


FORM OF ORDER SHEET

Court of _____

Appeal No. 1629/2024


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	27 /09/2024	<p>The appeal of Mr. Noor Hakeem resubmitted today by Mr. Zartaj Anwar Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 01.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman  REGISTRAR</p>

The appeal of Mr. Noor Hakeem received today i.e on 28.08.2024 is incomplete on the following score which is returned to the counsel for the appellat for completion and resubmission within 15 days.

- 1- According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondent nos.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- Annexures-A, E, F & G are illegible.
- 3- Annexures of the appeal are not in sequence.
- 4- Copy of enquiry report mentioned in para-5 of the memo of appeal is not attached with the appeal.

No. 722/Inst./2024/KPST,

Dt. 18/9/2024.


OFFICE ASSISTANT
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Zartaj Anwar Adv.
High Court Peshawar.

The Enquiry Report already
annexed with appeal



**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Appeal No 1629/2024

Noor Flakeem s/o Sarzar Khan Ex-Naib Qasid at GGMS
Gulfam Kali Peshawar.

(Appellant)


VERSUS

Government of Khyber Pakhtunkhwa through Secretary
Elementary & Secondary Education Khyber Pakhtunkhwa
Peshawar and Others,


(Respondents)

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Appellant

Through


ZARTAJ ANWAR
Advocate Supreme Court
Of Pakistan

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Appeal No. 1629/2024

Noor Hakeem s/o Sarzar Khan Ex-Naib Qasid at GGMS
Gulfam Kali Peshawar.

(Appellant)

VERSUS

1. Director, Elementary & Secondary Education Khyber
Pakhtunkhwa Peshawar.

2. District Education Officer (Female) Peshawar.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the Order Dated 17.03.2021, whereby the appellant was awarded major penalty of Removal from service, against which the appellant filed Departmental Appeal dated 31.11.2021, which has been rejected vide order dated 02.08.2024.

Prayer in Appeal: -

On acceptance of this appeal the impugned orders dated 17.03.2021 and 02.08.2024 may please be set-aside and the appellant may please be reinstated in to service with all back and consequential benefits.

Respectfully Submitted:

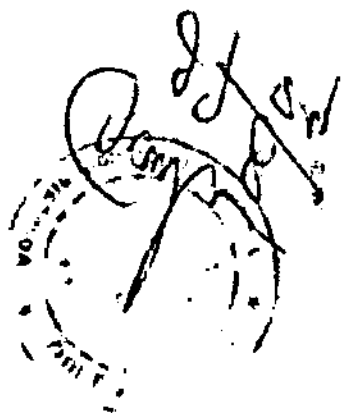
1. That the appellant was initially appointed on the post of Naib Qasid in the respondent department in GGMS Gulfam Kali Peshawar vide office order dated 30.06.2018 and the appellant submitted his arrival report vide dated 06.07.2018. *(Copy of the*

appointment order and arrival report are attached as annexure A & B).

2. That since his appointment the petitioner performed his duties with great zeal and devotion and to the entire satisfaction of his superiors without any complaint.
3. That while serving in the said capacity the respondent department quite illegally stop the salary of the appellant w.e.f Oct 2019, the appellant submitted an application to the principal of the concerned school for the release of salary. *(Copy of the applications are attached as annexure C).*
4. That the appellant thereafter submitted an application for the release of salary to the District Education Officer (female) vide application dated 16.06.2020 but in vain *(Copy of the application is attached as annexure D).*
5. That astonishingly an inquiry has been initiated against the appellant and without any recommendation of the inquiry officer the appellant was awarded the major penalty of removal from service vide office order dated 17.03.2021. *(Copy of the inquiry and impugned order dated 17.03.2021 are attached as annexure E & F).*
6. That appellant feeling aggrieved from the impugned order dated 17.03.2021, filed departmental appeal before the competent authority vide dated 30.11.2021 which was rejected by the competent authority vide rejection letter dated 02.08.2024. *(Copy of the departmental appeal dated 30.11.2021 and rejection order dated 02.08.2024 are attached as annexure G & H).*
7. That the penalty so imposed upon the appellant is illegal unlawful against the law and facts hence liable to be set aside inter alia on the following grounds:

Grounds of Appeal:

- A. That the appellant has not been treated in accordance with law, hence his rights secured and guaranteed under the law and constitution is badly violated.



Defendant

fact or concealed from this Honorable Tribunal
fact of my knowledge and belief and that nothing has been kept
that the contents of the above exhibit are true and correct to the
Oath of the Defendant do hereby solemnly affirm and declare
I do not have any other evidence to offer in this case

VERIDICAL

Defendant

Advocate High Court

IMRAN KHAN

of Pakistan

Advocate Supreme Court

ABDUL WAHAB

Defendant

Plaintiff

consequential penalties

being so reinstated in to service with all back pay
05.08.2005 may being so set aside and the appellant may
this appeal the impugned orders dated 17.03.2001 and
It is therefore prayed that On account of

reasoning of this appeal.

Honorable Tribunal to rely on additional grounds as the
P. That the appellant seeks the permission of this

- B. That since his appointment the petitioner performed his duties with great zeal and devotion and to the entire satisfaction of his superiors without any complaint.
- C. That the appellant has regularly performed his duties in the school and has received his monthly salary till October 2019 regularly, the responded illegally stopped his salary, the appellant time and again requested the competent authority to release his salary but in vain.
- D. That surprisingly fact finding inquiry was initiated against the appellant without giving any charge sheet, statement of allegation.
- E. That the fact finding inquiry was initiated vide order dated 04.1.2024 purely on the appeal submitted by the appellant for his reinstatement and the inquiry officer through its recommendation dated 16.03.2024 seeking/sought legal opinion from the litigation branch of the directorate only regarding their re-instatment and not given any finding/recommendation or probe the allegation level against the appellant.
- F. That under the E&D Rules or law for initiation of any inquiry there must be charge sheet along with statement of allegation which can clearly shows the alleged allegations upon which the inquiry officer or committee can inquire the matter in the light of leveled allegations and finally give its finding recommendations through which the competent authority can passed any order.
- G. That under the law upon the fact finding inquiry the competent authority cannot award/punished any civil servant unless and until there is an regular denovo inquiry which can probe the leveled allegations and finally give its recommendation to the competent authority upon which the competent authority under the law can award any punishment to the civil servant.
- H. That the impugned order issued by the authority but in violation of E&D Rules firstly giving effect to the removal order from the date of initial appointment

although they served the department for which they get paid but illegally in violation of law and rules given effect of the removal order from the date of appointment.



- I. That according to the fact finding inquiry the inquiry officer through its recommendation seek only legal opinion upon the departmental appeal for reinstatement and not for any alleged allegations.
- J. That the directorate of Elementary & Secondary Education through letter dated 09.05.2024 seek advice from the inquiry officer for to submit decisive/clear cut recommendation so as to proceed further into the matter and that is true after the award of major penalty which clearly shows the malafide illegality, irregularity, violation of law and rules in the instant case.
- K. That the appellant served the respondent department till the impugned removal order and till oct 2019 he was paid and lastly till the removal order there was no complaint information from on behalf of the school principal who can report to the competent authority regarding his absence which shows prima facially attendance of the appellant.
- L. That the appellant has committed no act or omission, which can be termed as misconduct, the penalty imposed is harsh and liable to set aside on this score alone.
- M. That the penalty imposed is too harsh has a long service career, the appellant is want to serve the department, albeit is illegally restrained from serving.
- N. That no opportunity of personal hearing was given to the appellant hence penalty imposed upon the appellant is illegal and against the law.
- O. That the appellant is jobless since his removal from service.

P. That the appellant seeks the permission of this Honourable Tribunal to rely on additional grounds at the hearing of this appeal.

It is therefore prayed that On acceptance of this appeal the impugned orders dated 17.03.2021 and 02.08.2024 may please be set-aside and the appellant may please be reinstated in to service with all back and consequential benefits.



Appellant

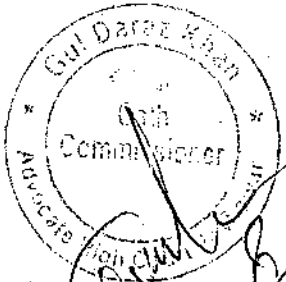
Through


ZARTAJ ANWAR
Advocate Supreme Court
Of Pakistan
&

IMRAN KHAN
Advocate High Court
Peshawar

AFFIDAVIT

I, Noor Hakeem s/o Sarzar Khan Ex-Naib Qasid at GGMS Gulfam Kali Peshawar, do hereby solemnly affirm and declare that the contents of the above appeal are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.


Deponent



Annex A

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) PESHAWAR.

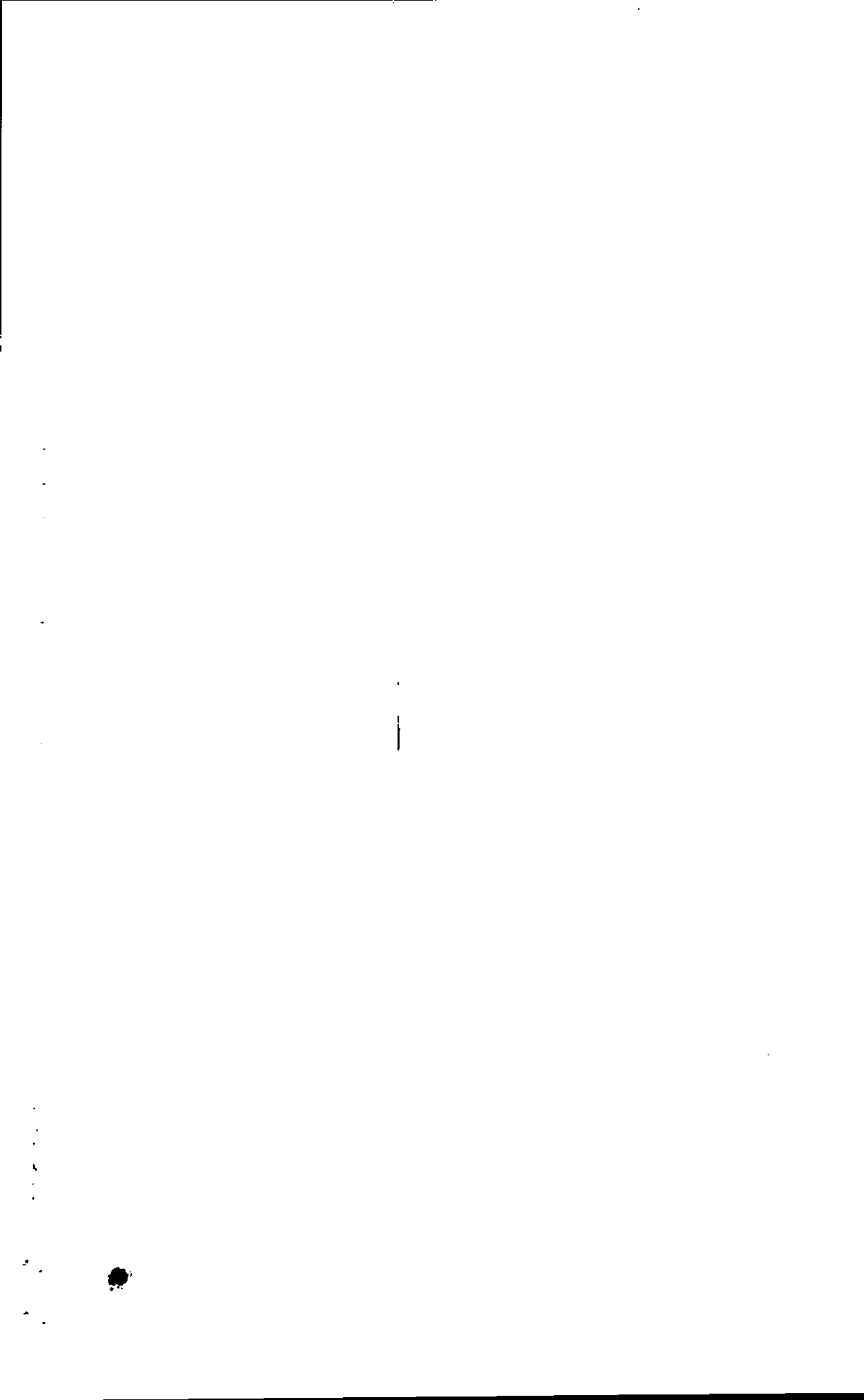
APPOINTMENT

Candidates upon the approval of the Departmental Selection Committee the competent authority is pleased to appoint the following candidates on regular basis in OPS 01 (Rs 9610-390) and special allowances, subject to the rules against the vacant post at the school/office mentioned each their name in the list of their names, subject to the following terms and conditions:-

S No	Name	Father Name	Post	School	Remarks
1	Nicoo Rahim	Sartar Khan	N/Oasid	GGHS Gulam Kallay Peshawar	A.V.P
2	Naira Bibi	W/O Muhammad Arif	Sweeper	GGHS Gulam Kallay Peshawar	A.V.P
3	Maryam	W/O Kashif Khan	Sweeper	GGHS Passani Peshawar	A.V.P
4	Nafees	Sikandar Shah	Sweeper	GGHS Sheikh Muhammadi Peshawar	A.V.P
5	Norbat	Nisar Muhammad	Chowkidar	GGPS Garhi Faraz Rahim	A.V.P
6	Ainullah	Niamat Ullah	Chowkidar	GGHS Khul Kallay	A.V.P
7	Nghat Ubi	Niamat Ullah	Lab: Attid.	GGHS Khul Kallay	A.V.P
8	Hassan Ahmad	Haji Muhammad	Chowkidar	GGPS Multan Ghar	A.V.P
9	Usman Ullah	Fazal e Subhan	Chowkidar	GGPS Masho Khel, Anetai Karalhel No.1	A.V.P
10	Silla Ud Din	Shams Ud Din	Chowkidar	GGPS Suleman Khel	A.V.P
11	Rahim Khan	Gul Mast	Chowkidar	GGPS Darbar Amir Khel	A.V.P
12	Ayub Jan	Hassan Jan	N/Oasid	GGMS Sarkhana	A.V.P
13	Nihayat Bibi	Hassan Jan	Sweeper	GGMS Sarkhana	A.V.P
14	Muhammad Ubaid	Rahman Gul	Chowkidar	GGPS Bilal Abad	A.V.P
15	Haseeb Ullah	Muqadar Khan	Chowkidar	GGPS Garhi Hayat	A.V.P
16	Fizal Hussain	Muhammad Siddiqe	Chowkidar	GGPS Mewra	A.V.P
17	Ahab Khan	Bakhtyar Khan	Chowkidar	GGPS Maryana Payan	A.V.P
18	Fizal Ali	Zafar Khan	Chowkidar	GGPS Kareri	A.V.P
19	Siraj Khan	Eid Muhammad	Chowkidar	GGPS Shamshatoo	A.V.P
20	Syed Shaqat Hussain Shah	Syed Chiragh Hussain Shah	N/Oasid	GGMS Mattani No.1	A.V.P
21	Arif Ullah	Tariq	N/Oasid	GGHS Sufaid Sung	A.V.P
22	Noor Bibi	Adam Khel	Lab: Attid.	GGHS Sufaid Sung	A.V.P
23	Rizwan Ullah	Tariq	Chowkidar	GGHS Sufaid Sung	A.V.P
24	Shakil Ahmad	Fozal Muhaq	Chowkidar	GGHS Shalam	A.V.P
25	Silma Inam	W/O Inam Ullah	Lab: Attid.	GGHS Shalam	A.V.P
26	Khodim Hussain	Waris Khan	Chowkidar	GGPS Jermar Payan	A.V.P
27	Fahim Gul Afridi	Spin Gul	Chowkidar	GGHS No.1 Darwazga	A.V.P
28	Fakima	Misri Khan	Sweeper	GGMS Haji Danda	A.V.P
29	Fareeha	Taj Muhammad	Lab: Attid.	GGHS Ahmad Khel	A.V.P
30	Farin Fatimood	Shah Mahmood	Chowkidar	GGPS Lodgor Maryana	A.V.P
31	Haze Ullah	Udair Rahman	Chowkidar	GGPS Shaghai Bala	A.V.P
32	Zahir Ullah	Deedar Qil	Chowkidar	GGPS Surit Bala No.1	A.V.P
33	Musharraf	Wazir Zada	Chowkidar	GGPS Alora Kkhori No.2	A.V.P

Terms & Conditions:

1. He/She will be governed by such rules and regulations as may be prescribed by the Govt. from time to time for the category of the Govt. servant to which he/she belongs.
2. He/Her service will be liable to terminate at any time, etc. without any notice.
3. In case of resignation three months prior notice should be given by the official concerned.
4. He/Her services shall be temporary nature and liable to terminate at any time without assigning any cause/reason.
5. He/She will produce health and other certificates from time to time as may be required before taking over charge.
6. Charge report should be submitted to all concerned.
7. No TA/DA etc. is allowed being first appointment.



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) PESHAWARAPPOINTMENT

Consequent upon the approval of the Departmental Selection Committee the competent authority is pleased to appoint the following Class-IV candidates on regular basis in BPS-03 (Rs. 9610-390-21310) plus usual allowances as admissible under the rules against the vacant post at the school / office mentioned each their name w.e.f the date of their taking over charge on the following terms and conditions:-

S No	Name	Father Name	Post	School	Remarks
1.	Noor Hakim	Sarzar Khan	N/Qasid	GGMS Gulfam Kallay Peshawar	A.V.P
2.	Hajra Bibi	W/o Muhammad Arif	Sweeper	GGMS Gulfam Kallay Peshawar	A.V.P
3.	Maryam	W/o Kashif Khan	Sweeper	GGHS Passani Peshawar	A.V.P
4.	Nafees	Sikandar Shah	Sweeper	GGMS Sheikh Muhammadi Peshawar	A.V.P
5.	Mazhar	Nisar Muhammad	Chowkidar	GGPS Garhi Fazal Rahim	A.V.P
6.	Asifullah	Naimat Ullah	Chowkidar	GGHS Khat Kallay	A.V.P
7.	Nighat Bibi	Naimat Ullah	Lab; Attd	GGHS Khat Kallay	A.V.P
8.	Hussain Ahmad	Haji Muhammad	Chowkidar	GGPS Multan Ghar	A.V.P
9.	Usman Ullah	Fazal e Subhan	Chowkidar	GGPS Masho Khel Anezai Karakhel No 1	A.V.P
10.	Sala ud Din	Shams ud Din	Chowkidar	GGPS Suleman Khel	A.V.P
11.	Ibrahim Khan	Gul Mast	Chowkidar	GGPS Barbar Ami Khel	A.V.P
12.	Ayub Jan	Hassan Jan	N/Qasid	GMS Sarkhana	A.V.P
13.	Nihayat Bibi	Hassan Jan	Sweeper	GGMS Sarkhana	A.V.P
14.	Muhammad Ubaid	Rahman Gul	Chowkidar	GGPS Bilal Abad	A.V.P
15.	Haseeb Ullah	Muqadar Khan	Chowkidar	GGPS Garhi Hayat	A.V.P
16.	Fazal Hussain	Muhammad Siddiqe	Chowkidar	GGPS Mewra	A.V.P
17.	Aftab Khan	Bakhtyar Khan	Chowkidar	GGPS Hayana Payan	A.V.P
18.	Fazal Ali	Zafar Khan	Chowkidar	GGPS Kafari	A.V.P
19.	Seraj Khan	Eid Muhammad	Chowkidar	GGPS Shamshatoo	A.V.P
20.	Syed Shafqat Hussain Shah	Syed Chiragh Hussain Shah	N/Qasid	GGMS Mattani No 1	A.V.P
21.	Arif Ullah	Tariq	Lab Attd	GGHSS Sufaid Sung	A.V.P
22.	Noor Bibi	Adam Khel	Chowkidar	GGHSS Sufaid Sung	A.V.P
23.	Rizwan Ullah	Tariq	Chowkidar	GGHSS Sufaid Sung	A.V.P
24.	Shakil Ahmad	Fazal Mulhaq	Chowkidar	GGHS Shalam	A.V.P
25.	Salma Inam	W/o Inam ul Haq	Lab Attd	GGHS Shalam	A.V.P
26.	Khadim Hussain	Waris Khan	Chowkidar	GGPS Urmar Payan	A.V.P
27.	Faheem Gul Afridi	Spin Gul	Chowkidar	GGPS No 1 Darwazgaio	A.V.P
28.	Fatima	Misri Khan	Sweeper	GGMS Haji Banda	A.V.P
29.	Farzana	Taj Muhammad	Lab Attd	GGHS Ahmad Khel	A.V.P
30.	Tariq Mahmood	Shah Mahmood	Chowkidar	GGPS Badaber Maryamzai	A.V.P
31.	Raza Ullah	Ebadur Rehman	Chowkidar	GGPS Shaghai Bala	A.V.P
32.	Zakir Ullah	Deedar Gul	Chowkidar	GGPS Surizai Bala No 1	A.V.P
33.	Musharaf	Wazir Zada	Chowkidar	GGPS Mera Kichori No 2	A.V.P

Terms and Conditions:

1. He/she will be governed by such rules and regulations as may be prescribed by the Govt from time to time for the category of the Govt Servant to which he / she belongs.
2. His/her service will be liable to terminate at any time & date without any notice.
3. In case of resignation one month prior notice should be given by the official concerned.
4. His / her services is on purely temporary basis and liable to termination / reversion at any time without assigning any notice / reasons.
5. He / she will produce health and age certificate from the surgeon concerned before taking over charge.
6. Charge report should be submitted to all concerned.
7. No TA/DA etc is allowed being for appointment.

7

Note:

Their appointment order shall be verified by the concerned DDO personally from the office Peshawar before handing over charge to the official.

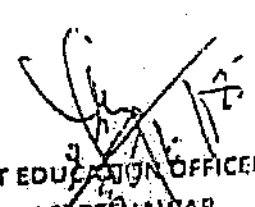
(SOFIA TABASSUM)
DISTRICT EDUCATION OFFICER
(FEMALE) PESHAWAR

Enst: No. 2229-35 /Appointments

Dated Peshawar the 3-12 /2018.

Copy for information and necessary action to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE, Khyber Pakhtunkhwa, Peshawar.
3. Principal/Headmistress Concerned.
4. SDEO (P) Town-I, II, III & IV Peshawar.
5. Superintendant Estb: Local Office.
6. Officials Concerned.
7. Master File.


DISTRICT EDUCATION OFFICER
(FEMALE) PESHAWAR

18/11/2005

Handwritten signature or name at the top left.

Handwritten text at the top right.

Main body of handwritten text, first section.

Handwritten text, second section.

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Handwritten signature at the bottom left.

10/11/2010

1. The first part of the book is devoted to a study of the history of the Indian people.

2. The second part is devoted to a study of the present position of the Indian people.

3.

4. The third part is devoted to a study of the future of the Indian people.

5. The fourth part is devoted to a study of the present position of the Indian people.

6. The fifth part is devoted to a study of the future of the Indian people.

7. The sixth part is devoted to a study of the present position of the Indian people.

8. The seventh part is devoted to a study of the future of the Indian people.

9. The eighth part is devoted to a study of the present position of the Indian people.

10. The ninth part is devoted to a study of the future of the Indian people.

11. The tenth part is devoted to a study of the present position of the Indian people.

12. The eleventh part is devoted to a study of the future of the Indian people.

13. The twelfth part is devoted to a study of the present position of the Indian people.

14. The thirteenth part is devoted to a study of the future of the Indian people.

15.

16. The fourteenth part is devoted to a study of the present position of the Indian people.

District Education Officer (EM) *Prasad D.*

through proper channels
(Principal GMS Gulbarga)

Subject - Sanctioning of Salary

R. I. Malom

The applicant has been working on H.S.D. and in above mentioned school. For the last many months he has been doing his job without giving his salary. The salary has been brought into the principal's notice for a number of times but in vain. It belongs to a poor family and my family is hardly meeting its ends. My salary is requested to be sanctioned to the applicant.

Yours faithfully
R. I. Malom

GMS Gulbarga
Date 15/11/2020

Peshawar

Amited E

Introduction

In pursuance of the Director Endst No 2210-12/A-20/C-W Pesh/V(I) New dated 04/01/2024 regarding appeal for re-installment as mentioned in the title case.

Subject: Appeal for Re-Instatement

12

Procedure:

- (a). To probe into the matter the under signed visited the said school on 08-01-2024 to collect the relevant record.
- (b). DEO (F) Peshawar was approached through letter bearing No219 Dated 26-1-2024 for provision of record

History of the Case:

1. The above mentioned officials were appointed by the DEO (F) Peshawar, against the vacant post of sweeper & N/O Endst No 2219-35 dated 30-06-2018 (Annex----A)
2. The said officials remained absent after the assumption of charge as reported by the H/M GGMS Gulfam Kall Peshawar. (Annex----B)
3. Their absence from duty notice was published by the DEO (F) Peshawar in the leading newspaper with the direction to appear before the competent authority within the stipulated time. (Annex----C)
4. The concerned official failed to appear before the competent authority.
5. On the base of that they were removed from service vide DEO (F) Peshawar Endst No: 2468-71 dated 17-3-2021 & 2495-97 dated 17-3-2021. (Annex---D&E)
6. The instant enquiry is being constituted on the appeal by the accused to the Director E&SE Dated 26-05-2023. (Annex___F)
7. The Questioner served upon the accused along with the replies of the accused are annexed. (Annex___G).
8. Reply of the DEO (F) Peshawar to the Director E&SE, KP is annexed. (Annex___H).

Facts:

1. They were appointed by the DEO (F) Peshawar.
2. They were remained absent from duty without any justified reason.
3. Show cause Notice was served upon them.
4. Absentee Notice was published in the Newspaper.
5. Removal has been made by the competent authority.
6. It is also a fact that the said posts are laying vacant since their removal.
7. It is also a fact that the accused are the local incumbents and land donor.
8. The school is running without class IV, Naib Qasid & sweeper.

Recommendation:

Legal opinion, may be sought out, from the litigation Branch of the Directorate E&SE, as to whether such appeal for Re-Instatement is maintainable on the above mentioned facts or otherwise.

16/03/2024
PRINCIPAL
GHS Dera Bahadur
Peshawar

Enquiry Report in R/O Mr Noor Hakeem EX-N/O and MST Hajra Bibi Ex sweeper GGMS Gulfam Kali Peshawar

Introduction

In pursuance of the Director Endst No 2210-12/A-20/C-W Pesh/VOI New dated 04/01/2024 regarding appeal for re-installment as mentioned in the title case.

Subject: Appeal for Re-instatement

Procedure:

- (a) To probe into the matter the under signed visited the said school on 08-01-2024 to collect the relevant record.
- (b) DEO (F) Peshawar was approached through letter bearing No219 Dated 26-1-2024 for provision of record

History of the Case:

1. The above mentioned officials appointed by the DEO (F) Peshawar against the vacant post of sweeper & N/O indst No 2229-35 dated 30-06-2018 (Annex-A)
2. The said officials remained absent after the assumption of charge as reported by the H/M GGMS Gulfam Kali Peshawar. (Annex-B)
3. Their absence from duty notice was published by the DEO (F) Peshawar in the leading newspaper with the direction to appear before the competent authority within the stipulated time. (Annex-C)
4. The concerned official failed to appear before the competent authority.
5. On the base of that they were removed from service vide DEO (F) Peshawar Endst No: 2468-71 dated 17-3-2021 & 2495-97 dated 17-3-2021. (Annex-D&E)
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7. It is also a fact that the accused are the local incumbents and land donor.
8. The school is running without class IV, Naib Qasid & sweeper.

Recommendation:

Legal opinion, may be sought out, from the litigation Branch of the Directorate E&SE, as to whether such appeal for Re-instatement is maintainable on the above mentioned facts or otherwise.



13

To be substitute bearing same No and Date
DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.

No. 7706 /F.No. /A-20/C-IV/Peshawar/Vol-I
Dated Peshawar the 9/5 /2024
Phone: 091-9225344 Email: d:adm.ee@gmail.com

To

Mr. Jinas Khan (Principal),
GHS Deh Bahadar Peshawar.

Subject:

INQUIRY REPORT IN R/O MR. NOOR HAKEEM EX-NAIB QASID GGMS GULFAM KALI PESHAWAR AND MST. HAJIRA BIBI EX-SWEEPER GGMS GULFAM KALI PESHAWAR.

Memo:

I am directed to refer to your letter No. 227 dated 16/03/2024 on the subject cited above in r/o Mr. Noor Hakeem, Ex-Naib Qasid GGMS Gulfam Kalli Peshawar and Mst. Hajira Bibi Ex-Sweeper GGMS Gulfam Kalli Peshawar and to ask you to submit decisive/clear cut recommendation so as to proceed further into the matter.

P
2024 7/06/2024
Assistant Director (Admn)
Directorate E & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst; No.

Copy forwarded to the

1. District Education Officer (Female) Peshawar.
2. Mr. Noor Hakeem, Ex-Naib Qasid GGMS Gulfam Kalli Peshawar.
3. Mst. Hajira Bibi Ex-Sweeper GGMS Gulfam Kalli Peshawar.
4. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
5. Master File.

P
2024 07/06/2024
Assistant Director (Admn)
Directorate E & Secondary Education
Khyber Pakhtunkhwa, Peshawar



14

To be substitute bearing same No and Date
**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.**

No. _____ /F.No. /A-20/C-IV/Peshawar/Vol-I

Dated Peshawar the 9/5/ 2024

Phone: 091-9225344

Email: ddadm.n.ese@gmail.com

To

Mr. Janas Khan (Principal),
GHS Deh Bahadar Peshawar.

Subject: **INQUIRY REPORT IN R/O MR. NOOR HAKEEM EX-NAIB QASID GGMS GULFAM KALI PESHAWAR AND MST. HAJIRA BIBI EX-SWEEPER GGMS GULFAM KALI PESHAWAR.**

Memo:

I am directed to refer to your letter No. 227 dated 16/03/2024 on the subject cited above in r/o Mr. Noor Hakeem, Ex-Naib Qasid GGMS Gulfam Kalli Peshawar and Mst. Hajira Bibi Ex-Sweeper GGMS Gulfam Kalli Peshawar and to ask you to submit decisive/clear cut recommendation so as to proceed further into the matter.

Assistant Director (Admn)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst; No. 3707

Copy forwarded to the: -

1. District Education Officer (Female) Peshawar.
2. Mr. Noor Hakeem, Ex-Naib Qasid GGMS Gulfam Kalli Peshawar.
3. Mst. Hajira Bibi Ex-Sweeper GGMS Gulfam Kalli Peshawar.
4. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
5. Master File.

R. Rami 07/06/2024
Assistant Director (Admn)

Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar



15

3706

9/15/2024

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR
No. 3706 /F.No./A-20/C-IV/Peshawar/Vol-I
Dated Peshawar the 9/15/2024
Phone: 091-9225344
Email: ddadm.ee@gmail.com

To

The District Education Officer
(Male) Peshawar.

Subject:

ENQUIRY REPORT I/R OF MR. NOOR HAKEEM EX N/O & MST:
HAJIRA BIBI EX SWEEPER GGMS GULFARN KALI PESHAWAR

Memo:

I am directed to refer to the letter No. 227 dated 16/03/2024 along with its enclosures on the subject cited above submitted by Principal GHS Deh Bahadur, Peshawar in respect of Mr. Noor Hakeem, Ex N/Qasbi and Mst; Hajira Bibi, Ex Sweeper GGMS Gulfarn Kali, Peshawar regarding the subject matter and to direct you to ask the I/O to submit decisive/clear-cut recommendations so as to proceed further into the matter.

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

Endst; No. _____

Copy forwarded to the:-

1. Principal GHS Deh Bahadur, Peshawar.
2. Officials concerned.
3. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
4. Master File.

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



16
DIREKTORIYA-I-UMUMIYA-I-TALIM-I-KHYBER PAKHTUNKHWA PESHAWAR.

No. _____ /F.No./A-20/C-IV/Peshawar/Vol-I

Dated Peshawar the 9/5/2024

Phone: 091-9225344

Email: ddadr.n.ese@gmail.com

To

The District Education Officer
(Male) Peshawar.

Subject: ENQUIRY REPORT I/R OF MR. NOOR HAKEEM EX N/O & MST; HAJIRA BIBI EX SWEEPER GGMS GULFAM KALI PESHAWAR

Memo:

I am directed to refer to the letter No. 227 dated 16/03/2024 along with its enclosures on the subject cited above submitted by Principal GHS Deh Bahadur, Peshawar in respect of **Mr. Noor Hakeem**, Ex N/Qasid and **Mst; Hajira Bibi**, Ex Sweeper GGMS Gulfam Kali, Peshawar regarding the subject matter and to direct you to ask the I/O to submit decisive/clear-cut recommendations so as to proceed further into the matter.

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

Endst; No. 3726

Copy forwarded to the:-

1. Principal GHS Deh Bahadur, Peshawar.
2. Officials concerned.
3. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
4. Master File.

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

17

OFFICE OF THE PRINCIPAL GHS DEH BAHADUR PEHSAWAR

NO:298

DATED 04/07/2024

To

The Director
E&SE Peshawar

P-129

Subject: Enquiry report In r/o Mst Hajira Babi Ex Sweeper & Noor Hakeem
Ex N/Q GGMS Gulfam Kali Peshawar

Memo:

Refer to your letter No Nil dated 09/05/2024 regarding the recommendation in the above mentioned enquiry.

In this connection it is stated that all the facts have been dig out and placed on the surface.

The case is quite crystal clear that the appellants are not entitled for Re-instatement

However

Consideration of appeal by the competent authority on humanitarian ground could not be ruled out

Janas Khan
04/07/2024

Janas Khan
Principal
(Enquiry Officer)
GHS Deh Bahadur
Peshawar

1173
04/07/2024

Copy



Notification.

Consequent upon the approval of the competent authority, Mr. Janas Khan, Principal GHS Deh Bahadur Peshawar is hereby nominated as enquiry officer to conduct enquiry in the light of appeal submitted by Mst. Hajra Bibi Ex -Sweeper and Noor Hakeem N/Qasid GGMS Gulfam Kaly District Peshawar (copy attached).

The nomination Notification issued in r/o Muhammad Zahir Principal GHS Nothia Jadeed Peshawar under Endst.No.3542-43 dated 31-10-2023 is hereby recalled.

The enquiry officer shall submit his report possessing facts/ finding with recommendation within Two weeks to this directorate for further necessary action.

Enclosed as Above

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No: 2010-12/A-20/C-IV/Peshawar/Vol-1 New

Dated Peshawar the 04/01/2024

Copy forwarded to the:-

1. Mr. Janas Khan, Principal GHS Deh Bahadur Peshawar (I.O).
(Registered).
2. Muhammad Zahir Principal GHS Nothia Jadeed Peshawar
3. District Education Officer (F) Peshawar w/r to her letter No. 3674 dated 17-06-2023.
4. Headmistress GGMS Gulfam Kaly Peshawar.
5. Official Concerned.
6. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
7. Master File

[Signature] 4/1/2024
Assistant Director (Admin)
Directorate of Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

19
OFFICE OF THE PRINCIPAL GOVT. SHAHEED SAHIBAN HIGH SCHOOL,
NOTHIA QADEEM PESHAWAR

Email: gshsnothia@gmail.com

No. 52

Dated: 13/11/2023

To,

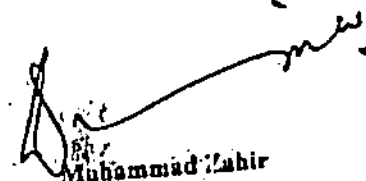
The Director,
Elementary And Secondary Education Department,
Khyber Pakhtunkwa.

**SUBJECT: INCOMPETENCY OF INQUIRY OFFICER REGARDING CONDUCTION OF
INQUIRY IN R/O MST. HAJERA BIBI EX-SWEEPER AND NOOR HAKEEM NAIB QASID OF
GOVERNMENT GIRLS MIDDLE SCHOOL, GULFAM KALY PESHAWAR.**

Respected Sir,

The undersigned has been nominated as an Inquiry Officer by your good Office in R/O Mst. Hajera Bibi Ex-Sweeper And Noor Hakeem Naib Qasid as mentioned in the subject. The undersigned is unable to conduct this inquiry because the undersigned has never been assigned an inquiry duty in his entire service. So he is inexperienced to conduct such a highly sensitive inquiry regarding termination or reinstatement of a government servant.

In my opinion, if the honorable Director agrees, an Officer of Management Cadre not less than UPS-19 may be nominated to conduct this inquiry so that the real facts finding may be dig out and justice may be served.


Muhammad Zahir
Principal
Govt. Shaheed Sahiban High School
Nothia Qadeem Peshawar

Adnan
→

3
15-11-2023

Legible Copy

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) PESHAWAR.**

NOTIFICATION:

1. WHEREAS the Head Teacher, GGMS Gulfam Kallay Peshawar has reported that Mr. Noor Hakim, Naib Qasid, Govt. Girls Middle School Gulfam Kallay Peshawar is absent from duty w.e.from July 2018.
2. AND WHEREAS He was proceeded against under Khyber Pakhtunkhwa Govt. Servant rules 2011 for the charge of wilful absence and show cause notice was published leading Newspaper daily Mashriq dated 31.01.2021 to attend the Office of the 11:00AM Peshawar but neither she resumed the duty nor responded to these notices.
3. AND WHEREAS The competent authority, District Education Officer (Female) Peshawar after having considered the charges, evidence on record, and facts of the case, of the view that the charges of misconduct/wilful absence from duty against the accused has been proved.
4. NOW THEREFORE, in exercise of the powers under Rules-4(b)iii of Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary Rules 2011), the competent authority District Education Officer (Female) Peshawar is pleased to impose Major Penalty of "Removal from Service" upon Mr. Noor Hakim, Naib Qasid GGMS Gulfam Kallay Peshawar with immediate effect. The period of her absence with effect from July 2018 till date is hereby treated as unauthorized absence from duty without pay.

(Samina Ghani)
DISTRICT EDUCATION OFFICER,
(FEMALE) PESHAWAR

Endst.No. 2468-71/

Dated Peshawar the 17-03-2021

Copy of the above is forwarded to the: -

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Director (E&SED) Khyber Pakhtunkhwa Peshawar
3. Deputy Commissioner Peshawar.
4. District Monitoring Officer Peshawar,
5. Headmistress, GGMS Gulfam Kallay, Peshawar.
6. Mr. Noor Hakim reisdnet ofGulfam P.O Badaber Peshawar

Sd/-
Dy. District Education Officer,
(Female) Peshawar

21

C. IV Approved G

The District Education Officer (Female),
Peshawar.

FE 4/5

Subject: Appeal against the Removal

[Handwritten signature]
30/7/21

Respected Madam,

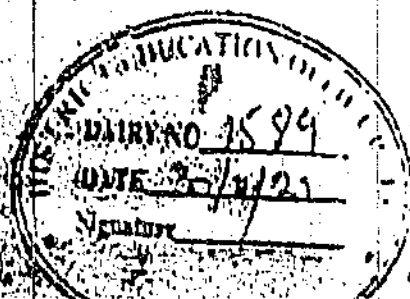
With due respect it is to state that I was appointed as a Qasid against the vacant post in GGMS Gulfam Kalya, Peshawar. Endst: No 2229-35. Appointments dated 30/6/2018. I have been without working and fulfilling my duties since my appointment.

I have been in the services of the Government since my appointment.

Your self is requested to consider the following facts.

- a. That I was considered absent since my appointment/arrival dated July 2018, however I have been working and receiving my salary regularly from my appointment for almost one year.
 - b. That I belong to a very poor family and my children are depending on my salary. Being subordinate I had always been present to fulfill my duties. Being illiterate I do not have the understanding of the official matters or correspondence, and believed on whatever was communicated to me about the salary I owe to the office. I was kept in dark about all this matter until the recent disclosure by the school.
- It is therefore requested to kindly consider my appeal against the removal, reinstate my services and sanction my salaries that I owe to the office.

[Handwritten signature]
You're sincerely
Mr. Noor Hakim
N/Q. GGMS, Gulfam Kaly



To,

The District Education Officer (Female).

Peshawar.

Subject: **APPEAL AGAINST THE REMOVAL**

Respected Madam,

With due respect it is to state that I was appointed as Sweep against the vacant post in GGMS Gulfam Kallay, Peshawar via Endst: N 2229-35/ Appointments dated 30/06/2018. I have been ardently workin and fulfilling my duties since my appointment.

I have been informed recently that I was removed from services via Endst: No.2495-97 dated 17/3/2021 for my absence since my appointment.

Your kind self is requested to consider the following facts,

- a. That I was considered absent since my appointment/arrival dated July 2018; however I have been working and receiving my salary regularly from my appointment for almost one year.
- b. That I belong to a very poor family and my children are depending on my salary. Being subordinate I had always been present to fulfill my duties. Being illiterate I do not have the understanding of the official matters or correspondence, and believed on whatever was communicated to me about the salary I owe to the office. I was kept in dark about all this matter until the recent disclosure by the school.

It is therefore requested to kindly consider my appeal against the removal, reinstate my services and sanction my salaries-that-I owe to the office.

You're sincerely**Mr. Noor Hakim****N/Q GGMS Gulfam Kaly**



22
OFFICE OF THE District Education Officer
(FEMALE) PESHAWAR

No. 3674 Date 17/6/2023

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

Subject: APPEAL FOR RE-INSTATEMENT

Memo: Kindly refer to your letter No. 8581/F.No. /A-20/C-IV Peshawar /Vol-01 /P.F Dated 31-05-2023, in respect of Hajira Bibi Ex Sweeper & Letter No. 8580/F.No. /A-20/C-IV /P.F/ Noor Hakeem / NQ Dated 31-05-2023, and to submit detail history of the case as under:

1. Noor Hakeem S/o Sarzar Khan Ex-Naib Qasid & Hajira Bibi W/O Muhammad Arif was appointed as Naib Qasid & Sweeper in GGMS Gulfam Kaly Peshawar vide this office Endst. No. 2229 - 35 Dated 30-06-2018. Noor Hakeem submitted his arrival report for assumption of charge on 06-07-2018, & Hajira Bibi on 03-07-2018.
2. The Head Mistress GGMS Gulfam Kaly Peshawar reported this office on 27-01-2021 that both of the above named class-IV are absent since August 2018, & requested for appointment of other persons for the school.
3. A notice of their absence from duty was send to the Director General information Khyber Pakhtunkhwa Peshawar for publishing in the leading Newspapers vide letter No. 530 Dated 27-01-2021, which was published in the daily Mashriq on 31-01-2021, in which both of them were directed to resume their duty within 15 days otherwise Ex-Party design will be initiated against them.
4. After a laps of more than 45 days' time both of them were removed from service by treating their absence period from July 2018 till 17-03-2021 as unauthorized absence from duty without pay vide this office Notification No. 2468-71 & 2495-97 dated 17-03-2021.

The report is submitted for your perusal please.

[Signature]
 Dy: District Education Officer
 (Female) Peshawar

Endst: No.

Copy of the above forwarded to the:

- The Section Officer (Complaint) E&SE Department.
- AS to Secretary Elementary & Secondary Education Department.
- Personal File.

22

 20-6-2023

Dy: District Education Officer
 (Female) Peshawar

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23
DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.

No. _____ /F.No./A-20/Class-IV/Peshawar Vol-I New

Dated Peshawar the _____ /2024

Phone: 091-9225344

Email: ddadmncse@gmail.com

To

District Education officer,
(Female) Peshawar.

Subject: **APPEAL FOR RE-INSTATMENT**

Memo:

I am directed to refer to the subject cited above and to enclose herewith a copy of self-explanatory appeal along with its enclosures submitted by **Mst: Hajira Bibi**, Ex-Sweeper and **Mr. Noor Hakeem**, Ex-N/Qasid, GGMS Gulfam Kili, Peshawar regarding the subject matter.

You are therefore directed to inform the appellants that their appeals have been examined/analyzed by this office and **rejected** by the appellate authority in the light of the Enquiry Report.

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

Endst; No. 833

Copy forwarded to the: -

1. Principal/HM Concerned.
2. Appellants Concerned.
3. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
4. Master File.

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

فہرست سوال نمبر 1
- (1) -
- (2) -
- (3) -

- (1) - سوال نمبر 1 سے 10 تک کے مسائل ہیں۔
- (2) - سوال نمبر 11 سے 20 تک کے مسائل ہیں۔
- (3) - سوال نمبر 21 سے 30 تک کے مسائل ہیں۔
- (4) - سوال نمبر 31 سے 40 تک کے مسائل ہیں۔
- (5) - سوال نمبر 41 سے 50 تک کے مسائل ہیں۔
- (6) - سوال نمبر 51 سے 60 تک کے مسائل ہیں۔
- (7) - سوال نمبر 61 سے 70 تک کے مسائل ہیں۔
- (8) - سوال نمبر 71 سے 80 تک کے مسائل ہیں۔
- (9) - سوال نمبر 81 سے 90 تک کے مسائل ہیں۔
- (10) - سوال نمبر 91 سے 100 تک کے مسائل ہیں۔
- (11) - سوال نمبر 101 سے 110 تک کے مسائل ہیں۔
- (12) - سوال نمبر 111 سے 120 تک کے مسائل ہیں۔
- (13) - سوال نمبر 121 سے 130 تک کے مسائل ہیں۔
- (14) - سوال نمبر 131 سے 140 تک کے مسائل ہیں۔
- (15) - سوال نمبر 141 سے 150 تک کے مسائل ہیں۔
- (16) - سوال نمبر 151 سے 160 تک کے مسائل ہیں۔
- (17) - سوال نمبر 161 سے 170 تک کے مسائل ہیں۔
- (18) - سوال نمبر 171 سے 180 تک کے مسائل ہیں۔
- (19) - سوال نمبر 181 سے 190 تک کے مسائل ہیں۔
- (20) - سوال نمبر 191 سے 200 تک کے مسائل ہیں۔
- (21) - سوال نمبر 201 سے 210 تک کے مسائل ہیں۔
- (22) - سوال نمبر 211 سے 220 تک کے مسائل ہیں۔
- (23) - سوال نمبر 221 سے 230 تک کے مسائل ہیں۔
- (24) - سوال نمبر 231 سے 240 تک کے مسائل ہیں۔
- (25) - سوال نمبر 241 سے 250 تک کے مسائل ہیں۔
- (26) - سوال نمبر 251 سے 260 تک کے مسائل ہیں۔
- (27) - سوال نمبر 261 سے 270 تک کے مسائل ہیں۔
- (28) - سوال نمبر 271 سے 280 تک کے مسائل ہیں۔
- (29) - سوال نمبر 281 سے 290 تک کے مسائل ہیں۔
- (30) - سوال نمبر 291 سے 300 تک کے مسائل ہیں۔
- (31) - سوال نمبر 301 سے 310 تک کے مسائل ہیں۔
- (32) - سوال نمبر 311 سے 320 تک کے مسائل ہیں۔
- (33) - سوال نمبر 321 سے 330 تک کے مسائل ہیں۔
- (34) - سوال نمبر 331 سے 340 تک کے مسائل ہیں۔
- (35) - سوال نمبر 341 سے 350 تک کے مسائل ہیں۔
- (36) - سوال نمبر 351 سے 360 تک کے مسائل ہیں۔
- (37) - سوال نمبر 361 سے 370 تک کے مسائل ہیں۔
- (38) - سوال نمبر 371 سے 380 تک کے مسائل ہیں۔
- (39) - سوال نمبر 381 سے 390 تک کے مسائل ہیں۔
- (40) - سوال نمبر 391 سے 400 تک کے مسائل ہیں۔
- (41) - سوال نمبر 401 سے 410 تک کے مسائل ہیں۔
- (42) - سوال نمبر 411 سے 420 تک کے مسائل ہیں۔
- (43) - سوال نمبر 421 سے 430 تک کے مسائل ہیں۔
- (44) - سوال نمبر 431 سے 440 تک کے مسائل ہیں۔
- (45) - سوال نمبر 441 سے 450 تک کے مسائل ہیں۔
- (46) - سوال نمبر 451 سے 460 تک کے مسائل ہیں۔
- (47) - سوال نمبر 461 سے 470 تک کے مسائل ہیں۔
- (48) - سوال نمبر 471 سے 480 تک کے مسائل ہیں۔
- (49) - سوال نمبر 481 سے 490 تک کے مسائل ہیں۔
- (50) - سوال نمبر 491 سے 500 تک کے مسائل ہیں۔

26



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.
Phone: 091-9225344 Email: ddadm.n.ese@gmail.com

Notification.

Consequent upon the approval of the competent authority, **Muhammad Zahir, Principal BS-18 GHS Nothia Jadeed Peshawar** is hereby nominated as enquiry officer to conduct enquiry in the light of appeal submitted by Mst. Hajra Bibi Ex-Sweeper and Noor Hakeem N/Qasid GGMS Gulfam Kaly (Copy Attached). The nomination Notification issued vide this office under Endst. No. 1153-56 dated 16-08-2023 is hereby recalled.

The enquiry officer shall submit his report possessing facts/ finding with recommendation to this Directorate for further necessary action please.

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 3542-43 /A-23/MS/Peshawar/Vol-01 New
Dated Peshawar the 31/10/2023

Copy forwarded to the: -

1. District Education Officer (Female) Peshawar w/r to her letter No.3674 dated 17-06-2023.
2. Muhammad Zahir Principal BS-18 GHS Nothia Jadeed Peshawar (**Inquiry Officer**)
alongwith Appeal of appellants. (**Registered**)
3. Mr. Jehangir Khan Principal BS-19 GHSS Nodeh Payan Peshawar.
4. Head Mistress GGMS Gulfam Kalay Peshawar.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
6. Master File


Deputy Director (F&A)

Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

30/10/23

30/10/2023



13

GOVT. OF KHYBEWR PAKHTUNKHWA
FINANCE DEPARTMENT
No. BOV/FD/2-6/2009-10/Peshawar
Dated Peshawar: the 25th January, 2012.

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department, Peshawar.

Subject:-

UPGRADATION OF GGPS GUL FAM KILLI TO MIDDLE LEVEL
DISTRICT PESHAWAR.

Dear Sir,

I am directed to refer to your letter No. SO (B&A)2-41/09/Peshawar dated 18/01/2012 on the subject noted above and to state that Finance Department agrees to the up-gradation of GGPS Gul Fam Killi to Middle Status in District Peshawar, on developmental side as per details given below, at a total cost of Rs.279,000 w.e.f 01.04.2012 subject to the observance of all codal formalities:-

A01101-Pay of Officers.	01	30,000
SET (BPS-16)		
A01151-Pay of other staff	02	121,700
C.T (BPS-9)	01	
AT (BPS-9)	01	
D.M (BPS-9)	01	
PET (BPS-9)	01	
→ N/Qasid (B-1)	01	
→ Sweeper (B-1)	08	
Total		28,100
A01202-House Rent Allowance		30,000
A01223-Conveyance Allowance.		300
A01207-Washing Allowance		300
A01208-Dress Allowance		21,000
A01217-Medical Allowance		46,700
A0120X-Adhoc Allowance-2010		900
A012AE-Intigrated Allowance.		279,000
Total		

- 2- The expenditure involved is debitable to the Functional-Cum-Object Classification 09-Education Affairs and Services, 092-Secondary Education Affairs and Services, 0921-Secondary Education Affairs and Services, 092101-Secondary Education-A01-Employees Related Expenses and will be met out from within Account-IV of District concerned.
- 3- Audit copy may be prepared and sent to this department for authentication.

Yours faithfully,

(HAYAT-UR-REHMAN)
BUDGET OFFICER-V.

Endst: No. & date as above.

Copy forwarded to:-

Secretary, Peshawar, Peshawar.



Ameen امين

NO. HAKEEM
ZANGI NEHAR GULFAM KALY
PESHAWAR

Statement Period: From 14-OCT-2018 To 11-AUG-2019
Account No: 000153259309
Account Type: CURRENT
Product Type: AMEEN ASAAN CURRENT ACCOUNT
Currency: PAKISTANI RUPEE
Balance: 973.25 Cr
As of: 11-AUG-2019

Reg Cell No: 009103419759665
ILAN No: PK40 UNTL 01/09/0001 5.25 % 09 CHN: 38811707

Account Statement

Date	Particulars	Int. No.	Debit	Credit	Balance
24-OCT-2018	** OPENING BALANCE **				.00
24-OCT-2018	CASH	1510670693		500.00	500.00 Cr
26-OCT-2018	CHEQUE BOOK ISSUANCE CHARGES		250.00		250.00 Cr
26-OCT-2018	FEDERAL EXCISE DUTY		37.50		212.50 Cr
02-JAN-2019	SAL/PEN FOR DEC 2018			79,349.00	79,561.50 Cr
02-JAN-2019	MNET BAL ENQUIRY FEE		5.00		79,556.50 Cr
03-JAN-2019	ILINK BAL ENQUIRY FEE		2.50		79,554.00 Cr
03-JAN-2019	CASH WITHDRAWAL - I LINK		25,000.00		54,554.00 Cr
03-JAN-2019	ILINK WITHDRAWAL FEE		18.75		54,535.25 Cr
03-JAN-2019	CASH WITHDRAWAL - I LINK		15,000.00		39,535.25 Cr
03-JAN-2019	ILINK WITHDRAWAL FEE		18.75		39,516.50 Cr
04-JAN-2019	CASH WITHDRAWAL - I LINK		25,000.00		14,516.50 Cr
04-JAN-2019	ILINK WITHDRAWAL FEE		18.75		14,497.75 Cr
04-JAN-2019	CASH WITHDRAWAL - I LINK		14,000.00		497.75 Cr
04-JAN-2019	ILINK WITHDRAWAL FEE		18.75		479.00 Cr
01-FEB-2019	SAL/PEN FOR JAN 2019			16,522.00	17,001.00 Cr
07-FEB-2019	ILINK BAL ENQUIRY FEE		2.50		16,998.50 Cr
07-FEB-2019	CASH WITHDRAWAL - I LINK		16,000.00		998.50 Cr
07-FEB-2019	ILINK WITHDRAWAL FEE		18.75		979.75 Cr
02-MAR-2019	SAL/PENS FOR FEB 2019			16,522.00	17,501.75 Cr
10-MAR-2019	ILINK BAL ENQUIRY FEE		2.50		17,499.25 Cr
10-MAR-2019	CASH WITHDRAWAL - I LINK		17,000.00		499.25 Cr
10-MAR-2019	ILINK WITHDRAWAL FEE		18.75		480.50 Cr
02-APR-2019	ILINK BAL ENQUIRY FEE		2.50		478.00 Cr
02-APR-2019	SAL/PENS FOR MAR 2019			16,522.00	17,000.00 Cr
03-APR-2019	ILINK BAL ENQUIRY FEE		2.50		16,997.50 Cr
03-APR-2019	CASH WITHDRAWAL - I LINK		16,000.00		997.50 Cr
03-APR-2019	ILINK WITHDRAWAL FEE		18.75		978.75 Cr
03-MAY-2019	SAL/PEN FOR MAY 2019			16,522.00	17,500.75 Cr
06-MAY-2019	ILINK BAL ENQUIRY FEE		2.50		17,498.25 Cr
08-MAY-2019	ILINK BAL ENQUIRY FEE (VALUE DATE: 07-MAY-2019)		2.50		17,495.75 Cr
08-MAY-2019	CASH WITHDRAWAL - I LINK (VALUE DATE: 07-MAY-2019)		17,000.00		495.75 Cr
08-MAY-2019	ILINK WITHDRAWAL FEE (VALUE DATE: 07-MAY-2019)		18.75		477.00 Cr
30-MAY-2019	SAL/PENS FOR MAY 2019			16,522.00	16,999.00 Cr
02-JUN-2019	ILINK BAL ENQUIRY FEE		2.50		16,996.50 Cr
03-JUN-2019	CASH WITHDRAWAL - ATM		16,000.00		996.50 Cr
02-JUL-2019	SAL/PENS FOR JUNE 2019			16,522.00	17,518.50 Cr
03-JUL-2019	CASH WITHDRAWAL - I LINK		16,000.00		1,518.50 Cr
03-JUL-2019	ILINK WITHDRAWAL FEE		18.75		1,499.75 Cr
03-JUL-2019	ILINK BAL ENQUIRY FEE		2.50		1,497.25 Cr
11-JUL-2019	CASH WITHDRAWAL - I LINK		1,000.00		497.25 Cr
01-JUL-2019	ILINK WITHDRAWAL FEE		18.75		478.50 Cr
01-AUG-2019	SAL/PEN JUL 2019			17,522.00	18,000.50 Cr
03-AUG-2019	ILINK BAL ENQUIRY FEE		2.50		17,998.00 Cr
03-AUG-2019	CASH WITHDRAWAL - I LINK		17,000.00		998.00 Cr
03-AUG-2019	ILINK WITHDRAWAL FEE		18.75		979.25 Cr
02-SEP-2019	SAL/PENS FOR AUG 2019			17,522.00	18,501.25 Cr
02-SEP-2019	ILINK BAL ENQUIRY FEE		2.50		18,498.75 Cr
10-SEP-2019	ILINK BAL ENQUIRY FEE		2.50		18,496.25 Cr
10-SEP-2019	CASH WITHDRAWAL - I LINK		18,000.00		

Note: The items and balance shown on this statement should be verified and the branch manager notified within 2 weeks of any discrepancies, otherwise it will be assumed as correct.

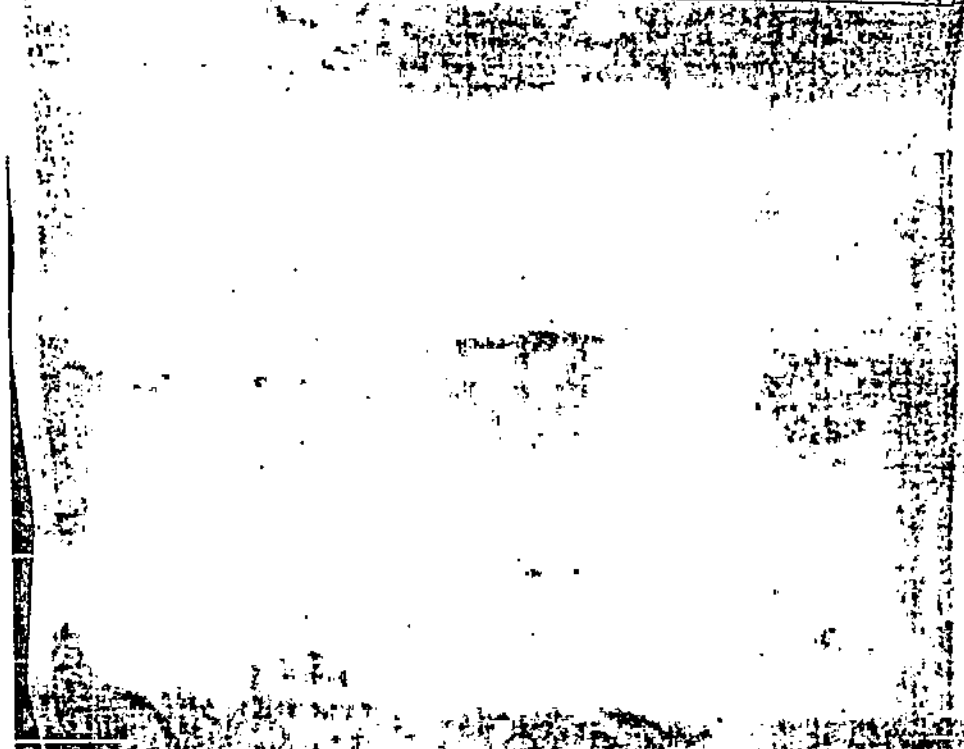
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Handwritten signature and number 29.



Account Statement
NOOR HAKEEM

Date	Particulars	Int. No.	Debit	Credit	Balance
10-SEP-2019	LINK WITHDRAWAL FEE		18.75		496.25 Cr
01-OCT-2019	SAL PIN FOR SLP 2019			17,522.00	477.50 Cr
01-OCT-2019	LINK BAL ENQUIRY FEE		2.50		17,999.50 Cr
05-OCT-2019	CASH WITHDRAWAL - LINK		17,000.00		17,997.00 Cr
03-OCT-2019	LINK WITHDRAWAL FEE		18.75		997.00 Cr
01-NOV-2019	LINK BAL ENQUIRY FEE		2.50		978.25 Cr
14-APR-2020	LINK BAL ENQUIRY FEE		2.50		975.75 Cr
31-AUG-2020	** CLOSING BALANCE **		230,173.75	231,347.00	973.25 Cr
Total Withdrawals & Total Deposits			230,173.75	231,347.00	
Total number of Transactions					



Note: The items and balance shown on this statement should be verified and the branch manager notified within 3 weeks of any discrepancy, otherwise it will be assumed as correct.

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THE ¹[KHYBER PAKHTUNKHWA]
SERVICE TRIBUNALS ACT, 1974.

²[KHYBER PAKHTUNKHWA] ACT NO. I OF 1974.

[28th March, 1974]

CONTENTS.

PREAMBLE

SECTIONS:

1. Short title, commencement and application.
2. Definitions.
3. Tribunals.
- 3A. Adhoc Appointment.
- 3B. Tenure, Terms and condition of service of Chairman and member.
4. Appeals to Tribunals.
5. Constitution of Benches.
6. Hearing of appeals and, their disposals.
7. Power of Tribunals.
8. Abatement of Suits and other proceeding.
9. Limitation.
10. Re-appeal and transfer of cases.
11. Power to make Rules.
12. Repeal.

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

THE ¹[KHYBER PAKHTUNKHWA]
SERVICE TRIBUNALS ACT 1974.

²[KHYBER PAKHTUNKHWA] Act NO. I OF 1974.

[28th March, 1974]

[First published after having received the assent of the Governor of the
³[Khyber Pakhtunkhwa] in the Gazette of ⁴[Khyber Pakhtunkhwa]
(Extraordinary), dated the 28th March, 1974).

AN
ACT

to provide for the establishment of Service Tribunals to exercise jurisdiction in
respect of matters relating to the terms and conditions of service of civil
servants.

WHEREAS it is expedient to provide for establishment of
Administrative Tribunals, to be called Service Tribunals, to exercise
exclusive jurisdiction in respect of matters relating to the terms and
conditions of service of civil servants, and for matters connected therewith or
ancillary thereto;

Preamble.

It is hereby enacted as follows:-

1. (1) This Act may be called the ⁵[Khyber Pakhtunkhwa] Service
Tribunals Act, 1974.
- (2) It shall come into force at once.
- (3) It applies to all civil servants wherever they may be.

Short title,
commencement and
application.

2. In this Act, unless the context otherwise requires, the following
expressions shall have the meanings hereby respectively assigned to them,
that is to say

Definitions.

¹ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.
² Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.
³ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.
⁴ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.
⁵ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

- ¹[(a) 'civil servant' means a person who is or has been a civil servant the meaning of the ²[Khyber Pakhtunkhwa] Civil Servants Act, 1973 ³[Khyber Pakhtunkhwa] Act No. XVIII of 1973) but does not include a civil servant covered by the ⁴[Khyber Pakhtunkhwa] Subordinate Judiciary Service Tribunal Act, 1991.]
- (b) "Government" means the Government of the ⁵[Khyber Pakhtunkhwa]
- (c) "Province" means the ⁶[Khyber Pakhtunkhwa Province] and
- (d) "Tribunal" means a Service Tribunal established under section 3.

3. (1) The Governor may, by notification in the official Gazette, establish one or more Service Tribunals and, where there are established more than one Tribunal, the Governor shall specify in the notification the class or classes of civil servants in respect of whom or the territorial limits within which, each such Tribunal shall exercise jurisdiction under this Act. Tribunals.

(2) A Tribunal shall have exclusive jurisdiction in respect of matter relating to the terms and conditions of service of civil servants, including disciplinary matters.

(3) A Tribunal shall consist of-

- (a) A Chairman being a person who ⁷[is] or has been, or is qualified to be Judge of High Court; and
- ⁸[(b) four members, two of whom shall be from amongst District and Sessions Judges and two from amongst civil servants in BPS-20 and above.]

¹ Substituted vide Khyber Pakhtunkhwa Act No IX of 1991, S. 2.

² Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

³ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

⁴ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

⁵ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

⁶ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

⁷ Inserted vide Khyber Pakhtunkhwa Ord. No. XV of 1982, S. 2.

⁸ Substituted vide Khyber Pakhtunkhwa Act No. XL of 2014, S. 2.

¹[(4) The Chairman and members of a Tribunal shall be appointed by the Governor in consultation with the Chief Justice of the Peshawar High Court.]

(5) The Chairman or a member of a Tribunal may resign his office by writing under his hand addressed to the Governor.

(6) The Chairman or a member of a Tribunal may be appointed by name or by designation.

²[3-A Adhoc appointment.—The Governor may, if necessary or expedient, for a particular case or cases, make an ad hoc appointment on the Tribunal of person qualified to be Chairman or a member as the case may be.]

³[3-B Tenure, Terms and conditions of service of Chairman and members. (1) The Chairman and a member shall hold office for a period of three years or until he attains the age of sixty years, whichever is earlier, and shall not be eligible for re-appointment:

Tenure, Terms and conditions of service of Chairman and members.

Provided that if a judge of the High Court is appointed as Chairman, he shall hold office for a period of three years or until he attains the age of superannuation as judge of the High Court whichever is earlier.

(2) In case, a retired judge of the High Court is appointed as Chairman under clause (a) of sub-section (3) of section 3, he shall hold office for a period of three years and shall not be eligible for re-appointment.

(3) The other terms and conditions of service of the Chairman and members shall be such as may be determined by the Governor.]

4. Any civil servant aggrieved by any final order, whether original or appellate made by a departmental authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him ⁴[or within six months of the establishment of the appropriate Tribunal, whichever is later], prefer an appeal to the Tribunal having jurisdiction in the matter:

Appeals to Tribunals.

Provided that ----

¹ Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.2(b).
² Inserted vide Khyber Pakhtunkhwa Act No. XIII of 1976, S.2.
³ Inserted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.3.
⁴ Inserted vide Khyber Pakhtunkhwa Act No. IX of 1974, S.3 (a).

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- (a) Where an appeal, review or representation to a departmental authority is provided under the¹[Khyber Pakhtunkhwa]Civil Servants Act, 1973, or any rules against any such order, no appeal shall lie to a Tribunal unless the aggrieved civil servant has preferred an appeal or application for review or representation to such departmental authority and a period of ninety days has elapsed from the date on which such appeal, application or representation was preferred;²
- (b) no appeal shall lie to a Tribunal against an order or decision of a departmental authority determining-
 - (i) the fitness or otherwise of a person to be appointed to or hold a particular post or to be promoted to a higher post or grade ;or
 - (ii) the quantum of departmental punishment or penalty imposed on a civil servant as a result of a departmental inquiry, except where the penalty imposed is dismissal from service, removal from service or compulsory retirement³[; and].
- ⁴(c) no appeal shall lie to a Tribunal against an order or decision of a departmental authority made at any time before the 1st July, 1969.]

Explanation.—In this section, "departmental authority" means any authority other than a Tribunal which is competent to make an order in respect of any of the terms and conditions of service of civil servants.

5. (1) There may be constituted one or more Benches, each consisting of— Constitution of Benches.
- (a) the Chairman alone ; or
 - (b) the Chairman and one or more members ; or
 - (c) ⁵[one preferably judicial member] or more member,

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.
² Omitted vide Khyber Pakhtunkhwa Act No. IX of 1974, S.3(b)(i).
³ Replaced vide Act No IX of 1974, S.3 (b)(ii).
⁴ Added vide Khyber Pakhtunkhwa Act No IX of 1974, S.3 (b) (iii).
⁵ Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.4(i)(a)

to be nominated by the Chairman for the purpose of admitting appeals for hearing or dismissing appeals in limine on grounds to be recorded in writing after having heard the applicant or his counsel;

Provided that notwithstanding anything to the contrary contained in this Act, the Bench consisting of the Chairman and one or more members ¹[or] ²[two members] may finally hear and dispose of appeal on merits:

Provided further that no orders shall be made by the Bench under this subsection before giving the appellant or, as the case may be, the parties and their counsel an opportunity of being heard.

³[(2) In case a Bench consisting of more than one member is unable to arrive at a unanimous decision, the appeal shall be referred to the chairman for consideration by the Tribunal.]

Provided that where no majority view can be formed, the appeal shall be referred to other member to be nominated by the Chairman and the decision of the Bench shall be expressed in terms of the view of the majority.

(3) The Chairman may at any stage transfer cases from one Bench to another Bench or to the Tribunal.

(4) Any decision made by the Bench shall be deemed to be the decision of the Tribunal.

6. (1) Except as otherwise provided, the appeals admitted for hearing shall be heard and decided by the Tribunal after giving the parties and their counsel an opportunity of being heard.

Hearing of
appeals and their
disposal.

(2) If any member of the Tribunal is for any reason, unable to take part in the proceedings of the Tribunal, the Chairman and the other member ⁴[or members] may hear or continue to hear and finally dispose of the appeal.

(3) If a Tribunal is unable to arrive at a unanimous decision, its decision shall be expressed in terms of the view of the majority.

¹ Inserted vide Act No. XIII of 1976, S.3.

² Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.4(i)(b).

³ Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.4(ii).

⁴ Deleted vide Act No. XXII of 2013, S.5(i).

(4) ¹[***]

7. (1) A Tribunal may, on appeal, confirm, set aside, vary or modify the order appealed against.

Power of Tribunals.

(2) A Tribunal or a Bench constituted under section 5 shall, for the purpose of deciding any appeal, be deemed to be a civil court and shall have the same powers as are vested in such court, under the Code of Civil Procedure, 1908 (Act V of 1908), including the powers of-

- (a) enforcing the attendance of any person and examining him on oath;
- (b) compelling the production of documents;
- (c) issuing commission for the examination of witnesses and documents ²[; and].
- ³[(d) execution of its decisions.]

(3) No. court-fee shall be payable for preferring an appeal to, or filing, exhibiting or recording any document in, or obtaining any document from, a Tribunal.

8. (1) Save as otherwise provided in section 10 all suits, appeals or applications regarding any matter within the jurisdiction of a Tribunal pending in any court immediately before the commencement of this Act shall abate forthwith:

Abatement of Suits and other proceeding.

Provided that any party to such a suit, appeal or application may, within ninety days of the commencement of this Act, prefer an appeal to the appropriate Tribunal in respect of any such matter which is in issue in such suit, appeal or application.

(2) Where any suit, appeal or application regarding any matter within the jurisdiction of a Tribunal has been disposed of by any court other than the Supreme Court before the commencement of the ⁴[Khyber Pakhtunkhwa] Service

¹Deleted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S. 5(ii).
² Replaced and added vide Khyber Pakhtunkhwa Act No. IV of 2010, S.2.
³ Added vide Khyber Pakhtunkhwa Act No. IV of 2010, S.2.
⁴ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

1. ...
 2. ...
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 8. ...

[Κράτος Βαλκανική] Οργανισμός Νο 1 of 1934 is hereby referred

13 The [Κράτος Βαλκανική] Σχολιασμός Τυπογραφίας Οργανισμός 1933 [Κράτος

13

...

11 Οργανισμός ...

11

...

(3) All ...

Οργανισμός 1931 [Κράτος Βαλκανική] Οργανισμός Νο 2 of 1931 is hereby referred

10 (1) The [Κράτος Βαλκανική] Σχολιασμός (Αρχειοθέτηση Τυπογραφίας)

10

...

8 The ...

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...

811

Tribunals Ordinance, 1973 ¹[Khyber Pakhtunkhwa] Ordinance No. 1 of 1974). any party feeling aggrieved by the decision of such suit, appeal or application may, if such decision has not become final, within ninety days of the commencement of this Act, prefer an appeal to the appropriate Tribunal in respect of any such matter which was in issue in such suit, appeal or application.

9. The provisions of sections 5 and 12 of the limitation Act, 1908 (Act Limitation IX of 1908), shall apply for the purpose of appeals under this Act.

Limitation.

10. (1) The ²[Khyber Pakhtunkhwa] Civil Services (Appellate Tribunal) Ordinance, 1971 ³[Khyber Pakhtunkhwa] Ord No. II of 1971), is hereby repealed.

Re-appeal and transfer of cases.

(2) All Appeals pending before the Tribunal Constituted under the ⁴[Khyber Pakhtunkhwa] Civil Services (Appellate Tribunals) Ordinance 1971 ⁵[Khyber Pakhtunkhwa] Ord No. II of 1971), Shall, with effect from the date of commencement of this act, stand transferred to the appropriate service Tribunal established under this act and be deemed as instituted under this Act.

11. Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

Power to make Rules.

12. The ⁶[Khyber Pakhtunkhwa] Service Tribunals Ordinance, 1973 ⁷[Khyber Pakhtunkhwa] Ordinance No. I of 1974), is hereby repealed.

Repeal.

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

² Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

³ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁵ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁶ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁷ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

POWER OF ATTORNEY

In the Court of Khyber Pakhtun Khwa Jajire Tribunal
Noor Haaveem Peshawar

} For
} Plaintiff
} Appellant
} Petitioner
} Complainant

VERSUS

Govt of Pk and others

} Defendant
} Respondent
} Accused
}

Appeal/Revision/Suit/Application/Petition/Case No. _____ of _____
Fixed for _____

I/W, the undersigned, do hereby nominate and appoint

ZARAJ ANWAR & IMRAN KHAN ADVOCATES, my true and lawful attorney, for me in my same and on my behalf to appear at _____ to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits. Compromises or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or subpoena and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out; and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

AND I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

PROVIDED always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

IN WITNESS whereof I/we have hereto signed at _____
the _____ day to _____ the year _____
Executant/Executants
Accepted subject to the terms regarding fee _____


IMRAN KHAN
Advocate High Court
Mob: 0345-9090648


ZARAJ ANWAR
Advocate High Courts

ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT
FR-3, Fourth Floor, Bilour Plaza, Saddar Road, Peshawar Cantt
Mcbile-0331-9399185
BC-10-9851
CNIC: 17301-1610454-5