

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 1425/2018

Date of Institution ... 26.10.2018  
Date of Decision ... 02.12.2022

Dost Muhammad Khan, Subject Specialist (BPS-17), Government Higher  
Secondary School Lalozei District Bannu.

... (Appellant)

**VERSUS**

1. Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar.
2. Secretary of Elementary & Secondary Education, Khyber Pakhtunkhwa  
Peshawar.
3. District Education Officer (Male), Bannu.

... (Respondents)

Bashir Khan Wazir  
Advocate

... For appellant

Muhammad Jan  
District Attorney

... For respondents

Mr. Salah Ud Din

...

Member (Judicial)

Mrs. Rozina Rehman


...

Member (Judicial)

**JUDGMENT**

**ROZINA REHMAN, MEMBER (J):** The appellant has invoked the  
jurisdiction of this Tribunal through above titled appeal with the prayer as  
copied below:

**“That on acceptance of this appeal the order dated 18.05.2018  
of stoppage of one annual increment for one year and rejection  
of appeal made by C.M KPK on dated 24.09.2018 is being  
illegal, void ab-initio in the eyes of law and may please be set  
aside and the above mentioned order may be declared null and  
void in the eyes of law and ordered to be struck down.”**



2. Brief facts of the case are that the appellant was appointed as Subject Specialist Economics (BPS-17) and was serving at GHSS Lalozi Bannu. He was performing his duties with zeal and zest and with full devotion. In the meanwhile, Independent Monitoring Unit reported that appellant alongwith nine other employees were allegedly absent on the day of inspection/visit and as per direction of the monitoring unit one day salary was order to be deducted from the appellant as well as other employees. That the appellant alongwith other employees were present on duty and due to the connivance of principal of the said school, appellant was shown as absent. Another letter was issued from the Chief Minister complaint cell for taking disciplinary action against the appellant. He was served with charge sheet in respect of complaint forwarded by Farman Ullah Khan IMU monitor in respect of allegations and an inquiry committee was constituted to conduct proper inquiry and submit report and vide order dated 18.05.2018 minor penalty of withholding of one annual increment for one year was imposed upon the appellant. Being aggrieved he filed departmental appeal which was rejected, hence the present service appeal.

3. We have heard Bashir Khan Wazir Advocate learned counsel for the appellant and Muhammad Jan, learned Assistant Advocate General for respondents and have gone through the record and the proceedings of the case in minute particulars.

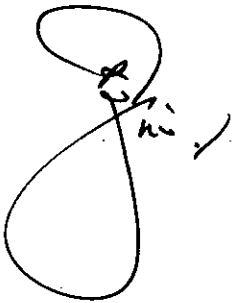
4. Learned counsel for the appellant submitted that the appellant was not treated in accordance with law, hence his rights secured and guaranteed under the law and constitution were badly violated. He contended that no proper procedure was followed before passing the impugned orders and that no proper inquiry was conducted against the appellant in accordance with law. It was argued that the appellant was not properly associated with the

inquiry proceedings and he was not given any opportunity of cross examination, therefore, the whole proceedings were defective in the eyes of law and the impugned order of dismissal being based on defective proceedings is liable to be set at naught on this score alone.

5. Conversely, learned District Attorney submitted that the appellant had been proved guilty of charges committed by him and that the monitoring officer registered a complaint against appellant. He had been marked as absent in independent IMU report. IMU monitor Farman Ullah Khan visited the said school on 30.11.2016 and during checking the attendance register of the teachers none of them had signed their attendance, so the monitor asked the appellant alongwith others to sign the attendance register but the appellant leading his other colleagues refused to sign the register. He misbehaved with the monitor and used abusive language, tried to beat him and stopped him from compiling the report. Lastly, he submitted that after completion of all codal formalities he was punished according to law.

6. We have heard learned counsel for the parties and perused the record. From the record it is evident that appellant (Dost Muhammad) Subject Specialist Economics (BS-17) GHSS Lalozi Bannu, was proceeded against under KP Government servants E&D Rules, 2011 for the charges of misconduct. Charge sheet alongwith statement of allegations were issued and the same are also available on file. He was charged as follows:

“You misbehaved with Mr. Farman Ullah Khan IMU Monitor on his visit to your school on 30.11.2016, used abusive language, tried to beat him, refused to sign the attendance register and stopped him from compiling the report.”



For the purpose to scrutinizing the conduct of the appellant, an inquiry committee was constituted comprising of Mr. Imad Ali Additional Secretary and Mr. Naik Nawaz Khan, Principal, minor penalty of stoppage of two annual increments for two years was tentatively imposed upon the appellant vide show cause notice and vide notification dated 18.05.2018 minor penalty of withholding of one annual increment for one year was imposed upon the appellant.

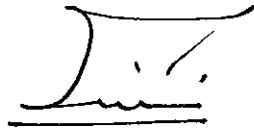
7. From the record coupled with the inquiry report it is evident that the bone of contention in between principal and the staff was on the maintenance of two separate attendance register which has been clarified by the inquiry committee that all the Subject Specialists had refused to sign being maintained by the principal at his office. It is also an admitted fact that the department and all the subject specialists of the KPK never accepted combined attendance register with other teacher and Class-IV servants and in this regard order dated 21.08.2017 for maintaining separate register was issued in view of the long standing demand of the Subject Specialists. As the appellant was marked absent on 30.11.2016 at 09.30 A.M as per letter dated 06.12.2016 by DEO (M) Bannu addressed to the Principal GHSS Lalozei Bannu, wherein the deduction of one day salary from appellant and others was ordered to be made as they were found absent by IMU report. On the other hand, he was charged as per statement of allegations for misbehaving with Mr. Farman Ullah Khan IMU Monitor on his visit to school on 30.11.2016. He was also charged for using abusive language, beating the monitor and refusing to sign the attendance register. How the absent Subject Specialist could misbehave with the IMU monitor on the alleged date of inspection i.e 30.11.2016. Statement of allegation and order in respect of one day salary from appellant and others are two separate documents which contradicts the statements of respondents.

The appellant alongwith others were punished by deducting one day salary and after conducting of inquiry another punishment in shape of withholding of one annual increment for one year was also imposed upon the appellant this amount to double jeopardy.

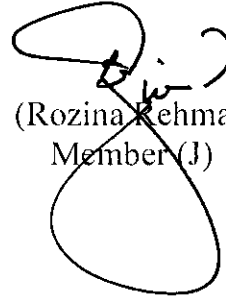
8. For what has been discussed above, the instant service appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.

02.12.2022



(Salah Ud Din)  
Member (J)



(Rozina Rehman)  
Member (J)

**ORDER**

02.12.2022

Appellant present through counsel.

Muhammad Jan, learned Additional Advocate General for respondents present.

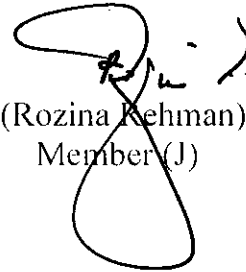
Vide our detailed judgment of today placed on file, the instant service appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

**ANNOUNCED:**

02.12.2022



(Salah Ud Din)  
Member (J)



(Rozina Rehman)  
Member (J)



Government of Khyber Pakhtunkhwa  
Communications and Works Department

No.PA to AS/ C&W/2017 1050-51  
Dated: 31/10/2017

To

The Secretary to Government of Khyber Pakhtunkhwa,  
Elementary & Secondary Education Department

Subject: INQUIRY.

Dear Sir,

With reference to E&SE Department Notification no: SO(SM)E&SED/4-5/2017/M.Shafiq & Dost Muhammad SS, dated 11.09.2017 on the subject cited above and to forward herewith the Inquiry Report (in Original) along with annexures.

Yours faithfully,

IMAD ALI  
Additional Secretary C&W  
(Member Inquiry Committee)

Endorsement No & Date Even:

Copy is forwarded for information and necessary action to:

1. Director, E&SE Department, Khyber Pakhtunkhwa, Peshawar.

PSO  
M  
7/11/17

2017  
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SO(SM)  
1/11/17

Additional Secretary C&W

3. Now both the SS refuse the charges and state that they have neither used abusive language nor misbehaved or attempted to beat and stop the monitor from compiling the independent monitoring unit report (Annexure-E).
4. They further stated that there are two sections of the school i.e. one higher secondary and the other high section but according to the past practice and since long a separate attendance register is being maintained in the higher secondary sections in each and every government higher secondary school. So they sign/mark their attendance in a separate register maintained at higher secondary level which was signed by them on the day of visit too. They stated that on the day of inspection i.e. on 30/11/2016 Mr. Farmanullah IMU monitor came to the school at 08.50 am while they were present in the school and busy in their work. The monitor called the SS one by one to the office of the principal and ordered them to put their signatures in the combined attendance register maintained in the secondary section which the SS refused and said that they have signed the attendance register of the higher secondary section. They further stated that no harsh words took place then (Annexure-F).
5. This act of maintaining two separate registers for high and higher secondary schools, as per statement of the accused teachers, is in the light of the decision of Dy. DEO Bannu Mr. Zahoor.

### Statement of the principal:

The principal GHSS Lalozai Bannu Mr. Balqias Khan in his statement (Annexure-G) before the inquiry committee submitted his written statement. He stated that on 30/11/2016 the monitor called the SS to his office (Principal office) and asked them to sign the combined attendance register but all the SS refused to sign the combined attendance register and exchange of harsh words took place between SS Dost Muhammad and IMU monitor. Later on Muhammad Shafiq SS also misbehaved and threaten IMU monitor but the teachers came and patched up the problem. Next day DMO Bannu called the Principal to his office and he gave his verbal statement to the DMO. Thus deduction of one day salary was made from all the SS by the DEO as per policy of the government (Annex-H).

### Statements of other SS Teachers:

The statement of other SS teachers and the school staff is attached as (Annex-F). The other SS teachers and some class IV stated by oath that they were all present in the school. The monitor called them to the office but they all replied that they usually enter their signatures in a separate register and this they do according to the decision of Dy. DEO Bannu Mr. Zahoor. They consider the separate register sufficient and are not ready to sign any other register. All the SS further stated that no abusive language or misbehavior had occurred between any SS or the monitor on that day.


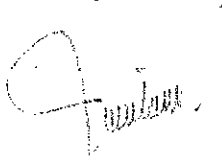
### Statement of Mr. Farmanullah Monitor:

Mr. Farmanullah monitor is adamant on his previous statement.



Findings:

- a. Report of the IMU monitor attains completion on the signature of the Principal. It means that the Principal was satisfied to the entries made by the monitor. Further he also attended the office of the DMO after the event.
- b. Visibly there seems confusion between the Principal and the staff on the maintenance of the two separate registers. If the Principal is aware of the fact that Mr. Zahoor Dy. DEO has directed for the maintenance of the two separate registers then the existence of the names of the Subject Specialists in the two registers at the same time is beyond comprehension.
- c. The non-compliance of the signature on the register being maintained by the Principal somehow halted the monitor from entering the data correctly.
- d. The principal of the school has neither stressed nor called any explanation from the SS regarding the order book which was refused by all the SS and he marked them present even in the combined attendance register by putting "P" on daily basis which is evident from the photocopy of the order book and combined register. So his maintaining the names of the Subject Specialist in both the registers is his personal arrangement best known to him and for this he should not have involved the monitor. Further the signatures of both the accused entered in the register and the reply/statement made to the inquiry committee are altogether different (Annexure-I) which shows their deceitful act and the mal-administration of the said Principal. This shows that the monitor has rightly asked them to enter their signatures to which they refused.
- e. Their refusal of the signatures in the register maintained at the office of the Principal no doubt put the monitor in a confused position as he has no place in the available software to enter the entries of the two registers. Their refusals to the observation thus lead to their entries as absent. But this data is shared with the District Education Officer and as per rules it is the duty of the District Education Officer to satisfy him before taking any stern action. If this problem had arisen and the accused teachers reported the same to the DEO then he should have consulted the Principal before deducting the pay of the accused teachers and all other SS who were marked absent in view of their refusal to sign in the register maintained in the office of the Principal.
- f. The statement of the Principal and the accused teachers are contradictory. As per the statement of the Principal Mr. Balqias Khan of GHSS Laloza Bannu exchange of harsh words took place between SS Dost Muhammad and the IMU Monitor Farmanullah. He further stated that after a short interval Muhammad Shafiq SS came and misbehaved and threaten IMU monitor but other teachers came and patched up the problem.
- g. Not only the two accused but all the SS refused to sign the register being maintained by the Principal at his office.
- h. It is also a fact that it is a long time controversy between the department and all the SS of KPK that they do not accept combined attendance register(s) with other teachers and class IV servants. It is also a fact that the department has recently issued a letter bearing No.PA/ASD/E&SE/2017 dated 21/08/2017 for maintaining separate registers (Annex-J), thus subjecting itself to the longstanding demand of the Subject Specialists.

Recommendations:

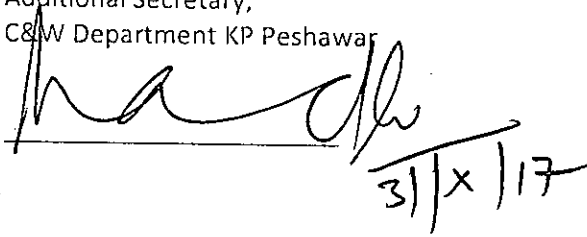
All five charges mentioned in the charge sheet and statements of allegations are correct. The accused teachers however gave a contradictory statement against the available record and the statement of the Principal.

The above facts of the case show that both the accused SS Dost Muhammad and Muhammad Shafiq violated the government procedures existed then and did not conform to the regulations. Instead they only relied on a setting made by the Dy. DEO.

The wrong statement of the accused teachers as to the happening of the event is a matter of serious concern as they are holding an important position as teachers and this attitude is harmful not only for the government affairs but also for the future generation.

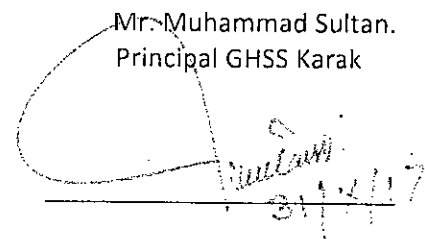
The monitor should have only stated the facts of the case and left. His focus of getting signatures on the register being maintained by the Principal was not his duty. Instead he should have taken the data of the two registers separately and report his immediate officer.

Mr. Imad Ali  
Additional Secretary,  
C&W Department KP Peshawar



31/X/17

Mr. Muhammad Sultan,  
Principal GHSS Karak



31/X/17

REGISTERED

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

Dated Peshawar the September 11, 2017

NOTIFICATION

**NO.SO(SM)E&SED/4-5/2017/M.Shafiq & Dost Muhammad SS:** In partial modification of this Department Notification of even No. dated 30.06.2017 the Competent Authority is pleased to constitute Inquiry Committee comprising the following officers to conduct formal inquiry against M/S Muhammad Shafiq SS(History-cum-Civics) BS-18 and Dost Muhammad SS(Economics) BS-17 GHSS Lalozei Bannu for the charges mentioned in the Charge Sheets and Statements of Allegations with immediate effect.

- i. Mr. Imad Ali, Additional Secretary (PMS BS-19), C&W Department.
- ii. Mr. Muhammad Sultan, Principal (BS-19) GHSS Karak.

2. The Inquiry Committee shall submit report/recommendations to the Competent Authority within (30) days positively. (Copies of Charge Sheets & Statements of Allegations are enclosed for all concerned).

**SECRETARY**

Endst: of even No. & Date :-

Copy forwarded to the:

1. Mr. Imad Ali, Additional Secretary (PMS BS-19), C&W Department.
2. Mr. Muhammad Sultan, Principal (BS-19) GHSS Karak.
3. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
4. Mr. Aurangzeb, Assistant Director (P&D), Directorate of E&SE Peshawar is nominated as departmental representative to assist the inquiry committee.
5. Mr. Muhammad Shafiq SS(History-cum-Civics) BS-18 GHSS Lalozei Bannu.
6. Mr. Dost Muhammad SS(Economics) BS-17 GHSS Lalozei Bannu.
7. PS to Secretary E&SE Department, Khyber Pakhtunkhwa.
8. Office order file.

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

CHARGE SHEET

I, **Pervez Khattak**, Chief Minister, Khyber Pakhtunkhwa as Competent Authority, hereby charge you, **Muhammad Shafiq Subject Specialist (History-cum-Civics) BS-18, GHSS Lalozai District Bannu** as follows:-

That you, while posted as Subject Specialist (History-cum-Civics) BS-18 GHSS Lalozai Bannu committed the following irregularity:

**“You misbehaved with Mr. Farmanullah Khan IMU Monitor on his visit to your school on 30.11.2016, used abusive language, tried to beat him, refused to sign the attendance register and stopped him from compiling the report.”**

2- By reason of the above, you appear to be guilty of misconduct 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 defence within seven days of the receipt of this Charge Sheet to the inquiry officer/inquiry committee, as the case may be.

4- Your written defence, if any, should reach the inquiry officer/inquiry committee within specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.

5- Intimate whether you desire to be heard in person.

6- A Statement of Allegations is enclosed.

(PERVEZ KHATTAK)  
CHIEF MINISTER, KHYBER PAKHTUNKIWA  
COMPETENT AUTHORITY

Muhammad Shafiq Subject Specialist (History-cum-Civics) BS-18,  
GHSS Lalozai District Bannu.

DISCIPLINARY ACTION

I, Pervez Khattak, Chief Minister, Khyber Pakhtunkhwa as Competent Authority, am of the opinion that Muhammad Shafiq Subject Specialist (History-cum-Civics) BS-18, GHSS Lalozei District Bannu has rendered himself liable to be proceeded against, as he committed the following acts/omissions, within the meaning of Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS

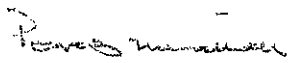
“He misbehaved with Mr. Farmanullah Khan IMU Monitor on his visit to his school on 30.11.2016, used abusive language, tried to beat him, refused to sign the attendance register and stopped him from compiling the report.”

2- For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/ inquiry committee, consisting of the following, is constituted under Rule 10(1)(a) of the ibid Rules:

- i. Mr. Imad Ali (PMS BS-19) AS. CGW Dept.
- ii. Mr. Muhammad Sultan, Principal (BS-19)
- iii. GHSS, Korak.

3- The inquiry officer/inquiry committee shall, in accordance with the provisions of the ibid Rules, provide reasonable opportunity of hearing to the accused, record its findings and make within thirty 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 officer/inquiry committee.

  
(PERVEZ KHATTAK)  
CHIEF MINISTER, KHYBER PAKHTUNKHWA  
COMPETENT AUTHORITY

Muhammad Shafiq Subject Specialist (History-cum-Civics) BS-18,  
GHSS Lalozei District Bannu.

## CHARGE SHEET

I, **Pervez Khattak, Chief Minister, Khyber Pakhtunkhwa** as Competent Authority, hereby charge you, **Dost Muhammad Subject Specialist Economics (BS-17) GHSS Lalozai District Bannu** as follows:-

That you, while posted as Subject Specialist Economics (BS-17) GHSS Lalozai Bannu committed the following irregularity:

**“You misbehaved with Mr. Farmanullah Khan IMU Monitor on his visit to your school on 30.11.2016, used abusive language, tried to beat him, refused to sign the attendance register and stopped him from compiling the report.”**

2- By reason of the above, you appear to be guilty of misconduct 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 defence within seven days of the receipt of this Charge Sheet to the inquiry officer/inquiry committee, as the case may be.

4- Your written defence, if any, should reach the inquiry officer/inquiry committee within specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.

5- Intimate whether you desire to be heard in person.

6- A Statement of Allegations is enclosed.

(PERVEZ KHATTAK)  
CHIEF MINISTER, KHYBER PAKHTUNKHWA  
COMPETENT AUTHORITY

Dost Muhammad Subject Specialist Economics (BS-17),  
GHSS Lalozai District Bannu.

DISCIPLINARY ACTION

I, Pervez Khattak, Chief Minister, Khyber Pakhtunkhwa as Competent Authority, am of the opinion that Dost Muhammad Subject Specialist Economics (BS-17), GHSS Laloza District Bannu has rendered himself liable to be proceeded against, as he committed the following acts/ omissions, within the meaning of Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS

“He misbehaved with Mr. Farmanullah Khan IMU Monitor on his visit to his school on 30.11.2016, used abusive language, tried to beat him, refused to sign the attendance register and stopped him from compiling the report.”

2- For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/ inquiry committee, consisting of the following, is constituted under Rule 10(1)(a) of the ibid Rules:

- i. Mr. Imad Ali (PMS BS-19) AS CGW DepH.
- ii. Mr. Muhammad Sultan (BS-19)
- iii. Principal, GHSS, Kasak

3- The inquiry officer/inquiry committee shall, in accordance with the provisions of the ibid Rules, provide reasonable opportunity of hearing to the accused, record its findings and make within thirty 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 officer/inquiry committee.

*Pervez Khattak*  
(PERVEZ KHATTAK)  
CHIEF MINISTER, KHYBER PAKHTUNKHWA  
COMPETENT AUTHORITY

Dost Muhammad Subject Specialist Economics (BS-17),  
GHSS Laloza District Bannu.



GOVERNMENT OF KHYBER PAKHTUNKHWA  
COMMUNICATION & WORKS DEPARTMENT

NO.PA to A.S/C&W/2017  
Dated Peshawar the 19.07.2017

Ames - A  
537-45  
20/7/2017

To

1. Muhammad Shafiq,  
SS(History-cum-Civics)BS-18,GHSS Lalozai Bannu.
2. Dost Muhammad,  
SS(Economics) BS-17 GHSS,Lalozai Bannu.

**SUBJECT: INQUIRY.**

Reference notification No.SO(SM)E&SED/4-5/2017/M.Shafiq& Dost Muhammad SS dated 30-06-2017 and earlier intimation you are requested to appear before the committee on 26-7-2017 at 10.00 AM instead of 24-07-2017.

IMAD ALI  
Additional Secretary C&W  
(Member Inquiry Committee)

Copy for information and necessary action to:-

1. Mr.Naik Nawaz Khan Principal (BS-19) GHS, Sikandar Khel Bala Bannu.
2. Mr. Aurangzeb ,Assistant Director (P&D) Directorate of E&SED, Peshawar.
3. PS to Secretary to Govt. of Khyber Pakhtunkhwa, Elementary & Secondary Education Department Peshawar.

Additional Secretary C&W

20-7-17



GOVERNMENT OF KHYBER PAKHTUNKHWA  
COMMUNICATIONS & WORKS DEPARTMENT

No.PA to AS/S&l, Bannu/C&W/2017 \_\_\_\_\_  
Dated: 19/09/2017

To,

1. Muhammad Shafiq, SS (History-cum-Civics) BS-18, GHSS, Lalozi Bannu.
2. Dost Muhammad, SS (Economics), BS- 17, GHSS, Lalozi Bannu.

Subject: INQUIRY.

Reference notification No.SO(SM)E&SED/4-5/2017/M.Shafiq & Dost Muhammad SS dated 11-09-2017, you are requested to appear before the committee on 25.09.2017 at 1000 hours.

Additional Secretary C&W  
(Member Inquiry Committee)


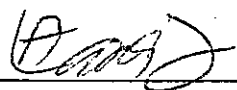

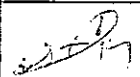
Endst: of Even No & Date:


Copy is forwarded for information and necessary action to:

1. Mr. Muhammad Sultan, Principal (BS-19), GHSS, Karak.
2. Mr. Aurangzeb, Assistant Director (P&D) Directorate of E&SE Department, Peshawar.
3. PS to Secretary to Gov. of Khyber Pakhtunkhwa, Elementary and Secondary Education Department, Peshawar.



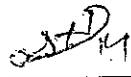
  
Additional Secretary C&W

ATTENDANCE SHEET REGARDING INQUIRY AGAINST MUHAMMAD SHAIQ, SS  
(HISTORY -CM-CIVICS) BS-18 AND DOST MUHAMMAD, SS(ECONOMICS, BS-17 GHSS,  
LALOZAI BANNU.

S.No.	NAME	DESIGNATION	SIGNATURE
1.	Mr.Imad Ali (BS-19)	Additional Secretary C&W Department.	
2.	Muhammad Sultan (BS-19)	Principal GHSS, Karak.	
3.	Mr. Aurnazeb (BS-17)	Assistant Director (P&D) Dir. E&SED.	
4.	Muhammad Shafiq (BS-18)	SS (History Cum-Civics) BS-18 GHSS, Lalozi Bannu.	
5.	Mr. Dost Muhammad (BS-17)	SS, (Economics) GHSS, Lalozi Bannu.	

  
25/9/17.

**ATTENDANCE SHEET REGARDING INQUIRY AGAINST  
MUHAMMAD SHAFIQ SS( HISTORY CUM-CIVICS)BS-18 AND  
DOST MUHAMMAD SS(ECONOMICS) BS-18 GHSS, LALozAI  
BANNU.**

S.No.	NAME	DESIGNATION	SIGNATURE
1	Imad Ali (BS-19)	Addl. Secretary C&W Department	
2	Muhammad Ayaz (BS-17)	Assistant Director (Establishment) E&SE Department	
3.	Muhammad Shafiq (BS-18)	SS,(History-cum Civics),GHSS, LaloZai Bannu	
4.	Dost Muhammad (BS-17)	SS,(Economics),GHSS, LaloZai Bannu.	

Annex-<sup>C</sup>

OFFICE OF THE PRINCIPAL GHS S.K.BALA BANNU

No: 141-149 Dated: 20/07/2017

To

Mr. Mujeeb -Ur-Rehman ,

Section Officer(Schools Mala)

Memo

Vide your letter No: SO(SM) E&SED/4-5/2017/M.Shafiq&

Dost Muhammad SS: Dated Peshawar the June 30,2017.

As being suffered from STROKE/C.V.A i am unable to conduct the inquiry.

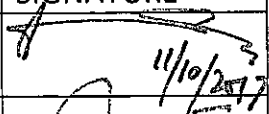
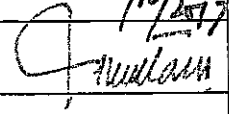

Therefore. I may please be dropped from the inquiry committee.

Thanks.

*P. Malik*  
*[Signature]*  
*28/7/17*  
*[Signature]*

*[Signature]*  
(NEK NAWAZ KHAN)  
PRINCIPAL,  
GHS SHANDAR KHILL BALA  
BANNU.  
PRINCIPAL  
GHS S.K. Bala  
BANNU  
*MA*

ATTENDANCE SHEET REGARDING INQUIRY AGAINST MUHAMMAD SHAIQ, SS  
(HISTORY -CM-CIVICS) BS-18 AND DOST MUHAMMAD, SS(ECONOMICS, BS-17 GHSS,  
LALZAI BANNU.

S.No.	NAME	DESIGNATION	SIGNATURE
1.	NOOR UL AMIN	District Monitoring Officer Bannu (IMU)	 11/10/2017
2.	Muhammad Sultan	Principal - GHSS Karah	
3.	Faizan ulah Khan	Monitor	
4.			
5.			

To

The Inquiry Officers,

1. Mr. Imad Ali ( PMS BS-19)  
Additional Secretary,  
C & W Department,  
Khyber Pukhtunkhwa
2. Mr. Muhammad Sultan (BS-19)  
Principal, GHSS, Karak

Subject: Written Defense of Inquiry

Sir,

I, Mr. Dost Muhammad Khan (SS Eco) BPS-17 submit the following written defense in reference to letter NO.SO(SM) & SED/4-5/2017. M.Shafiq & Dost Muhammad SS:

The four allegations leveled against me are totally baseless and self-composed. The fact is that it has never come into my knowledge that there has been any inquiry raised against me before the current inquiry nor have I been given any opportunity of defending any such inquiry yet.

The allegations can be addressed as follow:

1. That I have misbehaved the monitor- seems fabricated. I have never used bad language to anyone.
2. That I have attempted to beat him is having no ground. I have never tried to do so.
3. That I have not signed the attendance register is also concocted. I, along with other subject specialists, signed the register on that days. ( A copy of 30<sup>th</sup> November is attached for your perusal)
4. That I have stopped the monitor from compiling the report is also not true. The report was completely maintained without any interference. It was the outcome of this report that a One Day Deduction was cut down from all the SS staff. ( Copies of pay slip of all the SSs are attached for your kind observation)

Strangely enough, that a person who has been marked by the IMU representative as absent on that day, then how he quarreled and misbehaved him. This simple discrepancy and irregularity in the report shows that it was baseless.

You are therefore requested to please look into the matter sympathetically.

Kind regards

22 September, 2017



Dost Muhammad Khan

SS (Economics)

GHSS, Laloza, Bannu

To,

- The inquiry officers ,  
1- Mr. Imad Ali ,Additional Secretary  
C & W Department Khyber Pakhtunkhwa  
Peshawar  
2- Mr. ~~Mr. Nadeem Nawaz Khan~~ <sup>Sultan Khan</sup>, Principal ,  
~~GHS Sikander Khel Bala Bann .~~  
~~GHS Karzak .~~

SUBJECT: WRITTEN DEFENCE

R/Sir

I, Muhammad Shafiq S.S (History -cum-Civics) BPS-17 submit the following written defense in reference to letter No. SO (ME) E & SED/4-5/2017/M.Shafiq & Dost Muhammad S.S. dated 30-06-2017.

- 1- That I am posted at GHSS Lalozai Bannu. I am punctual and dutiful and in 10 years of my service no such misbehavior or misconduct has been reported against me.
- 2- That on 30-11-2016 Farman Ullah Khan IMU monitor entered the school at 9.30 am I along with other staff members was present in staff room / other attending the relevant classes.
- 3- That the high and higher secondary portions of the school are located separately at a distance of 200 meters.
- 4- That throughout KPK 2 registers of attendance are maintained in Higher Secondary school i.e one for High section and other for higher secondary section.
- 5- That the staff of the school submitted that the Deputy Education Officer at his visit also directed for maintaining separate registers. Keeping in view the convenience of the staff and students.
- 6- That on the day of inspection the honorable IMU monitor visited the High Section and absented me along with other 10 subject specialists. Though we were present in the school.

- 7- That while inspecting the Higher Secondary Section of the school the IMU monitor meets me.
- 8- That I requested and submitted the register of attendance of Higher Secondary section for report.
- 9- That the monitor asked that these will be one register of attendance.
- 10- That only this discussion was made with IMU monitor.
- 11- That I have the knowledge of the duties of IMU monitor thus cannot even think about their disrespect.
- 12- That I had neither used the abusive language nor tried to beat him, while attendance register of Higher Secondary section was already signed by me and had never stopped him from compiling the report, as IMU monitor already submitted the report from High section of the school.
- 13- That the inquiry conducted by Assistant Commissioner Bannu, the undersigned as well as other accused Mr. Dost Muhammad were not informed, called or asked for defense which makes the inquiry against the standard procedure of justice and has no locus <sup>†</sup>sandy.
- 14- That the above facts / statements can be verified from the IMU monitor concerned as well.
- 15- That I want to be heard in person.

It is therefore, requested that the inquiry may kindly be filed.

Yours obediently,

Dated: 20-07-2017



MUHAMMAD SHAFIQ  
SS (HISTORY -CUM-CIVICS )  
GHSS LALOZAI , BANNU



صنای عالی!

گزارش کی جاتی ہے کہ 30<sup>11</sup>/<sub>2016</sub> کو ہم سب SS صاحبان ادارے میں ہر فرد اور حاضر تھے جسے بعض اساتذہ کرام جموں کے مطابق طلبہ میں پڑھائی میں معروف تھے۔ اس دوران مائٹرز خیرمان اٹل سکول کے اندر آئے اور پندرہ لکھن افسس میں بیٹھ گئے۔ اور کام شیجرز کو طلبہ سے افسس میں بلوایا اس دوران پندرہ لکھن افسس سکول میں آئے تھے بعد میں مائٹرز SS رفعت اللہ (پریسٹیشنر اردو) اور SS احمد صاحب (15th ایف) کو تلوایا اور کہا کہ اب کیا پتہ ہے؟ جسٹس میں دستخط کر کے دوٹونے کہا کہ چونکہ روٹیں کے مطابق ہم SS سٹاف مائٹرز سٹیڈی سیشن کے ریسٹور میں حاضر ہونے چاہئے ہیں اور یہ پہلے Dy-Deo ظہور صاحب کے صابروں کا تھا کہ SS سٹاف علیحدہ ریسٹور میں حاضر ہونے چاہئے۔

یعنی مائٹرز خیرمان اٹل اٹھنا چاہئے غیر مائٹرز جو کے ساتھ اپنے ہی موقوف پورے عالم کہا کہ اب اسی ہی ریسٹور میں دوبارہ دستخط کر کے۔ اس کے بعد ہم اپنے اپنے کام یعنی درس و تدریس میں مصروف ہو گئے۔ اور اس دوران کوئی نا اہل نہ رہا حال اب نظر نہیں آئے۔

اسکے باوجود ہمیں غیر حاضر قرار دیا اور ہم سب کی تنخواہوں میں سے ایک ایک دن کی کٹوتی کی گئی جو کہ سب سے زیادہ انصافی اور ظلم ہے۔ بعد میں ہم سب اور DEO بنوں سے اپیل کی گئی کہ ہمیں کوئی کم سے کم حال بنیں۔

- دستخط SS صاحبان =
- |             |     |   |              |
|-------------|-----|---|--------------|
| رفیقان اللہ | (5) | 1 | شیر شاہ      |
| محمد علی    | (6) | 2 | عبد رزاق DPE |
| عبدالرحمن   | (7) | 3 | غنییل کو     |
| غیاث اللہ   | (8) | 4 | رفعت اللہ    |

## OFFICE OF THE PRINCIPAL GHSS LALOZAI BANNU

End. No. 104

Dated: 13/12/16

To,

Assistant Commissioner,  
BannuSubject: Complaint of Monitor against M.Shafiq Wazir & Dost Muhammad SS's at  
GHSS Lalozai Bannu

R/Sir,

Reference your honorable letter No.1226-27/AC/PC dated Bannu the 7/11/2016 received on 10/12/2016. It is stated that the IMU Monitoring Assistant Farman Ullah Khan came to the school on 30/11/16 for monthly visit & checked the teachers & class-fours & then to call the SS one by one to principal office to sign the attendance in principal recommended attendance register.

Just Dost Muhammad SS (Econ) & M.Shafiq Wazir SS (Hist: cum Civics) entered in the principal office and used misbehavior words/abused language with Farman. Then M.Shafiq tries to beat the Monitor Farman Ullah but the teachers tried to out M.Shafiq from the office.

Thanks

Balqiaz Khan  
Principal GHSS Lalozai Bannu.

Note:

1. The Principal order book copy is attached with the application please.
2. The photocopy of the principal recommended register is attached.
3. The witnesses of this incident i.e. the teachers are signatures are attached with the application

O/C

Balqiaz Khan  
Principal GHSS Lalozai Bannu.

Principal recommended register

Statement of KHSs Caseworker  
Principal

① 30/11/2016 پر جب EMTU مانیٹرنگ ریکارڈنگ میں آیا۔ تو میں  
بذرات خود موجود تھا۔ EMTU مانیٹرنگ ایک ایک اسٹاڈینٹ کے  
فیکٹ کیا۔ اس کے بعد اس کے نوٹوں میں دفتر میں۔ اور شہنائی کارڈ فیکٹ  
اس کے بعد SS کا نام ایک ایک مانیٹرنگ کے principal recommended  
attendance register میں

دستی نام لکھ کر لیا۔ اس کے بعد اس کے پاس سے دستخط لیا گیا۔  
کیا۔ اور کیا کہیم اس کے پاس سے اس کے دستخط لیا گیا ہے۔  
میں نے پتہ لیا ہے کہ وہ کلاس میں نہیں آئے۔ (Assign) کرنا ہے  
اور اس کے پاس سے لیا گیا ہے کہ وہ کلاس میں نہیں آئے۔

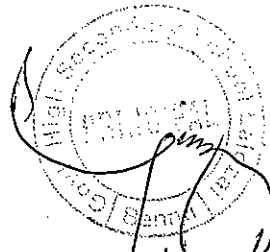
② Combined مانیٹرنگ کے ساتھ ساتھ EMTU مانیٹر  
(فرم نمبر 1) کے ساتھ ساتھ دوست کے ساتھ ساتھ (SS) کے ساتھ ساتھ  
کے درمیان میں لیا گیا ہے۔ اور دوست کے ساتھ ساتھ۔  
(principal recommended Register) میں لکھ کر لیا گیا ہے۔

③ اس کے بعد دوست کے ساتھ ساتھ (Attendance) میں لکھ کر لیا گیا ہے۔  
آیا۔ اور کیا کہیم۔ اس کے ساتھ ساتھ EMTU مانیٹرنگ کے ساتھ ساتھ  
پر اس کے ساتھ ساتھ لیا گیا ہے۔ ان کے ساتھ ساتھ Absent mark لکھ کر لیا گیا ہے۔

پہلے ہی محمد شفیع ڈی نے مانیٹرنگ سائٹو Mishikavion  
القادی استعمال کیے۔ لاہور کے کئی دفعتی وی۔ سیکرٹری اس تیز  
نے مسلم رفو دفع کیا۔

④ دو تیز بعد DMO بنوں نے محمد شفیع فون پر اطلاع دی کہ آپ DMO  
دفتر آجے۔ DMO طلبہ نے مجھے سے وقوع کے بارے میں معلومات کی۔  
اور میں نے زبان کی طور پر حالات سے اس کو آگاہ کیا۔

⑤ ۴ فروری ۲۰۱۷ سے Deduction پر آجے۔ جس میں ان SS  
مہلک بنے نام قیس جنیوت (Combined) principal recorded  
attendance کے بارے میں دستاویزات کیے۔



3/10/17



10/12/2016

**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)**  
**BANNU ELEMENTARY & SECONDARY EDUCATION KHYBER**  
**PAKHTUNKHWA.**

No. 10940

Dated 10/12/2016

To

The Principal GHSS Lalozei

Bannu.

Subject:-

**Deduction of 1 day from following List of Employees Found Absent**  
**by IMU Report in the Month of November 2016.**

Memo:-

Refer to the cited subject above you are hereby informed that the following list of employees under your kind control have been found absent in the month of November 2016 through IMU report.

Therefore you are directed that 1 day deduction should be made against each employee of your quarter concerned through proper chalan/through account office change proforma and deposit in the Govt: treasury, one copy of deduction against each school of all employees should reach to the competent authority office.

In monthly DSC meeting with IMU, the Deputy Commissioner take serious notice against the absentism and directed the DEO(M), if there is no deduction made against the absent staff found by the IMU, then one week deduction should be made directly from the Principal/Head Master of the High & Higher Secondary Schools otherwise the matter will be escalated to the high ups.

Teaching Staff

Received on  
10/12/2016

EMIS Code	Name of School	Monitoring Date	CNIC	Full Name	Designation	Status
35721	GHSS Lalozei	11/30/2016 9:03 AM	1110114506635	Abdul Rauf Khan	SS	Absent
35721	GHSS Lalozei	11/30/2016 9:03 AM	1110159275979	ABDUL SARWAR	DPE	Absent
35721	GHSS Lalozei	11/30/2016 9:03 AM	1110178425845	BAHADER ZAMAN	Qari/Qaria	Absent
35721	GHSS Lalozei	11/30/2016 9:03 AM	1110114312785	Dost Muhammad khan	SS	Absent
35721	GHSS Lalozei	11/30/2016 9:03 AM	1110169598075	MUHAMMAD SHAHIQ	SS	Absent
35721	GHSS Lalozei	11/30/2016 9:03 AM	1110101138589	NIJATULLAH KHAN	SS	Absent
35721	GHSS Lalozei	11/30/2016 9:03 AM	1110114233969	Raham Dil	SS	Absent
35721	GHSS Lalozei	11/30/2016 9:03 AM	1110114444727	Rifat ullah khan	SS	Absent
35721	GHSS Lalozei	11/30/2016 9:03 AM	1110123168247	Rizwan ullah	SS	Absent
35721	GHSS Lalozei	11/30/2016 9:03 AM	1110176145695	SHALIL NAWAZ	SS	Absent
35721	GHSS Lalozei	11/30/2016 9:03 AM	1110114506635	Umar Shah	SS	Absent

Ammer A.J



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

No. PA/ASD/E&SE/2017  
Dated Peshawar the 21<sup>st</sup> August, 2017

To

The Project Director,  
IMU Shami Road Peshawar.

26/57  
05/08/17

Subject:

SEPARATE ATTENDANCE REGISTER FOR SUBJECT SPECIALISTS  
IN ALL HIGHER SECONDARY SCHOOLS IN KHYBER  
PAKHTUNKHWA

On the demand of Subject Specialist Association, the issue of separate attendance register for Subject Specialist in all Higher Secondary Schools was discussed with Director E&SE Peshawar and it was decided that all subject Specialist will maintain separate register as per past practice.

You are therefore, requested to direct all DMOs/DCMAs not to insist for maintenance of joint attendance register as the administration of school is the prerogative of Director Elementary & Secondary Education and DMAs shall restrain from interference except their assigned task.

(ARSHAD KHAN)  
ADDITIONAL SECRETARY (DEV)

Endst of even No. & Date

Copy forwarded to:-

1. Director Elementary & Secondary Education Peshawar.
2. All DEOs (Male & Female) in Khyber Pakhtunkhwa. Banu (male)
3. PS to Secretary Elementary & Secondary Education Department.
4. Hazrat Muhammad Shah Jehan Daudzai, General Secretary All Subject Specialists in Khyber Pakhtunkhwa.

ADRB R/Soc:

circulate the modification

Ammer

Annex-3 J



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

No.PA/ASD/E&SE/2017  
Dated Peshawar the 21<sup>st</sup> August, 2017

26.57  
05/09/17

To  
The Project Director,  
IMU Shami Road Peshawar.

Subject: SEPARATE ATTENDANCE REGISTER FOR SUBJECT SPECIALISTS  
IN ALL HIGHER SECONDARY SCHOOLS IN KHYBER  
PAKHTUNKHWA

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(ARSHAD KHAN)  
ADDITIONAL SECRETARY (DEV)

Endst of even No. & Date

Copy forwarded to:-

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2. All DEOs (Male & Female) in Khyber Pakhtunkhwa. *Banu (male)*
3. PS to Secretary Elementary & Secondary Education Department.
4. Hazrat Muhammad Shah Jehan Daudzai, General Secretary All Subject Specialists in Khyber Pakhtunkhwa.

ADDS B/S copy:  
circulate the notification

*(Signature)*