hurchy withdraw the lastant aftered

Kamran Khan Advocate learned counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Former requested for withdrawal of the instant service appeal. In this regard, his statement was recorded on the margin of order sheet and signature was obtained thereon.

In view of the above, instant appeal stands dismissed as withdrawn. No order as to costs. File be consigned to the record room.

Announced. 09.08.2021

(Rozina Rehman) Member (J)

Chairman

Due to summer vacation case to come up for the same on 02.11.2020 before D.B.

Reader

02.11.2020

Junior to counsel for the appellant and Addl. AG alongwith Munawar Khan, SST for the respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 11.01.2021 for hearing before the D.B.

(Mian Muhammad) Member Chairman

11.01.2021

Due to COVID-19, the case is adjourned for the same on 15.04.2021 before D.B.

READER

15.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 09.08.2021 for the same as before.

Reader



FATA SECRETARIAT DIRECTORATE OF EDUCATION

WARSAK ROAD PESHAWAR, PAKISTAN

NO. 16416

36

Ιo

The Agency Education Officer Khyber Agency at Jamrud

Subject:

RE-INSTATEMENT

Memo:

I am directed to refer to the above cited subject with the remarks that the competent authority (Director Education FATA) has been pleased to reinstate the following class-IV in their respective schools with immediate effect under intimation to the undersigned. However, the intervening period w.e.f the date of last pay drawn till the date of re-instatement may be treated as leave without pay.

S#	Name/Desig/School	Date of last pay drawn
1.	Najeebullah Chowkidar GHS AlamGhüdar Bara	31 10 2015
2. 3.	Naik Muhammad Chowkidar GPS Lal Muhammad Killi	31.5.2015
3.	Shakeel Khan Chowkidar GPS Malang Killi:	30.11.2014
4.	Naeem Raza Chowkidar GPS Azam Din Killi Kala khel	30-9.2015

Dy:Director (F&A)

12/10/17

No 549 1) de 16/10/17



AGENCY EDUCATION OFFICE KHYBER AGENCY AT JAMRUD

REINSTATEMENT ORDER

Consequent upon the approval of Director Education FATA, in his capacity as the appellate authority, vide Letter. No.16416 Dated 12/10/2017. Mr:Naik Muhammad Chawkidar Govt Girls Primary School Lal Muhammad Killi Bara Khyber Agency is hereby re-instated with immediate effect on the following conditions:-

- 1. The salaries drawn by him during the removal period is to be recovered in normal installments through source from her Pay.
- 2. The period during which he had not performed his duty after removal from service is converted into leave without pay w.e.f 01/06/2015 to 18/10/2017 (871 days) & will not be entitled for any back benefits.
- 3. This order is effective w.e.f 18/10/2017.
- 4. An under-taking on stamp paper will be obtained from her to the effect that he will never be absent without proper approval and will warned to be careful in future. In case if she found absent she will be removed from the service under E&D Rules 2011.

Note: Necessary entry to this effect should be made in his Service Book.

(MUHAMMAD JADOON KHAN) AGENCY EDUCATION OFFICER KHYBER AGENCY AT JAMRUD

Endst: NO 1295-3Morral Reinstatement File Dated

Dated 19 /10/2017

Copy of the forwarded to the:

- 1. Director Education FATA at Peshawar w/r to their letter No.16416 Dated 12/10/2017
- 2. Agency Accounts officer Khyber Agency at Jamrud.
- 3. AAEO Concerned.
- 4. Superintendent Local Office
- 5. Female Accountant Branch for further pay process.
- 6. Data Entry operator EMIS local office
- 7. Official Concerned.

AGENCY EDUCATION OFFICER KHYBER AGENCY AT JAMRUD

The state of the s

AGENCY EDUCATION OFFICE KHYBER AGENCY AT JAMRUD

REINSTATEMENT ORDER

Consequent upon the approval of Director Education FATA, in his capacity as the appellate authority, vide Letter. No.16416 Dated 12/10/2017, Mr:Muhammad Shakeel Chowkidar Govt Girls Primary School Malang Killii Bara Khyber Agency is hereby re-instated with immediate effect on the following conditions:-

- 1. The salaries drawn by have during the removal period is to be recovered in normal installments through source from her Pay.
- 2. The period during which he had not performed his duty after removal from service is converted into leave without pay w.e.f 01/12/2014 to 13/10/2017 (1419 days) & will not be entitled for any back benefits.
- -3. This order is effective w.e.f 18/10/2017.
- An under-taking on stamp paper will be obtained from her to the effect that he will never be absent without proper approval and will warned to be careful in future. In case if she found absent she will be removed from the service under E&D Rules 2011.

Note:

Necessary entry to this effect should be made in his Service Book.

(MUHAMMAD JADOON KHAN)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Endst: NO 3326-93 Reinstatement File

Copy of the forwarded to the:

- 1. Director Education FATA at Peshawar w/r to their letter No.16416 Dated 12/10/2017
- 2. Agency Accounts officer Khyber Agency at Jamrud.
- 3. AAEO Concerned.
- 4. Superintendent Local Office
- 5. Female Accountant Branch for further pay process.
- 6. Data Entry operator EMIS local office
- 7. Official Concerned.

AGENCY EDUCATION OFFICER KHYBER AGENCY AT JAMRUD



AGENCY EDUCATION OFFICE KHYBER AGENCY AT JAMRUD

REINSTATEMENT ORDER

Consequent upon the approval of Director Education FATA, in his capacity as the appellate, authority, vide Letter, No.16416 Dated 12/10/2017, Mr.Najeebullah Behishti Govt High School Alam Godar Bara Khyber Agency is hereby re-instated with immediate effect on the following conditions:-

- 1. The salaries drawn by himduring the removal period is to be recovered in normal installments through source from her Pay.
- 2. The period during which he had not performed his duty after removal from service is converted into leave without pay w.e.f 01/11/2015 to 18/10/2017 (718 days) & will not be entitled for any back benefits.
- .3. This order is effective w.e.f 18/10/2017.
- 4. An under- taking on stamp paper will be obtained from her to the effect that he will never be absent without proper approval and will warned to be careful in future. In case if she found absent she will be removed from the service under E&D Rules 2011.

Note:

Necessary entry to this effect should be made in his Service Book.

(MUHAMMAD JADOON KHAN) AGENCY EDUCATION OFFICER KHYBER AGENCY AT JAMRUD

Endst: NO 1377-95 Reinstatement File Dated 12 /10/2017

Copy of the forwarded to the:

- 1. Director Education FATA at Peshawar w/r to their letter No.16416 Dated 12/10/2017
- 2. Agency Accounts officer Khyber Agency at Jamrud.
- 3. AAEO Concerned.
- 4. Superintendent Local Office
- 5. Female Accountant Branch for further pay process.
- 6: Data Entry operator EMIS local office
- 7. Official Concerned.

AGENCY EDUCATION OFFICER KHYBER AGENCY AT JAMRUD

27.01.2020

Junior to counsel for the appellant and Addl. AG alongwith Attaur Rahman, Inspector (Legal) for respondents present.

Due to general strike on the call of K.P Bar Council, instant appeal is adjourned to 26.03.2020 for arguments before the D.B.

Member

26.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 15.06.2020 before D.B.

15.06.2020

Counsel for the appellant and Additional Advocate General for respondents present.

Learned counsel for the appellant requests adjournment in order to further prepare the brief.

Adjourned to 26.08.2020 before D.B.

MEMBE

CHAIRMAN

10.04.2019

Learned counsel for the appellant and Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for argument on 27.06.2019 before D.B

Member

Member

27.06.2019

Counsel for the appellant and Asstt. AG for the respondents present. Due to incomplete bench case is adjourned to 11.09. The for arguments before the D.B.

11.09.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 25.11.2019 before D.B.

Member

Member:

25.11.2019

Due to general strike of the bar, the case is adjourned. To come up on 27.01.2020 before D.B.

Member

Member

04.09.2018

Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior counsel for appellant is not available. Adjourned. To come up for arguments on 26.10.2018 before D.B.

(Muhammad Ámin Kundi) Member

(Muhammad Hamid Mughal) Member

26.10.2018

Due to retirement of Hon'able Chairman, the Tribunal is defunct. Therefore, the case is adjourned for the same on 13.12.2018 before D.B.

13.12.2018

Counsel for the appellant and Mr. Muhammad Riaz Painda Khel, Asstt. AG for the respondents present.

Counsel for the appellant requests for adjournment due to engagement in nine cases before the Hon'ble High Court.

Adjourned to 13.02.2019 for hearing before the D.B

Member

Chairman

13.02.2019

Junior to counsel for the appellant and Mr. Ziaullah, DDA for the respondents present.

Request for adjournment is made due to over occupation of learned senior counsel for the appellant before the Honourable High Court today. Adjourned to 10.04.2019 before the D.B.

Member

Chairman

Due to Judicial Officer's Conference today, case is adjourned to 22.02.2018 for the same before the D.B.

22.02.2018

Due to none availability of D.B the case is adjourned. To come up on 26.04.2018 before D.B

26.04.2018 Junior to counsel for the appellant and Mr. Muhammad Jan, Learned Deputy District Attorney present. The Tribunal is non functioned due to retirement of Hon'ble Chairman. Therefore the case is adjourn. To come up for the same on 12.07.2018.

12.07.2018

Clerk to counsel for the appellant present. Mr. Usman Ghani, DA for respondents present. Arguments could not be heard due to general strike of the Bar. Adjourned. To come up for Arguments on 04.09:2018 before D.B.

(Ahamd Hassan) Member

(Muhammad Hamid Mughal)

Member

14.03.2017

Counsel for the appellant and Mr. Muhammad Ihsan Shah, Principal alongwith Addl. AG for respondents present. Written reply submitted. Cost of Rs. 500/- also paid and receipt thereof obtained from the learned counsel for the appellant. To come up for rejoinder and arguments on 08.06.2017.

(AHMAD HASSAN) MEMER

08.06.2017

Counsel for the appellant and Mr. Muhammad Adeel Butt, Additional AG for the respondents present. Counsel for the appellant requested for time to file rejoinder. Request accepted. To come up for rejoinder and arguments on 10.10.2017.2017 before D.B.

(Gul Zely Khan) Member (Muhammad Amin Khan Kundi) Member

10.10.2017

Clerk of the counsel for appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Clerk of the counsel for appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for rejoinder and arguments on 21.12.2017 before D.B.

(Muhammad Amin Khan Kundi)

(Muhammad Hamid Mughal) Member 27.10.2016:

Clerk to counsel for the appellant and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 27.12.2016 before S.B.

lember.

27.12.2016

Clerk to counsel for the appellant and Assistant AG for respondents present. Written reply not submitted. Requested for adjournment. Last opportunity granted. To come up for written reply/comments on 30.01.2017 before S.B.

Charman

30.01.2017

Clerk counsel for appellant and Mr. Daud Jan, Superintendent alongwith Mr. Muhammad Adeel Butt, Additional AG for respondents present. Written reply by respondents not submitted despite last opportunity. Learned Additional AG requested for further time for submission of written reply. Last opportunity further extended subject to payment of cost of Rs. 500/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments positively on 14.03.2017 before S.B.

(ASHFAQUE TAJ) MEMBER Appeal No. 624/2016 Naik Muhammad 13 Goot

29 6 2016

Appellant Deposited

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Chowkdiar in Government Primary School Azam Din Killi Khyber Agency when removed from service on the allegations of willful absence vide impugned order dated 14.10.2015 communicated to the appellant on 17.2.2016 where-against he preferred departmental appeal on 20.2.2016 which was not responded and hence the instant service appeal on 10.06.2016.

That no procedure whatsoever laid down in Rule-9 of Government Servants E&D rules, 2011was adopted and hence the impugned order is nullity in the eyes of law.

Points urged need consideration. Admit Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 16.08.2016 before S.B.

Charman

16.08.2016

Clerk to counsel for the appellant and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 27.10.2016 before S.B.

Member

Form- A FORM OF ORDER SHEET

Court of		· · · · · · · · · · · · · · · · · · ·
' Case No	_624 <u>/2016</u>	

): 	' Case	No624 <u>/2016</u>
.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
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1	10/06/2016	The appeal of Mr. Naik Muhammad presented today
		by Mr. Noor Muhammad Khattak Advocate may be entered in
,		the Institution Register and put up to the Worthy Chairman fo
	,	proper order please.
		REGISTRAR Fold
<u>.</u> ,	14-06-2016	This case is entrusted to S. Bench for preliminary hearing
•	;	to be put up there on. $21-06-2016$
		CHAIRMAN
with the second	.06.2016	Counsel for the appellant present. Requests adjournment. Request accepted. To come up for prelim
		hearing on 29.6.2016.
	•	Member
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 624 /2016

NAIK MOHAMMAD

VS

GOVT: OF KPK

INDEX

S. NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of appeal	************	1- 3.
2.	Service book	Α	4- 9.
3.	Record of non functional schools	В	10- 21.
4.	Notification	С	22.
5.	Impugned order	D	23.
6.	Departmental appeal	E .	24.
7.	Vakalat nama		25.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 624 /2016

Khyber Pakhtukhwa Service Tribunal

Diary No. 606

Mr. Naik Mohammad, Ex-Chowkidar, GGPS Lal Mohammad Killi, Kala kheil, Bara Khyber Agency

Dated 10-6-20/6

..... APPELLANT

VERSUS

1- The Director of Education FATA, FATA Secretariat, warsak road, Peshawar.

2- The Agency Education Officer, Khyber Agency.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE PAKHTUNKHWA SERVICE **TRIBUNAL ACT** AGAINST THE IMPUGNED ORDER DATED 14.10.2015 COMMUNICATED TO THE APPELLANT ON 17.2.2016 WHEREBY MAJOR PENALTY OF REMOVAL SERVICE WAS IMPOSED ON THE APPELLANT WITHOUT CONDUCTING REGULAR INQUIRY IN THE MATTER AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTARY **PERIOD OF NINETY DAYS**

PRAYER:

دخانيا

That on acceptance of this appeal the impugned order dated 14.10.2015 communicated to the appellant 17.02.2016 may kindly be set aside and the appellant may be re-instated into service with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH: ON FACTS:

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

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Registrar

2- That due to critical law and order situation in Khyber agency all the functional schools of the respondent Department were closed/non-functional by the respondent No.2 on the directions of higher authorities. That in the said schools the

school where the appellant was posted has also been closed/non-functional on the direction of respondent No.2. Copy of the list of non-functional schools is attached as appearing.

- 4- That in compliance the appellant visited the concerned quarter for arrival but he was verbally told that he has been removed from service on account of willful absence w.e.f. 31.5.2008 till date. That appellant requested for issuance of his removal order but the same has not been communicated to appellant on malafide reason.
- 6- That appellant feeling aggrieved from the impugned order dated 14.10.2015 communicated to the appellant on 17.2.2016 filed Departmental appeal on 20.2.2016 but no reply has been received so far. Hence the present appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure E.

GROUNDS:

- A- That the impugned order dated 14.10.2015 communicated to the appellant on 17.2.2016 is 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 no charge sheet and statement of allegation has been served on the appellant before issuing the impugned order dated 14.10.2015.

- D- That no show cause notice has been served on the appellant while issuing the impugned order dated 14.10.2015.
- E- That no chance of personal hearing personal defense has been given to the appellant before issuing impugned order dated 14.10.2015.
- F- That during the said period the appellant has regularly visited the office of the respondent No.2 but the respondent No.2 inspite of knowing the fact that the said school of the appellant was remained closed during the said period has malafidely issued the impugned order dated 14.10.2015 against the appellant which is not tenable and liable to be set aside, being not based on facts and circumstance.
- G- That no regular inquiry has been conducted in the matter which is as per Supreme Court judgments is necessary in such like matters.
- H- That no publication has been issued by the respondents before issuing the impugned order against the appellant.
- I- That the respondents acted in arbitrary and malafide manner while issuing the impugned order dated 14.10.2015.
- J- That 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 far.

Dated: 8.6.2016

APPELLANT

NAIK MOHAMMAD

THROUGH:

NOOR MOHAMMAD KHATTAK ADVOCATE

Kamran Khan

(For use in Police Department only).

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	5. Date of birth by Christian era as nearly as can be ascertained 6-2-1975 (Six February Name of Seventy Fine).
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		GPS Muhammad Akbar
GHS Kohi Sher Haider	50	GPS Sama Ghari
OLID KOLL DIEL LISIOEL	51	GPS Aman Talab
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GHS Janas Khan Killi Bara Khyber Agency	53	GPS Sanzal Khel
GHS Sama Ghari Bara Khyber Agency	54	GPS Jani Ghari
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GMS Karna Khel	56	GPS Mesri Khel Mela
GMS Shalobar No.1	57	GP\$ Jamash Kili
GMS Spin Qabar	58	GPS Hindustan Killi
GMS Mastak Tirah	59	GPS Mashkano Mela
GMS Gul Miran	60	GPS Ala Dand
GMS Haji Dhand	61	GPS Lal Muhammad Killi
GMS Akram Killi	62	GPS Meri Khel
GMS Yara Jan	63	GPS Yarzamad
GMS Zawa	64	GPS Ghulam Sher
GMS Shin Kamar	65	GPS Zarmat Jan
GPS Ali Jan Killi	66	GPS Sultan Khel
GPS Shahi Baig	67	GPS Khurma Tang
GPS Tarkho Kas	68	GPS Almas Stori Khei
GPS Sandana Tirah	69	GPS Abdul Qadar
GPS Ismail Killi	70	GPS Laii Jan
GPS Hukam Khan	71	GPS Minadar
GPS Hissara NO 2	72	GPS Khanamir
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GPS Waris Killi	74	GMPS Khanzada
GPS Karigar Gharhi	75	GMPS Gul Jalal
GPS Sandali Killi	• 76	GMPS Spinkay Tiga
GPS Abdar Killi	77	GMPS Munawar
GPS Chargai Dagari	78	GMPS Saleem Shah
GPS Jabbar Mela Tirah	79	GPS Dina Jan
GPS Mathray Dada Neeka	80	GPS Sur Kas No. 2
GPS Hussain Gul	81	GMPS Zubair Killi
GPS Shalobar No. 3	82	GMPS Pisho Khwar
GPS Tandi Bughdad Khel	83	GMPS Rehman Khan
GPS Dara Maira	84	GPS Jan Badshah
GPS Susvaki	85	GPS Barami Alamsher
GPS Khuna Ziala	- 86	GPS Raza Khan
GPS Khan Wali	87	GPS Yardin
GPS Juma Baz	88	GPS Kaga Ghara
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	GMS Azeem Killi GMS Karna Khel GMS Shalobar No.1 GMS Spin Qabar GMS Mastak Tirah GMS Gul Miran GMS Haji Dhand GMS Akram Killi GMS Yara Jan GMS Zawa GMS Shin Kamar GPS Ali Jan Killi GPS Shahi Baig GPS Tarkho Kas GPS Sandana Tirah GPS Hukam Khan GPS Hissara NO 2 GPS Sur Kas Noz Ajjal: Nade. GPS Waris Killi GPS Abdar Killi GPS Abdar Killi GPS Chargai Dagari GPS Jabbar Mela Tirah GPS Mathray Dada Neeka GPS Hussain Gul GPS Shalobar No. 3 GPS Tandi Bughdad Khel GPS Dara Maira GPS Khuna Ziala GPS Khuna Ziala GPS Juma Baz	GMS Azeem Killi 55 GMS Karna Khel 56 GMS Shalobar No.1 57 GMS Spin Qabar 58 GMS Mastak Tirah 59 GMS Gul Miran 60 GMS Haji Dhand 61 GMS Akram Killi 62 GMS Yara Jan 63 GMS Zawa 64 GMS Shin Kamar 65 GPS Ali Jan Killi 66 GPS Ali Jan Killi 66 GPS Shahi Baig 67 GPS Tarkho Kas 68 GPS Sandana Tirah 69 GPS Ismail Killi 70 GPS Hukam Khan 71 GPS Hissara NO 2 72 GPS Waris Killi 74 GPS Waris Killi 74 GPS Sandali Killi 76 GPS Sandali Killi 77 GPS Sandali Killi 77 GPS Shabar Mela Tirah 79 GPS Mathray Dada Neeka 80 GPS Hussain Gul 81 GPS Shalobar No. 3 82

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y Education/phiges Agency at Jamrud

Agency at Jamr





	d and Non Functional High/Middle/Primary Schools and tea	ching staff of Bara Tehsii
	dar Bara Khyber Agency Name	Designation
	Abdul Jabbar	SST
	Abdul Sattar	SST
	Sajid Ali	SŞT
	Azam Jan	SST
	Khyber Khan	CT
	Ghula Hassan	CT
	Najeebullah	CT
	Muhammad Younas	СТ
9	Muhammad Shoaib	. <u>CT</u>
10	Muhammad Sadeeq	CT
11	Shah Muhammad	CT
12	Abdul Rehman	DM
13	Abdul Ahad	Qari
14	Muhammad Ashraf	T.T
15	Ajmal Khan	P.Imam P.Imam
16	Munawar Khan	СТ
17	Shehzad Gul	СТ
18	Jehan Zeb	PST
19	Inayatyullah	PST
20	Jan Akbar	PST
21	Usman Ali	PST
22	Muhammad Shafiq	PST .
2 Governmen	t High Schoo Hisara	
1	Fazal Gul .	НМ
2	Said Bahadar	SST
3	Mir Nawaz	SST
4	Muhammad Jamil	СТ
5	Ihsanullah	СТ
6	Naseer Shah	СТ
7	Sardar Khan	AT
8	Noor Haleem	DM
. 9	Murad-u-din	Т.Т
10.	Aurang Zeb	PST
· 11	Ahmad Shah	PST
12	Ibrahim	. L/Asstt
13	Muhammad Younas	PET
14	Shams-ul-Islam	Qari
3 GHS Akhu	n Talab Bara Khyber Agency	
1	Muhammad Abbas	НМ
2	Muslim Shah	SST
3	Muhammad Islam .	SST
4	Gohar Ali	СТ .
5	Hasham Khan	СТ
6	Ihsanullah	СТ
7	Muhammad Aziz	AT
8	Khair Muhammad	DM

Manager and the first of the fi





9	Muhammad Ikramullah	PST
10	Abdul Aziz	PST
11	Sajjad Ali	Qari
12	Muhammad Ayaz	L/Asstt
4 GHS Mawaz	<u></u>	
··············	Abdul Qadeer	HM
2	Fazal Haleem	SST
. 3	Saleh Muhammad	SST
4.	Abdul Rehman	. CT
5	Yaseen Gul	CT
6	Muhammad Ali	· CT ·
7	Said Jamal	AT
		DM
8	Hamid Khan Noor Haleem	PET
		Qari
10	Faizullah	L/Asstt
11	Saeedullah Shakeel Ahmad	PST
.12		PST
13	Shafiq-ur-Rehman	. T.T
14	Murtaza	1.1
	hali Attari Bara Khyber Agency	' HM
1	Shah Jehan	SST
2	Muhammad Jamal	SST
3	Amir Zeb	CT
4	Zafraan Shah	CT
5	Said Afzal	
6	Saeed Rehman	CT
7	Jamal Din	AI AI
8	Said Nawaz	DM
9	Abdul Sattar	PET
10	Shah Khalid	PST
11	Mohabat Khan	PST ·
12	Abdul Malik	T.T
13	Saif-ur-Rehman	Qari
14	Muhammad Ibrahim	Ţ.T
15	Raees Jan	L/Asstt
	i Sher Haider	
1	Musharraf Khan	SST
2	Sher Zaman	SST .
3	Abdul Ghafoor	· CT
4	Rana Gul	CT
5	Nisar Khan	<u> </u>
6	Akbar Gul	<u>Cl</u>
. 7	Alif Gul	CT
8	Alamgir	CT
9	Fazle Rabi	PET
10	Wahid Gul	.DM
11	Khalid Khan	AT
12	Sohbat Khan	P.Imam
13	Wajid Ali	L/Asstt
14	Rashid Khan	PST

Waller For Direction







15	Jamshed Khan	PST
16	Khalid Khan	т.т
GHS Gul Za	mir Killi Bara Khyber Agency	
1	Janas Khan	HM
2	Muhammad Ali	SST _.
. 3	Amanuilah	СТ
4	Muhammad Karim	СТ
5 .	Sakhi Jan	СТ
6	Muhammad Jamil	PET
7	Muhammad Hilal	TA
8	Haroon	L/Asstt
9	Rehmatullah	Qari
10 -	Aurang Zeb	PST
11	Shah Wali	PST
12	Arif Khan	T.T
GHS Janas	Khan Killi Bara Khyber Agency	
1	Millat Khan	AT
2	Muhammad Younas	т.т
3	Ihsanullah	CT .
4	Utman Khel	СТ
5	Gul Aman	СТ
6	Khan Afzal	СТ
7	Noor Khan	PET
8	Faridullah	-DM
9	Gulzar	SET
10	Murad Khan	L/Asstt
GHS Sam	a Ghari Bara Khyber Agency	***************************************
1	Hikmat Khan	SST
2	Hidayatullah	SST
3	Sardar Khan	SST
4	Abdul Shahid	CT
5	:Muhammad Anwar	. СТ
6	Noor Habib	CT
7	Azeem Khan	СТ
8.	Said Jamal	ст
9	Fazal Rehman	AT
10	Hanif Khan	DM
11	Hazrat Shah	T.T
12	Humayun Khan	PET
13	Wakeel Jan	L/Asstt
· · · · · · · · · · · · · · · · · · ·	zeem Killi	1
S No.	Name	
1 .	Noor Islam	SST
2	Abid Ali	CT
3	Taj Muhammad	CT
4	· Abdul Raziq	DM
5	Nawaz Khan	PET
6	Said Rasool	
7		AT
8	Wajid Ali	PST
<u></u>	Sherin Khan	PST





CNACI	Farooq Jan Karna Khel	TT
	Muhammadullah	. PST
1		PST
2	Qadar Jan	PET
3	Abdul Samad	TT
4	Muhammad Ghani	
	halobar No. 1	SET
1	Muhammad Sadiq	CT
2	. Zafar Khan	CT
3	Shah Muhammad	PET
4	Ajmali Shah	AT
5	Abdul Aziz	DM
6	Fazal Karim	PST
7	Hawwas Khan	PST
8	Muhammad Dand	731
13 GMS S	SPIN Qabar	SST
1	Ahmad Shah	
2	Aqal Khan	ст
3	Bostan	DM
· 4	Pir Muhammad	PET
5	Wajid Ali	AT
6	Abdullah	
7	Gul Muhamad	PST
8	Imranullah	PST
9	Muhammad Nawaz	TT
14 GM	S Mastak Tirah	
1	Haji Gul	ст
2	Said Hussain	PET
3	Zahidullah	DM
4	Khan Akbar	PST
5	Badshah Khan	PST
	S Gul Miran	
1	Sabir Muhmmad	SST
2	Wahid Gul	CT
3	Banat Khan	СТ
4	Ramzan	DM
5	Abdul Aziz	AT
6	Shah Khalid	PET
7	Munawar Khan	PST
8	Muahmmad Farooq	' PST
	MS Haji Dhand	
10 01	Abdul Rashid	SST
2	Gul Anwar	СТ
3	Rafatullah	СТ
<u> </u>	Noorudin	DM
4	Ajmal Ali	PET
5	Naveed	AT
6		PST
7	Ameen Gul	PST
8	Daulat Khan	TT
9	Iftekharullah	





	·	
ĺ	Farooq Shah	SST
2	Habib Rehman	СТ
3	Agal Khan	CT
4	Husnul Ma'ab	AT
5	Mehboob Rehman	TT
6	Shahidullah	PST
7	Irshad Ali	PET
<u> </u>	Mahmood	PST .
9	Shahid Ali	· DM
GMS Yara	, <u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>	
1	Adam Gul	СТ
2	Muhammad Israr	PET
3	Ihsanulhameed	π
4	Said Nawaz	DM
5	Muhammad Nisar	PST
6	Ibrahim	CT
7	Hidayatullah	AT
9 GMS Zaw		
1	Irshad Ali	SST
2	Muhammad Rasool	CT.
3 .	Masta Jan	СТ
4	Akbar Gul	СТ
5	Said Ali Shah	СТ
6	Shaheen Gul	PET
7	Zarwali	DM
8	Momeen Khan	PST •
9	Saeed Khan	PST
10.	Abdul Zamir	π
	in Kamar	
1	Sabir Shah	SST
2	Sher Rehman	PST
21 GPS Ali		
S No	Name	Designation
1.3	Gul Faraz	PST
2 ·	Muhammad Anwar Shah	PST
22 GPS Sh		
1	Khalid Khan	PST
2	Said Karim	PST
	arkho Kas	
	Naeem Jan	PST
2 Numan Afridi		PST
	andana Tirah	
1		PST
2 Usman Gul		PST
25 GPS Is		
1	Qadeem Khan	PST _
2	Abdul Wahab	PST
	ukam Khan	
		0.57
1	Jalal Din	PST



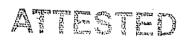


GPS Hissara	NO 2		
1	Said Rehman	PST	
2	Haji Muhammad	PST	
3 -	Amir Nawab	T.T	
GPS Sur Kas	Arjali Nade.		
1	Gul Sher	PST	
2	Ikhtiar Alam	PST	
3	Shams-ul-Haq	т.т	
GPS Waris	Killi		
1	Murad Khan	PST	
· 2	Jalat Mir	PST	
3.	Ghuiamuliah	. , т.т	
0 GPS Kariga	r Gharhi		
1	Akhtar Muneer	PST	
2	Muhammad Iqbal	PST	
3	Muhammad Saleh	т.т	
1 GPS Sanda	li Killi		
1	Muhammad Haneef	PST	
2	inamullah	PST	
3	Muhammad Ajmal	T.T	
32 GPS Abda	r Killi		
1	Turab Ali	PST	
2	Shehzad Khan	PST	
3	Sarteef Khan	T.T	
33 GPS Charg	gai Dagari		
1	Naseeb Khan	PST	
2	Gul Wali	PST	
3	Munir Khan	T.T	
34 GPS Yar N	Auhammad Killi		
1	Masood	PST	
2	. Hazrat Bilal	· PST -	
35 GPS Jabb	ar Mela Tirah		
1	Abdul Shakoor	PST	
2	Hazrat Shah	. PST_	
36 GPS Mat	hray Dada Neeka		
1	Misal Khan .	PST	
37 GPS Huss	ain Gul		
1	Wedan'Gul	PST	
2	Lal Faqeer	PST	
3	Muhammad Yaqoob	TT	
38 GPS Sha	lobar No. 3		
1	Sanobar .	PST	
· 2	Nasar Khan	. PST	
3	Kiramat Shah	΄ ττ	
39 GPS Tan	idi Bughdad Khel		
1	Saifoor Khan	PST	
2	Khan Sher	PST	
	Ghulam Nabi	TT	





' 1	Janab Gul	PST
2	Khial Azam.	PST
. 3	Abdul Rahim	. TT
1 GPS Susvak	1	
1	Ahmed Gul	PST
2	Zarbab Khan	PST
3	Amir Khan	TT
12 GPS Khuna	Ziarat	
1	Nasar Khan	· PST
2	Waras Khan	PST
43 GPS Khan V	Wali	
1	Muhammad Ali	PST
2	Mufti Muzmmil	TT
3	Abdul Jalii	PST '
44 GPS Juma	Baz	
1	Abdul Qadar	PST
2	Gul Alam	PST
3	Muhammad Yaseen	TT
45 GPS Gulat	Khel	
1	Sahib Shah	PST
2	Javed Khan	PST ·
46 GPS Mand	ai Kas	,
1	Muhammad Hussaid	PST
2	Ishfaq	PST
3	Abdul Aziz	π
47 GPS Shin	Akbar	
1	Samar Khan	PST
. 2	Muhammad Akbar	PST
48 GPS Spin	Qabar No. 2	
1	Khan Zeb	PST
2	Fazal Karim	PST
3	Sabz Ali	īΠ
49 GPS Talib		
1	Janas Khan	PST
2	Afzal Khan	PST
3	Abdul Rauf	TT .
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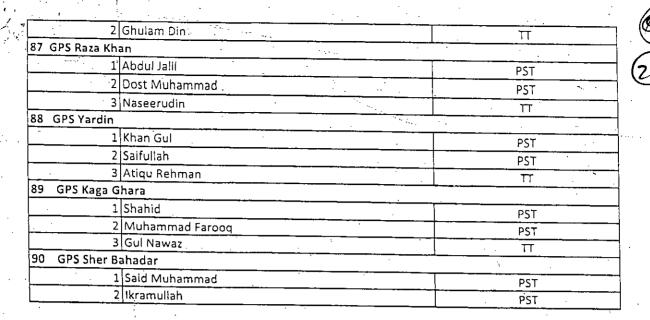
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ATTESTED











Agency Education Officer

Khyber Agency at Jamrud



De کر	tail Report of GHSS/GHS/G	GHS/GMS/G	MS/GPS/GMPS/GGPS B	ar Kambar Khel Bara khyber Agency
	Name of Schools		Non Functional	Remarks
1	GHSS Spin Dhand	Functional	1st,2nd year Non Function	Occupied by Security Forces
	GHS Jan Khan-Kali	Functional		Occupied by Security Forces
. 3	GGHS Hanif Jan	Functional		
4	GMS Tooth Dhand	Functional		
, 5	GMS Shinki	··	Non Functional	Occupied by Security Forces
. 6	GGMS Wali Khel	Functional		High portion Still in use by IDPs
7	GGMS Abdullah Jan		Non Functional	Under Costruction
8	GPS Sur Kass No.2	,	Non Functional	Situated Shalober bouder
9	GPS Sur kass No.1	Functional		
10	GPS Sur Kass No.4	Functional:		
: 11	GPS Sher Badshah killi	Functional		
12	GPS Sama Baba	Functional I		
13	GPS Shera Khan killi	Functional :	,	
14	GPS Paka Tarra	Functional		
15	GPS Sarki Kamar		Non Functional	Occupied by Security Forces
16	GPS Mamal Mela	Functional	i	
17	GPS Sra Ghari	Functional		·
18	GPS Syed Behman Killi		Non Functional	Still in use by IDPs
. 19	GPS Ghairát Shah	Functional		
-20	GPS Habib Gul Killi	Functional		
21.	GPS Sadullah Jan	Functional		
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23 -	GGPS Amid Khan Paka Tarra	Functional		,-
24	GGPS HabibUllah Killi	Functional	!	
.25	GGPS Said Rahman Killi	Functional	!	
. 26	GGPS Gul Marjan Killi	Functional	·	
27	GGPS Sher Bahdar Killi	Functional		
28	GGPS Noor Hiader		Non Functional	Situated near MDK Border
29	GGPS Muhammad Ayub Killi	Functional	. · · · · · · - · · · · · · · · · · · ·	
30	GGPS Said Kareem Killi	Functional	- 	
31	GGPS M.Abdul Khaliq Killi	Functional		
32	GGPS Qandhar Killi	Functional	_ 	
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34	GGPS Yar Gul Killi	Functional		
35	GGPS Lugman Killi	Functional	- 	
36	GGPS Su Badshah	- -	Non Functional	Occupied by Socurity Forces
37	GGPS Hindu Dhand	Functiona		
38	GGPS Shickhmaal Khel Killi		Non Functional	Fully Camage
39	GGPS Anwar Shah	Functiona		
40	GGPS Sajid Khan Killi .	Functiona	1.	
		1		Still in use by IDPs/Situated near MDK
. 41	GGPS Shah Gulab Killi		Non Functional	border
42	 		Non Functional	Still in Use by IDP's
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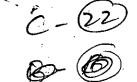
ATTESTED

Khyber Agency ay Janki

03/2/2018



Agency Education Office Khyber Agency at Jamrud NE. 091-5820584 FAX 091-5820023



NOTIFICATION

Consequent upon the direction of Political Agent Khyber, issued in a meeting held at Khyber House Peshawar Dated 15-12-2014, all educational institutions (M&F) of plain area of Teshsil Bara Khyner Agency will stand opened with effect from 1st January, 2015.

All the staff members of the said institutions are hereby informed to resume their duties in their original place of posting and treat their redeployment already made, to various other schools, on various il te, is hereby cancelled.

It is further added that Political Administration, Educational Administration and other enforcement agencies will carry out monitoring of these public educational institutions, so you all rehereby directed, in your own interest, to ensure your presence in your respective institutions in i... er public interest.

> Agency Education Officer, Khyber Agency at Jamriid.

Endst: No.10294-303

Copy to:

- 1. Additional Chief Secretary FATA Secretariat Peshawar.
- 2. Principal Secretary to Governor.
- 3. Secretary Social Sector Department FATA.
- 4. Secretary Law and Order FATA Secretariat Peshawar.
- 5. Director Education FATA.
- 6. Political Agent Khyber with reference to his direction.
- 7. Deputy Director Monitoring and evaluation FATA Secretariat Peshawar.
- 8. Assistant Agency Education Officers (M&F), Bara.
- 9. Al! Principals, Head Master/Mistress, Head Teachers of Tehsil Bara.

ATTESTED

ency Education Officer Khyber Agency at Jameus. 1. WHEREAS the Agency Education Officer Khyber during the course of his visit to GGPS Lal Mohd killi Kala khel Bara dt17-Sep-15, noticed that Mr Naik Mond Chow GGPS Lal Mond killi Kala khel Bara is abroad.

2. AND WHEREAS the FIA IBMS was approached for travel history of Naik Mohd Chow GGPS Lal Mohd killi Kala khel Bara bearing CNIC#1730114848527and Passport # KG 550014

3. AND WHEREAS the FIA IBMS sent the travel history of Mr. Naik Mohd Chow GGPS Lal Mohd killi

Kala khel Bara showing him abroad wef 4th July 2009. 4. AND WHEREAS Naik Mohd Chowkidar GGPS Lal Mohd killi Kala khel Bara was proceeded against under Khyber Pakhtunkhwa Govt: Servant (Efficiency & Discipline) Rules 2011, for the charge of "willful absence from duty, with effect from 4th July 2009, as mentioned in the show cause notice served upon him under registered post at his home address vide AEO No. 17015 dt 06/10/2015

5. AND WHEREAS the accused official did not submit his reply to the show cause notice.

6. AND WHEARAS the competent authority, the Agency Education officer Khyber, after having considered the charges, evidence on record and facts of the case, is of the view that the charge of willful

and unauthorized absence against the accused official has been proved.

7. NOW THEREFORE, In exercise of the Powers conferred under Rules-4 (b) iii of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, the competent Authority, Agency Education officer Khyber, is pleased to impose major penalty of " Removal from service "upon Naik Mohd Chow GGPS Lal Mohd killi Kala khel Bara with immediate effect on account of his willful absence with effect from 4th July 2009.

(Atiq-ur-Rahman,) Agency Education Officer, khyber Agency at Jamrud

Endst: No.18189-97 Dated Jamrud the 14/10/2015 Copy forwarded to the:-

Additional Chief Secretary FATA Secretariat Peshawar

Secretary Social Sector Department FATA Secretariat Peshawar,

Director Education FATA

Political Agent Khyber at Khyber House Peshawar.

Agency Accounts officer Khyber Agency at Jamrud.

AAEO concerned for entry in his service book

Superintendent/ Accountant for stoppage of his pay forth with

Official Concerned.

Pay clerk local office for entry in her service book

Agancy Education Officer Khyber Agency at Jamrud

Handed over to Nork Mohamad chowkedar elips lal Mohamad Milli Barra on 17/2-12016

ATTESTED 17/2/2016

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VAKALATNAMA

IN THE COURT OF KPK Service	Tribancel Peshawa
Appeal No. 624	OF 2016
Naik Mohammad	(APPELLANT) (PLAINTIFF) (PETITIONER)
<u>VERSUS</u>	
M.C.S FATA I/WE_Naik Mohammad	(RESPONDENT) (DEFENDANT)
Do hereby appoint and constitute NO KHATTAK, Advocate, Peshawar to a compromise, withdraw or refer to arbitrary/our Counsel/Advocate in the about without any liability for his default and we engage/appoint any other Advocate Coun I/we authorize the said Advocate to depreceive on my/our behalf all sums and a deposited on my/our account in the above	appear, plead, act, ation for me/us as eve noted matter, with the authority to usel on my/our cost. Soosit, withdraw and amounts payable or
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL No. 624/2016

Naik Muhammad......Appellant

VERSUS

Director Education FATA.....Respondent(1)

Agency Education Officer.....Respondent(2)

Parawise reply on behalf of respondents.

Respectfully Sheweth,

Preliminary objections:

- 1. That the appellant has got no cause of action / locus standi to file the instant appeal.
- 2. That the appeal is not maintainable in its present form.
- 3. That the appellant has not come to this tribunal with clean hands.
- 4. That the appellant has been estopped by his own conduct to file the appeal.

Objection on facts

- 1. Incorrect, service book copy provided by the appellant was not updated one. Copy of the service book is attached as annexure.....A.
- 2. Incorrect. All the schools of the Khyber Agency were functional at that time but the appellant willfully absent himself from duty and went abroad without any prior permission. The travelling history of the appellant is "B".
- 3. Pertains to record however the appellant did not visit the office of the respondent No. 2 before his removal from service. He continuously remained absent from his duty.
- 4. Correct to the extent of removal order the rest of the para is denied.
- 5. Incorrect. The appellant was removed from his service on account of his willful absence wef 04/07/2009 till the notification of removal from his service. After fulfilling all the codal formalities i.e show-cause notices. Copies of the show-cause notice is attached as annexure.......C.
- 6. Incorrect. The impugn order was communicated well in time.

Grounds

- a. Incorrect, the impugn order is in accordance with law and rules.
- b. Incorrect hence denied. The appellant was dealt in accordance with law.
- c. Incorrect, all the codal formalities were fulfilled.

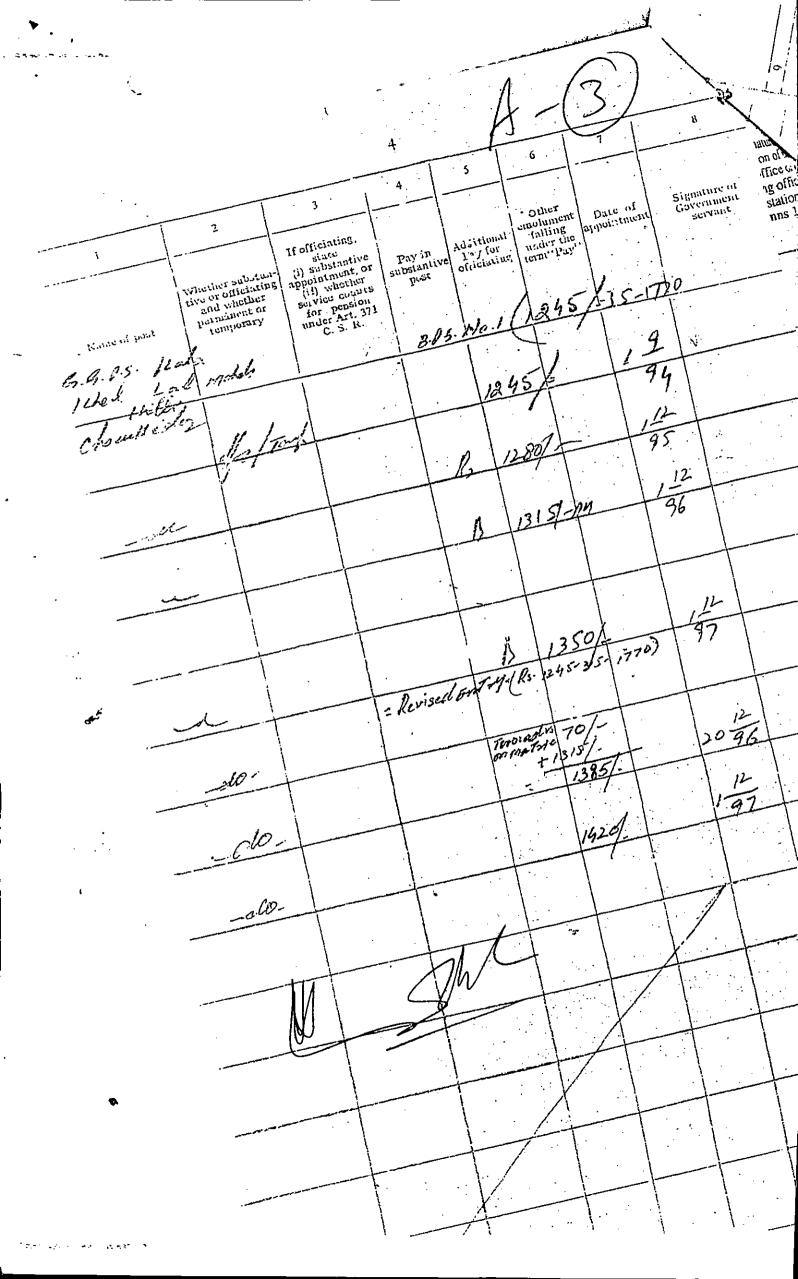
AFFIDAVIT

We, the respondents do hereby solemnly affirm and declare that the contents of the Para wise reply are correct to the best of our knowledge and belief and nothing has been concealed from this honorable Service Tribunal.

Director Education FATA.....Respondent (1)

Agency Education Officer.....Respondent (2)

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	÷.	Hissara Ramola Teksel Bar. Rhyhas Agency. Father's name and residence Hoje Lal Mahammash.
	5.	Date of birth by Christian era as nearly as can be ascertained 6-2-1975 (Six February Asim be ascertained Windten Seventy Fine).
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	:;	Signature of Government servent Naipanobel.
	Ver.	Signature and designation of the Charles of the Charles of the Officer. Officer. Agency Education Officer
****		Khyber Agency at Jamrud.



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Agency Education Office Ref: 17005

Khyber Agency at Jamrud Date 06/10/2015.
PHONE. 091-5820265 [FAX 091-5820023

To

The Assistant Director FIA(IBMS) Bacha Khan international Air port Peshawar

Subject:- Travel history of Abroad Employees of Education Department Khyber Agency

Memo:-Reference Telephonic discussion with your good self today on 2:30 PM. The undersigned has initiated

disciplinary proceedings against the following employees for being abroad.

Their names with CNIC # are hereby submitted for supplying their travel history to this office so that the same could be placed on file for ready reference and straight away serve a show notice under rule 7 dispensing with

end	quiry.	Carr	<u>se </u>	
S#	Name	CNIC	Pass Port #	Abroad Period wef
1	Naeem Raza Chow GPS Azam Din Killi Kala ki	hel Bara 173011320007	AD1520001/2	31May 2008
$\frac{2}{2}$	Naik Mohd Chow GGPS Lat Mohd killi Kala ki	nel Bara 1730114848527	KG 550014	4 th July 2009

Endstt No.dated 17006-10 dt 06/10/2015

Copy for information and necessary action to:-

1. Director Education FATA.

Political Agent Khyber at Khyber House Peshawar.

DD (M&E) Directorate of Education FATA.

AAEO (C) local office.

Pay Clerk (C) for stoppage of pay in the light of show cause notice served upon them vide No. 17013 dt06/10/2015

> Agency Education Officer, Khyber Agency at Jamrud.

Khyber Agency at Sam



Khyber Agency at Jamrud Date 06/10/2015 PHONE. 091-5820265 FAX 091-5820023

Show Cause/Willful Absence Notice

You the following employees of Khyber Education department had been abroad for the period noted against your names

S#	Name	CNIC	Pass Port #	Abroad Period wef
1	Naeem Raza Chow GPS Azam Din Killi Kala khel Bara	173011320007	AD1520001/2	31May 2008
2	Naik Mohhd Chow GGPS Lal Mohd killi Kala khel Bara	1730114848527	KG 550014	4 th July 2009

I, Atiq-ur-Rahman Agency Education Officer Khyber in the capacity of the competent authority do hereby issue this notice, through a registered acknowledgement, on your home address directing you to show cause of your willful absence and being abroad without the permission of the competent authority, within 7 days not more than 15 days of issuance of this notice, failing which an ex-parte decision would be taken against you. In the light of your travel history the undersigned in the capacity of the competent authority dispense with enquiry, under rule No.7 as specified in KP Govt: Servants (Efficiency & Discipline) Rules 2011.

Agency Education Officer, Khyber Agency at Jamrud

Endstt No.17014-20 dt 06/10/2015

Copy for information and necessary action to:-

- 1. Additional chief Secretary FATA, FATA Secretariat Peshawar
- 2. Secretary Social Sector Department FATA
- 3. Director Education FATA.
- 4. Political Agent Khyber at Khyber House Peshawar.
- 5. DD (M&E) Directorate of Education FATA.
- 6. AAEO (C) local office.

7. Pay Clerk (C) for stoppage of pay.

Moreno

Khyber Agency at Jamrud.