
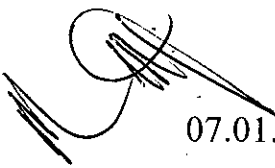


13.11.2019

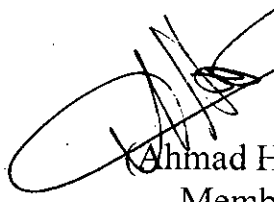
Appellant alongwith his counsel and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Rooh-ul-Amin, Superintendent for the respondents present. Learned Deputy District Attorney pointed out that though copy of inquiry report was available on the case file but statements recorded during the inquiry proceedings were not annexed with it. It would be difficult for the Tribunal to reach to a just conclusion. Moreover, earlier a show-cause notice was also served on the appellant but the same was not available on the record. Respondents are directed to submit complete record of inquiry alongwith statements as highlighted above. Case to come up for record and arguments on 07.01.2020 before D.B.


  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

  
07.01.2020

Appellant in person present. Mr. Zia Ullah learned Deputy District Attorney present. Appellant submitted copy of Notification dated 05.12.2019 regarding his reinstatement in service and sought withdrawal of the present service appeal. Consequently the present service appeal is hereby dismissed as withdrawn. No order as to costs. File be consigned to the record room.

  
(Ahmad Hassan)  
Member

  
(Muhammad Hamid Mughal)  
Member

ANNOUNCED.  
07.01.2020

01.07.2019

Appellant in person present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Mr. Hayat Assistant Director for the respondent present and submitted impleaded application which is placed on file, copy of the same is handed over to the appellant and learned Additional Advocate General. Appellant has not submitted copy of memo appeal of respondent No. 4, therefore he is directed to submit memo of appeal. Adjourned. To come up for reply on behalf of official respondents as well as arguments and reply on the impleadment application on 27.08.2019 before S.B.

  
Member

27.08.2019

Appellant in person and Addl. AG alongwith Sardaraz Khan, ADEO for the respondents present.

Representative of the respondents submitted written statement which is placed on file. The appeal is assigned to D.B for arguments. The appellant may submit rejoinder, within a fortnight, if so advised. *on 13.11.2019*

  
Chairman

14.05.2019

Learned counsel for the appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General present.

Learned counsel for the appellant stated that Director Education is a necessary party in the present service appeal, hence he may be impleaded as respondent. Learned AAG has not submitted reply to the application for impleadment of Director Education in penal of respondents.

Arguments heard.

The present service appeal is at its early stage. Punishment order dated 13.04.2018 has been issued by Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar. In the circumstances of the case, the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar is hereby impleaded in the calendar of respondents. Application for impleadment is disposed of accordingly. Notice be issued to the respondents including the newly added respondent for reply/comments. Muharrar is directed to enlist the name of the newly added respondent in the memo of service appeal as well as in the relevant register. Notice be issued to the respondents including the newly added respondent for reply/comments. Adjourn. To come up for written reply/comments on 01.07.2019 before S.B.

  
Member

10.1.2019

Appellant in person and Addl. AG alongwith Muhammad Azeem, AD (Litigation) for the respondents present.

Appellant has submitted an application for impleadment of Director of Education as one of the respondents in appeal.


Learned AAG takes notice of application and states that reply to it will be submitted alongwith reply/comments to the appeal on net date. Adjourned to 18.03.2019 before S.B. -

Chairman



18.03.2019


Appellant in person present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. Notices be issued to the respondent for submission of written reply/comments on 19.04.2019 before S.B.

  
Member

(Ahmad Hassan)

19.04.2019

Appellant in person present. Mr. Kabirullah Khattak learned Additional Advocate General present and seeks adjournment to furnish reply of the application for impleadment of Director Education and to furnish reply/comments to the main appeal. Adjourn. To come up for further proceedings on 14.05.2019 before S.B.

  
Member

12.10.2018

Mr. Muhammad Idrees, appellant in person alongwith his counsel Mr. Zartaj Anwar, Advocate present and heard in limine.

Contends that two enquiries were conducted could not reach to its logical end and the appellant has not been given opportunity of defence. That other staff has not cooperated in the matter. That no regular enquiry was conducted which was mandatory in the alleged embezzlement.

Points raised need consideration. The appeal is admitted to full hearing, subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 28.11.2018 before S.B.

Appellant Deposited  
Security & Process Fee



  
Chairman

28.11.2018

Clerk to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Written reply not submitted. Learned AAG requested for time. Granted. To come up for written reply/comments on ~~10/01/2019~~ before S.B.

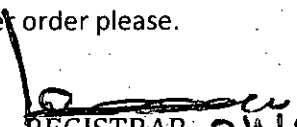



Member

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. \_\_\_\_\_ 1176/2018 \_\_\_\_\_


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/09/2018  25-9-18	<p>The appeal of Mr. Mehmood Idrees resubmitted today by Mr. Zartaj Anwar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 24/9/18</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>12-10-2018</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

The appeal of Mr. Muhammad Idrees Mehmood SPST GPS Jughbanj Upper Dir received today i.e. on 10.09.2018 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- In the memo of appeal the name of the appellant has been written as Muhammad Idrees Mehmood while the documents attached with the appeal are showing the name of the appellant as Mehmood Idrees the same may be rectified.
- 2- Chief Secretary is the competent authority having over all administrative authority/power and there is no need to be affiliate him with any sub-ordinate officer, therefore, the Secretary E&SE may be impleaded as separate necessary party.

No. 1827 /S.T,

Dt. 10/9 /2018.

  
REGISTRAR 10/9/18  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Zartaj Anwar Adv. Pesh.

Sir

Re Submitted ~~files~~ copies



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

Service Appeal No. 1176 /2018

Mehmood Idress.....**Appellant**

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary,  
Civil Secretariat, Peshawar & others.....**Respondents**

**I N D E X**

<b>S#</b>	<b>Description of Documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Service Appeal		1-8
2.	Affidavit		9
3.	Application for condonation		10
4.	Addresses of parties		
5.	Copy of 1 <sup>st</sup> inquiry report	<b>A</b>	
6.	Copy of 2 <sup>nd</sup> inquiry report	<b>B</b>	
7.	Copy of Show Cause notice and reply	<b>C &amp; D</b>	
8.	Copy of Order dated 13.04.2018	<b>E</b>	
9.	Copy of Departmental appeal	<b>F</b>	
10.	Copy of other relevant documents		
11.	Wakalatnama		

  
Appellant

Through

  
**Zarfaj Anwar**

Advocate High Court  
Office No.4, 4<sup>th</sup> floor, Bilour  
Plaza, Peshawar Cantt  
Cell No.0331-9399185



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

Service Appeal No. 1176 /2018

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1424

Dated 10-9-2018

Muhammad Idress Mehmood

SPST, GPS Jughbanj Upper Dir ..... **Appellant**

Versus

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar
2. Secretary Education, Govt. of Khyber Pakhtunkhwa, Chief Secretary, Civil Secretariat, Peshawar
3. Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar

Dated  
14/05/19

4. Director Education, Directorate of Education GT Road Peshawar. **Respondents**

**SERVICE APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 13.04.2018 WHEREBY THE APPELLANT WAS REMOVAL FROM SERVICE AND AGAINST WHICH DEPARTMENTAL APPEAL WAS FILED BEFORE THE COMPETENT AUTHORITY BUT AS NOT REPLIED/ DECIDED AFTER THE LAPS OF STATUTORY PERIOD OF 90 DAYS.**

**Filed to-day**

**Registrar**

10/9/18

Re-submitted to-day  
and filed.

**Registrar**

24/9/18

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

Service Appeal No. \_\_\_\_\_/2018

Mehmood Idress

SPST, GPS Jughbanj Upper Dir .....**Appellant**

Versus

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar
2. Secretary Education, Govt. of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar
3. Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar

.....**Respondents**

**SERVICE APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICES TRIBUNAL ACT,  
1974 AGAINST THE IMPUGNED ORDER  
DATED 13.04.2018 WHEREBY THE  
APPELLANT WAS REMOVAL FROM SERVICE  
AND AGAINST WHICH DEPARTMENTAL  
APPEAL WAS FILED BEFORE THE  
COMPETENT AUTHORITY BUT AS NOT  
REPLIED/ DECIDED AFTER THE LAPS OF  
STATUTORY PERIOD OF 90 DAYS.**

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**Prayer**

**On acceptance of this service appeal the order dated 13.04.2018, may please be set aside and the Appellant may kindly be reinstated into service with all back benefits**

---

**Respectfully Sheweth:**

That Appellant very humbly submits the following few lines for year kind and sympathetic consideration.

1. That the Appellant was initially appointed as P.S.T teacher and was posted at Govt. Primary School Jughabang Upper Dir, ever since my appointment I had performed my duties as assigned with great zeal and devotion and there was no complaint whatsoever regarding my performance.
2. That while serving in the said capacity as P.S.T at Government Primary School Jughabang upper Dir, a complaint was made by the headmistress of Govt. Girls High School Kotkai District Dir Upper regarding the embezzlement in stipend for girls students, the allegations so leveled are reproduced below:
  - a. You have made embezzlement in girls stipend programme during the period of 2008-2015

b. You have performed your duty as a EDSPM at post Office Sahib Abad without authority.

c. Misconduct

3. That after the complaint the department conducted their so called inquiry in which neither they offered me a chance of personal hearing nor they served me with any charge sheet and statement of allegation, without any record regarding the complaint. Furthermore according to the initial inquiry the occurrence of the embezzlement took place during period 2008-15 and also the record has been misplaced as the record could not be seen on the spot neither, that was produced before the inquiry committee and nor they investigated the two headmistress of the school posted during the period of 2008-2013 and without any record/evidence upon which they can based their recommendation but lastly they recommended their recommendation without any record/proof but to put the applicant responsible for what he has not been responsible. (Copy of 1<sup>st</sup> inquiry report is attached as annexure "A").
4. That after conducting the initial inquiry, a second inquiry was conducted without taking into consideration the limitation of first inquiry where that

was categorically mentioned that the record is misplaced and the record could not be seen on spot and the staff was provided sufficient time to produce relevant record and also two headmistress of the school during period 2008-13 was not known to any one hence could not be investigated, but the second inquiry committee without providing any opportunity of personal hearing to the appellant without serving any statement of allegation and charge sheet, whether the applicant has to be investigate regarding some particular allegations but bent upon to held responsible the present appellant and submit their baseless recommendations to the competent forum. (Copy of 2<sup>nd</sup> inquiry report is attached as annexure "B").

5. That the appellant was served with show cause notice which is dully replied and made request to look into the matter with all the relevant record and evidence and also refuted the allegations level against me as a false and baseless. (Copy of Show Cause notice and reply are attached as annexure "C & D").
6. That without conducting any regular inquiry on the basis of any charge sheet or statement of allegations, quite illegally I have been awarded the major penalty of removal from service while order

dated 13.04.2018. (Copy of Order dated 13.04.2018 is attached as annexure "E").

7. That against the said order the appellant filed Departmental Appeal to the competent authority but the same was not decided within the statutory period of 90 days. (Copy of Departmental appeal is attached as annexure "F").
8. That the penalty so imposed upon the appellant is illegal, unlawful, against the law and facts hence liable to be set aside, inter alia on the following grounds:-

**GROUND S:-**

- A. That the appellant have not been treated in accordance with law hence my rights secured and guaranteed under the law and constitution is badly violated.
- B. That no procedure has been followed before awarding me the penalty of removal from service. the appellant have not been served with any charge sheet or statements of allegations or any inquiry has been conducted to probe the charges, the whole proceedings are thus nullity in the eyes of law.

- C. That the appellant have not been given proper opportunity of personal hearing before awarding me the penalty, hence, the appellant have been condemned unheard.
- D. That on charge sheet or statement of allegations as required under the law and rules have been served upon the appellant thus have been denied opportunity to defend the appellant against the charges.
- E. That according to the procedure lay down for the purpose of handing over the stipend amount to the students i.e. money order received to the GPO senior post master through money order, upon which the printed name, father name and class were already mentioned, when the concerned senior post master (GPO) call of the headmaster /hand mistress of the school on the particular date upon which the money order have to be distributed among the nominated students, the process was carried jointly, through the concerned head master/headmaster which also carried jointly, through the concerned head master/head mistress which also carries the thumb impression of the students furthermore the printed form having two parts. the appellant sent the record to office of district education officer and second one to the concerned GPO.

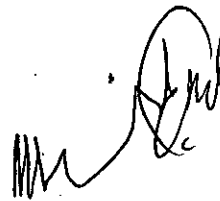
- F. That the appellant never ever directly connected/involved in the procedure which was discussed in the above Para as the appellant was performing duties as a P.S.T in government primary School Jughabng Upper Dir and neither the inquiry committee produced any documentary evidence nor did they given any chance to cross examine the witnesses who recorded their statement before the inquiry committee.
- G. That the charges were denied by the Appellant and had never admitted the charges leveled, nor there was sufficient evidence available to held the Appellant guilty of the charges, thus the matter in hand required a full fledge regular inquiry, for the proof or other wise of the charges, in the absence of regular inquiry major penalty cannot be imposed.
- H. That the superior courts have in a number of reported judgments held that in case of awarding major penalty of dismissal form service regular procedure o holding inquiry cannot be dispensed with that too when the charges are denied by the employee.
- I. That the appellant have never committed any act or omission which could be termed as misconduct the charges leveled against me are false and baseless



besides the same are neither probed nor proved albeit the appellant have illegally been removed from service.

- J. That the appellant have at his credit an unblemished and spotless career the penalty imposed upon me is too harsh and is liable to be set aside.
- K. That the appellant is jobless since his removal from service.

It is, therefore, humbly prayed that on acceptance of this service appeal the order dated 13.04.2018, may please be set aside and the Appellant may kindly be reinstated into service with all back benefits.



Appellant

Through



**Zartaj Anwar**

Advocate High Court

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

Service Appeal No. \_\_\_\_\_/2018

*Mehmood Idrees* .....Appellant

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary,  
Civil Secretariat, Peshawar & others.....Respondents

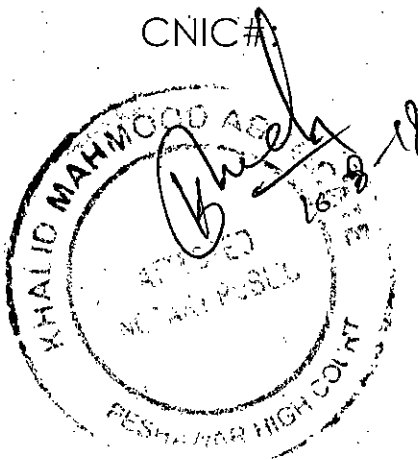
**AFFIDAVIT**

I, *Mehmood* Idrees SPST, GPS Jughbanj  
Upper Dir, do hereby solemnly affirm and declare on oath  
that the contents of the accompanying **Service Appeal**  
are true and correct to the best of my knowledge and  
belief and nothing has been concealed from this Hon'ble  
Court.

Identified by

  
DEPONENT

  
**Zariq Anwar**  
Advocate High Court

CNIC#  


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

Service Appeal No. \_\_\_\_\_/2018

Mehmood Idress.....**Appellant**

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary,  
 Civil Secretariat, Peshawar & others.....**Respondents**

**ADDRESSES OF PARTIES**

**APPELLANT:**


Mehmood Idress  
 SPST, GPS Jughbanj Upper Dir

**RESPONDENTS**

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar
2. Secretary Education, Govt. of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar
3. Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar

  
 Appellant

Through

  
**Zarfaj Anwar**  
 Advocate High Court

OFFICE OF THE DISTRICT EDUCATION OFFICER F Dir Upper

NO 947 DATE 2/5/ DEO Dir (F) Upper

NO 266 DATE 2/5/2016 SDEO F Wari, Dir Upper

Inquiry authority: *The District Education Officer (Female) Dir Upper*

Inquiry officers: 1. *Muhammad Iqbal ADO P& D (F) Dir Upper*

2. *Hafiza Bibi ASDEO (F) Wari, Dir Upper*

Persons under inquiry:

1. *Muhammad Idress SPST GPS Jughabanj/Post Master Sahibabad/Chief Editor Weekly Awaz-E-Dir/ Reporter Daily Mashriq, Sub-Division Wari, Dir Upper*

2. *Headmistress GGHS Kotkey*

Nature of Inquiry: *Embezzlement of stipends at GGHS Kotkey, Wari*

Place of inquiry: *GGHS Kotkey*

Duration of inquiry: *5 Month (December 2015 to April 2016)*

To,

The District Education Officer (Female)

Dir Upper.

SUBJECT: - INQUIRY REPORT GGHS KOTKAY ABOUT STIPEND

**Introduction**

With reference to your letter no 1517-18/DEO/ADO (P&D) dated Upper Dir the 01-12-2015 with attached letter (Status; Photocopy) titled Khyber Pakhtunkhwa Redressal (sick) System Education Department Code: ED 1435681940 dated 30-06-2015 and letter titled "In respect of District Education Officer, Education Department Female Dir Bala" from Muhammad Idrees Post Master Sahib Abad with given contact No 03018578537 dated Nil, an inquiry was conducted to investigate the above mentioned case. This document includes the inquiry report;

Note: This inquiry reports includes 127 pages and pages numbers as all the school records are given with blue marker hand written.

ATTESTED

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procedure/methods, findings, implication and recommendation with attached records of school and other institutions.

**Procedure/Methods**

The inquiry took place at GGHS Kotkay, Sub Division Wari District Dir Upper with the presence of the Head Mistress of the school, her assistant and students of the school. The inquiry took place in a natural and satisfied environment of the school where some related records were available as first source to investigate the case however, as the case has long roots with the past document and records it took time to check, trace/find all the records. In order to avoid any ambiguity/uncertainty and check the validity of the records those were crosschecked with different sources like students' and parents' statements. Similarly, a formal and through discussion took place with all concerned in order to ensure the reliability and validity of the data and notes were written in order to keep the records safely about the case in different phases of the inquiry. Parents' and students' statements have also been included in the report. However, it is also notable that some of the original records like, money order copy, etc. were not provided by the headmistress and the inquiry officers were also terrified by third person at the final phase of inquiry and all these processes have been discussed in detail in the following pages. Thus, careful investigation of the case indicates the following findings.

**Findings**

That Muhammad Idress is Senior Primary School Teacher at GPS Jughabanj (UC Sahibabad) according to the records (see Annexure G, page 111 to 122) extracted from SDEO (M) Wari Dir Upper, but he has described his designation as 'postmaster Sahibabad' in the application' which he had served to DEO F Dir previously.

That Muhammad Idress has been working as post master from 2008 and visits GGHS Kotkay as post master and administers stipends unfairly from 2008 to 2015 according to oral statement of the school assistant and headmistress.

That Muhammad Idress is a regular employee of other institutions as Chief Editor; Weekly Awaz-E-Dir (see Annexure H, page 123, Annexure I, page 124 and Annexure I 2 page

7 ATTESTED

125. Annexure I 3 page 126) and Reporter; Daily Mashriq etc, in Sub-Division Wari, Dir Upper.

That the students of class 10<sup>th</sup> have left the school after exam actually deserve according to the rules to have stipend of the last quarter have not been given any amount in term of stipend in this school from 2008.

That all absent students have not been given stipends from 2008 and the detail of each year has been written below with detail attached records.

That many parents were also found in the milieu to allege that their children were not given stipend from the concerned authority Muhammad Idress, (see the statements on page No 98 to 100).

That the school's records which highlight of all those students who have not been given stipend are attached as such with this documents which is important to consider from the part of action the taker.

That the total amount of stipend had not been given/distributed among the students according to the list/demand of the school each year by the post master Muhammad Idress pretending that he was not received the money order according to the list of the school.

That incharge teacher Noor Jahan had also received a fake list of students was also included at the end of demand list (stipends) of GGHS Kotkey which indicates that someone used to include fake names in the school's demand list and hence received money illegally but when the list was submitted to the respected office for investigation DEO F/M Dir upper both the application the list were vanished/disappeared by the concerned (see Annexure J, page 127).

That many applications have been served in the respected office to investigate the case and redress the issue in the past but no action has been taken since yet according to the written statements of the assistant (see Annexure J, page 127) of the school.

That the names of all concerned who had not taken action against Muhammad Idress in the past have been highlighted in the written statement of the school assistant (see Annexure J, page 127).

ATTESTED

That all attested records of each year highlighting those students who have not received the stipend according to the school records are attached with this document.

That sometimes at the final stage of inquiry it was found that the concerned headmistress was not cooperating with inquiry officers.

That the headmistress had shown a copy of money order of a student of 10<sup>th</sup> class at the initial stage of inquiry which she had promised to give a copy of that to inquiry officers as prove against the said post master as he had claimed that he had not received any money order of class 10<sup>th</sup> students but she did not hand over that to the concerned at the final stage of inquiry.

That some of the records have been tampered deliberately (see page 10) which have been highlighted and attached with inquiry document.

That the amount Rs 155400 in term of stipend for the year 2008 has not been distributed among children in different classes (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in 2008).

That all attested records of the year 2008 highlighting those students who have not received the stipend according to the school records are attached with this document.

That the amount Rs 156600 in term of stipend for the year 2009 has not been distributed among children in different classes (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in 2009).

That all unattested records of the year 2009 highlighting those students who have not been received the stipend according to the school records are attached with this document.

That the amount Rs 79800 in term of stipend for the year 2010 has not been distributed among children in different classes (5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in 2010).

That all unattested records of the year 2010, highlighting those students who have not been received the stipend according to the school records are attached with this document.

That NO records were found in respect of stipend payment/distribution among the children for the year 2011 and 2012 in the school.

That all kinds of records like attendance register, stipend registers and money order copies were not found for the said years in the school.

9 ATTESTED

That the above mentioned situation indicates that the records have been deliberately demolished so that no person could approach those in order to trace/mark the fraudulent out and the corruption process.

That the Rs 411600 in term of stipend for the year 2013 has not been distributed among children in different classes (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in 2103.

That all attested records of the year 2103 highlighting those students who have not received the stipend according to the school records are attached with this document.

That the amount Rs 48000 in term of stipend for the year 2014 has not been distributed among children in different classes (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in 2104).

That the concerned had given Rs 1000 instead of Rs 1200 to each student of class 8<sup>th</sup> and 9<sup>th</sup> in 2014.

That all attested records of the year 2104 highlighting those students who have not received the stipend according to the school records are attached with this document.

That there are No written records of stipend distribution of Rs 165000 among the children of class 6<sup>th</sup> but according to the written statements of the headmistress (see annexure J, page 37) the said amount was distributed among the children of the said class only once according to the attendance register and the written statements is attached.

That the amount Rs 395400 for the year 2015 has not been distributed/given to the children of different classes (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in this school in term of stipend according to the school records by concerned; postmaster Muhammad Idress.

That all the students of class 6<sup>th</sup> have not been given Rs 1200 of first quarter for the year 2015.

That all the students of class 10<sup>th</sup> have not been given Rs 1800 of last quarter for the year 2015.

The brief summary of the total amount from 2008 to 2015 is presented here in tabular form.

ATTESTED



Summary of embezzlement of stipends at GGHS Kotkey from 2008 to 2015

S.No	Year	Classes	Amount Rs which has not been distributed	Total amount in Rs	Annexure	Page No
1	2008	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	155400	155400	A	19 to 21
2	2009	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	156600	156600	B	22 to 32
3	2010	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	79800	79800	C	33 to 57
4	2011	No record was found Number of students = 215	645000 (Rough estimation based on students' enrollment in 2010 Need further investigation	----		
5	2012	No record was found Number of students = 303	909000 (Rough estimation based on students' enrollment in 2013) Need further investigation	-----		
6	2013	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	411600	411600	Annexure D	58 to 66
7	2014	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	48000	48000	Annexure E,	67 to 79
8	2015	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	395400	395400	Annexure F	80 to 95
			Total	1246800+ 1554000 = 2800800		

That the concerned postmaster/SPST Muhammad Idrees was given ample opportunity to provide evidences against the said case but he failed to provide the said records within the

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stipulated time. The inquiry team members contacted the concerned through available mobile phone number in this respect. The school was visited more than three times, made many calls to headmistress and assistant, called the assistant to office; SDEO (F) Wari, Dir Upper many times to clarify and brief about the data.

That the school's assistant remained cooperative with inquiry officers throughout the inquiry process.

#### **Implication**

The purpose of the said stipends according to the policy were to attract, encourage and motivate the girls and their parents towards education in the backward district of Dir Upper where most of the girls are likely to discontinue their education at secondary level due to poverty. The above mentioned facts indicate that students in said milieu as girls have not been able to have their stipend which are likely a source for continuation of their education. This also indicate that the unavailability of the said stipend might have affected the educational process of many students like discontinuation of education at secondary level, etc, which appeals to penalize the wrong doer.

#### **Recommendation**

Based on the above facts, its especial implication and impact on girls' education it is recommended.

1. That legal action should be taken against Muhammad Idress as per KPK service rule.
2. That the amount Rs 2800800 should be recovered as per rule of the department from the concerned; Muhammad Idress SPST GPS Jughabanj/Post Master Sahibabad/Chief Editor Weekly Awaz-E-Dir/ Reporter Daily Mashriq, Sub-Division Wari, Dir Upper and submit the amount to the government treasury through proper challan and should report to all stakeholders like inquiry officers, Khybar Pakhtunkhwa Redressal System Education Department, Headmistress of the school, DCO Dir, Anti Corruption unit Dir Upper, and students of the said school.

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3. That as mentioned earlier NO records were found (have been demolished deliberately) of stipends distributions from any persons in the said school (GGHS KOTKAY) Dir Upper for the year 2011 and 2012 of roughly estimated Rs 154000 needs further investigation immediately in order to trace/mark the fraudulent out and the corruption process and punish the wrong doers if any under the rules.
4. That the headmistress should be punish of no cooperation, not attending calls/providing records, etc with inquiry teams which prolonged the inquiry process.
5. That all related/ concerned persons; headmistress, ex headmistresses/ related teachers/ peons / etc. should inquired/ punished/ explained under the rule for their careless administration/ malpractices/in respect of record keeping, etc.
6. That action should be taken against all the related persons of the concerned department DEO (F) Dir Upper like ex DEOs (F), etc, of not taking interest in the case previously and not resolving the said issues in time as it has been mentioned earlier that many applications have been served in this respect to investigate the case and redress the issue in the past but no action has been taken since yet according to the written statements of the assistant of the school.
7. That all concerned persons/departments/institutions that have authorized Muhammad Idress illegally to disburse stipends in female school should be investigated and punished/ penalized if any under the rules.

Inquiry Officers

1. Muhammad Iqbal ADO (P&D Branch)  
DEO Dir Upper

2. Hafiza Bibi ASDEO F wari, SDEO (F)  
Dir

Date: 27-04-2016

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INQUIRY REPORT  
EMBEZZALMENT IN STIPEND FOR GIRLS STUDENTS  
GOVERNMENT GIRLS HIGH SCHOOL KOTKAI DISTRICT DIR UPPER

Introduction:

Girls Stipend Programme (GSP) is an incentive for girls' students from class 6-10 in KP to increase enrolment and decrease dropout rate in girl schools. It is paid to those students who have at least 80% attendance @ Rs 200/student/ month (Rs 2400/year) in a year through Post Office.

As per procedure in vogue, Principal/Head Mistress of the school sends class-wise enrolment of school to District Education Officer (F) office and funds are released according to the enrolment of students at district level. Post office sends money order through Post Master to concerned school in the name of students. Then the students receive their Money Order by signing money orders in the presence of class teachers and HMs/Principals concerned. Stipend is distributed in installments (Rs 2000 in total) as per release in a year.

In the instant case District Education Officer (M) Dir Upper has sent a preliminary inquiry report vide No. 1895 dated 20/05/2016 on the subject "Embezzlement of Stipends at GGHS Kotkai Wari" with findings and recommendations.

In order to further probe into the matter, the Director Elementary & Secondary Education Khyber Pakhtunkhwa has been pleased to order impartial inquiry vide Notification Ednst: No.3667-70 dated 27/10/2016. The following Committee has been constituted to conduct the inquiry into the embezzlement of Stipend Scholarships at GGHS Kotkai Tehsil Wari District Dir Upper.

1. Mr. Muhammad Uzair Ali DEO (M) Malakand.
2. Mr. Aurang Zeb Assistant Director Local Directorate E&SE.

Terms of Reference:

- i. The Committee is required to conduct an impartial inquiry and submit detailed report containing facts/findings and recommendations in light of the initial inquiry.
- ii. The inquiry Committee will submit report within (15) days.

Limitations:

The occurrence of the embezzlement took place during period 2008 to 2015 and most of the record has been deliberately misplaced to escape the inquiry. As the record could not be seen on spot therefore the staff involved was provided sufficient time to produce relevant record. What about of the predecessor two Head Mistresses of the school during the period 2008-2013, was not known to any one hence could not be investigated.

Proceedings:

In order to proceed in to the matter and find factual position, the Inquiry Committee summoned the concerned officers/officials through letter/ telephone call to be present along with the relevant record at the school on 22<sup>nd</sup> November 2016. Inquiry was conducted in normal and pleasant setting at GGHS Kotkai Tehsil Wari District Dir Upper in presence of Ms. Khurshed Begum Head Mistress

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GGHS Kotkai, Mr. Hifzan Ullah Junior Clerk of the school, teachers, students and Mehmood Idrees EDSPM/Head Teacher GPS Jugha Banj District Dir Upper.

Mr. Muhammad Iqbal ADO (P&D) and Mst Hafiza Bibi SDEO (F) Wari who had conducted the preliminary enquiry were also called to be present.

All those who were allegedly involved in the instant embezzlement were directed to submit written defense. They submitted written replies to the allegations/charges which are placed on file as Annexure.

I. Statement of Mr. Mehmood Idrees SPST Jughaban/ EDSPM Sahibabad (F/A)

As per written the statement of Mehmood Idrees, he was initially appointed as PST in GPS Beshumai District Dir Upper on 27/03/2004 and now he has been promoted as SPST at GPS Jugha Banj District Dir Upper. He further testified that he started job in Postal services as EDSPM Sahib Abad since 18/11/2009. (Annex-A-I). As EDSPM his job also includes distribution of Stipend Money Orders to Girls schools including GGHS Kotkai. He used to receive Money Orders of Girls Stipend Programe from GPO Batkhehla and further distribute the same to the students of schools assigned to him after having proper signatures on Money Order Forms from students concerned in presence of Class Teachers and got the same countersigned from Head Mistress of the school. He further testified that he had been doing this job since 2010. According to Idrees the amount of Stipend was in installments of Rs.600/-, Rs.1200/- and Rs.1800/- (Total of Rs.2400/-). He claimed to have the record of all M.Os lying at GPO Batkhehla. According to his statement on record Mr. Mehmood distributed all the stipends as per procedure in vogue and also returned 57 M.Os due to non-availability of students. He was unable to recall the correct number of enrollment and number of stipend M.Os. But on the other hand, list of stipend provided by DEO (F) Dir upper office shows no return of Money Orders. (Annex-A-II)

Mr. Mehmood Idrees exhibited a letter addressed to DEO (F) Dir upper dated 03/11/2015 (Annex-A-III) having his signature as Post Master Sahib Abad stating that the staff of GGHS Kotkai showed most of the students as absent on the day of M.Os distribution and further requested to ask the Head Mistress of the school to ensure attendance of the students on M.Os distribution day.

Mr. Mehmood Idrees also exhibited another letter received from Head Mistress GGHS Kotkai having no number and date (Annex-A-IV) but duly signed/stamped by HM GGHS Kotkai wherein she had requested for handing over the stipend amount to Head Mistress on the plea that Education Department did not allow male in girls' school.

Mr. Mehmood Idrees further produced other documents wherein he had handed over the amount of stipend Rs.124800/- to Head Mistress of GGHS Kotkai and certificate to that effect had been given and signed having no stamp/No/date on the same (Annex-A-V)

While going through report of District Education Officer (M) Dir Upper and other relevant record before the inquiry Committee, it has been established beyond any doubt that:

1. Mst. Khurshed Begum SST is in-charge Head Mistress of GGHS Kotkai since 01/03/2013 till date. (Annexure-B)
2. Mst. Riasat Rehman SST remained in-charge Head Mistress of GGHS Kotkai since 01/07/2012 till 28/02/2013.
3. Mst. Rukhsana Sultan remained in-charge Head Mistress of GGHS Kotkai since 01/03/2008 till 30/06/2012.
4. Muhammad Idrees was appointed as PTC on 27/03/2004 at GPS Beshumai and now he is a Senior Primary School Teacher at GPS Jugha Banj District Dir Upper. He also performs duty as EDSPM Sahibabad District Dir Upper since 18/11/2009.

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- 5. Mr. Mehmood Idrees as EDSPM delivering stipend to the students of GGHS Kotkai from 18/11/2009.
- 6. For the duty as EDSPM, Mehmood Idrees has got no permission from E&SE department. ✓
- 7. Before 18/11/2009 one Mr. Irfan Ullah was responsible for distribution of Stipend.
- i. As per policy, the students of class 10<sup>th</sup> who leave school after annual examination, deserve stipend if they have not received full stipend, but as is evident from the record stipends have not been distributed amongst the pass out students of class 10<sup>th</sup>.
- ii. Total/full amount of stipends has not been disbursed among students due to non-receiving of money orders according to the list provided by the school.
- 8. It has also been established beyond any doubt that Head Mistress of the school is having hand in gloves together with Mr. Muhammad Idrees SPST GPS Jugha Banj in the embezzlement of stipend. Similar is the situation with the other predecessors of the present In-charge of the school since 2008 as they did not care for the record to be maintained for Stipend.

**2. Statement of Mr. Hifzan Ullah Junior Clerk GGHS Kotkai Sahibabad. (Annexure-C)**

As per Mr. Hifzan Ullah, he has been posted as J.C In this school since 09/10/2007. According to his statement Mehmood Idrees is responsible for stipend distribution in this school. Head Mistress is also responsible to ensure transparent distribution of stipend. He has stated that stipend is distributed in the school through Post Master once or twice in a year at the rate of Rs.200/-month/student. He further testified that embezzlement has been done by the Post Master in stipend and that they have reported the same to DEO office. Mr. Hifzan Ullah further testified that he knew about the embezzlement and reported the same to higher officer but he was unable to produce any such evidence in the form of photo copy of complaint/any covering letter and the was also not evident from diary/dispatch register.

The record keeping, diary and dispatch of the school was found very poor and Mr. Hifzan Ullah is not doing justice to his job.

**3. Statement of Mrs. Khurshed Begum I/C Head Mistress GGHS Kotkai Sahibabad. (Annexure-D)**

As per statement of Mrs. Khufshed Begum Head Mistress GGHS Kotkai, she has been serving in this school as SST/ i/c Head Mistress since 01/11/2014 but on the other hand, incumbency provided by DEO (F) Dir Upper office, she is working as Head Mistress since 01/03/2013 (Annex-B). She intimated the following year-wise enrollment of the school.

Table:1

Enrolment of students provided by Head Mistress and that of DEO (F) Dir upper has also variation.

Year	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014	2015-16	TOTAL
Enrolment provided by HM	114	167	173	243	261	303	377	291	1929
Enrolment provided by DEO (F) Dir Upper	154	154	300	220	322	507	353	382	2187

The in-charge Head Mistress has stated that student's stipend rate is Rs.200/- month /student. She has further testified that no payment has been made to students of class 10<sup>th</sup> and similarly some students of class 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> have not been paid. During 2014, Classes 7<sup>th</sup> and 8<sup>th</sup> has been paid @ Rs 1000 instead of 1200. She has stated that according to Mr. Idrees statement Money Order has not been received. She has further stated that she has lodged a complaint regarding embezzlement of stipend but she did not produce any documentary proof to support her statement/claim. She could not answer the question whether she had looked after the stipend distribution.

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**4. Statement of Staff: Annexure-E**

Mrs. Nargis Khan SPET, Mst. Nusrat Begum SCT, Mst. Yasmin SAT who are serving GGHS Kotkai have testified on oath that embezzlement has been committed in stipend by Mehmood Idrees who is a teacher but also distribute stipend in the schools. Accordingly, they have stated that it was responsibility of Head Mistress and Mehmood Idrees to distribute stipend among the students.

**5. Abstract from the initial enquiry conducted by DEO (F) Dir Upper**

According to initial enquiry conducted by DEO (F) office the following amount has allegedly been misappropriated by Mehmood Idrees Post Master/SPST Jughabanj. District Dir Upper.

Table.2

Sll	Year	Classes	Un disbursed amount	Total Amount
1	2015	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	395400	395400
2	2014	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	48000	48000
3	2013	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	411600	411600
4	2012	No Record available	3092200	3092200
5	2011	No Record available	2152400	2152400
6	2010	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	79800	79800
7	2009	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	156600	156600
8	2008	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	155400	155400
TOTAL			2800800	2800800

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Table 3. Detail of Students/ Stipend as per Register maintained at GGHS Kotkal.

The following table shows the Stipend distribution/ less payment to students/ nonpayment to students recorded from the register maintained by the Head Mster of the school concerned.

Payment Period	Class	No of Students as per School Stipend Register	Due per Student Payment as per Money Order	Actual per student Payment made by Post Master	No of Students paid Stipend at actual Rate	Amount paid as per actual rate	No of Students Un paid	Less Amount Paid to Students	No of Students paid less than approved Rate	Amount Paid Less.	Total Less Payment
Jan-March	8th	21	600	600	21	12600	0	0	0	0	0
Jan-March	7th	17	600	600	17	10200	0	0	0	0	0
Jan-March	6th	34	600	600	34	20400	0	0	0	0	0
April-June	6th	53	1200	1200	51	61200	2	0	0	0	2400
April-June	7th	23	1200	1200	22	26400	1	0	0	0	1200
April-June	8th	18	1200	1200	18	21600	0	0	0	0	0
April-June	9th	15	1200	1200	13	15600	2	0	0	0	2400
Jan-Sep-08	6th	72	1800	1800	59	106200	13	0	0	0	23400
Jan-Sep-08	7th	33	1800	1800	33	59400	1	0	0	0	1800
Jan-Sep-08	8th	26	1800	1800	26	46800	0	0	0	0	0
Jan-Sep-08	9th	24	1800	1800	18	32400	6	0	0	0	10800
Jan-March	6th	76	600	600	76	45600	0	0	0	0	0
Jan-March	7th	43	600	600	40	24000	3	0	0	0	1800
Jan-March	8th	28	600	600	28	16800	0	0	0	0	0
Jan-March	9th	26	600	600	24	14400	12	0	0	0	7200
Jan-March	10th	22	600	600	0	0	22	0	0	0	13200
Apr-Sep	6th	77	1800	1800	77	138600	0	0	0	0	0
Apr-Sep	7th	43	1800	1800	43	77400	0	0	0	0	0
Apr-Sep	8th	28	1800	1800	28	50400	0	0	0	0	0
Apr-Sep	9th	36	1800	1800	36	64800	0	0	0	0	0
Apr-Sep	10th	21	1800	1800	0	0	21	0	0	0	37800
No Record	0	0	0	0	0	0	0	0	0	0	0
No Record	0	0	0	0	0	0	0	0	0	0	0
Apr-Sep	6th	82	1200	1200	82	106800	6	0	0	0	72
Apr-Sep	7th	66	1200	1200	59	70800	5	0	0	0	60
Apr-Sep	8th	46	1200	1200	47	56400	1	0	0	0	12
Apr-Sep	9th	61	1200	1200	55	66000	6	0	0	0	72
Apr-Sep	10th	13	1200	1200	13	15600	22	0	0	0	26
01/10/2013	6th	138	1200	1200	0	0	138	0	0	0	165600
	7th	77	1200	1000	69	69000	8	200	69	13800	23
	8th	58	1200	1000	52	52000	6	200	52	10400	11
	9th	51	1200	1200	44	52800	7	0	0	0	84
	10th	57	1200	1200	54	64800	3	0	0	0	36
01-10-15	10th	0	0	0	0	0	0	0	0	0	0
	9th	51	1200	1200	51	61200	0	0	0	0	6
	8th	61	1200	1200	48	57600	13	0	0	0	156

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	7th	63	1200	1200	62	74400	1	1800	0	0	0	1200
	8th	117	1200	1200	136	163200	11	1800	0	0	0	13200
16 11 15	10th	57	1800	1800	0	0	57	102600	0	0	0	10260
	9th	52	1800	1800	47	84600	5	3600	0	0	0	89000
	8th	51	1800	1800	55	99000	6	10800	0	0	0	10800
	7th	63	1800	1800	61	109800	2	3600	0	0	0	3600
	6th	144	1800	1800	134	241200	10	18000	0	0	0	18000
TOTAL		2130			1740	2290000	390	518400		121	24200	0

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Table 4. Detail of Money Orders provided by Mehmood Idrees SPST GPS Jughaban/EDSPM Sahibabad

S#	Year	Date Money Oder Issued	Ref: Money Order	Class	No of Money Orders	Amount per Money order	Total Amount	Remarks
1	2010	5 <sup>th</sup> October 2010	Book 2	6 <sup>th</sup>	76	600	45600	
2			Book 2	7 <sup>th</sup>	11	600	6600	
3	2011	8 <sup>th</sup> July 2011	Book 4	6 <sup>th</sup>	76	1800	136800	As per enquiry report there is no Payment in 2011, 12
4			Book 4	10 <sup>th</sup>	24	1800	43200	
5		5 <sup>th</sup> October 2011	Book 2	6 <sup>th</sup>	76	600	45600	
6			Book 2	7 <sup>th</sup>	11	600	6600	
7		18 <sup>th</sup> October, 2011	Book 3	6 <sup>th</sup>	94	1200	112800	
8			Book 3	7 <sup>th</sup>	64	1200	76800	
9			Book 3	8 <sup>th</sup>	48	1200	57600	
10			Book 3	9 <sup>th</sup>	60	1200	72000	
11			Book 3	10 <sup>th</sup>	33	1200	39600	
12	2012	30 <sup>th</sup> May 2012	Book 4	6 <sup>th</sup>	72	1800	129600	
13			Book 4	10 <sup>th</sup>	36	1800	64800	
14	2013	20 <sup>th</sup> March 2013	Book 4	6 <sup>th</sup>	68	1800	122400	
15			Book 4	10 <sup>th</sup>	40	1800	72000	
16	2014	0	0	0	0	0	0	No Money order Provided for 2014
17	2015	4 <sup>th</sup> April 2015	Book 1	6 <sup>th</sup>	3	1200	3600	
18		4 <sup>th</sup> April 2015	Book 1	6 <sup>th</sup>	134	1800	241200	No Money order signed by student
19			Book 1	7 <sup>th</sup>	64	1800	115200	
20			Book 1	8 <sup>th</sup>	3	1800	5400	
21			Book 1	9 <sup>th</sup>	0	0	0	
22			Book 1	10 <sup>th</sup>	20	1200	24000	
23			Book 2	10 <sup>th</sup>	57	1200	68400	No Money order signed by student
24		4 <sup>th</sup> April 2015	Book 2	6 <sup>th</sup>	21	1200	25200	
25			Book 2	7 <sup>th</sup>	53	1200	63600	
26			Book 2	No Class	12	1200	14400	No class entered in Register
27			Book 2	8 <sup>th</sup>	42	1200	50400	
28		15 <sup>th</sup> July 2015	Book 1	6 <sup>th</sup>	100	1200	120000	
29		15 <sup>th</sup> July 2015	Book 2	6 <sup>th</sup>	36	1200	43200	No Money order signed by student
30			Book 2	7 <sup>th</sup>	64	1200	76800	No Money order signed by student
31			Book 2	8 <sup>th</sup>	3	1200	3600	No Money order signed by student
32					1401		1887000	

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Findings:

Sufficient time and opportunity was provided to Mst Khurshed Begum Head Mistress, Mr. Hifzan Ullah Junior Clerk and Mr. Mehmood Idrees EDSPM Sahibabad SPST/SDSPM to produce material which could prove that all stipends have been distributed in transparently and prove them innocent but they failed to do so. Thus after going through all the relevant record produced before the committee, it has been proved beyond any doubt that:

1. Stipend is being distributed since 2006 and Mr. Mehmood Idrees has taken over the responsibility of distribution since 18/11/2009 and was responsible till 2015-16. Though there has been embezzlement during this period but there has not been any report/complaint by Head Mistress till the one lodged through the Grievances Redressal System by an outsider about this issue which shows that present and previous Head Mistress of the school have hands in gloves with Mr. Mehmood Idrees EDSPM Sahibabad in the said embezzlement/fraudulent withdrawal of stipend.
2. The instant enquiry was initiated on the bases of complaint against Mehmood Idrees EDSPM to Grievances Redressal System dated 30/06/2015.
3. There is gross contradiction in the enrolment provided by DEO (F) Dir upper, Head Mistress GGHS Kotkai and Mr. Mehmood Idrees SPST/EDSPM Sahibabad.
4. Record of Money Orders of Stipend provided by EDSPM shows that:
  - I. The number of students reflected does not tally with that provided by Head Mistress and DEO (F) Dir Upper office.
  - II. There are many Money Orders which have no receiving signatures of the student concerned.
  - III. No Money order record for year 2014 has been produced by Mr. Mehmood Idrees SPST/EDSPM Sahibabad.
  - IV. There is no evidence which can prove that Rs.2400/- has been issued to each student in corresponding year.
  - V. Register maintained by the Head Mistress shows no record for the year 2011 and 2012 but as per Table. 4, Mehmood Idrees has provided some record for 2011 and 2012.
  - VI. According to record of school register, Table 3, Rs 2290000.00 has been disbursed in 1740 students during the period 2008 to 2015 but Mehmood Idrees have produced record of Money Orders (Table 4) which show distribution of Rs 1887000.00 among 1401 students during the same period.
  - VII. As per calculations on the bases of register maintained by the Head Mistress, Rs.519600/- have not been paid to 390 students and less payment of Rs.24200/- to 121 Students.
5. Head Mistress GGHS Kotkai did request Mr. Mehmood Idrees to hand over the Stipend of absent students. Annexure-A-IV
6. Mr. Mehmood Idrees EDSPM has handed over the amount of absent students to Head Mistress GGHS Kotkai. Annexure-G.
7. No evidence could be produced that the HM has actually distributed the received amount to the absent students or otherwise.
8. HM GGHS Kotkai did further request the EDSPM to hand over the amount of Stipend to her due to the reasons that people didn't like male entry into female school.

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- 9. Mr. Mehmood Idrees must have not handed over the stipend money to the Headmistress no matter how insistent she might have been as distribution of the same was his prime responsibility.
- 10. As per the testimony of the staff of the GGHS Kotkai embezzlement did take place in stipend.
- 11. List of absent students provided to EDSPM were actually present in school on that particular date as per the student attendance register whereas the concerned class teachers admitted that the students were absent but they marked them present while the stipends of absent students were made/paid to the Head Mistress of the school.

Recommendations:

- 1. Head Mistress of GGHS Kotkai District Dir upper being in collusion with Mehmood Idrees EDSPM Sahibabad may be issued show cause notice as per the E&D rules for negligence of duty and hand in corruption. Similar show causes may also be served upon her predecessors mentioned above.
- 2. Recovery of Rs 1752200 should be made from Mr. Mehmood Idrees SPST GPS Jughabarij/EDSPM Post Office Sahibabad as per following breakup.

Table.5

Year	No of Students	Amount of Stipend	Total amount	Remarks
2011	243	2400	583200	No payment as per school register
2012	261	2400	626400	No payment as per school register
			24200	Less payment to 121 students
			518400	Non Payment to 390 students
			1752200	

- 3. Mehmood Idrees EDSPM Sahibabad may be issued show cause notice for working as EDSPM without departmental permission as well as for corrupt practices.
- 4. Mehmood Idrees EDSPM Sahibabad EDSPM has also been found responsible for distribution of Stipend in 2 other schools which too need to be probed in for similar embezzlement.

[Signature]  
 Member  
 Aurang Zeb  
 Assistant Director  
 Elementary & secondary Education

[Signature]  
 Chairman  
 Professor Muhammad Uzair  
 District Education Office (M)  
 District Malakand

ADDO (M) /  
State copy not to  
provide to  
DZO (P) actually to  
case is related  
9/11/16



**DIRECTORATE OF E & S EDUCATION KHYBER**  
**PAKHTUNKHWA PESHAWAR**

**Notification:**

The Director Elementary & Secondary Education Khyber Pakhtunkhwa is pleased to constitute the following committee to conduct an inquiry in the embezzlement of stipends scholarships at GGHS Kotkay Wari District Dir upper.

- |  |          |
|--|----------|
| 1. Mr. Muhammad Uzair DEO (M) Malakand                     | Chairman |
| 2. Mr. Aurangzeb Assistant Director Local Directorate E&SE | Member   |

**Terms of Reference:**

- The committee is required to conduct an impartial inquiry and submit details report containing facts/finding and recommendation in light of the attached inquiry report.
- The inquiry committee will submit report to this office within (15) days.

**Director**

Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.

Endst No. 3667-70 /F. No.04/ Embezzlement GGHS Kotkay

Dated 27/10 2016.

Copy forwarded for information to the:-

1. District Education Officer (M) Dir upper, with the remarks to assist the inquiry officer and provide all the relevant record to the inquiry committee.
2. Mr. Muhammad Uzair DEO (M) Malakand.
3. Mr. Aurangzeb Assistant Director Directorate E&SE Khyber Pakhtunkhwa.
4. Principal GGHS Kotkay Wari District Dir upper, with the request to provide all the relevant record to the inquiry committee.
5. PA to Director Elementary & Secondary education Khyber Pakhtunkhwa.

*(Signature)*  
25/10/16

Deputy Director (P&D)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

**ATTESTED**

29

(29)

APPROVED: C

**SHOW CAUSE NOTICE**

I, Muhammad Rafiq Khattak Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Mr. Mehmood Idrees SPST GPS, Jughabani/EDSPM Post Office Sahibabad Dir Upper as follows:-

2. (i) that consequent upon the completion of inquiry conducted against you by the inquiry committee for which you were given opportunity of hearing and
- (ii) On going through the findings and recommendations of the inquiry report, the material on record and other connected papers including your defence before the said inquiry committee.

I am satisfied that you have committed the following acts/omissions specified in section 3 of the said rules.

- (a) You have made embezzlement of Rs, 1752200/- in Girls stipend program during the period of 2010 to 2015.
- (b) You have performed your duty as EDSPM at Post Office Sahibabad without the approval/NOC of the competent authority.
- (c) Misconduct

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you one of Major/Minor penalty under rules 4 of the said rules.

3. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

5. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.

5. A copy of the findings of the inquiry officer is enclosed.

  
COMPETENT AUTHORITY

Mr. Mehmood Idress SPST/EDSPM  
GPS Jughabani Dir Upper.

  
ATTESTED

خدمت جناب ڈائریکٹر صاحب ایلمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخوا

عنوان وضاحت شوکار نوٹس

جناب عالی

وضاحت کی جاتی ہے کہ فدوی محکمہ تعلیم میں گورنمنٹ پرائمری سکول جو غانج دیر بالا میں بحیثیت ایس پی ایس ٹی ملازم تعینات ہے۔

یہ شخص نے محکمہ ڈاک سے صاحب اباد دیر بالا میں ایک پراج لیا تھا جس میں چھٹی کے بعد لوگوں کی خدمت کرتا رہا۔ جس کی محکمہ کی

تعمیرات کوئی معاونہ یا تنخواہ نہیں ملتا تھا۔ اسی دوران فدوی GGHS کوٹکے کے طالبات پر سٹین منی ارڈر بھی تقسیم کرتا رہا۔ سکول ہذا

پر دو بار بار اٹکار پر مجھے بار بار تنگ کرتا رہا تھا کہ یہ سکا لرشپ کی رقم اپ مجھے دے دو مگر بار بار اٹکار پر

میں نے یہ خلاف الزام لگا کر انکو آری شروع کی۔ میں حلفا کہتا ہوں کہ میں نے تمام سٹین منی ارڈر صحیح طریقے سے تقسیم کی گئی ہے جس

کی کاپی ایس پی اوٹ حیدر میں موجود ہے اور اس طرح وقتاً محکمہ تعلیم دیر بالا کو بھی منی ارڈر کی ایک ایک کاپی بھجوا گیا ہے۔ فدوی

پہلے ہی انکو آری کیٹیگری کو بھی فراہم کیا گیا ہے۔

اس لیے منی فدوی نے انکو آری کیٹیگری کو آپ صاحبان کی وساطت سے ایک درخواست بھی کیا تھا کہ آپ صاحبان فدوی کو انکے خلاف اتارنے

کیلئے منی ایک چارج شیٹ دے دیں تاکہ فدوی اپنا بھر پور صفائی کریں مگر انہیں چارج شیٹ نہیں دیا گیا ہے۔

لہذا آپ صاحبان کی خدمت میں عرض کی جاتی ہے کہ فدوی کے خلاف کئے گئے انکو آری کو کلعدم قرار دیا جائے۔

ایس پی ایس ٹی گورنمنٹ پرائمری سکول جو غانج دیر بالا۔

Handwritten signature and date: 13/3/17

ATTESTED

Handwritten signature and date: 13/3/17

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④ Ahmed E  
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**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER**  
**PAKHTUNKHWA PESHAWAR**

**NOTIFICATION**

- 1- WHEREAS, Muhammad Idrees SPST GPS Jughapang District Dir Upper was proceeded against under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules 2011, for the charges mentioned in the Show Cause Notice issued vide this office No.3768/A-17 /SST/F/Complaint/Dir Upper/Vol.II dated 13-02-2017,
- 2- AND WHEREAS, inquiry committee was constituted comprising the following officers to conduct formal inquiry against the accused officer, for the charges leveled against her in accordance with the rules.
  - iii- Mr Muhammad Uzair DEO(M) Malakand
  - iv- Mr.Aurangzeb Assistant Director Local office
- 3- AND WHEREAS, after having examined the charges, evidence on record and explanation of the accused officer, has submitted the report.
- 4- AND WHEREAS, a show cause notice was served upon Muhammad Idrees SPST GPS Jughapang District Dir Upper dated 13-02-2017 which was conveyed to her on 08-03-2017.
- 5- AND WHEREAS, the competent authority (Director E&SE Khyber Pakhtunkhwa) after having considered the charges, evidence on the record enquiry report, explanation of the accused officer in response to the show cause notice and personal hearing granted to her on 07-03-2018 is of the view that the charges leveled against the accused officer have been proved.
- 6- NOW THEREFORE, in exercise of powers conferred under section 14 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, the competent authority (Director E&SE Khyber Pakhtunkhwa) is pleased to impose the penalty of "removal from service" upon Muhammad Idrees SPST GPS Jughapang District Dir Upper

**Director**  
**Elementary & Secondary Education**  
**Khyber Pakhtunkhwa Peshawar**

Endst.No. 2884-86 /A-17/Complaint/F/Dir Upper/Vol..II

Dated Peshawar the 13/4 /2018

Copy of the above is forwarded to the:-

- 1- District Education Officer(Female) Dir Upper
- 2- District Accounts Officer Dir Upper
- 3- Section Officer(Complaint) Govt. of Khyber Pakhtunkhwa Elementary & Secondary Education Department w/r to her letter No.SO(Complaint)E&SED/KPK/1-7/2016/Mahmood/SE-2047 dated 31-01-2018
- 4- Principal concerned
- 5- Muhammad Idrees SPST GPS Jughapang District Dir Upper
- 6- PA to Director (E&SE) Local Office.
- 7- Master file.

\*Noor/18\*

**ATTESTED**

*[Signature]*  
**Deputy Director Establishment(F)**  
**(E&SE) Khyber Pakhtunkhwa,**



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APPEAL - F

(P)

To

**Hon'ble Secretary**  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa, Peshawar

**Subject: DEPARTMENT APPEAL AGAINST THE ORDER DATED  
13.04.2018, WHEREBY THE APPLICANT HAS BEEN  
AWARDED THE MAJOR PUNISHMENT OF  
REMOVAL FROM SERVICE**

---

**Prayer-In-Departmental-Appeal**

On acceptance of this appeal, the order dated  
13.04.2018 may please be set aside and the  
undersigned may kindly be reinstated into  
service with all back benefits.

---

Respected Sir,

That undersigned very humbly submits the following  
few lines for your kind and sympathetic  
consideration.

1. That the undersigned was initially appointed as P.S.T  
teacher and was posted at Govt. Primary School  
Jughabang Upper Dir, ever since my appointment I  
had performed my duties as assigned with great zeal  
and devotion and there was no complaint  
whatsoever regarding my performance.

  
**ATTESTED**

2. That while serving in the said capacity I while serving as P.S.T at Government Primary School Jughabang upper Dir, a complaint was made by the headmistress of Govt. Girls High School Kotkai District Dir Upper regarding the embezzlement in stipend for girls students, the allegations so leveled are reproduced below:
  - a. You have made embezzlement in girls stipend programme during the period of 2008-2015
  - b. You have performed your duty as a EDSPM at post Office Sahib Abad without authority.
  - c. Misconduct
  
3. That after the complaint the department conducted their so called inquiry in which neither they offered me a chance of personal hearing nor they served me with any charge sheet and statement of allegation, without any record regarding the complaint. Furthermore according to the initial inquiry the occurrence of the embezzlement took place during period 2008-15 and also the record has been misplaced as the record could not be seen on the spot neither, that was produced before the inquiry committee and nor they investigated the two headmistress of the school posted during the period of 2008-2013 and without any record/evidence upon

  
**ATTESTED**

which they can based their recommendation but lastly they recommended their recommendation without any record/proof but to put the applicant responsible for what he has not been responsible.

4. That after conducting the initial inquiry, a second inquiry was conducted without taking into consideration the limitation of first inquiry where that was categorically mentioned that the record is misplaced and the record could not be seem on spot and the staff was provided sufficient time to produce relevant record and also two headmistress of the school during period 2008-13 was not known to any one hence could not be investigated, but the second inquiry committee without providing any opportunity of personal hearing to the appellant without serving any statement of allegation and charge sheet, weather the applicant has to be investigate regarding some particular allegations but bent upon to held responsible the present appellant and submit their baseless recommendations to the competent forum.
5. That the appellant was served with show cause notice which is dully replied and made request to look into the matter with all the relevant record and evidence and also refuted the allegations level against me as a false and baseless.

ATTESTED

6. That without conducting any regular inquiry on the basis of any charge sheet or statement of allegations, quite illegally I have been awarded the major penalty of removal from service while order dated 13.04.2018.
7. That the penalty so imposed upon me is illegal, unlawful, against the law and facts hence liable to be set aside, inter alia on the following grounds:-

**GRUNDS:-**

- A. That I have not been treated in accordance with law hence my rights secured and guaranteed under the law and constitution is badly violated.
- B. That no procedure has been followed before awarding me the penalty of removal from service. I have not been served with any charge sheet or statements of allegations or any inquiry has been conducted to probe the charges, the whole proceedings are thus nullity in the eyes of law.
- C. That I have not been given proper opportunity of personal hearing before awarding me the penalty, hence, I have been condemned unheard.
- D. That on charge sheet or statement of allegations as required under the law and rules have been served

*J* ATTESTED


upon me thus I have been denied opportunity to defend myself against the charges.

- E. That according to the procedure lay down for the purpose of handing over the stipend amount to the students i.e. money order received to the GPO senior post master through money order, upon which the printed name, father name and class were already mentioned, when the concerned senior post master (GPO) call of the headmaster /hand mistress of the school on the particular date upon which the money order have to be distributed among the nominated students, the process was carried jointly, through the concerned head master/headmaster which also carried jointly, through the concerned head master/head mistress which also carries the thumb impression of the students furthermore the printed form having two parts. I sent to office of district education officer and second one to the concerned GPO.
- F. That the appellant never ever directly connected/involved in the procedure which was discussed in the above Para as the appellant was performing duties as a P.S.T in government primary School Jughabng Upper Dir and neither the inquiry committee produced any documentary evidence nor did they given any chance to cross examine the

**ATTESTED**

witnesses who recorded their statement before the inquiry committee.

- G. That the charges were denied by the undersigned had never admitted the charges leveled, nor there was sufficient evidence available to hold the undersigned guilty of the charges, thus the matter in hand required a full fledged regular inquiry, for the proof or otherwise of the charges, in the absence of regular inquiry major penalty cannot be imposed.
- H. That the superior courts have in a number of reported judgments held that in case of awarding major penalty of dismissal from service regular procedure of holding inquiry cannot be dispensed with that too when the charges are denied by the employee.
- I. That I have never committed any act or omission which could be termed as misconduct the charges leveled against me are false and baseless besides the same are neither proved nor proved albeit I have illegally been removed from service.
- J. That I have at my credit an unblemished and spotless career the penalty imposed upon me is too harsh and is liable to be set aside.
- K. That I am jobless since my removal from service.

  
ATTESTED

It is, therefore, humbly prayed that on acceptance of this appeal the order dated 13.04.2018, may please be set aside and the undersigned may kindly be reinstated into service with all back benefits.

Yours obediently

*[Handwritten Signature]* 8/5/2018

**Muhammad Idress Mehmood**  
SPST, GPS Jughbanj  
Upper Dir

Dated 09.05.2018

*Duty No. 596*



*[Handwritten Signature]*

ATTESTED

تعمیراتی

کدیت صاحب اسٹوڈنٹس کونسل (پرنس) جبر و کتبوں خواہ شاہ دریا  
سنو 11 دفعہ ستم اور غیر جانبدار اور انگریزوں کی

صاحب

گذر میں کج جاتی ہے۔ یہ سب سے پہلے اس میں ہی پلیم ہے۔ یہاں سے  
رہ چکا ہے۔ یہ سب سے پہلے کے خلاف کہ وہ اسٹوڈنٹس کونسل میں خود  
پردے کے لئے ہیں اور انگریزوں کو کیا کیا ہے۔ یہاں سے وہی سب دہلی میں

گزار ہے

غیر تحقیقاتی اور غیر جانبدار اور انگریزوں کی  
دھکا کر کیا ہے۔ انگریزوں کو اس کے لئے کوئی سب سے پہلے  
دیکھ کر ان کے پاس کے حوالے کیا جائے گا

2۔ ذرا ستم روز تحقیقاتی اور غیر جانبدار اور انگریزوں کی  
میں آئے ہوئے تھے۔ انگریزوں کے دوران تحقیقاتی اور غیر  
جانبدار غیر متعلقہ اور انگریزوں کے لئے کیا گیا تھا۔ جو انگریزوں کی  
بار بار اس کے لئے ہوا ہے۔

3۔ انگریزوں کے دوران دو سالہ پندرہ برس تک کیا گیا ہے اور ان کی  
مقام اور تقسیم کے سول میں آیا ہے۔ یہ تمام میں اور انگریزوں کی  
مردانہ خواہ ہو سکتا ہے اور انگریزوں کی ہے، اور اس طرح

اور تمام سب سے پہلے اور انگریزوں کی ہے۔ یہ سب سے پہلے تحقیقاتی اور  
جو سب سے پہلے میں اور انگریزوں کی ہے۔ یہ سب سے پہلے اور انگریزوں کی  
سکول اور انگریزوں کی ہے۔ یہ سب سے پہلے اور انگریزوں کی ہے۔

یہ سب سے پہلے اور انگریزوں کی ہے۔ یہ سب سے پہلے اور انگریزوں کی ہے۔  
تعمیراتی ہے۔ اور غیر جانبدار اور انگریزوں کی ہے۔ یہ سب سے پہلے اور انگریزوں کی ہے۔  
یہ سب سے پہلے اور انگریزوں کی ہے۔ یہ سب سے پہلے اور انگریزوں کی ہے۔  
یہ سب سے پہلے اور انگریزوں کی ہے۔ یہ سب سے پہلے اور انگریزوں کی ہے۔



نے گھبرائیں تھیں۔ اس طرح سکول کی ایک سالانہ میٹنگ میں انھیں اطلاع  
دی کہ گھبرائی کی خبر حاضر طالبات کا تصحیح اور اس سکول کے افسر  
مقابل کرتے تھے۔ تحقیقاتی افسر نے بتو اس قسم بیان دینے سے منع

کیا۔ اور بتایا کہ یہ بیان اس کی طرف سے ہے۔ اور ڈیڑھ گھنٹہ  
کے بعد اس میں دیا۔ اور بتو اس میں افسر نے مذکورہ اس کے جعلی قرار دینے  
کا نتیجہ دیا کہ وہاں تحقیقاتی افسر نے سکول میں اس کے کو مبارکباد دینے  
کے لئے اس میں اس کے ساتھ ساتھ اس کے لئے دیکھ کر ہے۔

18۔ انڈیا میں افسر نے بعد میں اس کے دور میں اس کے لئے دیکھ کر  
دیا۔ اور سکول میں اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے  
18۔ انڈیا میں افسر نے اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے  
دیکھ کر اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے  
دیکھ کر اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے  
دیکھ کر اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے

میں اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے  
دیکھ کر اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے  
دیکھ کر اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے  
دیکھ کر اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے  
دیکھ کر اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے  
دیکھ کر اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے

محمد ادریس  
سالانہ میٹنگ میں اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے  
18۔ انڈیا میں افسر نے اس کے لئے دیکھ کر اس میں قلم طابقت کے لئے اس کے لئے

18/7/2018

ATT

بخدمت جناب ڈائریکٹر صاحب ایلمنٹری اینڈ سکندری ایجوکیشن خیبر پختونخوا  
اپیل - عنوان -

جناب عالی -

گزارش کی جاتی ہے کہ فدوی گورنمنٹ پرائمری سکول جو غانج میں محسٹھ پی ایس ٹی تعینات ہے۔ فدوی کے خلاف ڈائریکٹریٹ پشاور میں ایک انکوائری ہو رہی ہے۔ جس میں فدوی کے خلاف الزامات لگائے گئے ہیں۔ لہذا فدوی درج ذیل عرض گزار ہے

1- فدوی ڈاکخانے کا ملازم نہیں ہے فدوی کے پاس ڈکخانے کا برانچ (فرنجائز) تھا۔

2- فدوی کے ساتھ فرنجائز میں بطور EDDA انعام اللہ نامی شخص موجود تھا جو کہ منی آرڈر دیگر مواد کے تقسیم کا ذمہ دار تھا انعام اللہ نے میرے گمرانی میں تمام منی آرڈرز صحیح طریقے سے تقسیم کئے ہیں (کاپی اپ ہے)

3-

گورنمنٹ گریڈ ہائی سکول کوٹکے کے ہیڈ ماسٹر ایس نے فدوی کے خلاف الزام لگایا ہے کہ سال 2013 سے لے کر سال 2015 تک مختلف کلاسوں میں 163 طالبات کو پیسے نہیں ملے۔ جبکہ انکوائری رپورٹ میں 2008 سے 2015 تک 2800800 روپے تقسیم نہ کرنے کا لکھا گیا ہے جو کہ ہیڈ ماسٹر ایس اور انکوائری رپورٹ میں کھلا تھا۔ ہے۔ مزید یہ کہ ڈاکخانے کا فرنجائز 2010 میں ہمارا حوالہ کیا گیا ہے۔ (کاپی لف ہے)

4- یہ کہ سال 2015-16 کو جماعت دہم کے طالبات جن کی تعداد 57 تھی سکول فارغ اور بار بار اطلاع کی باوجود حاضر نہ ہونے کی وجہ انکی منی آرڈر جمعہ پیسے جی پی او کو واپس کر دیا گیا ہے (کاپی لف ہے)

5- یہ کہ فدوی نے ڈائریکٹر ایجوکیشن کو دوران انکوائری درخواست بھی دی تھی کہ فدوی کو وہ لسٹ فراہم کی جائے جن طالبات کو پیسے نہیں ملے ہے مگر تا حال وہ لسٹ نہیں دیا گیا ہے۔ (کاپی لف ہے)

6- یہ کہ منی آرڈر تقسیم کرنے کے بعد وہ منی آرڈر کی ایک رسید جی پی او اور ایک ایجوکیشن آفس زانہ دیر بالا کو ارسال کیا جاتا ہے دونوں انکوائریوں میں نہ جی پی او کا اور نہ ایجوکیشن آفس دیر بالا کا ریکارڈ چیک کیا گیا ہے۔ حالانکہ تقسیم شدہ منی آرڈر ان دونوں دفاتر میں موجود ہوتا ہے۔

7- یہ کہ جب بھی انعام اللہ سکول میں منی آرڈر تقسیم کرنے جاتا تو اکثر سکول عملہ طالبات کو غیر حاضر رکھتے تھے۔ بعد میں مجبور غیر حاضر طالبات کی پیسے ہیڈ ماسٹر ایس کے حوالہ کیا جاتا اور ان سے رسید وصول کرتا۔ (رسیدیں لف ہے)

8- یہ کہ سکول میں موجود کلرک حفظان اللہ مقامی ایم پی اے صاحبزادہ ثناء اللہ کا بھائی اور ایم این اے صاحبزادہ طارق اللہ اور ضلع ناظم صاحبزادہ فتح اللہ کا چچا زادہ بھائی ہے سکول کلرک نے منی آرڈر خود تقسیم کرنے کا بار بار مطالبہ کرتا رہا انکار پر مزکورہ کلرک نے سیاسی بنیادوں پر انکوائری کر کے بے جا الزامات عائد کی ہے جو سراسر جھوٹ پر مبنی ہے۔ لہذا استدعا کی جاتی ہے کہ فدوی کی حالت پر رحم فرما کر مشکور فرمائیں،

عین نوازش ہوگی۔

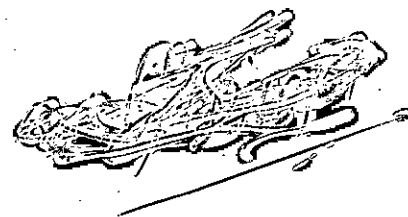
العارض

20/3/18

سائل محمود ادریس ایس پی ایس ٹی گورنمنٹ پرائمری سکول جو غانج ضلع دیر بالا

ATTEST

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AS M.Os VOUCHERS PROVIDED BY GPO AND AVAILABLE RECORD OF GGHS KOTKAY REGARDING STIPEND ENQUIRY THE OBSERVATION/POINT REQUIRED FOR FURTHER

YEAR OF ENROLLEMENT	Intalment/ period	Nos of M.Os issued	No of M.Os paid	Date of payment	Nos of paid M.Os found suspected/Defective vouchers	Rate	Total Amount	Remarks
2010-11	1st Instalment 01/04/2010 to 30/06/2010	239	239		37 71	600 600	22200 42600	As per complaint of H/M that 37 students were left from stipend as per school payment register but M.Os paid vouchers were not checked in GPO record. The M.Os vouchers required to be rechecked as M.Os issued 239 while paid 168 in the payment register.
2010-11	2nd Instalment 01/07/2010 to 31/03/2011	239	239	8/20/2011	41 55	1800 1800	73800 99000	As per GPO record all M.Os were shown paid but H/M reported that 41 M.Os were not paid. These 41 voucher available required to be verified from the concened-H/M-The-M:Os vouchers required to be rechecked as M.Os
2011-12	1st Instalment 01/04/2011 to 30/06/2011	317	317	#####				No payment record vailable at school level .The concerned Head Misstress required to checked the paid vouchers wether her signature is correct or not.
2011-12	2nd Instalment 01/07/2011 to 31/03/2012	317	317	8/26/2012	101	1800	181800	No record available at school level but these 101 paid M.Os vouchers not signed by the H/M concerned need confirmation
2012-13	1st Instalment 01/04/2012 to 30/09/2012	322	322	5/20/2013	121	1200	145200	No record available at school level but these 121 paid M.Os vouchers signed of H/M concerned need confirmation/ verification as signature of H/M is found suspicious
2012-13	2nd Instalment 01/10/2012 to 31/03/2013	322	322					No payment record vailable at school level .The concerned Head Misstress required to checked the paid vouchers wether her signature is correct or not.
2013-14	1st Instalment 01/04/2013 to 30/09/2013	303	303	2014	41	1200	49200	The H/M complaint that 40 Nos of student were left from stipend .29 No paid vouchers are available in the GPO record which need confirmation from concerned H/M .while 12 Nos vouchers were not found in GPO record.

ATTESTED

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2013-14	2nd Instalment 01/10/2013 to 31/03/2014	303	303	2014	55	1200	66000	No record available at school level but these 55 paid M.Os vouchers signed of H/M concerned found suspicious need confirmation/ verification .
2014-15	1st Instalment 01/04/2014 to 30/09/2014	352	352		3	1200	3600	Head Mistress reported that 03 M.Os not paid , while paid vouchers found on record need H/M & Post Master Clarification
2014-15	2nd Instalment 01/10/2014 to 31/03/2015	353	353	#####	58	1200.	69600	Head' Mistres made no complaint and no recored available of 10th class in payment register, while all these 58 paid suspicious vouchers on record need H/M & Post Master confirmation/justification.
2014-15	Special instalment	353	296	Nov-15	57 (Returned un paid )			Rs.102600/- returned to education deptt: vide cheque No.DD 0047655-02 dated 28/12/15
							657000 ✓	

  
**ATTESTED**

POWER OF ATTORNEY

In the Court of 10 PK Service Tribunal Peshawar

Muhammad Idress Rehman

} For  
} Plaintiff  
} Appellant  
} Petitioner  
} Complainant

VERSUS

Govt of F.P.I.C and others

} Defendant  
} Respondent  
} Accused  
}

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

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

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

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

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

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

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

  
Zartaj Anwar

Advocate High Courts

ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT  
FR-3-4, Fourth Floor, Bilour Plaza, Saddar Road, Peshawar Cantt  
Ph.091-5272154 Mobile-0331-9399185

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA PESHAWAR.**

Service Appeal No. 1176 /2018

Muhammad Idress Mehmood..... (Appellant)

V/S

- 1- Govt: of Khyber Pakhtunkhwa through Chief Secretary Civil Sectriate Peshawar.
- 2- Secretary E&SE Govt: of Khyber Pakhtunkhwa
- 3- Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
- 4- District Education Officer(M) Dir Upper (Respondents)

**WRITTEN STATEMENT/REPLY ON BEHALF OF RESPONDANTS**

RESPECTFULLY SHEWETH.

**PRELIMINARY OBJECTIONS:**

01. That the appellant has got no cause of action.
02. That the appellant has not come to the court with clean hands.
03. That the appellant has been estopped by his own conduct to file the instant appeal.
04. That the appeal is barred by law.

**FACTUAL OBJECTIONS:**

01. Pertains to the personal record of the appellant hence need no comments.
02. Pertains to record.
03. Incorrect and it is submitted in this regard that an embezzlement in Girls stipend of GGHS Kotkay was charged against appellant by the Head Mistress of GGHS Kotkay. Subsequently regular inquiries have been conducted in the matter and as per recommendation of inquires the removal from service has been issued by respondent No:03. (copies of inquiries is attached as annexure A ,B and C).
04. Incorrect and it is submitted in this regard that the record of 1<sup>st</sup> enquiry was missing, so a 2<sup>nd</sup> inquiry was conducted.
05. Incorrect and it is submitted that regular inquiries have been conducted in the light of that inquiry Departmental action was initiated against the appellant
06. Incorrect. All codal formalities were fulfilled.
07. Incorrect, that penalty so imposed is legal and lawful as imposed after conducting proper inquiry.
08. Incorrect. The appellant has no cause of action.

**OBJECTION ON GROUNDS.**

- (A) Incorrect, the appellant has been treated in accordance with Law.
- (B) Incorrect, proper procedures have been adopted for awarding the major penalty of removal from service.
- (C) Incorrect, the appellant has been given proper chance of defense.
- (D) All codal formalities were fulfilled.

- (E) As replied above.
- (F) In correct and it is submitted that proper procedures were adopted during the inquiry in the instant matter.
- (G) Incorrect, a regular inquiry has been conducted in the instant case and as per the recommendations/findings of the inquiry, major penalty has been awarded.
- (H) Pertain to judgment of the Supreme Court, hence need no comments.
- (I) As replied above.
- (J) Correct to the extent, that the appellant has spotless career regarding his duty as Senior Primary School teacher(SPST).
- (K) Pertain to personal matter, hence need no comments.

It is therefore, humbly prayed that on acceptance of this comments, the appeal may kindly be dismissed.



for and on behalf  
of  
Secretary E&SE KPK Peshawar, Respondent No: 02

Director E&SE KPK Peshawar Respondent No:03

Director  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa Peshawar

District Education Officer(M) Dir Upper Respondent No:04

District Education Officer  
Male Dir Dist: Dir Upper

OFFICE OF THE DISTRICT EDUCATION OFFICER F Dir UPPER

NO 947. DATE 2/5/16 DEO Dir (F) Upper

NO 266 DATE 2/5/2016 SDEO F Wari, Dir Upper

Inquiry authority: The District Education Officer (Female) Dir Upper

Inquiry officers: 1. Muhammad Iqbal ADO P&D (F) Dir Upper

2. Hafiza Binti ASDEO (F) Wari, Dir Upper

Persons under inquiry:

1. Muhammad Idress SPST GPS Jughabanj/Post Master  
Sahibabad/Chief Editor Weekly Awaz-E-Dir/ Reporter Daily Mashriq,  
Sub-Division Wari, Dir Upper

2. Headmistress GGHS Kotkey

Nature of Inquiry: Embezzlement of stipends at GGHS Kotkey, Wari

Place of inquiry: GGHS Kotkey

Duration of inquiry: 5 Month (December 2015 to April 2016)

To,

The District Education Officer (Female)

Dir Upper.

**SUBJECT: - INQUIRY REPORT GGHS KOTKEY ABOUT STIPEND**

Introduction

With reference to your letter, no 1517-18/DEO/ADO (P&D) dated Upper Dir the 01-12-2015 with attached letter (Status: Photocopy) titled Khyber Pakhtunkhwa Redressal (sick) System Education Department Code: ED/1435681940 dated 30-06-2015 and letter titled "In respect of District Education Officer, Education Department Female Dir Bala" from Muhammad Idrees Post Master Sahib-Abad with given contact No 03018578537 dated Nil, an inquiry was conducted to investigate the above mentioned case. This document includes the inquiry report;

Note: This inquiry reports includes 127 pages and pages numbers  
as all the school records are given with blue markers  
hand written.



procedure/methods, findings implication and recommendation with attached records of school and other institutions.

#### Procedure/Methods

The inquiry took place at GGHS Kotkay, Sub Division Wari District Dir Upper with the presence of the Head Mistress of the school, her assistant and students of the school. The inquiry took place in a natural and satisfied environment of the school where some related records were available as first source to investigate the case however, as the case has long roots with the past document and records it took time to check, trace/find all the records. In order to avoid any ambiguity/uncertainty and check the validity of the records those were crosschecked with different sources like students' and parents' statements. Similarly, a formal and through discussion took place with all concerned in order to ensure the reliability and validity of the data and notes were written in order to keep the records safely about the case in different phases of the inquiry. Parents' and students' statements have also been included in the report. However, it is also notable that some of the original records like, money order copy, etc, were not provided by the headmistress and the inquiry officers were also terrified by third person at the final phase of inquiry and all these processes have been discussed in detail in the following pages. Thus, careful investigation of the case indicates the following findings.

#### Findings

That Muhammad Idress is Senior Primary School Teacher at GPS Jughabanji (UC Sahibabad) according to the records (see Annexure G, page 111 to 122) extracted from SDEC (M) Wari Dir Upper, but he has described his designation as 'postmaster Sahibabad' in the application which he had served to DEO F Dir previously.

That Muhammad Idress has been working as post master from 2008 and visits GGHS Kotkay as post master and administers stipends unfairly from 2008 to 2015 according to oral statement of the school assistant and headmistress.

That Muhammad Idress is a regular employee of other institutions as Chief Editor; Weekly Awaz-E-Dir (see Annexure H, page 123, Annexure I, page 124 and Annexure I 2 page

125. Annexure I-3 page 126) and Reporter; Daily Mashriq etc, in Sub-Division-Wari, Dir Upper.

That the students of class 10<sup>th</sup> have left the school after exam actually deserve according to the rules to have stipend of the last quarter have not been given any amount in term of stipend in this school from 2008.

That all absent students have not been given stipends from 2008 and the detail of each year has been written below with detail attached records.

That many parents were also found in the milieu to allege that their children were not given stipend from the concerned authority Muhammad Idress, (see the statements on page No 98 to 100).

That the school's records which highlight of all those students who have not been given stipend are attached as such with this documents which is important to consider from the part of action the taker.

That the total amount of stipend had not been given/distributed among the students according to the list/demand of the school each year by the post master Muhammad Idress pretending that he was not received the money order according to the list of the school.

That incharge teacher Noor Jahan had also received a fake list of students was also included at the end of demand list (stipends) of GGHS Kotkey which indicates that someone used to include fake names in the school's demand list and hence received money illegally but when the list was submitted to the respected office for investigation DEO F/M Dir upper both the application the list were vanished/disappeared by the concerned (see Annexure J, page 127).

That many applications have been served in the respected office to investigate the case and redress the issue in the past but no action has been taken since yet according to the written statements of the assistant (see Annexure J, page 127) of the school.

That the names of all concerned who had not taken action against Muhammad Idress in the past have been highlighted in the written statement of the school assistant (see Annexure J, page 127).

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That all attested records of each year highlighting those students who have not received the stipend according to the school records are attached with this document.

That sometimes at the final stage of inquiry it was found that the concerned headmistress was not cooperating with inquiry officers.

That the headmistress had shown a copy of money order of a student of 10<sup>th</sup> class at the initial stage of inquiry which she had promised to give a copy of that to inquiry officers as prove against the said post master as he had claimed that he had not received any money order of class 10<sup>th</sup> students but she did not hand over that to the concerned at the final stage of inquiry.

That some of the records have been tampered deliberately (see page 14) which have been highlighted and attached with inquiry document.

That the amount Rs 155400 in term of stipend for the year 2008 has not been distributed among children in different classes (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in 2008).

That all attested records of the year 2008 highlighting those students who have not received the stipend according to the school records are attached with this document.

That the amount Rs 156600 in term of stipend for the year 2009 has not been distributed among children in different classes (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in 2009).

That all unattested records of the year 2009 highlighting those students who have not been received the stipend according to the school records are attached with this document.

That the amount Rs 79800 in term of stipend for the year 2010 has not been distributed among children in different classes (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in 2010).

That all unattested records of the year 2010, highlighting those students who have not been received the stipend according to the school records are attached with this document.

That NO records were found in respect of stipend payment/distribution among the children for the year 2011 and 2012 in the school.

That all kinds of records like attendance register, stipend registers and money order copies were not found for the said years in the school.

That the above mentioned situation indicates that the records have been deliberately demolished so that no person could approach those in order to trace/mark the fraudulent act and the corruption process.

That the Rs 411600 in term of stipend for the year 2013 has not been distributed among children in different classes (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in 2103.

That all attested records of the year 2103 highlighting those students who have not received the stipend according to the school records are attached with this document.

That the amount Rs 48000 in term of stipend for the year 2014 has not been distributed among children in different classes (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in 2104).

That the concerned had given Rs 1000 instead of Rs 1200 to each student of class 8<sup>th</sup> and 9<sup>th</sup> in 2014.

That all attested records of the year 2104 highlighting those students who have not received the stipend according to the school records are attached with this document.

That there are No written records of stipend distribution of Rs 165000 among the children of class 6<sup>th</sup> but according to the written statements of the headmistress (see annexure J, page 37) the said amount was distributed among the children of the said class only once according to the attendance register and the written statements is attached.

That the amount Rs 395400 for the year 2015 has not been distributed/given to the children of different classes (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) in this school in term of stipend according to the school records by concerned; postmaster Muhammad Idress.

That all the students of class 6<sup>th</sup> have not been given Rs 1200 of first quarter for the year 2015.

That all the students of class 10<sup>th</sup> have not been given Rs 1800 of last quarter for the year 2015.

The brief summary of the total amount from 2008 to 2015 is presented here in tabular form.

## Summary of embezzlement of stipends at GGIS Kotkey from 2008 to 2015

S.No	Year	Classes	Amount Rs which has not been distributed	Total amount in Rs	Annexure	Page No
1	2008	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	155400	155400	A	0 to 21
2	2009	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	156600	156600	B	22 to 32
3	2010	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	79800	79800	C	33 to 57
4	2011	No record was found Number of students = 215	645000 (Rough estimation based on students' enrollment in 2010 Need further investigation	----		
5	2012	No record was found Number of students = 303	909000 (Rough estimation based on students' enrollment in 2013) Need further investigation	----		
6	2013	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	411600	411600	Annexure D	58 to 66
7	2014	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	48000	48000	Annexure E	67 to 79
8	2015	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup>	395400	395400	Annexure F	80 to 95
			Total	1246800+ 1554000 = 2800800		

That the concerned postmaster/SPST Muhammad Idrees was given ample opportunity to provide evidences against the said case but he failed to provide the said records within the

stipulated time. The inquiry team members contacted the concerned through available mobile phone number in this respect. The school was visited more than three times, made many calls to headmistress and assistant, called the assistant to office; SDEO (F) Wari, Dir Upper many times to clarify and brief about the data.

That the school's assistant remained cooperative with inquiry officers throughout the inquiry process.

#### Implication

The purpose of the said stipends according to the policy were to attract, encourage and motivate the girls and their parents towards education in the backward district of Dir Upper where most of the girls are likely to discontinue their education at secondary level due to poverty. The above mentioned facts indicate that students in said milieu as girls have not been able to have their stipend which are likely a source for continuation of their education. This also indicate that the unavailability of the said stipend might have affected the educational process of many students like discontinuation of education at secondary level, etc, which appeals to penalize the wrong doer.

#### Recommendation

Based on the above facts, its especial implication and impact on girls' education it is recommended.

1. That legal action should be taken against Muhammad Idress as per KPK service rule.
2. That the amount Rs 2800800 should be recovered as per rule of the department from the concerned; Muhammad Idress SPST-GPS Jughabanj/Post Master Sahibabad/Chief Editor Weekly Awaz-E-Dir/ Reporter Daily Mashriq, Sub-Division Wari, Dir Upper and submit the amount to the government treasury through proper challan and should report to all stakeholders like inquiry officers, Khybar Pakhtunkhwa Redressal System Education Department, Headmistress of the school, DCO Dir, Anti Corruption unit Dir Upper, and students of the said school.

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3. That as mentioned earlier NO records were found (have been demolished deliberately) of stipends distributions from any persons in the said school (GGHS KOTKAY) Dir Upper for the year 2011 and 2012 of roughly estimated Rs 154000 needs further investigation immediately in order to trace/mark the fraudulent out and the corruption process and punish the wrong doers if any under the rules.
  4. That the headmistress should be punish of no cooperation, not attending calls/providing records, etc with inquiry teams which prolonged the inquiry process.
  5. That all related/ concerned persons; headmistress, ex headmistresses/ related teachers/ peons / etc. should inquired/ punished/ explained under the rule for their careless administration/ malpractices/in respect of record keeping, etc.
  6. That action should be taken against all the related persons of the concerned department DEO (F) Dir Upper like ex DEOs (F), etc, of not taking interest in the case previously and not resolving the said issues in time as it has been mentioned earlier that many applications have been served in this respect to investigate the case and redress the issue in the past but no action has been taken since yet according to the written statements of the assistant of the school.
  7. That all concerned persons/departments/institutions that have authorized Muhammad Idress illegally to disburse stipends in female school should be investigated and punished/ penalized if any under the rules.

Inquiry Officers

1. Muhammad Iqbal ADO (P&D Branch)  
DEO Dir Upper
  2. Hafiza Bibi ASDEO F-wari, SDEO (F)  
Dir
- Date: 27-04-2016

(17)  
✓ ADDED: - 10  
(B) 2 pages  
105

**INQUIRY REPORT**  
**EMBEZZALMENT IN STIPEND FOR GIRLS STUDENTS**  
**GOVERNMENT GIRLS HIGH SCHOOL KOTKAI DISTRICT DIR UPPER**

**Introduction:**

Girls Stipend Programme (GSP) is an incentive for girls' students from class 6-10 in KP to increase enrolment and decrease dropout rate in girl schools. It is paid to those students who have at least 80% attendance @ Rs 200/student/ month (Rs 2400/year) in a year through Post Office.

As per procedure in vogue, Principal/Head Mistress of the school sends class-wise enrolment of school to District Education Officer (F) office and funds are released according to the enrolment of students at district level. Post office sends money order through Post Master to concerned school in the name of students. Then the students receive their Money Order by signing money orders in the presence of class teachers and HMs/Principals concerned. Stipend is distributed in installments (Rs 2400 in total) as per release in a year.

In the instant case District Education Officer (M) Dir Upper has sent a preliminary inquiry report vide No 1895 dated 20/05/2016 on the subject "Embezzlement of Stipends at GGHS Kotkai Wari" with findings and recommendations.

In order to further probe into the matter, the Director Elementary & Secondary Education Elazhar Pakhtunkhwa has been pleased to order impartial inquiry vide Notification Ednst: No 2667-70 dated 27/10/2016. The following Committee has been constituted to conduct the inquiry into the embezzlement of Stipend Scholarships at GGHS Kotkai Tehsil Wari District Dir Upper.

- 1. Mr. Muhammad Uzair Ali DEO (M) Malakand.
- 2. Mr. Aamir Reh Assistant Director Local Directorate E&SE.

**Terms of Reference:**

- I. The Committee is required to conduct an impartial inquiry and submit detailed report containing facts/findings and recommendations in light of the initial inquiry.
- II. The inquiry Committee will submit report within (15) days.

**Limitations:**

The occurrence of the embezzlement took place during period 2008 to 2015 and most of the record has been deliberately misplaced to escape the inquiry. As the record could not be seen on spot therefore the staff involved was provided sufficient time to produce relevant record. What about of the predecessor i.e. Head Mistresses of the school during the period 2008-2013, was not known to any one, hence could not be investigated.

**Proceedings:**

In order to proceed in to the matter and find factual position, the Inquiry Committee summoned the concerned officers/officials through letter/ telephone call to be present along with the relevant record at the school on 22<sup>nd</sup> November 2016. Inquiry was conducted in normal and pleasant setting at GGHS Kotkai Tehsil Wari District Dir Upper in presence of Ms. Khurshed Begum Head Mistress

(Signature)

(Signature)



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GGHS Kotkai, Mr. Hilzan Ullah Junior Clerk of the school, teachers, students and Mehmood Idrees EDSPM/Head-Teacher GPS Jugha Banj District Dir Upper.

Mr. Muhammad Iqbal ADO (P&D) and Mst Hafiza Bibi SDEO. (F) Wari who had conducted the preliminary enquiry were also called to be present.

All those who were allegedly involved in the instant embezzlement were directed to submit written defense. They submitted written replies to the allegations/charges which are placed on file as Annexure.

1. Statement of Mr. Mehmood Idrees SPST Jughabani/ EDSPM Sahibabad (F/A)

As per written the statement of Mehmood Idrees, he was initially appointed as PST in GPS Beshumai District Dir Upper on 27/03/2004 and now he has been promoted as SPST at GPS Jugha-Banj District Dir Upper. He further testified that he started job in Postal services as EDSPM Sahib Abad since 18/11/2009. (Annex-A-I). As EDSPM his job also includes distribution of Stipend Money Order to Girls schools including GGHS Kotkai. He used to receive Money Orders of Girls Stipend Programme from GPO Bakhela and further distribute the same to the students of schools assigned to him after having proper signatures on Money Order Forms from students concerned in presence of Class Teachers and get the same countersigned from Head Mistress of the school. He further testified that he had been doing this job since 2010. According to Idrees the amount of Stipend was in installments of Rs.600/-, Rs.1200/- and Rs.1800/- (Total of Rs.2400/-). He claimed to have the record of all M.Os lying at GPO Bakhela. According to his statement on record Mr. Mehmood distributed all the stipends as per procedure in vogue and also returned 57 M.Os due to non-availability of students. He was unable to recall the correct number of enrollment and number of stipend M.Os. But on the other hand, list of stipend provided by DEO (F) Dir upper office shows no return of Money Orders. (Annex-A-II)

Mr. Mehmood Idrees exhibited a letter addressed to DEO (F) Dir upper dated 03/11/2015 (Annex-A-III) having his signature as Post Master Sahib Abad stating that the staff of GGHS Kotkai showed most of the students as absent on the day of M.Os distribution and further requested to ask the Head Mistress of the school to ensure attendance of the students on M.Os distribution day.

Mr. Mehmood Idrees also exhibited another letter received from Head Mistress GGHS Kotkai having no number and date (Annex-A-IV) but duly signed/stamped by HM GGHS Kotkai wherein she had requested for handing over the stipend amount to Head Mistress on the plea that Education Department did not allow male in girls' school.

Mr. Mehmood Idrees further produced other documents wherein he had handed over the amount of stipend Rs.124800/- to Head Mistress of GGHS Kotkai and certificate to that effect had been given and signed having no stamp/No/date on the same (Annex-A-V)

While going through report of District Education Officer (M) Dir Upper and other relevant record before the inquiry Committee, it has been established beyond any doubt that:

1. Mst. Eshresh Begum SST is In-charge Head Mistress of GGHS Kotkai since 01/03/2013 till date. (Annexure-U)
2. Mst. Riayat Rehman SST remained in-charge Head Mistress of GGHS Kotkai since 01/07/2012 till 28/02/2013
3. Mst. Rokhsana Sultan remained in-charge Head Mistress of GGHS Kotkai since 01/03/2008 till 30/06/2012
4. Muhammad Idrees was appointed as PTC on 27/03/2004 at GPS Beshumai and now he is a Senior Primary School Teacher at GPS Jugha Banj District Dir Upper. He also performs duty as EDSPM Sahibabad District Dir Upper since 18/11/2009.

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- 5. Mr. Mehmood Idrees as EDSPM delivering stipend to the students of GGHS Kotkai from 18/11/2009.
- 6. For the duty as EDSPM, Mehmood Idrees has got no permission from E&SE department.
- 7. Before 18/11/2009, one Mr. Ifzan Ullah was responsible for distribution of Stipend.
- 8. As per policy, the students of class 10<sup>th</sup> who leave school after annual examination, deserve stipend if they have not received full stipend, but as is evident from the record stipends have not been distributed amongst the pass out students of class 10<sup>th</sup>.
- 9. Total/full amount of stipends has not been disbursed among students due to non-receiving of money orders according to the list provided by the school.
- 10. It has also been established beyond any doubt that Head Mistress of the school is having hand in gloves together with Mr. Muhammad Idrees SPST GPS Jugha Banj in the embezzlement of stipend. Similar is the situation with the other predecessors of the present in-charge of the school since 2009 as they did not care for the record to be maintained for Stipend.

2. Statement of Mr. Hifzan Ullah Junior Clerk GGHS Kotkai Sahibabad. (Annexure-C)

As per Mr. Hifzan Ullah, he has been posted as J.C In this school since 09/10/2007. According to his statement Mehmood Idrees is responsible for stipend distribution in this school. Head Mistress is also responsible to ensure transparent distribution of stipend. He has stated that stipend is distributed in the school through Post Master once or twice in a year at the rate of Rs.200/-month/student. He further testified that embezzlement has been done by the Post Master in stipend and that they have reported the same to DEO office. Mr. Hifzan Ullah further testified that he knew about the embezzlement and reported the same to higher officer but he was unable to produce any such evidence in the form of photo copy of complaint/any covering letter and the was also not evident from diary/dispatch register. The record keeping, diary and dispatch of the school was found very poor and Mr. Hifzan Ullah is not doing justice to his job.

3. Statement of Mrs. Khurshed Begum I/C Head Mistress GGHS Kotkai Sahibabad. (Annexure-D)

As per statement of Mrs. Khurshed Begum Head Mistress GGHS Kotkai, she has been serving in this school as SST/ i/c Head Mistress since 01/11/2014 but on the other hand, incumbency provided by DEO (F) Dir Upper office, she is working as Head Mistress since 01/03/2013 (Annex-B). She intimated the following year-wise enrollment of the school.

Table.1  
Enrolment of students provided by Head Mistress and that of DEO (F) Dir upper has also variation.

Year	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	TOTAL
Enrolment provided by H/M	114	167	173	243	261	303	377	211	1929
Enrolment provided by DEO (F) Dir Upper	154	154	300	320	322	307	353	387	2187

The in-charge Head Mistress has stated that student's stipend rate is Rs.200/- month /student. She has further testified that no payment has been made to students of class 10<sup>th</sup> and similarly some students of class 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> have not been paid. During 2014, Classes 7<sup>th</sup> and 8<sup>th</sup> has been paid @ Rs 1000 instead of 1200. She has stated that according to Mr. Idrees statement Money Order has not been received. She has further stated that she has lodged a complaint regarding embezzlement of stipend but she did not produce any documentary support in form of statement/claim. She could not answer the question whether she had looked after the stipend distribution.

4. Statement of Staff: Annexure-E

Mrs. Nargis Khan SPET, Mst. Nusrat Begum SCT, Mst. Wasmin SAT who are serving GGHS Kotli have testified on oath that embezzlement has been committed in stipend by Mehmood Idrees who is a teacher but also distribute stipend in the schools. Accordingly, they have stated that it was responsibility of Head-Mistress and Mehmood Idrees to distribute stipend among the students.

5. Abstract from the initial enquiry conducted by DEO (F) Dir Upper

According to initial enquiry conducted by DEO (F) office the following amount has allegedly been misappropriated by Mehmood Idrees Post Master/SPST Jughabanj, District Dir Upper.

Table 2

S#	Year	Classes	Un disbursed amount	Total Amount
1	2015	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	395400	395400
2	2014	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	48000	48000
3	2013	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	411600	411600
4	2012	No Record available	300000	300000
5	2011	No Record available	245000	245000
6	2010	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	79800	79800
7	2009	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	156600	156600
8	2008	6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup>	155400	155400
TOTAL			2800800	2800800

11/11/17

Table 3. Detail of Students/ Stipend as per Register maintained at GGHS Kotkal.

The following table shows the Stipend distribution/ less payment to students/ nonpayment to students recorded from the register maintained by the Head Mister of the school concerned.

Payment Period	Class	No. of Students as per School Stipend Register	Due per Student Payment as per Money Order	Actual per student Payment made by Post Master	No of Students paid Stipend at actual Rate	Amount paid as per actual rate	No of Students Un paid		Less Amount Paid to Students	No of Students paid less than approved Rate	Amount Paid Less,	Total Less Payment
Jan-March	8th	21	600	600	21	12600	0		0	0	0	0
Jan-March	7th	17	600	600	17	10200	0		0	0	0	0
Jan-March	6th	34	600	600	34	20400	0		0	0	0	0
April-June	6th	51	1200	1200	51	61200	2		0	0	0	2400
April-June	7th	22	1200	1200	22	26400	1		0	0	0	0
April-June	8th	18	1200	1200	18	21600	0		0	0	0	2400
April-June	9th	13	1200	1200	13	15600	2		0	0	0	2340
Jan-Sep-09	6th	72	1800	1800	59	106200	13		0	0	0	1800
Jan-Sep-09	7th	34	1800	1800	33	59400	1		0	0	0	0
Jan-Sep-09	8th	26	1800	1800	26	46800	0		0	0	0	0
Jan-Sep-09	9th	18	1800	1800	18	32400	6		0	0	0	10800
Jan-Sep-09	10th	26	600	600	26	15600	0		0	0	0	0
Jan-Sep-09	11th	40	600	600	40	24000	3		0	0	0	1800
Jan-Sep-09	12th	28	600	600	28	16800	0		0	0	0	0
Jan-Sep-09	13th	24	600	600	24	14400	12		0	0	0	7200
Jan-Sep-09	14th	22	600	600	0	0	22		0	0	0	13200
Jan-Sep-09	15th	77	1800	1800	77	138600	0		0	0	0	0
Jan-Sep-09	16th	41	1800	1800	41	73800	0		0	0	0	0
Jan-Sep-09	17th	28	1800	1800	28	50400	0		0	0	0	0
Jan-Sep-09	18th	36	1800	1800	36	64800	0		0	0	0	0
Jan-Sep-09	19th	21	1800	1800	0	0	21		0	0	0	37800
Jan-Sep-09	20th	0	0	0	0	0	0		0	0	0	0
Jan-Sep-09	21st	0	0	0	0	0	0		0	0	0	0
Jan-Sep-09	22nd	69	1200	1200	69	106800	6		0	0	0	7200
Jan-Sep-09	23rd	59	1200	1200	59	70800	5		0	0	0	6000
Jan-Sep-09	24th	47	1200	1200	47	56400	1		0	0	0	1200
Jan-Sep-09	25th	55	1200	1200	55	66000	6		0	0	0	7200
Jan-Sep-09	26th	13	1200	1200	13	15600	22		0	0	0	26400
Jan-Sep-09	27th	0	1200	1200	0	0	138		0	0	0	165600
Jan-Sep-09	28th	69	1200	1000	69	69000	8		200	69	13000	2200
Jan-Sep-09	29th	52	1200	1000	52	52000	6		200	52	10400	1200
Jan-Sep-09	30th	44	1200	1200	44	52800	7		0	0	0	8400
Jan-Sep-09	31st	54	1200	1200	54	64800	3		0	0	0	3600
Jan-Sep-09	32nd	0	0	0	0	0	0		0	0	0	0
Jan-Sep-09	33rd	51	1200	1200	51	61200	0		0	0	0	0
Jan-Sep-09	34th	48	1200	1200	48	57600	13		0	0	0	15600

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	700	61	1200	1200	62	74400	1	1026000	0	C	0	1200
	800	147	1200	1200	136	163200	11	1026000	0	C	0	13200
	900	54	1800	1800	0	0	57	1026000	0	C	0	10260
	900	52	1800	1800	47	84600	5	1026000	0	C	0	89000
	800	61	1800	1800	55	99000	6	1026000	0	C	0	10000
	700	63	1800	1800	61	109800	2	1026000	0	C	0	3600
	800	144	1800	1800	134	241200	10	1026000	0	C	0	1800
TOTAL		2136			1740	2290000	390	5181000			121	24200

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Table 4. Detail of Money Orders provided by Mehmood Idrees SPST GPS Jighabani/EDSPM Sahlbabad

S#	Year	Date Money Order Issued	Ref- Money Order	Class	No of Money Orders	Amount per Money order	Total Amount	Remarks
1	2010	5 <sup>th</sup> October 2010	Book 2	6 <sup>th</sup>	76	600	45600	
			Book 2	7 <sup>th</sup>	11	600	6600	
2	2011	3 <sup>rd</sup> July 2011	Book 4	6 <sup>th</sup>	76	1800	136800	As per enquiry report there is no Payment in 2011, 12
			Book 4	10 <sup>th</sup>	24	1800	43200	
		5 <sup>th</sup> October 2011	Book 2	6 <sup>th</sup>	76	600	45600	
			Book 2	7 <sup>th</sup>	11	600	6600	
7		18 <sup>th</sup> October, 2011	Book 3	6 <sup>th</sup>	94	1200	112800	
			Book 3	7 <sup>th</sup>	64	1200	76800	
			Book 3	8 <sup>th</sup>	48	1200	57600	
			Book 3	9 <sup>th</sup>	60	1200	72000	
			Book 3	10 <sup>th</sup>	33	1200	39600	
12	2012	10 <sup>th</sup> May 2012	Book 4	6 <sup>th</sup>	72	1800	129600	
			Book 4	10 <sup>th</sup>	36	1800	64800	
14	2013	20 <sup>th</sup> March 2013	Book 4	6 <sup>th</sup>	68	1800	122400	
			Book 4	10 <sup>th</sup>	40	1800	72000	
16	2014	0	0	0	0	0	0	No Money order Provided for 2014
17	2015	4 <sup>th</sup> April 2015	Book 1	6 <sup>th</sup>	3	1200	3600	
		4 <sup>th</sup> April 2015	Book 1	6 <sup>th</sup>	134	1800	241200	No Money order signed by student
			Book 1	7 <sup>th</sup>	64	1800	115200	
			Book 1	8 <sup>th</sup>	3	1800	5400	
			Book 1	9 <sup>th</sup>	0	0	0	
			Book 1	10 <sup>th</sup>	20	1200	24000	
			Book 2	10 <sup>th</sup>	57	1200	68400	No Money order signed by student
		4 <sup>th</sup> April 2015	Book 2	6 <sup>th</sup>	21	1200	25200	
			Book 2	7 <sup>th</sup>	53	1200	63600	
			Book 2	No Class	12	1200	14400	No class entered in Register
			Book 2	8 <sup>th</sup>	42	1200	50400	
		15 <sup>th</sup> July 2015	Book 1	6 <sup>th</sup>	100	1200	120000	
		15 <sup>th</sup> July 2015	Book 2	6 <sup>th</sup>	36	1200	43200	No Money order signed by student
			Book 2	7 <sup>th</sup>	64	1200	76800	No Money order signed by student
			Book 2	8 <sup>th</sup>	3	1200	3600	No Money order signed by student
					1401		1837000	

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Findings:

Sufficient time and opportunity was provided to Mst Khurshed Begum Head Mistress, Mr. Jilani Ullah Junior Clerk and Mr. Mehmood Idrees EDSPM Sahibabad SPST/SDSPM to produce material which could prove that all stipends have been distributed in transparently and prove them innocent but they failed to do so. Thus after going through all the relevant record produced before the committee, it has been proved beyond any doubt that:

1. Stipend is being distributed since 2008 and Mr. Mehmood Idrees has taken over the responsibility of distribution since 18/11/2009 and was responsible till 2015-16. Though there has been embezzlement during this period but there has not been any report/complaint by Head Mistress till the one lodged through the Grievances Redressal System by an outsider about this issue which shows that present and previous Head Mistress of the school have hands in gloves with Mr. Mehmood Idrees EDSPM Sahibabad in the said embezzlement/ fraudulent withdrawal of stipend.
2. The instant enquiry was initiated on the bases of complaint against Mehmood Idrees EDSPM to Grievances Redressal System dated 30/06/2015.
3. There is gross contradiction in the enrolment provided by DEO (F) Dir upper, Head Mistress GGHS Kotkai and Mr. Mehmood Idrees SPST/EDSPM Sahibabad.
4. Record of Money Orders of Stipend provided by EDSPM shows that:
  - I. The number of students reflected does not tally with that provided by Head Mistress and DEO (F) Dir Upper office.
  - II. There are many Money Orders which have no receiving signatures of the student concerned.
  - III. No Money order record for year 2014 has been produced by Mr. Mehmood Idrees SPST/EDSPM Sahibabad.
  - IV. There is no evidence which can prove that Rs.2400/- has been issued to each student in corresponding year.
  - V. Register maintained by the Head Mistress shows no record for the year 2011 and 2012 but as per Table. 4, Mehmood Idrees has provided some record for 2011 and 2012.
  - VI. According to record of school register, Table 3, Rs 2290000.00 has been disbursed in 1740 students during the period 2008 to 2015 but Mehmood Idrees have produced record of Money Orders (Table 4) which show distribution of Rs 1887000.00 among 1401 students during the same period.
  - VII. As per calculations on the bases of register maintained by the Head Mistress, Rs.519000/- have not been paid to 390 students and less payment of Rs.24200/- to 121 Students.
5. Head Mistress GGHS Kotkai did request Mr. Mehmood Idrees to hand over the Stipend of absent students. Annexure-A-IV
6. Mr. Mehmood Idrees EDSPM has handed over the amount of absent students to Head Mistress GGHS Kotkai, Annexure-G.
7. No evidence could be produced that the HM has actually distributed the received amount to the absent students or otherwise.
8. HM GGHS Kotkai did further request the EDSPM to hand over the amount of Stipend to her due to the reasons that people didn't like male entry into female school.

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- 9. Mr. Mehmood Idrees must have not handed over the stipend money to the Headmistress no matter how insistent she might have been as distribution of the same was his prime responsibility.
- 10. As per the testimony of the staff of the GGHS Kotkai embezzlement did take place in stipend.
- 11. List of absent students provided to EDSPM were actually present in school on that particular date as per the student attendance register whereas the concerned class teachers admitted that the students were absent but they marked them present while the stipends of absent students were made/paid to the Head Mistress of the school.

Recommendations:

- 1. Head Mistress of GGHS Kotkai District Dir. upper being in collusion with Mehmood Idrees EDSPM Sahibabad may be issued show cause notice as per the E&D rules for negligence of duty and fraud or corruption. Similar show causes may also be served upon her predecessors mentioned above.
- 2. Recovery of Rs. 1752200 should be made from Mr. Mehmood Idrees SPST GPS Joghlaban/EDSPM Post Office Sahibabad as per following breakup.

Table 5

Year	No. of Students	Amount of Stipend	Total amount	Remarks
2011	243	2400	583200	No payment as per school register
2012	261	2400	626400	No payment as per school register
			24200	Less payment to 121 students
			518400	Non Payment to 390 students
			1752200	

- 3. Mehmood Idrees, EDSPM Sahibabad may be issued show cause notice for working as EDSPM without departmental permission as well as for corrupt practices.
- 4. Mehmood Idrees EDSPM Sahibabad EDSPM has also been found responsible for distribution of Stipend in 2 other schools which too need to be probed in for similar embezzlement.

Member  
 Aurang Zeb  
 Assistant Director  
 Elementary & secondary Education

Chairman  
 Professor Muhammad Uzair  
 District Education Office (M)  
 District Malakand



ABO (P&D)

Make copy and provide to

Directorate of Education

9/11/16



DIRECTORATE OF E & S EDUCATION KHYBER PAKHTUNKHWA PESHAWAR

Notification:

The Director Elementary & Secondary Education Khyber Pakhtunkhwa is pleased to constitute the following committee to conduct an inquiry in the embezzlement of stipends scholarships at GGHS Kotkay Wari District Dir upper.

- 1. Mr. Muhammad Uzair DEO (M) Malakand Chairman
- 2. Mr. Aurangzeb Assistant Director Local Directorate E&SE Member

Terms of Reference:

- The committee is required to conduct an impartial inquiry and submit details report containing facts-finding and recommendation in light of the attached inquiry report.
- The inquiry committee will submit report to this office within (15) days.

Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

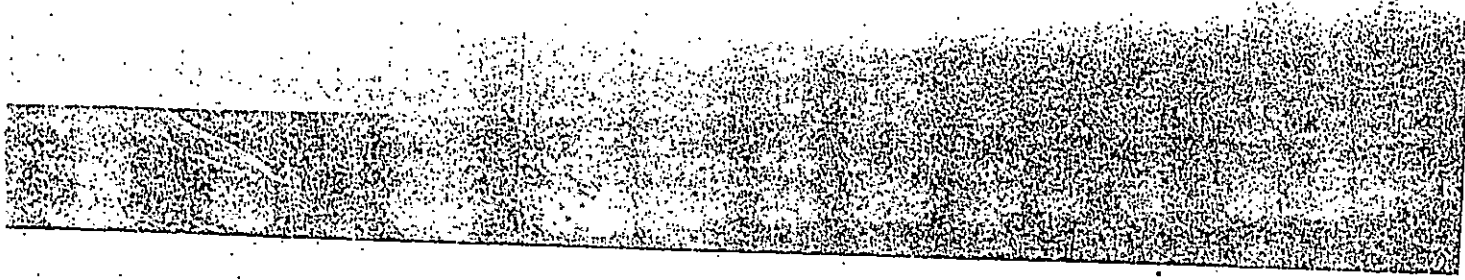
Endst. No. 3667-70 F. No. 04/ Embezzlement GGHS Kotkay

Dated 27/10 2016.

Copy forwarded for information to the:

- 1. District Education Officer (M) Dir. upper, with the remarks to assist the inquiry officer and provide all the relevant record to the inquiry committee.
- 2. Mr. Muhammad Uzair DEO (M) Malakand.
- 3. Mr. Aurangzeb Assistant Director Directorate E&SE Khyber Pakhtunkhwa.
- 4. Principal GGHS Kotkay Wari District Dir. upper, with the request to provide all the relevant record to the inquiry committee.
- 5. PA to Director Elementary & Secondary education Khyber Pakhtunkhwa.

Deputy Director (P&D)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar



24 (C) Approved C

SHOW CAUSE NOTICE

I, Muhammad Rafiq Khattak Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Mr. Mehmood Idrees SPST GPS, Jughabani/EDSPM Post Office Sahibabad Dir Upper as follows:-

2. (i) that consequent upon the completion of inquiry conducted against you by the inquiry committee for which you were given opportunity of hearing and
- (ii) On going through the findings and recommendations of the inquiry report, the material on record and other connected papers including your defence before the said inquiry committee.

I am satisfied that you have committed the following acts/omissions specified in section 3 of the said rules.

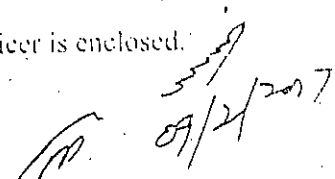
- (a) You have made embezzlement of Rs. 1752200/- in Girls stipend program during the period of 2010 to 2015.
- (b) You have performed your duty as EDSPM at Post Office Sahibabad without the approval/NOC of the competent authority.
- (c) Misconduct

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you one of Major/Minor penalty under rules 4 of the said rules.

3. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

5. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.

8. A copy of the findings of the inquiry officer is enclosed.

  
COMPETENT AUTHORITY

Mr. Mehmood Idrees SPST/EDSPM  
GPS Jughabani Dir Upper.

ENQUIRY REPORT IN RESPECT OF EMBEZZLED AMOUNT OF GIRLS STIPEND AT  
GOVT. GIRLS HIGH SCHOOL KOTKEY SAHIBABAD DIR UPPER

A report was received to the Postmaster General KPK Peshawar from Provincial coordinator Girls Stipend Programme Elementary and Secondary Education Department Peshawar vide letter No.DPC/Stipend/E& SED/2017-18 dated 18.04.2018, that an amount of Rs.2800,800/- has been embezzled by the Postal Staff of Sahibabad EDSO i.e M/S Mahmood Idress EDSPM and Inamullah EDDA; in the stipend M.Os of GGHS Kotkey. On the basis of inquiry conducted by the Education Department through Mr. Muhammad Iqbal ADO (P&D) DEO (F) Upper-Dir and Hafiza Bibi SDEO (F)-Wari,Dir Upper. Another enquiry conducted by Professor Muhammad Uzair DEO (M) Malakand, as a (Chairman) and Aurangzeb, (Member), Assistant Director Elementary and secondary Education Department in which the defrauded amount reduced to Rs 1752200/-instead of Rs Rs.2800800/-.

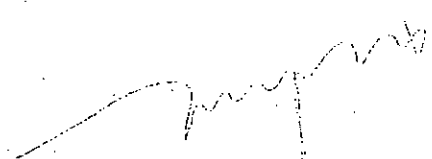
Both the above enquires thoroughly examined at the office of Postmaster General KPK Peshawar and recommended that a joint inquiry is essential in this case as two different departments are involved.

Then a meeting with the provincial co-coordinator Girls stipends programme elementary and secondary Education Department was held and its minutes were forwarded to the provincial coordinator for nominating the members from their department for joint enquiry and called for some documents vide this office letter of even No. dated 24-05-2018. On receipt of these documents two officers were nominated from Postmaster General Office i.e. Asstt. Postmaster General (OP&FS) and AD (AF) Circle Office Peshawar vide letter dated 12-06-2018.

The provincial co-coordinator approved these nomination & also two members i.e Mr. Mujeeb-ur-Rehman Dy. Provincial Coordinator and Muhammad Riaz Ahmad Asstt. Office of the DEO (Female) Swat from E &SE Department were nominated vide notification dated 13-06-2018. Hence a joint inquiry committee was constituted.

The committee proceeded to Batkhela GPO for the purpose to search out the stipend MO "paid vouchers" old records for the year relating to 2011 to 2014, which were traced out after tiring efforts with the cooperation of Senior Postmaster Batkhela GPO. All the paid vouchers stipend MOs records relating to the year 2011 to 2014 of Sahibabad ED Post office kept preserved by the committee members. APMG (O&FS) Member of the committee visited Batkhela GPO and GGHS Kotkey Dir Upper but could not continue to join the remaining proceeding due to his busy schedule.

Then committee members proceeded to Dir Upper as well as to Kotkey and consulted the relevant record of Govt Girls High School Kotkey, as well as record of Education Department i.e. DEO office situated at Dir Upper. It was thoroughly examined at each angle on the basis of complaint lodged by Khursheed Begum, Principal GGHS Kotkey regarding non receipt /non-payment of 57 Stipend MOs amounting to Rs1800 each during

  
Asstt. Postmaster General  
Circle Office Peshawar

2015. Consequently, the above mentioned two enquiries were conducted by the Education Deptt without consultation of Post Office department/record.

The details of tenure of Headmistresses of GGHS Kotkey as per Education Department are as under. (Copy of certificate attached):

- i. Miss. Rukhsana Sultan w.e.f 01.03.2008 to 30.06.2012
- ii. Mrs. Riasat Rehman w.e.f 01.07.2012 to 28.02.2013
- iii. Mrs. Khursheed Begum w.e.f 01.03.2013 to 13.04.2018

The committee members recorded the statements of incharge principals as well as the statement of Mehmood Idress the then ED Postmaster and Inamullah the then EDDA Sahib Abad Post Office.

The committee members also obtained the specimen signatures of the following officers/officials for the purpose to compare it with the signatures affixed on the SMOs paid vouchers relating to Sahib Abad P.o. paid to the students of G.G.H School Kotkey during the period 2011-2014 (attached):

- 1) Mr. Mehmood Idress the then extra departmental ED Postmaster Sahib Abad P.O.
- 2) Mr. Inam-Ullah the then EDDA Sahib Abad P.O.
- 3) Incharge Principal Miss Riasat Rehman Govt Girls High School Kotkey
- 4) Incharge Principal Miss Rukhsana Sultan Govt Girls High School Kotkey
- 5) Incharge Principal Miss Khursheed Begum Govt Girls High School Kotkey
- 6) Mr. Hifzan Ullah clerk G.G.H School Kotkey.

1. EMBEZZLEMENT DURING TENURE MST RUKHSANA SULTAN INCHARGE PRINCIPAL OF GGHS KOTKEY W.E.F 20.8.2011 TO 14.12.2011.

Mst Rukhsana Sultan Principal GGHS Kotkey appeared before the committee in the presence of Mehmood Idress the then ED SPM Sahib abad PO as well as EDDA Inamullah of Sahibabad PO and all the paid vouchers of SMOs paid during the period 20.8.2011 to 14.12.2011 presented to her. She examined all these paid vouchers which were shown paid by the Postal staff of Sahibabad PO in her incharge principal ship period to the students of GGHS Kotkey. Out of these paid vouchers she traced out 24 paid vouchers each for Rs.1800/- and 317 paid vouchers each for Rs.600/- with the observation that on these paid vouchers the signature of Head Mistress (Ms Rukhsana Sultan) and payees students found fake, forged and sharply/strongly refused its payments to the students. These fake and forged signatures of principal Rukhsana Sultan and students also examined by the Postal Staff i.e Mehmood Idress and Inamullah EDDA Sahib abad PO. So the exact defrauded amount in the SMOs paid during Rukhasan Sultan Period is as under:

I. SMOs paid vouchers 24 each for Rs.1800/- comes to Rs=	43200/-
II. SMOs paid vouchers 317 each for Rs.600/- comes to Rs=	190200/-
Total Rs:	233400/-

Thus the total embezzled amount of Ms Rukhsana Sultan principal ship period comes to Rs. 233,400/- All the paid vouchers of these embezzled SMOs also examined by the Postal Staff of Sahibabad PO i.e Mehmood Idress EDSPM and Inamullah EDDA and they admitted the putting of fake/forged signatures of payees students as well as principal Rukhsana Sultan, in the presence of committee members and Mr. Muhammad Iqbal Asstt District Education officer. (F) Distt upper Dir.

2. EMBEZZLEMENT DURING TENURE MST RIYASAT REHMAN INCHARGE PRINCIPAL OF GGHS KOTKEY W.E.F 01.07.2012 TO 28.02.2013

The committee members presented all the paid vouchers pertaining to the tenure of principal Ms Riayat Rahman to her, in the presence of EDSPM Mehmood Idress and Inamullah EDDA Sahib Abad P.O. She thoroughly examined all these paid vouchers and separated 83 SMOs paid vouchers amounting to Rs. 1200/= each with the plea that on these 83 SMOs paid vouchers her signatures are forged/ faked one and its amount comes to Rs.99600/- Which has been embezzled by the Staff of Post office i.e Mehmood Idress and Inamullah ED SPM/EDDA of Sahib Abad Post office.

Similarly other 91 SMOs paid vouchers amounting to Rs.1800/- each presented to her and after her examination she pin pointed that on these paid vouchers her signature are also fake and the school Head mistress stamp also found omitted, So an amount of Rs.163800/- has been embezzled by the Sahib Abad PO Staff. This facts also admitted/ confessed by the Mehmood Idress and Inamullah in the presence of all committee members as well as Muhammad Iqbal Asstt District Education officer (F) Distt upper Dir.

Thus total amount embezzled during Riayat Rehman principalship comes to Rs.263400/-. All these SMOs fake/forged paid vouchers signature were also examined by the Postal staff of Sahib Abad PO and they have also compared these fake signatures with the Riayat Rehman original signature and admitted that there is a great difference in the original signature of Riayat Rehman. (The copy of statement of Principal Riayat Rehman, as well as her specimen signature are attached herewith for ready reference).

(i)	SMOs paid Vouchers 83@Rs.1200 each; 83x1200=	Rs. 99,600/-
(ii)	SMOs paid Vouchers 91 @Rs.1800/- each 91x1800=	Rs. 163,800/-
	<b>Total:</b>	<b>Rs. 263,400/-</b>

Thus the committee members and Muhammad Iqbal Asstt District Education officer Distt upper Dir reached the conclusion, on the basis of SMOs paid vouchers/other

relevant record; that the Sahibabad Postal staff mentioned above has defrauded Rs.263400/- in the principal tenure ship of Rukhsana Rehman is as above.

3. EMBEZZLEMENT DURING TENURE MST KHURSHEED BEGUM INCHARGE PRINCIPAL OF GGHS KOTKEY W.E.F 01.02.2013 TO 13.04.2018

a. The entire record of paid vouchers of SMOs paid by the Sahib Abad PO staff i.e. ED Postmaster Mehmood Idress and ED Postman Inamullah during the period 01.03.2013 to 13.04.2018 of principal ship of Khursheed Begum placed before the postal staff and Khursheed Begum Headmistress. She thoroughly examined all these paid vouchers and observed that the following detailed paid vouchers separated with the plea that fake/forged signatures of Khursheed Begum were put by Postal Staff of Sahibabad PO and its amount has been embezzled by them as evident from school register as well as statement of Khursheed Begum. All the present witnesses, committee members, as well as ED SPM Mehmood Idress and Postman Inamullah also thoroughly examined these paid vouchers and compared the paid voucher's signature of Khursheed begum original one. Thus the brief detail of defrauded amount of Khursheed begum Principal is as under:

i.	40 Paid SMOs vouchers shown paid during 2013-14 @ Rs.1200/ each =	Rs.48000/-
ii.	Paid vouchers class 10 <sup>th</sup> SMO 55 @ Rs.1200 each =	Rs.66000/-
iii.	Paid vouchers class 10 <sup>th</sup> 1 <sup>st</sup> installment SMOs 3 @ Rs.1200/- =	Rs.3600/-
iv.	Paid vouchers class 10 <sup>th</sup> 2 <sup>nd</sup> installment 2014-15 = 16 @ Rs.1200 =	Rs.19200/-
v.	Paid vouchers class 10 <sup>th</sup> period 2014-15 = 53 @ Rs.1200 =	Rs.63600/-

Total: Rs.200,400/-

Total defrauded amount of Khursheed Begum Principal ship by Sahibabad Post Office Staff comes to Rs: 200,400/-

b. The issue of original complaint of Khursheed Begum, Principal GGHS Kotkey regarding non-payment of the 57 SMOs to 10<sup>th</sup> class students amounting to Rs.1800/- during 2015 examined and found that as per record of Batkhela GPO as well as Sahibabad PO. Actually these 57 SMOs have not been paid to the students. Strenuous efforts were made to obtain the statements of concerned students but most of the students were not found available. However, two of them recorded their statements regarding non receipt/non-payment of their SMOs. The Post Office record revealed that these SMOs were shown unpaid and the amount thereof was returned to the Education department as unpaid through Bank cheque No DD0047655-02 dated 28.12.2015 under Regd Cover No.1035 dated 19-12-2015 (Photocopy enclosed for ready reference) Thus the amount viz 56x 1800 =Rs.100800 shown defrauded in the earlier enquiries is excluded as it was not defrauded but was returned to the Education department as unpaid and the amount was not defrauded by anyone.

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C. Besides the above the issue of the amount of Rs. 165600/- considered as embezzled in the audit para regarding 137 Stipend Money Orders for the financial year, 2014-15 on the basis of school register remarks "Not paid" was examined. On consultation of the School record and the statement of the Principal it was observed that actually the remarks "Not Paid" was made by acting Principal as Ms Khurshed Begum was in Hospital with her ailing son. In this regard the statement of previous enquiry officer Ms Hafiza Bibi SDEO wari was obtained wherein she admitted its payment to the student. The committee also concluded that the remarks were noted erroneously. Thus the amount of Rs. 165600/- shown defrauded in the original Paras was not defrauded but it was just a mis-conclusion as clarified above. Therefore, the nonpayment of 137 SMOs amounting to Rs. 165600/- is excluded from the defrauded amount.

The committee also obtained the statements of Postal Staff i.e. Mehmood Idress ED Postmaster and Inamullah EDDA Sahibabad P.O. Their specimen signatures were also obtained (Copy enclosed for ready reference).

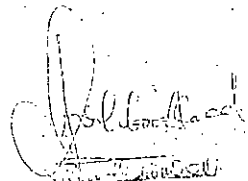
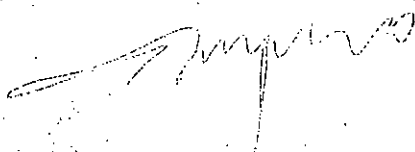
Mr. Mehmood Idrees EDSPM Sahibabad PO refused the embezzlement in the stipend MOs of GGHS Kotkey but he failed to refute the fakeness of paid vouchers/signature of the Principals GGHS schools, witnesses' signatures and fake signatures of students (payees). He further stated in his written statement that the entire PO work of SMO payment of GGHS Kotkey done by his EDDA i.e. Inamullah. This clearly indicates that he tried to shift his responsibility to the EDDA (Inamullah) which is clear violation of the Departmental rules. It is further added that various questions raised by the inquiry committee. (Copy enclosed) but Muhammad Idress EDSPM Sahibabad P.O failed to properly respond these questions.

Muhammad Idrees EDSPM taken the plea that entire Sahibabad post office work was carried out by EDDA Inamullah is fabricated one as on perusal/examining the post office record of Sahibabad P.O, it was observed that majority of the EDSO daily account and other work was carried out by Mehmood Idress EDSPM himself instead of Inamullah EDDA.

The statement of EDDA Sahibabad P.O i.e. Mr. Inamullah recorded. He admitted that at the time of SMOs payment the signature of witness, payee students were required to be obtained on these paid vouchers at the time of payment. The missing of signature/affixing headmistress school stamps was admitted by him.

The committee members raised various questions on him but EDDA Inamullah failed to give proper reply of these questions (copy enclosed for ready reference).

After examination the entire post office SMOs paid vouchers record at Batkhela GPO of Sahibabad EDSO, it has been observed that all the above paid vouchers the amount of which has been defrauded in different period in respect of SMOs of GGHS School Kotkey was actually shown paid and its amount has been charged as payment at Sahibabad EDBO and Batkhela GPO record but its amount not paid to the payees and actually defrauded by the Postal Staff of Sahibabad P.O.



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The committee members reached to the conclusion that the amount of above mentioned SMOs has been defrauded.

CONCLUSION

1. The record of Education Office at Upper Dir reveals that the following principals remained incharge during the period wherein the amount was defrauded:

- A. Miss. Rukhsana Sultan Period 01-03-2008 to 30-06-2012
- B. Mrs. Riasat Rehman 01-07-2012 to 28-02-2013
- C. Mrs. Khursheed Begum 01-03-2013-13-04-2018

The detail of defrauded SMOs paid vouchers period-wise is as under

**A. Miss. Rukhsana Sultan**

- (i) SMOs paid vouchers 24 each for Rs. 1800/- comes to Rs= 43200/-
  - (ii) SMOs paid vouchers 317 each for Rs. 600/- comes to Rs= 190200/-
- Total: Rs. 233400/-

**B. Riasat Rehman**

- (i) SMOs paid Vouchers 83 @ Rs. 1200 each; 83x1200= Rs. 99,600/-
  - (ii) SMOs paid Vouchers 91 @ Rs. 1800/- each 91x1800= Rs. 163,800/-
- Total: Rs. 363,400/-

**C. Khursheed Begum**

- (i) Paid SMOs vouchers shown paid during the period 2013-14  
40 MOs @ Rs. 1200/ each = Rs. 48000/-
- (ii) Paid vouchers class 10<sup>th</sup> SMO 55 @ Rs. 1200 = Rs. 66000
- (iii) Paid vouchers class 10<sup>th</sup> 1<sup>st</sup> installment SMOs 3 @ Rs. 1200/- = Rs. 3600
- (iv) Paid vouchers class 10<sup>th</sup> 2<sup>nd</sup> installment 2014-15 = 16 @ Rs. 1200 = Rs. 19200
- (v) Paid vouchers class 10<sup>th</sup> period 2014-15 = 53 @ Rs. 1200 = Rs. 63600/-

Total (A+B+C) = 2334400 + 363400 + 200,400 = 697200

Total Rs. = 200400

2. The committee members have thoroughly examined the Sahib abad EDSO and Batkhela GPO record relating to the Stipends money orders of GGH School Kotkey.

3. Recorded the statements of all principals i.e Rukhasana Sultan, Riasat Rehman, and Khursheed Begum alongwith there specimen signatures.



- 4 Obtained and recorded the specimen signatures/ statements of Mehmood Idrees and Inamullah EDDO Sahibabad P.O.
- 5 Preserved all the paid vouchers of stipends money orders relating to GGH School Kolkey the amount of which has been defrauded.
- 6 It was essential to obtain the written statement of all the students whose SMOs have been defrauded for which the committee made their sincere efforts but could not succeed due to the fact that the amount embezzled is relating to the year 2011 to 2014 and most of the female students have left the school as well as majority of the students have been married in far flung Areas.
- 7 The committee has given all the opportunity to Mr Inamullah EDDA and Muhammad Idrees EDSPM of Sahibabad PO, in connection with all defrauded SMO paid vouchers, school record as well as Education Office situated at Upper Dir.
- 8 The Education Office Upper Dir SMOs record relating to GGHS Kolkey was also not properly maintained up to the mark in future this should be kept up to the mark to avoid any mistake.
- 9 The Committee members concluded that Mehmood Idrees EDSPM Sahibabad PO in collaboration with Inamullah EDPM has embezzled an amount of Rs. 697,200/- during different periods from 2011 to 2014 in the stipends money orders of GGH School Kolkey and recommended that the entire defrauded amount should be recovered from the accused Mehmood Idrees EDSPM and Inamullah EDDA of Sahibabad EDSO and should be credited to the Post office Department and strict departmental action to be taken against them according to rules.
- 10 The defrauded amount of Rs.697200/- is required to be paid to the Education Department, as per rule, on priority basis.
- 11 The responsibility fixed on Khursheed Begum SST/ Incharge Headmistress in the earlier inquiries conducted by the Education Department was without consultation of the Post Office record, the Committee therefore, after examination of all the documents concluded that Mst Khursheed Begum is not responsible for any fraud.

The three Headmistresses mentioned above have been kept in dark and the amount has been embezzled by the Postal staff of Sahibabad PO Dir Upper.

The amount mentioned in audit para about 57 SMOs during Financial Year 2014-15 has not been disbursed but returned to Education Department as evident from record. The audit committee has not scrutinized the record of Baikhela GPO and the amount taken in the audit para could not be established by the joint inquiry committee as it has been returned

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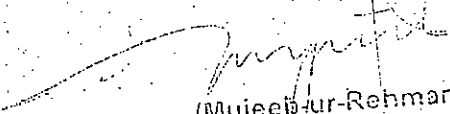
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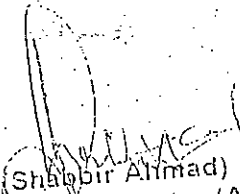
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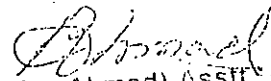
un-paid to Education Department through Bank cheque No.DD0047655-02 dated 28.12.2015 under Regd Cover No. 1935 dated 19-12-2015 (Photocopy enclosed for ready reference)

The amount of 137 SMOs amounting to Rs.165600/- shown as un-paid on the basis of School Register remarks "Not Paid" also excluded as this amount actually paid to the students but the sitting incharge of the School erroneously given these remarks as Khurshheed Begum was away in the Hospital with her ailing son and this fact has also been clarified by the enquiry officer Mst Hafiza Bibi SDEO Wari in her joint enquiry. (copy of statement is enclosed.

The role of Mr. Hifzanullah JC GGHS Kotkay Dir Upper has been very dubious. He exerts pressure on female staff of the school. He has been quite non-cooperative with the inquiry committee and tried to create hurdles in the smooth and transparent conduct of inquiry.

  
(Mujeer-ur-Rehman)  
Deputy Provincial Coordinator,  
Girls Stipend Programme, E&SE Deptt

  
(Shabbir Ahmad)  
Assistant Director (AF),  
%Postmaster General KP Peshawar

  
(Riaz Ahmad) Asstt  
Office of DEO (Female) Swat

SI  
E  
Amir E  
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DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER  
PAKHTUNKHWA PESHAWAR

NOTIFICATION

- 1- WHEREAS, Muhammad Idrees SPST GPS Jughapang District Dir Upper was proceeded against under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules 2011, for the charges mentioned in the Show Cause Notice issued vide this office No.3768/A-17 /SST/F/Complaint/Dir Upper/Vol.II dated 13-02-2017.
- 2- AND WHEREAS, inquiry committee was constituted comprising the following officers to conduct formal inquiry against the accused officer, for the charges leveled against her in accordance with the rules.
  - iii- Mr Muhammad Uzair DEO(M) Malakand
  - iv- Mr. Aurangzeb Assistant Director Local office
- 3- AND WHEREAS, after having examined the charges, evidence on record and explanation of the accused officer, has submitted the report.
- 4- AND WHEREAS, a show cause notice was served upon Muhammad Idree SPST GPS Jughapang District Dir Upper dated 13-02-2017 which was conveyed to her on 08-03-2017.
- 5- AND WHEREAS, the competent authority (Director E&SE Khyber Pakhtunkhwa) after having considered the charges, evidence on the record enquiry report, explanation of the accused officer in response to the show cause notice and personal hearing granted to her on 07-03-2018 is of the view that the charges leveled against the accused officer have been proved.
- 6- NOW THEREFORE, in exercise of powers conferred under section 14 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, the competent authority, (Director E&SE Khyber Pakhtunkhwa) is pleased to impose the penalty of "removal from service" upon Muhammad Idrees SPST GPS Jughapang District Dir Upper.

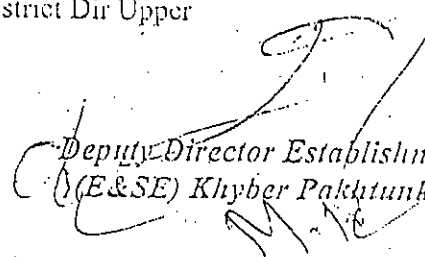
Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

Order No. 7884-86 /A-17/Complaint/F/Dir Upper/Vol.II

Dated Peshawar the 13/4 /2018

Copy of the above is forwarded to the:-

- 1- District Education Officer(Female) Dir Upper
- 2- District Accounts Officer Dir Upper
- 3- Section Officer(Complaint) Govt. of Khyber Pakhtunkhwa Elementary & Secondary Education Department w/r to her letter No.SO(Complaint)E&SED/KPK/1-7/2016/Mahmood/SE-2047 dated 31-01-2018
- 4- Principal concerned
- 5- Muhammad Idrees SPST GPS Jughapang District Dir Upper
- 6- PA to Director (E&SE) Local Office.
- 7- Master file.

  
Deputy Director Establishment (F)  
(E&SE) Khyber Pakhtunkhwa,  
M. T. E

**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER  
PAKHTUNKHWA, PESHAWAR**

Service Appeal No. 1176/2018

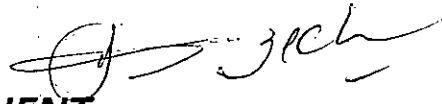
Muhammad Idress Mehmood (Appellant)

**VERSUS**

Govt. of KPK through Chief Secretary Civil Secrtiate  
Peshawar & Others (Respondents)

**AFFIDAVIT**

I, Sardaraz Khan S/o Ghulam Yousaf Adeo(LIT), do hereby solemnly affirm and declare on oath that all the contents of Instant **PARA WISE COMMENTS** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.



**DEPONENT**

**CNIC No. 15702-2476972-1**

**Contact # 0314-9465306**



**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.**

Application No: \_\_\_\_\_/2019  
Out of Service Appeal No: 1176/2018

Muhammad Idrees Mehmood Ex-SPST BPS-14 GPS Jughbanj District Dir(Upper)  
.....Applicant

**VERSUS**

Secretary E&SE Department Khyber Pakhtunkhwa & others. ....Respondents

**APPLICATION FOR THE IMPLEADMENT OF DISTRICT EDUCATION OFFICER (M) DIR (UPPER)  
IN FAVOR OF THE RESPONDENTS IN THE TITLED CASE.**


Respectfully Sheweth :-

The Applicant submits as under:-

- 1 That the titled case is pending adjudication before this Honorable Tribunal & is fixed for submission of reply on & for behalf of the Respondent No: 1-3 on the date fixed as 01/7/2019.
- 2 That from the perusal of the impugned order 13/04/2018 & others case record, it is evident that the appellant has been serving against the SPST (B-14) post at GPS Jughbanj Dir Upper under the administrative jurisdiction of the District Education Officer (M) Dir upper whom, the appellant has not made as a Respondent in the instant case on malafied intentions.
- 3 That in case of decision of the titled case, the District Education Officer (M) Dir Upper is competent to implement the judgment of this tribunal instead of the Respondents No 1-3.

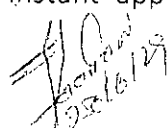
Therefore it is most humbly prayed that on the acceptance of this application, the Director E&SE Department KPK & District Education Officer (M) Dir Upper may very graciously be impleaded as a Respondents in the titled case in the interest of justice please.

Dated \_\_\_/\_\_\_/2019

  
Director  
E&SE Department Khyber  
Pakhtunkhwa Peshawar

**AFFIDAVIT**

I, Hayat Khan AD (Lit: II) E&SE Department Khyber Pakhtunkhwa Peshawar do hereby solemnly affirm and declare on oath that the contents of the instant application are correct to the best of my knowledge & belief.

  
Deponent

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.**

Application No: \_\_\_\_\_/2019  
Out of Service Appeal No: 1176/2018

Muhammad Idrees Mehmood Ex-SPST BPS-14 GPS Jughbanj District Dir(Upper)  
.....Applicant

**VERSUS**

Secretary E&SE Department Khyber Pakhtunkhwa & others. ....Respondents

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IN PANEL OF THE RESPONDENTS IN THE TITLED CASE.**

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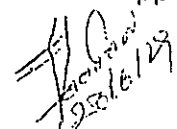
Dated \_\_\_/\_\_\_/2019



Director  
E&SE Department Khyber  
Pakhtunkhwa Peshawar

**AFFIDAVIT**

I, Hayat Khan AD (Lit: II) E&SE Department Khyber Pakhtunkhwa Peshawar do hereby solemnly affirm and declare on oath that the contents of the instant application are true & correct to the best of my knowledge & belief.

  
Deponent

21

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR.

Application No: \_\_\_\_\_/2019  
Out of Service Appeal No: 1176/2018

Muhammad Idris Mehmood Ex-2PT 8P2-14 GPs Jughdan District Dir (Upper)  
Applicant

**VERSUS**

Secretary ES&E Department Khyber Pakhtunkhwa & others. ... Respondents

APPLICATION FOR THE IMPELMENT OF DISTRICT EDUCATION OFFICER (M) DIR (UPPER)  
IN PART OF THE RESPONDENTS IN THE TITLED CASE.

Respectfully Sheweth :-

The Applicant submits as under:-


1 That the titled case is pending adjudication before this Honorable Tribunal & is fixed for submission of reply on & for behalf of the Respondent No: 1-3 on the date fixed as 01/7/2019.

2 That from the perusal of the impugned order 13/04/2018 & others case record, it is evident that the appellant has been serving against the 2PT (B-14) post at GPs Jughdan Dir Upper under the administrative jurisdiction of the District Education Officer (M) Dir Upper whom the appellant has not made as a Respondent in the instant case on material intentions.

3 That in case of decision of the titled case, the District Education Officer (M) Dir Upper is competent to implement the judgment of this tribunal instead of the Respondents No 1-3.

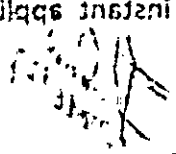
Therefore it is most humbly prayed that on the acceptance of this application, the Director ES&E Department KPK & District Education Officer (M) Dir Upper may very graciously be implored as a Respondents in the titled case in the interest of justice please.

Dated \_\_\_\_\_/\_\_\_\_\_/2019

  
Director  
ES&E Department Khyber  
Pakhtunkhwa Peshawar.

AFFIDAVIT

I, Hayat Khan AD (Lit: II) ES&E Department Khyber Pakhtunkhwa Peshawar do hereby solemnly affirm and declare on oath that the contents of the instant application are true & correct to the best of my knowledge & belief.

  
Deponent



**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.**

Application No: \_\_\_\_\_/2019  
Out of Service Appeal No: 1176/2018

Muhammad Idrees Mehmood Ex-SPST BPS-14 GPS Jughbanj District Dir(Upper)  
.....Applicant

**VERSUS**

Secretary E&SE Department Khyber Pakhtunkhwa & others. ....Respondents

**APPLICATION FOR THE IMPLEADMENT OF DISTRICT EDUCATION OFFICER (M) DIR (UPPER)  
IN FAVOR OF THE RESPONDENTS IN THE TITLED CASE.**

Respectfully Sheweth :-

The Applicant submits as under:-

- 1 That the titled case is pending adjudication before this Honorable Tribunal & is fixed for submission of reply on & for behalf of the Respondent No: 1-3 on the date fixed as 01/7/2019.
- 2 That from the perusal of the impugned order 13/04/2018 & others case record, it is evident that the appellant has been serving against the SPST (B-14) post at GPS Jughbanj Dir Upper under the administrative jurisdiction of the District Education Officer (M) Dir upper whom, the appellant has not made as a Respondent in the instant case on malafied intentions.
- 3 That in case of decision of the titled case, the District Education Officer (M) Dir Upper is competent to implement the judgment of this tribunal instead of the Respondents No 1-3.

Therefore it is most humbly prayed that on the acceptance of this application, the Director E&SE Department KPK & District Education Officer (M) Dir Upper may very graciously be impleaded as a Respondents in the titled case in the interest of justice please.

Dated \_\_\_/\_\_\_/2019

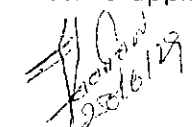


Director

E&SE Department Khyber  
Pakhtunkhwa Peshawar

**AFFIDAVIT**

I, Hayat Khan AD (Lit: II) E&SE Department Khyber Pakhtunkhwa Peshawar do hereby solemnly affirm and declare on oath that the contents of the instant application are true & correct to the best of my knowledge & belief.



Deponent

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.**

Application No: \_\_\_\_\_/2019  
Out of Service Appeal No: 1176/2018

Muhammad Idrees Mehmood Ex-SPST. BPS-14 GPS jughbanj District Dir(Upper)  
.....Applicant

**VERSUS**

Secretary E&SE Department Khyber Pakhtunkhwa & others. ....Respondents

**APPLICATION FOR THE IMPLEADMENT OF DISTRICT EDUCATION OFFICER (M) DIR (UPPER)  
IN PANL OF THE RESPONDENTS IN THE TITLED CASE.**

Respectfully Sheweth :-

The Applicant submits as under:-

- 1 That the titled case is pending adjudication before this Honorable Tribunal & is fixed for submission of reply on & for behalf of the Respondent No: 1-3 on the date fixed as 01/7/2019.
- 2 That from the perusal of the impugned order 13/04/2018 & others case record, it is evident that the appellant has been serving against the SPST (B-14) post at GPS Jughbanj Dir Upper under the administrative jurisdiction of the District Education Officer (M) Dir upper whom, the appellant has not made as a Respondent in the instant case on malafied intentions.
- 3 That in case of decision of the titled case, the District Education Officer (M) Dir Upper is competent to implement the judgment of this tribunal instead of the Respondents No 1-3.

Therefore it is most humbly prayed that on the acceptance of this application, the Director E&SE Department KPK & District Education Officer (M) Dir Upper may very graciously be impleaded as a Respondents in the titled case in the interest of justice please.

Dated \_\_\_/\_\_\_/2019

  
Director

E&SE Department Khyber  
Pakhtunkhwa Peshawar

**AFFIDAVIT**

I, Hayat Khan AD (Lit: II) E&SE Department Khyber Pakhtunkhwa Peshawar do hereby solemnly affirm and declare on oath that the contents of the instant application are true & correct to the best of my knowledge & belief.

  
Deponent

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.**

Application No: \_\_\_\_\_/2019  
Out of Service Appeal No: 1176/2018

Muhammad Idrees Mehmood Ex-SPST BPS-14 GPS Jughbanj District Dir(Upper)  
.....Applicant

**VERSUS**

Secretary E&SE Department Khyber Pakhtunkhwa & others. ....Respondents

**APPLICATION FOR THE IMPLEADMENT OF DISTRICT EDUCATION OFFICER (M) DIR (UPPER)  
IN PLACE OF THE RESPONDENTS IN THE TITLED CASE.**


Respectfully Sheweth :-

The Applicant submits as under:-

- 1 That the titled case is pending adjudication before this Honorable Tribunal & is fixed for submission of reply on & for behalf of the Respondent No: 1-3 on the date fixed as 01/7/2019.
- 2 That from the perusal of the impugned order 13/04/2018 & others case record, it is evident that the appellant has been serving against the SPST (B-14) post at GPS Jughbanj Dir Upper under the administrative jurisdiction of the District Education Officer (M) Dir upper whom, the appellant has not made as a Respondent in the instant case on malafied intentions.
- 3 That in case of decision of the titled case, the District Education Officer (M) Dir Upper is competent to implement the judgment of this tribunal instead of the Respondents No 1-3.

Therefore it is most humbly prayed that on the acceptance of this application, the Director E&SE Department KPK & District Education Officer (M) Dir Upper may very graciously be impleaded as a Respondents in the titled case in the interest of justice please.

Dated \_\_\_/\_\_\_/2019

  
**Director**  
E&SE Department Khyber  
Pakhtunkhwa Peshawar

**AFFIDAVIT**

I, Hayat Khan AD (Lit: II) E&SE Department Khyber Pakhtunkhwa Peshawar do hereby solemnly affirm and declare on oath that the contents of the instant application are true & correct to the best of my knowledge & belief.

  
Deponent



**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR.**

Phone: 091-9225338 Fax: 091-9225345

**NOTIFICATION**

1. **WHEREAS**, Mehamood Idrees SPST GPS Jughapang District Dir Upper was proceed against under the E&D Rules-2011 this office Endst No: 2884-86 dated 13-04-2018 and was removed from vide on the charges that you have embezzled the amount regarding Girls stipend program during the period of 2010 to 2015.
2. **WHEREAS**, the appellat concerned submitted appeal before the Director E&SE Khyber Pakhtunkhwa for reinstatement in service.
3. **WHEREAS**, The District Education Officer (Male) Dir Upper vide this office letter No. 7838 dated 26-03-2019, was asked to furnish complete record/history in r/o the appellat concerned.
4. **WHEREAS**, the DEO provided the requisite record alongwith comments vide letter No. 1686 dated 23-05-2019 in respect of the appellat concerned.

**Now Therefore**, the Appellate Authority, Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar, after having considered the charges, evidence on record, Mehamood Idrees SPST GPS Jughapang District Dir Upper is hereby reinstated in service with immediate effect and the intervening is hereby converted as leave without pay subject to the condition that if any liabilities against him should be deducted from his salaries or pension.

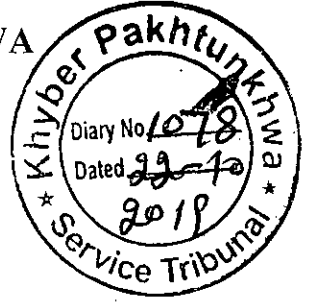
**(DIRECTOR)**

Endst No: 3399-3402 /F.No.162/Vol:XI.KC/PST (M) Dated Peshawar the 05-12/2019.  
Copy of the above is forwarded for information and necessary action to the:-

1. District Education (M) Dir Upper.
2. District Accounts Officer Dir Upper.
3. Appellant concerned.
4. PA to Director E&SE Khyber Pakhtunkhwa, Peshawar.

**DEPUTY DIRECTOR (ESTAB)  
E&SE KHYBER PAKHTUNKHWA**

BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR



In the matter of  
Appeal No. 1176/2018

Muhammad Idrees Mehmood ..... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa, Peshawar and others.  
(Respondents)

Application for early hearing in the titled appeal

Respectfully submitted:

1. That the titled appeal is pending adjudication before this Honorable Tribunal in which 13.11.2019, is the dated fixed for arguments.
2. That the titled appeal is subjudice before this honorable Tribunal while the Appellant is seeking his re-instatement as he was charged in the embezzlement of stipends in which two different inquiries were conducted but both are at variance, presently the FIA is harassing the present Appellant without any finding of the final outcome of enquiry and also his appeal is subjudice before this honourable Tribunal.
3. That the date fixed for hearing in the titled appeal is too far hence deserves to be expedited.
4. That there is no legal impediment in early hearing of the titled appeal.

*The appeal shall remain posted to the date already fixed in the matter.*

*It is therefore, humbly requested that on acceptance of this application the dated fixed for hearing in the titled appeal i.e 13.11.2019, may kindly be expedited.*

*Put up to the court with relevant appeal.*

*Reader*

Dated: 22.10.2019

*22/10/19*

Through

*[Signature]*  
Applicant

*[Signature]*  
ZARTAJ ANWAR  
Advocate, Peshawar.

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

In the matter of  
Appeal No. 1176/2018

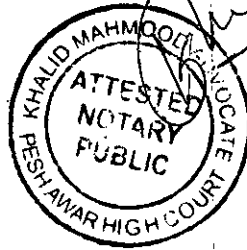
Muhammad Idrees Mehmood ..... (*Appellant*)

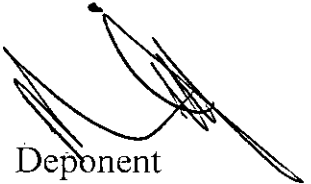
VERSUS

Government of Khyber Pakhtunkhwa, Peshawar and others.  
*(Respondents)*

**AFFIDAVIT**

I, *Muhammad Idrees Mehmood, Ex-SPST (BPS-14) GPS Jughbanj, District Dir Upper*, do hereby solemnly affirm and declare that the contents of the above **early application** are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.



  
Deponent

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

In the matter of  
Appeal No. 1176/2018

Muhammad Idrees Mehmood ..... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa, Peshawar and others.  
(Respondents)

**Application for early hearing in the titled appeal**


Respectfully submitted:

1. That the titled appeal is pending adjudication before this Honorable Tribunal in which 13.11.2019, is the dated fixed for arguments.
2. That the titled appeal is subjudice before this honorable Tribunal while the Appellant is seeking his re-instatement as he was charged in the embezzlement of stipends in which two different inquiries were conducted but both are at variance, presently the FIA is harassing the present Appellant without any finding of the final outcome of enquiry and also his appeal is subjudice before this honourable Tribunal.
3. That the date fixed for hearing in the titled appeal is too far hence deserves to be expedited.
4. That there is no legal impediment in early hearing of the titled appeal.

*It is therefore, humbly requested that on acceptance of this application the dated fixed for hearing in the titled appeal i.e 13.11.2019, may kindly be expedited.*

Applicant

Through

  
**ZARTAJ ANWAR**  
Advocate, Peshawar.

Dated: 22.10.2019

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

In the matter of  
Appeal No. 1176/2018

Muhammad Idrees Mehmood ..... (*Appellant*)

VERSUS

Government of Khyber Pakhtunkhwa, Peshawar and others.  
*(Respondents)*

**AFFIDAVIT**

I, *Muhammad Idrees Mehmood, Ex-SPST (BPS-14) GPS Jughbanj, District Dir Upper*, do hereby solemnly affirm and declare that the contents of the above **early application** are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.

Deponent



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

In the matter of  
Appeal No. 1176/2018

Muhammad Idrees Mehmood ..... (*Appellant*)

VERSUS

Government of Khyber Pakhtunkhwa, Peshawar and others.  
*(Respondents)*


*Application for early hearing in the titled appeal*

Respectfully submitted:

1. That the titled appeal is pending adjudication before this Honorable Tribunal in which 13.11.2019, is the dated fixed for arguments.
2. That the titled appeal is subjudice before this honorable Tribunal while the Appellant is seeking his re-instatement as he was charged in the embezzlement of stipends in which two different inquiries were conducted but both are at variance, presently the FIA is harassing the present Appellant without any finding of the final outcome of enquiry and also his appeal is subjudice before this honourable Tribunal.
3. That the date fixed for hearing in the titled appeal is too far hence deserves to be expedited.
4. That there is no legal impediment in early hearing of the titled appeal.

*It is therefore, humbly requested that on acceptance of this application the dated fixed for hearing in the titled appeal i.e 13.11.2019, may kindly be expedited.*

Through Applicant

  
**ZARTAJ ANWAR**  
Advocate, Peshawar.

Dated: 22.10.2019

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

In the matter of  
Appeal No. 1176/2018

Muhammad Idrees Mehmood ..... (*Appellant*)

VERSUS

Government of Khyber Pakhtunkhwa, Peshawar and others.  
*(Respondents)*

**AFFIDAVIT**

I, *Muhammad Idrees Mehmood, Ex-SPST (BPS-14) GPS Jughbanj, District Dir Upper*, do hereby solemnly affirm and declare that the contents of the above **early application** are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.

Deponent

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

In the matter of  
Appeal No. 1176/2018

Muhammad Idrees Mehmood ..... (*Appellant*)

VERSUS

Government of Khyber Pakhtunkhwa, Peshawar and others.

(*Respondents*)


*Application for early hearing in the titled appeal*

Respectfully submitted:

1. That the titled appeal is pending adjudication before this Honorable Tribunal in which 13.11.2019, is the dated fixed for arguments.
2. That the titled appeal is subjudice before this honorable Tribunal while the Appellant is seeking his re-instatement as he was charged in the embezzlement of stipends in which two different inquiries were conducted but both are at variance, presently the FIA is harassing the present Appellant without any finding of the final outcome of enquiry and also his appeal is subjudice before this honourable Tribunal.
3. That the date fixed for hearing in the titled appeal is too far hence deserves to be expedited.
4. That there is no legal impediment in early hearing of the titled appeal.

*It is therefore, humbly requested that on acceptance of this application the dated fixed for hearing in the titled appeal i.e 13.11.2019, may kindly be expedited.*

Applicant  
Through

  
**ZARTAJ ANWAR**  
Advocate, Peshawar.

Dated: 22.10.2019

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

In the matter of  
Appeal No. 1176/2018

Muhammad Idrees Mehmood ..... (*Appellant*)

VERSUS

Government of Khyber Pakhtunkhwa, Peshawar and others.  
*(Respondents)*

**AFFIDAVIT**

I, *Muhammad Idrees Mehmood, Ex-SPST (BPS-14) GPS Jughbanj, District Dir Upper*, do hereby solemnly affirm and declare that the contents of the above **early application** are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.

Deponent