

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No.169/2024

Titled Waqas Amad Vs Education Department

INDEX

S. No.	Description of Documents	Annexure	Page No.
1.	Reply	-----	1-2
2.	Copy of Transfer order	A	3
3.	Copy of Withdrawn Order	B	4
4.	Copy of Absentee Notice	D	5
5.	Copy of Questioner	E	6-7
6.	Copy of Attendance Register	F	8
7.	Affidavit Case of Withdrawn Order	A	9

*26-05-2024
Peshawar
S-B*

[Signature]
District Education Officer,
(Male) Peshawar

District Education Officer,
(Male) Peshawar

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No.169/2024

Titled Waqas Amad Vs Education Department

Khyber Pakhtukhwa
Service Tribunal

Diary No. 11888

Date 25-03-2024

PARA WISE REPLY ON BEHALF ON RESPONDENT NO. 1&2

Respectfully Sheweth:

The Respondent, submit below:

Preliminary Objections

1. That the appellant has got no cause of action/locus standi.
2. That the Appellant has concealed material facts from this Hon'ble Tribunal.
3. That the appellant has been stopped by his own conduct to file the instant appeal before this Hon'ble Tribunal.
4. That the instant appeal is badly time barred.
5. That the instant appeal is not maintainable in its present form.
6. That the instant appeal is bad for non- joinder of the necessary and proper parties.
7. That the appellant has not come with clean hands to this Hon'ble Tribunal.

Reply of facts:

1. That Para No.1 is correct.
2. That Para No.2 is also correct.
3. That in reply to Para No.3 it is submitted that the appellant was transfer to GPS No.3 Pakha Ghulam from GHSS Gul Bela on dated 06-11-2018 but the same was withdrawn on 30-08-2019.
(Copy of Transfer order and Withdrawn order are attached as Annex- A &B)
4. That Para No.4 is Pertain to record.
5. That Para No.5 is incorrect, misleading and against the facts. The appellant was willful absent from his duty and the Department issued absentee Notice to the appellant. The Department also issued Questioner to the appellant and the appellant filled and returned the same to the Competent Authority the Department did not satisfied from the Answers of the Questioner given by the appellant therefore, the Department stop the salary of the appellant.
(Copies of Absent Notice, Questioner & attendance register are attached as Annex- C, D & E)
6. That Para No.6 is Pertains to record.
7. That the appellant has no cause of action to file the instant appeal in this Hon'ble Service Tribunal on the following ground.

Reply of Grounds:

- A. That Ground-A is incorrect, misleading and against the fact. The appellant was absent from his duty on 06-11-2018 to till date therefore, he is not entitle for the monthly salaries of the said period.
- B. That Ground-B s incorrect, misleading and against the fact. The Respondent Department is bound to act upon the Law and Rules.
- C. That Ground-C s incorrect, misleading and against the fact. The appellant is not interesting in his duty.
- D. That Ground-D s incorrect, misleading and against the fact. Detail reply has been given in the above Para.
- E. That Ground-E s incorrect, misleading and against the fact. The appellant was willful absent from his duty therefore, he is not entitled for the salaries of the said period.
- F. That Ground-F is not apply on the case of the appellant.
- G. That Ground-G the respondent also seek permission of this Tribunal to advance the additional document and present case law at the time of arguments.

It is therefore; very humble prayed that on acceptance of this reply, the instant appeal may very kindly be dismissed with cost

(Sajid RAHMAN 1984)
 District Education Officer
 (Male) Peshawar

Samina Arafat
 (Samina Arafat)
 Director

E&SE Department
 Khyber Pakhtunkhwa Peshawar

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR

OFFICE ORDER

Consequent upon the approval of competent authority, Mr. Waqas Ahmad Chowkidar of GISS Gul Bela Peshawar is hereby transferred to GPS No.3 Pakha Ghulam Peshawar against the vacant post of Chowkidar on his own pay and BPS in the interest of public service with immediate effect.

Note:

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

(JADDI KHAN KHAILI)
DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR

Endst: No: 1756367 /P/ File No. 144 Chowkidar/ Dated 06/1/18 2018 ✓

Copy of the above is forwarded to the:

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Principal GISS Gulbela Peshawar
3. SDEO (Male) Town I Peshawar
4. Official concerned. ✓
5. Master File.

By: DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR.

P-4

With drawl of Transfer order/

Having been found the reply of Mr. Waqas Ahmad Chowkidar GPS Gul Bela Peshawar transferred order issued vide this office Endst no 17563-67 dated 06-11-2018 is hereby withdrawn.

However, the transferred order issued vide Endst under reference will remain intact in the cases of class IV GPS Pakha Ghulam Peshawar, the transferred order.

Having been found the reply of Mr. Waqas Ahmad Chowkidar GPS Gul Bela Peshawar transferred order dated 06-11-2018 immediately, under intimation to this office.

However, the transferred order issued vide Endst under reference will remain intact in the cases of class IV GPS Pakha Ghulam Peshawar the transferred order.

**(MUHAMMAD IDREES AZAM)
DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.**

Endst: No. ⁴⁶ 17563-67/T/N 144 chowkidar Dated ³⁰ 06-11-2019 of transfer vide 06-11-2018 immediately, under intimation to this office. Copy forwarded for information to the:-

- 1- Accountant General Khyber Pakhtunkhwa Peshawar.
- 2- SDEO(M) Town II Peshawar.
- 3- Official Concerned.

**DY: DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR**

30/8/19

ڈسٹر گٹ ایجوکیشن آفیسر (مردانہ) پشاور

تاریخ 10/06/23

نمبر 13564

محترم وقاص احمد ولد نثار احمد (چوکیدار)

دفتر ٹاؤن فور (میل) پشاور

پتہ - حدیقہ بازار پخہ غلام، تحصیل ضلع پشاور

عنوان: ڈسٹر گٹ ایجوکیشن آفیسر (مردانہ) پشاور

آپ کو ہزریہ نوٹس بنا مطلع کیا جاتا ہے کہ آپ 30-11-2018 سے بغیر کسی اطلاع کے تپوٹی سے غیر حاضر ہیں۔ مگر آپ آج تک ڈیوٹی پر حاضر نہ ہو سکے۔

لہذا آپ کو مطلع کیا جاتا ہے کہ آپ تین دن کے اندر اندر زیر

دستخطی کے دفتر میں دوران اوقات کار مجاز آفیسر کے رو برو پیش ہو کر اپنی مسلسل غیرحاضری کی معقول وجہ بیان کریں۔ بصورت دیگر آپ کے خلاف حکومت خیبر پختون خوا ای اینڈ ڈی رولز 2011 کے تحت حاصل کردہ اختیارات بروئے کار لاتے ہوئے یکطرفہ کارروائی کی جائے گی جو آپ کی ملازمت سے ہر خاصگی پر بھی منتج ہو سکتی ہے۔

ڈسٹر گٹ ایجوکیشن آفیسر

(مردانہ) پشاور

نتیجہ امتحان

آج کا نام - وقاص احمد - ولایت -
 شناختی کارڈ نمبر - 1-9909300-17301
 پوسٹ نمبر - 9991623-0312
 اور کون سے کوٹے میں ہوا تھا؟
 سوال نمبر - آج کے آغاز ملازمت کب ہوا؟
 جواب - 2018-01-31
 سوال نمبر - آج کے سکول کا نام کیا تھا؟
 جواب - G.H.S.S Gumbella

سوال نمبر - پہلی بار خارج ہونے کی تاریخ بتائیے؟
 جواب - 2018-03-01
 سوال نمبر - پہلی بار خارج ہونے کی تاریخ بتائیے؟
 جواب - 2018-03-01
 اور 06-11-2018 کو GPS سے متعلقہ چیز کیا تھی؟
 جواب - 2018-03-01

سوال نمبر - GPS سے متعلقہ چیز کیا تھی؟
 جواب - GPS سے متعلقہ چیز کیا تھی۔ جس میں کچھ تھا
 کہ GPS سے متعلقہ چیز کو کھینچ کر آسانی خالی ہے۔ یہ information آج کو کس
 سوال نمبر - خارج ہونے کی تاریخ بتائیے؟
 جواب - 2018-03-01

سوال نمبر - GPS سے متعلقہ چیز کیا تھی؟
 جواب - 2018-03-01
 سوال نمبر - GPS سے متعلقہ چیز کیا تھی؟
 جواب - 2018-03-01
 سوال نمبر - GPS سے متعلقہ چیز کیا تھی؟
 جواب - 2018-03-01

سوال نمبر - GPS سے متعلقہ چیز کیا تھی؟
 جواب - 2018-03-01
 سوال نمبر - GPS سے متعلقہ چیز کیا تھی؟
 جواب - 2018-03-01
 سوال نمبر - GPS سے متعلقہ چیز کیا تھی؟
 جواب - 2018-03-01

Handwritten signature

سوال 8 کو اور حفاظت ؟

16۔ میری تنخواہ stop ہو گئی تھی اور میرے تقریباً 01 سال قبل عرفان صاحب 940
2 پاس جاتا رہا لیکن میرے مسئلے کا کوئی حل نہیں نکال رہا تھا اس لیے بعد عرفان صاحب نے ٹرانسفر ہو گئے
اور آفتاب صاحب نے چارج لیا، آفتاب صاحب نے انٹرویو از سر نو شروع کی، پھر تقریباً 01 سال کا 2023
سوال 9 کو اور کامیابیات ؟

16۔ آپ صاحبان سے گزارش ہے کہ سائل کو اپنی سیٹ پر ریڈیٹ کیا جائے اور بقا یا ٹما (T.M.A) کے ذریعہ
تعمیرات کی جائیں۔

سوال 10 2018-11-30 سے آج تک آ۔ سکول سے غریب خان کو

کو کورنگ سے
آفتاب صاحب نے تقریباً 08/09 ماہ تعمیر تنخواہ 12 Duty کی لیکن اس لیے بعد نذر بکسر مشکل ہو
گیا اور آج تک آفتاب صاحب نے نذر بکسر کیا، اس لیے بعد Education کے مختلف دفاتر میں
چکر آج تک لگایا رہا ہے۔

تعمیرات تقریباً 08/09 ماہ تعمیر تنخواہ 12 Duty کی لیکن اس لیے بعد نذر بکسر مشکل ہو
گیا اور آج تک آفتاب صاحب نے نذر بکسر کیا، اس لیے بعد Education کے مختلف دفاتر میں
چکر آج تک لگایا رہا ہے۔

نام - وقاص امجد دستا دستا

شناختی کارڈ نمبر - 17301-9909300-1

فون نمبر - 0312-9991623

تاریخ - 14-6-2023

(Handwritten signature)


رجسٹر حاضری مدرسہ

P-8

نمبر	انحصان اللہ			صدر ضلع			وقار خان		
	آء	دستخط	سائ	آء	دستخط	سائ	آء	دستخط	سائ
1	7/24			حیدر			حیدر		
2	7/23			حیدر			حیدر		
3	7/22			حیدر			حیدر		
4	7/21			حیدر			حیدر		
5	7/20			حیدر			حیدر		
6	7/19			حیدر			حیدر		
7	7/18			حیدر			حیدر		
8				حیدر			حیدر		
9				حیدر			حیدر		
10				حیدر			حیدر		
11	7/17			حیدر			حیدر		
12	7/16			حیدر			حیدر		
13	7/15			حیدر			حیدر		
14	7/14			حیدر			حیدر		
15				حیدر			حیدر		
16	7/13			حیدر			حیدر		
17	7/12			حیدر			حیدر		
18	7/11			حیدر			حیدر		
19	7/10			حیدر			حیدر		
20	7/9			حیدر			حیدر		
21	7/8			حیدر			حیدر		
22				حیدر			حیدر		
23	7/7			حیدر			حیدر		
24	7/6			حیدر			حیدر		
25	7/5			حیدر			حیدر		
26	7/4			حیدر			حیدر		
27	7/3			حیدر			حیدر		
28	7/2			حیدر			حیدر		
29				حیدر			حیدر		
30				حیدر			حیدر		
31									

Seam
ASUSO(C)
پروگرام

نمبر	حال	نمائندہ	میزان	حال	نمائندہ	میزان	حال	نمائندہ	میزان


 P-D-004

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No.169/2024

Titled Waqas Amad Vs Education Department

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Affidavit

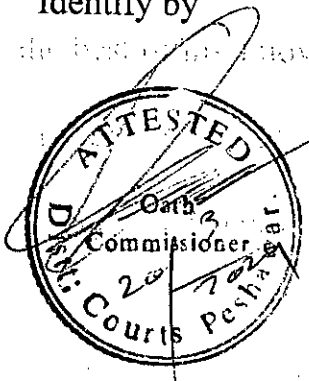
Service Appeal No.169/2024

I, Sajjad Akhtar Iqbal DEO (Male) Peshawar do hereby solemnly affirm and declare on oath that the contents of the reply on behalf of respondents is correct to the best of my knowledge and nothing has been concealed from this Hon,ble court.it is further stated that in this appeal the answering respondents have neither been placed ex-parte nor their defense has been struck off/lost.

I, Sajjad Akhtar Iqbal DEO (Male) Peshawar do hereby solemnly affirm and declare on oath that the contents of the reply on behalf of respondents is correct to the best of my knowledge and nothing has been concealed from the DEPONENT.it is further stated that in this appeal the answering respondents have neither been placed ex-parte nor their defense has been struck off/lost.

[Signature]
Sajjad Akhtar Iqbal
District Education Officer
(Male) Peshawar

Identify by



[Signature]
[Signature]

Sajjad Akhtar Iqbal
District Education Officer
(Male) Peshawar

AUTHORITY LETTER

Mr. Arshad Ali, ADEO (Litigation) office of the District Education Officer (Male) Peshawar is hereby authorized to submit this Para Wise Comments in Service Appeal No.169/2024 titled Waqas Ahmad VS Govt: of KPK & others on behalf of the Education Department (E &SE) KP Peshawar.

AUTHORITY LETTER

Mr. Arshad Ali, ADEO (Litigation) office of the District Education Officer (Male) Peshawar is hereby authorized to submit this Para Wise Comments in Service Appeal No.169/2024 titled Waqas Ahmad VS Govt: of KPK & others on behalf of the Education Department (E &SE) KP Peshawar.

**District Education Officer
(Male) Peshawar**