

2nd Nov., 2022

Learned counsel for the appellant present. Mr. Naseerud Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant seeks adjournment in order to further prepare the brief. Last opportunity is granted. To come up for arguments on 15.12.2022 before the D.B.

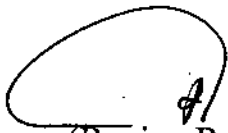
  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

15.12.2022

Due to general strike of the Bar, case is adjourned to 07.03.2023 before D.B. Office is directed to notify the next date on notice board as well as the website of the Tribunal.

  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)

25.10.2021

Appellant in person present. Mr. Kabirullah Khattak,  
Additional Advocate General for respondents present.

Arguments could not be heard due to learned judicial member  
(Salah-ud-Din) is on leave. Adjourned. To come up for arguments  
before the D.B on 24.02.2022.

  
(MIAN MUHAMMAD)  
MEMBER (E)

24-2-22

*Due to retirement of majority chairperson,  
therefore the case is adjourned to 31-5-22 for  
the same.*


  
Reader

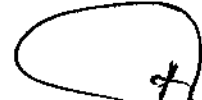
31.05.2022

Junior to counsel for appellant present.

Naseer Ud Din Shah learned Assistant Advocate  
General for respondents present.

Former made a request for adjournment as senior  
counsel for appellant is busy in august Supreme Court of  
Pakistan. Adjourned. To come up for arguments on  
10/08/2022 before D.B.

  
(Fareeha Paul)  
Member(E)

  
(Rozina Rehman)  
Member (J)

10-8-2022

*Proper DB not available the  
case is adjourned to 2-11-2022*

  
Reader

18.01.2021

Appellant present through counsel.

Noor Zaman Khattak learned District Attorney alongwith Waheed Gul ADEO for respondents present.

Written reply of respondents No.1 to 3 already submitted. Learned District Attorney stated that the respondent No.4 relies on the reply of respondents No.1 to 3. To come up for rejoinder, if any, and arguments on 22.04.2021 before D.B.

  
(Rozina Rehman)  
Member (J)

22.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 16.08.2021 for the same as before.

  
Reader

16.08.2021

Since 16.08.2021 has been declared as Public holiday on account of Moharram, therefore, case is adjourned to 25.10.2021 for the same as before.

  
Reader

05.10.2020

Appellant with counsel and Addl. AG alongwith Abdul Waheed, Litigation Officer for the respondents present.

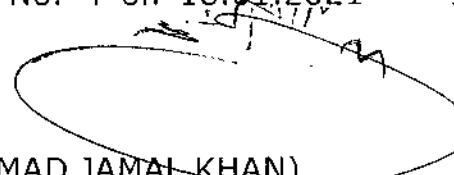
Representative of respondents <sup>seeks</sup> ~~time~~ to furnish reply/comments. Adjourned to 26.11.2020 on which date the requisite reply/comments shall positively be furnished.

  
Chairman

26.11.2020

Junior counsel for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General and Mr. Abdul Waheed, Litigation Officer, on behalf of respondents No. 1 to 3, are also present.

Representative of respondents No. 1 to 3 submitted written reply on behalf of the said respondents which is placed on file. Neither written reply on behalf of respondent No. 4 is submitted nor any representative on his behalf is present, therefore, learned Additional Advocate General is directed to ensure presence of representative of the said respondent and submit reply on the next date positively. File to come up for written reply/comments on behalf of respondent No. 4 on 18.01.2021 before S.B.

  
(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

04.08.2020

Counsel for the appellant Mr. Noor Muhammad Khattak, Advocate is present. Preliminary arguments heard. Learned counsel for the appellant argued that the appellant was serving as Junior Clerk in Education Department and during his service he was charged in two cases, FIR No. 1 dated 25.09.2012 under sections 409/419/420/468/471/472 PPC read with section 5(2) PC Act of P.S. ACE, Malakand and case FIR No. 1 dated 25.03.2013 under section 409/419/420/468/471/PPC read with section 5(2) PC Act of P.S. ACE, Buner and the appellant was sent behind the bar. It was argued that the respondent-department without waiting the final decision of the aforesaid FIRs, passed the impugned order dated 03.06.2013 whereby major penalty of removal from service upon the appellant was imposed. It was further contended that the appellant was acquitted by the learned Special Judge Anti Corruption vide judgment dated 26.02.2019 and after acquittal the appellant filed departmental appeal on 04.03.2019 which was not responded within the stipulated statutory period hence, the present service appeal on 02.07.2019. It was vehemently argued by learned counsel for the appellant that requirements under Rule-8 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 have not been met. Moreso, neither charge sheet/statement of allegations was served upon the appellant nor regular inquiry was conducted. The appellant was not provided opportunity of personal hearing and defence and without waiting the outcome and conclusion of the aforesaid FIRs, the appellant was imposed major penalty of removal from service, therefore, the impugned order issued in violation of Article 10 of the Constitution is illegal and liable to be set-aside.

The contentions raised by learned counsel for the appellant need consideration. The instant 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 05.10.2020.

  
(MIAN MUHAMMAD)  
MEMBER(E)

Appellant Deposited  
Security & Process Fee

  
4/8/20

28.01.2020 Clerk to counsel for the appellant present and seeks adjournment as learned counsel for the appellant is not in attendance. Adjourn. To come up for preliminary hearing on 16.03.2020 before S.B.



Member

16.03.2020 Nemo for the appellant. Naseem Ul Haq Superintendent representative of respondents present. Lawyers community is on strike on the call of Peshawar Bar Association. Adjourn. To come up for preliminary hearing on 29.04.2020 before S.B. Attendance of representative of the respondent department is dispensed with till further orders.



Member

29.04.2020 Due to COVID-19, the case is adjourned to 04.08.2020 for the same, before S.B.



Reader

871/2019

14.11.2019

Counsel for the appellant and Addl. AG alongwith Syed Shah Said Superintendent for the respondents present.

Representative of respondents appearing on pre-admission notice requests for time to produce the record of departmental proceedings against the appellant. The requisite record shall positively be produced on next date of hearing. Else, the matter would be proceeded with on the basis of available record.

Adjourned to 18.12.2019 before S.B.

  
Chairman

17.12.2019

Appellant in person and Addl. AG alongwith Muhammad Naveed, Assistant for the respondents present.

Representative of respondent No. 4 has produced record pertaining to departmental proceedings against the appellant. The same are placed on file. The appellant, on the other hand, requests for adjournment due to non-availability of his learned counsel owing to general strike of the Bar.

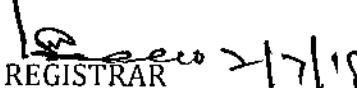



Adjourned to 28.01.2020 before S.B.

  
Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No.- 871/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/07/2019	<p>The appeal of Mr. Altaf Abdul Nasir Presented today by Mr. Noor Muhammad Khattak 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</p>
2-	09.08.2019	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>09/08/19.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	26.09.2019	<p>Counsel for the appellant present.</p> <p>Learned counsel for the appellant requests for time to further prepare the brief. Adjourned to 26.09.2019 for preliminary hearing before S.B.</p> <p style="text-align: right;"> Chairman</p>
		<p>Counsel for the appellant present.</p> <p>Issue pre-admission notice to respondents for production of complete record of departmental proceedings undertaken against the appellant.</p> <p>Adjourned to 14.11.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

*P-12/25-1*  
*delay*



26.09.2019

Counsel for the appellant present.

Issue pre-admission notice to respondents for production of complete record of departmental proceedings undertaken against the appellant.

Adjourned to 14.11.2019 before S.B.

Chairman

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

Appeal No. 271 /2019

**ALTAF ABDUL NASIR**

**VS**

**EDUCATION DEPTT:**

**INDEX**

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**APPELLANT**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK,**  
**ADVOCATE**

Flat No. 3, Upper Floor,  
Islamia Club Building,  
Khyber Bazar, Peshawar  
0345-9383141

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

APPEAL NO. 871 /2019

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 913

Dated 02/7/2019

Mr. Altaf Abdul Nasir, Ex: Junior Clerk,  
GHSS Palai, District Malakand ..... **APPELLANT**

**VERSUS**

- 1) The Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- ✓ 2) The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- ✓ 3) The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 4) The District Education Officer, District Malakand.

.....**RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 03.06.2013 WHEREBY THE MAJOR PENALTY OF REMOVAL FROM SERVICE WAS IMPOSED ON THE APPELLANT AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS**

**PRAYER:**

That on acceptance of this appeal the impugned order dated 03.06.2013 may very kindly be set aside and the appellant may be re-instated into service with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

**Brief facts giving rise to the present appeal are as under:**

1. That appellant was appointed as Junior Clerk in the respondent Department vide order dated 23.6.1997. That right from appointment the appellant has served the respondent Department quite efficiently and up to the entire satisfaction of his superiors.
2. That during service the appellant was charged in case FIR No. 1 dated 25.9.2012 U/S 409/419/420/468/471/472 PPC and in FIR No.1 dated 25/3/2013 U/S PPC 409/419/420/468/-471/ 5(2)Pc Act. That the appellant was

Filed to-day  
Registrar  
27/11

sent behind the bar in the above mentioned FIR and remained behind the bar since from the date of his arrest. Copies of the FIR's are attached as annexure.....**A.**

3. That the respondent Department without fulfilling the codal formalities and waiting for final decision of the Learned Trial Court straight away issued the impugned order dated 03.06.2013 whereby the appellant was removed from service. Copy of the impugned order is attached as annexure.....**B.**
4. That after removal from service the appellant has been acquitted by the Learned Special Judge Anti Corruption, (Provincial, Khyber Pakhtunkhwa, Peshawar in the above mentioned cases vide judgments dated 26.2.2019. Copies of the judgments are attached as annexure..... **C & D.**
5. That after acquittal in the above mentioned case the appellant filed Departmental appeal against the impugned order dated 03.06.2019 but no reply has been received so far from the quarter concerned. Copies of the Departmental appeal is attached as annexure.....**E.**
6. That appellant feeling aggrieved and having no other remedy filed the instant service appeal on the following grounds amongst the others.

**GROUND:**

- A- That the impugned orders dated 03.06.2013 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C- That the respondents acted in arbitrary and mala fide manner while issuing the impugned dismissal order dated 03.06.2013.
- D- That the respondents removed the appellant in a hasty manner without waiting for the outcome of the trial which was pending before the competent Court of law at that relevant time.
- E- That no charge sheet and statement of allegation has been served against the appellant before issuance of the impugned order dated 3.6.2013.

- F- That no show cause notice has been issued nor chance of personal hearing/defense has been provided to the appellant before issuance of the impugned order dated 17.01.2019.
- G- That no regular inquiry has been conducted against the appellant which is as per Supreme Court judgments is necessary in punitive actions against the Civil servant.
- H- That under FR-53 and FR-54 the appellant is fully entitle for his re-instatement into service with all back benefits.
- I- That appellant has been discriminated on the subject noted above and as such the impugned order dated 03.06.2013 is not tenable in the eyes of law.
- J- That the appellant seeks permission to advance other grounds and proofs at the time of hearing.

Dated: 02.07.2019

**APPELLANT**

  
**ALTAF ABDUL NASIR**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**

**SHAHZULLAH YOUSAFZAI**

**&**

  
**MIR ZAMAN SAFI**  
**ADVOCATES**

گورنمنٹ پریس پبلشرز، لاہور۔ 20066/23 اور 20066/23 (2006) (پریس) (15)

### ابتدائی اطلاعی رپورٹ

A-4

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شمارہ نمبر 153 مجموعہ ضابطہ نو جہداری

صفحہ	جلد نمبر	تاریخ	1
وقت وقوع	25/9	12 تا 11	ACE
ذمہ دار	31/10	دفتری اوقات	13/00
مقام	انکوائری خانہ	حالیہ پتہ	23/12
مذکورہ جرم (معدومہ) سال اگر پہلایا گیا ہو۔	472	409/419/420/468/471	
ذمہ دار کا نام سے درست	ACT	5 (2) P	
مذکورہ جرم	GHSK	یاد دہانی	
ذمہ دار کی شناخت	اللطف عبدالناصر ولد عبدالمنان		
ذمہ دار کی شناخت	محمد علی محمد احمد		
ذمہ دار کی شناخت	محمد علی محمد احمد		
ذمہ دار کی شناخت	محمد علی محمد احمد		

ابتدائی اطلاع نیچے درج کردہ۔ اوس انکوائری 103/2011  
 حکمہ تعلیم بلڈنگ نیر بعد از انکوائری معلوم ہوا کہ ملزم اللطف عبدالمنان  
 در عبدالمنان مکہ قلم کشی کا لونی نسبتہ روز جان آباد سردان نے  
 مختلف ناموں سے جعلی اور لوگس کاغذات کے ذریعے GHSK  
 بلیج بلانڈ سے بنام شامی ملک SET بلیج، محمد علی CT بلیج  
 اللطف عبدالمنان سے بلیج ووت تہنوا میں وصول کی ہے۔ سٹیڈ آؤٹ  
 شامی بھجان نے جو لارڈ رپورٹ نمبر 1695-99 کل مبلغ 628/42  
 خود برداری نشانہ میں کرتے ملزم باللہ نے بہ الاماء لہنوی محمد علی محمد  
 اختر گل مکہ قاسمی، تخت ہائی سردان سرکاری خزانہ سے لاکھ  
 ٹریپ کی ہے۔ بعد دہ زمرہ داران کو اس مابست سوالنامے پوری  
 پورے تاحال ملزم اللطف عبدالناصر کی طرف سے جواب نامہ  
 وصول نہ ہوا ہے۔ جبکہ ملزم محمد علی کے جواب نامے سے  
 % محمد نعیم خان نے اتفاق نہیں کیا ہے جو جوائہ حکم نمبر 829/ACE  
 پر دہ ملزمان اللطف عبدالناصر ولد عبدالمنان اور محمد علی محمد

\* اختتامیہ کرکٹ ٹیم کے رولز میں کل مبلغ 42,628 روپے لکھ کر  
 سرکاری خزانہ سے جعلی اور نوٹس کاغذات کے ذریعے  
 نکال کر پاپ کریمی زہدار ٹیسٹ جاکر جسکی خدو  
 عدم شرم بلہ درج رجسٹر کر کے آفسران بلہ کو اطلاع  
 دیجاری ہے۔ اگر بلہ دوران قنیش دیگر کوئی اہلکار  
 حلوٹ پایا گیا۔ تو اسکی خدو بھی شرم صالحہ کارروائی  
 محل میں لائی جائیگی۔ درج رجسٹر ہے،  
 مہینہ

CO. ACE Malakal  
 25.09.2012  
 مقدمہ عدالت دہم بلہ میں ملزم بلہ کی قنیشی سرخلفہ آفسران کے جعلی حوالہ  
 برآمد کر کے مقدمہ عدالت میں برآمد فرود مقدمہ لولین کی ہے۔  
 قنیشا مقدمہ عدالت میں ملزم الطاف عبداللہ قنیش بلہ کمنلاف  
 حوضہ 472 PPC کی اینڈرٹ کی ہے متعلقہ ریکارڈ میں اینڈرٹ فرمائے جاوے۔

رپورٹ نمبر

اطلاع

مقامی پولیس  
 ایڈریس جس میں  
 ایڈریس کیا ہے۔

اطلاع کے لیے اطلاع دینے کا دیکھا ہوگا یا اس کی مہر نشان لگایا جا

نمبر ۴۲ مورہ سرحد قائم

گورنمنٹ پبلسٹیشن، لاہور، نمبر ۱۷/۱۸۹۹/۱۸۹۹ پبلسٹیشن تعداد ایک ہزار چوبیس سو چالیس



# ابتدائی اطلاعی رپورٹ

قائم نمبر ۲۳ - ۱۱۵

میل 25/3/2013

علاقہ نسبت حجم قابل دست اندازی پبلس رپورٹ شدہ نمبر دفعہ ۱۵۷ مجموعہ عالیہ

تاریخ رپورٹ	۱۰.۱۲.۲۰۱۲
مستطیات اطلاع دہندہ مستغنیث	سید الامین ظال سائبانہ CO لاہور
پتہ (موضوع) حال اگر کوئی یا گیا ہو	5 (2) PCA 1/8/468-471/120-419-4104
آخر قاصد تھکانے سے اور صحت	صلاح بزمیر ڈیپارٹمنٹ سکولنگ
موضوع	الطاف عبدالناظر صرف ناصر بالو ولد عبدالناظر سکولنگ کماؤں جہان آباد
کے متعلق لکھی گئی اطلاع درج کرنے میں توقف پرہیز فرمایا گیا کہ	بہ رسیدگی چھٹی مہینہ 2008/ACE درجہ 22/3
روانگی کی تاریخ و وقت	سیرسبیل ڈائنٹ

حاضر نمبر S بالائے خلاف سولیتہ (نی اطلاع) پینچ پینچ کر اوم جائیداد کیا گیا۔ کہ ملزم بالائے حدہ جو ملزم کے خلاف  
 میں الطاف کے نام پر S.S 8517 سائیکلس اور عبدالناظر کے نام پر S.S 85-17 سسٹری بولنگ اور جعلی  
 آرڈرز کے ذریعے سے GHSS جینہ اور GHSS جٹلی میں علیحدہ علیحدہ لیٹریچر سرکاری خزانہ  
 سے تنخواہیں اور مراعات حاصل کیا ہے۔ جس پر انکو ایئرٹی ہو کر جیل آؤر ڈورنگ  
 متعلقہ قسام سے لحد دیر لٹریچر جنرل چھٹی نمبر 2012/4-17/ERSED(S/M) NO. 1783  
 قرار دیئے گئے۔ جہاں چھٹی نمبر  
 سرکار سے بنا عبدالناظر مورخہ 26-2-2013 تا 29-2-2012  
 درجہ 1/12 تا 31/12 تک مبلغ 2,05,910/- اور روپیہ 48,996/- اور روپیہ لکھی علی ملا کر مبلغ دو لاکھ پانچ ہزار  
 نو سو دس روپیہ فراڈ اور دھوکہ دہی سے حاصل کرنے سے پڑب لیا ہے۔ نقد ملزم نے پڑب  
 کے خلاف سرکاری خزانہ سے جعلی آرڈرز لٹریچر پیرل مبلغ 205,910/- روپیہ  
 پڑب کرنے کی یا اس میں مزید قسم بالا درج نمبر لٹریچر لیا جانا ہے۔ اگر دوران  
 لٹریچر دیگر کوئی ایکٹ کارملوت یا یا اس۔ تو کارروائی حسب ضابطہ لٹریچر لٹریچر۔ آئین  
 بالا کو اطلاع دی جاتی ہے۔ پیرچہ گزارش ہے۔

الطاف

صلاح بزمیر

CO ACE Buncy 25/03/2013

AT

Anti C



REGISTERED



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Dated Peshawar the June 03, 2013

B (6)

**NOTIFICATION**

**NO.SO(S/M)E&SED/4-17/2012/Muhammad Shakoor (SS):-** WHEREAS Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 for the charges mentioned in the charge sheet and statement of allegations.

2. AND WHEREAS Mr. Hayat Muhammad, Principal (BS-18) GHSS Wartair Malakand Agency was appointed as Inquiry Officer to conduct Inquiry against the accused officer, for the charges leveled against him in accordance with the rules vide Notification dated 06-09-2012

3. AND WHEREAS the Inquiry Officer after having examined the charges, evidence on record and explanation of the accused officer has submitted the report.

4. AND WHEREAS a show cause notice was served upon Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) dated 08-03-2013.

5. AND WHEREAS the Competent Authority (Chief Secretary Khyber Pakhtunkhwa) after having considered the charges and evidence on record, inquiry report, non response to the Show Cause Notice, is of the view that the charges against the accused officer have been proved.

6. NOW, THEREFORE, in exercise of the powers conferred under Rule-14 (5) ii of the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Secretary, Khyber Pakhtunkhwa) is pleased to impose major penalty of "Removal from Service" upon Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) with immediate effect.

SECRETARY

Analyst of Exam No. & Date:

Copy forwarded to the:-

- 1- Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2- Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 3- District Education Officer (Male) Malakand/ Charsadda/ Mardan/ Buner/ Swat/ Nowshera/ Swabi.
- 4- District Accounts Officers Malakand/ Charsadda/ Mardan/ Buner/ Swat/ Nowshera/ Swabi.
- 5- Director, Anti Corruption Establishment, Khyber Pakhtunkhwa, Peshawar.
- 6- PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 7- PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
- 8- Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand).
- 9- Officer in-charge.

Serfat  
6/11/13

(MUJEEB-UR-REHMAN)  
SECTION OFFICER (SCHOOLS/MALE)

REGISTERED



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Dated Peshawar the June 03, 2013

B (6)

**NOTIFICATION**

**NO.SO(S/M)E&SED/4-17/2012/Muhammad Shakoor (SS):** WHEREAS Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 for the charges mentioned in the charge sheet and statement of allegations.

2. AND WHEREAS Mr. Hayat Muhammad, Principal (BS-18) GHSS Wartair Malakand Agency was appointed as Inquiry Officer to conduct Inquiry against the accused officer for the charges leveled against him in accordance with the rules vide Notification dated 06-09-2012.

3. AND WHEREAS the Inquiry Officer after having examined the charges, evidence on record and explanation of the accused officer has submitted the report.

4. AND WHEREAS a show cause notice was served upon Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) dated 08-03-2013.

5. AND WHEREAS the Competent Authority (Chief Secretary Khyber Pakhtunkhwa) after having considered the charges and evidence on record, inquiry report, non response to the Show Cause Notice, is of the view that the charges against the accused officer have been proved.

6. NOW, THEREFORE, in exercise of the powers conferred under Rule-14 (5) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Secretary, Khyber Pakhtunkhwa) is pleased to impose major penalty of "Removal from Service" upon Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) with immediate effect.

SECRETARY

Number of Copies: Five

Copy forwarded to the:-

1. Account General, Khyber Pakhtunkhwa, Peshawar.
2. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) Malakand/Charsadda/Mardan/Buner/Swat/Nowshera/Swabi.
4. District Education Officers Malakand/Charsadda/Mardan/Buner/Swat/Nowshera/Swabi.
5. Director, Anti Corruption Establishment, Khyber Pakhtunkhwa, Peshawar.
6. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand).
9. Officer in Charge.

ATTACHED

Supdt  
6/11/13

(MUJEEB-UR-REHMAN)  
SECTION OFFICER (SCHOOLS/MALE)

C-7

**In the Court of Ikhtiar Khan, Special Judge, Anti-Corruption, (Provincial), Khyber Pakhtunkhwa, Peshawar.**

Case No. 67 of 2013.

Date of Institution: 08.10.2013.

Date of Decision: 26.02.2019.

**State..... Versus.**

**Iltaf Abdul Nasir alias Nasir Babu S/o Abdul Manan, R/o Gulshan Colony, Jehan Abad District Mardan.**

**Case FIR No.01 dated 25.03.2013 u/s 409/419/420/468/471/PPC read with section 5(2) PC Act of P.S. ACE, Buner.**

**Judgment.**

1) Complainant Saidul Amin the then C.O. F.S. ACE, Buner submitted source report to the effect that accused Abdul Nasir alias Nasir Babu S/o Abdul Manan was taking salary from Education Department against two seats i.e. BPS-17 SS Economics in GHS Chaeena and BPS-17 SS History in GHSS Jangai and he had secured his appointment through fake and bogus orders. The source report was followed by an open inquiry in which it was dig out that accused facing trial had received Rs.56,914/- for the period from 29-05-2012 to 31-07-2012 with the name of Abdul Nasir and for the period of 01-03-2012 to 31-07-2012 received the salary to the tune of Rs.1,48,996/- with the name of Iltaf against the said two posts and thus he had caused the loss of Rs.2,05,910/- to the exchequer.

2) After completion of inquiry, instant case was registered against the accused. He was arrested and after completion of investigation his case was sent to this court for the purpose of trial. The accused was charge sheeted to which he pleaded not guilty and claimed trial.

3) The prosecution in support of its case has examined as many as three PWs and following is the gist of their statements:-

- i) Saidul Amin, CTD Shangla, (PW-1) stated that during the relevant days he was posted as C.O. ACE Buner. On 08-10-2012 he prepared a source report Ex.PW1/1 and submitted the same to the Director ACE for obtaining permission for

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conducting open inquiry which was allowed vide letter Ex.PW1/2. He took into possession the relevant record consisting of attested copy of pay roll in the name of Abdul Nasir Ex.P-1, attested photo copy of pay roll Altaf Ex.P-2, attested copy of letter No.453 Ex.P-3, attested copy of letter No.452 Ex.P-4, attested copy of letter No.450 Ex.P-5, attested copy of computer source (2 in number) Ex.P-6, copy of information report Ex.P-7, copy of attendance certificate Ex.P-8 (2 in number), attested copy of charge report Ex.P-9 (2 in number), attested copy of transfer order Ex.P-10, attested copy of letter to EDO Bunair Ex.P-11 vide recovery memo Ex.PW1/3, produced by Islam Muhammad in charge of GHSS Jangai. He also took into possession the charge report reports Ex.P-12, attendance register Ex.P-13, Goshwara Ex.P-14, pay roll Ex.P-15 (2 in number), copy of dispatch register Ex.P-16 vide recovery memo Ex.PW1/4, produced by Maazullah Head teacher GHS Cheena. He also took into possession the personal file of Iltaf consisting of pay roll (5 in number) Ex.P-17, LPC Ex.P-18, Pay slip for the month of January of District Swabi Ex.P-19, transfer order Ex.P-20, charge report Ex.P-21, charge relinquishment report Ex.P-22, appointment order Ex.P-23, medical examination report Ex.P-24, specimen signature Ex.P-25, computer source for stoppage of salary Ex.P-26, application for LPC Ex.P-27, relieving documents (7 in number) Ex.P-28. He also took into possession the personal file in the name of Abdul Nasir consisting of pay roll for July 2012 Ex.P-29, transfer order GHSS Jangai to Dir Upper Ex.P-30, charge relinquishment report Ex.P-31, copy of NIC Ex.P-31, specimen signature Ex.P-32, charge report Ex.P-33, medical examination report Ex.P-34, posting order GHSS Jangai Ex.P-35, first appointment order Ex.P-36 (3 in number), statement of expenditure (2 in number) Ex.P-37,

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*[Signature]*

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computer source for stoppage of pay Ex.P-38, copy of letter No.5058 Ex.P-39, computer source (2 in number) Ex.P-40 vide recovery memo Ex.PW1/5.

- ii) Muhammad Zahid Shah Moharrir P.S. ACE Buner (PW-2) is the marginal witness of recovery memo Ex.PW1/3 to Ex.PW1/5 vide which the I.O. has taken into possession the documents mentioned in these recovery memos.
- iii) Zahir Shah, DSP appeared as PW-3 and stated that on his transfer to District Buner as C.O. ACE, the case was entrusted to him for inquiry. He vide his application Ex.PW3/1 sent the documents for verification. In response Director ACE wrote a letter Ex.PW3/2 to Secretary Government, Elementary and Secondary Education Department and the reply of the Secretary Education Department is Ex.PW3/3 that the documents were fake. PW-3 obtained the detail of payment from District Accounts Officer Buner vide application Ex.PW3/4 and thereafter he prepared his final report Ex.PW3/5 and made a request for registration of case which was allowed vide letter Ex.PW3/6. The case was registered vide FIR Ex.PA duly signed by PW-3. PW-3 vide letter Ex.PW3/7 made a request to Sessions Judge Buner for transfer of accused as he was in the judicial lock up in District Malakand and subsequently the accused was handed over and interrogated by PW-3. He produced the accused for physical custody as well as for recording his confession but accused refused to confess and was sent to judicial lock up.

4) After close of prosecution evidence the accused was examined u/s 342 Cr.PC wherein he denied the allegations and claimed his innocence. However, he neither wished to be examined on oath nor to produce any defence evidence.

5) Arguments of learned Sr. PP Muhammad Khalid and Mr. Said Akbar Ali advocate, learned defence counsel already heard and file perused.

6) Sr. PP Muhammad Khalid for state submitted that the evidence produced by the prosecution fully connects the accused with the

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commission of offence. Accused has fraudulently secured the government jobs with different names at two different places and his appointment order, and subsequent transfer order from Swabi to Buner were found forged by the concerned quarter. The accused has admittedly served in two different places and received the amount of Rs.2,05,910/- as salary. The accused is an habitual offender and in another case registered vide FIR No.01 dated 25-09-2012 in P.S. ACE, Malakand he has made a judicial confession in which he also admitted his involvement in instant case, therefore the accused may be convicted and sentenced according to law.

7) I have considered the above submissions and perused the available record.

8) It is the case of prosecution that in the year 2012 within the criminal jurisdiction of P.S. ACE Buner the accused had fraudulently and dishonestly shown himself as Subject Specialist through impersonation in the name of Iltaf through bogus notification and drawn the salary amount of Rs.1,48,996/- for the period from 01-03-2012 to 31-07-2012. Similarly he had also shown himself to be Abdul Nasir and through bogus notification drawn the salary amounting of Rs.56,914/- for the period from 29-05-2012 to 31-07-2012 against the seat of Subject Specialist.

9) The statement of PW-1 suggests that the relevant record in shape of Ex.P-1 to Ex.P-11 were produced before him by PW Islam Muhammad incharge of GHSS Jangai but this PW was not produced by prosecution whose statement was necessary not only to support the production of said documents but also to prove that it was the accused facing trial who by impersonation had drawn the salary against the seat of Subject Specialist in GHSS Jangai. In the same way Maazullah, Head Master of GHS Cheena had produced the photo copies of charge reports Ex.P-12, attested photo copy of attendance register Ex.P-13, attested copy of Goshwara Ex.P-14, attested photo copy of pay roll Ex.P-15 & attested photo copy of dispatch register Ex.P-16 but the name of said person is not included even in the list of witnesses. The statement of Maazullah being Head Master of GHS Cheena could support the prosecution case but he was not examined as PW. In the same way Mir Zaman DAO Buner who produced different documents as Ex.P-17 to Ex.P-40 which includes the personal file, specimen signature, application for grant of LPC, CNIC in the name of Abdul Nasir S/o Fazal Sher and medical reports but this witness was also not examined by the prosecution in support of its case. Thus the presumption under Article 129, (g) of Qanoon-e-Shahadat Order, 1984 shall be taken against prosecution for withholding the best evidence.

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Asst. Commissioner  
Khyber Pakhtunkhwa Police

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10) The documents in shape of medical certificate, specimen signature, charge assumption/relinquishment reports and the application for grant of LPC bears the signatures of Abdul Nasir and Iltaf on whose names the accused facing trial had allegedly secured the job but the Investigating Officer has failed to compare these signatures with the signature of the accused facing trial and without this piece of evidence how it can be held that it was the accused facing trial who committed the forgery by impersonation. The address and picture of CNIC Ex.P-31/Ex.PW1/D-1 are different from the picture and address of the CNIC of accused facing trial but the I.O. has not taken any pain to verify both the CNICs from NADRA. PW-1 admitted that he had not collected educational documents/certificates of the accused or of the person with the name of Abdul Nasir. PW-1 also admitted that he had not conducted any identification parade from any official of education department in order to confirm that the accused facing trial was the person who served with two different names. PW-1 also stated that he had recorded the statement of one Sayal Khan SET and Islam Muhammad incharge of GHSS Jangai regarding handing and taking of charge from Iltaf but also admitted that the said two persons had not stated before him that they had identified Iltaf Abdul Nasir. PW-1 also admitted that he had not verified the signatures on the documents of Abdul Nasir and Iltaf to confirm that whether these were the signatures of accused Iltaf Abdul Nasir or not. PW-3 Zahir Shah DSP who partially conducted the inquiry and investigation in the case also admitted in his cross examination that he had not recorded the statement of any official regarding the identification of accused facing trial. He further admitted that no identification of accused was conducted by him in order to prove the charge against him.

11) By taking into account the evidence discussed in the preceding paragraphs it can safely be held that the prosecution has failed to prove beyond any shadow of doubt that it was the accused who had committed any cheating by impersonation, therefore the mere fact that the transfer and posting orders were fake could not connect the accused with the allegations. Likewise, the confession of the accused in another case which was neither made part and parcel of this file nor the concerned Magistrate was produced before this court during this trial cannot be used as incriminating evidence against the accused facing trial.

12) Resultantly, I am of the affirm opinion that the case of the prosecution is not free from doubt, therefore while extended benefit of doubt in favour of accused Iltaf Abdul Nasir alias Nasir Babu S/o Abdul Manan, R/o Gulshan Colony, Jehan Abad District Mardan, I acquit him.

26.02.2019  
 26/02/2019

Magistrate (Additional Sessions Judge) Peshawar

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[Signature]

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from the charges leveled against him. He is on bail, he and his sureties are discharged from the liabilities of bail bonds. The case property be kept intact till the expiry of the period of limitation prescribed for appeal/revision where after be dealt in accordance with law. File be consigned to the record room after completion and compilation.

Announced.  
Peshawar.  
26-02-2019.

(Ikhtiar Khan)  
Special Judge,  
Anti-Corruption (Provincial),  
Khyber Pakhtunkhwa, Peshawar.

**Certificate.**

Certified that this Judgment consists of six pages, each of which has been signed by me.



Special Judge,  
Anti-Corruption (Provincial),  
Khyber Pakhtunkhwa, Peshawar.

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D-13

**In the Court of Ikhtiar Khan, Special Judge, Anti-Corruption,  
(Provincial), Khyber Pakhtunkhwa, Peshawar.**

Case No. 34 of 2013.  
Date of Institution.00.10.2013.  
Date of Decision. 26-02-2019.

**State..... Versus:**

Iltaf Abdul Nasir S/o Abdul Manan, Junior Clerk GHSS Palai, R/o  
Dosehra Chowk Gulshan Iqbal colony Mohallah Jan Abad Mardan.

Case FIR No.01 dated 25.09.2012 u/s 409/419/420/468/471/472/PPC read  
with section 5(2) FC Act of P.S. ACE, Malakand.

**Judgment.**

1) In pursuance of complaint against Education Department, Malakand on the allegations of corruption an open inquiry No.103 of 2011 was conducted during which it was dig out that Iltaf Abdul Nasir S/o Abdul Manan with different names and through forged documents had succeeded to secure the post of SET BPS-16 with the name of Shahi Mulk, post of CT, BPS-14 with the name of Imad Ali and Junior clerk in the name of Iltaf Abdul Nasir and received the salaries against the said posts. It was also alleged against him that he had abused his official position as public servant and fraudulently and dishonestly misappropriated the school private fund, thus he had caused the total loss of Rs.11,42,628/- to the exchequer.

2) Initially, the interim challan was submitted against the accused and vide order dated 07-02-2014 the case was returned to the prosecution for submission of complete challan. On receiving the complete challan in this court on 19-05-2014, the accused was charge sheeted on 23-05-2014. The prosecution in support of its case has examined as many as fourteen (14) PWs and following is the gist of their statements:-

- i) Fazal-e-Ahad (PW-1) deposed that he was posted as District Officer Education Malakand and on the directions of EDO Malakand he and Khog Badshah conducted departmental inquiry against Shahi Mulk SET and submitted the inquiry report Ex.PW1/1 consisting of 5 sheets.
- ii) Shah Jehan Senior Auditor (PW-2) conducted the audit in concerned school and submitted his audit report Ex.PW2/1.

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- iii) Shah Jehan FC (PW-3) is the marginal witness of recovery memos Ex.PW3/1 to Ex.PW3/3 vide which the I.O. has taken into possession 12 attested pages i.e. NIC, opening form, bank account statement along with vouchers from NBP, Mardan, 32 attested documents regarding opening of bank account of Imad Ali from NBP Khawaja Ganj Mardan, NIC, pay statement, service certificate and 12 documents of different kinds from the possession of accused.
- iv) Muhammad Ayaz (PW-4) is the marginal witness of recovery memo Ex.PW4/1 vide which the I.O. has taken into possession letter bearing No.1229 of Director Education KPK and the questionnaire and NIC issued in the name of Shahi Mulk. He is also a marginal witness to recovery memo Ex.PW4/2 vide which the I.O. has taken into possession the personal file in the name of Shahi Mulk consisting of 16 pages. PW-4 is also the marginal witness of recovery memo Ex.PW4/3 vide which the I.O. has taken into possession the computerized detail of Shahi Mulk, Iltaf Abdul Nasir and Imad Ali.
- v) Shah Mulk, (PW-5) deposed that in the year 2008 he was posted as SST teacher in GHS Qadra for one year but due to his personal engagement he did not complete one year contract and he started practices as lawyer in Islamabad. During this period he received questionnaire from ACE Malakand and came to know that a person with the name of Iltaf Abdul Nasir by showing himself as Shahi Mulk prepared a bogus transfer order from GHS Qadra to GHSS Palai and took charge there on the same name and designation. PW-5 further stated that a questionnaire was served on him to which he submitted his reply. He further stated that accused Iltaf Abdul Nasir withdraw his salary from GHSS Palai in his name and have committed embezzlement in the school private fund. He also stated that another questionnaire was put to him to which he submitted his reply Ex.PW5/1.

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- vi) Shahi Mulk S/o Qeemat Khan (PW-6) stated that on 10-07-2007 he was appointed as SET teacher in GHS Afrido kalley for a period of six months. His contract was renewed for one year from 16-09-2008 to 16-09-2009. He further stated that he performed his duty in the above mentioned school and received his pay through ABL Nowshera. After the expiry of contract he was relieved and further contract was not extended.
- vii) Majid Ali Khan S/o Jamshed Khan (PW-7) stated that he is the permanent resident of Badar Banda and used to live with his cousin. His cousin has a datsun who used to ply it from Katlang to Palai. The accused facing trial used to travel in the datsun and represent him with the name of Shahi Mulk who informed that there is a vacant post in GHSS Palai for which he needed a teacher. Accused facing trial offered him teaching which was accepted and he performed his duty as teacher in GHSS Palai for one year for which accused facing trial paid Rs.5000/- per month to him.
- viii) Bashir Khan Inspector (PW-8) stated that a letter No.3112 dated 03-10-2011 Ex.PW8/1 was marked by the DCO regarding inquiry against Shahi Mulk. So he vide application Ex.PW8/2 sought permission for open inquiry which was granted vide letter Ex.PW8/3. He further stated that vide recovery memo Ex.PW4/1 he took into possession letter bearing No.1229 dated 10-10-2011 Ex.P-1 and letter No.3861 dated 29-10-2011 Ex.P-2. PW-8 also submitted an application Ex.PW8/4 for nomination of auditor. He served the questionnaire upon Shahi Mulk S/o Subhanullah which is Ex.PW8/5 and the reply to the questionnaire is Ex.PW8/6.
- ix) Zahir Shah DSP (PW-9) vide letter Ex.PW9/1 received the permission for registration of case and FIR Ex.PA was registered. He vide application Ex.PW9/2 obtained warrant u/s.204 Cr.PC against accused Iltaf Abdul Nasir & Imad Ali. On 12-10-

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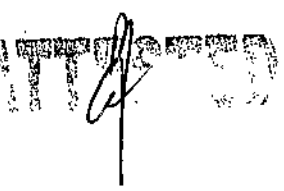
2012 he arrested accused Iltaf Abdul Nasir vide card of arrest Ex.PW9/3 and during his personal search a plastic sack was recovered from him, in which a file containing 12 documents were taken into possession vide recovery memo Ex.PW3/3. The file cover was having the words "Government of Pakistan, Accountant General NWFP" and the twelve documents are Ex.P-2. He vide application Ex.PW9/4 obtained the custody of the accused. During interrogation the accused disclosed that the other bogus documents and stamps were lying in his house. So Fida Muhammad, the brother-in-law of accused, who brought 7 bogus stamps and various documents which were taken into possession vide Ex.PW5/1. The 7 stamps were exhibited as Ex.P-3, the service book of Iltaf Abdul Nasir Ex.P-4 consisting of 10 sheets, LPC certificate in the name of Abdul Nasir Ex.P-5, LPC certificate in the name of Abdul Nasir Ex.P-6, notification No. 2011 Ex.P-7, medical certificate in the name of Abdul Nasir S/o Afzal Sher Ex.P-8, the letter No.232-34 dated 6-8-2008/2009 Ex.P-9, medical certificate in the name of Iltaf khan without signature Ex.P-10; photo copy of notification 1-85, 2009 Ex.P-11, letter issued from Section Officer namely Mujeebur Rehman Ex.P-12 (5 pages), scale wise proforma dated 01-7-2007 Ex.P-13, pay slip in the name of Iltaf Ex.P-14, pay slip in the name of Shahi Mulk Ex.P-15, pay slip in the name of Abdul Nasir Ex.P-16, pay slip in the name of Imad Ali and Shahi Mulk Ex.P-17, appointment form blank Ex.P-18, letter issued from Mujeebur Rehman Section Officer Ex.P-19, notification issued from Mujeebur Rehman Section Officer dated 28-09-2011 Ex.P-20, order of appointment notification dated 27-05-2012 Ex.P-21, notification order dated 28-09-2012 issued by Mujeebur Rehman section officer Ex.P-22, transfer/charge certificate in the name of Iltaf Ex.P-23, receipt regarding Rs.4500 Ex.P-24,

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 Khayter Peshawar Peshawar

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receipt regarding Rs.1000/- Ex.P-25, receipt of NBP Mardan dated 28-05-2012 Ex.P-26, empty form of charge report duly signed by Principal GHSS Bamb khel Ex.P-27, empty medical certificate Ex.P-28, empty photo stat form LPC Ex.P-29, blank charge report three in numbers Ex.P-30, HR form three in numbers Ex.P-31, various copies of other documents 16 in numbers Ex.P-32. PW-9 vide application Ex.PW9/5 produced PW Fida Muhammad brother-in-law of the accused for his statement u/s 164 Cr.PC and vide application Ex.PW9/6 produced the accused before the JMIC for recording his confession. He also took into possession the personal file Ex.P-33 of accused facing trial maintained in the name of Shahi Mulk vide recovery memo Ex.PW2/2. PW-9 submitted his final report Ex.PW9/7 consisting of four pages. The final report was returned back vide letter Ex.PW9/8 and after making clarification another report was submitted. PW-9 vide his application Ex.PW9/9 requested for submission of supplementary challan against the accused and thereafter he was transferred.

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- x) Muhammad Humayun Assistant Director Admn: & Finance, Finance Department Peshawar (PW-10) stated that during the relevant days he was Admin Assistant in District Accounts Office Malakand and during the inquiry he handed over the attested copies of documents relating to the release of pay regarding three person namely Shahi Mulk, Imad Ali and Iltaf Abdul Nasir consisting of 11 pages which were taken into possession vide recovery memo Ex.PW10/1.
- xi) Alamgir Khan SI (PW-11) submitted complete challan Ex.PW11/1 against the accused.
- xii) Muhammad Naeem Khan DSP (PW-12) conducted partial inquiry/investigation in instant case during which he issued questionnaire to accused facing trial. He also placed on file the statement submitted by Shahi Mulk and Majid. He also got recorded the

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statement of Muhammad Shakoor vide application Ex.PW12/1. He also submitted an application Ex.PW12/2 to the District & Sessions Judge, Malakand for issuance of directions to the bank authorities for provision of record in the name of Shahi Mulk. The permission was granted vide court order Ex.PW12/3. Thereafter, the bank authority provided the record consisting of 5 pages which included bank statement, bank opening form and photo copy of CNIC which is Ex.PC. He vide application Ex.PW12/4 requested the District & Sessions Judge Mardan for provision of bank record of Iltaf Abdul Nasir and Imad Ali. The request was allowed vide order Ex.PW12/5 and the concerned bank provided the relevant record consisting of 13 pages Ex.PD which were taken into possession vide recovery memo Ex.PW3/1. He also took into possession 2 pages of record which is Ex.PE. He also submitted final report Ex.PW12/6 and made a request for submission of challan. He submitted supplementary challan Ex.PW12/6.

- xiii) Saidul Amin (PW-13) is the marginal witness of recovery memo Ex.PW13/1 vide which the I.O. taken into possession the 7 stamps, 2 service books in the name of Iltaf Abdul Nasir and Imad Ali and other documents which were produced by Fida Muhammad.
- xiv) Muhammad Qasim Civil Judge-I Balakot Mansehra (PW-14) stated that during the relevant days he was posted as Civil Judge-I/Illaqa Qazi Batkhela District Malakand. On 16-10-2012 he was present in his court when the local police of ACE Malakand produced Iltaf Abdul Nasir alias Nasir Babu S/o Abdul Manan for recording his confession. PW-14 further stated after compliance of all legal formalities under the law, he recorded the confessional statement of the accused. The confession was recorded with his sweet well and made voluntarily in the court. He further stated that

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the confessional proceeding which was started at 1200 PM and on ended 1.20 PM. The questionnaire issued to the accused is Ex.PW14/1 (two pages), the confession of accused is Ex.PW14/2 (9 pages) and the court certificate is Ex.PW14/3.

- 3) After close of prosecution evidence the accused was examined u/s 342 Cr.PC wherein he denied the allegations and claimed his innocence. However, he neither wished to be examined on oath nor to produce any defence evidence.
- 4) Arguments of learned Sr. PP Muhammad Khalid and Mr. Said Akbar Ali advocate, learned defence counsel already heard.
- 5) Learned Sr.PP has argued that the accused facing trial is fully connected with the commission of forgery and losses to the government on the basis of documentary and circumstantial evidence. The accused had also made judicial confession which is duly proved through statement of Muhammad Qasim Judicial Magistrate PW-14. He further argued that an open inquiry was conducted during which the involvement of accused facing trial was surfaced. At the time of arrest various documents were recovered from accused and later on, on his pointation his brother-in-law Fida Muhammad had produced 7 fake stamps and other fake documents from the house of accused. The accused had committed forgery by impersonation and succeeded in securing three different government jobs on fake documents and received salary from the government against the posts of SET, CT and Junior Clerk, therefore he may kindly be convicted and sentenced according to law.
- 6) On the contrary, learned defence counsel has argued that the accused facing trial is innocent and he was made scapegoat as the high ups of the education department were involved in corrupt practices. None of the PWs have deposed against the accused facing trial that he had received any salary or he had posed himself to be Shahi Mulk or Imad Ali. There is no evidence on the available file that the accused facing trial was identified by any of the witnesses. The bank record, though was taken into possession by the I.O. but it cannot prove any criminal case against the accused. The confession allegedly recorded by PW-14 was the result of torture and violence and was recorded after 4 days of arrest of accused. The accused had retracted his confession and there is no other corroborative piece of evidence, as such no conviction can be based on the strength of retracted confession. Moreover, the alleged confession was

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recorded in utter violation of High Court Rules & Order therefore, the accused facing trial may kindly be acquitted.

7) I have considered the above submissions and perused the record.

8) As per allegations a complaint was filed against the Education Department, Malakand regarding corrupt practices which resulted into an open inquiry No.103 of 2011, in which accused Itaf Abdul Nasir was blamed with the allegations that he with different names and with forged documents had succeeded to secure the posts of SET with the name of Shahi Mulk, the post of CT with the name of Imad Ali and as Junior Clerk on his own name. The audit report Ex.PW2/1 suggests that accused facing trial had misappropriated the school private fund to the tune of Rs.1,22,943, drawn the pay amount to Rs.3,15,878/- for the period from 01-12-2009 to 31-08-2011 in the name of Shahi Mulk, SET through HBL Palai, drawn the amount of Rs.2,15,140/- as pay and allowances as junior clerk through NBP main branch Mardan by producing fake transfer order to DAO and drawn the amount of Rs.4,88,667/- by producing fake record/transfer order in the name of Imad Ali CT teacher from Swabi to GHSS Palai and this amount was paid to him through account No.00375 of NBP Khawaja Ganj branch Mardan. Thus he had allegedly caused the total loss of Rs.11,42,628/- to the exchequer.

9) In order to prove the said allegations the prosecution is relying on the confession Ex.PW14/2 of the accused recorded by PW-14, the departmental inquiry Ex.PW1/1 consisting of 5 sheets conducted by PW-1 & Khog Badshah, the record of HBL Malakand in shape of bank statement (two pages) bank form (two pages), photo copy of CNIC (Ex.PC), vide recovery memo Ex.PW3/1, the record of NBP Mardan consisting of 12 pages and record of NBP Khawaja Ganj Mardan consisting of 32 documents vide recovery memo Ex.PW3/2 and 12 documents of different kinds which were allegedly recovered from the possession of accused at the time of his arrest vide recovery memo Ex.PW3/3. The prosecution is also relying on different letters from the concerned quarter according to which the posting/transfer orders were found to be fake and on the fact that there was no teacher with the name of Shahi Mulk and Imad Ali. In addition to this the prosecution also relied on the 7 bogus stamps and various documents produced by one Fida Muhammad on the directions of accused when he was in police custody.

10) The first allegation of the prosecution against the accused facing trial is that he by impersonation had used the name of one Shahi Mulk, his documents and through fake transfer order had succeeded to secure his

posting as SET in GHSS Palai and received the salary of Rs.3,15,878/-

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Court of Special Judge posting as SET in GHSS Palai and received the salary of Rs.3,15,878/-  
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against this seat/post through FIBL, Palai Branch. However, except the retracted confession of accused, the available evidence and record nowhere indicate that it was accused facing trial who had performed any duty in GHSS Palai. In order to prove this allegation the prosecution was under obligation to produce any witness from GHSS Pallai who could say that yes it was the accused facing trial who performed his duty as SET in the said school. In this respect the learned Sr.PP has placed reliance on the statement of PW-7 Majid Ali Khan. According to this PW his cousin had a datsun which was used to ply from Katlang to Palai. The accused was usually travelling in the said datsun and he represented himself to be Shahi Mulk. He offered a teaching job to PW-7 at the rate of Rs.5000/- per month in GHSS Palai. PW-7 also stated that he was paid by accused for 9 months. However, when PW-7 was subjected to cross examination he candidly conceded that he met Shahi Mulk and he did not identify the person who disclosed his name as Shahi Mulk. PW-7 further admitted that he was not taken by the police for identification of accused. Thus, the statement of PW-7 is not helpful to the case of prosecution.

11) The prosecution also alleged that the accused facing trial had drawn the salary of Rs.3,15,878/- through HBL Palai and the I.O. during investigation vide application Ex.PW12/2 had taken into possession the relevant record Ex.PC from the bank in shape of bank statement, bank form and photo copy of CNIC, however the name of Shahi Mulk is mentioned in these documents including in the CNIC and these documents by itself nowhere prove that the account was operated by the accused facing trial. It was necessary for the I.O. to examine anyone from the bank or to send the recovered documents for comparison with the signature of the accused facing trial in order to prove that either the account was opened by accused facing trial or he was operating the same but no such evidence is available on file to prove the withdrawal of Rs.3,15,878/- from HBL Palai.

12) The second allegation against the accused facing trial is that he had prepared a fake transfer order in the name of Imad Ali CT and succeeded in getting his salary to the tune of Rs.4,88,667/- on the basis of fake transfer order through bank A/C No.004715-4 NBW Khawaja Ganj Mardan. Again none of the PWs produced by the prosecution have stated that infact it was the accused facing trial who had produced the fake transfer order to DAO in the name of Imad Ali from Swabi to GHS Pallai and drawn Rs.4,88,667/- as pay and allowances through account No.004715-4 NBP Khawaja Ganj branch Mardan. Muhammad Naeem

Khan DSP (PW-12) vide application Ex.PW12/4 requested the District &

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Sessions Judge, Mardan for issuance of directions for provision of bank record of Iltaf Abdul Nasir and Imad Ali which was allowed vide order Ex.PW12/5 and he has taken into possession the 13 pages record Ex.PD but again no comparison to the extent of signature on the account opening form and bank cheque for withdrawal of amount was made. PW-12 has also failed to take any pain for identification of the accused facing trial from the officials of the bank of NBP Khawaja Ganj branch Mardan because without any comparison of the signature on the bank record with the signature of accused and without identification of the accused through bank official or school staff it cannot be proved that this bank account was opened or operated by accused facing trial. Similarly, in respect of the amount of Rs.2,15,140/- which was allegedly drawn by the accused facing trial against the post of junior clerk by producing a fake transfer order to DAO (through account No.600901-1 of NBP main branch Mardan) also cannot be proved on the basis of record of said bank as the prosecution evidence is silent that who had opened this account and who was operating this account. Moreso, the concerned DAO before whom the transfer order was produced was not examined by the police in support of the allegations whose statement was crucial for identification of the accused.

13) The prosecution also relied on the documents which were taken into possession vide recovery memo Ex.PW1/3 from the possession of accused at the time of his arrest. The contents of said recovery memo suggests that when the accused was arrested from Lari Adda Butkhela, he was having plastic sack containing one file cover on which words "Government of Pakistan, Accountant General NWFP" were printed, notification dated 28-09-2012 in the name of Iltaf issued by Mujeebur Rehman S.O. schools, LPC certificate in the name of Iltaf Khan, Subject specialist B-16 dated 05-10-2012 issued by DAO Swabi, relieving certificate issued by Principal GHSS Bamkhel, charge report dated 09-10-2012, of Iltaf Khan verified by Principal, house rent certificate, transfer certificate, medical certificate in the name of Iltaf Khan, notification dated 27-05-2012 issue by Mujeebur Rehman S.O. (Schools male) but these documents by itself nowhere proved that the accused facing trial was the person who committed the cheating by impersonation or he had drawn any of the alleged amount on the basis of these documents.

14) During the investigation the I.O. has taken into possession 7 stamps, two service books and different documents which were produced by Fida Muhammad S/o Akhtar Gul R/o Qasim on the pointation of accused, however the said Fida Muhammad was never produced by the prosecution as such neither it can be believed that these documents were

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produced on the pointation of accused facing trial nor these documents in any manner can be used as incriminating evidence against the accused in support of the prosecution case.

15) So far as the allegations of misappropriation of Rs.1,22,943/- of school private fund is concerned, there is no direct evidence against the accused on the basis of which it can be believed that the accused facing trial was entrusted with any government fund or he had misappropriated the same. The prosecution was required to produce any one from the Education Department or from the concerned school who could say that the accused facing trial was entrusted with fund and he had misappropriated the same but no such witness was examined by prosecution. In the audit report Ex.PW2/1 it is mentioned that the relevant record pertains to the private school fund checked and was noticed that Rs.1,22,943/- was misappropriated by the then accountant/clerk Abdul Nasir but there is no other supporting evidence on the available record in this respect.

16) The prosecution in support of its case also relied upon the departmental inquiry Ex.PW1/1 conducted by Fazal Ahad (PW-1) and Khog Badshah. However, PW-1 in his cross examination categorically admitted that he did not remember about the evidence/statement collected by him during the inquiry on the basis of which it could be held that actually Shahi Mulk was Iltaf Abdul Nasir. He also admitted that no statement of any person to this effect is available on the record that Shahi Mulk was actually Iltaf Abdul Nasir. So the inquiry report Ex.PW1/1 also cannot be used against the accused. Likewise, the statement of Muhammad Humayun Assistant Director Admn: (PW-10) is also vital. He stated that during the inquiry he handed over the attested documents relating to the release of pay regarding three personnel namely Imad Ali, Shahi Mulk and Iltaf Abdul Nasir. He also admitted that the documents were duly verified by the EDO Education and thereafter the salary was released to the concerned officials which means that the salaries were issued to three different persons and not to a single person.

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17) Now, diverting to the retracted confession of the accused facing trial and its credential value. The alleged confession was made before Mr. Muhammad Qasim (PW-14) who was then posted as Civil Judge-I/Ilaga Qazi Batkhela. The confession is Ex.PW14/2 consisting of 9 pages. The accused facing trial had allegedly narrated his involvement in commission of forgery, tampering and preparation of fake documents however he has retracted his confession and it is settled principle of criminal law that retracted confession alone without any corroboration cannot be used for

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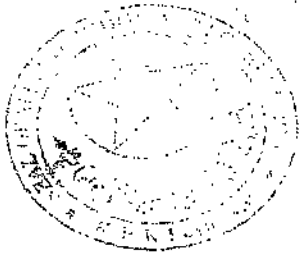
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the purpose of conviction. Moreover, the accused facing trial was remained in police custody for 4 days and the elements of force on the part of police cannot be ignored. Moreso, PW-14 admitted in his cross examination that the accused after recording his confession was handed over to the same police officer and this act on the part of Magistrate was also in violation of the directives of the High Court Rules and Orders which rendered confession of accused as unreliable. A retracted confession made by an accused could be used for the purpose of conviction if such confession is corroborated by other evidence but the available record of this case suggests that the investigating officer has failed to collect any such evidence in support of confession. The police had not examined any of the official from the education department particularly the Principal or other teachers of the schools in which the accused facing trial had allegedly produced the fake transfer order and drawn the salary against the said post. The identification of accused was possible through those teachers and principal who were posted in GHSS Pallai and Bamkhel or through bank officials, but unfortunately none of those persons have been examined by the police for this purpose. Thus the presumption under Article 129 (g) of Qanoon-e-Shahadat Order, 1984 shall be taken against the prosecution for withholding the best evidence.

18) Resultantly, while extended benefit of doubt in favour of accused Iltaf Abdul Nasir S/o Abdul Manan, I acquit him from the charges leveled against him. He is on bail, he and his sureties are discharged from the liabilities of bail bonds. The case property be kept intact till the expiry of the period of limitation prescribed for appeal/revision where after be dealt in accordance with law. File be consigned to the record room after completion and compilation.

Announced.  
Peshawar.  
26-02-2019.



**ATTESTED**

(Ikhtiar Khan)  
Special Judge,  
Anti-Corruption (Provincial),  
Khyber Pakhtunkhwa, Peshawar.

**ATTESTED**

EXHIBIT NO. 113119  
Court of Special Judge  
Anti Corruption (Provincial), Peshawar

**Certificate.**

Certified that this Judgment consists of Twelve pages, each of which has been signed by me.

Special Judge,  
Anti-Corruption (Provincial),  
Khyber Pakhtunkhwa, Peshawar.

Before the Chief Secretary  
KhyberPakhtunkhwa, Peshawar.

- ① *Paul E-28*  
*05-2-905513/19*  
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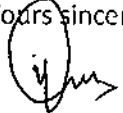
Subject; **DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 3rd JUNE 2013 VIDE WHICH APPELLANT /APPLICANT HAD BEEN TERMINATED FROM SERVICE AS JUNIOR CLERK BPS-11 AT GHSS PALAI DISTRICT MALAKAND.**

Respected Sir,

1. That the applicant was working as Junior clerk GHSS Palai District Malakand with great zeal, zest and honesty.
2. That the applicant was charged in fake, Bogus and fabricated cases by the high ups of the Education Department in which the applicant has no roles at all.
3. That the applicant was arrested in those cases and was kept behind the bar for three years and after facing the prolong trial. The applicant was honorably acquitted by the learned trial court. (Annexure -A, Copy is hereby attached)
4. That after the honorable courts acquittance the applicant appears before the Department to resume his charge, but the department handed over a termination order copy. (Annexure B- Copy is hereby attached)
5. That the order of termination is highly illegal, unlawful, perverse and arbitrary that though the applicant was in jail/prison, but he had given no show cause notice whatsoever to explain the position, regarding this false allegation.
6. That the applicant was given no opportunity to defend himself and was condemned on heart which is again prefill natural justice.

It is therefore most humbly prayer that the order of termination may kind be revoked, and the applicant be appointed in original post of junior clerk in any School in District Mardan..

Yours sincerely

  
Altaf Abdul Nasir  
S/O Abdul Manan  
Moh: Rasheed Abad nissat  
Road Jan Abad Mardan  
Phone No.0348-9000974

Dated. 04-03-2019

**ATTACHED**

**VAKALATNAMA**

*Before the KP Service Tribunal, Peshawar*

OF 2019

*Attal Abdul Nasir*

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**


*Education Deptt.*

(RESPONDENT)  
(DEFENDANT)

I/We *Attal Abdul Nasir*

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

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



**CLIENT**

**ACCEPTED**

**NOOR MOHAMMAD KHATTAK**

**SHAHZULLAH KHAN YOUSAFZAI**

**&**

**MIR ZAMAN SAFI**  
**ADVOCATES**

**OFFICE:**

Flat No.3, Upper Floor,  
Islamia Club Building, Khyber Bazar,  
Peshawar City.  
Phone: 091-2211391  
Mobile No. **0345-9383141**



(25)

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

Dated Peshawar the June 03, 2013

**NOTIFICATION**

**NO.SO(S/M)E&SED/4-17/2012/Muhammad Shakoor (SS):** WHEREAS Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 for the charges mentioned in the charge sheet and statement of allegations.

2. **AND WHEREAS** Mr. Hayat Muhammad, Principal (BS-18) GHSS Wartair Malakand Agency was appointed as Inquiry Officer to conduct Inquiry against the accused officer, for the charges leveled against him in accordance with the rules vide Notification dated 06-09-2012.

3. **AND WHEREAS** the Inquiry Officer after having examined the charges, evidence on record and explanation of the accused officer has submitted the report.

4. **AND WHEREAS** a show cause notice was served upon Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) dated 08-03-2013.

**AND WHEREAS** the Competent Authority (Chief Secretary Khyber Pakhtunkhwa) after having considered the charges and evidence on record, inquiry report, non response to the Show Cause Notice, is of the view that the charges against the accused officer have been proved.

5. **NOW, THEREFORE**, in exercise of the powers conferred under Rule-14 (5) ii of the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Secretary, Khyber Pakhtunkhwa) is pleased to impose major penalty of "**Removal from Service**" upon Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) with immediate effect.

**SECRETARY**

**Endst: of Even No. & Date:**

Copy forwarded to the: -

- 1- Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2- Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 3- District Education Officer (Male) Malakand/ Charsadda/ Mardan/ Buner/ Swat/ Nowshera/ Swabi.
- 4- District Accounts Officers Malakand/ Charsadda/ Mardan/ Buner/ Swat/ Nowshera/ Swabi.

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E&SE) MALAKAND AT BATKHELA

63

Subject: INQUIRY AGAINST SHAHE MULK SET, G.H.S.S PALAI.

**Introduction:**

Consequent upon the complaint received from the Headmaster GHSS Palai on 20-07-2011 (copy attached as annexure "A") and in pursuance of the notification regarding constitution of inquiry committee issued vide EDO (E&SE), Malakand Office Endst: No. 10570-72/A-12/complaint Dated 27-07-2011. (Copy attached as Annexure-"B") regarding holding of inquiry against Mr. Shahe Mulk, SET, GHSS Palai Who was appointed as SST (Science) as staff gap arrangement for a period of one year at S.No. 680 of the Notification Issued by the Directorate of Elementary Education Peshawar under Endst:No.5139-5197/A-14/SST/MF/Contract/One year/ Dated 25-11-2008 (Copy attached as Annexure "C") Subsequently shown regularized in service by committing forgery and inserting his name at S.No. 6 in the Notification issued by the Directorate of E&SE, Peshawar issued under Endst:No. 3749-59/A14/SET(M)/Regularization/SST Contract Dated 01-03-2010 (Copy attached as Annexure "D") and who was transferred from GHS Qadra (Gadoon) Distt: Swabi to GHSS Palai by Counterfeiting fake transfer orders and LPC and was successful in his attempt to take over charge as SET at GHSS Palai and winning confidence of DDO, Muhammad Shakoor (SS) by enticement and taking all the accounts matter in his hands and propelling the senior Clerk of the school to the wall just after taking over charge.

The issue came up when the said SET remained persistently absent/absconder from his duties w.e.f 11-06-2011 after betrayal of his fresh forgery of producing fake sanction of LPR in respect of Salar Ali, Headmaster of the said school and presenting his leave salary bill in the AAO, Malakand . (Copy of fake sanction is attached as annexure- E).

**Proceedings:**

In pursuance of the Notification referred above, Headmaster, Salar Ali and Muhammad Shakoor, SS of GHSS Palai were contacted, 14<sup>th</sup> September, 2011 was fixed for conducting inquiry and they were directed to ensure attendance of all the concerned staff on the day of inquiry.

Apart from verbal discussion questionnaires upon the following related staff members, present on the occasion were served.

1. Salar Ali, Headmaster.
2. Muhammad Shakoor, SS/DDO.
3. Asmatullah, Senior Clerk.
4. Wajid Ali, DPE.

Mr. Wajid Ali, DPE replied to the questionnaire on the spot while the rest of the officers/Official submitted their replies on the following day i.e. 15-09-2011. (Copies attached as Annexures "E, F, G, H)



(42)

SS, Muhammad Shakoore who exercised the powers of Drawing and Disbursing Officer for the Establishment of the said school disclosed that all the relevant record pertaining to accounts matters such as vouchers, C/Book, Pay bills, AC bills etc. except private fund registers were still in the custody of the accused SST and these items were not available on record and as such the same could not be produced to inquiry committee for verification/Scrutiny.

On scrutiny of the private funds registers it was observed that fund register related to Higher Secondary Portion was maintained upto 11-2010 while fund register of the secondary side was maintained upto 31-03-2011 where in the funds position was as under.

Description	Closing Month	Closing Balance	Amount in Bank as per statement	Cash in hand
Secondary side	3/2011	Rs. 100245/-	Rs. 95572/-	4673/-
Higher Secondary Portion	11/2010	Rs. 74276/-	Rs. 37623/-	36653/-
<b>Total</b>				Rs. 41326/-

From perusal of the vouchers and record pertaining to expenditure incurred in C/W Sports activities/Tournaments held in 2010-11 amounts as detailed below were shown spent out of sports funds. Neither actual payees receipt were available on the record nor the same were gotten attested by the DPE of the school.

S.No.	V.No	Dated	AMOUNT	Purpose
1	<b>Nil</b>	21-10-2010	Rs. 10561/-	Cricket Match
2		23-10-2010	Rs. 9820/-	-do-
3		29-10-2010	Rs. 2890/-	Bus fare/ Lunch and tea
4		02-11-2010	Rs. 12220/-	Cricket Match
5		02-11-2010	Rs. 9300/-	-do-
6		09-11-2010	Rs. 1480/-	1500 meter race
7		16-12-2010	Rs. 1700/-	Qirat competition
8		06-12-2010	Rs. 1000/-	Naat Khwani
9		02-12-2010	Rs. 1000/-	Qirat
		<b>Total</b>	<b>Rs. 49971/-</b>	

(4)

In reply to question number 2 and 5 of annexure-H, the DPE Mr. Wajid Ali has disclosed that he had spent an aggregate amount of Rs. 24590/- on the participation of Players representing his school in different sports events on District, Divisional And Provincial level tournaments and for this purpose he had received Rs. 25000/- from the school funds. Therefore the amount of Rs. 24971/- (Rs. 49971 – 25000 ) was peculated from the sports funds due to collusion with the funds Incharge Shahe Mulk, SET.

In addition to the above Mr. Muhammad Shakoor, SS (DDO) produced a list showing outstanding amount of Rs. 56646/- (See appendix-A to annexure-~~H~~ on the part of the accused teacher, Shahe Mulk which he received on a/c of Admn: Fee/Funds from Incharges of the classes during the month of 04/2011.

The Total loss caused to school funds as worked out from the record produced to the inquiry committee for which the accused teacher Shahe Mulk and the DDO, Mr. Muhammad Shakoor are equally responsible, comes to Rs.122943/- as summarizes below.

1.	Rs. 41326/-	Cash in hand amount.
2.	Rs. 24971/-	Misappropriated/ Peculated.
3.	Rs. 56646/-	Cash amount of Adm:/ Funds in the month of 04/2011.
<b>Total Rs. 122943/-</b>		

Subsequently the committee reliably learnt that one CT and one Junior/Clerk have also been fraudulently drawing salaries on the strength of the said school since long. The DCO, Malakand through letter No.13861 Dated 15-08-2011 was requested for registration of FIR against the said fraud perpetrator. (Copy attached as annexure "I") While on the other hand the AAO, Malakand was contacted and his office was visited on 22-09-2011. The AAO, Malakand extended his full cooperation particularly Muhammad Hamayoun, Accountant tried his best to make all the relevant record available and copies thereof produced to the inquiry committee.

From perusal of the record thus collected from the AAO, Malakand it is Altaf Abdul Nasir S/O Abdul Manan who was appointed as Junior/Clerk in the E&SE Department during 2005. He is an expert forger and on the basis of his skillfully counterfeited documents he not only transferred himself but also transferred Shahe Mulk SST while actually impersonating him and one Imad Ali, CT to District Malakand.

Copy of fake transfer order of Shahe Mulk, SET as annexure -(J), fake LPC annexure -(K) Charge Report duly signed by Muhammad Shakoor, SS(DDO) as annexure -L " and Computer source form signed by the DDO as annexure-M " copy of fake transfer order of Imad Ali , CT as annexure -N , fake LPC as annexure -O and copies of computer source forms duly signed by Muhammad Shakoor , SS (DDO as annexure-P &O and copies of computer source forms in respect of Altaf , J/C duly signed by Muhammad Shakoor, SS/DDO are attached as annexure R&S".

It is merely due to the irresponsible attitude of the DDO, Muhammad Shakoor, SS who carelessly exercised his powers, handed over charge to an impersonating and hired persons with retrospective effect, signed source forms in respect of all the three (03) fraudulently transferred employees with adjustment of salaries from back dates ignoring and paying no heed to the explicit standing instructions of the Directorate of

E & SE, Peshawar regarding drawing of salaries of the employees transferred from other districts and thus put the Govt: exchequer into loss of Rs.781079/= on account of salaries on the basis of forgery as detailed below.

Month	Shahi Mulk,SET Per:No.00434705	Imad Ali ,CT Per :no.00433281	Altaf ,J/C, Per: No. 124070	Total
04/2010	55770	---	---	55770
05/2010	11154			11154
06/2010	11154			11154
07/2010	15204			15204
08/2010	15204	52560		67764
09/2010	15304	12066		27270
10/2010	15204	13326	130440	158970
11/2010	15204	12486	15896	43586
12/2010	16168	13132	16219	45519
01/2011				45519
02/2011				45519
03/2011				45519
04/2011				45519
05/2011				45519
06/2011				45519
07/2011		16388	19399	35787
08/2011		16388	19399	35787
			G.Total	Rs.781079/=

Copies of computer summaries in respect of Shahe Mulk, SET, Imad Ali, CT, and Altaf, J/C are attached as annexures -T,U and V".

#### FINDINGS:

From perusal of the record, verbal discussion and questionnaire served the following conclusion were drawn.

- 1) Mr. Altaf Abdul Nasir is the real forger who actually perpetrated the fraud and impersonating as Shah Mulk, SET.
- 2) The forger succeeded in his wicked attempt due to non-observance of rules and non-adherence to the instructions issued by the Directorate of E &SE, Peshawar.
- 3) Mr. Muhammad Shakoor, SS not only violated policy and deviated from the standing instruction regarding drawl of salaries of the employees transferred from other Districts but he did not even bother to consult his superiors and seek advices in dealing with such cases.

- (39)
- 4) The incident would have not taken place had the DDO, Muhammad Shakoor, SS gotten confirmed the transfer order issued from the Directorate of E &SE, Peshawar before signing the source forms for activating salaries of the accused teacher.

**RECOMMENDATIONS:-**

Keeping in view the whole scenario, discussion, questionnaire served and informations materials collected, the following recommendation are made:

- 1) The forger, Altaf Abdul Nasir, J/C impersonated as Shahe Mulk, SET seems to be a member of a larger gang involved in such fraud cases. Hence in order to unravel the hands behind him and to purge the Govt: Offices of such black mailers and forgers, detail investigation needs to be made through intelligence Agency.
- 2) The sole responsibility rest on the shoulders of the DDO, Muhammad Shakoor, SS who misused his position and heedlessly exercised his powers as drawing and disbursing officer, therefore the loss sustained by Public Exchequer and private funds of the schools should be recovered from him and in future such responsibility /powers should not be entrusted to such bungler hands.

  
KHOG BADSHAH (Member)

Supdt:(Pry)

O/O the EDO (E &SE)

Malakand.

  
(FAZAL AHAD KHAN)

Inquiry Officer,

District Officer, E &SE

Malakand at Bakhela.

آپ کا پورا نام ولدیت سکونت کیا ہے؟

جواب:- الطاف عبدالناصر (عرف ناصر بابو) ولد عبدالمنان۔

والدین:- والد 04 / 01 / 1989 میں فوت ہے۔ والدہ زندہ مسماۃ صابرہ بی بی ہے۔ میرے ساتھ رہائش رکھے ہوئے ہیں۔

برادران:- آنس الرحمن بمر 23 سال سٹوڈنٹ MSC کسٹری عبدالولی خان یونیورسٹی شکر فائل ایئر۔

برادران سوتیلے 1- عتیق الرحمن بمر 50 / 51 سال میڈیکل ریف جہان آباد۔ 2- شفیق الرحمن بمر 45 سال ڈراما راکٹ الٹی۔

سگی بہنیں:- 1- نسreen زوجہ امجد ساکنہ جہان آباد مردان۔ 2- یاسمین زوجہ عبدالقیوم ساکنہ قاسے۔

3- صابریہ زوجہ آصف ساکنہ جہان آباد۔ 4- نازیہ بمر 21 / 22 سال MA سٹوڈنٹ مردان کانج برائے خواجین۔

5- ساہرہ بمر 19 / 20 سال مجذوب گھر میں ہے۔

بہنیں گان سوتیلے۔ NIL

بیوی:- مسماۃ رخسانہ دختر اختر گل ساکنہ قاسے۔

بچے:- 1- آفاق بمر 10 سال۔ 2- عشاق بمر 7 سال۔ 3- اشفاق بمر 7 سال۔

ناموں گان:- 1- اختر گل ولد محمد گل جو کہ سر بھی ہے ساکنہ قاسے لونڈ خور مردان۔ 2- نقاب گل ولد محمد گل ساکنہ قاسے۔

3- غلاف گل ولد محمد گل ساکنہ قاسے۔

چچا گان:- 1- فضل منان ولد عبدالخالق ساکنہ قاسے (فوت شدہ)۔ 2- حبیب الرحمن ولد عبدالخالق ساکنہ قاسے (فوت شدہ)۔

3- سیف الرحمن ولد عبدالخالق ساکنہ قاسے (زندہ)۔

سوانح عمری:- 09 / 04 / 1977 کو بمقام قاسے علاقہ لونڈ خور والدین کے ہاں پیدا ہوا۔ ابتدائی تعلیم 7th تک G.P.S قاسے میں

حاصل کی۔ والد ماجد ایک مسجد میں پیش امام تھا۔ کھیتی باڑی کی نہ ہونے کی بناء میں اسکول سے فراغت کے اوقات میں اکثر پیشتر گھر ہی میں رہتا تھا۔

دوران والد ام عبدالمنان کنسٹرکٹوزی کے مرض میں مبتلا ہو کر آخر کار 04 / 01 / 1989 میں وفات ہوا۔ برادر آصف الرحمن مالی امداد دیکر ساہراہ آسن۔

رہا تھا۔ G.H.S. نزد مردان بنک روڈ میں سال 1991 میں 8th میں داخلہ لیا۔ چونکہ والد کے فوت ہونے کے بعد دو سال تک پڑھائی سے دور

رہا۔ سال 1991 میں دیہہ خود قاسے سے ترک سکونت کر کے ہمرہ سوتیلے بہن بھائیوں کے جہان آباد مردان سکونت اختیار کیا۔ اس دوران سوتیلے بہن

سے علیحدہ سکونت اختیار کیا ہوا تھا۔ شیخ الرحمن سوتیلے بھائی مالی مدد باہم پہنچایا کرتا تھا۔ اس دوران الیکٹریشن نواب نیو آڈہ مردان کیساتھ بغیر مواد

سیکھلائی سکول سے فارغ اوقات میں کرتا تھا۔ تقریباً ایک سال شاگرد رہنے کے بعد الیکٹریشن سے واقفیت حاصل کی سال 1993 میں 10th

پڑھائی کی۔ مگر سالانہ امتحان میں شامل نہ ہوا۔

خریجات پورا کرنے کیلئے میں اکثر اوقات خالد مستری کے ساتھ تعمیراتی کام کیلئے دیہیازی کرتا تھا۔ جو بمقام چارباغ صوبائی شیخ ملتون مردان  
آخری ایک سال تک مزدوری کرتا رہا۔ فارغ اوقات میں ہم عصر کراکری والا وحید کرکڑ طاہر وغیرہ کے ساتھ کھیل کھو دیکر کرتا تھا۔ 1994 میں  
G.H.S نمبر 2 مردان کے حال سے میٹرک کا امتحان پاس کیا۔ سال 1995 میں کامرس کالج مردان میں D.Com انسٹ کا داخلہ لیا۔  
1996 میں D.Com پاس کیا B.Com کالج سے سال 1997 داخلہ لیا۔ لیکن اس دوران بحیثیت جو نیر کلرک G.G.H.S روستم  
میں 23 / 06 / 1997 تعینات ہوا۔

G.H.S روستم میں 30 / 06 / 1998 تک تعینات رہا۔ 01 / 07 / 1998 کو اسلم خان جو نیر کلرک G.H.S شیرگڑھ کے ساتھ باہمی  
تبادلہ پر G.G.H.S شیرگڑھ چلا گیا۔ مورخہ 10 / 12 / 1998 کو بصورت تبادلہ باہمی جو نیر کلرک موٹی عمر کیساتھ G.G.H.S کے ساتھ ہوتی  
لنڈا کے مردان تبدیل ہوا۔ اس دوران سال 2002 میں سہ ماہی رخصانہ کیساتھ رشتہ ازدواج میں منسلک ہوا۔ یاد رہے کہ مذکورہ میرا ماسوں زادی ہے  
اس دوران ایک C.T ٹیچر مسی شجاع الدین سکھ ہوتی مردان سے میں نے شادی رچانے کیلئے مبلغ ایک لاکھ روپے قرض حسنہ حاصل کی۔ جو میں نے بروقت  
جی قرض واپس نہ کر سکا۔ اس قرض کو واپس دلانے کی خاطر میں نے فضل قیوم جو نیر کلرک مستعد G.H.S.S کانٹنگ کے ساتھ باہمی تبادلہ کیا۔ اور ان  
کی ایک لاکھ روپیہ قرض حسنہ برائے 3 ماہ لے کر شجاع الدین C.T ٹیچر کو واپس کیا۔ اس دوران میں نے سکول فنڈ سے ایک لاکھ روپے اپنے صوابدید پر  
بفضل قیوم کو واپس دلانے۔ مورخہ 01 / 04 / 2004 سے G.H.S.S کانٹنگ مردان میں مورخہ 30 / 04 / 2005 تک تعینات  
01 / 05 / 2005 کو میرا تبادلہ G.H.S محبت آباد نزد شیخ ملتون مردان تبادلہ ہوا۔ اس دوران میں نے سابقہ سکول فنڈ کو پورا کرنے کیلئے  
ببنک کینٹ برانچ سے مورخہ 01 / 09 / 2005 کو ایک لاکھ روپے بطور لون حاصل کی۔ مورخہ 01 / 07 / 2006 کو میں نے مختلف قرض  
وں سے چھپنے کچھ خاطر G.G.H.S شہباز گھڑی تبادلہ کیا۔ وہاں پر سکول فنڈ سے میں نے حسب عادت خرید برد کرنے پر مورخہ 01 / 09 / 2006  
G.H.S.S باغیچہ ڈھیری تبادلہ کیا۔

باغیچہ ڈھیری میں دوران مردس میں نے حسب عادت چوری چھپے شاہ جہان پرنسپل کے G.P فنڈ کھاتہ سے مبلغ 2,65,000/- روپے نکال لئے۔  
5/6 ماہ بعد پرنسپل صاحب کو پتہ چلا۔

اس دوران مورخہ 01 / 04 / 2007 کو چچا ام فضل منان A.T ٹیچر دوران ملازمت وفات پا گیا۔ جسکی کس میں نے تیار کر کے کل  
مبلغ 9,50,000/- روپے سرکاری خزانہ سے حاصل کئے۔ اس رقم میں سے میں نے 500,000 پانچ لاکھ روپے چچی ام بیوہ فضل منان کو دیئے۔ جب کہ  
بقایا 4,50,000 حسب عادت خود ذاتی استعمال میں لائے۔

مورخہ 01 / 09 / 2007 کو میں نے شاہ جہان پرنسپل کے بار بار رقم G.P فنڈ طلب کرنے سے تنگ ہو کر G.G.H.S نوشہرہ کھان  
تبادلہ کیا۔ عرضہ 3 ماہ کے بعد مختلف قرض خواوں سے تنگ ہو کر G.H.S اوٹرا نوشہرہ تبادلہ کیا۔

یہاں پر بھی میں قرض خواوں کے نظروں سے نہ بچ سکا میں اکثر اوقات سرکاری کاموں کے سلسلہ میں دفتر E.D.O صاحب نوشہرہ جایا کرتا  
... وہاں پرتابل شاہ جو نیر کلرک اور گل ولی المہر صفدر صاحب اور دیگر کلرکوں جو بوس اور جعلی بھرتیوں / تعیناتیوں کیلئے مشہور تھے کے ساتھ ملا۔ اور  
میں نے زندگی میں ایک انقلاب برپا ہوا۔ اور میں نے مذکورین سے جعلی ارڈرز وغیرہ کے جان پہچان سکھ لی۔

اس طرح میں نے سب سے پہلے اپنا بوس اور جعلی ارڈر تیار کر کے G.H.S اوٹرا نوشہرہ سے G.H.S عالم گورڈ بازار خیرا بھنسی

01 / 05 / 2008 تبادلہ کیا یاد رہے کہ میرا اصل مردس بک G.H.S اوٹرا نوشہرہ میں رہ چکا ہے۔ جو اب بھی وہاں پر موجود ہے۔

G.H.S عالم گورڈ میں میں نے دوسرا مردس بک استعمال کر کے مورخہ 01 / 09 / 2008 سے میں روپوش ہوا۔ اور دل میں خیال گزارا۔ کہ کیوں نہ اپنے  
ایک فوٹ شدہ ظاہر کروں۔ تاکہ یکشت 6/7 لاکھ روپیہ حاصل کر سکوں۔ میں نے روپوشی کے دوران محلہ دار ظہور احمد کے زیر نگرانی سکول کو اطلاع بدینہ فون دی۔ کہ

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طاہر شاہ کو بھجوائے۔ کلرک طاہر شاہ نے کس تیار کر کے اس دوران چھٹیوں کا احتتام تھا۔ سکول سٹاف میرے فائغ خوالی کیلئے دہنہ خود قاسمی مردان  
پچام سیف الرحمن کے ساتھ ملے۔ پچام نے مذکورین پر واضح کیا۔ کہ الطاف عبدالنا صر زندہ ہے۔ اور کبھی مر نہیں۔ لیڈ انوفنگی کیس میں اسے 77  
کے ساتھ پاب نہ ہو سکا۔ اور مستقل طور پر G.H.S عالم گورنہ جاسکا۔ میرا ایک سروں بک وہاں پر اب تک موجود ہے۔ اُس دوران وہاں پر متعلق  
کلرک طاہر شاہ جو میرے مذکور عزام سے خبر دار ہونے کے بعد میں چھپ رہے پر پانچ ہزار روپے دیئے تھے۔ مورخہ 01 / 11 / 2008 کو میں  
عماد علی جمیر سے ساتھ رہا پیش پر تھا۔ اور کالج کا طالب علم تھا۔ کے نام استعمال کر کے عماد علی ولد احمد گل سکھ جہان آباد مردان استعمال کر کے  
یوگن ارڈر خود تیار کر کے بحیثیت CT Bps 14 ٹیچر G.H.S بڈہ میر میں تعیناتی کی۔

مورخہ 01 / 09 / 2009 کو میں نے G.H.S بڈہ میر سے جعلی اور بوگس ارڈر کے ذریعہ G.H.S بوبک چار سدہ تبادلہ کیا وہاں پر ایک  
کے بعد میں نے جعلی اور بوگس ارڈر کے ذریعہ G.H.S کو 01 / 11 / 2009 قدرہ صوابی بنام عماد علی تبادلہ کیا۔

کے بعد میں نے جعلی اور بوگس ارڈر کے ذریعہ E.D.O صوابی کے فیزکل چیکنگ کے ذریعہ سے روپوش ہوا۔ اور روپوش ہوتے ہی اسی سکول سے

01 / 03 / 2009 کو میں نے E.D.O صوابی کے فیزکل چیکنگ کے ذریعہ سے روپوش ہوا۔ اور روپوش ہوتے ہی اسی سکول سے  
SET کے سابقہ ارڈر اور خود اپنا سروں بک اٹھالائے تھے۔ لہذا میں نے 01 / 04 / 2010 کو نام شاہی بک B.P.S 16 S.E.T

پر G.H.S قدرہ سے G.H.S.S پٹی مالا کنڈ کا جعلی ارڈر تبادلہ / جعلی L.P.C وغیرہ متعلقہ کاغذات تیار کر کے 01 / 04 / 2010  
میں مالا کنڈ میں حاضری کی۔ یاد رہے اس نوٹیفیکیشن میں میں نے مورخہ 01 / 12 / 2009 سے مورخہ 30 / 03 / 2010 تک کل 4 مہینے

سے ساتھ تنخواہیں بھی D.A.O صاحب مالا کنڈ سے حاصل کئے جب میں G.H.S.S پٹی مالا کنڈ آیا۔ تو معلوم ہوا۔ کہ یہاں پر سکول کلرک سرکاری  
اور میں دلچسپی نہیں لے رہا تھا۔ اور کبھی کبھار سکول آتا تھا۔ لہذا میں نے موقع کو غنیمت جان کر سکول انچارج (پرنسپل) محمد شاکر کو اکاؤنٹ کے امور چلانے

میں دلچسپی ظاہر کی۔ جو اُس نے مجھے بہ آسانی جملہ چارج زبانی طور پر حوالہ کیا۔ کلرک / اکاؤنٹ / انکس ٹیچر 9th / 10th پڑھایا کرتا تھا۔ میں خود  
وہاں کا بے تاج بادشاہ بن گیا۔ موقع کو میں نے غنیمت جان کر مورخہ 01 / 08 / 2010 سے بنام عماد علی ولد احمد گل ساکن جہان آباد مردان جعلی اور

ارڈر کے ذریعہ CT BPS 14 ٹیچر کا کھاتہ بھی کھولا یا در ہے۔ کہ میں کسی ماجد خان ولد جمشید خان ساکن ٹونڈو کالنگ مردان کے ساتھ صلاح  
کے اُس کو بہر فیہ بنا کر عماد علی کے نام سے مشہور کیا۔ میں مذکورہ ماجد خان کو مبلغ / 5000 روپے ماہوار معاوضہ دیتا رہا۔ بقایا تنخواہ میں ذاتی

میں لاتا تھا۔ اس دوران میں نے 01 / 11 / 2009 سے بنام الطاف جو نیر کلرک B.P.S 7 کا کھاتہ بھی کھولا۔ اور تنخواہیں وصول کرنا  
رہے کہ الطاف C کے ایئر ریل برآمد کرنے کے عوض محمد کبیر C جحدہ پٹی سکول حال G.H.S ورتیر روگنی کو مبلغ / 6000 روپے یکمشت

میں یہ ماہوار / 1000 روپے لیتا رہا۔ کیونکہ مذکورہ کو اس فراڈ کے نسبت علم ہو چکا تھا۔ بقایہ G.H.S.S پٹی مالا کنڈ میں سٹاپ دیگر کسی فرد کو فراڈ کا علم نہ تھا۔  
\* اس دوران اپریل 2012 میں سالانہ ہیڈ ماسٹر B.P.S 17 نے L.P.R منظور کرنے کیلئے فائل تیار کر کے مجھے حوالہ کی۔ کہ

بتاؤ میں اُس کو Prosue کریں۔ میں نے وہی فائل گھر خود میں رکھ کر ایک جعلی ارڈر نوٹیفیکیشن 04 June 2011 جاری کر کے منظوری L.P R  
سالانہ اعلیٰ کو تنخواہ دیا۔ ہیڈ ماسٹر سالانہ اعلیٰ اکاؤنٹ آفس مالا کنڈ آ کر یہی ارڈر D.A.O صاحب مالا کنڈ کو دیکھا یا چونکہ ارڈر نوٹیفیکیشن تھا لہذا D.A.O نے

سالانہ اعلیٰ پر واضح کیا۔ کہ اس کا ریٹیفیکیشن کیا جائیگا۔ اس کے بعد اپ کی تنخواہ بند کر کے مزید کارروائی جاری کیا جائیگا۔ مجھے اس بابت علم ہوا۔ تو میں فوراً حسب  
عادت اس سکول سے بھی مورخہ 10 / 06 / 2011 کو روپوش ہوا۔ اور ساتھ ہی ماجد خان جو عماد علی کے نام سے مشہور تھا۔ کو بھی سکول نہ جانے کی

اطلاع خود دی۔ میں نے جتنی وقت چونکہ ایک عدد کمپیوٹر سیٹ دو عدد سروں بک بنام بادشاہ خان C T علی محمد C T اور دو عدد جنرل فائل میرے ساتھ  
تھے میں تقریباً دو ہفتے بعد ایک ڈائن ڈرائیور مراد علی کے ہاتھ سکول ہذا بھجوائی جنہوں نے ہلال حسین S.E.T استاد کے حوالہ کیا ہے۔

مورخہ 01 / 09 / 2011 کو میں نے جعلی اور بوگس ارڈر کے ذریعہ بحیثیت S.S ٹیچر B.P.S 17 G.H.S/S  
سٹی علاقہ گردن ضلع صوابی میں حاضری کی یہاں پر تقریباً 7 ماہ یعنی مورخہ 30 / 03 / 2012 تک ایسی پوسٹ پر تنخواہ لیتا رہا۔ D.A.O صوابی سے

01 / 04 / 2012 کو میں نے جعلی اور بوگس ارڈر کے ذریعہ بنام الطاف G.H.S.S کا پکنٹی سے تبادلہ کر کے ہیڈ ماسٹر G.H.S.S چینیہ ضلع میں حاضری کی رپورٹ کی۔ مورخہ 30 / 04 / 2012 تک G.H.S.S چینیہ میں تعینات رہا۔ لیکن پر باقاعدہ ہیڈ ماسٹر تبدیل ہونے کے بعد میں نے ایک اور جعلی ارڈر اور بوگس کے ذریعہ مورخہ 01 / 05 / 2012 کو G.H.S.S چینیہ سے G.H.S.S جنگلی ضلع بونیر بنام الطاف بحیثیت S.S بنانا کس چارج سنبھالا اور مورخہ 01 / 04 / 2012 سے مورخہ 31 / 07 / 2012 تک D.A.O بونیر سے تنخواہیں گریڈ 17 میں وصول کئے ہیں۔

وزان تعیناتی G.H.S.S جنگلی بونیر میں نے حالات واقعات سے فائدہ اٹھاتے ہوئے بنام عبدالناصر مورخہ 01 / 06 / 2012 سے بحیثیت S.S سٹری بھی حاضری ک کاغذات جعلی اور بوگس طریقے سے خود حسب عادت تیار کر کے حاضری کی رپورٹ۔ اور مورخہ 31 / 07 / 2012 تک یعنی دو ماہ کی تنخواہیں ایسی پوسٹ پر بھی D.A.O بونیر سے بواسطت M.C.B ڈگر برانچ حاصل کی ہوئی ہے۔

مورخہ 15 / 07 / 2012 کو میں چھٹیوں کے دوران G.H.S.S جنگلی بونیر بغرض نسبت ایئر کے نئے طلبہ کے داخلوں کے سلسلہ میں حاضر ہوا۔ تو وہاں پر مجھے اسلام محمد ہیڈ ماسٹر کے ذریعہ ایک سوال نامہ بجاریہ C.O. لاکھڑا موصول ہوا۔ اور ساتھ اسلام محمد نے ربانی طور پر بتلایا کہ تمہارے پیچھے ضلع مالاکنڈ سے اینٹی کرپشن پولیس آئے تھے۔ لہذا میں فوری طور وہی سوال نامہ ساتھ کر کے اسکو ایک رسید تمنا دیا۔ اور ریف چکر ہوا۔

اس کے بعد میں نے ناشکار تلاش کر کے D.A.O بونیر سے بنام عبدالناصر G.H.S.S جنگلی بونیر سے ڈیرا پر L.P.C حاصل کر کے اپر دیر چلا گیا۔ اپر دیر کے D.A.O آفس کو کسی ذریعہ سے اطلاع ملی تھی۔ جنہوں نے مجھے جملہ کاغذات تصدیق کرنے کو کہا۔ مجھے بھی شک گزرا تو وہاں سے فوراً روپوش ہوا۔ کچھ دنوں کیلئے روپوش رہ کر کیونکہ میرے خلاف اخبارت کے ذریعہ بھی مورخہ 13 September 2012 کو روزانہ آج وغیرہ میں نیرے کرتوتوں سے پردہ اٹھ چکا تھا۔ لہذا میں نے نئی جعلی اور بوگس کاغذات بنام الطاف خان ولد عبید الرحمن دوسرہ تحصیل ضلع چارسدہ (S.S) کیلکس B.P.S نمبر 17 G.H.S.S بام خیل صوابی سے G.H.S.S شرباغ لوئر دیر تیار کر کے حاضر کے خاطر جارہا تھا۔ کہ آپ انسپٹر صاحب نے مجھے لاری آڈہ بٹ جیلہ سے گرفتار کر کے جملہ فائل مجھ سے قبضہ میں کیا۔

ضلع بونیر میں 01 / 04 / 2012 کو G.H.S.S چینیہ میں بحیثیت ہیڈ ماسٹر (حاضر / آمد) کے بعد D.A.O آفس بونیر میں کاغذات برائے تنخواہ پراسیس کرنے کیلئے میں نے صالح زادہ نامی نائب قاصد گری کالج ڈگر کو مسلح 8000 روپے بطور رشوت دیئے تھے۔ اور میں قائم ایسی صالح زادہ نائب قاصد کے دسٹاٹ سے انجام پائے تھے۔

بعدہ ضلع بونیر سے L.P.C اور دیگر کاغذات کے حصول میں مجھے وہاں پر موجود کلاس فور تھ جس کا نام ابھی مجھے یاد نہیں ہے۔ 1000 روپے کے عوض کے سبب کام آسان کیا تھا۔

یاد رہے کہ یہ جملہ جعلی سازی اور بوگس طریقہ سے سرکاری رقم کے حصول انتہائی غربت اور مجبوری جسمیں والد ام کی نوٹنگی میرا تعلیم بہنوں کی رخصتی اور چھوٹے بھائی کی تعلیم اور گھر کے اخراجات بشمول کرایہ مکان یونیٹس بلز وغیرہ کیلئے کر دی ہیں۔ یاد رہے کہ میں نے کبھی کوئی نام اور اشیاء استعمال نہیں کیے ہیں۔ اور نہ ہی میں نے کبھی زنا کیا ہے۔ اور نہ ہی میں نے کبھی جو اقامت بازی میں شریک رہا ہوں۔ یہ میں اللہ تعالیٰ کو حاضر ہونا چاہتا ہوں۔ آپ یا کوئی اور بھی میرے اس حقیقت کو جانچ سکتے ہیں۔

انٹار و گیشن رپورٹ مرتب ہو کر بمرا د ملاحظہ گزارش ہے۔

سرکل آفیسر اینٹی کرپشن ضلع مالاکنڈ

مورخہ 13 / 10 / 2012



Annexure - 11

Suppl (S)/DA (New 2011)

CM) be re-nominated

Deputy officer along with the  
Suppl (S)

Discards

1

Office Of The Principal GHSS Palai MKD Agency

20/7/11

38

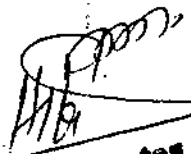
To, Shahe Mulk (SET) GHSS PALAI 22/7/11  
Gulshan iqbal colony near dwasaru chawk MARDAN.

Subject; Submission of receipts of R/C & SCOUT Funds  
To EDO (E&SE) Office Bathkela.

5378  
21-7-11

Memo; Meeting of senior staff held on 11.7.2011 under the chairmanship of EDO Education at Bathkela. The EDO demanded for submission of the mentioned Receipts of the schools. As you are the fund incharge of this school, you are Strictly directed to fulfill the required demand as soon as possible. Service Books of the staff members are also in your custody. The service book of Mr. Ali Muhammad C.T & Mr. Badsha khan C.T are also required by the EDO & Account Office to persue their advance increment cases. You have been contacted several times by your mobile numbers available to this office. But your mobile remained swich off.

Now you are informed through this registered covered letter sent by post on your home address, to attend this office for the above requirements.

  
PRINCIPAL  
Head Master  
GHSS Palai  
MKD Agency  
Malankara

Copy for the information to EDO (E&SE) at Bathkela.

55

To

The Director  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Subject: VERIFICATION OF APPOINTMENT/TRANSFER ORDERS & LPC IN R/O MR. SHAH-E-MULK S.S.T. GHSS PALAI DISTRICT MALAKAND.

Memo:  
The above named SST appointed as S.S.T. at GHS Qadra Gadoon District Sawabi vide Notification Ends: No.5139-5197/A-14/SST(MF) date 25/11/2008 serial No:680 on Contract basis for one year and regularized SST vide No. 3749-50/A-14/SET(M) regularization of SST contract date Peshawar the 01-03-2010 (copy attached).

Later on he has been transferred from District Sawabi to G.I.I.S.S. Palai District Malakand from 01/12/2009 Vide Director Elementary & Secondary Education No/6310-16/F.NO.A-17 SST(M) dated Peshawar the 05/04/2010 (copy attached).

It is therefore requested that, appointment and transfer order may please be verified and returned to this office as early as possible.

(FIDA AHAMMAD)  
AGENCY ACCOUNTS OFFICER  
MALAKAND

Copy forwarded for information to:

1. DAO Sawabi for verification of LPC of the above named SST.
2. EDO Sawabi with request that release order issued by his office vide No.238-38 dated: 26/03/2010(copy attached) may please be verified.

AGENCY ACCOUNTS OFFICER  
MALAKAND

H. Shams

Mm  
29/8/2011

Received on  
5/9/11

Directorate of Elementary & Secondary Education  
Distt. Malakand  
Daly No. 1912  
Dated: 29/08/2011

E

Doc/Supd(Pg)/

(56)

go ahead as directed.  
Also include it in your enquiring report.  
Directorate of Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar

Registered

4130  
26-9-11

No. /File No. 440/SET(M)  
Dated Peshawar the 21/9 /2011

24/9/11

To  
The Agency Accounts Officer  
Malakand

Subject: Verification of appointment/transfer orders and LPC in respect of Shah-e-Mulk

I am directed to refer to your letter No. AAO.Mkd/Pen-1/3950-52 dated 27-8-2011 and to inform you that contract-regularization order and transfer order of Mr. Shah-e-Mulk so called SST GHSS Palai Malakand are fake and bogus. He is not SST teacher of this department as per record of this Directorate. His pay may be stopped immediately.

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

5073-75

Indst: No. /File No. 440/SET(M) dated 2011

Copy forwarded for information & necessary action to the:-

1. Executive Distt: Officer (E&SE) Malakand at Batkhela with the direction to conduct enquiry to check his appointment/regularization/pay released/duty etc. and to stop his entry to the school, as he is not a teacher. His pay may be stopped and recovery may be made from him immediately. FIR may be lodged again the so called teacher for this case as well as in the bogus transfer order of Muhammad Subhan SST from GMS Koz Shery Kohistan to GHS Shukrullah Hussain Mundan Bannu (copies of all the relevant documents alongwith a copy of the statement of the teacher concerned are attached). Please also intimate as to who has nominated him for the training of Master trainees as in the statement of teacher of Bannu.
2. Executive Distt: Officer (E&SE) Swabi with the remarks to submit report immediately/ on war basis in the light of the letter of the Agency Accounts Officer Malakand cited addressed to this office vide No. & dated cited above and copy thereof endorsed to his office (copy attached).
3. PA to the Directress E&SE Khyber Pakhtunkhwa Peshawar

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

21/9/11

بروڈے معلقہ پیکارنے حکم پھرئی آزانہ الطاف عبدالناصر جو سرپرٹکے ، عماد علی CT

خدمتے جناب ڈائریکٹر صاحب ایڈمنسٹری اینڈ سیکرٹری ایجوکیشن صوبہ خیبر پختونخوا

جناب عالی

لکھنؤ سرکار حوض خدمت سے ملے۔ بحوالہ چھٹی انگریزی نمبری 9268 جو 4<sup>11</sup> 2011  
آؤینے انٹو اسیری بم 103<sup>103</sup> جاریہ ڈائریکٹر صاحب ایسی سرپریشن لٹاؤر صوبہ خیبر پختونخوا  
الطاف عبدالناصر ولد عبدالمان سائن ماسی حالے جو سرپرٹکے GHS بلحاظ  
اور عماد علی ولد اختر گل سائن ماسی سردان حالے CT گورنمنٹ ہاؤسنگ کے پلے  
پھر خدمتے انٹو اسیری شروع ہے۔ کر ڈو لٹاؤر کے حکم پھرئی کا عدتے مینا  
جائے اور سا کو نما آپکے لمدتے شدہ سرپریشنکے بھی مینا پیا جائے۔  
کتابتے لاپوشنگ صوبہ میں بیان بیان ہوا ہیں۔ اور کون کون سے  
کو پھرئی ہوئے ہیں۔

درج بالا آؤالے عزیز احمد HC فراستادہ کو حوالہ پیا جائے۔ تاہم ایڈمنسٹری  
یک طرفہ پیا جائے۔  
نوٹ:- بے سلیب لاپوشنگ سے ہمراہ ہے

INSPECTOR C.O.  
ACEMALAKANG  
C.O. PS. ACEM  
16/02/2012

1255  
17/2/12  
Khyber Pakhtunkhwa

37  
18/2/12

Mohd Zafar  
No. 1613/12

(66)

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

Suppl (P-1)

1573/12  
To

947  
15-3-12

File.No. 362/A-15/CT/TT/DM/Mkd/  
Posting/Transfer.  
No. \_\_\_\_\_  
Dated Peshawar the 17/3 /2012

The Executive District Officer,  
(E&SE) Swabi.

Subject: **Information for Investigation against Imad Ali, CT GHS Palai, Abbottabad.**

I am directed to refer to the EDO E&SE Malakand letter No. 1803, dated 28.7.2011 addressed to this office & copy thereof enclosed to your <sup>office</sup> on the subject noted above and to ask you to submit the requisite record to the EDO Malakand under intimation to all concerned for taking further necessary action in the matter.

Encl; As above.

2342-43  
2342-

Deputy Director (Estt)  
(E&SE) Khyber Pakhtunkhwa,  
Peshawar

Endst. No. \_\_\_\_\_

Copy forwarded to the

1. EDO (E&SE) Malakand w/r to his office letter quoted above.
2. Inspection Anti Corruption Estt. Thana Malakand for information, please.

Deputy Director (Estt)  
(E&SE) Khyber Pakhtunkhwa,  
Peshawar

Subtd (Prj)

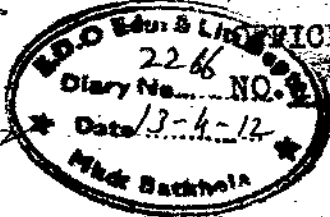
Noor Zada

12/4/12

(78)

It is the case of  
Pdc. Discuss

OFFICE OF THE EXECUTIVE DISTRICT  
OFFICER ELEMENTARY & SECY:EDU:SWABI.



Dated 7-4-1201

To

The Executive District Officer,  
Elementary & Secy: Edu: Malakand.

Subject: INFORMATION FOR INVESTIGATION AGAINST IMAD ALI CT GHS  
PALAI ABBOTTABAD.

Memo;

In compliance with the Director E&SE Khyber Pakhtunkhwa Peshawar letter No. <sup>231</sup> P.No.3621A-15/CT/TT/DM/Mkd/posting trsf: dated 13.3.2012, the photostat copies of service record in respect of Imad Ali EX:CT GHS Q<sub>2</sub>dra (G) already been submitted to the Accountant General Khyber Pakhtunkhwa Peshawar vide this Office No.2652 dated 22.4.2010 (copy attached) is sent herewith as desired please.

Encls:(11)copies.

EXECUTIVE DISTRICT OFFICER  
ELEMENTARY & SECY:EDU:SWABI.

Endst:NO. \_\_\_\_\_ 1

Copy forwarded for information to the:-

1. Director (E&SE) Khyber Pakhtunkhwa Peshawar w/r to his no cited above please.
2. Accountant General Khyber Pakhtunkhwa Peshawar.

*Sd/-*  
EXECUTIVE DISTRICT OFFICER  
ELEMENTARY & SECY:EDU:SWABI.

79

EXECUTIVE DISTRICT OFFICER E&SE  
MALAKAND AT BATKHELA  
No 4109/A-12/ M.Zahoor Supdt:/EDO  
Dated Batkhela the 23-4/2012.

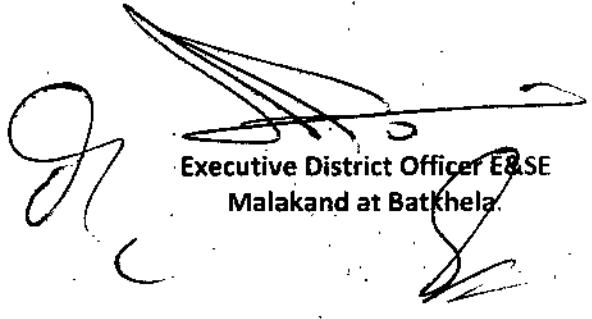
The Inspector Anti-corruption  
Malakand.

Subject: INFORMATION FOR INVESTIGATION AGAINST IMAD ALI C.T GHSS PALAI..

Memo:

Reference Director E&SE Khyber pakhtunkhwa Peshawar office Memo No2442/F.No362/A-15/CT/AT/TT/Mkd/P.Transfer dated 24.2.2012 on the subject cited above.

The requisite record pertaining to Imad Ali CT GHSS Palai involved in open Inquiry No 103/2011, as received from the Executive District Officer (E&SE) Swabi is sent herewith for further necessary action as desired please.

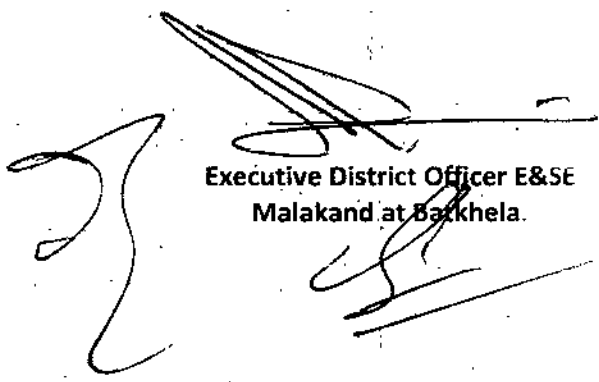


Executive District Officer E&SE  
Malakand at Batkhela.

Ensdtd No 4110

Copy forwarded for information to the:-

1. Director E&SE Khyber pakhtunkhwa Peshawar



Executive District Officer E&SE  
Malakand at Batkhela.

58

OFFICE OF THE DISTRICT ACCOUNTS OFFICER MALAKAND  
NO/AAO/Edu/MKD 6468

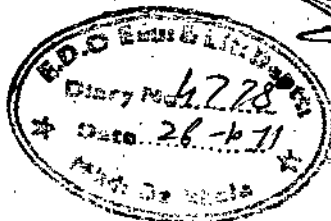
Dated: 13/10/2011

Subd (Prj)

For record in the relevant file

To

The Executive District Officer  
E & S Education MKD at Batkhela.




Subject: ENQUIRY AGAINST SHAH-E-MULK SET G.H.S.S. PALAI.

Memo:

Reference your office endorsement No. 14321-22 dated 27/09/2011 on the above quoted subject.

Pay in r/o the following officer/official has already been stopped through in-active computer source submitted by DDO GHSS Palai.

- |    |             |              |                  |
|----|-------------|--------------|------------------|
| 1. | Shah-e-Mulk | SET          | w.e.f.01/07/2011 |
| 2. | Altaf       | Junior Clerk | w.e.f.01/09/2011 |
| 3. | Imadad Ali  | CT           | w.e.f.01/09/2011 |

  
(FIDA MOHAMMAD)  
DISTRICT ACCOUNTS OFFICER  
MALAKAND.  
11/10/11



(81) (5)

OFFICE OF THE EXECUTIVE DISTRICT  
OFFICER E&SE MALAKAND AT BATHKHELA.

NO 9736 /A-12 /Shahi Mulk SST(M)

Dated Bathkhela the 4/7 /2012.

The Inspector of Anti-corrupcion office  
Malakand.

Subject:- ~~XXXXXXXXXX~~ OPEN ENQUIRY NO 103 dated 24.11.2011.

Memo:

Reference your office memo No 240-59 /MKD /dated 2.7.2012.

It is stated that the photo copies letter No 14320 dated 27.9.2011 alongwith enquiry report in the subject memo are sent herewith as desired.

~~XXXXXXXXXX~~

More over as para No2 the said orders has not been received in this office. As Para No3 is concerned the principal of the said school has not sent the case for verification of the teachers/ S/clerk.

~~XXXXXXXXXX~~  
EXECUTIVE DISTRICT OFFICER  
E&SE MALAKAND AT BATHKHELA.

*Received.*

*He to.*  
*4/7/12*

No. 72-5A-MKD  
24-6-2013

ضلع ملتان

مہروانہ طبلی ریکارڈ

قائمہ ACE ملتان

صفحہ نمبر 1 تاریخ 25/9/2012  
471/472 ACE ملتان  
409/419/420/468  
PCAD سی 471/472 ACE ملتان

بنامہ: الطاف عبدالناصر

خدمت ڈسٹرکٹ ریجسٹریشن آفس ملتان جہاں سے جملہ

تعداد عنوان جہم بالا میں ملزم بالا کے خلاف عبور ہوا چالان لکھنؤ ضلع سے  
داخل عدالت کیا جا رہا ہے۔

تعداد 2  
ہذا میں الطاف عبدالناصر کے خلاف بنامہ شامی ملکانہ (SET) عا دہ  
حکامہ انکوئسٹر عا ہو چکی ہے۔

اس انکوئسٹر عا کی مقدمہ نمونہ جمع چھٹی انگریزی نمبر - 24-14321  
تاریخ 27/9/2011 کا مقدمہ کا لایا برائے کارروائی صلہ از جلد قائمہ ACE ملتان

عیاوانے سے منکر خرابیوں کی ترمیم  
مہروانہ  
CO ACE MKD  
24/6/2013

(4)

EXECUTIVE DISTT: OFFICER (E&SE),  
MALAKAND AT BARKHELA.

No. 14320/Inquiry/Shah-Mulk, SET,  
GHS Palai/Supdt: (Pry)/EDO (E&SE)/M  
Dated 27-09 /2011.

To

The Directress,  
Elementary and Secondary Edu.,  
Khyber Pakhtunkhwa, Peshawar.

Subject:- ENQUIRY AGAINST SHAH-MULK, S.E.T., G.H.S., PALAI.

Memo:-

Reference your office Endst: No. 5073-75/F.No. 440/SET(M)  
dated 21.9.2011.

In this connection it is submitted that an inquiry has recently been conducted by the Inquiry Committee, constituted vide this office Endst: No. 10570-72/A-12/Complaint Dated 27.7.2011. The Committee thus constituted has elaborated its task and report thereof submitted is enclosed herewith for your kind perusal and further appropriate a/a please.

The DCO, Malakand has already been requested for registration of FIR against the fraud perpetrator vide this office Memo: No. 13861/ Dated 15.9.2011. Salaries of the hired persons and fergers have been stopped.

Enclosed:- Inquiry Report with its relevant annexures.

*sd*  
DISTT: OFFICER

For/ EXECUTIVE DISTT: OFFICER (E&SE)  
MALAKAND AT BARKHELA

Endst: No. 14321-22

Copy of the above ~~is~~ alongwith its enclosures is forwarded to :-

- 1- The Distt: Coordination Officer, Malakand with the request that FIR already asked for in this office Memo: No. 13861/ Dated 15.9.2011, may very kindly be registered as early as possible ~~and~~ action taken so that further unpleasant incident may be averted please.
- 2- The Agency Accounts Officer, Malakand with the remarks that

Noor Zarda

57

Suppld (Prty)

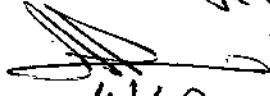
4/5/11

OFFICE OF THE  
DCO/DISTRICT MAGISTRATE  
MALAKAND

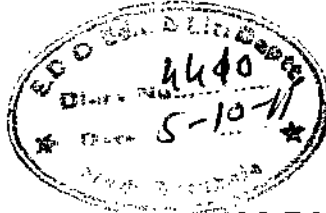
No. ✓ /PS/DM/MKD

Dated: 3 /10/2011

~~In the Put in the relevant~~  
file.

  
4/10/11

The Circle Officer,  
Anti Corruption, Malakand.



Subject: ENQUIRY AGAINST SHAH E MULK SET GHSS PALAI

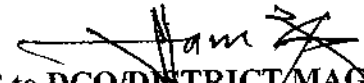
I am directed to refer to District Officer E&SE Malakand endorsement No.14321-24 dated 27.09.2011 wherein he is requesting for registration of FIR against E-Mulk SET GHSS Palai.

The whole file is hereby sent for further legal action at your end.

- Sd/-  
PS to DCO/DISTRICT MAGISTRATE  
MALAKAND

No. 3133 /

Copy forwarded to the Executive District Officer E&SE Malakand with reference to their office letter as quoted above. Action will be taken as and when report is received from the Circle Officer Anti Corruption Malakand.

  
PS to DCO/DISTRICT MAGISTRATE  
MALAKAND

(M)

Amir Khan  
C  
36

# State of Elementary & Secondary Education NWFP, Peshawar

Under Section 25 of the NWFP Civil Service Act, 1973 the competent authority is pleased to appoint the following persons on contract basis on a stop-gap arrangements for a period of one year w.e.f. the date of assumption of charge, till the NWFP Public Service Commission / Departmental Selection Committee which ever is earlier:

Name	Father Name	District	Address	Subject	Posted At
GHUMAN	QAZI SAF. UR. REHMAN	Abbottabad	Home / Street: HOUSE NO. 1577 PO: JAMPANSEHRI Village / Town: JAMPANSEHRI UC / Tehsil / District: ABBOTTABAD	Science	GHS Less Abbottabad
	HADAIT SHAH	Abbottabad	Home / Street: Bad Chah House PO: Khan Bazar Village / Town: Lajpat Market UC / Tehsil / District: Abbottabad	Science	GHS Sahan Abbottabad
Mahmood	Mohammad Youis	Abbottabad	Home / Street: PO: Daloh Village / Town: Daloh UC / Tehsil / District: Daloh / Abbottabad / Abbottabad	Science	GHS Khatula Abbottabad
	Muhammad Youzal	Abbottabad	Home / Street: PO: Daloh Village / Town: Daloh UC / Tehsil / District: Daloh / Abbottabad / Abbottabad	Science	GHS Mafkan Abbottabad
Muhammad H	Shahzaman Khan	Abbottabad	Home / Street: PO: A.P.S School ATD Village / Town: Daloh UC / Tehsil / District: Jhangl / Abbottabad / Abbottabad	Science	GHS Sahan Abbottabad
MUHAMMAD ANWAR	MUHAMMAD ANWAR	Abbottabad	Home / Street: House no 6 / e Madia PO: chok Abbottabad Village / Town: chok Abbottabad UC / Tehsil / District: Jhangl / Abbottabad / Abbottabad	Science	GHS Ghambhar Abbottabad
Muhammad Khorshid	Muhammad Khorshid	Abbottabad	Home / Street: Muhammad Shah PO: Shoran Village / Town: Shoran UC / Tehsil / District: Shoran / Abbottabad / Abbottabad	Science	GHS Tehsil / Abbottabad
Muhammad Faisal	Muhammad Suleman	Abbottabad	Home / Street: PO: Dal Village / Town: Dal UC / Tehsil / District: Dal / Abbottabad / Abbottabad	Science	GHS Seer Abbottabad
Muhammad Bashir	Yaqub	Abbottabad	Home / Street: Janderabad PO: Janderabad Village / Town: Janderabad UC / Tehsil / District: Dal / Abbottabad / Abbottabad	Science	GHS Dalah Abbottabad
Muhammad Anwar Khan	Muhammad Anwar Khan	Abbottabad	Home / Street: House # 1473 / T PO: Shoran Village / Town: Shoran UC / Tehsil / District: Abbottabad / Abbottabad / Abbottabad	Science	GHS Dalah Abbottabad
Muhammad Asif Khan	Muhammad Asif Khan	Abbottabad	Home / Street: 208 / 3 PO: Shoran Village / Town: Shoran UC / Tehsil / District: Shoran / Abbottabad / Abbottabad	Science	GHS Dalah Abbottabad
Muhammad Anwar Jadoon	Muhammad Anwar Jadoon	Abbottabad	Home / Street: House no 431 oppo PO: Jadoon Village / Town: Jadoon UC / Tehsil / District: Jadoon / Abbottabad / Abbottabad	Science	GHS Dalah Abbottabad
1011 Zahoor-Ul-Haq	Ghulam Mustafa	Abbottabad	Home / Street: PO: post office hatta Village / Town: Hattahat UC / Tehsil / District: Jhangl / Abbottabad / Abbottabad	General	GHS HADORA BAND Abbottabad
MUHAMMAD SIDDIQUE	YACUB	Abbottabad	Home / Street: PO: Daloh Village / Town: Daloh UC / Tehsil / District: Daloh / Abbottabad / Abbottabad	General	GHS Tapa Khan Khatun Abbottabad
1058 Muhammad Rader Munir	Muhammad Saleheen	Abbottabad	Home / Street: Malik Ahal Colony PO: Hattahat Village / Town: Hattahat UC / Tehsil / District: Shoran / Hattahat / Hattahat	General	GHS Less Abbottabad

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Applicant Name	Father Name	District	Address	Subject	Posted At
0944	Abdur Rashid	Swat	Home / Street: PO:Kahlot Village / Town: Bagh Dheri UC / Tehsil / District: Asharay / Mada / Swat	General	GHS Bedkhat Kohistan
0944	Hawab Ali	Swat	Home / Street: PO:Malta Village / Town: Lambat chun UC / Tehsil / District: Baldara / Mada / Swat	General	GHS Beda Kot Kohistan
0944	Abdul Qudous	Swat	Home / Street: Tandhal PO:Kabal Village / Town:Kabal UC / Tehsil / District: Bar Aba Khl / Swat / Swat	General	GHS Harlan Kot Kohistan
0949	Ampad Ali	Swat	Home / Street: Mchalah Sari Gul PO: Mingora, 19130 Village / Town: Haj Baba, Mingora UC / Tehsil / District: UC landkas / Babozai / Swat	General	GHS Harlan Kot Kohistan
0950	Ghulam Hussain	Swat	Home / Street: Mahran Hardara PO: Chuwak Mingora Village / Town: Store Near Haj Baba UC / Tehsil / District: Swat / NWFP / Pakistan	General	GHS K.K. Ronaka Kohistan
0974	Zahid Ali	Swat	Home / Street: N/A PO: Saidu Sharif Village / Town: Sempur UC / Tehsil / District: Sempur / Balatal / Swat	General	GHS KK Ronaka Kohistan
0973	Shafi Ullah	Swat	Home / Street: Shahulah c/o PO: shop No new subal Village / Town: Haj Ab Muhammad UC / Tehsil / District: round Mingora / Babozai / Swat	General	GHS Tekyal Kohistan
0974	Haider Ali	Swat	Home / Street: Village Chamatal PO: Jowaza Khela Village / Town: Jowaza Khela UC / Tehsil / District: / Swat / Swat	General	GHS Tekyal Kohistan
0973	iqbal rawan	Swat	Home / Street: mchalah sadq abad. PO: mingora. Village / Town: mingora. UC / Tehsil / District: rangmchalah / babozai / swat	General	GHS Keyal Kohistan
0973	NAWAZISH ALI	Swat	Home / Street: Uman khali PO: Amarkot Village / Town: Amarkot UC / Tehsil / District: Amarkot / Babozai / Swat	General	GHS Keyal Kohistan
0974	Muhammad Suleman	Swat	Home / Street: Nawakoty PO: mingora Village / Town: mingora UC / Tehsil / District: Nawakoty / swat / swat	General	GHS Jal Kohistan
0949	akhtar ali	Swat	Home / Street: PO: odgram Village / Town: odgram UC / Tehsil / District: odgram / babozai / swat	General	GHS Jal Kohistan
0972	Sabir Khan	Swabi	Home / Street: Gali Khan khal PO: Lahor Village / Town: Lahor UC / Tehsil / District: Lahor(East) / Lahor / Swabi	Science	GHS Bazar Swabi
7263	NAIAZ BAIADAR	Swabi	Home / Street: PO: kabgori Village / Town: Kabgor UC / Tehsil / District: Gabard / swabi / swabi	Science	GHS Jaji Swabi
0974	Museen ul Wahab	Swabi	Home / Street: Mchalah Mangon PO: Sudhar Village / Town: Sudhar UC / Tehsil / District: Sudhar / Lahor / Swabi	Science	GHS Jatal / Swabi
10882	Asif Ali	Swabi	Home / Street: Sari (BHU) PO: Tordher Village / Town: Tordher UC / Tehsil / District: Lahor / Swabi / Swabi	Science	GHS Gar Munera Swabi
10038	shah e mulk	Swabi	Home / Street: mchala khumar khal PO: kamal shah kaley Village / Town: kamal shah kaley UC / Tehsil / District: kamal shah khal / swabi / swabi	Science	GHS Qadra Swabi
0972	Muhammad ul Islam	Swabi	Home / Street: Ayub khal PO: Chota Lahor Village / Town: Chota Lahor UC / Tehsil / District: Lahor(East) / Chota Lahor / Swabi	Science	GHS Jatal Swabi

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ID	Applicant Name	Father Name	District	Address	Subject	Posted At
6764	Sami Ullah	Houroz Khan	FR Bannu / Dist	Home / Street : PO :Ari Khet Village / Town:Marghal UC / Tehsil / District :Dand / Bannu / Bannu	General	Services are placed at the disposal of Director Education FATA
12309	Muhammad Ayaz Khan	Noor Sal Khan	FR Bannu / Dist	Home / Street :no PO :dand Village / Town :Village dodi khet UC / Tehsil / District :dand / bannu / bannu	General	Services are placed at the disposal of Director Education FATA
11038	TARIQ WASIM	ASMAT ULLAH	FR Bannu / Dist	Home / Street :H / NO B22 / L MOH SHAJI PO :BANNU Village / Town :JAMAH ROAD BANNU UC / Tehsil / District :BANNU CITY 1 / BANNU / BANNU	General	Services are placed at the disposal of Director Education FATA
10792	Muhammad Rashid	Aqal Khan	FR D Khan / Dist	Home / Street :Shekh Mala PO :Shekh Mala Village / Town :Shekh Mala UC / Tehsil / District :Drazinda / Drazinda / D.I Khan	Science	Services placed at the disposal of Director Education FATA
11452	Sami Ullah	Rahmatullah	FR D Khan / Dist	Home / Street : PO :Dabbara Village / Town :Dabbara UC / Tehsil / District :Dabbara / Tank / Tank	General	Services are placed at the disposal of Director Education FATA
10118	Aliq Noor	Hazrat Noor	FR D Khan / Dist	Home / Street : PO :Drazinda Village / Town :Land Matwar UC / Tehsil / District : / Drazinda / F.R.D Khan	General	Services are placed at the disposal of Director Education FATA
6893	Shafiq Ahmad	Daud Khan	FR D Khan / Dist	Home / Street : PO :drazinda Village / Town :drazinda UC / Tehsil / District : / drazinda / F.R.D Khan	General	Services are placed at the disposal of Director Education FATA

**Terms and conditions of their appointments**

- i) The appointment of the above candidates will be on contract basis for the period of one year from the date of assumption of charge till the arrival of the selections of the NWFP Public Service Commission / Departmental Selection Committee, whichever is earlier.
- ii) They will get pay in BPS-16.
- iii) No TA/DA will be allowed.
- iv) If they want to resign from the service before expiry of the contract, they will have to serve one month notice in advance, failing which they will have to deposit one month pay in lieu of such notice, in the Government Treasury.
- v) Their appointment have been made for specific schools, so shall not make any request for transfer from the School where they are posted. In case of such occurrence, their services shall stand terminated.
- vi) They should join their posts within 15-days of the issue of this notification. The Executive District Officer, Elementary Secondary Education, should furnish certificate to the effect that the candidates have joined the posts on or before 15 days of the issue of this notification.
- vii) They shall execute an agreement with the Government before taking over charge, signed by the concerned EDOs Elementary Secondary Education, NWFP, on behalf of the Government/Director (E&SE).
- viii) They will not be entitled to any pension or gratuity for the service rendered by them on contract basis and shall not claim regularization for their contract service.
- ix) Charge report in duplicate should be submitted to all concerned.
- x) Their service shall be terminated if they violate any provision of the terms and conditions specified in the agreement Bond/Deed.
- xi) They shall not be entitled to perform any examination duty of the BISEs/Universities/RDE, NWFP, during the current contract period.

**Director  
Elementary & Secondary Education,  
NWFP Peshawar**

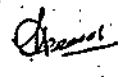
33

Applicant Name	Father Name	District	Address	Subject	Posted At
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POST NO. 5139-5197/A-14/SST/MF/Contract One Year/ Dated: 25/11/2008

Copy of the above is forwarded to:

- 1) Accountant General, NWFP Peshawar.
- 2) Director Education FATA, Peshawar.
- 3) District Accounts Officer concerned.
- 4) Director Elementary Secondary Education NWFP, Peshawar.
- 5) Executive District Officer (ESE) concerned.
- 6) Principals/Headmasters/Head Mistress concerned.
- 7) SST concerned.
- 8) PS to Minister for Elementary & Secondary Education NWFP.
- 9) PS to Secretary to Govt. of NWFP E&SE Department. Officer concerned.
- 10) All Chairmen of BISE/Registrars of Universities in NWFP.
- 11) PA to Director (E&SE) Local Office.
- 12) Master File.



Deputy Director (Estb.)  
Elementary & Secondary Education,  
NWFP Peshawar



OFFICE OF THE DIRECTOR ELEMENTARY & SECONDARY EDUCATION NWFP, PESHAWAR

32

NOTIFICATION

Annexure  
& D

The competent authority has been pleased to regularize the services of the following Adhoc/contract employees against the post of SST (M) (BPS-16) with effect from 1-1-2009, under the NWFP Employees (Regularization of Services) Act, 2009 on the terms & conditions given at the end of this Notification.

S.No.	Name of SST	Father's name	School address	No. & date of the current contract appt order
1	Hikmatullah Jan	Saleh Jan	GHS Spinkai SWA	No.5139-5197 dated 25-11-2008
2	Masood Khan	Maulay Khan	GHS Azam Warsak SWA	No.1876-88 dated 24-10-2008
3	Jumshid Anwar	Khurshid Anwar	GMS Chandaw Kurram Agency	No.5139-5197 dated 25-11-2008
4	Muhammad Nazir	Muhammad Farid	GHS Biari Allahi Battagram	No.5139-5197 dated 25-11-2008
5	Bakht Anwar	Bakht Rawan	GHS Gurnai Swat	No.5139-5197 dated 25-11-2008
6	Shah E Mulk	Subhan ullah	GHS Qa:ira (Gadoon) Swabi	No.5139-5197 dated 25-11-2008
7	Jehangir Khan	Datagir Khan	GHS Ghulam Jan Bakka Khel Bannu	No.5139-5197 dated 16-9-2008
8	Shaikat Ali	Habib Ahmad	GHS Mankial Swat	No.5139-5197 dated 16-9-2008
9	Zar Wali Khan	Musali Khan	GHS Chakar Kot Bala Kohat	No.5139-5197 dated 16-9-2008

Terms and conditions of their appointment

1. Their services will be considered as regular but without pension and gratuity in terms of Section-19 of NWFP, Civil Servants Acts, 1973 as amended vide NWFP, Civil Servants (Amendment) Act 2005. They will, however, be entitled to Contributory Provident Fund in such a manner and at such rates as prescribed by the Government.
2. The seniority will be determined according to Section-1 of NWFP, Employees (Regularization) of service) Act, 2009.
3. They will be required to furnish copies of all their certificates/degrees alongwith original receipts and photo stat copies thereof, pertaining to verification fee of the concerned examining Body (Board & University) to the Executive Distt: Officers (E&SE) concerned /Agency Education Officers concerned.
4. The Executive Distt: Officers (E&SE) concerned /Agency Education Officers concerned are directed not to release their pay until the verification of their documents.

Director  
Elementary & Secondary  
Education, NWFP Peshawar

No. 1749-59/A-14/SE/1(M) Regularization SST contract Dated Pesh: the 1-3-2010

1. Accountant General NWFP, Peshawar
2. Director of Education (FATA) NWFP, Peshawar
3. All Executive Distt: Officers (E&SE) concerned
4. All Agency Education Officers concerned
5. All Distt:Accounts Officers concerned
6. Agency Accounts Officers concerned
7. All Principals/ Headmasters concerned
8. Teachers concerned
9. PS to the Minister for E&SE NWFP, Peshawar
10. PS to the Secretary to Govt: of NWFP, E&SE Deptt:
11. PA to the Director E&SE NWFP, Peshawar.

HEAD MASTER  
G.H.S. (G)  
11/3/2010

Deputy Director (Establishment)  
E&SE NWFP, Peshawar

Annexure

"J"

(18)

OFFICE OF THE DIRECTOR (E & S) EDUCATION NWFP, PESHAWAR.

NOTIFICATION


Consequent upon the approval of the competent authority, that Mr. Shah-E-Mulk  
Daira (Gadoon) District Swabi is hereby transferred /adjusted at GHSS Palai Malakand  
agency on his own pay and BPS in the interest of public service with effect from 01-12-2009 for the  
purpose of pay.

1. Charge report should be sent to all concerned.
2. No TA/DA is allowed.

Director  
Elementary & Secondary  
Education NWFP, Peshawar.

Endst No. 6310-16 /F.No.A-17 SST (M) Dated Peshawar the 05/04 /2010.

- Copy of the above is forwarded to the:-
1. PS to Minister for Education NWFP, Peshawar.
  2. Executive District Officer (E&S) Education Concerned.
  3. District Accounts Officer concerned.
  4. Principal/Headmaster GHS Concerned.
  5. Officer concerned.
  6. PA to Director (E&SE) NWFP, Peshawar.
- M/File.

  
5/4/2010  
Deputy Director (Establishment)  
E&SE NWFP, Peshawar.

OFFICE OF THE DISTRICT ACCOUNTS OFFICER SWABI

NO. SU/DAO/Gazaltd/Scat-2/2008/307

dated 9/9/2009

17

Annexure - 1

To

The Agency Accounts Officer  
Malakwal.

Subject:-

LPC & TRANSFER OF SERVICE DOCUMENTS IN RESPECT  
OF Mr. Shah-e-Malik, S.E.T. Gads (S).

Memo:-

The above named officer has been transferred to your audit control. His personal file and service statements are sent herewith, His other documents are as under:-

He/She has been paid up to 30.11.2009.

Deduction

GPF	Rs.	<del>_____</del>
BF	Rs.	<del>_____</del>
GI	Rs.	<del>_____</del>
I/Tax	Rs.	<del>_____</del>
Add G.I	Rs.	<del>_____</del>

Payments

Pay	Rs.	6060/-
HRA	Rs.	1818/-
A.R 20%	Rs.	1212/-
	Rs.	_____
	Rs.	_____

Total Rs. 9090/-

He is authorized to draw pay and allowances from \_\_\_\_\_ at the above rates. Overpayment of pay and allowances from \_\_\_\_\_ to \_\_\_\_\_ is recoverable at the above rates.

S/statement at the above prior to SU, the officer was under the audit control of DAD. MKP.

Station	Dated	Pay	HRA	A.R	D.A	SRA	Total
2008	9/12/2008	6060/-	1818/-	-	-	-	7878/-
2009	1/3/2009	6060/-	1818/-	1212/-	-	-	9090/-
30.11.2009	30/11/2009						

Handed over the charge of his/her post on the after/forenoon 1.12.2009

HBA Rs. \_\_\_\_\_ is recoverable.

MCA D.

CERTIFICATE OF TRANSFER OF CHARGE

(16)  
Annexure - L

Certified that we have on the after/fore noon of this day 01-12-2009

respectively made over and charge of this office of the SET BPS 16 at GHSS Palai MKD  
Agency vide Director (E&S) Education NWFP, Peshawar Endst No. 6310-16/F.No.1/SET  
dated 05-04-2010.

Particulars of cash and important secret and confidential documents

handed over are noted on the reverse.

Signature of Relieved

Govt: Servant

Designation

Vacant Post

S.E.T

Station GHSS Palai Malakand Agency

Signature of Relieving

Govt: Servant

Designation



Shah-E-Mulk

S.E.T

OFFICE OF THE PRINCIPAL GHSS PALAI MALAKAND AGENCY

Endst No. 2185-881

Dated 08-4- /2010.

Copy submitted to: -

1. The Director E&S Education NWFP, Peshawar.
2. The Executive District Officer Malakand at Bathkela.
3. The Agency Accounts Officer Malakand.
4. Personal File.

  
PRINCIPAL  
G.H.S.S Palai  
Malakand Agency

(60)

OFFICE OF THE EXECUTIVE DISTRICT  
OFFICER BAGE MALAWAND AT BARKHOLA.

NO 17/25 /E/ File Shahi Mulk SST/  
LIC/supt: Bstao:

Dated Barkhola the 20-12/2011

The Director  
BAGE Khybar Pakhtunkhwa  
Peshawar.

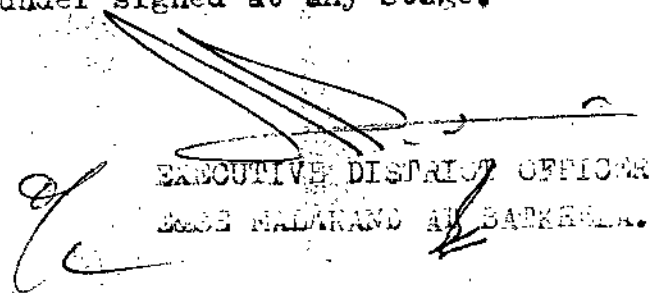
Subject:- VERIFICATION OF APPOINTMENT/TRANSFER ORDERS AND  
L.P.C IN RESPECT OF SHAHI MULK.

Reference your office memo: No 896/File No 440/SST(H)  
Dated 9.12.2011.

In this connection it is clarified for your kind information  
and further appropriate necessary action that a detailed enquiry  
report which is self explanatory on the subject has already been  
submitted to your good office <sup>the office</sup> vide: No 14320 dated 27.9.2011.

(Copy of the same alongwith its enclosures is attached herewith  
for ready reference.

Salary <sup>of</sup> the accused teacher, Mr. Shahi Mulk SST and 2 other ex  
employees i.e. J/C & one CT ~~xxxx~~ have been drawn by the Incharge  
principal, Muhammad Shaker BS with-out verification of their  
transfer orders/service documents past service and L.P.C as  
required under the standing instructions of your office and  
without consulted ~~of~~ the under signed at any stage.

  
EXECUTIVE DISTRICT OFFICER  
BAGE MALAWAND AT BARKHOLA.

Annexure N - FAKE

(B)

OFFICE OF THE DIRECTOR (E & S) KHYBER PAKHTUN KHWA, PESHAWAR.

DECLARATION

Consequent upon the approval of the competent authority, that Mr. Imad Ali CT GHS Qadra (Gadoon) District Swabi is hereby transferred/adjusted at GHSS palai Malakand Agency on his own pay and BPS in the interest of public service with immediate effect.

Note.

1. Charge report should be sent to all concerned.
2. No Ta/DA is allowed.
3. His sonority will be determined under the rules.

Director (E&S) Education  
Khyber Pakhtun Khwa, Peshawar.

*Verified*  
*[Signature]*  
AA: Director (Elem & Secy)  
EDU: Khyber Pakhtun Khwa  
Peshawar

Endst No. 7955-60 /F.No.A-128CT (M) dated Peshawar the 30/09/2010.

Copy of the above is forwarded to the:-

1. PS to Minister for Education, Khyber Pakhtun Khwa Peshawar.
2. Executive district officer (E&S) Education Concerned.
3. District Accounts officer concerned.
4. Principal/Headmaster GHS/GHSS Concerned.
5. Official /Officer concerned.
6. PA to Director (E&SE) Khyber Pakhtun Khwa, Peshawar.
7. M/File.

*[Signature]*  
27/9/2010  
Deputy Director (Estab.)  
Directorate of Elem: & Secy) Education  
Khyber Pakhtun Khwa, Peshawar.

*Attected*  
*[Signature]*

# LAST PAY CERTIFICATE

**FAKE**

(12)

Certificate of Mr. Imed Ali ✓ CT, GHS, Qadra (G) Swabi

Transferred to GHS Palai Malakand Agency.

According to \_\_\_\_\_

has been paid upto 31.03.2010 ✓

Annexure 0

at the following rates:—

Personal NO. 00433281 ✓

Particulars:—

Basic Pay: Rs. 5300/- ✓

Gratuity Pay:—

HRA Rs. 1476/- ✓

Dearness Pay:—

MRA Rs. 500/- ✓

House Rent Allowance:—

L.A.A. Rs. 1000/- ✓

Medical Allowance Rs. 1060/- ✓

Total: 9336/- Salary Paid up to 31.03.2010.

Distt: Accounts Officer, Swabi

Debit:—

PF = 769/- BF = 39/- ADST = 13/-

SI = 115/- EEF = 20/-

has been made over charge of the Office of CT

GHS, Qadra (Gadron) Swabi

on the \_\_\_\_\_ noon of 31.03.2010.

Recoveries are to be made from the pay of the Government servant as detailed on the reverse.

has been paid leave salary as detailed below. Deductions have been made as noted on reverse.

\_\_\_\_\_ to Swabi at Rs. \_\_\_\_\_ a month

\_\_\_\_\_ to \_\_\_\_\_ at Rs. \_\_\_\_\_ a month

\_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ at Rs. \_\_\_\_\_ a month

is entitled to draw the following:—

is also entitled to joining time for 09 C/leave days.

Details to the Income Tax recovered from him upto the date from the beginning of the \_\_\_\_\_ year are noted on the reverse.

EB dated. 7/4/2010.

Copy forwarded to the principal GHS, Palai M/Agency, along with original pay slip, Show. Relief chit & other documents for further n/a.

Signature: [Signature]

Designation: Head Master (GHS, Qadra (G) Swabi)

CTIONS	Paic

Attached





(2) کتا مسی شای حدیث میں ایسی آیت کی سالیقہ تاریخوں سے (13) (27)

یعنی 12-09-1 سے تنخواہ کی فراہمی سلسلے میں اپنا اپنے افسانہ سے مشورہ لیا تھا۔

اور سوال برقرار ہے جواباً میں ہے۔ تو تحریری ثبوت اور مشورہ کی حاجت لے کر لیا۔

(15) مسی شای حدیث میں ایسی آیت کو تدریس کے لئے لکھا وہ

اپنا کون کونسی ازیم داریاں مشورہ دیتے تھے۔ بعض رپورٹ پیش کر کے۔

(16) کتا سکول حدیث میں کلرک پوسٹ خالی تھی۔

(17) اگر کلرک کی پوسٹ پر کلرک تعینات تھا۔ تو اس کے باوجود اپنے اہل و عیال اور دیگر دفتری امور میں شای حدیث کو کون ہولے لے۔

(18) مسی شای حدیث کے ذمہ جو اشیاء بٹایا میں

وہ ان کی تفصیل درج کر کے۔

(19) مسی شای حدیث کے سکول حدیث سے غائب ہیں۔

(20) کیا ڈپوٹ سے غائب ہونے بعد شای حدیث کے ایسے سے

کبھی دوبارہ رابطہ کیا۔

(21) پرنسپل سکول حدیث ایسے سے مسی شای حدیث کو لکھ کر 22 جون 88

لکھنؤ - 26 جون 88 - 22 لکھنؤ 88 - 17 لکھنؤ اور لکھنؤ میں تازہ کاری نہیں کی۔ مناشا کی والیسی کا ذکر کیا گیا۔ وہ ان میں سے کون کون سے اشیاء ریکارڈ والیسی لیا چکا ہے۔

(22) جو ریکارڈ مسی شای حدیث والیسی لیا۔ وہ (ایکو گیس) ذریعے سے والیسی لیا گیا۔ اور لکھنؤ والیسی لکھنؤ ریکارڈ درست حالت میں ہے۔

(23) شای حدیث کے لئے لکھنؤ والیسی لکھنؤ

از محمد شکور ایس ایس مطالعہ پاکستان گورنمنٹ ہائر سیکنڈری سکول پٹی سالقہ ڈی ڈی

نام

DDO (ڈسٹرک ایجوکیشن افسر ملاکنڈ) ایلمنٹری اینڈ سیکنڈری ایجوکیشن بٹ خیلہ ضلع ملاکنڈ

عنوان - جواب نامہ بابت سوال نامہ بابت شاہی ملک ایس ای ٹی

مرسلہ

آپ جناب نے عنوان درج بالا میں من مستی سے کچھ سوالات کیے ہیں جن کے wise

جوابات اور جنرل سیٹیفٹ ارسال کی جاتے ہیں

① General

جناب والہ

میں مورخہ 2006-10-10 سے بحیثیت SS مطالعہ پاکستان سکول خڈا میں اپنی ذمہ داری ادا کرتا

سکول کے DDO جمیل احمد کی ٹرانسفر کے بعد سکول میں DDO کا مسئلہ پیدا ہوا۔

سکول کے تدریسی عملہ اور دیگر عملہ کے دفتر اور اکاؤنٹ آفس کے متعلق جملہ امور کو

کوئی ذمہ وار نہیں تھا۔

لہذا تمام ساقیوں کے مشورے سے میں نے مجبوراً DDO Shift

23<sup>10</sup> سے سنبھالی۔ میرے ابتدائی دنوں ایک سنیئر کلرک اور دو جونیئر کلرک تعینات

2008

لیکن دو جونیئر کلرک تبدیل ہو گئے۔ سنیئر کلرک دفتری امور میں دلچسپی نہیں رکھتا تھا

اور اکثر غیر حاضر رہتا تھا۔ اس دوران مستی شاہی ملک S.E.T قدرہ صوابی سے پٹی

ٹرانسفر ہوا۔ آتے ہی اس نے تمام امور کے نمٹانے کا بیڑہ اٹھایا۔ وہ اپنی مرضی/لغی چھوڑتا

دفتر اور اکاؤنٹ آفس کے تمام امور چلا تا رہا لیکن جب وہ 11-06-2011 سے سلسل میں

لوٹے تو مجھے اس کا کدوا۔ شا۔ گ۔ ا۔

① ٹر شکر

② سبجکٹ پیشگی مطالعہ پاکستان

③ 10-10-2006

④ 25-06-2011 تا 23-10-2008

⑤ EDO (E & SE Mkd) کے حکم سے

⑥ فولو کاپی لف ہے

⑦ ہاں، (اس لیے کہ وہ ٹرانسفر آرڈر، سابقہ سکول کا چارج رپورٹ اور میڈیکل لے آیا تھا)

⑧ ہاں (تبادلے کی صورت میں یہاں تنخواہ کی برآمدگی اس کا حق بنتا تھا)

⑨ از 1-12-2009 تا ... .. تفصیل خزانے میں موجود ہے۔

⑩ نہیں۔

⑪ ٹرانسفر آرڈر معمول کا ٹرانسفر آرڈر تھا جس پر کسی قسم کے جعلی ہونے کا شبہ نہیں کیا جاسکتا تھا۔  
ابھی تک اسے جعلی ثابت کرنے کے لیے اسے متعلقہ دفتر سے رجوع نہیں کیا گیا ہے۔

⑫ NA

⑬ نہیں

⑭ NA

⑮ دفتری امور اور سکول فنڈز

⑯ + ⑰ خالی ہیں تھی مگر مسلسل غیر حاضر لوگوں کی وجہ سے اکثر کام وقت پر نہیں ہوتے تھے۔

باقاعدہ رپورٹ افسران بالا کو بھیجی گئی تھی جس کے جواب میں EDO صاحب نے کلرک کی تشریح  
بند کرنے کی ہدایت کی تھی۔ لہذا دفتری امور چلنے کے لیے شاہی مکہ اپنی رضامندی سے اکاؤنٹ  
ذمہ داری ادا کرتا رہا۔

(2) نہیں،

(21) کمپیوٹر سٹڈ، علی نذر C.T اور بادشاہ خان C.T کے سروس بک

(22) ایک ڈائریکٹ کے ہاتھوں سکول کے کلاس روم وصول کیے۔

(23) اکاؤنٹ آفس میں سب ریکارڈ موجود ہے۔ میں نے تنخواہ بند کی ہے۔

(24) نقل میرے پاس موجود نہیں ہے۔



محمد شکور ایس ایس جی ایچ ایس ایس پبلک ملانڈ

سوال نامہ از انٹرویو آفسر فضل احمد ڈی او ملاکنڈ

91 Annexure  
G7 حکومت اٹلہ سیرکلرک جی ایچ ایس ایس ہائی ملاکنڈ (محسنی)

1) آپ کب سے اس سکول میں تہینات ہیں۔

2) آپ کے فرائض میں آکاونٹس، کیش بک اور دیگر متعلقہ امور وغیرہ شامل ہیں۔ کیا یہ انوکھی بات نہیں کہ یہ ساری کام ایک SET استاد SHAHI MALK ڈیل کرتا رہے۔ کیوں اور کیوں؟

3) سوال نمبر 2 میں جن امور کا ذکر ہے اب یہ کون اور کب کر دیا گیا ہے۔

4) آپ نے آکاونٹس وغیرہ کا چارج لیتے وقت کن کن چیزیں Handing & Taking کیا ہے اور کون کون سی چیزیں Sing

ہیں واضح کریں۔  
5) کیا آپ اب کیش بک وغیرہ Maintain کرتے ہیں

14-09-2011

FAZAL AHAD

ENQUIRY OFFICER

DO (M(E&SE) Malakand  
at Battikhela

ضاب فضل احمد خان انٹرنل آڈیٹر / ڈسٹرکٹ ایجوکیشن آفیسر مظفرنگرام

سوال: رپورٹ انٹرنل آڈیٹر (22)

جناب عالی عرض ہے کہ اب ماہانہ کی طرف سے انٹرنل آڈیٹر / سوالنامہ

صاف میرا رپورٹ درج ذیل ہیں۔  
سوال نمبر: میں فوراً 2008-9-9-9 سے بحیثیت نئی ممبرک تعینات ہوں۔  
سوال نمبر: ہاں ریمائنڈس میرے فرائض میں شامل ہے جس میں ٹیکس ٹیب،  
AC Bills Pay Bills, Reconciliation، ممبرس ٹیب وغیرہ شامل ہیں۔  
مجھے ان فرائض منہی کو ادا کرنے سے روک دیا گیا تھا۔ جو ان کی بات ہے بلکہ درج  
Clear vadation ہے کہ آئی بیلٹ مامام بقدر کسی وجہ سے آئی اسٹا  
دے دیا ہے متعلقہ D.O. پتہ کو برتا سکتے ہیں کہ عمر قانونی اور بلڈوم اپنے احاطہ  
تاغلا استعمال کرے۔ مجھے مام سے کیوں روک دیا گیا تھا؟  
جواب نمبر: جن امور ماسوال نمبر میں بتایا ہے وہ تمام امور D.O. کے حکم سے  
ناظر ٹیکس ادا کر دیا ہے۔

جواب نمبر: مجھے Writton حالت میں لکھ کر فوائے لینے بتایا ہے لہذا میں وٹوں سے  
کہہ سکتا ہوں کہ کون کون چینی میں missing میں۔ البتہ یہ کہہ سکتا ہوں کہ  
مال و ب میں دی کنڈیشن (Reconciliation) کر دیا تھا۔ تو معلوم ہوا کہ ال  
جو نئے ممبرک کے شواہد قومی فنڈز سے متعلق دیا ہے قبیلہ العاف نامی کو  
مشکل نذا میں نہیں ہے۔ بلکہ جو نئے ممبرک کے Post حصہ دراز سے حالی ایڈس  
جواب نمبر: مجھے تاحال کنڈیشن ٹیب فوائے لینے بتایا ہے اور میں mintion کرنا  
نزید بہ کہ مذکورہ مشمول میں چارج لینے سے لیے اور بعد ریمائنڈس مامام  
محمد البرا حصہ جو نئے ممبرک اور دنیا سلسلہ محمد جو نئے ممبرک کر دیا گیا۔ ان کے تہ  
جناب D.O. نے ریمائنڈس مامام مکمل کو پتہ تھا جس وقت ڈسٹریکٹ کو خواہ کر دیا  
کھلے ماہ تک ان کے ساتھ تھا 15/9/08 عفت اللہ ممبرک مامام کو پتہ  
15/9/08

ENQUIRY OFFICER FAZAL AHAD DDO (EDSE) Malakand  
Salar Ali Head Master GHS Palai Questioner (30)

When did you take charge at GHS Palai? Annex 11

Who was DDO of the school when you took  
over charge as Head Master? -E-  
11

You were repeatedly requested to work as DDO,  
which was also your official obligation. But you  
refused to do so. Why?

What was dealing the accounts matter when you  
took over charge at the present school.

How the charge of accounts & other sensitive nature  
work/duties were assigned to SHAH MULK SET.

Is it not true that due to your denial of official  
obligation to work as a DDO all these complications  
happened?

You produced a fake & bogus retirement order of  
your own & directly submitted it to (DAO) Malakand  
for LPR encashment. Justify.

As a senior & a responsible officer how you send  
your LPR case to the Secretary (EDSE) KP while by-  
passing completely the EDO (EDSE) office Malakand,  
Justify.

Your reply should please be supported by  
documentary proof where necessary.

14-09-2011

FAZAL AHAD

Enquiry Officer

DDO EDSE Malakand

Annexure - B

OFFICE OF THE HEADMASTER, G.H.S. COLLEGE COLONEY THANA (MALAKAND AGENCY).

No. 30 /PF, Salar Ali, H/Master, Dated Thana the 15 / 09 /2011.

To

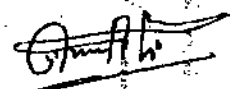
Mr. Fazal Ahad,  
D.O. Enquiry Officer EDO (E&SE)  
Malakand Agency (At Batkhela).

Subject:- REPLY OF THE ENQUIRY QUESTIONNAIRE.  
Memo

Reference your questionnaire No. NIL dated 14-09-2011, I submit the answers to your questionnaire as follows:-

1. I took-over the charge of headmaster post at GHSS Palai on 16th Jan, 2010.
2. Mr. Muhammad Shakoer, SS the incharge Principal of the School was performing the duties of DDO ship, when I took-over the charge of my duties.
3. I did not refuse to handover the charge of DDO, but Mr. Muhammad Shakoer, SS was appointed as DDO by the EDO (E&SE) Malakand. As orders of the EDO (E&SE) were not annulled therefore I could perform of the duties of DDO ship.
4. It was Mr. Khaista Muhammad, J/Clerk, who dealt with the Accounts matters in this School.
5. Affairs of Accounts and students Funds were handed over by Mr. Muhammad Shakoer to Mr. Shahi Mulk, SET, because there was shortage of Clerks in the School & two posts of clerks were lying vacant after the transfer of Mr. Khaista Muhammad, J/C.
6. No Sir, It is not true. All these obstacles & difficulties created because of the ambidextrous Shahi Mulk SET. Mr. Muhammad Shakoer was performing the duties of DDO ship willingly. Before I took over charge in this School, Mr. Sabir Muhammad was functioning the duties of headmaster of the School & Mr. Muhammad Shakoer was the DDO & I/C Principal at that time too.
7. I applied for LPR to higher authorities and Mr. Shahi Mulk SET, who was responsible for office correspondence, took my application to send it to provincial Directorate through your office. After some days he produced a Photo copy of my LPR sanction (305-days) I visited AAO Malakand and met him in this connection, to satisfy myself. Eventually Mr. Shahi Mulk also appeared before the AAO. When A.A.O. asked him about my L.P.R. he told that original copy of the sanctioned LPR will receive this office within two or three days. Mr. Shahi Mulk then prepared my pay bill from Leave Salary for one month (month of June 2011) & stepped my regular pay. After two days, when the original copy of my L.P.R. sanction did not receive, I felt suspicious about the nature of the sanction of my L.P.R. copy. The A.A.O. Malakand directed me to approach to the Secretary Education K.P.K. to verify the copy. So I met Mr. Mujeebur Rahman (S.O) Education who refused to have issued such a copy of LPR & confessed that the Notification was bogus and counterfeited. I went to Accounts Office and told the factual position to the AAO to cancel my pay bill (Leave Salary) for the month of June, 2011. They cancelled it and I did not tried to get any benefit of the fake Notification.
8. On 31st May I reprepared my papers & omitted the world retirement from my application with a covering letter from the Principal to the EDO (E&SE) Malakand, but covering letter was not signed because the principal had gone to home. Mr. Shahi Mulk told me that he will sign it from the Principal at his home. Then he took my application of L.P.R. to send it through EDO (E&SE) Office Malakand to the quarter concerned, but after some days he produced a photo copy of counterfeited LPR sanction. Sir I never tried to pass EDO (E&SE) Office Malakand. (Copy of Application and un-signed covering letter are attached).

Thanks.

  
(Salar Ali) H/Master



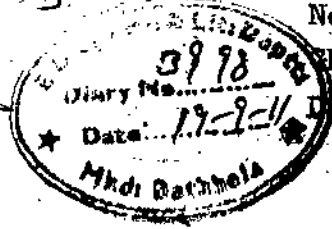
DA (Nuzade)

*Anne air*

EXECUTIVE DISTRICT OFFICER (E&SE),  
MALAKAND AT BATHHELA.

For record and ready  
reference.

*18/9/11*



No. / Enquiry/Shahi Mulk,  
GHSS Palai/EDO (E&S) Mkd:  
Dated 17/9/2011.

The District Coordination Officer,  
Malakand.

Subject:- REGISTRATION OF FIR AGAINST SHAHI MULK, SET,  
GHSS PALAI, MALAKAND AGENCY.

Re:

It is submitted for your kind information and appropriate necessary action that a ~~fraud~~ Fraudee impersonating as Shahi Mulk, SST GHSS Palai has perpetrated forgery and have thus fraudulently drawn salaries from the Govt: Treasury on the production of fake documentation of his transfer and transfer of One GT, Imad Ali from GHS Qadra (Gadeen) District Swabi to GHSS Palai. He has also drawn salary in the name of Iltaf ~~working~~ against the vacant Junior Clerk <sup>post</sup> of the Said school till 31.8.2011.

The said fraudee has been absconder since 10.6.2011 and has taken away Cash amount of Rs. 56646/- which was lying with in his custody as Cash in hand amount on account of School Funds while impersonating and performing duty as SET/SST at GHSS Palai.

Copies of fake documents on the basis of which he cheated/ deceived the Drawing and Disbursing Officer, Muhammad Shakeer, SS of GHSS Palai and AAO, Malakand who activated ~~the salaries~~ salaries in respect of the said pseudo names. *are attached*

In order to ~~re~~ apprehend the above fraud perpetrator and to recover the amount drawn from Govt: exchequer, an FIR against the said fraudee may ~~be~~ kindly be registered through the concerned Post commander please.

*13862-63*  
*122202-717*

*sd*  
( FAZAL AHAD KHAN )  
INQUIRY OFFICER  
DISTT. OFFICER (E&SE),  
MALAKAND AT BATHHELA.

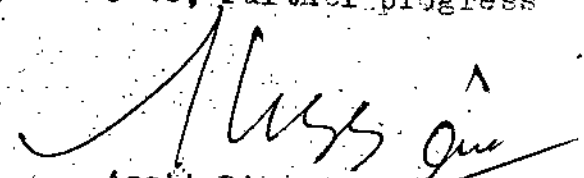
S. H. R. C. P. S.  
Enclosed a copy which  
should be for  
ready reference

INITIAL REPORT IN CASE FIR NO. I DATED 25/9/01  
U/Ss 409/419/420/468/471/PPC/5(2) P.C. ACT,  
P.S. ANTI CORRUPTION ESTT: MALAKAND.

10/11/12 No. 259-5A-MKD  
09.10.2010

An open enquiry No. 103/011 letter No. 9268 dated 24.11.011, was conducted through the report of D.C.O, Malakand letter No. 3132/PS/DM/Malakand, where Mr. Altaf Abdalnaser S/O Abdulmannas R/O Muhalla Gulshan colony Jan Abad Marden was appointed through bogus documents in different names, Shahe Mulk SET-BPS-16, Anad Ali CT BPS-14 and Altaf J/O BPS-7, onetime receive monthly salary. The Senior Auditor Sheh Jehan submitted his report vide letter No. 1695-99 dated 15.2.2012. According to Audit report the concerned staff of Education has mis-appropriated an amount of Rs. 11,42,628/- to the Govt. Exchequer, Hence the subject case was registered against Altaf Abdalnaser and Anad Ali, vide DACB, KPK, Peshawar letter No. 8829/ACE dated 24/9/2012.

Circle Officer, Anti Corruption Establishment, Malakand, is investigating the case, Further progress will be followed.

  
Asstt: Director Crimes,  
Anti Corruption Estt.,  
Swat.

No. 125-28/ACE, Dated Swat the 26/09/2012.

Copys forwarded to :-

1. The Director, Anti Corruption KPK, Peshawar.
2. The E.D.O, Education Malakand.
3. The Circle Officer, ACE, Malakand.
4. The S.A, ACE, Peshawar.

GOVERNMENT OF PAKISTAN  
ACCOUNTANT GENERAL N.W.F.P.  
DISTRICT Swabi  
PAY ROLL SYSTEM

PAYMENT ADVICE  
P. Sec. 003 Month November 2009  
SU6059 - HT GHS NARAIKI SWABI

PFSS No. 001240703  
Name: ALTAJ  
Dsg: JUNIOR CLERK  
NIC No. 161011334873

Min: Education Schools  
NTN:  
GPF No. EDUNROL1645  
City:

PF Interest Applied  
SPS 071 Active Permanent

DEPT CODE SU6059

PAYS AND ALLOWANCES		
0001-Basic Pay		6,120.00
1000-House Rent Allowance		1,059.00
1300-Medical Allowance		500.00
1770-Spl. Additional allowance		350.00
1830-Special Relief AT1(2005)		510.00
1831-Adhoc Relief (2005)		510.00
1864-Dearness Allowance (2006)		621.00
1908-Adhoc Relief-2009 (01-16)		2,118.00
5002-Adjustment House Rent		32,934.00
Gross Pay and Allowances		
DEDUCTIONS:		
GPF Balance	24,455.00	
6505-SPF Loan Principal Instal	Bal. 23,622.00	320.00
3501-Benevolent Fund		1,375.00
3511-Addl Group Insurance		35.00
3604-Group Insurance		7.00
3640-Emp. Edu. Fund		67.00
6001-Adj Benevolent Fund		15.00
6006-Adj Group Insurance		70.00
6060-Adj Welfare Fund		154.00
Total Deductions		20,000.00
		Subtrc. 320.00
		1,375.00
		35.00
		7.00
		67.00
		15.00
		70.00
		154.00
		20,000.00
		<b>NET AMOUNT PAYABLE</b>

QUALIFYING SERVICE  
YRS MON  
12 Years 09 Months 01 Days

LFP Quota  
ABL, KALU KHAN SWABIKALU KHAN SWABI  
010027720

I hereby certify that I have examined Mr. ... a candidate for  
employment in the Office of the ... Education Deptt.  
I have not discovered that he had any disease communicable or other constitutional  
defection or bodily infirmity except ...  
I do not consider this as disqualification for employment in the office of the ...  
above ... His age according to his own statement ... year and by  
affidavit about ... years.

HAND THUMB AND FINGER  
IMPRESSIONS

Medical Superintendent,  
Civil Hospital  
9/11/2009

48 (2)

(7)

OFFICE OF THE EXECUTIVE DISTRICT OFFICER  
(E & S) EDUCATION SWABI.

Dated 26/03/2010

TO

The District Accounts Officer  
HWRBI

SUBJECT: RELIANCE OF PAY.

Memo,

Consequent upon the provision of certificate that the academic/professional certificates/degrees have officially been verified by Principal/Headmaster GHS/GHSS Qadra (S)

Swabi vide his no. 118 Dated 13.02.2010 the pay in

respect of Mr. Shahid-ur-Rahman a/o Subhanullahi

appointed as SET vide DE/10/2009 NO. 5139-97 Dated 27.11.20

at GHS/GHSS Qadra is hereby released w.e.f 01.01.2009

EXECUTIVE DISTRICT OFFICER  
(ELEMENTARY & SECONDARY) SWABI.

Order No. 2137-88 Dated 26/03/2010

Copy to the Principal/Headmaster GHS/GHSS Qadra  
for information and compliance w/r to his no. 118 at  
please.

EXECUTIVE DISTRICT OFFICER  
(ELEMENTARY & SECONDARY) SWABI.  
Elementary & Secondary Education  
Swabi.

PAYROLL SYSTEM  
 AMENDMENT FORM  
 SINGLE EMPLOYEE ENTRY  
 OFFICE OF THE  
 FOR THE MONTH OF  
 DDO /Cost Centre No.

PRINCIPAL G.H.S.S.PALAI MALAKAND AGENCY  
 October 2010  
 M D 6 0 4 8 G.H.S.S. Palai Malakand Agency

DATE 1/11/10  
 Page No. 1

Personal Number

0 0 1 2 4 0 7 0 *Atty*

Grade (Pay Scale Group)

0 7 *Yakul* Salary Status Start Stop

*Annexure*

Info Type	Field	New Contents	Wage Type	CHANGE IN PAYMENTS / DEDUCTIONS		Effective date	Remarks
				Amount Rupees	Adj		
		<i>GHSS, Palai Mal.</i>	0001	<i>Pay</i>			
			1000	<i>HHH</i>	6380-	01.10.2010	
			1300	<i>MKA</i>	1059-		
			1700	<i>S.A.A</i>	350-		
			1800	<i>SRA 05</i>	510-		
			1831	<i>A.R. 05</i>	621-		
			1864	<i>D.A</i>	1276-		
			1909	<i>A.R. 09</i>	1000-		
			1915	<i>Co.A</i>			
			1953	<i>A.R. 50%</i>	3190-		
			3007-	<i>gpe</i>	320-		
			<i>Att. gpe</i>		1000-		
					180-		
					3501- <i>ATP</i>		
					<i>for Ad. Inv</i>		
					27-		
					55-		
					15-		

Prepared By

Principal *[Signature]*  
 GHSS PALAI MALAKAND  
 G.H.S.S. Palai  
 Malakand Agency

Entered / Verified by

*[Signature]*

PAYROLL SYSTEM  
 AMENDMENT FORM  
 SINGLE EMPLOYEE ENTRY  
 OFFICE OF THE  
 FOR THE MONTH OF  
 DDO /Cost Centre No.

PRINCIPAL G.H.S.S.PALAI MALAKAND AGENCY  
 October 2010  
 M D 6 0 4 8 G.H.S.S. Palai Malakand Agency

DATE 1/11  
 Page No.

Personal Number

0 0 1 2 4 0 7 0 1112

Annexure R

Grade (Pay Scale Group)

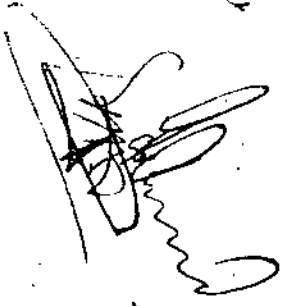
0 7 Palai Salary Status Start Stop

Info Type	Field	New Contents	GENERAL DATA CHANGE		CHANGE IN PAYMENTS /DEDUCTIONS		Effective date	Remarks
			Wage Type	Amount Rupees	Adj			
		GHS, Palai mud.	0001	Pay	6380-	✓	01.10.2010	
			1000	HRA	1059-	✓		
			1300	MKA	1000-	✓		
			1700	S.A.A	350-	✓		
			1830	SRA 05	510-	✓		
			1831	A.R 05	621-	✓		
			1864	D.A	1276-	✓		
			1909	A.R 09	1000-	✓		
			1913	Co.A		✓		
			1953	A.R 502	3190-	✓		
			3007- A.A. 502	902	320-	✓		
			3501- A.A. 502	812	180-	✓		
			3501- A.A. 502	812	27-	✓		
				512	15-	✓		

Prepared By

Principal  
 GHSS PALAI  
 G.H.S.S. Palai  
 Malakand Agency

Entered / Verified by



**PAYROLL SYSTEM  
AMENDMENT FORM  
SINGLE EMPLOYEE ENTRY**

Annexure 'M'

FORM: PAY0  
Date: 1.11.11  
Page No: 2



OFFICE OF THE AAO, Malleshwari agency,

FOR THE MONTH OF 04 1 2010

DDO Code: MK6048 Description: CHSS Patil Malleshwari agency,  
(Cost Center)

Personnel Number: 00434705 Employee Name: Seki Mulla National ID Card Number: 16202

Grade (Pay Scale Group): 16 SST Salary Status:  Start  Stop

Info Type	Field ID	New Contents	CHANGE IN PAYMENTS / DEDUCTIONS				Effective Date	Remarks
			Wage Type	Amount Rupees	Amount Paise	Adj		
		Pay	0001	6530	-		01-5-2010	Pay and Allowance
		GRDA	1000	1818	-			increments over the
		AM(201)	1908	1306	-			increment for
		UAR		1500	-			Director's Order
								vide DSE, NY
								Order No. 621
								F.No. 19/188
								Dated: 1/11/11

Prepared By: \_\_\_\_\_

Audited/Checked By: \_\_\_\_\_

OFFICIAL  
S. S. Palan

Entered /

**PAYROLL SYSTEM  
AMENDMENT FORM**  
SINGLE EMPLOYEE ENTRY



OFFICE OF THE

*A.A.O. Melkond Agency*

Page No. 2

FOR THE MONTH OF 04 2010

DDO Code MK6048 Description PHS. Dalai Melkond Agency  
(Cost Center)

Personnel Number 00434705

Employee Name Shree-Mulle

National ID Card Number 16202-5

Grade (Pay Scale Group) 16 SST

Salary Status  Start  Stop

GENERAL DATA CHANGES

CHANGE IN PAYMENTS/DEDUCTIONS

Info Type	Field ID	New Contents	Wage Type	Amount				Effective Date	Remarks
				Rupees	Paise	Adj			
		Adj Basic Pay	S801	6120	-			01/01/2010	adjustment of
		AAA	S002	7272	-			-	u.eg. 1/1/2010
		S AR.(20X)	S884	5224	-			-	RS
		S U-AA (1500)		6000	-			-	Ac

Prepared By: \_\_\_\_\_

Audited/Checked By: \_\_\_\_\_

**PRINCIPAL**  
**G.H.S.S. Palai**  
Melkond Agency

Entered \_\_\_\_\_





AMENDMENT  
SINGLE EMPLOYEE

PAYROLL SYSTEM  
AMENDMENT FORM  
OFFICE OF THE

PRINCIPAL G.H.S.S.PALAI (MALAKAND AGENCY)

MONTH 07/2010

FORM 02  
Date

Annexure M  
Annexure B

FOR

DDO Code/Cost Centre **MD 6048** G.H.S.S.PALAI (MALAKAND AGENCY)

Personal No. **00433281** Employee Name **19061 AP** National ID No **1610199446751**

Grade (PSG) **14** C.T. Salary status **Start** Stop

Info Type	Filed No	New contents	Wage Type	CHANGE IN PAYMENTS/DEDUCTIONS			Effective Date	Remarks
				Rupees	Paisa	Ad		
		Basic Pay	0001	5300			01-08-2010	
		H.R.A	1000	1476			-do-	if the Tracked Transfer of form
		Meghad	1300	1000			-do-	Dist. Shikha's grant for C.T Post,
		A.R	1528	1060			-do-	Placed from 1-4-2010 to
		Comp	1528	1000			-do-	31-7-2010 (4 months)
		A.R (2010)	1949	2500	2527		-do-	
		Definition		769			-do-	
		G.I		3501	180		-do-	(3) 31/07/2010 Report
		G.I		3604	115		-do-	and Transfer of the def
		ADD.G.I		3511	13		-do-	The Transfer of the def
		EEF		3640	20		-do-	

Handwritten signatures and initials, including a large signature at the bottom left.

Principal  
G.H.S.S.PALAI  
MALAKAND AGENCY

13

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

**Service Appeal No: 871/2019**

**ALTAF ABDUL NASIR J/Clerk GHSS Palai District Malakand .....Appellant.**

**VERSUS**

**Govt. of Khyber Pakhtunkhwa through the Chief Secretary, & others.....Respondents.**

**JOINT PARAWISE COMMENTS ON & FOR BEHALF OF RESPONDENTS No:1-4**

**Respectfully Sheweth:-**

The Respondents 1-4 submit as under:-

**Preliminary Objections**

1. That the appellant has got no cause of action.
2. That the appellant has concealed material facts from this Service Tribunal.
3. That the appellant has not come to this Honorable Tribunal with clean hand.
4. That the appellant is estopped by his own conduct to file the instant case before this Honorable Tribunal.
5. That the instant case is bad for mis- joinder & non- joinder of the necessary parties.
6. That the instant Service Appeal is badly time-barred, under the relevant provisions of law.
7. That the impugned Notification and order dated 03/06/2013, is legally competent.
8. That the appellant has been found guilty of dual services against various Teaching & Non- Teaching posts under fake and bogus names by the inquiry committee in the present case.

- (2)
9. That all formal formalities have been observed by the Respondent Department in the instant case.

### ON FACTS

- 1 That Para-I, needs no comments, being pertains to the service record of the appellant appointed vide his order dated 23/06/1997 against the junior clerk post in the Respondent Department. However, the appellant has not attached any cogent documents in support of his plea & the burden of which falls upon the shoulders of the appellant.
- 2 That Para-2 is correct to the extent that the appellant has been charged vide case FIRs No. I dated 25/09/2012, registered under Sections 409/419/420/468/471/472/5(2) PC Act & another FIR No.1 dated 25/03/2013 under Sections 409/419/420/468/471/472/5(2) PC Act on charges of illegal & even fake & bogus appointments against various posts & has thus found guilty of causing huge financial losses to the Govt Treasury, Hence, the appellant was arrested by the Local police in the maintained FIRs & was sent behind bars. **(copies of the maintained FIRs are attached as Annexure A & B).**
- 3 That Para-3 is incorrect & denied on the grounds that in view of the mentioned FIRs registered against the appellant on charges of Fake & bogus service on different names & designations which has caused huge losses to the Govt Treasury has been proceeded under the E & D Rules 2011 by nominating Hayat Mohammad, Principal (B-18) GHSS Wartair Malakand as an inquiry officer who conducted inquiry against the appellant & has been found the appellant guilty of charges, hence, a Show Cause Notice dated 08/02/2013 was served upon the appellant by the competent authority which has not been replied by the appellant resulted in the impugned Notification No SO (S/M) S&SED/1-17/2012 Muhammad Shakoor (SS) dated 06/03/2013 issued under the provisions of Rules 14 (5) of Khyber Pakhtun Khwa E & D Rules 2011, whereby, the appellant has been removed from service against SST (G) BPS-16 post after observing all the formal/required formalities by the Respondent Department. **(Copies of the Nomination of inquiry officer, inquiry report, show case Notice & impugned Notification are attached as annexure B, C, D & E).**
- 4 That Para-4 is correct to the extent that the appellant has been acquitted vide judgment dated 26/02/2013 passed by the learned Special Judge Anti-Terrorist Court delivered in case No 67/2013 under case titled The State VS Iltaf Abdul Nasir Alias Nasir Babu S/O Abdul Manan District Mardan. However acquittal from criminal cases does not affect Departmental precoding's **(copy of the cited judgment is attached as Annexure-F).**

- 5 That Para-5 is incorrect & denied on the grounds that no Departmental Appeal against the impugned Notification dated 03/06/2013 has been filed by the appellant till date. Hence, got finality under the provisions of Law of limitation Act 1908 against the appellant. Therefore, the appeal in hand is liable to be dismissed in favor of the Respondents.
- 6 That para-6 is also incorrect & denied. As the act of the Respondents Department with regard to the impugned Notification dated 03/06/2013 is legally competent & liable to be maintained on the following grounds inter alia:-

**ON GROUNDS.**


- A **Incorrect & not admitted.** The Notification dated 03/06/2013 of the Respondent No.2 is legally competent & liable to be maintained in favor of the Respondents.
- B **Incorrect & not admitted.** The appellant has been treated as per law, rules & procedure by the Respondent Department vide Notification dated 03/06/2013 issued by the Respondent No.2 having no question of violating the provisions of Articles 4 & 25 of the constitution of 1973 Islamic Republic of Pakistan.
- C **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & justification as he has been found guilty of Corruption/misconduct by the inquiry officer as well as the Anti-Corruption Department Govt. of Khyber Pakhtunkhwa Peshawar in the instant case.
- D **Incorrect & not admitted.** The act of the Respondent Department with regard to the impugned Notification dated 03/06/2013 is legal & liable to be maintained in the interest of justice.
- E **Incorrect & not admitted.** Formal procedure has been adopted & observed by the Respondent No.2 in the instant case prior to the issuing of the impugned Notification dated 03/06/2013 against the appellant.
- F **Incorrect & not admitted.** The plea of the appellant is baseless as formal Show Cause Notice has been served upon the appellant by the Respondent Department.
- G **Incorrect & not admitted.** Regular inquiry through Hayat Mohammad, Principal, BPS-18 at GHS Wartair District Malakand has been conducted by the Respondent Department. Hence, the claim of the appellant is baseless in liable to be rejected.


- H **Incorrect & not admitted.** The cited provisions and rules are not applicable upon the case of the appellant as he has committed crimes against the STATE is evident from his criminal case record before the Learned Special Judge ATC District Malakand.
- I **Incorrect & not admitted.** The appellant has been treated as per Law & rules vide the Notification dated 03/06/2013. Hence the plea of the appellant is liable to be rejected.
- J **Incorrect & not admitted.** Legal, however, the Respondents also seek leave of this Honorable Bench to submit additional grounds, record & case law at the time of arguments on the date fixed.

**PRAYER:-**

Therefore, it is humbly submitted that this Hon'ble Branch may kindly be pleased to dismiss the instant case in favor of the Respondents in the interest of justice.


Dated. / /2019.

  
Secretary  
E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondent No.1 & 2).

  
Director  
E&SE Department Khyber  
Pakhtunkhwa Peshawar.  
(Respondents No: 3 & 4).

**AFFIDAVIT**

**I, Hayat Khan Asstt:** Director (Lit: II) E&SE Department Khyber Pakhtunkhwa, Peshawar do hereby solemnly affirm and declare on oath that the contents of the instant Para wise Comments in the titled Service Appeal are true & correct to the best of my knowledge & belief & that nothing has been concealed from the ambit of this Honorable Tribunal. .

  
Deponent

فارم نمبر: 10-115

(A)

ابتدائی اطلاعی رپورٹ

ACE

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ نمبر: 153 مجموعہ ضابطہ نوعداری

شعبہ	جلد کنندہ	تاریخ	1
1/6 تا 12	25/9	دقت	1
13/10	3/10	دفتری اوقات	1
25/12	الکڑے لکھنؤ خان	معلومات دہندہ مستفیض	1
409/419/420/468/471. 472	معلومات جرم (موروثہ) اعمال اگر کیا گیا ہو۔		
5 (2) P ACE	5 (2) P ACE	معلومات جرم (موروثہ) اعمال اگر کیا گیا ہو۔	
6 HSSC	6 HSSC	معلومات جرم (موروثہ) اعمال اگر کیا گیا ہو۔	
110	الطاف عبدالناصر ولد عبدالمنان	معلومات جرم (موروثہ) اعمال اگر کیا گیا ہو۔	
24/9/12	محمد علی محمد احمد	معلومات جرم (موروثہ) اعمال اگر کیا گیا ہو۔	
8829/ACE	محمد علی محمد احمد	معلومات جرم (موروثہ) اعمال اگر کیا گیا ہو۔	
103	ابتدائی اطلاع نیچے درج کردہ۔	معلومات جرم (موروثہ) اعمال اگر کیا گیا ہو۔	

ابتدائی اطلاع نیچے درج کردہ۔ اودین انکوائری 2011/103  
 حکمہ تعلیم ملکنڈ نیر بعد از انکوائری معلوم ہوا کہ ملزم الطاف عبدالمنان  
 ولد عبدالمنان مکہ مکہ مشن کابری بسہ روڈ جان آباد خیروان نے  
 مختلف ناموں سے جعلی اور لوٹس کاغذات کے ذریعے HSSC  
 پٹی ملکنڈ سے بنام شاچی ملک SET بکھر، محمد علی CT بکھر اور  
 الطاف CT بکھر وقت تنخواہیں وصول کی ہے۔ سٹیٹ آرڈر  
 شاہجہان نے حوالہ آرڈر رپورٹ نمبر 1695-99 کل مبلغ 2,628/15  
 حرد برد کی نشاندہی کر کے ملزم ملنے بہ الاماء لکھنوی محمد علی ولد  
 اختر محل سکھ قاسمی، فخت لعلی مسدان سرکاری خندانہ سے نکال کر  
 ٹرپ کی ہے۔ بعد روڈ زمرہ داران کو اس حالت سوالنامے سری  
 پور تاحال ملزم الطاف عبدالناصر کسٹریٹ سے جواب نامہ  
 وصول نہ ہوا ہے۔ جبکہ ملزم محمد علی کے جواب نامے سے  
 % محمد نسیم خان نے اتفاق نہیں کیا ہے۔ جو حوالہ حکم نمبر 829/ACE  
 ہر دو ملزمان الطاف عبدالناصر ولد عبدالمنان اور محمد علی ولد



REGISTERED



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Dated Peshawar the June 03, 2013

NOTIFICATION

1. NO.SO(S)/MJE&SEU/4-17/2012/Muhammad Shakoor (SS): WHEREAS Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) proceeded against under the Khyber Pakhtunkhwa Government's Servants (Efficiency & Discipline) Rules, 2011 for the charges mentioned in the charge sheet and statement of allegations.

2. AND WHEREAS Mr. Hayat Muhammad, Principal (BS-18) GHSS Wartair Malakand Agency was appointed as Inquiry Officer to conduct inquiry against the accused officer for the charges leveled against him in accordance with the rules vide Notification dated 06-09-2012.

3. AND WHEREAS the Inquiry Officer after having examined the charges, evidence on record and explanation of the accused officer has submitted the report.

4. AND WHEREAS a show cause notice was served upon Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) dated 08-03-2013.

5. AND WHEREAS the Competent Authority (Chief Secretary Khyber Pakhtunkhwa) after having considered the charges and evidence on record, inquiry report, non response to the Show Cause Notice, is of the view that the charges against the accused officer have been proved.

6. NOW, THEREFORE, in exercise of the powers conferred under Rule-14 (5) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Secretary, Khyber Pakhtunkhwa) is pleased to impose major penalty of "Removal from Service" upon Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET (BS-16) GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand) with immediate effect.

SECRETARY

ATTACHED

Copy of Every No. & Date:

- 1. Copy forwarded to the -
- 2. Additional General, Khyber Pakhtunkhwa, Peshawar.
- 3. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 4. District Education Officer, (Male) Malakand/ Charsadda/ Mardan/ Buner/ Swat/ Nowshera/ Swabi.
- 5. District Education Officers Malakand/ Charsadda/ Mardan/ Buner/ Swat/ Nowshera/ Swabi.
- 6. Director, Anti Corruption Establishment, Khyber Pakhtunkhwa, Peshawar.
- 7. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 8. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
- 9. Mr. Altaf Abdul Nasir, Junior Clerk (Impersonated as Shah-e-Mulk), Ex-SET GHSS Palai Malakand Agency (Now in Judicial Lockup Malakand at Malakand).
- 10. Office order etc.

Signature  
Date 06/06/2013

(MUJEEB-UR-REHMAN)  
SECTION OFFICER (SCHOOLS/MALE)



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In the Court of Ikhtiar Khan, Special Judge, Anti-Corruption,  
(Provincial), Khyber Pakhtunkhwa, Peshawar.

Case No. 67 of 2013.

Date of Institution: 08.10.2013.

Date of Decision: 26.02.2019.

State..... Versus.

Iltaf Abdul Nasir alias Nasir Babu S/o Abdul Manan, R/o Gulshan  
Colony, Jehan Abad District Mardan.

Case FIR No.01 dated 25.03.2013 u/s 409/419/420/468/471/PPC read with  
section 5(2) PC Act of P.S. ACE, Buner.

Judgment.

- 1) Complainant Saidul Amin the then C.O. F.S. ACE, Buner submitted source report to the effect that accused Abdul Nasir alias Nasir Babu S/o Abdul Manan was taking salary from Education Department against two seats i.e. BPS-17 SS Economics in GHS Chena and BPS-17 SS History in GHSS Jangai and he had secured his appointment through fake and bogus orders. The source report was followed by an open inquiry in which it was dig out that accused facing trial had received Rs.56,914/- for the period from 29-05-2012 to 31-07-2012 with the name of Abdul Nasir and for the period of 01-03-2012 to 31-07-2012 received the salary to the tune of Rs.1,48,996/- with the name of Iltaf against the said two posts and thus he had caused the loss of Rs.2,05,910/- to the exchequer.
- 2) After completion of inquiry, instant case was registered against the accused. He was arrested and after completion of investigation his case was sent to this court for the purpose of trial. The accused was charge sheeted to which he pleaded not guilty and claimed trial.
- 3) The prosecution in support of its case has examined as many as three PWs and following is the gist of their statements:-

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- i) Saidul Amin, CTD Shangla, (PW-1) stated that during the relevant days he was posted as C.O. ACE Buner. On 08-10-2012 he prepared a source report Ex.PW1/1 and submitted the same to the Director ACE for obtaining permission for
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conducting open inquiry which was allowed vide letter Ex.PW1/2. He took into possession the relevant record consisting of attested copy of pay roll in the name of Abdul Nasir Ex.P-1, attested photo copy of pay roll Altaf Ex.P-2, attested copy of letter No.453 Ex.P-3, attested copy of letter No.452 Ex.P-4, attested copy of letter No.450 Ex.P-5, attested copy of computer source (2 in number) Ex.P-6, copy of information report Ex.P-7, copy of attendance certificate Ex.P-8 (2 in number), attested copy of charge report Ex.P-9 (2 in number), attested copy of transfer order Ex.P-10, attested copy of letter to EDO Bunair Ex.P-11 vide recovery memo Ex.PW1/3, produced by Islam Muhammad in charge of GHSS Jangai. He also took into possession the charge report reports Ex.P-12, attendance register Ex.P-13, Goshwara Ex.P-14, pay roll Ex.P-15 (2 in number), copy of dispatch register Ex.P-16 vide recovery memo Ex.PW1/4, produced by Maazullah Head teacher GHS Cheena. He also took into possession the personal file of Itaf consisting of pay roll (5 in number) Ex.P-17, LFC Ex.P-18, Pay slip for the month of January of District Swabi Ex.P-19, transfer order Ex.P-20, charge report Ex.P-21, charge relinquishment report Ex.P-22, appointment order Ex.P-23, medical examination report Ex.P-24, specimen signature Ex.P-25, computer source for stoppage of salary Ex.P-26, application for LPC Ex.P-27, relieving documents (7 in number) Ex.P-28. He also took into possession the personal file in the name of Abdul Nasir consisting of pay roll for July 2012 Ex.P-29, transfer order GHSS Jangai to Dir Upper Ex.P-30, charge relinquishment report Ex.P-31, copy of NIC Ex.P-31, specimen signature Ex.P-32, charge report Ex.P-33, medical examination report Ex.P-34, posting order GHSS Jangai Ex.P-35, first appointment order Ex.P-36 (3 in number), statement of expenditure (2 in number) Ex.P-37.

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computer source for stoppage of pay Ex.P-38, copy of letter No.5058 Ex.P-39, computer source (2 in number) Ex.P-40 vide recovery memo Ex.PW1/5.

- ii) Muhammad Zahid Shah Moharrir P.S. ACE Buner (PW-2) is the marginal witness of recovery memo Ex.PW1/3 to Ex.PW1/5 vide which the I.O. has taken into possession the documents mentioned in these recovery memos.
- iii) Zahir Shah, DSP appeared as PW-3 and stated that on his transfer to District Buner as C.O. ACE, the case was entrusted to him for inquiry. He vide his application Ex.PW3/1 sent the documents for verification. In response Director ACE wrote a letter Ex.PW3/2 to Secretary Government, Elementary and Secondary Education Department and the reply of the Secretary Education Department is Ex.PW3/3 that the documents were fake. PW-3 obtained the detail of payment from District Accounts Officer Buner vide application Ex.PW3/4 and thereafter he prepared his final report Ex.PW3/5 and made a request for registration of case which was allowed vide letter Ex.PW3/6. The case was registered vide FIR Ex.PA duly signed by PW-3. PW-3 vide letter Ex.PW3/7 made a request to Sessions Judge Buner for transfer of accused as he was in the judicial lock up in District Malakand and subsequently the accused was handed over and interrogated by PW 3. He produced the accused for physical custody as well as for recording his confession but accused refused to confess and was sent to judicial lock up.

4) After close of prosecution evidence the accused was examined u/s 342 Cr.PC wherein he denied the allegations and claimed his innocence. However, he neither wished to be examined on oath nor to produce any defence evidence.

5) Arguments of learned Sr. PP Muhammad Khalid and Mr. Said Akbar Ali advocate, learned defence counsel already heard and file perused.

6) Sr. PP Muhammad Khalid for state submitted that the evidence produced by the prosecution fully connects the accused with the

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commission of offence. Accused has fraudulently secured the government jobs with different names at two different places and his appointment order and subsequent transfer order from Swabi to Buner were found forged by the concerned quarter. The accused has admittedly served in two different places and received the amount of Rs.2,05,910/- as salary. The accused is an habitual offender and in another case registered vide FIR No.01 dated 25-09-2012 in P.S. ACE, Malakand he has made a judicial confession in which he also admitted his involvement in instant case, therefore the accused may be convicted and sentenced according to law.

7) I have considered the above submissions and perused the available record.

8) It is the case of prosecution that in the year 2012 within the criminal jurisdiction of P.S. ACE Buner the accused had fraudulently and dishonestly shown himself as Subject Specialist through impersonation in the name of Itaf through bogus notification and drawn the salary amount of Rs.1,48,996/- for the period from 01-03-2012 to 31-07-2012. Similarly he had also shown himself to be Abdul Nasir and through bogus notification drawn the salary amounting of Rs.56,914/- for the period from 29-05-2012 to 31-07-2012 against the seat of Subject Specialist.

9) The statement of PW-1 suggests that the relevant record in shape of Ex.P-1 to Ex.P-11 were produced before him by PW Islam Muhammad incharge of GHSS Jangai but this PW was not produced by prosecution whose statement was necessary not only to support the production of said documents but also to prove that it was the accused facing trial who by impersonation had drawn the salary against the seat of Subject Specialist in GHSS Jangai. In the same way Maazullah, Head Master of GHS Cheena had produced the photo copies of charge reports Ex.P-12, attested photo copy of attendance register Ex.P-13, attested copy of Goshwara Ex.P-14, attested photo copy of pay roll Ex.P-15 & attested photo copy of dispatch register Ex.P-16 but the name of said person is not included even in the list of witnesses. The statement of Maazullah being Head Master of GHS Cheena could support the prosecution case but he was not examined as PW. In the same way Mir Zaman DAO Buner who produced different documents as Ex.P-17 to Ex.P-40 which includes the personal file, specimen signature, application for grant of LPC, CNIC in the name of Abdul Nasir S/o Fazal Sher and medical reports but this witness was also not examined by the prosecution in support of his case. Thus the presumption under Article 129 (g) of Qanoon-e-Shahadat Order, 1984 shall be taken against prosecution for withholding the best evidence.

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10) The documents in shape of medical certificate, specimen signature, charge assumption/relinquishment reports and the application for grant of LPC bears the signatures of Abdul Nasir and Iltaf on whose names the accused facing trial had allegedly secured the job but the Investigating Officer has failed to compare these signatures with the signature of the accused facing trial and without this piece of evidence how it can be held that it was the accused facing trial who committed the forgery by impersonation. The address and picture of CNIC Ex.P-31/Ex.PW1/D-1 are different from the picture and address of the CNIC of accused facing trial but the I.O. has not taken any pain to verify both the CNICs from NADRA. PW-1 admitted that he had not collected educational documents/certificates of the accused or of the person with the name of Abdul Nasir. PW-1 also admitted that he had not conducted any identification parade from any official of education department in order to confirm that the accused facing trial was the person who served with two different names. PW-1 also stated that he had recorded the statement of one Sayal Khan SET and Islam Muhammad incharge of GHSS Jangai regarding handing and taking of charge from Iltaf but also admitted that the said two persons had not stated before him that they had identified Iltaf Abdul Nasir. PW-1 also admitted that he had not verified the signatures on the documents of Abdul Nasir and Iltaf to confirm that whether these were the signatures of accused Iltaf Abdul Nasir or not. PW-3 Zahir Shah DSP who partially conducted the inquiry and investigation in the case also admitted in his cross examination that he had not recorded the statement of any official regarding the identification of accused facing trial. He further admitted that no identification of accused was conducted by him in order to prove the charge against him.

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11) By taking into account the evidence discussed in the preceding paragraphs it can safely be held that the prosecution has failed to prove beyond any shadow of doubt that it was the accused who had committed any cheating by impersonation, therefore the mere fact that the transfer and posting orders were fake could not connect the accused with the allegations. Likewise, the confession of the accused in another case which was neither made part and parcel of this file nor the concerned Magistrate was produced before this court during this trial cannot be used as incriminating evidence against the accused facing trial.

12) Resultantly, I am of the affirm opinion that the case of the prosecution is not free from doubt, therefore while extended benefit of doubt in favour of accused Iltaf Abdul Nasir alias Nasir Babu S/o Abdul Manan, R/o Gulshan Colony, Jehan Abad District Mardan, I acquit him.

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from the charges leveled against him. He is on bail, he and his sureties are discharged from the liabilities of bail bonds. The case property be kept intact till the expiry of the period of limitation prescribed for appeal/revision where after be dealt in accordance with law. File be consigned to the record room after completion and compilation.

Announced.  
Peshawar.  
26-02-2019.

(Ikhtiar Khan)  
Special Judge,  
Anti-Corruption (Provincial),  
Khyber Pakhtunkhwa, Peshawar.

Certificate.

Certified that this Judgment consists of six pages, each of which has been signed by me.



Special Judge,  
Anti-Corruption (Provincial),  
Khyber Pakhtunkhwa, Peshawar.

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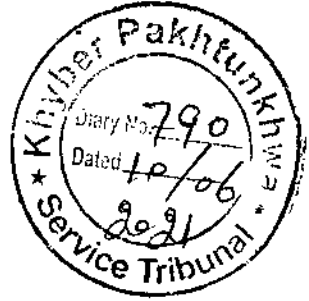
EXAMINED  
Special Judge,  
Anti Corruption K.P.K. Peshawar

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DB II

**BEFORE THE HON'BLE SERVICE TRIBUNAL, KHYBER  
PAKHTUNKHWA PESHAWAR**

In S.A # 871/2021



Put up to the court with relevant app-t.

Iltaf Abdul Nasir

Versus

Education Department

**APPLICATION FOR EARLY HEARING**

Respectfully Sheweth,

Regretted, NFA.

*[Signature]*  
17/6/2021

1. That the captioned case is pending adjudication before this Hon'ble Tribunal & is fixed for 16-08-2021.

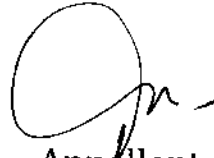
2. That the above captioned case is fixed for preliminary hearing & even the case of the Appellant has not been admitted yet.

3. That in the given circumstances of the case, the early fixation of the above titled Appeal is indispensable.

*It is, therefore, most humbly prayed that on acceptance of the instant Application, the captioned Appeal may*

*kindly be fixed for an early date of hearing.*

Dated: 10-06-2021

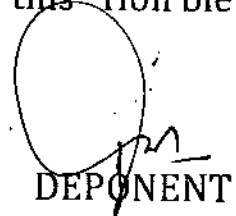
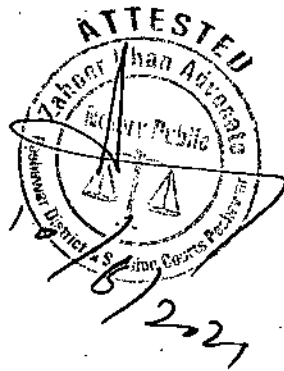


Appellant

Iltaf Abdul Nasir

**Affidavit:**

I, Iltaf Abdul Nasir S/o Abdul Manan R/o Nista Road, Jan Abad, Mardan, do hereby solemnly affirm & declare on oath that all contents of the instant application are true and correct to the best of my knowledge & belief and nothing has been kept concealed from this Hon'ble Tribunal.



DEPONENT