

18.01.2016

Appellant in person and Mr. Zubair Ali, ADO
alongwith Mr. Muhammad Saddique, Sr.G.P for respondents
present. Appellant requested for adjournment as his counsel
is busy before the august Peshawar High Court, Abbottabad
Bench. Adjourned for rejoinder and final hearing before D.B
to 19.07.2016 at Camp Court A/Abad.


Member


Chairman
Camp Court A/Abad

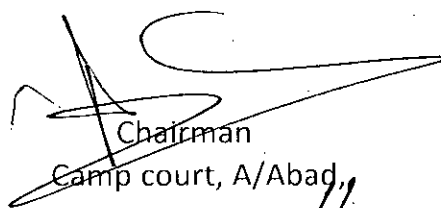
19.07.2016

Counsel for the appellant and Mr. Muhammad
Siddique, Sr. G.P alongwith Zubair Ali, ADO for the respondents
present. Arguments heard. Record perused.

Vide our detailed judgment of to-day placed in
connected service appeal No. 603/2014, titled "Aurangzeb
Versus Deputy Director (Establishment) E&SE, Khyber
Pakhtunkhwa Peshawar and others", we accept the instant
appeal also as per detailed judgment. Parties are left to bear
their own costs. File be consigned to the record room.


Member

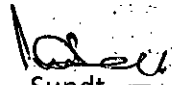
ANNOUNCED
19.07.2016


Chairman
Camp court, A/Abad,
19.07.16.


6 20.5.2015 Appellant with counsel and Mr.Sohail Ahmad Zeb, Assistant (lit) alongwith Mr.Muhammad Tahir Aurangzeb, G.P for respondents present. Requested for adjournment. To come up for written reply/ comments on 20.7.2015 at camp court A/Abad. Status-quo be maintained.


Chairman
Camp Court A/Abad

20.07.2015 Since the 20th July 2015 has been declared as a public holiday on account of Eid-ul-Fiter. Therefore case is adjourned to 14.09.2015 for submission of written reply at Camp Court Abbottabad.


Supdt. —

14.9.2015 Appellant in person and Mr.Sohail Ahmad, Assistant alongwith Mr.Muhammad Tahir Aurangzeb, G.P for respondents present. Written reply by respondents No.1 to 5 submitted. Learned G.P relies on the same on behalf of respondent No.6. The appeal is assigned to D.B for rejoinder and final hearing for 10.01.2016 at Camp Court A/Abad.


Chairman
Camp Court A/Abad

Page 30 10 26.12.13.

1/10/14

O.A.R. 7.4.14.

Page 21 Enquiry Report.

Fact finding Report

show cause based on

fact finding Report

No enquiry conducted.

Questionnaire form

submitted & hand not filled

No Charge Sheet.

Statement of allegations.

Amount different

10/10/14

Devoted inquiry
within 2 months

Both appeals

CHARGE SHEET

I Mr. Muhammad Saleem Marwat P.S.P District Police Officer, Swat as competent authority, hereby charge you, Constable Imtiaz No.1438 while posted to Police Station Rahimabad as follows:-

It has been reported that you committed the following act/acts, which is/are gross misconduct on your part as defined in Rules-2 (iii) of Police Disciplinary Rules 1975.

You Constable Imtiaz No.1438 while posted to Police Station Rahimabad have absented yourself from lawful duty without prior permission or leave vide DD No.65 w.e.f. 12-04-2015 up till now as per report of SHO Police Station Rahimabad dated 23-04-2015.

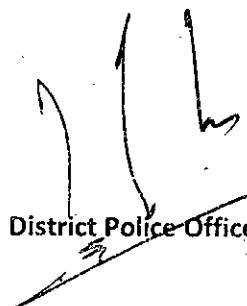
2. By reasons of the above, you appear to be guilty of misconduct and rendered yourself liable to all or any of penalties specified in Rule-4 of the Disciplinary Rules 1975.

3. You are, therefore, required to submit your written reply within seven (7) days of the receipt of this Charge Sheet to the Enquiry officer.

4. Your written reply, if any, should reach the Enquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.

5. Intimate as to whether you desire to be heard in person or not.

6. A statement of allegations is enclosed.


District Police Officer, Swat

No. 114 /E,

Dated: 28/4/2015.

*Received to day
11-5-2015*

*R/
Summon him*

*Garnish
SPO-PRK
11-5-2015*

4

18.3.2015

Appellant in person present. Due to strike of the Bar requested for adjournment. Adjourned for preliminary hearing to 19.3.2015.


Chairman
Camp Court A/Abad

05

19.3.2015

Counsel for the appellant present. Learned counsel for the appellant argued that vide impugned order dated 26/12/2013 the appellant, while serving as PST, was awarded punishment in the shape of recovery of Rs.527647/- @ Rs.5000/- per month and the alleged period of absence w.e.f 1.8.2010 to 17.2.2013 was converted into extraordinary leave without pay and, furthermore, promotion of the appellant was withheld till the completion of recovery of the afore-stated amount.

That the appellant was neither absent from duty nor the afore-stated amount drawn by him as salary is recoverable from the appellant nor promotion of the appellant can be legally withheld till the recovery of the amount which the appellant has received as salary. That the appellant preferred departmental appeal against the impugned order on 9.01.2014 which was rejected vide a non-speaking order dated 7.4.2014 and hence the present service appeal on 30.4.2014.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply for 20.5.2015 before S.B at camp court A/Abad. Notice of application be also issued for the date fixed. Till further orders deduction shall not be made from the salary of the appellant.


Chairman
Camp Court A/Abad


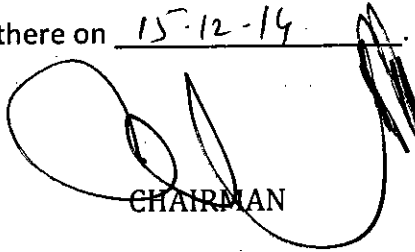


Appellant Deposited
Security & Process Fee



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 604 /2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	30/04/2014	<p>The appeal of Mr. Gulfaraz presented today by Mr. Tahir Faraz Abbasi Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	30.5.14	<p>This case is entrusted to Touring Bench A.Abad for preliminary hearing to be put up there on <u>15.12.14</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: center;"><i>Appellant - present in person.</i></p> <p style="text-align: center;"><i>The Tribunal is incomplete. To come up for preliminary hearing at c/c A/Abad on 19.5.2015.</i></p> <p style="text-align: right;"> Reader</p>
3	10.03.2015	<p>Counsel for the appellant submitted an application for early hearing. Application allowed. To come up for preliminary hearing on 18.03.2015 instead of 19.05.2015 at camp court Abbottabad.</p> <p style="text-align: right;"> Chairman</p>

BEFORE THE WORTHY CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No 604 /2014

Gulfaraz Primary School Teacher, GPS, Nari Kari , Abbottabad, Tehsil &
 District , Abbottabad

...APPELLANT

VERSUS

1. Deputy Director (Establishment) Elementary and Secondary Education
 Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

APPEAL

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	(Copies of Recovery Notice, Appeal and order	"F" 'G" & "H"	30-33
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Gulfaraz
 ...APPELLANT

Through:

Tahir Faraz Abbasi
 (TAHIR FARAZ ABBASI)

Advocate Supreme of Pakistan,
 Abbottabad.

Dated:- 29/4 /2014

BEFORE THE WORTHY CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No 604/2014

Gulfaraz Primary School Teacher, GPS, Jhangra Tajwal, Tehsil & District ,
Abbottabad

...APPELLANT

VERSUS

SECRETARY
KPK & E & SED
PESHAWAR
638
30/4/2014

1. Deputy Director (Establishment) Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar..
2. Govt of Khyber Pakhtunkhwa Peshawar, through Secretary to Govt of KPK & E & SED Peshawar.
3. Director Elementary And Secondary Education Khyber Pakhtunkhwa Peshawar.
4. District Education Officer(M) Abbottabad.
5. Sub Divisional Education Officer (M) Abbottabad.
6. District Account Officer Abbottabad.

...RESPONDENTS

APPEAL U/S 4, KPK SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER NO.F.No 34/Vol 11/PST (M) Abbottabad Dated 07-04-2014 issued by the Office of Respondent No.1, wherein the Appeal against imposition of Recovery of Rs.527,647/- from Appellant @ 5000/- Per month and showing absent period w.e.f from 01-08-2010 to 17-02-2013 converted in to Extra Ordinary leave without pay and Promotion of the Appellant is withheld till the completion of Recovery amount and stoppage of pay of Appellant from 01-08-2012 to 18-02-2013 was filed without any reason, that the facts upon which the

SECRETARY
KPK & E & SED
PESHAWAR
30/4/14

Appellant is penalized are without lawful Authority, against law and facts. The enquiry conducted against the Appellant Ex-party and against the facts without giving opportunity of hearing, that Recovery of amount without giving reasons in Appellate order dated 07-04/2014 and Appeal is filed illegally without any fortification.

PRAYER:-

By acceptance of instant Appeal, the punishment of Recovery of amount and showing absented period in to extra ordinary leave without pay and withheld promotion and stoppage of six months pay which is without any fault on the part of Appellant may graciously be set-aside and Appellant be exonerated from charges leveled against the Appellant on the basis of an Enquiry conducted Ex-party and without hearing Appellant and any adverse remarks in the service record, may graciously also be expunged.

Respectfully Sheweth,

Brief facts giving rise to the instant Appeal are as under:-

1. That the appellant is old employee of Education Department and presently working as PST at GPS

Thangra ~~Tangra~~ District Abbottabad.

2. That Govt School Bata Kari was Established on 10th April 1972 in a room of locality mosque. After few

years School was shifted to near private building in the year 1984.

3. That, Govt Primary School Bata Kari remain functioning smoothly with 50/60 students up to 1992. In the year 1992 school Building was damaged due to flood and strength of the students gradually reduced.
4. That Govt Primary School Bata kari building was completely damaged due to the earthquake of 2005 and school was shifted by the order of then SDEO to Mohallah Toap. After few days the then Head Teacher Muhammad Daud shifted the school to mosque and then to private building.
5. That on 19-06-2012 the then ADO Circle shifted the school to mosque again. From 26-06-2012 up till now the school is functioning in the mosque, while building of the school is under construction from a long time.
6. That Appellant remain present on his duty and teaching with honesty and devotion and informed the department regularly with present situation.
7. That Appellant submitted different applications to the department regarding situation of school and ultimately submitted an application for his transfer to other school (Copies of applications are annexed as Annexure "A" & "B")
8. That during this period different surprised and secret visits were made by officials of Education Department and Appellant was found in school performing his duty.
9. That the duration period of recovery shown in recovery notification is against facts as the

Attendance Register and Attendance of Student Register shows the presence of Appellant in school, rather report of ADO Circle shows the presence of Appellant on his duty. Appart from that ,stoppage of pay of Appellant from 01-08-2012 to 17-02-2013 is totallay against the law and facts. (Copy of Report of ADO Circle is annexed as Annexure "C"

10. That the enquiry is based on malafide, against the law and facts and without hearing Appellant. Enquiry was not conducted fairly and students and their parents were not consulted and enquired.(Copy of show cause notice & Reply thereof is annexed as annexure "D' & "E")
11. That, inspite of no documentary and sound proof, on mere allegation of opponents of Appellant the Respondent penalized the Appellant without any cogent proof against the Appellant. Appellant prefer Appeal against the punishment of recovery of amount, but Respondent No.1 illegally rejected /filed the Appeal without any reason. (Copies of Recovery Notice, Appeal and order are annexed as annexure "F" "G" & "H" respectively).
12. That, being aggrieved by rejection of Departmental Appeal, the Appellant prefers the instant Appeal before this honourable Tribunal, inter-alia on the following grounds:-

GROUND: -

- a) That the impugned order of punishment of recovery of amount as well as period from 01-08-2010 to 17-02-2013 converted in to extra ordinary

leave without any order, leave without pay and promotion is withheld is quiet illegal and stoppage of pay from 01-08-2012 to 17-02-2013 without any order is against law and facts. Impugned order is against law and Justice and Rules of Services. Hence is liable to be set-aside.

- b) That the report of ADO circle is self Explanatory and record of attendance shows the presence of Appellant.
- c) That, the Decrease in number of students is due to non-availability of school building, which is still under construction, and fault of others imposed on Appellant and make him scape goat just to save their skin is highly un-justified, against the law and facts.
- d) That the Enquiry report is ex-pary without adopting the proper mode and without enquiring students and their parents, enquiring from opponents of Appellant, who were interested in the transfer of their relatives in this school is highly objectionable. Hence enquiry report is not fair and nor impartial which does not carry weight of impartial enquiry and hence deserved not to be considered as impartial enquiry.
- e) That rejection / filing of Appeal by Respondent No.1 is non-speaking order and Appeal has been filed without giving any reason; which deserves immediate interference by this Honourable Court.

In view of the above facts, reasons and record attached in support of this Appeal, it is requested that the Appellant may graciously be exonerate from any kind of charge and punishment of any kind of recovery from 01-08-2010 to 17-02-2013 converting extra ordinary leave and withholding of promotion in service record may graciously be set-aside to save the innocent Appellant and be ordered to release of pay from 01-08-2012 to 17-02-2013 of Appellant. *Gut*

...APPELLANT

Through:

Tahir Faraz Abbasi

(TAHIR FARAZ ABBASI)

Advocate Supreme of Pakistan,
Abbottabad.

Dated: 29/4 /2014

Verification:

Verified that the contents of instant appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Dated 29/4 /2014

Gut

....Appellant

BEFORE THE WORTHY CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No _____ /2014

Gulfaraz Primary School Teacher, GPS, Jhangra Tajwal,
 Abbottabad, Tehsil & District, Abbottabad

...APPELLANT

VERSUS

1. Deputy Director (Establishment) Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar..
2. Govt of Khyber Pakhtunkhwa Peshawar, through Secretary to Govt of KPK & E & SED Peshawar.
3. Director Elementary And Secondary Education Khyber Pakhtunkhwa Peshawar.
4. District Education Officer(M) Abbottabad.
5. Sub Divisional Education Officer (M) Abbottabad.
6. District Account Officer Abbottabad.

...RESPONDENTS

APPEAL

AFFIDAVIT

I, Gulfaraz appellant do hereby solemnly affirm and declare on oath that the contents of instant Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable court.

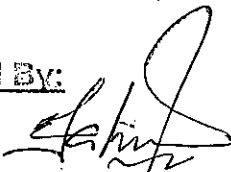
Dated:- 29/1/14 /2014

...Deponent

Gul faraz

...APPELLANT

Identified By:



(TAHIR FARAZ ABBASI)

Advocate Supreme of Pakistan,
 Abbottabad.

BEFORE THE WORTHY CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No _____/2014

Gulfaraz Primary School Teacher, GPS, Jhangra Tajwal, Abbottabad, Tehsil & District, Abbottabad

...APPELLANT

VERSUS

1. Deputy Director (Establishment) Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar etc.

...RESPONDENTS

SERVICE APPEAL
ADDRESSES OF THE PARTIES

Respectfully Sheweth:-

Address of the parties are as under:-

Gulfaraz Primary School Teacher, GPS, Jhangra Tajwal, Abbottabad, Tehsil & District, Abbottabad

...APPELLANT

VERSUS

1. Deputy Director (Establishment) Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar etc.
2. Govt of Khyber Pakhtunkhwa Peshawar, through Secretary to Govt of KPK & E & SED Peshawar.
3. Director Elementary And Secondary Education Khyber Pakhtunkhwa Peshawar.
4. District Education Officer(M) Abbottabad.
5. Sub Divisional Education Officer (M) Abbottabad.
6. District Account Officer Abbottabad.

...RESPONDENTS

Through:


 (TAHIR FARAZ ABBASI)

Advocate Supreme of Pakistan,
 Abbottabad.

Dated: 29/4 /2014

**BEFORE THE CHAIRMAN SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No _____/2014

Gulfaraz, Primary School Teacher, Jhangra Tajwal Abbottabad.

...APPELLANTS

VERSUS

Deputy Director (Establishment) Elementary and Secondary Education Khyber
Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

APPLICATION FOR RESTRAINING RESPONDENTS
FROM RECOVERY OF AMOUNT FROM PAY OR
OTHER INCOME OF APPELLANT TILL DECISION OF
APPEAL.

Respectfully Sheweth:-

1. That, the above titled appeal is being filed before this Honourable Court and the present application is integral part of the same.
2. That, as per facts of the case, appeal is prima facie strong, balance of convenience is in favour of

appellant and in case of recovery poor appellant shall suffer badly and irreparable loss.

It is, therefore, requested that till decision of appeal, respondents be restrained from recovery of amount.

Gutz

...APPELLANTS

Through

Dated: 29/4/2014.

Tahir Faraz Abbasi

(TAHIR FARAZ ABBASI)
Advocate Supreme Court of Pakistan,
Abbottabad

AFFIDAVIT:-

I. ~~XXXXXXXXXX~~ Gulfaraz, Primary School Teacher, Jhangra Tajwal Abbottabad, do hereby solemnly affirm and declare that the contents of forgoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

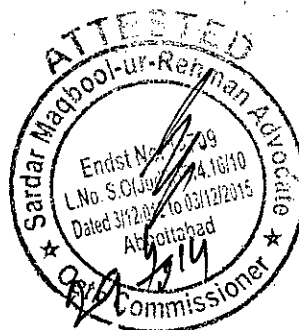
Gutz

DEPONENT

Identified By:-

Tahir Faraz Abbasi

(TAHIR FARAZ ABBASI)
Advocate Supreme Court of Pakistan,
Abbottabad



گورنمنٹ ہائیڈرو گریڈنگ ڈسٹرکٹ انجینئرنگ آفیسر، راولپنڈی

Annexure "A"

6

09/10

تراش ہڈی گورنمنٹ ہائیڈرو گریڈنگ ڈسٹرکٹ انجینئرنگ آفیسر، راولپنڈی

ہدف میں سے ہیں۔

کہوتہ سولہ بلڈنگ کا کارڈنگ ہڈی بندر دیا

اور سولہ بلڈنگ کی گورنمنٹ ہڈی میں سے ہیں

فلا ہا ہڈی

لہذا جناب تراش ہڈی کے ذریعہ بلڈنگ سولہ گورنمنٹ ہڈی

محلہ کو میں شیڈ کیا جائے گا۔ تاکہ سولہ گورنمنٹ ہڈی

محلہ کے ہڈی

اور بلڈنگ تراش ہڈی میں سے کسی دوسرے سولہ میں

تبدیل نہ ہو۔ تاکہ سولہ گورنمنٹ ہڈی کو سولہ گورنمنٹ ہڈی

فلا ہڈی

جناب افسر تراش ہڈی

القاری

مہرند اول مدرسہ گورنمنٹ ہڈی سولہ گورنمنٹ ہڈی

6/12/2010

تعمیرات خراب و پتہ ڈسٹرکٹ انجینئرنگ کونسل میں مندرجہ ذیل درخواستیں آئیں۔

Annexure "B"

تاریخ: 30/10/10

C.P. No. 50/10

تعمیرات خراب و پتہ ڈسٹرکٹ انجینئرنگ کونسل میں مندرجہ ذیل درخواستیں آئیں۔

پرائمری سکول چار ایچ این ایچ ایچ

اسل سے پہلے فہ آسٹ ڈیل سہائیل نے اید درخواست

دی تھی جن پر کوئی عمل نہ ہو سکا۔

اب سکول کی بنیاد بھر ف کی لائے ہیں۔

لہذا مندرجہ تعمیرات خراب و پتہ ڈسٹرکٹ انجینئرنگ کونسل میں

تعمیرات خراب و پتہ ڈسٹرکٹ انجینئرنگ کونسل میں

سے اس ایک معلوم کو ڈسٹرکٹ انجینئرنگ کونسل میں لایا گیا

تعمیرات خراب و پتہ ڈسٹرکٹ انجینئرنگ کونسل میں

تعمیرات خراب و پتہ ڈسٹرکٹ انجینئرنگ کونسل میں

الغرض

تعمیرات خراب و پتہ ڈسٹرکٹ انجینئرنگ کونسل میں

30/10/10

بیت سما۔ ایجنٹوں اور ایجنٹوں اسیر ہوا۔ ایجنٹ ہوا۔

5/11/57

بیت سما

تیار شدہ ہے۔ اس کو درست کر دیا گیا ہے۔

بیت سما میں ایک فرسٹ سٹریٹس کے پاس ہے۔

پٹانی کو سٹیشن کے باہر دیکھتے ہوئے اس کو سٹیشن پر لے گیا۔

اس تعداد میں کوئی اجمانہ نہیں ہو سکتا ہے۔

لہذا جناب کے تیار شدہ ہے۔ اس کو کسی دوسرے کو

پہلے فرسٹ سٹریٹس اور اس کے بعد کسی کو لیا

اور اس کو سٹیشن آستانہ کو بھیجا گیا ہے۔

جوہ اس میں سے تعلق رکھتا ہے وہ اس کو لے گیا۔

تعداد میں اجمانہ کر سکتے۔

الغرض
علی فرار اور اس کے ساتھ ساتھ اس کو لے گیا۔

علی فرار

07/20/57

کونستانتینا۔ اینڈریو ایجوکیشن سوسائٹی
ایسٹوڈ

صاحب عالی

گزارش صحت اور نمونہ پیرامیٹر سول پیکریسی بلاڈ

تمام نمونہ پیرامیٹر سول پیکریسی بلاڈ
اندراب سول پیکریسی بلاڈ

اندراب سول پیکریسی بلاڈ
تمام نمونہ پیرامیٹر سول پیکریسی بلاڈ
دس نمونہ پیرامیٹر سول پیکریسی بلاڈ
پیرامیٹر

صحتی از صحت نواری

الطاف
میرزا آرمین اقبال مدرس اور نمونہ پیرامیٹر سول پیکریسی بلاڈ

میرزا آرمین

16/11/11

Received

[Signature]

بزرگواران اور عزیزان

میرزا حسن صاحب

کو کورنگ پرائمری

سکول سے کسی دستاویز

کی ضرورت کو دیکھ کر

میں ڈال دیا جائیگا

اب سالی حنیفہ

سکول ڈونٹ

تعمیراتی کمی

صنایعی

القاصد

میرزا حسن صاحب

9/12/11

Received

[Signature]

گورنمنٹ ہسپتال ایجنٹوں کی درخواستیں آسیر ہسپتال ایجنٹوں کو

صوبہ عالی

گزشتہ سال کے سالانہ رپورٹوں کے ساتھ
 بار بار درخواستیں کی گئی ہیں جن پر آج تک کوئی عمل
 نہیں ہوا۔ آج کے روز گزشتہ سال کے
 سالیانہ رپورٹوں پر ایجنٹوں کی درخواستیں سے توجہ
 کی جائے اور ان کو برواں ہو کر کسی بھی صورت میں
 عمل میں لایا جائے تاکہ وہ اپنی عمر
 دو سال کے تقریباً ہر شخص کو عام بعد شدہ مندرجہ
 ذیل درخواستیں کی جائیں: مگر یہاں سالیانہ درخواستیں
 کو ردیابی اور اپنی اپنی ڈیٹا سے پورا کرنا ہے۔
 ایجنٹوں کی درخواستیں پر عمل کرنا ہے۔ تاکہ وہ کسی بھی صورت میں
 اپنی عمر کے

جہاں کوئی نقصان ہو

الفاضل
 گورنمنٹ ہسپتال ایجنٹوں کی درخواستیں

13/03/2012

Recd.

[Signature]

[Signature]

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ -

دکھ آمیزگی

(33)

2011/16/11 کو گورنمنٹ پرائمری سکول، کراچی میں کلاسنگ کے بارے میں

تعمیراتی ڈپٹی کمشنر، کراچی اور ڈپٹی کمشنر، کراچی سے منسلک اسکولوں کے بارے میں

کلاسنگ کے بارے میں: 5th, 4th, 3rd, 2nd, 1st A, 1st B, 2nd, 3rd, 4th, 5th
N/A, N/A, N/A, N/A, N/A, 2/2, 3/3

کلاسنگ کے بارے میں - سکولوں میں کلاسنگ کے بارے میں اور جو موجودہ سکولوں میں کلاسنگ کے بارے میں
موجودہ کلاسنگ کے بارے میں - سکولوں میں کلاسنگ کے بارے میں اور جو موجودہ سکولوں میں کلاسنگ کے بارے میں

مکمل کلاسنگ کے بارے میں - سکولوں میں کلاسنگ کے بارے میں اور جو موجودہ سکولوں میں کلاسنگ کے بارے میں

Enrollment 2011 میں - سکولوں میں کلاسنگ کے بارے میں اور جو موجودہ سکولوں میں کلاسنگ کے بارے میں

مکمل کلاسنگ کے بارے میں - سکولوں میں کلاسنگ کے بارے میں اور جو موجودہ سکولوں میں کلاسنگ کے بارے میں

ADD
Shirana
Assistant District
E & Sec
16/11/2011

Dy. District Officer
(MP)E&SE A/Abad

240

سوال نمبر 240: آئیے لکھیں کہ ADU کن سے پارٹ (2) سمجھیں؟

جواب: جناب میں نے اس کی کو اپنا خارج سمجھا ہے۔

B
C

سوال نمبر 241: آئیے ہم GPS میں کٹری کا پیمانہ کی وضاحت کرتے ہیں؟

جواب: میں نے مینہ کٹری کا پیمانہ اور باقاعدہ معائنہ کا جون 2011ء کو لیا

سوال نمبر 242: آئیے ہم GPS میں کٹری کی آئیٹریٹور میں کٹری کی رپورٹ سے متعلقہ کٹری اور کٹری

جواب: جناب میں نے آئیٹریٹور میں کٹری سے متعلقہ کٹری رپورٹیں دی ہیں۔

G
H

سوال نمبر 243: آئیے ہم رپورٹ کی کٹری کو اس کے ساتھ لکھیں؟

جواب: میں نے مینہ کٹری کے اساتذہ کی کٹری رپورٹیں دی ہیں۔ ان میں سے

آئیٹریٹور میں کٹری اور کٹری کا تبادلہ کاہ جون 2012ء میں

ہوا

سوال نمبر 244: آئیے ہم کٹری کے ساتھ ساتھ کٹری کے ساتھ ساتھ

جواب: میں نے کٹری کے ساتھ ساتھ کٹری کے ساتھ ساتھ کٹری کے ساتھ ساتھ

دو کٹری کے ساتھ ساتھ کٹری کے ساتھ ساتھ کٹری کے ساتھ ساتھ

میں نے اساتذہ کو کٹری کے ساتھ ساتھ کٹری کے ساتھ ساتھ کٹری کے ساتھ ساتھ

کہ کٹری کے ساتھ ساتھ کٹری کے ساتھ ساتھ کٹری کے ساتھ ساتھ

2012 میں کٹری کے ساتھ ساتھ

کتاب کی موجودگی میں ڈی ڈی آر (ذکرہ کون ہے) کتاب کی صورت میں
میں دور میں جناب ڈی ڈی آر ماہ مئی 1974ء میں تیار کیے

تھے

پتہ کبریٰ کونیشنل سائنس کالج ایف ڈی جی ٹی سٹی
میر، جو نیز یہ ہے کہ مشرقی اترکھنڈ PST GPS کنڈیا اور مشرقی اترکھنڈ PST
GPS ڈی ڈی آر GPS پتہ کبریٰ میں ٹرانسفر کیا جائے تو سکول فنڈیشنل
ہو سکتا ہے۔ اور معزز پروفیسر اس کی تعداد میں اضافہ ہوگا۔ جب سکول کی حالت کا نام
مکمل ہو جائیگا تو سکول کی تعداد میں اور زیادہ اضافہ ہو سکتا ہے۔

۱۸۔ ایسے جناب سے پتہ کبریٰ کونیشنل سائنس کالج ایف ڈی جی ٹی سٹی ایف ڈی جی
پتہ کبریٰ کا سکول کرایہ ۱۹۷۴ء میں ایف ڈی جی ٹی سٹی اور مشرقی اترکھنڈ
GPS پتہ کبریٰ کے نام فنڈیشنل *Construction Program* کے ذریعے

درج ذیل ہیں۔

- ۱) سکول کے عمارت کا نام ہونا۔
- ۲) اساتذہ کی عدم دہلی۔
- ۳) لوگوں کا اساتذہ کی عدم اعتماد وغیرہ۔

GPS پتہ کبریٰ کا مستقبل یہ ہے کہ اگر وہ پتہ کبریٰ میں
تو تبدیل کیا جائے تو سکول فنڈیشنل ہو جائے گا۔ سکول کے عمارت کا مسئلہ
حل ہونے تک اسے مسجد میں چلایا جائے۔ لوگوں کو اعتماد میں لائے جائے
سکول سے ایک فنڈیشن مستعد کرایا جائے۔

(21) ①

Annexure: A

To letter no. 160 dated 25 August 2012

INQUIRY REPORT

GPS BATTI KERI-ABBOTTABAD AS NON FUNCTIONAL SCHOOL

01	Caption of inquiry	Govt Primary School Batta Keri Abbottabad
02	Reference	EDO office letter no.13989/EB-IV/Visit dated 07-08-2012.
03	Date of inquiry	13-08-2012 ✓
04	Inquiry Officer	Khurshid Ahmed Principal GHS Banda Pir Khan-Abbottabad
05	Brief History of the case	<p>GPS Batta Keri is situated near Barmi Gali Bazar, Kala Bagh, U/Nagri Bala, NA-18 and PF- 48 district Abbttabad. The school was established in a room of local mosque in 1972. After some time the school was shifted to a private building. In 1984 the school was shifted to newly constructed Govt Building. Record (AWR) shows that total <u>207 students</u> were enrolled in 21 years including <u>19 re-admitted cases from 1972 to 1992.</u> ✓</p> <p>In 1992 the building of the school was damaged due to flood and the strength gradually reduced. In 2005 the building was totally damaged due to earthquake and the school was shifted to Toap by the order of Deputy DO of that time. After few days the head teacher Mr. Muhammad Daud shifted the school to the mosque again on his own will. Mr. Gul Fraz (Ex Head teacher-now applied for retirement) shifted the school to his house without consulting the authority concerned. Mr. Sharafat Khan (present ADO) shifted the school to the same mosque again on 19-06-2012. ✓</p> <p>From 26-06-2012 the school is functioning in the mosque without an student. One PST and a Chowkidar are still working there. The building is under construction for a long time (work stopped) but could not be completed so far by the ERRA.</p>
06	Procedure	<p>As an inquiry officer the undersigned visited the school on 13 August 2012 and collected the data as shown below:-</p> <ul style="list-style-type: none"> a. Statement of Ex Head Teacher Mr. Gul Fraz, PST -A ✓ b. Statement of Ex Teacher Mr. Aurangzeb, PST -B ✓ c. Statement of Mr. Muhammad Ilyas (present H/T) -C ✓ d. Statement of Mr. Sharafat Khan, ADO Circle -D ✓ e. AWR collected from EDO(E&SE) Office, Atd -E ✓ f. Teachers & Students Attendance Registers collected from EDO(E&SE) Office -F ✓ g. Three statements of local persons -G&H ✓

Handwritten:
 A. H. S. S. S.
 22/4/12
 Assistant District Officer
 (E & S) Education
 Abbottabad

①

07 Findings

- a. According to the EMIS record, 02 kanal land is of the govt property where is the school is being reconstructed.
- b. Strength of classes in EMIS data and AWR don't match.
- c. Year wise strength of the school according to AWR is as under:-

Year	Str	Year	Str	Year	Str	Year	Str
1972	34	1983	07	1994	05	2005	05
1973	14	1984	05	1995	05	2006	07
1974	07	1985	06	1996	05	2007	06
1975	12	1986	12	1997	05	2008	07
1976	12	1987	01	1998	15	2009	04
1977	07	1988	16	1999	20	2010	04
1978	05	1989	12	2000	Nil	2011	11
1979	07	1990	08	2001	19	2012	*03
1980	12	1991	05	2002	11	-	-
1981	11	1992	08	2003	01	-	-
1982	06	1993	12	2004	20	-	-

A. U. Qureshi
22/1/14

Assistant District Officer
 (E & S) Education
 Abbottabad

*Note: 03 students were shown only on AWR whereas head teacher could not produce them physically. ✓

- d. Perusal of AWR confirms that the same was factiously maintained with tampered signatures of ex ADO(s). ✓
- e. Log Book, Stock Register and PTC Fund record is still lying in the custody of ex head teacher Mr. Gul Fraz, PST. He didn't provide on demand.
- f. **Staff:** There were two PST posts and a Chowkidar post in the school. DO (E&SE), on his visit to the said school, has transferred Mr. Aurangzeb to GPS Nari Keri and Mr. Ilyas, PST has been adjusted in his place from GPS Nari Keri to this school keeping in view the worst condition of the school.
- g. The teachers of the school were drawing pay since long without improving condition of the school.
- h. Inquiry report by DO (E &SE) vide letter no 11596-601 dated 18-06-2012 is based on facts. ✓

08 Recommendations

- a. As Mr. Gul Fraz, PST has recently applied for pension without providing record of the school so his pension case must not be forwarded to higher authority without clearance.
- b. As almost all students have been admitted to private schools (approachable) by the parents so there is no need of this school in near future. And hence the school should be shifted to the nearest GPS Nari Keri or Girls Primary school of the same village i.e Bata Keri.
- c. All the teachers/staff of GPS Bata Keri must be transferred to some other needy schools.
- d. It is also the negligence of concerned ADO(s) and Deputy DO(s)

(23)

who took it light and threw the school into
necessary action should be taken against them according to rules.
Pay of the current academic year (April 2012 onward), PTC funds,
and other funds must be recovered from the said teachers and
pay hence forth should be stopped immediately till decision of
future of the school.

- f. Log book, stock register and PTC files are still in the custody of Gul Fraz, PST which needs to be recovered.
- g. Department should also take keen interest for the completion of all such schools which are under construction because no school can function better without proper building.

Handwritten signature
22/8/12

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KHURSHID AHMED
(INQUIRY OFFICER)
PRINCIPAL GHS BANDA PIR KHAN- ABBOTTBAD

No. 160 dated 25 August 2012

(Page # 01 to 03)

Assistant District Officer
(E & S) Education
Abbottabad

Handwritten notes in Urdu:
لوہ
میری کاپی ہے
جی ہاں
پتہ: پیر خان
ڈی جی سوسائٹی

3

24

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INQUIRY REPORT

01	Caption of Inquiry	Govt Primary School Batta Kari Kalabagh
02	Date of Inquiry	02/08/2012
03	Inquiry Officer	Nisar Ahmed Principal GHS Mir Pur Abbottabad
04	Brief History of the case	<p>GPS Bata Kari is situated near Barmi Gali Bazar Kala bagh U/C Nagri Bala NA 18 & PF 48 district Abbottabad.</p> <p>The school was established on 10th April 1972 in a room of locality Mosque.</p> <p>After some time the school was shifted to near private building.</p> <p>In 1984 the school was shifted to newly Govt Building.</p> <p>The school was smooth functioning with 50 -60 students up to 1992.</p> <p>In 1992, the Building of the school was damaged due to flood and the strength of the students gradually reduced.</p> <p>Due to the earthquake 2005, the school building was totally damaged, so vide Mr Zaffar Pervez ex DEO(primary) the school was shifted to Toap. After few days Mr Mohammed Daud PST (ex head teacher) shifted the said school to the mosque on his own will.</p> <p>Mr Gul Faraz (ex head Teacher retired) shifted the school in his house on his own will.</p> <p>Mr sharafat Khan (Present ADO Circle) on 19/6/2012 shifted the school to mosque again.</p> <p>From 26/6/2012 to up till now, the school is functioning in a mosque without any student, but one PST & one Chowkidar are working.</p> <p>The building of the school is under construction from a long time.</p>
05	Reference/T.O.R,s	<p>EDO (E & S) Abbottabad vide letter Endst No, 12756/EB-iv/visit inquiry report of non functional school <u>GPS Batta Kari</u> Abbottabad, dated 17/7/2012, appointed the undersigned as inquiry officer regarding the,</p> <p>Building of the GHOST SCHOOL ✓</p> <p>Students attendance/strength ✓</p> <p>Teachers attendance ✓</p> <p>Class iv attendance. ✓</p>

Invested

22/4/14

District Office
(E & S) Education
Abbottabad

Procedure

As. Inquiry officer, I

Visited GPS Batta Kari on 02/8/2012, got written

- 1- statements of local persons, (Annexure AI & All)
- 2- Ex-Head Teacher Mr Gul faraz & Aurangzeb (Annexure BI, II)
- 3- Present H/Teacher Mr Mohammad Alyas (Annexure C)
- 4- ADO Circle Mr Sharafat Khan (Annexure D)
- 5- Collect data from EMIS section. (Annexure E)
- 6- AWR at EDO (E & S) at Abbottabad office (Annexure G)
- 7- Teachers/ Att Register at EDO (E & S) office (Annexure H)
- 8- Students/ Att Register at EDO (E & S) office (Annexure I)

Amir
Amir
22/4/14

Assistant District Officer
 (E & S) Education
 Abbottabad

BUILDING

GPS Bata Kari was functioning in a mosque and then in private building from 1972 to 1983.

In 1984, it is shifted to its newly built Govt building. Here, it was functioning till 2005. after the earthquake 2005, the building was damaged and the school was shifted to the place (Toap) by the order of DDO of that time.

According to EMIS record, the 2 kanals land is of the Goyt property, where the school is situated.

The two rooms building of the school is under construction for a long time.

07 Findings

Students Strengths-

Vide written statements of the teachers and ADO circle, 362 students are confirmed to on roll from 1972 to 2012 (40 years).

On 06/6/2011, vide ADO circle, the attendance was as under,

Zero	KG	1 st	2 nd	3 rd	4 th	5 th		Total
03	02	Nil	Nil	Nil	Nil	Nil	✓	05 ✓

Vide EMIS record of recent three years

2009	Zero	KG	1 st	2 nd	3 rd	4 th	5 th	Total
	07	08	01	03	01	nil	nil	20 ✓

2010	Zero	KG	1 st	2 nd	3 rd	4 th	5 th	Total
	nil	10	02	01	01	04	nil	18 ✓

2011	Zero	KG	1 st	2 nd	3 rd	4 th	5 th	Total
	05	08	08	nil	nil	nil	nil	21 ✓

Students strength didn't match in different available records, entered by same teacher. The perusal of the AWR confirms that the same was factiously maintained and apparently bearing the tampered signature of Ex ADOs circle. ✓

Log Book, Stock register of school and PTC funds record are still lying in custody of Gulfranz PST, didn't provide on demand.

Handwritten: A. M. H. 22/11/12
**Assistant District Officer
(E & S) Education
Abbottabad**

(26)

Two PST posts and one class iv post in this school.
On visit of present DO Edu on 13/06/2012, Mr. Aurangzeb PST transferred to GPS Nari Kari.
Mr. Aurangzeb PST was transferred from Nari Kari to this school, he took over the charge on 26/06/2012. He admitted that no student came to school in his period. The school record is in EDO Office Abbottabad.
Mr Gul Faraz PST was on Medical leave, and retired on 31st July 2012.
Mr Khursheed is on class iv post since 01/10/1989. He admitted that there is no student in the school since last six months.
Presently the School is running with one PST Mr. Mohammed Ilyas and a class iv Mr khursheed.

ADO Circle Remarks

Present ADO circle Mr Sharafat Khan after taking over the charge visited this school on 06/6/2011 and submitted the report with proposal to Dy DO(P) Attd about the bad condition of the school. He also informed the officer concern time and again, that the people's of the locality demanded the transfer of both teachers, Mr Gul Faraz & Aurangzeb from GPS Bata Kari. Both teachers are responsible for nil attendance of the students in the school.

The above mentioned facts confirm that the report of DO Edu (E & S) is based on reality.

The school is non functional (GHOST SCHOOL) after the earthquake October 2005.

Teachers, Cluster Head, ADO circle & Dy DO Primary of prescribed time period are responsible to this great loss.

After the flood 1992, the teachers didn't take keen interest for the battement of the school. Now they are the agents of private schools of some religious groups. Present PST teacher (Mohammad Ilyas) is a master trainer of DAWA Schools system. He is a neighbor of the the mosque, where the school is functioning now a days, he couldn't improve the attendance of the students so far.

Parents prefer to admit their kids in private institutions.

Recommendations

There are several Govt & Private Primary Schools in the locality and there is no need of this school.

1-Vide the report of present ADO Circle, the school should be shifted to nearest GPS Nari Kari.

(3)

(97)

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22/4/14

**Abbottabad District Office
(E & S) Education
Abbottabad**

- 2- Present staff should be transferred to the needy schools.
- 3- The pay of the staff should be stopped immediately till the decision of future of school and pay already got for last 24 months be recover from
 - I) Gul fraz PST
 - II) Aurang zaib PST
- 4- After the audit, pay of the staff, PTC funds & other funds should be recovered by the staff on the school record before 26/6/2012 & deposited in Govt treasury as soon as possible.
- 5- All the responsible officers should be punished according to the rules.
- 6- Log Book, Stock register of school and PTC funds record are still lying in custody of Gulfraz PST which need to be recovered.
- 7- As responsibility also lies on Gulfraz PST so his pension case should not be moved to higher Offices till the clearance of matter.

Signature
NISAR AHMED

Inquiry officer

Principal GHS Mir Pur Abbottabad

NO. 53 Dated 06/8/212

Copy to

- 1- EDO (E & S) Abbottabad vide his letter No, Endst No, 12756/EB iv /visit GPS Bata Kari dated 17/7/2012

Signature
NISAR AHMED

Inquiry officer

(4)

(28)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

SHOW CAUSE NOTICE

Annexure "D"

I Muhammad Riaz Swati District Education Officer (Male) Abbottabad as Competent Authority under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) rules, 2011, do hereby serve you Mr. Gulfraz PST Government Primary School Batta Keri Abbottabad follows:

- a) As per inquiry report in respect of GPS Batta Keri (Non functional school) submitted by Sub Divisional Education Officer (M) Abbottabad vide his letter No. 2551 dated 30.10.2012, & No. 2822 dated 29.11.2012 you have been found absent from duty w.e. from 01.08.2010 to 31.7.2012
- b) You have illegally/fraudulently drawn an amount of Rs. 527647/- for the absent period w.e. from 01.8.2010 to 31.7.2012 without performing your duty.
- c) In exercise of the power conferred by the Khyber Pakhtunkhwa. Govt: servant (Efficiency & Discipline) rules, 2011, the Competent Authority is please to serve you with the instant show cause notice regarding your willful absence from duty and illegally drawl of Rs. 527647/- with the direction to submit your defence in writing within seven days of the issuance of this notice as to why the major penalty of rule 4 (b) of the said rules should not be imposed upon you and also intimate whether you desire to be heard in person.
- d) In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defense to offer and ex-parte decision will be taken against you.

Handwritten signature and date:
22/11/14

**Competent District Officer
(E & S) Education
Abbottabad**

Handwritten signature
COMPETENT AUTHORITY

Mr. Gulfraz, PST
GPS Bata Keri

Annexure "E"

بخدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر صاحب (مردانہ) ایبٹ آباد۔

عنوان:- جواب Show Cause Notice بمطابق سلی ٹیبل 1982

مورخہ 09-02-2013 وصول کردہ 11-02-2013۔

جناب عالی! جواب شوکار نوٹس ذیل عرض ہے۔

۱۔ یہ کہ مورخہ 01-08-2010 سے لے کر 31-07-2012 تک سکول کے معائنے جنکار ریکارڈ رجسٹر حاضری مدرسین رجسٹر حاضری طلباء موجود ہے۔

۲۔ یہ کہ سائل ADO سرکل کی رپورٹس صفحہ نمبر ۱ تا ۱۰ جو کہ منسلک ہیں اور میری پروپوزل بھی جو کہ ADO سرکل نے دی ہیں جن کا ریکارڈ درج ذیل ہے۔ مورخہ 01-08-10 سے لے کر مورخہ 31-07-12 تک سائل نے محکمہ کو بارہ درخواستیں دی مورخہ 10-08-30 صفحہ نمبر 07، مورخہ 10-12-06 صفحہ نمبر 08، 11-01-04 صفحہ نمبر 09، 11-08-16 صفحہ نمبر 10، 11-12-09 صفحہ نمبر 11، 12-03-2012 صفحہ نمبر 12 جن پر کوئی عمل درآمد نہ کیا گیا۔ تاہم 2 عدد پروپوزل ٹرانسفر ADO سرکل نے ڈپٹی DO صاحب کو دی ہیں پر کوئی عمل درآمد نہیں ہوا۔

۳۔ یہ کہ انکوٹری سراسر نفاذ ہے کیونکہ انکوٹری آفیسر نے علاقے کے لوگوں اور زیر تعلیم بچوں کے والدین سے انکوٹری نہیں کی۔ ماسوائے دو اشخاص محمد صدیق اور علی افسر نے انکوٹری کی۔ محمد صدیق جو کہ متیق الرحمن PST کا والد ہے اور بنیامین محمد الیاس PST کا بھائی ہے۔ ہر دو میچرز سکول میں اپنی خیماتی پرزور لگا رہے تھے۔ سائل تمام تر حقائق پیش کرنے کیلئے ہر وقت تیار ہے جو کہ حقیقت پر مبنی ہیں۔ سکول کی تعداد کم ہونے کی وجہ بلڈنگ اور مرکز دعویٰ کا سکول کھانا تھی۔ سکول میں تربیتی خانہ ٹوپ کے بچے زیر تعلیم تھے اب جو کہ سکول مسجد میں چل رہا تھا جو کہ فاصلہ زیادہ ہونے کی وجہ سے پرائمری سکول ڈونگ میں چلے گئے۔ مقامی مقام کے لوگ قدامت پسند (مذہبی لوگ) تھے جو اپنے بچوں کو دعویٰ سکول میں لے گئے۔

۴۔ یہ کہ سائل بیمار ہے۔ سائل کی دونوں ٹانگیں اور بازو 1992ء کے فلڈ میں ٹوٹ گئی تھیں اور سائل اپنی بیماری کی وجہ سے ہسپتال آیا ہوا تھا اس دوران DO (نیل) ایبٹ آباد نے سکول ریکارڈ محمد الیاس PST سے منگوا لیا اور اپنے قبضے میں لے لیا۔ جس کی وجہ سے سکول کا ریکارڈ انکوٹری کے وقت پیش نہ کیا جاسکا کیونکہ ریکارڈ دفتر میں موجود تھا۔

عالی جا! سکول بند کر دیا گیا اور پھر سکول میں دو سائتہ کرام کا آرڈر کر دیا گیا اور سکول تاحال اسی تعداد پر چل رہا ہے۔

۵۔ یہ کہ سائل تمام تر حقائق زبانی طور پر جناب کے حضور عرض کر سکتا ہے۔ اور سائل لف ہیں

لہذا استدعا ہے کہ سائل پر رحم کرتے ہوئے سائل کی ریکوری کو ختم کیا جائے اور سائل کو دوبارہ ایڈجسٹ کیا جائے۔ کیونکہ سائل جناب کی نوازش ہوگی۔

المرقوم: ۲۰۱۳

التعارض

گلفر از GPS، PST، بشہ کیری تحصیل ضلع ایبٹ آباد۔

شناختی کارڈ نمبر: 7-13101-5386749

رابطہ نمبر: 0341-5298698

NOTIFICATION

Annexure 'F'

WHEREAS you, Mr. Gul Faraz PST GPS Jhangra Tajwal Abbottabad was proceeded for having committed the following gross irregularities which constitute inefficiency, misconduct and corruption under Rule 3, Sub Rules (a), (b) and (c) of the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011

AND WHEREAS your application for grant of retirement was received in this office through defunct DDO (M/P) Abbottabad Memo: No. 1626 dated 28.7.2012 & No. 1782 dated 15.8.2013 which was returned vide defunct EDO (E&SE) Abbottabad Memo: No. 14200 dated 11.8.2012 and No. 15194 dated 01.9.2012 with the remarks that the case may be kept pending in the light of inquiry report.

AND WHEREAS your application for adjustment and with drawl of retirement was received through defunct DDO (M/P) Abbottabad Memo: No. 2822 dated 29.11.2012.

AND WHEREAS you were adjusted at GPS Jhangra Tajwal vide this office Endst: No. 1181-83 dated 18.02.2013.

AND WHEREAS as per inquiry report in respect of GPS Bata Keri (Non functional school) submitted by Sub Divisional Education Officer (Male) Abbottabad vide his letter No.2551 dated 30.10.2012 and No. 2822 dated 29.11.2012 you Mr. Gul Faraz PST while posted at GPS Bata Keri remained absent from duty w.e.from 01.8.2010 to 31.7.2012. You have illegally/fraudulently drawn an amount of Rs. 527647/- without performing your duty.

AND WHEREAS a Show Cause Notice was served upon you through Sub Divisional Education Officer (M) Abbottabad vide this office No. 1022 dated 09.02.2013 under charge of wilful absence and irregular drawl of Rs.527647/-.

AND WHEREAS your reply received vide Sub Divisional Education Officer (M) Abbottabad letter No.477 dated 21.02.2013 and was found unsatisfactory.

AND WHEREAS you have been found guilty of misconduct, inefficiency and absenting yourself for the period w.e.from 01.8.2010 to 31.7.2012 (202 days) and irregular and unauthorized drawl of Rs. 527647/- from the Govt. Exchequer.

NOW THEREFORE, in exercise of powers conferred by the Khyber Pakhtunkhwa, Govt: servant (Efficiency & Discipline) Rules-2011, the undersigned being Competent Authority is hereby pleased to impose recovery of Rs.527647/- (Five lac twenty seven thousand six hundred & forty seven) @ Rs.5000/- PM upon Mr. Gul Faraz PST GPS Jhangra Tajwal with immediate effect. Moreover, absent period w.e.from 01.8.2010 to 17.02.2013 is converted into Extra Ordinary Leave without pay and promotion of the accused official is hereby withheld till the completion of recovery amount.

Endst: No. 10017-19 / F.No.1 Vol. 22/14/14
 District Education Officer (E & S) Education Abbottabad
 Dated 26-12-2013

- Copy forwarded to the:
1. Secretary to Govt: of Khyber Pakhtunkhwa E&SED Peshawar.
 2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
 3. District Accounts Officer Abbottabad
 4. Sub Divisional Education Officer (Male) Abbottabad w/r to his No. 2983 dated 11.9. 2013 alongwith service book of the above named teacher with the direction that entry should be recorded in the service book & deduction/recovery be made accordingly under intimation to this office.
 5. Official concerned.

DISTRICT EDUCATION OFFICER (M)
 ABBOTTABAD

D/Asstt / A-Branch
 please do the needful
 on required.
 28/12/13

P 70

08


31

Office of the Sub-Divisional Officer (M) A/Abcd.

Encl: No 3979-81 / PNo _____ Date: 30-12-13

Copy to the:-

- 1 - ASDEO Circle Kathgali for removal of the said letter & also directed that entry should be made/recorded in the books of the teacher concerned and putty for signature of the undersigned immediately.
- 2 - Accountant local office to do the needful in the light of said letter of DFO (M) and under intimation to the competent authority as directed.
- 3 - District Education Officer (M) to do the needful as intimated above.


 Sub-Divisional Officer (M) A/Abcd.

بخدمت جناب ڈائریکٹر صاحب ایجوکیشن ڈیپارٹمنٹ ریکورڈری ایجوکیشن خیبر پختونخواہ پشاور

DEO (M)
Abbottabad

Annexure "G"

اپیل برائے معافی ریکورڈری بابت پرائمری سکول مدرسین (1) گلگنڈر ازا اول مدرس

(2) اورنگ زیب نائب مدرس، گورنمنٹ پرائمری سکول تہ کیری سرکل تھیاگلی

For Detail
19/11/2014

گزارش ہے کہ سائین ڈیو صاحب نے (یو بی غیر حاضری) سونچ 01-08-2010 سے 31-07-2012 تک ریکورڈ ڈال دی گئی ہے۔ جو کہ سراسر غلط ہے جناب عالی! اس عرصہ میں دونوں مدرسین سکول میں حاضر رہے اور اسی دوران محکمہ کے ADO اور Dy. DO صاحبان نے کئی بار اچانک معائنے بھی کئے اور مذکورہ بالا مدرسین کو سکول میں مصروف کار پایا گیا۔ (جس کا ثبوت منسلک ہے جن میں رپورٹ/پروپوزل ADO سرکل تھیاگلی کے بھی شامل ہیں)۔

جناب عالی! سکول کی تعداد کم ہونے کی وجہ سے سکول کی عمارت کا نہ دانا ہے کیونکہ سکول گھڑا کی عمارت 2005ء کے زلزلہ میں بڑی طرح متاثر ہوئی تھی اور محکمہ کو کئی بار اس کی اطلاع بھی دی گئی مگر کوئی شنوائی نہیں ہوئی۔ آخر کار ERRA نے دوبارہ تعمیر کی خاطر 2010ء میں عمارت کو مکمل طور پر اکھاڑ دیا جس پر تاحال 2014ء تک کام مکمل نہیں ہو سکا اور ابھی تک چھت وغیرہ ڈالنی باقی ہے۔ اسی وجہ سے سکول کو مسجد میں شفٹ کیا گیا جو کہ زیر تعلیم محلہ توپ کے بچوں سے زیادہ فاصلے پر واقع تھی۔ اور اسی وجہ سے زیر تعلیم محلہ توپ کے بچے قرعہ سبھی سکول، ڈوگ، مسجد سکول کمرٹی اور دیگر پرائیویٹ سکولوں میں چلے گئے۔ جس کی اطلاع محکمہ کے انسپران بالا کو متعدد بار دی گئی مگر کوئی عمل نہ ہو سکا۔ اس دوران مدرسین کی جانب سے متعدد بار اپنے تبادلوں کے لئے درخواستیں ڈپٹی ایجوکیشن آفیسر کو ارسال کی گئیں اور ان درخواستوں پر عمل کرتے ہوئے دونوں مدرسین کے تبادلے کے پروپوزل بھی تیار کئے گئے۔ مگر ان پر اس دوران کوئی پیش رفت نہ ہوئی۔ تاہم اس عرصہ میں ہم دونوں مدرسین اپنے سکول میں باقاعدہ ڈیوٹی سرانجام دیتے رہے اور موجود بچوں کی تعلیم و تربیت کا سلسلہ بھی جاری رکھا۔ جس کے تمام ثبوت لفٹ ہیں۔ لیکن اس کے بعد 10 جون 2012ء کو محکمہ کے جناب ظفر ارباب صاحب سکول ریکارڈ (رجسٹر داخلہ، رجسٹر حاضری مدرسین، رجسٹر حاضری طلباء اور لاگ بک) اپنے ساتھ لے گئے اور ابھی تک مذکورہ سکول ریکارڈ واپس نہیں کیا گیا۔ لہذا گزارش ہے کہ سکول کا مذکورہ تمام ریکارڈ طلب کریں اور اسے ویکھ کر فیصلہ صادر فرمائیں۔

جناب عالی! مندرجہ بالا حقائق اور ثبوت کے باوجود محکمہ نے ہمیں غیر حاضر تصور کرتے ہوئے ہمارے ذمہ ریکورڈری مبلغ 5,27,647/- روپے مذکورہ گلگنڈر ازا اول مدرس اور مبلغ 5,35,334/- روپے مذکورہ نائب مدرس اورنگ زیب ڈال دی گئی جو کہ سراسر زیادتی اور ہم غریب مدرسین کے ساتھ ظلم عظیم ہے۔ لہذا جناب سے گزارش ہے کہ مندرجہ بالا حقائق کی روشنی میں ہم دونوں مدرسین پر دم کرتے ہوئے ہماری ریکورڈری کے آرڈر کو منسوخ کر کے ہمیں اس پریشانی سے نجات دلائی جائے تاکہ ہم دونوں مدرسین اپنی تعلیمی خدمات کو بہتر طریقے سے سرانجام دے سکیں۔

امید ہے کہ آپ جناب ہاری درخواست پر ہمدردانہ طور فرما کر ہماری دادرسی کریں گے۔ ہم آپ کی درازئی عمر کے لئے تازہ بیت دعا گور ہیں گے۔

ارضیاً

Amir &
PST اورنگ زیب ۲

09/11/2014
PST ایگلنڈاز

Handwritten signature

(33)

DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA.

F No.34/Vol:II/PST (M) Abbottabad

Annexure "H"

Dated Peshawar the ~~7/8/2014~~ 2014.

7/4/2014

To,

The District Education Officer (M)
Abbottabad.

Subject: -

REPLY OF APPEAL IN RESPECT OF MR.GUL FARAZ PST
AND AURANGEB PST REGARDING RECOVERY.

Memo:-

I am directed to refer to your letter No.769/F.No1/Vol:II dated 01.02.2014 on the subject noted above and to state that the case in respect of Mr. Gul Faraz PST and Mr. Aurangzeb PST GPS Bata Keri Abbottabad has been filed.

Deputy Director (Estab :)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

Endst: No.

7752-53

Copy forwarded to the:-

1. P.A to Director Elementary and Secondary Local Office.

Deputy Director (Estab :)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

کورٹ فیس

وکالت نامہ

بعدالت جناب جسٹس سرورس ٹریبیونل KPK پشاور

عنوان: گلزار بنام DEE ایف ایف

منجانب: سائل / پٹیشنر -

نوعیت مقدمہ:

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آل مقام

ایف ایف ایف اور ڈی ایف ڈی ایف ایف

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب

موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء

وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور

کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار

بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و

قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔

نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف

پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف

مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت نالاش بصرہ مفلسی کے دائرہ کرنے اور اس کی

پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سندر ہے۔

المرقوم: 29 جولائی 2014

بمقام: ایف ایف ایف

العبود

Accepted!

Fahim

29/7/14

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR AT CAMP COURT ABBOTTABAD..

APPEAL NO.604/2014

GUL FARAZ.....Appellant

VERSUS

DY: DIRECTOR ESTABLISHMENT & OTHERS.....Respondents

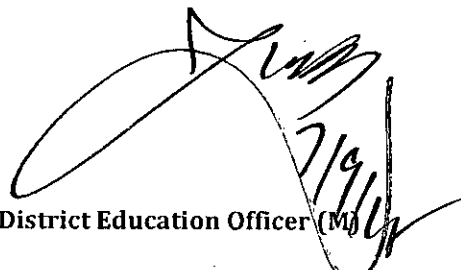
Comments on behalf of Respondents No. 1 to 5

SERVICE APPEAL

INDEX

Sr.No	Description	Page Nos	Annexures
1	Comments alongwith affidavit	1 to 4	
2	Copy of inquiry report dated 02.08.2012	5 to 8	"A"
3	Copy of inquiry report dated 25.08.2012	9 to 11	"B"
4	Copy of letter No. 2551 dated 30.10.2012	12	"C"
5	Copy of letter No. 2822 dated 29.11.2012	13	"D"

Dated /09/2015


District Education Officer (M)

Abbottabad.

(Respondent No. 4)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR AT CAMP COURT ABBOTTABAD..

APPEAL No.604/2014

GUL FARAZ.....Appellant

VERSUS

DY: DIRECTOR ESTABLISHMENT & OTHERS.....Respondents

Comments on behalf of Respondents No. 1 to 5

Respectfully Sheweth:-

Comments on behalf of respondents are submitted as under:-

PRELIMINARY OBJECTIONS:-

1. That the appellant has no cause of action to file the instant appeal.
2. That the appellant has no locus standi.
3. That the appellant did not come to this Honorable Tribunal with clean hands.
4. That the appellant concealed and distorted the material facts from this Honorable Tribunal.
5. That the present appeal has been filed just to pressurize and blackmail the respondents.
6. That the instant appeal is not maintainable in its present form.
7. That the instant appeal is hopelessly time barred.

Factual objections:-

1. That para No. 1, of the instant appeal relates to the service record of appellant.
2. That para No. 2, of the instant appeal is incorrect hence, denied as per inquiry report in 1984 school was shifted to newly Government building. Copies of the inquiry reports are annexed as annexure "A", & "B" respectively.
3. That para No. 3, of the instant appeal is correct.


4. That para No.4, of the instant appeal is incorrect hence, denied. As per inquiry report the building of the school was damaged due to flood & strength gradually reduced & in year 2005 the building was totally damaged due to earthquake & the school was shifted to Toap by the order of then Deputy DEO. After few days then Head Teacher Mr. Muhammad Daud shifted the school to the Mosque on his own will. Furthermore, appellant shifted the school to his house without consulting the concerned authority & since 26/06/2012 the school was functioning in the Mosque without any student. Copies of the inquiry reports are already annexed with comments as annexure "A", & "B".
5. That para No.5, of the instant appeal is correct to the extent that on 19/06/2012 the then ADEO Circle shifted the school to Mosque again while rest of the para as composed is incorrect.
6. That para No. 6, of the instant appeal as composed is incorrect, hence, denied.
7. That para No. 7, of the instant appeal is subject to cogent proof. Furthermore, appellant never submitted any application regarding the situation of the school and deliberately concealed the real situation from the department for his personal interest.
8. That para No. 8, of the instant appeal is incorrect, hence, denied.
9. That para No. 9, of the instant appeal is incorrect hence, denied as per inquiry report in respect of GPS Batta Keri (non functional school) submitted by Sub Divisional Education Officer (Male) Abbottabad, vide letter No. 2551 dated 30.10.2012 & No. 2822 dated 29.11.2012, appellant have been found absent from duty w.e.f 01.08.2010 to 31.07.2012, copies of the letters are annexed as annexure "C", & "D".
10. That para No. 10, of the instant appeal as composed is incorrect hence, denied. Appellant himself admitted in his written reply that inquiry officer recorded the statements of the two local persons.
11. That para No. 11 of the instant appeal is incorrect, hence, denied. Complete & comprehensive reply has already been given in above para No.9 of the factual objections.
12. That appellant is wasting the precious time this Honorable Tribunal as instant appeal is meritless.

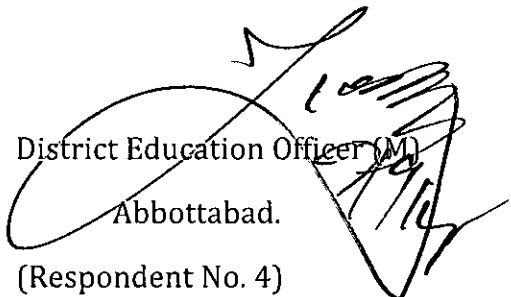
GROUND:-


- a. In reply to ground No a, it is stated that all the allegations which were levelled against the appellant were proved through the inquiry reports.
- b. As per report of ADO Circle only two (02) students were present in the school without having books & copies.
- c. That ground c, as composed is incorrect hence, denied. Furthermore, appellant never submitted any application regarding the situation of the school and deliberately concealed the real situation from the department for his personal interest.
- d. That ground d, as composed is incorrect hence, denied. Furthermore, all the allegations which were levelled against the appellant were proved through the inquiry reports.
- e. That ground e, as composed is incorrect hence, denied.


- f. That respondents seeks permission of this Hon: Tribunal to advance further grounds during arguments.

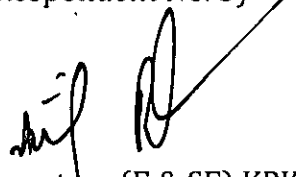
It is, therefore, very humbly prayed that in the light of forgoing comments, the appeal in hand may graciously be dismissed with cost throughout.


Sub Divisional Education Officer (M)
Abbottabad.
(Respondent No. 5)


District Education Officer (M)
Abbottabad.
(Respondent No. 4)


Dy. Director of Establishment)
E & SE, KPK, Peshawar.
(Respondent No. 1)


Director (E & SE)
E & SE, KPK, Peshawar.
(Respondent No. 3)


Secretary (E & SE) KPK,
Peshawar.
(Respondent No. 2)

*Vetted
Subject to Affixation
of Affidavit & record.*

*7. ✓
GP ST ATD
8/9/15*

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR AT CAMP COURT ABBOTTABAD..

APPEAL No.604/2014

GUL FARAZ.....Appellant

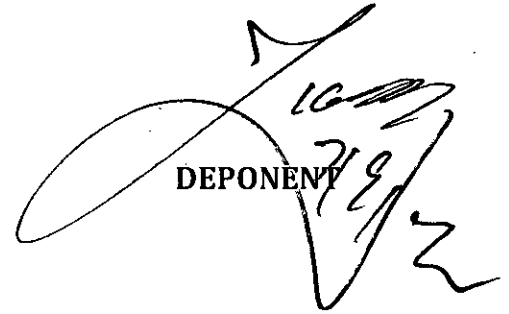
VERSUS

DY: DIRECTOR ESTABLISHMENT & OTHERS.....Respondents

Comments on behalf of Respondents No. 1 to 5

AFFIDAVIT

I, Mr. Zia ud Din, District Education Officer (M) Abbottabad, declare on oath that the contents of forgoing Comments are correct and true according to the best of my knowledge and belief and nothing has been suppressed from this Honorable Tribunal.


DEPONENT

(S)

Annex-(A)

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INQUIRY REPORT

Annex A

S

02	Caption of Inquiry	Govt Primary School Batta Kari Kalabagh
03	Date of Inquiry	02/08/2012
03	Inquiry Officer	Nisar Ahmed Principal GHS-Mjr Pur Abbottabad
04	Brief History of the case	<p>GPS Bata Kari is situated near Sarmi Gali Bazar Kala bagh U/C Nagni Bala NA 18 & PF 48 district Abbottabad. The school was established on 10th April 1972 in a room of locality Mosque.</p> <p>After some time the school was shifted to near private building. In 1984 the school was shifted to newly Govt Building. The school was smooth functioning with 50 -60 students up to 1992. In 1992, the Building of the school was damaged due to flood and the strength of the students gradually reduced.</p> <p>Due to the earthquake 2005, the school building was totally damaged, so vide Mr Zaffar Pervez ex DEO(primary) the school was shifted to Toop. After few days Mr Mohammed Daud PST(ex head teacher) shifted the said school to the mosque on his own will. Mr Gul Faraz (ex head Teacher retired) shifted the school in his house on his own will.</p> <p>Mr sharafat Khan (Present ADO Circle) on 19/6/2012 shifted the school to mosque again.</p> <p>From 26/6/2012 to up till now, the school is functioning in a mosque without any student, but one PST & one Chowkidar are working. The building of the school is under construction from a long time.</p>
05	Reference/T.O.R,s	<p>EDO (E & S) Abbottabad vide letter Endst No, 12755/ES-iv/visit inquiry report of non functional school <u>GPS Batta Kari</u> Abbottabad, dated 17/7/2012, appointed the undersigned as inquiry officer regarding the,</p> <p>Building of the GHOST SCHOOL ✓</p> <p>Students attendance/strength ✓</p> <p>Teachers attendance ✓</p> <p>Class iv attendance ✓</p>

Invested
29/4/14
 Assistant District Officer
 (E & S) Education
 Abbottabad

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Procedure

As Inquiry officer,

Visited GPS Batta Kari on 02/8/2012, got written

- 1- statements of local persons, (Annexture A1 & A11)
- 2- Ex-Head Teacher Mr Gul faraz & Aurangzeb (Annexture B1, II)
- 3- Present H/Teacher Mr. Mohammad Alyas (Annexture C)
- 4- ADO Circle Mr Sharafat Khan (Annexture D)
- 5- Collect data from EMIS section. (Annexture E)
- 6- AWR at EDO (E & S) at Abbottabad office (Annexture G)
- 7- Teachers/ Att Register at EDO (E & S) office (Annexture H)
- 8- Students/ Att Register at EDO (E & S) office (Annexture I)

Arrested
22/9/14

Assistant District Officer
 (E & S) Education
 Abbottabad

BUILDING

GPS Bata Kari was functioning in a mosque and then in private building from 1972 to 1983.

In 1984, it is shifted to its newly built Govt building. Here, it was functioning till 2005, after the earthquake 2005, the building was damaged and the school was shifted to the place (Toap) by the order of DDO of that time.

According to EMIS record, the 2 kanals land is of the Goyt property, where the school is situated.

The two rooms building of the school is under construction for a long time.

Students Strength-

Vide written statements of the teachers and ADO circle, 362 students are confirmed to on roll from 1972 to 2012 (40 years).

On 06/6/2011, vide ADO circle, the attendance was as under,

Zero	KG	1 st	2 nd	3 rd	4 th	5 th	Total
03	02	Nil	Nil	Nil	Nil	Nil	05

Vide EMIS record of recent three years

2009	Zero	KG	1 st	2 nd	3 rd	4 th	5 th	Total
	07	08	01	03	01	nil	nil	20

2010	Zero	KG	1 st	2 nd	3 rd	4 th	5 th	Total
	nil	10	02	01	01	04	nil	18

2011	Zero	KG	1 st	2 nd	3 rd	4 th	5 th	Total
	05	08	08	nil	nil	nil	nil	21

Students strength didn't match in different available records, entered by same teacher. The perusal of the AWR confirms that the same was factiously maintained and apparently bearing the tampered signature of Ex ADOs circle. Log Book, Stock register of school and PTC funds record are still lying in custody of Gulfraz PST, didn't provide on demand.

07 Findings

2

Assistant District Officer
(E & S) Education
Abbottabad

Two PST posts and one class iv post in this school.
On the visit of present DO Edu on 13/06/2012, Mr. Aurangzeb PST
was transferred to GPS Nari Kari.
Mr. Ilyas PST was transferred from Nari Kari to this school, he took
over the charge on 26/06/2012. He admitted that no student came to
school in his period. The school record is in EDO Office Abbottabad.
Mr Gul Faraz PST was on Medical leave, and retired on 31st July 2012.
Mr Khursheed is on class iv post since 01/10/1989. He admitted that
there is no student in the school since last six months.

Presently the School is running with one PST Mr. Mohammed
Ilyas and a class iv Mr khursheed.

ADO Circle Remarks

Present ADO circle Mr Sharafat Khan after taking over the charge
visited this school on 06/6/2011 and submitted the report with
proposal to Dy DO(P) Atd about the bad condition of the school.

He also informed the officer concern time and again, that
the people's of the locality demanded the transfer of both
teachers, Mr Gul Faraz & Aurangzeb from GPS Bata Kari. Both teachers
are responsible for nil attendance of the students in the school.

The above mentioned facts confirm that the report of DO Edu (E & S)
is based on reality.

The school is non functional (GHOST SCHOOL) after the earthquake
October 2005.

Teachers, Cluster Head, ADO circle & Dy DO Primary of prescribed
time period are responsible to this great loss.

After the flood 1992, the teachers didn't take keen interest for the
betterment of the school.

Now they are the agents of private schools of some religious groups.
Present PST teacher (Mohammad Ilyas) is a master trainer of DAWA
Schools system. He is a neighbor of the mosque, where the school
is functioning now a days, he couldn't improve the attendance of the
students so far.

Parents prefer to admit their kids in private institutions.

Recommendations

There are several Govt & Private Primary Schools in the locality and
there is no need of this school.

1- Vide the report of present ADO Circle, the school
should be shifted to nearest GPS Nari Kari.

(3)

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Handwritten:
22/4/14

Assistant District Officer
(E & S) Education
Abbottabad

2- Present staff should be transferred to the needy schools.

3- The pay of the staff should be stopped immediately till the decision of future of school and pay already got for last 24 months be recover from
I) Gul fraz PST
II) Aurang zaib PST

4- After the audit, pay of the staff, PTC funds & other funds should be recovered by the staff on the school record before 26/8/2012 & deposited in Govt treasury as soon as possible.

5- All the responsible officers should be punished according to the rules.

6- Log Book, Stock register of school and PTC funds record are still lying in custody of Gulfraz PST which need to be recovered.

7- As responsibility also lies on Gulfraz PST so his pension case should not be moved to higher Offices till the clearance of matter.

Handwritten:
NISAR AHMED

Inquiry officer

Principal GHS Mir Pur Abbottabad

NO. 53 Dated 06/8/212

Copy to

1- EDO (E & S) Abbottabad vide his letter No, Endst No, 12756/EB iv /visit GPS Bata Kari dated 17/7/2012

Handwritten:
NISAR AHMED

Inquiry officer

4

Anx-(“B”)

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Annexure: A

To letter no. 160 dated 25 August 2012

INQUIRY REPORT

Anx B 9

GPS BATTI KERI-ABBOTTABAD AS NON FUNCTIONAL SCHOOL

01	Caption of inquiry	Govt Primary School Batta Keri Abbottabad
02	Reference	EDO office letter no. 13989/EB-IV/Visit dated 07-08-2012.
03	Date of inquiry	13-08-2012 ✓
04	Inquiry Officer	Khurshid Ahmed-Principal GHS Banda Pir Khan-Abbottabad
05	Brief History of the case	<p>GPS Batta Keri is situated near Barmi Gali Bazar, Kala Bagh, U/Nagri Bala, NA-18 and PF- 48 district Abbttabad. The school was established in a room of local mosque in 1972. After some time the school was shifted to a private building. In 1984 the school was shifted to newly constructed Govt Building. Record (AWR) shows that total <u>207 students</u> were enrolled in 21 years including 19 re-admitted cases from 1972 to 1992. In 1992 the building of the school was damaged due to flood and the strength gradually reduced. In 2005 the building was totally damaged due to earthquake and the school was shifted to Toap by the order of Deputy DO of that time. After few days the head teacher Mr. Muhammad Daud shifted the school to the mosque again on his own will. Mr. Gul Fraz (Ex Head teacher-now applied for retirement) shifted the school to his house without consulting the authority concerned. Mr. Sharafat Khan (present ADO) shifted the school to the same mosque again on 19-06-2012. ✓</p> <p>From 26-06-2012 the school is functioning in the mosque without an student. One PST and a Chowkidar are still working there. The building is under construction for a long time (work stopped) but could not be completed so far by the ERRA.</p>
06	Procedure	<p>As an inquiry officer the undersigned visited the school on 15 August 2012 and collected the data as shown below:-</p> <ul style="list-style-type: none"> a. Statement of Ex Head Teacher Mr. Gul Fraz, PST -A ✓ b. Statement of Ex Teacher Mr. Aurangzeb, PST -B ✓ c. Statement of Mr. Muhammad Ilyas (present H/T) -C ✓ d. Statement of Mr. Sharafat Khan, ADO Circle -D ✓ e. AWR collected from EDO(E&SE) Office, Attd. -E ✓ f. Teachers & Students Attendance Registers collected from EDO(E&SE) Office -F ✓ g. Three statements of local persons -G&H ✓

Arrested
22/11/12

Assistant District Officer
(E & S) Education
Abbottabad

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(02)

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File

07 Findings

- a. According to the EMIS record, 02 kanal land is of the govt property where is the school is being reconstructed.
- b. Strength of classes in EMIS data and AWR don't match.
- c. Year wise strength of the school according to AWR is as under:-

Year	Str	Year	Str	Year	Str	Year	Str
1972	34	1983	07	1994	05	2005	05
1973	14	1984	05	1995	05	2006	07
1974	07	1985	06	1996	05	2007	06
1975	12	1986	12	1997	05	2008	07
1976	12	1987	01	1998	15	2009	04
1977	07	1988	16	1999	20	2010	04
1978	05	1989	12	2000	Nil	2011	11
1979	07	1990	08	2001	19	2012	*03
1980	12	1991	05	2002	11	-	-
1981	11	1992	08	2003	01	-	-
1982	06	1993	12	2004	20	-	-

A. U. Ester
22/4/14

*Assistant District Officer
 (E & S) Education
 Abbottabad*

*Note: 03 students were shown only on AWR whereas head teacher could not produce them physically.

- d. Perusal of AWR confirms that the same was factiously maintained with tampered signatures of ex ADO(s).
- e. Log Book, Stock Register and PTC Fund record is still lying in the custody of ex head teacher Mr. Gul Fraz, PST. He didn't provide on demand.
- f. Staff: There were two PST posts and a Chowkidar post in the school. DO (E&SE), on his visit to the said school, has transferred Mr. Aurangzeb to GPS Nari Keri and Mr. Ilyas, PST has been adjusted in his place from GPS Nari Keri to this school keeping in view the worst condition of the school.
- g. The teachers of the school were drawing pay since long without improving condition of the school.
- h. Inquiry report by DO (E & SE) vide letter no 11596-601 dated 18-06-2012 is based on facts.

08 Recommendations

- a. As Mr. Gul Fraz, PST has recently applied for pension without providing record of the school so his pension case must not be forwarded to higher authority without clearance.
- b. As almost all students have been admitted to private schools (approachable) by the parents so there is no need of this school in near future. And hence the school should be shifted to the nearest GPS Nari Keri or Girls Primary school of the same village i.e Bata Keri.
- c. All the teachers/staff of GPS Bata Keri must be transferred to some other needy schools.
- d. It is also the negligence of concerned ADO(s) and Deputy DO(s)

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who took it light and threw the school into disarray. necessary action should be taken against them according to rules. Pay of the current academic year (April 2012 onward), PTC funds, and other funds must be recovered from the said teachers and pay hence forth should be stopped immediately till decision of future of the school.

- f. Log book, stock register and PTC files are still in the custody of Gul Fraz, PST which needs to be recovered.
- g. Department should also take keen interest for the completion of all such schools which are under construction because no school can function better without proper building.

Attestd
22/8/12

[Signature]
 KHURSHID AHMED
 (INQUIRY OFFICER)

PRINCIPAL GHS BANDA PIR KHAN- ABBOTTBAD

No. 160 dated 25 August 2012

(Page # 01 to 03)

Assistant District Officer
 (E & S) Education
 Abbottabad

Handwritten notes in Urdu script:
 2-1 کما کیے - 5/10
 2-1 کما کیے - 5/10
 2-1 کما کیے - 5/10

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Ann. (C)

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OFFICE OF THE DEPUTY DISTRICT OFFICER (MALE) PRIMARY ABBOTTABAD.

No 2551 /

DATED A-ABAD THE 30 / 10 / 2012.

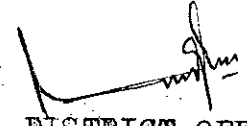
To

The Executive District Officer
Ele: & Sec: Edu: Abbottabad.

Subject :- ENQUIRY REPORT NON FUNCTIONAL SCHOOL.

Memo :-

Enclosed please find herewith enquiry report of GPS Bata Keri is put up for further necessary action please.



BY: DISTRICT OFFICER (MALE)
PRIMARY ABBOTTABAD.

13

Ans - ("D") ("D")

FB

OFFICE OF THE DEPUTY DISTRICT OFFICER (MALE) PRIMARY ABBOTTABAD.

NO 2222

DATED A-ABAD THE 29/11/2012.

To

The Executive District Officer
Ele: & Sec: Edu: Abbottabad.

Subject :- APPLICATION FOR WITHDRAWAL OF RETIREMENT CASE IN R/O MR: GUL FARAZ (P.S.T) G.P.S BATTI KARI.

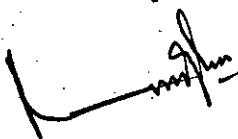
Memo :- Enclosed find herewith an original self explanatory application of Mr: Gul Faraz (PST) G.P.S Batta Kari whose retirement case has already been submitted Vide this office letter No. 2749 Dated 20-11-2012.

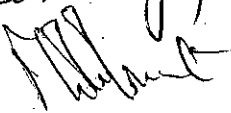
It is further stated that the teacher concerned remained absent from his duties w.e.from 01-08-2010 to 31-07-2012 as per reports Enquiry Officer, Principal GHS Mirpur and Principal GHS Banda Pir Khan (Photo copies of enquiry reports are attached). His recovery amount calculated for the absent period is Rs: 527647/0 (Copy attached)

Hence case is submitted for your kind perusal and further necessary action please. If agreed Mr. Gul Fraz may be adjusted at GPS Jhangra Tajwa against V/Post.

DO(M)

11431
1-12-12


BY: DISTRICT OFFICER (MALE)
PRIMARY ABBOTTABAD.

Pl: take further
ya accordingly
 29/11/12

BEFORE THE WORTHY CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

CM.No. /201

IN

Appeal No. 604/2014

Gul Fraz PST Jhangra Tajwal Atd

...APPELLANT

V E R S U S

Deputy Director Education & others

...RESPONDENTS

APPLICATION FOR EARLY HEARING

Respectfully Sheweth,

1. That, the titled Appeal was instituted on 29/04/2014 and alongwith appeal an application for Restraining Respondents from Recovery of amount from pay or other income of Appellant till decision of appeal was submitted.

2. That, case was fixed for Preliminary hearing but could not heard due to Promotion/ elevation of Chairman as Judge High Court and post remain vacant for some time and date was fixed 19.05.2015.

3. That, Appellant is Primary School Teacher and Respondent / department recovering amount from pay of Appellant and Appellant is in great hardship.

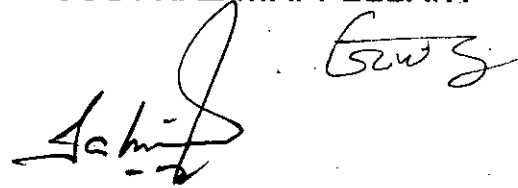
4. That, the valuable rights of the Appellant are involved and if the present Appeal is not heard on early basis then Appellant will be seriously prejudiced.

It is, therefore, humbly prayed that on acceptance of instant application, the titled case may graciously be fixed

for early hearing at Abbottabad as Appellant is permanent resident of Abbottabad.

GUL FRAZ ...APPELLANT

Through:



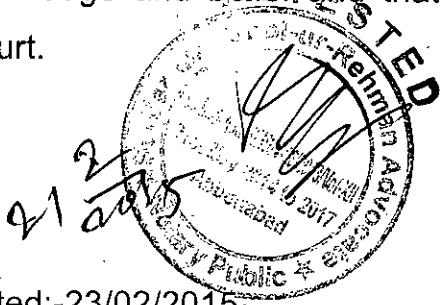
TAHIR FARAZ ABBASI)

Advocate Supreme Court of Pakistan,
Abbottabad.

Dated:-23/02/2015

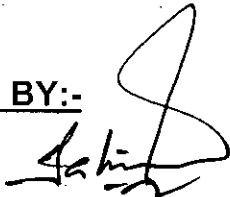
AFFIDAVIT:

I, Gul Fraz PST, **Appellant**, do hereby solemnly affirm and declare on Oath that the contents of instant **application** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.



Dated:-23/02/2015

IDENTIFIED BY:-



(TAHIR FARAZ ABBASI)

Advocate Supreme Court of Pakistan,
Abbottabad.



DEPONENT

GUL FRAZ...APPELLANT