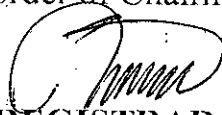


FORM OF ORDER SHEET

Court of _____

Appeal No. 588/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/04/2024	<p>The appeal of Mr. Inayat ur Rehman presented today by Mr. Saadullah Khan Marwat Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 24.04.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

C. M. No. _____ / 2024

IN

S.A. No. _____ /2024

Inayat Ur Rehman

versus

DEO & Others

**APPLICATION FOR HEARING OF THE SUBJECT
APPEAL AT THE PRINCIPAL SEAT AT PESHAWAR:**

Respectfully Sheweth,

1. That applicant filed the subject appeal before this hon'ble Tribunal today.
2. That applicant is the resident of Muslim Abad, Lakki Matwat, so it will be convenient for appellant to heard the subject case on the Principal seat at Peshawar.

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

Appellant

Through


Saadullah Khan Marwat

Advocate

Dated 22-04-2024

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

S.A No. 588 /2024

Inayat Ur Rehman

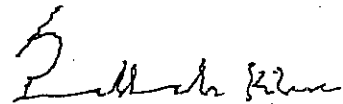
versus

DEO & Others

INDEX

S. No	Documents	Annex	P. No.
1.	Memo of Appeal		1-4
2.	FIR dated 12-12-2023 and order sheet dated 03-01-2024	"A"	5-7
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Through Appellant



Saadullah Khan Marwat
Advocate.
21-A Nasir Mansion,
Shoba Bazaar, Peshawar.
Ph: 0300-5872676

Dated: 22-04-2024

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

S.A No. 588 /2024

Inayat Ur Rehman
S/O Abdur Raheem Shah,
Mohallah Muslim Abad,
Lakki Marwat.
Ex-Behishti, Govt. High
School Ismail Khel Abba Khel,
Lakki Marwat Appellant

VERSUS

1. District Education Officer (M),
Lakki Marwat.
2. Director, Elementary & Secondary
Education Department, KP,
Peshawar Respondent

**APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT, 1974
AGAINST OFFICE ORDER NO. 8477-83 DATED 17-10-
2023 OF RESPONDENT NO. 01 WHEREBY APPELLANT
WAS REMOVED FROM SERVICE FROM THE DATE OF
ABSENCE OR OFFICE ORDER NO. 3017-20 / F
DATED 26-03-2024 OF R. NO. 02 WHEREBY
REPRESENTATION OF APPELLANT WAS REJECTED
FOR NO LEGAL REASON:**

Respectfully Sheweth:

1. That appellant was appointed as Behishti on 20-09-2006 and was posted at GHS Ismail Khel Abba Khel, Lakki Marwat and then assumed charge of the assignment on 21-09-2006. His service roll was also made.

2. That on 12-12-2013, appellant lodge FIR against the owner of the school, namely Gohar Ayub u/s 468, 419, 420, 471, 409 and 406 PPC for receiving his monthly salaries. On 03-01-2024, accused Gohar Ayub was absent and warrant of arrest was issued against him to appear before the court on 25-03-2024. Notice to his sureties is also issued by the Learned Trial Court for his appearance but is still at large and was also not allowing him for performance of the official duties. (Copies as annex "A")
3. That on 03-09-2019, 07-07-2020 and 14-06-2022, appellant submitted applications before R. No. 01 to transfer him from the said school to any other school as the owner of the school is not permitting him to enter the school for duties. (Copy as annex "B")
4. That on 17-09-2023, in Daily Newspapers "Umat and Aaj" absence of appellant was published for resumption of duties and then on 27-09-2023, appellant submitted reply to the said notice reiterating the aforesaid stance. (Copies as annex "C" & "D")
5. That on 17-10-2023, appellant was removed from service from the date of absence i.e. 01-09-2012 retrospectively. (Copy as annex "E")
6. That on 08-11-2023, appellant submitted representation before R. No. 02 for reinstatement in service with all back benefits which was rejected on 26-03-2024. (Copies as annex "F" & "G")

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

GROUND S:

- a. That appellant never refused to perform his official duties in the school but it was the owner of the school who never let him to do so.
- b. That appellant submitted numerous applications to the authority to transfer him from the said school to any other school for performance of duties but no heed was paid to the same as R. No. 01 was in line with the said Gohar Ayub owner of the school.

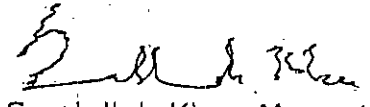
- c. That in the circumstances stated above no question of absence from duties arises at all rather it was necessary for the authority to make enquiry into the matter but he never performed his official obligation to make enquiry into the matter as he was in league with the said owner of the school for ulterior motive.
- d. That before removing him from service, legal formalities were never observed by the authorities, being mandatory as no statement of any concerned witness was recorded nor appellant was afforded opportunity of cross examination.
- e. That owner of the school was much influential to withdraw salaries of appellant from bank by affixing forge signature on his documents. That is why, he was not dealt with legally.
- f. That absence of appellant was not willful in the circumstances and it was the sacred duty of the authority to transfer him from the school to any other school regarding the subject matter which was requested by him but without any response.
- g. That till date trial is not concluded by the Learned Judge as Gohar Ayub is not attending the same and the learned judge has issued notices to the sureties for his production before the court.
- h. That when the absence was not willful, the authority was not empower to remove him from service. Such act of the authority is based on malafide.

It is, therefore, most humbly prayed that on acceptance of the appeal, orders dated 17-10-2023 and 26-03-2024 of the respondents be set-aside and appellant be reinstated in service with all consequential benefits with such other relief as may be deemed proper and just.



Appellant

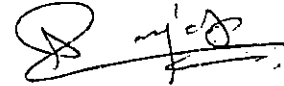
Through



Saadullah Khan Marwat



Arbab Saiful Kamal



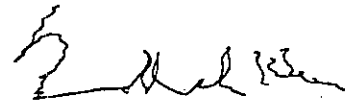
Amjad Nawaz

Advocates

Dated: 22-04-2024

CERTIFICATE:

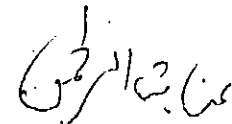
As per instructions of my client, no such like Service Appeal has earlier been filed by the appellant before this Hon'ble Tribunal.



Advocate

AFFIDAVIT

I, Inayat Ur Rehman (appellant); do hereby solemnly affirm and declare that contents of Service Appeal are true and correct to the best of my knowledge and belief



DEPONENT

3۔ یہ کہ شدت کرہ یا اذعاناً - خلاف قانون کاروائی کو برائوب کی جانب سے
 فریضی طور پر سیرا نام استعمال کر کے کی گئی ہے۔ تنخواہ میں خود ہی
 وصول کرتا رہا ہے۔ بینک اکاؤنٹ بھی برے نام فریضی طور پر کھولی رکھا
 ہے۔ تنخواہ لینے کیلئے چیکس سیر میں سیرا دستخط خود کرتا ہے۔ اس طرح
 حکومت کے خزانے کو بھی مستول روپیہ کا بھی نقصان پہنچایا اور تیس
 شخصوں اور دھوکے کے ساتھ ساتھ دستاویزات سے سیرا پھری کرتا
 رہا ہے۔ سیرا جی پی آر سے بینک سے رقم لے کر آتا رہا ہے۔

4۔ یہ کہ مستحق کو سیرا جو یہ کام یہ فعل بد قابل دست اندازی پولیس
 جرم کے زمرے میں دتا ہے۔ اور offence بلاناہجہ ہونے کے
 باوجود پولیس تعاضد قصور ادا کرنے کے خلاف رپورٹ FIR درج کروانے
 سے پس و پیش کرتا ہے۔ اور فریم میں جرم مسلسل continuously
 کرتا رہا ہے۔ اس لئے specified قسم نہیں ہے۔

5۔ یہ کہ سن سائل Default کے خلاف FIR درج کرنے کا نام کی گوت
 کیا تو سائل سے FIR درج کرنے کی ذمہ داری ہے۔ اس لئے درخواست
 بعد گزاری گئی۔ اور استدعا ہے کہ صورت وار صورت وار ان کے ساتھ
 کے خلاف دستاویزات سے Law کے مطابق جرمی ہوں۔
 کے خلاف ثابت ہوں FIR درج کروانے کا حکم ہے اور نہ سائل

السید درخواست کنندہ دعویٰ باللائ

جسٹس علی۔ فصل لکھنؤ اصل ہے۔ تمام اس کے پاس
 12-12-13

7

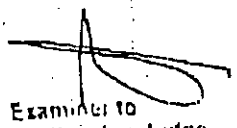
وہ اپنے بیٹے کو اپنی بیوی سے
تفریق کرنے کے لیے گواہی دیا ہے کہ
مادری گواہی کے مطابق ملزم / گواہی
نہیں دیا ہے۔ درج ذیل گواہی کے
مادری گواہی کے مطابق

77-27
2024.07.03

۷۷

Hamid Hamid
BCJ (Judicial) Mirpur
Section 10 Lakh Sarwal

ATTESTED


Examiner to
District & Session Judge
Lakh Sarwal

بکھنور جناب والا شان ڈسٹرکٹ ایجوکیشن آفسر (مردانہ) لکی مروت۔

عنوان درخواست دربارہ تبدیلی

جناب عالی

سائل ذیل عرض گزار ہوں

۱۔ یہ سائل گورنمنٹ ہائی سکول مردانہ محلہ اسماعیل خیل آبائیل میں بطور Bahishti/Water bearer مقرر ہوا تھا اور اپنی ڈیوٹی خوش اسلوبی سے

سرا انجام دیتا رہا

۲۔ یہ کہ مالک مکان کے ساتھ کچھ عرصہ بعد تنازعہ شروع ہو گیا اسے نوکری کی بابت مالک مکان سینہ زور اور سرکش آدی ہے۔ جس سے سکول کا تمام سٹاف ڈرتا ہے۔ اور میرے لئے اسکول میں ڈیوٹی سرا انجام دینا ناممکن ہو گیا۔ کیونکہ افسران بالا مالک مکان سے ساتھ مل گئے اور پیسے تنگ کرنے پر اتر آئے کبھی مجھ سے سکول کا گیٹ بند کر کے اندر جانے نہیں دیتے اور نہ میرے حاضری لگاتا ہے۔

لہذا آپ صاحبان سے طو ذباذ گزارش کی جاتی ہے کہ مجھے گورنمنٹ ہائی سکول محلہ اسماعیل خیل آبائیل سے بوجوہات بالا دفتر یا کسی سکول کو تبدیل کرنے کے احکامات صادر فرمائیں تاکہ میں اپنی ڈیوٹی با آسانی سرا انجام کر سکوں

سورج 3-9-2019

غریب آدمی ہوں دعا گو رہوں گا۔

الغرض عنایت الرحمن

سائل عنایت الرحمن ولد عبدالرحیم بہشتی گورنمنٹ ہائی سکول محلہ اسماعیل خیل (لکی مروت)

بھنخور جناب والا شیان ڈسٹرکٹ ایجوکیشن آفسر (مردانہ) کلی مروت۔

عنوان درخواست دربارہ تبدیلی گورنمنٹ ہائی سکول محلہ اسماعیل خیل آباخیل (کلی مروت)

جناب عالی

گزارش ہے کہ سائل نے پہلے بھی آپ صاحبان کو ایک درخواست گزار دی تھی جس کو آپ صاحبان نے بغیر کروائی اور میری فریاد سے رد کر دیا۔
نوٹو کا پی لف ہے۔

اب سائل دوبارہ جناب D.E.O. صاحب کی خدمت میں عرض گزار ہوں کہ مالک مکان اور سکول کی سٹاف میرے ساتھ بہت زیادتی اور
سکول میں ڈیوٹی کرنے سے منع کرتے ہیں جو کہ غیر قانونی ہے۔

لہذا آپ صاحبان سے التماس کی جاتی ہے کہ سائل کو گورنمنٹ ہائی سکول محلہ اسماعیل خیل آباخیل سے یہ کلی ضلع میں کسی دوسرے سکول
کو تبدیل کرنے کے آرڈر جاری کرنے کے احکامات صادر فرما کر میری پریشانی کو ختم کرنے میں مدد فرمائیں تاکہ اپنی ڈیوٹی احسن
طریقے سے سرانجام دے سکے۔

سائل ادعا گوہر بیگم

مورہ: 2020-7-7

عناایت الرحمن

سائل عنایت الرحمن ولد عبدالرحیم، پیشہ گورنمنٹ ہائی سکول محلہ اسماعیل خیل (کلی مروت)

بمخضور جناب والا ایشان ڈسٹرکٹ ایجوکیشن آفسر (مردانہ) لکی مروت۔

عنوان درخواست دربارہ ٹرانسفر کرنے کو رمنٹ ہائی سکول محلہ اسماعیل خیل آبا خیل سے ہائی سکول لکی مروت

جناب عالی

سائل ذیل عرض کرتا ہوں۔

۱۔ یہ کہ سائل نے اس درخواست سے پہلے بھی کئی درخواست ہائے آپ صاحبان کی خدمت میں گزارے جس پر آپ صاحبان نے میری کوئی شنوائی نہیں کی۔

۲۔ یہ کہ سائل کو گورنمنٹ ہائی سکول محلہ اسماعیل خیل آبا خیل میں بڑی مشکلات پیش آتے ہیں مالک مکان سکول مجھے بہت تنگ کرتا ہے۔ مالک مکان پر میں نے ایف۔ آئی۔ آر بھی درج کی ہے لیکن وہ سرکش اور سیزر زور ہے پکار بھی تنگ کرنے سے باز نہیں آتا۔ جب کہ سکول سٹاف بھی مالک مکان کی طرف بڑی کرتے ہیں اور میرے خلاف آفسران بالا کو فلٹر پورٹ بھی مالک مکان کے کہنے پر کرتے ہیں۔ اس درخواست سے پہلے دئے گئے درخواست ہائے کی فوٹو کاپیاں لف ہیں

لہذا آپ صاحبان سے عاجزانہ درخواست کی جاتی ہے کہ میرا تبادلہ گورنمنٹ ہائی سکول محلہ اسماعیل خیل آبا خیل سے گورنمنٹ ہائی سکول لکی مروت یا لکی ضلع کے کسی دوسرے سکول میں کرنے کے احکامات صادر فرمائیں۔ تاکہ میں اپنی ڈیوٹی بغیر کسی خوف و خطر احسن طریقے سے سرانجام دے سکوں۔

تازہ دست دہا گور ہونگا۔

مورخہ ۱۶/۶/۳۴

عبدالرحمن

سائل عنایت الرحمن ولد عبدالرحیم، ہشتی گورنمنٹ ہائی سکول محلہ اسماعیل خیل (لکی مروت)

12

12

27-9-23

To:- The District Education Officer,
(Male) Lakki Marwat.

Subject: REPLY TO ABSENTEE NOTICE PUBLISHED IN NEWSPAPER THE
DAILY AAJ DATED 17.09.2023

Respected Sir,

Reference absentee notice published in the newspaper "The Daily Aaj dated 17.09.2023. (Photostat copy enclosed).

In response to the absentee notice published in the newspaper, the requisite reply is as under:-

1. That the applicant official is the bonafide resident of Village & Post Abba Khel but since last settled in Mohallah Muslimabad Lakki City as evident from my CNIC No. 11201-814024-3 (Photostat copy enclosed).
2. That the applicant official was appointed as a Sweeper in GHS Ismail Khel Abba Khel Lakki Marwat in 2006.
3. That there is some family dispute with land donors who are man of means. I regularly attended my duty but were not allowed in the school nor mark my attendance.
4. This situation is well aware to the staff concerned due to which we have affected FIR vide which I alongwith my family has migrated from my native village Abba Khel from to Lakki City.
5. That due to FIR and criminal cases to each other, they are not allowed me to enter in the school (Photostat copy of FIR enclosed).
6. Now I again request your kind honour that your excellence assure security of my life I will also regularly attend the school but I being poor and helpless official could not confront them and is seeking your sympathetic consideration.
7. I have time and again attended your good offices to dis-close the situation but your honour to committed in other duties and was told to have been on tour to schools.

.....P/2

2794
27-9-23

13

-2-

8. Sir, to avoid any further incidence between the two family tribes, I very humbly pray that I may very kindly be transferred from GHS Ismail Abba Khel to some other school so that I could be able to perform my duties.
9. Sir, I am poor man having large family members and to pass these hard days, it is also prayed that my case may kindly be considered on humanitarian grounds.

Sir, I assure your excellence that I will regularly performed my duties and will never given any chance of absentee, negligence, mis-conduct and will strictly followed the directions of my superiors and will honestly remained faithful and dutiful in future.

Keeping in view the situation explain above, I very humbly prayed that my case may kindly be filled without any further proceedings I may very kindly be transferred from GHS Ismail Khel Abba Khel to some other school closed to my locality and oblige.

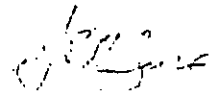
I will pray for your long life and prosperity.

Thanking You Sir,

Yours Most Obedient Servant

Dated: 27.10.2023

Hafiz Inayat Ur Rehman
Sweeper, GHS Ismail Khel
Abba Khel District Lakki Marwat.





E-14
17-10-23

**Office of The District Education Officer
Male Lakki Marwat**

Ph: (0969)538291 email: emislakki@johoo.com
www.fncstunpk.com/deomalelakki, www.twitter.com/deo_m_lakki

OFFICE ORDER:-

1. **WHEREAS**, Mr. Inayat Ur Rehman Water Carrier/Beheshti Govt. High School Ismail Khel Abba Khel Lakki Marwat was proceeded under the Khyber Pakhtunkhwa Govt. Servants Efficiency & Discipline (E&D) Rules-2011 amended on 31-12-2021 for the charges of his willful absence from official duty w.e.f. 01-09-2012 till date as per attendance register and report of the Head Master GHS Ismail Khel Abba Khel vide letter No. 303 dated, 10-04-2023.
2. **AND WHEREAS**, the District Education Officer (Male) Lakki Marwat served an absence notice upon the cited official on his home address through registered covering letter vide No. 3924 dated 15-05-2023, with the directions to resume official duty within fifteen (15) days, but the same was returned as un-delivered.
3. **AND WHEREAS**, District Education Officer (Male) Lakki Marwat published a final absence notice against him in daily newspapers "Aaj & Ummat" dated 13-09-2023, with the directions to resume his official duty and explain the reasons of willful absence before the competent authority but he willfully failed to follow the directions.
4. **AND NOW THEREFORE**, In the light of above record and in exercise of powers conferred under Govt. Servants Efficiency & Discipline Rules-2011 amended vide dated 31-12-2021, the competent authority (District Education Officer Male Lakki Marwat) under section 9 of Khyber Pakhtunkhwa Govt. Servants read with Rule-4 (1)(b)(III), is satisfied and is pleased to impose Major Penalty of "**Removal from Service**" upon Mr. Inayat Ur Rehman Water Carrier/Beheshti GHS Ismail Khel Abba Khel Lakki Marwat from the date of absence.

verified
District Education Officer
(Male) Lakki Marwat.

Endst No. 8477-83 Dated. 17/10/2023.

Copy to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner, Lakki Marwat.
3. District Monitoring Officer (EMA), Lakki Marwat.
4. District Accounts Officer, Lakki Marwat.
5. Deputy District Education Officer (Male) Local Office.
6. Head Master GHS Ismail Khel Abba Khel with the directions to:-
(a) Provide detail of illegally paid salary during the above cited period, if any, to this office within two (2) days (b) Record necessary entry in his service book.
7. Mr. Inayat Ur Rehman S/O Abdur Rehman (Ex-Water Carrier/Beheshti GHS Ismail Khel Abba Khel) Resident of village Ismail Khel Abba Khel District Lakki Marwat.

M. Inayat
District Education Officer
(Male) Lakki Marwat.

F 15

8-12-23

To:- The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Subject: DEPARTMENTAL APPEAL UNDER RULE 4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER NO. 8477-83 DATED 17.10.2023 PASSED BY DISTRICT EDUCATION OFFICER (MALE) LAKKI MARWAT VIDE WHICH THE APPELLANT HAS BEEN REMOVED FROM SERVICE UNLAWFULLY AND ON MALAFIDE INTENTION.

Respected Sir.

It is submitted that the appellant is aggrieved from the impugned order No. 8477-83 dated 17.10.2023 passed by the respondent department in violation of rules and natural as well as human rights on which the appellant hereby submitted departmental appeal under Rule 4 of the Service Tribunal Act, 1974 on the following facts and grounds:-

FACTS

1. That the applicant official is the bonafide resident of Village & Post Abba Khel but since last settled in Mohallah Muslimabad Lakki City as evident from my CNIC No. 11201-814024-3 (Photostat copy enclosed).
2. That the applicant official was appointed as a Water Carrier/Behishti in GHS Ismail Khel Abba Khel Lakki Marwat in 2006.
3. That the pay and allowances has regularly drawn by land donors upto 01.09.2012 and disbursed to the land donor/owner.
4. That there is some family dispute created between the appellant and the land donors wherein the appellant was directed not to entered in the school and later clashes increased on which the appellant entered FIR No. 724 dated 21.11.2013 and properly chalked out on 12.12.2013 (Photostat copies enclosed).
5. That this situation is well aware to the staff concerned due to which we have affected FIR cited above vide which I alongwith my family had been migrated from my native village Abba Khel to Lakki City.
6. That due to FIR and criminal cases to each other, they are not allowed me to enter in the school as stated above.
7. Sir, keeping in view drawl of pay and allowances on my name by land donor, the appellant approached and submitted an application on 03.09.2019 (Photostat copy enclosed), to the District Education Officer (Male) Lakki Marwat for transfer from the said school to any school in Lakki City but in vain.
8. Similarly another application dated 07.07.2020 for my transfer from the said school but no action taken and last application dated 14.06.2022 moved but no action there on known to me nor any reply received and the applications of the appellant were linger on in the office of DEO (Male) Lakki Marwat.
9. Regular visits paid to the offices requested to all concerned for my transfer so

Pl. file

10. However, no other letter or show cause notice served upon me nor could prove over me but I learnt the absentee notice from the newspaper "The Daily Aaj" dated 17.09.2023 (Photostat copy enclosed), a detailed reply to this effect was furnished on dated 27.09.2023 (Photostat copy enclosed) but the authority concerned decided the case un-heard and passed Removal from service Order No. 8477-83 dated 17.10.2023 (Photostat copy enclosed) which is against the rules, policy and human rights.

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11. The office order cited above is also not a speaking order having following short falls :-

- a. Letter No. 1303 dated 10.04.2023 mentioned in the Removal from Service order not served nor received.
- b. Absentee Notice was published in newspaper the Daily Aaj dated 17.09.2023 whereas in the order shown dated 13.09.2023.
As per Removal order mentioned notice published in Ummat Newspaper whereas in Lakki City no one is aware regarding this newspaper nor read in our area.
- c. However Rule 9 of Government Servant (Efficiency & Discipline) Rules 2011 provides that absentee notice shall be published at least in two leading newspapers whereas Ummat newspaper is not a leading newspapers and the contention of the authority concerned is wrong and mala fide in the eye of justice, hence the instant appeal on the following grounds:-

GROUNDS.

- A. That the appellant is innocent, always kept in dark by both the land Donor and authority concerned.
- B. That duty performed by the appellant since appointment upto 01.09.2013 but due to serious family disputes between the parties, not allowed to school and this situation is well aware to the authority concerned.
- C. That the appellant has already informed the authority concerned for Transfer from the school keeping in view FIR and criminal cases between the parties but neither action taken in the matter nor grievances of the appellant redressed.
- D. That as per Supreme Court of Pakistan already passed judgments in relation to the issues of land donors etc that no land donor will exercise his ownership over the education institutions in the country but in this particular case, land donor still holds over the school and the appellant has already shunt out from the school for which time and again requested the authority concerned for transfer from the said disputes school but no action taken beside all concerned and notable of the area including school managements and authority concerned is well aware regarding the facts and grounds.

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- E. Due to above reasons, FIR and application, pay and allowances of the appellant was stopped by the school concerned which is also against the human rights and the appellant is still passed through the tremendous difficulties.
- D. Astonishing situation himself mentioned in the impugned order by the authority concerned that the school management shown issued letter No. 303 on 10.04.2023 whereas shown absent appellant from duty with effect from 01.09.2012, which is totally wrong version of the authority concerned and school managements as after 11 years action initiated.
- E. As provided in Rule 15 of the Government Servant (Efficiency & Discipline) Rules, 2011, no personal hearing opportunity provided to the appellant and passed an order of Removal from Service on favoritism and nepotism which is gross violation of rules thus deprived the appellant from his fundamental rights.
- F. Terms and conditions provided in Rule 14 of Government Servant (Efficiency & Discipline) Rules, 2011 not fulfilled by the appellant thus damaged the appellant in Tort, totter and damaged forever being no shelter nor having any influence in the village.
- G. That the appellant has already migrated from his native village and settled in Lakki City as per address mentioned in CNIC thus two torture awarded one migration from his village and second removal from service and put the appellant in harassment and mental torture.

PRAYER

Sir, As my detailed appeal and justification mentioned above, I pray that the impugned order may graciously be set aside in order of justice and the appellant may kindly be re-instated into service with all back benefits.

I will pray for your long life and prosperity.

Thanking You Sir,

Yours Most Obedient Servant



Hafiz Inayat Ur Rehman
Water Carrier/Behishti
GHS Ismail Khel Abba Khel
District Lakki Marwat.
CNIC No. 11201-8140241-3
Contact Info: 0315-9067177

Dated: 8/11/2023

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25.11.23

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1. WHEREAS Mr. Inayat Ur Rehman was appointed as water carrier GHS Ismail Khel Abakhel, Lakki Marwat on 01/09/2012.
2. AND WHEREAS He was found absent from duty since 01/09/2012 to 10/04/2023.
3. AND WHEREAS the show cause notice of absentecism was issued to him vide DEO (M) Lakki Marwat letter No. 3924 dated 15/05/2023 vide registered mail.
4. AND WHEREAS, final notice was served to him via Daily Aaj Newspaper on 17th September 2023, but he did not responded, as a result major penalty of "Removal From Service" was imposed upon him under E&D rules 2011 vide DEO (M) Lakki Marwat notification No. 8477-83 dated 17/10/2023.
5. AND WHEREAS, Mr. Inayat Ur Rehman, Ex-water carrier lodged an appeal to worthy Director E&SE KPK Peshawar against the DEO (M) Lakki Marwat office Notification under Endst No. 8477-83 dated 17/10/2023 Vide this office diary No 1676 dated 08/11/2023.
6. AND WHEREAS, Inayat Ur Rehman, Ex-water carrier, GHS Ismail Khel Abakhel, Lakki Marwat was called upon for personal hearing vide this office letter No. 584-85 dated 28/02/2023.
7. NOW THEREFORE, the worthy Director E&SE Khyber Pakhtunkhwa (appellate authority) under E&D rules 2011 has Rejected the appeal of the appellant after examination/ scrutiny as a result of personal hearing and advised the appellant to approach proper forum.

DIRECTOR
 Elementary & Secondary Education
 Khyber Pakhtunkhwa Peshawar

Endst: No. 3017-20 / F.No./A-20/C-IV/P/516

Dated Peshawar the 26/3/2024.

- Copy of the above is forwarded for information and n/action to the:-
- 1- District Education Officer (Male) Lakki Marwat
 - 2- District Account Officer Lakki Marwat.
 - 3- PA to the Director E&SE Khyber Pakhtunkhwa Peshawar.
 - 4- Official Concerned
 - 5- Muster file.

[Signature]
 26/3/24
 Deputy Director (F&A)
 Directorate E& Secondary Education
 Khyber Pakhtunkhwa, Peshawar
 26/3/24

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**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR**

Phone: 091-9225344

Email: ddadrna.ese@gmail.com

NOTIFICATION

1. Whereas, Mr. Inayat ur Rehman was appointed as Water carrier at GHS Ismail Khel Abakhel Lakki Marwat in 2006.
2. AND whereas, He was found absent from duty since 01.09.2012 to 10.04.2023.
3. And whereas, the show cause notice of absenteeism was issued to him vide DEO (M) Lakki Marwat letter No.3924 dated 15.05.2023 vide registered mail.
4. AND whereas, final notice was served to him via Daily Aaj Newspaper on 17th September 2023, but he did not responded, as a result major penalty of "removal from Service" was imposed upon him under E&D rules 2011 vide DEO (M) Lakki Marwat notification No.8477-83 dated 17.10.2023.
5. AND whereas, Mr. Inayat ur Rehman Ex water carrier lodged an appeal to worthy Director E&SE KPK Peshawar against the DEO (M) Lakki Marwat office Notification under Endst No. 8477-83 dated 17.10.2023 vide this office diary No.1676 dated 08.11.2023.
6. AND whereas, Inayat ur Rehman, Ex water carrier GHS Ismail Khel Abakhel, Lakki Marwat was called upon for personal hearing vide this office letter No.584-85 dated 28.02.2023.
7. NOW therefore, the worthy Director E&SE Khyber Pakhtunkhwa (appellate authority) under E&D rules 2011 has rejected the appeal of the appellant after examination/ scrutiny as a result of personal hearing and advised the appellant to approached proper forum.

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Endst No.3017-20/F. No/A-20/C-IV/P/File Dated Peshawar the 26.03.2024

Copy of the above is forwarded for information and n/ action to the:-

1. District Education Officer (Male) Lakki Marwat.
2. District Account Officer Lakki Marwat.
3. PA to the Director E&SE Khyber Pakhtunkhwa Peshawar.
4. Official Concerned.
5. Master File.

Deputy Director (F&A)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

لیڈنگ جرنل سروس ٹریڈنگ کمپنی

منجانب ایڈمنسٹریٹو

عنابتی الرقوع

محکمہ تعلیم

دعویٰ اپیل

پاسٹرسٹریٹ

مستند و مستند جرنل بالائے اپنی الرقوعی واسطے پیروی و جواب دہی و کاروائی مستحقہ آن مقام اپنا اور
 کیسے مستند آن مقام مستند ایڈوکیٹ ہائی کورٹ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب
 موقوفہ کو مستند کی کاروائی کا کمال اختیار ہوگا نیز وکیل صاحب کو کرنے واضح نارہ و آفر ثالث و فیصلہ برعکس
 یعنی جواب دہی اور قبول دعویٰ اور لیکچر ڈگری کرنے اجازت اور وصولی پنک و روپیہ اور مرضی دعویٰ اور درخواست
 ہر قسم کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا نیز مستند پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی
 اور مستند ہر قسم کی اپیل ٹرانزیشن و پیروی کرنے کا اختیار ہوگا اور یہ صورت ضروریات مستند ہر قسم
 کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مقرر قانونی کو اپنے ہمراہ یا اپنی بجائے تفریق کا اختیار ہوگا
 اور وہ اپنے مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا سامنے پر داخلہ مستند اور
 قبول ہوگا اور دوران مستند میں جو خرچہ و ہر جانہ التوا مستند کے حساب سے ہوگا اس کے مستحق وکیل صاحب
 موقوفہ ہوں گے نیز بقایا و خرچہ کی وصولی کرنے کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مستند روزہ
 پر ہو یا عدالت سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکور کریں۔
 لہذا وکالت نامہ رکھ دیا کہ مستند ہے۔

20/4/24 . المرقوم

التعبید التعبید التعبید

در باب سیف الکمال
ایڈوکیٹ

مسندہ التماس محال ہر قسم
ایڈوکیٹ

عنابتی الرقوع

محمد نواز
ایڈوکیٹ

Grajat ur-Rahman