghundo Bala	116.5	AVP
76	JAVID UR RAHMAN	SAAD ULLAH KHAN	15401-7503925-1	SAKHAKOT BANDA JAT	GPS Gujar Khan Dheri	113.44	AVP
77	IQBAL QAISAR	FAZAL AMIN	15401-9780158-7	SAKHAKOT BANDA JAT	GPS Jhari	110.86	AVP
78	INAYAT ULLAH	RAHMAT ULLAH	15401-8701513-9	SAKHAKOT JADEED	GPS Latifi Colony	136.39	AVP
79	WAJID ALI	ASTANA GUL	15401-7368214-9	SAKHAKOT JADDED	GPS Pir Muhammad Shah Banda	129.76	AVP
80	ABDUR RASHID	FIDA MUHAMMAD	15402-4118687-9	SELLAY PATTY	GPS Dheri Kot	134.43	AVP
81	ROHUL AMIN	MUHAMMAD SANEEF	15402-7162574-9	SELAJ PATTY	GPS Khanori	122.67	AVP
82	SAID UL ISLAM	SAID MUHAMMAD	15402-8186363-7	SEALI PATTIE	GPS Dheri Kot	111.95	AVP
83	FAHEEM SHAHZAD	RAHMAN SHAH	15401-4525007-5	SAKHAKOT KHAS	GPS No.1 Sakhakot	111.97	AVP
84	LIAQAT ALI	ALI RAHMAN	15401-8631395-7	SAKHAKOT KHAS	GPS NO.1 Gulo shah	103.69	AVP
85	MUHAMMAD AJMAL	FAZLI SATTAR	15402-4555450-3	THANA BANDA JAT	GPS Nal	120.15	AVP
86	ZAHID	RAHIM	15402-5349546-5	THANA BANDA JAT	GPS Nal	112.61	AVP
87	MUHAMMAD FAISAL	NIAZ MUHAMMAD	15402-0718339-9	THANA JADEED	GPS No.1 Jalala	96.09	AVP
88	RAZA ULLAH	ABDUL SATTAR	15402-5130827-9	THANA JADEED	GPS Dir Colony	87.5	AVP
89	ANWAR KHITAB	GUL KHITAB	15402-6563332-9	THANA KHAS	GPS No.1 Thana	121.94	AVP
90	ARSALAN AMIN	MUHAMMAD AMIN	15402-1365497-7	THANA KHAS	GPS Pafai Khpa	115.51	AVP
91	MANSOOR IQBAL	YOUSAF SHAH	15402-6056681-3	TOTAKAN	GPS NO.2 Totakan	115.87	AVP
92	TAHIR IQBAL	MUSLIM SHAH	15402-4461490-3	TOTAKAN	GPS No.1 Totakan	115.64	AVP
93	TAHIR KHAN	MAJEED KHAN	15402-7051656-3	TOTAKAN	GPS Ghundai Totakan	109.87	AVP
94	MUHSIN JAMAL	FAZAL QADAR	15402-0558100-5	TOTA KAN	GPS Hisar Baba Totakan	109.34	AVP
95	MOIEN KHAN	MUNAWAR SHAH	15402-1027985-3	TOTAKAN	GPS Dab Korona	104.67	AVP
96	MAZHAR KHAN	MUZAFFAR KHAN	15402-8095783-3	TOTAKAN	GPS Hisar Baba Totakan	104.39	AVP
97	KHALID KHAN	BEHRAM KHAN	15401-9376903-1	Wartair	GPS No.1 Dobandi	130.43	AVP
98	HIMADULLAH	SHEREEN MUHAMMAD	15401-0741456-1	WARTAIR	GPS No.2 Dobandi	105.89	AVP

Terms & Conditions

1. No TAVDA is allowed.
2. Charge reports should be submitted to all concerned.
3. Those who are already in service must submit their resignations (for ad hoc candidates)/relieving documents before taking over charge. The Principals and Headmaster shall have to ensure the same.
4. Appointment is purely on temporary & ad-hoc basis for one year with effect from 15.03.2017 to 14.03.2018.
5. They should not be handed over charge if they exceed 35 (Thirty-Five) with 3 (Three) years automatic relaxation for Malakand Division or if below 18 years of age.
6. Appointment is subject to the condition that the certificates' documents must be verified from the concerned authorities. Anyone found producing bogus certificate/s or degree/s his appointment shall be cancelled and he will be reported to the Law enforcing agencies for further legal action.
7. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice one month pay/allowances shall be forfeited to the Government treasury.
8. Pay shall not be drawn until and unless a certificate to this effect is issued by this office that their documents are verified.
9. They should join their posts within 15 days of the issuance of this notification. In case of failure to join the post within 30 days of the issuance of this Notification their appointment shall stand expired automatically and no subsequent appeal etc. shall be entertained.
10. Health & Age Certificate should be produced from the Medical Superintendent before taking over charge.
11. They will be governed by such Rules and Regulations as may be issued from time to time by the Government.
12. Their services shall be terminated at any time in case their performance is found unsatisfactory during their service period. In case of misconduct, they shall be proceeded under the relevant rules & regulations announced from time to time.
13. Their appointment is Ad hoc and school based. They shall have to serve at the place of posting and their service is not transferable to any other station provided in case of consequential changes/adjustment (as per opted schools) to be made in consequence of subsequent substitute order/appointment.
14. Before handing over charge their documents may be checked and if found bogus or irrelevant as per qualification and rules charge of the post shall not be handed over.
15. Errors and omissions will be acceptable within the specified period.
16. Both the SDEOs are required to verify all the documents (DMCs and Degrees/Certificates from the concerned/ Universities and provide their files of verified documents to this office for further pay release.

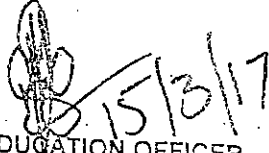
(PROFESSOR MUHAMMAD UZAIR ALI)  
 DISTRICT EDUCATION OFFICER,  
 (MALE) MALAKAND AT BATKHELA.

Endst: No. 2312-2421 /PST/Appt-2017

Dated Batkhela the 15-03-2017

Copy forwarded for information and necessary action to the:-

- 1- Director E&SE Khyber Pakhtunkhwa Peshawar.
- 2 Deputy Commissioner, Malakand.
- 3 District Nazim, Malakand.
- 4 District Monitoring Officer, Malakand.
- 5 District Accounts Officer Malakand.
- 6-7 Sub-Divisional Education Officer (M) Batkhela and Dargai.
- 8 B & AO Local Office.
- 9 Assistant Programmer, DEMIS(M) Local Office.
- 10 ADEO (Litigations) Local Office.
- 11-108 Head Teachers/ Teachers concerned.
- 109 M/File.

  
 DISTRICT EDUCATION OFFICER,  
 (MALE) MALAKAND AT BATKHELA.

**ATTACHED**

MEDICAL CERTIFICATE






- Name of Official: Zia Ullah
- Father's Name: Hussain Khan
- Caste or Race: Muslim / Pakistani
- Residence: Village Dilawar Kali (Distt. Mied)
- Date of birth: 10-4-1985 according to vic
- Exact height by measurement: 5'-9"
- Personal mark identification: mole on (L) hand
- Signature of the official: [Signature]
- Signature of head of office: [Signature]

Seal of office  
D.H.Q. Hospital Batkhela

Took over charge on 16-03-17 (AM)

I do hereby certify that I have examined Zia Ullah Candidate for employment in the office of the Education Department and can not discover that he / she had any disease communicable or other constitutional affection or bodily infirmity except nil

I do not consider this as disqualifications for employments in the office of Education Department his/her age according to his/her own statement is 31-32 Years, and by appearance/ general development is about 31-32 years.

Impressions				
Small Fig:	Ring Fig:	Middle Fig:	Index Fig:	Thumb.
				

Dated: 17-3-2017

[Signature]  
Medical Superintendent  
D.H.Q. Hospital Batkhela

ATTESTED [Signature]

ANNEXURE "C"


9

## CHARGE REPORT

Certified that Mr. Zia ullah PST took over charge of his post on dated 17-03-2017. (F/N) vide DEO (male) Malakand at Batkhela order No 2312-2421/PST/Appt -2017 Dated 15-03-2017.

Charge report is submitted to the office for further necessary action.

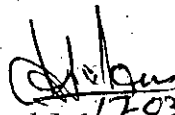
Took over charge



Zia ullah

s/o

Hussain khan

  
17-03-2017  
Head Master  
GPS Badragga  
District Malakand

HEAD TEACHER  
G.P.S. Badragga  
Malakand Agency



# ANNEXURE "D"

10

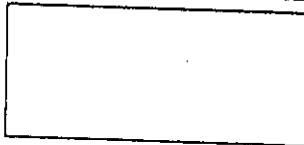
(For Civil Servants & Police Department)

Heirs,

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

FIRST APPOINTMENT ORDER:

Left Thumb Impression



Academic and Professional Qualification	Board / University	Session	Date	Roll No	Marks obtained	Total Marks	Grade / Division	D/O result Dated	Declaration
01) S.S.C. (Sc)	SAIDU SHARIF SWAT BOARD	2002		18823	581	850	B		
02) Intermediate F.S.C	BISE Malakand at Chakdara	2004		222081	564	1050	C		
03) Bachelor / B.S. B.Sc	University of Malakand	2007		28308	298	550		03-10-2007	
04) Master / M.S. MBA (Finance)	University of Malakand	2007 / 2009		134	1698	2400		26-05-2010	
05) Other Qualifications M.Phil (M.Sc Finance)	Federal Urdu University of Arts - Science & Technology	2013		7381	3.00		B	07-05-2013	
06) P.T.C	AIOU Islamabad	Spring 2011		2659846	553	900	B	28-02-2012	

*[Signature]*  
 DARGA MALAKAND

- Plan-drawing
- Drill Instructing
- Court Duties
- Reserve Duties
- Pleadership Examination
- Training School Final Examination

**REGISTERED**

N.B. Line to be drawn under the qualification possessed.

Note: The entries on this page should be renewed or re-attested as least every five years in the signature to lines 11 and 12 should be dated

1. Name ZIA ULLAH

2. NIC No. 15401-8284840-5

3. Race Uttman Khel (Pakistani) 4. District of Domicile Malakand

5. Residence Village Dilawar Kali P/O Ghawar Kali Tehsil Dargai MCD

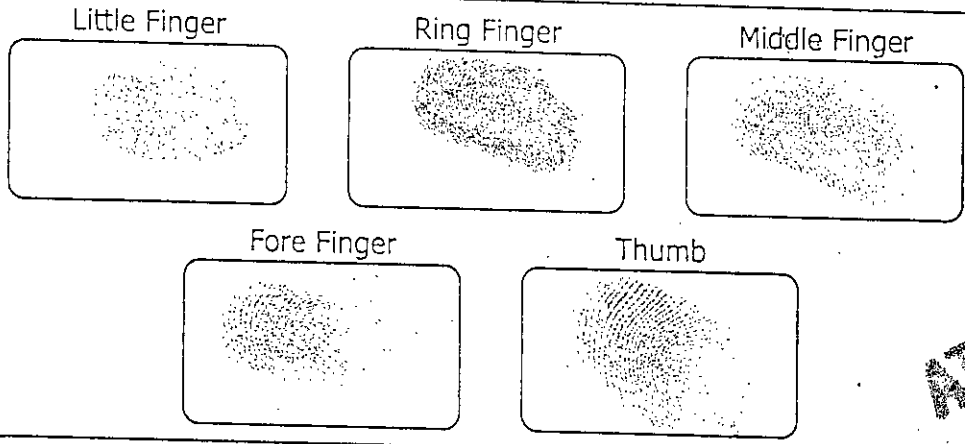
6. Father name and residence HUSSAIN KHAN

7. Date of Birth by Christian era as nearly as can be ascertained: 10-04-1985 (Tenth April N.H and Eighty five)

8. Exact height by measurement: 5'-9"

9. Personal Marks for Identification: Mole on left hand

10. Left Hand Thumb and Finger Impression of (Non Gazetted Officer)



**ATTACHED**

11. Signature of Government Servant: [Signature]

12. Signature & Designation of the Head of the Office, or other attesting officer. [Signature]  
Sub Division Officer  
MCD Dargai Malakand



ANNEXURE "E" (13)

**OFFICE OF THE  
DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND.**

**RELEASE OF PAY /**

Consequent upon the completion of the verification of the whole documents from the concerned Boards/ Universities as given below in respect of the following newly appointed Primary School Teachers of District Malakand, so their pays are hereby released from the date of taking over charge.

S. No.	Name/ Designation/ School.	Examination which documents verified
1	Pir Muhammad PST GPS Hazrat Manan Koroota	PTC/ SSC-F.Sc-BA-MA
2	Zia Ullah PST GPS Badraga	PTC/ SSC-F.Sc-B.Sc-MBA-MS(BA)
3	Nasar Jamal PST GPS Badraga	PTC/ SSC-F.Sc-B.Sc-M.Sc
4	Gouhar Ali PST GPS Ghangin Abad	PTC/ SSC-FA-BA-MA

Note:-

S.D.E.O. (Male) concerned is required to arrange drawl of pay etc. in respect of the above named teachers at an early date.

( PROFESSOR MUHAMMAD UZAIR ALI )  
DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND

Endst: No. 9543-47 /PST/PF Dated Batkhela the 11 / 09 / 2017

Copy forwarded for information and necessary action to the:-

- 1 District Accounts Officer Malakand.
- 2 SDEO (M) Dargai along with all the verified documents & letters of the concerned Boards/ Universities as received with his office letter No.825 dated 28.08.2017 and with the remarks to keep all the verified documents in his safe custody so as to provide it as and when required by this office.
- 3 B & AO Local Office.
- 4 Teachers concerned.
- 5 M/File .

  
DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND

ATTACHED

ANNEXURE "F" (14)



# 中央财经大学

Central University of Finance and Economics

Nationality: Pakistan  
CSC No. 2017SLJ021496

## Central University of Finance and Economics

### Admission Notice for Chinese Government Scholarship Students

Dear Mr. ULLAH, ZIA:

We are pleased to inform you that, having examined your application materials, we have decided to enroll you to study at the School of Finance of our university as a Doctorate Degree Candidate in the program of Finance offered in English from September 2017 to July 2021.

According to the notice of the China Scholarship Council, your fees for studying in China will be covered by:

Full scholarship: (including tuition, lodging, stipend, and medical insurance).

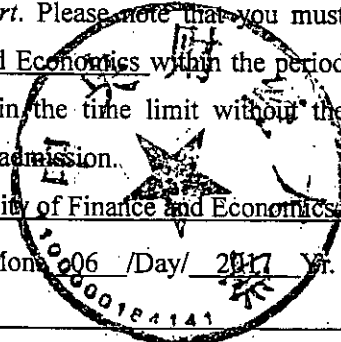
If you observe the laws and decrees of China as well as the regulations of our university, you can apply for the student visa (X1 visa or X2 visa) to the Chinese embassy or consulate in your country with *this Admission Notice*, the original copies of your *Visa Application for Study in China*, *Foreigner Physical Examination Form* and your *blood test report*. Please note that you must register, with these materials, at Central University of Finance and Economics within the period between September 4 and 6, 2017. If you fail to register within the time limit without the permission of the institution, you will be regarded as giving up this admission.

Applicant's signature: [Signature]

Central University of Finance and Economics

Date: 03 /Mon. 21 /Day/ 2017 Yr.

Date: 07 /Mon. 06 /Day/ 2017 Yr.



- Note**
1. Be sure to enter China with X1 visa or X2 visa, otherwise you will be responsible for all the possible consequences.
  2. Please prepare ten copies of the photo the same size as in the passport on registration day.
  3. Please go through all the procedure of registration to the institution and apply within thirty days of arrival for the residency permit to the local police authority.

**Contact:** Mr. Qian Mingcai    School of International Cultural Exchange    Central University of Finance and Economics 39 South College Road, Haidian District, Beijing 100081, P.R. China

Tel: +86-10-62288286    Fax: +86-10-62288982    Email: [lxscufe.edu.cn](mailto:lxscufe.edu.cn)    [cufelxs@126.com](mailto:cufelxs@126.com)

ATTESTED

15



# 中央财经大学

Central University of Finance and Economics

## 博士研究生成绩单

学号	2017630002		学院	金融学院	专业	金融学	
姓名	兹亚		性别	男	入学时间	2017-09	
课程名称	课程性质	开课学期	学分	学时	成绩	备注	
International Banking	学科与专业选修课 (留学生博士)	第二学期	2	36	96		
Empirical Methods in Finance	学科与专业选修课 (留学生博士)	第三学期	2	36	87		
International Finance	专业课 (留学生博士)	第一学期	2	36	86		
Advanced Corporate Finance	专业课 (留学生博士)	第一学期	2	36	87		
Advanced Econometrics	专业课 (留学生博士)	第一学期	3	54	86.1		
Advanced Microeconomics	专业课 (留学生博士)	第一学期	3	54	81		
Financial institutions and markets	专业课 (留学生博士)	第二学期	2	36	89		
Monetary Economics	专业课 (留学生博士)	第二学期	2	36	79		
Financial Analysis	专业课 (留学生博士)	第三学期	2	36	80		
Financial Derivatives	专业课 (留学生博士)	第三学期	2	36	89		
Investment	专业课 (留学生博士)	第三学期	2	36	85		
Advanced Macroeconomics	专业课 (留学生博士)	第三学期	3	54	78	重修	
Behavioral Finance	专业课 (留学生博士)	第四学期	2	36	80	补考	
学分合计:			29				
GPA:			2.2759				



ATTESTED

ANNEXURE - G<sup>n</sup>

16

OFFICE OF THE  
DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND

No. 1275  
Dated 27/09/2017

Mr. Ziaullah Son of Hussain Khan,  
Union Council Badragga,  
GPO Head Teacher GPS Badragga  
Tahsil Dargai.

IMPORTANT / IMMEDIATE  
ACKNOWLEDGEMENT DUE

SUBJECT: NOTICE / EXPLANATION REGARDING ABSENCE FROM DUTY.

As reported by the SOEO (Male) Dargai vide his office No. 319 dated 23-09-2017 in light of the complaint of the Head Teacher GPS Badragga that you have been absent from duty w.e. from 18-09-2017 without any prior approval of the competent authority.

According to the known sources, you have been proceeded abroad (i.e. China for Advance Education) without any intimation to your superiors which is a clear violation of the rules and regulation.

You are directed to attend your duty forthwith and submit your written explanation to the Head Teacher / SOEO / GPO concerned (i.e. GPS) which you will be held responsible for. Failure to do so may result in termination from service.

DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND

133



**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
MALAKAND**

**Removal From Service /**

1. WHEREAS, Mr. Ziaullah, PST BPS-12 G'S Badragga District Malakand was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 for willful absence from his duty w.e.f. 18-09-2017 onward without prior permission from the Competent Authority imposed by the SDEO (Male) Dargal vide its memo No.919 dated 23-09-2017.

AND WHEREAS, attendance notice as required under Rules 9 of the aforementioned Rules was issued to the said PST through register mail/ cover on his home address vide No.10270 dated 29-09-2017 but he did not resume his duties nor reported his arrival.

AND WHEREAS, a Call/Attendance Notice was published in the news papers on 30th November 2017 and on 01st December, 2017 Dally Aaj under the above mentioned Rule directing him to resume his duties within 5 days of the publication of the Notices but even then he failed to resume his duties and report his arrival within the stipulated time.

WHEREAS, the competent Authority, after having considered the charge, evidence on record and the subsequent PST to resume his duties in the stipulated period, is of the view that the charges against the delinquent PST have been proved.

IN VIEW OF THE powers conferred upon him under the rules 4 (B) (III) of the Government servant (Efficiency and Discipline) Rules 2011, the competent Authority is pleased to impose upon Mr. Ziaullah, PST BPS-12 G'S Badragga District Malakand the major penalty of "removal from service" from the date of his absence from duty.

(Prof. Muhammad Uzair Ali)  
Competent Authority

District Education Officer (M)  
Malakand

Dated Dethkela the 22/12/2017

For the District Education Officer (M) Malakand: *[Signature]*

The above is forwarded for information to the:-

- 1. District Office, Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 2. District Office, Malakand.

For the District Education Officer (M) Malakand: *[Signature]*

The above is forwarded for information to the:-

- 1. District Office, Malakand with the direction to recover salary / of absent period if with drawn.
- 2. District Office, Malakand with the direction to hand over copy of this Notification to the Ex. PST

For the District Education Officer (M) Malakand: *[Signature]*

The above is forwarded for information to the:-

- 1. District Office, Badragga District Malakand
- 2. District Office, local office.

Competent Authority  
District Education Officer (M)  
Malakand

*[Signature]*

*[Signature]*



کثرتِ صبا۔ ڈاکٹر علیہ (جو کوششیں ضرورتاً کر سکتا ہے)  
معاون، حکام ایمل بر فلفہ صلح فرمیں 22/12/2017 سے 22/1/2021

صبا عالی! - خود بخود تدارک سے کہ سائل جمع تعلق میں بطور پیمائش سکول ٹیچر (P.S.T) صرف 2017/13/15 کو تصدیق ہوئی۔ یہاں اس کے بعد سائل نے بعد از صحتی لفظاً حوالیہ لکھ کر سائل کو پیش کیا۔ یہ سبب کا حوالہ دیا گیا۔ لہذا اس نے صحت سرخیام دینا شروع کیا۔ یہ کہ اس دوران سائل نے تفتوحہ کیا سائل جاری ہے۔ اس کے بعد سائل نے ایمل تعلق کے بعد سببوں میں سے سے Apply کر رکھا تھا۔ تو سائل کو وہ سبب لکھ کر سبب سے نوازا گیا اور سائل نے ایمل تعلق کے حصول کیلئے بعد میں سبب سے سے۔ یہ کہ ایمل تعلق کا حصول پیمائش شدہ کا نتیجہ ہی تھا۔ جو کہ آئین پاکستان میں ہے۔ یہ کہ جب سائل نے اپنی تعلق مکی کر دی تو لہذا اس وطن آئے تو وہی ڈیوٹی جانشین کرنے کیلئے اسے اس سکول کے جیسا کہ سائل کو صلح فرمیں 22/12/2017 تھا دیا گیا۔

یہ کہ صلح فرمیں جاری کرنے سے پہلے ہی کوئی نوٹس دیا گیا ہے اور نہ ہی اس کا اخبار میں ایسا اور عینہ دیا گیا۔ یہ سائل کے صلح فرمیں 2 کا کارروائی ہوئی ہے لہذا یہ ایک عینہ قاضی صلح سے سائل کو کوئی برضا بہت کم دیا گیا ہے۔

سبب اس سے کہ عینہ کو ایمل نیز صلح صلح 22/12/2017  
کو عینہ کو دیا گیا ہے لہذا سائل کو صلح صلح صلح  
رہی تو اسے پیمائش کر دیا جائے۔ امرتسر: 20/2/2021

صبا عالی! (P.S.T) ج. پ. س

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

APPEAL NO. 6173 /2021

**ZIA ULLAH**

**VS**

**EDUCATION DEPT**

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**APPELLANT**

**THROUGH:**  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**

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

**SERVICE APPEAL NO. \_\_\_\_\_/2021**

Mr. Zia Ullah, Ex-PST (BPS-12),  
GPS, Badraga, District Malakand.

..... **APPELLANT**

**VERSUS**

- 1- The Secretary, (E&S) Education Department, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&S) Education Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (Male), Malakand at Batkhela.

..... **RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDERS DATED 22-12-2017 COMMUNICATED TO THE APPELLANT ON 17-02-2021 WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE HAS BEEN IMPOSED ON THE APPELLANT AND AGAINST THE IMPUGNED INACTION OF THE RESPONDENTS BY NOT DECIDING THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUARY PERIOD OF NINETY DAYS.**

**PRAYER:**

That on acceptance of this service appeal the impugned order dated 22-12-2017 may very kindly be set aside and the appellant may be re-instated into service with all back benefits. Any other remedy which this august Tribunal deems fit that may also be granted in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

- 1- That the appellant was appointed in the respondent department as PST (BPS-12) vide order dated 15-03-2017 and was posted at GPS, Badragga, District Malakand. Copy of the appointment order dated 15-03-2017 is attached as annexure .....**A.**
- 2- That after the appointment was medically examined and being medically fit took over charge of his post on 17-03-2017 and started performing his duty with zeal and zest. Copies of the medical certificate and charge report are attached as annexure .....**B&C.**

- 3- That by joining the service, the service book of the appellant was prepared by the responsible officer. Copy of the service book is attached as annexure .....**D.**
- 4- That it is pertinent to mentioned here that salary of the appellant was also released vide order dated 11-09-2017 by the respondents after verification of the education testimonials from the concerned Boards and Universities. Copy of the order dated 11-09-2017 is attached as annexure.....**E.**
- 5- That it is important to mention here that Higher Education being the fundamental rights of every person, therefore, the appellant applied for scholar ship to the Doctorate in Finance to one of the university of China and the same was sanctioned to the appellant w-e-f September, 2017 to July 2021. Copies of the admission certificate along with other documents are attached as annexure .....**F.**
- 6- That it is worth to mention here that the appellant was abroad for the higher studies and the respondents have issued a notice and asked explanation form the appellant vide the notice dated 29-09-2017. Copy of the notice dated 29-09-2017 is attached as annexure .....**G.**
- 7- That as the appellant was out of the country so he was not in knowledge of any kind of notice/ explanation letter, furthermore the respondents have not bring in to the notice of any of the family member of the appellant of the said explanation letter/ absence notice and without following the codal formalities and regular inquiry in to matter straight away issued the impugned removal order dated 22-12-2017 with retrospective effect. Copy of the impugned order dated 22-12-2017 is attached as annexure .....**H.**
- 8- That appellant after completion of his higher studies abroad, on arrival approached to the duty station, the appellant was informed that he has been proceeded in his absence and also has been removed from service vide order mentioned above. That appellant feeling aggrieved from the impugned order dated 22-122017 preferred a departmental appeal before the appellate authority but no response have been given till date. Copy of the departmental appeal is attached as annexure .....**I.**
- 9- That by not deciding the departmental appeal of the appellant within the statutory period of ninety days, the appellant feeling aggrieved from the inaction of the respondents and having no other remedy but to file the instant service appeal on the following grounds amongst the others.

**GROUND:**

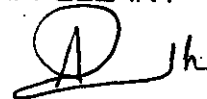
- A- That the impugned order dated 22-12-2017 and the inaction of the respondents by not deciding the departmental appeal are against

the law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.

- B- That appellant has not been treated by the respondent department in accordance with law and rules on the subjected noted above and as such respondents violated the Article 4 and 25 of the Constitution of Islamic Republic of Pakistan.
- C- That no absence notice has been served on the appellant before issuing the impugned order dated 22-12-2017.
- D- That no publication has whatsoever been made by the respondent Department before issuing the impugned order dated 22-12-2017 which is necessary as per Rule-9 of the Civil Servant (Efficiency & Discipline) Rules, 2011.
- E- That the impugned order dated 22-12-2017 contain a retrospective punishment, therefore, the same is void ab initio and in nullity in the eye of law, hence liable to be set aside.
- F- That absence of appellant was not willful but he was abroad for the higher studies and the same is the fundamental right of the appellant, therefore, the impugned order dated 22-12-2017 is not tenable in the eye of law and liable to be set aside.
- G- That the appellant seeks permission to advance any other ground and proofs at the time of hearing.

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

APPELLANT



ZIAULLAH

THROUGH:



NOOR MUHAMMAD KHATTAK

&



KAMRAN KHAN



UMAR FAROOQ  
ADVOCATES

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

**ZIA ULLAH**

**VS**

**EDUCATION DEPTT**

**AFFIDAVIT**

Stated on oath that the contents of the accompanying service appeal are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.



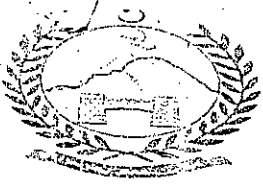
  
**DEPONENT**

**CERTIFICATE:**

Certify that no earlier service appeal has been filed by the appellant in the instant matter before this Honorable Service Tribunal.

  
**CERTIFICATION**

Appointment Order PST (M) BPS-12 Adhoc school based contract



## District Education Officer (Male) Malakand at Batkhela

### APPOINTMENT NOTIFICATION

Consequent upon the recommendation of Departmental Selection Committee, appointment of the following candidates are hereby ordered against the posts of Primary School Teacher (PST) school based in BPS-12 Fixed (Rs.1140-800-35140) plus usual allowances as admissible purely on adhoc based (contract) under the existing policy of the Provincial Government in the Schools noted against their names on the terms and conditions given below with effect from the date of their taking over charge.

S. No.	Name	Father's Name	CNIC	Candidate Union Council	Name of School	Total Score	Remarks
1	UBAID ULLAH	ANWAR KHAN	15402-1581388-7	AGRA	GPS Landay Agra	136.26	AVP
2	MUHAMMAD ASIF NAWAZ KHAN	YOUSAF KHAN	15402-4477369-3	AGRA	GPS Adil Banda	136.19	AVP
3	UZAIR BADSHAH	SAID BAD SHAH	15402-1416336-1	ALLADAND	GPS Shaba khel	111.97	AVP
4	MUHAMMAD ANWAR	MUHAMMAD ISMAIL	15402-5924779-9	ALLADAND	GPS No.1 Alladand	109.11	AVP
5	RASHID KHAN	BADSHAH FUSSAIN	15402-3404490-7	ALLADAND	GPS Shaba khel	106.72	AVP
6	INA'AT UR RAHMAN	FAZAL RAHMAN	15402-9350717-7	ALLADAND	GPS Sahib Zada Baba	97.13	AVP
7	MUHAMMAD ISHAQ KHAN	MUHAMMAD AFZAL KHAN	15401-6940707-3	BADRAGGA	GPS Gul ghafoor Banda	130.94	AVP
8	MUFAD ALI KHAN	MUHAMMAD NAWAB	15401-3126315-5	BADRAGGA	GPS Badragga	123.89	AVP
9	ZIAULLAH	HUSSAIN KHAN	15401-8284840-5	BADRAGGA	GPS Badragga	124.33	AVP
10	NAVEED AHMAD	NOOR ZADA	15401-5733814-3	BADRAGGA	GPS Zahoor Abad	119.97	AVP
11	NASAR JAMAL	FAZAL HUSSAIN	15401-2318440-7	BADRAGGA	GPS Badragga	117.66	AVP
12	KAMIRAN	FARID GUL	15402-2363820-7	MIDDLE BATKHELA	GPS No.1 Batkhela	119.47	AVP
13	RAFI UD DIN	MUNEER KHAN	15402-0706926-5	MIDDLE BATKHELA	GPS No.1 Batkhela	102.52	AVP
14	WASEEM AKRAM	MUHAMMAD UZAIR	15401-2297015-1	DARAGAI	GPS Khattako Shah	102.35	AVP
15	AFTAB AHMAD	GUL RAHMAN	15401-5318348-5	DARGAI	GPS Jabban Power House	97.6	AVP
16	AFTAB AHMAD	ABDUL GHAFFAR	15402-6944300-7	DHERI ALLADAND	GPS Said Abad	118.7	AVP
17	MUHAMMAD FAYAZ INAKSAAR	MUHAMMAD FARAZ	15402-1624326-5	DEHRI ALLADAND	GPS No.3 Alladand	117.1	AVP
18	FAROOQ ISLAM	BAHRAMAND KHAN	15402-8524322-6	DHERI ALLADAND	GPS Zalam Kot	114.95	AVP
19	REHAN ULLAH	SAJID ULLAH	15402-7359128-1	DHERI ALLADAND	GPS Zalam Kot	112.49	AVP
20	SYED SHAFI UR RAHMAN	MIAN SAID ABAS	15402-5204700-7	DHERI ALLADAND	GPS Zalam Kot	111.22	AVP
21	AFTAB AHMAD	MAJEED GUL	15402-8462917-1	DHERI JULAGRAM	GPS Julagram	118.04	AVP
22	SALMAN ALI	AMANULLAH KHAN	15402-1636549-9	DHERI JULAGRAM	GPS Thrai Julagram	115.88	AVP
23	IJAZ UL HAQ	KHAISTA MUHAMMAD	15402-9941688-1	DHERI JULAGRAM	GPS Police Banda	106.4	AVP
24	SAJAD RAHIM	NAIK RAHIM KHAN	15402-6619577-7	DHERI JULAGRAM	GPS Thrai Julagram	104.98	AVP
25	WAJID ALI	ZEER ULLAH KHAN	15401-3331517-1	GARHI USMANI KHEL	GPS Anar Tangi	119.44	AVP
26	NAVEED KHAN	SARFARAZ KHAN	15401-7957158-1	GARHI USMANI KHEL	GPS Shah Haidor Banda	112.91	AVP
27	GOUHAR ALI	SHAH ZAMIN	15401-8123614-3	GARHI USMANI KHEL	GPS Ghargin Abad	109.38	AVP
28	ABDUL WAHAB	ABDUL QAYUM	15401-6873430-1	GARHI USMANI KHEL	GPS Saidra Juwar	108.65	AVP
29	HAZRAT GUL	SARDAR KHAN	15401-5624310-7	GGARHI USMANI KHEL	GPS Saidra Juwar	104.91	AVP
30	IMRAN KHAN	BAKHT BILAND	15402-4131322-9	GARHI USMANI KHEL	GPS Saidra Juwar	104.45	AVP
31	IFTIKHAR	MUHAMMAD GHAFFAR	15401-5881543-7	G U KHEEL	GPS Khushal Korona	102.55	AVP
32	HABIB UR RAHMAN	SAID RAHMAN	15401-8436155-1	HEROSHAH	GPS Haryan Kot	137.66	AVP
33	PIR MUHAMMAD	NAUROZ KHAN	15401-5265131-1	HERO SHAH	GPS Hazrat Manan Korona	132.25	AVP
34	DANYAL KHAN	MOMIN KHAN	15401-3736188-5	HEROSHAH	GPS Jannat Abad	128.09	AVP
35	ROVIAD KHAN	UMAR KHALIQ	15401-3181763-9	HERO SHAH	GPS Standaro Kaly	123.95	AVP
36	JAWAD AHMAD	GHAFFAR GUL	15401-3992876-1	HERO SHAH	GPS Nashro Kandow	122.46	AVP
37	SALEEM MALIK	KHAISTA QADAR	15401-1957227-9	HERO SHAH	GPS Barh Ghakhay	121.99	AVP
38	HUSSAIN AHMAD	MUNAWAR SHAH	15401-5427494-1	HERO SHAH	GPS Haryan Kot	121.7	AVP
39	MUHAMMAD SHAKEEL	KHAISTA RAHMAN	15401-2849070-3	HERO SHAH	GPS Aghl Garh	116.50	AVP
40	MUBARAK SHAH	AWAL SAID	15401-4059005-3	HERO SHAH	GPS Hazrat Manan Korona	114.87	AVP
41	FAZAL MAULA	KARAM BADSHAH	15401-7240319-1	HERO SHAH	GPS Narai Obu	114.19	AVP
42	MUHAMMAD ALAM	SAID KARAM	15401-1962283-9	HERO SHAH	GPS Nasrullah Kaly	112.36	AVP

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43	ARSHAD KHAN	KHAN BAHADAR	15401-1003175-3	HEOSHAH	GPS Narai Obu	111.64	AVP
44	ASHFAQ AHMAD	SARDAR AHMAD	15402-4040615-5	KHAR	GPS No.1 Khar	96.32	AVP
45	IJAZ UL HAQ	FAZAL WAHID	15402-2591053-5	KHAR	GPS Khar Banda	94.91	AVP
46	IRFAN KHAN	FAZAL KHAN	15402-4459421-5	KHAR	GPS Sabeel Banda	92.62	AVP
47	MUHAMMAD ZUBAIR	MUHAMMAD SAID	15401-1606361-1	KOPER	GPS Mir akbar Khan Banda	134.42	AVP
48	MUJAHID KHAN	MUHAMMAD WASIR	15401-5842751-3	KOPER	GPS M. Amin Kaly	126.19	AVP
49	MUHAMMAD RAHMAN	HAKIM KHAN	15402-9880075-3	KOT	GPS Mungai Kot	135.36	AVP
50	MUHAMMAD IQBAL	SAID NABI	15402-1343349-9	KOT	GPS Faizghai Kot	124.94	AVP
51	INAM UDDIN	ISLAM UD DIN	15402-5135665-3	KOT	GPS Muna Shah	124.9	AVP
52	SHAHAB AHMAD	IKRAM ULLAH	15402-6768379-5	KOT	GPS Maina	124.03	AVP
53	SULIMAN KHAN	BARKAT KHAN	15402-0283308-5	KOT	GPS Batoo	119.85	AVP
54	FAIZ MUHAMMAD	SAID MUHAMMAD	15402-6148080-1	KOT	GPS No.1 Kot	118.51	AVP
55	WAQAR AHMAD	BAHRAMAND	15402-1015510-9	KOT	GPS Jai Kot	115.36	AVP
56	FAWAD WALI	WALI SHAH	15402-3718257-5	MALAKAND	GPS Jalal Kot	102.55	AVP
57	NAVEED AHMAD	BARKAT KHAN	15402-7412975-9	MALAKAND	GPS Painda Kandaro	98.1	AVP
58	MUHAMMAD IFTIKHAR	ABDUL MALIK	15402-1449297-9	MALAKAND	GPS Hatam Banda	94.98	AVP
59	ZAWAR KHAN	KHALID KHAN	15401-0665459-9	MEHERDI	GPS Musa Maina	128.61	AVP
60	ZAFAR IQBAL	UMAR MUHAMMAD	15401-6333960-5	MEHERDI	GPS Musa Maina	124.38	AVP
61	INAM ULLAH	AZIZ ULLAH	15401-0394654-7	MEHERDI	GPS Musa Maina	119.57	AVP
62	FAZLI MANAN	FAZLI SATTAR	15401-3236823-5	MEHERDI	GPS Salgaro Banda	119.27	AVP
63	ASGHAR HUSSAIN	BAD SHAH GUL	15402-9598258-1	PALAI	GPS Jala Pur	127.81	AVP
64	NIHAL HUSSAIN	MUHAMMAD SALIM	15402-3313119-3	PALAI	GPS No.1 Palai	121.85	AVP
65	SHEHZAD HUSSAIN	SARDAR HUSSAIN	15402-6813491-1	PALAI	GPS Mura Banda	116.6	AVP
66	BAKHT RAWAN	MUHAMMAD RAZAQ	15402-2739663-5	PALAI	GPS Khogdara	109.01	AVP
67	HUMAYOON KHAN	SHER ALI KHAN	15402-7474331-9	PIR KHEL	GPS Mainagah	133.18	AVP
68	ARSHAD ALI	GHULAM MUHAMMAD	15402-7003423-1	PIR KHEL	GPS Samsa Sar	128.3	AVP
69	IMRAN KHAN	MUHAMMAD KHAN	15402-5833856-7	PIRKHEL	GPS No.2 Mekhband	118.64	AVP
70	WAQAR HUSSAIN KHAN	AZIZ UR REHMAN	15402-9190622-3	PIRKHEL	GPS No.2 Mekhband	118.45	AVP
71	BACHA RAHIM	MUHAMMAD IQBAL	15402-2603211-5	PIRKHEL	GPS Sholawai	117.13	AVP
72	MUSHTAQ AHMAD	GUL MALIK	15402-3462817-7	PIRKHEL	GPS Qila Pirkhel	112.46	AVP
73	IMRAN KHAN	MAHBOOB KHAN	15402-7306474-9	PIRKHEL	GPS No.2 Mekhband	109.29	AVP
74	WASAL KHAN	NASEEB KHAN	15402-3460278-7	PIRKHEL	GPS No.2 Pirkhel	108.94	AVP
75	AZMAT ALI KHAN	DOST MUHAMMAD	15401-9818115-9	SAKHAKOT BANDA JAT	GPS Ghundo Bala	116.5	AVP
76	JAVID UR RAHMAN	SAAD ULLAH KHAN	15401-7503925-1	SAKHAKOT BANDA JAT	GPS Gujar Khan Dheri	113.44	AVP
77	IQBAL QAISAR	FAZAL AMIN	15401-9780158-7	SAKHAKOT BANDA JAT	GPS Jhari	110.86	AVP
78	INAYAT ULLAH	RAHMAT ULLAH	15401-8701513-9	SAKHAKOT JADEED	GPS Latifi Colony	136.39	AVP
79	WAJID ALI	ASTANA GUL	15401-7368214-9	SAKHAKOT JADEED	GPS Pt Muhammad Shah Banda	129.76	AVP
80	ABDUR RASHID	FIDA MUHAMMAD	15402-4118667-9	SELLAY PATTY	GPS Dheri Kot	134.43	AVP
81	ROHUL AMIN	MUHAMMAD SANEEF	15402-7162574-9	SELAJ PATTY	GPS Khanori	122.67	AVP
82	SAID UL ISLAM	SAID MUHAMMAD	15402-8186363-7	SEALI PATTIE	GPS Dheri Kot	111.95	AVP
83	FAHEEM SHAHZAD	RAHMAN SHAH	15401-4525007-5	SAKHAKOT KHAS	GPS No.1 Sakhakot	111.97	AVP
84	LIAQAT ALI	ALI RAHMAN	15401-8631395-7	SAKHAKOT KHAS	GPS NO.1 Gulo shah	103.69	AVP
85	MUHAMMAD AJMAL	FAZLI SATTAR	15402-4555450-3	THANA BANDA JAT	GPS Nal	120.15	AVP
86	ZAHID	RAHIM	15402-5349546-5	THANA BANDA JAT	GPS Nal	112.61	AVP
87	MUHAMMAD FAISAL	NIAZ MUHAMMAD	15402-0718339-9	THANA JADEED	GPS No.1 Jalala	96.09	AVP
88	RAZA ULLAH	ABDUL SATTAR	15402-5130827-9	THANA JADEED	GPS Dir Colony	87.5	AVP
89	ANWAR KHITAB	GUL KHITAB	15402-6563332-9	THANA KHAS	GPS No.1 Thana	121.94	AVP
90	ARSALAN AMIN	MUHAMMAD AMIN	15402-1365497-7	THANA KHAS	GPS Palai Khpa	115.51	AVP
91	MANSOOR IQBAL	YOUSAF SHAH	15402-6056681-3	TOTAKAN	GPS NO.2 Totakan	115.87	AVP
92	TAHIR IQBAL	MUSLIM SHAH	15402-4461430-3	TOTAKAN	GPS No.1 Totakan	115.64	AVP
93	TAHIR KHAN	MAJEED KHAN	15402-7051656-3	TOTAKAN	GPS Ghundai Totakan	109.87	AVP
94	MUHSIN JAMAL	FAZAL QADAR	15402-0558100-5	TOTAKAN	GPS Hisar Baba Totakan	109.34	AVP
95	MOIEN KHAN	MUNAWAR SHAH	15402-1027985-3	TOTAKAN	GPS Dab Korona	104.67	AVP
96	MAZHAR KHAN	MUZAFFAR KHAN	15402-8095783-3	TOTAKAN	GPS Hisar Baba Totakan	104.39	AVP
97	KHALID KHAN	BEHRAM KHAN	15401-9376903-1	Wartair	GPS No.1 Dobandi	130.43	AVP
98	HIMADULLAH	SHEREEN MUHAMMAD	15401-0741456-1	WARTAIR	GPS No.2 Dobandi	105.89	AVP

*[Handwritten signature and stamp]*



**Terms & Conditions**

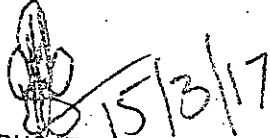
1. No TA/DA is allowed.
2. Charge reports should be submitted to all concerned.
3. Those who are already in service must submit their resignations (for ad hoc candidates)/relieving documents before taking over charge. The Principals and Headmaster shall have to ensure the same.
4. Appointment is purely on temporary & ad-hoc basis for one year with effect from 15.03.2017 to 14.03.2018.
5. They should not be handed over charge if they exceed 35 (Thirty-Five) with 3 (Three) years automatic relaxation for Malakand Division or if below 18 years of age.
6. Appointment is subject to the condition that the certificates' documents must be verified from the concerned authorities. Anyone found producing bogus certificate/s or degree/s his appointment shall be cancelled and he will be reported to the Law enforcing agencies for further legal action.
7. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice one month pay/allowances shall be forfeited to the Government treasury.
8. Pay shall not be drawn until and unless a certificate to this effect is issued by this office that their documents are verified.
9. They should join their posts within 15 days of the issuance of this notification. In case of failure to join the post within 30 days of the issuance of this Notification their appointment shall stand expired automatically and no subsequent appeal etc. shall be entertained.
10. Health & Age Certificate should be produced from the Medical Superintendent before taking over charge.
11. They will be governed by such Rules and Regulations as may be issued from time to time by the Government.
12. Their services shall be terminated at any time in case their performance is found unsatisfactory during their service period. In case of misconduct, they shall be proceeded under the relevant rules & regulations announced from time to time.
13. Their appointment is Ad hoc and school based. They shall have to serve at the place of posting and their service is not transferable to any other station provided in case of consequential changes/adjustment (as per opted schools) to be made in consequence of subsequent substitute order/appointment.
14. Before handing over charge their documents may be checked and if found bogus or irrelevant as per qualification and rules charge of the post shall not be handed over.
15. Errors and omissions will be acceptable within the specified period.
16. Both the SDEOs are required to verify all the documents (DMCs and Degrees/Certificates from the concerned/ Universities and provide their files of verified documents to this office for further pay release.

(PROFESSOR MUHAMMAD UZAIR ALI)  
 DISTRICT EDUCATION OFFICER,  
 (MALE) MALAKAND AT BATKHELA.

Endst: No. 2312-2421 /PST/Appt-2017 Dated Batkhela the 15-03-2017

Copy forwarded for information and necessary action to the:-

- 1- Director E&SE Khyber Pakhtunkhwa Peshawar.
- 2- Deputy Commissioner, Malakand.
- 3- District Nazim, Malakand.
- 4- District Monitoring Officer, Malakand.
- 5- District Accounts Officer Malakand.
- 5-7 Sub-Divisional Education Officer (M) Batkhela and Dargai.
- 8 B & A/O Local Office.
- 9 Assistant Programmer, DEMIS(M) Local Office.
- 10 ADEO (Litigations) Local Office.
- 11-108 Head Teachers/ Teachers concerned.
- 109 M/Files.

  
 DISTRICT EDUCATION OFFICER,  
 (MALE) MALAKAND AT BATKHELA.

**ATTACHED**

MEDICAL CERTIFICATE






- Name of Official: Zia Ullah
- Father's Name: Hussain Khan
- Caste or Race: Muslim / Pakistani
- Residence: Village Dilawar Kali (Distt: Mkd)
- Date of birth: 20-4-1985 according to vic
- Exact height by measurement: 5'-9"
- Personal mark identification: mole on L hand
- Signature of the official: [Signature]
- Signature of head of office: [Signature]

Seal of office  
 D.H.Q. Hospital Batkhela  
 District Mardan

Took over charge on 16-03-17/AM

I do hereby certify that I have examined Zia Ullah Candidate for employment in the office of the Education Department and can not discover that he / she had any disease communicable or other constitutional affection or bodily infirmity except nil

I do not consider this as disqualifications for employments in the office of Education Department his/her age according to his/her own statement is 31-32 Years, and by appearance/ general development is about 31-32 years.

Impressions				
Small Fig:	Ring Fig:	Middle Fig:	Index Fig:	Thumb.
				

Dated: 17-3-2017

[Signature]  
 Medical Superintendent  
 D.H.Q. Hospital Batkhela  
 District Mardan

ATTESTED [Signature]

ANNEXURE "C"

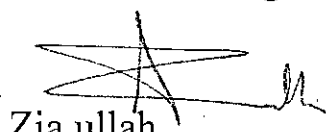
9

## CHARGE REPORT

Certified that Mr. Zia ullah PST took over charge of his post on dated 17-03-2017. (F/N) vide DEO (male) Malakand at Batkhela order No 2312-2421/PST/Appt -2017 Dated 15-03-2017.

Charge report is submitted to the office for further necessary action.


Took over charge



Zia ullah

s/o

Hussain khan



17-03-2017  
Head Master  
GPS Badragga  
District Malakand

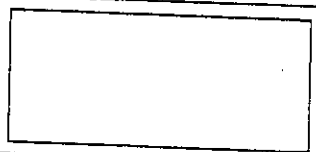
HEAD TEACHER  
G.P.S. Badragga  
Malakand Agency

Heirs,

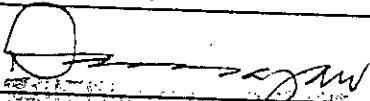
1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

FIRST APPOINTMENT ORDER:

Left Thumb Impression



Academic and Professional Qualification	Board / University	Session	Date	Roll No	Months obtained	Total Marks	Grade / Division	D/O result Dated	Declaration
01) S.S.C. (Sc)	SAIDU SHARIF SWAT BOARD	2002		18823	581	850	B		
02) Intermediate F.S.C	BISE Malakand at Chakdara	2004		222081	564	1050	C		
03) Bachelor / B.S. B.Sc	University of Malakand	2007		28308	298	550		03-10-2007	
04) Master / M.S. MBA (Finance)	University of Malakand	2007 / 2009		134	1698	2400		26-05-2010	
05) Other Qualifications M.Phil (M.Sc Finance)	Federal Urdu University of Arts & Science & Technology AIOU	2013		7381	3.00		B	07-05-2013	
06) P.T.C	Islamabad	Spring 2011		2659846	553	900	B	28-02-2012	

  
 OFFICER IN CHARGE  
 POLICE DIVISION  
 DARGA MALAKAND

- Plan-drawing
- Drill Instructing
- Court Duties
- Reserve Duties
- Pleadership Examination
- Training School Final Examination

REGISTERED

N.B Line to be drawn under the qualification possessed.

11

Note: The entries on this page should be renewed or re-attested as least every five years in the signature to lines 11 and 12 should be dated

1. Name ZIA ULLAH

2. NIC No. 15401-8284840-5

3. Race Uttman Khel (Pakistani) 4. District of Domicile Malakand

5. Residence Village Dilawar Kali P/O Ghawar Kali Tehsil Dargai MCD

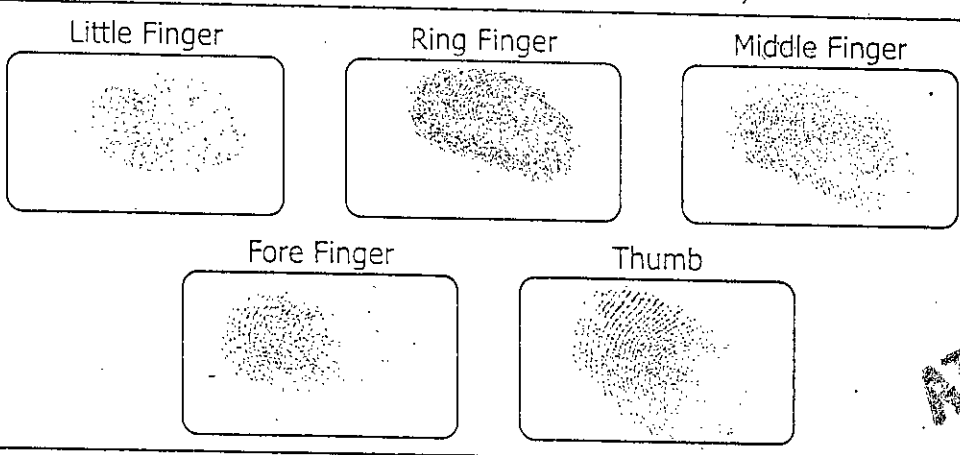
6. Father name and residence AUSSAIN KHAN

7. Date of Birth by Christian era as nearly as can be ascertained: 10-04-1985 (Tenth April N.H and Eighty five)


8. Exact height by measurement: 5'-9"

9. Personal Marks for Identification: Mole on left hand

10. Left Hand Thumb and Finger Impression of (Non Gazetted Officer)



**ATTACHED**

11. Signature of Government Servant: 

12. Signature & Designation of the Head of the Office, or other attesting officer:   
Sub-Divisional Officer  
Dargai Malakand

1	2	3	4	5	6	7	8
Name of Post	Substantive Whether Substantive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment, or (ii) whether service counts for pension under art 371: C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "Pay".	Date of Appointment	Signature of Government Servant
PST GPS Badzaggan	Adhoc base Contract		BPS.No.11 (Rs 11140-800-35140) Rs. 11140/pm fixed			17/3/2017	
do	do		BPS.No.12 (Rs. 13320-960-42120) Rs. 13320/pm fixed			01/7/2017	
						LA 11/8	
						Rs 14280/=	

ATTACHED

ANNEXURE "E" (13)



**OFFICE OF THE  
DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND.**

**RELEASE OF PAY /**

Consequent upon the completion of the verification of the whole documents from the concerned Boards/ Universities as given below in respect of the following newly appointed Primary School Teachers of District Malakand, so their pays are hereby released from the date of taking over charge.

S. No.	Name/ Designation/ School.	Examination which documents verified
1	Pir Muhammad PST GPS Hazrat Mahan Korooria	PTC/ SSC-F.Sc-BA-MA
2	Zia Ullah PST GPS Badraga	PTC/ SSC-F.Sc-B.Sc-MBA-MS(BA)
3	Nasar Jamal PST GPS Banjaraga	PTC/ SSC-F.Sc-B.Sc-M.Sc
4	Gouhar Ali PST GPS Ghangin Abad	PTC/ SSC-FA-BA-MA

Note:-

S.D.E.O. (Male) concerned is required to arrange drawl of pay etc. in respect of the above named teachers at an early date.

(PROFESSOR MUHAMMAD UZAIR ALI)  
DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND

Endst: No. 9543-<sup>47</sup> /PST/PF Dated Batkhela the 11/09/2017

Copy forwarded for information and necessary action to the:-

1. District Accounts Officer Malakand.
2. SDEO (M) Dargai along with all the verified documents & letters of the concerned Boards/ Universities as received with his office letter No.825 dated 28.08.2017 and with the remarks to keep all the verified documents in his safe custody so as to provide it as and when required by this office.
3. B & AO Local Office.
4. Teachers concerned.
5. M/File.

  
DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND

ATTACHED

ANNEXURE "F" (14)



# 中央财经大学

Central University of Finance and Economics

Nationality: Pakistan  
CSC No. 2017SLJ021496

## Central University of Finance and Economics

### Admission Notice for Chinese Government Scholarship Students

Dear Mr. ULLAH, ZIA:

We are pleased to inform you that, having examined your application materials, we have decided to enroll you to study at the School of Finance of our university as a Doctorate Degree Candidate in the program of Finance offered in English from September 2017 to July 2021.

According to the notice of the China Scholarship Council, your fees for studying in China will be covered by:

Full scholarship: (including tuition, lodging, stipend, and medical insurance).

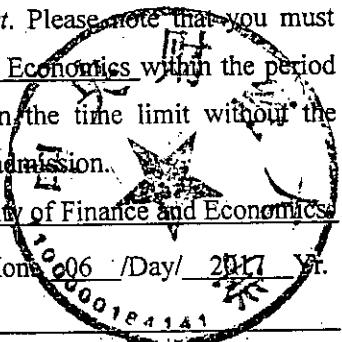
If you observe the laws and decrees of China as well as the regulations of our university, you can apply for the student visa (X1 visa or X2 visa) to the Chinese embassy or consulate in your country with *this Admission Notice*, the original copies of your *Visa Application for Study in China*, *Foreigner Physical Examination Form* and your *blood test report*. Please note that you must register, with these materials, at Central University of Finance and Economics within the period between September 4 and 6, 2017. If you fail to register within the time limit without the permission of the institution, you will be regarded as giving up this admission.

Applicant's signature: [Signature]

Central University of Finance and Economics

Date: 08 /Mon. 21 /Day/ 2017 Yr.

Date: 07 /Mon. 06 /Day/ 2017 Yr.



- Note**
1. Be sure to enter China with X1 visa or X2 visa, otherwise you will be responsible for all the possible consequences.
  2. Please prepare ten copies of the photo the same size as in the passport on registration day.
  3. Please go through all the procedure of registration to the institution and apply within thirty days of arrival for the residency permit to the local police authority.

**Contact:** Mr. Qian Mingcai    School of International Cultural Exchange    Central University of Finance and Economics 39 South College Road, Haidian District, Beijing 100081, P.R. China

Tel: +86-10-62288286

Fax: +86-10-62288982

Email: [lxz@cufe.edu.cn](mailto:lxz@cufe.edu.cn)

[cufelxs@126.com](mailto:cufelxs@126.com)

ATTACHED [Signature]



15

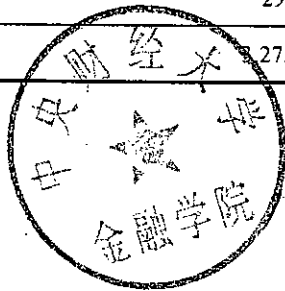


# 中央财经大学

Central University of Finance and Economics

## 博士研究生成绩单

学号	2017630002		学院	金融学院	专业	金融学	
姓名	兹亚		性别	男	入学时间	2017-09	
课程名称	课程性质	开课学期	学分	学时	成绩	备注	
International Banking	学科与专业选修课 (留学生博士)	第二学期	2	36	96		
Empirical Methods in Finance	学科与专业选修课 (留学生博士)	第三学期	2	36	87		
International Finance	专业课 (留学生博士)	第一学期	2	36	86		
Advanced Corporate Finance	专业课 (留学生博士)	第一学期	2	36	87		
Advanced Econometrics	专业课 (留学生博士)	第一学期	3	54	86.1		
Advanced Microeconomics	专业课 (留学生博士)	第一学期	3	54	81		
Financial institutions and markets	专业课 (留学生博士)	第二学期	2	36	89		
Monetary Economics	专业课 (留学生博士)	第二学期	2	36	79		
Financial Analysis	专业课 (留学生博士)	第三学期	2	36	80		
Financial Derivatives	专业课 (留学生博士)	第三学期	2	36	89		
Investment	专业课 (留学生博士)	第三学期	2	36	85		
Advanced Macroeconomics	专业课 (留学生博士)	第三学期	3	54	78	重修	
Behavioral Finance	专业课 (留学生博士)	第四学期	2	36	80	补考	
学分合计:			29				
GPA:			2.759				



ATTESTED

ANNEXURE - 57<sup>n</sup>

16

**OFFICE OF THE  
DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND**

No. 18719  
Dated 23-09-2017

M. Ziaulhaq Son of Muzahid Khan,  
Union Council Badragga,  
GPO Head Teacher GPS Badragga  
Tahsil Dargai

**IMPORTANT / IMMEDIATE  
ACKNOWLEDGEMENT DUE**

**SUBJECT: NOTICE / EXPLANATION REGARDING ABSENCE FROM DUTY.**

As reported by the SDEO (Male) Dargai vide his office No. 919 dated 23-09-2017 in light of the complaint of the Head Teacher GPS Badragga that you have been absent from duty w.e. from 18-09-2017 without any prior approval of the competent authority.

According to the known sources, you have been proceeded abroad i.e. China for Advance Education i.e. M.Phil. without any prior information to your superiors which is a clear violation of the rules and regulations.

You are hereby directed to attend your actual job duty forthwith and submit your written explanation to the Head Teacher / ASO / SDEO concerned failing which you will be treated as absent from service.

**DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND**

**DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND**

1538



OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
MALAKAND

Removal From Service /

1. WHEREAS, Mr. Ziaullah, PST BPS-12 GPS Badragga District Malakand was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 for willful absence from his duty w.e.f. 18-09-2017 onwards, without prior permission from the Competent Authority issued by the SDEO (Male) Dargai vide his Memo No.919 dated 23-09-2017.

AND WHEREAS, attendance notice as required under Rule 9 of the aforementioned Rules was issued to Mr. Ziaullah PST through register mail/ cover on his home address vide No.10270 dated 29-09-2017 but he did not appear at the office nor reported his arrival.

AND WHEREAS, a Call/Attendance Notice was published in the news papers on 30th November 2017 in the Malakand and on 01st December, 2017 Daily Aaj under the above mentioned Rule directing him to appear at the office within 15 days of the publication of the Notices but even then he failed to resume his duties and did not appear at the office within the stipulated time.

AND WHEREAS, the competent Authority, after having considered the charges, evidence on record and the conduct of the concerned PST to resume his duties in the stipulated period, is of the view that the charges against the delinquent PST have been proved.

AND WHEREAS, in exercise of powers conferred upon him under the rules 4 (B) (iii) of the Government Servants (Efficiency and Discipline) Rules 2011, the competent Authority is pleased to impose upon Mr. Ziaullah, PST BPS-12 GPS Badragga District Malakand the major penalty of "removal from service" from the date of his absence from duty.

(Prof. Muhammad Uzair Ali)  
Competent Authority

District Education Officer (M)  
Malakand

Dated: 02/12/2017

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Enclosure: Exh. Notices of Absence/Removal from Service

This copy of the above is forwarded for information to the:-

1. District Officer, Secondary Education, Khyber Pakhtunkhwa, Peshawar.

2. District Officer, Malakand

3. For necessary action at his end

4. District Officer, Malakand with the direction to recover salary / of absent period if warranted.

5. District Officer, Malakand with the direction to hand over copy of this Notification to the Ex PST

6. District Officer, GPS Badragga District Malakand

7. District Officer, Malakand for their local office.

8. District Officer, GPS Badragga District Malakand

Competent Authority  
District Education Officer (M)  
Malakand

کثرتِ جناح ڈائریٹریٹ (پوسٹل سروس) کے لئے  
معاون: حکام ایس بی اے کے ذریعہ 22 جولائی 2017ء کو 17/2/2021

جناح عالی (پوسٹل سروس) کے لئے درخواستیں جمع کرنے کے لئے  
صرف 2017/3/5 کو تصدیق ہوئی۔ یہاں اس کے بعد سائنس کے لئے درخواستیں  
صرف قومی اور ذاتی طور پر جمع ہونے کے لئے ہیں۔ اس دوران سائنس کے لئے درخواستیں  
سروایم دینا شروع کی گئی ہیں۔ یہ کہ اس دوران سائنس کے لئے درخواستیں  
جاری ہیں۔ اس کے لئے درخواستیں جمع کرنے کے لئے درخواستیں  
میں سے Apply کرنا ہے۔ تو سائنس کے لئے درخواستیں جمع کرنے کے لئے  
موازنہ کی درخواستیں جمع کرنے کے لئے درخواستیں جمع کرنے کے لئے  
موازنہ کی درخواستیں جمع کرنے کے لئے درخواستیں جمع کرنے کے لئے  
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جس کے لئے درخواستیں جمع کرنے کے لئے درخواستیں جمع کرنے کے لئے  
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کے لئے درخواستیں جمع کرنے کے لئے درخواستیں جمع کرنے کے لئے

12/2/2017  
22 جولائی 2017ء کو 17/2/2021  
موازنہ کی درخواستیں جمع کرنے کے لئے  
موازنہ کی درخواستیں جمع کرنے کے لئے  
موازنہ کی درخواستیں جمع کرنے کے لئے  
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موازنہ کی درخواستیں جمع کرنے کے لئے

صبا ڈائریٹریٹ (پوسٹل سروس) کے لئے  
G.P.O. 6, P.O.

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA**  
**PESHAWAR**

**Appeal No.6173/2021**

Mr. Zia Ullah, Ex-PST (BPS-12), GPS, Badraga, District Malakand.

.....Appellant

**VERSUS**

- 1). The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2). The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3). District Education Officer (Male) Malakand at Batkhela.

.....Respondents

**INDEX**

S.No#	Description of Documents	Annex:	Pages
1	Parawise Comments.	.....	1 to 2
2	Affidavit.	.....	3
3	Addresses of Parties.	.....	4
4	Authority.	.....	5
5	Notice for willful absence and Study Leave rules(F.R.84).	A,B	6 to 7
6	Publications in two newspapers.	C,D	8 to 9
7	Absence report, disciplinary action order & E&D rules 2011.	E,F&G	10 to 13
8	Removal order.	H	14

**Deponent**



**CNI # 15402-4483399-5**

Muhammad Naveed

Superintendent,

Office of the DEO (M) Malakand.

Mobile No,03499362725

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWAW PESHAWAR**

**Appeal No.6173/2021**

Mr. Zia Ullah, Ex-PST (BPS-12), GPS, Badraga, District Malakand.

.....Appellant

**VERSUS**

- 1). The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2). The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3). District Education Officer (Male) Malakand at Batkhela.

.....Respondents

**PARA WISE COMMENTS ON BEHALF OF RESPONDENTS**

**PRELIMINARY OBJECTIONS:**

- 1 That the appellant has no locus standi to file the instant appeal.
- 2 That the appellant has no cause of action to file the instant appeal against the respondents.
- 3 That the appellant has concealed the material facts from this Honorable Service Tribunal, hence liable to be dismissed.
- 4 That the appellant has filed the instant appeal on malafide motives.
- 5 That the appellant has estopped by his own conduct.
- 6 That the appellant was a contract employee and this appeal is not the jurisdiction of honorable Service Tribunal to be heard, hence liable to be dismissed.

**RESPECTFULLY SHEWETH**

**OBJECTIONS ON FACTS**

- 1). Pertains to record.
- 2). Pertains to record.
- 3). Pertains to record.
- 4). Pertains to record.
- 5). Pertains to appellant higher education.
- 6). That the appellant on that time was to choose either option i.e., for abroad studies or his service as a contract/adhoc employee. And according to APT rules the appellant was not admissible for any study leave being a contract employee. Although by knowing facts the appellant without any permission and sanctioning of study leave moved to china for higher studies. Therefore, keeping in view the E&D, rules 2011, under its clauses i.e., in misconduct and willful absence a notice was issued to resumed his duty within 15 days but invain due to the reason as best explained by the appellant.(Copy of notice/explanation for his absence is annexed.....(A).

*Continued.....*

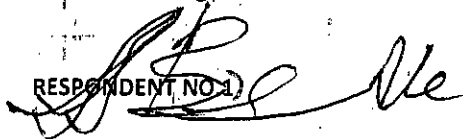
- 7). As the appellant himself witnessed that a notice was issued to him and as a contract servant his removal order was issued to him under E&D, rules 2011. Although he was publiced in two prominent news papers i.e., daily Mashriq on 30th November 2017 and daily Aaj 1st December 2017. Though the appellant was not a permanent/ regular employee of elementary & secondary education department that's why no regular inquiry was conducted under the rules. (Copies of daily newspapers attached.....(B) & (C).
- 8). That how it was possible for the appellant to be allowed for his duty to such long absence of 4 years from service without permission due to the reasons as best explained in above.
- 9). As the appellant was removed during his contract/adhoc period, therefore, he was no right to knock at the door of honorable Service Tribunal and he must to file his civil suit in other courts of justice.

**OBJECTIONS ON GROUNDS**

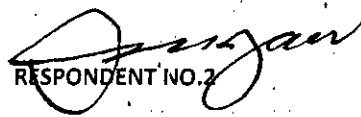
- a). That his removal order dated 22-12-2017 was issued in accordance with rules and law.
- b). That the respondent department never violated the Article 4 and 25 of the constitution of Islamic Republic of Pakistan.
- c). Disagree, the appellant was reported by Head teacher GPS Badraga dated 20-09-2017 for his absence from duty and consequently the office of SDEO (M) Dargai on 23-09-2017 recommended disciplinary action under E&D rules 2011. Subsequently, notice regarding his absence from duty was issued on 29-09-2017 and under E&D rule (9) he was public in two prominent newspapers as discussed above. After receiving no response an ex-parte action was taken against him and major penalty of removal from service was imposed upon him under rule (9) of E&D rules 2011. (Copies of report, disciplinary action order and E&D rules 2011 are annexed.....(D), (E)&(F).
- E). That the appellant removal order dated 22-12-2017 was done due to miss conduct and his willful absence from duty. (Copy of removal order is attached as annexure.....(G).
- F). That the appellant is not only guilty of willful absence but also of miss conduct because without sanctioning of any study leave or permission travelled abroad.
- G). That the respondent department also seeks permission of this Honorable Tribunal for further ground during hearing of this service appeal.

**Prayer**

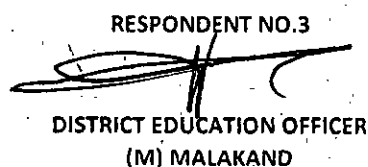
It is therefore, humbly prayed that the instant appeal of the appellant may be dismissed because it is based on illogical and irrelevant grounds.

RESPONDENT NO.1  


SECRETARY (E&SE) DEPARTMENT  
KHYBER PAKHTUNKHWA PESHAWAR.

RESPONDENT NO.2  


DIRECTOR (E&SE) DEPARTMENT  
KHYBER PAKHTUNKHWA PESHAWAR.

RESPONDENT NO.3  
  
DISTRICT EDUCATION OFFICER  
(M) MALAKAND

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA PESHAWAR**

**Appeal No.6173/2021**

Mr. Zia Ullah, Ex-PST (BPS-12), GPS, Badraga, District Malakand.

.....(Appellant)

**VERSUS**

- 1 The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2 The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3 District Education Officer (Male) Malakand at Batkhela.

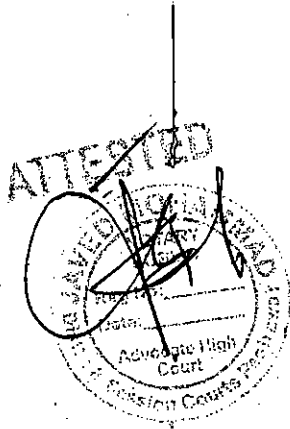
.....(Respondents)

**AFFIDAVIT**

I Muhammad Naveed Superintendent on the instructions of D.E.O. (Male) Malakand do hereby solemnly affirm and declare on oath that the contents of the accompanying para wise comments submitted by Respondent s as true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Service Tribunal.

Identified by

Assistant Advocate General  
Khyber Pakhtun Khwa,  
At Tribunal, Peshawar.



Deponent  
*(Signature)*  
CNI # 15402-4483399-5  
Muhammad Naveed  
Superintendent  
Office of the DEO(M) Malakand.



**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWAW PESHAWAR**

**Appeal No. 6173/2021**

**ADDRESSES OF PARTIES**

Mr. Zia Ullah, Ex-PST (BPS-12), GPS, Badraga, District Malakand.

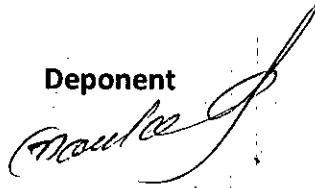
.....(Appellant)

**VERSUS**

- 1 The Secretary Govt. of Khyber Pakhtunkhwa Elementary & Secondary Education
- 2 The Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 3 District Education Officer (Male) Malakand at Batkhela.

.....(Respondents)

Deponent



CNI# 15402-4483399-5

Muhammad Naveed

Superintendent

Office of the DEO (M) Malakand.

Mobile No,03499362725

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA PESHAWAR**

**Appeal No. 6173/2021**

Mr. Zia Ullah, Ex-PST (BPS-12), GPS, Badraga, District Malakand.

.....(Appellant)

**VERSUS**


- 1 The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2 The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3 District Education Officer (Male) Malakand at Batkhela.

.....(Respondents)

**AUTHORITY**

Mr. Muhammad Naveed Superintendent office of the DEO (M) Malakand is hereby authorized to attend the Tribunal, submit reply and pursue the above titled Service Appeal on behalf of the undersigned till the decision of the case and progress made be intimated to this office as well as to all others concerned.

Respondent No.3

  
District Education Officer,  
(M) Malakand



**OFFICE OF THE  
DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND**

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No. 10279  
Dated 29-9/2017

To,

Mr. Ziullah Son of Hussain Khan,  
Union Council Badragga,  
C/O Head Teacher GPS Badragga  
Tehsil Dargai

**IMPORTANT / IMMEDIATE  
ACKNOWLEDGEMENT DUE**

**Subject:- NOTICE/ EXPLANATION REGARDING ABSENCE FROM DUTY.**

Memo:

As reported by the SDEO (Male) Dargai vide his office No.919 dated 23-09-2017 in light of the complaint of the the Head Teacher GPS Badragga that you have been absent from duty w.e.from 18-09-2017 without any prior approval of the competent authority.

According to the known sources, you have been proceeded abroad (i.e. China for Advance Education i.e. Ph.D.) without any intimation to your superiors which is a clear violation of the rules and regulations.

It is therefore, you are directed to give your arrival for duty forthwith and submit your written explanation within 15-days duly commented by the Head Teacher/ ASDEO/ SDEO concerned failing which you will be proceeded against E&D Rules, 2011 resulting to termination from service.

*oh*  
DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND

Endst: No. 10271-72 /2017

Copy of the above is forwarded to

- 1 SDEO (M) Dargai w/r to his above referred letter.
- 2 Head Teacher GPS Badragga Tehsil Dargai.

with the remarks that copy of the same be handed over to the teacher/his family members duly acknowledge and veting by a responsible person/ councilor with his stamp.

*oh*  
DISTRICT EDUCATION OFFICER,  
(MALE) MALAKAND  
29/9/17

Every medical certificate implies that no recommendation for leave mentioned therein will be evidence to claim to any leave not admissible to the servant under the rules.

Before any Gazetted officer is granted his leave or extension of leave on medical certificate he should obtain a certificate in the form prescribed in S.R. 222 from the authorized medical attendant. Any leave granted to him will be on the basis of the certificate issued by the medical committee on the form prescribed in S.R. 224 or 226 as might be the case. The grant of such a certificate does not in itself confer upon the servant any right to leave. In case of a Non-Gazetted servant the medical certificate can be signed by a registered medical practitioner.

The leave applied for on medical certificate can not be refused. The authority competent to sanction leave may, however, at its discretion, secure a second medical opinion by requesting the Civil Surgeon or medical board, as the case may be, to have the applicant medically examined. The form of certificate has been prescribed in S.R.229

No servant who is granted leave on medical certificate will be permitted to resume duty unless a certificate of fitness from an authority of an equal status, which granted the medical certificate, is obtained and produced to the department concerned.

#### Study Leave (F.R. 84 & Appendix 9 of Vol-II)

1. Study leave may be granted to Government servants to enable them to study scientific, technical, or similar problems or to undergo special courses of instructions; such leave is not debited against leave account.

Study leave is granted on half pay and the maximum period should not exceed 48 months in the whole period of Government Servant's service. Extraordinary leave may also be combined with the study leave and in that case the condition of the maximum period will not apply.

3. During study leave a study allowance at prescribed rates is granted for period spent in prosecuting a definite course of study at a recognized institute.

4. Study leave should not ordinarily be granted to Government servants of less than five years' service or Government servants within three years of the date at which they have the option of retiring, or, if they have the option of retiring after 25 years' service. Nor should it be granted to Government servants who are about to retire on proportionate pension.

\*Decision: Concession of extension of one year in study leave has been allowed in case of pursuit of PhD courses only. The study leave and its extension shall continue to be sanctioned by Finance Department on case-to-case basis.

\*No. FD/SO(EP)/6-1/2001 Dated 17-12-2005

#### Casual Leave

According to rule V (2) of Appendix 3 of the F.R. and S.R. rules, volume, II Casual leave is not a recognized leave for the purpose of leave rules in F.R. and S.R. Technically, therefore, a Government Servant on casual leave is not treated as absent from duty and his pay is not intermitted.

- (a) Maximum Casual Leave that can be granted to a Government Servant is 25 days during a calendar year.

## OFFICE OF THE DISTRICT EDUCATION OFFICER, (Male) Malakand

Tel#0932-410281, Fax#0932-410010, Email-emismalakand@yahoo.com;  
emismalakand@gmail.com

### آخری نوٹس غیر حاضری

ہر گاہ کہ آپ درج ذیل درجہ اساتذہ کرام نیچے دیئے گئے تفصیل کے مطابق اپنی سرکاری ڈیوٹی سے مسلسل بغیر کسی اطلاع بغیر چھٹی منگھوری کے غیر حاضر ہیں۔ آپ کو بذریعہ رجسٹریٹر ڈاک نوٹس آپ کے کمرے پہنچ دی گئی ہیں۔ جس میں آپ کو جلد از جلد اپنی ڈیوٹی پر حاضر ہونے اور غیر حاضری کی معقول وجہ بیان کرنے کی ہدایت کی گئی ہے۔ لیکن اس کے باوجود آپ اپنی ڈیوٹی پر حاضر نہ ہوئیں لہذا آپ کو آخری بار اخبار کے ذریعے متنبہ کیا جاتا ہے کہ نوٹس ہذا کے اشاعت کے 15 دن کے اندر اندر حاضر ہو کر اپنے غیر حاضری کی وجہ بیان کریں بصورت دیگر یعنی عدم تعمیل کی صورت میں آپ کے خلاف یکطرفہ انضباطی کارروائی عمل میں لا کر E&D Rules 2011 کے تحت ملازمت سے برخواست کیا جائیگا۔

نمبر شمار	نام ہیج سکول نام	مستقل پتہ	تاریخ غیر حاضری	نمبر و تاریخ نوٹس غیر حاضری
1	روح الامین PST گورنمنٹ پرائمری سکول خانوڑی تحصیل بٹ خیلہ	یونین کونسل، گاؤں وڈاگانہ خانوڑی یونین کونسل سلی، پتہ ضلع ملاکنڈ	18-09-2017	No.10321 Date-3-10-2017
2	ضیاء اللہ PST گورنمنٹ پرائمری سکول بدرگہ پوی بدرگہ تحصیل درگی	یونین کونسل، گاؤں وڈاگانہ بدرگہ تحصیل درگی ضلع ملاکنڈ	18-09-2017	No.10270 Dated 29-9-2017
3	انعام اللہ PST گورنمنٹ پرائمری سکول نمبر 1 پتہ پوی پتہ	گاؤں وڈاگانہ پتہ تحصیل بٹ خیلہ ضلع ملاکنڈ	5-9-2017	No.11507 Dated 27-10-2017

(پروفیسر محمد عزیز علی) ڈسٹرکٹ ایجوکیشن آفیسر "مردانہ" ملاکنڈ بمقام بٹ خیلہ



INF (R) 6784 Also available on www.khyberpakhtunkhwa.gov.pk

زیادہ جنگلات

بہتر اقتصادیات

## ٹینڈر نوٹس

قارنٹ ڈیپنٹ کارپوریشن خیبر پختونخوا ملاکنڈ سرکل میدو شریف سوات کو مندرجہ ذیل جنگلات سے کٹائی شدہ لکڑی روڈ سائڈ ڈپوٹس تک تھیل کے لئے اپنے رجسٹرڈ ٹیکینڈران (جنہوں نے سال 2017 کیلئے اپنی رجسٹریشن کی تجدید کرائی ہوئی) سے (Single Stage-One Envelope Procedure) کے تحت ٹینڈر مطلوب ہیں۔ جو کہ ذمہ دہی کو سمجھو۔  
2017-12-19 بوت 12 بجے دن تک آئی جائے۔ ٹینڈر سی دن بوت 2 بجے دن ٹینڈر ہنگانہ یا ان کے ہاؤسنگ گانہ کی موجودگی میں کھولے جائیں گے۔

نمبر شمار	لاٹ نمبر قارنٹ کمارٹس نمبر	مقدار کمارٹس (ک ڈی)	مقدار سیٹل (ک ڈی)	زیادہ کارٹا ملاکنڈ
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از میڈیچر گورنمنٹ پرائمری سکول بدرکہ تحصیل درگئی ضلع ملاکنڈ

بخدمت جناب سب ڈویژنل ایجوکیشن آفیسر صاحب (مردانہ) سرانیزی درگئی ضلع ملاکنڈ

عنوان - رپورٹ بابت غیر حاضری مدرس ضیاء اللہ پی ایس ٹی جی پی ایس بدرکہ درگئی ضلع ملاکنڈ

جناب عالی!

آپ صاحبان کو مطلع کیا جاتا ہے کہ گورنمنٹ پرائمری سکول بدرکہ میں بذریعہ NTS بھرتی ہونے والا مدرس ضیاء اللہ مورثہ 18-09-2017 سے بغیر اطلاع دئے اپنی ڈیوٹی سے غیر حاضر ہے مذکورہ مدرس کے اہل خانہ سے رابطہ کرنے پر معلوم ہوا کہ وہ تعلیم حاصل کرنے کے سلسلے میں بیرون ملک (چین) گیا ہوا ہے

ضروری کارروائی کے لئے رپورٹ ارسال خدمت ہے

مورثہ 20-09-2017

ہیڈ میچر جی پی ایس بدرکہ

تحصیل درگئی ضلع ملاکنڈ

HEAD TEACHER  
G.P.S. Bedr-  
Malakand A.

The report is based on fact &  
forwarded for further n/a please

13-09-17  
ASDEO  
20-09-017

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**OFFICE OF THE  
SUB DIVISIONAL EDUCATION OFFICER (MALE)  
DARGAI**

No 919 /SDEO(M)DRG/Estt:  
Dated Dargai the 23/09/2017

DA(P)  
Single notice  
be issued to  
report to the  
school for dat

To The District Education Officer (M) ✓  
Malakand at Batkhela.

Subject: Recommendation for Disciplinary Action.

Memo:

During the course of surprise visit of GPS Badragga it came into the notice of the undersigned that one Mr. Zia Ullah PST (NTS appointee) has been absent since 18 September, 2017.

Furthermore, written statement of the concerned PSHT also shows that the said teacher has gone China for PhD without intimation to the office.

Therefore, it is suggested that disciplinary action may please be initiated against the said teacher under the Khyber Pakhtun Khwa Government Servant Efficiency & Disciplinary Rules 2011.

SUB DIVISIONAL EDUCATION OFFICER  
(MALE) DARGAI MALAKAND

Endst; No & Dated Even:

Copy forwarded for information to the:-

1. ASDEO Concerned.
2. Head Teacher GPS Badragga.

SUB DIVISIONAL EDUCATION OFFICER  
(MALE) DARGAI MALAKAND

ADD PM  
For reporting on  
inty within 15  
15/9/17



- (c) on receipt of reply of the accused within the stipulated period or after the expiry thereof, if no reply is received, determine whether the charge or charges have been proved against the accused or not:

Provided that after receipt of reply to the show cause notice from the accused, the competent authority, except where the Chief Minister himself is the competent authority, shall decide the case within a period of ninety days, excluding the time during which the post held by the competent authority remained vacant due to certain reasons:

Provided further that if the case is not decided by the competent authority within the prescribed period of ninety days, the accused may file an application before the appellate authority for early decision of his case, which may direct the competent authority to decide the case within a specified period;

- (d) afford an opportunity of personal hearing before passing any order of penalty under clause (f), if it is determined that the charge or charges have been proved against him;

- (e) exonerate the accused, by an order in writing, if it is determined that the charge or charges have not been proved against him; and  
 (f) impose any one or more penalties mentioned in rule 4, by an order in writing, if the charge or charges are proved against the accused:

Provided that where charge or charges of grave corruption are proved against an accused, the penalty of dismissal from service shall be imposed, in addition to the penalty of recovery, if any.

8. Action in case of conviction or plea bargain under any law.—Where a Government servant is convicted by a court of law on charges of corruption or moral turpitude or has entered into plea bargain and has returned the assets or gains acquired through corruption or corrupt practices, or has been acquitted by a court of law as a result of compounding of an offence involving moral turpitude under any law for the time being in force, the competent authority, after examining facts of the case, shall-

- (a) dismiss the Government servant where he has been convicted on charges of corruption or moral turpitude or has entered into plea bargain and has returned the assets or gains acquired through corruption or corrupt practices voluntarily:

Provided that dismissal in these cases shall be with immediate effect from the date of conviction by a court of law; and

- (b) proceed against the Government servant under rule 5, where he has been convicted of charges other than corruption or moral turpitude.

9. Procedure in case of wilful absence.—Notwithstanding anything to the contrary contained in these rules, in case of wilful absence from duty by a Government servant for ~~seven or more days~~, a notice shall be issued by the competent authority through registered acknowledgement on his home address directing him to resume duty within ~~fifteen days~~ of issuance of the notice. If the same is received back as undelivered or no response is received from the absentee within stipulated time, a ~~notice shall be published in at least~~

~~two leading newspapers directing~~ him to resume duty within ~~fifteen days~~ of the publication of that notice, failing which an ~~ex-parte decision~~ shall be taken against the absentee. On expiry of the stipulated period given in the notice, major penalty of removal from service may be imposed upon such Government servant.

10. Procedure to be followed by competent authority where inquiry is necessary.

--(1) If the competent authority decides that it is necessary to hold an inquiry against the accused under rule 5, it shall pass an order of inquiry in writing, which shall include-

- (a) appointment of an inquiry officer or an inquiry committee, provided that the inquiry officer or the inquiry committee, as the case may be, shall be of a rank senior to the accused and where two or more accused are proceeded against jointly, the inquiry officer or the convener of the inquiry committee shall be of a rank senior to the senior most accused;
- (b) the grounds for proceeding, clearly specifying the charges along with apportionment of responsibility;
- (c) appointment of the departmental representative by designation; and
- (d) direction to the accused to submit written defense to the inquiry officer or the inquiry committee, as the case may be, within reasonable time which shall not be less than seven days and more than fifteen days of the date of receipt of orders.

(2) The record of the case and the list of witnesses, if any, shall be communicated to the inquiry officer or the inquiry committee, as the case may be, along with the orders of inquiry.

(3) In a case where preliminary or fact finding inquiry was conducted, and the competent authority decides to hold formal inquiry, the inquiry officer or the inquiry committee for the purpose of conducting formal inquiry shall be different from the inquiry officer or the inquiry committee which conducted the preliminary inquiry.

11. Procedure to be followed by inquiry officer or inquiry committee.--(1) On receipt of reply of the accused or on expiry of the stipulated period, if no reply is received from the accused, the inquiry officer or the inquiry committee, as the case may be, shall inquire into the charges and may examine such oral or documentary evidence in support of the charges or in defense of the accused as may be considered necessary and where any witness is produced by one party, the other party shall be entitled to cross-examine such witness.

(2) ~~If the accused fails to furnish his reply within the stipulated period, the inquiry officer or the inquiry committee, as the case may be, shall proceed with the inquiry, ex-parte.~~

(3) The inquiry officer or the inquiry committee, as the case may be, shall hear the case on day to day and no adjournment shall be given except for reasons to be recorded in writing, in which case it shall not be of more than seven days.

(4) Statements of witnesses and departmental representative(s), if possible, will be recorded in the presence of accused and vice versa.

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**OFFICE OF THE**  
**DISTRICT EDUCATION OFFICER (MALE)**  
**MALAKAND**

**Removal From Service /**

1. WHEREAS, Mr. Ziaullah, PST BPS-12 GPS Badragga District Malakand was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 for willful absence from his duty w.e.f. 18-09-2017 onward without prior permission from the Competent Authority reported by the SDEO (Male) Dargal vide his memo: No.919 dated 23-09-2017.
2. AND WHEREAS, attendance notice as required under Rules 9 of the aforementioned Rules was issued to the said PST through register mail/ cover on his home address vide No.10270 dated 29-09-2017 but he did not resume his duties nor reported his arrival.
3. AND WHEREAS, a Call/Attendance Notice was published in the news papers on 30th November 2017 in Daily Mashriq and on 01st December, 2017 Daily Anj under the above mentioned Rule directing him to resume duty within 15 days of the publication of the Notices but even then he failed to resume his duties nor he reported his arrival within the stipulated time.
4. AND WHEREAS, the competent Authority, after having considered the charge, evidence on record and failure of the delinquent PST to resume his duties in the stipulated period, is of the view that the charges against the accused / delinquent PST have been proved
5. Now, therefore, in exercise of powers conferred upon him under the rules 4 (B) (iii) of the Government servant (Efficiency and Discipline) Rules 2011, the competent Authority is pleased to impose upon Mr. Ziaullah, PST BPS-12 GPS Badragga District Malakand the major penalty of "removal from service" from the date of his absence i.e 27.08.2016

(Prof. Muhammad Uzair Ali)  
Competent Authority

District Education Officer (M)  
Malakand

Dated Bathkela the 22/12/2017

Endst; No. 13476-85  
DEO (M) Mkd/Pry: Estb; /Notices of Absence/Removal from Service

Copy of the above is forwarded for information to the: -

- 1 Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 2 Deputy Commissioner Malakand
- 3 DMO Malakand
- 4 DAO Malakand for necessary action at his end
- 5 SDEO (M) Dargai, Malakand with the direction to recover salary / of absent period if withdrawn.
- 6 ADO Litigation Local Office.
- 7 PSHT GPS Badragga District Malakand with the direction to hand over copy of this Notification to the Ex.PST through any of his family member.
- 8 Mr. Ziaullah, PST BPS-12 GPS Badragga District Malakand
- 9 Dealing Assistant, IMU matters local office.
- 10 Office Copy.

Competent Authority  
District Education Officer (M)  
Malakand

Mr. Ziaullah, PST BPS-12 GPS Badragga District Malakand