

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Appeal No. 1003/2016

Date of Institution ... 26.09.2016

Date of Decision ... 25.10.2017

Nisar Khan son of Ghazi Mar Jan, Associate Professor of Political Science, GPGC,
Bannu. ... (Appellant)

VERSUS

1. Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar and 4 others.
... (Respondents)

ARBAB SAIFUL KAMAL,
Advocate

... For appellant

MR. USMAN GHANI,
District Attorney,

... For respondents.

MR. NIAZ MUHAMMAD KHAN,
MR. GUL ZEB KHAN,

... CHAIRMAN
... MEMBER

JUDGMENT

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

FACTS

2. The appellant was transferred from GPGC Bannu to GDC Serai Naurang vide impugned order dated 16.6.2016. Against this very order, the appellant filed departmental appeal on 18.6.2016 which according to the appellant was rejected on 08.09.2016 and thereafter he filed the present service appeal on 26.09.2016.

ARGUMENTS.

3. The learned counsel for the appellant argued that the order dated 16.6.2016 was based mainly on the ground of an enquiry report which was conducted on the basis of a complaint filed by one of students of the college. That the said complaint was frivolous and not well founded. That in fact the appellant did not accept the research work of the students according to rules and the students complained against the appellant.

4. On the other hand, the learned District Attorney argued that the impugned transfer order was passed in public interest and not on the basis of the findings of the enquiry officer. That the intention of the transferring authority is apparent from the order itself which is a general transfer order containing 30 teachers. That the tenure of the appellant was also completed and according to the posting/transfer policy, he could have been transferred by the authority to new station. He further argued that the departmental appeal was never decided and the letter dated 08.09.2016 was simply correspondence between the Secretary, Higher Education and the Chief Minister Secretariat. That in the heading of the appeal, original transfer order dated 16.6.2016 is not challenged rather the letter dated 08.9.2016 is challenged and this Tribunal cannot grant relief against the transfer order dated 16.6.2016. He further argued that in accordance with Section 10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973, the appellant is liable to serve anywhere in the province and the authority has rightly transferred him in accordance with the posting/transfer policy of the Government.

CONCLUSION.

5. It is an admitted position that the appellant did file departmental appeal against the order dated 16.6.2016. And if the limitation is reckoned from 16.6.2016,

the present service appeal is within time. The only objection of the learned District Attorney regarding non decision of the departmental appeal was to link the same to the prayer in the heading of the memorandum of appeal. It is not correct because the prayer is always made at the end of the memorandum of appeal and at the end of the appeal there is every mention of the order dated 16.6.2016. Therefore, the decision of the departmental appeal is immaterial for all purposes.

6. Now this Tribunal is to see whether the transfer order was made in the public interest and on the completion of tenure of the appellant or it was made on the basis of the findings of the enquiry officer. The very letter dated 08.09.2016 which was a correspondence between the Secretary Higher Education and Chief Minister Secretariat clearly shows the intention of the transferring authority that the transfer was made on the basis of the enquiry report. The word "public interest" in the impugned order dated 16.6.2016 are colorable and these words have not been used in their real import. The transfer made on the basis of fact finding enquiry report is not approved by the law or court as per judgment reported as 2012 PLC(C.S)187.

7. As a sequel to the above discussion, this appeal is accepted and the impugned order is set aside. Parties are left to bear their own costs. File be consigned to the record room.


(GUL ZEB KHAN)
MEMBER


(NIAZ MUIHAMMAD KHAN)
CHAIRMAN

ANNOUNCED
25.10.2017

16.10.2017

Appellant present. Mr. Usman Ghani, District Attorney for the respondents present. Appellant again seeks adjournment. On the previous dates last opportunity, were granted. Another last opportunity granted. Adjourn. To come up for arguments on 25.10.2017 before D.B.



(Ahmad Hassan)
Member (E)

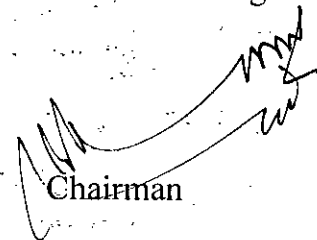


(Muhammad Hamid Mughal)
Member (J)

25.10.2017

Counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present. Arguments heard and record perused.

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



Member
Chairman


ANNOUNCED

25.10.2017

25.08.2017


Junior to counsel for the appellant and Mr. Ziaullah, DDA for respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel was busy before the Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 13.09.2017 before D.B. Till then status-quo be maintained.

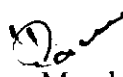

(Gul Zeh Khan)
Member


(Ahmad Hassan)
Member

13.09.2017

Counsel for the appellant and Addl: AG for respondents present. Counsel for the appellant seeks adjournment. Last opportunity granted. Adjourned. To come up for arguments on 27.09.2017 before D.B.


Member
(Executive)


Member
(Judicial)

27.09.2017

Counsel for the appellant and Asst:AG for respondents present. Counsel for the appellant seeks adjournment. Adjourned. Last opportunity granted. To come up for arguments on 16.10.2017 before D.B. Till then status-quo be maintained.



Member


Chairman

18.05.2017

Counsel for the appellant and Mr. Kabir Ullah Khattak Assistant AG for the respondents present. Counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 20.06.2017 before D.B. Till then Status quo be maintained.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

20.06.2017

Counsel for the appellant and Mr. Muhammad Adeel Butt, Additional AG for the respondents present. Counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 18.07.2017 before D.B. Till then Status quo be maintained.

(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

18.07.2017

Counsel for the appellant present. Mr. Kabirullah Khattak, Assistant AG for official respondents No. 1 to 4 also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 25.08.2017 before D.B. Till then status-quo be maintained.

(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

20.02.2017

Counsel for the appellant and Mr. Ibrar Ali, Assistant Director alongwith Mr. Muhammad Jan, GP for respondents present. Rejoinder not submitted. Requested for time to file rejoinder. To come up for rejoinder and arguments on 14.04.2017 before D.B. Till then status-quo be maintained.



(AHMAD HASSAN)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

14.04.2017

Counsel for the appellant present. Mr. Muhammad Jan, Government Pleader for the respondents also present. Learned counsel for the appellant submitted rejoinder and requested for adjournment. Adjourned. To come up for arguments on 18.05.2017 before D.B. Till then status-quo be maintained.


(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

1003//2016

20.10.2016

Counsel for the appellant and Mr. Muhammad Asif, AD alongwith Additional AG for official respondents No. 1 to 4 present. Written reply by respondents not submitted and requested for time to file written reply. Request accepted. To come up for written reply/comments on 29.11.2016 before S.B. Till then status-quo be maintained.


(PIR BAKHSH SHAH)
MEMBER

29.11.2016

Counsel for the appellant and Naeem Gul, SO alongwith Assistant AG for respondents present. Written reply submitted by respondent No. 3. Remaining respondents requested for adjournment. Request accepted. To come up for written reply/comments on 11.01.2017 before S.B. Till then status-quo be maintained.


MEMBER

11.01.2017

Counsel for the appellant and Mr. Muqarrab Khan, SO alongwith Additional AG for the respondents present. Written statement by respondent No. 3 has already submitted. Learned Additional AG relies on the same on behalf of respondents No. 1, 2 and 4. Private respondent No. 5 is not in attendance. Proceeded ex-parte. The appeal is assigned to D.B for rejoinder and final hearing for 20.02.2017 before D.B. Till then status-quo be maintained.


Chairman

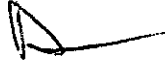
Appeal No. 1003/2016
Nisar Khan vs Govt

28.092016

Appellant with counsel present. Preliminary arguments heard and case file perused. Learned counsel for the appellant argued that the appellant was transferred from Govt; Post Graduate College, Bannu to Govt: Degree College Serai Naurang, Lakki Marwat vide impugned order dated 16.06.2016. He further argued that the said transfer was made on the basis of fact finding enquiry and no proper procedure or formal enquiry was conducted in the case before passing of the impugned order added further that there is no provision in the rules regarding transfer as a means of penalty. He further contended that his departmental representation was rejected through a non-speaking order dated 08.09.2016 which is violation of Section-24-A of the General Clauses Act, 1954. He further submitted that the appellant has not relinquished charge in the original station and requested for maintaining status-quo. He further argued that other two official of the said college involved in the relevant cast was given relief by the Secretary Higher Education but he was not given such relief inspite of being innocent in the matter which was an act of discrimination against the appellant.

Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notice be issued to the respondents for submission of written reply. To come up for written reply/comments on 20.10.2016 before S.B. Till then status-quo be maintained.


Appellant Deposited
Security & Process Fee


Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1003/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	26/09/2016	<p>The appeal of Mr. Nisar Khan presented today by Mr. Saadullah Khan Marwat Advocate may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 26/9/16.</p>
2	27.9.2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>04-10-2016</u></p> <p style="text-align: right;">CHAIRMAN</p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

S.A. No. 1003 /2016

Nisar Khan

versus

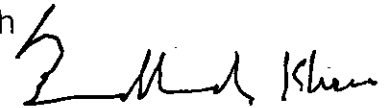
Chief Secretary & others

I N D E X

S. No.	Documents	Annex	Pages
1.	Memo of Appeal, 26-09-2016		1-5
2.	Struck-off Letter, 09-06-2015	"A"	6
3.	Action Informing Principal, 17-06-2015	"B"	7
4.	Release of Result, 18-08-2015	"C"	8
5.	Letter to Issue DMC, 11-12-2015	"D"	9
6.	Guidance of Appellant, 17-12-2015	"E"	10
7.	Transfer Order of others, 15-01-2016	"F"	11
8.	Withholding Order, 02-02-2016	"G"	12
9.	Suit of Faryal Gohar, 08-02-2016	"H"	13-16
10.	Appeal to Dic. Judge, 31-05-2016	"I"	17-20
11.	Transfer Notification, 16-06-2016	"J"	21-23
12.	Representation, 18-06-2016	"K"	24-26
13.	Rejection Order, 08-09-2016	"L"	27
14.	Interim Relief, 26-09-2016		28-29

Appellant

Through



Saadullah Khan Marwat

Advocate

21-A Nasir Mansion,

Shoba Bazaar, Peshawar

Ph: 0300-5872676

0311-9266609

Dated: 16-09-2016

BEFORE KPK SERVICE TRIBUNAL PESHAWAR

S.A No. 1003/2016

Nisar Khan s/o Ghazi Mar Jan,
Associate Professor of
Political Science, GPGC, Bannu Appellant

Versus

**Khyber Pakhtukhwa
Service Tribunal**

Diary No. 1018

Dated 26-9-2016

1. Chief Secretary,
Govt. of KP, Peshawar
2. Chief Minister,
Govt. of KP, Through R. No. 1
3. Secretary, Higher Education Deptt;
KP, Peshawar
4. Principal, Govt. Post Graduate College,
Bannu
5. Ghani-ur-Rehman, Associate Professor of
Political Science, GDC,
Serai Naurang, Lakki Marwat Respondents

*Expt
11/17*

⇔<=>⇔<=>⇔<=>⇔<=>⇔

APPEAL AGAINST OFFICE NOTIFICATION NO. SO (E) E & AD / 9-88/2016, OF R. NO. 1, WHEREBY APPELLANT WAS TRANSFERRED FROM GPGC, BANNU TO GDC, SERAI NAURANG, LAKKI MARWAT, AND R. NO. 4 WAS POSTED AT HIS PLACE AT BANNU, OR OFFICE ORDER DATED 08-09-2016, OF R. NO. 2, WHEREBY DEPARTMENTAL APPEAL WAS REJECTED FOR NO LEGAL REASON:

Filed to-day

W. Azeem
Registrar
26/9/16

⇔<=>⇔<=>⇔<=>⇔<=>⇔

Respectfully Sheweth:

Short facts giving rise to the present appeal are as under:

1. That appellant is serving the department for the last 27-years with devotion and without any complaint.
2. That dispute arises as to whether Miss Komal Khan has obtained Research Work in Political Science as per the mandate of Law and Rules or otherwise. So called formal inquiry was initiated into the matter as to who allowed Miss. Komal Khan to carry out Research Work. Whether any rule was in existence to do so by anyone to obtain Research Work in Bachelor of Studies (BS), whether her admission to the Research Work was improper form and who was responsible to allow her to go through Research Work.
3. That no proper inquiry was conducted, yet the Inquiry Committee recommended Shahid Jamal - Coordinator of BS-Program and Khalid Iqbal - Assistant Programmer to be transferred from Post Graduate Degree College, Bannu to other colleges.
4. That prior to conduct regular inquiry, appellant, being head of the deptt; of Political Science, issued order wherein at S. No. 2, Miss. Komal Khan, R. No. 10361, 8th Semester, Session 2011-2015, along with other was struck-off from the college roll for the reason that She was continuously absent from BS-Classes vide struck-off notice dated 09-06-2015. (Copy as annex "A")
5. That on 17-06-2015, appellant informed, the principal of the college with action taken in struck off letter dated 09-06-2015, against Miss. Komal Khan. (Copy as annex "B")
6. That on 18-08-2015, the Principal of the college wrote letter to appellant that action taken in the matter by him was quite per the mandate of law, but sympathy be shown to the students and he is advised to advise to released her result of two papers. (Copy as annex "C")
7. That Miss. Komal Khan approached to the authority for declaration result of final semester, so on 11-12-2015, R. No. 2, directed the Principal of the college to send complete result

(Research Report) to the University of Science & Technology, Bannu for issuance of DMC / Transcript to her to save her precious time. (Copy as annex "D")

8. That on 17-12-2015, appellant sought guidance regarding declaration of result or to comply with the Section Officer letter dated 11-12-2015, yet the result of Miss. Komal Khan was already declared on 09-10-2015. (Copy as annex "E")
9. That the Inquiry Committee finalized the inquiry report and recommended Shahid Jameel and Khalid Iqbal for transfer and censure while appellant only form transfer from Post Graduate College, Bannu, and in pursuance of the said recommendations, notification was issued on 15-01-2016 by R. No. 2, wherein Khalid Iqbla was transferred to GPGC, Lakki Marwat and Shahid Jameel to GPGC, Karak. (Copy as annex "F")
10. That on 02-02-2016, R. No. 3, issued notification wherein order dated 15-01-2016 was withheld. (Copy as annex "G")
11. That when result of Miss. Komal Khan was declared and her Research Work was taken into account, Miss. Faryal Gohar filed suit before the Court of Senior Civil Judge, Bannu to the effect that if Research Work of Miss. Komal Khan was counted towards merit, then she should be affected and her 1st position would be come to 2nd position in the merit.
12. That on 08-02-2016, stay already granted on 16-012-2015 was confirmed till the disposal of the suit by the learned Civil Judge, Bannu. (Copy as annex "H")
13. That Miss. Komal Khan was defendant No. 9 in the suit of Miss. Faryal Gohar, so she filed appeal before the Court of District Judge Bannu, to set aside order dated 08-02-2016, who vides order dated 31-05-2016, dismissed the appeal of Miss. Komal Khan. (Copy as annex "I")

14. That on 16-06-2016, R. No. 1 issued notification wherein at S. No. 29, appellant was transferred from GPGC, Bannu to GDC, Serai Naurang, Lakki Marwat, and R. No. 4 was transferred to the post of appellant. (Copy as annex "J")
15. That on 18-06-2016, appellant submitted departmental appeal before R. No. 2 for cancelation of his transfer order which was not acceded to vide order dated 08-09-2016. (Copies as annex "K" & "L")

Hence this appeal, inter alia, on the following grounds:

GROUND S:


- a. That Bachelor of Studies (BS) is comprising of 8th Semester in Political Science never bore Research Work. Miss. Komal Khan was struck-off in 8th semester of BS – Political Science on account of absence from classes.
- b. That in letter dated 18-08-2015, the Principal of the College appreciated the action of appellant in against Miss. Komal Khan, yet advised to save her from academic loss.
- c. That in the inquiry report Khalid Iqbal and Shahid Jameel was recommended for strict action favoring Miss. Komal Khan which was withheld by the authority.
- d. That in the inquiry report, appellant was recommended for transfer to nearest College of District Bannu and not to transfer outside Bannu rather to Lakki Marwat.
- e. That Miss. Faryal Gohar also initiated legal action against Miss. Komal Khan as she (Miss. Komal Khan) was extended undue and illegal favor in admission as well as in counting of her Research Work to merit.


f. That order of appellant authority dated 08-09-2016 is neither a legal order nor a speaking one, so both the orders are not only illegal but based on malafide.

It is, therefore most humbly prayed that on the acceptance of the appeal, order dated 16-06-2016 of R. No. 1 (CS) and order dated 08-09-2016 of R. No. 2, be set aside and appellant be restored to his original position at GPGC, Bannu with all service benefits, with such other relief as may be dammed proper and just in circomstantsss of the case.


Appellant

Through


Saadullah Khan Marwat

& 
Arbab Saiful Kamal
Advocates

Dated: 16-09-2016

A

6

9-6-15

STRUCK OFF NOTICE

The following students of 4th and 8th semester of BS Political science are hereby struck off college roll because of their continuous absence from BS classes.

- 1- Mohammad Azalan Khan, R.No 111307, 4th Semester, Session 2013-17
- 2- Komal Khan, R.No 10361, 8th semester, Session 2011-15

Muhammad Khan
 HOD Deptt of Political Science
 Govt; Post Graduate College Bannu
 Dated; 09 June 2015

- Copy:-
- 1- The Principal Office
 - 2- The Controller of Exam
 - 3- The struck off incharge
 - 4- The Teacher concerned
 - 5- The BS Clerk
 - 6- The Notice Board

10/6/15
9/6/15
9/6/15
9/6/15

ATTESTED

[Signature]

B

7

17-6-15

The Principal
Govt. Post Graduate College
Bannu.

Subject: - STRUCK OFF FROM BS SEMESTER VIII

Sir

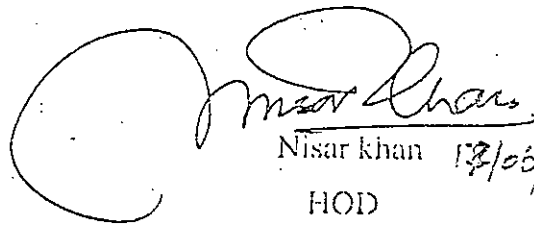
Kindly refer to the subject noted above.

In this connection, it is stated that research work is not an option available to the students of BS Political Science under the HEC course content/scheme of studies as adopted by the college with the approval of the USTB which are still in vogue. So the demand of the student is regretted as per rules.

Moreover, as per struck off policy of the college, if a student remains absent from a class for seven (07) consecutive days is to be struck off and no prior notice is required to be given to the student. However, we generally warn students, time and again, to be regular in their attendance, otherwise they will be struck off. So the applicant has been struck off as per struck off-rules.

Dated 17 June 2015

M. A. Khan



Nisar Khan 17/06/2015

HOD

Deptt of Political Science
Govt. Post Graduate College
Bannu

ATTESTED



C

8

18-8-15



OFFICE OF THE PRINCIPAL, GOVT. POST-GRADUATE COLLEGE BANNU

OUTSIDE MIRYAN GATE BANNU CITY

PH & FAX# 0928-650011, E-mail: Cs_gpgcbannu@yahoo.com riaz_gpgcbannu@yahoo.com

Web Site: www.gpgcbannu.edu.pk



No. 1468/GPGC/Bannu

Dated: 18/08/2015

To:

Mr. Nisar Khan
HOD Political Science Local College.

Subject: **WITHHOLDING MISS KOMAL KHAN'S FINAL SEMESTER RESULTS.**

Memo:

It is with reference to your report submitted to this office on 15/08/2015 on the subject captioned above.

After going through all the details and studying all the annexure, the undersigned has come up to the conclusion that the steps taken by you regarding the students penalties are not groundless. Yet, in spite of all her slackness, an HOD ought to be large-hearted. You ought to show for bearance and sympathy towards her. You are hereby advised to withdraw you directives of withholding her results in the two papers in the best interest of this female student, so that her future may be secure and she may not come to any academic loss.

PRINCIPAL
GOVT POST GRADUATE COLLEGE BANNU

ATTESTED

D

9

11-12-15



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

NO.SO(C-I)HED/1-2/2015/Komal Khan
Dated Peshawar the 11/12/2015

To,

The Principal,
Govt; Postgraduate College, Bannu.

Subject: - DECLARATION OF BS FINAL SEMESTER RESULT OF MISS KOMAL KHAN

I am directed to refer to the subject noted above and to state that as recommended by the Inquiry Committee, complete result (including research report) may be sent to the University of Science and Technology, Bannu for issuance of *transcript/DMC* to Miss Komal Khan in order to save the precious time of the aggrieved student.

Section Officer (C-I)

Endst: No. & Dated Even.

Copy to the:

1. PS to Secretary, Higher Education Department.
2. PS to Special Secretary, Higher Education Department.
3. Registrar, University of Science and Technology, Bannu.
4. Master File.

SS.D No 06
15/12/2015

2



14/12/15

Section Officer (C-I)

The Controller of Exams / Co-ordinator
B.S. program.

For m/a please.

14/12/15

(PTO)

ATTESTED

E

E.

10

17-12-15

Submitted with the request that the directives of m/a recorded on this letter, as received by the U/S on 17/12/15, is not explicit.

The U/S may please be directed whether m/a be taken in accordance with the factual record of examination of the applicant or to comply with the letter by Section Officer ITO. This is further requested to guide the U/S regarding the modus operandi in connection ~~in connection~~ with latter case. Submitted for order please.

Principal Sr.

M. S. Khan
17/12/2015

Enst No. BS Pol: SC: 92 Daleep Bannu. The 17/12/15
Submitted to the principal C.P.O. for further m/a plw

ATTESTED



F-11

F 11 15-1-16

TO BE SUBSTITUTED BY NOTIFICATION BEARING EVEN NO. & DATE



GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

Dated: Peshawar January 15th, 2016.

NOTIFICATION /635

NO. SO (COLLEGES-II)HED/23-21/2012: The Competent Authority is pleased to order transfer of the following Male Assistant Professors in various subjects against the vacant posts mentioned below, with immediate effect in the best public interest:

S.NO	Name of Officer	FROM	TO	Remarks
1.	Khalid Iqbal Assistant Professor of Political Science	GPGC Bannu	GPGC, Lakki Marwat	Vice S. No. 2
2.	Mohammad Hassan Assistant Professor of Political Science	GPGC Lakki Marwat	GPGC Bannu	Vice S. No. 1
3.	Mr. Shahid Jamil, Assistant Professor of Botany	GPGC Bannu	GPGC, Karak	Against Vacant Post

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT

ENDST: NO. & DATE EVEN:

Copy of the above is forwarded to the:

1. Director, Higher Education, Khyber Pakhtunkhwa, Peshawar.
2. HEMIS Cell Higher Education Peshawar.
3. All Principals concerned.
4. All District Accounts Officers concerned.
5. Officers concerned.

ADLE
A-0
8/12/16
WR
-12

SECTION OFFICER (COLLEGES-II)

CAI

RECEIVED ON

02 FEB 2016

Diary # 1448 Page # 134

ATTESTED



**GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT**

Dated: Peshawar February 02nd, 2016. ✓

NOTIFICATION

NO. SO (COLLEGES-II) HED/23-21/2012: The Competent Authority is pleased to with-
held/ held in abeyance this department's notification of even No. dated 15-01-2016 till
the completion of the inquiry report.

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT

ENDST: NO. & DATE EVEN:

Copy of the above is forwarded to the:

1. Director, Higher Education, Khyber Pakhtunkhwa, Peshawar.
2. HEMIS Cell Higher Education Peshawar.
3. Principals GPGC Bannu/Karak/Lakki Marwat.
4. District Accounts Officers Bannu/Karak/Lakki Marwat.
5. Officers concerned.


SECTION OFFICER (COLLEGES-II)

ATTESTED



NOTE-READER
18-01-2016

H

B


8-2-16

Presence as before. Presiding Officer is on training in F.J.A. Islamabad; therefore, case is posted to 4/2/2016.

READER

ORDER-06
04-02-2016

Counsel for plaintiff present. Counsel for defendant No.09 present. Representative for defendants No.01, 04 to 06 present. Mr.Kali aullah Advocate submitted Wakalatnamas on behalf of defendants No.04 to 06. Ihsanullah Khan, Lab Assistant present and submitted authority letter on behalf of defendant No.07. Arguments on the application for temporary injunction heard. To come up for order on 08.02.2016



SULTAN HUSSAIN
Civil Judge-V, BANNU

ORDER- 07
08-02-2016

Counsel for plaintiff present. Attorney for defendant No.09 present. Representative for defendants No.01, 04 to 06 with counsel present.

This order will dispose of the application for temporary injunction dated 16.12.2015, through which plaintiff/applicant seeks to restrain the defendants from acting upon the impugned notification dated 11.12.2015 issued by defendant No.10 or to declare result of defendant No.09 in consequence of the direction contained in the impugned notification.

2. Briefly stated the facts are that both plaintiff, Faryal Gohar, and defendant No.09, Komal Khan, being students of BS Political

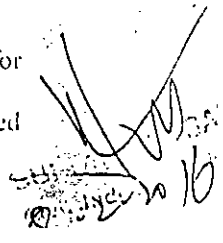

SULTAN HUSSAIN
20

ATTESTED


14

Science (a 4 years course having a total of 8 semesters) in Govt. Post Graduate College, Ramu, appeared in the mid term and final term exam. The result was declared on 11.08.2015 and plaintiff obtained 373/400 marks with SGPA of 4.00 in the final and 8th semester, with a grand total of marks 3657/4100 with CGPA of 4.00. Defendant No.09 failed in two subjects of "Regional Organizations" and "Local Government in Pakistan". During the last semester, defendant No.09 attended the class for two weeks only and thereafter defaulted to attend such classes and was struck off on 09.06.2015, and without permission of the college administration got re-admission. She then did not attempt to take exam in the failed subjects and instead somehow managed to have research in two different subjects and with the help of her uncle professor Abdul Wahid, Co-ordinator of the BS program, and without approval of the college principal and head of the department undertook research as a result of which she were given 200 marks (*later rounded to 195/200*). Plaintiff alleges that syllabus for the year 2008 govern the exam of both the candidates and it had no research option, while on the contrary, defendant No.09 has the case that research option was already available under the HEC rules and universities and colleges within their ambit are bound to follow the HEC rules. Plaintiff further alleges that defendant No.09 had clandestinely maneuvered as a result of which plaintiff is being deprived of her top position without any justification and the impugned letter/notification is contrary to rules & regulations and thus ineffective over her rights, which she has challenged through the suit in hand.

3. Thus the only question involved in the case is whether syllabus for the year 2008 contained research option or not, for if it is settled


16

ATTESTED



that the syllabus contained such option then certainly plaintiff will have no place for agitation. However, if there is no option, then, whether defendant No.10 or for that matter the other defendants can deviate from the rules and thus make an exceptional case for defendant No.10.

4. It is pertinent to mention that prior to the institution of the suit, an external inquiry was conducted by Director of Higher Education through Principal Govt: Degree College No.01, D.I.Khan and Professor, Sajjad Ali Khan, HOD of English Govt: Post Graduate College, Kohat. The inquiry report found grave irregularities as well as the exercise of research was found contrary to rules, and all the teaching staff involved in such irregularities including those who defended the rules were penalised alike. The student, defendant No.09, however, was given a safe passage and resultantly defendant No.10 on the basis of such inquiry report directed defendants No.06 & 07 to declare result of defendant No.09 on the basis of research so conducted. The inquiry report, recommended ensuring of strict futuristic compliance of the rules.
5. Defendant No.09 has also taken the plea that if her result is declared there is no likelihood that plaintiff will be effected, however, plaintiff feels aggrieved that if 195 out of 200 marks on the basis of research are given to defendant No.09, plaintiff will be deprived of top position.
6. Defendants No.07, 08 & 09 have submitted their separate written statements and replies to the application and both of defendants No.07 & 08 have taken the plea that research option is not available in the syllabus/scheme of studies nor it was offered to defendant No.09.

Wk As.

ATTESTED



16

7. As the court has to dispose of the application for the grant of temporary injunction, hence, only tentative assessment is undertaken and deeper appreciation of the case is avoided. Prima facie case exists in favour of the plaintiff against the defendants. Balance of convenience is in the issuance of injunctive order and irreparable loss will be caused to plaintiff if defendants No.06 to 08 and 10 are not restrained from acting upon the impugned letter/notification. The application is allowed and the ad-interim order dated 16.12.2015 is confirmed and to be deemed operative for next 6 months or till the disposal of the suit, whichever occurs earlier. To come up for the written statement of the rest of the defendants on 26/2/2016

ANNOUNCED
08-02-2016

[Signature]
SULTAN MUHAMMAD
Civil Judge-V, BANNU
8.2.2016

ATTESTED
[Signature]

I 17

31-5-16

APD.1172/B2-D&SJ Bannu-90 Pads of 1001-09.01.15/P4(Q)/PHC Jobs/...

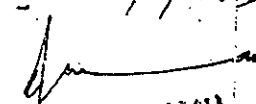
ORDER SHEET

Court of لیبارت جج - آئی جی ایڈجسٹریٹ Page 1
Case Title 31-5-16 (Case) 11-2-2016 رجسٹرڈ of مست کمال خان

No. and date OS-11
Order of the Proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary.

OS-11
11/5/16
31/5/16

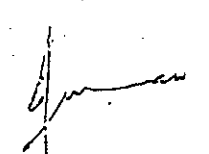
فریال گوہر نے فائنل سال میں ملحقہ ہو کر کلاسز شروع کی ہیں۔
مست کمال خان نے اپنی فریال گوہر کو 31/5/16 کو شیعہ کرنے کی درخواست کی ہے۔


(JUDGE) (SIGNED)
Addl. District & Sessions Judge-II
Bannu

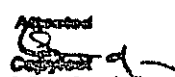
ORDER-05
31-05-2016

Parties present.

Appellant Mst Komal Khan has filed the instant Civil Misc: Appeal against the order dated 08-02-2016 passed by the learned Civil Judge-V, Bannu whereby, application of respondent No.1/plaintiff for grant of temporary injunction, was accepted.


31.5.2016

Brief facts of the case as per plicant are that respondent No.1 (hereinafter called as plaintiff) brought a civil suit for declaration, permanent mandatory injunction against appellant (hereinafter called as defendant No.9) to the effect that plaintiff Mst. Faryal Gohar and defendant No.9 Mst Komal Khan, being students of BS Political Science (a 4 years course having a total of 08 semesters) in Government Post Graduate College, Bannu, appeared in the midterm and final term examination; Upon declaration of result on 11-08-2015 while the plaintiff/respondent stood first, the appellant/defendant was declared fail in the said examination. Now, appellant/defendant No.9 in order to secure


District & Sessions Judge
Bannu
0-6-16

ATTESTED


18

GS&PD.1172/87 DGSJ Rannu-98 Pads of 10CLC 1.0115/PN21/PHC

ORDER SHEET

Page _____

of _____

No. and date	Order of the Proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary.
--------------	--

top position opted for research work without the permission of Principal of the college as well as Head of the department. Moreover, the plaintiff/ respondent has also challenged letter No.SO(C-I)HED/1-2/2015 Komal Khan to be against the law, rules and regulations and ineffective upon the rights of the plaintiff. Alongwith the plaint, the plaintiff has also submitted an application for grant of temporary injunction contending that the three ingredients necessary for the grant of temporary injunction i.e., (1) prima facie case, (2) balance of inconvenience, (3) irreparable loss exists in her favour. On their part the defendants have submitted their respective written replies.

[Handwritten signature]
31.5.2016

The learned trial court after hearing the arguments, accepted the application for temporary injunction vide impugned order dated 08-02-2016. Against such order, feeling aggrieved, the present defendant No.9 preferred the instant Civil Misc. Appeal.

Learned counsel for appellant argued that impugned order is based on misreading and non-reading of record; that the findings of learned trial court are illegal and against the facts. He requested for rejection of application for temporary injunction by setting aside the impugned order 08-02-2016 on acceptance of instant appeal.

Learned counsel for respondents/plaintiffs fully supported the impugned order and prayed for dismissal of appeal.

Arguments have already been heard and record perused.

Attested
[Signature]
District & Session Judge
Gurgaon
6-6-16

ATTESTED

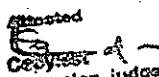
[Handwritten signature]

No. and date

Order of the Proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary.

Perusal of record shows that appellant/defendant Komal Khan along with respondent/plaintiff appeared in midterm and final term examination as students of BS Political Science in Government Post Graduate College, Bannu wherein, as per Detail Mark Certificate for Session 2011-15 (8th Semester) available on record, while the appellant/defendant was declared fail in two papers i.e., Regional Organization and Local Government in Pakistan, the respondent/ plaintiff obtained 373 out of 400 marks with SGPA of 4.00 with a grand total of 3657 out of 4100 with CGPA of 4.00. The contention of the respondent/plaintiff is that their above mentioned examination for the Session 2011-15 was based on syllabus/curriculum of the year 2008, in which no option for research was available but the appellant/defendant, somehow, inspite of being declared as fail, was able to have research in two various subjects. Available record reveals that earlier to the present suit, an external inquiry was conducted into the matter and report was also submitted to the Director of Higher Education, Directorate of Higher Education Khyber Pakhtunkhwa Peshawar. According to the findings of the inquiry committee certain anomalies have been there in the process of the offering and adoption of research thesis as some substantive rules were not taken care of and there were procedural fault also. The inquiry committee in its recommendations while suggested action against certain officials/teaching staff, also advised to go by the rules and get the rules stream lined. As far as defendants No.7 & 8, namely Principal Government

[Handwritten signature]
31.5.2016

Attested

 District & Session Judge
 Bannu
 6-8-16

ATTESTED

[Handwritten signature]

ORDER SHEET

Page

Title

No. and date

Order of the Proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary.

Post Graduate College and Chairman Political Science Department Post Graduate College Bannu are concerned both these defendants No.7 & 8 in their written statement have also submitted that no research option is available in the scheme of studies of BS Political Science for the Session 2011-15.

So in such scenario, it can be safely held that the learned trial court has rightly passed order dated 08-02-2016 which needs no interference. No illegality or material irregularity is found in the order of learned trial court, therefore, the impugned order of learned trial court is upheld and Civil Misc: Appeal in hand being meritless is hereby dismissed. Parties are left to bear their own cost. Record of learned trial court be sent forthwith along with a copy of this judgment while file of this court be consigned to record room after necessary completion.

ANNOUNCED
31-05-2016

[Handwritten signature in Urdu]

(USMAN BASHIR KHAN)
Additional District Judge-III
Bannu

- Registration No: 2546
- 2- Date of Presentation of Application 6-6-16
- 3- Date of Receipt of the file 6-6-16
- 4- Date of Preparation of copy 6-6-16
- 5- Date of Delivery of copy 6-6-16
- 6- No: of copies / words 4
- 7- Ordinary Fee 8
- 8- Urgent Fee 1
- 9- Total Fee 9
- 10- Signature of copyist [Handwritten Signature]

Attested
Copyist
District & Session Judge
Bannu
6-6-16

ATTESTED

[Large handwritten signature]

**J****21****16-6-16**

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Dated Peshawar, the June 16, 2016

NOTIFICATION

NO.SO(E-I)E&AD/9-88/2016. Government of Khyber Pakhtunkhwa is pleased to order postings/transfers of the following Professors (Male) Higher Education Department, in the public interest, with immediate effect:-

SR.#	NAMES OF OFFICERS	FROM	TO
1.	Mr. Mohammad Nawaz (BS-20)	Professor of Statistic GPGC, Haripur	Principal, GDC, Khanpur, Haripur, against the vacant post.
2.	Mr. Shaukat Ali (BS-19)	Associate Professor of GPGC, Charsadda	Principal, GDC, Akbar Pura Peshawar in his own pay and scale, against the vacant post.
3.	Mr. Nasurullah Khan, (BS-19)	Associate Professor of English, GPGC, Kohat	Principal, GDC Gumbat, Kohat, in his own pay and scale.
4.	Mr. Abdur Rahman (BS-20)	Principal, GDC, Landi Jalander Bannu	Professor of Botany, GPGC, Bannu, against the vacant post.
5.	Mr. Mir Aslam Khan (BS-19)	Associate Professor of Pol. Science GDC, Landi Jalander Bannu	Principal, GDC, Landi Jalander Bannu, in his own pay and scale, vice Sr. No. 4
6.	Mr. Mir Baz Khan (BS-19)	Associate Prof. of Pol. Science, GDC, No. 1 D.I.Khan	Principal, GDC, Shah Essa Bilot Sharif, D.I.K against the vacant post.
7.	Mr. Muhammad Arshad (BS-20)	Principal GDC, Ghoriwala, Bannu	Principal, GPGC, Bannu vice Sr. No. 24.
8.	Mr. Hukamzad Khan, (BS-20)	Professor of English, GPGC, Bannu	Principal GDC, Ghoriwala Bannu vice Sr. No. 7
9.	Mr. Sharif Gul, (BS-20)	Principal, GDC, Pabbi	Principal, GSSC, Peshawar against the vacant post
10.	Mr. Mumtaz Ahmad (BS-20)	Professor, GSSC, Peshawar	Principal, GDC, Pabbi vice Sr. No. 9
11.	Mr. Haji Nawab (BS-20)	Professor, GPGC, Matta, Swat	Principal, GPGC, Matta Swat, against the vacant post.
12.	Mr. Karimullah (BS-20)	Professor, GPG, Jehanzeb College, Swat	Principal, GDC, Kabal, Swat against the vacant post.

Continued at Page-2

ATTESTED



22

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

PAGE-2

13.	Mr. Rehmatullah (BS-20)	Professor, GPGC, Dargai Malakand	Principal, GPGC Dargai Malakand against the vacant post.
14.	Mr. Fazal Mehbood (BS-19)	Associate Professor, GP Jehanzeb College, Swat	Principal, GDC, Samar Bagh Dir Lower, in his own pay and scale, against the vacant post.
15.	Mr. Habib-un-Nabi (BS-19)	Associate Professor, GDC, Jawar Buner	Principal, GDC, Alpuri Shangla, in his own pay and scale, against the vacant post.
16.	Mr. Mushtaq Ahmad (BS-19)	Associate Professor, GDC, Agra Malakand	Principal, GDC, Agra Malakand, against the vacant post.
17.	Mr. Haroon-ur- Resheed, (BS-19)	Associate Professor, GDC, Pura Shangla	Principal, GDC, Pura, Shangla, against the vacant post.
18.	Mr. Qamar Zaman (BS-19)	Associate Professor, GDC, Madyan Swat	Principal, GDC, Shakesar, Shangla, against the vacant post.
19.	Mr. Riaz Ahmad (BS-19)	Associate Professor, GDC, Mingora Swat	Principal, GDC, Mingora Swat in his own pay and scale, against the vacant post.
20.	Mr. Shah Zaman (BS-19)	Associate Professor, GPC, Mardan	Principal, GDC, Bakhshali Mardan, in his own pay and scale, against the vacant post.
21.	Mr. Muzaffar Khan (BS-19)	Associate Professor, GDC, Battagram	Principal, GDC, Dasso Kohistan, against the vacant post.
22.	Mr. Mehmood Khan (BS-20)	Principal, GDC, S.K. Bala Bannu	Professor, GPC, Lakh Marwat, against the vacant post.
23.	Mr. Muhammad Hassan (BS-19)	Associate Professor of Botany, repatriated from University of S&T, Bannu	Principal, GDC, S.K. Bala Bannu, in his own pay and scale, vice Sr. No. 22.
24.	Mr. Sharifullah Khan (BS-20)	Principal, GPGC, Bannu	Professor, GDC, No. 2 DIK, against the vacant post.
25.	Mr. Sarfaraz, (BS-19)	Principal, GDC, Chaghermatti, Peshawar	Associate Professor, of Economics, GDC, Shabqadar, Charsadda, against the vacant post.

Handwritten signature and initials on the right side of the table.

ATTESTED

Handwritten signature below the word ATTESTED.



23

**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

PAGE-3

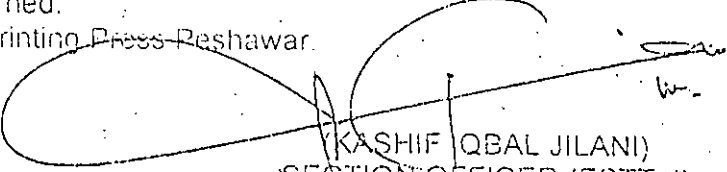
26.	Mr. Rehmatullah, (BS-19)	Associate Professor of Zoology, Mathra Peshawar	Principal, GDC, Chaghermatti, Peshawar, vice Sr. No. 25.
27.	Mr. Sajjad Ahmad, (BS-19)	Associate Professor of Statistics, GPGC, Swabi.	Principal, GDC, Zarabi, Swabi, against the vacant post.
28.	Mr. Fazal Mehmood (BS-19)	Associate Professor of Pashto, GDC, Gulabad Dir Lower	Principal, GDC, Khanpur, Dir Lower (newly established college), against the vacant post.
29.	Mr. Nisar Khan (BS-19)	Associate Professor of Political Science, GPGC, Bannu	Associate Professor, GDC, Serai Naurang, Lakki Marwat, vice Sr. No. 30.
30.	Mr. Ghani-ur-Rehman (BS-19)	Associate Professor of Pol. Science, GDC, Serai Naurang, Lakki Maryat	Associate Professor of Political Science, GPGC, Bannu, vice Sr. No. 29.

CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA

Endst. No. & date even

Copy forwarded to the:-

1. Additional Chief Secretary, P&D Department.
2. Additional Chief Secretary (FATA), FATA Secretariat.
3. Principal Secretary to Governor, Khyber Pakhtunkhwa.
4. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. Secretary to Government of Khyber Pakhtunkhwa, Higher Education Department.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. Accountant General, Khyber Pakhtunkhwa.
8. All Deputy Commissioners in concerned Districts.
9. All Political Agents in FATA
10. Director Higher Education, Khyber Pakhtunkhwa, Peshawar.
11. District Accounts Officers (concerned Districts).
12. Director Information, Khyber Pakhtunkhwa.
13. Principal of concerned College(s).
14. PS to Chief Secretary, Khyber Pakhtunkhwa.
15. PS to Secretary Establishment
16. Professors concerned.
17. Manager, Govt. Printing Press Peshawar.


KASHIF QBAL JILANI
SECTION OFFICER (ESTT. I)
PH: & FAX # 091-9210529

ZIA UL HAQ

ATTESTED



K

24

18-6-16

To

The Chief Minister,
Khyber Pakhtunkhwa .

THROUGH PROPER CHANNEL

Subject: - APPEAL FOR
CANCELLATION OF TRANSFER ORDER

Honourable Sir

With reference to Secretary Higher Education KP Notification NO. SO (E-1) E&AD/9-88/2016 Dated 16/6/2016, I would like to present my case of transfer for cancellation.

In support of my presentation I would like to highlight the reasons behind the transfer as well as to give some concrete logical and legal grounds for its subsequent cancellation..

1. An inquiry was conducted by two honourable Professors under the direction of Higher Education Deptt regarding an issue of adoption of illegal Research by Miss Komal Khan- a former student of BS Political science (4 years programme) at GPGC Bannu.
2. The inquiry report found me methodical and clinical in the matter and no violation of any substantive or minor rule and procedure was found in the steps that I have taken in connection with the research option of Miss Komal Khan. (**Annexure A**)
3. The issue was adoption of illegal and unauthorised research by Miss Komal Khan in which she was illegally supported by the two Professors of our college namely Shahid Jamil - the then coordinator of BS Programme and Khalid Iqbal Assistant Professor of Political Science. The inquiry report found that the research option for students was not available in the Scheme Of Studies Of Political Science 2008 and also found the role of the above two mentioned Professors as illegal and held them responsible for misleading and misguiding the said student to go for illegal research just to secure top position in the department.
4. The inquiry report recommended the immediate transfers of the two mentioned Professors as well as issuing of censure and warning to both of them. Consequently both the professors were transferred (**Annexure B**) But censure was avoided to both of them.
5. Surprisingly, the inquiry report also recommended my transfer to nearby colleges simply on the grounds that I failed to stop the said student from adoption of illegal research. Pertinent to mention here that I formally stopped her from doing so (**Annexure C**). Moreover I also used different informal channels to convince the Uncle of Miss Komal

ATTESTED



efforts were turned down by the Uncle of Miss Komal Khan. Many college Professors, Clerical staff and Principal are witness to my efforts. Sir, in such a scenario what HOD have to do as a Professor is not supposed to stop a student through coercion.

6. Later on, the transfer orders of both the above mentioned professors were declared held in abeyance by stating, "TILL THE COMPLETION OF INQUIRY" (Annexure D). These orders are still held in abeyance.
7. Later on the matter of Miss Komal Khan went to the court as there was another girl student namely Miss Faryal Gohar who was a stake holder and connected with the research of Miss Komal Khan. As illegal adoption of research was for securing top position in the Deptt with the collaboration of the above mentioned teachers through backdoor channels. The trial court upheld my decision in Miss Komal Khan issue and observed that I defended the rules while the other two professors openly violated rules but still alike treatment was suggested by the inquiry report in the shape of transfers. (Annexure E)
8. Miss Komal Khan challenged the decision of the trial court in the higher court which rejected her appeal (Annexure F). It means that my role and decisions in Komal Khan research issue were reaffirmed by both the courts.
9. My case of transfer was finalized few months back along with the other two Professors but mine was delayed due to some Procedural codal formalities. The same has been issued on 16/6/2016

Keeping in view this brief history I appeal to you sir to Please cancel my transfer orders to GDC Serai Naurang on the following genuine grounds.

1. Prima facie the inquiry report recommendations about my transfers are mela fide.
2. The inquiry report did not mention any single major or minor violation of rules of BS Programme on my Part but still suggested my transfer.
3. The Trial Court as well as the Appellate Court also upheld my stand in Miss Komal Khan case by rejecting Miss Komal Khan adoption of research.
4. The inquiry report recommended my transfer to nearby college which implicitly means transfer within the district but my transfer is outside my home district.
5. The held in abeyance notification in connection with the two mentioned Professors' transfers order by mentioning, "TILL THE COMPLETION OF THE INQUIRY", ultimately means that when inquiry is not yet completed for the other two Professors how can the same inquiry be considered as complete for me.
6. That my transfers order are against the fundamental principles of law, justice, equality, fairness and above all rule of law.

Sir we are civil servants and belong to that category of civil servant who teach goodness, honesty, discipline, merit, and rule of law to the students. Being civil servants we are bound to uphold rules and follow formal procedure. I have defended the rules and have tried to keep the oxygen intact to the infant BS Programme. Thanks to Allah that my role and decisions have been

ATTESTED



26

recognized by the honourable courts. Still if I have been punished in the shape of transfer it will give an open message to Professors as well as students of BS Programme to violate the rules and enjoy the fruit.

Sir keeping in view the above mentioned factual positions you are requested to intervene in the matter and issue directives to the concerned authority for the cancellation of my transfer orders. Otherwise as a citizen of Pakistan I have the right to knock at the door of judiciary for the protection of my fundamental rights and observance of Principles of Equality, Justice and Rule of law.

Thanking you in anticipation.

Yours Sincerely



Nisar Khan

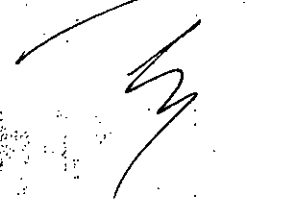
HOD Department of Political science
GPGC Bannu

Dated:- 18/6/2016

Copy to:-

- 1- Director Higher Education Khyber Pakhtunkhwa Peshawar
- 2- Secretary Higher Education Khyber Pakhtunkhwa Peshawar

ATTESTED



8-9-16



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

No. SO(C-1)HE/1-2/40/2015/CM House
Dated Peshawar the 08/09/2016

11059-62

To,

The Section Officer-I,
Chief Minister's Secretariat, Khyber Pakhtunkhwa,
Peshawar.

Subject:-
i. ADJUSTMENT / ISSUANCE OF CORRIGENDUM
ii. APPEAL FOR CANCELLATION OF TRANSFER ORDER.

I am directed to refer to Chief Minister's Secretariat letter No. SO-1/CMS/KPK/3-15/2016/10735/w/e dated 03.08.2016 on the subject noted above and to state that a fact finding inquiry was conducted and as a result of recommendations of the inquiry officer Mr. Nisar Khan, Associate Professor of Political Science (BPS-19), Government Postgraduate College, Bannu was transferred to Government Degree College, Serai Naurang, Lakki Marwat (Copy of the inquiry report is enclosed).

Encls: As Above:

SECTION OFFICER (C-1)

Endst: No: & Date as above.

Copy to:

1. Director, Higher Education, Khyber Pakhtunkhwa with the directions to comply with order of this Department immediately.
2. Principal, Government Degree College, Serai Naurang, Lakki Marwat.
3. Principal, Government Postgraduate College, Bannu.
4. Master File.

SECTION OFFICER (C-1)

ATTESTED

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Misc. A. No. _____/2016

Nisar Khan versus Chief Secretary & others

**APPLICATION FOR SUSPENSION OF THE
IMPUGNED ORDERS:**

Respectfully Sheweth,


1. That appellant filed the subject appeal before this Hon'ble Tribunal.
2. That applicant has raised in the appeal question of public importance, so the case deserves legal appreciations.
3. That applicant has prima facie case in his favor, so balance of convenience lies in his favor.
4. That facts and grounds of the appeal be taken as integral part of this application for grant of interim relief.
5. That applicant has not yet relinquished the charge of the post till date.

It is, therefore, most humbly requested that the application be accepted as prayed for.

Through

Date: 16-09-2016


Applicant


Saadullah Khan Marwat
Advocate

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Misc. A. No. _____/2016

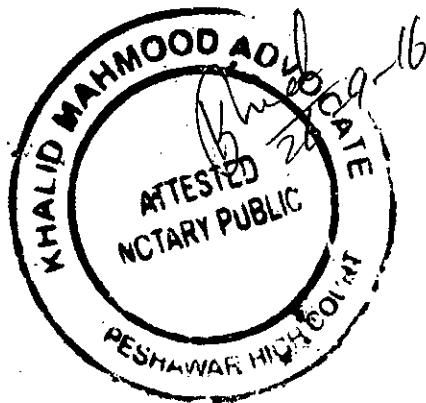
Nisar Khan

versus

Chief Secretary & others

AFFIDAVIT

I, Nisar Khan, Applicant do hereby solemnly affirm and declare that contents of **Application** are true and correct to the best of my knowledge and belief.




DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1003/2016

Nisar Khan.....Appellant.

Govt. of Khyber Pakhtunkhwa through Secretary HED & Others.....Respondents

PARAWISE COMMENTS ON BEHALF OF SECRETARY HIGHER EDUCATION DEPARTMENT

Preliminary Objections:

1. That the Appellant has got not cause of action/locus standi to file the instant appeal.
2. That the Appellant has concealed material facts from this Honorable Tribunal.
3. That the Honorable Tribunal lacks jurisdiction to entertain the instant appeal.
4. That the Appellant has not come to the Honorable Tribunal with clean hands.
5. That the Appellant is stopped by his own conduct to file the instant appeal.
6. That the Appellant is hit by doctrine of laches.
7. That the instant appeal is based on mis-conception/ mis-statement of facts, hence, liable to be dismissed.
8. That the Appellant has also filed Write Petition before the Honorable Peshawar High Court, Bannu Bench for cancellation of his transfer and his transfer and his case is pending adjudication in the court.

Facts

- 1- Pertains to his employment record.
- 2- Correct to the extent that a dispute arises regarding research of Miss Komal, a student of BS Political Science at Government Post Graduate College, Bannu, in order to probe into the matter, two inquiries were conducted and both the inquiries committees recommended that research work of Miss Komal Khan be accepted. Moreover, Higher Education Commission, Islamabad has issued a letter, wherein, it has been stated that Research/Project in the Discipline of BS Political Sciences is per HEC curriculum Template 2008 (Annex-A).
- 3- Incorrect. That two inquiries committee was constituted to probe into the matter and the inquiry committee constituted under the chairmanship of Mr. Abid Hussain, Principal GDC No.01, D. I, Khan recommended that being Head of the Department of Political Science, Prof Nisar Khan (Appellant), was unable to put forth and exert a credible role, so he may be removed from the present status of the Head of Department of Political Sciences and may also be transferred to a nearby college. But as far as the transfer of Mr. Shahid Jamil, the then BS Coordinator and Mr. Khalid Iqbal, Research Supervisor, are concerned the inquiry committee recommended Censure to Mr. Khalid Iqbal and strong warning and transfer of Shahid Jamil, if the Principal GPGC, Bannu so wished. (Copy of two inquiries reports as Annexed as B and C)

- 4- Pertains to record.
- 5- Pertains to record.
- 6- Pertains to record.
- 7- Correct that Higher Education Department issued an order to the Principal GPGC, Bannu, to issue transcript/ DMC including research work to Miss Komal Khan **(Annex-D)**.
- 8- Pertains to record.
- 9- Incorrect. The inquiry committee recommended strong warning and transfer of Mr. Shahid Jamil the then BS Coordinator, if the Principal GPGC, Bannu so wished, and only censure and not transfer of Mr. Khalid Iqbal, Research Supervisor. Mr. Shahid Jamil and Mr. Khalid Iqbal were transferred to GPGC, Karak and GPGC Lakki, Marwat respectively, but it is pertinent to mention that the aggrieved persons approached to High ups in Higher Education Department and requested that inquiry committee did not recommend them to be transferred to other colleges, hence the Higher Education Department suspended/held in abeyance the transfer notification in respect of Mr. Shahid Jamil and Mr. Khalid Iqbal **(Annex-E)**
- 10- Correct that on 02-02-2016, transfer notification in respect of Mr. Khalid Iqbal and Mr. Shahid Jamil were held in abeyance/suspended on the reasons mentioned in above Para.
- 11- Correct to the extent that Mst. Faryal Gohar filed civil suit in Lower Court, Bannu. But it is pertinent to mention here that Miss Komal Khan was the topper of the class till 7th semester and opted Research in 8th semester, so how could Faryal Gohar claim that she is the topper of the class and due to the declaration of result, she will come to the 2nd position **(Annex-F)** when the result is not yet finalized.
- 12- Correct to the extent that Miss Faryal Gohar, Competitor of Miss Komal filed civil suit and the Honorable Judge issued stay order.
- 13- Correct to the extent that Miss Komal Khan filed appeal before the District Judge against the decision of Learned Civil Judge, wherein, the decision Learned Civil Judge was maintained. It is worth to mentioning here that Miss Komal Khan has filed Civil Revision Petition No. 128-B/2016 in Peshawar High Court, Bannu Bench against the decision of District Judge Bannu, wherein the honourable Judge of High Court suspended that injunction granted to Miss Faryal Gohar by District Judge, Bannu. **(Annex-G)**
- 14- Correct that Higher Education Department has issued General transfer Notification on 16-06-2016, wherein the appellant was transferred from Government Post Graduate College, Bannu to Government Degree College, Sarai Nurang, Lakki Marwat. It is pertinent to mention here that the inquiry committee recommended the transfer of the appellant to other station. Moreover the appellant had sufficient stay of more than 8 years at GPGC Bannu.
- 15- Correct that the Department representation of the appellant was rejected and the appellant was directed to take charge in the new station. **(Annex-H)**

Grounds

- A.) In correct, The Higher Education Commission, Islamabad has issued a letter wherein it has been stated that Research/Project in the Discipline of BS Political Sciences is per HEC curriculum Template 2008.
- B.) Pertains to record.
- C.) Incorrect the inquiry committee constituted under the chairmanship of Mr. Abid Hussain, Principal GDC No.01 D.I Khan recommended that being Head of the Department of Political Science, Prof: Nisar Khan (Appellant), was unable to put forth and exert a credible role, so he may be removed from the present status of the Head of Department of Political Science and may also be transferred to a nearby college. But as far as the transfer of Mr. Shahid Jamil the then BS Coordinator and Mr. Khalid Iqbal Research Supervisor are concerned the inquiry committee recommended Censure to Khalid Iqbal and strong warning and transfer of Shahid Jamil if the Principal, GPGC, Bannu so wished.
- D.) Incorrect the inquiry committee did not recommended that the appellant be transferred to other college within the District Bannu, rather it was recommended that the appellant be transferred to nearby college. The appellant is transferred to a nearby college because GDC, Sarai Nurang is just 20 Kilometer away from Bannu, City.
- E.) Correct to the extent that Miss Faryal Gohar had initiated legal action against Miss Komal Khan but this legal action has no concern with appellant and the appellant be restrained from indulging in this legal issue.
- F.) Incorrect the respondent Department has issued transfer notification in respect of appellant in accordance with law as the prevailing policy of transfer.

Prayer:

It is therefore, humbly prayed that the instant service appeal is based on mis-conception/ mis statement, hence may graciously be dismissed with costs.

Secretary,
Higher Education, Archives & Libraries Deptt:
Khyber Pakhtunkhwa

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1003/2016

Mr. Nisar Khan.....Appellant

Govt: of Khyber Pakhtunkhwa through Secretary & Others.....Respondents

Reply of stay application:

Preliminary Objections:

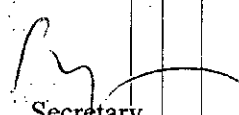
- 1) That the Petitioner has neither a cause of action nor locus standi to file this Service Appeal.
- 2) That the Petitioner has not come to the Honorable Tribunal with clean hands.
- 3) That the Petitioner has suppressed/concealed material facts from the Honorable Tribunal and hence the appeal is not maintainable on this score alone.
- 4) That the Petitioner cannot claim the posting of his own choice.
- 5) The appeal in hand is exaggerated and filed with gross misconceptions and is liable to be dismissed.
- 6) That the appellant is estopped by his own conduct to file the instant application.

Reply

- 1- Needs no comments.
- 2- Incorrect, actually the appellant already overstayed at this station than the prevailing tenure. The appellant stayed at this station more than 8 years. Further his transfer was made on the recommendation of the inquiry committee.
- 3- Incorrect, misleading. Already elaborated in above para.
- 4- That the plea of Petitioner in the main appeal has already been replied separately, however the request for the interim relief is not within the parameters of law.
- 5- That the Petitioner has to relinquish the charge in compliance of the notification being lawful and within the prescribed parameters.

Prayer:

It is therefore humbly prayed that the application is based on misconception, hence may graciously be dismissed.


Secretary,
Higher Education, Archives & Libraries Deptt:
Khyber Pakhtunkhwa



Annex - A

HIGHER EDUCATION COMMISSION
H-9, Islamabad (Pakistan), Phone: (051) 90402108 Fax: (051) 90402102
(E-mail: gfatima@hec.gov.pk Website: www.hec.gov.pk)

Director (Academics)

No. 9-11/Curri/Political Science/2015/
December 21, 2015

Subject: PROVISION OF RESEARCH/PROJECT IN THE BS OF POLITICAL SCIENCE AS PER HEC CURRICULUM TEMPLATE 2008

Dear Sir,

The Curriculum of Political Science Prepared by National Curriculum Revision Committee NCRC for Political Science provides provision to the students to Opt Research Project of 6 credit hour as per HEC standardized framework. The soft copy of curriculum is available at the link <http://www.hec.gov.pk/InsideHEC/Divisions/AFCA/CurriculumRevision/Documents/>

With best regards,

Yours sincerely,

(Ghayyur Fatima)

The Principal,
Government Postgraduate College,
Bannu.

CC:
The Registrar,
University of Science & Technology,
Bannu.

Annex B

(Page 5 of 7)

Internal Inquiry Report

The Principal
Govt Post Graduate College Bannu

Subject: ENQUIRY REPORT

Sir,

Findings of the enquiry Committee in regard to the issue of opting for research in line of an optional course of 6 credit hours by Miss Komal Khan, student of BS Political Science 3rd semester at Govt Post Graduate College, Bannu. (6 Credit Hours) *more*

1. The Higher Education Commission has continually been revising curriculum for BS 4-years program in collaboration with the universities. According to the decision, taken by the special meeting of the Vice Chancellor's Committee, the Committee unanimously decided that curriculum must be revised regularly after every three years. (copy of 2008 curriculum attached annex-1)

In the light of the above decision, the curriculum was revised in 2013. The revised curriculum was circulated for information and implementation to all the universities and where BS 4 year's programs are offered.

2. In the curriculum 2013, research has not only been given more importance but, it can be said, that it has been made mandatory for the students in the final semester to prepare them for onward research at M.Phil and Ph.D levels. (copy of curriculum 2013 attached annex-2)

3. The Government has been lavishly spending funds on the students in order to encourage them to opt for research. To create a research oriented environment in colleges and the universities, the Prime Minister has awarded thousands of Lap-tops to the students for research purpose. Similarly, the government's spending millions of rupees on the establishment of digital laboratories and computer labs for the same purpose. This clearly indicates the government's intention of promoting research in the society.

4. A memo was circulated by the Co-Coordinator BS Program among all HODs to encourage students to opt for research in the final semester. (Copy attached annexure 3)

5. Research work at the final semester is basically for the purpose of 'grooming' students to be ready for detailed research on highly levels it is to introduce the students to how research is being made' to make them learn the methodology of research.

6. Copy of standardized format/ scheme of studies for year integrated curriculum for Bachelor Degree in Basic, Social, Natural and applied sciences attached. (annexure 4)

From the above enquiry, the Committee reached the conclusion that there has crept in some misunderstanding/ lack of knowledge of research work it is advised the results of Miss Komal Khan may be declared immediately in the best interest of the student.

- | | | | |
|------------------------|------------------------------------|----------|---------------------------------|
| 1. Mr. Hayatullah Khan | (Associate Professor of Botany) | Chairman | <i>[Signature]</i>
09/9/2015 |
| 2. Mr. Samsher Ullah | (Assistant Professor of Chemistry) | Member | <i>[Signature]</i>
09/9/2015 |
| 3. Mr. Asgher Khan | (Lecturer in Electronics) | Member | <i>[Signature]</i>
09/9/2015 |

Report is submitted on 09-9-2015

(Continued on page 7)

To

The Principal

G.P.G.C, Bannu

Subject: INTERPRETATION OF ALREADY SUBMITTED ENQUIRY REPORT DATED 9TH SEPT. 2015.

Sir,

Firings of the Enquiry committee in respect of issue of opting for research project in lieu of an optional and versus major subject by Miss Komal khan, Student of BS political Science 8th Semester at Govt Post Graduate College, Bannu.

1). Khalid Iqbal is entitled to supervise the research project of BS-Political Science. For precedence General University, Institute of computing and Information Technology (ICIT) the list of supervisor where a sample MCS degree holder Supervise the Research project of MCS students. It is attached (Annex-A)

2). As the matter is purely academic and for the academic matter, the principal has nominated Coordinator of BS-Programme very powerful to deal all the academic issues with the university, Higher education department and P.M.U.

The coordinator has allowed the student to select their supervisor for their research work. Notification of Co-Ordinator is hereby attached (Annex-B)

3) There seems to be misunderstanding /Lack of knowledge regarding research work. Neither time-frame has been given to the students nor has any notification been issued in this regard, while in 2008 curriculum for BS-Political science, the Research Project is included as a Major subject.

(Annex-C layout, page.11)

Conclusion:

As the defense of Miss Komal khan has been already uploaded on GPJC Facebook page which is clear indication that the college own the research project and the student has deposited the research project fee of Rs.1600 (Anexx-D and Annex-E)

Therefore it is suggested that her result may be declared immediately in the best interest of the student so that she may not be deprived of admission in M.Phil.

deposited

1. Mr. Inayat Ullah khan (Associate professor of Botany)

2. Mr. Shamsheer Ullah (Assistant Professor of chemistry)

3. Mr. Asghar Khan (Lecturer in Electronics)

None done
16/9/2015
16/9/2015
16/9/2015

OFFICE OF THE PRINCIPAL/COORDINATOR JOINT MANAGEMENT COUNCIL, GOVT DEGREE COLLEGE NO-1, D.I.KHAN

No. 3290-91

Dated: 12/11/2015 Email: ecl@dkhan@yahoo.com

To,

The Director of Higher Education, Directorate of Higher Education, Khyber Pakhtunkhwa, Peshawar.

Subject: NOTIFICATION/INQUIRY REPORT OF GPGC BANNU

Memo:

Hon. Sir, vide letters No.22386 88, Dated Peshawar the 16-09-2015 and No.26066/DHE/AD (Academics) BS Programme, Dated Peshawar the 21-10-2015 received through AD (General), I, Professor Syed Abid Hussain, Principal, Govt. Degree College No.1, D. I. Khan, was appointed chairman of the inquiry-committee and Professor Sajjad, Ali Khan, HOD, Department of English, GPGC Kohat was nominated as a member with me. Due to immense pressure of being a Coordinator of a large JMC and heavy workload I was able to visit Govt. Postgraduate College Bannu in person and along with Professor Sajjad Ali Khan on October 30th, 2015.

Once there we met and interviewed the following in this very complicated and broad-based inquiry:

1. Hon. Sharifullah Khan, Principal, GPGC Bannu. (Being the head of the institution he briefed me about the entire case and told me about a self-conducted inquiry and provided me with a copy of its report).
2. Mst. Komal Khan, the aggrieved BS Political Science 8th semester student.
3. Shahid Jamil, former Coordinator BS Programme, GPGC, Bannu
4. Mr. Khalid Iqbal, Assistant Professor of Political Science Dept. and supervisor of Komal Khan's research thesis.
5. Mr. Nisar Khan, HOD of Political Science, GPGC, Bannu.
6. Mr. Inayatullah Khan, Associate Professor of Botany (Head of the Inquiry Committee constituted by the Principal, GPGC, Bannu at the college level to resolve the issue in hand).
7. Former and present Controllers of Exams were briefly interviewed and consulted.
8. Plus we met other staff members, a student or two who helped in understanding the core issue in hand correctly while requesting for anonymity.

To start with this seemingly complicated case shows poor management at every level, shows violation of substantive rules and procedural faults from the HODs, Coordinator BS, Controller of Exams for BS and the staff including the ministerial one but the principal who all through this case tried his best to find a viable solution by streamlining things. The academics of the entire college, especially Department of Political Science, is messed up and there is lack of coordination, ignorance or willful neglect of the BS/semester rules and total disregard of transparency, honesty and discipline. The Miss Komal Khan

case belongs to the Department of Political Science of GPGC, Bannu. She is a brilliant and talented student who is enviably fluent in Urdu and English though in time to come she had to compete with a fellow girl student who got migrated from the nearby Govt. Girls College Mandan when their BS in Political Science got shifted to GPGC, Bannu. Her name is Faryal Gohar and she joined her class/Dept. from fifth semester. Prior to and even after Faryal's arrival, Miss Komal Khan used to top the department and she continued doing that up to seventh-semester. Her uncle Professor Abdul Waheed Sahib who happened to be the HOD of Economics Dept. was also the Coordinator BS Programme for GPGC, Bannu, however, the girl was too talented to fall into the trap of being called a student who was being favoured by her uncle or under his influence by others. When her uncle retired Mr. Shahid Jamil, Assistant Professor of Botany became Coordinator BS Programme. Miss Komal Khan in her applications and appeals points to the prejudice of the HOD Political Science Dept. Professor Nisar Khan especially during seventh and eighth semesters wherefrom everything went awry and thenceforth the entire case was not handled prudently. We won't touch at length the undercurrents, favouritism, intrigues and inter-departmental rifts, for the case took the college to a new direction and soon there were two factions or groups with HOD of Political Science and his well-wishers on one side and Miss Komal Khan and professors favoring her because of her talent to the other side. The principal tried his best to effectively play his role and turn things around but situation soon went from bad to worse and then worst.

How things went wrong, let us view things as Miss Komal Khan viewed them (by not favouring her unjustly of course), for this inquiry resulted because of her complaint which seemed to carry enough weight because of which the DMH/HED were compelled to initiate it:

1. Miss Komal Khan, during her last two semesters (VII & VIII) thought whether wrongly or rightly that HOD of Political Science was bent on depriving her not only of her distinction but her 4 CGPA result which would have ruined her career.
2. Some of her results and an errata she quotes (Annexure-A-a) by the Exams Section Controller of Exams / HOD of Political Science, GPGC, Bannu, made her believe that Faryal Gohar was being favoured by the HOD and his friends and she has quoted those results/errata in her applications and appeals and has pleaded for justice (Annexure-A-b).
3. Fearing the worst from her HOD, she opted for research (Annexure-B) by submitting her application to the Controller of Exams, Coordinator BS, HOD of Political Science and her Internal Research Supervisor Mr. Khalid Iqbal who accepted her research and deposited her research fee (Annexure-C). This was done when Mr. Shahid Jamil, Coordinator BS Programme provided her with a chance of research by quite foolishly and against the rules issuing his own office order (Annexure-D) in which he allowed research to students and asked HODs of various disciplines to go for it (surprisingly most of the departments went for it and none objected, this is quite an anomaly and this is claimed in Shahid Jamil's personal attested statement), (Annexure-E) but in so doing he did not seek any approval of

the principal or the HOD of Political Science nor did he provide any solid ground for his order under HEC guidelines or US&T, Bannu. However, a DHE letter is quoted in which principals have been advised to encourage research in BS colleges. Whereas the BS 4-Years Degree Programme for Political Science provided by HEC has Scheme of Studies which does not mention research at all, not even as optional during her admission year of 2008 (Annexure-F-a & I.) But HEC does strongly encourage research and this it has been doing since long and Miss Komal Khan had this vague option per HEC guidelines (not scheme of studies) to go for research, for research is almost the motto of HEC. In short Mr. Shahid Jamil misguided and misled Miss Komal Khan. Per rules she should have opted for research in the seventh semester by getting herself registered with US&T, Bannu and would have carried it to eighth semester with three credit hours' research work per each semester (but HEC/US&T Bannu allows only three credit hours research as has been quoted by HOD Department of Political Science) and would thus have completed it. But she neither got herself registered, nor opted research from the start of the seventh semester. So there are gross anomalies and flagrant irregularities on her part and on part of Mr. Shahid Jamil. Here HOD is also to blame as to why he kept himself aloof and from the sideline watched this whole game getting played irrationally and stupidly thus ignoring and disregarding inhumanly the brilliant academic career of his innocent girl student going to pieces. He should have strongly played his creditable and effective role of the HOD of his department and must have removed the misconception in time and with iron hand if justified and he was justified. He neither sanctioned it nor censured it and if he did he did it too late and after the repeated requests /pleas of Miss Komal Khan through a number of applications. Mr. Nisar Khan did not accept Komal Khan's research option and he was right but when Professor Khalid Iqbal became as her Research Supervisor by accepting her proposal, Mr. Nisar Khan did not challenge or object to his being a supervisor for Miss Komal Khan as per Mr. Khalid Iqbal's personal attested statement. (Annexure-G). Mr. Khalid Iqbal also refers to an inquiry conducted by the principal through an inquiry committee. The orders and report of the inquiry committee is attached herewith as (Annexure-II-a & b)).

4. While opting for research of six credit hours which was not on cards (whereas US&T, Bannu allows three credit hours research work as per Nisar Khan's statement), Miss Komal Khan stopped attending the two classes of three credit hours each, one of which was taken by Mr. Nisar Khan, HOD of Political Science and thus used to remain absent there, fearing if she attended the class of her HOD, he would deprive her of 4GPA marks and might harm her by either failing her or awarding her less marks in his paper and by promoting her class fellow Faryal Johar. Thus she indulged in the worst kind of supposition and delivered a coup de grace to her fine academic career by absenting herself. But in the meanwhile she did not sit idle, misguided by other teachers she was safely and erroneously doing her research helped by those professors who knew about her dilemma and genuinely wanted to

help her. And let me nominate them, they were Mr. Khalid Iqbal, Assistant Professor Political Science and Mr. Shahid Jamil, Coordinator BS. This was unwarranted and should not have been done but now the question arises why none stepped forward to help her except the two aforementioned professors and by not allowing the matter to take an irremediable dimension. Why HOD sat mum and why he did not remove her misperception and misapprehension by telling her like a father figure that he bore no grudge against her and thus was not biased or prejudiced and she must attend her classes without any fear or premonition. He must have told her to leave out research and attempt the two papers and get through and none would jeopardize her 4 CGPA and still is the most brilliant and able student of his and why she was found absent in two very important papers of her academic career one of which was being taught by him. Why not approach her uncle (an ex-colleague) and ask him why his niece was bent upon ruining her own result and the results of the department by simply disappearing, for her failure would have been the failure of the department, the way it is proving to be now in this inquiry.

5. HOD Dept. of Political Science did not allow her research after Mid-term exam of 8th Semester which per rules was not feasible as it provided a student with little or no time to do the necessary research and he is right in his decision making (Annexure-I is a letter related to struck off of Miss Komal Khan in which he justifies that her research is not valid), for students usually get enrolled and registered for research at the start of VII semester by the university with which the college is affiliated. She did not do so and why HOD Mr. Nisar Khan did not encourage research, remains unexplained even if of three credit hours whereas HEC is all research. One wonders why from out of the blue she suddenly became interested in research and that too in a haphazard fashion which jeopardized her academic career. There were certain reasons which needed to be known and explored and we, the inquiry team members, are simply doing that.
6. When Miss Komal Khan opted for research out of compulsion and stopped attending the said two classes for fear of being dropped, Mr. Nisar Khan, HOD of Political Science first struck her name off the college rolls for her long absence and then cancelled her admission and dropped her when, according to him, she did not appear for readmission (Annexure- J & K). Whereas in the meanwhile she had appealed to the principal that she wants to do research in lieu of the two papers and Mr. Khalid Iqbal, Assistant Professor of Political Science and a Ph.D. scholar had agreed to be her internal advisor (Annexure-L, in which she tries to justify her research and requests for cancellation of her struck off order). She also complained/protested to the principal that the HOD was not accepting her research proposal in sheer prejudice and wanted to frustrate her in her studies (see Annexure-L). As mentioned earlier the students of other departments had already allegedly started research of six credit hours but she being a single student, no matter how wrong, was denied that opportunity. Besides she also got herself readmitted in the meanwhile

(Annexure-M) and attempted the remaining two papers of the VIII Semester by neutral professors and passed them.

7. After attempting the two papers and leaving out the HOD's papers and opting for research in place of the two left out papers, Miss Komal Khan ultimately completed her research and successfully defended it. (Annexure-N). It is pertinent to mention here that when her research was not allowed by HOD and the principal, definitely she was not justified in doing this research what to speak of its defense. Legally she is mortally wrong but we are not supposed to target our students who happen to be our main stakeholders and because of whom we and our institutions are there besides, they are not supposed to know all the rules. Her result however was withheld by the HOD of Political Science as delineated in his letter to the principal, GPGC, Bannu (Annexure-O) though her result at the college level was declared by the Controller & Coordinator BS, GPGC, Bannu (Annexure-P) and was communicated to the Controller of Examination, University of Science & Technology, Bannu who refused to accept it on the grounds not known but Miss Komal Khan looks at it as an intrigue. She vociferously protested and appealed through letters to her principal and the Hon. Special Secretary, Higher Education Dept. (Annexure-O-a & b) about the rejection and announcement of her result. But to no avail. She then approached the office of the Hon. Minister for Higher Education for the withholding of her result and resultantly Private Secretary to the Hon. Minister for Higher Education directed the principal, GPGC, Bannu through an official to announce her result. (Annexure-O-c). Due to her appeals the principal made a strange move and removed both the Coordinator BS and BS Controller of Exams. He handed over the additional charge of Controller of BS Exams to HOD of Political Science Mr. Nisar Khan.
8. Principal's personal statement (Annexure-R) and the personal statement of Mr. Nisar Khan, HOD of Political Science (Annexure-S) are attached herewith. HOD, Nisar Khan is very methodical and clinically rejects the research work opted by Miss Komal Khan by quoting examples on valid grounds to strengthen his point of view. He simply and deliberately discusses VIII Semester only whereas the appeals of the aggrieved Miss Komal Khan hint that the things started to rot earlier than the VIII Semester mentioned above. Nowhere the administration of the college and the HOD of Political Science portray her innocent or a deserving candidate and worth sympathetic consideration, her repeated appeals testify to this bitter fact and this cold shouldering. The response of the HOD is poker faced. The HOD Political Science Dept. says, "The applicant ~~has~~ her so-called research work with the collusion of the supervisor and coordinator and bypassing principal, HOD and the Controller BS GPGC, Bannu." Now the question arises where has gone the creditable role of the HOD to resolve an issue in hand? What was he doing as a silent spectator, pleasing his principal but not handling things effectively by getting the proper rules applied in time to turn a wrong into right for the benefit of all, especially for his

talented student Miss Komal Khan. These are big question marks and many right answers which are missing.

On the basis of the information gathered quite diligently to reach a viable solution to this very important problem which in various shapes and forms exists in all the BS 4-Years Degree Programme Institutions of the KP province, the following recommendations, based on the given findings, are put forth for your kind consideration:

Findings: - After Judicious deliberations by the inquiry committee it is found out that some anomalies have been there in the process of the offering and adoption of the Research thesis as some substantive rules were not taken care of and there were procedural faults too e.g.: mention of the courses in the Course Registration Forms and non-submission of Add/ Drop Registration Forms and so on. It is, however, worth mentioning that it is all the responsibility of the college staff and administration whereas the students are merely expected to know all about such rules or procedure.

The present HOD of the Department of Political Science has failed in exerting his role credibly which has culminated in academic and administrative anarchy at the Department of Pol. Science and the whole college.

The thesis supervisor has showed indifference to the academic rules and the rules of conduct, which he was required to follow.

Furthermore the role of the then coordinator Mr. Shahid Jamil, Assistant Professor of Botany has been unbecoming of a coordinator and an academician. His inefficient role has further aggravated that of the already dis-coordinated situation prevailing at the said department. The said former coordinator has misguided and misled the aggrieved student Ms. Komal Khan and the thesis supervisor Mr. Khalid Iqbal, Assistant Professor of Political Science in terms of rules and point of time regarding the offering/ adoption of Research thesis.

During the course of time the Principal Prof. Shanfullah Khan had been trying to resolve the issue and has tried to use the good offices of the then coordinator whereas the Principal has grown doubtful about the role of Mr. Shahid Jamil which resulted in his removal from the position of the Coordinator BS Programme.

Recommendations: -

1. The HOD of the department of Pol: Science Prof. Nisar Khan was unable to put forth and exert a credible role, so he may be removed from the present status of the head of Department and may also be transferred to a nearby college.
2. The then coordinator, Mr. Shahid Jamil didn't play the required role; instead his role in the whole scenario has created anarchy in the institution. He is held responsible for the present situation. He may be punished so that in future he may himself mend his ways and the other staff may learn for the future. It is therefore recommended that that said Mr. Shahid Jamil, former Coordinator BS Programme may be issued a strong warning and a censure. As he is already removed from the position of

coordinator, he may be transferred from this institution too if the Principal desires so and he does.

- 3. For Mr. Khalid Iqbal who has very recklessly become the supervisor of the thesis of the student Ms Komal Khan may be issued a strong warning and a Censure.
- 4. As for the student Ms. Komal Khan, in the process of her option for Research Thesis, though there were found gross anomalies as some substantive rules were not taken care of and there were procedural faults too but the students are not supposed to know much about such rules and she was not properly guided by the HOD and the teachers, rather misled by the then coordinator Mr. Shahid Jamil; thus the student Ms. Komal Khan may not be punished and tortured.
- 5. The Principal of college is advised to take up the said case with the University of Science & Technology Bannu that the said thesis may be accepted, as special case in the same academic session, and may be considered equivalent to the two courses of 8th semester.
- 6. The Principal, being professor of Pol. Science, may act as HOD Department of Pol. Science so that the entire academic process is streamlined and the Course Registration and result declaration process be expedited to save the precious time of the aggrieved student.

For future academics the HOD's are advised to go by the rules and get the rules streamlined. The relevant rules may be approved by the relevant bodies e.g.: in case of Schemes of Studies the University may be approached for holding the meeting of Board of Studies and the courses along with course codes and course contents may be streamlined to be made available to the staff and students.

Professor Syed Abid Hussain (Chairman Inquiry)
Principal,
Govt. Degree College No.1, D. I. Khan

Professor Sajjad Ali Khan,
HOD Department of English,
Govt. Postgraduate College, Kohat.

(Member Inquiry)

PRINC. PSLC
GDC # 1 DIKhan.

OFFICE OF THE PRINCIPAL GOVT DEGREE COLLEGE NO.1, D.I. KHAN,
Encls. No. 32/20-21

Dated 10/1/2015

Copy forwarded for information & further necessary action to:
1. P.S. to Hon. Special Secretary, HED, KP, Peshawar.

07c
PRINC. PSLC

Anex-D



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

NO.SO(C-1)HEED/1-2/2015/Komal Khan
Dated Peshawar the 11/12/2015

To,

✓
The Principal,
Govt. Postgraduate College, Bannu.

Subject: - DECLARATION OF BS FINAL SEMESTER RESULT OF MISS KOMAL KHAN

I am directed to refer to the subject noted above and to state that as recommended by the Inquiry Committee, complete result (including research report) may be sent to the University of Science and Technology, Bannu for issuance of *transcript/DMC* to Miss Komal Khan in order to save the precious time of the aggrieved student.

Section Officer (C-1)

Endst: No. & Dated Even.

Copy to the:

1. PS to Secretary, Higher Education Department.
2. PS to Special Secretary, Higher Education Department.
3. Registrar, University of Science and Technology, Bannu.
4. Master File.

✓
Section Officer (C-1)

Received on
14/12/2015

14/12/15

Received and
forwarded to COE UNIT
Bannu
14/12/15

Annex-E

(18)

G

12

2-2-16



GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

Dated: Peshawar February 02nd, 2016. ✓

NOTIFICATION

NO. SO (COLLEGES-II) HED/23-21/2012: The Competent Authority is pleased to with-
held/ held in abeyance this department's notification of even No. dated 15-01-2016 till
the completion of the inquiry report.

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT

ENDST: NO. & DATE EVEN:

Copy of the above is forwarded to the:

1. Director, Higher Education, Khyber Pakhtunkhwa, Peshawar.
2. HEMIS Cell Higher Education Peshawar.
3. Principals GPGC Bannu/Karak/Lakki Marwat.
4. District Accounts Officers Bannu/Karak/Lakki Marwat.
5. Officers concerned.

SECTION OFFICER (COLLEGES-II)

(Answer - f)

COMPARATIVE STATEMENT OF MARKS IN BS POLITICAL SCIENCE.

SEMESTER	KOMAL KHAN Roll No. 10361 Reg. No: 2011-UB-GCB 41606	FARYAL GOHAR Roll No.:10094 Reg. No: 2011-UB-GCB-39028
1	525	524
2	546	541
3	465	460
4	478	433
5	442	438
6	448	448
7	446	440
8	185+195 = 380	373
TOTAL	3730	3657

3350
- 3284
66

3281

*Marks of Research.

3730
3657
73

Amma 9

6

PESHAWAR HIGH COURT,
BANNU BENCH.

FORM 'A'
FORM OF ORDER SHEET

Date of order or proceedings	Order or other proceedings with signature of Judge (s).
(1)	(2)
08.9.2016	<p><u>C.R No.128-B of 2016.</u></p> <p>Present:</p> <p>Mr. Pir Liaqat Ali Shah Advocate for the petitioner. ***</p> <p>Inter alia contended that in 7 semesters the petitioner secured more marks i.e.3350 against the ones secured by the respondent Faryal Gohar i.e. 3284 marks; that as per the policy and regulations of the Higher Education Commission the petitioner undertook the research project. The letters to that effect are available on file; however, the said research was denied by head of the department which is against the law and facts. He further contended that the inquiries i.e. external and internal-also supported the stance of the petitioner to the effect that result of the petitioner be declared but both the Courts</p>

Handwritten signature/initials

ATTESTED

EXAMINER
Peshawar High Court

below while granting injunction in favour of the respondent Gohar Fayal, erred in law and facts. The contention raised by learned counsel are forceful and duly supported by the record, therefore, a pre-admission notice be issued to the respondents for a short date. In the meanwhile the injunction granted and upheld on appeal in favour of respondent No.1 is suspended.

JUDGE

CERTIFIED TO BE TRUE COPY

Ln 04/10/2015

Examiner

Peshawar High Court Bench
 Authorized Under Article 87 of
 The Qanun-Shahadat Order 1984

9/18

B
1
IS
Y

ply

-D)



OFFICE OF THE DIRECTOR HIGHER
EDUCATION KHYBER PAKHTUNKHWA
PESHAWAR

Ends: No. 28096-97 CA-1/ Estt: Branch/ A-12/ Nisar Khan/ Political Science

Dated Peshawar the 21/10/2016

Copy of the overleaf is forwarded to the:-

1. Principal Govt: Post Graduate College, Bannu with the remarks to relieve Mr. Nisar Khan, Associate Professor of Political Science of his College and direct him to take over charge at his new station immediately failing which strict action will taken against him.
2. Section Officer (Colleges-I), Govt; of Khyber Pakhtunkhwa, Higher Education Department with reference to his letter No. referred above.

M.C.
DY: DIRECTOR (ESTABLISHMENT)

16/10/16



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

No. SO(C-I)HE/1-2/40/2015/CM House
Dated Peshawar the 08/09/2016

11059-69

To,

The Section Officer-I,
Chief Minister's Secretariat, Khyber Pakhtunkhwa,
Peshawar.

- Subject:-
- i. ADJUSTMENT / ISSUANCE OF CORRIGENDUM
 - ii. APPEAL FOR CANCELLATION OF TRANSFER ORDER

I am directed to refer to Chief Minister's Secretariat letter No. SO-ICMS/KPK/3-15/2016/10735/w/c dated 03.08.2016 on the subject noted above and to state that a fact finding inquiry was conducted and as a result of recommendations of the inquiry officer Mr. Nisar Khan, Associate Professor of Political Science (BPS-19), Government Postgraduate College, Bannu was transferred to Government Degree College, Serai Naurang, Lakki Marwat (Copy of the inquiry report is enclosed).

Encls: As Above:

SECTION OFFICER (C-I)

Endst: No. & Date as above.

Copy to:

- 1. Director, Higher Education, Khyber Pakhtunkhwa with the directions to comply with order of this Department immediately.
- 2. Principal, Government Degree College, Serai Naurang, Lakki Marwat.
- 3. Principal, Government Postgraduate College, Bannu.
- 4. Master File.

AD(S)
pl put up.

SECTION OFFICER (C-I)

D.D. (e tab)
10/10/16
23/09/2016

RECEIVED ON
22 SEP 2016
Slary # 5281
D/Clerk 115

22/9/16

CA-I

22/9/16

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

S.A. No. 1003/2016

Nisar Khan

versus

Chief Secretary & Others

REPLICATION

Respectfully Sheweth,

PRELIMINARY OBJECTIONS:

All the 6 preliminary objections are illegal and incorrect. No reason in support of the same is ever given as to why the appellant has no cause of action, locus standi, concealment of material facts, without jurisdiction, unclean hands, estoppels, limitation and not latches mis-conception and mis-statement, and writ before Hon'ble High Court Bannu Bench.

ON FACTS:

1. Needs no comments.
2. Admitted correct to the extent of dispute of Research of Miss Komal in Bachelor of Science / Political Science at GPGC, Bannu. When there was no such program at BS level in Political Department then how the Inquiry Committee recommended to accept the Research work of Miss Komal.

As for as Annex "A" attached with the written statement is concerned, being bogus, the same was issued on 21-12-2015, while the final Semester came to an end in June 2015, with bogus address not available at web site of HEC.

Till date, it is not understood that who is supporting Miss Komal in Mal-practices and deeds.


In the HEC Syllabus for the year, 2008, no such BS Semester is available but at S. No. 8 of the said syllabus, 04 papers are

- available (i) Public International Law-II, (ii) International Law organizations (iii) Political Economy and (iv) Local Govt. in Pakistan. (Copy as Annex "R")
3. Not correct. The role of the appellant, Head of the Department of Political Science was up to the mark which was appreciated by the principal of the college vide letter dated 18-08-2015, even by the Inquiry Officer too. Such dirty role was played by Khalid Iqbal, Research Supervisor and Shahid Jameel BS Coordinator, later on removed by the principal of the college vide letter dated 21-09-2015. (Copies as Annex "R/1 & R/2") As recognition of his service, appellant was posted as Controller of examination BS Programme.
 - 4-8. Not commented upon by the respondents, so the paras of the appeal are admitted correct by them.
 9. Not correct. The para of the appeal is correct regarding inquiry report and its recommendation. ~~The two incumbents whose role was not to the mark are still serving the departments at GPGC, Bannu.~~
 10. Admitted correct by the respondents regarding with holding of transfer notification of Khalid Iqbal and Shahid Jameel.
 11. Admitted correct to the extent of suit of Faryal Gohar before the court of Senior Civil Judge, Bannu. Miss Faryal Gohar has 4.0 CGPA while Miss Komal has the same of 3.91 CGPA. (Copy as Annex "R/3")
 12. Admitted correct regarding confirmation of stay order of Miss Faryal Gohar.
 13. As above.
 14. Correct regarding transfer of appellant from GPGC, Bannu to GDC, Sari Nourang.
 15. Admitted correct regarding submission of representation to the authority.

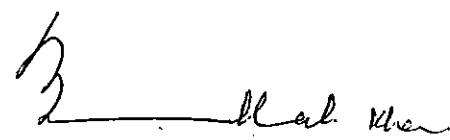
GRUNDS:

All the grounds of the appeal are legal and correct while that of the reply are illegal and incorrect. The same are again adopted.

It is, therefore, most humbly prayed that the appeal be accepted as prayed for.


Appellant

Through


Saadullah Khan Marwat
Advocate,

Dated: 11-01-2017

AFFIDAVIT

I, Nisar Khan, appellant do hereby solemnly affirm and declare that contents of the **Appeal & rejoinder** are true and correct to the best of my knowledge and belief while that of reply of respondents are illegal and incorrect.

I reaffirm the same on oath once again to be true and correct as per the available record.

ATTESTED
Oath Commissioner
Zahoor Khan Advocate
Distt: Court Peshawar


DEPONENT

11 JAN 2017

R

4

**CURRICULUM
OF
POLITICAL SCIENCE
BS (4-YEAR)**

2008



**HIGHER EDUCATION COMMISSION
ISLAMABAD**

**STANDARDIZED-FORMAT / SCHEME
OF STUDIES FOR BS (4-YEAR)
IN-POLITICAL SCIENCE**

STRUCTURE

Sr.	Categories	No. of courses	Credit Hours
1.	Compulsory Requirement (No Choice)	9	25
2.	General Courses to be chosen from other departments	7	21
3.	Discipline Specific Foundation Courses	9	32
4.	Major Courses including research project / Internship	12	40
5.	Electives within the major	4	12
	Total	41	130

- ✓ Total numbers of Credit-hours 130
- ✓ Duration 4 years
- ✓ Semester duration 16-18 weeks
- ✓ Semesters 8
- ✓ Course Load per Semester 15-18 Cr hr
- ✓ Number of courses per semester /practical courses 4-6 (not more than 3 lab)

LAYOUT

Compulsory Requirements (the student has no choice)		General Courses to be chosen from other departments		Discipline Specific Foundation Courses		Major Courses Including research project/ Internship		Elective Courses within the major	
9 courses 25 Credit hours		7-8 courses 21-24 Cr. hours		9-10 courses 30-33 Credit hours		11-13 courses 36-42 Credit hours		4 courses 12 Credit Hours	
Subject	Cr. hr	Subject	Cr. hr	Subject	Cr. hr	Subject	Cr. hr	Subject	Cr. hr
1. English - I	03	1. Economics	03	1. Introduction to Pol. Science - I	03	1. Introduction to International Relations.	03	1. Diplomacy	03
2. English - II	03	2. Law	03	2. Introduction to Pol. Science - II	03	2. Comparative & Development Politics- I	04	2. Foreign Policies of UK, USA	03
3. English - III	03	3. Logic	03	3. Political Systems (Developed)	04	3. Comparative & Development Politics - II	03	3. Public Admn.	04
4. English - IV *	03	4. Psychology	03	4. Political Systems (Developing)	04	4. History of International Relations- I	04	4. Local Govt. in Pakistan/ Comparative Local Govt.	03
5. Pakistan Studies	02	5. History of Civilization	03	5. Western Political Philosophy - I	04	5. Public International Law - I	03		
6. Islamic Studies / Ethics.	02	6. Everyday Science	03	6. Western Political Philosophy - II	04	6. Public International Law - II	03		
7. Maths. - I	03	7. Geography	03	7. Muslim Political Philosophy - I	03	7. Methods of Study & Research	04		
8. Maths. - II **	03			8. Muslim Political Philosophy - II	03	8. Foreign Policy Analysis	03		
9. Introduction to Basics in Computer.	03			9. Pakistan Movement.	04	9. Introduction to Local Government.	03		
						10. International Organizations.	03		
						11. Political Ideologies	03		
						12. Political Economy	03		
	25		21		32		39		13

* University has the option to recommend any other course in lieu of English IV
 ** University may recommend any other course in lieu of Mathematics II

7

**SCHEME OF STUDIES FOR BS (4 YEAR) IN
POLITICAL SCIENCE**

1 ST YEAR		
Sr. No	Semester-I	Credit Hours
1	English-I	3
2	Islamic Studies	2
3	Introduction to Political Science-I	3
4	Mathematics-I	3
5	General-I	3
6	General-II	3
	Total:	17

Sr. No	Semester-II	Credit Hours
1	English-II	3
2	Pakistan Studies	2
3	Introduction to Political Science-II	3
4	Mathematics-II*	3
5	General-III	3
6	General-IV	3
	Total:	17

2 ND YEAR		
Sr. No	Semester-III	Credit Hours
1	English-III	3
2	Introduction to Basics in Computer	3
3	Political Systems (Developed)	4
4	General-V	3
5	General-VI	3
	Total:	16

Sr. No	Semester-IV	Credit Hours
1	English-IV**	3
2	Political Systems (Developing)	4
3	Pakistan Movement	4
4	Introduction to International Relations	3
5	General-VII	3
	Total:	17

3 rd YEAR		
Sr. No	Semester-V	Credit Hours
1	Western Political Philosophy-I	4
2	Muslim Political Philosophy-I	3
3	Comparative and Developmental Politics-I	4
4	Political Ideologies	3
5	Public Administration	4
	Total:	18

Sr. No.	Semester-VI	Credit Hours
1	Western Political Philosophy-II	4
2	Muslim Political Philosophy-II	3
3	Comparative and Developmental Politics-II	3
4	History of International Relations	4
5	Introduction to Local Government	3
	Total:	17

4 th YEAR		
Sr. No.	Semester-VII	Credit Hours
1	Methods of Study and Research	4
2	Foreign Policy Analysis	3
3	Public International Law-I.	3
4	Diplomacy	3
5	Foreign Policies of UK, USA	3
	Total:	16

Sr. No.	Semester-VIII	Credit Hours
1	Public International Law-II.	3
2	International Organizations	3
3	Political Economy	3
4	Local Government in Pakistan	3
	Total:	12

Total Cr hrs=130

R/1 9



OFFICE OF THE PRINCIPAL, GOVT. POST-GRADUATE COLLEGE BANNU
OUTSIDE MIRYAN GATE BANNU CITY

PH & FAX# 0928-660011, E-mail: Cs_gpgcbannu@yahoo.com, riaz_cpqcbannu@yahoo.com
Web Site: www.gpgcbannu.edu.pk



No. 1567/GPGC/Bannu

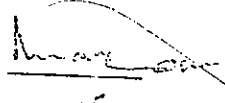

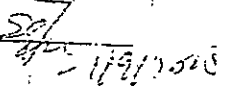
Dated: 31/8/2015

OFFICE ORDER
27/08/2015

In compliance with the directives of the Director Higher Education, Khyber Pakhtunkhwa, a Committee of the following officers is hereby constituted with immediate effect to conduct an enquiry regarding Mr. Khalid Iqbal, Assistant Professor of Political Science. The Committee ought to probe the entire case as to whether he is entitled to supervise the research of a student of B.S Political Science and why did he supervise the student's research without proper approval of the HOD of the Political Science.

The Committee must also find solution to the issue that whether a student can opt for research at a stage when they have carried their classes up to the Mid-term exam of the final semester.

The report must be submitted to the undersigned within 15 days to be onward forwarded to the Director Higher Education, Khyber Pakhtunkhwa, Peshawar.

- | | | |
|---|----------|---|
| 1. Mr. Inayatullah Khan (Associate Professor of Botany) | Chairman |  |
| 2. Mr. Shamsheer Ullah (Assistant Professor of Chemistry) | Member |  |
| 3. Mr. Asgher Khan (Lecturer in Electronics) | Member |  |

PRINCIPAL
GOVT POST GRADUATE COLLEGE BANNU

Endst: No. _____ Dated: _____ / _____ /2015

Copy to:

1. The Director Higher Education Khyber Pakhtunkhwa, Peshawar for information please.
2. Office file

PRINCIPAL
GOVT POST GRADUATE COLLEGE BANNU

10

E

OFFICE OF THE PRINCIPAL GOVT POST GRADUATE COLLEGE BANNU

No. 1722

Dated Bannu the 20/09/2015

To

The Director,
Higher Education KPK, Peshawar.

Subject: Removal of restriction on BS-Political Science Result.

Sir,

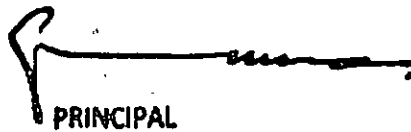
It is with reference to this office order no.15067/GPGC/BANNU DATED: 27/08/2015, on the subject noted above.

As directed by the honourable Director Higher Education the committee was constituted to probe into the matter concerning Miss Komal Khan's, a student of BS - Political Science 8th semester complaint. The committee was comprised of three members being headed by Prof. Inayat Ullah Khan. The following three questions were referred to the committee under the above mentioned order.

- (1) Whether Khalid Iqbal is entitle to supervise the research of a student of BS Political Science?
- (2) Why did he (Khalid Iqbal) supervise the student's research without proper approval of HOD of the Political Science?
- (3) Whether a student can opt for research at a stage when they have carried their classed up to the MID TERM exam of the final semester?

In response to the above three questions the committee has submitted that the professor was entitled to supervise research as a few lecturers having mere MA /MSc or MCS degrees have been supervising research work of students at Gomal University DI Khan. As for question number 2 and 3 the enquiry report is silent.

The undersigned is not fully satisfied with the findings of the enquiry report. The said enquiry report is submitted in original for perusal please.


PRINCIPAL

GOVT. POST GRADUATE COLLEGE BANNU.

11

D

The Principal
Govt Post Graduate College Bannu

Subject: ENQUIRY REPORT

Subject: Findings of the enquiry Committee in regard to the issue of opting for research in line of an optional course of 1 credit hours by Miss Komal Khan, student of BS Political Science 5th semester at Govt Post Graduate College, Bannu

1. The Higher Education Commission has continually been revising curriculum for BS 4-years program in collaboration with the universities. According to the decision, taken by the special meeting of the Vice Chancellor's Committee, the Committee unanimously decided that curriculum must be revised regularly after every three years. (copy of 2008 curriculum attached annex 1)
 2. In the light of the above decision, the curriculum was revised in 2013. The revised curriculum was circulated for information and implementation to all the universities and where BS 4 year's programs are offered.
 3. In the curriculum 2013, research has not only been given more importance but, it can be said, that it has been made mandatory for the students in the final semester to prepare them for onward research at M.Phil and Ph.D levels. (copy of curriculum 2013 attached annex-2)
 4. The government has been lavishly spending funds on the students in order to encourage them to opt for research. To create a research oriented environment in colleges and the universities, the Prime Minister has awarded thousands of Lap-tops to the students for research purpose. Similarly, the government's spending millions of rupees on the establishment of digital laboratories and computer labs for the same purpose. This clearly indicates the government's intention of promoting research in the society.
 5. A memo was circulated by the Co-Coordinator, BS Program among all HODs to encourage students to opt for research in the final semester. (Copy attached annexure 3)
 6. Research work at the final semester is basically for the purpose of grooming students to be ready for detailed research on highly levels it is to introduce the students to how research is being made to make them learn the methodology of research.
 7. Copy of standardized format/ scheme of studies for year integrated curricular for Bachelor Degree in Basic, Social, Natural and applied sciences attached. (annexure 4)
- From the above enquiry, the Committee reached the conclusion that there has crept in some misunderstanding/ lack of knowledge of research work it is advised the results of Miss Komal Khan may be declared immediately in the best interest of the student.

Mr. Inayatullah Khan	(Associate Professor of Botany)	Chairman
Dr. Shamsheer Ullah	(Assistant Professor of Chemistry)	Member
Mr. Asgher Khan	(Lecturer in Electronics)	Member

[Signature]
9/9/2015
9/9/2015

0-5

[Signature]

SUITED
BANNU

11/A

22-6-16
- Q

To

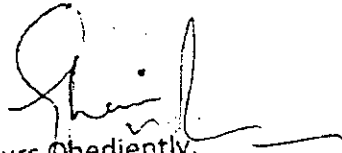
The Director Higher Education,
Khyber Pakhtunkhwa Peshwar.

SUB. APPLICATION OF MR. UR REHMAN ASSOCIATE PROF.
OF POL:Sc B-19 FOR CANCELLATION OF TRANSFER.

Respected Sir,

It is submitted that I have been recently transferred from GDC Serai Naurang to GPGC Bannu Vide Notification No.SQ(E-I)E&AD/9-88/2016 dated 16/6/2016. I request that my wife is seriously ill and aged who needs continuous care and my home only male kid will also leave for admission in college out of station. I have young female daughters and my absence from home will jeopardise safety of our home. On the other hand law and order situation is precarious.


Hence, it is requested that I may please be retained in the GDC Serai Naurang and order s cancelled.


Yours Obediently,

(Ghaniur Rehman)
Associate Prof.
GDC Serai Naurang.

No. 138 / Dated 22/6 /2016.

The application is based on facts. He is a helping hand to the college administration as Chief Proctor and Chairman of Admission Committee. His application may be considered on compassionate grounds.


Principal
Govt. Degree College
Serai Naurang

R/2 19



OFFICE OF THE PRINCIPAL, GOVT. POST-GRADUATE COLLEGE BANNU

OUTSIDE MIRYAN GATE BANNU CITY

FAAX 0926-660011, E-mail: C4_gpgcbannu@yahoo.com, naz_gpgcbannu@yahoo.com
Web Site: www.gpgcbannu.edu.pk



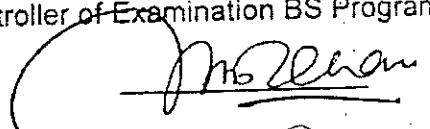
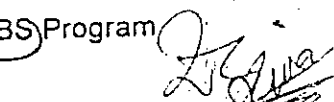
NO. /GPGC/BANNU

DATED: 21/9/2015

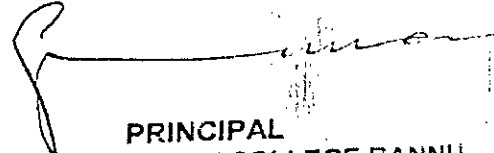
OFFICE ORDER
21/09/2015

Consequent upon the recommendation of all the Heads of Departments of this college in its meeting held on 21/09/2015 in the office of the undersigned, the following Officers have been assigned additional duties as mentioned against each their names with immediate effect till further orders.

They will be entitled for remuneration as per PMU rules/guidelines.

- 1. Mr. Nisar Khan, Associate Professor of Pol; Science Controller of Examination BS Program

- 2. Dr. Zia ur Rehman, Lecturer in Zoology Department of Zoology Coordinator BS Program


The ex-Coordinator and ex-Controller of Examination are requested to hand over all the relevant record to the quarter concerned.


PRINCIPAL
GOVT POST GRADUATE COLLEGE BANNU

Endst: _____/GPGC/Bannu Dated: _____/2015

Copy to the:

- 1. Director Higher Education Khyber Pakhtunkhwa, Peshawar.
- 2. Project Director, Project Management Unit (PMU) Higher Education Khyber, Pakhtunkhwa, Peshawar.
- 3. All the honorable HODs local College.
- 4. Officers concerned local college.
- 5. Office file.


PRINCIPAL
GOVT POST GRADUATE COLLEGE BANNU



R/3 13 H

UNIVERSITY OF SCIENCE & TECHNOLOGY BANNU

Khyber Pakhtunkhwa PAKISTAN

TRANSCRIPT

S.No.04039

Bachelor of Studies in Political Science

Session: 2011-2015

Name: Faryal Gohar Father's Name: Rawab Khan
 Registration No. 2011-UB-GCB-39028 Roll No. 10094

The candidate has secured 89.20% Marks as a whole and is placed in **First Division**.

First Semester							Marks							Fifth Semester							Marks																																																																					
C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP																																																																
Introduction to Political Science-I	3	100	88	A	4.00	12.00	Public Administration	4	100	90	A	4.00	16.00	English Jurisprudance	3	100	88	A	4.00	12.00	Muslim Political Philosophy-I	3	100	87	A	4.00	12.00	Islamic Studies	2	100	87	A	4.00	8.00	Introduction to Local Government	3	100	89	A	4.00	12.00	English-I	3	100	82	A	4.00	12.00	Political Systems of USSR, China, Malaysia	3	100	86	A	4.00	12.00	Mathematics-I	3	100	95	A	4.00	12.00	Western Political Philosophy-I	4	100	86	A	4.00	16.00	Everyday Science	3	100	84	A	4.00	12.00														
Total							17	600	524	SGPA= 4.00			Total							17	500	438	SGPA= 4.00																																																																			
Second Semester							Marks							Sixth Semester							Marks																																																																					
C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP																																																																
Pakistan Studies	2	100	91	A	4.00	8.00	Western Political Philosophy-II	4	100	89	A	4.00	16.00	Introduction to Political Science-II	3	100	89	A	4.00	12.00	Muslim Political Philosophy-II	3	100	89	A	4.00	12.00	English-II	3	100	81	A	4.00	12.00	Public Administration in Pakistan	4	100	88	A	4.00	16.00	Every Day Science	3	100	97	A	4.00	12.00	Political Ideologies	3	100	93	A	4.00	12.00	Introduction to Law	3	100	88	A	4.00	12.00	History of International Relations	4	100	89	A	4.00	16.00	Mathematics-II	3	100	95	A	4.00	12.00														
Total							17	600	541	SGPA= 4.00			Total							18	500	448	SGPA= 4.00																																																																			
Third Semester							Marks							Seven Semester							Marks																																																																					
C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP																																																																
Introduction to Basics in Computer Science	3	100	96	A	4.00	12.00	Methods of Study and Research	4	100	88	A	4.00	16.00	English-III	3	100	87	A	4.00	12.00	Foreign Policy Analysis	3	100	89	A	4.00	12.00	Macro Economics	3	100	97	A	4.00	12.00	Public International Law-I	3	100	92	A	4.00	12.00	Political Systems (Dev:) UK&USA	4	100	84	A	4.00	16.00	International Organizations	3	100	87	A	4.00	12.00	Micro Economics	3	100	96	A	4.00	12.00	Pakistan in World Affairs	3	100	84	A	4.00	12.00																					
Total							16	500	460	SGPA= 4.00			Total							16	500	440	SGPA= 4.00																																																																			
Fourth Semester							Marks							Eighth Semester							Marks																																																																					
C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP		C.H	Max	Obt	LG	GP	OP																																																																
Pakistan Movement	4	100	87	A	4.00	16.00	Political Economy	3	100	92	A	4.00	12.00	Political Systems (Developing Countries)	4	100	88	A	4.00	16.00	Public International Law-II	3	100	97	A	4.00	12.00	Introduction to International Relations	3	100	87	A	4.00	12.00	Regional Organizations	3	100	90	A	4.00	12.00	Funtional English-IV	3	100	84	A	4.00	12.00	Local Government in Pakistan	3	100	94	A	4.00	12.00	History	3	100	87	A	4.00	12.00																												
Total							17	500	433	SGPA= 4.00			Total							12	400	373	SGPA= 4.00																																																																			
Grand Total							4100	3657	CGPA= 4.00																																																																																	

Prep:by [Signature] Checked by: [Signature]

Result Declaration Date	11-08-2015
Issue Date	31-08-2015

The Examination was taken as a Whole

[Signature]
Controller of Examinations



174

UNIVERSITY OF SCIENCE & TECHNOLOGY BANNU

Khyber Pakhtunkhwa PAKISTAN

S.No:256768



DETAILED MARKS CERTIFICATE

Bachelor of Studies in Political Science
Session: 2011-2015

Seven Semester Examination Held in February, 2015

Name: Komal Khan Roll No: 10361
 Father's Name: Abdul Khalid Reg No: 2011-UB-GCB-41606
 Institute Name: Government Post Graduate College Bannu

The Candidate has secured the following Marks.

Code	Subjects	Credit Hours	Max Marks	MARKS OBTAINED						
				Mid Term	Final Term	Internal	Total	Grade Point	Grade	G.P x C.H
POL-471	Methods of Study and Research	4	100	29	48	20	97	4.00	A	16.00
POL-472	Foreign Policy Analysis	3	100	26	42	19	87	4.00	A	12.00
POL-473	Public International Law-I	3	100	27	45	20	92	4.00	A	12.00
POL-474	International Organizations	3	100	27	48	20	95	4.00	A	12.00
POL-475	Pakistan in World Affairs	3	100	17	41	17	75	3.50	B	10.50
Total			500				446	G.P.A : 3.91		

Note: Required Pass Percentage in each Subject 50

Prepared by: P. Khan

Checked by: [Signature]

[Signature]
 Controller of Examinations
 University of Science & Technology, Bannu

Result Declaration Date	15-05-2015
Issue Date	11-08-2015



KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 2372 /ST

Dated 31 / 10 / 2017

To


The Secretary Establishment Department,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: -

JUDGMENT IN APPEAL NO. 1003/2016, MR. NISAR KHAN.

I am directed to forward herewith a certified copies of Judgement dated 25.10.2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.