

# **BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR**

**Appeal Title: Mst. Kashifa Bibi**

**Versus**

**District & Sessions Judge/Competent Authority, Lower Chitral and 03 others**

## **INDEX**

<b>S.No.</b>	<b>Documents</b>	<b>From</b>	<b>To</b>	<b>No. of pages</b>
1	Written reply	1	4	4 pages
2	Copy of comments of Hon'ble District & Sessions Judge, Chitral in respect of departmental appeal No.06/2021	5	11	7 pages
3	Copy of Inquiry report dated 05.02.2021, Order sheets of inquiry proceedings and evidence of both parties including exhibits during inquiry proceeding	12	60	49 pages
4	Copy of Application of appellant for casual leave (Annex-A)	61	61	1 page
5	Copy of Attendance and leave balance register concerned page (Annex-B)	62	63	02 page
6	DVD of video and Photographs (Annex-C)			
7	Copy of statement of Deputy Director ETEA (Annex-D)	64	64	01 page
8	Copy of warning letter No.1172 dated 04.06.2020, warning/counselling letter dated 06.01.2021, office order dated 07.07.2018 and office order dated 11.12.2020 (Annex-E to I)	65	69	05 pages
9	Copies of Show cause notice, letter for personal hearing and office order dated 03.03.2021 (Annex-J to M)	70	79	10 pages
10	Copy of complaints received through post (N)	80	81	02 pages
11	Copy of PERs (Annex-O)	82	90	09 pages
<b>Total: 90 Pages along with DVD Disk (Anx-C)</b>				

***Additional Advocate General  
(Service Tribunal) K.P.K  
Peshawar***

**BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 7030/2021

**Mst. Kashifa Bibi**

**Versus**

**District & Sessions Judge/Competent Authority, Lower Chitral and 03 others**

**REPLY ON BEHALF OF RESPONDENTS No. 1, 2 & 3.**

Respectfully Sheweth!

**PRELIMINARY OBJECTIONS:-**

1. That the appellant has got no cause of action/*locus standi*.
2. That the appellant has concealed material facts from this Hon'ble Tribunal.
3. That the appellant has been estopped to sue by her own conduct to file the instant appeal before this Hon'ble Tribunal.
4. That the instant appeal is badly time barred.
5. That the instant appeal is not maintainable in its present form.
6. That the instant appeal is bad for mis-joinder and non-joinder of necessary parties.
7. That the instant appeal is barred by law.
8. That the appellant has not come with clean hands to this Hon'ble Tribunal.

**ON FACTS:-**

- I. The stance of appellant to the extent of her posting as Muharrir in the court of Senior Civil Judge is correct, rest of para is incorrect. In fact, the appreciation certificate was issued to the then learned Senior Civil Judge Model Court Chitral and his staff members for disposing of most cases in KPK. Though the cooperation of staff had a major role in achieving targets but the appellant had no role in the good performance of Model Trial Court.
- II. Correct. The appellant has preferred a departmental appeal before Hon'ble Senior Puisne Judge, Peshawar High Court, Peshawar. Meanwhile, the appellant has filed the instant appeal to your honor.
- III. Detailed reply is mentioned below.
  - I. Incorrect. The appellant was not verbally granted leave on 26.11.2020 for two days. When appellant submitted two days casual leave application for 27.11.2020 & 28.11.2020, which was marked to clerk of court (COC) for report. COC reported that the balance of applicant has already been

exhausted, therefore, request for casual leave was regretted and COC was directed to inform her regarding refusal of casual leave. (*Application is annexed as Anx-A*)

- 2. Incorrect. Detail has been given in preceding para.
- 3. Incorrect. Detail has been given in preceding para.
- 4. Incorrect. On 27.11.2020 the appellant was absent from her duty, resultantly she was marked absent in the attendance register. (*Anx-B*) On same date at about 12:30 one of the staff member namely Faiz ur Rehman informed the respondent No.3 that the appellant is performing duty with ETEA staff at football stadium near Shahi Mosque, Chitral. Respondent No.3 along with his driver and one computer operator namely Abdul Haq rushed to the spot for verification of information, because such like allegation and inquiry was already pending against the appellant. Respondent No.3 found the appellant while performing duty with ETEA officials for recruitment of police constables at mentioned place. Respondent No.2 made video of the situation and also took pictures. (*DVD and Photographs are annexed as Anx-C*) Moreover, respondent No.3 recorded statement of Deputy Director ETEA on spot who admitted that applicant is performing ETEA duty with them. (*Anx-D*). Appellant could not establish her stance that she was there to invite her guest, because she was present in the middle of the ground where the candidates were giving test and no other person except ETEA staff were allowed to enter into the said football ground.
- 5. Correct. Needs no comments.
- 6. Correct. Needs not comments.
- 7. Correct.
- 8. Correct. That the appellant has filed the instant appeal but she was dismissed from service after adopting proper inquiry and founding the appellant guilty.

**On Grounds:**

A. Incorrect. The inquiry proceedings were conducted strictly in accordance with the Rules and Procedure, envisaged by the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011. During the course of inquiry, the Departmental Representative

produced 04 witnesses who were thoroughly cross examined by the appellant and in rebuttal thereof the appellant also produced witnesses in her support and after closure of evidence both the parties were heard. The respondent No.1 also given ample opportunity to the appellant to produce additional evidence in rebuttal and she was also personally heard.

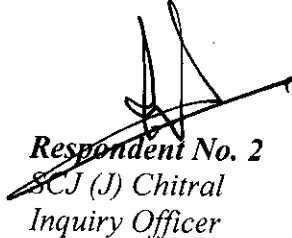
- B. Incorrect. The inquiry officer/respondent No.2 has recommended the major penalty after going through all the evidence/record. Moreover, the service record of the appellant shows that on so many occasions she remained absent from her duty without any permission and several warnings/explanations were called from her. (i) Vide warning letter No. 1172 dated 04.06.2020 the appellant had been warned for unauthorized absence. (ii) Warning/counseling letter dated 06.01.2021 was also issued to her for none-observance of office timings and for unserious attitude towards her duty. (iii) Most importantly, vide office order bearing endorsement No. 2337-2341 dated 07.07.2018 as a result of inquiry the appellant was penalized for **withholding of two annual increments** as well as recovery was made from her salary for 11 days of absence by the then learned District & Sessions Judge Chitral. (iv) Vide office order No. 579/SCJ/Admn/Chitral dated 11.12.2020 counselling letter was also issued to the appellant with the directions to mend her attitude. (Anx-E to I). Despite the above, she did not mend her ways, thus the instant inquiry and its result in shape of dismissal from services of appellant. (Anx-J to M) Above all, perusal of her previous PERs disclosed that her different reporting officers and countersigning officers had given adverse remarks against the appellant, her first ever and recent Annual PERs are worth perusal. (Anx-O)
- C. Incorrect. The appellant has been dismissed from service on the strength of sufficient evidence coupled with video/DVD and other corroborative evidence. Moreover, the general reputation of the appellant was also not good during her service.
- D. Incorrect. Detail has been given in the preceding paras.
- E. Incorrect. Detail has been given in the preceding paras.
- F. Incorrect. Detail has been given in the preceding paras.
- G. Incorrect. Detail has been given in the preceding paras.
- H. Incorrect. Detail has been given in the preceding paras.

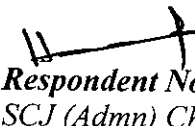


- I. Incorrect. Detail has been given in the preceding paras.
- J. Incorrect. Detail has been given in the preceding paras.
- K. Incorrect. Detail has been given in the preceding paras.
- L. Needs no comments.

In view of above, it is humbly prayed that entire proceedings against the appellant have been conducted as per procedure and law by adopting the legal procedure and she has been rightly dismissed from service, hence, the appeal in hand is liable to be rejected on its initial stage. Moreover, comments of Hon'ble District & Sessions Judge Chitral bearing No. 965 DSJ/ZQ/CTL, dated 24.04.2021 to the worthy Registrar, Peshawar High Court, Peshawar be also consider as part and parcel of instant reply.

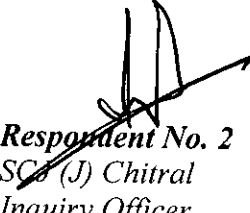
  
**Respondent No. 1**  
D&SJ Chitral  
Competent Authority

  
**Respondent No. 2**  
SCJ (J) Chitral  
Inquiry Officer

  
**Respondent No. 3**  
SCJ (Admn) Chitral

**Affidavit:**

*Verified that contents of written reply are true and correct to the best of my knowledge.*

  
**Respondent No. 2**  
SCJ (J) Chitral  
Inquiry Officer

**Additional Advocate General**  
(Service Tribunal) K.P.K  
Peshawar



(5)

**DISTRICT JUDICIARY CHITRAL LOWER**

Office of the District & Sessions Judge, Lower Chitral

Phone # 0943-412533, Fax # 0943-412380, E-Mail: dsjctl@gmail.com

No. **965** DSJ/ZQ/CTL

Dated: **27 / 4** /2021.

To,

The worthy Registrar,  
Peshawar High Court,  
Peshawar.

**Subject: Departmental Appeal No. 06/2021**

**Mst. Kashifa Bibi... Vs... D&SJ Lower Chitral.**

R/Sir,

Reference your good-self letter bearing endorsement No.

4587/ Admn dated 01.04.2021, the requisite comments are as under:

**ON FACTS:**

1. Needs no comments, being irrelevant to the answering respondent.
2. Needs no comments, being irrelevant to the answering respondent.
3. Correct to the extent of appellant's appointment as Junior Clerk BS-11, however, rest of the Para is irrelevant, hence needs no comments.
4. Correct to the extent of appellant's posting as Muharrir in the Court of learned Senior Civil Judge, rest of the Para is denied.
5. Incorrect. Infact, the learned Senior Civil Judge (Admn), lower Chitral vide letter No. 365/SCJ/Admin Chitral dated 02.12.2020 submitted a complaint against the appellant Mst. Kashifa Bibi, Junior Clerk, posted as Muharrir in his Court to the effect that: the appellant remained absent from her official duty on 27.11.2020 despite the fact that her application was rejected; and that the appellant has performed duty with ETEA Staff in recruitment process of police constables at Football Stadium near Shahi Mosque

6

Chitral without departmental permission. (Copy of Complaint is annexed herewith as Annexure-“A”).

6. Incorrect. Detail has already been given in the *ibid* Para.
7. Incorrect. The instant Para of her appeal is at variance with Para No. 5 of her appeal.
8. Incorrect. Detail has already been given in Para 5. Infact, the appellant performed the duty with ETEA Staff at Football Ground near Shahi Mosque Chitral for recruitment of police constables on 27.11.2020. Qua this, video recording/DVD exhibited in the course of inquiry coupled with the statement of the Deputy Director ETEA Mr. Riaz Akbar confirms her presence while performing duty with ETEA staff. As far, stance of the appellant that she went there to invite her guest for dinner, is concerned, suffice it to say that she failed to produce any corroborative evidence as the available record and video recording speaks otherwise. It is noteworthy that the appellant has claimed that being indispose on the relevant day she was unable to perform her official duty, but surprisingly, on the same day she was found performing duty as invigilator with ETEA Staff and that too without any leave and departmental permission. The video recording and statement of Deputy Director ETEA belied her stance.
9. Incorrect. Detail answer has been given in the preceding Para(s).
10. Correct, being confirmed by the Deputy Director ETEA.
11. It is submitted that after receiving complaint from the learned SCJ-Admn, the then learned District & Sessions Judge (being Competent

7

Authority) vide order bearing No. 2935/D&SJ/ZQ/CTL dated 09.12.2020, called explanation from the appellant, in response whereof, she had submitted her written reply, whereas, the learned Senior Civil Judge (Admin) vide his letter No. 594/SCJ/Admn/Chitral dated 16.12.2020 has also submitted clarification in response to the reply so submitted by the appellant. (Copy of the explanation, reply of the appellant and clarification of Senior Civil Judge (Admin) are annexed herewith as Annexure-"B" to "D" respectively).

12. That the reply so submitted by the appellant was found not satisfactory, consequently, the then learned District & Sessions Judge, being Competent Authority, vide office order No. 3065-3066/DSJ/ ZQ/CTL dated 16.12.2020 was pleased to direct a proper inquiry to be conducted into the charges against the appellant and appointed Mr. Asif Kamal, learned Senior Civil Judge (Judicial), Lower Chitral as Inquiry Officer, under the relevant Rules of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011. The appellant was charge sheeted and statement of allegation was also provided to her. (Copy of the office order, Charge Sheet and Statement of Allegation are annexed as Annexure-"E" to "G" respectively).
13. That the learned Inquiry Officer (Mr. Asif Kamal, Senior Civil Judge (Judicial), Chitral Lower) conducted the inquiry by affording opportunity to both the appellant and departmental representative and after recording of evidence from both the sides and provision of



8

ample opportunity of cross examination coupled with hearing the parties, vide his detailed inquiry report consisting of five pages, found the charges levelled against the appellant being proved, hold the appellant guilty, recommended major penalty. (Copy of inquiry report dated 15.02.2021 is Annexure-“H” and the order sheets of the inquiry proceedings and evidence of both the parties recorded during the course of inquiry including exhibits are annexed as Annexure-“I”). On receipt of the inquiry report, the then learned District & Sessions Judge Lower Chitral (Competent Authority) issued final Show Cause Notice coupled with personal hearing to the appellant with the direction to submit her reply to the show cause notice, additional evidence, if any, in writing. (Copies of the final show cause notice and personal hearing are annexed as Annexure- “J” & “K”) and vide order dated 03.03.2021 after perusing the inquiry report, the entire record, previous conduct of the appellant, the defense so produced by her and after personal hearing, awarded major penalty and dismissed her from service. (Order dated 03.03.2021 and office order bearing No. 492-96/ DSJ/ZQ/CTL dated 03.03.2021 are annexed as Annexure-“L” & “M”).

14. Incorrect, detail answer has been given *ibid*.
15. Legal one.

**ON GROUNDS:**

- a. Incorrect. The inquiry proceedings were conducted strictly in accordance with the Rules and Procedure, envisaged by the Khyber Pakhtunkhwa Government Servants (Efficiency and

9

Discipline) Rules, 2011. During the course of inquiry, the Departmental Representative produced four (04) witnesses who were thoroughly cross examined by the appellant and in rebuttal thereof the appellant also produced witnesses in her support and after closure of evidence both the parties were heard. The learned District & Sessions Judge (Competent Authority) also given ample opportunity to the appellant to produce additional evidence in rebuttal and she was also personally heard.

- b. Incorrect. Answer has been given in the preceding Para.
- c. Incorrect. The competent authority after perusing the inquiry report, reply to the show cause notice as well as personal hearing to the appellant and keeping in view the previous conduct and record of the appellant, passed the order of her dismissal strictly on merits.
- d. Incorrect. The inquiry officer has recommended the major penalty after going through all the evidence/record. Moreover, the service record of the appellant shows that on so many occasions she remained absent from her duty without any permission and several warnings/explanations were called from her. (i) Vide warning letter No. 1172 dated 04.06.2020 the appellant had been warned for unauthorized absence. (ii) Warning/counseling letter dated 06.01.2021 was also issued to her for none-observance of office timings and for unserious attitude towards her duty. (iii) Most importantly,

(10)

vide office order bearing endorsement No. 2337-2341 dated 07.07.2018 as a result of inquiry the appellant was penalized for **withholding of two annual increments** as well as recovery was made from her salary for 11 days of absence by the then learned District & Sessions Judge Chitral. **(iv)** Vide office order No. 579/SCJ/Admn/Chitral dated 11.12.2020 counselling letter was also issued to the appellant with the directions to mend her attitude. (Copy of warning letter No. 1172 dated 04.06.2020, Warning/counseling letter dated 06.01.2021, office order bearing endorsement No. 2337-2341 dated 07.07.2018 & office order No. 579/SCJ/Admn/Chitral dated 11.12.2020 are annexed as Annexure-“N” to “Q”.)


- e. Incorrect. Detail answer has been given in preceding Para.
- f. Incorrect. The appellant has been dismissed from service on the strength of sufficient evidence coupled with video/DVD and other corroborative evidence. Furthermore, the general reputation of the appellant was also below the line as several letters were received to the then learned District & Sessions Judge, Lower Chitral, some of which were pasted on the main gate of the court premises, containing serious moral allegations against appellant. (Some of complaints which were received through post are annexed as Annexure-“R”). Besides, per the Judicial Esta Code, 2011, one of the qualifications for the post of Junior Clerk is “*a speed of 30 words per minute in typing*” but the appellant was having no

(W)

knowledge of typing which is evident from her "Annual PERs". Moreover, her different Reporting Officers and Countersigning Officers had given adverse remarks, her first ever and recent Annual PERs are worth perusal. (Copy of the PERs are annexed as Annexure "S")

- g. Incorrect. The then learned District & Sessions Judge, being competent authority, after examining the entire record, in the light of settled principles, passed the order impugned herein.
- h. Needs no comments being irrelevant. However, record/evidence produced by the appellant in her defense, had sufficiently connected her with the offenses for which she was charge sheeted. Again, the inquiry proceedings were conducted strictly in accordance with the Rules and Procedures enshrined under Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and the appellant was held guilty of the charges levelled against her. Consequently, the major penalty of dismissal from service had rightly been imposed against her.
- i. Legal one.

Comments are submitted as desired, please.



**Phool Bibi**  
*District & Sessions Judge*  
*Lower Chitral*



**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA, CHITRAL**

**OFFICE OF THE SENIOR CIVIL JUDGE (ADMIN), CHITRAL LOWER**

PH# 0943- 413812

Email: scjchitral@gmail.com

Fax# 0943- 413498

NO. 365 /SCJ/Admin/Chitral

Dated: 02/12/2020

To:

The learned District & Sessions Judge/Zilla Qazi,  
Chitral Lower.

*Ex APW 4/1*  
*scj chitral*  
*02/12/20*

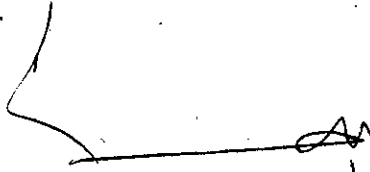
**COMPLAINT AGAINST KASHIFA BIBI JUNIOR CLERK.**

Respected Sir,

1. That on 26.11.2020 Kashifa Bibi Junior Clerk submitted 02 days casual leave application for 27.11.2020 & 28.11.2020 but as per report of the Clerk of Court (COC) her leave balance has already been exhausted, therefore, request for casual leave was regretted and COC was directed to inform her regarding refusal of casual leave. (Leave application and copy of the relevant page of balance register is attached).
2. That on 27.11.2020 she remained absent from her duty, resultantly she was marked absent in the attendance register. (Copy of relevant page of attendance register is attached).
3. That on 27.11.2020 at about 12:30 PM one of the staff member namely Faiz-ur-Rahman Bailiff of the court informed the undersigned that the official named above (Kashifa Bibi) is performing duty with the ETEA Staff at Football Stadium near Shahi Mosque for recruitment of police constables.

- (B)
4. That the undersigned in official vehicle along with Nabi Gul (driver) and Abdul Haq (Computer Operator) rushed to the spot for the verification of information as such like allegation and inquiry already pending against the official named above. (Copy of complaint and her comments attached).
  5. That the undersigned found the official named above while performing duty with the ETEA officials for recruitment of police constables in the Football Stadium near Shahi Mosque. The Computer Operator namely Abdul Haq made video recording and snap shots of the scene for proof. (Snap shots and video recording in separate USB attached).
  6. The undersigned recorded the written statement of the Deputy Director ETEA on the spot, wherein, he stated that the official named above is performing duty with them on the recommendation of Director of the ETEA on daily wages. (Statement attached).
  7. That the official named above remained absent from her duty on 27.11.2020 and unauthorized and illegally performed duty with ETEA staff for recruitment of police constables without any permission. Such act of the official named above amounts to misconduct and unfit to remain in service.

The complaint is hereby submitted against the official named above Kashifa Bibi Junior Clerk (attached as Muharrir with the court of undersigned) for further necessary action on your part, please.

  
**(Muhammad Irfan)** 2/12/2020  
Senior Civil Judge (Admin),  
Chitral Lower



**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge/Zilla Qazi Lower Chitral

Ph # 0943-412533

Fax # 0943-412380

E-Mail: dsjctl@gmail.com

No. 2935 DSJ/ZQ/CTL

Dated: 09/12/2020

To,

Miss Kashifa Bibi,  
Junior Clerk (Muharrir),  
Court of Senior Civil Judge (Admn),  
Lower Chitral

Subject: EXPLANATION.

Reference to a complaint/report submitted by the learned Senior Civil Judge (Admn) Lower Chitral vide letter No. 365/SCJ/Admn dated 02.12.2020, to the undersigned, you were found absent from your duty on 27.11.2020, without prior permission of the competent authority and was found performing duty with the ETEA Staff for recruitment of police constables at Football Stadium near Shahi Mosque. Although, you were intimated regarding your non availability of casual leave by the Officer concerned, therefore, you are directed to submit your explanation for the willful absence as well as performing duties other than your official duties with ETEA staff and that to without any approval or sanction of the competent authority within seven days after the receipt of this notice, failing which you will be proceeded under KPK Government Servant (Efficiency & Disciplinary Rules) 2011.

(JAVOID-UR-REHMAN)

District & Sessions Judge/Zilla Qazi,  
Lower Chitral.

No. 2936 DSJ/ZQ/CTL

Copy Forwarded for information to:

The Senior Civil Judge (Admn), Chitral

Dated Chitral the 09/12/2017.

(JAVOID-UR-REHMAN)

District & Sessions Judge/Zilla Qazi,  
Lower Chitral.



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23

90

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA, CHITRAL**  
**OFFICE OF THE SENIOR CIVIL JUDGE (ADMIN), CHITRAL LOWER**  
PH# 0943- 413812 Email: scjchitral@gmail.com  
Fax# 0943- 413498

No. 594 /SCJ/Admin/Chitral Dated: 16 / 12 /2020

To:

The learned District & Sessions Judge/Zilla Qazi,  
Chitral Lower.

**REPLY IN RESPECT OF EXPLANATION SUBMITTED BY**  
**KASHIFA BIBI JUNIOR CLERK REGARDING A**  
**COMPLAINT AGAINST HER.**

Respected Sir,

My reply to the explanation submitted by above named official is  
as under:-

1. A complaint was submitted by the undersigned against the Kashifa Bibi Junior Clerk on 02.12.2020. On 09.12.2020 your good self has asked for submission of explanation. On 15.12.2020 the said official submitted her explanation, wherein, she has taken the ground that the undersigned had orally asked her to take leave due to arm pain for two days. Such statement is wrong, illegal and against facts. In this respect it is submitted that on 26.11.2020 the said official during courts hours verbally submitted that due to arm pain she may be granted two days leaves, the undersigned asked her to submit casual leave application. On the same day her leave application was presented to the undersigned by the concerned

*[Handwritten signature]*  
16-12-20




staff along with the balance register. As per the report of Clerk of Court (COC), her leave balance was already exhausted, resultantly, her request for casual leave was regretted and COC was directed to inform her regarding refusal of casual leave. Furthermore, the official under report is not my personal servant to grant her leave orally and there is rule and procedure for obtaining/granting of casual leaves etc to government officials.

Moreover, in the said explanation the delinquent official has taken contradictory stance as she has stated that "on 27.11.2020 telephonically asked my colleague namely Khair-ud-Din (Naib Qasid) to submit casual leave application for the mentioned date due to arm pain". Perusal of her leave application reveals that she has submitted the said application on 26.11.2020 by signing the said application herself and the same was also turned down/regretted on the same date i.e. 26.11.2020. (Her leave application already been annexed with the original complaint).

2. The other ground taken in the said explanation that she has not performed any duty with the ETEA staff for recruitment is concerned, in this respect my complaint against her is self-explanatory.

My reply is hereby submitted as desired, please.

  
(Muhammad Irfan)  
Senior Civil Judge (Admin), 16/12/2020  
Chitral Lower

A  
16.12.20.

To:

Hon'ble District & Sessions Judge/ZQ,  
Lower Chitral.

Subject: EXPLANATION.

Dear Sir,

With due respect it is submitted that reference to your honor's letter No.2935/DSJ/ZQ/CTL Dated 09.12.2020, that on 26.11.2020 the learned Senior Civil Judge (Admin). Lower Chitral, orally asked me to take leave due to arm pain for two days. Furthermore on 27.11.2020 telephonically asked my colleague namely Khair Uddin (Naib Qasid) to submit casual leave application for the mentioned date due to arm pain. Moreover, no one has informed me about the acceptance or rejection of my casual leave application, hence, I considered my application as accepted.

As far as performing duty with ETEA Staff for recruitment is concerned, it is baseless allegation against me as neither have any order by the concerned Authority nor I have attended that recruitment process. My presence at Football Ground was due to my concerned person, who was hailing from down district; was performing duty and I went there to invite him to my home.

It is therefore humbly requested in your honor that, kindly withdraw the explanation on humanity ground.

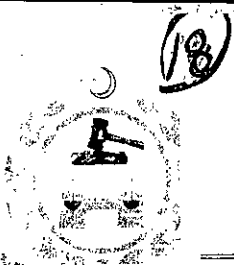
Dated: 15.12.2020

(KASHIFA BIBI)

Junior Clerk, Attached with the  
Court of SCJ (Admin)  
Lower Chitral.

*Sir.*  
*Let a reply be also provided*  
*learned S.C.J Admin in*  
*writing along with my documentary record*

*SCJ 15.12.20*  
*02.20 PM*



(2)  
19  
Ez AP 4/12  
09/10

**OFFICE ORDER**

Written complaint/report was submitted by the learned Senior Civil Judge (Admn), Lower Chitral vide his letter No. 365/SCJ/Admn/Chitral dated 02.12.2020 against accused/official namely Mst: Kashifa Bibi Junior Clerk BPS-11 presently Muharrir attached to the court of learned Senior Civil Judge (Admn)/MTMC, Chitral. This office by virtue of office order bearing No. 2935/District & Sessions Judge/ZQ/CTL dated 09.12.2020 issued explanation/show cause notice to the accused/official. As per the written reply of the accused/official and clarification of learned Senior Civil Judge (Admn) vide his letter No. 594/SCJ/Admn/Chitral dated 16.12.2020, coupled with the main complaint, the reply so filed by the accused/official was not found satisfactory, therefore, the undersigned being Competent Authority under section 5(b) read with section 11 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 direct an inquiry to be conducted into the charges against the accused/official by appointing Mr. Asif Kamal Senior Civil Judge (Judicial), Lower Chitral as an Inquiry Officer as per charge sheet and statement of allegations prepared by the Competent Authority under the provided procedure for conduct of inquiry, at the earliest while observing all the formalities. The relevant record be sent to the Inquiry Officer forthwith and the accused/official be also informed.

Encl:

24--pages and one CD

(JAV AID-UR-REHMAN)  
District & Sessions Judge/ZQ,  
Lower Chitral.

**Copy forwarded for information and compliance to:**

1. The learned Senior Civil Judge (Judicial) Mr. Asif Kamal.
2. The accused/official concerned.

(JAV AID-UR-REHMAN)  
District & Sessions Judge/ZQ,  
Lower Chitral



(19)

(3)

(38)

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**  
Office of the District & Sessions Judge/Zilla Qazi Lower Chitral  
Phone # 0943-412533, Fax # 0943-412380, E-Mail: dsjctl@gmail.com  
No. 3068 DSJ/ZQ/CTL Dated: 16 / 12 / 2020.

To, Mrs. Kashifa Bibi Junior Clerk BPS-11,  
Presently Muharrir attached to the court of  
Senior Civil Judge (Admn)/MTMC Lower Chitral

Subject: **CHARGE SHEET**

Memo,

1. That you accused/official on 26.11.2020 submitted 02 days casual leave application for 27.11.2020 & 28.11.2020 but as per report of the Clerk of Court (COC) your leave balance was already been exhausted, therefore, your request for grant of casual leave was regretted by the learned Senior Civil Judge (Admn) and you were also been informed regarding refusal of casual leave.
2. That despite of refusal of your leave you remained absent from your duty on 27.11.2020 and you were marked absent in the attendance register.
3. That on 27.11.2020 at about 12:30 PM one of the staff member namely Faiz-ur-Rahman Bailiff of the court informed the learned Senior Civil Judge (Admn) that you were performing duty with the ETEA Staff at Football Stadium near Shahi Mosque for recruitment of police constables.
4. That the learned Senior Civil Judge (Admn) in official vehicle along with Nabi Gul (driver) and Abdul Haq (Computer Operator) rushed to the spot for the verification of information as such like allegation/complaint had already been submitted by unknown person previously and you accused/official had already submitted reply to the said complaint.
5. That the learned Senior Civil Judge (Admn) found you while performing duty with the ETEA officials for recruitment of police constables in the

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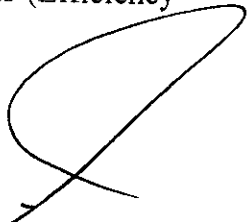
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Football Stadium near Shahi Mosque. The Computer Operator namely Abdul Haq made video recording and snap shots of the scene for proof.

6. The learned Senior Civil Judge (Admn) also recorded the written statement of the Deputy Director ETEA on the spot, wherein, he stated that you accused/official was performing duty with them on the recommendation of Director of the ETEA on daily wages.
7. That you accused/official remained absent from your duty on 27.11.2020 and unauthorized and illegally performed duty with ETEA staff for recruitment of police constables without any permission.
8. That the reason assigned by you accused/official in your reply with regard to absence from your duty and performing duty with ETEA staff is not found satisfactory.
9. That you accused/official remained willful absent from your duties on 27.11.2020 and performed duty with the ETEA officials for recruitment of police constables in the Football Stadium near Shahi Mosque ~~is~~ amounts to misconduct and willful disobedience, hence, you accused/official has been accused of misconduct as defined in section 2(1) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

You are therefore, required to explain your position that why not penalties provided under section 4 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, be imposed upon you.

  
(Javaid-ur-Rehman)  
District & Sessions Judge/ZQ,  
Lower Chitral  
(Competent Authority)



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13

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge/Zilla Qazi Lower Chitral

Phone # 0943-412533, Fax # 0943-412380, E-Mail: dsjctl@gmail.com

No. 3067 - DSJ/ZQ/CTL

Dated: 16 / 12 /2020.

To, Mrs. Kashifa Bibi Junior Clerk BPS-11,  
Presently Muharrir attached to the court of  
Senior Civil Judge (Admn)/MTMC Lower Chitral

Subject: **STATEMENT OF ALLEGATION**

1. That you accused/official on 26.11.2020 submitted 02 days casual leave application for 27.11.2020 & 28.11.2020 but as per report of the Clerk of Court (COC) your leave balance was already been exhausted, therefore, your request for grant of casual leave was regretted by the learned Senior Civil Judge (Admn) and you were also been informed regarding refusal of casual leave.
2. That despite of refusal of your leave you remained absent from your duty on 27.11.2020 and you were marked absent in the attendance register.
3. That on 27.11.2020 at about 12:30 PM one of the staff member namely Faiz-ur-Rahman Bailiff of the court informed the learned Senior Civil Judge (Admn) that you were performing duty with the ETEA Staff at Football Stadium near Shahi Mosque for recruitment of police constables.
4. That the learned Senior Civil Judge (Admn) in official vehicle along with Nabi Gul (driver) and Abdul Haq (Computer Operator) rushed to the spot for the verification of information as such like allegation/complaint had already been submitted by unknown person previously and you accused/official had already submitted reply to the said complaint.

- (22) (11) (9)
5. That the learned Senior Civil Judge (Admn) found you while performing duty with the ETEA officials for recruitment of police constables in the Football Stadium near Shahi Mosque. The Computer Operator namely Abdul Haq made video recording and snap shots of the scene for proof.
  6. The learned Senior Civil Judge (Admn) also recorded the written statement of the Deputy Director ETEA on the spot, wherein, he stated that you accused/official was performing duty with them on the recommendation of Director of the ETEA on daily wages.
  7. That you accused/official remained absent from your duty on 27.11.2020 and unauthorized and illegally performed duty with ETEA staff for recruitment of police constables without any permission.
  8. That the reason assigned by you accused/official in your reply with regard to absence from your duty and performing duty with ETEA staff is not found satisfactory.
  9. That you accused/official has been accused of misconduct as defined in section 2(1) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

You are therefore, required to explain your position that why not penalties provided under section 4 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, be imposed upon you.

(Javaid-ur-Rehman)  
District & Sessions Judge/ZQ,  
Lower Chitral  
(Competent Authority)

**BEFORE**  
**ASIF KAMAL SENIOR CIVIL JUDGE/JUDICIAL MAGISTRATE,**  
**LOWER CHITRAL**  
**(INQUIRY OFFICER)**

**INQUIRY REPORT:-**

Vide office order bearing No.3065-3066/DSJ/ZQ/CTL the instant inquiry was initiated against accused/official Mst. Kashifa Bibi Junior Clerk BPS-11, presently Muharir attached to the court of Senior Civil Judge (Admin) Lower Chitral. The accused/official was charge sheeted and statement of allegation given by Hon'ble District Judge, Lower Chitral. The inquiry was marked to the undersigned to proceed with the inquiry as Inquiry Officer vide order dated 16.12.2020 by Hon'ble District Judge, Lower Chitral. The undersigned conducted inquiry proceedings by observing all the formalities.

As per charge sheet there are two allegations against the accused/official:

- i. The accused/official remained absent from her official duty despite the fact that her application was rejected.
- ii. The accused/official performed ETEA duties without departmental permission.

The undersigned conducted inquiry proceeding and after personal attendance of parties i.e. departmental representative (Mr. Sajjad Ahmad) and accused official (Mst. Kashifa Bibi), produced their list of witnesses. After submission of list of witnesses parties produced their documentary as well as oral evidence.

Complainant/Muhammad Irfan/Senior Civil Judge (Admin) Lower Chitral recorded his statement as APW-1 and stated that on 26.11.2020 the accused/official submitted 02 days casual leave application, but as per report of the COC her leave balance was expired/exhausted. That the accused/official remained absent on 27.11.2020, therefore, she was marked absent in the attendance register.

*Inquiry report*



That on even date at 12:30 PM one of staff members namely Faiz ur Rehman bailiff informed him that the accused/official was performing duty with the ETEA staff in the football ground. That Senior Civil Judge (Admin) along with Gul Nabi Driver, Abdul Haq/Computer Operator rushed to the spot for verification of allegations. It was found that the accused/official while performing duty with the ETEA staff for recruitment of police constables at football stadium near Shahi Mosque Lower Chitral. Abdul Haq recorded video and took snap shots of the scene for proof and Senior Civil Judge (Admin) recorded statement of Deputy Director ETEA on the spot, wherein he verified that the accused/official was performing ETEA duty with them on daily wages. The APW-1 exhibited leave application as Ex.APW-1/1, balance register as Ex.APW-1/2, page of attendance register as Ex.APW-1/3, complaint and comments as Ex.APW-1/4 & Ex.APW-1/5, video recording and snap shots in DVD as Ex.APW-1/6 and original statement of Deputy Director of ETEA as Ex.APW-1/7.

Abdul Haq/computer operator recorded his statement as APW-2 and verified the fact that on direction of Senior Civil Judge (Admin) he went to football Stadium and recorded video and snapshot of the accused official who was performing duty with the ETEA staff.

Faiz ur Rehman Bailiff of the court recorded his statement as APW-3 and stated that on 27.11.2020 when he was going to offer Jummah Prayer in Jamia Mosque he saw the accused/official performing duty with the ETEA staff in the parade/football ground and reported the matter to Senior Civil Judge (Admin) Lower, Chitral.

Departmental Representative Sajjad Ahmad recorded his statement as APW-4 and stated that the service record of the accused/official is not good and produced exhibited written complaint against the accused/official as Ex.APW-4/1, order of District Judge dated 16.12.2020 as Ex.APW-4/2, his authority letter as Ex.APW-4/3, warning to accused/official as Ex.APW-4/4, order of District Judge dated 07.07.2018 as Ex.APW-4/5 vide which the accused/official was

*Inquiry report*

29

93

penalized and her two annual increments were withdrawn. Warning/counselling order to the accused/official dated 26.01.2021 as Ex.APW-4/6 and another counselling letter to accused/official as Ex.APW-4/7.

In defense, accused/official produced Khair ud Din/Naib Qasid as RW-1 who stated on oath that on 26.11.2020 Kashifa Bibi (accused/official) told her that she had taken oral permission from Hon'ble Senior Civil Judge (Admin) to go on leave and asked him to submit her application for sanctioning of casual leave before Senior Civil Judge, (Admin). That on 27.11.2020, Kashifa Bibi again called me to submit her application, so, I submitted her application to Senior Civil Judge, (Admin) in his chamber.

Accused/official recorded her statement as RW-2 and stated that on 26.11.2020 she was sick, therefore, she went to the chamber of Senior Civil Judge (Admin) and orally requested for casual leave. The Hon'ble Judge orally permitted her and asked to submit casual leave application. She wrote application and after signing it I told Naib Qasid Khair ud Din to submit the same to Hon'ble Senior Civil Judge, (Admin) and went home. That on 27.11.2020 her aunt called her that one of her relative is performing ETEA duty at Chitral and asked her to invite him. She went to the football ground to invite the guest.

Accused/official written arguments while departmental representative relied upon his already submitted documents. My findings in respect of Charge Sheet are as under:-

Findings:-

The original casual leave application moved by accused/official is available on file as Ex.APW-1/1, wherein it has been clearly reported by the Clerk of Court that the leave balance of accused/official (Mst. Kashifa Bibi) has already expired/exhausted. Moreover, Senior Civil Judge, Admin has regretted the said leave application on the basis of COC report and has directed to inform the concerned official.

*Inquiry report*

15/12/2021

Moreover, copy of concerned page of attendance is available on file as Ex.APW-1/2, wherein the accused/official has been shown as Absent.

As for as the second allegation is concerned in this respect statement of Faiz ur Rehman Bailiff on oath is available on file, wherein he has stated that the accused/official was performing duty with the ETEA staff in the football ground on 27.11.2020. The recorded video in DVD (Ex.APW-1/6) which is part of instant inquiry file also supports the version of complainant and clearly confirms the presence of accused/official in the football ground during ETEA test where only the ETEA staff and candidates were present and no other person was allowed to enter in the football ground. The accused/official also admitted that she was present at football ground during ETEA test but she is of the view that she was there only to invite her guest who was performing ETEA duty. This is only verbal claim of accused/official that she was there only to invite her guest but record speaks against her. Moreover, statement of Deputy Director ETEA Mr. Riaz Akbar having CNIC No.17101-1215161-1 is part of record as Ex.APW-1/7, wherein he has admitted the fact that accused/official Mst. Kashifa Bibi was performing ETEA duty with them on 27.11.2020 at the time of recruitment of police constables.

Conclusion:-

Apart from above cited circumstances the overall performance of accused/official is not satisfactory. During her service many times she remained absent from her duty, resultantly so many explanations were called and warning/counselling have been issued to her. The accused official has been penalized once as a result of departmental inquiry.

Vide letter/counselling No.579 dated 11.02.2020 (Ex.APW-4/1), learned Senior Civil Judge (Admin) directed the accused/official to be careful in future for the following reasons:

- i. Late comer.
- ii. Early leaving from the duty.

*Inquiry report*

- iii. Not present on seat and used to sit with general public/advocates/male staff members during office timings.
- iv. Fond of casual leave on flimsy grounds.
- v. Having contacts with persons other than your close relatives.

Vide warning letter No.1172 dated 04.06.2020 (Ex.APW-4/4) the accused/official had been warned for the reason of absence from duty without sanctioned leave from competent authority by the Hon'ble District & Sessions Judge, Lower Chitral.


Another warning/counselling letter dated 06.01.2021 (Ex.APW-4/6) issued to the accused/official from Hon'ble District & Sessions Judge, Lower Chitral for non-observing of office timings and non-serious attitude towards her duties.

Most importantly, vide office order bearing endorsement No.2337-2341 dated 07.07.2018 (Ex.APW-4/5), as a result of inquiry the accused official was penalized withholding of two annual increments with the recovery of salary paid for the period of eleven days, by the then Hon'ble District & Sessions Judge, Lower Chitral. Despite of entire above mentioned warnings and penalty the accused/official did not mend her ways, thus the instant inquiry.

#### RECOMMENDATION:-

In view of my findings mentioned above, it is concluded that the charges leveled against the accused/delinquent official stands proved, which is grave misconduct, inefficiency and violation of discipline, therefore, suggested that the accused/official may be penalized with major penalty.

Inquiry Report is submitted to your honor for your kind perusal and further proper order.

  
**(Asif Kamal)**  
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

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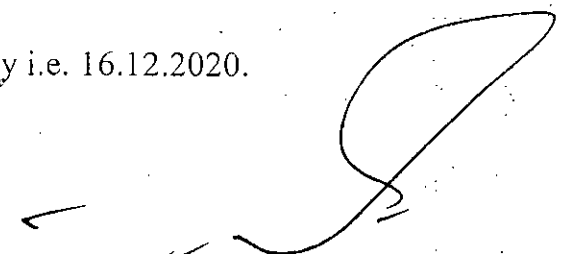
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16.12.2020

Vide office Order bearing No.3065-3066/DSJ/ZQ/CTL of even dated, an inquiry was initiated against accused/official Mst. Kashifa Bibi (Junior Clerk/BPS-11), presently *Muharrir* attached to the Court learned Senior Civil Judge (Admn)/MTMC, Lower Chitral. She was charge sheeted and statement of allegation given. Mr. Asif Kamal, learned Senior Civil Judge (Judicial), Lower Chitral is hereby, appointed as Inquiry Officer to proceed with inquiry as per Charge Sheet and statement of allegation, with the direction to conduct the inquiry while observing all the formalities at the earliest. The relevant record be send to the Inquiry Officer forthwith and accused/Official be also informed. Mr. Sajjad Ahmad (Junior Clerk) is also hereby appointed as Departmental Representative vide Office Order bearing No.3069-3072/DSJ/ZQ/CTL of even dated with the direction to defend the inquiry on behalf of this Office.

Office is directed to send the file/record to the Inquiry Officer today i.e. 16.12.2020.

Announced  
16.12.2020

  
**(JAVOID-UR-RAHMAN)**  
District Judge/ZQ, Lower Chitral  
(Competent Authority)

(29)

(9)

**IN THE COURT OF ASIF KAMAL SENIOR CIVIL  
JUDGE/JUDICIAL MAGISTRATE, CHITRAL**

No. \_\_\_\_\_ Date of Institution. \_\_\_\_\_ Title. \_\_\_\_\_

Sl No. Date  
Of Order

Order or Other Proceedings with Signature of Judge or Magistrate and  
That of Parties or Counsel Where Necessary.

حکم نمبر / تاریخ

Order ...02  
23.12.2020

Inquiry file received. Be registered.

Departmental representative Mr. Sajad Ahmad present.  
Accused/delinquent official Kashifa Bibi also present, she  
already received copies of statement of allegations and charge  
sheet, therefore, she is directed to submit her written  
defense/reply within seven (07) days positively as provided in  
S.10 (B) KPK Government Servants Efficiency and Disciplinary  
Rules 2011.

File to come up for written defense/reply of accused  
official on 23.12.2020.

  
(Asif Kamal)

Senior Civil Judge/ Inquiry Officer

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5

**IN THE COURT OF ASIF KAMAL SENIOR CIVIL  
JUDGE/JUDICIAL MAGISTRATE, CHITRAL**

No. \_\_\_\_\_ Date of Institution \_\_\_\_\_ Title \_\_\_\_\_

No. Date  
Order

Order or Other Proceedings with Signature of Judge or Magistrate and  
That of Parties or Counsel Where Necessary.

حکم نمبر / تاریخ

Order ...03  
05.12.2020

Departmental representative Mr. Sajad Ahmad present.  
Accused/delinquent official Kashifa Bibi also present and  
submitted her written defense/reply, placed on file.

Both representative and accused official are directed to  
submit their list of witnesses on 01.02.2021.

*(Asif Kamal)*  
Senior Civil Judge/ Inquiry Officer

OR.....04  
01.02.2021

Departmental Representative Mr. Sajjad  
Ahmad present, he submitted his list of witnesses.  
Accused/delinquent official Kashifa Bibi absent.  
COC office was directed to contact the accused  
official telephonically and ask her to ensure her  
presence on next date i.e. 02.02.2021, she is also  
directed to submit her list of witnesses.  
Departmental Representative is directed to produce  
his entire evidence on next date.

*(Asif Kamal)*  
Senior Civil Judge/ Inquiry Officer

(32)

9

**IN THE COURT OF ASIF KAMAL SENIOR CIVIL  
JUDGE/JUDICIAL MAGISTRATE, CHITRAL**

No. \_\_\_\_\_ Date of Institution. \_\_\_\_\_ Title. \_\_\_\_\_

Serial No. Date  
Of Order

Order or Other Proceedings with Signature of Judge or Magistrate and  
That of Parties or Counsel Where Necessary.

م نمبر / تاریخ

Order ...05  
2.02.2021

Departmental representative Mr. Sajad Ahmad present.  
Accused/delinquent official Kashifa Bibi also present. She sought  
time for submission of list of witnesses. Opportunity granted with  
the direction to positively submit the same on next date.

File to come up for submission of list of witnesses on  
behalf of delinquent official and complete evidence on  
03.02.2021. Departmental representative is directed to ensure his  
evidence on date fixed.

  
(Asif Kamal)

Senior Civil Judge/ Inquiry Officer

OR....06  
03.02.2021

Departmental Representative Mr. Sajjad  
Ahmad present, accused/delinquent official Kashifa  
Bibi also present and submitted her list of witnesses.  
Statement of Mr. Muhammad Irfan Senior Civil  
Judge/Admin, Lower Chitral, recorded as APW-1,  
accused official sought time for preparation and  
cross examination, hence, cross reserved.

To come up for cross examination of APW-1  
and statement of remaining witnesses on  
06.02.2021.

  
(Asif Kamal)

Senior Civil Judge/ Inquiry Officer



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IN THE COURT OF ASIF KAMAL SENIOR CIVIL  
JUDGE/JUDICIAL MAGISTRATE, CHITRAL

No. \_\_\_\_\_ Date of Institution. \_\_\_\_\_ Title. \_\_\_\_\_

Case No. Date  
of Order

Order or Other Proceedings with Signature of Judge or Magistrate and  
That of Parties or Counsel Where Necessary.

عکم نمبر / تاریخ

Order ...07  
08.02.2021

Departmental representative Mr. Sajad Ahmad present.  
Accused/delinquent official Kashifa Bibi also present. Cross  
examination of APW-1 Mr. Muhammad Irfan recorded and  
placed on file. Chief Statements of Abdul Haq and Faiz ur  
Rehman also recorded, delinquent official sought time for cross  
examination.

File to come up for cross examination of departmental  
witnesses and remaining evidence on 08.02.2021.

(Asif Kamal)  
Senior Civil Judge/ Inquiry Officer

OR...08  
08.02.2021

Departmental Representative Mr. Sajjad  
Ahmad, accused/delinquent official Kashifa Bibi  
and, departmental witness Abdul Haq, computer  
operator present.

Today the date was fixed for cross  
examination of departmental witnesses but inquiry  
officer remained busy in court proceedings,  
therefor, proceeding in inquiry could not be  
conducted. Hence, adjourned. To come up on  
09.02.2021.

(Asif Kamal)  
Senior Civil Judge/ Inquiry Officer

(39)

**IN THE COURT OF ASIF KAMAL SENIOR CIVIL  
JUDGE/JUDICIAL MAGISTRATE, CHITRAL**

No. \_\_\_\_\_ Date of Institution \_\_\_\_\_ Title \_\_\_\_\_

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of Order

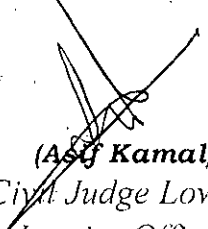
Order or Other Proceedings with Signature of Judge or Magistrate and  
That of Parties or Counsel Where Necessary.

حکم نمبر / تاریخ

Order ...09  
10.02.2021

Departmental representative Mr. Sajad Ahmad and APW-2 Abdul Haq present. Accused/delinquent official Kashifa Bibi also present. Cross examination of APW-2 recorded and placed on file. Chief Statements of Sajad Ahmad departmental representative also recorded as APW-4, delinquent official sought time for cross examination. Moreover, accused official moved an application for calling COC as her witness. Departmental representative submitted written reply.

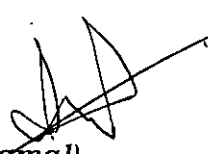
File to come up for cross examination on departmental witnesses and arguments on application of accused official on 10.02.2021.

  
(Asif Kamal)  
Senior Civil Judge Lower Chitral  
Inquiry Officer

(34)

IN THE COURT OF ASIF KAMAL SENIOR CIVIL  
JUDGE/JUDICIAL MAGISTRATE, CHITRAL

(72)

No.	Date of Institution.	Title.	
		Order or Other Proceedings with Signature of Judge or Magistrate and That of Parties or Counsel Where Necessary.	عزم نمبر / تاریخ
Order No. 10 10.02.2021		<p>Departmental representative Mr. Sajad Ahmad and APW-3 Faiz ur Rehman present. Accused/delinquent official Kashifa Bibi also present. Cross examination of APW-3 and APW-4 recorded and placed on file. Departmental representative closed their evidence. Meanwhile, accused official orally requested for withdrawal of her application for calling COC as her witness. In this respect her statement recorded and place on file.</p> <p>Hence, application of accused official for calling COC as her witness is hereby dismissed as withdrawn. Accused official is directed to produce her entire evidence on date fixed.</p> <p>File to come up for accused official's evidence on 11.02.2021.</p> <p><u>Announced</u> 10.02.2021</p> <p style="text-align: center;"> (Asif Kamal) Senior Civil Judge Lower Chitral Inquiry Officer</p>	

35

9

**IN THE COURT OF ASIF KAMAL SENIOR CIVIL  
JUDGE/JUDICIAL MAGISTRATE, CHITRAL**

No. \_\_\_\_\_ Date of Institution. \_\_\_\_\_ Title. \_\_\_\_\_

No. Date  
of Order

Order or Other Proceedings with Signature of Judge or Magistrate and  
That of Parties, or Counsel Where Necessary.

حکم نمبر / تاریخ

Order No. 11  
11.02.2021

Departmental representative Mr. Sajad Ahmad and  
accused official Kashifa Bibi both present. Evidence of  
delinquent official recorded in shape of RW-1 and RW-2 and  
after cross examination evidence closed. Meanwhile,  
representative moved an application for grant of permission to  
record additional evidence. Accused official resisted the said  
application by submitting replication. Arguments heard.

As proceeding in the instant inquiry is in progress and  
being inquiry officer it is my duty to collect all kind of  
documentary as well as oral evidence, therefore, to reach just  
conclusion of the matter and bring on file entire evidence, the  
application of petitioner/departmental representative is allowed.  
Additional evidence recorded as AAPW-1.

File to come up for arguments on 13.02.2021.

Announced  
11.02.2021

(Asif Kamal)  
Senior Civil Judge Lower Chitral  
Inquiry Officer

(36)

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**IN THE COURT OF ASIF KAMAL SENIOR CIVIL  
JUDGE/JUDICIAL MAGISTRATE, CHITRAL**

No.

Date of Institution Title

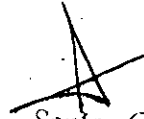
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of Order

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That of Parties or Counsel Where Necessary.

حکم نمبر / تاریخ

Order ...12  
15.02.2021

Departmental representative Mr. Sajad Ahmad and  
accused official Kashifa Bibi both present. Accused official  
sought time for submission of written arguments. Granted. To  
come up for submission of written arguments on 15.02.2021.


  
**(Asif Kamal)**  
Senior Civil Judge Lower Chitral  
Inquiry Officer

Order ...13  
15.02.2021

Departmental representative Mr. Sajad Ahmad and  
accused official Kashifa Bibi both present. Accused official  
submitted written arguments, while departmental representative  
relied upon his already submitted record during proceeding.

In light of Charge sheet, evidence of parties and arguments  
my detailed inquiry report consists of 05 pages, available on file.  
Hence, be forwarded to Hon'ble District & Sessions Judge, Chitral  
for further proper order.

**Announced**  
15.02.2021

  
**(Asif Kamal)**  
Senior Civil Judge Lower Chitral  
Inquiry Officer

(37)

(48)

APW-1  
(03.02.2021)

Statement of Muhammad Irfan Senior Civil Judge (Admin), Lower Chitral on oath.

That on 26.11.2020 Kashifa Bibi Junior Clerk submitted 02 days casual leave application for 27.11.2020 & 28.11.2020 but as per report of the Clerk of Court (COC) her leave balance has already been exhausted, therefore, request for casual leave was regretted and COC was directed to inform her regarding refusal of casual leave. Leave application and copy of the relevant page of balance register are exhibited as Ex.APW1/1 and Ex.APW1/2 respectively. Furthermore, on 27.11.2020 she remained absent from her duty, resultantly she was marked absent in the attendance register. Copy of relevant page of attendance register is Ex.APW1/3. That on 27.11.2020 at about 12:30 PM one of the staff member namely Faiz-ur-Rahman Bailiff of the court informed the undersigned that the official named above (Kashifa Bibi) is performing duty with the ETEA Staff at Football Stadium near Shahi Mosque for recruitment of police constables. The undersigned in official vehicle along with Nabi Gul (driver) and Abdul Haq (Computer Operator) rushed to the spot for the verification of information as such like allegation and inquiry already pending against the official named above. Copy of complaint and her comments are exhibited as Ex.APW1/4 and Ex.APW1/5 respectively. The undersigned found her while performing duty with the ETEA officials for recruitment of police constables in the Football Stadium near Shahi Mosque. The Computer Operator namely

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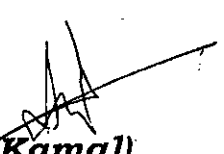
APW-1  
(03.02.2021)

Abdul Haq made video recording and snap shots of the scene for proof. Snap shots and video recording in separate USB are Ex.APW1/6. Furthermore, the undersigned recorded the written statement of the Deputy Director ETEA on the spot, wherein, he stated that the official named above is performing duty with them on the recommendation of Director of the ETEA on daily wages. His original statement is Ex.APW1/7. Mst: Kashifa Bibi remained absent from her duty on 27.11.2020 and unauthorized and illegally performed duty with ETEA staff for recruitment of police constables without any permission. Such act of the official named above amounts to misconduct and unfit to remain in service. In this regard a written complaint was submitted before the learned District & Sessions Judge, Chitral, whereof, the instant inquiry was initiated against the accused/official.

Cross:

Cross reserved.

R.O & A.C  
03.02.2021

  
**(Asif Kamal)**  
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

APW-I  
06.02.2021

Cross examination on statement recorded on 03.02.2021.

Usually the presiding officer do not follow the employee/official who proceeds on leave. It is correct that the accused/delinquent official has requested orally for granting of casual leave but she was told/directed to submit application under prescribed proforma for leave. I received the application of delinquent official on 26.11.2020, duly signed by the accused/delinquent official. It is incorrect to suggest that the said application was submitted to me on 27.11.2020. The leave application was submitted to me on 26.11.2020 at closing of duty hours. I do not remember that who had submitted the application to me. When I came to my chamber on 26.11.2020 the application was on my table along with the leave balance register. Nobody informed me orally from the office of the COC regarding the exhaustion of balance of leave of the delinquent official however, perusal of the register/report of the COC on the application disclosed that the leave balance of the delinquent official was exhausted. I endorsed the order of the refusal/rejection of the leave application on the application for casual leave with direction to the COC to inform the delinquent official accordingly. I endorsed order of the rejection of the leave on 26.11.2020 at the time when the leave balance register was submitted to me and usually the COC used to take back the said register from my office after 10-15 minutes. The staff attached with the court inside the court room never goes out without the permission of the presiding officer, while the field staff including process servers and bailiff being not under the control of presiding officer can go out. For marking their presence class-iv staff mark only "P" in the attendance register while the other staff put their initial for marking their presence in the attendance register. Mark "L" stands for casual leave whereas mark "A" stands for absentee official. It is correct that on 27.11.2020 the delinquent/accused official was marked on leave in the attendance register and after perusal of the said register I told/directed the concerned official that her leave application has already been regretted, therefore, mark the delinquent official as absent by changing the mark "L" with mark "A". It is correct that I have not obtained the attendance sheet/register of the officials who were on duty with EATA staff on 27.11.2020, however, I have recorded the statement of deputy directed EATA Riaz Akbar who told me that Mst. Kashifa Bibi is performing duty with them. I recorded the statement of Riaz Akbar Deputy Directed EATA on the



40

82

spot/playground i.e. football stadium. I do not know the duration of EATA Test. I do not know when the EATA Test was started and closed on 27.11.2020. I was informed on 12:30 PM by Faiz ur Rehman bailiff himself. The earlier complaint No. APW-1/4 against the delinquent official regarding performance of duties in EATA Test was anonymous. When I reached the football stadium the delinquent official was standing in middle of the ground performing duty with EATA staff.

Q. How did you assumed that I was performing duty in the Football ground?

Ans. Nobody was allowed to enter in the middle of the ground/premises of EATA Test except members of the EATA staff and candidates.

It is incorrect to suggest that I orally directed the COC regarding the refusal of the leave application of the delinquent official. It is correct that Faiz ur Rehman Bailiff was present in the chamber when I asked the delinquent official to submit application for the leave. Faiz ur Rehman bailiff is member of my staff. I inquired Faiz ur Rehman bailiff that what he was doing there at Football stadium, he replied that he was going to offer Juma Prayer where he saw the accused/delinquent official in the ground with EATA staff. I did not obtained nor produce any contract/agreement between the accused official and EATA regarding performance of duty. Self stated that I have only recorded the statement of Deputy Directed EATA Riaz Akbar. I recorded the video of the delinquent official on the spot for evidence. It is correct that on the spot I only recorded statement of Deputy Director. Riaz Akbar and I did not record the statement of accused official. I do not know that as to whether the delinquent official had any oral altercation twice or thrice in the court premises with Faiz ur Rehman bailiff and have strain relationship with him. It is incorrect to suggest that I have performed any duty with EATA rather my presence there was only to invite some of my relative for lunch/dinner. It is incorrect to suggest that the delinquent official was at impression that her leave application was accepted as nobody informed her regarding refusal of the said application. It is incorrect to suggest that it was a pre-planned conspiracy against the delinquent official to tarnish/damage her good reputation.

RO & A  
06.02.2021



**(Asif Kamal)**

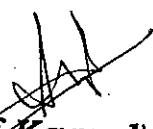
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

APW-2  
(06.02.2020)

Statement of Abdul Haq Computer Operator, IT Section District Courts  
Lower Chitral

That on the day of occurrence I was verbally directed by honorable Senior Civil Judge/Admin, Chitral to pick my official camera, I complied with the directions. I did not know what honorable Senior Civil Judge was up to. A few minutes later SCJ appeared from his office and approached his official car and directed me to accompany him. I boarded car with him. We went to parade/football ground. When we reached there the honorable SCJ directed me to shoot/record video of the delinquent official. On the direction of the honorable SCJ I shot the pictures of the delinquent official and recorded her video. On our return from the ground I recorded/transferred the data on CD Disk which is already exhibited. I personally saw the delinquent official in the said ground and performing duty in the EATA Test. When I was recording the video the delinquent official in desperation asked me what I was doing, I replied that I am complying the orders of honorable Senior Civil Judge, Admin.

Cross Reserved:

  
**(Asif Kamal)**  
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

48

37

APW-2  
09.02.2021

Cross examination on statement recorded on 06.02.2021 of Abdul Haq  
Computer Operator, IT Section District Courts Lower Chitral.

I do not remember the exact time when SCJ Admin directed me to pick my camera and accompany him, however, it was somewhere in the region of 12 to 12:30 PM. Since I have recorded video of accused official in the parade ground that's why I am sure that accused official was performing duty in the EATA Test. I also recorded the video of the accused official while keeping the camera on Zoom Mode from outside of parade ground which clearly shows that accused official performing the EATA Test. I entered in the parade ground from main gate. Nobody estopped me from entering in the parade ground because I was with senior civil judge Admin and he would know that whether he sought permission for entering in the ground or not. It is correct that no explanatory statement of the accused official was recorded on the spot. I do not know whether the accused official quarreled with the Faiz ur Rehman bailiff many times in the court premises. I do not know the EATA Test duration. It is incorrect that the accused official tried to stop me from recording her video. Accused official only inquired from me that what I was doing. Me and Faiz ur Renman are co-villagers. We are not relatives. I only recorded the video of accused official and took the snapshots. I am unaware of all the remaining facts. I do not remember the exact time when we left the court premises for parade ground. However, I do remember that when I came back to the court after keeping my camera in my office I straight away went for Jumah Prayers. I do not know whether the SCJ Admin had taken the attendance sheet of the staff from the EATA office. While transferring the video and snapshot in the DVD in my office nobody was present with me. My qualification is MSC, computer science. I am expert of computer. Any expert of computer can edit video or snapshot. I do not know that SCJ Admin had recorded statement of Director EATA, because I was busy in recording video of the accused official. It is incorrect to suggest that while recording video in a public place I violated the privacy of accused official and damaged her reputation. Again stated that the accused official was not alone there. She herself was performing duty at public place then the question of violating her privacy doesn't arise. I do not record the video of the Deputy Director, therefore, I cannot say that whether the deputy director EATA was under mental stress or not. I do not know about the starting and

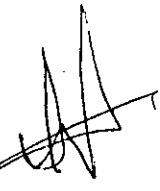
10/2/21

43

43

...closing time of EATA Test. I do not see Faiz-ur Rehman often going to the chamber of Senior Civil Judge (Admin). I only recorded video of he accused official. I did not inquire from any staff member of EATA that whether accused official was performing duty with them. There were hundreds of people at the parade ground. It is incorrect to suggest that entire proceeding against accused official is illegal. It is incorrect to suggest that it was a pre-planned conspiracy against the delinquent official to tarnish/damage her good reputation. It is incorrect to suggest that all the correct facts are twisted in order to malign accused official. It is incorrect to suggest that due to my close relations with the Faiz ur Rehman Bailiff I am deposing against the accused official.

RO & AC  
09.02.2021

**(Asif Kamal)**   
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

APW-3  
(06.02.2020).


111

111

Statement of Faiz ur Rehman, Bailiff of the court of Senior Civil Judge,  
Chitral.

That on 27.11.2020 I was going to offer Jumma Prayer in the Jamia Mosque at around 12 O clock. While going to the mosque I saw the delinquent official Kashifa Bibi in the parade/football ground. She was performing duty along with the EATA Staff. She was having pen/pencil in her hand. I also saw her sitting on the chair while table was also laying in front of her. While observing her I went inside the gate and after full satisfaction I came back to the courts and informed Senior Civil Judge Admin Mr. Muhammad Irfan that the accused official Kashifa Bibi is performing duty with the EATA Staff in the Parade ground.

Cross reserved

  
**(Asif Kamal)**  
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

(45) (36)

APW-3  
(10.02.2021)

Cross examination of Faiz ur Rehman, Bailiff of the court of Senior Civil Judge, Chitral.

I informed Senior Civil Judge Admin that accused official was performing duty in the EATA Test. I am bailiff and my qualification is under matric. The gates of the parade ground were closed and was not an open place for everybody to go and come out. I entered in the premises with the permission of the security official at the gate. I asked the security official that I want to see one of our official who is performing duty in the Parade ground. My job is execution of summons/warrants. In order to execute the summons/warrants we have to travel to faraway places. I execute summons/warrants in my circle which is Garamchashma, Karimabad, Arkari, Parsan. In morning usually we come to the court and after 11:00 AM we go to the field for the execution of summons/warrants. I do not remember that how many times I went to the field in the month of November for execution of summons/warrants, however, my performance register could be reacquisition from Nazir of the SCJ to check it. On 27<sup>th</sup> November 2020 I picked my summons from office of Nazir and I went out of the court premises at 11:30. The distance between district courts and parade ground is almost 5 to 10 minutes on foot. The Jumah Prayers is offered at Shahi Mosque which is adjacent to the parade ground at 12:45 PM. I went out of the court premises at 11:30 after obtaining my summons from Nazir office. I reached parade ground 05 minutes before 12 O clock. Before going to the parade

46

30

APW-3  
(10.02.2020)

ground I went to the photo state shop of my brother outside of the court, near gate of the court premises. I am not a contractor. It is correct that I have been transferred to Kohistan District once. No inquiry was initiated against me. I am about 60 years of age. My eyesight is not weak. The closing time of the court duty on Friday is 12:00 o'clock. On every Friday I go out of the court on 12:00 o'clock when there are no summons/warrant to execute, however, when there are summons/warrants to execute I go out of the court premises even earlier than 12 O'clock. I did not quarrel with accused official in the court premises. It is correct that in the superintendent office I asked the accused official about unknown man was present with her in Muharir office during the Zuhar Prayer Time. That person was head of some private NGO. It is incorrect to suggest that person was relative of the accused official and came to meet the accused official along with the president of the bar Niaz A Niazi at 01 O'clock. Self-stated that this occurrence of visiting of the unknown person took place after 27.11.2020. This altercation took place on 30.11.2020. It is incorrect to suggest that this altercation took place between the accused official and me before 27.11.2020. It is incorrect to suggest that I tried to quarrel with the accused official in the Superintendent office. If the accused official have any eye witnesses about this occurrence then the accused official can produce them in her evidence. There was only one FIR against me, however, I was honorably acquitted in that case. I had no personal relations with

*10/02/2020*

APW-3  
(10.02.2020)

43

58

senior civil judge Admin, he is my boss and I come to the office as a servant. In my presence the accused official came to the chamber of the senior civil judge Admin. I also went there for some official business. In my presence no casual leave was granted/permitted to the accused official orally by Senior Civil Judge Admin. On the date of 27.11.2020 the accused official was in Abaya. The accused official had pencil in her hand and she was sitting in the chair performing duty. Police officials on duty there also told me that the accused official is performing duty. I do not remember the name of police official. The inquiry against the accused official was initiated on my report/information. I informed the SCJ Admin regarding the performance of the duty of accused official in the parade ground on 12:20 PM. It is my responsibility that whoever acts pre-judicial to his/her official duty I would report it to the high ups. Before this I never reported regarding any official because nobody acted pre-judicial to his/her judicial duties. I never quarreled with any of the staff members. It is incorrect to suggest that I have strained relation with Siddiqullah and had quarreled with him in front of the court of Additional District & Sessions Judge, Chitral. When summons are issued by the courts in my circle then I go out in the field for the service/execution of the summons/warrants otherwise I remain in the court premises. I watched/observed the accused official for 10 minutes and then reported the matter to SCJ Admin. It is incorrect to suggest that I was thinking about 20 minutes that how could I settle my score


27/2021



48  
APW-3  
(10.02.2021)

with the accused official regarding the unpleasant episode that took place in the office of the superintendent. It is further incorrect to suggest that my report was false. It is correct that bailiffs have their uniform. It is correct that as a routine matter I wear my uniform. Today I am not in uniform because I came here for deposing in the inquiry and I am not on duty. The EATA Test started at 10 O clock and I do not know that when it ended. Self-stated that the police official told me that Kashifa Bibi is performing duty since 10 O clock. It is incorrect to suggest that I was not doing my official duty and was following the accused official in the parade ground. It is incorrect to suggest that it was a pre-planned conspiracy against the delinquent official to tarnish/damage her good reputation. It is incorrect to suggest that all the correct facts are twisted in order to malign accused official. It is incorrect to suggest that I am hiding the real facts and giving the statement keeping in view my personal interest.

RO & AC  
10.02.2021

  
(Asif Kamal)  
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

APW-4  
(09.02.2020)


49

60

Statement of Sajad Ahmad Departmental Representative.

Stated that Senior Civil Judge Admin sent a written complaint against the accused official Kashifa Bibi bearing No.365 SCJ/Admn dated 02.12.2020 (ExAPw-4/1 consist of two pages), on the basis of this complaint Hon'ble District and Sessions Judge initiated instant inquiry vide order No.3065-3066/DSJ/ZQ Dated 16.12.2020 which is ExAPw-4/2. I am representative of department vide order No.3069-72/DSJ dated 16.12.2020 which is ExAPw-4/3. The service record of the accused official is not good. In this context I produce order/warning No.1172 dated 04.06.2020 vide this warning Hon'ble District and Sessions Judge warned the accused official to be careful in future regarding her duties. The said order/warning is ExAPw-4/4. Moreover, vide office order No.2337-2341 DSJ/CTL dated 07.07.2018 the accused official was penalized her two annual increments were withheld which is ExAPw-4/5. She was again warned/counselled vide order/letter No.19/DSJ/CTL dated 26.01.2021, which is ExAPw-4/6 Another letter for counselling No.579/SCJ dated 11.12.2020 issued to the said accused official which is ExPw-4/7. The complaint against the accused official is genuine. The department has produced all the relevant oral and documentary evidence along with the video recording to prove the complaint against the accused official. Therefore, accused official may be penalized by imposing major penalty

Cross reserved.

  
(Asif Kamal)  
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

APW-4  
(10.02.2021)

50

61

Cross examination of Sajad Ahmad Departmental Representative.

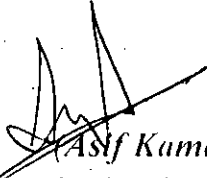
I do not know whether SCJ Admin allowed casual leave to the accused official orally or not. I did not peruse the attendance register. I watched the video of the accused official while performing duty in the EATA Test. I receive calls from August High Court. Thereafter I forward the call to honorable judges if required. I also forward messages of the High Court to the honorable judges. Further stated that sometimes August PHC calls honorable judges on their personal mobile numbers. No call came from August Peshawar High Court regarding performance of the EATA duty of the accused official. I did not watch the full videos of the accused official. I think that this is not possible to temper the video of the accused official. It is correct that the accused official received a certificate of acknowledgment regarding her best performance in the year 2019. It is correct that we have not produced/exhibited the ACRs of the delinquent official in the instant inquiry. It is correct that I am not the eye witness of the occurrence. It is correct that we have not obtained any documents from EATA regarding performance of duty of the accused official. However, the statement of the Deputy Director of the EATA namely Riaz Akabar is available on file to this effect. We have not produced the said Deputy Director as a witness. It is correct that the department has not provided the copy of DVD, at the time of providing charge sheet and statement of allegation, however, the same is produced to the accused official at the initial stage of inquiry proceeding. The video recording of the performance of the accused official in the EATA Test was submitted to the office of the Superintendent office DSJ along with the complaint of the Senior Civil Judge against the accused official. The register of leaves of the officials of the establishment of Senior Civil Judge Admin is maintained by COC

10/02/2021

APW-4  
(10.02.2021)

office. The name of COC is present there in my list of witnesses. I am not producing the COC as my witness. It is incorrect to suggest that while not producing COC as witness I am hiding the real facts because he has best information regarding casual leave of accused official. It is correct that the accused official and Faiz ur Rehman bailiff exchanged hard words in the office of Superintendent but no quarrel took place in the Superintendent office. I do not know that whether the accused official was informed or not about regret of her casual leave. It is incorrect to suggest that all the correct facts are twisted in order to malign accused official.

RO & AC  
10.02.2021

  
(Asif Kamal)  
Senior Civil Judge (Judicial),  
Chitral Lower,  
(Inquiry Officer)

62

63

AAPW-1  
(11.02.2021)

Additional evidence

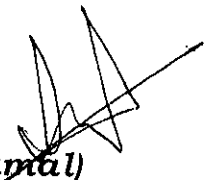
Statement of Sajad Ahmad Departmental Representative.

Stated on oath that vide explanation letter No.3153/DSJ dated 22.12.2020 was issued to accused official regarding performing duties in EATA Test. Explanation letter is ExAAPW-1/1 while complaint is ExAAPW-1/2.

Cross:-

The complaint received to the office of Hon'ble DSJ, Chitral by Ghafar ud Din cannot be termed as anonymous. It is correct that the father name, CNIC is not mentioned with the name of complainant in the complaint. It is correct the complainant did not come in person since lodging the complaint to pursue his complaint against the accused official. This complaint was received by the office of Hon'ble district and sessions judge by post. The allegations leveled in the said complaint has not been proved by the complainant yet. It is incorrect to suggest that because the father's name, resident, CNIC Number of the complaint is not mentioned in the complaint, therefore, it is anonymous letter.

RO & AC  
11.02.2021

  
**(Asif Kamal)**  
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

RW-1  
(11.02.2021)

67

89

Statement of Khair ud Din Naib Qassid District Courts Lower  
Chitral

Stated on oath that on 26.11.2020 Kashifa Bibi asked me that she had taken oral permission from the Hon'ble Senior Civil Judge, Admin to go on leave and asked me to submit her application for sanctioning of casual leave before Senior Civil Judge, Admin. On next day i.e. 27.11.2020 Kashifa Bibi again called me to submit her application, so, I submitted the application for casual leave of Kashifa Bibi to the Senior Civil Judge, Admin in his chamber. This is my statement.

Cross:-

It is correct that on 27.11.2020 I submitted application of casual leave of Kashifa Bibi in the morning. I collected the application from the table of Kashifa Bibi on 27.11.2020. Instead of submitting the application in the COC office I placed it on the table in the chamber of Hon'ble Senior Civil Judge, Admin. When I was placing the application on the table of Hon'ble Senior Civil Judge, Admin he was not present in his chamber. I submitted the application of Kashifa Bibi without the Leave Balance Register.

RO & AC  
11.02.2021

**(Asif Kamal)**  
Senior Civil Judge (Judicial)  
Chitral Lower  
(Inquiry Officer)

بیان ملزمہ اہلکار مسماة کاشفہ بی بی محرر سینئر سول جج ایڈمنسٹریٹو لورڈ

حلفاً بیانی ہے کہ میں ڈسٹرکٹ کورٹس چترال لورڈ میں بطور جوئیر کلرک اپنے فرائض بخوبی سرانجام دے رہی ہوں۔ مورخہ 26.11.2020 میری طبیعت خراب ہونے کی وجہ سے اور میرے بازو میں شدید درد ہونے کی وجہ سے جو مسلسل کئی دنوں سے بدستور تھا میں محترم سینئر سول جج ایڈمنسٹریٹو کے چیمبر میں جا کر زبانی طور پر درخواست کی کہ میری طبیعت خراب ہے اور میرے بازو میں شدید درد ہے اور ساتھ ہی میں نے سینئر سول جج ایڈمنسٹریٹو صاحب کو یہ بھی بتا دیا کہ میرے کیرنول لیو کی پیلنس ختم ہو چکی ہے مجھے چھٹی عنایت فرمائی جائے۔ تو محترم سینئر سول جج ایڈمنسٹریٹو صاحب نے کہا کہ آپ دودن کی درخواست چھوڑ دیں اور زبانی طور پر مجھے چھٹی دے دیا اور ساتھ میں یہ بھی ہدایت کی کہ آپ درخواست چھوڑ کے چلی جائیں۔ تو میں نے درخواست لکھ دیا، اس پر اپنا دستخط بھی کر دیا اور لا کر اپنے آفس کے میز پر رکھ دیا اور خیر الدین نائب قاصد کو بلا کر اس کو تاکید کی کہ سینئر سول جج صاحب ایڈمنسٹریٹو نے مجھے زبانی طور پر چھٹی دے دیا ہے ابھی میں نے اپنا درخواست لکھ لیا ہے کل یعنی 27.11.2020 کو آپ اس کو سینئر سول جج ایڈمنسٹریٹو صاحب کو حوالہ کر دیں۔ مورخہ 27.11.2020 کو میں صبح سویرے خیر الدین کو فون کر کے دوبارہ تاکید کی کہ میری درخواست جس پر میرا دستخط موجود ہے آج آپ سینئر سول جج صاحب ایڈمنسٹریٹو کے حوالے کر دیں۔ اس کے بعد مجھے دفتر سے یا خیر الدین سے درخواست مسترد ہونے کی اطلاع کسی نے بھی نہیں دیا۔ اور زبانی طور پر جو جج صاحب نے مجھے چھٹی کی منظوری دی تھی میں نے اس بنیاد پر چھٹی کر لی۔ جہاں تک میرے خلاف ایٹا میں ڈیوٹی دینے کا الزام ہے اس نسبت میں نے اپنے تحریری جواب میں وضاحت کر چکی ہوں۔ مورخہ 27.11.2020 کو جب میں گھر میں چھٹی پر تھی تو مجھے فون کر کے میری پھوپھی نے بتایا کہ اس کے خاوند کے قریبی رشتہ دار چترال میں ایٹا ڈیوٹی دینے آئے ہیں، آپ ان کو گھر پر دعوت دے دیں۔ چونکہ میرے گھر میں میرے علاوہ کوئی نہیں تھا اسی لئے تقریباً 12 بجے کے بعد میں

57

11/11/2021

RW-2

(11.02.2021)

مہمانوں کو گھر پر مدعو کرنے کے لئے فنبال گراؤنڈ چلی گئی۔ چونکہ میری طبیعت خراب تھی اور میرے بازو میں بھی درد تھا، لیکن مجبوری کی بناء پر میں وہاں ان کو کھانے پر مدعو کرنے کے لئے چلی گئی۔ میرے فنبال گراؤنڈ میں پہنچنے کے بعد محترم سینئر سول جج صاحب ایڈمن وہاں پر آئے اور مجھ سے پوچھا کہ تم یہاں کیا کر رہی ہو۔ تو اسی وقت بھی میں نے ان کو بتا دیا کہ میں ابھی آئی ہوئی ہوں جو کہ ویڈیو ریکارڈنگ میں بھی موجود ہے۔ میرے خلاف لگائے گئے الزامات کی بابت کوئی دستاویزی ثبوت یا اس دن جن لوگوں نے ایٹا والوں کے ساتھ ڈیوٹی انجام دے رہے تھے جن کو ایٹا والوں نے باقاعدہ ادا کی گئی تھی، جہاں پر ان کے نام اور ان کے دستخط موجود ہوں گے اس بابت کوئی دستاویز یا حاضری رجسٹر پیش نہیں کیا گیا ہے۔ میرے خلاف فیض الرحمن کی رپورٹ پر انکو آڑی کی گئی ہے حالانکہ میرے اور فیض الرحمن کے تعلقات انتہائی خراب ہیں اور اس انکو آڑی سے پہلے بھی میرے اور فیض الرحمن کے درمیان زبانی تلخ کلامی ہوئی ہے۔ استدعا ہے کہ میرے خلاف انکو آڑی با مزید کارروائی بر بنائے عدم ثبوت داخل دفتر فرمائی جائے۔

جرح منجانب نمائندہ محکمہ:-

یہ درخواست چھٹی کے وقت جب سینئر سول جج صاحب نے مجھے زبانی اجازت دے دی تھی میں نے لکھ کر اس پر اپنا دستخط کر کے اپنے دفتر میں رکھ دیا اور خیر الدین کو ہدایت دی کہ جج صاحب نے مجھے زبانی طور پر اجازت دے دی ہے لہذا آپ میرا درخواست کل یعنی 27.11.2020 کو جمع کر دیں۔ میری طبیعت خراب ہونے اور میرے بازو میں موج آنے کی وجہ سے میں نے درخواست دی تھی۔ میں نے درخواست کے ساتھ کوئی میڈیکل سرٹیفکیٹ لف نہیں کی تھی۔ از خود کہا کہ میں گھریلو ادویات لے رہی تھی۔ یہ درست ہے کہ یہ میری اولین ذمہ داری تھی کہ میں اپنی موجودگی میں اپنی درخواست کی منظوری کنفرم کرتی چونکہ مجھے سینئر سول جج صاحب نے چھٹی دے رکھی تھی اسی لئے میں نے از خود درخواست جمع نہیں کی اور درخواست دستخط کر کے اپنے میز پر چھوڑ دی اور خیر الدین کو کہا کہ وہ پیش کرے۔ میں سرکاری ملازم ہوں سینئر سول جج صاحب کی ذاتی ملازم نہیں ہوں۔ یہ مجھے معلوم تھا کہ میرا کیڑول لیو بیلنس ختم ہو چکا ہے اور چھٹی لیتے وقت میں نے سینئر سول جج صاحب کو یہ عذر بھی پیش کیا تھا کہ میرا چھٹیوں کا بیلنس ختم ہو گیا ہے اس کے باوجود انہوں نے مجھے کہا کہ آپ چھٹی پر چلے جائیں



RW-2  
(11.02.2021)


درخواست چھوڑ جائیں۔ یہ درست ہے کہ مجھے علم ہونے کے باوجود کہ میرا چھٹیوں کا بیلنس ختم ہے چھٹی کی درخواست گزاری کیونکہ مجھے سینئر سول جج صاحب ایڈمن نے ہدایات دیں۔ میں نے صبح سویرے مورخہ 27.11.2020 کو خیر الدین نائب قاصد کو کال کی کہ میری چھٹی کی درخواست سینئر سول جج صاحب کو دے دیں اس کے بعد خیر الدین کو بلا کر اس کو کوئی ہدایت نہیں دی گئی تھی کہ چھٹی منظور یا نامنظور ہوئی ہے اور نہ ہی مجھے سی او سی آفس سے کوئی اطلاع یا کال بابت اجرائگی چھٹی کی درخواست موصول ہوئی۔ یہ درست ہے کہ میں نے دوسری مرتبہ خیر الدین کو کوئی کال نہیں کی۔ ریاض اکبر ڈپٹی ڈائریکٹر ایڈمنسٹریشن میرا رشتہ دار ہے۔ پریذیڈنٹ گراؤنڈ گیٹ پر سیکورٹی والوں کو میں نے یہ بتا کر اندر جانے کی اجازت لی تھی کہ ایٹاٹ کے سٹاف میں میرے رشتہ دار ہیں، میں ان کو دعوت دینے آئی ہوں۔ انہوں نے مجھے بغیر کسی روک ٹوک کے اندر جانے کی اجازت دے دی۔ جب میں پریذیڈنٹ گراؤنڈ میں داخل ہوئی تب بھی میرے بازو میں درد تھا اسی لئے میں نے لمبا سا اور کورٹ پہنا تھا تاکہ سردی نہ لگے تاہم کوئی پٹی نہیں بندھی تھی۔ مزید کہا کہ میں نے لپس کے پیچ گرم پٹی باندھی تھی۔ جب میں گراؤنڈ میں گئی تو میری پھوپھی نے مجھے کال کیا اور ساتھ ہی اس کا جو رشتہ دار ہے اس کا نمبر مجھے بھیج دیا کہ اس کو کال کریں، میں نے سر ریاض اکبر کو کال کی کہ میں ادھر آئی ہوں اور اپنی پھوپھی کا حوالہ دیا کہ اس نے کہا ہے کہ آپ لوگوں کو مدعو کروں۔ کال کے بعد ریاض اکبر میرے پاس آئے اور کہا کہ آج جمعہ ہے اور 12 بجے سے 02 بجے تک جمعہ بریک ہوتا ہے تو آپ ہمارا ادھر گراؤنڈ میں انتظار کریں کیونکہ ٹسٹ ختم ہو رہا ہے اور ہم سٹاف کو فارغ کر کے جائیں گے۔ ٹسٹ والے اوپر تھے اور میں گراؤنڈ میں انتظار کرنے لگی۔ یہ غلط ہے کہ موجودہ انکوائری کسی دوسرے شخص کی ایما پر کاشدہ بی بی کے خلاف ہو رہی ہے۔ یہ بھی غلط ہے کہ پہلے بھی ان کے خلاف درخواست وغیرہ موصول ہوتے رہے ہیں اور وہ قانوناً غیر حاضری کی بنیاد پر جواب طلبی اور وارننگ بھی جاری ہو چکے

ہیں۔

RO & AC  
11.02.2021


(Asif Kamal)  
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

53

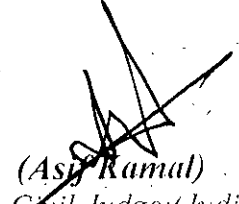


**Statement of Sajad Ahmad Departmental Representative.**

Stated that I have produced my entire evidence on behalf of Department and close my evidence.

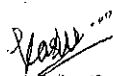
 Sajad Ahmad  
Departmental representative

RO & AC  
10.02.2021

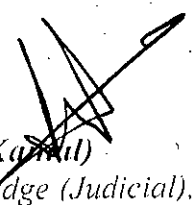
  
(Asif Kamal)  
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

**Statement of Kashifa Bibi/accused official.**

Since, I have submitted an application for calling COC as witness but now I want to withdraw my application.

  
Kashifa Bibi  
Accused/delinquent official

RO & AC  
10.02.2021

  
(Asif Kamal)  
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

BB

(3)

Statement of delinquent official Kashifa Bibi

Stated that I have produced my entire evidence and close my evidence.

*Kashifa*

Kashifa Bibi  
Accused Official

RO & AC  
11.02.2021

*Asif Kamal*

(Asif Kamal)  
Senior Civil Judge (Judicial),  
Chitral Lower  
(Inquiry Officer)

59

03  
23/12/2020  
70

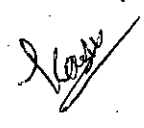
To: Hon'ble Senior Civil Judge (Judicial) /Inquiry Officer  
Lower Chitral

Subject: EXPLANATION

Dear Sir,

With due respect it is submitted that, with reference to your verbal direction to explain my position in inquiry pending before your honor. It is requested that I am relying on my previously submitted reply against explanation tendered by Hon'ble District & Sessions Judge/ZQ Chitral dated 26.11.2020.

Hence, submitted in your honor.



**KASHIFA BIBI**  
Junior Clerk Attached with Court of SCJ (Admin)  
Lower Chitral

60

**BEFORE THE HON;BLE (INQUIRY OFFICER) MR. ASIF KAMAL**  
**SENIOR CIVIL JUDGE/AIQ (JUDL), LOWER CHITRAL.**

71

**List of witnesses**

S. No.	Name	Designation
1	Mr. Muhammad Irfan	Senior Civil Judge (Admn) Lower Chitral
2	Mr. Bashir Ahmad	C.O.C Senior Civil Judge(Admn) Lower Chitral/ with record
3	Mr. Abdul Haq	Computer Operator
4	Mr. Sajjad Ahmad	Junior Clerk/Departmental Representative
5	Mr. Faiz Ur Rahman	Balliff
6	Mr. Nabi Gul	Driver

2-04  
01/02/2021



Sajjad Ahmad

Junior Clerk/Departmental Representative

Sessions Court Chitral

(61) (11) (118)

# DISTRICT COURTS, CHITRAL LOWER

## FORM "D"

(Application for Casual Leave for Officials)

Ex-APR 2/11  
SES/10/Chitral  
03/02/2021

Name of Official

Kashfa Bibi

Designation with name of court

Muharrir to Senior Civil Judge Admin

Leave sought for \*

Casual Leave

Days for which Leaves required  
(For casual leave only)

No. of days	From	To
02	27.11.2020	28.11.2020

Purpose

Due fracture and pain on arm I cannot come to office.

Signature of the Official

*Kashfa*  
23-11-20

Leave Account

Previous Balance	This Leave	Remaining Balance

ذات کالی! تکرار دیکھا، کاشفا بی بی فرم و حکام کے درپور اور عزیز

CLERK OF COURTS, CHITRAL

Order of the Leave  
Sanctioning Authority

As per report of C.O.C leave account balance is Nil. Hence application is Regretted. concerned official informed.

Signature of Sanctioning Authority

26/11/20

(62)      (13)      (30)

## KASHIFA BIBI (Flecker)

Sl. No.	FROM	TO	No. of Days	Remaining Balance	Signat
25	03-2-2020	to 4-02-2020	02	23	<i>[Signature]</i>
23	6-2-2020	to 7-02-2020	02	21	<i>[Signature]</i>
21	11-02-2020	11-02-2020	01	20	<i>[Signature]</i>
20	12-02-2020	12-02-2020	01	19	<i>[Signature]</i>
19	14-02-2020	-	01	18	<i>[Signature]</i>
18	15-02-2020	-	01	17	<i>[Signature]</i>
17	17-2-2020	to 20-2-2020	04	13	<i>[Signature]</i>
13	04-03-2020	-	01	12	<i>[Signature]</i>
12	14-03-2020	-	01	11	<i>[Signature]</i>
11	23-06-2020	-	01	10	<i>[Signature]</i>
10	06-08-2020	-	01	09	<i>[Signature]</i>
09	08-08-2020	-	01	08	<i>[Signature]</i>
08	12-08-2020	-	01	07	<i>[Signature]</i>
07	13-8-20-15-8-20	Two Times short leave	01	06	<i>[Signature]</i>
06	18-08-2020	one short leave	05	06	<i>[Signature]</i>
06	20-08-2020	one " "	05	05	<i>[Signature]</i>
05	24-8-2020	-	01	04	<i>[Signature]</i>
04	25-8-2020	-	01	03	<i>[Signature]</i>
03	03-9-2020	-	01	02	<i>[Signature]</i>
02	31-10-2020	-	01	01	<i>[Signature]</i>
01	20-11-2020	-	01	NIL	<i>[Signature]</i>

Ex. APW - 1/2  
 5/110. *[Signature]*  
 03/02/2021

Serial No.	Name	Post	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	Total No. of Days	
1.	Bashir Ahmad	COC																															
2.	Muhammad Sardar Khan	C.N																															
3.	Fazal Hakim	CO																															
4.	Hassan uddin	"																															
5.	Salah uddin	"																															
6.	Shuja Ahmad	"																															
7.	Fazal Mehtab	"																															
8.	Fazal Nabi	Steno	- Earned leave																														
9.	Muhammad Yaq	Steno																															
10.	Fazal AHUB	M.N																															
11.	Shakirullah	Reader																															
12.	Shamsul Qadir	"																															
13.	Khalid ur Rehman	Muharis																															
14.	Navid Alam	"																															
15.	Muhammad Zakaria	"																															
16.	Kashifa Bibi	"																															
17.	Sabit Muhammad	Bailiff																															
18.	Inayat ur Rehman	"																															
19.	Faiz ur Rehman	"																															
20.	Sardar wali shah	P/S																															
21.	Islamuddin	"																															
22.	Younas Khan	"																															
23.	Najir Ahmad	"																															
24.	Safirullah	"																															
25.	Fazdul Haq	"																															
26.	Abdul Halim	"																															
27.	Ehsanullah	"																															
28.	Abdur Rauf	"																															
29.	Amirullah	"																															
30.	Azizul Haq	"																															

For Approval  
 Chief Officer  
 13/11/2013

63



64

65

62

محکمہ ریکورڈنگ و پبلسیشن سیکشن چیترا لہور 2010ء 11/7/2020

کوئٹہ لکھنؤ سروس ڈیپارٹمنٹ چیترا لہور میں منعقد ہونے والی جلسہ

میں سنی فاسٹنگ کی ڈیوٹی لگی تھی اسکو مدنہ ایج ڈائری

میں Recommendation پر لکھی تھی۔ امرتسر 2010

ڈیوٹی سربراہان دی ہے

رہنما صاحب

ڈیوٹی ڈائری سیکشن

27/11/2020

Ex-APW 1/2  
Secy/10, Chitral

03/02/2021

17101 - 1215161 - 1

To,

Miss. Kashifa Bibi, (Junior Clerk)  
(Attached as Muharrir with the  
Model Trial Court Chitral)

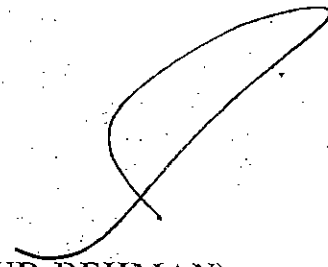
Ex AP 3/4  
Ses NO. Chitral  
09/02/2021

Subject: WARNING

Whereas, vide letter No. 207/SCJ/CTL dated 14.03.2020, a report regarding your absence without prior approval was received whereby you were found absent from duty on dated 07.02.2020, 10.02.2020 and 13.02.2020, without any application etc. explanation was called from you vide letter No. 83-85/SCJ/CTL dated 18.02.2020 and you were directed to submit your reply within 07 days, to which you have submitted your reply.

The reply submitted by you found unsatisfactory, whereby you claimed that you had medical issues. Medical issues does not mean that you would remain absent without sanctioned leave from competent authority. Therefore, you are hereby warned to be careful in future. In case, any negligence is again noted on your part, then strict action will be taken against you under Khyber Pakhtunkhwa Govt. Servants (Efficiency and Discipline) Rules, 2011. (Copy of this letter be placed on the personal file of accused official).

و ایننگ کا جی جی کے ڈائری میں 16/2/2020  
18 ادراک وصول ہوا ہے  
16/2/2020

  
(JAVAIID-UR-REHMAN)  
District & Sessions Judge/Zilla Qazi,  
Lower, Chitral.



66  
DISTRICT JUDICIARY KHYBER PAKHTUNKHWA

Office of the District & Sessions Judge/Zilla Qazi Lower Chitral

Ph # 0943-412533 Fax # 0943-412380 E-Mail: dsjctl@gmail.com

No. 19 /DSJ/ZQ/CTL Dated 06 / 01 / 2021

From:

The District & Sessions Judge/Zilla Qazi,  
Lower Chitral.

To,


Miss Kashifa Bibi,  
Junior Clerk/Muharrir,  
Court of Senior Civil Judge (Admn),  
Lower, Chitral.

EX-APR 4/6  
set / 10 / CTL  
09 / 02 / 2021

Subject: WARNING/COUNSELING

Memo,

It is with reference to the explanation called from you with report to a letter received to the undersigned, it is noted with concern that earlier similar reports were received regarding your non observing of office timing and your non serious attitude towards your duties and you were warned to be careful. If you could avoid such behavior, then no dent could be sustained by you, thus such type of letters may not be received. Since no other evidence was there and since the letter/complaint is unnamed therefore, the allegation leveled against you is not proved in these circumstances and the complaint is filled with a fresh warning to be punctual and mind your own duty.

  
(JAVÄID-UR-REHMAN)  
District & Sessions Judge/Zilla Qazi,  
Lower Chitral



(67)

**DISTRICT JUDICIARY KHYBER PAKHTUN**  
Office of the District & Sessions Judge/Zilla Qazi Chitral  
Ph # 0943-412533 Fax # 0943-412380 E-Mail: dsjctl@gmail.com

**OFFICE ORDER:**

*Ex APW 15*  
*ses 110 Chitral*  
*09/07/2018*

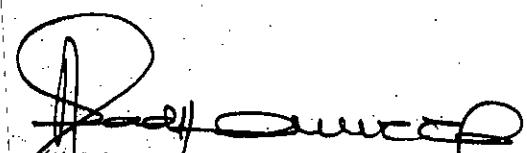
**WHEREAS**, as per inquiry report of the Civil Judge-JM-I, Chitral/ Inquiry Officer, who was appointed as Inquiry Officer vide office order No. 1751-52/DSJ/ZQ/CTL dated 07.05.2018, which report was communicated to this office on 25<sup>th</sup> June, 2018 regarding conduct of inquiry against accused/official Mst: Kashifa Bibi Junior Clerk BPS-11, Copy Branch Sessions Court Chitral.

**AND WHEREAS**, upon inquiry report dated 25.06.2018 wherein, the Inquiry Officer has held the above named accused/official guilty of negligent, misconduct and inefficient and liable to penalty. The delinquent official was served with final show cause notice under Rule 14(4) of Khyber Pakhtunkhwa Government Servants, (Efficiency and Discipline) Rules, 2011 vide letter No. 2260/DSJ/ZQ/CTL dated 26.06.2018 coupled with notice of personal hearing vide letter No. 2259/DSJ/ZQ/CTL dated 26.06.2018 as required under section 15 of the above stated Rules to which she submitted reply today i.e. 06.07.2018, wherein, she has admitted her guilt and placed herself at the mercy of the undersigned. The delinquent official was also given opportunity of personal hearing wherein, she stated that due to her domestic problems, she acted negligently and asked for the mercy.

68

63

NOW, THEREFORE, in view of the inquiry report and the reply by the accused/official and the fact that she remained absent from her official duties and played a foul game for extension of her medical leave which medical leave was not availed for the given purpose and which is evident from the inquiry report as well, hence, I, as Competent Authority, hold that the reply is not satisfactory and no justified reasons have been furnished for such foul play by the accused/official and also to justify her absence from the duties. I, hereby, order to withhold two annual increments with the recovery of salary paid for the period 11.04.2018 to 21.04.2018 (Eleven Days) of the above named delinquent official under Rules 4 (1) (a) (ii) & (iii) of Khyber Pakhtunkhwa Government Servants, (Efficiency and Discipline) Rules, 2011 with immediate effect.

  
(ASAD HAMEED KHAN)  
District & Sessions Judge/ZQ,  
Chitral.

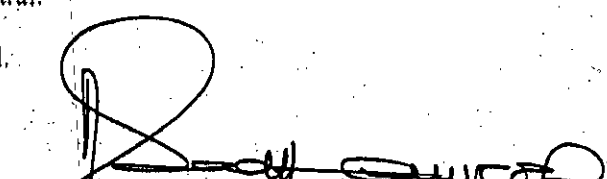
6/7/2018

No: 2337-2341 DSJ/ZQ/CTL

Dated Chitral the 07/7/2018.

**Copy forwarded for information to:**

1. The Senior Civil Judge/AIQ, Chitral.
2. Civil Judge/JM-I/Inquiry Officer, Chitral.
3. District Accounts Officer, Chitral.
4. Superintendent Sessions Court Chitral.
5. The official concerned.
6. Office Copy.

  
(ASAD HAMEED KHAN)  
District & Sessions Judge/ZQ,  
Chitral.

6/7/2018



**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA, CHITRAL**

**OFFICE OF THE SENIOR CIVIL JUDGE (ADMIN), CHITRAL LOWER**

PH# 0943- 413812

Email: scjchitral@gmail.com

Fax# 0943- 413498

NO. 579 /SCJ/Admin/Chitral

Dated: 11 / 12 / 2020

From

Muhammad Irfan  
Senior Civil Judge (Admin),  
Chitral Lower.

To

Kashifa Bibi,  
Junior Clerk/Muharrir,  
Court of Senior Civil Judge (Admin), Chitral Lower.

**COUNSELLING.**

Memo,

Complaints are regularly received against you on the following grounds:-

1. Late comer.
2. Early leaving from the duty.
3. Not present on seat and used to sit with general public/advocates/ male staff members during office timings.
4. Fond of casual leave on flimsy grounds.
5. Having contacts with persons other than your close relatives.

You are, therefore, hereby directed to be careful in future and mend your attitude, otherwise, strict action under the E&D Rules shall be initiated you. The counselling letter is hereby sent to you to mend your attitude.

(Muhammad Irfan)

Senior Civil Judge (Admin),  
Chitral Lower

11.12.20

NO. 580 /SCJ/Admin/Chitral

Dated: 11 / 12 / 2020

**Copy forwarded to:**

1. The Hon'ble District & Sessions Judge, Chitral Lower.
2. Office copy.

(Muhammad Irfan)

Senior Civil Judge (Admin),  
Chitral Lower

12-12-20

Exc Apw 4/4  
SES/NO. Chit  
09/10/20



**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA**

Office of the District & Sessions Judge/Zilla Qazi Lower Chitral

Ph # 0943-412533

Fax # 0943-412380

E-Mail: dsjctl@gmail.com

No. 386 DSJ/ZQ/CTL

Dated: 17/2/2021

To,

Miss Kashifa Bibi,  
Junior Clerk (BPS-11)  
Posted as Muharrir, Court of Senior Civil Judge (Admn),  
Lower Chitral

Subject: **SHOW CAUSE NOTICE**

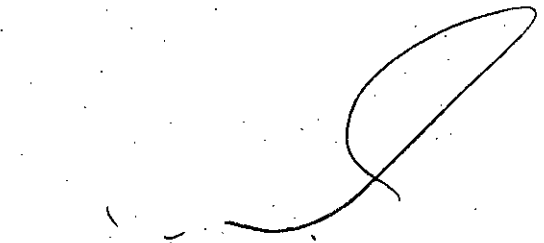
I Javid-Ur-Rehman District & Sessions Judge/Zilla Qazi, Lower Chitral as competent authority under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Miss: Kashifa Bibi Junior Clerk BPS-11 as follow:

1. That on receipt of report from Inquiry Officer Mr. Asif Kamal Senior Civil Judge/AIQ, (Judl); Lower Chitral, I have examined the report and relevant case material and is of the opinion that the Inquiry has been conducted in accordance with the provisions of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.
2. That vide this office order No. 3067/DSJ/ZQ/CTL and 3068/DSJ/ZQ/CTL dated 16.12.2020, statement of allegation and charge sheet were provided to you accused official.
3. The Inquiry report submitted by the Inquiry Officer dated 15.02.2021 shows that the charges against you have been proved.
4. I, being the competent authority is satisfied that you accused official has committed the following acts/omissions as provided and specified in Rules 3(a)(b)&(d) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.  
(a) Inefficient;  
(b) Guilty of misconduct;

(7/1)      (ES)

(d) Guilty of habitually absenting herself from duty without prior approval of leave.

5. As a result, thereof, I being competent authority has tentatively decided to impose upon you accused/official the below major penalty as provided/specified in 4 of the stated Rules i.e 4(b)(iv), dismissal from service.
6. You are therefore required to show cause as to why the aforementioned penalty should not be imposed upon you and also intimate whether you desired to be heard in person.
7. If no reply to this show cause notice is received within 8 days of this delivery of show cause notice it shall be presumed that you have no defense to offer and in that case an ex-parte legal action shall be taken against you..
8. You accused official may also be at liberty to submit additional defense in writing if any within the specified period of 8 days. As separate notice of personal hearing bearing endst: No. 386-87/DSJ/20 dated ...../7...../02/2021, has also been issued to you accused/official alongwith copy of inquiry report.
9. The departmental representative is also directed to appear before the competent authority with all relevant record on 25/02/2021.

  
(JAVOID-UR-REHMAN)  
District & Sessions Judge/Zilla Qazi,  
Lower Chitral/Competent Authority





**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge/Zilla Qazi Lower Chitral

Ph # 0943-412533

Fax # 0943-412380

E-Mail: dsjctl@gmail.com

No. 386 DSJ/ZQ/CTL

Dated. 17/2/2021

To,

Miss Kashifa Bibi,  
Junior Clerk (BPS-11),  
Posted as Muharrir, Court of Senior Civil Judge (Admn),  
Lower Chitral

Subject:

**PERSONAL HEARING**

Whereas, the Inquiry Officer has submitted his inquiry report on 15.02.2021. According to inquiry report allegations leveled against you accused/official has been proved, copy of inquiry report is also handed over to you accused/official, hence, you accused/official is hereby directed to appear before competent authority for personal hearing on 25/02/2021 at 09:00 AM, as provided by section 15 of KPK Government Servants, (Efficiency & Discipline) Rules, 2011.

(JAVAIID-UR-REHMAN)

District & Sessions Judge/Zilla Qazi,  
Lower Chitral/Competent Authority

No. 387 DSJ/ZQ/CTL

Dated Chitral the 17/2/2021.

Copy Forwarded to,

The Departmental Representative to appear before the competent authority along with relevant records.

*Letter No.:- 386-88/DSJ/ZQ  
Dated:- 17-02-2021 in original  
along with inquiry report  
received  
Kashifa*

(JAVAIID-UR-REHMAN)

District & Sessions Judge/Zilla Qazi,  
Lower Chitral Competent Authority

73



**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**  
Office of the District & Sessions Judge/Zilla Qazi Lower Chitral  
Phone # 0943-412533, Fax # 0943-412380, E-Mail: dsjctl@gmail.com

## **OFFICE ORDER**

**WHEREAS**, as per inquiry report of the learned Senior Civil Judge (Judicial) Chitral Lower/Inquiry Officer dated 16.12.2020, who was appointed as Inquiry Officer vide office order No. 3065-3066/DSJ/ZQ/CTL dated 16.12.2020, regarding inquiry against accused/official Mst: Kashifa Bibi, Junior Clerk BPS-11, posted as Muharrir to the court of learned Senior Civil Judge (Admin) Lower Chitral.

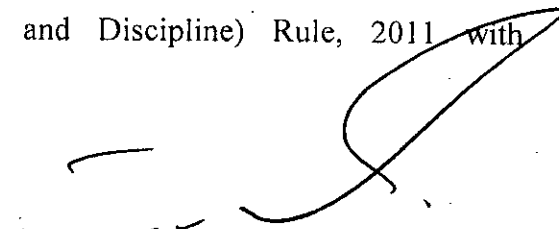
**AND WHEREAS**, upon inquiry report dated 15.02.2021 wherein, the Inquiry Officer has held the above named accused/ official guilty of grave misconduct, inefficient and violation of discipline and recommended that the accused/official may be penalized with major penalty. The delinquent official was served with final show-cause notice under Rule 14 (4) of Khyber Pakhtunkhwa Government Servants, (Efficiency and Discipline) Rules, 2011 vide this office letter No. 388/DSJ/ZQ/CTL dated 17.02.2021 coupled with notice of personal hearing vide letter No. 386/DSJ/ZQ/CTL dated 17.02.2021 as required under Rule 15 of the ibid Rules. The delinquent official failed to submit reply to the final show-cause notice nor produced any additional defense in writing. The Delinquent official was also given opportunity of personal hearing.

**NOW, THEREFORE**, in view of the inquiry report, the findings and recommendation of the Inquiry Officer, after affording personal hearing to the accused/official and considering the facts of the case and defense offered by the accused/official as well as her previous conduct, I being the

74

(18)

Competent Authority, hold that the allegations of inefficiency, misconduct, violation of discipline, habitual absenting herself from duty without prior approval of leave is proved against her. **THEREFORE**, as per the recommendation of the Inquiry Officer and while agreeing with the recommendation of Inquiry Officer, I, being Competent Authority, hereby imposed major penalty upon the accused/official i.e. **DISMISSAL FROM SERVICE**, as provided/specified in Rule 4(b)(iv) of Khyber Pakhtunkhwa Government Servants, (Efficiency and Discipline) Rule, 2011 with immediate effect.


  
**(JAVAID-UR-REHMAN)**  
District & Sessions Judge/ZQ,  
Lower Chitral  
(Competent Authority)

No. 492-96 DSJ/ZQ/CTL

Dated: 03/3/2021.

**Copy forwarded for information to:**

1. Senior Civil Judge (Admin), Lower Chitral.
2. Senior Civil Judge (Judicial/Inquiry Officer), Lower Chitral.
3. District Accounts Officer, Chitral Lower.
4. Superintendent Sessions Court, Chitral.
5. The Official concerned.
6. Office Copy.

  
**(JAVAID-UR-REHMAN)**  
District & Sessions Judge/ZQ,  
Lower Chitral  
(Competent Authority)

75

12

Serial No. of order or Proceedings	Date of order or Proceedings	Order or other proceedings with signature of Judge or Magistrate and that of Parties or counsel where necessary
<p><u>ORDER</u> 3.3.21</p>	<p>3.3.21</p>	<p><b><u>Present:</u></b></p> <p>Accused/Official Kashifa Bibi and department representative Sajjad Ahmad.</p> <p>Background of the case is that Senior Civil Judge (Admin), Lower Chitral submitted a complaint against the accused/official, who is currently posted as Muharrir to the court of Senior Civil Judge (Admin)/MTMC, Chitral Lower with following allegations:-</p> <ul style="list-style-type: none"> <li>(i) The accused/official remained absent from her official duty despite the fact that her application was rejected.</li> <li>(ii) The accused/official performed duty with ETEA staff for recruitment of police constables at football stadium near Shahi Mosque Chitral without department permission.</li> </ul> <p>After receiving the complaint, vide office order bearing No. 2935/DSJ/ZQ/CTL dated 09.12.2020 explanation was called from the accused/official who submitted her reply, which was not found satisfactory. Hence, vide Office Order bearing No. 3065-3066/DSJ/ZQ/CTL dated 16.12.2020 an inquiry was initiated against her and Mr. Asif Kamal Senior Civil Judge (Judicial), Chitral was appointed as Inquiry Officer. The accused/official was charge-sheeted and statement of allegations was also given to her. During inquiry proceeding the departmental representative produced witnesses/ evidence in support of the complaint and in rebuttal the accused/official also</p>

Ord. Cont.

produced evidence. After recording evidence and hearing b  
sides the learned Inquiry Officer submitted his inquiry rep  
before the undersigned with the following recommendations:

"In view of my findings mentioned above, it  
is concluded that the charges levelled against  
accused/ delinquent official stands proved, which is  
grave misconduct, inefficiency and violation of  
discipline, therefore, suggested that the accused/  
official may be penalized with major penalty."

After receiving the inquiry report show cause notice v  
served under the relevant rules of Khyber Pakhtunkh  
Government Servants, (Efficiency and Discipline) Rules, 20  
and accused/official was also directed to produce additio  
defense in writing, if any, within 08 days. Notice for perso  
hearing as required under Rule 15 of the ibid rules was s  
served upon the accused/official. The accused/official did  
submit any reply to the final show cause notice nor additic  
defense in writing. During personal hearing she denied  
allegations levelled against her and placed reliance upon alre  
submitted reply, her statement and her cross-examination on  
witnesses produced by the departmental representative dur  
the course of inquiry.

Entire record pertaining to the inquiry proceedings g  
through which reveals that the casual leave applicat  
submitted by the accused/official for two days i.e. 27 &  
November, 2020 was regretted by the Senior Civil Ju  
(Admin) on 26.11.2020 on the basis of COC report that her le  
balance has already been exhausted which is evident from

3-3-21

77

Dist. Cont.

record available in the inquiry file. For the sake of arguments the stance of the accused/official is considered for a while that on 26.11.2020 she had taken oral permission from the Senior Civil Judge (Admin) to go on leave and asked her to submit application for sanctioning of casual leave, then why she has not submitted the said application on the same date i.e. 26.11.2020. Furthermore, the accused/official had taken the stance that no one has informed her regarding her refusal of casual leave for two days i.e. 27.11.2020 & 28.11.2020 then why she was present on her duty on 28.11.2020. She herself admitted in her statement as RW-2 that her leave balance has already been exhausted.

The second allegation against the accused/official was performing duty with ETEA staff in the football ground near Shahi Mosque for the recruitment of police constables on 27.11.2020. The video recording in DVD exhibited in the course of inquiry coupled with the statement of the Deputy Director ETEA Mr. Riaz Akbar confirms the presence of accused/official in the football ground and performing duty with ETEA staff without any departmental permission. The stance of the accused/official that she just went there to invite her guest for dinner, in this regard, she failed to produce any corroborative evidence as the available record and video recording speak against her. Moreover, if she was sick and having pain in her hand and was unable to perform duty on 27.11.2020 then why she bothered to go to the football ground for inviting her guest. She could have invited her guest for dinner on phone call. When

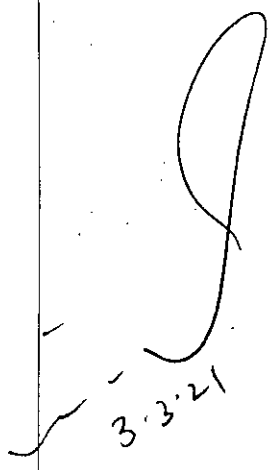
3.3.21

Ord. Com.

the same query was asked during personal hearing, she admitted that she called her guest on the same very date at about 10/11 AM for inviting him for dinner but she could not give any plausible reason/explanation that why she went to football stadium when she had already invited her guest on phone call.

The service record of the accused/official shows that on so many occasions she remained absent from her duty without any permission and several warnings/explanations were called from her. Vide warning letter No. 1172 dated 04.06.2020 the accused/official had been warned for reason of absence from her duty without sanctioned leave from the competent authority. Warning/counseling letter dated 06.01.2021 was also issued to the accused/official for none observing the office timing and none serious attitude towards her duty. Most importantly vide office order bearing endorsement No. 2337-2341 dated 07.07.2018 as a result of inquiry the accused /official was penalized withholding of two annual increments with the recovery of salary paid for the period of 11 days, by the then learned District & Sessions Judge Chitral. Vide office order No. 579/SCJ/Admn/Chitral dated 11.12.2020 counselling letter was also issued to the accused/official to mend her attitude.

Furthermore, the general reputation of the said accused/official is also not good as several letters were received to the undersigned and some were pasted on the main gate of court premises, wherein, serious moral allegations were levelled against her. In the counselling letter dated 11.12.2020 one of

  
3.3.21



Ord. Cont.

complaint against the accused/official was that "not present and used to sit with the general public/advocates/male members during office timing and having contacts with people other than close relative." There are other female staff in District Judiciary Chitral, even a single complaint has not been received against any of the other female staff.

To sum up, keeping in view the findings and recommendation of the Inquiry Officer and after affording personal hearing to the accused/official and considering the facts of the case and defense offered by the accused/official, I find agreed with the recommendation of the learned Inquiry Officer that the accused/official is guilty of:

- (a) Inefficiency.
- (b) Guilty of misconduct
- (c) Guilty of habitually absenting herself from duty without prior approval of leave as provided in Rules 3(a)(b)&(c) of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

Therefore, being the Competent Authority, I hereby imposed major penalty upon the accused/official as provided specified in Rule 4 (b)(iv) Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, i.e. **dismiss from service**. Separate Office Order in this respect is issued.

File be closed.

**Announced:**  
3.5.21

*(Javaid-ur-Rehman)*  
District & Sessions Judge/ZQ,  
Chitral Lower  
(Competent Authority)



# بخدمت جناب ڈسٹرکٹ اینڈ سیشن جج صاحب ضلع چترال

جناب عالی!

موجودہ گزارش ہے کہ سائل ایک ذمہ دار شہری ہونے کے ناطے آپ کی توجہ ایک مسئلے کی طرف دلانا چاہتا ہوں۔ جناب عالی! آپ کے دفتر میں سماء کاشفہ بی بی دختر سراج سکھ اوچوست ضلع چترال بطور جوئیئر کلرک کام کرتی ہے۔ مذکورہ ایک فحش اور ادبائش قسم کی خاتون ہے۔ کیونکہ اسکا کردار سروس میں آنے سے پہلے ہی بہت بدنام تھا اور موجودہ وقت میں بھی اس کا کردار ٹھیک نہیں جسکی چھان بین انتہائی ضروری ہے کیونکہ یہ چترال کے لوگوں اور ثقافت کو بھی داغدار کر رہی ہے۔ جیسا کہ ساری دنیا کو پتہ ہے کہ چترال کے لوگ اتنے فحش اور ادبائش نہیں ہیں جتنا کہ اس خاتون نے کیا ہوا ہے۔ جناب عالی! اس خاتون کے بارے میں بہت سارے قصے مشہور ہیں لیکن آپکی توجہ ایک انتہائی نازک مسئلہ کی طرف مبذول کرانا چاہتا ہوں۔ وہ یہ کہ مورخہ 19.09.2020 کو ضلع پولیس کے پولیس کیلئے جوئیئر کلرک کی خالی نشستوں پر ETEA کی طرف سے ٹیسٹ بمقام گورنمنٹ ہائی سکول (سردار اجترال سٹی لیا گیا تھا جس میں مذکورہ (کاشفہ بی بی) کو بطور انویجیلیٹر لیا گیا تھا۔ جناب عالی! یہ سلسلہ صرف اس سال کا نہیں ہے بلکہ یہ چکھتہ 3/4 سالوں سے یہ سلسلہ چلا آ رہا ہے کہ مذکورہ کی ڈیوٹی لگائی جاتی ہے کیونکہ ETEA پشاور میں اسکی عورت کا کوئی ربانی نام کا شخص ہے جو اسکی س طرح کی مدد کرتا ہے۔ جناب عالی! عدالتیں قوم کا ایک بااعتماد ادارہ ہے لیکن اس قسم کی عورتیں نہ صرف معاشرے کا بلکہ جوڈیشری کی بدنامی کا بھی باعث بن رہی ہے۔

جناب عالی! اس پورے واقعہ کی تحقیقات کرائی جائے کہ اسکو کون سے قانون کے تحت بطور انویجیلیٹر لگایا گیا تھا۔ نہ ہی آپ صاحب کو سکے متعلق مطلع کیا گیا اور نہ ہی سرکاری طور پر کوئی خط و کتابت ہوئی تو پھر اسکو کس قانون کے تحت ڈیوٹی پر لگایا گیا اسکی اس ڈیوٹی کے متعلق نہ تو آپ لوگوں کو خبر تھی اور نہ کسی اور کو۔ مورخہ 19.09.2020 بوقت 1000 بجے، یہ دفتر سے نکلی اور ETEA ٹیسٹ پر ڈیوٹی دیئے گئی اور اوثوق ذرائع کے مطابق اس نے وہاں پر اپنے کسی جاننے والے دو لڑکوں کی مدد بھی کی تھی اور انکو پاس بھی کرایا تھا۔ اس سے اگر یہ تحقیقات کرائی جائے تو اُنکے متعلق یہ خود آپ صاحب کو بول دے گی۔ اسکے علاوہ جناب عالی یہ ہر روز 9 سے 10 بجے دن میں دفتر سے نکلتی ہے اور غیر مردوں کے ساتھ گھومتی پھرتی ہے۔ جس سے سارے چترال کا مذاق اڑایا جاتا ہے۔ کیونکہ اس قسم کی عورتیں معاشرے میں ذلت کا سبب بنتی ہیں۔ اس سے معاشرہ مزید خراب ہوگا۔

آپ صاحب سے گزارش ہے کہ اس پورے واقعہ اور اسکے کرتوتوں کے متعلق تحقیقات کرائی جائیں اور ضلع چترال کے اعلیٰ پولیس انسپران کو بھی بلا یا جائے اور پوچھا جائے کہ اسکیوں اور کیسے ETEA ٹیسٹ پر ڈیوٹی کیلئے لگایا گیا تھا۔ یا تو اس میں پولیس انسپران بھی شامل ہیں! پھر کوئی اور وجہ ہوگی جسکی تحقیقات انتہائی ضروری ہے۔

والسلام

پی برائے:-

1. MIT پشاور ہائی کورٹ پشاور۔

2. سینیئر سول جج ایڈمن چترال۔

Handwritten signature and stamp area.

معاشرے کا ایک ذمہ دار شہری

24/1  
08/10/2020

16/Adman/DS-J/CR

Handwritten signature and notes: "let comments be registered" and "12.10.20"

Handwritten signature.

### بخدمت جناب ڈسٹرکٹ اینڈ سیشن جج صاحب ضلع لوئر چترال

بمعاہ!

رش ہے۔ جس کا نام کاشفہ بی بی جو صیر کلرک سول جج افس چترال جو کہ ایک فحش لڑکی ہے۔ اس کا کردار سب کو پتہ ہے۔ یہ صبح 9 سے 10 تک افس آتا ہے۔ اور 1 بجے چھٹی کرتا ہے۔ اور اپنے دوستوں کے ساتھ فحاشی پھیلاتا ہے۔ دوسرے دن سے صحیح ڈیوٹی لیتے ہیں اس سے کوئی پوچھتے نہیں ہیں۔ لوگ انصاف مانگنے کے لئے کہہ رہے ہیں کہ اتنے ہیں یہاں افس میں پھیلانے کے لئے آتی ہے۔ اس غلط کام میں افسران بالا بھی شریک ہیں۔

Handwritten notes: ETEA, SDFO, RDD, 19/09/09

لوگوں کے ساتھ ان کا ناجائز تعلقات ہے۔ ان کے کام یہ ہیں۔

میر ہادی ٹھیکہ دار 2۔ ظفر حیات ایڈوکیٹ 3۔ عاصم ساکنہ جنور

میر SDFO جنگلات افس چترال 5۔ فہیم انجینئر RDD

1 نومبر کو 12 بجے چھٹی کر کے چترال سے بمبوریت کیرا فریدی کے ساتھ ہوٹل میں رات گزارے اور اس کے بعد ممبر کو دفتر سے چھٹی لے کر ETEA ڈیوٹی لیا ہے اس سے پہلے بھی 19/09 کو بھی ڈیوٹی کیا۔ یہ بات سب صاحبان ہے لہذا جناب والا کی خدمت میں درخواست ہے۔ اس اسٹاف کے خلاف قانونی کارروائی کی جائے۔ تاکہ جو ڈیپٹی کے بدنامی سے بچ سکے۔

یکارڈ USB میں دیکھیں۔

الحارث  
غفار الدین زرگر اندہ چترال

82

**APPENDIX VI**  
(Vide para 18).

**Confidential**

Appendix C  
Part C (Revised)  
Assistant & Clerks.

**GOVERNMENT OF K.P.K**  
**JUDICIARY DEPARTMENT.**  
**CONFIDENTIAL REPORT**

Ending 31<sup>st</sup> December, 2016

- 1. Name KASHIFA BIBI
- 2. Designation (when appointed) JUNIOR CLERK BPS-11
- 3. Present Designation JUNIOR CLERK BPS 11
- 4. Date of Birth 1/1/1994
- 5. Date of entry into Govt. Service 7/3/2016
- 6. Qualification at the time of appointment BA
- 7. Branches/Sections in which employed during the period. \_\_\_\_\_
- 8. Qualification acquired after employment \_\_\_\_\_

9. Observance of Office procedure e.g.	A1	A	B	C	D
(i) Referencing and paging of notes and correspondence			✓		
(ii) Keeping files and papers in tidy condition.			✓		
(iii) Promptness and accuracy in disposing of work.			✓		

10. Observations on:	A1	A	B	C	D
(i) Intelligence.		✓			
(ii) Knowledge of procedure and regulations.				✓	
(iii) Punctuality.				✓	
(iv) Co-operation with other staff.			✓		
(v) Amenability to discipline.				✓	
(vi) Skill in drafting.					✓

11. Integrity:	YES	NO
(i) Incorruptible		✓
(ii) Reported to be corrupt		
(iii) Believed to be corrupt because of		
(a) Monetary consideration		
(b) Other consideration		

12. Trust worthiness in Confidential and secret matters.	YES	NO
Knowledge of Typing.		✓
Trustworthy.		✓
Honest.		✓
Confident.		✓
Fit for any responsible job.		✓

83

PART-III		
	By Reporting Officer	By Countersigning
a) Recommended for accelerated promotion:-		
b) Fit for promotion.		
c) Recently promoted/appointed, consideration for promotion Premature.		
d) Not yet fit for promotion.	✓	
e) Unfit for further promotion.		

PART-IV		
General assessment	By Reporting Officer	By Countersigning Officer
i) Very Good		
ii) Good		
iii) Average		
iv) Below average	✓	
v) Poor		

PEN-PICTURE

Takeish a ppar for, subpat to improvement. obedient in a range to cover either or to show to cover her duty but interest of in her own personal interests. Special consideration for improvement if one needed

Date of - 09/17

Official Stamp.

Reporting Officer's Signature

Name (in BLOCK letters) MR. SHAFI RATION

Designation and judge cum judge Magistrate

General Remarks by higher officers.

Date: 14/10/17

Official Stamp.

Countersigning Officer's Signature

Name (in BLOCK letters) AHMED SULTAN TAREEN  
Designation District & Session Judge, Kohat

84

APPENDIX 'F' vide 3.1 (i)  
Form for  
Assistant and Clerks

RESTRICTED

GOVERNMENT OF KHYBER PAKHTUNKHWA

JUDICIARY DEPARTMENT

PERFORMANCE EVALUATION REPORT

For the period from 01-01-17 To 31-12-2017

PART-I

1. Name (in block Letters) KASHIFA BIBI 1. (a) Father Name SIRAJ AHMAD
2. Designation JUNIOR CLERK
3. Date of Birth 01-01-1994 3 (a). Qualification B.A
4. Date of Entry into Government Service: 08-03-2016
5. Branches/Sections in which employed during the year, with period

PART-II

A	PERFORMANCE	AI	A	B	C	D
(1)	Reference, paging of notes correspondence		SA			
(2)	Movement of files and record of suspense causes		SA			
(3)	Keeping files and papers in tidy condition	SA				
(4)	Promptness and accuracy in disposing of work.	SA				
(B)	PERSONAL TRAITS					
(5)	Intelligence	SA				
(6)	Knowledge of procedure and regulations		SA			
(7)	Punctuality		SA			
(8)	Cooperation and tact	SA				
(9)	Amenability to discipline		SA			
(10)	Skill in drafting		SA			

85

11. Integrity.

Assessment

- (I) Incorruptible .....
- (II) Reported to be corrupt .....
- (III) Believed to be corrupt, because of:
  - (a) Monetary consideration .....
  - (b) Other considerations .....
- (12) Knowledge of Typing / Computer .....  YES  NO
- (13) Trust worthiness in confidential and secret matters.  YES  NO
- (14) Any disciplinary action taken during the period under report.  YES  NO

PART-III

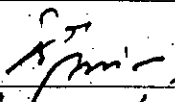
	By Reporting Officer	By Countersigning Officer
(a) Recommended for accelerated promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(b) Fit for promotion. ✓	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Recently promoted/appointed - consideration for promotion pre-mature.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Not yet fit for promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(e) Unfit for further promotion.	<input type="checkbox"/>	<input type="checkbox"/>

PART-IV

General Assessment	By Reporting Officer	By Countersigning Officer
(I) Very Good		
(II) Good	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(III) Average		
(IV) Below Average		
(V) Poor		

3  
PEN PICTURE

The official under report is honest and hardworking.

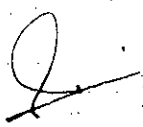
Reporting Officer's Signature 

Name (In Block Letters) SAJID AMIN

Date 12-02-2018

Designation Civil Judge-IV, Chitral.

General Remarks by Higher Officers.

Countersigning Officer's Signature 

Name (In Block Letters) عزیز قاری

Date

Designation ڈائریکٹر ایجوکیشن، چترال

87

APPENDIX VI  
(Vide para 18).

Appendix C  
Form C (Revised)  
Assistant & Clerks.

Confidential

GOVERNMENT OF K.P.K  
JUDICIARY DEPARTMENT.  
CONFIDENTIAL REPORT

Ending 31<sup>st</sup> December, 2018

- 1. Name KASHIFA BIBI
- 2. Designation (when appointed) JUNIOR CLERK BPS-11
- 3. Present Designation JUNIOR CLERK BPS 11
- 4. Date of Birth 1/1/1994
- 5. Date of entry into Govt: Service 8/3/2016
- 6. Qualification at the time of appointment BA
- 7. Branches/Sections in which employed during the period. \_\_\_\_\_
- 8. Qualification acquired after employment \_\_\_\_\_

9. Observance of Office procedure e.g.	A1	A	B	C	D
(i) Referencing and paging of notes and correspondence			Bad		
(ii) Keeping files and papers in tidy condition.			Bad		
(iii) Proptness and acuracy in disposing of work.			Bad		

10. Observations on:	A1	A	B	C	D
(i) Intelligence.			Bad		
(ii) Knowledge of procedure and regulations.			Bad		
(iii) Punctuality.			Bad		
(iv) Co-operation with other staff.					Bad
(v) Amenability to discipline.					Bad
(vi) Skill in drafting.					Bad

11. Integrity:	YES	NO
(i) Incorruptible	Bad	
(ii) Reported to be corrupt		
(iii) Believed to be corrupt because of		
(a) Monetary consideration		
(b) Other consideration		

12. Trust worthiness in Confidential and secret matters.	YES	NO
Knowledge of Typing.	NIL	
Trustworthy.	Bad	
Honest.	Bad	
Confident.	Bad	
Fit for any responsible job.	Bad	



**PART-III**

	By Reporting Officer	By Countersigning
Recommended for accelerated promotion.		
Fit for promotion.	Asad.	
Recently promoted/appointed, consideration for promotion Premature.		
Not yet fit for promotion.		
Unfit for further promotion.		

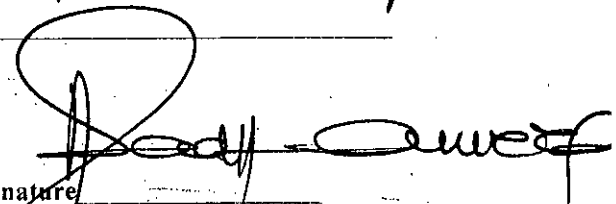
**PART-IV**

General assessment	By Reporting Officer	By Countersigning Officer
i) Very Good		
ii) Good	Asad.	
iii) Average		
iv) Below average		
v) Poor		

**PEN-PICTURE**

Due to her absence, disciplinary action was taken against her. Thereafter, she improved her conduct & behaviour.

Dated: 11/2/2019  
Official Stamp.

Reporting Officer's Signature:   
 Name (in BLOCK letters): (ASAD HAMEED KHAN)  
 Designation: District & Sessions Judge / ZQ Chitral

General Remarks by higher officers.

Dated: \_\_\_\_\_  
Official Stamp.

Countersigning Officer's Signature \_\_\_\_\_  
 Name (in BLOCK letters) \_\_\_\_\_  
 Designation \_\_\_\_\_

APPENDIX VI

(Vide para 18).

Appendix C.

Confidential

Form C (Revised)  
Assistant & Clerks.

GOVERNMENT OF K.P.K  
JUDICIARY DEPARTMENT.  
CONFIDENTIAL REPORT

Ending 31<sup>st</sup> December, 2020

- 1. Name KASHIFA BIBI
- 2. Designation (when appointed) JUNIOR CLERK BPS-11
- 3. Present Designation JUNIOR CLERK BPS 11
- 4. Date of Birth 1/1/1994
- 5. Date of entry into Govt: Service 8/3/2016
- 6. Qualification at the time of appointment BA
- 7. Branches/Sections in which employed during the period. \_\_\_\_\_
- 8. Qualification acquired after employment \_\_\_\_\_

9 Observance of Office procedure e.g.	A1	A	B	C	D
(i) Referencing and paging of notes and correspondence					▲
(ii) Keeping files and papers in tidy condition.					▲
(iii) Proptness and acuracy in disposing of work.					▲

10 Observations on:	A1	A	B	C	D
(i) Intelligence.				▲	
(ii) Knowledge of procedure and regulations.					▲
(iii) Punctuality.					▲
(iv) Co-operation with other staff.				▲	
(v) Amenability to discipline.					▲
(vi) Skill in drafting.					▲

11 Integrity:	YES	NO
(i) Incorruptible	▲	
(ii) Reported to be corrupt		
(iii) Believed to be corrupt because of		
(a) Monetary consideration		
(b) Other consideration		

12 Trust worthiness in Confidential and secret matters.	YES	NO
Knowledge of Typing.		▲
Trustworthy.		▲
Honest.	▲	
Confident.	▲	