


FORM OF ORDER SHEET

Court of _____

Appeal No. 162/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	18/01/2024	<p>The appeal of Mr. Hashmat Ali presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ . Pareha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal NO. 162-P/2024

HASHMAT ALI

VS

EDUCATION DEPARTMENT

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APPELLANT

THROUGH:


NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

-1-

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

APPEAL No. 162/2024

Mr. Hashmat Ali Ex CT
GHS Pakha Ghulam, Peshawar..... **APPELLANT**

VERSUS

- 1- The Secretary to Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department Peshawar
- 2- The Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer(Male), Education Department, Peshawar

..... **Respondents**

**APPEAL UNDER SECTION- 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 READ
WITH 12(2) CPC AGAINST THE IMPUGNED ORDER OF
DISMISSAL DATED 01/03/2011 AND INACTION OF THE
RESPONDENTS BY NOT REINSTATING THE APPELLANT AS
CT TEACHER (BPS-16) W.E.F. THE DATE OF DISMISSAL
FROM SERVICE I.E. 01/03/2011 WITH ALL BACK AND
CONSEQUENTIAL BENEFITS AND AGAINST NOT
RESPONDING TO THE DEPARTMENTAL APPEAL OF THE
APPELLANT DESPITE OF STIPULATED PERIOD**

PRAYER:

On acceptance of this appeal the impugned order dated 01/03/2011 may be set aside and the respondents may please be directed to reinstate the appellant as CT (BPS-16) with effect from the date of dismissal i.e. 01/03/2011 with all back and consequential benefits. Any other relief which this august tribunal may deems fit may also be awarded in favour of the appellant.

R/SHEWETH:

ON FACTS:

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

- 1- That the appellant being a qualified person was appointed as PST(BPS-07) in Elementary & Secondary Education Department Khyber Pakhtunkhwa and was posted in Government Primary

School Garhi Hamza Peshawar. Copy of appointment order dated 13/01/2017 is attached as annexure.....**A**

2- That while serving as PST, the respondents have advertised certain posts of CT (BPS-16) and the appellant being eligible for the same has applied for vide an application form bearing No.0068 duly filled in and signed by the appellant and the Principal. That the application after being verified by the department was entertained by the respondents Copy of verified form bearing No.0068 is attached as annexure.....**B**

3- That after scrutinizing the application form alongwith educational credentials the same was entertained by the respondents and consequently the appellant was appointed as CT (BPS-16). Copy of appointment order as CT dated 04-05-2009 is attached as annexure.....**C**

4- That the appellant while serving as CT was abruptly and unilaterally dismissed from service on the alleged charge of bogus/forged documents with his application. Copy of dismissal order dated 01/03/2011 is attached as annexure.....**D**

5- That the appellant being aggrieved from the impugned order of dismissal filed a Service Appeal in the Khyber Pakhtunkhwa Tribunal Peshawar which was accordingly accepted by the Tribunal in favour of the appellant in the terms as under:-

"The appellant has also expressed that he neither received any show cause notice nor submitted any reply to the same and that he has fallen prey to some collusion. Consequently, the impugned order based on this enquiry report, is also infirm and vulnerable, which cannot be maintained. Resultantly, the same is set aside. The department can resort to enquiry denovo. Back benefits of the appellant for the interval be also decided by the department. The appellant is reinstated into service for the purpose of enquiry. The appeal is disposed off accordingly "

Copy of service appeal and judgment of the Tribunal dated 01/12/2015 are attached as annexure.....**E & F**

6- That the respondents being aggrieved from the above judgment of the Services Tribunal filed CPLA in the august Supreme Court of Pakistan Islamabad annexing an irrelevant application form bearing No.1003 with the contention that the appellant has sent bogus documents to the department. Copy of CPLA and application form bearing No.1003 are attached as annexure.....**G&H**

7- That in the meanwhile the respondents has simultaneously taken up the case with the Anti-corruption department for a

probe with ultimate registration of a criminal case against the appellant however, the respondents failed to substantiate the charges against the appellant. Copy of the Inquiry report dated 20-11-2017 is attached as annexure.....I

- 8- That while concealing the inquiry report of the Anti-corruption Department, the respondents filed CPLA in the august Supreme Court of Pakistan which was accordingly succeeded against the appellant merely on technical ground. That the august court held as under:-

"3. Learned counsel for the respondent alongwith respondent who appeared in person when confronted the stance taken by the petitioner and he was specifically asked if at all document are found fake and or forged the matter may be referred for criminal prosecution, he does not contest. In view of the matter in case where inquiries based on authenticated record and documents which are not disputed and or denied there is no need to carry out regular inquiry as has been held by the learned Tribunal . Accordingly, we would convert this petition into appeal and allowed the same".

Copy of the verdict of august court dated 19-01-2018 is attached as annexure.....J

- 9- That later on, when all the process was almost completed and this whole episode has got finality, it was learnt to the appellant from the Anti-corruption department that no case was made against the appellant.
- 10- That it is on record that due to serious illness of the appellant, the appellant could not get an authenticated attested copy of the Anti-corruption inquiry, as the same was kept confidential from the appellant
- 11- That on constant contacts, a single page attested inquiry report having the wordings "inquiry filed" was received from the Anticorruption department. Copy of attested one page inquiry report received on 18/09/2023 is attached as annexure.....K
- 12- That from the bare reading of the inquiry report it transpired that the appellant has been exonerated from the charges leveled against him by the Anti-corruption department so fresh and new cause of action accrued to the appellant has submitted a departmental appeal to the department for reinstatement in service with all back benefits but after lapse of stipulated period no response has been received from the department. Copy of

departmental appeal dated 20-09-2023 is attached as annexure.....L

- 13- That appellant feeling aggrieved from the inaction of the respondents filed the instant appeal on the grounds inter alia as under :-

G R O U N D S

- A. That the inaction of the respondents by not reinstating the appellant against the CT(BPS-16) post with all back benefits is against the law , facts and norms of natural justice .
- B. That the respondents has erred not to submit the original application form bearing No.0068(duly signed by the appellant and principal and verified) in the august court instead presenting an irrelevant application form bearing No.1003 with CPLA.
- C. That the respondents should have submitted the objectionable application form bearing No.0736 in the superior court, thus the department has attempted to misguide the august court by concealing the facts and has thus committed forgery.
- D. That the respondents have put the appellant in jeopardy as on one hand filed CPLA and on the other hand have taken up the case with Anti-corruption for lodging a criminal case for one and same case which is unwarranted by the law on the subject and against the constitution.
- E. That though it was in the knowledge of the respondents that the case for lodging a criminal case against the appellant has already been badly failed and the appellant has been declared innocent as the allegations are baseless, even then the respondents were reluctant to bring this fact in the notice of august court or even finalization of CPLA remained hostile not reinstated the appellant on the basis of inquiry report.
- F. That the respondents with malafide intention has not conveyed inquiry report to the appellant probably for the sole reason that the appellant may not get benefits of reinstatement being a fresh and new cause of action.
- G. That it is too astonishing that the respondents have once acting upon the orders of the Service Tribunal regarding conducting of denovo inquiry has reinstated the appellant in service but abruptly withdrawn the order of reinstatement and filed CPLA in the august court as such the respondents have not committed

omission but also have did commission which is against the norms of justice and fair play. Copies of reinstatement order dated 2-11-2016 and withdrawal order dated 29-03-2017 are attached as annexure.....**M&N**

- H. That the appellant has not been treated by the responding departments in accordance with law and rules on the subject noted above and as such, the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- I. That the inaction of the respondents is without any authority, discriminatory and is clear violation of fundamental rights duly conferred by the constitution and is liable to be declared as null and void
- J. That as the inaction of the respondents is illegal, unconstitutional without any legal authority and not only discriminatory but is also the result of mala fide on the part of respondents.
- K. That appellant has vested right of equal treatment before law and the act of respondents to deprive the appellant from the service is unconstitutional and clear violation of fundamental rights.
- L. That according to Article 38-E of the Constitution of Islamic Republic of Pakistan 1973 the state is bound to reduce disparity in the income and earning of the individual including persons in the services of the federation, therefore in light of the said article, the appellant deserves to be reinstated in service with all back and consequential benefits.
- M. That in the appointment order as CT it is mentioned in its terms and conditions that if the documents of a candidate are found bogus, the person will be demoted to PST.
- N. That besides it is mentioned in the departmental inquiry report conducted by Hizer Hayat Subject Specialist (Maths) GHSS Musazai Peshawar that on the basis of forged documents the appellant be demoted to PST. Copy of inquiry report is attached as annexure.....**O**
- O. That the superior courts have acknowledged a set range of principles with the dicta termed as pre-conceived idea wherein it is ordained that *"Every person is presumed to be innocent unless proven guilty- person though involved in criminal case if acquitted was to be considered as a person against whom no case was ever registered."*

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- P. That it is too astonishing that the respondents in the first instance i.e. the Service Tribunal has presented an objectionable application form No.0736 attributing it with the appellant however, the same was not submitted in the august court with CPLA instead showed an irrelevant form bearing No.1003. Copy of objectionable form No 0736 is attached as annexure.....P
- Q. That the outcome of subsequent acquittal has created fresh cause of action to the appellant. The Supreme Court of Pakistan has allowed 2nd and subsequent appeal to the Service Tribunal in the circumstances. In addition, as a fundamental principle of law all judgments and orders obtained through fraud and misrepresentations are always open for correction by the same forum passing the impugned judgment or order.
- R. That the appellant seeks the permission of this Honorable court to raise any other ground available at the time of arguments.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for in the prayer of appeal .Any other remedy which this Hon'ble Tribunal may deems fit may kindly be granted.

THROUGH:


APPELLANT

NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT


UMAR FAROOQ MOHMAND


MUZZAMMIL KHAN


WALEED ADNAN


MEHMOOD JAN


KHANZAD GUL
ADVOCATES HIGH COURT

AFFIDAVIT

I, Mr. Hashmat Ali Ex CT GHS Pakha Ghulam, Peshawar do hereby solemnly affirm on oath that the contents of the above appeal are true and correct to the best of my knowledge and believe and nothing has been concealed from this Honorable Tribunal.


DEPONENT

OFFICE OF THE EXECUTIVE DISTRICT OFFICER SCHOOLS & LITERACY PESHAWAR

APPOINTMENT :-

Consequent upon the selection by the Departmental selection committee following PST (PTC)-trained Male candidates are hereby appointed on regular basis in BPS-07 (Rs.2555-140-6755) plus usual allowances as admissible under the rules from the date of their joining over charge in the school noted against each their name on the following terms and condition :-

OPEN MALE 25%							
S.NO.	APPL. NO.	NAME, FATHER' NAME AND ADDRESS.	POSITIO N IN UC	D/O BIRTH	TOTAL SCORE	POSTED AT	REMARKS.
1	466	Haseeb Nawaz S/O Nisar Mohammad r/o Moh: Katta Kehel Vill & PO Suleman Khel PO Badaber Peshawar	1	23/3/1986	62.11	GPS SHAHAB KHEL	Against New/y post
2	501	Ejaz Ahmad Khan Khall S/O Murtaz Ahmad Khan Khall r/o Palosi Atozai PO University of Peshawar	2	3/11/1978	61.67	GPS PAF SHAHEEN CAMP	Against New/y post
3	1032	Hafizur Rehman S/O Khalil ur Rehman r/o Moh: Babra Ghari Umar Miana Peshawar.	3	1/9/1983	61.11	GPS Ghari Khewa Gul	Against New/y post
4	736	Rehmat Gul S/O Akhtar Gul r/o O/S Yakatoot Moh: Sheikh Amir Abad Col: Peshawar.	4	16/2/1979	60.69	GPS WAZIR BAGH PESH NO.1	Against New/y post
5	55	Masood Ahmad S/O Sultan Mohammad r/o Moh: New Ghari St: # 2 Bakshi Pull Chd Rd Pesh:	5	15/9/1974	60.13	GPS LARAMA	Against New/y post
6	314	Imran Khan S/O Mohammad Nawaz r/o H.# T-1800 School St: # 4 PO Ashrafia Col: Pesh:	6	18/2/1984	60.01	GPS AFGHAN COLONY NO.1	Against New/y post
7	798	Ibrar Ahmad S/O Mohammad Chaman r/o Vill: Pulwar Payan PO Mathra Peshawar	7	15/4/1974	59.99	GPS NEEZAWARI	Against New/y post
8	965	Ghulam Hussain S/O Ghulam Mohammad r/o Village Ghari Hamza Nehaqi Peshawar.	8	10/1/1972	59.89	GPS GARHI HAMZA	Against New/y post

OFFICE OF THE EXECUTIVE DISTRICT OFFICER SCHOOL & LITERACY
PESHAWAR.

APPOINTMENT

Consequent upon selection by the Departmental Selection Committee, the following PST(PTC) trained Male candidates are hereby appointed on regular basis in BPS 07 (Rs. 2555-140-6755) plus usual allowance as admissible under the rules from the date of their taking over charge in the school noted each their name on the following terms and conditions.

Open Male 25%

S. No	Appis No	Name, father name & address	Position in UC	D/o Birth	Total Score	Posted at	Remarks
1)	456	Haseeb Nawaz S/o Nisar Mohammad R/o Moh: Katla Kehel Village & P/o Suleman Khel P.o Badaber Peshawar	1	23/03/1986	62.11	GPS Shhab Khel	Against newly post
2)	501	Ejad Ahmad Khan Khalil S/o Mumtaz Ahmad Khan Khalil R/o Palosi Atozai P/o University of Peshawar	2	03/11/1978	61.67	GPS PAF Shaheen Camp	Against newly post
3)	1032	Hafiz Ur Rehman S/o Khalil Ur Rehamn R/o Moh: Babra Ghari, Urnar Miana, Peshawar	3	01/09/1983	61.11	GPS Ghari Khewa Gul	Against newly post
4)	736	Rehmat Gul S/o Akhtar Gul R/o O/s Yakatoot Moh: Sheikh Amir Abad, Col: Peshawar	4	16/02/1979	60.69	GPS Wazir Bagh Peshawar No 1	Against newly post
5)	55	Masood Ahmad S/o Sultan Muhammad R/o Moh: New Ghari St: No 2, Bakshi Pull, Chd: Road, Pesh:	5	15/09/1974	60.13	GPS Larama	Against newly post
6)	314	Imran Khan S/o Muhammad Nawaz R/o HNo T-1800, School St# 4 p/o Ashrafia Col: Peshawar	6	18/02/1984	60.01	GPS Afghan Colony No 1	Against newly post
7)	798	Ibrar Ahmad S/o Mohammad Chaman R/o Vill: Putwar Payan, P/o Mathra Peshawar	7	15/04/1974	59.99	GPS Neezawari	Against newly post
8)	965	Ghulam Hussain S/o Ghulam Muhammad R/o Village Ghari Hamza Nahaqi Peshawar	8	10/01/1972	59.89	GPS Hamza Garhi	Against newly post

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Appointment Male

APPL. NO.	NAME, FATHER NAME AND ADDRESS.	POSITION IN UC	D/O BIRTH	TOTAL SCORE	POSTED AT	REMARKS.
9	132 Rashid Ali S/O Mumtaz Ahmad r/o Village & PO Gulbala Peshawar.	9	1/4/1983	59.46	GPS KARARI	Against Newly post
10	293 Mohammad Afzal S/O Mohammad Gul r/o Moh. Bazar Ghari Mochian Chamkani Peshawar.	10	2/4/1979	59.09	GPS QADEEM KALAY	Against Newly post
11	903 Moheemau Abdul S/O Phull Khan r/o Vill. & PO Umar Mianga Peshawar	11	10/4/1983	58.94	GPS Khan Wall	Against Vacant post
12	1069/A & 270 Wajidullah S/O Nazir Ullah r/o Village & PO Chingli Kandar Khel Pesh.	12	15/1/1982	58.70	GPS CHOLY BALA	Against Newly post
13	3 Saqibullah S/O Fazal Akbar r/o Tehkal Payan Moh. Daud Zai Peshawar	13	3/1/1982	58.58	GPS Sangu No.2	Against Newly post
14	378 Saqib Noor S/O Hayat Noor r/o Moh. Chaga Khel Chamkani Peshawar.	14	14/8/1976	58.42	GPS SHAHAB KHEL	Against Newly post
15	755 Amin Bahadur S/O Syed Bahadur r/o Garhi Chandah Umar Bala Peshawar	15	1/1/1984	58.38	GPS GARHI FAZULLAH NO.1	Against Newly post
16	763 Khalif Ullah S/O Saif Karim r/o Vill. & PO Gul Bela Peshawar.	16	13/4/1983	58.37	GPS CHOLY BALA	Against Newly post
17	400 Nisar Ali S/O Syed Jamal Shah r/o Fatha Killi PO Hindu Kassi Warsak RU Peshawar.	17	28/1/1980	58.06	GPS HAKIM KHAN KILLI	Against Newly post
18	955 Nawab Khan S/O Nasrullah Khan r/o Vill. Karari PO Gul Bala Peshawar.	18	25/8/1976	57.95	GPS Umar Bala No.1	Against Newly post
19	244/A Amjad Ali S/O Javed Ahmad r/o Vill. & PO Tehkal Bala Peshawar	19	10/12/1980	57.92	GPS REGI LALAM NO.1	Against Newly post
20	585 Zahidullah S/O Abdul Latif r/o Vill. & PO Budhai Peshawar	20	5/1/1980	57.80	GPS KANKOLA	Against Newly post
21	470 Syed Jafar Shah S/O Syed Abdul Rauf Shah r/o Vill. & PO Dalazak Peshawar	21	8/7/1977	57.60	GPS AHMED KHEL NO.3	Against Newly post

9)	132	Rashid Ali S/o Mumtaz Ahmad R/o Village & P/o Gbala, Peshawar	9	01/04/1983	59.46	GPS Karai	Against newly post
10)	293	Mohammad Afzal S/o Mohammad Gul R/o Moh Bazar Ghari, Mohallah Chamkani Peshawar	10	02/04/1979	59.09	GOS Qadeem Kalay	Against newly post
11)	903	Mohammad Abid s/o Phull Khan R/o Village & P/o Urmar Miana Peshawar	11	10/04/1983	58.94	GPS Choly Bala	Against newly post
12)	169/A 270	Walid Ullah S/o Nazir Ullah R/o Village & P/o Ghalgi Kandar Khandar Khel, Peshawar	12	15/01/1982	58.70	GPS Sangu No 2	Against newly post
13)	3	Sana Ullah S/o Fazal Akbar R/o Tehkal Payan, Moh: Daud Zai, Peshawar	13	03/01/1982	68.58	GOS Shahab Khel	Against newly post
14)	378	Saqib Noor S/o Hayat Noor R/o Moh: Chaga Khel, Chamkani Peshawar	14	14/08/1976	58.42	GPS Garhi Faiz Ullah No 1	Against newly post
15)	755	Aminr Bahadar S/o Syed Bahadr R/o Ghari Chandan Urmar Bala, Peshawar	15	01/01/1984	58.39	GPS Choly Bala	Against newly post
16)	763	Khalil Ullah S/o Said Karim R/o Village & P/o Gul Bela Peshawar	16	13/04/1983	58.37	GPs Hakim Khan Killi	Against newly post
17)	400	Nisar Ali S/o Syed Jamal Shah R/o Patha Kalli P/o Hindu Kassi Warsak Road, Peshawar	17	28/01/1980	58.06	GPS Urmar Bala NO-1	Against newly post
18)	955	Nawab Khan S/o Nasrullah Khan R/o Vill: Karai P/o Gul Bela Peshawar	18	25/08/1976	57.95	GPS Urmar Bala NO 1	Against newly post
19)	244/A	Amjid Ali S/o Javed Ahmad R/o Vill: & P/o Tehkal Bala, Peshawar	19	10/12/1980	57.92	GPS Regi Lalma NO 1	Against newly post
20)	585	Zahid Ullah S/o Abdul Latif R/o Vill: & P/o Budhi Peshawar	20	05/01/1980	58.80	GPS Kankola	Against newly post
21)	585 470	Syed Jafar Shah S/o Syed Abdul Rauf Shah R/o Vill: & P/o Dalazak Road, Peshawar	21	08/07/1977	57.60	Gs Ahmad Khel No 3	Against newly post

S.NO.	APPL. NO.	NAME FATHER' NAME AND ADDRESS.	POSITIO N IN UC	D/O BIRTH	TOTAL SCORE	POSTED AT	RE. AKRS.
111	704	Sayyar Mohammad S/O Guli Mohammad r/o Moh: Bosat Khel VIII: Mera Surzai PO Musazai Peshawar	8	1/3/1985	46.27	GPS Ghari Ezzat Khan	Against: Vacant post
112	611	Sikandar Hayat S/O Dawer Khan r/o Moh: Khan Khel Surzai Bala Peshawar	9	5/12/1973	40.01	GPS Ghari Ghulam Shah	Against: Newly post
113	34	Roz Ali Khan S/O Islam Sher r/o Moh Enzarai VIII Telaband Distt: Peshawar	10	3/1/1985	39.80	GPS Ghari Ghulam Shah	Against: Newly post

71-KANKOLA

114	66	Syed Masaud Shah S/O Said Ali Shah r/o Village Kukar Bakshi Pull Pesh:	1	15/8/1978	51.60	GPS KANKOLA	Against: Newly post
115	179	Syed Amin Ali Shah S/O Syed Zafar Ali Shah r/o Kukar PO Pakha Ghulam Peshawar.	2	2/9/1981	49.03	GPS KANKOLA	Against: Newly post
116	963	Mohammad Ishtiaq S/O Abdul Jalil r/o Vill Kukar PO Bakshi Pul Charsadda Road Peshawar	3	1/6/1977	48.71	GPS KANKOLA	Against: Newly post
117	264	Mohammad Khaliq S/O Sulman r/o Village Kukar PO Bakshi Pull Pesh:	4	12/4/1981	46.88	GPS Daman Hindki	Against: Vacant post
118	466	Syed Suleman Shah S/O Syed Muhayud Din r/o Vill: & PO Samar Bagh Peshawar	5	7/4/1977	46.70	GPS KANKOLA	Against: Vacant post

72-NAHAQI

119	166	Hashmat Ali S/O Abdus Subhan r/o Village & PO Mian Gujar Peshawar.	1	1/3/1976	100	GPS GARHI HAMZA	Against: Newly post
120	27	Mirzaan Ullah S/O Kifayat Ullah r/o Vill & PO Mian Gujar Distt: Peshawar	2	1/8/1981	53.93	GPS Takhtabad	Against: Newly post

S. No	Appls No	Name, father name & address	Position in UC	D/o Birth	Total Score	Posted at	Remarks
111	704	Sayyar Mohammad S/o Gul Muhammad R/o Moh: Bosat Khel, Vill: Mera Surizai P/o Musazai Peshawar	8	01/03/1985	46.27	GPS Ghari Ezzat Khan	Against newly post
112	611	Sikandar Hayat S/o Dawer Khan R/o Moh: Khan Khel Surizi Bala, Peshawar	9	05/12/1973	40.01	GPS Ghari Ghulam Shah	Against newly post
113	34	Roz Ali Khan S/o Islam Sheri R/o Moh: Enzarai Vill: Talband District Peshawar	10	03/01/1985	39.80	GPS Ghari Ghulam Shah	Against newly post
71 Kankola							
114	66	Syd Masaud Shah S/o Said Ali Shah R/o Village Kukar Bakshi Pull Peshawar	1	15/08/1978	51.60	GPS Kankola	Against newly post
115	179	Syed Amin Ali Shah S/o Syed Zafar Ali Shah R/o Kukar P/o Pakha Ghulam Peshawar	2	02/09/1981	49.03	GPs Kankola	Against newly post
116	963	Mohammad Ishtiaq S/o Abdul Jalil R/o Vill: Kukar P/o Bakshi Pull Charsadda Road, Peshawar	3	01/06/1977	48.71	GPS Kankola	Against newly post
117	264	Mohammad Khaliq S/o Sulman R/o Village Kukar P/o Bakshi Pull Peshawar	4	12/04/1981	46.88	GOS Daman Hindki	Against newly post
118	466	Syed Suleman Shah S/o Syed Muhayud Din R/o Vill: & P/o Samar Bagh Peshawar	5	07/04/1977	46.70	GPS Kankola	Against newly post
72 NAHQI							
119	166	Hasmat Ali S/o Abdus Subhan R/o Village & P/o Mian Gujar Peshawar	1	01/03/1976	64.00	GPS Kankola	Against newly post
120	27	Misbah Ullah S/o Kifayat Ullah R/o Village & P/o Mian Guajr Peshawar	2	01/08/1981	53.93	GPS Ghari Hamza	Against newly post

Appointment Male

S.NO	APPL. NO.	NAME, FATHER NAME AND ADDRESS	POSITION IN UC	D/O BIRTH	TOTAL SCORE	POSTED AT	REMARKS
121	244	Mohammad Iqbal S/O Mohammad Jamal r/o Vill & PO Miran Gujar Peshawar	3	10/3/1976	53.84	GPS Takhtabad	Against Newly post
122	499	Mohammad Iqbal S/O Ziaurat Gul r/o Kherka Daud Zal PO Nahaji Peshawar	4	5/1/1982	53.32	GPS Takhtabad	Against Newly post
123	805	Shahenshah S/O Bukhari Shah r/o Vill. Daman Afghan PO Nahaji Peshawar	5	20/8/1981	53.29	GPS Jala Bela	Against Newly post
73-GUL BELA							
124	677	Sahadullah S/O Habibullah Khan r/o Gulbala Peshawar	5	20/1/1975	53.84	GPS KARARI	Against Vacant post
125	981	Humayun S/O Dilwar Khan r/o Gulbala Pesh.	6	31/8/1979	51.04	GPS KARARI	Against Newly post
126	144	Iftikhar Ahmad S/O Awal Khan r/o Village Naguman Peshawar	7	6/1/1972	50.33	GPS KARARI	Against Newly post
127	174	Shakrullah S/O Gul Foor r/o Village Ghan Abdul Samad Naguman PO Nahaji Peshawar	8	2/1/1976	49.68	GPS KARARI	Against Newly post
74-KHATKI							
128	11	Ahmad Ullah S/O Asadur Rehman r/o Vill. Mamur Khatki Distt. Peshawar	1	13/6/1974	52.09	GPS BELA BARMED KHEL NO.2	Against Newly post
129	789	Mohammad Sabir S/O Mohammad Said r/o Vill. Mamur Khatki Peshawar	2	11/1/1974	50.21	GPS Qilla Abdul Jalil	Against Vacant post
75-TAKHTABAD							
130	532	Saleem Khan S/O Alchiar Jan r/o Vill. Takht Abad Awal Moh. Ghani Rehman Killi PO Nahaji Peshawar	2	1/2/1976	55.03	GPS JATTI BALA NO.1	Against Newly post
131	786	Mohammad Rafiq S/O Hassan Saeed r/o Takhta Abad Awal Peshawar	3	5/3/1977	54.65	GPS Takhta Bad Awal	Against Vacant post
77-HARYANA							

S. No	Appls No	Name, father name & address	Position in UC	D/o Birth	Total Score	Posted at	Remarks
121	244	Mohammad Iqbal S/o Mohammad Jamal R/o Vill: & P/o Mian Gujar Peshawar	3	10/03/1976	53.84	GPS Takht Abad	Against newly post
122	499	Mohammad Iqbal S/o Ziarat Gul R/o Kharka Daud Zai P/o Nahqi Peshawar	4	05/01/1982	53.32	GPS Takht Abad	Against newly post
123	805	Shahenshah S/o Bukhari Shah R/o Vill: Daman Afghani P/o Nahqi Peshawar	5	20/08/1981	53.29	GSP Jala Bela	Against newly post
73 Gul Bela							
124	677	Sahad Ullah S/o Habib Ullah Khan R/o Gulbela Peshawar	5	20/01/1975	53.84	GPS Karari	Against newly post
125	981	Humayun S/o Dilawar Khan R/o Gulbela Peshawar	6	31/08/1979	51.04	GPS Karari	Against newly post
126	144	Iftikhar Ahmad S/o Awal Khan r/o Village Naguman Peshawar	7	06/01/1792	50.38	GPS Karari	Against newly post
127	174	Shakir Ullah S/o Gul Foor R/o Village GHari Abdul Samad Naguman P/o Nahqi Peshawar	8	02/01/1976	49.68	GPS Karari	Against newly post
74 Khatki							
128	11	Ahmad Ullah S/o Aziz Ur Rehman R/o Vill: Mamun Khatki District Peshawar	1	13/08/1974	52.09	GPS Bela Baramed Khel No 2	Against newly post
129	789	Mohammad Shabir S/o Mohammad Said R/o Vill: Mamoon Khataki Peshawar	2	11/01/1974	50.81	GPS Qilla Abdul Jalil	Against newly post
75 Takht Abad							
130	532	Saleem Khan S/o Akhtar Jan R/o Vill: Takht Abad Awal Moh: Ghani Rehman Killi, P/o Nahqi Peshawar	2	01/05/1976	55.03	GPS Jatti Bala No 1	Against newly post
131	766	Mohammad Rafiq S/o Haseen Saeed R/o Takht Abad Awal Peshawar	3	05/03/1977	54.65	GPS Takht Abad Awal	Against newly post
77 Haryana							

S. NO. APPL. NO. NAME/FATHER NAME AND ADDRESS.

POSITIO N IN UC D/O BIRTH

TOTAL SCORE

POSTED AT

REMARKS

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10-

176	1066	Nawal Ali S/O Ghulam Nabi r/o VIII, Achin Bala Pesh.	PO Pesh. University	2	10/11/79	18.03	GPS Mera Achin Bala No. 2	Against Vacant post
177	1063	Rahat Khan S/O Warsis Khan r/o Haji Banda PO University Peshawar.	University Peshawar.				GPS Mera Achin Bala No. 2	Against Vacant post
178	915	Mohammad Zahoor Khan S/O Altes Khan r/o VIII & PO Achin Bala Peshawar.			5/07/80	10.93	GPS Mera Achin Bala No. 2	Against Newly post
179	1068	Khalique Zaman S/O Shah Zaman r/o Niche Kandy Payan Village Achin Payan Pesh.		5	2/21/75	43.82	GPS Sangu Landi Bala	Against Vacant post

2-MERA KACHORI

180	173	Siaud Din S/O Miranud Din r/o Maroge, Jhagra PO Tarnab Form Peshawar.		1	17/11/55	55.07	GPS QADEM KALAY	Against Newly post
181	633	Mikram Shah S/O Amir Shah r/o Moh. Bala Chahi Vill. Mera Kachori PO Tarnab Form Peshawar.		2	20/01/55	50.57	GPS QADEM KALAY	Against Newly post
182	176	Israr Hussain S/O Zohui Jabbar r/o Village Joghon PO Tarnab Form Pesh.		3	1/2/1976	49.63	GPS QADEM KALAY	Against Newly post

SABLE 2%

473		Nabem Ahmad S/O Faqir Garhi Fazal PO Habibi in Rehman Vill. Faqir Killi Peshawar.		1	15/01/77	50.81	GPS Larama	Against Newly post
2418		Laud Jan S/O Sardar Khan r/o Fandu Payan Peshawar.					GPS Nachapa	Against Newly post
698 & 699		Iran Ullah S/O Wahed Ullah r/o VIII & PO Gilozai Peshawar.					GPS Ghari	Against Newly post
104 & 106		Syed Fahim Shah S/O Syed Zahir Shah r/o Jatti Daudai Peshawar.		7	11/2/1976	44.67	GPS Nachapa	Against Newly post

S. No	Appls No	Name, father name & address	Position in UC	D/o Birth	Total Score	Posted at	Remarks
176	1066	Nawab Ali S/o Ghulam Nabi R/o Vill: Achni Bala P/o Pesh: University Peshawar	2	13/01/1979	48.83	GPS Mera Achni Bala No 2	Against newly post
177	1063	Rahat Khan S/o Warsis Khan R/o Haji Banda P/o University Peshawar	3	05/06/1980	46.93	GPS Mera Achni Bala No 2	Against newly post
178	915	Mohammad Zahoor Khan S/o Atlas Khan R/o Vill: & P/o Achini Bala Peshawar	4	01/04/1973	43.88	GPS Mera Achni Bala No 2	Against newly post
179	1068	Khaliq Uz Zaman S/o Shah Zaman R/o Moh: Kandy Payan Vill: Achini Payan, Peshawar	5	02/02/1975	43.87	GPS Sangu Landi Bala	Against newly post
92 Mera Kachori							
180	173	Sala Ud Din S/o Ikram Ud Din R/o Malogo Jhagra P/o Tarnab Form Peshawar	1	17/01/1950	65.07	GPS Kalay Qadeem	Against newly post
181	633	Mukarram Shah S/o Amir Shah R/o Moh: Balo Gharhi Vill: Mera Kachori P/o Tarnab Faram Peshawar	2	20/03/1975	50.07	GPS Kalay Qadeem	Against newly post
182	176	Israr Hussain S/o Abdul Jabbar R/o Village Jogian P/o Tarnab Form Peshawar	3	01/02/1975	49.63	GPS Kalay Qadeem	Against newly post
	473	Naseem Ahmad S/o Habib Ur Rehman Vill: Faqir Ghari Fazal P/o Faqir Killi Peshawar	4	15/03/1977	50.81	GPS Larama	Against newly post
	241 & 242	Daud Jan S/o Sardar Khan R/o Pandu Payan, Peshawar	5	01/03/1977	47.06	GPS Nachapa Payan	Against newly post
	698 & 699	Irfan Ullah S/o Waheed Ullah R/o Vill: & P/o Gulozai, Peshawar	6	02/10/1975	45.26	GPS Ghari Fazal Rahim	Against newly post
	104 & 105	Syed Fahim Shah S/o Syed Zahir Shah R/o Jatti Payan, Nahaqi Daudzai Peshawar	7	11/02/1976	44.67	GPS Nachapa Payan	Against newly post

S NO	APPL NO	NAME FATHER NAME AND ADDRESS.	POSITION IN LIC	D/O BIRTH	TOTAL SCORE	POSTED AT	REMARKS
5	450	Saleem Noohan S/O Mohammad Aslam r/o H # 2652, Mori, Malk Shahzad Peshawar	8	12/12/1980	43.98	GPS WAZIR BAGH PESH NO.1	Against Newly post
6	656	Zafar Ali S/O Abdul Qayyum r/o Sardar Chari Peshawar.	9	6/2/1980	43.97	GPS PAF SHAHEEN CAMP	Against Newly post

TERMS & CONDITIONS:-

1. They will be governed by such rules and regulation as may prescribed by the Govt. from time to time for category of the Govt. servants to which they belong.
2. Their services will be liable to termination at any time with out any notice. In case of resignation one month prior notice should be given by the official / teacher concerned other wise one month pay / allowances will be forfeited in lieu thereof in to the Govt. treasury.
3. They should take over charge of their post with in fifteen (15) days after issue of this Notification / order otherwise the offer of appointment should stand cancelled automatically.
4. Their appointments are purely temporary and liable to termination / reverted at any stage without assigning any notice / reason.
5. Their service will be liable to termination at any stage if their certificates / Degrees / testimonials & Domicile etc. found fake and they will be handed over to the police.
6. Their original certificates / Degrees should be checked and verified from the concerned Boards / University etc. by the DDO (Male) concerned before handing over charge being a DDO & the candidates having qualification is SSC/ PTC may be considered in EPS.05 (Rs.2415-115-5365) plus usual allowances as admissible under the rules.
7. Their salary may not be drawn till the complete verification of certificates / Degrees etc.
8. Their declaration of Assets should be obtained and kept in safe custody by the DDO concerned.
9. They are required to produced Health & age certificate from the civil surgeon concerned before their taking over charge.
10. Charge report should be submitted to all concerned.
11. No TADA etc. is allowed being 1st appointment.
12. They should not apply for transfer at any stage.
13. All the candidates appointed on regular basis to a services or post in the prescribed manner after the commencement of the said act shall for all intents & purpose be civil servant except for the purpose of pension or gratuity. such a civil servant shall in lieu of pension and gratuity be entitled to receive such amount contributed by them towards the contributory provident funds along with the contribution made by the Govt. to his account in the said fund in the prescribed manner.
14. They are entitled to get the benefits of regular employees except pension / gratuity.
15. The above Candidates will be entitled for C.P.Fund for which the Govt. and Civil servant will pay 10% as contributory fund.

S. No	Appls No	Name, father name & address	Position in UC	D/o Birth	Total Score	Posted at	Remarks
5	450	Saleem Noman S/o Mohammad Aslam R/o H# 2652 Moh: Malik Shahbaz Peshawar	8	16/12/1980	43.98	GPS Wazir Bagh Peshawar I	Against newly post
6	655	Zafar Ali S/o Abdul Qayum R/o Sardar Ghari Peshawar	9	06/02/1980	43.97	GPS PAF Shaheen Camp	Against newly post

Terms & Conditions

- 1) They will be governed by such rules and regulation as may prescribed by the Govt: from time to time for category of the Govt: servants to which they belong.
- 2) Their services will be liable to termination at any time without any notice. In case of resignation one month prior notice should be given by the official/teacher concerned otherwise one month pay/ allowances will be forfeited in lieu thereof in to the Govt: treasury.
- 3) They should take over charge of their post with in fifteen (15) days after issue of this Notification/ order otherwise the offer of appointment should stand cancelled automatically.
- 4) Their appointments are purely temporary and liable to termination/reverted at any stage with assigning any notice/reason.
- 5) Their service will be liable to termination at stage if their certificates/Degrees/testimonials & Domicile etc: found fake and they will be handed over to the police.
- 6) Their original certificates/ Degrees should be checked and verified from the concerned Boar University etc: by the DDO (Male) concerned before handing over charge being a DDO & the candidates having qualification is SSC PTC may be considers in EPS.05 (Rs.2415-115-500 usual allowances as admissible under the rules.
- 7) Their salary may not be drawn till the completu verification of certificates/Degrees etc:
- 8) Their declaration of Assets should be obtained and kept in safe custody by the DDO concerned
- 9) They are required to produced Health & age certificate from the civil surgeon concerned for taking over charge
- 10) Charge report should be submitted to all concerned
- 11) No TA/DA etc: is allowed being 1st appointment
- 12) They should not apply for transfer at any stage.
- 13) All the candidates appointed on regular basis to a services or post in the prescribed manner after the commencement of the said act shall for all in tenets & purpose be civil servant except for the purpose of pension or gratuity, such a civil servant shall lieu of pension and gratuity be entitled to receive such amount contributed by them towards the contributory provident funds along with the contribution made by the Govt to his account in the said fund in the prescribed manner.
- 14) They are entitled to get a benefits of regular employees except pension/gratuity.
- 15) The above Candidates will be entitled for C.P. Fund for which the Goy/ and Civil servant.

-12-

13. The above selection has been made on the following criteria :-

Obtained marks multiplied by allocated marks to certificates / Degrees and Divided by total marks. i.e. ($50 \times 30 / 850 = 19.41$)

Allocation marks:-

SSC	30
B.A/B.Sc	20
B.A/B.Sc	10
B.A/B.Sc	5
Professional	30
Experience	

05 (one year= 2marks, two year= 03 & three years & above= 05marks)

MR. SAID REHMAN
EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERARY PESHAWAR

No. 3951-4467 F.No: 11/Vol:V/Apptt/PST Dated 3-01 /2007

- 1. Copy of the above is forwarded for information and necessary action to the :-
- 2. PS to Minister for Education N.W.F.P.
- 3. PS to Secretary to Govt. of NWFP (Schools & Literacy Deptt: Peshawar.
- 4. S.A to Director Schools & Literacy NWFP Peshawar.
- 5. District Accounts Officer Peshawar with the request that the bill of the above name candidates may not be honour till the verification of their certificates / Degrees etc: from the concerned authorities duly authenticated by the DDO concerned.
- 6. PSO to District Nazim City District Govt: Peshawar.
- 7. PS to District Co-Ordination Officer City District Govt: Peshawar.
- 8. Dy District Officer (Male) Peshawar with the request that to verify all original certificates / Degrees etc: personally from the concerned authorities and compare those with the merit list lying in the office to avoid any complication at the latter stage filing with they will be personally held responsible for any reshaped. They are further directed to furnish a certificate that physical verification has been carried out and also mentioned in the certificate (A) bogus cases (B) Name of candidates with bogus certificates along with name of certificate / Degree and name of A.D Exams: / Board / University etc: in
- 9. S.O. Head Master concerned.
- 10. 511-513. All candidates concerned.
- 11. 514-516, ADO (Estab:) / ADO (Accounts) / Supdt: (Estab:) concerned.

Said Rehman
EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERARY PESHAWAR

- 16) The above section has been made on the following criteria.

Obtained marks multiplied by allocated marks to certificate/degrees and divided by total marks i.e (550x30/85=19.41)

Allocation marks

SSC	60
F.A/FSc	20
B.A/BSc	10
M.A/M.Sc	5
Professional	30
Experience	05 (one year=2marks, two years=03&three years & above 05 marks.

Mr. Said Rehman
Executive District Officer
School & Literary Peshawar.

No 3951-44687/E.No 11/vol:v/Apptt:/PST dated 13/01/2007.

Copy of the above is forwarded for information and necessary action to the:-

1. PS to Minister for education, NWFP
2. PS to Secretary to Govt: of NWFP (Schools & Literacy Department), Peshawar.
3. P.A to Director Schools & Literacy Department, Peshawar.
4. District Accounts Officer Peshawar with the request that the bill of the above named candidates may be put honor till the verification of their certificate/degreed etc from the concerned authorities duly authenticated by the DPO concerned.
5. PST to District Nazim City District Peshawar.
6. PS to District Co-Ordination Officer City District Govt: Peshawar.
7. Dy. District Officer (Male) Peshawar with the request hereto verify all original certificates/degrees etc personally from the concerned authorities and compare these with the merit list lying in the office to avoid any complication at the latter stage filing with they will be personally held responsible for any misshaped. They are further directed to furnish a certificate that physical verification has been carried out and also mentioned alongwith name of certificate/degree and name of A.D Exam:/Board/university etc in Head Master concerned.
251-513 all candidates concerned.
514-516 ADO (Estb:)/AdO (Accounts/Supdt: concerned

درخواست برائے آسانی میں شی

مردانہ / زنانہ

حکومت سندھ کے نوپسٹیشن کی طرف سے 15 جولائی 2009ء کو 23 جولائی 2005ء کے تحت
پرائمری اسکول کی بنیاد رکھی گئی اور اس وقت تک اس اسکول میں تعلیم
میں تاخیر ہو رہی ہے۔ اس لیے اس کی ترقی اور آسانی کی درخواست ہے۔

تعمیراتی نوٹ

پرائمری اسکول

فارم نمبر 7/2011/0068

نام: حسین علی پتہ: سکسٹریٹ 15 محلہ: 15 ڈسٹرکٹ: 14

1 7 3 1 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

تعمیراتی نوٹ

نمبر	اسم	تاریخ پیدائش	پتہ	تعلیمی سطح	تعمیراتی نوٹ
1	سید	25-7-1990	15-4-08	پرائمری	1st
2	سید	1991	2-2-07	پرائمری	2nd
3	سید	22-12-1997	2-6-384	پرائمری	2nd
4	سید	14-07-2001	2-2-559	پرائمری	2nd
5	سید	31-3-2002	1-7-15	پرائمری	2nd
6	سید			پرائمری	
7	سید			پرائمری	

حکومت سندھ میں سکول ملازمت کی صورت میں درخواست نام کے ساتھ اول کی تصدیق شدہ کاپی فراہم کی گئی ہے۔

15 جولائی 2009ء کو 30 جولائی 2009ء کو درخواست نام کے ساتھ اول کی تصدیق شدہ کاپی فراہم کی گئی ہے۔

تعمیراتی نوٹ

Annex: 1/2011/0068 (Sada) Dept. Education

پرائمری اسکول

Head Teacher
Wazir Bhatti
G.P.S. No. 1
Deswar

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E & SUPPLICATION) PESHAWAR.

APPOINTMENT

Consequent upon the Selection by the Departmental Selection Committee the following in-service/Fresh (Male) candidates of District Peshawar are hereby appointed against the CT posts on regular basis (Non Pensionable) at the school noted against their each name in DSS (09) of the National Pay Scale (3820-230-10720) plus usual allowances as admissible under the rules on the following terms and conditions:-

S. No.	Name / Father Name of the Candidate	Year of passing CT Exam:	M. List No	Score	Posted at	Remarks
1	Wilayat Khan S/o Raza Khan	13/05/1996	1	39.08	GHS Kagan Wala Peshawar	Against Vacant Post
2	M. Amir Irfan S/o Muhammad Irfan	25/05/1996	2	54.66	GHS Regi Peshawar	Against Vacant Post
3	Mujahid Khan S/o Rases Khan	30/08/1996	3	50.05	GHS Bada Ber Peshawar	Against Vacant Post
4	Fazal Hussain S/o Syed Pir Zaman Shah	31/12/1996	4	58.58	GHS Badi Ber Peshawar	Against Vacant Post
5	Jameel Shah S/o Bashir Shah	31/12/1996	5	42.57	GHS Regi Peshawar	Against Vacant Post
6	Zahir Iqbal S/o Ameer Badshah	13/05/1997	6	62.42	GHS P.K. Balh Peshawar	Against Vacant Post
7	Said Wali S/o Abdul Nabi	13/05/1997	7	59.83	GHS Chaghar Matti Peshawar	Against Vacant Post
8	Mehnaz Ur Rehman S/o Manzoor Ur Rehman	13/05/1997	8	55.46	GHS Mjan. Gujar Peshawar	Against Vacant Post
9	Fardog Abdul Aziz S/o Abdul Aziz	13/05/1997	9	54.91	GHS Adizai Peshawar	Against Vacant Post
10	Johseenullah S/o Muhammad Zareen Khan	13/05/1997	10	54.73	GHS Shahi Balh Peshawar	Against Vacant Post
11	Karim Ullah S/o Rizwanullah	13/05/1997	11	53.45	GHS Chaghar Matti Peshawar	Against Vacant Post
12	Arshad Hussain S/o Wars Khan	13/05/1997	12	50.13	GHS Adizai Peshawar	Against Vacant Post
13	S. Ta'aseef Hussain Shah S/o S.Noor Muhammad Shah	13/05/1997	13	47.89	GHS Musazai Peshawar	Against Vacant Post
14	Mushtaq Ahmad S/o Said Badshah	13/05/1997	14	47.17	GHS Tala Band Peshawar	Against Vacant Post
15	Noor Ul Amin S/o Mir Ahmad Khan	13/05/1997	15	43.32	GHS Adizai Peshawar	Against Vacant Post
16	Muqadar Khan S/o Ajab Khan	13/05/1997	16	42.62	GHS Ghari Sher Dad Peshawar	Against Vacant Post
17	Manzoor Ahmad S/o Noor Ahmad	10/07/1997	17	50.39	GHS Shaghali puyan Peshawar	Against Vacant Post
18	Yousaf Khan S/o Mursaleen Khan	10/02/1998	18	47.29	GMS Qilla Shah Baig Peshawar	Against Vacant Post

G/Appt Order 09.due

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E&SC) PESHAWAR.APPOINTMENT

Consequent upon selection by the Departmental Selection Committee, the following in-service/fresh (Male) candidates of District Peshawar are hereby appointed against the (I' post on regular basis Non pension-able) at the school noted against their each, name in BPS-09 of the National Pay Scale (3820-230-10720) plus usual allowances as admissible under the rules on the following terms and conditions.

75% Batch Wise (Non Pension-able)

S. No	Name, father name of candidate	Year of passing CT Exam:	M.List No	Score	Posted at	Remarks
1)	Wilayat Khan S/o Raza Khan	13/05/1996	1	39.8	GHS Kaga Wala Peshawar	Against newly post
2)	M. Amir Irfan S/o Muhammad Irfan	25/05/1996	2	54.66	GHS Regi Peshawar	Against newly post
3)	Mujahid Khan S/o Raees Khan	30/08/1996	3	50.05	GHS Badaber Peshawar	Against newly post
4)	Fazal Hussain S/o Syed Pir Zaman Shah	31/12/1996	4	58.58	GHS Badaber Peshawar	Against newly post
5)	Jameel Shah S/o Bashir Shah	31/12/1996	5	42.57	GHS Regi Peshawar	Against newly post
6)	Zafar Iqbal S/o Ameer Badshah	13/05/1997	6	62.42	GHS P.K Bala Peshawar	Against newly post
7)	Said Wali S/o Abdul Nabi	13/05/1997	7	59.83	GHSS Chaghar Matti Peshawar	Against newly post
8)	Mehfooz Ur Rehman S/o Manzoor Ur Rehman	13/05/1997	8	55.46	GHS Mian Gujar Peshawar	Against newly post
9)	Farooq Abdul Aziz S/o Abdul Aziz	13/05/1997	9	54.91	GHSS Adizai Peshawar	Against newly post
10)	Tehseen Ullah S/o Muhammad Zareen Khan	13/05/1997	10	54.73	GHS Shahi Bala Peshawar	Against newly post
11)	Kareem Ullah S/o Rizwan Ullah	13/05/1997	11	53.45	GHSS Chagar Matti Peshawar	Against newly post
12)	Arshad Hussain S/o Waris Khan	13/05/1997	12	50.12	GHS Adizai Peshawar	Against newly post
13)	S. Tauseef Hussain Shah S/o S. Noor Muhammad Shah	13/05/1997	13	17.89	GHS Musazai Peshawar	Against newly post
14)	Mushtaq Ahmad S/o Said Badshah	13/05/1997	14	47.17	GHS Tela Band Peshawar	Against newly post
15)	Noor Ul Amin S/o Mir Ahmad Khan	13/05/1997	15	43.32	GHSS Adizai Peshawar	Against newly post
16)	Muqadar Khan S/o Ajab Khan	13/05/1997	16	42.62	GHSS Ghbari Sher Dad Peshawar	Against newly post
17)	Manzoor Ahmad S/o Noor Ahmad	10/07/1997	17	50.39	GHS Shaghali Payan, Peshawar	Against newly post
18)	Yousaf Khan S/o Mursaleen Khan	10/02/1998	18	47.29	GMS Qilla Shah Baig Peshawar	Against newly post

19	Hamood Ur Rahman S/o Maqbool Ur Rehman	27/02/1998	19	56.93	GIS Masho Khel Peshawar	Against Vacant Post
20	Mir Aftab S/o Ali Pur Khan	27/02/1998	20	49.18	GMS Passani Peshawar	Against Vacant Post
21	Sameen Gul S/o Wazir Gul	27/02/1998	21	48.48	GMS Bazid Khel Peshawar	Against Vacant Post
22	Sajid Khan S/o Bano Sher	27/02/1998	22	46.85	GMS Sangi Landi Bala Peshawar	Against Vacant Post
23	Haider Hussain S/o Gul Jan Arif	27/02/1998	23	46.09	GISS Sheikhan Peshawar	Against Vacant Post
24	Sajid Ahmad S/o Bulader Sher	27/02/1998	24	45.36	GIS Shirkira Peshawar	Against Vacant Post
25	Fuzal Subhan S/o Saib Ruhman	27/02/1998	25	45.23	GIS Shirkira Peshawar	Against Vacant Post
26	Shah Nawaz Khan S/o Habibullah	31/03/1998	26	56.11	GMS Ghari Chandun Bala Peshawar	Against Vacant Post
27	Fai Shah S/o S. Akhtar Shah	31/03/1998	27	54.70	GMS Yousuf Khel Peshawar	Against Vacant Post
28	Muhammad Ali S/o Mahuz Khan	31/03/1998	28	36.81	GIS Badaber Peshawar	Against Vacant Post
29	Sajid Hussain S/o Muhammad Nawaz	10/07/1998	29	54.53	GIS Ragn Wala Peshawar	Against Vacant Post
30	Nadeem Ullah S/o Attaullah	10/07/1998	30	48.64	GISS Sheikhan Peshawar	Against Vacant Post
31	Shahzada Kaleem Zia S/o Shahzada Shah Pur Jan	10/07/1998	31	45.91	GMS Bazid Khel Peshawar	Against Vacant Post
32	Sher Wali S/o Wali Khan	11/05/1999	32	62.12	GMS Ghari Chandun Payun Peshawar	Against Vacant Post
33	Salah Ud Din S/o Khalil Ur Rehman	11/05/1999	33	62.07	GMS Sulaman Khel Peshawar	Against Vacant Post
34	Adil Noor S/o Khad Noor	11/05/1999	34	60.23	GHSS Adizal Peshawar	Against Vacant Post

25 % Open Merit (Non-Pensionable)

S. N.	Name / Father Name of the Candidate	Year of passing CT Exam	M. List No.	Score	Posted at	Remarks
1	Waqar Khan S/o Saib Karam	31/12/2008	1	69.56	GIS Masho Khel Peshawar	Against Vacant Post
2	Hashmat Ali S/o Abdul Subhan	31/03/2002	2	69.05	GMS P.K. Bala Peshawar	Against Vacant Post
3	Mansoor Ahmad S/o Naseer Ahmad	31/12/2008	3	68.63	GIS Mushterzai Peshawar	Against Vacant Post
4	Javeed Khan S/o Sher Muhammad	20/03/2007	4	67.68	GIS Mushterzai Peshawar	Against Vacant Post

Govt Order No. / Date



19)	Hamood Ur Rehman S/o Maqbool Ur Rehman	27/02/1998	19	56.93	GHS Masho Khel Peshawar	Against newly post
20)	Mir Afzal S/o Ali Pur Khan	27/02/1998	20	49.18	GMS Passani Peshawar	Against newly post
21)	Sameen Gul S/o Wazir Gul	27/02/1998	21	48.48	GMS Bazid Khel Peshawar	Against newly post
22)	Sajid Khan S/o Banat Sher	27/02/1998	22	46.85	GMS Sangu Landi Bala Peshawar	Against newly post
23)	Haider Hussain S/o Gul Jan Arif	27/02/1998	23	46.09	GHSS Sheikhan Peshawar	Against newly post
24)	Sajad Ahmad S/o Bahadar Sher	27/02/1998	24	45.36	GHS Shirkira Peshawar	Against newly post
25)	Fazal Subhan S/o Said Rehman	27/02/1998	25	45.23	GHS Shirkira Peshawar	Against newly post
26)	Shah Nawaz Khan S/o Habib Ullah	31/03/1998	26	56.11	GMS Ghari Chandan Bala Peshawar	Against newly post
27)	Lal Shah S/o S. Akhtar Shah	31/03/1998	27	54.70	GMS Yousaf Khel Peshawar	Against newly post
28)	Muhammad Ali S/o Mahaz Khan	31/03/1998	28	36.81	GHS Badaber Peshawar	Against newly post
29)	Sajad Hussain S/o Atta Ullah	10/07/1998	29	54.53	GHS Kaga Wala Peshawar	Against newly post
30)	Nadeem Ullah S/o Atta Ullah	10/07/1998	30	48.64	GHSS Sheikhan Peshawar	
31)	Shahzada Kaleem Zai s/o Shahzada Shah Pur Jan	10/07/1998	31	45.91	GMS Bazid Khel Peshawar	Against newly post
32)	Sher Wali S/o Wali Khan	11/05/1999	32	62.42	GHMS Ghari Chandan Peshawar	Against newly post
33)	Salah Ud Din S/o Khalil Ur Rehman	11/05/1999	33	62.07	GMS Suleman Khel Peshawar	Against newly post
34)	Adil Noor S/o Khad Noor	11/05/1999	34	60.23	GHSS Adizai Peshawar	Against newly post
25% Open Merit (Non Pension-Able)						
S. No.	Name, father name of candidate	Year of passing CT Exam:	M.List No	Score	Posted at	Remarks
35)	Waqar Khan S/o Said Karam	31/12/2008	1	69.56	GHS Masho Khel Peshawar	Against newly post
36)	Hashmat Ali S/o Abul Subhan	31/03/2002	2	69.05	GHS P.K Bala Peshawar	Against newly post
37)	Marsoor Ahmad S/o Naseer Ahmad	31/12/2008	3	68.63	GHS Mushterzai Peshawar	Against newly post
38)	Javed Khan S/o Sher Muhammad	20/03/2007	4	67.68	GHS Mushterzai Peshawar	Against newly post

5	Muhammad Ismail S/o Rizwanullah	31/12/2008	5	67.21	GMS Suleman Khel Peshawar	Against Vacant Post
6	Said, Rahman-Shah S/o Abdul Salam	20/03/2007	6	67.03	GHS Nak Band Peshawar	Against Vacant Post
7	Zia Ur Rehman S/o Said Raheem	31/12/2008	7	66.99	GHS Shalkhan Peshawar	Against Vacant Post
8	Muhammad Sohail S/o Muhammad Ayub	06/05/2004	8	65.74	GMS Passani Peshawar	Against Vacant Post
9	Farhanullah S/o Ziaur Gul	13/05/2005	9	65.67	GHS Malhan Peshawar	Against Vacant Post
10	Anwer Balader S/o Said Balader	29/09/2008	10	65.13	GHS Azadkhet Peshawar	Against Vacant Post
11	Fayhatullah S/o Amahullah	05/05/2003	11	65.27	GHS Nak Band Peshawar	Against Vacant Post
12	Saleem Ullah Khun S/o Amahullah Khun	30/12/2005	12	65.16	GHS Adizai Peshawar	Against Vacant Post

TERMS AND CONDITIONS.

1. They will be governed by such rules & regulation as may be prescribed by the Govt: from time to time for category of the Govt: servants to which they belong.
2. In case of resignation prior notice of one month should be given by the official teacher concerned, other wise one month pay/allowances will be forfeited in lieu thereof.
3. Their seniority will be determined in accordance with the merit of Departmental Selection Board /Committee.
4. Their appointment are purely temporary and liable to termination / reverted at any stage with out assigning any notice / reason.
5. Their service will be liable to termination / reversion at any stage if their Certificates / Degrees NIC/ Domicile etc testimonial found fake their services will be considered as terminated automatically and FIR will be lodged against them.
6. Their original Certificates / Degrees should be checked and verified from the concerned BISE / University etc before handing over the charge by the D.D.O concerned through the Executive District Officer (I&S) Education Peshawar.
7. Their declaration of assets should be obtained and kept in safe custody by the D.D.O concerned.
8. They should take over charge of their posts with in one month after the issue of this notification / order.
9. Charge report should be submitted to all concerned.
10. F.A./A is not allowed to all Candidates.
11. The above selection has been made on the following criteria: -
Obtained marks Multiplied by Allocated Marks to Certificate / Degree and divided by Total Marks, e.g. 60x25/850: 20

Allocation Marks:

SSC	25
FA/Sc	25
BA/BSc	10
MA/MSc	10
Professional	25
Experience	05

(1 year=2 Marks / 2years = 3 Marks/ 3 years & above = 5Marks)

5)	Muhammad Ismail S/o Rizwan Ullah	30/12/2008	5	67.21	GMS Suleman Khel Peshawar	Against newly post
6)	Said Rehman Shah S/o Abdul Salam	20/03/2007	6	67.23	GHS Nak Bahad Peshawar	Against newly post
7)	Zia Ur Rehman S/o Said Raheem	31/12/2008	7	66.99	GHSS Sheikhan Peshawar	Against newly post
8)	Muhammad Sohail S/o Muhammad Ayub	06/05/2004	8	65.74	GMS Passani Peshawar	Against newly post
9)	Farid Ullah S/o Ziarat Gul	13/05/2005	9	65.67	GHS Mathani Peshawar	Against newly post
10)	Ameen Badshah S/o Said Badshah	29/09/2008	10	65.42	GHS Aza Khel Peshawar	Against newly post
11)	Farhat Ullah S/o Aman Ullah	05/07/2003	11	65.27	GHS Nak Band Peshawar	Against newly post
12)	Saleem Ullah Khan S/o Aman Ullah Khan	30/12/2005	12	65.16	GHSS Adizai Peshawar	Against newly post

Terms & Conditions

- 1) They will be governed by such rules and regulation as may prescribed by the Govt: from time to time for category of the Govt: servants to which they belong.
- 2) In case of resignation prior notice of one month should be given by the official/teacher concerned. Otherwise one month pay/ allowances will be forfeited in lieu thereof
- 3) Their seniority will be determined in accordance with the merit of departmental selection board/committee.
- 4) Their appointments are purely temporary and liable to termination/reverted at any stage with assigning any notice/reason.
- 5) Their service will be liable to termination/reversion at any stage if their certificates/Degrees/testimonials found fake, their services will be considered as terminated automatically and FIR will be lodged against them.
- 6) Their original certificates/ Degrees should be checked and verified from the concerned BISE/ University etc before handing over the charge by the DDO concerned through the Executive District Officer (E&S) Education Peshawar.
- 7) Their declaration of assets should be obtained and kept in safe custody by the DDO concerned.
- 8) They should take over charge of their post with in one month after issue of this Notification/ order.
- 9) Charge report should be submitted to all concerned.
- 10) TA/DA is not allowed all the candidates.
- 11) The above selection has been made on the following criteria:-
Obtained marks manipulated by allocated marks to certificate/degree and divided by total marks e.g 680x-
Allocation marks

SSC	25
F.A/FSc	25
B.A/BSc	10
M.A/M.Sc	10
Professional	25
Experience	05 (one year=2marks, 3 marks/3 years & above 5 marks)

12. Their service will be liable to termination, if they tried for transfer before completion their tenure (i.e. 3 years).

Notes:- Charge will not be handed over until the verification of their appointment order.

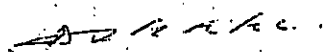
-17-

(SAID RAHMAN)
EXECUTIVE DISTRICT OFFICER
(E & S) EDUCATION PESHAWAR

Encls: No. 2137-2238 Dated 24/05/09.

Copy of the above is forwarded for information and necessary action to the:-

1. P/S to Minister for Education NWFP Peshawar;
2. P/S to Secretary (E&S) Education Govt. of NWFP Peshawar.
3. P/A to Director (E&S) Education NWFP Peshawar;
4. District Accounts Officer Peshawar with the request that the bills of the above named candidates may not be honoured till the verification of their Certificates/ Degrees etc from the concerned agencies duly authenticated by this office.
5. P.S.O to District Nazim City District Govt. Peshawar.
6. P/S to District Coordination Officer City District Govt. Peshawar.
7. District Officer (Male) (E&S) Education Peshawar.
- 8-54 Principals / Head Master concerned with the remarks that
(i) Charger report should submit along with original fee receipt for each degree/certificate in duplicate for the purpose of verification to this office
- 55-97 All Candidates concerned.
- 98-101 ADO Establishment/ ADO Accounts / Superintendent Establishment Branch / Cashier local office.


DISTRICT OFFICER (MALE)
(E & S) EDUCATION PESHAWAR

- 12) Their service will be liable to termination. If they tried for transfer before completion their tenure (i.e. 3 years).

Said Rehman
Executive District Officer
School & Literary Peshawar.

No 2137-2238/Dated 04/05/2009

Copy of the above is forwarded for information and necessary action to the:-

1. PS to Minister for education, NWFP
 2. PS to Secretary to Govt: of NWFP (Schools & Literacy Department), Peshawar.
 3. P.A to Director Schools & Literacy Department, Peshawar.
 4. District Accounts Officer Peshawar with the request that the bills of the above named candidates may be put honored till the verification of their certificate/degree etc from the concerned authorities duly authenticated by this office.
 5. PSO to District Nazim City District Peshawar.
 6. PS to District Co-Ordination Officer City District Govt: Peshawar.
 7. District Officer (Male) (E&S) Education, Peshawar.
- 8-54 Principals/Head Master concerned with the remarks that (i) Charge report should submit alongwith original fee receipt for each degree/certificate in duplicate for the purpose of verification to this office
- 55-97 All candidates concerned
- 98-101 ADO establishment/ADO Accounts/Superintendent Establishment
Branch/cashier local office.

District Officer (Male)
(E&S) Education, Peshawar

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-18- "D"

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E&S) EDUCATION PESHAWAR

OFFICE ORDER

WHEREAS Hashmat Ali CT GHS, Pakha Ghulam Peshawar for producing forged attested copies of documents for recruitment as CT teacher was proceeded against under the NWFP Removal from Service (Special Powers) Ordinance, 2000 and whereas the accused official was directed vide this office Memo: No.6019 dated 25-8-2010 to explain the serious irregularity.

2. AND WHEREAS Show cause Notice was served upon the accused through Principal vide this office Memo: No. 1544 dated 10-11-201 but his reply was found unsatisfactory.

3. AND WHEREAS The accused official did not appear before the competent authority for personal hearing, the competent authority is of the view that charges of forge documents have become proved against the accused official.

4. NOW, THEREFORE, in exercise of the powers conferred under Section Khyber Pakhtun Kha, Removal from service (Special Powers) Ordinance, 2000, the competent authority (EXECUTIVE DISTRICT OFFICER (E&S) PESHAWAR) is pleased to impose major penalty of "Dismissal from Service" upon Mr. Hashmat Ali CT GHS, Pakha Ghulam Peshawar from the date of appointment as CT i.e. 04/5/2009. The unauthorized salary drawn by him may be recovered and deposited in to Govt: treasury and copy of Chelan be provided to this office.

(Jamil ur Rehman)
EXECUTIVE DISTRICT OFFICER
(E&S EDUCATION) PESHAWAR.

Endst: No. 9427-29

Dated 1-3-2011
~~29/6/2009~~

Copy forwarded for Information and necessary action to the :-

1. District Accounts Officer Peshawar
2. P/S to Minister for Education NWFP, Peshawar
3. P/A to Director (E&S) Education NWFP, Peshawar.
4. P.S to Secretary (E&SE) Deptt: Govt: of NWFP
5. P.S to District Coordination Officer, City District Government Peshawar
6. District Accounts Officer Peshawar
7. Principal, GHS Pakha Ghulam Peshawar with the direction that recovery from 04/05/2009 till stoppage of pay should be recovered from the teacher concerned.
8. Offical concerned..

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EXECUTIVE DISTRICT OFFICER
(E&S EDUCATION) PESHAWAR.

"E"

①

BEFORE THE HONOURABLE KHYBER PUKHTOON
KHWA SERVICE TRIBUNAL, PESHAWAR

-19-

Service Appeal No _____ /2011

Hashmat Ali S/O Abdus Subhan R/O Village Mian Gujar Tehsil
and District Peshawar

Appellant

Versus

1. Government Of Khyber Pukhtoon Khwa through Secretary
Education (E & S) Department Khyber Pukhtoon Khwa
Peshawar
2. P.S to Minster for Elementary and Secondary education Khyber
Pukhtoon Khwa Peshawar
3. Director Education (Elementary and Secondary Education)
Khyber Pukhtoon Khwa Peshawar
4. Executive District Officer(Elementary and Secondary
Education) Khyber Pukhtoon Khwa Peshawar
5. District Officer (Male) Elementary and Secondary Education
Peshawar.
6. District Co ordination Officer City District , Khyber Pukhtoon
Khwa Peshawar
7. District Accounts Officer Peshawar
8. Principal Government High School Pakha Gulam Peshawar.

Respondents

②
-20-

APPEAL UNDER SECTION 4 OF NWFP
SERVICE TRIBUNAL ACT 1974, AGAINST THE
IMPUGNED ORDER NO 1426-32 DATED 01-03-
2011 BY THE EXECUTIVE DISTRICT OFFICER
ELEMENTARY AND SECONDARY EDUCATION
PESHAWAR (RESPONDENT NO 4), WHEREBY
THE APPELLANT WAS AWARDED THE
MAJOR PENALTY OF DISMISSAL FROM THE
SERVICE

PRAYER-IN-APPEAL

On acceptance of this appeal, the Respondents may kindly be directed to cancel the dismissal order of Appellant issued vide order No. 1426-32 Dated 01-03-2011 by the Respondent No.4 i.e Executive District Officer Elementary and Secondary Education Peshawar and to re-instate the Appellant along with back benefits.

Respectfully sheweth:-

- 1) That the Appellant joined the Respondents in the year 2007 as PST at Government Primary School Ghari Hamza Peshawar. (Copy of the appointment order is attached as Annex-'A').
- 2) That the Appellant was working very efficiently and smoothly and was performing the duties accordingly.
- 3) That the Appellant had submitted his attested testimonials along with an application for the post of CT, as advertised

By the D. P. No 4
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- 4) That the Appellant was placed in merit list for the post of CT by the Respondents No 4 & 5 after scrutiny and was interviewed for the very post by the Respondents No 4 & 5
- 5) That the Appellant was appointed to the post of CT on 05th May 2009, after having been interviewed and scrutiny according to the rules as prescribed for such appointments at Government High School P K Bala Peshawar. (Copy of the Appointment Letter is attached as Annex 'B').
- 6) That due to the non availability of vacant CT post at Government High School P K Bala Peshawar, the Appellant was placed at Government High school Masho Khel Peshawar vide order Endst No.2137-2238 dated 04th May, 2009 by the Respondents No 4 & 5. (Copy of the Order is attached herewith as Annex 'C').
- 7) That the Appellant as according to the rules were directed by the Respondents No 4 & 5 to deposit fees for the verification of the Appellant's testimonials from the concerned departments.
- 8) That the Appellant on 19th May, 2009 deposited the verification fees in the bank and handed over the original receipts to the Respondent No. 4.
- 9) That the Appellant testimonials which the Appellant has submitted at the time of submission of application for the post of CT were sent by the Respondents No.4 & 5 for verification to the concerned department.
- 10) That after verification of the testimonials of the Appellant from the concerned departments, the Appellant pay

release order Endst No.9427-29 dated 29th June, 2009 was issued to the Appellant by the Respondents No.4 & 5. (Copy of the pay release Order is attached here with as Annex 'D').

- 11) That the appellant was performing the duties at Government High School Pakha Ghulam, (Respondent No 8) against the CT post and was receiving pay wef 05th May, 2009 to 31st July, 2010.
- 12) That the Appellant received a letter No.1995 dated 05th August, 2010 from the Respondent No.8 (Principal Government High School Pakha Ghulam Peshawar), by which the Appellant was directed to refund the pay of month July, 2010, without mentioning any reason for the refund of pay. (Copy of the letter dated 05th August, 10 letter No1995 is attached as Annex 'E').
- 13) That the Appellant as directed by the Respondent No. 8 through refund the pay for the month of July, 2010 vide bank receipt No11869 dated 24th Au, 10 in the State Bank of Pakistan. (Copy of the Bank receipt is attached as Annex 'F').
- 14) That on 24-08-10 the Appellant received a show cause notice through Respondent No.8 having no endorsement No and date from the office of Respondent No.4, alleging that the documents/ testimonials submitted by the Appellant are not genuine and the Appellant have deceived the Respondents by submitting the forged

documents for the appointment of CT post. (Copy of the same as Annex 'F/1').

- 15) That the Appellant on 29th August, 2010 give reply to that show cause notice to the Respondent No. 4 through Respondent No.8 and explain in the reply that at the time of submission of application for the post of CT the Appellant has submitted the attested testimonials and after verification from the concerned department the Appellant was appointed and a pay release order was made by the Respondents No.4 & 5 to the Appellant. (Copy of the reply is attached as Annex 'F/2').
- 16) That letter Endorsement No 1545 dated 10th November, 2010 issued by the Respondent No.4 to Appellant for personal hearing on 15th November, 2010 at 02:00 PM in the office of Respondent No.4, the Appellant as directed visited the Respondent No.4 and waited till 04:00 PM at office, but no official attend the Appellant for personal hearing on the said date. (Copy of the same is Annex 'F/3').
- 17) That the Appellant time and again visited the office of Respondent No.4 and asking for the personal hearing in the case pending before the Respondent No.4, but the Respondent No 4 avoiding the Appellant presence and were avoiding the personal appearance.
- 18) That on 01st March, 2011 a letter No 1426-32 dated 01-03-2011 was received by the Appellant from the Office of the Respondent No.4 through Respondent No.8 by which the

①
-24-

Appellant was imposed a major penalty of dismissal from service without conducting an inquiry about the matter in hand by the Respondent No.4 and without giving any opportunity of hearing to the Appellant a baseless and concocted order was passed by the Respondent No.4. (Copy of the Impugned order is attached as Annex 'G').

- 19) That the Appellant preferred a Departmental Appeal / Representation on 19/03/2011 to Respondent No. 3 (The Director Elementary & Secondary Education Khyber Pukhtoon Khwa Peshawar).(Copy of the Departmental Appeal is attached as Annex 'H').
- 20) That on 30/04/2011 letter endost No. 5600 issued by the Respondent No. 3 through which the Departmental Appeal submitted by the Appellant was returned to the Appellant with objection that the Respondent No. 3 has no jurisdiction/power to entertain the said departmental appeal, and the same should be submitted before the Respondent No.6 (District Coordination Officer Khyber Pukhtoon Khwa Peshawar).
- 21) That the Appellant has already submitted the copy of the said Departmental Appeal before the Respondent No. 6, on 29/03/2011 and the Respondent No.6 has sent Letter No.7216/DCO (P) EA Dated 05/04/201 to the Respondent No.4 to furnish comments.
- 22) That again on 12/04/2011 the Respondent No.6 has sent reminder through letter No.7738/DCO (P) EA to the

Respondent No.4 to furnish comments on the matter in hand.

23) That the appellant since that waiting for the just disposal of the Departmental Appeal by the Respondent No. 6, but the Respondents.4 & 6 are delaying the matter in hand.

By feeling aggrieved from this unjust order the Appellant has come to knock the door of this Honourable office for proper decision in the case on the following grounds inter-alia:-

GROUNDS:-

- A) That the Appellant has not been treated in accordance with law and rules as provided under the NWFP Removal from Service (Special Powers) Ordinance, 2000 and the Respondent No. 4 has passed the impugned order in very capricious and arbitrary manner tainted with malafide intention.
- B) That the Respondent No.4 acted in deviation of rules on subject, and passed the impugned order in a very harsh manner, which is glaring violation of natural justice.
- C) That the Respondent No.4 has completely ignored the suitable and commendable performance of Appellant during his long period of service since 2007, the whole record of the Appellant in service is unblemished and bears numerous good entries.
- D) That the Respondent No.4 has wrongly assessed the matter in hand, as no inquiry has been conducted about

the matter in hand, and even no opportunity of personal hearing was given to the Appellant.

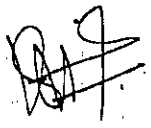
- E) That the Respondent No. 4 after show cause notice to the Appellant straightaway imposed a major penalty on the Appellant, without conducting inquiry which is against the rules laid down in Section 3 of the NWFP Removal from services (Special Powers) Ordinance, 2000.
- F) That the Respondent No.4 while imposing major penalty of dismissing the Appellant from service, without conducted any inquiry alleging that the Appellant had submitted forged documents for the post of CT, which is totally incorrect and baseless, as all the record in the shape of service book which is in the custody of the Respondents since 2007, when the Appellant was appointed as PST and the same testimonials were also verified by the Respondents No.4 & 5 prior to the appointment to the CT post from the concerned authorities.
- G) That the Appellant after successfully completed the probation period for one year the Respondents No.4 & 5 malafidely indulging the Appellant in problems due to some personal enmity with the Appellant.
- H) That the Respondents No.4 & 5 after 14 months of the Appellant's service against the CT post sending the Appellant's testimonials for verification which were verified earlier at the time of posting shows the malafide intention of the Respondents No.4 & 5.

- ⑨
-27-
- I) That the Appellant has served his services without pay and benefit wef 01st July, 2010 to 01st March, 2011 and the pay of the Appellant is stop by the Respondent No.4 for the abovementioned period without any legal justification.
- J) That the Appellant is the only source of earning for the entire family, and is very much qualified and respected person in the locality, and the Respondent No.4 without conducted any inquiry in the instant case, just for personal enmity has imposed a major penalty on the Appellant which is against the law and administration of justice, and liable to be set aside.

It is, therefore, most humbly prayed that on acceptance of this Appeal the major penalty imposed by the Respondent No.4 on the Appellant may very kindly be set aside; and the Appellant may kindly be Re- instated with all back benefits **AND** any other relief which deems fit may kindly be awarded to the Appellant.


Appellant

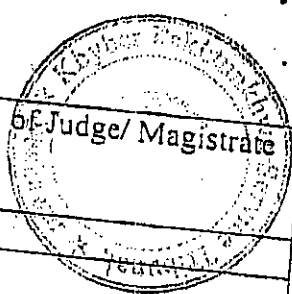
Through,


(KHALID HAMID)
Advocate High Court,
Peshawar

Dated: 30/06/2011

"F" F

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Sr. No.

Date of order/ proceedings
2

Order or other proceedings with signature of Judge/ Magistrate

3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL. PESHAWAR.

Appeal No. 1041/2013

Dr. Muhammad Idrees Versus Government of Khyber Pakhtunkhwa through Secretary Health Deptt: Peshawar etc.

JUDGMENT

PIR BAKHSH SHAH MEMBER. Appellant

01.12.2015

with counsel (Mr. Abdul Rehman Qadar, Advocate) and Government Pleader (Mr. Muhammad Jan) with Qibaz Khan, SO for the respondents present.

2. As a result of departmental proceedings, the appellant was compulsory retired from service vide impugned order 18.03.2013 per memo. of appeal delivered to him on 06.4.2013.

3. According to the appellant, he joined his department in the year, 1987. That at the relevant time, he was performing as EDO (Health) Torghar, when he was served with a charge sheet alongwith statement of allegations. The following charge was leveled against the appellant:-

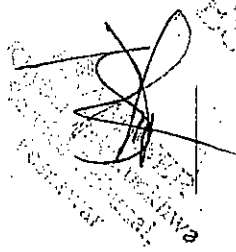
"You had produced Degree of Master of Public Health from University of Sind on the basis of which you were to be included in the Management Cadre. The said degree on verification has been declared as Bogus by the Controller of Examinations, University of Sindh, Jamshoro vide his letter No. Ex/SEC/VERIF/198, dated 14.06.2011."

ATTESTED

Signature of the member
Khyber Pakhtunkhwa Service Tribunal
Peshawar

According to the appellant he submitted reply to the charge sheet. According to statement of allegations, one Syed Kamran Shah (PCS SG BS-20) was appointed to conduct enquiry against him but when appellant appeared before the enquiry officer, he found that instead of the single enquiry officer, an enquiry committee comprising of three officers, was sitting. That he submitted his reply before the enquiry committee and denied the allegations, where-after, he received no information. However, the payment of his salary was stopped and when he enquired he found that he has been compulsorily retired vide impugned order dated 18.3.2013. The appellant has denied that any show cause notice was issued to him or that he has submitted any reply to that show cause notice. While denying the allegations, the appellant has stated that one Ghulam Murtaza, Advocate Haripur alongwith a patient happened to his office in November, 2006 when the appellant was posted as District T.B Officer Haripur at village Shah Muhammad. That the patient introduced himself as Assistant Controller of Examination, University of Sindh, Jamshoro who further informed the appellant that in his university, the Faculty of Medical and Social Sciences has been established in which a distant education programme is in vogue. That he also persuaded the appellant to take online admission for master course in Public Health. Accordingly, the appellant paid tuition fee etc. for the first and second semesters. That in January, 2008, the appellant has to appear in examination at Rawalpindi in which he appeared alongwith 10 other candidates in June,

ATTESTED


MURTAZA
ADVOCATE
HARIPUR

2009. That when he was performing as E.D.O (Health) Haripur, he received through TCS, a degree alongwith the transcript. Further, record shows that the Health Department in order to prepare a separate Management Cadre, asked for option of the Medical Officers. The appellant alongwith 14 others appeared before the Board. Out of the said 14, MPH degree of the appellant only was chosen for verification and sent to the University concerned. According to the respondent department a reply was received from university according to which the degree concerned was fake. Consequently, departmental proceedings were initiated against the appellant.

4. The respondent-department in its written reply has submitted that MPH degree was found fake from verification, where-after departmental proceedings were initiated and the appellant was provided full opportunity to defend himself. Rejoinder of the appellant is also available on record.

5. Arguments heard and record perused.

6. In the instant case departmental enquiry was conducted by a committee comprising of the following:-

1. Syed Kamran Shah (PCS-SG)(BPS-20)... Chairman
OSD, Establishment Department, Govt.
Of Khyber Pakhtunkhwa,
2. Professor Dr. Liaqat Ali (BPS-20) Member
Govt. Lady Reading Hospital, Peshawar.
3. Dr. Mahmood Aam (BPS-20) Member
MS Sarhad Hospital for Psychotics Patients

We have perused report of this enquiry committee. The

ATTESTED

[Signature]
Peshawar

Tribunal would like to reproduce relevant portion from the findings of the enquiry report:-

- i. There is no denying the fact that the degree of MPH presented by the accused for inclusion in the Management Cadre is bogus and fake one as has been duly declared by the University authorities concerned.
- ii. In both the cases i.e. whether the accused was innocently unaware of the fact of his degree being bogus or his being deliberately involved, he failed to act and conduct himself as becoming of a senior and experienced officer, thus rendering his compromised ability and eligibility to hold senior position and further retention in government service a big question mark."

The penalty imposed on the appellant is major penalty.

The appellant has rendered sufficient long service in the department on various positions. The record on file before us does not show that the appellant faced any departmental proceedings in the past. It is evident from perusal of the enquiry report that the enquiry committee has not specifically found appellant to have deliberately and intentionally provided a bogus MPH degree. This atleast has not been proved on record against the appellant. In such an eventuality, if degree was fake and bogus and the appellant did not know about it, in that case, the appellant rather deserved sympathy instead of departmental action. The committee has recommended appellant for imposition of major penalty without firstly establishing that the appellant fully knew that the degree is bogus and in order to defraud the department, he produced the

ATTESTED
Secretary
Karnataka
Government

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same before the board for including himself in the Management Cadre. It is evident that on this count, report of the enquiry committee is infirm and quite vulnerable. It is also evident from record that the appellant, on the basis of this fake degree has not taken any benefit from the department. The appellant has also expressed that he neither received any show cause notice nor submitted any reply to the same and that he has fallen prey to some collusion. Consequently, the impugned orders based on this enquiry report, is also infirm and vulnerable, which cannot be maintained. Resultantly, the same is set aside. The department can resort to enquiry denovo. Back benefits of the appellant for the interval be also decided by the department. The appellant is reinstated into service for the purpose of enquiry. The appeal is disposed off accordingly. Parties are left to bear their own costs. File be consigned to the record.

ANNOUNCED
01.12.2015.

Certified true copy
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

sd/
(ABDUL LATIF)
MEMBER

sd/
(PIR BAKHSH SHAH)
MEMBER

Same before the board for including himself in the management cadre. It is evident that on this court, report of the enquiry committee is infirm and quite vulnerable. It is also evident from record that the appellant, on the basis of this fake degree has not taken any benefit from the department. The appellant has also expressed that he neither received any show cause notice nor submitted any reply to the same and that he has fallen prey to some collusion. Consequently, the impugned orders based on this enquiry report, is also infirm and vulnerable, which cannot be maintained. Resultantly, the same is set aside. The department can restore to enquiry denovo. Back benefits of the appellant for the interval be also decided by the department. The appellant is reinstated into service for the purpose of enquiry. The appeal is disposed off accordingly. Parties are left to bear their own costs. File be consigned to the record.

Announced
01/12/2015

Abdul Latif
Member

Pir Bakhsh Shah
Member

further contended that the allegation of submission of fake documents by the respondent was wrong and the same was not thoroughly inquired into and major penalty of dismissal was imposed on the respondent on mere issuing of a show cause notice. He further argued that documents of the respondent were verified and he was allowed to draw salaries of the post of Ct for almost fourteen months but the respondent was malafidely involved in the issue and unjustifiably removed from service. He further argued that while Khyber Pakhtunkhwa removal from service (special powers) Ordinance-2000 was in the field, order of penalty was passed under the Khyber Pakhtunkhwa Civil Servants (E&D) Rules-2011 and the same was also given retrospective affect hence the original order was illegal and entire proceedings against the respondent was rendered unlawful. The learned government pleader resisted the appeal and argued that factum of fraud and forgeries were determined from documents therefore no regular enquiry was needed in the case. He further argued that proper show cause notice was served on the respondent which was duly replied by him and the was also heard in person before passing of the impugned order. He further argued that order of appointment of respondent on fake documents was void, ab-initio and his

higher merit order for selection as Ct. After appointment as Ct his appointment was subject to verification of documents which were subsequently verified and found fake as the same carried higher marks/divisions as compared to the original testimonials. The respondent was then dismissed after issuing of a show cause notice without conducting of full fledge enquiry and without allowing the respondent to defend himself against the charges. The record is silent to suggest that cogent reasons or justification was given for not conducting a full fledge enquiry as laid down under section-3 of the Khyber Pakhtunkhwa removal from service (special powers) Ordinance -2000. The tribunal is of the view that the respondent should have been given opportunity of fair trial, opportunity of defense and should have been heard in person before inflecting on him the major penalty of dismissal from service. The tribunal also observes that the penalty imposed on the respondent is too harsh keeping in view his previous spotless service as PST which was not considered while passing the impugned order. In view of the foregoing the impugned order is set aside, the respondent is reinstated in service, the case is remanded to the petitioner department for conducting denovo enquiry strictly in accordance with law and rules and principles of natural justice. The sid proceedings shall be conducted/completed within a period of two months from the receipt of this judgment.

©

dismissal from service was in accordance with the terms and conditions of his appointment.

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LAW/RULING ON THE SUBJECT

FOR

- 1- CONSTITUTION OF PAKISTAN, 1973
- 2- REMOVAL FROM SERVICE ORDER, 2000

CERTIFICATE:

CERTIFICATE that I myself prepared the above concise statement which is correct.

(Mian Saadullah Jandoli)
Advocate-on-Record
Supreme Court of Pakistan
For Government

درخواست برائے آسانی

مردانہ / زنانہ

حکومت صوبہ سرحد کے نوٹیفکیشن کی ترمیمی ایکٹ مورخہ 23 جولائی 2005ء کے تحت تمام تقرریاں ریگولر ایئریشن کی بنیاد پر ہوگی خواہ اس قدر وار پبلے سے کسی بھی مستقل پوسٹ پر کام کر رہا رہی ہو۔ جی ای لنڈ کی جگہ کی ای لنڈ کی کوئی ہوگی۔

حصہ اولی نمبر

پوشین کونسل، پشاور

نمبر / رول نمبر 1003-I

نام: حشمت علی
 ولدیت: عبدالسمیع
 تاریخ پیدائش: 1976-03-10
 تاریخ ڈویژنل پشاور: 15 جنوری 2009ء کو پشاور، 3.2 ماہ، 10 دن، 14 گھنٹے
 ڈویژنل پشاور کی کارڈ نمبری: 5-996631231-101731
 مستقل پوسٹ: تحصیل منگل پشاور، گاؤں 5، کنگھٹ مہال گجر
 عارضی پوسٹ: ایضاً

تفصیلی قابلیت

نمبر کارڈ	اسات	رول نمبر	پاس کر لے کی تاریخ	کل نمبر	پاس کر لے کی تاریخ	روزانہ	بھرتی ہوئے	کیلیت
1	میٹرک	15408	1992	850	665	Ist	پشاور پورٹ	پشاور پورٹ
2	ایف ایف ایس سی	2241	1994	1100	775	Ist	پشاور پورٹ	پشاور پورٹ
3	بی اے / بی اے ایس سی	26384	1997	550	341	Ist	پشاور پورٹ	پشاور پورٹ
3	ایم اے / ایم اے ایس سی	22559	2000	1100	602	2nd	پشاور پورٹ	پشاور پورٹ
5	سی ای / ڈی ای / ایف ایف ایس سی	1745	2002	1200	826	Ist	پشاور پورٹ	پشاور پورٹ
6	قرأت / تجوید القرآن							
7	حفظ القرآن							

1- حکم تعلیم میں مستقل ملازمت کی صورت میں درخواست نام کے ساتھ رول کی تصدیق شدہ کاپی اور کاپی جج کرنا ضروری ہے۔
 2- 15 جنوری 2009ء کو وقت 2.30 بجے بعد از دوپہر دفتری ادوات کا ریکٹ فارم جمع کرنا ضروری ہے اسکے بعد کوئی نام وصول نہیں کیا جائے گا۔
 3- تقریباً خصوصاً آسانی کے لئے پشاور قابلیت (سی ای، ڈی ای، بی ای ای، قرأت، تجوید القرآن) امتحان کا نتیجہ نکلنے کے بعد شمار کیا جائے گا۔

پرائمری سکول کی صورت میں
 رجسٹرڈ ایف ڈی او، مرکز

رول نمبر 1003-I نام ولدیت
 رجسٹرڈ ایف ڈی او، مرکز

نوٹ: رول نمبر ایف ایف ایف اور ایف ایف ایف کا رول نمبر لائیں۔ ایف ایف ایف کے ہال میں بیٹھنے کی اجازت نہیں ہوگی۔

درخواست برائے آسامی شیٹی مردانہ / زنانہ

حکومت صوبہ سرحد کے نوٹیفکیشن کی ترمیمی ایکٹ مورخہ 23 جولائی 2005ء کے تحت تمام تقرریاں ریگولرنگر انجیریشن کی بنیاد پر ہوگی خواہ امیدوار پہلے سے کسی بھی مستقل پوسٹ پر کام کر رہا رہی ہو، جی پی فنڈ کی جگہ سی پی فنڈ کی کنوٹی ہوگی۔
فارم نمبر اردول نمبر 0736 یونین کونسل نچئی پشاور

نام حشمت علی ولدیت عبدالحسان حلقہ پی ایف 9 پشاور
تاریخ پیدائش 01/03/1976 15 جنوری 2009ء سال 32 ماہ 10 دن 14
ضلع ڈوبیسائل پشاور کمپیوٹرائزڈ قومی شناختی کارڈ نمبر 5-1236699-17301
مستقل پتہ تحصیل ضلع پشاور گاؤں وڈا کھانہ میاں گجر
عارضی پتہ ایضاً

تعلیمی قابلیت

نمبر شمار	امتحان	رول نمبر	پاس کرنے کی تاریخ	کل نمبر	حاصل کردہ نمبر	ڈویژن	بورڈ / یونیورسٹی	کیفیت
۱	میٹرک	15408	1992	850	515	1st	پشاور بورڈ	
۲	ایف ایس سی	2241	1994	1100	507	2nd	پشاور بورڈ	
۳	بی اے	26384	1997	550	301	2nd	پشاور یونیورسٹی	
۴	ایم اے	22559	2000	1100	602	2nd	پشاور یونیورسٹی	
۵	سی ٹی	1745	2002	1200	626	2nd	سکول اینڈ ایگریکولچر	
۶	قرأت التجویز القرآن							
۷	حفظ القرآن							

۱۔ محکمہ تعلیم میں مستقل ملازمت کی صورت میں درخواست فارم کے ساتھ پے رول کی تصدیق شدہ نقل افسر مجاز کی زیر دستخط جمع کرنا ضروری ہے۔

۲۔ 15 جنوری 2009ء بوقت 2:30 بجے بعد از دوپہر دفتری اوقات کار تک فارم جمع کرنا ضروری ہے اس کے بعد کوئی فارم وصول نہیں کیا جائے گا۔

۳۔ تجربہ مخصوصہ آسامی کیلئے پیشہ ورانہ قابلیت (سی ٹی ڈی ایم پی ای ٹی قرأت التجویذ القرآن) اسماں کا نتیجہ نکلنے کے بعد شمار کیا جائے گا۔

دستخط پرنسپل / ہیڈ ماسٹر ----- مہر ----- دستخط ای ڈی اوسرکل ----- مہر -----

رپورٹ

کمپلیٹ نمبر 5 151715 مورخہ 20/11/2017

بذریعہ لیٹر 70D/28/09/2017 ڈپٹی ڈسٹرکٹ ایجوکیشن آفیسر شہقدر (مردانہ) برخلاف
حشمت علی سابقہ CT ٹیچر GHSS پختہ غلام پشاور

جناب عالی

بحوالہ کمپلیٹ بالا معروض ہوں کہ دفتر DDEO/M پشاور سے لیٹر بالا موصول ہو کر الزام لگایا گیا
ہے کہ لف ہذا دو عدد میٹرک شوقیٹ بنام حشمت علی ٹیچر بمطابق لیٹر 6976/02-09-2010
'BISE' پشاور بگس ہے اس کے خلاف انکوآری کی جائے۔

لیٹر ہذا پر جناب ڈائریکٹر صاحب انٹی کرپشن پشاور نے کمپلیٹ بالا ایک حکم صادر فرما کر من ASI
کو حوالہ ہوئی جس پر حسب ضابطہ کارروائی کا آغاز کر کے دفتر DEO پشاور سے ریکارڈ حاصل کیا
اور اسی طرح الزام علیہ بالا کا تحریری بیان ریکارڈ نقل کورٹ فیصلہ نقل سروس بک وغیرہ حاصل
کر کے شامل انکوآری قابل ملاحظہ ہے۔

دوران انکوآری لئے گئے بیانات حاصل کردہ ریکارڈ کورٹ فیصلہ سے میں اس نتیجے پر پہنچا کہ
حشمت علی الزام علیہ بحوالہ آرڈر نمبر 4467-3951 مورخہ 13/01/2007
'PSTCPTC (BPS-07) ٹیچر بھرتی کیا گیا تھا سال 2009ء میں CT ٹیچر کی بھرتی
کیلئے الزام علیہ نے فارم نمبر 0068 کے ساتھ اپنے اسناد برائے CT ٹیچر پوسٹ
محکمہ تعلیم میں جمع کئے ہیں جبکہ فارم رول نمبر 0786 بنام حشمت علی الزام علیہ ریکارڈ کے ساتھ
موصول ہو چکا ہے فارم نمبر 0068 پر دستخط پریسل انوار الحیب نے اپنے بیان میں تسلیم کیا ہے کہ
میں نے مہر دستخط ثبت کیا ہے جبکہ فارم 0736 دستخط سے لائسنس کا اظہار کیا گیا ہے اور اسی فارم
0786 کے مطابق بگس اسناد

جمع ہے لیکن پھر بعد میں جمع کیا گیا ہے اور الزام علیہ نے اس فارم کے مطابق صحیح اور درست اسناد محکمانہ طور پر جمع کئے گئے تھے جس پر الزام علیہ نے CT ٹیچر بحوالہ آرڈر نمبر 2137-2238 مورخہ 04/05/2009 بھرتی کیا گیا ہے، الزام علیہ کے خلاف PTC ٹیچر وغیرہ کا کوئی اعتراض نہیں پایا گیا، جس کی حق تلفی کی گئی ہو متذکرہ آرڈر سید الرحمن صاحب مرحوم EDO/ESSE پشاور نے منظور شدہ کمیٹی کے مشاورت سے جاری کیا گیا تھا جو کہ کمیٹی رپورٹ معیاد کے مطابق درست ہے، کمیٹی لسٹ، آرڈر لف ہذا ہے، اس کے علاوہ جمیل الرحمن صاحب EDO/E&SE پشاور نے بحوالہ آرڈر نمبر 32-1426 مورخہ 01/03/2011 کے مطابق حشمت علی CT ٹیچر کو محکمہ ایجوکیشن سے برطرف کیا گیا ہے، آرڈر لف ہذا ہے، حشمت علی الزام علیہ نے حسب ضابطہ محکمانہ اپیل کر کے کچھ فائدہ حاصل نہ ہو سکا تو سروس ٹریبونل عدالت کو استدعا کی تو حسب استدعا سروس اپیل نمبر 1282/2011 کے مطابق مورخہ 09/02/2016 کو معزز عدالت نے فیصلہ دیا ہے کہ حشمت علی کو Re-instated in service کیا گیا اور محکمانہ طور پر de-nevo انکوائری کر کے دو ماہ کے اندر اپنا محکمانہ انکوائری رپورٹ پیش کرے لیکن افسران ایجوکیشن نے اپنا محکمانہ انکوائری نہیں کی بلکہ محکمہ ایجوکیشن نے عدالت کے حکم میں تاخیر کر کے انکوائری کی اور نہ حشمت علی کو عدالت کے حکم کے مطابق پوسٹ/تعیینات کیا، 5 ستمبر 2017ء کو حشمت کے خلاف انٹی کرپشن کو انکوائری حوالہ کی، حشمت علی الزام علیہ کے ساتھ بار بار زیادتی ہو رہا ہے، سروس ٹریبونل عدالت سرکاری ملازمین کے کیسز کو بہتر جانتے ہیں اور بہتر فیصلہ دے سکتے ہیں، جیسا کہ حشمت علی کا فیصلہ دے چکا ہے اس سے میں بحیثیت انکوائری آفیسر انچھا فیصلہ نہیں کر سکتا ہوں، سروس ٹریبونل نے مورخہ 09/02/2017 کو حشمت علی کے حق میں فیصلہ دینے کو بہتر جان کر اسی فیصلہ پر اکتفا کرتا ہوں کہ افسران ایجوکیشن حشمت علی کو رٹ فیصلہ کے مطابق دوبارہ تعینات کرے۔

علاوہ ازیں مذکورہ آج کل مختلف بیماریوں MDR وغیرہ اور پریشانیوں میں مبتلا ہو کر قسم پرسی کی زندگی گزار رہا ہے، مذکورہ اعلیٰ تعلیم ڈبل (M.A) اور BED ہے انسانی ناطے اور موجود حالات کے پیش نظر مذکورہ کے مستقبل کا خیال رکھیں، الزامات بے بنیاد ہے، تمام حالات واقعات پر فائنل رپورٹ مرتب ہو کر داخل دفتر کرنے کی سفارش کی جاتی ہے۔

دستخط انگریزی

LO-ACE-PESH

دستخط انگریزی

CO-ACE-Pesh

Sir
Forwarded with detail Report of
IO/CO, Requesting the Complaint to
file, because case found baseless.
Submitted for order pd.

[Signature]
ADC/POB:
21-11-2017

ADP-II

AD
DAC

Assistant Director Crimes,
Anti-Corruption Establishment
- Khyber Pakhtunkhwa
Peshawar
[Signature]
ADC - Pesh

R/Sir,

May be filed, please

N/DAC

As proposed

[Signature]
DA

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

- 39 -

"J"

Present:

Mr. Justice Mushir Alam
Mr. Justice Maqbool Baqar

Civil Petition No.243-P of 2016

Against the judgment dated 09.02.2016 passed by the
KP Service Tribunal, Peshawar in Appeal No.1282/2011.

Government of K.P. through Secretary
Elementary & Secondary Education
Department, Peshawar and others

Petitioner(s)

VERSUS

Hashmat Ali and another

Respondent(s)

For the Petitioner(s): Barister Qasim Wadood, Addl. AG KP

For the Respondent No.1: Mr.Abdul Hamced, ASC

For the Respondent No.2: Abid Munir, AAO, KP

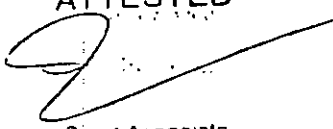
Date of Hearing: 19.01.2018

ORDER

Mushir Alam, J:- Petitioner through the Secretary,
Elementary & Secondary Education Department, Peshawar has
impugned the order dated 09.02.2016 passed by the learned KP Service
Tribunal, Peshawar whereby appeal filed by the respondent Hashmat Ali
was allowed who was directed to be reinstated.

2. Brief facts appear to be that petitioner was originally
appointed as primary school teacher in the year 2007 in the Govt.
Primary School Ghari Hamza, Peshawar. It appears that on
advertisement of vacancies as CT Post petitioner applied alongwith
documents. He having earned the required benchmark was consequently
appointed. It was, *inter alia*, provided in the appointment letter that in
case his documents are found forged and or fake proceedings would be
initiated. It appears that the petitioner furnished documents alongwith
his hand filled application which shows marks secured from SSC to

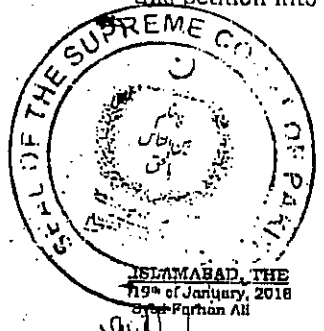
ATTESTED


Court Associate
Supreme Court of Pakistan
Islamabad

40-

Graduation in his handwriting, thus documents furnished available at page 55 onward were verified to be fake and bogus and after show cause notice through impugned order dated 01.03.2011 he was dismissed from service which action was challenged before the competent authority and was maintained so also which was challenged before the Service Tribunal, Peshawar. The Tribunal in consideration of the fact that no inquiry where major penalty was imposed was carried out.

3. Learned counsel for the respondent alongwith respondent who appeared in person when confronted did not controverted the stance taken by the petitioner and he was specifically asked if at all document are found fake and or forged the matter may be referred for criminal prosecution, he does not contest. In this view of the matter in case where inquiries based on authenticated record and documents which are not disputed and or denied there is no need to carry out regular inquiry as has been held by the learned Tribunal. Accordingly, we would convert this petition into appeal and allowed the same.



and 23/1/18

Att - Mushtaq Alam, J
Att - Masood Ali, J

Certified to be True Copy

24/1/18
Court Associate
Supreme Court of Pakistan
Islamabad

1645/18

Date of receipt: 19-01-18

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Date of receipt: 30/1/18

Compared by: AL

Received by: [Signature]

To

The Assistant Director Crimes,
Anti-Corruption Establishment,
Peshawar.

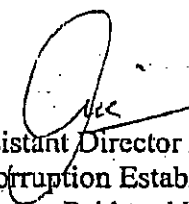
-41-

No. 17707 /ACE, dated 23 /11/2017.

Subject: COMPLAINT NO. 15715 DATED 17.10.2017 AGAINST HASHMAT
ALI, EX-CT TEACHER, GOVERNMENT HIGHER SECONDARY
SCHOOL, PAKHA GHULAM PESHAWAR.


Reference your report dated 21.11.2017.

The subject complaint has been filed. Record be completed accordingly.



Assistant Director Admn.,
Anti-Corruption Establishment,
Khyber Pakhtunkhwa,
Peshawar.

No. 17708 /ACE, dated 23 /11/2017.

Copy to office concerned.


Assistant Director Admn.,
Anti-Corruption Establishment,
Khyber Pakhtunkhwa,
Peshawar.

ATTES/ED


Reader ADCEP = P10Y
18/09/2023

To

The Director,
Elementary & Secondary Education
Peshawar

-42- "L"

Subject :- DEPARTMENTAL APPEAL AGAINST THE MAJOR PENALTY OF "DISMISSAL FROM SERVICE" AWARDED TO THE APPELLANT

Respected sir,

Kindly refer to the Executive District Officer (E & S) Education Peshawar order No. 1426-32 dated 01-03-2011 whereby major penalty of dismissal from service was awarded to the appellant on the charge of alleged submission of fake/forged documents. In this context, I submit the following facts for kind perusal and sympathetic consideration:

1. That parallel to the departmental proceedings, a case was taken up with the Anti-corruption department for a probe and ultimate registration of a criminal case against the appellant.
2. That the appellant has time and again visited office of Inquiry Officer to obtain attested copy of the Inquiry report but the inquiry was lastly found on 18-09-2023 unofficially (copy enclosed).
3. As per Inquiry Report of the Anti-corruption department, the case against the appellant could not be substantiated and the appellant was declared innocent. It was held by the Anti-corruption department that the allegations leveled upon the appellant are baseless. However, this and some other facts were concealed by the department from the superior courts.
4. That as per record of the Anti-corruption department, the documents of the appellant have been proved genuine.
5. That now the allegation leveled against the appellant has been proved baseless, as the inquiry has been filed by the anti-corruption department, therefore, the appellant is entitled to be re-instated in service.

Forgoing in view, it is humbly requested that on the basis of Inquiry Report of Anti-corruption I may kindly be reinstated in service with all back-benefits. Needless to say that being a patient of chronic diabetic, hypertension, Tuberculosis and cardiac disease(s), most of the times I remained on bed rest and become upset and still under treatment, so I remained unable to pursue my case. Now I approached this forum for redressal.

I implore for justice and mercy.

Dated: 19-09-2023

فغان/سلمان

638
20-9-2023

Yours obediently

(Hashmat Ali)

Ex CT GHS Pakha Ghulam Peshawar
Cell # 0302-8898380

M
-43-

Annex-
M

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR.

REINSTATMENT

In pursuance of the decision of the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar dated 09-02-2016 in Service Appeal No: 1282/2011 and Execution Petition No. 73/2016 vide Order Sheet Dated 14-10-2016, Mr. Hashmat Ali Ex- (C.T) GHS Pakha Ghulam Peshawar is hereby reinstated in service.

The District Education Officer (Male) Peshawar has further been pleased to constitute inquiry committee comprising of Mr. Shabbir Ahmad Vice Principal G. Saheed Hasnain Sharif HSS Peshawar City as Chairman, Mr. Shamsul Islam Head Master GHS Kandi Kalu Khel Peshawar to reconduct inquiry against Mr. Hashmat Ali Ex-CT GHS Pakha Ghulam Peshawar as per TOR,s given below:

- TOR,s
- i) To find out whether Mr. Hashmat Ali was appointed on the basis of fake / forged documents or otherwise.
 - ii) To compare his documents with documents submitted at the time of PST appointment.
 - iii) To compare his documents with documents submitted at the time of CT appointment.
 - iv) Submit recommendations within a week to this office.

NOTE:

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

DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.

Endst: No: 13857-59. Dated Peshawar, the 2/11 /2016.

Copy of the above is forwarded to the:-

- 1- Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar w/r to Service Appeal No:1282/2011 Hashmat Ali VS Govt: & others.
- 2- Inquiry Officers concerned.
- 3- Principal Concerned.

PRINCIPAL
Govt. Higher-Secy. School
Pakha Ghulam Peshawar.
Attested

[Signature]
D.O: DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.

44- N

Annex

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR.

NOTIFICATION

Consequent upon the unanimous decision of the Departmental Selection Committee held on 15-02-2017, the reinstatement Notification in r/o Mr. Hashmat Ali CT-GHS Pakha Ghulam issued vide this office Endst: No:13857-59 dated 02-11-2016 is hereby withdrawn.

DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.

Endst: No: 12996-99 Dated Peshawar, the 29/3 /2017.

Copy forwarded for information to the:-

- 1- Registrar Khyber Pakhtunkhwa Service tribunal w/r to service appeal No:1282/2011 Hashmat Ali VS Govt. & others.
- 2- Accountant General Khyber Pakhtunkhwa Peshawar.
- 3- Principal GHS Pakha Ghulam Peshawar.
- 4- Mr. Hashmat Ali.



DY. DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.



Inquiry Report

Vide EDO, Elementary & Secondary Education, Peshawar, Notification No 3600-3/F-Hashmat Ali CT Dated 30/7/2010 (F/A), the undersigned via Khizar Hayat Khan, Subject Specialist (Mathematics), GHSS Musazai Peshawar has been appointed as Inquiry Officer to conduct enquiry against Mr. Hashmat Ali, CT, GHS Pakha Ghulam Peshawar who made tampering in his documents/application Form while submitting application Form for appointment as CT teacher during January 2009.

Background

Mr. Hashmat Ali who was working on PTC Post at GPS Wazir Bagh Peshawar submitted an application Form No 0736(F/B) for appointment as CT Teacher during January 2009. In the application Form along with attested photo copies of the Degrees/certificates he showed his academic qualification as under:

S#	Exams	Roll No	Year of Passing	Total Number	Number Obtained	Division	From Board/Uni
1	SSC	15408	1992	850	665	1 st	BISE Peshawar
2	FSC	2241	1994	1100	775	1 st	BISE Peshawar
3	BA	26384	1997	550	341	1 st	Peshawar University
4	MA	22559	2000	1100	602	2 nd	Peshawar University
5	CT	1745	2002	1200	826	1 st	E&SE Deptt

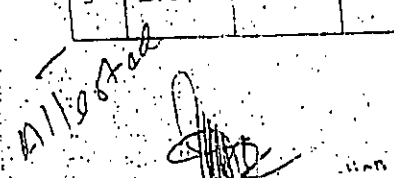
2) The application Form is duly signed by the applicant/teacher (Hashmat Ali), Head Teacher of GPS Wazir Bagh Peshawar and the ADO (Circle) Peshawar.

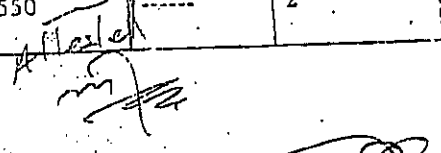
3) On the basis of above information/qualification, the applicant/teacher (Hashmat Ali) got appointed as CT Teacher subject to the verification of the documents from the concerned quarters.

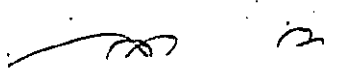
4) On verification of the documents of the applicant/teacher (Hashmat Ali), made by EDO E&SE Peshawar from the concerned agencies(F/C), it was transpired that the applicant had misquoted/tampered his marks obtained in SSC, FSC, BA, MA and CT examinations.

The actual numbers obtained in the examinations is as under.

S#	Exams	Roll No	Year of Passing	Total Number	Number Obtained	Division	From Board/University
1	SSC	15408	1992	850	515	Grade B	BISE Peshawar
2	FSC	2241	1994	1100	507	Grade D	BISE Peshawar
3	BA	26384	1997	550	-----	2 nd	Peshawar University

Attested


Attested


Attested


INQUIRY REPORT

Vide EDO, Elementary & Secondary Education, Peshawar, Notification No 3600-3/F-Hashmat Ali CT dated 30/07/2010 (F/A) the undersigned viz Khizar Hayat Khan Subject specialist (Mathematics) GHSS Musazai, Peshawar has been appointed as Inquiry Officer to conduct enquiry against Mr. Hashmat Ali, CT GHS Pakha Ghulam Peshawar who made tampering in his documents/ application form while submitting application form for appointment as CT teacher during January, 2009.

Background

Mr. Hashmat Ali, who was working on PTC post at GPS Wazir Bagh Peshawar submitted an application form No 0735(FB) for appointment as CT teacher during January 2009 in the application form alongwith attested photocopies of the degrees/certificates he showed his academic qualification as under:-

S.#	Exams	Roll No	Year of Passing	Total Number	Number obtained	Division	Form Board/Uni
1)	SSC	15408	1992	850	665	1 st	BISE Peshawar
2)	FSC	2241	1994	1100	775	1 st	BISE Peshawar
3)	BA	26384	1997	55	341	1 st	Peshawar University
4)	MA	22559	2000	1100	602	2 nd	Peshawar University
5)	CT	1745	2002	1200	826	1 st	E&SE Deptt:

2) The application form is duly signed by the applicant/teacher (Hashmat Ali) Head Teacher of GPS Wazir Bagh Peshawar and the ADO (Circle) Peshawar.

3) On the basis of above information/qualification, the applicant/teacher (Hashmat Ali) got appointed as CT Teacher subject to the verification of the documents from the concerned quarters.

4) On verification of the documents of the applicant/teacher (Hashmat Ali), made by EDO E&SE Peshawar from the concerned agencies (F/C), it was transpired that the applicant had misquoted/tempered his marks obtained in SSC, FSC, BA, MA and CT examination.

The actual numbers obtained in the examination is as under

S.#	Exams	Roll No	Year of Passing	Total Number	Number obtained	Division	Form Board/Uni
1)	SSC	15408	1992	850	515	Grade B	BISE Peshawar
2)	FSC	2241	1994	1100	507	Grade D	BISE Peshawar
3)	BA	26384	1997	55	---	2 nd	Peshawar University

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-46-

61

MA	22559	2000	1100	-----	2 nd	Peshawar University E&SE Dept
CT	1745	2002	1200	626	2 nd	

5) The applicant/teacher has clearly deceived the selection committee by producing false documents and thus succeeded to get appointment as CT Teacher.

Findings:

- 1) The applicant/teacher has submitted an affidavit (F/D) that in case of any misquoting/wrong statement, the Department shall take any action against him.
- 2) The then District Officer (Male), E&SE Peshawar had released the pay in respect of Mr. Hashmat Ali (applicant/teacher) on 29/6/2009, w.e.f the date of taking over charge against the post of CT, overlooking/neglecting the verification of the documents of the teacher in question made by the office of EDO, E&SE Peshawar from the concerned agencies. (F/E)
- 3) On detail scrutiny of the record, it has been proved that the applicant/teacher tampered his documents fraudulently by increasing marks in SSC, FSC, BA & CT at the time while submitting application Form along with photo copy of the documents for appointment of CT post with the propose to get high rank in the merit list.
- 4) The District Education Officer (Male) E&SE Peshawar and the concerned staff had shown negligence/oversight while releasing pay of the teacher in question.

[Signature]
District Officer (E&SE)

Recommendations:

- i) Under Government Servants Efficiency & Discipline Rules, 1973 and Conduct Rules, 1987 of Khyber Pakhtoonkhwa; the teacher in question is required to be reduced to a lower post (back) of PTC, in addition to, for unfitness for promotion for future 3 years.
- ii) Recovery of all types of financial benefits received on CT post be made and the amount be deposited in national exchequer.
- iii) The then District Education Officer (Male), E&SE Peshawar and the concerned staff are responsible for issuing pay release order of the teacher.
- iv) Departmental action is required to be taken against officers/officials involved in the pay released order of the teacher in question without confirmation/verification of the documents.

[Signature]
A. H. Khan

[Signature]
Deputy District Education Officer (Male) Peshawar.

[Signature]
Khizar Hayat Khan (Inquiry Officer)
Subject Specialist (Math)
GHSS, Musa Zai Peshawar.

Dr.
Khan
12/7

4)	MA	22559	2000	1100	---	2 nd	Peshawar University
5)	CT	1745	2002	1200	626	2 nd	E&SE Deptt:

5) The applicant/teacher has clearly deceived the selection committee by producing false documents and thus succeeded to get appointment as CT Teacher.

Findings

- 1) The applicant/teacher has submitted an affidavit (F/D) that in case of any misquoting/wrong statement, the department shall take any action against him.
- 2) The then District Officer (Male), E&SE Peshawar had released the pay in respect of Mr. Hashmat Ali (applicant /teacher) on 29/06/2009, w.e.f the date of taking over charge against post of CT, over sighting/neglecting the verification of the documents of the teacher in question made by the office of EDO, E&SE Peshawar from the concerned agencies (F/E)
- 3) On detail scrutiny of the record, it has been proved that the applicant/teacher tampered his documents fraudulently by increasing marks in SSC, FSC, BA & CT at the time while submitting application Form alongwith photocopy of the documents for appointment of CT post with the purpose to get high rank in the merit list.
- 4) The District Education Officer (Male) E&SE Peshawar and the concerned staff had shown negligence/oversight while releasing pay of the teacher in question.

Recommendations:-

- i. Under Government Servants Efficiency & Disciplines Rules, 1973 and Conduct Rules, 1987 of 3 Khyber Pakhtunkhwa, the teacher in question is required to be reduced to a lower post (back) of PTC, in addition to, for unfitness for promotion for future 3 years.
- ii. Recovery of all types of financial benefits received on CT post be made and the amount be deposited in national exchequer.
- iii. The then District Education Officer (Male), E&SE Peshawar and the concerned staff responsible for issuing pay release order of the teacher.
- iv. Departmental action is required to be taken against officers/officials involved in the pay released order of the teacher in question without confirmation/verification of the documents.

Khizar Hayat Khan (Inquiry Officer)
Subject Specialist (Math)
GHSS Musa Zai, Peshawar.

۱۲۰

-47-

مردانہ / زنانہ

درخواست برائے آسانی

مدرسین کی ترقی کیلئے ایک مورخہ 23 جولائی 2005ء کے تحت
 جاری کیے گئے احکامات کے تحت درخواستیں جمع کرائی گئیں تھیں۔
 اس کے تحت درخواستیں منظور کی گئیں اور ان کے مطابق
 کام کر رہا ہے۔ اس کے علاوہ درخواستیں بھی جمع کرائی گئی ہیں۔
 ان کے بارے میں فیصلہ جلد ہی کیا جائے گا۔

حصہ

حقیقی استاد

نومین کونسل

9- پتھورہ

عبد الرحمان

0736

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15 جولائی 2009ء کو پتھورہ سال

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تعمین قابلیت

کثرت	پتھورہ / پتھورہ	روزانہ	مامل کرنا	کل نمبر	پتھورہ کی	پتھورہ	امتحان
۱	پتھورہ اور پتھورہ	Ist	665	850	1992	15400	پتھورہ
۲	پتھورہ اور پتھورہ	Ist	775	1100	1994	2241	پتھورہ
۳	پتھورہ اور پتھورہ	Ist	341	550	1998	26384	پتھورہ
۴	پتھورہ اور پتھورہ	2nd	602	1100	2000	22589	پتھورہ
۵	پتھورہ اور پتھورہ	Ist	826	1200	2002	1745	پتھورہ
۶							قرأت و تجوید القرآن
۷							حفظ القرآن

Hashim Ali

تعمین قابلیت کے لئے درخواست نامہ جمع کرنا ضروری ہے۔

15 جولائی 2009ء کو پتھورہ کے پتھورہ اور پتھورہ پتھورہ پتھورہ پتھورہ پتھورہ پتھورہ پتھورہ پتھورہ پتھورہ پتھورہ پتھورہ

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درخواست برائے آسامی سٹی مردانہ/زنانہ

حکومت صوبہ سرحد کے نوٹیفکیشن کی ترمیمی ایکٹ مورخہ 23 جولائی 2005ء کے تحت تمام تقرریاں ریگولر مگر بغیر پنشن کی بنیاد پر ہوگی خواہ امیدوار پہلے سے کسی بھی مستقل پوسٹ پر کام کر رہا رہی ہو، جی پی فنڈ کی جگہ سی پی فنڈ کی کٹوتی ہوگی۔
فارم نمبر ارول نمبر 0736 یونین کونسل نکلہ پشاور

نام حشمت علی ولدیت عبد السبحان طاقہ پی ایف 9 پشاور
تاریخ پیدائش 01/03/1976 15 جنوری 2009ء سال 32 ماہ 10 دن 14
ضلع ڈومیسائل پشاور کمپیوٹرائزڈ قومی شناختی کارڈ نمبر 5-1236699-17301
مستقل پتہ تحصیل ضلع پشاور گاؤں وڈا کھانہ مہاں گجر
عارضی پتہ ایضاً

تعلیمی قابلیت

نمبر شمار	امتحان	رول نمبر	پاس کرنے کی تاریخ	کل نمبر	حاصل کردہ نمبر	ڈویژن	بورڈ ایونیورسٹی	کیفیت
۱	میٹرک	15408	1992	850	665	1st	پشاور بورڈ	
۲	ایف ایس سی	2241	1994	1100	775	1st	پشاور بورڈ	
۳	بی اے	26384	1997	550	341	1st	پشاور یونیورسٹی	
۴	ایم اے	22559	2000	1100	602	2nd	پشاور یونیورسٹی	
۵	سی ٹی	1745	2002	1200	826	1st	سکول ایڈ لیٹرری	
۶	قرأت تجویز القرآن							
۷	حفظ القرآن							

۱۔ محکمہ تعلیم میں مستقل ملازمت کی صورت میں درخواست فارم کے ساتھ پے رول کی تصدیق شدہ نقل افسر مجاز کی زیر دستخط جمع کرنا ضروری ہے۔

۲۔ 15 جنوری 2009ء، وقت 2:30 بجے بعد از دوپہر دفتری اوقات کار تک فارم جمع کرنا ضروری ہے اس کے بعد کوئی فارم وصول نہیں کیا جائے گا۔

۳۔ تجربہ مخصوصہ آسامی کیلئے پیشہ ورانہ قابلیت (سی ٹی ڈی ایم پی ای ٹی، قرأت، تجوید القرآن) امتحان کا نتیجہ نکلنے کے بعد شمار کیا جائیگا۔

دستخط پرنسپل ایڈ ماسٹر مہر دستخط اے ڈی اوسر کل

VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No /2024

Hashmat Ali

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt

(RESPONDENT)
(DEFENDANT)

I/We Hashmat Ali

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. / /202

29
CLIENT

ACCEPTED

47
NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT

WFA
WALEED ADNAN

U
UMAR FAROOQ MOHMAND

Muhammad Ayub
MUHAMMAD AYUB

&

Mahmood Jan
MAHMOOD JAN
ADVOCATES

OFFICE:

Flat No. (TF) 291-292 3rd Floor,
Deans Trade Centre, Peshawar Cantt.
(0311-9314232)