

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 986/2023

JEHAN ZEB -----Appellant.

VERSUS

District Education Officer (Male) Buner & Others -----Respondents.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 6149

Dated 22/6/2023

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DEPONENT

CNIC No.15101-0882586-3

①

BEFORE THE KHYBER PAKHTUNKHWA SWERVICE TRIBUNAL PESHAWAR

Service Appeal No. 986/2023

1. Jehanzeb S/O Mirdad Khan SDM, BPS-16, GHS Dewana Baba District Buner.

(Appellant)

Versus

1. Govt of khyber Pakhtunkhwa Through Secretary Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Male) Buner.
4. District Accounts Officer District Buner.

(Respondents)

Written Reply/Parawise Comments for & on behalf of the respondents No.1 to 3.

Respectfully Sheweth!

Preliminary Objections

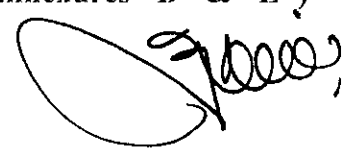
1. That the appellant is under inquiry for his absence, misconduct, inefficiency and blatant use of social media against the department and his officers, which has been conducted and concluded by the inquiry officer and the Director (Competent Authority) has approved recommendations of the inquiry report after fulfilling all codal formalities, however, the final order of imposition of the approved penalty i.e Removal from service is yet to be issued, hence the instant appeal is premature and therefore, not maintainable.
2. That the appellant has no vested right to continue or hold a particular post at a particular place of his choice, wish and whim, thus is liable to be transferred anywhere in exigencies of service or on disciplinary grounds, hence the appeal is not maintainable.
3. Every Government servant is bound to perform his duties anywhere in the best interest of public service within the legal framework.
4. The Appellant has no cause of action/locus standi to file the instant declaration of right of serving at the place of his choice for a long time.
5. The Appellant has concealed the material facts from this honorable court, hence liable to be dismissed.
6. That the appeal is wholly incompetent, misconceived and untenable.




7. That the appeal for declaration is wrong, baseless and not maintainable, it shows no strong cause to be taken for adjudication, therefore, the same is liable to be rejected/ dismissed.
8. That the instant appeal is unjustifiable, baseless, false, frivolous and vexatious. Hence the same is liable to be dismissed with the order of special compensatory cost in favour of respondents.
9. That the instant appeal is not maintainable in the present form and also in the present circumstances of the issue.
10. The Appellant has not come to this honorable court with clean hands.
11. The Appellant has filed the instant appeal just to pressurize the respondents.
12. The appellant has filed the instant suit on mala-fide motives.
13. The instant litigation is against the prevailing law and rules.
14. The appellant has been estopped by his conduct to file the appeal.

FACTS

1. Incorrect and hence denied. The appellant is not a peaceful and law abiding citizen. Recently, on 4/6/2023 an FIR under section PPC382/34 has been lodged at Police Station City Swari. **(FIR is attached as annexure "A")**. This clearly vindicates that he is not only criminal in his social life but also in his service career. He has been the main cause of aggravating the peaceful environment of school by day to day quarrels and altercation with the principal. Unlike a Govt. Servant, he has always been engaged in breach of rules regulations and code of conduct as envisaged in The Khyber Pakhtunkhwa Government Servants (Conduct) Rules 1987. He is an inefficient, shirker and guilty of misconduct, which is evident from report of the principal concerned. In addition, the appellant is guilty of misconduct. He has been sharing nasty, abusive, offensive, defamatory and vituperative posts on his facebook pages against the Department and the respondent No.3 and the principal concerned. **(Few Screen shots of his nasty and abusive post are attached as annexures "B")**. Recently, he uploaded and shared above 60 (Seventy) defamatory and derogatory posts on his facebook page against respondent No.3. Due to his this misconduct, blatant use of social media for defamatory purposes, inefficiency and non-compliance of official orders and rogue behaviour, the Director E&SED conducted a formal inquiry vide Notification No.8260-62 dated 16/01/2023 **(Notification is attached as annexure "C")** wherein, after conduct of a comprehensive inquiry, he was declared guilty of misconduct, inefficiency, absence and penalty of **"Removal from Service"** has been recommended, which has also been approved by the competent authority (Director), however, the notification is yet to be issued. **(Principal report and Inquiry report are attached as annexures "D" & "E")**

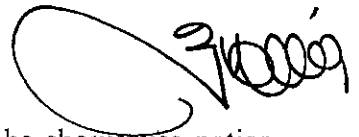


2. Pertains to record, however, an official having such a long stay comprising of 25 years does not have any vested rights to remain at the station of his choice throughout his service career.
3. Incorrect, hence denied. He did not perform his duty honestly and efficiently, due to which, the principal warned him so many times through order book to mend his ways, however, he turned a deaf ears and continued his shirking, absence and rogue behaviour with the principal, due to which he reported the appellant to the respondent No. 3 for strict action. (**Copies of order book are attached as annexure "F"**)
4. Pertains to record, however, this para of the appeal is irrelevant with the instant case.
5. Pertains to record, however, report of the Principal reveals that the appellant had already availed 24 Casual Leave, and only one Casual Leave was left to his credit, while he was insisting and pressurizing the principal and the undersigned to grant him casual leave beyond his credit and limits which was against leave rules. *In addition, a careful perusal of his application reveals that he has not sought any leave but just permission.* In such an eventuality, he should have applied for the kind of leave which was on his credit, which he did not do and continued to insist for casual leave which was not available to his credit. Principal's letter addressed to the respondent No.3 clearly exhibits that the appellant wanted to have undue favour in granting casual leave beyond his credit and against the leave rules, which the respondent No. 3 also regretted being already availed and not available to his credit. (**Application and principal report are attached as annexures "G" & "H"**)
6. Already explained at the preceding para. 
7. Incorrect and hence denied. The respondent No. 3 never ever called the appellant to his office. It was the appellant that forcefully entered the office of respondent No. 3 and sought undue favour in casual leave beyond his legal right and leave available to his credit. The respondent No.3 refused to extend undue favour in absence, proxy and granting casual leave beyond leave rules. The respondent No.3 proposed that the appellant should apply for other kind of leave due, to which the appellant replied that salary is inactivated in other kind of leave, therefore, he does not apply to other kind of leave except casual leave, which was not available to his credit. On refusal by the respondent No. 3 to extend illegal favour in leave and proxy, the appellant tried to scuffle and started fighting with the former in his office on 2/11/2022, and threatened the undersigned for dire consequences. He sabotaged the very tranquility of the office by using hue and cries with abusive language and threatened the undersigned for worst end. Immediately after the incident, the appellant was suspended and showcause notice was served, however, both the suspension order and showcause notice was withdrawn immediately on the same date due to bar of competency as the appellant was recently promoted from D.M, BPS-15 (for which the Respondent No.3 i.e DEO is the competent authority) to SDM, BPS-16 (for which Respondent No.2 i.e Director is the competent authority) and he was reported to the Director E&SED for disciplinary action

under E&D Rules 2011. **(Withdrawal notification of suspension and showcause notice is attached as annexure "I")**

8. Incorrect and hence denied. Suspension order and showcause notice were already withdrawn on the same date, i.e 2/11/2022, therefore, no reply was sought from the appellant. In addition, reply of the appellant shows that it was written on 7/11/2023, while suspension and showcause notice were already withdrawn on 2/11/2023, hence, neither reply was sought nor required to be submitted by the appellant.
9. Incorrect and hence denied. The para is nothing more than a pack of lies and blackmailing, which is evident from his facebook pages and posts as already explained in para 1 above.
10. After committal of misconduct and in the light of the principal's report, the respondent No.3 reported the appellant to the Director for strict disciplinary action for his misconduct, inefficiency, absence without any kind of leave and uploading and sharing nasty and defamatory posts on social media/facebook against respondent No.3. The Director (Competent Authority) issued the appellant showcause notice on 5/12/2022, **(Showcause notice is attached as annexure "J")**, dispensing with the inquiry under Rule-5 (a) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, however, the same was withdrawn vide office order No. 7930-32 dated 10/12/2022 **(Office order is attached as annexure "K")** for initiating fresh proceedings under rule 5(b) of the E&D Rules 2011, by conducting a formal inquiry vide Notification No.8260-62 dated 16/01/2023 **(Inquiry notification is attached as annexure "L")** in order to fully investigate the case and meet the ends of justice and equity.

Note: The showcause notice annexed with the appeal by the appellant as annexure "F" is not the one issued on 5/11/2022. Rather the annexed showcause was issued to him on 24/2/2023 after receipt of the formal inquiry report, in the light of which his "Removal from Service" has been approved.



11. Incorrect and hence strongly denied. The Director has not withdrawn the showcause notice annexed by the appellant as annexure "F". The annexed showcause had been issued vide covering letter No. 3911 dated 24/2/2023 **(Annexed as "M")** which has got finality by approving removal from service in the light of the same showcause, rather he has withdrawn direct showcause notice issued vide covering letter No. 5448 dated 5/12/2022 **(Annexed as "N")** as explained in the preceding para.
12. Incorrect and hence denied. The transfer order was made on disciplinary grounds. And after waiting for sufficient time, the appellant did not comply with his transfer order even though he was relieved by the principal concerned on 22/12/2022. In spite of his relieving, he did not report to his new station and remained continuously absent since his transfer. **(Relieving Slip is attached as annexure "O")**. In addition, the appellant himself wrote an application to the principal concerned on 24/12/2022, that he may be relieved after 30 days if the Director did not accept his appeal. **(His application is attached as annexure "P")**. Since, the appellant

“Posting and transfer.- Every civil servant shall be liable to serve anywhere within or outside Pakistan, in any equivalent or higher post under the Federal Government, or any Provincial Government, or local authority, or a corporation or body set up or established by any such Government;

B. Incorrect and hence denied. The transfer order was made on disciplinary grounds on the report of the Principal concerned, which has been discussed in greater detail in the preceding paras.

C. Incorrect and hence denied. The appellant has been transferred on disciplinary grounds for his inefficiency, misconduct and absence as reported by the principal concerned. He has not complied with the transfer order and is absent from his new station since his transfer. As per rules, a civil servant is required to relinquish charge immediately after he is transferred to some other station and he is not allowed to use delaying tactics thereof. Similarly, Civil Servant could not disobey transfer order. **Same is reported in 2003 PLC (CS)104.** Like wise, **Section-10 of Civil Servants Act, 1973** provides which reads as follow:

“Posting and transfer.- Every civil servant shall be liable to serve anywhere within or outside Pakistan, in any equivalent or higher post under the Federal Government, or any Provincial Government, or local authority, or a corporation or body set up or established by any such Government;

D. Incorrect and hence denied. Already explained in paras B & C.

E. The appellant has never ever been given any unlawful orders. He was transferred on disciplinary grounds due to his own guilts and omissions. He was a permanent headach for the principal at school. He was a shirker and did not perform his duty efficiently. Each institution is governed by some rules regulations which must be abided by employees of that institution. Anyone, trespassing or violating the rules and detracting the established norms, rules and regulation is subject to disciplinary proceedings, which should not be termed as injustice or discrimination. What was done to the appellant is the nemesis and the result of his absence, misconduct and inefficiency.

F. The appellant has been transferred from GHS Dewana Baba to GHSS Totalai on disciplinary grounds. It is correct that transfer is not a punishment. However, the appellant was transferred because his presence in the same school was aggravating the peaceful and educational environment of the school and his altercation and day to day quarrels with the principal was much more devastating for the students.

G. Incorrect and hence denied. Already explained in the preceding paras.

did not comply with his transfer order and remained absent, therefore, his salary was stopped and further disciplinary proceedings were initiated.

13. Pertains to record.

14. Pertains to record.

GROUND

A. Incorrect and hence denied. The transfer order in respect of the appellant is legal and lawful. He was transferred on disciplinary grounds on the report of the principal concerned due to the reasons recorded in his transfer order. In addition, Civil Servant could not stay at a place of his choice unless operation of the transfer order stayed, which was not the position in the case. Such view of the issue, according to Service Tribunal if affirmed, would give license to every Civil Servant to file a representation against order of transfer and stay at place from which he did not want to move, as such the same would create administrative chaos. *Same is reported in 2006 SCMR 443.* Similarly, Civil Servant could not disobey transfer order. *Same is reported in 2003 PLC (CS)104.* The appellant has not only committed non-compliance of official order but also violated of the dictums laid down by the August Supreme Court of Pakistan. Going ahead, Service Tribunal had also found after appraisal of material available before it, that transfer order made for administrative reasons in public interest is valid and not for extraneous considerations. Employees was liable to be transferred anywhere in exigencies of service, having no vested right of his choice for a specific place. *Reliance is placed on 1998 SCMR 293.* The appellant has a long tenure in this school which he has himself witten at para 2 of the Facts, which exceeds his normal tenure of three years. It is not his vested right to claim for a specific station to remain there for such a long period. *Same is reported in 1999 SCMR 2155 (C), 1999 PLC 132 (C).* The transfer of the appellant has been made under Section 10 of NWFP Civil Servants Act, 1973. The Supreme Court of Pakistan judgments are very much clear in this regard. Some reported judgments of Supreme of Pakistan are **1999 PLC 655, 1999 SCMR 755 etc.** Similarly, transfer and posting could not be claimed as matter of right, only the Government could determine as to which officer was suitable for which place. **Same is reported in 2013 PLC (C.S) 864.**


The transfer order in respect of the appellant has no legal infirmity, and is therefore, complete in all respects. His post is a district cadre post and he is required to serve anywhere in the district where the competent authority transfers him in the public interest.

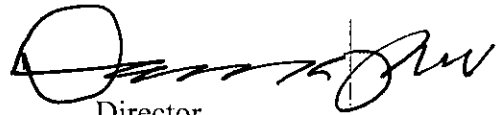
As per rules, a civil servant is required to relinquish charge immediately after he is transferred to some other station and he is not allowed to use delaying tactics thereof. Similarly, Civil Servant could not disobey transfer order. *Same is reported in 2003 PLC (CS)104.* In addition, since transfer of a civil servant is no punishment, therefore, it does not require any personal hearing or opportunity of being heard. **Section-10** of Civil Servants Act, 1973 provides which reads as follow:

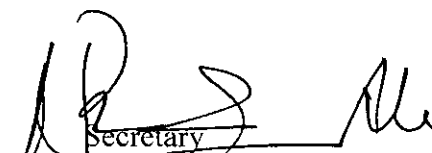
⑦

II. Relates to Honourable Court. However, the respondents also seek the permission of this Honourable Court to rely on additional grounds at the time of arguments.

In view of the above noted submissions, it is humbly prayed that this Honourable Court may very graciously be pleased to dismiss the instant appeal with cost in favour of the respondents.


District Education Officer
(Male) Buner


Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar


Secretary
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

(8)

BEFORE THE KHYBER PAKHTUN KHAWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 986/2023

JEHAN ZAIB KHAN

V/S


Appellant

District Education Officer Male District Buner & OTHERS

Respondents

AFFIDAVIT

I, Ubaid ur Rahman, Superintendent BPS-17, District Education Office (Male) Buner, do hereby solemnly affirms & state on oath that the whole contents of the comments are true & correct to the best of my knowledge & belief & nothing has been concealed from this Honourable Court.


Deponent

15101-0882586-3

1:16

76

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Jehan Zeb is with Nasim Iqbal and 10 others.

3 d

Translate into English ویل جے د لنگون نوے

نو بلاریبده خہ نہ وی

May, 2023

1. Learned counsel for the appellant present. Mr. Fazal Shah Mohamand, Additional Advocate General for the respondents present.

2. After providing a number of opportunities to the respondents they least bother to submit reply there is no departmental representative before the tribunal. Learned AAG is, however, seeking some time to file reply. Adjourned on payment of cost of Rs. 10000/- Since nobody put appearance on behalf of respondents nor reply has been submitted which shows disinterest of the respondents, therefore, the operation of impugned order is suspended. To come up for written reply/comments as well as cost on 08.06.2023 before S.B at camp court, Swat. P.P given to the parties.

(Kalim Arshad Khan)
Chairman

Item Utah

TESTER

Swat District Tribunal

Certified to be true copy
K. S. [Signature]
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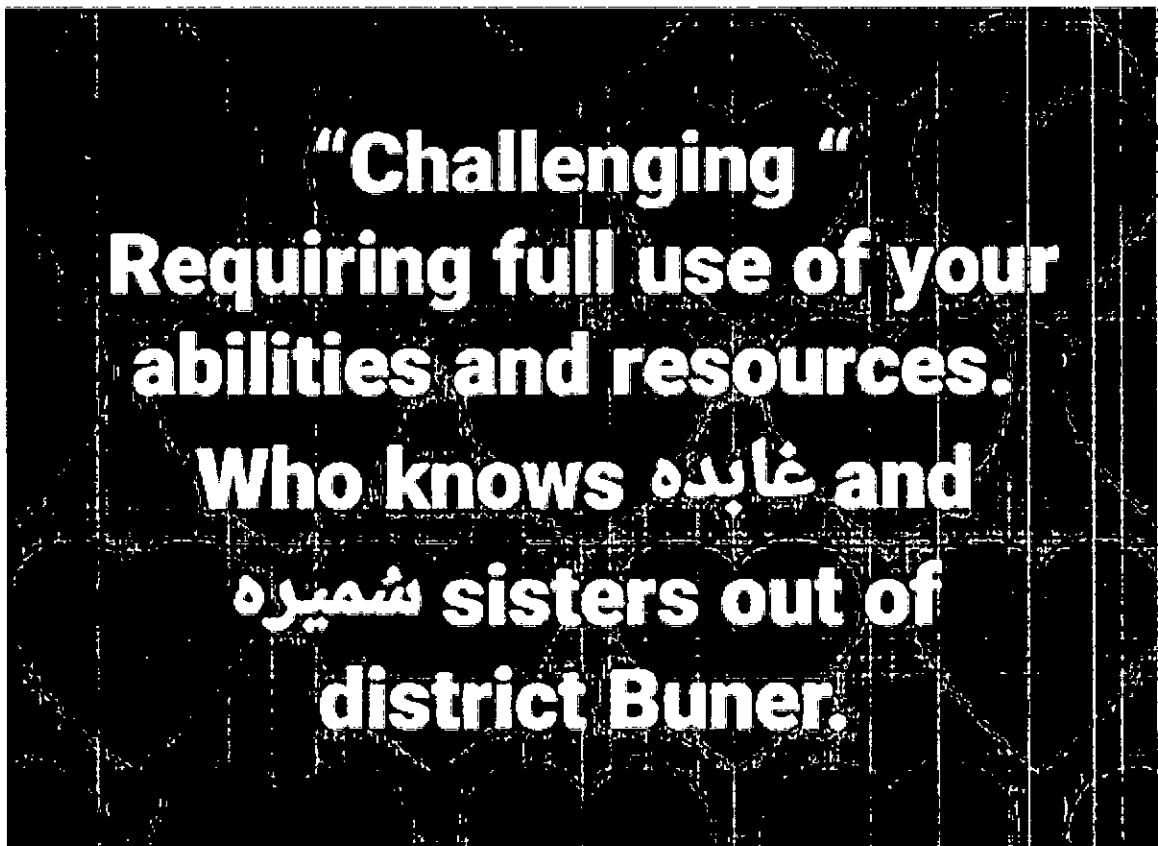
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Photos



Jehan Zeb

6h · 🌐



👍 2

2 comments

👍 Like

💬 Comment

➦ Share



Jehan Zeb

1d · 🌐



Arshad Khan · Follow

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Bakht Sher and 18 others 11 comments · 2 shares



Like



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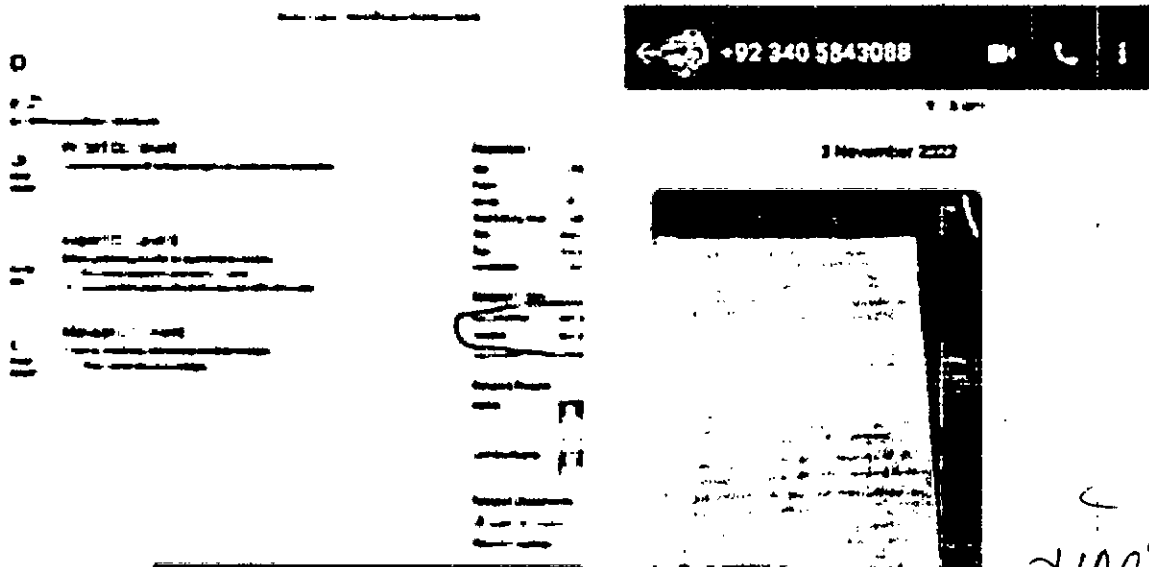
Share

Jehan Zeb is with Anwar Ali and
26 others.

Jan 5 · 🌐

ماتہ پہ شو کا زلیکی دا بلیک میلر دے شرم کرو
 ڈی ای او وائی زما د کورسے chair قدر نہ کی پہ 3 تاریخ
 پرنسپل تہ پہ what's up مسج لیگی جے داسے ماتہ د
 جہانزیب خان خلاف وولیکہ آؤ د پاسہ پے 1 تاریخ وولیکہ
 آؤ ماتہ ئیے سنڈ کا آؤ ہعہ پے ضمیرہ stooges جے د
 انکوائری امتحان ڈیوٹی آؤ کھیل ویرہ د مراعاتوں د پارہ
 یہ اکرم اللہ CT تہ لیگی جے داسے وولیکہ آؤ ... See more

See translation



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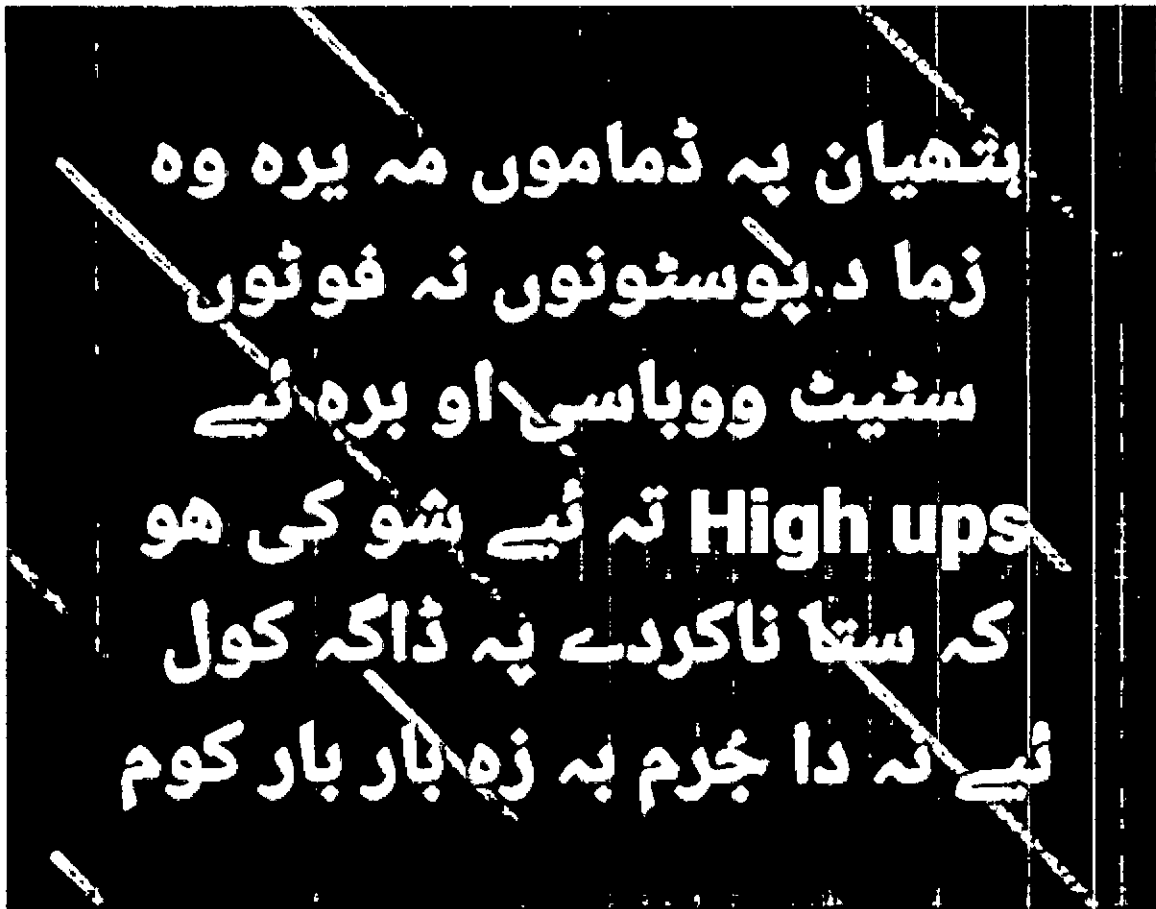
Comment

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Jehan Zeb

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11

3 comments · 2 shares

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Jehan Zeb

7h · 🌐

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130 messages from 31 chats

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3 comments · 2 shares



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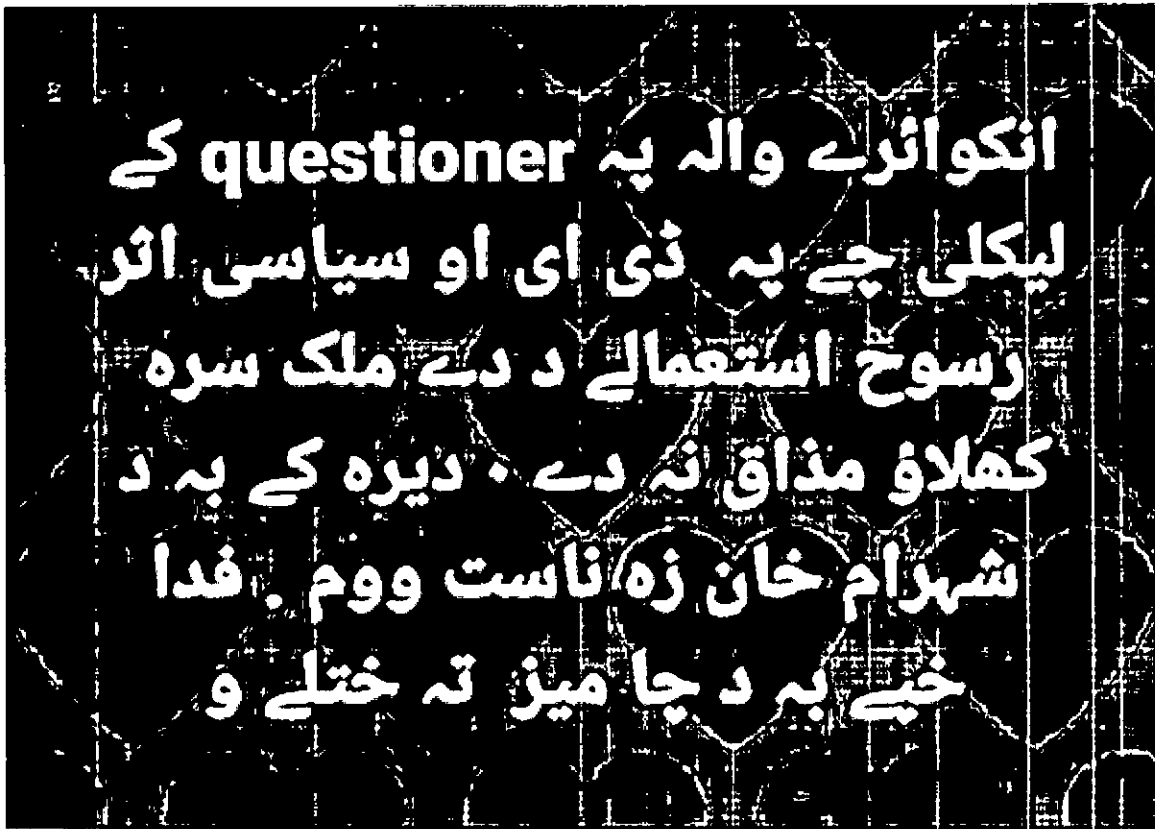


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Jehan Zeb

23h · 🌐



10

4 comments · 3 shares



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Comment

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Jehan Zeb

23h · 🌐

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Jehan Zeb

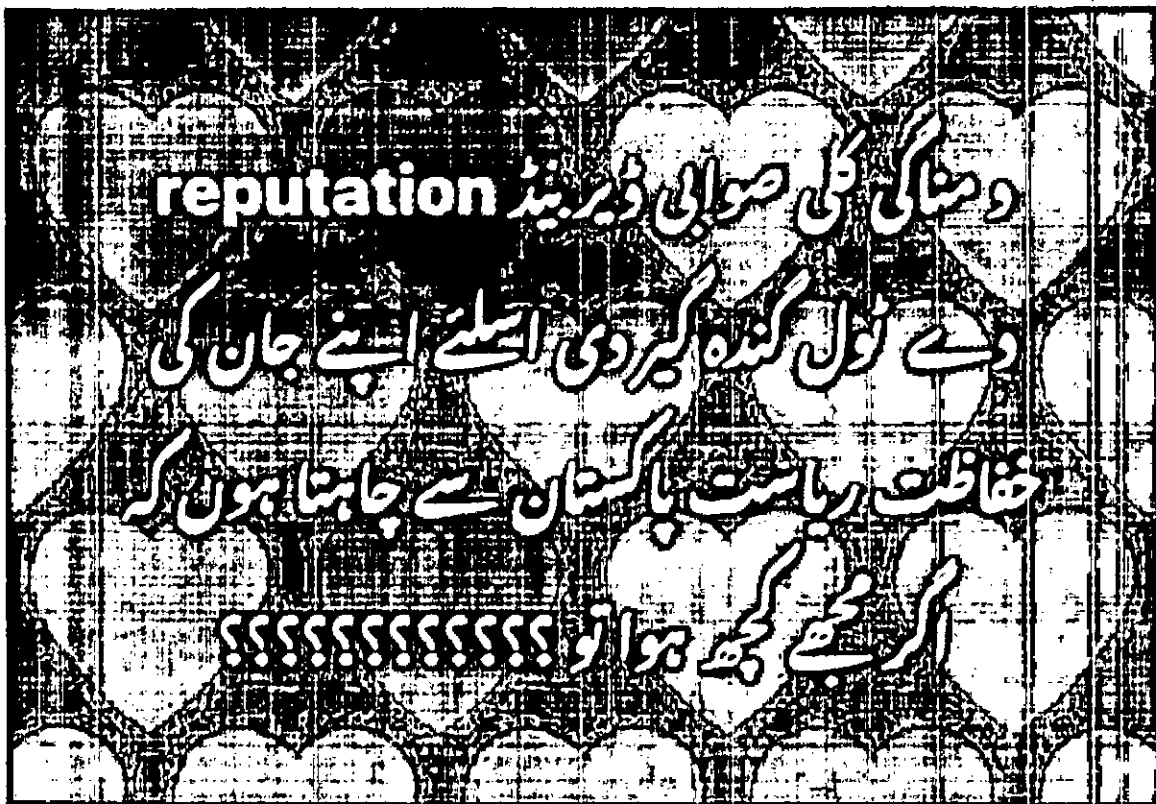
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Jehan Zeb

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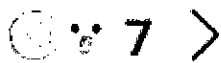
replied to Altaf Husain's comment.



Jehan Zeb

1h





Most relevant ▾



Wakil Khan

The only one who is not belong to Buner but his duty in Buner & make relationship with them in an enquiry.

14h Like Reply



Jehan Zeb Wakil Khan your hints are littl...



Zubair Bangash

Sa nur detail war Sara k nu kedishi 6 cha pijandi xaka pa dai num hu ba der khalk yi

2h Like Reply



Jehan Zeb

Zubair Bangash da Kum dala barwa blackmailer corrupt The pti haza, zana kar Commionee, 2number Kone ' Kum zatha . Chy versera yarana da zan pajanee

2h Like Reply



Zubair Bangash

Jehan Zeb hahahaha bia hu yi munga adu pijano na. 🤔 🤔

2h Like Reply

Allesles
Zubair

Write a comment...



©

17

**DIRECTORATE OF ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA.**

NOTIFICATION.

Consequent upon approval of the competent authority (Director Elementary & Secondary Education, Khyber Pakhtunkhwa), Muhammad Riaz District Education Officer (M) Swat is hereby nominated as enquiry officer to conduct enquiry against Mr. Jehan Zeb SDM GHS Dewana Baba District Buner in light of the report by DEO (M) Buner vide No. 171 Dated: 10-01-2023.

The Inquiry Officer shall submit his report with recommendations within fortnight to this Directorate, to proceed further into the matter.

(Encls: Attached)

(Dr. Hafiz Muhammad Ibrahim)
DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

8260-62
Endst: No. _____/F.No.07/Appeal/Complaint/Estab-1
Dated: 16 / 01 / 2023.

Copy forwarded for information and necessary action to the:-

1. Muhammad Riaz District Education Officer (M) Swat.
2. The District Education Officer (Male) Buner.
3. P.A to Director Elementary & Secondary Education Local office.

Assistant Director-III (Estab-1)
Directorate of Elementary & Secondary Edu:
Khyber Pakhtunkhwa, Peshawar.

[Handwritten Signature]

(D)

(18)

OFFICE OF THE PRINCIPAL GHS DEWANA BABA DISTT BUNER

No. 39

Dated 1/11/2022

To

District Education Officer (Male)

District Buner.

Subject: Complaint against Mr. Jehanzeb SDM GHS Dewana Baba

Memo:

With due respect it is stated that:

1. WHEREAS Mr. Jehan Zeb SDM GHS Dewana Baba Buner has availed 25 days Casual Leaves WHILE he pressurize the undersigned to give him free hands for absence.
2. AND WHEREAS he is irregular which can be easily proved from the CCTV Camera of the school.
3. AND WHEREAS he is problematic and does not obey the legal orders of the undersigned.
4. AND WHEREAS he makes tempering in the attendance register and efface record of his absence.
5. AND WHEREAS he does not take interest in teaching learning process.

Now in the light of the facts mentioned above; disciplinary action may be taken against Mr. Jehan Zeb SDM GHS Dewana Baba Buner.

Jehanzeb
SDM

[Signature]
Principal
01/11/22
GHS Dewana Baba

[Signature]
PRINCIPAL
GHS Dewana Baba
Distt; Buner



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
Swat (Cell N 0946 9240209-228)

No. 7818

Dated: 21/02/2023

To

The Director,
Elementary and Secondary Education
Khyber Pakhtunkhwa at Peshawar.

Subject:

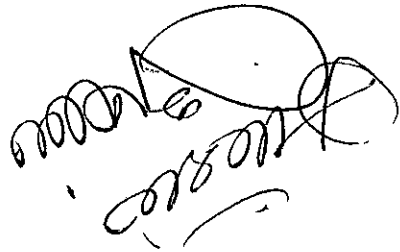
ENQUIRY REPORT AGAINST JEHAZED SDM, GHS DEWANA
BABA, UNDER-TRANSFER TO GHSS TOTALAI PERTAINING TO
THE ALLEGATIONS OF MISCONDUCT, INEFFICIENCY, ABSENCE
AND USING SOCIAL MEDIA AGAINST THE DEO FOR
DEFAMATION ETC.

Memo:

With reference your office Notification Endst:No.8260-62
F.No.07/Appeals/Complaints/Estab:-I dated 16-1-2023 regarding the above subject the
requisite enquiry report against Jehanzeb SDM GHS Dewana baba, is submitted for further
necessary action please.

DISTRICT EDUCATION OFFICER
(MALE) SWAT

*Jehanzeb
SDM*



1. MR. MUHAMMAD RIAZ DISTRICT EDUCATION OFFICER (MALE) SWAT (INQUIRY OFFICER)

INQUIRY OFFICERS

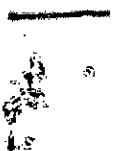
ELEMENTARY & SECONDARY EDUCATION
KHAYBER PAKHTUNKHWA, PESHAWAR

DIRECTOR

AUTHORITY

AGAINST JEANZEB SDM, GIS DEWANA BABA, UNDER-TAKNARVA TO GIS
TOTAL PERTAINING TO THE ALLEGATIONS OF MISCONDUCT,
INEFFICIENCY, ABSENCE AND USING SOCIAL MEDIA AGAINST THE DDO FOR
DEFAMATION ETC.

INQUIRY REPORT



INQUIRY REPORT
AGAINST MR. JEHANZEB SDM, EX-GHS DEWANA BABA
PRESENTLY GHSS TOTALAI

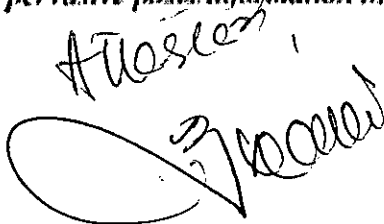
TERMS OF REFERENCE

The Honorable Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar was pleased to nominate the undersigned as the Enquiry Officers vide Notification Endst: No. 8260-62 F.No.07/Appeals/Complaints/Estab-1 dated 16/01/2023 (Notification is attached as annexure "A") to scrutinize & enquire the matter pertaining to the report submitted to Honourable Director by the District Education Officer (M) Buner, wherein, Mr. Jehanzeb SDM, GHS Dewana Baba under-transfer on disciplinary grounds to GHSS Totalai, was charged with the allegations of blatantly using social media, uploading defamatory and demoralizing posts against the DEO (M) Buner, misconduct, inefficiency, absence and black mailing the DEO concerned through various agencies and pressurizing the officer concerned not to take any action against him.

BACKGROUND:

A report was submitted to the Honorable Director E&SE Department Khyber Pakhtunkhwa Peshawar by District Education Officer (M) Buner along with enclosures and annexures for further necessary action against Mr. Jehanzeb SDM, GHS Dewana Baba, under-transfer to GHSS Totalai as per rules/policy. (Report of the DEO is attached as annexure "B"). The delinquent teacher was charged with the following allegations, breach of rules and code of conduct.

1. That he was earlier reported to the Director vide DEO (M) Buner office No 5520 dated 5/11/202, for his misconduct, absence and inefficiency. In the light of the above report, the Honourable Director issued him showcause notice, however, the same showcause notice was withdrawn without any proceedings against his guilts, which mustard up his courage and started blackmailing and defaming the principal, undersigned and the government on Facebook and social media.
2. That he blatantly defames the Government as well as Officers in E&SED and disseminates demoralizing, defamatory and pervasive posts/infamation through social media on shaky

Attested


and flimsy grounds, reprimanding, tongue-lashing and condemning official business of the principal and the undersigned, who issued his transfer order on administrative grounds.

- 3. The delinquent teacher openly abuses the DEO concerned on Facebook and uploads defamatory, unsocial, unethical posts and is involved in character assassination through baseless information.*
- 4. That he is a blackmailer and exerts unfair pressure and threats to influence the actions and official business of this office and thereby attain his personal vested interests. He has become more of propagandist, censorious press reporter and broadcaster than a teacher.*
- 5. That he is guilty of continuously creating embarrassing situation for the Govt. as well as Elementary and Secondary Education Department by propagating falsification and misrepresentation of facts and figures. He falls back on/recourses to trifling sophistry and blackmailing on social media by spreading false, fallacious and spurious information just to defame and tarnish the image of the Principal and the DEO concerned.*
- 6. That he stigmatizes, maligns and slags off the character of certain officers of the principal and the DEO without any proof by posting unauthorized, baseless information through various posts on Facebook.*
- 7. That he was transferred to GHSS Totalai on 16/12/2022, on administrative grounds in the light of the principal's report against him, however, he has been relinquished by the principal concerned, while he has not taken over charge at his new station yet and is absent as per report of the principal concerned. In the light of the principal's report regarding his absence from GHSS Totalai, absence notice was issued to him under Rule-9 of the E&D Rules 2011, reply of which is still awaited.*

The DEO (M) Buner requested the Competent Authority for appointing an Inquiry Committee and to take legal action against the delinquent teacher.

PROCEDURE

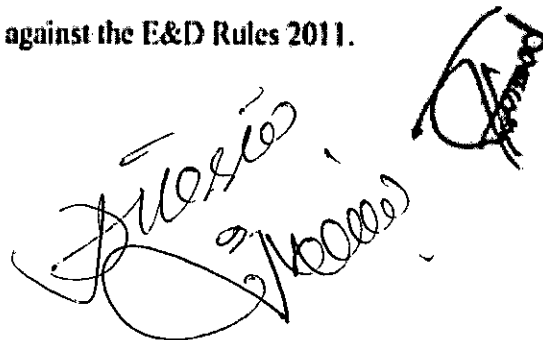
- 1. Visits were paid to the office the Principal GHS Dewana Baba.
- 2. Interviewed the principal GHS Dewan Baba and obtained information from Principal GHSS Totalai.

3. Held discussion with and asked for statements of Principal concerned and the delinquent official as well as from DEO (M) Buner at Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
4. A meeting was arranged at the office of the Principal GHS Dewana Baba.
5. Perused and collected the official record relating to the instant case.
6. Analyzed the data and recorded the findings of the instant case accordingly.
7. And, finally reported the findings along with recommendations.

PROCEEDINGS

Consequent upon the above mentioned inquiry notification, the inquiry officer informed Mr. Jehanzeb SDM, Pervez Khan, Principal GHS Dewana Baba vide letter dated 01/02/2023 (Letter is attached as annexure "C") as well as telephonically and through WhatsApp as well, to appear before the inquiry officer on the date, time and venue as fixed in the letter and directed to provide documentary proofs from both the parties i.e the delinquent teacher and the Principal concerned. It is apt to mention here that when Jehanzeb SDM, (The delinquent teacher) received the letter sent by the inquiry officer for appearance before the inquiry officer, he (Jehanzeb SDM) sent me a text messages not to come for inquiry and wrote "I am not appearing before you". However, being enshrined with the powers to conduct a free and impartial inquiry, the inquiry officer visited GHS Dewana Baba district Buner on 02-02-2023 and held detailed discussion with the principal and the delinquent official. In spite of his messages that he is not appearing before the inquiry officer, he came to school and started clumsy discussion and exhibited pressurizing behavior to abstain the undersigned from carrying out the instant inquiry. However, the undersigned through some counseling persuaded him and made him understand the purpose of inquiry and offered him questionnaire. The delinquent official was handed over the questionnaire, (Questionnaire is attached as annexure "D") which he took and read thoroughly. After reading the whole questionnaire, he returned the same without giving their replies or recording any statement and blatantly refused that he is not giving any reply to questionnaire. His this action is not only the worst example of misconduct, non-cooperation and pressurizing the inquiry officer but also hampered the inquiry proceedings which is illegal, unlawful and unethical and is against the E&D Rules 2011.

Jehanzeb SDM



The Principal concerned was also present in compliance with the intimation letter as referred above. He appeared before the inquiry officer, recorded his statements and wrote replies to the questionnaire served upon him, containing 19 questions regarding the instant issue. The principal was a very cooperative person and provided complete record, whichever was requisitioned from him. Discussion on his replies to questionnaire and his statements shall be made in the finding section, when analyzing the statements and other related record and evidences. (Questionnaire is attached as annexure "E").

The principal concerned also provided screen shot of Jehan Zeb's Facebook I.D and all the defamatory posts which he has uploaded and viralled through social media to defame and demoralize the principal and the DEO (M) Buner. Complete discussion and analysis of the defamatory posts shall be made in the finding section.

The inquiry officer also informed DEO (M) Buner to provide record of the instant case who brought the same to Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar and also recorded his statement. Besides, securing record from the DEO (M) Buner, he was also cross-questioned and his statement was also obtained which shall also be discussed and analyzed in the finding sections.

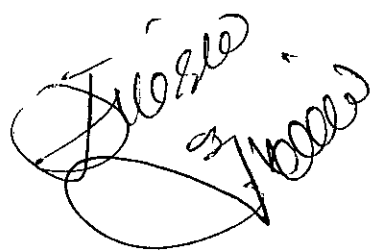
The data so collected was then thoroughly studied and analyzed in the light of the material on record, available information and written statements of all officers/official concerned leading the inquiry committee to the following findings.

SUMMARY OF THE STATEMENTS

I. Statement of Principal GHS Dewana Baba Mr. Pervez Khan.

As, it has already been mentioned in the procedure section that the principal was served with a questionnaire containing 19 questions exclusively related to the performance of the delinquent official and the allegations as were reported against him. Main points as accumulated from the responses to the questionnaire are subsumed in a statement form and extracted as below:

"Mr. Jehanzeb has been serving in GHS Dewana Baba since 22/2/2013 as SDM teacher. I am not satisfied with his duty, therefore, I sent a report against him to DEO (M) Buner to take strict action against him. The same report was about the absence, negligence in duty, misconduct and inefficiency of Mr. Jehanzeb. He had a very rude, insolent and defamatory



behavior with me. I have warned him through multitude of order books (Copies of order books are attached as annexure " F, F1, F2, F3....."), however, in utter violation of rules, he wrote me in the same register of order book that I am not obeying your orders. He does not act upon my legal orders. He has committed misconduct and threatened me and the DEO for dire consequences, if we took action against him. He is creating embarrassing situation. He does not take his classes regularly, that is why even at the end of this academic year, he has taught only two chapters to his 8th class. He is also defaming me and the DEO (M) on social media because, we ask him about his duty (All his defamatory posts uploaded by him on Facebook are annexed as annexure " G, G1, G2, G3....."). He wants to hush us up through his demoralizing and defamatory posts. I have informed the DEO (M) about his all these black deeds. In the light of my report, the DEO (M) transferred him to GHSS Totalat on disciplinary grounds. I have relieved him on 22/12/2022 and sent his pay stoppage source to DAO office Buner. He has not taken over charge at his new station yet and is absent.

II. Statement of the DEO (M) Buner.

Similarly, statement of the DEO was also obtained regarding the subject issue, which is reproduced as below: (Statement of the DEO (M) is attached as annexure "H")

" Through several verbal information and finally through written report vide No. 39 dated 01/11/2022, (Report is attached as annexure "I") the principal GHS Dewana Baba complained against Jehanzeb SDM, regarding his absence, irregularity, problematic behavior, shirkness, tampering in the attendance register, disinterestedness in teaching the students and misconduct. On the very next day, Mr. Jehanzeb SDM entered the office and sought undue favour in absence and irregularities. The undersigned refused to favour him in wrong doings, the delinquent official started scuffling and fighting with me in my office. He started abusing me and tried to reach at me for assault. During this time all other employees of the office also approached and pushed him out of the office. He threatened me for dire consequences and told that no one in the department even Director or Secretary can take any action against him. I reported him to the Director E&SED for strict action against him (Report is attached as annexure "J"). As a retaliation of taking action against him by the director on my report, the delinquent official started blackmailing me on social media by

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uploading defamatory posts against me (All the defamatory posts against me are annexed as annexure "K, K1, K2, K3, K4.....) and also submitted a baseless complaint to the Director Anti-corruption in order to pressurize me to abstain from taking any action against him. With the grace of Al-mighty Allah, I am clear, therefore, I wrote a letter No. 76-79 to the Director E&SED to conduct an inquiry into the allegations leveled against me by the delinquent official and copies of the same were endorsed to Director Anti-corruption, Secretary E&SED and Deputy Commissioner Buner in order to bring forth the truth and reality of the complaint. (Letter is attached as annexure "L").

III. Verbal Statement of Jehan Zeb SDM (The delinquent Teacher)

As, it has already been mentioned that the delinquent official as well as the Principal were informed through official letter, to appear before the inquiry officer. The delinquent official was informed through official letter dated 01/02/2023 for appearance before the inquiry officer on the date, time and venue fixed therein. The delinquent official received the letter and sent me a text message through my personal WhatsApp number, insolently directing me not to come for inquiry. The same delinquent official also went on further, saying that he is not appearing for any personal hearing, however, if the inquiry officer wants to make his TA/DA, then he should come.

Since, the principal and DEO office were also informed, therefore, the inquiry officer approached district Buner on the date, time and venue. The undersigned first visited GHS Dewana Baba, where the principal was already present. The delinquent official, though refused to appear before the inquiry officer, however, still he entered the school just for aggravating the process. In spite of all this, the inquiry officer, by counseling and guiding tried to make him understand to give up his insolent, rude and stubborn behavior and motivated him towards reconciliation and behaving like a social human being, however, he turned a deaf ears and stood on his rogue behavior. For a while, he asked for the questionnaire, which was given to him. He thoroughly studied the questionnaire and returned it back with the remarks that he is not giving reply of the same questionnaire and behaved like a scoundrel and villain. (Questionnaire is attached at annexure "E"). It is also clear from his facebook posts that in one of his posts, he says that the inquiry officer writes in questionnaire that he(delinquent official) uses political pressure on DEO. He declares the

*Jehanzeb
SDM*

Principal

same question of the questionnaire as an open for (the relevant part is attached as annexure "LJ")

FINDINGS

In order to establish the validity and genuineness of the charges leveled against the delinquent official, the inquiry officer made use of all the available information, record, screenshots of his facebook pages, both verbal and written statements of the principal (Mr. Dewana Halm and DEO (M), transfer order of the delinquent teacher and other related documents which were to be analyzed for final settlement of the case as in favour or against the delinquent official

To avoid getting astray from the nub of the issue and its ultimate factual position, I deem it appropriate to investigate the issue from different angles, through questionnaire cross questioning, and applying techniques of bringing the inner motives behind the issue, the answers of which when deduced from the record, replies to questionnaire, statements, evidences and other related documents, shall in themselves unveil the authenticity and veracity of the charges being leveled and sustained on the record against the delinquent official. The record so obtained from all the quarters concerned shall be analyzed allegation wise for the reported allegations i.e. use of social media for defamation, non-compliance of transfer order, misconduct, absence, inefficiency and baseless blackmailing through various other means:

1) Defamation and demoralizing of the Principal and DEO on facebook:

It is of pivotal importance to have a glimpse of his facebook ID and visit his facebook pages in order to verify the allegation of defamatory posts. Visiting and checking his facebook ID and various pages, it was found out that his facebook pages are replete with defamatory and demoralizing posts against the DEO (M) Buner Mr. Hukhar Ul Ghani and Principal Mr. Pervez Khan. The posts are so nasty and stinging that even a sensible person cannot even think of them. His defamatory and demoralizing posts, which he uploaded and viralled on his facebook page were counted and recorded that from January 24, 2023 to February 8, 2023, the delinquent official has posted 55 defamatory, malicious and derogatory posts against DEO (M) Mr. Hukhar Ul Ghani and Principal Pervez Khan. (Screenshots of all posts are annexed at annexure "K, K1, K2, K3.....")

As, it has already been mentioned that the delinquent official refused to give answers to questionnaire in writing, however, he confessed verbally that the same defamatory posts have

been given by him as retaliation of his transfer order, as he had no other option or choice of revenge.

Punishable act under Defamation ordinance 2002:

Section 3 of the Defamation Ordinance 2002 defines defamation and its forms:

"Any wrongful act or publication or circulation of a false statement or representation made orally or in written or visual form which injures the reputation of a person, tends to lower him in the estimation of others or tends to reduce him to ridicule, unjust criticism, dislike, contempt or hatred shall be actionable as defamation".

• Defamation is of two forms namely:

- i. Slander
- ii. Libel

• Any false oral statement or representation that amounts to defamation shall be actionable as slander.

• Any false written documentary or visual statement made either by ordinary form or expression or by electronic or other modern means or devices that amounts to defamation shall be actionable as libel.

Section 4 makes the defamation actionable.

The material shared by Mr. Jehan Zeb SDM as shown in the annexures containing screenshots of his facebook pages, clearly depicts that he has posted and shared defamatory posts and blatantly stigmatize the honor, position and status of the DEO (M) Buner, Mr. Iftikhar Ul Ghani and Pervez Khan Principal GHS Dewana Baba and disseminated widespread baseless and absurd information by posting unauthorized defaming and demoralizing material through his Facebook I.D on shaky and flimsy grounds just to slag off the character and injure the reputation of both the officers. The posts vividly show the malicious intents of the delinquent official. He has tried to lower both the officers in the estimation of others and spread hatred against them and thus he has rendered himself liable to be proceeded under the Defamation Law read with E&D Rules 2011 and Conduct Rules 1987 amended vide No. SO(Policy)E&A/2-16/2020 dated 13/11/2020. The latter amendments in Conduct Rules 1987 and the inclusion of new Rule (34-A) have been made in order to explicitly include new innovations in broadcasting i.e social media, Facebook, WhatsApp, Twitter etc in the main streamline of broadcasting means. The relevant amendments in the Conduct Rules 1987 read as below:

(1) 34-A: Standards for Use of Digital and Social Media:- (1) "No Government servant shall use social media to discuss or share information on issues relating to Government business Provided that the social media may, if required be used with the prior approval of the Administrative Secretary, Head of Attached Department or Commissioner as the case may be, for disseminating information among the general public regarding Government initiative for better governance".

(2) Rules 7 (2) , 9, 21, 24, 25, 27, 28, 29, 30 and 33 of these rules shall mutatis mutandis be applicable to Government servants with respect to the use of social media".

Summing up, it has fully been proved that he is guilty of posting, publishing and disseminating defamatory and demoralizing posts on social media against his officers in order to slag off the character and injure the reputation of both the officers and to pressurize them to abstain from taking legal action against his wrong doing, absence and inefficiency. This action of his is punishable under various laws and rules.

2) Non-compliance of transfer order

Record reveals that the delinquent official was transferred from GHS Dewana Baba to GHSS Totalai vide transfer order No.6359-64 dated 16/12/2022 (Transfer order is attached as annexure "M") on disciplinary grounds in the light of Principal's report regarding his misbehavior, inefficiency, slackness, shirkness and aggravating the peaceful environment of the school. The Principal of GHS Dewana Baba relieved him on 22/12/2022 vide relieving certificate dated 22/12/2022 duly signed and sealed by the Principal concerned, (Relieving slip is attached as annexure "N") while on the other hand the Principal GHSS Totalai has also sent letter No.AFF/STT-51/02 dated 05/01/2023 (Letter is attached as annexure "O") to this office with the information that the delinquent official has neither reported to this school nor taken over charge of his post and is absent since his transfer. It was further confirmed that the delinquent official has not taken over charge till appearance before the inquiry officer and is absent from the school whereto he was transferred. This non-compliance of transfer order on the part of the delinquent official attracts disciplinary proceedings under the law and rules. Related to the same issue some rules, and judgments of the Higher Courts are referred below:

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Section 10 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 binds civil servants to serve where they are posted and transferred. It is reproduced here:

Section 10: Posting and Transfers.----- Every civil servant shall be liable to serve anywhere within or outside the province, in any post under the Federal Government, or any Provincial Government or Local authority, or a corporation or body set up or established by any such Government.

Similarly, he has a long tenure of about ten years at GHS Dewana Baba, therefore, the transfer order in respect of the delinquent official is legal and lawful on that facet as well. As per rule, the Competent Authority can transfer a civil servant, serving in E&SED, anywhere within his/her service, cadre and post. Civil Servant could not stay at a place of his choice. Such view of the issue, according to Service Tribunal if affirmed, would give license to every Civil Servant to file a representation against order of transfer and stay at place from which he did not want to move, as such the same would create administrative chaos. Same is reported in 2006 SCMR 443.

Likewise, Civil Servant could not disobey transfer order. Same is reported in 2003 PLC (CS)104. The delinquent officer has not only committed non-compliance of official order but also violated of the dictums laid down by the August Supreme Court of Pakistan. Employees are liable to be transferred anywhere in exigencies of service, having no vested right of his choice for a specific place. Reliance is placed on 1998 SCMR 293.

The transfer of the officers has been made under Section 10 of NWFP Civil Servants Act, 1973. The Supreme Court of Pakistan judgments are very much clear in this regard. Some reported judgments of Supreme of Pakistan are 1999 PLC 655, 1999 SCMR 755 etc. Similarly, transfer and posting could not be claimed as matter of right, only the Government could determine as to which officer was suitable for which place. Same is reported in 2013 PLC (C.S) 864.

His post is a district cadre post and he is required to serve anywhere in the district where the competent authority/authorized officer transfers him on any grounds in the public interest. As per rules, a civil servant is required to relinquish charge immediately after he/she is transferred to some other station and he/she is not allowed to use delaying tactics thereof. Similarly, Civil Servant could not disobey transfer order. Same is reported in 2003 PLC (CS)104.

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Keeping in view the above quoted rules and judgments; it is beyond question that the delinquent official has committed misconduct by not obeying the legitimate official orders of the Competent Authority, hence, liable to be proceeded under the rules for his inefficiency, absence and misconduct under E&D Rules 2011.

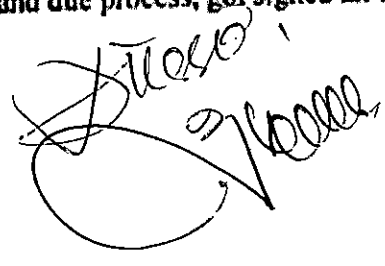
3) Baseless blackmailing of the DEO through various means:

During the course of inquiry, it was also unveiled that Mr. Jehanzeb is not only black mailing the DEO (M) Buner on social media and facebook but also lodged complaint in anti-corruption department against the DEO (M) Buner, wherein, allegations like drawl of TA/DA, POL for vehicle, use of DEO (F) vehicle, TA/DA from DEO (F) office and budget for repair of vehicles were pinpointed that the same were embezzled by the DEO (M) Buner. (Complaint and anti-corruption notice is attached as annexure "P")

Record of TA/DA, budget allocation for POL and its utilization, budget for repair of vehicles, furniture procurement, and record of under-use vehicle of DEO (M) was requisitioned from DEO (M) Buner. Likewise, it was also blamed that the DEO (M) Buner, while having additional charge of the post of DEO (F) Buner, has drawn TA/DA from DEO (F) Office budget and has also used DEO (F) vehicle. Similarly, it was also blamed that the DEO has drawn TA/DA in the name of other employees, while the same has not been paid to the concerned employees. The aforementioned complaint made by the delinquent official to the anti-corruption, was also viralled by him through whatsApp groups and sent it to some teachers both male and female as per DEO averment in order to defame the officer concerned as a revenge and retaliation, who had already taken strict action against him on the report of the Principal concerned.

Record of TA/DA was requisitioned from DEO and analyzed. Record reveals that DEO has drawn his legitimate TA/DA after fulfilling all codal formalities from DEO(M) Establishment only, got signed his bills and RTPs from the Honourable Director E&SED and processed through DAO Buner. He neither drawn any TA/DA from female office nor used DEO (F) office car. Thus there was no sign of embezzlement or corruption, hence the same allegation was proved to be baseless and a pack of false accusations.

Similarly, TA/DA obtained by other employees of his office was also checked and it was found out that budget allocated in TA/DA head was also drawn by other employees of the office. It was further checked and found that other employees also obtained their TA/DA after fulfilling codal formalities and due process, got signed all their bills and RTPs from the controlling officer.



Thus no illegality or embezzlement was found in this issue as well. Not even a single employee confirmed that their TA/DA has been usurped.

In the next step budget for repair of Govt. vehicles and its utilization was checked. It was found out that a scanty amount was allocated and released in the repair head, which was utilized on the repair of Govt. vehicles. Bills related to repair were checked and the subsequent cheques passed by the DAO office were spent on the repair of vehicle.

Record of furniture procurement was also checked. It was made clear that all the bidding process was completed in Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar. A total number of 54352 chairs were purchased from the firm through a centralized bidding, carried out at Directorate. The DEO (M) Buner was chairman of inspection committee, wherein, representatives of forest department and industry department were member of the said committee. The representative of forest department was responsible for checking the wood as per approved specification while representative of the industry department had the duty to check quality and gauge of steel as per specification. The DEO was responsible for assuring provision of furniture in terms of quantity and signing of bills for the final payment to the supplier by the District Account Office through crossed cheque in the name of supplier. Record provided by the DEO reveals that proper inspections were made of all the furniture prior to its distribution. All the inspection reports were dully signed by all the committee members. (Inspection reports are attached as annexure "Q, Q1, Q2, Q3, Q4...."). Similarly, certificates were also obtained from the schools that they have been provided with students chairs in various number. It was verified that 54352 students' chairs were distributed to various schools and certificates were obtained from the principals, headmasters and head teachers of the schools concerned. It is safely said that no corruption or embezzlement was found in the procurement of furniture supplied during the tenure of DEO, Mr. Iftikhar Ul Ghani, which is crystal clear from the well-maintained record in office as well as in schools, where furniture has been provided. Apart from the above checking of record, a thorough audit has also been carried out by the Accountant General Khyber Pakhtunkhwa, which is also clear and did not find out any corruption or embezzlement in procurement of furniture.

4) Absence, inefficiency and misconduct

Apart from other grievous guilts, the delinquent official is has also committed an act of absenting himself willfully from duty by not assuming his charge at his new station even

Iftikhar Ul Ghani

after issuing his transfer order on 16/12/2022, about two months before. This intervening time is considered as absence. The delinquent official has also been served with an absence notice vide No. 80-84 dated 5/1/203 on his home address, however, he has neither given any reply to the same nor taken over charge at GHSS Totalai and is absent since then. (Absence notice is attached as annexure "R")

Similarly, the Principal's reports and his verbal discussion at the school, it was disclosed that the delinquent teacher is inefficient. He neither takes his classes nor takes interest in teaching. He is always busy in satanic actions and deeds in order to create commotion and aggravate the peaceful environment of the school. He has adopted a rogue behavior with the principal and the DEO. According to the Principal, the delinquent official is reprobate, rascal and a villain. He neither obeys his orders nor stops his mischiefs. He was time and again warned through order books to mend his ways but he blatantly refused to obey Principal's order and continued to behave impudently and rudely.

The delinquent official has also adopted the same rude, presumptuous, offensive and audacious behavior with the DEO (M), which is evident from his statement annexed at annexure "H". He has crossed the limits of rudeness and ill-mannerism to the extent that he tried to assault the DEO in his office, which sets a bad example of being subordinate.

Last but not the least, his behavior with the inquiry officer was not less reckless, daredevil, derelict and contemptuous than the one adopted with the principal and the DEO.

CONCLUSION

Conclusively, the above highlighted points and their final settlement as against or in favour of the delinquent official as analyzed in captioned wise discussion, which determined the authenticity and verisimilitude of the charges leveled against Mr. Jehan Zeb SDM. The whole record goes against him, being guilty of misconduct, black mailing on social media, non-compliant of the legal and legitimate transfer order, issued by the Authorized Officer. Thus, having gone through scrupulous observation and analysis of all the available record, statements, documentary proofs and evidences as gleaned out during the course of inquiry by tallying with the office and school record obtained from all the quarters concerned, it has fully been proved that Mr. Jehan Zeb SDM, Ex-GHS Dewan Baba, presently GHSS Totalai is guilty of inefficiency, misconduct and absence under The Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, and under rules 22, 23, 24, 25, 30, 34 and

Jehan Zeb
Jehan Zeb

Jehan Zeb

34-A of Khyber Pakhtunkhwa Government Servants (Conduct) Rules, 1987, by not complying with the transfer order made in the public interest and in accordance with the Section-10 of Civil Servants Act, 1973 and baselessly defaming the officers on facebook and social media, in order to pressurize the DEO, to abstain him from taking disciplinary action against his wrongdoings as reported by the principal concerned, besides, being non-compliant, rude, blackmailer, he is guilty of continuously creating embarrassing situation for the department and wants to lead it by its nose as per his own whim and wish, which is neither commendable nor accommodative under the rules, in vogue, hence calls for nemesis.

RECOMMENDATIONS:

Keeping in view the above discussion, the following recommendation is suggested for further necessary action:

Major Penalty of "Removal from Service" may be imposed upon Mr. Jehan Zeb SDM, Ex-GHS Dewana Baba, presently GHSS Totalai under Rule 4, sub-rule-(b) (iii) of the Khyber Pukhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011.

Muhammad Riaz
 District Education Officer (Male)
 Swat
 (Inquiry Officer)

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 21/02/2023

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کیفیت

آرڈریک

نمبر شمار

مذہب کا نام لکھنا

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28/10/22

میں نے مذہب لکھنا سے متعلق جاننے کے لیے پوچھا ہے

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یہ سب کچھ یاد ہے

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28/10/22

میں نے اس بارے میں کوئی اور چیز یاد نہیں ہے

میں نے اس بارے میں کوئی اور چیز یاد نہیں ہے

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میں نے اس بارے میں کوئی اور چیز یاد نہیں ہے

[Signature]

28/11/22

[Signature]

I regret for what I did and will be careful in future IA. and noted sir
01/11/22

آرڈر بک

نمبر شمار

کیفیت

11-741

فہم اساتذہ سے مندرجہ ذیل

78

18/03/22

صباح کے بعد سے دوپہر کے بعد تک

باب میں اساتذہ کی تعداد 25 ہے۔

18 مہینہ لہجہ اور رسم الخط

درج ذیل 4 اساتذہ موجود ہیں۔

(1) کثرت رسول خان (2) الیاس (3) حفیظ

(4) شغورشاہ (5) انعام (6) سعید

(7) عرفان علی (8) امیر اعظم (9) سعید الہی

(10) کونہ (11) دیر آباد (12) دلاور علی (13)

دلاور شاہ (14) ربیع علی

جو اساتذہ سے مندرجہ ذیل وقت تک

رسم الخط اور لہجہ کے بارے میں

17 مہینہ لہجہ اور رسم الخط

میں سے مندرجہ ذیل اساتذہ

جو اساتذہ سے مندرجہ ذیل

[Handwritten Signature]

19/3/22

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کیفیت

آرڈر بک

نمبر شمار

جلد ملاز میں شمولیہ اور فوائس

3
20/8/21

Noted
1/1

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

H. Khan

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

ملاز میں شمولیہ اور فوائس کے بارے میں مزید جاننے کے لیے

Handwritten signature and date 20/8/21

Handwritten signature and date 20/8/21

Handwritten signature and date 20/8/21

The principal,
Govt High School,
Dwana Baba.

Sub: Application for permission
regarding the 1st semester
B.Ed (1.5 years) Examination
at Lakki Marwat.

R/sirs, It is requested to your honour
that my exam for the aforesaid
course will be held from 24th Oct
and onward as 26th, 28th, 31st, 2nd
and 4th November 2022 respectively
against the mentioned dates.

So it is requested to your good self
that this application may be granted
as prayed for and I will be off
for a stint of 12 days. Thanking you.

Anticipation,
Jehan zeb (SDM)
GHS Dwana Baba

[Signature]
PRINCIPAL
GHS Dwana Baba
Distt; Buner

Date: 21/10/2022

(H)

(40)

OFFICE OF THE PRINCIPAL GHS DEWANA BABA DISTT BUNER

No: 37

Date: 25-10-22

To

The District Education Officer (M)
Distt Buner.

Subject : Application for Casual leaves.

Memo:

I have the honor to inform you that Mr. Jehan Zeb SDM GHS Dewana Baba availed 24 days, C/L during the running calendar year. Now he wants to take B.Ed examination from the Lakkhi Marwat University at Centre Career Group of Colleges Jaurabad (SECOMS) Swat. It is not possible for me to allow him more Casual Leaves as per rule. So the application in r/o Mr Jehanzeb is hereby forwarded for further necessary action please.

Revised
28/10/22
District Education Officer (M)
Buner.

25/10/22
The Principal
GHS Dewana Baba
District Buner

27/10/22

Principal
PRINCIPAL
GHS Dewana Baba
Distt; Buner

(I)

(41)



**DIRECTORATE OF ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA.**

OFFICE ORDER

Consequent upon approval of the competent authority (Director Elementary & Secondary Education, Khyber Pakhtunkhwa), the Show Cause Notice issued by this Directorate in r/o Mr. Jehan Zeb SDM GHS Dewana Baba District Buner vide No. 5448 Dated: 05-12-2022 is hereby withdrawn in the interest of public service.

(Dr. Hafiz Muhammad Ibrahim)
DIRECTOR

Directorate of Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

Endst: No. 7930-32 /FNo.07/Appeal/Complaint/Estab-1 Dated Peshawar 20/12 /2022.

Copy forwarded for information and necessary action to the:-

1. District Education Officer (Male) Buner.
2. Teacher Concerned.
3. P.A to Director Elementary & Secondary Education Local office.

[Signature]
Assistant Director (Estab-1)

Directorate of Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

[Signature]
AD (Estab-1)

[Signature]
[Signature]



(J) (42) (18)

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

SHOW CAUSE NOTICE

1. I, Dr. Hafiz Muhammad Ibrahim, Director, Elementary & Secondary Edu: Khyber Pakhtunkhwa as Competent Authority, under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules 2011, do hereby serve upon you, **Mr. Jehan Zeb SDM, GHS Dewana Baba District Buner**, this show cause notice as follow: -
 - i. As per report of DEO concerned you are blackmailer and exert unfair pressure and threats to influence the actions and official business of DEO (M) Buner office and thereby attain your personal vested interests and gain undue favour in absence and duty for yourself.
 - ii. That you have availed Twenty-Five (25) Casual Leaves, while you pressurize the DEO (M) Buner to give you free hand for absence.
 - iii. That you tried to scuffle and started fighting with the DEO(M) Buner in his office on 2/11/2022, for illegal favour in leave and absence and threatened the him for dire consequences.
 - iv. That you sabotaged the very tranquillity of the office by using hue and cries, and threatening him for worst end.
 - v. That you lack official decorum, manners and grooming, using derogatory and inappropriate words to the high ups.
 - vi. That you challenged the whole department that no one can take any action against you for your illegal acts and misconduct.
 - vii. That as per report of the Principal concerned you are irregular, guilty of absence and misconduct with the principal as well. You make tampering in the attendance register and efface record of your absence.
 - viii. That you are guilty of professional dishonesty, inefficiency and misconduct under the Rule-3 (a) (b) & (d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011.
 - ix. That you have ceased to be efficient and are guilty of misconduct and liable to be proceeded under the rules for the charges given herein above.
2. In terms of Rule-5 (a) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, I, as a Competent Authority dispense with the inquiry and serve you with a show cause notice under Rule-7 of the ibid rules, the reasons for dispensation of the inquiry being the misbehaviour, altercation and violent grapple by you took place in the office of the DEO (M) Buner in front of the employees of the whole office, which needs no inquiry.
3. By reasons of the above, you appear to be guilty of absence, inefficiency and misconduct under Rules 3 (a), (b) & (d) of the Khyber Pakhtunkhwa Servants (Efficiency and Discipline) Rules 2011.
4. As a result, thereof, I, as the Competent Authority, have tentatively decided to proceed against you under the above mentioned rules. You are, therefore, required to show cause as to why one of the one of the penalties specified in **Rule 4 (b) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011**, 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 its delivery, it shall be presumed that you have no defence to put in and in that case Ex-parte action will be taken against you, which may culminate in your removal from service.

Mr. Jehan Zeb SDM (BPS-16)
GHS Dewana Baba District Buner

(Dr. Hafiz Muhammad Ibrahim)

DIRECTOR

Directorate of Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

K

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**DIRECTORATE OF ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA.**

OFFICE ORDER

Consequent upon approval of the competent authority (Director Elementary & Secondary Education, Khyber Pakhtunkhwa), the Show Cause Notice issued by this Directorate in r/o Mr. Jehan Zeb SDM GHS Dewana Baba District Buner vide No. 5448 Dated: 05-12-2022 is hereby withdrawn in the interest of public service.

(Dr. Hafiz Muhammad Ibrahim)

DIRECTOR

Directorate of Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

Endst: No. 7930-32 /FNo.07/Appeal/Complaint/Estab-1 Dated Peshawar 29 / 12 / 2022.

Copy forwarded for information and necessary action to the:-

1. District Education Officer (Male) Buner.
2. Teacher Concerned.
3. P.A to Director Elementary & Secondary Education Local office.

[Handwritten signature]
29/12/22

Assistant Director (Estab-1)

Directorate of Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

[Handwritten signature]
ADGD (Estab-1)

[Handwritten signature]
5/1/23

[Handwritten signature]

(L)

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**DIRECTORATE OF ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA.**

NOTIFICATION.

Consequent upon approval of the competent authority (Director Elementary & Secondary Education, Khyber Pakhtunkhwa), Muhammad Riaz District Education Officer (M) Swat is hereby nominated as enquiry officer to conduct enquiry against Mr. Jehan Zeb SDM GHS Dewana Baba District Buner in light of the report by DEO (M) Buner vide No. 171 Dated: 10-01-2023.

The Inquiry Officer shall submit his report with recommendations within fortnight to this Directorate, to proceed further into the matter.

(Encls: Attached)

(Dr. Hafiz Muhammad Ibrahim)

DIRECTOR

Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

8260-62

Endst: No. _____/F.No.07/Appeal/Complaint/Estab-1

Dated: 16 / 01 / 2023.

Copy forwarded for information and necessary action to the:-

1. Muhammad Riaz District Education Officer (M) Swat.
2. The District Education Officer (Male) Buner.
3. P.A to Director Elementary & Secondary Education Local office.

Assistant Director-III (Estab-1)

Directorate of Elementary & Secondary Edu:
Khyber Pakhtunkhwa, Peshawar.

[Handwritten signature]



(M)

(45)

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

No 3911 /F.No.07/Appeal/Complaint/Estab (M-1)
Dated Peshawar the 24/2 /2023.

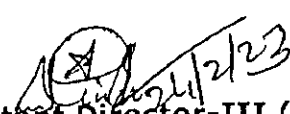
To

The District Education Officer
(Male) Buner.

Subject: **SHOW CAUSE NOTICE IN R/O MR. JEHAN ZEB SDM GHS DEWANA
BABA DISTRICT BUNER**

Memo,

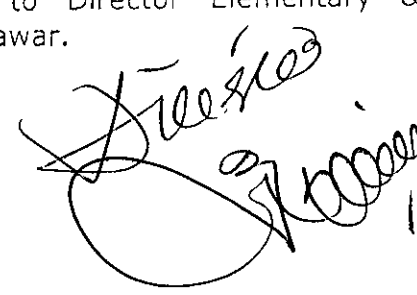
I am directed to refer to the subject as cited above and to enclose herewith a Show Cause Notice in r/o Mr. Jehan Zeb SDM GHS Dewana Baba District Buner, with the direction to issue the said notice to the teacher concerned with intimation to this office please.


Assistant Director-III (Estab-1)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst; No. _____

Copy forwarded for information to the: -

1. Mr. Jehan Zeb SDM GHS Dewana Baba District Buner.
2. Principal Concerned.
3. P.A, to Director Elementary & Secondary Education, Local Directorate, Peshawar.


Assistant Director-III (Estab-1)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar



SHOW CAUSE NOTICE

1. **Mr. Dr. Hafiz Mohammad Ibrahim**, Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar, as a Competent Authority, under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules 2011, do hereby serve upon you, **Mr. Jehan Zeb SDM, BS-16, Ex-GHS Dewana Baba, under-transfer to GHSS Totalai District Buner**, this show cause notice as follow:-

1. That you blatantly defame the Principal GHS Dewana Baba as well as DEO (M) Buner and disseminate perverse, defamatory and demoralizing posts/information through your facebook page on shaky and flimsy grounds, reprimanding, tongue-lashing and condemning official business of the Government, which issued your transfer order on disciplinary grounds after due process. This action of yours is contrary to the rules (21), (24), (25) and (34-A sub-rules (1)(2) of the Conduct Rules 1987.
2. That you are blackmailer and cunningly enumerate pseudo-faults (according to you) of the principal and DEO and put them on social media, in order to agitate and instigate teachers fraternity and general public against them as well as the High Ups, which is an utter violation of Conduct Rules 1987 and E&D Rules 2011.
3. That you have been transferred from GHS Dewana Baba to GHSS Totalai on disciplinary grounds vide DEO (M) Office Order No.6359-64 dated 16/12/2022 and have been relieved by the principal GHS dewana Baba, however, you have not taken over charge and are absent since then.
4. That you are guilty of continuously creating embarrassing situation for the Govt. as well as Elementary and Secondary Education Department by propagating falsification and misrepresentation of facts and figures. You fall back on/recourse to trifling sophistry and blackmailing on social media by spreading false, fallacious and spurious information just to defame and tarnish the image of certain officers. You, being Government servant, are neither allowed nor can you put such like information on social media under the rules, thenceforth, you have ceased to be efficient and are guilty of misconduct under Rule 3 (a) (b) defined in rules 2 (1) (i) (ii) (iii) (v) of the Khyber Pakhtunkhwa Servants (Efficiency and Discipline) Rules 2011, read with, Rules (21), (24), (25) and (34-A sub-rules (1)(2) of the Conduct Rules 1987.
5. That you stigmatize, malign and slag off the character of certain officers of this Department including the undersigned without any proof by posting unauthorized, baseless information through various posts on facebook.

2. In terms of Rule-5(b) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, a formal inquiry was conducted against you vide this office Notification No.8260-62 dated 16/1/2023. The Inquiry Officer, after conducting a comprehensive inquiry, submitted report, wherein, you were found to be guilty of the above mentioned allegations and has recommended your removal from service under Rule-4 of the rules *ibid*.

3. By reasons of the above, you appear to be guilty of absence, inefficiency and misconduct under Rules 3 (a), (b) & (d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, read with rules (21), (24), (25) and (34-A sub-rules (1)(2) of the Conduct Rules 1987 and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Rules *ibid*.

4. As a result thereof, I, as the Competent Authority, have tentatively decided to proceed against you under the above mentioned rules. You are, therefore, required to show cause as to why major penalty of "Removal from service" specified in Rule 4 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, 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 its delivery, it shall be presumed that you have no defense to put in and in that case *ex-parte* action will be taken against you under the above mentioned rules.

(DR. H. MOHAMMAD IBRAHIM)
DIRECTOR 24.2.2023
Directorate of Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar.

Mr. Jehan Zeb SDM (BPS-16)
Ex-GHS Dewana Baba, under-transfer to GHSS Totalai
District Buner.

(N)

(47)



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

No. 5142 /F.No. 07/Appeal/Complaint/Estab (M-1)
Dated Peshawar the 05-12-2022.

(16)

To

The District Education Officer
(Male) Buner.

Subject: **SHOW CAUSE NOTICE IN R/O MR. JEHAN ZEB SDM GHS DEWANA
BABA DISTRICT BUNER**

Memo,

I am directed to refer to your letter No. 5521 Dated: 05-11-2022 on the subject as cited above and to enclose herewith a Show Cause Notice in r/o Mr. Jehan Zeb SDM GHS Dewana Baba District Buner, with the direction to issue the said notice to the teacher concerned with intimation to this office please.

Jagjit Singh
Assistant Director-III (Estab-1)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst; No. _____

Copy forwarded for information to the:

1. District Education Officer (Male) Buner w/r to his letter No. & Date cited above.
2. Mr. Jehan Zeb SDM GHS Dewana Baba District Buner.
3. P.A, to Director Elementary & Secondary Education, Local Directorate, Peshawar.

Jagjit Singh
Assistant Director-III (Estab-1)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

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RELIEVING CERTIFICATE

Certified that Mr. Jehan Zeb^{SDM} GHS Dewana Baba has been transfer
to GHSS Totalai Distt Buner. Vide DEO Endst: NO 6359-64

dated ~~16/12~~ 16/12/2022

He is hereby relieved of his duties on 22/12/2022 After Noon

and directed to report at his new station immediately.

He has availed 25 days Casual Leave.

Jehan Zeb

[Signature]
22/12/2022
PRINCIPAL
GHS DEWANA BABA
DISTRICT BUNER

PRINCIPAL
GHS Dewana Baba
Distt; Buner

(P)

18

49

To
The Principal
GHS Dewana Baba
District Buner.


Subject:- Relieving after expiry of mandatory period of 30 days of transfer.

R.Sir,

With due respect it is stated that I have transferred from GHS Dewana Baba to GHSS Totalai by DEO. I received my official copy formally today by Mr. Ilyas Khan SST(G). Onward I have 30 days from to-day to appeal before going to service tribunal as per leave rules 1986 and service Tribunal Act 1974. (Copies attached).

No one can relieve me from the school before expiry of the mandatory 30 days period.

Hence it is requested that I may be relieved of my duty only after expiry of 30 days period from to-day not before. If the Director does not grant me stay in my appeal.

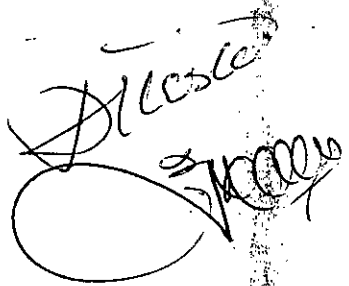
Anticipation 

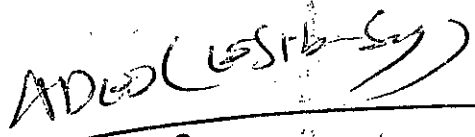
Jehanzeb SDM(BPS-16)

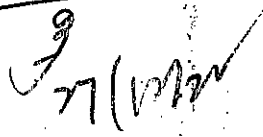
GHS Dewana Baba

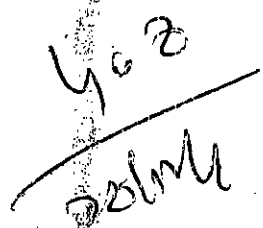
Date: 24-12-2022

Copy for information to the DEO(M) Buner.









BEFORE THE KHYBER PAKHTUN KHAWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.986/2023

JEHAN ZAIB KHAN

V/S

Appellant

1. District Education Officer Male District Buner & OTHERS

Respondents

AUTHORITY LETTER

Mr. Ubaid Ur Rahman, Superintendent BPS-17, Office of the District Education Officer Elementary & Secondary Education Buner is hereby authorized to submit Para Wise Comments on behalf of the undersigned in connection with service appeal No. 986/2023 in case titled JEHAN ZAIB KHAN Versus District Education Officer Male Buner and Others in the Honorable Court of Service Tribunal Peshawar Khyber Pakhtun Khawa.



**DISTRICT EDUCATION OFFICER
MALE DISTRICT BUNER**