

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR.

Service Appeal No: 822/2023


Muhammad Faraz Ex-SST District Kohat..... Appellant

VERSUS

**Government of, Khyber Pakhtunkhwa through the Secretary Higher
Education & others..... Respondents**

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Assistant Director (Lit: II)
E&SE Khyber Pakhtunkhwa,
Peshawar

①

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

Service Appeal No: 822/2023

Muhammad Faraz ex-SST District Kohat..... Appellant

VERSUS

**Government of, Khyber Pakhtunkhwa through the Secretary Higher
Education & others..... Respondents**

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS No: 1 to 3.

Respectfully Sheweth,

The Respondents No. 1-3 submit as under:

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 7091

Dated 18/8/2023

PRELIMINARY OBJECTIONS.

- 1 ***That*** the Appellant has got no cause of action/locus standi to file the titled appeal before this Honorable Tribunal.
- 2 ***That*** the appellant is not an aggrieved person within the meaning of Article 212 of the constitution of Islamic Republic of Pakistan 1973 read with section-4 of Khyber Pakhtunkhwa service Tribunal Act-1974.
- 3 ***That*** the appellant has concealed material facts from this Honorable Tribunal in the titled appeal on mala-fide regarding the report of absence from duty/mis-conduct No. 4000 dated 23-12-2022 & No. 3308 dated 14-11-2022 of the DEO (M) Kohat on the subject of habitual absence from duty.
- 4 ***That*** the Appellant has not come to this Honorable Court with clean hands as vide letter No. 418 dated 20-02-2022 the HM GHS Shamal Din Karbogha has also reported the matter of absence from duty of the appellant since 01-08-2022 without any leave sanction as evident from the attendance sheet of September 2022 w/r to column-4.
- 5 ***That*** the appeal in hand is based on mala fide intentions for illegal service benefits as formal show cause notices dated 07-11-2019 & 24-08-2021 have been served upon the appellant by the Department.
- 6 ***That*** the matter in hand is barred by law in view of the law of limitation Act 1908.
- 7 ***That*** the case is bad for mis-joinder and non-joinder of the necessary parties to the titled appeal.

- 8 **That** the appellant is a habitual duty absconder & litigant in filing baseless petition against the Department that formal enquiry in compliance of the Notification 07-06-2021 of the DEO (M) Hangu has been conducted & final report was submitted by the committee on 16-06-2021 with the recommendation of re-calling the contractual appointment as SST by the Department.
- 9 That the impugned Notifications dated 14-03-2023 & 31-03-2023 of the Respondents No 1 & 2 are legal & liable to be maintained
- 10 **That** no Departmental Appeal against the above said Notifications has been filed by the appellant to the appellate authority till date against the in action of the Department, hence, got finality under the law.

ON FACTS.

- 1 **That** Para-1 pertains to the service record of the appellant against the SST (B/C) in BPS-16 vide order dated 14-09-2018 with reference to S.No. 6 of the said order & subsequent adjustment against the noted post at GHS Shamal Din District Hangu **attached as Annex-A.**
- 2 **That** Para-2 is incorrect & denied on the grounds that: -
 - a) The appellant has concealed material facts from this Honorable Tribunal in the titled appeal on mala-fide regarding the report of absence from duty/mis-conduct No. 4000 dated 28-12-2022 & No. 3308 dated 14-11-2022 of the DEO (M) Kohat on the subject of habitual absence from duty. **Annex-B**
 - b) The Appellant has not come to this Honorable Court with clean hands as vide letter No. 418 dated 20-09-2022 the HM GHS Shamal Din Karbogha has also reported the matter of absence from duty of the appellant since 01-08-2022 without any leave sanction as evident from the attendance sheet of September 2022 w/r to column-4. **Annex-C.**
 - c) The appeal in hand is based on mala fide intentions for illegal service benefits as formal show cause notices dated 07-11-2019 & 24-08-2021 have been served upon the appellant by the Department. **Annex-D.**
 - d) The appellant is a habitual duty absconder & litigant in filing baseless petition against the Department that formal enquiry in compliance of the Notification 07-06-2021 of the DEO (M) Hangu has been conducted & final report was submitted by the committee on 16-06-2021 with the recommendation of re-calling

the contractual appointment as SST by the Department. *Annex-E*, therefore the plea of the appellant is illegal & liable to be rejected.as each & every civil servant is bound to serve the Department with his utmost honesty for the salary, he is drawing from the Government Treasury.

- 3 *That* Para-3 is incorrect as no cogent proof has been attached by the appellant in support of his plea.
- 4 *That* Para-4 is incorrect as no cogent proof has been attached by the appellant in support of his plea.
- 5 *That* Para-5 is also incorrect as posting & transfer of the appellant is the jurisdiction & competency of the Respondent No. 2 instead of the Respondent No. 3 under the relevant rules of business in vogue
- 6 *That* para-6 is also incorrect & denied on the grounds that the appellant should have been approached to the Respondent No. 3 instead of Respondent No. 2 along with the said complaint against the HM GHS Shamal Din District Hangu.
- 7 *That* para-7 is incorrect & denied as the appellant has been found guilty of willful absence from duty w.e.f 01-09-2022 to 02-12-2022 reported as per by the DEO (C) vide letter dated 14-11-2022 against the said post, being a contractual employee of the Department has 1st appointment order No. 590-96 dated 14-09-2018 was withdrawn under the relevant provision of law & rules *attached as Annex-F*.
- 8 *That* para-8 is also incorrect as the act of the Respondent No. 2 with regard to the order dated 14-03-2023, whereby, the 1st appointment order dated 14-09-2018 has been withdrawn w.e.f 01-09-2022 on account of absence from duty by the appellant without lawful order of the competent authority.
- 9 That para-9 is correct that the Departmental appeal against the order dated 14-03-2023 has been rejected vide order dated 31-03-2023 by the Respondent No. 1 after due process of law including a chance of personal hearing to the appellant on dated 22-03-2023 prior to the rejection of the appeal of the appellant on 31-03-2023 by the respondent No. 1 *attached as Annex-G & H*.
- 10 *That* para-10 is incorrect as the appellant is not an aggrieved person within the meaning of section-2 of KPK service tribunal Act-1974 read with Article-212 of the constitution of 1973, hence, the appeal in hand deserves rejection on the following grounds inter alia: -

GROUNDS.

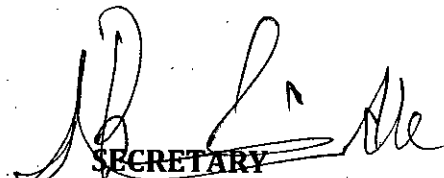
- A. **Incorrect & not admitted**, the plea of the appellant is illegal on the grounds that both the orders dated 14-03-2023 & 31-03-2023 are legal & liable to be maintained.
- B. **Incorrect & not admitted**. The act of the Department with regard to the cited orders is legal, furthermore, the appellant was found absent from duty, hence, his contractual job & appointment order was re-called under the rules by the Department.
- C. **Incorrect & not admitted**, the plea of the appellant is illegal on the grounds that both the orders dated 14-03-2023 & 31-03-2023 are legal & liable to be maintained.
- D. **Incorrect & not admitted**, the plea of the appellant is against the facts of the case, hence, denied in view of the above made submissions by the Department.
- E. **Incorrect & not admitted**, the plea of the appellant is against the facts and policy of the case as he was not regularized as SST in BPS-16 under the Act of 2022, hence, his job contract was withdrawn on dated 14-03-2023 by the Department.
- F. **Incorrect & not admitted**. As replied above.
- G. **Incorrect & not admitted**, the act of the Department with regard to the above-mentioned orders is legal & liable to be maintained.
- H. **Incorrect & not admitted**, the act of the Department is legal & even within the constitutional frame work & liable to be maintained
- I. **Incorrect & not admitted** the appellant was found absent from duty against the said post, hence, removed from service under the rules.
- J. **Incorrect & not admitted**. As replied above.

K. Incorrect & not admitted the appellant has no valid cause of action to file the titled appeal before this Learned Tribunal. Therefore, the Respondents also seek leave of this Honorable Tribunal to submit additional record grounds and case law on the date fixed

PRAYER:

Therefore, in view of the above made submissions, the appeal in hand may kindly be dismissed in favor of the Department in the interest of justice.

Dated. ___/___/2023.



SECRETARY
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 1)



DIRECTOR
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No: 2 & 3)

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**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA
SERVICE TRIBUNAL PESHAWAR.**

Service Appeal No: 822/2023

Muhammad Faraz ex-SST District Kohat..... Appellant

VERSUS

**Government of, Khyber Pakhtunkhwa through the Secretary Higher
Education & others..... Respondents**

AFFIDAVIT

**I, Dr. Hayat Khan Assistant Director (Litigation-II) E&SE Department
Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of
the instant para wise Comments are true & correct to the best of my knowledge & belief.
It is further stated on oath that in this appeal the answering Respondents
have neither been placed Ex-Parte nor their defense has been struck off/cost.**

[Handwritten Signature]
Deponent

ATTESTED

[Handwritten Signature]
18-08-2023
Notary Public
Judicial Complex Peshawar

Ann-A

7

Hangu Male Appointment Order SST Adhoc 1

Directorate of Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar



ATTESTED

APPOINTMENT.

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Secondary School Teacher (SST Bio Chem), (SST Maths Phy), (SST General) School based in BPS-16 (Rs. 15880-1280-54280) @ Rs. 15880/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge:-

(SST Bio Chem)

S#	Roll No.	Name & Father Name	CNIC No.	Address	Academic Score	NTS Marks	Total Score	Name of School
1	111001329	SHAKIR MUHAMMAD S/O UMER KHAN	73101-7229203-7	MOHALLA MATINAY NARYAS TEHSIL THALL DISTRICT HANGU	59.73	73	132.73	GHS Doaba
2	291002745	USMAN GHANI S/O SURAT KHAN	14102-0366673-9	MOHALLAH SERO KHEL DARSAMAND TEHSIL THALL DISTRICT HANGU	71.45	57	128.45	GHS Toghral
3	291002928	METIDI RAZA S/O REHSAR HUSAIN	14101-3851653-9	VILL KHAWAJA KHIZER JOUZARA PO USTRZAI PAVAN THE DISTT HANGU	64.44	55	119.44	GHS Ration
4	181000118	ABDUL TALLAD S/O HASEAN SAHADUR	14101-4358993-5	VILLAGE CHARAOILA DISTT HANGU	61.15	57	118.15	GHS Korai Bala
5	181000057	MUHAMMAD ISHFAQ S/O SURAT KHAN	14101-9457687-3	CHARBALA DISTRICT HANGU	61.92	57	117.92	GCMHS No.1 Hangu
6	211002595	MUHAMMAD FARAZ S/O GULBAT KHAN	14301-1631261-5	SHINO MOLA TEHSIL THALL DISTRICT HANGU	54.85	63	117.85	GHS, Shamal Din
7	181000120	DAUD AHMAD S/O SHAHEED GUL	14102-0354180-7	P O KARBOGHA SHARIF THALL THE DIST HANGU	58.04	57	115.04	GHS, Mijal Khel
8	291002753	TARIQ KHAN S/O HAJEE GULL	14102-0361105-3	ALLAMA IQBAL HOTEL 9900M 45 UI OF PESHAWAR	67.83	55	122.83	GHS Darsamand
9	181000121	ALAPATAGEEN SHAM S/O TARIQ SHAH	14102-0363415-5	MOHALLA SHAHKORE MAIN BAZAR THE THALL DIST HANGU	39.89	54	113.89	GHS Alamoan Banda
10	181000042	RAZA ULLAH S/O MUHAMMAD KHALAQ	14101-1922630-5	Village Shansawan Hangu, Tehsil & District Hangu	56.44	57	113.44	GCMHS NO.1 Hangu
11	181000074	SAUD REHMAN S/O KABEL MAT KHAN	14101-9529658-1	ABDUL JANAN KHAI AUTO STORE NEAR AL SHERANI MASJID TALL RD THE DIST HANGU	61.16	51	112.16	GHS Doran Banda
12	181000067	IRFAN ULLAH S/O MIR AYAZ	14101-9766774-7	HAFIZ RAINI STORE SAMANA ROAD HANGU	57.15	55	112.15	GHS Chapri Naryab

(SST Maths Phy)

S#	Roll No.	Name & Father Name	CNIC No.	Address	Academic Score	NTS Marks	Total Score	Name of school
1	182000042	SADAT ALI S/O MINHAJ AU	14101-9919932-7	VILLAGE GANWANO KALLY HANGU	66.43	57	123.43	GHS, Doaba
2	292000371	IMRAN UD DIN S/O SHER BADIN	14101-2866891-5	DIST HANGU TEH THALL V O P SAROZAI MOH	68.1	48	116.1	GHS, Chapri Naryab

Attested

Hangu Male Appointment Order SST Adhoc 2

Sr	Roll No.	Name & Father Name	CNIC No.	Address	Academic Score	NTS Marks	Total Score	Name of School
3	18200108	ATIF SALEEM S/O NOOR ZADA	14101-6197391-9	SAHIR ZAMA FILLING STATION VILLAGE AND PO DOKARA THIBRI THALI AND DISTRICT HANGU	59.64	55	114.64	GHS, Duzeri Banda
4	18200124	FABAL REHMAN S/O NOOR ZAD GUL	14101-1861293-3	ASGHARO BANDA HANGU	59.22	55	114.22	GCMHS, No.1 Hangu
5	292001668	WAHID NOOR S/O DAUF NOOR	14102-0347813-7	Mahallah Tandaro Tehsil Thali District Hangu.	59.15	55	114.15	GHS, Maryal Khel
6	182000079	ARSHAD GUL S/O RAJID GUL	14102-0371120-5	VILLAGE PO NURYAH TEHIL THALI DIST HANGU	62.13	51	114.13	GHS, Sharnal Dhi
7	182000129	ABID AHMAD S/O GUL AMIR	14102-0361267-5	VILL AND PO DARSAMAND TEH THALI DIST HANGU	61.64	52	113.64	GHS, Dasbe

(SST General)

ATTESTED

Sr	Roll No.	Name & Father Name	CNIC No.	Address	Academic Score	NTS Marks	Total Score	Name of School
1	294002777	BILAL RAZA S/O SAJJAD HUSSAIN	14101-1316235-3	VILLAGE & PO IBRAHIMZAI DISTRICT HANGU	60.50	77	137.50	GCMHS, No.1 Hangu
2	213002540	KALEEM ULLAH S/O ATIQ ULLAH	14301-6238910-2	MIRBAK TEHSIL & DISTRICT HANGU	65.80	64	129.80	GHS, Samana
3	184000165	MUHAMMAD RAWOOF S/O SHAH NISHMOOD	14102-0339222-1	VILL TORA CHUNDI PO TORA WARI TEH TAHALL DIST HANGU	58.39	71	129.39	GHS, Chapri Naryab

TERMS & CONDITIONS.

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year wef 20th September 2018 to 19th September, 2019.
4. He should not be handed over charge if he exceeds 35 years or below 19 years of age. Age relaxation case may be submitted to competent authority.
5. If any candidate is over age less than two years, their upper age limit less than two years is hereby relaxed.
6. If any meritorious candidate is deprived from appointment by this order and the competent authority accepted his appeal, the appointment order of the low merit candidate will be withdrawn and adjustment order will be reviewed according to merit.
7. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO (concerned), any one found producing bogus Certificate will be reported to the law enforcing agencies for further action.
8. His services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
9. Pay will not be drawn until and unless a certificate to the effect by DEO(concerned) is issued that his certificates are verified.
10. He should join his post within 15 days of the issuance of this notification. In case of failure to join the post within 15 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
11. The candidate concerned should produce Health & Age certificate duly signed by Medical Superintendent concerned before taking over charge.
12. He will be governed by the rules and regulations in the field and as may be issued from time to time by the Govt.
13. His contract shall be discontinued at any time, in case his performance is found unsatisfactory.
14. His appointment is made on School based, He will have to serve at the place of posting, and His service is not transferable to any other station.

Attested

Hangu Male Appointment Order SST Adhor

- 15. Before sending over original documents their contents may be checked if they have not the required relevant qualifications as per rules they may not be handed over charge of the post.

(Farid Ahmad Khattak)
 Director
 Elementary and Secondary Education
 Khyber Pakhtunkhwa

S.No. 46

Order No. / File No. SST Adhor Order dated Peshawar the 14 / 09 / 2018

Copy forwarded for information and necessary action to:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
3. District Education Officer (Male) concerned.
4. District Accounts Officer concerned.
5. Official concerned.
6. PS to the Secretary to Govt. Khyber Pakhtunkhwa Education Department.
7. PA to the Director Education Khyber Pakhtunkhwa Peshawar.
8. M/File.

[Signature]
 Deputy Director (ESSE)
 Elementary & Secondary Education
 Khyber Pakhtunkhwa
 14/9/18

Filed & Attested

ATTESTED

Hangu Male Appointment Order SST Adhoc

DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION

Khyber Pakhtunkhwa Peshawar

APPOINTMENT.

Consequent upon recommendation to the Department Selection Committee, appointment of the following candidates are hereby ordered against the post of Secondary School Teacher (SST Bio Chem), (SST Maths Phy), (SST General) School based in BPS-16 (Rs. 15880-1280-54280) @ Rs.15880/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge:-

S#	Roll No.	Name & father Name	CNIC NO.	ADDRESS	Academic score	NTS Marks	Total score	Name of school
1	111001029	Shakir Muhammad S/o Umer Khan	13101-2229203-7	MOHALLA MATINAY NARYAB TEHSIL THALL DISTRICT HANGU	59.73	73	132.7	GHS Doaba
2	291002345	Usman Ghani S/o Surat Khan	14102-0366673-9	MOHALLA SERO KHEL DARSAMAND TEHSIL THALL DISTRICT HANGU	71.45	57	128.45	GHS Togharai
3	291002828	Mehdi Raza S/o Rehbar Hussain	14101-3851653-9	VILL KHAWAJA KHIZER JAUZARA PO USTERZAI PAYAN THE DISTT HANGU	64.44	55	119.44	GHS Raisan
4	181000118	Abdul Samad S/o Hassan Bahadur	14101-4356993-5	VILLAGE CHERAOLA DISTT HANGU	61.35	57	118.15	GHS Kotki Bala
5	181000053	Muhamad Ishfaq S/o Surat Khan	14101-9457887-3	CHERSALA DISTRICT HANGU	61.92	57	117.92	GCMHS No.1 Hangu
6	211000595	Muhammad Faraz S/o Gulbat Khan	14301-1631261-5	SHINO MILA TEHSIL THALL DISTRICT HANGU	54.85	63	117.85	GHS Sharnal Din
7	181000120	Daud Ahmad S/o Shaheed Gul	14102-0384180-7	P O KARBOGHA SHARIF THALL THE DISTRICT HANGU	58.04	57	115.04	GHS Mian Khel
8	291002753	Tariq Khan S/o Hajee Gull	14102-0361105-3	ALLAMA IQBAL HOTEL 9ROOM 45 UI OF PESHAWAR	67.83	55	122.83	GHS Daesamand
9	181000123	Alapatageen Shah S/o Tariq Shah	14102-0365415-5	MOHALLA SHAHKORE MAIN BAZAR THE THALL DISTT HANGU	59.89	54	113.89	GHS Mamoon Banda
10	181000042	Raza Ullah S/o Muhammad Khaliq	14101-1902630-5	VILLAGE SHAMAQWORA HANGU, TEHSIL & DISTRICT HANGU	56.44	57	113.44	GCMHS No.1 Hangu
11	181000074	Sajid Rehman S/o Kabel Mat Khan	14101-9529658-1	ABDUL JANAN KHAN AUTO STORE NEAR AL SHERANI MASJID TALL RD THE DIST HANGU	61.16	51	112.16	GHS dorari danda
12	181000067	Irfan Ullah S/o Mir Ayaz	14101-9766774-7	HAFIZ PAINT STORE SAMNA ROAD HANGU	57.15	55	112.15	GHS Chapri naryab

(SST Maths Phy)

S#	Roll No.	Name & father Name	CNIC NO.	ADDRESS	Academic score	NTS Marks	Total score	Name of school
1	182000042	Saadat Ali S/o Mirhaj Ali	14101-8918932-7	VILLAGE GANJANO KALLY HANGU	66.43	37	123.43	GHS Doaba
2	292000371	Imran ud Din S/o Sher Badin	14101-2886891-5	DIST GANU THE THALL V O P SAROZAI MOH	68.1	48	116.1	GHS Chapri Naryab

Attested

ATTESTED

Hangu Male Appointment Order SST Adhoc 2

				AWAL KP PAKISTAN				
3	182000108	Arif Saleem S/o Noor Zada	14101- 0197391-9	SAIRH ZADA FILLING STATION VILLAGE AND PO BOABA TEHSIL THALL AND DISTRICT HANGU	59.64	55	114.64	GHS (sic)
4	182000124	Faisal Rehman S/o Noor Zad Gul	14101- 1861293-3	ASGHARD BANDA HANGU	59.22	655	114.22	GCMHS No 1 Hangu
5	292001668	Wahid Noor S/o Dalif Noor	14102- 034833-7	MOHALLA TANDARO TEHSIL THAL DISTRICT HAGU	59.15	55	114.15	GHS Manji Khe
6	182000079	Arshad Gul S/o Rajed Gul	14102- 0371120-5	VILLAGE PO NURYAB TEHSIL THAL DIST HANGU	63.13	51	114.13	GHS Shamat Din
7	182000129	Abid Ahmad S/o Gul Amir	14102- 0361267-5	VILL AND PO DARSMAND THE THAL DIST HANGU	61.64	52	113.64	GHSSS Dababa

(SST General)

S#	Roll No.	Name & father Name	CNIC NO.	ADDRESS	Academ ic score	NTS Marks	Total score	Name of school
1	294002777	Bilal Raza S/o Sajjad Hussain	14101- 1316035-3	VILLAGE & PO IBRAHIMZAI DISTRICT HANGU	60.50	77	137.50	GCMHS No.1 Hangu
2	213000540	Kaleem Ullah S/o Atiq Ullah	14301- 6238910-3	MIROBAK TEHSIL & DISTRICT HANGU	65.80	64	129.80	GMS Samana
3	184000165	Muhammad Rawoof S/o Shah Mehmood	14102- 0339222-1	VILL TORA GHUNDI PO TORA WAR THE THALL DIST HANGU	58.39	71	129.39	GHS Chapri Naryab

TERMS & CONDITIONS:

- NO TA/DA etc is allowed.
- Charge reports should be submitted to all concerned in duplicate.
- Appointment is purely on temporary & contract basis initially for one year wef 20th September 2018 to 19th September 2019.
- He should not be handed over charge if he exceeds 35 years or below 19 years of age. Age relaxation case may be submitted to competent authority.
- If any candidate is over age less than two years, their upper age limit less than two years is hereby relaxed.
- If any meritorious candidate is deprived from appointment by this order and the competent authority accepted his appeal, the appointment order of the low merit candidate will be withdrawn and adjustment order will be reviewed accordingly to merit.
- Appointment is subject to the condition that the certificate/ documents must be verified from the concerned authorities by the DEO (concerned), an one found producing bogus certificate will be reported to the law enforcing agencies for further actions.
- His services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the government.
- Pay will not be drawn until and unless a certificate to the effect by DEO (concerned) is issued that his certificates are verified.
- He should joint his post within 15 days of the issuance of this notification. In case of failure to joint the post within 15 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc. shall be entertained.
- The candidate concerned should produce Health & Age certificate duly signed by Medical Superintendent concerned before taking over charge.
- He will be governed by the rules and regulations in the field and as may be issued from time to time by the Govt.
- His contract shall be discontinued at any time, in case his performance is found unsatisfactory.
- His appointment is made on School based, he will have to serve at the place of posting, and his service is not transferable to any other station.

Attested

ATTESTED

(7)

BETTER COPY

Hangu Male Appointment Order SST Adhoc 3

15. Before handing over charge once again, (sic) document maybe annexed if they (sic) required relevant qualification as per rules, they may be (sic) charge of the post.

(Farid Ahmad Khattak)

Director

Elementary & Secondary Education

Khyber Pakhtunkhwa Peshawar

Endst: No.590-96/FileNo.1/SST/Adhoc (sic) Dated Peshawar the 14/09/2018

Cop forwarded for information and necessary action to:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Secretary Khyber Pakhtunkhwa Public Service Commission, Peshawar.
3. District Education Officer (Male) concerned.
4. District Accounts Officer Concerned.
5. Official Concerned.
6. PS to the Secretary to Govt. of Khyber Pakhtunkhwa E&SE Department.
7. PA to the Director E&SE, Khyber Pakhtunkhwa, Peshawar.
8. M/File.

*Filed
Attested*

Sd/-

Deputy Director (Estab.)

Elementary & Secondary Education

Khyber Pakhtunkhwa

ATTESTED



Office Of The District Education Officer
(Male) District Hangu

No 4000Dated 28/12/2022

To

The Director,
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.

Subject: **HABITUAL LONG ABSENTEEISM / MISCONDUCT**
OF MUHAMMAD FARAZ SST B/C GHS SHAMAL
DIN KARBOGHA HANGU

Memo

Refer to the subject cited above and reference to the letter No. 3308 dated 14/11/2022. The Head Master now submitted a covering letter along with salary recovery for one month, salary stoppage, and attendance of the teacher after long absence i.e. on 3rd December 2022 for further necessary action please.

It is pertinent to mention here that the teacher was not provided duty performance certificate and non involvement certificate as he was absent during regularization (already submitted).

Now he was submitted a covering letter to this office that he has attended the school on 3rd December 2022 after long absence i.e. 1st September 2022.

Therefore the report and documents received from the Head Master concern, and herewith send to your good self for further necessary action, please.

1690

27-2023

District Education Officer
(Male) Hangu

28/12/2022

Encl No & Dated Even

Copy to the:

1. Deputy Commissioner Hangu.
2. Head Master GHS Shamal Din Karbogha.
3. Office Copy.

FA
ATTENOR

District Education Officer
(Male) Hangu

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) HANGU

No. 3308

Dated: 14 /11/2022

To, Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar.

ADD (M)

Subject: HABITUAL LONG ABSENTISM/MISCONDUCT OF MUHAMMAD FARAZ SST (BIO&CHEM) GHS SHAMAL DIN KARBOGHA HANGU

Memo:

Enclosed please find herewith original applications submitted by Head Master concerned signed by staff and PTC members and also the letter submitted by Ex-DEO Male Hangu to your good office regarding misconduct/absence of the teacher. The teacher is absent w.e.f 01-09-2022 upto date and also indulge in misconduct. The Head of the school was called to the office alongwith PTC members to resolve the matter. On the eve of regularization, the teacher submitted an application to the undersigned that he is not allowed to school by the Head Master and he may be transferred. The Head Master was reluctant to sign/issue duty performance certificate to the teacher and to attest his documents. His plea was that he has been absent for the last two months. How duty performance certificate I can issue. Now AC Hangu dialed me to stop his pay, but I told that his Head is DDO and can stop it. On asking I was told that source two has already been submitted to Account office for stoppage of pay but was not acted upon. I told H/C of the school and AC Hangu to resubmit source two and gets countersign from the undersigned for stoppage of pay.

Keeping in view, the previous record/letter of Ex-DEO for withdrawal of his contract and new absentee applications by the Head Master, teachers, PTC members and aggressive mode of the community is submitted for strict n/ action/withdrawal his contract.

Enclosures :

- 1). Absentism of Muhammad Faraz by Head Master.
- 2). 2nd application Absentism of Muhammad Faraz by Head Master
- 3). Attendance register copies
- 4). Recommendation for discontinuation of contract by the then DEO Male Hangu
- 5). HIM application of absentism
- 6). IMU reports of absentism
- 7). Deduction report two times.
- 8). Pay restoration letter.
- 9). Teacher application for resolving the matter.

Endst No. & Date as above.

Copy of the above is forwarded to the:-

1. Deputy Commissioner Hangu
2. Head Master GHS Shamal Din Karbogha
3. Office copy

District Education Officer
Male Hangu

14/11/22

District Education Officer
Male Hangu

Filed
Attested

DDM-I

16-11-2022

159
16-11-22

766
15/11/22

829

12

OFFICE OF THE HEAD MASTER G.H.S
SHAMAL DIN KARBOGHA SHARIF (HANGU)

73

52

76

To

The DEO (M) Hangu,

Subject: Absentee of Muhammad Faraz SST(B/C)

Respected Sir;

With due respect I want to bring in your kind attention that Muhammad Faraz SST(B/C) GHS Shamal Din Karbogha Sharif has been absented since 1st September 2022 without any application. This is the third time that he made this mistake. A photocopy of Mr. Muhammad Faraz's absentee is attached with application.

Therefore it is requested from your kind authority to take necessary action against him.

Dated: 2nd September 2022

Yours sincerely,

From: ~~Signature~~
Office of the Head Master
GHS Shamal Din Karbogha sharif
Hangu

No 418 Dated 20/09/2022

Signature

Mushtari Khan

Chairman PTC

Mushtari Khan

PTC Members

Sabeel Gul M. Farooq M. Azam

14/11/2022
on asking
reviewed to
me on
14-11-2022

Teachers of concern school

Khadija Rahman Bakhtiar Ahmad

Rahmanullah Jam Shari Khan

Rahmanuddin M. Gulab

Munira Khan Gul

M. Shari Gul

Amirullah

Uzma Khan

Mosam Gul

Hamidullah

Muhammad Shari

Muhammad

12: PM.
without
date
14/11/2022

class IV Shahid Gul Saboor Gul

True &
Attested

TEACHER'S ATTENDANCE REGISTER

For the month of September 2022

(5)

(74)

No. (01) No. (2) No. (3) No. (4)

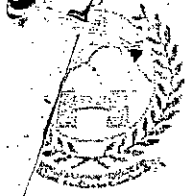
Name: مسترفرازہ ارشد گل میرزا محمد امجد علی میرزا محمد امجد علی

Designation: SST (G) SST (G) SST (Se) SST (Se)

Dates	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.
1	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
2	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
3	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
4																
5	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
6	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
7	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
8	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
9	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
10	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
11																
12	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
13	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
14	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
15	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
16	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
17	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
18																
19																
20	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
21	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
22	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
23	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
24	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
25																
26	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
27	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
28	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
29	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
30	7:30	Sci	1:35	Sci	7:30	1:35	1:35	7:30	AD	1:35	AD					
31																

STATEMENT OF LEAVES TAKEN.

This month	Sick				Casual				Pri				Total			
	Sick	Casual	Pri	Total	Sick	Casual	Pri	Total	Sick	Casual	Pri	Total	Sick	Casual	Pri	Total



Government of Khyber Pakhtunkhwa
Directorate of Elementary & Secondary Education

14

~~41~~

19/11
45

File No: _____
Dated: 18/11/2019

Show-cause Notice for Salary Deduction

I, Dr. Hafiz Muhammad Ibrahim, Director Elementary & Secondary Education, Khyber Pakhtunkhwa as Competent Authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 do hereby serve upon you (muhammad faraz, SST (Bio-Che), GHS SHAMAL DIN KARBOGHA(EmisCode:37645)) this show cause as follows.

1. That as per IMU monitoring report you were found absent from duty on 21/10/2019 without prior permission of the competent authority.
2. And that as per the material and other connected papers on record under Rule-5 (i) (a) and to dispense with the inquiry in accordance with Rule-7 of the aforementioned rules, I, the competent authority, am satisfied that you have committed acts/omissions specified in Rule-3 (d) i.e. "guilty of habitually absenting himself from duty without prior approval of leave".
3. Now, therefore, I as the Competent Authority have tentatively decided to deduct one-day salary in accordance with Rule-4 (a) (iii) and the Finance Department Notification No. So (FR)/FD/5-14/2014 dated 16-12-2014.
4. You are, therefore, required to show cause as to why the aforementioned penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
5. If no reply to this show cause is received within 7 days of its delivery, it shall be presumed that you have no defense to put in and in that case an Ex-Parte decision shall be taken against you.

Director (E&SE)
Khyber Pakhtunkhwa

5799-5800

Endst: Even No. & Date

07-11-19

Copy of the above is forwarded to the: -

- i. Principal/Headmaster/Headmistress/DDEO/SDEO concerned for necessary action under intimation to this office within 7 days.
- ii. muhammad faraz, SST (Bio-Che), GHS SHAMAL DIN KARBOGHA(EmisCode:37645), KARBOGHA SHARIF, THALL, HANGU
- iii. Master File

Director (E&SE)

By Director (E&SE)
Khyber Pakhtunkhwa - Show-cause Notice

Received by Naeem ur Rahman S.S.T (Bio+chem)
on 18-11-2019 at 4:30 PM

[Signature]
18/11/2019

[Signature]
Attested

15

31

44

Government of Khyber Pakhtunkhwa
Directorate of Elementary & Secondary Education

File No: _____

Dated: 24/08/2021

Show cause Notice for Salary Deduction

Muhammad Ibrahim, Director Elementary & Secondary Education, Khyber Pakhtunkhwa as Competent Authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Act, 2011 do hereby serve upon you (muhammad faraz, SST (Bio-Che), GHS SHAMAL-DIN KARBOGHA(EmisCode:37645)) this show cause as follows.

1. That as per IMU monitoring report you were found absent from duty on 05/07/2021 without prior permission of the competent authority.
 2. And that as per the material and other connected papers on record under Rule-5 (i) (a) and to dispense with the inquiry in accordance with Rule-7 of the aforementioned rules, I, the competent authority, am satisfied that you have committed acts/omissions specified in Rule-3 (d) i.e. "guilty of habitually absenting himself from duty without prior approval of leave".
 3. Now, therefore, I as the Competent Authority have tentatively decided to deduct one-day salary in accordance with Rule-4 (a) (iii) and the Finance Department Notification No. So (FR)/FD/5-14/2014 dated 16-12-2014.
 4. You are, therefore, required to show cause as to why the aforementioned penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
- If no reply to this show cause is received within 7 days of its delivery, it shall be presumed that you have no defense to put in and in that case an Ex-Parte decision shall be taken against you.

Director (E&SE)

Endst: Even No. & Date

25/11/21

The above is forwarded to the: -

- i. Principal/Headmaster/Headmistress/DDEO/SDEO concerned for necessary action under intimation to this office within 7 days.
- ii. muhammad faraz, SST (Bio-Che), GHS SHAMAL DIN KARBOGHA(EmisCode:37645), KARBOGHA SHARIF, THALL, HANGU
- iii. Master File

Director (E&SE)

19/8
Attested

Director (E&SE)

Khyber Pakhtunkhwa - Show-cause Notice

(10)

Office Of The District Education Officer
(Male) District Hangu.

No 6141
To

Dated Hangu the/ 16/06 2021.

The District Education Officer
(Male) Hangu

SUBJECT: ENQUIRY REPORT

ATHORITY: District Education Officer(M) Hangu

MEMO:

Reference to the complaint received from Incharge Headmaster GHS Shamal Din Karbogha dated: 07-06-2021 and further marked by DEO(M) Hangu.

PROCEDURE:

The Incharge Headmaster of the school was directed to ensure the presence of both the teachers under complaint day before the scheduled visit. I along with Mr. Raham Jan ADEO(Sec:) visited the school on 10-06-2021 to enquire the matter in detail and to know the facts and figure for final decision. In the complaint it was mentioned that the two teachers Mr. Muhammad Faraz SST(B/C) and Khalil ur Rehman SST(G) are not regular in school duty. They remain absent from the school and do not follow the directions of the Incharge Headmaster. Both the mentioned teachers were absent on the day of visit of the school. Incharge Headmaster, teaching and non teaching staff, students of Class 9th & 10th and the PTC members were interrogated regarding the mentioned subject. After detail discussion and interrogation with different stakeholder the following findings were noted.

FINDINGS:

1. As per the statement of the Incharge Headmaster of the school, PTC Chairman and members, Class 9th students, and Class 10th students, Mr. Muhammad Faraz SST(B/C) remained willful absent from school w.e.f. 28-05-2021 till the date of visit.
2. Incharge Headmaster of the school stated that Mr. Khalil ur Rahman SST(G) refused to take classes of the concerned level 9th & 10th, which is his main job description. Being SST(G) he does not accept his own responsibility. (Annex-A).
3. According to the statements of PTC Chairman and members, both the teachers Mr. Muhammad Faraz and Khalil Ur Rehman are neither regular nor taking any interest in the teaching/learning process of the school.(Annex-B)
4. The students of Class 9th and 10th gave written statement that both the above mentioned teachers did not take any class w.e.f. 24-05-2021 till date (i.e. 10-06-2021). (Annex-C)
5. Both the above mentioned teachers were marked absent in the staff attendance register since 24-05-2021. (Annex-D)

For Attested

CONCLUSION AND RECOMMENDATIONS:

(12)

In the light of above facts and figure, one Mr. Muhammad Faraz SST(B/C), who remained willful absent from his duty. Being NTS teacher, his contract may be discontinued and the case may be submitted to Director E&SE, Khyber Pakhtunkhwa, Peshawar.

Where Mr. Khalil Ur Rehman SST(G) is not regular. Therefore, he may be transferred to GHS Thall and at least two increments may be deducted for two years.

Mr. Muhammad Raham Jan
Member
ADEO(Sec.) o/o DEO(M) Hangu

15/06/2021
Nisar Ahmed
Enquiry Officer
Dy. DEO(M) Hangu.

Handwritten:
Attested



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

OFFICE ORDER

The Competent Authority (Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar), has been pleased to withdraw the contract based appointment Order bearing No. 590-96 dated 14-09-2022 of District Hangu to the extent of Muhammad Paraz SST (Bio/Chem) GHS Shamal Din District Hangu due to willful absence/misconduct as per condition No. 3 of the appointment order & read with rule 11(ii) of Khyber Pakhtunkhwa Civil Servant Act 1973 with effect from 01-09-2022 to 02-12-2022 as reported by DEO (M) Hangu vide letter No. 3308 dated 14-11-2022, in the interest of public service.

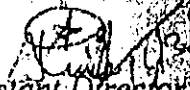
DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa

Endst. No. 8296-78

F.NO. 210/SST (M)/Disciplinary Action Hangu Dated the 14/11/2022

Copy forwarded to the:

1. District Education Officer (M) Hangu.
2. District Accounts Officer Hangu.
3. Principal GHS Shamal Din Hangu.
4. Ex-SST Concerned.
5. Master Copy.


Assistant Director (Es & S) (M)
Elementary & Secondary Education
Khyber Pakhtunkhwa

ATTESTED

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

OFFICE ORDER:

The competent authority (Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar) has been pleased to withdraw the contract based appointment Order bearing No.590-96 dated:14.09.2015 of District Hangu to the extent of Muhammad Faraz SST (Bio/Chem) GHS Shamal Din District Hangu due to willful absence/ misconduct as per condition No.13 of his appointment order & read with rule 11(ii) of Khyber Pakhtunkhwa civil servant act 1973 w.e.f. 01.09.2022 to 02.12.2022 as reported by DEO (M) Hangu vide letter No.3308 dated 14.11.2022, in the interest of public service.

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa

Endst: No.8296-98 F.No.210/SST (M)/Disciplinary Action Hangu Dated the Peshawar 14.03.2023

Copy forwarded to the;

1. District Education Officer (M) Hangu.
2. District Accounts Officer Hangu.
3. Principal GHS Shamal Din Hangu
4. Ex-SST Concerned.
5. Master Copy.

Sd/-
Assistant Director (Estab M-I)
Elementary & Secondary Education
Khyber Pakhtunkhwa

Handwritten signature
Attested

ATTESTED
Handwritten signature



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(PHONE NO. 091-9223587)

19

No.50 (Primary-Male)/E&SE/D5-19/Rs-Instatement/2023
Date: Peshawar the 14.03.2023

To

Mr. Muhammad Faraz,
SST(Bio/Chem), GHS Shamal Din,
District Hangu.

→ EOLM
14-3-23

Subject: - PERSONAL HEARING

I am directed to refer to this department letter No.8 dated even on the subject noted above and to state that your personal hearing is re-scheduled to be held on 22.03.2023 at 11:00 AM with Additional Secretary (Estt.), Elementary & Secondary Education Department Khyber Pakhtunkhwa in his office.

2. You are, therefore, directed to appear before Additional Secretary (Estt.) Elementary & Secondary Education Department Khyber Pakhtunkhwa for a personal hearing along with complete documents, on the date, time and venue mentioned above.

(MUHAMMAD ISHAK) 14/3/23
SECTION OFFICER (PRIMARY MALE)

Endt: No 8 date even

Copy forwarded to the: -

1. Director Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar, with the request to depute a well conversant representative to attend the personal hearing as mentioned above, along with complete record pertaining to the case.
2. District Education Officer (M) Hangu, with the direction to attend the aforementioned personal hearing along with all relevant documents on the date, time and venue mentioned above.
3. PS to Secretary E&SE Department Khyber Pakhtunkhwa.
4. PA to Additional Secretary (Establishment) Elementary & Secondary Education Department Khyber Pakhtunkhwa.
5. Concerned File.

(MUHAMMAD ISHAK) 14/3/23
SECTION OFFICER (PRIMARY MALE)

APD
Attested

ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-9223587)

20

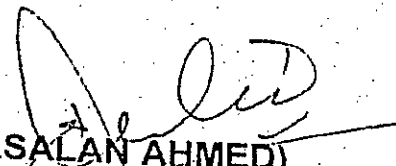
No. SO(Primary-M)E&SED/5-19/2023/Reinstatement/Muhammad Faraz/SST/Hangu
Dated Peshawar the March 31st, 2023

To

Muhammad Faraz,
SST (Bio/ Chem),
GHS Shamal Din, Hangu.

Subject: PERSONAL HEARING REGARDING REINSTATEMENT INTO SERVICE.

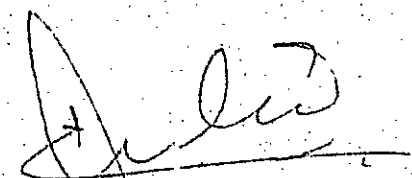
I am directed to refer to personal hearing held on 28-03-2023 at 11:00 AM in this department regarding your appeal for reinstatement whereby your appeal was considered and rejected by the Competent Authority.


(ARSALAN AHMED)
SECTION OFFICER
(PRIMARY MALE)

Endst: of even No. & Date:

Copy forwarded to the:

1. PS to Secretary, Elementary & Secondary Education Department.
2. PA to Additional Secretary (Estab), Elementary & Secondary Education Department.
3. PA to Deputy Secretary (AB), Elementary & Secondary Education Department.


SECTION OFFICER
(PRIMARY MALE)


ATTESTED



**DIRECTORATE ELEMENTARY & SECONDARY
EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR.**

AUTHORITY LETTER

I Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar do hereby authorize Mr. M. Tufail Assistant (Litigation) of this Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar to attend the Khyber Pakhtunkhwa Service Tribunal in connection with filing of para wise comments in Service Appeal No. 822/2023 Titled Muhammad Faraz.

Director

**Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar:**