

Mr. Shah Faisal,.....Appellant

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary & OthersRespondents

INDEX

S. #	Description of Documents	Page No.
1.	Comments	2-4
2.	Authority Letter	5
2.	Affidavit	6
3.	Annex-1	7
4.	Annex-II	8
5.	Annex-III	9
6.	Annex-IV	10
7.	Annex-V	11
8.	Annex-VI	12
9.	Annex-VII	13
10.	Annex-VIII	14
11.	Annex-IX	15
12.	Annex-X	16-17
13.	Annex-XI	18
14.	Annex-XII	19
15.	Annex-XIII	20
16.	Annex-XIV	21

S. Faisal
Deponent.

2

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO: 164/ 2023

**Mr. Shah Faisal (Ex-Farash) Administration Department, Civil Secretariat, Peshawar
(Appellant)**

Versus

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Administration Department, Civil Secretariat, Peshawar.
3. Deputy Secretary (Admn), Administration Department, Civil Secretariat, Peshawar.
4. Comptroller, Khyber Pakhtunkhwa House, Islamabad.

(Respondents)

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS 1 - 4

Respectfully Sheweth,

Khyber Pakhtunkhwa
Service Tribunal

Case No. 6408
Date 12/7/23

PRELIMINARY OBJECTIONS.

- i. That Appellant has got no cause of action and locus standi.
- ii. That Appeal is not maintainable in the present form.
- iii. That Appeal is not based on facts.
- iv. That Appellant has not come to the Tribunal with clean hands.
- v. That appellant has concealed material facts from this Honorable Tribunal.
- vi. That Appellant is estopped by his own conduct to file the instant Appeal.

RESPECTFULLY SUBMITTED:

1. The appellant was appointed as Farash (BPS-01) against the existing vacancy in Pakhtunkhwa House, Islamabad by the Administration Department vide Order dated 30.05.2014 (**Annex-I**).
2. As explained in preceding Para, the appellant was appointed against the vacant post of Farash in BPS-01 not BPS-05 against the vacant post in Khyber Pakhtunkhwa House, Islamabad.
3. Correct to the extent of submission of arrival report.
4. Correct. The Comptroller, K.P House, Islamabad vide letter dated 11.04.2022 communicated that Mr. Shah Faisal, Farash is absent from official duty w.e.f., 08.03.2022 without any prior approval/permission (**Annex-II**). An explanation (dated:27.04.2022) was served on his residence address by the Administration Department directing the official to explain his position failing which stern disciplinary action will be initiated (**Annex-III**). The official did not submit any response, therefore, with prior approval of the competent authority, Mr. Asif Khan, Section Officer (Aviation), Administration Department was appointed as Inquiry Officer vide letter dated 17.05.2022 (**Annex-IV**) to probe in the matter by serving the charge sheet & statement of allegations (duly signed by the Deputy Secretary - Admn) on the delinquent official (**Annex-V & VI**).

The Inquiry Officer vide letter dated 23.05.2022 addressed a letter to the appellant to appear on 26.05.2022 at 11.00 Hours along with relevant record **(Annex-VII)**. The appellant did not even attend the inquiry proceedings, due to the reason, the Inquiry Officer vide letter dated:27.05.2022 reported the matter to the Administration Department recommending therein that disciplinary proceedings may be initiated against the appellant under Rule-9 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 (Annex-VIII). Pertinent to mention that Rule-9 specifies procedure to be adopted in case of willful absence **(Annex-IX)**. Willful absence of the official was published in two leading newspapers through the Director, Information & Public Relations Department vide letter dated:09.06.2022 **(Annex-X)**. Press clippings of Daily "Aaj" dated 12.06.2022 & "Mashriq" dated:15.06.2022 attached at Annex-XI & XII. After the expiry of 15-days notice (published in daily newspapers), a major penalty of "Removal From Service" was imposed on Mr. Shah Faisal, Ex-Farash (BPS-03), Khyber Pakhtunkhwa House, Islamabad vide Order dated:11.08.2022 after obtaining prior approval from the competent authority **(Annex-XIII)**.

5. Correct to the extent of receiving departmental appeal. Pertinent to mention that the appellant took the stance that he proceeded on leave with prior permission while no record available on part of this department. Moreover, the ex-official stated that being an illiterate person, he didn't bother to read any newspaper, while on the other hand, the official submitted departmental appeal in English. In addition to above, neither did the official submit any documents regarding his ailing mother (an excuse also mentioned in his appeal) nor did he attend the department.
6. Correct. The Administration Department rejected his appeal by upholding the order of major penalty of "Removal from Service" communicated to the official (vide letter dated 02.12.2022 **(Annex-XIV)**) on the same address which was quoted in the explanation and astonishingly this time he received the rejection letter.
7. The appellant has got no cause of action to file instant appeal.

GROUND:

- A. Incorrect. Appellant has been treated under the rules. No right of appellant whatsoever, has therefore, been violated.
- B. Incorrect. No such application was received in the department. All the proceedings were based on the letter dated 11.04.2022 **(Annex-II)** forwarded by the Comptroller, K.P House, Islamabad.
- C. No comments, since no such record available in the department facilitating stance of the appellant.
- D. In correct. All the proceedings were made in accordance with the Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules, 2011.
- E. As replied above.

F. Incorrect. As quoted in the preceding Para-4, the whole proceedings was carried out under the rules in vogue, however, the appellant did not even bother to attend the office to ascertain the status of his leave / case.

G. As replied above.

H. The respondents may also be allowed to raise additional grounds at the time of arguments.

It is therefore, humbly prayed that on acceptance of these comments the instant Appeal being devoid of merit may graciously be turned down / dismissed with cost.

Chief Secretary
Khyber Pakhtunkhwa
(Respondent No. 01)

Secretary
Administration
(Respondent No. 02)

Deputy Secretary
Administration
(Respondent No. 03)

Comptroller
KP House Islamabad
(Respondent No. 04)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMINISTRATION DEPARTMENT

AUTHORITY LETTER

Mr. Sultan Shah, Superintendent Litigation Section-I, Establishment Department, Government of Khyber Pakhtunkhwa is hereby authorized to submit Joint Parawise Comments before the Service Tribunal, Peshawar in connection with Service appeal No. 164/2023 titled Shah Faisal Versus Govt. of Khyber Pakhtunkhwa on behalf of Respondents.



**Chief Secretary,
Govt, of Khyber Pakhtunkhwa
(Respondent No.1)**



**Secretary
Administration Department
(Respondent No.2)**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 164/2023

Mr. Shah Faisal.....Appellant

Versus

Govt. of Khyber Pakhtunkhwa & Others.....Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS

AFFIDAVIT

I Sultan Shah Superintendent (Litigation) Establishment Department do hereby solemnly declare that contents of the Parawise Comments are correct to the best of my knowledge and record and nothing has been concealed from this Honourable Tribunal.

It is further on oath that in this appeal, the answering respondents have neither been placed ex parte nor their defense has been struck off.

Deponent



Sultan Shah
(Sultan Shah)
Superintendent (Lit)
E & A Department
CNIC.17301-1286739-5



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

Dated Peshawar the 30-05-2014

ORDER

No.E&A(AD)04(01)/2012 . Under rule 10 sub rule-2 of the Khyber Pakhtunkhwa , Civil Servants (Appointment , Promotion and Transfer) Rules,1989, Mr. Shah Faisal s/o Gul Akbar Tehkal Bala, Tehsil & District Peshawar is hereby appointed as Farash (BPS-01) (4800-150-9300) against an existing vacancy in Pakhtunkhwa House, Islamabad with immediate effect on the following terms & conditions .

- a) He will get pay at the minimum of BS-01 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
- b) He shall be governed by the Khyber Pakhtunkhwa , Civil Servants Act,1973 and all the law applicable to the Civil Servants and Rules made there-under.
- c) He shall produce a Medical Fitness Certificate from Medical Superintendent, Service Hospital, Peshawar, before joining duties in the Civil Secretariat, as required under the rules.
- d) He has to join duties as his own expenses.
- e) He shall be on probation for a period of one(01) year extendable for further period of one year in terms of Notification No.SOR-(V/E&AD/I-3/2009/Vol : VIII , dated 16-12-2010 under Rule 5(1) of Khyber Pakhtunkhwa , Civil Servants (Appointment , Promotion and Transfer) Rules,1989.
- f) In case, he wishes to resign at any time, one month's notice shall be necessary or in lieu thereof one month's pay will be forfeited.

Shah Faisal

2- On acceptance of the offer on the laid down terms and conditions, he is required to report to Administration Department within 14 days.

DEPUTY SECRETARY (ADMN)

ENST OF EVEN NO & DATE.

Copy forwarded to the :-

- 1) Accountant General , Khyber Pakhtunkhwa
- 2) Mr. Shah Faisal s/o Gul Akbar Tehkal Bala, Tehsil & District Peshawar
- 3) Bill / Establishment Assistant E&A Department.
- 4) P/File.

(MAQBOOL HUSSAIN)
SECTION OFFICER(Admn)



COMPTRROLLER
KHYBER PAKHTUNKHWA HOUSE ISLAMABAD
ADMINISTRATION DEPARTMENT
051-9204161-62

8

Annex-7

No. Comp/KPHID/P.File/2022/2171-2173

S.O (Admn) Administration Dated: 11/04/2022

To

Diary No. 120

The Deputy Secretary (Admn),
Administration Department.

Date. 13-5-22

Subject: DISCIPLINARY ACTION AGAINST MR. SHAH FAISAL FRASH KHYBER PAKHTUNKHWA HOUSE ISLAMABAD.

Dear Sir,

Please refer to the subject noted above and to state that Mr. Shah Faisal (Frash) is absent from duty w.e.f 08-03-2022 till date without any prior approval or permission of the undersigned.

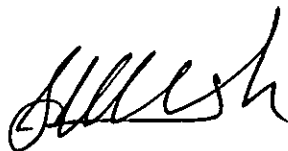
It is therefore requested that the above mentioned absence period of Mr. Shah Faisal (Frash) may be treated as leave without pay and requested that the salary of the said Official may please be stopped and inquiry be initiated against him as he is habitual absentee and continuously remains absent from duty even after many warnings.

(ANJAM NIAZ)
COMPTRROLLER

Copy forwarded to:

1. PS to Secretary (Admn), Administration Department, Peshawar.
- ✓ 2. The Section Officer (Admn), Administration Department, Peshawar.


(ANJAM NIAZ)
COMPTRROLLER



Supt (Admn) put up.

BY REGISTERED DAK



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

No.SO(Admn)E&AD/2(641)/2014
Dated: 27-04-2022

To

Mr. Shah Faisal, Farash,
Address: Akazai, Tehkal Bala, University Town,
Committee Post Office, Tehkala Bala, Peshawar
Contact: 0345-9167790

SUBJECT: EXPLANATION / NOTICE

It has been reported that you are absent from official duty w.e.f 08-03-2022 till date without any prior permission / approval of the Comptroller Khyber Pakhtunkhwa House, Islamabad.

2- Your negligence amounts to misconduct under Efficiency and Discipline Rules, 2011. You are, therefore, directed to explain your position immediately failing which stern disciplinary action shall be initiated against you under the rules ibid.

[Signature]
SECTION OFFICER (ADMN) 27/04

ENDST OF EVEN NO. & DATE

Copy forwarded to:-

- 1) The Comptroller, Khyber Pakhtunkhwa House, Islamabad.
- 2) PS to the Secretary, Administration Department.
- 3) PA to Additional Secretary-I, Administration Department.
- 4) PA to Deputy Secretary (Admn), Administration Department.

[Signature]
SECTION OFFICER (ADMN) 27/04/22

[Handwritten signature]
28/04

[Handwritten signature]
28/4

[Handwritten signature]

92

TOP PRIORITY



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

No. SO(A)AD/2(641)/PF/2014
Dated: 17-05-2022

To

Mr Asif Khan,
Section Officer (Aviation),
Administration Department

Subject: INQUIRY INTO THE CASE OF MR. SHAH FAISAL, FARASH
(BS-03), KHYBER PAKHTUNKHWA HOUSE, ISLAMABAD
(ADMINISTRATION DEPARTMENT)

I am directed to refer to the subject noted above and to state that the Competent Authority i.e. Deputy Secretary (Admn) Administration Department has appointed you as "Inquiry Officer" to conduct an inquiry against Mr. Shah Faisal, Farash (BS-03) of Khyber Pakhtunkhwa House, Islamabad for his willful absence and negligence in official duties etc.

2- I am further directed to forward herewith charge-sheet and statement of allegations against the accused (duly signed by Deputy Secretary (Admn) Administration Department) alongwith personal file with the request to conduct inquiry and submit report within 30 days positively, please.

Encls: Personal File

SECTION OFFICER (ADMN)

ENDST OF EVEN NO.& DATE

Copy forwarded to:-

1. The Comptroller Khyber Pakhtunkhwa House, Islamabad.
2. P.S to the Secretary, Administration Department.
3. P.A to Additional Secretary-I, Administration Department.
4. P.A to Deputy Secretary (Admn), Administration Department.
5. Mr. Shah Faisal S/O Gul Akbar Tehkal Bala Peshawar with the directions to appear before inquiry officer as and when required.

SECTION OFFICER (ADMN)



DISCIPLINARY ACTION

I. Usman Zaman, Deputy Secretary (Admn), Administration, Department, as Competent Authority, I am of the opinion that Shah Faisal, Farash (BS-03), has rendered himself liable to be proceeded against, as he committed the following acts / omissions, within the meaning of Rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011:

STATEMENT OF ALLEGATIONS:

That he while posted as Shah Faisal, Farash (BS-03) in Khyber Pakhtunkhwa House, Islamabad committed the following acts:-

- (ii) That you had remained absent from duty without any intimation or authorization from the competent authority as per details, given below:-

Sr.#	From	To	Absence in days
1	30-09-2015	13-10-2015	14
2	22-10-2019	20-11-2019	30
3.	20-04-2021	05-05-2021	16
4.	16-05-2021	27-05-2021	12
5.	15-06-2021	21-06-2021	7
6.	17-08-2021	16-09-2021	30
7.	08-01-2022	18-01-2022	11
8.	08-03-2022	Till date	66 days continued
		Total	186 days

- (ii) Despite repeated explanations and warning letters served upon you with regular intervals, you did not mend your ways and continued with dismal performance in official duties

2 For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/inquiry committee, consisting of the following, is constituted under Rule 10(1)(a) of the ibid rules:

- i. Asif Khan So (AM)
ii. _____

3. The inquiry officer/ inquiry committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings and make, within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the official.

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


DEPUTY SECRETARY (ADMN)
ADMINISTRATION DEPARTMENT

Shah Faisal, Farash (BS-03)
Administration Department
UN NO:E&A(AD)2(641)/2014

DATED : 17/05/2022





GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

18

CHARGE SHEET

I, Usman Zaman, Deputy Secretary (Admn), Administration Department, Government of Khyber Pakhtunkhwa, Administration Department as Competent Authority, hereby charge you, Shah Faisal, Farash (BS-03), as follow:-

2- That you while posted as Farash (BS-03) in *Pakhtunkhwa House, Islamabad* committed the following acts:

- (i) That you has remained absent from duty without any intimation or authorization from the competent authority as per details, given below:-

Sr.#	From	To	Absence in days
1	30-09-2015	13-10-2015	14
2	22-10-2019	20-11-2019	30
3.	20-04-2021	05-05-2021	16
4.	16-05-2021	27-05-2021	12
5.	15-06-2021	21-06-2021	7
6.	17-08-2021	16-09-2021	30
7.	08-01-2022	18-01-2022	11
8.	08-03-2022	Till date	66 days continued
		Total	186 days

- (ii) Despite repeated explanations and warning letters served upon you with regular intervals, you did not mend your ways and continued with dismal performance in official duties.
- (iii) Your above omission directly tantamounts to misconduct and makes you liable to be proceeded against under Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

3. By reason of the above, you appear to be guilty of misconduct & inefficiency under Rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rule 4 of the rules ibid.

4. You are, therefore, required to submit your written defence within seven days of the receipt of his Charge Sheet to the inquiry officer/inquiry committee, as the case may be.

5. Your written defence, if any, should reach the inquiry officer/ inquiry committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.

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

7. A statement of allegations is enclosed.


DEPUTY SECRETARY (ADMN)
ADMINISTRATION DEPARTMENT

Shah Faisal Farash, Farash (BS-03)
Administration Department
UN NO:E&A(AD)2(641)/2014

DATED: 17/05/2022



13

Annex VI

By Registered post



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

Email: soaviationkp@gmail.com

No. SO (Aviation)/AD/2-32/2022/Inquiries
Dated Peshawar, the 23.05.2022.

To

Mr. Shah Faisal, Farash (BPS-03),
Postal Address: Khyber Pakhtunkhwa House, Islamabad.

Permanent Address:- Shah Faisal S/o Gul Akbar Khan, Mohallah Akazai,
Tehkal Bala, Peshawar.

SUBJECT: INQUIRY INTO THE CASE OF MR. SHAH FAISAL, FARASH
(BPS-03), KHYBER PAKHTUNKHWA HOUSE, ISLAMABAD
(ADMINISTRATION DEPARTMENT).

The undersigned has been nominated as Inquiry Officer to conduct an inquiry against you under the Khyber Pakhtunkhwa Government (Efficiency and Discipline) Rules, 2011.

You are, therefore, directed to attend the office of the undersigned on 26.05.2022 at 11.00 hours and bring with yourself the record relating to the subject inquiry, if any.

(MUHAMMAD ASIF)

Section Officer (Aviation) /
Inquiry Officer,
Administration Department

Endst: No.& date even.

Copy forwarded to Section Officer (Admn), Administration Department w/r to letter No. SO(A)AD/2(641)/PF/2014 dated 17.05.2022.

Section Officer (Aviation) /
Inquiry Officer,



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

Email: soaviationkp@gmail.com

To

S.O (Admin) Administration Deptt:
Diary No. 1262
Date: 27-5-22

No. SO (Aviation)/AD/2-32/2022
Dated Peshawar, the 27.05.2022.

The Section Officer (Admn),
Administration Department

SUBJECT: INQUIRY INTO THE CASE OF MR. SHAH FAISAL, FARASH (BPS-03), KHYBER PAKHTUNKHWA HOUSE, ISLAMABAD (ADMINISTRATION DEPARTMENT) Page-64/c

Kindly refer to your letter No. SO(A)/AD/2(116)/PF/2015 dated 17.05.2022 on the subject noted above and to state that the accused official namely Shah Faisal, Farash (BPS-03), Khyber Pakhtunkhwa House, Islamabad was directed on his home and official addressed to appear before the undersigned (copy attached), but, he didn't appear.

Today on 27.05.2022, the undersigned telephonically confirmed from Comptroller, Khyber Pakhtunkhwa House, Islamabad that the official is still absent from his duties.

Under Rule 9 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, it is not necessary to serve charge sheet and statement of allegations against a civil servant who is absent from duties rather the procedure may be followed properly and ex-parte action can be taken against the official concerned.

Foregoing in view, the undersigned does not recommend to initiate inquiry against the official concerned rather the procedure under Rule 9 of the ibid rules may be initiated properly and if the official not reports for duty, ex-party action can be taken against him. While in case he reports for duty, then a fresh charge sheet can be framed against him under the rules. Personal file of the official concerned is returned in original.

[Handwritten signature]
[Handwritten initials]
[Handwritten initials]

[Handwritten signature]
(MUHAMMAD ASIF)
27-05-22
Section Officer (Aviation) /
Inquiry Officer,
Administration Department


Endst: No. & Date Even.

➤ Copy forwarded to PS to Deputy Secretary (Admn), Administration Department.

[Handwritten signature]

Khyber Pakhtunkhwa Civil Servants (Efficiency & Disciplinary) Rules 2011

Rule-9: Procedure in case of willful absence.---Notwithstanding anything to the contrary contained in these rules, in case of willful 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.





GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

Annex 3

(16)

No. E&A(AD)/2(641)2014/Shah-Faisal
Dated: 09-06-2022

To

The Director,
Information & Public Relations,
Government of Khyber Pakhtunkhwa,
Ex-Fata Secretariat, Warsak Road,
Peshawar.

Subject:

**REQUEST FOR PUBLICATION OF SHOWCAUSE NOTICE IN TWO
LEADING DAILY NEWSPAPERS (URDU).**

I am directed to enclose herewith seven (07) copies of a Showcase Notice in respect of Mr. Shah Faisal Farash (BS-03) of this Department for publication in two leading daily Newspapers (Urdu) preferably *Aaj* and *Mashirq* at provincial level. Copies of the same (advertisement) may kindly be provided to the undersigned after its publication.

- 2- It is certified that sufficient funds are available to meet the expenditure involved
- 3- It is requested that bill may be provided in duplicate, please.

Encls: as above

SECTION OFFICER (ADMIN) 09/06/2022

ENDST OF EVEN NO. AND DATE

Copy forwarded to:-

1. P.S to the Secretary, Administration Department.
2. P.A to Additional Secretary-I, Administration Department.
3. P.A to Deputy Secretary (Admn), Administration Department.

SECTION OFFICER (ADMIN) 09/06/2022

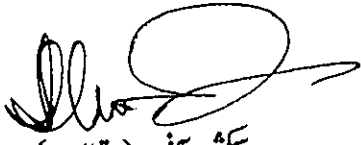
09/06/22

09/06/22

09/06/22

شاہ فیصل (فراش) ولد گل اکبر، سکنہ تہکال پشاور بغیر کسی وجہ بتائے اپنی ڈیوٹی (خیبر پختونخوا ہاؤس، اسلام آباد) میں مورخہ 8 مارچ 2022 سے سلسل غیر حاضر ہیں۔ اس پ کو مورخہ 27 اپریل 2022 کو آپ کے مذکورہ گھر کے پتہ پر نوٹس ارسال کیا گیا جس میں مجاز اختیار نے آپ کو متنبہ کیا کہ اس نوٹس کے جواب میں حاضر ہو کر دفتر ہذا سفائی پیش کریں لیکن نہ تو آپ حاضر ہوئے اور نہ ہی آپ نے کوئی تحریری جواب جمع کرایا۔ آپ کی دوران ملازمت خراب کارکردگی کی پیش نظر حکمانہ انکوائری شروع کی پ کو مورخہ 23 مئی 2022 کو آپ کے گھر کے پتہ پر نوٹس جاری کیا گیا کہ آپ مورخہ 26 مئی 2022 کو انکوائری آفیسر کے سامنے پیش ہوں لیکن اس بار بھی آپ نہ آئے اور نہ ہی کوئی جواب جمع کرایا۔

آپ کو آخری بار بذریعہ اخبار مطلع کیا جاتا ہے کہ اس نوٹس کے اشاعت کے پندرہ دنوں کے اندر اندر حاضر ہوں اور غیر حاضری کی وجہ بیان کریں بصورت دیگر آپ کے طرف کارروائی عمل میں لائی جائے گی جس کے نتیجے میں آپ کو ملازمت سے برخاست بھی کیا جاسکتا ہے۔


سیکشن آفیسر (انتظامیہ)

محکمہ انتظامیہ، سول سیکرٹریٹ پشاور



پشاور ایسٹ ایلو لور اسلام آباد سے یکدمت شائع ہونے والا کثیر الاشاعت قومی روزنامہ

روزنامہ شائین

روزنامہ

پشاور

پاکستان

عبدالواحد یوسفی

جلد 33 نمبر 12 ایڈیشن 1443-12 جون 2022-30 مئی 2022 شمارہ 154

(18)

Ann

روزنامہ

12-1-2

حکومت خیبر پختونخوا محکمہ انتظامیہ
نوٹس اظہار وجوہ بابت غیر حاضری

آپ کی شادی لیل (فرش) ولد گل اکبر کنڈہ جرنل پشاور بلتیر کی وجہ سے اپنی ذہنی (خیبر پختونخوا ایس اسلام آباد) میں سوریہ 8 مارچ 2022ء سے سلسل فیرمائز میں اس دوران آپ کو سوریہ 27 اپریل 2022ء کو آپ کے مذکورہ گھر کے پتہ پر نوٹس ارسال کیا گیا جس میں بہتر اختیار نے آپ کو کسٹڈ کیا اس نوٹس کے جواب میں حاضر ہو کر دفتر بذمہ اپنی سفائی پیش کریں لیکن نہ تو آپ حاضر ہوئے اور نہ ہی آپ نے کوئی تحریری جواب جمع کر لیا۔ آپ کی دوران ملازمت خراب کارکردگی کی پیش نظر حکمانا کو اجازت شروع کی گئی اور آپ کو سوریہ 23 مئی 2022ء کو آپ کے گھر کے پتہ پر نوٹس جاری کیا گیا کہ آپ سوریہ 28 مئی 2022ء کو اجازت شروع کرنے کے لئے پیش ہوں لیکن اس بار بھی آپ نہ تو حاضر ہوئے اور نہ ہی کوئی جواب جمع کر لیا لہذا آپ کو آخری بار بذمہ اخبار مطلع کیا جا رہا ہے اس نوٹس کے اشاعت کے چند روزوں کے اندر حاضر ہوں اور غیر حاضری کی وجہ سے ان کی بصورت دیکھنا آپ کے خلاف کیلئے کارروائی میں لائی جائے گی جس کے نتیجے میں آپ کو ملازمت سے برخواست بھی کیا جاسکتا ہے۔

سیکشن آفیسر (انتظامیہ محکمہ انتظامیہ سول سیکرٹریٹ پشاور)

www.khyberpaktunkwa.gov.pk 3470/2022

Handwritten signature



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

20

Amme

ORDER

Dated: 11 -08-2022

No.E&A(AD)M.Bilal/NQ/PF. WHEREAS. Mr. Shah Faisal, Farash (BPS-03) S/O Gul Akbar, Khyber Pakhtunkhwa House, Islamabad (Administration Department) was proceeded against under Rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 for the charges of willful absence from official duty w.e.f 08-03-2022 till date without any formal approval and he was directed to explain his position vide letter dated 27-04-2022 but he has not responded.

2. **AND WHEREAS**, notices were served upon him in accordance with the procedure given under Rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 requiring him to resume duty within stipulated time, but he failed to comply.

3. **AND WHEREAS**, the final showcause notices were published in daily newspapers dated 12-06-2022 and 15-06-2022 directing him to join his duty and clear his position but again he failed to respond.

4. **NOW, THEREFORE**, the Competent Authority after having considered the evidence on record and exercising his powers under Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, has been pleased to impose a major penalty of "Removal from Service" on **Mr. Shah Faisal, Farash (BPS-03)**, Khyber Pakhtunkhwa House, Islamabad (Administration Department) with immediate effect.

ENST OF EVEN NO & DATE

DEPUTY SECRETARY (ADMN)

Copy forwarded to:-

- 1) The Accountant General, Khyber Pakhtunkhwa.
- 2) The Comptroller, Khyber Pakhtunkhwa House, Islamabad.
- 3) P.S to the Secretary Administration Department.
- 4) P.A to Additional Secretary -I, Administration Department.
- 5) The Supdt (Accounts), Administration Department for necessary action.
- 6) P.A to Deputy Secretary (Admn), Administration Department.
- 7) Mr. Shah Faisal S/O Gul Akbar, Address: Akazai, Tehkal Bala, Post Office, Tehkala Bala, Peshawar. Contact: 0345-9167790.
- 8) Personal File
- 9) Master File

[Handwritten signature]

[Handwritten signature]
SECTION OFFICER (ADMN)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT

Registered
21

No. E&A(AD)2(641)2014
Dated Peshawar the 02-12-2022

To

Mr. Shah Faisal S/O Gul Akbar,
Address: Akazai, Tehkal Bala. Post Office, Tehkala Bala,
Peshawar. Contact: 0345-9167790.

Subject:

DEPARTMENTAL APPEAL UNDER RULE-17 OF THE KP, (E&D)
RULES, 2011 READ WITH RULE-3 OF KP CIVIL SERVATNS
(APPEAL) RULES, 1986 AGAINST THE IMPUGNED ORDER
DATED:11-08-2022

I am directed to refer to your application dated:12-09-2022 on the subject noted above and to state that the departmental appeal has been rejected by the competent authority by upholding the order of major penalty of "Removal from Service" bearing No.E&A(AD)M.Bilal/NQ/PF, dated:11-08-2022.

SECTION OFFICER (ADMN)

ENDST OF EVEN NO. AND DATE

Copy forwarded to:-

1. P.S to the Secretary, Administration Department.
2. P.A to Additional Secretary (Admn-I), Administration Department.
3. P.A to Deputy Secretary (Admn), Administration Department.

SECTION OFFICER (ADMN)

OK
5/12/22

5/12
MJC
5/12