

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

**SERVICE APPEAL NO. 692/2016**

Date of institution ... 28.06.2016

Date of judgment ... 02.03.2017

Noor Haleem, PET,  
GHS Mawazi Kalay, Bara, Khyber Agency.

... (Appellant)

**VERSUS**

1. The Additional Chief Secretary FATA, FATA Secretariat, Warsak Road, Peshawar.
2. The Director Education FATA, FATA Secretariat, Warsak Road, Peshawar.
3. The Agency Education Officer, Khyber Agency.
4. The Agency Account Officer, Khyber Agency.

... (Respondents)

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF THE RESPONDENTS BY NOT RELEASING THE MONTHLY SALARIES OF THE APPELLANT W.E.F. 01.04.2015 TILL DATE AND AGAINST NOT TAKING ACTION ON THE DEPARTMENT APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

Mr. Noor Mohammad Khattak, Advocate.  
Mr. Muhammad Jan, Government Pleader

.. For appellant.  
.. For respondents.

MR. MUHAMMAD AAMIR NAZIR  
MR. ASHFAQUE TAJ

.. MEMBER (JUDICIAL)  
.. MEMBER (JUDICIAL)

**JUDGMENT**

MUHAMMAD AAMIR NAZIR, MEMBER:- Noor Haleem, Physical

Education Teacher, GHS Mawazi Kalay, Bara, Khyber Agency, hereinafter called as the appellant, through instant appeal has impugned the order of the respondents vide which his monthly salaries was stopped with effect from 01.04.2015 till date. Against the impugned order appellant filed a department appeal which was not addressed within statutory period.

2. Briefly stated facts giving rise to the appeal in hand are that the appellant was appointed as Physical Education Teacher (BPS-09) in GMS Amari Kor Mohmand Agency vide order dated 22.01.2000. That since his appointment the appellant performed his duties

02.03.17

quite efficiently. That due to military operation in Khyber Agency, all the schools in Khyber Agency were closed by respondent No. 3. The schools were reopened vide notification dated 18.12.2014. That in compliance with the said notification appellant joined his duty, however, salary of the appellant was stopped by the respondents with effect from 01.04.2015. That feeling aggrieved from the impugned order the appellant filed a departmental appeal which was not responded within a statutory period, hence the instant appeal.

3. We have heard the arguments of learned counsel for the appellant and Learned Government Pleader for respondents and have gone through the record available on file.

4. Learned counsel for the appellant argued before the court that despite the fact the appellant is regularly performing his duty, his monthly salary has been stopped with effect from 01.04.2015. That this act of the appellant is in violation of Article-4 & 25 of Constitution of Islamic Republic of Pakistan, 1973. That the order of respondents is based on malafide, hence, liable to be set-aside and appellant be allowed to receive his monthly salary.

5. In rebuttal, learned Government Pleader argued before the court that the salary of the appellant has been stopped by the respondents on account of his willful absence. That the appellant is not performing his duty, therefore, he is not entitled to receive the monthly salary. That the impugned order is in accordance with law therefore, the appeal in hand be dismissed.

6. Perusal of the case file reveals that the appellant is serving as Physical Education Teacher (BPS-09) since 2000 and performed his duty at various schools. As per Notification dated 18.12.2014, the schools in Khyber Agency were closed due to military operation and after reopening of the schools, the appellant alongwith other teachers joined their duties. It is quite astonishing that the salary of the appellant has been stopped without any reason/justification. Though the respondents in their written reply pleaded that the appellant's salary has been stopped due to absence from duty, however, no proof whatsoever had been brought on record to show that the appellant had remained absent from his duty. Even if the claim of the respondent is admitted that the appellant remained

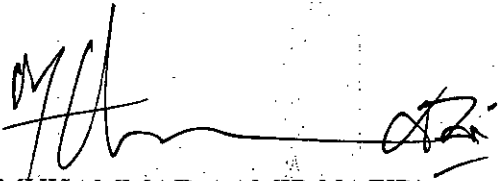
  
02.03.17

absence from duty, the proper course was to issue a charge sheet and conduct a proper inquiry in this respect and thereafter penalize the appellant in accordance with law. There is no justification for stopping monthly salary of the appellant without any justification, hence we are inclined to accept the appeal in hand and direct the respondents to release the monthly salary of the appellant with effect from 01.04.2015 till date. The respondents department is however at liberty to conduct a proper inquiry if the appellant is otherwise involved in any misconduct including willful absent. Parties are left to bear their won costs.

File be consigned to the record room.

NNOUNCED  
02.03.2016

  
(ASHFAQUE TAJ)  
MEMBER

  
(MUHAMMAD AAMIR NAZIR)  
MEMBER

02.03.2017

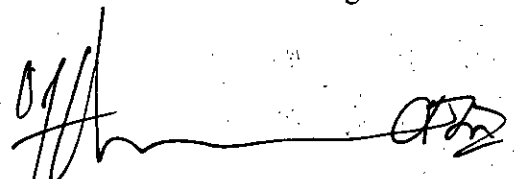
Counsel for the appellant and Mr. Daud Jan, Superintendent alongwith Mr. Muhammad Jan, Government Pleader for respondents present. Arguments heard and case file perused.

Vide our detailed judgment of today consisting of three pages placed on file, there is no justification for stopping monthly salary of the appellant without any justification, hence we are inclined to accept the appeal in hand and direct the respondents to release the monthly salary of the appellant with effect from 01.04.2015 till date. The respondents department is however at liberty to conduct a proper inquiry if the appellant is otherwise involved in any misconduct including willful absent. Parties are left to bear their won costs. File be consigned to the record room.

ANNOUNCED  
02.03.2017



(ASHFAQUE TAJ)  
MEMBER



(MUHAMMAD AAMIR NAZIR)  
MEMBER

28.09.2016

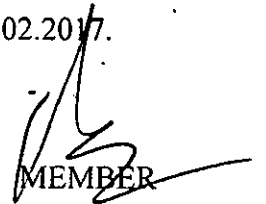
Counsel for the appellant and Addl: AG for respondents present. Notices be issued to respondents to submit written reply/comments on next date. To come up for written reply/comments on 29.11.2016 before S.B.



Member

29.11.2016

Counsel for the appellant, Mr. Daud Jan, Supdt. and Ikramullah, Assistant Account Officer alongwith Assistant AG for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing on 02.02.2017.



MEMBER

02.02.2017

Clerk to counsel for the appellant and Mr. Daud Jan, Supdt. alongwith Mr. Muhammad Jan, GP for respondents present. Rejoinder submitted and requested for adjournment. To come up for final hearing on 02.03.2017 before D.B.



Member



Chairman

25.07.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Physical Education Teacher at GHS Mawaz Kalay, Bara, Khyber Agency. That due to military operation the said school was closed which was reopened on 18.12.2014 and appellant submitted his arrival report but till date salary etc. not paid to the appellant constraining him to prefer departmental appeal on 3.3.2016 which was not responded and hence the instant service appeal on 28.06.2016.

That the appellant is entitled to receive salary and other service benefits as per rules.

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 28.09.2016 before S.B.




Appellant Deposited  
Security & Process Fee

Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No. 692/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	28/06/2016	<p>The appeal of Mr. Noor Hakeem presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	29-6-2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>04-07-2016</u>.</p> <p> CHAIRMAN</p> <p>04.07.2016</p> <p>Agent of counsel for the appellant present and requested for adjournment as counsel for the appellant is not available today before the court. Adjourned for preliminary hearing to 25.07.2016 before S.B.</p> <p> Member</p>

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

APPEAL NO. 692 /2016

**NOOR HALEEM**

**VS**

**A.C.S FATA**

**INDEX**

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**APPELLANT**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**



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

Khyber Pakhtunkhwa  
Service Tribunal

APPEAL NO. 692/2016

Diary No. 678

Mr. Noor Halkeem, PET,  
GHS Mawazi Kalay, Bara, Khyber Agency ..... **Appellant**

Dated 28-6-2016

**VERSUS**

- 1- The Additional Chief Secretary FATA, FATA Secretariat, Warsak Road, Peshawar.
- 2- The Director Education FATA, FATA Secretariat, Warsak Road, Peshawar.
- 3- The Agency Education Officer, Khyber agency.
- 4- The Agency Account Officer, Khyber agency.

..... **Respondents**

**SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE INACTION OF THE RESPONDENTS BY NOT RELEASING THE MONTHLY SALARIES OF THE APPELLANT W.E.F 1.4.2015 TILL DATE AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS**

**PRAYER:**

That on acceptance of this appeal the respondents may kindly be directed to release the monthly salaries of the appellant w.e.f 1.4.2015 till date. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

Brief facts are giving rise on present appeal are as under:

- 1- That appellant was appointed as physical Education Teacher (BPS-9) at GMS Amari Kor Mohmand Agency vide order dated 22.1.2000. That after appointment the appellant submitted his charge report at the concerned station and started performing his duty quite efficiently and up to the entire satisfaction of his superiors. Copy of the service book is attached as annexure ..... **A.**

Filed to-day

Registrar

28/6/16

- 2- That during service the appellant was transferred to GMS Togh dhand Bara Khyber Agency vide order dated 18.12.2004. That in response to the said transfer order

dated 18.12.2004 the appellant submitted his LPC and charge report. Copies of the transfer order, charge report, post availability certificate and LPC are attached as annexure ..... **B, C, D & E.**

- 3- That during service the appellant was further transfer to GHS Mawaz Kalay, Bara, Khyber Agency vide order dated 6.8.2008 wherein the appellant submitted his charge report and started performing his duty quite efficiently. Copies of the order and charge report are attached as annexure ..... **F & G.**
- 4- That due to military operation in Khyber Agency all the schools in Khyber Agency including the school of appellant were closed by the respondent No.3. Copy of the list is attached as annexure ..... **H.**
- 5- That vide Notification dated 18.12.2014 the said schools were re-opened by the respondent No.3 w.e.f 1.1.2015. That in response to the said Notification the appellant joined his duty. Copy of the Notification dated 18.12.2014 is attached as annexure ..... **I.**
- 6- That astonishingly the respondent No.3 and 4 stopped the salaries of the appellant w.e.f 1.4.2015 inspite of the fact that the appellant is regularly performing his duty as PET since re-opening of the concern school.
- 7- That appellant feeling aggrieved from the inaction of the respondents by not releasing the monthly salaries w.e.f 1.4.2015 till date filed Departmental appeal before the respondent No.2 but no response has been received so far. Though the respondent Department issued pay rolls to appellant for the month of March, April and May wherein all the salaries has been released to appellant but due to blockage/ ceasing of his account the same has not been drawn by appellant. Copies of the Departmental appeal and pay rolls are attached as annexure ..... **J & K.**
- 8- That appellant having no other remedy but to file the instant appeal inter alia on the following grounds amongst the others.

**GROUND:**

- A- That not releasing the monthly salaries of the appellant w.e.f. 1.4.2015 till date is against the law, facts and norms of natural justice.

- B- That the petitioner has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That not releasing the monthly salaries of the appellant is against the principle of "WORK DONE MUST PAID" and also the violation of Article 11 of the Constitution of Islamic Republic of Pakistan 1973.
- D- That the respondents acted in arbitrary and malafide manner by not releasing the monthly salaries of the appellant w.e.f. 1.4.2015 till date.
- E- That the appellant has been discriminated on the subject noted above and as such the respondents violated the principle of natural justice.
- F- That there is no provision under the law wherein salary of a civil servant could be stopped.
- G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

DATED: 24.6.2016

**APPELLANT**



**NOOR HALEEM**

**THROUGH:**



**NOOR MOHAMMAD KHATTAK  
ADVOCATE**

A-4

(For use in Police Department only).

① passed SSC Examination from BISE Peshawar under R.No, Heirs 15362 Session 1997 and marks obtained 542/850 1st Division

Agency Education Officer  
Mohmand Agency (Chailan)

② passed FA Examination from BISE Peshawar under R.No 16249 Session 2000 and marks obtained 563/1000 3rd Good Division

Verification Roll No. \_\_\_\_\_ dated \_\_\_\_\_ received back \_\_\_\_\_

Agency Education Officer  
Mohmand Agency at Chailan

Left Thumb Impression

Passed BA Examination from University of Peshawar under Roll No 80403 marks obtained 269 out of 850

English First Arts

Pushto Agency Education Officer Khyber Agency Jamrud B.L. or B.A.

Urdu Pleadershp examination

Plan-drawing Training School Final examination

Finger-Print Other qualifications—  
passed PET Examination from

Drill Instructing RDE Peshawar under R.No, 107

Court Duties Session 2002 and marks obtained

Reserve Duties 666/1050 1st Division

ATTESTED

Agency Education Officer

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: Nouy Halim

2 Race: Mohammad

3 Residence: Via Gous Kamar P/O Hari Chand Thal Thung

Distt Charsadda

4 Father's name and residence:

Kamil Hussain

5 Date of birth by Christian era as nearly as can be ascertained:

(07 - 03 - 1981)

Seventh March N/H Eighty one

6 Exact height by measurement:

5' 6"

7 Personal marks for identification:

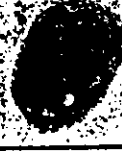
nil

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:

N. Halim

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

Agency Registration Officer  
Mohmand Agency Charsadda



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 "Term Pay"	Date of intimation	Signature of Government Servant
DET. P.T.			BPS No. 9	Rs. 1605/-	(1805-92-3060)		
GMS. Amn. & Md. Agent		BPS-9	Rs. 1605/-	✓		22/2000	N. Halim
do			Rs. 1605/-			12/2000	N. Halim
do			Rs. 1605/-			1/12/01	N. Halim
do							N. Halim
do		Pay revision	BPS No. 9	Rs. 2410/-	(2410-145-6760)		N. Halim
do		BPS, 9	Rs. 2410/-	✓		1/12/01	N. Halim
do		N	RS 2410/-			1/12/02	N. Halim
do		N	Rs. 2555/-pm	✓		12/03	N. Halim
do		N	Rs. 2700/pm			12/2004	N. Halim
DET GMS. Thoot Bon	Mund	11	Rs. 2700/-	✓		01/2005	N. Halim
		B-9	Rs. 2770		165-7720		
			Rs. 3100	✓		7/05	N. Halim
			ATTESTED				

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 or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Leave		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
				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		
A. E. O. Mohmand	30/11/2000	No. Inc.	A. E. O. Mohmand	Appointed again vacant post of MS Amari Kor M/Agency			
A. E. O. Mohmand	30/11/2001	No. Inc.	A. E. O. Mohmand	W.D. No. 2205-08 RDE (FATA) P. P. Dabawan 200			
A. E. O. Agency	30/11/01	Pay Rev.	A. E. O. Agency	Agency Education Officer Mohmand Agency at Ghallani		Service Verified from 30/11/01 to 30/11/01 from the record of this Office.	
A. E. O. Agency	30/11/02	No. Inc.	A. E. O. Agency			Agency Education Officer Mohmand Agency at Ghallani	
A. E. O. Agency	30/11/03	CA Inc.	A. E. O. Agency			Service Verified from	
A. E. O. Agency	30/11/04	Allowed broad pay Inc.	A. E. O. Mohmand Agency	Transfer to Khyber to 30/11/03 from order no 2632/16 dated 18/12/04		The records of this office	
A. E. O. Mohmand Agency	12/18/04	Transfer to Khyber	A. E. O. Mohmand Agency				
A. E. O. Khyber	30/11/05	Pay	A. E. O. Khyber				
A. E. O. Khyber						Service Verified from 1-12-03 to 12/12/04	
						ACG Roll No. 5/12/04	
						This Office	
						Agency Education Officer Mohmand Agency at Ghallani	

(6)

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	Nature of leave taken
FMS Theor D PBT		R. 3105	3100	✓				
BPS No. 14-3100-240-10300-								
		R. 3105	3100	✓		14/10/2003	N. Halim	Kb
		R. 3100	3100	✓		12/2003	N. Halim	Kb
		R. 3340	3340	✓		12/2004	N. Halim	Kb
BPS No. 14-3565-275-11815								
		R. 3840	3840	✓		7/2005	N. Halim	Kb
		R. 4115	4115	✓	PM	12/2005	N. Halim	Age
do		R. 4390	4390	✓		12/06	N. Halim	Age
BPS-14 (RS. 4100-315-11815)								Age
do		R. 5045	5045	✓		7/07	N. Halim	Age
do		R. 5360	5360	✓		12/07	N. Halim	Age
BPS-14 (RS. 4920-380-16320)								Age
do		R. 6440	6440	✓		7/08	N. Halim	Age
do		R. 6820	6820	✓		12/08	N. Halim	Age
				✓		12	N. Halim	Age

ATTESTED



9	10	11	12	13		14	15
Signature and Designation of head of the office or other attesting officer in attestation of columns 1 to 8.				Leave		Reference to any recorded punishment or censure, or reward or praise of the Government Servant.	
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debtable to another Government		
Khyber Agency				A/E O		Approved BPS No 14 Service 13-10-2003 Under A.E.O. Khyber	
Khyber Agency				A/E O		Finalist No. 6238-41 Date of 2/10/2005	
Khyber Agency				A/E O		Agency Education Officer Khyber Agency at Jamrud	
Khyber Agency				A/E O		T.No. 1372 dt 11/1/05	
Khyber Agency				A/E O		Dra. R. 2064/male D.H. of by the self	
Khyber Agency				Agency Education Officer Khyber Agency at Jamrud		14-10-2005 9/05 dia to all 3-12	
Agency Education Officer Jamrud				Agency Education Officer Khyber Agency at Jamrud		Agency Account Officer Jamrud	
Agency Education Officer Jamrud				Agency Education Officer Khyber Agency at Jamrud		T.No. 1545 dt 18/2/06	
Agency Education Officer Jamrud				Agency Education Officer Khyber Agency at Jamrud		Dra. R. 4562/male of diff of by the self	
Agency Education Officer Jamrud				Agency Education Officer Khyber Agency at Jamrud		10/2005 6/1/06 dt 6 dt 1-11	
GHS Mawaz Kalb Bara K. Agency				A/9mc		Agency Account Officer Khyber Peshawar	
GHS Mawaz Kalb Bara K. Agency				HEADMASTER GHS Mawaz Kalb Bara K. Agency			
GHS Mawaz Kalb Bara K. Agency				HEADMASTER GHS Mawaz Kalb Bara K. Agency			

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
Muzikill G.M.S. Toot Dhand		BPS-14 (Rs. 4920-380-16320)					
Barr. Khy Agency P.F.T. post		BPS-14 (Rs. 8000-610-26300)	Rs. 7580/- ✓			1-12/10	N. Halim
do			Rs. 12270/- ✓			1-7/2011	
do			Rs. 12880/- ✓			1-12/11	N. Halim
do			Rs. 13490/- ✓			1-12/12	N. Halim
do			Rs. 14100/- ✓			1-12/13	N. Halim
do			Rs. 14710/- Pm ✓			1-12/2014	N. Halim
do		Revised entry BPS No. 14 (10340-780-34040)	Rs. 19030/- Pm ✓			1-7/2015	N. Halim
do			Rs. 19820/- Pm ✓			1-12/2015	N. Halim

**ATTESTED**

*(Signature)*

9	10	11	12	13		14	15	
				Leave				
Name and Designation of head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government:		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
					Period	Government to which debit to		
Alqabul HEAD MASTER G.H.S Mawaz Killi Bara Khyber Agency	30-6-11	Revision of pay	Alqabul					71 no 1343 dt-23/11/2011 Amount of pay p attainment w-ef 4/2015 to 31/10/15
Alqabul HEAD MASTER G.H.S Mawaz Killi Bara Khyber Agency	30-11-11	A/jm	Alqabul					Rs = 237388/2
Alqabul HEAD MASTER G.H.S Mawaz Killi Bara Khyber Agency	30-11-12	A/jm	Alqabul					Agency Accounts Officer Khyber Agency at Peshawar
Alqabul HEAD MASTER G.H.S Mawaz Killi Bara Khyber Agency	30-11-2013	A/jm	Alqabul					71 no 62 dt-4/4/2016 Amount of pay p attainment w-ef 11/4/2015 to 31/3/2016
Alqabul HEAD MASTER G.H.S Mawaz Killi Bara Khyber Agency	30-6-2015	Revision of pay	Alqabul					Rs = 402378/2
Alqabul HEAD MASTER G.H.S Mawaz Killi Bara Khyber Agency	30-11-2015	A/jm	Alqabul					Agency Accounts Officer Khyber Agency at Peshawar

B-8

DIRECTORATE OF EDUCATION (FATA), N-W.F.P., PESHAWAR

TRANSFER

Mr. Noor Ha'im PET Govt; Middle School Amrai Kor (Mohmand Agency) is hereby transferred in his own pay & Scale to Govt; Middle School Tough Phand (Bara) Khyber Agency with effect from the date of his taking over charge against vacant PET post.

NOTE:-

- 1) Charge report should be sent to all concerned.
- 2) TA/DA etc; is not allowed.
- 3) No joining time except what is absolutely necessary for transit is allowed.

(PROF: DR. ABDUR RAUF)  
DIRECTOR OF EDUCATION  
FATA, NWFP, PESHAWAR

Enst: No 26312-161

Dated Pesh: the 18/12/2004

Copy forwarded for information and n/a to the:-

- 1) Agency Education Officer, Mohmand Agency at Ghallanai w/r to his Enst: No & dated Nil.
- 2) Agency Education Officer, Khyber Agency at Jamrud w/r to his No. 5568 dated 4-12-2004.
- 3) Agency Accounts Officer, Mohmand Agency at Ghallanai
- 4) Agency Accounts Officer, Khyber Agency at Peshawar
- 5) Teacher concerned

*Henry*  
BY: DIRECTOR OF EDUCATION  
FATA, N-W.F.P., PESHAWAR

ANWAR/\*

**ATTESTED**

*[Signature]*

CD-9

**CERTIFICATE OF TRANSFER OF CHARGE.**

1. Certified that we have on the fore/afternoon of this day respectively made over and received charge of this office of the PET  
vide DE FATA, NWFP Pesh. Endst No. 26312-16, dt 18/04
2. Particulars of cash and important secret and confidential documents handed over are noted on the reverse:—

Signature of relieved Government servant Vacant Post.

Designation \_\_\_\_\_

Station GM 15 Toot Dhand  
Baram Khy. Agency.

Signature of relieving Government servant N/M  
Noor Habib

Designation PET

Dated 1-1-2005

Forwarded to the 1. DE FATA, NWFP, Peshawar.

N.W.F.P. Acct: Try. No. 42.

RTO

**ATTESTED**



D-10

AGENCY EDUCATION OFFICER  
KHYBER AGENCY AT JAMRUD.

NO. 556 P/KW/PET

DATED. 4-12-2004.

To

The Director of Education  
FATA (NWFP) Peshawar.

Subject:- POST AVAILABILITY IN KHYBER AGENCY.

Memo,

Enclosed please find herewith an application in respect of Noor Hakim PET GMS Amari Kor Mohmand Agency duly recommended by the Agency Education Officer Mohmand for transfer to Khyber Agency.

I have no objection in the transfer of Noor Hakim PET from Mohmand Agency to Khyber Agency as there is vacant post at GMS Tooth Dhand Bara Khyber Agency.

Enclosed AA

~~AGENCY EDUCATION OFFICER  
KHYBER AGENCY AT JAMRUD.~~

**ATTESTED**





# LAST PAY CERTIFICATE

B (11)

Last Pay Certificate of Naaz Harim P.E.T. - G.M.S Amrai Kor  
of the Mohmand Agency

proceeding to G.M.S. Tausi Dhand (Bara) Khyber Agency vide  
The D.E. FATA Enlist No 26312 - 16 Dated 18/12/04

He has been paid upto 31-12-2004

as the following rates:-

Particulars:	Pay:	2700 - 00
Substantive Pay:-	HRA:	355 - 00
Officiating Pay:-	WPA:	75 - 00
Exchange Compensation Allowance:-	Med:	210 - 00
	25/:	401 - 00
	15/:	405 - 00
	15/:	405 - 00
		<u>4551 - 00</u>

LDF 930 - 00  
35 - 00  
BTF 44 - 00  
3 - 00

LDF No IV vide AM/10  
4051/55

He made over charge of the Office of G.M.S Amrai Kor M/Agency

on the 19/12/04 noon of 31-12-2004

- Recoveries are to be made from the pay of the Government servant as detailed on the reverse.
- He has been paid leave salary as detailed below. Deductions have been made as noted on the reverse:

From / to / at Rs. / a month  
 From / to / at Rs. / a month  
 From / to / at Rs. / a month.

He is entitled to draw the following:-  
He is also entitled to joining time for          days.

The details to the Income Tax 16596-97 from 10/1/05 upto the date from the beginning of the current year are noted on the reverse.

Enlist No  
copy forwarded to him

- 1- AAO Shalwa Mohmand
- 2- AEO Bara Khyber Agency

## ATTESTED

[Signature]  
 Agency Education Officer  
 Mohmand Agency at Ghallan

Dated: at          19

F-12

OFFICE OF THE AGENCY EDUCATION OFFICE KHYBER AGENCY AT JAMRUD  
TRANSFER.

Consequent upon the proposal of AAEO (Male) Tehsil Bara the following Teachers are hereby transferred on their own pay and scale in the interest of public service with effect from the date of their taking over charge in the school noted against their names:-

S.No.	Name/Desig:	Name of School	Transferred to	Remarks
1	Noor Haleem PET	GMS Haji Dhand Bara	GHS Mawaz Killi Bara	Against vacant PET Post
2	Gulamillah TT	GPS Sarki Kamar Bara	GPS Waris Khan Killi Bara	Against vacant TT post
3	Shah Khalid, PTC	GPS Jabar Mela Bara	GPS Spin Qabar No.2 Bara	Vice S.No.05
4	Aurang Zeb PTC	GPS Jani Ghari Bara	GPS Misrai Khan Bara	Against vacant PTC Post
5	Ghulam Murtaza PTC	GPS Spina Qaber No.02	GPS Jani Ghari Bara	Vice S.No,04
6	Malik Shah PTC	GPS Jani Ghari Bara	GPS Ismail Abad Killi Bara	Vice S.No.07
7	Sajjad Khan PTC	GPS Ismail Abad Killi Bara	GPS Benay Arab	Vice S.No.08
8	Gul Ayaz PTC	GPS Beni Arbab Killi	GPS Jani Ghari Bara	Vice S.No.6
9	Hazrat Shah, PTC	GPS Barami Alam Sher	GPS Jabbar Mela	V.S.No.3
10	Minadar, PTC	GPS Kaga Ghara	GPS Barami Alam Sher	V.S.No.9
11	Ghani Shah, TT	GPS Sur Kass No.1	GMS Shinki	Against vacant TT post

Note:- Charge report should be submitted to all concerned  
TA/DA is not allowed

(MR ASMAT KHAN)  
AGENCY EDUCATION OFFICER  
KHYBER AGENCY AT JAMRUD

Endst: No 6643-47/Estab:TT-8/Khyber

Dated 06/08/2008

Copy forwarded to the:-

01. Director of Education FATA (NWFP) Peshawar
02. Agency Accounts Officer Khyber at Jamrud
03. Head Master GHS Mawaz Killi Tehsil Bara.
04. E.M.I.S (Computer Cell) local office.
05. Official Concerned

AGENCY EDUCATION OFFICER  
Khyber Agency At Jamrud

**ATTESTED**

*[Handwritten signature]*



# Charge Report

G-13

It is Certified that Mr. Noor Hakeem  
P.E.T. Took over charge as P.E.T. at  
G.H.S. Mawaz Killi Bara Khyber Agency  
vide A.E.O. Khyber order No 6643-47 dated  
6-8-2008. He Took over charge on 9/9/08  
(Afternoon)

9/9/08  
HEAD MASTER  
G.H.S. Mawaz Killi  
Bara Khyber Agency

**ATTACHED**

*[Handwritten signature]*

**List of Closed and Non Functional High/Middle/Primary Schools in Tehsil Bara**

H-14

1	GHS Alam Gudar Bara Khyber Agency	46	GPS Shin Akbar
2	Government High School Hisara	47	GPS Spin Qabar No. 2
3	GHS Akhun Talab Bara Khyber Agency	48	GPS Talib Jan
4	GHS Mawaz Killi Bara	49	GPS Muhammad Akbar
5	GHS Madghali Attari Bara Khyber Agency	50	GPS Sama Ghari
6	GHS Kohi Sher Haider	51	GPS Aman Talab
7	GHS Gul Zamir Killi Bara Khyber Agency	52	GPS Shin Drand
8	GHS Janas Khan Killi Bara Khyber Agency	53	GPS Sanzal Khel
9	GHS Sama Ghari Bara Khyber Agency	54	GPS Jani Ghari
10	GMS Azeem Killi	55	GPS Khawangl
11	GMS Karna Khel	56	GPS Mesri Khel Mela
12	GMS Shalobar No.1	57	GPS Jamash Kill
13	GMS Spin Qabar	58	GPS Hindustan Killi
14	GMS Mastak Tirah	59	GPS Mashkano Mela
15	GMS Gul Miran	60	GPS Ala Dand
16	GMS Haji Dhand	61	GPS Lal Muhammad Killi
17	GMS Akram Killi	62	GPS Meri Khel
18	GMS Yara Jan	63	GPS Yarzamad
19	GMS Zawa	64	GPS Ghulam Sher
20	GMS Shin Kamar	65	GPS Zarmat Jan
21	GPS Ali Jan Killi	66	GPS Sultan Khel
22	GPS Shahi Baig	67	GPS Khurma Tang
23	GPS Tarkho Kas	68	GPS Almas Stori Khel
24	GPS Sandana Tirah	69	GPS Abdul Qadar
25	GPS Ismail Killi	70	GPS Lali Jan
26	GPS Hukam Khan	71	GPS Minadar
27	GPS Hissara NO 2	72	GPS Khanamir
28	GPS Sur Kas Noz Ajjal: Nade.	73	GMPS Shamshad
29	GPS Waris Killi	74	GMPS Khanzada
30	GPS Karigar Gharhi	75	GMPS Gul Jalal
31	GPS Sandali Killi	76	GMPS Spinkay Tiga
32	GPS Abdar Killi	77	GMPS Munawar
33	GPS Chargal Dagari	78	GMPS Saleem Shah
34	GPS Jabbar Mela Tirah	79	GPS Dina Jan
35	GPS Mathray Dada Neeka	80	GPS Sur Kas No. 2
36	GPS Hussain Gul	81	GMPS Zubair Killi
37	GPS Shalobar No. 3	82	GMPS Pisho Khwar
38	GPS Tandi Bughdad Khel	83	GMPS Rehman Khan
39	GPS Dara Maira	84	GPS Jan Badshah
40	GPS Susvaki	85	GPS Barami Alamsher
41	GPS Khuna Ziala	86	GPS Raza Khan
42	GPS Khan Wali	87	GPS Yardin
43	GPS Juma Baz	88	GPS Kaga Ghara
44	GPS Gulab Khel	89	GPS Sher Bahadar
45	GPS Mandai Kas	90	EMS Candarb.

69  
65

**ATTESTED**

*[Signature]*

*[Signature]*  
Agency Education Officer, Khyber  
Agency at Jamrud

**ATTESTED**

*[Signature]*

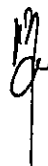
List of closed and Non Functional High/Middle/Primary Schools and teaching staff of Bara Tehsil

1 GHS Alam Gudar Bara Khyber Agency		Designation
S No	Name	
1	Abdul Jabbar	SST
2	Abdul Sattar	SST
3	Sajid Ali	SST
4	Azam Jan	CT
5	Khyber Khan	CT
6	Ghula Hassan	CT
7	Najeebullah	CT
8	Muhammad Younas	CT
9	Muhammad Shoaib	CT
10	Muhammad Sadeeq	CT
11	Shah Muhammad	DM
12	Abdul Rehman	Qari
13	Abdul Ahad	T.T
14	Muhammad Ashraf	P.Imam
15	Ajmal Khan	CT
16	Munawar Khan	CT
17	Shehzad Gul	PST
18	Jehan Zeb	PST
19	Inayatyullah	PST
20	Jan Akbar	PST
21	Usman Ali	PST
22	Muhammad Shafiq	
2 Government High Schoo Hisara		HM
1	Fazal Gul	SST
2	Said Bahadar	SST
3	Mir. Nawaz	CT
4	Muhammad Jamil	CT
5	Ihsanullah	CT
6	Naseer Shah	AT
7	Sardar Khan	DM
8	Noor Haleem	T.T
9	Murad-u-din	PST
10	Aurang Zeb	PST
11	Ahmad Shah	L/Asstt
12	Ibrahim	PET
13	Muhammad Younas	Qari
14	Shams-ul-Islam	
3 GHS Akhun Talab Bara Khyber Agency		HM
1	Muhammad Abbas	SST
2	Muslim Shah	SST
3	Muhammad Islam	CT
4	Gohar Ali	CT
5	Hasham Khan	CT
6	Ihsanullah	AT
7	Muhammad Aziz	DM
8	Khair Muhammad	

**ATTESTED**

9	Muhammad Ikramullah	PST
10	Abdul Aziz	PST
11	Sajjad Ali	Qari
12	Muhammad Ayaz	L/Asstt
<b>4 GHS Mawaz Killi Bara</b>		HM
1	Abdul Qadeer	SST
2	Fazal Haleem	SST
3	Saleh Muhammad	CT
4	Abdul Rehman	CT
5	Yaseen Gul	CT
6	Muhammad Ali	AT
7	Said Jamal	DM
8	Hamid Khan	PET
9	Noor Haleem	Qari
10	Faizullah	L/Asstt
11	Saeedullah	PST
12	Shakeel Ahmad	PST
13	Shafiq-ur-Rehman	T.T
14	Murtaza	
<b>5 GHS Madghali Attari Bara Khyber Agency</b>		HM
1	Shah Jehan	SST
2	Muhammad Jamal	SST
3	Amir Zeb	CT
4	Zafraan Shah	CT
5	Said Afzal	CT
6	Saeed Rehman	AT
7	Jamal Din	DM
8	Said Nawaz	PET
9	Abdul Sattar	PST
10	Shah Khalid	PST
11	Mohabat Khan	T.T
12	Abdul Malik	Qari
13	Saif-ur-Rehman	T.T
14	Muhammad Ibrahim	L/Asstt
15	Raees Jan	
<b>6 GHS Kohi Sher Haider</b>		SST
1	Musharraf Khan	SST
2	Sher Zaman	CT
3	Abdul Ghafoor	CT
4	Rana Gul	CT
5	Nisar Khan	CT
6	Akbar Gul	CT
7	Alif Gul	CT
8	Alamgir	PET
9	Fazle Rabi	DM
10	Wahid Gul	AT
11	Khalid Khan	P.Imam
12	Sohbat Khan	L/Asstt
13	Wajid Ali	PST
14	Rashid Khan	

**ATTESTED**



15	Jamshed Khan	PST
16	Khalid Khan	T.T
<b>7 GHS Gul Zamir Killi Bara Khyber Agency</b>		
1	Janas Khan	HM
2	Muhammad Ali	SST
3	Amanullah	CT
4	Muhammad Karim	CT
5	Sakhi Jan	CT
6	Muhammad Jamil	PET
7	Muhammad Hilal	AT
8	Haroon	L/Asstt
9	Rehmatullah	Qari
10	Aurang Zeb	PST
11	Shah Wali	PST
12	Arif Khan	T.T
<b>8 GHS Janas Khan Killi Bara Khyber Agency</b>		
1	Millat Khan	AT
2	Muhammad Younas	T.T
3	Ihsanullah	CT
4	Utman Khel	CT
5	Gul Aman	CT
6	Khan Afzal	CT
7	Noor Khan	PET
8	Faridullah	DM
9	Gulzar	SET
10	Murad Khan	L/Asstt
<b>9 GHS Sama Ghari Bara Khyber Agency</b>		
1	Hikmat Khan	SST
2	Hidayatullah	SST
3	Sardar Khan	SST
4	Abdul Shahid	CT
5	Muhammad Anwar	CT
6	Noor Habib	CT
7	Azeem Khan	CT
8	Said Jamal	CT
9	Fazal Rehman	AT
10	Hanif Khan	DM
11	Hazrat Shah	T.T
12	Humayun Khan	PET
13	Wakeel Jan	L/Asstt
<b>10 GMS Azeem Killi</b>		
S No.	Name	
1	Noor Islam	SST
2	Abid Ali	CT
3	Taj Muhammad	CT
4	Abdul Raziq	DM
5	Nawaz Khan	PET
6	Said Rasool	AT
7	Wajid Ali	PST
8	Sherin Khan	PST

**ATTESTED**



9	Farooq Jan	TT
<b>11 GMS Karna Khel</b>		
1	Muhammadullah	PST
2	Qadar Jan	PST
3	Abdul Samad	PET
4	Muhammad Ghani	TT
<b>12 GMS Shalobar No. 1</b>		
1	Muhammad Sadiq	SET
2	Zafar Khan	CT
3	Shah Muhammad	CT
4	Ajmali Shah	PET
5	Abdul Aziz	AT
6	Fazal Karim	DM
7	Hawwas Khan	PST
8	Muhammad Dand	PST
<b>13 GMS SPIN Qabar</b>		
1	Ahmad Shah	SST
2	Aqal Khan	CT
3	Bostan	CT
4	Pir Muhammad	DM
5	Wajid Ali	PET
6	Abdullah	AT
7	Gul Muhamad	PST
8	Imranullah	PST
9	Muhammad Nawaz	TT
<b>14 GMS Mastak Tirah</b>		
1	Haji Gul	CT
2	Said Hussain	PET
3	Zahidullah	DM
4	Khan Akbar	PST
5	Badshah Khan	PST
<b>15 GMS Gul Miran</b>		
1	Sabir Muhmmad	SST
2	Wahid Gul	CT
3	Banat Khan	CT
4	Ramzan	DM
5	Abdul Aziz	AT
6	Shah Khalid	PET
7	Munawar Khan	PST
8	Muhammad Farooq	PST
<b>16 GMS Haji Dhand</b>		
1	Abdul Rashid	SST
2	Gul Anwar	CT
3	Rafatullah	CT
4	Noorudin	DM
5	Ajmal Ali	PET
6	Naveed	AT
7	Ameen Gul	PST
8	Daulat Khan	PST
9	Iftekharullah	TT
<b>17 GMS Akram Killi</b>		

**ATTESTED**



1	Farooq Shah	SST
2	Habib Rehman	CT
3	Aqal Khan	CT
4	Husnul Ma'ab	AT
5	Mehboob Rehman	TT
6	Shahidullah	PST
7	Irshad Ali	PET
8	Mahmood	PST
9	Shahid Ali	DM
<b>18 GMS Yara Jan</b>		
1	Adam Gul	CT
2	Muhammad Israr	PET
3	Ihsanulhameed	TT
4	Said Nawaz	DM
5	Muhammad Nisar	PST
6	Ibrahim	CT
7	Hidayatullah	AT
<b>19 GMS Zawa</b>		
1	Irshad Ali	SST
2	Muhammad Rasool	CT
3	Masta Jan	CT
4	Akbar Gul	CT
5	Said Ali Shah	CT
6	Shaheen Gul	PET
7	Zarwali	DM
8	Momeen Khan	PST
9	Saeed Khan	PST
10	Abdul Zamir	TT
<b>20 GMS Shin Kamar</b>		
1	Sabir Shah	SST
2	Sher Rehman	PST
<b>21 GPS Ali Jan Killi</b>		
S No	Name	Designation
1	Gul Faraz	PST
2	Muhammad Anwar Shah	PST
<b>22 GPS Shahi Baig</b>		
1	Khalid Khan	PST
2	Said Karim	PST
<b>23 GPS Tarkho Kas</b>		
1	Naeem Jan	PST
2	Numan Afridi	PST
<b>24 GPS Sandana Tirah</b>		
1	Malak Shah	PST
2	Usman Gul	PST
<b>25 GPS Ismail Killi</b>		
1	Qadeem Khan	PST
2	Abdul Wahab	PST
<b>26 GPS Hukam Khan</b>		
1	Jalal Din	PST
2	Zia-u-Rehman	PST

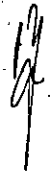
**ATTESTED**



90

27 GPS Hissara NO 2		
1	Said Rehman	PST
2	Haji Muhammad	PST
3	Amir Nawab	T.T
28 GPS Sur Kas Arjall Nade.		
1	Gul Sher	PST
2	Ikhtiar Alam	PST
3	Shams-ul-Haq	T.T
29 GPS Waris Killi		
1	Murad Khan	PST
2	Jalat Mir	PST
3	Ghulamullah	T.T
30 GPS Karigar Gharhi		
1	Akhtar Muneer	PST
2	Muhammad Iqbal	PST
3	Muhammad Saleh	T.T
31 GPS Sandali Killi		
1	Muhammad Haneef	PST
2	Inamullah	PST
3	Muhammad Ajmal	T.T
32 GPS Abdar Killi		
1	Turab Ali	PST
2	Shehzad Khan	PST
3	Sarteef Khan	T.T
33 GPS Charga Dagarl		
1	Naseeb Khan	PST
2	Gul Wali	PST
3	Munir Khan	T.T
34 GPS Yar Muhammad Killi		
1	Masood	PST
2	Hazrat Bilal	PST
35 GPS Jabbar Mela Tirah		
1	Abdul Shakoor	PST
2	Hazrat Shah	PST
36 GPS Mathray Dada Neeka		
1	Misal Khan	PST
37 GPS Hussain Gul		
1	Wedan Gul	PST
2	Lal Faqeer	PST
3	Muhammad Yaqoob	TT
38 GPS Shalobar No. 3		
1	Sanobar	PST
2	Nasar Khan	PST
3	Kiramah Shah	TT
39 GPS Tandi Bughdad Khel		
1	Salfoor Khan	PST
2	Khan Sher	PST
3	Ghulam Nabi	TT
40 GPS Dara Maira		

**ATTESTED**





21

1	Janab Gul	PST
2	Khial Azam	PST
3	Abdul Rahim	TT
41 GPS Susvaki		
1	Ahmed Gul	PST
2	Zarbab Khan	PST
3	Amir Khan	TT
42 GPS Khuna Ziarat		
1	Nasar Khan	PST
2	Waras Khan	PST
43 GPS Khan Wali		
1	Muhammad Ali	PST
2	Mufti Muzmmil	TT
3	Abdul Jalil	PST
44 GPS Juma Baz		
1	Abdul Qadar	PST
2	Gul Alam	PST
3	Muhammad Yaseen	TT
45 GPS Gulab Khel		
1	Sahib Shah	PST
2	Javed Khan	PST
46 GPS Mandai Kas		
1	Muhammad Hussaid	PST
2	Ishfaq	PST
3	Abdul Aziz	TT
47 GPS Shin Akbar		
1	Samar Khan	PST
2	Muhammad Akbar	PST
48 GPS Spin Qabar No. 2		
1	Khan Zeb	PST
2	Fazal Karim	PST
3	Sabz Ali	TT
49 GPS Talib Jan		
1	Janas Khan	PST
2	Afzal Khan	PST
3	Abdul Rauf	TT
50 GPS Muhammad Akbar		
1	Ghulam Muhammad	PST
2	Ikramullah	PST
51 GPS Sama Ghari		
1	Noor Muhammad	PST
2	Muhammad Karim	PST
3	Lala Jan	PST
52 GPS Aman Talab		
1	Kashmir Khan	PST
2	Muhammad Ayub	PST
53 GPS Shin Drand		
1	Wali Muhammad	PST
2	Muhammad Khan	PST
3	Said Abdul Wahab	TT

**ATTESTED**



54 GPS Sanzal Khel		
1	Shahzaman	PST
2	Muhammad Humayun	PST
3	Najeed Ahmed	TT
55 GPS Jani Ghari		
1	Mir Rehman	PST
2	Farhad Khan	PST
3	Imdad Khan	TT
56 GPS Khawangi		
1	Passa Khan	TT
2	Ibrahim	PST
57 GPS Mesri Khel Mela		
1	Gheran Shah	PST
2	Yar Jan	PST
3	Naseeb Khan	TT
58 GPS Tamash Kili		
1	Shah Jehan	PST
2	Muhammad Khan	PST
59 GPS Hindustan Killi		
1	Muhammad Ibrahim	PST
2	Yar Bahadar	PST
60 GPS Mashkano Mela		
1	Gul Amir	PST
2	Raza Khan	PST
61 GPS Ala Dand		
1	Naseeb Khan	PST
2	Hafeezulah Amir PST	PST
3	Shamsul Islam	TT
62 GPS Lal Muhammad Killi		
1	Zar Gul	PST
2	Ghulam Rasool	PST
3	Muhammad Haroon	TT
63 GPS Meri Khel		
1	Waseeullah	PST
2	Mustafa Kamal	PST
3	Hameed Shah	PST
64 GPS Yarzamad		
1	Shah Hussain	PST
2	Habiburrehman	PST
65 GPS Ghulam Sher		
1	Khitab Gul	PST
2	Muhammad Ajmal	PST
66 GPS Zarmat Jan		
1	Gul Ayaz	PST
2	Muhammad Haroon	PST
3	Amanat Khan	TT
67 GPS Sultan Khel		
1	Bakhtar Jan	TT
2	Ijaz Ahmad	PST
3	Mir Baz Khan	PST

**ATTESTED**



68. GPS Khurma Tang		
1	Abdul Hameed	TT
2	Farman Ali	PST
3	Muhammad Akbar	PST
69 GPS Almas Stori Khel		
1	Rehman Gul	PST
2	Rahim Shah	PST
70 GPS Abdul Qadar		
1	Fazal Karim	PST
2	Muhammad Anwar	PST
71 GPS Lall Jan		
1	Din Malal	PST
2	Ghulam Murtaza	PST
72 GPS Minadar		
1	Khaliq Noor	PST
2	Abdul Wakeel	PST
73 GPS Khanamir		
1	Hazrat Hamza	PST
2	Abdul Qadar	PST
74 GMPS Shamshad		
1	Muhammad Farooq	PST
75 GMPS Khanzada		
1	Waras	PST
76 GMPS Gul Jalal		
1	Gulab Khan	PST
77 GMPS Spinkay Tiga		
1	Alam Zeb	PST
78 GMPS Munawar		
1	Fazal Raheem	PST
79 GMPS Saleem Shah		
1	Muhammad Tariq	PST
80 GPS Dina Jan		
1	Imran	PST
2	Arbab Khan	PST
81 GPS Sur Kas No. 2		
1	Kamal Khan	PST
2	Hunar Gul	PST
3	Muhammad Mustafa	TT
82 GMPS Zubair Killi		
1	Muhammad Zubair	
83 GMPS Pisho Khwar		
1	Abdul Qayum	
84 GMPS Rehman Khan		
1	Sadar Jan	PST
85 GPS Jan Badshah		
1	Khan Jalil	PST
2	Khewa Jan	PST
3	Jamruz Khan	TT
86 GPS Barami Alamsher		
1	Minar Khan	PST

**ATTESTED**



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2	Ghulam Din	TT
<b>87 GPS Raza Khan</b>		
1	Abdul Jalil	PST
2	Dost Muhammad	PST
3	Naseerudin	TT
<b>88 GPS Yardin</b>		
1	Khan Gul	PST
2	Saifullah	PST
3	Atiqu Rehman	TT
<b>89 GPS Kaga Ghara</b>		
1	Shahid	PST
2	Muhammad Farooq	PST
3	Gul Nawaz	TT
<b>90 GPS Sher Bahadar</b>		
1	Said Muhammad	PST
2	Ikramullah	PST

**ATTESTED**

*[Handwritten initials]*

*[Handwritten Signature]*  
Agency Education Officer  
Khyber Agency at Jamrud  
*[Handwritten initials]*

Detail Report of GHSS/GHS/GGHS/GMS/GGMS/GPS/GMPS/GGPS Bar. Kambar Khel Bara khyber Agency				
S.No	Name of Schools	Functional	Non Functional	Remarks
1	GHSS Spin Dhand	Functional	1st, 2nd year Non Function	Occupied by Security Forces
2	GHS Jan Khan-Kali	Functional		Occupied by Security Forces
3	GGHS Hanif Jan	Functional		
4	GMS Tooth Dhand	Functional		
5	GMS Shinki		Non Functional	Occupied by Security Forces
6	GGMS Wali Khel	Functional		High portion Still in use by IDPs
7	GGMS Abdullah Jan		Non Functional	Under Costruction
8	GPS Sur Kass No.2		Non Functional	Situated Shalober bouder
9	GPS Sur Kass No.1	Functional		
10	GPS Sur Kass No.4	Functional		
11	GPS Sher Badshah killi	Functional		
12	GPS Sama Baba	Functional		
13	GPS Shera Khan killi	Functional		
14	GPS Paka Tarra	Functional		
15	GPS Sarki Kamar		Non Functional	Occupied by Security Forces
16	GPS Mamal Mela	Functional		
17	GPS Sra Ghari	Functional		
18	GPS Syed Rehman Killi		Non Functional	Still in use by IDPs
19	GPS Ghairat Shah	Functional		
20	GPS Habib Gul Killi	Functional		
21	GPS Sadullah Jan	Functional		
22	GMPS Takfa	Functional		
23	GGPS Amir Khan Paka Tarra	Functional		
24	GGPS Habibullah Killi	Functional		
25	GGPS Said Rahman Killi	Functional		
26	GGPS Gul Marjan Killi	Functional		
27	GGPS Sher Bahdar Killi	Functional		
28	GGPS Noor Hiader		Non Functional	Situated near MDK Border
29	GGPS Muhammad Ayub Killi	Functional		
30	GGPS Said Kareem Killi	Functional		
31	GGPS M. Abdul Khaliq Killi	Functional		
32	GGPS Qandhar Killi	Functional		
33	GGPS Sarki Kamar	Functional		
34	GGPS Yar Gul Killi	Functional		
35	GGPS Luqman Killi	Functional		
36	GGPS Su Badshah		Non Functional	Occupied by Security Forces
37	GGPS Hindu Dhand	Functional		
38	GGPS Shiekhmaal Khel Killi		Non Functional	Fully Damage
39	GGPS Anwar Shah	Functional		
40	GGPS Sajid Khan Killi	Functional		
41	GGPS Shah Gulab Killi		Non Functional	Still in use by IDPs/Situated near MDK border
42	GGPS Zarif Khan		Non Functional	Still in Use by IDP's
43	GGPS Astara Khan		Non Functional	Still in use by IDPs

**ATTESTED**

*[Handwritten signature]*

*[Handwritten signature]*  
 Education Officer  
 Khyber Agency of Jarkand  
 03/2/2015



Agency Education Office  
Khyber Agency at Jamrud  
PHONE. 091-5820584 FAX 091-5820023

I (26) B (15)

NOTIFICATION

Consequent upon the direction of Political Agent Khyber, issued in a meeting held at Khyber House Peshawar Dated 15-12-2014, all educational institutions (M&F) of plain area of Tehsil Bara Khyber Agency will stand opened with effect from 1<sup>st</sup> January, 2015.

All the staff members of the said institutions are hereby informed to resume their duties in their original place of posting and treat their redeployment already made, to various other schools, on various dates, is hereby cancelled.

It is further added that Political Administration, Educational Administration and other law enforcement agencies will carry out monitoring of these public educational institutions, so you all are hereby directed, in your own interest, to ensure your presence in your respective institutions in the public interest.

Agency Education Officer,  
Khyber Agency at Jamrud.

Endst: No.10294-303 Dated: 18-12-2014

Copy to:

1. Additional Chief Secretary FATA Secretariat Peshawar.
2. Principal Secretary to Governor.
3. Secretary Social Sector, Department FATA.
4. Secretary Law and Order FATA Secretariat Peshawar.
5. Director Education FATA.
6. Political Agent Khyber with reference to his direction.
7. Deputy Director Monitoring and evaluation FATA Secretariat Peshawar.
8. Assistant Agency Education Officers (M&F), Bara.
9. All Principals, Head Master/Mistress, Head Teachers of Tehsil Bara.

**ATTESTED**

Agency Education Officer  
Khyber Agency at Jamrud.

ہونے والا ہے اور اس کے ساتھ ساتھ دوسرے امور پر بھی

(27) - J

درخواست پر اسے منظور دے

خدا تعالیٰ! تشریف آوری سے۔

کہ فوری طور پر 22-1-2000 کو علی ایجوکیشن ٹاؤن میں بطور  
 PET لپٹی ہوئی۔ اور امتیازی ایمانداری و فوس اسٹیٹ کے  
 ساتھ اپنی ڈیوٹی سرانجام دے رہے ہیں۔ یہ فوری  
 نومبر 2008 کو گورنمنٹ ہائی سکول کے بارہ فیروز  
 تشریف آوری جب فوری طور پر اپنی ڈیوٹی شروع کی تو اس دوران  
 ملکی اور آئین کے نام سے ٹاؤن کے ہیٹ سکول بند ہوئے جس میں  
 فوری ٹاؤن کے ہیٹ سکول کے بند ہونے پر 18-12-2014 کے نوٹیفکیشن  
 کے تمام سکول دوبارہ کھل گئے اور فوری نے بھی مذکورہ ہیٹ سکول میں  
 اپنی ڈیوٹی شروع کی۔ لیکن عرصہ 1-4-2015 سے فوری منظور ہونے

مندانہ ہے کہ فوری کی منظور ہونے کے اقدامات صادر فرما  
 تاکہ فوری کی منظور ہونے سے اس کے لیے

3/3/2016

Ne  
 ڈائریکٹر ایجوکیشن گورنمنٹ ہائی سکول ٹاؤن

**VAKALATNAMA**

IN THE COURT OF KPK Service Tribunal Peshawar  
OF 2016.

Noor Hadeem  
(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

A. C. S FATA  
(RESPONDENT)  
(DEFENDANT)

I/We Noor Hadeem

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_/\_\_\_/2016

[Signature]  
CLIENT

[Signature]  
**ACCEPTED**  
**NOOR MOHAMMAD KHATTAK**  
(ADVOCATE)

OFFICE:  
Room No.1, Upper Floor,  
Islamia Club Building, Khyber Bazar,  
Peshawar City.  
Phone: 091-2211391.  
Mobile No.0345-9383141



**BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Appeal No: 692/2016

Mr. Noor Haleem GHS Mawazi Killi Bara Khyber Agency.....Appellant.

VERSUS

1. Additional Chief Secretary FATA Secretariat Warsak Road Peshawar.
2. Director Education FATA.
3. Agency Education Officer Khyber Agency.
4. The Agency Account Officer Khyber Agency.....Respondents.

**Para-wise comments on behalf of respondent No: 2 & 3.**

**Respectively Sheweth:**

**Preliminary Objection**

1. That the appellant has got no cause of action to file the instant appeal.
2. That the appellant has not come to this Honourable Tribunal with clean hands.
3. That the appellant has concealed material facts from this Honourable Tribunal.
4. That the appellant is estopped by his own conduct to bring the present appeal.
5. That the appeal is bad due to mis-joinder and non-joinder of necessary parties.

**On Facts:**

1. No comments. Pertains to record.
2. No comments. Pertains to record.
3. No comments. Pertains to record.
4. Correct to the extent that all the schools including appellant school were closed due to Military Operation. But as & when the operation finished the schools were re-opened. In this regard a notification has also issued by the Agency Education Officer Khyber (Copy of the same is attached as Annexure-A).
5. Incorrect. The appellant has not perform his duty in time. Therefore the Competent Authority stopped the appellant salaries on account of willful absence from duty.
6. As explained in Para-5 above.
7. Incorrect. The Competent Authority has stopped the monthly salaries of the appellant as the appellant has been remained absent from Government duty. The Agency Education Officer Khyber has closed the account of the appellant on account of willful absence from Govt: duty.
8. The appellant has got no cause of action to file instant appeal.

**Grounds:**

- A. Incorrect. The salary of the appellant has been stopped by the Competent Authority on account of willful absence from duty.
- B. Incorrect. The appellant will be treated in accordance with law & rules. All Government Employees including appellant are bound to perform their duties according to rules and instructions given by the Government from time to time in the interest of Public.
- C. Incorrect. As the appellant has not performed his duty therefore he is not entitled for monthly salary.
- D. As explained in Para-B above.
- E. Incorrect. The respondents have no other option except stoppage of pay as he was not present on his duty.
- F. Incorrect. The appellant is entitled for monthly salary on the basis of performing of his duty not on the basis of charity.
- G. Respondents also seek permission to advance other grounds at the time of arguments.

In light of the above facts it is humbly requested to please dismiss the appeal having no legal force.

Respondent NO. 2

  
Director Education FATA

Respondent NO. 3

*For*   
Agency Education Officer  
Khyber Agency

**AFFIDAVIT**

We the above respondents do hereby declare and affirm on oath that the above comments are true and correct to the best of our Knowledge and belief that nothing has been concealed from this Honorable Tribunal.

Respondent NO. 2

  
Director Education FATA

Respondent NO. 3

*For*   
Agency Education Officer  
Khyber Agency

'A''

Agency Education Office  
Khyber Agency at Jamrud  
PHONE: 091-5820024 FAX 091-5820023

B - 16

NOTIFICATION

Consequent upon the direction of Political Agent Khyber, issued in a meeting held at Khyber House Peshawar Dated 15-12-2014, all educational institutions (M&F) of plain area of Tehsil Bara Khyber Agency will stand opened with effect from 1<sup>st</sup> January, 2015.

All the staff members of the said institutions are hereby informed to resume their duties in their original place of posting and treat their redeployment already made, to various other schools, on various dates, is hereby cancelled.

It is further added that Political Administration, Educational Administration and other law enforcement agencies will carry out monitoring of these public educational institutions, so you are hereby directed, in your own interest, to ensure your presence in your respective institutions in the public interest.

Agency Education Officer,  
Khyber Agency at Jamrud.

Endst: No. J0294-303 Dated: 18-12-2014

Copy to:

1. Additional Chief Secretary FATA Secretariat Peshawar.
2. Principal Secretary to Governor.
3. Secretary Social Sector Department FATA.
4. Secretary Law and Order FATA Secretariat Peshawar.
5. Director Education FATA.
6. Political Agent Khyber with reference to his direction.
7. Deputy Director Monitoring and evaluation FATA Secretariat Peshawar.
8. Assistant Agency Education Officers (M&F) Bara.
9. All Principals, Head Master/Mistress, Head Teachers of Tehsil Bara.

**ATTESTED**

Agency Education Officer  
Khyber Agency at Jamrud

**BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR**

**Service Appeal No.692/2016**


Noor Haleem----- APPELLANT

**VERSUS**

Additional Chief Secretary FATA and others----- RESPONDENTS

**INDEX**

<b>S. No</b>	<b>DOCUMENTS</b>	<b>ANNEX</b>	<b>PAGE No:</b>
1	Parawise Reply		1
2	Certificate		2
3	Copy of source from for stoppage of salary	A	3

  
AGENCY ACCOUNT OFFICER  
KHYBER AT JAMRUD

**BEFORE THE SERVICE TRIBUNAL, KPK PESHAWAR**

**Service Appeal No: 692/2016**

NOOR HALEEM-----

APPELLANT

**VERSUS**

ADDITIONAL CHIEF SECRETARY FATA & OTHERS-----

RESPONDENTS

**PRELIMINARY OBJECTIONS**

1. That the appellant has not come to the court with clean hand.
2. That the appeal is bad due to joinder and mis-joinder.
3. That the appeal is time barred.

**Para wise Comments**

- 1-5 Not related with respondent No.4. Hence no comment.
6. It is an administrative issue and the Head Master G.H.S Mawaz Kelay, Bara Khyber Agency is in better position as the salary was stopped by him. (Copy of Source attached Annex-A)
7. Respondent No.4 did not receive any case from Administrative Department of the appellant for opening his salary.

**GROUND:**

A-G It is an administrative issue and the Head Master being head of the institute has not been included in the list of Respondent. Headmaster of G.H.S Mawaz Kelay is in better position to explain the cause of action.

In view of above it is prayed that it is an administrative issue, hence the name of Respondent No.4 may be excluded from the list of Respondents.

  
AGENCY ACCOUNTS OFFICER  
KHYBER AT JAMRUD

**CERTIFICATE**

It is certified that the contents of the Parawise reply are correct to best of my knowledge and available record, and that nothing has been cancelled from this Honorable Court.

  
AGENCY ACCOUNTS OFFICER  
KHYBER AT JAMRUD

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

**APPEAL No.692/2016**

**NOOR HALEEM**

**VS**

**A.C.S FATA & OTHERS**

**REJOINDER ON BEHALF OF APPELLANT IN RESPONSE TO**  
**THE REPLY SUBMITTED BY THE RESPONDENTS**

**R/SHEWETH:**

All the objections raised by the respondent are incorrect and baseless and not in accordance with law and rules rather the respondents is estopped due to their own conduct to raise any objection at this stage of the appeal.

**ON FACTS:**

- 1- Incorrect and not replied accordingly hence denied.
- 2- Incorrect and not replied accordingly hence denied.
- 3- Incorrect and not replied accordingly hence denied.
- 4- Incorrect and not replied accordingly hence denied.
- 5- Incorrect and not replied accordingly. That vide Notification dated 18-12-2014 the said schools were re-opened w.e.f. 01-01-2015 and the appellant in response started performing his duty on the same date.
- 6- Incorrect and not replied accordingly. That respondent No.4 in his reply para-6 admitted that the pay of the appellant was stopped by the Headmaster GHS Mawaz Kelay, Bara Khyber Agency, where as the respondent No.3 replied that the pay was stopped by the competent authority.
- 7- Incorrect and not replied accordingly. That appellant filed departmental appeal before the respondent No.2 but no reply has been received so far.
- 8- Incorrect and not replied accordingly hence denied.

**GROUND:**

All the grounds of main writ petition are correct and in accordance with law and prevailing rules and that of the respondent are incorrect and baseless hence denied. That not releasing the monthly salaries of the appellant w.e.f. 01-04-2015

till date by the respondent Department is against the law, facts and norms of natural justice. That the respondent Department acted in an arbitrary and mala fide manner by not releasing the salaries of the appellant w.e.f 01-04-2015 till date. That the respondents violated the principle of "WORK DONE MUST BE PAID". That the appellant has been discriminated on the subject noted above and as such the respondents violated the principle of natural justice.

It is therefore most humbly prayed that on acceptance of this rejoinder the appeal of the appellant may be accepted in favor of the appellant.

**APPELLANT**



**NOOR HALEEM**

**THROUGH:**



**NOOR MOHAMMAD KHATTAK**

**&**



**SYED IMDAD HUSSAIN SHAH  
ADVOCATES**

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 483 /ST

Dated 14 / 3 / 2017

To


The Director Education FATA,  
Government of Khyber Pakhtunkhwa,  
FATA Secretariat Warsak Road Peshawar.

Subject: -

JUDGMENT

I am directed to forward herewith a certified copy of Judgement dated 2.3.2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.