

BEFORE THE KHYBER PAKTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 759/2024

Zoor Muhammad khan S/O Sanobar Class-IV Government Primary School
Chinkolai Khwazakhela, District SwatAppellant

Versus

1. Director Elementary and secondary education Khyber Pakhtunkhwa at Peshawar.
2. District Education officer (Male) Swat. Respondents.

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(MUHAMMAD RIAZ)

DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA
(Respondent No. 2)

①

BEFORE THE KHYBER PAKTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 759/2024

Zoor Muhammad khan S/O Sanobar Class-IV Government Primary School
Chinkolai Khwazakhela, District SwatAppellant

Versus

1. Director Elementary and secondary education Khyber Pakhtunkhwa at Peshawar.
2. District Education officer (Male) Swat.

..... Respondents.
Khyber Pakhtunkhwa
Service Tribunal

Parawise Comments on Behalf of the Respondents 1 & 2:

Diary No. 16310

Respectfully shewith
Preliminary objections

Dated 24/10/2024

1. That the Appellant is not an aggrieved person within the meaning of Section 4 of the service tribunal Act, 1974.
2. That the Appellant has no cause of action / locus standi.
3. That the Appellant has not come to this honorable court with clean hands.
4. That the Appellant has filed this instant Service Appeal just to pressurize the respondents.
5. The present Service Appeal is liable to be dismissed for non-joinder/mis joinder of necessary parties.
6. That the instant Service Appeal is against the prevailing law and rules.
7. That the Appellant has filed this instant Service Appeal on malafide motives.
8. That the instant Appeal is **barred by law**.
9. That the instant Service Appeal is not maintainable in the present form, and above in the present circumstances of the issue.
10. That the Appellant has estopped by his own conduct by not accepting his original retirement order on superannuation w.e.f 01.01.2016.
11. That the Appellant has concealed the material facts from this Honorable Tribunal.

FACTS

1. Pertains to record.
2. That this Para is correct to the extent of difference in date of birth and filing of Service Appeal by the Appellant, the rest of the para is incorrect and denied. The date of birth mentioned in pay slip for the month of March 2012 is 05-08-1956. The Appellant has concealed the

material facts from this Honorable Tribunal. The Appellant had filed Civil Suit before the Court of Honorable Civil Judge-II/illaqa Qazi Khwaza khela Swat in which he malafidely did not party his parent department/E&SE Department. The Honorable Court dismissed his Civil Suit on the grounds that the Appellant is a Government Servant and extension in his age will affect the right of any third person which is against the law and rules. The judgment of the Civil Suit may please be considered a part of the instant comments. The correct date of birth of the Appellant is 01-01-1956 according to the Honorable Competent Court Judgment as stated above. When the correct situation appeared before the respondent department, the respondent department constituted an enquiry committee to probe into the matter. The enquiry committee after a detailed enquiry concluded that the correct date of birth of the Appellant is 01-01-1956. Moreover, according to the old CNIC, NADRA database and his own statement the correct date of birth is 01-01-1956. The Appellant got smart card in the year 2017 of the same date of birth. Therefore, retirement order in respect of the Appellant was issued w.e.f 31-12-2015. The Appellant challenged the said order before this Honorable Tribunal which was accepted. However, CPLA No. 184-P/2022 has been filed against the judgment 06.12.2021 which is still pending before the Apex Court. It is pertinent to mention here that the Appellant was directed vide judgment dated 06.12.2021 that he will serve the department till 19.01.2025. **(Copy of Pay slip & Judgment, Enquiry Report, Retirement order, Statement of Junior executive Nadara & CNIC Forms annexed as Annexure A, B, C, D, E & F)**

3. That this para is correct to the extent of reinstatement of the Appellant, the rest of the para is incorrect and denied. The Appellant has not performed his duty regularly. According to his statement in Writ Petition No. 1450-M/2023 filed before Peshawar High Court Mingora Bench/Darul Qaza Swat, the Appellant states that he got stroke attack in the month of January 2023 and he was unable to perform his duty but on the other hand his attendance have been marked in attendance register since 21.11.2022 till 14.09.2023 which is in contradiction to the statement of Appellant. It means that the Appellant has not performed his duty regularly. **(Copy of writ Petition No 1450-M/2023 and attendance register relevant pages annexed as annexure G & H)**
4. That this Para is correct to the extent of application, however, it is quiet astonishing and interesting fact that when the department issued the retirement order of the Appellant on superannuation basis w.e.f 31-12-2015. The Appellant did not accept it and challenged it before this Honorable Tribunal and on the other hand he prayed for retirement on medical grounds. It is also astonishing that the Appellant has now been compulsory retired from service and he still challenged it before this Honorable Tribunal. It is worth to note that on one hand the Appellant

has filed the instant service Appeal but on the other hand he has submitted his retirement case for payments of retirement benefits I.e commutation/pension/gratuity etc which are in process. Even monthly regular pension has been started to the Appellant. It means that the Appellant has even got financial benefits of retirement then how can he challenge the said retirement order? **(Order of Writ Petition No 1450-M/2023, Pension Paper annexed as annexure I & J)**

- 5. Correct.
- 6. Correct.
- 7. That this para is correct to the extent of rejection of application of the Appellant by the scrutiny committee, the rest of the para is incorrect and denied. As stated in the fore going paras, the Appellant was issued retirement order on superannuation on 01.01.2016 which he did not accept and challenged it before this Honorable Tribunal. This Honorable Tribunal allowed him to serve the department till 19.01.2025. Due to his absentees, he was issued compulsory retirement order dated 19.01.2024 after observing all codal formalities. The Appellant also got financial benefits of the said order. But on the other hand, now he is challenging it before this Honorable Tribunal. It is worth to be noted by this Honorable Tribunal that two CPLAs No. 184-P/2022 and 908-P/2023 have already been filed by the respondents which are still pending before the Apex Court. The first one is against the judgment dated 06.12.2021 of this Honorable Tribunal while the other is against judgment dated 26.09.2023 of the Writ Petition No. 836-M/2023 filed before Peshawar High Court Mingora Bench/Darul Qaza Swat. The Appellant also filed Writ Petition No. 1450-M/2023 before Peshawar High Court Mingora Bench/Darul Qaza Swat for retirement on medical grounds but the Honorable Court did not accept his Writ Petition. Another very important point is that the Appellant is a professional litigant and tries to engage the respondent department in unnecessary litigation. As for as his application regarding retirement on medical ground is concerned, the scrutiny committee has rightly rejected his application. The Appellant being a civil servant should have abide by the rules and regulations. If the Appellant was really ill, then he should have applied for leave on medical ground but he did not apply for any such leave. Moreover, as per the directives of the establishment department dated 03.01.2023, TORs have been prepared for such like cases, if a civil servant files request for retirement on medical grounds, he should have taken medical leave in the last five years on the said illness. It is also worth to note that as per directives/letter of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education No. AO/E&SE/6-27/LPR/Misc dated 11.12.2018, it has been directed that the cases of those civil servant may not be processed and may be discouraged who have sufficient service for pre mature retirement. As the Appellant has sufficient service and age for pre mature retirement, therefore, he is not entitled to be issued retirement

order on medical grounds. (Codal Formalities, CPLAs Front pages, TORS with letters annexed as annexure K, L & M)

- 8. Correct.
- 9. That this Para is incorrect and denied. The Appellant has not applied for medical leave before the show cause notice dated 07.12.2023. The Appellant submitted reply to the show cause notice on 18.12.2023 wherein instead of apologizing and explaining reasons of his absences, the Appellant requested for medical leave. In the mean while on the recommendations of enquiry committee, the Appellant was issued compulsory retirement vide order dated 19.01.2024. Thereafter, the Appellant sent two applications through registered post on 25.01.2024 received to office of respondent No. 2 on 27.01.2024 and dated 07.02.2024 received on 12.02.2024 too later than compulsory retirement order. An astonishing point is that the Appellant affixed his thumb on application dated 07.02.2024 while as per his statement in this para, he sent the application through registered post District court Swat on 06.02.2024 (**Receipt of registered Post attached on page 50 with instant Service Appeal**). It clearly means that the Appellant has not come to this Honorable Tribunal with clean hands. (**Application dated 07.02.2024 annexed as annexure N**)
- 10. That this Para is incorrect and denied. As per findings of enquiry committee and answers to questionnaire through his son Mr. Izhar Hussain, the Appellant did not perform his duty w.e.f 01.06.2023 and his son performed duty in his place which is illegal by any means, therefore, the stance of the Appellant regarding performance of duty is incorrect, baseless and without any merit. (**Enquiry Report annexed as annexure O**)
- 11. That this Para is correct to the extent of filling of department appeal, however, being meritless his departmental appeal was not responded.

Thus, the instant Service Appeal is bereft of any merit, hence, liable to be dismissed inter-alia following grounds.

GROUND

- 1. That this Para is incorrect and denied. The respondent department has acted according to the norms of services, laws and rules.
- 2. That this Para is incorrect and denied. The detail reply has already been given in the foregoing paras.
- 3. That this Para is repetition of the above paras, hence, no comments.
- 4. That this Para is again the repetition of above paras, hence, no comments.
- 5. That this Para is incorrect and denied. The detail reply has already been given in the foregoing paras.

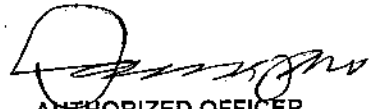
- 6. That this Para is incorrect and denied. The Appellant has been treated in accordance with law, rule and policy.
- 7. That this Para is incorrect and denied. Proper opportunity of personal hearing was provided to the Appellant which he availed.

It is, therefore, very humbly prayed that the instant Service Appeal of the Appellant may be dismissed with cost in favor of the respondents.

SAMINA ALTAF
DIRECTOR



(MUHAMMAD RIAZ)
DISTRICT EDUCATION OFFICER
MALE SWAT.
(RESPONDENT NO.2)



AUTHORIZED OFFICER
DEPUTY DIRECTOR (LEGAL)
ELEMENTARY & SECONDARY
EDUCATION KHYBER PAKHTUNKHWA
(RESPONDENT NO.1)

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

BEFORE THE KHYBER PAKTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 759/2024

Zoor Muhammad Khan S/O Sanobar Class-IV Government Primary School
Chinkolai Khwazakhela, District SwatAppellant

Versus

1. Director Elementary and secondary education Khyber Pakhtunkhwa at Peshawar.
2. District Education officer (Male) Swat, Respondents.

AFFIDAVIT

I, Muhammad Riaz, District Education Officer (M) Swat, do hereby solemnly affirm and declare on oath on the directions and on the behalf of the Respondents that the contents of the comments are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Honorable Tribunal. It is further stated on oath that in this appeal the answering respondent have neither been placed ex-parte nor their defense has been struck off.



4/10/24

(Signature of Muhammad Riaz)

(MUHAMMAD RIAZ)
DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA
(Respondent No. 2)

7



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT

Email: emisswat@gmail.com

Phone No. 09469240228

AUTHORITY LETTER

It is certified that Hussain Ali, Assistant District Education Officer (P&D) Male Swat, Elementary & Secondary Education Department is hereby authorized to submit para-wise comments and attend the Service Tribunal Peshawar on behalf of the respondent no. 2 to 4 in Service Appeal No. 2551/2023 Title Inayat Ur Rahman Vs Secretary E&SE Peshawar and DEO Male Swat on the eve of each hearing till the disposal of the instant case.

(MUHAMMAD RIAZ)

DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA
(Respondent No. 2)

7A



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT

Email: emisswat@gmail.com,

Phone No. 09469240228

AUTHORITY LETTER

It is certified that Zahid Khan, Sub Divisional Education Officer Male Barikot Swat, Elementary & Secondary Education Department is hereby authorized to submit para-wise comments in Service Tribunal Peshawar on behalf of the respondents in Service Appeal No. 759/2024 Title Zoor Muhammad Vs Director E&SE Peshawar and DEO Male Swat.

(MUHAMMAD RAZ)

DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA
(Respondent No. 2)

GOVERNMENT OF PAKISTAN
ACCOUNTANT GENERAL KHIBER PAKHTUNKHWA
DISTRICT SWAT
PAY ROLL SYSTEM



Emps # 00073278
Name: ZOR KHAN
Reg: CHUNDIR
MID NO: 116513237
Date of Birth: 02/08/1956

Emps # 00073278
Name: Education Schools
MID NO: 116513237
Date of Birth: 02/08/1956

AGREEMENT ADVISE
P Sec: 001, Health, Merit, 2012
SWAT - DISTRICT, PAKISTAN

ATTESTED

DIST. COLL. OFFICER (M)
District SWAT

| DEPT CODE | | NET AMOUNT PAYABLE | |
|------------------------------|------------------------------|--------------------|-----------|
| 001-KASB | 000-Housing Allowance | 9,820.00 | 9,820.00 |
| 1310-Courtesy Allowance | 1310-Courtesy Allowance | 810.00 | 810.00 |
| 1300-Medical Allowance | 1300-Medical Allowance | 850.00 | 850.00 |
| 1510-Dress Uniform Allowance | 1510-Dress Uniform Allowance | 1,000.00 | 1,000.00 |
| 1572-Marriage Allowance | 1572-Marriage Allowance | 100.00 | 100.00 |
| 1573-Gratuity Allowance | 1573-Gratuity Allowance | 100.00 | 100.00 |
| 1948-Adhoc Relief Allowance | 1948-Adhoc Relief Allowance | 1,000.00 | 1,000.00 |
| 1970-Adhoc Relief Allowance | 1970-Adhoc Relief Allowance | 2,767.00 | 2,767.00 |
| Gross Pay and Allowances | Gross Pay and Allowances | 19,877.00 | 19,877.00 |
| DEDUCTIONS: | DEDUCTIONS: | | |
| 3501-Provident Fund | 3501-Provident Fund | 373.00 | 373.00 |
| 3511-Gratuity Insurance | 3511-Gratuity Insurance | 120.00 | 120.00 |
| 3604-Group Insurance | 3604-Group Insurance | 58.00 | 58.00 |
| 3640-Emp Edu Fund | 3640-Emp Edu Fund | 10.00 | 10.00 |
| Total Deductions | Total Deductions | 564.00 | 564.00 |
| NET AMOUNT PAYABLE | NET AMOUNT PAYABLE | 19,313.00 | 19,313.00 |

QUALIFYING SERVICE
MRS. MOON
D.O.B. 02/08/1956
Date of Birth: 02/08/1956

SWAT - DISTRICT, PAKISTAN
MID NO: 116513237
Date of Birth: 02/08/1956

Amexare "A"
⑧

**IN THE COURT OF IMRAN AKBAR KHAN CIVIL JUDGE-II/
ILLAQA QAZI KHWAZA KHELA SWAT.**

74

Civil Suit No: 349/1 of 2019
Date of Institution: 27-09-2019
Date of decision: 12-03-2020

(1) Zoor Muhammad s/o Sanobar r/o Gojaro Kalay Miandam
Tehsil Khwaza Khela District, Swat. ----- {PLAINTIFF}

VERSUS

(1) Assistant Manager NADRA office at Tehsil Khwaza Khela
Swat.

(2) Director NADRA office at Saidu Sharif District Swat.

(3) General Manager NADRA at Islamabad, Pakistan.

----- {DEFENDANTS}



**SUIT FOR DECLARATION AND MANADTORY
INJUNCTION**

JUDGMENT
12-03-2020

Imran Akbar Khan
District & Sessions Judge Swat

Plaintiff has filed the instant suit for declaration to the effect that plaintiff's correct date of birth is 20-01-1965 and the defendants are not entitled to mention any other date of birth of the plaintiff in his CNIC & other relevant record of defendants. Furthermore, mentioning date of birth as 01-01-1956 of plaintiff in his CNIC and other relevant record of defendants is illegal

and ineffective upon the rights of plaintiff and liable to be

corrected.

ATTESTED

Imran Akbar Khan
Dist. J. (M)
District Swat.

ATTESTED TO BE TRUE COPY

EXAMINER
District & Sessions Judge
Zilla Sasi, Swat.

No.
Date of Presentation of Application 12-03-2020
Date on which Copy Prepared 12-03-2020
No of Words
Urgent Fee
Name of Copyist
Signature
Copying Fee
of Delivery

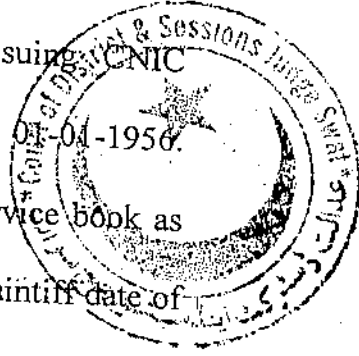
⑧
Co

Mandatory injunction to the effect that defendants may kindly be directed to enter plaintiffs' correct date of birth as 20-01-1965 in their record.

75

Permanent injunction to the effect that defendants may kindly be restrained from their wrong date of birth of plaintiff in their record i.e. 01-01-1956.

Brief facts as per averment of the case are that plaintiff is a permanent resident of village Gojaro Kalay Miandam Tehsil Khwaza Khela District Swat. That the correct date of birth of the plaintiff is 20-01-1965 but at the time of issuing CNIC defendants wrongly entered the date of birth as 01-01-1956. That the plaintiff date of birth is entered in his service book as 20-01-1965, which is correctly and similarly the plaintiff date of birth is also correctly entered in his medical certificate. That if the correction is not made in the plaintiff's CNIC it will create irreparable loss in future. That the plaintiff time and again requested the defendants for the correction but they denied hence, the present suit.



Defendants were summoned. Zia Ullah representative of the defendants appeared and contested the suit by filling written statement on behalf of the defendants and denied the facts of the plaintiff. From the divergent pleadings of the parties following issues were framed.

Zia Ullah
Zia Ullah
District Swat

ISSUES

1. Whether plaintiff has got cause of action? OPP

ATTESTED
[Signature]
Distt. Edu. Officer (M)
District Swat

(S)
(M)
36

2. Whether the suit is within time? OPP
3. Whether plaintiff is estopped to sue? OPD
4. Whether the correct date of birth of the plaintiff is 20-01-1965 which is wrongly incorporated as 01-01-1956 in the record of defendants? OPP
5. Relief.

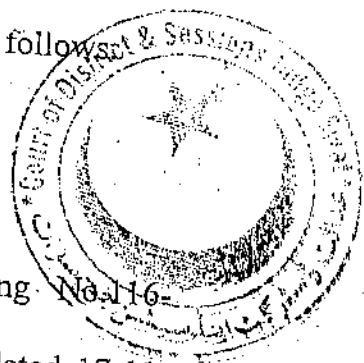
Parties produced pro and contra evidence. After conclusion of evidence of the parties, arguments heard and case file perused. My issue wise findings are recorded as follows:

ISSUE NO. 2:

- **Whether the suit is within time?**

Plaintiff has obtained manual NIC bearing No-116-56139333 as per attested form in the year 1976 dated 17-11-1976. The plaintiff obtained his CNIC form the NADRA in the year 2010. The plaintiff also obtained Smart Card in the year 2017. Throughout this time plaintiff remained silent. Plaintiff is government servant and it will be very illogical to say that he has not checked his CNIC throughout this time even once. Limitation period for filing declaratory suit is six years. Plaintiff has failed to knock the door of court in time and is already estopped to sue by his conduct. As the plaintiff obtained his CNIC in the year 2010 on the basis of his manual NIC, therefore, the suit is come in the ambit of time bar.

Issue is decided in negative.



ATTESTED

[Signature]
Distt. Edu. Officer (M)
District Swat.

(12)

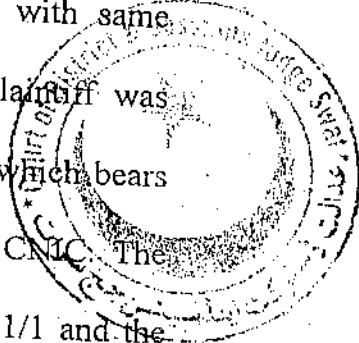
(12)

3/7

ISSUE NO. 3:

- Whether plaintiff is estopped to sue?

The onus to prove this issue is on the defendants. The defendants in support of their contention produced legal representative namely Zia Ullah as DW-1, who stated that plaintiff has himself provided the records to NADRA authorities and himself affix thumb impression. Plaintiff attested the NADRA form from the gazetted officer and the NADRA record duly bear his picture and thumb impression of the plaintiff. Later on the plaintiff also applied for the Smart card with same credentials in the year 2017. Furthermore, the plaintiff was issued CNIC on the basis of manual identity card which bears the same credentials as mentioned in the current CNIC. The defendants exhibited his authority letter as Ex.DW-1/1 and the NADRA record consisting of four pages exhibited as up to Ex.DW-1/3. It is also pertinent to mention here that plaintiff has been using the CNIC issued till now for the period of 09 years and furthermore the forms for smart card also suggest that the plaintiff did not object the record for such a long period of time. Furthermore, the plaintiff is a government servant which will effects the right of any other person.



Hence, keeping in view the above discussion it is hereby held that the plaintiff is estopped to sue as it is estopped by conduct as plaintiff has been using with same credentials for a long period of time.

[Handwritten signature]

Wazir Khan
Civil Judge (Senior Division)
District Swat

ATTESTED
[Handwritten signature]
Dist. Edu. Officer (M)
District Swat.

10(a)

The issue is decided in affirmative.

13

ISSUES NO. 4:

- *Whether the correct date of birth of the plaintiff is 20-01-1965 which is wrongly incorporated as 01-01-1956 in the record of defendants? OPP*

The onus to prove this issue is on plaintiff. The plaintiff in support of his contention himself appeared as PW-1 and relied on his affidavit and also exhibited service book, medical certificate and correction certificate of DEO (M) which are Ex.PW1/1 to Ex.PW-1/4 respectively. During the cross-examination the plaintiff admitted that he is a government servant and make the manual card and also NADRA asked about the correct particulars.



He further produced his brother as PW-3, who rely on his statement already placed on file which is Ex.PW-3/1. The PW-3, during cross-examination orally stated that the correct date of birth of the plaintiff is 20-01-1965 and admitted that plaintiff is a government servant.

From the perusal of record it reveals that plaintiff is a government servant. The Ex.PW-1/2 to Ex.PW-1/4 show that the date of birth of the plaintiff is 20-01-1965 but the plaintiff concealed his manual NIC from the court in which the date of birth of the plaintiff is 1956. Here a question arise that why the plaintiff concealed this fact from the court and furthermore, how the date of birth of the plaintiff is written in his service book as

ATTESTED
Civil Judge (M) Swat

ATTESTED

Dist. Edu. Officer (MM)
District Swat

20-01-1965 as the entry is made in the service book on the basis of manual NIC and CNIC. Furthermore, from the extension in the age of a government servant will affect the right of any third person which is against the law and rules.

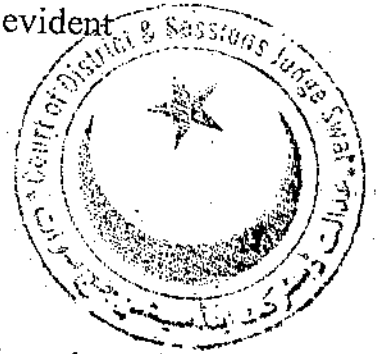
Handwritten marks: a circled '7/3' and a circled '14'.

Hence, keeping in view the above discussion, the issue is decided in negative.

ISSUE NO. 1:

Onus to prove this issue was on plaintiff. However, in the light of my detailed discussion upon issue No. 04, it is evident that plaintiff has got no cause of action.

Issue decided in negative.



RELIEF:

Consequent upon above discussion, it is held that the plaintiff has not proved his case through cogent and reliable evidence. Therefore, suit of the plaintiff is hereby dismissed. Parties are directed to bear their own cost.

File be consigned to record room after necessary completion and compilation.

No. 3245

Date of Presentation of Application 12-03-2021

Date on which Copy Prepared 1

No of Words 06

Agent Fee

ANNOUNCED 12-03-2020

Name of Copyist AHAD KHAN

Signature (IMRAN AKBAR KHAN)

Copying Fee

Date of Delivery 12-03-2021

Civil Judge-II/ Illaqa Qazi Khwaza Khela Swat

CERTIFICATE

Certified that this judgment consists of (06) pages and each page has been read, checked and corrected by me where ever it was necessary.

ATTESTED

DIST. EDU. OFFICER (M)
District Swat

ATTESTED TO BE TRUE COPY

EXAMINER
District & Sessions Judge
Zilla Qazi, Swat.
12-03-2021

(IMRAN AKBAR KHAN)
Civil Judge-II/ Illaqa Qazi
Khwaza Khela Swat
Civil Judge-II/ Illaqa Qazi
Khwaza Khela Swat

Annexure 'C' (15)

OFFICE OF THE PRINCIPAL GOVT: HIGHER SECONDARY SCHOOL FATEH PUR, SWAT:

NO.883

DATED: 11/08/2020

TO

The District Education Officer (M),

Swat at Gul Kada.

SUBJECT: ENQUIRY REPORT REGARDING THE DATE OF BIRTH ISSUE IN RESPECT OF
ZOOR MUHAMMAD CHOWKIDAR GPS GUJARO KALAY, MIANDAM.

Respected Sir,

With reference to your letter No.2559-60/P.file/C-IV Dated:11-07-2020, and received on 18-07-2020 on the subject cited above we, the undersigned Enquiry Committee, contacted both the Head teacher and the subject cited controversial chowkidar of GPS Gujaro kalay, Miandam on 20-07-2020 and informed them about the enquiry. We also informed them to appear before the Enquiry Committee on 22-07-2020 at the SDEO office Khwaza khela along with relevant record available at the school as well as personally with the chowkidar concerned. It was on the fixed date of 22-07-2020 that the Head Teacher concerned attended the Enquiry office along with relevant record but the chowkidar concerned, being ill, did not appear personally and sent his son Mr.Izhar Hussain to represent him. We interrogated both the Head Teacher and the representative son of the chowkidar both verbally and in written form. In response to fill up our written questionnaires both the Head Teacher and the son of the Chowkidar requested to give them three days time to consult with their legal experts and fill up the required questionnaires for which the Enquiry Committee gave them a time of Four days to provide the required answers with due satisfaction.

On 27-07-2020 the Head Teacher concerned appeared before the Enquiry Committee along with copies of the record and submitted the filled questionnaires. He also explained the factual position of the Date of Birth Issue. But even for the second time the Chowkidar concerned did not appear in person because of his illness and again sent his son to represent him along with the filled questionnaires duly marked with his thumb impression and copies of the other relevant record. Replying to a question regarding the court case the son of the chowkidar said that the court case ended unfollowed and bore no conclusion. Actually he tried to conceal the facts regarding the court case.

ATTESTED

[Signature]
Distt. Edu. Officer (M)
District Swat.

We the Enquiry Committee checked the school record available at the SDEO office Khwaza khela. We checked the Daily Attendance Register of the school staff. We also derived information from other neutral sources to find factual position. Having completed checking of the record and the required interrogation procedure both verbally and in written we concluded the following findings regarding the issue.

FACTS/FINDINGS.

- 1) That Mr. Zoor Muhammad was appointed as Cowkidar at GPS Shonga, Miandam on 10-01-1988. Later on he was transferred to GPS Gujaro kalay, Miandam on 08-03-1990.
- 2) That as per record of the school and written statement of the Head Teacher concerned he performed duty at GPS Gujaro Kalay upto 15-12-2016. (Annex "A")
- 3) That he received Monthly Salaries upto 31-01-2020. (Annex: "B")
- 4) That the Head Teacher concerned submitted a letter to the SDEO Khwaza khela on 04-10-2016 mentioning the controversy of the Date of Birth that according to NIC, Medical/Health and Age certificate and Payroll the Date of birth of the Chowkidar concerned was 1956 and according to Service Book as 20-01-1965. (Annex "C")
- 5) That following the letter of the Head Teacher mentioned in S.No.4 the successor Head Teacher also wrote a letter to the SDEO Khwaza Khela on 24-10-2017 mentioning that according to the CNIC and Payroll the Date of Birth of the Chowkidar concerned was 15-08-1956 and that he might be notified as Retired w.e.f. 15-08-2016. (Annex: "D")
- 6) That the Head Teacher and the PTC Chairman concerned, having known about the continuous drawl of salaries by the Chowkidar concerned, wrote another letter to the SDEO Khwaza khela on 10-02-2020 regarding his completion of service on superannuation in 2016 and requested for discontinuation of his salaries. (Annex: "E")
- 7) That for the First time he obtained his NIC from the concerned Department on 17/11/1976 which clearly means that at the time of obtaining his First NIC his age was more than 18 years.

ATTESTED


District Edu. Officer (M)
District Swat.

16

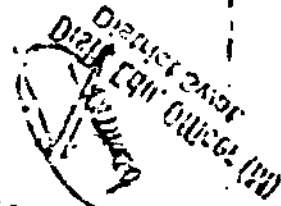
(15)
(17)

- 8) That if at the time of obtaining his First NIC bearing No. 116-56-139333 on 17/11/1976 his age was more than 18 years then his claim to revise his Date of birth to 20-01-1965 is unreasonable which means that at the time of obtaining his First NIC his age was 11 years which means that then he was quite under age.
- 9) That in view of his refusal to provide the CNIC copies of his brothers for comparison of his age with them, we traced the Electoral Roll/Voter List of that area prepared by ECP on 20-05-2018 according to which Mr. Zoor Muhammad is the eldest among his 4 brothers and his age was 62 years. The age of his First younger brother Mr. Gul Muhammad was 60 years. The age of his Second younger brother Mr. Ali Muhammad was 55 years. The age of his Third younger brother Mr. Muhammad Sultan was 44 years. Hence his claim to change his Date of Birth as 1965 instead of 1956 will make his two younger brothers elder than him and mistake in the date of birth of an individual is possible but mistake in the series of all four brothers is unreasonable and illogical. (Annex. "F")
- 10) That the DEO (M) Swat, considering his post vacant, Appointed Mr. Najibullah S/O Zahir Bakht as Chowkidar GPS Gujaro Kalay vide Endst No. 1375-1404/class-IV Appointment, Dated: 23/09/2019 (Annex: "G") but later on his services were placed at the disposal of DEO (M) Swat. (Annex: "H") and now vide order End: No. 756 issued by SDEO Khwaza khela on. 10/02/2020, Mr. Khanadan S/O Sahib Zada has been adjusted as Chowkidar GPS Gujaro Kalay and performing his duty so far. (Annex. "I")
- 11) That although both the DEO (M) and DY DEO (M) Swat wrote letters to Nadra office vide Endst : No. 653-54, Dated: 11/09/2019 for amendment in his Date of Birth, (Annex: "J") yet the chowkidar felt unsatisfied with it following which he filed a petition in the court of Civil Judge II Khawaza khela on 27-11-2019
- 12) That the copy of the Medical/Health and Age certificate provided by the Chowkidar concerned shows his Date of Birth as 20-01-1965 (Annex. "K"), while the copy provided by the SDEO Khwaza khela shows his Date of Birth as 1956 which are contradictory to each other. (Annex: "L")
- 13) That in order to amend his Date of birth in the CNIC he submitted a petition in the court of Civil Judge-II /Allaqa Qazi khwaza khela on 27-09-2019 versus NADRA offices at Khwaza khela and Rahim Abad, Swat..(Annex: "M")
- 14) It is surprising that as the court case was still subjudice in the court mentioned in S.No. 13, and the NADRA office Madyan issued him Revised CNIC on 06-03-2020 and amended his Date of Birth as 20-01-1965 whereas the relevant court dismissed his petition on 12-03-2020. (Annex: "M")

ATTESTED

[Signature]
Distt. Edu. Officer (M)
District Swat.

To be continued



ALLEGED

This act on part of the complainant concerned comes under the
was not held in the court case and situated in the case of BIRTH 22 50-01-1282 and
during court case and obtained revised CIVIC from MADRA office Madras which
before and the court case was still under trial that no concession (acts of the on
made MADRA office Kharata Kharata and MADRA office 22nd 22nd 22nd as opposite
50) that although in the petition filed in the court of CIVIL 1282-11 Kharata Kharata he

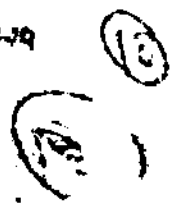
the court on 12/03/2020
conducted in the court after three years on 12/11/2018 which was dismissed by
in the CIVIC but he remained silent over it till the end of his service and
continuously shown to him as false and his monthly salary 22nd 22nd 22nd as well as
12) that he was appointed as a Clerk since 1988 and his date of birth was

mentioned two documents
Date of birth in the service-book is made as the third stage in light of the above
and certificate issued before taking over charge of his new organization until 01
and the certificate issued before appointment as a Govt servant and by his Madras and
18) that the date of birth as mentioned by the applicant is determined by CIVIC

presented by the mentioned son
service book and the duplicate copy of his Health and Age certificate were
and the possible documents of his defense such as his new CIVIC copy of his
before appointment was given to him to express his new birth and date of birth
13) that although the complainant concerned did not appear because of his illness yet

before date of birth mentioned before the revision as 12-00-1928 stands valid
14) that in the court dismissed his petition for revision of date of birth, hence his

and not be conceded (acts from MADRA as well as from Education office
appointed time, hence legally the amendment in the date of birth stands null and
the court order concerned that in the appeal to the higher court in the
12) that in the court order was issued after one week of the issuance of the CIVIC and



- 15) That as the court order was issued after one week of the issuance of the CNIC and the chowkidar concerned has made no Appeal to the Higher Court in the Stipulated time, hence legally the amendment in his Date of Birth stands null and void but he concealed facts from NADRA as well as from Education office.
- 16) That as the court dismissed his petition for Revision of Date of Birth, hence his previous Date of Birth mentioned before the Revision as 15-08-1956 stands valid.
- 17) That although the chowkidar concerned did not appear because of his illness yet proper opportunity was given to him to express his view point and defend himself and the possible documents of his defense such as his new CNIC, copy of his Service Book and the suspicious copy of his Health and Age certificate were presented by his mentioned son.
- 18) That basically the Date of Birth of an Uneducated official is determined by CNIC issued before appointment as a Govt Servant and by his/her Medical/Health and age Certificate issued before taking over charge of his/her obligations. Entry of Date of Birth in the Service -Book is made at the Third stage in light of the above mentioned two documents.
- 19) That he was appointed as a Chawkidar since 1988 and his date of birth was continuously shown to him as 1956 and his monthly payrolls/Salary slips as well as in his NIC/CNIC but he remained silent over it till the end of his service and challenged it in the court after three years on 27/11/2019, which was dismissed by the court on 12/03/2020.
- 20) That although in the petition filed in the Court of Civil Judge-II Khwaza khela he made NADRA office Khwaza khela and NADRA office Saidu Sharif as opposite parties and the court case was still under trial that he concealing facts of the on going Court case and obtained Revised CNIC from NADRA office Madyan which was not party in the court case and amended his Date of Birth as 20-01-1965 and this act on part of the chowkidar concerned comes under Misconduct.

To be continued

ATTESTED

(Signature)
Dist. Edu. Officer (M)
District Swat.

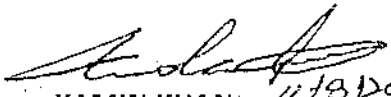
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19


RECOMMENDATIONS:

- 1) That as Mr. Zoor Muhammad Chowkidar failed to provide any solid proof or evidence on the base of which he recorded his Date of Birth as 20-01-1965 in his Service Book, Hence in light of his NIC obtained in 1976, his Medical/Health and Age certificate obtained in 1988, CNIC obtained in 2017 and whereas the petition for the amendment dismissed by the competent court, his Real Date of Birth as mentioned initially in pay rolls as 15-08-1956 stands valid.
- 2) That his retirement notification may be issued w.e.f. 14-08-2016 (Afternoon) and all the salaries or other payments made to him as a Govt: Servant since then may be recovered from him and be deposited in Govt: Exchequer whereas the Education Department Swat should make amends for his duty performed with effect from 15-08-2016 upto 15-12-2016 if admissible under the relevant rules or if allowed by the competent forum.
- 3) That Explanation may be called from the SDEO concerned that why did he make payment of arrears to such an official ignoring his serious issue of date of Birth and his duty position at the school concerned.
- 4) That the SDEOs may please be directed to report such cases in due time as recovery of salaries paid for long period becomes a burden on low scale officials which causes harassment for him/them at the time of Retirement.
- 5) That the case may be filed with no further disciplinary action please.
- 6) That if the department of Elementary and secondary education Swat wants further confirmation, the enquiry report along with all supporting documents may be referred to the district Attorney/Govt Pleader Swat for Final Opinion/ Legal Advice, so that legal complications if any in the future may be avoided please.


NOTE: Copies of all the relevant documents are attached.

ENQUIRY COMMITTEE.


KAMIN KHAN, 11/10/2020
CHAIRMAN,
ENQUIRY COMMITTEE,
PRINCIPAL,
GHSS FATEH PUR, SWAT.


AKHTAR HUSSAIN,
MEMBER,
ENQUIRY COMMITTEE,
SUBJECT SPECIALIST (BPS-18)
GHSS KHWAZA KHELA, SWAT.

ATTESTED


Distt. Edu. Officer (M)
District Swat.



ATTESTED

1- شرح کار کے بارے میں

یہ سہ ماہی امتحان کے نتائج کے بارے میں ہے۔ اس میں شامل اسکولوں کے طلبہ کی فہرست دی گئی ہے۔ ان اسکولوں کے طلبہ نے اس سہ ماہی امتحان میں شرکت کی ہے۔ ان اسکولوں کے نام اور پتوں کی فہرست بھی دی گئی ہے۔

2- شرح کار کے بارے میں

یہ سہ ماہی امتحان کے نتائج کے بارے میں ہے۔ اس میں شامل اسکولوں کے طلبہ کی فہرست دی گئی ہے۔ ان اسکولوں کے نام اور پتوں کی فہرست بھی دی گئی ہے۔

3- شرح کار کے بارے میں

یہ سہ ماہی امتحان کے نتائج کے بارے میں ہے۔ اس میں شامل اسکولوں کے طلبہ کی فہرست دی گئی ہے۔ ان اسکولوں کے نام اور پتوں کی فہرست بھی دی گئی ہے۔

4- شرح کار کے بارے میں

یہ سہ ماہی امتحان کے نتائج کے بارے میں ہے۔ اس میں شامل اسکولوں کے طلبہ کی فہرست دی گئی ہے۔ ان اسکولوں کے نام اور پتوں کی فہرست بھی دی گئی ہے۔

5- شرح کار کے بارے میں

یہ سہ ماہی امتحان کے نتائج کے بارے میں ہے۔ اس میں شامل اسکولوں کے طلبہ کی فہرست دی گئی ہے۔ ان اسکولوں کے نام اور پتوں کی فہرست بھی دی گئی ہے۔

6- شرح کار کے بارے میں

یہ سہ ماہی امتحان کے نتائج کے بارے میں ہے۔ اس میں شامل اسکولوں کے طلبہ کی فہرست دی گئی ہے۔ ان اسکولوں کے نام اور پتوں کی فہرست بھی دی گئی ہے۔

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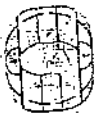
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PAKISTAN National Identity Card
جانبیہ ریفرنسہ برائے پاکستان

Name
Zoor Muhammad



Father Name
Sanober

Gender: **M** Country of Birth: **Pakistan**
 Identity Number: **15602-9372130-3** Date of Birth: **20/09/1985**
 Date of Issue: **06.03.2020** Date of Expiry: **06.03.2030**



Holder's Signature



PAKISTAN National Identity Card

Name
Zoor Muhammad

Father Name
Sanober

Gender: **M** Country of Birth: **Pakistan**
 Identity Number: **15602-9372130-3** Date of Birth: **01.01.1985**
 Date of Issue: **07.09.2017** Date of Expiry: **07.09.2027**



Holder's Signature

ATTACHED

Distt. Edu. Officer (M)
District Swat

6

SPD

15602-0323390-3



پبلک سروس کمیشن
Public Service Commission of Pakistan

101171093794
116-56-139333

گنبدہ کارڈ ملے پر قریبی لیٹر بکس میں ڈال دیں

گنبدہ کارڈ ملے پر قریبی لیٹر بکس میں ڈال دیں



15602-0323390-3



پبلک سروس کمیشن
Public Service Commission of Pakistan

101511159627
116-56-139333

گنبدہ کارڈ ملے پر قریبی لیٹر بکس میں ڈال دیں

| | | |
|---|---|---|
|  | OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) GULKADA DISTRICT SWAT Phone/Fax No. 09469240228 |  |
|---|---|---|

OFFICE ORDER.

Whereas one Mr:Zoor Mohammad Khan was appointed as Chowkidar at GPS Gojaro Kalay on 19.01.1988.

And whereas his date of birth was determined as 01.01.1956 on the basis of Health and age certificate as well as in NIC produced by him as required in first appointment.

And whereas his service book was also prepared being regular employee.

And whereas all of a sudden and without proper permission he managed another Health and Age certificate in which his date of birth was 20.01.1965. And he prepared another service book on the basis of that Health and Age certificate.

And whereas on the basis of his date of birth i.e 01.01.1956 he was declared retired on superannuation, but he provided a new Health and age and service book, showing date of birth 20.01.1965, which has not been accepted by this office.

And whereas Mr: Zoor Muhammad Khan filed a civil suit in Allaqa Qazi Court/Senior Civil Judge which was ultimately decided against him and he did not file appeal against the judgment of the August Court.

Now therefore, on the basis of facts, given above and after perusal of the court order and the recommendations of the enquiry report, the said Mr:Zoor Muhammad Khan chowkidar is declared retired on superannuation with full pensionary benefits as required under the Rules with effect from 31.12.2015

The SDEO/DDO K.Khela is required to calculate the overpayment made to him with effect from 01/01/2016 till last drawl of salary by him and recover the same from his gratuity/pensionary emolument as required under the Rules in the interest of public service.

(MUHAMMAD RIAZ)
DISTRICT EDUCATION OFFICER (M)
SWAT.

Endst: No.13777-78 / LPR/Gen: File.

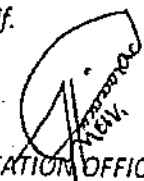
Dated:16/12/2020

Copy forwarded to: -

1. The District Comptroller of Accounts Swat at Saidu Sharif.
2. The SDEO (M) K.Khela.
3. The official concerned.

ATTESTED


Distt. Edu. Officer (M)
District Swat.


DISTRICT EDUCATION OFFICER (M)
SWAT.

قومی شناختی کارڈ فارم (صرف پاکستانی شہریوں کے لیے)



- 1) قوم اور نسل کا یہ سونے والا فرضی طور پر ہے۔
2) یہ خود لکھنا ہے۔
3) اس وقت پاکستان کا شہری ہے یا نہیں۔
4) اگر پہلے کسی اور ملک کا شہری ہے تو وہاں کی قوم اور نسل لکھیں۔
5) یہاں پر اپنا پتہ لکھیں۔
6) اگر کوئی تبدیلی ہے تو اسے لکھیں۔

- 1) میں پاکستانی شہری ہوں۔
2) میں پاکستانی شہری نہیں ہوں۔
3) میں پاکستانی شہری نہیں ہوں اور پاکستانی شہری بننے کے لیے درخواست دے رہا ہوں۔
4) میں پاکستانی شہری نہیں ہوں اور پاکستانی شہری بننے کے لیے درخواست دے رہا ہوں۔
5) میں پاکستانی شہری نہیں ہوں اور پاکستانی شہری بننے کے لیے درخواست دے رہا ہوں۔
6) میں پاکستانی شہری نہیں ہوں اور پاکستانی شہری بننے کے لیے درخواست دے رہا ہوں۔

پانے کا پتہ: 1 1 6 5 6 1 3 9 3 3 3

الف: یہ حصہ 18 سال یا اس سے زائد عمر کے افراد کے لئے ہے۔ (ہر فرد کے الگ فارم پُر کریں)

1. نام: زور محمد
2. پتہ: 1 5 6 0 2 0 3 2 2 3 9 0 3
3. درخواست دہندہ کا پورا نام اور شناختی کارڈ نمبر
4. درخواست دہندہ کے والد کا نام اور شناختی کارڈ نمبر
5. درخواست دہندہ کی والدہ کا نام اور شناختی کارڈ نمبر
6. شادی شدہ صورت کے حاملہ کا نام اور شناختی کارڈ نمبر

17. تعلیمی درجہ: null
18. پیشہ: null
19. مذہب: null
20. زبان: null
21. دیگر معلومات: گجروکل, میاندم, سوات

12. مذہب (صرف ایک): اسلام
13. شادی شدہ: 1. شادی شدہ, 2. شادی شدہ, 3. شادی شدہ, 4. شادی شدہ
14. مذہب (صرف ایک): اسلام
15. زبان (صرف ایک): اردو, پنجابی, سندھی, پشتو, بلوچی, سرائیکی, پنجابی, سندھی, دیگر
16. پیشہ (صرف ایک): ان پڑھ, پانچویں سے کم, چھٹی, ساتھی, آٹھویں, نائٹ, اسیٹنٹ, ایگزیکیوٹو, ایگزیکیوٹو, ایگزیکیوٹو, ایگزیکیوٹو, ایگزیکیوٹو, ایگزیکیوٹو, ایگزیکیوٹو, ایگزیکیوٹو, ایگزیکیوٹو, ایگزیکیوٹو, ایگزیکیوٹو
17. تعلیمی درجہ: 1. پانچویں سے کم, 2. چھٹی, 3. ساتھی, 4. آٹھویں, 5. نائٹ, 6. اسیٹنٹ, 7. ایگزیکیوٹو, 8. ایگزیکیوٹو, 9. ایگزیکیوٹو, 10. ایگزیکیوٹو, 11. دیگر
18. پیشہ: 1. کوئی نہیں, 2. کاشتکار, 3. مزدور, 4. کارکن, 5. تاجر, 6. سرکاری ملازم, 7. آزاد پیشہ, 8. دیگر
19. مذہب (صرف ایک): اسلام
20. زبان (صرف ایک): اردو, پنجابی, سندھی, پشتو, بلوچی, سرائیکی, پنجابی, سندھی, دیگر
21. دیگر معلومات: گجروکل, میاندم, سوات



IN CHARGE NESRC Khuzdar, Balochistan

Inman Akbar Khan Civil Judge Mag Dera Khwakhela Swat

ANNEXURE F Dist. Edu. Officer (M) District Swat

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Annexure 26

**BEFORE THE PESHAWAR HIGH COURT,
MINGORA BENCH/DAR-UL-QAZA AT SWAT**

WRIT PETITION # 1450 - M OF 2023

Zoor Muhammad S/o Sanobar Class IV, Government Primary
School Chinkolai, Kluwaza Khela, District Swat.

(Petitioner)

VERSUS

- 1) Deputy Commissioner Swat.
- 2) The District Education Officer (Male) Elementary & Secondary
Education Swat.
- 3) Assistant District Education Officer (Male), ^{Secondary} Office of the DEO
Male Swat.
- 4) Budget & Accounts Officer District Education (Male), Office of
the DEO (Male) Swat.
- 5) Dealing Assistant / Record Keeper DEO (Male), Swat.

(Respondents)

WRIT PETITION

**WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF
PAKISTAN.**

Respectfully Sheweth:

The petitioner very earnestly seeks permission to
plead the grievances at the hand of respondents
and seeks legal solace while invoking the
Constitutional Jurisdiction of this Hon'ble Court
as follows:

FILED TODAY

27 NOV 2023
Additional Registrar

ATTESTED

That, the petitioner is a law abiding citizen of
District Swat and is on Service as Chaokidar

1 / Page

DIST. Edu. Officer (M)
District Swat.

(27)
(B)

(Class IV) at Government Primary School Chinkolai, Khwaza Khela, District Swat. (Copy of Service Book is annexure "A")

2. That, initially the petitioner was appointed as Chaokidar (Class IV) in Elementary & Secondary Education Swat vide order No. 152-55 dated 10-01-1983. (Relevant documents are attached as annexure "B")
3. That, on the issue of difference in age in the Service Book of petitioner and his Identity Card salary of the petitioner was stopped, against which the petitioner filed departmental appeal, which was not responded & the respondents passed an illegal order No. 13777-78 dated 16-12-2010, wherein petitioner was declared as pre mature retired person with further directions to refund the salary from 01-01-2016 to 01-01-2019. It is pertinent to mention here that the said order was challenged by the petitioner before the learned Service Tribunal Khyber Pakhtoonkhwa at Peshawar vide Appeal No. 10746/2020, which was accepted vide dated 06-12-2021. (Copies of judgment are annexure "C").

That, the petitioner was reinstated in light of judgment *ibid*, vide order No. 1174-18 dated 01-09-2022 by respondent No. 3, and since then the petitioner is performing his duties obediently.

5. That, the petitioner is debilitated person having age of 59 years moved an application before the

ATTESTED

[Signature]
Distt. Coll. Officer (M)
District Swat.

FILED TODAY

27 NOV 2023

Additional Registrar

DEO Swat through proper channel for his retirement on Medical Ground, that the petitioner is on death bed and is the raisin of life & death being a stroke patient (دماغ کا مریض) vide diary No. 4601 dated 11-02-2023. (Copies of application & Medical Prescriptions are annexure "D & E")

6. That, being aggrieved the petitioner filed writ petition No.836-M/2023, before this august Court, and the same had been decided on 26-09-2023 with directions as under:-

"this petition is disposed of in terms of directing the petitioner to approach to respondent No. 3 "District Education Officer, Swat" through clear and unambiguous application, which if moved, shall be decided by the respondent No. 3 (District Education Officer, Swat), in accordance with law, within a period of one month if not earlier."

(Copy of judgment of this august Court dated 26-09-2023 is attached as Annexure "F")

7. That, after the ibid judgment of this august Court, the petitioner moved an application to the learned District Education Officer (Male), Swat / respondent No. 2 on 06-10-2023 and requested therein for implementation as per order / judgment of this august Court, whereas, respondent No. 2 forwarded the application along with order of this august Court of the petitioner to respondent No. 1

FILED TODAY

27.09.2023

Additional Registrar

3 | Page

ATTESTED

Dist. Edu. Officer (M)
District Swat

29

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for further necessary order. (Copy of application is attached as Annexure "G")

- 8. That, the petitioner appeared before the respondents through wheel chair on 16-11-2023, where after application of the petitioner has been dismissed by respondent No. 1 to 5 and the petitioner had not been referred to Medical Board, however his application has been erroneously rejected by respondents. (Copy of minutes is attached as annexure "H")
- 9. That, the petitioner after then also moved an application for review of said order i.e 16-11-2023 to respondents on 17-11-2023, but in vain. (Copy of review application is attached as Annexure "I")
- 10. That, being aggrieved and extremely dissatisfied from the act of respondents, the petitioner has no other adequate remedy except to file the instant constitution petition before this august Court inter alia on the following grounds:-

GROUND: -

A. That, the act of respondent No. 1 for not presenting the petitioner before the Medical Board is illegal, without law / rules, whimsical, capricious and ineffective upon the rights of the petitioner provided by the constitution of

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27 NOV 2023

Additional Registrar

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Distt. Officer
District Swat

Pakistan 1973, hence liable to be declared null and void.

B. That, the petitioner is suffered from stroke illness (دل اور نایاب کا مریض), since January 2023, which left petitioner unable to walk without support and is unable to speak due to paralysis.

C. That, according to law as well as order passed by this august Court & rules, the petitioner be presented before the Medical Board considering the petitioner's illness (دل اور نایاب کا مریض).

D. That, every Muslim firmly believe that life and death are in the hands of Almighty Allah, but from the ostensible illness it seems that if the petitioner is not presented before the Medical Board, the life of the petitioner may cause the death of the petitioner.

E. That, if the petitioner is not presented before the Medical Board and the petitioner died due to said illness during service, the petitioner's pension will be affected and the petitioner's family will face further hardship which amounts to irreparable loss.

F. That, presenting the petitioner before the Medical Board is the legal right of the petitioner provided by law and rules applicable to the

FILED TODAY ATTESTED
27 NOV 2023
Dist. Edu. Officer (M)
District Swat

Addition Registrar

Government Servants as well as order passed in judgment dated 29-09-2023 by this august Court.

G. That, respondent No. 2 have personal animosity with petitioner which is also clear from the attitude of respondent No. 2 whereas due to extreme illness of the petitioner i.e Heart Patient & Stroke Patient دل اور قاع کا مریض the petitioner has been transferred from near school to his abode to other school away up-to 50 Kilo Meters. It is also pertinent to mention here that the petitioner is unable to perform his duties due to his extreme illness how would is possible for his to perform his duties there. It had also been seen by respondent No. 1 on 16-11-2023 that the petitioner appeared before him through wheel Chair.

H. That, due to inappropriate behavior of respondent's office, the petitioner already faced extreme difficulties due to which the wife of petitioner has also been passed away, moreover the said act of respondents is clear cut contempt of Court of this august Court.

- I. That, the act of the respondents are against the norms of justice.
- J. That, the petitioner has not been treated equally and in accordance with the constitution of the Islamic Republic of Pakistan 1973.

ATTESTED

[Signature]
Distt. Edu. Officer (M)
District Swat

FILED TODAY

27 NOV 2023

[Signature]
Additional Registrar

(32) 27

K. That, any other ground shall also be advanced at the time of arguments with the prior permission of this august Court.

It is, therefore, very humbly prayed that on acceptance of this writ petition, this august Court is requested again to issue writ / directions to the respondents to present the petitioner before the Medical Board without wasting further time as the petitioner is in too much bad condition due to his extreme illness of Heart & Stork. Any other remedy coupled with cost, which is efficacious and appropriate, in peculiar circumstances, of the case, may please be graciously granted, though not specifically prayed for.

Petitioner
Through Counsel
[Signature]
UMAR KHITAB
Advocate High Court

List of books:

- 1) Constitution of Islamic Republic of Pakistan 1973
- 2) The Service rules.
- 3) Any other law book / precedents as per need.

[Signature]
Petitioner
Through Counsel
[Signature]
UMAR KHITAB
Advocate High Court

CERTIFICATE.

Certified that no other such writ petition is pending on the same subject matter between the parties, however already a writ petition No. 836-M/ of 2023 has been decided by this august Court.

[Signature]
Petitioner
Through Counsel
[Signature]
UMAR KHITAB
Advocate High Court

FILED TODAY

23/12/2023

Additional Registrar

7 | Page

ATTESTED

[Signature]

Distt. Edu. Officer (M)
District Swat.

GPS Chinkal

2022

رجسٹر حاضری مدرسین

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دستخط و تاریخ

ATTESTED
 District Educ. Officer (M)
 District Swat.

**PESHAWAR HIGH COURT, MINGORA BENCH
(DAR-UL-QAZA), SWAT**

FORM OF ORDER SHEET

Court of

Case No. of

| Serial No. of order or proceeding 1 | Date of Order or Proceedings 2 | Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary. 3 |
|--|-----------------------------------|---|
| | 24.04.2024 | <p><u>W.P 1450-M/2023 With C.M 2265/2023</u></p> <p>Present: Mr. Umar Khitab, Advocate for petitioner. Mr. Rahim Ullah Chitrali, Assistant A.G for official respondents.</p> <p align="center">***</p> <p><u>SYED ARSHAD ALL I</u> Through this petition, filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner seeks the following prayer: -</p> <p><i><u>"It is, therefore, very humbly prayed that on acceptance of this writ petition, this august Court is requested again to issue writ / directions to the respondents to present the petitioner before the Medical Board without wasting further time as the petitioner is in too much bad condition due to his extreme illness of Heart & Stork. Any other remedy coupled with cost, which is efficacious and appropriate, in peculiar circumstances, of the case, may please be graciously granted, though not specifically prayed for."</u></i></p> <p>2. At the very outset, the learned AAG has produced the notification dated 19.01.2024, whereby the petitioner has been compulsorily retired from service and</p> |

Muhtaq Ahmad/SSS*

(D.B)

HON'BLE MR. JUSTICE SYED ARSHAD ALI
HON'BLE MR. JUSTICE MUHAMMAD NAEEMANWAR

ATTESTED

(Signature)
Dist. Edu. Officer (M)
District Swat.

the said order has been challenged by the petitioner before the Services Tribunal, thus, in such circumstances, this petition has become infructuous, which is accordingly dismissed.

Announced
24.04.2024

ATTESTED



Distt. Edu. Officer (M)
District Swat


JUDGE
JUDGE

07/11/24
24/4/2024

Muhtaq Ahmad/SSS*

(D.D)

HON'BLE MR. JUSTICE SYED ARSHAD ALI
HON'BLE MR. JUSTICE MUHAMMAD NAEEM ANWAR.

Annexure 'J'

27

FORM 3 (PEN)
APPLICATION FOR FAMILY PENSION
(To be filled in and signed by the applicant himself/herself)

To:
The District Education Officer (M) Swat.

Dear Sir/Madam,

(1) It is submitted that my Husband/Wife/Daughter _____
has expired on (date) _____ (Death certificate attached) I therefore, requested that
family pension admissible under the rules may kindly be sanctioned to me.

(2) List of my family members are:-

| S.NO | NAME | Relationship with the deceased | CNIC NO | Age / Date of Birth | Marital Status |
|------|------|--------------------------------|---------|---------------------|----------------|
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(3) It is hereby informed that my gratuity / compensation /family pension may
be transferred /credited by the Accounts Office in Bank/Post Office/ DAO Swat Branch
Account No. _____ (DCS form, where is applicable is enclosed)

UNDERTAKINGS

- (4) I do hereby undertake that government may, when one year of pension Payment Order, recover any of its dues from the pension granted to me.
- (5) I do hereby declare that I have neither applied for nor received any family pension or gratuity in respect of any portion of the service included in the application and in respect of which family pension /gratuity is claimed herein, nor shall I submit any application herewith without quoting a reference and to order which may be passed thereon.
- (6) I hereby undertake to refund if the amount of family pension granted to me afterward found to be in excess of that to which I am entitled under the regulation.
- (7) I do hereby declare that I have not received any pension or gratuity in respect of any portion of the service included in this application (in case of anticipatory pension only).

SIGNATURE _____
 NAME _____
 CNIC NO. _____
 THUMB IMPRESSION _____

Dated:- _____ /20__

HEAD OF OFFICE / DEPARTMENT

Note:- Pension to be verified by pension sanction authority/DDO)
Important :- every pensioner family pensioner is bound life certificate / non re-marriage certificate to his/her bank on or before 10th March and 10th September of each year (Annex-A)

ATTESTED
 Sub Divn. Edu. Officer (M)
 Khwaza Khela Swat
 Distt. Edu. Officer (M)
 District Swat
 13/5/20__

FORM 01/01/01
**APPLICATION CERTIFICATES TO BE GIVEN BY THE PENSIONER FOR PENSION /
GRATUITY / COMMUTATION**

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(To be given by the retiring government servant for grant of pension in case of superannuation / retiring / invalid / compensation / compulsory retirement)

To,
The District Education Officer (M) Swat.

Sir/ Madam,

It is submitted that I Mr. Zoor Muhammad S/O Sanobar Chowkidar B-04 GPS Chinkolai Khwaza Khela District Swat on regular basis (please indicate kind of appointment i.e. Regular/Officiating or Acting charge/current charge with effect from 19/01/1988 CNIC No. 15602-0322390-3 (copy enclosed). Nationality Pakistani, personal No. 73278 Cell No. _____ Gmail address _____ Postal address Mingora District Swat that I have retired / have been permitted to retire from government service / I am due to retire / has been retired compulsory on 19/01/2024 . My pension / commutation / gratuity may be transferred / credited by the Accounts Office in Bank /Post Office / Treasury office District Accounts office Swat Branch NBP Khwaza Khela Swat Account No. 1909-0. (DCS form (where applicable) and list of my family members, is enclosed)

UNDER TAKINGS

- (1) I hereby declare that I am not in receipt of any other pension / military or otherwise except PPO No _____ dated _____ Amount _____ Account No _____ Amount _____ department _____ retired on _____
- (2) I do hereby undertake that government may, when one year from the issue of pension Payment Order, recover any of the dues from the pension granted to me.
- (3) I hereby declare that I shall not take part in any elections or engage myself in political activities of any kind within two years from the date of retirement.
- (4) I do hereby declare that I have neither applied for nor received Any pension / commutation/gratuity in respect of any portion of the service included in this application and in respect of which pension/gratuity is claimed herein, nor shall I submit any application herewith without quoting a reference to this application and to the order which may be passed thereon.
- (5) I hereby undertake to refund if the Amount of pension granted to me afterwards found to be in excess of that to which I am entitled under the regulation.
- (6) I do hereby declare that I have not received any pension or gratuity in respect of any portion of the service included in this application.
- (7) I hereby opt for communication @ 35 % (subject to a maximum of 35 %) of my gross pension.

NAME & SIGNATURE _____
OF RETIRING GOVERNMENT SERVANT
(PENSIONER) Mr. Zor Muhammad Chowkidar
B-04 GPS Chinkolai K Khela District Swat.

Dated:- _____ /2024

HEAD OF OFFICER / DEPARTMENT _____
Sd/- Dist. Edu. Officer (M)
Khwaza Khela Swat

Note:- Pension to be verified by pension sanction Authority /DDO.

ATTESTED
Sd/-
Dist. Edu. Officer (M)
District Swat.

13/5/24

39



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT



#: (0946) 9240228
Email: deomswat@gmail.com

#: (0946) 9240228
Web: www.sed.edu.pk

No: 10907 /P/File/Class IV:

Dated 14/5 /2024

To,

The District Comptroller of Accounts
Swat at Saidu Sharif.

Subject:- PENSION CASE.

Memo:-

Enclosed, please find herewith the original Service Book along with the following documents for the Pension case in r/o Mr. Zoor Muhammad Chowkidar B-04 GPS Chinkolai Khwazakhela District Swat is submitted for further necessary action, please.

- | | | |
|-----|--|--------|
| 1- | Original Service Book | 01 No. |
| 2- | Pension Paper | 01 No. |
| 3- | Photo Copy of NIC | 01 No. |
| 4- | Declaration. | 01 No. |
| 5- | Under Taking | 01 No. |
| 6- | Specimen Signature | 01 No. |
| 7- | No Demand Certificate | 01 No. |
| 8- | Thumb Impression | 01 No. |
| 9- | Option | 01 No. |
| 10- | Average emoluments | 01 No. |
| 11- | Photograph | 01 No. |
| 12- | List of Family members | 01 No. |
| 13- | Last pay Certificate | 01 No. |
| 14- | Retirement Order | 01 No. |
| 15- | Bank Option form duly signed by the Branch concerned | 01 No. |
| 16- | Bank NOC /NDC. | 01 No. |
| 17- | Indemnity Bond on stamp paper | 01 No. |
| 18- | Pay Stoppage Certificate. | 01 No. |

ATTESTED
 DISTRICT EDUCATION OFFICER (M)
 SWAT
 Dist. Edu. Officer (M)
 District Swat

Oil

PENSION ROLL DATA SHEET & PENSION SLIP

40

Date of issue : 01.10.2024
 PPO Type : FRESH
 PPO Number : 00073278-01
 Pensioner ID : 00073278
 Pension Register No:
 Pensioner's Name : ZOOR MUHAMMAD
 Father / Husband name : SANOBAR
 Designation: CHOWKIDAR
 NIC No.: 1560203223903
 Grade / Scale : 04
 Department Min: GOVT PRIMARY SCHOOLS(MALE)
 Pensioner's Type: SELF
 Pension Type: COMPULSARY RETIREMENT
 Date of Birth : 20.01.1965
 Date of appointment: 19.01.1988
 Date of retirement: 19.01.2024
 Date of Death:
 Date of commence : 20.01.2024
 Date of Restoration : 19.01.2037
 Accounts office ID : SW
 Accounts office Name : SWAT
 Federal / Province : Khyber Pakhtunkhwa
 Length of Qualifying Service : 36 years, 0 months, 0 days
 Old PPO Number :
 No. and Date of sanction of pension / Letter No. :
 and the date of the other Audit and Accounts officer authorising
 the Pension/Gratuity/Commutation
 Permanent Address: MIANDAM, SWAT

Note :
 Age : 59 years
 Last Drawn pay/Emoluments(Rs.): 35150.00
 Gross Pension(Rs.) : 24605.00
 1/4th Surrendered Portion (Rs.) :
 Commuted Portion (Rs.) : 8611.75
 Net Pension (Rs.) : 15993.25
 Net Family Pension (Rs.) : 0.00
 Amount of Commutation(Rs.) : 1332613.00
 With Held Amount (Rs.) : 0.00
 Life Time Arrears (Rs.) : 0.00
 Arrears Of Pension (Rs.) : 0.00
 Special Additional Pension (Rs.) : 0.00
 Commutation Percentage : 35.00
 Commutation Table value : 12.90
 Recovery on A/C of :
 Debitable to Govt : Khyber Pakhtunkhwa
 Total Net Share
 Federal : 0.00 Punjab : 0.00
 Sindh : 0.00 NWFP : 0.00
 Balochistan : 0.00 Military : 0.00
 AJK : 0.00 Autonomous : 0.00

He/She is also entitled to the following increases

| Sr. No. | Period | Increase % or amount | Increase Amount | W.E.F. |
|---------|----------|----------------------|-----------------|------------|
| 1 | JUL.2022 | 15.00 % | 2398.99 | 20.01.2024 |
| 2 | JUL.2023 | 17.50 % | 3218.64 | 20.01.2024 |
| 3 | JUL.2024 | 15.00 % | 3241.63 | 01.07.2024 |
| 4 | 0. | Rs. 0.00 | 0.00 | |
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[Signature]
 Asst. A/c Officer
 o/o District Comptroller
 of Accounts, Swat

PENSION SLIP

Month: September
 Year: 2024

Pension roll details

| Wage Type | Wage Type Text | Amount |
|-----------|---------------------------|----------|
| /559 | Payment | 29850.00 |
| 0100 | Monthly Pension - Self | 15993.00 |
| 0101 | Pension Increases - Self | 8859.00 |
| 1599 | Medical Allow - Pensioner | 3998.00 |
| 1600 | Med All. 2015 Pensioner | 1000.00 |

[Signature]
 Sub-Div. Edu. Officer (M)
 Tehsil Bannot District Swat.

Bank Details

Bank Account Number : 1909-0
 Bank Branch : KHWAZAKHELA SWAT
 KHWAZAKHELA SWAT
 Payment Mode : NATIONAL BANK OF PAKISTAN

Annexure "K"



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT

#: (0946) 9240228
Email: deomswat@gmail.com

#: (0946) 9240228
Web: www.sed.edu.pk

SHOW CAUSE NOTICE

I Mr. Muhammad Riaz District Education officer (M) Swat under the Khyber Pukhtun Khawa Government Servant (Efficiency & Discipline), Rules 2011, do hereby serve upon you, Mr. Zoor Muhammad Chowkidar GPS Chinkolai Khwazakhela District Swat, this show cause notice as follows:-

1. That as per report of SDEO (M) Khwazakhela dated 30/08/2023, you are negligent towards your duty and whenever the ASDEO (M) Khwazakhela or DCMA's from EMA District Swat visited your school, you were found absent or on C/leave.
2. That an explanation was called from you in this respect, but your reply is quite astonishing, unacceptable and unsatisfactory.
3. That whenever a Civil servant falls ill, as per rules, he will apply for medical leave and will take medical leave, but as per your reply, you have not even applied for medical leave since your illness and also did not attend the school.
4. That, it is quite astonishing and unacceptable reply that your son is performing duty in your place. This kind of practice is not allowed by any means.
5. That as per DCMA's report from EMA District Swat you are also found to be absent time and again i.e.
 - i. Dated 13/04/2023 unauthorized absent.
 - ii. Dated 06/05/2023 leave.
 - iii. Dated 01/06/2023 unauthorized absent.
 - iv. Dated 10/11/2023 unauthorized absent w.e.f. 08/11/2023.
6. That your re-instatement has been made on the direction of Honorable Khyber Pukhtun Khawa Service Tribunal conditionally subject to the final outcome of CPLA filled by the department, but you failed to perform your duty to the satisfaction of the department.
7. As a result thereof, I as the competent Authority have tentatively decided to proceed against you under the above mentioned E&D Rules 2011 (Rule 4(b) (iii)). You are therefore, required to show cause as to why major penalty of removal from service should not be imposed upon you.
If your reply to this office is not received within 07 days of its delivery, it shall be presumed that you have no defense to put in and in that case Ex-parte action shall be taken against you.

(Muhammad Riaz)
DISTRICT EDUCATION OFFICER (M)
SWAT

Endst: No. 1256-58 /G/File Dated 7/12 /2023.

Copy forwarded to:-

- 1- The Director of Elementary and Secondary Education Khyber Pukhtun Khwa, Peshawar.
- 2- The SDEO (M) Khwazakhela Swat is directed to serve the show cause notice.
- 3- Mr. Zoor Muhammad Chowkidar GPS Chinkolai Khwazakhela Swat.
- 4- P.A to DEO (M) Swat local office.

ATTESTED

[Signature]
Dist. Edu. Officer (M)
District Swat.

[Signature]
DISTRICT EDUCATION OFFICER (M)
SWAT



OFFICE OF THE
SUB-DIVISIONAL EDUCATION OFFICER (MALE)
KHWAZA KHELA, DISTRICT SWAT

No. 1683

Dated: 30/11/2023

To

The District Education Officer (Male)
Swat

SUBJECT: REPLY TO EXPLANATION OF ZOOR MUHAMMAD CHOWKIDAR
GPS CHINKOLAI

Memo:-

Reference to your good office Endst: No. 371/C-VI/ Dated: 14-11-2023.

- 1: Reply of Mr. Zoor Muhammad chowkidar GPS Chinkolai is attached which is self-explanatory.
2. Reply of PSHT GPS Chinkolai is attached which is self-explanatory.
3. ASDEO concerned Mr. Samiullah is agree with the statement of PSHT and he forwarded the same.

Now, the above reports are hereby submitted with the remarks that the EMA reports of unauthorized absenteeism on different dates are based on reality and deduction of salary has been already made as per your directions, please.

ATTESTED

Zoor Muhammad
Dist. Edu. Officer (M)
District Swat.

[Signature]
Sub Divnl. Edu. Officer (M)
Khwazakhola Swat


(43) عالیقدر جناب (SDEO) صاحب سید و شریف ضلع سوات

عنوان! درخواست برائے جوکھار کی غیر حاضری کی وضاحت!

جناب عالی!

موردبانہ گزارش کی جاتی ہے کہ GPS سینکڑوں میں زور محمد جوکھار
ہے۔ مگر زور محمد خود فالج کا بیمار ہے اور ان کے جگہ اس کا بیٹا محمد اظہار
ڈیوٹی دے رہا ہے۔ مہی کا بیٹا بھی کھوار اپنا والد ڈاکٹر کو معائنہ
کرنے لے جاتا ہے۔ جبلی وجہ سے اکثر سکول سے غیر حاضر رہتا ہے
جن تاریخوں پر مانیٹر نے ان کو غیر حاضریاں لے لیں تو وہ یہی بیان
کرتا ہے کہ والد صاحب ڈاکٹر کے پاس لے جایا تھا۔ جناب والا!
ان تاریخوں کی کٹوتی بھی کی ہے۔ اسلئے وضاحت پیش
خدمت ہے۔ فقط

العارفین



Head Master,
GPS Chitochel Bunt
Code 110211

ہیڈ ماسٹر GPS سینکڑوں

The above statement is
based on fact Report
is Submitted to SDEO for
further action photo.

ATTESTED


Distt. Edu. Officer (M)
District Swat.


Samiullah
A.S.D.E.O (M) Primary
Circle Khwazakhela Swat.
20/11/2023



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT

Phone: (0946) 9240228
Email: dcmswat@gmail.com

Phone: (0946) 9240228
Web: www.sed.edu.pk

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No. 371 /C-VI/Expl:

Dated 14/11 /2023

Mr. Zoor Muhammad Chowkidar
GPS Chinkolal Khwazakhela Swat.

Subject:- Explanation.

Memo:

During the monthly visits of DCMA's from EMA District Swat you are being reported unauthorized absent or on leave continuously as follows.

1. Dated 13/04/2023 unauthorized absent.
2. Dated 01/06/2023 unauthorized absent.
3. Dated 06/05/2023 leave.
4. Dated 10/11/2023 unauthorized absent w.e.f 08/11/2023.

Your repeated status of unauthorized absence or leave show that you are continuously absent from your duty and don't attend your school which is gross misconduct, inefficiency and negligence on your part.

It will lead you to be proceeded under E&D rules 2011 if found regular absent from your duty.

Therefore you are directed to explain your position within 05 days through your SDEO (M) Office Khwazakhela Swat otherwise disciplinary proceedings will be initiated against you under E&D rules 2011.

(MUHAMMAD RIAZ)
DISTRICT EDUCATION OFFICER (M)
SWAT

Endst: No. 372-73

Copy of the above is forwarded for information to:-

1. The Deputy Commissioner Swat.
2. The SDEO (M) Khwazakhela Swat with the directions to visit the school and submit your report regarding the explanation.
3. The ASDEO (M) Khwazakhela Swat with the same directions.
4. The Head Teacher GPS Chinkolay with the same directions.
5. The DMO EMA District Swat.
6. The Official concerned.

ATTESTED

DISTRICT EDUCATION OFFICER (M)
SWAT

District Edu. Officer (M)
District Swat

جناب ڈسٹرکٹ ایجوکیشن آفیسر مردانہ ضلع سوات
برساعت، ایس۔ ڈی۔ ای۔ اور مردانہ سیکولر خواجہ ضلع سوات

مکتوبہ:۔ جواب بحوالہ سر اسلم 37/4.17 محرمہ 1423ھ
جناب عالی! مدعی حیدر علی جو اب دہشتے کا جاوٹ کرتا ہے
1:۔ بہتر آپ حیدر علی کی وفاقی نمائندہ Explan سر اسلم
مخبرہ 2/21 کے بارے میں سکول پبلیشر مری کے پسر کو
عامل پورا۔

2:۔ پسر نے مدعی زور محمد اور میر جہاں ملازم کو ریٹس پورا مری
سکول چنگوٹی خواجہ سوات قباغ اور دریل کے مریوں میں
بٹلا 2۔ اور زورئی روہیل چیمبر پور زوریا 2۔

3:۔ بہتر مدعی بشیر مراد پور 2۔ اور قباغ اور دریل کا مری
پورے کے باوجود مدعی جون تک بنا عہدہ طور پر حاضری
کرتا تھا۔ لیکن سرکاری ڈیوٹی مری کے بیماری کے
اسی ماہ پسر سرانجام دینا تھا مری اور اس ماہ پسر
دوڑوں سکول اپا کرتے تھے۔

4:۔ بہتر مدعی نے آپ کے حرمہ ایک دستہ بحوالہ ڈاکٹری
بشر میں 4 محرمہ 1423ھ اور سال کیا تھا۔ کہ مری قباغ
اور دریل کا مری ہے۔ اور روہیل چیمبر پور زورئی گزارنے پر
میسور 2۔ مری کو سید لیل کے بنیاد پر پتہ کیا جائے۔
یا دیگر صورت میں مری کے پسر کو ڈیوٹی کرنے کو اجازت
دیا جائے۔ لیکن؟ پ حیدر علی نے مری کے زوریا
پسر کوئی حکمانہ کارروائی نہیں کی۔ اور نہ مری کو ایسی قسم کی
الطاف دیا گیا ہے تقریباً جون کے بعد مری کے پسر نے
سرکاری ڈیوٹی سرانجام دینا شروع کیا ہے۔

ATTESTED
Dist. Edu. Officer (M)
District Swat

5. ہم سرگرمی سرکاری کپھاری میں مبتلا ہو جائے۔
 لڑوہ سید ذکریا کو لیکر دفتر سے رجوع کرتا ہے۔ اور اس
 آپد پر کمرہ عمت با با ہو جائے گا۔ لیکن مدی پر غالباً
 فروری 2023 کو فاج اور ریل کا حکم ہوا۔ جس کے وجہ
 سے مدی کا جسم سفور ہو۔ اور وہ پل چیکر کو سوال
 شروع کیا۔ مدی نہ چل سکتا ہے۔ نہ بول سکتا ہے۔ اور
 نہ خود کا سکتا ہے۔ بلکہ روزمرہ فرنی میٹار کے بنیاد
 پر فرنی گزار رہا ہے۔ اور اگر مدی کو عام بیماری ہو نا۔
 لڑوہ ضرور سید ذکریا کو لیکر رجوع کرنا چاہئے۔ مدی صفری
 کے وہ سے لڑوہ کرتے تھے۔ اس کے سوا لڑوہ کے سوا اور کسی سے لڑوہ نہیں تھا۔
 6. ہم کم مدی کے مایہ اور تصواہ سے 13/11/23 اور 6/12/23 کے
 حصے کا کٹوتی ہو چکا ہے۔ حالانکہ ان مایہوں پر سید ذکریا
 سے حصے لیا تھا۔ چونکہ مدی کہی کبار ڈاکٹر کے پاس صاپنہ
 کیے جاتا ہے۔ لڑوہ مایہ ان کے خدمت کیے ان کے پاس ہوتا ہے
 لیکن آگے کیے اور لڑوہ نہیں کیے گا۔

7. ہم کم مدی کے سکول میں حاضر ہے بارے میں آپ وہاں
 سائتم ایسی۔ ڈی۔ ای۔ اور مکمل خوارہ ٹیلہ اور سائتم
 سید ذکریا سے صلہ مان کر سکتے ہے۔ کم مدی پیدل کے
 سائو یا فاعدی سے تقریباً جون تک حاضر رہا ہے۔
 لیکن جون میں مایہ اور بھائی کمرہ میں کے وہ مدی کے جگہ
 مدی کا پاس آگے سکول جا یا کرتا تھا۔ اور ڈاکٹر کرنا تھا۔
 اور مایہ فروری 2023 میں سکول کا مایہ صاپنہ ہوتا ہے
 سید ذکریا کے پاس ہے۔ کم وفا حتی جواب

Forwarded to
SDEO(M) Circle
K. Khela for necessary
Action

منفرد ذکا سرگرمی یا
 العبد
 مدی
 شماره 2023

Forwarded to
D. Bis in Swat
for further necessary
action plz.

ATTESTED
 Dist. Edu. Officer (M)
 District Swat

29/11/23
 SDEO K.K.

Office of the Sub Divisional
Education Officer (M)

Khwaza Khela District Swat Phone: 0946-744535
Email: sdeomkhwazakhela@gmail.com Facebook: SDEO Male Khwaza Khela Swat

Reference no: 1661/SDEO(M)KK
Dated: 30th August 2023

The Honorable
District Education Officer (M)
At Gulkada Saidu Sharif Swat

NEGLECTANCE IN DUTY

Memo:

Mr. Zoor Muhammad S/O Sanobar was adjusted at GPS Chinkolai Tehsil Khwaza Khela Swat against the vacant post of Chowkidar in the light of Honorable DEO (M) Swat office letters no:4429 dated:08/10/2022 and 735 dated: 27/10/2022, being allowed to serve his duty until 19-01-2025 via Honorable DEO (M) Swat Office Order having Endst No:117/P.F/215/M/DEO/Swat dated:01/09/2022 because of the Khyber Pakhtunkhwa Service Tribunal Judgment dated: 06-12-2020 with the acceptance Service Appeal No.10746/2020 and set aside the impugned order dated: 16-12-2020 with the directions to allow the Appellant to serve duty until 19-01-2025.

Now that the ASDEO Circle concerned reported that during his surprise visits he found the same mentioned Chowkidar as Absent on casual leave and thus the same is the case with EMA (IMU). The undersigned also paid surprise visits to the same school and found him absent or on casual leave however the teacher attendance register shows that he performs his duty but frequent absentee and casual leaves indicated his negligence in duties. Explanations in the same matter have been called from the Chowkidar concerned as well as Head Teacher of the school but their responses are unsatisfactory, Now therefore the case is submitted in your honor for further necessary action under the service rules please.

Sub Div: Edu Officer (M)
Khwaza Khela Swat

ATTESTED
Dist. Edu. Officer (M)
District Swat

بجائزت جناب SDEO صاحب سرکل غواڑہ فیلم سوات

عنوان: درخواست برائے وضاحت غیر حاضری

جناب عالی!

مودبانہ گزارش کی جاتی ہے کہ میں 8/8/2023 پر ASDEO صاحب

نے غیر حاضر کیا تھا۔ یہ کہ بندہ کا والد صاحب زور محمد خان فابج
کا مریض ہے۔ وہ چلنے پھرنے کا قابل نہیں اور اپنا ڈیوٹی
سہ انجام نہیں دے سکتا۔ میں اُن کے جگہ پر ڈیوٹی دے

رہا ہوں۔ کبھی کبھار میں اسے ڈاکٹر کے پاس لے جاتا ہوں۔ جس
کا درجہ سے میں سکول سے غیر حاضر رہتا ہوں۔

والد صاحب انتہائی بیمار ہے۔ اور میڈیکل پیر ریٹائرمنٹ

لینے کا خواہش مند ہے۔ لہذا DEO صاحب سے التماس کی
جاتی ہے کہ والد صاحب کو میڈیکل پیر ریٹائرمنٹ کرنے کے
احکامات جاری کرے۔ تو عین نوازش ہوگی۔

العارض

۱۵۶۰۵۰۳۵۹۰۶۵-۹

اظہار حسین ولد زور محمد سنگھ گوجر کوٹہ میانم



اظہار حسین

ATTESTED



Dist. Edu. Officer (M)
District Swat

Statement

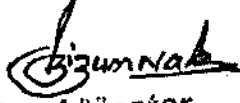
PSHT. GPS Chinkolai

48

جناب عالی!

آج 9⁸/₂₀₂₃ کو ASDEO اور SDO صاحبان

نے ہمارے سکول کا ویزٹ کیا اور کلاس فور زور محمد کو
غیر حاضر پایا۔ جس پر SDEO صاحب نے وضاحت طلب کی
تو وضاحت کی جاتی ہے کہ ان کے بیٹے سے رابطہ کیا گیا تو معلوم
ہوا کہ وہ آج بہت سخت بیمار ہے اور طبیعت نامناسب
ہونے کی صورت میں ڈاکٹر کے پاس لیا گیا تھا۔ تاہم وقت
پر اطلاع نہیں دی گئی تھی۔ بیٹے نے تاہم ایمر صبی پر قیام
رہنے اطلاع نہیں دے سکے۔ اسکے بندہ کو غیر حاضر مارکی
کیا گیا۔ رپورٹ عرض ہے۔


Head Master,
GPS Chinkolai Swat.
Code No: 21746

ATTESTED

Distt. Edu. Officer (M)
District Swat

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

CPLA No. 908-P/2023

Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary
Education Department, Peshawar & others

.....PETITIONERS

VERSUS

Zoor Muhammad Khan

.....RESPONDENT

Appeal from : Hon'ble Peshawar High Court Mingora
Bench (Dar-ul-Qaza) Swat

Counsel for Petitioner : Advocate General, Khyber Pakhtunkhwa,
Peshawar


Instituted by : Mian Saadullah Jandoli, AOR

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CERTIFIED that the paper book has been prepared in accordance with the rules of the
Court and all the documents necessary for due appreciation of the court have been
included in it. Index is complete in all respect.

(Mian Saadullah Jandoli)
Advocate-on-Record
Supreme Court of Pakistan
For Government/Petitioners

ATTESTED

Distt. Educ. Officer (M)
District Swat

(51)

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

CPLA NO. 184-P 2022

District Education Officer (Male) Elementary & Secondary
Education Swat & others ----- **PETITIONERS**


VERSUS

Zoor Muhammad Khan & another ----- **RESPONDENTS**

Appeal from : *KPK, Service Tribunal, Camp Court, Swat*
Counsel for Petitioner : *Advocate General, KPK, Peshawar*
Instituted by : *Moin-ud-Din Humayun, AOR*

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ATTESTED

Dist. Edu. Officer (M)
District Swat



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(REGULATION WING)**

No. SO(Polcy)/E&A/D/32012/APP Rules
Dated Peshawar, the January 03, 2023

(F)
(2) (52)
Annexure 'M'

- To
1. Additional Chief Secretary, P&D Department.
 2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
 3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
 4. All Heads of Attached Departments in Khyber Pakhtunkhwa.
 5. All Deputy Commissioners in Khyber Pakhtunkhwa.

Subject - TERMS OF REFERENCE OF THE SELECTING COMMITTEES FOR EXAMINE THE CASES/REQUESTS OF PRE-MATURE RETIREMENT OF CIVIL SERVANTS ON MEDICAL GROUNDS.

Dear Sir,

I am directed to refer to the above cited subject and to state that invalid pension has been provided for in Rule 6 of the Khyber Pakhtunkhwa Civil Servants Pension Rules, 2021. Moreover, Rule 10 (4) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 provides for appointment of widow/widwid of a civil servant who retires on medical grounds or is incapacitated/invalid. In this regard this department vide letter of even number dated 07-03-2022 had issued instructions for constituting Selecting Committees at Departmental/District Level for examining the expediency of civil servants who intend to board out on medical grounds. Though such committees have been constituted and notified, however, a question has arisen as to what are the TORs of the said committees.

2. The matter has been examined in this department. Following Terms of Reference may be adhered to by the Selecting Committees while taking up the cases of civil servants who intend to retire on medical grounds:

- i. Selecting Committee shall examine the request of the civil servant for retirement on medical grounds keeping in view his service history viz-a-viz medical history as per below proforma:

| Sr | Leave taken during the last 5 years | Major reasons for seeking leave alongwith medical report by authorized medical officer | Number of days availed as leaves on medical grounds | Remarks |
|----|-------------------------------------|--|---|---------|
| | | | | |

- ii. Selecting committee will examine the apparent physical condition to determine/look into the bodily or mental infirmity so that cases of only genuine nature are sent to Standing Medical Board.
- iii. To ensure that genuine cases are promptly forwarded to Standing Medical Board.

Yours faithfully,

(Signature)
SAMIR AMIN
Section Officer (Policy)

Encls: Nil & Date: 03/01/23

Copy for information to the:

1. PSC in Chief Secretary, Khyber Pakhtunkhwa.
2. PS to Secretary Establishment, Government of Khyber Pakhtunkhwa.

(Signature)
A2

(Signature)
Section Officer (Policy)

ATTESTED
(Signature)

Distt. Edu. Officer (M)
District Swat

BETTER COPY

11/11/21

53

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(REGULATION WING)
No.SO (Policy)E&AD/1-3/2012/APT Rules
Dated Peshawar the January 03, 2023

To

1. Additional Chief Secretary, P&D Department.
2. The Senior Member Board of revenue Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt of Khyber Pakhtunkhwa.
4. All Heads of attached Departments in Khyber Pakhtunkhwa,
5. All Deputy Commissioners in Khyber Pakhtunkhwa.

Subject: TERMS OF REFERENCE OF THE SCRUTINY COMMITTEES FOR EXAMINE THE CASES/REQUESTS OF PRE-MATURE RETIREMENT OF CIVIL SERVANTS ON MEDICAL GROUNDS.

Dear Sir,

I am directed to refer to the above cited subject and to state that invalid pension has been provided for in Rule 6 of the Khyber Pakhtunkhwa Civil Servants Pension Rules, 2021. Moreover, Rule 10(4) of Khyber Pakhtunkhwa Civil Servants (Appointments, Promotion & Transfer) Rules, 1989 provides for appointment of widow/child of a civil servant who retires on medical grounds or is incapacitated/invalidated. In this regard this department vide letter of even number dated 07.6.2022 had issued instructions for constituting Scrutiny Committees at Department/District level for examining the cases/ requests of civil servants who intend to board out on medical grounds. Though such committees have been constituted and notified, however, a question has arisen as to what are the TORs of the said committees.

2. The matter has been examined in this department. Following Terms of Reference may be adhered in by the Scrutiny Committees while taking up the cases of civil servants who intend to retire on medical grounds:

i. Scrutiny Committee shall examine the request of the civil servant for retirement on medical grounds keeping in view his service history viz-a-viz medical history as per below proforma:

| S# | Leave taken during the last 5 year | Major reasons for seeking leave alongwith medical report by authorized medical officer | Number of days availed as leave on medical grounds | Remarks |
|----|------------------------------------|--|--|---------|
| | | | | |

ii. Scrutiny Committee will examine the apparent physical condition to determine/look into the bodily or mental infirmity so that cases of only genuine nature are sent to standing medical board.

iii. To ensure that genuine cases are promptly forwarded to standing medical board.

Yours faithfully
Section officer (Policy)

Endst: No. & Date Even:

Copy for information to the:

1. PSO to Chief Secretary Khyber Pakhtunkhwa.
2. PS to Secretary Establishment, Government of Khyber Pakhtunkhwa.

Section officer (Policy)

ATTESTED
Dist. Estbl. Officer (M)
District Swat

ANX E

(20)

GOVT. OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

No. AC/E&S/26-27/1.P/11/12
Dated Peshawar the December 17, 2012

To

- i. The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.
- ii. The Director,
Curriculum & Teachers Education,
Khyber Pakhtunkhwa, Abbottabad.
- iii. The Director,
PITE Khyber Pakhtunkhwa,
Peshawar.
- iv. The Directorate of Education,
Merged Districts Secretariat,
Khyber Pakhtunkhwa, Warank Road Peshawar.
- v. All District Education Officers (Male & Female),
in Khyber Pakhtunkhwa.

SAJID HUSSAIN
17/12/12

SUBJECT: RETIREMENT ON MEDICAL GROUNDS.

I am directed to refer to the subject noted above and to state that cases of retirement on medical grounds may not be processed if a civil servant has sufficient length of service and is eligible for premature retirement. If such a civil servant apply for retirement on medical grounds, he may be discouraged and advised to apply for premature retirement.

S.H. All
(HASIMATULLAH)
SECTION OFFICER (ACCOUNTS)

Ends of copy No. & Date:

Copy forwarded to the:

- 1. PS to Secretary, E&S Department Khyber Pakhtunkhwa.
- 2. PS to Special Secretary, E&S Department Khyber Pakhtunkhwa.
- 3. PA to Additional Secretary (Estab) E&S Department Khyber Pakhtunkhwa.
- 4. PA to Deputy Secretary (Admin) E&S Department Khyber Pakhtunkhwa.

S.H. All
SECTION OFFICER (ACCOUNTS)

ADDE

11/12, 17/12, 17/12, 18/12, 17/12

ATTESTED

Attested
[Signature]
Distt. Edu. Officer (M)
District Swat

BETTER COPY 19.20

(SS)

Govt of Khyber Pakhtunkhwa
Elementary & Secondary Education Department
No.AO/E&SE/6-27/LPR/Misc
Dated Peshawar the December 11, 2018

To,

- i. The Director
Elementary & Secondary Education Khyber Pakhtun
khwa Peshawar.
- ii. The Director,
Curriculum & Teachers Education
Khyber Pakhtun Khwa Abbotabad
- iii. The Director,
PITE Khyber Pakhtun khwa Peshawar.
- iv. The Directorate of Education.
Merged Districts Secretariat,
Khyber Pakhtun khwa, Warsak Road Peshawar.
- v. All District Education Officers (Male & Female),
In Khyber Pakhtun khwa.

Subject: RETIREMENT ON MEDICAL GROUNDS

I am directed to refer to the subject noted above and to state that cases of retirement on medical grounds may not be processed, if a civil servant has sufficient length of service and is eligible for premature retirement. If such a civil servant apply for retirement on medical grounds, he may be discouraged and advised to apply for premature retirement.

HASHMATULLAH
SECTION OFFICER (ACCOUNTS)

Endst: of even No. & Date:

Copy forwarded to the:

1. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.
2. PS to Special Secretary, E&SE Department Khyber Pakhtunkhwa.
3. PS to Additional (Estab) Secretary, E&SE Department Khyber Pakhtunkhwa.
4. PS to Deputy Secretary (Admn), E&SE Department Khyber Pakhtunkhwa.

SECTION OFFICER (ACCOUNTS)

ATTESTED
Dist. Edu. Officer (M)
District Swat

Annexure N^o

(56)

To,

Honorable District Education officer Male Elementary
and Secondary Education Swat.

Subject:- APPLICATION FOR MEDICAL LEAVE WITH EFFECT FROM
1-5.2024 TO 19/1/2025.

Respectfully Sheweth,

- i. That the appellant was performing his duty as chowkidar at G.P.S. Chinkolai Khawazakhela swat.
- ii. That the appellant is serious patient of Hear and stroke .
- iii. That the appellant already submitted an application for medical leave to your good honour with effect from 13/12/2023 to 14/1/2024 vide post office receipt No, 108 dated 16/12/2023 and another application submitted for Medical leave with effect from 14/1/2024 to 30/4/2024 vide post office receipt No, 1183 dated 25/1/2024 along with Medical prescriptions.
- iv. That the appellant retired dated on 19/1/2025 superannuation (60 years).
- v. That the appellant on death bed and un able to perform his duty.
- vi. That under K.P civil servants Revised leave-rules 1981 the appellant is entitled for medical leave 365 days on full pay.
- vii. That if have any doubt about the disease of the appellant , produce the appellant before the Medical board.

You are therefore, humbly prayed to accept the appellant instant application and grant the further Medical leave with effect from 1/5/2024 to 19/1/2025.

Inlan.
7/2/24

Zoor Muhammad Chowkidar
Government Primary school
Chinkolai Khawazakhela Swat.
Dated 7/02/2024.

ATTESTED
Dist. Edu. Officer (M)
District Swat.

12/01/24
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From
Mr Ali Sher Khan Principal GHSS Barikot Swat

To
The DEO (M) Elementary & Secondary Education District Swat

Subject: Personal hearing of Mr. Zoor Muhammad Chowkidar GPS Chinkolai Khwazakhela Swat.

Caption of the Enquiry:

To interrogate Mr. Zoor Muhammad and record his personal hearing and submit facts and findings and detailed report along with recommendations to the office of worthy DEO (M) Swat marked to the undersigned.

Date of Enquiry: 11th January, 2024.

Place of Enquiry: Office of DEO (M) Swat

Brief Facts:

Brief facts of the case are that the worthy DEO (M) Swat served a show cause notice upon Mr. Zoor Muhammad on 07-12-2023 after calling an explanation as to why major penalty of removal from service as per Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011 should not be imposed upon the accused as he remained negligent towards his duty as per report of SDEO (M) Khwazakhela and found absent or on casual leave during several visits of DCMA's to which Mr. Zoor Muhammad submitted his written reply on 15-12-2023 and applied for Medical Leave w.e.f 13-12-2023 to 14-01-2024 in the same written reply as he claimed that he is ill and unable to continue his further duty. Moreover, Mr. Zoor Muhammad has already made his issue spoiled as he claimed his date of birth 1965 instead of 1956 while there is difference in his date of birth according to his CNIC, Medical Certificate & service book for which he had also filed a civil suit which was dismissed by honorable court. As Mr. Zoor Muhammad was working as Class-IV since 10-01-1988 hence his retirement order on superannuation was issued on 01-01-2016 after conducting an inquiry regarding the date of birth of the accused. Feeling aggrieved from the said order of retirement, Mr. Zoor Muhammad filed an appeal in Service

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26/11/2024

ATTESTED

Distt. Edu. Officer (M)
District Swat

Tribunal which was accepted and the department was directed by the court concerned that he may be allowed to perform his duty till 19-01-2025. Feeling aggrieved from the said order of Service Tribunal the department has filed CP No. 184-P/2022 before the august Supreme Court which is still pending.

Meanwhile, the accused has filed an application for retirement on Medical grounds on 04-11-2023 for which the DEO (M) Swat requested to Deputy Commissioner Swat for the purpose to conduct a meeting of scrutiny committee with regard to the retirement on medical grounds in respect of Mr. Zoor Muhammad & three others. The ten members scrutiny committee unanimously recommended that none of them be retired on medical grounds as they have not qualify the criteria meant for retirement on medical grounds and directed the DEO (M) Swat to ensure their presence at their respective stations. Feeling aggrieved Mr. Zoor Muhammad filed a writ petition against the minutes of the scrutiny committee meeting dated 17-11-2023. The honorable court issued directions to Deputy Commissioner and DEO (M) Swat to furnish comments within 10 days. Then the DEO (M) Swat authorized the undersigned to conduct an inquiry on the basis of the show cause notice issued to the Class-IV concerned.

Procedure:

To probe the matter comprehensively, Mr. Zoor Muhammad Chowkidar was interrogated through his son Mr. Izhar Hussain as the physical condition of the accused Chowkidar was unable to answer the questions personally. After serving upon him a prolonged questionnaire and detailed discussion, Mr. Izhar Hussain concisely summed up that his father wants to be retired on medical grounds as he is unable to perform his duty in judicious manner because of his illness of apoplexy and heart disease which was also evident from his physical appearance during his personal hearing. Mr. Izhar Hussain further stated that as his father was not well so he performed his duty in place of his father Mr. Zoor Muhammad since 01-06-2023 which is illegal by any means, while as per his medical reports the accused Chowkidar became ill in the month of January 2023.

It is worth to mention that there is contradiction in the statement of the accused as he was not happy from the retirement order on the basis of superannuation issued on 01-01-2016 by not accepting and challenging it

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Distt. Edu. Officer (M)
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before the Service Tribunal and now he wants retirement on medical grounds.

Recommendations:


In the light of the above mentioned findings and the perusal of the entire relevant record, I, the Enquiry Officer reached to the conclusion and proposed the following recommendation:

1. As the accused Class-IV has completed his 36 years' service and now not in the position to continue his duty properly so he may please be compulsory retired immediately as per E&D Rules 2011.
2. As the relevant school i-e, GPS Chinkolay Khwazakhela Swat would require a Class-IV after the retirement of Mr. Zoor Muhammad and he has only one son Mr. Izhar Hussain who is the sole breadwinner of his family so he may please be appointed as a Class-IV on humanitarian basis.



13/01/24

Enquiry Officer
Mr Ali Sher Khan principal
GHSS Barikot Swat

ATTESTED

Dist. Edu. Officer (M)
District Swat.

سوائے نام بطور زور و غیر حق لکھنا ہے۔ جی پی سی چینگولی سوات

- 1- آب کا اسم لگائی ؟
- 2- آب محکمہ تعلیم میں کب لکھی ہوگی ؟
- 3- آب کی عمر کتنی ہے ؟
- 4- آب کس قسم کی بیماری میں مبتلا ہے ؟
- 5- آب کب سے بیمار ہیں ؟
- 6- کیا آب نے بیمار ہونے ہی سے Medical Leave لینے کی درخواست دی تھی ؟
- 7- اگر جواب ہاں میں ہے تو ثبوت پیش کریں ۔
- 8- آب اکثر سکول سے غیر حاضر ہونے میں وجہ بیان کریں ۔
- 9- سب سے فوارہ خیلے نے آب کو رپورٹ کیا ہے کیوں ؟
- 10- DCMA اور ASDEO نے بھی آب کو غیر حاضر پایا ہے کیوں ؟
- 11- 13 اپریل اور یکم جون 2023 کو آب سکول سے غیر حاضر لکھے کیوں ؟
- 12- 08، 09، 10 نومبر 2023 کو آب غیر حاضر پایا ہے پس وجہ بیان کریں ۔
- 13- کورٹ کے حکم کے باوجود آب اپنے ڈیوٹی پر حاضر نہ ہو سکے کیوں ؟
- 14- آب نے بیان دیا ہے کہ آب کی جگہ آب کا بیٹا ڈیوٹی لیکے آتا ہے کیا یہ درست ہے ؟
- 15- کب سے وہ یعنی آب کا بیٹا آب کی جگہ ڈیوٹی سرانجام دے رہا ہے ؟
- 16- کس نے حکم پر آب کا بیٹا آب کی جگہ ڈیوٹی سرانجام دے دیا ہے ؟
- 17- دوسرے کی جگہ ڈیوٹی سرانجام دینا غیر قانونی اور غیر اخلاقی نہیں ہے ؟
- 18- جب آب ڈیوٹی نہیں کرتے تو کیوں نہ آب کو ملازمت سے برخواستہ کیا جائے ؟
- 19- مذکورہ مسئلے کے بارے میں اپنی رائے تحریر کریں۔

ATTESTED
 Verified
 Dist. Edu. Officer (M)
 District Swat

۱۱ اسی زور سے

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۱۴ نواح اور ضلع

۱۵ ۷ مہائی

۱۶ میں نے اس لیے میں نے درخت لگے

۱۷ بیماری کے وجہ سے

۱۸ ایسے سوال ہیں ڈاکٹر کے پاس ہیں

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۲۳ آج میں سے پتہ ڈیوٹی دیں یا میں

۲۴ جنوں سے

۲۵ D-E-O زبانی محمد علی

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۲۷ میں اس بارہ میں نہیں جانتا

۲۸ میں جانتا ہوں میں والدین کے

۲۹ میں جانتا ہوں جو Board medical پر ڈیڑھ سالوں

Handwritten signature and notes: 28, 563, 20, 3472

ATTESTED Dist. Edu. Officer (M) District Swat



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT

#: (0946) 9240228
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OFFICE ORDER.

The undersigned is pleased to nominate Mr: Ali Sher Principal GHSS Barikot for personal hearing of Mr. Zoor Muhammad Chowkidar GPS Chinkolai Khwaza Khela District Swat on the basis of show cause notice issued vide this office Endst: NO.1256-58 dated 07.12.2023, and his reply submitted to this office which is not satisfactory. The enquiry Officer is further requested to record his personal hearing and submit facts findings & detailed report/ recommendations to this office within 05 days positively for further necessary action.

(MUHAMMAD RIAZ)
DISTRICT EDUCATION OFFICER (M)
SWAT

Endst: 2266-67 /P/File/C-IV

Dated 21/12 /2023.

Copy forwarded to:-

1. Mr: Ali Sher Principal GHSS Barikot with the request to receive the original file of the Class-IV from Mr: Muhammad Irfan J/C and then to return after personal hearing please. Further Mr. Bakht Rahman Litigation Officer & M. Irfan D/A can be contacted for facilitation and briefing if any.
2. The SDEO (M) Khwaza Khela Swat.
3. P.A to District Education Officer (M) Swat local Office.
4. The Head Teacher GPS Chinkolai Swat
5. The Official concerned

DISTRICT EDUCATION OFFICER (M)
SWAT

JOK
ATTESTED
Muhammad
Dist. Edu. Officer (M)
District Swat