

BEFORE THE HONRABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR CAMP COURT ABBOTTABD.

APPEAL NO. 490/2022


SADAR KHAN APPELLANT

VS

**GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH
SECRETARY EDUCATION DEPARTMENT PESHAWAR &
OTHERS.....RESPONDENTS**

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DISTRICT EDUCATION OFFICER
(MALE) KOHISTAN UPPER

BEFORE THE HONRABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR CAMP COURT ABBOTTABD.

APPEAL NO. 490/2022

SADDAR KHAN..... APPELLANT

VS

1. The Govt: of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar.
2. The Director Elementary & Secondary Education at Peshawar.
3. The District Education Officer (Male) Kohistan Upper at Dassu.

..... RESPONDENTS

Para wise comments on behalf of the respondents No 1,2&3.

Respectfully Sheweth:

Para wise comments on behalf of the respondents No 1 to 3 are as under.

PRELIMINARY OBJECTION

1. That the appellant has no locus standi/cause of action to file instant appeal.
2. That the appellant is estopped to agitate the instant matter before this Honorable Tribunal.
3. That the appellant has not approached this Honorable Tribunal with clean hands.
4. That the appellant has filed instant appeal with malafide intention for wrongful gain and suppressing the original facts, from this Honorable Tribunal, hence the appeal is liable to be dismissed.
5. That the appeal is hopelessly time barred.
6. That the appellant is treated as per rules and law and policy. Therefore, appellant is not entitled for any relief and hence appeal is liable to be dismissed without further proceeding.
7. That the instant appeal is not maintainable in its present form.
8. That appellant was found irregular in her respective duties.
9. That the instant appeal is against the law/service rules hence not maintainable in the eyes of law and liable to be dismissed.
10. That the appellant has filed the present appeal just to pressurize the respondents.

11. That the act of the respondents are within law and rules. The Order dated 03-11-2021 issued after fulfillment of the codal formalities hence, appeal is liable to be dismissed.

FACTUAL OBJECTION

1. That the Para No.1 of the appeal pertains to record.
2. That reply of Para No.2 of the appeal is that the Appellant neither took charge in the office of District Education Officer (M) Kohistan nor performed any kind of duty there. Further stated that the Appellant was reported willful absent from his official duty without prior approval of leave sanction/permission by Sub Divisional Education Office (M) Dassu w.e.f December 2019 to December 2020 vide letter No.1076 dated 26-08-2020 & No.1227 dated 01-01-2021.

(Photocopy of the attendance register, Absence report, Show Cause Notice, Reply to show Cause Notice and Demotion order are annexed as annexure "A", "B", "C", "D" & "E respectively)

3. Para No.3 of the Service Appeal as composed is incorrect, baseless, and misleading hence, denied. The appellant neither took charge in the office of District Education Officer (M) Kohistan nor performed any duty and the appellant was never asked verbally to serve his services at GPS Seo. The appellant posted at GPS Seo vide Endstt: No.5600-05 dated 30-1-2021 and in compliance of the order the appellant took charge at GPS Seo on 01-02-2021 and performed his duty till 18-04-2021.

(Photocopy of the Charge Report, reliving chit & attendance register of GPS Seo are annexed as annexure "F", "G" & "H" respectively)

4. That the Para No.4 of the appeal as composed is incorrect hence, strongly denied. Further stated that during the visit of Respondent No.3 along with Deputy District Education Officer visited SDEO (M) office on 16-12-2020, the appellant was found absent from his official duty on 16-12-2020. The appellant was also reported willful absent from his official duty by Sub Divisional Education Officer (M) Dassu w.e.f December 2019 to December 2020 and recommended to initiate disciplinary proceedings against the appellant. In the light of absence report the answering respondents served a show cause notice to the appellant vide No.5265-70 dated 15-01-2021 for his willful absence with the direction to submit the reply of show cause notice within seven days. In response to the show Cause Notice the appellant submitted his reply to show cause notice on 20-01-2021 and reply to show cause notice was declared unsatisfactory by the competent authority and the appellant could not defend himself from long willful absence. The appellant in his reply admitted that he is facing difficulties while driving the vehicle and stated that he be

posted as Naib Qasid at School. The answering respondent No.3 after perusal of available record and facts, being competent authority demoted the appellant from the post of Driver (BPS-06) to the post of Chowkidar (BPS-03) at GPS Seo after fulfillment of codal formalities vide Endst: No. 5600-05 dated 30-01-2021 and in compliance of the order the appellant took charge at GPS Seo on 01-02-2021 and performed his duty till 18-04-2021. Subsequently the appellant transferred from GPS Seo to GHS Seo vide Endst: No 1673-1711 dated 14-04-2021 but the appellant obstinately refused to obey the orders of the competent authority and appellant did not resume charge and remained willful absent from his duty after adjustment at GHS Seo. The appellant was reported absent by Head Master GHS Seo vide letter No.5051 dated 07-07-2021. In the light of absence report the answering respondents served a show cause notice to the appellant vide No.4775-80 dated 26-07-2021 for his willful absence with the direction to submit the reply of show cause notice within seven days but the appellant neither submitted reply to show cause notice nor availed the opportunity of personal hearing. The appellant was removed from service on the charge of willful absent from duty after observing all the pre requisite codal formalities and with the satisfaction that the appellant was found negligent and habitual in non-performing of his duties vide No.7547-55 dated 3-11-2021.

(Photocopy of absent report, Show Cause Notice & removal from service order are annexed as annexure "I", "J" & "K" respectively)

5. Para No.3 of the Service Appeal as composed is incorrect. Detail reply has been given in the Para No.4 of the Factual Objections above.
6. Para No.6 of the Service Appeal is correct that the appellant filed Departmental appeal against the order dated 14-04-2021.
7. Reply of Para No.7 of appeal is that in the light of Honorable High Court Judgment dated 24-11-2021 the respondent No.3 sent the case to the respondent No.2 vide letter No. 8015 dated 27/11/2021 but the same was regretted and kept intact the impugned order by respondent No.2 vide Endst: No. 6854-56 dated 06/02/2023.

(Photocopy of Notification dated 06/02/2023 is annexed as annexure "L")

8. That Para No. 8 of the appeal is incorrect and baseless hence, denied. The appellant was well aware about the impugned order dated 3-11-2021, so the appellant is not entitled for any relief.

9. Para No.9 of the appeal as composed is incorrect hence denied, as no Departmental appeal has been filed by the appellant against the order dated 3-11-2021 by the appellant hence, got final under the law.
10. ParaNo.10of the ground as composed is incorrect. The appellant is not aggrieved person, his removal from service order is in accordance with law and issued after observing all codal formalities. Hence appellant is not entitled for any relief.

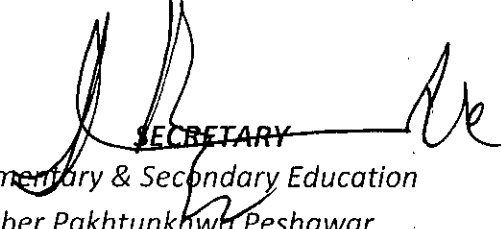
GROUNDS:


- A. That Para "A" of the ground as composed is incorrect, hence denied. The allegation with regard to appellant willful absence from duty have been proved which resulted in the impugned order dated 03-11-2021 which is legal and liable to be maintained. The impugned order dated 03-11-2021, is in accordance with law and rule.
- B. That Para "B" of the ground as composed is incorrect, hence denied. The answering respondents treated the appellant as per rule and law. Detailed and comprehensive reply has already been given in Para No. 4 of the Factual Objections.
- E. That Para "E" of the ground as composed is incorrect hence, denied. Detailed reply has already been given in Para No. 4 of the Factual Objections.
- F. That Para "F" of the ground is correct to the extent that the appellant filed Writ Petition No.656-A/2021 before the Peshawar High Court Abbottabad Bench against the impugned adjustment order dated 14-04-2021 while the remaining para is incorrect. Further stated that the appellant was removed from service on the charge of willful absent from duty after observing all the pre requisite codal formalities and with the satisfaction that the appellant was found negligent and habitual in non-performing of his duties. The Appellant was treated in accordance with law and rules.
- G. That the Para "G" of the ground as composed is incorrect hence, denied. The appellant has been treated in accordance with rule and law.
- H. That the Para "H" of the ground as composed is incorrect. The answering respondents treated the appellant as per rule and law.
- I. That the Para "I" of the ground as composed is incorrect. Detail reply has already been given in Para No. 4 of the Factual Objections.
- J. That the Para "J" of the ground as composed is incorrect hence, denied. The appellant has been given the opportunity of personal hearing in the form of show cause notice, but he failed to reply or make personal appearance. Furthermore, the


appellant failed to resume his duty. The appellant was removed from service by the competent authority after fulfillment of codal formalities.

- K. That Para "D" of the ground as composed is incorrect, hence denied. All the proceeding has been taken in accordance with rules and law and the appellant is not entitled for any relief.

It is therefore humbly prayed that in the light of foregoing comments the appeal may graciously be dismissed with cost throughout.


SECRETARY
 Elementary & Secondary Education
 Khyber Pakhtunkhwa Peshawar.
 (Respondent No.1)


DIRECTOR
 Elementary & Secondary Education
 Khyber Pakhtunkhwa Peshawar.
 (Respondent No. 2)


 District Education Officer
 (Male) Kohistan
 (Respondent No 3)

REGISTER

OFFICE ATTENDANCE REGISTER

FOR THE MONTH of 1932

OF THE Subordinate and Technical Officers of the ... 2018

Serial No.	NAME	Duty position																														Total No. of Days			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29		30	31	
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OFFICE ATTENDANCE REGISTER

FOR THE MONTH OF 12/2020

OF THE S.O.C. 601 DWBWA

Serial No.	NAME	Designation	Days																														Total No. of Days	Remarks
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30		
1	John White	Asst	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr			
2	Jamal Malik	Asst	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr		
3	Babun K.	Asst	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr		
4	M. Yousaf	Asst	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr		
5	[Redacted]	Asst	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr		
6	Siddiqui R. M.	Asst	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr		
7	Fazal M.	Asst	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr		
8	[Redacted]	Asst	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr		

FOR THE MONTH OF 12/2020

OFFICE ATTENDANCE REGISTER
FOR THE MONTH

OF THE
MONTH
OF *APRIL* 20 *20*

10

Serial No.	NAME	Designation	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
1	<i>Fred Maltz</i>	<i>P/L</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>		
2	<i>Rebel Nielsen</i>	<i>P/L</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>		
3	<i>Mr. Young</i>	<i>P/L</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>		
4	<i>Samuel Robinson</i>	<i>P/L</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>		
5	<i>Edward Hagg</i>	<i>P/L</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>		

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OFFICE ATTENDANCE REGISTER

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OFFICE ATTENDANCE REGISTER
FOR THE MONTH

OF THE *SPES MI Doha*
OF *April* 2020

11

Serial No.	NAME	Designation	Month																												Remarks		
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28		29	30
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13	<i>Shamsi</i>	<i>TL</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>
14	<i>Fajal-Har</i>	<i>TL</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>

Sum. off

of ...

OF THE EDGELEY DASH
OF 1920 2020

OFFICE ATTENDANCE REGISTER
FOR THE MONTH

Serial No.	NAME	Description	Days of Month												Total No. of Days	Remarks										
			1	2	3	4	5	6	7	8	9	10	11	12												
1	Faisal Malik	D/C	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
2	Michael Yearx	D/C	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
3	SAMUEL Boman.	N/R	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
4	Faisal HASN	N/O	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	

BY ORDER OF THE DIRECTOR

13

See App Data

OFFICE ATTENDANCE REGISTER

FOR THE MONTH OF June 2020

Serial No.	NAME	Disease	2020																												Total No. of Days	Remarks					
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28			29	30	31		
1	Sonal Malik	UI	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2	Mulraj Yaseer	UI	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
3	SHAMUS UJ RAHMAN	UI	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
4	Faraz Hashi	UI	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

Stamp: OFFICE ATTENDANCE REGISTER

OFFICE ATTENDANCE REGISTER FOR THE MONTH

OF THE Sea Co. Day
OF July 2020

189

Serial No.	NAME	Designation	Days												Total No. of Days	Remarks										
			1	2	3	4	5	6	7	8	9	10	11	12												
1	Fred Malye	OL	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP
2	Muhammad Yusuf	OL	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP
3	Shamsul Rahman	NIB	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP
4	Farah Hossain	NIB	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP

THIS REGISTER IS FOR OFFICIAL USE ONLY

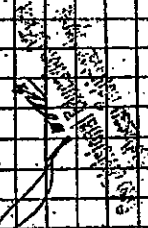
15

OF THE SOE (or Daily)
OF August 20 28

OFFICE ATTENDANCE REGISTER
FOR THE MONTH

08/22

Serial No.	NAME	Designation	Month																												Total No. of Days	Remarks			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28			29	30	31
1	Paulina...	OLC																																	
2	M. Volney	OLC																																	
3	Shannonis Kellum	MID																																	
4	Jessie...	MID																																	



1101 11

16

OF THE - SDS IN DAY

OFFICE ATTENDANCE REGISTER FOR THE MONTH 9/200

Serial No.	NAME	Designation	MONTH 9/200																															Total No. of Days	Remarks	
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
1	Fazal Malik	OTC	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2	Muhammad Khwaja	OTC	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
3	Young in Religion	M/O	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
4	Fazal Khoo	M/O	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

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OFFICE ATTENDANCE REGISTER

FOR THE MONTH / 0

17

OF THE SDE Coy Damdam
October 2020

Serial No.	NAME	Designation	2020												Total No. of Days	Remarks																								
			1	2	3	4	5	6	7	8	9	10	11	12			13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31					
	S. Subramanian	SA	P	A	P	P	P	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	M. Nagarajan	SA	P	A	P	P	P	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	S. Rajaraman	SA	P	A	P	P	P	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	S. Manoj	SA	P	A	P	P	P	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

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8
10/30/20

18

OF THE SOLO (M) DUBA
OF November 2020

OFFICE ATTENDANCE REGISTER
FOR THE MONTH Nov.

Serial No.	NAME	Designation	FOR THE MONTH <u>Nov.</u>																												Total No. of Days	Remarks		
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28			29	30
	Farid Malik	Off																																
	M. Yousaf	Off																																
	Shamim Raza	Off																																
	Saad Hashmi	Off																																

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/11/2020 BY 60322/UCBA/STP/STP

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OFFICE ATTENDANCE REGISTER

FOR THE MONTH 12/2000



Serial No.	NAME	Designation	Days of the Month											
			1	2	3	4	5	6	7	8	9	10	11	12
1	Fozal Malik	ale	P	P	P	P	P	P	P	P	P	P	P	P
2	M. Yuseef	JIC	P	P	P	P	P	P	P	P	P	P	P	P
3	SHAMSU	ale	P	P	P	P	P	P	P	P	P	P	P	P
4	Fozal Malik	ale	SUN DAY											
5	Sadar Khan	JIC	SUN DAY											
6	Muhammadullah	JIC	SUN DAY											
<p>Sadar Khan Director 13/12/2000 not come to office</p>			<p>Fozal Malik Director</p>											

OF THE SDE (M) DASH
OF December 2020

20

14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
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14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
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14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		

The undersigned visited SDE (M) office DASH on 16.12.2020 along with SDE (M) Kohista. The building was closed. The attendance record register was checked and it was found that Mr. Sadeeq Khan Driver of SDE (M) office DASH is absent since January 2020. On the oral probe from the office T/C, named Basal Malik Sb, it was reported that he drives a National Private Car for taxi purposes. He has drawn his pay for his absent period about one year SDE is hereby directed to proceed him as for wages and submit a detailed report of his absent period and irresponsible behaviour, along with relevant pages of record to the office of undersigned within 7 days positively.

Sub Divisional Officer
DASH



Annexure
"B"

21

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (MALE) DASSU

No. 1076 /SDEO (M) /Absent Dated 26/08/2019


The District Education Officer
(Male) Kohistan

Subject: - ABSENCE REPORT IN RESPECT OF MR SADDAR KHAN DRIVER

Memo.

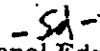
It is intimated that Mr. Saddar Khan appointed/posted as Driver in the office of the undersigned on 09/08/2019 by DEO (M) Kohistan. After joining the responsibility the official concerned is absent from official duty without any prior intimation/permission by the undersigned, due to which the official business of the office of the undersigned is being suffered badly.

In view of the above your goodself is requested to take strict disciplinary action against the official concerned with a view to run the official business of the office of the undersigned smoothly.


Sub Divisional Education Officer
(Male) Dassu Kohistan

Endst: No. & Date Even:

Copy forwarded to the Deputy District Education Officer (Male) Kohistan w/t to above for information please.


Sub Divisional Education Officer
(Male) Dassu Kohistan



2

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (MALE) DASSU

To No. 12277 /SDEO (M) /Absent Dated 01/07/2021

To

The District Education Officer
(Male) Kohistan

Subject: -

**ABSENCE/NON ATTENDANCE OF OFFICE BY MR SADDAR KHAN
DRIVER O/O SDEO (M) DASSU**


Memo,

It is intimated that Mr. Saddar Khan appointed/posted as Driver in the office of the under signed on 09/08/2019 by DEO (M) Kohistan. After joining the responsibility the official concern remain present up to December 2019, later on the official concerned willfully absented himself from the official duties without seeking prior intimation/permission by SDEO (M) Dassu. On account of absence the official concerned was contacted several times to be present in the office but no positive response have been received so far. Moreover an absence report of the official concerned was reported to your good office accordingly. (Copy Enclosed)

It is recommended that the disciplinary proceedings under E&D Rules 2011 may be initiated against the delinquent official on account of gross misconduct/negligence in official duties by imposing major penalties as deemed fit.

Report is submitted for your perusal as desired please.

Enclosures (17 pages)


Sub Divisional Education Officer
(Male) Dassu Kohistan

Endst: No. & Date Even:

Copy forwarded to the Deputy District Education Officer (Male) Kohistan w/r to above for information please.

Sub Divisional Education Officer
(Male) Dassu Kohistan

Annexure "C"

23



OFFICE OF THE DISTRICT EDUCATION OFFICER (M) KOHISTAN (UPPER)

Email: emiskohistan@yahoo.com Phone Number: 0998407128

Office order/ Show Cause Notice:

I, Muhammad Amin District Education officer (M) Kohistan Upper, the Competent Authority under the Khyber-Pakhtunkhwa Government Servant Efficiency & Disciplinary, Rules 2011, do hereby serve upon you, Mr. Sadar Khan Driver SDEO(M) Office Dassu, this show cause notice as follows:-

1. As per report of SDEO(M) Dassu, vide No. 1227, Dated: 01-01-2021, you remained willfully absent from your duty wef December 2019 to December 2020(Complete one year) without proper permission/intimation or leave.
2. You were called by the SDEO concerned several times to resume you duty but you badly failed to comply.
3. You have drawn your salary illegally for one year without performing your duty.
4. The undersigned called you to this office via phone and directed you to resume your duty as a driver in this office, but you can't drive the vehicle, which shows that you have been appointed improperly.
5. You have been appointed on 09-08-2019 and you were on probation for one year but you couldn't prove yourself an efficient government servant.

You proved an inefficient, dishonest, negligent and subvert government official.

While going through the material on record, my personal observation and report of the SDEO Dassu, the allegations levelled against you, mentioned above, have been proved under the provisions of E& D Rules 2011.

As a result; thereof, I as the Competent Authority, have tentatively decided to impose upon you one or more penalties mentioned in Rule 4 (b), (i) to (iv) of the ibid Rules.

You are, therefore, required to show cause as to why major or minor's penalty provided in the aforesaid Rules should not be imposed upon you and also intimate whether you desire to be heard in person.

If no reply to this office is received within 07 days of delivery of this show cause, it shall be presumed that you have no defense to put in and, in that case, Ex-parte action will be taken against you.

(Muhammad amin)
District Education Officer (M)
Kohistan Upprr.

Endorsement No. 5265-70

Dated: 15 / 01/2021.

Copies for information and necessary action forwarded to the:

1. Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Commissioner Kohistan Upper.
3. The PA to District Education Officer (M) Kohistan Upper.
4. The Sub Divisional Education Officer (M) Dassu, Kohistan Upper.
5. ^{Sadar} Sadar Khan Driver presently working in this office.
6. Copy to Master File for record.

District Education Officer (M)
Kohistan Upper.

Acknowledgment: I Sadar Khan Driver received my copy.

Signature: _____ Date: _____

13401-920089(-)
15/1/2021

70/01/2021

DA
put up on file

ADEO (AS)

PROCESSED

22-1-21

کھیت مناب DEO کے ذریعہ کوہستان (ڈی اے) میں
جواب سٹوڈنٹس کو

تاریخ 15/01/2021

یہ کہ سٹیٹ کو کونسلرز کو الیم 5265-70 بتاریخ 15/01/2021
دفتر میں آئے جہاں سے

1- یہ کہ ستمبر 2019 تا دسمبر 2020 تک سٹیٹ کو کونسلرز سے
SDEO کے ذریعہ آگے آنا رہا لیکن SDEO کے بارے میں ایسا ہی نہیں
ڈی اے کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔ اور نہ ہی
ڈی اے کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔

2- یہ کہ SDEO کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔
ڈی اے کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔

3- یہ کہ سٹیٹ کو کونسلرز کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔
ڈی اے کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔

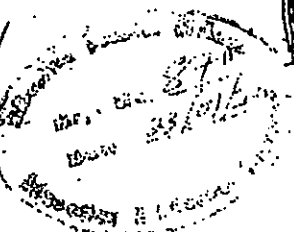
4- یہ کہ سٹیٹ کو کونسلرز کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔
ڈی اے کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔

5- یہ کہ سٹیٹ کو کونسلرز کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔
ڈی اے کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔

یہ کہ سٹیٹ کو کونسلرز کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔
ڈی اے کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔

یہ کہ سٹیٹ کو کونسلرز کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔
ڈی اے کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔

یہ کہ سٹیٹ کو کونسلرز کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔
ڈی اے کے ذریعہ سے آگے نہ آ سکا اور نہ ہی کارڈ کی عادی دی۔



20/01/2021

DA
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DEO (AS)

22-01-2021



**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
KOHISTAN**

Annexure
E²⁰



(1)

OFFICE ORDER:

1. Whereas Mr. Sadar Khan was appointed on the post of driver in the office of SDEO (M) Dassu on 09.08.2019
2. Whereas he was reported absent w.e.f December 2019 to December 2020 by the SDEO concerned, vide letter No.1227 dated 01.01.2021
3. Whereas he was called to this office to resume his duty as a driver, but it was observed that he could not drive the vehicle properly.
4. Whereas a show cause notice was served upon him vide this office order No.5265-70 dated 15.01.2021.
5. Whereas the accused driver confessed in his reply to show cause notice that he faces hardships in driving the vehicle.
6. Whereas the accused himself requested that he should be appointed as Naib Qasid/ Chowkidar.

Therefore, the undersigned, being the competent authority, after examining the detailed report and other record, is pleased to demote Mr. Sadar Khan, Driver BPS-06 to the post of Chowkidar BPS-03, as per his own request and post him against the vacant post of Chowkidar at GPS Seo with immediate effect in the interest of public service.

The then SDEO (M) Dassu is hereby held responsible for the drawing and disbursing of his illegal drawl of pay for his absent period.

Necessary entries should be made in his service book to this effect.

**Muhammad Amin
District Education Officer
(Male) Kohistan**

Endstt: No. 500-05 / Estt: Prg/A.Report/Show Cause/ Dated 30 / 1 / 2021.

Copy forwarded of the above is forwarded to the:-

1. PA to Director, Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
2. Sub Divisional Education Officer (M) Dassu
3. District Accounts Officer Kohistan
4. Official concerned
5. PA to DEO Local office

o/c

District Education Officer
(Male) Kohistan

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G.H.S. Sec,
Distt. Shikot.

Relieving Chit

with compliance the order of DHO
(M) Upper Kohistan vide 1673-1771 dated
14-04-2021, Mr. Sader Khan Chowkida

is hereby relieved from his duties as

Chowkidar at G.P.S. Seo to as Chowkidar

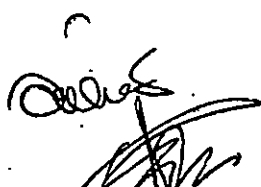
Headmaster


G.H.S. Seo to report his further

services as Mr. Sader Khan Chowkida
(newly appointed) has taken his charge

as Chowkidar at G.P.S. Seo vide 1673-1771 dated 14-04-2021

with same order and date.


S. S. Saeed,
P.S. Seo,
Upper Kohistan.


16/04/2021

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CS

[Signature]

GOVT. COLLEGE, TRAFALGAR SCHUR
KONIST

20/01/2021

DA
Paid up on 4/1/21

ADDO (AD)

[Signature] 22-1-21

20/11/2021
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 PWD (P/D)
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MASTER BOOK CENTRE, 16-Julu Bazar Lahore
 Pk. 042-5722205, 3735712 E-mail: masterbookcentre@yahoo.com

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Assistant Sub divisional
 District Education Officer (Dy)
 Circle SBO Kandahar

OFFICE OF THE HEAD MASTER GHS SEO KOHISTAN

No 5051 Dated 07/07/2021

To,


The District Education Officer
(Male) Kohistan

Subject: INFORMATION REGARDING SADAR KHAN CHOWKIDAR.

Memo:

Reference your telephonic message on 07/07/2021 at 10:08AM on the subject cited above.

Mr. Sadar Khan has not been taken any charge as Chowkidar at GHS Seo up till now, hence the information is submitted for further necessary action please.


Head Master
GHS Seo. 07/07/2021



Annexure "J"
OFFICE OF THE DISTRICT EDUCATION OFFICER (M) KOHISTAN (UPPER)

33

Email: emiskohistan@yahoo.com Phone Number: 0998407128

Statement of Allegations/ Show Cause Notice:

I, Muhammad Amin District Education officer. (M) Kohistan Upper, the Competent Authority under the Khyber-Pakhtunkhwa Government Servant Efficiency & Disciplinary, Rules 2011, do hereby serve upon you, Mr. Sadar Khan Chow GHS Seo this show cause notice as follows:-

1. As per report of Head Master, GHS Seo vide No 5051 dated 07/07/2021, you remained willful absent from your duty w.e.f 14.04.2021 to 07/07/2021 without proper permission/intimation or leave
2. You were called by the Head Master concerned several times to resume your duty but you badly failed to comply.
3. Prior to this you had been absent from your duty w.e.f December 2019 to December 2020 vide SDEO Male report No.1227 Dated 01.01.2021
4. You were then demoted to the post of Chowkidar and you stated that on affidavit that you will perform your duty properly, but you violated your affidavit.

Thus you proved a non-punctual, inefficient, dishonest, and negligent and subvert government servant and you have committed the gross act/omissions of misconduct, inefficiency and subversion specified in Rule 3 of the mentioned rules.

As a result, thereof, I as the Competent Authority, have tentatively decided to impose upon you, the major penalty of Removal from service mentioned in Rule 4(1), (a) and (b), of the ibid Rules.

You are, therefore, required to show cause as to why *major penalty of Removal from service*, provided in the aforesaid Rules should not be imposed upon you and also intimate whether you desire to be heard in person.

If no reply on your behalf to this effect is received, to this office, within 07 days of issue of this show cause, it shall be presumed that you have no defense to put in and, in that case, Ex-parte action will be taken against you.

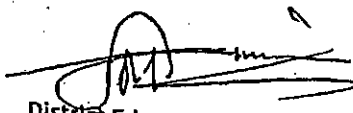
(Muhammad Amin)
District Education Officer (M)
Kohistan Upper.

Endorsement No. 4775-80

Dated: 26/07/2021

Copies for Information and necessary action forwarded to the:

1. Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Commissioner Kohistan Upper.
3. The PA to District Education Officer (M) Kohistan Upper.
4. The Deputy District Education Officer (M) Dassu, Kohistan Upper.
5. Mr. Sadar Khan Chow GHS Seo.
6. Copy to Master File for record.


District Education Officer (M)
Kohistan Upper.

Annexure 'K'

34

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) KOHISTAN (UPPER)

Email: emiskohistan@yahoo.com Phone Number: 0998407120

OFFICE ORDER/DISMISSAL FROM SERVICE

1. Whereas Mr. Sadar Khan Chawkidar GHS Seo remained willfully absent from his duty w.e.f 14-04-2021 to date, as per report of the headmaster concerned vide No.5051 dated 07-07-2021 without proper permission intimation or leave.
2. Whereas as he was called to resume his duty, time and again by the Head Master concerned but he badly failed to comply.
3. Whereas prior to this he had been absent from his official duty as a driver w.e.f December 2019 to December 2020 as per report of SDEO Male Dassu vide his letter No.1227 dated 01-01-2021
4. Whereas he was demoted to the post of Chawkidar at GPS Seo vide this office order No. 5600-05, Dated: 30-01-2021, where he remained irregular to perform his duty
5. Whereas he was transferred to GHS Seo vide this office order No 1673-1711, Dated: 14-4-2021, but still he remained absent and did not comply the departmental order
6. Whereas a show cause notice was served upon him vide this office order No. 4775-80, Dated: 26-7-2021 which was delivered to him vide his proper acknowledgement and dated signature
7. Whereas he badly failed to reply to the show cause within stipulated time.
8. He badly failed to avail the chance of personal hearing
9. Whereas while going through the material on record and personal observations of the undersigned, all the charges/allegations levelled against him have been proved to the full satisfaction of the undersigned

Therefore the undersigned being the competent authority, do hereby impose Major Penalty of Dismissal from Service, upon Mr. Sadar Khan Chawkidar GHS Seo, Kohistan Upper under Rule 4(b) (iv) of F&S Rules 2011 with immediate effect, in the interest of public service.

(MUHAMMAD AMIN)
District Education Officer (M)
District Kohistan Upper.

Ord No. 2547-SS DEO (M) Kohistan Esttab: Sec: Dated: 3 /11/2021

Copy for information and necessary action forwarded to:

1. The PA to Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar
2. The Deputy Commissioner Kohistan Upper
3. The District Accounts Officer Kohistan Upper.
4. The PA to District Education Officer (M) Kohistan Upper
5. The Deputy District Education Officer (M) Kohistan Upper
6. The H&AO local office to stop the pay of the concerned teacher immediately
7. The Headmaster GHS Seo
8. The Ex. Chawkidar, Mr. Sadar Khan GHS Seo
9. Copy to Master File for record

District Education Officer (M)
District Kohistan Upper.

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