# FORM OF ORDER SHEET

Court of	-
Appeal No.	678/2024

	<u>Ар</u>	bear No. 6/8/2024
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/05/2024	The appeal of Mr. Fayaz Hussain presented today
		by him. It is fixed for preliminary hearing before touring Single Bench at Swat on 04.06.2024. Parcha Peshi given to the appellant.
		By the order of Glairman  REGISTRAR

#### BEFORE THE SERVICE TRIBUNAL KHYBER PUKHOON KHWA PESHAWAR

A-No. 678/2024

Fayaz Hussain SCT Government Higher school Drush Khela Matta

Swat ( village Langar Khawaza Khela Swat......Appellant.

#### VERSUES.

2. The Diretor Elementary and Secondary Education K.P.

Peshawar and others.....Respondents.

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			<b>23</b> 0.30

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Favaz Hussain

Fayaz Hussain......Appellant.

Through

Umar Khitab Advocate High Court/ Darulqaza Mingora Bench. Cell No. 0345- 9524854

# BEFORE THE SERVICE TRIBUNAL KHYBER PUKHTOONKHW PESHAWAR CAMP COURT GULKADA SAIDU SHARIF SWAT.

## SERVICE APPEAL No. 678.../2024.

#### VERSUES.

- 1. The Director Elementary and Secondary Education Khyber Pukhtoonkhw Peshawar.
- 2. The District Education Officer Male Swat
- 3. The Headmaster Government High School Janoo Khawaza Khela Swat......Respondents.

SERVICE APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT 1974.

Prayer of the service appeal.

"It is therefore, humbly prayed that by accepting the instant service appeal the impugned order No, 8862-67 dated 22/03/2024 (cancellation of mutual transfer order) may kindly be set aside, issued by the Respondent No,2 (District Education Officer Male Swat) being against the law, rules, transfer policy and against the natural justice.

ii.It is further respectfully prayed to direct the Respondents No, 2 to released the pay/Salary of the appellant with effect from 01/03/2024 the act of the stoppage of pay the act Respondent No,2 and 3 against the service rules, against the fundamental rights and natural justice.

iii.It is also prayed to direct the Respondent No,2

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to restore the mutual transfer order No, 8107-12 dated 19/03/2024 and released the pay of the appellant.

iv.Any other reliefs not specifically prayed for, but this August court deem proper may also be granted.

Respectfully Sheweth.

### Facts of the service appeal.

- 1. That the applicant is residence of village Lanagr Tehsil Khawazakhela Swat.
- 2.That the appellant is performing his duty in Elementary and secondary Education Swat under the supervision of Respondent No, 2 from last 29 years.
- 3.That the appellant was promoted from PST to CT BPS 15and adjusted at Government Middle school Baboo Khawaza khela Swat.
- 4. That the Respondent No,2 issued the promotion order No, 4830-36 dated 27/06/2023 as SCT BPS 16 and the appellant adjusted at Government Higher Secondary school Drush khela Matta Swat vide No, 4830-36 date 27/06/2023.( Promotion order & pay slip GHSS Drush Khela are Annex: A & B)
- 5.That the Respondent No,2 issued the mutual transfer order No, 8107-12 dated 19/03/2024 on the written application of both High up's of the schools and the both teachers and Respondent No,2 issued the mutual transfer order vide dated 19/03/2024 •

  (Mutual transfer application and transfer order are Annex: C & D)
- 6.. That after few days the Respondent No, 2 issued the

cancellation order of the mutual transfer order of the appellant due to the local political influence, the appellant fulfilling his duty by the complying with the order of Honorable Respondents Departments (Cancellation order as Annex: E)

7. That in November 2023 consultation with the FinanceDepartment K.P. Peshawar by Respondent No,2 the post the C.T. BPS 15 of the Respondent No. 3 school (GHS Janoo Swat) was up graded to SCT BPS 16. It is pertinent to be noted that the appellant was submitted an application for transfer on 28/02/2024 on against the SCT BPS 16 vacant post to Respondent No,2 (GHS Janoo) but the Respondent No, 2 remained 🞶 salient on the appellant transfer application and the appellant pay/salary was transferred to GHS janno on the consultation of Finance Department and the Respondent No,2 on 11/2023 in the yearly financial meeting at finance Department Peshawar and the appellant was drawn his pay from GHS janoo vide DDO Code SW 6101 but before the transfer of appellant in 11/2023 meeting in Finance Department on 11/2023 after consultation with Finance Department K.P. Peshawar and Respondent No,2 was up graded CT post 15 to SCT BPS 16 post of GHS Janoo ( Up gradation of pay slip as Annex: F)

8. That after 3 days of mutual transfer from GHSS
Drush khelaMatta Swat to GHSS Chamatali Khawaza Khela
Swat, The same order was recalled/cancelled by the
Respondent No, 2. The appellant pay/ salary was drawn
on RespondentNo, 3 school (GHS janoo Khawaza Khela
Swat) from last three months which was stopped vide
source form by the Respondent No, 3 by the verbal order
of the Respondent No, 2. The salary was transferred to
GHS Janoo school due to the mutual consultation of
Respondent No, 2 and Finance Department K.P.
Peshawar has transferred the appellant pay from
GHSS Drushkhela Matta Swat to Respondent No,
3 school (GHS janoo Khawaza khela Swat.

9.That the Respondent No, 3 (Headmaster GHS Janoo Khawaza khela Swat ) stopped the pay of the appellant with out any reason, the appellant is still performing his

(3)

(b)

duties honestly and according to the satisfaction of his High ups. (source of stopped of pay as Annex: G)

10.The appellant submitted an application to Respondent No, 2 for cancellation of the mutual transfer order vide diary No, 4691 dated 25/03/2024 and another application submitted to Respondent No, 2 for the released the pay of the appellant vide diary No, 9147 dated 01/04/2024 but in vain. ( Lapplication for Cancellation of transfer order and application for release of the of pay are annex: H & I)

11. That the word "non availability of SCT BPS 16 post at GHSS Drush Khela Matta Swat" is totally wrong.

The appellant was drawn his pay on SCT BPS 16 in the mentioned institution for last three months.

Is retired on 31/. / not the post of SCT BPS 16 Clear vacant in the aforesaid school. (Retirement Certificate as Annex: J)

12. That the Respondent No, 2 submitted the reply vide Dated 25/02/2024. The respondent No, 2 has deny from the stopping of pay of the appellant. (Reply as Annex: K)

12.. That the appellant submitted a departmental service appeal to Respondent No, 1 on 26/03/2024 but rejected vide Respondent No, 5325 dated 16/05/2024.

( Departmental service appeal and Rejection letter are Annex: L & M )

#### GROUNDS.

- 1, That the impugned order cancellation of mutual transfer is illegal, un lawful and against the principal natural justice.
- 2.That the appellant has not committed any Violation of the rules and regulations, against which the appellant should be punished and to be cancelled/recalled the mutual transfer order.
- 3.That the appellant is innocent.

4.That the appellant has never act in a manner, which comes under the meaning of disciplinary ground.

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5. That the appellant is serving the education Department since the date of his appointment and renders a long service, but the whole service of appellant has totally ignored and overlooked.

6. That discrimination not has been committed the appellant.

7.That further grounds would be agitated during the course of arguments with prior permission of the Honorable Tribunal.

It is therefore, humbly requested that on acceptance of instant service appeal of the appellant.

Fayaz Hussain ......Appellant
Through

Umar Khitab advocate High court/ Darulqaza Swat.

Cell No. 0345-9524854

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# BEFORE THE SERVICE TRIBUNAL KHYBER PUKHTOONKHW PESHAWAR MINGORA BENCH SWAT.

SERVICE APPEAL No.\_\_\_\_/2024

VERSUS

### AFFADAVIT.

It is stated on oath that the contents of this application are true and correct to the best knowledge and belief. Moreover, no such like service appeal is pending before this Honorable Service Tribunal K.P. Peshawar camp court Swat.

Nam lum Favaz Hussain......Appellant.



## BEFORE THE SERVICE TRIBUNAL KHYBER PUKHTOONKHW PESHAWAR MINGORA BENCH SWAT.

SERVICE APPEAL No.\_\_\_\_\_/2023.

Fayaz Hussain SCT Government Higher Secondary School Drush Khela Matta Swat.....Appellant.

### VERSUS

1. The Director Elementary and Secondary Education Khyber Pukhtoonkhw ......Respondents. MEMO OF ADRESSES OF THE PARTIES.

> 1. Fayaz Hussain SCT Government Higher Secondary School Drush Khela Matta Swat......Appellant

Cell No. 0345-1960043

Addresses of Respondent.

- 1. The Director Elementary and Secondary Education Khyber Pukhoon khawa Peshawar,
- 2. District Education Officer Male Swat.
- 3. Headmaster Government High school Janoo Khawaza Khela Swat......Respondents.

Jam Mui . Hussain.....Appellant.

Through Council Umar Khitab advocate High Cour/ Darulqaza Swat.

Cell No. 0345-9524854





# OFFICE OF THE DISTRICT EDUCATION OFFICERIMI SWALAT GULKADA SCILL 0246 9240709-228

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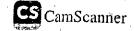


Consequent upon the notification issued by the Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide his office Endst No.3421-25/File No. Promotion Senior Teachers/2023 (BPS-16)dated Peshawar the 21/06/2023. The following Senior Certified Teachers (Whose services were placed at the disposal of the DEO(M) Swat for further adjustment) are hereby adjusted against the posts in the schools noted against each in the interest of public service on regular basis under the existing policy of the provincial Govt; on the terms & conditions given in the aforementioned notification of the Director (E&SED) Khyber Pakhtunkhwa with immediate effect.

S.No	5.No	Name	Present School	School where	Remarks
		1		promoted/posted	
1.	242	Muhammad Younas .	GHS Manal	GHSS Dheral	A.V.Post
2	303	Akhtar Hussaln	GMS Damana	GHS Bahrain	A.V.Post
3	304	Llagat Ali	GHSS No 3 Mingora	GHSS No.3 Mingora	A.V.Post
1	305	Anwar Igbal	GMS Seraj Abad	GHSS Mingora	A,V.Post
5	300	Muhammad Ali	GHS Amankot	GHS Amankot	A.V.Post
G	307	Janat Gul	GHS Chail	GHS Bahrain	A,V.Post
7	308	Muhammad Alam Khan	GMS Ayeen	GHS Kedam	A.V.Post
8	309	Habibullah Khan	GHSS Madyan	GHSS Madyan -	A.V.Post
9	310	Mlan Bashir Ahmad	GHS Qandil	GHSS Mankiyal	A.V.Post
1.0	311	Muhammad Rashid	GHS Chall	GHS Chail	A.V.Post
11	312	lhsan All	GMS Kalagay	GHS Bahrain	A.V.Post
12	313	Rlaz Ahmad	GHSS Madyan	GHSS Madyan	A.V.Post
13	314	Muhammad Rahman	GHSS Madyan	GHSS Madyan	A.V.Post
14	315	Syed Zakir Hussain	GHSS Madyan	GHSS Mankiyal	A.V.Post
15	316	Muhammad Sullman	GMS M.Shaheed	GHS No.1 Mingora	A.V.Post
16	317	Muhammad Rahman	GHS Parral.	GHS Nawakalay(B)	A.V.Post
17	318	Muhammad Ubald	GHSS Shamozal	GHSS Shamozai	A.V.Post
18	319	Sher Zada	GHSS Mingora	GHSS Mingora	A.V.Post
19	320	Sarfaraz khan	GHS Sersenal	GHSS Dherai	A.V.Post
20	321	Muhammad Rawan	GHSS Shamozal	GHSS Shamozai	A.V.Post
21	322	Muhammad Nacem	GMS Mangarkot	GHS Seer	A.V.Post
22	323	Rashld Ahmad	GHS Qambar	GHSS Odigram	A.V.Post
23	324	Muhammad Hanif	GHSS Mingora	GHSS Mingora	A.V.Post
24	325	Muhammad Iqbai	GHS Qambar	GHS Qambar	A.V.Post
25	326	Muhammad Shoalb	GHS Galoch	GHS Dardiyal	A.V.Post
26	327	Mian Said All Shah	GHSS Balogram	GHSS Balogram	A.V.Post
27	328	Aurang Zeb	GHS Parral	GHSS Aboha	A.V.Post
28	329	Abdul Aziz	GHSS Khwzakhela	GHSS KhwazaKhela	A.V.Post
29	330	Muhammad Sher	GMS Kuza Durushkhela	GHSS Baidara	A.V.Post
30	331	Muhammad Suleman	GHS Barkalay	GCMHSS Wadudia	A.V.Post
1	332	Fazal Mawla	GHS Seer	GHS Seer	A.V.Post
32	334	Muhammad Nacem	GMS Dakorak	GHSS No.3 Mingora	A.V.Post
13	335	Mohamad Nisar Khan	GHSS Khwazakhela	GHS Asala	A.V.Post
14	336	Abdul Kabir Khan	GHS Kanju	GHS Kanju	A.V.Post
5	337	Fazal Muhammad	GHSS Barawal	GHSS Sijbanr	A.V.Post
6	338	Sardar All	GMS Farhat Abad	GHSS Dheral	A.V.Post
7	339	Mian Dawlat Jan	GHS Gulibagh	GHS Gulibagh	A.V.Post
8	340	Muhammad Sher	GHSS Fatehpur	GHSS Fatehpur	A.V.Post
	341	Muhammad Salim	GHSS Barikot	GHS Nawakalay (8)	A.V.Post
0	342	Ihsanullah	GHS Parral	GHS Manyar	A.V.Post
1	343	Mumtaz Ali khan	GHS Nazar Abad	GHSS Sijbanr	A.V.Post
2	344	Tariq Aziz	GHSS Mingora	GHSS Mingora	A.V.Post
3	344	Rahmat Nawab	GMS Koz Shawar	GHS Ningolai	A.V.Post
4		Muhammad Anwar	GHSS Sakhra	GHSS Durushkhla	A.V.Post
	346	Saced Ahmad Khan		GHSS Dheral	A.V.Post
5	347 348 /.	Saeed Anmad Khan Shujaat Ali Kiyan	GHS Kanju GHSS Matta	GHS Ningolai	A.V.Post

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18	350	Ghulam Sailig	GES Pane	1 Curs	
19	351	Muhammad Zahir Shah	GHS Kanju	GHS's Mingora	J.V.Post
30	352	Abdul Glinfar	CHSS Kh, Khela	GIG Hawakalay[M]	A.V.Post
51	353	Faral Ghafar	6M5 Charbagh	GHSS Ho.3 Mingoro	A.V.Post
52	354	Tayor Hussala	GM5 Nabo	GHS Manglor	A.V.Post
1.7	: 155	Said All Shah	GHS Dangal	Gliss Durushkliela	A.V.Post
54	356	Shali Dawran	GIT's Ahingara Dehral	GIG finodal	A.V.Post
55	357	Usman Ali	GMS Lagira	GHS Ahingaro Dheral	A.V.Post
56	350	Muhammad Akbar Hussaln	GHS Natar Abad	GHSS No 3 Mingora	A.V.Post
57	350	Mohammad Table	GMS Gangile	GIISS Siliane	A.V.Post
58	360	Youral All	GHS Dangal	GHS Manglor	A.V.Post
59	301	Islam All	GH55 Charbagh	GHS flandal	A.V.Post
15f)	352	Amis Zeb	Annual 1 to the State of the St	GHSS Charbagh	A.V.Post
61	393	Umar Khan	GHS Sweegalal	GHS Sweegalal	A.V.Post
62	364	Sami-Ur Rahman	GHS Toha	GHSS No.3 Mingora	A,V,Post
53	1205	Anwar Shah	GMS Charbagh	GHSS Charbagh	A.V.Post
. E	266	Harrat Rahlm	GMS Alamganj	GHS (Lanjoot	A.V.Post
		Mariat Hanim	GHSS Mingora	GHSS Mingora	A V Pos

### TERMS AND CONDITION.

- 1) They would be on probation for a period of one year extendable for another one year,
- 2) They will be governed by such rules and regulations as may be issued from time to time by the government.
- 3) Their services can be terminated at any time in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed time to time.
- 4) Charge report should be submitted to all concerned in duplicate.
- 5) Their inter Se-Seniority on the lower post will remain intact.
- 6) No TA DA is allowed for Joining their duty.
- 7) They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him in light this order will be covered and if they are wrongly promoted they will be reversed.
- 8) Before handing over charge their documents may be checked. If any have not the required relevant qualifications as per rules, they may not be handed over charge of the post.
- 9) Any error and omissions will be accepted.

(MUHAMMAD RIAZ)
DISTRICT EDUCATION OFFICER (M)

SWAT

Ledst No: /SCT/Promotion

/SCT/Promotion dated: ///

Copy of the above is forwarded for information & necessary action to: -

- 1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2. The District Comptroller of Accounts Swat.
- 3. The Principal/ Headmaster concerned.
- 4. The EMIS Branch of local office.
- 5. The EMA/DCM District Swat.
- 6. The Teachers concerned.

7. PA to DEO local office.

DISTRICT EDUCATION DISTRICER (M)

1/1



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#### Dist. Govt. KP-Provincial **District Accounts Office SWAT** Monthly Salary Statement (November-2023)

Personal Information of Mr FAYAZ HUSSAIN d/w/s of MIAN BADSHAH

Personnel Number: 00076241 Date of Birth: 05.03.1973

CNIC: 1560203995913

Entry into Govt. Service: 10.03.1995 ·

NTN: 0

80004820-DISTRICT GOVERNMENT KHYBE

Length of Service: 28 Years 08 Months 022 Days

Employment Category: Active Permanent

Designation: SENIOR CERTIFIED TEACHER

DDO Code: SW6051-Principal GHS Durash Khela Swat

Payroll Section: 001 GPF Section: 001

GPF A/C No: EDUSW015693 GPF Interest applied

Cash Center: 42

975,498.00 (provisional)

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2022

Pay Scale Type: Civil

**GPF** Balance:

**BPS: 16** 

Pay Stage: 20

	Wage type	Amount		Wage type	Amount
1000	Basic Pay	73,270.00	1001	House Rent Allowance 45%	4,091.00
1210	Convey Allowance 2005	5,000.00	1912	Compen Allow 20% (16-N1)	1,500.00
1947	Medical Allow 15% (16-22)	1,688.00	2148	15% Adhoc Relief All-2013	888.00
2199	Adhoc Relief Allow @10%	637.00	2316	Teaching Allowance 2021	3,782.00
2341	Dispr. Red All 15% 2022KP	6,807.00	2347	Adhoc Rel Al 15% 22(PS17)	6,807.00
 2378	Adhoc Relief All 2023 35%	25,644.00			0.00

#### **Deductions - General**

•	Wage type	Amount		Wage type		Amount
3016	GPF Subscription	-4,960.00	3501	Benevolent Fund		-1,500.00
3534	R. Ben & Death Comp Fresh	-650.00	3609	Income Tax		-3,767.00
3990	Emp.Edu. Fund KPK	-170.00	6001	Adj Benevolent Fund	•	-3,600.00
6075	Adj GPF	-5,600.00				0.00

#### **Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance
			•	

**Deductions - Income Tax** 

Payable: 60,268.44

Recovered till NOV-2023:

18,835.00

Exempted: 15066.75

Recoverable:

26,366.69

Gross Pay (Rs.):

130,114.00

**Deductions: (Rs.):** 

-20,247.00

Net Pay: (Rs.):

109,867.00

Payce Name: FAYAZ HUSSAIN Account Number: 10060735690015

Bank Details: ALLIED BANK LIMITED, 251061 Khwazakhela Swat Khwazakhela Swat, Swat

Leaves:

Opening Balance:

Availed:

Earned:

Balance:

Permanent Address: SWAT

City: SWAT

Temp. Address:

City:

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Email: fayazbilawal@gmail.com

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-20240322-WA0092.jpg

# OFFICE OF THE DISTRICT EDUCATION OFFICER(M) DISTRICT SWAT Cell # 0948 9240209-228

OFFICE ORDER.

The following teachers is hereby transferred to the Schools noted against each on their own pay

& Scale with Immediate effect in the interest of public service.

-	le with Immediate effect in the	From	То	Remarks
5.No	Name / Designation		GHSS Matta	A.V.Post 15601-9144623-1
2	Mr.Shah Zada SCT B-16 Mr.Sajad Khan CT B-15	GHSS Sijbanr GHS Shin	GMS Gul Dheral	A.V.Post 15602-0597854-1
3	Mr.Muhammad Salim SCT	GHS Nawakalay(8)	GHSS Barikot	A.V,Post
4	Mr.Fazal Ghafar SCT B-16	GHS Manglor	GHSS Charbagh	A.V.Post
6	Mr.Shujaat Ali SCT B-16	GHS Ningolai	GHSS Baldara	A.V.Post
7	Mr.Fayaz Hussain SCT B-16	GHSS Duushkhela	GHSS Chamtalal	V.S.No.8 15602-0399591-3
8,	Mr.Shafaat Khan SCT B-16	GHSS Chamtalai	GHSS Durushkhela	V.S.No.9 15602-0524144-7

Note:- (1) No TA/DA is allowed.

(2) Charge report should be submitted to all concerned.

(MUHAMMAD RIAZ) DISTRICT EDUCATION OFFICER(M) **SWAT** 

### Endst: No.8107-12/

Copy to:-

Dated: 19/03/2024.

- The Director (E&S) Education K.P.K. Peshawar. 1.
- 2. The District Accounts Officer Swat.
- 3. The Principal /Head Master concern
- 4. The EMIS branch of local office.
- 5. The DMO/EMA District Swat,
- 6, The official concerned.
- P.A to D.E.O.Male Swat,

System generated document in accordance with APPM 4.6.12.9(66931/23.12.2023/v3.0)
\* All amounts are in Pak Rupees 12.2023/17:12:58)

MALE SAIDUSHRIF SWAT. Dhone No 11946-9740228.

Amnar, E





OFFICE OF THE DISTRICT EDUCATION OFFICER MALE SAIDUSHRIF SWAT. Phone No.0946-9240228.

## OFFICE ORDER.

· Cansequent upon Non availability of SCT B-16 Post at GHSS Durushkhela Swat vide Principal GHSS Durushkhela letter No Nil dated 22/03/2024. The mutual transfer order issued under endst No. 8107-12 dated 19/03/2024 in respect of Mr. Fayaz Hussain SCT B-16 GHSS Durushkhela at S. No 7 ar.d Mr. Shafaat Khan SCT B-16 GHSS Chamtalai Swat at S.No 8 is hereby withdrawn from the date of its issuance in the Interest of public service.

> (MUHAMMAD RIAZ) DISTRICT EDUCATION OFFICER MALE DISTRICT SWAT

3882-67 Endst\_

Dated 22 31 2024.

# Copy forwarded for Information to:-

- The Director Elementary & Secondary Education Khyber Pakhtunkhwa 1. Peshawar Swat
- The Principal GHSS Chamtalai Swat.
- The Principal GHSS Durushkhela Swat. 2. 3.
- The DCMA/DMO Kanju Swat.
- The District Comptroller of Accounts Swat. 4.
- The EMIS Branch of local office. 5. 6.
- The Official concerned.
- P.A to D.E.O.Male local office. 7.

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DISTRICT EDUCATION OF FICER

AmmoniA

Dist. Govt. KP-Provincial District Accounts Office SWAT Monthly Salary Statement (December-2023)





Formation of Mr FAYAZ HUSSAIN d/w/s of MIAN BADSHAH

Number: 00076241 Sirth: 05.03.1973

CNIC: 1560203995913

Entry into Govt. Service: 10.03.1995

NTN: 0 Length of Service: 28 Years 09 Months 023 Days

ment Category: Active Permanent

Ination: SENIOR CERTIFIED TEACHER 6 Code: SW6101-Head Master GHS Jano Swat 80004870-DISTRICT GOVERNMENT KHYBE

roll Section: 001

GPF Section: 001

Cash Center: 42

980,458.00 (provisional)

F A/C No: EDUSW015693 endor Number: -

av and Allowances:

Pay scale: BPS For - 2022

GPF Interest applied

Pay Scale Type: Civil

**GPF** Balance:

BPS: 16

Pay Stage: 21

	Amount	Wage type	Amount
Wage type	75,530.00	1001 House Rent Allowance 45%	4,091.00
0001 Basic Pay		1912 Compen Allow 20% (16-N1)	1,500.00
1210 Convey Allowance 2005	5,000.00	2148 15% Adhoc Relief All-2013	888.00
947 Medical Allow 15% (16-22)	1,688.00	2148 15% Adiloc Renet 7th 2010	3,782.00
199 Adhoc Relief Allow @10%	637.00	2316 Teaching Allowance 2021	6,807.00
199 Adnoc Kener Anow C 199	6,807.00	2347 Adhoc Rel Al 15% 22(PS17)	0.00
341 Dispr. Red All 15% 2022KP 378 Adhoc Relief All 2023 35%	25,644.00		

#### Deductions - General

Deductions - General		STI type	Amount
Wage type	Amount	Wage type	-1,500.00
3016 GPF Subscription	7,700,00	3501 Benevolent Fund	-3,979.00
3534 R. Ben & Death Comp Fresh	-650.00	3609 Income Tax	0.00
3534 R. Bell & Death Comp	-170.00		
3990 Emp.Edu. Fund KPK	-170.00		•

### Deductions - Loans and Advances

Deductions - Loans and Adv	ances		<del></del>	Bulanca
<u> </u>	Description	Principal amount	Deduction	Balance
Loan	Duar			

Deductions - Income Tax

Payable:

62,245.88

Recovered till DEC-2023:

22,814.00

Exempted: 15560.94

Recoverable:

23,870.94

Gross Pay (Rs.):

132,374.00

Deductions: (Rs.):

.11,259.00

Net Pay: (Rs.):

(

121,115.00

Payce Name: FAYAZ HUSSAIN

Account Number: 10060735690015

Bank Details: ALLIED BANK LIMITED, 251061 Khwazakhela Swat Khwazakhela Swat, Swat

Leaves:

Opening Balance:

Availed:

Earned:

Balance:

11

Permanent Address: SWAT

City: SWAT

Temp. Address:

City:

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Email: fayazbilawal@gmail.com

System generated document in accordance with APPM 4.6.12.9(66931/23.12.2023/v3.0)

All amounts are in Pak Rypees יוייר פרו.ודי 9ח?3/17;12:58}

FORM: PAY02 Date. Page No. MASTER GHS JANO SWAT OFFICE OF THE Мат-24 FOR THE MONTH OF DDO Code 6 **HEAD MASTER GHS JANO SWAT** (Cost Center) National ID Personnel 76241 Mr. FAYAZ HUSSAIN Card Number 15602-0399591-3 Number Grade (Pay Salary S.CT Scale Group) Status GENERAL DATA CHANGE Info Field Amount Effective **New Contents** Designation Remarks Туре Rupees Paisa Adj ID Date Mr. FAYAZ HUSSAIN PAY INACTIVE 1 S,CT 01-03-24 76241 Audited / Checked By Entered / Verified By

00076241 FAYAZ HUSSAIN SW6101

Action Performed

> LEAVING ACTION PERFORMED (SALARY STOPPED) with effect from 01.03.2024

Office Details

> DESIGNATION CHANGED to 99999999 -

محرّم جناب ضلی افسرصاحب محکر تعلیم ضلع سوات ۔ عنوان ۔ درخواست بدیں مراد کہ ساکل/ مدعی کا باہمی نتبادلہ نمبری 12-8107 19/03/202 سیاسی دباؤ کے تحت والیس (Cancell) نہ کیا جائے۔

> اسلام علیم ۔ مری اسائل درجہ ذیل عرض کرنا چاہتا ہے۔ 1 ۔ یہ کہ سائل نے محکم تعلیم میں اج ٹک تقربیا تعمیں (30) ملازمت پورا کر رہا ہے ۔ اور سائل نے تمام ملازمت ایما نداری سے سرانجام دیا ہے۔

2- يدكسائل. G.M.S بابو (خوازه خيله) مين بحسيت كي- في- بي- بي- الين 15 مين دُيو في سرانجام درم القاريد كه G.M. S بابومين من أسامي B.P.S. 15 مين (Sanctioned) تقا-

3- يدكسائل كوالس ي - ألى B.P.S من ترقى ديكر گورنمينك باكى سكول دور مخيله مدسوات ميس نمبرى محرره كے تحت ويوفى سرانجام دين كاظم جارى كر كے مدى في جارج كيكرويوفى شروع كيا - يدكہ گورنمينك باكى سكول در شخله كا S.C.T كا اسامى B.P.S.16 كا اسامى B.P.S.16

4۔ یہ کہ سائل نے محررہ 27/02/2024 کو تبادلہ کے لئے اپ صاحبان کوایک درخواست پیش کیا۔ چونکہ ملک میں عام انتخابات کے وجہ سے ہرفتم کے تبادلوں پر پابندی کے وجہ سے سائل کے درخواست پرکوئی کاروائی نہیں کی گئی۔

5۔ یہ کہ سائل نے جس سکول کے لئے (گورنمیٹ ہائی سکول جانو) تبادلہ

کے لئے درخواست گزاری تھی اس سکول میں S.C.T. B.P.S. 16 کی
اسامی خالی تھی۔ گورنمیٹ ہائی سکول جانو میں 15 C.T. B.P.S. 15 کے
اسامی خالی تھی۔ گورنمیٹ ہائی سکول جانو میں گاس پٹا در نے 15 C.T. BPS اسامی تھی ۔ کیکن اپ صاحبان کے مشاورت سے محکمہ فٹاس پٹا در نے 15 S.C.T. BPS. 16 کے
سے کہ اپ صاحبان نے محکمہ فزاند (فٹانس) پٹا در میں سال 2023 کے
اخر میں محکمہ تعلیم ضلع سوات کے سربراہ کے حسیت سے سالا ندا جلاس
میں Reconcilation of sanctioned posts سائل محل کو کو زانسفر کیا۔
میں تخواہ گورنمیٹ ہائی سکول دور شخلہ سے گورمیٹ ہائی سکول جانوکو ٹرانسفر کیا۔
اور سائل کا تخواہ ڈو سرکمٹ اکا دئیس افس سوات نے محکمہ فٹاس پٹا در کے تحریری

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75/3/24

## تحكم پر گورنمیٹ بائی سکول جانو کوٹرانسفر کیا۔

7- بیرکسائل کے تبادلہ محررہ 27/02/2024 Matual Transfer کے درخواست پرکوئی کاروائی نہیں گائی۔

8 - بیکسائل نے بعد میں ایک دوسرا درخواست با ہمی تبادلہ گور تمین بائرسکیڈری سکول پھتلی خوازہ حیلہ کے سلسے میں اپ صاحبان کے سامنے گزاری جس کواپ صاحبان نے منطور کر کے سائل کو گورمیند، ہائر سکینڈری سکول چھتلی کو بحوالہ تھم تمبری 12-8107 محررہ 19/03/2024 کوتبادلہ اڈر جیاری کیا۔ ،

9۔ یہ کہاب سائل کومعلوم ہو چکا ہے۔ کہاپ صاحبان سائل کے باہمی تباولہ آ اڈرکوسیا ک دباو کے تحت کینسل کرنے والے ہے۔ جو کہا یک غیر قانونی اور ' 'ظالمانہ قدم ہوگا۔

10 - یہ کرسائل کا تخواہ اپ صاحبان بلا وجہ بند کرنے کے احکامات جاری بھی جاری کی جاری کیا ۔ اب سائل کو یہ علم نہیں ہے۔ کہ ایک طرف سائل کے باہمی تباولہ کے تحکم کو سائل کے تخواہ سائل کے تخواہ بلا وجہ سیاسی د باو کے تحت بند کر دیا گیا۔

11- یہ کہ ماکل اب جس سکول میں ڈیوٹی سرانجام دے رہاہے۔ وہ پوسٹ
اپ صاحبان نے 36 SCT BPS کرنے کے
اپ صاحبان نے 36 SCT BPS کرنے کے
لئے خودفناس محکمہ پشاور سے رابط کیا ہے۔ کیونکہ ساکل 36 SCT BPS پرڈیوٹی
سرانجام دے رہاہے۔ تو ساکل کا تنخواہ 51 BPS پرجارینہیں ہوسکتا ہے۔

لیذ ااستدعاہے۔کہ سائل کے باجمی تبادلہ شدہ اڈرکوسیاسی دباو کے تحت کینسل نہ کیا جاہے۔اور سائل کے تخواہ کو جاری Release کرنے کااڈر جاری کیا جائے۔

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البعد البعد في المركز المركز

1. The District Education Officer Male Elementary and Secondary Swat.

Prayer of the application.

#It is therefore, humbly prayed that by accepting the instant application and released the pay of the appellant.

Respectfully Sheweth.

- 1.That the applicant is residence of village Lanagr Tehsil Khawazakhela Swat.
- 2.That the appellant is performing his duty in Elementary and secondary Education Swat under the supervision of District Education officer Male Swat from last 29 years.
  - 3.That the appellant was promoted from PST to CT BPS 15 and adjusted at Government Middle school Baboo Khawazakhela Swat.
  - 4.That the D.E.O. Male Swat issued the promotion

    order No, 4830-36 dated 27/06/2023 as SCT BPS 16

    and the appellant adjusted at Government High school

    order No, 4830-36 date27/06/2023.

    Prush khela Matta Swat vide No, 4830-36 date27/06/2023.

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5. That the D.E.O Male Swat issued the mutual transfer order No, 8107-12 dated 19/03/2024 on the written application of both High up's of the schools and the both teachers.

6..That after few day the D.E.O. Male Swat issued the cancellation order of the mutual transfer order of the appellant due to the local political influence, the appellant fulfilling his duty by the complying with the order of Honorable parent Department.

7. That in November 2023 consultation with the Finance Department K.P. Peshawar by D.E. O. Male Swat the post the C.T. BPS 15 of GHS Janoo Swat was up graded to SCT BPS 16. It is pertinent to be noted that the appellant was submitted an application for transfer on 28/02/2024 on against the SCT BPS 16 vacant post GHS Janoo ) but the D.E.O. Male Swat remained salient on the appellant transfer application and the appellant pay/ salary was transferred to GHS janno on the consultation of Finance Department and the D.E.O. Male Swat on 11/2023 in the yearly financial meeting at finance Department Peshawar and the appellant was drawn his pay from GHS janoo vide DDO Code SW 6101 but before the transfer of appellant in 11/2023 meeting in Finance Department on 11/2023 after consultation with Finance Department K.P. Peshawar and D.E.O Male Swat was up graded CT post 15 to SCT BPS 16 post of GHS Janoo .

8. That the D.E.O Male Swat issued the order appellant mutual transfer order to GHSS Chamatali instead of GHS

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Janoo Khawaza Khela Swat ) vide order No,8107-12 dated 19/03/2024.

9.That after 3 days of mutual transfer from GHS Drush khelaMatta Swat to GHSS Chamatali Khawaza Khela Swat the same order was recalled/cancelled by the D.E.O Male Swat The appellant pay/ salary was drawn on GHS janoo Khawaza Khela Swat from last three months which was stopped vide source form by the GHS Janoo Swat, by the verbal order of the D.E.O Male Swat. The salary was transferred to GHS Janoo school due to the mutual salary was transferred to GHS Janoo school due to the mutual consultation of D.E.O. Male Swat and Finance Department K.P. reshawar has transferred the appellant pay from GHS Drushkhela Matta Swat to GHS janoo Khawaza khela Swat.

10. That the Headmaster GHS Janoo Khawaza khela Swat stopped the pay of the appellant with out any reason, the appellant is still performing his duties honestly and according to the satisfaction of his High ups and what will be the effect on the appellant and his family during "RAMADAN" and the upcoming "EID"

11.The appellant submitted an application to D.E.O.

Male Swat for cancellation of the mutual transfer order vide diary No, 4691 dated 25/03/2024 but in vain.

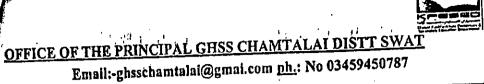
Your therefore, humbly prayed to accept the Instant application and released the pay of the appellant.

allered Coun

Your, s obedient Fayaz Hussain SCT BPS 16 GHS Drush Khela Matta Swat.

Dated 0//04/2024

Annex J



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Dated:

## **RÉQUISITION**

t is hereby stated that Mr. Shafaat Khan SCT BPS 16 is going to be retired on 31-03-2024.

As this school has already shortage/ deficiency of teachers according to the student's ratio which badly affect the teaching learning process.

You are requested to transfer Mr. Fayaz Hussain SCT BPS 16 to GHSS Chamtalai Swat in the best interest of the students.

Principal

Govt. Higher Secondary School

Chamtalai Swat

PRINCIPAL Gove Higher Secondary School Chambalai District Sizely

Mesel Marie Marie Co.

Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.

### DEPARTMENTAL APPEAL.

Reference vide your good self-office letter No.5597/F.No./Appeal against transfer order/Vol-2/Estab-1 ated Peshawar the 09/04/2024 on the subject noted above.

It is stated for your kind information that para wise detail report regarding the subject mentioned above is as untler.

No comments Para No.01 to Para No.04 mentioned in the appeal of the appellant.

Para No.5. An application for mutual transfer received from Mr. Fayaz Hussain SCT GHSS Durushkhela Swat and Mr. Shafaat Khan SCT GHSS Chamtalai through the Principal GHSS Durushkhela and GHSS Chamtalai vide No. nil dated 19/03/2024. In the light of application, the undersigned issued mutual transfer order in respect of Mr. Fayaz Hussain SCT GHSS Durushkhela Swat vide this office order No 8107-12 dated 19/03/2024 (Annexure, A&B).

Para No.6. The undersigned cancelled mutual transfer order in respect of Mr, Fayaz Hussain SCT GHSS Durushkhela Swat in the light of a letter received from the Principal GHSS Durushkhela Swat No. nil dated 22/03/2024 in which he stated that transfer order Vide No.8107-12 dated 19/03/2024 may be cancelled as there is no post of SCT-16 at GHSS Durushkhela (Annexuré-C).

Para No.7. There is no consultation of the undersigned with the Finance Department Khyber Pakhtunkhwa Peshawar regarding upgradation of CT BPS-15 Post to SCT B-16 Post at GHS Jano Swat.

5) Para No.8. Already been stated in para .05 at Serial No.2.

6) Para No.9. The undersigned neither consulated with the Finance Department Khyber Pakhtunkhwa Peshawar regarding up graded of CT B-15 Post to SCT B-16 Post at GHS Jano Swat nor the appellant pay has been transferred from GHSS Durushkhela Swat to GHS Jano Swat.

7) Para No.10. The undersigned has neither issued directions to the Head Master GHS Jano Swat to start or stop the salary of Mr. Fayaz Hussain SCT GHSS Durushkhela Swat till now.

Keeping in view the above mentioned situation and detailed report in respect of Mr. Fayaz Hussain SCT GHSS Durushkhela Swat, it is requested that the appeal being baseless may be rejected in the best public interest.

Copy of the above is forwarded to=-1) The Principal GHSS Durushkhela Swat.

2) The Head Master GHS Jano Swat.

3) Mr. Fayaz Hussain SCT GHSS Durushkhela Swat.

PA to DEO(M) of local office.

SION OFFICER (MALE) SWAT AT GUL KADA.

> DISTRICT EDUCATION OFFICER (MALE) SWAT AT GUL KADA

Anna 12

ORE THE SERVICE TRIBUNAL KHYBER PUKHTOONKHW ESHAWAR CAMP COURT GULKADA SAIDU SHARIF SWAT.

Misc: Application No...../2024.

1. Fayaz Hussain S.C.T. GHS Drush Khela Matta Swat (villáge Lanagr Khawaza Khela Swat)......Appellant.

## VERSUES.

- 1. The Director Elementary and Secondary Education Khyber Pukhtoonkhw Peshawar.
- 2. The District Education Officer Male Swat
- 3. The Headmaster Government High School Janoo Khawaza Khela Swat......Respondents.

Application for suspension of the impugned order No, 8862-67 dated 22/03/2024 to the extent of appellant till the decision of service appeal.

Respectfully Sheweth,

- That the above noted service appeal is being filed before the Honorable service Tribunal. In which no date of hearing has yet been fixed.
- 2. That the facts and grounds of the service appeal may kindly be read as an inter part of this application .
- 3. That the appellant has got a prima facie case in his favour and is sanguine about its success.
  - 4. That the balance of convenience also lies in favour of the appellant.

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5. That the impugned order No. 8862-67 dated 22/03/2024 not suspended then the appellant would suffer irreparable loss.

It is therefore, respectfully prayed that on acceptance of this application the impugned order No, 8862-67 dated 22/03/2024 may kindly be suspended till the decision of this service appeal.

Fayaz Hussain ......Appellant.

Through

Umar Khitab advocate High court/ Darulqaza Swat. Dated

Annox: M

The Director Elementary and secondary and Elementary Khyber Pukhtoonkhw Peshawar.

Prayer of the Departmental service appeal.

"It is therefore, humbly prayed that by accepting the instant Departmental service appeal the impugned order No, 8862-67 dated 22/03/2024 (cancellation of mutual transfer order) may kindly Be set aside, issued by the District Education Officer Male Swat being against the law, rules, transfer policy and against the natural justice.

ii.It is therefore, also prayed to direct the District Education officer Male Swat to released the pay/ Salary of the appellant, the act of the (stoppage of pay) District Education officer Male Swat against the service rules, against the fundamental rights and against the natural justice. to direct the District Education officer Male Swat to restore the mutual transfer order No, 8107-12 dated 19/03/2024 and released the pay of the appellant.

Respectfully Sheweth.

1. That the applicant is residence of village Lanagr Tehsil Khawazakhela Swat.

Maria Khitab Advicate High Court

- 2. That the appellant is performing his duty in Elementary and secondary Education Swat under the supervision of District Education officer Male Swat from last 29 years.
- 3. That the appellant was promoted from PST to CT BPS
  15 and adjusted at Government Middle school Baboo
  Khawazakhela Swat.
- 4. That the appellant was promoted as SCT BPS 16 and adjusted at Government High school Drush khela Matta Swat vide No, 4830-36 dated 27/06/2023.

То,

Rece addra



- 5. That the District Education officer issued the mutual transfer order No, 8107-12 dated 19/03/2024 on the written application of both SCT,s.
- 6. That after few day the District Education officer Male Swat issued the cancellation order of the mutual transfer by the local political influence, the appellant fulfilling his duty by the complying with the order of Honorable District Education officer Male Swat.
- 7. That in November 2023 after consultation with Finance Department K.P. Peshawar, District Education officer Male Swat the C.T. BPS 15 of GHS Janoo was up graded to SCT BPS 16.
- 8. That District Education officer Male Swat issued the appellant mutual transfer order to GHSS Chamatali instead of GHS Janoo vide order No, 8107-12 dated 19/03/2024.
- 9. That the appellant has applied for transfer from GHS Drush khela Matta Swat to GHS janoo Khawazakjela Swat against the vacant post SCT BPS 16 in consultation with Honorable District Education Officer Male Swat, Finance Department K.P. Peshawar has transferred the appellant pay from GHS Drushkhela Matta Swat to GHS janoo Khawazakhela Swat.
- 10. That the Headmaster GHS Janoo Khawazakhela Swat stopped the pay of the appellant with out any reason, the appellant is still performing his duties honestly and what will be the effect on my family during " RAMADAN " and the upcoming " EID"

It is therefore, humbly prayed to accept the pellant Departmental service appeal.

Your, Dedient.

Fayaz Hussain SCT BPS 16 GHS. Drushkhela Matta Swat. Dated 26/03/2024.

avocate High Court

RGL124861513

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# Annos! N

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Reporto

# EDIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION KHYBER PAKHTUNKHWA PESHAWAR.

No. 5325 4. No./Appeal Against Transfer order/Vol-2/Estab-1. Dated Peshawar the 16-65 7024.

The District Education Officer (Male) Swat.

ുect:

DEPARTMENTAL APPEAL

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I am directed to refer to your office letter No. 10158 Dated: 25-04-2024 on the subject cited above and to state that the Competent Authority (Director Elementary & Secondary Education Knyber Pakhtunkhwa, Peshawar) has rejected the appeal in respect of Mr. Fayaz Hussain SCT (BPS-16) GHS Durush Khela District Swat in the Ight of your good-office under reference letter.

I am further directed to ask you to inform the appellant concerned accordingly please.

√/

Assistant Director (Estab-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar.

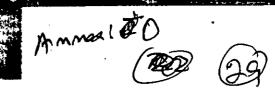
Endst; No.

Copy forwarded to the: -.

- 1. Mr. Fayaz Hussain SCT (BPS-16) GHS Durush Khela District Swat
- 2. P.A to Director Elementary and Secondary Education local office.

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Assistant Director (Estab-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar.

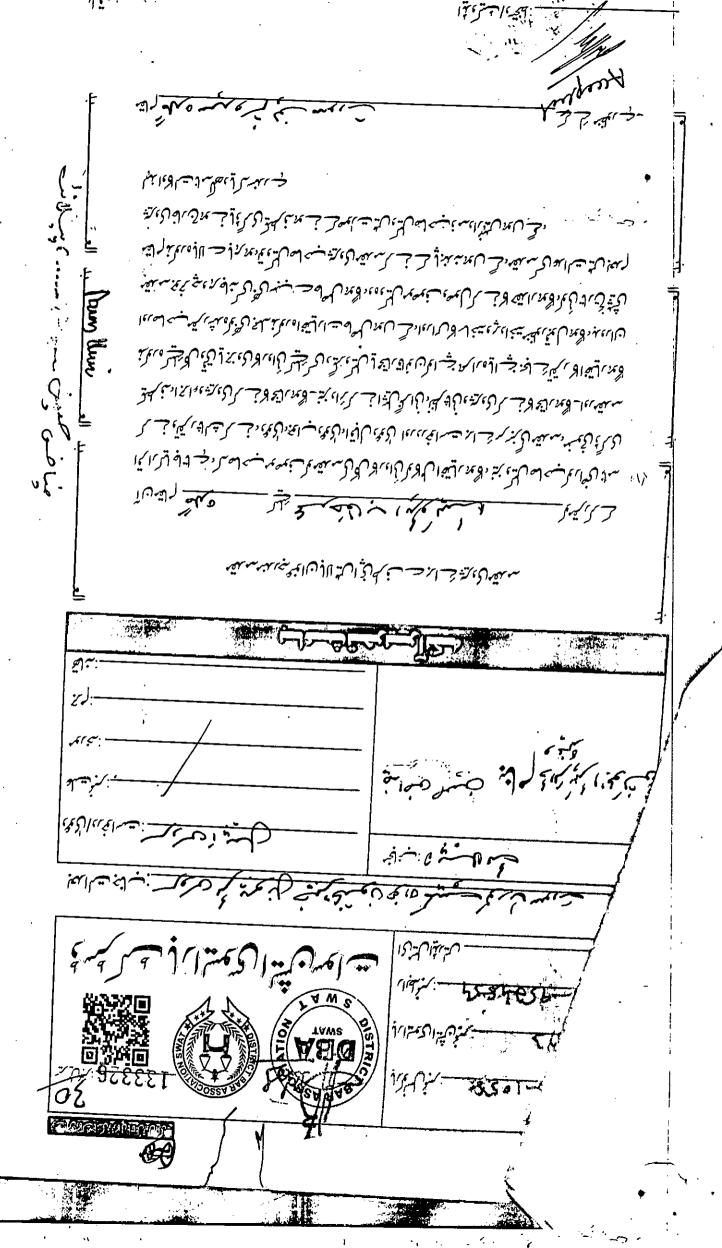


## HERRINCIPAL GHSS DURUSHKHELA

## **Duty Certificate**

It is stated that Mr. Fayaz Hussain is working as SCT BPS-16 at GHSS Durushkhela under DEO (M) Swat office order No. 4830-36 dated 27/06/2023 since 28/06/2023.

> 14124 cipal GHSS Durushkhela Swat PRINCIPAL (BPS-19) GHSS Durushkhela Swat



الريمكم!