

25.04.2018

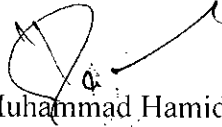
None for the appellant present. Addl: AG for respondents present. Due to retirement of the worthy Chairman, the Tribunal is incomplete, therefore the case is adjourned. To come up for ~~arguments~~ ^{Sans} on 11.07.2018 before D.B


Reader

10.07.2018

Neither appellant nor his counsel present. Mr. Daud Jan, Supdt alongwith Mr. Muhammad Jan, DDA for respondents present. Representative of the respondents submitted written reply on behalf of respondent no.1 which is placed on file. To come up further proceedings/ final hearing on 03.09.2018 before D.B.


(Ahmad Hassan)
Member

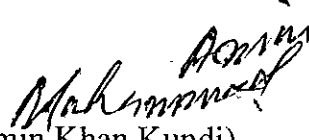

(Muhammad Hamid Mughal)
Member


03.09.2018

Appellant absent. Learned counsel for the appellant absent. Mr. Muhammad Jan, Deputy District Attorney on behalf of the present. Case called but no one appeared on behalf of the appellant. On previous two dates too, no one appeared on behalf of the appellant. Consequently present appeal is dismissed in default. No order as to costs. File be consigned to the record room.

ANNOUNCED

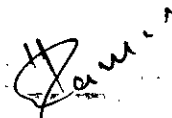
03.09.2018


(M. Amin Khan Kundi)
Member


(M. Hamid Mughal)
Member

17.07.2017

Clerk to counsel for the appellant and Mr. Muhammad Adeel Butt, Additional AG alongwith Mr Khalil ur Rehman, AD for the respondent present. Written reply along with cast of Rs 500 on behalf of respondent no 4 and 5 submitted receipt be obtained from the appellant or his counsel. Additional AG rely on the same on behalf of respondent no 3. To come for rejoinder and arguments on 11.09.2017.



(Muhammad Hamid Mughal)
Member

11.09.2017

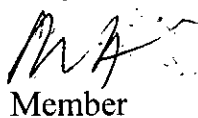
Counsel for the appellant and Asstt. AG alongwith Daud Jan, Superintendent for the respondents present. The Learned Chairman is on leave, therefore, arguments could not be heard. To come up for arguments on 13.12.2017 before the D.B.



(Gul Zeb Khan)
Member (Executive)

13.12.2017

Counsel for the appellant and Addl. AG for the respondents present. The court time is over. To come up for arguments on 20.02.2018 before this D.B.



Member



Chairman

20.02.2018

Due to non availability of D.B. Adjourned. To come up on 25.04.2018 before D.B.



(Gul Zeb Khan)
Member

BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No: 657/2017

Abdullah S/O Muhammad Ibrahim R/O Shahkari P/O Sawarogha SWA Ex-Arabic
Teacher (BPS-09) GPS Gazarsai SWAAppellant.

VERSUS

1. Director Education FATA, FATA Secretariat Warsak Road Peshawar.
2. Education Officer South Waziristan Agency at Tank.
3. Agency Education Officer South Waziristan Agency at Tank.
4. Political Agent South Waziristan Agency at Tank.
5. Assistant Political Agent, South Waziristan Agency at Laddha....Respondents.

Para-wise comments on behalf of respondent No:1 & 3

Respectfully Sheweth:

Preliminary Objections

1. That the appellant has got no cause of action to file the instant appeal.
2. That the appellant has not come to this Honourable Tribunal with clean hands.
3. That the appellant has concealed material facts from this Honourable Tribunal.
4. That the appellant is estopped by his own conduct to bring the present appeal.
5. That the appeal is bad due to mis-joinder and non-joinder of necessary parties.
6. That the instant appeal is not maintainable and devoid of merits.

On Facts:

1. Pertains to record.
2. Incorrect. The appellant was involved in Anti state activities. Therefore the Competent Authority has dismissed the services of the appellant under special power-2000. It is further stated that the Government has decided to terminate the services of those Government servants involved in anti-state activities/Militancy in the meeting of Competent Authority.
3. No comments. Pertains to record.
4. As explained in Para-2 above.
5. Incorrect. As the appellant was involved in anti-state activities, therefore the Competent Authority terminated the services of the appellant under special power-2000.
6. Incorrect. The appellant has lodged his appeal in FATA Tribunal which is not right forum for the purpose. The FATA Tribunal dispose-up the appeal on the plea that the Tribunal has got no jurisdiction. Therefore the appellant has directed to approach the Director Education FATA being right forum for the redressal of his grievances. However reply on grounds are as under.

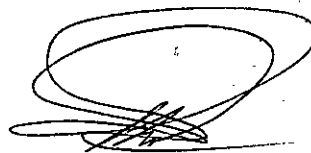
Grounds:

- A. Incorrect. No action has been taken by the Competent Authority which is against the law as the appellant has been involved in anti-state activities therefore he has been terminated under special power-2000.
- B. Incorrect. As explained in Para-A above.
- C. Incorrect. As the appellant was involved in anti state activities and was not present in duty therefore it is impossible for Competent authority to give him an

- D. Incorrect. As explained in Para-D above.
- E. As replied above.
- F. No comments. Pertains to record.
- G. Penalty is according to law.
- H. Incorrect. The Honorable Tribunal is requested to decide the appeal on merit. The Agency Education Officer recommended the appeal of the appellant only on compassionate grounds.
- I. Incorrect. As the appellant was terminated from service therefore under the rules pay of the appellant cannot be released at any cost.
- J. Respondents also seek permission to advance other grounds at the time of arguments.

In the light of above factual position it is humbly requested to please dismiss the appeal having no legal force.

Respondent No.1



Director Education FATA

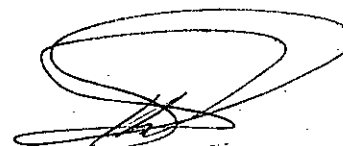
Respondent No.3

**Agency Education Officer
South Waziristan Agency**

AFFIDAVIT

We the above respondents do hereby declare and affirm that the above comments are true and correct to the best of our Knowledge and belief that nothing has been concealed from this Honorable Tribunal.

Respondent NO. 1



Director Education FATA

Respondent NO. 3

**Agency Education Officer
South Waziristan Agency**

27.03.2017

Counsel for the appellant and Mr. Khalil Ur Rahman, Agency Education alongwith Addl: AG for the respondent present. Written reply on behalf of respondents No. 1 and 3 submitted. Remaining respondents requested for adjournment. Request accepted. To come up for written reply/comments on 26.04.2017 before S.B.




(AHMAD HASSAN)
MEMBER

26.04.2017

Counsel for the appellant alongwith Addl: AG for the respondents present. Written reply on behalf of respondents No. 1 and 3 already submitted. Remaining respondents requested for adjournment. Request accepted. Last opportunity granted. To come up for written reply/comments on 29.05.2017 before S.B.

Appellant Deposited
Security & Process Fee



(Ahmad Hassan)
Member

29.05.2017

Appellant in person and Mr. Daud Jan, Supdt. alongwith Addl. AG for official respondents present. Written reply already submitted by respondents No. 1 and 3. Written reply not submitted on behalf of respondents No. 2, 4 and 5 despite last opportunities. Requested for further adjournment. Last opportunity further extended subject to payment of cost of Rs. 500/- which shall be borne by respondents from their own pockets. To come up for written reply/comments and cost on 17.07.2017 before S.B.



(AHMAD HASSAN)
MEMBER

657/16

14.12.2016

Appellant present in person and Mr. Daud Jan, Superintendent alongwith Addl. AG for the respondents present. Requested for adjournment. To come up for written reply/comments on 23.01.2017 before S.B.


Chairman

23.01.2017

Clerk to counsel for the appellant and Assistant AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 28.02.2017 before S.B.


Chairman

28.02.2017

Clerk counsel for appellant and Mr. Daud Jan, Superintendent alongwith Mr. Muhammad Adeel Butt, Additional AG for respondents present. Written reply by respondents not submitted and they last sought last opportunity for submission of written reply. Granted. To come up for written reply/comments on 27.03.2017 before S.B.


(ASHFAQUE TAJ)
MEMBER

18.07.2016

Counsel for the appellant present and requested for adjournment. Adjudgment granted. To come up for preliminary hearing on 18.10.2016 before S.B.
Counsel for the appellant present. Preliminary arguments heard. Pre-admission notice be issued the respondents for 26.09.2016 before S.B.


MEMBER

Member

26.09.2016

Counsel for the appellant present and requested for adjournment. Adjudgment granted. To come up for preliminary hearing on 18.10.2016 before S.B.


Member

18.10.2016

Counsel for the appellant present. Learned counsel for the appellant argued that appellant was appointed as Theology Teacher T.T (BPS-7) on 10.12.1999 and was later on promoted as Arabic Teacher (BPS-14). He argued that services of the appellant were terminated vide impugned order dated 15.12.2009 by the political agent South Waziristan Agency who was not competent authority for issuing such termination order. He further contended that no opportunity of defence and personal hearing was granted to the appellant nor was any charge framed or inquiry conducted against him before termination of his services. The order of his termination was therefore void ab-initio. The learned counsel also invited attention to order dated 01.02.2016 by the FCR Tribunal who directed the appellant to approach proper forum for redressal of his grievance adding further that departmental appeal dated 17.03.2016 of the appellant was not responded hence the present appeal before the Service Tribunal. He further argued that this Tribunal vide judgment dated 13.12.2011 in Service Appeal No. 850/2011 titled Faizullah granted relief of reinstatement in identical case and requested for admitting the appeal for regular hearing.



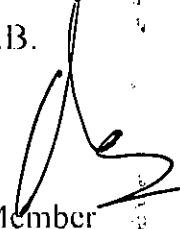
Point urged at the bar needs consideration. Admit subject to all legal objections. The appellant is directed to deposit the security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 14.12.2016 before S.B.


(ABDUL LATIF)
MEMBER

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 657/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	17/06/2016	<p>The appeal of Mr. Abdullah resubmitted today by Mr. Abdul Karim Mehsud Advocate may be entered in the Institution Register and put up to the learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p><i>21-6-16</i></p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>22-6-16</u></p> <p style="text-align: right;"> MEMBER</p>
	10.2016	<p>Counsel for the appellant present. Requested for adjournment. Request accepted. To come up for preliminary hearing on 18.7.2016 before S.B.</p> <p style="text-align: right;"> Member</p>


This is an appeal filed by Mr. Abdullah today on 13/06/2016 against the order dated 15.12.2009 against which he preferred/made departmental appeal/ representation on 17.03.2016 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action and also removing the following deficiencies.

- 1- Copy of impugned termination order dated 15.12.2009 mentioned in the heading of the appeal is not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal may be attested.
- 3- Annexures of the appeal may be flagged.

No. 1018 /ST,

Di. 13/6 /2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Abdul Karim Mehsud Adv. Pesh.

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 657/2016

Abdullah.....(Appellant)

V E R S U S

Director Education FATA, FATA Secretariat, Warsak Road,
Peshawar and others.....(Respondents)

I N D E X

S.No.	Description of Documents	Annex	Pages
1.	Service Appeal		1-6
2.	Affidavit		7
3.	Addresses of the Parties		8
4.	Service Appeal dated 17/03/2016	A	9-11
5.	Order of FATA Tribunal dated 01/02/2016	B	12-15
6.	Letter dated 09/02/2016 A.E.O Tank	C	16
7.	M.N.A Letter dated 09/02/2016	D	17
8.	Letters of Political Agent	E	18
9.	Request for Re-instatement	F	19
10.	Letter dated 30/11/2015 A.E.O	G	20
11.	Request for Re-instatement	H	21
12.	Surety Bond		22
13.	Office order		23
14.	Wakalat Nama		24

Termination order

I
W. I. I.
Appellant

Through

Dated: 10/06/2016

AK
Mehtab
Abdul Karim Mehsud

Abdul Karim Mehsud

& *Yusuf*
Adv.
Yousaf Khan
Advocates High Court,
Peshawar.
Cell: 0300-9592108.

①

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE

TRIBUNAL, PESHAWAR

Service Appeal No. 657/2016

Khyber Pakhtukhwa
Service Tribunal

Diary No. 615

Dated 13-6-2016

Abdullah S/o Muhammad Ibrahim R/o Shahkari, P.O.
Sararogha, South Waziristan Agency, Ex-Arabic Teacher (BPS-
09) GPS, Gazganrai, South Waziristan Agency.....(Appellant)

V E R S U S

1. Director Education FATA, FATA Secretariat, Warsak Road,
Peshawar.
2. Education-Officer South Waziristan Agency, at Tank.
3. Agency Education Officer, South Waziristan Agency, at
Tank.
4. Political Agent South Waziristan Agency at Tank.
5. Assistant Political Agent, South Waziristan Agency at
Laddha.....(Respondents)

Filed to-day

[Signature]
Registrar

13/6/16

APPEAL UNDER SECTION 4 OF KHYBER
PUKHTUNKHWA SERVICE TRIBUNAL ACT
1974, AGAINST THE ORDER DATED
15/12/2009 OF THE POLITICAL AGENT

Re-submitted to -day
and filed.

[Signature]
Registrar

17-6-16

SOUTH WAZIRISTAN AGENCY, WHEREBY
THE APPELLANT HAS BEEN DISMISSED/
TERMINATED FROM SERVICES without any
plausible reason/ explanation.

Respectfully Sheweth:

1. That the appellant was appointed as TT (BPS-07) Teacher against a vacant post at GPS Gazganrai vide letter No. 5153-60 dated 10/12/1999, by the Agency Education Officer SWA.

2. That after the appointment the appellant performed his duties when and where assigned to him regularly and a never remained willfully absent from the duty.

3. That during the course of his service the appellant adjusted against AT/OT Post (BPS-09 by Director of Education (FATA) vide letter No. 3711-32 dated 02/02/2000 and was awarded (BPS-14) having higher qualification since 01/03/2000.

4. That while serving in the said capacity the appellant has been dismissed from service vide letter No. 2764-

68 dated 15/12/2009 by the Political Agent South Waziristan Agency, on the plea that he has been involved in anti-state activities.

5. That without serving any Charge Sheet or Show Cause Notice, the appellant was never associated with the inquiry. The service of the appellant was terminated vide order dated 15/12/2009.
6. That aggrieved from the termination order the appellant submitted application before the department but in vain and finally submitted a petition before the FATA Tribunal (FCR) Peshawar which was return back with the direction to the department that the petition be consider as his departmental appeal. Hence the instant appeal inter-alia on the following grounds:

GROUND:

- A. That the appellant has not been treated in accordance with law, hence his right secured and guaranteed under the law and badly violated.

- B. That the proper procedure has not been followed before the termination of services of the appellant no Charge Sheet or Show Cause Notice has served upon the appellant nor he has been associated with the inquiry, thus proceedings so conducted are liable to be set aside.
- C. That the appellant has not been allowed opportunity of personal hearing before termination of his services, thus he has been condemned unheard.
- D. That no Charge Sheet, statement of allegation or Show Cause Notice been ever served upon the appellant, hence he has been provided opportunity to defend himself against the charge leveled against him.
- E. That the appellant never committed an act or omission which could be consider treated as misconduct, albeit he been terminated from service, the appellant never absented himself the charge leveled against him was false and baseless.
- F. That since the appellant is jobless since his illegal termination from service he has a large family

dependent upon him, due to his illegal termination his whole family is suffering.

- G. That the appellant has more than 15 years spotless service career, the penalty imposed upon him is too harsh and liable to be set aside.
- H. That the Agency Education Officer, SWA has got no objection if his services are reinstated with retrospective effect.
- I. That the appellant approached before Political Administration as no allegation were proved against him. The Assistant Political Agent Ladha, South Waziristan Agency at Tank ordered for the release of his pay along with all benefits with retrospective effect vide No. 2142-43/APA dated 24/11/2011.
- J. That the appellant seeks permission of this Hon'ble Tribunal to rely on additional grounds at the hearing of the appeal.

It is, therefore, humbly prayed that on acceptance of this appeal, the letter No. 2764-68

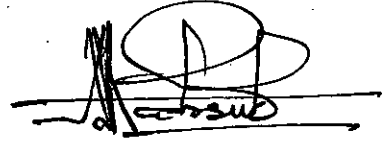
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dated 15/12/2009 may please be set-aside and the
appellant may please be re-instated in service with
full back wages and benefits of service.

عبدالکریم

Appellant

Through



Abdul Karim Mehsud

Dated: 10/06/2016

&

یوسف خان

Yousaf Khan

Advocates High Court,
Peshawar.

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2016

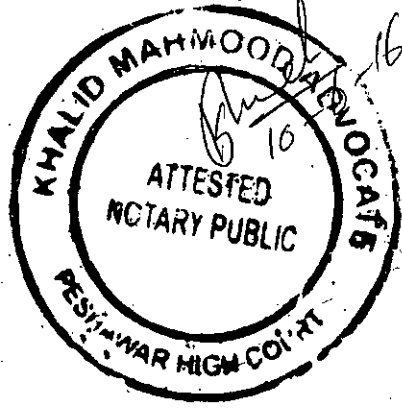
Abdullah.....(Appellant)

V E R S U S

Director Education FATA, FATA Secretariat, Warsak Road, Peshawar and others.....(Respondents)

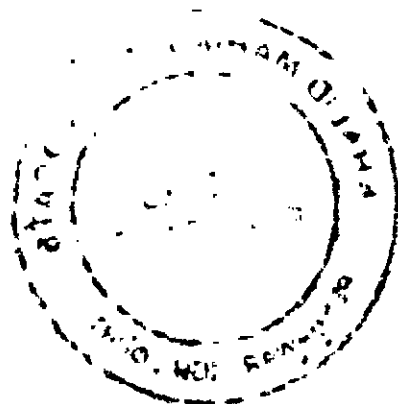
AFFIDAVIT

I, **Abdullah** S/o Muhammad Ibrahim R/o Shahkar, P.O Sararogha, South Waziristan Agency, do hereby solemnly affirm and declare, that the contents of the **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



عبدالله

DEPONENT
CNIC No. 21704-8850181-1



BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2016

Abdullah.....(Appellant)

V E R S U S

Director Education FATA, FATA Secretariat, Warsak Road,
Peshawar and others.....(Respondents)

ADDRESSES OF THE PARTIES

APPELLANT:

Abdullah S/o Muhammad Ibrahim R/o Shahkari, P.O. Sararogha, South Waziristan Agency, Ex-Arabic Teacher (BPS-09) GPS, Gazganrai, South Waziristan Agency.

RESPONDENTS:

1. Director Education FATA, FATA Secretariat, Warsak Road, Peshawar.
2. Education Officer South Waziristan Agency, at Tank.
3. Agency Education Officer, South Waziristan Agency, at Tank.
4. Political Agent South Waziristan Agency at Tank.
5. Assistant Political Agent, South Waziristan Agency at Laddha.

عبدالله

Appellant

Through

Abdul Karim Mehsud

Abdul Karim Mehsud

Dated: 10/06/2016

Yousaf Khan
& *Yousaf Khan*

Yousaf Khan

Advocates High Court,
Peshawar.

To

The Director Education FATA
FATA Secretariat, Warsak Road,
Peshawar.

Subject: RE-INSTATEMENT IN SERVICE WITH ALL BACK
BENEFITS/ DEPARTMENTAL APPEAL.

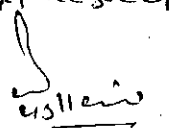
Respected Sir,

1. That I was appointed as T.T (BPS-07) at GPS Gazganvai on 10/12/1999 vide letter No. 5153-60 by the Agency Education Officer South Waziristan Agency. There after promoted to BPS-14 having sound mind fitness and higher qualification vide order dated 01/03/2000 and dismissed from service vide order No. 2764-68 dated 15/12/2009 by Political Agent, South Waziristan Agency and order No. 4329-34 dated 15/12/2009 passed by Agency Education Officer, South Waziristan Agency on the allegation that I was affiliated with Tahreek-e-Taliban I personally appeared before the Political administration as there is no allegations were proved, against me thereafter my salary which was stopped, be released along with all back benefits

Attested
[Signature]
[Initials]

with retrospective effects vide No. 2142-43/ APA (19) dated 24/11/2011 but the Agency Education Officer was unable to release my pay as I was dismissed from service. Against the dismissal order of Political Agent I filed an appeal before the Commissioner FCR D.I.Khan Division which was not consider and dismissed vide order dated 26/06/2012. feeling aggrieved from the same order I filed Revision Petition which was disposed off with the direction to approach before the proper forum i.e. Director Education the same, was also directed to consider my appeal/ representation. as my termination order is illegal and I have no other source of income and a large family depending upon me and I never committed any act or omission which could be consider as a misconduct. Furthermore, I appeared before the Political Administration as well there are no allegations proved against me and the Agency Education Officer SWA has got no objection if I reinstate on the previous post with retrospective effect.

It is, therefore, requested that on acceptance of this appeal, the letter No. 2764-67 dated 15/12/2009

Attested


passed by the Political Agent and order No. 4329-34 dated 15/12/2009 passed by Agency Education Officer, SWA may kindly be set aside and please be reinstate in service with all back benefits.

I shall be very thankful to you for this act of kindness.

Dated: 17/03/2016

عبدالله

Applicant

Signature

Abdullah S/o Muhammad Ibrahim
Ex-Aribic Teacher (BPS-14)
GPS, Gazgaurai
South Waziristan Agency.

Attested
Signature

FATA Tribunal Peshawar

Criminal/Civil/Revision/Review Petition No 711/15

Date of institution. 24.11.2015.

Counsel for the Petitioner (s)

Counsel for the Respondent (s)

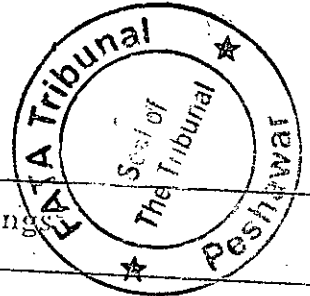
Petitioner (s)

Respondent (s)

Abdullah.

U/L

D. E. Fateh



Order Sheet No.

Date

Proceedings

PP-840

24.11.2015

This Misc; application is submitted by petitioner, namely Abdullah, through his Counsel Dr Zafar Shabeer Khan. The Revision is time-barred, hence, be registered.

The comments of Agency Education Officer be summoned for 07.12.2015.

To come up before this Tribunal on 7.12.15, for the maintainability of the case, as well as to argue the comments of the AEO.

for Registrar
FATA Tribunal

7.12.2015.

24.11.15

Order
AEO
AEO
AEO

Attested

Signature

Counsel for petitioner preliminary argued. Respite be sent copy of petition, along with the notice. Record

FATA Tribunal Peshawar

Criminal/Civil/Revision/Review Petition No 7/111/2015

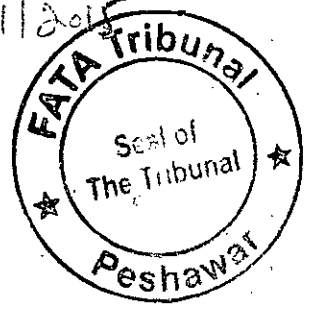
Date of institution. 24.11.2015

Counsel for the Petitioner (s)
Counsel for the Respondent (s)

Petitioner (s)
Respondent (s)

Abdullah
vs

D.E Fater



Order Sheet No.	Date	Proceedings
		<p>be requisition. The Respondent be directed to file comments. To come up for 5.1.2016.</p>
Order	5.1.2016.	<p>Nemo present. Noun be sent to petitioner for next date. To come up for comments on 14.1.16</p>
Order	14.01.2016.	<p>Consid alongwith Pt present. Comments not received. Be requisition for 25.1.2016. Positively. Case to come up on for the date fixed.</p>

[Signature]

Muhammad Ali Nazir
Member FATA Tribunal

[Signature]

Muhammad Ali Nazir
Member FATA Tribunal

[Signature]
Registrar
FATA Tribunal

FATA Tribunal Peshawar

Criminal/Civil/Revision/Review Petition No C-5/7/11/2015

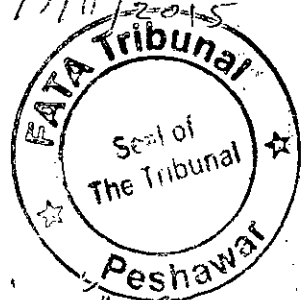
Date of institution. 24/1/2015

Counsel for the Petitioner (s)

Counsel for the Respondent (s)

Petitioner (s)
Respondent (s)

پٹیشنر (س)
ریسپنڈنٹ (س)



Order Sheet No.

Date

Proceedings

Order

25.01.2016.

Nemo present on behalf of respondent no 1. Petitioner in person present. Nonailable warrant of arrest be used against respondent no 1 for securing his attendance. To come up for 1.2.16.

Muhammad Asif Wazir
Member FATA
Tribunal

Order

01.02.2016.

Petitioner in person present. Representative of respondent no 1 present. As this tribunal has got no jurisdiction. The petitioner is directed to approach the Director education FATA which is the proper forum. The petitioner is directed to file proper representation.

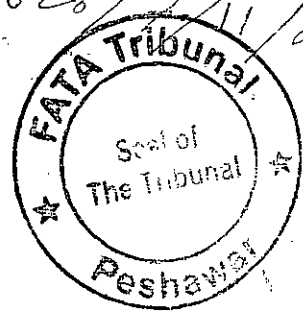
Registrar
FATA Tribunal

FATA Tribunal Peshawar

15

Criminal/Civil/Revision/Review Petition No 48/7/11/2015

Date of institution. 24/11/2015



Counsel for the Petitioner (s)
Counsel for the Respondent (s)

Petitioner (s)
Respondent (s)

ملفوظات


Order Sheet No.

Date

Proceedings

before the concerned ~~person~~
The Director education
is directed to ^{favourably} consider
his departmental appeal/
representation in the light
of recommendation of
political agent concerned. The
petition is disposed of
accordingly. The file be
consigned to record room
after completion.


Sang-e-Marjan
Chairman FATA
Tribunal


Muhammad Amir Nazir
Member FATA
Tribunal


Registrar
FATA Tribunal



To

The Political Agent,
S.W. Agency at Tank.

SUBJECT: STOPPAGE OF PAY OF TEACHER ASSOCIATED WITH TEHRİK-I-TALABAN PAKISTAN.

Memo:

Kindly refer to the Telephonic conversation with Assistant Director (Estab) Directorate of Education FATA, Peshawar on 02.02.2016 in the light of the then Assistant Political Agent Ladha Endst; No.2142-43 Dated 24.11.2011 on the subject cited above.

Mr; Abdullah, son of Mohammad Ibrahim was appointed against vacant TT (BPS -07) post at GPS, Gazganrai, SWA vide Agency Education Officer South Waziristan Agency appointment order No.5153-60 dated 10.12.1999 and later on adjusted against AT/OT post BPS-09 vide Director of Education (FATA) Peshawar No.3711-32 dated 02.02.2000, was awarded BPS-14 having higher qualification since 01.03.2000.

It is submitted that the aforesaid Arabic Teacher, GMS Shakari, S.W. Agency has been dismissed from service vide Political Agent, S.W. Agency Endst: No.2764-68 Dated 15.12.2009, also Endorsed by this office No.4329-34 Dated 15.12.2009 on the plea that he has been involved in anti-state activities. He appeared before the Political Administration. As no allegations were proved against him, therefore the Assistant Political Agent, Ladha, South Waziristan Agency at Tank ordered for the release of his pay along with all benefits with retrospective effects vide No. 2142-43/APA (19), DATED 24.11.2011 but the then Agency Education Officer was unable to release his pay as his pay was not stopped but he was dismissed from service under special power 2000.

It is stated that this office has already been submitted a detail report in r/o Mr: Abdullah son of Mohammad Ibrahim village Shakari Tehsil Sararogha vide this office letter No.2445 Dated 10.06.2013 addressed to Political Agent, S.W. Agency, even this office letter No. 1489 Dated 04.03.2014 addressed to your good self.

It is further stated that the Agency Finance Officer, S.W. Agency letter No.783 Dated 30.09.2015 along-with recommending letter of Maulana Jamal-ud-Din MNA NA-42 / Chairman Standing Committee on States and Frontier Regions has requested for detail report on the subject matter and further necessary action.

In the view of the above this office once again submitted a detail report before your good self as desired by Deputy Director Establishment, Directorate of Education, FATA the wording of "release of pay" may be converted into "re-instatement".

Furthermore, this office has no objection if his services are reinstated with retrospective effect please.

AGENCY EDUCATION OFFICER
SOUTH WAZIRISTAN AGENCY TANK

Endst: No.....

Copy to the:-

1. Director of Education, FATA, Peshawar.
2. Maulana Jamal ud Din MNA NA-42 S.W. Agency.
3. Director Human Rights Peshawar.

AGENCY EDUCATION OFFICER
SOUTH WAZIRISTAN AGENCY TANK



NATIONAL ASSEMBLY OF PAKISTAN

Muhammad Jamal-ud-Din
Chairman
Standing Committee on
States and Frontier Regions

حاجہ فخر بی بی صاحبہ - اسلام آباد

حاجہ فخر بی بی صاحبہ سے ملنے والی درخواست کے بارے میں جاننے کے لیے ان کے پاس سے
ملاقات جو کہ عمل کو قریب ہے اور وہاں جا کر یہ
کھد ان کا کسی ٹیبلٹ سے لے کر سے دیکھ
رہے ہیں وہاں ہی پورا پورا تقاضا فرمادیں
میں شکور احمد صاحب

9-2-016

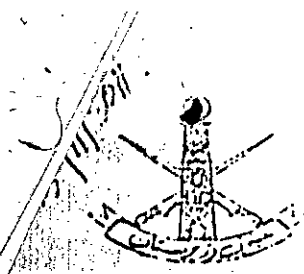
Attested

D

OFFICE OF THE ASSISTANT POLITICAL AGENT
LADHA, SOUTH WAZIRISTAN AGENCY, TANK

No. _____ /APA (19)

Dated _____ /11/2011.



Subject: - STOPPAGE OF PAY OF TEACHERS ASSOCIATED WITH
TEHRUK-I-TALIBAN PAKISTAN.

QADIRI.

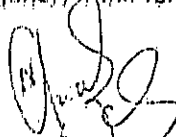
In continuation of Assistant Political Officer confidential letter
No: 00/APD, SWA dated 09-01-2010 on the subject cited above.

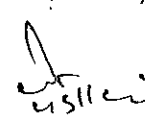
After due satisfaction / clearance the pay of Mr, Abdullah s/o
Muhammad Ibrahim, AT Teacher GMS Shakari Tehsil Saraiogha, South Waziristan
Agency is hereby released alongwith all benefits with retrospective effects.

ASSISTANT POLITICAL AGENT
Ladha, South Waziristan Agency

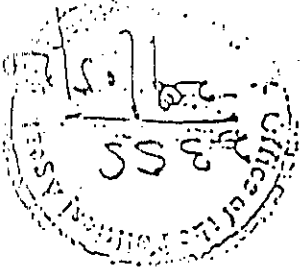
No. 142-43 /APA (19)
Copy to:

1. The Political Agent South Waziristan Agency, Tank for information alongwith court order dated 24-11-2011.
2. The Agency Education Officer, South Waziristan Agency, Tank for necessary action under intimation to this office.


ASSISTANT POLITICAL AGENT
Ladha, South Waziristan Agency

Attested


Alistered



File copy

Handwritten signature and initials, possibly 'A. S. / S. M.' and 'P. M. Supply'.

Private Secretary to Governor

CC: IS to Principal Secretary to Governor, Khyber Pakhtunkhwa.

(Fahar-ud-Din)
Private Secretary to Governor

You are requested to kindly take necessary action in the matter accordingly under intimation to this office for record of the Governor.

"Direct J. A. Khattak to re-instate him on humanitarian basis"

Governor has passed the following remarks:
Waziristan Agency presented to the Governor on 25.05.2013. The Hon'ble herewith an application of M. J. Akhtar to M. J. Akhtar, South I am directed to refer to the subject noted above and to enclose

Subject: REQUEST FOR REINSTATEMENT

The Political Agent
South Waziristan Agency

NO. PSC/1-6/2013/912-112
Dated 27.05.2013

GOVERNOR'S HOUSE
PESHAWAR



19



To

The Director of Education,
FATA, KPK, Peshawar.

SUBJECT:

APPLICATION FOR REINSTATEMENT OF SERVICE IN POST OF
ARABIC TEACHER.

Memo:

Kindly refer to the Deputy Directress (Estab) Directorate of Education FATA, Peshawar letter No.11693 Dated 19.11.2015 on the subject cited above.

Mr; Abdullah, son of Mohammad Ibrahim was appointed against vacant TT (BPS -07) post at GPS, Gazganrai, SWA vide Agency Education Officer South Waziristan Agency appointment order No.5153-60 dated 10.12.1999 and later on adjusted against AT/OT post BPS-09 vide Director of Education (FATA) Peshawar No.3711-32 dated 02.02.2000 and he was awarded BPS-14 having higher qualification w.e.f 01.03.2000.

It is submitted that Mr.Abdullah OT, GMS Shakari, S.W.Agency has been dismissed from service vide Political Agent, S.W.Agency Endst: No.2764-68 Dated 15.12.2009, also Endorsed by this office No.4329-34 Dated 15.12.2009. On the plea that he has been involved in anti-state activities. He appeared before the Political Administration on 24.11.2011. As no allegation were proved against him, therefore the Assistant Political Agent, Ladha, South Waziristan Agency at Tank ordered for release of his pay along with all benefits with retrospective effects vide No. 2142-43/APA (19), DATED 24.11.2011 but the Agency Education Officer at that time was unable to release his pay as his pay was not stopped but he was dismissed from service under special power 2000.

It is stated that this office has already been submitted a detail report in r/o Mr: Abdullah son of Mohammad Ibrahim village Shakari Tehsil Sararogha vide this office letter No.2445 Dated 10.06.2013 addressed to Political Agent, S.W.Agency, even this office letter No. 1489 Dated 04.03.2014 addressed to your good self.

It is further stated that Agency Finance Officer, S.W.Agency letter No.783 Dated 30.09.2015 along-with recommending letter of Maulana Jamal-ud-Din MNA NA-42 / Chairman Standing Committee on States and Frontier Regions has requested for detail report on the subject matter and further necessary action.

In the view of the above this office once again submitted a detailed report to the Political Agent, South Waziristan Agency at Tank vide this office No.5911 Dated 05.10.2015 as well as endorsed to your good self vide this office No.5912-15 dated 05.10.2015.

This office has no objection if his services are reinstated with retrospective effect please.

AGENCY EDUCATION OFFICER
SOUTH WAZIRISTAN AGENCY TANK

Endst: No. 6973-84

Copy to the:-

1. PS to Sectary Social Sector Department, FATA, Peshawar.
2. Registrar FATA Tribunal Peshawar.
3. Deputy Directress (Estab) D.E (FATA) Peshawar w/r to her no quoted above.
4. Political Agent S.W.Agency Tank.
5. Addl: Political Agent S.W.Agency Tank.
6. Maulana Jamal ud Din MNA NA-42 S.W.Agency.
7. Director Human Rights Peshawar.

AGENCY EDUCATION OFFICER
SOUTH WAZIRISTAN AGENCY TANK

Arrested
by
yusuf

21

OFFICE OF THE AGENCY EDUCATION OFFICER

SOUTH WAZIRISTAN AGENCY AT TANK

No. 2445

Dated Tank, the 10/06/2010

S.W.A

To

THE POLITICAL AGENT,
SOUTH WAZIRISTAN AGENCY, TANK.

Subject: - REQUEST FOR RE-INSTATEMENT

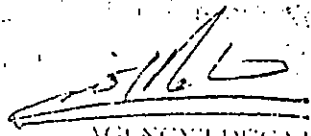
Memo:-

Reference your letter No.Nill dated 28.05.2013, the case of Mr.Abdullah TT is submitted for further necessary action please.

Mr. Abdullah s/o Muhammad Ibrahim village Shakari Tehsil Sararogha was appointed against vacant TT (BPS-7) post at GPS Gazgania vide AEO SWA order No.5153-60 Dacd 10.12.1999 and later on adjusted against OT/AT post (BPS-9) vide D.E (FATA) Peshawar No.3711-32, Dated 02.02.2000.

He was awarded BPS-14, having higher qualification w.e.f 01.03.2000. His services terminated vide P.A, SWA order No.2764-68 Dated 15.12.2009 and AEO SWA, Tank Endst: No.4329-34 Dated 15.12.2009.

This office has no objection, if his services are reinstated please.



AGENCY EDUCATION OFFICER
SOUTH WAZIRISTAN AGENCY, TANK

Attested
J. Usman

OFFICE OF THE DISTRICT COORDINATION OFFICER , DERA ISMAIL KHAN.

No. 221-26 /DCO (L&O) _{Estn} Dated DIKhan the 07/01/2010.

OFFICE ORDER

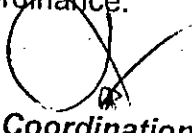
With reference to Home & TAs Department NWFP vide letter No. 17-SO (L&O)/HD/09, dated 15.12.2009 Anti state activities and under removal from services ordinance 2000/ 2001.

A committee comprising Secretary Law Department and Secretary Establishment Department NWFP constituted by the provincial government for the subject cited above has decided in its meeting held with Divisional Commissioners to direct competent authorities to forthwith terminate services of all those government officials who are involved in anti-state activities. It has been decided to take necessary action against the officials of E & S E Department, DIKhan under RSO-2001. In the light of directions laid by the above mentioned competent authority, the list of Govt: officials involved in anti state activities was finalized in the meeting of District Intelligence Coordination Committee comprising officials of all intelligence and Law enforcing agencies in DIKhan District.

AND WHEREAS such reports have been confirmed by District Intelligence Coordination Committee (comprising of In charge Intelligence Bureau (IB), DIKhan, In charge Inter Services Intelligence (ISI), DIKhan, Incharge MI DIKhan, Special Branch, DIKhan, DSP Kulachi, EDO Health & EDO Education DIKhan) in the meeting held on 06.01.2010.


AND WHEREAS the Provincial Govt: has decided to terminate the services of those Govt: servants involved in anti state activities / militancy in the meeting of competent authorities.

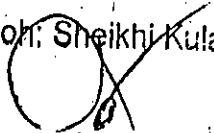
NOW THEREFORE, the services of Qari Faizullah s/o Abdul Hakeem caste Safarzai r/o Moh: Sheikhi Kulachi working as Qari in GHS Garrah Mohabat is hereby terminated with immediate effect under section 3(1)(d) of the North-West Frontier Province Removal From Service(Special Powers) Ordinance No V of 2000 read with section 3(2)(b)(i) and section 5(4) of the said ordinance.




District Coordination Officer,
Dera Ismail Khan

Copy forwarded to :


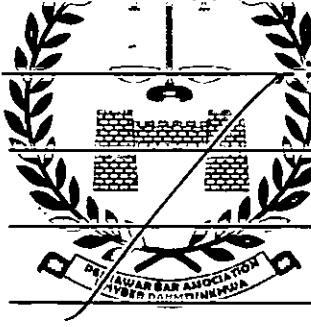
1. Secretary Education, NWFP Peshawar.
2. Director Elementary & Secondary Education, NWFP Peshawar
3. Commissioner, DIKhan Division DIKhan
4. Executive District Officer, Elementary & Secondary Education DIKhan.
5. District Account Officer, DIKhan.
6. Qari Faizullah s/o Abdul Hakeem caste Safarzai r/o Moh: Sheikhi Kulachi.

Attested



District Coordination Officer,
Dera Ismail Khan

 PBA PESHAWAR BAR ASSOCIATION	 57014
ایڈووکیٹ / مختار بار کونسل ابار ایسوسی ایشن رابطہ نمبر: 0300-9592108 0345-9028307	پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: ضابطہ سے سوس ٹریبونل ک.پ.ک کے نام

Petitioner منجانب:	Sec. Appeal دعوی:
 عدالت بنام ڈائری عدالت	 عدالت مورثہ جرم تھانہ
باعت تحریر آنکہ	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 آن مقام سے اس وقت کے جس صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وہ مکمل مقرر
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وہ مکمل مقرر
 راضی نامہ کرنے و تقریر جانتے و فیصلہ برحق دینے جواب دعوی اقبال دعوی اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا تاخیر یا غلطی یا اہل کی برآمدگی اور منسوخی، نیز
 دائر کرنے اہل نگرانی و نظربانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساتھ پر ذراخت منظور و قبول ہوگا دوران مقدمہ
 میں جو خرچہ ہر جانب التوا سے مقدمہ کے نسبت سے ہوگا وہ وکیل موصوف و قبول کرنے کا مختار ہوگا کوئی تاریخ پیشی مقام
 دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ اپنی پیروی نیز ذراخت منظور و قبول نہ ہوں گے لہذا وکالت نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم: _____
 العن بد _____
 العن بد _____
 مقام کے لئے منظور ہے۔

Accepted & Accepted

ضابطہ سے
 ایڈووکیٹ

وقت سے وقت، ہر کی کوئی بھی، قابل قبول ہوگی

Accepted
 A Karim Mahmud
 Advocate
 عبد اللہ ولد محمد ابراہیم
 سکنہ شکرہی تحصیل سرارونج ضلع پشاور
 (NIC NO: 21704-8850181-1)