

FORM OF ORDER SHEET

Appeal No. 330/2024

Other proceedings with signature of judge

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28/02/2024

The appeal of Mr. Idrees Ahmad resubmitted today by him. It is fixed for preliminary hearing before touring Single Bench at Swat on

By the order of Chairman




REGISTRAR

The appeal of Mr. Idrees Ahmad received today i.e on 28.02.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondents no. 1&2 are un-necessary/improper parties, in light of the rules ibid and on the written direction of the Worthy Chairman the above mentioned respondent number be deleted/struck out from the list of respondents.
- 2- Address of appellant is incomplete be completed according to rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974.

No. 441 /S.T.

Dt: 28/2 /2024.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

28/2/24

Mr. Imad Ullah Adv.
High Court Swat.

Resubmitted after compliance



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 330 of 2024

Idrees Ahmad Ex-Chowkidar Government Primary School Kalam, District Swat

...Appellant

VERSUS


The Secretary Elementary and Secondary Education Department Government of
Khyber Pakhtunkhwa, Peshawar and Others.

...Respondents

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Appellant Through


Imdad Ullah
Advocate Swat

Office: Khan Plaza, Gulshone Chowk,
Mingora Swat, Cell 0333 929 7746
Email: imdadswati@gmail.com

(1)

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

Service Appeal No. 330 of 2024

Idrees Ahmad Ex-Chowkider Government Primary
School Kalam District Swat.

..... Appellant

VERSUS

The District Education Officer (Male) District
Swat at Gulkada.

..... Respondent

**APPEAL UNDER SECTION 4 OF THE KPK
SERVICE TRIBUNAL ACT, 1974, AGAINST
THE NOTIFICATION ENDST NO. 1732-39P.F/
IDREES AHMAD CHOW/DEO/M DATED
03.05.2023, RECEIVED ON 07.11.2023
WHEREBY MAJOR PENALTY OF REMOVAL
FROM SERVICE AS IMPOSED UPON THE
APPELLANT AGAINST THE LAW, RULES AND
FACTS AND IS LIABLE TO BE SET ASIDE,
AGAINST WHICH ACTION THE APPELLANT
PREFERRED A DEPARTMENTAL APPEAL,
BUT THE SAME WAS NOT RESPONDED TO
DESPITE THE LAPSE OF STATUTORY
PERIOD OF TIME.**

PRAYER:

That on acceptance of this service appeal the impugned Notification dated 03-05-2023, received on 07-11-2023, may very kindly be set aside, being violative of the law and rules, and the Appellant reinstated back into service with all back / consequential benefits.

Respectfully Sheweth:

Facts:

- i. That the Appellant was appointed as Chowkidar vide order Endst: No. 7896-8006/Class-IV Appointment-2022 dated 17-05-2022. Copy of the order dated 17-05-2022 is enclosed as Annexure "A".*
- ii. That the Appellant assumed the charge and performed his duties to the best of his abilities and to the satisfaction of the authorities without any objections, whatsoever.*
- iii. That the Appellant suffered from severe back pain and upon consultation the Appellant was prescribed surgery. Copies of the medical certificate is enclosed as Annexure "B".*
- iv. That the Appellant submitted an application for leave on medical grounds duly supported by all the documents. The Appellant was granted medical leave from 05-10-2022 till 04-12-2022 vide order Endst: No. 1583-86/PF/C-IV dated*

17-11-2022. Copy of the order dated 17-11-2022 is enclosed as Annexure "C".

- v. That after the expiry of the leave the Appellant was still unable to travel due to his medical condition, thus Appellant submitted an application for transfer to nearby school where the post of chowkidar was lying vacant, but to no avail.
- vi. That during the winter vacation there was heavy snowfall which made travelling more cumbersome rather impossible and the Appellant was unable to attend the school.
- vii. That it was during this period that the Appellant was kept waiting for his transfer to be actualized, but his salary was stopped to the utter surprise and dismay of the Appellant. Copy of the application is enclosed as Annexure "D".
- viii. That feeling aggrieved the Appellant submitted a departmental appeal for the release of his salary, but the same was not responded to despite the lapse of statutory period of time. Copy of the departmental appeal is enclosed as Annexure "E".
- ix. That still feeling aggrieved and having no other option this Honourable Tribunal was approached for the redressal of the grievances on the grounds mentioned therein. That while the service appeal No. 1493 of 2023 was still

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pending that the Respondents submitted written reply and for the first time the Appellant came to know about the impugned Notification Endst: No. 1732-39/P.F/Idrees Ahmad/Chow/DEO/M dated 03-05-2023, received on 07-11-2023. Copy of the Notification dated 03-05-2023 is enclosed as Annexure "F".

- x. That the Appellant has been condemned as unheard as neither any inquiry was conducted nor any charge sheet or show cause notice was served upon the Appellant.
- xi. That feeling aggrieved of the Notification impugned whereby major penalty of "Removal From Service" is imposed upon the Appellant against the law, rules and facts and is liable to be set aside, the Appellant submitted departmental appeal. Copy of the departmental appeal is enclosed as Annexure "G".
- xii. That despite the lapse of statutory period of time the departmental appeal is not responded to, thus still feeling aggrieved and having no other option for the redressal of the grievances this Honourable Tribunal is approached on the following grounds.

Grounds:

- a. That under the law and rules on the subject an inquiry is mandatory before the imposition of major penalty, but in case of the Appellant the same

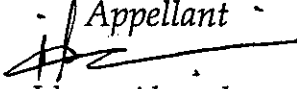
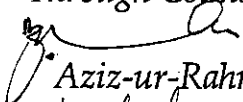

provisions of law and rules have been bulldozed, thus the Appellant has not been treated in accordance with the law and rules.

- b. That the Appellant was neither issued any charge sheet, statement of allegations nor was any Show Cause Notice served upon the Appellant, thus the Appellant has been condemned as unheard and is denied his vested rights, which makes the impugned Notification nullity in the eyes of law and plethora of judgments of the Courts, including the Apex Supreme Court.*
- c. That this is a classic case of misuse and abuse of the authority and that too in a very classic, arbitrary and fanciful manner to the utter detriment of the Appellant.*
- d. That the Appellant has been discriminated in a very blatant manner.*
- e. That there is nothing noting adverse against the Appellant which may result into penal consequences, neither has any adverse departmental action, if any, communicated to the Appellant, which further classic example of exploitation.*
- f. That the Appellant has not committed any act of commission or omission which may constitute any offence under any law.*

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It is, therefore, very respectfully prayed that on acceptance of this service appeal the impugned Notification dated 03-05-2023, received on 07-11-2023, may very kindly be set aside, being violative of the law and rules, and the Appellant reinstated back into service with all back / consequential benefits.

Any other relief deemed appropriate in the circumstances and specifically prayed for may also very kindly be granted.

Appellant

Idrees Ahmad
Through Counsels,

Aziz-ur-Rahman

Imdad Ullah
Advocates Swat

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BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ 2024

*Idrees Ahmad Ex-Chowkidar Government Primary
School Kalam, District Swat*

...Appellant

VERSUS

*The Secretary Elementary and Secondary Education
Department Government of Khyber Pakhtunkhwa,
Peshawar and Others.*

...Respondents

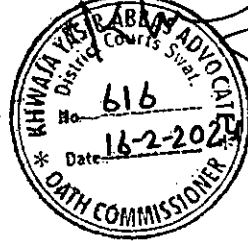
AFFIDAVIT

*It is solemnly stated on Oath that all the contents of
this service appeal are true and correct to the best of my
knowledge and belief and nothing has either been
misstated or kept concealed before this Honourable
Tribunal.*

Deponent

Idrees Ahmad

ATTESTED



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BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ 2024

Idrees Ahmad Ex-Chowkidar Government Primary
School Kalam, District Swat

...Appellant

VERSUS

The Secretary Elementary and Secondary Education
Department Government of Khyber Pakhtunkhwa,
Peshawar and Others.

...Respondents

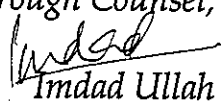
ADDRESSES OF THE PARTIES

Appellant:

Idrees Ahmad Ex-Chowkidar Government Primary
School Kalam, District Swat

Respondents:

1. The Secretary Elementary and Secondary
Education Department Government of Khyber
Pakhtunkhwa, Peshawar.
2. The Director Elementary and Secondary Education
Government of Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Male) District
Swat at Gulkada.

Appellant
Through Counsel,

Imdad Ullah
Advocate Swat



(9)

A

DISTRICT EDUCATION OFFICER (MALE)
SWAT AT GULKADA

PH No. 091-9240228

Fax 091-9240228

E-mail emisswat@gmail.com

Appointment Order.

Consequent upon the recommendations of the Departmental Selection Committee (DSC) regarding the appointment of C-IVs held on 17/05/2022 under the Chairmanship of DEO (M) Swat and Representative of Secretary Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar, the undersigned is pleased to appoint the following candidates on regular basis as Class IVs against vacant/newly created posts at the schools/Offices mentioned against their names in BPS-03 (Rs.9610-390-21310) plus usual allowances as admissible under the rules on regular basis, under the existing policy of the Provincial Government on the terms and conditions given below with immediate effect in the interest of public service.

CANDIDATES APPOINTED AGAINST DECEASED SON QUOTA (100%)

S.No	Name	Father Name	Residence	Date of Birth	Post	School where Posted	Remarks
1	Khalid Khan	Late-Yousaf Khan	Gowalirai	01-01-97	Naib Qasid	GHSS Bamakhela	A.V Post
2	Waqas Khan	Late-Layaq Bahadar	Bagh Dherai	01-01-03	Chowkidar	GHSS Fatehpur	A.V Post
3	Hasnain Khan	Late-Zahid Khan	Kandaw Kass	15-05-03	Chowkidar	GPS Kandaw Manglor	A.V Post
4	Usman Ali	Late-Muslim Badshah	Gharai Shamoza	05-01-97	Naib Qasid	GHSS Odigram	A.V Post
5	Arshad Ali Khan	Late-Mughal Baz Khan	Langar Khwazakhela	23-08-77	Chowkidar	GPS Sangrai	A.V Post
6	Naved	Late-Shamsul Hadi	Shagai Shagram	09-09-99	Chowkidar	GPS Fatehpur No.2	A.V Post
7	Aslam Zeb	Late-Javed	Ashar Garai Banjoot	18-02-99	Chowkidar	GPS Ashar Gharai	A.V Post

CANDIDATES APPOINTED AGAINST DISALE QUOTA (2%)

S.No	Name	Father Name	Residence	Date of Birth	Post	School where Posted	Remarks
1	Azhar Rahman	Rahman Nazir	Guligram	31-05-96	Chowkidar	GMS Sangota	A.V Post
2	Ibrahim	Raham Gul	Shingrai Manglor	20-02-83	Chowkidar	GPS No.2 Koza Bandal	A.V Post

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CANDIDATES APPOINTED AGAINST RETIRED SON'S QUOTA (25%)

S.No	Name	Father Name	Residence	Date of Birth	D/o retirement of father	Post	School where Posted	Remarks
1	Karimullah	Rahmani Gul	Gowalirai	01-01-82	31-10-02			
2	Ibrahim Khan	Abdul Karim	Bahrain	05-02-86	24-09-10	Chowkidar	GHSS Shakardara	A.V.Post
3	Fawad Ali Khan	Jamshaid Khan	Paladram	01-10-93	30-06-16	Chowkidar	GPS Koza Gharal	A.V.Post
4	Inamullah	Sawab Gul	Kas Qandil Madyan	01-01-98	31-12-16	Chowkidar	GPS Nawakalay Kihwaza Khela	A.V.Post
5	Sher Alam	Mohambar Khan	Charma Roringar Matta	01-01-81	02-01-17	Sweeper	GHSS Shakar Dara	A.V.Post
6	Habibur-ur-Rahman	Pir Muhammad Khan	Saidu Sharif	03-06-89	11-02-17	Sweeper	DDEO(M) Office Upper Swat	A.V.Post
7	Suliman	Saiful Malook	Ganajir Charbagh	10-02-90	01-03-17	Sweeper	GMS Roria	A.V.Post
8	Fazal Akbar	Sultan Sikandar	Pismai	01-04-83	31-03-17	Sweeper	GMS Nowkhara	A.V.Post
9	Shams-ul-Israr	Sadiq Ahmad	Qambar	08-09-94	31-03-17	Sweeper	GHS Bara Samai	A.V.Post
10	Adnan Khan	Mahabat Khan	Mingora	01-06-96	05-04-17	Chowkidar	GPS Penawrai	A.V.Post
11	Muhammad Ali	Nazar	Nishkapor Kokarai	1982	06-04-17	Naib Qasid	GHS Jambil	A.V.Post
12	Muhammad Abid	Muhammad Sajid	Chuprial Matta	15-01-93	30-06-17	Chowkidar	GHSS Chuprial	A.V.Post
13	Muhammad Imran	Itbar Gul	Faiz Abad	07-03-86	30-06-17	Chowkidar	GRS No.2 Soray Sharifay Kabal	A.V.Post
14	Javid Ali	Sultan Amriz	Malam Jabba	08-09-95	30-6-17	Chowkidar	GPS Spine Oba	A.V.Post
15	Zia Ullah	Inayat ullah	Manyar	25-10-95	30-06-17	Chowkidar	GHS Kotlai	A.V.Post
16	Irfan Ullah	Rozi Gul	Islampur	20-12-96	30-06-17	Chowkidar	GPS Sigram	A.V.Post
17	Attullah	Naseem Khan	Sakhra	10-03-99	30-06-17	Sweeper	GHS Sambat	A.V.Post



18	Syed Muhammad Khan	Bakht Sher	Banjot mlalal	24-06-01	30-06-17	Chowkidar	GPS Soray Sar	A.V.Post
19	Israr-u- Din	Umar Gul	Ushoo	10-02-92	16-08-17	Chowkidar	GHS Matiltan	A.V.Post
20	Muhibullah	Muhammad Zahir Shah	Deolai	09-09-96	14-08-17	Sweeper	GHSS Tall	A.V.Post
21	Ihsanullah	Alamgir	Balogram	12-03-90	13-09-17	Chowkidar	GHSS Odigram	A.V.Post
22	Ahmad Mustafa	Gul Rahman	Sakhra	01-01-04	22-09-17	Chowkidar	GPS Maizara Sakhra	A.V.Post
23	Idrees Ahmad	Muhammad	Benowrai	03-03-89	20-12-17	Chowkidar	GPS Kalam	A.V.Post
24	Muhammad Suliman	Muhammad Rasool Khan	Charbagh	01-08-99	29-12-17	Chowkidar	DDEO (M) Office Upper Swat	A.V.Post

CANDIDATES APPOINTED AGAINST OPEN QUOTA

N	Name	Father Name	Residence	Date of Birth	Post	School where Posted	Remarks
1	Gauhar Ali	Shah Zarin	Fatehpur	30-05-99	Chowkidar	GPS Tawde Oba	A.V.Post
2	Muhammad Nazar	Sherin Zada	Cham Garai	13-11-88	Chowkidar	GPS Aryanai No.1	A.V.Post
3	Raheemullah	Firdoos	Matiltan	20-08-02	Lab/Attendant	GHS Matiltan	A.V.Post
4	Abullais	Isfandiyar	Bahrairi	20-02-04	Chowkidar	GPS Areen Daral	A.V.Post
5	Ziarat Gul	Sani Gul	Bahrain	10-01-89	Chowkidar	GPS Bar Najvi	A.V.Post
6	Abdul Munem	Bacha Khan	Shalpin	01-01-86	Naib Qasid	GHSS Shalpin	A.V.Post
7	Karimullah	Said Ali	Jeshar Shalpin	01-01-97	Chowkidar	GPS Kharaway Shalpin	A.V.Post
8	Noor ul Islam	Ali Namdar	Shalpin	01-01-00	Lab/Attendant	GHSS Shalpin	A.V.Post
9	Rahim Zada	Saranay Khan	Lakhar	1986	Chowkidar	GHS Lakhar	A.V.Post
10	Gauhar Ali	Muhammad Ali	Miandam	25-09-98	Chowkidar	GHSS Miandam	A.V.Post
11	Zafar Ali	Rahmat Khan	Jano	01-01-88	Chowkidar	GHS Jano	A.V.Post
12	Sher Bahadar	Jehan Zeb	Urdam	01-01-91	Chowkidar	GPS Topsis	A.V.Post
13	Ubaidullah	Muhammad Qayum Khan	Jano	01-09-94	Chowkidar	GPS Asala Bala	A.V.Post
14	Farman Ali	Afsar Khan	Shalpin	25-03-96	Chowkidar	GHSS Shalpin	A.V.Post

Posted
Associate

15	Fazal Rahman	Pir Kachkool	Rasha Gata	01-01-88	Chowkidar	GPS Rasha Gata	A.V.Post
16	Rahmat Ali	Bakht Nazir	Arbat Kokarai	01-01-94	Chowkidar	GPS Arbat Kokarai	A.V.Post
17	Adil Khan	Aqal Mand	Guligram	01-05-01	Naib Qasid	GHSS Shagai	A.V.Post
18	Suliman	Inzer Gul	Saidu Sharif	16-03-88	Lab/Attendant	GHSS Shagai	A.V.Post
19	Fawad Ali	Muhammad Nawab	Shahdara	27-03-92	Naib Qasid	GHS No.1 Mingora	A.V.Post
20	Javed Iqbal	Said Mashal	Saidu Sharif	10-03-85	Naib Qasid	GCMHSS Wadudia	A.V.Post
21	Sher Alam Khan	Abdul Majeed	Akhun Kalay	01-04-80	Chowkidar	GPS Akhunkalay	A.V.Post
22	Aftab Ali	Adalat Khan	Odigram	01-03-85	Lab/Attendant	GHSS Odigram	A.V.Post
23	Aziz Ahmad	Sher Zada	Odigram	10-05-94	Naib Qasid	GHSS Odigram	A.V.Post
24	Umar zada	Nazir Gul	Tindodag	01-01-84	Chowkidar	GHS Tindodag	A.V.Post
25	Junaid Khan	Mir Hamzala	Kabal	18-05-94	Chowkidar	GPS Kabal	A.V.Post
26	Bacha Khan	Nadar Khan	Kabal	01-01-85	Chowkidar	GPS Chindakhwara	A.V.Post
27	Usman Ali	Muhammad Sher Ali Khan	Mahak	15-05-94	Naib Qasid	GMS Mahak	A.V.Post
28	Daftar Ali	Muhammad Arif	Manja	1-1-2000	Chowkidar	GPS Manja	A.V.Post
29	Khan Nawab	Talimand	Shah Dehrai	04-01-86	Naib Qasid	GHS Asharay	A.V.Post
30	Shah-E-Room	Shultani Room	Shah Dehrai	15-03-96	Chowkidar	GPS Shah Dehrai	A.V.Post
31	Attaullah	Khan Gul	Mahak	08-06-94	Sweeper	GMS Mahak	A.V.Post
32	Rahimullah	Fazal Qayum	Sirsina	15-04-82	Chowkidar	GPS Sirsina	A.V.Post
33	Khan Nawab	Malak Nawab	Shakardara	25-04-84	Lab/Attendant	GHSS Shakardara	A.V.Post
34	Imran Khan	Umar Ghani	Shakardara	01-03-01	Lab/Attendant	GHSS Shakardara	A.V.Post
35	Muhammad Akram	Nizamuddin	Shakardara	01-01-89	Chowkidar	GHSS Shakardara	A.V.Post
36	Latifur Rahman	Inayatun Rahman	Shakardara	11-02-91	Naib Qasid	GHSS Shakardara	A.V.Post
37	Habib Ahmad	Amir Bashir	Dehrai Kabal	1983	Naib Qasid	GHSS Shakardara	A.V.Post
38	Iftikhar Ali	Akhun Jan	Shangwatai	01-01-90	Chowkidar	GPS Shangwatai	A.V.Post

Attested
 the
 Advocate

39	Shah Mansoor	Muhammad Ayub Khan	Labat Matta	10-03-00	Naib Qasid	GHSS Labat Matta	A.V.Post
40	Noor Alam	Muhammad Uzair	Roringar	10-10-03	Sweeper	GHS Roringar	A.V.Post
41	Rehman Ali	Dilaram Khan	Gat	01-11-00	Lab/Attendant	GHSS Gat Shawar	A.V.Post
42	Ahmad Hussain	Bacha Was Khan	Gat	01-01-90	Naib Qasid	GHSS Gat Shawar	A.V.Post
43	Matiullah	Rahmatullah	Gat	01-01-82	Chowkidar	GHSS Gat Shawar	A.V.Post
44	Muhammad Hussain	Bakht Rawan	Pansat	01-01-83	Chowkidar	GPS Pansat	A.V.Post
45	Mohabat Khan	Gul Faraz Khan	Gardam	03-01-91	Chowkidar	GPS Gardam	A.V.Post
46	Suliman Khan	Sarzamin Khan	Tootkay Matta	13-02-94	Naib Qasid	DDEO(M) Office Upper Swat	A.V.Post
47	Muhammad Maaz Khan	Pir Muhammad Khan	Tootkay Matta	01-11-01	Naib Qasid	DDEO(M) Office Upper Swat	A.V.Post
48	Naik Zada	Masoom Khan	Kharirai Matta	23-03-91	Naib Qasid	DDEO(M) Office Upper Swat	A.V.Post
49	Qaribullah	Bacha Hayat	Bara Bama Khela	03-01-00	Naib Qasid	DDEO(M) Office Upper Swat	A.V.Post
50	Zahoor Khan	Taj Muhammad Khan	Tootkay Matta	20-10-01	Chowkidar	DDEO(M) Office Upper Swat	A.V.Post
51	Ziyarat Khan	Khkulay Khan	Kharirai Matta	01-01-88	Naib Qasid	GHSS Matta	A.V.Post
52	Fawadullah	Shujat Ali	Tootkay Matta	01-01-00	Chowkidar	GHSS Matta	A.V.Post
53	Barkatullah	Muhammad Rahim	Ragastoon	10-03-99	Naib Qasid	GMS Ragastoon	A.V.Post
54	Akhtar Muhammad	Din Muhammad	Ragastoon	20-03-61	Sweeper	GMS Ragastoon	A.V.Post
55	Musa Khan	Mian Mehmood	Bodigram	05-05-94	Naib Qasid	GMS Said Abad	A.V.Post
56	Amani Room	Shah Room Bacha	Bodigram	01-01-85	Sweeper	GMS Said Abad	A.V.Post
57	Habibun Nabi	Zarawar Khan	Awisha	18-02-99	Sweeper	GMS Awisha	A.V.Post
58	Fazal Rabi	Yousaf Khan	Awisha	05-02-03	Naib Qasid	GMS Awisha	A.V.Post

Approved
 Date
 Associate

59	Bacha Zada	Karim Jan	Madiyat Asharay	01-10-01	Naib Qasid	GMS Madiyat	A.V.Post
60	Jamal Nasar Khan	Bashir Ahmad Khan	Nawkhara	05-08-00	Naib Qasid	GMS Nawkhara	A.V.Post
61	Umar Ghani	Fazal Ghani	Sambat Cham	01-01-81	Chowkidar	GPS Rahim Abad Sambat	A.V.Post
62	ShafiUllah	Khwas Faqir	Roringar	01-12-99	Chowkidar	GPS Saidara	A.V.Post
63	Tariq Ahmad	Muhammad Tahir	Qazi Abad Sakhra	12-03-97	Naib Qasid	GHSS Sakhra	A.V.Post
64	Aftab Ahmad Khan	Nisar Ahmad Khan	Chuprial	17-02-86	Lab/Attendant	GHSS Chuprial	A.V.Post
65	Ahmad Ali	Khan Zada	Chuprial	15-04-99	Naib Qasid	GHSS Chuprial	A.V.Post
66	Muhammad Umar	Bakht Umar	Gharai Chuprial	01-03-91	Naib Qasid	GHSS Chuprial	A.V.Post
67	Zahid Ullah	Sher Faroz Khan	Koza Durashkhela	01-10-98	Sweeper	GMS Koza Durashkhela	A.V.Post
68	Iqbal Hussain	Ghulam	Matta	03-12-97	Chowkidar	GPS Deran Patay	A.V.Post
69	Bakht Baidar	Raham Bacha	Tootkay Matta	12-03-94	Lab/Attendant	GHSS Matta	A.V.Post
70	Muhammad Younas	Ali Yar	Durashkhela	01-01-99	Lab/Attendant	GHSS Durashkhela	A.V.Post

CONSEQUENTIAL ORDER

S.No	Name	Present posting	Adjusted at	Remarks
1	Jibrān Khan Chow	GPS Areen Daral	GPS Lagan	A.V.Post
2	Abdul Akbar Sweeper	GMS Roria	GMS Madiyat	A.V.Post
3	Rafullah Chow	GHS Chancharay	GPS Galsha	A.V. Post
4	Hazrat Ali Chow	SDEO (M) Office Kabal	GHSS Shgai	A.V. Post
5	Aziz Ahmad Chow	GPS Koza Gharai Bahrain	SDEO (M) Office Kabal	Against S.No-04

TERMS & CONDITIONS.

- 1- No TA/DA is allowed.
- 2- Charge report should be submitted to all concerned.
- 3- They would be governed by such Rules and Regulations as may be issued from time to time by the Government.

Adjusted
Due
Advocate

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- 4- Their services can be terminated at any time in case of their performance is found unsatisfactory during probation period, in case of misconduct, they shall be proceeded under the Rules framed from time to time by the Government.
- 5- Their services are liable to be terminated on one month prior notice from either side, in case of resignation without prior notice one month pay and allowances, shall be forfeited in favor of Government through Challan.
- 6- They should join their posts within 15 days of the issuance of this order positively otherwise the appointment order shall be stand cancelled.
- 7- The Principal's / SDEO's / Head Masters concerned should personally check their original documents, domicile, CNIC before handing over charge and if any discrepancy OR ambiguity found in their credentials OR they are not available in person, the same shall be reported to the District Education Officer immediately.
- 8- Health & age Certificate shall be signed by the DDO concerned with her name & original designation and then after Medical Superintendent and the same should be provided before taking over charge.
- 9- Their age should not be less than 18 years and exceed 40 years and if any such like case found the same may be reported to the undersigned and charge may not be handed over. Moreover, the upper age limit has already been relaxed by Govt. of Khyber Pakhtunkhwa SOE-III (E&AD) 2-1 / 2007 dated: the 09th December, 2010 up to three years for backward areas.
- 10- The concerned DDO will be bound to provide duty / joining certificate within fifteen days positively otherwise the concerned DDO (Principal's / SDEO's / Head Masters) will be personally responsible for consequences as well as litigation if any.
- 11- In case of any discrepancy in documents, oversight or clerical mistake, the Competent Authority has the power to modify or withdraw appointment order of the official concerned according to rules/policy.
- 12- Errors and omissions will be acceptable within the specified period.

(MUHAMMAD RIAZ)
District Education Officer (M)
Swat

Endst: No. 7896-8006/Class-IV Appointment-2022

Dated 17/05/2022.

Copy forwarded for information and necessary action to the: -

1. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The District Comptroller of Accounts Swat at Saidu Sharif
3. District Monitoring Officer Swat
4. Concerned Principals/ Head Masters/SDEOs.
5. EMIS Cell Local Office.
6. PA to District Education Officer (M) Swat.
7. Officials concerned.
8. Office File.

District Education Officer (M)
Swat

M



ted
Date



SWAT EDUCATION DEPARTMENT

Department of Elementary & Secondary Education, Swat.
Govt. of Khyber Pakhtunkhwa.

Tel: 0946-9240209 - 9240228
Web: www.sed.edu.pk
Online Portal: www.swateducation.com
Email: swateducation@gmail.com

B

16

Khyber Pakhtunkhwa

MEDICAL CERTIFICATE

Name of Official:

IDREES AHMAD

Father's Name:

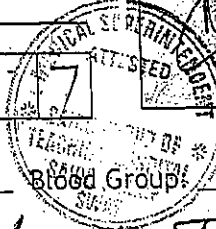
MUHAMMAD

CNIC No.:

15602-6854576

Charge taking on Post:

Chowkidar Caste or Race: Afghani



Residence:

Village Benobai P/O Fatehpur Tehsil
Khwaga Khela Swat

Contact No. (if any) 03454331130

Date of Birth: (in figure)

03/03/1989

(in words)

March 3, N-H & Eighty nine

Exact Height by measurement:

5ft 7"

Personal mark of Identification:

AVL

Signature of the Official:

Dated:

19/5/2022

Seal & Signature of District Education Officer Swat, KP Pakistan

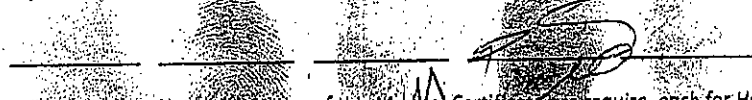
FOR MEDICAL SUPERINTENDENT OFFICER USE ONLY

I do hereby certify that I have examined Mr., / Miss. IDrees Ahmad a candidate for employment in the office of District Education Department Swat and cannot discover that he/ she had any disease communicable or other constitutional affection or bodily infirmity except fit

I do not consider this as disqualification for employment in the office of District Education Department Swat. His age according to his own statement/documents is 33 years and by appearance about 33 years.

Remarks (if any):

Left Hand Fingers Impressions of official



Medical Superintendent,
Saidu Sharif Hospital,
Swat, KP Pakistan

Note: Two copies of this Medical Certificate are required, each for Hospital Record and other for Department Record.
Published by Swat Education Department Swat: www.sed.edu.pk, swateducation@gmail.com, 0300 90 3 4 5 6 7

Deputy Medical Superintendent,
Saidu Sharif Hospital,
Swat, KP Pakistan

20/5/22

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DEPARTMENT OF PATHOLOGY

Saidu Group of Teaching Hospital, Saidu Sharif, Swat

MEDICAL INVESTIGATION REPORT

Name: IDREES AHMAD Friday, May 20, 2022

TEST	RESULT
HBs Ag Screening _____	Negative.
HCV Ab Screening _____	Negative.

URINE R/E

Physical Examination

Color _____ P. Yellow Sp: Gravity _____ 1.015

Chemical Examination

Albumin _____ Nil Sugar _____ Nil

Bile Salt _____ Nil Bile Pigment _____ Nil

Microscopic Examination

Pus Cells _____ 01 - 02/HPF. RBC's _____ 00 - 01/HPF.

bow

Pathologist.

Saidu Group of Teaching
Hospital, Saidu Sharif Swat.

Pathologist
Saidu Group Lab.
Saidu Sharif Swat.

stea
ccate

OUT DOOR PATIENT TICKET

18

CIVIL HOSPITAL MADYAN SWAT

District SWAT

Date 5/10/2022

CRP No: 1436

Sent To: _____

Name

Johns Ahmad

Age: _____

Sex: _____

Father's / Husband's Name _____

Monthly OPD Serial No. _____

Provisional Diagnosis: _____

History

Clinical Findings / Investigations / Treatment / Referred / Test Findings

Hx of Hydrocele
ILD for infected
Hydroce.
wound left open

[Signature]
5/10/2022
District Health Officer
Swat Distr: at Gulkada.

Diagnosis:

Delayed primary
closure & daily wash + ASD
Kindly visit OPD
daily for dressing & wash.

Home rest

2 - months
Dr. HUSAM UD DIN
Medical Officer
Civil Hospital Madyan

Doctor Name & Signature

[Signature]
Deputy Medical Superintendent
Saidu Teaching Hospital
Saidu Sharif Swat

[Signature]



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT

Phone: (0946) 9240228
Email: deosw@swat.gov.pk

Phone: (0946) 9240228
Web: www.seo.edu.pk

G-

19

GRANT OF MEDICAL LEAVE:

In exercise of powers delegated to the District Education Officer vide Director Elementary Secondary Education Khyber Pakhtunkhwa, Peshawar. No:6965-7015/F.No:32-D/Leave Cases/KP dated 23-02-2017.

Sanction is hereby accorded to the grant of Medical leave with effect from 05-10-2022 to 04-12-2022 (60 days) on full pay in r/o Mr. Adrees Ahmad Chowkidar GPS: Kalam District Swat as due and admissible to him under the leave rules 1981.

Necessary entries to this effect should be made in his Service Book and leave account form which is returned herewith.

(MUHAMMAD RIAZ)
DISTRICT EDUCATION OFFICER (M)
SWAT

Endst. No: 1583-86 /PF/C-IV Dated 17-11 /2022

Copy forwarded to:

- 1- The District controllers of Account Swat at Saidu Sharif.
- 2- The SDEO (M) Bahrain Swat w/r to his letter No: 1386 dated 05/10/2022 with the remarks that Convince allowance for the above mention period may be deposit in Govt. Treasury through Challan under intimation to the undersigned and SDEO (M) Bahrain is further directed to direct Head Teacher to make arrangement of School security.
- 3- P.A to District Education Officer (M) Swat the local office.
- 4- The official concerned.

DISTRICT EDUCATION OFFICER (M)
SWAT

180
Associate

خدمت مناب ڈی ای او منب (میردامن) ضلع سووات
منوان درخواست بیمار تادم قرین منب

D

بہا۔ عالی

مزارش خدمت اقدس میں آتی ہے کہ سائل گورنمنٹ پرائمری سکول کلام
میں حیثیت جو کیدارم فرانسن مریں سرانام ڈرنا ہوں۔ بہا۔ والا میرا کفر
کلام سے لیت دور ہے۔ میری سکول ٹیچر اور ٹیچرین کو نسل قتل اور میں ہے جو
کلام سے میں کفنی کی مسافت پر ہے۔ میں ¹⁶⁵بہا۔ والا میرا کفر
بہا۔ والا میں گزشتہ دنوں سخت بیمار ہوا تھا اور ڈاکٹرز نے مشورہ دیا کہ
امریکن کے بغیر علاج نہیں کریں تو میں میڈیکل لیو leave میں اپریل میں
آیا اور اب بھی میڈیکل میں ہوں۔

لہذا میری تکلیف کو مد نظر رکھتے ہوئے اگر میرا کلام کسی بھی قرین سکول
کو تاحیات دماغ اور ہونے کا مستحق ہے۔

Forwarded in Original
to SDO (M) Bahraim
13/10/2022
Sayed Khadem Shah
Kazi Sub Divisional Educ Officer (M)
Bahraim Circle Swat

الکرام
اب کا نام فرما

ادریں احمد ولد محمد سائیں بنوڑی
کا 4 مئی 2022 سووات جو کیدار 44 کلام سووات

مورم
کے

Forwarded in Original
to SDO (M) Bahraim
13/10/2022

Shah Dinal Kh. Officer (M)
Bahraim Swat
22/10/2022

Associate



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.

No. _____ /F.No. 451/A-20/C-IV/Swat Vol-7

Dated Peshawar the 07-11 /2022

Phone: 091-9225344

Email: ddadm.ese@gmail.com

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To

The District Education Officer
(Male) Swat

Subject: **APPLICATION FOR TRANSFER**

Memo:

I am directed to refer to the subject noted above and to enclose herewith an application in r/o Mr. Idress Ahmad Chowkidar GPS Kalam for further necessary action being competent authority please.

Assistant Director (Admn)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst; No. 6590

Copy forwarded to the: -

1. Applicant Concerned.
2. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. *master file*

Assistant Director (Admn)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

DA

Accepted
Juni
Associate

E- (22)

(1)

BEFORE THE DIRECTOR ELEMENTARY AND SECONDARY EDUCATION
GOVERNMENT OF KHYBER PAKHTUNKHWA, PESHAWAR

Idrees Ahmad Chowkidar Government Primary School Kalam, District Swat.

-----Appellant

VERSUS

The District Education Officer (M) at Gulkada, District Swat.

-----Respondent

Subject: Departmental appeal for the release of salary.

Respected Sir,

The Appellant submits as under:-

That the Appellant was appointed chowkidar on 17-05-2022 and joined his duties.

That the Appellant got back problem and the doctor prescribed surgery for the problem.

That the Appellant submitted his medical report to the office and also an application for medical leave.

That the application was allowed and the Appellant was granted medical leave with full pay with effect from 05-10-2022 to 04-12-2022 (60 days).

That after the leave the Appellant informed his school headmaster of his condition as there was heavy snowfall and the roads were not able to travel.

That during this period the Appellant salary was not released to him and no order is communicated to him also.

That the Appellant asked the concerned many times but no response is given.

It is thus very humbly requested that on acceptance of this departmental appeal the salary of the Appellant shall be ordered to be released.

[Signature]

[Signature]

[Signature]
Appellant
Idrees Ahmad

21/3/2023



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT

#: (0946) 9240228
Email: deomswat@gmail.com

#: (0946) 9240228
Web: www.sed.edu.pk

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NOTIFICATION

1. Whereas one Mr. Idrees Ahmad S/O (Late) Muhammad Chowkidar Government Primary School Kalam remained absent from duty with effect from 05.12.2022 as per report of SDEO (M) Bahrain Swat letter No 1581 dated 21.02.2023.
2. Whereas a call notice as required under the Rules was sent on his home address vide this office Endst No 10057 dated 01.03.2023.
3. Whereas after the stipulated period of call notice he failed to resume his duties as per report of Head Teacher dated 25.03.2023 and SDEO (M) Bahrain Swat letter No 1633 dated 25.03.2023.
4. Whereas as required under E&D Rules 2011 a notice mandatory under article 9 of the E&D Rules was also published in "The Daily Aji and The Daily Azadi" on 14/04/2023.
5. Whereas he was asked in the said notice to resume his duty and explain the reasons of his absence but he failed.
6. Whereas the District Education Officer (M) Swat being the competent authority after having considered the charges and evidences on record against him and found them as proved.

Now, Therefore, I Muhammad Riaz, District Education Officer (M) Swat being the competent authority under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011 do hereby impose upon him "the major penalty of **"REMOVAL FROM SERVICE"** under 4 (b) (iii) of the ibid Rules with effect from 05/12/2022 in the interest of public service.

(MUHAMMAD RIAZ)
DISTRICT EDUCATION OFFICER (M)
SWAT

Endst: No: 1732-38 P.F/Idrees Ahmad/Chow/DEO/M. Dated: 07/05/2023

Copy forwarded to:

- 1- The Director Elementary & Secondary Education KPK Peshawar
- 2- The District Comptrollers of Account Swat at Saidu Sharif.
- 3- The District Monitoring Officer Swat.
- 4- The Sub Divisional Education Officer (M) Bahrain Swat with the direction to serve on the accused C-IV.
- 5- PA to District Education Officer (M) Swat the local office.
- 6- Mr. Idrees Ahmad S/O Late Muhammad village Benorai Fatehpur (Registered)

DISTRICT EDUCATION OFFICER (M)
SWAT

Appeal No: 1493/2023. *Idrees Ahmad B.G. v. Govt*

02.10.2023

1. Learned counsel for the appellant present.
2. Pre-admission notice issued to the respondents for submission of written reply comments. Respondents be summoned through TCS, the expense of which be deposited by the appellant. To come up for written reply comments as well as preliminary hearing on 07.11.2023 before S.B at camp court, Swat. P.P given to parties.

SCANNED
KPST
Peshawar

(Rashida Bano)
Member (J)
Camp Court, Swat



07th Nov. 2023

01. Counsel for the appellant present. Mr. Muhammad Jar, District Attorney for the respondents present.
02. A pre-admission notice to the respondents was given on 02.10.2023 in response to which they submitted an application for disposal of service appeal alongwith a copy of notification dated 03.05.2023 vide which the appellant has been awarded major penalty of removal from service. Copies provided to learned counsel for the appellant.
03. In view of the fresh development, instant service appeal has become infructuous. Consign.
03. *Pronounced in open Court at camp court, Swat and given under my hand and the seal of the Tribunal on this 07th day of November, 2023.*

Original copy of notification 03.05.2023
 Page = 1
 10/5/23
 14-11-23

Certified to be true copy

E.M. *[Signature]*
Khyber Pakhtunkhwa
Service Tribunal
Peshawar 14/11/23

(Fazeha Paal)
Member (E)
Camp Court, Swat.

Fazle Subhan, P.S

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BEFORE THE DIRECTOR ELEMENTARY AND SECONDARY EDUCATION
GOVERNMENT OF KHYBER PAKHTUNKHWA, PESHAWAR

Idrees Ahmad Ex-Chowkidar Government Primary School Kalam, District Swat.
-----Appellant

VERSUS

The District Education Officer (M) at Gulkada, District Swat.
-----Respondent

Subject: **DEPARTMENTAL APPEAL AGAINST THE NOTIFICATION ENDST: NO.**
1732-39P.F/IDRESS AHMAD/CHOW/DEO/M DATED 03-05-2023
RECEIVED ON 07-11-2023.

Respected Sir,

The Appellant submits as under:-

That the Appellant was appointed chowkidar on 17-05-2022 and joined his duties.

That the Appellant got back problem and the doctor prescribed surgery for the problem.

That the Appellant submitted his medical report to the office and also an application for medical leave.

That the application was allowed and the Appellant was granted medical leave with full pay with effect from 05-10-2022 to 04-12-2022 (60 days).

That after the leave the Appellant informed his school headmaster of his condition as there was heavy snowfall and the roads were not able to travel.

That during this period the Appellant salary was not released to him and no order is communicated to him also.

That the Appellant filled a departmental appeal and it was not replied. After which the Appellant filed a appeal in service tribunal.

That when the Appellant was waiting for the reply and comments the representative gave an application and also the order of removal on the dated 07-11-2023.

That order of removal is against the law, facts and illegal.

That the Appellant was never give a chance to appear and to give explanation and give his defence


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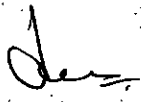
That the Appellant was not given any personal hearing.

That the Appellant has never remained absent from duties and regularly performed the duty.

That the Appellant want to be heard in person.

It is thus very humbly requested that on acceptance of this departmental appeal the Appellant be reinstated with all back benefits.

 Appellant
Idrees Ahmad
13/11/2023


2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

In the matter of:-

ادریس علی Appellant

VERSUS

محمد رفیق Respondent

KNOWN ALL to whom these present shall come that I/we, the undersigned appoint

AZIZ-UR-RAHMAN and IMDAD ULLAH

Advocates High Court

To be the advocate for the Appellant in the above mentioned case to do all the following acts, deeds and things or any one of them, that is to say:-

- ❖ To acts, appear and plead in the above mentioned case in this court or any other Court in which the same may be tried or heard in the first instance or in appeal or review or revision or execution or at any other stage of its progress until its final decision.
- ❖ To present pleadings, appeals, cross objections or petitions for execution review, revision, withdrawal, compromise or other petition or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of the said case in all its stages.
- ❖ To withdraw or compromise the said or submit to arbitration any difference or dispute that shall arise touching or in any manner relating to the said case.
- ❖ To receive money and grant receipts therefore, and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
- ❖ To employ any other Legal Practitioner authorizing him to exercise the power and authorities hereby conferred on the Advocate wherever he may think fit to do so.
- ❖ I understand that the services of aforesaid lawyer are hired irrespective of the outcome of the case.

And I/We hereby agreed to ratify whatever the advocate or his substitute shall to do in the said premises.

And I/We hereby agree not to hold the Advocate or his substitute responsible for the result of the said case in consequences of his absence from the Court when the said case is called up for hearing.

And I/We hereby agree that in the event of the whole or any part of the fee agreed by me/us to be paid to the Advocate remaining unpaid, the Advocate shall be entitled to withdraw from the prosecution of the case until the same is paid.

IN THE WITNESS WHEREOF I/WE hereunto set my/our hand(s) to these present the contents of which have been explained to and understood by me/us, this 05 day of 02 2021

(Signature or thumb impression)

(Signature or thumb impression)

(Signature or thumb impression)

Accepted subject to terms regarding fees

(AZIZ-UR-RAHMAN)

Advocate High Court

Office: Khan Plaza, Gulshone Chowk

G.T. Road Mingora, District Swat.

Call No. 0222 022 0271

(IMDAD ULLAH)

Advocate High Court

Office: Khan Plaza, Gulshone Chowk,

G.T. Road, Mingora, District Swat.

Call No. 0222 022 7744