

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR
AT CAMP COURT ABBOTTABAD

Service Appeal No. 355/2019

Date of Institution ... 21.02.2019

Date of Decision ... 18.01.2022

Abdul Jamil S/O Mohammad Amin, lastly Serving as Senior Clerk
Government Higher Secondary School, Ziarat Masoom, Tehsil &
District Abbottabad.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary
Elementary & Secondary Education of Khyber Pakhtunkhwa
Peshawar and three others.

... (Respondents)

MR. MOHAMMAD ARSHAD KHAN TANOLI,
Advocate

--- For appellant.

MR. KABIRULLAH KHATTAK,
Additional Advocate General

--- For respondents.

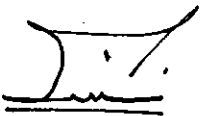
MR. SALAH-UD-DIN
MS. ROZINA REHMAN

--- MEMBER (JUDICIAL)
--- MEMBER (JUDICIAL)

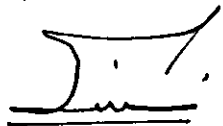
JUDGMENT:

SALAH-UD-DIN, MEMBER:-

Precisely stated the facts as alleged by the appellant in his
appeal are that he was appointed as Projectionist in Education
Department vide order dated 08.08.1985; that the appellant was
later on promoted to the post of Senior Clerk and posted at
Government Higher Secondary School Bareela District Haripur;
that the appellant was transferred to Government Higher
Secondary School Ziarat Masoom Abbottabad, vide order dated



23.12.2009 and was relieved on 31.12.2009; that the appellant made his arrival in Government Higher Secondary School Ziarat Masoom on 01.01.2010, however on his way back to Abbottabad through local transport, an incident took place in which the appellant sustained injuries and remained under medical treatment due to which as well as due to certain other serious family problems, the appellant was unable to join his duty; that upon his recovery, the appellant submitted an application to DEO (Male) Abbottabad, requesting therein that as the post of Senior Clerk at GHSS Ziarat Masoom has been filled up, therefore, the appellant may be adjusted at GHSS Langrial District Abbottabad and that his absence from duty with effect from 01.01.2010 to 15.01.2011 may be treated as earned leave; that no action was taken upon the aforementioned application of the appellant as well as so many other applications submitted by the appellant to the DEO (Male) Abbottabad as well as Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar; that later on the appellant came to know that a discreet inquiry was conducted against the appellant upon the order of DEO (Male) Abbottabad, wherein the inquiry officer had held that after transfer of the appellant from GHSS Bareela Haripur, he was relieved on 31.12.2009 but he did not assume charge in GHSS Ziarat Masoom District Abbottabad; that after gaining knowledge about the aforementioned inquiry, the appellant submitted an application to the Director Elementary and Secondary Education Peshawar on 06.11.2018 for his adjustment, however the same remained un-responded, hence the instant service appeal.



2. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions made by the appellant in his appeal.

3. Learned counsel for the appellant has contended that the absence of the appellant from duty was not willful, rather it was due to the reason that he was injured in a road incident and there-after certain unavoidable domestic problems became hurdle in attending his duty; that it is an admitted fact that the appellant submitted an application to the District Education Officer (Male)

Abbottabad, requesting therein that the appellant may be adjusted at GHSS Langrial Abbottabad by treating the absence period with effect from 01.10.2010 to 15.01.2011 as extra-ordinary leave, however the same was neither accepted nor rejected; that no proper disciplinary action as required under the relevant rules was taken against the appellant and his service remained intact as no order of his removal or dismissal from service has been made by the competent Authority till date; that the appellant has reached the age of superannuation during the pendency of the instant service appeal, therefore, he may be considered as retired from service with all back benefits.

4. On the other hand, learned Additional Advocate General for the respondents has contended that upon transfer of the appellant, he was relieved from duty from GHSS Bareela Haripur vide order dated 23.12.2009 but he did not assume charge in GHSS Ziarat Masoom District Abbottabad and willfully remained absent from duty for considerable long period without any plausible reason; that the appellant willfully remained absent from duty and in view of the inquiry conducted against him, the plea of the appellant for his adjustment was legally not entertainable; that the appeal is badly time barred and is liable to be dismissed on this score alone.

5. We have heard the arguments of learned counsel for the appellant as well as learned Additional Advocate General for the respondents and have perused the record.

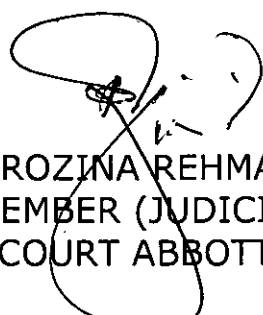
6. A perusal of the record would show that it is an admitted fact that the appellant was initially appointed as Projectionist in Education Department vide order dated 08.08.1985, who was later on promoted as Senior Clerk and was posted in GHSS Bareela District Haripur. The appellant was then transferred to GHSS Ziarat Masoom District Abbottabad vide order dated 23.12.2009. It is contention of the respondents that the appellant did not assume charge in GHSS Ziarat Masoom District Abbottabad and remained absent from duty. The respondents have, however been unable to show that any disciplinary action was taken against the appellant within the ambit of the procedure

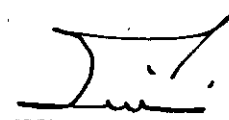
provided in Rule 8-A of the Government Servants (Efficiency & Disciplinary) Rules, 1973, which was later on replaced by Rule 9 of the Government Servants (Efficiency & Disciplinary) Rules, 2011. It is evident from the record that the appellant had approached the competent Authority in the year 2011 for his adjustment and treating the period of his absence as extra-ordinary leave, however the competent Authority informed the appellant vide letter dated 10.05.2011 that his application was not entertainable. The appellant was having considerable regular service at his credit, therefore, the competent Authority was required to have considered his application for adjustment sympathetically, particularly when no departmental action was taken against the appellant regarding his absence from duty.

7. It is pertinent to mention that during the pendency of the instant service appeal, the appellant has reached the age of superannuation on 07.04.2021. As discussed above, nothing is available on the record to show that any departmental action was taken against the appellant. Simultaneously, the appellant has also failed to show that he has performed duty during the intervening period from 01.01.2010 till reaching the age of superannuation on 07.04.2021, therefore, appellant is not entitled to any salary of the said period.

08. In light of the above discussion, the appellant shall be considered as retired from service on 07.04.2021 by treating the absence period as well as intervening period as extra-ordinary leave without pay. The appeal in hand is disposed of accordingly. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
18.01.2022


(ROZINA REHMAN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

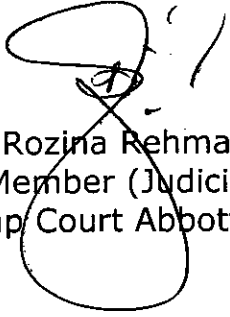

(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

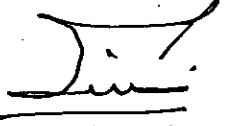
ORDER
18.01.2022

Appellant alongwith his counsel present. Mr. Sohail Ahmed Zeb, Litigation Officer alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appellant shall be considered as retired from service on 07.04.2021 by treating the absence period as well as intervening period as extra-ordinary leave without pay. The appeal in hand is disposed of accordingly. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
18.01.2022


(Rozina Rehman)
Member (Judicial)
Camp Court Abbottabad


(Salah-ud-Din)
Member (Judicial)
Camp Court Abbottabad

29.12.2021

Clerk of the appellant's counsel is present. Mr. Noor Zaman, DDA alongwith Sohail Ahmad Zaib, Assistant for the respondents present. Preliminary arguments have been heard.

Pre-admission notice was given in this appeal vide order dated 20.06.2019 requiring the respondents for submission of reply regarding the present status of service of appellant. Reply on behalf of the respondents has been submitted. The proceedings in pursuance to the said reply could not take-place as none was present on behalf of the appellant on the previous date. It is an admitted position in comments of the respondents that the appellant remained in service since his appointment on 08.08.1995 till his transfer from GHSS Breela District Haripur to GHSS Ziarat Masoom, District Abbottabad vide order dated 23.12.2009. Absence from duty on part of the appellant with some explanation is admitted but the department has not been able to furnish with their comments/reply any proof of disciplinary proceedings taken against the appellant within the ambit of the procedure provided in Rule 8-A of the Government Servants (E&D) Rules, 1973 then replaced by Rule 9 of the Government Servants (E&D) Rules, 2011. Subject to all just and legal objections, if any on behalf of the respondents in addition to already submitted reply, this appeal is admitted for full hearing. Neither appellant nor his counsel is present even today but service of notices upon them in pursuance to previous order is not certain. Fresh notices be issued to appellant and his counsel for attendance and deposit of security and process fee within 10 days. To come up on 15.03.2022 before D.B at camp court, Abbottabad.

Appellant Deposited
Security & Process Fee

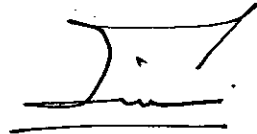
dt 01/12/22


Chairman
Camp Court, A/Abad

S.A No. 355/2019
12.10.2021

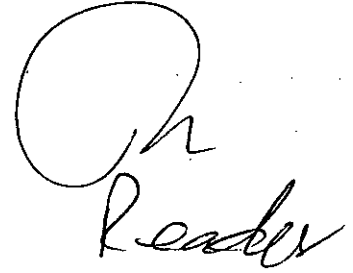
Nemo for the appellant. Mr. Saleh Mushtaq, ADEO (Litigation) and Mr. Sohail Ahmed Zeb, Litigation Officer alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present. Joint para-wise comments on behalf of respondents No. 1, 2 & 4 have already been submitted while written reply on behalf of respondent No. 3 submitted today.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel and to come up for preliminary hearing before the S.B on 29.12.2021 at Camp Court Abbottabad.



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

Due to COVID-19 case is adjourned
to 16-03-2021


Reader

16.03.2021 Nemo for appellant.

Preceding date was adjourned on a Reader's note,
therefore, appellant/counsel be put on notice for
17/06/2021 for preliminary hearing, before S.B at Camp
Court, Abbottabad.




(Rozina Rehman)
Member (J)
Camp Court, A/Abad

17.06.2021 Due to COVID-19, tour to Abbottabad has been cancelled,
therefore, case to come for the same as before on 12.10.2021.

Reader

Due to covid ,19 case to come up for the same on 16/9/20
at camp court abbottabad.


Reader

Due to summer vacation case to come up for the same on 10/1/20 120
at camp court abbottabad.



Reader

20.10.2020

Appellant in person present

Usman Ghani learned District Attorney present. Sohail Ahmad Zeb Litigation Assistant representative of respondents present.

Representative of respondents submitted reply of respondent No.1, 2 & to 4 and made a request for submission of reply of respondent No.3; granted. To come up for written reply/comments on 15.12.2020 before S.B at Camp Court, Abbottabad.


(Rozina Rehman)
Member (J)
Camp Court, A/Abad

19.12.2019

Due to general strike of Khyber Pakhtunkhwa Bar Council learned counsel for the appellant is not available today. Mr. Ziaullah, Deputy District Attorney alongwith Mr. Sohail Ahmed Zeb, Litigation Officer for the respondents present. Representative of the department requested for further adjournment. Case to come up for reply of the respondents regarding the present status of service of appellant and preliminary hearing on 22.01.2020 before S.B at Camp Court Abbottabad.



(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

22.01.2020

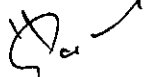
Clerk to counsel for the appellant present. Written reply not submitted. Sohail Ahmad Zeb Litigation Officer representative of respondents present and seeks time to furnish reply. Granted. To come up for reply and preliminary hearing on 18.02.2020 before S.B at Camp Court Abbottabad.



Member
Camp Court, A/Abad


21.10.2019

Appellant present in person. Mr. Usman Ghani, District Attorney present. No one is present on behalf of the respondents. Fresh notice be issued to the respondents for submission of reply regarding the present status of service of appellant. Adjourn. To come up for preliminary hearing on 21.11.2019 before S.B at camp Court, Abbottabad.


Member
Camp court, A/Abad

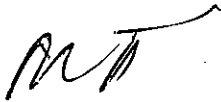
21.11.2019

Appellant absent. Learned counsel for the appellant absent. Mr. Zahid appeared as clerk to counsel for the appellant and requested for adjournment on the ground that learned counsel for the appellant is indisposed. Adjourn. To come up for preliminary hearing on 16.12.2019 before S.B at Camp Court, A/Abad.


Member
Camp Court, A/Abad

16.12.2019

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith M/S Sohail Ahmed Zeb, Litigation Officer and Bashir Ahmad, Clerk for the respondents present. Adjournment requested. Case to come up for reply of the respondents regarding the present status of service of appellant and preliminary hearing on 19.12.2019 before S.B at Camp Court Abbottabad.

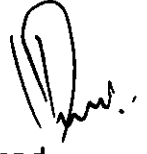

(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

20.06.2019

Appellant alongwith counsel present.

Issue notice to respondents for submission of reply regarding the present status of service of appellant. To come up for preliminary hearing on 23.08.2019 at camp court, Abbottabad.

Chairman
Camp court, A/Abad



23.08.2019

Clerk to counsel for the appellant present and seeks adjournment on the ground that learned counsel for the appellant is busy before Hon'ble Peshawar High Court Peshawar. Adjourn. Fresh notice be issued to the respondents for reply regarding the present status of service of appellant. To come up for preliminary hearing on 21.10.2019 before S.B at Camp Court, Abbottabad.

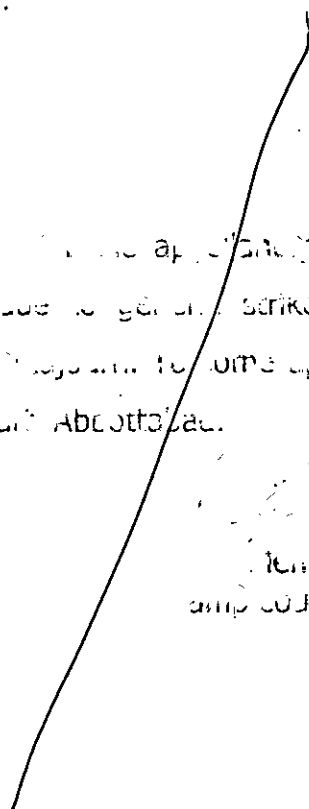
Member
Camp Court, A/Abad



1.10.2019

~~Appellant present and seeks adjournment on the ground that learned counsel for the appellant is busy before Hon'ble Peshawar High Court Peshawar. Adjourn. Fresh notice be issued to the respondents for reply regarding the present status of service of appellant. To come up for preliminary hearing on 23.10.2019 at Camp Court, Abbottabad.~~

~~Member
Camp Court, A/Abad~~



Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 355/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	12/03/2019	<p>The appeal of Mr. Abdul Jamil received today by post through Mr. Malik Shamroz Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 12/13/19</p>
2-	13-3-19	<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>24-05-19</u>.</p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>
24.05.2019		<p>Counsel for the appellant present and requested for adjournment. Adjourned to 20.06.2019 for preliminary hearing before S.B at Camp Court Abbottabad.</p> <p style="text-align: right;"><i>[Signature]</i> (Muhammad Amin Khan Kundi) Member Camp Court Abbottabad</p>

The appeal of Mr. Abdul Jamil son of Muhammad Amin Senior Clerk GHSS Ziarat Masoom District Abbottabad received today by i.e. on 21.02.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of impugned order is not attached with the appeal which may be placed on it.
- 2- Copy of enquiry report mentioned in para-7 of the memo of appeal is not attached with the appeal which may be placed on it.
- 3- Annexure-F of the appeal is illegible which may be replaced by legible/better one.
- 4- Annexures of the appeal may be attested.

No. 318 /S.T,

Dt. 22 - 2 - /2019

22/2/2019
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Malik Shamaroz Advocate,
High Court A.Abad.

*Case is re-submitted
as desired*

ملک شمر روز
ایڈووکیٹ ایبٹ آباد
Shamaroz

Khyber Pakhtukhwa
Service Tribunal

Diary No. 328

Dated 12/3/2019

BEFORE THE SERVICE TRIBUNAL OF KHYBER

PAKHTUNKHWA, PESHAWAR

Service Appeal No. 355 /2019

Abdul Jamil S/o Mohammad Amin, lastly Senior Clerk Govt Higher Secondary School, Ziarat Masoom, Tehsil & District Abbottabad.

... APPELLANT

VERSUS

Govt of KPK through Secretary Elementary & Secondary Education of KPK Peshawar & others.

....RESPONDENTS

SERVICE APPEAL
INDEX

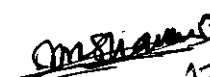
S.No	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE NO
1	Memo of Service Appeal alongwith Affidavit	—	1 to 8
2.	Application for condonation of Delay		9
3.	Copies of Service Book, Approval of Education Minister KPK, dated 09/12/2009, the transfer order No.3366-73, dated 23/12/2009 and Relieving Chit No.1934 dated 31/12/2009	"A to "D"	10 to 35
4.	Copy of application by the appellant for conversion of absence into earned leave and adjustment	"E"	36- 37
5	Copies of inquiry findings and letter No.2273 dated 23/05/2011	"F" & F1	38
6	Copy of the postal receipt of last application to respondent No.2	"G"	39 to 40
7	Vakalatnama	H	41

Dated 18 ² /2019

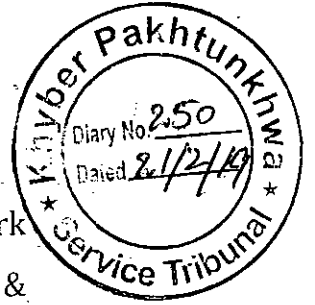

APPELLANT

Through:

(Malik Shamaroz)
Advocate, Abbottabad



355-6633897
0315-

BEFORE THE SERVICE TRIBUNAL OF KHYBER**PAKHTUNKHWA, PESHAWAR**Service Appeal No. 355 /2019

Abdul Jamil S/o Mohammad Amin, lastly Senior Clerk
Govt Higher Secondary School, Ziarat Masoom, Tehsil &
District Abbottabad.

... APPELLANT**VERSUS**

1. Govt of KPK through Secretary Elementary & Secondary Education of KPK Peshawar.
2. Director Elementary & Secondary Education, KPK Peshawar
3. District Education Officer (DEO) (Male) District Abbottabad.
4. District Education Officer (DEO) (Male) District Haripur.

...RESPONDENTS

=====

SERVICE APPEAL UNDER SECTION 4 OF THE NWFP NOW KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 TO THE EFFECT THAT THE APPELLANT HAVING BEEN APPOINTED AS "SENIOR CLERK" IN EDUCATION DEPARTMENT VIDE THE ORDER DATED 23/12/2009 AND LASTLY TRANSFERRED FROM GOVT HIGHER SECONDARY SCHOOL (GHSS) BAREELA HARIPUR TO GHSS ZIARAT MASOOM DISTRICT ABBOTTABAD, WHEN THE SCHOOL, DUE TO WINTER VACATION WAS CLOSED DURING WHICH THE APPELLANT DUE TO SERIOUS ILLNESS COUPLED WITH CERTAIN DOMESTIC PROBLEMS , WAS UNABLE TO ATTEND HIS DUTIES, AND SUBSEQUENTLY SUBMITTED AN APPLICATION FOR CONVERSION OF HIS ABSENCE TO HIS

Filed to-day
Registrar
21/12/19

Re-submitted to-day
and filed.

Registrar
12/13/19

EARNED LEAVE, BUT THE RESPONDENT DID NOT PAY ANY ATTENTION TO THE APPLICATION OF THE APPLICANT AND MALAFIDLY AND IN-JUSTIFIABLY STOPPED HIS SALARY FROM DEC 2009 UPWARDS AND ALSO INITIATED SO-CALLED IMPERFECT INQUIRY AGAINST THE APPELLANT WITHOUT ISSUANCE OF ANY SHOW CAUSE NOTICE OR GIVING HIM ANY OPPORTUNITY OF PERSONAL HEARING, WHICH IS TOTALLY ILLEGAL, UNLAWFUL, ULTRAVIRES, MALAFIDE AND AGAINST THE NATURAL JUSTICE, HENCE THE APPELLANT IS LIABLE TO BE REINSTATED ALONGWITH ALL BACK BENEFITS W.E.F DEC 2009 OR ANY OTHER RELIEF AS IS DEEMED APPROPRIATE IN THE CIRCUMSTANCES OF THE CASE.

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PRAYER:

ON ACCEPTANCE OF THE INSTANT APPEAL, RESPONDENTS MAY GRACIOUSLY BE DIRECTED TO ADJUST THE APPELLANT WITH ALL BACK BENEFITS W.E.F. DECEMBER 2009 UP TO FINAL DISPOSAL OF THE INSTANT APPEAL. FURTHERMORE, THE LAST APPLICATION OF APPELLANT BEFORE THE RESPONDENT NO.2, DATED 06/11/2018, MAY KINDLY BE TREATED AS A DEPARTMENTAL APPEAL BECAUSE NO SPEAKING ORDER LIKE SHOW CAUSE, SUSPENSION AND TERMINATION HAS BEEN ISSUED BY THE RESPONDENTS SO FAR AND THE APPELLANT IS STILL ENROLLED IN THE DEPARTMENT.

=====

Respectfully Sheweth:

FACTS:

1. That, Appellant born on 07/04/1961 and joint service on 08/08/1985 as a "Projectionist" in Education Department. Later on he promoted as "Senior Clerk" and posted at Govt Higher Secondary school, Bareela, District, Haripur, where he served from 01/01/2000 to 31/12/2009. During his service, he applied for transfer from District Haripur to District Abbottabad and his transfer was approved by the Minister of Education KPK, Peshawar and his transfer was recommended from Govt Higher Secondary school Bareela, Haripur to Govt Higher Secondary School Ziarat Masoom, Abbottabad. The Directorate of E&SE Peshawar, transferred the appellant from Govt Higher Secondary Bareela Haripur to GHSS, Ziarat Masoom, Abbottabad and on 31/12/2009, the appellant was relieved from GHSS, Bareela, District Haripur. **(Copies of Service Book, Approval of Education Minister KPK, dated 09/12/2009, the transfer order No.3366-73, dated 23/12/2009 and Relieving Chit No.1934 dated 31/12/2009 are annexed as Annexure "A,B, C & D" Respectively)**
2. That, on 01/01/2010, the appellant went to GHSS, Ziarat Masoom and submitted his arrival and when he was returning back to Abbottabad through local transport, an accident was taken place and the appellant sustained injury and remained under Medical treatment and then due to certain other serious family problems, was unable to join his duties..
3. That, on his recovery, the appellant approached to DEO (M), Abbottabad and submitted application that the post of Senior Clerk at GHSS Ziarat Masoom has been filled up so he be adjusted at GHSS, Langrial, District Abbottabad and he

also requested to convert unavoidable absence of the appellant from 01/01/2010 to 15/01/2011 to earned leave in the credit of the appellant. **(Copy of said application is annexed as Annexure "E")**

4. That, on the said application of appellant, the concern Authority take no action and orally promised to adjust the appellant at any suitable place / School.
5. That, later on the appellant was not appointed / adjusted at any station as per verbal promise made by DEO (M), Abbottabad.
6. That, after that, the appellant submitted applications time and again to Higher Forum i.e. Director E&SE, KPK, Peshawar for his adjustment but the application were not entertained nor replied.
7. That, later on the appellant came to know that a secret and without notice to the appellant, an inquiry No. 997 dated 03/03/2011, have been initiated by the order of DEO (Male) Abbottabad and in this regard, Principal Govt High School No.4, Abbottabad conducted the inquiry against the appellant and submitted the report that appellant have not complied with the order and did not take over the charge at GHSS, Ziarat Masoom, District, Abbottabad. Hence the application of appellant is not entertain able and the appellant was further directed to approach DEO) (Male) District, Haripur and Director E&SE, Peshawar. In this regard, copy of order No.5647 dated 10/05/2011 have been forwarded to DEO (M) Haripur, on this, the Principal GHSS, Bareela, Haripur given the remarks that the said Senior Clerk have been relieved from this school w.e.f. 31/12/2009, through letter No. 2273 dated 23/05/2011.

(Copies of inquiry findings and letter No.2273 dated 23/05/2011 are annexed as Annexure "F") § F A

8. That, after information of inquiry findings, the appellant filed an application before the Director E&SE, Peshawar (Respondent No.2), on 06/11/2018 for adjustment of appellant alongwith back benefits the application remained un-answered and un-entertained and no reply have been made so far by the said authority.
9. That, the appellant have no other efficacious and speedy remedy except the instant appeal on the following grounds:-

G R O U N D S :-

- a) That, the appellant was absent from the duty due to sustaining injury coupled with many incidental problems and just after recovery, the appellant approached the DEO(M) Abbottabad and submitted the reason of his absence through written application and applied conversion of absence to earned leave but nothing was done by the respondents. However, the appellant had never been issued any notice regarding his aforementioned absence.
- b) That, instead of genuine reason by the appellant, the inquiry was subsequently carried out in absentia of appellant and inquiry officer did not even inform the appellant regarding inquiry and also call the appellant

to submit the reports of his injury, which is totally illegal, malafide and based on un-justice.

- c) That, the after inquiry the appellant was neither given any show cause nor suspended and nor terminated which is mechanical just to throughout the appellant out of service and out of salary whereas, the appellant served the department for 24 years with utmost dedication.
- d) That, after inquiry, the appellant was not charged for any corruption or misconduct with regard to his 24 years unblemished service.
- e) That, the orders of respondent No. 3&4, are ultravariuous, without any justification and shifted the responsibility to each other.
- f) That, after submission of application by the appellant before conducting the so-called inquiry and instead of sanction of post leave, there was a genuine reason for the adjustment of appellant.
- g) That, without any fault on the part of appellant, his salary has been stopped by the department from Dec 2009 to onward i.e. up till now, which is against the natural justice, against the law of service.
- h) That, the appellant is still enrolled in the department because he is neither suspended nor terminated or dismissed from the service, the silence of department

regarding the appellant, is highly based on un-justice, against the law and natural justice due which the appellant is suffering from serious financial crises / loss.

- i) That, the appellant was verbally promised by the respondents to adjust the appellant and on every application no written response was made by the authority and the last application of appellant dated 06/11/2018, be treated as Departmental Appeal. **(Copy of the postal receipt of last application to respondent No.2, is annexed as Annexure "G")**
- j) That, the other points will be agitated at the time of arguments.
- k) That, the instant appeal is well within time. Moreover, under the circumstances as stated above, any delay in filing the instant appeal is condonable under section-5 of the limitation act.

It is therefore humbly prayed that on acceptance of the instant appeal, respondent may graciously be directed to adjust the appellant with all back benefits w.e.f. December 2009 up to final disposal of the instant appeal. Furthermore, the last application of appellant before the Respondent No.2, dated 06/11/2018, may kindly be treated as a Departmental appeal.

Dated 18-2- /2019



APPELLAN

Through:



(Malik Shamaroz)

Advocate, Abbottabad

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

Service Appeal No. _____/2019

Abdul Jamil S/o Mohammad Amin, lastly Senior Clerk
Govt Higher Secondary School, Ziarat Masoom, Tehsil &
District Abbottabad.

... APPELLANT**VERSUS**

Govt of KPK through Secretary Elementary &
Secondary Education of KPK Peshawar & others.

....RESPONDENTS**SERVICE APPEAL****AFFIDAVIT:**

I, Abdul Jamil S/o Mohammad Amin, lastly Senior Clerk Govt Higher
Secondary School, Ziarat Masoom, Tehsil & District Abbottabad, do
hereby solemnly affirm and declare on oath, that all the contents of
Instant Appeal are true and correct to the best of my knowledge and
belief and that nothing has been concealed from this Honourable
Tribunal.

**DEPONENT****Abdul Jamil**Dated 18-2- /2019

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

ABDUL JAMIL (Petitioner)

VERSUSGovt of KPK through Secretary Elementary & Secondary Education, Khyber
Pakhtunkhwa, Peshawar & Others (Respondents)**APPLICATION FOR CONDONATION OF DELAY***Respectfully Sheweth,*

1. That, the aforecited appeal is being preferred on the grounds as averred there.
2. That, the instant application under section-5 of the Limitation Act, is the integral part of the above cited appeal.
3. That, though the appellant continued to persue his case before the competent authority and, therefore, no willful delay on the part of the appellant has accrued yet, in view of the circumstance as stated in the appeal, if any delay is attributable to appellant, it could have been accrued due to circumstances beyond the control of the appellant, hence this application for condonation as provided under section-5 read with other relevant provisions of the limitation Act.

It is, therefore, respectfully prayed that on acceptance of instant application, any delay if found, be condoned.

 ...PETITIONER

Through:

Dated: 18-2 - /2019

 (Malik Shamaroz)
 Advocate
AFFIDAVIT:

I, Malik Shamaroz *Counsel* for the *petitioner*, do hereby declare that the contents of instant *application* are true and correct as per information furnished by my *client* and that nothing has been concealed from this Honourable Court.

Dated: 18-21 - /2019

...ADVOCATE

Passed Electrician from NWFP Board of Technical Education Peshawar held on 2-6-81 securing 191 marks Result declared on 8-7-1982.

3. Verification Roll No. dated

9-9-86
7-4-61
2-5-25

7. Attended Projectives Educational Technology received back training programme

6. Passed Projectionists Course

Organized by the Bureau of Curriculum Development and Education Ext. Centre Services NWFP Abbottabad from 1-11-89 to 30-11-1989. Securing 118/200 marks and Division.

Principal
B.E.C. Haripur

Principal
B.E.C. Haripur

Qualification	Date	Qualifications	Date
1. Passed FA Examination from the BSE Peshawar in 1988 (Annual) under rule No. 18 obtaining 435/1100 marks.		Arts	
Pashtu	Govt College of Elem: Haripur Dist	B.A.	
Urdu		Pleadership examination	
Plan-drawing		Training School Final examination	

2. Pashtu Diploma in Electrician Course from Board of Technical Education Peshawar in 1987 under R.No. 292 obtaining 191/300 marks Reserve duties

3. Passed SSC Examination from the BSE Peshawar in 1980 (Annual) under R.No. 12834 obtaining 305/350 marks.

4. Attended Projectionists course organized by the Director of Bureau of Curriculum Development and Education Services NWFP Abbottabad from 1-11-1984 to 13¹²/₈₄ N. B. Also to be drawn under the qualification possessed. 78/200 marks. Result declared on 12-1-1985.

5. Attended A.V. Aids course organized by the Bureau of Curr. Develop. and Edu. Ext. Centre Attd: w.e. fr. 27-10-86 to 15-11-86 and completed the course successfully.

Principal
B.E.C. Haripur

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Note:—The entries in this page should be renewed or re-attested at least every five years and the signature to entries 9 and 10 should be dated.

1. Name

Mr. Akbar Junit

2. Race

Chaman Chel

3. Residence

UM 75 Upper Malakpura A. Alkad

4. Father's name and residence

Mohammad Amin UM 75 Upper Malakpura A. Alkad

5. Date of birth by Christian era as nearly as can be ascertained

(7.4.1961) Seventh April N.H. & Sixty one.

6. Exact height by measurement

6

7. Personal marks for identification

A mole on left arm.

8. Left hand thumb and Finger impression of (non-gazetted) officer

Little Finger.

Ring Finger

Middle Finger

Fore Finger

Thumb.

9. Signature of Government servant

Ahmed

10. Signature and designation of the Head of the Office, or other Attesting Officer.

Principal
Govt College of Arts, Education
Haripur Dist. Malakpura

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1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature of Government servant
(BPS-8)							
Projectionist GCE Haripur			590/- PM 790-34-1470 BPS-8			9.9.86	[Signature]
			790/- (FIXED)			12/87	[Signature]
						1987	
		Office of the Accountant General N. W. F. Peshawar Pay fixed in the Revised Basic Pay Scales 1987, of Rs. 790/- (B-7) at Rs. 790/- fixed, w.e.f. 1-7-1987 with next increment on 1-12-1987					
		Office of the Accountant General N.W.F.P. Peshawar Pay fixed in the Revised Pay Scale 1987 of Rs. 790/- (B-7) at Rs. 790/- fixed w.e.f. 1-12-1987 with next increment on 1-12-1987					
		Accounts Officer Pay fixation Party					
		Pay fixed provisionally in the revised BPS vide F.D. NO FD (PRC) 1-1-89 dated 11.8.91 1190-65-2115					
Projectionist Bureau Office Abbottabad	Temp		1270/- (fixed)			1/6/91	[Signature]
			1270/- PM (fixed)			12.4.92	[Signature]
		Entries Revised					
Projectionist		BPS NO. 08	Rs. 790-34-1470				
GEC (M) Haripur	Off. per.		Rs. 824/- P.M.			1.12.89	[Signature]
Bureau of civ. Sup. Abbottabad							
GEC (M) Haripur			Rs. 858/- P.M.			1.12.90	[Signature]
		BPS NO. 08	Rs. 1140-65-2115				
GEC (M) Haripur							
do			Rs. 1465/- P.M.			1.6.91	[Signature]
GEC (M) Haripur							
do			Rs. 1530/- P.M.			1.12.91	[Signature]
PO under W.E.F.							

Including Two
Advt. Inscr. on
Passing FA Exam.

Signature of Government servant in column

PRIM G.S.

Deputy Dir

Deputy Dir

Deputy Dir

Deputy Dir

UNDER TAKING

I, Abdul Jamil, Name Projector
(Designation & office) undertake to make good any over payment made to me
as a result of in-correct fixation of pay in the Revised Basic pay Scales.
The same may be recovered from my pension/Gratuity.

ATTESTED.

M. M. Zaid
Principal
Govt. College of Education for
Elem. Teachers (M) Haripur.

Signature [Signature]
Name with designation Projector
Dated. [Date]

Signature of Government servant

Period to which debitable	Grade	Pay Scale	Remarks	Signature	Designation	Office
30-6-87	Grade 18	30-6-87	Appointed as Projector - Vide Director Bureau of Curr: Development & Edu. Ext. Servis NWFP Abbottabad Dist-100. 5699-5705/BSII. Pr. (Projector G.C.E.) dated 8.9.86.	[Signature]	Principal	G.C.E.E Haripur
31-5-91	Grade revised	31-5-91	Services verified w.e.f. 9.9.86 to 31-3-88 from Aq. Roll & other office record.	[Signature]	Principal	G.C.E.E Haripur
11-4-92	Transfer	11-4-92	Services verified w.e.f. 1-4-88 to 30-11-88 from Aq. Roll & other office record.	[Signature]	Principal	Govt. College of Elem. Education Haripur Dist Abbottabad
30-11-89	Allowed graded pay	30-11-89	Services verified w.e.f. 1-12-88 to 30-11-89 from the Aq. Roll & other office records.	[Signature]	Deputy Director	Bureau Abbottabad
30-11-90	Incr.	30-11-90	Services verified w.e.f. 1-12-89 to 30-11-90 from the Aq. Roll & other office records.	[Signature]	Deputy Director	Bureau Abbottabad
31-5-91	Scale revised	31-5-91	Granted leave on full pay for 20-10-91 (one day) vide Director Bureau of Curr. Devel. Edu. Ext. Servis NWFP Abbottabad No. 19905-7/501. D. III/AE dated 20.11.91	[Signature]	Deputy Director	Bureau Abbottabad
30-11-92	Annual Increment	30-11-92		[Signature]	Deputy Director	Bureau Abbottabad

① Approved by the Director
Govt. College of Education
Haripur Dist Abbottabad
No. 1140-65-215-81
dated 14.6.87
② Approved by the Director
Govt. College of Education
Haripur Dist Abbottabad
No. 11465-87-215-81
dated 14.12.87

① Services verified w.e.f. 9.9.86 to 31-3-88 from Aq. Roll & other office record.
② Services verified w.e.f. 1-4-88 to 30-11-88 from Aq. Roll & other office record.
③ Services verified w.e.f. 1-12-88 to 30-11-89 from the Aq. Roll & other office records.
④ Services verified w.e.f. 1-12-89 to 30-11-90 from the Aq. Roll & other office records.

(14)

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Mr. Abdul To
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Transit day
on 27.5.94
(one day)

Principal
G. A. T. T. Peshawar

Signature and
signature of the
of the office of
her attesting
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columns 1 to 8

1 Name of post	2 Whether substan- tive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay officiating	6 Other allowance being under the term "Pay"	7 Date of appointment	8 Signature	9 Signature and signature of the of the office of her attesting in attestation columns 1 to 8
Projectionist Bureau A. Akhal	Subj/Per	- B. 1595/PM	1595/PM	/	/	1-12-92	/	Deputy Dir Bureau Akhal
Projectionist Sec (M) Haripur	"	"	1595/PM	/	/	15.2.93	/	Govt: (Elementary)
- do -	"	"	Rs 1660 PM	/	/	1-12-93	/	Govt: C (Elementary)
G.E.C. Bari Ket (Swat)	Subj/Per	"	Rs=1660 - P.M.	/	/	11/4/94	/	Govt: C (Elementary)
Govt: Agro: Tech: TEACHER Training Centre Sul Bahar Peshawar	Subj/Per	"	RS=1660 P.M.	/	/	28/5/94	/	Principal A. T. T. Peshawar
G.E.C (M) Haripur	"	"	"	/	/	11/4/94	/	Govt: Coll Elementary T
G.E.C (M) Haripur	"	"	"	/	/	16/6/94	/	Govt: Col Elementary T
Projectionist	Subj/Per	"	Rs. 2244/	/	/	16/6/94 (FN)	/	Govt: Col Elementary T

Pay Provisionally fixed in BPS No 24. c. f. 1. 9 vide notification No FD (FRC) 1/94 dated 30.6.94 at Rs 2244/- PM.

Teaching time: from 11/4/94 to 15/6/94 (2 days)

(8) seen from B

under taking 15 (15)
 The effect that I will make
 amount unearned in the award of running pay scale N.F.F/12/89
 Bureau No 11504-7 Dated 12/8/92 if the Govt decided to award otherwise

S. Abbas
 Signature
 T. T. T. C.
 Peshawar

92

A.M.

(2 days)

Y. name

(8) Services verified from 15-2-93 to 7-4-94 from Dept. RWS and other records of the office

leave sanctioned on Half Pay for 148 days from 11-11-90 to 7-4-94 vide Director Bureau N.F.F. office NO 4258-59/28/1A-E-III dated 25.4.94

9	10	12	13	14	15	
Signature and designation of the officer of the office or other attesting officer in attestation columns 1 to 8		Date of termination of appointment	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary payable to another Government	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
Signature and designation of the officer of the office or other attesting officer in attestation columns 1 to 8		Date of termination of appointment	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary payable to another Government	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
Deputy Director Bureau Abbottabad	14-2-93	Abdul Jaseel	L. Usman	Leave	16.8.92	
Principal Govt. College of Education (Elementary Teachers) Haripur	30-11-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	5	Service verified from 30-11-91 from the Acq. Roll and other office records	
Principal Govt. College of Education (Elementary Teachers) Haripur	8-7-94	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	6	Service verified from 1-12-91 to 11-4-92 (AN) from the Acq. Roll and other office records.	
Principal Govt. College of Education (Elementary Teachers) Haripur	13-6-94	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	DEPUTY DIRECTOR Bureau of Curriculum Development and Education-Extension Services N.W.F.P. Abbottabad	Allowed two advanced in Crammed on passing F.A. examination on 1-6-91	
Principal Govt. College of Education (Elementary Teachers) Haripur	15-2-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	Awarded	Awarded running pay scale N.F.F. 1-12-89 vide Director Bureau No 11504-7 dated 12-8-91	
Principal Govt. College of Education (Elementary Teachers) Haripur	15-2-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	Awarded	Awarded running pay scale N.F.F. 1-12-89 vide Director Bureau No 11504-7 dated 12-8-91	
Principal Govt. College of Education (Elementary Teachers) Haripur	15-2-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	Awarded	Awarded running pay scale N.F.F. 1-12-89 vide Director Bureau No 11504-7 dated 12-8-91	
Principal Govt. College of Education (Elementary Teachers) Haripur	15-2-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	Awarded	Awarded running pay scale N.F.F. 1-12-89 vide Director Bureau No 11504-7 dated 12-8-91	
Principal Govt. College of Education (Elementary Teachers) Haripur	15-2-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	Awarded	Awarded running pay scale N.F.F. 1-12-89 vide Director Bureau No 11504-7 dated 12-8-91	
Principal Govt. College of Education (Elementary Teachers) Haripur	15-2-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	Awarded	Awarded running pay scale N.F.F. 1-12-89 vide Director Bureau No 11504-7 dated 12-8-91	
Principal Govt. College of Education (Elementary Teachers) Haripur	15-2-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	Awarded	Awarded running pay scale N.F.F. 1-12-89 vide Director Bureau No 11504-7 dated 12-8-91	
Principal Govt. College of Education (Elementary Teachers) Haripur	15-2-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	Awarded	Awarded running pay scale N.F.F. 1-12-89 vide Director Bureau No 11504-7 dated 12-8-91	
Principal Govt. College of Education (Elementary Teachers) Haripur	15-2-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	Awarded	Awarded running pay scale N.F.F. 1-12-89 vide Director Bureau No 11504-7 dated 12-8-91	
Principal Govt. College of Education (Elementary Teachers) Haripur	15-2-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	Awarded	Awarded running pay scale N.F.F. 1-12-89 vide Director Bureau No 11504-7 dated 12-8-91	
Principal Govt. College of Education (Elementary Teachers) Haripur	15-2-93	S. Abbas	Principal Govt. College of Education (Elementary Teachers) Haripur	Awarded	Awarded running pay scale N.F.F. 1-12-89 vide Director Bureau No 11504-7 dated 12-8-91	

(5) Service verified from 30-11-91 from the Acq. Roll and other office records

(6) Service verified from 1-12-91 to 11-4-92 (AN) from the Acq. Roll and other office records.

Allowed two advanced in Crammed on passing F.A. examination on 1-6-91

Awarded running pay on 1-12-89 to 31-8-92

Tup 67 19/9 = 4476

(7) Services verified from 12-4-92 to 12-2-94

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1 Name of post	2 Whether substan- tive or officiating and whether permanent or temporary	3 If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature Government servant
Gr - 8: RSl 1540-88-2860.							
Projectionist GEC (M) Hampir	Per/Oth		Rs 2332/-	-	-	12/94	[Signature]
GEC (M) Manjhar	do		2337/-	-	-	20/12/94	[Signature]
do	do		Rs 2420/-	-	-	01/12/95	[Signature]
do	do		2508/-	-	-	1/12/95	[Signature]
do	do		2596/-	-	-	1/12/97	[Signature]
do	do		2684/-	-	-	1/12/98	[Signature]
do	do		2772/-	-	-	1/12/99	[Signature]
do	do		2860/-	-	-	1/12/2000	[Signature]
S/ Clerk of EDO (Edu.) kh.			R. 2860/-			7/2001	[Signature]
			R. 2860/-			12/2001	[Signature]
Gr-7 RSl 8(2310-130)-6210							
			4380/-			12/2001	[Signature]
G.S. Barua	Per/Oth		4260/-			4/2002	[Signature]

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8	9	10	11	12	13		14	15	
					Leave				
Signature of Government servant	Nature and duration of the office or in attestation forms 1 to 8	Date of termination (such as promotion, transfer, dismissal, etc.)	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
						Period	Government to which debit		
	Govt: College of Education (Elementary Teachers) Haripur	19/12/94 (FN)	Annual	Govt: College of Education (Elementary Teachers) Haripur					
	Principal G.E.C. (M) Mansehra	30/11/95	Annual	Principal G.E.C. (M) Mansehra					
	Principal G.E.C. (M) Mansehra	30/11/97	Annual	Principal G.E.C. (M) Mansehra					
	Principal G.E.C. (M) Mansehra	30/11/95	Annual	Principal G.E.C. (M) Mansehra					
	Principal G.E.C. (M) Mansehra	30/11/97	Annual	Principal G.E.C. (M) Mansehra					
	Principal Govt. College of Education (Elementary Teachers) (M) Mansehra	30/11/2000	Annual	Principal Govt. College of Education (Elementary Teachers) (M) Mansehra					
	Principal Govt. Elementary College (M) Mansehra	30/6/2001 (FN)	Annual	Principal Govt. Elementary College (M) Mansehra					
	E.D.O. Edu: & Lt: Dist: Kohistan	30/11/2001	Annual	E.D.O. Edu: & Lt: Dist: Kohistan					
	E.D.O. Edu: & Lt: Dist: Kohistan	30/11/2001	Annual	E.D.O. Edu: & Lt: Dist: Kohistan					
	E.D.O. Edu: & Lt: Dist: Kohistan	30/11/2001	Annual	E.D.O. Edu: & Lt: Dist: Kohistan					
	E.D.O. Edu: & Lt: Dist: Kohistan	30/11/2001	Annual	E.D.O. Edu: & Lt: Dist: Kohistan					

⑨ Service verified w.e. 8/12/94 to 26/5/94 from Act. Roll and this office record.
 26/5/94
 PRINCIPAL,
 Govt: College of Education for Elementary Teachers (M) Barikot Swat.

⑩ Service Verified w.e. 27.5.94 to 13.6.94 from the acquisition and other record of this office.
 S.S. Abbas
 PRINCIPAL,
 Govt. Agro. Tech. Teachers Training Centre Gulbahar Peshawar

⑪ Services Verified w.e. from 16-6-1994 to 30-11-94 from the Act. Roll and other record of this office.
 Principal Govt. College of Education (Elementary Teachers) Haripur

⑫ Services verified w.e. from 1-12-94 to 19-12-1994 from the acquisition roll and other relevant record of this office.
 Principal Govt. College of Education (Elementary Teachers) Haripur

(13)

1	2	3	4	5	6	7	8	9	
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature Government servant	Signature and designation of the officer or attesting authority in attestation columns 1 to 8	
S/C CHSS Bareilly Per 10/11			4390	4500/-	✓	01/12/2002			
-do-	-do-		4520	4620/-	✓	01/12/2003			
-do-	-do-	B-7	4650	4740/-	✓	01/12/2004			
-do-	-do-	Grad. Revised B-8 (2557-100-7155)							
-do-	-do-		5255	5495/-		01/7/2005			
-do-	-do-		5505	5635/-		01/12/2005			
		<div data-bbox="470 1134 966 1512" data-label="Text"> <p>(1994) Office of the Accountant General N. W. F. P. Peshawar. Pay fixed in the revised scale 1994 of Rs. 1540-88-2860-8 at Rs. 2260/- P.M. N.W.F.P. 1994 with next increment on 1-12-1994</p> <p>Accounts Officer Pay Fixation Party N. W. F. P. Peshawar</p> </div>							
<div data-bbox="81 1512 682 1890" data-label="Text"> <p>RTD Adjustment of projection against S/C may be put AD PPP</p> </div>		<div data-bbox="690 1575 1193 1978" data-label="Text"> <p>Office of the Accountant General N. W. F. P. Peshawar. Pay fixed in the revised scale 1994 of Rs. 2310-130-6210-8 at Rs. 1260/- with next increment on 1-12-1994</p> <p>Accounts Officer Pay Fixation Party N. W. F. P. Peshawar</p> </div>		<div data-bbox="1266 1688 1494 2116" data-label="Text"> <p>Not a Member of S/C or S/Adm or S/As or S/As or S/As or S/As</p> </div>					
S/C CHSS Bareilly Per 10/11			5655	5775/-		01/12/2006			

8 Signature of Government servant	9 Signature and designation of the officer or other attesting authority in attestation columns 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer	13 Leave Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government Period to which debitable	14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
		30/11/2003	Incr.		(13) Services verified w.e.f. 20-12-94 to 30-11-95 from the Acquittance Rolls and other records maintained in this office		
		30/04/04	Incr.			Principal Govt. College of Education for Elementary Teachers (Male) Manshra	
		30/05/05	Grade Adv. Annual		(14)		1-12-95
		30/11/05	Incr.				30-11-96
		30/12/05	Incr.				
		15-12-96 24-12-96					Suspension vide Director Bureau Curriculum Education - Services N.W.F. Abolished officials NO. 9416 Date 15/12/96 & issued under Enclt. No 5644-46 Dated 24/12/96 due to Mis-Conduct w.e.f 15-12-96 to 14-2-97
							Principal Govt. Elementary College (Male) Manshra
							Suspension period extended w.e.f 15.6.97 to 14.9.97 vide office order issued under Enclt. No. 3504-11/EB/AE-V Dated 14.6.97
							Principal Govt. Elementary College (Male) Manshra
		6/30/07	Pay Arrears				Suspension period extended w.e.f 15 ³ /97 to 14.6.1997 vide Director Bureau Abolished NO 1395 issued Enclt. No 1403-9 dated 17.3.97
							Principal Govt. Elementary College Manshra
							Principal Govt. Elementary College Manshra

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P-8
dru
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do
10/15

Extended suspension period

w.e.f 15.6.97 to 14.9.97

vide office order issued under

Enclt. No. 3504-11/EB/AE-V

Dated 14.6.97

Principal
Govt. Elementary College
(Male) Manshra

Extended suspension period w.e.f

15.9.97 to 13.12.97 vide Director

Bureau A. Abad Enclt. No. 5884

(1-8) EB/AE-V Dated 15.9.97

Principal
Govt. Elementary College
(Male) Manshra

Suspension period

extended w.e.f 15³/97

to 14.6.1997 vide

Director Bureau

Abolished NO 1395

issued Enclt. No

1403-9 dated 17.3.97

Principal
Govt. Elementary College
Manshra

Principal
Govt. Elementary College
Manshra

1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature Government servant	Signature and name of the officer or attesting in attestation forms 1 to 8
S/Clerk G.H.S.S. Baricela	Pay revised B-7	(2940-160-7740)	6620/-	✓		01/11/2007		
-do- S/elestr	Grade revised B-9	(3185-190-8885) (1) Imp 2007 13 July 2007	6795/-	✓		01/10/07		
G.H.S.S. Baricela -do-			6925/-	✓		1/12/07		
-do-			8420/- (8322)	✓		1/7/08		
-do-			8650/- (8572)	✓		1/12/08		
-do-			8880/-	✓		1/12/09		G.H.S.S.
<p>2001</p> <p>OFFICE OF THE ACCOUNTANT GENERAL N.W.F.P. PESHAWAR</p> <p>PAY FIXED IN THE REVISED BASIC PAY SCALES 2001</p> <p>OF RS. 2,220-120-5820</p> <p>AT RS. 380/- P.M.W.E.F.</p> <p>With Next Increment on</p>								
<p>M. Shahi</p> <p>Accounts Officer</p> <p>Pay Fixation Dept. N.W.F.P. Peshawar</p>								
<p>2005</p> <p>OFFICE OF THE ACCOUNTANT GENERAL N.W.F.P. PESHAWAR</p> <p>PAY FIXED IN THE REVISED BASIC PAY SCALES 2005</p> <p>OF RS. 2,555-140-6755</p> <p>AT RS. 599/- P.M.W.E.F.</p> <p>With Next Increment on</p>								
<p>M. Shahi</p> <p>Accounts Officer</p> <p>Pay Fixation Dept. N.W.F.P. Peshawar</p>								

8	9	10	11	12	13	14	15	
Signature of Government servant	Signature and name of the officer or attesting officer	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
					Period	Government to which debitable		
				Principal G.H.S.S. Bareela (Haripur)	Principal G.H.S.S. Bareela (Haripur)	Extended Suspension period w.e.f 14.12.97 to 13.3.98 vide Director Bureau of Curriculum Development Ext: extension Services N.W.F.P. Abbottabad endst: No 7974-82/Ext: Bureau / AE-4 dated -13.12.97	Principal Govt. Elementary College (Male) Manshehra	
				Principal G.H.S.S. Bareela (Haripur)	Principal G.H.S.S. Bareela (Haripur)	Services verified w.e.f 1.12.96 to 30.11.97 from the Acquittance Rolls and other record maintained in this office	Principal Govt. Elementary College (Male) Manshehra	
				Principal G.H.S.S. Bareela (Haripur)	Principal G.H.S.S. Bareela (Haripur)	Extended suspension period w.e.f, 14.3.98 to 11.6.98 vide Director Bureau of Curriculum Development Edu. Ext: Extension Services N.W.F.P. A/Abad endst: No 1053-bu/ED/AE-V dt: 17.3.98	Principal Govt. Elementary College (Male) Manshehra	
				Principal G.H.S.S. Bareela (Haripur)	Principal G.H.S.S. Bareela (Haripur)	Extended suspension period w.e.f, 12.6.98 to 9.9.98 vide Director Bureau A/Abad Endst: No 3449/56 dt: 27/6/98	Principal Govt. Elementary College (Male) Manshehra	
				Principal G.H.S.S. Bareela (Haripur)	Principal G.H.S.S. Bareela (Haripur)	Extended suspension period w.e.f, 10.9.98 to 8.12.98 vide Director Bureau A/Abad Endst: No 6374-77 dt: 17/12/98	Principal Govt. Elementary College (Male) Manshehra	

PRINCIPAL
Govt. Higher Secondary
School Bareela (Haripur)
2007

PRINCIPAL
Govt. Higher Secondary
School Bareela (Haripur)
29/07/07

01/02/08
Pay Scale Rs. 16000/-
to Rs. 18000/-

Principal
G.H.S.S. Bareela (Haripur)

PRINCIPAL
Govt. Higher Secondary
School Bareela (Haripur)

Principal
G.H.S.S. Bareela (Haripur)

Principal
G.H.S.S. Bareela (Haripur)

Principal
Govt. Elementary College
(Male) Manshehra

Principal
Govt. Elementary College
(Male) Manshehra

7.18.83
9/14.03

AD, Manshehra
17/01/08
on the
of 8/10/08

8110-
200-2001

6109/

Senior Data Accounts Officer
Haripur

Principal
G.H.S.S. Bareela (Haripur)

Principal
G.H.S.S. Bareela (Haripur)

Principal
Govt. Elementary College
(Male) Manshehra

Principal
Govt. Elementary College
(Male) Manshehra

Principal
Govt. Elementary College
(Male) Manshehra

1 Name of post	2 Whether substan- tive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 37, C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature Government servant	9 Signature and designation of the officer of the office or person attesting in attestation columns 1 to 8

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Signature and designation of the officer of the office or person attesting in attestation columns 1 to 8

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				<p align="center">Leave</p> <p>Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government</p>					
Signature of Government servant		Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.		
				<p>Period</p> <p>Government to which debitable</p>					
				<p>Extended suspension period w.e.f. 9.12.95 to 9.3.99 vide Director Bureau A/Mansehra endst. No 921522/EB/AB-V dated 11.12.95</p>					
		<p>Sanchin Eam Kain waf 13-8-01 to 18-4-02</p>							
		<p>on Half Average by vide endst. No 3343-45-Dated 4-11-02</p>				<p>Services verified w.e.f. 1.12.97 to 30.11.99 from the Acquittance Rolls and other record maintained in this office</p>			
		<p>(19) Services verified w.e.f. 1-7-2001 to 19-4-2002 from the Acquittance Rolls and other record maintained in this office</p>				<p>Principal Govt. College of Education (Male) Mansehra</p>			
		<p>EDo (Educ) K. consequent upon the abolition of posts + post. powers of the Dept. Transitional Team of the DSE NWFP. Mr. Abdul Jamil Projedman in B-8 at GBC (M) Mansehra is hereby transferred to the post of B-8 in his own pay + grade vide DSB NWFP Distt. endst. No. 3801-3802 dt. 29-6-2001.</p>				<p>(17) Services verified w.e.f. 1/12/99 to 30/11/2000 from the Acquittance Rolls and other record maintained in this office</p>		<p>Principal Govt. Elementary College (Male) Mansehra</p>	
		<p>E.D.O. Educ. & Lit. Distt. Ferozshah</p>				<p>Reinstated in the light of verdict/judgment of the honorable court proceeding no. 19 dt 26.4.2001 & Director Bureau NWFP, Abbottabad office Endst. No. 3053-43/EB/AE-III dt. 19.5.2001 w.e.f. 15.12.96. The suspension period will be <u>considered</u> in duty.</p>			
		<p>Ref: P-53. Drcum L.S. on half pay waf 18.8.2001 to 18-4-2002 vide T.No. 11 dt. 30-11-2002. L.S. 2557/1</p>				<p>Services verified w.e.f. 1.12.2000 to 30.6.2001 from the Acquittance Rolls and other record maintained in this office</p>		<p>Principal Govt. College of Education for Elementary Teachers (Male) Mansehra</p>	
		<p>District Magistrate Ferozshah</p>				<p>Principal Govt. College of Education for Elementary Teachers (Male) Mansehra</p>			

8 Signature of Government servant	9 Signature and position of the head of the office or other attesting officer	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc).	12 Signature of the head of the office or other attesting officer	13 Leave Allocation of period of leave on average pay upto four months for which leave salary is payable to another Government Period Government to which debitale	14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
					(20) Service verified w.e.f. 20 ⁴ / ₂₀₀₂ to 30 ¹¹ / ₂₀₀₂ from the Acqy. Roll and other office records.		PRINCIPAL Govt. Higher Secondary School Barcola Haripur
					Smc. 7 9/10 Dec 22/8000/2 E.O. D.P.O. No. 11/2 11.22283 84-13-9-03		
					(21) 12-11-1828 to 17-9-03		
					(22) 12-11-1879 to 17-9-03		
					(21) Service verified w.e.f. 01 ¹² / ₂₀₀₂ to 30 ¹¹ / ₂₀₀₃ from the Acqy. Roll and other office records.		PRINCIPAL Govt. Higher Secondary School Barcola Haripur
					(22) Service verified w.e.f. 01 ¹² / ₀₃ to 30 ¹¹ / ₂₀₀₃ from the Acqy. Roll and other office records.		PRINCIPAL Govt. Higher Secondary School Barcola Haripur
					(23) Service verified w.e.f. 01 ¹² / ₀₄ to 30 ¹¹ / ₀₅ from the Acqy. Roll and other office records.		PRINCIPAL Govt. Higher Secondary School Barcola Haripur

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121-92-042121
12/1/10/10 7071/135

8 Signature of the head of the office or other attesting officer	9 Signature and attestation of the Government servant	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer	13 Leave Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government Nature and duration of leave taken Period Government to which debit to	14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government's Servant.
					Smochin 7 90 10 12 05 3,38900/- D.G. D.O. S. V. H. 12 05 3637-38 dt. 19-12-05		
					Q 2 12 20.19450/- 7/10/10 3,1000/1000 20.9450/20 12 3611 dt. 24-12-05		
					Q 2 12 20.19450/- D.T. 3612 dt. 24-12-05		
				(24)	Service verified w.e.f. 01/12/05 to 30/11/08 from the A.P. Roll and other office records.		PRINCIPAL Govt. Higher Secondary School Barotsa Haripur
					The competent authority has been pleased to accord sanction to up gradation from PPS-7 to PPS-9 w.e.f. 01-7-2007 vide Govt. of NWFP Finance Department No FD/05/FB/172/2007 dated 30 July 2007		PRINCIPAL Govt. Higher Secondary School Barotsa Haripur
					Smochin 7 92 3,72800/- D.O. S.V.H. 12 05 3669, 7000, 10-11-08		
					16/12 36400/- 24/12 18200/- dt. 34580/- 494 dt. 22-12-08		
					Q 2 12 36400/- 495 dt. 22-12-08		

(28)

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant

Signature and
 name of the
 officer of the
 office attesting
 in attestation
 columns 1 to

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Signature of Government servant

Name and designation of the office or attesting officer

Date of termination of appointment

Reason of termination (such as promotion, transfer, dismissal, etc.)

Signature of the head of the office or other attesting officer

Nature and duration of leave taken

Leave: Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government

Period Government to which debitable

Signature of the head of the office or other attesting officer

Reference to any recorded punishment or censure, or reward or praise of the Government Servant.

Granted Medical leave W.E.F 11-9-08 TO 22-9-08 (12 days) vide E.D.O. E/SE Order no 963-64 dated 14-01-09.

[Signature]

PRINCIPAL Govt. Higher Secondary School Barotsi Harau

Service transferred 20-11-07 to 30-11-07 for the A.P. Roll number office record.

[Signature]

Govt. Higher Secondary School Barotsi Harau

Service transferred 01-12-07 to 30-11-08 from the A.P. Roll number office record.

[Signature]

Govt. Higher Secondary School Barotsi Harau

Granted E/leave W.E.F 06.05.2009 to 06.06.2009 (32 days) on full pay, by Executive District Officer (E/SE) Harau per Fndst # 9973-25 dated 15-05-09

[Signature]

Govt. Higher Secondary School Barotsi Harau

8 Signature of Government servant	9 Signature and designation of the head of the office or other attesting officer in attestation columns 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer	13 Leave Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government Government to which debitable Period	14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
							<p>Granted (Medical) & leave w.e.f 01/07 2009 to 31/07 (31 days) on full pay in accordance with Do (M) Haripur Kndst no 16892-94 dated 18/12/2008</p> <p><i>[Signature]</i> 02/01/2009</p> <p>PRINCIPAL Govt. Higher Secondary School, Bareela, Haripur</p> <p>Granted Medical leave w.e.f 01-8-2009 to 28-11-2009 (20 days) on full pay and w.e.f 29-11-2009 to 30-12-2009 (32 days) on half pay under EDO (M) Edu. Haripur Kndst No. 3028-29 dated 8/3/2009</p> <p><i>[Signature]</i> Principal Govt: Higher Secondary School, Bareela (Haripur)</p> <p>Services verified w.e.f 01-12-2008 to 5-5-2009 from the Reg. Roll and other office record.</p> <p><i>[Signature]</i> Principal Govt: Higher Secondary School, Bareela (Haripur)</p> <p>Services verified w.e.f 7-6-2009 to 30-6-2009 from the Reg. Roll and other office record.</p> <p><i>[Signature]</i> Principal Govt: Higher Secondary School, Bareela (Haripur)</p>
							<p>80 7/6/2009 to 30/6/2009</p> <p><i>[Signature]</i> Accounts Officer</p>

Admitted
7/2/2009

(32)

423

APPLICATION FORM FOR INTER DISTRICT TRANSFER.

1. Name of the teacher/applicant and District of Domicile. Abdul JAMEEL Distt Abbottabad

2. Design/post held with BPS. S/clerk BBS 09

3. Date of Ist:Apptt. 28-8-1986

4. Date of taking over charge at present post. 1-1-2000

5. Name of present school of posting. G.HSS BAREILA HR

6. Name of school where posting is required (list three option). EDO office Abbottabad

7. Reason for transfer. Domestic problems since 2001 to date
I have been serving at G.HSS Bareila since 2001 to date which is far from my home.

I solemnly declare that all these information from S.No. 1 to 6 are correct.

Signature. [Signature]

Name of applicant Abdul Jameel

N.I.C. No. 13601-9521212-7

(CERTIFICATE BY THE RELIVING EDO)

Certified that I have no objection to the transfer of Mr/Miss Abdul Jameel from Distt: Haripur to Distt: Abbottabad.

2. The following arrangement will be made by me for filling up the post of S/clerk in case of transfer of Mr/Mst: Abdul Jameel.

It is certified that :-

- 1) The study/education of the students of the institution/school will not suffer with the proposed transfer.
- 2) The applicant is regular employee and not a contract one.

Recommended and fwd to EDO E/SE HPR.

Principal [Signature] 5560

NAME OF EDO. Haider Raza Jansli

DATE 28-4-2009

POST AVAILABILITY CERTIFICATE OF THE EXECUTIVE DISTRICT OFFICER (SCH./LIT.), WHERE POSTING IS PROPOSED,

I have no objection to the transfer of Mr/Mst: Abdul Jameel of against a vacant post of _____ at (name of schools) of District _____. I have also examined his/her relevant documents and found correct. It is also certified that no NOC has been issued to any other person against this post.

SIGNATURE _____

NAME OF THE EDO. _____

Endst:No. _____ / Dated _____ /200



وزیر تعلیم و تربیت
پشاور

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B

MINISTER FOR
ELEMENTARY & SECONDARY
EDUCATION, N.W.F.P.

No.PS/MIN/E&SE/NWFP
Dated Peshawar the 9.12.2009

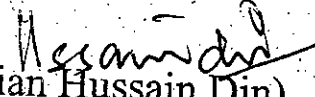
To

The Director,
Elementary & Secondary Education,
Peshawar.

Subject: POSTING / TRANSFER SUMMARY

I am directed to refer to your letter No. 1553 dated 2.12.2009 and to convey approval of the worthy Minister to the transfer of Mr. Abdul Jamil, S/Clerk from GHSS Bareela District Haripur to GHSS Zairat Masoom District Abbottabad against vacant post, as proposed in the summary, in relaxation of ban.

Yours faithfully,


(Mian Hussain Din)
✓ Private Secretary

34

U

DIRECTOR GENERAL OF EDUCATION
Punjab
Punjab
Punjab

Consequent upon the approval of the competent authority, Mr. Abdul Jamil senior clerk GHS Bareilly (Haripur) is hereby transferred against the vacant post of senior clerk at GHS Masoom (A. Abad) on pay 7 scale in the interest of public service with effect from the date of taking over charge.

- Note:-
1. No TA/DA etc are allowed.
 2. Charges report should be submitted to all concerned.
 3. The officers concerned are directed to check original service documents before making transfer of salaries.
 4. Their seniority will be determined at the time of preparation of respective seniority list as per rules.

3366-73

DIRECTOR GENERAL OF EDUCATION
Punjab
Punjab
Punjab

Order No. A-23/12/09 dated 23/12/09

Copy to the:-

- 1-2. Executive District Officer (&) Haripur/A. Abad.
3. District Accounts Officer Haripur/A. Abad.
- 4-5. Principal, Govt: Higher secondary School Bareilly Haripur.
6. Principal, Govt: Higher secondary School Masoom A. Abad.
7. Official concerned.
8. A. to Director (Adm) Punjab.

M. M. M.
23/12/09
Assistant Director (Adm)
Directorate of Education
Punjab
14/11

(35)

D=

OFFICE OF THE PRINCIPAL GOVT: HIGHER SECONDARY SCHOOL BAREELA HARIPUR

NO. 1934-40

Date Bareela the. 31/12/09

SUBJECT:- RELIEVING CHIT

Reference Assistant Director (Adm) Directorate of Elementary and Secondary Education N.W.F.P Peshawar Endst: No 3366-73/A-23/M.S/ ~~dated~~ dated 23-12-2009.

Mr Abdul Jamil S/Clerk is hereby relieved Off his duties today on 31-12-2009(After Noon) and directed to report Principal Govt: Higher Secondary School Maseen Abbottabad for further duties.

Note. Official has taken Advance Salary loan from N.B.P Shahra-e-Hazara Branch Haripur (A/No 2086-8) which is still not clear; So his salary Account can not be transferred to any other Bank or branch till complete recovery.

The Manager said branch informed phonically that

2. ~~S/Book/official will be submitted after sanction of M/Leave from Executive District Officer (E&S) Education Haripur.~~
3. Certificate transfer of charge certified that we have on the after Noon of this day respectively made over and received charge of this Office of the Senior clerk GHSS Bareela Haripur.
2. Particulars of cash and important secret and confidential document handed over are noted on the revers. Name ;Signature and Designation of relieved Government servant. Abdul Jamil S/Clerk. [Signature]
Name;Signature and Designation relieving Government servant. Muhammad Shakeel J/Clerk. [Signature]

C.to:- 1. Executive District Officer (E&S) Education HARIPUR.

2. Executive District Officer (E&S) Education ~~Abbottabad~~

3. Principal GHSS Maseen Abbottabad.

4. District Account Officer Abbottabad [Signature]

I/C [Signature]
Principal
GHSS Bareela
H A R I P U R

D.D.O [Signature]
Principal
GHSS Bareela
H A R I P U R

PRINCIPAL
Govt. Higher Secondary School Bareela Haripur
Head Master
Govt: High School
Pind Gujran (Haripur)

36

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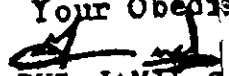
T,
The Executive District Officer (S & ES)
Abbotabad.

Subject: EOL / ADJUSTMENT.

Sir It is requested that I was remained on Medical leave
up to 31.12.2009. Later I was transferred to
to GHS Ziarat Masoom (Abottda) Vide Director (E & SE) Peshawar
Endst No 3366-73 dated 12/09. I Submitted my arrival report
to the Principal GHS Zarit Masoom on 01.01.10. But due to unavidable
domestic affairs, I could not perform my duties at GHS Zarit Masoom
up till now. It is further requested that the post of S/Clerk
at GHS Zarit Masoom has already been filled up.

It is therefore requested I may please be adjusted against
vacant post of S/Clerk at GHS Zarit Masoom and the period from 01.01.09 to 15.01.11
may kindly be sanctioned and solve my problems.

Thanks.

Your Obediently,

ABDUL JAMIL S/Clerk.

Attested
37

37 F

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E&SE) ABBOTTABAD

Sub: B-IV Trans Vol: IV 5647
Dated: Abbottabad the 12-8-2011

Mr Abdul Janjua
Ex-S/Clerk G.H.S.S Bacccha
District Haripur

EOI/ADJUSTMENT

Reference your application received in this office on 31.1.2011 regarding
adjustment of E.O.I. w.e.f 01.01.2009 to 15.01.2011 and adjustment against vacant post of
S/Clerk at G.H.S.S Lamprial

An enquiry conducted by the Principal GHS No.4 Abbottabad vide letter
No.2019 Dated 23.2.2011, who submitted report/recommendation vide Endst: No.99
Dated 3.3.2011, according to which you have not complied with the orders and did not
take over charge at G.H.S.S Ziarat Masoom District Abbottabad with reference to the
adjustment order No.3366-73 Dated 23.12.2009, issued from Directorate (E&SE)
Peshawar, hence your application is not entertainable. You are further directed to
approach/contact to E.D.O. (E&SE) Haripur and Director (E&SE) Khyber Pakhtunkhwa
Peshawar in this regard.

DISTRICT OFFICER
(E & SE) ABBOTTABAD

Copy to the

District officer (E & SE) Haripur for information.

DISTRICT OFFICER
(E & SE) ABBOTTABAD

OFFICE OF THE EXECUTIVE DISTRICT OFFICER
(E&SE) ABBOTTABAD

No. EB-IV/Trans: Vol-IV 5647
Dated A/Abad the 10-05-2011

To

Mr. Abdul Jamil
Ex-S/Clerk GHSS Bareela
District Haripur.

Subject: **EOL/ ADJUSTMENT**

Memo:-

Reference your application received in this office on 31-01-2011, regarding sanction EOL w.e.f 01-01-2009 to 15-01-2011 and adjustment against vacant post of S/Clerk at GHSS Langrial.

An enquiry conducted by the Principal GHS No. 4 Abbottabad vide letter No. 2019 dated 23-02-2011, who submitted report / recommendation vide Endst: No. 997 Dated 03-03-2011, according to which you have not complied with the orders and did not take over charge at GHSS Ziarat Masoom District Abbottabad with reference to the adjustment order No. 3366-73 Dated 23-12-2009, issued from Directorate (E&SE) Peshawar, hence your application is not entertainable. You are further directed to approach / contact to E.D.O (E&SE) Haripur and Director (E&SE) Khyber Pakhtunkhwa Peshawar in this regard.

DISTRICT OFFICER
(E&SE) ABBOTTABAD

Endst: No. _____ Dated: _____/2011

Copy to the

1. District Officer (E&SE) Haripur for information.

DISTRICT OFFICER
(E&SE) ABBOTTABAD

RECEIVED
MAY 11 1971

[Handwritten signature]

1. Executive Director District Office Education and
with reference to his no dated letter.
2. Executive Director District Office Education and
with reference to his no dated letter.
3. Executive Director District Office Education and
with reference to his no dated letter.

Dated 23/05/1971

[Handwritten signature]

RECEIVED
MAY 11 1971

[Handwritten signature]

Reference Executive Director District Office Education and
the letter mentioned above dated 10-05-1971.
Original letter cited above is sent to you for onward
transmission.

EXL/ADJUSTMENT

Department of
S/O and S/O
with reference to his no dated letter.

Dated 23/05/1971

[Handwritten signature]

F I

38

[Handwritten signature]

BETTER COPY

**OFFICE OF THE PRINCIPLE GOVT HIGHER
SECONDARY SCHOOL BAREELA HARIPUR**

No. 2273/

Dated 23-05-2011

To

Mr. Abdul Jamil
S/Clerk Axa Calur Libority,
Near Kaghan Café Abbottabad.

Subject: **EOL/ ADJUSTMENT**

Memo:-

Reference Executive District Officer Elementary and
Secondary Education Abbottabad No. 5647 dated 10-05-2011.

Original Letter cited above is sent to you for onward
compliance.

Encl; As Above.

**PRINCIPAL
GHSS BAREELA
HARIPUR**

Endst: No. 2574-75/

Dated: 23/05/2011

Copy to the :-

1. Executive District Officer E&SE, Abbottabad, with reference to his no cited above.
2. Executive District Officer E&SE, Haripur, with the remarries that the said S/Clerk hs relieved from this school w.e.f 31-12-2009 (A.N)
3. Office Record.

**PRINCIPAL
GHSS BAREELA
HARIPUR**

خدمت جناب ڈائریکٹر ایجنسی اینڈ سینٹری سکول لہور پشاور

511

درخواست مراد Adjustment along with back Benefits

سائل جو کہ بغیر کسی فرد جرم کے بغیر کسی مورخہ 2010-01-01 سے تا حال نوکری سے محروم کیا گیا ہے اور سائل کے خدشہ کا دعویٰ بغیر اطلاع کے کی گئی ہے۔ اور حکم خردہ 2011-5-10 جس کی روح سے سائل کو واپس جہاں سے Relieve ہوا تھا اور جس Amovity نے اس کی باقاعدہ ٹرانسفر کی تھی بھیجنا ضروری اختیار سے تجاوز ہے اور Ultra vires ہے اور انکوٹری جس میں سائل کو Condemned کیا گیا ہے کا نتیجہ ہے Unheat

جناب عالی - درخواست زیل ہے۔

1- یہ کہ سائل حکم تعلیم میں سال 1986 میں بھرتی ہوا تھا اور بطور میٹر ٹرک G.H.S سکول بریلا ہری پور میں تعینات تھا سائل کی تبدیلی گریڈ G.H.S سکول زیارت محرم ایبٹ آباد کی گئی اور سائل کو حرضہ 31-12-2009 کو بوقت رخصت Relieve کیا گیا بحوالہ ٹرانسفر غری 663373 حرہ 23¹² 2009 Relieve آڈیٹر 410-1934

2 یہ کہ سائل مورخہ 2010-01-01 کو حاضری کے لئے گیا متعلقہ سکول کے ٹرک کے پاس charge رپورٹس نہ تھی اس لئے سائل کو باقاعدہ خارج نہ دیا گیا جب سائل واپس بھرتی ہوئے ٹرانسپورٹ آریا تھا تو گاڑی کا حادثہ ہوا اور سائل بھی زخمی ہوا اور زیر علاج رہا

3 یہ کہ سائل نے محبت پانی کے شعبہ D.E.O ایبٹ آباد پر درخواست برائے Sanction of Leave از مورخہ 2010-01-01 تا 2011-01-15 گزاری اور درخواست مانعے برائے Adjustment گزارا گیا اور ایک درخواست سپیشل اسٹیفٹ ڈیپوٹیشن کے لئے مانعے گزاری تاکہ Adjust کیا جائے بحوالہ درخواست PS|MIN|HE IKP 2016 پشاور حرہ 2016-5-4 مگر سائل کو کسی درخواست پر حکم نے کوئی جواب نہیں دیا

4- یہ کہ سائل کو بعد میں پتہ چلا ہے کہ سائل کے خدشہ E.D.O ایبٹ آباد کی طرف ضمیمہ انکوٹری غری 997 حرہ 2011-3-3 کی گئی تھی جس میں یہ لکھا گیا کہ سائل نے آرڈر completed نہیں کیا

تم نے چارج اینس لینا تمہاری درخواست Enterta اینس ہے
 تم مزید عداوت کی جاتی ہے تم E.D.O. صری پور ڈائریکٹر
 E S S E لپٹاور سے رابطہ کرو اس سے سوال پیدا ہوتا ہے کیا مسائل
 کو غلط Relieve کیا گیا اور غلط ٹرانسفر کیا گیا حکم منجانب E.D.O.
 اینٹ آباد اختیار سے تجاوز تھا جو کہ unauthoritative ultravires اور
 ہے حکم لیٹر نمبری 5647 تہذیب 2018-5-10

5- یہ حکم مذکورہ Show cause نہ Suspension آڈر ہے جس سے
 جس سے مسائل کو 24 سال مسلسل عروس کے باوجود 9/10 سال توڑی
 سے تنخواہ سے محروم کر رکھا ہے

6- یہ کہ بوقت غیر حاضری مسائل بوجہ حادثہ E.D.O. اینٹ آباد اور
 پرنسپل گریز G.H.S سکول زیارت محرم اینٹ آباد ٹرانسفر
 کی کاپی Forward شدہ تھی مگر انہوں نے Show cause
 آڈر جاری نہیں کیا

اسدھا صیہ مسائل کو حکم Benefits کے Adjust کیا جائے

قیمت برائے Postal address
 معرفت ملک شمعروز ایڈوکیٹ
 آفس نمبر 2
 ایوب تنوی لاکرز پلازہ 5
 ضلع چکری اینٹ آباد

العارض
 عبدالجلیل ولد محمد امین مینر
 ٹولن محمد تقیم
 cel No. 0336887060
 4-11-2018

No. 61

For Insurance Notices see reverse.
 Stamps affixed except in case of
 uninsured letters of not more than
 the initial weight prescribed in the
 Office Guide or on which no
 acknowledgement is due.

Received a registered
 addressed to

Date Stamp

Write here "letter", "postcard", "packet" or "parcel"
 with the word "insured" before it when necessary.

Initials of Receiver

Insured for Rs. (in figures) (in words)

Insurance fee Rs. Ps. (in words) Weight Kilo Grams

Name and address of sender

6/11/18

کورٹ فیس

وکالت نامہ

بعدالت جناب سروس ٹریبونل ایبٹ آباد
 عنوان: عبدالحمیل بہم گورنمنٹ آف K.P.K وغیر
 منجانب: ایڈوائس
 نوعیت مقدمہ:

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جناب وہی کل کاروائی متعلقہ آن مقام

ایبٹ آباد آباد ملک شمعرون خان - عنوان علی

کو دیکل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کہ مقدمہ کی کل کاروائی کا کمال اختیار ہوگا نیز دیکل صاحب موصوف کو کرنے راضی نامہ و تقریر ٹریبونل فیصلہ بر طرف دینے اقبال دعویٰ اور بصورت دیگر ذکر کرنے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا محکمہ صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقریر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ اتوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بتایا تم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر محکمہ مقرر کردہ میں کوئی جزو بتایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند ہوں گے۔ نیز درخواست براد تجارت ہائش بصیغہ مفلسی کے دائرہ کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

الرقوم: 18-2-2019

بمقام: ایبٹ آباد

Accepted & Altered

عبدالحمیل

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP COURT
ABBOTTABAD

Service Appeal No. 355/2019

Abdul Jamil S/O Muhammad Amin, Ex- Senior Clek GHSS Ziarat Masoom, Tehsil & District Abbottabad
.....
(Appellant)

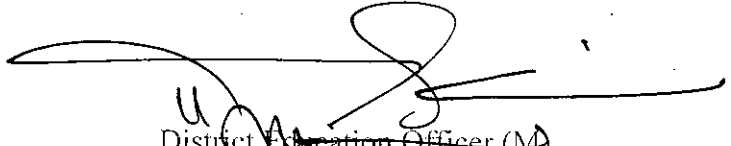
VERSUS

Secretary E&SE Department, Khyber Paktunkhwa & Others..... (Respondents)

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1	Accompanying Para wise Comments & Affidavit.	01 - 04	
2	Copy of transfer order dated 23-12-2009 and relieving chit dated 31-12-2009	05-06	A & B

(Respondent)


District Education Officer (M)
Haripur

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP COURT
ABBOTTABAD

Service Appeal No. 355/2019

Abdul Jamil S/O Muhammad Amin, Ex- Senior Clek GHSS Ziarat Masoom, Tehsil & District Abbottabad
.....
(Appellant)

VERSUS

Secretary E&SE Department, Khyber Paktunkhwa & Others..... (Respondents)

JOINT PARA WISE COMMENTS ON & FOR BEHALF OF RESPONDENTS NO: 1, 2 & 4.

Respectfully Sheweth :-

The Respondents respectfully submit as under:-

PRELIMINARY OBJECTIONS.

1. That the appellant has got no cause of action/locus standi.
2. That the instant Service Appeal is badly time barred.
3. That the appellant has concealed material facts from this Honorable Tribunal.
4. That the instant Service Appeal is based on mala-fide intentions.
5. That the appellant has not come to this Honorable tribunal with clean hands.
6. That the instant Service Appeal is against the prevailing law & rules.
7. That the appellant has been treated as per law, rules & policy.
8. That the appeal is not maintainable in its present form.
9. That the appeal is bad for mis-joinder and non-joinder of the necessary parties.
10. That the instant Service Appeal is barred by law.
11. That the appellant is not competent to file the instant appeal against the Respondents.
12. That the appellant is not entitled for adjustment against the Senior Clerk post w.e.f 01-01-2010 in the Respondent department and his departmental appeal is liable to be rejected being time barred.

REPLY ON FACTS

1. That Para-1, is correct to the extent of his appointment as a "projectionist" in Education Department vide order dated 08-08-1985, and later on his promoyion to post of "Senior clerk" at GHSS Breela District Haripur and thereafter his further transfer from GHSS Breela District Haripur to GHSS Ziarat Masoom, District Abbottabad vide order dated 23-12-2009. It is further explained that in pursuance of his transfer order dated 23-12-2009 he was relieved from his duties from GHSS Breela, Haripur with the clear cut directions to report to Principal GHSS Ziarat Masoom District Abbottabad vide relieving chit dated 31-12-2009. (Copy of transfer order dated 23-12-2009 and relieving chit dated 31-12-2009 are attached as annexure-A&B)
2. That Para "2" does not relate to respondent No. 4, i.e DEO (M) Haripur, hence no Comments.
3. That "3" is mis-represented, the appellant after relieving from District Haripur did not take over the charge of his post in GHSS Ziarat Masoom, District Abbottabad, remaining willful absent for a period of more than one year, but he never submit any kind of application regarding his accident, the stand of the appellant is against the relevant provisions of law, rules & criteria for service adjustment against the said post on the grounds that the appellant was duty bound to report for his taking over charge of the post at his new station at District Abbottabad being properly relieved from District Haripur which he did not.

4. That Para- 4, relates to respondent No. 3, which will be properly replied by the concerned quarter, hence no comments.
5. That Para- 5, also relates to respondent No. 3, which will also be properly replied by the concerned quarter, hence no comments.
6. Incorrect, the application to which reference has been made by the appellant would reveal that it has been submitted through registered post on 06-11-2018 after lapse of about 9 years which could not be justified at the belated stage, knowing the facts that he was directed by the then EDO Abbottabad for approaching the Directorate of E&SE Khyber Pakhtunkhwa, Peshawar vide letter dated 10-05-2011, which is attached at annexure – F, page 37 of the instant service appeal.
7. Incorrect and denied. The appellant in Para "3" of the instant service appeal stated that after recovery, he submitted application in which he requested for adjustment and conversion of absent period to earned leave w.e.f from 01-10-2010 to 15-01-2011, means that the whole matter was in his knowledge, wrong and false assumptions cannot accrued any kind of vested rights for adjustment under the relevant provision of law. Hence, the stand of the appellant is baseless. It is further explained that the appellant was transferred on his own request which is evident from inter District transfer application form and in pursuance of that transfer order dated 23-12-2009 he was properly relieved from GHSS Bareela District Haripur and he remained no more employee after 31-12-2009 in District Haripur.
8. Incorrect after knowing the facts and circumstances of the case, the appellant under which provision of law is submitting Appeal to Director E&SE, on 06-11-2018 for his adjustment & other benefits, after the lapse of about 8 years from his date of knowledge. It is pertinent to mention here that the appellant remained willful absent & left the station without prior sanction of leave from the competent authority hence he is not entitled to be adjusted as senior clerk and the burden of proof lies upon the shoulders of the appellant & not on the respondents.
9. That Para- 9, is misconceived and against the facts, the appellant is not entitled for the relief sought through this service appeal, hence the appeal is liable to be dismissed inter alia on the following amongst other grounds.

REPLY ON GROUNDS:

- a. Incorrect & not admitted. The stand of the appellant is against the relevant provisions of law, rules & criteria for service adjustment against the said post on the grounds that the appellant remained willful absent instead taking over the charge of his post on 01-01-2010 at GHSS Ziarat Masoom, District Abbottabad, as he was timely relieved of his duties from District Haripur on 31-12-2009.
- b. That the instant Para relates to respondent No. 3, which is liable to be replied by the concerned quarter, hence no further comments.
- c. That it is also a matter of fact that when he was directed to approach the Directorate of E&SE, Peshawar, he submitted Departmental appeal on 06-11-2018 after a lapse of more than 8 years, he was duty bound to pursue his case himself or through his agent which he did not.
- d. Incorrect and against the facts, after inquiry report, the appellant was directed to approach the Directorate of E&SE, Peshawar, but very astonishing, he submitted his Departmental appeal on 06-11-2018 after a lapse of more than 8 years, he was duty bound to pursue his case himself or through his agent but he failed to do so.
- e. Incorrect, the appellant is estopped to his own conduct, after inter District transfer dated 23-12-2009 he was properly relieved from GHSS Bareela District Haripur and he remained no more employee after 31-12-2009 in District Haripur, hence the order of respondents is within legal sphere which is liable to be maintained.

- f. Incorrect, the appellant as per his own stand/ plea remained absent and after lapse of more than 01 year submitted application to the respondent No. 3, for service adjustment against the said post on the grounds that the appellant was duty bound to report for his taking over charge of the post at his new station at District Abbottabad being properly relieved from District Haripur but he never submit any kind of application regarding his accident
- g. Incorrect, after relieving from District Haripur he neither report to his new place of posting nor submitted any application regarding his claim of accident with further submissions that he remained no more employee on thee roll of District Haripur.
- h. Incorrect, misconceived and against the facts, the appellant after his inter District transfer was relieved of his duties from District Haripur as senior clerk but he neither took charge at District Abbottabad nor cancelled his transfer back to Haripur, he is neither enrolled in District Haripur as an employee nor in District Abbottabad with further submission that he is required to prove his enrollment as a senior clerk in any of the two Districts.
- i. Incorrect, on the application of appellant, the DEO (M) Abbottabad constituted an inquiry the report of which was duly conveyed to him vide letter dated 10-05-2011, and dated 23-05-2011 vide which he was directed to approach the appellate forum but instead of approaching the concerned forum the appellant remained willful absent for a period more than 8 years as endorsed in his Departmental appeal.
- j. That the answering respondents also seek permission of this Honorable Tribunal to adduce further points and facts at the time of arguments.
- k. Incorrect, the appeal in hand is badly barred by time, hence is liable to be dismissed on this score.

PRAYER:

In the light of above made humble submissions it is humbly prayed that on acceptance of foregoing Para wise comments, the appeal of the appellant may very kindly be dismissed being devoid of merit please.



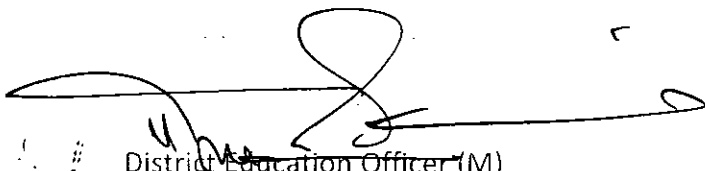
Secretary

Elementary & Secondary Education Department
Khyber Pakhtunkhwa (Being respondent No. 1)



Director (E&SE)

Khyber Pakhtunkhwa, Peshawar.
(Being respondent No. 2)

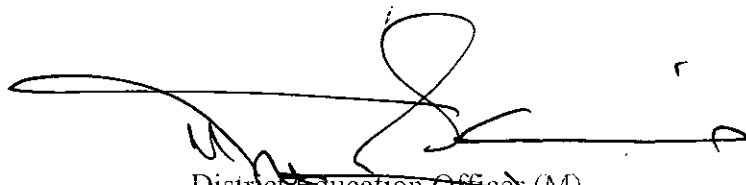


District Education Officer (M)
Haripur (Being respondent No. 3)

VERIFICATION:

Certified that contents of forgoing comments are correct and true according to the best of my knowledge and belief and nothing has been suppressed from this Honorable Tribunal.

Respondents



District Education Officer (M)

Haripur

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP COURT
ABBOTTABAD

Service Appeal No. 355/2019

Abdul Jamil S/O Muhammad Amin, Exst Senior Clek GHSS Ziarat Masoom, Tehsil & District Abbottabad
.....
(Appellant)

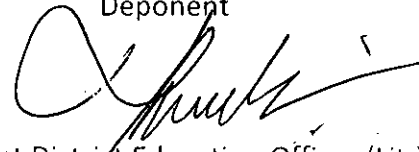
VERSUS

Secretary E&SE Department, Khyber Paktunkhwa & Others..... (Respondents)

AFFIDAVIT

I Mr. Said Badshah Assistant District Officer (Litigation) Haripur do hereby solemnly affirmed and declare that the contents of accompanying Para wise comments on behalf of the respondents are true and correct to the best of my knowledge and belief and nothing has been suppressed/concealed from this Honorable High Court.

Deponent



Assistant District Education Officer (Lit:)

Haripur

CNIC# 16202-0942984-1

11-
Assistant Director (Adm.)
Directorate of Schools
Education, M.A.S. 1958

- 1. Executive Director (Adm.)
- 2. Director of Schools
- 3. Director of Education
- 4. Director of Technical Education
- 5. Director of Vocational Education
- 6. Director of Adult Education
- 7. Director of Distance Education
- 8. Director of Special Education

Approved: _____
Date: 23/12/58

3366-73

4. This report will be determined at the bottom of respective hierarchy that as per original service documents before making the report (copy) concerned are directed to the Director of Schools.

Note: 1. M.A.S. etc. are allowed.
2. Changes report should be submitted to the Director of Schools.

Consequent upon the approval of the report, the Director of Schools (Adm.) is hereby directed to issue a copy of the report to the Director of Schools (Tech.) and the Director of Schools (Voc.) for their respective information.

Handwritten signature and scribbles at the bottom of the page.

Annexure - B

Date Bareela the 31/12/09

40

P-06

RELIEVING CHIT

Reference Assistant Director (Admn) Directorate of Elementary and Secondary Education N.W.F.P Peshawar Edst: No 3366-73/A-23/M.S/ dated 23-12-2009.

Mr Abdul Jamil S/Clerk is hereby relieved Off his duties today on 31-12-2009(After Noon) and directed to report Principal Govt: Higher Secondary School Maseem Abbottabad for further duties.

Note. Official has taken Advance Salary loan from N.B.P Shakra-e-Hazara Branch Haripur (A/No 208668) which is still not clear; So his salary Account can not be transferred to any other Bank or branch till complete recovery.

The Manager said branch informed phonically that

- 2. S/Beek/official will be submitted after Sanction of M/Leave from Executive District Officer (E&S) Education Haripur.
- 3. Certificate transfer of charge certified that we have on the after Noon of this day respectively made over and received charge of this Office of the Senior clerk GHSS Bareela Haripur.
- 2. Particulars of cash and important secret and confidential document handed over are noted on the revers. Name ;Signature and Designation of relieved Government servant. Abdul Jamil S/Clerk. *[Signature]*
Name;Signature and Designation relieving Government servant. Muhammad Shakeel J/Clerk. *[Signature]*

- 1. C. to:- 1. Executive District Officer (E&S) Education HARIPUR.
- 2. Executive District Officer (E&S) Education Abbottabad.
- 3. Principal GHSS Maseem Abbottabad.
- 4. District Account Officer Abbottabad *[Signature]*

I/C <i>[Signature]</i> Principal GHSS Bareela H A R I P U R	D.D.O <i>[Signature]</i> Principal GHSS Bareela H A R I P U R
--	--

Principal
Govt. Higher Secondary Head Master
School Bareela Haripur
Govt: High School
Pind Gulran (Haripur)

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD**

Service Appeal No. 355/2019

Abdul Jamil.....Appellant

VERSUS

Government of Khyber Pakhtunkhwa & OthersRespondents

PRESENT STATUS OF SERVICE OF APPELLANT

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1	Reply alongwith affidavit.	01 to 02	
2	Copy of report of Principal	03	"A"

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD**

Service Appeal No. 355/2019

Abdul Jamil.....Appellant

VERSUS

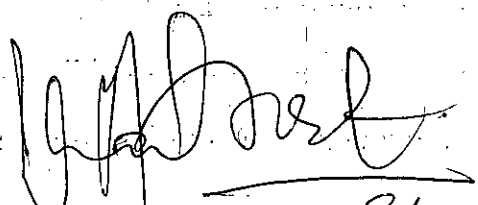
Government of Khyber Pakhtunkhwa & OthersRespondents

PRESENT STATUS OF SERVICE OF APPELLANT

Respectfully Sheweth:-

1. That the above appeal is pending for adjudication before this Honourable Tribunal and today date is fixed.
2. That this Honourable Tribunal directed vide order dated 21-10-2019 to respondents for submission of reply regarding the present status of service of appellant.
3. That as per report of Principal GHSS Ziarat Masoom, Abbottabad dated 16-03-2020 there is no record of appellant regarding his attendance in the said school. Furthermore, appellant himself annexed a document as **Annexure "F" page No. 37** with his service appeal issued by EDO vide Memo No. 5657 dated 10-05-2011 which was addressed to appellant with the remarks that an inquiry was conducted by Principal GHS No. 4 Abbottabad and appellant did not comply with the orders and did not take over charge at GHSS Ziarat Masoom District Abbottabad with reference to adjustment order No. 3366-73 dated 23-12-2009 issued by Directorate E&SE Khyber Pakhtunkhwa Peshawar and he was intimated that his application was not entertainable and further directed to approach EDO E&SE Haripur. (Copy of report of Principal GHSS Ziarat Masoom attached).

Hence, requisite status of the appellant regarding his service is submitted and respectfully requested that the appeal in hand may please be dismissed.


DISTRICT EDUCATION OFFICER
ABBOTTABAD
(Respondent No. 3)

08/11/2021

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD

Service Appeal No. 355/2019

Abdul Jamil.....Appellant

VERSUS

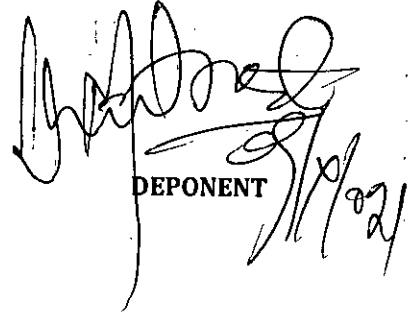
Government of Khyber Pakhtunkhwa & OthersRespondents

PRESENT STATUS OF SERVICE OF APPELLANT

AFFIDAVIT

~~BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD~~
I, Mr. Muhammad Shaukat, District Education Officer (M)

Abbottabad, do hereby affirm and declared that contents of forgoing reply are correct and true according to the best of my knowledge and belief and nothing has been suppressed from this Honorable Tribunal.


DEPONENT

The District Education Officer (A)

Abbottabad

Ann "A"
03

Mr. Abdul Jalil S/ clerk

In response to telephonic enquiry

concerning to Mr. Abdul Jalil S/ clerk it

is stated that no document is found
related to this official in the record
of this school nor he has even made
his presence in any of the attendance
registers of the related period

regards

[Signature]

16/3/2000

Principal
GHSS Ziarat Masoom
Abbottabad

BEFORE THE SERVICE TRIBUNAL OF KP PESHAWAR.

SERVICE APPEAL NO 355 OF 2019.

ABDUL JAMEEL

VS

GOVT OF KP, ETC.

Subject: Application for early hearing.

Respectfully Sheweth

- 1). That my subjected title service appeal is pending before the honourable tribunal since the year 2019.
- 2). That now the case has been fixed for arguments on 19th, March 2022.
- 3). That due to some unavoidable family reasons I have to travel abroad during the month of March 2022.

You are therefore humbly requested to fix said case for hearing in Abbottabad during current month if possible or in Peshawar if in case not possible at Abbottabad.



Abdul Jameel S/O Muhammad Amin

Abbottabad

*Allowed
Be fixed in coming
row of camp court
Abbottabad.*

07/1/2022

18/01/22