


FORM OF ORDER SHEET

Court of _____

Appeal No. 1008/2024


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/07/2024	<p>The appeal of Mr. Muzammil Khan resubmitted today by Mr. Khaled Rehman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 25.07.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Muzammil Khan received today i.e on 18.07.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

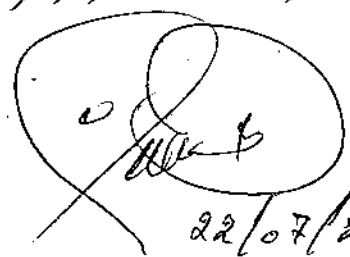
- 1- According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondent no. 1 is un-necessary/improper party, in light of the rules ibid and on the written direction of the Worthy Chairman the above mentioned respondent number be deleted/struck out from the list of respondent.
- 2- Check list is not attached with the appeal.
- 3- Appeal has not been flagged/marked with annexures marks.
- 4- Affidavit is not attested by the Oath Commissioner.
- 5- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 386 /Inst./2024/KPST,

Dt. 19/7 /2024.


OFFICE ASISTANT
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Khaled Rehman Adv.
Supreme Court at Peshawar.

صوبہ ہماچلی
سید اسحاق احمد صاحب نے جواب دیئے اور عرض کیے

22/07/2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2024

Muzammil Khan.....Applicant/Appellant

Versus

The Govt. of KPK and others.....Respondents

Application on behalf of appellant for allowing the titled Appeal to be contested at the Principal Seat of the Service Tribunal.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 14291

Dated 18/7/24

Respectfully Sheweth,

1. That the titled Service Appeal is being filed before the Hon'ble Tribunal which is yet to be fixed for hearing.
2. That the counsel of the appellant is based at Peshawar and appellant also feels it convenient that the appeal be fixed before Principal Seat of the Hon'ble Tribunal.
3. That the Respondents No.1&2 in the titled appeal are also based at Peshawar, therefore, it would be convenient to them that the case is fixed before Principal Seat at Peshawar.
4. That the hearing of the instant appeal at Camp Court Bannu will cause the applicant as well as other official Respondents hardship and also loss of time and expense, therefore, it would be in the interest of justice that the appeal in hand be heard at the Principal Seat.

It is, therefore, humbly prayed that the titled Service Appeal may graciously be allowed to be heard/contested at Principal Seat at Peshawar for disposal in the interest of justice.

Through

Applicant/Appellant

Khaled Rahman
Advocate, Supreme Court

Dated: ____/07/2024

Verification

Verified that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Counsel

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1008 /2024

Muzammil Khan Appellant

Versus

The Govt. of KPK and others.....Respondents

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Through

Appellant

Khaled Rahman
 Khaled Rahman
 Advocate,
 Supreme Court of Pakistan

&

Mubammad Ghazanfar Ali
 Mubammad Ghazanfar Ali
 Advocate, High Court

4-B, Haroon Mansion
 Khyber Bazar, Peshawar
 Off: Tel: 091-2592458
 Cell #: 0345-9337312

Dated: /07/2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1008 /2024

Muzammil Khan

Ex-PST, Govt. Primary School No.1,

Serai Naurang, District Lakki Marwat.....**Appellant**

Versus

1. **The Director,**
Elementary & Secondary Education
Khyber Pakthunkhwa,
G.T. Road, Peshawar

2. **The District Education Officer (Male)**
District Lakki Marwat **Respondents**

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 30.11.2023 COMMUNICATED TO APPELLANT ON 04.03.2024 WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE WAS IMPOSED UPON THE APPELLANT AGAINST WHICH HE PREFERRED DEPARTMENTAL APPEAL TO RESPONDENT NO.2 ON 11.03.2024 BUT THE SAME WAS NOT DECIDED WITHIN THE STATUTORY PERIOD OF 90 DAYS.

PRAYER:

On acceptance of the instant appeal, the impugned office order dated 30.11.2023 communicated on 04.03.2024, may graciously be set aside and appellant may be reinstated into service with all back benefits.

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. **That** the appellant has qualified BS Electrical Engineering from the Baluchistan University of Information Technology in the year 2017 and presently pursuing his Master Degree on fully funded scholarship by the Chinese Government in a Chinese University i.e. Chongqing University.
2. **That** the appellant was appointed as PST on 27.07.2020 and lastly was serving as such at Govt. Primary School No.1 Serai Naurang, District Lakki Marwat (Extracts from the Service Book *Annex:-A*).
3. **That** the appellant is in the habit of improving his knowledge and therefore, was indulged in pursuing such opportunities and was fortunate enough to win scholarship in a Chinese University mentioned above in Master Degree Program of *Control Science and Engineering* for the session 2023-2026 vide Admission Notice dated 19.06.2023 (*Annex:-B*).
4. **That** before departure, appellant submitted application for study leave to the competent authority on 31.08.2023 alongwith all necessary documents which was processed and favourably recommended by the SDEO (Male) Serai Naurang for favourable action of the competent authority. (Leave Application Form with Favourable Recommendation of the SDEO (Male) Serai Naurang, Application to the SDEO (Male) and letter of ASDEO dated 31.08.2023 and Extracts from the Register of Letters are attached as *Annex:-C, D, E & E/1*).
5. **That** after application appellant waited for the outcome of the application and visited his office numerous times but no positive result came out finally the departure period neared and appellant had to leave to join the classes within time otherwise as per the conditions of admission, the same could have been cancelled. Since the application for study leave was favourably processed and appellant

was dead sure of its approval as higher education was in the interest of both the appellant and the Department and is always encouraged especially in Education Department, therefore, the appellant left for joining the classes. It is pertinent to add that no rejection order on the application for study leave has been communicated to the appellant till date.

6. **That** while the appellant was busy in his studies under the hope that his leave application would have been approved when he was informed by one of his friends that the Department has started disciplinary action against him for the so called wilful absence from duty illegally. Accordingly, he through his father applied on 16.02.2024 (*Annex:-F*) for documents if any action had ever been taken against the appellant.
7. **That** on 04.03.2024 the appellant through his father obtained the impugned order dated 30.11.2023 (*Annex:-G*) whereby the appellant has illegally been removed from service on the ground of wilful absence from duty. (Extracts from the Registrar of Requests *Annex:-H*)
8. **That** the appellant on acquiring the impugned order, preferred a Departmental Appeal on 11.03.2024 (*Annex:-I*) to the appellate authority but the same was disposed of within the statutory period of 90 days.
9. **That** it is essential to add that the same Department has allowed study leave to one Nayab Ali Khan as is evident from the sanctioned order dated 17.11.2022 (*Annex:-J*).
10. **That** appellant being mortally aggrieved of the impugned order *ibid*, challenges the same *inter-alia* on the following grounds;-

Grounds:

- A. **That** Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 & 10A of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully issued the impugned order, which is unjust, unfair and hence not sustainable in the eye of law.
- B. **That** appellant has never remained absent from duty rather he went for higher education on Chinese scholarship after properly applying for study leave which was duly recommended by the immediately officer of the appellant i.e. SDEO Serai Naurang to the competent authority and there was no justification to refuse the same.
- C. **That** in view of favourable recommendations for the grant of study leave and assurance that the application would be allowed as the Higher Education is encouraged in the Education Department being in the interest of both the appellant and the Department as well as the students, therefore, the appellant went abroad on scholarship for improving his education. In this view of the matter, the impugned order is not sustainable in the eye of law.
- D. **That** in similar cases, large number of similarly placed employees have been allowed study leave for the purpose of higher studies but for the appellant a different discriminatory yardstick was employed which has resulted in serious miscarriage of justice. Such action of the Respondents is against Article-4, 18, 25, 27 and 38 of the Constitution of Islamic Republic of Pakistan, 1973 and therefore, not tenable under the law of the land.
- E. **That** the leave application was properly filed, fully documented, favourably recommended to the competent authority but neither any order was passed upon it nor the same was communicated to the appellant which is against Section-24A of the General Clauses Act,

1897 mandating that the authority entrusted with power must exercise the same reasonably, fairly and with proper reasons to be communicated to the concerned employee.

F. **That** the charge of absence from duty is misconceived inasmuch as the appellant had applied for higher studies with support of Department. There is no willful absence of the appellant which could have invoked the disciplinary action against the appellant. Thus the impugned order is unwarranted, unjustified and therefore is liable to be brushed aside.

G. **That** the appellant has been subjected major penalty without following the legal course of action. Under Section-16 of the Civil Servants Act, 1973 a civil servant is liable to prescribed disciplinary action. The mechanism so prescribed is laid down in the Khyber Pakhtunkhwa Civil Servants (Efficiency and Discipline) Rules, 2011. The impugned order has been passed in utter derogation of the Rules *ibid*, and therefore is not competent and liable to be set aside.

H. **That** neither any inquiry was conducted much less regular, nor proper Notice was served upon the appellant nor was he provided with any opportunity of personal hearing nor any Show Cause Notice was served upon him, so much so that the publication was issued in a local newspaper in spite of the fact that the Respondents were in the know that the appellant was studying in China which required publication in international Dailies and *at least two leading Newspapers* and thus the appellant was deprived of proper defense, therefore, the impugned order is not legally correct and bound to be set aside.

I. **That** it is well settled maxim of law "*Audi Alterem partem*" no one can be condemned unheard and it is against the principle of natural justice. Appellant relies on the judgment of Supreme Court of Pakistan Reported in **2005 SCMR 678**. Similarly, reliance is placed on **2003 SCMR 1126** which states that:-

"Where the civil servant was not afforded a chance of personal hearing before passing of termination order, such order would be void ab-initio."

Further reliance is placed on **PLD 2008 SC 412** which states as under:-

"Natural Justice, principles of -- Opportunity of hearing -- Scope -- order adverse to interest of a person cannot be passed without providing him an opportunity of hearing -- Departure from such rule may render such order illegal."

Thus appellant was condemned unheard as the action has been taken at the back of the appellant which is against the principle of natural justice.

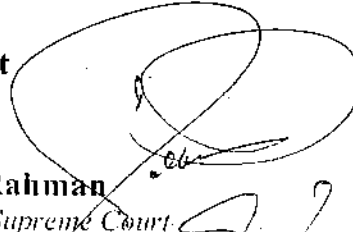
J. That appellant would like to offer some other grounds during the course of arguments.

It is, therefore, humbly prayed that the instant appeal may graciously be accepted as prayed for above.


Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Through


Appellant


Khaled Rahman
Advocate, Supreme Court

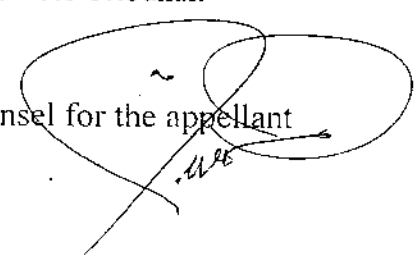
&


Muhammad Ghazanfar Ali
Advocate, High Court

Dated: ___/07/2024

Affidavit

As per the instructions of my client, I do hereby solemnly affirm and declare on oath that the contents of this Appeal are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Tribunal.


Counsel for the appellant

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2024

Muzammil Khan Applicant/Appellant

Versus

The Govt. of KPK and others..... Respondents

Application for condonation of delay (9 days) in filing the instant Service Appeal.

Respectfully Sheweth,

1. That the titled appeal is being filed in this Hon'ble Tribunal which is yet to be fixed for hearing.
2. That the applicant/appellant was abroad in connection with his higher education on foreign scholarship and in his absence the impugned action was finalized. The applicant/appellant was not available in the Country whereas the department unilaterally and summarily passed the impugned order removing him from service on the incorrect assumption of willful absence from duty.
3. That the father of the appellant is elderly person and remains always sick and could not make it to Peshawar, collected the documents and engaged the Counsel therefore, the appellant had to come back on a short interval on urgent basis and collected all the documents, engaged the Counsel at Peshawar, for the purpose of filing service appeal and thus some delay has occurred in filing the instant appeal which is condonable in the interest of justice.

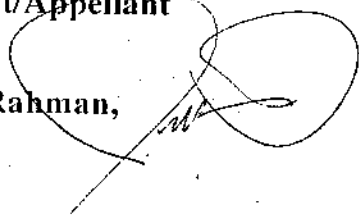
4. That the delay in filing the appeal is neither deliberate nor intentional but due to the reason stated above and thus beyond the control of the appellant needing sympathetic consideration of the Hon'ble Tribunal.
5. That it has become a settled legal principle that technicalities including limitation are to be avoided for the safe administration of justice.
6. That valuable rights of the appellant are involved in the instant matter and in case the delay caused in filing the appeal is not condoned, the same would cause a huge loss to the appellant.

It is, therefore, humbly prayed that the delay (9 days) caused in filing the instant appeal may graciously be condoned.



Applicant/Appellant

Through

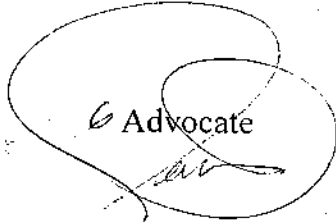


**Khaled Rahman,
ASC**

Dated: ___/07/2024

Affidavit

Verified, as per instructions, that the contents of this application are true and correct to the best of my knowledge and nothing has been concealed from this Hon'ble Tribunal.



Advocate

Service Book

Name: محمد طاهر

Father's Name: ملا محمد

Qualifications: BS

Designation: PST 0340835655

Department: انجمن

Address: GPS برائے ایف ایف

Form A

9

- 10
1. Name (نام) Muzammil Khan
 2. Nationality and Religion Pakistan / Islam
(قومیت اور مذہب)
 3. Residence Kotka Poreed S/Naourang
(مستقر رہائش)
 4. Father's Name and Residence Saleh Ud Din
(والد کا نام اور پتہ)
 5. Date of birth by Christian era as 31-3-1996
Nearly as can be ascertained
(تاریخ پیدائش مطابق مسیحی)
 6. Exact height by measurement 163.5 cm
(قد و قامت)
 7. Personal mark of identification NIL
(نشان شناخت)

8. Left hand/right hand thumb and finger impressions of (Non-gazetted officer)
(مرد کی صورت میں بائیں اور گورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger (چوٹلیا) Ring Finger (چوٹلیا کے ساتھ کی انگلی) Middle Finger (انگشت میاں)

Fore Finger (انگشت شہادت) Thumb (انگوٹھا)

9. Signature of Govt. Servant
(سرکاری ملازم کے دستخط)

10. Signature and designation of the Head of the Officer or other Attesting Officer
(تصدیق کنندہ افسر کے دستخط اور مہر)

ASD DEO
CIS/12/12/2020

S.D.E.O.
Sub. Div. Education Officer (M)
S/Naourang Dhan Lal Market

Note: The entries in this page should be renewed or re-aggested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 hears under this rule.

اس صفحے کے مندرجہ کم از کم پانچ سال بعد تصدیق ہونا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے نیچے تاریخ لکھنی چاہیے۔
انگلیوں کے نشانات کے لئے ہر پانچ سال کے بعد تصدیق کی ضرورت نہیں۔

ATTESTED

1	2	3	4		5		6	7	8
Name of Post	Whether Substantive of officialing any whether permanent or temporary	If officialing state of substantive appointment of (b) whether service counts for pension under rule 3-20 of G.S.R. (19) Volume II	Pay in substantive position		Additional pay for officialing		Other emoluments falling under the term pay	Date of appointment	Signature of government servant
			Rs.	P/a	Rs.	P/a			
درجہ ملازمت	ماریٹی سٹیبل قائم مقام	ریٹریٹ ملازمت							دستخط سرکاری
PST	Adhoc	BPL	1111		10	76	1111		
Li GRS									
BPL									
			Rs 13320/-					28 ⁷ / ₇₀	(Signature)
			Rs 14280/-					1 ¹² / ₂₁	
			Pay Provisionally Fixed in Revised						
			Scales 14770-14300-11670						
			BPS 12						
			Pay on 30-6-22 Rs 14280/-						
			Pay on d- 7-22 Rs 21200/-						
			STRO (M) Seraikhan Dist: Lakkhi Marwat						
DO	Perfom		Rs 21200/-					1 ⁷ / ₂₁	
			Rs 22630/-					1 ¹² / ₂₁	

Signature designates the floor office is officialing in effect column

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(Signature)

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No.	Date of Birth	Reason of Termination	Signature of the head of the office or other Attesting Officer	Nature and duration of leave taken	Signature of the Head of the office or other attesting officer	Reference to any recorded punishment or censure, reward, or praise of the Government servants
				Period	Government to which applicable	
				Appointed against	PST	
				Post Through	FCS UIC	
				S/Secretary	vide DEO (M)	
				Lakki Marwat	Finalst No.	
				8867-77/	Appt: PST/2020/FCS	
				Dated	27-7-2020 at S.No.	
				146	Score 117.91	
				Appointed as	PST (BPS-12)	
				Order No.	2020-23/	
				Dated	20-12-2020	
				Passed SSC Exam from	BISA Bannu under Roll No.	
				45174	Session 2011 (A) Marks	
				obtained	711/1050 and	
				placed in	Grade B.	
				Result declared on	13-6-2011	
				Verified by	DEO (M) office	
				Lakki Marwat		

- 13

9.	10.	11.	12.	13.		14.	15.
Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8	Date of termination or appointment	Reason of termination (such as Promotion, transfer, Dismissal etc.)	Signature of the head of the officer or other Attesting Officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months for earned leave not exceeding 120 days) to which leave salary is debitable to another Government	Signature of the Head of the office or other attesting officer	Reference to any recorded punishment or censure, reward, or praise of the Government servant
دستخط افسر مجاز	تاریخ انتظام مازمت	وجوہات انتظام ترقی یا زیر عمل	دستخط افسر مجاز	نوعیت توجیت دعیا	Period گرم	دستخط افسر مجاز	کارکردی کا ریکارڈ
	Order				Passed FSC Exam from		
	Service regularized w.e.f				BISE Bunnis under Roll No		
	The date of appointment				31819 Session 2013 (A)		
	Vide DFO (M) Larkki Marwat				Marks obtained 709/1100 and		
	Finalst No: 7913-21				placed in Grade B Result		
					declared on 06-8-2013		
					Verified by DFO (M) office		
					Larkki Marwat.		
	SDEO (M) Serai Narang Distt. Larkki Marwat						
						S.D.E.O Sub-Div. Education Officer (M) Serai Narang Distt. Larkki Marwat	
					Passed B.S (Electronic Engin		
					eering) from Balochistan		
					University of Information Technology		
					Quetta Student ID 25396		
					Reg No BUITEMS/BSEE/VE-13/25396		
					Marks obtained CGPA 3.15 out		
					of SGPA 4 Result declared at		
					11-10-2017 Verified by DFO		
					(M) office Larkki Marwat.		
						S.D.E.O Sub-Div. Education Officer (M) Serai Narang Distt. Larkki Marwat	

MA 917

MA 917

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9	10	11	12	13	14	15
Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8	Date of termination or appointment	Reason of termination (such as Promotion, transfer, Dismissal)	Signature of the head of the officer or other Attesting Officer	Nature and duration of leave taken	Signature of the Head of the office or other attesting officer	Reference to any recorded punishment or censure, reward, or praised of the Government servants
دستخط افسر مجاز	تاریخ انقطاع لازمت	دورات انتقال ترقی یا برطرفی	دستخط افسر مجاز	طبیعت و مدت و تاریخ	دستخط افسر مجاز	سزا تعمیر یا تقدیر کا رکورد
				Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) in which leave salary is payable to another Government		
				Period		
				pay released vide D.F. 2 (M)	Lakki Marwat	
				Enclt No 22-12-20	6785-28 dt 22-12-20	
					SDEO (M) Piry Tahsil Naruag	
				Service verified w.r.f 28-7-20 to 30-11-20 from		
				A/C roll and other office records		
					SDEO (M) Serai Naurang Distt: Lakki Marwat	
				Service Verified w.r.f 1-12-20 to 30-11-21 from		
				A/C roll and other office records		
					SDEO (M) Serai Naurang Distt: Lakki Marwat	
				Service Verified w.r.f 1-12-21 to 30-11-22 from		
				A/C roll and other office records		
					SDEO (M) Serai Naurang Distt: Lakki Marwat	

AMERICAN

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Annex B

University: CHONGQING UNIVERSITY OF POSTS AND TELECOMMUNICATIONS
Nationality: PAKISTANI
CSC No. 2023GSP008623

ADMISSION NOTICE


Dear Mr. KHAN MUZAMMIL,

We are pleased to inform you that, having examined your application materials, we have decided to enroll you to study as a Master's Degree candidate in the program of Control Science and Engineering taught in English from 09 /Mon. 2023 Yr. to 07 /Mon. 2026 Yr.

According to the notice of the China Scholarship Council, your fees for studying in China will be covered by:
Full scholarship (including tuition, twin-room dormitory, comprehensive medical insurance, living allowance)
Partial scholarship: tuition , lodging , living allowance , comprehensive medical insurance

If you observe the laws and decrees of China as well as the rules and regulations of the institution you attend, and also accept the Additional Conditions as follows, you can apply for the student visa (X1 visa) to the Chinese embassy or consulate in your country with this Admission Notice, the original copies of your Visa Application for Study in China (JW201), Foreigner Physical Examination Form and your blood test report.

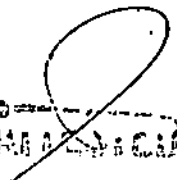
Please note that you must register, with these materials, at the institution of Chongqing University of Posts and Telecommunications within the period between 09 /Mon. 01 Day and 09 /Mon. 02 Day, 2023 Yr. If you fail to register within the time limit without the permission of the institution, you will be regarded as giving up this admission.

Applicant's signature: 

Institution: CHONGQING UNIVERSITY OF POSTS AND TELECOMMUNICATIONS

Date: 08 /Mon. 05 Day / 2023 Yr.

Date: 06 /Mon. 19 Day / 2023 Yr.


RECEIVED

外国留学人员来华签证申请表
 Visa Application for Study in China

16

中华人民共和国教育部印制/Printed by the Ministry of Education(MOE) of PRC

JW201

No.19062535		接受院校/Host Institution: 重庆邮电大学		
由 注 册 学 生 人 员 院 校 填 写	姓名: 姓/Family Name: EHLAN		名/Given Name: RUZANNIL	
	国籍/Nationality: 巴基斯坦	护照号码/Passport No.: IR1144311	性别/Gender: 男	
	出生日期: 1996 年 03 月 11 日 Date of Birth: year month day		出生地点/Place of Birth(City,Province,Country): LAKEI MAREAT, PAK	
	家庭地址/Home Address: Kotla Puzan, Sezal Nourang, District Lakki Marwat, Fyberpakhtun Khwa, Pakistan.			家庭电话/Home Telephone No.: 03130707111
	最高学历/Highest Academic Degree Obtained: 本科		职业/Occupation: 教师	
	工作或学习单位/Employer or Institution Affiliated: Aim Poly Technic Institute			
	来华学习专业/Field of Study in China: 控制科学与工		学习专业期限: 自 2023 年 09 月至 2026 年 07 月 Duration: from yr. mon.to yr. mon.	
	补习汉语院校/Institution for Chinese Language Study:		补习汉语期限: 自 年 月至 年 月 Duration: from yr. mon.to yr. mon.	
	学生类别/Student Status: 硕士研究生	CSC登记号/CSC No.: 2023GSP008623	注册截止日期/Deadline for Registration: 2023 年/yr. 09 月/mon. 09 日/day	
	经费办法/Financial Support: 全额奖学金/Full Scholarship <input type="checkbox"/>			部分奖学金/Partial Scholarship(学费/Tuition <input type="checkbox"/> 住宿费/Lodging <input type="checkbox"/> 生活费/Living Allowance <input type="checkbox"/> 综合医疗保险/Comprehensive Medical Insurance <input type="checkbox"/>)
其它/Other Source of Funding:				
教 育 部 盖 章	Authorized by MOE for Student Visa (印章/Seal)		申请人签字: Signature of Applicant: 年 月 日 year month day	
	1. 请持本表前往中国使(领)馆申请来华学习签证。 2. 请持本表到校注册。 Notes: 1. Please present this form to apply for student entry visa at the Chinese Embassy or Consulate General. 2. Please present this form to register at the host institution.			

第一联: 寄外国来华留学人员。

CHINA



重庆邮电大学

CHONGQING UNIVERSITY OF POSTS AND TELECOMMUNICATIONS

中国重庆市南岸区海棠溪2号
No.2 Chongwen Road Nan'an District,
Chongqing, China, 400065
+86-23-62570607 | www.cqupt.edu.cn | qc@cqupt.edu.cn

17

重庆邮电大学
巴基斯坦
(CSC No. 2023GSPO08623)

录取通知书

KHAN MUZAMMIL 先生:

我们高兴地通知您, 经审查您的申请材料, 我校决定录取您作为 硕士研究生, 自 2023年09月起至 2026年07月到我校学习 控制科学与工程 专业, 授课语言为 英文。

根据国家留学生基金管理委员会的通知, 您在中国学习期间的经费办法为:

全额奖学金 (含学费、双人间住宿费、生活费、综合医疗保险)

部分奖学金: 学费 ; 住宿费 ; 生活费 ; 综合医疗保险

如果您自愿遵守中国的法律、法规和学校的校纪、校规, 并接受下述录取附件条件, 请您持本人《录取通知书》、《外国留学人员来华签证申请表》(JW201表)、《外国人身体检查记录》及血液化验报告 (均须原件), 前往中国大使馆 (领事馆) 申请来华学习 (X1) 签证, 并于 2023年09月01日至 2023年09月02日期间, 到 重庆邮电大学 报到。

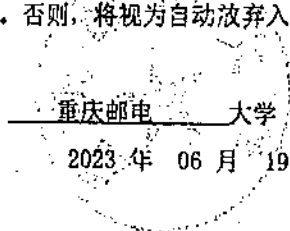
如因故不能按期报到, 必须事先征得我校同意, 否则, 将视为自动放弃入学资格。

学生本人签字:

08 年 05 月 2023 日

重庆邮电大学 (学校)

2023 年 06 月 19 日



- 18 Annex C

GENERAL APPLICATION (PRIMARY SCHOOL STAFF)					
Personal No 961324	Name (in block letters) MUZAMMIL KHAN	Designation PST Status Regular ✓ Ad-hoc (Strike through the irrelevant)	ENIC # 11201-8234 431-9	Date of Entry into Govt Service 28/07/2020	Date of Entry into KP ERSE Deptt 28/07/2020
GPS/GMPS No.1 Serai Naurang	VC NA	UC S/primary	Application Title Study leave	Date 01-09-2023	
Short Description by the Applicant (either in English or Urdu) I have been offered Admission in Master's Degree of Control Science and Engineering from 09/2023 to 07/2026 (2 Years 11 Month) in Chongqing University of Posts and Telecommunications, China. I may please be granted Study Leave for the said period. <i>Muzamil</i> (Applicant Signature)					
Remarks by PSHT / Senior Most Teacher (describe the case briefly) Stamp & Signature: Ref: Date: / /20			Remarks by ASDEO (describe the case briefly) Forwarded as per attached cover letter of the U/signed <i>Kateemullah</i> Stamp & Signature: St. Leave-01 Ref: SDEO(13) Circle Serai Naurang, Dist: Lakki Marwat Date: 31-8-2023		
Remarks by SDEO As per self explanatory and enclosure of the concerned ASDEO. The undersigned recommended and forwarded to the applicant of study leave as above mentioned for your consideration please. <i>[Signature]</i> Stamp & Signature: Ref: Date: / /20			Remarks by District Education Office Stamp & Signature: Date: / /20		

No. 835 Dated 31-08-2023

[Signature]
31/08/2023
SDEO (M)
Serai Naurang
Dist: Lakki Marwat


محرمیت جناب سب ڈائریٹریل ایجوکیشن اور منیم فیلڈ تعلیم و ترقی کے ادارے
Annex D 19 عنوان: سٹیڈی لہو :-
جناب عالی!

جودینہ گزارش سے کہ سٹیڈی لہو کے لئے جاننے
جائزہ میں جس لئے سٹیڈی لہو کو سٹیڈی لہو کی ضرورت
ہے۔ جناب عالی سٹیڈی لہو کو چونکہ جنت ایجوکیشن میں
ایڈیشن مل گیا ہے جس لئے سٹیڈی لہو کو
2023-09-01 کو راولپنڈی لکھی ہے۔

لکھنؤ صوبائی سے پمپر رطمانہ ایسٹہ لکھی ہے کہ سٹیڈی لہو
صفر کورہ سٹیڈی لہو عطا فرمادیں!

عین لوازش ہوگی۔ - مورخہ
31-08-2023

العارض =
سٹیڈی لہو خان دلہا علیہ السلام گورنمنٹ پرائمری اسکول ٹنگی اورد
PST
مکان گوگندہ پمپڈ سربراہ لوزش خلیہ پمپڈ
Mob-0313-9797441


M. A. KHAN

Office of the
Asstt Sub Divisional Education Officer Circle Serai Naurang

To
The SDEO (M)
Sub Division Serai Naurang

20 Annex F

Subject: STUDY LEAVE FOR MS ABROAD : Mr Muzammil Khan PST BPS-
12 GPS Serai Naurang EMIS-11665

1 Enclosed here is a self-explanatory application of the above-named PST for enhancement of his educational caliber through study abroad on fully funded scholarship in CHONGQING University of Posts and Telecommunications in China. Date of Appointment of the abovenamed PST, Mr Muzammil Khan Personal 00961324, is 28-Jul-2020 appointed vide DEO (M) Lakki Marwat Endst No: 2867-77. The PST is working on **Regula basis** and was regularized on 07-12-2022 vide Endst No: 7913-21/Regularization/PST/2022. As per his Service Book record he has Bachelor of Electronics Engineering from Balochistan University of Information Technology, Engineering & Management Sciences (Pakistan).

2 Current STR of the above-mentioned school is as under: -

Teachers	Students	STR
11 (01 PSHT, 03 SPST, 07 PSTs)	412	412/11= 37

3 Following necessary documents are also attached herewith: -

- General Application from the PST
- Service Book (in Original)
- CNIC (Copy)
- Study Visa Application (in Original)
- Admission Notice from the CHONGQING University of Posts and Telecommunications in China

4 Submitted for your necessary action, please


(KALEEM ULLAH) Kaleem Ullah
ASDEO (M) ASDEO (M) Circle Serai Naurang
Dist: Lakki Marwat
CIRCLE SERAI NAURANG

No: ASDEO(M)/CSN/St-Leave-01

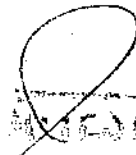
Dated:- 31/08/2023

Copy to: -

Mr Muzammil Khan

for information of the applicant

ASDEO (M)
CIRCLE SERAI NAURANG


Mr Muzammil Khan

Register of Letters Received

رجسٹرڈ اک وصولی

S.No. نمبر شمار	Month Date مہینہ و تاریخ	From Whom Received		Subject مضمون	File Head فائل ہیڈ	Disposal کارروائی
		No. نمبر	Date تاریخ			
7274	01/09/23	835	31/08/23	Specimens of...	Specimens of Study	

Annea E/1
21

2/1

بخدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر مردانہ ضلع کچی مروت

جناب عالی! 22 Annex F

مذکورہ گزارش ہے کہ میں حصول تعلیم کے لئے لیو پے چائنہ گیا ہوں۔ اور مجھے معلوم ہوا ہے کہ میرے خلاف کارروائی ہوئی ہے۔

جناب عالی! میرے خلاف جو بھی کارروائی ہوئی ہے یا کوئی آرڈرز وغیرہ ہو گئے ہیں۔ تو مہربانی کر کے مجھے اُنکے نقولات فراہم کئے

جائیں۔

سائل آپکے اقبال کے لئے دعا گو رہیگا۔

عین نوازش ہوگی۔

مورخہ: 16-02-2024



العارض

سائل منزل خان حال چونگ چنگ یونیورسٹی آف چائنہ

چائنہ موبائل نمبر: 008615213248702

بذریعہ والد خود صلاح الدین سرانے نورنگ ضلع کچی مروت

موبائل نمبر: 03139797441
16/02/24

RECEIVED



- 23

OFFICE OF THE
DISTRICT EDUCATION OFFICER MALE LAKKI MARWAT

Phone & Fax: (0969) 538291, Email: emslakkt@yahoo.com,
Facebook: www.facebook.com/deomalelakki, Twitter: www.twitter.com/deo_m_lakki

OFFICE ORDER:

1. WHEREAS, Mr. Muzamil Khan Ex-PST GPS No.1 Serai Naurang, as per report of Sub Divisional Education Officer (Male) Serai Naurang vide letter No. 879 dated: 27-09-2023, was proceeded under Govt; of Khyber Pakhtunkhwa (Efficiency & Discipline) Rules-2011 for the charges of his willful absence from official duty w.e.f 01-09-2023 till date.
2. WHEREAS, the District Education Officer (Male) Lakki Marwat served absence notice upon the cited official on his home address through registered covering letter vide No. 7831 dated: 06-10-2023, with the directions to resume official duty within fifteen (15) days, but he willfully failed to resume to his official duty or appeared before the competent forum.
3. WHEREAS, District Education Officer (Male) Lakki Marwat published a final absence Notice against him in daily newspaper "Mashriq" dated: 09-11-2023, with the directions to resume his official duty and explain the reasons of his willful absence before the competent authority but he willfully failed to follow the directions.
4. AND NOW THEREFORE, in light of the above record and in exercise of power 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 the Khyber Pakhtunkhwa Govt. Servants Efficiency & Discipline Rules-2011 read with Rule-4 (1)(b)(iii), is satisfied and is pleased to impose Major Penalty of "Removal from Service" upon Muzamil Khan Ex-PST Govt. Primary School No.1 Serai Naurang Lakki Marwat from the date of absence.

M. J. S.
District Education Officer
(Male) Lakki Marwat

Endst: No. 9844-52 /Complaint-F-Vol-II

Dated: 30 /11/2023

Copy forwarded to the:

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Lakki Marwat.
3. Deputy District Education Officer (Male) Local Office.
4. District Monitoring Officer, Lakki Marwat.
5. District Accounts Officer, Lakki Marwat.
6. Sub Divisional Education Officer (Male) Serai Naurang with the directions to make necessary entry to the above effect in his service book and ensure recovery of over payment, if any, during the intervening absence period under intimation to the undersigned
7. Mr. Muzamil Khan Ex-PST Kotka Pared P/O & Tehsil Serai Naurang District Lakki Marwat.
8. AP DEMIS.
9. Master File

M. J. S.
District Education Officer
(Male) Lakki Marwat

Received today on 4/3/2024 from PS: detailing Clerk
W. J. S. Male

DETAILS OF REQUEST

Sl. No.	Name of Information Bought	Action Taken with Date	Name and Signature of PIO
59	Kamran Ullah S/O Anwar Khan 22-101-06053209	4/13	[Signature]
60	Kamran Ullah & others	25/11/2023	[Signature]
61	Rafiq Ullah also Ahmed near Ginnig Linnig	26/10/2024	[Signature]
62	[Signature]	13/11/2023	[Signature]
	[Signature]	4/13/2024	[Signature]

Amir H.

24

فوق مذکورہ درخواستوں پر کارروائی ہو رہی ہے۔

- 25th

Annex I

To

Director, Elementary & Secondary Education Department Khyber Pakhtunkhwa
2nd 3rd Floor, Block A, Civil Secretariate, Near MPA hostel Peshawar.
directorese.kp@gmail.com

Subject: Departmental appeal against the order dated 30.11.2023 communicated on 04.03.2024 whereby the appellant has been given maior punishment of removal from service on the basis of willful absence from duty with effect from 01.09.2023.

Respected Authority,

1. The appellant was appointed as PST on 27.07.2020 and later on regularized vide Notification dated 07.12.2022.
2. Appellant was fortunate enough to win scholarship in a Chinese University namely Chongqing University of Posts and Telecommunication for his master studies in Control Science and Engineering for the session 2023-2026.
3. Before departure, appellant submitted application for study leave to SDEO Sub Division Serai Naurang District Lakki Marwat on 31.08.2023 along with all necessary documents which was recommended and forwarded by him to DEO (M) Lakki Marwat.
4. After application, appellant waited for the outcome of the application and visited his office numerous times but no positive result came out, finally his departure time came and appellant had to leave join the classes.
5. Meanwhile the appellant was busy in his studies when he was informed that department has been started action illegally against him for his absence from the duty. Accordingly, he applied through his father for documents if any action had ever been taken against him. on 16.02.2024.
6. On 04.03.2024 the appellant, through his father, obtained the impugned order dated 30.11.2023 whereby the appellant has illegally been removed from service on the bases of willful absence from duty.
7. Appellant challenges the impugned order ibid before your good self inter alia on the following bases:

GROUND

1. That appellant had never remained absent from duty rather he went for higher education on Chinese scholarship after properly applying for study leave which was duly recommended by the immediate officer of the appellant i.e. SDEO Serai Naurang.

ACCEPTED

26

2. That appellant was allowed by the department for higher studies and after much assurance he went abroad. Therefore, the action on the basis of willful absence from duty is not according to law and rules.
3. In similar cases the DEO (M) Bannu had granted study leave to the employees for the purpose of higher studies and the proof of it was provided to the DEO (m) Lakki Marwat but all in vain.
4. No prior notice, opportunity of personal hearing and defense were provided to the appellant. Therefore, the impugned order is not legally correct.
5. It is well settled maxim of law "Audi Alteram partem" no one can be condemned, unheard and it is against the principle of natural justice. Appellant relies on the judgment of Supreme Court of Pakistan Reported in 2005 SCMR 678.

It is therefore, most humbly requested that on acceptance of instant Departmental Appeal the impugned order dated 30.11.2023 may kindly be set aside and the appellant may kindly be reinstated in service with all back benefits.

Dated 11/03/2024


Muzammil Khan

Yours Sincerely
Muzammil Khan
Ex-PST Presently student of MS
Control Science and Engineering,
Chongqing University of Posts and Telecommunication, China.



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) BANNU

SANCTION

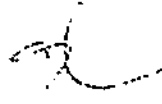
- 27

Annex J

Under the provision of leave rules, 1981 Article, 12, Sanction is hereby accorded to the grant of Extra Ordinary Leave without pay of the following SPST.

Necessary entry should be made in his service book.

S.#	Name of the Official	Period	Remarks
01	NAYAB ALI KHAN S/O SHAHAB ALI KHAN SPST (B-14) GPS AMANDI UMER KHAN BANNU	w.e.f 20-11-2022 to 20-11-2024 (730 days) without pay	Extra Ordinary Leave

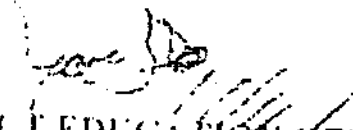

DISTRICT EDUCATION OFFICER
(MALE) BANNU

Inst. NO. 44 dt. 17/11/2022

Copy to -

1. The District Account Officer, Bannu.
2. The Sub-Divisional Education Officer, Male Bannu.
3. The officials concerned.

DEO Bannu
order AS a Proff

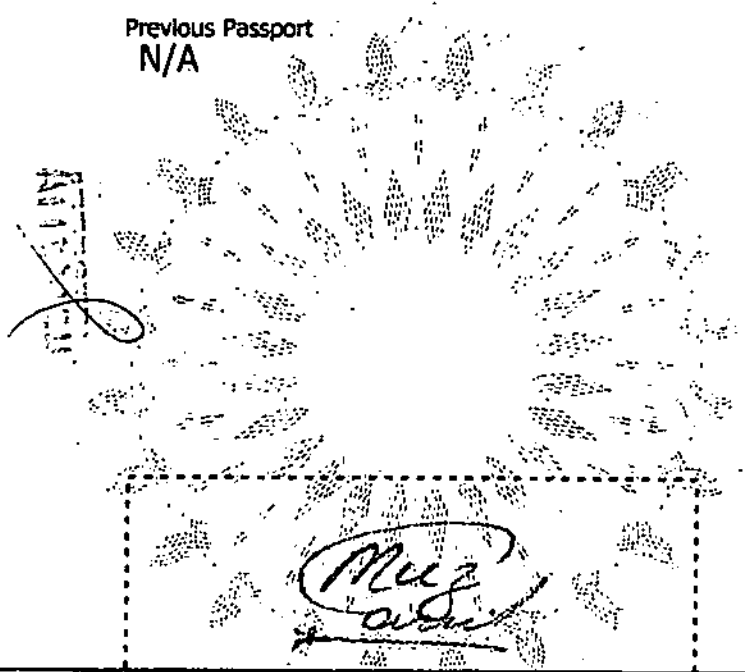

DISTRICT EDUCATION OFFICER
(MALE) BANNU

F 1 5 3 5 4 5 8

ANNOTATIONS

Religion
ISLAM

Previous Passport
N/A



HOLDER'S SIGNATURE OR THUMB IMPRESSION

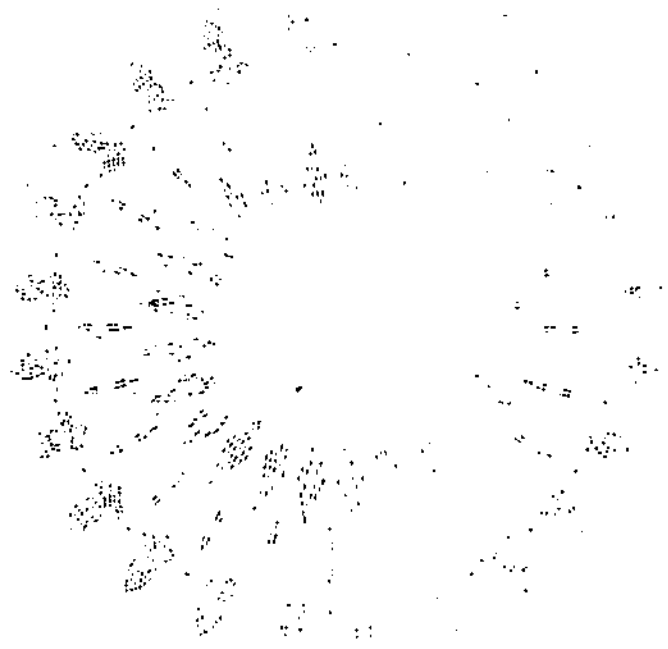
حامل ہذا کا دستخط یا نشان انگوٹھا

NOT VALID WITHOUT SIGNATURE OR THUMB IMPRESSION

یہ پاسپورٹ بغیر دستخط یا نشان انگوٹھا ناقابل استعمال ہے۔

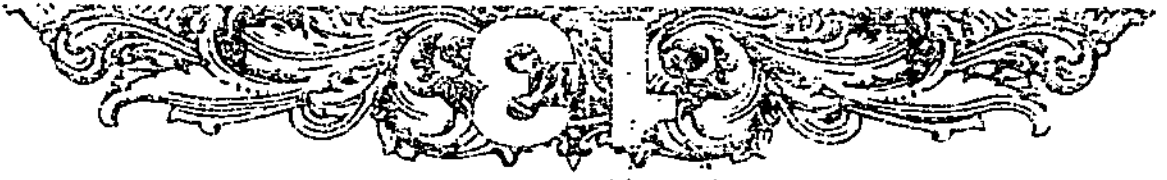


یہ پاسپورٹ سوائے اسرائیل کے دنیا کے تمام ممالک کے لئے کارآمد ہے۔
THIS PASSPORT IS VALID FOR ALL COUNTRIES OF
THE WORLD EXCEPT ISRAEL



29





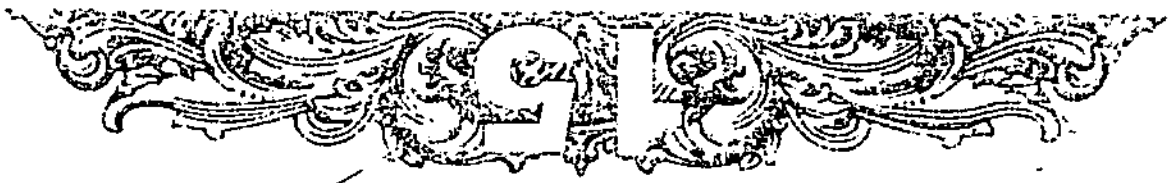
Handwritten mark or signature.

IMMIGRATION OFFICER
 ISB 1918
 AUG 28 2023
 PAKISTAN * F
 F I A

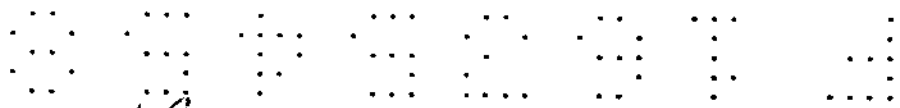
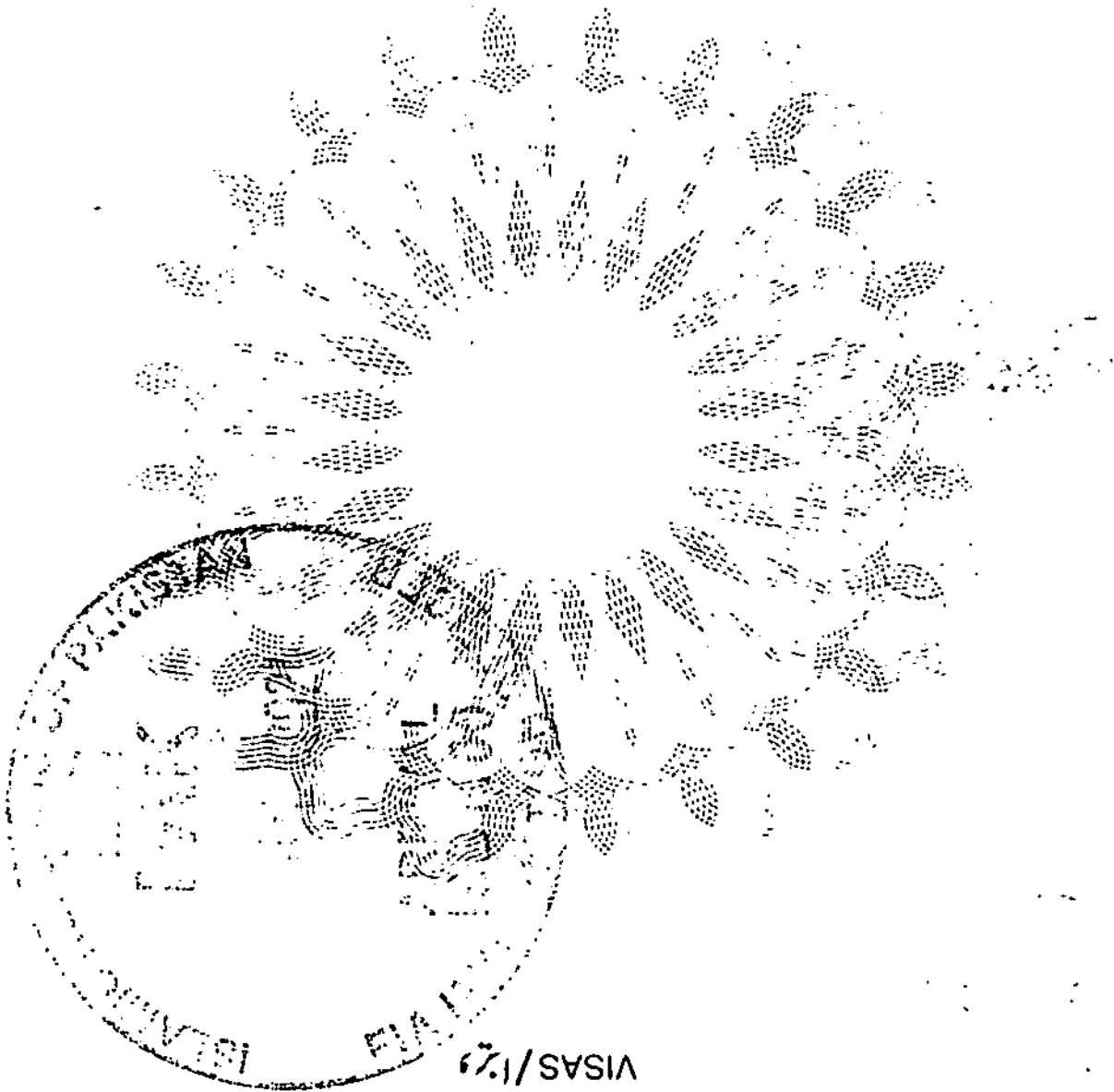
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 2024-07-05
 VISAS/1/3
 0160387/AL.0

2023-08-28
 VISAS/1/3

31

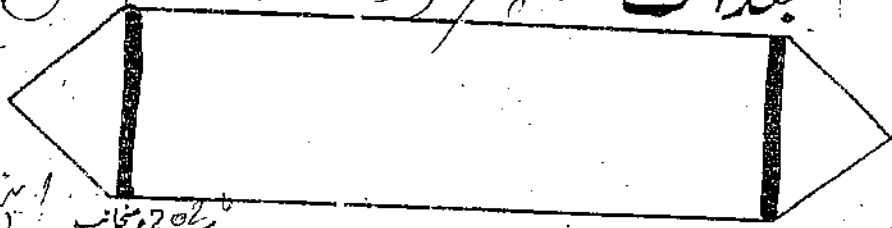


73-12-11



68

بعدالت



مذکورہ بیان کو منظور

موزونہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوانت بالا میں اپنی طرف سے واسطے بیرونی اجراء وہی وکل کاروائی متعلقہ
آن مقام کیلئے مقامی عدالت کے لئے مقدمہ کی درخواست ہے۔
مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راستی نامہ کرنے و تقریرات ہ فیصلہ برحلاف دینے جو اب وہی اور اقبال دعویٰ اور
بہ صورت و گری کرنے اجراء اور وصولی چیک و روپیہ اور غرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرا میں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم بیرونی یا ڈگری سیکٹرنہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و بیرونی کرنے کا اختیار ہوگا۔ از یہ صورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقریر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو کبھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرداختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد ہے باہر ہو تو وکیل صاحب یا بند ہوں گے کہ بیرونی
ڈگری کریں۔ لہذا ادکالت نامہ گھنٹیا کہ سند ہے۔

(Handwritten signature)

المرقوم ۱۸/۱۱/۲۰۲۴

واحد العد

کے لئے منظور ہے۔

بمقام

(Handwritten signature)

(Handwritten signature)