

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

In S.A No. 407/2017 E.P No: 45/2023

Saleem.


VERSUS

Government of Khyber Pakhtunkhwa

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Dated: 22-2-2024


Liaqat Ali
D.E.O (M) Mohmand
22/2/2024

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

In S.A No. 407/2017 E.P No: 45/2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11302

Dated 22-02-2024

Saleem.

VERSUS

Government of Khyber Pakhtunkhwa

REPLY OF THE SHOW-CAUSE NOTICE ON
BEHALF OF DISTRICT EDUCATION OFFICER
MOHMAND.

Respectfully Sheweth,

Reference to the proceeding of the Hon'ble Court of Chairman KP Service Tribunal, Peshawar regarding implementation of the Judgment dated: 18/10/2022 and order of Hon'ble Chairman Service Tribunal regarding reply to show cause notice today on 22/2/2024, issued to respondents to explain as to why the orders of the Tribunal were not complied. In this regard it is very humbly submitted:

1. That in compliance of Govt of Khyber Pakhtunkhwa E&SED Notification No: SO (MC) E&SED / 4-16/2022/Posting/Transfer/MC dated: 10-2-2023, the undersigned assumed the charge of DEO(M) Mohmand on 11/2/2023.
2. That soon after the assumption of charge, the judgment dated 18/10/2022 in the said titled case was brought in to the notice of the undersigned on 19/02/2023. The undersigned was also informed that there was no proper record regarding class IV seniority list maintain by DEO (M) Mohmand. The undersigned took the initiative and a meeting was called immediately of all the relevant officials/officers and after detailed discussion, two committees were constituted to collect data, examine, revisit and finalize the seniority list of all cadres including Class-IV and also redress the subsequent appeals vide his office No: 7034-35 dated: 20/02/2023. In this regard several meetings were held with concerned principals, HMs, incharge HMs, DDEO and SDEOs in order to compile the record regarding Class-IV seniority list, so to observe the 33% reserved quota of Class IV. It was a herculean task because most of the Class-IV are landlords and Maliks and they were not interested to handover their documents etc.
3. That the committee compiled the data, displayed the tentative seniority list and appeals were redressed and finalized after a hard work of two months and seven days, the joint seniority list of all Class-IV were finalized and circulated on 27-4-2023 in compliance of the order sheets of Hon'ble Tribunal dated: 27-4-2023, 23-5-2023 and 16-6-2023 in which respondents were directed to finalize the

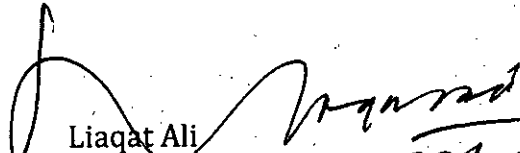
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seniority list come up with further progress including working paper for meeting of DPC and its minutes.

4. That in compliance of the order sheets of service tribunal, working papers were prepared and a letter was written to Director E & SE Khyber Pakhtunkhwa Peshawar regarding DPC Meeting to be held on 26-7-2023 vide his Office No: 8651 dated: 21/07/2023.
5. That DPC meeting was held on 26/07/2023 at the Office of DEO (M) Mohmand for consideration of the title case along with other eligible candidates.
6. That the case was heard by Hon'ble Chairman Service Tribunal on 31/10/2023 and legal representative, Mr. Noor Badshah appeared before the Hon'ble Tribunal but as per his verbal explanation, Hon'ble Chairman directed that the name of the appellant is not reflected in the minutes. So in compliance of the Hon'ble Chairman's direction, supplementary DPC meeting was called on 16/11/2023 and the DPC unanimously decided that the plea of the Appellant Mr. Saleem may be regretted as his No is 148 in the seniority list and he did not fall in the promotion zone. However, he will be promoted on his own turn as per rules and policy in vogue.
7. That the minutes and speaking order along with application for salary release of the respondent were submitted to the Tribunal on 20-11-2023 but the case was adjourn to 27/11/2023.
8. That the undersigned again appeared before the Hon'ble Tribunal on 27/11/2023 and said that the case was considered as per this Hon'ble Tribunal direction and as appellant falls on 148th at the seniority list. The Hon'ble Tribunal order sheet is reproduced as "Representative of the respondents produced copy of minutes of DPC held on 16/11/2023 according to which the petitioner did not fulfill the criteria for promotion to the post of Junior Clerk.

In view of the above, it is very humbly requested that reply of the undersigned may be accepted as the delay was not intentional please.

Dated: 22-2-2024


Liaqat Ali
D.E.O (M) Mohmand

22/2/2024

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AFFIDAVIT

I, Liaqat Ali D.E.O (M) Mohmand, do hereby solemnly affirm & declare on oath that all content of the instant Service Appeal, are true & correct to the best of my knowledge & belief and nothing has been concealed or misstated from this Hon'ble Tribunal.

DEPONENT

CNIC:

Cell No:

DEO (M) Mohmand

8333-8866612

