Khyber Pakhtukhwa
Service Tribunal

Diary No. 9 2 1

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD.

ServiceAppeal No.1490/2023

VERSUS

SERVICE APPEAL INDEX

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2.	Affidavit	-	5
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Dated: 03.10.2023.

Mr. Usama QaziRespondent No.04

Through Council

SYED ASIF SHAH ADVOCATE
HIGH COURT MANSEHRA.

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD.

ServiceAppeal No.1490/2023

VERSUS

Secretary Elementary Secondary Education KPK Peshawar and others RESPONDENTS.

SERVICE APPEAL

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENT No. 04

Respectfully shewith!

PRELIMINERY OBJECTIONS:-

- 1. That the appellant has got no cause of action locus standi.
- 2. That the appellant has concealed material facts from his Honorable Tribunal in the instant service appeal. Hence not entitled for any relief and appeal is liable to be dismissed without any further proceeding.
- 3. That the instant service appeal is based on malafide intentions.
- 4. That the appellant has not come to this Honorable Tribunal with clean hands.
- 5. That the appellant is not entitled for the relief he has sought from this Honorable Tribunal.
- 6. That the instant service appeal is against the prevailing law and rules.



- 7. That the appeal is based on malafide intentions just to put extra pressure on the Respondents for gaining illegal service benefits.
- 8. That the instant service appeal is not maintainable in its present form.
- 9. That the appeal is liable to be dismissed for non-joinder /mis-joinder of necessary parties.
- 10. That the appellant has filed the instant appeal on malafide motive.
- 11. That the instant appeal is not maintainable in the present form and also in the present circumstances of the issue.
- 12. That the instant appeal is premature.
- 13. Section 4 & 10 of the Khyber Pakhtunkhwa
 Civil Servant Act 1973 empower the
 competent authority regarding posting/
 transfer of civil servant to anywhere in the
 province or outside the province including the
 appellant.
- 14. That, the respondent No. 04 already taken the charge before filing the instant appeal, hence the present appeal is now infractus.

(copy of arrival report and certificate of transfer of charge, releving chit, pay slip annexed as annexure "A").

FACTUAL OBJECTIONS:

- 1. Para No.1 pertains to record.
- 2. Para No. 02 pertains to record.

(3)

3. Para No. 03 wrong. The appellant use fake letter paid of local MPA, in this respect the local MPA submitted affidavit and his letter paid along with signature specimen.

(copy of affidavit and letter paid annexed as annexure "B").

- 4. Para No. 04 subject to proof and relating to the official record.
- 5. Para no. 05 is incorrect.

GROUNDS:-

- a. Incorrect the transfer order issued by the official respondent is lawful and according to the services rules.
- b. Para B is Incorrect.
- c. Para C is incorrect.
- d. Para D is incorrect. Subject to record.
- e. Para E is incorrect.
- f. Para F is incorrect.
- g. Para G is incorrect.
- h. Para H is incorrect.
- i. Para I is incorrect.
- i. Para J is incorrect.
- k. Para K is incorrect.
- I. Para L is incorrect.
- m. Para M is incorrect.
- n. Para N is incorrect.
- o. Para O is incorrect.
- p. Para P is incorrect.
- q. Para Q is incorrect. Appellant completed his normal tenure in his office/school and now appellant has been transferred in his home station, more so the appellant not transfer to the



out station but within a district the appellant transfer has been made.

- r. Para R is incorrect.
- s. Para S is incorrect.
- Para T is incorrect.

PRAYER:

In the most humbly prayed the above fact and circumstances the appeal of the appellant may kindly dismissed.

Dated: 03.10.2023.

Mr. Usama QaziRespondent No.04

Through Council

SYED ASIF SHAH ADVOCATE HIGH COURT MANSEHRA.



BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD.

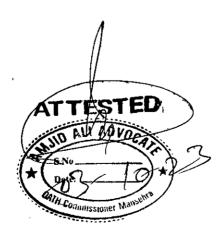
ServiceAppeal No.1490/2023

VERSUS

SERVICE APPEAL AFFIDAVIT

I, Usama Qazi Junior Clerk District Education Officer (Female) Mansehra. do, hereby solemnly affirm and declare that the Para wise comments of the Service Appeal No.1490/2023 titled Syed Ahsan Ali Shah versus Govt, is true to the best of my conviction and belief and nothing has been concealed from this Honourable Court.

Usama Qazi



Anon A (6)

ARRIVAL REPORT

In compliance of the order of the Director Elementary & Secondary Education Khyber Paktunkhwa Peshawar vide Endst: No. 5563-65/F.No./A-23/MS/G.File/2022 dated: 18/05/2023 I, Mr. Usama Qazi J/C submit my arrival report today on 19/05/2023 at the Office of the District Education Officer (Female) Mansehra.

450 ma aazi/5/6

District Education Officer (Female)

Mansehra Dated Mansehra the: パタークシー/2023

Endst: No. _ 6625

Copy for information to the:-

- 1. PA to Director Elementary & Secondary Education Khyber Paktunkhwa Peshawar.
- 2. PA to District Education Officer (Male) Mansehra.
- 3. District Accounts Officer, Mansehra.
- 4. District Monitoring Officer, Mansehra.
- 5. Head Master GHS Kotli Bala Mansehra.
- 6. Official Concerned.
- 7. Office Record File.

District Education Officer (Female) Mansehra

Attended to



CERTIFICATE OF TRANSFER OF CHARGE

Certified that, I Mr. Usama Qazi Junior Clerk respectively taken over the charge of the office of the District Education Officer (Female) Mansehra compliance with Director E&SE KPK Peshawar Endst: No. 5563-65 Date 18-05-2023 & restored Order Endst:No:2070-74 Dated Peshawar the 13/06/2023.

Particulars/Secret documents handed over are noted on the reverse.

Signature of Relleved Govt: Servant Name: Ahsan S

Designation: 3//

Dated <u>14-06-2023</u>

Signature of Relieving

Govt: Servant____

Name: Vama Baz

Designation, Junior Clerk

Endst: No. 700 _ 03

Copy to the:-

Dated______/6/2023

- 1. Director E&S Education Khyber Pakhtunkhwa Peshawar.
- 2. District Education Officer (Male) Mansehra.
- 3. District Accounts Officer Mansehra.
- 4. Official concerned.
- 5. Office file,

6.

DISTRICT EDUCATION OFFICER SFEMALE) MANSEHRA

District Education Officer (Female) Mansehra

Herted 200



RELIEVING CHIT

In compliance with the transfer order issued by the Director Elementary & Secondary Education Khyber Paktunkhwa Peshawar vide Endst: No. 5563-65 F.No./A-23/MS/G.File/2022 dated 18/05/2023 & cancellation order vide Endst: No. 251-56 dated 01/06/2023 and restoration order issued by worthy Director Elementary & Secondary Education Khyber Paktunkhwa Peshawar vide Endst: No.2070-74 dated 13/06/2023, Mr. Ahsan Shah J/C is hereby relieved from his duties today on 14/06/2023 (A.N).

He is directed to report his new assignment as J/C at GGHS Narbeer Mansehra with immediate effect.

DISTRICT EDUCATION OFFICER
(FEMALE) MANSEHRA
District Education Officer
(Female) Mansehra

Alterted of so

9

OFFICE OF THE

FOR THE MONTH OF

Grade (Pay Scale Group) 10



PAYROLL SYSTEM AMENDMENT FORM SINGLE EMPLOYEE ENTRY

10/

20 21

JUNIOR CLERK

FORM: PAYO
DATE 1
Page No. ²

Stop

DDO Code ⁸ (Cost Center)	M	A	6	3	1	7	Description 6	JUNITOR CLERK		
Personnel Number 7	0	0	9	7	В	8	5 6	Name USAMA QAZI	National ID * Card Number	13503-4033633-3

Salary 14

Status

200

Start

Wage Type Remarks 22 Effective Date 21 New Contents ** Rupees 13 Fleid ID¹⁸ Pasia Adj Type Transfer From GHS Kotli Bala to Pay Active 117 District Eduction Officer (Female)Mansehra Vide Office Director EASE KPK Peshawar Endst:No 5563-65 Date 18-05-1/7/2023 2023 And Cancellation Order Endst:No251-56 Dated 01-06-2023 And Restorattion Order no 2070-74 Dated 13-06-2023

DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA.

Prepared By 23

When the state of the state

Audited/Checked By 24

Entered / Verified By

District Education Officer,(E)

Scanned with CamScanner

Dist. Govt. NWFP-Provincial District Accounts Office Manshra Monthly Salary Statement (August-2023)





Personal Information of Mr USAMA QAZI d/w/s of QAZI SHAMS UD DIN

Personnel Number: 00978856

CNIC: 1350340336333

Date of Birth: 27.06.1998

Entry into Govt. Service: 24.03.2021

Length of Service: 02 Years 05 Months 009 Days

Employment Category: Active Temporary

Designation: JUNIOR CLERK

80002346-DISTRICT GOVERNMENT KHYBE

Ŀ

DDO Code: MA6317-Manschra

Payroll Section: 001

GPF Section: 001

Interest Applied: Yes

Cash Center:

GPF Balance:

37,366.00

Vendor Number: -

Pay and Allowances:

GPF A/C No:

Pay scale: BPS For - 2022

Pay Scale Type: Civil BPS: 11

Pay Stage: 2

	Wage type	Amount	Wage type	Amount
0001	Basic Pay	21,270,00	1001 House Rent Allowance 45%	2,778.00
	Convey Allowance 2005	2,856,00	1300 Medical Allowance	1,500.00
	Special Allowance 2021	3,500,00	2341 Dispr. Red All 15% 2022KP	2,017.00
_	Adhoc Ret Al 15% 22(PS17)	2,018.00	2378 Adhoc Relief All 2023 35%	7,444.00

Deductions - General

	Wage type	Amount	Wage type	Amount
3011	GPF Subscription	-1,920.00	3501 Benevolent Fund	-1,200.00
3990	Emp.Edu. Fund KPK	-135.00	4004 R. Benefits & Death Comp:	-600.00

Deductions - Loans and Advances

			,	······
Loan	Description	Principal amount	Deduction	Balance
<u> </u>			£	

Deductions - Income Tax

Payable:

0.00

Recovered till August-2023:

0.00

Exempted: 0.00

Recoverable:

0.00

Gross Pay (Rs.):

43,383.00

Deductions: (Rs.):

-3,855.00

Net Pay: (Rs.):

• 1

39,528.00

Payee Name: USAMA QAZI

Account Number: 1007992287

Bank Details: BANK ALFALAH LIMITED, 090138 MANSEHRA BRANCH MANSEHRA BRANCH, MANSEHRA

Leaves:

Opening Balance:

Availed:

Earned:

Balance:

Pennanent Address:

City: MANSEHRA

Domicile: -

Housing Status: No Official

Temp. Address:

City:

Email:

(50141746/07,09,2023/14:03:44) 2) All amounts are in Pak Rupees 3) Errors & omissions excepted

Manshra

Buckle: Pers #: 00931997.

SYED AHSAN ALI SHAH Name:

JUNIOR CLERK

CNIC No.1350338485091

GPF Interest Free

11 Active Temporary

PAYS AND ALLOWANCES:

0001-Basic Pay 4 1001-House Rent Allowance 45%

1210-Convey Allowance 2005

1300-Medical Allowance

2315-Special Allowance 2021

2341-Dispr. Red All 15% 2022KP

2347-Adhoc Rel Al 15% 22 (PS17)

Gross Pay and Allowances

DEDUCTIONS:

59,925.00 **GPF** Balance

3501-Benevolent Fund

3534-R. Ben & Death Comp Fresh

3990-Emp.Edu. Fund KPK

Total Deductions

D.O.B 01.04.1995

03 Years 08 Months 015 Days

P Sec:001 Month: August 2023 MA6131 -Head Mistress G G H S Kawa HEAD MISTRESS G G H S KAW

NTN:

GPF #:

old #:

MA6131

22,580.00

2,778.00

2,856.00

1,500.00 3,500.00

2,149.00 2,150.00

37,513.00

1,920.00 Subrc:

1,200.00

600.00

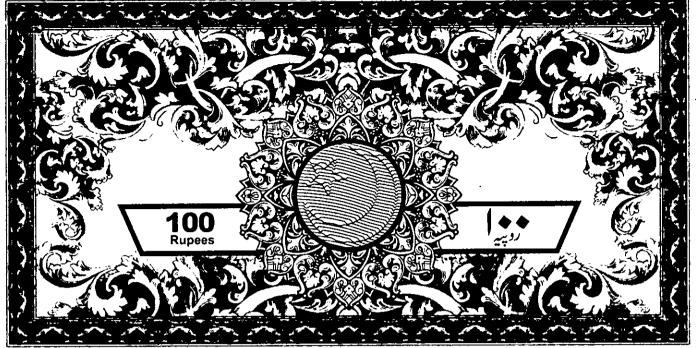
135.00

3,855.00

33,658.00

NATIONAL BANK OF PAKNOGAZI BRANCH KASHMI LFP Quota: 4163188712

Anex B' (12)



بيان حلفي!

منکه مسی مولانا ناصر محمود (جزل سیرٹری جعیت علائے اسلام) ضلع مانسہرہ - ملفا بیانی واقر اری ہوں کہ مورخہ 2023-05-04 کومیرے نام سے میری پارٹی کا جعلی لیٹر بیڈ بنا کرجس پر ایک جعلی تحریر کے ذریعے میری جانب سے مسی اُسامہ قاضی جونیئر کلرک گورنمنٹ ہائی سکول کوئلی بالا مانسہرہ سے ڈسٹر کٹ ایجوکیشن آفس (زنانہ) مانسہرہ میں تبدیل کرنے کی سفارش کی گئی تھی جبکہ احسن شاہ جونیئر ڈسٹر کٹ ایجوکیشن آفس (زنانہ) سے کسی بھی سکول میں تبدیلی کی سفارش کی گئی تھی ۔ جو کہ مذکورہ پیڈ پر کی گئی تحریر سراسر غلط من گھٹرت اور میرااس سے کسی قسم کا کوئی تعلق ہے ۔ چونکہ مذکورہ پیڈ پر کی گئی تحریر سراسر غلط من گھٹرت اور جوب بیڈ پر کی گئی تحریر سراسر غلط من گھٹرت اور جوب بیڈ پر خود ساختہ تحریر سمی احسن شاہ نے خود سے کسی ہے ۔ اور اس مذکورہ بیڈ پرخود ساختہ تحریر سمی احسن شاہ نے خود سے کسی ہے ۔ اور اس مذکورہ جعلی لیٹر پیڈ اور جعلی تحریر کوسروس ٹر بیونل میں دائر کردہ رہ میں اف کیا گیا ہے ۔

البذابيان حلفى سندأ تحرير ب-اسين كوئى امرخفى يامتروك نه-

الرقوم:2023-09-80

I Sec

مولاتا تا صرمحمود (جزل سکرٹری جھیت علائے اسلام) ضلع مانسہرہ شاختی کارڈنمبر:5-0635557 0300 رابط نمبر:0300-5644112



13503-062557-5 SANID MEHMOOD 26 SEENTS SEENTS

8/9/23

General Secretary

Jamiat-Ui-Uimal Islam District Mansehra (Pakistan)

Ph: 0321-9829112

ولن بُر: 0300-5644112

الورط المثمال الي الله معنانية المالي المحدد

mend diet All Middle معدرجه بالاعنوان مين ايق طرف سے بيروى وجواب دى بنام مدير مرف من من و رفع در مين ما) حرام بدين شرط وكيل مقرركيا ہے ميں ہر پيثي پرخود مايندر ليدمخار عاص روبر وعدالت حاضر، وتار بول كالور بوقت يكارئ جانع بروكيل صاحب موصوف كواملاح ديكر حاضر كرول كالركسي بيثي برمظهر حاضرنه موااورغير حاضري كى وجد كى طور يرمقدمهمر علاف بزكيا توصاحب موصوف اس كى طرح ذمه دارنه مول كـ نيز دكيل صاحب موصوف صدرمقام پجہری کےعلاوہ سی اور جگہ پجہری کےمقررہ اوقات سے پہلے یابروز تعطیل پیروی کرنے کے بجاز نہوں کے اگر مقدمه مقام کچبری کے کسی اور جگه ساعت ہونے پر بروز کچبری کے اوقات، کے آگے یا پیچیے ہونے پر مظہر کو کوئی نقصان بینچینو ذمه داریاس کے واسطے کسی معاوضه ادا کرنے ، محتار نامه واپس کرنے کے بھی صاحب موصوف ذمه دار نه ، هو بنگے که بین کے ساختہ پر داختہ صاحب شل کر دہ ذات خود منظور و تبول ہوگا اور صاحب موصوف کوعرضی دعویٰ اور درخواست اجراءة كرى ونظر ثانى ايل نكرانى دائر كرنے نيز روبيه دهول كرنے اور رسيد دينے اور داخل كرنے كا برتسم كابيان دينے اور سرو عالتی وراضی نامه و فیصله برخلاف کرنے وا قبال دعویٰ کا اختیار ، ورگا اور بصورت انبیل دیر آمدگی مقدمه یامنسوخی ڈگری پیکطرفه ورخواست علم امتناعی یا دُگری قبل از فیصله اجرائے دُگری بھی صاحب موصوف کو بشرط ادائیگی علیجدہ بیروی مختار نامہ کرنے کا مجاز ہوگا اور بصورت ضرورت اپیل یا بیل کے واسطے سی دوسرے دکیل یا بیرسٹر کو بجائے اسپے ہمراہ مقررہ کریں اور ایسے مشیر قانونی کو میں اس امر میں دہی اِختیارات طاصل ہوں کے جیسے سا حب موسوف کو پوری فیس تاریخ بیشی سے بہلے اوا نہ کروں و ما حب موصوف کو نورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی خالت میں میرا مطالبہ صاحب موصوف کے برخلاف نبیں ہوگا۔ لہذا مخار نامہ کھودیا ہے کہ بیسندر ہے۔مضمون مخار نامہ س کیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

April 1

