

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR.

Service Appeal No: 250/2024

**Gohar Hayat S/O Shoukat Hayat ex- Lab Assistant GHSS Surgul Kohat ..... Appellant**

**VERSUS**

**Government of Khyber Pakhtunkhwa through the Secretary E&SE Khyber Pakhtunkhwa  
& others ..... Respondents**

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**DISTRICT EDUCATION OFFICER  
(MALE) KOHAT**

(i)

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

**Service Appeal No: 250/2024**

Khyber Pakhtunkhwa  
Service Tribunal  
Diary No. 13481

Dated 13-6-24

Gohat Hayat S/O Shoukat Hayat ex- Lab Assistant GHSS Surgul Kohat ..... Appellant

**VERSUS**

Government of Khyber Pakhtunkhwa through the Secretary E&SE Khyber Pakhtunkhwa  
& others ..... Respondents

**JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS No: 1-3.**

Respectfully Sheweth,

The Respondents as under.

**PRELIMINARY OBJECTIONS.**

- 1 That the appellant has got no cause of action locus standi.
- 2 That the instant Service appeal is badly time barred.
- 3 That the appellant has concealed material facts from the Hon'able Tribunal in the instant service appeal.
- 4 That the instant service appeal is against the relevant provisions of law.
- 5 That the appellant has not come to this Hon'able Tribunal with clean hands.
- 6 That the instant appeal is liable to be dismissed for mis-joinder & non-joinder of the necessary parties to the present appeal.
- 7 That the appellant is estopped by his own conduct to file the instant appeal.
- 8 That the instant service appeal is not maintainable in the present form & circumstances of the case.

**FACTS.**

- 1 That Para-1 of the fact is pertains to record, the appellant has concealed the important material fact and thus has got appointment order vide this office No3101-06/Apptt Lab Asstt/Deceased quota dated 22.04.2021 (Copy **annexed as annexure A**).
- 2 That Para-2 of the fact is in correct. The father of the appellant namely Mr. Shoukat Hayat was serving as PST teacher and died while in service in the year 2010. The mother of the appellant (widow of deceased) submitted an application in the year 2011 with the request to appoint her against deceased quota as due and admissible to her (Copy of the application of the widow is **annexed as annexure B**). Consequently the Executive District Officer Elementary & Secondary Education Kohat vide his office No: 9508-12 dated 16.08.2012 appointed Mst

Farhat Begum W/O Late Shoukat Hayat against the caller (sweeper) post at GGPS Behzadi Chikarkot Kohat against deceased quota (Copy of the appointment order is annexed as **annexure C**). Further added that the Government segregated the Executive District Offices Elementary & Secondary Education in between Male & Female offices. That after have passed a sufficient time the son of the late Shoukat Hayat lodged an application on judicial stamp paper duly signed by the Notary Public stating that the deceased son/daughter/widow quota has not been availed by his family members/legal heirs (Copy of the stamps paper is annexed as **annexure D**). there the appellant has concealed the important fact and thus got appointment vide this office No: 3101-06/Apptt Lab Asstt/Deceased quota dated 22.04.2021(Copy **already annexed as annexure A**) purely on deceased quota basis as stated in the appointment order. Thus the bereaved family got the deceased quota twice by submitting false information to the department. However while serving as a lab assistant at GHSS Surgul Kohat, a complaint received in this office stating that the appellant has concealed the material/important fact and thus has availed the deceased quota twice. Therefore an enquiry officer was authorized to investigate the matter and submit finding/report in the instant case. Having gone through the record the enquiry officer submitted his report and deemed it, appropriate to remove the appellant from service (Copy of enquiry report is **annexed as annexure E**).Therefore this office issued a show cause Notice to the appellant (Copy of show cause Notice is **annexed as annexure F**). Resultantly this office was not satisfied from the reply of the appellant and thus removed from service (Copy of removal notification is **annexed as annexure G**).

- 3 That para-3 of the fact pertains to record.
- 4 That Para-4 of the fact pertains to record.
- 5 That Para No: 5 of the fact are legal.

**GROUND.**

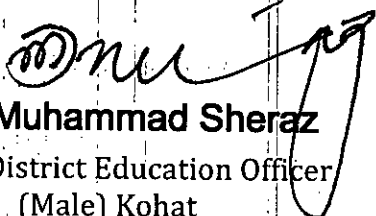
- A. **Incorrect & not admitted**, the appellant was treated as per law.
- B. **Incorrect & not admitted**. The appellant was treated as per law/rules everyone is equal in the eyes of law.
- C. **Incorrect & not admitted**. Already explain vide Para No: 2 of the fact above.
- D. **Incorrect & not admitted**. Proper show cause notice was issued to the appellant and other codal formalities in the instant case according to the policy/rules are full filled.
- E. **Incorrect & not admitted**, As proper opportunity was offered to the appellant and all codal formalities in respect of inquiry has been fulfilled, hence denied.


Furthermore it is worth mentioning here that by quoting citation in pleading is bed in eye of law as well as every case has its own crux's and merits.

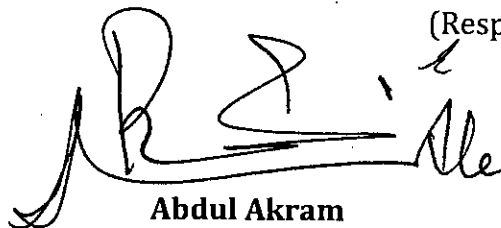
- F. **Incorrect & not admitted.** Already explained vide Para No: 2 of the fact above.
- G. **Incorrect & not admitted.** That the appellant was treated as per law, proper show cause notice was issued to him.
- H. **Incorrect & not admitted.** The appellant was treated in accordance with law.
- I. That the respondents also seek permission to raise further points at the time of arguments.

**PRAYER**

In view of the above made submission it is requested that this Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favor of the Respondent Department.

  
**Muhammad Sheraz**  
 District Education Officer  
 (Male) Kohat  
 (Respondents No: 1)

  
**Samina Altaf**  
 DIRECTOR  
 E&SE Department Khyber  
 Pakhtunkhwa, Peshawar.  
 (Respondents No: 2)

  
**Abdul Akram**  
 Additional Secretary (General), E&SED  
 On behalf of  
**MASOOD AHMAD**  
 SECRETARY  
 E&SED  
 (Respondent No: 1)

(4)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR.

Service Appeal No: 250/2024

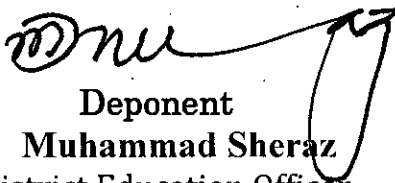
Gohat Hayat S/O Shoukat Hayat ex- Lab Assistant GHSS Surgul Kohat ..... Appellant

**VERSUS**

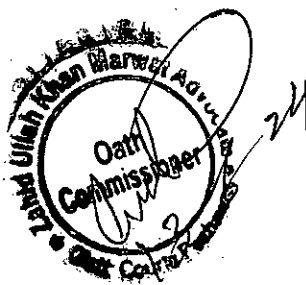
Government of Khyber Pakhtunkhwa through the Secretary E&SE Khyber Pakhtunkhwa  
& others ..... Respondents

AFFIDAVIT

I, Muhammad Sheraz , District Education Officer (Male) Kohat ,  
do hereby solemnly affirm & declare on oath that the contents of the instant  
Para wise Comments are true & correct to the best of my knowledge & belief.  
It is further stated on oath that in this appeal the answering Respondents  
have neither been placed Ex-Parte nor their defense has been struck off/cost.

  
Deponent  
Muhammad Sheraz  
District Education Officer  
(Male) Kohat

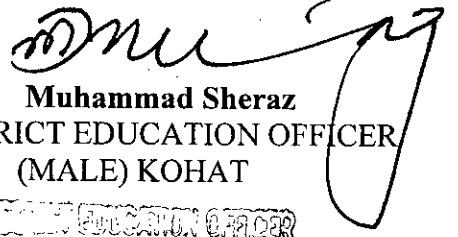
**DISTRICT EDUCATION OFFICER  
(MALE) KOHAT**



**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT**

**AUTHORITY LETTER**

Certified that Mr. Waheed Gul LLb, Assistant to District Education Officer (Male) Kohat office of the District Education Officer (Male) Kohat is hereby authorized to submit the Parawise reply and attend the Honourable Service Tribunal Khyber Pakhtunkhwa Peshawar in connection with Service 250/2024 titled Gohar Hayat Vs District Education Officer (Male) Kohat etc



**Muhammad Sheraz**  
DISTRICT EDUCATION OFFICER  
(MALE) KOHAT

DISTRICT EDUCATION OFFICER  
KOHAT

AMT - A

5

**OFFICE OF THE DISTRICT EDUCATION OFFICER  
(MALE) KOHAT**

**APPOINTMENT**

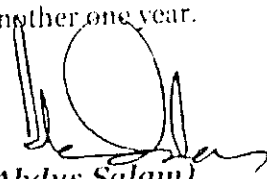
Consequent upon the recommendation by the Departmental Selection Committee, the competent authority is pleased to order the appointment of the following deceased employee's Son quota against the post of **Lab Assistant in BPS-07** (Rs 10990-610-29290) plus usual allowances as admissible under the rules, in the school mentioned against their names on the terms and conditions given below with effect from their taking over charge.

S	Name	Father's Name	Domicile	CNIC	Permanent Address	Place of Posting
1	Gohar Hayat	Shoukar Hayat (Late)	Kohat	14301-1389642-5	Mohalla Ziarat Abad Shakardar Distt.Kohat	GHSS Surgul Kohat
2	Irfan Ullah	Muhammad Tariq (Medical Retd)	Kohat	14302-5191742-7	Village Malgin Teh Lachi Distt.Kohat	GHSS Dhooda Kohat
3	Muhammad Junaid Sabir	Muhammad Sabireen (Late)	Kohat	14301-4426610-3	Village Nari Cheshmi Rehman Abad Shakardar Dara Distt.Kohat	GHSS Mandoori Kohat

Note: No TA / DA etc is allowed.

**TERMS & CONDITIONS:**

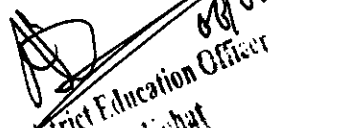
- Charge reports should be submitted to all concerned in duplicate.
- Their Seniority will be determined in accordance with the relevant Rules in the field.
- They should not be handed over charge if they exceeds 30 years or below 18 years of age.
- Appointment is subject to the condition that the certificate / documents must be verified from the concerned authorities by this office. If their documents were found fake they will be preceded under the relevant rules.
- Their services are liable to termination on one month's notice from either side. In case of resignation without notice their one-month pay / allowances shall be forfeited to the Government. Pay will not be released until and unless a certificate to the effect by this office is issued that their certificates are verified.
- They should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days to the issuance of this notification, their appointment shall be treated cancelled automatically and no subsequent appeal etc shall be entertained in this behalf.
- Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
- They will be governed by such rules and regulations as may be issued from time to time by the Government.
- Their services shall be terminated at any time, in case their performance is found unsatisfactory during their probation period. In case of misconduct, they will be preceded under the rules framed from time to time.
- Before handing over charge once again their document may be checked, if they doesn't have the required qualifications they may not be handed over charge.
- They will be on probation for a period of one year, extendable to another one year.


  
 (Abdus Salam)  
 District Education Officer  
 (Male) Kohat

EndstNo. 3101-06 Apptt/Lab.Asstt/Deceased Quota Dated Kohat the 22/06/2021.

Copy forwarded for information and necessary action to the:

- The Director E & SE Khyber Pakhtunkhwa Peshawar.
- District Account Officer Kohat.
- District Monitoring Officer (IMU) Kohat.
- Principal Concerned.
- Candidate Concerned
- Master File

  
 Dy: District Education Officer  
 (Male) Kohat

  
 Dy: District Education Officer  
 (Male) Kohat



THE GOVT OF N.W.F.P. PAKISTAN

DEATH CERTIFICATE

CRMS No: D143012-10-0002  
NATURE OF DEATH: NORMAL

FORM No: P00255346

درخواست دہندہ کا نام: نعمت حیات  
متوفی کا رشتہ: بیٹائی  
1430119667869  
پتہ: محلہ زیارت آباد، شہر شکاردارہ، تحصیل کوہاٹ، ضلع کوہاٹ

مدت ملازمت	وجہ موت	تاریخ دفن	جائے ودات الحاریج	مذہب	جنس	تاریخ پیدائش	والد کا نام / شناختی کارڈ نمبر	متوفی کا نام / شناختی کارڈ نمبر
	طبعی	27-8-2010	زیارت	اسلام	مرد	12-2-1969	علاء خان	شوکت حیات 1430120077577

APPLICANT NAME: ASMAT HAYAT  
APPLICANT CNIC: 1430119667869 RELATION WITH DECEASED: Brother  
ADDRESS: NEIGHBOURHOOD: ZIARAT ABAD  
CITY: SHAKARDARA, TEHSIL: KOHAT, DISTRICT: KOHAT

DECEASED NAME/ CNIC	FATHER NAME/ CNIC	DATE OF BIRTH	SEX	RELIGION	PLACE/DATE OF DEATH	DATE OF BURIAL	REASON OF DEATH	SICKNESS PERIOD
SHOUKAT HAYAT 1430120077577	ATA KHAM	12-2-1969	MALE	ISLAM	ZIARAT ABAD SHAKARDARA 27-8-2010	27-8-2010	NATURAL	

BLOOD RELATION  PERSON CAUSING DISPOSAL OF BODY

NAME: ASMAT HAYAT  
NIC: 1430119667869  
RAVEYARD NAME: PIR QABRISTAN

تاملین کنندہ  قریبی رشتہ دار  
نام: نعمت حیات

ISSUE DATE: 8-10-2010  
DUPLICATE DATE: 8-10-2010

1430119667869  
8-10-2010  
8-10-2010  
تاریخ الذکر  
تاریخ اجراء  
اصنافی معلومات

Dy: District Education Officer  
(Male) Kohat

BBCNE  
U/C



## BETTER COPY

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (ELEM: AND SECY EDU: ) KOHAT**APPOINTMENT**

Consequent upon the approval of the competent authority the following candidates are hereby appointed against Class IV Post on regular basis BPS-1 (Rs: 4800-150-9300 plus usual allowances, the posted School noted against each in the interest of public service wef from her taking over charge on the following terms and conditions.

S.no	Name & Father's Name	Post	Name of school where to be appointed	Remarks
1	Farhat begum W/o Late Shoukat Hayat	Caller	GGPS Behzadi Chikar Kot Kohat	Decease Qouta

**TERMS AND CONDITIONS**

1. She will be governed by such rules and Regulations as may be issued from time to time by the Government.
2. Her Services will be terminated at any time in the case their performance is found unsatisfactory / found and error/ fraud they will be proceeded against under the removal from services and Efficiency and Disiplinary Rules 1973.
3. She has required to produce Health & Age Certificate from Medical Authority concerned before taking over charge.
4. No TA/DA etc is allowed.
5. She will not be handed over charge if they are under 18 years and above 45 years of age.
6. She will be considered as regular without pension and gratuity in terms of section 19 of government of Khyber Pakhtun Khwa Civil servant act 1973 as amended by Khyber Pakhtunkhwa Civil service amendment act 2005. They will be contributing CP funds @ 10 % at the minimum of payment 10% contribution will be made by Govt;.
7. The candidate will took over charge within 15 days after the issuance of office order otherwise her appointment will be stand null and void.

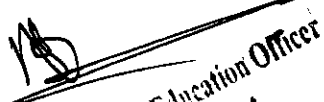
(IMTIAZ UL HAQ)  
EXECUTIVE DISTRICT OFFICER  
ELEM & SECY EDU KOHAT

Endst NO.9508-12

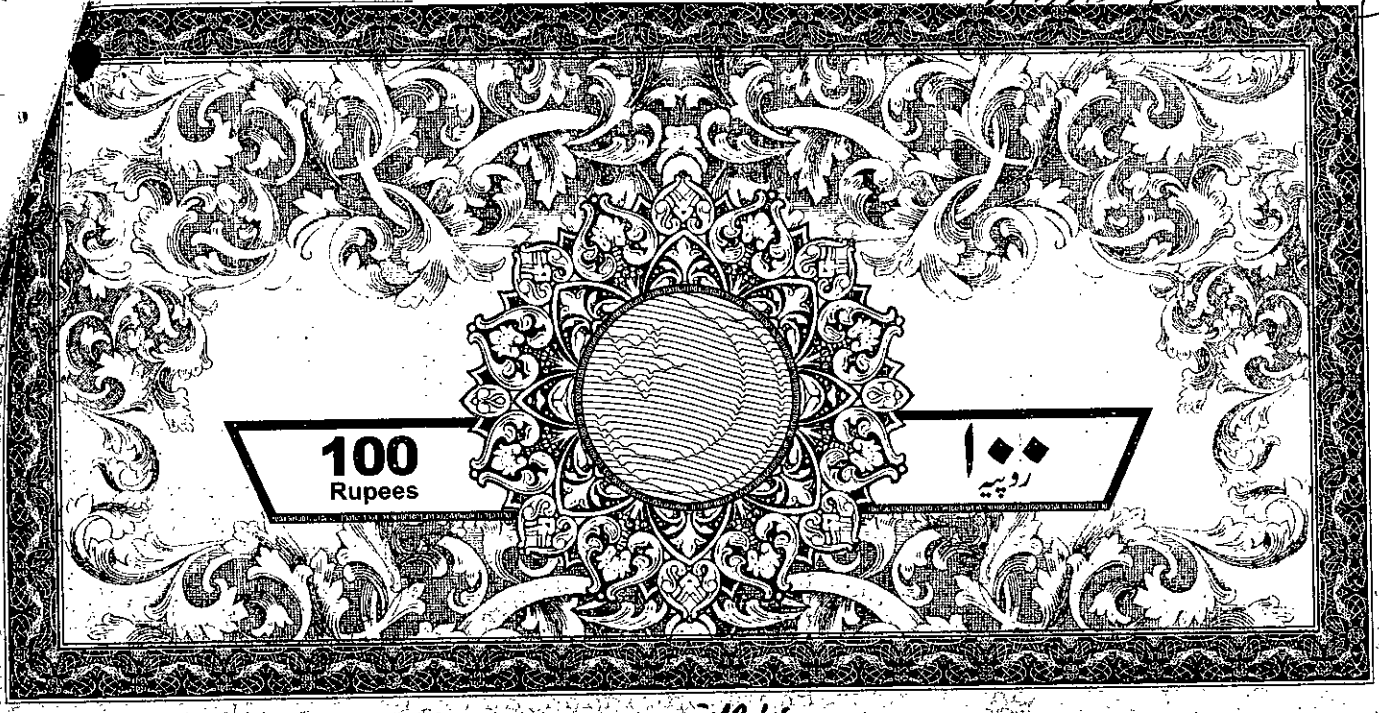
Dated : 16-08-2012

Copy to the

1. PA to DCO Kohat.
2. PA to EDO ( E&SE ) Kohat.
3. District Account Officer Kohat.
4. DDO (F) E&SE Kohat.
5. Head Teacher GGPS Behzadi Chikar Kot Kohat.
6. Official Concerned.

  
Dy: District Education Officer  
(Male) Kohat

DISTRICT OFFICER (M)  
ELEM: & SECY : EDUCATION KOHAT



بیان صحت

جناب گورنر صحت دہ شہوت صحت سہ ماہی زارت آباد شہرہ کو

صنایاں و بہارنی فرقہ کا والد صاحب صحت شہوت صحت جوہ شہرہ بہارنی سکول  
میں بلور PST ملزم تھا دوران ڈیوٹی فوت ہو گیا ہے

صحت : بہارنی فرقہ اپنے والد مرحوم کا واحد بیٹا اور حقیقی بیٹا ہے  
صحت : والد مرحوم کے جگہ کو بیٹے سٹیم میں لگی اور صحت میں  
صحت : لکھنے میں فرقہ والد مرحوم کی خدمت میں مقربیت جمع ہوا تھا اور اب  
FSC پاس کیا ہے

صحت : بہارنی فرقہ اپنے بیٹے سٹیم میں ملزم سے لڑا ہے  
گنہگار تھا کہ وہ نہ فرقہ کو اپنے والد صحت شہوت صحت کا بیٹا ہے PST  
جوہت یہ لکھنے کا اظہار صادر کیا گیا ہے

10/08  
2020

Dy. District Education Officer  
Khanpur, Bahawal

14367-13 89642-5

گورنر صحت

Advocate-at-Large  
District Courts, Khanpur  
10/08/2020

Subject: ENQUIRY REPORT

Venues of Enquiry: **DEO (MALE) KOHAT & GHSS SURGUL KOHAT**  
Date of Enquiry: **09 Sep 2023 & 14 Sep 2023 respectively**  
Date of Submission: **18 Sep 2023**

**PREAMBLE:**

Some residents of village Surgul Kohat tabled a complaint application against Mr. Gohar Hayat (Lab: Assistant) GHSS Surgul Kohat regarding double utilization of deceased son quota for appointment. The District Education Officer (Male) Kohat notified me as inquiry officer vide office order No: 5951 dated: 1<sup>st</sup> Aug 2023 to probe the matter.

**PROCEEDINGS:-**

Mr. Gohar Hayat S/o Shoukat Hayat (Late) Lab: Assistant GHSS Surgul Kohat and Mst: Farhat Begam Widow of Shokat Hayat (Sweeper) GGHS College Abadi Kohat were required to submit their written reply as per questionnaires served to them.

**Annexure: (A & B)**

The District Education Officer (Male) Kohat was also approached to facilitate the inquiry officer with the following record.

- i. Minutes and recommendations of the selection committee constituted for appointment of Mr. Ghar Hayat (Lab: Assistant) of GHSS Surgul Kohat on deceased son quota.
- ii. 1<sup>st</sup> appointment order of Mr. Gohar Hayat s/o Shoukat Hayat (Late).
- iii. 1<sup>st</sup> Appointment order of Mst. Farhat Begam widow of Shukat Hayat (sweeper) GHSS College Abadi Kohat.

**FINDINGS:-**

After go through their written reply, scrutinizing and analyzing the record provided by District Education Officer (male) Kohat, I, the inquiry officer, found that:

- i. Mst. Farhat Begam widow of late Shoukat Hayat was initially appointed as "CALLER" at GGPS Behzadi Chikarkot Kohat Vide Executive District Education Officer Kohat order No: 9508-12 dated: 16/08/2012 on deceased quota after the in-service death of her husband Mr. Shoukat Hayat. Later her Designation/ Nomenclature of the post was changed as, SWEEPER, and she was adjusted at GGMS College Abadi Kohat through "Corrigendum" NO: 10027-31 dated: 01/09/2012.

**Annexure: (C & D)**

- ii. The record acquired from District Education Office (Male) Kohat reveals that the following committee was constituted for selection of candidates for appointment against Lab: Assistant on deceased quota.

- a. Mr. Abdus Salam [DEO (M)] (Chairman)
  - b. Mr. Qasir Khan [DDEO (M)] (Member)
  - c. Mst. Bibi Rizwana [DEO (F)] (Member)
- (Representative Directorate of E&S Education KP Peshawar)

*AD*  
**Dy: District Education Officer  
(Male) Kohat**

*Principal*

The committee was tasked to check/ scrutinize the record of the candidates who had applied for appointment against the post of Lab: Assistant on deceased son quota. The committee submitted its report/ recommendation on 15/06/2021.

**Annexure: (E)**  
iii. As per recommendation of the District Selection Committee, the said Mr. Gohar Hayat S/o Shoukat Hayat (Late) was appointed as Lab: Assistant (BPs-07) at GHSS Surgul vide District Education Officer (Male) Office order No:3101-06 dated: 22-06-2021.

**Annexure: (F)**  
iv. The 1<sup>st</sup> appointment order No: 9508-12 dated: 16/08/2012 and the letter written by DEO (F) Kohat to anticorruption clearly indicate that Mst. Farhat Begam (Sweeper) GGHSS College Abadi was appointed against deceased quota on 16/08/2012 by virtue of in-service death of her husband, but submitted a false declaration regarding non utilization of deceased quota by any of her family member including herself in the past. This false declaration paved way for her son's appointment against deceased son quota.

**Annexure: (G & H)**

The committee should have asked the following documents from the mother of the applicant i.e. Mst. Farhat Begam (Sweeper) GGHS College Abadi Kohat.

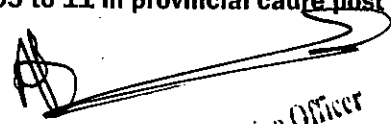
- i. Family Registration Certificate (FRC) from NADRA.
- ii. Appointment record of each member (reflected in FRC) from District Account Office Kohat.

It is very surprising that one member of District selection Committee was Mst. Bibi Rizwana [DEO (F)] Kohat, and Mst. Farhat Begam was her subordinate, therefore she [DEO (F)] should have asked for the appointment record of Mst. Farhat Begam (Sweeper) GHSS College Abadi but no attention was given towards this very important point. This negligence led to the double utilization of deceased quota by Mr. Gohar Hayat (Lab: Assistant) GHSS Surgul Kohat.

**CONCLUSION:-**

It has been proved that Mr. Gohar Hayat (Lab: Assistant) GHSS Surgul Kohat has doubly utilized the deceased son quota through fraudulent manner. Both Mr. Gohat Hayat S/o Shoukat Hayat (Late) and Mst. Farhat Begam widow of Shoukat Hayat had submitted false Affidavit and declaration and deceived the committee.

**Annexure: (I)**  
According to KP Civil Servant Act 1989, Para 10, sub-para4, which states that: [Where a civil servant dies or is rendered incapacitated or invalidated permanently during service or retired on medical board, notwithstanding the procedure provided for sub-rule (2), the appointing authority may appoint one of the children of such civil servant or if the child has not attained the age prescribe for appointment in government service, the widow or wife as the case may be, of such civil servant, to a post in any of the basic pay scale 03 to 11 in provincial cadre post and basic pay scale 03-to 12 in District cadre post]

  
Dy. District Education Officer  
(Male) Kohat

E


(12)

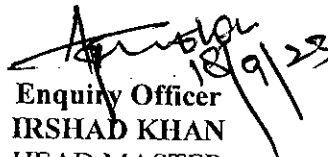
**RECOMMENDATION:-**

The appointment of Mr. Gohar Hayat (Lab: Assistant) GHSS Surgul Kohat is severe violation of 1989 Civil Servant appointment, Promotion & Transfer rule.

Therefore, it is recommended that:

1. The appointment of Mr. Gohar Hayat should be declared null and void ab-initio and his salary should immediately be stopped.
2. Mst. Farhat Begam (Sweeper) GGHS College Abadi Kohat has committed fraud by submitting false declaration that none of her family member (Son/Daughter/She herself) has never availed deceased son quota for all sorts of employment in Elementary & Secondary Education Department in past. Her false deceleration has caused a financial loss/damage to the national exchequer; therefore District Education Officer (Female) Kohat should take appropriate action against her.
3. To avoid unnecessary litigation the following documents should always be asked from the candidates who apply for appointment against deceased son quota.
  - i. Family Registration Certificate (FRC) from NADRA.
  - ii. Appointment record of each family member (reflected in FRC) from District Account Office Kohat.
  - iii. 1<sup>st</sup> appointment letter, if appointed, in Education Department.
  - iv. Affidavit regarding non utilization of deceased son quota by any member of his/her family (Brother/Sister/Mother).


  
Dy. District Education Officer  
(Male) Kohat

  
Enquiry Officer  
IRSHAD KHAN  
HEAD MASTER  
GHS Sheikhan Kohat

**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT****SHOW CAUSE NOTICE**

I, Muhammad Sheraz, the District Education Officer (Male) Kohat as Competent Authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 do hereby serve upon Mr. Gohar Hayat, Lab Assistant, GHSS Surgul Kohat this show cause that;

1. **WHEREAS**, you were appointed as Lab Assistant BPS-07 against Deceased employee son quota vide this office Endst: No. 3101-06/Appt/Lab.Asst/Deceased Quota dated Kohat the 22/06/2021.
2. **AND WHEREAS**, you submitted an undertaking on judicial stamp paper to the effect that deceased employee son quota has not been availed by any legal heir of deceased employee.
3. **AND WHEREAS**, the previous record shows that the deceased employee quota has already been observed by (your mother) Mst: Farhat Begum widow of Late Shoukat Hayat Ex-PST vide this office Endst. No. 9508-12 dated 16/08/2012 against the post of Caller BPS-01 at GGPS Behzadi Chikerkot Kohat.
4. **AND WHEREAS**, you are being proceeded against under Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules, 2011 for the charges of sheer violation of misconduct and concealment of facts.
5. **AND WHEREAS**, the competent authority District Education Officer (M) Kohat after having considered the charges and evidence on record, is of the view that the charge of misconduct and concealment of facts have been proved.
6. **AND WHEREAS**, as a result, therefore, I as competent authority am satisfied enough in desence of formal inquiry and have tentatively decided to impose upon you the penalty of removal from service as specified under rule 4 (b)(iii) of the ibid rules.
7. **AND WHEREAS**, you are served with show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person. If no reply to this notice is received within 07 days, it shall be presumed that you have nothing to say in your defence, an ex-parte action shall be taken against you.

  
Dy: District Education Officer  
(Male) Kohat

  
DISTRICT EDUCATION OFFICER  
(MALE) KOHAT

18/9/2020



Amn - G

(14)

**OFFICE OF THE DISTRICT EDUCATION OFFICER**  
**(MALE) KOHAT**

**NOTIFICATION**

WHEREAS, Mr. Gohar Hayat was appointed as a Lab Assistant against the deceased employees son quota vide this office No.3101/ Apptt/Lab.Assist/Deceased Quota Dated 22-06-2021.

WHEREAS, a complaint received from public regarding concealment of facts to the effect that the deceased son quota has already availed by his mother (widow) and was appointed vide No.9508-12 Dated 16-08-2012 against Caller post at GGPS Behzadi Chikar Kot, Kohat

WHEREAS, in the light of complaint an inquiry was constituted to probe into the matter and dig out the facts for onward proceeding into the matter vide this office No.5951 Dated 01-08-2023.

WHEREAS, report of inquiry officer vide No.655/Inquiry file Dated:18-09-2023 received to this office with the recommendation that the appointment of Mr. Gohar Hayat, Lab Assistant at GHSS Surgul, Kohat was severe violation of 1989 civil servant APT rules and his appointment should be declared null and void ab-initio and his salary should be immediately stopped.

WHEREAS, in the light of inquiry report a show cause notice in dispense of formal inquiry vide this office No.6933, Dated:18-09-2023 issued and addressed to the Principal GHSS Surgul Kohat with the directions to deliver Mr. Gohar Hayat Lab Assistant and a certificate / receipt as a token be submitted that show cause notice has been delivered.

WHEREAS, a certificate / receipt as a token received from the Principal GHSS Surgul, Kohat vide No.1886-87 Dated: 19-09-2023.

WHEREAS, he (Mr. Gohar Hayat Lab Assistant GHSS Surgul, Kohat) was intimated in show cause notice whether you desire to be heard in person if no reply is received to this effect within seven days ex-parte action shall be taken against him.

WHEREAS, he (Mr. Gohar Hayat Lab Assistant GHSS Surgul, Kohat) submitted his reply to show cause notice on 26-09-2023 and failed to come for personal hearing.

WHEREAS, 2<sup>nd</sup> notice for personal hearing issued vide this office letter No.7707, Dated:12/10/2023 and he appeared before the undersigned for personal hearing on 20/10/2023. Mr.Gohar Hayat Lab Assistant (BPS-7) GHSS Surgul Kohat failed to defend himself.

WHEREAS, the charges and evidence of misconduct and concealment of facts have been proved through proceeding under Khyber Pakhtunkhwa Government servants (Efficiency and Discipline) rules 2011.

NOW THEREFORE, in the light of inquiry report, evidences and unsatisfactory reply of show cause notice the competent authority is satisfied enough to impose major penalty of removal from service under Khyber Pakhtunkhwa (E & D) Rules 2011 under Section 4(b) iii upon Mr. Gohar Hayat Lab Assistant GHSS Surgul, Kohat with immediate effect.

Dy: District Education Officer  
(Male) Kohat

District Education Officer  
(Male) Kohat

Endst: No. 7985-91 / Dated Kohat the 21/10/2023

Copy of the above is forwarded for information to the:

1. PA to Director (E&SE) Peshawar.
2. District Comptroller of Accounts, Kohat.
3. District Monitoring Officer, Kohat.
4. Superintendent of Police District Kohat .
5. Principal GHSS Surgul, Kohat is hereby directed to follow / comply the enclosed order sheet of Honorable Peshawar High Court Peshawar Dated: 12/10/2023
6. Mr. Gohar Hayat S/O Shoukat Hayat
7. Office Copy.

District Education Officer  
(Male) Kohat