

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 1486 /2019

MUHAMMAD ARIF

V/S

EDUCATION DEPTT:

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APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 1486 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1557

Dated 05-11-2019

Mr. Muhammad Arif, SPST (BPS-12),
GPS Potta, District Mansehra.....**APPELLANT**

VERSUS

- 1- The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer, District Mansehra.

.....**APPELLANT**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 21.06.2019 WHEREBY MAJOR PENALTY OF COMPULSORY RETIREMENT OF SERVICE HAS BEEN IMPOSED ON THE APPELLANT AND AGAINST THE IMPUGNED APPELLATE ORDER DATED 30.09.2019 COMMUNICATED TO THE APPELLANT ON 07.10.2019 WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS.

PRAYER:

That on acceptance of this appeal the impugned orders dated 21.06.2019 and 30.09.2019 communicated to the appellant on 07.10.2019 may very kindly be set aside and the appellant may be reinstated into service with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

- 1- That the appellant was initially appointed as PST(BPS-7) now BPS(12) in the respondent department and right from appointment the appellant has served the department quiet efficiently and up to entire satisfaction of his superiors. (Copy of the appointment order is attached as annexure.....**A.**
- 2- That during service appellant was promoted to the post of SPST (BPS-14). That after promotion against the post of SPST the appellant started performing his duty with all zeal and zest at the concerned station.

Filed to-day

ew.
Registrar

5/11/19

- 3- That appellant was serving as SPST (BS-14) at GPS Samian/Potha District Mansehra the impugned order dated 21.06.2019 received by the appellant whereby major penalty of compulsory retirement has been imposed on the appellant on the ground of absentia. (Copy of the impugned order is attached as annexure.....**B.**
- 4- That feeling aggrieved from the impugned order dated 21.06.2019 the appellant filed departmental appeal before the respondent No.2 but the same has been rejected vide appellate order dated 30.09.2019 which was communicated to the appellant on 07.10.2019. (Copies of the departmental appeal and rejection order are attached as annexure.....**C & D.**
- 5- The appellant has no other remedy but to prefer this service appeal on the following grounds amongst others.

ON GROUNDS:

- A- That the impugned orders dated 21.06.2019 and 30.09.2019 are against law, facts, norms of natural justice and material on the record, hence not tenable and liable to be set aside.
- B- That the appellant has not been treated in accordance with law and rules by the respondent department on the subject noted above as such the respondent violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C- That the respondent acted in arbitrary and malafide manner while issuing the impugned order date 21.06.2019 which is the utter violation of the law and rules.
- D- That no charge sheet and statement of allegation has been issued to the appellant before issuing the impugned order dated 21.06.2019.
- E- That no show cause notice has been served on the appellant before issuing the impugned order dated 21.06.2019.
- F- That no chance of personal/defence has been provided to the appellant which necessary as per judgment of the Supreme Court of Pakistan before taking any punitive action against the civil servants.
- 1- That appellant has not been absented from his lawful duty and regularly performed his duty at the concerned station with devotion, but the respondents No.3 without any reason and clear justification issued the impugned order dated 21.06.2019 which is not tenable and liable to be set aside.

8- The appellant seeks permission to advance other grounds and proof at the time of hearing.

It is therefore, most humbly prayed that the appeal of appellant may be accepted as prayed for.

APPELLANT

MAR
MUHAMMAD ARIF

THROUGH:

NMK
NOOR MOHAMMAD KHATTAK

&

MZS
**MIR ZAMAN SAFI
ADVOCATES**

OFFICE OF THE DISTRICT EDUCATION OFFICER (MAEL) PRIMARY MANSEHRA

OFFICE ORDER NO. 02
Dated Mansehra the 5/05/1998

NOTIFICATION.

Consequent upon their selection by the selection Committee on merit basis as per policy framed by the Government, the District Education Officer (male) Primary Mansehra has been pleased to appoint the following Trained PTC of 75% U/Council-wise/Bags Wise Candidate at the Schools noted against their names in BPS.No.-7 @ Rs.(1480-81-2695) and BPS No.9 @ Rs.(1605-97-3060) (being F.A 2nd Division) plus usual allowances as admissible under the rules with effect from the date of their taking over charge in the interest of public service, subject to the existing terms & conditions.

Ser: No.	Name, Father's Name & Home Address	QUAL-IFICATION	Date of Birth	Merit/Obtain: Marks	Mer:from Selected	School where Adjusted Adjusted	Date of Decl:of Result	Remarks
1	FAQIR ALI SHAH S/O NAIMAT ALI SHAH R/O CANARKOT	PTC	05/06/77	33.20	1 U/COUNCIL (AHL)	GPS NUMBAL	1996 NWFP	A/V/PO
2	REHMAT DIN S/O SHARIF DIN R/O CANARKOT	FA/PTC	04/05/74	39.70	2 U/COUNCIL (AHL)	GPS KUMMI	1997 NWFP	A/V/PO
3	MUZAMAL SHAH S/O MAGBOOL SHAH R/O SALOONA	PTC	01/01/74	27.73	3 U/COUNCIL (AHL)	GPS DANNA-SARBALAND	1997 AIUO	A/V/PO
4	MUHAMMAD YOUNIS S/O ABDUL QAYUM R/O KARMANG BALA	FA/PTC	14/04/75	42.59	5 U/COUNCIL (AHL)	GPS NUMBAL	1998 AIUO	A/V/PO
5	SHUAKAT HUSSAIN SH S/O AFSAR ALI SHAH R/O SHAKAR KOT	PTC	05/01/72	25.46	6 U/COUNCIL (AHL)	GPS CHAPRI BALA	1998 AIUO	A/V/PO
6	SHAKAR KHAN S/O MUHAMMAD ISHAQ KHAN R/O AHL	FA/PTC	20/04/79	41.63	7 U/COUNCIL (AHL)	GPS BAI PAYEEN	1999 AIUO	A/V/PO
7	SHAKEEL AHAD S/O ALI AKBAR R/O BANKOTE	PTC	25/09/77	36.16	1 U/COUNCIL (BALIAN)	GPS CHAJARI PAYEEN	1998 NWFP	A/V/PO
8	SAJID KHAN S/O SHER ZAMAN R/O BANKOT	PTC	02/01/78	34.44	2 U/COUNCIL (BALIAN)	GPS BARAR CHAR	1998 NWFP	A/V/PO
9	NASIR ALI SHAH S/O MIR BADSHAH R/O BAI BALA	FA/PTC	01/03/73	41.42	1 U/COUNCIL (CHATAR PLAIN)	GPS DHERI SHARKOOL	1996 NWFP	A/V/PO
10	JAVED ALI SHAH S/O S.AFZAL ALI SHAH R/O BAI BALA	FA/PTC	10/04/76	38.73	2 U/COUNCIL (CHATAR PLAIN)	GPS GALI GADA	1996 NWFP	A/V/PO
11	SAFDAR HUSSAIN SH: S/O MUMTAZ ALI SH: R/O BAI BALA	FA/PTC	01/04/74	37.14	3 U/COUNCIL (CHATAR PLAIN)	GPS BAN SACHA	1996 NWFP	A/V/PO

Continued on Page No.2

ATTESTED

12	S. MISKEEN SHAH S/O S. ALTAF HUSSAIN SH R/O BAGRIAN	PTC	12/04/79	1	U/COUNCIL GPS CHOR (DILBORI) KALAN	1997 NWFP	A/V/POST
13	GUZAR MUHAMMAD S/O GUL MUHAMMAD R/O GHANIAN	PTC	20/03/74	2	U/COUNCIL GPS PATAN (DILBORI) DHERI	1997 NWFP	A/V/POST
14	MOMIN KHAN S/O MUHAMMAD MISKEEN R/O BAGRIAN	FA/PTC	10/02/80	3	U/COUNCIL GPS BAGRIAN (DILBORI)	1998 NWFP	A/V/POST
15	NOOR KHAN S/O KHANI ZAMAN R/O KUND BALA	PTC	15/03/71	1	U/COUNCIL GPS ASHWAL (HILKOT)	1993 NWFP	A/V/POST
16	GUL ZAMAN S/O BAZ GUL R/O SATAN GALI	PTC	04/12/71	2	U/COUNCIL GPS TREDIA (HILKOT)	1998 AI0U	A/V/POST
17	SHUAKAT S/O MALIK AMAN R/O NILBAT	FA/PTC	16/05/73	1	U/COUNCIL GPS CHUNGARI (DEVLI)	1997 NWFP	A/V/POST
18	GHULAM MUJTABA S/O MUHAMMAD YOUSAF R/O NILBAT	PTC	12/12/77	2	U/COUNCIL GPS KUNGARI (DEVLI)	1997 NWFP	A/V/POST
19	DILDAR HUSSAIN SH: S/O PIR AHMAD SHAH R/O DIVELI	PTC	05/04/76	3	U/COUNCIL GPS CHAPRI (DEVLI) KATHA	1997 NWFP	A/V/POST
20	TANVEER AHMAD S/O AZAD BAKHT KHAN R/O JABORI	FA/PTC	02/05/67	2	U/COUNCIL GPS CHALYANI (JABORI)	1997 NWFP	A/V/POST
21	ADIL NIAZ S/O MUHAMMAD NIAZ R/O JABORI	PTC	08/07/80	3	U/COUNCIL GPS DABAR (JABORI) KATHA	1997 NWFP	A/V/POST
22	KHALID S/O MUHAMMAD MEHMOOD R/O JABORI	PTC	01/03/69	4	U/COUNCIL GPS KAYAN (JABORI)	1997 NWFP	A/V/POST
23	MUHAMMAD RASHID S/O MUHAMMAD SHAFI R/O KANOG	FA/PTC	02/02/77	5	U/COUNCIL GPS DAGRA (JABORI)	1998 NWFP	
24	HAQ NAWAZ S/O KHAN MUHAMMAD R/O ARBORA	FA/PTC	22/02/72	1	U/COUNCIL GPS BANDI (OGHI) SADIQ	1996 NWFP	A/V/POST
25	SHERAZ AHMAD S/O ABDUL HAZER R/O R/O ARBORA	FA/PTC	04/02/73	2	U/COUNCIL GPS BANDI (OGHI) SADIQ	1997 NWFP	A/V/POST
26	SHAH NAWAZ S/O MALIK ATA MUHAMMAD R/O ARBORA	FA/PTC	15/03/76	3	U/COUNCIL GPS SERI (OGHI) ARBORA	1997 NWFP	A/V/POST

ATTESTED



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT MANSEHRA

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

B-9

NOTIFICATION

Mr. Muhammad Arif SPST GPS-Potha Mansehra: WHEREAS Mr. Muhammad Arif SPST GPS-Samian/Potha was proceeded against under Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 on account of unauthorized willful absence from duty.

1. WHEREAS a complaint/absent report received from SDEO (M) Mansehra vide his No. 858 dated 22-10-2018, that you were absent from duty, also late coming without any information and misconduct report.
2. WHEREAS, a show cause notice was issued to you vide this office memo No.16859 dated 10-11-2018, but no reply received by your end.
- 3- WHEREAS, Final Show Cause Notice was issued to you vide this Office memo No18381 dated 13-12-2018. And the SDEO (M) Mansehra submit your reply vide his memo No 1068 dated 12/01/2019.
4. WHEREAS the SDEO (M) Mansehra again submit your absent report vide memo No 1205 dated 12-03-2019, 16 days absent in last three months.
5. AND WHEREAS, you were called for personal hearing vide this office memo No 5710 dated 03-04-2019 and you heard in person dated 03-04-2019.

AND WHEREAS the competent authority District Education Officer (M) E&SE Mansehra after having perused the charges and evidence on record and response to the observing all codal formalities is of the view that the charges leveled against the accused teacher/Govt: servant have been proved.

NOW, THEREFORE, in exercise of the powers conferred under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 Sub: rule 4(b) ii, the competent Authority District Education Officer (M) E&SE Mansehra has imposed upon him the major penalty of "**COMPULSORY RETIREMENT FROM SERVICE**" with immediate effect.

Sd/--
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No. 10330-35 / F.No.20/Complaint PST/Vol: IV/Estt :(M) AE-III Dated 21/6 /2019

Copy forwarded for information to the:

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Monitoring Officer (IMU) Mansehra.
3. District Account Officer Mansehra.
4. Budget & Account Officer: Local Office with the directions to do the needful.
5. SDEO (M) Mansehra.
6. Mr. Muhammad Arif SPST GPS-Potha Circle Mansehra
7. Office File.

Dy: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

No: 7058 Dated 21/6/19

ATTESTED

جناب عالی!

ایپلانٹ عاجز نہ طور پر فراہمی انصاف کے لیے عرض گزار ہے۔

سائل 8 مئی 1999 سے محکمہ تعلیم میں بحیثیت PST خدمات انجام دے رہا ہیں۔ میں سائل پرائمری سکول سامیان سرکل مانسہرہ تعینات تھا کہ ستمبر 2018 میرے والد ایک موذی بیماری میں مبتلا ہو گئے دن رات انکی خدمات اور علاج معالجہ میں مصروف رہا اگرچہ منٹ تاخیر سے آتا تو میرے اول مدرس مجھے زبانی اور قلمی دھمکیاں دیتے ہیں با امر مجبوری برداشت کرتا رہا یکم نومبر 2018 مجھے نہایت دور دراز پرائمر سکول پوٹھہ سرکل شہیلہ تبدیل کیا گیا جہاں مجھے یومیہ آمدورفت ایک طرف تین گاڑیاں تبدیل کرنا پڑتی تھی۔ میں حالات کا مصیبت زدہ انگنت مشکلات سے دوچار تھا۔ مسائل میں روز افزوں اضافہ سے ذہنی اذیت کا شکار ہو گیا۔ تاہم صبر و تحمل اور والد کی خدمات کا دامن نہ چھوڑا۔ جانی مالی نقصانات نہایت خندہ پیشانی سے برداشت کیے۔ چھٹیوں سے استفادہ کرنا میری مجبوری تھی۔ ماہ مارچ کی میری تنخواہ نصف سے زیادہ کاٹ دی گئی جس پر مطمئن رہا میں نے دفتر میں عرض کیا کہ میں سائل کا شکار ہوں ہر چھٹی پر تنخواہ روک دی جائے والد کی بیماری کا مسئلہ حل ہونے تک میں معذور ہوں اور ہمدردی کا مستحق ہوں۔ اپریل میں والد صاحب رو بہ صحت ہونا شروع ہوئے میں نے حاضری میں باقاعدگی سے کام لیا۔ مئی جون میں کوئی چھٹی نہ کی افسران مجاز نے مجھے 21 جون 2019 سے Compulsory Retirement کا نوٹیفیکیشن بھیج دیا (نقل نوٹیفیکیشن لف ہذا ہے)۔

نوٹیفیکیشن 35-10330 مجریہ 21 جون 2019 میں پانچ نکات ظاہر کیے گئے ہیں جن کے جوابات عرض ذیل ہیں۔

- ۱۔ میں مذکورہ بالا حالات کے تحت انتہائی مصیبت زدہ تھا پہلے سکول میں اگرچہ منٹ تاخیر ہوئی تو مجھے Absent درج کیا گیا معذرت اور روادار پیش کی اسے Misconduct پر متع کیا گیا۔ یہ الزامات بے بنیاد ہے۔
 - ۲۔ میں یکم نومبر 2018 پرائمری سکول سامیان سے فارغ ہو کر 2 نومبر 2018 پرائمری سکول پوٹھہ تبدیل ہو چکا تھا جواب طلبی لیٹر نمبر 16859 مجریہ 10 نومبر 2018 کا مجھے علم نہ ہوا جس کا جواب دیا جاتا۔
 - ۳۔ دفتر کا جاری کردہ لیٹر نمبر 18381 مجریہ 13 دسمبر 2018 کے جواب میں اپنی معذرت کی افسران مجاز سے معافی طلب کی۔
 - ۴۔ بحوالہ 1205 مجریہ 12 مارچ 2019 میں گزشتہ تین ماہ میں 16 دن چھٹیوں وغیر حاضریوں کا ذکر کیا گیا ان دنوں کی میری تنخواہ روک کر مجھے مجوزہ سزا دی گئی جو میں نے بخوشی تسلیم کر لی۔ اور بقایا بھی کسی چھٹی پر تنخواہ روک دینے کی رائے خود پیش کی۔
 - ۵۔ بحوالہ نمبر 5710 مجریہ 3 اپریل 2019 مجھے Personal Hearing کے لیے طلب کیا گیا میں ہسپتال میں داخل تھا لیٹر بحوالہ ڈائری نمبر 5054 مورخہ 04 اپریل حوالے کیا گیا (نقل لف ہے)۔
- نوٹیفیکیشن میں درج شدہ ہے کہ 3 اپریل 2019 کو Personal Hearing عمل میں لائی گئی تھی۔ یعنی لیٹر حوالے ہونے سے

ایک روز قبل Personal Hearing ہو چکی تھی جب کہ میں ہسپتال میں زیر علاج تھا۔

عالی جناب!

میں اپنے مقدس محکمہ کا وفادار اور مخلص اہلکار ہوں تمام افسران ہیڈ ٹیچر آپ جناب ہر ایک کے احترام اور تقدس کو ملحوظ خاطر رکھتا ہوں میرے حالات جیسے بھی رہے گزر گئے چھ سات ماہ تختہ مشق بنا رہا خدا تعالیٰ کے فضل و کرم سے میرے والد صاحب صحت یاب ہو گئے ہیں نہایت ذمہ داری سے اپنے فرائض منصبی انجام دینے کے قابل ہوں۔ دفتر ڈسٹرکٹ ایجوکیشن آفیسر مانسہرہ کی تمام کارروائی کے باوجود میں محکمہ سے وفادار ملازم ہوتے ہوئے ہر کوتاہی پر معذرت خواہ ہوں اور معافی کا طلب گار ہوں۔ میری ملازمت کے 16 سال بقایا ہے میرے بچے پرائمری درجہ میں زیر تعلیم ہے میرے والدین ضعیف العمر ہے اور کس پرسی کا شکار ہیں۔ میں اپنے خاندان کا واحد پرسان حال ہوں۔

مجھے ملازمت سے سبکدوش کر کے میرے زرعیہ معاش کو بند نہ کیا جائے انتہائی معذرت کے ساتھ گزارش کرتا ہوں کہ میری تمام تر کوتاہیوں کو معاف کرتے ہوئے میرے معصوم بچوں کی پرورش اور تعلیم کے لیے راستہ ہموار فرما کر شکر گزار ہونے کا موقع عنایت فرمائیں۔ میں محکمہ طور پر رحم کی اپیل کرتا ہوں براہ کرم مجھے اپنی آسامی پر بحال فرمانے کی منظوری دے کر احسان فرمائے۔ مزید یہ کہ میں اپنی کوتاہی اور غلطی کے لیے سزا پانے کا مستحق ہوں اس ضمن میں میری سالانہ ترقی روک دی جائے یا مجھے کسی دوسری تبدیل کر دیا جائے۔ یا کوئی بھی مناسب سزا دی جائے۔ لیکن مجھے ملازمت سے سبکدوش نہ کیا جائے۔ امید ہے کہ آپ جناب کو خدا نے عظیم منصب عنایت فرمایا ہے آپ اس عظمت کی پاسداری کرتے ہوئے مجھ غریب و نادار پر دست شفقت فرماتے ہوئے میری ملازمت بحال فرمائیں گے۔

العارض

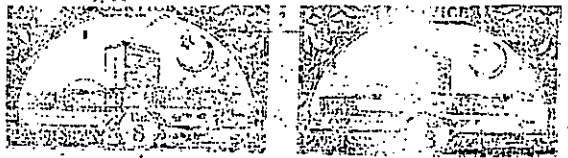
محمد عارف ولد محمد صادق SPST

گورنمنٹ پرائمری سکول پوٹھہ مانسہرہ

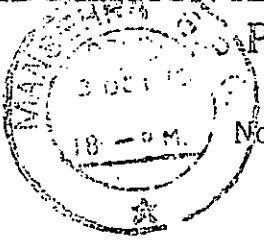
ساکن پیراں بیسیاں تحصیل ضلع مانسہرہ

019-67-04

D-(12)



DIRECTORATE OF ELEMENTARY & SECONDARY
EDUCATION KHYBER PAKHTUNKHWA,
PESHAWAR



No. 4398 / F.No. 100/Vol:03/ Appeals PST.
Dated: 30/9/2019.

Handwritten notes:
To Mr. To
Master File

The District Education Officer
(Male) Mansehra.

Handwritten notes:
6701
[Signature]

Subject: - APPEAL

I am directed to refer to your letter No. 14669 Date 04-09-2019, on the subject cited above and to ask you that appeal in respect of Muhammad Arif PST GPS Samian District Manshra, has been rejected.

I am further directed to ask you to inform the appellat concerned accordingly under intimation to this office.

Signature
Deputy Director Estab (Male)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawa
26/9/2019

Endst No. _____
Copy of the above is forwarded to:-

- 1. Muhammad Arif PST GPS Samian District Mansehra.
- 2. PA to Director E&SE local Office.
- 3. Master File.

Deputy Director Estab (Male)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

ndstt: 76363 / F.No. 3/Comp./Inquiry/Vol-IV Dated 07/10/2019.
Copy of the above is forwarded for information the Sub-Divisional Education Officer (Male) Mansehra
the direction to inform the appellat concerned please.

ATTESTED

Signature
DY: DISTRICT EDUCATION OFFICER,
(MALE) MANSEHRA.

VAKALATNAMA

S. Peshawar

OF 2019

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

(RESPONDENT)
(DEFENDANT)

I/We

Arif

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2019

[Signature]

CLIENT

ACCEPTED
NOOR MOHAMMAD KHATTAK

SHAHZULLAH YOUSAFZAI

KAMRAN KHAN
&

MIR ZAMAN SAFI
ADVOCATES

OFFICE:
Flat No.3, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.
Mobile No.0345-9383141

original copy

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR

Appeal No.1486-A/2019

Muhammad Arif.....APPELLANT.

VERSUS

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

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS NO 1, 2 & 3.

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4.	Copy of school visit SDEO (M) Mansehra	B ✓	9-10
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 DISTRICT EDUCATION OFFICE
 (MALE) MANSEHRA.

1

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR

Appeal No.1486-A/2019

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VERSUS

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

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS NO 1, 2 & 3.

PRELIMINARY OBJECTIONS:-

1. That the Appellant is not the "AGGRIEVED" person.
2. That the Appellant is estopped by his own conduct.
3. That the Appellant has not come to the Hon'ble Tribunal with clean hand.
4. That the Appellant has no cause of action/locus standi to file the instant appeal.
5. That instant Appeal is against the prevailing law and rules.
6. That the Appellant has concealed the material facts from this Hon'ble Tribunal. Hence not entitled for any relief and appeal is liable to be dismissed without any further processing.
7. That the appeal is groundless and based on malafide, ulterior motive, hence the same is liable to be dismissed.
8. The instant appeal is not maintainable in the present form and also in the present circumstances of the issue.
9. That the demand of the appellant is against the law and facts hence the appellant is not entitled for any relief and appeal is liable to be dismissed on this score alone.
10. That the impugned order dated 21-06-2019 passed by the respondent Department accordance with law, rules and policy of the Government.

FACTUAL OBJECTIONS:-

- 1) Para No.1 is pertain to the service record of the appellant, hence need no comments.
- 2) Para 2 is pertain to the service history of the appellant, hence needs no comments.
- 3) Para No. 3 is incorrect that the appellant was habitual absent from his duty and late coming without informing the Head Teacher of the said school. whereas a complaint/absent report received from the head teacher GPS Samian Mansehra that Mr. Muhammad Arif found absent from his official duty on 04-10-2018 without informing the Head Teacher as well as ASDEO Circle/Concerned office, Whereas SDEO (M) Mansehra sent a letter vide Endst No.858 dated 22-10-2018 to DEO(M) Mansehra regarding complaint received from the Head Teacher/ASDEO Circle Mansehra absent from his duty and also late coming in r/o Mr. Muhammad Arif SPST GPS Samian circle Mansehra. *Whereas* as per habitual absent report of the appellant showcase notice was served vide No 16859 dated 10-11-2018 through SDEO(M) Mansehra,wherein you are directed to submit your reply within 7 days, with the remarks that you are absent from duty on 04-10-2018 without prior approval of the competent authority as reported by the Sub Divisional Education

officer Mansehra as well as the Head Teacher of the school that you were found involved smoking inside the school and also found sleeping always during the school timing, but you failed to submit your reply, whereas final showcause notice to be issued vide Endst No.18381 dated 13-12-2018 with the same charges absent from school, whereas SDEO (M) Mansehra submitted his reply vide his memo No.1068 dated 12-01-2019. Where after during the surprise visit of SDEO(M) Mansehra visited GPS Potha on 6-03-2019, it was found that the teacher Mr. Muhammad Arif SPST has been remaining 16 days absent in last three months without informing the department/Head Teacher, 16 days of pay has been deducted from his salary by principal on account of no work no pay, and he commented that his absentees are due to discoordination with Head Teacher, and he also requested to transfer him from that school. whereas SDEO(M) Mansehra sent a letter vide Endst No.1205 dated 12-03-2019 to DEO(M) Mansehra for transfer of Mr. Muhammad Arif GPS Potha to GPS Hado Bandi on his request and for the betterment of students of the GPS Potha, whereas again Head Teacher submitted absent report vide dated 26-03-2019 that the appellant absent from his official duties w.e.f 04-03-2019 to 26-03-2019 (26 days) without informing the respondent Department neither inform the Head Teacher of GPS Potha, report forwarded for disciplinary proceeding against the appellant vide diary No.317 dated 26-03-2019, whereas respondent No.03 called for personal hearing and heard in person on 03-04-2019. Whereas the competent authority DEO(M) Mansehra having considered the charges and evidence on record and response of the observing all codal formalities is of the view that the charges against the accused teacher have been proved, In exercise of the power conferred under Khyber Pakhtun Khawa Government servant (Efficiency & Discipline) Rules,2011 sub role 4(b) ii the competent authority DEO(M) Mansehra has imposed major penalty of Compulsory Retirement from service vide Endst No.10330-35 dated 21-06-2019. **(Copy of absent reports of Head Teacher, school visit SDEO(M) Mansehra, Report of GPS Potha, show cause Notice, final showcause notice, Reply of show cause notice, Absent report 26-03-2019 alongwith copy of attendance register, Personal hearing letter, Attendance personal Hearing, Personal hearing report, Notification Compulsory Retirement from Service are annexed as annexure A,B,C,D,E,F,G,H,I,J,K & L)**

- 4) Para No.4 is correct, Need No Comments.
- 5) That appellant have no right to invoke the Constitution jurisdiction of this Hon'ble Tribunal, the appellant is not aggrieved Person inter alia on the following Grounds:-

GROUND:-

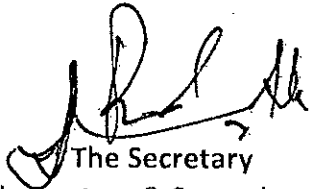
- a) Incorrect and denied, that the appellant habitual absent from his duties without informing the answering department as well as Head Teachers, the order passed by the respondent department accordance with Law rules and policy of the Government.
- b) Incorrect hence denied.
- c) Para is incorrect that respondents are bound to obey the policy and rules of the government not on the will and wishes of anybody.
- d) Incorrect hence denied, as per complaints and absent reports of the Head Teacher show cause notice to be issued, final showcause notice issued, personally appellant attend the office of the undersigned, proper procedure adopted then order dated 21-06-2019 is passed accordance with Law.

-) Incorrect and denied, detail reply is already been given in the above para. Incorrect hence denied. personally appellant appear before the respondent no.03 for personal hearing.(attendance certificate attached)
- g) Incorrect and Denied, the absent report of Head Teacher is attached alongwith proof as an Attendance register for the said month of GPS Potha.
- h) That the appellant has been treated as per law and rules & act, wherein no question of violation of law, rules & policy. The Respondents also seek the permission of this Honorable Tribunal to adduce more grounds, proofs and Explanation at the time of arguments.

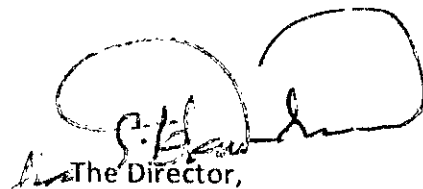
PRAYERS.

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

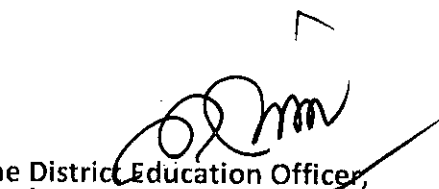
Respondents.....



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



The Director,
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.
(Respondent No.2)



The District Education Officer,
(Male) Mansehra
(Respondent No.3)

9

AFFIDAVIT

I, Faheem Anwar, Assistant DEO(M) Mansehra hereby solemnly affirm and declare that the content of the reply of the comments in the above appeal No.1486-A/2019 titled as Muhammad Arif versus Education Department are true to the best of my conviction and belief and I have concealed nothing.



ASSISTANT DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Absent Report

(5)

(16) A

گورنمنٹ پرائمری سکول ساہیان سیرکل مانسہرہ

Personnel No: 00224450 SPST 04/10/2018 کو غیر عارف
BPS-14

NIC No: 13503-0610952-1 Mob: No: 0341-5454940

N.B.P Nogazi Branch Act No: 2131-5

حسب روایت سکول پڑھانے کی ضروری وقت 8:30 AM ہے۔

مذکورہ ٹیچر 9:05 AM تک اپنی عادت کی بناء پر نہیں آیا۔

Absent کے اندراج کے ساتھ ہی تعلقہ (M) ASDEO صاحب کو

بزرگ کمال اطلاع دی رپورٹ کر دی گئی۔

13 = C. Leave دوران سال اندراج

لہذا تحریری رپورٹ سے ساتھ ہی مذکورہ ٹیچر کو سکول پڑھانے سے فارغ کیا جائیگا۔

PSHT
G.P.S
ساہیان

04/10/2018

Head Teacher
Govt. Primary School
Sarahan (Manshera)

J/c Babar

put up

02/10/18

Forwarded to the SDEO (M) Manshera with the request to adjust the teacher ~~with the request to adjust the teacher~~ under disciplinary action please.

ASDEO (M)
Circle
Manshera.

6/10/18

with the relevant facts.

[Signature]

TK

-NB-

①

65

ڈویٹ جناب S-D-E-0 سب ڈویژنل آفیسر (میں) مالکنہ K-P-K
جناب عالی

ڈرائنگ محض اور سب سے ہم مدرس جی جی۔ ایس یو کھارنل عمل شہادہ میں
اپنی ڈیوٹی سرانجام دے رہا ہے۔

جناب عالی مدرس کو جو نومبر 16 میں سکول میں کھوڑا سا دیر اور تقریباً
کے وقت یا پھر جانے پیر چھتر چھتر میں غیر جانہ سرنگہ سر پورٹ
ارسال دفتر کی جا چکی ہے۔
Appsent

یہ سائل کے ساتھ سکول میں سٹاف مارویم بھی بھیج دینا ہے۔
حلی مع سے سکول کا ماحول خراب اور غیر شائستہ ہو رہا ہے
اسی وجہ سے مدرس بھی وہی طور پر ڈسٹرب ہو رہا ہے۔

لینڈا جبرانی فرما کر مدرس کو حدود انڈی میں خالی یوٹ پر تعینات کر کے
حصوں بنوائیں۔ G.P.S. Haidobandy
B.P.S-14-

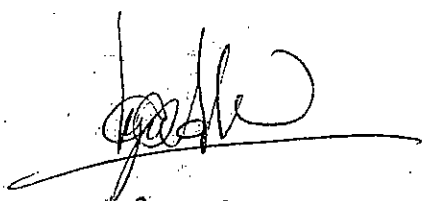
2 مدرس سر پورہ خلیقا بیانی ہے نہ سائل اس سکول میں لیس بھی موسم کی شہادت کا
موقع نہیں دے گا۔
اس کی گزارش ہوئی
الف

محمد عارف حسین بیباں G.P.S (K) یو کھارنل مالکنہ
B.P.S (14)

PART II — REMARKS

For Statistics, see page

7

Remarks	"Action taken by the School Authorities"
<p>G/S Pothia is visited today and school is functioning and staff is present only M. Dny, who is absent and also he has been remaining absent for of 16 days in last three months. He is irregular in duty. This is big school having enrolment of 320 and 280 students present in school today.</p> <p>This school has all basic facilities and running in building and ground combine with middle school.</p> <p style="text-align: center;">  SDEO CM 06-02-19 </p>	<p>SDEO (M) Maudhro</p>

خدمت خطاب اے ایس ڈی او صاحب سرکل شہیلہ تحصیل ضلع مانسہرہ

(8)

صواب عالی

گزارش حضور الفوریہ کے

مہمعارف SPST جب سے گورنمنٹ پرائمری سکول پوٹھ آیا ہے روزانہ دس

سے آتا ہے۔ اور حالت بہتر کے جو مضامین اُسے دئے گئے ہیں میں

پڑھانا اور نہ ہی پڑھانے کے قابل ہے۔ معذور بار زمانی بھی کہہ

چکاسوں اور دو دفعہ آرڈر میں بھی کر چکاسوں اور دو دفعہ

میں نہیں ہوتا۔ اور دفعہ بالکل سکول گیارہ بجے آیا ہے اس کی

میں حاضر کی فون پر آپ کو اطلاع دی جا چکا ہے۔

اب باقاعدہ تحریری طور پر مہمعارف SPST کی سرکاری رپورٹ

ارسال کی جاتی ہے۔ تاکہ اسے خلیفہ محمدیہ ^{CPS} پوٹھ کے سرکاروں عمل میں لائی

جائے۔

العارض

طارق محمود PSHT گورنمنٹ پرائمری سکول پوٹھ سرکل شہیلہ مانسہرہ

SNO 305.

Date 27-11-2018

HEAD TEACHER
Govt. Primary School
Batha Manshra.

اردو زبان

ضیاء عارف صاحب SPST CIPS بلوچہ سرحدی شہادہ

SSB
26-11-18

12-1 آپ یوں کہتے ہیں کہ میرے بھائی کے پاس ہیں۔ اور اگر آپ کو یہ

آپ نے ایک معقول رقم پیش کرنا چاہا۔ یہ کہاں کا اہلکار ہے اور کہاں

کی طرف سے ہے۔ تو اس کے بعد سارا اسم مہلت نے اس رقم کے لئے
اور ایک بار یہ سہولت لیا ہے۔ آپ کو وارنٹ دی جاتی ہے

۳ وقت پر اس کے لئے اور آپ کو قرض فراہم مصلحتی طور پر
فرمان سے فراہمی نہ اختیار کریں۔ یہ آپ کے حق میں اور مجھ کو
حق میں نہیں پیش ہے۔ بلکہ اس کے خلاف اس کی ذمہ داری آپ پر ہے

فرائض لیس P No
00 224450
CIPS بلوچہ سرحدی شہادہ PSHT طارق محمد

ضیاء عارف صاحب SPST CIPS بلوچہ سرحدی شہادہ

SSB
29-11-2018

آپ نے بچوں میں "کامیڈز" کے لئے رقم کی ہے اور یہ 100 روپے اور 200 روپے
لے رہے ہیں۔ آپ کو بیادیت کی حالتی ہے کہ بچوں کے پاس سے رقم لے کر
یا "کامیڈز" لیں۔ تو باقی کی صورت میں ضروری آپ پر ہے

طارق محمد PSHT CIPS بلوچہ سرحدی شہادہ
+mel, 29.11.2018
S.B.S.T. (14)

8/c

ادریک

555

07-11-2018

SPST

GPS

حرم و طفل صاحب
شکاری ٹریننگ سلسلہ میں HS کے آن دیوٹی

ہوں۔ آپ صبری حکم موجودگی میں سکول کے حکم زلم و نسو
کا ضابطہ رکھیں۔

طارق محمود PSHT GPS
mel

556

16-11-18

ضاب محمد عارف صاحب SPST

GPS یوٹھ مالنگرو

آپ جب سے سکول آئے ہیں دیر سے آتا آپ کی فطرت بن چکا ہے
سکول سٹارٹ کے کنارے واقع ہے ہر وقت افسران کے آنے کا خطرہ رہتا
ہے۔ اور بچوں کی تعلیم کا مباح بھی ہے۔ سکول دیر سے آتا قانونی اور
اخلاقی طور پر بھی اچھا نہیں ہے۔ ASDIO صاحب کو فون پر آپ کے
دیر سے آنے کی اطلاع بھی دی جا چکی ہے۔ آپ مناسب کارروائی
کیے تیار رہیں۔ آپ کو فتنہ کیا جاتا ہے کہ سکول وقت پر آئیں
اسمبلی میں حاضر ہو جائیں اس کا ضروری ہے۔ اور بچوں کی تعلیم پر
توجہ دینے کی صورت دیگر آپ کے خلاف محمدانہ کارروائی عمل میں لائی
جائے گی۔ جسکی تمام تر ذمہ داری آپ پر عائد ہوگی۔

طارق محمود PSHT GPS
mel

16-11-2018 10:00 AM

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (MALE) MANSEHRA

No. 258

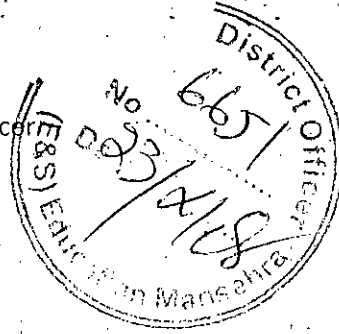
Dated: 22/11/2018.

To

The District Education Officer
(Male) Mansehra.

Subject: COMPLAINT

Memo:



I am refer to subject noted above and enclosed herewith the complaint received from Head Teacher / ASDEO Circle Mansehra regarding absent from duty and also late coming of Mr. Muhammad Arif SPST GPS Samian Circle Mansehra. ASDEO Circle concerned proposed transfer under disciplinary ground out of circle. It is proposed Disciplinary proceeding may please be initiated against the teacher for in efficiency and misconduct reported.

Submitted for further necessary action please.

Phaloo

SUB DIVISIONAL EDUCATION OFFICER
(MALE) MANSEHRA

ADo 2/18
Suggest on this report
of Arif & sub: the report

[Signature]
DDO
22/11/18

Ajmal sb
Intap in progress
22/11/18

xc

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA

No

Dated

16857
16/01/2008


To

The Sub-Divisional Education Officer
(male) Mansehra.

Subject: SHOW CAUSE NOTICE

Memo;

Show Cause Notice in R/O Mr. Muhammad Arif S-PST GPS-Samian Circle Mansehra is attached herewith (induplicate) with the direction to serve the same to the teacher concerned and return one copy to this office as token of receipt duly received by him.


DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

12

20

SHOW CAUSE NOTICE.

1. I, Zaffar Arbab Abbasi, District Education Officer (Male) Mansehra, as a competent authority under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 do hereby serve you Mr. Muhammad Arif, S-PST Govt: Primary School Samian Circle Mansehra, Tehsil Mansehra as Follows:-
 - 1 That you remained absent from duty on 04-10-2018 without prior approval of the Competent Authority as reported by Sub-Divisional Education Officer (Male) Mansehra, as well as the Head Teacher of the school that you were found involved smoking inside the School and also found sleeping always during the school timing.
 - 2 I am satisfied that you are guilty of misconduct and inefficiency as specified in rules of 3 of said rules. Thus you have rendered yourself liable to be proceeded against under the said rules.
2. In exercise of power conferred by the Khyber Pakhtunkhwa Govt: Servant (Efficiency & Discipline) rules 2011, the Competent Authority is hereby pleased to dispose with conduct of formal enquiry and serve you with the instant show cause notice with the direction to submit your defense in writing within 07 (seven) days of the receipt of this notice as to why one of the major penalty of rules (4) of the said rules not be imposed upon you and also intimate whether you desire to be heard in person.
3. In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defense to offer and an ex-parte decision will be taken against you.

sd-
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA.

Endstt: No _____ / ADEO-I (Estt:) / F.No20/Comp./Enquiry/Voll-IV Dated _____

- Copy of the above is forwarded for information to the:-
- 1- Muhammad Arif PST GPS-Samian Circle Mansehra Tehsil Mansehra...
 - 2- Sub-Divisional Education Officer (Male) Oghi.
 - 3- ASDEO (M) Circle Oghi.

[Signature]
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA

13
E

No 18387 /AE-III
Dated 13/12 /2018

Below by
M. Prasad

To
The Sub-Divisional Education Officer
(Male) Mansehra.

13

Subject: FINAL SHOW CAUSE NOTICE
Memo;

Final Show Cause Notice in R/O Mr. Muhammad Arif S-PST GPS-Samian Circle Mansehra is attached herewith (induplicate) with the direction to serve the same to the teacher concerned and return one copy to this office as token of receipt duly received by him.

[Signature]
DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA

No _____ /AE-III
Dated _____ /2018

To
The Sub-Divisional Education Officer
(Male) Mansehra.

Subject: FINAL SHOW CAUSE NOTICE
Memo;

Final Show Cause Notice in R/O Mr. Muhammad Arif S-PST GPS-Samian Circle Mansehra is attached herewith (induplicate) with the direction to serve the same to the teacher concerned and return one copy to this office as token of receipt duly received by him.

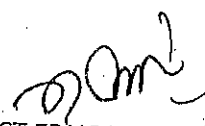
Final Show cause notice
13/12-2018

[Signature]
DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

14

FINAL SHOW CAUSE NOTICE.

1. I, Zaffar Arbab Abbasi, District Education Officer (Male) Mansehra, as a competent authority under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 do hereby serve you Mr. Muhammad Arif, S-PST Govt: Primary School Samian Circle Mansehra, Tehsil Mansehra as follows:-
 - i- That you remained absent from duty on 04-10-2018 without prior approval of the Competent Authority as reported by Sub-Divisional Education Officer (Male) Mansehra, as well as the Head Teacher of the school that you were found involved smoking inside the School and also found sleeping always during the school timing.
 - ii- In this connection Show Cause Notice was served you under this Office Memo: No 16859 dated 10/11/2018 through SDEO (Male) Mansehra, wherein you are directed to submit your reply within 7 days, but you failed to submit your reply.
 - iii- I am satisfied that you are guilty of misconduct and inefficiency as specified in rules 3 of said rules. Thus you have rendered yourself liable to be proceeded against under the said rules.
2. In exercise of power conferred by the Khyber Pakhtunkhwa Govt: Servant (Efficiency & Discipline) rules 2011, the Competent Authority is hereby pleased to dispose with conduct of formal enquiry and serve you with the instant final show cause notice with the direction to submit your defense in writing within 07 (seven) days of the receipt of this notice as to why one of the major penalty of rules (4) of the said rules not be imposed upon you and also intimate whether you desire to be heard in person.
3. In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defense to offer and an ex-parte decision will be taken against you.


DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA.

15

F

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (MALE) MANSEHRA

No 1068

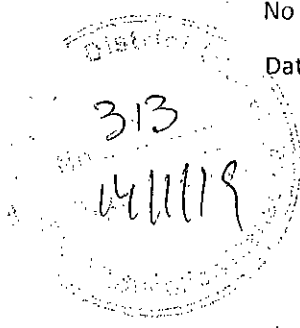
Dated 12/01/2019.

To

The District Education Officer
(Male) Mansehra.

Subject: REPLAY OF SHOWCAUSE NOTICE.

Memo:



Enclosed please find herewith a reply of show cause notice received in r/o Mr. Muhammad Arif SPST GPS Samian Circle Mansehra now GPS Potha Circle Shahila regarding absent from duty on 04/10/2018.

Submitted for further necessary action please.

Handwritten notes:
Seyd
put up on file
[Signature]
- DEO

Signature
SUB DIVISIONAL EDUCATION OFFICER
(MALE) MANSEHRA

شمارت چٹا ڈسٹرکٹ ایجوکیشن آفیسر علی شاہ

ذہا علیا (16)

گورنمنٹ گزٹیشن کنفرس سٹیج چہ عارف (SPST (BPS14) -P.S
سائیاں میں عمر 3 سال سے اپنے فرائض متقی سرانجام دے رہے

ذہا علیا 04 اکتوبر 2018 کو میر خلائ میں حاضر کیا گیا اور

میں ذہا علیا کی وجہ سے ڈیوٹی سے غیر حاضر ہوا۔

اسے علاوہ میر خلائ ڈسٹرکٹ جو کہ رپورٹ کے تحت میں اس
فہرم سے انکار کرنا ہوں۔

میں نے آج تک طلبہ کے سامنے کہی یہی سہولت نہیں کی

اور نہ ہی دوران ڈیوٹی ہوا ہوں۔

تعمیر میں حضرت خواجہ بی بی اور آئندہ کہی شکایت کا حق

میں ہوں گا۔

العارف

علی چہ عارف -P.S سائیاں

er
:a

12/10/18
shra

حضرت صاحب اہل اہلسنہ کی ای او صاحب سرکل شہید

عالیٰ

گزارش حضور اہل اہلسنہ کی SPST گورنمنٹ پرائمری سکول پوٹہ مانسہرا کے بارے میں ہے۔
یہاں پر ایک خلاف تحریری طور پر اپنا بیان لکھا ہے۔

Handwritten signature

میر صاحبی رپورٹ ارسال کی جا چکی ہے

مارچ 2019 سے دوبارہ سکول کھلنے پر محمد عارف SPST

صرف دو دن اپنی ڈیوٹی پر حاضر ہوئے ہیں اور باقی سارا

Mr. Nazir
Principal G.H.S.S
Pothohar

تاحل رپورٹ ارسال کرنے تک بغیر اطلاع اپنی ڈیوٹی سے

غیر حاضر ہیں

اب دوبارہ اہل اہلسنہ صاحب سرکل شہید کو تحریری

Handwritten signature

رپورٹ ارسال کی جا چکی ہے تاکہ دوبارہ بلا شہر کے خلاف

کمانڈ کارروائی عمل میں لائی جاوے

الحاضر

میر صاحبی SPST گورنمنٹ پرائمری سکول پوٹہ مانسہرا

No 317

Dated 26.03.2019

Forward to DEO (M)
Manshera
ASD (M)
Shahpura

Handwritten signature
HEAD TEACHER
Govt. Primary School
Pothohar

26/3/2019

ایئر سروسز
 ڈیپارٹمنٹ آف ایئر ٹرانسپورٹ، لاہور، پاکستان

بابت ماہ نومبر 2018

روز	SPST	قہورات	PST	SPST
1	SPST	قہورات	PST	SPST
2	SPST	قہورات	PST	SPST
3	SPST	قہورات	PST	SPST
4	SPST	قہورات	PST	SPST
5	SPST	قہورات	PST	SPST
6	SPST	قہورات	PST	SPST
7	SPST	قہورات	PST	SPST
8	SPST	قہورات	PST	SPST
9	SPST	قہورات	PST	SPST
10	SPST	قہورات	PST	SPST
11	SPST	قہورات	PST	SPST
12	SPST	قہورات	PST	SPST
13	SPST	قہورات	PST	SPST
14	SPST	قہورات	PST	SPST
15	SPST	قہورات	PST	SPST
16	SPST	قہورات	PST	SPST
17	SPST	قہورات	PST	SPST
18	SPST	قہورات	PST	SPST
19	SPST	قہورات	PST	SPST
20	SPST	قہورات	PST	SPST
21	SPST	قہورات	PST	SPST
22	SPST	قہورات	PST	SPST
23	SPST	قہورات	PST	SPST
24	SPST	قہورات	PST	SPST
25	SPST	قہورات	PST	SPST
26	SPST	قہورات	PST	SPST
27	SPST	قہورات	PST	SPST
28	SPST	قہورات	PST	SPST
29	SPST	قہورات	PST	SPST
30	SPST	قہورات	PST	SPST
31	SPST	قہورات	PST	SPST

مجموعاً

Handwritten notes and signatures at the top of the page, including names like 'D. J. ...' and 'D. J. ...'.

Handwritten notes at the top of the page, possibly indicating a date or location.

روز	تاریخ	شرح	مقدار	قیمت	مجموعه
1	1387/07/01
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26	1387/07/26
27	1387/07/27
28	1387/07/28
29	1387/07/29
30	1387/07/30
31	1387/07/31

Vertical handwritten notes on the right side of the page, possibly providing additional details or corrections for the entries in the table.

Handwritten text at the bottom of the page, including a signature and possibly a date or reference number.

Handwritten initials or a mark at the bottom left corner.

رجسٹر حاضری مدرسین

گورنمنٹ پبلسٹک اور سہا ئی بوائز سکول پوربھ

بابت ماہ اگست 2018

گورنمنٹ پبلسٹک اور سہا ئی بوائز

گورنمنٹ پبلسٹک اور سہا ئی بوائز

گورنمنٹ پبلسٹک اور سہا ئی بوائز

گورنمنٹ پبلسٹک اور سہا ئی بوائز

گورنمنٹ پبلسٹک اور سہا ئی بوائز

گورنمنٹ پبلسٹک اور سہا ئی بوائز

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گورنمنٹ پبلسٹک اور سہا ئی بوائز

گورنمنٹ پبلسٹک اور سہا ئی بوائز

گورنمنٹ پبلسٹک اور سہا ئی بوائز

روز	SPST			PST			SPST			روز
	آمد	استحقاق	روانی	آمد	استحقاق	روانی	آمد	استحقاق	روانی	
	استحقاق	روانی	آمد	استحقاق	روانی	آمد	استحقاق	روانی	آمد	
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31	ABSENT	8/30	8/30	8/30	8/30	8/30	8/30	8/30	8/30	31

میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال
23	21	20	02	02	-	13	11	2			

Attested

رستخیز پٹیل

قسم شخصیت
انتظامیہ
استحقاق
بیماری
میزان کل

حضر حاضری امدار میں گورنمنٹ پبلک اسکول یوسف خان پورہ

بابت ماہ مارچ 2019

روزانہ	گورنمنٹ				پرائیوٹ				مجموعہ	ملاحظات
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23rd March

23rd March

23

میزان	حاضر	غائب	بیماری	مجموعہ
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28	1	1	1	1
29	1	1	1	1
30	1	1	1	1
31	1	1	1	1

All staff teachers

دستخط پرنسپل

er

ra

Director Office
Muzaffargarh

(21) (68) 21

I

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA

No. 5710 /AE-III/Complaint
Dated 03/04/2019

To

The Sub-Divisional Education Officer
(Male) Mansehra.

Subject: PERSONEL HEARING
Memo;

Personal Hearing Notice in R/O Mr. Muhammad Arif SPST GPS-Potha Circle Mansehra is attached herewith (induplicate) with the direction to serve the same to the teacher concerned and return one copy to this office as token of receipt duly received by him.


DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA

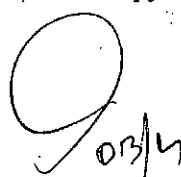
No. 5710 /AE-III/Complaint
Dated 03/04/2019

To

The Sub-Divisional Education Officer
(Male) Mansehra.

Subject: PERSONEL HEARING
Memo;

Personal Hearing Notice in R/O Mr. Muhammad Arif SPST GPS-Potha Circle Mansehra is attached herewith (induplicate) with the direction to serve the same to the teacher concerned and return one copy to this office as token of receipt duly received by him.


DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

(22) 67 22

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA

No _____/F.No20/Comp./Inquiry/2019
Dated _____/2019

To

Mr. Muhammad Arif SPST
Govt: Primary School Potha
Circle Mansehra.

Subject: PERSONAL HEARING
Memo;

I am directed to refer to the subject cited above, You are hereby directed to attend the Office of the undersigned for personal hearing on 06-04-2019 at 10.00 AM positively.


DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

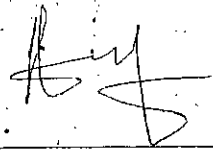
PC B

23

73

97

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Name of Teacher	Date of Personal Hearing	# No	Signature
Mulisamond Arif SPSI SPS - Police	9/4/2019	0341-5457940	

Mr. Imran Bari

Signature

Personal Hearing

29



Dated 9.4.2019

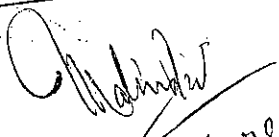
Name: Muhammad Arif. SPST


- Charges.
- 1) Remains absent as habitual
 - 2) Mentally upset (remained in Mental Hospital)
 - 3) unfit for Teaching

Process.

Personal Hearing was conducted on 9.4.2019. The teacher concerned was not in a better position and it was observed that the charges levelled were true. However it is concluded that the concerned may be given a chance to retire on pre-mature basis and in case of reluctance of deficiencies in service etc, he may be compulsory retired for service. The position of the concerned is not conducive for continuation of his service.

Put up as proposal and as a line of action for removal only with request to competent authority to decide the case, P.


9/4/2019


9/4/19
DDP



D.E.A. (25)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT MANSEHRA

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

NOTIFICATION

Mr. Muhammad Arif SPST GPS-Potha Mansehra: WHEREAS Mr. Muhammad Arif SPST GPS-Samian/Potha was proceeded against under Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 on account of unauthorized willful absence from duty.

1. WHEREAS a complaint/absent report received from SDEO (M) Mansehra vide his No. 858 dated 22-10-2018, that you were absent from duty, also late coming without any information and misconduct report.
2. WHEREAS, a show cause notice was issued to you vide this office memo No.16859 dated 10-11-2018, but no reply received by your end.
- 3- WHEREAS, Final Show Cause Notice was issued to you vide this Office memo No18381 dated 13-12-2018. And the SDEO (M) Mansehra submit your reply vide memo No 1068 dated 12/01/2019.
4. WHEREAS The SDEO (M) Mansehra again submit your absent report vide memo No 1205 dated 12-03-2019, 16 days absent in last three months.
5. AND WHEREAS, you were called for personal hearing vide this office memo No 5710 dated 03-04-2019 and you heard in person dated 03-04-2019.

AND WHEREAS the competent authority District Education Officer (M) E&SE Mansehra after having perused the charges and evidence on record and response to the observing all codal formalities is of the view that the charges leveled against the accused teacher/Govt: servant have been proved.

NOW, THEREFORE, in exercise of the powers conferred under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 Sub: rule 4(b) ii, the competent Authority District Education Officer (M) E&SE Mansehra has imposed upon him the major penalty of "**COMPULSORY RETIREMENT FROM SERVICE**" with immediate effect.

Sd/
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Endst: No. 10330-35 / F.No20./Complaint PST/Vol:IV/Estt:(M)AE-III

Dated 21/06/2019

Copy forwarded for information to the:

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Monitoring Officer (IMU) Mansehra.
3. District Account Officer Mansehra.
4. Budget & Account Officer Local Office with the directions to do the needful.
5. SDEO (M) Mansehra.
6. Mr. Muhammad Arif SPST GPS-Potha Curcle Mansehra
7. Office File..

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

21/6/19

[Signature]

OFFICE OF THE DISTRICT

DISTRICT MANSEHRA

OFFICER (MALE)

Phone # 0997-382271

Fax # 0997-382244

E-mail Address: edoedu_mansehra@yahoo.com

Facebook Page: www.facebook.com/EDU.MANSEHRA

NOTIFICATION

Mr. Muhammad Arif SPST GPS-Potha Mansehra: WHEREAS Mr. Muhammad Arif SPST GPS-Samian/Potha was proceeded against under Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 on account of unauthorized willful absence from duty.

1. WHEREAS a complaint/absent report received from SDEO (M) Mansehra vide his No. 858 dated 22-10-2018, that you were absent from duty, also late coming without any information and misconduct report.
2. WHEREAS, a show cause notice was issued to you vide this office memo No.16859 dated 10-11-2018, but no reply received by your end.
3. WHEREAS, Final Show Cause Notice was issued to you vide this Office memo No18381 dated 13-12-2018. And the SDEO (M) Mansehra submit your reply vide his memo No 1068 dated 12/01/2019.
4. WHEREAS the SDEO (M) Mansehra again submit your absent report vide memo No 1205 dated 12-03-2019, 16 days absent in last three months.
5. AND WHEREAS, you were called for personal hearing vide this office memo No 5710 dated 03-04-2019 and you heard in person dated 03-04-2019.

AND WHEREAS the competent authority District Education Officer (M) E&SE Mansehra after having perused the charges and evidence on record and response to the observing all codal formalities is of the view that the charges leveled against the accused teacher/Govt: servant have been proved.

NOW, THEREFORE, in exercise of the powers conferred under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 Sub: rule 4(b) ii, the competent Authority District Education Officer (M) E&SE Mansehra has imposed upon him the major penalty of "**COMPULSORY RETIREMENT FROM SERVICE**" with immediate effect.

Sd/--
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Dated 21/6/2019

dst: No. 10330-35 / F.No.20./Complaint PST/Vol: IV/Estt :(M) AE-III

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Dy: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA