20.04.2022

Appellant present in person. Mr. Noor Zaman Khattak, District Attorney for the respondents present.

Appellant requested for adjournment on the ground that his counsel is out of station. Adjourned. To come up for arguments on 17.06.2022 before the D.B at Camp Court Abbottabad.

(Rozina Rehman) Member (J) Camp Court, A/Abad (Salah-Ud-Din) Member (J) Camp Court A/Abad

17.06.2022

Appellant with counsel present.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General alongwith Sohail Ahmad Zeb Litigation Officer for respondents present.

Request for adjournment was made on behalf of appellant in order to prepare the brief. Adjourned. To come up for arguments on 19.03.2022 before D.B at Camp Court, Abbottabad.

(Fareeha Paul) Member (E) Camp Court, A/Abad (Rozina Rehman) Member (J) Camp Court, A/Abad 15.06.2021

Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 29.09.2021.

Reader

29.09.2021

Nemo for the appellant. Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Sohail Ahmad Zeb, Litigation Officer for the respondents present.

Notices be issued to appellant/counsel for the next date. Case to come up for arguments on 18.01.2022 before the D.B at Camp court, Abbottabad

(Rozina Rehman)
Member(Judicial)
Camp Court, A/Abad

Chairman Camp Court, A/Abad

18.01.2022

Clerk of learned counsel for the appellant present. Mr. Sohail Ahmed Zeb, Litigation Officer alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Abbottabad Bench. Adjourned. To come up for arguments on 20.04.2022 before the D.B at Camp Court Abbottabad.

(Rozina Rehman)

Member (J)

Camp Court A/Abad

(Salah-ud-Din) Member (J) Camp Court A/Abad Appellant in person present.

Usman Ghani learned District Attorney alongwith Sohail Ahmad Zeb Litigation Assistant for respondents present.

Written reply/comments on behalf of respondents is still awaited. Representative of respondents made a request for adjournment to furnish reply/comment. Opportunity is granted. To come up for written reply/comments on 16.12.2020 before S.B at Camp Court, Abbottabad.

> (Rozina Rehman) Member (J) Camp Court, A/Abad

Due to con0-19 ad Journal to 17-03-2021

17.03.2021

Learned counsel for the appellant present.

Riaz Khan Paindakheil learned Asst. AG alongwith Sohail Ahmed Zeb Litigation Officer for respondents present.

Representative submitted reply/comments on behalf of respondent No. 1 to 4 which is placed on file. To come up for rejoinder in any, and arguments on 17 / o6/2021 before D.B at Camp Court Abbottabad.

> (Atiq ur Rehman Wazir) Member (E)

Camp Court, A/Abad

Due to covid ,19 case to come up for the same on / / at camp court abbottabad.

Reader

Due to summer vacation case to come up for the same on /2/ (0 / 20 at camp court abbottabad.



22.01.2020

Appellant in person present. Written reply not submitted. Sohail Ahmad Zeb Litigation Officer representative of respondent department present and seeks time to furnish reply. Granted. To come up for reply on 24.01.2020 before S.B at Camp Court Abbottabad.

Member Camp Court, A/Abad

24.01.2020

Appellant in person present. Written in not submitted. Sohail Ahmad Zeb Litigation of the respondent department presentative of the respondent department presented seeks time to furnish reply. Granted. To come up for virial reply/comments on 17.02.2020 before S.B at Camp Court Abbottabad.

Member Camp Court, A/A

19.11.2019

Appellant with counsel present. Preliminary arguments heard.

The appellant (PSHT) has filed the present service appeal against the order dated 28.05.2019 whereby major penalty of reduction of three lower stages in time scale, was imposed upon him, alongwith recovery of embezzlement amount Rs.360000/-(Rupees Three lac sixty Thousand only) in PTC funds/conditional grants. The factum of rejection of departmental appeal, filed by the appellant, was communicated vide office letter dated 11.09.2019.

Points urged need consideration. The present service appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security & process fee within 10 days. Thereafter notices be issued to the respondents for reply/comments. To come up for written reply/comments on 18.12.2019 before S:B-at-Camp_Court, Abbottabad.

Appellant Deposited
Security a Process Fee

Member Camp Court, A/Abad

18.12.2019

Appellant in person and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Muhammad Tufail, Assistant Litigation Officer for the official respondents present. Written reply on behalf of respondents has not been submitted. Representative of the department seeks time to submit written reply. Appellant stated that the respondent-department is going to make recovery from him and requested that the respondent-department may be restrained from making recovery till the decision of the case as the impugned recovery has been challenged in the present service appeal, therefore, respondents are restrained from making recovery from the appellant till next date. Case to come up for written reply/comments on 22.01.2020 before S.B at Camp Court Abbottabad.

(Muhammad Amin Khan Kundi) Member Camp Court Abbottabad

MA

Form- A

FORM OF ORDER SHEET

Court of	
Case No	1341/ 2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
.1	2	3
1-	14/10/2019	The appeal of Mr. Haq Nawaz presented today by Mr. Khaled Rabbani Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.
		REGISTRAR IN (10)
2-		This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on $19 - 11 - 2019$
	:	CHAIRMAN
,		
1		

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 341 -1/2019

Haq Nawaz PSHT, GPS Jandar Dhaki, Circle Boi, Tehsil & District Abbottabad.

..APPELLANT

VERSUS

Director Education Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

APPEAL

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S. #	Description	Page #	Annexures
1.	Service Appeal alongwith affidavit	1 to 15	
2	Copies of the reports	16-25	44 A 22
3.	Copy of the order Endst. No. 2508-10/FP&D/Cricle Boi, dated 09/03/2017	36-60	"A" "B"
4	Copy of appeal	61-69	"C"
5	Copy of order/ judgment dated 23/11/2017	700 72	"D"
5.	Copy of execution petition alongwith order sheets	74-97	"E" & "`F"
5.	Copy of final show cause notice	98-102	"O"
7	Copy of the written reply	1:03-105	"G"
3.	Copy of later		"H"
) <u>. </u>	Copy of written reply respondent No. 2	106-12	"I"
0.	Copy of the order	107-1111	, "J"
1	Copies of departmental appeal alongwith	112	"K"
	postal receipt	113-121	"L"
2.	Copy of later Endst. No. 669, dated		:
ļ	11/09/2019 Endst. No. 669, dated	122	"M"
3.	Conv of the report of F		
	department	123-126	"N"



14.	Copies of the relevant pages of PTC Law	127-145	"O"
15.	Copy of the proof of gratification alongwith	11 101	"O-I"
	all relevant documents and result of inquiry	146-176	, (
16.	Copy of the order No. 265-67 dated 07/01/2017 as attached as Annexure "P"	10-	"P" & "P-I"
	07/01/2017 as attached as Annexure "P"	1477-21)8	12.2 15
	land some of the street	· /	
;	alongwith reply and the relevant documents/ medical certificate	318 121	
	medical certificate	a1 1- 431	
17	Copy of the monthly pay slip for the months	,	"Q"
	of July, 2019 to September 2019	237-234	
18	Wakalatnama	19.2 4-	
	waxaaana	457	

...APPELLANT

Through

Dated: /2019

(KHALID RABBANI)
Advocate High Court, Abbottabad



BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1341 -4/2019

Haq Nawaz PSHT, GPS Jandar Dhaki, Circle Boi, Tehsil & District Abbottabad.

...APPELLANT

VERSUS

Khyber Pakhtukhwa Service Tribunal

Diary No. 1444

Dared 14/10/2019

- Director Education Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 2. District Education Officer (Male), Abbottabad.
- 3. SDEO (Male), Primary Abbottabad.
- 4. District Accounts Officer District Comptroller of Accounts, Abbottabad.

...RESPONDENTS

Filedto-day
Registrar

SERVICE APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER OF RESPONDENT NO. 2 DECLARING TO THE EFFECT THAT ENDST. NO. 6207-II/HAQ NAWAZ P&D, DATED 25/05/2019 IS VOID, CONTRARY TO LAW, BASED ON MALICE, MALAFIDE, ILL WILL OF RESPONDENT, ARBITRARY HENCE INEFFECTIVE UPON THE RIGHTS OF APPELLANT.



PRAYER; ON ACCEPTANCE OF INSTANT **APPEAL IMPUGNED** ORDER -ENDST. NO. 6207-II MENTION IN HEADING OF SERVICE APPEAL KINDLY BE DECLARED AS NULL AND VOID, BASED ON ILL WILL RESPONDENTS AND MALICE, CONSEQUENTLY **APPELLANT** BE EXONERATED FROM THE CHARGES, ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL MAY DEEM APPROPRIATE AND FIT UNDER THE CIRCUMSTANCES OF THE CASES MAY ALSO BE GRANTED.

Respectfully Sheweth:-

1. That appellant is a teacher by Profession and Joined Education Department as Teacher in BPS-5 in Primary School and after completion of Job with highly Satisfaction of the Superiors promoted upto BPS-15.



- 2. That during the present Government Era in Education Department a developmental 'Program/ planning was made through which for the purpose of security and safety. Government provided funds to the different school for construction of boundary walls and for other necessary requirements.
- 3. That appellant was posted at GPS Jandar Dhakki Union Council Kukmong District Abbottabad for which Government provided funds for the construction of boundary wall and funds were being utilized through PTC under the supervision of local representatives.
- 4. That appellant has started the work at site for construction of boundary wall with the consent and in consultation with the Chairman PTC, under the supervision of local representatives.
- 5. That during the continuance till the finalization of the work at site, the local representatives and the Chairman PTC



remained satisfied with the progress of appellant for which they have submitted the satisfactory report up to the work done.

Copies of the reports are annexed as Annexure "A".

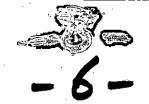
- 6. That with the malice of the local political workers and for achieving political goals so called inquiry was started against the appellant through respondent No. 2.
- That neither proper inquiry was conducted 7. nor appellant was provided and opportunity of being hearing personally, on the basis of impugned/ so-called inquiry respondent NO. 2 awarded punishment to the appellant through letter No. 2508-10, dated 02/03/2017 for the recovery of 03 Lacs (3,000,00/-) and the reduction of appellant BPS-15 to BPS-14. Copy of the order Endst. No. 2508-10/FP&D/Cricle Boi, 09/03/2017 is annexed as Annexure "B".
- 8. That feeling aggrieved from the illegal orders of respondent No. 2, appellant



preferred departmental appeal before respondent No. 1 but of no use.

- 9. That after fulfilling the codal formalities, appellant preferred service appeal bearing No. 715-2017 before this Honourable Tribunal on the facts and grounds mentioned therein. Copy of appeal is annexed as Annexure "C".
- 10. That through the process of this Honourable

 Tribunal respondent appeared and contested
 the appeal before this Honourable Tribunal.
- 11. That this Honourable Tribunal 23/11/2017 pass judgment in service appeal No. 715/2017 and held that "consequently the present appeal is accepted and the impugned order set-aside. The department is however, at liberty to hold denovo proceedings in accordance with law/ rule parties are left to bare there own costs. File be consigned to record room. Copy of order/ judgment dated 23/11/2017 annexed as Annexure "D".



- 12. That appellant file execution petition in the light of the orders/ judgment of this Honourable Tribunal which is pending before this Honourable Tribunal and is fixed for 20/11/2019. Copy of execution petition alongwith order sheets are annexed as Annexure "E" & "F".
- 13. That it is wroth to mention here that in the impugned order respondent No. 2 stated that appellant served through inquiry committee on 04/06/2018 where as the appellant came to the knowledge through the representative of respondent during the proceedings of execution petition No. 180/17 on 15/01/2019. Surprisingly only one page of final show cause notice was handed over to appellant in the court, neither findings of inquiry committee nor any charge sheet or any other documents have been given to the appellant. Copy of final show cause notice is annexed as Annexure "G".



That on 02/02/2019 appellant was personally heard through head clerk namely Muhammad Ayaz against whom appellant agitated objection of personal hearing being incompetent person through written reply. Copy of the written reply is annexed as Annexure "H".

- 15. That in result of the objection made by appellant respondent No. 2 again issued letter No. 1619 dated 11/02/2019 for again personal hearing on 16/02/2019. Copy of later is annexed as Annexure "I".
- 16. That the appellant again submitted written reply to respondent NO. 2 during personal hearing and verbally explain the position.
- second personal hearing before respondent

 No. 2 and the clerk namely Muhammad

 Ayaz, petitioner/ appellant requested to hand

 over the charge sheet and inquiry report

 alongwith necessary documents, but

 respondent No. 2 and clerk West Muhammad



Ayaz did not provided any document to appellant which by law they were bound to hand over the documents to appellant. Copy of written reply/respondent No. 2 is annexed as Annexure "J".

- order dated 28/05/2019 which is arbitrary, against the facts, based on malafide, ill will, having no legal effect upon the rights of the appellant, which was received by appellant on 06/07/2019. Copy of the order is annexed as Annexure "K".
- 19. That feeling aggrieved from impugned order appellant preferred a departmental appeal before respondent No. 1. Copies of departmental appeal alongwith postal receipt are annexed as Annexure "L".
- 20. That a latter from the office of respondent

 No. 1 received on 19/09/2019 through post

 office mentioning there in that appeal of
 appellant has been rejected. Copy of later



Endst. No. 669, dated 11/09/2019 is annexed as Annexure "M".

21. That the impugned order Endst. No. 6207-11/Haq Nawaz/ P&D dated 28/05/2019 is against he law, fanciful, arbitrary, based on malafide, hence untenable in the eye of law on the following grounds inter-alia others;-

GROUNDS;-

- a) That the so called inquiry has not been conducted as per law and appellant condemned unheard without providing the documents i.e charge sheet, inquiry report, and other relevant document, hence appellant remained condemned unheard.
- b) That appellant have inquired/ the work done at the site through specification/ measurement by the Engineer C&W Department privately whose report shows that work done at the site is of Rs. 11,85,710/- value where as total amount/Grant for the



purpose was only Rs. 6,60,623/-.

Copy of the report of Engineer from

C&W department is annexed as

Annexure "N".

- c) That a PTC is constituted for the purposes like the case of appellant and as per the rules PTC fund is non auditable and if there is any need only third party can check the mature for the purpose of which Secretary Education will constitute/appoint third party. Copy of the relevant pages of PTC Law is annexed as Annexure "O".
- That in the year 2014 appellant was promoted from BPS-14 to BPS-15 and was transferred to out station not from Union Council but from Tehsil in consequent/result of not paying the gratification by appellant to the then SDEO Mr. Ghulam Safdar.



- e) That when this fact brought to the notice of the then D.E.O who challenged appellant to provide proof of gratification.
- f) In result of the challenge appellant paid Rs. 3000/- by keeping record with him as a proof of gratification received by the SDEO.
- That in result of the proof given by g) appellant, appellant transferred again in the Union Council through corrigendum, while inquiry went upto the worthy Chief Secretary Khyber Pakthunkhwa who passed proper orders in the matter. Copy of the proof of gratification alongwith all relevant documents and result of inquiry are attached as Annexure "O-I".
- h) That the whole story against the appellant is based on malafide, during personal hearing in another matter Ex



DEO Mr. Zia ud Din (Now Dead) had abused appellant and has appointed from his own office SDEO Mr. Babar Bashir as inquiry officer who leveled false allegations against appellant only for the satisfaction of his boss.

i) That revenge to the compliant against the department high ups by the appellant the whole senior departmental officer are malafidely grabbing the appellant in different allegations which are against the facts and laws one in them is a censure and recovery punishment awarded by respondent No.2 against which appeal No. 34/18 titled as Haq Nawaz V/s Govt. of KPK is also pending adjudication before this Honourable Tribunal. Copy of the order No. 265-67 dated 07/01/2017 as attached as Annexure "P" and a show cause notice against the appellant dated 20/09/2019 bearing No. 10399 from



the office of respondent No. 2 when appellant was on medical leave and duly informed the seniors by not considering the report of doctor. Copy of the show cause notice alongwith reply and the relevant documents/ medical certificate are annexed as Annexure "P-I".

clear from the pay statement of the appellant for the month of July, 2019 till date, the deduction from the salary against the impugned order even not waiting for appeal by the appellant.

Copy of the monthly pay slip for the months of July, 2019 to September 2019 are annexed as Annexure "Q".

It is therefore, humbly prayed that on acceptance of the instant appeal the impugned notification may kindly be declared as null and void and consequently appellant be exonerated from the charges. Any other relief which this Honourable Tribunal may deemed appropriate and



fit in the circumstances of the case may kindly be granted to the appellant.

INTERIM RELIEF;-

It is further prayer that during the pendency of instant appeal the respondents may kindly be directed not to effect that recovery through the impugned notification till the final decision of instant appeal.

..APPELLANT

Through

Dated: _____/2019

(KHALID RABBANI)

Advocate High Court, Abbottabad

VERIFICATION:-

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

.APPELLANT



BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service	Appeal	No.	•	-A/2019

Haq Nawaz PSHT, GPS Jandar Dhaki, Circle Boi, Tehsil & District Abbottabad.

...APPELLANT

VERSUS

Director Education Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Haq Nawaz PSHT, GPS Jandar Dhaki, Circle Boi, Tehsil & District Abbottabad, do hereby solemnly affirm and declare that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.



DEPONENT

ANNEXUYE ASIN 0 2 0 5 1/2 bib 5 5 & 3 6 3 3 3 M ناردهای ویش کرسال کسک کا میں ع م) رد لواری و نزه ما کا) موقع مر دملوا لور e 3) re/2 60 mb tim 3 = /6/2 م کی فرد مرد Abdul Hameed Qureshi
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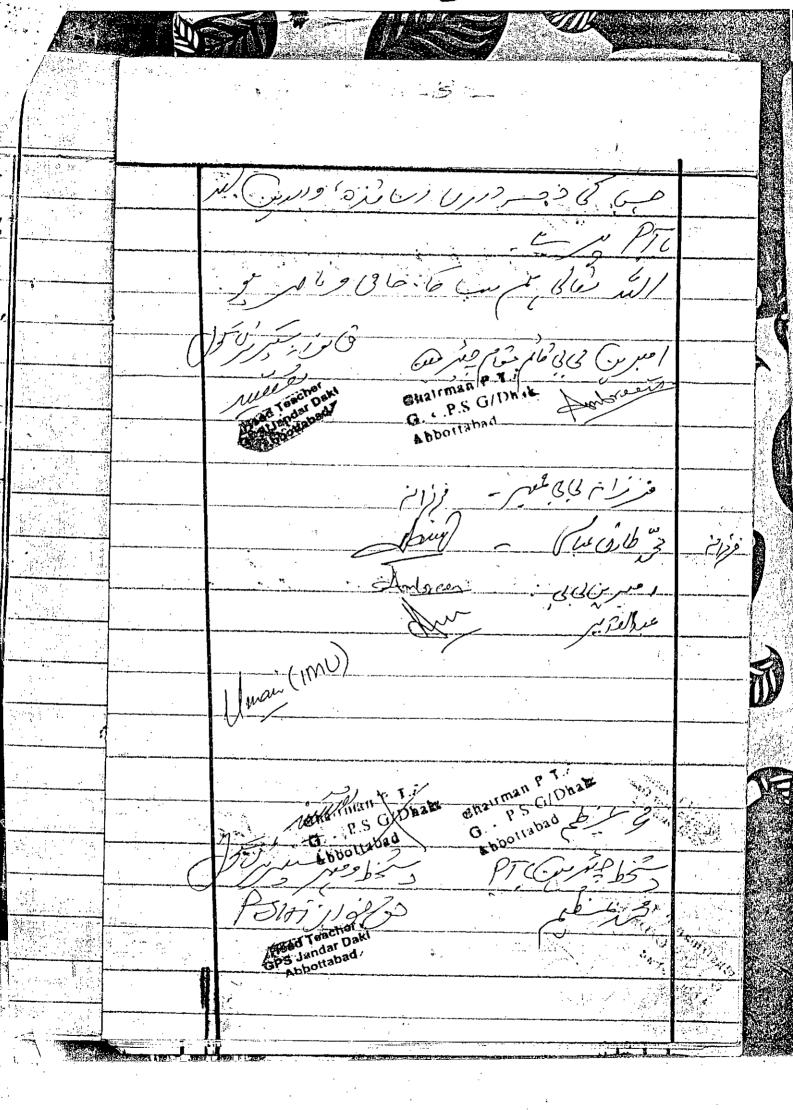
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Postal Code:

Branch Code/Name: 1376 Dhani (Bio) Branch

Region Name: Abbotabad

Statement of Account

S. No.

Statement Printing Date: 20-Jan-2016

: B/F Balance: 196.90

Town: District:

City: ABBOTABAD

Province/State: KH.PAKHTOON

Country: PAKISTAN

Product Name:

CIF No: 7182021

Account No: 3092222122

IBAN: PK48NBPA1376003092222122

From: 01	-Jan-2015	To: 20-Jan-2016			D. his	Credit	Balance
Date	Particulars		Instno	Instno Memo	Debit		
			21561	01	0.00	14.00	210.90
	PROFIT/LOSS		21562	- 01	. 1,40	0.00	209.50
09-Jan-2015	W.H.TAX		10037	28	0.00	4,000.00	4,209.50
28-Jan-2015	TRANSFER	1		16	4,000.00	0.00	209.50
16-Mar-2015	CASH ,	•	398636		0.00	663,600.00	663,809.50
25-Jun-2015	TRANSFER		10033	25	0.00	525.00	664,334.50
์ 10-Jul-2015	PROFIT/LOSS		21560	01	52.50	0.00	664,282.00
; 10-Jul-2015	W.H.TAX		21561	01	10,000.00	0.00	654,282.00
28-Aug-2015	CASH		398638	28		0.00	604,782.00
15-Sep-2015		•	398639	15	49,500.00	0.00	554,782.00
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16-Oct-2015			804103	16	50,000.00	0.00	454,712.00
à			. 804102	19	50,000.00	0.00	404,712.00
19-Oct-2015		٠.	804104		100,000.00	0.00	304,712.00
24-Nov-201		•	804105	i	50,000.00	0.00	254,712.00
	5 CASH WITHDRAN		804107		254,000.00	0.00	712.00
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Total 4 Credit transactions of amount: 668,139.00 Total 13 Debit transactions of amount: 667,623.90

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OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

OFFICE ORDER

This office order issued vide Endst: No.1511-18 dated 28.2.2013 regarding promotion of PST (B-12) to SPST (B-14) & held in abeyance under Endst: No. 1557-65 dated 05.3.2013 is hereby restored under usual terms & conditions in the interest of public service with immediate effect.

DISTRICT EDUCATION OFFICER (MALE)
ABBOTTABAD.

Endst: No 3654-60/EB

Dated 18.5.2013

Copy forwarded for information to:

- 1. Secretary to Government of Khyber Pakhtunkhwa, E&SED Peshawar.
- 2. Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 3. Deputy District Education Officer (M) Abbottabad.
- 4. District Comptroller of Accounts Abbottabad.
- 5. Sub Divisional Education Officer (M) Abbottabad.
- 6. All the ADOs (Circles) Abbottabad.
- 7. B&AO Local Office.

8. All concerned.

DY: DISTRICT EDUCATION OFFICER (M)

CHAND STATIONERY, PHOTOSTATE & SPORTS
NEAR BOY DEGREE COLLEGE NO.1
LINK ROAD ABBOTTABAD
QAMAR U ZAMAN # 0333-5022422

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&SPORTS

Near Boy Degree College No.1

Link Road Abbottabad

Qamar u Zaman # 0333-5022422

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

OFFICE ORDER

Consequent upon the recommendations of the departmental promotion committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No SO(8&A)/1-8/E&SE/2012 dated 11/7/2012 and Finance Department Endorsement No SO(FA)/FD/10-22(E)/2010 dated 16/7/2012, the following Male PST,s BPS-12 are hereby promoted to the post of Senior Primary School teacher BPS-14(Rs.8000-610-26300) Plus usual allowances as admissible under the rules on the regular basis under the existing recruitment policy of the Provincial Govt: Notified vide No SO(PE)14-5/SSRC/Meeting/2012/teaching cadre dated 13/11/2012 on the terms and conditions given bellow with immediate effect in the interest of public service.

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Near Boy Degree College No.1 Link Road Abbottabad Qamar u Zaman # 0333-5022422

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S.No	S/list. NO ·	Name of Teacher	Father Name	School	Circle	Promoted as SPST BPS 14 and posted as under	
		 3	4		5 6	7	-
1	1389	Ali Aksar	Mir Akbar Khan	GPS Nagri Payeen	Halla Gall	GPS Magri Payeen	
_ 2	1391	Muhammad Shakeet	ICHAUL UR-REMAN	GPS Bendi Maira	NATHIAGALI	GPS Bandi Maira	Hafia Gali
. 3	1392	Hairez Ahmad Abbasi	After Ahmed Abbest	GPS Rahi	torn die	4. 20. 75	Naihla Gell
- 4	1394	A-b			12.5	GPS Chankot	Lora
}		Aziz-ur-Rehman	Bafoe Khan	GPS Kurli	Birote	GPS Kudi	Birole
5	1395	Shabble Aluned	Khatil-ur-Rehman .	GMPS Ohera Rajwala	Dhamtour	GPS Nagakki	
_6	1396	M. Wahaeed	S. M. Astains	GPS GEAH	NATHIAGALI, :,)	GPS Dakhan Nalotha	Dhamlour
7	1398	NIAZ AHMED	MUHAMMAD NAWAZ	GPS Bandi Pir Khan	Q/Abad	GPS Banda Pir Khan	Nalhia Geli
8	1401	Shoukat Ali	M. Ajaib	GPS Chanali	Lora		CA bedA\D
الأس		Muhammad Ashraf	Ali ZAMAN	GPS Chahao	MATHIAGALI	2 2 2	Lora
(10	14040	Hag Nawas (Duriman	GMPS Makragands 12		GPS Chahan	Nathla Gali 🔪 1
Y 1	1405	JEHANZEB T	M SULEMAN	GPS Nath Gali			BOATALETTE
12	1407		Mubahat Khan	GPS Kurii	MATHUA GALI		Nålhie Gali
13	1408		Taj Muhammd	GPS BATNASIA	Birote		
14	1409		M. Fargog	<u> </u>	NATHIAGALL	GPS Batmara	Nalhia Gati
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			M. Anwer	GPS Satora	Hajja Gali	GPS Salora	Haija Gali
18	1416	M. NASEER	ML KHURSHID	GPS BAND! PHHULLAN	Sherwan	GPS Bandi Phyllan	Sherwan

Safel Shhattahau

TRICT EDUCATION OFFICER (MALE) ABBOTTABAD ANNEXURE " MFIEREAS you Mr. Haq Nawaz PSHT GPS Jandar Dhaki Abbottabad was proceeded for having entimetited the following gross aregularities which constitute inefficiency, misconduct & corruption. under Rule-3 Sub Rules (a), (b), (c) of the Khyber Pakhtunkhwa, Government Servants (Efficiency & AND WHEREAS you were involved in embezzlement/corruption of Rs. 300,000 (Rupees Three Lac) in PTC funds of your school as per report of ASDEO Circle Boi Abbottabad dated 30-03-2016. inquiry officer was appointed vide this office Endst No. 3824 dated 14-05-2016 who submitted report 3. AND WHEREAS Show Cause Notice regarding your inefficiency, misconduct & corruption was served upon you vide this office Memo: No. 7578/10709/P&D dated 29.09-2016 through Sub Divisional Education Officer (Male) Abbottabad.

- AND WHEREAS, you submitted your reply which was found unsatisfactory and you were summoned for personal hearing on 13-12-2016 through Sub Divisional Education Officer (M) Abbottabad vide this office Memo No. 10114-15/719/P&D dated 09-12-2016. .
- 5. AND WHEREAS, you appeared for personal hearing on the scheduled date, availed opportunity of self defense and failed to defend the charges level d against you.

NOW THEREFORE, the Competent Authority in exercise of the power conferred upon him under Rule-4 of Khyber Pakhtunkhwa, Government Servant (Efficiency & Discipline) Rules, 2011 is pleased to impose the penalty of "RECOVERY OF RS. 300,000/- AND REDUCTION TO LOWER POST OF SPST(BPS-14)." upon Mr. Haq Nawaz, PSHT, GPS Jandar Dhaki Abbottabad

> DISTRICT EDUCATION OFFICER (M) ABBOTTABAD

Endst: No. 4508-10 /F. P&D/Circle Boi

Dated

Copy for information & necessary action to the:-

Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar. District Accounts Officer Abbottabad

Sub Divisional Education Officer (Male) Abbottabad with the remarks that recovery be made through monthly pay of the teacher concern and relevant entry be recorded in his service book. Mr. Haq Nawaz, PSHT, GPS Jandar Dhaki Abbottabad

DISTRICT EDUCATION OFFICER (M) (LABBOTTABAD

Received by May Hag Nawa & Received by Hag Nawa & Hag Nawa & From 11/3/2017

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OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD



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0992-9310102, 0992-330131

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EDO.Education.Atd@gmail.com

The Sub Divisional Education Officer Male Abbottabad

Subject: SHOW CAUSE NOTICE

Memo

Show cause notices in respect of the following teachers / officials are attached herewith. You are directed to serve the same to them and return one copy to this office as a token of receipt.

PSHT GPS JANDAR DAKHI(EMIS ID 10709)

District Education Officer

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20/01/2016

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OFFICE OF THE DISTRICT EDUCATION OFFICER



0992-9310102, 0992-330131

EDO.Education.Atd@gmail.com

SHOW CAUSE NOTICE

I Zia ud Din District Education Male Abbottabad as a competent authority under the Klryber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011, do here by serve show cause notice upon Mr. PSHT GPS JANDAR DAKHI (EMIS Code 10709) as follows.

- You have drawn the amount from PTC account but your constructional work of Boundary wall has not been completed yet.
- 2. In exercise of the powers conferred by the Khyber Pakhtunkhwa Govt. Servant (E&D) Rules, 2011, the competent authority is hereby pleased to dispense with the conduct of formal enquiry and serve you with the instant show gause notice regarding your inefficiency, corruption and misconduct with the direction to submit your defense in writing within 15 days of the issuance of this notice as to why major penalty of Rule 4(b) of the said rules should not be imposed upon you and also intimate whether you desire to be heard in person.

3. In case you failed to submit your reply with in stipulated period, it will presumed that you have no defense to offer and an ex parte decision will be taken against you.

Competent

PSHT GPS JANDAR DAKHI (EMIS ID 10709)

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DISTRICT EDUCATION OFFICER (M) ABBOTTABAD



SUBJECT:

REPLY TO SHOW CAUSE NOTICE.

- 1. In pursuance of show cause notice served upon me vide DEO Office letter No. 711/10709/P&D, dated: 25.01.2016, Is am pleased to submit the following few lines for your kind consideration and favourable response on merit to dispose off the instant controversy.
- 2. That, I have bestowed about 25 years of dedicated, meritorious and blotless services to the entire satisfaction of my superiors. Hence, the charges leveled in the show cause notice are not in line with my service record.
- 3. That, the amount received for constructed work was honestly and properly dispensed by the petitioner and the Chairman who was also the member of committee along with petitioner, who has also distributed the amount so issued in this contract to the persons/labourers and other contractors as well as in shape of material bills. (Progress file of said constructional work along with Photos is annexed as Annexure "A").
- 4. That, PTC consists of two members and both have been given an equal responsibility for carrying out the task of constructional work of the boundary wall. Each and every transaction has been passed under the signatures of both of the members of the committee jointly (Account statement is annexed as Annexure "B").

Charles ATTENDED



- 5. That, in view of above, the major penalty under rule 4(b) E&D Rules 2011 is not applicable on the petitioner.
- 6. That, if the competent authority is still not satisfied, then, would be a great opportunity for the petitioner to be heard i person to explain the factual position on the subject matter i the light of Para 2 of the show cause notice.
- That, the petitioner seeks the legal action against the person who leveled false and baseless accusations on the petitioner.

Foregoing in view, it is most humbly requested that the petitioner may please be exonerated from all the false baseless, fanciful and unjust accusations/charges leveled

Haq Nawaz, PSHT GPS JANDAR DAKHI, EMIS Code: 10709 . Petitioner

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CIFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD



No. 7578 /10709 /P&D

Dated: 29 / 9/ 2-1/-

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0992-9310102, 0992-330131

EDO.Education.Atd@gmail.com

The Sub Divisional Education Officer Male Abbottabad

Subject: FINAL SHOW CAUSE NOTICE

Memor

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Show cause notice in respect of Mr. Haq Nawaz PSHT GPS JANDAR DAKHI(EMIS ID 10709) Circle BOI is attached herewith. You are directed to serve the same upon him and return one copy to this office as a token of receipt.

District Education Officer (M)
Abbottabad

30/7/16 AB-11 WILL PB

Office of the District Education Officer.docx Address: DEO (M) Education Office Near DHO Hospital Kelial Abbattabad

ATTESTED -

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OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ARBOTTARAD



No. 7578 /10709/P&D Dated: 39/9/2016

0992-9310102, 0992-330131

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EDO.Education.Atd@gmail.com

FINAL SHOW CAUSE NOTICE

I Zia ud Din District Education Male Abbottabad as a competent authority under the Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011, do here by serve show cause notice upon Mr. Haq Nawaz PSHT GPS JANDAR DAKHI (EMIS Code 10709) as follows.

- 1. You are involved in embezzlement / corruption of Rs. 300,000 in PtC funds of your school as per findings & recommendations of inquiry report submitted by SDEO (M) Abbottabad vide Memo No. 994 dated 02-06-2016.
- 2. In exercise of the powers conferred by the Khyber Pakhtunkhwa Govt. Servant (E&D) Rules, 2011, the competent authority is hereby pleased to serve you misconduct with the direction to submit your defense in writing within 15 days of the issuance of this notice as to why major penalty of Rule 4(b) of the said rules should not be imposed upon you and also intimate whether you desire to be heard in person.

3. In case you failed to submit your reply with in stipulated period, it will presumed that you have no defense to offer and an ex parte decision will be taken against you.

Competent Authority

Haq Nawaz PSHT

GPS JANDAR DAKHI (EMIS ID 10709)

WR4-6 119 30) 943

Office of the District Education Officer.docx Address: DEO IM) Education Office Near DHO

Hospital Kehai Abbottabad

ATTESTED -

Τo,

0500

The District Education Officer (Male), Abbottabad.

Subject:

REPLY TO FINAL SHOW CAUSE NOTICE DATED 29/09/2016

In response to final Show Cause Notice No. 75 78/100/09/PS dated 29/09/2016, the following submissions are being submitted before you for your kind consideration and favourable response and with the prayer that I may kindly be exonerated from frivolous and careless charges:-

- 1. That, I served the department for 25 years to the entire satisfaction of my superiors and my conscience and I never charged for any misconduct or corruption.
- 2. That, in 2015 an amount of Rs. 664,000/- for construction of Boundary Wall of GPS Jandar Dhakki (Boi), Abbottabd was sent into joint Account No: 309222122 of NBP Dhani Branch (Boi) and PTC of GPS Jandar Dhakki has been given the responsibility of construction.
- 3. That, I started construction work of Boundary Wall with the approval and consultation of Chairman PTC and spent the said amount with diligence and honesty, Chairman PTC signed the Cheques in different dates however, Community had not shown any interest during the construction of Boundary wall and I arranged all the necessities of labours at my own cost.
- 4. That, later on I was served a Show Cause Notice on the basis of a fake and groundless application and an inquiry initiated against me in this regard, wherein I submitted my reply and detail statement of expenses alongwith photographs of work done.

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- 5. That no impartial inquiry was conducted against me in accordance with law and the whole proceedings were carried out illegally and without jurisdiction.
- 6. That, neither I embezzled a single penny nor made any corruption in the, construction work and I spent the Public Money with honesty and in accordance with my prudence. (I can produce all the relevant record for the perusal of Competent Authority If required).
- 7. That, inquiry initiated against me and show cause notice served upon me are totally illegal, unjustified and without jurisdiction hence, liable to be turned down / set aside.

It is therefore, very humbly prayed that inquiry proceedings initiated against me may graciously be withdraw and I be exonerated from charges, and opportunity of personal hearing be given to me.

Dated: /3/10/2016

HAQ NAWAZ (PSHT) GPS Jandar Dhakki (Boi) Abbottabad.

HRILLI -

بخدمت جناب ڈائر یکٹر صاحب ایلیمنری ایندسکیندری ایجویش، خیبر پختونخوا، پیٹاور کا پخدمت جناب ڈائر یکٹر صاحب ایلیمنری کا پیڈ سکیندری ایجویشن، خیبر پختونخوا، پیٹاور کا پیٹاور کی پیٹر پیٹاور کا پیٹاور کا پیٹاور کا پیٹاور کا پیٹاور کی پیٹر کی کا پیٹر کا پیٹر کی کا پیٹر کی کا پیٹر کی کا پیٹر کی کی کا پیٹر کی کا پائر کی کا پیٹر ک

حق نواز GPS، PSHT جندر دُهي ،سرکل بوئي بخصيل و شلع ،ايبك آباد يه

___ایمانت

آمحکمانه اپیل /Representation بمراد کالعدم فرمائے جانے کم نمبری 2508/10 کی محردہ 105/03/2017 صاحب مرداند، ایب آباد۔

جناب عالى! موجبات البيل ذيل عرض بين -

- 1 بیکراپیلانث محکم تعلیم میں بطور مدرس 1990/13/12 کوBPS-05 میں بھرتی ہوا۔ بعدازاں 1990-12،BPS-09،BPS-07 اور 18-14 میں تی پائی۔
- 2- بیکدا بیلانٹ کی مورخہ 26/12/2013 کو BPS-15 کی BPS-15 کی OPC کی منظوری پرتی ہوئی نیز اپیلانٹ کی 26/12/2013 کو BPS-15 کی منظوری پرتی ہوئی نیز اپیلانٹ کی 26 کی سالہ الازمت کاریکارڈ بے داغ ہے اور دوران ملازمت اعلیٰ افسران کی رپورٹ ہائے کے مطابق اپیلانٹ کی کارکردگی Good اور Very Good ہے۔ فوٹو منقل لاگ بک لف ہے۔
- یہ کہ محکہ تعلیم میں حکومت خیبر پختونخوا کی خصوصی دلچیسی کے مطابق اصلاحات کی گئیں اور ملکی سلامتی و سیکورٹی کومد نظرر کھتے ہوئے محکم تعلیم کوخیبر پختو نخواحکومت نے بجٹ منظور فرما کر پرائمری ودیگر سکول ہائے کی Boundary Walls ودیگر ضرور پات کو پورا کرنے کی غرض سے فنڈ زہائے عنایت کئے۔
- 4۔ یہ کہ اپیلانٹ گورنمنٹ پرائمری سکول جندر ڈھکی یونین کونسل ککمنگ ضلع ایبٹ آباد میں تعینات تھا کہ سکول کی چارد یواری کے لئے فنڈ مختص ہوا جس کومن PTC کے ذریعے سے لوکل نمائندگان کے ذریع مسکول کی چارد یواری کے لئے فنڈ مختص ہوا جس کومن میں مائی تھرف کرنا کیا۔
 مگرانی تقرف کرنا کیا۔

ATTESTED

6۔ یک تعمیراتی کام کے دوران PTC کے چیئر مین ودیگر علاقائی نمائندہ گان کے علاوہ آبادی دیہ۔ کے لوگوں کی دلچہی کے مطابق احس طریقے سے کام کروایا گیا جس کی تحریری رپورٹ ہائے لگئیں۔ فوٹونقل رپورٹ ہائے لف ہیں۔

7۔ یہ کہ مقامی چیئر مین کی بدنیتی و بددیانتی کی بنیاد پر علاقہ کے چندلوگوں کے سیاسی مقاصد کو پورا کرنے کی خاطر اپیلانٹ کے خلاف کالعدم و باطل انگوائری کے احکامات بذریعہ DEO صاحب دیے گئے۔

8۔ یہ کہ ختر اکوائری برموقع ٹھیک طریقے ہے گا گا اور نہ ہی اپیلانٹ کوشنوائی کا موقع دیا گیا بلکہ ایک من گھڑت و بنیا دہنی بربد نیتی و برخلاف تھا گل انگوائری منعقد کرکے DEO صاحب نے اپیلانٹ کوموجب سرزا قرار دے کر تحت تھم نمبری 102-2508 مور نہ 102/03/2017 پیلانٹ کو PS-14 ہے BPS-14 کے خلاف مبلغ 2508 مور نہ 102/03/2017 کے خلاف مبلغ 2508 مور نہ 103/03/2017 کے خلاف مبلغ 2508 مور نے موتے تھوتی اپیلانٹ کی پوسٹ پر Reduction کی گئی جو کہ نا قابل بحالی وقابل مستر دگی ہوتے ہوئے حقوق اپیلانٹ پر کالعدم و باطل تحت ذیل امور ہے۔ فوٹونٹ کی محملف ہے۔

"الف" بیرکتهم DEO صاحب خلاف حقائق، خلاف قانون، خلاف درئیدا در پینی بربد نیتی اور محفن قیاسی دلائل پرمبنی ہوتے ہوئے نا قابل بحالی وقابل مستر دگی ہے۔

ب نیرکت موان بالایں بیراگراف نمبر 2 سراسر غلط ہے کونکہ اس میں لکھا گیا ہے کہ مورخہ میں کہ مورخہ معنوان بالایں بیراگراف نمبر 2 مرکل کی رپورٹ پرآرڈر نمبر 3824 ہتاری کے ASDEO مرکل کی رپورٹ پرآرڈر نمبر 994 مورخہ 14/05/2016 کوائوائر کی آفیسر مقرر کیا گیا جمن نے چھی نمبر 994 مورخہ مورخہ کی کرپشن کی رپورٹ دی حالانکہ اپیلانٹ نے جنور کا 20/06/2016 میں کام کی تفصیلی فائل جمع کروادی تھی جبکہ نہ تو تاریخ مشتمرہ اور نہ ای سال ASDEO ساحب نے کوئی وزئ شریاں میں ASDEO صاحب نے کوئی وزئ شریا۔

ATTESTED ATTESTED

ید کہ سکول لاگ بک میں اور رجٹر حاضری مدرسین میں انکوائزی کے دن ASDEO اور SDEO صاحب کے با قاعدہ وستخطامحررہ 10/05/2016 کوشیت ہیں۔

یپر کہ سکول لاگ بک میں اور رجٹر حاضری مدرسین میں انکوائزی کے دن ASDEO صاحب اور SDEO صاحب كے با قاعدہ دستخط محررہ 10/05/2016 كوثبت إلى-اورموصوف لاگ بک میں قم طراز ہیں کہ میں نے 10/05/2016 کو Competent Authroity کواٹکواٹریSubmit کردگ گئی ہے جبکہ تھم عنوان بالاے بیراگراف نمبر2 کی آخری لائن میں انکوائزی ربورٹ Submit کرنے کی تاریخ 02/06/2016 درج ہے اس سے خابت ہوتا ہے کہ انگوائری ریورٹ پہلے Submit موئی جو کہلاگ بک سے ثابت ہے اور انکوابری آفیسر کی تقرری بعد میں ہوئی ہے۔علاوہ اس کمن مظهر نے PTC فنڈ زنہایت ایلانداری، دیانت داری کے ساتھ PTC کی مشاورت سے خرچ کیا ہے۔ اور چیئر مین PTC نے چیک تعدادی9 مختلف تاریخوں میں دستخط کئے ہیں اور NIC کی کا بی لف کی ہے جو کہ بینک میں ریکار ڈموجود ہے اور بینک سٹیٹمنٹ لف درخواست ہزاہے۔اس کےعلاوہ موصوف نے باقاعدہ تکمیلی شرفیکیٹ جاری کیا جس پرموصوف کے دستخط اورنشان انگوٹھا کے علاوہ تو می شناختی کارڈ کی کا پی لف ہے اور موصوف پڑھالکھاہے۔ان کےعلاوہ ممبران لوکل کوسل اور شلع کوسل نے بھی شرقکیٹ جاری کیا ہے۔ جوبل ازیں لف ہے۔

'' یک دوران کام ASDEO سرکل بوئی کے علاوہ IMU کاوز یہ کھی ہر ماہ ہوتار ہانہ تو عوام دیہہ، PTC یا انسران نے کوئی شکایت کی ورندا پیلانٹ کام کو بند کردیتا۔ای دوران دىمبر2015 ميں سالانہ وزٹ پر پرٹسیل GHS پیٹن خور دہمراہ اپنی ٹیم تشریف لائے جو کہ سکول لاگ بک میں رقمطراز ہیں کہ پانچ لا کھنزچ ہو گئے ہیں جبکہ کام جاری ہے۔ جبکہ میرے محرّ مSDEO اور ASDEO صاحبان من مظہر پر تنین لا کھ کی کریشن ثابت کرتے ہیں اور یہ کی من مظہرنے ازخودایک انجینئر سے وزٹ کراکے C&W کے ریٹ پر كے محك كام كاتخيد لكوايا جوكه -/11,85,710 رويے بنا ہے۔ ديورث كى كائي لف درخوست بدائي

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ون سیک تھم عنوان بالا میں پیراگراف نمبر 3 درست ہے کہ فائل شوکاز 29/09/2016 کو جاری ہوا جس کا پیلانٹ نے با قاعدہ تخریری جواب دیاا دراس پر 13/12/2016 کو جاری ہوا جس کا پیلانٹ ہوئی لیکن اس پرسٹل Hearing ادر شوکا ذکے ساتھ من اپیلانٹ کوائزی رپورٹ Submit نہیں کی گئی جو کہ رول 14(4)(2) کی خلاف ورزی ہے۔ اس پرسٹل Hearing نہیں کی گئی جو کہ رول 14(4)(2) کی خلاف ورزی ہے۔ اس پرسٹل Hearing کے دوران DEO صاحب کے ہمراہ دفتر میں آفیسرز کا ایک لئکر تھا اور اپیلانٹ پر دباؤڈ الاگیا کہ اگر اپیلانٹ مبلخ -/30,000 دو ہے کا مزید کام کرے تو معالمے کوئم کیا جا سکتا ہے۔ جو کہ جملہ تعلقین کی بدنیتی کا مظہر ہے۔

ید کر پہلاشوکا زنبر 711 محررہ 25/01/2016 کوجاری ہوااور 01 سال 02 ماہ بعد 02 کی بہلاشوکا زنبر 711 محررہ 05/03/2016 کو معنوان بالا میں فیصلہ سنایا گیا جو کہ سروس رولز 14 (7) کی خلاف ورزی ہے۔

ودش میرکنٹریکٹن کا کام کمی غیر پیشدورکوتفویض کرنا قانو نادرست نہیں۔ اگرابیا کرناوقت کی ضرورت ہوتواس سے قبل تربیت دینا ضروری ہے۔ لہذا بیکنسٹرکشن رولز 1872 کے 11 اور 12 کی خلاف ورزی ہے۔ تغییرات ایک الگشعبہ ہے اوراس کا ایک بھی الگ ہے۔ لہذا اپیلانٹ کے خلاف سروس رولز 4 ABC کا اطلاق درست نہیں ہے اور غیر قانونی ہے ۔ علاوہ ازیں نہ تواپیلانٹ کواپئے سکول کے 21- PC ویا گیا ہے اور نہ بی BOQ مہیا گئی جس کے تعییراتی کا مجمل میں لائے جاتے ہیں۔ نیز اپیلانٹ نہ تو ماہر مہیا گئی جس کے تعییراتی کا مجمل میں لائے جاتے ہیں۔ نیز اپیلانٹ نہ تو ماہر مہیا گئی جس کے تعییراتی کا مجمل میں لائے جاتے ہیں۔ نیز اپیلانٹ نہ تو ماہر اس کے علاوہ کام تفویض کرنے سے پہلے اپیلانٹ کے ساتھ کام کی شرائط ، ٹائم پیریڈ کاکوئی اس کے علاوہ کام تفویض کرنے سے پہلے اپیلانٹ کے ساتھ کام کی شرائط ، ٹائم پیریڈ کاکوئی ایکر بہند شہیں ہوا۔

دوس" میکه PTC نندز Non Auiditable ہے۔ قانونا اس کا کوئی آؤٹ نہیں کرسکتا۔ کوئی اس کے کا خواز میں کہ محال سے اس کی دیکھ بھال سے میں اس کے کاغذات مانگئے، دینے یاردوبدل کرنے کا مجاز نہیں ہے۔ اس کی دیکھ بھال

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صرف قرد پارٹی کرسکت ہے۔ جے عکومت پینی سکرٹری تعلیم مقرد کرسکتا ہے۔ موصوف نے کوئی کمیٹن مقرد کرسکتا ہے۔ موصوف نے کوئی کمیٹن مقرد نہیں کیا۔ لہذا ہے اکوائری غیر قانونی، بد نیتی پر بنی اور خود ساختہ ہے اور بعض افرادا کا اللہ بے گناہ لوگوں کو مزادے کراپنے عیبوں کی پر دہ پیشی کردہ ہیں۔ PTC کے متابعہ کما بچہ کے صفحہ نمبر 18 پراصول نمبر (01) ملاحظہ فرمایا جائے جو کہ لف ہے۔

دون سیکه اگرابیلانٹ کریٹ تھا تو دوران انکوائری دوبارہ باتھ دوم کی مدیس اپیلانٹ کے اکاؤنٹ میں بتاری 17/08/2016 کو۔/1,60,000 کیوں بھیجا گیا؟ بینک مٹیمنٹ لف ہے۔

"لیکه اہم ترین بات بیہ کہ مابق DEO ضیاء الدین صاحب نے ایک Hearing دول"

کے دور ان گالی گلوچ شروع کر دی اور اپنے ہی دفتر کا ماتحت SDEO بابر بشیر صاحب کو انکوائری آفیسر مقرد کر کے من مظہر کے خلاف مختلف جار جزلگائے۔ یہ کہ اس معاسلے میں مزید انکشافات سامنے لائے جا کیں گے۔

" میک آئے روز من مظہر کو مختلف معاملات میں پریشان کیا جارہا ہے۔ جس کی ایک مثال آرڈر نبر مناس مظہر کو غیر قانونی طور پر مناس مناس مظہر کو غیر قانونی طور پر کئیر کو کے محردہ 265-67 ہے۔ جس میں مناس مظہر کو غیر قانونی طور پر کو Censure کیا گیا اور ایک دن کی ریکوری بھی کی گئی محض اس خاطر کہ سائل ہر معالے میں گئی ثابت ہو۔ یہ کہ متذکرہ تھم کی بھی جناب سے ڈائری نمبر 149 اور دائری نمبر 50 مور خدہ 24/01/2017 کو حصول تھم امتنا کی اور اپیل کی درخواست کی گئی جس پر جناب نے تا عال کوئی فیصلہ صادر نہ ذر مایا ہے۔ اس پر عمل غیر قانونی ہے جو کہ رول 17 (1) کی خلاف ورزی ہے۔

''ن' یہ کہا پیلانٹ کو تھم مذکورہ کی فوٹونقل مورخہ 13/03/2017 کوموصول ہوئی جس کے بعدا پیل عنوان دائر کی جارہی ہے جو کہا ندر میعاد ہے۔ نیز مزید نقاط بوتت بحث بااجازت آتحضورا ٹھائے جا کیں گے۔

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لہدا نذکورہ بالا عذرات ثبوت تر دیدی، شہادت تائیدی کی بناء پرعنوان بالاعلم قابل اخراج ہے۔ اور یک امید ہے کہ انصاف پر بنی فیصلہ بحق سائل صا در فر مایا جائے گا کیونکہ ایک حدیث شریف ہے '' ایک ساعت معاف سترسال کی عبادت سے بہتر ہے''۔

الرقوم: 2017 <u>29.03</u> ايمثآباد

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ت نواز، PSHT گورنمنٹ پرائمری سکول جندر ڈھنگی، سرکل بوئی، یونین کونسل ککمنگ بخصیل وضلع، ایبٹ آباد۔۔۔(اپیلانٹ) ساکندگاؤں موہری میراہ، یونین کونسل بوئی بخصیل وضلع، ایبٹ آباد۔ موبائل؛ 5096452-0315، 03064-5096452

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لہذا فدکورہ بالا عذرات جوت تر دیدی، شہادت تا ئیدی کی بناء پر عنوان بالاعم قابل اخراج ہے۔ اوگ ی امید ہے کہ انصاف برجنی فیصلہ بحق سائل صادر فرمایا جائے گا کیونکہ ایک حدیث شریف ہے'' ایک ساعت صاف سرسال کی عبادت سے بہتر ہے'۔

الرقوم: 2017 1201 29.03 ايت آباد

حق نواز،PSHT گورنمنٹ پرائمری سکول جندر ڈھئی ،سرکل بوئی، یونین کوسل ککمنگ بخصیل و شلع ،ایبٹ آباد۔۔۔(ایبلانٹ) ساكنه گاؤل موہرى ميراه، يونين كوسل بوئى بخصيل و شلع، ايب آباد-موبائل؛ 5096452-0315، 0306-5096452

مت جناب ڈائر بکٹرصاحب اللیمنٹری اینڈسکینڈری ایجوکیش، خیبر پختونخوا ایثاور

ز GPS، PSHT جندر دهکی، سرکل بوئی بخصیل و شلع، ایب آباد۔

___اپيلان

محكمانهابيل

در خواست بمراد معطل/منسوخ فرمائے جانے ورو کے جانے ملدرآ مدیخت تھم نمبری 2508/10 کردہ 109/03/2017 دفتر DEO صاحب مرداندا یبٹ آبادتا فیصلہ ایبل محکماند۔

، عالی! بیان درخواست ذیل عرض ہے۔

- 1۔ پیکراپل عنوان دائر کی جارہی ہے جس کے جملہ مندرجات کوجر و درخواست بذاگر دانہ جادے۔
 - 2- سیکا پیلانٹ کی ائیل Prima facie ہے اور اپیلانٹ کو کامیا بی کا قوی یقین ہے۔
 - 3۔ پیکر توازن مہولت اپیلانٹ کے تق میں ہے۔
- 4- بيكما رُحكم مَ إِن مَ اللهِ اللهِ مَعْلَى فرمايا جا كرعملدرآ مد تحت حكم روكانه گيا توا پيلانث كونا قابل تلافى نقصان كا حمال هـ -

لہذا استدعا ہے کہ تاوقت فیصلہ محکمانہ ایل تھم نمبری 2508/10 از دفتر DEO (مردانہ) ایبٹ آباد رجیعنوان درخواست کو معطل ومنسوخ فر مایا جاوے۔

الرقوم:12017<u> 3 0 و29 ايب</u> آباد

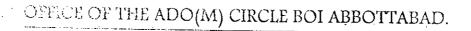
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نواز،PSHT گورنمنٹ پرائمری سکول جندرڈھی، مرکل بوئی، یونین کونسل ککمنگ بخصیل و شلع ،ایبٹ آباد۔۔۔(ایبلانٹ) ساکنہ گاؤں موہری میراہ، یونین کونسل بوئی بخصیل و شلع،ایبٹ آباد۔

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The DEO(M)

Äbbottabad.

Subject:-Report regarding misused of conditional grants in circle boi Abbottabad.

Memo.

It is submitted that the following schools reported substandard work on conditional grants.

J/No	EMIS Code	Name of School	U/C	Remarks
92	10598	GPS Bagator	Воі	Amount Rs 663600 was released to GPS Bagother for boundary wall. The total area of GPS Bagother 25 marlas The
			.i.	foundation and dpc were already laid .Boundary wall already constructed up to 4 fit and the school also situated
	· .		***	near road.Mr Farooq shows amount is not justified PSHT submitted fake file and report. old retaing wall already have
		:		length 80*94 and width 80*80 fits .PSHT show 4000 blocks and cover only 25 marls land instead of 2 kannal PSHT
17.5 ·	10633	GPS Chariali	Boi	involved in financial embezzlement.
	· !	·		PSHT Mr Khalil ur Rehman has no interest in work show fake reports, work on additional
				started yet . Work on boundary wall not completed only 174
				length from front side retaing wall only 4 fit hight completed and 70 fit width retaing wall
			-	completed no block useedonle 61000 balance in









THE ADO(M) CIRCLE BOI ABBOTTABAD.

The DEO(M)

Abbottabad.

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	:			released to GPS Bagother for
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			ļ	foundation and dpc were
:				already laid .Boundary wall
		•		already constructed up to 4 fit
				and the school also situated
i		• •		near road.Mr Faroog shows
			<u> </u>	amount is not justified PSHT
		* * *		submitted fake file and report
:				old retaing wall already have
. ;	. ;			length 80*94 and width 80*80
			-	fits .PSHT show 4000 blocks
	į			and cover only 25 marls land
1		·		instead of 2 kannal PSHT
. :	i			involved in financial
02	10631	GPS Chariali		embezziement.
		and Citation	Boi	PSHT Mr Khalil ur Rehman has
		į	: 1	no interest in work show fake
	·			reports, work on additional
			:	room and bathroom not
1 !	· .		•	started yet .Work on boundary
. !		. •		wall not completed only 174
				length from front side retaing
:	1		· ·	wall only 4 fit hight completed
. ;	į			and 70 fit width retaing wall
	.			completed no block useedonle
				61000 balance in

	•	O TOXODO		
*3	10316	GPS Kukmar	3	account report already submitted in your good office. PSHT involved in financial embezzienent
			Kukmang	PSHT mr Aurangzeb has no interest in work show take reports school found close at 01:15 pm without any information, only 70 fit length
04	10769	GPS Jander Dakhi	, * */*	and 7 fit height retaing wall completed from front side only and no more amount in account. PSHT involved in account in financial embezziement
		DONIE .	Kukmang	PSHT Mr Haq Nawaz not completed work of boundary wall and no more amount in account, report already submitted in your good office.

So report is submitted for strict disciplinary action as per rule through formal enquiry against following teachers involved in financial embezzlement. The ADO (P&D) may please be directed to conducted an enquiry regarding to access/unjustified expenditure claimed by PSHT, and mis used/amount may please be recovered from concerned PSHT.

S.Irshad Ali ASDEO(M)

Circle Boi Abbottabad.

المريث منا ب المحالية المريث منا ب المحالية المريث منا ب المحالة المحالية ا Port of the series of the series مر در الناس عالي س درج ديل الناسات م - is plu it by the by the of forming on P-5 W يوليا . لِعَيْ (فالج رافي) سياري مين مبند بيركما مع سرط در من زار ما ن معرو کما که من کار ایارای سے در من کار دی ای می ایاران کے میں کاروں کا ایک اور میں کاروں In (6 = 1 - 10) bi so of se & de pur in i for . 130 MAN Cho Cell son - 186 - 186 - 186 - 186 - 186 - 186 Com 26 20 de Julion (6) 16/00) 16/00 Julion Julion 3/0000) 27 de Grain en objet pte plot de 68/1 Ling for is not of 865 2ml 85 in No Wwey Wind 2 8 2 by & Soir Store Silver Silver Student S e for for costs 16-2-10 collection of the collection of the collection of الله و مراد مو حفا ع- اور كرال وسي حالت ديله كر روما أن رع p.T.6. 2116, 7 15 30 of cont of 15 30)

رہ اس سے قبل میں عرد درجواست دی میں۔ اسرای کر در کل درمور 2 - 6 w d in o f. T- c cr is 10 2 - 67 , es mol 2- 6, 5520 80001 015 (1) 200 Viel Colon (10) wolde of fire and cho of in chose into the (11) Pole L' Doly qu'int que d' bin /2 file Low for the South (Gal Sind ege 24 or (12) Elevisor (6 6 Pos, no cups 1-9 GMI Je (662000 195 1-1 1 Deserging Soil of 10 1 PT-1 C148 ع عمات تعالم عالى . ث ك دوره كا دوره الدران كا بان الرواك آب کی عین لازش از fosino P.T. 6 00 = 5/10 0 16 0) 03445172425=13101-5302940-3 13101-0783205-9 13101-9567309-1-03975181185 JUNE SOUND SUND 13101-1841949-5

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-61- ANNEXUYE 'C"

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 715 - 1/2017

Haq Nawaz PSHT, GPS Jandar Dhakki Circle Boi, Tehsil and District Abbottabad.

...APPELLANT

VERSUS

Director Education Elementary & Secondary Education KPK, Peshawar & others

...RESPONDENTS

APPEAL

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3.	Copy of the reports	12-13	66 A 22
4.	Copy of order Endst: No. 2501-10/FP&D/Circle Boi dated 09/03/2017	14.	"A" "B"
5.	Copy of appeal along with the postal receipt	15-23	"С"
6.	Copy of the report of Engineer from C&W department & other Iselavant Document		_
7.	Wakalatnama	6/	7 06-60

Through

...APPELLANT

Dated: 10/07 /2017

(KHALID RABBANI)

Advocate High Court, Abbottabad

-62-

BEFORE THE HONOURABLE KHYBER PAKHTUNKH SERVICE TRIBUNAL PESHAWAR

TUNKHWA Peshari

Service Appeal No. 715 - \$\frac{1}{2017}

Haq Nawaz PSHT, GPS Jandar Dhakki Circle Boi, Tehsil and District Abbottabad.

.APPELLANT

Mayber Pakistukhwa Sorvice Tribunal

Diamy No. 196

Darces 10-7-20/7

VERSUS

- 1. Director Education Elementary & Secondary Education KPK, Peshawar.
- 2. District Education Officer (Male), Abbottabad.
- 3. SDEO (Male), Primary Abbottabad.
- 4. District Accounts Officer Abbottabad.

...RESPONDENTS

Régistizar

SERVICE APPEAL UNDER SECTION 4 KPK
SERVICE TRIBUNAL ACT, 1974, AGAINST
THE ORDER OF RESPONDENT NO.2
DECLARING TO THE EFFECT THAT ORDER
ENDST NO. 2505-10/F P&D CIRCLE BOI
DATED 09/03/2017 IS VOID, CONTRARY TO
LAW, BASED ON MALICE, MALAFIDE, ILL
WILL OF RESPONDENT, ARBITRARY

ATTESTED

Khyber Faki Junkhwa
Scrvice Tribunal,
Peshawar

2 -63-

HENCE INEFFECTIVE ON THE RIGHTS OF APPELLANT.

Respectfully Sheweth;-

May it please your lordship the brief fact of the instant appeal are as under;-

- 1. That appellant is a teacher by profession and joined Education Department as teacher BPS-05 in Primary School and after completion of job with highly satisfaction of the superiors promoted up to BPS-15.
- 2. That during the present Government Era in Education Department a developmental Program/ planning was made through which for the purpose of security and safety Government provided funds to the different school for construction of boundary walls and for other necessary requirements.
- 3. That appellant was posted at GPS Jandar
 Dhakki Union Council Kukmong District
 Abbottabad for which Government provided



funds for the construction of boundary wall and funds were being utilized through PTC under the supervision of local representatives.

- 4. That appellant has started the work at site for construction of boundary wall with the consent and in consultation with the Chairman PTC, under the supervision of local representatives.
- finalization of the work at site, the local representatives and the Chairman PTC remained satisfied with the progress of appellant for which they have submitted the satisfactory report up to the work done.

 Copies of the reports are annexed as Annexure "A".
 - That with the malice of the local political workers and for achieving political goals so called inquiry was started against the appellant through respondent No. 2.

ATTESTED

Peshawar

-332.

That neither proper inquiry was conducted nor appellant was provided an opportunity of being hearing personally and on the basis of impugned/ so called inquiry respondent No. 2 awarded punishment to the appellant through letter No. 2508-10 dated 02/03/2017 for recovery of Rs. 3,00,000/- and reduction of appellant from BPS-15 to BPS-14 which is against the law, facts arbitrary, contrary to law and ineffective upon the rights of appellant. Copy of order Endst: No. 2501-10/FP&D/Circle Boi dated 09/03/2017 is

That against the order of respondent No. 2 appellant preferred departmental appeal along with the application for suspension/ Status Quo of the impugned order before respondent No. 1. Copies of appeal along with the postal receipt are annexed as Annexure "C".

That appeal was sent by the appellant through registry wherein Status Quo was not got issued in favour of appellant.

ATTESTED

E. M. It is

- 10. That appellant filed a Civil Suit along with the application for suspension of impugned order in the court of SCJ, Abbottabad which was interested to Civil Judge-VI, for adjudication and was fixed for maintainability.
- 11. That on 12/04/2017 Civil Judge-I,
 Abbottabad (Magistrate on duty) on behalf
 of Civil Judge-VI, have returned the suit of
 appellant under section 10 CPC for want of
 jurisdiction.
- 12. That departmental appeal is pending before respondent No.1 no order has been passed on the appeal of appellant by respondent No. 1 yet, and salary of the appellant has been stopped by respondent No. 2 through respondent No. 4.
 - That the order No. 2508-10 dated 02/03/2017 and the order for stoppage of the salary of appellant is against the law, fanciful, arbitrary, based on malafide, hence

ATTESTED Knyoer Service France, 13.

4.

untenable in the eyes of law on the following grounds inter-alia others;-

GROUNDS:-

- I That the so called inquiry has not been conducted as per law and appellant condemned unheard without providing opportunity of personal hearing.
 - That neither ASDEO has visited to the school of appellant nor have conducted any inquiry which is evident from the record.
 - That it is clear from the record that inquiry report was submitted to the competent authority before appointment of the inquiry officer.
 - That appellant have inquired the work done at the site through specification measurement by the Engineer C&W Department privately

ATTESTED REGIONS Service Servi

whose report shows that work done at the site is of Rs. 11,85,710/- value where as total amount/Grant for the purpose was only Rs. 6,60,623/-. Copy of the report of Engineer from C&W department is annexed as Annexure "D".

- purposes like the case of appellant and as per the rules PTC fund is non auditable and if there is any need only third party can check the mature for the purpose of which Secretary Education will constitute/appoint third party.
 - That the whole story against the appellant is based on malafide, during personal hearing in another matter Ex DEO Mr. Zia ud Din (Now Dead) had abused appellant and has appointed from his own office SDEO Mr. Babar Bashir as inquiry officer who leveled false allegations against appellant only for the satisfaction of his boss.

ATTESTED

Khyber Pakhankhwa
Service Tribunal,
Peshawar

f)

It is, therefore, humbly prayed that on acceptance of the instant appeal the impugned notification may kindly be declared as null and void and consequently appellant be exonerated from the charges. Any other relief which this Honourable Court deem fit and proper in the circumstance of the case.

Through

...APPELLANT

Dated: /0/07 /2017

Vilar

(KHALID RABBANI)
Advocate High Court, Abbottabad

VERIFICATION:-

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

..APPELLANT



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ANNEXURE D"_70-

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 715 - 1/2017

Haq Nawaz PSHT, GPS Jandar Dhakki Circle Boi, Tehsil and District Abbottabad.



..APPELLANT

Dinry No. 196

Dated 10-7-20/7

- 1. Director Education Elementary & Secondary Education KPK, Peshawar.
- 2. District Education Officer (Male), Abbottabad.
- 3. SDEO (Male), Primary Abbottabad.
- 4. District Accounts Officer Abbottabad.

... RESPONDENTS

Registrar

ATTESTED

EXAMINER

Khyber Pakhtankhwa
Service Tribunal,

Peshawar

SERVICE APPEAL UNDER SECTION 4 KPK SERVICE TRIBUNAL ACT, 1974, AGAINST THE ORDER OF RESPONDENT NO.2 DECLARING TO THE EFFECT THAT ORDER ENDST NO. 2505-10/F P&D CIRCLE BOI DATED 09/03/2017 IS VOID, CONTRARY TO LAW, BASED ON MALICE, MALAFIDE, ILL. WILL OF RESPONDENT, ARBITRARY

-7/-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, CAMP COURT ABBOTTABAD

Service Appeal No. 715/2017

Date of Institution... 10.07.2017

Date of decision... 23.11.2017



Haq Nawaz, PSHT, GPS Jandar Dhakki Circle Boi, Tehsil and District, Abbottabad. (Appellant)

Versus

Director Education, Elementary & Secondary Education, Khyber
 Pakhtunkhwa, Peshawar
 ... (Respondents)

MR. KHALID RABBANI,

Advocate

For appellant.

MR. MUHAMMAD BILAL,

Deputy District Attorney

For respondents.

MR. NIAZ MUHAMMAD KHAN,

CHAIRMAN

MR. AHMAD HASSAN,

MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: Arguments of the learned counsel for the parties heard and record perused.

FACTS

2. The appellant is aggrieved from an order dated 09.03.2017 whereby he was awarded penalty of reduction to lower post and also recovery of 3 lacs, against which he filed departmental appeal on 29.03.2017 which was not responded to and thereafter he filed the present service appeal on 10.07.2017. The

EXAMINER
Khyber Pakhankhwa
Service Tribanal,
Peshawar

M

charge against the appellant was inefficiency, misconduct and corruption as a result of some embezzlement in PTC funds of his school.

ARGUMENTS

- 3. The learned counsel for the appellant argued that the charge against the appellant is baseless. That the enquiry report is not based on real facts. That the concerned persons have already given some certificates in favour of the appellant which are annexed with the appeal. That the proper procedure was not adopted by the authority. That no charge sheet and statement of allegations was issued to the appellant.
- 4. On the other hand, the learned Deputy District Attorney argued that the appellant has committed embezzlement and he has rightly been awarded the penalty.

CONCLUSION.

- 5. The impugned order shows that the charge against the appellant was of embezzlement/corruption. This order also shows that an enquiry officer was appointed who submitted his report but ironically no charge sheet and statement of allegations were issued to the appellant and it appears that the penalty has been awarded on the basis of fact finding enquiry which is not sustainable in the eyes of law.
- 6. Consequently the present appeal is accepted and the impugned order is set aside. The department is however, at liberty to hold denovo proceedings in

EXAMINER

Khyber Pekhankliwo
Service Tribunal,
Peshawar



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accordance with law/rules. Parties are left to bear their own costs. File be consigned to the record room.

(Abmad Hassan) Member

(Niaz Muhammad Khan)
Chairman
Camp Court, A/Abad

ANNOUNCED 23.11.2017

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Khyber Whank
Service Tribunal
Peshawar

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ANNEXURE EM-74.

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

COC No. 180 - 12017

Haq Nawaz, PSHT Govt. Primary School Jandar Dhakki, Circle Boi, Tehsil

& District, Abbottabad.

VERSUS

Qazi Tajjamal, District Education Officer, Elementary & Secondary Education (Male), Abbottabad & others. ...RESPONDENTS

EMPT PETITION

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3.	Copy of order	16	"B"
4.	Copy of the registered postal receipts	17	"C"
5.	Copy of order dated 24/08/2017	18-19	"D"
6.	Copy of account statement of petitioner	20	"E"
7.	Wakalatnama	21	

PETITIONER

Through

/2017

(KHALID RABBANI) Advocate High Court, Abbottabad

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

Haq Nawaz, PSHT Govt. Primary School Jandar Dhakki, Circle Boi, Tehsil & District, Abbottabad.

.PETITIONER

VERSUS

- Qazi Tajjamal, District Education Officer, Elementary & Secondary Education (Male), Abbottabad.
- Babar Bashir, SDEO (Male), Primary Abbottabad. 2.
- Sardar Muhammad Saleem, District Accounts Officer, Abbottabad. 3.

..RESPONDENTS

APPLICATION FOR INITIATING CONTEMPT OF Khyber Pakhruskii Service Tribunal, COURT PROCEEDINGS UNDER ARTICLE 204 OF

Peshawar

THE CONSTITUTION OF ISLAMIC REPUBLIC OF

PAKISTAN, 1973.

Respectfully Sheweth;-

Brief facts out of which present application arises are submitted as;-

- 1. That petitioner filed service appeal No.715/2017 challenging validity of order Endst No.2508-10/F P&D Circle Boi dated 09/03/2017 passed by respondent No.1. Copy of appeal No.715/2017 is annexed as Annexure "A".
 - Tribunal on 10/07/2017 and this Honourable
 Tribunal while taking into consideration the submissions of petitioner's counsel not only called comments/ reply of the respondents but also in respect of the application for suspension of operation of impugned order, passed an order "Notice of application for suspension of impugned order dated 09/03/2017 be also issued to the respondents for the date already fixed. In the meanwhile, recovery shall not be made from the appellant till the next date". Copy of order is annexed as Annexure "B".
- ATTESTED

 ENAMINER

 Khyber Pakhtunkhwa
 Service Tribunal,
 Pesnawar
- That the order of this Honourable Tribunal with the appeal was sent by the office of this Honourable Tribunal and through applicant personally well within time to the respondents.

Copy of the registered postal receipts are attached as Annexure "C".

- 4. That in disregard to the status quo order passed by this Honourable Tribunal dated 10/07/2017, respondents stopped the salary of applicant.
- 5. That appeal was fixed again for hearing before this
 Honourable Tribunal on 24/08/2017 where counsel
 for the applicant brought into the notice of this
 Honourable Tribunal that despite restraint order
 dated 10/07/2017 regarding non-recovery of the
 amount, the pay of the appellant has been stopped
 and requested that a specific order should be
 passed against the respondents to release salary of
 the appellant.

EXAMINER
Khyber Pakhtunschwa
Service Tribunal,
Pachenyar

6.

That the request of counsel for petitioner was accepted and the Honourable Tribunal was pleased to passed an order that salary of the petitioner be released till further orders on 24/08/2017. Copy of order dated 24/08/2017 is attached as Annexure "D".

of this Honourable Tribunal/ Court to invoke its indulgence under Act 204 of the Constitution of Islamic Republic of Pakistan, 1973 and punish the respondents under the same on the following grounds, inter-alia, others;-

GROUNDS;-

EXAMINER
Khyber Pakhfunaliwa
Service Tribunal,
Peshawar

- That by stopping the salary of petitioner the respondents have disobeyed the orders passed by this Honourable Tribunal on 10/07/2017 and 24/08/2017.
- b) That non-compliance with directions of Court/ Tribunal is a contempt of court and the act of stoppage of salary of petitioner

intends to prejudice the determination of matter pending before the Tribunal.

- reflects clear violation of judicial order passed in simple language, understandable to a man of ordinary prudence, what to talk of functionaries of state holding responsible posts.
 - d) That salary of petitioner is to sole income of the family comprising over 08 members including ill mother.
 - e) That petitioner felt agony during the past two Eids while unable to produce compulsory livelihood i.e food and clothes etc of the minor children and ill mother due to the stoppage of salary.

. .al,

Peshawar

f) That respondents were restrained from acting in a particular manner, but inspite of service of notice and having come to know of the passing of court order, they act in a

manner which frustrate the prohibitory orders passed by the Court.

g) That the functionaries of state, how high so ever they may be, are bound to pay respect and honour to the order passed by a superior Tribunal, purpose is to vindicate honour of court so as to keep public confidence on superior courts undiminished and to keep functions of justice free from pollution and obstruction.

It is, therefore, prayed that on acceptance of the instant application, this Honourable Tribunal may be pleased to punish the respondents for clear violation of this Tribunal orders dated 10/07/2017 and 24/08/2017.

EXAMINER

Knyber Pakhituakhwa

Service Tribonal,

Peshawar

Any other relief which this Honourable Tribunal may deem appropriate and fit may also be granted.

..PETITIONER

. Through

(KHALID RABBANI)

Advocate High Court, Abbottabad

Dated:

10/10

/2017

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BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

•		1/0017
COC No	-	-A/2017
COC No		

Haq Nawaz, PSHT Govt. Primary School Jandar Dhakki, Circle Boi, Tehsil & District, Abbottabad.

...PETITIONER

VERSUS

Qazi Tajjamal, District Education Officer, Elementary & Secondary Education (Male), Abbottabad & others.

...RESPONDENTS

CONTEMPT PETITION

AFFIDAVIT

I, Haq Nawaz, PSHT Govt. Primary School Jandar Dhakki, Circle Boi, Tehsil & District, Abbottabad, do hereby solemnly affirm and declare that the contents of foregoing contempt petition are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

DEPONENT

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

COC No. 180/2017

Haq Nawaz.....Appellant

VERSUS

Para Wise Comments on Behalf of Respondents No. 1

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S#	Description	Page Nos	Annexures
1	Comments alongwith affidavit.	01 to 04	
2	Copy of letter No. 10179 dated 19-09-2017	05	"A"
3	Copy of Source Form 2	06	"B"
4	Copy of Pay Slip	07	"C"
5	Coy of relevant page of Service Book	08	"D"

Dated: 08/11/2017

District Education Officer (M)

Abbottabad.

(Respondent No. 1)

ATTESTED

Service Tribunal.

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

Haq Nawaz.....Appellant

VERSUS

Qazi Tajjamal & Others...... Respondents

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS No. 1 & 2

Respectfully Sheweth:-

Comments on behalf of respondents No. 1 & 2 are submitted as under All ER

PRELIMINARY OBJECTION:-

1. That the petitioner has no cause of action to file the instant petition.

- 2. That the petitioner has filed the present petition just to pressurize the respondents.
- 3. That the petitioner has not come to this Honorable Tribunal with clean hands.
- 4. That the petitioner is estopped to sue due to his own conduct.
- 5. That the instant petition is not maintainable due to non-joinder and mis-joinder of necessary parties.
- 6. That the instant petition has become infructuous as the salary of the petitioner has been activated.

Factual Objections:-

- 1. That the Para No. 1 of the petition relates to the record hence, need no comment.
- 2. That the Para No. 2 of the instant petition also relates to record hence, need no comment.
- 3. In reply to Para No. 3 of the instant petition it is submitted that order of this Honourable Tribunal dated 10-02-2017 was not communicated to answering respondents.
- 4. That detailed reply has already been given in Para No.03 of the Factual Objections.

- 5. In reply to Para No. 5 of the instant petition it is submitted that petitioner did not provide the copy of order of this Tribunal dated 24-08-2017.
- 6. As contended in Para No. 05 of the Factual Objections.
- 7. In reply to Para No. 7 of the petition it is submitted that on appearance before this Honourable Tribunal dated 18-09-2017, Honourable Tribunal directed the answering respondent to release the salary hence, on the very next day respondent No. 1 issued the direction to respondent No. 2 vide letter No. 10179 dated 19-09-2017 to release the salary of petitioner. Moreover, respondent No. 2 being DDO has activated the pay of petitioner vide source form 2 in the month of October 2017. (Copy of letter No. 10179 dated 19-09-2017, Source Form 2, Pay Slip for the Month of October 2017 and relevant page of Service Book of petitioner are annexed herewith as annexure "A", "B", "C" & "D").
 - 8. In reply to Para No. 8 of the instant petition it is submitted that petition in hand has become infructuous as the salary of petitioner has already been activated.

Grounds:

- a. That ground a, as composed is incorrect hence, denied as answering respondents have complied with the order of this Honourable chambia.

 Tribunal in letter and spirit.

 Service Tribunal.

 Pesnawar
 - b. That ground b, as composed is incorrect hence, denied as in pursuance to the order of this Tribunal the salary of petitioner has been activated.
 - c. That ground c, as composed is incorrect hence, denied.
 - d. In reply to ground d, it is submitted that the salary of petitioner has already been activated.
 - e. That detailed reply has already been given in preceding paras.
 - f. That detailed reply has already been given in preceding paras.
 - g. In reply to ground g, it is submitted that answering respondents have implemented the order of this Honourable Tribunal in letter and spirit and salary of the petitioner has been activated in accordance with the direction of this Honourable Tribunal.

h. That the respondents seek leave of this Honorable Tribunal to raise additional points at the time of arguments.

Under the facts and circumstances it is humbly prayed that the instant petition may please be dismissed with cost.

District Education Officer

District Education Officer (M)
Abbottabad
(Respondent No. 1)

Sub Divisional Education Officer (M)
Abbottabad
(Respondent No. 2)

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Klyber P. D. C. Service Tribundowa

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ANNEXURE "F" -86-

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

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COC No. 180 - 12017

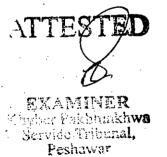
Haq Nawaz, PSHT Govt. Primary School Jandar Dhakki, Circle Boi, Tehsil & District, Abbottabad.

...PETITIONER

VERSUS

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- 1. Qazi Tajjamal, District Education Officer, Elementary & Secondary Education (Male), Abbottabad.
- 2. Babar Bashir, SDEO (Male), Primary Abbottabad.
- 3. Sardar Muhammad Saleem, District Accounts Officer, Abbottabad.

...RESPONDENTS



APPLICATION FOR INITIATING CONTEMPT OF COURT PROCEEDINGS UNDER ARTICLE 204 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973.

Respectfully Sheweth;-

Brief facts out of which present application arises are submitted as;-

15.01.2019

Petitioner with counsel and Mr. Muhammad Bilal learned Deputy District Attorney alongwith Sohail Ahmad Zeb representative of the respondents present. Petitioner stated that the arrears of difference of pay of BS-14 and BS-15 are still pending. Representative of the respondents seeks adjournment for doing the needful and stated that de-novo inquiry is under process and Show Cause Notice has been issued to the petitioner. Petitioner also received copy of Show Cause Notice from representative of respondents. Adjourn. To come up for further proceedings on 21.03.2019 before S.B at Camp Court Abbottabad.

Member

Camp Court Abbottabad

21.03.2019

Petitioner in person present. Due to general strike of the bar, the case is adjourned. Mr. Sohail Ahmad Zeb Litigation Assistant representative of the respondent department absent. He be put to notice for 23.25.2019. Adjourn. To come up for further proceedings on the date fixed before S.B at Camp Court A/Abad.

> Member Camp Court A/Abad.

ATTESTA EXAMINER

Kinyber Pakhtunkh**wa**

Peshawar

15.01.2019

Petitioner with counsel and Mr. Muhammad Bilal learned Deputy District Attorney alongwith Sohail Ahmad Zeb representative of the respondents present. Petitioner stated that the arrears of difference of pay of BS-14 and BS-15 are still pending. Representative of the respondents seeks adjournment for doing the needful and stated that de-novo inquiry is under process and Show Cause Notice has been issued to the petitioner. Petitioner also received copy of Show Cause Notice from representative of respondents. Adjourn. To come up for further proceedings on 21.03.2019 before S.B at Camp Court Abbottabad.

Member

Camp Court Abbottabad

21.03.2019

Petitioner in person present. Due to general strike of the bar, the case is adjourned. Mr. Sohail Ahmad Zeb Litigation Assistant representative of the respondent department absent. He be put to notice for 23.25.2019. Adjourn. To come up for further proceedings on the date fixed before S.B at Camp Court A/Abad.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Member Camp Court A/Abad 19.07.2018

Petitioner Haq Nawaz in person present. Mr. Sohail Ahmad Zaib, Assistant, alongwith Mr. Usman Ghani, District Attorney for respondents present and made a request for adjournment. To come up for further proceedings on 20.09.2018 before S.B at camp court, Abbottabad.

Chairman. Camp Court, A/Abad

19.09.2018

Since 21st September, 2018 has been declared as public holiday on account of Moharram, therefore, case is adjourned to 15.11.2018 for further proceedings before the S.B at camp court, Abbottabad.

Chairman Camp court, A/Abad

15.11.2018

Petitioner in person and Sohail Ahmad LO for the respondent present. Due to retirement of the Hob'ble Chairman the Service Tribunal is incomplete. Tour to Camp Court Abbottabad has been cancelled. To come up for the same on 15.01.2019 at camp court Abbottabad!

ATTESTED

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'A/Abad

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABOTTABAD

No. 360	 /	PF Haq Nawa	az Li
Dated 26	3	/2019	

The Sub Divisional Education Officer
(Male) Abbottabad

Subject:

SOURCE FORM IN RESPECT OF MR. HAQ NAWAZ PSHT GPS

JANDAR DHAKÎ

Memo:

In continuation to this office Memo: No.794 dated 21.01.2019 on the subject cited above and to state that minor penalty of reduction to lower post from PSHT to SPST was imposed upon Mr. Haq Nawaz PSHT GPS Jandar Dhaki on 09.3.2017. The Honorable Service Tribunal Khyber Pakhtunkhwa camp Court Abbottabad set aside the said order on 23.11.2017. You are therefore directed to clarify whether his pay was fixed in BPS-14 or otherwise, also intimate the date of reduction to lower post and pay drawn after passing the said order in the source form.

DY DISTRICT EDU: OFFICER (M. ABBOTTABAD

ATTESTED

EXAMINER Khyber Pakhtunkhwa Service Tribunal, Peshawar 25.06.2018

Petitioner, Haq Nawaz, in person present. Mr. Sohail Ahmad, Assistant alongwith Mr. Usman Ghani, District Attorney for the respondents present. The petitioner provided a copy of judgment of this Tribunal dated 23.11.2017 passed in service appeal no. 715/2017 and is placed on record. Vide order sheet dated 20.03.2018, last opportunity was granted to the respondents to submit implementation report. It was further extended vide order sheet dated 16.04.2018. Today the representative of the respondents was present during the proceedings. On being confronted by this Tribunal on account of delay in submission of implementation report, he was unable to give any valid reason/justification.

In view of the position stated above, it appears that delay in submission of implementation report on the part of respondents is deliberate and intentional, as such salary of DEO (M) Abbottabad is attached forthwith. To come up for further proceedings on 19.07.2018 before S.B at camp court, Abbottabad.

ATTESTED

Member
Camp court, A/Abad

EXAMINER
Khyber Pakhtunichwa
Service Tribunal,
Peshawar

26.06.2018

Petitioner Haq Nawaz in person present. Mr. Sohail Ahmad, Assistant alongwith Mr. Ziaullah, DDA for respondents prosent. Representative of the respondents produced order dated 25.06.2018 through which the petitioner has been adjusted as PSHT (BPS-15) against the vacant post at GPS Jandar Dhaki, Abbottabad with immediate effect and till finalization of de-novo proceedings. A copy of the said order was also handed to the petitioner. The order is placed on record. The salary of DEO (M) attached vide order sheet dated 25.06.2018 is hereby released. To come up for further proceedings on 19.07.2018 before the S.B at camp court, Abbottabad.

Member Camp court, A/Abad J2:2018

Petitioner in person and Mr. Kabir Ullah Khattak, Learned Additional Advocate General for the respondents present. Petitioner seeks adjournment as his counsel is not available. Adjourned. To come up for arguments/further proceedings on 20.03.2018 before S.B at camp court Abbottabad.

Member
Camp Court Abbottabad

20.03.2018

Petitioner in person and Mr. Usman Ghani, District Attorney alongwith Hajjaj, Litigation Officer for the respondents present. Representative of the respondents submitted detail list of payment made to the petitioner regarding arrears upto BPS-14. Representative stated that the case of the petitioner in BPS-15 is in process. The department is afforded last opportunity. To come up for implementation report 21.05.2018 before the S.B at camp court, Abbottabad.

Cliairman Camp court, A/Abad

16.57,2018

Petitioner alongwith counsel, and Mr. Usman Ghani, District Attorney alongwith Sohail Ahmad Zeb, Assistamnt for the respondents present. Departmental representative submitted that the enquiry is not progress whereas the learned counsel for the petitioner stated that there was no order of enquiry by this Tribunal but copy of the judgment is not on the file. Counsel for the appellant is directed to produce copy of judgment. To come up for implementation report on 25.06.2017 before the S.B at camp court, Abbottabad.

ATTESTED

Chairman Camp court, A/Abad

EXAMINER

Khyber Pakhtunkhwa

Service Tribunal,

Poshawar

24.11.2017

Petitioner alongwith counsel and Mr. Muhammad Bilal, Deputy District Attorney alongwith Sohail Akhtar Zaib, Assistant for the respondents present. Reply on behalf of respondents No. 1 & 2 submitted. According to the petitioner he has received pay of only one month and from May to September, 2017 is yet to be paid. Departmental representative undertook to release the pay to the petitioner till next date. He is directed to release the pay of the petitioner positively before the date fixed. To come up for further proceedings on 17.01.2018 before S.B at camp court, Abbottabad.

17.01.2018

Counsel for the petitioner Camp Court, A/Abad District Attorney alongwith Saquib Shanzad, Assistant for the respondents present and filed bills in favour of the petitioner submitted to Accounts office. To come up for further proceedings/arguments on 20.02.2018 before S.B at camp court, Abbottabad.

Chairman
Camp court, A/Abad.

20.02.2018

Petitioner in person and Addl. AG alongwith Sohail Ahmad Zeb, ADO for the respondents present. Seeks adjournment. To come up for arguments/further proceedings on 22.02.2018 before the S.B.

Member

ATTESTECTION court, A/Abad.

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

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FORMOF ORDERSHEET

Co	urt	of	

C.O.C Application No. 180/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	. 2	3
. 1	10/10/2017	The C.O.C application of Mr. Haq Nawaz submitted today by Mr. Khaled Rabbani Advocate may be entered in the relevant Register and
		put up to the Court for proper order please.
		REGISTRAR.
2-	10-10-2017	This C.O.C application be put up before S. Bench on $10-10-2017$
		CHAIRMAN
		CHARMAN
·		
	0.10.2017	Petitioner alongwith counsel present. Notice of this COC petition be issued to the respondents. To come up for
		reply/arguments on 23.11.2017 alongwith main appeal at
		damp court, Abbottabad.
-		Chairman
		ATTESTED
		Khyber Pakhtunkhwa Service Tribunal. Posmawar
		S.CPITTE as C.

23.05.2019

Petitioner in person and Mr. Zubair Ali, ADO alongwith Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Petitioner requested for adjournment. Adjourned to 10.07.2019 for further proceedings before S.B at Camp Court Abbottabad.

(Muhammad Amin Khan Kundi) Member Camp Court Abbottabad

10.07.2019

Petitioner in person and Mr. Sohail Ahmad Zeb, Assistant for the respondents present. Representative of the department submitted implementation report dated 28.05.2019 today. Copy of the same is placed on record. Petitioner seeks adjournment to examine the same. Case to come up for further proceeding on 18.09.2019 before S.B at Camp Court Abbottabad.

(Muhammad Amin Khan Kundi) Member Camp Court Abbottabad

ATTESTED

EXAMINER

Khyber Pakhkunknwa
Service Tribunal,

Peshawar

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OFFICE OF THE DISTRICT EDUCATION OFFICER (MALÉ) ABBOTTABAD.

NOTIFICATION

In pursuance to the judgment of Honourable Khyber Pakhtunkhwa Service Tribunal Peshawar in Service Appeal No. 715/2017 dated 23-11-2017, the penalty of Reduction to Lower Post of SPST (BPS-14) upon Mr. Haq Nawaz is hereby set aside and he is further adjusted as PSHT (BPS-15) against the vacant post of GPS Jandar Dhaki, Abbottabad with immediate effect till the finalization of Denovo proceedings.

Note:-

- 1. Necessary entry should be recorded in his Service Book.
- 2. Charge Report should be submitted to all concerned.
- 3. No TA/DA is allowed to him.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD.

Dated: 25/06/2018

Endst: No. 7317-21/Haq Nawaz/Litg

Copy Forwarded for information to the:

1. Registrar Honourable Khyber Pakhtunkhwa Service Tribunal Camp Court, Abbottabad with reference to COC No. 180/2018 dated 25-06-2018.

2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

3. Mr. Muhammad Nisar, Principal GHS Nathai Gali, Abbottabad.

4. Sub Divisional Education Officer (M), Abbottabad for compliance.

5. Mr. Haq Nawaz PSHT GPS Jandar Dhaki, Abbottabad.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD.



The Honorable Service Tribunal, Khyber Pakhtunkhwa, Reshawar, at Camp Court, DbboHabad.

Subject:- RELEASE OF SALARY OF DEO (m) Atd in COC# 180/10

Titled + , AQ NAWAZ VS DEO

Respected Sir=

That the above Titled coe is pending in judication in this Honorable Trébunal

That the salary of the DEO (m) Atol has been attached due to the non Compliance of order cheet dated 20-03-18 vide order dated 25-06-2018.

That the compliance of order sheet dated 20-03=2018 has been made by the DEO (m) Atd. accordingly. Hence, The salary of DEO (m) Atol may Marse be released accordingly. (copy of order attached)

DEO(male) At/06/18

TRICT EDUCATION OFFICER (M) ABBOTTABAD



0992-9310102, 0992-330131

EDO.Education.Atd@gmail.com

The Sub Divisional Education Officer Male Abbottabad

Subject: SHOW CAUSE NOTICE

Memo:

Show cause notice: in respect of Haq Nawaz PSHT GPS Jandar Dhaki UC Kukmang. You are directed to serve the same to him and return one copy to this office as a token of receipt.

> District Education Officer (M) Abbottabad

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PAD



Dated 22/12/2018

SHOW CAUSE NOTICE

H. Qazi Tajammal Hussain, District Education Officer (Male) Abbottabad as Competent Authority under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Haq Nawaz, PSHT, GPS Jandar Dhaki, Circle Boi Abbottabad, as follows:

- 1. (i) That consequent upon the completion of inquiry conducted against you by the Inquiry Committee vide Memo No. 511 dated 14-07-2018, wherein you were given opportunity of self- defense and cross examination.
- (ii) on going through the findings and recommendations of the inquiry committee, the immaterial on record and other connected papers including your defense before the inquiry Officer: -

I am satisfied that you have committed the following gross misconduct, inefficiency and Corruption under Rule-3 of the rules ibid.

- i. You bitterly failed to appear before the Inquiry Committee in spite of repeated summons issued to you. You not only remained non cooperative to the Inquiry Committee but also disobeyed the order of the August Court.
- ii. You are involved in financial embezzlement/corruption of Rs.360,000/= (Rupees three lac sixty thousand only) in PTC funds/conditional grant of your school.
- 2. As result, thereof, I, as Competent Authority have tentatively decided to impose upon you the major penalty of Dismissal from service with recovery of Rs.360,000/= (Rupees three lac sixty thousand only) under Rule-4 of the Khyber Pakhtunkhwa, Govt: Servants (Efficiency & Discipline) Rules, 2011.
- 3. You are therefore, 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.
- 4. If no reply to this notice is received within seven days or not more than fifteen days of its issuance, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.

COMPETENT AUTHORITY

Mr. Haq Nawaz, PSHT, GPS Jandar Dhaki, Circle Boi Abbottabad.

ESAIGN TORRAYDARY



جواب اظهار وجوء نوٹس (Show Cause) نمبر 15057 بتاریخ 12/2018 از دفتر (DEO(M) ، ایبٹ آباد (مجازا تفار ٹی)

یدکہ پیرا گراف نمبر 1 سراسر غلط ہے۔ بحوالہ لیٹرنبر 511 ہتاری 14/07/2018 کی بابت من سائل کوکوئی علم نہ ہے اور نہ ہی من سائل کو اتھاد ٹی مجازی طرف سے کوئی لیٹر ملاہے۔

یدکہ آج مورخہ 15/01/2019 دوران ساعت اپیل نمبر 180/17 بعدالت سروس ٹربیونل، آبیت آباد بیت آباد بیت آباد بیست آباد بیش میں عنوان بالا شوکاز کے بارے میں علم ہوا۔ جو کہ غیر قانونی ، ذاتی انا ، بدنیتی پربنی وانقامی کاروائی ہے۔ اور محض نوٹس اظہار وجوع بنی برایک صفحہ ہے۔

یدکہ بیسارا ممل مور خد 26/06/2018 کے بعد کا ہے۔ جب فاضل عدالت نے آنجناب کی سیلری شاپ کی صالا نکداس میں کہ بیسارا ممل مور خد 26/06/2018 کی آرڈر شیٹ میں محکمہ خود تعلیم کرتا ہے کہ Denovo شیس میں کہ خود تعلیم کرتا ہے کہ 16/04/2018 کی آرڈ رشیٹ میں محکمہ کہدر ہا ہے اپیل انکوائری ابھی پراسس میں نہیں ہے۔ اس سے قبل مور خد 20/03/2018 کی چارج شیٹ ملاحظہ ہوجس میں محکمہ کہدر ہا ہے اپیل کنندہ کو 25-805 میں کرنے کا پراسس جاری ہے۔ آرڈ رشیٹ لف ہے۔

یے کہ سائل کی 13/12/1990 سے تا حال تمام سروی بے داغ ہے اور "Very Good" "Good" کارکردگ ہے۔جس کی بناء پرمن سائل کو 5-BPS سے 14،12،9،7 اور پھر 15-BPS میں ترقی دی گئی۔نقول لاگ بک لف ہیں۔ اس کے علاوہ IMU کی رپورٹ کے مطابق میری کارکردگی %93 ہے۔ جس کی کا پی لف ہے۔ تعمیر ملت میں تو میری کارکردگی بہترین ہے۔

یہ کہ من سائل کے سکول GPS جندر و مھی (ککمنگ) کی جار و بواری کی مدیس حکومت خیبر پختونخواہ محکہ تعلیم نے ۔ -/6,60,000 روپے کی کنڈیشنل گرانٹ دی تھی۔ بینک شیمنٹ لف ہے۔

جوکہ PTC کے زریعے لگاناتھی۔من سائل نے اپنے تا حدملم بہترین کام ایمانداری، دیاننداری سے سرانجام دیا۔ چونکہ سکریٹری سکول (ہیڈ ٹیچر) اور چیئر بین PTC کے دستخط سے بینک سے رقم نکلوائی جاتی ہے۔ اس کے علاوہ لوکل نمائندگان کے علا چیئر مین PTC نے بھی تاری کیا۔جس پران کے دستخط معدنشان انگوٹھا ثبت ہیں۔



ید کتمبرات میراپیشنہیں ہے اور نہ بی اس نمن میں جانتا ہوں۔ تعمیرات کا کام کسی غیر پیشہ ورکودینا قانو نا درست نہ ہے۔ اگراپیا کرنا وقت کی ضرورت ہوتو اس سے قبل تربیت دینا ضروری ہے۔لیکن محکمہ نے تربیت بعداز کنٹریشن SRSP نامی ایک NGO کے ذریعہ دی ہے جس کا مٹیفکیٹ طلب کرنے پر پیش کیا جاسکتا ہے۔

یدکراس شمن میں من سائل کونی آوک اور یا گیااور نہ ہی کوئی معاہدہ سائن ہوا۔اور نہ ہی کینیکل معاونت کے لئے کوئی ا انجینئر ہاڑکیا گیا۔ جو کہ قانون کی خلاف ورزی ہے۔اگر کام غلط ہور ہاتھا تو اس دوران PTC ارکان ADO سرکل نے Visit کئے تو کام بند کیول نہیں کرایا گیا۔

یکہ PTC فنڈ نے PTC ہے۔ اس کی دیات اس کا آڈٹ کرنے کا کوئی مجاز نہ ہے اور نہ ہی کوئی آفیسراس کے کا غذات ما نگنے دینے یاردوبدل کرنے کا مجاز ہے۔ اس کی دیکھ بھال صرف تھرڈ پارٹی کرسکتی ہے جسے حکومت بعنی سیکر یڑی تعلیم مقرر کرسکتی ہے۔ موصوف نے کوئی کمیشن مقرر نہ کیا ہے۔ PTC کتا بچہ کا صفحہ نمبر 18 اصول نمبر 10 ملاحظہ ہو۔ یہ کہ من سائل نے ایس علم کے مطابق درست کام کیا ہے۔

نتمبرات کے بارے میں میرا SDO میں DEO صاحب یا اکلوائری افسر کیجھنہیں جانے بلکہ یہ قیاس شناسی پر بنی الکوائری ہے۔ میں نے جو کام کردایا ہے۔ انجیز نگ کی رپورٹ کے مطابق 1185710.78 روپے لاگت کا ہے۔ کا پی لف ہے۔

یہ کہ دوران پرسل میئر نگ سابق DEO ضیاءالدین صاحب (مرحوم) نے گالی گلوج شروع کردی اور ذاتی اناکا مسئلہ بناکر اپنے ہی دفتر کا ماتحت سابق SDO باہر بشیر صاحب کو اکلوائری افسر مقرر کر کے مجھ پر مختلف چار جز لگوائے اور مور خد بناکر اپنے ہی دفتر کا ماتحت سابق SDO باہر بشیر صاحب کو اکلوائری افسر مقرر کر کے مجھ پر مختلف چار جز لگوائے اور مور خد کا مائل کو حکم نہر کا گھوٹ میں مائل کو حکم نہر میں گریوئل پٹاور بین ایس ایس دائر کی جو کہ مور خد 23/11/2018 کو بحق سائل منظور ہوئی۔

يەكە پرى بلان كى چندىثالىن حسب ذىل ہيں۔

من سائل کو پہلی انکوائری میں شوکاز نمبر 711 بتاریخ 25/01/2016 کو جاری کیا گیا۔ جبکہ عوامی شکایت من سائل کو پہلی انکوائری میں شوکاز نمبر 711 بتاریخ 15/08/2016 کو موئی۔ جس کی کا پیاں گف ہیں۔ اس طرح ADEO سرکل کی شکایت جدید میں موئی۔ جس میں موئی۔ ہے۔ 30/01/2016 کو موئی۔ پہلے اور شکایت بعد میں موئی ہے۔



یے کہ انگوائری افسر کا تقرر لیٹر نمبر 3824 مورخہ 14/05/2016 کو ہوا۔ جب کہ من سائل کو انگوائری سوال نامہ 13/05/2016 کودیا گیا۔ جس پر تاریخ اور انگوائری افسر کے وستخطفیس ہیں۔ جبکہ میرے جواب پر تاریخ 13/05/2016

یکہ 02/06/2016 کی انگوائری رپورٹ میں میرا SDO صاحب مجھ پرتین لا کھروپے کی کرپش ثابت کررہا ہے۔ جکہ۔02/12/2015 کوسالا نہ معائنٹیم سکول لاگ بک میں کھنی ہے کہ پانچے لا کھ کا کام ہوگیا ہے باقی کام جاری ہے۔

یہ کہ بھے پریشان کررہا ہے اور ہر معالمہ میں گلی ثابت کرنے کی کوشش کررہا ہے۔ اس سے قبل مجھے ایک معالمہ میں تنگ کیا گیا اور معالمہ چیف سیکر یٹری نحیبر پختونخواہ تک گیا جہاں سے فیصلہ بنی پر انصاف بحق سائل ہوا۔ اس طرح مور خد تنگ کیا گیا اور معالمہ چیف سیکر یٹری نحیبر پختونخواہ تک گیا جہاں سے فیصلہ بنی پر انصاف بحق سائل ہوا۔ اس طرح مور خد میں مائل کو censure اور ایک دن ریکوری کی غیر قانونی سزا ہوئی۔ جو تھی بنی بر بدنی وعزاد پر وری ہے۔ حالا نکہ سائل حاضر تھا جو کہ اپیل نمبر 34/18 کے تحت بعد الت سروس ٹربوئل پشاور نیٹے ایب آباد میں زیر برائل ہو تا کہ مائل حاضر تھا جو کہ اپیل نمبر 34/18 کے تحت بعد الت سروس ٹربوئل پشاور نیٹے ایب آباد میں زیر برائل ہو تا کہ مائل حاضر تھا جو کہ اپیل نمبر 34/18 کے تحت بعد الت سروس ٹربوئل پشاور نیٹے ایب آباد میں اس میں آئندہ پیش 21/03/2019 ہے۔

2/ کی مورخہ 26/11/2017 کو تنخواہ بند ہونے پر حضور والا میرے خلاف غصہ میں آگے اور 26/11/2017 کی مورخہ 26/11/2017 کو تنخواہ بند ہونے پر حضور والا میرے خلاف غصہ میں آگے اور Denove انکوائری کروا کر من اکو ہی بدل ڈالا حالا تکہ جناب نے ہی پہلی انکوائری میں تنزلی سکیل کی سز ااور 3 لا کھرو پر دودادو کروائری کی میں تنزلی ہے جو کہ خلاف خلاف رودادو ڈالئری سے جو کہ خلاف خلاف رودادو ڈالئری سے جا کہ جو کہ خلاف خلاف رودادو برائمی میں میں برید نیتی ،خلاف قانون اور محض قیاسی دلائل پر بنی ہے ۔ اور انتقامی کاروائی ہے جبکہ موقع پر تعمیر اتی کام کی بذریعہ المجینئر تخید لگایا جا سکتا ہے۔

ایک اگر جناب جواب سے مطمئن نہ ہوں تو پرسل ہمیئر نگ کے موقع کی استدعاہے جو کہ سائل کا قانونی حق ہے۔

الرقوم:2019<u>/ 8/</u>

THE DE

حق نواز PSHT گورنمنٹ پرائمری سکول جندر ڈھکی ککمنگ سرکل ہوئی بخصیل وضلع ایبٹ آباد ہوم ایڈریس؛ موہری میرا (بوئی) مخصیل وضلع ایبٹ آباد موہائل نمبر؛ 0315-5096452 TNINEYURE

EDUCATION OFFICER (MALE) ABBOTTABAD

1158 Dated

The Sub Divisional Education Officer (M) Abbottabad

Subject:

REPLY OF SHOW CAUSE NOTICE

Memo:

I am directed to refer to the subject cited above and ask you to intimate Mr. Haq Nawaz, PSHT GPS Jandar Dhaki (Boi) to attend office of the District Education Officer (M) Abbottabad on 02.02.2019 at 10.00 AM for personal hearing.

DY: DISTRICT EDU: OFFICER (M)

(ABBOTTABAD

برك مرّ ك من لواز ۱۹۶۶ مندر دهوكر المستولان لول عدال الما والمع المع والع دماع ي تريد کله کسیا جا هے ہی لا کسیا کا در کسی اور کسیا جا ہے ہی لا کسیا () 5 (1) 2 - POHT) DEIL LAS - FRIE - SON CO 2012 19970 [1 1 1 5 Com 1 0 0 0 2 3.11 Lul 可のいでのうっとはしてのからいではできる من نا منز سوال برس آب دانی شوزان آ منبر میل دوران OF DE Just On Som Behof DE DE by work with the deline of the properties of Wi Jour 192 16 16 16 19 1 19 10 19 1 10 19 1 english for the con con con the でもはりからいけいできますがしまり Bre papaget in 1600 Jest 2019 300 2 de con - co (/ 1/1/2 32 32 32) من و سول المان المحاص عول موسم آرما الارس ما س about places of the state "是我,是这个人一个是一种

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INNEXURE

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

The Sub Divisional Education Officer (M) Abbottabad

Subject

REPLY OF SHOW CASE NOTICE/PERSONAL HEARING

Memo:

With reference to this office Memo: No.1158/P&D/Haq Nawaz Boi dated 28.01.2019 on the subject cited above and ask you that personal hearing in respect of Mr. Haq Nawaz, PSHT GPS Jandar Dhaki Circle Boi is going to reschedule on 16.02.2019 at 10.00 AM in the office of the undersigned. You are directed to intimate the teacher concerned to re-appear for personal hearing and avail the opportunity of self defence.

> DISTRICT EDUCATION OFFICER (M) **ABBOTTABAD**

Endst of Even No. & Date

Copy forwarded to:-

01.ASDEO Circle Boi with the remarks to intimate the teacher concerned ©2. Mr. Haq Nawaz PSHT Village Mohri Maira P. O Boi Teshil & District Abbottabad Cell No. 0315-5096452

DISTRICT EDUCATION OFFICER (M)

ABBOTTABAD

ANNEXURE 3

الرسل هيراً حق لوار PSHT العرفي مولي 52019 61 60,00

س کا آب سو کار توطی کے جواب کے علاوہ لینے دفاع میں مزیر کھ كسا ما سيريس أو تعضلا البرمردي؛

من ا عورونه و من و گورندی برندی سو ا مندیاه این را د منا

مبی میں هماب از نؤد فوجود ہیں۔ امنسر تھے. اس سرنگ اور اس سے فیار کے خورب میں من

ما تون ما دی این کا ورود کا النام ع . من کا ورود کا النام ع . من کا می کار

١١١ع المرابع المرابع عليه الوالم - الكونك الله إلى المرام 85710 الله بن ين ور من سال الله مير ورا ۱۶۱۶ مداند سرون روال

يساور نيج رسيان، مي سي سي ساء. B viors 2 2018 in from one - c هندن می رسی عدد در فوات عرار حقول تها شار ار ای . می بر

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8. E. 170 - 5 1, 6 13 . مرور مزام الفاقواه مر برار نبا دره موان مرا الموسيد مرا الموسيد مرا رود مرا من عمر ن ما الم مراسي فا تا الموسيد مراس مراس مرا 100 100 4 10 CM 12014 - E S. J. 16 CM 2 M. 10 CM 120 W. 10 CM 120 W. 100 M. 100 18, w 1/) 21 le 2 mad 2 m = 28/- 16/1 6/1 6/1 6/1 8/1 ملاحظرميا على والم أن حوار من مع في الله الله مظر فرما على 5 0/1: e 93/4 0/0 on Colo (5/8 m 1 0) تعالى كر ور فوكا زكا مورا و فعد خد مرياك كاركepining biblic for white on he can con . wild for ASDO De Julie . 2 les con (5 + (2) ab (o g 20/6) v g q power (133 gg 1) 13 gg) in J. Particol Chingles - 19/10 - 1/2/2 (341) 19 19 Ling (1) . De gline is the city of the 160 28/28/30 inder den/ de cille (5) 6 Denaro (2) 1 1 23/1 /3. 2 399 Co (300 pe (3)