


FORM OF ORDER SHEET

Court of _____

Appeal No. 1032/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/07/2024	<p>The appeal of Mr. Fazal Rahim presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 26.07.2024. Parcha Peshi given to counsel for the appellant.</p> <p>-By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. 1032 /2024

FAZAL RAHIM

VERSUS

HIGHER EDU: DEPTT:

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Dated: -07-2024

APPELLANT

THROUGH:

NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1032 /2024

Fazal Rahim, Senior Clerk (BPS-14),
DEO (F), District Mohmand

.....APPELLANT

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary Higher Education, Archives Libraries Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director E&SE Department, khyber Pakhtunkhwa, Peshawar.
- 4- The Director Higher Education, Archives Libraries Department, Khyber Pakhtunkhwa, Peshawar
- 5- The District Education Officer (F), Bajaur.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 26/06/2024, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR REPATRIATION OF THE APPELLANT TO HIS PARENT DEPARTMENT I.E. HIGHER EDUCATION DEPARTMENT HAS BEEN REGRETTEED ON NO GOOD GROUNDS

PRAYER:

That on acceptance of this appeal, the impugned appellate order dated 26/06/2024 may kindly be set aside and the appellant may kindly be repatriated to his parent department i.e. Higher Education Department with all back benefits including seniority. Any other remedy which this august Service Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:
ON FACTS:-

Brief facts giving rise to the present appeal are as under:

- 1) That appellant was initially appointed as Junior Clerk (BPS-05) vide order dated 16/08/2002 in the Higher Education Department. Copy of appointment order is attached as annexure.....**A**
- 2) That after assuming charge, the appellant started performing his duties upto the entire satisfaction of his superiors.
- 3) That since his appointment, the appellant was performing his duties as junior clerk while posted at Govt: Degree College Khar Bajaur Agency.
- 4) That before merger the schools and Colleges have one directorate at FATA level called as Directorate of Education FATA. That under the said directorate the employees of both wings i.e. schools and colleges were enter transferrable.
- 5) That during service, the services of the appellant were placed at the disposal of Agency Education Officer Bajaur Agency vide letter dated 08/09/2003. Copy of letter dated 08/09/2003 is attached as annexure.....**B**
- 6) That it is pertinent to mention here that the appellant was relieved from his duties on 31/10/2003 and directed to report to the Headmaster GHS Pashat Bajaur Agency. Copy of relieving chit is attached as annexure.....**C**
- 7) That the appellant was subsequently promoted to the post of Senior Clerk in the higher Education Department. Statement showing the appellant as senior clerk on the strength of the Higher Education Department is attached as annexure **D**
- 8) That after the 25th Constitutional Amendment, the Elementary & Secondary Education Department & Higher Education Department were bifurcated.
- 9) That thereafter the appellant filed departmental appeal for his repatriation to his parent department i.e. Higher Education Department on 10/03/2024, which was forwarded to the competent authority, but the same was regretted on no good grounds vide appellate order dated 26/06/2024. Copies of departmental appeal, correspondence letters & appellate order dated 26/06/2024 are attached as annexure.....**E,F&G**
- 10) That feeling aggrieved and having no other remedy the appellant filed the instant appeal on following grounds inter alia:-

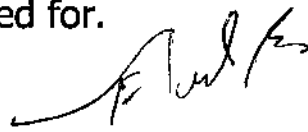
GROUND:

- A- That the impugned appellate order dated 26/06/2024 issued by the respondents is against the law, facts and norms of natural justice hence not tenable and liable to be set aside.
- B- That the impugned appellate order dated 26/06/2024 is erroneous and not sustainable in the eye of law.
- C- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- D- That the action of the respondents is discriminatory and against the norms of natural justice, therefore not tenable in the eye of law.
- E- That appellant is the employee of the Higher Education Department and under the rules the appellant is entitled to be repatriated to his parent Department.
- F- That impugned appellate order dated 26/06/2024 issued by the respondents in arbitrary and mala fide manner, therefore, the same is not tenable in the eye of law and liable to be struck down.
- G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated:

Through:



APPELLANT

NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

UMAR FAROOQ MOHMAND

WALEED ADNAN

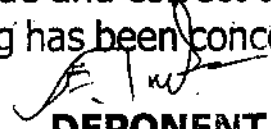
MAHMOOD JAN

KHANZAD GUL

ABID ALI SHAH
ADVOCATES HIGH COURT

AFFIDAVIT

I, Fazal Rahim S/o Fazal Ghani Senior Clerk (BPS-14) DEO (F), District Mohmand, do hereby solemnly affirm and declare on Oath that the contents of this **Service Appeal** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.



DEPONENT

"A" - 5-

OFFICE OF THE DIRECTOR OF EDUCATION (FATA), NWFP, PESHAWAR.

OFFER OF APPOINTMENT

Consequent upon the approval of Departmental Selection Committee the following candidates are hereby appointed on contract basis as Junior Clerk on BPS-5 plus usual allowances as admissible under the rules with effect from the date of their taking over charge:-

I/
aff.
002

S.No.	Name/Father's Name.	Domicile.	Place of Posting.	Remarks.
1.	Fazal Rahim S/o Fazal Ghani.	Bajour Agency.	Govt: Degree College, Khar, Bajour Agency.	Against vacant post.
2.	Syed Intiaz Hussain, S/o Said Ali.	Kurram Agency.	GHS, Bagan, Kurram.	-do-
3.	Abdul Qadir S/o Mohammad Hussain.	N.W. Agency.	GHS, Dosali, N.W.A.	-do-

Your appointment will be subject to the following terms and conditions:-

1. Your services is liable to be terminated any time without any notice or reasons being assigned.
2. That you are declared medically fit for Govt: Service.
3. That you will be governed by such rules & orders as may be issued by the Govt: of NWFP from time to time for the category of the Govt: Servant to which he belong.
4. That if you wish to resign at any time, he will resign in written within 30 days notice or he will forfeit one month's pay in lieu thereof and will continue to serve the Govt: till the acceptance of your resignation by the competent authority.
5. That you will be posted any where in FATA/NWFP.
6. That you will not be entitled to any TA/DA for medical exam: and joining the first appointment.
7. The offer is subject to the availability of vacant post.
8. If you accept the offer of appointment on above terms and conditions you should report to Agency Surgeon concerned within 15 days. The offer will be cancelled, if you fail to report for duty within the above mentioned period.

(Prof: Dr. Sher Alam Khan)
Director of Education,
FATA, NWFP, Peshawar.

Endst: No. 1698-1703

Dated Pesh: the 16-8 / 2002

Copy to the :-

- 1-3) Agency Education Officers, Bajour at Khar, Kurram at Parachinar & N.W. Agency at Miransbah.
- 4) Principal, Govt: Degree College, Khar, Bajour Agency.
- 5-7) Agency Accounts Officers, Bajour at Khar, Kurram at Parachinar & N.W. Agency at Miransbah.
- 8-10) Agency Surgeons concerned.
- 11-12) Head Masters concerned.
- 13-15) Candidates concerned.

M. A. Khan
Dy: Director of Education,
FATA, NWFP, Peshawar.

1698

OFFICE FO THE DIRECTOR OF EDUCATION (FATA), NWFP, PESHAWAR**Offer of appointment**

Consequent upon the approval of the Departmental Selection Committee, the following candidates are hereby appointed on contract basis as Junior Clerk on BPS-05plus usual allowances as admissible under the rules with effect from the date of their taking over charge:-

S. No	Name/Father Name	Domicile	Place of Posting	Remarks
1.	Fazal Rahim S/o Fazal Ghani	Bajour Agency	Govt: Degree College Khar, Bajour Agen cy	Against vacant post
2.	Syed Imtiaz Ali Hussain S/o Said Ali	Kurram Agency	GHS Bagan Kurram	-do-
3.	Abdul Qadir S/o Muhammad Hussain	N.W Agency	GHS Dosali, NWA	-do-

Your appointment will be subject to the following terms and conditions:-

1. Your services is liable to be terminated any time without any notice or reasons being assigned.
2. That you are declared medically fit for Govt: Servant.
3. The you will be governed by such rules and orders as may be issued by the Govt: of NWFP from time to time for the category of the Govt: servant to which he belong.
4. That if you wish to resign at any time, he will forfeit on month's pay in lieu therefore, and will continue to serve the Govt: till the acceptance of your resignation by the competent authority.
5. The you will be posted any where in FATA/NWFP.
6. The you will not be entitled to any TA/DA for medical exam and joining the first appointment.
7. The Offer is subject to the availability of vacant post.
8. If you accept the offer of appointment on above terms and conditions you should report to Agency Surgeon concerned within 15 days. The Offer will be cancelled if you fail to report for duty within the above mentioned period.

(Prof. Dr. Sher Alam Khan)
Director of Education
FATA, NWFP, Peshawar

-6-

8

OFFICE OF THE DIRECTOR OF EDUCATION (DATA) N.W.F.P. PESHAWAR.

CORRECTION

Consequent upon his regular services as Naib Masid at Assistant Section Officer Commissioner office Bajaur Agency, the appointment in respect of Mr. Fasal-i-Rahman as junior - Clerk issued vide this office endst: No. 1598-1703, dated 16/5/02, may be read as regular instead of contract, *basis*.

(HABIB-RASMI-SAFI)
Deputy Director of Education,
DATA NWFP, Peshawar.

Endst: No. 4744-47/A-I/V-III/Gen: Transfer of M-Staff: dated, 4-10/02

Copy of the above is forwarded to the:-

- 1:- ✓ Principal, Govt Degree College Khar Bajaur Agency, w/r to his endst: No. 388 dated 2009-2002.
- 2:- ✓ Agency Education Officer Bajour Agency.
- 3:- Agency Account Officer, Bajour Agency at Khar.
- 4:- Official Concerned.

Rasmi
Dy: Director of Education,
DATA NWFP, Peshawar.

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3710

OFFICE FO THE DIRECTOR OF EDUCATION (FATA), NWFP, PESHAWAR

Corrigendum

Consequent upon his regular services as Naib Qasid at Assistant Election Commissioner Office Bajaan Agency, the appointment in respect of Mr. Fasal-i-Rehamn as Junior Clerk issued vide this Office Endst: No 1698/1703 dated 16/08/2002 may be reas ad regular instead of contract basis.

(Habib Rasul Safi)
Deputy Director of Education
FATA, NWFP, Peshawar

Endst: 4744-47/A-I/V-III/Gen: Trasnfer of M-Staff dated 04/10/2002

"B"-7-

OFFICE OF THE PRINCIPAL GOVERNMENT
DEGREE COLLEGE KHAR BAJAUR AGENCY.

no. 2221-23 Dated. 8/9/2003

To

The Agency Education Officer,
Khar Agency (at Khar)

Subject:- Disposal of services of Mr. Fazal Bahim Junior Clerk.

Due to some unavoidable circumstances the services of Mr. Fazal Bahim, Junior Clerk of Govt: Degree College Khar Bajaur are hereby placed at your disposal till further order.

Principal
Govt: Degree College
Khar Bajaur Agency.

Copy to:

- 1) Director of Education (HADA) NWFP, Peshawar.
- ✓ 2) Mr. Fazal Bahim Junior Clerk, to report to Agency Education Officer, Bajaur at Khar.

[Signature]
 PRINCIPAL
 GOVT: DEGREE COLLEGE
 Khar Bajaur Agency.

Better Copy

Page No 7

*OFFICE OF THE PRINCIPAL GOVERNMENT
DEGREE COLLEGE KHAR BAJOUR AGENCY*

To

*The Agency Education Officer
Bajour Agency At Khar*

Subject:-

DISPOSAL OF SERVICES OF FAZAL RAHIM JUNIOR CLERK.

Memo

Due to some unavoidable circumstances the services of Mr. Fazal Rahim Junior Clerk of Govt: Degree College Khar Bajour are hereby placed at your disposal fill further order.

Principal
Govt: Degree College
Khar Bajour Agency

"C"

-8-

OFFICE OF THE PRINCIPAL G.D.G KHAR BAJAUR AGENCY.

RELIEVING OHIT.

Mr: Fazal Rahim J/Clerk of this institution G.D.G Khar Bajaur is hereby relieved from his duties on the A/Noon of 31.10.2003 ~~vide~~ vide Director of Education (PATA) NWFP Peshawar Endost: No: 211020-24 signed on 22.10.2003.


He is directed for report to the Head Master G.H.S Pashat Bajaur Agency.

Endost: NO: 2275-77 Dt: 13/11/2003.

* Copy forwarded to the:

- 1: Agency Education Officer, Bajaur at Khar.
- 2: Agency Accounts Officer, Bajaur at Khar.
- 3: Head Master G.H/S Pashat Bajaur.

G.R / &


PRINCIPAL
G.D.G KHAR BAJAUR AGENCY.

OFFICE FO THE PRINCIPAL G.D.C KHAR BAJOUR AGENCY.

Relieving Chit

Mr. Fazal Rahim J/clerk of this institution G.D.C Khar Bajour is hereby relieved from his duties on the A/Noon of 31/10/2003 vide Directorate of Education (FATA) NWFP Peshawar Endst: No 211020-24 Signed on 22/10/2003.

He is directed for report to the Head Master GHS Pashat Bajour Agency.

Endst: No 2275-77/Dated 13/11/2003

Copy forwarded to the:

1. Agency Education Officer, Bajaur at Khar
2. Agency Accounts Officer, Bajaur at Khar
3. Head Master GHS Pashat Bajaur.

Principal
G.D.C Khar Bajaur Agency

"D" -9-

S. NO.	NAME	Designation	PLS NO.
1	Marafat Ahmad, GGDC, Kohat Swabi	Sr Clerk	14-1
2	Hamza Murad, GGDC, Chaghar Mata Peshawar	Sr Clerk	14-2
3	Naveed Khan, GFC W Peshawar	Sr Clerk	14-3
4	Tahira Nooreen, GPGC, (W) Haripur	Sr Clerk	14-4
5	Muhammad Fida Hussain, GDC, Badranga	Sr Clerk	14-5
6	Saeed Ullah, Establishment (Female) DHE	Sr Clerk	14-6
7	Muhammad Hanif, GGDC, Balakot	Sr Clerk	14-7
8	Ahsan Sardar, GGDC, KDA Kohat	Sr Clerk	14-8
9	Said Nawab, GPGC Women, Mardan	Sr Clerk	14-9
10	Usman Zaib, GSSC Peshawar	Sr Clerk	14-10
11	Hamid Ullah, GSSC Peshawar	Sr Clerk	14-11
12	Syed Baher Sultan, GGDC Jamrud Khyber	Sr Clerk	14-12
13	Zia-Ul-Rehman, GDC Toru Mardan	Sr Clerk	14-13
14	Muhammad Talha, GGDC Lachi Kohat	Sr Clerk	14-14
15	Mujeeb Alam, GGDC Gulbahar Peshawar	Sr Clerk	14-15
16	Umair Noz GPGC Haripur	Sr Clerk	14-16
17	Baidar Khan, GPGC Mandian, Abbottabad	Sr Clerk	14-17
18	Muhammad Ismail, GDC Wanna Waziristan	Sr Clerk	14-18
19	Shakir Rehman, GGDC Mankiwar, Haripur	Sr Clerk	14-19
20	Aftab Ahmad, DHE	Sr Clerk	14-20
21	Anwar Shah, GDC No. 2 Mardan	Sr Clerk	14-21
22	Lutfullah Khan GDC ogli Manschra	Sr Clerk	14-22
23	Muzamil DHE	Sr Clerk	14-23
24	Mujahid Khan, GDC Sadda Kurram	Sr Clerk	14-24
25	Najeed Ullah, GDC Lachi	Sr Clerk	14-25
26	Amir Khan GDC Hayatabad	Sr Clerk	14-26
27	Muhammad Ibrahim, GPGC Laskimarwat	Sr Clerk	14-27
28	Anees Ahmad zeb GFC(W) Peshawar	Sr Clerk	14-28
29		Sr Clerk	14-29
30	Hafiz Talha Shakeel Rohaila, DHE	Sr Clerk	14-30
31	Muhammad Asif, GDC Thana Malakand	Sr Clerk	14-31
32	Wegas Khan GGDC Khan Kohi Nizampur, Nowshera	Sr Clerk	14-32
33	Najeed Ullah,	Sr Clerk	14-33
34		Sr Clerk	14-34
35	Aslam Khan, GDC Thana Malakand	Sr Clerk	14-35
36	Wasif Ullah, GGDC Jalozai	Sr Clerk	14-36
37	Fazle Hadi, GGDC Ekka Ghundi	Sr Clerk	14-37
38	Sohrab Khan, GGDC Badkheela	Sr Clerk	14-38
39	Gul Rehman GDC Latamber Karak	Sr Clerk	14-39
40	Saad Asad GDC Bui Abbottabad	Sr Clerk	14-40
41	M. Wasif GPGC Kohat	Sr Clerk	14-41
42	Dilwar Khan GDC Ophi Malakand	Sr Clerk	14-42
43	Bushra Younis GGDC Abbottabad	Sr Clerk	14-43
44		Sr Clerk	14-44
45	Raza muhammad	Sr Clerk	14-45
46	Fazal Fahim, GDC, Khar Daur	Sr Clerk	14-46
47	Anil Kumar, GDC, Achini Pawan	Sr Clerk	14-47
48	Assad Ullah Madni, GDC No 1 D.I. Khan	Sr Clerk	14-48
49	Babar Ali Qureshi, GGDC Altar Shisha	Sr Clerk	14-49
50	Sahbir Ahmad GDC Razzar Swabi	Sr Clerk	14-50
51		Sr Clerk	14-51
52	Noor Muhammad, GGDC Lundkhar	Sr Clerk	14-52
53	Asad Hussain, GDC Pabbi	Sr Clerk	14-53
54	M. Atif Mughal GDC Nathia Gali	Sr Clerk	14-54
55		Sr Clerk	14-55
56	Haroon Ishaq DHE IT Section	Sr Clerk	14-56
57	Jehanzeb GDC Badkheela	Sr Clerk	14-57
58	Jehanzeb	Sr Clerk	14-58
59	Sanaullah DHE	Sr Clerk	14-59
60	Faisal GDC Kohat	Sr Clerk	14-60

S. No	Name	Designation	File No
1)	Sharafat Ahmad GGDC Kotha Swabi	Sr. Clerk	14.1
2)	Hamza Murad GGDC Chaghar Matti Peshawar	Sr. Clerk	14.2
3)	Naveed Khan GFC W Peshawar	Sr. Clerk	14.3
4)	Tahir Noreen GPBC (W) Haripur	Sr. Clerk	14.4
5)	Muhammad Fida Hussain GDC Badraga	Sr. Clerk	14.5
6)	Saeed Ullah, Establishment (Female) DHE	Sr. Clerk	14.6
7)	Muhammad Hanif, GGDC, Balakot	Sr. Clerk	14.7
8)	Ahsan Sardar, GGDC KOA Kohat	Sr. Clerk	14.8
9)	Said Nawab, GPBC Woman Mardan	Sr. Clerk	14.9
10)	Usman Zaib, GSSE Peshawar	Sr. Clerk	14.10
11)	Hameed Ullah GSSE Peshawar	Sr. Clerk	14.11
12)	Syed Babar Sultan, GGDC Jamrud Khyber	Sr. Clerk	14.12
13)	Zia Ur Rehman, GDC Toru Mardan	Sr. Clerk	14.13
14)	Muhammad Talha, GGDC Lachi Kohat	Sr. Clerk	14.14
15)	Mujeeb Alam, GGDC Sulbaha Peshawar	Sr. Clerk	14.15
16)	Umair Naz GPBC Haripur	Sr. Clerk	14.16
17)	Bajdar Khan, GPBC Mandian, Abbottabad	Sr. Clerk	14.17
18)	Muhammad Ismail, GDC Wanna Waziristan	Sr. Clerk	14.18
19)	Shakir Rehman GGDC Markiyari Haripur	Sr. Clerk	14.19
20)	Aftab Ahmad DHE	Sr. Clerk	14.20
21)	Anwar Shah, GDC No 2 Mardan	Sr. Clerk	14.21
22)	Lutfullah Khan GDC Ughi Manshera	Sr. Clerk	14.22
23)	Muzamil DHE	Sr. Clerk	14.23
24)	Mujahid Khan DGC Sadda Kurram	Sr. Clerk	14.24
25)	No need	Sr. Clerk	14.25
26)	No need	Sr. Clerk	14.26
27)	No need	Sr. Clerk	14.27
28)	No need	Sr. Clerk	14.28
29)	No need	Sr. Clerk	14.29
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36)	No need	Sr. Clerk	14.36
37)	No need	Sr. Clerk	14.37
38)	No need	Sr. Clerk	14.38
39)	No need	Sr. Clerk	14.39
40)	No need	Sr. Clerk	14.40
41)	No need	Sr. Clerk	14.41
42)	No need	Sr. Clerk	14.42
43)	Bushra Younis GGDC Abbottabad	Sr. Clerk	14.43
44)		Sr. Clerk	14.44
45)	Raza Muhammad	Sr. Clerk	14.45
46)	Fazal Rahim, GDC Khar Bajour	Sr. Clerk	14.46
47)	Anil Kumar, GDC, Achini Payan,	Sr. Clerk	14.47
48)	Asad Ullah, Madni, GDC Attar Shisha	Sr. Clerk	14.48
49)	Shabir Ahmad GDC Razzar Swabi	Sr. Clerk	14.49
50)		Sr. Clerk	14.50
51)	Noor Muhammad GGDC Lundkhar	Sr. Clerk	14.51
52)	Asad Hussain GDC Pabbi	Sr. Clerk	14.52
53)	M. Atif Mughal GDC Nathia Gali	Sr. Clerk	14.53
54)		Sr. Clerk	14.54
55)	Haroon Inqal DHE IT Section	Sr. Clerk	14.55
56)		Sr. Clerk	14.56
57)		Sr. Clerk	14.57
58)		Sr. Clerk	14.58
59)		Sr. Clerk	14.59
60)		Sr. Clerk	14.60

حکومت جناب سیکرٹری صوبہ ہائپر ایجوکیشن دیوار گھنٹہ جسٹس کھٹو کو ایس۔ اے۔
10 -

ایس۔ اے۔

جناب عالی

مکوہ ہائپر ایجوکیشن سے کہ مسائل $\frac{8}{2002}$ 16 کو گورنمنٹ کالج بابر، فارم سے
بطور جرنل ملکر جبری ہو ا۔ اور مسائل ایسا ندری سے اپنی ڈپٹی ادا کر رہا تھا۔ کہ مل جل
نامی لیکچر نے اپنے دفتر کو مسائل کی عدم دانسی کی آگندہ کرتا تھا۔ یہیں وجہ مسائل سے قبضہ
کامیاب نہ بنا کر GHS ایسٹ۔ کو ٹرانسفر کر آیا۔ اور مسائل کو ایسی تک ٹرانسفر اور ایسی نہیں ملا۔
صرف Relieve لیکچر ملا۔ جو کہ مسائل کے ساتھ نا انصافی یہ نہیں تھا۔ بعد میں مسائل نے
2018 میں ڈائریکٹر سے بھی ایسٹ کیا تھا۔ لیکن ڈائریکٹر نے آفس والوں کے مسائل کا ایسٹ
نہ کیا۔ اب مسائل آ رہے ہیں کہ مسائل سے ایسٹ کرنا ہے۔ جو کہ ہائپر ایجوکیشن دیوار گھنٹہ
مسائل کا ہیئرٹ کی بنا رکھتا ہے۔

اس سے آ رہی ہو کہ میں اپنی سبب کی جاتی ہے۔ کہ مسائل کو اپنی ہیئرٹ دیوار گھنٹہ
2018 میں ایسٹ مذکورہ آئے انکوائری صادر رہی ہوگی۔
بندہ تقاضا کرتا ہوں کہ

13/3/24

آئی۔ اے۔ ہائپر ایجوکیشن، جسٹس کھٹو، SDE O جسٹس کھٹو
SDE O جسٹس کھٹو
03442885088
17101-0263928-1

"F" - 11 -



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES AND
LIBRARIES DEPARTMENT

Phone No. 9213501-2 Ext. 20 Fax #091-9210168

W.D. 5000-IV, BEC/22/2/Appeal/Fazal Rahim/ Sr. Clerk/Blomman/10/2024
Dated Peshawar the 13th March, 2024.

To
The Director,
Higher Education, Khyber Pakhtunkhwa.

SUBJECT: DEPARTMENTAL APPEAL IN RESPECT OF MR. FAZAL RAHIM.

I am directed to refer to the subject noted above and to enclose herewith copy of an application received from Mr. Fazal Rahim, Senior Clerk (BPS-14), District Education Officer (female), District Mohmand, for comments/report, please.


Encl: As Above.

(ZAHID KAMAL)
SECTION OFFICER (C-IV)

End of Even No. & Date

Copy forwarded for information to the:-

- 1. P.S to Secretary, Higher Education Department.
- 2. Master File.


SECTION OFFICER (C-IV)

3
22/3/2024

19/3/2024
871

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES AND
LIBRARIES DEPARTMENT**

Dated Peshawar the 13th March, 2024

The

Director
Higher Education, Khyber Pakhtunkhwa

Subject:-

**DEPARTMENTAL APPEAL IN RESPECT OF MR.
FAZAL RAHIM**

I am directed to refer to the subject noted above and to enclose herewith a copy of an application received from Mr. Fazal Rahim, Senior Clerk (BPs-14) District Education Officer (Female) District Mohmand for comments/report, please.

Zahid Kamal
Section Officer (C-IV)

Endst: of even No & date

**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI NEAR CHAMKANI MOR, PESHAWAR**

E-mail: dhakppeshawar@gmail.com Facebook.com/dhakppeshawar Twitter.com/dhakppeshawar1

N 2867

CA-VIJE-II-DI-MVA 1677/2nd Rank/2. order Clerk 14147

Dated Peshawar the 23/05/24

To

The Secretary,
Higher Education Department, Khyber Pakhtunkhwa,
Peshawar.

Subject **DEPARTMENTAL APPEAL IN RESPECT OF MR. FAZAL RAHIM,**

Respected Sir,

I am directed to refer to your letter No. SOIC (V)HED/2-3/Appeal, Fazal
Rahim Jr. Clerk/Elementary/Bajour/2024/1034 dated 13-03-2024 on the subject noted
above and to state that Mr. Fazal Rahim was initially appointed as Junior Clerk and
posted at Government Degree College, Khur Hajaur in 2002. Before bifurcation
of Elementary & Secondary Education Department and Higher Education Department
in 2005. Later on he was transferred to school side (GHS Hamid Kili Mohamandi) by the
Director of Education FATA Peshawar in 2005, where he passed his maximum period of
service on school side, thereby gaining benefits of promotion as well, who was promoted
to the post of senior clerk on 24-11-2021 by Elementary & Secondary Education
Department. Now, he wants to join Higher Education Department, Peshawar which
seems not feasible.

Therefore, in light of the above, it is requested to take up the case with
Establishment Department (Regulation Wing) as the matter relates to policy.

The instant case is hereby submitted with factual position for further
necessary action, please.


23/05/24
DEPUTY DIRECTOR (ESTT)

OK

**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI NEAR CHAMKANI MOR PESHAWAR**

No 2867/CA-VII/stt Branc/A-167/Fazal Rahim Senor Clerk dated Peshawar
23/05/2024

The

Secretary
Higher Education, Department
Khyber Pakhtunkhwa

Subject:- **DEPARTMENTAL APPEAL IN RESPECT OF MR.
FAZAL RAHIM**

Respected Sir,

I am directed to refer to your letter No SO (C-IV) HED/2-3/Appeal/Fazal Rahim/Jr. Clerk/Elementary/Bajour/2024/4034 dated 13/03/2024 on the subject noted above and to state that Mr. Fazal Rahim was initially appointed as Junior Clerk and posted at Government Degree College, Khar Bajaur in 2002 before the bifurcation of Elementary & Secondary Education Department and Higher Education Department in 2007 Lateron he was transferred to School Side (GHS Hamid Killi Mohmand) by the Director of Education FATA, Peshawar in 2005, were he passed his maximum period of service on school side, thereby gaining benefits of promotion as well, who was promoted to the post of Senior Clerk on 24/11/2021 by Elementary & Secondary Education Department. Now, he wants to join Higher Education Department, Peshawar against which seems not feasible.

Therefore, in light of above, it is requested to take up the case with Establishment Department (Regulation Wing) as the matter relates to policy.

The instant case is hereby submitted with factual position for further necessary action, please.

DEPUTY DIRECTOR (Estt)

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES AND
LIBRARIES DEPARTMENT**

Phone No. 9213501-2 Ext. 20 Fax #091-9210368

No. SO (C-1V)/HED/2-3/Appeal/Fazal Rahim/Sr. Clerk/Elementary/Bajaur/2024.

Dated Peshawar the June 26, 2024

"G"
-13-

To

The Director,
Higher Education, Khyber Pakhtunkhwa.

Subject: **DEPARTMENTAL APPEAL IN RESPECT OF MR. FAZAL RAHIM.**

I am directed to refer your letter No. 2867/CA-VII/Estt: Branch/A-167/Fazal Rahim/Sr. Clerk dated 23.05.2024 and to state the case has been examined and regret its inability to acted to the request, please.


SECTION OFFICER (C-IV)

Endst: No. & Date as above.

Copy to the: -

1. PS to Secretary, Higher Education Department.
2. Master File.

SECTION OFFICER (C-IV)

VAKALATNAMA
BEFORE THE KHYBER PAKHYUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No 12024

Fazal Rahim

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

H. Education Deptt

(RESPONDENT)
(DEFENDANT)

I/We Fazal Rahim

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ___/___/202


CLIENT

ACCEPTED


**NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT**


WALEED ADNAN


UMAR FAROOQ MOHMAND


MAHMOOD JAN

&


**ABID ALI SHAH
ADVOCATES**

OFFICE:
Flat No. (TF) 291-292 3rd Floor,
Deans Trade Centre, Peshawar Cantt.
(0311-9314232)