

original

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal # 7754/2021

Msr Naqeeb Ahmad Jan (BPS.17).....Appellant.

VERSUS

Govt: of Khyber Pakhtunkhwa & others.....Respondents,

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Despondent

(1)

BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

Service Appeal # 7754/2021

Mr Naqeeb Ahmad Jan (BPS-17).....Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa & others..... Respondents

AFFIDAVIT

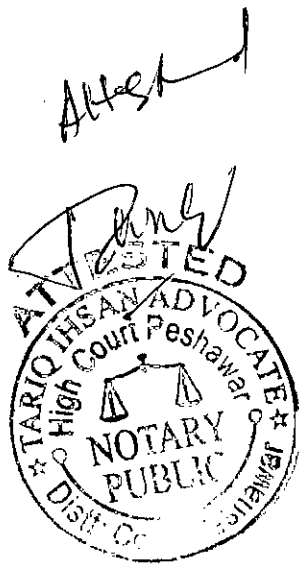
I, **Mr. Amjad Ali**, Section Officer (Litigation-II) Elementary & Secondary Education, Department do hereby solemnly affirm and declare that the contents of the accompanying para-wise comments, submitted by the respondents, are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

It is further, stated on oath that in this appeal the answering Respondents have neither been placed ex-parte nor their defense has been struck off.

DEPONENT



Mr. Amjad Ali
Section Officer (Lit-II)
E&SE Department Peshawar



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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Block "A" Civil Secretariat, Peshawar

Phone No. 091-9211128

AUTHORITY LETTER

It is certified that **Mr. Fahim, Focal person (Litigation-II)** Elementary & Secondary Education Department is hereby authorized to submit parawise comments on behalf of Secretary Elementary & Secondary Education Department Peshawar in **Service Appeal No. 7754/2021 Case Titled Mr Naqeeb Ahmad Jan vs Government of Khyber Pakhtunkhwa** through Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.


7 **Mr. Amjad Ali**
Section Officer (Lit-II)
E&SE Department Peshawar

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

In Service Appeal No. 7754/2021

Mr. Naqeeb Ahmad Jan.....Appellant.

VERSUS

Chief Secretary to Govt of KPK Peshawar..... Respondents.

PARAWISE COMMENTS ON BEHALF OF THE RESPONDENTS NOS. 01 TO 06.

Respectfully Sheweth,

Khyber Pakhtunkhwa
Service Tribunal

Case No. 6725

Date: 26/07/23

Preliminary Objections:

1. The appellant has got no cause of action against the Respondents.
2. The appellant has not come to the Tribunal with clean hands.
3. The appellant is not an aggrieved person nor has any locus standi to file the present appeal.
4. That the appellant has concealed material facts from this Tribunal.
5. That the appellant is estopped by his own conduct to file the present appeal.
6. That the present appeal is against the prevailing law and rules.
7. That the appellant is not entitled for any relief, he has sought from this Honorable Tribunal.
8. That the present appeal is liable to be dismissed being devoid of any merits.

On FACTS

1. Incorrect, baseless & false, hence denied. No Constitutional rights of appellant have been violated.
2. Pertains to record.
3. Pertains to the record.
4. Incorrect & false statement, hence denied. The appellant after his sanction leave till 31-07-2015 did not joined his duty & remained absent. It is pertinent to mention here the appellant has illegally and without any information to this department started/joined another job. The appellant was appointed as Assistant Professor Urdu at Department of Urdu in Woman University Swabi. The appellant duly received salary from Elementary & Secondary Education Department and illegally occupied two parts on two different appointments which is not permissible nor excusable by law.
5. Pertains to record. However, it is again submitted that appellant has concealed the real facts and has committed fraud, furthermore is trying to deceive this Honorable Tribunal.
6. Incorrect, the appellant was willfully and without any leave was absent from his duty. Rather the appellant was engaged with another appointment as explained above.

(4)

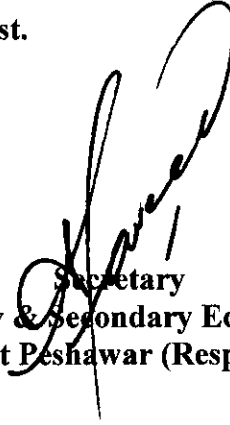
7. Incorrect, the appellant was found guilty of misconduct, therefore an inquiry committee was constituted and due procedure was adopted in order to conduct just & fair inquiry whereas the appellant admitted his guilt of having occupied two different posts at once and the same period.
8. Pertains to record.
9. Pertains to record. However, it is stated that the appellant has no excusable reason to answer and committed fraud & misconduct.
10. Pertains to record. However, the appellant was found guilty of misconduct.
11. Pertains to record.
12. Incorrect, the appellant has not performed any duty in the Elementary & Secondary Education Department rather soon after his appointment he got leave for PHD studies till 31-07-2015 and thereafter he remained absent without any sanction leave.
13. Correct. The appellant was found guilty. Therefore, was awarded with the penalty of removal from service alongwith recovery of Rs. 10,61,222/-
14. Incorrect, the departmental appeal was time barred beside many defects on merit as well.
15. Para-15 alongwith grounds of appeal are totally incorrect.

On Grounds:

- A. Incorrect, the appellant was proceeded against in accordance with law & procedure.
- B. Incorrect, false & wrong, hence denied. The appellant was and is still working as Assistant Professor Urdu in Woman University Swabi. Therefore, found guilty of misconduct.
- C. Incorrect hence denied. The appellant by himself admits this guilt in his annexed documents with the appeal as well as before the inquiry committee.
- D. Incorrect, hence denied. The appellant was proceeded against as per law.
- E. Incorrect, hence denied. All legal formalities and procedure has been adopted against the appellant.
- F. Incorrect, hence denied. The inquiry against the appellant was conducted in accordance with law.
- G. Incorrect, the appellant is guilty of gross misconduct and his penalty was in accordance with law.
- H. Incorrect, hence denied. Detail reply has been given above.
- I. Incorrect, hence denied. The appellant is found guilty and was awarded penalty of removal from service alongwith recovery of Rs. 10,61,222/-
- J. Incorrect, hence denied. The appeal is liable to be dismissed.
- K. Incorrect, hence denied. The appellant has no cause of action, nor has any locus standi.
- L. Incorrect, nor permissible. The appellant seeks permission for advancing arguments at the time of hearing.

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It is therefore, most humbly prayed that the instant appeal being devoid of merits may kindly be dismissed with heavy compensatory cost.



**Secretary
Elementary & Secondary Education
Department Peshawar (Respondent No. 01 to 06)**



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR

P/A

No. 6136 /8/Earned Leave

Dated: Peshawar the 28 / 5 /2018.

To

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

Subject: - ENQUIRY REPORT REGARDING NAQIB AHMED JAN, SS GHSS
BAIDARA, SWAT.

Memo:

I am directed to refer to the subject cited above and to enclose herewith an enquiry report alongwith its connected documents regarding absence of the above named officer for further necessary action.

It is therefore requested that necessary action may be initiated against the officer concerned under the existing rules/policy, please.

Encl: As above.

Deputy Director (Estt:)

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar

Endst: No. _____ /

Copy of the above is forwarded to the:-

1. DEO (Male) Swat.
2. P.A. to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.

Deputy Director (Estt:)

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar



ABB
29/5
DSA / S. (PE)
29/5

D:/Establishment M/Haji Ayyub/2013 Enquiry earned leave to Sec.docx

Section Officer (Schools)
Education Department
Civil Sectt. Khyber Pakhtunkhwa

Put up
4A
09/06



INQUIRY REPORT AGAINST NAQEEB AHMAD JAN S.S GHSS BAIDARA SWAT

Reference Directorate of Elementary and Secondary Education Peshawar Letter No. 5558-62/F.No.8/Earned Leave, Dated Peshawar the 27/03/2018 on the subject titled above, we, Munawar Gul, Principal GHSS Tarnab Farm Peshawar, being the Chairman of the committee, and Iftikhar Ul Ghani, Deputy District Education Officer (Male) Buner as member of the said panel visited GHSS Baidara (Swat) and Women University Swabi in connection with to conduct an inquiry regarding the reported dual service and absence of the delinquent officer, mentioned in the TORs of the letter as below: (**Attached as Annexure "A"**)

- (1). *Mr. Naqeeb Ahmad Jan SS Urdu GHSS Baidara (Swat) is serving in other department as well.*
- (2). *He was granted earned leave on half pay w.e.f 01-09-2017 to 24-12-2017 (115 Days). Now he has applied for further Extra-Ordinary Leave w.e.f 01-03-2018 to 28-02-2021 (1095 Days without pay). Hence the intervening period i-e from 25-12-2017 to 28-02-2018 may be checked whether he performed duty regularly or otherwise. hence the present inquiry.*

Methodologies Used for Inquiry

1. Field Visit
2. Obtaining information through questionnaires
3. Interview
4. Cross-questioning
5. Obtaining information from teachers and staff of both the institutions.

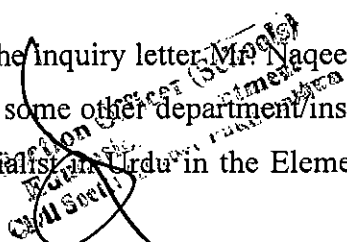
Venue

GHSS Baidara (Swat) and Women University Swabi..

Background/Problem review

The instant inquiry is being conducted in response to the alleged dual service of the delinquent officer collaborated with only arrival on the first day of the commencement of winter vacation and further willful absence immediately after the expiry of winter vacation till the approaching of the inquiry officers to GHSS Baidara (Swat). Brief facts about the history of the issue are as under:

1. That the accused Mr. Naqeeb Ahmad Jan has been working in Elementary and Secondary Education Department as S.S in Urdu at GHSS Baidara (Swat) since 17-07-2008.
2. That as per terms and references of the inquiry letter, Mr. Naqeeb Ahmad Jan S.S has been reported to have secured job in some other department/institution in addition to his own regular job as Subject specialist in Urdu in the Elementary and Secondary Education Department.
3. That he was granted earned leave on half pay w.e.f 01-09-2017 to 24-12-2017 (115 Days). Proper Sanction was accorded by the Competent Authority and is **attached as**



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Annexure "B". Afterwards, he applied for further Extra-Ordinary Leave w.e.f 01-03-2018 to 28-02-2021 (1095 Days without pay).

4. That since the intervening period i.e. from 25-12-2017 to 28-02-2018 falls within the winter vacation, hence needs to be addressed as per Conduct Rules 1987 and E & D Rules 2011 in the subsequent portion of this report.
5. That after the submission of the said application, the delinquent officer remained absent without prior sanction of the EOL.

Procedure of Inquiry

The Enquiry Committee visited GHSS Baidara (Swat) and obtained the available office record pertaining to the enquiry and thoroughly examined it. The accused was cross-questioned. He was provided ample time and opportunity to defend himself. A written questionnaire was served upon him and his written replies were obtained. **(Questionnaires are attached as Annexures "C")** The principal of the school was also interviewed and cross-questioned. Side by side, his written statement was also obtained in this regard. The enquiry committee also visited Women University, Swabi and approached the Additional Registrar in order to obtain necessary information regarding the enquiry to probe into the matter and dig out the reality. However, the said officer was extremely non-cooperative and refused in written on the face of the same questionnaire to share any information regarding the ongoing enquiry. He directed the committee to communicate through Secretary, Higher Education Govt. of Khyber Pakhtunkhwa. **(Questionnaire from the University authority is attached as Annexure "D")** The university authorities seem laggard and are using prevarication under the disguise of their non-cooperative behavior, in order to hoodwink and conceal the facts, hence guilty of abetment as well.

Findings of Facts

In order to establish the guilt or innocence of the concerned officer/teacher, the inquiry officers made use of all the available record and information. Parawise perusal of allegations collaborated with sieving and sifting of evidences connotes the following evidential comments.

1. It has now fully been ensconced/established that the accused Mr. Naqeeb Ahmad Jan S.S has been working in Elementary and Secondary Education Department as S.S in Urdu at GHSS Baidara (Swat) since 17-07-2008, however he has been mostly on leave either one type or the other.
2. According to terms and references of the inquiry letter Mr. Naqeeb Ahmad Jan S.S has been reported to have secured job in some other department/institution in addition to his own regular job as Subject specialist in Urdu in the Elementary and Secondary Education Department. During the course of inquiry it was found out that the same officer is also serving in Urdu Department of the Women University Swabi as Assistant Professor. Perusal of questionnaire from the delinquent officer reveals that he clearly confessed verbally as well as in written that he is working as Assistant

Section Officer (Schools)
Education Department
Civil Secretariat, Peshawar
Khyber Pakhtunkhwa

professor in Urdu Department of the Women University Swabi since 10/8/2017. Furthermore, during visit to the same university, colleagues as well as other administrative staff of the University categorically stated that Mr. Nageeb Ahmad Jan is serving in Urdu department as an Assistant Professors, however they refused to record the same in black and white, being reluctant on the grounds that direct provision of data/information is against the norms and regulations of the university. This was just an act of prevarication devoid of any legal support.

3. It was found out that the delinquent officer had not taken prior permission of the Competent Authority to join service in another department/Women University Swabi.
4. A significant aspect that should not go unnoticed is that if we tally and juxtapose the leave availed by him followed by winter vacation and the subsequent repeated submission of EOL application, vindicates/justifies the stance that he is guilty of having dual service, the one permanent , the other as adhoc.
5. It is also crystal clear that the delinquent officer neither obtained prior permission of the authorities to join teaching in the said University nor did he resign from his regular job as S.S which is an utter violation of Conduct Rules 1987. According to Conduct Rules 1987, Rules 6 (1) which reads as:

"No Government servant shall except with the permission of the previous sanction of the Government engage in trade or undertake any employment or work other than his official duties."

6. According to NWFP Civil Servant Act 1973, under revised rules 1981 amended in 1994, vide letter No. FD.SO(SR..iv)5-54/80 VOL-iii

"A Government servant is not allowed to accept employment during leave unless permitted by the Competent Authority."

7. Even though no station leave had been obtained from the authority in winter vacation while leaving the station/district for the university.
8. As for as the intervening period i.e from 25/12/2017 to 28/2/2018 is concerned, the said period falls in the winter vacation. It is evident that he resumed duty on 25/12/2017 from which the vacation had already commenced and continued his university job in winter vacation as well, however, after the expiry of the winter vacation he submitted application for EOL and left the school without getting it sanctioned from the competent authority, which renders the same period to absenteeism and calls for nemesis under the above mentioned rules.
9. Accounts record of the concerned school was obtained revealing that he has drawn salaries against the S.S post during the intervening period. In addition to the salaries he has drawn against S.S post, he was also drawing salary as Assistant professor at the University, which is illegal and unauthorized. **(Salary slips/acquittance rolls are attached as Annexure "E").**

Section Officer (Schools)
 Education Department
 Civil Secretariat
 Peshawar

Scrupulous observation and analysis of all the available record and evidences, it has fully been upheld that the delinquent officer is guilty of absenteeism, inefficiency and misconduct under E & D Rules 2011 and liable to be proceeded under the rules ibidem.

Recommendations

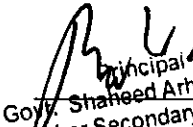
Analyzing and thorough perusal of all the available record and evidences, We rummaged out that he is guilty of absenteeism, inefficiency and misconduct under *Rules 3 (a) (b) and (d) defined in Rules I (i) & (vi) of the Khyber Pakhtunkhwa Servants (Efficiency and Discipline) Rules 2011.*

Keeping in view the above discussion, the following recommendations are suggested for further necessary action:


1. Major penalty of "Removal from Service" is recommended to be imposed upon the delinquent officer under *Rules 4 (b) (iii) Khyber Pakhtunkhwa Servants (Efficiency and Discipline) Rules 2011.*
2. The unwarranted salaries drawn during and after the intervening absent period may be recovered being a pecuniary loss ^{to} Government under *Rules Rules 4 (a) (iii) of the Khyber Pakhtunkhwa Servants (Efficiency and Discipline) Rules 2011.*

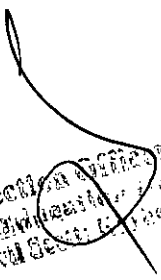
Signatures

1. Munawar Gul, (Chairman)
Principal, Govt. Shaheed Arham Khan
H.S.S Tarnab Farm Peshawar.


Principal
Govt. Shaheed Arham Khan
Higher Secondary School
Tarnab Farm Peshawar

2. Iftikhar UI Ghani, (Member)
Deputy District Education Officer
(Male) Buner.


Iftikhar UI Ghani
Dy. Distt. Edu. Officer (M)
Buner


Section Officer (Schools)
Education Department
Civil Serv. Khyber Pakhtunkhwa

(11)

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DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

REGISTERED

NOTIFICATION.

The Competent authority is pleased to constitute inquiry comprising the following officers to probe into the matter of alleged absence of Mr. Naaqeeb Ahmad Jan Subject Specialist BS-17 GHSS Baidara Swat with the TORS given below:

1. Mr. Munawar Gul Principal, BS-19 GHSS Tarnab Farm, Peshawar (Chairman)
2. Mr. Iftikhar ul Ghani BS-18 Dy: District Education Officer Male, Buner (Member)

Terms & References

1. The inquiry committee shall probe into the matter that above named officer is serving in other Departments as well.
2. He was granted EOL on half pay w.e.f 01-09-2017 to 24-12-2017 (115 days) now he has applied for further EOL on 01-03-2018 to 28-02-2021(1095 days without pay), hence intervening period may be checked/verified whether he performed duty regularly or otherwise.

The enquiry committee is hereby directed to submit enquiry report along with clear recommendations to this office within ten (10) days positively.

(DIRECTOR)

Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar.

5558-62
Endst: No. /F.No.8/Earned leave
Copy to the:-

Dated: 27/03/2018.

1. Mr. Munawar Gul Principal, BS-19 GHSS Tarnab Farm, Peshawar
2. Mr. Iftikhar ul Ghani BS-18 DDEO (Male) Buner.
3. District Education Officer (Male) Swat.
4. PS to Secretary, (E&SE) Department.
5. P.A to Director of Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.

[Signature]
Deputy Director (Establishment)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar.

DY. DEO (M)

1696inquiry notification

Note please
SECRETARY (SCHOOLS)
ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA

Received

[Signature]
12/4/18
Ifikhar Ul Ghani
Dy. Dist. Edu. Officer Male
Buner



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B
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GOVT. OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Dated Peshawar the November 22, 2017

NOTIFICATION


NO.AO/E&SE/4-11/Leave/Swat. Sanction is hereby accorded to the grant of 115 days earned leave on half pay w.e.f. 01-09-2017 to 24-12-2017 in favour of Mr. Naqeeb Ahmad Jan, Subject Specialist BS-17 GHSS Baidara District Swat as admissible under the Revised leave Rules, 1981.

Secretary to Govt. of Khyber
Pakhtunkhwa Elementary &
Secondary Edu: Department

Endst: Even NO. & Date.

Copy forwarded to:-

1. The Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar w/r to his letter No.3375 dated 18-10-2017.
2. The District Accounts Officer Swat.
3. The Section Officer (Schools-Male), Elementary & Secondary Education Department.
4. Mr. Naqeeb Ahmad Jan, Subject Specialist BS-17 GHSS Baidara District Swat.


22.11.17
(HAQ NAWAZ KHAN)
SECTION OFFICER (ACCOUNTS)

Section Officer (Schools)
Education Department
Civil Secretariat Peshawar

Attested


Principal
G.H.S.S. SAIDARA
SWAT.

(13)

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Mr. Naqeeb Ahmad Jan
SS

As per Director, E & SE KPK Palawa Endst No 5558. F. No 8/Earned leave dated 27-3-2018, the undersigned have been constituted as enquiry committee to probe into the matter that you are serving in some other department as well in this regard you are directed to respond to the following questions.

- 1- Your introduction with present posting and permanent address in brief.
- 2- Intimate your tenure at the present post i.e. SS in the
- 3- Whether you have availed any kind of leave during your service period. If yes give the detail and also provide the photo copy of the isak notification.
- 4- As per office record you have availed EOL 115 w.e.f. 1-9-2017 to 24-12-2017. Whether you have assumed your duty after the expiry of the leave period.
- 5- Whether you have been appointed against any post in any other department if yes give the detail.
- 6- A very serious allegation has been levelled against you regarding joining other department keeping your department in the darkness. Taken salaries during the
- 7- Whether you have performed regular duty during leave period.
- 8- Whether you have performed regular duty during intervening period i.e. w.e.f. 25-12-2017 to 28-2-2018.
- 9- If it is proved that you have joined double services how would you defend yourself.

10/10/2018
10/10/2018
10/10/2018

Counter signed

(LIFTIKHAR-UL-GHANI)
DDO (M) Buner

Section Officer (Schools)
Education
Distt. Buner
(MUNAWAR GUL)
PRINCIPAL
G.H.SS Tarnab Fannu

To
The Enquiry Committee

Reply to the enquiry committee is as under (serial wise);

- 1, I Mr. Nazeeb Ahmad Jan s/o Farzal Aziz R/o village & P/o Kabal Tehsil Kabal Distt Swat discharging my duties against my post SS in Undu since 17-7-2008.
- 2, my tenure on the current post SS in Undu at G.H.S.S Baidara Swat is since 17-7-2008 up to date.
- 3, Yes, I have availed Study leave during my ph.D Studies and then earned leave, Sanctions are attached herewith.
- 4, Yes I Joined my duties here after expiry of my earned leave.
- 5, I am appointed on the post of Assistant professor under at Department of Undu women University Swabi on Contract basis.
- 6, I Joined the post offered by the university on contract basis, as it was not a permanent post so far I got earned leave for joining there.
- 7, After expiry of my earned leave I found my duties here but I was on winter vacation so as I continued my job ~~duties~~ there, and my salaries here are also withdrawn.
- 8, As I was on winter vacation w.e.f - 25/12/2017 to 28/2/2018.
- 9, As I have been appointed in the university on contract basis, not on permanent basis, so I availed my earned leave and joined the university, I was unaware that this was so serious issue that I should have informed my parent department. Secondly I thought in winter vacation I was already free from my duties I continued my duties in university. I have 29 days of earned leave which may be adjusted for duration of my absence period which for the remaining period I will re-deposit my already drawn salaries to the government treasury. I request with written apology that the same practice will not be repeated in future. Because I was ignorant that this is mistake on my part, so kindly provide me with the opportunity to exonerate myself from this charge levelled against me.

Attested

Dr. Nazeeb Ahmad Jan
 SS Undu G.H.S.S Baidara 10/4/18.

Fazal-e-Rabbi
Principal,
G.H.S.S. Bedara (Swat)

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Respected Sir,

It is to inform you that an inquiry committee comprising the undersigned has been constituted vide Director, E & SE, KPK Peshawar. Endst No 5558-62/F.No.8/ Earned leave dated 27-3-2018, to conduct inquiry against one Nageeb Ahmad Jan ss of your school. In this regard your written statement is required to clear the following points pertaining to the ongoing enquiry.

- 1- Intimate your tenure as Principal of this school.
- 2- Whether Nageeb Ahmad Jan ss has been granted leave. If yes then intimate the nature of leave and also provide sanction of the said leave.
- 3- Whether any payment have been paid during the leave period.
4. As per Directorate record he has been granted EOL wof 1-9-2017 to 24-12-2017 (115 days) whether after termination of leave period he has joined his duty i.e wof 25-12-17 to 28-2-2018 provide documentary proof in this regard also.
- 5- per hear say Mr Nageeb Ahmad Jan ss has also joined some other service. In this regard whether you have reflected his this state of affairs to the department in written shape.
- 6- In case his parallel services were proved how would you defend yourself.

Noted

14/11/18

Fazal Rabbi

Section Officer (Schools)
Education Department
Civil Secretariat
Mardan

A Hester
Principal,
G.H.S.S. BAIDARA
SWAT.

(IFTIKHAR-UL-QHANI)
DPO/CI Bazar

(MUNAWAR GUL)
Principal

(16)

c-29

I would like to say the following points in response to your queries.

(1) My Tenure as principal in this school since 12-4-2011

(2) Yes.

(a) study leave on half pay

w.e.f 01-08-2012 to 31-07-2015 ✓

(b) Extension in study leave on half pay. ✓

w.e.f 01-08-2015 to 31-01-2016. (Six months)

(c) Earned leave w.e.f 01-09-17 to 24-12-17. (115 days)

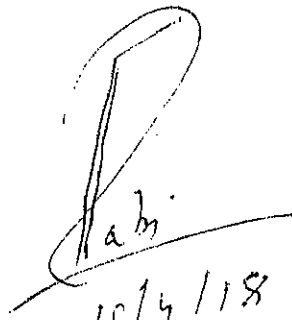
(3) Yes, leave salary paid to the official.

(4) He re-joined his services on 25-12-2017.

(5) we do not know about this matter.

(6) we have sufficient proof of his leaves and sanctions from high authorities.

Section Officer (Senior Schools)
Education Department
Civil Sdho: Khyber Pakhtunkhwa


10/4/18

FAZAL KARIM

M.S.S. BAIDAR

17

e-5 12

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OFFICE OF THE PRINCIPAL GOVT HIGHER SEC SCHOOL BAIDARA

ARRIVAL REPORT

Certified that Mr Nageeb Ahmad Jan post subject specialist BPS No 17 of GHSS Baidara swat was on earned leave on half pay W.E.F 01-09-2017 to 24-12-2017. He is reported/Arrival for his duty on 25-12-2017. leave sanction is attached.

He took over charge of his duty on 25-12-2017 before noon against his original post subject specialist of GHSS Baidara swat.

Signature of

Govt servant

No: 641 Dated 26-12-17

Principal

GHSS BAIDARA

DISTT SWAT

Principal
GHSS BAIDARA
SWAT

Attended

Principal
GHSS BAIDARA
SWAT
Section Officer (Schools)
Education Department
Civil Sect: L. & T. Paktankhwa

To

Addl; Registrar,
Women University,
Burai.

Provision of record/information in r/o
Dr Nageeb Ahmed Jan A/P
Urdu Dept.

As per Director & SE
the undersigned have been
appointed as inquiry committee regarding
Nageeb Ahmed Jan A/P Urdu Dept
vide Endst No 5558-62/F.No/Exam/1
dated 27/3/2018 as shown

Hence you are requested
to provide the following information
within and in documentary form.

- ① When ~~was~~ Mr Nageeb Ahmed Jan
A/P appointed in Urdu Dept
and also provide this appointment
order.

Section Officer (General)
Education Department
Civil Secretariat, Bikaner

12/4/18
Mukhtar Uj Gh
Distt. Edu. Officer
Buneri

Page # 2
Date of issue
27/04/2018

Page 2

Give the salaries detail of his appointment till to date.

Any other proof of his activities/tasks assigned to him.

Any other information you want to share with us in this regard.

Mu 12/4/18
(MUNAWAR GOL)
Principal
GHS Tarun's farm
Peshawar

12/4/18
KHARUL GHANI,
D/DEO CM
Buner

Received by Assistant Registrar
Appropriate and relevant information will be
communicated with [unclear] days

Signature
Mukhtar Ul Ghani
Dy. Dist. Edu. Officer
Buner

Signature
12/04/2018

Dist. Govt. NWFP-Provincial
District Accounts Office SWAT
Monthly Salary Statement (August-2017)

20



Personal Information of Mr NAQEEB AHMAD JAN d/w/s of FAZAL AZIZ

Personnel Number: 00344793 CNIC: 1560203109747 NTN:
Date of Birth: 01.06.1977 Entry into Govt. Service: 17.11.2006 Length of Service: 10 Years 09 Months 016 Days

Employment Category: Active Permanent

Designation: SUBJECT SPECIALIST 80004810-DISTRICT GOVERNMENT KHYBE

DDO Code: SW6041-Principal GHSS Baidara Swat

Payroll Section: 001 GPF Section: 001 Cash Center:

GPF A/C No: Interest Applied: Yes **GPF Balance: 163,165.00**

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 17 Pay Stage: 8

Wage type		Amount	Wage type		Amount
0001	Basic Pay	48,770.00	1000	House Rent Allowance	2,955.00
1210	Convey Allowance 2005	5,000.00	1644	Ph.d / M.Phil Allowance	10,000.00
1913	Comp Allow.20%(N2,17to22)	2,000.00	1947	Medical Allow 15% (16-22)	2,124.00
2148	15% Adhoc Relief All-2013	1,160.00	2199	Adhoc Relief Allow @10%	789.00
2211	Adhoc Relief All 2016 10%	4,088.00	2224	Adhoc Relief All 2017 10%	4,877.00

Deductions - General

Wage type		Amount	Wage type		Amount
3017	GPF Subscription - Rs3579	-3,579.00	3501	Benevolent Fund	-800.00
3609	Income Tax	-1,881.00	3990	Emp.Edu. Fund KPK	-250.00
4004	R. Benefits & Death Comp:	-900.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	94,000.00	-3,000.00	40,000.00

Deductions - Income Tax

Payable: 37,115.25 Recovered till August-2017: 3,462.00 Exempted: 14845.85 Recoverable: 18,807.40

Gross Pay (Rs.): 81,763.00 Deductions: (Rs.): -10,410.00 Net Pay: (Rs.): 71,353.00

Payee Name: NAQEEB AHMAD JAN

Account Number: 1890057

Bank Details: BANK ALFALAH LIMITED, 090078 MAKAN BAGH MINGORA MAKAN BAGH MINGORA, SWAT

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: SWAT

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email:

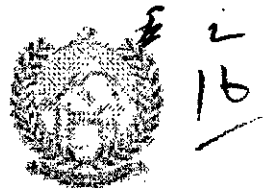
(66931/20.08.2017/19:04:58) 2) All amounts are in Pak Rupees 3) Errors & omissions excepted

Signature

Section Officer (Schools)
Education Department
Civil Sect: 428
Khyber Pakhtunkhwa

Dist. Govt. NWFP-Provincial
District Accounts Office SWAT
Monthly Salary Statement (September-2017)

(21)



Personal Information of Mr NAQEEB AHMAD JAN d/w/s of FAZAL AZIZ

Personnel Number: 00344793 CNIC: 1560203109747 NTN:
Date of Birth: 01.06.1977 Entry into Govt. Service: 17.11.2006 Length of Service: 10 Years 10 Months 015 Days

Employment Category: Active Permanent

Designation: SUBJECT SPECIALIST 80004810-DISTRICT GOVERNMENT KHYBE

DDO Code: SW6041-Principal GHSS Baidara Swat

Payroll Section: 001

GPF Section: 001

Cash Center:

GPF A/C No:

Interest Applied: Yes

GPF Balance:

183,310.00

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2017

Pay Scale Type: Civil BPS: 17

Pay Stage: 8

Wage type		Amount	Wage type		Amount
0001	Basic Pay	48,770.00	1000	House Rent Allowance	2,955.00
1210	Convey Allowance 2005	5,000.00	1644	Ph.d / M.Phil Allowance	10,000.00
1913	Comp Allow 20%(N2,17to22)	2,000.00	1947	Medical Allow 15% (16-22)	2,124.00
2148	15% Adhoc Relief All-2013	1,160.00	2199	Adhoc Relief Allow @10%	789.00
2211	Adhoc Relief All 2016 10%	4,088.00	2224	Adhoc Relief All 2017 10%	4,877.00

Deductions - General

Wage type		Amount	Wage type		Amount
3017	GPF Subscription - Rs4270	-4,270.00	3501	Benevolent Fund	-800.00
3609	Income Tax	-1,881.00	3990	Emp.Edu. Fund KPK	-250.00
4004	R. Benefits & Death Comp:	-2,136.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	94,000.00	-3,000.00	37,000.00

Deductions - Income Tax

Payable: 37,115.28 Recovered till September-2017: 5,343.00 Exempted: 14845.89 Recoverable: 16,926.39

Gross Pay (Rs.): 81,763.00

Deductions: (Rs.): -12,337.00

Net Pay: (Rs.): 69,426.00

Payee Name: NAQEEB AHMAD JAN

Account Number: 1890057

Bank Details: BANK ALFALAH LIMITED, 090078 MAKAN BAGH MINGORA MAKAN BAGH MINGORA, SWAT

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address:

City: SWAT

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email:

(66931/27.09.2017/14;21:32) 2) All amounts are in Pak Rupees 3) Errors & omissions excepted

Handwritten signature: A. He. H. e. s.

Section Officer (Scholarship)
Educ
Civil Serv

(22)
Dist. Govt. NWFP-Provincial
District Accounts Office:SWAT
Monthly Salary Statement (January-2018)

E 3 - 17
83

Personal Information of Mr NAQEEB AHMAD JAN d/w/s of FAZAL AZIZ

Personnel Number: 00344793 CNIC: 1560203109747 NTN:
Date of Birth: 01.06.1977 Entry into Govt. Service: 17.11.2006 Length of Service: 11 Years 02 Months 016 Days

Employment Category: Active Permanent

Designation: SUBJECT SPECIALIST 80004810-DISTRICT GOVERNMENT KHYBE

DDO Code: SW6041-Principal GHSS Baidara Swat

Payroll Section: 001 GPF Section: 001 Cash Center:

GPF A/C No: Interest Applied: Yes **GPF Balance:** 190,580.00

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 17 Pay Stage: 9

Wage type		Amount	Wage type		Amount
0001	Basic Pay	51,070.00	1000	House Rent Allowance	2,955.00
1644	Ph.d / M.Phil Allowance	10,000.00	1913	Comp Allow 20%(N2,17to22)	2,000.00
1947	Medical Allow 15% (16-22)	2,124.00	2148	15% Adhoc Relief All-2013	1,160.00
2199	Adhoc Relief Allow @10%	789.00	2211	Adhoc Relief All 2016 10%	4,088.00
2224	Adhoc Relief All 2017 10%	5,107.00	5002	Adjustment House Rent	8,862.00
5012	Adjustment Medical All	6,371.00	5309	Adj. 15% Adhoc Allowance	3,479.00
5801	Adj Basic Pay	79,178.00	5886	Adj Comp Allowance 20%	6,035.00
5964	Adj Adhoc Relief All 2015	12,264.00	5975	Adj Adhoc Relief All 2016	7,917.00
6077	Adj.P.H.D Allowance	30,000.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3017	GPF Subscription - Rs4270	-4,270.00	3501	Benevolent Fund	-800.00
3609	Income Tax	-1,412.00	3990	Emp.Edu. Fund KPK	-250.00
4004	R. Benefits & Death Comp:	-2,136.00	5011	Adj Conveyance Allowance	-5,000.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	94,000.00	-3,000.00	34,000.00

Deductions - Income Tax

Payable: 23,015.20 Recovered till January-2018: 6,755.00 Exempted: 9205.10 Recoverable: 7,055.10

Gross Pay (Rs.): 233,399.00 Deductions: (Rs.): -16,868.00 Net Pay: (Rs.): 216,531.00

Payee Name: NAQEEB AHMAD JAN

Account Number: 1890057

Bank Details: BANK ALFALAH LIMITED, 090078 MAKAN BAGH MINGORA MAKAN BAGH MINGORA, SWAT.

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: SWAT

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email:

(66931/27.01.2018/15:23:26) 2) All amounts are in Pak Rupees 3) Errors & omissions excepted

* Adjustment of pay of intervening period.

Handwritten signature

Section Officer (Schools)
Educational Department
Civil Secretariat Khyber Pakhtunkhwa

Dist. Govt. NWFP-Provincial
District Accounts Office SWAT
Monthly Salary Statement (February-2018)

(23)
E4
18
82

Personal Information of Mr NAQEEB AHMAD JAN d/w/s of FAZAL AZIZ

Personnel Number: 00344793 CNIC: 1560203109747 NTN:
Date of Birth: 01.06.1977 Entry into Govt. Service: 17.11.2006 Length of Service: 11 Years 03 Months 013 Days

Employment Category: Active Permanent

Designation: SUBJECT SPECIALIST 80004810-DISTRICT GOVERNMENT KHYBE

DDO Code: SW6041-Principal GHSS Baidara Swat

Payroll Section: 001 GPF Section: 001 Cash Center:

GPF A/C No: Interest Applied: Yes **GPF Balance: 197,850.00**

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 17 Pay Stage: 9

Wage type		Amount	Wage type		Amount
0001	Basic Pay	51,070.00	1000	House Rent Allowance	2,955.00
1644	Ph.d / M.Phil Allowance	10,000.00	1913	Comp Allow 20%(N2,17to22)	2,000.00
1947	Medical Allow 15% (16-22)	2,124.00	2148	15% Adhoc Relief All-2013	1,160.00
2199	Adhoc Relief Allow @10%	789.00	2211	Adhoc Relief All 2016 10%	4,088.00
2224	Adhoc Relief All 2017 10%	5,107.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3017	GPF Subscription - Rs4270	-4,270.00	3501	Benevolent Fund	-800.00
3609	Income Tax	-1,411.00	3990	Emp.Edu. Fund KPK	-250.00
4004	R. Benefits & Death Comp:	-2,136.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	94,000.00	-3,000.00	31,000.00

Deductions - Income Tax

Payable: 23,015.20 Recovered till February-2018: 8,166.00 Exempted: 9205.92 Recoverable: 5,643.28

Gross Pay (Rs.): 79,293.00 Deductions: (Rs.): -11,867.00 Net Pay: (Rs.): 67,426.00

Payee Name: NAQEEB AHMAD JAN

Account Number: 1890057

Bank Details: BANK ALFALAH LIMITED, 090078 MAKAN BAGH MINGORA MAKAN BAGH MINGORA, SWAT

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: SWAT

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

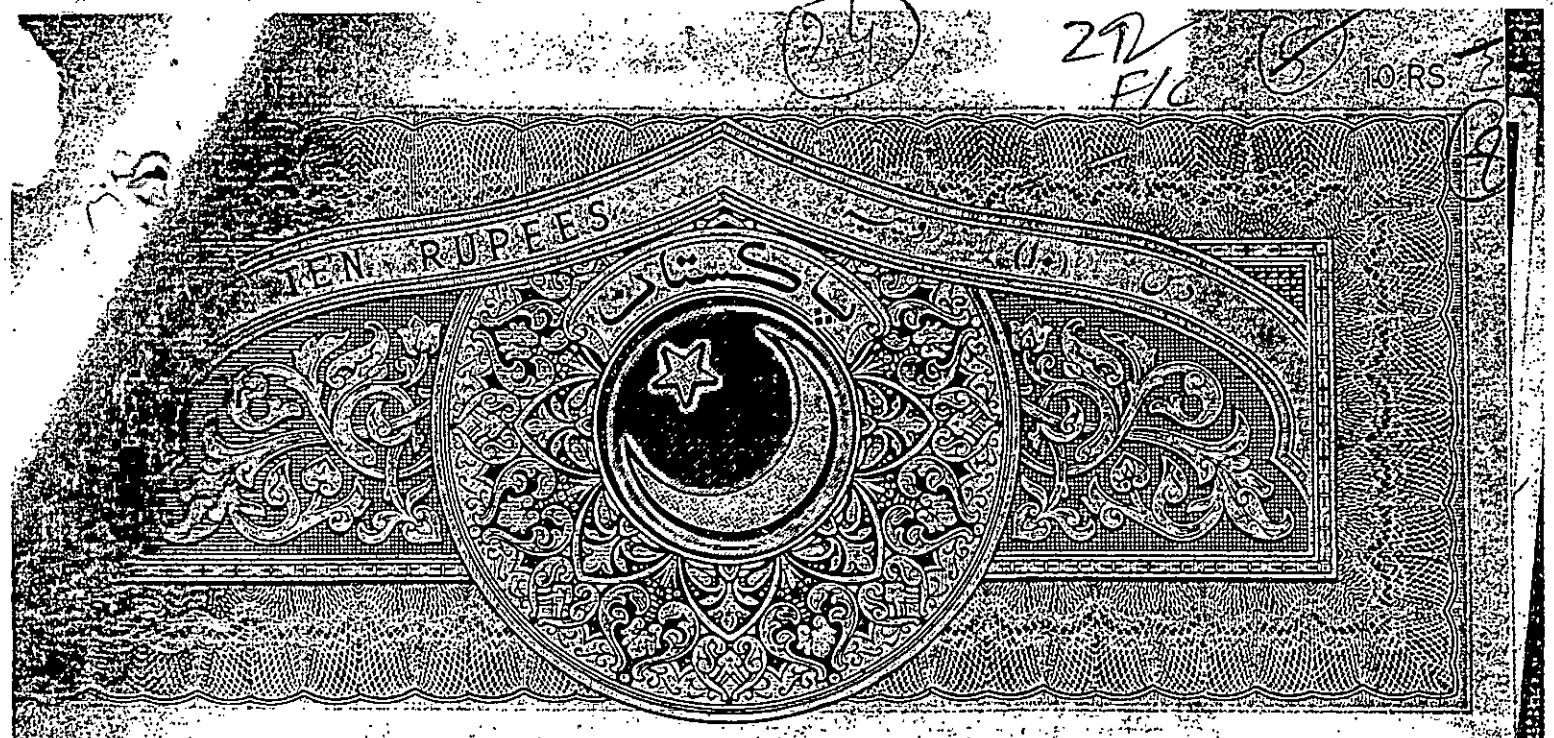
Email:

(6693/24.02.2018/18:49:45) 2) All amounts are in Pak Rupees 3) Errors & omissions exaepted

Accepted

[Signature]

Section Officer (Accounts)
District Government Khyber Pakhtunkhwa
Swat



22
FIC
10 RS

UNDERTAKING

I, Mr. Naqeeb Ahmad Jan S/O Fazal Aziz R/O Kabal Swat Subject Specialist in Urdu (BPS-17) GHSS Baidara (Matta) Swat, have been selected as Ph.D. Scholar, Department of Persian and Urdu Languages and Literature University of Peshawar through NTS/GAT/ Higher Education Commission do hereby solemnly affirm and declare that on completion of my Ph.D. I will serve the Education Department for at least five consecutive years, in case of non compliance; I will return the amount as drawn during the period

Whatever stated above is true and correct to the best of my knowledge and belief and nothing has been kept concealed or misstated therein

DEPONENT

Naqeeb Ahmad Jan
Naqeeb Ahmad Jan 4/3/2012
S.S. (Urdu)
GHSS Baidara Swat.
CNIC No. 15602-0310974-7

ATTESTED



Witness No. 1.

Signature *Gohar Ali*

Name: Gohar Ali

F.Name Mutabar Khan

CNIC No. 15602-7856173-7

Adress Kabal Swat

Witness No. 2.

Signature *Saeed Ahmad*

Name: Saeed Ahmad

F.Name Fazal Rahman

CNIC No. 15602-7488301-3

Adress Kabal Swat

Section Officer (Schools)
Education Department
City Section Khyber Pakhtunkhwa

CHARGE SHEET

25

23

I, Naveed Kamran Baloch, Chief Secretary, Khyber Pakhtunkhwa as Competent Authority, hereby charge you, Mr. Naqib Ahmad Jan Subject Specialist (Urdu) BS-17 GHSS Baidara District Swat, as follows:-

That you, while posted as Subject Specialist (Urdu) BS-17 GHSS Baidara District Swat committed the following irregularities:

- i. You have been working as Assistant Professor Urdu in the Women University Swabi since 10-08-2017.
- ii. You applied for Extra Ordinary Leave w.e.f 01-03-2018 to 28-02-2021 (1095 days) and have been absent from duty without sanction of earned leave.
- iii. You had been granted 1095 days (w.e.f 01-03-2012 to 31-07-2015) study leave on half pay for Ph.D studies at the University of Peshawar vide Notification dated 05-11-2012 for which you had presented undertaking on legal stamp paper that after completion of your studies, you will serve the Education Department for at least five consecutive years, in case of non-compliance; you will return the amount drawn during the study period, but you left the Department without rendering five years service as such.

2- By reason of the above, you appear to be guilty of misconduct under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Rules ibid.

3- You are, therefore, required to submit your written defense within seven days of the receipt of this Charge Sheet to the inquiry officer/ inquiry committee, as the case may be.

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

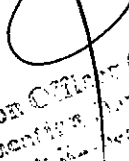
5- Intimate whether you desire to be heard in person.

6- A Statement of Allegations is enclosed.



(NAVEED KAMRAN BALOCH)
CHIEF SECRETARY KHYBER PAKHTUNKHWA
COMPETENT AUTHORITY

Mr. Naqib Ahmad Jan,
Subject Specialist (Urdu) BS-17 GHSS Baidara District Swat.


Section Officer (Schools)
Education Department
Civil Secretariat, Peshawar

(28) 24

DISCIPLINARY ACTION

I, Navced Kamran Baloch, Chief Secretary, Khyber Pakhtunkhwa as Competent Authority, am of the opinion that Mr. Naqib Ahmad Jan Subject Specialist (Urdu) BS-17 GHSS Baidara District Swat, has rendered himself liable to be proceeded against, as he committed the following acts/ omissions, within the meaning of Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS


- i. He has been working as Assistant Professor Urdu in the Women University Swabi since 10-08-2017.
- ii. He applied for Extra Ordinary Leave w.e.f 01-03-2018 to 28-02-2021 (1095 days) and has been absent from duty without sanction of earned leave.
- iii. He had been granted 1095 days (w.e.f 01-08-2012 to 31-07-2015) study leave on half pay for Ph.D studies at the University of Peshawar vide Notification dated 05-11-2012 for which he had presented undertaking on legal stamp paper that after completion of his studies, he will serve the Education Department for at least five consecutive years, in case of non-compliance; he will return the amount drawn during the study period, but he left the Department without rendering five years service as such.

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

- i. Mr. M. Fawad
- ii. Mr. M. Riaz
- iii. _____

3- The inquiry officer/inquiry committee shall, in accordance with the provisions of the ibid Rules, provide reasonable opportunity of hearing to the accused, record its findings and make within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4- The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the inquiry officer/ inquiry committee.


(NAVEED KAMRAN BALOCH)
CHIEF SECRETARY KHYBER PAKHTUNKHWA
COMPETENT AUTHORITY

Mr. Naqib Ahmad Jan,
Subject Specialist (Urdu) BS-17 GHSS Baidara District Swat.


Section Officer (Schools)
Education Department
Civil Sectt. Khyber Pakhtunkhwa

REGISTERED



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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

28

Dated Peshawar the September 27, 2018

NOTIFICATION

No. SO(SM)E&SED/4-17/2018/Naqeeb Ahmad Jan SS GHSS Baidara Swat: In exercise of the powers conferred upon him under Rule-10 of the Khyber Pakhtunkhwa Government Servants Efficiency & Discipline Rules 2011, the Competent Authority/Chief Secretary Khyber Pakhtunkhwa has been pleased to constitute the Inquiry Committee comprising the following officers to conduct formal inquiry against Mr. Naqeeb Ahmad Jan Subject Specialist (Urdu) BS-17 GHSS Baidara District Swat for the charges mentioned in the Charge Sheet and Statement of Allegations under the rules ibid;

- i. Mr. Muhammad Fawad (PMS BS-18) Additional Deputy Commissioner Swat.
- ii. Mr. Muhammad Riaz, Deputy District Education Officer (Male) BS-18 Dir Lower.

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

SECRETARY

Endst: of even No. & Date :-

Copy forwarded to the:

1. Mr. Muhammad Fawad (PMS BS-18) ADC Swat.
2. Mr. Muhammad Riaz, Deputy District Education Officer (Male) BS-18 Dir Lower.
3. Voice Chancellor, Women University Swabi.
4. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
5. District Education Officer (Male), Swat.
6. Mr. Naqib Ahmad Jan Subject Specialist (Urdu) BS-17 GHSS Baidara District Swat.
7. The DDEO(M) Swat is nominated as Departmental Representative to assist the inquiry committee.
8. PS to Secretary E&SE Department, Khyber Pakhtunkhwa.
9. Office order file.

11/10/18

(MIAN HUSSAIN DIN)
SECTION OFFICER (SCHOOLS MALE)
Section Officer (Schools Male)
Education Department
Civil Secretariat
Peshawar



(28)

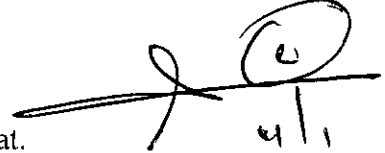
26

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

No.SO(SM)E&SED/4-17/2018/Naqeeb Ahmad Jan SS GHSS Baidara Swat
Dated Peshawar the January 03, 2019

To

- i. Mr. Muhammad Fawad,
Additional Deputy Commissioner Swat.
- ii. Mr. Muhammad Riaz,
Deputy District Education Officer (Male) Dir Lower.


4/1
3:55 PM

Subject:- **DISCIPLINARY PROCEEDINGS UNDER E&D RULES 2011, AGAINST MR. NABEEQ AHMAD JAN SS GHSS BAIDARA SWAT.**

I am directed to refer to this Department notification of even number dated 27-09-2018 whereupon you were appointed as inquiry officers to conduct formal inquiry against the subject specialist concerned and enquiry report was required to be completed and submitted within 30 days positively but the same is still awaited.

2. You are therefore, requested to kindly expedite the inquiry and submit report at the earliest.

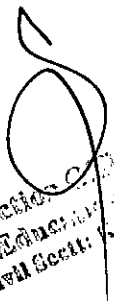

(MIAN HUSSAIN DIN)
SECTION OFFICER (SCHOOLS MALE)

Endst: Even No. & Date:

Copy of the above is forwarded to the:-





1. PS to Secretary E&SE Khyber Pakhtunkhwa, Peshawar.


SECTION OFFICER (SCHOOLS MALE)


Section Officer (Schools)
Education Department
Civil Sect: Khyber Pakhtunkhwa

(29)

27

	OFFICE OF THE	Fax. #. 0945-9250081
	DISTT: EDUCATION OFFICER (M)	#. 9250082
	DISTRICT DIR LOWER	
	deomaledirlower@gamil.com	
	@DEOMaleDirLower	
		District Education Officer Male Dir Lower

No. _____

Dated Timergara the: 14/01/2019

To

Mr. Muhammad Fawad,
The Additional Deputy Commissioner Swat.

Subject: DISCIPLINARY PROCEEDINGS UNDER E&D RULES 2011, AGAINST MR. NAQEEB AHMAD JAN SS GHSS BAIDARA SWAT

Memo:

Your attention is invited to the Section Officer (Schools Male) Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Peshawar letter No. SO(SM)E&SED/4-17/2018/Naqeeb Ahmad Jan SS GHSS Baidara Swat Dated Peshawar the January 03, 2019.

In this regard on telephonic message from your office PA, the undersigned visited your office in November 2018 for the purpose of inquiry proceedings but the alleged person was not present for the inquiry proceeding. Hence you instructed me that next date will be fixed for which I will be informed as and when the alleged is bound to attend this office. Till date the undersigned is in waiting but no fruitful result.

Therefore it is requested that the said inquiry may please be expedited as per the above motioned letter for which I am ready each and every time when informed.


District Education Officer Male
Dir Lower at Timergara

Endst: No. 568-69

Dated Timergara the: 14/01/2019

Copy of the above is forwarded for information to the:-

1. Section Officer (Schools Male) reference to his letter No. SO(SM)E&SED/4-17/2018/Naqeeb Ahmad Jan SS GHSS Baidara Swat Dated Peshawar the January 03, 2019.
2. PA to Secretary E&SED Khyber Pakhtunkhwa Peshawar.


Section Officer (Schools)
Education Department
Civil Sectt: Khyber Pakhtunkhwa


District Education Officer Male
Dir Lower at Timergara



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

No.SO(SM)E&SED/4-17/2018/Naqeeb Ahmad Jan SS GHSS Baidara Swat
Dated Peshawar the April 12, 2019

To

1 Mr. Muhammad Fawad,
Additional Deputy Commissioner Swat.

2 Mr. Muhammad Riaz,
Deputy District Education Officer (Male) Dir Lower.

12/4
2:10 PM

Subject:- **DISCIPLINARY PROCEEDINGS UNDER E&D RULES 2011, AGAINST MR. NABEEQ AHMAD JAN SS GHSS BAIDARA SWAT.**

I am directed to refer to this Department notification of even number dated 27-09-2018 and subsequent reminder of even no. dated 03-01-2019 on the subject noted above and to request you to expedite the inquiry and submit report at the earliest.

SECTION OFFICER (SCHOOLS MALE)
12/4/18

Endst: Even No. & Date:

Copy of the above is forwarded to the:-

- 3. PS to Secretary E&SE Khyber Pakhtunkhwa, Peshawar.

SECTION OFFICER (SCHOOLS MALE)
12/4/18

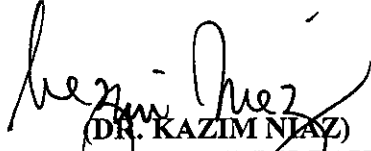
Section Officer (Schools Male)
Education Department
Civil Secretariat Khyber Pakhtunkhwa

SHOW CAUSE NOTICE


31

I, Dr. Kazim Niaz, Chief Secretary Khyber Pakhtunkhwa, as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you, Mr. Naqeeb Ahmad Jan, Subject Specialist (Urdu) BS-17 GHSS Baidara Swat.

- i. That consequent upon the completion of inquiry conducted against you by the inquiry committee for which you submitted your written defense before the inquiry committee vide communication dated 10-10-2018; and
 - ii. Through the findings and recommendation of the inquiry officer, the material on record and other connected papers including your defense before the inquiry officer: -
2. I am satisfied that you have committed the following acts/omissions specified in rule-3(b) of the said rules:
- (a) Misconduct
 - (b) Corruption
3. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of Removal from service alongwith under Rule-4 of the said rules. recovery of Rs. 1061222/-
4. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
5. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.
6. A copy of the findings of the inquiry officer is enclosed.


(DR. KAZIM NIAZ)
CHIEF SECRETARY KHYBER PAKHTUNKHWA
COMPETENT AUTHORITY

Mr. Naqeeb Ahmad Jan, Subject Specialist (Urdu) BS-17,
GHSS Baidara Swat.


Chief Secretary
Khyber Pakhtunkhwa
Government Servants
Efficiency & Discipline
Rules, 2011

INQUIRY REPORT AGAINST MR. NAQEEB AHMAD JAN SUBJECT SPECILIST (URDU) GOVT; HIGHER SECONDARY SCHOOL BAIDARA DISTRICT SWAT.

Introduction

The worthy Secretary, Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department Peshawar vide notification bearing No.SO(SM)E&SED/4-17/2018/Naqeeb Ahmad Jan SS GHSS Baidara Swat dated Peshawar the 27/09/2018 constituted as inquiry committee comprising of the following officers to conduct formal inquiry regarding the subject issue.

1. Mr. Muhammad Fawad (PMS BS-18) Additional Deputy Commissioner Swat.
2. Mr. Muhammad Riaz, Deputy District Education Officer (M) BS-18 Dir Lower.

The terms of reference of the inquiry committee mentioned in the above notification is to furnish report and recommendation at the earliest.

Summary of the Complaint

The instant inquiry was ordered on the complaint of Education Department against Mr. Naqeeb Ahmad Jan, SS(Urdu) GHSS Baidara Swat who is working as Assistant Professor Urdu in the Women University Swabi since 10/08/2017. He applied for extra ordinary leave w.e.f. 01-03-2018 to 28/02/2021(1095) days and has been absent from duty without sanction of the leave. He was granted 1095 days study leave w.e.f. 01-09-2012 to 31-07-2015 for PhD studies at the University of Peshawar vide notification, dated 05/11/2012 for which he had presented undertaking on legal stamp paper that after completion of his studies, he will serve the Education Department for at least 05 consecutive years and in case of non compliance , he will return the amount drawn during the study leave period , but he left the department without rendering five years service as such (charge sheet and statement of allegations annexed as (A)

Furthermore, several sessions of inquiry committee were held on 23/11/2018 & 31/01/2019 and other dated in which Mr. Muhammad Amin, Deputy District Education Officer Swat as Departmental representative, presented record from the department. Principal GHSS Baidara Swat also participated in the inquiry proceedings. (Statement of Naqeeb Ahmad Jan annexed as (B)

In order to dig out more facts pertaining to the case, letter to vice chancellor of Women University, Swabi was issued vide No. 5801/ADC/Swat dated 22/11/2018 to verify the status of pay of the accused but its reply was not received. The accused was called for personal hearing on 29/11/2018 and a questioner was served upon him on the same date.

Scrutiny of the Record/Findings

Perusal of the record and statements of all concerned transpires that Mr. Naqeeb Ahmad Jan, SS, Urdu GHSS Baidara Swat was appointed as SS on 17/07/2008. He availed study leave w.e.f. 01/08/2012 to 31/07/2015 (1095 days) with proper affidavit that he will serve his parent Department after completion of his PhD studies for at least five years, otherwise he will return the dawn amount to the department back (Annexure C)

His leave was extended from 01-08-2015 to 31-01-2016 (184 days) but he failed to provide his course completion of PhD degree to the department. Then he availed another spell of leave i.e. w.e.f. 01-09-2017 to 25-12-2017. Then he applied for leave without pay w.e.f. 01-03-2018 to 28/02/2021 (1095 days) but his leave was not allowed and he left the department without proper leave. Facts finding inquiry was conducted against the accused on 27/03/2018.

Findings:-

From through perusal of material on record, statement of the accused, personal hearing of the accused and detailed deliberation during the inquiry proceedings the following facts are extracted.

- I. He has been working as Assistant Professor Urdu in the Women University Swabi since 10-08-2017. Therefore, this charge stands proved.
- II. He applied for Extra Ordinary Leave w.e.f. 01-03-2018 to 28-02-2021 (1095) days and remained absent from duty without sanction of earned leave. So this charge also stands proved.
- III. He was granted 1095 days (w.e.f. 01-09-2012 to 31-07-2015) study leave on half pay for Ph.D studies at the University of Peshawar vide Notification dated 05-11-2012 for which he presented undertaking on legal stamp paper that after completion of his studies, he will serve the Education Department for at least five consecutive years, in case of non-compliance; he will return the amount drawn during the study period, however, he left the Department without rendering five years' service as such and as such this charge stands proved.
- IV. He availed benefits of double service and drawn salaries from both Women University and E&SE since 01-08-2012. Thus, he has

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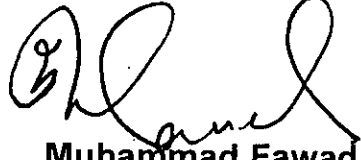
committed misconduct and corruption and he has given loss to Govt: Treasury.

Recommendations

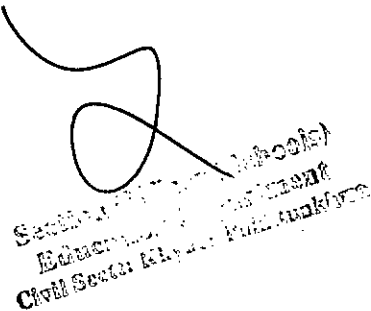
1. The inquiry committee recommends that Recovery may please be made from Naqeeb Ahmad Jan SS (urdu) GHSS Baidara Swat since 01-08-2012.
2. He has made himself liable for penalty under the E&D Rules. >



**Mr. Muhammad Riaz,
Deputy District Education Officer
(M) Dir Lower.**




**Muhammad Fawad
Additional Deputy Commissioner
Swat.**



Secretary (Schools)
Education Department
Civil Secretariat, Peshawar

Cost of Rs. 2000/- received in Service Appeal No. 7754/2021
Titled Naqeeb Ahmad Jan vs. Education

in the office of Assistant Registrar, Dated: 26/07/2023. vide
order sheet dated: 26/07/2022.


Assistant Registrar
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

26/07/23