BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
CAMP COURT ABBOTTABAD
Service Appeal No. 1359/2015

Date of Institution... 03.12.2015

Date of decision... 17.01.2018

Naseer Hussain son of Zardad Khan (Late), R/O Banda Sahib Khan, Tehsil Havelian, District, Abbottabad. ... (Appellant)

Versus

1. Government of Khyber, Elementary & Secondary Education Peshawar through Secretary and other. .... (Respondents)

Mr. Muhammad Wasim Malik,
Advocate ... For appellant.

Mr. Muhammad Bilal,
Deputy District Attorney ... For respondents.

MR. NIAZ MUHAMMAD KHAN, ... CHAIRMAN
MR. AHMAD HASSAN, ... MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: Arguments of the learned counsel for the parties heard and record perused.

FACTS

2. The appellant was awarded minor penalty of recovery of pay for the period of absence on 06.08.2015 and on the same day he was also transferred on disciplinary ground. Against this very order, the appellant filed a departmental appeal on 08.08.2015. The departmental appeal was not responded to and thereafter, he filed the present service appeal on 3.12.2015.

ARGUMENTS

3. The learned counsel for the appellant argued that in the very impugned order, the absence period was treated as leave without pay. That when the absence period was legalized then all the proceedings dashed to ground.

4. On the other hand, the learned Deputy District Attorney argued that the appellant did not file departmental appeal against the impugned order. That the appeal dated 08.08.2015 was against his transfer order and not against minor penalty mentioned above. That the department rightly ordered the recovery of pay for the period of absence.

CONCLUSION.

5. This Tribunal has been informed today by both the parties that the appellant has attained the age of superannuation. In view of his superannuation that part of his appeal through which he has challenged the transfer order has become infructuous. The second part of recovery of pay as a minor penalty is still alive and needs adjudication as per law. The very impugned order has treated the period of absence as leave without pay, therefore, the absence period has been legalized. This Tribunal in a number of cases including appeal No. 718/2016 decided on 30.10.2017 entitled *"Adnan Gul Vs. Provincial Police Officer and others"* had declared such absence as legal in view of the judgment reported as 2006-SCMR-434. The whole disciplinary proceedings on the basis of absence have become illegal. Therefore, no penalty including the recovery of pay could be passed under the disciplinary rules in vogue for the time being. The departmental appeal did include the challenge of minor penalty.

6. As a sequel to the above discussion, the present appeal is accepted and the impugned order to the extent of minor penalty is set aside. Parties are left to bear their own costs. File be consigned to the record room.

(Niaz Muhammad Khan)
Chairman
Camp Court, A/Abad

(Ahmad Hassan)
Member

ANNOUNCED
17.01.2018

17.01.2018 Counsel for the appellant and Mr. Muhammad Bilal, Deputy District Attorney alongwith Mr. Sohail Ahmad Zeb, Assistant for the respondents present. Arguments heard. Record perused.

This appeal is accepted as per our detailed judgment of today. Parties are left to bear their own costs. File be consigned to the record room.

Member

Chairman
Camp court, A/Abad,

ANNOUNCED
17.01.2018

1359/15

18.04.2017 Counsel for the appellant and Mr. Sohail Ahmad Zaib, Assistant alongwith Mr. Muhammad Bilal, Government Pleader for the official respondents present. None present for private respondent No. 5. Due to non-availability of D.B arguments could not be heard. To come up for final hearing before the D.B on 16.10.2017 at camp court, Abbottabad.

Chairman
Camp court, A/Abad

16.10.2017 Mr. Muhammad Waseem Malik, advocate for the appellant present and submitted fresh Wakalatnama. Mr. Muhammad Bilal, Deputy District Attorney alongwith Mr. Sohail Ahmed Zeb, Assistant for the respondents present. Newly engaged learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 17.01.2018 before the D.B at camp court, Abbottabad.

Member

Chairman
Camp court, Abbottabad.

20.1.2016 Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as SET at GHS Kokal Barseen when transferred vide impugned order dated 6.8.2015 on disciplinary grounds to GHSS Lora Abbottabad where-against he preferred departmental appeal on 8.8.2015 which was not responded and hence the instant service appeal on 3.12.2015.

That the appellant has applied for earned leave for a period of 10 days which was later on not sanctioned and, therefore, the impugned order was passed which is not sustainable in the eye of law.

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 21.4.2016 before S.B at Camp Court A/Abad.

Appellant Deposited Security & Process Fee

Chairman
Camp Court A/Abad

21.04.2015 Appellant in person and Mr. Muhammad Sohail, Asstt. alongwith Mr. Muhammad Siddique, Sr.GP for the official respondents and private respondent No. 5 in person present. Written reply by all respondents submitted. The appeal is assigned to D.B for rejoinder and final hearing for 21.11.2016 at Camp Court, Abbottabad.

Chairman
Camp court, A/Abad.

21.11.2016 Appellant in person and Mr. Sohail Ahmad Zaib, Assistant Mst. Bushra Bibi, Government Pleader for respondents present. Rejoinder submitted. The Bench is incomplete. To come up for [illegible] final hearing before D.B on 18.4.2017 at camp court, Abbottabad.

Chairman
Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 1359/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	03.12.2015	The appeal of Mr. Naseer Hussain presented today by Mr. Muhammad Wasim Malik Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order. REGISTRAR
2	3-12-15	This case is entrusted to Touring Bench A.Abad for preliminary hearing to be put up thereon 15-12-2015 CHAIRMAN
	15.12.2015	None present for appellant. Notice to counsel for the appellant be issued for preliminary hearing for 20.01.2016 before S.B at Camp Court A/Abad. Chairman Camp Court A/Abad

BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL PESHAWAR

Appeal no. 1359/2015

Appeal No. /2015

Naseer Hussain VERSUS Secretary Education & others

SERVICE APPEAL
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5.	*copy of the so called absent report*	"C"	20
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...APPELLANT

Through:

Dated:- 24/11 /2015

(Sardar Muhammad Akmal)
Advocate High Court, Abbottabad

BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 1359 /2015

Naseer Hussain S/o Zardad Khan (Late) , R/o Banda Sahib Khan, Tehsil Havelian District , Abbottabad.

APPELLANT

VERSUS

1. Government of Khyber Pakhtunkhwa Elementary & Secondary Education Peshawar through Secretary.
2. Elementary & Secondary Education Peshawar through Director Education.
3. District Education Officer (Male) Abbottabad.
4. Govt Higher Secondary School Lora Abbottabad through Principal.
5. Govt High School Kokal Barseen Havelian, Abbottabad through Principal.
6. Iftikhar Ali Shah CT Teacher at present G.H.S. Kokal Barseen, Abbottabad.

...RESPONDENTS

APPEAL U/S 4 OF THE NWFP SERVICE TRIBUNAL ACT,1974 AGAINST THE OFFICER ORDER NO.6544-49 DATED 06.08.2015 ISSUED BY RESPONDENT NO.3 WHEREBY THE APPELLANT WAS TRANSFERED FROM G.H.S KOKAL BARSEEN TO GHS LORA ABBOTTABAD IN PLACE OF RESPONDENT NO.6, AND ALSO IMPOSED MINOR PENALTY RECOVERY FOR THE PERIOD 11.05.2015 TO 20.05.2015 (10 DAYS) FROM APPELLANT WHICH IS MALAFIDE, ILLLEGAL, PREMATURE, AGAINST SERVICE RULES AND WEDLOCK TRANSFER POLICY OF THE GOVT OF KHYBER PAKHTUNKHWA IS THE RESULT OF POLITCAL INFLUENCE AND HIGH HANDEDNESS OF RESPONDENTS.

PRAYER:-

ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL RESPONDENT NO.3 MAY GRACIOUSLY BE DIRECTED TO WITHDRAW/CANCELLED TRANSFERED ORDER NO. 6544-49 DATED 06.08.2015 TO THE EXTENT OF SERIAL NO.3 AND APPELLANT MAY GRACIOUSLY BE ALLOWED TO PERFORM/CONTINUE HIS DUTY IN G.H.S KOKAL BARSEEN AND RESPONDENT NO.3 ALSO BE DIRECTED RECOVERY PERIOD I.E. 11.05.2015 TO 20.05.2015 BE TREATED AS EARNED LEAVE (LEAVE WITH PAY) IN THE INTEREST OF NATURAL JUSTICE

Respectfully Sheweth,

THE FACT LEADING RISE TO THE PRESENT APPEAL ARE AS UNDER:-

1. That, the Appellant was appointed as CT teacher in Education Department on 14.03.1998 and has served the Department for about 18 years including 10 years service in Defence Service as civilian, total length of service of the appellant is near about 28 years. ***(copies of the service book is annexed as Annexure "A")***

2. That, the appellant is performing his duty to the entire satisfaction of his superior as well as the community where he is serving as a teacher. The appellant has never given any chance of complaint to the local public as well as to the department. Appellant also declared the Best Teacher by the department on annual inspection of school.

3. That on 28.04.2015 appellant applied for grant of earned leave (with pay) to respondent No.3 through respondent No.5 from 11.05.2015 to 20.05.2015 upon which the junior clerk of the said school assured the appellant that his leave has been sanctioned and appellant availed the said period as earned leaves.***(copy of the application is annexed as Annexure "B",)***

4. That, on 16.05.2015 through letter No.4125 the respondent No.5 send absent report of the appellant to the respondent No.3, according to the report of respondent No.5 who declared the appellant absent from his duty on 11th May, to 20th May,2015 how he knew on 16th May that appellant will remain absent for further four days i.e. 17th May to 20th May, 2015. Which shows the malafide, personal grudge by respondent No. 3 & 5. ***(copy of the so called absent report is annexed as Annexure "C")***

5. That, on 26.05.2015 respondent No.3 issued show cause notice to the appellant. In light of the said show cause notice in which respondent No.3 mentioned that there is no need of formal inquiry against the appellant but on the other hand respondent No.3 on 20.05.2015 directed the inquiry officer namely Munir Ahmed Principal GHS No.2 Havelian Abbottabad initiated inquiry proceeding against appellant the said inquiry officer visited school of the

appellant dated 20.05.2015, there is clear cut contradiction between show cause notice and inquiry proceeding which is against the Rules and Law ***(copy of show cause notice is annexed as Annexure "D")***

6. That on 08.06.2015 appellant submitted reply of the show cause notice ***(copy of reply of show cause notice is annexed as Annexure "E")***

7. That, before issuing the show cause notice respondent No.3 appointed an inquiry officer namely Munir Ahmed Principal GHS No.2 Havelian Abbottabad on his own choice ***(copy of Inquiry Report is annexed as Annexure "F")***

8. That the inquiry officer did not conducted independent inquiry against the appellant and the finding of the inquiry officer is on the dictation of respondent No.3 & 5 wherein two punishments given to the appellant at the same day i.e. (i) Minor Penalty for recovery of ten days salary of appellant (ii) transfer of appellant from GHS Kokal Barseen to GHSS Lora (far flung and Hilly area).

9. That on the basis of baseless allegation respondent no.3 transferred the appellant from GHS Kokal Barseen to GHSS Lora in place of respondent No. 6 on the same day issued an officer order for recovery of 10 days salary from the appellant ***(copy of the transfer order is annexed as***

Annexure "G" whereas copy of the salary deduction order is annexed as annexure "H")

10. That the appellant under right to information Act, 2013 submitted an application to the respondent No.3 for the provision of copies of proceeding of inquiry conducted by the inquiry officer but respondent No.3 inspite of inquiry report did not provide the complete relevant documents to the appellant. ***(Copy of Application is annexed as Annexure "I").***

11. That as the appellant out of his 28 years of service served about 15 years out of home station.

12. That wife of the appellant is also serving in Education Department as senior PST at GGPS Banda Sahib Khan whereas respondent No.3 thrown the appellant at the distance of about 100 kilometer away in a school namely GHSS Lora which is situated at the top of hill and is a far flung area. This act of respondent No. 3 created hardship, that in case of transfer he would have travel about100 kilometers every day on public transport and that order of his transfer violation of Article 34 & 35 of the constitution which is also against the wedlock transfer policy of the Government. ***(copy of the service card and service book of wife of the appellant is annexed as Annexure "J")***

13. That two years before son of the appellant died aged about 20 years and second son of appellant suffered in Cardiac problem and due to the transfer of appellant from GHS Kokal Barseen to GHSS Lora the treatment/look after of the son of appellant who is cardiac patient, has been suffered badly and beside this the education of other children has also disturbed. Transfer of the appellant from GHS Kokal Barseen to GHSS Lora neither in public interest nor for valid reason, socio economic problem and hardship by husband and wife due to posting at different stations and if the impugned order is not set aside then definitely would cause mental distress to both of them. ***(copy of death certificate of the son of appellant is annexed as Annexure "K" where copy of the treatment Chat of the second son of appellant is annexed as annexure 'L")***

14. That after the transfer order of appellant from GHS Kokal Barseen to GHSS Lora, appellant in compliance with order of respondent No.3 went to GHSS Lora for his Arrival report but the respondent No. 4 has verbally asked the appellant for bringing corrigendum order from respondent No.3 and refused to take his arrival report. Later on respondent No.4 again issued letter for production of corrigendum order ***(copy of the said corrigendum order is annexed as annexure " M")***

15. That on 03.09.2015 respondent No.3 vide officer order No.7279-81 called explanation for non compliance of his order. ***(Copy of the said order is annexed as Annexure "N")***

16. That the appellant submitted the reply of explanation order of respondent No. 3 ***(copy reply is annexed as Annexure "O")***

17. That feeling aggrieved of the same appellant preferred Departmental representation/appeal before respondent No.2 on 08.08.2015 but no result within the statutory period (***copy departmental appeal is annexed as Annexure "P")***. "Thus the appellant has come to this Honorable Tribunal after expiry of the statutory period of appeal/representation assailing the impugned order inter-alia on the following grounds:-

GROUNDS:-

a. That, the impugned order is premature, void, illegal, without lawful authority, against the wedlock policy of the Government, arbitrary, perverse and smack of favoritism, result of illegal exercise of power and it has been issued under the political influence and has ignored the merit.

b. That, impugned order is malafide against the norms of Justice, transfer of appellant neither in public interest nor for valid reason, hence liable to be set aside.

c. That, the impugned order is against the tenure policy of the Government and is violation of the principle of natural justice and law.

d. That, the impugned transfer order of appellant is wholly without jurisdiction, violation of provision of Article 34 & 35 of the constitution and called for interference by this Honorable Tribunal.

e. That, the inquiry officer recommended recovery of 10 days salary of appellant and transfer of the appellant from GHS Kokal Barseen to GHSS Lora against the vacant post but the respondent No.3 transferred the appellant against the post which was already occupied by respondent No.6 the transfer of the appellant and recovery of 10 days leave without pay is against the rules and service law, hence liable to be set aside.

f. That, appellant seeks permission of this Honorable Tribunal to agitate additional grounds at the time of hearing of this appeal.

g. That, the instant appeal is well within time.

It is, therefore, humbly prayed that on acceptance of the instant service Appeal respondent No.3 may graciously directed to cancel/withdraw the transfer order No. 6544-49 dated 06.08.2015 and the appellant be graciously allowed to continue in his position at GHS Kokal Barseen, Abbottabad in the best interest of justice any other relief which this Honorable Tribunal deemed fit and proper be granted.

...APPELLANT

Through:

Dated:- 24/11/2015

(SARDAR MUHAMMAD AKMAL)
Advocate High Court, Abbottabad.

VERIFICATION:-

Verified that the contents of the instant ***Service Appeal*** *are true and correct to the best of my knowledge and belief and that nothing material has been suppressed from this Honorable Court.*

Dated:- 24/11/2015

...APPELLANT

BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. /2015

Naseer Hussain S/o Zardad Khan (Late) , R/o Banda Sahib Khan, Tehsil Havelian District , Abbottabad.

...APPELLANT

VERSUS

Government of Khyber Pakhtunkhwa Elementary & Secondary through Secretary Education & others

APPEAL

AFFIDAVIT

I, *Naseer ~~Ahmed~~ Hussain S/o ~~Z~~Zardad Khan* , R/o Banda Sahib Khan, Tehsil Havelian District , Abbottabad.***appellant,*** do hereby declare that the contents of instant ***Service Appeal*** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Tribunal.

DEPONENT

Dated:-24/11/2015

AFFIDAVIT

I, ***appellant,*** do hereby solemnly affirm and declare on Oath that the contents of instant ***Appeal*** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

DEPONENT

...APPELLANT

Dated:-24/11/2014

IDENTIFIED BY:-

(Sardar Muhammad Akmal)
Advocate High Court, Abbottabad.

ATTESTED
Sardar Maqbool-ur-Rehman Advocate
Notary Public
L.No.SO(Judiciary)/NOTARY/16/2013/Notary
21st May 2014 to 2017
Abbottabad
28/11/2015

BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL

PESHAWAR

Appeal No. /2015

Naseer Hussain S/o Zardad Khan (Late) , R/o Banda Sahib Khan, Tehsil Havelian District , Abbottabad.

...APPELLANT

V E R S U S

Government of Khyber Pakhtunkhwa Elementary & Secondary through Secretary Education & others.

SERVICE APPEAL

APPLICATION FOR SUSPENSION OF THE OPERATION OF IMPUGNED ORDER NO. 6544-49 DATED 06.08.2015 TO THE EXTENT OF SERIAL NO.3 OF THE RESPONDENT NO.3 AND THE APPELLANT BE GRACIOUSLY ALLOWED TO CONTINUE HIS DUTY AT GHS KOKAL BARSEEN ABBOTTABAD TILL THE FINAL DECISION OF THE INSTANT SERVICE APPEAL.

Respectfully Sheweth,

1. That the above titled Service Appeal is being filed before this Honourable Tribunal, contents of the same may be treated as an integral part of this application.

2. That appellants had brought a good Prima-Facie case and balance of convenience also lies in his favour and there is every likelihood for their success.

3. That if the impugned order of respondent No.3 is not suspended then appellant would suffer irreparable loss and

the purpose of filing instant Service Appeal would become infructuous.

It is, therefore, humbly prayed that on acceptance of foregoing application, the order No. 6544-49 dated 06.08.2015 of respondent No. 3 may kindly be suspended and allowed the appellant to continue his duty at GHS Kokal Barseen Abbottabad. till final disposal of the instant Service Appeal.

...APPELLANTS

Through:

Dated:- 24/11/2015

(Sardar Muhammad Akmal)
Advocate High Court, Abbottabad.

AFFIDAVIT:- I NASEER HUSSAIN S/O ZARDAD KHAN (LATE)

I, Mr. S/o ***Appellant*** do hereby solemnly affirm and declare on Oath that the contents of foregoing ***application*** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

DEPONENT

Dated:- 24/11/2013

...APPELLANT

IDENTIFIED BY:-

(Sardar Muhammad Akmal)
Advocate High Court, Abbottabad

ATTESTED
Sardar Maqbool-ur-Rehman Advocate
Notary Public
21st May 2014 to 20th
Abbottabad
23/11/2015

BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. /2015

Naseer Hussain S/o Zardad Khan (Late) , R/o Banda Sahib Khan, Tehsil Havelian District , Abbottabad.

...APPELLANT

V E R S U S

Government of Khyber Pakhtunkhwa Elementary & Secondary through Secretary Education & others.

APPEAL

CERTIFICATE

Certified that no such Service Appeal has earlier been filed before this Hon'ble Court.

...APPELLANT

Through:

Dated:- 24 / 11 /2015

(Sardar Muhammad Akmal)
Advocate High Court, Abbottabad.

BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL

PESHAWAR

Appeal No. /2015

Naseer Hussain S/o Zardad Khan (Late) , R/o Banda Sahib Khan, Tehsil Havelian District , Abbottabad.

...APPELLANT

V E R S U S

Government of Khyber Pakhtunkhwa Elementary & Secondary through Secretary Education & others.

SERVICE APPEAL

ADDRESSES OF THE PARTIES

Respectfully Sheweth,

The addresses of the parties are as under:-

APPELLANT:

Naseer Hussain S/o Zardad Khan (Late) , R/o Banda Sahib Khan, Tehsil Havelian District , Abbottabad.

RESPONDENTS:

1. Government of Khyber Pakhtunkhwa Elementary & Secondary Education Peshawar through Secretary.
2. Elementary & Secondary Education Peshawar through Director Education.
3. District Education Officer (Male) Abbottabad.
4. Govt Higher Secondary School Lora Abbottabad through Principal.
5. Govt High School Kokal Barseen Havelian, Abbottabad through Principal.
6. Iftikhar Ali Shah CT Teacher at present G.H.S. Kokal Barseen, Abbottabad.

...APPELLANT

Through:

Dated:- 24/11 /2015

(Sardar Muhammad Akmal)
Advocate High Court, Abbottabad.

NOTE:—The entries in this page should be renewed or re-attested at least every five years and the signature to lines 9 and 10 should be dated.

1. Name .. .. NASEER HUSSAIN.

ANNEXTURE "A" (13)

2. Race .. .. PATHAN

3. Residence .. .. Vill&Po: BANDA SAHIB KHAN P/Sta: HAVELIAN Tehs Distt: ABBOTTABAD.

4. Father's name and residence .. ZARDAD KHAN (Late) (as above) (@ As per Matric Cert)

5. Date of birth by Christian era as nearly as can be ascertained @ 1-9-1964 (1st Sep. one Thousand Nine hundred & Sixty Four)

6. Exact height by measurement .. 5-7"

7. Personal marks for identification .. A BLACK MOLE ON RT SIDE OF NOSE.

8. Left hand thumb and Finger impression of (non-gazetted) officer ..

Little Finger. Ring Finger

Middle Finger Fore Finger

Thumb.

9. Signature of Government servant . Naseer Hus

10. Signature and designation of the Head of the Office, or other Attesting Officer. .. (MUHAMMAD SHAFIK)

SENIOR MUNSIF
MALAKAND
DISTRICT COURT ABBOTTABAD

(14)

1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant	
CAD Havelian	Entertained as LDC (CRE) wef 10-1-88 (FN) against the existing vacancy @ Rs. 700/pm in Revised Basic Pay Scale No 5 Viz Rs. 700-25-120 Placed on Probation Period for one year. Auth to draw House Rent, CA and Medical allow as admissible at CAD Havelian. ord Number will be allotted by the ord Records later on and Posted to HQ Br for duty. vide HVD DOE No 5/1/CRE/88.							
HVD DOE No 5/1/CRE/88						for Comdt		
LDC	CRE	(RBPS No 5)	Rs. 700/pm			10-1-88		
	Allotted ord Number ord/8482 by the ord Records vide HVD DOE No 22/5/CRE/88.					for Comdt		
HVD DOE No 77/81/CRE/88			@ Amended vide DO II No 31/13/CRE/81			for Comdt		
LDC	CRE	(RBPS No 5)	Rs. ~~700~~ 775/pm			01-12-88		
HVD DOE No 22/77/CRE/89								
LDC	CRE	(RBPS-No 5)	Rs. ~~750~~ 800/- pm			01-12-89		

Attested

SUPERINTENDING ARTILLERY MAGISTRATE
DISTRICT SOUTH ... PAKISTAN

* Amended vide DO II No 31/13/CRE/89

(15)

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant

Wrong entry -

Having been selected as C.T Teacher, Transferred to Education Department and SOS of HVD wef 13 Mar 98 (AN) vide HVD DOI No. 10/1/CRE/98 of 18-3-98.

for Comdt

SVC verification wef from 1/8/94 to 13/3/98 except Nov 1, 94 to 31/1/95 service yet to be verified

DACHA (PAK)
CMS (R)

Total verified svc wef 10-1-1988 to 13-3-1998

Having been selected as CT (Teacher), Transferred to Education department. He is allowed to retain lien on his substantive appt in this dept for a pd of 3 years wef 14 Mar 98 (FN). This will be reviewed on completion of three years svc with education dept. vide DOI No. 10/1/CRE/98 of 18-3-98.

Attested

SANJAY BHUNGROO AND ...
... Advocate
... MOTTABAR
DISTRICT COURTS

for Comdt

8	2	3	4	5	6	7	8
ure of rumen rant	Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature Government servant
		BPS 14 (2065-161-4480)						
	Massah Gojor	H/T/Temp.		2548/-		2709/-	14 3/98	
	do	do		2709/- p.m.		2870/-	1-12-98	
	F.G.H.S KAL BARSIN	do		2709/- p.m.		2870/-	28 9/99 F.No.	
		Revised Entries w.e.f. 14.3.98.						
	mature	BPS.14 (2065-161-4480)						
	Increment, due to appt. in next Higher Scale and transfer/Appt. from CAD Haveliian from clerk post Educated Depts. N.W.F.P. as C.T post.			Rs 2709/- p.m.			14 3/98	
	11			Rs 2870/- p.m.			1-12-98	
	KOKAL Barsin C.T.	—		Rs 2870/- p.m.			28 9/99	
	KOKAL BARSIN.	—		Rs 3031/- p.m.			1 12/99	
	do	—		Rs 3192/- p.m.			1 12/2000	
	do	—		Rs 3353/- p.m.			01 12/2001	
			Scale Revised w.e.f. 01-12-2001 BPS: 14 (3100-240-10300)					
	Kokal Barsem Ali	—		Rs 5020/- p.m.			01 12/2001	
				Rs 5260/- p.m.			1 12/2002	

Office of the Accountant General N.W.F.P. Peshawar,
Fixation in the revised basic pay scales 2001
3100-240-10300 (14)
Rs. 5020/- p.m. w.e.f. 1-12-2001
Next increment on 1-12-2002

Accounts Officer
Office of the Accountant General NWFP, Peshawar

Attested

DISTRICT COURT

(47) (14) (17)

OFFICE OF THE DIVL:DIRECTOR OF EDU:(S)HAZARA DIVSION A.ABAD.

APPOINTMENTS.

Consequent upon their sele_ction by the Departmental Selection Committee, the Divisional Director of Edu:(Schools) Hazara Division has been pleased to appoint the following C.T (Male) Trained Candidates at the schools noted against their names in BPS _9 (Rs.1605_97_3060) and in case of BA/BSc II Div: in BPS_14 (Rs.2065_161_4480) plus usual allowances as admissible under the rules with effect from the date of their taking over charge subject to the terms and conditions as laid down:_

S.NO.	NAME OF CANDIDATE/ADDRESS & THEIR DATE OF BIRTH.	NO.OF MERIT/ MARKS.	SCHOOL WHERE APPOINTED/ POSTED.	REMARKS.
1.	Tahir Mahmood S/O Khawaja Mohammad Younas, CT GHS Dartian(Haripur) 7.9.70.	1/98.	GHS Dartian.	Post already occupied.
2.	Saifer Rehman S/O Abdul Aziz R/O S.No.1 KTShip, Haripur. 12.1.72.	2/96.	GHS Phulra (Mansehra).	Ag:Vacant CTpost.
3.	Mohammad Idrees S/O Abdul Qayyum, Oghi,Mansehra.5.1.71.	3/95.	GMS Harigah Kohistan.	_do_
4.	Khan Gul S/O Gul Hassan Khan, CT GHS No.1, Atd: 15.4.67.	5/91.	GHS No.1 A.Abad.	Post already occupied.
5.	Mohammad Iftekhar S/O Mohammad Yaqoob,Moh.Babu Ada, Haripur. 3.8.74.	6/91.	GHSS Pattan Kohistan.	Ag:V/CT Post.
6.	Mohammad Sajid Khan S/O Mohammad Khalid R/O Mansehra. 23.3.70.	6/89.	GMS Dog Pattan Kohistan.	Ag:V/CT post.
7.	Mohammad Saleem S/O Karam Allai,L/Asstt: GHSS Bareela,Haripur. 24.10.71.	8/89.	GHS Bataira Kohistan.	_do_
7/A.	Javaid Masood PTC GMPs Darul Aziz,KTS,H.pur. 28.8.71.	7_A/89.	GMS B.Mian Pir Dad.	_do_
8.	Murtaza Khan, CT GHS Muslimabad. 7.1.70.	9/87.	GHS Muslimabad.	Post already occupied.
9.	Kamran Yousaf S/O Mohammad Yousaf,Kangar Masjid, Mansehra. 15.4.71.	10/87.	GMS Singai Kohistan.	Ag:V/CT post.
10.	Khalid Mahmood S/O Abdus Salam,Mor Baffa Kalan Mansehra. 22.5.69.	11/85.	GMS Gantar Battagram.	_do_

Contd:P/2.....

Attested

Muhammad Akram
M.A. LL.B Advocate
DISTRICT COURT ABBOTTABAD

(13)

(18)

29. Suleman Mian S/O Ghulam Rabbani, PTC GPS Patlong B.Kot, Man: 24.4.61.	34/80.	GMS Ghaziabad Kohistan.	Ag:V/CT Post.
30. Gohar Rehman S/O Sher Zaman PTC GPS Gali Gadar, Battal Mansehra. 18.3.63.	35/80.	GHS Pattan Kohistan.	_do_
31. Ali Zar Khan S/O Ferosh Khan Thakot, Battagram. 12.2.69.	36/80.	GMS Jamaira B.Gram.	_do_
32. Akhtar Hayat S/O Miskeen 13.2.70. PTC GPS M.Khan Khel, B.Gram.	37/80.	GMS Badakot Kohistan.	_do_
33. Ghulam Hazrat S/O Molvi Ahmad: Neelishang, B.Gram. 4.4.70.	38/80.	GMS Aspedar Kohistan.	_do_
34. Saeed Akhtar S/O Mohammad Sadiq R/O Soha, H.Pur. 2.2.71.	39/80.	GMS Kuz Sheriyal Kohistan.	_do_
35. Inhamul Haq X CT GMS Kheri, Haripur. 1.2.58.	40/79.	GMS Kheri H.Pur.	_do_
36. Sharif Khan S/O Hukam Baz PTC GPS No.2 S.1 KTship. 5.12.58	42/79.	GMS Kun Sher Kohistan.	_do_
37. Habibur Rehman S/O Azizur Rehman, L.C SDEO(M) Mansehra. 1.1.60.	43/79.	_do_	_do_
38. Musharaf Khan S/O Noshad Mian, Allai, Battagram. (PTC GPS Kund. B.Gram) 15.3.62.	44/79.	GMS Gadar Kohistan.	_do_
39. Mohammad Ishaq S/O Mohammad Yousaf, PTC GPS Arghashori, Battagram. 10.3.65.	45/79.	GMS Peach Bela Kohistan.	_do_
40. Atiqullah S/O Noor Qadeem Shah, Batila Allai, B.Gram. (PTC GPS Batila). 1.3.66.	47/79.	GMS Shakai Kohistan.	_do_
41. Ali Asghar S/O Mohammad Ayub, PTC GPS Shanai, Mansehra. 15.4.70.	48/79.	GHS N.Darband Mansehra.	_do_
42. Saifur Rehman Qureshi S/O Aurangzeb Qureshi, Sohlan Bala, A.Abad. 15.6.70.	49/79.	GHS Sherwan Atd:	_do_
43. Murad Khan S/O Farid Khan 2.2.72. PTC GPS No.1 KTShip, H.Pur.	50/79.	GMS Bela Dobair Kohistan.	_do_
44. Ittaf Hussain Shah S/O Miskeen Shah, L/Asstt: GHSS Bareela, H.Pur. 12.5.70.	53/70.	GMS Bonail Qila Kohistan.	_do_
45. Hayat Khan S/O Khair Gul CTVGMS Rajmera, B.Gram.	54/77.	_do_	_do_
46. Waeedur Rehman S/O Abdul Malik, PTCGPS Circle Ghanool Mansehra. 16.3.43.	55/75.	GMS Jalkot Kohistan.	_do_
47. Naseer Hussain S/O Zardad Khan LDC Central Amunation Deptt: Havelian, A.Abad. 1.9.64.	57/75.	GMS Masah Gojri A.Abad.	_do_
48. Mohammad Saleem S/O Mohammad Urfan, PTC GMPS Dastan A.Shisha Mansehra. 18.4.68.	60/75.	GHS Shergarh, Mansehra.	_do_

Contd:P/4.....

DISTRICT CO...

To

The DEO (M)
Abbottabad

ANNEXTURE 'B' (19)

Through: Proper channel

Subject: Request for Grant of Earned Leave

Sir,

It is submitted that I have to construct my house for which I am in dire need of earned leave.

Keeping in view of the forgoing, it is requested that I may please be granted Ten days earned leave wef 11 May 2015 to 20 May 2015 oblige.

Substitutes

1. Muhammad Sohail, SET
2. Arif Masood, SCT

Thanks

Yours sincerely,

(NASEER HUSSAIN)
CT GHS Kokal Barsin
Abbottabad
Dated: 28 April 2015

Attested

Sardar Muhammad Akram
M.A. LL.B Advocate
DISTRICT COURT ABBOTTABAD

ANNEXTUR C (20) 25

OFFICE OF THE PRINCIPAL GOVT:HIGH SCHOOL KOKAL BARSEEN A'ABAD.

NO. 4195 Dated 16 /05/2015.

To

The District Education Officer(M),
Elementary and Secondary Education,
Abbottabad.

SUBJECT ABSENT REPORT OF MR.NASEER HUSSAIN,CT,OF GHS KOKAL BARSEEN ABBOTTABAD.

Memorandum.

It is stated that Mr.Naseer Hussain,CT,GHS Kokal Barseen Abbottabad is absent from his duty from 11.05.2015. Earlier he has applied for Earned Leave from 11.05.2015 to 20.05.2015 on dated 28.04.2015. The Junior Clerk,Mr.Imran Ahmed,informed him that as per Notification every case of Earned leave must be submitted before one month of leave applied for. The same Notification was also communicated to all the staff members through order book No.34 dated 22.04.2011. On dated 09.05.2015 Mr.Naseer was again informed through Junior Clerk of the School that his request of leave has not been approved by competent authority and he is by rules bound not to leave the station with out approval. Respected Sir, Mr.Naseer deliberately left the station and is now absent from his duty.. This act of Mr.Naseer is "INSUB ORDINATION" and case is forwarded to you for necessary action. Respected Sir,such actions are causing hurdles in smoothrunning of the institution so immediate action amay please be taken.

Thanking You.

Sincerely Yours.

Principal
GHS Kokal Barseen
Abbottabad.

Attested
Sardar Muhammad Akram
M.A. LL.B Advocate
DISTRICT COURT ABBOTTABAD

Received
16/5/015

ANNEXTUR "D" D (21)

OFFICE OFTHE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

No. 5316 Dated 26 - 5 /2015

SHOW CAUSE NOTICE

I Zia ud Din District Education Officer(Male) Abbottabad as a Competent Authority under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Naseer Hussain, CT GHS Kokal Barseen Abbottabad as fallow..

a. You have been found absent from duty w.e.from 11-05-2015 to 20-05-2015 as per report of Principal GHS Kokal Barseen Abbottabad vide his letter No.4125 dated 16-05-2015.

b. There is no need of holding a formal inquiry in this case

c. In exercise of powers conferred by the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, I as Competent Authority is hereby pleased to dispense with the conduct of a formal enquiry and serve you with the instant Show Cause Notice regarding your willful absence from duty with the direction to submit your defense in writing within 15 days of the issuance of this notice as to why the major penalty of removal from service under rule 4 (b) of the said rules should not be imposed and also intimate whether you desire to be hard in person.

In case you failed to submit your reply within stipulated period, it will be presumed that you have no defense to offer and an ex-prate decision will be taken against you.

COMPETENT AUTHORITY

Mr. Naseer Hussain, CT
GHS Kokal Barseen Abbottabad

Attested
Sardar Muhammad Akram
M.A. LL.B Advocate
DISTRICT COURT ABBOTTABAD

ANNEXURE "E"
(22)

To
The DEO (M)
Abbottabad

Subject: Reply of Show Cause Notice – CT

Sir,

It is submitted that I have requested the Principal of this school on 28-4-2015 through my earned leave application, that I want to avail earned leave w.e.f 11 May 15 to 20 May 2015 with two substitutes signatures naming Muhammad Sohail, STT & Arif Masood, SCT. The Principal sent this application to DEO (M), Atd. Later on, Junior clerk of the school confirmed of its sanction. On 09 May 2015, the Principal & the Junior clerk were not present at the school, so I left the school after telling the incharge of the school.

It is also submitted that the clerk of this school demands an additional money for any official work from the teachers, so he dealt my earned leave application in this way. He confirmed of leave sanction before availing of my leave.

Sir, I availed my leave earlier on the death of my 20 years son due to brain tumor & the death of my sister due to diabetes. My 15 years son is also heart patient who was operated by replacement of valve & heart stitching. Due to above reasons, I availed leaves.

Keeping in view of the foregoing, it is requested that I may please be excused & my absent period may please be sanctioned as earned leave & oblige.

Thanks

Yours obediently

(NASEER HUSSAIN)
CT GHS Kokal Bassi
Abbottabad
Dt: 08-6-2015

Attested
Sardar Muhammad Akram
M.A. LL.B Advocate
DISTRICT COURT ABBOTTABAD

37

OFFICE OF THE PRINCIPAL GOVT MODEL HIGH SCHOOL, HAVELIAN (ABBOTTABAD)

Email: gmhshavelian@gmail .com
Ph .0992-812282-0335-5409988

Inq/F/Kokal No.1892-1/
Dated13/06/2015

ANNEXTUR "F"
23

Registered

To

The District Education Officer (Male),
Abbottabad.

Subject: INQUIRY REPORT ABOUT GHS KOKAL BASREEN, HAVELIAN

Memo!

Apropos your notification Endst. No. 3864-65 dated 04-05-2015 and this is to state that the undersigned visited the target school on 20-05-2015 and the report is as under:

Allegation:

Application lodge by the community –cum-- PTC against three undisciplined teachers mainly who mar school's disciplined environment, unpunctual and exhibit threatening attitude overtly or covertly.

Inquiry tools:

Questionnaires, Interviews, Social Gram, Focused Discussion, School record.

Proceedings:

The three teachers viz; Mr. Abdul Qadeer (SST, Bio), Mr. Naseer Ahmed (SCT) and Mr.Sohail Ahmed (STT) were served with questionnaires separately. Did ask questions differently concerning on the matter. Likewise, questionnair was served to Principal and other teachers. Statements were taken from all and sundry where need was felt--- CIV, PTC Chairman, etc.

School record and a few sample notebooks of the three under reference teachers were also checked. Sociogram exercise was also carried out with the view to distinguish in a group likeness and dislikeness, co-operative and non co-operative and to highlight interaction and structure of the group.

Findings:

- All the above mentioned three teachers are not punctual. School's attendance register speaks their dereliction in duty viz; coming late, paying no/less heed to Principal's remarks, warnings etc. and non-compliance to instructions, contained in school's order book.
- Eye witnesses affirm that Mr. Abdul Qadeer (SST Bio) exhibited threatening behavior to Principal and was not on leave on 11—14-02-2015 accordingly.
- Mr. Naseer Ahmed (SCT) is irregular in maintaining punctuality and violates procedures regarding obtaining casual leaves and Earned Leaves e.g. on 11---20-05-2015.
- Sample students notebooks were incomplete. Proper exercises at the end of text books' were not carried out.
- Mr. Abdul Qadeer (SST, Bio) and Mr. Naseer (SCT) are two real brothers.
- The PTC of the schools itself observed and concluded in its emergency meeting on 27-03-2015 that these three teachers sabotage the school's disciplined, violates public code of conduct and exhibit inhumane/threatening behavior with principal in specific.
- The PTC resolution, minutes, visits etc. and application to District Education Officer (Male) Abbottabad is evident and proves its function mentioned at S.No. 11 of the PTC booklet issued by Government of KhyberPakhtunKhawa.

ADO(E)
Pl. put up on file.

Attested
15/07/15

- Sociometry/Sociogram depicts clear picture of interaction amongst school's colleagues/teachers and standing within the group. None of the teacher/colleague considers it easy and best to work with the following:

i. Mr. Abdul Qadeer
ii. Mr. Naseer Ahmed
iii. Mr. Sohail Ahmed
iv. Mr. Ashaq Ahmed
v. Mr. Qari Majid
vi. Mr. Arif
vii. Mr. Muhammad Ilyas
viii. Mr. Malik Ilyas

Given the position of sociogram it is proved that the first three under complaint teachers were rejected by the larger group in particular.

- Immoderate use of "I" instead of "We" by the principal which shifts stress/pressure over him.

Conclusion:

Given the seriousness of complaint, to uphold the sanctity of PTC and to reinforce the implementation of Government rules and regulations through the administration, management and educational leadership of the Principal, inquiry was conducted without any fear and favor. Questionnaires were analyzed thoroughly. Interviews were conducted by focusing on verbal and non-verbal expression of the concerned. Detail deliberations were made over the above record and responses of all and sundry. To discharge official obligations/responsibilities believing in "Idealism" in lieu of "Pragmatisms" was noticed.Allegations on the three teachers stand proved in the prima facie.

Therefore, following recommendations are made in the best interest of public, school's disciplined, environment and students quality education:

1. All three teachers should be transferred with warnings immediately on their respective vacant posts with four days pay deduction 11—14-02-2015 and 10 days pay deduction 11—20-05-2015 of Mr. Abdul Qadeer and Mr. Naseer Ahmed respectively which should be deposited in national exchequer.
2. Their misconduct should be dealt with "conduct rules, 1988" and show cause notices may be initiated against them as per Ordinance 2011.
3. The Principal should also be intimated to practice "We" management style instead of "I".

13-6-15

Muneer Ahmed
(Principal)/Inquiry Officer

(26)

ANNEXTURE "G"

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD.

TRANSFER

In pursuance to the recommendation of enquiry report transfer of the following staff of GHS Kokal Barseen is hereby ordered on their own pay and scale in the interest of public service with immediate effect.

S.No.	Name of Teacher	Present School	School where Posted	Remarks
1	Abdul Qadeer, SST (Bio/Chem)	GHS Kokal Barseen	GHS Ghora Baz Gran	On disciplinary grounds V.S.No.2
2	Ghulam Murtaza, SST (Bio/Chem)	GHS Ghora Baz Gran	GHS Kokal Barseen	Vice S.No.1
3	Naseer Hussain, CT	GHS Kokal Barseen	GHSS Lora	On disciplinary grounds V.S.No.4
4	Iftikhar Ali Shah, CT	GHSS Lora	GHS Kokal Barseen	Vice S.No.3
5	Sohail Ahmed, STT	GHS Kokal Barseen	GHSS Rich Bhen	On disciplinary grounds V.S.No.6
6	Nazir Ahmed, STT	GHSS Rich Bhen	GHS Kokal Barseen	Vice S.No.5

Note: 1. Charge report should be submitted to all concerned.
2. No TA/DA is allowed.

Sd/-
DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

Endst: No. 6544-49 /EB-III/Compl/CT/CT Dated 06/8/2015

Copy forwarded to:-

1. Principal/Headmaster GHSS/GHS Concerned.
2. District Accounts Officer Abbottabad.
3. Budget & Accounts Officer Local Office
4. Assistant Programmer EMIS Branch hd office.
5. Teachers concerned.
6. Office File.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

Attested
Muhammad Akram
M.A. LL.B Advocate
DISTRICT COURT ABBOTTABAD

(26)
ANNEXTURE "H"

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

ORDER

WHEREAS you, Mr. Naseer Ahmed, CT, GHS Kokal Barseen, was proceeded for having committed the following gross irregularities which constitute inefficiency, misconduct and corruption under Rule 3, Sub Rules (a), (b) and (c) of the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011.

AND WHEREAS you were found absent from duty w.e.f. 11.5.2015 to 20.5.2015 as per report of Principal, GHS Kokal Barseen letter No.4125 dated 16.5.2014.

AND WHEREAS Show Cause Notices was served upon you through Principal, GHS Kokal Barseen vide this Office Memo: No.5316 dated 26.5.2015.

AND WHEREASE your unsatisfactory reply dated 8.6.2015 was received through Principal, GHS, [illegible] Memo: [illegible] dated 8.[illegible].2015

AND WHEREAS as per report/recommendation of Inquiry Officer you have been found guilty of absenting yourself without prior approval of leave from the Competent Authority w.e.f. 11.5.2015 to 20.5.2015.

Now therefore, in exercise of power conferred by the Khyber Pakhtunkhwa, Govt: Servant (Efficiency & Discipline) Rules, 2011, the undersigned being Competent Authority is hereby pleased to **impose minor penalty of recovery under Rule 4 (a) Sub Rule (i) for the absent period i.e** 11.5.2015 to 20.5.2015 upon Mr.Naseer Ahmed, CT GHS Kokal Barseen and the absent period be treated as leave without pay.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

Endst: No. 6619-21 /CT

Dated 06/8/2015

Copy forwarded to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Principal, GHS Kokal Barseen with the direction that recovery be made from the above named teacher through, deposit into Govt: treasury and entry should be made in his service book and submit copy of challan to this office.
3. Principal GHSS Lora, Abbottabad.
4. District Accounts Officer A-Abad

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

Attested
Sardar Muhammad Asif
M.A. LL.B Advocate
DISTRICT COURT ABBOTTABAD

ANNEXURE I

(27)

To

The Chief Information Commissioner
RTI Commission Govt of KPK,
Peshawar

Subject: Complaint against DEO Male of Abbottabad for non-available of Information

Sir,

It is submitted that I have requested the DEO M/S Abbottabad for provision of information on 08 August 2015 (Copy att.) vide diary number 6621 dt 10-8-2015 in pursuance of Right to Access the informations Act 2013 but the said informations have not been provided so far.

Keeping in view of the foregoing it is requested that the said informations under the said act.

Thanks

Yours sincerely,

Naseer Hussain C.T
GHS Kokal Bassin
Abbottabad
R/O VPO: Banda Sahib Khan
Teh: Havelian Distt.
Abbottabad

Dt: 26-8-2015

Right to Information Commission
Government of KPK
Diary No: 6528
Date: 26-8-15
Section:

Attested

Sardar Muhammad Akram
M.A. LL.B Advocate
DISTRICT COURT ABBOTTABAD

181-12-460641 Photo copies of her service book. (28)

Note:— The entries in this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 should be dated.

1. Name: Farhat Jabeen

2. Race: Jadoon (pathan)

3. Residence: Banda Saib Khan (village) Mohallah Landi Distt Abbottabad.

4. Father's name and residence: Shadad Khan Banda Saib Khan

5. Date of birth by Christian era as nearly as can be ascertained: 10-4-1972 Tenth April Nineteen Seventy Two

6. Exact height by measurement: 5'-0"

7. Personal marks for Identification: A mole on left side of nose.

8. Left hand thumb and Finger Impression of (Non-Gazetted) Officer.

Little Finger  Ring Finger 

Middle Finger  Fore Fingr 

Thumb 

9. Signature of Government Servant: Farhat Jabeen

10. Signature and Designation of the Head of the Office, or other Attesting Officer.

4-8-97

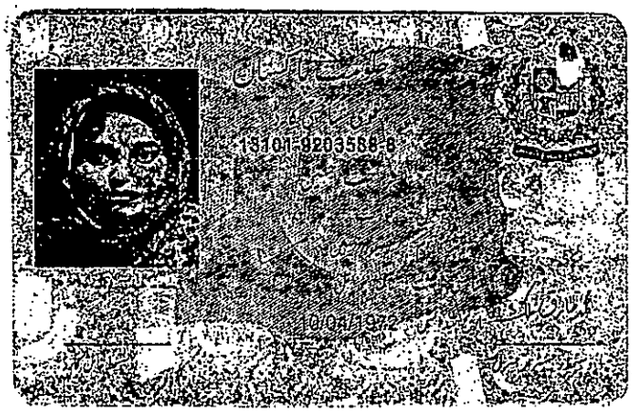
Sub-Divisional Education Officer (Female) Abbottabad

Attested

Senior Municipal Administrator
Municipal Committee
Abbottabad

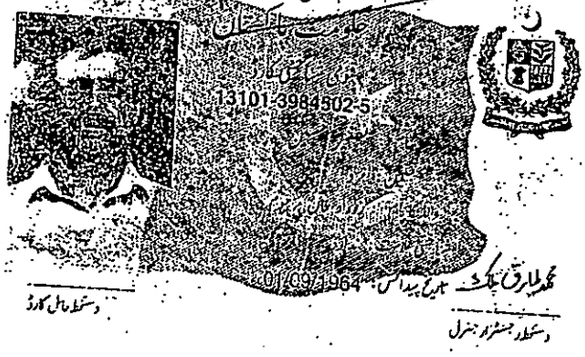
(28)

ANNEXTURE "J"



Service card of my wife

For Court case



Attested

Sardar Muhammad Akram
M.A. LL.B advocate
DISTRICT COURT ABBOTTABAD

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21/02/2023 21/02/2013

1

13101-[illegible]-8

10-04-1972

U87Y0G 13101-3984502-5

ایبٹ آباد

19/09/2022 19/09/2012

(29)

1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary	If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive Post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
PTC			Rs 7145/-			1/12/2010	Farhat Jabeen
Basic Pay Scales 2011 Office of The Accountant General Khyber Pakhtun Khawa Peshawar Pay Fixed in R.B.P.S. 2011 of Rs 7000-500-22000 At Rs 11080/- P.M.W.E.F. 1-07-2011 With Next Increment on 1-12-2011 Manzoor Ahmad Accounts Officer Pay Fixation Party K. Pakhtun Khawa Peshawar 25/7/011							
GGPS Bandai		B-12 (7000-500-22000) Rs 11080/-				17/4	Farhat Jabeen
Sahib Cham		Rs	11500/PM			1/12/2011	Farhat Jabeen
GGPS Bandi Sahib Khan		Rs 12000/ BPS-14-8000-610-26300.				1/12	Farhat Jabeen
DO			Rs 12270/-			15/4/13.	Farhat Jabeen
DO			Rs 12830/-			1/12/13	Farhat Jabeen

Attested

District Coordinator
District Coordinator

9	10	11	12	13			14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting Officer	Leave: Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government: Period	Government to which debitable	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
Dy. D.O (F) Pry: Edu Abbottabad	30-9-07	UPS	Dy. D.O (F) Pry: Edu Abbottabad					
								Service verified from 1-12-05 to 30-11-06 from acquittal roll & other record kept in this office. Dy. D.O (F)
Dy. D.O (F) Pry: Edu Abbottabad	30-11-07	A/inc	Dy. D.O (F) Pry: Edu Abbottabad					
Dy. D.O (F) Pry: Edu Abbottabad	30-6-08	S/R	Dy. D.O (F) Pry: Edu Abbottabad				Pay fixed after upgradation of Scale from BPS 9 to BPS 12 w.e.f 1-10-2007 Vide Govt of NWFP Notification No So (FR) 10-22(B)/2005 Dated 1-10-2007	
Dy. D.O (F) Pry: Edu Abbottabad	30-11-08	A/inc	DY: D.O (F) PRY: Abt					
	30-11-09	A/inc.		S/R			Allowed BPS 9 w.e. From 01-10-07 Vide EDO (E&S) A.Abad's Endst No 14293-99 DT : 23 07 09 at S No.899 Dy D.O (F) Abbottabad	
							and other record kept in this office 1-10-07 to 30-11-09 DY: D.O (F) PRY: Abt	
	T.R.	419 19/1/11						
DY: D.O (F) PRY: Abt	Diam Rs: 59000/- Vide S No 419 dt. 18/1/11			GPF Adv: amounting to Rs. 59,000/- has been sanctioned by the EDO (E&SE) Abd Vide Endst No. 18354-55 dt. 23/12/2010.				
	Superannuated							
	30-11-10	A/2nd						

Copy of death certificate of son

ANNEXTURE "K"

(31)

AYUB TEACHING HOSPITAL
ABBOTTABAD

DEATH CERTIFICATE

Certified that Mr. / Mrs. Umair

S/O Nasir Hussain Age 20 yrs.

resident of Haripur admitted in Ayub Teaching

Hospital, Abbottabad 22/11 at 2.00 a.m./p.m.

as a case of Brain abscess

under Admission No. 862/101 Ward NSW ward-13

He/She expired on 25/11 at 7.30 a.m. / p.m.

Medical Officer
Neurosurgery Ward
AYH, Abbottabad

Jamal Bibi
2/12/13

MEDICAL OFFICER / REGISTRAR
Ayub Teaching Hospital
Abbottabad

Attested

Advocate
Tehsil Bar Association
Distt. Bar Association Abbottabad

ANNEXTURE "L" (32)

BEGUM AKHTAR RUKHSANA MEMORIAL WELFARE TRUST HOSPITAL. BAHRIA TOWN PHASE VIII

Operation Report

Patient: Usama Khan
Opt Date: 23/4/2014

Consultant Cardiac Surgeon: Maj. Gen (R) Asif Ali Khan

Address:
Bahria Town Phase VIII,OPD Complex/Phase VIII Hospital Rawalpindi.Tel:+92-51-5705790-2,OPD 51-4493430-1,Fax:+92-51-5705684
e-mail: asifali.khan@live.com

Attested

Muhammad Akram
M.A. LL.B Advocate
DISTRICT COURT ABBOTTABAD

Copies of op book

Thal Scan

Cath/ Angia Report

Hotler Monitor Report

Treatment Given

Attested

OPERATION NOTES

Date of Operation 23-04-2014

Surgeon Maj. Gen. Asif Ali Khan

Anaesthetists Dr. Nomana Altaf Qureshi
Col. Etizaz Haider Kazmi

Operation AVR + VSD Closure.

Finding Pre-op Echo:
- Restrictive VSD.
- RT Aortic valve Prolapse.
- Moderate AR + Moderate TR.
- Dilated LV.

Procedures
- Median Sternotomy done.
- Aortic & Bicaval cannulation done
- Aortomy done. Measure valve size. Replaced carbomedics size 23.
- Rt atriotomy done. Closed VSD ē Gortex Patch ē continuous suturing. Closed Aortomy & Rt atriotomy. Smooth termination of CPB.
- Pt shifted to ICU ē Dobutamine

Method of Myocardial Protection: Blood cardioplegia

By pass and Aortic Clamping Time: 126 min – ByPass time
98 min – X-clamping

Post Operative Course // //

Treatment after Surgery

Condition of Discharge:

(1) Tab. Lefflox, 500 mg 1+1

(2) Tab Cefspan 400 mg (1)

(3) ~~Tab Ulcenil~~ 25 mg 1+1

(4) ~~Tab Mouevian~~ $\frac{1}{2}$ Tab (1)

(5) Spironide 20 mg 1+1

Treatment to Continue after discharge:

(6) Tab. Digoxin 0.25 (1)

(7) ~~Aquaflesh~~

Follow up/ Cardiac Rehabilitation Plan on discharge:

ایمرجنسی کیس (OPD) میں دیکھا گیا

Attended

(35)

FOLLOW UP

Rx.

i. lefflox 500mg 1+0+1
ایک گولی صبح شام

i. cefspan 400mg 0+1+0
ایک گولی دوپہر میں ایک بار

i. ulcenil 25mg 1+0+1
ایک گولی صبح شام

i. Mouevian ½ tab 0+1+0
آدھی گولی دوپہر میں ایک بار

i. spironide 20mg 1+0+1
ایک گولی صبح شام

i. digoxin 0.25 1+0+0
ایک گولی دوپہر میں ایک بار

G.H.S.S. LORA ANNEXTURE "M" (36)

OFFICE OF THE PRINCIPAL GOVT:HIGHER SECONDARY SCHOOL LORA ABBOTTABAD.

No. 109 /Transfer/Adjustment/F.No. 0

Dated Lora the 16.11.2015.

To

The District Education Officer
(Male) Abbottabad.

Subject: GUIDANCE OF CHARGE.

Respected sir,

It is kindly forwarded for my guidance please the case of Mr. Naseer Hussain CT who has been transferred to GHSS Lora from GHS Kokal Barseen under order Endst: No. 6544-49/ EB-III/Compl/CT/SCT Dated Abbottabad the 06.08.2015. Now ever the person/teacher did not report to this office. Mean while, non arrival report of the teacher has been forwarded to you through letter No. 85/Transfer/Adjustment/F.No.03 Dated Lora the 19.08.2015 (Copy attached) the other correspondence of this office is also attached.

Now, today, teacher came to school and gave me written request for handling over charg (Copy attached). As he is very late, so I require your guidance in this connection with the comments that the post of CT is still lying vacant in this school and if the order is renewed and if the teacher promised to complete his tenure in this school. I will have no objection in handling over charge to him from the date of his arrival 13.11.2015.

Principal
Govt; Higher Secondary
School Lora Abbottabad.

Attested

OFFICE OF THE DISTT: EDUCATION OFFICER (M) ABBOTTABAD.

No. 7979-81 /EB-I/Expl: Dated Abbottabad the 3-9 /2015.

To,

ANNEXTURE "N" (37)

1. Mr. Abdul Qadeer, SST (Bio/Chem) GHS Kokal Barseen under transfer to GHS Ghora Baz Gran.
2. Mr. Sohail Ahmed, STT GHS Kokal Barseen under transfer to GHSS Rich Bhen.
3. Mr. Naseer Hussain, CT GHS Kokal Barseen under transfer to GHSS lora.

Subject: **EXPLANATION REGARDING NON COMPLIANCE OF TRANSFER ORDER ISSUED ON DISCIPLINARY GROUNDS.**

You were transferred from GHS Kokal Barseen Abbottabad vide this office Endst: No. 6544-49 dated 06-08-2015 on disciplinary grounds but you have failed to comply the same which amounts to your inefficiency, irregularity, lack of interest and gross misconduct under the rules.

You are hereby called upon to explain the reason of above. Your reply should reach the undersigned within seven days of the issuance of this letter, failing which strict disciplinary action will be initiated against you under Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules 2011.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD.

Endst: of even No. & date.

Copy of the above is forwarded to:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. PS to Secretary to Govt: of Khyber Pakhtunkhwa E&SED Peshawar.
3. Principals GHSS Rich Bhen & Lora.
4. Principal, GHS Kokal Barseen Abbottabad.
5. Headmaster, GHS Ghora Baz Gran.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD.

Attested
Sardar Muhammad Akram
M.A. LL.B Advocate
DISTRICT COURT ABBOTTABAD

ANNEXTURE "O"

38

To

The DEO (M)
Abbottabad

Subject: Explanation Regarding Non compliance of transfer order issued on Disciplinary grounds

DEO (M) Atd letter no. 7279-81/EB-I/Expl dt 03-9-2015 ref

Sir,

It is submitted that I have reported/contacted the Principal GHSS Lora Atd on 02-9-2015 for taking over charge in pursuance of your orders. The Principal has advised me to seek further guidance + corrigendum of the transfer order as the said order has been expired. He also said that he will seek advise from DEO (M) Atd, to make corrigendum or issue new order.

Keeping in view of the foregoing, it is requested further orders in this regard may please be issued so I can be able to take charge at any station or at GHSS Lora please.

Yours sincerely,

Naseer Hussain, CT
GHS Kokal Barsin Atd
U/P to GHSS Lora Atd
Dt: 09-9-2015

Attested

SAHAB MUHAMMAD AKRAM
M.A. LL.B Advocate
DISTRICT COURT ABBOTTABAD

ANNEXTURE "P"

(39)

To

The Director of Education
Elem & Sec Education
KPK, Peshawar

Subject: Appeal against illegal transfer order by DEO (M), Abbottabad

Sir,

vide Endt No 6545-49/EB-II/Compl/CT/SCT dt 06-8-

It is submitted that I have been illegally transferred from my home station for filling area of Distt. Abbottabad vide letter enclosed. The concerned DEO have taken this wrong step by a personal attitude by taking a inquiry without any proof and further misconduct by me. In short, I have been deprived of my rights and transferred on disciplinary ground which is wrong and disastrous.

Keeping in view of the forgoing and attached documents I may please be sympathetically considered and cancel my transfer order and receiving should also be taken off/excused. Thanks.

Yours obediently

NASEER HUSSAIN
CT GHS Kokal Bassi

Attested

Dt: 08-8-2015
Tel: Haveliam
Distt Abbottabad

No. 1376 For Insurance Notices see reverse.

Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Rs. Ps. 30/-

Received registered* addressed to Director

Date Stamp 04 AUG 2015

*Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Initials of Receiving Officer

Insured for Rs. (in figures) 3,500 (in words)

Insurance fee Rs. Ps. (in words)

Weight Kilo Grams

Name and address of sender

Pursuant

9/8

40

Receipt of appeal sent & Director upp
Sent on 08-8-2015

(41)

وکالت نامہ

کورٹ فیس

بعدالت Befor the Service tribunal K.P.K Peshwar.

عنوان Nasir Hussain بنام Secretary education and other

منجانب: Appellant.

نوعیت مقدمہ:

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام Service tribunal

Sardar MUHAMMAD AKMAL ADVOCATE High Court

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ وتقرر ثالث وفیصلہ برحلف ودینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ وعرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت نالش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تا کہ سند رہے۔

المرقوم: 24/11/2015

بمقام: Service tribunal

العبد

Accepted

SARDAR MUHAMMAD AKMAL
ADVOCATE
HIGH COURT BANNU

24/11/2015

وکالت نامہ

کورٹ فیس

بعدالت جناب چیئرمین سروس ٹریبونل پشاور

عنوان: نصیر حسین بنام حکومت خیبر پختونخوا

منجانب: Appellant

نوعیت مقدمہ: (سروس اپیل)

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام

محمد ارشد خان تنولی ایڈووکیٹ ہائی کورٹ ایبٹ آباد

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ وتقرر ثالث وفیصلہ برحلف ودینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ وعرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت نالش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تا کہ سند رہے۔

بمقام: ایبٹ آباد

المرقوم: 20/1/2016

Accepted

Accepted

العبد

العبد

Before the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar AT CAMP COURT ABBOTTABAD.

Appeal No.1359/2015

NASEER HUSSAIN VERSUS GOVT: OF KPK & OTHERS.

SERVICE APPEAL

Joint parawise Comments on behalf of Respondents No.01 to 05

INDEX

District Education Officer (M)
Abbottabad.
Respondent No. 3)

Dated ____/04___/2016

Before the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar
AT CAMP COURT ABBOTTABAD.

Appeal No.1359/2015

NASEER HUSSAIN VERSUS GOVT: OF KPK & OTHERS.

SERVICE APPEAL

Joint parawise Comments on behalf of Respondents No.01 to 05

Respectfully Sheweth:-

Comments on behalf of respondents are submitted as under:-

PRELIMINARY OBJECTION:-

1. That the appellant has no cause of action to file the instant appeal.
2. That the appellant has no locus standi.
3. That the appellant did not come to this Honorable Tribunal with clean hands.
4. That the appellant concealed and distorted material facts from this Honorable Tribunal.
5. That the present appeal has been filed just to pressurize and blackmail the respondents.
6. That as per Section 10 of civil servant Act 1973, every Government servant is bound to serve anywhere within the District in the best interest of public service without raising any objection in this regard.
7. That the appellant has suppressed the original facts from this Honorable Tribunal hence, not entitled for any relief & appeal is liable to dismissed without any further proceeding.
8. That the appeal is liable to be dismissed due to miss joinder & non joinder of necessary parties.
9. That appeal is time barred hence liable to be dismissed without any proceeding.

FACTUAL OBJECTIONS:-

1. That para No. 1 of the instant appeal relates to service record of appellant.

2. That Para No.2 of the instant appeal as composed is incorrect hence, denied as the members of Parents Teacher Council of GHS Kokal Barseen submitted an application/ complaint to respondent No. 3 against the appellant & 02 others regarding the habitually late coming, non cooperative/unbecoming behavior, threatening the Principal & left the school without getting approval of the competent authority. Furthermore, as per annual inspection report as well the overall result of appellant is below an average. Copy of the application of PTC alongwith meeting # 60 dated 27-03-2015, annual inspection report, result of appellant & relevant page of PTC booklet are annexed as annexure "A", "B", "C", "D" &"E" respectively.

3. That Para No. 3 of the instant appeal as composed is incorrect hence, denied as junior clerk has never given any assurance to appellant regarding leave sanction. Furthermore, respondent No. 5 forwarded the case of appellant regarding earned leave to respondent No. 3 with the remarks that as per notification No. 223-46 dated 02-04-2011, it is necessary that case of earned leave may be submitted to competent authority one month before the leave applied for hence, case of appellant cannot be proceeded. It is pertinent to mention here that respondent No. 5 communicated the same notification to all his staff members via order book No. 34 dated 22-04-2011 & all the staff members including appellant signed/acknowledged that notification while appellant malafidely & dishonestly annexed the fake application with his service appeal as annexure "B" which shows the unbecoming behavior of appellant. Copy of the original application regarding earned leave, notification dated 02-04-2011, statement of junior clerk & order book No. 34 dated 22-04-2011 are annexed as annexure is annexed as "F", "G", "H" & "I" respectively.

4. That Para No.4 of the instant appeal as composed is incorrect hence, denied. Appellant himself remained wilful absent w.e.f 11-05-2015 to 20-05-2015 & it was in the knowledge of the appellant that his case regarding earned leave could not be processed due to the notification dated 02-04-2011 but even then he remained absent. Copies of the absent report & teacher attendance register are annexed as annexure "J" & "K" respectively.

5. In reply to para No. 5 of the instant appeal it is submitted that there was no need of holding formal inquiry as charges of wilful absence were proved against the appellant however, respondent No. 3 constituted an inquiry officer upon the complaint of members of PTC against the appellant alongwith 02 other teachers vide letter No. 3864-65 dated 04-05-2015. Copies of letter No. 3864-65 dated 04-05-2015 & inquiry report are annexed as annexure "L" & "M" respectively.

6. In reply to para No. 6 of the instant appeal it is submitted that appellant once again dishonestly & malafidely annexed bogus/ fake document with his service appeal as annexure "E" & concealed the material facts from this Honorable Tribunal. Furthermore, this act of the appellant falls within the meaning of forgery. The copy of original show cause notice is annexed as annexure "N".

7. That para No. 7 of the instant appeal as composed is incorrect hence, denied.

8. That para No. 8 of the instant appeal as composed is incorrect hence, denied. As there was no need to hold a regular inquiry as charges of wilful absence were proved against the appellant & further confirmed by the inquiry officer who was appointed by the respondent No. 3 upon the complaint filed by the members of PTC of Kokal Barseen.

9. In reply to para No. 9 of the instant appeal, it is submitted that charges of wilful absence were proved against the appellant & transfer is part & parcel of service hence, appellant has got no cause of action against the answering respondents as section 10 of civil servant Act 1973 is very much clear in this regard.

10. That para No. 10 of the instant appeal as composed is incorrect hence, denied as appellant did not submit application to respondent No. 3.

11. That para No. 11of the instant appeal as composed is incorrect hence, denied as appellant again & again misleading & suppressing the original facts from this Honorable Tribunal. Appellant joined education department on 14-03-1998 as C.T teacher & since 29-09-1999 he remained at GHS Kokal Barseen. Copy of service book of the appellant is annexed as annexure "O".

12. That para No. 12 of the instant appeal as composed is incorrect hence, denied as appellant was transferred in pursuance to the recommendation of inquiry officer as well as members of the PTC also demanded to transfer the appellant & 02 others from GHS Kokal Barseen.

13. That para No. 13 of the instant appeal as composed is incorrect hence, denied as comprehensive reply has already been given in preceding paras.

14. That para No. 14 of the instant appeal as composed is incorrect hence, denied as appellant went to GHSS Lora on 13-11-2015 while he was relieved from GHS Kokal Barseen on 10-08-2015. As per annexure "M" annexed by appellant with his service appeal the date of his arrival to GHSS Lora is 13-11-2015.

15. That para No. 15 of the instant appeal is correct as respondent No. 4 submitted non arrival report of appellant to respondent No. 3 vide letter No. 85 dated 19-08-2015. Copy of the letter No. 85 dated 19-08-205 is annexed as annexure "P".

16. In reply to para No. 16 of the instant appeal as per contents of the letter of respondent No. 4 appellant came to GHSS Lora on 13-11-2015 while in reply to explanation which was issued to appellant regarding non arrival appellant dishonestly stated that he reported to Principal GHSS Lora on 20-09-2015. It is pertinent to mention here that if appellant can annex the fabricated documents with his service appeal before this Honorable Tribunal then what to talk about the insubordination with the respondent No. 5 as the unbecoming conduct of the appellant is very much clear before this Honorable Tribunal.

17. That para No. 17 of the instant appeal is subject to proof.

GROUNDS:-

a. That ground a, as composed is incorrect hence, denied.

b. That ground b, as composed is incorrect hence, denied as there is no malafidely on the part of respondent No. 3 & transfer order was issued in pursuance to recommendation of inquiry officer & members of PTC Kokal Barseen also requested to respondent No. 3 for the transfer of appellant & 02 others.

c. That ground c, as composed is incorrect hence, denied as section 10 of civil servant Act 1973 is very much clear in this regard.

d. That ground d, as composed is incorrect hence, denied.

e. That ground e, as composed is incorrect hence, denied as comprehensive reply has already been given in above paras.

f. No comment.

g. That ground g, treated as per law.

h. That the respondents seek leave of this Honorable Tribunal to agitate additional grounds at the time of hearing of this appeal.

It is, therefore, very humbly prayed that in the light of forgoing comments the appeal in hand may graciously be dismissed with cost throughout.

Principal,
GHS Lora Abbottabad.
(Respondent No.4)

Principal,
GHS Kokal Barseen, Abbottabad,
(Respondent No. 5).

District Education Officer (M)
Abbottabad,
(Respondent # 3)

19/4/2016
Director
E & SE Khyber Pakhtunkhwa
Peshawar (Respondent # 2).

Secretary
E&SE Khyber Pakhtunkhwa
Peshawar.
(Respondent No.1)

Before the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar AT CAMP COURT ABBOTTABAD.

Appeal No.1359/2015

NASEER HUSSAIN VERSUS GOVT: OF KPK & OTHERS.

SERVICE APPEAL

AFFIDAVIT

I,Mr. Zia ud Din , District Education Officer (M) Abbottabad do hereby affirm and declare on oath that the contents of forgoing comments are correct and true according to the best of my knowledge and belief and nothing has been suppressed from this Honorable Tribunal.

DEPONENT

Dated: 22/04/2016

Annex "A"

5

بخدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر (مردانہ) ضلع ایبٹ آباد

جناب عالی!

گزارش ہے کہ میں عرصہ تین سال سے چیئرمین پی ٹی سی ہائی سکول کوکل برسین ہوں میری خوش قسمتی ہے کہ مجھے طارق ثمر جیسے نوجوان پرنسپل کے ساتھ کام کرنے کا موقع ملا ہم نے پی ٹی سی کونسل کو سکول کی سطح پر فعال بنایا۔ ہم نے سکول کے لیے کمپیوٹر لیب بنائی اور اس میں علاقہ کی شمولیت سے کمپیوٹر لیب کے لیے 3 عدد کمپیوٹر کا عطیہ لیا۔ سکول ہذا کے لیے پانی کا بندوبست کیا۔ سکول میں سٹاف کی کمی کو پورا کیا۔ سکول کی 300 فٹ 1/2 5 فٹ لمبی چار دیواری تعمیر کی۔ سکول کے لان کے لیے اہل علاقہ سے پودے لیئے۔ سکول کے نظم ونسق کو بہتر کیا۔

جناب عالی!

ادارہ مالی بے ضابطگیوں کا شکار تھا۔ سکول ایک سیاسی بیٹھک بن کر رہ گیا تھا۔ اساتذہ تدریس کے بجائے نجی کاموں میں مصروف رہتے تھے۔ سکول آنے کے کوئی اوقات تھے اور نہ جانے کے۔ اساتذہ ہر وقت امتحانی ڈیوٹیوں کے لیے سرگرم رہتے تھے۔ آپس کے جھگڑے روز کا معمول تھا۔ مختصر یہ کہ ہمارے سکول میں تعلیم وتدریس کے علاوہ تمام کام ہوتے تھے۔

جناب عالی!

ہم نے سکول کا پی ٹی سی فنڈ انتہائی احتیاط اور کفایت شعاری سے خرچ کیا۔ ہماری کوشش یہ رہی ہے کہ سٹاف کی نگرانی سے کام لیتے ہوئے ادارہ کے تعلیمی معیار کو بلند کیا جائے۔ ہمارا سکول اب 2011 کا سکول نہیں رہا۔ حالیہ سکول انسپکشن سے یہ بات ثابت ہوگئی ہے جناب عالی! آپ خود سکول کا معائنہ کر چکے ہیں۔

محترم جناب ڈی او صاحب۔ طارق ثمر کے خلاف محمد نزیر نامی شخص نے جو درخواست دی ہے جس میں پرنسپل صاحب کے خلاف بے تحاشہ الزامات لگائے گئے ہیں۔ میرا تعلق ادارہ سے بطور چیئرمین رہا ہے۔ پی ٹی سی فنڈ سے ہر چیز بہترین کوالٹی اور کم از کم قیمت میں خریدی ہے۔ یہ خریداری اور تعمیری کام کا اندراج پی ٹی سی ریکارڈ میں موجود ہے۔

جناب عالی! محمد نذیر نامی شخص ساکنہ کوکل برسین کے تمام اشخاص نے درخواست سے لاتعلقی کا اظہار کیا۔ اور اپنا تحریری جواب جمع کرایا۔ اس سلسلے میں جو معاملہ اکثر زیر بحث آتا تھا۔ وہ اساتذہ کا دیر سے سکول آنا اور بغیر اطلاع کے چھٹی تھا۔ سکول کا حاضری رجسٹر اس بات کا ثبوت ہے کہ کچھ اساتذہ اب بھی اکثر لیٹ آتے ہیں یہی بات پرنسپل کو ناپسند ہے۔ ان میں نصیر احمد، سہیل احمد اور عبدالقدیر صاحب سکول کے ماحول کو خراب کرتے رہتے ہیں۔ ان کا معمول ہے کہ اکثر سکول لیٹ آتے ہیں عبدالقدیر نے 11 فروری تا 14 فروری 2015 تک بغیر اطلاع کے چھٹیاں کیں اور اپنی غلطی پر شرمندہ ہونے کے بجائے پرنسپل کو

دھمکی دینے لگے۔

جناب عالیٰ! اس درخواست کے پیچھے سٹاف کے لوگ شامل ہیں۔اس کے علاوہ جن امور کا باریکی سے درخواست میں لکھا گیا ہے۔وہ سٹاف ممبران کے علاوہ کوئی نہیں سمجھ سکتا۔دراصل یہ لوگ ہمیشہ مسائل پیدا کرتے ہیں۔جناب عالیٰ! ہم آپ سے درخواست کرتے ہیں کہ ان الزامات کی انکوائری کرائی جائے۔ہم PTC کے تمام ممبران تعاون کی یقین دہانی کراتے اور ہر فورم پر گواہی دینے کے لیے تیار ہیں۔عرصہ دراز کے بعد ہمارے سکول میں تدریس اور نظم وضبط موجودہ پرنسپل کی کاوشوں سے ترقی پذیر ہوا ہے اور ہمیں یقین ہے کہ ہمارے بچوں کا مستقبل محفوظ ہاتھوں میں ہے۔

العارض

پی ٹی سی ممبران

گورنمنٹ ہائی سکول کوکل برسین

محمد دین خان چیئرمین PTC

صوبیدار محمد لشیر PTC ممبر

محمد حسین

محمد فروف

Annex - "B" (7)

PTC ہنگامی میٹنگ بتاریخ 60 گورنمنٹ ہائی سکول کوہل کے سٹاف ایجنڈا

گورنمنٹ ہائی سکول کوہل کے PTC کونسل کا اجلاس چیئرمین ہائی سکول

27 مارچ 2015ء کو سکول ہذا میں بلایا گیا۔ اجلاس کا آغاز تلاوت قرآن پاک

سے ہوا چیئرمین PTC نے اجلاس کی کارروائی اپنے ہاتھوں میں لیتے ہوئے کونسلرز سے

اپنے اور PTC ممبران کا بیان بقلم خود میٹنگ رجسٹر میں درج کیا تاکہ ریکارڈ رہے۔

میں نے روزن خان چیئرمین PTC ممبران میں صوبیدار لشکر اور ممبر PTC

ممبر PTC اور شوکت علی ممبر PTC اپنا بیان PTC رجسٹر میں خود اپنے ہاتھ سے درج

کرتے ہیں۔ شاکر نے بیان نہیں دیا۔ اس بیان کی غرض اس لئے میٹنگ

اکٹھی کی گزشتہ چار سالوں میں تمام میٹنگز میں ہم شریک رہے اور سکول کے مسائل

باہمی مشاورت سے حل کئے گئے۔ معاف ممبران جو کہ سابقہ روٹین کے عادی تھے اور کئی

بار لوگوں کی کوتاہی بھی ظاہر کی تھی خاص طور پر سکول سٹاف ممبران ہمیشہ

میں سے پرنسپل صاحب کے مسائل پیدا کرتے رہتے ہیں۔ ہم دفتر ہمارے مراعات اور

سفارشی پرنسپل صاحب نے حکمرانی کی کارروائی سے پرنسپل بنا۔ اور سکول کے حالات

سکول میں ہی حل کئے گئے جو کہ ہم خود مقامی لوگ تھے اور مقامی سٹاف ممبران کی

بے غرضی سے علاقے کی بہتری ہوتی تھی۔ اس لئے ہمارے لکھنے پر پرنسپل صاحب نے ملفوظ

درخواست سے کام کیا اور معاملات حل ہوتے رہے۔ لیکن اب پرنسپل لگتا ہے کہ ہم غلطی

کر رہے ہیں۔ ہم اپنے ملک کے قوانین پر پورا عمل کرتے رہیں۔ وہی ہمارے سکول کو تباہ

کرتے ہیں۔ بطور چیئرمین ہم نے ان تمام گروہوں کے سکول میں اساتذہ کی حاضری میں
خان (ایس ایس ٹی) مسمی SST عبدالقدیر SST اور نصیرت (انسٹرکٹر) بدعنوانی اور غفلت
میں خان (ایس ایس ٹی) کو سزا دینے کے حق میں ہیں۔ جب یہ تینوں سلسلہ ادارے کو
نقصان پہنچا رہے ہیں۔ گزشتہ حالات کو دیکھتے ہوئے ہم اس بات پر متفق
طور پر متفق ہیں کہ پرنسپل صاحب کے خلاف درخواست انہیں اساتذہ کی جعلی نام سے
دی گئی۔ درخواست میں جن امور کی بات کی گئی ہے۔ وہ صرف اور صرف اساتذہ کی جان
سکتے ہیں۔ دیر سے آنا والیہ کی حاضری نہ کرنا اور روانگی کے اوقات غلط
لکھنا اپنی ذمہ داریوں کے لئے ہر وقت تیار رہنا۔ سکول کی اضافی ذمہ داریوں سے انکار
بغیر اطلاع کے چھٹی کرنا۔ اور طلباء کو مارنا پیٹنا۔ یہ تمام میں میں نے نگرانی ان کا
جائزہ کا مجموعہ ہے۔ جب بھی کوئی میٹنگ جس میں پرنسپل خود موجود ہوتا تھا۔
اساتذہ اکٹھا ہوتا تو یہ لوگ تمام پرنسپل کو دھمکیاں بھی دیتے تھے۔ ہم نے ان
کو ہمیشہ حمایتی طریقے اپنائے اور کوئی نہ کوئی درمیانی راستہ نکال لیتے۔ لیکن اسمبلی
سر سے گزر چکا ہے ہم پرنسپل سے درخواست کرتے ہیں ان اشخاص کے خلاف
کارروائی کی جائے۔ اور ان کارروائی کی کاپی ہمیں دکھائی جائے۔ ہم اپنے خدشے
کی بنا پر صاحب کے سامنے درخواست پیش کر رہے ہیں۔ آفریدی کونسل کا اجلاس
منعقد کر کے اس بات پر ختم ہوا کہ ہم ممبران نے ملک ریل علاقہ خود فیصلہ کریں
کہ ممبران سے ملک اس مسئلے کا حل نکالیں تاکہ آفریدی ادارے کی فلاح کے لئے
دعا گو رہیں گے۔

محمد عمر سعید خان

عبدالرحمٰن بشیر (ممبر)

طارق (ممبر)

شوکت علی (ممبر)

Annex "C"

Class: 7Th (Green) Past Results with Copies (Checked) (9)

1st Term – 2014

Teacher-wise & Subject-wise Result Statement 4-9

S.No.	Name of Teacher	Designation	Subject	Result
1	Abdul-Majid	Qari	Urdu	50 %
2	Muhammad Ilyas	SCT	English	42 %
3	Muhammad Sohail	STT	Isl(Comp.)	54 %
4	Naseer Hussain	CT	Math	38 %
5	Muhammad Ilyas	SCT	G-Science	47 %
6	Ali Ahmad	SAT	Arabic	66 %
7	Naeem Qureshi	SDM	Drawing	87 %
8	Arif Masood	SCT	History	51 %
9	Arif Masood	SCT	Geography	60 %
10	Abdul-Majid	Qari	Computer	12 %

H/C

Principal
Govt. High School
Kokal Barseen Atd

Class 7Th (Green)

2nd Term – 2014

S.No.	Name of Teacher	Designation	Subject	Result
1	Abdul-Majid	Qari	Urdu	38 %
2	Muhammad Ilyas	SCT	English	36 %
3	Muhammad Sohail	STT	Isl(Comp.)	63 %
4	Naseer Hussain	CT	Math	36 %
5	Muhammad Ilyas	SCT	Gen-Science	57 %
6	Ali Ahmad	SAT	Arabic	36 %
7	Naeem Qureshi	SDM	Drawing	91 %
8	Arif Masood	SCT	History	60 %
9	Arif Masood	SCT	Geography	48 %
10	Abdul-Majid	Qari	Computer	39 %

H/C

Principal
Govt. High School
Kokal Barseen Atd

Result Card of Academic Session 2013, 2014-15 Show below Average result.

(10)

STATEMENT OF RUSLT TEACHERWISE CLASS 7th (Green)

SNo.	NAME OF TEACHERS	DESIG	Subject	RESULT %
1	MUHAMMAD ILYAS	SCT	ENGLISH	66%
2	ABDUL-MAJID	QARI	URDU	82%
3	SOHAIL ZEB	STT	ISLAMIYAT	78%
4	NASEER HUSSAIN	CT	MATHS	34%
5	MUHAMMAD ILYAS	SCT	SCIENCE	75%
6	ARIF MASOOD	SCT	History	82%
7	ARIF MASOOD	SCT	GEOGRAPHY	72%
8	ALI AHMAD	SAT	ARABIC	56%
9	NAZEER QURESHI	SDM	DRAWING	97%
10	ABDUL-MAJID	QARI	COMPUTER	59%

Result Annual - 2014-15

GHS KOTAL BARSEEN

Prepared by ABBOTTABAD

M. ILYAS SCT

PRINCIPAL

Principal
Govt. High School
Kotal Barseen Atd.

گورنمنٹ ہائی سکول کوکل برسین

Class : 8Th (1st Term- 2014).

S. No.	Name of Teacher	Designation	Subject	Result
1	Ali Ahmad Sb	SAT	Urdu	66 %
2	Naseer Ahmad Hus	CT	English	21 %
3	Sohail Zeb Sb	STT	Isl (Comp.)	58 %
4	Arif Masood Sb	SCT	Math	66 %
5	Malik M. Ilyas	SET	Gen. Science	35 %
6	Ali Ahmad Sb	SAT	Arabic	44 %
7	Ali Ahmad Sb	SAT	S. Study	73 %
8	Naeem Qureshi Sb	SDM	Drawing	89 %

Sd/-

Principal
Govt. High School
Kokal Barseen Atd

Class : 8Th (2nd Term – 2014).

S. No.	Name of Teacher	Designation	Subject	Result
1	Ali Ahmad Sb	SAT	Urdu	66 %
2	Naseer Hussain	CT	English	40 %
3	Sohail Zeb Sb	STT	Islamiat	82 %
4	Arif Masood Sb	SCT	Math	69 %
5	Malik M. Ilyas	SET	Gen. Science	37 %
6	Ali Ahmad Sb	SAT	Arabic	37 %
7	Ali Ahmad Sb	SAT	S. Study	26 %
8	Naeem Qureshi Sb	SDM	Drawing	91 %

Sd/-

Principal
Govt. High School
Kokal Barseen Atd

(12) 4-a

Annual 2015

Teachers Result subject wise – 8th

S. No	Teacher Name	Subject	Result %	Rank
1	Ali Ahmad, SAT	Urdu	87%	
2	Nasser Hussain, CT	Eng	45%	
3	Sohail Zeb, STT	Islamyat	75%	
4	Arif Masood, SCT	Maths	91%	
5	Malik Ilyas, SCT	Science	64%	
6	Ali Ahmad, SAT	Arabic	64%	
7	Naeem Qureshi,	Drawing	100%	
8	Amin Shah, SST	S.S	68%	

GOVT HIGH SCHOOL KOKAL BARGAAN ATTOCK
Sign

P/C

Principal
Govt High School
Kokal Bargaan Atk

4 ریزلٹ شیٹ درجہ ششم ڈرم انٹرام 2013ء

مضمون	انگریزی	ریاضی	اردو	اسلامیات	سوشل	سائنس	ڈرائنگ	معاشرتی علوم / جغرافیہ	ہسٹری	کمپیوٹر / ایجوکیشن
6th ششم گرل	الیاس صاحب 18% 76	شیراز صاحب 54% 17	خان اسر صاحب 44% 25	عبدالماجد شاہ 13% 2	علی احمد صاحب 23 16%	عارف مسعود 24 33%	نعیم اسپی صاحب 91% 90	عارف مسعود 15 32%	شبیر صاحب 11 33%	عبدالماجد صاحب 6 39%
جماعت پنجم B	نصیر حسین صاحب 33 24%	عارف مسعود 50 71%	الیاس صاحب 55 55%	فدا سہیل صاحب 15 85%	علی احمد صاحب 36 30%	خان اسر صاحب 14 16%	90 90%	نصیر حسین صاحب 27 22%	علی احمد صاحب 36 73%	5 33%
7th جماعت پنجم	خان اسر صاحب 10 31%	عارف مسعود 45 51%	نصیر حسین صاحب 59 51%	عبدالماجد شاہ 44 35%	25 38%	خان اسر صاحب 61 15%	95% 92	فدا الیاس صاحب 42 20%	فدا الیاس صاحب 40 47%	8% 9
جماعت پنجم 8th	نصیر حسین صاحب 35 24%	عارف مسعود 43 63%	علی احمد صاحب 46 68%	فدا سہیل صاحب 57 76%	33 32%	نصیر حسین صاحب 34 29%	91 98%	خان اسر صاحب 55 43%	—	—

Annex "D"

(14)

OFFICE OF THE PRINCIPAL GOVT: HIGH SCHOO NO. 2, HAVELIAN DISTRICT ABBOTTABAD

To

The District Education Officer
Abbottabad.

No. 1809 /inspection file

Dated: 9/12/14

SUBJECT: INSPECTION REPORT OF TARGET GHS KOKAL BARSEEN

Sir,

Apropos guidance given in and trust made on during seminar on November 18, 2014, at Jalal Baba Auditorium, Abbottabad. The subject captioned above is as under:

Problems:

Declining standard of education in public sector high schools

Objective:

To immediately identify causes and remedies through "Academic Audit" of all schools.

Timings:

10:15 to 3:55

Date of inspection:

24.11.14

Proceedings:

- The undersigned with A.Rehman SST G, Shabbeer Ahmed SST MATHS and Nawaz Malik SPET visited the target school on target date after attending own school.
- New and spacious building with supremely sincere Principal for the cause of quality teaching-learning process, was found on toes
- School's different areas were visited e.g class room, toilets and lawns etc and found cleanliness by all means across the school.
- SSTs and SPET and undersigned checked the relevant registers with due care and recorded the observations on attached Performa.
- We all went to different classes and observed the lessons followed by interaction with students.
- While entering into classroom for lesson observation, it was noticed that all teachers took textbooks from students. This speaks enough about their lesson planning and seriousness in

attitude towards teaching. Necessary rating is done on the requisite Performa. Relevant guidance and coaching also made to respective teachers on the sideline of the classes.

- A message on "DIFFERENCE BETWEEN AN EFFECTIVE AND WEAK TEACHER" was also shared for the sake of inspiration.

FINDINGS:

- **School's record especially pupil funds prior to** incumbent principal is not well- maintained.
- Absence of professionalism and impromptu attitude on the part of teachers.
- Notebooks not checked properly but ticked mostly.
- Proper flow of water in water tanks and washrooms missing.
- Old books dumped in stores/ cupboards causing shortage of space.

RECOMMENDATIONS:

- Planned Academic Audit in this fashion should be a regular feature followed by surprise one.
- Some teachers with longest tenures should be transferred with a note /warning in PERs with the consent of Principal so as to dismantle pressure group mindset.
- A PROFORMA IN C/W assigning and checking of homework should be developed with the help of selected teachers and Principals.
- More PTC funds should be given to this school for tube well etc.
- Vision, Mission, annual academic calendar/action plan also focusing on feeding schools and job description of teachers should be developed on priority basis.
- Disposal of old/used books should be notified across the school in the district.

CONCLUSION:

Quality education is a game of team work under the visionary Head. Sign of strengths--solid performance by following curriculum/textbook completely, steady growth in enrollment and unequivocal stability in teaching learning process accentuating on 33 % marks in each subject as a passing criteria

Principal,

Govt. High School No. 2, Havelian,

Abbottabad.

(16) Annex "E"

Introduction to PTC

Teacher Councils (PTCs) men and women have been established for improving;

1. The access and quality of education through active participation and support by parents and community at large to educational management at school level,
2. Get repairs and maintenance work done,
3. Timely execution of other developmental activities in the school.

Substantial financial & administrative powers have been devolved at the school level with PTCs given the authority to utilize the school funds, in a transparent and honest manner for the purposes laid above and by identifying and assigning priority to relevant 'school needs'.

Functions of the PTCs

1. Efforts for increase in enrollment by working towards bringing the out of school children to the fold of education, in close association with the communities and parents

پی ٹی سی کا تعارف

والدین اور اساتذہ کی تنظیم برائے مردانہ و زنانہ سکول کے قیام کا بنیادی مقصد درجہ ذیل کی بہتری کا حصول ہے۔

(الف) معیاری تعلیم کے حصول کے لئے سکول کی سطح پر انتظامیہ سے والدین کا تعاون اور تعلیم کے فروغ کے لیے معاشرہ کا مثبت کردار اجاگر کرنا۔

(ب) سکول کی تعمیر و مرمت میں کردار ادا کرنا۔

(ج) سکول کے ترقیاتی کاموں کے بروقت تکمیل میں مدد دینا ہے۔

والدین کی تنظیموں کی سکول کی سطح پر مالی اور انتظامی اختیارات دیئے گئے ہیں تاکہ وہ شفاف اور دیانتداری سے ان اختیارات کو بروئے کار لاتے ہوئے سکول کی ضروریات کو مدنظر رکھتے ہوئے درجہ بالا مقاصد کا حصول ممکن بنایا جاسکے۔

پی ٹی سی کے فرائض:

1. وہ بچے جن کی عمر سکول جانے کی ہے اور وہ سکول نہیں جا رہے ہیں ان بچوں کو سکول لانے کے لیے والدین و اساتذہ کی انجمن سماجی سطح پر کوشش کریں۔

Vision

A prosperous society in which PTCs contribute directly to the process of public education and by introducing social accountability, gender responsiveness and overall, for achieving educational outcomes.

تصور:

تعلیمی مقاصد کے حصول کے لیے کسی مہذب معاشرہ میں والدین کی انجمن، سرکاری سکولوں میں سماجی احتساب اور بچوں / بچیوں کی تعلیم میں اہم کردار ادا کر سکتی ہیں۔

Mission

Fostering education development at grass root level through central and integral role of PTCs as drivers for change, with clear focus on oversight and support to school management, promoting social accountability and gender responsiveness for improving gender responsive education delivery and overall work for better educational outcomes.

مقصد:

بنیادی سطح پر تعلیمی استعداد کی بہتری کے لیے پی ٹی سی کا بھرپور اور مرکزی کردار ہی تبدیلی کی ضمانت ہے۔ سکول انتظامیہ کی سہولت سماجی احتساب اور طلباء و طالبات کو تعلیم کی یکساں سہولیات کی فراہمی کے ساتھ مجموعی تعلیمی مقاصد حاصل ہوں۔

Brief introduction

The establishment of Parents Teacher Council, PTC (known as PTA in past) is a revolutionary step towards community participation and devolutions of financial & administrative powers at the school level. The schools' Council has been empowered to utilize the school funds on need basis on its discretion. Under this policy, the responsibility of improvement in the condition of the school directly lies on the parents, teachers and especially school Councils.

مختصر تعارف:

پی ٹی سی (جسے پہلے پی ٹی اے کہا جاتا تھا) کا قیام سکول کی سطح پر مالی اور انتظامی اختیارات کی منتقلی اور کمیونٹی کی شراکت کا ایک انقلابی قدم ہے۔ ہر سکول کونسل کو اختیار دیا گیا ہے کہ وہ سکول فنڈز کو اپنی صوابدید اور ترجیحات کے مطابق خرچ کر سکے۔ اس پالیسی سے سکولوں کی حالت سدھارنے کی ذمہ داری براہ راست والدین اور اساتذہ بالخصوص سکول کونسل پر عائد کی گئی ہے۔

PTC Rule Book

16 17

in particular, to make sure that all school age children are attending the school.

2. Create awareness about importance of education & motivate parents to send their children particularly girls to schools.

2. تعلیم کی اہمیت کو اجاگر کرنا اور ان والدین کو متحرک کرنا جن کے بچے خصوصاً بچیاں سکول نہیں جاتیں تاکہ وہ تعلیم کی جانب راغب ہو سکیں۔

3. Work actively to reduce drop outs (ultimate goal is to eliminate drop outs), motivate parents' regarding education of their children, provide gender responsive conducive teaching environment and extend full cooperation in this regard.

3. سکول چھوڑنے کے رجحان کے خلاف تندھی سے کام کرنا، والدین کو بچوں کی تعلیم کی طرف راغب کرنا اور بچہ و بچی کی تمیز کئے بغیر سب بچوں کے حصول تعلیم کے لیے محنت کرنا۔

4. Prepare gender responsive School Improvement Plan (sample format attached as annexure 12) with active involvement of parents & community.

4. والدین اور معاشرہ کے اشتراک سے تمام بچوں اور بچیوں کو تعلیم کی طرف راغب کرنا اور بچہ و بچی کی تمیز کئے بغیر سب بچوں کے حصول تعلیم کے لیے محنت کرنا۔ (نمونہ نمبر 12)

5. Organize walks, debates and other activities on the National festivals, so as to encourage the students and propagate the importance of education.

5. تعلیم کی اہمیت کو اجاگر کرنے اور بچوں کی حوصلہ افزائی کے لیے قومی تہواروں کے موقع پر واک، مباحثے اور دوسری مختلف تقاریب کا اہتمام کرنا۔

6. Provide financial assistance to the most deserving children.

6. مستحق طلباء کی مالی مدد کرنا۔

7. Support in improving the overall learning environment and for teachers to be more friendly and gender sensitive.

7. تدریسی ماحول کی بہتری کے لیے مدد کرنا اور اساتذہ کے بچے اور بچیوں کے ساتھ دوستانہ رویہ کے فروغ کے لیے کوشش کرنا۔

8. Make efforts for inculcating patriotism, balance and social responsibility in children! Experiment of child friendly spaces where children can play character building of the students.

8. بچوں میں حب الوطنی، توازن اور سماجی ذمہ داریوں کو پروان چڑھانا۔ بچوں کو ایسے مواقع فراہم کرنا جس کی بنیاد پر ان میں اخلاقی اقدار کی پہچان فروغ پا سکیں۔

9. Make focused efforts to provide the 'right to play for all school girls and boys especially girls studying in boys schools.

9. بچوں اور بچیوں کے کھیلنے کودنے کے حقوق کو پروان چڑھانا خصوصاً ان بچیوں کو جو لڑکوں کے سکول میں تعلیم حاصل کر رہی ہیں۔

10. Help the school staff in organizing curricular & co-curricular activities.

10. سکول عملہ کے ساتھ نصابی و غیر نصابی سرگرمیوں کو سرانجام دینے کے لئے تعاون کرنا۔

11. Ensure regular attendance of the teacher and in case of their continuous absence (more than 3 days) and poor performance, report to the concerned authorities.

11. اساتذہ کی حاضری کو یقینی بنانا اور مہینے میں تین دن سے زیادہ غیر حاضری یا غیر تسلی بخش کارکردگی کا مظاہرہ کرنے والے اساتذہ کے متعلق ذمہ دار حکام کو اطلاع دینا۔

Responsibilities of the Elementary & Secondary Education Department Officers:

1. Resolve problems identified /reported by the PTC.
2. The ASDEO Circl In-Charge or other concerned officers of the District Government may participate in the PTC meetings whenever possible.
3. Help in the opening of bank account for the Council.
4. On the request of the PTC or School, bring the situation or issues which cannot be amicably settled between at PTC/School level, in the notice of higher authorities for remedy. Resolve issue if there is any between PTC and school staff.
5. Ensure disciplinary action against the teacher/staff within 10 days if the complaint proves correct.
6. Review and approve the recommendations regarding grant of scholarships and appreciation certificates.

محکمہ ابتدائی وثانوی تعلیم کے افسران کی ذمہ داریاں

1. پی ٹی سی کی نشاندہی پر مسائل کو حل کرنا۔
2. سرکل آفیسر کلسٹر انچارج یا ضلع کا کوئی بھی دوسرا افسر اگر چاہے تو اجلاس میں شرکت کر سکے گا۔
3. بنک اکاؤنٹ کھولنے میں پی ٹی سی کی مدد کریں گے۔
4. سکول حکام اور پی ٹی سی کے درمیان کوئی تنازعہ پیش آئے تو ضلعی دفتر اسے حل کرے گا۔
5. اُستاد/اُستانی یا سکول کے سٹاف ممبر سے متعلق پی ٹی سی کی جانب سے کی گئی درست شکایات پر دس دن کے اندر کاروائی ہو گی۔
6. پی ٹی سی کی جانب سے وظیفہ یا تعارفی اسناد کی سفارشات پر کاروائی کی جائے گی۔

6. Be the co-signatory of all cheques issued along with another teacher of the same school (nominated for the purpose) and maintain Cash Book and Procurement file. Ensure approval has been sought for the purpose (and of the amount) from the council, for which amounts are been withdrawn from the bank.

6. چیک پر چیئرپرسن، سیکرٹری یعنی ہیڈ ٹیچر، ہیڈ ماسٹر/ہیڈ مسٹریس، پرنسپل اور سکول کے ایک اُستاد/اُستانی کے دستخط ہونگے۔ بنک سے نکالی گئی رقم کو اخراجات کی فائل کے مطابق کیش بک میں لکھا جائے گا اور ساتھ PTC کے فیصلے کی نقل بھی لگائی جائے گی۔

Responsibilities of the Cluster-in-Charge

1. Cluster-in-charge will be responsible for conducting free and fair PTC Election.
2. Cluster-in-charge is also responsible to conduct re-election in the assigned schools where required.
3. Cluster-in-charge will be responsible for proper handing & taking over the record.

کلسٹر انچارج کی ذمہ داریاں

1. کلسٹر انچارج پی ٹی سی کے آزاد اور شفاف انتخاب کا ذمہ دار ہوگا۔
2. کسی سکول کے پی ٹی سی کے وسط یا ضمنی انتخاب کے انعقاد کا ذمہ دار بھی کلسٹر انچارج ہوگا۔
3. کلسٹر انچارج پی ٹی سی کے ریکارڈ کی حوالگی کی نگرانی بھی کرے گا۔

Annex "R"

(18) (19)

To
The DEO (M),
Elem & Sec. education
Abbottabad

Subject: Grant of Earned Leave
w.e.f 11 May 2015 to 20 May 15

Sir,

It is submitted that I have to construct my house for which I have also withdrawn my GPF advance. I am in dire need of earned leave.

Kindly grant me earned leave w.e.f. 11 May 2015 to 20 May 2015 and oblige.

Thanks

Yours Sincerely,

Naseer Hussain
CT GHS Kokal
Bersin, Abbottabad
Dt: 28-4-2015

Substitutes
1. Muhammad Sohail, STT
Sign: 1. S. Sohail 28/4.
2. Arif Masood, SCT
Sign: Arif

Forwarded in Original to DO(M), Atd with remarks that as per Notification No 223-66/F.No 2/Earned Leave Cases/dated 2-4-2011 and Re Endorse by your office having Endst No 4959-4979 dated 19-4-2011, it is necessary that case of Earned leave may be submitted to Competent Authority "ONE MONTH" before, the leave applied for. As the applicant has applied for leave w.e.f 11 May 2015 so this case cannot be proceeded.

Principal Govt High School Kokal Khyber Atd
28/4/15

Annex - "G" 75

20

Registered

Directorate of Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.
No. 223-46 /FNo.2//Earned Leave cases/SS/Ayub/DA
Dated Peshawar the 03/04/2011.

To

All the Executive District Officer,
Elementary & Secondary Education,
In Khyber Pakhtunkhwa .

Subject: - **INSTRUCTIONS ABOUT EARNED LEAVE.GRANTING OF PRIOR APPROVAL/SANCTION OF LEAVE FROM THE COMPETENT AUTHORITY BEFORE PROCEEDING LEAVE.**

SUBMISSION OF INCOMPLETE PROPOSALS REGARDING LEAVE OF GOVERNMENT SERVANTS.

I am directed to refer to the Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department letter No.AO/7-19/Leave/LAkki Marwat/05 dated 07-03-2011 & letter No.AO/7-14/PP/Leave/05 dated 21-03-2011addressed to this office as well as to you on the subject noted above and to state that several cases of leave referred to provincial Government for sanction of leave which have been frequently returned to this office with the observation that: according to leave rules 1981, a Government servant shall proceed on leave only after it is sanctioned by the Competent Authority. However, in many cases teachers/Principals/HM proceed on leave before it is sanctioned by the competent authority. It is clear cut violation of Revised Leave Rules,1981. in future no official shall proceed on leave without getting it sanctioned in advance.

Diary No: 2154
Date: 7-4-
EDUCATION ABBOTTABAD

In future the leave cases should be examined strictly in the light of leave rules and then submitted to the department complete in all respect fully justified and supported by all necessary documents especially keeping in view the following points:

EB-IV
Please Circulate to all Concerned immediately
5/4/11

a) Proper examination of the case is required with regard to following points.
i. Purpose of leave.
ii. Alternate arrangement(s) for performance of duty by another officer/substitute.(Certificate to be issued by the Head of School)
iii. Examination/justification of the proposal in the light of Revised Leave Rules 1981.
iv. Total Service of the Government servant.(To be mention in covering letter of EDO(E&SE)

I am further directed to ask you that the above mentioned instructions may be circulated to all the subordinate institutions in your jurisdiction. All kind of such cases must be submitted to the competent authority "**ONE MONTH**" before, the leave applied for.

75 (24) ~~137~~

It is therefore, requested that the above instructions should be implemented in letter and spirit otherwise the concerned Executive District Officer, Elementary & Secondary Education will be held responsible for submission of incomplete and delayed proposals.

The application shall be duly supported by the following documents.

1. Leave application duly signed and sealed by the concerned along with dates of submission.

2. Substitute arrangement of taking classes of the concerned in case of (SS/SST).

3. Justified purpose of leave as requested by the applicant in his/her separate application.

4. Length of service signed by the applicant and countersigned by the Head of school and EDO (E&SE) Concerned.

2/4/2011

Deputy Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.

Endst:No. 247-48 /

Copy forwarded to the:- Dated Peshawar the 2/4 /2011.

1. Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa w/r to his letter No. & dated cited above.

2. PA to Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

2/4/2011

Deputy Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEM: & SECY: EDU: ABBOTTABAD

Endst:No. 4859-4979 Dated A.Abad the 19-4 /2011.

Copy to the:-

1-2. District Officer (Male/Female) (E&SE) Abbottabad for strict compliance.

3-4. Dy: District Officer (M/F) Primary A.Abad for strict compliance.

5-120. Principals/HM GHSS,GGHSS,GHS,GGHS District Abbottabad for strict compliance.

EXECUTIVE DISTRICT OFFICER
ELEM: & SECY: EDU: A.ABAD.

OFFICE OF THE DISTRICT EDUCAION OFFICER (MALE) ABBOTTABAD

(22)

No. 9258-61 /EB

Dated 13-12 /2014.

To

1. All the Principals/Headmaster of GHSS/GHS/GMS In District Abbottabad.

2. Sub Divisional Education Officer (M) Abbottabad.

Subject: **OFFICIAL CORRESPONDENCE AND STATION/CASUAL/ EARNED LEAVE.**

Memo:

This is to bring into information of all concerned that all kind of official correspondence should be routed through Head of Institution by post. No letter/application will be honoured without the recommendation of Principal/Headmaster/SDEO/ASDEO concerned. No teacher is allowed to visit the office during school hours.

It is further added that no one is allowed to leave the station or avail casual leave/earned leave without prior approval of the competent authority, failing which strict disciplinary action will be initiated under the rules.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD.

Endst: of even Number & Date

Copy forwarded for information to:

1. Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

Sd/-

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

Annex. "H"

(23)

To

The Honourable Judge,
Khyber Pakhtun Khawa Service Tribunal
Camp Court, Abbottabad.

Subject REPLY REGARDING THE CASE OF MR. NASEER HUSSAIN CT.

Memorandum.

Refering to the case filed by Mr. Naseer Hussain CT Para No.3 it is stated that Mr. Naseer has stated tht I being Junior Clerk of GHS Kokal Barseen has assured him that his leave has been sanctioned. Respected Sir, this is baseless and fake statement linked with me. I hereby under oath declare that I have never asked any thing about the sanction of leave. The fact is that:

1. I am not a competent Authority, so how can I give assurance.

2. Being J/Clerk my duty is to receive and dispactch documents to relevent offices which I did in due time.

3. On dated 09.05.2015 I told him that his leave case has not been sanctioned so do not leave the station without approval.

4. I have also given message to Mr. Naseer CT through his real brother Abdul Qadeer SST, GHS Kokal Barseen Abbottabad on 11.05.2015.

Respected Sir, the statement given by Naseer Hussain Ct regarding me is not based on facts.

Sincerely Yours.

17/03/16

Imran Ahmed J/Clerk
GHS Kokal Barseen A'Abad
NIC NO.13101-1890216-3.

Annex - "I"

(24) (23)

34
22-4-2011

محترم اساتذہ کرام و جملہ اسٹاف ممبران

السلام و علیکم

E.D.O صاحب سے 19-4-2011 کی میٹنگ میں یہ فیصلہ کیا گیا ہے کہ EARNED LEAVES کے حوالے سے محکمہ کے آرڈیننس NO 223-46/E.No.2/Earned leave cases/SS/Ayub/DA Dated Peshawar the 02/4/2011 کی سختی سے پیروی کی جائے گی۔ اس نوٹیفیکیشن کی تفصیلات آرڈر میں درج ہیں۔ تمام اسٹاف ممبران ان تفصیلات کو پڑھ لیں اور آرڈر کی پشت پر اپنے دستخط کر دیں۔ اس آرڈر کی چند چیدہ چیدہ تفصیلات درج ذیل ہیں۔

(1) E/Leave لینے کے لئے ایک ماہ پہلے تحریری پرائیویٹ چینل درخواست دینی پڑے گی۔

(2) E/Leave کا مقصد بیان کرنا ہوگا۔

(3) اپنے فرائض منصبی کی ادائیگی کے لئے متبادل کا بندوبست کریں گے۔

-4 Sanctioned کے Effleave پر ہی Officer
اپنی ڈیوٹی سے چھٹی پر جا سکے گا۔

اسی میٹنگ میں ایک پچھلے نوٹیفیکیشن پر بھی بات ہوئی۔ یہ نوٹیفیکیشن E.D.O آفس سے آیا تھا۔ اس نوٹیفیکیشن میں تمام ملازمین کو ہدایت کی گئی تھی کہ وہ اسکول اوقات میں EDO آفس ہرگز نہ آئیں۔ کسی بھی کام کے سلسلے میں وہ دفتر ذرا میں چھٹی کے بعد آئیں اور ادارے کے سربراہ سے اجازت نامہ ضرور ساتھ لائیں۔

اسکے علاوہ CASUAL/LEAVE اور SHORT/LEAVE کو بھی زیر بحث لایا گیا۔ جیسا کہ ہم سب جانتے ہیں CASUAL/LEAVE ایک Privilege ہے یہ ہمارا حق نہیں ہے۔ E.D.O صاحب نے حاضری کو یقینی بنانے کا حکم دیا ہے۔ اور SHORT/LEAVE کے concept کو ختم کرنے سے رد کیا ہے۔

محترم اساتذہ کرام و جملہ اسٹاف ممبران سے میں امید کرتا ہوں کہ ہم ان ہدایات کو مدنظر رکھتے ہوئے ادارے کی بھلائی کے لئے اپنی مخلصانہ کوشش جاری رکھیں گے۔

والسلام

علی مبشر
کوکب انجم
محمد الیاس
فرحانہ
محمد الیاس

Annex - J.

(26)

OFFICE OF THE PRINCIPAL GOVT:HIGH SCHOOL KOKAL BARSEEN A'ABAD.

No. 4125 Dated 16 /05/2015.

To

The District Education Officer(M),
Elementary and Secondary Education,
Abbottabad.

SUBJECT ABSENT REPORT OF MR.NASEER HUSSAIN,CT,OF GHS KOKAL BARSEEN ABBOTTABAD.

Memorandum.

It is stated that Mr.Naseer Hussain,CT,GHS Kokal Barseen Abbottabad is absent from his duty from 11.05.2015. Earlier he has applied for Earned Leave from 11.05.2015 to 20.05.2015 on dated 28.04.2015. The Junior Clerk,Mr.Imran Ahmed,informed him that as per Notification every case of Earned leave must be submitted before one month of leave applied for. The same Notification was also communicated to all the staff members through order book No.34 dated 22.04.2011. On dated 09.05.2015 Mr.Naseer was again informed through Junior Clerk of the School that his request of leave has not been approved by competent authority and he is by rules bound not to leave the station with out approval. Respected Sir, Mr.Naseer deliberately left the station and is now absent from his duty.. This act of Mr.Naseer is "INSUBORDINATION" and case is forwarded to you for necessary action. Respected Sir,such actions are causing hurdles in smoothrunning of the institution so immediate action amay please be taken.

Thanking You.

Sincerely Yours.

Principal
GHS Kokal Barseen
Abbottabad.

Received
16/5/015

Annex "K"

27

رجسٹر حاضری مدرسین

بابت ماہ مئی 2015ء

نام	محمد الیاس				عارف مسعود				ملک محمد الیاس				نصیر حسین		
عہدہ	SCT				SCT				SCT				CT		
تاریخ	آمد	دستخط	روانگی	دستخط	آمد	دستخط	روانگی	دستخط	آمد	دستخط	روانگی	دستخط	آمد	دستخط	روانگی
۱															
۲	7/30	✓	1.35	✓	7/30	Arif	1/35	Arif	7/35	[illegible]	1/35	[illegible]	7.35	[illegible]	1.35
۳															
۴	7/30	✓	1.35	✓	7/30	Arif	1/35	Arif	7/40	[illegible]	1/35	[illegible]	7.20	[illegible]	1.35
۵	7/30	✓	1.35	✓	7/30	Arif	1/35	Arif	7/40	[illegible]	1/35	[illegible]	7.25	[illegible]	1.35
۶	Leave				7/30	Arif	1/35	Arif	7/35	[illegible]	1/35	[illegible]	7.30	[illegible]	1.35
۷	7.40	✓	1.35	✓	7/30	Arif	1/35	Arif	7/30	[illegible]	1/35	[illegible]	7.30	[illegible]	1.35
۸	7.30	✓	11.30	✓	7/30	Arif	4/15	Arif	7/30	[illegible]	1/15	[illegible]	7.30	[illegible]	1.35
۹	7.30	✓	1.35	✓	7/30	Arif	1/35	Arif	7/30	[illegible]	1/35	[illegible]	7-48	[illegible]	1.35
۱۰															
۱۱	7.30	✓	1.35	✓	7/30	Arif	1/35	Arif	7/30	[illegible]	1/35	[illegible]	Absent		?
۱۲	7/30	✓	1-35	✓	7/30	Arif	1/35	Arif	7/35	[illegible]	1/35	[illegible]	Absent		?
۱۳	7/30	✓	1.35	✓	7/30	Arif	1/35	Arif	7/35	[illegible]	1/35	[illegible]	Absent		?
۱۴	7/30	✓	1.35	✓	7/30	Arif	1/35	Arif	8.20	[illegible]	1/35	[illegible]	Absent		?
۱۵	7/35	✓	11.15	✓	7/30	Arif	1/15	Arif	7/30	[illegible]	11/15	[illegible]	Absent		—
۱۶	7/30	✓			7/30	Arif			7-50	[illegible]			Absent		—
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قسم رخصت	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان
اتفاقیہ		15			1			4			12	
استحقاقی												
بیماری												
میزان												

دستخط ہیڈ ماسٹر

Anx" L"

28

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD.

NOTIFICATION.

Mr. Muneer Ahmed, Principal Govt: High School, No.2 Havelian Abbottabad is hereby appointed as Inquiry Officer to conduct inquiry in GHS Kokal Barseen Abbottabad and submit comprehensive report within seven days positively to proceed further as per law and rules in the result of inquiry.

Sd —

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD.

Endst: No. 38465 / EB-I/Enquiry. Dated A/Abad the 4-5 /2015.

Copy forwarded to the:

1. Mr. Muneer Ahmed, Principal Govt: High School, No.2 Havelian Abbottabad, along with copy of application of complaint.
2. Principal, GHS Kokal Barseen, Abbottabad.
3. Chairman PTC GHS Kokal Barseen, Abbottabad.

Government High School
No. 2 Havelian
Diary No. 68
Dated 08-05-15

DY: DISTRICT EDU: OFFICER (M)
ABBOTTABAD

Annex "M"

(29)

OFFICE OF THE PRINCIPAL GOVT MODEL HIGH SCHOOL, HAVELIAN (ABBOTTABAD)

Email: gmhshavelian@gmail .com
Ph .0992-812282-0335-5409988

Inq/F/Kokal No. 1892-11
Dated 13/06/2015

Registered

To

The District Education Officer (Male),
Abbottabad.

Subject: INQUIRY REPORT ABOUT GHS KOKAL BASREEN, HAVELIAN

Memo!

Apropos your notification Endst. No. 3864-65 dated 04-05-2015 and this is to state that the undersigned visited the target school on 20-05-2015 and the report is as under:

Allegation:

Application lodge by the community –cum-- PTC against three undisciplined teachers mainly who mar school's disciplined environment, unpunctual and exhibit threatening attitude overtly or covertly.

Inquiry tools:

Questionnaires, Interviews, Social Gram, Focused Discussion, School record.

Proceedings:

The three teachers viz; Mr. Abdul Qadeer (SST, Bio), Mr. Naseer Ahmed (SCT) and Mr.Sohail Ahmed (STT) were served with questionnaires separately. Did ask questions differently concerning on the matter. Likewise, questionnair was served to Principal and other teachers. Statements were taken from all and sundry where need was felt--- CIV, PTC Chairman, etc.

School record and a few sample notebooks of the three under reference teachers were also checked. Sociogram exercise was also carried out with the view to distinguish in a group likeness and dislikeness, co-operative and non co-operative and to highlight interaction and structure of the group.

Findings:

- All the above mentioned three teachers are not punctual. School's attendance register speaks their dereliction in duty viz; coming late, paying no/less heed to Principal's remarks, warnings etc. and non-compliance to instructions, contained in school's order book.
- Eye witnesses affirm that Mr. Abdul Qadeer (SST Bio) exhibited threatening behavior to Principal and was not on leave on 11—14-02-2015 accordingly.
- Mr. Naseer Ahmed (SCT) is irregular in maintaining punctuality and violates procedures regarding obtaining casual leaves and Earned Leaves e.g. on 11---20-05-2015. Sample students notebooks were incomplete. Proper exercises at the end of text books'were not carried out.
- Mr. Abdul Qadeer (SST, Bio) and Mr. Naseer (SCT) are two real brothers.
- The PTC of the schools itself observed and concluded in its emergency meeting on 27-03-2015 that these three teachers sabotage the school's disciplined, violates public code of conduct and exhibit inhumane/threatening behavior with principal in specific.
- The PTC resolution, minutes, visits etc. and application to District Education Officer (Male) Abbottabad is evident and proves its function mentioned at S.No. 11 of the PTC booklet issued by Government of KhyberPakhtunKhawa.

- colleagues/teachers and standing within the group. None of the teacher/colleague considers it easy and best to work with the Following:

i. Mr. Abdul Qadeer
ii. Mr. Naseer Ahmed
iii. Mr. Sohail Ahmed
iv. Mr. Ashaq Ahmed
v. Mr. Qari Majid
vi. Mr. Arif
vii. Mr. Muhammad Ilyas
viii. Mr. Malik Ilyas

Given the position of sociogram it is proved that the first three under complaint teachers were rejected by the larger group in particular.

- Immoderate use of "I" instead of "We" by the principal which shifts stress/pressure over him.

Conclusion:

Given the seriousness of complaint, to uphold the sanctity of PTC and to reinforce the implementation of Government rules and regulations through the administration, management and educational leadership of the Principal, inquiry was conducted without any fear and favor. Questionnaires were analyzed thoroughly. Interviews were conducted by focusing on verbal and non-verbal expression of the concerned. Detail deliberations were made over the above record and responses of all and sundry. To discharge official obligations/responsibilities believing in "Idealism" in lieu of "Pragmatisms" was noticed.Allegations on the three teachers stand proved in the prima facie.

Therefore, following recommendations are made in the best interest of public, school's disciplined, environment and students quality education:

1. All three teachers should be transferred with warnings immediately on their respective vacant posts with four days pay deduction 11—14-02-2015 and 10 days pay deduction 11—20-05-2015 of Mr. Abdul Qadeer and Mr. Naseer Ahmed respectively which should be deposited in national exchequer.
2. Their misconduct should be dealt with "conduct rules, 1988" and show cause notices may be initiated against them as per Ordinance 2011.
3. The Principal should also be intimated to practice "We" management style instead of "I".

13.6.15

Muneer Ahmed
(Principal)/Inquiry Officer

Annex-"N"

(34)

To

The DEO (M)
Abbottabad

Subject: SHOW CAUSE NOTICE

Sir,

In response to DEO Atd letter no 5316 dated 26-5-2015, I hereby submit my reply as follows:-

a. I submitted an earned leave application (w.e.f 11-5-2015 to 20-5-2015) duly signed by two substitutes naming Arif Masood, SCT and M. Sohail, STT. After three days, I was told by clerk of this school that my leave application has been sent to DEO MS Atd, ~~to~~ I was confirmed of its sanctioned later on.

b. On 09 May 2015, I told the incharge of this school about my leave and went on E-leave because the Principal was not present at that time of leaving the school.

c. When I came back on 21 May 2015 I was marked as Absent for the whole period and Principal argued that he has no any information about my E-leave, Infact the whole process has been made properly.

d. It was preplanned game to give me a great loss and further disastrous results due to further following reasons:-

(1) It has become a continuous

practice of this school that a minor or major (teachers) Account office cases are dealt wrongly and the clerk of this school takes amounts of Rs. 500/- from the teachers for solving their cases. In this regard, I have been told three times. Those teachers who pay the said amount are easily considered and non complying teachers are considered with rude attitude.

2) In the meeting of teachers with Principal I complained it before the Principal who also justified this unjust amount and said that non complying teachers cases will not be dealt & this office will not be responsible if their cases are misplaced at any level.

Sir,

I have served in Pakarmyal as civ in GHS RWP for above 10 years & serving in this deptt for 17 years. My whole period depends on struggle and hardworking towards betterment.

On the eve of annual inspection in 2014 I was declared number one "best teacher" among 13 teachers.

It is also said that I availed E/leave in 2014 due to open heart surgery of my real son, also availed C/leave due to death of my young son due to brain tumour and death of my real sister due to diabetes.

Keeping in view of these facts, I may please be considered sympathetically and my absentee may also be converted into earned leave. Thanks

Yours sincerely,

Naseer Hussain, CT
GHS Kokal Bassin, RWP

Dt: 08-6-2015

Annex - "O"

303

Appointed as C.T. w.e.f. 14-3-98 from E-Primary

Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature Government servant
C.T.	BPS 14 (2065-161-4480)						
Gms Massah Gojar	T/G/Temp.		Rs 2548/-		2709/-	14 3/98	
—do—	—do—		Rs 2709/- pm		2870/-	1-12-98	
C.T. G.H.S KOKAL BARSIN	—do—		Rs 2709/- p.m		2870/-	28 9/99	
		Revised Entries w.e.f 14.3.98.					
Pre-mature Increment	(BPS.14 (2065-161-4480)						
Due to appli: in next Higher Scale and transfer/Appli: from CAD Haripur from clerk post to Education Deptt: N.W.F.P, as C.T post.			Rs 2709/- pm			14 3/98	
C-T	"		Rs 2870/- pm			1-12-98	
G.H.S Kokal Barsin C.T.	—		Rs 2870/- pm			28 9/99	
G.H.S KOKAL BARSIN,	—		Rs 3031/- p.m			1 12/99	
—do—	—		Rs 3192/- p.m			1 12/2000	
—do—	—		Rs 3353/- pm.			01 12/2001	
		Scale Revised w.e.f. 01-12-2001 BPS: 14 (3100-240-10300)					
GHS Kokal Barsian A.T.	—		Rs 5020/- pm			01 12/2001	
			Rs 5260/- pm			1 12/2002	

Office of the Accountant General, N.W.F.P. Peshawar.
Fixation in the revised basic pay scales 2001
3100-240-10300 (14)
5020/- pm w.e.f. 1-12-2001
Next increment on 1-12-2002

Officer
Accounts Officer, AWWP, Peshawar

DATE OF 1st APPOINTMENT IN EDUCATION DEPTT 14-3-98
DATE OF TRANSFER AT GHS KOKAL BARSIAN 28-9-99

Annex-"P"

(309)

OFFICE OF THE PRINCIPAL GOVT:HIGHER SECONDARY SCHOOL LORA ABBOTTABAD.

No. 85 /Transfer/Adjustment/F.No. 03

Dated Lora the 19.08.2015.

To

The District Education Officer
(Male) Abbottabad.

Subject: NON-ARRIVAL REPORT.

Respected sir,

It is stated that according to transfer order having Endst: No. 6544-49/EB-III/Compl: /CT/SCT dated 06.08.2015, Mr. Naseer Hussain CT is hereby transferred from GHS Kokal Barseen to GHSS Lora Abbottabad. The person has not arrived here till now.

Report is forwarded for information please.

Principal
Govt; Higher Secondary
School Lora Abbottabad.

Endst: No. 86 / Dated Lora the 19.08.2015.

Copy to information:

1. Head Master Govt: High School Kokal Barseen Abbottabad.

Principal
Govt; Higher Secondary
School Lora Abbottabad.

Before the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar
AT CAMP COURT ABBOTTABAD.

Appeal No.1359/2015

NASEER HUSSAIN VERSUS GOVT: OF KPK & OTHERS.

SERVICE APPEAL

Reply to application dated 24-11-2013 on behalf of respondents No. 3 to 05.

Respectfully Sheweth:-

1. No comment.
2. That para No. 2 of the instant application as composed is incorrect hence, denied.
3. That para No. 3 of the instant application as composed is incorrect hence, denied as appellant has already been taken over charge on 13-11-2015 at GHSS Lora & compliance the order 06-08-2015 hence, application of the applicant has become infructuous. Copy of the charge report of the appellant is attached.

It is, therefore, very humbly prayed that in the light of forgoing replication the application in hand as well as appeal of the appellant may graciously be dismissed with cost throughout.

District Education Officer (M)
Abbottabad.
(Respondent No.03)

AFFIDAVIT

I, Mr.Zia-ud-Din, District Education Officer (M), do hereby affirm and declare on oath that the contents of forgoing replication are correct and true according to the best of my knowledge and belief and nothing has been suppressed from this Honorable Tribunal.

DEPONENT

Dated: -04-2016

OFFICE OF THE PRINCIPAL GOVT: HIGHER SECONDARY SCHOOL LORA ABBOTTABAD.

CERTIFICATE OF APPOINTMENT / TRANSFER OF CHARGE REPORT

1. Certified that we have on the charge of this day **13 / 11 / 2015 (Forenoon).** respectively made over and received charge of this office of the **Principal Govt: Higher Secondary School Lora (Abbottabad) Vide District Education Officer (Male) Abbottabad transfer order Endst: No. 6544-49/EB-III/Compl/CT/CT Dated Abbottabad the 06.08.2015 at S.No.03.**

2. Particulars of cash and important secret and confidential documents handed over are noted on the reverse:-

Signature of Relieved **VACANT POST**

Name of Govt: Servant. **VACANT POST**

Designation **C.T**

Station:- G.H.S.S Lora Abbottabad.

Signature of Relieving.

Name of Govt: Servant. **NASEER HUSSAIN**

Designation: C.T

Office No. **125 – 29/Apptt:/Transfer/File No.05.**

Dated Lora the **02/ 12 2015.**

Copy, Forwarded to the:-

1. District Education Officer, (M) Abbottabad.
2. District Account Officer, Abbottabad
3. Budget & Accounts Officer Local Office
4. Assistant Programmer EMIS Branch local Office.
5. Teacher Concerned
6. Office record file.

Principal
Govt: Higher Secondary
School Lora Abbottabad

Principal
Govt. Higher Secondary
School Lora Abbottabad

Shabeer Muhammad Tajik
Junior Clerk GHSS Lora Abbottabad

IN THE COURT OF SERVICES TRIBUNAL CAMP COURT ABBOTTABAD
(CASE NO.1359)

Naseer Hussain S/o Zardad Khan V.....Versus.....

1. Secreta-ry Ele:and Sec:Education KPK Peshawar.
2. Director Ele:and Sec:Education KPK Peshawar.
3. District Education Officer(Male), Ele: and Sec: Education,Abbottabad.
4. Principal, GHSS Lora.
5. Principal,GHS Kokal Barseen Abbottabad.
6. Iftikhar Ali Shah,CT,GHS Kokal Barseen.

REPLY OF DEFENDANT NO.6 IFTIKHAR ALI SHAH,CT, GHS KOKAL BARSEEN ABBOTTABAD.

Respectfully Sherewith:

1. A tra-nsfer order having Endst: No.6544-49/EB/Compl/CT,SCT of dated 06-08-2015 was issued by District Education Officer(M),A'Abad in which I was transfered to GHS Kokal Barseen from GHSS Lora with immediate effect.

2. Being a Govt:servant compliance of order issued by Competent Authority is obligatany so I was releived from GHSS Lora and Took Charge at GHS Kokal Barseen on 13-08-2015.

3. I have followed the instructions issued by Competent Authority and my reply regarding the case rely on comments already submitted by Defendent No.1,2,3,4 and 5.

Thanking You.

Defendent No.6
Iftikhar Ali Shah,CT,
GHS Kokal Barseen Atd.

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1359 of 2015

NASEER HUSSAIN (CT)

VS

GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY E&SE AND FIVE (5) OTHERS.

REJOINDER ON BEHALF OF APPELLANT

Respectfully Sheweth:

Rejoinder on behalf of appellant is submitted as under:-

ON PRELIMINARY OBJECTIONS:

1. Objection No.1 is incorrect, the appellant is the Civil Servant appointed as a CT Teacher on 14.03.1998 and he was illegally transferred from GHS KOKAL BARSEEN TO GHSS LORA, Abbottabad. Appellant has cause of action to file the instant appeal against illegal Transfer Order No. 6544-49 dated 06.08.2015 passed by Respondent No. 3.

2. Objection No.2 is incorrect.

3. Objection No.3 is incorrect, appellant came to this Hon'ble Tribunal with clean hand but respondents concealed and distorted the material facts from this Hon'ble Tribunal.

4. Objection No. 4 is incorrect and is without any substance and raised in the comments only to decorate the reply.

5. Objection No.5 is incorrect, and is without any substance and raised in the comments only to decorate the reply.

6. Objection No.6 is incorrect; U/s 10 of Civil Servant Act 1973 the Government has made time to time posting / Transfer policies and the transfer/posting of the appellant was not according to the said civil servants posting/transfer policy.

7. Objection No. 7 is incorrect; the appellant has already given an affidavit and did not conceal any facts/grounds from this Hon'ble Tribunal.

8. Objection No. 8 is incorrect; the missing joinder from the necessary parties has been included in the appeal.

9. Objection No.9 is incorrect appeal was filed well within time. Appellant has challenged the order No. 6544-49 dated 06.08.2015 passed by Respondent No. 3 well within specified time.

ON FACTS:

1. Para No. 1 of the facts needs no reply.

2. Para No.2 is incorrect. The chairman of PTC is not authorized for posting/transfer of any Civil Servant and the application, which was filed by him against the appellant is totally bogus and fake, because the signatures of the PTC members are not matching with the PTC Meeting resolution and on the application filed against appellant for inquiry purpose and all this has been filed with the connivance of respondent No.5. Annual Inspection Report for the year 2014 produced before the Hon'ble is incomplete and the enclosed Performa which showed the appellant **(No.1) best teacher** amongst 13 teachers of the school is missing **(Copies of resolution and application are already attached with the reply of comments).**

3. Para No.3 is incorrect, in this regard it is submitted that, the appellant was suffering from a serious problem and it is the basic right of any civil servant that he can avail Earned Leave at any time during the service under Leave Rules 1981. And it is also pertinent to mention here that round about 500 days leaves are there on the credit of appellant which should be considered as leave with pay and the appellant has not left the school without submitting application. **(copy of leave application by the appellant is already attached at main file as annexure "B" of the Service Appeal).**

4. Para No.4 is incorrect, and the reply of this Para has already been given in the above Para-3. And the appellant has never been absent from his duty deliberately.

5. Para No. 5 is incorrect. The inquiry report, complaint report and leave application are totally contradictory with each other and the show cause notice has been issued to the appellant under personal grudges and only for mentally torturing the appellant.

6. Para No. 6 of the reply is incorrect, the copy of reply of show cause notice submitted by the appellant before the respondent No.3 and the copy of personal record having same memo and there is no forgery or contradiction in both the copies.

7. Para No. 6 is incorrect. The inquiry officer was appointed at the choice of respondent 3 & 5 and all inquiry proceeding has been done with the wishes and under the influence of respondent 3 & 5 and the appellant has not been given any opportunity of defence.

8. Para No.8 of the reply is incorrect. The Inquiry officer having no authority to recommend the punishment for any civil servant vide notification dated 28.03.2014 issued by Establishment Department KPK. The respondents are totally failed to proceed under rule-9 of the E&D rules 2011.

9. Para No. 9 is incorrect and in this regard it is submitted as under:-

   a) The inquiry against appellant was conducted without issuing any charge sheet to the appellant.

   b) The inquiry officer initiated the inquiry according to the wishes of respondent No. 3 & 5.

   c) The inquiry officer served the questionnaire to the appellant which is totally illegal vide 1998 SCMR 1970 Supreme Court of Pakistan.

   d) The annexures attached with the reply, are totally irrelevant and the respondent No.5 has tempered the attendance of appellant in attendance register and in class results.

   e) The inquiry officer did not provide the opportunity of cross examination to the appellant during the whole inquiry process upon the respondent No. 5, PTC Chairman and other members of PTC and there is no value of any complaint without giving opportunity of cross examination.

10. Para No. 10 is incorrect, the appellant time and again applied for provision of documents relating to the inquiry but respondents used delaying tactics and did not provide the required record, thus the inquiry conducted without providing the said record to the appellant, is totally null and void.

11. Para No. 11 is incorrect, the appellant was appointed as a civil servant on 10.01.1988 and appointed as CT Teacher in Education Department through proper channel on 14.03.1998.

12. Para No. 12 of the reply is incorrect, the detailed reply of this Para has already been given in the above Para No.9 and the impugned transfer of the appellant was totally against the spouse policy issued on 15.02.2003. **(Copy of Spouse Policy is attached as annexure "B")**

13. Para No. 13 is incorrect.

14. Para No. 14 is incorrect. The appellant obeyed the impugned transfer order but during the transfer order the appellant filed Civil Suit against the impugned transfer order before the Senior Civil Judge Abbottabad but the court directed the appellant to submit his appeal at the proper forum i.e. KPK Service Tribunal.

15. In reply to reply to Para No. 15, it is submitted that, the explanation called by the respondent No.3 is totally based on personal grudges and torturing the appellant.

16. Para No. 16 of the reply is incorrect.

17. Para No. 17 is incorrect, appellant aggrieved by the impugned transfer order of respondent No.3 and submitted a departmental appeal before the respondent No.2 which is already attached with the main file as annexure" of the main service appeal.

ON GROUNDS:

a) Para No. "a" of the grounds of the appeal is correct whereas the reply of Para No. "a" of the ground by respondent is incorrect because the malafide, personal grudges, violation of rules by the respondent is proved.

b) Para "b" of the ground of appeal is correct whereas the reply to Para "b" of the ground by the respondent is incorrect. The application submitted by the chairman PTC is totally bogus ad fake and the inquiry officer having no authority to recommend the punishment for any civil servant.

c) Para "c" of the ground of appeal is correct whereas reply to Para "c" by the respondent is incorrect because U/S 10 of Civil Servant Act 1973 the Government has made time to time posting / Transfer policies and the transfer/posting of the appellant was not according to the said civil servants posting/transfer policy. Thus the so-called inquiry conducted against the appellant does not come under E&D rules 2011 because the posting/transfer is not major/minor punishment in the said rules.

d) Para "d" of the reply of the grounds is incorrect. The impugned order issued against Government spouse / wedlock policy.

e) Para "e" of the reply of grounds is incorrect. The leave of 10 days may be considered as leave with pay because the appellant having almost 500 days leave with pay on his credit.

f) Para "f" of the reply of ground is incorrect. The appellant filed a departmental appeal on 08.08.2015 against the impugned transfer order before the respondent No.2 but not received any response within the stipulated period of 90 days upon which the appellant filed a service appeal on 24.11.2015 before this Hon'ble service Tribunal

It is therefore very humbly prayed that, the comments of the respondents be rejected /dismissed with cost and the appeal of appellant may graciously be accepted.

NASEER HUSSAIN
APPELLANT
INPERSON

Dated: 14 / 11 /2016

AFFIDAVIT:

I, Naseer Hussain (CT) / Appellant, do here by solemnly affirm and declare on oath that the contents of foregoing Rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Hon'ble Tribunal.

.....DEPONENT

NASEER HUSSAIN
APPELLANT
INPERSON

وکالت نامہ

کورٹ فیس

بعدالت صاحب KPK سروس ٹریبونل پشاور کیمپ کورٹ ایبٹ آباد

عنوان: نصیر حسین بنام محکمہ KPK وغیرہ

منجانب: نصیر حسین

نوعیت مقدمہ:

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام

محمد وسیم صدیق ایڈووکیٹ ہائیکورٹ ایبٹ آباد

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ بر حلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت نالش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تا کہ سند رہے۔

المرقوم: 16 / 10 / 2017

بمقام: ایبٹ آباد

Accepted by me

نصیر حسین

العبد

العبد

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No 230 /ST Dated 30 /01/2018

DBA number 292
BC No. 10-13375
Name of Advocate چوہدری عبدالرؤف چوہان

S.No 68691

وکالت نامہ

HEAD CLERK
District Bar Association
Abbottabad

بعدالت سروس ٹریبونل

عنوان: نصیر حسین بنام KPK گورنمنٹ

منجانب: نصیر حسین نوعیت مقدمہ سروس اپیل

باعث تحریر آنکہ

مقدمہ مندرجہ بالاعنوان میں اپنی طرف سے واسطے پیروی وجوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام ایبٹ آباد کے لیے چوہدری عبدالرؤف چوہان ایڈووکیٹ ہائی کورٹ

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص روبرو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ کچہری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا محتانہ کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہونگے۔ مجھ کو کل ساختہ پرداختہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجرائے ڈگری و نظر ثانی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرانے اور ہر قسم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ثالثی و راضی نامہ و فیصلہ بر حلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرون نجات از کچہری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا قرقی یا گرفتاری قبل از گرفتاری و اجرائے ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ محتانہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے کسی جزو کی کاروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہونگے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہرجانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے کہ سند رہے۔

مورخہ: 17/01/2018
دن ماہ سال

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

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03473146975
0333-5059075

نصیر حسین ولد زمرداد خان سکنہ بانڈہ [illegible] تحصیل و ضلع ایبٹ آباد
0312-9368696
13101-3984502-5

Ch. Abdur Rauf Chohan
Advocate High Court
Office 28 Lawyer's Plaza I
0347-3146975