



OFFICE OF THE DISTRICT EDUCATION OFFICER (M) MALAKAND

MINUTES OF THE MEETING

A meeting of the committee notified by the competent authority vide No 673-77 dated 30/01/2024 in respect of Mr. Muhammad Naeem PST in connection with judgement passed by Honorable Khyber Pakhtunkhwa Peshawar Service Tribunal Peshawar for reinstatement of above named teacher being sacked employee, followed by his reinstatement order notified by DEO (M) Mardan in light of the minutes of law department.

PARTICIPANTS OF THE MEETING:

- 1: **Mr. Hidayat Ullah Deputy DEO (M) Malakand**
- 2: **Mr. Muhammad Naveed Superintendent Primary**
- 3: **Mr. Muhammad Sajjad ADEO Primary**

The meeting started with the recitation of the Holy Quran. It was chaired by Deputy District Education Officer (M) Malakand. All the available and relevant record was kept under consideration. The following indicators were dig out for objective development.

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|------------------------|--------------------|---------------------------|
| 1: Transfer Order | 2: Court Judgement | 3: Law Department Minutes |
| 4: Reinstatement Order | 5: Removal Order | |

Keeping in view the objectives of the case, the following minutes were developed with mutual consensus of the committee members.

1: As the teacher concerned was appointed as PST in 1996 as a sacked employee in District Mardan and the same office terminated him. Consequently, according to the record available and provided by the applicant he was reinstated by Peshawar High Court at Peshawar (fresh Appointment) in the year 2018 under sacked employee act, 2012 of the Khyber Pakhtunkhwa. The same office i.e. DEO (M) Mardan reinstated and adjusted him against one of his school at district Mardan.

2: That according to the record provided by applicant concerned he continued his service till 12/08/2022 and on 15/08/2022 his removal from service order was issued by the office of the DEO (M) Mardan. The concerning point in the case is that he was transferred to district Malakand against the vacant post at GPS Matkani by Worthy Director E&SE Khyber Pakhtunkhwa Peshawar vide office order No 5283-87 the Peshawar Dated 11/08/2022.

3: Being aggrieved from removal order issued by the office of DEO (M) Mardan, the applicant filed a service appeal bearing No 1694/2022 which was eventually decided on 7th November 2023 and accepted the appeal of the applicant.

4: Then the office of the DEO (M) Mardan approached the law department for filing of CPLA before August Supreme Court of Pakistan against the judgement as stated above. Although the law department in his minutes un-fit the case for filing civil petition.

5: Keeping in view the judgement and minutes of law department the office of DEO (M) Mardan reinstated the applicant on his service vide notification No 392 Dated 17/01/2024 against the school namely GPS Dad Kalli at district Mardan.

6: The committee unanimously decided the case in light of above facts that his previous transfer issued by Worthy Director E&SE Peshawar vide No 5283-87 the Peshawar dated 11/08/2022 against the vacant post of GPS Matkani Malakand is infructuous and needs to be renewed.

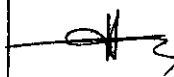
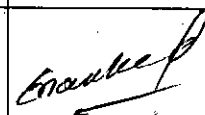
7: Besides, in his reinstatement order he was adjusted against the vacant post at GPS Dad Muhammad Kallay.

8: The committee was also perplexed that if the applicant concern was transferred to district Malakand then why the concern office of DEO (M) Malakand was ignored for necessary correspondence by the present office of DEO (M) Mardan and why not his removal from service order was initiated from the office of the DEO (M) Malakand where he was transferred by worthy Director if communicated in time.

In a nut shell, the committee decided that the office of Mardan appointed the applicant, and reinstated him through Peshawar high court judgement in 2018 and then again his removal from service order was issued ignoring the facts that the applicant after his transfer order to district Malakand was an employee of DEO (M) Malakand at straight away terminated him without informing the concerned office.

Therefore, in accordance with rules and available record this office is reluctant to adjust the applicant on any vacant post at district Malakand due to changing circumstances. And it may be suggested that he must be approached to worthy Director E&SE Peshawar for his renewal of transfer order and minutes of the meeting will be sent to Worthy Director E&SE Peshawar for further guidance and verification of the case.

COMMITTEE MEMBERS

S.No	Name of Officer & Designation	Office	Duty Assigned	Signature
01.	Mr. Hidayat Ullah DDEO (M) Malakand	O/O DEO (M) Malakand	Chairman	
02.	Muhammad Naveed Superintendent Primary	O/O DEO (M) Malakand	Member	
03.	Muhammad Sajjad ADEO Primary	O/O DEO (M) Malakand	Member	

Endst: No. 780-97 Dated: 02 / 02 / 2024
Copy of the above is forwarded for information to the;

1. Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Director E&SE Khyber Pakhtunkhwa.
3. Assistant Director Litigation-II E&SE Directorate Peshawar
4. DEO (M) Mardan.
5. DAO Malakand.
6. SDEO (M) Takht Bai District Mardan.
7. DMO/EMA Malakand.
8. SDEO (M) Batkhela District Malakand.
9. Muhammad Naeem Khan PST
10. Office Record.


**DISTRICT EDUCATION OFFICER
(MALE) MALAKND AT BATKHELA**

