

18.04.2022

Appellant present through counsel. Preliminary arguments heard. Record perused.

Points raised need consideration. The appeal is admitted for regular 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 for submission of reply/comments. To come up for reply/comments on 17.06.2022 before S.B at Camp Court, Abbottabad.

Rs-100/-  
Appellant Deposited  
Security & Process Fee

A. J. Butt  
27/4/22

17.06.2022

Clerk of learned counsel for appellant, Mr. Muhammad Adeel Butt, Additional Advocate General present.

(Rozina Rehman)  
Member (J)

Camp Court, A/Abad

Despite direction notices were not issued. Therefore, fresh notice be issued to the respondents for submission of reply/comments. Adjourned. To come up for reply/comments on 19.08.2022 before S.B at Camp Court Abbottabad.

(Fareeha Paul)  
Member (E)

Camp Court A/Abad

21<sup>st</sup> Oct., 2022

Nemo for the appellant. Kabirullah Khattak, Addl.

AG for the respondents present. Lawyers are on strike.

Learned AAG seeks adjournment in order to contact the respondents and submit reply/comments. Fresh notices be issued to appellant and his counsel for the date fixed. To come up for reply/comments on 27.12.2022 before S.B.

(Fareeha Paul)  
Member(E)

The appeal of Mst. Sumaira Parveen PSHT resident of village Sultanpur P.O Havelian Tehsil District A.Abad received today i.e. on 20.01.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Page no.21 & 22 of the appeal are illegible which may be replaced by legible/better one.
- 2- One more copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

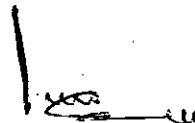
No. 134 /S.T,

Dt. 20/01 /2022

Mr. Arshad Tanoli Adv.  
High Court A.Abad.

Sir,

objection has been  
removed as desired  
Arshad Tanoli

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR  
CHECK LIST**

Case Title: Mst Sumaira vs Govt of KPK

S.#	Contents	Yes	No
1.	This appeal has been presented by: <u>M. Aslam Khan Dori</u>	✓	
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	✓	
3.	Whether Appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?	✓	
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal/annexures are properly paged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/clear?	✓	
13.	Whether copy of appeal is delivered to A.G/D.A.G?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?	✓	
16.	Whether appeal contains cuttings/overwriting?	✓	
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? on		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on		
26.	Whether copies of comments/reply/rejoinder submitted? on		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: M. Aslam Khan Dori

Signature: [Signature]

Dated: 20/01/22

0346.9588583

**BEFORE THE CHAIRMAN SERVICE TRIBUNAL**  
**KP, PESHAWAR**

Service Appeal No. 666 /2021

Mst. Sumaira Parveen (PSHT) wife of Syed Ibrar Hussain Shah, resident of Village Sultanpur, P.O Havelian Tehsil Havelian District Abbottabad.

...APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, KPK, Peshawar & others.

....RESPONDENTS

**SERVICE APPEAL**

**INDEX**

S. #	Description	Page #	Annexures
1.	Service appeal alongwith affidavit	1 to 9	
2.	Copy of statement of parents, teacher & council	10-11	"A"
3.	Copies of completion certificates	12-13	"B"
4.	Copy of Comprehensive report of Sub-divisional Education Officer Abbottabad.	14-16	"C"
5.	Copy of show cause notice dated 16/11/2019 and constitution of inquiry committee dated 16/07/2019	17-18	"D" & "E"
6.	Copy of reply of show cause notice	19-20	"F"
7.	Copy of impugned notification/ order Endst No. 6405-10 dated 29/09/2020	21-22	"G"
8.	Copy of departmental appeal	23	"H"
9.	Wakalatnama		

*Sumaira Parveen*  
...APPELLANT

Dated: \_\_\_\_\_ /2021

Through

*Muhammad Arshad Khan Tanoli*  
Advocate High Court, Abbottabad

1

**BEFORE THE CHAIRMAN SERVICE TRIBUNAL**  
**KP, PESHAWAR**

Service Appeal No. \_\_\_\_\_/2021

Mst. Sumaira Parveen (PSHT) wife of Syed Ibrar Hussain Shah, resident of Village Sultanpur, P.O Havelian Tehsil Havelian District Abbottabad.

...APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, KPK, Peshawar.
2. Director Elementary & Secondary Education, KPK, Peshawar.
3. District Education Officer (Female), Abbottabad
4. District Account Officer, District Abbottabad.

...RESPONDENTS

**SERVICE APPEAL** UNDER SECTION 4 OF K.P SERVICE TRIBUNAL ACT, 1974, FOR DECLARATION TO THE EFFECT THAT THE APPELLANT IS SERVING AS PSHT IN GOVT. GIRLS PRIMARY SCHOOL HAVELIAN STATION, DISTRICT ABBOTTABAD AND SPENT 4,80,000/- ON CONSTRUCTION OF SIX CLASS ROOMS OF THE SCHOOL THROUGH PARENT TEACHER COUNCIL AND AFTER SUCCESSFUL COMPLETION OF THE CONSTRUCTION WORK, COMPLETION CERTIFICATE HAS BEEN ISSUED

BY THE COMPETENT AUTHORITY AFTER THOROUGH CHECKING OF THE WORK DONE TO THE APPELLANT BUT RESPONDENT NO. 3 WITHOUT FOLLOWING THE PRESCRIBED PROCEDURE IMPOSED MINOR PENALTY OF RECOVERY OF RS. 4,20,000/- FROM THE SALARY OF THE APPELLANT VIDE IMPUGNED ORDER DATED 22/09/2020 WHICH IS PERVERSE, DISCRIMINATORY AGAINST THE LAW AND THE IMPOSITION OF MINOR PENALTY IS LIABLE TO BE SET ASIDE.

=====  
**PRAYER**; ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, IMPUGNED ORDER DATED 22/09/2020 REGARDING IMPOSITION OF MINOR PENALTY OF RECOVERY AMOUNTING TO RS. 4,20,000/- MAY BE SET ASIDE AND RESPONDENTS MAY BE DIRECTED NOT TO RECOVER ANY AMOUNT FROM THE MONTHLY SALARY OF THE APPELLANT. IT IS FURTHER PRAYED THAT IN CASE, ANY AMOUNT HAS BEEN FOUND RECOVERED FROM THE SALARY OF THE APPELLANT, MAY BE ORDERED TO BE REFUNDED TO THE APPELLANT. ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL

DEEM APPROPRIATE IN THE CIRCUMSTANCES  
OF THE CASE MAY ALSO BE GRANTED TO THE  
APPELLANT.

=====

Respectfully Sheweth;-

That the facts forming the background of the instant  
service appeal are arrayed as under;-

1. That Govt. of the K.P allocated sum of Rs.  
\_\_\_\_\_ for the construction of 06 Class  
Rooms of Govt. Primary School Havelian Station  
District Abbottabad.
2. That the appellant as per law, looked after the  
construction of the subject class rooms and the  
amount spent on the construction of the class  
rooms by the parent teacher council through their  
resolutions. In this regard, statement of parents  
teacher council is attached as Annexure "A".
3. That the appellant as well as parent teacher council  
left no stone unturned in the speedy, smooth and  
standard construction of the class rooms in the  
school. With the grace of Almighty Allah the class  
rooms of the school were constructed and the

concerned authorities, after thorough checking of the work done, awarded completion certificates to the appellant. Copies of completion certificates are attached as Annexure "B".

4. That Sub-divisional Education Officer (Female) Abbottabad also ratified the construction work according to the standard operational procedure. In this regard, copy of complete and comprehensive report of Sub-divisional Education Officer Abbottabad is attached as Annexure "C".
5. That after completion of work, a show cause notice was issued to the appellant by respondent No.3. Besides, an inquiry committee was also constituted to probe into the construction work in the school. Copy of show cause notice dated 16/11/2019 and constitution of inquiry committee dated 16/07/2019 are attached as Annexure "D" & "E", Hence, the appellant replied to the show cause notice. Copy of reply of show cause notice is attached as Annexure "F".
6. That without following the codal formalities and prescribed procedure, respondent No. 3 imposed



minor penalty of recovery of Rs. 4,20,000/- from the salary of the appellant, vide impugned notification/ order Endst No. 6405-10 dated 29/09/2020. Copy of impugned notification/ order Endst No. 6405-10 dated 29/09/2020 is attached as Annexure "G".

7. That following this, the appellant filed departmental appeal to the respondents but the matter is still under correspondence within the concerned offices of the department. Copy of departmental appeal is attached as Annexure "H". Hence, the instant service appeal is filed inter-alia on the following grounds:-

**GROUND:-**

- a. That the appellant has no concern with the spending/utilization of the fund as the construction fund is utilized by the parent teacher council. All the funds or part thereof is utilized through proper resolution passed by the parent teacher council. Besides, no embezzlement/ criminal breach of trust has been committed by the appellant. Therefore,

the appellant has been made a scapegoat for the acts not done by her.

- b. That the appellant is innocent and whatever has been done in the construction of class room of the school has been done with due care and diligence.
- c. That this fact may not be left to fade in oblivion that the so-called inquiry has been carried out against the appellant with malafide intentions as the same been ordered after completion of the work at the school. Once, the construction work has been completed, and completion certificate has been issued, by the concerned authorities, then, the constitution of inquiry and the imposition of minor penalty by the respondent No. 3 is absolutely against the law, rules and norms of justice.
- d. That court should not fold-up its hand while granting relief to the aggrieved appellant. It is further submitted that the appellant as well as parent teacher council of the school

are not the approved Govt. Contractors. But the prime function of the appellant is to teach the students not to carry out construction in the school. It is humbly submitted that Govt. should award contract to the contractors for construction of work in the school so as to avoid technical complications.

- e. That respondents department has led the appellant to the place which is utterly, unknown to the principle of jurisprudence and natural justice.
- f. That no opportunity of participating before the inquiry committee was provided to the appellant to defend her case and similarly the appellant has been afforded opportunity of personal hearing. Hence, impugned order dated 29/09/2020 is liable to be set aside.
- g. That there is no other prompt, efficacious remedy, available to the appellant except the filing of instant service appeal.

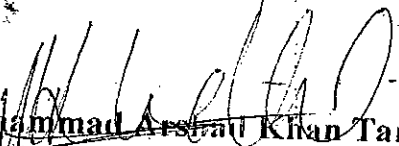
- h. That the matter in the instant service appeal relates to the financial issues/ recovery of amounts out of the salary of appellant. Hence, question of limitation does not arise.

It is, therefore, humbly prayed that on acceptance of the instant service appeal, impugned order dated 22/09/2020 regarding imposition of minor penalty of recovery amounting to Rs. 4,20,000/- may be set aside and respondents may be directed not to recover any amount from the monthly salary of the appellant. It is further prayed that in case, any amount has been found recovered from the salary of the appellant may be ordered to be refunded to the appellant. Any other relief which this Honourable Tribunal deem appropriate in the circumstances of the case may also be granted to the appellant.

Dated: \_\_\_\_\_/2021

Through

  
...APPELLANT

  
(Muhammad Arshad Khan Tanoli)  
Advocate Supreme Court of Pakistan

**VERIFICATION:-**

Verified on oath that the contents of foregoing service appeal are true and correct to the best of our knowledge and belief and nothing has been concealed therein from this Honourable tribunal.

  
...APPELLANT

**BEFORE THE CHAIRMAN SERVICE TRIBUNAL**  
**KP, PESHAWAR**

Service Appeal No. \_\_\_\_\_/2021

Mst. Sumaira Parveen (PSHT) wife of Syed Ibrar Hussain Shah, resident of Village Sultanpur, P.O Havelian Tehsil Havelian District Abbottabad.

...APPELLANT

VERSUS

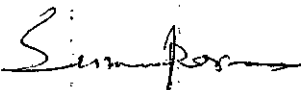
Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, KPK, Peshawar & others.

....RESPONDENTS

**SERVICE APPEAL**

**AFFIDAVIT**

I, *Mst. Sumaira Parveen (PSHT) wife of Syed Ibrar Hussain Shah, resident of Village Sultanpur, P.O Havelian Tehsil Havelian District Abbottabad*, do hereby solemnly affirm and declare that the contents of foregoing service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

  
DEPONENT

P-11

ٹیکر نے بے حد محنت کی۔ اس کے علاوہ انجینئرز اور پٹی اینڈ ڈی بھی سارے  
ساتھ کام کرتے رہے اور کام چیک کرتے رہے۔ اس سارے معاملے میں ہیڈ  
ٹیکر کا کام تسلی بخش رہا۔

لہذا محترم گزارش ہے کہ ساری اس رپورٹ پر ساری سائٹ ہیڈ ٹیکر  
سمیرہ پروین کو ریلیف دیا جائے۔

شکریہ!

منجانب پٹی اینڈ سی آر کانسٹ

سید

چیر پرسن پٹی اینڈ سی

روز پتہ ولد محمد دراز

17201-6032140-8

شناختی کارڈ نمبر

ارکان پی ٹی سی



1- ثویبہ بی بی

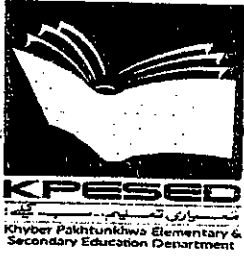
شناختی کارڈ نمبر: 6-8991999-13101



2- ثمنہ بی بی

شناختی کارڈ نمبر: 0-0572593-13102

Attested  
Mohammad Asif  
Advocate  
Office No. 37



Annex. B



P-12

# CERTIFICATE

## OF COMPLETION

The certificate is awarded to

EMIS Code: 10910 School Name: Govt. Girls Primary School, District: Abbottabad (Hv)

For the successful construction of 03 BR - 01 SK. VHo. Station in the year 2017-18.  
The construction was carried out by PTC of the School with the Technical Assistance / Supervision of District and Sub Engineer of Socio Engineering Consultants (SEC). The construction is as per approved design/drawings of the Department and is technically & qualitatively sound.

Name & Signature of Sub-Engineer

07/05/19

Name & Signature of District Engineer

7/5/18

Name & Signature of Chief Engineer

(Hashim, Cuell)

Attested

Office No. 1111  
Dist. Abbottabad

P-13

Elementary & Secondary Education Department  
Government of KP

Third party monitoring and provision of technical  
assistance of conditional grant programme in KP

**COMPLETION CERTIFICATE**

- I, the undersigned, certify that construction work/ funds at Girls Hostel Station (Male/ Female), EMIS # 10910, District Abotkhwa have been completed/ utilized as per the drawings/ specifications, as provided to PTCs for construction works under conditional grant program.
- Overall quality of construction work is Good / Average/ Below Average.
- Remaining works (if any) are detailed in visit performa # 06 and additional funds required (if any) are mentioned below.
- Below mentioned facilities are included & completed under conditional grant fund;

Facility	No.(s)	Sign
Additional Classroom(s)	03	Sumair
Group Latrine(s)	00	Sumair
Boundary wall	Yes/No	Sumair

- Following changes (if any) have been incorporated with the approval of the client or as per the site requirements;

S.No	Changes/ Deviation	Justification
	Nil	

- Funds utilization details are as below;

S#	Description	Amount	S#	Description	Amount
1	Total Conditional Grant Funds Allocated	21,00,000	2	Balance funds (If Any)	Nil
3	Total Amount Utilized	21,00,000	4	Additional funds required	450,000
5	Additional Amount utilized Source ( Nil )		Remarks (if any): Nil		

Issued by:

Name & Signature of Engineer: Engr. Mahmud Khan Khan  
 CNIC #: 13101-0316137-5  
 PEC No.: 52888/Civil  
 Date of Issuance: 02 Sept. 2020

Verified by:

Name of PTC Member(s): Sumair

Dated: 02.09.2020

(Sign & Stamp)

*Sumair*

*Sumair*

Note: DCS have provided periodic construction monitoring as per the scope of services of agreement, and resident supervision of works have been carried out by the PTCs

*Attested*  
 Muhammad  
 Advocate  
 Office No. 23



Annex - C

P-14

RARA  
#3  
AUDIT OBSERVATIONS

REPLY BY THE DDO / DEPARTMENT

REMARKS

Unjustified allocation of Rs 2,400 million

Section 41 of Local Government Act 2013 provides, "every official or servant of a local government, every member of a local council, and every person charged with administration and management of property of a local Government shall be personally responsible for any loss or waste, financial or otherwise, of any property belonging to a local Government which is a direct consequence of decisions made by him personally or under his directions in violation of this Act or any other law for the time being in force or which accrues Khyber Pakhtunkhwa Local Government Act, 2013 as a result of his negligence or misconduct, and shall be liable to pay such surcharge as may be determined by the respective Accounts Committee and such amount shall be recoverable as arrears of land revenue.

DEO F Abbottabad allocated/transferred Rs 4,800,000 to GGPS Havelian station during 2017-18 for the construction of three additional class rooms inside the school. Detail is as under:

S/No.	Date	Description	Amount
1	17.7.17	Transfer from DEO	800,000
2	7.2.18	Transfer from GGPS Phalian Jora	800,000
3	26.2.18	Transfer from GGPS Bagla purtan bol	800,000
4	4.6.18	Transfer from DEO	2,400,000
Total			4,800,000

During visit of the school it was observed that only Rs 250,000 has been spent on the excavation of foundation of three rooms till date of audit and the balance remained blocked besides blockage of Rs 22,500 provided of ECCE rooms which needed revival by the finance department for the next financial year.

The transfer/allocation of Rs 2,400,000 in June 2018 is held unjustified as the previous three rooms were still in the excavation of foundation stage and no more space was available besides play and assembly ground.

On the other hand during visit of GGHS Dairy Maira it was observed that the roof of old building was leaking and create problems for students as well as the staff during rain fall whereas the boundary wall was broken in different section and was unable prevent irrelevant from coming inside. Furthermore, 2 kanal land was acquired for up gradation of GGMS to GGHS whereas the new building was constructed on the old land and the newly acquired land was left vulnerable to illegal encroachments as neither any boundary wall was constructed nor the land was mutated in the name of Government to safeguard the public assets which may create problem and result in losses in future.

Non-allocation of funds for special repair of the school and boundary wall, in contrast of unjustified allocation to the GGPS Havelian station, is held irregular and needed clarification/regularization.

The irregularities occurred due to non-compliance of rules and regulations.

Audit suggests disciplinary action against the persons at fault besides recovery of Rs 2,400,000 from GGPS Havelian station and deposit in to government treasury and making arrangement for special repair of roof as well as the boundary wall of GGHS Dairy Maira.

Office  
Distt. Officer  
Abbottabad  
[Signature]

It is stated that Rs: 22500/- has been allocated to GGPS Havelian Station for the decoration of C/rooms on the subject of T.L.M (Teacher Learning Materials) which is a separate subject.

As far as the question of the grant of Rs:48,00,000/- meant for the construction of 6 class room is concerned, it is stated that GGPS Havelian Station is situated in the heart of city and all Tehsil level functions are held in the said school. The Departmental Trainings / Refresher Courses, Re-orientation course etc are also held in this school. Moreover the school has a heavy enrollment consisted of more than 600 students. So the department has given a wide preference to the said GGPS and provided the sufficient provision, so that no any hurdle could stop the said important task, organized by the Government / Department.

In this regard a report presented by the GGPS duly attested by the ASDEO circle recommended by the SDEO (F) Havelian is pursued herewith for kind consideration.

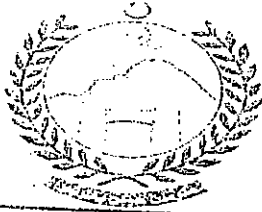
Already brought in the notice that maximum PTC Fund has been utilized by the PTC now.  
(Copy of latest bank statement is enclosed herewith.)

As far as the question of Availability of space is concerned, it is already stated in the report presented by the school that the construction work of six (6) class rooms has been reached to its final stage. The PTC of GGPS Havelian Station is wise enough that they have arranged the sufficient land / space for the construction of 6 class rooms in the premises of the school, following the relevant specifications issued by the department which is quite appreciating.

[Signature]  
Sub Divisional Engineer  
Officer (F) Abbottabad

P-15

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD



No. 7237

Date: 2/9/2019

☎ 0992-342533, 0992-342314

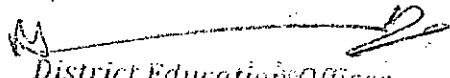
✉ Deofemale.abbottabad@gmail.com

To

The Sub Divisional Education Officer  
(Female) Havelian

Subject: STOP THE CONSTRUCTIONAL WORK AT GGPS HAVELIAN STATION.  
Memo:

As per decision of inquiry committee, you are directed to inform the concerned head teacher of GGPS Havelian Station to stop the constructional work, and submit the cash in FFC Account which is already drawn and provide fresh bank statement for further necessary action.

  
District Education Officer  
(Female) Abbottabad

*Attested*

Muhammed Arif  
Off. Adv. Secy  
Office  
Dist. Education Officer

*To Hamid Babar*

*intimate A.S.D. 2019 C.S. & A.T.*

*M. Raja*  
*4/9/2019*

*Received by*  
HEAD MISTRESS  
GOVERNMENT P. M. S. SCHOOL  
HAVELIAN DISTRICT  
7/8/19

P-16

**MOST IMMEDIATE**



**GOVERNMENT OF KHYBER PAKHTUNKHWA,  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

No. MO-II/ESRU/E&SED/CG/Complaint/A.Abad/2020-21  
Dated: 29-12-2020

To

The DEO (Female),  
Abbottabad.

Subject: **COMPLAINANT AGAINST RECOVERY**

Enclosed find herewith a self-explanatory application received from Ms. Sumaira Perveen (PSHT) GUPS Havelian Station, Abbottabad with further request to submit detail information to this office within 3 days positively so as to proceed further in the case.

**Monitoring Officer-II  
ESRU, E&SE Department**

**Endts: even No & Date.**

Copy forwarded to:

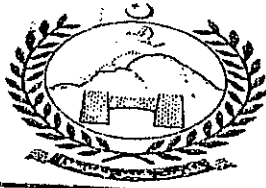
1. PS to Secretary, Elementary & Secondary Education Department.
2. PA to Director ESRU, Elementary & Secondary Education Department.

*Allesed*

**Monitoring Officer-II**



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD



No. \_\_\_\_\_ / \_\_\_\_\_  
Dated: \_\_\_\_\_ / 2019  
0992-342533, 0992-342314  
Deofemale\_abbottabad@gmail.com

Annex-D

P-17

SHOW CAUSE NOTICE

I, Rehana Yasmin, District Education Officer (Female) Abbottabad being competent authority under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline Rule 2011) do hereby serve upon you Mst. Sumaira Parveen (PSHT), GGPS Havelian Station Abbottabad, Show Cause Notice as Follows.

- That, the amount of Rs 6,895,000/ was allocated to your PTC Account.
- That, amount was misappropriated for construction of SDEO office also.
- That, you drawn amount 1,000,000/ from Bank till 12-02-2019, without any justification and kept cash in hand unlawfully for 08 to 09 months.
- That, your construction is still in-complete.
- That, your constructional work is substandard.
- That, it shows your mismanagement, negligence, carelessness and irregularities in constructional work.

In exercise of Power conferred upon me government servants (Efficiency & Discipline Rule 2011), I, as a Competent Authority served upon you with the instant Show Cause Notice with the direction to submit reply within 07 days of the issuance of this notice as to why the major/minor penalties of said rules should not be imposed upon you and also intimate whether you desired to be heard in person.

In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defence to offer and Ex-Parte decision will be taken against you under the E&D rules ibid.

Endst No: 9694-95 dated: 16/11/2019

*[Signature]*  
District Education Officer  
(Female) Abbottabad

Copy of the above is forwarded to:

- The Director, E & SE KP, Peshawar.
- Office File.

*Allocated*

*[Signature]*  
District Education Officer  
(Female) Abbottabad

*[Signature]*  
21/11/2019

16/11/19

Annex - "E"

P-18



**OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD**

No. \_\_\_\_\_/

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

☎ 0992-342533, 0992-342314

✉ Deofemale\_abbottabad@gmail.com

**NOTIFICATION**

Mst. Nasra Jabeen Principal GGHS Kari Raiki, Mst. Saqia Bano HM GGHS Namli Maira and ADO P&D Mr. Shahzad are hereby appointed as inquiry officers to conduct fact finding inquiry regarding incomplete work of conditional Grant of GGPS Havalian Station to probe in to the matter and submit report with recommendations within 7 days positively for further action.

Endst No: 6009-3 dated: 16/7/2019

Copy of the above is forwarded to:

- 1: Mst. Saqia Bano HM GGHS Namli Maira Abbottabad.
2. Mr. SShahzad ADO P&D

*[Signature]*  
Dy: District Education Officer  
(Female) Abbottabad

*[Signature]*  
Dy: District Education Officer  
(Female) Abbottabad

*Allesed*

*[Signature]*

Annex - F

To

The Honourable, Rehana Yasmin  
District Education Officer (Female)  
Abbottabad.

P-19

Subject: REPLY OF SHOW CAUSE NOTICE

Respected Madam,

With Reference to your show cause notice, reply is submitted as under for your kind perusal please.

1. With due respect, it is submitted that for extension and construction of rooms for school, fund allotted to school from year 2017 to 2018 which was almost 40,00,000/-. Accordingly, whole fund was utilized on construction and 5 rooms were built on.
2. Later on SDO Office Havelian was shifted to our school, which is still functioning. Thereafter further fund for construction of 3 rooms for SDO office was allotted. On this decision was taken to construct the said rooms behind school building whereon 8 bathrooms were available but condition of the said bathrooms were very delapidated and can't be useable, hence, said bathrooms were demolished and reconstructed.
3. As building of school is within limits of ammunition Depot and provision of construction material is very difficult and expensive. Shifting of construction material through donkeys is also expensive and carriage in this regard also paid, as there is no passage of vehicle to reach school building. Contractor also take some time due to his personal engagements, take sufficient time in shuttering. Due to which learned SDO stopped construction work and inquiry was initiated against contractor,

Accepted

M. Muhammad  
Advocate  
Abbottabad

WMA

P-20

more than 4 months had been lapsed and all construction material available were spoiled and wasted.

4. Construction work of other school who started the work within same period is still under construction. Official/Officer of parent Department as well as allied Departments PND and Engineers on different occasion inspected site/construction work and found satisfactory.
5. After completion of 5 rooms and during construction of 3 rooms, high up from Peshawar leveled Audit Para on department, thereon on the instruction of relevant SDO of that time remaining balance amount was withdrawn and bank statement was shown as nil for removing audit Para. During this construction work was carried out and withdrawn amount was spent thereon.

It is very humbly prayed that, with aforesaid reason, Show Cause Notice may kindly be withdrawn and undersigned may kindly be provided opportunity to complete remaining construction work, undersigned also wished to be heard in person. I shall be very thankful to you for your this kind action please.

Reply is submitted please.

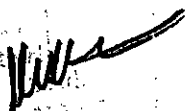
Yours obediently,

  
Sumaira Perveen  
PHST GGPS Havelian.

  
HEAD MISTRESS  
Govt. Girls Primary School  
HAVELIAN STATION

Muhammad  
Advocate  
Office No.  
Dist. Havelian

*Alleged*



Annex - G

P. 21

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD

No. / Dated: / 2020

0492-342533-0992-342314  
Deotennile\_abbottabad@gmail.com

**Notification**

WHEREAS, Ms. Sumaira Parveen PSHT GGPS Havelian Station (B&SE) District Abbottabad was involved in corruption under the Khyber Pakhtunkhwa Govt. Servant (Efficiency & Discipline) rule 2011 for the charges leveled against accused.

WHEREAS, amount of Rs. 68,95,000 under C/G was allocated for construction of 08 additional class rooms, 02 group latrine and electricity but you failed to utilized it properly and the work of 03 additional C/R and 01 G/L is still pending.

WHEREAS, inquiry committee was constituted comprising the following officers to conduct formal inquiry against the accused teacher for the charges leveled against her in accordance with the rules.

1. Ms. Nasira Jabeen Principal GGHS Keri Raiki.
2. Ms. Saiqa Bano Headmistress GGHS Namli Manra
3. Mr. Shahzad Abbasi ADO P/D

AND WHEREAS, the inquiry committee after having examined the charges, evidence on record and explanation of accused, has submitted the report that Mst. Sumaira Parveen PSHT GGPS Havelian Station has been involved in corruption/ Embezzlement and misappropriation in funds under conditional grant and moreover investigation by the said committee indicates that material used in construction seems substandard.

WHEREAS, show-cause notice issued under no. 9694-95 dated 16-11-2019, regarding the charges leveled against you, however you failed to satisfy the undersigned.

WHEREAS, personal hearing conducted under no. 10097-99 dated 04-12-2019, but you failed to justify to keep Rs. 10,00,000, cash in hand for period of 04 months, this is quite illegal.

WHEREAS, ADO (P&D) visited the said school dated 30-06-2020, and reported about incomplete work of 03 additional C/R.

WHEREAS, Development Consultancy Services (Technical Assistance) visited the said school and reported cost estimate of remaining work that is 420,000.

WHEREAS, the competent authority (District Education Officer, Female Abbottabad) after having considered the charges and inquiry report, explanation of the accused Mst. Sumaira Parveen PSHT GGPS Havelian Station in response to the show-cause notice and personal hearing granted by the DEO (F) Abbottabad is of the view that the charges against the accused Mst. Sumaira Parveen PSHT GGPS Havelian Station have been proved.

NOW THEREFOR, In exercise of powers conferred under section 14 Khyber Pakhtunkhwa Govt. Servant (Efficiency & Discipline Rules-2011), I the District Education Officer

Attached

11/11



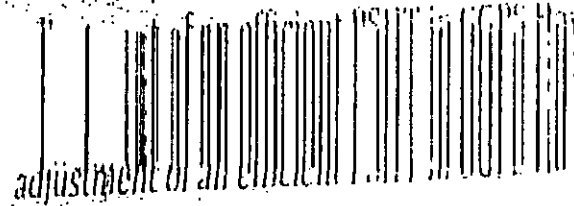
(Female) Abbottabad being Competent Authority is pleased to impose a minor penalty of (Recovery of amount 120,000) upon Mst. Sumaira Parveen (PSHT) GAPS Havelian Station

District Education Officer  
(Female) Abbottabad

Encls. No. 6405-19 dated 22/3/2020

Copy of the above is forwarded to:

- Director Elementary & Secondary Education Peshawar KPK
- Deputy Commissioner Abbottabad
- District Monitoring Officer Abbottabad
- SDEO (F) Havelian (with the remarks to ensure recovery of the said amount and entry of the same in S/Book please. In case of non-compliance, the case will be forwarded to Anti-corruption, further SDEO (F) Havelian is directed to submit suitable proposal for



- Official Concerned
- Office file

District Education Officer  
(Female) Abbottabad

22/3/2020

Masid

Muhammad  
Advocate  
Office No. 33  
Dist. Bar

گورنمنٹ چیمبر ڈی۔ ای۔ او۔ صبا علیہ

Annex- H  
ڈسٹریکٹ ایسیٹ آباد (Ponade)

ایسیٹ :-

چیمبر عالیہ

موجودہ ڈسٹریکٹ ایسیٹ میں 26-9-2020 کو پانڈی پرنسپل میں کی گئی۔ اس کے علاوہ عملیہ رقم 420000/- کی Recovery بھی ڈالی گئی۔ جس کی مقدار منہج نہیں ہو سکتی۔ سکول بھارت میں ایک ہی سال میں اوپر سے فنڈ آیا اور میں نے کوئی فنڈ بھی ڈیمانڈ نہیں کیا تھا۔ ڈیمانڈ کی طرف سے فنڈ بھیجا گیا۔ میں نے تمام ایسیٹاری سے اور تمام تر مسائل جن میں سکول تک کا رہی نہ آنا / ذمہ داری / ایسیٹیشن ڈیپوٹے جی جی جی جی جی جی جی کے موجودہ عام کام specification کے مطابق اور ایسیٹری کی طرف سے کروایا گیا۔ تمام کام کے دوران تمام بجائے مختلف ٹیمیں جنک ٹیمیں جن میں AC اور DC وزٹ بھی شامل تھے۔ سکول میں پانی کی تنصیب کا انتظام نہیں کیا گیا اور ڈی کی کلیم لے کر لیا گیا۔ فنڈ اونچی میں۔ میں نے specification لکھا تھا اس میں سے زیادہ کام کروانا اور پانی کی پائپ لائنوں کا انتظام کروانا۔ کام میں تمام سٹریٹجی اور استعمال ہوا اور کی سکول سے زیادہ بہتر کام ہوا۔ آخری تین کمرے جن میں ٹائمرنگ کی کچھ چیزیں تھیں جو تھیں وہاں واش رومز اور ٹرائے ہوئے اور کچھ کھیلنے کے بھی کام لے کر گیا۔ چیمبر عالیہ۔ تقریباً تمام کھیل کھیلے صرف وہی Finish رہ گئے جو کمرے کی جگہوں کی اور ڈاک ڈاؤن کی رقم سے رہ گئی۔ لیکن میں امتداد اللہ کے تین لکھوں میں مکمل کرواؤں گی۔ صرف وہی لکھوں ایک تھوڑے لکھوں سے لکھوں حساب نہیں ہیں۔ اور پورے خاندان کی کفالت کرتی ہوں۔ اسی رقم سے لکھوں لکھوں رکھی۔ چیمبر عالیہ! میں نے گذشتہ 2 سالہ بڑی ایسیٹ ایسیٹری سے پورے تین لکھوں سے سرائی میں آپ میری مسئلہ آہستہ آہستہ بوجھتی ہیں۔

میری آپ سے اپیل ہے کہ میری اس کو تاج کو معاف فرماتے ہوئے میرا اسٹریٹجی رڈر لکھیں کیا وہ اور موجودہ کام کو مکمل کرنے کی حد تک کی سہولت دی جائے۔ اسٹریٹجی میں کام مکمل کروں گی اور پھر سے بھی زیادہ اچھی کارکردگی دکھاؤں گی۔ آپ سے رقم کی اپیل کرتی ہوں کہ آپ اپنے منہج پر نظر ثانی فرمائے ہوئے میری اپیل کو مسترد نہ فرمائیں۔ اور میری تنصیب کو قبول فرمائے ہوئے میری اپیل کو مسترد نہ فرمائیں۔

30-09-2020

look to the matter & do needful

30/09/2020

Muhammad A. Khan  
District Jhelum

30-09-2020

30-09-2020

**“B”**

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
 JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
 PESHAWAR.

No.

*Registered*

*TB A/Abad*

Appeal No. *666* of 20 *22*

*Mst Sumaira Parveen* Appellant/Petitioner

Versus

*Through Secy: (E&SE)* Respondent

Respondent No. *B 4*

Notice to: —

*District Account Officer A/Abad.*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on *17-6-22* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this *12*.....

Day of.....*5* 20 *22*

*at camp court  
 A/Abad.*

*[Signature]*

Registrar,  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.

**"B"**

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No. *Rosey*

*T B A I A b a d*

Appeal No. *66b* of 20 *22*

*Mst Sumaira Pourveer* Appellant/Petitioner

Versus

*Through Secy: (E&SE)* Respondent

Respondent No. *3*

Notice to: — *District Education office (Female)*  
*A I A b a d*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on *17-6-22* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal  attached. Copy of appeal has already ~~been sent~~ to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this *12*.....

Day of..... *5* 20 *22*

*at camp court*  
*A I A b a d*

Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
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**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

*Rosef*

*T B A I A b a d*

No.

Appeal No. *666* of 20 *22*

*Mst Sumaira Perveen* Appellant/Petitioner

Versus

*through Secy. (E&SE)* Respondent

Respondent No. *3*

Notice to: *District Education officer (Female)*  
*A I A b a d*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on *17-6-22* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Given under my hand and the seal of this Court, at Peshawar this *12*.....

Day of..... *5* 20 *22*

*at court court*

*A I A b a d*

Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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**“B”**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD,**  
**PESHAWAR.**

No.

*Regd*

*TB Alabad*

Appeal No. *666* of 20 *22*

*Mst Sumaira Parveen* Appellant/Petitioner

Versus

*Through Secy: CESSE* Respondent

Respondent No. *B 4*

Notice-to:

*District Account officer Alabad*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on *17-6-22* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Given under my hand and the seal of this Court, at Peshawar this *12*.....

Day of..... *5* 20 *22*

*at camp court*

*Al Abad.*

*Q*

Registrar,  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

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