

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

**SERVICE APPEAL NO. 18/2016**

Date of institution ... 01.01.2016

Date of judgment ... 19.04.2017

Abdus Sattar, Ex-Analytical Assistant,  
Government Public Health Food Analysis Laboratory,  
Khyber Pakhtunkhwa, Peshawar.

... (Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Health Department Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. Government Public Analyst, Public Health Food Analysis Laboratory, Hayatabad, Peshawar.

... (Respondents)

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA,  
SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED  
01.10.2010, WHEREBY THE APPELLANT HAS BEEN AWARDED  
THE MAJOR PENALTY OF REMOVAL FROM SERVICE AGAINST  
WHICH HIS DEPARTMENTAL APPEAL WAS ALSO REJECTED  
VIDE ORDER DATED 20.11.2015, COPY OF THE ORDER WAS  
HOWEVER COMMUNICATED TO THE APPELLANT ON  
05.12.2015.

Mr. Yasir Saleem, Advocate.

.. For appellant.

Mr. Muhammad Jan, Government Pleader

.. For respondents.

MR. MUHAMMAD AMIN KHAN KUNDI

.. MEMBER (JUDICIAL)

MR. AHMAD HASSAN

.. MEMBER (EXECUTIVE)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER: This service appeal has been filed against the impugned order dated 01.10.2010 whereby the appellant was awarded major penalty of removal from service by the respondents. The appellant

filed departmental appeal against the impugned order dated 01.10.2010 but the same was also rejected vide order dated 20.11.2015, hence the instant service appeal.

2. Facts of the present case are that appellant was serving as Laboratory Assistant in the Health Department. Later on he applied through proper channel for the post of Analytical Assistant and accordingly was appointed vide order dated 08.11.2006. That while in service he applied for eight month earned leave on half pay from 01.09.2007 till 30.04.2008, which was sanctioned by the competent authority. After expiry of leave, the appellant submitted another application for 730 days (two years) Extra Ordinary Leave from 01.05.2008 to 30.04.2010 which was also sanctioned vide order dated 07.10.2008. That the appellant went abroad but did not join duty on expiry of leave. Consequently, he was awarded major punishment of removal from service vide order dated 01.10.2010. The appellant also challenged the same through departmental appeal but the same was also dismissed, hence the present service appeal.

3. Learned counsel for the appellant argued that the appellant was granted leave from time to time. Due to personal enmity, he was forced to leave the country and went to Australia. During his stay in Australia, he also improved his qualification. Before expiry of sanctioned leave, he applied extension which was regretted, but appellant was not informed by the respondents. Subsequently, the major penalty of removal from service was imposed upon him on the charge of absence from duty. Neither any charge sheet/statement of allegations nor show-cause notice was served on the appellant. It was also contended that no regular inquiry was conducted and the entire proceedings against the appellant were defective in the eyes of law and order based on such defective proceedings are liable to be set-aside. It was also contended that the respondents were bound to provide opportunity of personal hearing before awarding the penalty of removal from service but no opportunity was provided to him and the appellant was condemned unheard. It was further contended that at the relevant time the law in field was Removal from Service (Special Powers) Ordinance

*M. Amin*  
19.4.2017

2000, therefore, the respondents were bound to proceed against the appellant under the said law but the procedure followed by the respondents in removing the appellant from service was contrary to the provisions of the said law. It was further contended that the respondents had violated the principles of natural justice, therefore, the impugned order are illegal/void ab-initio and liable to be set-aside and prayed for reinstatement of the appellant into service with all back benefits.

4. On the other hand learned Government Pleader for the respondents opposed the contention of learned counsel for the appellant and contended that the appellant was serving in Health Department. It was further contended that he was granted extraordinary leave without pay with effect from 01.05.2008 to 30.04.2010 and the appellant was bound to resume the duty on 01.05.2010. After expiry of extraordinary leave but he did not bother to resume duty and remained absent for a long period, therefore, a show cause notice through registered letter dated 15.06.2010 was sent at his home address asking him to resume his duty within 14 days but on expiry of the above period he neither submitted reply nor reported for duty, therefore, a show-cause notice was published in two leading newspapers to join his duty. The appellant was willfully absent from his duty and the competent authority rightly imposed major penalty of removal from service upon him vide impugned order dated 01.10.2010. He also stated that the appellant filed departmental appeal after a lapse of more than four years against the impugned order which was dismissed, therefore, the present service appeal is also not maintainable being time barred.

5. We have heard the arguments on both sides and gone through the record.

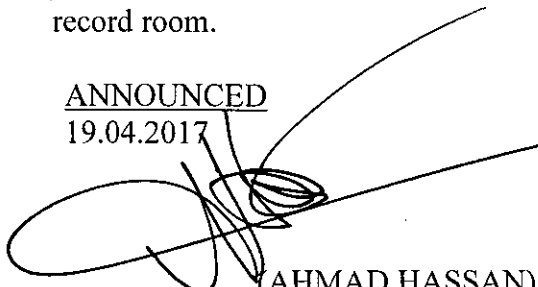
6. Perusal of the record revealed that the appellant was granted leave from time to time and after expiry of leave, he was required to resume duty on 01.05.2010, but he failed to join. He remained absent for a long time. A careful perusal of record shows that a show-cause notice for resuming duty was served on him through registered letter dated 15.06.2010, it failed to evoke any response form the appellant, so thereafter a

*W. Amin*  
19.4.2017

notice was published in two leading newspapers asking him to join duty but to no avail. Then the appellant was awarded major penalty of removal from service by the competent authority vide order dated 01.10.2010. It is pertinent to note that the appellant went abroad without permission of the respondents. Though, he got Extra Ordinary Leave but as a government servant was bound to get NOC for travelling abroad. He did not get NOC from the respondents, which is against the service discipline and also falls in the ambit of misconduct. Before getting admission abroad, he required permission of respondents but the appellant deliberately bypassed/violated laid down procedures. We have every reason to believe that drama of personal enmity was an attempt to cover his visit abroad without permission of the provincial government. It also merits to mention here that the appellant was bound to challenge the aforesaid order within the stipulated period, hence, present appeal is badly barred by time, as it was challenged after more than four years without any solid/cogent justification, therefore, the present appeal is not maintainable on this score, hence this same is dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

19.04.2017



(AHMAD HASSAN)  
MEMBER



(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

21.02.2017

Appellant in person and Addl: AG for respondents present.  
Rejoinder submitted. To come up for arguments on 19.04.2017  
before D.B.

  
(AHMAD HASSAN)  
MEMBER

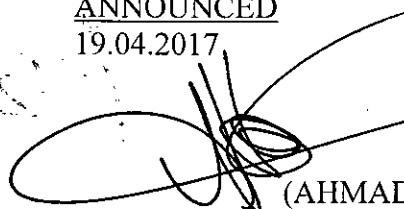
  
(MUHAMMAD AAMIR NAZIR)  
MEMBER

19.04.2017

Counsel for the appellant present. Mr. Muhammad Jan, Government  
Pleader for the respondents also present. Arguments heard and record perused.

Vide our detailed judgment of today consisting of four pages placed on  
file, present appeal is badly barred by time, as it was challenged after more than  
four years without any solid/cogent justification, therefore, the present appeal is  
not maintainable on this score, hence this same is dismissed. Parties are left to  
bear their own costs. File be consigned to the record room.

ANNOUNCED  
19.04.2017

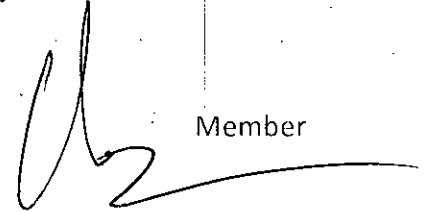
  
(AHMAD HASSAN)  
MEMBER

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER



22.08.2016

Agent to counsel for the appellant and Mr. Yar Gul, Senior Clerk alongwith Additional AG for respondents present. Written reply by respondents not submitted and requested for further time. Last opportunity granted for submission of written reply. To come up for written reply/comments on 01.11.2016 before S.B.



Member

01.11.2016

Clerk to counsel for the appellant and Mr. Ziaullah, GP for respondents present. Written reply not submitted. Requested for adjournment. Last opportunity granted. To come up for written reply/comments on 28.12.2016 before S.B.



MEMBER

28.12.2016

Agent of counsel for the appellant and Zahir Shah, alongwith Asst. AG for the respondents present. Written reply by respondents No. 1 & 2 submitted. Learned AAG relied on the same on behalf of respondent No. 3. The appeal is assigned to D.B for rejoinder and final hearing for 21.02.2017.



Chairman

22.02.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving Analytical Assistant when subjected to inquiry on the allegations of wilful absence and removed from service vide impugned order dated 1.10.2010 where-against he preferred departmental appeal on 19.3.2015 which was rejected on 20.11.2015 but communicated to the appellant on 5.12.2015 and hence the instant service appeal on 4.1.2016.

That the law applicable to the case of the appellant was RSO, 2000 but the process adopted is novel to the provisions of aforesaid statute.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 25.4.2016 before S.B.

  
Chairman

25.4.2016

Appellant in person present. Security and process fee not deposited. Last opportunity granted. Security and process fee shall be deposited within 7 days where-after notices be issued to the respondents. To come up for written reply/comments on 13.6.2016.

  
Chairman

13.06.2016

Counsel for the appellant and Mr. Zahir Shah, Clerk alongwith Addl. AG for the respondents present. Requested for adjournment. To come up for written reply/comments on 22.08.2016 before S.B.

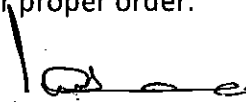


  
Chairman

Appellant Deposited  
Security & Process Fee

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. \_\_\_\_\_ 18/2016 \_\_\_\_\_

S.No.	Date of Order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	06.01.2016	<p>The appeal of Mr. Abdul Sattar resubmitted today by Mr. Ijaz Anwar Advocate be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	07-1-16	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>27-1-16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	27.01.2016	<p>Counsel for the appellant present. Seeks adjournment. To come up for preliminary hearing on 22.2.2016 before S.B.</p> <p style="text-align: right;"> Chairman</p>




The appeal of Mr. Abdus Sattar Ex-Analytical Assistant Govt. Public Health Food Analysis Laboratory received to-day i.e. on 01.01.2016 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Appeal may be got signed by the appellatant.
- 2- Annexures of the appeal may be attested.
- 3- Wakalat Nama in favour of appellatant may be placed on file.
- 4- Five more copis/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.


No. 1 /S.T,

Dt. 4/1 /2016

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Ijaz Anwar Adv. Pesh.

- 1) Appeal be signed by the appellatant
- 2) All the annexure of the appeal attested by Counsel
- 3) Wakalat Nama also be attested with appeal
- 4) Complete five copy submitted with appeal

  
Ijaz Anwar

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

Appeal No 18 /2016

**Abdus Sattar**, Ex- Analytical Assistant, Govt. Public Health Food Analysis Laboratory, Khyber Pakhtunkhwa Peshawar.

(Appellant)

**VERSUS**

Government of Khyber Pakhtunkhwa through Secretary Health Department Peshawar.

(Respondents)

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Appellant

Through

  
**IJAZ ANWAR**

Advocate Peshawar.

  
**SAJID AMIN**

Advocate Peshawar.

**KHYBER PAKHTUNKHWA SERVICE**  
**TRIBUNAL PESHAWAR.**

A.W.F. Province  
Service Tribunal  
Diary No. 03  
Dated 01-1-2016

Service Appeal No. 18 / 2016.

**Abdus Sattar**, Ex- Analytical Assistant, Govt. Public Health  
Food Analysis Laboratory, Khyber Pakhtunkhwa Peshawar.

(Appellant)

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Secretary Health Department Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. Government Public Analyst, Public Health Food Analysis Laboratory, Hayatabad, Peshawar.

(Respondents)

Appeal under section 4 of the Khyber Pakhtunkhwa, Service Tribunal Act, 1974 against the order dated 01.10.2010, whereby the appellant has been awarded the major penalty of removal from service against which his departmental appeal has also be rejected vide order dated 20.11.2015, copy of the order was however communicated to the appellant on 05.12.2015.

Filed to-day  
*[Signature]*  
11/1/2016

Prayer in appeal

re-submitted to-day  
and filed.

*[Signature]*  
Registered  
6/1/16.

On acceptance of the instant appeal the order dated 01.10.2015 and 20.11.2015, may please be set aside and the appellant may be reinstated into service with all back benefits.

Respectfully Submitted:

1. That the appellant was initially appointed as a Laboratory Assistant in the respondent's department vide order dated 12.03.1999. The appellant after having been found medically fit, duly took over charge of his post and started performing his duties. During the course of his service the appellant also applied through proper channel for the post of Analytical Assistant through proper channel, accordingly he was appointed as Analytical Assistant vide order dated 08.11.2006, the appellant accordingly took charge of his post and started performing his duties. *(Copies of the appointment order dated 12.03.1999 medical certificate dated 08.11.2006 and charge report dated 08.11.2006 are attached as Annexure A, B & C)*
2. That ever since his appointment the appellant has performed his duties as assigned with great zeal and devotion and there was no complaint whatsoever regarding his performance.
3. That while serving in the said capacity, the appellant due to some of his domestic problems applied for eight months earned leave with half pay from 01.09.2007 till 30.04.2008, which was duly allowed to the appellant. Thereafter on the expiry of the said leave, the appellant further applied for another 730 days (two years) Extra Ordinary Leave from 01.05.2008 to 30.04.2010, which was again duly sanctioned vide order dated 07.10.2008. *(Copies of the leave applications and sanctioning order dated 07.10.2008 are attached as Annexure D, E & F)*
4. That during the leave period, the appellant due to his enmity in his family, it became impossible for the appellant to stay at his country, therefore he under compulsion went abroad i.e to Australia. While abroad, the appellant also attained different courses and improved his educational qualification. *(Copies of the Diploma and Certificates are attached as Annexure G)*
5. That in the meantime before the expiry of his leave the appellant duly applied for extension in leave, however he was not informed about the rejection or otherwise of his leave extension application.
6. That thereafter an ex-parte proceedings were conducted against the appellant on account of absence from duty, certain notices were though issued, however never communicated to the appellant.
7. That thereafter the appellant was awarded the major punishment of removal from service vide order dated 01.10.2010. Copy of the order was however never communicated to the appellant. *(Copies of the order dated 01.10.2010, are attached as Annexure H)*

8. That in the year 2014, the appellant when came back and also settled his family disputes, he duly reported for duty, however he was informed that he has been removed from service vide order dated 01.10.2010, thereafter in November 2014, he obtained the copy of the removal order.
9. That the appellant submitted his departmental appeal to the respondent No.2, however it was returned to him with direction to file appeal to the proper forum i.e respondent No.1. *(Copies of the appeal dated 10.11.2014 is attached as Annexure I)*
10. That thereafter the appellant also filed appeal before the Respondent No. 1, which remained under consideration for a long time. Since the appellant had also improved his qualification in the relevant filed, therefore, vide a note dated 10.03.2015, his case for re-instatement was favorably forwarded. Thereafter, information regarding vacant posts Senior Technician in Food Analysis was also sought from the concerned quarters vide letter dated 14.07.2015, and 17.08.2015. *(Copies of the departmental appeal dated 23.03.2015, Note dated 10.03.2015, letters dated 09.06.2015, 14.07.2015, 17.08.2015 are attached as Annexure J, K, L, M & N)*
11. That lastly the departmental appeal of the appellant was rejected vide order dated 20.11.2015, copy of the order was however endorsed on 02.12.2015 and communicated to the appellant on 05.12.2015. *(Copy of the rejection order dated 20.11.2015, is attached as Annexure O).*
12. That the impugned order is illegal, unlawful against law and fact hence liable to be set aside inter alia on the following grounds:

**GROUND S OF A P P E A L .**

- A. That the appellant have not been treated in accordance with law hence his rights secured and guaranteed under the law are badly violated.
- B. That no proper procedure has been followed before the removal of service of the appellant. The appellant has not been served with any charge sheet, statement of allegations or show cause notice nor any inquiry has been conducted. Thus the whole proceedings are defective in the eye of law and an order based on such defective proceedings is liable to be set aside.
- C. That the appellant has not been provided opportunity of personal hearing before the awarding him the penalty of removal from service, hence the appellant has been condemned unheard.

- D. That at the relevant time the law in field was Removal from Service (Special Powers) Ordinance, 2000, thus it was required to have proceed against the appellant under the said law, though in the impugned order reference has been made to the said law, however the procedure followed by the respondents in removing the appellant from service ran contrary to the provisions of the said law. Thus the case of the appellant is complete misapplication of law.
- E. That the appellant has never been served with any charge sheet or show cause notice thus he has been denied opportunity to defend himself against the charges.
- F. That the impugned orders are not speaking orders and are thus violative of the section 24-A of the General Clauses Act.
- G. That the appellant has never committed any act or omission which could be termed as misconduct albeit his absence from duty was not willful albeit he been removed from service.
- H. That the appellant has an unblemished and spotless service career at his credit, the penalty of removal from service imposed upon him is too harsh and liable to be set aside.
- I. That the appellant is jobless since his illegal removal from service
- J. That the appellant seeks the permission of this Honorable Tribunal to rely on additional ground at the hearing of this appeal.

*It is, therefore, humbly prayed that on acceptance of this appeal the impugned orders dated 01.10.2015 and 20.11.2015,, may kindly be set aside and the appellant may be re-instated into service with all back benefits and wages of service.*

  
Appellant

Through

  
IJAZ ANWAR  
Advocate Peshawar

&

  
SAJID AMIN  
Advocate Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

Appeal No. \_\_\_\_\_/2015

**Abdus Sattar**, Ex- Analytical Assistant, Govt. Public Health  
Food Analysis Laboratory, Khyber Pakhtunkhwa Peshawar.

**(Appellant)**

**VERSUS**

Government of Khyber Pakhtunkhwa through Secretary  
Health Department Peshawar.

**(Respondents)**

**APPLICATION FOR CONDONATION OF DELAY,  
IF ANY IN FILING THE TITLED APPEAL**

*Respectfully submitted:*

1. That the appellant has today filed the accompanied appeal before this honorable tribunal in which no date of hearing is fixed so far.
2. That the applicant prays for condonation of delay if any in filing the instant appeal inter alia on the following grounds:-

**GROUND OF APPLICATION**

- A. That the appellant throughout agitated the matter before the departmental authority and never remained negligent in perusing his remedy, after the communication of the impugned order, the appellant submitted his departmental appeal in time, which was returned to him; for presentation before the proper forum, accordingly the appellant submitted his appeal to the proper authority, which remained under favorable consideration for a long time, however it was lastly rejected vide order dated 20.11.2015, the rejection order was however endorsed on 02.12.2015 and communicated to the appellant on 05.12.2015.
- B. That the delay if any in filing the instant appeal was not willful nor can the same be attributed to the appellant as it was due to the late communication of the appellate order to the appellant by the respondents, therefore the appellant cannot be made suffered for the faults of others, hence delay if any deserves to be condoned.


- C. That it has been consistently held by the superior courts that appeal filed within 30 days from the date of communication of the order on departmental representation / appeal would be in time. Reliance is placed on 2013 SCMR 1053 & 1997 SCMR 287 (b)
- D. That no proper procedure has been followed before the imposition of penalty upon the appellant. Moreover the procedure followed in the instant case has never been prescribed under the RSO, 2000, which was the relevant law at that time, therefore the whole proceedings as well as the order of penalty is illegal and void ab initio and no limitation run against such an illegal and void order.
- E. That valuable rights of the appellant are involved in the instant case in the instant case, hence the delay if any in filing the instant case deserves to be condoned.
- F. That it has been the consistent view of the Superior Courts that cases should be decided on merit rather than technicalities including limitation. The same is reported in 2014 PLC (CS) 1014 2003 PLC (CS) 769.

*It is therefore humbly prayed that on acceptance of this application the delay if any in filing the instant appeal may please be condoned.*

Through

  
Applicant

  
**IJAZ ANWAR**  
Advocate Peshawar

&  
  
**SAJID AMIN**  
Advocate, Peshawar

**AFFIDAVIT**

*I, Abdus Sattar, Ex- Analytical Assistant, Govt. Public Health Food Analysis Laboratory, Khyber Pakhtunkhwa Peshawar. , do hereby solemnly affirm and declare on oath that the contents of the above noted appeal as well as accompanied application for condonation of delay are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.*



  
Deponent



**DIRECTORATE GENERAL HEALTH  
SERVICES, NWFP, PESHAWAR**

**OFFICE ORDER**

Consequent upon the approval accorded by the Departmental Selection Committee held in this Directorate General on 9-10/2/1999, the following are hereby appointed as Laboratory Assistants (BPS-05) i.e., Rs.1400-66-2390 plus usual Allowances, as admissible under the Rules and posted to the Hospitals/Offices noted against each name-

<u>S</u>	<u>Name with parentage</u>	<u>From</u>	<u>To</u>	<u>Remarks</u>
1.	Wahidullah s/o Younas Khan	1 <sup>st</sup> Appointment	Civil Hospital Shabqadar	Against the vacant post.
2.	Hayat Noor s/o Maza Noor	-do-	Under DHO Kohat	-do-
3.	Shafqat Shahab s/o Fazal Mabood	-do-	DHQ Hospital Nowshera	-do-
4.	Abdus Sattar s/o Tehmash Khan	-do-	Food Laboratory Peshawar	Against the vacant post of Senior H/Lab: Asstt:
5.	Muhammad Javad Zaman s/o Muhammad Zaman	-do-	-do-	-do-
6.	Nawaz Iqbal s/o J.B Iqbal	-do-	-do-	-do-
7.	Muhammad Arif s/o Muhammad Ismail	-do-	Services Hospital Peshawar	Against the vacant post of Lab: Technician
8.	Alam Zeb s/o Muhammad Khan	-do-	DHQ Hospital Mardan	Against the vacant post.
9.	Muhammad Sadiq s/o Farid	1 <sup>st</sup> Appointment Lab: Attendant LRH Peshawar.	LRH Peshawar	-do-
10.	Mazam Ali s/o Farash Khan	-do-	HMC Peshawar	-do-
11.	Raizul Haq s/o Abdul Haq	-do-	-do-	-do-
12.	Muhammad Tariq s/o Falak Naz	1 <sup>st</sup> Appointment	Services Hospital Peshawar	Against the vacant post of Lab: Technician
13.	Muhammad Ilyas s/o Ghulam Yousaf	-do-	LRH, Peshawar	Against the vacant post
14.	Akhtar Jamil s/o Muhammad Zaman	-do-	AHQ Hospital Batkheela	-do-
15.	Muhammad Zahid Khan s/o Hamidullah	-do-	Under DHO Lakki.	Against the vacant post
16.	Samiullah s/o Muhammad Jaffar	-do-	DHQ Hospital Bunir	Against the vacant post of Lab: Technician

*Y. H. Khan*  
Q11

(10)

Annexure "B"

N.W.F.P. Med. No. 1

GS&PD--NWFP--27 FS -2000 P of 100--29-7-99--(10)

MEDICAL CERTIFICATE

Name of Official..... Abdus Sattar 12/11/98  
 Caste or race..... (Muslim)  
 Father's name..... Tekmash Khan  
 Residence..... Village: U.Pazai Bala Tet/Dusni Peshawar  
 Date of Birth..... 5-5-1973  
 Exact height by measurement..... 5-5  
 Personal mark of identification..... Scar M left hand middle finger  
 Signature of the Official..... [Signature]  
 Signature of head of office.....

Seal of Office.....

I do hereby certify that I have examined Mr. Abdus Sattar a candidate for NWFP, P.H. Public Health Food Lab employment in the Office of the Govt. Public Analyst, Public Health Food Lab and can not discover that he had any disease communicable or other constitutional affection or bodily infirmity except..... NIL

I do not consider this as disqualification for employment in the office of the Govt. Public Analyst, Public Health Food Lab, NWFP P.H. His age according to his own statement..... 33 year and by appearance about Thirty Three year.



LEFT HAND THUMB AND FINGER IMPRESSIONS.....

[Handwritten initials]

Medical Superintendent,  
 Civil Hospital,  
08/11/98

[Signature]  
08-11-98

(12)

Annexure 127

APPLICATION FOR LEAVE.

Notes: - Item 1 to 9 must be filled in by all applicants. Item 12 applies only in the case of Government servants of P.B.S. - 16 and above.

1. Name of applicant. **ABDUS SATTAR**  
 2. Leave Rules applicable: **1981. COPY of leave rules is attached.**  
 3. Post held. **Analytical Technician**  
 4. Department or office. **Health (Govt. Public Health Food Lab)**  
 5. Pay. **Rs. 4930/-**

6. House Rent Allowance/conveyance allowance or other compensatory allowances drawn in the present post. **—**  
 7. (a) Nature of leave applied for. **Leave without pay (Extraordinary leave)**  
 (b) Period of leave in days. **Seven months & 73 days (240 days)**  
 (c) Date of commencement. **01.05.2008**

8. Particular Rule/Rules under which leave is admissible.  
 9. (a) Date of return from last leave. **30.4.2008**  
 (b) Nature of leave. **Eight months earned with leave pay**  
 (c) Period of leave in days. **240 days**  
 Dated **01.09.2007** to **30-4-2008** Signature of applicant **AS**

10. Remarks and recommendation of the Controlling Officer.  
 11. Certified that leave applied for is admissible under Rule..... and necessary conditions are fulfilled.

12. Report of Audit Officer. **NOT APPLICABLE**  
 Signature: **M. V. J. P. P. P.**  
 Designation: **Analyst**  
 Public Health Food Analysis Lab

Dated.....  
 Signature  
 Designation

13. Orders of the sanctioning authority certifying that on the expiry of leave the applicant is likely to the same post carrying the compensatory allowances being drawn by him.

Dated.....  
 Signature  
 Designation

(3)

Annexure 'E'

129

Government Public Analyst  
Public Health Food Analysis Laboratory  
NWFP, Peshawar.  
No. 178 /GPA  
Dated 17/2008

To

The Director General  
Health Services, NWFP, Peshawar

15787  
17-8-08

Subject

APPLICATION FOR TWO YEARS EARNED LEAVE WITHOUT PAY  
WITH EFFECT FROM 1-5-2008.

Dear Sir,

I have the honour to submit herewith an application in respect of  
Mr Abdus Sattar Analytical Technician for information with the remarks that he has already  
availed E/Leave with half pay. Now, he has requested for further 2 years earned leave without  
pay.

YOURS FAITHFULLY

*Nikhil Sultan*  
GOVERNMENT PUBLIC ANALYST  
PUBLIC HEALTH FOOD ANALYSIS LABORATORY  
NWFP PESHAWAR

*you*

Dated.....

Designation.....

(14)

Annexure "F" 137

DIRECTORATE GENERAL HEALTH SERVICES, NWFP, PESHAWAR.

OFFICE ORDER.

Sanction is hereby accorded to the grant of (750) days Extra Ordinary leave without pay w.e. from 01.5.2008 to 30.04.2010, or from the date of availing in favour of Mr. Abdusattar, Analytical Assistant (B-10) attached to Govt. Public Analyst Public Health Food Analysis Laboratory, NWFP Peshawar.

On the expiry of leave he is likely to resume duty on the original place and station.

Sd/-  
DIRECTOR GENERAL HEALTH SERVICES, NWFP, PESHAWAR.

No. 29240-41 /AE.VI, Dated Pesh: the 07/10/2008.  
Copy forwarded to the :-

- 01. Govt. Public Analyst Public Health Food Analysis Laboratory NWFP Peshawar Ref to her letter No.193/GFA, dated 15.7.2008.
- 02. AG NWFP Peshawar.

for information and n/action.

FOR DIRECTOR GENERAL HEALTH SERVICES, NWFP, PESHAWAR.

*[Handwritten signature]*

*[Handwritten mark]*

*[Handwritten initials]*  
29/9/08

*[Handwritten signature]*

15

Annexure 9

Australian Vocational Learning Centre Pty Ltd  
(RTO 91683) (CRICOS Provider 03195D) ABN: 24 136 522 506



# Statement of Attainment

This is a statement that

137

## Abdus Sattar

has attained

Code	Unit Name
BSBADV602B	Develop an advertising campaign
BSBADV605B	Evaluate campaign effectiveness
BSBFIM601A	Manage finances
BSBINM601A	Manage knowledge and information
BSBINN601A	Manage organisational change

These competencies form part of the

# BSB60207 Advanced Diploma Of Business

14<sup>th</sup> March 2011

**Neil Chapple**  
Chief Executive Officer



This Statement of Attainment is recognised within the Australian Qualifications Framework and is issued under the authority of the NSW Vocational Education and Training Act 2005



This Statement of Attainment is issued without error or alteration  
Statement of Attainment No: 00028

A Statement of Attainment is issued by a Registered Training Organisation when an individual has completed one or more units of competency from nationally recognised qualification(s)/course(s)

Level 2, 16 – 18 Wentworth Street, Parramatta, NSW, 2150  
Email: [info@avlc.org.au](mailto:info@avlc.org.au) Web: [www.avlc.org.au](http://www.avlc.org.au)  
Phone No: (02) 9687 0620 Fax No: (02) 9687 0159

Yours  
137

18



Sydney Institute of Tertiary Education Pty Ltd trading as

# Uniworld Business College

RTO: 91283 CRICOS Provider: 02827G

## This is an Academic Transcript that

Abdus Sattar --

Student No:6372

has attained

- BSBINN601A Manage organisational change
- BSBMGT605B Provide leadership across the organisation
- BSBMGT616A Develop and implement strategic plans
- BSBMKG609A Develop a marketing plan
- BSBFIM601A Manage finances
- BSBMGT608B Manage innovation and continuous improvement
- BSBRK501A Manage risk
- BSBMGT617A Develop and implement a business plan



on  
07/09/2011

These competencies form all of the

## BSB60407 Advanced Diploma of Management

Linda Turner  
Principal Executive Officer

Date Issued:26/10/2011  
Certificate ID No:6372



17



# CROWN INSTITUTE OF BUSINESS AND TECHNOLOGY

This is to certify that

***Abdus Sattar***

has fulfilled the requirements for

## **BSB51107 DIPLOMA of MANAGEMENT**

Awarded in Sydney, Australia  
on  
28/04/2010

VET Director of Studies

Chief Executive Officer

The qualification certified herein is recognised within the Australian Qualifications Framework and is issued under the authority of the NSW Vocational Education and Training Act 2005. Employability skills obtained from completing this qualification can be downloaded from [employabilityskills.training.com.au](http://employabilityskills.training.com.au)

Crown Institute of Business and Technology is the trading name of Crown Institute of Business and Technology Pty. Ltd.  
ABN 86 116 018 412 .CRICOS Provider Code 02870D NTIS Code 91371  
Valid only with institutional seal and no erasure



NSW Vocational  
Education & Training  
Accreditation Board

Certificate Number : 10-MGT-051



NATIONALLY RECOGNISED  
TRAINING



18

Sydney Institute of Tertiary Education Pty Ltd trading as  
**Uniworld Business College**



RTO: 91283 CRICOS Provider: 02827G

This is to certify that

**Mr Abdus Sattar --**

Student No: 6372

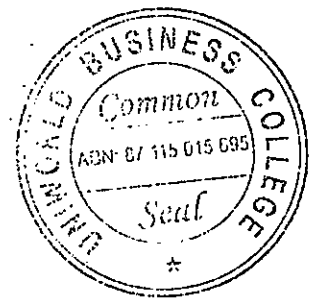
Has fulfilled the requirements for

**BSB60407**

**Advanced Diploma of Management**

completed on

**Wednesday, 7 September 2011**

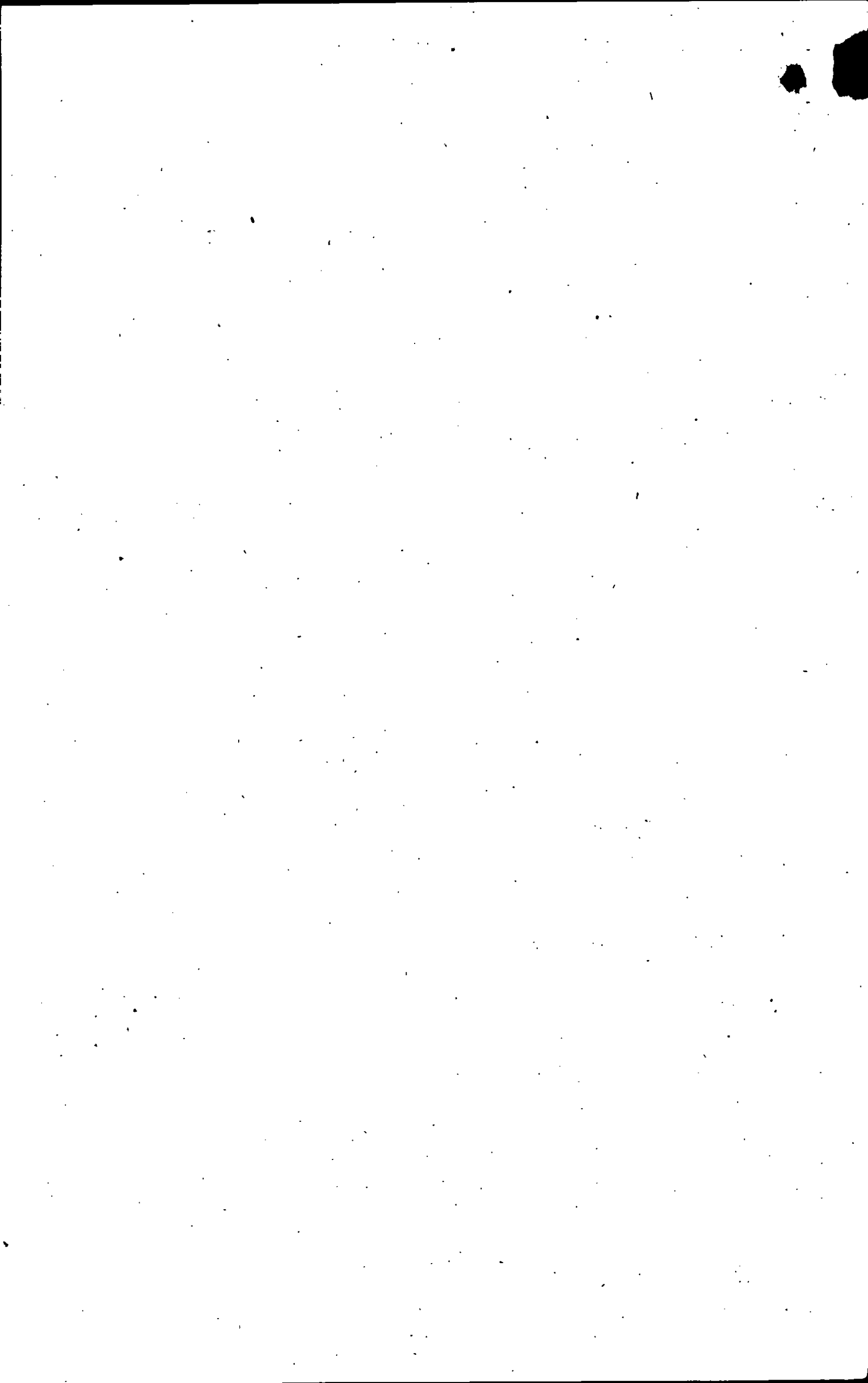


Linda Turner  
Principal Executive Officer

Date Issued: Thursday, 27 October 2011  
Certificate ID No:6372



Level 3 60-64 Reservoir Street Surry Hills NSW 2010 Tel 61 02 9212 6870 Fax 61 02 9212 4010 Email: info@uniworld.com.au Website: www.uniworld.com.au  
ABN 87 115 015 695





19

Westminster College Pty Ltd

Trading as

# Westminster College

Suite 501, Level 5, 541 Kent Street, Sydney NSW 2000  
Phone: 0292646144 Fax: 0292646166 ACN: 116 618 743 ABN: 95 116 618 743  
RTO Provider Code: 91244 CRICOS Provider Code: 02766D

This is to certify that

*Abdus SATTAR*

Student No: S270

Has been assessed as having fulfilled the requirements for

## Certificate III in Food Processing (Retail Baking) Cake and Pastry

NTIS Course code : FDF30503 CRICOS Course Code: 058171B

Dated this day 5<sup>th</sup> May 2009

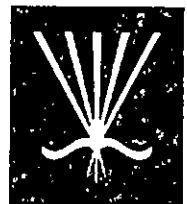
Westminster College Pty Ltd  
Sydney Australia

Umesh Chand

Principal

Date issued: 5<sup>th</sup> May 2009  
Certificate Number: 00203

The qualification certified herein is recognised within the Australian Qualifications Framework and is issued under authority of the NSW Vocational Education and Training Act 2005



NSW Vocational Education & Training Accreditation Board



NATIONALLY RECOGNISED TRAINING

Document FD07123

Yess  
19

20



# Westminster College

Suite 501, Level 5, 541 Kent Street, Sydney NSW 2000  
Phone: 0292646144 Fax: 0292646166 ABN:95 116 618 743  
RTO Provider Code: 91244 CRICOS Provider Code: 02766D

5 May 2009

## Completion Letter

### TO WHOM IT MAY CONCERN

**Student Name:** Abdus Sattar  
**Student Number:** S270  
**DOB:** 05/05/1973

This is to confirm that the above student was enrolled with Westminster College in Certificate III in Food Processing (Retail Baking) Cake and Pastry as a full time student. He started the course on 02/06/2008 and finished on 05/05/2009.

For any further information regarding **Abdus Sattar**, please contact Westminster College (02) 92646144.

Yours Sincerely,

Umesh Chand  
PRINCIPAL

Yach  
10

21

## Confirmation of Completion

Date: 27<sup>th</sup> April 2010

Student ID: 061MGT0609

Name: Abdus Sattar

Address: 1/21 Colin St,  
Lakemba, NSW 2195

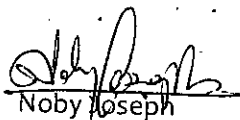
To Whom It May Concern,

Please regard this letter as confirmation that Abdus Sattar has qualified for the BSB51107: Diploma of Management as a full-time student of Crown Institute of Business and Technology (CIBT). His studies with us commenced on 15/06/2009 and completed on 27/04/2010.

Should you have any questions regarding units of competency undertaken, or any aspect of this letter, please do not hesitate to contact the writer by phone on (02) 9955 0488 during business hours or alternatively email [noby@cibt.nsw.edu.au](mailto:noby@cibt.nsw.edu.au).

A course outline for this qualification can be found at [www.cibt.nsw.edu.au](http://www.cibt.nsw.edu.au) and the employability skills relating to course code BSB51107 can be accessed at <http://employabilityskills.training.com.au>.

Yours Sincerely,



Noby Joseph  
Director of Studies (VET)



Yes

# Cambridge College International



CRICOS Provider Code: 00159K; 00033B NTIS Provider Code: 90069

Address: Level 7, 110 Bathurst Street, Sydney NSW 2000 Australia

Tel: +61 2 8263 1200 Fax: +61 2 9235 0677

General Enquiries: [info@cambridgecollegeinternational.com.au](mailto:info@cambridgecollegeinternational.com.au)

New Admissions: [admin@cambridgecollegeinternational.com.au](mailto:admin@cambridgecollegeinternational.com.au)

[www.cambridgecollegeinternational.com.au](http://www.cambridgecollegeinternational.com.au)

**ESTABLISHED IN 1934**

## RELEASE LETTER

### STUDENT DETAILS

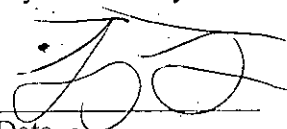
FAMILY NAME: ABDUS-SATTAR

GIVEN NAME: /

NATIONALITY: Pakistan

This is to certify that we agree to release the above-named student from his studies at Cambridge College International on 18/06/2008 so that he can pursue the study of a course that we do not offer. The student commenced studies in the full time Diploma of Community Services on 19/11/2007 and was due to finish on 13/11/2009.

If you have any further queries, please don't hesitate to contact the Student Services Office.

  
Date 21/7/08





23

# Certificate of Attendance



Student No: 31293

The purpose of the Certificate of Attendance is to assist the Overseas Student Section of the Department of Employment, Education and Training to determine if approval should be granted for the extension of an Overseas Student's Temporary Entry Permit for further studies. A Student whose attendance reflects less than a full-time commitment to his/her studies will not be permitted to remain in Australia to undertake further studies.

### Provider Details

Provider Code: 01942A  
ProviderName: Lloyds International College

CricosCode: 031670E  
CourseDesc: General English Course

Course Start Date: 20/08/2007  
Course FinishDate: 26/10/2007

### Student Details:

FamilyName: SATTAR  
GivenName: Abdus  
Date of Birth: 5/05/1973

### Attendance Expressed in Percentage of Total Attendance.

Attendance Percentage: 82%

To be filled in by Authorised Officer:

Attendance Status: Satisfactory

Authorised Officer

*Katrina Securus*

Signature

V-2.0-July07

Date: Monday, 3 December 2007

**LLOYDS**  
INTERNATIONAL COLLEGE  
LEVEL 5, 307 PITT STREET  
SYDNEY NSW 2000



24

Australian Security Education & Consulting Pty Ltd  
ATF The Rees Family Trust

The way to change is through education

## STATEMENT OF ATTAINMENT

A Statement of Attainment is issued by a Registered Training Organisation when an individual has completed one or more accredited units.

This is a statement that

# Abdus Sattar

has attained

SITHFAB009A

Provide Responsible Service of Alcohol

Carl Rees  
Managing Director

Authorised signatory:

Trainer  
Carl Rees  
Security Trainers Licence:  
17800006



NATIONALLY RECOGNISED  
TRAINING

ASEC

8a/160 Lysaght Street Mitchell – ACT- 2911  
Phone: (02) 6134 6631  
www.ascac.com.au  
RTO Number: 88065  
A.C.T Master Licence: 17501515

Commencement Date: 18/11/2013  
Date Competence Achieved: 19/11/2013  
Date issued: 20/11/2013  
Expiry Date: 19/11/2016

Certificate Number: RSA2011-008: 11138270

Y/12  
①





25

# PEACEKEEPERS SECURITY TRAINING INSTITUTE

## CERTIFICATE II IN SECURITY OPERATIONS *ABDUS SATTAR* STATEMENT NO 2897

*Competency has been successfully demonstrated in the following:*

Code	Units
CPPSEC2001A	Communicate effectively in the security industry
CPPSEC2002A	Follow workplace safety procedures in the security industry
CPPSEC2003A	Work effectively in the security industry
CPPSEC2004A	Respond to security risk situation
CPPSEC2005A	Work as part of a security team
CPPSEC2006A	Provide security services to clients
CPPSEC2011A	Control access to and exit from premises
CPPSEC2012A	Monitor and control individual and crowd behaviour
CPPSEC2014A	Operate basic safety equipment
CPPSEC2015A	Patrol premises
HLTFA301B	Apply first aid

A summary of the Employability Skills developed through this qualification can be downloaded from <http://employabilityskills.training.com.au/>

Peacekeepers Security Training Institute  
4 Wendy Street CAMIRA QLD 4300  
PH: (07) 3381 0413 Fax: (07) 3381 0834

*Handwritten signature*



# PEACEKEEPERS SECURITY TRAINING INSTITUTE

4 Wendy Street, Camira, Qld 4300  
PH: (07) 3381 0413 Fax: (07) 3381 0834

A.B.N. 87 128 897 530

National Provider No 32179

## STATEMENT OF ATTAINMENT

This is a statement that  
**ABDUS SATTAR**  
has attained

Code	Units of Competency
CPPSEC3002A	Manage Conflict through negotiation
CPPSEC3003A	Determine response to a security risk situation
CPPSEC3007A	Maintain security of environment
CPPSEC3013A	Control persons using empty handed techniques

These competencies form part of the

### CERTIFICATE III IN SECURITY OPERATIONS

Course Code: CPP30411

STATEMENT NO 2897  
OZONE ENTERPRISES PTY LTD

Dated: 15 December 2011

*Martin Scanlon*

Martin Scanlon  
Director



A Statement of Attainment is issued by a Registered Training Organisation when an individual has completed one or more units of competency from nationally recognised qualification(s)/course(s)



26

# PEACEKEEPERS SECURITY TRAINING INSTITUTE

4 Wendy Street, Camira, Qld 4300  
PH: (07) 3381 0413 Fax: (07) 3381 0834

A.B.N. 87 128 897 530

National Provider No. 32179

This is to certify that  
**ABDUS SATTAR**  
has fulfilled the requirements for

## CERTIFICATE II IN SECURITY OPERATIONS

COURSE CODE: CPP20211

STATEMENT NO 2897

OZONE ENTERPRISES PTY LTD

Dated 15 December 2011

*Martin Scanlon*

Martin Scanlon

Director

This qualification is recognised within the  
Australian Qualifications Framework



A summary of the Employability Skills developed through this qualification can be downloaded from  
<http://employabilityskills.training.com.au/>

*Yoo*  
*10*



28

# Australian Security Education & Consulting Pty Ltd

ATF The Rees Family Trust

The way to change is through education

## STATEMENT OF ATTAINMENT

A Statement of Attainment is issued by a Registered Training Organisation when an individual has completed one or more accredited units

This is a statement that

# Abdus Sattar

has attained

CPPSEC2017A Protect self and others using basic defensive techniques

These competencies form part of  
CPP20212- Certificate II in Security Operations

Carl Rees  
Managing Director

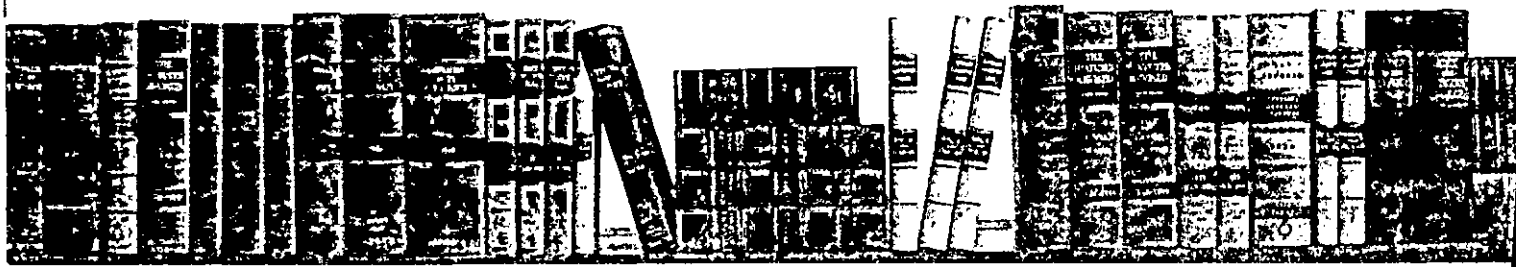
Authorised signatory:

Trainer  
Carl Rees  
Security Trainers Licence:  
17800006



ASEC  
8a/160 Lysaght Street Mitchell – ACT- 2911  
Phone: (02) 6134 6631  
www.ascac.com.au  
RTO Number: 88065  
A.C.T Master Licence: 17501515

Commencement Date: 07/11/2013  
Date Competence Achieved: 12/11/2013  
Date issued: 13/11/2013  
Certificate Number: 11138228



*Yours  
TR*

27

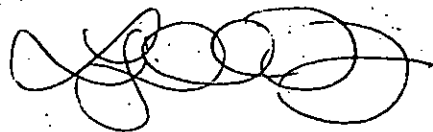
MR. ABDUS SATTAR



*Has participated in*

# Workplace Rights and Responsibilities Training

as required under Part 2 of the Security Industry Act



Signed Lyndal Ryan,  
ACT Branch Secretary United Voice

Date: 20-11-2013

Certificate Number: 4601



YV  
①



11135  
10-6-15

46  
S.H.

Annexure L

DIRECTORATE GENERAL HEALTH  
SERVICES, GOVT: OF KHYBER PAKHUNKHWA,  
PESHAWAR.

NO. 7959 /E-V.  
DATED 9 /06/2015.

To,

The Secretary to Govt: of Khyber Pukhtunkhwa  
Health Department Peshawar.

Subject: **RESTORATION OF SERVICE.**

Dear Sir,

Kindly refer to your letter No. SOH-III/8-89/2014(Abdul Sattar/Re-instatement)  
dated 21.05.2015, on the subject noted above.

In this connection it is stated that the above Ex-Senior Technician Pathology was  
granted 730-days leave which had been expired on 30.04.2010 he did not resumed  
duty.


On 15.06.2010 show cause notice was served upon him (through a registered  
Mail) on his home address by asking him to resume the duty within 14-days, but on expiry of  
the above period, he did not replied nor resumed his duty.

On 20.08.2010, an absence notice was published through Press by asking him  
to resume duty within 14-days and explain the reasons for willful absence from duty to  
which he did not respond too.

After completion of all codal formalities as required under E& D Rules 2011, the  
above named Ex- Clinical Tech: Pathology BPS-12 have been imposed major penalty  
(removal from service). As no enquiry is needed to be conducted in this case as per para 8-A  
under E&D rules 2011 (copy attached for ready reference).

Your kind advice in the matter may kindly be solicited.

  
03/6/15  
DIRECTOR GENERAL HEALTH  
SERVICES, K.P.K PESHAWAR

  
1-6-15





D No -

6575/ETD

(47)

Annexure 1

13/7/15

GOVT. OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

No. SOFI-III/8-89/2014(Abdus Sattar/Re-Instatement)  
Dated the Peshawar 14<sup>th</sup> July, 2015

10

The Director General Health Services,  
Khyber Pakhtunkhwa, Peshawar.

SUBJECT: RESTORATION OF SERVICE.

I am directed to refer to your letter No. 7959/E-V, dated: 09-06-2015 on the subject noted above and to state that the following points/information may be clarified to this department at the earliest.

- i) Is the post of Senior Technician, Food Analysis Laboratory still vacant?
- ii) Food safety authority is in its initial stage and need experienced hands. Three Food Testing Laboratories will be established soon.

(Muhammad Tariq)  
Section Officer-III

Endst: of even no & date.

Copy forwarded to:-

1. PS to Secretary Health, Khyber Pakhtunkhwa.
2. PS to Special Secretary Health, Khyber Pakhtunkhwa.

Section Officer-III

40  
C

48



**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR**

No 9153 /E-V

Dated 17/8/2015

Annexure N

To  
The Secretary to Govt: of Khyber Pakhtunkhwa  
Health Department Peshawar.

14377 SIT  
18-8

Subject: - **RESTORATION OF SERVICE.**

Dear sir,

Kindly refer to your letter No. SOH-III/8-89/2014 (Abdul Sattar/  
Re-instatement) dated 10.07.2015, on the subject noted above that as per report  
of I/C Food Testing Laboratory Khyber Pakhtunkhwa three posts of Analytical  
Clinical Technicians BS-12 are lying vacant in Food Testing Laboratory Khyber  
Pakhtunkhwa.

You're faithfully,

DIRECTOR GENERAL HEALTH  
SERVICES KPK, PESHAWAR.

11/8/15



(49)

OFFICE OF THE GOVERNMENT PUBLIC ANALYST  
PUBLIC HEALTH FOOD ANALYSIS  
LABORATORY HAYATABAD

To

No. 149/GAA  
Dated 30/7/2015

The Director General  
Health Services, Khyber Pakhtun Khwa

22511/911  
30/7/15

Subject

RESTORATION OF SERVICE

Sir,

Reference your letter No 8774-75/E-V dated 29/1/2015 on the subject captioned above. In this connection there are three posts are available/vacant in the same designation i.e Analytical Clinical Technician BPS-12 in the office of the undersigned as desired.

*Nighat Sultana*  
GOVERNMENT PUBLIC ANALYST  
PUBLIC HEALTH FOOD ANALYSIS  
LABORATORY HAYATABAD

*re*



50

Annexure 0

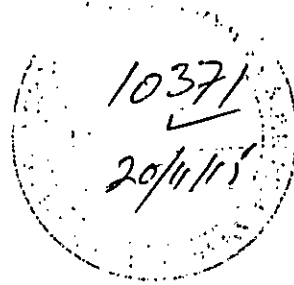
GOVT. OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

No. SOH-III/8-89/2014(Abdul Sattar/Re-instatement)  
Dated the Peshawar 20<sup>th</sup> November, 2015

To

*[Handwritten signature]*  
23/11/15

The Director General,  
Health Services Khyber Pakhtunkhwa,  
Peshawar.



SUBJECT: RESTORATION OF SERVICES.

I am directed to refer to your letter No. 9153/E-V, dated: 17-08-2015 on the subject noted above and to state that appeal of Abdus Sattar, Senior Technician for re-instatement is hereby regretted please.

(Muhammad Tariq)  
Section Officer/MI

**OFFICE OF THE DIRECTOR GENERAL HEALTH SERVICES KHYBER  
PAKHTUNKHWA PESHAWAR.**

No. 11649 /E-V,

dated 02/12/2015,

Copy of the above is forwarded to Govt. public Analyst Public Health Food Analysis Laboratory Hayatabad Peshawar for information and necessary action.

*[Handwritten signature]*  
**Assistant Director (P-III)**  
Directorate General Health Services,  
Khyber Pakhtunkhwa Peshawar

*[Handwritten initials]* 01/12/15

*[Handwritten initials]*  
Cpt  
@

**POWER OF ATTORNEY**

In the Court of KPIC Service Tribunal Peshawar

Abdul Sattar

} For  
} Plaintiff  
} Appellant  
} Petitioner  
} Complainant

**VERSUS**

Govt of KPIC and others

} Defendant  
} Respondent  
} Accused

Appeal/Revision/Suit/Application/Petition/Case No. \_\_\_\_\_ of \_\_\_\_\_

Fixed for \_\_\_\_\_

I/We, the undersigned, do hereby nominate and appoint

**IJAZ ANWAR ADVOCATE, SUPREME COURT OF PAKISTAN**

and Sajid Amin Adm

my true and lawful attorney, for me

in my same and on my behalf to appear at \_\_\_\_\_ to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits. Compromises or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or subpoena and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out; and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

**AND** to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

**AND** I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

**PROVIDED** always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

**IN WITNESS** whereof I/we have hereto signed at \_\_\_\_\_

the \_\_\_\_\_ day to \_\_\_\_\_ the year \_\_\_\_\_

Executant/Executants \_\_\_\_\_

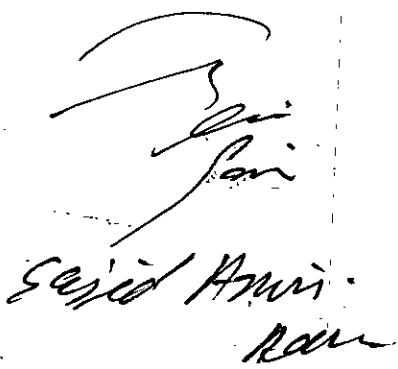
Accepted subject to the terms regarding fee \_\_\_\_\_



**Ijaz Anwar**

Advocate High Courts & Supreme Court of Pakistan

ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT  
FR-3 & 4, Fourth Floor, Bilour Plaza, Saddar Road, Peshawar Cantt  
Ph.091-5272154 Mobile-0333-9107225



# **BEFORE THE SERVICE TRIBUNAL PESHAWAR.**

**APPEAL NO. 18/2016.**

Mr. Abdus Sattar.....Appellant

**Versus**

1. Govt. of Khyber Pakhtunkhwa, Health Department and others.. Defendants

## **PARAWISE COMMENTS OF THE RESPONDENTS NO. 1 & 2**

### **PRELIMINARY OBJECTIONS:**

1. That the appeal is incompetent and not maintainable in its present form.
2. That the appellant has neither a cause of action nor locus standi.
3. That the appellant has been stopped by his own conduct to file the appeal.
4. That the appellant has not come to the Tribunal with clean hands.
5. That the appeal is time barred.

**Respectfully Sheweth:**

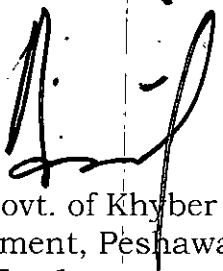
### **PARAWISE COMMENTS:**

#### **Facts:**

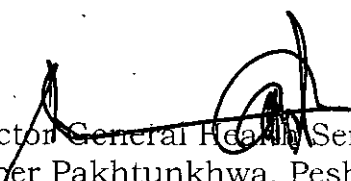
01. Pertains to record.
02. Subject to proof.
03. Pertains to record.
04. Incorrect. He absented himself after expiry of 730-days without sanction/prior permission.
05. Incorrect. As per report of the Incharge Food Testing Laboratory Khyber Pakhtunkhwa, Peshawar, the leave granted to him had been expired on 30/04/2010 and he had not resume his duty (on 13/05/2010 vide letter No. 334/GPA). A show Cause notice has been served upon him (through his home address) to resume duty but he failed, (on 15/06/2010). On 16/08/2010 a Show Cause notice has been sent to Director Information Khyber Pakhtunkhwa for publishing the same in the daily newspapers as required under the Removal From Service Special Powers Ordinance 2000 which was published in the daily newspapers. His application for the extension of leave had been forwarded by the Incharge Food Testing Laboratory Khyber Pakhtunkhwa, Peshawar on 30/08/2010 while the Show Cause notice has been published in the newspapers on 20/08/2010 and after completion of all codal formalities, the appellant has been removed from service on 01/10/2010 under the NWFP Removal from Service Special Power Ordinance 2000.
06. As in Para-05 above.
07. Correct to the extent of removal.
08. No comments (as in Para-05 above).
09. The appeal has been filed being time barred.
10. Incorrect. His appeal has been regretted by the competent authority on 20/11/2015.
11. Correct.
12. Incorrect. Detail reply has been given in Para-05.

**Grounds:**

- A. Incorrect, detail reply has been given in Para-05.
- B. Incorrect, all the codal formalities as required under the NWFP removal from service Special Powers Ordinance 2000 have been completed before issuance of order of removal from service of the appellant.
- C. Incorrect in the light of Para-B above.
- D. Incorrect, in the light of Para-B above.
- E. Incorrect, in the light of Para-5 above.
- F. Incorrect, in the light of Para-5 above.
- G. He has been removed from service on account of his willful absence from duty under the NWFP Removal from service special Powers Ordinance 2000 after completion of all codal formalities.
- H. Incorrect. The appellant deliberately remained absent from duty and was removal from service after completing all codal formalities.
- I. The appellant was removed after completing all codal formalities.
- J. That the respondents seek permission to raise additional grounds at the time of arguments.



Secretary to Govt. of Khyber Pakhtunkhwa,  
Health Department, Peshawar.  
**Respondent No. 1**



Director General Health Services,  
Khyber Pakhtunkhwa, Peshawar.  
**Respondent No. 2**



149

## DIRECTORATE GENERAL HEALTH SERVICES KHYBER PAKHTUN KHWA PESHAWAR.

All communications should be addressed to the Director General Health Services Peshawar and not to any official by name.  
E-Mail Address: [nwfpdghs@yahoo.com](mailto:nwfpdghs@yahoo.com) Office Ph# 091-9210269 Exchange# 091-9210187, 9210196 Fax # 091-9210230

### SHOW CAUSE NOTICE

1. I, Dr. Sajid Shaheen DGHS Khyber Pakhtunkhwa Peshawar as competent authority, under the Khyber Pakhtunkhwa Removal from service (Special Powers) amended ordinance, 2000, do hereby serve you, Mr. Abdul Sattar Analytical Assistant of Govt. Public Analyst Public Health Food Analysis Khyber Pakhtunkhwa Peshawar as follows:-

As per report from Govt. Public Analyst Public Health Food Analysis Khyber Pakhtunkhwa Peshawar, you were granted EOL without pay with effect from 01.05.2008 to 30.04.2010 and on expiry of leave you did not report for duty.

- a. You are willfully absent from duty w.e from 01.05.2010.
- b. Misconduct

2. Under section 5(4) of the Khyber Pakhtunkhwa Removal From Service (Special Powers) amendment ordinance, 2000, there is no need of holding a formal inquiry in this case as I am of the firm opinion that the charges against you as mentioned in Para-1 above have been proved.

3. In term of section-3 of the Removal from service (special Powers) Amendment Ordinance, 2000 in the capacity of competent authority, I have tentatively decided to impose upon you the major penalty of **REMOVAL FROM SERVICE**. Also intimate whether you desire to be heard in person.

4. You are therefore directed to show cause as to why the above penalty should not be imposed upon you.

If no reply to this notice is received within fourteen days of its issuance, it shall be presumed that you have no defence to put in and in that case an exparte action shall be taken against you.

(Dr. Sajid Shaheen)  
DIRECTOR GENERAL HEALTH  
SERVICES KHYBER PAKHTUNKHWA,  
PESHAWAR



پشاور لیگن کے سولائی رضا ماسٹیروں نے آج پشاور میں حاکم شاہ صاحب علی ایف ایف ایم کی تقریب میں شرکت کی ہے

### دریائے سوات کے کنارے آرٹز بند اور حفاظتی پستوں کی تعمیر کا مطالبہ

پشاور (تحریق) میں شاہراہ پر واقع جلدار بند کی تعمیر و مرمت کا مطالبہ کیا گیا ہے۔ حفاظتی پستوں کی تعمیر کے لیے 65 لاکھ روپوں اور پانچ سو ارب روپوں کی سرکاری گرانٹ کی ضرورت ہے۔ سوات کے علاقوں میں جاری سیلاب کی وجہ سے پشاور کے پانی کی فراہمی میں تاخیر ہو گئی ہے۔ اس کی وجہ سے شہر کے پانی کی فراہمی میں تاخیر ہو گئی ہے۔ اس کی وجہ سے شہر کے پانی کی فراہمی میں تاخیر ہو گئی ہے۔

## ٹینڈر نوٹس

دریائے سوات کے کنارے آرٹز بند اور حفاظتی پستوں کی تعمیر کا مطالبہ کیا گیا ہے۔ حفاظتی پستوں کی تعمیر کے لیے 65 لاکھ روپوں اور پانچ سو ارب روپوں کی سرکاری گرانٹ کی ضرورت ہے۔

S#	Name of work	Estimated Cost	E/Money + S/Duty	Last date of Application	Date & Time of Tender Opening
1	ADP No. 503-90457/Construction of canal petrol Road in K.P.K (Phase-II) Sub Work Construction/Improvement of canal Petrol Road along Bilot Minor RD 00-Tail in Reaches	4.00 million	206250/-	20/9/10	23/9/10
2	ADP No. 487/80333 Rehabilitation of canal Petrol Road in K.P.K Sub Work Rehabilitation/Improvement of canal Petrol Road of Shah Kot Minor RD00-Tail in Reaches (Balance Work)	5.00 million	256250/-	-do-	-do-
3	Modification of existing stud/Mole Head at RD D.I Khan Guide Band Sub Head Detail river Indus Survey from Spur No 17 to Dern Darya Khan Bridge	3.375 million	175000/-	-do-	-do-

خیزنے کے لیے شہر اور ضلع کے مختلف حصوں میں پستیوں کی تعمیر اور حفاظتی پستوں کی تعمیر کا مطالبہ کیا گیا ہے۔ حفاظتی پستوں کی تعمیر کے لیے 65 لاکھ روپوں اور پانچ سو ارب روپوں کی سرکاری گرانٹ کی ضرورت ہے۔

1۔ دروغہ میں پستیوں کی تعمیر اور حفاظتی پستوں کی تعمیر کا مطالبہ کیا گیا ہے۔ حفاظتی پستوں کی تعمیر کے لیے 65 لاکھ روپوں اور پانچ سو ارب روپوں کی سرکاری گرانٹ کی ضرورت ہے۔

2۔ شہر اور ضلع کے مختلف حصوں میں پستیوں کی تعمیر اور حفاظتی پستوں کی تعمیر کا مطالبہ کیا گیا ہے۔ حفاظتی پستوں کی تعمیر کے لیے 65 لاکھ روپوں اور پانچ سو ارب روپوں کی سرکاری گرانٹ کی ضرورت ہے۔

3۔ دروغہ میں پستیوں کی تعمیر اور حفاظتی پستوں کی تعمیر کا مطالبہ کیا گیا ہے۔ حفاظتی پستوں کی تعمیر کے لیے 65 لاکھ روپوں اور پانچ سو ارب روپوں کی سرکاری گرانٹ کی ضرورت ہے۔

دریائے سوات کے کنارے آرٹز بند اور حفاظتی پستوں کی تعمیر کا مطالبہ کیا گیا ہے۔ حفاظتی پستوں کی تعمیر کے لیے 65 لاکھ روپوں اور پانچ سو ارب روپوں کی سرکاری گرانٹ کی ضرورت ہے۔

پشاور لیگن کے سولائی رضا ماسٹیروں نے آج پشاور میں حاکم شاہ صاحب علی ایف ایف ایم کی تقریب میں شرکت کی ہے

### DIRECTORATE GENERAL HEALTH SERVICES KHYBER PAKHTUN KHWA PESHAWAR

All Communications should be addressed to the Director General health Services Peshawar and not to any official by name.  
E-Mail address: nwfpdghs@yahoo.com Office Ph# 091-9210269 Exchange# 091-9210187,9210196 Fax 091-9210230

#### SHOW CAUSE NOTICE

I. Dr. Sajid shaheen DGHS Khyber Pakhtunkhwa Peshawar as competent authority under the Khyber Pakhtunkhwa removal from service (Special Powers) amended ordinance, 2000, do hereby serve you, Mr. Abdul sattar Analytical assistant of Govt. Public Analyst Public Health Food Analysis Khyber Pakhtunkhwa Peshawar as follows:-

as per report from Govt. Public Analyst Public Health Food Analysis Khyber Pakhtunkhwa Peshawar, you were granted EOL without pay with effect from 1/5/2008 to 30/4/2010 and on expiry of leave you did not report for duty.

a. you are willfully absent from duty w.e from 1/5/2010  
b. Misconduct.

2. Under section 5(4) of the Khyber Pakhtunkhwa Removal From Service (Special Powers) amendment ordinance, 2000, there is no need of holding a formal inquiry in this case as I am of the firm opinion that the charges against you as mentioned in para-1 above have been proved.

3. In term of section -3 of the removal from service (special Powers) amendment Ordinance, 2000 in the capacity of competent authority, I have tentatively decided to impose upon you the major penalty of REMOVAL FROM SERVICE. Also intimate whether you desire to be hard in person.

4. You are therefore directed to show cause as to why the a above penalty should not be imposed upon you.

If no reply to this notice is received within fourteen days of its issuance, it shall be presumed that you have no defence to put in and in that case an exparte action shall be taken against you.

(Dr. Sajid shaheen)  
DIRECTOR GENERAL HEALTH SERVICES  
KHYBER PAKHTUN KHWA PESHAWAR  
www.khyberpakhtunkhwa.gov.pk INF(P)2769

### C&W DIVISION HANGU

C&W Division Hangu invites tender on CSR 2009 for the following work from Contractors /firms in registration renewed, for the year 2010-11 for the following work as below

S #	Name of work	Estimated Cost	2% Earnest Money & Stamp Duty	Tender Opening 1st Date	Tender Opening 2nd Date	Tender Opening 3rd Date	Time Limit
1	Restoration of Flood Damages to Road during 2010 of various Roads In District Hangu (Sub Head): Package No.1 1 Shahoo Khel Road 2. Togh Sarai Anar China Road 3. Mamoo Khawar Dalian Road 4. Hangu Pat	1070000	23258	25/8/10	27/8/10	31/8/10	as per Work order

## گلوب ٹینڈر نوٹس

دریائے سوات کے کنارے آرٹز بند اور حفاظتی پستوں کی تعمیر کا مطالبہ کیا گیا ہے۔ حفاظتی پستوں کی تعمیر کے لیے 65 لاکھ روپوں اور پانچ سو ارب روپوں کی سرکاری گرانٹ کی ضرورت ہے۔

S#	Name of Work	Estimated	E/Money	Last Date	Date &
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Annexure 0

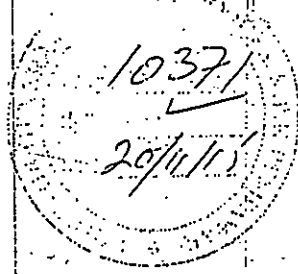
GOVT. OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

No. SOH-III/8-89/2014 (Abdul Sattar/Re-instatement)  
Dated the Peshawar 20<sup>th</sup> November, 2015



To

The Director General,  
Health Services Khyber Pakhtunkhwa,  
Peshawar



SUBJECT RESTORATION OF SERVICES.

I am directed to refer to your letter No. 9153/E-V, dated: 17-08-2015 on the subject noted above and to state that appeal of Abdus Sattar, Senior Technician for re-instatement, is hereby regretted please.

(Muhammad Tariq)  
Section Officer III

OFFICE OF THE DIRECTOR GENERAL HEALTH SERVICES KHYBER  
PAKHTUNKHWA PESHAWAR.

No. 11644 /E-V,

dated 02/12/2015,

Copy of the above is forwarded to Govt. public Analyst Public Health Food Analysis Laboratory Hayatabad Peshawar for information and necessary action.

Assistant Director (P-III)  
Directorate General Health Services,  
Khyber Pakhtunkhwa Peshawar

Handwritten initials and date: 02/12/15



1

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

In the matter of  
Appeal No. 18/2016

Abdus Sattar, Ex-Analytical Assistant Govt. Public Health  
Food Analysis Laboratory, Khyber PakhunKhwa Peshawar.

*(Appellant)*

**VERSUS**

Government of Khyber Pakhutukhwa through Secretary  
Health & others.

*(Respondents)*

**REJOINDER TO THE PARA WISE REPLY ON**  
**BEHALF OF THE APPELLANT**

Respectfully submitted:

The appellant submits his rejoinder as under:

**ON PRELIMINARY OBJECTIONS:**

1. Contents incorrect and misleading, the appeal being filed well in accordance with the prescribed rule and procedure hence maintainable and competent in its present form and also in the present circumstances of the case.
2. Contents incorrect and misleading, the appellant has been illegally awarded the major penalty of removal from service, hence being an aggrieved civil servant he has got the necessary cause of action and locus standi to file the instant appeal.
3. Contents incorrect and misleading, the appellant has come to the tribunal with clean hands.
4. Contents incorrect and misleading, the instant appeal has been filed well within the prescribed period of limitation.

## ON FACTS

1. Need no comments. However Contents of Para 1 of the appeal are correct.
2. Need no comments. However Contents of Para 2 of the appeal are correct.
3. Need no comments. However Contents of Para 3 of the appeal are correct.
4. Contents of Para 4 of the appeal are correct, the reply submitted to the Para No. 4 is totally incorrect and misleading hence denied.
5. Contents of Para 4 of the appeal are correct, the reply submitted to the Para No. 4 is totally incorrect and misleading hence denied.
6. Need no comments. However Contents of Para 6 of the appeal are correct.
7. No comments being admitted.
8. Need no comments. However Contents of Para 8 of the appeal are correct.
9. Contents of Para 9 of the appeal are correct, the reply submitted to the Para No. 9 is totally incorrect and misleading and against the facts, hence denied. The appeal is well with in time.
10. Contents of Para-10 of the appeal are correct, the reply submitted to the Para No. 10 is totally incorrect and misleading hence denied.
11. No comments being admitted.
12. Contents of Para 12 of the appeal are correct, the reply submitted to the Para No. 12 is totally incorrect and misleading hence denied.


## GROUNDS

The Grounds taken in the memo of appeal are legal and will be substantiated at the time of arguments.

*It is therefore humbly prayed that the appeal of the appellant may please be accepted as prayed for.*

  
**Appellant**

Through

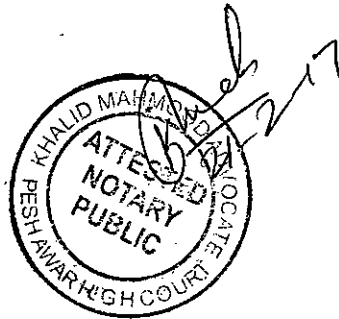
  
**IJAZ ANWAR**  
Advocate, Peshawar.

&  
  
**YASIR SALEEM**  
Advocate, Peshawar.

**AFFIDAVIT**

I do, hereby solemnly affirm and declare on oath that the contents of the above rejoinder as well as titled appeal are true and correct and nothing has been kept back or concealed from this Honourable Tribunal.

  
**Deponent**



KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1339 /ST

Dated 18 / 5 / 2017


To

The Director General Health,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Subject: - JUDGMENT IN APPEAL NO. 18/2016, MR. ABDUL SATTAR.

I am directed to forward herewith a certified copy of Judgement dated 19.4.2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.



MR ABDUS SATTAR [REDACTED]  
UNIT 7 STREET 46 COLIN ST  
LAKEMBA NSW 2195

Our reference: PTAX/868 336 982  
Telephone: 0293748161  
Facsimile: 0293748150  
Your reference:  
Issue date: 19 September 2007

Dear MR ABDUS SATTAR

**Tax file number (TFN) - advice**

In reply to your recent application or enquiry, your TFN is:

**868 336 982**

Keep this notice in a safe place for further reference.

Please note that you only need one TFN. Your TFN will stay the same regardless of your changing circumstances. For example, you do not need a new TFN if you move interstate, change jobs, change your name in any way, have investments, or claim government benefits.

You are not required to disclose your TFN to any person and the misuse of TFNs can result in penalties. However, you should quote your TFN in all future dealings with us and, if you receive any benefits or entitlements from Centrelink / Family Assistance Office (FAO), you **must** advise them immediately of the above TFN.

Other organisations to which a TFN may be quoted can include:

- your employer or payer
- investment bodies such as banks, building societies and credit unions with which you hold funds on deposit
- superannuation funds, and
- educational institutions.

For more information on tax file numbers, please visit our website at [www.ato.gov.au](http://www.ato.gov.au) or phone **13 28 61** between 8am and 6pm Monday to Friday.

Yours sincerely

Margaret Crawford  
Chief Operating Officer  
and Deputy Commissioner of Taxation



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Key 2 Learning  
National Registration Code 88191

A Statement of Attainment is issued by a Registered Training Organisation when an individual has completed one or more units of competency from nationally recognised qualification(s)/course(s)

*This is a statement that*

**ABDUS SATTAR**

*Has been assessed as having fulfilled the following requirements*

**Apply First Aid  
HLTFA311A**

Incorporates the following units:  
HLTCPR211A Perform CPR  
HLTFA211A Provide basic emergency life support

Issuing body: Key 2 Learning  
ABN 76 140 161 600

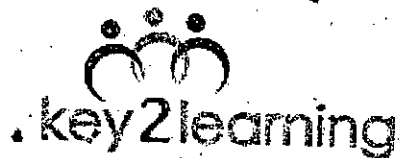
Date Issued: 18 September 2012

Victoria Oakden  
General Manager  
Workplace Trainer

*The Statement of Attainment certified herein is recognised within the  
Australian Qualifications Framework*

*A summary of the employability skills developed through this Statement of Attainment  
can be downloaded from <http://employabilityskills.training.com.au>*





**Certificate of Attendance**

***Abdus Sattar***

**has completed Annual Mandatory Training in the following subjects:**

**WHS  
Infection Control  
Manual Handling Update  
Catheter Care and Management**

**27 September 2012**

A handwritten signature in cursive script, appearing to read "Rhonda Roberts", written over a horizontal line.

**RHONDA ROBERTS  
WORKPLACE TRAINER  
KEY 2 LEARNING**

*Yee  
TC*

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# Statement of Attainment

This is to certify that:

## Abdus Sattar

Has been assessed as having fulfilled the following requirements:

Code	Units
HLTFA301B	Apply First Aid

This competency is from HLT07 Health Training Package

Date of Issue: 21 November 2009

Parchment No: 0847

Work Cover approved for 3 years from date of issue

Imran M Ali  
Chief Executive Officer

The qualification certified herein is recognised within the Australian Qualifications Framework

A statement of Attainment is issued by a Registered Training Organisation when an individual has completed one or more units of competency from a nationally recognised qualification(s)/course(s)



NATIONALLY RECOGNISED TRAINING



NSW Vocational Education & Training Accreditation Board

Address: Level 1/34C Fitzroy St  
Marrickville, NSW 2204

Telephone: 02 9557 7466

Issued under Authority of the NSW Vocational Education and Training Act 2005

*"We value our clients"*





33

Key 2 Learning  
National Registration Code 88191

A Statement of Attainment is issued by a Registered Training Organisation when an individual has completed one or more units of competency from nationally recognised qualification(s)/course(s)

*This is a statement that*

**ADBUS SATTAR**

*Has been assessed as having fulfilled the following requirements*

**Apply First Aid  
HLTFA301C**

Incorporates the following units:  
HLTCPR211A Perform CPR  
HLTFA211A Provide basic emergency life support

Issuing body: Key 2 Learning  
ABN 76 140 161 600

**Date Competent: 13 September 2012**

A handwritten signature in black ink, appearing to read "Victoria Oakden".

Victoria Oakden  
General Manager  
Workplace Trainer

*The Statement of Attainment certified herein is recognised within the  
Australian Qualifications Framework*

*A summary of the employability skills developed through this Statement of Attainment  
can be downloaded from <http://employabilityskills.training.com.au>*



40  
C



Sydney Institute of Tertiary Education Pty Ltd trading as  
**Uniworld Business College**

RTO: 91283 CRICOS Provider: 02827G

34

**This is an Academic Transcript for**

**Abdus Sattar --**

has attained

Student No:6372

BSBINN601A	Manage organisational change
BSBMGT605B	Provide leadership across the organisation
BSBMGT616A	Develop and implement strategic plans
BSBMKG609A	Develop a marketing plan
BSBFIM601A	Manage finances
BSBMGT608B	Manage innovation and continuous improvement
BSBRK501A	Manage risk
BSBMGT617A	Develop and implement a business plan

C  
C  
B  
C  
E  
B  
B  
C



completed on  
07/09/2011

These competencies form all of the

**BSB60407 Advanced Diploma of Management**

  
 Linda Turner  
 Principal Executive Officer

Date Issued:26/10/2011  
 Certificate ID No:6372



*Handwritten signature/initials*



35

# CROWN INSTITUTE OF BUSINESS AND TECHNOLOGY

## TRANSCRIPT OF ACADEMIC RECORD

Student Name: Abdus Sattar  
Student ID number: 061MGT0609  
Course Commencement: June 2009  
Course Completion: April 2010

This transcript certifies that the student above successfully completed the following units of competency and has fulfilled the requirements for issuance of:

### BSB51107 Diploma of Management

Year	Unit Code	Unit Descriptor	Core/Elective
2009	BSBCUS501A	Manage quality customer service	Core
2009	BSBOHS509A	Ensure a safe workplace	Core
2009	BSBFIM501A	Manage budgets and financial plans	Core
2010	BSBPMG510A	Manage projects	Core
2009	BSBMGT515A	Manage operational plans	Core
2010	BSBMGT502B	Manage people performance	Elective
2010	BSBHRM402A	Recruit, select and induct staff	Elective
2010	BSBHRM503A	Manage performance management systems	Elective
		End of Transcript	

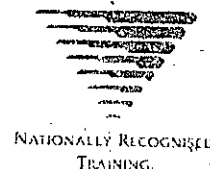
Dated: 27/04/2010

VET Director of Studies

Date issued: 28/04/2010  
Transcript No: 10-MGT-051



This transcript is printed without erasure or alteration.  
Crown Institute of Business and Technology Pty Ltd trading as  
Crown Institute of Business and Technology ABN 86 116 018 412  
NTIS Provider Code: 91371 CRICOS Provider Code: 02870D  
116 Pacific Highway, North Sydney NSW 2060 Australia



# INTERNATIONAL ENGLISH LANGUAGE TESTING SYSTEM

## Test Report Form

GENERAL TRAINING

**NOTE** Admission to undergraduate and postgraduate courses should be based on the ACADEMIC Reading and Writing Modules.  
GENERAL TRAINING Reading and Writing Modules are not designed to test the full range of language skills required for academic purposes.  
It is recommended that the candidate's language ability as indicated in this Test Report Form be re-assessed after two years from the date of the test.

36

Centre Number  Date  Candidate Number

### Candidate Details

Family Name   
First Name   
Candidate ID



Date of Birth  Sex (M/F)  Scheme Code

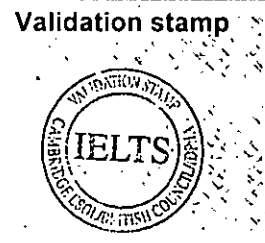
Country or Region of Origin  First Language

Repeating IELTS (Y/N)  Previous Test Date  Previous Test Centre

### Test Results

Listening  Reading  Writing  Speaking  Overall Band Score

### Administrator Comments



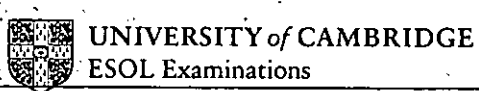
Writing Examiner Number

Administrator's Signature

Speaking Examiner Number

Date

Test Report Form Number



The validity of this IELTS Test Report Form can be verified online by recognising organisations at <https://ielts.ucles.org.uk>

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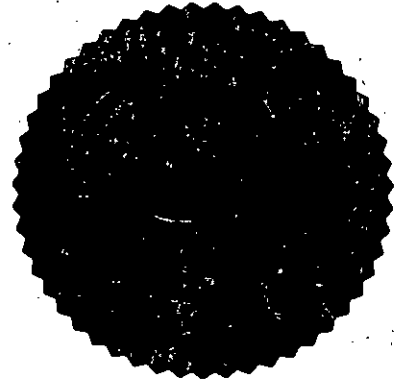
Waterfall Investments Pty Ltd  
Trading as  
**Cambridge College International**

37



RTO: 90069

Cricos Provider: 00159K



*This is to certify that*

**Abdus-Sattar -**

Student Number: 265

*has fulfilled the requirements for*

**Certificate III in Aged Care Work 2008**

CHC30102

igned:

DOS-VET

PEO

**This qualification certified herein is  
recognised within the Australian  
Qualifications Framework and is issued  
under authority of the NSW Vocational  
Education and Training Act 2005**

Level 7, 110 Bathurst Street Sydney 2000 NSW Australia

Phone: +612 8263 1200 Fax: +612 8263 1238

Mobile: +61 2 49 001 124 152

Email: info@cambridgecollegeinternational

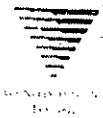
Website: www.cambridgecollegeinternational.com.au

Version 5.0

Page 1 of 2

Date Issued: 28-Jul-08

Certificate No: CC C 1089



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This is to certify that

**Abdus-Sattar -**

Student Number: 265

has fulfilled the requirements for

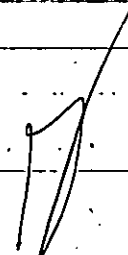
**Certificate III in Aged Care Work 2008**

CHC30102

**Record of Achievement**

Unit Code	Unit of Competency
CHCAC3C	Orientation to aged care work
CHCINF8B	Comply with information requirements of the aged care and community sectors
CHCCOM2B	Communicate appropriately with clients and colleagues
CHCAC1C	Provide support to an older person
CHCAC6C	Support the older person to meet their emotional and psychological needs
CHCOHS302A	Participate in safety procedures for direct care work
CHCORG3B	Participate in the work environment
CHCCS304A	Assist with self medication
CHCCS405A	Work Effectively With Culturally Diverse Clients and Co-Workers
CHCAC2C	Provide personal care
CHCAC15A	Provide care support which is responsive to the specific nature of dementia
CHCAD1C	Advocate for clients
CHCCS401A	Facilitate co-operative behaviour

Signed: *Director of Studies*





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# Statement of Attainment

This is to certify that

**SATTAR Abdus**

Student Number: 31293

was enrolled in  
an Intensive General English Course  
at


**Lloyds International College**

from 20/08/2007 to 26/10/2007 and has been assessed as follows:

**Advanced**

Speaking	Listening	Reading	Writing
3	4	4	3
Please see over page for explanation of levels			

Given by Lloyds International College, Sydney on Wednesday, 24 October 2007

  
Director of Studies



Lloyds International College  
Level 1 & 5, 307 Pitt Street Sydney 2000 NSW Australia  
Tel: +612 8263 1200 Fax: +612 8263 1238  
Email: [info@lloydscollege.nsw.edu.au](mailto:info@lloydscollege.nsw.edu.au)

25/10/2007-31293

V-2.0-July07



## Lloyds International College ELICOS Assessment: Explanation of Proficiency Levels

	SPEAKING	LISTENING	WRITING	READING
<b>Zero (0)</b>	Unable to function in the spoken language.	Unable to comprehend the spoken language.	Unable to function in the written language.	Unable to comprehend the written language.
<b>Initial (0+)</b>	Able to operate only in a very limited capacity within very predictable areas of need.	Able to comprehend only a very restricted range of simple utterances within the most predictable areas of need and only in face-to-face situations with people used to dealing with non-native speakers.	Able to write clearly a limited number of words or short formulae pertinent to the most predictable areas of everyday need.	Able to read only a limited range of essential sight words and short simple sentences whose forms have been memorised in response to immediate needs.
<b>Elementary (1-)</b>	Able to satisfy immediate needs using learned utterances.	Able to comprehend readily only utterances which are thoroughly familiar or are predictable within the areas of immediate survival needs.	Able to write with reasonable accuracy short words and brief familiar utterances.	Able to read short simple sentences and short instructions.
<b>Minimum Survival (1)</b>	Able to satisfy survival needs and minimum courtesy requirements.	Able to comprehend enough to meet basic survival needs.	Able to satisfy basic survival needs.	Able to read personal and place names, street signs, office and shop designations, numbers, isolated words and phrases, and short sentences.
<b>Survival (1+)</b>	Able to satisfy all survival needs and limited social needs.	Able to satisfy all survival needs and limited social needs.	Able to satisfy all survival needs and limited social needs.	Able to read short texts on subjects related to immediate needs.
<b>Minimum Social (2)</b>	Able to satisfy routine social demands and limited work requirements.	Able to understand in routine social situations and limited work situations.	Able to satisfy routine social demands and limited work requirements.	Able to read simple prose, in a form similar to typescript or printing, on subjects within a familiar context.
<b>Minimum Vocational (3)</b>	Able to speak the language with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on practical, social and vocational topics.	Able to comprehend sufficiently. Readily able to participate effectively in most formal and informal conversations with native speakers on social topics and on those vocational topics relevant to own interests and experience.	Able to write with sufficient accuracy in structures and spelling to meet all social needs and basic work needs.	Able to read standard newspaper items addressed to the general reader, routine correspondence, reports and technical material in own special field, and other everyday materials (e.g. best-selling novels).
<b>Vocational (4)</b>	Able to use the language fluently and accurately on all levels normally pertinent to personal, social, academic or vocational needs.	Can comprehend easily and accurately in all personal and social contexts and in all academic or vocational contexts relevant to own experience.	Able to write fluently and accurately on all levels normally pertinent to personal, social, academic or vocational needs.	Able to read all styles and forms of the language pertinent to personal, social, academic or vocational needs.
<b>Native-like (5)</b>	Speaking proficiency equivalent to that of a native speaker of the same socio-cultural variety.	Listening proficiency equivalent to that of a native speaker of the same socio-cultural variety.	Written proficiency equivalent to that of a native speaker of the same socio-cultural variety.	Reading proficiency equivalent to that of a native speaker of the same socio-cultural variety.





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Westminster College Pty Ltd  
Trading-as

# Westminster College

Suite 501, Level 5, 541 Kent Street, Sydney NSW 2000  
Phone: 0292646144 Fax: 0292646166 ACN:116 618 743 ABN:95 116 618 743  
RTO Provider Code: 91244 CRICOS Provider Code: 02766D

## Transcript of Academic Report

**Student Name:** Abdus Sattar  
**Date of Birth:** 05/05/1973  
**Course Name:** Certificate III in Food Processing (Retail Baking) Cake and Pastry  
**Course Code:** FDF30503

Unit Code	Competency Unit Name	Results
FDFCORHS3A	Monitor the implementation of OHS policies and procedures	C
FDFCORQFS3A	Monitor the implementation of quality food safety programs	C
FDFCORWCM2A	Present and apply workplace information	C
FDFCORBM2A	Use basic mathematical concepts	C
FDFRBDPC3A	Diagnose and respond to product and process faults (pastry, cakes and cookies)	C
FDFRBPP2B	Produce pastry	C
FDFRBPF2B	Prepare fillings	C
FDFRBFF2B	Form and fill pastry products	C
FDFRBBP2B	Bake pastry products	C
FDFRBPC2B	Produce sponge, cake and cookie batter	C
FDFRBC2B	Bake sponges, cakes and cookies	C
FDFRBDC2B	Decorate cakes and cookies	C
FDFRBSP3B	Plan and schedule production	C
FDFOPTIP3A	Participate in improvement process	C
FDFZPRW1A	Participate effectively in a workplace environment	C

- End of Transcript -

Competent		Not Yet Competent	
C	Competent	NYC	Not Yet Competent
E	Exemption	W	Withdrawn
RPL	Recognition of Prior Learning	NA	Not Assessed

Umesh Chand  
Principal

Date issued: 5<sup>th</sup> May 2009  
Certificate Number: 00203



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Annexure "A"

**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUN KHWA PESHAWAR.**

All communications should be addressed to the Director General Health Services Peshawar and not to any official by name.

E-Mail Address: [nwfdghs@yahoo.com](mailto:nwfdghs@yahoo.com) Office Ph# 091-9210269 Exchange# 091-9210187, 9210196 Fax # 091-9210230

**OFFICE ORDER**

WHEREAS, Mr. Abdul Sattar Analytical Assistant attached to Govt Public Analyst Public Health Food Analysis Khyber Pakhtunkhwa Peshawar was proceeded against under the Khyber Pakhtunkhwa Removal from Service (Special Powers) amended ordinance, 2000 for the charge mentioned in the show cause Notice.

AND WHEREAS, he was granted 730-days (EOL) Extra Ordinary Leave without pay with effect from 01.05.2008 to 30.04.2010, on expiry of leave on 01.05.2010, he did not resume duty.

AND WHEREAS, a show cause Notice through a registered letter U.O No. 16021/AE-VI dated 15.06.2010, was sent at his home address asking him to resume his duty within 14-days but on expiry of the above period he neither replied nor reported his arrival for duty.

AND WHEREAS, he was served with a show cause Notice through press (published in two news papers) to resume duty and explain reasons for his willful absence from duty and misconduct within 14-days or face removal from service to which he did not respond too.

AND WHEREAS, after completion of all codal formalities and on ascertaining the facts that the official is willfully absent from duty, the competent authority in exercise of the powers conferred upon him vide Rule-3 of the Khyber Pakhtunkhwa Removal from service (special powers) amended ordinance, 2000 is pleased to impose the major penalty of Removal from Service upon him (Mr. Abdul Sattar Analytical Assistant) with immediate effect.

Sd/xxxxx

**DIRECTOR GENERAL HEALTH  
SERVICES KHYBER PAKHTUNKHWA  
PESHAWAR**

(41)

No. 24123-27/AE-VI

Dated 01/10/2010

Copy forwarded to the:-

01. Govt Public Analyst Public Health Food Analysis Khyber Pakhtunkhwa Peshawar.
  02. AG Khyber Pakhtunkhwa Peshawar.
  03. Mr. Abdul Sattar S/O Tamash Khan Village Upazai PO Rahimabad Tehsil & District Peshawar.
  04. Master file.
  05. AE-VI DGHS, Khyber Pakhtunkhwa Peshawar.
- For information and necessary action.

Handwritten initials/signature on the left side of the stamp.

(Dr. Sajid Shaheen)  
DIRECTOR GENERAL HEALTH  
SERVICES KHYBER PAKHTUNKHWA,  
PESHAWAR

Handwritten date: 28/9/10

Haji Kanuran Khan

Handwritten initials/signature at the bottom of the page.

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Annexure "I"

To

Director General Health Service

Kpk

Subject Dismissal Appeal

, Respected /Sir

I am writing this letter for the purpose of appealing my dismissal from Senior Technincia post. and would like to have the opportunity to explain my circumstances and plead my case for reinstatement . I am confident that I will be able to demonstrate my usual performance if given a second chance.

. Unfortunately due to some family problems ( Property ) .I was unable to continue my service for last few years . It is my belief that this is a clear case and I have been wrongfully terminated

I appeal to you to review and reinstate me in my position

Thank you in advance for your swift considration of this matter

Your obediently

Abdus Sattar



Senior Technincian

Date 10/11/2014





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Annexure J

To,

The Secretary Health,  
Health Department, Peshawar

Attention: Section Officer-III

Subject: RESTORATION OF SERVICES

Respected Sir,

It is submitted for your kind information that I was employed as Senior Technician (Analytical Assistant) in Public Health Food Analysis Laboratory KPK. Due to domestic issues i.e. enmity and threats to my life, I applied for leave upto 30.04.2010. I went to Australia to save my life, during this period I further improved my qualification and got valuable experience which is related to my previous work in food laboratory. The details are as follow:

- 1) Specialty in food processing retail baking cake and pastry (confectionary)
- 2) Diploma of Management
- 3) Advance Diploma of Management
- 4) Work experience in confectionary
- 5) Certificate III in community care (Aged Care)
- 6) Working experience as Nursing Assistant
- 7) Workplace Rights and Responsibility Training
- 8) First Air Certificate
- 9) English Course Certificate
- 10) Citizenship Certificate
- 11) Family Dispute Court Case papers

(Copy of all Australian Qualification and experience letter are attached)

During this period family disputed issue / house peacefully settle.

4/10

Now when I came back to Pakistan and reported to my department. It came in my knowledge that my service has been terminated by the concerned authority without providing an opportunity of hearing. The absent notice published in the press was also not in my knowledge, it is pertinent to mention here that when I came back I filed an appeal before Special Secretary Health, Peshawar and when my file was put before him he give the following comments "Abdus Sattar has been awarded specialty in food and diploma in management and has previous experience in food lab is related to his present experience. His case of appeal is put up as we need such people".

I humbly pray to restore my service by treating the absence period as EOL without pay.

Your's obediently




---

**Abdus Sattar**  
 Senior Technician  
 Govt. Public Health,  
 Food Analysis Laboratory  
 Khyber Pakhtunkhwa,  
 Peshawar

Dated: 19.03.2015


*Yild*  
 (O)

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Annexure 'k'

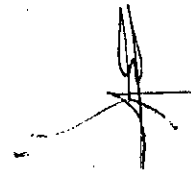
GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT.

12. Abdule Sattar informed that he has been awarded degree in food processing & Diplomas in Management. His previous posting was related to Food Laboratory. We should put up his case of appeal, as we need such people

  
SSA

~~DS-11~~

Sou

  
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