

BEFORE THE CHAIRMAN SERVICE TRIBUNAL KHYBER
PAKHTUNKHUWA, PESHAWAR

Service Appeal No. _____/2021

Awais Khan (Driver) DEO Female Officer Abbottabad.

...APPELLANT

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

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...APPELLANT

Through

Dated: _____/2021


(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

**BEFORE THE CHAIRMAN SERVICE TRIBUNAL KHYBER
PAKHTUNKHUWA, PESHAWAR**

Service Appeal No. 3519 /2021

Khyber Pakhtunkhwa
Service Tribunal

Awais Khan (Driver) DEO Female Officer Abbottabad.

Diary No. 3502

Dated 11/3/2021
...APPELLANT

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Female) Abbottabad.

...RESPONDENTS

Filed to-day

Registrar

11/03/2021

SERVICE APPEAL UNDER SECTION 4 OF
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
ACT 1974 FOR DECLARATION TO THE EFFECT
THAT THE APPELLANT WAS REMOVED FROM
ON 12/10/2020. THE APPELLANT WAS SERVING
AS DRIVER WITH SDEO HAVELIAN. BUT
WITHOUT ANY SHOW CAUSE NOTICE,
STATEMENT OF ALLEGATION AND WITHOUT
PROVIDING OPPORTUNITY OF PERSONAL
HEARING HAS BEEN REMOVED FROM SERVICE
VIDE IMPUGNED REMOVAL FROM SERVICE

ORDER DATED 12/10/2020 WHICH IS VOID, AB-INITIO CORAM NON JUDICE, AGAINST THE SETTLED PRINCIPLE OF LAW ON THE SUBJECT HENCE, THE IMPUGNED REMOVAL FROM SERVICE ORDER IS LIABLE TO BE SET ASIDE.

PRAYER: ON ACCEPTANT OF THE INSTANT SERVICE APPEAL IMPUGNED REMOVAL FROM SERVICE ORDER DATED 12/10/2020 MAY GRACIOUSLY BE SET ASIDE AND RESPONDENTS MAY BE DIRECTED TO REINSTATE THE APPELLANT IN SERVICE WITH ALL SERVICE BACK BENEFITS. ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEM APPROPRIATE IN CIRCUMSTANCE OF CASE MAY ALSO BE GRANTED TO THE APPELLANT.

Respectfully Sheweth;-

That Facts forming the background of instant service appeal are arrayed as under;-

1. That the appellant was appointed as Driver on 03/08/2017 and was posted in the office of SDEO (Female) Havelian against the vacant post. Copy of

appointment order dated 03/08/2017 is attached as Annexure "A".

2. That the appellant took over the charge of the post in the office of SDEO (Female) Havelian District Abbottabad. Copy of charge report of the appellant is attached as Annexure "B".
3. That the respondent No. 3 posted the appellant from the office of the SDEO (Female) Havelian to SDEO (Female) Lora on 07/12/2019 but the order of transfer/ posting of the appellant was kept secret by respondent No. 3.
4. That the appellant lodged complaint against SDEO Female Havelian regarding misuse of Government vehicle as well as petrol collected from PSO Lady Gardan Abbottabad. Besides, the appellant also submitted that in case of misuse and damage of the vehicle, the appellant shall not be responsible. Copy of application duly endorsed is attached as Annexure "C".
5. That respondent No. 3 with out providing opportunity of personal hearing, show cause notice

and statement of allegation, removed the appellant from service vide impugned removal from service order dated 12/10/2020, received by the appellant on 16/10/2020. Copy of order is attached as Annexure "D".

6. That feeling aggrieved, the appellant filed Departmental appeal against the impugned removed from service order vide departmental appeal dated 20/11/2020, but reply of the departmental appeal is still awaited. Copy of departmental appeal is attached as Annexure "E". Hence, the service appeal of the appellant is filed inter alia on the following grounds.

GROUND:

- a) That the conduct of respondents Department towards the appellant is malafide, perverse, discriminatory and against the law.
- b) That the posting/ transfer order of the appellant from SDEO (Female) Havelian to SDEO Lora remained under key and lock and appellant was not aware about her posting from Havelian to Lora. That, the

appellant is being a made scape goat due to no fault in his part, the respondent No. 3 with the collusion of departmental officials without showing cause, explanation, proceeded, the appellant ex-parte which is against the law. That no one can be proved guilty without giving him opportunities of personal hearing, cross examining the opposite party Besides, as per article 10-A it is fundamental right of every citizen to have fair trial.

- c) That though the appellant was performing his duty during the period with effect from ~~4-12-2019~~ to ~~11-10-20~~ which has been shown as absent. The appellant was not paid salary for the services rendered by him towards the department.
- d) That respondents Department has the appellant to the place which is utterly unknown to the principals of jurisprudence, natural justice, fair play, as well as good governance.


- e) That the matter relates to the terms and conditions of service, and this Honourable Tribunal has jurisdiction to entertain appeal of appellant under article 212 of the constitution of Islamic Republic of Pakistan.
- f) That appeal of the appellant is titled within the period of limitation.

It is, therefore, humbly prayed that on acceptant of the instant service appeal impugned removal from service order dated 12/10/2020 may graciously be set aside and respondents may be directed to reinstate the appellant in service with all service back benefits. Any other relief which this Honourable tribunal deem appropriate in circumstance of case may also be granted to the appellant.


...APPELLANT

Through

Dated: _____/2021


(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

VERIFICATION:-

Verified on oath that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.


...APPELLANT

**BEFORE THE CHAIRMAN SERVICE TRIBUNAL KHYBER
PAKHTUNKHUWA, PESHAWAR**

Service Appeal No. _____/2021

Awais Khan (Driver) DEO Female Officer Abbottabad.

...APPELLANT

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Awais Khan (Driver) DEO Female Officer Abbottabad, do hereby solemnly affirm and declare that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.


DEPONENT

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD



No. ~~SP-68~~ /ED-III/ Apptt: Drivers
 Dated A. Abad the: 31/08/2017
 0992-342533, 0992-342314
 deofemale_abbottabad@yahoo.com

Annex-A
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Notification

Consequent upon the recommendation of District Selection Committee & under the provision of Sub rule (4) of rule 10 of the Khyber Pakhtunkhwa Civil servant (Appointment Promotion & Transfer) rules 1989. The following candidates are hereby appointed in BPS-06 @ Rs.(10620-560-27415) plus usual Allowances as admissible under the rules against Vacant post noted against each in the interest of Public Service with the following terms & Conditions w.e.f. the date of their taking over charge.

S.No	Name of Candidate	Father Name	Place of posting	Remarks
1	Awais Khan	Masood-Ur-Rehman	SDEO (F) Havelian	A.V Post
2	Ahmed Iqbal	Muhammad Iqbal	DY:DEO (F) ATD	A.V Post

TERMS & CONDITIONS

- Their services will be considered as regular and they will be entitled to contribute towards GPF instead of CPF with reference to Govt. of Khyber Pakhtunkhwa Finance Department Notification No. SOSR-III/FD/12-1/2005 Dated 27-2-2013.
- Their services are liable to termination on one month's notice from either side. In case of resignation without notice their one month pay/allowances shall be forfeited to the Government.
- The appointees should join their posts within 30 days of the issuance of this notification. In case of failure to join their posts the appointment will expire automatically and no subsequent appeal etc shall be entertained.
- They will be on probation for a period of one year extendable for another one year in case their performance found satisfactory.
- They will be governing by such rules and regulation as may be issued from time to time by the Government.
- The services of appointee can be terminated at any time in case their performance is found unsatisfactory during probationary period. In case of misconduct, they will be proceeded under the rules framed by the Government of Khyber Pakhtunkhwa time to time and will be terminated without issuing any notice.
- Charge report should be submitted to all concerned.
- The DDO concerned would furnish a certificate to the effect that the candidate has joined the post within the prescribed period i.e. 30 Days.
- The candidate concerned will provide age and Health Certificate from the Medical Superintendent DIIQ Abbottabad.
- The age limit for appointment of Drivers is 18 to 32 years the DDO/HM concerned is directed that he will not handed over charge of the post if their age limit is less than 18 years or above 32 years.
- No TA/DA is allowed to her for joining duty.

District Education Officer
 (Female) Abbottabad

Ends of Even No. & Date

Copy for information to the:-

- Director Elementary & Secondary Education, KPK Peshawar.
- Deputy Commissioner, Abbottabad.
- District Police Officer Abbottabad.
- SDEO (F) Primary Havelian.
- ADO Establishment (Sec) Abbottabad.
- Officials concerned.
- Office File.

District Education Officer
 (Female) Abbottabad


Muhammad J. Arshad Khan Tanoli
 Advocate High Court
 Office No 33 Adjacent to
 Court 3, Abbottabad

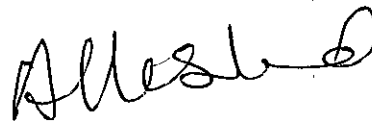
Annex - B

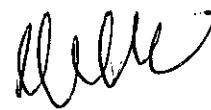
Relieving Chit

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Certified that Mr. Awaiz Khan (Driver) of SDEO (Female) Havelian is hereby relieved from his duty today on 03-12-2019 due to Miss Behavior with Mst. Nageena Bibi SDEO (Female) Tehsil Havelian and his duties are on disposal of DEO (F) Abbottabad.


Sub Divisional Education Officer (F)
Havelian





Muhammad Arshad Khan Tanchi
Advocate High Court
Office No. 33 Adjacent to
Distt Bar Abbottabad

مختصر خطاب DEO صاحبہ فی میں محکمہ تعلیم ایف ایف آباد
درخواست براد خان ڈیوٹی کی حالت اور مکمل اکوٹری کی حالت
ایس ڈی خان ڈیوٹی بنام (D.D.O) ٹیفنہ بی بی

P-10



جناب عالی،
درخواست درج ذیل ہے
DEO (P) It
Forwarded
Propose implementation
and take necessary
action
the defaulter
in the
of Govt

MUSHTAQ AHMED GHANI
Speaker Provincial Assembly
Khyber Pakhtunkhwa

17/11/2019

پروگرام میں ایس ڈی خان ڈیوٹی کی حالت اور مکمل اکوٹری کی حالت
کہ من سائل محکمہ تعلیم میں ایس ڈی خان ڈیوٹی کی حالت اور مکمل اکوٹری کی حالت
پروگرام (D.D.O) سماء ٹیفنہ بی بی کو اس وقت عہدہ کی تفصیلات
کے پاس کوئی لائسنس ہے۔ اور نہ گاڑی چلا سکتی ہے۔ اور نہ ہی اس
کے پاس کوئی لائسنس ہے۔ اور نہ ہی اس کو گاڑی چلا سکتی ہے۔
جائے تو اس کی تمام تر ذمہ داری (D.D.O) ٹیفنہ بی بی کے پاس ہے۔
پروگرام (D.D.O) پبلک گاڑی کی حالت اور مکمل اکوٹری کی حالت
بھرتے تھے۔ جس کے بقایا حالت باقی ہیں۔ اور
رقم (D.D.O) ایف ایف آباد کی ذمہ داری ٹیفنہ بی بی نے اٹھا رکھی ہے۔
گاڑی مذکورہ گاڑی کی حالت اور مکمل اکوٹری کی حالت
میں۔ پروگرام میں سائل کو ریگولر چھت دے کر ایف ایف آباد (D.D.O)
انسی زمانہ بھیج دیا۔ مہرہ سر میں بک میڈیم ٹیفنہ بی بی کے انسی
میں ہے۔ پروگرام میں سائل کی حالت اور مکمل اکوٹری کی حالت ایف ایف آباد
کا بھرتی ہے۔ اور ایف ایف آباد (D.D.O) انسی (D.D.O)
کے ساتھ ڈیوٹی رہا ہے۔ جناب کی عین نرازشی ہوگی۔

Handwritten notes and signatures on the right side of the page, including a signature that appears to be 'Muhammad Arshad Khan Tanoli'.

131015-690175-9
لاہور، 12/11/2019

ایس ڈی خان ڈیوٹی ایف ایف آباد
DEO انسی ایف ایف آباد
03121597382

Handwritten signature of Muhammad Arshad Khan Tanoli.

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No. 33 Adjacent to
Distt Bar Association

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD



No. 2290-96/

Dated: 12/10/2020

0992-342533, 0992-342314

Deofemale_abbottabad@gmail.com

Annex-D

Notification:-

Mr. Awais Khan Driver SDEO (F) Lora was proceeded under the Khyber Pakhtunkhwa Govt. Servant (Efficiency and disciplinary Rules 2011) on charges of misconduct and wilful absenteeism from duty w.e.f 04-12-2019.

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- **AND WHEREAS:** SDEO (F) Havelian has reported about your misconduct, inefficiency and insubordination at work vide letter No: 1523 dated: 12-02-2019,
- **AND WHEREAS:** you were transferred to SDEO (F) Lora vide Endst No. 10152-56/EB-VI Adj./Ministerial staff dated: 07-12-2019.
- **AND WHEREAS:** SDEO (F) Lora reported vide No: 575/ET-05/Drivers dated: 18-12-2019, regarding non-compliance of transfer order.
- **AND WHEREAS:** show cause notice was served upon Mr. Awais Khan, Driver SDEO (F) Lora at his home address vide this office No. 685 dated: 31-01-2020.
- **AND WHEREAS:** Fact finding inquiry conducted under No 953 dated 12-02-2020, and inquiry officer Mst: Ayesha Naz SDEO (F) Lower Tanawal has confirmed the allegations leveled against you.
- **AND WHEREAS:** Mr. Munir Ahmed, Principal Govt. Model High School Havelian and Mr. Rashid S/C GGHSS Malik Pura Abbottabad were appointed as inquiry officer vide this office notification No. 1906-14 dated: 17-03-2020, along statements of allegations, you failed to appear before the committee.
- **AND WHEREAS:** show cause notice served vide No: 2964-68 dated: 23-06-2020, at his home address.
- **AND WHEREAS:** you did not submit reply to the show cause notice and Absent Notice in the two Newspapers was published Vide No: 5077 dated 04-08-2020 on 8th August 2020, and you failed to respond and report to this office.
- **AND WHEREAS:** after going through the material on record, the reports of inquiry officers and your no reply to the show cause and absent notice, the Competent Authority has come to the conclusion that charges against you have been proved.

NOW THEREFORE, in exercise of powers conferred under the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary rule 2011), rule 4 (b) the Competent Authority is pleased to impose the "Major Penalty" of "REMOVAL FROM SERVICE" upon Mr. Awais Khan Driver SDEO (F) Lora upon the above mentioned Rules with immediate effect in the best interest of public service, and intervening period is hereby treated as unauthorized absence.

District Education Officer (Female)
Abbottabad.

12/10/2020

جس کا متعلقہ نوٹس 26/10/20
26/10/20

Attested

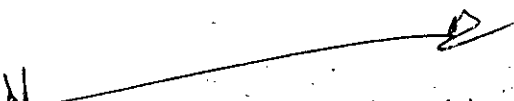
Muhammad Arshad Khan Tanoli
Advocate High Court
Office No: 33 Adjacent to
Distt. Cor. Abbottabad

Endst No: 7290-96 Dated: 12/10/2020

Copy to:

1. Director (E&SE) Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Abbottabad.
3. District Monitoring Officer Abbottabad.
4. District Account Office Abbottabad.
5. SDEO (F) Lora/Havelian, with the direction to make entry in S/Book, and if any recovery do it with intimation to undersigned.
6. Official concerned.
7. Office File.

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District Education Officer (Female)
Abbottabad.

Attested



Muhammad Iqbal Khan Tanoli
Advocate High Court
Office No. 33 Adjacent to
Abbottabad

فیصل آباد - ڈائریکٹر، ایجوکیشن، فیصل آباد
محکمہ تعلیم

Annex - E

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محکمہ تعلیم، فیصل آباد

13

ذیل کے ناموں کے حامل طلبہ

1. محمد اسحاق
2. محمد اسحاق
3. محمد اسحاق
4. محمد اسحاق
5. محمد اسحاق

Attested
[Signature]

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No. 33 Adjacent to
Dist. Bar Association

ذیل کے ناموں کے حامل طلبہ (SDEE F) میں چارٹرز کا لینے

دینے پر تیار ہیں۔ ان کے ناموں کے ساتھ ساتھ
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سید صاحب کو الفاضل ہے اور میں نے اس کو

P-14

دستور کے تحت کوئی نوکری نہیں ہے۔

اور جاری کردہ لیسٹ نمبر 96-7290

12/10/20 کو منظور فرمایا گیا ہے

۱۲ نومبر ۲۰۲۰

دوسری ڈرائنگ روم کے لئے

Muhammed
Arshad

Muhammed Arshad Khan Tanoli
Advocate High Court
Office No. 23 Adjacent to
Dist. Jail Abbottabad

S.No. 3471

Name of Advocate _____

DBA NO. _____

BC No. [] [] [] [] [] [] [] [] [] []



R.s.100/=

وکالت نامہ
Sd/- Amir Maqsood
Finance Secretary
District Bar Association
Abbottabad

A

بعدالت _____

عنوان: _____ نام: _____

مخانب: _____ نوعیت مقدمہ: _____

باعث تحریر آنکہ _____

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے بیرونی و جوائنٹی برائے پیشی یا تفتیہ مقدمہ بمقام _____ کے لیے

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ وکیل خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے
جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ
سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف ایسے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے
علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل یا بیرونی کر سنے کے ذمہ دار نہ ہوں گے اور مقدمہ پکھری کے علاوہ کسی اور جگہ
سماعت ہونے پر یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے
کسی معاوضہ کے ادا کرنے یا جمانے کے ذمہ دار نہ ہوں گے۔ جج کو کل ساختہ پر داخلہ صاحب موصوف
مثلاً کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراء کے آگے یا نظر ثانی اپیل مگرانی و ہر قسم
درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری مگرانی اور ہر قسم کارروائی وصول کرنے اور رسید دینے اور داخل کرنے
اور ہر قسم کے بیان دینے اور اس پر ثانی ذرا سی نامہ فیصلہ بر حلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات
از پکھری صدر اپیل و برآمدگی مقدمہ یا بیرونی کی طرف درخواست حکم انتہائی یا ترقی یا مگرانی میں از گرفتاری و اجراء ڈگری بھی صاحب
موصوف کو بشرط ادا سنگی علیحدہ محتاج بیرونی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے
کسی جزوی کارروائی کے یا بصورت اجراء اپیل کسی دوسرے وکیل کو اپنے ججانے کا اپنے ہر اہل حق کو میں اور ایسے وکیل کو بھی ہر امر میں
وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف
کاحق ہوگا۔ اگر وکیل صاحب موصوف کو پوری میں تاریخ پیشی سے پہلے آواز نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ
کی بیرونی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔
مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور حطور ہے۔ دن / ماہ / سال

نوٹ: وکالت نامہ کی فوٹو کاپی قابل قبول نہ ہوگی

Acceptance
Muhammad Arshad Ichay
Tanali Adv HC Abbottabad

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

SERVICE APPEAL NO 3519 /20121

MR AWAIS KHAN APPELLANT

VS

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

**SCANNED
KPST
Peshawar.**

INDEX

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Respondents

Dated _____



Through Representative

(P)

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

SERVICE APPEAL NO 3519 /20121

MR AWAIS KHAN..... APPELLANT

VS

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

Para wise comments on behalf of the Respondents No 1 to 3.

Respectfully Sheweth:

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

PRELIMINARY OBJECTIONS.

1. That the appellant has no locus standi/cause of action to file service appeal.
2. That the service appeal is not maintainable in its present form.
3. That the appellant has not approach this Honorable Tribunal with clean hands.
4. That the appellant suppressed the original facts from this Honorable tribunal and not entitled for any relief and service appeal is liable to be dismissed.
5. That the service appeal is hopelessly time barred.
6. That the service appeal is bad for mis-joinder non -joinder of the necessary and proper parties.
7. That the appellant is stopped to agitate the instant matter before this Honorable Tribunal.
8. That the act of the respondent is in accordance with law and rules the order dated 12-10-2020 issued after fulfillment of the codal formalities, hence appeal is liable to be dismissed.

FACTUAL OBJECTION

2

1. Para No.1 of the service appeal is correct to the extent that the appellant was appointed in accordance with rules and law.
2. Para No.2 service appeal is correct that after the appointment appellant took charge as Driver in the office of SDEO (Hevalain) Abbottabad and perform his duties with Concern SDEO (Female) Havelain, but after the transfer of SDEO (Female) Havelian, Mst Yasmeen Aziz, the attitude of the appellant in taking interest/charge in the office of the new SDEO in the office of SDEO (Female) Havelian was very inappropriate, appellant created various difficulties. Neither complied with the new SDEO's order nor cooperated with the office in other matters. Proof of this is the order book from the SDEO order which the appellant did not comply. The SDEO wrote a letter against appellant, hence he was suspended but later on the appellant have given affidavit, and was re-instated on his services. (Photocopy of SDEO (F) Havelain letter and order Book, charge reports, reporst are annexed as Annexure "A" & "B" respectively).
3. The reply of Para No.3 of service appeal is that the appellant was transferred from office of the SDEO (Female) Tehsil Havelian to SDEO (Female) Tehsil Lora District Abbottabad due to his anger and bad behavior of which the appellant was well aware as he deliberately did not take charge at the said station. The appellant falsely stated that the order was kept secret from him only to protect himself. Appellant is not entitled for any relief. It is worth to mention that the SDEO (Female) Havelain proposed suspension of the appellant vide letter No. 834-38 dated 04-05-2019 on the improper conduct and disobedience. Later on Office of DEO (Female) Abbottabad Suspended the Appellant on SDEO (Female) Havelian Complaint vide letter No.3813-15 dated 04-05-2019. During this time, appellant submitted affidavit regarding his duties that he will perform his duty regularly and honestly. Thus the appellant was re-instated vide letter NO. 5500-4 dated 24-06-2019. (Photocopy of SDEO (F) Havelain suspension letter and the DEO (Female) Abbottabd suspension order, affidavit and the re-instatement order are annexed as Annexure "C" & "D" "E" "F" respectively).
4. Reply of Para 4 of the appeal is that concern SDEO (Female) Havelain reported vide letter No 1476 dated 03-12-2019, about the misbehavior misconduct, inefficiency and insubordination at work against the appellant.. Appellant was verbally warned to correct his behavior, in retaliation but he filed application against the SDEO (Female) Havelian Abbottabad. The SDEO Havelian requested the SHO Havelian to take action against the appellant in accordance with the prevailing law due to the inappropriate behavior and threats of the appellant. Moreover, Manshi Khan Chowkidar Government Girls Primary School Havelian Station has also filed an application against the appellant. The appellant's application against the SDEO (Female) Havelain is merely to defend himself. (Photocopy of SDEO (F) Havelain report, application and application of the Munshi khan are annexed as Annexure "G" "H", "I" respectively)
5. Para No 5 of the appeal is incorrect. It is submitted that the transfer order of the appellant No. 10152-56 dated 07-12-2019 from SDEO (Female) Havelian to SDEO (Female) Lora Abbottabad has been issued. The appellant was well aware of the transfer order but

3

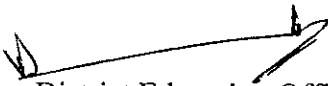
appellant disobeyed the order and did not take charge in SDEO Lora. The explanation was called vide letter NO. 592 dated 27-01-2020, but appellant did not response. The SDEO (Female) Lora Abbottabad sent absent report vide letter No. 796 dated 18-05-2020 regarding appellant non-compliance of transfer order. That on the report of the SDEO (Female) Lora show cause Notice No. 2964-68 dated 23-06-2020 served on appellant home address, and telephonic calls and message on his cell were made, but appellant did not give any response. The notice of absent dated 09-08-2020 also issued. (Photocopy of explanation order, report of SDEO(F) Lora and the copy of show cause Notice, photocopy of mobile calls and message and absent notice are annexed as Annexure "J", "K", "L" & "M" respectively)

6. Para No 6 of the appeal is incorrect. Appellant is not aggrieved person. It is worth to mentioned that the fact and finding inquiry was conducted vide letter NO 953 dated 12-02-2020 by Mst Ayesha Nas SDEO (Female) Lower Tanawal, and allegations leveled against appellant were proved. The regular inquiry was conducted vide letter No. 1906-14 dated 17-03-2020 but the appellant failed to appeared before the inquiry committee. Another show cause notice served on appellant home address vide No. 2964-68 dated 23-06-2020. But appellant neither appears nor submit his reply. Show cause Notice and absent Notice in two newspapers was published vide No. 5077 dated 04-08-2020 and 8th August 2020. After fulfilling all the legal requirements, the dismissal order of the appellant was issued. (Photocopy of fact and finding inquiry, regular inquiry are annexed as Annexure "N", "O", "P" respectively)

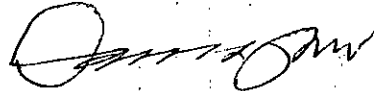
REPLY ON GROUNDS:

- a) Ground "a" of the appeal is incorrect. The conduct of answering respondents is in accordance with rules and law.
- b) Para "b" of the ground is incorrect. The appellant was aware of all the circumstances but did not deliberately take charge on his transfer. The department has done all the proceeding in accordance with the law. The appellant is giving this excuse to save himself. However, the department issued show cause notices to the appellant on his home address in accordance with the law which the appellant deliberately did not receive. The appellant is not entitled for any relief. Hence, the instant appeal of the appellant may be dismissed.
- c) Para "c" of the ground is incorrect. Appellant was treated in accordance with law and rules. Appellant remain absent w.e.f 04-12-2019 to 11-10-2020, hence not entitled for any relief.
- d) Para "d" of the ground is incorrect. As replied above.
- e) Para "e" of the ground is legal. However proper preliminary objections have been raised.
- f) Para "f" of the ground is that the appeal is timely barred 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.


District Education Officer
(Female) Abbottabad.


(Respondent No 3)


Director E & SE
Peshawar.

(Respondent No 2)

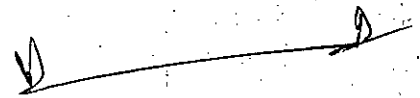

Secretary E & SE
Khyber Pakhtunkhwa,
Peshawar.

(Respondent No 1)


Through Representative

AFFIDAVIT

Stated on oath that the contents of instant Para wise comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.


Respondent No 3

45
ORDER BOOK

(9)

Sl. No.	Order No.	ORDERS	Remarks
(1)	S-1	S-1 rail sheds	
(2)	A-1	A-1 S-1 KHAN	
		<p>DEO (P) 1st Div Haripur جاری ہوئی Jagee SDEO (P) Tehsil Haripur 23/10/2019</p>	
		<p>سید علی احمد ڈی ایچ ڈی بلڈنگ فورٹ فرانسس SDEO (P) Tehsil Haripur 23/2/19</p>	<p>noted please 23/2/19</p>

ORDER BOOK

Date	Order No.	ORDERS	Remarks
		<p>اور تمام فلائس فوراً اس میں موجود ہیں ڈرائیو "مارٹی" کو ٹریسنگ پارکنگ (ایوب سول) میں گھڑی کر کے اور ڈرائیو کو برائے کیا جاتی ہے کہ "مارٹی" کے تمام لوازمات کو اپنے پاس رکھ کر اس میں آرڈر کے علاوہ "مارٹی" کو کہیں نہ رکھا جائے تاکہ اس میں کے لوگوں کو براہ راست نہ کہ تاکہ بالکل پر عمل کریں لیوریٹی قانونی کارروائی عمل میں آئی جائے</p>	
	1-	Abdul Hameed	<p>Please 25/2/19</p>
	2)	Jalaid	<p>25/2/19</p>
	3)	Hameed	
	4)	Shafique	
	5)	Abrar	

ORDER BOOK

Dated: 2

2-2019

(11)

Order No.	ORDERS	Remarks
	Tehsil (DECC) Havelian	
	Official Corresponding	
	Officers	
	Wade distribution	
	Details	
	Matters	
	Specimen	
	Follow	

Da

DECC

Tehsil Havelian

Annex - B

8



Office of the
District Accounts Officer
Abbottabad

20

No. ADMN/DAO/ATD: SS-56

dated: 22-04-19

To:

The District Education Officer (Female)
Abbottabad

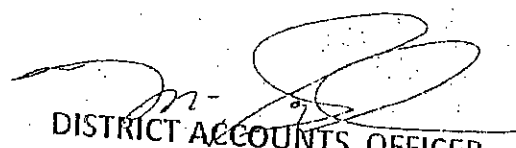
Subject: CHARGE OF SDEO(F) OFFICE TEHSIL HAVELIAN

Memo:

Please refer to your letter No. 3186 dated 19.04.2019 on the subject captioned above.

In this context it is to apprise you that the honorable Service Tribunal has already suspended the operation of impugned order and as such status-quo stands restored.


It would not be impertinent to mention that Section Officer (Lit-II) has endorsed the retention of the appellant vide letter No. SO(Lit-II)E&SE/1-3/2012 dated 09.04.2019 and as such your letter referred above does not confer any right or privilege in the current scenario ipso facto.


DISTRICT ACCOUNTS OFFICER
ABBOTTABAD

Endst: No. SS-56 Dated Abbottabad the 22/04/2019

Copy forwarded to the :-

1. Registrar Honourable Service Tribunal KPK Peshawar with the solicitation that the verdict of honourable Tribunal has been followed by this office in letter and spirit wherein the DEO(F) Abbottabad is trying to divert the honourable court version.


DISTRICT ACCOUNTS OFFICER
ABBOTTABAD



OFFICE OF THE
DISTRICT EDUCATION OFFICER (FEMALE)
Abbottabad

No. _____ dated ___/04/2019

To

District Account Officer,
District Abbottabad.

Subject:- Charge of SDEO (F) Office Tehsil Havelian

Memo,

Reference letter No. DAO/Atd/PR II/49-54 dated 18-04-2019 received from your office and in continuation of 3158-59 dated 18-04-2019 on the subject cited above, it is hereby informed that as Mst. Nageena Bibi SDEO(F) is the drawing and disbursing officer of the said office vide Notification No. SO(SM)E&SED/3-2/2018/Promotion of ASDEOs (BS-16) to SDEOs (BS-17) dated February 21, 2019 issued by Secretary of Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar. So, all official corresponding regarding 'account matters' shall be made by herself and then counter signing of the undersigned being competent authority is necessary.

2. Reference appeal No. 402/2019, before service tribunal Peshawar in r/o Yasmin Aziz (Teaching Cadre) HM, GGHS Khanas Pur, Ayubia, hearing date 22-05-2019 before Service Branch at camp court Abbottabad.

3. It is also further added that including of all the above, no other corresponding will be made in this regard, otherwise you will held be responsible.

Report is submitted for information and implementation please.

District Education Officer (F)
Abbottabad

Dated Abbottabad the 19/04/2019

Endst: No. 3187-32
Copy to the:-

1. The Director E&SE KPK Peshawar.
2. Accountant General, KPK, Peshawar.
3. Deputy Commissioner Abbottabad.
4. P.S to Secretary E&SE KPK Peshawar.
5. Office File.

District Education Officer
(Female) Abbottabad

19/4/19



Annex

OFFICE OF THE
SUB DIVISION EDUCATION OFFICER (FEMALE)
HAVELIAN

No. _____ dated ___/05/2019

To

District Education Officer (F)
District Abbottabad.

Subject:- SUSPENSION

Memo,

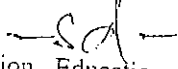
It is hereby submitted that I, Mst. Nageena Bibi, SDEO(F), Tehsil Havelian took over charge on 22-02-2019 but Mr. Awais Khan, Driver, SDEO(F) office, Tehsil Havelian does not obey any order of the undersigned as mentioned in Office order book (copy attached as Annex A, B) till date.

Moreover, Govt vehicle of SDEO(F) Office, Havelian is also in his custody and he used it for Yasmin Aziz, HM, GGHS Khanas pur, Ayubia, which is illegal and it also shows the following acts / omissions under the rule 3 of the said rules:-

- i) Guilty of willful absenteeism
- ii) Guilty of Misconduct.

3. So, he may be suspended till further proceedings under Efficiency and Disciplinary rules 2011.

Report is submitted for information and necessary action please.

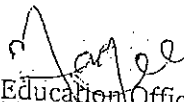

Sub division Education Officer (F)
Havelian

Endst: No. 834-38

Copy to the:-

1. The Director E&SE KPK Peshawar.
2. P.S to Secretary E&SE KPK Peshawar.
3. Official Concerend.
4. Office File. ✓

Dated Havelian the 04/05/2019


Sub division Education Officer (F)
Havelian

40 Ameru D

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OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD



No. 3813-15 / EB-III/Suspension

Dated: 4/5/2019

0992-342533, 0992-342314

Deofemale.abbottabad@gmail.com

SUSPENSION

As complaint submitted by the Sub Divisional Education Officer (F) Havelian vide letter No.833 dated 04-05-2019 Mr Awais Khan Driver O/O Sub Divisional Education Officer (F) Havelian is hereby placed under suspension for the period of 90 days under the rule with effect from the date i.e 04.05.2019 till further order regarding disobedience of order of SDEO.

Mst: Lubna Tabassum Principal BPS-19 GGHSS Havelian Abbottabad is nominated as enquiry officer and directed to conduct enquiry and submit concrete report with fact finding/ recommendation within 14 days positively to proceed further in the matter"

- Note:
1. Necessary entry to this effect should be made in his service book.
 2. Subsistence allowance is hereby allowed as admissible to him under the rules during-suspension period.

Sd/xxxxx
DISTRICT EDUCATION OFFICER (F)
ABBOTTABAD

Endst: No. Even No & Date

Copy forwarded to the:-

1. District Comptroller of Accounts Abbottabad
2. Sub Divisional Education Officer (Female) Havelian Abbottabad with the remarks to initiate Departmental proceedings against the accused officials and submit report to this office within three days positively.
3. Officials concerned

DISTRICT EDUCATION OFFICER (F)
ABBOTTABA

04/5/19

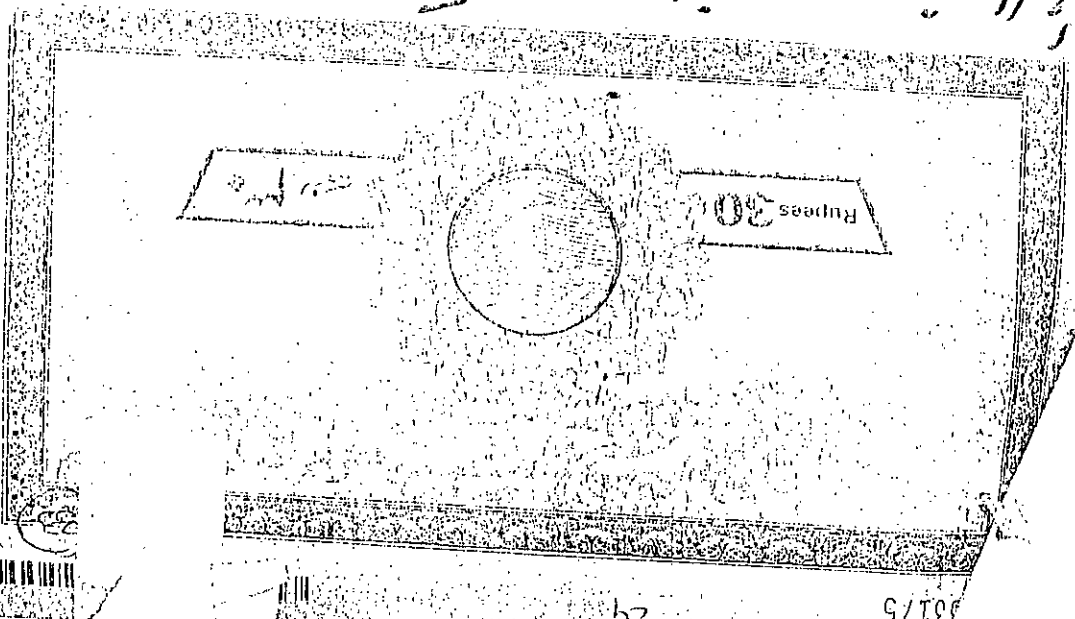


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13101-5698173-9
2019
3115

Main body of handwritten text in Hindi script, likely a certificate or report, written in a cursive style.

Printed vertical text on the left margin: "Printed 04-05-2019"



29

53175

27



OFFICE OF THE DISTRICT EDUCATION

OFFICER (FEMALE) ABBOTTABAD

PH/F No. 0992-342533 FAX: 0992-342314

Email deofemale_abbottabad@yahoo.com

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RE INSTATEMENT ORDER

Consequent upon the Inquiry report conducted by the Lubna Tabassam Principal GGHS Havelian that Mr Awais Driver Sub Divisional Education Officer (F) Havelian was suspended from service w.e.f 04-05-2019 vide DEO(F) Abbottabad vide No.3813-15/EB III/Suspension dated 04.05.2019 is hereby reinstated from service from the date of their suspension i.e 04-05.2019.

Terms & Conditions

1. He is warned to be careful in future.
2. He submits a judicial stamp papers.
3. Necessary entries to this effect should be made in his service Book.

Endst: No. 5500-4 /EB-III Suspension/Re in-statement

District Education Officer
(Female) Abbottabad

Dated the 24/6 /2019

Copy for information to the:

1. District Accounts Officer Abbottabad
2. Budget & Accounts Officer Local office.
3. Sub Divisional Education Officer (F) Havelian.
4. Official concerned.
5. Office file.

District Education Officer
(Female) Abbottabad

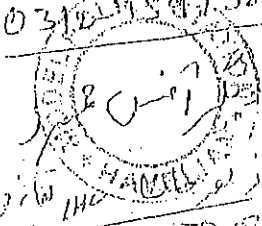
24/6/19

No 1066 Dated 04/11/19 PS-HWN

خدمت جناب SHO سہیل - حقانہ جوڈیسیاں شیپ - تحصیل جوڈیسیاں
مقامی مضمون - کارروائی بر خلاف اولیس خان (Ex. Driver) SDEO (P) Office
HWN

- 1- جناب عالی گذارشیہ میں ٹکینہ بی بی - SDEO (P) جوڈیسیاں آبلو سٹر اولیس خان Ex. Driver کے بارے میں بتانا چاہیوں گی۔
- 2- یہ کہ اولیس خان کو (SDEO (P) آفس میں بطور ڈریسٹروار 01/09/2017
- تعمینات کیا گیا۔
- 3- یہ کہ conduct میں سے اس کو 4/05/2019 سے سوپنڈ کیا گیا۔
- 4- دوبارہ اس کو 24/6/2019 کو reinstated کیا گیا۔
- 5- یہ کہ ہم ایک نفسیاتی سرٹیفکیٹ سے جو کہ ڈرائیونگ کے قابل نہیں
- 6- یہ کہ اس کی جیب میں یہ وقت لیسنٹل بونکے اور آفس کے
- سب لوگوں کو دکھایا گیا ہے کہ گولیاں ماروں گا۔
- 7- اب میری گاڑی کو منشی خان - جو کینڈار - گورنمنٹ لٹریچر ایڈیٹری سکول چھپڑی چلا رہا ہے۔ کل شام اولیس نے اس کو اور
- میں سمیت تمام لوگوں کا کیا ہے کہ سب کو گولیوں سے
- میتوں ڈالوں گا۔ (کاپی لف پیے)

آپ سے درخواست ہے کہ اولیس خان ولدینت مقصود الرحمان محلہ آرزو باغ - لنڈ روڈ - ایٹ آباد - فون نمبر 0341-2119597-382



آپ کے خلاف قانونی کارروائی کی جائے گی۔ کیونکہ میں نے سمیت کو جان کا خطرہ لاحق ہے۔

0334-8972072 Nazreena Bibi
SDEO (P) Hamirpur
0332-8902256
dated: 11/12/2019

No 1513 Dated 11/12/2019

مختص اور شہدائے ہمدرد کے لئے ایک کمیٹی تشکیل دی جائے۔
درخواست گزار کے لئے ایک کمیٹی تشکیل دی جائے۔
درخواست گزار کے لئے ایک کمیٹی تشکیل دی جائے۔

115

سید مہتاب علی

درخواست گزار کے لئے ایک کمیٹی تشکیل دی جائے۔
درخواست گزار کے لئے ایک کمیٹی تشکیل دی جائے۔
درخواست گزار کے لئے ایک کمیٹی تشکیل دی جائے۔

7173
1102119

MUSTAFA AHMED KHAN
Speaker Provincial Assembly
Khyber Pakhtunkhwa

درخواست گزار کے لئے ایک کمیٹی تشکیل دی جائے۔
درخواست گزار کے لئے ایک کمیٹی تشکیل دی جائے۔
درخواست گزار کے لئے ایک کمیٹی تشکیل دی جائے۔

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131015-598175-9
2017

ایسی خان ڈراما سٹیج
D&S ڈراما سٹیج

بھارتی مہاجرین کے لیے رہنمائی فراہم کرنے والے اداروں کے بارے میں (معلومات)

۱۱۲

مہاجرین

مہاجرین کے بارے میں معلومات فراہم کرنے والے اداروں کے بارے میں (معلومات)

مہاجرین کے بارے میں معلومات فراہم کرنے والے اداروں کے بارے میں (معلومات)

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مہاجرین کے بارے میں معلومات فراہم کرنے والے اداروں کے بارے میں (معلومات)

To 8440 Hamilton

مہاجرین کے بارے میں معلومات فراہم کرنے والے اداروں کے بارے میں (معلومات)

مہاجرین کے بارے میں معلومات فراہم کرنے والے اداروں کے بارے میں (معلومات)

Forwarded to SHO for action

PI 5

11/12/19

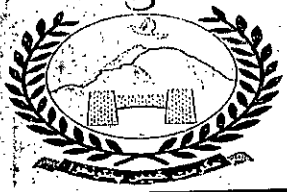


11/12/2019

OFFICE OF THE DISTRICT EDUCATION OFFICER

ABBOTTABAD

17



No. 685 / Show Cause

Dated: 31/1/2020



0992-342533, 0992-342314



Deofemale_abbottabad@gmail.com

SHOW CAUSE NOTICE

I, Rehana Yasmin, District Education Officer (Female) Abbottabad being competent authority under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline Rule 2011) do hereby serve upon you **Mr. Awais Khan (Driver), Tehsil Lora**, Show Cause Notice as follows.

- **Whereas**, as per your job description you have to drive alongwith officer concerned and obey orders but you failed to do so.
- **Whereas**, the SDEO concerned lodged complaint against your misconduct.
- **Whereas**, you have been transferred sub Division Lora but you remained wilfully absent from duty which is negligence on you part.

In exercise of Power conferred upon me government servants (Efficiency & Discipline Rule 2011), I, as a Competent Authority served upon you with the Instant Show Cause Notice with the direction to submit reply within 07 days of the issuance of this notice as to why the major/minor penalties of said rules should not be imposed upon you and also intimate whether you desired to be heard in person.

In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defence to offer and Ex-Parte decision will be taken against you under the E&D rules ibid.

Endst No: 685 dated: 31/1/2020.

Copy of the above is forwarded to:

- The Director, E & SE KP, Peshawar.
- Office File.

*District Education Officer
(Female) Abbottabad*

*District Education Officer
(Female) Abbottabad*

22

Annexure K

183



OFFICE OF THE SUB: DIVISIONAL EDUCATION OFFICER (FEMALE)
TEHSIL LORA, DISTRICT ABBOTTABAD.

Email: sdeoflora@gmail.com

No: 796 /ET-05/Drivers.

Dated: 18/05/2020.

To

6 District Education Officer
(Female) Abbottabad.

Subject: **NON-COMPLIANCE OF ENDST: NO.10152-56/EB-IV ADJ./MINSTERIAL STAFF**
DATED 07-12-20219.

Memo:

Please refer to the subject cited above it is submitted that you have already been informed vide this office office No.575/ET-05/Drivers dated 18-12-2019. It is again communicated that, Mr.Awais Khan, Driver failed to comply the order till date.
Hence, report is submitted for further necessary action please.

Handwritten signature and date: 18/05/2020

SUB: DIVISIONAL EDUCATION OFFICER (F)
LORA DISTRICT ABBOTTABAD.

Endst: No. _____/

dated _____/2020

Copy of the above is submitted to Mr.Munir Ahmed, Principal/Enquiry Officer Govt: Model High School Havelian for information please.

sd/ _____

SUB: DIVISIONAL EDUCATION OFFICER (F)
LORA DISTRICT ABBOTTABAD.

Ammer L

19

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD



No. _____/

Dated: _____/2020

0992-342533, 0992-342314

Deofemale_abbottabad@gmail.com

Show-Cause Notice

I, Mst. Rehana Yaseem, District Education Officer (Female) Abbottabad being competent authority under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline Rule 2011) do hereby serve upon you **Mr. Awais Khan (Driver) Tehsil Lora**, Show-Cause Notice as follows.

- **WHEREAS**, SDEO (F) Havelian has reported/informed about your rude behavior and disobedience of order regarding your duty___ Driving vehicle No. AD.1696.
- **WHEREAS**, you failed to perform duty in Tehsil Lora SDEO (F) Office___ when transferred under Endst: No. 10152-56 dated 07-12-2019.
- **WHEREAS**, inquiry conducted under Endst: No 953 dated 12-02-2020, has also confirmed the allegations levelled against you in statement of allegation under Endst: No. 1906-14 dated 17-03-2020, you also failed to appear before the committee.

Your act amounts to gross in subordination and insolence, which are serious acts of misconduct___

In exercise of powers conferred upon me, Government servant (Efficiency and Discipline Rules 2011), I as competent authority served upon you a Show-Cause Notice and direct you, provide a written reply in to the allegations stated above, within a week time as to why major/minor penalty should not be imposed upon you___

Please take note, if your reply is not received, the management will consider that you have abandoned your employment and will reserve the right of EX- parte decision under relevant rules as ibid___

[Signature]
District Education Officer
(Female) Abbottabad

Endst No: 2964-68 dated: 23/6 /2020

Copy of the above is forwarded to:

- The Director, E & SE KP, Peshawar.
- SDEO (F) Lora.
- SDEO (F) Havelian.
- Concerned Person.
- Office File.

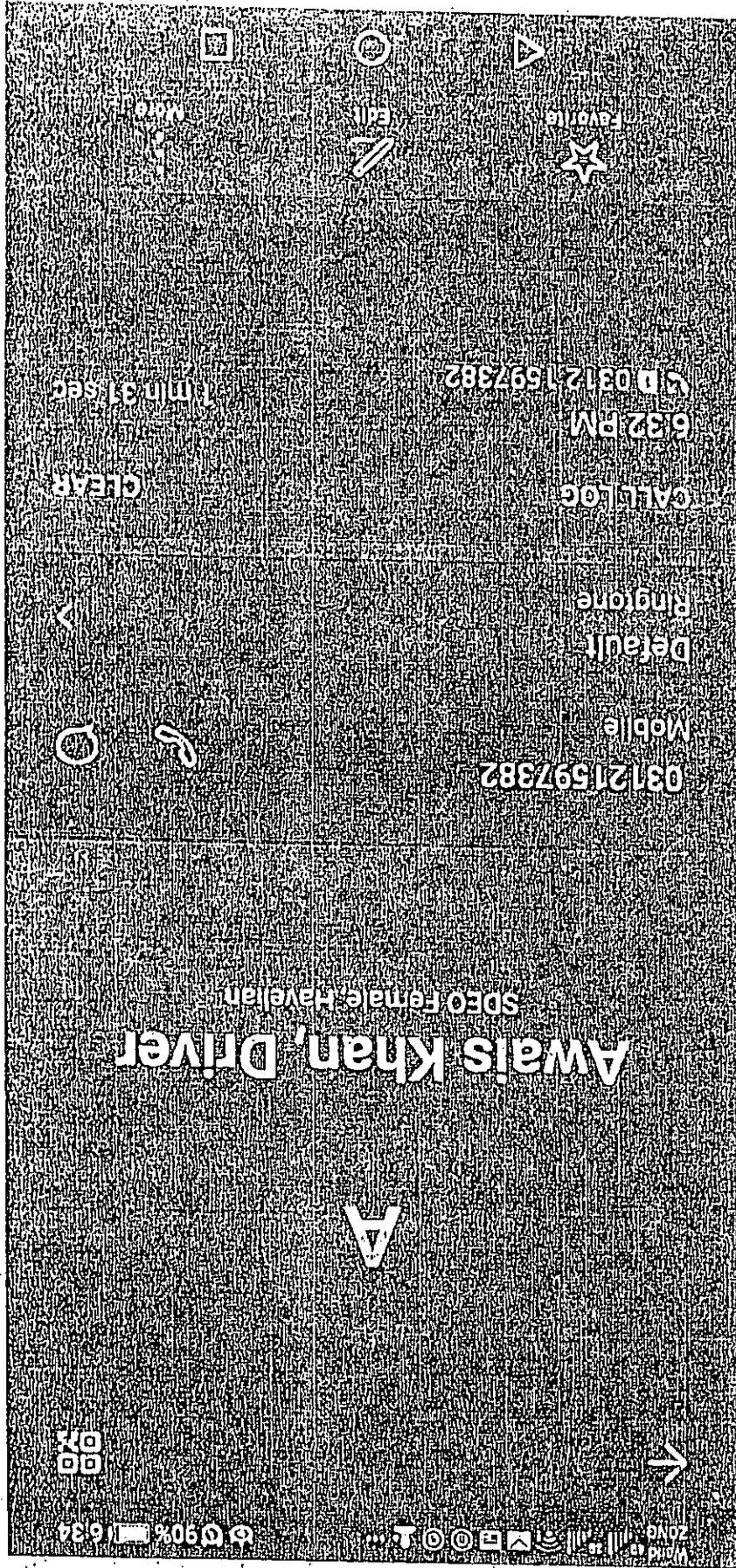
[Signature]
District Education Officer
(Female) Abbottabad

23/6/2020

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Awais Khan, Driver

SPEO, Fatah, Havelian

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Ringtone

CALL LOG

6:32 PM

03121597382

1 min 31 sec

CLEAR



6:34 90% battery signal strength icons

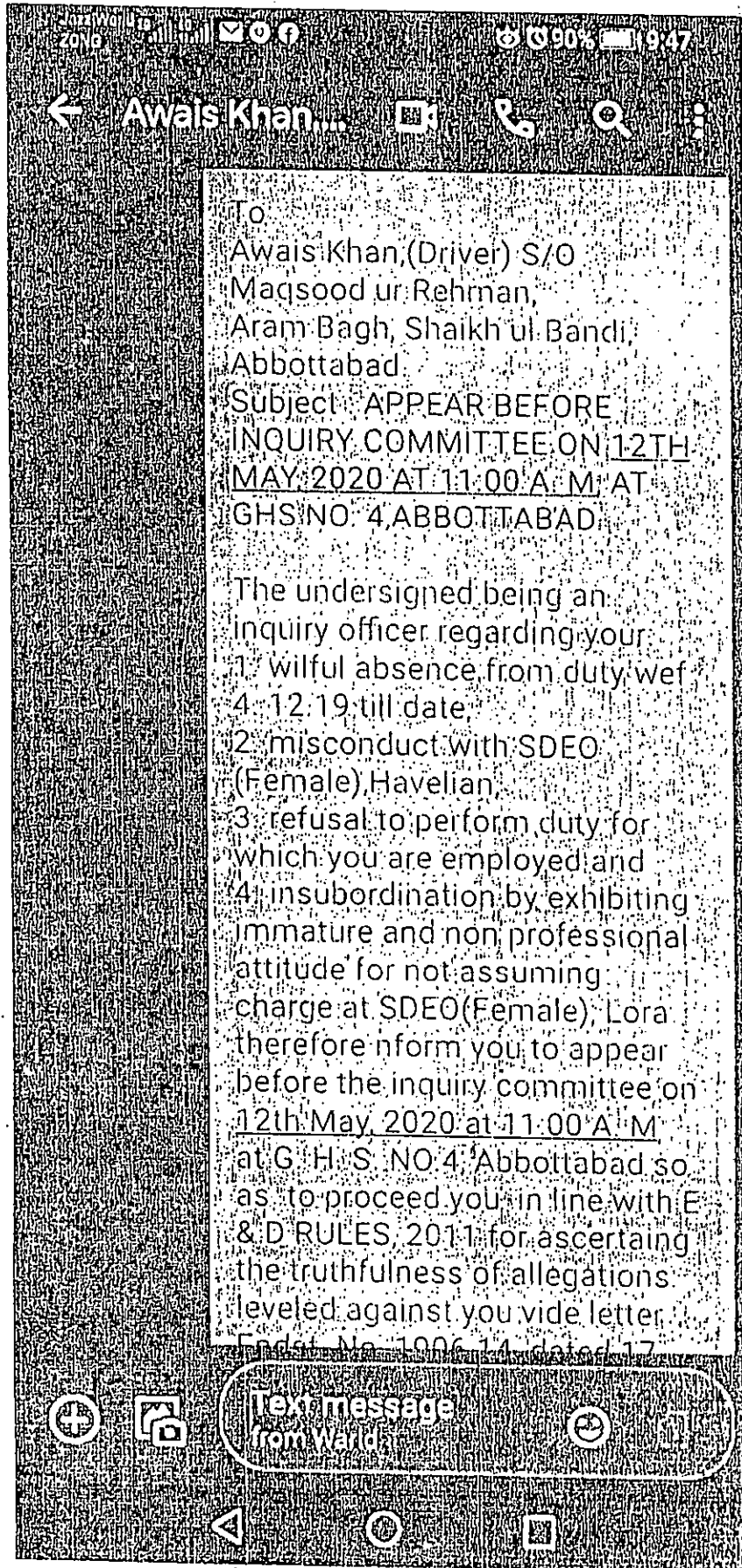
Mobile message

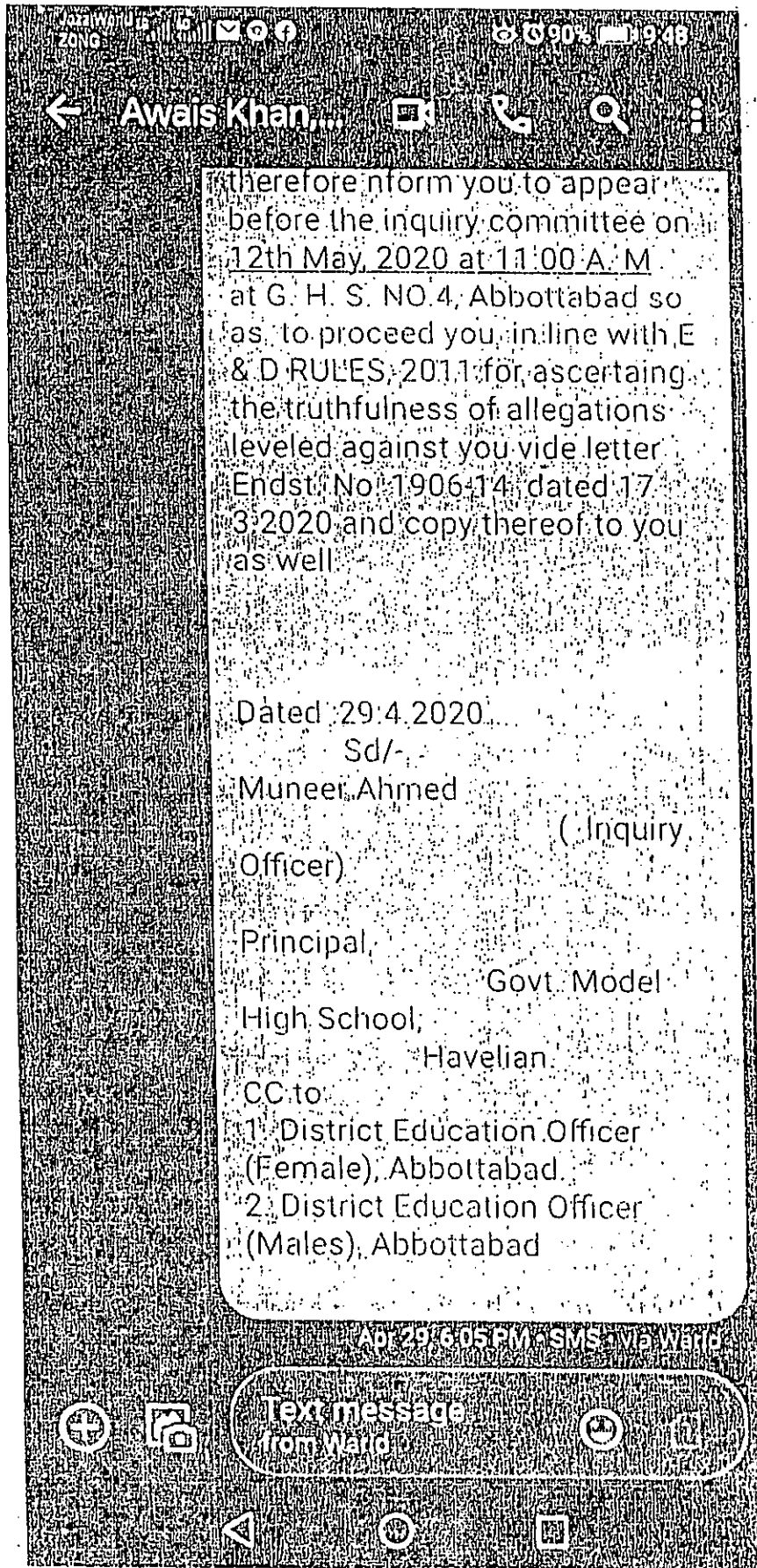
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Am xcd E

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Annexed,
1 of 2





Therefore inform you to appear before the inquiry committee on 12th May, 2020 at 11:00 A.M. at G. H. S. NO.4, Abbottabad so as to proceed you, in line with E & D RULES, 2011 for ascertaining the truthfulness of allegations leveled against you vide letter Endst. No. 1906/14, dated 17/3/2020 and copy thereof to you as well.

Dated: 29/4/2020

Sd/-

Muneer Ahmed

(Inquiry

Officer)

Principal,

Govt. Model

High School,

Havelian.

CC to:

1. District Education Officer (Female), Abbottabad.

2. District Education Officer (Males), Abbottabad

Apr 29 6:05 PM SMS via Ward

Text message from Ward

نوٹس غیر حاضری

آپ مسٹر اولیس خان ڈرائیور ایس ڈی ای او (زنانہ) اورہ آفس میں اپنی ڈیوٹی سے بغیر کسی اطلاع کے 04-12-2019 سے غیر حاضر ہیں۔ بذریعہ دفتر ہذا آپ کو نوٹس جاری کئے گئے جن کی تفصیل درج ذیل ہے۔

نوٹس نمبر:۔ نمبری 14-1906 مورخہ 17-03-2020

آپ کو انکوائری کمیٹی کے سامنے پیش ہونے کا موقعہ دیا جس پر آپ نے پیش ہونے سے انکار کر دیا۔

نوٹس نمبر 2:۔ نمبری 68-2964 مورخہ 23-06-2020

بذریعہ رجسٹری دوسرا نوٹس جاری کیا گیا جس کو آپ نے وصول کرنے سے آپ نے انکار کر دیا۔ پھر دوبارہ وہی نوٹس بتاریخ 21-07-2020 کو بذریعہ رجسٹری آپ کو بھیجا گیا۔

تاحال آپ کی طرف کوئی جواب موصول نہیں ہوا۔ لہذا بذریعہ اخبار آپ کو آخری بار ہدایت کی جاتی ہے کہ آپ اندر 7 یوم زیر دستخطی کے روبرو پیش ہو کر اظہار وجوہ برائے غیر حاضری پیش کریں بصورت دیگر عدم تعمیل کی صورت میں آپ کے خلاف نادہی کارروائی کرتے ہوئے حکومت کے مروجہ رولز اور ریگولیشن (E&D Rules-2011) کے مطابق یکطرفہ کارروائی کی جائے گی جو کہ آپ کی ملازمت سے برخاستگی پر مبنی ہوگی۔

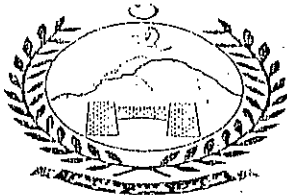
ریحانہ یاسمین

ڈسٹرکٹ ایجوکیشن آفیسر (زنانہ) مدارس ایبٹ آباد

2020/8/18

24

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD



No. 50771

Dated: 24/8/2020

0992-342533, 0992-342314

Deofemale_abbottabad@gmail.com

To

The Director Information,
Abbottabad.

Subject:

ADVERTISEMENT

Memo,

Enclosed please find herewith seven copies of absent notice for publication in two leading newspapers (Daily Aaj, Daily Pine). It is further added that sufficient budget is available for payment of advertisement charges.

*District Education Officer
(Female) Abbottabad*

Endst No: 5078-80 dated: _____/2020

Copy of the above is forwarded to:

- The Director E&SE Peshawar.
- Deputy Commissioner Abbottabad.
- Office File.

*District Education Officer
(Female) Abbottabad*

24/8/2020

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نوٹس غیر حاضری

آپ سزا میں خان ذرا میر ایس ڈی ای (زنات) اور آفس میں اپنی ذمہ داری سے بطور کسی اطلاع کے 04.12.2019 سے غیر حاضر ہیں۔ بذریعہ دفتر آپ کو اس بارہی کے لئے جس کی تسمیل درج ذیل ہے

نوٹس نمبر 1۔ نمبر 14-1906۔ مورخہ 17.03.2020 آپ کو کوئی تسمیل کے لئے پیش کرنے سے انکار کیا گیا۔

نوٹس نمبر 2۔ نمبر 68-2964۔ مورخہ 23.06.2020 بذریعہ دفتر دوسرا نوٹس جاری کیا گیا جس کو آپ نے وصول کرنے سے انکار کیا۔ پھر دوبارہ ہی نوٹس تاریخ 21.07.2020 کو بذریعہ ملائی آپ کو بھیجا گیا۔

حال آپ کی طرف سے جواب موصول نہیں، اور ایڈمزیشن ایکٹ آپ کو آخری بار ہدایت کی جاتی ہے کہ آپ اندر 07 نومبر 2020 تک اپنی ذمہ داری کو اٹھادیں، ورنہ اسے غیر حاضری قرار دیا جائے گا۔ حکومت کے سرپرستوں اور ایڈمزیشن (E&D Rules-2011) کے مطابق حکمرانوں کی جانب سے برخواستگی ہوئی۔

ریجنل ایجنٹ ایف ڈی ای (زنات) مدارس ایبٹ آباد

INF(AD)100

ایبٹ آباد راولپنڈی / اسلام آباد پشاور اور کراچی سے یک وقت شائع ہونے والا مقبول روزنامہ

Member: A.P.N.S C.P.N.E

ABC CERTIFIED

ترویج فہم سیکرٹری انشائیڈ ایبٹ آباد

جلد: 15

ہفتہ 17 ذی الحجہ 1440ھ 8 اگست 2020ء قیمت 5 روپے

شمارہ 352

نوٹس غیر حاضری

آپ سزا میں خان ذرا میر ایس ڈی ای (زنات) اور آفس میں اپنی ذمہ داری سے بطور کسی اطلاع کے 04/12/2019 سے غیر حاضر ہیں۔ بذریعہ دفتر آپ کو اس بارہی کے لئے جس کی تسمیل درج ذیل ہے۔

نوٹس نمبر 1۔ نمبر 14-1906۔ مورخہ 17/03/2020 آپ کو کوئی تسمیل کے لئے پیش کرنے سے انکار کیا گیا۔

نوٹس نمبر 2۔ نمبر 68-2964۔ مورخہ 23/06/2020 بذریعہ دفتر دوسرا نوٹس جاری کیا گیا جس کو آپ نے وصول کرنے سے انکار کیا۔ پھر دوبارہ ہی نوٹس تاریخ 21/07/2020 کو بذریعہ ملائی آپ کو بھیجا گیا۔

حال آپ کی طرف کوئی جواب موصول نہیں، اور ایڈمزیشن ایکٹ آپ کو آخری بار ہدایت کی جاتی ہے کہ آپ اندر 07 نومبر 2020 تک اپنی ذمہ داری کو اٹھادیں، ورنہ اسے غیر حاضری قرار دیا جائے گا۔ حکومت کے سرپرستوں اور ایڈمزیشن (E&D Rules-2011) کے مطابق حکمرانوں کی جانب سے برخواستگی ہوئی۔

ریجنل ایجنٹ ایف ڈی ای (زنات) مدارس ایبٹ آباد

INF(AD)100

400044

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ABC CERTIFIED

Daily Sarhad News Abbottabad

APNS

روزنامہ سہارا

شمارہ 92

17 اگست 2020ء

17

27

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (FEMALE) LOWER TANAWAL, ABBOTTABAD



No: 16 /SDEO/

Dated: 05/03 /2020

To,
The District Education officer,
Female Abbottabad.

Subject: **INQUIRY REPORT**

Memo:

Title	Inquiry
Office	SDEO(F) Lora Abbottabad
Issue	Misbehave (Dispersal)
Date of Inquiry	19-02-2020 – 21-2-2020
Procedure	Questionnaire
Brief History	Reference to your letter No 953 Dated 12.02.2020 the undersigned along with ASDEO Circle Sherwan conducted an inquiry against MR. Awais khan Driver of SDEO (F) Havelian now at SDEO (F) Lora to probe into the matter / burning issue regarding the misbehavior with SDEO (F) Havelian. When undersigned called him for personal hearing and handover the questionnaire regarding the factual position/full facts and figures could be appear. He refused to receive the questionnaire as well as to give the receipt of the questionnaire and did not cooperate with the inquiry officer and he also blamed on the inquiry officer that no favor will be given to him. His misbehavior clearly shown that he is not an obedient servant and not given due respect to his officers / superiors. As well as it is brought into your notice that he did not assume his charge in Sub Division Lora. So, he disobeyed the departmental order.

Recommendations:

1. Necessary action may please be taken against the dispersal under E&D Rules 2011 of KPK Government.
2. He may please be transferred to any male sector instead of female sector.

ASDEO Circle Sherwan

SUB DIVISIONAL EDUCATION OFFICER,
(FEMALE) LOWER TANAWAL.

Annexure O (28)

OFFICE OF THE PRINCIPAL
GOVERNMENT MODEL HIGH SCHOOL HAVELIAN
(ABBOTTABAD)

Email: gmhshavelian@gmail.com

www.gmhshavelian.com

Ph .0992-812282-0335-5409988

Inquiry Awais Khan F 01/No. 24763

Dated 15/05/2020

Registered/ By Hand

To

The District Education (Female),
Abbottabad

Subject : INQUIRY REPORT.

Apropos your office Endst. No. 1906-14 dated 17.3.2020 and no copy thereof to the undersigned but WhatsApp copy received through the District Education Officer (Male), Abbottabad on 23rd April, 2020.

The inquiry report, in the public interest regarding Mr. Awais Khan, ex Driver of SEDO (Female), Havelian is as under :

Allegations/Charges :

1. Wilful absence from duty wef 4.12.19 till date,
2. Misconduct with SDEO (Female), Havelian,
3. Refusal to perform duty for which he is employed and
4. Insubordination by exhibiting immature and non professional attitude for not assuming charge at SDEO (Female), Lora.

Proceedings :

Due to lock down in the backdrop of COVID-19, the undersigned text the message as well as made call to the accused to appear for self-defense on 12th May, 2020 at 11:00 A.M. at GHS NO. 4, ABBOTTABAD. and also tried to hand over the letter for appearing before the inquiry committee through Mr. Rashid, JC, on 2nd May, 2020 at DEO (F), ABBOTTABAD and told him in Urdu too in front of two witnesses but he refused to receive the same (Annexed as A, B, C).

2. On the target date we first, waited for him.

Around 11:20 a.m undersigned called him and told the purpose but he again refused to appear and expressed his old statement which he gave to you on 5.12.2019 and requested for posting in Abbottabad instead of Lora or Havelian due to his ailing father. (Annexed as D).

3. Ms. Nagina Bibi appeared before the committee and submitted her statement after replying to the questions which asked her verbally (Annexed as E).

Findings:

1. Awais Khan's behavior is immature and irresponsible towards his duties and service.
2. Ms. Nagina's attitude towards her ex driver/ subordinates does not depict any personal grudge despite Awais Khan's unprofessional attitude and blame of both driving skills and POL pending bills (Annex F)

page 1 of 2

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3. Under reference SDEO knows driving and submitted her driving license (Annexed as G).
4. SDEO (Female), Lora's letter about not taking over the charge by Awais Khan is self explanatory (Annexed as H).

CONCLUSION

All allegations /charges proved.

Recommendations :

1. Cancel his transfer order for SDEO (Female), Lora and retain him in your office for six months under observation with grooming on compassionate grounds by converting his absence period into leave without pay as per Govt rules and regulations.
2. Two annual increments with commutative effect may also be stopped.
3. SEDO (Female), Havelian may be directed to pay all outstanding /pending POL bills in the name of her office by PSO filling station, Abbottabad.

Dated : 13th May, 2020.

Encl. 10 pages

11



Muneer Ahmed
(Inquiry Officer)
Principal,
Govt. Model High
School, Havelian.

CC to:-

1. District Education Officer (Male), Abbottabad.

Page 2 of 2

Peshawar