

14th Nov, 2022

Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not made preparation for arguments. To come up for arguments on 18.11.2022 before the D.B at Camp Court Abbottabad.



(Salah Ud Din)
Member (Judicial)
Camp Court Abbottabad

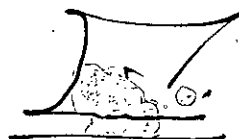


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

18th Nov 2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the case. Last opportunity granted. To come up for arguments on 23.01.2023 before D.B at camp court Abbottabad.



(Salah Ud Din)
Member (Judicial)



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Office of the Principal GHSS Bahali Mansehra NO 56 Dated 16/05/16

To,

The DEO (M),

Mansehra

Subject: Inquiry Report of Head-Teacher GPS Zafar Maidan

Reference DEO (M) Mansehra NO: 4477-89/13/04/2016

TORS of the Inquiry:

Embezzlement charges against Head-Teacher GPS Zafar Maidan in PTC funds for boundary wall of GMS Zafar Maidan Mansehra

The inquiry report as to the utilization of PTC funds of GMS Zafar Maidan Mansehra is submitted as under:

The inquiry team visited the school on 18/04/2016 and 13/05/2016 to collect the data about the utilization of PTC funds and met with the community representatives to inquire about the allegations leveled against the teacher concerned in a unnamed application addressed to the provincial Ombudsman (Mutasib); the people who met with the inquiry team were first reluctant to own the application but later on Mr. Sardar Muhammad Fayyaz, who is the main character in the land issue of the school_ he sold land to the health department which was transferred to the education department in return of the land of the school which was given to King Abdullah District Head quarter Hospital for its extension_ came forward and owned the application and its contents; although he denied that he had moved this application.

The Reply of the Community/Civil Society

The civil society/community representatives have repeated the allegations of corruption against the head-teacher GPS Zafar Maidan, Mr. Shoukat, in utilization of the PTC funds of boundary wall of GMS and GPS Zafar Maidan. Furthermore, they were of the opinion that there was affixed no barbed wire on the boundary wall. (Annexure A)

The reply of the Head -teacher GPS Zafar Maidan Mr. Shoukat

In reply to a questionnaire he provided a set of documents in his defense. The facts and figures are presented in the following:

- i: Rs. 663000/- were allocated for raising existing boundary wall of GPS and GMS Zafar Maidan (both schools are in the same premises).

ii. The receipts provided by the head-teacher show the following details of expenditure:

S.No	Item/head of expenditure	cost
1	The material [crush, sand, blocks, iron bars(<i>saria</i>), etc] purchase+ transportation cost	Rs. 465830
2	Two gates repairing	Rs. 10900
3	Angular iron for Barbed wire	Rs. 18900
4	Mason ,labourers payments	Rs. 143000
	Total expenditure	Rs. 608830
	Balance amount	Rs. 54170

Annexure B and C

The work done details are as under:

S/NO	Work done	Measurement
1	Wall raising	593x 3.5 square feet
2	56 Pillars	3.5x1 feet x 6 inches
3	Beam	593 s.f (1 feet x6 inches)
4	Floor construction	125 square feet (thickness 2 inches)
5	Assembly Stage construction	

3. The amount shifted to the PTC account of GPS Zafar Maidan for building boundary wall of the area of the school lies outside the school premises (about 20 kanals)is **Rs. 1326000/-**. This amount has not been fully utilized due to the dispute and litigation/stay order by the seller of the land and other people who have not vacated the area despite payment to them by the health department. Out of this amount only Rs. 246000/- have been spent. The remaining amount lies in the bank. (Annexure E)

4. The PTC record reveals that the PTC chairman was elected by following the laid down process; his son Abbas is the student of the second class in the school. He was elected as chairman not in the tenure of the present head-teacher. When he was elected chairman in 2013 his three sons were the bonafide students of this school and the then head-teacher was Abid Lughmani. (Annexure F)

The Findings of the Inquiry

1. The balance amount in PTC account under the head raising of existing boundary wall is Rs. 54100/-
2. The work done and expenditure made on the raising of the existing boundary wall of the school is cross validated by obtaining cost estimate from a private contractor Mr. Fazlur Rehman S/O Jamilur Rehman, resident of Abbottabad (cell Phone# 03219818261). As per his estimate the cost estimate of the work done is Rs. 590775/-. Hence the balance amount with the school should be Rs. 72225/- (Annexure G)
3. The actual balance with the school is Rs. 54170. The difference of actual and estimated cost is Rs. 18055/-. This difference of actual and estimated cost may be justified in the backdrop of other costs involved in litigation in courts to vacate stay order and demarcation expenses.

These expenses should have been properly got sanctioned from the School PTC and recorded in the PTC record instead of making adjustment in other expenses.

4. The allegations of hand-picked PTC chairman are baseless and malafide.
5. The balance amount in PTC account is for installing barbed wire, hence, no embezzlement found in amount reserved for barbed wire installation.
6. The head-teacher GPS Zafar Maidan, Mr. Shoukat, who has been alleged of corruption is actually striving to safeguard the interest of the department and ensuring the recovery of the land occupied by the people of the area who have been paid for their land and houses.
7. It is evident that the occupants of the school land and other miscreants are moving unnamed application against the head-teacher GPS Zafar Maidan. Hence allegations of funds embezzlement are baseless and malafide.

Recommendation

1. The present head-teacher of GPS Zafar Maidan may not be transferred from this school. Some weak substitute of him would not be able to safeguard the interest of the department.
2. The head teacher may be directed to complete the barbed-wire installation work quickly.
3. The issue of the land of Zafar Maidan, which is occupied by the people even after receiving payments for the land and houses, may be brought to the notice of the competent authority and the health department, which has provided the same in place of the education department land near King Abdullah Hospital Mansehra.
4. The school undisputed area is about 17.7 Kanals (see annexure (d)); the remaining 7.3 kanals area is occupied by the people and houses are constructed on it. The work of constructing boundary wall on undisputed area needs to be started immediately; and the head-teacher may be directed in this regard for prompt action.
5. An alternative solution for resolving land issue is proposed as per annexure (e). If the land owners are negotiated to provide the open space in front of constructed houses the school total land can be recovered and access to the road on the eastern side of the school can be made possible.
6. The funds allocated for the middle school boundary wall construction are transferred to GPS PTC account; these may be transferred to GMS PTC account and some active head-master for Middle school Zafar Maidan may be placed in the school; the incumbent in the same is not an efficient administrator and reluctant to take on his responsibility of the construction of boundary wall.

1. Inquiry officer
Muhammad Naseem Khan

Principal GHSS Bahali Mansehra


2. Inquiry officer
Raja Jahangir


ASDEO circle Battal Mansehra

18th July 2022

Appellant alongwith his counsel present. Mr. Noor Zaman, District Attorney alongwith Mr. Hamid Mansoor, Assistant for respondents present.

Partial arguments heard. To come up for further arguments on 19.09.2022 before D.B at camp court Abbottabad.


(Salah Ud Din)
Member(Judicial)



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

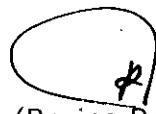
19.09.2022

Appellant present through counsel:

Muhammad Jan, District Attorney alongwith Hamid Mansoor, Assistant for respondents present.

Former made a request for adjournment as he has not prepared the brief. Adjourned. To come up for arguments on 14.11.2022 before D.B at Camp Court, Abbottabad.


(Fareeha Paul)
Member (E)
Camp Court, A/Abad


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

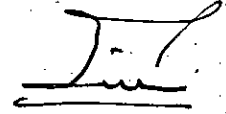
20.01.2022

Appellant in person present. Mr. Kabir Ullah Khattak,
Additional Advocate General for the respondents present.

Appellant requested for adjournment on the ground that his
counsel is not available today due to strike of Lawyers.
Adjourned. To come up for arguments before the D.B on
14.03.2022 at Camp Court, Abbottabad.



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



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

*Due to Retirement of the Hon.ble Chairman
therefore the case is adjourned to come
up for the same as before on 17-05-22*



17.05 2022

Appellant in person present. Mr. Muhammad Asif
Masood, Deputy District Attorney for respondents present.

Appellant seeks adjournment on the ground that
his counsel is not available today. Adjourned but as a last
chance. To come up for arguments on 18.07.2022 before
D.B at camp court Abbottabad.



(Fareeha Paul)
Member(E)




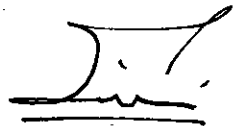
(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

22.09.2021

Nemo for the appellant. Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel and to come up for arguments before the D.B on 17.11.2021 at Camp Court Abbottabad.



(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)
CAMP COURT ABBOTTABAD



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

17.11.2021

Appellant present in person and Mr. Muhammad Riaz Khan Paindakhel, Asstt AG alongwith Muhammad Tauseef, ADEO for the respondents present.

Appellant seeks adjournment due to non-availability of his learned counsel. Request is accorded To come up for arguments on 20.01.2022 before the D.B at camp court, Abbottabad.


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


Chairman
Camp Court, A/Abad

21.01.2021

Due to COVID-19, the case is adjourned for the same on 16.02.2021 before D.B.


READER

16.02.2021

Appellant in person present.

Riaz Khan Painsdakhel learned Assistant Advocate General for respondents present.

Former made a request for adjournment as his counsel is indisposed today; allowed. To come up for arguments on 19.05.2021 before D.B at Camp Court Abbottabad.




(Atiq ur Rehman Wazir)
Member (E)
Camp Court, Abbottabad



(Rozina Rehman)
Member (J)
Camp Court, Abbottabad

19-5-21

Due to covid 19, the case is adjourned to 22-9-21 for the same.

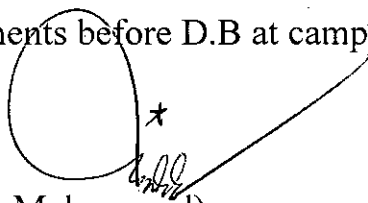

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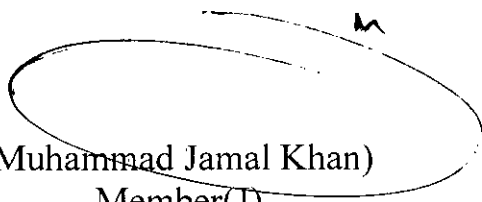
17.11.2020

Appellant is present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for respondents is present.

Appellant requests for adjournment that his counsel is indisposed of today.

Adjourned to 21.01.2021 on which date to come up for arguments before D.B at camp court Abbottabad.


(Mian Muhammad)
Member(E)


(Muhammad Jamal Khan)
Member(J)
Camp Court Abbottabad

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

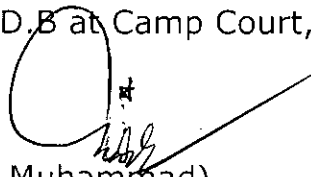
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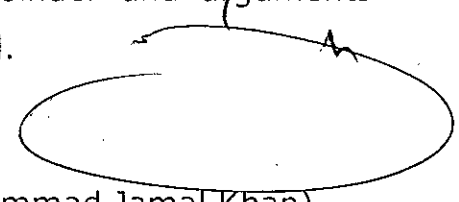
Due to summer vacation case to come up for the same on
14 / 9 / 20 at camp court abbottabad.


Reader

14.09.2020

Mr. Iftikhar Ahmad Tanoli, Advocate for appellant is present. Mr. Usman Ghani, District Attorney for respondents is also present. Learned counsel submitted that his senior counsel is indisposed today and could not attend the Tribunal. He is seeking adjournment. Adjourned to 17.11.2020. File to come up for rejoinder and arguments before D.B at Camp Court, Abbottabad.



(Mian Muhammad)
Member (Executive)
Camp Court Abbottabad


(Muhammad Jamal Khan)
Member (Judicial)
Camp Court Abbottabad

21.10.2019

Appellant in person present. Mr. Usman Ghani, District Attorney alongwith Mr. Hamid Mansoor, Assistant for respondents present. Appellant seeks adjournment due to general strike of the bar. Adjourn. To come up for arguments on 18.11.2019 before D.B at Camp Court, Abbottabad.



Member


Member
Camp Court Abbottabad

18.11.2019

Petitioner in person present. Mr. Usman Ghani, District Attorney alongwith Mr. Hamid Mansoor, Assistant for respondents present. Appellant seeks adjournment as his counsel is not available today. Adjourned. To come up for further proceedings on 20.01.2020 before D.B at Camp Court, Abbottabad.



Member


Member

20.01.2020


None for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Hamid Mansoor, Assistant for respondents present. Due to general strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for further proceedings/arguments on 19.02.2020 before D.B at camp court Abbottabad. Appellant be put on notice for the date fixed.


Member


Member
Camp Court A/Abad


20.05.2019

Appellant in person and Mr. Faheem Anwar, Assistant alongwith Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Written reply on behalf of respondents not submitted. Representative of the department requested for adjournment. Adjourned to 08.07.2019 for written reply/comments before S.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad


08.07.2019

Counsel for the appellant and Mr. Muhammad Bilal Khan, Deputy District Attorney for the respondents present. Neither written reply on behalf of respondents submitted nor representative of the department is present therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned to 16.09.2019 for written reply/comments before S.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

16.09.2019

Appellant in person and Mr. Hamid Ali, Assistant alongwith Mr. Muhammad Bilal Khan, Deputy District Attorney for the respondents present. Representative of respondents No. 1 to 5 submitted para-wise comments which is placed on record. Case to come up for rejoinder and arguments on 21.10.2019 before D.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

18.01.2019 Appellant with counsel present and stated that the departmental appeal of the appellant was decided soon after the institution of the present service appeal and seeks adjournment to furnish amended appeal in order to challenge the order of appellate authority. Adjourn. To come up further proceedings/submission of amended appeal on 22.02.2019 before S.B at Camp Court Abbottabad.




Member
Camp Court A/Abad


22.02.2019

Counsel for the appellant Shoukat Ali Khan present and submitted amended appeal.

Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Education Department as Primary School Head Teacher. It was further contended that the appellant was imposed major penalty of dismissal from service alongwith recovery of Rs. 1567663.39 on the allegation of embezzlement vide order dated 12.12.2017. It was further contended that the appellant filed departmental appeal on 02.01.2018 which was not responded within the statutory period of 90 days therefore, the appellant filed service appeal within time on 09.04.2018. It was further contended that after institution of service appeal, the departmental appeal of the appellant was decided by the department on 11.06.2018 which was later on came to the knowledge of the appellant that the department decided the departmental appeal on 11.06.2018 therefore, the appellant also challenged the departmental decision through amended service appeal which has been submitted today. It was further contended that two inquires were conducted and the appellant was exonerated in both the inquiries but despite that the appellant was imposed major penalty. It was further contended that the inquiries were conducted as per rules therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 20.05.2019 before S.B at Camp Court Abbottabad.





Appellant Deposited
Security & Process Fee


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

Form-A
FORM OF ORDERSHEET


Court of _____

Case No. 493/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	09/04/2018	<p>The appeal of Mr. Shaukat Ali Khan presented today by Mr. Babar Ilyas Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 9/4/18</p>
2-	09-04-2018	<p>This case is entrusted to Touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>29-06-2018</u></p> <p style="text-align: right;"> CHAIRMAN</p>
29.06.2018		<p>Neither appellant nor his counsel present. Case to come up for preliminary hearing on 21.09.2018 before S.B at camp court, Abbottabad.</p> <p style="text-align: right;"> Chairman Camp court, A/Abad</p>

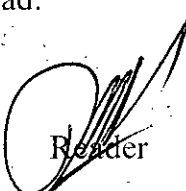
19.09.2018

Since 21st September, 2018 has been declared as public holiday on account of Moharram, therefore, case is adjourned to 14.11.2018 for preliminary hearing before the S.B at camp court, Abbottabad.


Chairman
Camp court, A/Abad

14.11.2018

Appellant in person present. Due to retirement of the Hon'ble Chairman the Service Tribunal is incomplete. Tour to Camp Court Abbottabad has been cancelled. To come up for the same on 17.01.2019 at camp court Abbottabad.


Member
A/Abad

17.01.2019

Appellant in person present and seeks adjournment as his counsel is not in attendance. Adjourn. To come up for preliminary hearing on 18.01.2019 before S.B at Camp Court Abbottabad.

Member
Camp Court A/Abad

**BEFORE THE HONOURABLE SERVICE
TRIBUNAL K.P. K**

SA-493/18

Shoukat Ali Khan
(Appellant)

Versus

Secretary Elementary etc
(Respondents)

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Dated: 22/2/2019

Shoukat Ali Khan

Appellant
Manoj counsel

THROUGH

BABAR ILYAS

ADVOCATE HIGH COURT

(MANSEHRA)

①

A. No. 493/18

**BEFORE THE HONORABLE SERVICE
TRIBUNAL K.P.K**

Shoukat Ali Khan, PSHT, GPS, Zaffar Madain,
Manselhra.

Appellant

VERSUS

1. Secretary Elementary & Secondary Education
Department, KPK, Peshawar.
2. Director Elementary & Secondary Education
Department KPK, Peshawar.
- ✓ 3. DEO (Male) District, Mansehra.
4. SDEO (Male) Circle, Mansehra.
5. ASDEO (Male) Circle, Mansehra.

Respondents

APPEAL AGAINST THE IMPUGNED DISMISSAL OF SERVICE ORDER VIDE
ENTT NO 21636-44/ESTT/MGDS ZAFFAR MAIDAN DATED 12/12/2017
AND ORDER ENDST NO 1880-83/F DATED 11/06/2018, ON THE BASIS
OF SO CALLED INQUIRY WHICH IS AGAINST THE LAW, RULE AND
REGULATION, MAY KINDLY BE SET ASIDE AND APPLICANT MAY
GRACIOUSLY BE REINSTATED.

PRAYER:

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On acceptance of instant appeal, the dismissal order No 21636-44 dated 12/12/2017 and on departmental appeal order No Endst No 1880-83/F dated 11/06/2018 may kindly be set aside and appellant may kindly be reinstated on his post on which he was, serving at the time of dismissal, and this Honourable Tribunal may kindly allow all back benefit Salary allowances, incentives and other,

RESPECTFULLY SHEWETH:

The amended appeal is as following:

The facts giving rise to the present appeal are given as under:-

1. That the applicant/appellant was appointed as PST in Education Department on 29-03-1984 and served the Department with complete devotion and dedication to the entire satisfaction of his superiors and also got good / very Good ACRs during the period of his services. The Applicant by dint of Hard Work and merit got promoted to PSHT and served at Govt. Primary School Zaffar Maidan, Mansehra till 11-12-2017.

2. That the applicant left no stone unturned for the smooth functioning of the school. It is worth mentioning here that total land / area of the school is 25 Kanals. Out of 25 Kanals area of the school, only 03 Kanals were under the possession of the Education Department. Rest of the area measuring 22 Kanals was encroached by out Laws / Land

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grabbers namely Sardar Muhammad Fiaz S/O Malik Aman who is political figure of the area.

3. That the applicant, as soon as taken over the charge of the school on 11-12-2012, there were 40 students in the Govt. Primary School Zaffar Maidan. The untiring and ceaseless efforts of the applicant, now the strength of this school is 421.

4. That the applicant also got vacated illegal possession from the aforesaid grabbers and now the total area of the school is 08 Kanals. Rest of area of the Education Department is still under the illegal possession of the said land grabber. In this regard, the land grabber attacked the applicant in the school because the applicant was trying to restore possession of the school from the cruel clutches of the land grabber. In this regard, the applicant got registered FIR against the said land grabbers. (Copy of FIR is attached herewith as Annexure A)

5. That during the period from July 2016 to 2017, the total sums of Rs. 32,16,080/- was received in the account of PTA/CCA out of public fund. The applicant utilized the said fund for the construction of Boundary Wall etc. with the prior approval, consent and directive of PTC Council, ASDEO Circle, SDEO, and Assistant Commissioner, District Education Officer, P & D Branch, and Establishment Branch.

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6. That the applicant kept entire record regarding the expenses / utilization of the said funds. In this regard, an inquiry on the application of the land grabber was conducted on 16-05-2016. Regarding the embezzlement of the fund out of PTA and CCA, wherein, the applicant was declared innocent as per the recommendation of inquiry. (Copy of inquiry report is Annexure as B)

7. That on the instigation of the said land grabber namely, Sardar Muhammad Fiaz S/O Malik Aman residence of Baila Akbar Khan, Near Zaffar Maidan School, Mansehra, second inquiry was conducted on 09-09-2017. As per the recommendation of the inquiry, a sum of Rs. 15,67,663.39 be recovered from the Head Teacher GPS Zaffar Maidan, Mansehra and the said teacher be transferred to any other school and show cause notices be issued to the responsible persons of the P&D Branches for the issuance of the huge amount in a hasty manner. (Copy of the inquiry report is Annexure as C)

8. That on the basis of the said inquiry, the applicant has been dismissed from service on 12-12-2017, which is illegal, against the Law, norms of justice, fair play and basic human rights. It is further stated that according to the recommendation of second inquiry committee, minor penalty was recommended for the appellant but the appellant

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was awarded Major Penalty of dismissal from the service and that was also without any show cause notices for enhancement of penalty which was necessary, resultantly, no opportunity of defence was given to the appellant.

9. That all the ins and outs of the expenses out of PTA and CCA funds were utilized under the supervision of PTC Council. In this regard, the resolution of PTC Council is attached. Besides, the bills of the items purchased and disposed are also attached.

10. That the property which is under the illegal possession of the said land grabber is costly and the applicant always tried his best to get the Govt. Property vacated from the illegal occupant. In this regard, a plethora of applications submitted by the applicant to the DEO (Male) Mansehra for helping and initiation of legal course against the illegal occupant but of no avail. In this regard, applications addressed to DEO (Male) Mansehra are attached.

11. That the applicant with the approval of the PTC Council, directives of the authorities of Education Department, Mansehra, spent the amount with the diligence. The work done in this regard is self evidentiary at the school site. The authorities / inquiry officers did not evaluate / assess the expenses on the work done in the school as well as subjugated area.



12. That the applicant is innocent and is made a scapegoat on the instigation of the aforesaid land grabber. It is a sorrow state of affairs that 17 Kanals area of Govt. Primary School, Zaaffar Maidan, Mansehra is still in the illegal possession and utilization of land grabber namely, Sardar Muhammad Fiaz but the authorities are willfully and negligently turning deaf ear to the Govt. and public cause.

13. That the appellant filed departmental appeal against the dismissal order dated 12/12/2017 on 2 Jan 2018, and same was sent through registered postal service, and initially the departmental appeal was not decided by departmental authority, but during the pendency of instant appeal, the director decided the departmental appeal on 11/06/2018, which came into the knowledge of appellant two days before last date (Copy of the registered post receipt is annexed as (A1) and copy of the order dated 11/06/18 is annexed as (A11))

GROUNDS:

- a. That the dismissal order dated 12-12-2017 is against the norms of Justice and based on the inquiries, which manifestly shows the innocence of the appellant because in first inquiry, it was held that the appellant is innocent, and in second inquiry, the applicant was not recommended for dismissal from the service, despite all these, facts, the department neglecting the recommendation of second inquiry, imposed major penalty of dismissal of service of the appellant.

- b. That the involvement and undue interest of the political figure namely, Sardar Muhammad Fiaz, clearly indicates that he is the actual cause of dispute as both the applications, which led to the inquiries, for the misuse of funds were moved by him. Whereas, other people of the locality are not interested but the only interest of aforesaid, Sardar Muhammad Fiaz is just to ascertain / protect his personal gains, he set a plan to remove appellant from his pathway, which shows the innocence of the appellant at large.
- c. That the details of expenditures submitted by appellant are subject to evidence and the inquiry committee had not examined nor testified a single person or receipt involved in the process of rising of school through which the amount was used which is the strongest ground to prove the innocence of appellant.
- d. That there is no other person in the locality who is effected from the conduct of appellant but only one person is agitating the cause of misuse of funds time and again, this conduct of the aforesaid Muhammad Fiaz clearly depicts the envious and his enmity because the applicant restored the illegal possession from him and now there is danger

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that the other remaining land of 17 Kanals may also be recovered from him. Consequently, the aforesaid knitted a web for appellant to dismiss from his service.

e. The allegation was regarding the embezzlement of funds during the course of construction, on such assessment the assistance of technical person / Engineer was mandatory and such expert opinion was not taken by the inquiry officers, in spite of fact all detailed figures regarding the use of funds were given by the appellant to concerned, whereas, the inquiry committee neglect this lawful aspect of inquiry. (Copy of expenditure detailed are annexed as D)

f. That the inquiry officers suggested minor penalty but the concerned officials, without issuance of any notices to appellant, enhanced the quantum of the penalty and imposed major penalty in shape of dismissal from the service.

g. That the funds were used with the prior directives, suggestion, consent and advice of PTC Council, ASDEO, SDEO, and District Education officer, with the consensus of a team work which clearly shows innocence of the appellant as other personnel involved in the circle were not brought into

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consideration and no legal action has been taken against any of them.

h. That the other points will be agitated at the time of arguments.

It is, therefore, humbly prayed that the appellant may kindly be reinstated with all back benefits of salary, allowances, incentives and others.

Dated: _____

Shoukat Ali Khan

.....Petitioners

THROUGH

BABAR ILYAS

ADVOCATE HIGH COURT

(MANSEHRA)

VERIFICATION

It is certified that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed from this Honourable Court.

Dated: _____

Shoukat Ali Khan

.....Deponent

BEFORE THE HONOURABLE SERVICE
TRIBUNAL K.P.K

Shoukat Ali Khan.....Petitioners

VERSUS

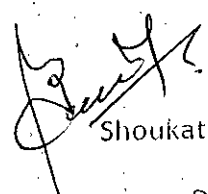
1. Secretary Elementary & Secondary Education
Department, KPK, Peshawar.
2. Director Elementary & Secondary Education
Department KPK, Peshawar.
3. DEO (Male) District, Mansehra.
4. SDEO (Male) Circle, Mansehra.
5. ASDEO (Male) Circle, Mansehra.

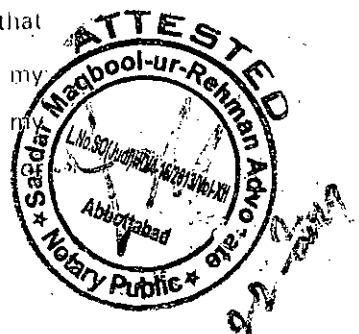
APPEAL

AFFIDAVIT

I, Shoukat Ali Khan do hereby solemnly affirm and declare that the contents of foregoing appeal are drafted under my supervision which are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed from this honourable Court.

Dated: 22-09-2019


Shoukat Ali Khan
.....Deponent



Annexure AI

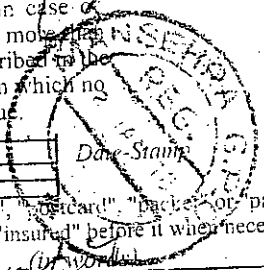
Page-10-A

No. 452 For Insurance Notices see reverse Rs. Ps.
Stamps affixed except in case of
uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

Received a registered*
addressed to _____ Date Stamp _____
*Write here "letter", "magazine", "packet" or "parcel"
Initials of Receiving Officer _____ with the word "insured" before it when necessary.

Insured for Rs. (in figures) _____ (in words) _____

If insured } Insurance fee Rs. _____ (in words) } Weight _____ Kilo
Name and address of sender _____ Grams



Registered

**DIRECTORATE OF ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA**

NOTIFICATION.


1. WHEREAS, Mr. Shoukat Ali Khan PSHT GPS Zaffar Maidan District Mansehra proceeded under the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules, 2011 for charges, of involvement in embezzlement of PTC funds amounting to Rs.1567663.39.
2. AND WHEREAS, the DEO (M) Mansehra being competent authority conducted enquiry. In the light of recommendations of the inquiry committee, DEO(M) concerned served show cause notice vide No.16592 dated 27.09.2017 & suspended the appellant vide letter No.16600-05 dated 27.09.2017. The teacher concerned submitted his reply and after appearing for personal hearing on 03.11.2017 the appellant failed to defend himself and charges levelled against him proved.
3. AND WHEREAS, the DEO (M) Mansehra being competent authority imposed major penalty "Dismissal from Government Service" vide Notification Endst: No.21636-44 dated 12.12.2017.
4. AND WHEREAS, the above named teacher submitted an appeal against the penalty to this office vide dated 18.01.2018, the same appeal was sent to DEO (M) Mansehra for comments vide this office letter No.2141 dated 08.01.2018. The DEO (M) concerned submitted his comments to this office vide his letter No.757 dated 17.03.2018.
5. AND WHERE AS, the appellate authority called the teacher concerned for personal hearing on dated 03.05.2018. The teacher concerned attended this office on same date and time but failed to satisfy the appellate authority.
6. AND WHEREAS, the appellate authority, Director Elementary and Secondary Education Khyber Pakhtunkhwa) after, having considered the charges and evidence on record, is of the view that charges against accused teacher have been proved true
7. NOW THEREFORE, in exercise of powers conferred under Khyber Pakhtunkhwa Servants (Efficiency & Discipline) Rules-2011 the appellate authority has decided to "Reject" the appeal of Mr. Shoukat Ali Khan PSHT GPS Zaffar Maidan District Mansehra on the above mentioned grounds.

DIRECTOR.

Endst: No. 1880-83 /F No. 162/Vol:XI/Appeal of PST(M)General Dated Peshawar the 11/8/2018.

Copy forwarded for information and necessary action to the:-

1. District Education Officer (M) Mansehra w/r to his No.4571 dated 17.03.2018/ with the direction to approach the proper forum and recovered the embezzlement amount Rs.1567663.39 and deposited Government Treasury within a period of two(02) months under intimation to this office .
2. District Accounts Officer Mansehra.
3. Mr. Shoukat Ali Khan PSHT GPS Zaffar Maidan District Mansehra.
4. P.A to Director Elementary and Secondary Education local office.
5. Master File.


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

9/6/18

11

Annexure
"AA"

To,

The Director,
Elementary & Secondary Education
Department Khyber Pakhtunkhwa,
Peshawar.

Subject: DEPARTMENTAL APPEAL AGAINST IMPUGNED DISMISSAL FROM
SERVICE ORDER NO.21636-44 DATED 12/12/2017.

Sir,

1. Reference is made to impugned dismissal from service order No.21636-44 dated 12/12/2017. *(Copy of impugned Dismissal from service order dated 12/12/2017 is annexed as Annexure A)*
2. It is submitted that the applicant/appellant got appointment as PST in Education Department on 29/03/1984 and served the Department with complete devotion and dedication to the entire satisfaction of his superiors and also got good/very Good ACRs during the period of the services. The Applicant by dint of Hard Work and merit got promotion as PSHT and served in Govt Primary School Zaffar Maidan, Mansehra till 11/12/2017.
3. That the applicant left no stone unturned in smooth functioning of the school. It is worth to mention here that total land/area of the school is 25 Kanal. That out of 25 Kanal area of the school, only 03 Kanal was under the possession of the Education Department/. The rest of the area measuring 22 Kanal was encroached by out Laws/ Land grabbers namely Sardar Muhammad Fiaz son of Malik Aman who is political figure of the area.
4. That the applicant after taking over the charge of the school on 11/12/2012, there were 40 students in Govt Primary school Zaffar Maidan. With the untiring and seize-less efforts of the applicant, now the strength of this school is 421.
5. That the applicant also got vacated illegal possession from the said land grabbers and now the total area of the school is 03 Kanal rest of the area is still under the illegal possession of the said land grabber. In this regard, the land grabber attacked the applicant in the school because the applicant was trying to restore possession of the school from the cruel clutches of the land grabbers. In this regard, the applicant got registered FIR against the said land grabbers. *(Copy of FIR is attached herewith)*

(12)

6. That during the period from July 2016 to 2017, the total sums of Rs.32, 16,080/- was received in the account of PTA/CCA out of public fund. The applicant utilized the said fund for the construction of Boundary Wall etc on the directive of PTC Council, ASDEO Circle, SDEO, and Assistant Commissioner, District education Officer, P&D Branch, and Establishment Branch. In this regard, reply of Show cause notice is self explanatory which is attached with the application for your kind Perusal.
7. That The Entire Record is kept by the applicant regarding the expenses /utilization of the said funds. In this regard, an inquiry on the application of the so-called land grabber was conducted on 16/05/2016. Regarding the embezzlement of funds out of PTA and CCA, wherein the applicant has been declared innocent.
8. That gain on the instigation of the said land grabber namely Sardar Muhammad Fiaz S/o Malik Aman residence of Bail Akhar Khan Near Zaffar Maidan School, Mansehra second Inquiry was conducted on 09/09/2017 which recommended that a sum of Rs.15,67,663.39 be recovered from the Head Teacher GPS Zaffar Maidan, Mansehra and the said teacher be transferred to any other school and show cause notices be issued to the responsible person of the P&D Branches for the issuance of the huge amount in a hasty manner. *(Copies of the first inquiry dated 16/05/2016 and second inquiry dated 09/09/2016 are attached herewith)*
9. That on the basis of said inquiry, the applicant has been dismissed from service on 12/12/2017, which is illegal against the Law, norms of justice and fair play. It is further submitted that according to the recommendation of inquiry committee, minor penalty was imposed by the inquiry committee but the appellant was awarded Major Penalty of dismissal from ~~service and~~ service and that also without any show cause notice for enhancement of penalty which was necessary, resultantly, no opportunity of defense was given to the appellant and the order was illegal.
10. That all the ins and outs of the expenses out of PTA and CCA funds were utilized under the supervision of PTC Council in the regard resolution of PTC council are attached. Besides, the bills of the items purchased and disposed are also attached.
11. That the property which is under the illegal possession of the said land grabber is costly and the applicant ever tried his best to get the Govt. Property vacated from the illegal occupant. In this regard, a plethora of applications submitted by the applicant to the DEO (Male) Mansehra for

(13)

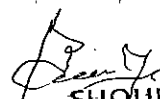
helping and initiation of legal course against the illegal occupant but of no avail. In this regard, applications addressed to DEO (Male) Mansehra are attached.

12. That the applicant with the approval of the PTC Council, directives of the authorities of Education Department, Mansehra spent the amount with the diligence and the work done in the school is available. The authorities/inquiry officers did not evaluate / assessed the expenses on the work done in the school as well as subjugated area.
13. That the applicant is innocent and has been made a scapegoat on the instigation of the land grabber. it is a sorrow state of affairs that 17 Kanal area of Govt, Primary School Zaffar Maidan is still in the illegal possession and utilization of land grabber namely Sardar Muhammad Fiaz but the authorities are willfully and negligently turning deaf ear to the Govt, cause.

In view of the above, it is prayed that:

- i. *That the Impugned dismissal from service order dated 12/12/2017 may be set a side.*
- ii. *A high level inquiry with the assistance of renowned technical experts may be ordered for the utilization of PTA/CCA and PTC Fund and the work done at the spot.*
- iii. *That another inquiry may be ordered to fix responsibility on the district Education Authorities regarding non-vacation of illegal possession of 17 Kanal land of the school from the illegal occupant.*

Dated 2/1 2018


SHOUKAT ALI KHAN
PSHT, GPS ZAFFAR MAIDAN
MANSEHRA

14

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT MANSEHRA

Phone # 0997-382271 Fax # 0997-382244
E-mail Address: edcedu_mansehra@yahoo.com
Facebook Page: www.facebook.com/DEOMMANSEHRA

14
ANNEXURE
AB-13

NOTIFICATION

Mr. Shoukat Ali Khan PSHT GPS Zaffar Maidan Circle Mansehra: WHEREAS Mr. Shoukat Ali PSHT GPS Zaffar Maidan Circle Mansehra was proceeded against under Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 on account of embezzlement/corruption in PTC funds, allocated for various facilities through Conditional Grant.

1. AND WHEREAS an initial inquiry was conducted vide this office letter No 4477-79 dated 13-04-2016 and said committee submitted their reply vide No. 56 dated 16-05-2016.
2. AND WHEREAS this office vide letter 7523-29/PTC/C/Grant dated 31-05-2017 constituted another inquiry committee to probe into matter of embezzlement/corruption in utilization of PTC funds (Conditional Grants).
3. AND WHEREAS the inquiry committee conducted detailed inquiry and submitted report vide No. 813 dated 09-09-2017 with the recommendations that, "Rs. 15,67,663.39/- be recovered immediately from the PSHT (GPS Zaffar Maidan)". Hence charges of corruption/embezzlement leveled against you have been proved as per report of the inquiry committee.
4. AND WHEREAS, a show cause notice was issued to you vide this office No. 16592 dated 27-09-2017 to avail the opportunity of defense.
5. AND WHEREAS your unsatisfactory/unconvincing reply received in this office on 21-10-2017.
6. AND WHEREAS, you was called for personal hearing on 03-11-2017 and subsequently on 20-11-2017. You attended the proceeding but failed to produce any substantial oral or documentary evidence in your favour.
7. AND WHEREAS the competent authority District Education Officer (M) E&SE Mansehra after perusal of fundamental facts of the case, inquiry reports, documentary evidence, reply of the show cause notice and version adopted by you during the proceeding of personal hearing is of the opinion that the charges of corruption/embezzlement of Rs. 15,67,663.39/- out of PTC funds have been proved against you.

NOW, THEREFORE, in exercise of the powers conferred under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 Sub: rule 4(b) iv, the competent Authority District Education Officer (M) E&SE Mansehra is pleased to impose major penalty of "**DISMISSAL FROM SERVICE**" and recovery of Rs. 15,67,663.39/- with immediate effect upon Mr. Shoukat Ali PSHT GPS Zaffar Maidan Circle Mansehra.

Sd/
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No: 21636-44/Estt:(M)/GPS Zaffar Maidan/ Dated: 12-12-2017

Copy forwarded for information to the:

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
 2. Deputy Commissioner Mansehra.
 3. District Monitoring Officer (DMO) Mansehra.
 4. District Account Officer Mansehra.
 5. Assistant Director Anti-corruption Khyber Pakhtunkhwa Mansehra with the request to lodge FIR/ initiate legal proceedings against the accused teacher (Shoukat Ali) under relevant section of Law, because the charges of corruption/embezzlement, inflicting such a huge loss of Rs. 15,67,663.39/- to the Govt; treasury have been proved against him.
- CC: DMO (M) Mansehra with the directions to do the needful on his part.
Mr. Shoukat Ali-Ex PSHT GPS Zaffar Maidan Circle Mansehra.
DMO Circle Mansehra.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

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vice book and other
fulfill
12-12-17

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Annexure C

To: The Inquiry Committee
The District Education Officer (M)
Mansehra

Dated: 09/09/2017

District Office
No. 7674
Date 11/9/17
District Office
Mansehra

Subject: INQUIRY IN CONNECTION WITH UTILIZATION OF PTC FUND
CONDITIONAL GRANT GPS ZAFAR MAIDAN-MANSEHRA

Memo:

In response to your letter no. 7523-24 dated 31-05-2017, the inquiry committee visited GPS Zafar Maidan Mansehra to conduct the inquiry on the subject noted above on 24-07-2017 and 30-07-2017. The head teacher Mr. Shoukat Ali PSHT and the other staff were present in the school. According to the head teacher, the Chairman of the school PTC was ill. Herire, he was found absent.

Questionnaires were served to the head teacher and the other staff and the statements are recorded as under:

1. Statement of Mr. Shoukat Ali PSHT:

(a) The head teacher stated that the total amount received from July 2015 to March 2017 was Rs. 32,16,000/- including CFC, Petty repair and conditional grant. When asked about the amount received for the up raising of the boundary wall, he replied that Rs. 7,63,600/- (Rs. 6,63,600/- received on 10-11-2015 while Rs. 1,00,000/- received on 10-03-2017) and Rs. 2,84,000/- were received for CFC and petty repair.

(Annexure-A)

(b) It is important to note that the inquiry for the expenditure of the up raising of the boundary wall (Rs. 6,63,600/-) has already been conducted by Mr. Muhammad Naseem Khan, Principal Government Higher Secondary School Behal, Mansehra. He submitted his report on 16-05-2016 vide his letter no. 56.

(Annexure-B)

(c) When asked about how much amount was specified for the up raising of the existing boundary wall and for the boundary wall of the open area of the school, the teacher replied that Rs. 6,63,600/- were received for the up raising of the boundary wall of the existing area and Rs. 2,84,000/- for 10-03-2017 while Rs.

Annexure C

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Rs. 23,420/- were received for the construction of the boundary wall of the open area.

In reply to a question, that how much amount was kept as cash in hand, in the bank, or given as bribe etc., he stated that Rs. 50,000/- were given to the village councillor Sardar Muhammad Fayyaz on the verbal orders of the SDEO(M) Rs. 2,50,000/- were given to Mr. Muhammad Farooq Superintendent P.S.O. branch of the DEO(M) office as bribe (Annexure-C). Rs. 6,89,596/- were kept as cash in hand, while Rs. 10,08,884/- have been utilized on the disputed land of 17 kanals.

(Question No. 7 of Annexure-A)

2. Statement of Mr. Majid Khan SPST: Mr. Majid Khan stated about the expenditure of the PTC funds that initially Rs. 6,65,000/- were received for the up raising of the boundary wall and the remaining three cheques each of the same amount were received for the boundary wall of the open area, Rs. 1,60,000/- for group latines and Rs. 1,20,000/- for play area. He further stated that the staff was kept in darkness about the construction work in the school.

(Annexure-D)

3. Statement of Abdus Sabooch CI Government Middle School Zafar Maida: AS the middle school is situated just adjacent to the primary school, this teacher of the middle school stated that the boundary wall was up raised, a stage was constructed for the national flag, digging was done for the boundary wall of the open area by an excavator, and all the beam was laid down. The teacher was unaware of the details of expenditure of PTC funds.

(Annexure-E)

4. Statement of the councillor Sardar Muhammad Fayyaz: The local councillor stated in his written statement that the PTC of the said school has done nothing. The PTC funds of the school have been misappropriated. He also stated that about 21 to 22 feet pillar beam was laid down. About 500 solid blocks were purchased and one trolley of gravel was seen on the construction site.

(Annexure-F)

Findings:

1. A total of 25 kanal area was exchanged with the Health Department and Education Department received 25 kanals in Zafar Maida. But 17 kanals are still retained by the local people in spite of the fact that they have received compensation amount for their houses and the remaining 8 kanals area is in the possession of Education Department.

- ② It is very strange that why did the Education Department exchange a disputed area without taking possession and clearance of the 25 kanals area.
- ③ If the area was disputed, why did the Education Department sanction such a huge amount for the construction of a boundary wall around it without settling down the dispute with the local people.
- ④ It is also astonishing that an amount of Rs. 19,83,180/- was transferred in three transactions in a very short span of time, i.e. from 19-07-2016 to 15-08-2016.
- ⑤ Apparently, it seems that the PSD branch of the local office had some vested interests and wanted to sanction such a huge amount as soon as possible.

6. Details of the amount received in terms of PTC Funds / Conditional Grant is summarized in the following table:

S.No.	1	2	3	4	5	6
Sl. No.	CCA/Repty Repair Rs.	C Grant (Upgrading of B/Wall) Rs.	C Grant (Open Area) Rs.	Grants Latrines Rs.	Play Area Rs.	Total Rs.
1	1,84,000	6,63,500	19,81,180	1,50,000	1,20,000	
2		1,90,000				
Total	1,84,000	8,53,500	19,81,180	1,50,000	1,20,000	22,78,680

Amount Released: Rs. 22,78,680
 Bank Profit: Rs. 12,080

Grand Total: Rs. 22,90,760
 Bank Deductions: Rs. 13,819.78

Net Amount: Rs. 21,51,840.22 (Annexure C)

7. DETAIL OF UTILIZATION OF PTC FUNDS / CONDITIONAL GRANT

According to the PTC record the following expenditures were incurred over July to July 2017:

CCA / Repty Repair	Rs. 1,84,000
Boundary Wall / Walling	Rs. 6,63,500
Play Area	Rs. 1,20,000
(Construction of B/Wall of Open Area)	Rs. 19,81,180
Digging Labour Charges	Rs. 1,50,000
Rent	Rs. 1,20,000
Total Expenditure	Rs. 22,78,680

(Annexure D)

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Amount in the Bank	Rs. 2,26,393.57
Total of expenditure and bank balance	Rs. 16,51,677.37
Total amount released	Rs. 82,29,340.76
Recoverable amount	Rs. 15,67,663.39

- The PTC funds were released and utilized in a haphazard manner without any planning.
- The Middle and the Primary schools of Zafar Maidan are situated within the same boundary wall, and the Funds should have been transferred to the PTC account of the Middle school rather than that of the primary school. It seems there was some sort of collusion between the head teacher of the primary school and the P&D branch for misappropriation of the funds.

Recommendations:

In the light of the above mentioned findings, it is recommended that:

- Rs. 15,67,663.39/- be recovered immediately from the Head Teacher GPS Zafar Maidan.
- The teacher be transferred to any other school and be kept away from financial matters.
- Show cause notices be issued to the responsible personnel of the P&D Branch as to why such a huge amount was released in such a haste without any planning.

INQUIRY COMMITTEE:

- Sher Muhammad, Principal G.I.S. Gandhian Mansel
- Muhammad Aslam, Principal G.I.S. Parnim Mansel

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Annexure
"B"

Office of the Principal GHSS Bahali Mansehra NO 56 Dated 16/05/16

To,

The DEO (M),

Mansehra

Subject: Inquiry Report of Head-Teacher GPS Zafar Maidan

Reference DEO (M) Mansehra NO: 2277-89/13/04/2016

TORS of the inquiry:

Embezzlement charges against Head-Teacher GPS Zafar Maidan in PTC funds for boundary wall of GMS Zafar Maidan Mansehra

The inquiry report as to the utilization of PTC funds of GMS Zafar-Maidan Mansehra is submitted as under:

The inquiry team visited the school on 18/04/2015 and 13/05/2016 to collect the data about the utilization of PTC funds and met with the community representatives to inquire about the allegations leveled against the teacher concerned in a unnamed application addressed to the provincial Ombudsman (Mutasib); the people who met with the inquiry team were first reluctant to own the application but later on Mr. Sardar Muhammad Fayyaz, who is the main character in the land issue of the school, he sold land to the health department which was transferred to the education department in return of the land of the school which was given to King Abdullah District Head quarter Hospital for its extension, came forward and owned the application and its contents; although he denied that he had moved this application.

The Reply of the Community/Civil Society

The civil society/community representatives have repeated the allegations of corruption against the head-teacher GPS Zafar Maidan, Mr. Shoukat, in utilization of the PTC funds of boundary wall of GMS and GPS Zafar Maidan. Furthermore, they were of the opinion that there was affixed no barbed wire on the boundary wall. (Annexure A)

The reply of the Head-teacher GPS Zafar Maidan Mr. Shoukat

In reply to a questionnaire he provided a set of documents in his defense. The facts and figures are presented in the following:

- i. Rs. 663000/- were allocated for raising existing boundary wall of GPS and GMS Zafar Maidan (both schools are in the same premises).

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(2) (21)

ii. The receipts provided by the head-teacher show the following details of expenditure:

S.No	Item/head of expenditure	cost
1	Raw material (crush, sand, blocks, iron bars(saria), etc.) purchase+ transportation cost	Rs. 465830
2	Two gates repairing	Rs. 10900
3	Angular iron for Barbed wire	Rs. 18900
4	Mason ,labourers payments	Rs. 143000
	Total expenditure	Rs. 608830
	Balance amount	Rs. 54170

Annexure B and C

The work done details are as under:-

S.No	Work done	Measurement
1	Wall raising	593x 3.5 square feet
2	56 Pillars	3.5x1 feet x 6 inches
3	Beam	593 s.f (1 feet x6 inches)
4	Floor construction	175 square feet (thickness 2 inches.)
5	assembly Stage construction	

3. The amount shifted to the PTC account of GPS Zafar Maidan for building boundary wall of the area of the school lies outside the school premises (about 20 kanals) is Rs. 1326000/-. This amount has not been fully utilized due to the dispute and litigation/stay order by the seller of the land and other people who have not vacated the area despite payment to them by the health department. Out of this amount only Rs. 245000/- have been spent. (Annexure D). The remaining amount lies in the bank. (Annexure E)

4. The PTC record reveals that the PTC chairman was elected by following the laid down process; his son Abbas is the student of the second class in the school. He was elected as chairman not in the tenure of the present head-teacher. When he was elected chairman in 2013 his three sons were the bonafide students of this school and the then head-teacher was Abid Lughmani. (Annexure F)

The Findings of the Inquiry

1. The balance amount in PTC account under the head raising of existing boundary wall is Rs. 54170/-
2. The work done and expenditure made on the raising of the existing boundary wall of the school is cross validated by obtaining cost estimate from a private contractor Mr. Fazlur Rehman S/O Jamillur Rehman, resident of Abbottabad (cell Phone# 03219818261). As per his estimate the cost estimate of the work done is Rs. 590775/- . Hence the balance amount with the school should be Rs. 72225/- (Annexure G)
3. The actual balance with the school is Rs. 54170. The difference of actual and estimated cost is Rs. 18055/- . This difference of actual and estimated cost may be justified in the backdrop of other costs involved in litigation in courts to vacate stay order and demarcation expenses.

These expenses should have been properly got sanctioned from the School PTC and recorded in the PTC record instead of making adjustment in other expenses.

- 4. The allegations of hand-picked PTC chairman are baseless and mala fide. ✓
- 5. The balance amount in PTC account is for installing barbed wire, hence, no embezzlement found in amount reserved for barbed wire installation.
- 6. The head-teacher GPS Zafar Maidan, Mr. Shoukat, who has been alleged of corruption is actually striving to safeguard the interest of the department and ensuring the recovery of the land occupied by the people of the area who have been paid for their land and houses.
- 7. It is evident that the occupants of the school land and other miscreants are moving unnamed application against the head-teacher GPS Zafar Maidan. Hence allegations of funds embezzlement are baseless and mala fide.

Recommendation

- 1. The present head-teacher of GPS Zafar Maidan may not be transferred from this school. Some weak substitute of him would not be able to safeguard the interest of the department.
- 2. The head teacher may be directed to complete the barbed-wire installation work quickly.
- 3. The issue of the land of Zafar Maidan, which is occupied by the people even after receiving payments for the land and houses, may be brought to the notice of the competent authority and the health department, which has provided the same in place of the education department land near King Abdullah Hospital Mansehra.
- 4. The school undisputed area is about 17.7 Kanals (see annexure 14); the remaining 7.3 kanals area is occupied by the people and houses are constructed on it. The work of constructing boundary wall on undisputed area needs to be started immediately; and the head-teacher may be directed in this regard for prompt action.
- 5. An alternative solution for resolving land issue is proposed as per annexure 15. If the land owners are negotiated to provide the open space in front of constructed houses the school total land can be recovered and access to the road on the eastern side of the school can be made possible.
- 6. The funds allocated for the middle school boundary wall construction are transferred to GPS PTC account; these may be transferred to GMS PTC account and some active head-master for Middle school Zafar Maidan may be placed in the school; the incumbent in the same is not an efficient administrator and reluctant to take on his responsibility of the construction of boundary wall.

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1. Inquiry officer
 Muhammad Naseem Khan
 Principal GHSS Bahali Mansehra

16/05/2016

2. Inquiry officer
 Raja Jahangir
 ASDEO circle Battal Mansehra

16/05/16

23

Annexure D

23

9

PTC - قمار

Annexure "D"

- 0306-9619582 - 42501-5072213 - ولد مبرودیا
- 0301-8705-641 - 13503-9749318 - 3 - قمار سرگودھا
- 0300-9734438 - 18101-4229861-4 - (III) - اکس 33
- 0302-0100736 - 13503-78904394-1 - (IV) - والیہ مال دلاہ پور
- 0321-9687106 - 13101-3593116-2 - قمار علی
- 0744-1950407 - 13501-1310990-3 - (V) - قمار
- 0312-9623834 - 13503-0515622-1 - (VI) - قمار مشاوا
- 0331-9279171 - 13503-4762531-1 - (VII) - شاہزی
- 0302-8101385 - (VIII) - قمار رونی

2015

ذریعہ طبعی

کسٹ چارج بورڈ

کل اصل
6,52,500/-
1,00,000/-
7,23,600/-

لنگر
600/-
ہینڈل میں

میتراں	خرچہ	م. اشیا	سینٹر	نمبر
6,52,500/-	10500/-	20 سوئیٹ	01	1
5,96,250/-	56250/-	رواک	02	2
5,31,720/-	64530/-	سینٹ	03	3
4,72,220/-	59500/-	ہاک	04	4
4,25,120/-	47100/-	سینٹ	05	5
4,09,420/-	15700/-	سینٹ	06	6
3,73,420/-	36000/-	کرس + بحری	07	7
3,58,350/-	15070/-	سینٹ	08	8
3,55,400/-	2870/-	سیریا	09	9
3,40,030/-	15100/-	سیریا	10	10
3,20,880/-	19200/-	اینگل 54 عمارت	11	11
3,01,620/-	19250/-	سیریا	12	12
2,28,820/-	72800/-	سیریا	13	13
2,07,770/-	21050/-	سیریا	14	14
1,96,370/-	10900/-	مختلف اشیا	15	15
53,870/-	1,43,000/-	ٹھیکدار منوری	16	16
NIL	53870/-	ایٹنوال + پمپ ہاؤس	17	17
57000/-	43000/-	بحری خانہ	18	18
35600/-	21400/-	سینٹ	19	19
15600/-	20000/-	منوری	20	20
5600/-	10000/-	ٹھیکس	21	21
1600/-	4/-	خانہ لنگر	22	22

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8

اصول و ضوابط افرات - PFC نوڈ اور سرکاری سکول ٹیچر سرائی

سری نمبر	تفصیل فرجیہ	آ آمدن	فرجیہ	میزان
	66360/- (1) 66360/- (2) 661280/- (3) آ آمدن بوریہ پور	1998490/-	-	1998490/-
1	Disputed School land Tehsil & DC - AC		131,563/-	1656917/-
2	اورٹس میں پیشی کے اعتراضات		45,421/-	1811476/-
3	قورٹس کے اعتراضات (Courts)		24125/-	1787371/-
4	ٹوٹورافٹ سروے برائے سکول زمین		30,000/-	1757371/-
5	گھرانے بڈریف لیبر		74664/-	1682707/-
6	گھرانے ریت، سیمٹ، ریش، ضروری		398,290/-	1284417/-
7	لشکرہ قبیلہ		113,874/-	1170543/-
8	گھرانے بڈریف ایسوسی ایشن کے بارڈر وائس		702,500/-	1100293/-
9	ٹراؤنڈر لیونڈل		82,600/-	1017693/-
10	اعتراضات جو لیبر کے بعد لگا کر آغاز		33,900/-	983773/-
11	رائٹ ہووارڈ مٹرز ڈی ایو او افس واہیو		22,800/-	960993/-
12	حکم ڈی ایو او جی جی		113,470/-	847523/-
13	بالو حاروق (P&D) انجینئرز (ایس) رابو		260,000/-	587523/-
14	حاجی اشرف ان اسٹار افرات		300,000/-	557523/-
15	سرحد ارفی ایف		30,000/-	527523/-
16	آر ڈی ایو او و دیگر اعتراضات		149,000/-	378523/-
17	اعتراضات و تلف سکول فیلڈس		123,593/-	249931/-
18	قورٹس کے اعتراضات		10000/-	239931/-
19	سکول کے لیے تلف اعتراضات		173,503/-	66,428/-
	بقایا رقم سکول کے بڈر امانت میں موجود ہے			66,428/-

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زمین برائے ڈسٹریکٹ ہائیڈرو پاور جس پر AC, DC
 تحصیلدار، رداور، پولیس گارڈ، P&D، اسٹیشن
 کے اخراجات
 131,563/=

131563

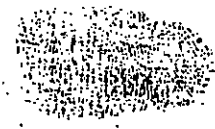
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 District Engineer
 Radaur

Chairman P.T.C
 Govt Primary School
 Radaur

[Signature]

[Signature]

[Signature]



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گورنمنٹ میں لواریج لیر بیسی کے امتزاجات ساتھ
مدل سکول طور میدان کے DM محمد بنارس بھی جاتے تھے۔

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Chairman R.C.
Girls Primary School
Zaffer Bhulgan

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HANAN TECH PAKISTAN (PVT.) LIMITED

HOUSE # 20, SECTOR G, GHAZIKOT TOWNSHIP, MANSEHRA, KPK

Tel # 0997-440150, 440580 Cell # 03459817887, 0334-5178979

E-mail: hanan.tech@yahoo.com

INVOICE

INV/2017/1282

To: GPS ZAFAR MAJAN
MANSEHRA

Dated: 20-11-2017

Description	QTY	AMOUNT	AMOUNT
TOPOGRAPHIC SURVEY	1	30,000.00	30,000.00

Subtotal 30,000.00

TOTAL 30,000.00

for HANAN TECH PAKISTAN (PVT.) LIMITED

ASIF HAMEED
CEO/MD

Chahmed P.T.C
Govt. Primary School
Zaffer Mangin

Yousif

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(14)

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74664/

HL NO-13503-0341075-1
03405853680

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Charman P.L.
Govt. School
Zahir Road

Yacc

سنگ	تعداد	قیمت	ملاحظات	مجموعه
1440	2 x 4 = 8	180	کفلا	05 3/16
2050	1		سنگ	0 16
4700	3		سنگ 3	8 3/16
3500	2		سنگ 2	16
510	3		سیمت 3	
500			کراند	
1000	3		سنگ 3	
1000	4		سنگ 4	11 3/16
800	8		سنگ 8	20 16
3500	3		سنگ 3	12 3/16
4700	4		سنگ 4	11
3500	2		سنگ 2	
510	42		سیمت 42	
500	2		کراند	
74	195		سیمت	
1000	9		سنگ 9	3 3/16
800	2 x 9 = 18		سنگ 2	20 16
1000	4		سنگ 4	
100	2		سنگ 2	

(6)

(32)

$1 \times 2 \times 4 = Rcc$

300 ٹون فٹ = اوت اونٹالی
 22 3/4 150 فٹ لمبا 2 فٹ چوڑائی
 2016
 28,030/- = 1000 = 27030
 510 x 53

23500/- 47000 x 5
 2664 ٹون فٹ 5 فٹ
 10500/- 5500 x 3
 20 فٹ اونٹالی 3 فٹ

58170/- 70/-
 831 kg سونے
 26250/- 35 x 750 = 5 x 150

900/- 10 x 90
 14350/-
 500/-
 500 ٹون

3000/- 1000 x 3
 4000 2000 = 100 x 20 x 2
 14000 = 28 x 500
 2000 = 2 x 1000

19600 = 28 x 700
 3000 = 3 x 1000

SRSP 10 فٹ اونٹالی 20 فٹ چوڑائی
 UNHCR کے تعاون سے
 اس کے دیوار کا مانی مینڈہ کام
 SRSP سے مانی مینڈہ کام

308,290

Chairman
 Govt Primary School
 Zafar Mehsud

Head Teacher
 Govt Primary School
 Zafar Mehsud

کمیسیون		کمیسیون		کمیسیون	
کمیسیون		کمیسیون		کمیسیون	
کمیسیون		کمیسیون		کمیسیون	
کمیسیون		کمیسیون		کمیسیون	
کمیسیون		کمیسیون		کمیسیون	
2400.-	2400 x 1	کمیسیون	کمیسیون	2016	
2400.-	2400 x 1	کمیسیون	کمیسیون		
8000.-	2400 x 7 1/2	کمیسیون	کمیسیون		
5000.-	1500 x 1	کمیسیون	کمیسیون		
10800	2400 x 4 1/2	کمیسیون	کمیسیون		
1500.-	1500 x 1	کمیسیون	کمیسیون		
26600.-					
10500.-	3500 x 3	کمیسیون	کمیسیون	2016	
7400.-	4700 x 2	کمیسیون	کمیسیون		
3500.-	3500 x 1	کمیسیون	کمیسیون		
7650.-	510 x 15	کمیسیون	کمیسیون		
31050					
1000.-	1000 x 1	کمیسیون	کمیسیون	2016	
2000	1600.-	کمیسیون	کمیسیون		
70250.-					
	70250/-				

Shahzad

Kale

صاحب

کمیسیون

2400	2400×1	کرایہ و سہولت	04-05-016
15600	$= 2400 \times 6.5$	کرایہ 6.5	"
15000	$= 2400 \times 7.5$	کرایہ 7.5	05-05-016
14100	$= 2400 \times 6$	کرایہ 6	06-05-016
3000	$= 1500 \times 2$	کرایہ 2	"
1500	$= 1500 \times 1$	کرایہ 1	"
4700	(1) فیس		
3700	(2) فیس		
82600	کل		

Chairman
Govt Primary School
Zafar Mahan

گورنمنٹ
NAZIM
N II Council Ueta Ashar Khan
U/C City 7
Tehsil & District Manshera

Head Teacher
Govt
Zafar Mahan (Manshera)

Yacc

Staff
Manshera

مدرسہ
گورنمنٹ
زافار مہان

مجلس اعلیٰ تعلیم و تربیت (وزیر تعلیم و کونسل اعلیٰ)

7000F = 4x5x350

2400 -	2400 x 1	کھراچی اگھہ (بظ) 12	8 - 5
13000 -	2400 x 7 1/2	کھراچی 7 1/2	16
10800 -	2400 x 4 1/2	کھراچی 4 1/2	9 - 5
2600 -	1300 x 2	کھراچی 2	16
2400 -	2400 x 1	کھراچی 1	10 - 5
1500 -	1500 x 1	کھراچی 1	2016

37700 -

محمد نازیم

NAZIM
ULH Council Bessa Akbar Khan
U/C City 2
Tehsil & District, Manshera

Head Teacher
Govt. Primary School
Zafar Maldan (Manshera)

Chairman
Govt. Primary School
Zafar Maldan

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گورنمنٹ پرائمری اسکول زلفر مالدان

نمبر شمار	تاریخ	تفصیلی شرح	مبلغ
(1)	8.11.2016	تعمیراتی کام	24000/-
(2)		تعمیراتی کام	30000/-
(3)		تعمیراتی کام	15000/-

کل اخراجات 339000/-

رہنما سرور محمد عباس اور اساتذہ کرام کی سرپرستی میں
 جمع کردیا گیا ہے اس سے اسکول کی تعمیراتی کاموں کو
 ترقی دینے کے لیے اس رقم کی مدد حاصل کی جائے گی

Chairman DTC
 Govt. Primary School
 Zafar Maidan

Head Teacher
 Govt. Primary School
 Zafar Maidan (Mansab)

Shahzad / Ali

سرور محمد عباس
 سرپرست

37

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19

راشد حصار دفتر ڈی ای او آفس اور کانسٹیبل برائے پولیس اسٹیشن

1900 =	1900 x 1	1 گھنٹہ	10/12
855 =	1900 x 1/2	1 گھنٹہ	20/6
1700 =	1900 x 1	1 گھنٹہ	11
10450 =	1900 x 5 1/2	5 1/2 گھنٹہ	11 1/2
22900		12 گھنٹہ	11

میں سٹی عبدالرحمان ولد محمد علی اسکول، درہ ماہرہ سے پیسے وصول کروائے گئے ہیں۔
 رقم کی ضرورتاً فراہم کرنا ہے۔ 22800 روپے وصول کروائے گئے ہیں۔

اس پر عملدرآمد کروانے کے لئے درخواست ہے۔

13503-1556216-7

C-4 NO 0313. 1116580

Govt. Primary School
Zafar Idara

2nd Teacher
Govt. Primary School
Zafar Idara (Muzaffargarh)

Shahbaz
9/10



6640 -

11 80 رینج ابرن 1 80 x kg 83

46480 - kg 83 x kg 560 = 1/2 x 7

57650 - kg 145 x kg 370 =

3) ونگلٹ ہروری 80 3 Peace

اور 80 لیسوں سے کاتے تار کٹ کر لے کر آئے

70 -

Chatterjee
Govt. Primary School
M. Khan

Govt. Primary School
Zakir Hussain (Manshera)

Shaffiq

Yas Meel

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Handwritten number 19 in a circle.

Supplying of Store/Stock

01/8/66

فہم علیٰ
مدت کا حوالہ رقم ہے اور اس کا توجیہ و تفسیر آگے

دستخط میں تبدیل کرنا ہے۔
فہم علیٰ کے لئے اس کا ایک حصہ صرف آباد میں رہے
اور اس سے صحت دھویں کا دور ہے اور اس کے میں اس وقت
کامیاب ہے۔ تکت اور ایسے میں دفعہ کی ریکارڈ جو ہے
Supplying کے لئے رقم 25000/- سے اس کا ایک اور
30000/-

صحت دھویں کا ایک حصہ
25000/- سے اس کا ایک اور
30000/-

Recovery

2576

Call

Govt. Primary School
Zakariyan (Muzaffargarh)

Mr. Shoukat Ali, HT

As directed by DDO (M) Muzaffargarh
you are directed to provide Rs. 30,000/-
as loan to state school for shifts.
The approval of budget/cease of work is
not to be taken.

Signature

Signature

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(23)

رسید نمبر 10

آجورم 16-3-24 کو 50,000 روپے کا چیک
 میں محمد شوکت علی خان نے سرکارِ ماضی کو
 چار روپے (4) کے لئے دیکھے ہیں اور سرکارِ ماضی
 نے ان کی موجودگی میں واپس کر لیے ہیں

30000/-

20/11/24

[Signature]

دلائی خان

YASMEEN

Mahesh

[Signature]

Zameer Zameer
 Govt. Primary School
 Zaira, Mardan (Muzaffargarh)

عسی نقاب
 بیورو ڈیوٹی کے لئے
 سرکارِ ماضی کو

42

42

24

آرٹ ایلری 2015-16 بھول کی ماڈیاں ، بھول کے لیل اساداں
 بھول کی وردیاں ، ساڈر سٹیم ، سٹاف فرنیچر زسیاں فرسی
 بھول کے ڈسک و زسیاں فرسی افراجات

11,9,000/=



149,000/=

[Signature]
 School Headmaster
 2015-16

Chairman H.T.C
 Guru Pratap Singh School
 2015-16

[Signature]

[Signature]

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school function 2015

DEO, SDEO, ASDEO, DAI, SDEO, ASDEO

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Chairman P.T.C
Govt Primary School
Zeltes Indrapur

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44

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(14)

(13)

(25)

ABBASI PHOTO STATE

COURT ROAD, MANSEHRA

Prop. M. Shaikal Abbasi

Sl. No.

Date 7-9-16

7-1-16

ب 30 33

10005

10005

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Ahead of
Govt. Film
Zair

Chav...
Govt. Primary School
Zair

Xill

10005

We also recondition the Photostate Machine

(45)

(27)

عملیہ اہلیان

- (1) 15,000/- سٹور اور کونسل
- (2) 10,000/- سٹور اور کونسل
- (3) 17,325/- سٹور اور کونسل
- (4) 3,426/- سٹور اور کونسل
- (5) 11,746/- سٹور اور کونسل
- (6) 12,877/- سٹور اور کونسل
- (7) 23,401/- سٹور اور کونسل
- (8) 4,215/- سٹور اور کونسل
- (9) 7,300/- سٹور اور کونسل
- (10) 17,350.3/- سٹور اور کونسل

Chairman B.C
Govt. Primary School
Zaffer Khan

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(476)

(19)

(28)

قرارداد GPS طرمبريال

آئرم 6-017-3 GPS لائبريريال كا شات كا اعلان

اس اعلان مي تمام شات GPS طرمبريال كا معلوم

660007 = DTC اور CCA كا نمبر

اس سٹیک پر غير فردي اعلان

Handwritten signature and stamp with text: (12/10/2017) and other illegible text.

Handwritten signature and stamp with text: Chief, General, and other illegible text.

Handwritten notes including 'Address', 'GPS', and 'Mach' with a large handwritten mark resembling a stylized 'A' or '1'.

PTA CCA 2017

47

29

پیغام ہاؤس (سٹی فرنیچرز) (فون نمبر)

آفس فرنیچر اور کمرے نمبر، اسٹیڈیو

63 نزدیکی نازک ٹیشن ٹاؤن - ٹھکانہ

فون نمبر 9294466-011

GPS - طبرستان - صوابیہ 0

15/6/2017

7100-00
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 26000-00
 7200-00
 7100-00
 5600-00
 4200-00
 60900 00

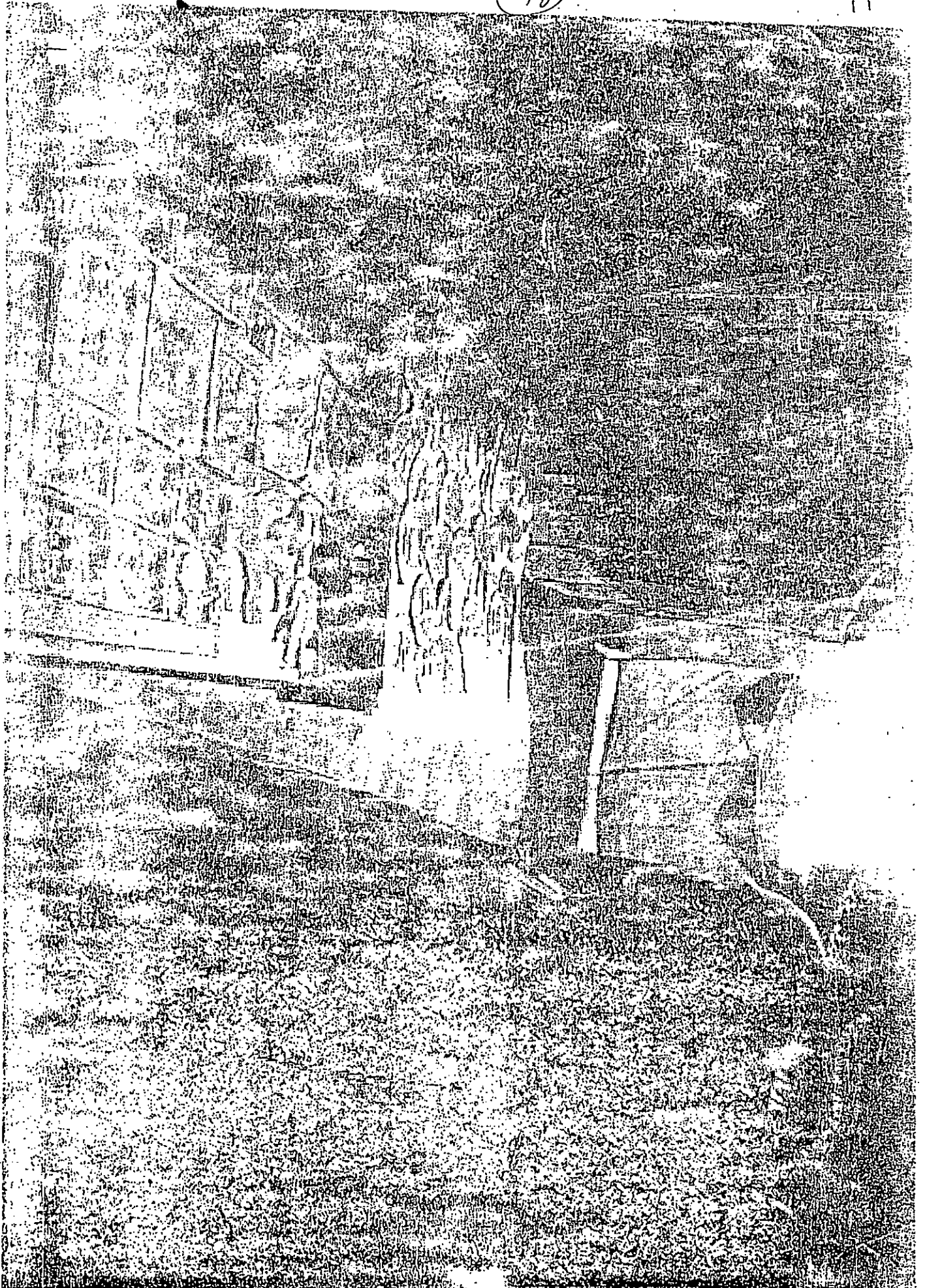
آفس ہاؤس
 ڈالیں
 صوفے 7
 دیواروں کی کھیر
 کمرے
 کیمونٹی
 ٹیلی فون

ٹول

دستخط

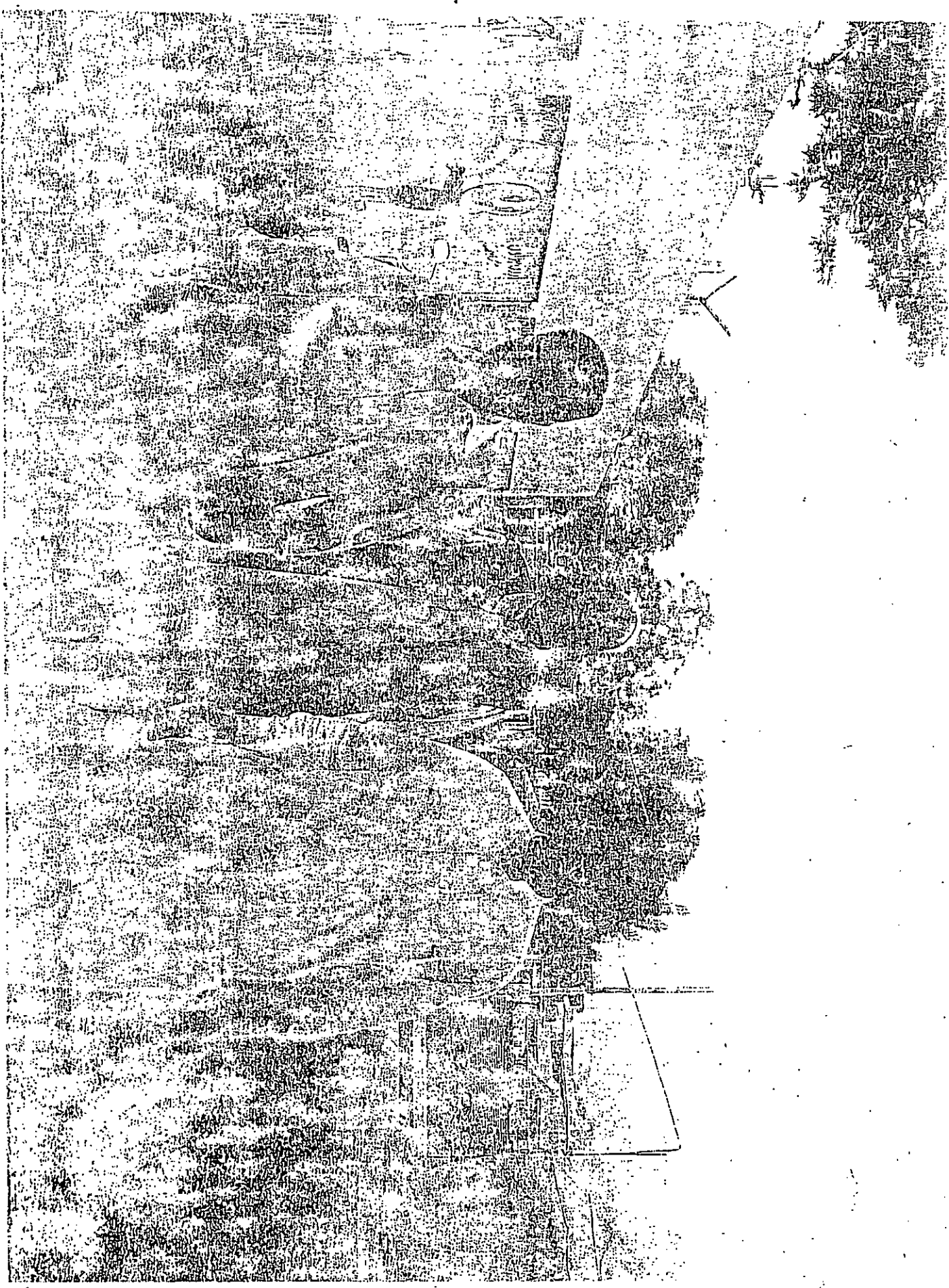
48

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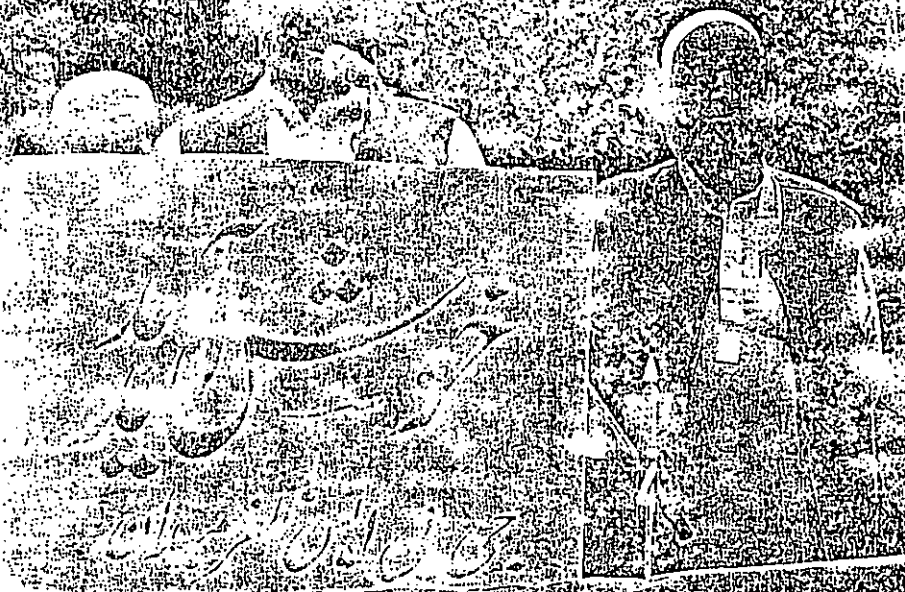
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کتابخانه جامعہ اسلامیہ



لکھنؤ پبلشرز
اوبچوسکول چلوا

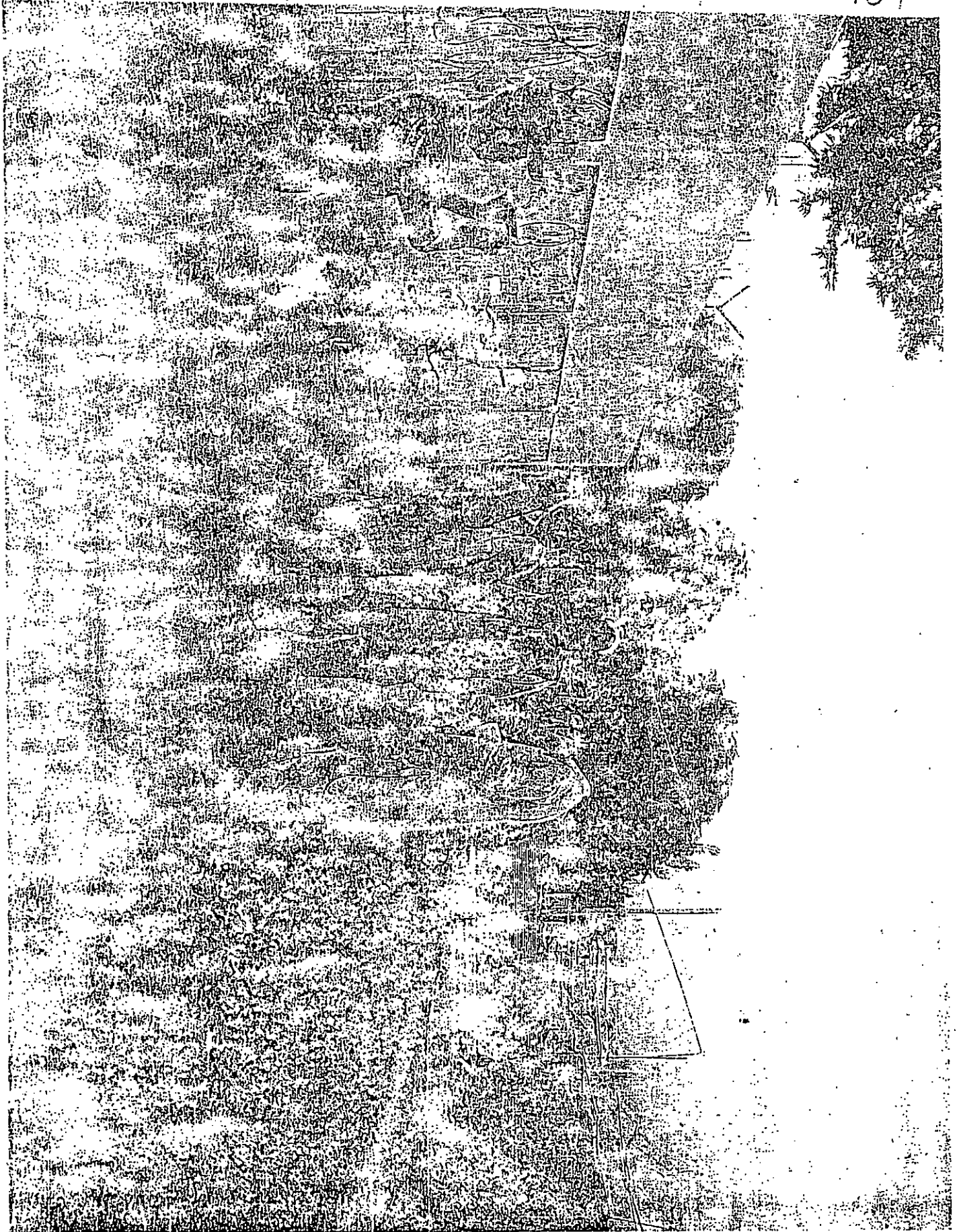
(51)

103

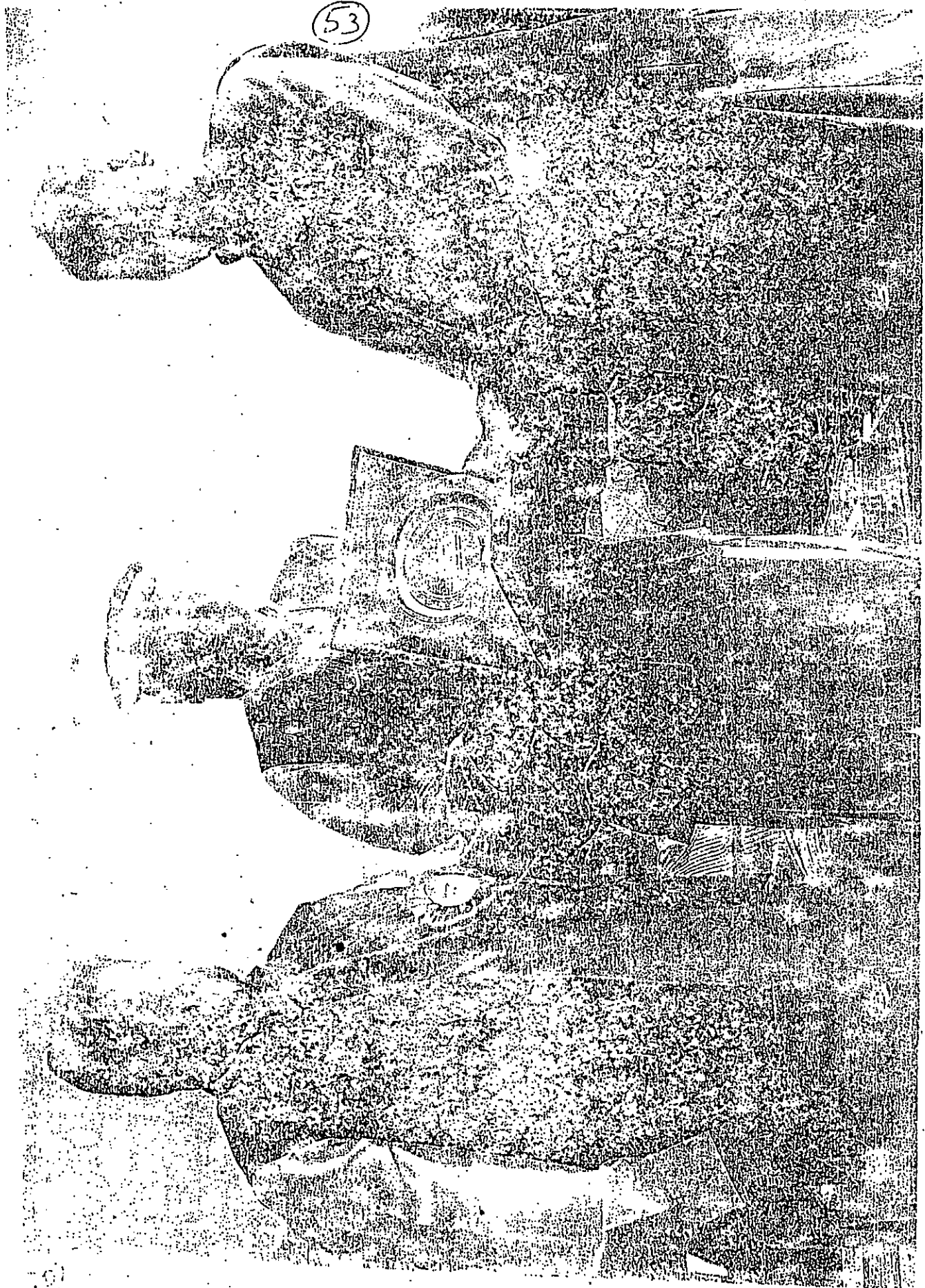


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104



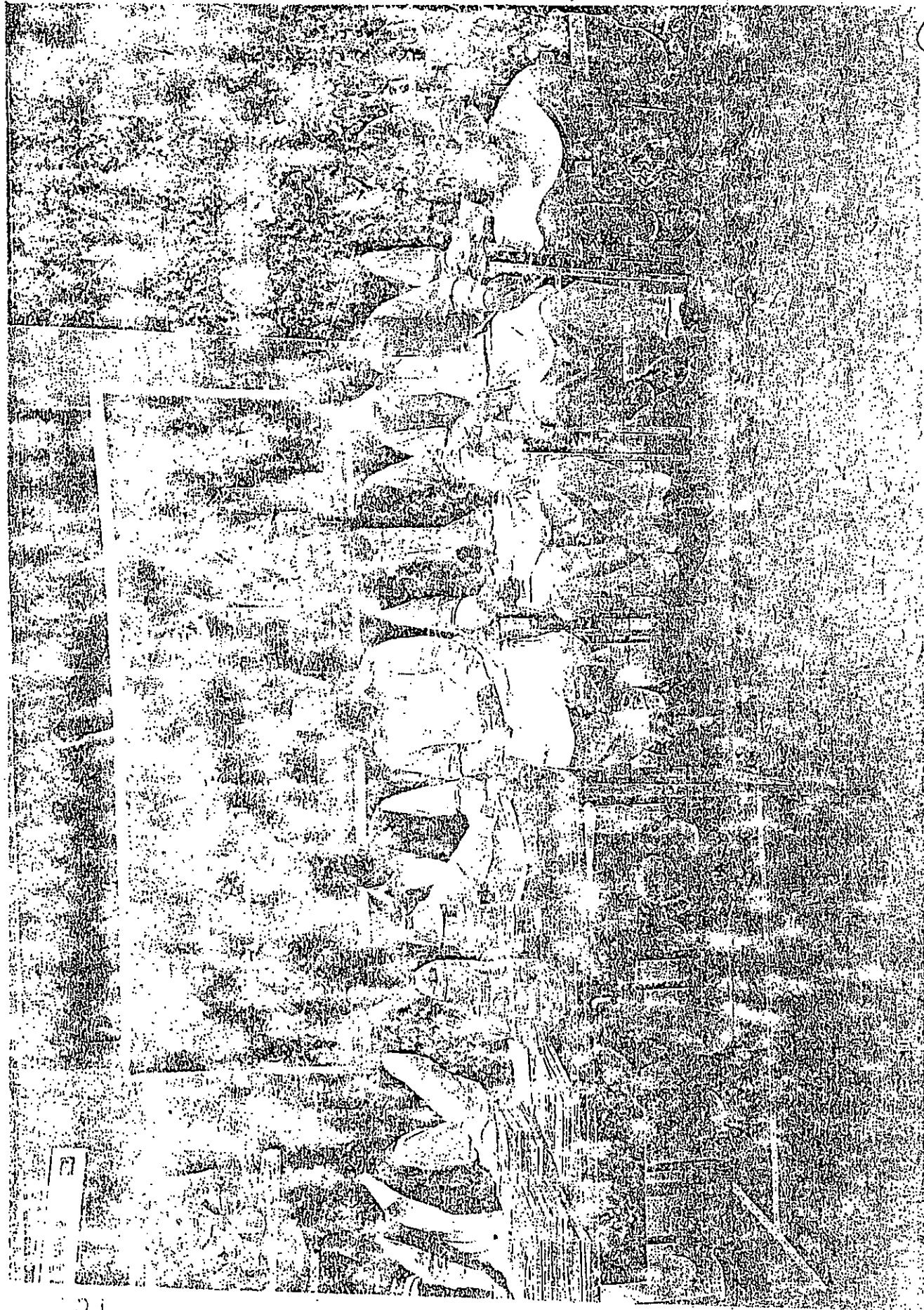
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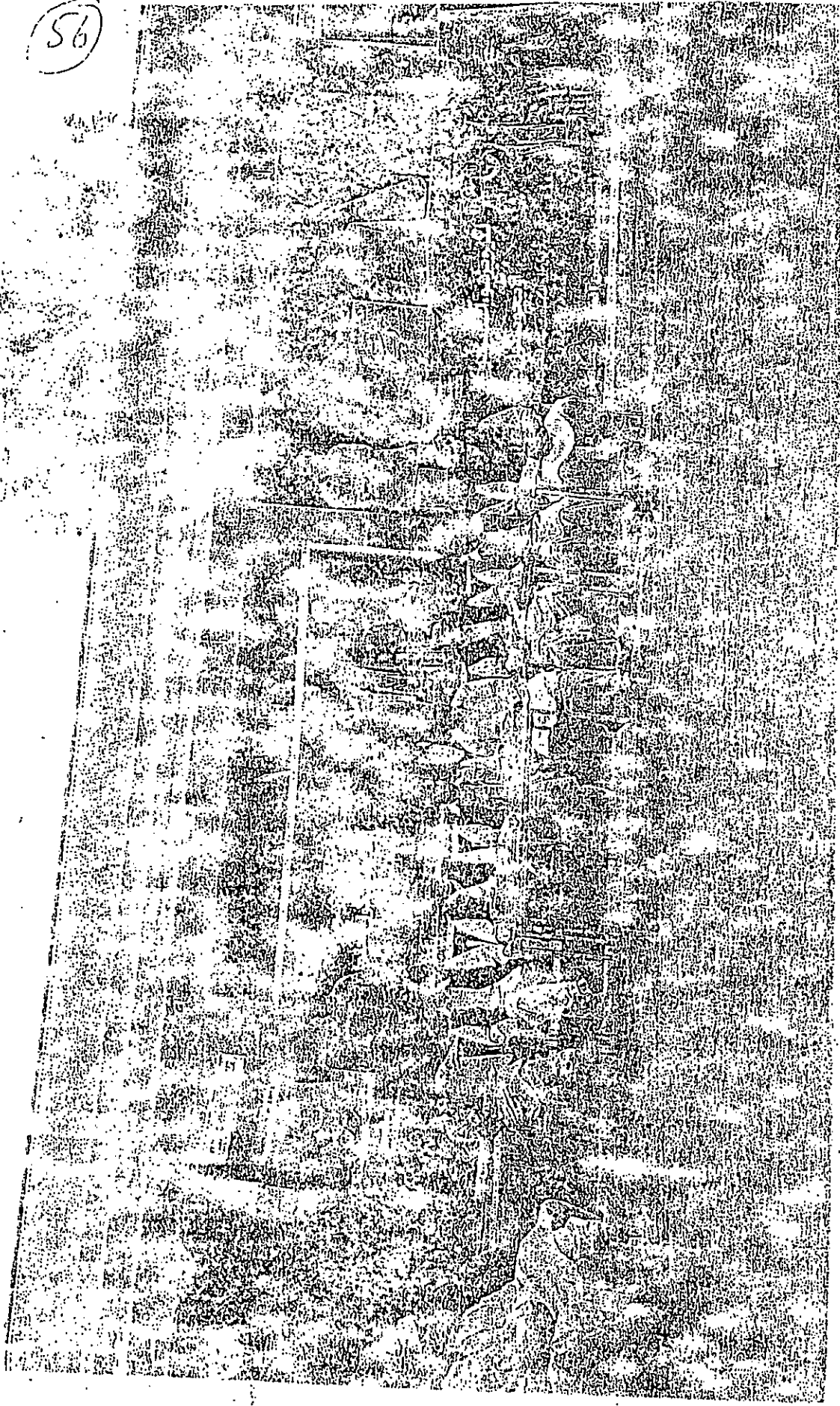
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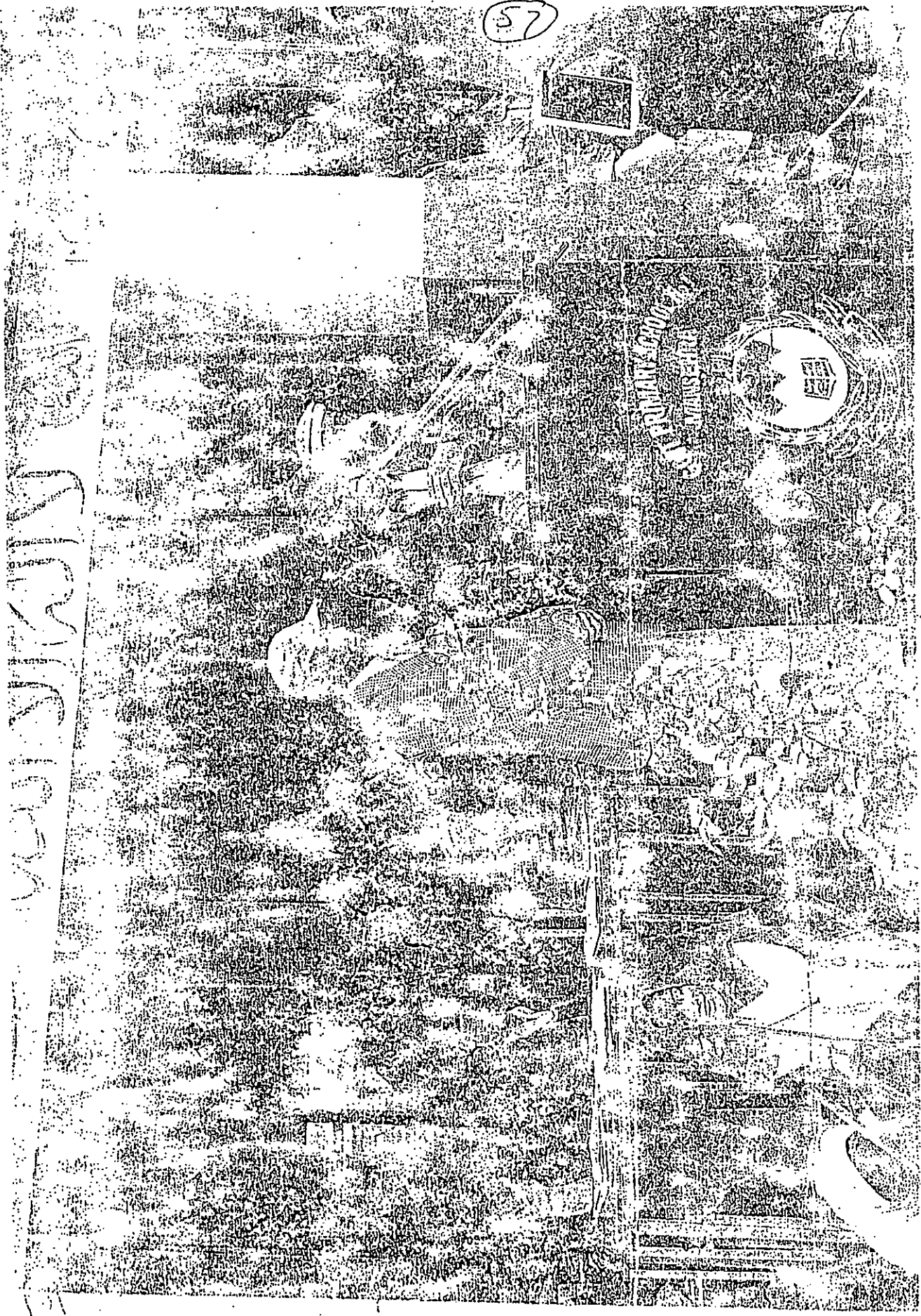
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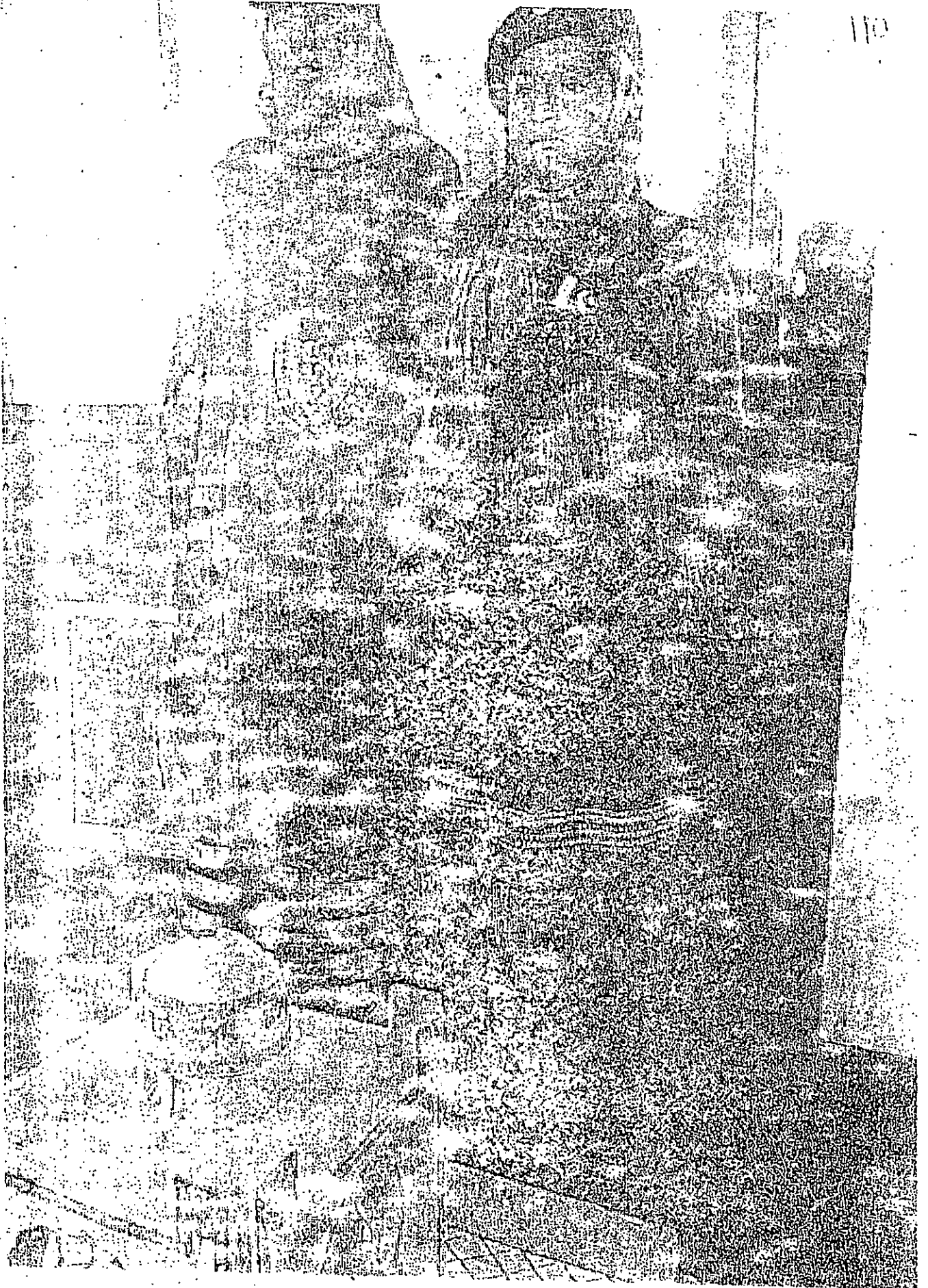


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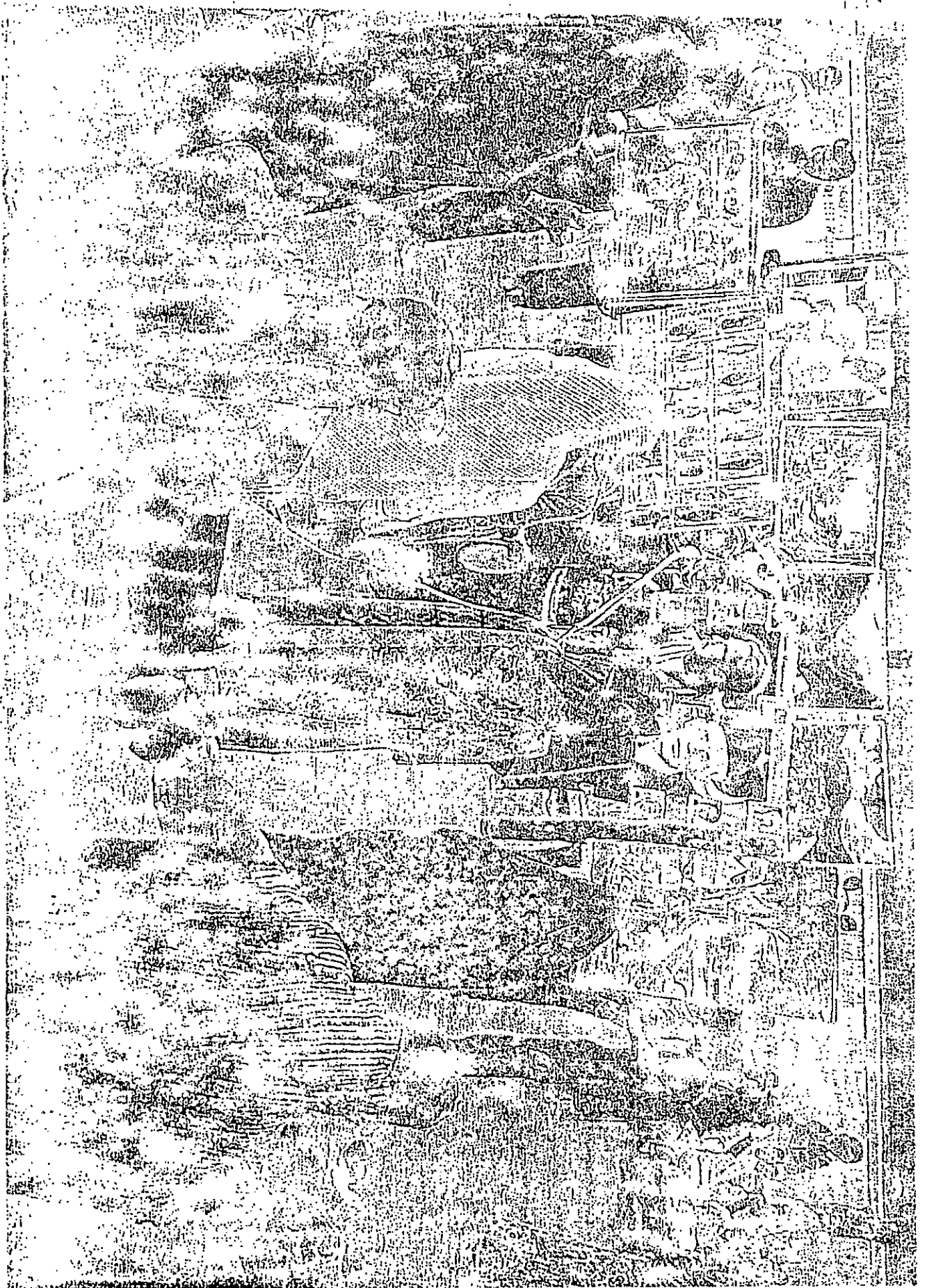


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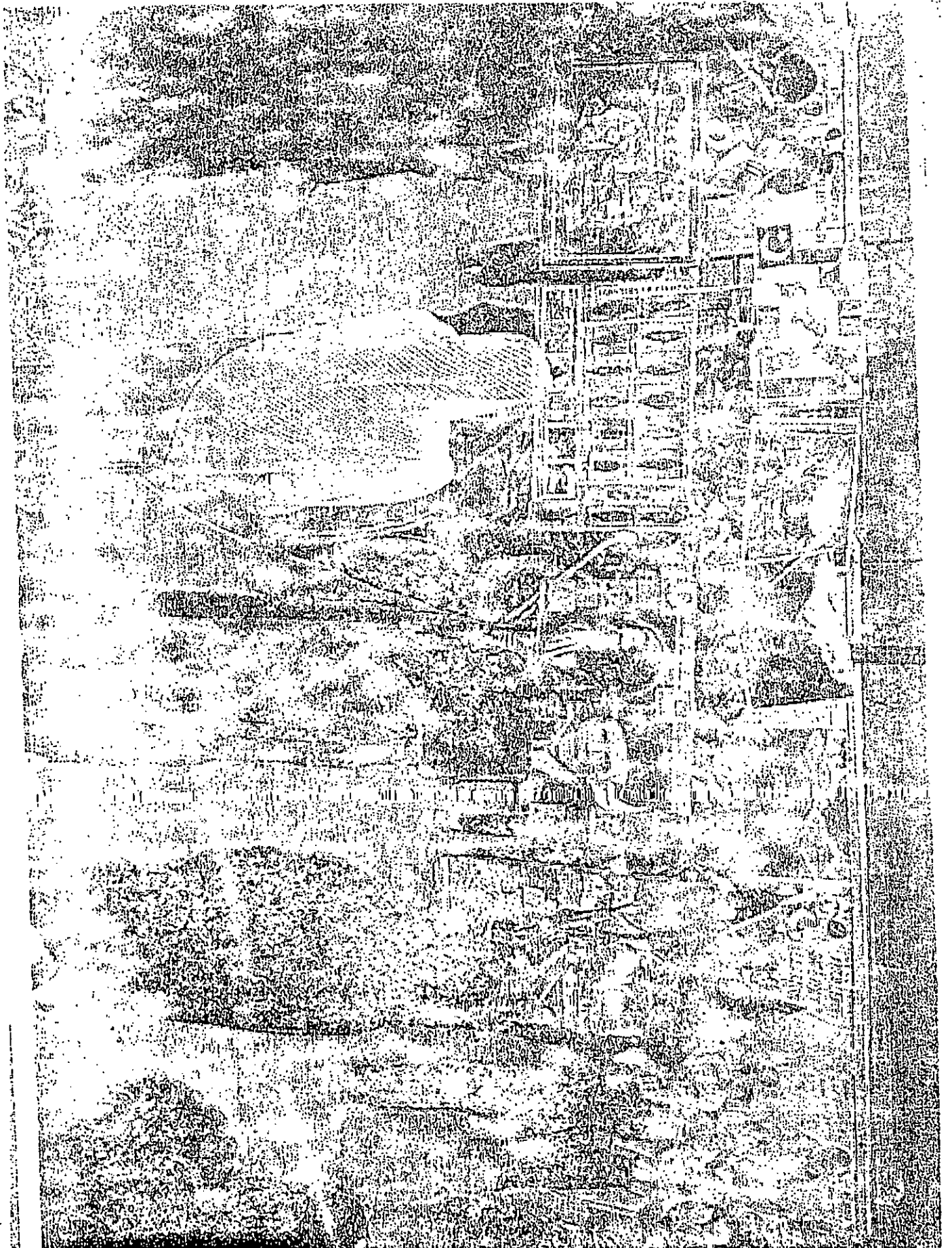


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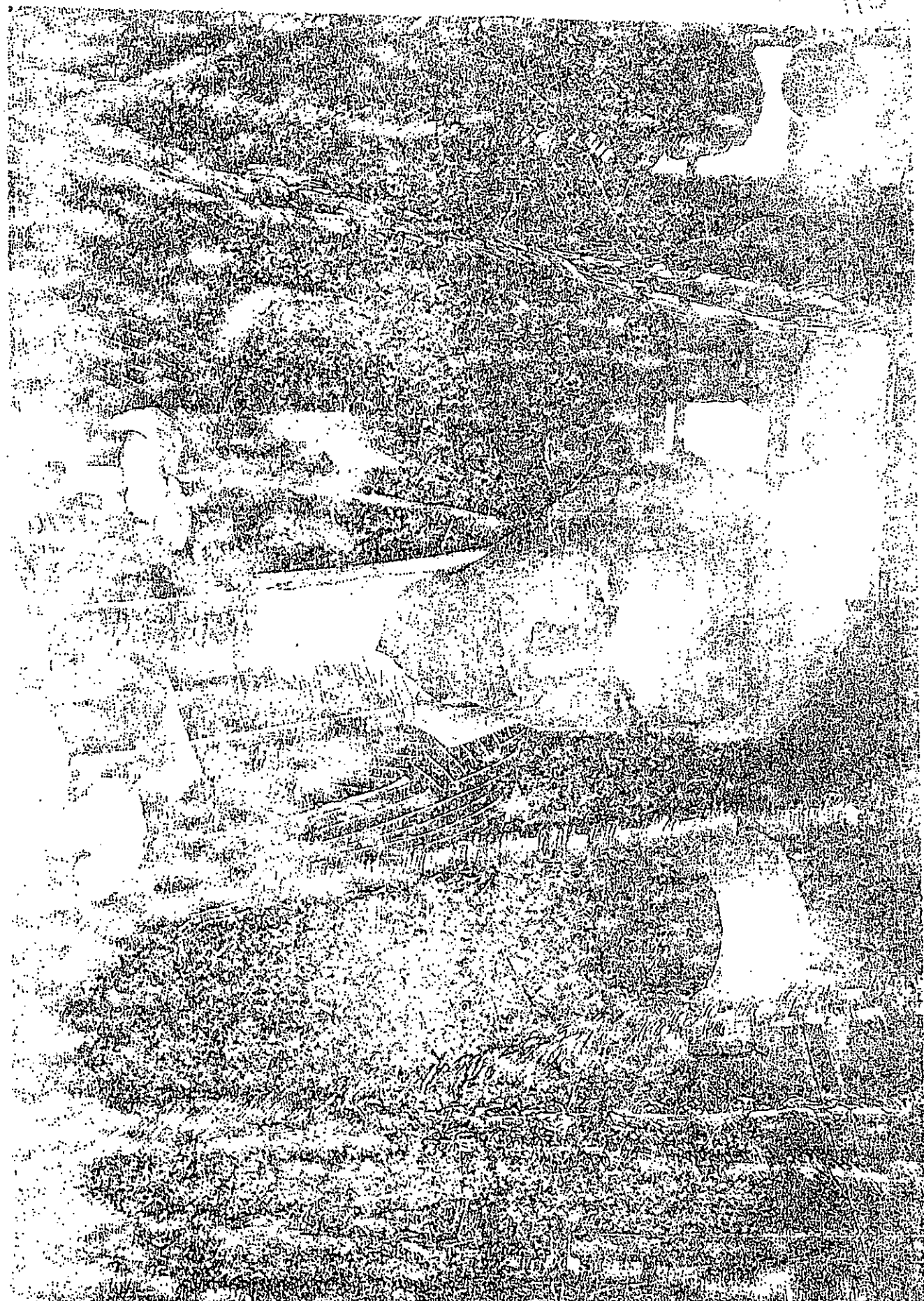
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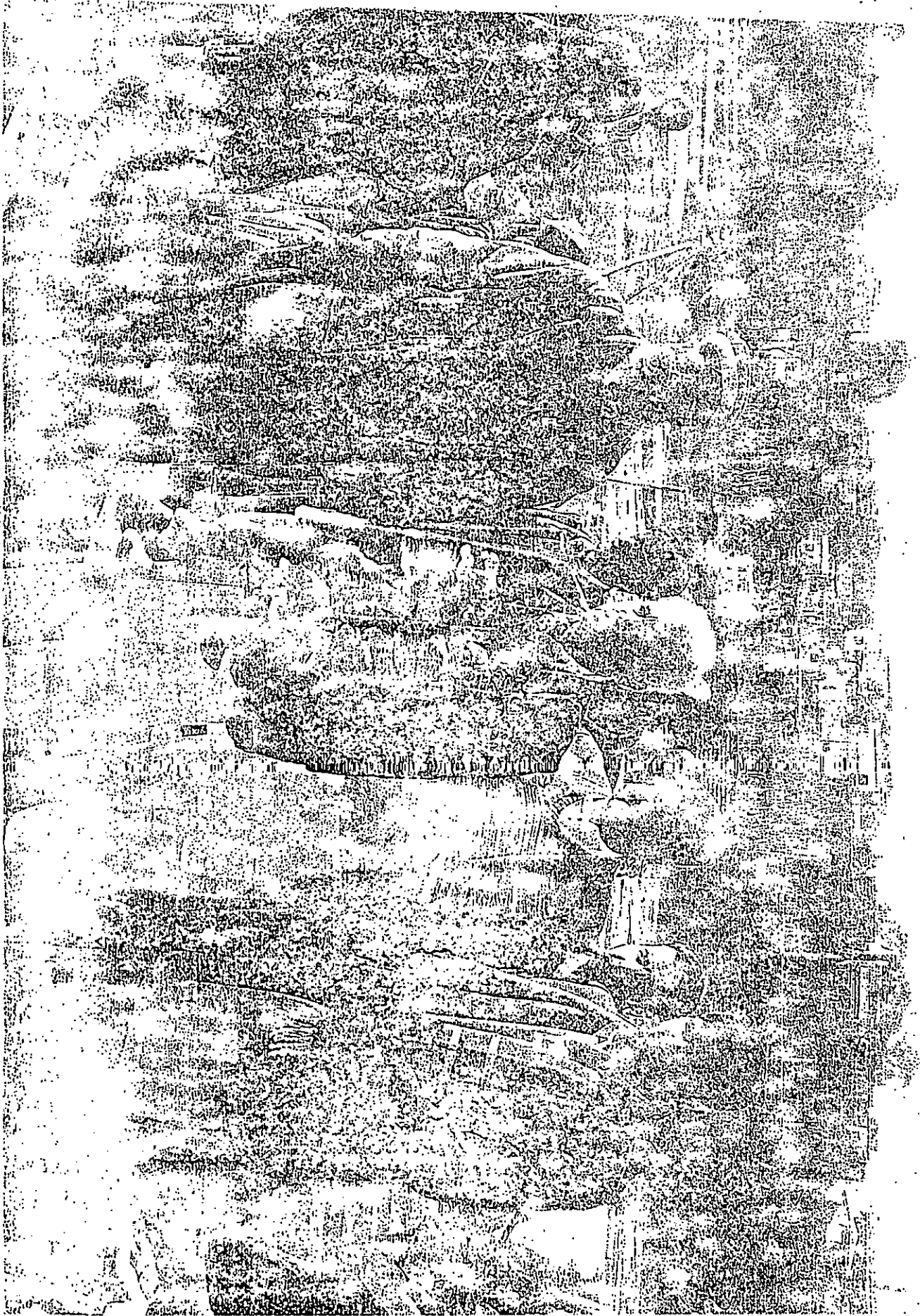


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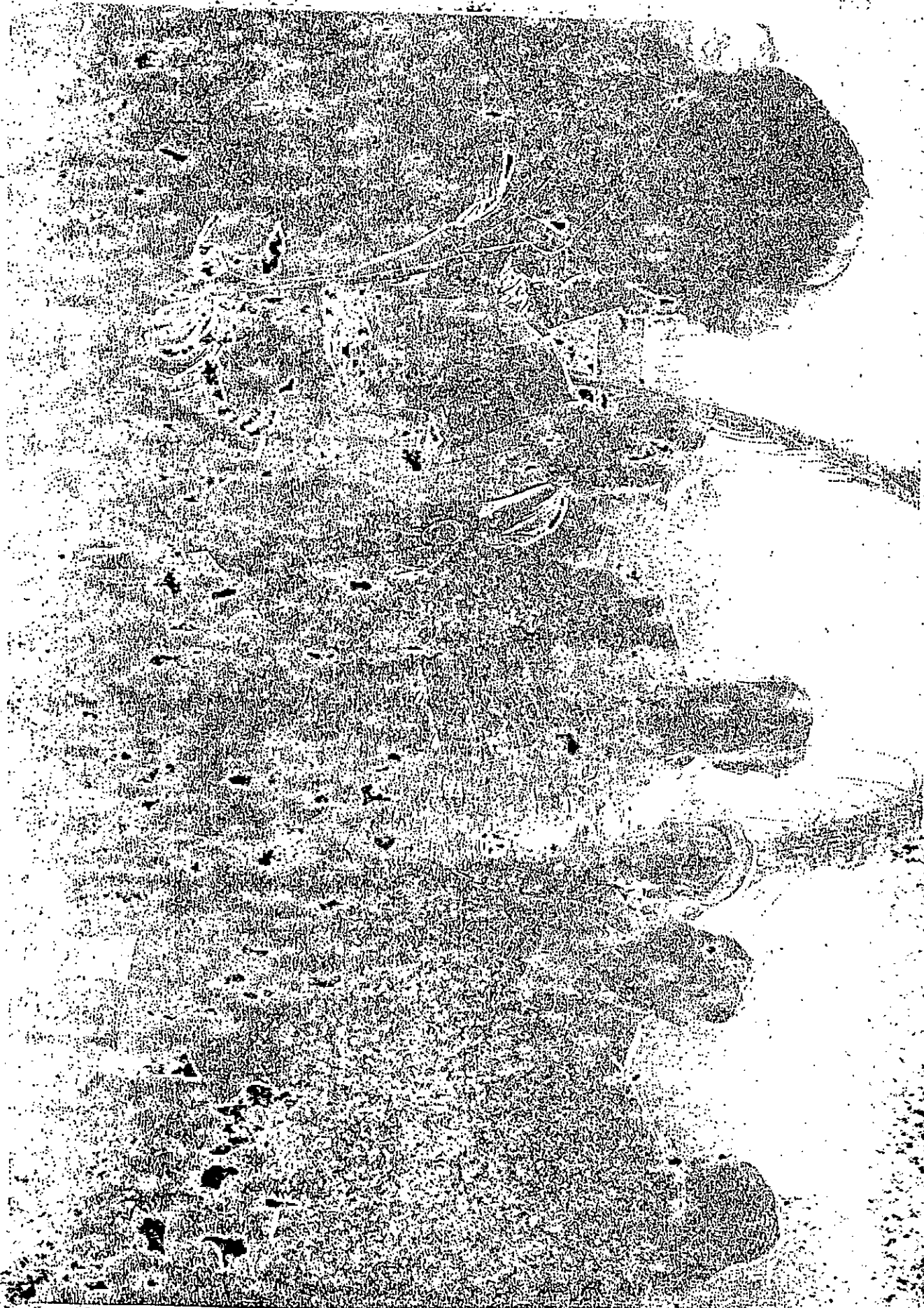
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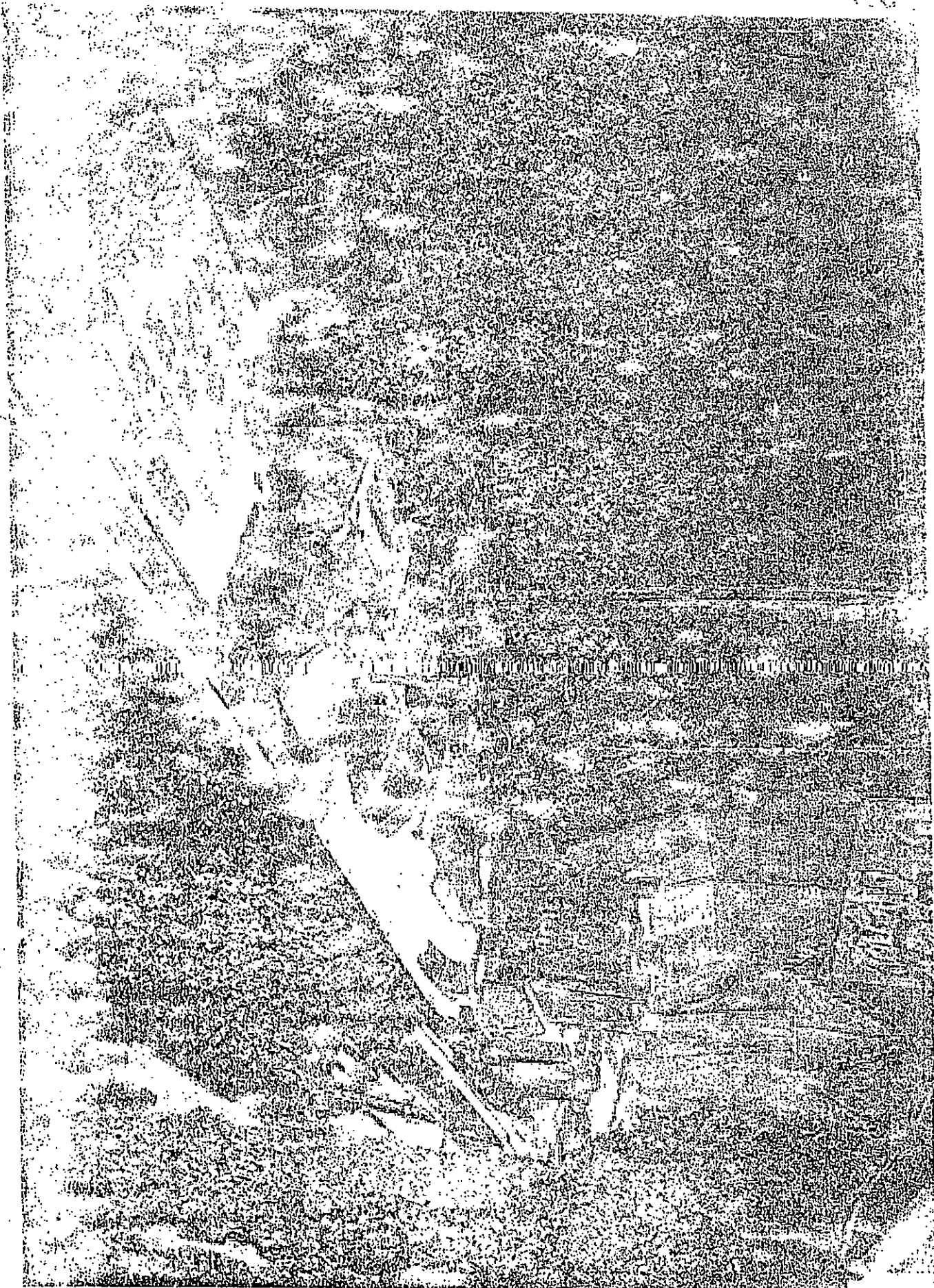
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63

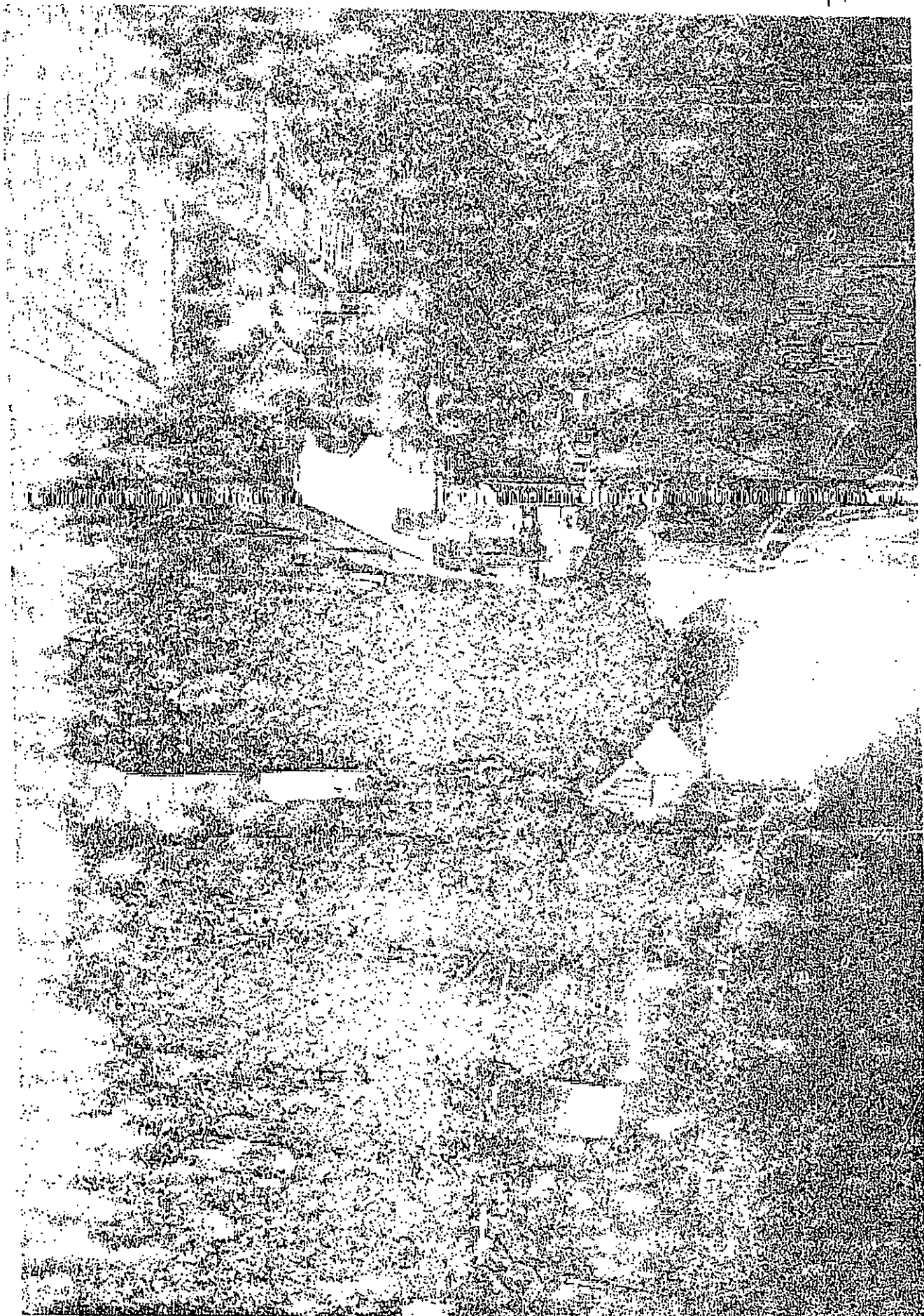


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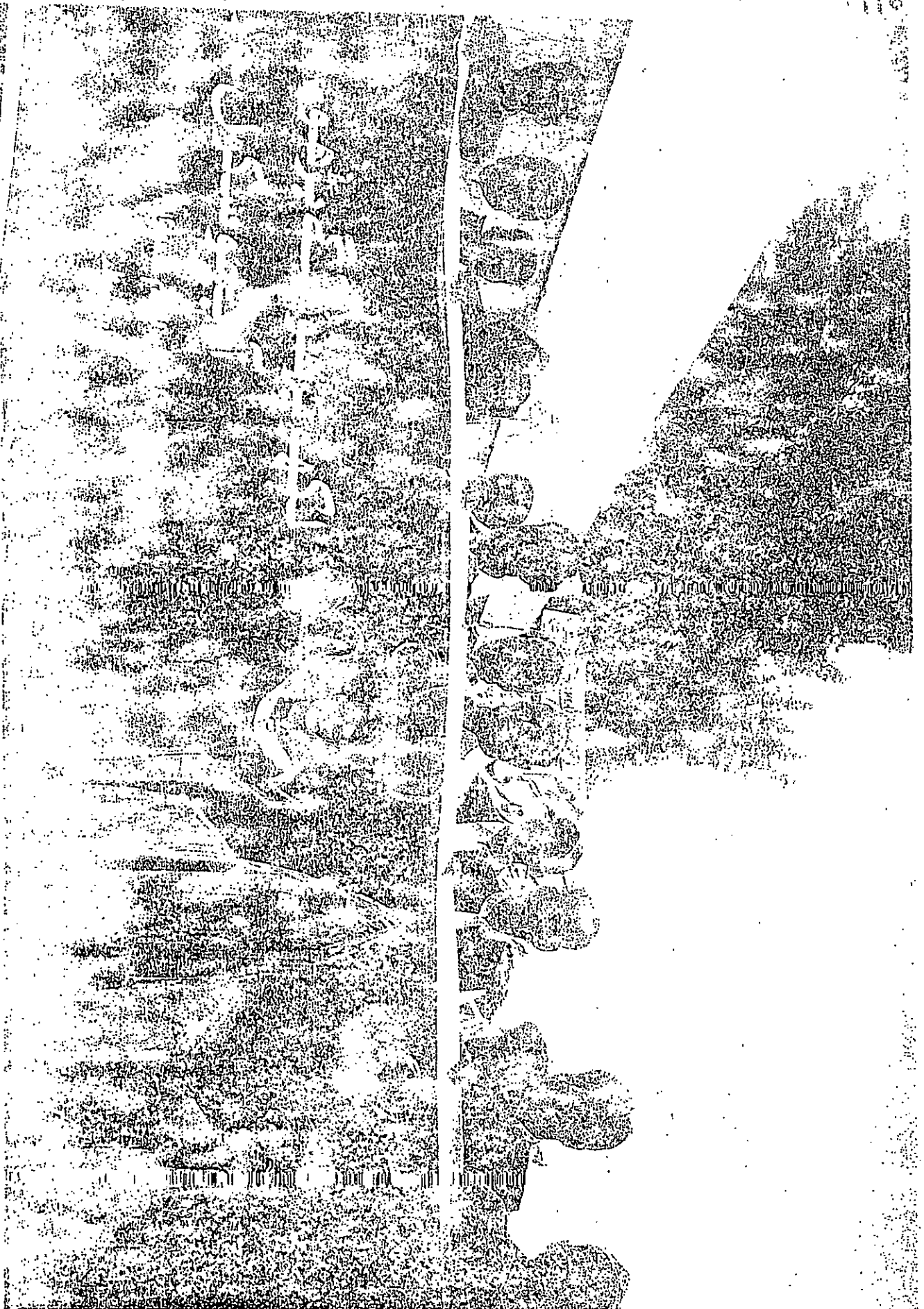


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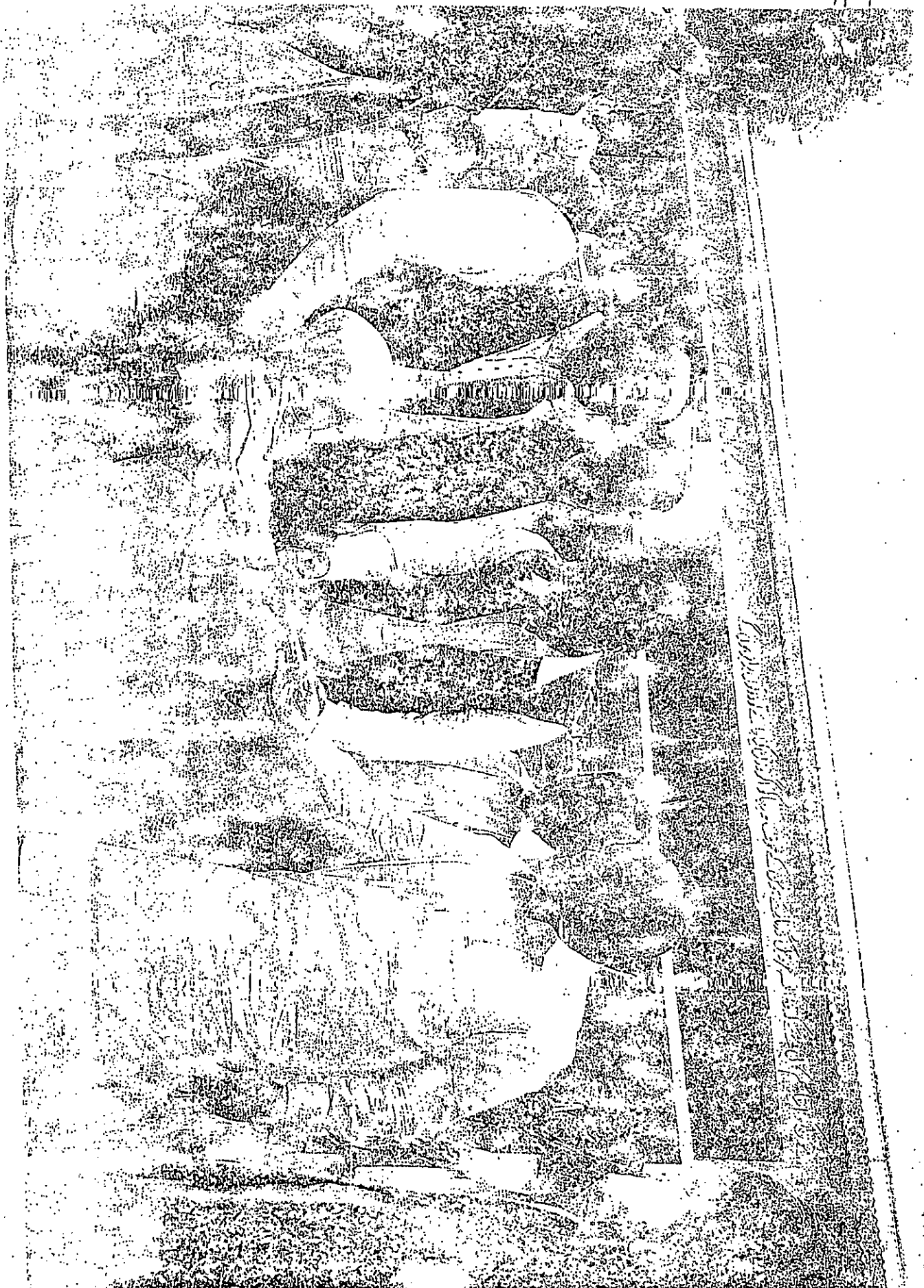


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67

119



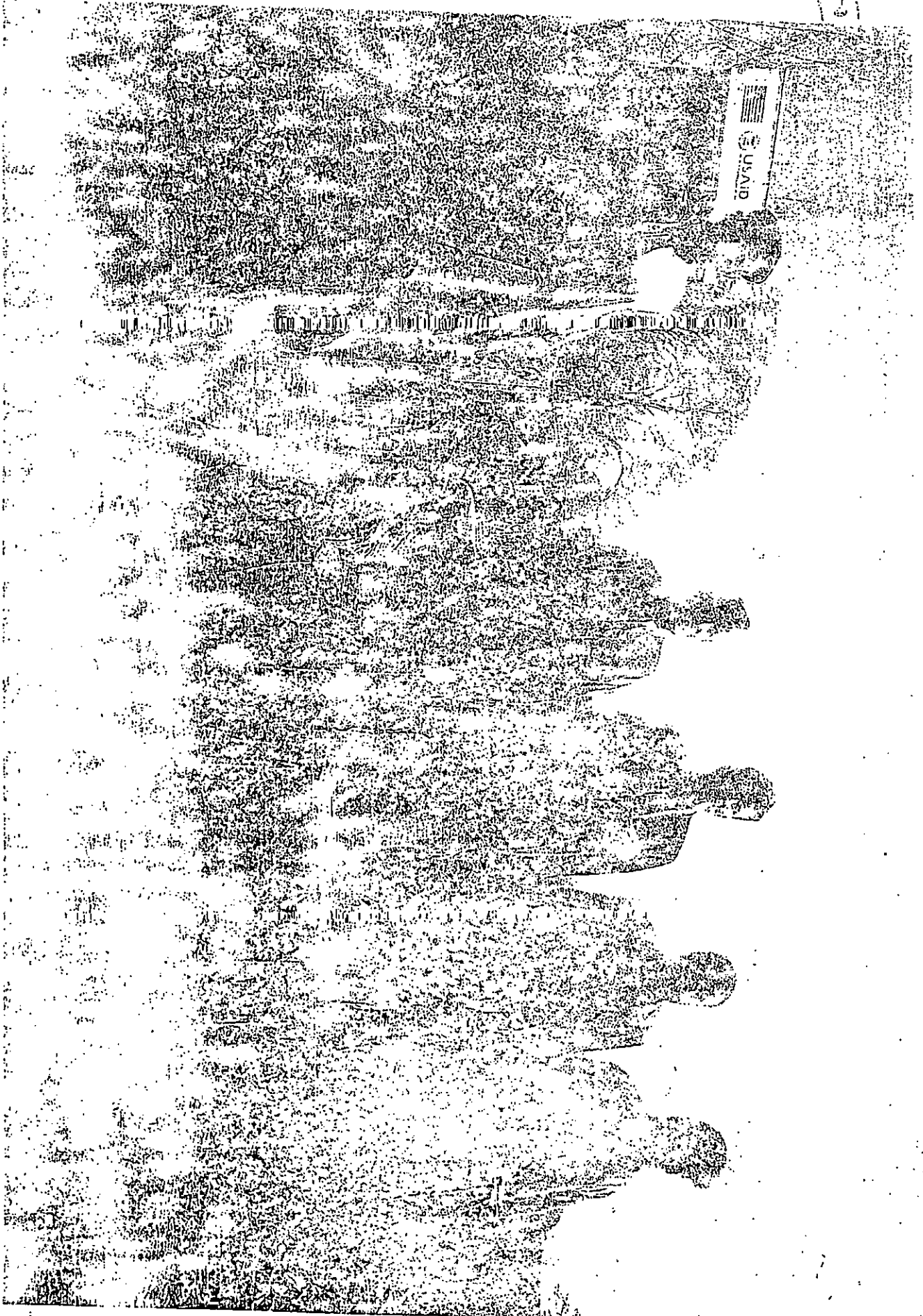
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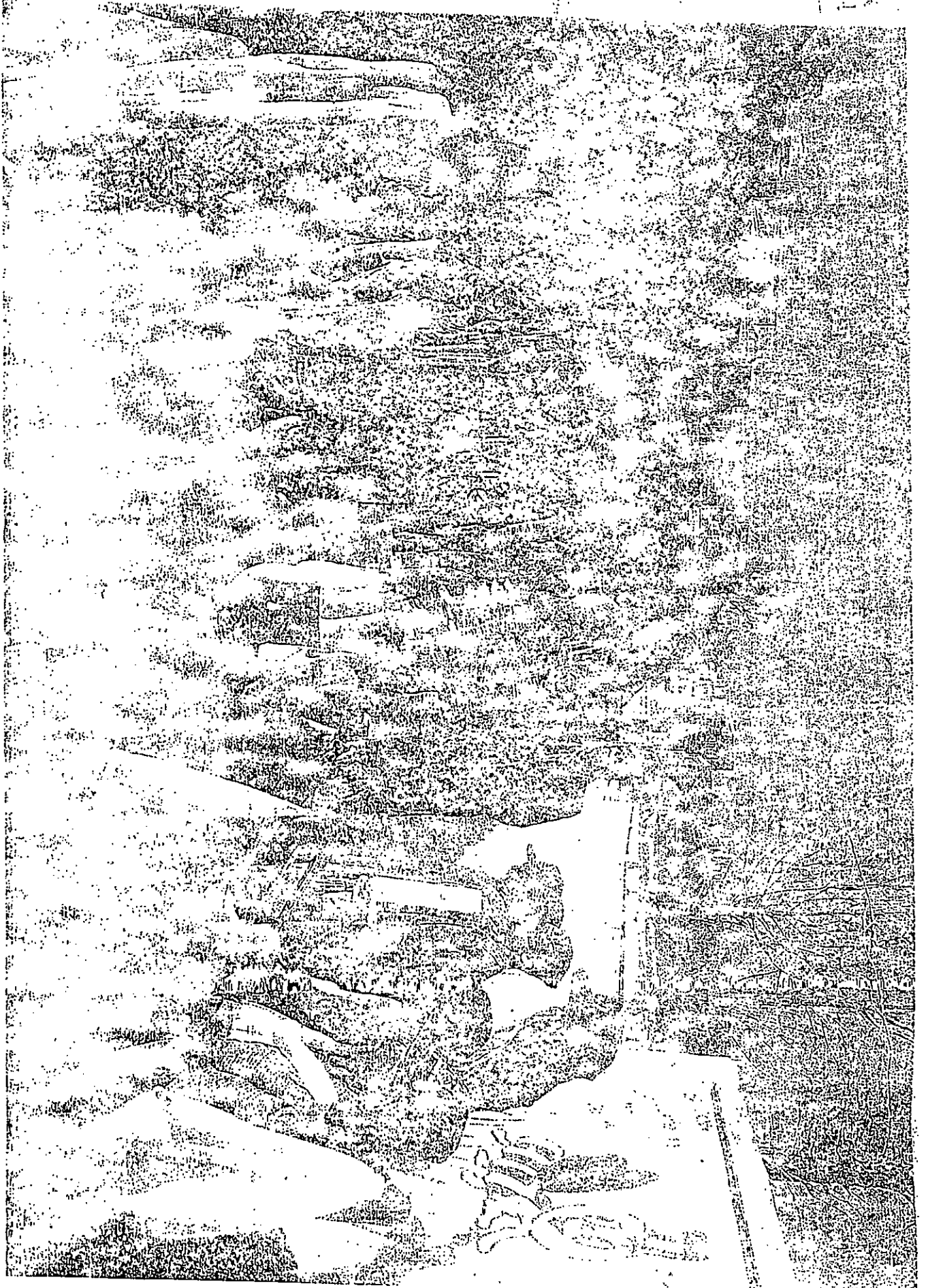
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121



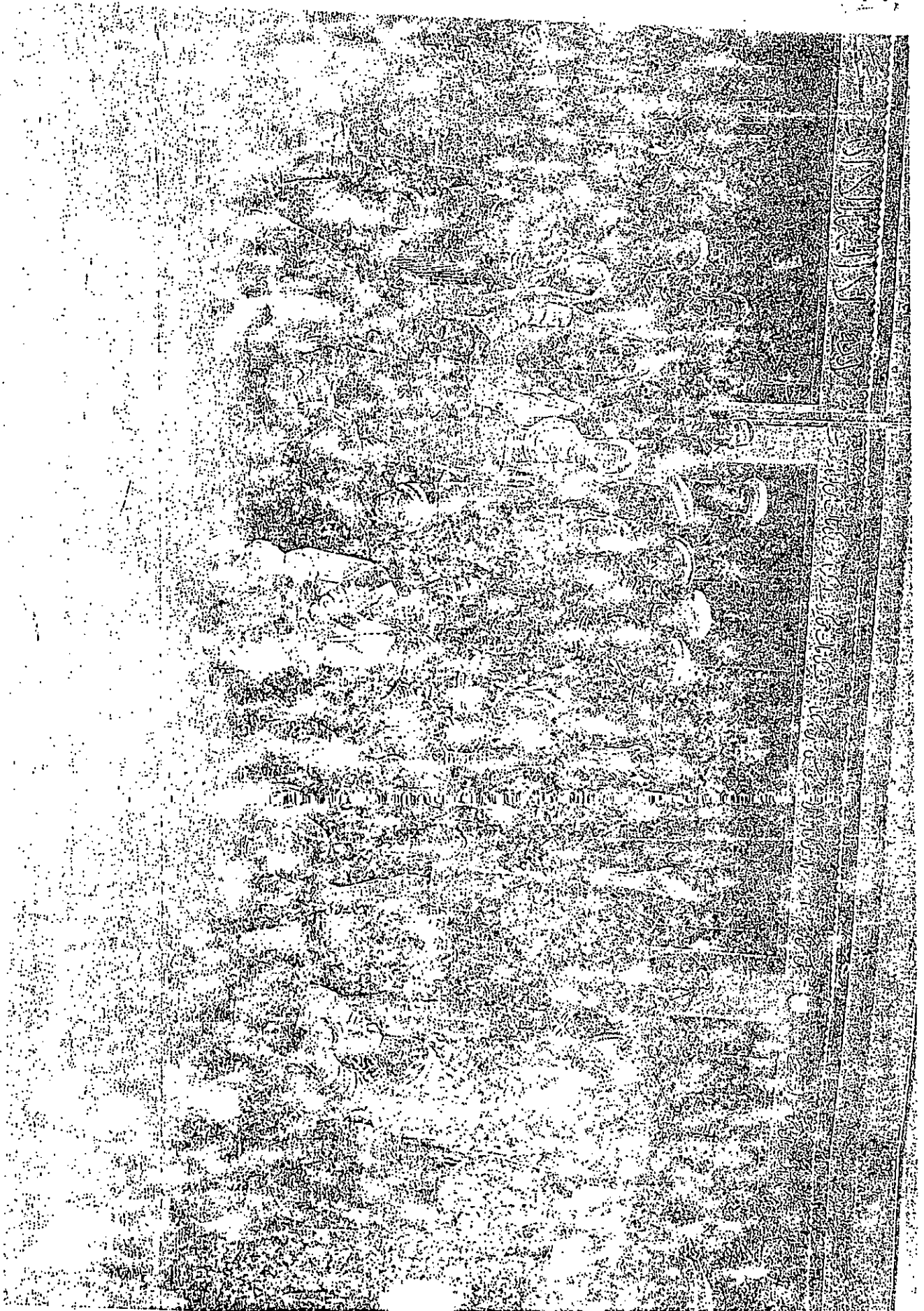
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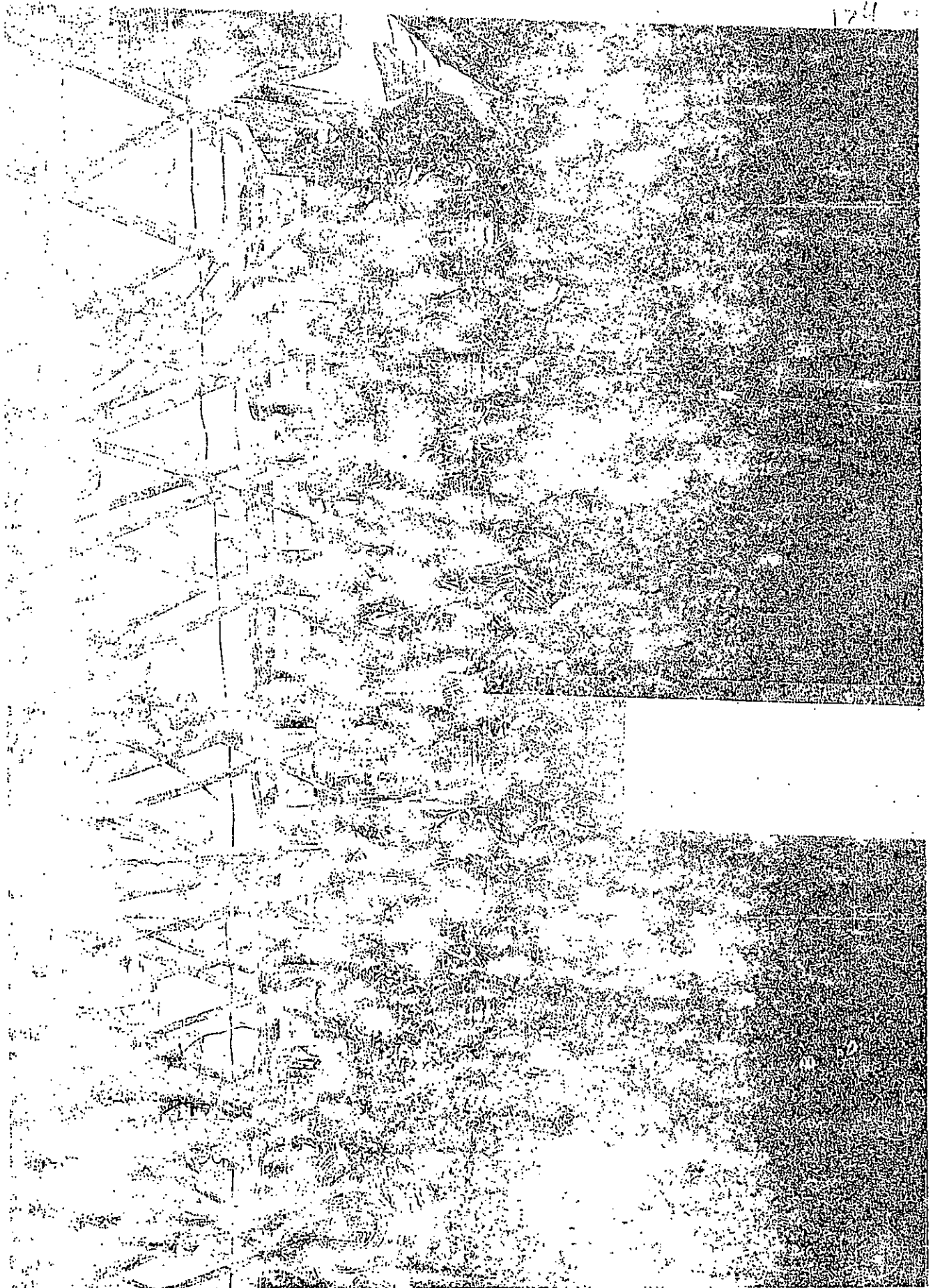
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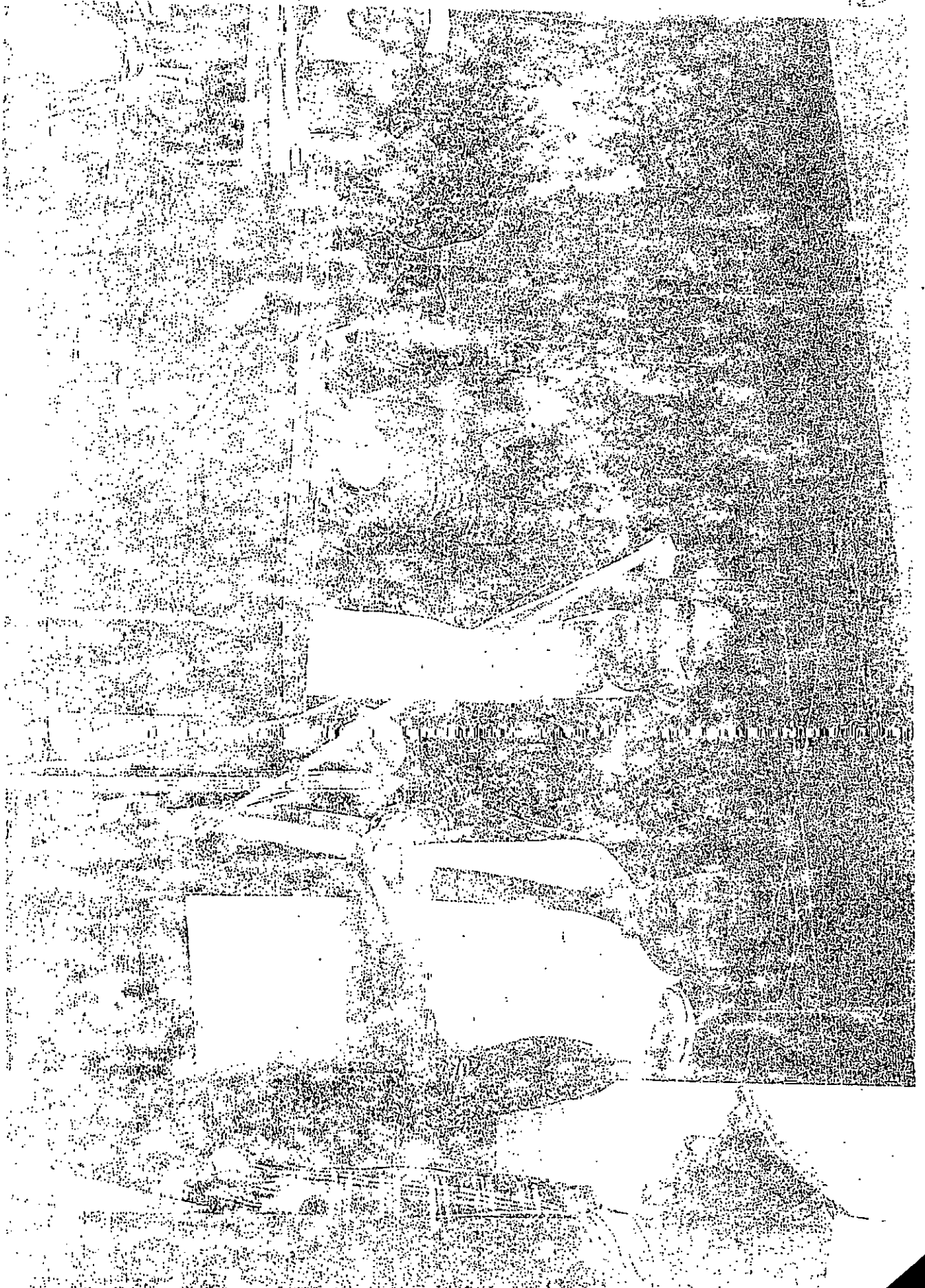
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124



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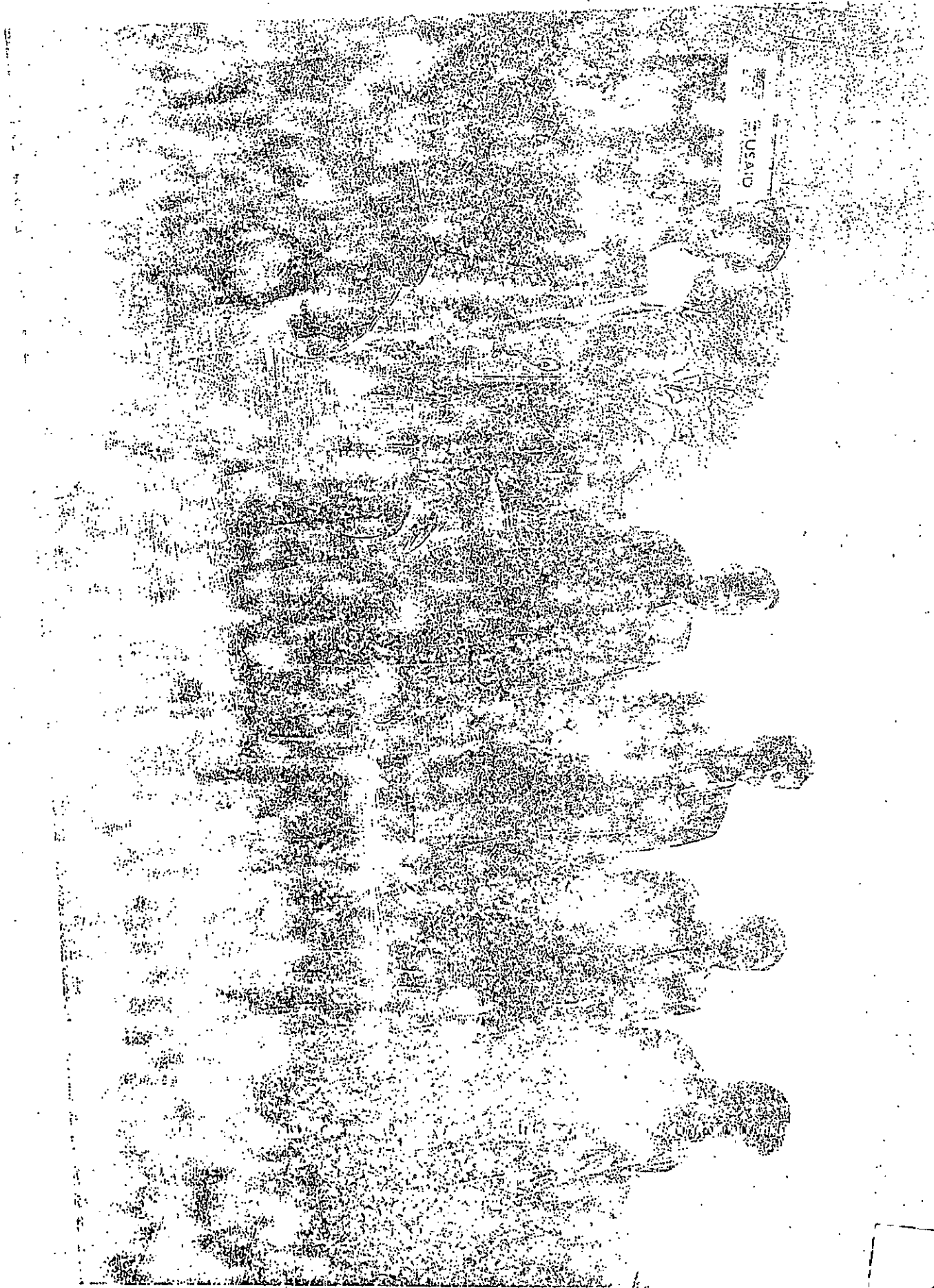
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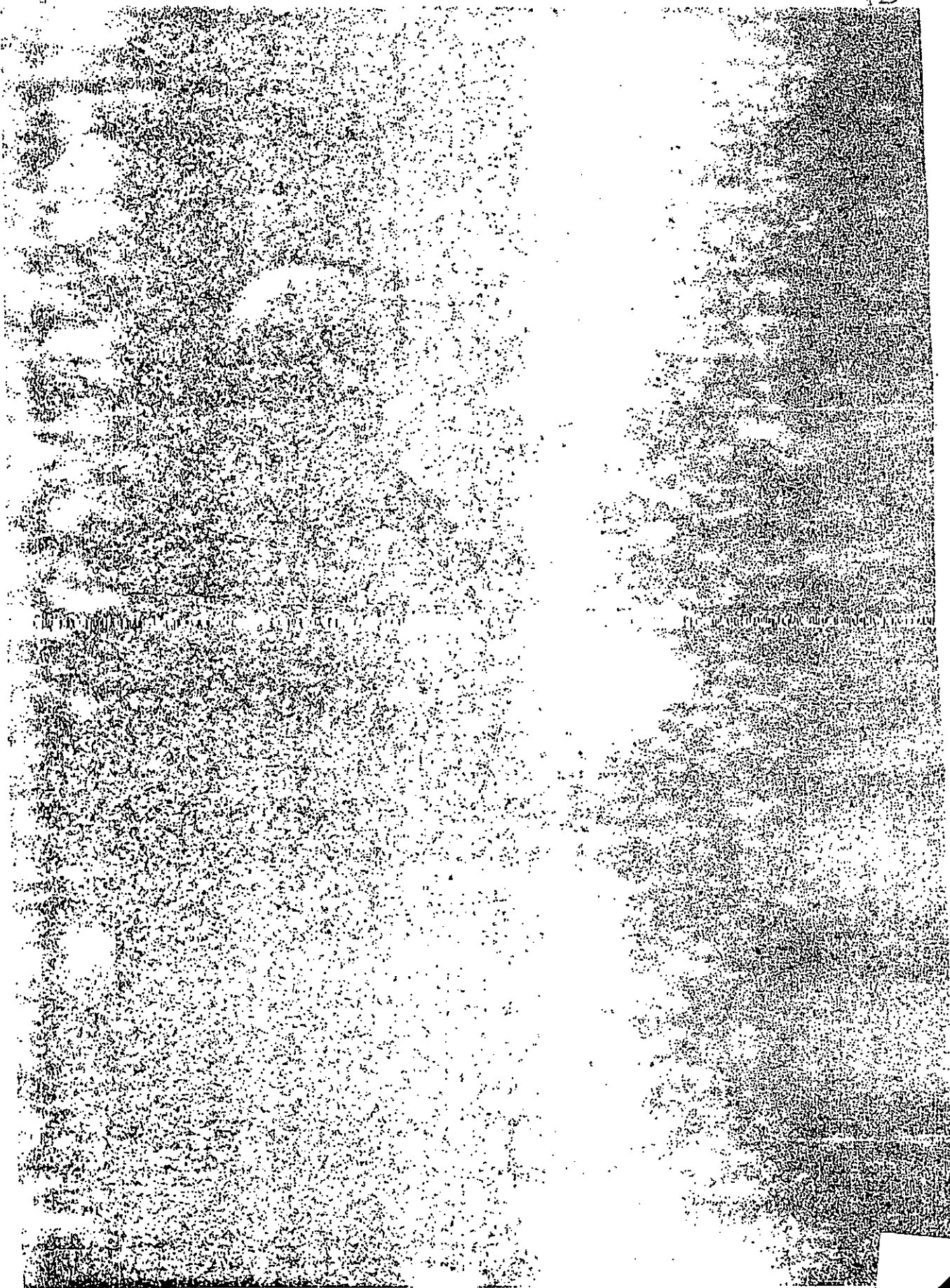
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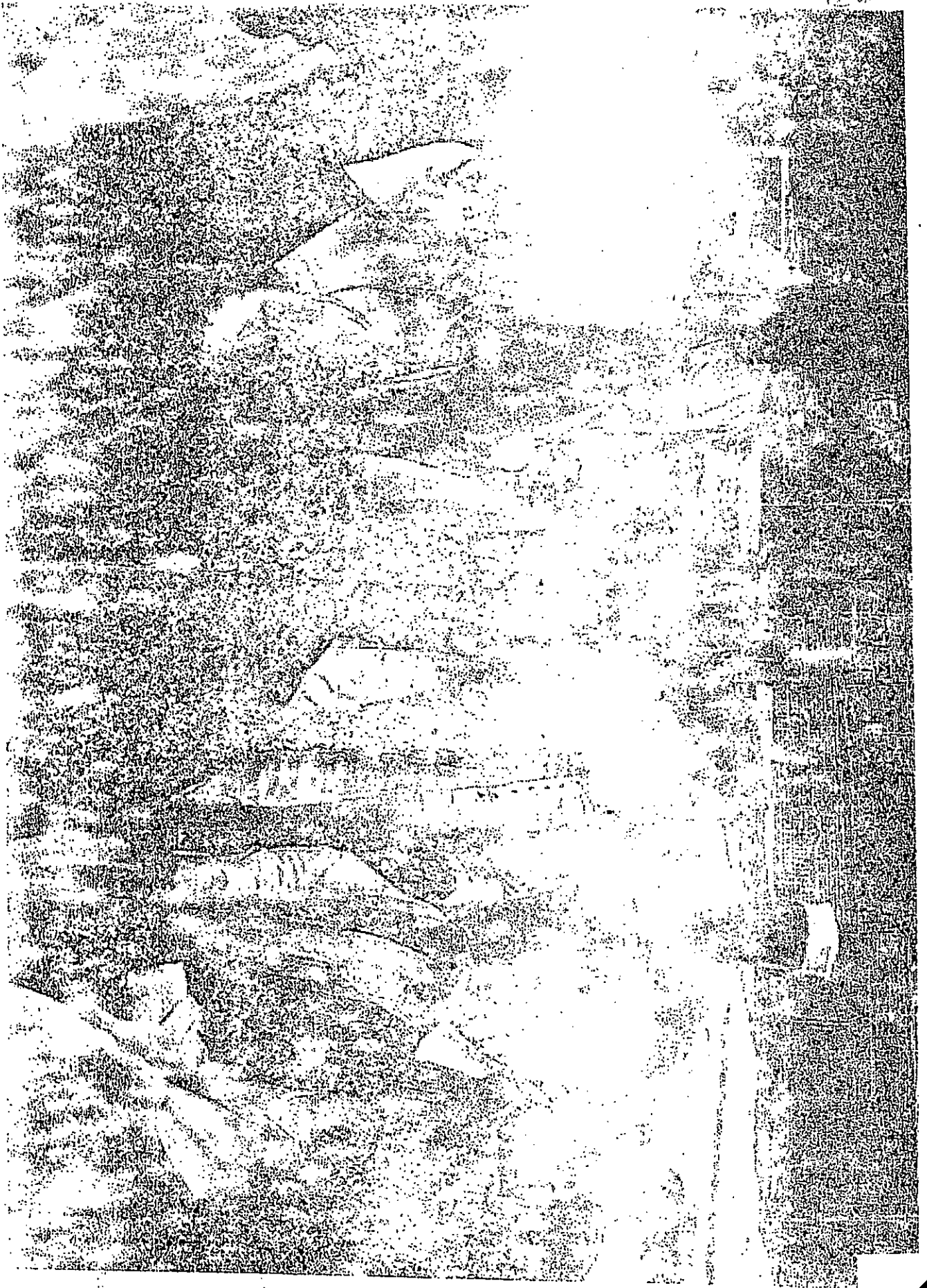
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