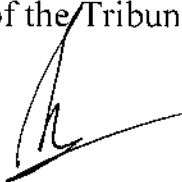


3rd Feb, 2023

Appellant in person present. Mr. Naseer-ud-Din Shah,
Assistant Advocate General for the respondents present.

Lawyers are on strike, therefore, case is adjourned. To
come up for arguments on 12.05.2023 before D.B. Office is
directed to notify the next date on notice board as well as on the
website of the Tribunal.

SCANNED
Peshawar



(Muhammad Akbar Khan)
Member (E)




(Kalim Arshad Khan)
Chairman

SCANNED
KPST
Peshawar

06th Dec. 2022 Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that she has not prepared the case. Last opportunity granted to the appellant to argue the case failing which the case will be decided on the available record. To come up for arguments on 03.02.2023 before the D.B.


(Fareeha Paul)
Member(Executive)


(Kalim Arshad Khan)
Chairman

28.06.2022

Learned counsel for the appellant present. Mr. Farhan Assistant alongwith Mr. Kabir Ullah, Additional Advocate General for respondents present.

Comments on behalf of respondents submitted, copy of which is handed over to the learned counsel for appellant who sought time for arguments. Adjourned. To come up for arguments on 05.10.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah Ud Din)
Member (J)

5th October, 2022 Appellant in person present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Appellant seeks adjournment on the ground that his learned counsel is not available today. Last chance is given to argue the case on the next date failing which the case will be decided without the arguments. To come up for arguments on 06.12.2022 before the D.B.



(Fareeha Paul)
Member(Executive)

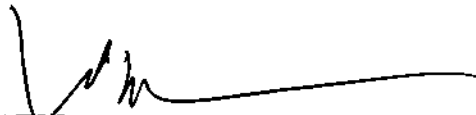


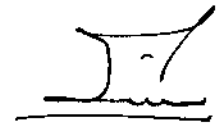
(Kalim Arshad Khan)
Chairman

01.09.2021

Ms. Roeda Khan, Advocate, for the appellant present. Mr. Jehanzeb, Superintendent alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that she has not met preparation for arguments. Adjourned. To come up for arguments before the D.B on 07.12.2021.


(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

07.12.2021

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that she has not prepared the brief of the instant appeal. Adjourned. Case to come up for arguments on 08.03.2022 before the D.B.


(Salah-ud-Din)
Member (J)


Chairman

8-3-22

*Due to Retirement of the Honble Chairman
the case is adjourned to 28-6-22*

Reladin

28.06.2022

Learned counsel for the appellant present. Mr. Kabir Ullan
Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the
ground that being busy in preparation of other judicial cases, she
was unable to make preparation for arguments in the instant case.
Adjourned. To come up for arguments on 05.10.2022 before the D.B.

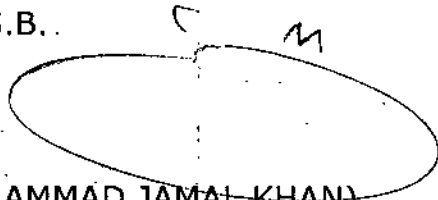
(Rozina Rehman)
Member (J)

(Salaḥ ud-Dīn)
Member (J)

04.11.2020

Junior counsel for appellant is present. Mr. Kabirullah Khattak, Additional AG for the respondents is also present.

Written reply on behalf of respondents not submitted. Learned Additional AG request for further time to contact the respondents and furnish written reply/comments on the next date of hearing. Adjourned to 09.12.2020 on which date to come up for written reply/comments before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

09.12.2020

Appellant in person and Addl. AG for the respondents present.

Learned AAG is required to contact the respondents and facilitate submission of requisite reply/comments on 02.02.2021 as last chance.


Chairman

02.02.2021

Junior to counsel for the appellant and Addl. AG alongwith Jehanzeb Superintendent for the respondents present.

Despite last opportunity, the respondents have not furnished the requisite reply/comments. The matter is, therefore, posted to D.B for arguments on 03.05.2021.


Chairman

3.5.21

Due to COVID-19, the case is adjourned to 1-9-2021 for the same.


Recorder

16.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 14.07.2020 for the same. To come up for the same as before S.B.

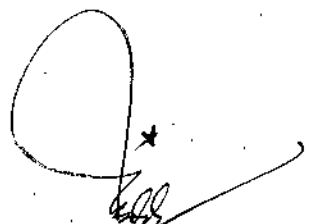

Reader

14.07.2020

None for the appellant present. Addl: AG for respondents present.

On the previous date the case was adjourned through reader note, therefore, the office shall issue notices to the respondents for written reply/comments as well as to the appellant and his counsel for attendance.

Adjourned to 15.09.2020 before S.B.


(Mian Muhammad)
Member(E)

15.09.2020

Junior to counsel for the appellant and Addl. AG for the respondents present.

Learned AAG seeks adjournment in order to contact the respondents and furnish reply/comments. Adjourned to 4.11.2020 on which date the requisite reply/comments shall positively be furnished.


Chairman

20.01.2020

Junior to counsel for the appellant present.


Requests for adjournment due to general strike of the Bar. Adjourned to 04.03.2020 before S.B.


Chairman

04.03.2020

Counsel for the appellant Ikramullah present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Higher Education Department as Lecturer (BPS-17). It was further contended that the appellant was issued adverse remarks pertaining to the year 2017 vide letter No. 21592/17 dated 10.08.2017. The appellant filed departmental appeal on 28.08.2018 but the same was rejected on 18.01.2019 communicated to the appellant on 30.08.2019, therefore, the appellant filed the present service appeal. It was further contended that requirement of counseling etc was not fulfilled before passing the adverse remarks by the respondent-department, therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 20.04.2020 before S.B.



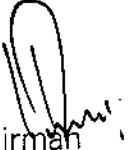
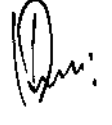
Appellant Deposited
Security & Process Fee

5/3/20


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

FORM OF ORDER SHEET

Court of _____

Case No.- 1193/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/09/2019	<p>The appeal of Mr. Ikram Ullah resubmitted today by Roeda Khan 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-	01/10/19.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>01/10/19.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	01.11.2019	<p>Counsel for the appellant present.</p> <p>Learned counsel requests for adjournment in order to further prepare the brief and also lay hands on a judgment of this Tribunal regarding counseling before entering adverse remarks was dilated upon.</p> <p>Adjourned to 11.12.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>
	11.12.2019	<p>Junior to counsel for the appellant and Addl. AG present.</p> <p>Requests for adjournment due to general strike of the Bar today. Adjourned to 20.01.2020 before S.B.</p> <p style="text-align: right;">Chairman </p>

The appeal of Ikramullah Lecturer Government Degree College Khan Kohi Nizampur District Nowshera received today i.e. on 19.09.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Index of the appeal may be prepared according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Appeal may be page marked according to the index.

No. 1624 /S.T,

Dt. 20-9- /2019.


REGISTRAR-
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Roeeda Khan Adv. Pesh.

objection No 2 and
& has been supplied

Pleas
06/9/19

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. 11932019

Ikram Ullah

VERSUS

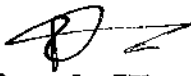
Government of Khyber Pakhtunkhwa, and Others

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S#	Description of Documents	Annex	Pages
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3.	Addresses of parties		7
4.	Application for the Condonation of Delay		8-9
5.	Copy of impugned order dated 03/04/2018	"A"	10
6.	Copy of departmental appeal	"B"	11-13
7.	Wakalat Nama		14


APPELLANT

Through


Roeda Khan
Advocate, High Court
Peshawar.

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2019

Ikramullah, Lecturer BPS-17, Government Degree
College, Khan Kohi, Nizampur, District Nowshera.

....Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa, through
Chief Secretary, Civil Secretariat Peshawar.
2. The Secretary, Higher Education Khyber
Pakhtunkhwa, Peshawar.
3. The Director, Higher Education Department,
Peshawar.
4. The Principal, Government Degree College, Khan
Kohi, Nizampur, District Nowshera.

....Respondents

APPEAL U/S-4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT
1974 AGAINST THE ADVERSE REMARKS FOR
THE PERIOD W.E.F 15/01/2016 TO 31/12/2016
COMMUNICATED ON 05/04/2018 AGAINST
WHICH THE APPELLANT FILED
DEPARTMENTAL APPEAL WITHIN ONE
MONTH FROM THE DATE OF
COMMUNICATION WHICH HAS NOT BEEN
RESPONDED BY THE RESPONDENT

DEPARTMENT WITH STATUARY PERIOD OF
90 DAYS.

Prayer:-

ON ACCEPTANCE OF THIS SERVICE
APPEAL THE IMPUGNED ORDER
DATED 03/04/2018 OF RESPONDENTS
MAY KINDLY BE SET ASIDE AND THE
ADVERSE REMARKS MAY KINDLY BE
EXPUNGED IN THE BEST INTEREST OF
JUSTICE.

Respectfully Sheweth.

1. That the Appellant was initially appointed as a Lecturer on Contract basis on 28/11/2015 and was posted at GDC, Alpuri, Shangla. Later on the services of the appellant has been regularized on 2009. Ever since his appointment, the Appellant has performed his duty as assigned with zeal and devotion and there has been no complaint whatsoever has been made against the appellant.
2. That the appellant was lastly posted at GDC Khan Kohi, Nizampur vide order dated 24/07/2015 and took charge of his post vide charge report dated 01/11/2015.
3. That the attitude of the Respondent No.4 in general towards his staff members has been

very inhuman, cruel and he is in habit of using unparliamentary language with his subordinates. Due to his attitude, many of the staff members are constrained to transfer their services to other colleges / places.

4. That through out the service career of the appellant, the appellant was never given any adverse ACR which shows the outstanding and unblemished service of the appellant.
5. That the appellant was surprised to received the ACR for the period from 15/01/2016 to 31/12/2016 vide letter No.10829/18 dated 03/04/2018 which is based on malafide and illegal. (Copy of impugned order dated 03/04/2018 is annexed at Annexure "A")
6. That feeling aggrieved from the impugned adverse ACRs, the appellant filed departmental appeal within one month from the date of communication of order dated 03/04/2018 which has not been responded by the Respondent Department.

(Copy of departmental appeal is attached at Annexure "B")

GROUND:-

- A. That the impugned ACRs as well as orders are illegal and void-ab-initio and against law, rules, principal of natural justice, hence not sustainable under the law.
- B. That the Respondent are under legal obligation to call the appellant for counseling however the opportunity of counseling has not been provided to the appellant hence the impugned remarks are liable to be expunged being contrary to law and rules.
- C. That through out the service of the appellant, no complaint or explanation, has been called from the appellant which negate the stance of the Respondent.
- D. That no opportunity of defense and personal hearing has been provided to the appellant has been provided to the appellant, hence the appellant has been condemned unheard.

E. That even no show cause notice has been issued or received by the appellant from the Respondent department.

Prayer:-

ON ACCEPTANCE OF THIS SERVICE APPEAL THE IMPUGNED ORDER DATED 03/04/2018 OF RESPONDENTS MAY KINDLY BE SET ASIDE AND THE ADVERSE REMARKS MAY KINDLY BE EXPUNGED IN THE BEST INTEREST OF JUSTICE.

ANY OTHER RELIEF NOT SPECIFICALLY ASKED FOR MAY ALSO GRACIOUSLY BE EXTENDED IN FAVOUR OF THE APPELLANT IN THE CIRCUMSTANCES OF THE CASE.

APPELLANT

Through

Roeeda Khan
Advocate, High Court
Peshawar.

NOTE:-

As per information furnished by my client, no such like appeal for the same petitioner, upon the same subject matter has earlier been filed, prior to the instant one, before this Hon'ble Tribunal.

Advocate.

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2019.

Ikram Ullah

VERSUS

Government of Khyber Pakhtunkhwa, and Others

AFFIDAVIT

I, **Ikram Ullah**, Lecturer BPS-17, Government Degree College, Khan Kohi, Nizampur, District Nowshera, do hereby solemnly affirm and declare that all the contents of the instant appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.

DEPONENT

Identified by:

Roeeda Khan
Advocate High Court
Peshawar.

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2019

Ikram Ullah

VERSUS

Government of Khyber Pakhtunkhwa, and Others

ADDRESSES OF PARTIES

PETITIONER.

Ikram Ullah, Lecturer BPS-17, Government Degree College, Khan Kohi, Nizampur, District Nowshera.

ADDRESSES OF RESPONDENTS

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat Peshawar.
2. The Secretary, Higher Education Khyber Pakhtunkhwa, Peshawar.
3. The Director, Higher Education Department, Peshawar.
4. The Principal, Government Degree College, Khan Kohi, Nizampur, District Nowshera.

APPELLANT

Through

Roeeda Khan
Advocate, High Court
Peshawar

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. ____/2019

Ikram Ullah

VERSUS

Government of Khyber Pakhtunkhwa, and Others

APPLICATION FOR CONDONATION OF DELAY (if any)

Respectfully Sheweth,

Petitioner submits as under:

1. That the above mentioned appeal is filing before this Hon'ble Tribunal in which no date is fixed for hearing so far.
2. That the ground of the appeal be consider as integral part of this application
3. That the appellant come to know regarding the ACR of 2016 on 05/04/2018 submitted departmental appeal within one month of knowledge of the impugned order.

4. That there are many judgment of the superior court that the cases should be decided on merit rather than on technically.

It is, therefore, requested that the limitation period (if any) may kindly be condone in the interest of justice.

APPELLANT

Through

Roeeda Khan
Advocate, High Court
Peshawar.

Amir A

DIRECTORATE OF HIGHER EDUCATION KHYBER PAKHTUNKHWA PESHAWAR

Tel: 9210215, 9210217, 9210242, 9211025, 9210668, Fax: 9210215

No. 10829

Dated 3/11 /2018.

MR. IKRAMULLAH

I am directed to convey to you the following adverse remarks recorded in your Performance Evaluation Report for the year 2016.

Part-III-(Evaluation by the Reporting Officer)

All Below Average.

Part-IV-Reporting Officer's Evaluation

The PER for the year 2016 is submitted on 16.2.2018. Not agreed with Para-II (2).

Integrity

Dishonest person. (Issued a letter vide No. 1411 dated 12.4.2017 for recovery of amount (embezzlement) of Rs.16860/-

Pen Picture

Not trustable, financially dishonest, not dutiful, unreliable, always disgrace seniors, misbehavior to each and everyone. No ability to routine work. No competency in the subject, dishonest.

Special aptitude

His special aptitude only not to perform duty.

Recommendation for future training

Not recommended for further training

Overall grading

Below Average.

Fitness for Promotion

Unlikely to progress further.

I hope you will try your best to remove these defects. One spare copy of this D.O. letter is enclosed. This may be signed and returned to this office for placement in your Character Roll. Please note that nothing is to be written on it except merely putting your signature and dates in token of having received this letter. In case the acknowledgement is not received in this office within a week, it will be presumed that you have accepted the remarks and no appeal will be entertained after the specified time.

Note: - Copy of the Principal's letter in support of his report is also attached.


ASSISTANT DIRECTRESS (ACR)

Mr. Ikramullah,
Lecturer in Pashto,
Govt. Degree College,
Khan Kohi, Nowshera.

Endst; No. _____

Copy of the above is forwarded for information to the:

1. Principal, Govt. Degree College, Khan Kohi, Nowshera.
2. Deputy Director (Establishment) local Directorate.

Annex B

To

The Director,
Higher Education Khyber Pakhtunkhwa,
Peshawar

SUBJECT: ADVERSE REMARKS IN THE PER OF 2016 BY THE REPORTING OFFICER.

Respected/Sir,

Reference to your letter No 10829 dated 03/04/2018 It is hereby submitted that the undersigned has always performed his duties to the best of his abilities and even served under the principalship of Professor Sher Bahader Khan and got PERs of the year 2013 at GDC Khanpur, Haripur and 2015 at GDC Khan Kohi, Nizampur (Nowshera) with satisfactory and good remarks.

Meanwhile Prof: Sher Bahader Khan developed misunderstanding with the undersigned and started teasing with one way or the other. He completely showed bias and prejudice towards his subordinate including me. His bias, prejudice and malofid intention are evident from his following deeds/actions.

- 1- He forwarded an application to the SHO police station Nizampur vide No 2586 dated 27/09/2016 for lodging an FIR against me, which was rejected by the concerned SHO.

(Copy attached) Annexer-01

- 2- The principal concerned/Reporting officer also submitted an application dated 18/01/2017 under 22-A Cr.P.C to the august court of Session Judge/Justice of Peace (Nowshera) for compelling the SHO police station Nizampur to lodge an FIR against the undersigned without taking any advice, directive and NOC from the competent authorities/high ups.(Copy attached) Annexer-02

The Honorable Judge passed the following remarks on his this action is as under "It is the failure of your administration to bring your administrative matters to the courts & defamation of the Educational Institution".

The above two illegal and unlawful acts of Prof, Sher Bahader Khan are sufficient to prove his malofid and bias intention towards the undersigned. Annexer-03

It is pertinent to mention here that he also tried to pressurize torture and black mal us through his relatives and outsiders.

Now I come to reply his adverse remarks one by one as follow:

Part-iii-(Evaluation by the Reporting Officer)

It is submitted that he has shown his narrow mindedness and graded all the columns bellow average, which is not possible for any human beings. He seems to have picked all the dirty points like a fly. It is important for a leader to look good things in his followers.

His inabilities and weaknesses are also reported by his High Ups in the reply submitted to the Service Tribunal Peshawar. (Copy attached) Annexer-04

Part-iv-(Reporting Officer's Evaluation)

The reporting officer has made a baseless statement regarding my achievements in the shape of results shown by the students of my classes. How can he disagree with the statistics of the result shown in the Para-II-(2).

Result of session 2015-16

S.No	Class	No. of students appeared in Exam	Passed	Percentage
1-	2 nd year	04	04	100%
2-	3 rd year	03	03	100%
3-	4 th year	04	04	100%

Integrity

It is irrelevant and not applicable. It's just an audit Para and not corruption. I was repaired the vehicle of GDC Khanpur on verbal directive of Ex Principal Prof, Abdul Wahab Principal GPGC Haripur. You can verify the matter from him. The clearance slip of that college is also attached for ready reference. He (Prof, Sher Bahader) has not assigned me any financial responsibility so how he can declare me as a dishonest person. (Copy of the clearance certificate attached) annexer-05

Pen Picture

Here too he has picked the dirty points in his mind and shown bias attitude towards me.

Special aptitude

Again his attitude is found prejudiced and my other PERs reported by him can be coated in this regard.

Recommendation for future training

Here too he has shown his narrow mindedness. I have got the opportunity mandatory training in the HEART by getting a certificate with good remarks.

Overall grading

It is totally bias. His previous remarks in my PERs can be checked.

Fitness for promotion

Totally bias and his own remarks in my previous PERs are sufficient.

His letter in support of the adverse remarks in the PER of 2016 is not agreed with on the following grounds.

- 1- No warning or proper counseling. The senior most faculty member of the college Mr. Abid Hussain Associate professor can be consulted in this regard. He has not been counseled in this matter.
- 2- Local Elders are not needed to be counseled for making adverse remarks in the PERs.
- 3- The complaint letter to DHE vide No 2587 dated 27/09/2016 is not communicated to the undersigned.
- 4- It's just an allegation and I have not motivated students for strike. No strike was observed in 2016 in this college.

- 5- After trying to lodge an FIR against me, it is considered that all explanations were baseless. He was always trying to deal his subordinates with unlawful way.
- 6- As above
- 7- As above
- 8- As above
- 9- Reply already submitted to the DHE.
- 10- Notice was circulated untimely; PERs are submitted to the Reporting Officer after 31 December each year.
- 11- Irrelevant and not applicable, but I was relieved in my presence. (copy of relieving slip attached) Annexer-06

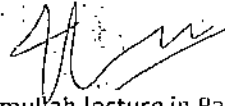
Note: A letter No.SO(C-III)HE/1-2/09/Sonia Aslam/Dated Peshawar, 10th November, 2017 is circulated to all directorates that the competent authority has shown serious concern for writing PERs. In majority cases the Reporting Officer reported adverse remarks without warning/counseling. (Copy of the letter attached). Annexer-07.

It is also admitted by the high ups of the department in its reply to the service Tribunal Peshawar that a number of complaints regarding his bias attitude towards different people are received. (Copy of the reply is hereby attached)

It is too clearly mentioned in a judgment of the Supreme court of Pakistan regarding Annual Confidential Report "That once Annual confidential Report was the result of bias and prejudice, it could not stand Such biased Annual Confidential Reports would not have any legal validity and must be expunged from the record even if they had been made by the highest reporting officer". (copy of judgment attached) Annexer-08

Thanks and anticipation.

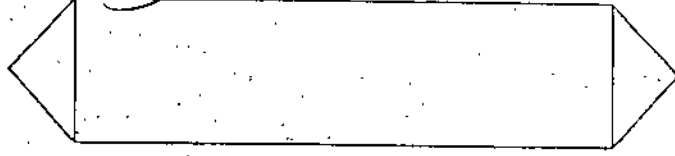
Obediently Yours



Ikramullah lecture in Pashto

GDC Khan Kohi, Nizampur (Nowshera)

بعدالت سے روسی و اسٹونل ونگ



مورثہ

مقدمہ

دعویٰ

جرم

2019ء منجانب

بنام

انور اللہ

السلام علیکم

و علیٰ آہل بیتہ
السلام

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز

وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور

بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق

زرائں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی

اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت

مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے

تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے

اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے

سبب سے و ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں

گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

2019

ماہ
سپتمبر

الرقوم

العبد گواہ العبد

کے لئے منظور ہے۔

ماہ

مقام

Accepted
BY
[Signature]

(12)

انور اللہ

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No: 1193/2019

Mr. Ikram Ullah..... Appellant

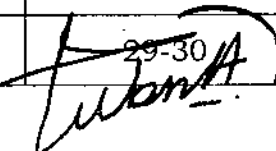
Versus

Govt. of Khyber Pakhtunkhwa
Through Secretary, Higher Education
& others.....

Respondents

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Respondent

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No: 1193/2019

Mr. Ikram Ullah..... Appellant

Versus

Govt. of Khyber Pakhtunkhwa
Through Secretary, Higher Education
& others.....

Respondents

AFFIDAVIT

I, Farhan Ahmad, Assistant (Litigation), Higher Education Department do hereby declare and affirm on oath that the contents of "Parawise Comments" are correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Court.



Identified by:

Deponent
CNIC # 12101-1699891-1
Cell # 0331-9802871



①

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BEFORE THE HONOURABLE KHYBER PAKHTUN KHWA SERVICE TRIBUNAL
PESHAWAR

S.A # 1193/2019

Ikramullah.....Appellant

Versus

Govt. of Khyber Pakhtunkhwa
Through Chief Secretary
& others.....

Respondents

SUBJECT: PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1,2,3 & 4

Respectfully Sheweth:-

Preliminary Objections:-

1. That the appellant has got neither cause of action nor locus standi to file the instant Service appeal.
2. That the appellant has not come to this Honourable Tribunal with clean hands.
3. That the appellant is trying to conceal material facts.
4. That the appellant is estopped by his own conduct to file the instant service appeal.
5. That the instant Service Appeal is time-barred.
6. That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.

Reply on Facts:-

1. Incorrect. The appellant was appointed as Lecture on contract basis on-28-10-2005 and later on regularized vide notification dated: 18-03-2010. The appellant has worked with the utter dissatisfaction of the high-ups which is also evident from his relieving chit wherein he was relieved in Absentia by the Principal Govt. Degree College, Khanpur (Haripur) with the remarks to return the college assets (**Annex-A**) which he took to his home.
2. Correct to the extent that the appellant was transferred to Govt. Degree College Khankohi Nowshera under report.
3. Subject to proof. That the appellant was involved in different conspiracies against the Principal, violated the rules. An inquiry was also conducted wherein allegations against the Principal were not proved (**Annex-B**).
4. Incorrect. That the adverse remarks have been recorded in the PER of the appellant for the year 2016, 2017 & 2018, which clearly shows his performance and attitude towards his duties. (**Annex-C**).
5. Correct to the extent that adverse remarks were communicated to the appellant vide letter dated: 03-04-2018, rest of the para is incorrect.

AD (L/K)

Directorate of Higher Education Khyber Pakhtunkhwa RECEIVED ON	
13	3 2022
548	Page # 303

6. Correct to the extent that the appellant filed departmental appeal wherein the date mentioned is 16-04-2016. It is pertinent to mention here that the instant Service Appeal is badly time barred under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act.

Reply on Grounds: -


- A. Incorrect. As already explained.
- B. Incorrect. That the appellant was intentionally involved in activities to disturb the atmosphere of the college and create problem for administration. In this regard explanations were called from the appellant and inquiries were also conducted in which penalty was also imposed upon the appellant but he did not mend his ways. It is pertinent to mention here that the Principal vide office order dated: 22-12-2021 directed staff to submit PER for the year 2016 but the appellant refused to submit his PER. **(Annex-D)** In this regard an explanation was also called by the Principal **(Annex-E)** and even then he did not submit his PER. Principal reported the issue to the office of respondent 3. **(Annex-F)**. Principal, Govt; Postgraduate College, Nowshera was given the task to dig out the facts and the report of the Principal, Govt; Postgraduate College, Nowshera was against the appellant. **(Annex-G)** Final letter dated: 13-12-2017 was issued from the office of respondent No. 3 (Director, Higher Education Khyber Pakhtunkhwa) **(Annex-H)** and after that he submitted his PER.
- C. Incorrect. That the appellant was habitual of absenteeism, motivating students against Principal, late coming, not attending the college meetings, not marking biometric attendance **(Annex-I)** hence his overall performance and behaviour was not satisfactory and in this regard the Principal called explanation from the appellant vide letter dated: 27-10-2016, **(Annex-J)**, letter dated: 07-11-2016 **(Annex-K)**, letter dated 16-11-2016 **(Annex-L)**, letter dated: 24-11-2016 **(Annex-M)** letter dated: 23-01-2017 **(Annex-N)**, but the appellant did not pay any heed and kept on his behaviour, unbecoming of gentleman. The appellant did press conference against the Principal **(Annex-O)** in utter violation of Conduct Rules, 1987, an explanation was also called from him in this regard **(Annex-P)**.


An Inquiry was also conducted wherein allegations against the Principal did not prove and the committee recommended to transfer the appellant along with those who were disturbing the atmosphere of the college and also recommended that disciplinary proceedings be initiated against the persons involved in such activities. **(Attached as Annex-B)**

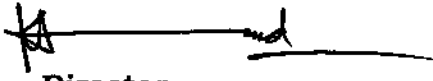
- D. Incorrect. As already explained in preceding paras.
- E. Incorrect. As already explained in preceding Paras.


Prayer:-

It is, therefore, humbly prayed that the instant Service Appeal is based on misconception/misstatements hence may graciously be dismissed.


 for **Chief Secretary,**
 Govt. of Khyber Pakhtunkhwa
 Respondent No. 01


Secretary,
 Higher Education, Archives
 & Library Department
 Respondent No. 02


Director
 Higher Education Department
 Respondent No. 03


Principal
 Govt. Degree College, Khan Koi, Nowshera,
 Respondent No. 4

PRINCIPAL
 GOVT DEGREE COLLEGE
 KHAN KOHI ✓

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Annex A

A

OFFICE OF THE PRINCIPAL GOVT. DEGREE COLLEGE KHANPUR (HARIPUR).

Dated Khanpur the 4-8- 2015

No. _____

To

Mr. Ikramullah Khan
Lecturer in Pashto
GDC Khanpur

Subject: Relieving in absentia.

Memo:

Reference: Directorate Higher Education Department Peshawar,
letter No: SO (C-II) HE/2-5/15/Surplus Staff/ you have been transferred to Khan Kdoi
in the best public interest.

You are therefore, directed to return (Almara, Charpies, Chairs,
Tables, Fans), that you have taken for your personal use, immediately.

Principal
Govt. Degree College
Khanpur (Haripur)

Encl: No: 54-56

Copy to the:

1. P.S to Secretary, Higher Education Department, Khyber Pakhtunkhwa, Peshawar.
2. Director Higher Education Department, Khyber Pakhtunkhwa, Peshawar.
3. Principal, GDC Khan Kdoi, Nizampur.

Principal
Govt. Degree College
Khanpur (Haripur)

Annex A



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA,
KHYBER ROAD PESHAWAR**

Phone # 091-9210242, 9211025/Fax # 9210215
No. 26223 / CA-II/Estt: Branch/A-12/Ikramullah/Pashto

①
26/10/15

A1

Dated Peshawar the 26 / 10 / 2015

To

Ikram Ullah
Lecturer in Pashto
Govt: Degree College, Khanpur (Haripur).

SUBJECT EXPLANATION/RELIEVING IN ABSENTIA.
Memo:

I am directed to refer to the Principal Govt: Degree College, Khanpur (Haripur) letter No. 1554-56 dated 04-08-2015 address to you and copy thereof endorsed to this office on the subject cited and to ask you as to why you have used the Government property for which were not authorized.

I am, therefore, directed to ask you to explain you have used the Government property unauthorizably. Your explanation should reach this office within three days of the receipt of this letter.

Endst: No. 26223-24

[Signature]
DY: DIRECTOR (ESTABLISHMENT)

Copy of the above is forwarded to the:-

1. Principal Govt: Degree College, Khanpur (Haripur).
2. PA to Director Higher Education Khyber Pakhtunkhwa.

[Signature]
DY: DIRECTOR (ESTABLISHMENT)

[Signature]

Annex - B

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**FACT FINDING INQUIRY REPORT ON
COMPLAINTS AGAINST SHER BAHADAR KHAN**

**PRINCIPAL GOVERNMENT DEGREE COLLEGE KHAN KHOI
(NIZAMPUR, NOWSHERA)**

Reference:

Two letters of same subject received from the Director of Higher Education, KP Peshawar regarding complaints against prof: Sher Bahadar principal GDC Khan Khoi, Nizampur bearing numbers and dates as follows:

- i) 2751/CA-II/E:stt: Branch/A-12/Sher Bahadar/Stats dated 01/02/2017 and
ii) 3378/CA-II/E:stt: Branch/A-12/Sher Bahadar/Stats dated 07/02/2017.

Introduction:

The first letter relates to No. 34/5/3747/(CVC)NAB/(KP)2263, dated 29.07.2016 from Deputy Director (Coordination) complaints verification cell. National Accountability Bureau, Khyber Pakhtunkhwa received in DIII office through SO(Colleges-I), Govt: of KP, Higher Education Deptt: Peshawar.

The second letter relates to letter No. SO (College-1)/III/1-2/ complaint/Principal GDC, Khan Kohi/2017/2070, dated 26/01/2017. Both the letters received on 15/02/2017. So, the inquiry conducted on the basis of both the complaints by taking Interviews and written statements.

The first letter consisted of the pages on different allegations briefed as

- i) Pages 205-206, an anonymous application (along with two office Orders of fines) to DG NAB, KP about corruptions of Prof: Sher Bahadar Principal, GDC Khan Khoi, Nizampur.
ii) Page 98 of 110 with an enclosure of two pages application (page 232 & 236) of students regarding behavior of Principal.
iii) Page 235(1-2) an application of Mr, Ikram Ullah lecturer in Pashto.
iv) Page 221, an application by Prof : Abid Hussain of Statistics and Mr. Ikram Ullah lect. in Pashto.
v) Page 328, an application of Mian Ikram ullah lect. in Pashto.

The second letter refers to page 147 of 147 with an enclosure of 05 pages regarding an incident of quarrel between principal and Mr. Ikram Ullah, Abid Hussain and Qazi Shehzad of Biology.

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Inquiry Proceedings:

The inquiry committee contacted to Prof: Sher Bahadar telephonically & informed him about the visit of undersigned on 21/02/2017. The inquiry committee arranged to visit the college on specified date and tried to probe into the allegations leveled on the principal GDC Khan Khoi.

I. Inquiry No. 2751/CA-II/Estt: Branch/A-12/Sher Bahadar/Statistics

Probing into the facts behind anonymous application written to Mr. Saleem Shahzad Director General NAB, KP. The principal Sher Bahadar and the public representatives were contacted and inquired about the irregularities pointed out in the application. It is worth mentioning that on the same application an inquiry has already been conducted by Prof: Fazal ur Rehman and Mr. Muhammad Hayat Deputy Secretary Higher Education Deptt. The difference is that in that inquiry, fake names of persons who had no relation with the college/students were written while this one is anonymous. However, the undersigned met with some public representatives. They flatly denied the charges of corruption on the principal. Their statement is annexed as, annexure A(02 pages).

Other charges are discussed one by one as follows:

1. The Principal was inquired about his post; he showed a notification by the Govt. for his personal up gradation of the post i.e., the post will be automatically downgraded with the relieving of Prof: Sher Bahadar. The DAO Nowshera makes payments according to the Govt: orders. Annexure B (03 pages).
2. The Principal, Sher Bahadar informed that prior to his arrival in that college, the transformer of the college was stolen by some thieves which is still untraced. He personally requested to the local nobilities to help the College Administration to install the Electric Transformer so that the students could study with quite peace of mind having light, cool air of fans and water. One of the philanthropists Mr. Ghaffar Khattak personally deposited a sum of P.S. 275,000/- with WAPDA for provision of a Transformer to the College. In this way he made the college tube well functional and the college buildings enlightened. Same was confirmed by the local representatives (annex A).
On 20/11/2015 he arranged the parent day function in which the administration of Askri cement was also invited. The Manager of Askri Cement impressed from the performance of students and announced a prize of Rs. 20,000/- for the students and handed over a cheque of above amount. This cheque was deposited by Prof: Abid Hussain in the college account.

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12/12/14

Other than these, no donation was received by the Principal nor given by any other organization.

3. The Principal accepted that he had lived for about one month in the two room accommodation constructed at the remote corner of the college, whereas, now-a-days he stays off and on for the night whenever remain busy in college affairs in the chowkidar's room constructed over the main building of the college. Furthermore, the light system of the chowkidar's room is connected with the solar system of the college so no payment of electricity bill is involved.
4. The Principal denied of renting out the college HALL on marriages. The allegation is false and baseless. This question was also asked from the staff of the college who also negated. The local public representatives also negated such activities (annex. A).
5. The Principal accepted that the barren and uneven part of the college land was given to a local villager during 2014, just to level it and make it cultivable. The villager after leveling cultivated it for wheat from which the total output was about 2-3 mounds. After that the same area was converted to a flower garden and some other plants have been planted on that area.
6. For the installation of security cameras and solar system, proper advertisement was given in the newspaper by the JMC Nowshera, tenders collected and order placed to the successful bidder. Since, it was the end of financial year. So, as per past practice the AC bill was submitted to DAD Nowshera who issued the cheque in the name of vendor. The vendor during this period supplied some of the ordered items while others left over. However, the Principal demanded the Pay Order amounting to Rs. 500,000/- in addition to the CDR already submitted for the left over items, as security with the assurance that the remaining items will be supplied in near future. According to principal he requested repeatedly in writing to the contractor for the supply completion but the supplier did not respond. The Principal submitted the CDR/Pay Order in Bank of Khyber Nowshera Cantt Branch and found that the same were fake. Accordingly proper FIR against the Contractor was registered (photo copy attached). According to him he was deceived by the supplier and the supply is still pending. It is worth mentioning that the supplier deceived all the JMC colleges of Nowshera and the supplier has been black listed by the Coordinator/Principal JMC Nowshera with the consultation of Director, Higher Education Deptt.
7. The inquiry committee tried to trace out the students of Inter and Degree Classes who were fined by the Principal/Chief Proctor but could not find any of the student's who could confirm the fine indicated in the office

(Signature)

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orders. In this respect, the Chief Proctor/Office assistant was also contacted but both of them denied of imposing such heavy fines. The diary/dispatch register was also checked for the confirmation of Office Order Nos./dates of fine but proved to be fake (photo copies of dispatch register are attached). Furthermore, the Principal and Office Assistant asserted that those notices were fake and exaggerated, the signs of the Principal were scanned and such type of practices is informed to be made by the Lab. Asstt. Mr. Shabbir (now posted at GDC Okara). Annexure – D (05 pages).

The Principal explained that the college HIACE is being used to provide the pick and drop facility to the staff members as college is located in the remote area and generally there is no suitable local/public transport available during college hours.

P-232 To confirm the allegations in an application by the students about the behavior of Principal and the facilities of Play Grounds and cold drinking water, the inquiry committee tried to meet out the students in the attached list but no student appeared to accept the allegations leveled in the application. A few of the students were of the view that this application was written by Mr. Ikram Ullah, etc; while a few of the enlisted students denied of involvement of such an activity.

The undersigned met the students collectively/individually and inquired about the behavior of their Principal as well as teachers. In the gathering there were about 200 students of almost all the classes. Out of these no one objected the behavior of their Principal and other staff except on the teachers of Pashto, Statistics and Biology. All the students praised the Principal and said that "he is very good, cares about our studies and helps the poor ones from his own pocket. A few of them pointed out that at certain occasions he becomes harsh to those students who do not care for their studies". However, they thought that they were not annoyed of him as whatever he is doing that is for their best future. The statements of students are annexed as (B07 pages).

The students of Pashto explained that once Prof. Ikram Ullah gave them a blank paper just to sign it but they did not know what was going to be written over it. According to them, they got information about that statement during their inquiries. They further stated that Mr. Ikramullah Khan bears a casual behavior of attendance and most of the time he does not care for his classes. The students of Statistics also said that Prof. Abid Hussain is irregular in his classes and his students were not satisfied with his teaching method. He does not allow the students to ask questions. He guides the students not to opt the subject of statistics. Similarly, the students of Biology also stated that their teacher Mr. Oazi Shazad ill

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Malook does not take the classes regularly, often he is present in the College but avoid to take the classes. The statements of students are annexed as 1(04 pages).

P-235. In this application, Mr. Ikram Ullah claimed the misbehaviour of the Principal, but when inquired from the Principal he in turn claimed that he requested Mr. Ikramullah to change the time of his class because of clash in timings of Pashto and Islamiyat as there were only FIVE students in Pashto whereas in Islamiyat there were about 30 students so the Principal thought it better to change the time of Pashto subject from 11.00 am to 11.40 am. And when he (Principal) discussed it with Mr. Ikramullah, he became furious and used abusive language. This behavior was confirmed from the oral statements of students and written statement of the staff members (copy attached).

P-221 . When asked from the Principal about closing of College on 16.11.2016, he denied of such an activity and said that it was a false allegation as the principal has no authority to close the college without any justification or permission of the higher authorities.

P-238 . Application of Mr. Ikramullah about threatening of Principal when asked about such an harassment, the Principal denied of it and said that the persons pointed in the application is a group who is regularly trying to defame me by using different tactics. The application given by Ikramullah is the handwriting of Mr. Shabbir Ahmed (Lab Asstt.) who was transferred from GDC Khan Kohi to GDC Akora Khattak due to his mischievous activities. The Principal also provided a list of FIRs lodged against Mr. Shabbir Ahmed by different Principals at different occasions. He is informed to be habitual of teasing and harassing Principals by fake letters to the high ups. Here in this application he has signed as witness while he has himself written the application in spite he is not serving in this college.

Similarly, the other witnesses who signed the application of Mr. Ikram Ullah i.e:

- (i) Prof: Abid Hussain
- (ii) Prof: Shehzad
- (iii) Mr. Ayub Zaman(Mali)
- (iv) Mr. Hafceez ur Rehman (Lab Attendent)

have been found from the attendance record to be irregular and reluctant of performing their assigned duties. Mr. Ayub Zaman was once punished and terminated by the Principal due to non performance of his duty and remaining absent but later on re-instated.

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II. Inquiry No. 3378/CA-II/Estt: Branch/A-12/Sher Bahadar/Stats

P-150. Application by Mr. Ikramullah and Prof: Qazi Shahzad ul Malook.

According to the Principal, on 25.01.2017 the students of Pashto and Biology subjects complained about the incompleteness of their courses and irregular behavior of their teachers who do not take classes regularly and most of the courses were left pending. At the same time some more students gathered at the spot. The Principal said that he tried to calm down the students and instructed to be patient, he will talk to Mr. Ikramullah and Prof: Qazi Shahzad ul Malook for the same. In the mean time Mr. Ikramullah and Prof: Qazi Shahzad reached in the college and burst upon the students. They also used abusive language for the Principal. At this time harsh words were exchanged on both sides but the Chief Proctor and some other staff members entered in and tried to disperse the students and the professors.

The Chief Proctor and others strongly condemned the happening of this incident. They said that there was only an exchange of harsh words rather than beating to anyone. According to the Principal and others that after sometime Mr. Ikramullah, Qazi Shahzad, etc., went to nearby Police Station to file a complaint against the Principal.

Knowing such an activity by the above Professors the Principal along with some students who were present on the spot also went to the Police Station for a cross complaint and returned back to his office.

The staff members and the students said that the application by Mr. Ikramullah, etc; and the newspaper clippings were false and exaggeration of facts. The statement of Chief Proctor, other staff members and students are attached herewith. It is worth mentioning that both the groups have already approached to the local Police Station for FIRs on different occasions prior to this quarreling. Annexure G (11 pages).

The written statements of Prof: Abid Hussain, Prof: Qazi Shahzad ul Malook, Mr. Ikram ullah, Mr Ayub Zaman Mali and Mr. Hafeez ur Rehman Lab Attendent are attached. These statements are more or less same with similar contents. Same type allegations were leveled over the principal.

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Findings:

After going through the records and statements provided by both the parties, it is found that the differences basically arose due to non-compliance of orders, non-serious and casual behaviour of subordinate staff. The basic requirement of a Principal is that his subordinate staff should perform his assigned duties especially taking regular classes and satisfy the students.

From the CCTV camera clippings it is found that the persons cross with the Principal are habitual of coming late to the college, remain absent without information and have casual behavior towards their duties. They have the attitude of giving anonymous applications to high ups with fake names. Also they have arranged press conferences which are against the service rules. They have been served with many explanations and warnings on account of being absent or not taking their classes. Once the differences created, they went on increasing, resulting in dis-obeyance and struggle to turn down one another. The inquiry committee noted that only five persons i.e: (i) Prof: Abid Hussain, (ii) Prof: Qazi Shahzad Malook, (iii) Mr. Ikramullah, lecturer (iv) Mr. Hafeez ur Rehman, Lab Attendent and (v) Mr. Ayub Zaman, Mali were on one side while all the other teaching/non-teaching staff were on Principal side this indicate that the first group of 5 persons were at wrong. They have reached at a stage of non-return and unable to accept Prof: Sher Bahadar as Principal, who according to majority of staff, students and general public representatives was performing for the betterment of the college as well as students

Furthermore, the students were found to be annoyed from the quarreling behavior of their teachers and non performance of their duties. There was not a single student who appreciated the behavior of these persons. They also requested that such under report teachers should be transferred from their college as they have given a huge loss in terms of time, money and resources to the students and the college.

(Signature)

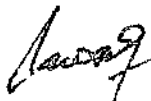
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Recommendations:-

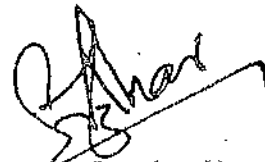
Since the above six persons have become a threat for the department as well as the college due to being habitual of not performing their duties, sending fake applications to high ups and other agencies with fake names and exaggerated facts just to keep the principal under pressure and avail full facilities from the department. also they have arranged the press conferences and defamed the department and wasted time and resources. It is therefore recommended that all the above persons be transferred from this college and disciplinary proceedings be initiated against the persons involved in such activities.

The principal of the college be warned to be careful in purchasing processes so that the fraudulent persons could not deceive again. Also, the department should take action against the fraudulent contractor and treat under the law so that the supplies could be completed.

It is also, recommended that the principal be directed not to use harsh and abusive language with the subordinate staff and treat them mannerly.



Prof. Muhammad Nawaz,
Principal GDC Khanpur, Haripur.



Asstt. Prof. Azhar Hussain Shah
GDC Khanpur, Haripur

Annex-B

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Year	Period of F	
	From	
2009	24.9.2009	
2010	1.1.2010	
2011	1.1.2011	
2012	1.1.2012	
2013	1.1.2013	
2014	1.1.2014	
2015	1.1.2015	
2016	1.1.2016	
2017	1.1.2017	
2018	1.1.2018	
	18.4.2018	
2019	1.1.2019	

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(3)

OFFICE OF THE PRINCIPAL GOVT. DEGREE COLLEGE KHAN KOHI NIZAMPUR NOWSHERA.

No: - 2694

Dated:-23-01-2016

To

Mr. Ikram ullah

Lecturer in Pashto

Govt. Degree college Khan Kohi Khan, Nizampur Nowshera.

Subject: - Explanation.

1. I had inform you about the submission of PER of 2016 vide this office letter No. 2674 dated 22-12-2016 however you refused to sign the said circular and also you have not submitted PER with in a time.
2. You are in habit of self assumed leave without prior permission of the competent authority. You are absent from duty on darded 07-01-2017 to 09-01-2017.
3. You do not follow the instructions of higher education issued for the college teaching staff during the official timing even though you do not wearing the Gown..
4. You do not come on proper time that 8.00 AM and went before off time.
5. Govt. is provided the facility of Biometric System to check the punctuality and attendance but you do not use neither on coming nor leaving the college, vide notification of Secretary Higher Education Khyber Pukhtunkhwa No. HED/HI. MIS/Biometric/2016 dated 27-07-2016 which is compulsory for officials/ officers

Explain your position in three days positively

DDLE
for n/a pl.
23/1/2017

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247

Principal

Govt. Degree College Khan Kohi Nizampur Nowshera.

No: _____ dated: _____

Copy to:

1. P.S. to Secretary, Higher Education KPKP Peshawar.
2. P.S. to Secretary, Law KPKP Peshawar.
3. P.A Director, Higher education KPKP Peshawar.
4. Principal, GPGC Nowshera.

CA II
23/1/2017

Khan Kohi Nizampur
Nowshera

Handwritten notes and signatures at the bottom right of the page.

OFFICE OF THE PRINCIPAL GOVT. DEGREE COLLEGE KHAN KOHI NIZAMPUR NOWSHERA

NO. 2993

DATED:-17-11-2017

TO

The Director

Higher Education KPK Peshawar.

Subject: -NON SUBMISSION OF PERFORMANCE EVALUATION REPORT


Memo:-

Reference vides your letter No. 30110-19 dated 07-11-2017. Your letter is received in the office with diary No. 284 on dated 17-11-2017.

Complaints in this regard are submitted to the office of Director Higher Education KPK Peshawar under dispatched No 2694 dated 23-01-2017 and No. 2852 dated 29-05-2017.

In response of your letter No. 21471-671 dated 17-08-2017, reply is submitted vide letter No. 2921 dated 09-09-2017.


It is again submitted that Mr. Ikram Ullah pasho lecturer failed to submit his PER, 2016. He is written blamed me that I submitted my PER, 2016, but instead of this no disciplinary under the Rule E&D (2011) have been taken. Therefore it is requested that disciplinary action initiate against him.


Principal

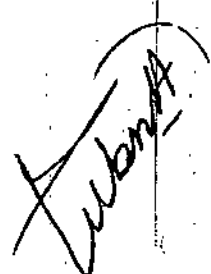
Govt. Degree College Khan Kohi
Nizampur Nowshera.

Endst:-2994-97 dated: 17-11-2017

5. P.S. Secretary, Higher Education KPK Peshawar.
6. Additional Director, Higher Education KPK Peshawar
7. P.A. Deputy Director, PER Section Higher Education KPK Peshawar
8. Principal/ Coordinator, GPGC, Nowshera


Principal

Govt. Degree College Khan Kohi
Nizampur Nowshera.





OFFICE OF THE PRINCIPAL
GOVT. POSTGRADUATE COLLEGE
NOWSHERA CANTT

19 98 57
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Contacts:
Pho# 0923-9220142
Cell: +92333-9404351
Cell: +92301-8109007
Cell: +92385-2175670
Email: gpgcnowshera6@gmail.com
Email: m.ishaq1972@gmail.com

No. (1787)

Dated. (31/10/2017)

To,

The Director Higher Education,
Khyber Pakhtunkhwa,
Peshawar

SUBJECT: PER OF MR. IKRAM ULLAH, LECTURER IN PUSHTO AT GDC KHAN KOHI

Sir,

Reference to your letter No. 26759 dated October 05, 2017, wherein the undersigned was assigned the task to sought the matter related to the subject PER, it is submitted for your kind information that the undersigned paid a visit to Government Postgraduate College Khan Kohi (Nizampur) on 19-10-2017. Relevant information was collected from the Principal and ministerial staff in written interview form.

Facts and Figures

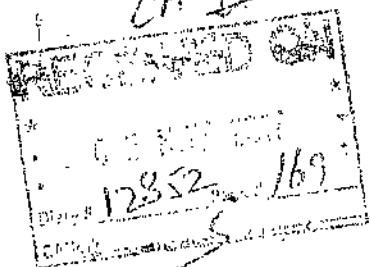
The claims made by Mr. Ikram Ullah, against the Principal DGC Khan Kohi, Prof. Sher Bahadur and the facts found against each are submitted as follows:

Claims of Mr. Ikram Ullah	Facts found
1. The Principal has not provided the claimant any explanation or letter till date.	1. (a) The Principal had issued a routine office order vide letter No. 2674 dated 22.12.2016, wherein he had asked all teaching staff to submit their PER for the year 2016. As per record and verbal statements of Principal and Naib Qasbi Mr. Meraj Sharif, the claimant refused to sign the office order and to submit his PER for the year 2016. (Copy attached)
2. The claimant has already submitted his PER for the year 2016 but the Principal/ Reporting Officer has not submitted to DHE.	(b) The Principal issued an explanation vide letter No. 2689 dated 23.01.2017, wherein the claimant was asked to explain as to why he refused to sign the office order No. 2674 dated 22.12.2016 and that why he did not submit his PER for the year 2016 in time. The claimant was called at the office of the undersigned and asked to provide a solid proof to his claims that he had submitted his PER for the year 2016. But he failed to provide any document in favor of his claim. Moreover, in the light of facts (1) (a)- (b), it is also obvious that his claim was not correct.

Keeping in view the above facts and figures, the undersigned is of the opinion that the claims of Mr. Ikram Ullah, Lecturer in Pashto at the GDC Khan Kohi, that he was not being asked any explanation and that he had already submitted his PER for the year 2016, are totally baseless.

Recommendation: The undersigned recommends that Mr. Ikram Ullah, Lecturer in Pashto at GDC Khan Kohi, may please be asked to initiate his PER in order to solve the issue of his promotion from BPS-17 to BPS-18.

Principal
Government Postgraduate College,
Nowshera



CA-12
Recd from Estab. Peshawar
5/12/17
Tubana

311
20/12/2017
Annex-4
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DIRECTORATE OF HIGHER EDUCATION KHYBER PAKHTUNKHWA PESHAWAR

Tel: 9210215, 9210217, 9210242, 9211025, 9210668, Fax: 9210215

FINAL LETTER

No. 333011

Dated 13/12/2017.

To

Mr. Ikramullah,
Lecturer in Pashto,
GDC, Khan KOhi, Nowshera.

Subject: **SUBMISSION OF PER FOR THE YEAR 2016.**

I am directed to refer to the Principal GPGC Nowshera letter No. 1781 dated 31.10.2017 (copy enclosed) on the subject noted above and to inform you to initiate the PER for the above period from the concerned Reporting Officer complete in all respect may be furnish to this office within 3 days of the receipt of this letter for further procees.


ASSISTANT DIRECTRESS (ACR)

No. _____

Nowshera.

Copy forwarded for information and necessary ation to the Principal, GDC, Khan Kohi,


ASSISTANT DIRECTRESS (ACR)



Annex

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21 19

Office of the Principal Govt. Degree College Khan Koh, Nizampur Nowshera.

No-2704

dated: - 23/03/2017

95

10

The Director Higher Education,
KPK, Peshawar

SUBJECT: Refusal to Comply with Daily Attendance/Biometric

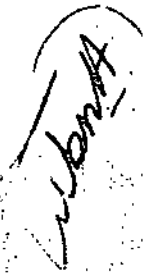
It is informed that Mr. Ikram Ullah, lecturer in Pashto of this college has not been complying with the instructions vide notification of the Secretary Higher Education Khyber Pachtunkhwa No. HED/HEMIS/2016 regarding providing biometric on the arrival and leaving times of the college premises which is mandatory. It is, therefore, requested that the further disciplinary action may be taken under the law against the said officer.

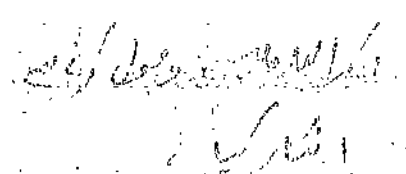

Principal

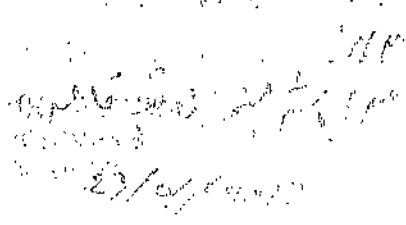
Govt. Degree College, Khan Koh,
Nizampur, Nowshera.

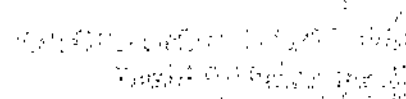
Copy to:

- 1 P.S. to Secretary, Higher Education, KPK, Peshawar.
- 2 Copy to the officer concerned











Higher Education, Archives and Libraries Department
Government of Khyber Pakhtunkhwa

Employee Attendance Report (Individual) (Friday, January 20)

22

50

Summary :

1. Name: Ikram Ullah
2. CNIC: 2110519953145
3. Gender: Male
4. FPID: 14223
5. Designation: Lecturer
6. Scale: BPS-17
7. Department: GDC Khan Kohi Nizampur, Nowshera
8. Shift: ,In Time: ,Out Time: ,Grace Time:

S.No	Attendance Date	Day	In Time	Out Time	Status
1	12/01/2016	Thursday	--	--	Absent
2	12/02/2016	Friday	--	--	Absent
3	12/03/2016	Saturday	--	--	Absent
4	12/04/2016	Sunday	--	--	Week-Holiday
5	12/05/2016	Monday	--	--	Absent
6	12/06/2016	Tuesday	--	--	Absent
7	12/07/2016	Wednesday	--	--	Absent
8	12/08/2016	Thursday	--	--	Absent
9	12/09/2016	Friday	--	--	Absent
10	12/10/2016	Saturday	--	--	Absent
11	12/11/2016	Sunday	--	--	Week-Holiday
12	12/12/2016	Monday	--	--	Eid e Milad Un Nabi
13	12/13/2016	Tuesday	--	--	Absent
14	12/14/2016	Wednesday	--	--	Absent
15	12/15/2016	Thursday	--	--	Absent
16	12/16/2016	Friday	--	--	Absent
17	12/17/2016	Saturday	--	--	Absent
18	12/18/2016	Sunday	--	--	Week-Holiday
19	12/19/2016	Monday	--	--	Absent
20	12/20/2016	Tuesday	--	--	Absent
21	12/21/2016	Wednesday	--	--	Absent
22	12/22/2016	Thursday	--	--	Absent
23	12/23/2016	Friday	--	--	Absent
24	12/24/2016	Saturday	--	--	Absent
25	12/25/2016	Sunday	--	--	Week-Holiday
26	12/25/2016	Sunday	--	--	Quaid's Day
27	12/26/2016	Monday	--	--	Absent
28	12/27/2016	Tuesday	--	--	Absent
29	12/28/2016	Wednesday	--	--	Absent
30	12/29/2016	Thursday	--	--	Absent
31	12/30/2016	Friday	--	--	Absent

(Handwritten Signature)

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OFFICE OF THE PRINCIPAL GOVT. DEGREE COLLEGE KHAN KOHI,

NIZAMPUR, NOWSHERA.

Dated: 27-10-2016

No-: 2612

To:

Mr. Ikram Ullah
Lecturer in Pashto
Govt. Degree College Khan Kohi Nizampur, Nowshera.


Subject:

Explanation.

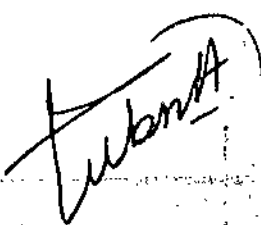
1. That you absent from duty on 27-10-2016 without prior information/ sanctioning casual leave.
2. That you are always engaging to motivate student against the administration: specially to block the main road of Nizampur.
3. That you misbehaved and used harsh language with Mr. Razaqat Ali Khan Lecturer in Maths on 26-10-2016. In his presence, you started delivering lecture on such points which are not in the mind of students, where you deliberately discussed.
4. That you motivated the students to write a letter to Nazam of village council Kahi that an English teacher is not available. There is no such problem of English teacher.
5. That you are not executing his duty regularly.
6. That you availed 35-day Casual leave from January, 2016 till to date.
7. That you come at 10.00am to college which is against the office discipline and decorum.
8. That your manner is disgusted towards his senior/Principal, and lower staff.
9. That you misbehaved with his me in presence of Class IV.
10. That you with Mr. Abid Hussain Associate Professor and Mr. Ayub Zaman of this college have formed a pressure group and creating conspiracies against the college Administration.
11. You always submit leave application, state that I am suffering from fever and head ache or high blood pressure. In this way he can creates a major trouble.

In this regard it is stated that this state of affairs is not at all tolerable and would also encourage other employees to follow similar attitudes. Therefore, we are in no position to spare such ill-discipline and unpunctual professor in the department, whose main task is violation of discipline/decorum and Govt. Servant (E&D) Rules.

Explain your position with in three days positively.


**PRINCIPAL,
GOVT. DEGREE COLLEGE,
KHAN KOHI (NIZAMPUR),
NOWSHERA.**

Copy to:

1. P.S. to Secretary, Higher Education KPK Peshawar.
 2. P.A. Director, Higher Education KPK Peshawar.
- 2/c
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Amir K

Higher Education KPK Peshawar
Director

**OFFICE OF THE PRINCIPAL GOVT. DEGREE COLLEGE KHAN KOHI,
NIZAMPUR, NOWSHERA.**

No: 2630

Dated: 07-11-2016

To:

Mr. Ikram Ullah
Lecturer in Pashto
Govt. Degree College Khan Kohi Nizampur, Nowshera.

Subject:

Explanation.

1. That you absent from duty on 05-11-2016 without prior information/ sanctioning casual leave.
2. That you reached college at 10.45 AM on 07-11-2016.
3. That you forced the students to write a letter to Local Councilers and also Secretary and Director Higher Education KPK Peshawar by bribing them in shape of cash money.
4. That you compel the students to go to Peshawar press club for protest against the principal.
5. That you are not taking class of first year according time table.
6. That you are not taking interest in college co-curriculum activities.
7. That you are not attending the meeting of the college calling by principal.
8. That you have not signed the students attendance register uptill now.
9. That you are disobedient govt. servant.

Explain your position within three days positively.

**PRINCIPAL,
GOVT. DEGREE COLLEGE,
KHAN KOHI (NIZAMPUR),
NOWSHERA.**

Copy to:

1. P.S. to Secretary, Higher Education KPK Peshawar.
2. P.A. Director, Higher Education KPK Peshawar.
3. Coordinator/Principal GPGC Nowshera.

Handwritten signature

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07/11/16

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OFFICE OF THE PRINCIPAL GOVT. DEGREE COLLEGE KHAN KOHI,

NIZAMPUR, NOWSHERA.

No:- 2640

Dated: 16-11-2016

To:

Mr. Ikram Ullah
Lecturer in Pashto
Govt. Degree College Khan Kohi Nizampur, Nowshera.

Subject:

Explanation.

1. That you absent from duty on 11-11-2016 without prior information/ sanctioning casual leave.
2. That you reached college at 10.30 AM on 12-11-2016 and left the college at 12.30 PM.
3. That you are absent from duty on 14-11-2016 without prior information/ sanctioning casual leave.
4. That you reached the college at 10.00AM on 15-11-2016 and left the college at 10.30 AM.
5. That you reached the college at 10.15 AM on 16-11-2016 where you left the college at 12.35 PM.
6. That you are not taking class of first year according time table.
7. That you are not taking interest in college co-curriculum activities.
8. That you are not attending the meeting of the college calling by principal.
9. That you have not signed the student's attendance register up till now.
10. That you are disobedient govt. servant.

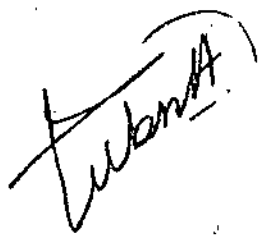
Explain your position within three days positively.



**PRINCIPAL
GOVT. DEGREE COLLEGE,
KHAN KOHI (NIZAMPUR),
NOWSHERA.**

Copy to:

1. P.S. to Secretary, Higher Education KPK Peshawar.
2. P.A. Director, Higher Education KPK Peshawar.
3. Coordinator/Principal GPGC Nowshera.



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16/11/2016

Annex M

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OFFICE OF THE PRINCIPAL GOVT. DEGREE COLLEGE KHAN KOHL

NIZAMPUR, NOWSHERA

No: 2651

Dated: 24-11-2016

To:


Mr. Ikram Ullah
Lecturer in Pashto
Govt. Degree College Khan Kohi Nizampur, Nowshera.

Subject:

Explanation

1. That you absent from duty on 19-11-2016 without prior information/ sanctioning causal leave.
2. That you absent from duty on 21-11-2016 without prior information/ sanctioning causal leave.
3. That you reached college at 9.50 AM on 22-11-2016.
4. That you reached the college on 10.45PM on 24-11-2016.(photo taken by personal camera attached with (detailed on back side of photo)
5. That you are disobedient govt. servant.

Explain your position within three days positively.


PRINCIPAL
 GOVT. DEGREE COLLEGE,
 KHAN KOHI (NIZAMPUR),
 NOWSHERA.

Copy to:

1. P.S-46 Secretary, Higher Education KPK Peshawar.
2. P.A. Director, Higher Education KPK Peshawar.
3. Coordinator/Principal GPDC Nowshera.

Handwritten Urdu text: Mr. Ikram Ullah

Handwritten Urdu text: Secretary, Higher Education KPK Peshawar

Handwritten Urdu text: 24/11/2016

Handwritten Urdu text: WJont

302-5630933

24/11/2016

Annex-I

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Office of the Principal Govt. Degree College Khan Kohi Nizampur Nowshera.

No:-2704

dated: - 23/01/2017

To

The Director Higher Education,
KPK, Peshawar

SUBJECT: Refusal to Comply with Daily Attendance/Biometric

It is informed that Mr. Ikram Ullah, lecturer in Pashto of this college has not been complying with the instructions vide notification of the Secretary Higher Education Khyber Pukhtunkhwa No. HED/HEMIS/2016 regarding providing biometric on the arrival and leaving times of the college premises which is mandatory. It is, therefore, requested that the further disciplinary action may be taken under the law against the said officer.

Principal

Govt. Degree College, Khan Kohi
Nizampur, Nowshera.

Copy to:-

- 1. P.S. to Secretary, Higher Education KPK, Peshawar.
- 2. Copy to the officer concerned

اگر اساتذہ نے وقت پڑھے
اشعار کیا

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۲۳/۰۱/۲۰۱۷

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روزنامہ اخبار
اخبار
خبر
 DAILY AKHBAR KHYBER
 PH: 091-946378
 FAX: 091-946384
 In: 0 @ akhbar.khyber.com
 پشاور اسلام آباد اور لاہور سے ایک وقت شائع ہونے والا کثیر الاشاعت اخبار

14-11-2011

دست باغی اور ان کی ظالم اور کفرانہ نالی کے سران اکرام

پرنسپل نے طلباء اور اُن کے والدین کو ذاتی کویت میں ہٹا کر نئے سمیت کرپشن کا بازار گرم کر رکھا ہے۔
 (شعبہ مسلم کورب نہیں دیکھا ہے اس سے کئی مہینے پہلے)
 (پکا) کے لوگ یہ نئے کے۔ بر ضروریں اکرام ہٹنے۔ خانہ بود (ہوئی ہیں) کے کان کے چہرے منق کے ایک
 کوشت و گری کان خانہ بودی کا چہرے کے پرنسپل شہر میں جم کے کہ کو باقیہ وہاں کی بد ضرور طلباء اور اس
 بہرہ کا کان طلباء اور والدین کا اس نور ان میں کے ساتھ ہوتا نور ملازمین ان کے دل سے سے مانز آگئے تھے جو کہ
 لادین گئے ہو کان نڈ میں نور پر پرنسپل کو شل کرنے اور کثرت آف کا لڑ بکر نیت کے یا کافی ہونے سے
 ہون کی حالت اپنی نا تحقیقات کرنے کا مطالبہ کہتے کان طلباء سے بھائی جو اسے بھل کر کے کان نڈ میں
 ہونے کہا ہے کہ کوشت و گری کان خانہ بودی کوئی نظام پر تن نہ کر مہینہ کا طرہ دین گیا ہے کان کے ترابی
 کے پرنسپل شہر بہرہ ایک نیر ان میں ہر وقت پرنسپل سے کاموں میں بھائی گیشن بھولی کے خیرین کا نام نہیں دیا
 اور نظامی امور جانے کی باقیہ وہاں کی نہیں گئے ہر بات پر ان خیالات کا اظہار نہیں نے نوشہرہ پرنسپل سے کیا ہے
 اور ضرور طلباء کان نور ملازمین کے ساتھ ہر اسٹنٹ شہر، غبار، حسین لورایہ دیکر اس شخص کے سرور
 کی کوٹھالیہ لیلہ دیکھ کر اسے پرنسپل سے کیا ہے جو کہ کدی پرنسپل کا کٹس سے خطاب کرتے ہوئے کیا۔



نوشہرہ، پکا ایک بھٹ کے اور پر نوشہرہ میں اکرام اللہ پرنسپل کا کٹس سے خطاب کر رہے ہیں

Tubana

29/11/16

9

Annex 0

Dirge 197
5/12/16
To



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA,
KHYBER ROAD PESHAWAR**

Phone # 091-9210242, 9211025/Fax # 9211803

No. _____ / CA-II/ Estt. Branch/ A-2/ Ikramullah/ Pashto

Dated Peshawar the 28/11/16

1. Mr. Abid Hussain,
Associate Professor of Statistics
Govt; Degree College, Khan Kohi (Nowshera).
2. Mr. Ikramullah,
Lecturer in Pashto
Govt; Degree College, Khan Kohi (Nowshera).

SUBJECT: PRESS CONFERENCE/ EXPLANATION

I am directed to refer to the subject cited above and to state that you have given statements to Print Media by arranging a Press Conference and levelled allegations against the Principal of the College which is dereliction of the Khyber Pakhtunkhwa Govt; Servants (Conduct) Rules, 1987, according to which no Govt; servants shall, in any document, published or any public utterance, radio broadcast or television programme, or in any other manner make any statement of fact or opinion which causes embarrassment to the Department and violation of conduct rules is tantamount to misconduct under E&D Rules, 2011.

2. I am further directed to ask you to explain your position as to why disciplinary action under rules ibid may not be initiated against you. Your reply should reach through your Principal to this office within 07 days positively.

BY: DIRECTOR (ESTABLISHMENT)

Endst: No. 31802-4

Copy of the above is forwarded to:-

1. PS to Advisor to Chief Minister for Higher Education, Information & Prs Khyber Pakhtunkhwa.
2. PS to Secretary, Higher Education, Khyber Pakhtunkhwa.
3. Principal Govt; Degree College, Khan Kohi (Nowshera).

*Mr. Waqar Ahmad
Do as the subject
[Signature]*

5/11/16

BY: DIRECTOR (ESTABLISHMENT)

[Signature]

Office of the Principal Govt. Degree College Khan Kohi Nizampur Nowshera.

dated; -05-12-2016

No:-2664

To

1. Mr. Abid Husain
Associate Professor of Statistics
Govt. Degree college khan Kohi Khan, Nizampur Nowshera.
2. Mr. Ikramullah,
Lecturer in Pashto
Govt. Degree college khan Kohi Khan, Nizampur Nowshera.

SUBJECT: PRESS CONFERENCE/ EXPLANATION

Reference the Directorate of Higher Education KPK Peshawar letter no. 31902-4 dated 28-11-2016. The original copy of the explanation is attached. You are directed to explain your position within 07 days positively through principal.


Principal

Govt. Degree College Khan Kohi
Nizampur Nowshera

Cop to:-

- (i) P.S. Secretary, Higher Education KPK, Peshawar for information.
- (ii) P.A. Director Higher Education KPK, Peshawar for information.
- (iii) The principal / Coordinator, Govt. Postgraduate College Nowshera



دین سرپرست پشاور
اور صاحب دینی نے یہ کیجیے کہ میں سرکار میں فوج
نے یہ کہہ لیکن دونوں نے وصول کر کے اسٹار کیا

فون 352-5420933
پشاور 17201-468565