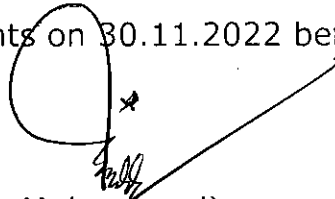


15.09.2022

Appellant alongwith his counsel present. Mr. Samiullah, Director (Admin) alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not prepared the brief of the instant appeal. Adjourned. To come up for arguments on 30.11.2022 before the D.B.



(Mian Muhammad)  
Member (Executive)



(Salah-Ud-Din)  
Member (Judicial)

30/11/22

Deleted from list to come up  
on 23.2.23



23.02.2023

Bench is incomplete, therefore, the case is adjourned to

24.05.2023 for the same as before.



Reader

21.12.2021

Clerk of counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG alongwith Salman, Asstt. for the respondents present.

The respondents have not furnished reply/ comments and seeks further time. Let the respondents be afforded with last opportunity with the warning that in case they fail to submit the written reply/comments on or before next date, their right for reply/comments shall be deemed as struck off by virtue of this order. Case to come up for arguments on 08.03.2022 before the D.B.

  
Chairman

B-3-22


*Due to Retirement of the Hon.ble  
Chairman the case is adjourned to  
29-6-22*


*Yousaf  
Rehman*

29.06.2022

Mr. Izaz Khan, junior of learned counsel for the appellant present. Mr. Salman, Assistant alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney 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 15.09.2022 before the D.B.

  
(Rozina Rehman)  
Member (J)

  
(Salah-ud-Din)  
Member (J)

**Hamid Mehmood 7066/2021**

01.09.2021 Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant argued that vide impugned notification dated 19.02.2021, the appellant was directed "to deposit salary drawn w.e.f 01.03.2018 to 29.08.2019 in government treasury within one month positively and submit original challan to DG, Commerce Education and Management Science, Khyber Pakhtunkhwa". The appellant preferred departmental appeal to the Chief Secretary on 15.03.2021. However, no decision was made on his departmental appeal within the statutory period and another notice was issued to him on 24.05.2021 for deposit of the salary of 545 days drawn w.e.f. 01.03.2018 to 29.08.2019. He further contended that the appellant stands retired on attaining the age of superannuation on 20.11.2020 duly notified on 19.07.2021 and it is incumbent upon the respondents to pay him "provisionally anticipated pension" under Section-19(4) of the Khyber Pakhtunkhwa Civil Servants Act, 1973 read with West Pakistan Civil Services Pension Rules 1963.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time or extension of time is not sought, the office shall submit the file with a report of non-compliance. File to come up for arguments on 21.12.2021 before the D.B.

The appeal is also accompanied with an application for interim relief. Notice of the same be also given to the respondents for the date already fixed.

  
(Mian Muhammad)  
Member(E)

Appellant Deposited  
Security & Process Fee



13/9/21

Form- A

# FORM OF ORDER SHEET

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

Case No.- 7066 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/07/2021	<p>The appeal of Mr. Hamid Mehmood resubmitted 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-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>01/09/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Hamid Mehmood Ex-Associate Professor G.C of Management Sciences Parichinar Kurram received today i.e. on 09.07.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Index of the appeal is unsigned.
- 2- Annexures-A, E and G of the appeal are illegible which may be replaced by legible/better one.
- 3- Check list is not attached.

No. 1185 /S.T,

Dt. 12/07 /2021

  
REGISTRAR,  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

Sir  
18/7/2021


objection NO: 01 was Ruled.

objection NO: 02 was Ruled.

objection NO: 3 was un.

Resubmission after the completion please

Put up the Honorable Court.

 18/07  
2021

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

SERVICE APPEAL NO. 7066 /2021

**HAMID MEHMOOD                      V/S                      EDUCATION DEPARTMENT**

**I N D E X**

<b>S/N</b>	<b>DOCUMENTS</b>	<b>ANNEXURE</b>	<b>PAGE</b>
<b>1</b>	Memo of appeal	.....	1 - 4
<b>2</b>	Affidavit	.....	5
<b>3</b>	Stay Application	.....	6
<b>4</b>	Appointment	<b>A</b>	7
<b>5</b>	Absence notice	<b>B</b>	8
<b>6</b>	Reply	<b>C</b>	9-12
<b>7</b>	Letter	<b>D</b>	13
<b>8</b>	Covering letter, show cause notice & statement of allegations	<b>E</b>	14-16
<b>9</b>	Representation	<b>F</b>	17-18
<b>10</b>	Letter & show cause notice	<b>G</b>	19-20
<b>11</b>	Reply	<b>H</b>	21-22
<b>12</b>	Documents for pension case	<b>I</b>	23-36
<b>13</b>	Impugned order	<b>J</b>	37-38
<b>14</b>	Departmental appeal	<b>K</b>	39
<b>15</b>	Attendance register	<b>L</b>	40-45
<b>16</b>	Meetings & attendance certificates	<b>M</b>	46-48
<b>17</b>	Letter	<b>N</b>	49
<b>18</b>	Wakalat Nama	.....	50

Dated: \_\_\_07-2021

**APPELLANT**

Through:  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**

FLATE NO. 04, 2<sup>ND</sup> FLOOR,  
JUMA KHAN PLAZA, NEAR FATA SECRETARIAT,  
WARSACK ROAD, PESHAWAR

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

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

Mr. Hamid Mehmood, Ex-Associate Professor (BPS-19),  
Govt. College of Management Sciences,  
Parichinar, District Kurram..... **APPELLANT**

**VERSUS**

- 1- The Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 2- The Secretary Higher Education, Archives & Libraries Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director General of Commerce Education & Management Sciences, Khyber Pakhtunkhwa, Rano Garhi, Peshawar.

..... **RESPONDENTS**

**APPEAL UNDER SECTION- 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 19-02-2021 WHEREBY THE APPELLANT HAS BEEN DIRECTED TO DEPOSIT THE SALARIES DRAWN BY HIM W-E-F 01-03-2018 TO 29-08-2019 AND AGAINST NO ACTION ON TAKEN ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.**

**PRAYER:**

That on acceptance of this appeal the impugned order dated 19-02-2021 may very kindly be set aside and the respondents may kindly be directed to release the pension along with ancillary emoluments to the appellant with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

*Brief facts giving rise to the present appeal are as under:*

**R/SHEWETH:**

1. That the appellant was appointed in the respondent department as Lecturer/ Instructor on 05-01-1989. Copy of the appointment order is attached as annexure .....**A.**
2. That since his appointment the appellant has performed his duties with whole heartedly and with zeal and zest. That it is important to mention here that since his appointment up till now no complaint whatsoever has been made, by any one,

against the appellant in his entire career which is the manifestation of performance of the appellant.

3. That now when the appellant is at the verge of retirement, the respondents issued an absence notice vide dated 26-06-2019, wherein an allegation of absence has been leveled against the appellant but such allegations are baseless and against the factual position as the appellant never remain absent from his duty. That it worth to mention here that another notice was circulated in the daily Ajj against the appellant vide dated 09-09-2019 Copy of the absence notice dated 26-06-2019 is attached as annexure.....**B.**
4. That as the appellant was available at his duty station and never remained absent, therefore the appellant replied to the respondents in response to the absence notice dated 09-09-2019. Copies of the reply are attached as annexure.....**C.**
5. That vide letter dated 22-10-2019 the respondent No. 3 submitted before the respondent No. 2 the case of the appellant for taking necessary action. Copy of the letter dated 22-10-2019 is attached as annexure.....**D.**
6. That vide letter dated 30-12-2019 for the first time a show cause notice and statement of allegations was served upon the appellant and the allegation was that **"you remained absent from official duty w-e-f 01-03-2018 to 29-08-2019 without prior approval of leave"** but it is important to mention that the appellant was on duty or in a meeting on the date which has been specified in the charge sheet and statement of allegation. Copies of the covering letter along with the *Charge sheet* and statement of allegations are attached as annexure.....**E.**
7. That it is worth to mention here that during this period the appellant was due for promotion but was ignored time and again and for that matter he preferred a number of representations to the respondents but in vain. Copies of the representations are attached as annexure.....**F.**
8. That vide letter dated 27-08-2020 a show cause notice was again given to the appellant wherein the appellant was recommended for reduction to lower post or pay scale for a period 3 years. Copy of the letter dated 27-08-2020 along with show cause notice are attached as annexure .....**G.**
9. That the appellant in response replied to the show cause notice dated 27-08-2020 and again denied allegations leveled against him. Copy of the reply is attached as annexure .....**H.**



10. That as the appellant was at the verge of retirement w-e-f 20-11-2020 therefore he also preferred application along with necessary documents for his pension case wherein clearance certificates were also provided therein. Copies of the documents for the pension case are attached as annexure .....**I.**
11. That as the appellant after serving the respondents department for almost 32 years was hopeful for his early release of pension emoluments become astonished to see the impugned order dated 19-02-2021, whereby the appellant is directed to deposit all the salaries drawn by him w-e-f 01-03-2018 to 29-08-2019 in the government treasury within one month. Copy of the impugned order dated 19-02-2021 is attached as annexure .....**J.**
12. That appellant feeling aggrieved from the impugned order preferred departmental appeal before the appellate authority on 15-03-2021. Copy of the departmental appeal is attached as annexure .....**K.**
13. That appellant feeling aggrieved from the inaction and having no other remedy preferred present service appeal on the following grounds amongst others.

**GROUND:**

- A- That the impugned order dated 19-02-2021 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 subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C- That it important to mention here that the impugned order is against the law as appellant never remains absent from his duty and even attended all the meetings conducted in different districts of the province.
- D- That it is pertinent to mention here that in the period w-e-f 01-03-2018 to 29-08-2019 the appellant had performed his duties and also mark is attendance in the attendance register. Copy of the attendance register is attached as annexure .....**L.**
- E- That it is worth to mention here again that the appellant also had participated in the meetings and conferences during the mention time period throughout the Khyber Pakhtunkhwa.

Copies of the minutes of the meetings and attendance certificates are attached as annexure ..... M.

- F- That vide letter dated 24-05-2021 it was once again asked from the Principal Government College Of Management Sciences Parachinar that whether the appellant has submitted the salaries drawn by the appellant or not. Copy of the letter dated 24-05-2021 is attached as annexure .... N.
- G- That the respondents acted in arbitrary and malafide manner while issuing the impugned order.
- H- That no chance of personal hearing and personal defense has been provided to the appellant.
- I- That no regular inquiry has been conducted in to the matter hence the impugned order is not sustainable.
- J- That the appellant seeks permission to advance other grounds 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.

Dated: 08-07-2021

**APPELLANT**

**HAMID MEHMOOD**

**THROUGH:**

**NOOR MUHAMMAD KHATTAK**

**&**  
**KAMRAN KHAN**  
**ADVOCATES**

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

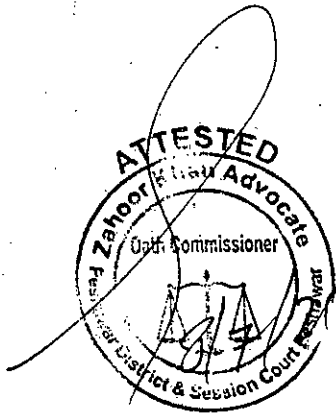
**HAMID MEHMOOD**

**VS**

**GOVT OF KP & OTHERS:**

**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**

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

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

**Hamid Mehmood**

**VS**

**Govt: Of KP & Others**

**APPLICATION FOR THE GRANT OF ANTICIPATORY  
PENSION IN LIGHT SUB SECTION-4 OF SECTION-19 OF  
THE CIVIL SERVANT ACT, 1973 AS INTERIM RELIEF**

**R/SHEWETH:**

- 1- That the above mentioned appeal along with this application has been filed the appellant before this august service Tribunal in which no date has been fixed so far.
- 2- That appellant filed the above mentioned appeal against the impugned ORDER dated 19.2.2021 whereby the appellant has been directed by the respondents to deposit the salaries drawn by him w-e-f 01-03-2018 to 29-08-2019.
- 3- That because of the ibid reason the pension of the appellant has been delayed for more than one year. That according to sub section-4 of section-19 of the civil servant Act, 1973 in such like situation the appellant is entitle for anticipatory pension to support his family.
- 4- That all the three ingredients necessary for the stay is in favor of the appellant.
- 5- That the impugned order dated 19.2.2021 had been issued by the respondents in utter disregard of law and prevailing Rules.

It is therefore, most humbly prayed that on acceptance of this application the respondents may kindly be directed to grant anticipatory pension to the appellant in light of sub section-4 of section-19 of the civil servant Act, 1973 till the disposal of the above mentioned service appeal.

Dated: 6.7.2021

**APPLICANT**

**Hamid Mehmood**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK  
ADVOCATE**

Better copy Of annexure A page No.....7 to 7/A

**GOVERNMENT OF N.W.F.P  
EDUCATION DEPTT:**

DATED 1.1.1969

NOTIFICATION:- consequent upon the recommendations of the public service commission the governor, N.W.F.P is pleased to appoint the following candidate as instructor islamiyat (BS-17) from the date of their taking over \_\_\_\_\_ on post \_\_\_\_ given against each subject to the terms and condition \_\_\_\_\_ below:-

S.NO . NAME OF CANDIDATES AND ADDRESSES.

1. Mr. hafiz Haroon Ur Rasheed S/O MUHAMMAD AYUB
2. Mr. hameed mehmoood S/O FAZAL MABOOD

Secretary To Govt: N.W.F.P  
Education Department

Comm. I/-2-2-85

1. The appointment of the candidates as given above is subject to the condition that they are eligible of M.P.
2. The list-serials will be fixed according to the order of merit declared by the Commission later on.
3. Short services will be liable for forfeiture on one month's notice from the date of declaration of merit and will be forfeited to Government.
4. No P.D.F. allowed on their first appointment as officials. Instructors.
5. The candidate should get the requisite certificate after one month of the date of this notification to the effect that the candidate has joined their posts or otherwise.
6. Change posts in duplicate should be submitted to all concerned.
7. They will be governed by such rules, regulations as may be issued by Govt. for a category of Government to which they belong.
8. The list-serials will be liable to be deleted from the list if not already done and no objection.
9. Their appointments will be subject to the following conditions on the verification of the candidates as subject to their being declared meritorially by the Public Service Commission.
10. The appointment of the candidates is subject to their being constituted by the Public Service Commission.

Formal Conditions

1. Mr. Rajendra Kumar Singh c/o  
New India Assurance Co. Ltd. c/o Registrar  
Nasser-ul-Haq, 265-C, G-5/2 Islamabad.
2. Mr. Khalid Mahmood c/o  
Mr. Khalid Mahmood, 241-Street Soshan  
Armed G-5, Lower Chander Bazar  
Gomrahe, Central.
3. Instructor (Electrical)  
(1-17) Govt. College of  
Commerce, Central.  
Institute, Rawalpindi.

3. NO. OF CANDIDATES

WITH ADDRESSES

Below:-

Public Service Commission, the Government, P.O. is also to appoint the following candidates as Instructors (Electrical) (23-17) from the date of their taking over charge on post. They shall be subject to the terms and conditions of the

ANNEXURE A



Noted

RECEIVED  
DIRECTOR GENERAL  
1-1-1985

7/A

11- The appointment of the candidates is subject to the  
approval of their local and central files of the  
Public Service Commission.

SECRETARY TO GOVT. OF INDIA  
PUBLIC SERVICE COMMISSION

Enclatures. No. (13)/2-8/65.

DATED 1965: FEB. 1-1-1965

Copy of the above is forwarded to:-

1. ✓ The Director Technical Education Deptt, w/r to his No. 522/522(1)2-1(viii)/3332(1) dated 1-1-1965, along with ~~the~~ local certificates, application forms and other relevant documents of the candidates.
2. The Secretary to Public Service Commission w/r to his No. 4013-22/6567 dated 7.9.1960, with the request to kindly provide the inter-branch file of the candidates.
3. Accountant General, P.P. Fisheries.
4. Distt. Accounts Officer Saidu-Sharif Distt.
5. Distt. Accounts Officer Chitral.
6. Principal, Govt. Tech. Institute, Swat.
7. Principal, Govt. College of Commerce, Chitral.
8. Manager, Govt. Printing Press, P.P., Peshawar.
9. Officers concerned.

(ASST. SECRETARY (TE))  
SECRETARY OFFICER (TE).

Enclatures above.

0919331695



REGISTERED

ANNEXURE B

8

**DIRECTORATE GENERAL OF COMMERCE EDUCATION  
& MANAGEMENT SCIENCES, KHYBER PAKHTUNKHWA  
RANO GARHI, PESHAWAR.**

No. DGCE&MS/Admn/6-181/1187 (1-5) Dated: 26/06/2019.

To

✓ Mr. Hamid Mahmood S/O Fazal Mabood,  
Associate Profssor (BPS-19)  
Universal Stationers near Hashtnagri Police Station,  
Hashtnagri gate, Peshawar City.  
(Contact# 0333 9172442)

Subject: ABSENCE FROM DUTY.

I am directed to refer to the subject noted above and to state that as per report of the inquiry committee and subsequent instructions conveyed vide Section Officer (CE&MS) Higher Education Department letter No. SO(CE&MS)HED/1-38/220(1-2) dated 24-6-2019 you are continuously absent from duty since March, 2018 without any kind of information or leave application. You were directed vide this office letter No. DGCE&MS/Adman/6-181/1100 dated 18-6-2019 to be punctual and devoted towards official duties but in vain.

You are therefore, again directed to resume your duty within 15 (fifteen) days of the issuance of this letter and also explain the reasons for such negligence failing which further necessary action shall be taken against you as required under Rule-9 of the Khyber Pakhtunkhwa Govt. Servants Efficiency & Discipline Rules, 2011.

(MUHAMMAD TAIB)  
DIRECTOR (ADMN)

Encl. No. DGCE&MS/Admn/6-181/

Dated: /2019.

Copy forwarded for information to:-

- 1- The Section Officer (Commerce), Higher Education Department w/r to his letter quoted above.
- 2- The Principal/DDO, Govt. College of Management Sciences, Parachinar.
- 3- PA to DGCE&MS, Khyber Pakhtunkhwa Peshawar.
- 4- P/F of the officer concerned.

DIRECTOR (ADMN:)



ANNEXURE

C

9

To

**The Secretary,**  
Higher Education, Achieves & Library Department,  
Civil Secretariat, Peshawar.

Subject: **REPLY TO ABSENCE NOTICE DATED 09-09-2019**

R/Sir,

Reference to the publication in daily newspaper AAJ dated 09-09-2019 on the subject noted above.

In this connection it is stated that I am working as Principal, Government College of Management Sciences, Parachinar District Kurram since 2012. Since from the date of my arrival in Government College of Management Science, Parachinar, I have performed my duty quite efficiently, with utmost devotion and have created a great corroboration amongst the local. I am a permanent resident of District Peshawar and a heart patient since 2014, but have never give up in the performance of my duties.

It came into my knowledge that an absent notice has been published against the undersigned in the daily newspaper AAJ date 09-09-2019 where upon it has been contended that I am absent from duty from 02-07-2019 till date i.e. 09-09-2019. In this respect it is stated that I have never absented himself from the duty which is incorrect and just an allegation.

As it is mentioned that I am a heart patient since 2014 and I am working in hard area like PARACHINAR since 2012 and most of the time it become very difficult for me to perform my duty in the hilly area of Parachinar which is about 10,000 feet high from the sea level that always creates lack of oxygen which is a very dangerous sign especially for the patients suffering from heart & lungs problems.

10


Another aspect of the instant case is that PARACHINAR is populated with Shia Sect and the undersigned belongs to the Sunni Sect hence life of the undersigned is always at risk.

In this respect I have always made several requests before the competent authority for my transfer from hard area as I have already completed more than my normal tenure at Hard Area and also being a heart patient.

It is therefore, most kindly requested that the absent notice issued dated 09-09-2019 against me is not based on facts and may be withdrawn with a further request to transfer me from PARACHINAR to Peshawar or any other convenient place that I may perform my duty with more devotion. I shall be very thankful to you for this kindness.

Date: 27/09/2019

Obediently Yours,

  
**HAMID MAHMOOD,**  
Associate Professor,  
GCMS, Parachinar,  
District Kurram.

GOVERNMENT COLLEGE OF MANAGEMENT SCIENCES PARACHINAR  
DISTRICT KURRAM

11

No. GCMS/PCR 0900

Dated: 25/9/2019

To,

The Director General,  
Commerce Education and Management Sciences,  
Khyber Pakhtunkhwa,  
Peshawar.

SUBJECT: - ABSENCE FROM DUTY

Sir,

Reference your letter on the subject noted above, bearing No: DGCE&MS/Admin/6-181/187 (1-5) date: 26/06/2018, received to the undersigned on 23/09/2019 and Absentee Notice dated 09-09-2019 published in Daily Aaj Peshawar.

It is stated that I am performing my duty in Parachinar Commerce College since 2012. I have never left my duty station without valid reason and the reason is either communicated to the higher authorities or the local staff.

As far as the letter from higher education department is concerned it is not communicated to the undersigned. Subsequently the mentioned letter i.e. from DG office bearing no DGCE & MS/Admin/6-181/1100 dated 18/06/2019 was sent on my previous home address which I left years ago, however during a meeting in DG office I was handed over a copy of that letter and I submitted the reply there and then.

As far as my absence report by enquiry committee is concerned, it is wrong. Actually the letter communicated to G.C.M.S Parachinar did not show the date of visit of enquiry committee. The visit date was changed many times by phone to the D.D.O Mr. Amjad Husain. However the required documents mentioned by the enquiry committee were directed by undersigned to be made readily available to the enquiry committee.

During these days the undersigned was on visit to GCMS Mardan (15/03/2019 and 16/03/2019), also on 29/02/2019 when the undersigned was in Peshawar in relation to submission of comments and discussion with D.G regarding letter NO.DGCE&MS/B&A/467 Dated: 20/03/2019 about delay in BS admission program, with Assistant Director Admin Mr. Israr Khan in his office (as the DG was not available in his office). The enquiry committee visited GCC Parachinar.

The enquiry was not against the undersigned, the letter regarding the enquiry by DG was to produce the relevant record of budget etc. the enquiry was against D.D.O Amjad Husain, lecturer GCC Parachinar.

I was informed on phone from Parachinar that enquiry committee had reached the college, but it was not possible for me to join them. The undersigned however was not nominated in the enquiry.

In the last it is submitted that the undersigned is regularly performing duty at GCC Parachinar.

It is requested therefore that the allegations leveled against the

25/9/19  
30/9/19

aside and if authorities feel unavoidable an enquiry maybe conducted in this case and a fair chance of self defense may be provided to the undersigned.

Thank you.

Sincerely,

  
Hamid Mahmood,

Associate Professor  
GCMS Parachinar

Copy to,

1. Section Officer (commerce), Higher Education Department for Information.
2. Director Admin Directorate General of Commerce Education and Management Sciences (with reference to his letter).

12



DIRECTORATE GENERAL OF COMMERCE EDUCATION  
& MANAGEMENT SCIENCES, KHYBER PAKHTUNKHWA,  
RANO GARHI, PESHAWAR.

No. DGCE&MS/Admn/6-181/

Dated: \_\_\_\_\_/2019.

To

The Secretary,  
Higher Education Department,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Subject: - REPLY OF ABSENTEE REPORT.

Sir, I am directed to refer to the DDO/Principal Government College of Management Sciences, Parachinar letter No. GCMS/PCR/PF(106)0906 dated 09-10-2019 (Annexure-1) on the subject noted above wherein the principal concerned has informed that Mr. Hamid Mehmood, Associate Professor (BPS-19) of his college has assumed the duty on 30-08-2019 in response to the absentee notice served upon him. He further added that he is taking his classes with full zeal and zest. Moreover, reply to the absentee notice of the officer concerned found attached with the above referred letter is also attached (Annexure-II).

Background of the case is that Mr. Hamid Mehmood Associate Professor (PBS-19) Government College of Management Sciences, Parachinar was reported absent from duty w.e.f. 01-03-2018. As per Rule, 09 of the E&D Rule 2011, an absentee notice was served upon him vide letter No.DGCE&MS/Adman/6-181/1187(1-5) dated 26-06-2019 under intimation to your good office (Annexure-III). Consequently having no response from the officer concerned, his absentee notice was published in leading newspaper and subsequently his case for removal from service also forwarded to your office vide letter No.DGCE&MS/Adman/PF/6-181/1937(1-3) dated 26-09-2019 (Annexure-IV) which is under process in the Administrative Department.

In light of the position explained above, the case is submitted for consideration and necessary action please.

DA/As Above.

(MUHAMMAD TAIB)  
DIRECTOR (ADMN)

Endst. No. DGCE&MS/6-181/1800 (1-3)

Dated: 22/10/2019.

Copy forwarded to:

- 1- The Principal Government College of Management Sciences, Parachinar w/r to his letter quoted above.
- 2- PA to the Director General, CE&MS, Khyber Pakhtunkhwa, Peshawar.

(Signature)  
DIRECTOR (ADMN)

091 9331695



**DIRECTORATE GENERAL OF COMMERCE EDUCATION  
& MANAGEMENT SCIENCES, KHYBER PAKHTUNKHWA  
RANO GARHI, PESHAWAR.**

14

No. DGCE&MS/Admn/6-181/2343 (1-6). Dated: 08/01/2019.

To

✓ Mr. Hamid Mahmood S/O Fazal Mabood,  
Associate Profssor (BPS-19)  
Govt. College of Management Sciences,  
Parachinar.

ANNE XURE "E"

Subject: ABSENCE FROM DUTY.

I am directed to refer to the subject noted above and to enclose herewith a copy of charge sheet and statement of allegation served upon you by the competent authority received through Section Officer (CE&MS) Higher Education Department Khyber Pakhtunkhwa vide letter No. SO(CE&MS)/HED/1-38/405(1-3) dated 30-12-2019 (copy attached) for information and necessary action at your end.

(MUHAMMAD TAIB)  
DIRECTOR (ADMN)

Dated: \_\_\_\_\_/2020.

Endst. No. DGCE&MS/Admn/6-181/

Copy forwarded for information to:-

- 1- The Section Officer (Commerce), Higher Education Department w/r to his letter quoted above.
- 2- The Managing Director, Lissaail-E-Wal Mahroom Foundation 5C(1), Abdara Road, University Town, Peshawar.
- 3- The Principal/DDO, Govt. College of Management Sciences, Parachinar along with a copy of the above for record.
- 4- Muhammad Israr, Assistant Director (Admn) with the instructions to assist the enquiry committee in the instant case as and when required.
- 5- PA to DGCE&MS, Khyber Pakhtunkhwa Peshawar.
- 6- P/F of the officer concerned.

DIRECTOR (ADMN:)

**DISCIPLAMINARY ACITON**

Dr, kazim niaz chief secretary Khyber pakhtunkhwa as competent authority am of the opinion that Mr. hamid mehmoood associate professor (BS-19) Govt: college of management sciences parachinar has rendered herself liable to be proceeded against. As he has committed the following irregularity/misconduct within the meaning of rule -3 Of the Khyber pakhtunkhwa government servants ( efficiency and discipline) rules,

**STATEMENT OF ALLEGATIONS**

He remained absent from official duties w.e.f 01.03.2018 to 1.08.2019 with out prior approval heave.

2. for the purpose of enquiry aganst te said accused with reference to the above allegation an enquiry officer/committee consisting of the following is constituted under rule-10 (1)(a) of the ibid rules.

1 \_\_\_\_\_

2 \_\_\_\_\_

3. the enquiry officer/enquiry committee shall , in accordance with the provision of the ibid rules, provide reasonable opportunity of hearing to the accused, its finding and make within 30- days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. the/accused and a well conversant representative of the department shall join the proceeding on the date, time and place fixed by the enquiry officer/committee

(Dr. kazim niaz)  
Chief secretary  
Khyber pakhtunkhwa

DISCIPLINARY ACTION

Dr. Kazim Niaz Chief Secretary, Khyber Pakhtunkhwa as competent authority and in the opinion that Mr. Hamid Mahmood Associate Professor (BS-19), Govt. College of Management Sciences Parachinar has rendered himself liable to be proceeded against, as he has committed the following irregularity/Misconduct within the meaning of rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011:

STATEMENT OF ALLEGATIONS

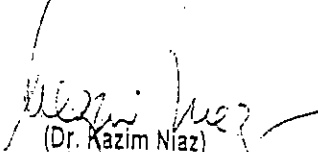
He remained absent from official duties w.e.f. 01.03.2018 to 29.03.2019 without prior approval of leave.

2. For the purpose of enquiry against the said accused with reference to the above allegation an Enquiry Officer/Committee, consisting of the following is constituted under Rule-10 (1)(a) of the ibid rules:

1. Mr. Muhammad Shah, M.A. District Jail, Peshawar
2. Mr. Saad Ahmad Khan, M.A. District Jail, Peshawar

3. The Enquiry Officer/Enquiry Committee shall, in accordance with the provision of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings and make, within 30-days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the Department shall join the proceedings on the date, time and place fixed by the Enquiry Officer/Committee

  
(Dr. Kazim Niaz)  
CHIEF SECRETARY  
KHYBER PAKHTUNKHWA



**CHARGE SHEET**

i. Dr, kazim niaz chief secretary Khyber pakhtunkhwa as competent authority am of the opinion that Mr, hamid mehmoood associate professor (BS-19) Govt: college of management sciences parachinar as follow:-

1. That you remained absent from official duties w.e.f. 01.03.2018 to 29.08.2019 with out prior approval of leave.
2. By reasons fo the above you appear to be guilty fo habitually absenting yourself from duty without prior approval of the under rule-( ) of the Khyber pakhtunkhwa government servants (Efficiency & Discipline ) ruels 2011 and have rendered youself liable to all or any of the penalties specified in rule-4 fo the rule ibid.
3. You are therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the enquiry officer/committee as the case may be.
4. Your written defence, if any should reach the enquiry officer/committee with in the specific period, falling which if shall be presumed that ou have no defence to put in and an ex-parte action shall be taken against you
5. Intimate whether you desire to be heard in person.
6. A copy of statement of allegations is enclosed.

(Dr. kazim niaz)  
CHIEF SECREATRY  
KHYBER PAKHTUNKHWA

16

## CHARGE SHEET

I, Dr. Kazim Niaz, Chief Secretary, Khyber Pakhtunkhwa, as competent authority, hereby charge you, Mr. Hamid Mehmood, Associate Professor (BS-19) Govt. College of Management Sciences Parachinar as follow:-

1. That you remained absent from official duties w.e.f. 01.03.2018 to 29.08.2019, without prior approval of leave.

2. By reasons of the above, you appear to be guilty of habitually absentsing yourself from duty without prior approval of leave under Rule-3 (a) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Rule ibid.

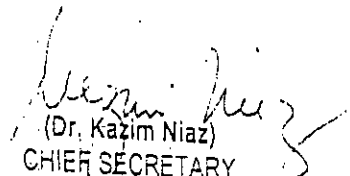
3. You are, therefore, required to submit your written defence within seven (07) days of the receipt of this Charge Sheet to the Enquiry Officer/Committee, as the case may be.

4. Your written defence, if any, should reach the Enquiry Officer/Committee within the specific period, failing which it shall be presumed that you have no defence to put in and an ex-parte action shall be taken against you.

5. Intimate whether you desire to be heard in person.

5. A copy of Statement of Allegations is enclosed

Mr. Hamid Mehmood,  
Associate Professor (BS-19),  
Govt. College of Management Sciences Parachinar.

  
(Dr. Kazim Niaz)  
CHIEF SECRETARY  
KHYBER PAKHTUNKHWA

(17)

ANNEXURE, F

To

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Higher Education Department.

BOARD KP

5313

IS No.

Date: 26/8/20

Subject: - REQUEST FOR CONSIDERATION OF MY PROMOTION TO BPS-20.

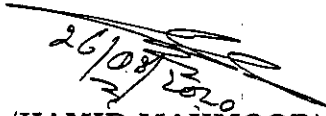
Dear Sir,

I, Hamid Mahmood S/o Fazli Mabood, Principal / Associate Professor Govt College of Management Sciences Parachinar was considered in PSB meetings held on 29-06-2016, 24-03-2017, 28-12-2017, 03-05-2018, 26-12-2018, 19-04-2019, 23-09-2019 and 12-06-2020 for promotion but I was not recommended for promotion by the Board due to unknown reasons. I have served in the department almost 25 years in various districts i.e. Chitral, Mardan, Ghalanai Mohmand Agency, Chitral (again), Haripur, Ghalani Mohmand Agency (again) and Parachinar Kurram Agency. I have been posted in my domicile district Peshawar for a short period.

Now I am going to retire from service on 21-11-2020 and it is my right to be posted in district Peshawar as per posting / transfer policy. Moreover, I have heard that PSB meeting is expected to be held shortly. Therefore, working paper for my promotion need to be expedited enabling me to get pensionary benefits in BS-20.

Keeping in view the above position, it is requested that my promotion case may be expedited and I may also be posted in district Peshawar to pursue my pension case attentively.

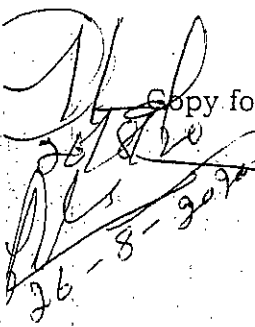
Yours faithfully,




(HAMID MAHMOOD),  
Principal / Associate Professor,  
GCMS Parachinar.  
Cell No. 0333-9172442

Copy forwarded to: -

1. The PS to Chief Secretary, Khyber Pakhtunkhwa.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
3. The Director General, Commerce Education and Management Sciences, Khyber Pakhtunkhwa.



  
(HAMID MAHMOOD),  
Principal / Associate Professor,  
GCMS Parachinar.

To

18

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Higher Education Department.

Subject:- REQUEST FOR CONSIDERATION OF MY PROMOTION TO  
BPS-20.

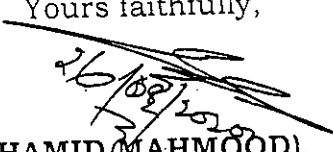
Dear Sir,

I, Hamid Mahmood S/o Fazli Mabood, Principal / Associate Professor Govt College of Management Sciences Parachinar was considered in PSB meetings held on 29-06-2016, 24-03-2017, 28-12-2017, 03-05-2018, 26-12-2018, 19-04-2019, 23-09-2019 and 12-06-2020 for promotion but I was not recommended for promotion by the Board due to unknown reasons. I have served in the department almost 25 years in various districts i.e. Chitral, Mardan, Ghalanai Mohmand Agency, Chitral (again), Haripur, Ghalani Mohmand Agency (again) and Parachinar Kurram Agency. I have been posted in my domicile district Peshawar for a short period.

Now I am going to retire from service on 21-11-2020 and it is my right to be posted in district Peshawar as per posting / transfer policy. Moreover, I have heard that PSB meeting is expected to be held shortly. Therefore, working paper for my promotion need to be expedited enabling me to get pensionary benefits in BS-20.

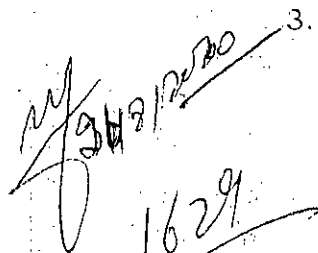
Keeping in view the above position, it is requested that my promotion case may be expedited and I may also be posted in district Peshawar to pursue my pension case attentively.

Yours faithfully,

  
(HAMID MAHMOOD),  
Principal / Associate Professor,  
GCMS Parachinar.  
Cell No. 0333-9172442

Copy forwarded to: -

1. The PS to Chief Secretary, Khyber Pakhtunkhwa.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
3. The Director General, Commerce Education and Management Sciences, Khyber Pakhtunkhwa.

  
(HAMID MAHMOOD),  
Principal / Associate Professor,  
GCMS Parachinar.

1629

26/8/2020

091-9331695

REGISTERED POST

ANNEXURE G

19



DIRECTORATE GENERAL OF COMMERCE EDUCATION  
& MANAGEMENT SCIENCES, KHYBER  
PAKHTUNKHWA, RANO GARHI, PESHAWAR.

No. DGCE&MS/Admn/6-181/4500 (1-4)  
To

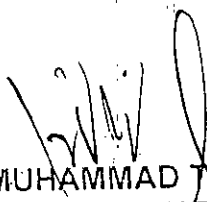
Dated: 27/08/2020.

Mr. Hamid Mahmood  
Associate professor (BPS-19)  
Govt. College of Management sciences,  
Parachinar.

Subject: ABSENCE FROM DUTY.

I am directed to refer to the subject noted above and to enclose herewith a copy of the Show Cause Notice served upon you by the Competent authority received through Section officer (CE&MS) Higher education Department Khyber Pakhtunkhwa Peshawar vide letter No. SO(CE&MS)1-38/2015/762 dated 19-08-2020, for information and necessary action at your end.

DA/As Above.

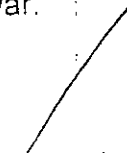
  
(MUHAMMAD TAIB)  
DIRECTOR (ADMN).

Endst: No. DGCE&MS/Admn/6-181/

Dated: \_\_\_\_\_/2020.

Copy forwarded for information to the:-

1. Section officer (CE&MS) w/r to his letter No. quoted above
2. Principal Govt. College of Management sciences, Parachinar, along with a copy of Show Cause Notice for early delivery to the concerned officer.
3. PA to D.G.CE&MS Khyber Pakhtunkhwa, Peshawar.

  
DIRECTOR (ADMN).

SHOW CAUSE NOTICE

20

I. Mahmood Khan, Chief Minister, Khyber Pakhtunkhwa, as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules, 2011 do hereby serve you, Mr. Hamid Mehmood, Associate Professor B-19, Government College of Management Sciences, Parachinar, as follows:

i- That consequent upon the completion of inquiry conducted against you by Syed Muhammad Shah PCS(EG)B-20 Managing Director Lissail-E-wal Mahroom Foundation Peshawar and Sardar Muhammad Arshad Associate Professor B-19 Government College of Management Sciences Abbottabad, for which you were given opportunity of hearing.

ii- On going through the findings and recommendation of the Inquiry Committee, the material on record and other connected papers including your defense before the Inquiry Committee.

2- I am satisfied that you have committed the following acts/omissions specified in Rule-3 of the said rules.

(a) Guilty of misconduct.


3- As a result thereof, I as competent Authority have tentatively decided to impose upon you the following penalties:-

- i- Reduction in pay band in pay scale for a period of 01 year.
- ii- \_\_\_\_\_

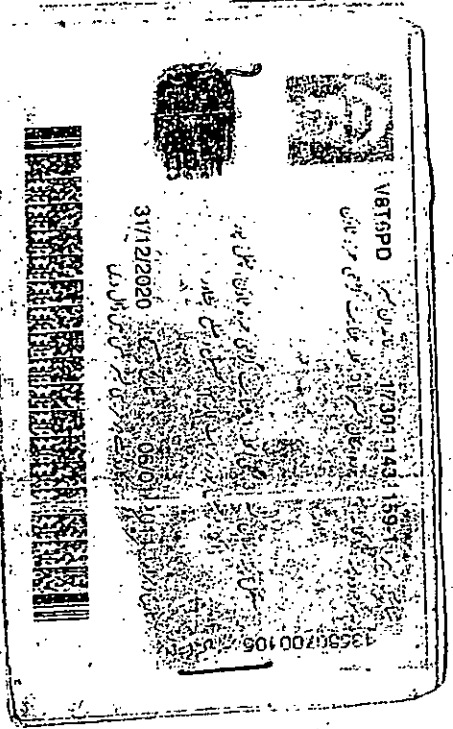
4- You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

5- If no reply to this notice is received within 15 days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.

6- A copy of the findings of the inquiry officer/committee is enclosed.

  
(MAHMOOD KHAN)  
CHIEF MINISTER  
KHYBER PAKHTUNKHWA

Mr. Hamid Mehmood, Associate Professor (B-19)  
Government College of Management Sciences, Parachinar.



20 / 4

ANNEXURE "H"

21

To

**The Honorable Chief Minister,**  
Khyber Pakhtunkhwa, Peshawar.

Subject: **REPLY TO SHOW CAUSE NOTICE DATED 27-08-2020**

R/Sir,

Reference to the show cause notice dated 27-08-2020 served upon me on the same day and in reply to the mentioned show cause notice, I hereby submit as under:

In this connection it is stated that I am working as Principal, Government College of Management Sciences, Parachinar District Kurram since 2012. Since from the date of my arrival in Government College of Management Science, Parachinar, I have performed my duty quite efficiently, with utmost devotion and have created a great corroboration amongst the local. I am a permanent resident of District Peshawar and a heart patient since 2014, but have never give up in the performance of my duties.

That an absent notice has been published against the undersigned in the daily newspaper AAJ date 09-09-2019 where upon it has been contended that I am absent from duty from 02-07-2019 till date i.e. 09-09-2019 for which I had provided a proper and justifiable reply to the competent authority i.e. the Secretary Higher Education, Archives & Library Department, Peshawar and the nutshell of that replay is that I have never absented himself from the duty.

As it is mentioned that I am a heart patient since 2014 and I am working in hard area like PARACHINAR since 2012 and most of the time it become very difficult for me to perform my duty in the hilly area of Parachinar which is about 10,000 feet high from the sea level that always creates lack of oxygen which is a very dangerous





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sign especially for the patients suffering from heart & lungs problems.


Another aspect of the instant case is that PARACHINAR is populated with Shia Sect and the undersigned belongs to the Sunni Sect hence life of the undersigned is always at risk.

In this respect I have always made several requests before the competent authority for my transfer from hard area as I have already completed more than my normal tenure at Hard Area and also being a heart patient.

It is therefore, most kindly requested that the show cause notice dated 27-08-2020 against me is not based on facts and I may kindly be exonerated from all the charges leveled against me, with a further request to transfer me from PARACHINAR to Peshawar or any other convenient place that I may perform my duty with more devotion. I shall be very thankful to you for this kindness.

Date: 28/08/2020

Obediently Yours,

  
**HAMID MAHMOOD,**  
Principal/ Associate  
Professor,  
GCMS, Parachinar,  
District Kurram.

Copy forwarded to: -

- 1) PS to Chief Secretary, Khyber Pakhtunkhwa.
- 2) Secretary Higher Education, Khyber Pakhtunkhwa.

**HAMID MAHMOOD,**  
Principal/ Associate  
Professor,  
GCMS, Parachinar,  
District Kurram.

ANNEXURE I

23

GOVERNMENT COLLEGE OF MANAGEMENT  
SCIENCES PARACHINAR DISTRICT KURRAM

NO.GCMSPC/PF/11221

Dated 21/12/2020

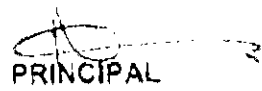
To

The Director General,  
Commerce Education & Management Services  
Khyber Pakhtunkhwa

Subject COVERING LETTER

Respected S.r.

Kindly refer to your letter No.DGCE&MS/Admn.6-15/4713 (1-6) dated 29/05/2020 and to re submit the mentioned deficiencies in the pension case of Mr. Hamid Mahmood Associate Professor (BPS-19) of this college for information and necessary action as desired please

  
PRINCIPAL

21/12/2020

24

TO,

The Director General  
Commerce Education and Management Sciences Khyber  
Pakhtunkhwa, Peshawar.

SUBJECT: Application for retirement on retiring w.e.f 20-11-2020  
Alongwith leave encashment

R/sir,


With profound regards it is submitted in your honor that I was appointed as a lecturer/ instructor on 05-01-1989 in technical education department .

My date of birth is 21-11-1960 and I will be retired on retiring pension on 20- 11-2020.

Therefore it is requested that at the eve of my retirement (20, November 2020) I would like you to arrange my retirement documents.

I shall be very thankful to you.

Your sincerely,

  
HAMID MAHMOOD  
PRINCIPAL/ASSOCIATE PROFESSOR  
(BPS-19) GCMS PARACHINAR

FORM OF LEAVE ACCOUNT UNDER THE REVISED LEAVE RULES

Leave Account of Mr./Miss \_\_\_\_\_  
 Date of Commencement of service \_\_\_\_\_  
 Date of attaining the age of superannuation \_\_\_\_\_

25

Department Department served under

Period of Duty		V.A.D	Full calendar Months	Day	Days	Period		Days	Day	Days	Leave on half pay		Recreation leave of 15 days in a year but 10 days to be debited	Leave not due		Absence		Total leave (col-1 to 12) + 15 - 10 + 15 = 17 + 19	Remarks	Attestation		
From	To					From	To				Day	Day		In terms of full pay	In terms of half pay	Actual No of days	No of days deductible				Day	Day
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
	05/11/1989	21/11/2020	31 years 10 months 37 days																			

Principal  
 Govt. College of Management Studies  
 Parachinar

~~District Antiquary Office  
 Govt. District Museum Parachinar~~

APPLICATION FOR LEAVE

Note:- Item 1 to 9 must be filled in by applicants. Item 12 applies only in the case of Government Servants of Grade 16 and above.

- 1. Name of Applicant Mr. Hamid Mahmood
- 2. Leave Rules applicable 1981
- 3. Post held Associate Professor
- 4. Department or Office Genl. Parachinar Kurram
- 5. Pay Rs. 17160/-
- 6. House Rent Allowance/conveyance allowance or other compensatory allowances drawn in the Present post Associate Professor/Principal
- 7. (a) Nature of Leave applied for leave for CPR 365 days  
 (b) Period of leave in days 365 days  
 (c) Date of Commencement -
- 8. Particulars Rule/Rules under which leave is admissible \_\_\_\_\_
- 9. (a) Date of return from last leave. \_\_\_\_\_  
 (b) Nature of leave. \_\_\_\_\_  
 (c) Period of leave in days \_\_\_\_\_

Signature of applicant

10. Remarks and recommendation of the controlling officer.

11. Certified that leave applied for is admissible under rule.....and necessary conditions are fulfilled.

Signature

Designation D.D.O. Sciences

Parachinar

12. Report of Audit Officer.

*It is certified that officer has sufficient credit in his leave account. Therefore he is entitled 365 days CPR.*

Signature

Designation

**District Accounts Officer**

**Tribal District Kurram Parachinar**

13. Orders of the sanctioning authority certifying that on the expiry of leave the applicant is likely to the same post carrying the compensatory allowances being drawn by him.

Signature

Designation

Date.....



S No 228141

بورد اعلیٰ و ثانوی تعلیم

Roll No. 16669

Board of Intermediate And Secondary Education

PESHAWAR, N.W.F.P. (PAKISTAN)



28

Secondary School Certificate Examination  
SESSION 1977 (ANNUAL)

This is to certify that AMED AHMOOD  
Son/Daughter of FAZAL AHMOOD  
and a student of FORWARD HIGH SCHOOL FOR BOYS, PESHAWAR.  
has passed the **SECONDARY SCHOOL CERTIFICATE EXAMINATION** of  
the Board of Intermediate and Secondary Education, Peshawar held in June, 1977  
as a regular candidate. He/She obtained 97.4% Marks out of 900/1000,  
and has been placed in Grade II Representing FAIR.

The Candidate passed in the following Subjects:

- 1. English
- 2. Urdu
- 3. Islamiyat
- 4. HISTORICAL STUDIES
- 5. MATHEMATICS (ALGEBRA)
- 6. PHYSICS & CHEMISTRY
- 7. DRAWING.

He/She has been awarded Grade II on the basis of Internal  
assessment by the Institution concerned.

Date of birth according to admission form is TWENTY-FIRST NOVEMBER  
one thousand nine hundred and SIXTY ONLY (21-11-1960).

15th October, 1977.

Asstt. Secretary

SECRETARY

This certificate is issued without alteration or pressure

DEPUTY DIRECTOR

Directorate General of Commerce Education

29



Mrs Bilquis Haider

19.5.86

MRS BILQUIS HAIDER  
Joint Educational Adviser  
Ministry of Education  
ISLAMABAD

Tel: .....

اصدار ملحق مع وزارة  
التعليم في الباكستان ولما يستوفى  
مع وثيقة هذه الوثيقة  
رقم... لا... التاريخ: 19.5.86

المستلم الموثق  
بالتفصيل

المستلم الموثق بالتفصيل

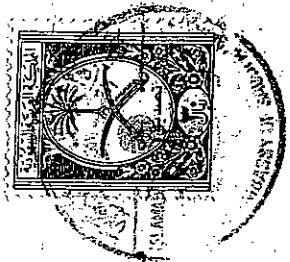
TESTED

MOHAMMAD AKHTAR SHAM  
Section Officer  
Ministry of Foreign Affairs  
GOVERNMENT OF PAKISTAN  
ISLAMABAD

19 MAY 1986

الرقم: 1045  
التاريخ: 19.5.86  
يصادق القسم  
ختم الحكومة الفيدرالية  
وتوقيع: الكوثرية  
يون المسمى

نائب وزير التعليم  
مستلم  
علاق





(30)

**OFFICE OF THE DISTRICT ACCOUNTS OFFICER TRIBAL DISTRICT KURRAM AT  
PARACHINAR**

No. 347 DAO/KURRAM/GAD/ Dated, 03/11 /2020.

To  
Pension Purpose

SUBJECT:- Service Documents in R/O Mr. Hamid Mahmood B-18

Memo:-

The officer has been transferred to your audit jurisdiction. His LPC and Service documents are sent herewith for your record.

Name:- Hamid Mahmood CNIC: ✓

Designation :- Associate Prof: Office of the GyMC Parachinar Kurram.

Proceeding Pension To ✓

Handed over charge on ✓ AN/FN ✓

Paid BPS 18 Up and for 30-11-2020 in the following rate.

Deduction		
3300	GP. Fund	7180/-
3701	B. Fund	800/-
3705	R.B & DC	1600/-
	Income Tax	-
	Deduction:-	9580/-

Basic Pay & Allowances		
A01101	Basic Pay	117160/-
	Qualification Allow:	
A01202	HRA	8856/-
A01203	C.A	5000/-
A01217	M.A	5690/-
A01233	UAA	2000/-
	ARA 2013	2670/-
	ARA 2015	1782/-
A0122M	ARA 2016	9033/-
A0122Y	ARA 2017	11716/-
A0123G	ARA 2018	11716/-
	ARA 2019	5858/-
	Ch. All:	600/-
	Ent. All:	500/-
	Grant Total:-	182581/-
	Deduction:-	9580/-
	Net Pay:-	173001/-

He/She is entitled to draw pay and allowances.....✓  
 At the above rate LFD.....✓ GPF AC NO.....✓ TT Advance granted on his  
 transfer from this office.....✓ is recoverable handed over charge on  
 .....✓ prior to .....✓ he was under control of .....✓

District Accounts Officer  
Tribal District Kurram at Parachinar  
District Accounts Officer  
Tribal District Kurram Parachinar

Statement of Service History Mr. Hamid Mahmood Associate Professor B-19

Station	Substantive Appointment	Date	Officiating Appointment	Date	Monthly Pay		Remarks
					Pay	Officiating & Other Pay	
<del>DAON</del>	11-7-2012	F			50200/-		
	1-12-2012				51800/-		
	1-12-2014				51800/-		
	1-7-2015				69205/-		
	1-12-2015				71280/-		
	1-7-2016				87770/-		
	1-12-2016				90330/-		
	1-7-2017				108010/-		
	1-12-2017				111060/-		
	1-12-2018				114110/-		
	1-12-2019				117160/-		
	21-11-2020				117160/-		Retired from Service w.e.f 21/11/2020.

District Accounts Officer  
Tribal District Kurram Parachinar

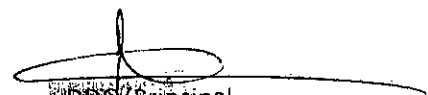
District Accounts Officer  
Tribal District Kurram

GOVERNMENT COLLEGE OF MANAGEMENT SCIENCES

PARACHINAR TRIBLE DISTRICT KURRAM

CLEARANCE CERTIFICATE

It is to certify that there is nothing outstanding against Mr. Hamid Mahmood S/o Fazli Mabood Associate Professor Government college of Management Sciences Parachinar.



Principal  
Government College of Management Sciences

GCMS Parachinar

CLEARANCE CERTIFICATE

It is to certify that there is nothing outstanding in respect of water and related matters of municipal committee of Parachinar against Mr. Hamid Mahmood S/o Fazli Mabood Associate Professor Government college of Management Sciences Parachinar.



*Hamid Mahmood*  
T.M.O

MUNICIPAL COMMITTEE PARACHINAR

**TMO**  
**TMA Parachinar.**

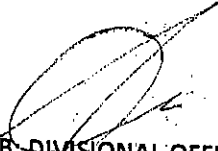
CLEARANCE CERTIFICATE

Certified that there is nothing WAPDA (TESCO) outstanding dues against the name of Mr. HACMID MAHMUD as Associate Professor.  
At C.M.S PARACHINAR District Kurram.

*M*  
S.D.O (E) WAPDA  
TESCO PARACHINAR  
S.D.O, TESCO FATA PARACHINAR  
SUB: DIVISION,

CLEARANCE CERTIFICATE

Certified that there is nothing PTCL outstanding dues against  
the name of Mr. HAMID MAHMOOD as Associate Professor  
At G.C.M.S. PARACHINAR District Kurram



SUB-DIVISIONAL OFFICER,  
PTCL PARACHINAR KURRAM AGENCY

Asstt. Business Manager  
PTCL Parachinar

36

CERTIFICATE

Certified that there is no such outstanding dues against Mr. HAMID MAHMOOD as Associate Officer  
At C.M.S. PARACHINAR district Kurram as per his office record as far  
as the recovery of house rent of Govt: accommodation is concerned i.e the responsibility for  
Education Department, no such allotment order of Gov. accommodation has been  
communicated to this by the client department.



SUB: DIVISIONAL OFFICER  
BUILDING SUB DIVISION UPPER/ LOWER  
KURRAM PARACHINAR

Sub Divisional Officer  
Building Sub Division Tribal  
District U/L Kurram

091-9331695



DIRECTORATE GENERAL OF COMMERCE EDUCATION  
& MANAGEMENT SCIENCES, KHYBER  
PAKHTUNKHWA, RANOGARHI, PESHAWAR.

ANNEXURE "J" (37)

No. DGCE&MS/Admn/6-181/

Dated: \_\_\_/\_\_\_/2021.

To

The Principal,  
Govt. College of Management sciences,  
Parachinar.

Subject: NOTIFICATION

I am directed to refer to the subject noted above and to enclose herewith copy of Notification No. SO(CE&MS)/HE/1-4/894(1-5)/3186-89 dated 19-02-2021 received from Section Officer (Commerce) Higher Education Department regarding sanction of 545-days leave (without pay) w.e.f. 01-03-2018 to 29-08-2019 IRO Mr. Hamid Mehmood, Ex-Associate Professor, GCMS, Parachinar (B-19) for further necessary action please.

(MUHAMMAD TAIB)  
DIRECTOR (ADMN).

Endst. No. DGCE&MS/Admn/6-181/400(1-2)

Dated: 04/03/2020.

Copy forwarded for information to the:-

1. Mr. Hamid Mehmood, Ex-Associate Professor (B-19), H.No.341, Street Sonian, Asamai Gate Andar Sheher, Peshawar alongwith a copy of the above mentioned Notification for compliance within one month positively.
2. PA to D.G.CE&MS .Khyber Pakhtunkhwa, Peshawar.

DIRECTOR (ADMN).





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GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES AND  
LIBRARIES DEPARTMENT

Dated Peshawar, 19/02/2021

**NOTIFICATION**

**No.SO(CE&MS)/HE/1-4/894(1-5)/3186-89.**

Ex-post facto Sanction is hereby accorded to the grant of 545-days leave (without pay) w.e.f 01-03-2018 to 29-08-2019 in respect of Mr. Hamid Mahmood, Associate Professor (BPS-19) Government College of Management Sciences, Parachinar under the Revised Leave Rules, 1981.

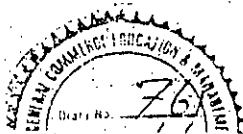
The officer concerned is directed to deposit all the salaries drawn w.e.f 01-03-2018 to 29-08-2019 in the Government Treasury within one (01) month positively and submit original challan to Directorate General Commerce Education and Management Sciences, Khyber Pakhtunkhwa.

SECRETARY TO  
GOVT. OF KHYBER PAKHTUNKHWA,  
HIGHER EDUCATION, DEPARTMENT

Endst: No. & date even.

Copy forwarded to:-

1. The Director General, Commerce Education, and Management Sciences, Khyber Pakhtunkhwa with the request to ensure recovery from the officer concerned within the stipulated time, verify the challan and retain a copy of original challan for official record.
2. The Principal Government College of Management Sciences, Parachinar.
3. District Accounts Officer Parachinar.
4. Officer concerned.
5. PS to Secretary to HED.



(IBAD ULLAH)  
SECTION OFFICER (CE&MS)

✓ To,

ANNEXURE "K"

39

The worthy Chief Secretary,  
Khyber Pakhtunkhwa, Peshawar.

PS/O.S. 13/7/2021 Peshawar  
Diary No. 1515  
Date 15-3-2021

**DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 09/02/2021 COMMUNICATED TO APPELLANT ON 05/03/2021, WHEREBY EX-POST FACTO SANCTION WAS ACCORDED TO THE GRANT OF 545 DAYS LEAVE (WITHOUT PAY) W.E.F 01/03/2018 TO 29/08/2019 AND THE APPELLANT WAS DIRECTED TO DEPOSIT ALL SALARIES DRAWN W.E.F 01/03/2018 TO 29/08/2019 IN GOVERNMENT TREASURY WITHIN ONE MONTH.**

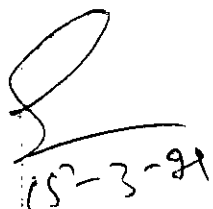
**Respected Sir,**

With due respect it stated that the appellant was performing duty as principle GCMS para chinar District kurram. That during service the appellant was served with absence notice dated 08/01/2019, Charge sheet and statement of allegations whereby it has been alleged that appellant remained absent from duty w.e.f 01/03/2018 to 29/08/2019 without prior permission and disciplinary proceeding were initiated. That appellant submitted proper reply to the charge sheet and statement of allegations whereby the charge of absentia was denied with documentary proofs. That it is pertinent to mention here that appellant never remained absent from his duty rather he performed his duty with full devotion and the attendance register fully support the stance of appellant. Furthermore the appellant also attended various meetings on the order of his high ups being principle of GCMS para chinar during the period from 01/03/2018 to 29/08/2019 in various district of Khyber Pakhtunkhwa and the minutes and attendance of those meetings established that appellant never remained absent from duty. That it is also worth mentioning that appellant has already retired from service on 20/11/2020 and when he forwarded his pension case to the respondent the impugned order was issued just to delay the pension of appellant. That it is also worth mentioning that no regular inquiry has been conducted in the matter nor any chance of personal hearing has been extended to appellant before issuing the impugned order, hence the impugned order is void ab initio and is liable to be set aside.

It is therefore, most humbly prayed that on acceptance of this Departmental appeal the impugned order dated 09/02/2021 may kindly be set aside and the period w.e.f 01/03/2018 to 29/08/2019 may kindly be treated as period spent on duty.

Dated: 12.03.2021

Your Obediently

  
15-3-21

**Hamid Mahmood**  
Ex-associate professor (BPS-19)  
GCMS, Parachinar district kurram

Teacher's

ANNEXURE L

40

Attendance Register For the Month of August 2017 Year

Name: HARJIT MAHROO

Designation: Assistant Teacher

Dept: J.S.S. Dera Ismail Khan

Roll: 026

Dates	Arrival	Signature	Dep.	Signature	Arrival	Signature	Dep.	Signature	Arrival	Signature	Dep.	Signature
1		P		P	—	—	—	—	—	—	—	—
2		P		P	—	—	—	—	—	—	—	—
3		P		P	—	—	—	—	—	—	—	—
4		P		P	—	—	—	—	—	—	—	—
5		P		P	—	—	—	—	—	—	—	—
6	Sunday	—	—	—	—	—	—	—	—	—	—	—
7		P		P	—	—	—	—	—	—	—	—
8		P		P	—	—	—	—	—	—	—	—
9		P		P	—	—	—	—	—	—	—	—
10		P		P	—	—	—	—	—	—	—	—
11		P		P	—	—	—	—	—	—	—	—
12		P		P	—	—	—	—	—	—	—	—
13	Sunday	—	—	—	—	—	—	—	—	—	—	—
14	Independence Day	—	—	—	—	—	—	—	—	—	—	—
15		P		P	—	—	—	—	—	—	—	—
16		P		P	—	—	—	—	—	—	—	—
17		P		P	—	—	—	—	—	—	—	—
18		P		P	—	—	—	—	—	—	—	—
19		P		P	—	—	—	—	—	—	—	—
20	Sunday	—	—	—	—	—	—	—	—	—	—	—
21		P		P	—	—	—	—	—	—	—	—
22	—	—	—	—	—	—	—	—	—	—	—	—
23		P		P	—	—	—	—	—	—	—	—
24		P		P	—	—	—	—	—	—	—	—
25		P		P	—	—	—	—	—	—	—	—
26		P		P	—	—	—	—	—	—	—	—
27	Sunday	—	—	—	—	—	—	—	—	—	—	—
28		P		P	—	—	—	—	—	—	—	—
29		P		P	—	—	—	—	—	—	—	—
30		P		P	—	—	—	—	—	—	—	—
31		P		P	—	—	—	—	—	—	—	—
Leaves	Present	Previous	Total	Present	Previous	Total	Present	Previous	Total			

Teacher's

Attendance Register For the Month of

Year

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Teacher's

Attendance Register For the Month of

Year

Name: _____												
Designation: NOV				DEC				Jan 2018				
Dates	Arrival	Signature	Dep.	Signature	Arrival	Signature	Dep.	Signature	Arrival	Signature	Dep.	Signature
1		vs		vs	12	vs		vs				
2		vs		vs								
3		vs		vs								
4		vs		vs								
5		vs		vs								
6		vs		vs								
7		vs		vs								
8		vs		vs								
9		vs		vs								
10		vs		vs								
11		vs		vs								
12		vs		vs								
13		vs		vs								
14		vs		vs								
15		vs		vs								
16		vs		vs								
17		vs		vs								
18		vs		vs								
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21		vs		vs								
22		vs		vs								
23		vs		vs								
24		vs		vs								
25		vs		vs								
26		vs		vs								
27		vs		vs								
28		vs		vs								
29		vs		vs								
30		vs		vs								
31		vs		vs								
Leaves	Present	Previous	Total	Present	Previous	Total	Present	Previous	Total	Present	Previous	Total

Name: _____												
Designation: _____				Mar				Apr				
Dates	Arrival	Signature	Dep.	Signature	Arrival	Signature	Dep.	Signature	Arrival	Signature	Dep.	Signature
1												
2												
3												
4												
5												
6												
7												
8												
9												
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22												
23												
24												
25												
26												
27												
28												
29												
30												
31												
Leaves	Present	Previous	Total	Present	Previous	Total	Present	Previous	Total	Present	Previous	Total













**DIRECTORATE GENERAL OF COMMERCE EDUCATION  
& MANAGEMENT SCIENCES, KHYBER PAKHTUNKHWA,  
RANO GARHI, PESHAWAR.**

46

No. DGCE&MS/Admn/Prospectus/ 1421 (1-33) Dated: 27/06/2018.

To

- 1- The Principals,  
Govt. Colleges of Management Sciences,  
Abbottabad / Bannu / Charsadda / Chitral / D.I. Khan / Haripur /  
Karak / Kohat / Lakki / Mansehra / Mardan / Nowshera / Peshawar /  
Sangota (Swat) / Swabi / Thana / Ghallanai (Mohmand Agency) / Jamrud  
(Khyber Agency) / Khar (Bajaur Agency) / Miranshah (NWA) /  
Parachinar (Kurram Agency).
- 2- The Principals,  
Govt: Colleges of Commerce No. 02,  
Bannu / Mardan / Nowshera / Peshawar.
- 3- The Principals,  
Govt: Colleges of Commerce,  
Balakot / Hangu / Talash / Timergara.
- 4- The Principals,  
Govt: Colleges of Commerce for Women,  
Abbottabad / Arbab Road Peshawar / Dalazak Road Peshawar /  
Mardan.
- 5- The Principal,  
Govt: Commercial Training Institute,  
Wari.

Subject: **PROSPECTUS MEETING OF GCMS / GCC FOR THE ACADAMIC  
SESSION 2018-19.**

I am directed to refer to the subject noted above and to state that the Annual Prospectus Meeting of Government Colleges of Management Sciences / Government Colleges of Commerce is scheduled to be held on 30.06.2018 at 10:00 A.M. at Govt: College of Management Sciences, Abbottabad under the Chairmanship of the Director General Commerce Education & Management Sciences, Khyber Pakhtunkhwa, Peshawar to discuss various issues / points pertaining to the academic activities and other related matters.

You are therefore, requested to attend the subject meeting in person on the date, time and venue specified above. Nominee is not allowed to attend the meeting.

(MUHAMMAD TAIB)  
DIRECTOR (ADMN)

Endst.No:DGCE&MS/Admn/Prospectus/

Dated \_\_\_\_\_ 2018.

Copy forwarded to:-

1. PA to D.G (CE&MS) KPK Peshawar.

47

GOVT. COLLEGE OF MANAGEMENT SCIENCES  
ABBOTTABAD

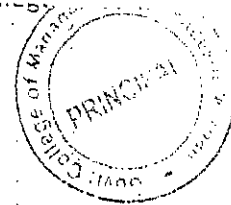
Dated: 30/06/2018

ATTENDANCE CERTIFICATE

Certified that Mr. Hamid Mahmood, Principal,  
GCMS/GCC/GCC(Women)/GCTI Parachinar KA has attended this college on  
30.06.2018 in connection with Annual Prospectus Meeting for the Academic Session 2018-19.

PRINCIPAL  
~~PRINCIPAL~~  
Govt. College of Management Sciences  
Abbottabad

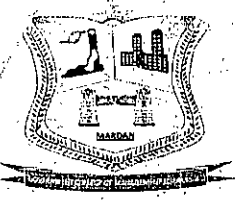
Govt. College of  
Mardan



---

Address: Zando Dheri, Main Swabi Road, Mardan  
Email: gcms2mrd@gmail.com  
Phone No: 0937848507-08

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# GOVERNMENT COLLEGE OF COMMERCE-II, MARDAN

## ATTENDANCE CERTIFICATE

It is certified that Professor Hamid Mahmood Principal of GCMS Para chinar Kurram Agency has attended One Day Meeting of the Principals of All GCMS/GCC's and GCC (W) held on 3<sup>rd</sup> March, 2018 at Government College of Commerce No.2, Mardan.

(PROFESSOR KHALID KHAN)

Principal

Govt. College of Commerce-II,  
Mardan



---

Address: Zando Dheri, Main Swabi Road, Mardan  
Email: gcms2mrd@gmail.com  
Phone No: 0937848507-08



DIRECTORATE GENERAL OF COMMERCE EDUCATION  
& MANAGEMENT SCIENCES, KHYBER PAKHTUNKHWA,  
RANO GARHI, CHAMKANI MOR, PESHAWAR.

49

ANNEXURE N

No. DGCE&amp;MS/Admn/6-181/

Dated: \_\_\_/\_\_\_/2021.

To

The Principal,  
Govt. College of Management sciences,  
Parachinar.

Subject: APPLICATION FOR RETIREMENT ON SUPERANNUATION BASIS

I am directed to refer to enclose herewith a copy of Section Officer (Commerce) letter No. SO(CE&MS)/HED/1-16/Misc/966(1-2) dated 06-05-2021 and in continuation of this office letter No. DGCE&MS/Admn/6-181/400(1-2) dated 04-03-2021 on the subject noted above and to state that this office may be informed as to whether Mr. Hamid Mehmood, Ex-Associate Professor (B-19) has deposited the salaries of 545 days drawn w.e.f. 01-03-2018 to 29-08-2019 in the Govt. Treasury or otherwise.

The matter may be treated as most urgent.

Encls: (As above)

(MUHAMMAD DAUD)  
DIRECTOR (ADMN/P&F)

Endst. No. DGCE&MS/Admn/6-181/811 (1-4)

Dated: 24/05/2021.

Copy forwarded for information to:-

1. Mr. Hamid Mehmood, Ex-Associate Professor (B-19), H.No.341, Street. Sonian, Asamai Gate Andar Sheher, Peshawar with the directions to deposit the salaries of the above mentioned period (545 days) in the Govt. Treasury immediately.
2. The Section Officer (Commerce), Higher Education Department w/ reference to his above quoted letter.
3. PA to D.G.CE&MS, Khyber Pakhtunkhwa, Peshawar.

*[Signature]*  
DIRECTOR (ADMN/P&F)

*[Signature]*  
24/05/2021

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**VAKALATNAMA**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

APPEAL NO \_\_\_\_\_ OF 2021

Hamid Mehmoed

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Chief Secretary K.P Zoller

(RESPONDENT)  
(DEFENDANT)

I/We Hamid Mehmoed

Do hereby appoint and constitute **NOOR MUHAMMAD KHATTAK, Advocate, HIGH COURT, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_\_\_ / \_\_\_\_\_ / 2021

~~28/02/2021~~  
**CLIENT**

**ACCEPTED**

**NOOR MUHAMMAD KHATTAK**

**SAID KHAN**

**&**

**UMAR FAROOQ MOHMAND  
ADVOCATES**

**KAMRAN KHAN**

**HAIDER ALI Advocates**

**OFFICE:**

Flat No.4, 2<sup>ND</sup> Floor,  
Juma khan plaza near  
FATA secretariat, warsak road  
Peshawar City.  
Mobile No.0345-9383141



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES  
& LIBRARIES DEPARTMENT

Dated Peshawar the July 19<sup>th</sup>, 2021

**NOTIFICATION**

No. SO(CE&MS)HE/1-12/32(1-5). - In pursuance of section 13A(1) of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No XVIII of 1973), read with sub-section (3) thereof, Mr. Hamid Mehmood, Ex-Associate Professor (BS-19), Government College of Management Sciences, Parachinar, stands retired from Government Service with effect from 20-11-2020 (A.N), on attaining sixtieth (60<sup>th</sup>) year of age, as his date of birth is 21-11-1960.

SECRETARY  
TO GOVT. KHYBER PAKHTUNKHWA  
HIGHER EDUCATION DEPARTMENT

Endst. Of even No. & Date.

Copy forwarded to:-

1. The DG (CE&MS) Khyber Pakhtunkhwa, (with a request that sanction to the grant of encashment of 365 days in lieu of LPR and pension papers IR@ the officer concerned may not be processed till the recovery of salaries of 245 days willful absence period drawn w.e.f. 01-03-2018 to 29-08-2019)
2. The District Accounts Officer, Parachinar
3. The Principal Govt. College of Management Sciences, Parachinar
4. Officer concerned.

SECRETARY