(Original copy)

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

Appeal No.443/2022.

Rahim Dad ....APPELLANT.

VERSUS

1. **Government of Khyber Pakhtunkhwa through Chief Secretary Elementary & Secondary Education KPK Peshawar.**
2. **Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education KPK Peshawar.**
3. **Director Elementary & Secondary Education KPK Peshawar.**
4. **District Education Officer (Male) Mansehra.....RESPONDENTS.**

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS NO 1 ,2,3 &4 ARE AS UNDER:-

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DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

Appeal No.443/2022.

Rahim Dad ....APPELLANT.

VERSUS

1. **Government of Khyber Pakhtunkhwa through Chief Secretary Elementary & Secondary Education KPK Peshawar.**
2. **Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education KPK Peshawar.**
3. **Director Elementary & Secondary Education KPK Peshawar.**
4. **District Education Officer (Male) Mansehra.....RESPONDENTS.**

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO 1, 2, 3 & 4 ARE AS UNDER:-

Respectfully Sheweth:-

PRELIMARY HEARING .

1. That the Appellant is not the "AGGRIEVED" person.
2. That the Appellant is estopped by his own conduct.
3. That the Appellant has not come to the Hon'ble Tribunal with clean hand.
4. That the Appellant has no cause of action/locus standi to file the instant appeal.
5. That instant Appeal is against the prevailing law and rules.
6. That the Appellant has concealed the material facts from this Hon'ble Tribunal. Hence not entitled for any relief and appeal is liable to be dismissed without any further processing.
7. That the appeal is groundless and based on malafide, ulterior motive, hence the same is liable to be dismissed.
8. The instant appeal is not maintainable in the present form and also in the present circumstances of the issue.
9. That the demand of the appellant is against the law and facts hence the appellant is not entitled for any relief and appeal is liable to be dismissed on this score alone.
10. That the Appellant has not came to this Hon'ble Tribunal with clean hands, because, the appointment of the petitioner is fake, on the basis of fake appointment order and thereafter fake and fabricated inter district transfer

order from District Battagram to District Mansehra of the appellant, hence the same is not maintainable in eye of law, is liable to be dismissed.

Factual Objections:-

1) Para No.1 is incorrect, the appointment order of Petitioner is faked, fictitious, and he indulged himself into the Government Service fraudulently. In such illegal appointments, the Respondent No.3 (DEO Male Mansehra) sent an latter for verification of appointment Order of the Petitioner to District Education Office Male Battagram (appointing authority) vide latter No. 6851 Dated 19-04-2018 as well as through reminder letter No.17889 Dated 07/12/2018 ,whereupon District Education Office Male Battagram (appointing authority),on reply of said letter DEO(M) vide its latter No.9548-A/EB-II verf: Dated 03-09-2018 whereby ***"after checking the record of this office it has been observed that Mr.Rahim Dad S/O Muhibu Gul has not been appointed by this office nor he performed duty at GHS Asharban , as per report of HM concerned"*** from this response of the DEO(M) Battagram it is clear that the appointment order as well as all other related document are fake and fabricated,**(Copies letter vide dated 19-04-2018, letter dated 07-12-2018, copy of reply of the letter 03/09/2018 ,report of the HM Asharban Allai, Fake appointment order, copy of Original appointment order, are annexed as annexure A,B,C,D,E & F),**

2) Para No.2 is incorrect on the basis of fake appointment order and therefore fake inter district transfer; taking of the charge in the post of DM is illegal and misconceived to the Department. Whereas the stance of the appellant was baseless, on the malafide intension as the appellant had never been appointed in Education Department ,whereas the post of DM is belonged to District cadre and who has to possessed a domicile of the District cadre to be applied for the said post, whereas the appellant is Permanent residence of District Peshawar, who was not eligible to apply for the post of DM in another District i.e Battagram and got appointment order, it seems that the appointment of the appellant was fake and fabricated and the appellant had never attended the school, where he was claiming his appointment, whereas no office record had been found from the DEO (Male) Battagram.

3) Para No.3 is incorrect that the Appointment order of the appellant as per letter of DEO (Male) Battagram is fake and fabricated and committed defraud with the Department, on the basis of such fraud the work done by the appellant is illegal and misconceived to the department. On the basis of fake and fabricated appointment order of the petitioner had fraudulently activated his pay and allowances with collusion by the staff of District Account Office Battagram wherein District Account Office Mansehra issued letters to District Account Office Battagram vide letter No.392 Dated 23-04-2015 and vide letter dated 17-08-2016 wherein "During the course of post audit it has been noted that the pay of faked teacher namely Raheem Dad (Appellant) has been activated in this District (Battagram) fraudulently by the computer staff of your office through the user of Mr. Hamid (Sub-Accountant). It is appear that the activation of Pay and Allowances of Raheem Dad (Appellant) has been cleverly made in District Mansehra by changing the "Area Code" and "Cost Centre" without involving the local office of Education Office Mansehra/DDO (Respondent No.3) and presentation of Source-II Form". That the case of petitioner is also sub judice before the National Accountability Bureau Khyber Pakhtun Khawa Peshawar. Wherein the investigation of District Account Officer Battagram and other relevant staff have been made by the National Accountability Bureau Khyber Pakhtun Khawa Peshawar. That the personal Number of petitioner has also been allotted by the DAO Battagram. The salary of the petitioner has been activated by the District Account Office Battagram through the SAP System of this Office "directly" by changing Pay Roll Area & Cost Centre in the SAP system i.e. without the intervention of District Account Office Mansehra During the course of periodical reconciliation of Pay Roll with the DDO i.e. District Education Officer (Male) Mansehra (Respondent No.3) in the month of February 2015, the case of petitioner was traced out, whereupon the payment of salaries of petitioner had been stopped by the answering respondent since March,2015. **(Copies of letter vide dated 23.04.2015, letter vide dated 17-08-2017, are annexed as Annexure G & H)**

4) Para No.4 is correct to the extent that the salary of the Appellant has been stopped by answering respondent i.e. District Account Office Mansehra with the consultation of District Education Officer (Male)

Mansehra, due to faked and bogus appointment order, while rest of the Para is incorrect.

5) Para No.5 is Pertains to the record.

6) Para No.6 is correct to the extent that the worthy larger bench decided the service appeal vide its judgment dated 13/01/2021 with the directions to conduct the denovo inquiry in the subject case. In compliance with the order of the Hon'ble court the respondents department initiate the inquiry after the receipt of the judgment. Initially the inquiry committee was constituted by the competent authority vide this office Endst: No. 1197 dated 04-02-2021 to inquiry the matter and submit his recommendation within in a time. But the said committee refused to be conducted the inquiry vide in its letter Diary 1147, dated 17/2/2021. Furthermore another inquiry committee was constituted vide this office Endst: No. 1760-61, dated 20-02-2021 to inquiry the matter and submission of recommendations to the competent authority. The inquiry committee visited the office of competent authority for provision of the complete record in the said case. Unfortunately the DEO (M) Mansehra has no record except the Inter-District Transfer Order and LPC. Whereas the competent authority has given the direction to inquiry committee to visit the District Battagram to collect the complete record from the concerned Offices. Whereas the inquiry committee visited the District Battagram and collect record from the DEO (M) Battagram. The DEO (M) Battagram provided the merit list of Drawing Master which is consist of 37 candidates, where the name of appellant Rahim Dad does not exists. Whereas the original appointment order of DM was issued by the DEO (M) Battagram which consists of only 5 candidate was issued vide office Endst; No. 8178-83 dated 11/3/2013. Whereas the Appellant prepared fake and fabricated appointment order which was consist of 7 candidates and by inducting his name at serial No. 7 by using fake Endst: No. and date.it is explicitly cleared that his appointment order was fake and bogus. Whereas on the basis of fake and fabricated appointment order he prepared his service book and other service record with the calibration of staff of District Accounts office Battagram and activated his salary illegally and fraduantently . Whereas one of the most surprising point is that he intentionally transferred himself through inter-District Transfer from Battagram to District Mansehra, actually he was a permanent

resident of Peshawar. Why he didn't transfer himself from Battagram to Peshawar? The reason is that the District Accounts Officer Battagram through SAP system active his salary in District Mansehra accounts office, which shows the corrupt practices of District Accounts office Battagram, So on basis of these charges three Officer of District Accounts Office Battagram were removed from services by the competent Authority after the charge leveled had been proved against them. Whereas another reason was that in the service appeal he made respondents to DEO (Male) Mansehra and District Accounts Officer Mansehra intentionally because he know that these offices has no record and to be saved himself from official proceedings, whereas the actual respondent are DEO (M) Battagram and District Accounts Officer Battagram from where his appointment and salary were released. Whereas according to the report of Head Master GHS Asharban Tehsil Allai District Battagram that Mr. Rahim Dad has never been appointed as a DM by the DEO (M) Battagram neither his arrival report was placed on record nor his name was included in any attendance register of school. Whereas no pay record was found in school record, name of appellant was not found in monthly staff statement as well as assigned teacher time table and no academic documents file found in DEO (M) Battagram Office. These all things explicitly shows that he has fraduentantly inducting himself in Education Department by preparing fake and bogus record. The inquiry report reveals that he was never remained on the strength of the Education Department. On recommendations of the inquiry report the Competent Authority issued shown cause notice by his office Endst No. 6919 dated 1/7/2021 on the mailing address of the appellant through register post. But he did not reply within the stipulated period. Whereas he was summon for personal hearing on 25/8/2021 before the competent authority but he reluctant to appear before the Competent Authority, hence proceed ex-parte. So resultantly the Competent Authority imposed major penalty from "Dismissal from services" vide this office Endst; No. 10289-95 dated 03-09-2021 on the basis of fake and fabricated service record. ***(Copy of first inquiry committee, copy of refusal letter, copy of new inquiry letter, copy of complete inquiry report, Charge Sheet copy of showcause, copy of personal hearing and copy of dismissal order are annexed as Annexure IJ,K,L,M,N,O, & P)***

7) Para No.07 is incorrect, detail reply has already been given in above foregoing Paras.

8) Para No.08 pertains to record.

9) Para No.09 is correct to the extent that due to pandemic of Covid-19 all the schools were closed throughout the Khyber Pakhtunkhwa and administrative Office were performed their duty on the strategy of online working from home as virtual . Therefore the inquiry committee faced the difficulties in collection of record from DEO (Male) Battagram and GHS Asharban Allai, which is far flung area of district Battagram, as well as non-cooperation of the appellant. Whereas the dismissal order passed by the respondent Department after observing all codal and legal formalities. i.e the Competent Authority issued shown cause notice by his office Endst No. 6919 dated 1/7/2021 on the mailing address of the appellant through register post. But he did not reply within the stipulated period. Whereas he was summon for personal hearing on 25/8/2021 before the competent authority but he reluctant to appear before the Competent Authority, hence proceed ex-parte. So resultantly the Competent Authority imposed major penalty from "Dismissal from services" vide this office Endst; No. 10289-95 dated 03-09-2021 on the basis of fake and fabricated service record.

10) Para No.10 pertains to record.

11) Para No.11 is incorrect and misleading respondent department are bound to exercise his power justly fairly honestly as per law, rules and policy vogue by the Govt not whim and wishes of any body.

12) Para No.12 is incorrect and misleading, the appellant filed Execution Petition 104-A/2021 before the Honourable KPK Service Tribunal Peshawar, whereas all the record/information are attached to the reply of the respondent Department and also provided the copy of Reply with all relevant record to the appellant in court as well as through RTI .

13) Para No.13 is incorrect and misleading, respondent department passed an order after observing all codal formalities, whereas charge sheet, inquiry report/proper showcause issued, called for personal hearing, and Dismissal from service order passed.

14) Para No.14 is incorrect and misleading that the appellant was not on the strength of the department on the basis of Fake and fabricated appointment order, thereafter bogus inter district transfer order.

15) Para No.15 is incorrect and misleading respondent are bound to exercise his power justly, fairly, honestly in the light of law, rules and policy of the Government, not whim and wishes of any body.

16) Para No.16 is Pertains to record.

PRAYER:-

It is therefore, humbly prayed that on acceptance of the above submissions, the instant appeal may very graciously be dismissed in the favour of the answering Respondents in the interest of the Justice..

Respondent .....

The Secretary
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.....Respondent No.1 & 02

The Director,
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar. .....Respondent No.03

The District Education Officer,
(Male) Mansehra.....Respondent No.04

(8)

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

Appeal No.443/2022.

Rahim Dad ....APPELLANT.

VERSUS

5. **Government of Khyber Pakhtunkhwa through Chief Secretary Elementary & Secondary Education KPK Peshawar.**
6. **Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education KPK Peshawar.**
7. **Director Elementary & Secondary Education KPK Peshawar.**
8. **District Education Officer (Male) Mansehra.....RESPONDENTS.**

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS NO 1 ,2,3 &4 ARE AS UNDER:-

AFFIDAVIT

I, Mr. Faheem Anwar Assistant District Education officer on Behalf of District Education Officer (M) Mansehra do, hereby solemnly affirm and declare that the Para wise comments of the Service Appeal No.443/2022 titled Rahim Dad versus Govt, is true to the best of my conviction and belief and nothing has been concealed from this Honourable Court.

DEPONENT_____

ATTESTED
SYED MOHAMMAD ADVOCATE
High Court Peshawar
NOTARY PUBLIC
District Court Peshawar

DISTRICT EDUCATION OFFICER (MALE) MANSEHRA.

Annexure A 97 (91)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Phone # 0997-382271 Fax # 0997-382249
E-mail Address: edocdu_mansehra@yahoo.com
Facebook Page: www.facebook.com/DEOMMANSEHRA

(59)

No 6851 /Estt:(M)/ / Date 19 / 4 /2018

REGISTERED

To

The District Education Officer,
(Male) Batagram

Subject: VERIFICATION OF APPOINTMENT ORDER & PAGE NO 2-5 OF SERVICE BOOK

Memo:

I am directed to refer to the subject cited above, and enclosed herewith a copy of Appointment Order & Pages of Service Book from page No. 2-5 in r/o Rahim Dad S/O Mohib Gul.

You are requested kindly to verify the above mentioned appointment order and service documents from your record and return to this office through registered mail please.

Encl: (06)

19/4/18

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Annexure "B" (10)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

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

No 17989 /Estt:(M)/ / Date 07/12/2018

REGISTERED
REMINDER-I

To

The District Education Officer,
(Male) Batagram

Subject: VERIFICATION OF APPOINTMENT ORDER & PAGE NO 2-5 OF SERVICE BOOK

Memo:

I am directed to refer to the subject cited above, and to state that the reply of this office letter No. 6851/Estt:(M) dated 19-04-2018 (copy enclosed) is still pending at your end.

You are requested kindly to verify the above mentioned appointment order and service documents from your record and return to this office through registered mail/e-mail as soon as possible as the case is under trial in the court please.

Encl: (01)

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Annexure

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
BATTAGRAM

Email: emisbattagram@gmail.com Ph# 0997-543539/ 543540

No. 9548-A /EB-II verf:

Dated 3/9 /2018

The District Education Officer,
(Male)Mansehra.

VERIFICATION OF APPOINTMENT ORDER & PAGE NO.2-5 OF SERVICE BOOK.

After checking the record of this office it has been observed that ~~namely~~ Mr:Rahim Dad S/O Mohib Gul has no ed by this office nor he performed duty at GHS Asharban,as per report of HM concerned(copy of Origin and report of HM is attached.

DISTRICT EDUCATION OFFICER (M)
BATTAGRAM.

03/9/18

Annexure "D" (12)

Office of the Head Master GHS Ashar Ban Allai

Dated: 28-06-2018 (64)

CR # 208

To,

The DEO (M)

Battagram

Subject: Verification of Appointment Order and page # 9-5 of Service Book.

Reference to the cited above Mr. Rahim Dad S/O Mohib Gul DM is not found in the record of GHS Ashar Ban Allai i.e

1. Teacher statement
2. payrolls
3. Attendence Register's
4. Charge report etc.

False Appointment order/ Annexure "E" (13)

(7)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) BATTAGRAM

49 F/A

[illegible] Recommendation Committee of the District selection Committee BATTAGRAM in its meeting held on [illegible] Competent Authority is pleased to appoint the following fresh trained Male DM [illegible] in BPS 12(Rs.5500-700-20500) plus usual allowances as admissible under the rules against the vacant post of D.M (Male) mentioned against each their names on regular basis under the existing policy of the Provincial Govt: on terms and conditions given below with effect from the date of their taking over charge in the interest of public service.

S.No	Candidate Name	Father's Name	Qualification	Score	Address	School/Station where posted	Remark
1	Naseer Ahmed	Sher Dad	MSc, DM	80.36	Ajmera Battagram	GHS Karg	Against vacant
2	Muhammad Ismail	Abdur Rehman	MA, DM	61.76	Thakot Battagram	GMS Nehar	-do-
3	Saleh Ahmad	Rahim Gul	MA, DM	59.47	Pashto Allai	GMS Koshgram	-do-
4	Khurshid Ali Khan	Ahmad Rizwan	MA, DM	50.37	Ropkani Allai	GHS Karg	-do-
5	Anwar Zeb	Ghani Rehman	BA, DM	48.23	Peshawr	GHS Hutal Batkool	-do-
6	Saeed	Hazrati Azam	MA, DM	47.85	Thakot Battagram	GMS Soorgai	-do-
7	Samad Dad	Mahib Gul	BA, DM	45.11	Peshawar City	GHS Ashurban	-do-

TERMS AND CONDITIONS

1- Their services will be considered regular but without pension & gratuity in terms of section-19 of the NWFP Civil Servant Act, 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 appointees who are already in Govt: service and working against a pensionable post on regular basis before 1st day of July 2001 without any service break, on application to the Competent Authority/this office through proper channel are appointed and allowed choice of option either to retain benefit of pension and gratuity as allowed to them under their previous terms of appointment or to avail the benefit of contributory provident fund allowed to them under new appointment.

3- Their services are liable to termination on one month's notice from either side. In case of resignation without notice, their one month's pay/allowances shall be forfeited to the Government.

4- The appointees should join their posts within 15 days of the issuance of this order. The Headmaster Concerned. Would furnish a certificate to the effect that the candidates have joined the posts, otherwise after 15 days of the issuance of this Order, failing which their candidature will expire automatically and no subsequent appeal etc shall be entertained.

5- They would be on probation for a period of one year extendable for another one year as provided in NWFP Appointment Promotion and Transfer Rules 1989.

6- They will be governed by such rules and regulations as may be issued from time to time by the Government.

ATTESTED

(4)

(8)

Cont: Page 2

[illegible] Barrgaam ant puevits [illegible]

Muhammad Saeed Khan
District Education Officer (M&E)
Battagram.

Endst: No: [illegible] Dated 16 / 4 /2013

Copy for information and necessary action to the:-

1. [illegible]
2. [illegible]
3. [illegible]
5. [illegible]

Dy. District Education Officer
(Male Sampled) District Battagram

original Appointment orders Annexure "F" (15)

63 66

OFFICE OF THE DISTRIDM EDUCATION OFFICER (MALE)BATTAGRAM.

OFFICE ORDER/APPOINTMENT

Consequent upon the recommendation/ approval of the District selection Board BATTAGRAM in its meeting held on 27.12.2012.the Competent Authority is pleased to appoint the following fresh trained Male DM candidates on merit having the prescribed qualification in BPS 15(Rs.8500-700-29500) plus usual allowances as admissible under the rules against the vacant post of DM (Male) mentioned against each their names on regular basis under the existing policy of the Provincial Govt: on terms and conditions given below with effect from the date of their taking over charge in the interest of public service .

No	Candidate Name	Father's Name	Qualification	Score	Address	School/Station where posted	Remarks
1	Naseer Ahmad	Sher Dad	MSc DM	80.36	Ajmera Batagram	GHS Surgai	Against v/post
2	Sajjad Ahmad	Rahim Gul	M.A DM	59.47	Pashto Allai	GMS Kosh Gram	-do-
3	Khursheed Ali Khan	Ahmad Rizwan	M.A DM	59.37	Rup Kani Allai	GHS Karag	-do-
4	Saeed	Hazrat Alam	M.A DM	57.85	Thakot Batagram	GMS Bateela	-do-
5	Satara Khan	Abdur Rehman	M.A DM	55.11	Kohani Batagram	GHS Ashar Ban	-do-

TERMS AND CONDITIONS:.

1- Their services will be considered regular but without pension & gratuity in terms of section-19 of the NWFP Civil Servant Act, 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 appointees who are already in Govt: service and working against a pensionable post on regular basis before 1st day of July 2001 without any service break, on application to the Competent Authority/this office through proper channel are appointed and allowed choice of option either to retain benefit of pension and gratuity as allowed to them under their previous terms of appointment or to avail the benefit of contributory provident fund allowed to them under new appointment.

3- Their services are liable to termination on one month's notice from either side. In case of resignation without notice, their one month's pay/allowances shall be forfeited to the Government.

4- The appointees should join their posts within 15 days of the issuance of this order. The Head master Concerned would furnish a certificate to the effect that the candidates have joined the posts, otherwise after 15 days of the issuance of this Order, failing which their candidature will expire automatically and no subsequent appeal etc shall be entertained.

5- They would be on probation for a period of one year extendable for another one year as provided in NWFP Appointment Promotion and Transfer Rules 1989.

They will be governed by such rules and regulations as may be issued from time to time by the Government

7. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they will be proceeded against under the (E&D) Rules 2011 and the Rules framed from time to time.

8. They will not contribute any amount towards GP Fund; however contribution towards CP fund will be made as per rules.

9. They would produce age and health certificate from the concerned Medical Authority.

10- If the documents/domicile of the appointee found fake/bogus at any stage, He will be removed from the service immediately and a case will be registered against him in the Anticorruption department.

11- The DDO concerned will not activate the pay of the appointees till the verification of all the relevant documents.

12- .The Competent Authority reserves the right to rectify the errors and omissions if any noted at any stage in the instant order issued erroneously.

13- No TA/DA will be allowed to the appointees for joining their duty.

14- Charge report should be submitted to all concerned.

Muhammad Saeed
District Education Officer
(Male) BATTAGRAM

Endst: No. 8178-83 Dated: 11/03/2013

Copy to the:-

1- . Director E&SE Department Khyber Pakhtunkhwa Peshawar.
2- .The Deputy Commissioner Battagram.
3- District Officer (F&P) Battagram.
4- District Accounts Officer Battagram.
5- .All Headmasters of concerned schools.
6- Candidates concerned.
7- Office File.

Deputy District Education Officer
(Male) BATTAGRAM

(Anx: A) 96 Annexure D (19)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA
Phone # 0997-382271 Fax # 0997-382244
E-mail Address: edoedu_mansehra@yahoo.com
Facebook Page: www.facebook.com/DEOMMANSEHRA

No 1197 /Litigation Date 04 / 02 2021

To

1. Muhammad Nazir Principal,
GHSS Pairan, Mansehra
2. Sher Muhammad, Principal
GHS Ghandian, Mansehra
3. Muhammad Aslam, Principal
GHS Shohal Mazullah, Mansehra

Subject: **DENOVO INQUIRY IN RESPECT OF RAHIM DAD EX-DM GMS KAYAN, MANSEHRA IN THE LIGHT OF JUDGMENT PASSED BY SERVICE TRIBUNAL ON 13-01-2021**

Memo:

I am directed to refer to subject cited above and stated that You are hereby appointed as Inquiry Officer in case titled Rahim Dad Ex-DM GMS Kayan, Mansehra & directed to inquire the matter and put up your Findings / recommendations within Ten days' time positively, after issue of this letter due to court matter.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No 1198-1202 /Litigation Date 04 / 02 /2021
Copy to the:-

1. Registrar Hon'ble Service Tribunal Khyber Pakhtunkhwa Peshawar in service Appeal No. 13/2018 case titled Mr. Rahim Dad Khan Vs Govt of KPK & others vide judgment passed on 13/1/2021 received on 2/2/2021.
2. Section Officer (Lit:II) E&SE Department KPK Peshawar.
3. PA to Director, E&SE Department KPK Peshawar.
4. Rahim Dad Khan S/O Mohib Gul Ex-DM, GMS Kayan, Mansehra.
5. Official record.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Refusal letter Annexure 12. (20) Annex B

From: The Principal Government High School Gandhian

Supdt

No. 468

Dated: 16 / 2 /2021

To

The District Education Officer (M)

Mansehra

DEO (M) 17/2/2021

Subject: **DENOVO INQUIRY IN RESPECT OF RAHIM DAD EX-DM GMS KAYAN.**

Memo:

Reference your letter no. 1197, dated 04/02/2021 on the subject cited above, it is regretfully stated that the undersigned is suffering from back ache for the last two weeks, and it has been diagnosed that a disc is dislocated in the vertebral column. In such a situation, it is hard for me to walk even for ten to fifteen minutes, while the station of inquiry is at a distance of at least one hour walk on foot from Jabori.

Keeping this health problem in view, it is requested that the undersigned may kindly be replaced by any other suitable officer.

Thanking you.

Sher Muhammad
Principal
Government High School Gandhian
Mansehra

(Annx-C) Annexure "F" (7) (21)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA
Phone # 0997-382271 Fax # 0997-382244
E-mail Address: edoedu_mansehra@yahoo.com
Facebook Page: www.facebook.com/DEOMMANSEHRA

No 1760-61 /Litigation Date 20 / 02 /2021

1. Muhammad Rashid, Principal
   GHSS Seri Goria, Mansehra
2. Sajjad Ahmed, Principal,
   GHS Datta, Mansehra

Subject: **DENOVO INQUIRY IN RESPECT OF RAHIM DAD EX-DM, GMS KAYAN, MANSEHRA IN THE LIGHT OF JUDGMENT PASSED BY SERVICE TRIBUNAL ON 13-01-2021**

Memo:

I am directed to refer to subject cited above and stated that You are hereby appointed as Inquiry Officer in case titled Rahim Dad Ex-DM GMS Kayan, Mansehra & directed to inquire the matter and put up your Findings / recommendations within Seven days' time positively, after issue of this letter due to court matter.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst; No 1762-65 /Litigation Date 20 / 02 /2021
Copy to the:-

1. Registrar Hon'ble Service Tribunal Khyber Pakhtunkhwa Peshawar in service Appeal No. 13/2018 case titled Mr. Rahim Dad Khan Vs Govt of KPK & others vide judgment passed on 13/1/2021 received on 2/2/2021.
2. Section Officer (Lit:II) E&SE Department KPK Peshawar.
3. PA to Director, E&SE Department KPK Peshawar.
4. Rahim Dad Khan S/O Mohib Gul Ex-DM, GMS Kayan, Mansehra.
5. Official record.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

(8)

Annexure "D"

Annexure

INQUIRY REPORT

1	**Caption of Inquiry**	Denovo inquiry is respect of Rahim Dad Ex. DM GMS Kayan (Mansehra) in the light of judgment passed by services tribunal on 28-01-2021
2	**Inquiry officer**	Sajjad Ahmed Principal GHS Data Muhammad Rashid Principal GHSS Seri Goria
3	**T.O. R**	Verification of appointment order and other related matter.
4	**Date of Inquiry**	The inquiry committee visited GMS Kayan on 28-02-2021 and DEO (M) Office Batagram on 01-03-2021 to probe into the matter i.e., checking relevant record of appointment.
5	**Brief History**	Mr. Rahim Dad DM; GMS Kayan was appointed on 16-04-2013 at GHS Asharaban District Batagram against vacant DM post according to appointment order vide DEO (M) Batagram Endst No. 8804-8, dated 16-04-2013. When he was transferred from GHS Asharban District Batagram to GMS Kayan District Mansehra, District Education office Mansehra on verification from DEO (M) Batagram and HM GHS Asharban exposed the matter that the initial appointment of Mr. Rahim Dad was fake and fabricated. As a result, his salary was stopped and show cause notice was served to the teacher concerned. The teacher knocked at the door of Honourable High court Peshawar through writ petition. No. 478-P/2017 for justice but the High court withdrew the case and directed the case to Services Tribunal. The Tribunal remitted back the appeal to the Department for conducting of regular enquiry for the determination of the veracity and genuineness of the appointment order of the teacher concerned, by giving appellant complete opportunity for self-defense.
6	**Procedure**	1- Interviewed Mr. Rahim Dad Ex.DM GMS Kayan on 26-02 2021 and obtained a written statement. 2- Checked the relevant available record kept with the teacher concerned 3- Visited GMS Kayan (Mansehra) on 28-02-2021 to check the relevant record and Questionnaire was served to the HM. 4- Visited DEO (M) office Batagram on 01-03-2021 to check the relevant appointment record like merit list etc.

Dist ... 9507 19-4-21

Recd on 27/01/20

7	**Findings**	1- Mr. Rahim Dad was interviewed, relevant documents were explored and it was observed from the appointment order kept with him that he was appointed on vacant D.M. post at GHS Asharban (District Battagram) by DEO (M) Battagram, vide order Endst No.8804-8, dated 16-04-2013. This appointment order has seven (07) appointee teachers. This appointment order is not in accordance with the merit list for the said posts and has no record in the office. Hence cannot be verified by DEO (M) office Battagram. **(Annexure A)** 2- The appointment order Endst No. 8178-83, dated 11-03-2013, provided by DEO(M) office Battagram for the same merit list has only five appointee teachers and the name of Mr. Rahim Dad does not exist in this appointment order. This appointment order is in accordance with the merit list and verified by the DEO(M) office Battagram as original. **(Annexture B)** 3- The date of approval/ recommendation of District Selection Committee Battagram is same on both the appointment orders i.e., 27-12-2012. 4- The Name of Rahim Dad is not found in the merit list for the posts of DM. **(Annexure C)** 5- The post is District based and the person from Peshawar cannot be appointed on this post. 6- According to the report of HM GHS Asharban the teacher has no service record at GHS Asharban. 7- Service book maintained by the teacher concerned cannot be verified by the HM GHS Asharban and DEO (M) office Batagram. **(Annexure D)** 8- No attendance record of the teacher concerned is found in the teacher attendance register of GHS Asharban. **(Annexure E)** 9- The name of the teacher concerned is not present in the Monthly Staff statement of school during his service at GHS Asharban. 10- No pay record is found at GHS Asharban, but he has drawn one month pay from account office Battagram. 11- No charge report of the teacher concerned is found at GHS Asharban. 12-No academic documents of the teacher concerned are found in the DEO(M) office Battagram. 13- Mr. Rahim Dad was transferred from GHS Asharban (District Battagram) to GMS Kayan (District Mansehra), vide Director E&SE, KPK Peshawar transfer order, Endst No. 4372-8, dated 06-08-2014. **(Annexure F)** 14- After transfer the relieving chit and Last pay certificate issued to the teacher concerned cannot be verified. 15- According to written statement of the Headmaster GMS Kayan, in response to the questionnaire served, the teacher concerned performed his duties regularly at GMS Kayan up to 28-04-2015 and has drawn his pay up to Feb 2015. After

		29-04-2015 the teacher concerned has been absent from duty. **(Annexure G)** 16- On the written complaint of Headmaster, about his absence from duty, a show cause notice was served to the teacher concerned on 15-09-2015. **(Annexure H)** 17- During interview and record observation, complete and fair opportunity was provided to the teacher concerned for self-defense but he cannot satisfy the inquiry committee. 18- In his written statement the teacher concerned only emphasized on the so-called fact that his appointment order is original, without any proof. **(Annexure I)**
8	**Recommendation.**	On the basis of above observations, it is clear that the appointment order kept with the teacher concerned is fake and fabricated, as it has no official record and hence cannot be verified by DEO (M) office Battagram. His service record is not found at GHS Asharban as well. It means he never performed his duties at GHS Asharban. Therefore, it is recommended that a stern action should be taken against the teacher concerned and the official in the DEO(M) office Battagram involved in this fraudulent practice, as per existing E&D rules.

31/3/2021

PRINCIPAL
GOVT: HIGH SCHOOL
DATTA (MANSEHRA)

SAJJAD AHMED
PRINCIPAL
GHS DATTA (MANSEHRA)

31/March/2021

MUHAMMAD RASHID KHAN
PRINCIPAL
GHSS SERI GORIA (MANSEHRA)

PRINCIPAL
G.H.S.S Seri Goria
Mansehra.

148

(11) (25)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) BATTAGRAM.

Annexure A

OFFICE ORDER/APPOINTMENT

Consequent upon the recommendation/ approval of the District selection Committee BATTAGRAM in its meeting held on 27.12.2012, the Competent Authority is pleased to appoint the following fresh trained Male DM candidates on merit having the prescribed qualification in BPS 15(Rs.8500-700-29500), plus usual allowances as admissible under the rules against the vacant post of D.M (Male) mentioned against each their names on regular Basis under the existing policy of the Provincial Govt: on terms and conditions given below with effect from the date of their taking over charge in the interest of public service.

S. No	Candidate Name	Father's Name	Qualification	Score	Address	School/Station where posted	Remarks
1	Naseer Ahmed	Sher Dad	MSc, DM	60.36	Ajmera Battagram	GHS Karg	Against v/post
2	Muhammad Ismail	Abdur Rehman	MA, DM	61.76	Thakot Battagram	GMS Nehar	-do-
3	Saleh Ahmad	Rahim Gul	MA, DM	59.47	Pashto Allai	GMS Koshgram	-do-
4	Khurshid Ali Khan	Ahmad Rizwan	MA, DM	59.37	Ropkani Allai	GHS Karg	-do-
5	Anwar Zeb	Sher Rehman	BA, DM	48.23	Peshawr	GHS Hutal Batkool	-do-
6	Saeed	Hazrati Azam	MA, DM	47.85	Thakot Battagram	GMS Soorgai	-do-
7	Rahim Dad	Muhib Gul	BA, DM	45.11	Peshawar City	GHS Asharban	-do-

TERMS AND CONDITIONS:

1- Their services will be considered regular but without pension & gratuity in terms of section-19 of the NWFP Civil Servant Act, 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 appointees who are already in Govt: service and working against a pensionable post on regular basis before 1st day of July 2001 without any service break, on application to the Competent Authority/this office through proper channel are appointed and allowed choice of option either to retain benefit of pension and gratuity as allowed to them under their previous terms of appointment or to avail the benefit of contributory provident fund allowed to them under new appointment.

3- Their services are liable to termination on one month's notice from either side. In case of resignation without notice, their one month's pay/allowances shall be forfeited to the Government.

4- The appointees should join their posts within 15 days of the issuance of this order. The Headmaster Concerned. Would furnish a certificate to the effect that the candidates have joined the posts, otherwise after 15 days of the issuance of this Order, failing which their candidature will expire automatically and no subsequent appeal etc shall be entertained.

5- They would be on probation for a period of one year extendable for another one year as provided in NWFP Appointment Promotion and Transfer Rules 1989.

6- They will be governed by such rules and regulations as may be issued from time to time by the Government.

(12) 147 Annexure B (26)

OFFICE OF THE DISTRIDM EDUCATION OFFICER (MALE)BATTAGRAM.

OFFICE ORDER/APPOINTMENT

Consequent upon the recommendation/ approval of the District selection Board BATTAGRAM in its meeting held on 27.12.2012.the Competent Authority is pleased to appoint the following fresh trained Male DM candidates on merit having the prescribed qualification in BPS 15(Rs 8500-700-29500) plus usual allowances as admissible under the rules against the vacant post of DM (Male) mentioned against each their names on regular basis under the existing policy of the Provincial Govt. on terms and conditions given below with effect from the date of their taking over charge in the interest of public service

S.No	Candidate Name	Father's Name	Qualification	Score	Address	School/Station where posted	Remarks
1	Naseer Ahmad	Sher Dad	MSc DM	80.36	Ajmera Batagram	GHS Surgal	Against v/post
2	Saleh Ahmad	Rahim Gul	M A DM	59.47	Pasi to Allai	GMS Kosh Gram	do
3	Khursheed Ali Khan	Ahmad Rizwan	M A DM	59.37	Bagram Alla	GHS Karag	-do-
4-	Saeed	Hazrat Alam	M A DM	57.86	Chinar Batagram	GMS Bateela	-do-
5-	Satara Khan	Abdur Rehman	M A DM	55.11	Pohoni Batagram	GHS Ashar Bun	-do-

TERMS AND CONDITIONS:

1- Their services will be considered regular but without pension & gratuity in terms of section 19 of the NWFP Civil Servant Act, 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 appointees who are already in Govt service and working against a pensionable post on regular basis before 1st day of July 2001 without any service break, on application to the Competent Authority/this office through proper channel are appointed and allowed choice of option either to retain benefit of pension and gratuity as allowed to them under their previous terms of appointment or to avail the benefit of contributory provident fund allowed to them under new appointment.

3- Their services are liable to termination on one months notice from either side. In case of resignation without notice, their one months pay/allowances shall be forfeited to the Government

4 The appointees should join their posts within 15 days of the issuance of this order. The Head master Concerned would furnish a certificate to the effect that the candidates have joined the posts, otherwise after 15 days of the issuance of this Order, failing which their candidature will expire automatically and no subsequent appeal etc shall be entertained.

5- They would be on probation for a period of one year extendable for another one year as provided in NWFP Appointment Promotion and Transfer Rules 1989

Litigation,
Recent on 27/04/2021

13 146 27

6- They will be governed by such rules and regulations as may be issued from time to time by the Government.

7- Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they will be proceeded against under the (E&D) Rules 2011 and the Rules framed from time to time.

8- They will not contribute any amount towards GP Fund; however contribution towards CP fund will be made as per rules.

9 They would produce age and health certificate from the concerned Medical Authority.

10- If the documents/domicile of the appointee found fake/bogus at any stage, He will be removed from the service immediately and a case will be registered against him in the Anticorruption department.

11- The DDO concerned will not activate the pay of the appointees till the verification of all the relevant documents.

12- .The Competent Authority reserves the right to rectify the errors and omissions if any noted at any stage in the instant order issued erroneously.

13- No TA/DA will be allowed to the appointees for joining their duty.

14- Charge report should be submitted to all concerned.

Muhammad Saeed
District Education Officer
(Male) BATTAGRAM.

Endst: No. 8178-83 **Dated:** 11/03 **/2013**

Copy to the:-

1- . Director E&SE Department Khyber Pakhtunkhwa Peshawar.
2- .The Deputy Commissioner Battagram.
3- District Officer (F&P) Battagram.
4- District Accounts Officer Battagram.
5- .All Headmasters of concerned schools.
6- Candidates concerned.
7- Office File.

Deputy District Education Officer
(Male) BATTAGRAM

~~145~~ C95 145 Annexure C

OFFICE OF THE DISTRICT EDUCATION OFFICER ELEMENTARY & SECONDARY EDUCATION BATTAGRAM

REVISED TENTATIVE MERIT LIST OF CANDIDATES APPLIED FOR THE POST OF DM(M).

S. No	Entry No.	Name of Candidate	Father's Name	Date of Birth	Domicile	ACADEMIC & PROFESSIONAL QUALIFICATION						Extra Marks FSc/BSc/ M.Sc (5+5+5)	Total Score	In-Service/ Fresh	Remarks
						SSC (20)	FA/FSc (20)	BA/BSc (20)	MA/MSc/ M.Ed (15)	DM (20)	M.Phil/ PhD (5)				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	75	Naseer Ahmed	Sher Dad	06/04/1985	Battagram	13.55	13.07	13.05	10.75	14.93	-	15	80.36	-	
2	79	Muhammad Ismail	Abdur Rehman	05/10/1981	Battagram	10.82	9.40	10.44	7.27	13.83	-	10	61.76	(dropped) [redacted]	
3	5	Saleh Ahmad	Rahim Gul	01/01/1984	Battagram	12.31	9.87	9.78	8.05	14.46	-	5	59.47	-	
4	40	Khursid Ali Khan	Ahmad Rizwan	01/01/1985	Battagram	11.65	12.56	10.00	9.27	15.88	-	-	59.37	In Service (Qari)	
5	10	Paristan Khan	Muhammad Miskeen	01/04/1983	Battagram	11.65	10.84	9.35	9.68	16.72	-	-	58.23	Doub[redacted]	
6	80	Saeed	Hazrati Azam	25/02/1988	Battagram	10.93	11.58	10.84	9.38	15.12	-	-	57.85	-	
7	26	Satara Khan	Abdur Rahman	05/08/1979	Battagram	12.00	10.71	10.98	7.94	13.48	-	-	55.11	-	
8	14	Ghulam Muhammad	Abdur Rasheed	20/11/1984	Battagram	12.21	9.84	11.56	8.20	12.98	-	-	54.79	-	
9	28	Abdul Ghaffar	Zareen	01/03/1985	Battagram	10.35	10.18	12.08	7.91	14.03	-	-	54.56	-	
10	44	Tasleem Khan	Rahim Dad Khan	01/01/1984	Battagram	9.98	9.33	10.47	7.39	16.28	-	-	53.45	In Service (P/Const)	
11	34	Abdus Salam	Haji Munammad Ilyas	14/06/1972	Battagram	10.59	9.16	11.56	7.76	14.18	-	-	53.25	-	Over Age
12	4	Abdul Wahid	Muhammad Rafique	01/04/1982	Battagram	12.19	9.44	10.44	8.09	12.96	-	-	53.11	-	
13	35	Shah Khalid	Aziz ur Rehman	15/07/1984	Battagram	11.32	9.02	8.98	8.52	14.85	-	-	52.69	-	
14	38	Akhtar Nawaz	Musa Khan	03/02/1982	Battagram	12.02	10.76	9.53	-	14.08	-	5	51.40	-	
15	45	Babo Khan	Gul Khan	24/06/1972	Battagram	9.60	9.02	10.33	8.66	13.32	-	-	50.92	-	Over Age
16	9	Shafiq Ur Rehman	Ghazi Aman Ullah Khan	10/08/1983	Battagram	11.11	9.29	9.38	8.14	12.02	-	-	49.94	-	
17	54	Hazrat Islam	Muhammad Zarif	01/02/1975	Battagram	10.52	11.87	12.73	-	14.07	-	-	49.18	-	Over Age
18	65	Zia Ullah	Akbar Ali Khan	20/09/1988	Battagram	10.02	11.25	8.62	-	14.03	-	5	48.93	-	
19	32	Rizwan Ullah	Abdul Qayyum	01/02/1985	Battagram	11.08	11.49	12.25	-	14.04	-	-	48.87	-	
20	17	Amir Nawaz	Muhammad Zarin	09/10/1986	Battagram	12.612	8.4182	9.27273	-	12.54	-	5	47.84	-	

21	19	Faiz Ali Shah	Syed Rahman Shah	03/01/1986	Battagram	13.20	9.82	12.56	-	11.98	-	-	47.35	-	
22	[illegible]	Arif Ullah	Hussn ul Maab	20/05/1978	Battagram	11.36	11.71	10.04	-	13.80	-	-	46.91	-	
23	33	Syed Shujahat Ali Shah	Shoukat Ali Shah	01/03/1990	Battagram	10.95	9.07	10.40	-	11.10	-	5	46.53	-	
24	24	Tufail Muhammad	Musharaf Shah	17/09/1989	Battagram	11.90	9.80	9.78	-	15.02	-	-	46.51	-	
25	53	Nisar Ahmad	Abdul Qayyum	28/07/1987	Battagram	10.07	10.73	12.16	-	13.47	-	-	46.43	-	
26	6	Muhammad Mushtaq Khah	Khushal Khan	02/03/1985	Battagram	10.24	10.05	11.84	-	14.28	-	-	46.42	-	
27	30	Farman Ali	Muhammad Farash	01/02/1990	Battagram	11.71	10.05	8.33	-	16.20	-	-	46.29	-	
28	50	Shariz Ullah	Atibar Khan	06/06/1985	Battagram	9.41	10.96	11.69	-	13.45	-	-	45.51	-	
29	36	Muhammad Afsar Shah	Maqsood Shah	04/12/1976	Battagram	10.40	10.78	10.51	-	13.75	-	-	45.44	-	Over Age
30	63	Atiq Ur Rehman	Faiz Muhammad Khan	22/02/1975	Battagram	11.81	10.11	10.43	-	12.57	-	-	44.92	-	Over Age
31	7	Muhammad Naeem	Abdul Wadood	15/03/1983	Battagram	12.82	9.62	9.49	-	12.90	-	-	44.83	-	
32	11	Tahir Mehmood	Muhammad Shafi	20/04/1982	Battagram	9.69	9.22	11.05	-	14.20	-	-	44.17	-	
33	8	Saif Ullah	Shah Rozam Khan	05/03/1991	Battagram	10.44	9.44	9.60	-	14.48	-	-	43.96	-	
34	13	Shah Wali Ullah Muffaker	Atiq Ullah	16/06/1989	Battagram	10.51	10.04	8.73	-	13.02	-	-	42.29	-	
35	41	Ikramullah	Bais Khan	04/06/1987	Battagram	9.76	7.87	11.69	-	11.08	-	-	40.41	-	
36	52	Alam Zeb	Muhammad Inam	19/03/1982	Battagram	9.41	8.33	9.42	-	12.47	-	-	39.62	-	
37	60	Khalid Shah	Syed Ali Shah	13/05/1987	Battagram	9.98	8.56	7.89	-	10.12	-	-	36.55	-	

Prepared By _____ Checked By _____

Deputy District Education Officer
Elementary and Secondary Education
Battagram

(For use in Police Department only).

147-

Hours

1.
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3.

Verification Roll No.	dated	received back

Left Thumb Impression

Qualification	Date	Qualification	Date
English		(1) Matric SSC under Roll No. 40000 Session 1985 (1st) Fine Arts Art Research Marks obtained 404/850.	
Pushto		(2) B.A. B.A Research Scholar Roll No. 7026 Session 1998	
Urdu		(3) Fresh BISE Peshawar Penmanship examination Marks obtained 438/1000.	
Plan-drawing		(4) Training School Final examination Diploma under Roll No. 0054/ Session 2006-2007 from Skill Development Associates Punjab. Marks obtained 827/1000 A Grade.	
Finger Print		Other qualifications	
Drill Instructing			
Court Duties		GHS Asharoan (Allai) Battagram	
Reserve Duties			

Annexure D

SERVICE BOOK

OF

Mr. RAHIM DAD

S/o MAHIB GUL

Designation DM

Department Education

Price : Rs. 50/-

PRINTED BY:
STATIONERY & PRINTING DEPARTMENT, GOVERNMENT OF KHYBER PAKHTUNKHWA,
PESHAWAR

140

(18)

(17)

4

1	2	3	4	5	6	7	8	9	10	11
Name of Post	Substantive Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Sign. of offr.
DM Gh-S Ashraban (Allai) Battagram.		BPS-15 (8500-700-29500)								
				Rs. 8500/-		18/3/2013				
do				Rs. 9200/-		1/12/2013				
do				Rs. 9200/-		31/3/2014				

this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 ed.

37

RAHIM DAD

Afghan

ence: Battagram

her's name and residence:

MOHIB GUL

Date of birth by Christian era as nearly as can be ascertained:

06-01-1977

Exact height by measurement:

5'-5"

Personal marks for identification:

NIL

Left hand thumb and Finger impression of (Non-Gazetted) officer:

Little Finger: Ring Finger:

Middle Finger: Fore Finger:

Thumb:

Signature of Government Servant:

Signature and designation of the Head of the office, or other Attesting Officer

GHS Asharban (Alai) Battagram

1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant
D.M GMS Kaiau District Mamsela		BPS-15 (85[illegible] - 70[illegible] - 2[illegible])	Rs 9200/- PM			12 9 2014	
— Do —			Rs 9900/- PM			1 12 2014	

5 139

10	11	12	13			14	15
			Leave				
Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		Signature of the head of the office or other attesting officer.	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
				Period	Government to Which debitable		
Appointed 18/3/2013						Appointed as D.M Teacher at GHS Ashabban (Allai) Battagram vide E&SE No. 8500-700/29500) dated 22-10-2013 Battagram order No. 8892-97 dt: 16-03-2013.	
		Joined on 18/3/2013 Ashabban Battagram					
		Joining S.T. of Drawn Arrangement Temporarily S.T.					
		DISTRICT ACCOUNTS OFFICER BATTAGRAM				G.H.S Ashabban (Allai) Battagram	
G.H.S Ashabban (Allai) Battagram 30/11/2013		A/Order	G.H.S Ashabban (Allai) Battagram			Service Verified w.e.f. 18-3-2013 to 30-11-2013 From the A/Roll and other record of this office.	
						G.H.S Ashabban (Allai) Battagram	
G.H.S Ashabban (Allai) Battagram 31/7/2014		Transferred to Mandeha at G.M.S Icaian vide Director E&SE No. 4372-87 dt: 6/8/2014.			Service Verified w.e.f. 01-12-2013 to 31-7-2014 From the A/Roll and other record of this office.		
						G.H.S Ashabban (Allai) Battagram	
			G.H.S Ashabban (Allai) Battagram				

(22) (36)

10	11	12	13			14	15
			Leave				
Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		Signature of the head of the office or other attesting officer.	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
				Period	Government to Which debitable		
	A/INC 39 11/2014 Deputy District Education Officer (Male) Manshra					(15)	
Deputy District Education Officer (Male) Manshra					Service charged balance 8-8-2014 to 31/12/2014 from the Accounts role & other record of this office.		
					Deputy District Education Officer (Male) Manshra Took over charge on 8-8-2014		
Deputy District Education Officer (Male) Manshra						Deputy District Education Officer (Male) Manshra	

EXURE

10

رجسٹر حاضری عملہ

| | | |

رجسٹر حاضری مدرسین گورنمنٹ ہائی سکول

سراج خان	ستارہ خان	محمد شریف	سلطان
P.E.T	D.em	ٹائپ ماسٹر	

1																																			
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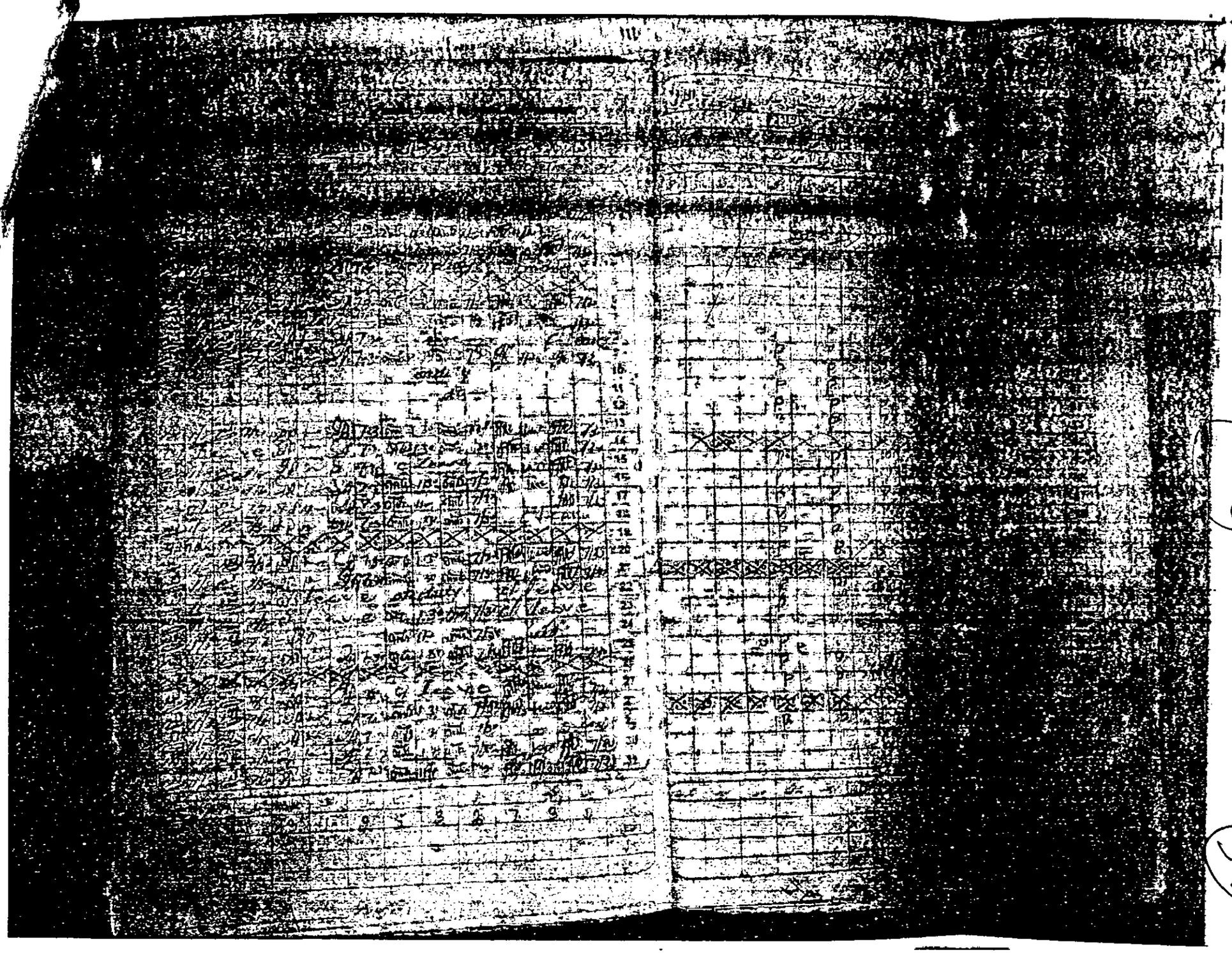

133

رجسٹر حاضری اساتذہ گورنمنٹ ہائی سکول [illegible]

بابت ماہ اپریل 2013

سراج خان	ستارہ خان	سید سردار علی شاہ	سلطان محمد
P.E.T	[illegible]	جونیئر کلرک	[illegible]

تعطیلات موسم بہار از یکم اپریل تا 6 اپریل

1
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5
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Sunday

رجسٹر حاضری اساتذہ گورنمنٹ ہائی سکول اشاڑین الائی

2013

بابت ماہ اپریل

[illegible]	مولانا عبدالقدوس	[illegible]
T-T	A-T	[illegible]

تعطیل [illegible] از یکم اپریل تا 6 اپریل

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8 C. Leave
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11 C. Leave
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16 C. Leave
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22 C. Leave
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25 C. Leave
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28 Sunday
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رجسٹر حاضری مدرسین گورنمنٹ ہائی سکول اساڑن آلان

2015

رجسٹر حاضری مدرسین گورنمنٹ ہائی سکول اساڑن آلان

2015

e of the Head master GHS Asharban Allai

(28) 181 Dated 16-05-2021 (42)

To, The inquiry officer DISH Mansehra.

Subject:- verification of appointment order and page # 2 3 of Service Book.

Reference to the cited above Mr Rahim Dad S/o Muhib Gul (DM) is not found in the record of GHS Asharban Allai in

(i) Teacher statement.

(ii) payrolls.

(iii) Attendance Registers.

(iv) charge Report etc.

Head Master,
GHS Asharban
Allai Dall Pulse
16-03-2021

29

43

(44)

(19) 129 (18) Annexure D

(38)

LAST PAY CERTIFICATE

Last Pay Certificate of Rahima Begum Pensioner No 718807

of the GHS Ashashuni

proceeding to Transfer To GMS Kaiatar

He has been paid upto 31-07-2014

as the following rates:—

Particulars			
Substantive Pay:—	Pay	Rs:	9200/-
Officiating Pay:—	HRA	Rs:	1566/-
Exchange Compensation Allowance:—	Conv	Rs:	2856/-
	Medical	Rs:	1200/-
	UHA	Rs:	1000/-
	Adhoc 2010 15%	Rs:	783/-
	Adhoc ALL: 2010 50%	Rs:	2610/-
	Adhoc-A 2012	Rs:	1840/-
	Adhoc-B 2013 5%	Rs:	1380/-
	Adhoc A-A 2014	Rs:	920/-
	Total	Rs:	23355/-

Deductions:—

	G.P.F. Balance	Rs:	1520/-
3501	— B.F.	Rs:	180/-
3511	— Addl C.Ins.	Rs:	13/-
3604	— Group Ins.	Rs:	115/-
3940	— B.E.F.	Rs:	100/-

3. He made over charge of the Office of GHS Rahima

on the ——— noon of ———

4. Incremental date is to be made from the ——— of the Government Service as detailed on the reverse.

5. He has been paid leave salary as detailed in the Enclosure and has been fully accounted on the reverse.

From ——— to ——— at Rs. ——— a month

From ——— to ——— at Rs. ——— a month

From ——— to ——— at Rs. ——— a month

6. He is entitled to draw the following:—

7. He is also entitled to joining time for ——— days.

8. The details to the Income Tax recovered from him upto the date from the beginning of the current year are noted on the reverse.

No — 215 Dated 2-8-2014

Forwarded To The DEO (M) Moulvibazar for n/a pl.

Dated at 2/8/2014 19

Signature: [illegible]

Designation: Senior Assistant Teacher

P.T.O.

ATC

128

Annexure F

(Muh
Pri
to th

ATE OF ... NTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR

OFFICE ORDER

Mr.Rahim Dad, DM Govt: High School Asharaban District Battagram is hereby transferred / adjusted against the vacant post of DM at Govt: Midlde School Kaian District Mansehra in his own pay & BPS in the interest of public service with effect from the date of his taking over charge.

Note:
1. Charge report should be sent to all concerned.
2. No TA/DA etc is allowed.
3. Necessary entry to this effect should be made in his service book

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst No. 4372-82/F.No. Other District Transfer, Dated 6/8/2014

Copy of the above is to the :-

1. District Education Officer (Male) Battgam & Mansehra.
2. District Account Officer, Battagram & Mansehra.
3. PA to Director (E&SE) Pkhyber Pakhtunkhwa, Peshawar.
4. Head Master concerned school.
5. Official concerned.
6. Master File.

6/8

Deputy Director (Establishment)
(E&SE) Khyber Pakhtunkhwa.

ATC

46

الف) کیا سٹیشن / سرکل کو شعبہ مڈل سکولز کانیاں مانسہرہ

(ب) کیا محکمہ ہذا کو اس آپ کے دوران ڈیوٹی کیا گیا اپنے فرائض کس انداز میں سرانجام دیتے رہے؟

(ج) کیا مڈل سکول ریکارڈ کے مطابق مذکورہ معلم اپنے فرائض منصبی سے غیر حاضر پایا گیا؟

(د) مذکورہ معلم کو شعبہ مڈل سکول کانیاں میں کس سکول سے ٹرانسفر ہو کر آیا (ٹرانسفر آرڈر فراہم کیا جائے؟

(ہ) کیا مذکورہ معلم کو شعبہ ہذا کے حاضری رجسٹر پر حاضری لگاتے رہے؟

(و) محکمہ ہذا کے کس سکول سے ٹرانسفر ہو کر آئے تھے اس سکول کا ریکارڈ آرڈر فراہم کیا جائے۔

(ز) محکمہ ہذا کے مڈل سکول کانیاں سے ٹرانسفر ہو کر کس سکول میں گئے؟ (ٹرانسفر آرڈر فراہم کیا جائے)

(ح) مڈل سکول کانیاں میں مذکورہ معلم کے خلاف کوئی تادیبی کارروائی ہوئی؟ ریکارڈ فراہم کیا جائے۔

(ط) مذکورہ معلم کے خلاف کارروائی کا ریکارڈ حاضر اطمینان خلاف ضابطہ کارروائی ہوئی یا سزا دی اور صورت میں ممکن ہو فراہم کیا جائے۔

(ی) کیا مذکورہ معلم اپنی تنخواہ وصول کرتا رہا؟

(ک) مذکورہ معلم کی تنخواہ لگی ہے تو اس کی تفصیل دی جائے۔

(ل) کیا ای۔ ایم۔ یو ریکارڈ میں محکمہ ہذا کے کارکنان کی پوسٹنگ تعلی بخش تھی؟

شہزاد اشرف خان سوالی مڈل
GHSS سرکل بابا مانسہرہ

PRINCIPAL
G.H.S.S Sec. for.
Mansehra

33 126 جوابات ~~Annexure G~~ (47)

1) رحیم داد ڈی۔ایم مورخہ 6-8-2014 تا 29-4-15 تک اپنے فرائض ادا کرتا رہا ہے

2) مذکورہ معلم 29/4/2015 سے تا حال اپنے فرائض منصبی سے غیر حاضر پایا گیا ہے

3) مذکورہ معلم گورنمنٹ ہائی سکول آغر بن ضلع مٹگرام سے ٹرانسفر ہو کر آیا۔ ٹرانسفر آرڈر فراہم کر دیا گیا ہے

4) مذکورہ معلم رجسٹر پر حاضری لگاتا رہا ہے۔

5) مذکورہ سکول کا ریلیونگ آرڈر فراہم کر دیا گیا ہے۔

6) رحیم داد صاحب اسی سکول سے معطل کیے گئے۔

7) مذکورہ معلم کے خلاف تا معطلی کوئی کارروائی محکمانہ طور پر نہیں ہوئی۔

8) رجسٹر حاضری معلمین فراہم کر دیا گیا ہے

9) دوران غیر حاضری مذکورہ معلم تنخواہ وصول نہیں کرتا رہا ہے۔

10) تفصیلات مہیا نہیں ہیں۔

11) تعیناتی عرصہ کے دوران صرف ایک مرتبہ آئی ایم یو ریکارڈ میں حاضر پایا گیا۔

نام۔ محمد عارف

Head Master
Govt. Middle School
Kayan Mansehra

دستخط Arif

شناختی کارڈ نمبر 13503-2548788-3

Annexure B

125

Arrival Report

R/Sir

In compliance with the order of Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide Endst No 4372-80 F.No-otter District Transfer Dated 6-8-2014. I beg to submit my arrival report for duty today on 17-8-2014 as DM please.

Head Master
Govt. GPMS School
Kayan Mansehra

Rahim Dad Dar
c/o MS: Karam Dad
Mansehra

ATC

122 GMS Pagam

49

B1	1/35	B1	7/30
B1	1/35	B1	7/30
B1	1/35	B1	7/30
B1	1/35	B1	7/30
B1	1/35	B1	7/30
B1	1/35	B1	7/30
B1	1/35	B1	7/30
B2	1/35	B2	1/30
A5	1/35	A5	7/30
A5	1/35	A5	7/30
A5	1/35	A5	7/30
A5	1/35	A5	7/30
A5	1/35	A5	7/30
C		C	
A5	1/35	A5	7/30
A5	1/35	A5	7/30
A5	1/35	A5	7/30
A5	1/35	A6	7/30
A5	1/35	A5	7/30
A5	1/35	A5	7/30
A5	1/35	A5	7/30
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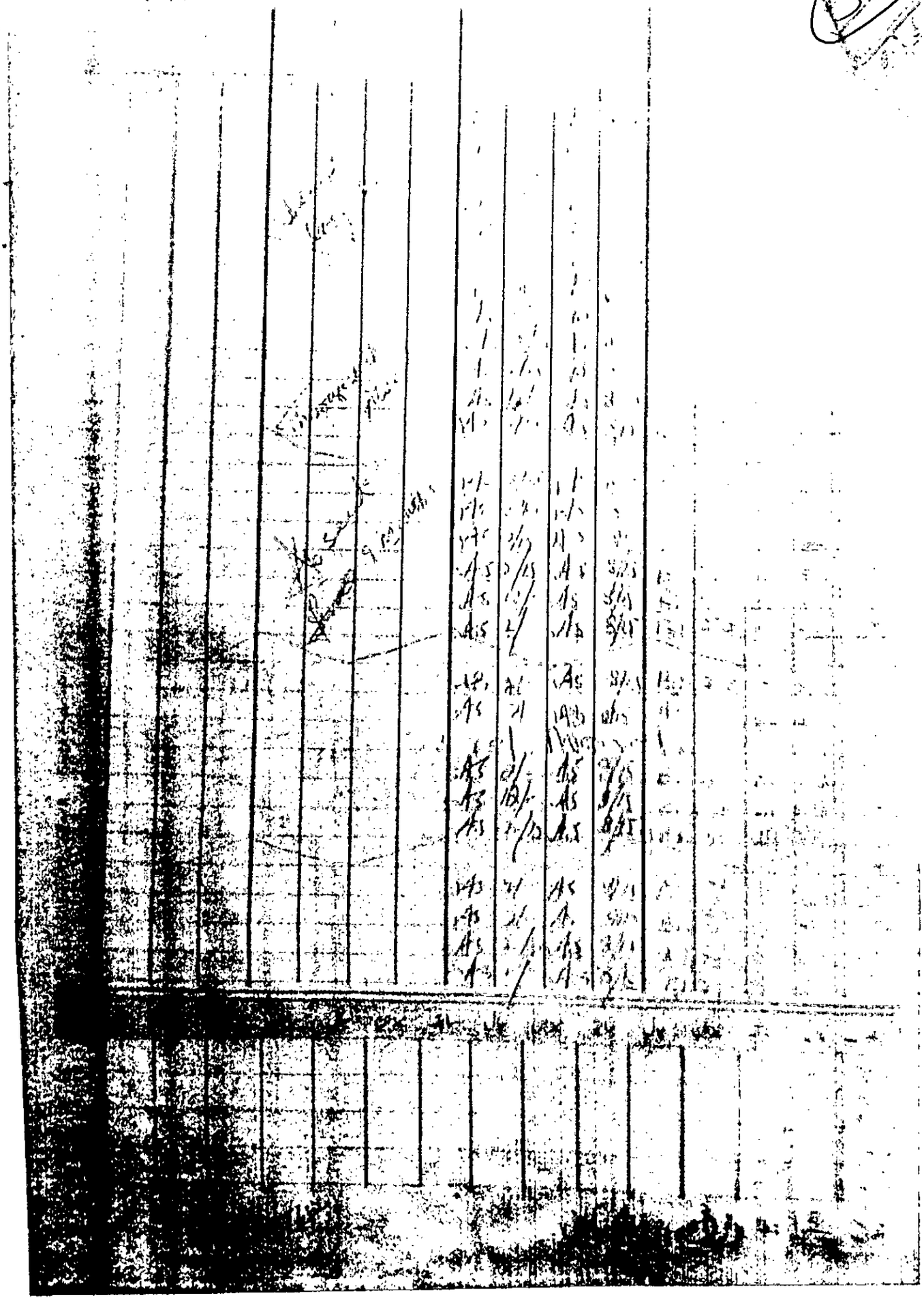
INDEPENDENCE DAY



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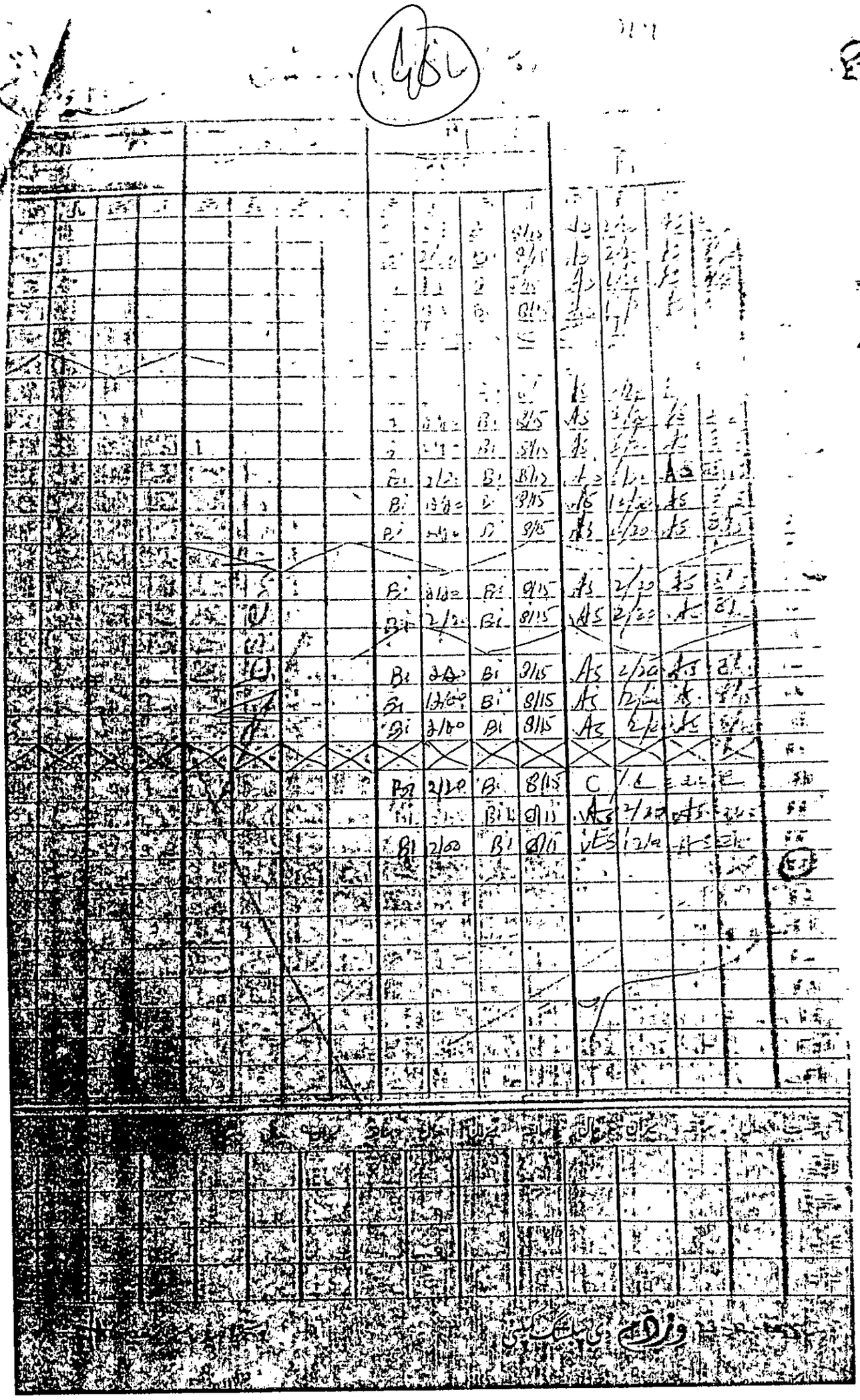

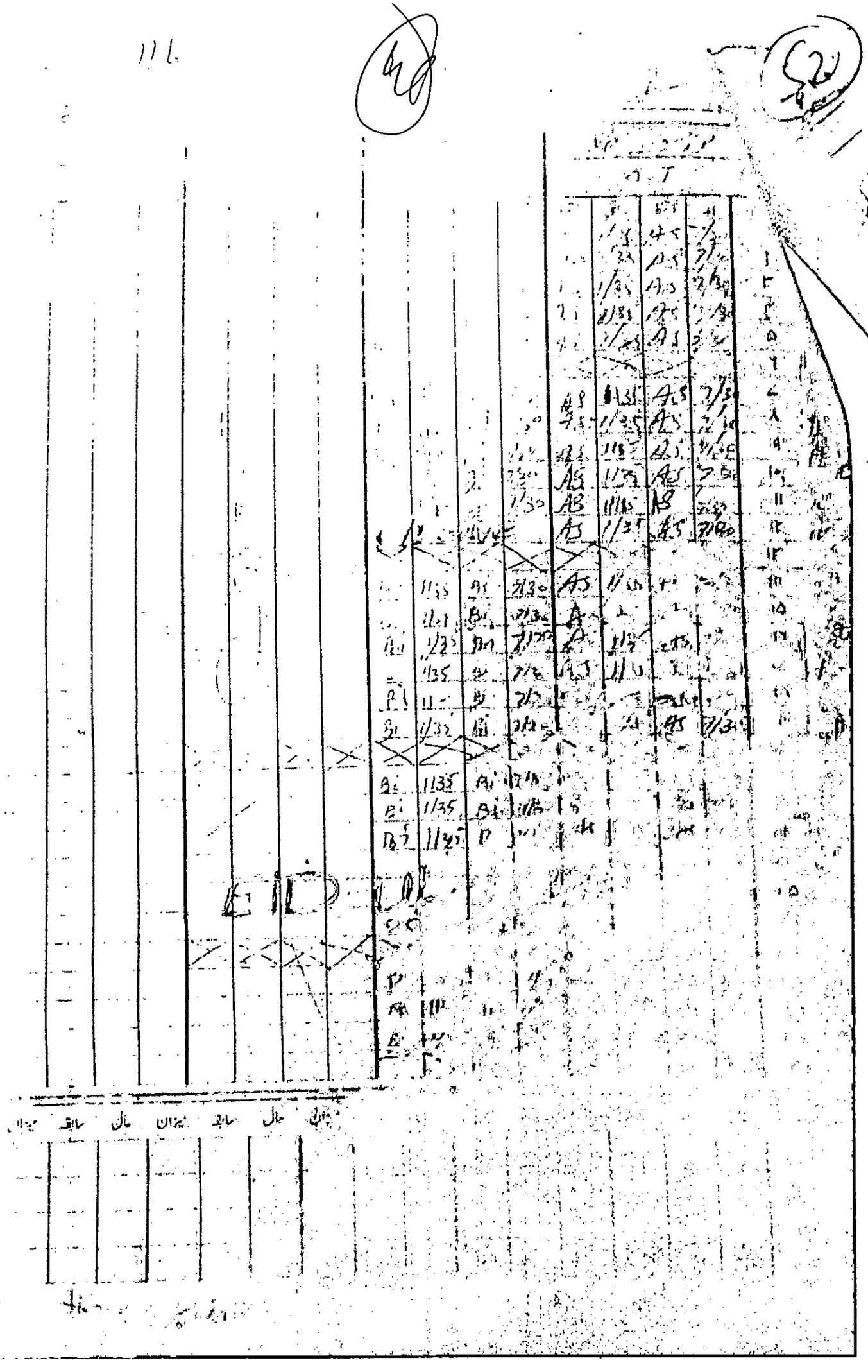

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					A5	2/20	A5	8/30	5
					A5	2/20	A5	8/30	6
					A5	2/20	A5	8/15	7
					A5	2/20	A5	8/15	8
					A5	12/15	A5	8/15	9
					Cl	eave			10
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Bi	8/30	Bi	8/15		A5	2/20	A5	8/15	28
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Cl	eave				A5	12/15	A5	8/15	30
Bi	8/30	Bi	8/15		Cl	eave			31

PESHAWAR

114

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٨	7/3.	B1	11/3.	B1					7/3.	AS	11/45	AS
٩	7/30	B1	1135	B1					7/3.	AS	1/35	AS
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١٣	7/30	B1	1135	B1					7/30	AS	1/35	AS
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١٥	7/30	B1	11/35	B1					7/3.	AS	11/15	AS
١٦	7/3.	B1	1135	B1					7/30	AS	1/35	AS
١٧	X	X	X	X	B	A	A	5	X	X	X	X
١٨	7/30	B1	1135	B1					7/30	AS	1/35	AS
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٢٣	7/30	B1	1131	B1					7/30	AS	1/35	AS
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دستخط ہیڈ ماسٹر

تاریخ	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان
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تاریخ

وزارت ہائے پبلک کہنی

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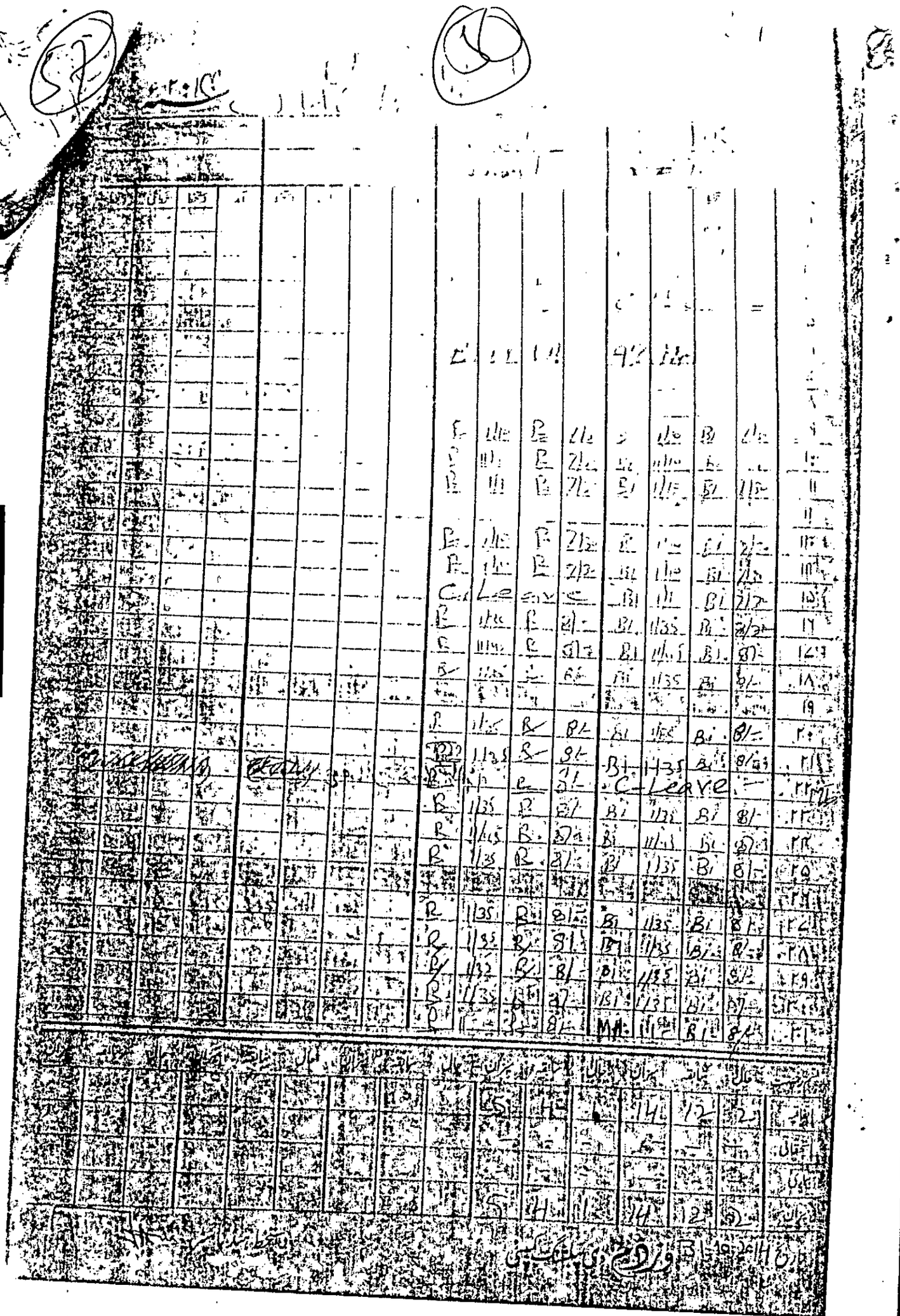
میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال

دستخط ہیڈ ماسٹر



101 (57) (58)

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						[illegible]	B1	1/10	[illegible]	7/30	R/		R/				
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۱۲						[illegible]	B1	1/10	B1	7/30	R/	1/10	R/				
۱۳						[illegible]	B1	1/10	B1	7/30	R/	1/10	R/				
۱۴																	
۱۵						[illegible]	B1	1/10	B1	7/30	R/	1/10	R/				
۱۶						7/30	B1	1/10	B1	7/30	R/	1/10	R/				
۱۷																	
۱۸						1/10	B1	1/10	B1	7/30	R/	1/10	R/				
۱۹						7/30	B1	1/10	B1	7/30	R/	1/10	R/				
۲۰						7/30	B1	1/10	B1	C-Leave-							
۲۱						C-Leave =				7/30	R/	1/10	R/				
۲۲						7/20	B1	1/10	B1	7/30	R/	1/10	R/				
۲۳						7/30	B1	1/10	B1	7/30	R/	1/10	R/				
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۲۵						7/30	B1	1/10	B1	7/80	R/	1/10	R/				
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۲۷						7/30	B1	1/10	B1	7/30	C-Leave						
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۲۹						7/30	B1	1/10	B1	7/80	R/	1/10	R/				
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۳۱																	

قسم رخصت	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	[illegible]	[illegible]	[illegible]	ان
اتفاقیہ	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	3	6	9	2	[illegible]			
استحقاقی	—	—	—	—	—	—	—	—	—	—	—			
بیماری	—	—	—	—	—	—	—	—	—	—	—			
میزان	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	3	6	9	2	[illegible]	[illegible]		

تاریخ

[illegible] دی پبلشنگ کمپنی

دستخط ہیڈ ماسٹر

SUNDAY

11/10 7/30 11/10 7/30

SUNDAY

C LEAVE

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C LEAVE

ON DUTY

C LEAVE

ON DUTY

C LEAVE

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6 4 2 9 7 2 3 2 1

وزارت دی پبلک لکنی

53 ~~Annexure H~~ 60

KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR

(54) Annexure I (61)

[illegible] کا اقرار کرتا
ہوں [illegible] (D.O) بٹگرام کے دفتر سے
[illegible] ماشور بن الائی بٹگرام
[illegible] انجام دیئے اور نوکری بھی کی ہے۔ اور اُسکے
[illegible] بٹگرام [illegible] گورنمنٹ مڈل اسکول
[illegible] سال [illegible] ہوئی۔ اور [illegible] میں [illegible]
[illegible] ڈیوٹی کی ہے اور میری ضروری کاغذات
[illegible] آرڈر مطابق پرمینٹ ہے۔ اور میں
آج پشاور سے [illegible] آکر ایڈوکیٹ جنرل کے سامنے
پیش ہوا۔ اور میں اس بات کی حلفاً اقرار کرتا
ہوں کہ میں نے کسی کو پیسے دیئے ہیں۔
اور [illegible] میں نے عدالت سے رجوع کیا۔ اور
عدالت نے میرے حق میں فیصلہ دیا ہے۔
میرے چھوٹے چھوٹے بچے ہیں اور میں غریب آدمی ہوں۔
اور اب میں پشاور میں دربدر پھر رہا ہوں مہربانی فرما کر
مجھے بحال کیا جائے مہربانی ہوگی۔

[illegible]

D.M. [illegible]

26-01-2021

03139684669

17301-3526935-3

ADDITIONAL ADVOCATE GENERAL
KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR

Annexure

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA

No _____ / _____
Dated _____ / _____ / 2015

To Mr. Rahim Dad Dir GMS Kayan Mansehra.

Subject:- SHOW CAUSE NOTICE

The District Education Officer (Male) Elementary & Secondary Education District Mansehra, under the Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules, 2011 do hereby serve you Mr. Rahim Dad DM GMS Kayan Mansehra

ii)- As reported by the Head Master GMS Kayan, you was found absent from duty w.e.f. 01.05.2015, irregular, non cooperative and disobedience and shows negligence in performing your duties and are habitual in non performing your duties

iii)- On going through report, I am satisfied as per rule 7 of the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 that you have committed the following acts/omissions specified under rule 03 of the said rules.

a)- Misconduct b)- Corruption c)- Inefficient

As a result therefore, I as competent authority, have tentatively decided to impose upon you the major penalty of REMOVAL FROM SERVICE under the rules 4 of the said rules.

1. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person or not.
2. If no replay to this notice is received within seven days or not more than fifteen days of receipt delivery, it shall be presumed that you have no defense to put in and in that case an ex-prate action shall be taken against you.

Sd/-
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No. 14331-34 /Estt: Branch/Show Cause Dated Mansehra the 15/8/2015

Copy forwarded for information to:

1. The Director E&SE Khyber Pakhtunkhwa Peshawar.
2. Head Master Govt: Middle School Kayan.
3. Mr. Rahim Dad DM GMS Kayan.
4. Office Copy

DY:DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

ATC

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA
Phone # 0997 382271 Fax # 0997 382214
E-mail Address: [illegible]
Facebook Page: [illegible]

No 1760-65 /Litigation Date 2/ 02/2021

1. Muhammad Rashid, Principal
   GHSS Seri Gona, Mansehra
2. Sajjad Ahmed, Principal,
   GHS Datta, Mansehra

Subject: **DENOVO INQUIRY IN RESPECT OF RAHIM DAD EX-DM, GMS KAYAN, MANSEHRA IN THE LIGHT OF JUDGMENT PASSED BY SERVICE TRIBUNAL ON 13-01-2021**

Memo:

I am directed to refer to subject cited above and stated that you are hereby appointed as Inquiry Officer in case titled Rahim Dad Ex-DM GMS Kayan, Mansehra & directed to inquire the matter and put up your Findings / recommendations within Seven days' time positively, after issue of this letter due to court matter.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No 1762-65 /Litigation Date 2/ 02/2021
Copy to the:-

1. Registrar Hon'ble Service Tribunal Khyber Pakhtunkhwa Peshawar in service Appeal No. 13/2018 case titled Mr. Rahim Dad Khan Vs Govt of KPK & others vide judgment passed on 13/1/2021 received on 2/2/2021.
2. Section Officer (Lit:II) E&SE Department KPK Peshawar.
3. PA to Director, E&SE Department KPK Peshawar.
4. Rahim Dad Khan S/O Mohib Gul Ex-DM, GMS Kayan, Mansehra.
5. Official record.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

From: The Principal Government High School Garhiian

No. 488

Dated: 16/2/2021

To

The District Education Officer (M)

Mansehra

Subject: DENOVO INQUIRY IN RESPECT OF RAHIM DAD EX DM GMS KAYal.

Memo:

Reference your letter no. 1197, dated 04/02/2021 on the subject cited above, it is regretfully stated that the undersigned is suffering from back ache for the last two weeks, and it has been diagnosed that a disc is dislocated in the vertebral column. In such a situation, it is hard for me to walk even for ten to fifteen minutes, while the station of inquiry is at a distance of at least one hour walk on foot from Jabori.

Keeping this health problem in view, it is requested that the undersigned may kindly be replaced by any other suitable officer.

Thanking you.

Sher Muhammad
Principal
Government High School Garhiian
Mansehra

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA
Phone # 0997-382271 Fax # 0997 382244
E mail Address: [illegible]
Facebook Page: [illegible] DEO(M) Mansehra

No 1197 /Litigation Date 27/1/2021

To

1. Muhammad Nazir Principal,
GHSS Pairan, Mansehra
2. Sher Muhammad, Principal
GHS Ghandian, Mansehra
3. Muhammad Aslam, Principal
GHS Shohal Mazullah, Mansehra

Subject: **DENOVO INQUIRY IN RESPECT OF RAHIM DAD EX-DM, GMS KAYAN, MANSEHRA IN THE LIGHT OF JUDGMENT PASSED BY SERVICE TRIBUNAL ON 13-01-2021**

Memo:

I am directed to refer to subject cited above and stated that you are hereby appointed as Inquiry Officer in case titled Rahim Dad Ex-DM GMS Kayan Mansehra & directed to inquire the matter and put up your Findings / recommendations within Ten days time positively, after issue of this letter due to court matter.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No 1190-1203 /Litigation Date 27/1/2021
Copy to the:-

1. Registrar Hon'ble Service Tribunal Khyber Pakhtunkhwa Peshawar in service Appeal No. 13/2018 case titled Mr. Rahim Dad Khan V's Govt of KPK & others vide judgment passed on 13/1/2021 received on 2/2/2021.
2. Section Officer (Lit:II) E&SE Department KPK Peshawar.
3. PA to Director, E&SE Department KPK Peshawar.
4. Rahim Dad Khan S/O Mohib Gul Ex-DM, GMS Kayan, Mansehra.
5. Official record.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

66

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA
Phone # 0997-382271 Fax # 0997-382241
E mail Address: [illegible]
Facebook Page: [illegible]

No 1197 /Litigation Date [illegible]/2021

To

1. Muhammad Nazir Principal,
GHSS Pairan, Mansehra
2. Sher Muhammad, Principal
GHS Ghandian, Mansehra
3. Muhammad Aslam, Principal
GHS Shohal Mazullah, Mansehra

Subject: **DENOVO INQUIRY IN RESPECT OF RAHIM DAD EX-DM, GMS KAYAN, MANSEHRA IN THE LIGHT OF JUDGMENT PASSED BY SERVICE TRIBUNAL ON 13-01-2021**

Memo:

I am directed to refer to subject cited above and stated that You are hereby appointed as Inquiry Officer in case titled Rahim Dad Ex-DM GMS Kayan, Mansehra & directed to inquire the matter and put up your Findings / recommendations within Ten days' time positively, after issue of this letter due to court matter.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No 1178-1202 Litigation Date [illegible]/2021
Copy to the:-

1. Registrar Hon'ble Service Tribunal Khyber Pakhtunkhwa Peshawar in service Appeal No. 13/2018 case titled Mr. Rahim Dad Khan Vs Govt of KPK & others vide judgment passed on 13/1/2021 received on 2/2/2021.
2. Section Officer (Lit:II) E&SE Department KPK Peshawar.
3. PA to Director, E&SE Department KPK Peshawar.
4. Rahim Dad Khan S/O Mohib Gul Ex-DM GMS Kayan, Mansehra.
5. Official record.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 13 /2018

Rahim Dad Khan S/O Mohib Gul, Drawing Master, GMS Kayan Mansehra R/O Muhallah Hidayat Ullah Shah, G.T Road Peshawar

. . . . . **Appellant**

Dated 19/12/2017

Versus

1. **Secretary Elementary & Secondary Education** Khyber Pakhtunkhwa, Sahibzada Abdul Qayum Road, Civil Secretariat Peshawar
2. **Director Elementary & Secondary Education** Khyber Pakhtunkhwa, Main Grand Trunk road near Qila Bala Hisar Peshawar
3. **District Education Officer** Elementary & Secondary Education `Mansehra, Kachehri Road Mansehra
4. **District Audit Officer Mansehra**, Kachehri Road Mansehra

. . . . . **Respondents**

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST UNLAWFUL STOPPAGE OF SALARY SINCE MARCH 2015 TILL DATE

The petitioner is pleased to beseech before this Honorable Court as under;

1. That the appellant is a civil servant in terms of the civil servants act 1974 and was appointed on 16/4/2013 as Drawing Master (BPS-15) at Government High School Asharban, Allai Battagram. **(Copy of the appointment order dated 16/4/2013 is attached as F/A)**
2. That on 6/8/2014, the appellant was transferred to government Middle School Kayan District Mansehra. **(Copy of Transfer Order dated 6/8/2014 is attached as F/B)**
3. That upon receipt of transfer order, the appellant submitted his Charge relinquish report on 7/8/2014 and reported to GMS Kalan, Mansehra. **(Copy of the Charge Relinquish Chit dated 7/8/2014 is attached as F/C)**

Filed to-day
Registrar
19/12/17

Re-submitted to -day and filed.
Registrar
7/1/18

ATTESTED
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR.

Khyber Pakhtunkhwa Service Tribunal Peshawar

Service Appeal No. 13/2018

Date of Institution ... 19.12.2017

Date of Decision ... 13.01.2021

Rahim Dad Khan S/O Mohib Gul, Drawing Master, GMS Kayan Mansehra.
R/O Muhallah Hidayat Ullah Shah, G.T Road Peshawar.

... (Appellant)

VERSUS

Secretary Elementary and Secondary Education, Khyber Pakhtunkhwa, Sahibzada Abdul Qayum Road, Civil Secretariat, Peshawar and three others.

... (Respondents)

Mr. MIAN MUHAMMAD IMRAN, Advocate	---	For appellant.
MR. KABIRULLA KHATTAK, Additional Advocate General	---	For respondents.
MUHAMMAD JAMAL KHAN	---	**MEMBER (Judicial)**
MIAN MUHAMMAD	---	**MEMBER (Executive)**
ATIQ-UR-REHMAN WAZIR	---	**MEMBER (Executive)**

ATTESTED

EXAMINER
Khyber Pakhtunkhwa Service Tribunal, Peshawar

JUDGEMENT:

MUHAMMAD JAMAL KHAN, MEMBER:- Through instant Service appeal submitted under Section-4 of the Khyber Pakhtunkhwa Services Tribunal Act, 1974, the order of stoppage of salary since March 2015 till date has been called in question.

2. According to the appellant being civil servant, he was inducted into service on 16.04.2013 as Drawing Master (BPS-15) at Government High School Asharband, Allai District Battagram. Appellant was transferred from the aforesaid school to Kayan, District Mansehra, on 06.08.2014, in consequence thereof he submitted his charge

ment report on 07.08.2014 and as such reported to GMS . He rendered his duties efficiently and honestly in a manner ming of a civil servant and for this reason no adverse remarks were rded or action was taken, during the course of rendition of services GMS Kayan he received regular salaries till February 2015 where-ter his salaries were unceremoniously stopped/blocked without endering any explanation or notice to appellant. It was during this period that he made strenuous efforts to unblock his salaries or to ascertain the reason for its stoppage but did not succeed. After putting in immense efforts he was able to get an un-served show-cause notice in which he has been tentatively imposed major penalty of removal from service for the reason of absence from duty. No statement of allegations was served on appellant nor any inquiry was conducted nor allegiance to the provision of Rule 5, 7 & 9 of Government of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules was made nor he has been handed over any manuscript as to the status of employment of appellant eliciting mala-fide on the part of respondents thus violating the Fundamental Rights of appellant, he made recourse to the Hon'ble Peshawar High Court, Peshawar, through Writ Petition No. 478-P/2017 which was ultimately withdrawn with the direction to make recourse to the proper forum. He made efforts to procure the copies of the relevant documents from the office of District Education Officer concerned through the good offices of RTI but no response was received by him vide his application dated 14.07.2017. The departmental appeal dated 29.06.2017 moved for the purpose proved unsuccessful vide order dated 07.12.2017 followed by the instant service appeal.

3. It is worth to be mentioned that earlier the Hon'ble Members of this Tribunal in their respective judgments differed essentially on the point as to the legal status of appellant one Member declared him as Civil Servant while the other subjected his opinion in this regard to the outcome of the inquiry to be conducted against appellant although both of them respectively concurred on the point of holding of inquiry in the matter thus due to this tie the appeal was referred to the Larger Bench for adjudication.

4. Respondents were summoned in response thereof they attended the Tribunal through their legally authorized representative, vehemently

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

...rting the claim of appellant by submitting comments/reply ...n certain legal and factual objections were raised, inter-alia, that ...llant is not aggrieved person, appellant is estopped by his own ...luct, appellant has not come to this Tribunal with clean hand, ...ellant has no cause of action/locus standi, appeal is against the ...revalence law and rules and appellant has concealed the material facts etc.

5. We have heard arguments of the learned counsel representing appellant as well as learned Additional Advocate General representing respondents and were able to go through the record with their assistance.

6. While initiating arguments the learned counsel representing appellant submitted that the moot question for resolution before this bench relates to the release of salary of appellant. While making reference to the split judgment passed earlier by the Hon'ble Members of this Tribunal he submitted that there was complete unanimity regarding conducting of inquiry for ascertainment of the facts. The point at which the worthy Members were at variance was with regard to fact that as to whether appellant is a civil servant or else otherwise. The learned counsel submitted that in case appellant was not a civil servant in that eventuality this Tribunal was divested of jurisdiction and this Tribunal would have returned the very appeal at the very outset. The learned counsel declared that appellant is a civil servant and he has to be dealt with in accordance with the Khyber Pakhtunkhwa Government Servants Efficiency & Discipline) Rules, 2011.

7. On the contrary, the learned Additional Advocate General submitted that there is no order either original or appellate before this Tribunal for adjudication. He referred to the Writ Petition filed in the Hon'ble Peshawar High Court which was withdrawn on 01.06.2017 wherein the learned counsel representing appellant submitted that appellant has been removed from service and he want to approach proper forum, appellant has concealed material facts from this Tribunal, He further contended that no order regarding the release of salary of appellant has been passed which fact was not entertained by the Tribunal rather dismissed the very plea in the judgements pronounced, the appointment of appellant is fake and fabricated the case of

ATTESTED
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

ellant cannot be reckoned to be included in the category of civil ant. He has been removed from service rightly. The appointing thority has not been made party hence, the appeal is bad due to non-nder of necessary party.

The perusal of record would reveal that while conducting post audit process certain irregularities were noticed in the payment of salary made to the appellant upon which his salary was stopped. For ascertainment of the facts the District Education Office (Male) Mansehra, dispatched a letter regarding the veracity of appointment order of appellant to District Education Officer (Male) Battagram, who reportedly was the authority vide letter bearing no. 6851 dated 19.04.2018. In response thereof the District Education Office (Male) Battagram, by virtue of letter dated 03.09.2018 submitted that appellant has not been appointed by his office nor he performed duty at GHS Asharband and it was concluded that the appointment order of appellant was fake and fabricated. Accordingly, his salary was stopped with effect from March 2015, it is worth to be mentioned that appellant did receive his salaries till February 2015 regularly however, he was proceeded against on account of absence from duty. The record on file nowhere mentions that appellant has been proceeded in accordance with the cannon of rules as visualized by the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, nor the matter has been inquired to ascertain as to how the appointment of the appellant was made to the post of Drawing Master (BPS-15) and how he managed to be transferred from the District Cadre post which he held at District Battagram to District Mansehra, how he received salary at the last mentioned place of posting? Appellant claimed to be a civil servant if this plea of appellant is taken into consideration it was incumbent upon the authority at the helm of affairs to have properly initiated departmental proceedings as mandated by the law and as such initiating the same by issuance of show-cause notice alongwith statement of allegations followed by conducting of regular inquiry so that the grain should have been sifted from the chafe. Whatever may be the allegations against the appellant conformity with the rules and following the law in this regard was the only course open for the authorities to have been adopted before initiation of proceedings or making any order adversely affecting his case. The authenticity and

ATTESTED
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

credulity of appointment order could have been established only when full-fledged inquiry in the matter was made as regard the position held by the appellant it has to be ascertained vis-à-vis his appointment order. If it is established that he held the post by a valid appointment order an order with regard to release of salary could be made and the case would be otherwise if the appointment order is invalidated.

9. There could be no second opinion as regard the factum that when no final order is challenged before this Services Tribunal as enunciated by the Hon'ble Supreme Court of Pakistan in its judgement reported as 2006 SCMR 1630 and the unreported judgement of this Tribunal in Service Appeal No. 19/2011 Captioned Mr. Abdul Waheed SET Versus Executive District Officer E&SE Education Department decided on 15.12.2017 however, at the moment the question for determination is the establishment of the veracity and genuineness of appointment order of appellant, the resolution of which is not possible unless and until it is ascertained through a regular inquiry.

10. Resultantly, the appeal is remitted back to the respondents for conducting of regular inquiry in the process of which the appellant has to be associated by providing him fair opportunity of defending himself within a period of 90 days from the date of receipt of copy of this judgement. Keeping in view the circumstances of the instant case no order or reinstatement or release of pay could be passed at this stage which of course would be subject to outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
13.01.2021

(MUHAMMAD JAMAL KHAN)
Member (Judicial)

(MIAN MUHAMMAD)
Member (Executive)

Certified to be ture copy
Khyber Pakhtunkhwa Service Tribunal, Peshawar

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

Date of Presentation of Application 14-01-2021

Number of Pages 21.00

Copying Fee 26.00

Urgent

Total 26.00

Name of Client

Date of Completion of Copy 01-02-2021

Date of Delivery of Copy 01-02-2021

Annexure 'C' 75

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Phone [illegible] Fax [illegible]
Email Address [illegible]
Facebook Page: www.facebook.com/DEOMANSEHRA

DISCIPLINARY ACTION

I, District Education Officer (M) Elementary & Secondary Education District Mansehra as competent authority am of the opinion that Mr. Rahim Dad Ex DM GMS Kayyan Mansehra rendered himself liable to be proceeded against, as he committed following acts/omissions within the meaning of Rule -3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS

i) - **Guilty of Misconduct Corruption.**
ii) **Bogus Appointment Order on the basis of fake and Fabricated Documents.**
iii) **Bogus Service Record, to mislead Department for undue appointment.**
iv) **Drawn pay Directly from Account Office without notice of the DDO/undersigned.**

2.) For the purpose of Inquiry against the said accused with reference to the above allegations, an inquiry committee, consisting of the following, is constituted under rule 3 of the Ibid Rules.

i). Mr. Muhammad Naseem Khan Principal GHSS Behali Mansehra.
ii). Mr. Sher Muhammad Principal GHS Gandhian Mansehra.

3.) The Inquiry Committee shall, in accordance with the provisions of the Ibid rules provide reasonable opportunity of hearing to the accused (call him to your respective school for personal hearing), record its findings and make within Seven (07) days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the inquiry committee.

-Sd/-
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No. 5449-53 /Lit: Branch/Rahim Dad/ Dated Mansehra the 04/6 /2021

Copy forwarded for information to:

1. The Director E&SE Khyber Pakhtunkhwa Peshawar.
2. Principal GHSS Behali Mansehra.
3. Principal GHS Gandhian Mansehra.
4. The Head Master GMS Kayyan Mansehra.
5. Mr. Rahim Dad Ex- DM GMS Kayyan Mansehra.

Charge Sheet and Statement of Allegation Received by Mr. Bilal 0315-5908653

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

D:\Class-IV DM,PET\Charg Sheet & Allegation.docx

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OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

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

To

Mr. Rahim Dad Ex-DM,
GMS Kayyan Mansehra

Subject: **CHARGE SHEET**

1. I, District Education Officer (M) Elementary & Secondary Education District Mansehra as a competent authority hereby charge you Mr. Rahim Dad Ex-DM GMS Kayyan Mansehra as following.
   That you while posted as DM at GMS Kayyan and committed the following irregularities:

   a) - **Guilty of Misconduct Corruption.**
   ii) **Bogus Appointment Order on the basis of fake and Fabricated Documents.**
   iii) **Bogus Service Record, to mislead Department for undue appointment.**
   iv) **Drawn pay Directly from Account Office without notice of the DDO/undersigned.**

2. By reason of the above you appear to be guilty of "misconduct & Corruption" under rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule 4 of the rules ibid.
3. You are therefore required to submit your written defense within seven days of the receipt of this Charge Sheet to the inquiry officer/inquiry committee, as the case may be.

4. Your written defense, if any, should reach the inquiry officer/inquiry committee within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-prate action shall be taken against you.
5. Imitate whether you desire to heard in person.
6. A statement of allegation is attached.

-Sd-
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No. 5447-48/Lit: Branch/Rahim Dad/ Dated Mansehra the 04/06 /2021

Copy forwarded for information to:
1. Head Master GMS Kayyan Mansehra.

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

D:\Class-IV DM,PET\Charg Sheet & Allegation.docx

Annexure E

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT MANSEHRA

No 6919 / Date 01 / 07/2021

To

Rahim Dad Khan (Ex-DM)
Office#05 Shan Plaza Sikandar Pura Hashtnagri
Peshawar c/o Mian Muhammad Imran High Court
Peshawar.
Cell No.0313-9684669/0333-9577770

Subject: SHOW CAUSE NOTICE
Memo;

Show cause notice in R/O Mr. Rahim Dad Ex-DM GMS Kayyan Mansehra is attached herewith with the direction to serve the same to the concerned teacher and return one copy to this office as token of receipt duly received by him

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT MANSEHRA

No 6919 Date 01 / 7-/2021

To

Rahim Dad Khan (Ex-DM)
Office#05 Shan Plaza Sikandar Pura Hashtnagri
Peshawar c/o Mian Muhammad Imran High Court
Peshawar.
Cell No.0313-9684669/0333-9577770

Subject: SHOW CAUSE NOTICE
Memo;

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DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

FINAL SHOW CAUSE NOTICE

I, Mr.Muhammad Tanveer District Education Officer (M) Mansehra, being competent authority under the Khyber Pakhtunkhawa Government Servant (Efficiency & Discipline) Rules, 2011, do hereby serve a show cause Notice, to Mr. Rahim Dad DM GMS Kayyan for getting appointment order which is fake & fabricated/Bogus at District Battagram and there after transferred on the basis of fake inter district transfer order are, as follow:

i. That you inducted/indulged yourself in to the Government Service fraudulently through appointment order vide Endstt:No8178-83 dated:11-03-2013 issued by DEO Battagram is fake and fabricated ,whereas the appointment order of only five candidates as a Drawing Master were issued by the DEO(M) Battagram, in original Order and your name is not exists in this appointment order.

ii. Whereas as per report of Head Master GHS Asharban Battagram, wherein no service record of your in the said school exists.

iii. Whereas no attendance record, no pay record, no charge report, no academic record are found in the office of DEO (M) Battagram as well as in the office of DEO (M) Mansehra.

iv. Whereas on basis of fake & Fabricated appointment order you were allegedly transferred from GHS Arshban District Battagram to GMS Kayyan District Mansehra through inter district transfer Vide Endstt:4372-8 dated:06-08-2014,whereupon after transfer the reliving chit and the last LPC Certificate cannot be verified from the concerned authority.

v. Whereas on the basis of fake and fabricated/bogus transfer order you have performed your duty at GMS Kayyan Mansehra up to 28-04-2015 and thereafter you are absent from the school.

vi. Whereas the Showcause notice was also served to you on absence from duty w.e.f 15-09-2015, whereupon no reply has been received from you.

vii. Whereas during the interview before inquiry committee, and observation of record and complete fair opportunity was provided to you for self-defiance but you could not satisfied the inquiry committee.

viii. Whereas in above facts and circumstance and on the basis of report of inquiry committee, it shows that you have committed misconduct/illegality and getting appointment on the basis of fake and fabricated appointment order, you have been proceeded under E&D rule 2011.

ix. I am satisfied that you found guilty of misconduct, corruption and committed illegal act as specified in rule 3 of the said rules. Thus you have rendered yourself liable to be proceeded against under the said rules.

x. In exercise of the powers conferred by the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011. The competent authority is pleased to issue show cause notice with the direction to submit your reply within 07 (seven) days of the receipt of this notice, as, why one of the major penalty under rule-4 of the said rule should not be imposed against you and also intimate whether you desire to be heard in person.

xi. In case you failed to submit your reply within the stipulated period of time, it will be presumed that you have no defense to offer and an ex-parte decision will be taken against you.

COMPETENT AUTHORITY

Rahim Dad Khan (Ex-DM)
Office#05 Shan Plaza Sikandar Pura Hashtnagri
Peshawar c/o Mian Muhammad Imran High Court
Peshawar.
Cell No.0313-9684669/0333-9577770

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OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT MANSEHRA

Phone # 0997-382271 Fax # 0997-382244
E-mail Address: eoe.ln.mansehra@yahoo.com
Facebook Page: www.facebook.com/DEOFMANSEHRA

06 Amearm

No 9172 /litigation branch/ Date 11 / 55 /2021

To,

The Rahim Dad
Office#05 Shan Plaza Skindar Pura Hashtnagri
Peshawar C/O Mian Muhammad Imran High Court
Peshawar
(Cell # 03139684669 / 03339577770)

Subject: **PERSONAL HEARING**

Memo:

It is to inform you that competent authority has directed you that, you may be attend the office of undersigned on 25/08/2021 regarding your **personal hearing** before the competent authority.

You are hereby directed to attend this office on aforementioned date, otherwise ex-parte proceeding shall be initiated against you under E&D rules 2011.

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

REGISTERED

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT MANSEHRA

NOTIFICATION:-

WHEREAS Mr. Raheem Dad DM (B-15) GMS Kayyan District Mansehra was proceeded under Khyber Pakhtunkhawa Government Servant (Efficiency & Discipline) Rules 2011 on account of bogus and fake appointment.

1) **AND WHEREAS** you inducted yourself into the Government Service fraudulently through appointment order vide Endstt:No8178-83 dated:11-03-2013 which was fake and fabricated ,whereas the appointment order of only five candidates as a Drawing Master were issued by the DEO(M) Battagram, in original appointment Order and your name was not there in the original appointment order.
2) **AND WHEREAS** on basis of fake & Fabricated appointment order you were allegedly transferred from GHS Arshban District Battagram to GMS Kayyan District Mansehra through inter district transfer Vide Endstt:-372-8 dated:06-08-2014,whereupon after transfer the relieving chit and the last LPC Certificate could not be verified from the concerned authority.
3) **AND WHEREAS** appeal No.13/2018 was filed by you before the KP service Tribunal Peshawar, which was decided vide judgement dated 13/01/2021.
4) **AND WHEREAS** the denovo inquiry was initiated in the light of the decision of KP Service Tribunal Peshawar. So the inquiry committee was constituted vide this office letter No. 1197 dated 04/02/2021 but committee refused to inquire the matter, whereas another committee was constituted vide this office letter No.1760-61 dated 20/0 /2021 to inquire the matter, whereas due to Covid-19 pandemic schools were closed and administrative offices were also placed on work from home strategy as per direction of NCOC.
5) **AND WHEREAS** inquiry committee submitted its report dated 19/04/2012 vide diary No.2507, wherein the opportunity of hearing and fair chance of self defence as well as cross examination was provided to you.
6) **AND WHEREAS** the Showcause notice was served upon you vide this office Endst No.6919 dated 01/07/2012, wherein major penalty of rule 4 sub rule 1 (b) was tentatively imposed upon you. Whereas you did not submitted the reply of showcase notice within stipulated period hence placed *Ex-Parte* and you were summoned for personal hearing on 25/08/2021 vide this office letter No.9172 on your mailing address and you did not appeared for personal hearing on scheduled date and failed to defence the charges leveled against you, hence proceeded *Ex-Parte*.
7) **AND WHEREAS** you were called for personal hearing on 25/08/2021 vide this office letter No.9172 dated 17/08/2021 and you failed to attend the office of undersigned for personal hearing in stipulated time and failed to availed the opportunity of self defence.
8) **NOW THEREFORE** the competent authority in exercise of the power conferred upon him under rule 4 sub rule 1 (b) (iv) of the Khyber Pakhtunkhawa Government servants (Efficiency & Displease) rules 2011, is pleased to imposed the major penalty of "***DISMISSAL FROM SERVICE***" upon Mr. Rahim Dad DM GMS Kayyan Mansehra with immediate effect.

(MUHAMMAD TANVEER)
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No. 10289-95 / Dated Mansehra the 03 / 09 /2021

Copy forwarded for information to:

1. The Honourable Registrar service Tribunal Khyber Pakhtunkhawa Peshawar vide his judgement dated 13/0 /2021 in service Appeal No.13/2018.
2. The Secretary to Govt: of Khyber Pakhtunkhwa E&SE Department Peshawar.
3. The Director Anti-Corruption Establishment Peshawar with the request to initiate the legal action against the accused i.e FIR as per relevant law with regard to the fake and bogus appointment.
4. The Director E&SE Khyber Pakhtunkhwa Peshawar.
5. The Deputy Commissioner Mansehra.
6. The District Account Officer Mansehra.
7. The District Monitoring Officer Mansehra.
8. The Headmaster GMS kayan District Mansehra.
9. Office file.

(MUHAMMAD TANVEER)
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

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OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT MANSEHRA

Phone # 0997-382271 Fax # 0997-382241
E-mail Address: edoedu.mansehra@yahoo.com
Facebook Page: www.facebook.com/DEOMMANSEHRA

No 9172 /litigation branch/ Date 18 / 8 /2021

To,

The Rahim Dad
Office#05 Shan Plaza Skindar Pura Hashtnagri
Peshawar C/O Mian Muhammad Imran High Court
Peshawar
(Cell # 03139684669 / 03339577770)

Subject: **PERSONAL HEARING**

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DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

REGISTERED

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT MANSEHRA

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(MUHAMMAD TANVEER)
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst No. 10289-95 / Dated Mansehra the 03 / 09 /2021

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7. The District Monitoring Officer Mansehra.
8. The Headmaster GMS kayan District Mansehra.
9. Office file.

(MUHAMMAD TANVEER)
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

64 (object on legal pole)