

**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE
TRIBUNAL PESHAWAR.**

Service Appeal No: 1055/2023


Siraj Ul Wahaj, Ex-Assistant BPS-16 Kohistan Upper.....Appellant

VERSUS

Government of Khyber Pakhtunkhwa through the Secretary E&SED &
others.....Respondents

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Assistant Director (Lit: II)
E&SE Khyber Pakhtunkhwa,
Peshawar.

①

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.**

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No: 1055/2023

Diary No. 6664

Dated 24/07/23

Siraj Ul Wahaj, Ex-Assistant BPS-16 Kohistan Upper..... Appellant

VERSUS

Government of Khyber Pakhtunkhwa through the Secretary E&SED & others..... Respondents.

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS No: 1-3.

Respectfully Sheweth,

The Respondents No. 1-3 submit as under: -

PRELIMINARY OBJECTIONS.

- 1 That the appellant has got no cause of action/locus standi to file the instant appeal.
- 2 That the appellant is not an aggrieved person within the meaning of section-4 of KPK ST Act-1974 read with of Article 212 of the constitution 1973.
- 3 That the appellant has concealed material facts from the ambit of this Honorable Tribunal in the titled appeal.
- 4 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 5 That the appeal in hand is based on mala fide intentions for gaining illegal service benefits from the Respondent Department.
- 6 That the matter in hand is barred by law in view of the law of limitation Act 1908.
- 7 That the instant appeal is bad for mis-joinder and non-joinder of the necessary parties.
- 8 That the Notification dated 25-11-2022 is legally competent & even has been passed under the relevant provision of law & rules in vogue.
- 9 That the appellant has violated the mandate of the letter No. 4058 dated 10-02-2022 wherein, the Respondent No. 2 has directed the Respondent No. 3 to release the pay of the 07 appellants subject to the performance of duty.
- 10 That the appellant has been found guilty of pay release of 11 appellants instead of 07 vide order No. 2482-90 dated 03-07-2022 in violation of the clear-cut order upon the appeal dated 24-07-2021 filed by the 07 appellants to the Respondent No. 2.

- 11 That all codal formalities including show cause notice, opportunity of personal hearing & formal enquiry have been observed by the Department prior to the impugned Notification dated 25-11-2022 against the appellant.
- 12 That no formal approval has been sought while passing the order dated 03-07-2022 already disowned by the Respondent No. 2 vide order dated 11-11-2022 under the rules
- 13 That the appellant is deceiving the Department under fake name of Sher Ahmad instead of Siraj Ul Wahaj on mala-fide for illegal service benefits.
- 14 That the appellant has been treated as per law & rules by the Department.
- 15 That the order dated 03-07-2022 has been dis owned by the Respondent No. 2 Notification No. 7867-70 dated 11-11-2022 on the grounds of ab-initio.

ON FACTS.

- 1 That para-1 is correct that the appellant was serving in the Department against the Assistant in BPS-16 & was assigned the duty of look after of the office of Respondent No. 3 as DEO (F) Upper Kohistan *attached as Annex-A* on the grounds of celebrating Eid-ul-Adha by her which was violated & mis-used by the appellant in issuing the office order No. 3482-90 dated 03-07-2022 *attached as Annex-B* under the official seal of the Respondent No. 3 by reinstating, adjusting & consequential release of the monthly salaries of 10 PSTs Female & 01 AT teacher in violation of the clear-cut order dated 10-02-2022 of the Respondent No. 2 which is hereby reproduced as under: **Ask the DEO to release their pay subject to the performance of duty** upon the Departmental appeal dated 24-07-2021 filed by the following:- *attached as Annex-C*

S.No	Name	Post	District
1	Mst. Somia Gul	AT	Kohistan Upper
2	Mst. Jan Zari	PST	do
3	Mst. Sadaf Bibi	PST	do
4	Mst. Ayesha Haider	CT	do
5	Mst. Saba Bashir	PST	do
6	Mst. Tayyaba Zeb	CT	do
7	Mst. Naila Farzana	CT	do

However, in spite of the above made facts of the case, the appellant in violation of the rules & policy has passed an office order No. 3482-9 dated 02-07-2022 under his signatures & official seal of the Respondent No. 3/DEO (F) Kohistan Upper, wherein, the monthly pays of additional 06 teachers were released through the DAO Kohistan Upper which are as under: -

S.No	Name	Post	District
1	Mst. Sittral Jabeen	PST	Kohistan Upper
2	Mst. Liaba	PST	do
3	Mst. Hafiza Bibi	PST	do
4	Mst. Samia Bibi	PST	do
5	Mst. Rafia Rani	PST	do
6	Mst. Fozia Bibi	PST	do

Therefore, cognizance of the alleged illegality & mis-use of look after order & charge, the Respondent No. 2 vide his office letter No. 1693 dated 17-10-2022, the respondent No. 3 was directed not to release the pay of the 11 PSTs till the direction issued by the Respondent No. 2 **attached as Annex-D** & conducted enquiry through Mst. Rehana Yasmeen in officer of BS-19 MC vide letter dated 14-11-2022 **attached as Annex-E** & in the meantime the order dated 03-07-2022 was also dis own vide order dated 11-11-2022 **attached as Annex-F**.

- 2 That para-2 is incorrect & denied on the grounds & record as mentioned in the Para-1 of the present reply by the Respondent Department.
- 3 That Para-3 is correct to the extent of the show cause notice dated 16-11-2022 duly received & replied by the appellant in an evasive manner **attached as Annex-G**.
- 4 That para 4 is incorrect on the grounds that fair opportunity personal hearing was provided to the appellant on dated 17-10-2022 which was not honored by the appellant, hence, dismissal from service penalty was imposed upon the appellant vide Notification dated 25-11-2022 under the provision of rule-4 (b) (iv) of KPK Government servants E & D rules 2011 after due process of law by the Respondent No. 2 with clarification that the appellant uses his fake name of Sher Ahmad, hence, a Notification of dismissal from service on the said date was issued under the name of Sher Ahmad which was ratified vide Notification dated 25-11-2022 with even number & date **attached as Annex-H & I**.
- 5 That para 5 is incorrect & denied as no Departmental appeal against the impugned Notification dated 25-11-2022 against the appellant original name of Siraj-ul Wahaj has been filed till date, hence, got finality under the law of land.
- 6 That para-6 is also incorrect as the appellant is not an aggrieved person within the meaning of section-4 of KPK STP Act-1974 read with Article 212 of the constitution 1973, hence, the appeal in hand is liable to be dismissed on the following grounds inter alia: -

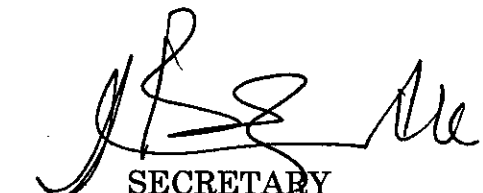
ON GROUNDS.


- A. **Incorrect & not admitted**, the plea of the appellant is illegal & against the relevant provision of law because the Notification dated 25-11-2022 is legally competent.
- B. **Incorrect & not admitted**, the appellant has been treated as per law & rules vide Notification dated 25-11-2022 having not violated the provision of Article-10-A of the constitution *ibid*.
- C. **Incorrect & not admitted**, the appellant has been treated as per law & rules vide Notification dated 25-11-2022 having not violated the provision of Articles-4,10-A & 25.
- D. **Incorrect & not admitted**, the stand of the appellant is against the provision of law & rules, hence, liable to be dismissed.
- E. **Incorrect & not admitted**, as relied above.
- F. **Incorrect & not admitted**, Formal enquiry has been conducted by the Department against the appellant.
- G. **Incorrect & not admitted**, the appellant has been treated as per law & rules.
- H. **Incorrect & not admitted**, However, the Respondent Department also seek leave of this Learned Tribunal to submit additional grounds, record and case Law at the time of arguments on the date of hearing.

PRAYERS:

Therefore, in view of the fore going facts & grounds as submitted by the Respondents, it is most humbly prayed that the appeal in hand may graciously be dismissed in favor of the Respondent Department.

Dated: ___/___/2023.

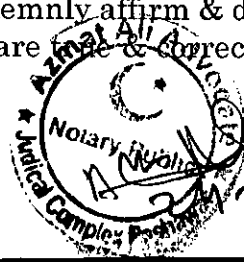

SECRETARY
 E&SE Department Khyber
 Pakhtunkhwa, Peshawar.
 (Respondent No: 1)


DIRECTOR
 E&SE Department Khyber
 Pakhtunkhwa, Peshawar.
 (Respondents No: 2 & 3)

AFFIDAVIT

I, Dr. Hayat Khan Assistant Director (Litigation-II) E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief.

ATTESTED



07-2023


 Deponent

'A'

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OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) KOHISTAN



STATION LEAVE

The undersigned is going to chitral for comparison of data. And during my absence Mr Serajul Wahab Assistant of Sub-Divisional Office (Female) Dussu is hereby notified as incharge of this office for four days from 1-7-2022 till the arrival of the undersigned.

[Signature]
District Education Officer
(Female) Kohistan

Order No. 2450-51 Dated 1-7 2022

Copy of the above is forwarded to the:

1. Deputy Commissioner Kohistan Upper
2. PA to Director E&SE Khyber Pakhtunkhwa Peshawar

[Signature]
District Education Officer
(Female) Kohistan

[Signature]
[Signature]

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) KOHISTAN

STATION LEAVE

The undersigned is going to Chithral for celebration of Eid ul Azha. During my absence Mr. Serajul Wahaj Assistant of Sub-Divisional Education Office (Female) Dassu is hereby notified as Incharge of this office for look after the office business till the arrival of the undersigned.

Sd/-
District Education Officer
(Female) Kohistan

Endstt: 2450-51 dated 1-7-2022

Copy of above is forwarded to the

1. Deputy Commissioner Kohistan Upper
2. PA to Director E&SE Khyber Pakhtunkhwa, Peshawar

Sd/-
District Education Officer
(Female) Kohistan

Attest
[Signature]

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) KOHISTAN

OFFER

With reference to the advertisement for recruitment of teachers in the District of Kohistan, the District Education Officer (Female) Kohistan, is pleased to inform that the following teachers have been selected for recruitment on the basis of their performance in the written examination held on 14-12-2021.

Name of Candidate	Category	School	Remarks
Mrs. Ghisla	PSI	GGPS Gowan	The non-duty performed period of 1-3-2021 is converted into EOL.
Mrs. Gulistan	PSI	GGPS Mardak	The non-duty performed period of 1-4-2021 is converted into EOL.
Mrs. Gulistan	PSI	GGPS Bala Gori	The non-duty performed period of 1-7-2021 is converted into EOL.
Mrs. Gulistan	PSI	GGPS Jalkot	The non-duty performed period of 14-1-2021 is converted into EOL.
Mrs. Gulistan	PSI	GGPS Jalkot	The non-duty performed period of 10-1-2021 is converted into EOL.
Mrs. Gulistan	PSI	GGPS Jalkot	The non-duty performed period of 12-1-2021 is converted into EOL.
Mrs. Gulistan	PSI	GGPS Darnat	The non-duty performed period of 8-1-2021 is converted into EOL.
Mrs. Gulistan	PSI	GGPS Jandakot	The non-duty performed period of 22-2-2021 is converted into EOL.
Mrs. Gulistan	PSI	GGPS Jandakot	The non-duty performed period of 10-3-2021 is converted into EOL.
Mrs. Gulistan	PSI	GGPS Shikan	The non-duty performed period of 17-4-2021 is converted into EOL.
Mrs. Gulistan	PSI	GGMS Jamra	The non-duty performed period of 1-3-2021 is converted into EOL.

Note: The salaries of the teachers are released w.e.f. the mentioned dates in the column of the remarks and all kind of necessary entries to be made in their service books.

Terms & conditions:

The above offer is subject to the approval of the Government of Khyber Pakhtunkhwa, Peshawar. The District Education Officer (Female) Kohistan is pleased to inform that the following teachers have been selected for recruitment on the basis of their performance in the written examination held on 14-12-2021.

Encl: No. 2482-90 Dated 2/7/2022

- Copy of the above is forwarded to the
1. The Deputy Commissioner Kohistan
 2. The District Account Officer Kohistan
 3. District Monitoring Officer Kohistan
 4. Manager National Bank Dasso
 5. PA to Director E&SE Khyber Pakhtunkhwa Peshawar
 6. Deputy District Education Officer (Female) Kohistan
 7. SDEO/ASDEO concerned

Abbasul
Qam

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) KOHISTAN

OFFICE ORDER

In the reference of the Hon'ble Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar No.4058/F.No.323/Vol-2/F/Appeal/Kohistan Upper Dated 10.02.2022 and SDEO/SDEO Female Dasso Kohistan regarding the adjustment of the following teachers and release of their salaries the following mentioned teacher are hereby adjusted basis function..... the mentioned schools against their names in the best interest of public.

S#	Name of Teacher	Designation	Place of adjusted school	
1	Jan Zari	PST	GGPS Goshali	The non-duty performed period of the teacher up to 1.3.2021 is concerned into EOL without pay
2	Tayab Zeb	PST	GGPS Goshali	The non-duty performed period of the teacher up to 3.4.2021 is concerned into EOL without pay
3	Sadaf Bibi	PST	GGPS Bar Osoi	The non-duty performed period of the teacher up to 11.2.2021 is concerned into EOL without pay
4	Sitral Jabeen	PST	GGPS Jalkot	The non-duty performed period of the teacher up to 14.1.2021 is concerned into EOL without pay
5	Laiba	PST	GGPS Jalkot	The non-duty performed period of the teacher up to 10.01.2021 is concerned into EOL without pay
6	Hifza Bibi	PST	GGPS Jalkot	The non-duty performed period of the teacher up to 12.1.2021 is concerned into EOL without pay
7	Saima Bibi	PST	GGPS Danat	The non-duty performed period of the teacher up to 8.1.2021 is concerned into EOL without pay
8	Rafia Rani	PST	GGPS Jandar kot	The non-duty performed period of the teacher up to 2.2.2021 is concerned into EOL without pay
9	Satra Bashir	PST	GGPS Jandarkot	The non-duty performed period of the teacher up to 20.3.2021 is concerned into EOL without pay
10	Fiaza bibi	PST	GGPS Shikari	The non-duty performed period of the teacher up to 10.4.2021 is concerned into EOL without pay
11	Somia Gul	PST	GGMS Jamra	The non-duty performed period of the teacher up to 1.3.2021 is concerned into EOL without pay

Note:

The salaries of the teachers are released w.e.f. the mentioned dates in the column of the remarks and all kind of necessary entries to be made in their service Books.

Terms & conditions:

1. NO TA/DA is allowed.
2. Charge report should be submitted of all concerned

Sd/-
District Education Officers
(Female) Kohistan

Endstt. No. 3482-90 dated 3/7/2022

Copy of the above is forwarded to the

1. The Deputy Commissioner Kohistan
2. The District Account Officer Kohistan
3. District Monitoring Officer Kohistan
4. Manager National Bank Dasso
5. PA to Director E&SE Khyber Pakhtunkhwa Peshawar
6. Deputy District Education Officer (Female) Kohistan
7. SDEO/ASDEO concerned.

Abbas
3/7/22



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

No. 4058/F.No 323/Vol-2/F/appeal/Kohistan Upper

Dated Peshawar the 10/07 /2022

To

The District Education Officer,
(Female) Kohistan Upper

Subject:- APPEAL FOR RELEASE OF PAY.

Memo:

I am directed to refer to the subject cited above and to enclose herewith a copy of appeal in r/o of the following teachers District Kohistan Upper and to ask you to release of their pay **subject to the performance of duty.**

1. Sumia Gul AT, GGMS Jalkot
2. Jan Zari PST, GGPS Jalkot
3. Sadaf Bibi PST, GGPS Morgah
4. Aisha Haider CT, GGPS Sherobick
5. Tayyaba Zeb CT, GGMS Jhamrah
6. Naila Farzana CT, GGMS Jhamrah
7. Saba Badiv PST GGPS shero bick

Endst No. _____

Copy of the above is forwarded to the:

1. PA to Director E&SE KPK Peshawar.

Assistant Director (Female)
E&SE Khyber Pakhtunkhwa,

Assistant Director (Female)
E&SE Khyber Pakhtunkhwa,

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خدمت جناب ڈائریکٹر صاحب ایجوکیشن خیبر پختونخوا پشاور

درخواست Pay Release

جناب عالی! درخواست ذیل عرض ہے

- ۱۔ یہ کہ سالانہ کہ تعیناتی محکمہ تعلیم ضلع اپر کوہستان میں سال 2009-10 میں مختلف سکولز میں ہونے والی تھیں
- ۲۔ یہ کہ حال سالانہ کی تنخواہیں محکمہ ہذا کی طرف سے جاری/Release نہ کی گئیں ہیں۔
- ۳۔ یہ کہ سالانہ Salary کے Release کے متعدد درخواستیں DEO اپر کوہستان کو ذرا ہی تھیں
- ۴۔ حال سالانہ کی Release و Salaries نہ ہونا برابر نا انسانی و زیادتی ہے۔
- ۵۔ بعد ازاں اس کے حساب سے سالانہ کی تنخواہیں Release کرنے کے احکامات صادر فرمائے جائیں۔

المرقوم 24/07/2021

العارض

- ۱۔ سوم پیکل AT گورنمنٹ گریڈڈل سکول جلالہ ✓
- ۲۔ جان زری PST گورنمنٹ گریڈڈل پرائمری سکول جلالہ ✓
- ۳۔ صدق بی بی PST گورنمنٹ گریڈڈل پرائمری سکول مورگاہ ✓
- ۴۔ عائشہ حیدر CT گورنمنٹ گریڈڈل سکول سوہیل ✓
- ۵۔ صبا بشیر PST گورنمنٹ گریڈڈل پرائمری سکول شیردیک ✓
- ۶۔ شیبہ زیب CT گورنمنٹ گریڈڈل سکول جمبرہ ✓
- ۷۔ نازہ فرزانہ CT گورنمنٹ گریڈڈل سکول جمبرہ ✓

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Reminder-I

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

No. 1693 /FNo.323/Vol-2/Appeal/Kohistan U
Dated Peshawar the 17/10 /2022

To

The District Education Officer,
(Female) **Kohistan Upper**

Subject:- **APPEAL FOR RELEASE OF PAY.**

Memo:

I am directed to refer to this officer letter No.1861 dated 7.9.2022 on the subject cited above (copy attached) and to ask you to attend this office alongwith Dealing Assistant with complete service documents on **24.10.2022**, otherwise strict disciplinary action will be taken against you under E&D Rules-2011.

I am further directed to ask you to not release the pay of the following teacher till the direction issued by this office.

- ✓ 1. Jan Zari PST, GGPS Jalkot
- ✓ 2. Tayyaba Zeb CT, GGMS Jhamrah
- ✓ 3. Sadaf Bibi PST, GGPS Morgah
- 4. Sitralabeen PST, GGPS, Jalkot
- 5. Laiba PST, GGPS Jalkot
- 6. Hifza Bibi PST, GGPS Jalkot
- 7. Salma Bibi, PST, GGPS, Danat
- 8. Rafia Rani PST, GGPS Jandarkot
- ✓ 9. Saba Bashir, PST, GGPS, Jandarkot
- 10. Faiza Bibi, PST, GGPS, Shalkat
- ✓ 11. Sumia Gul AT, GGMS Jalkot

Endst No. _____

Copy of the above is forwarded to the:

1. SDEO Female Kohistan Upper for similar action.
2. Section Officer PE E&SE Department Govt of Khyber Pakhtunkhwa
3. PA to Director E&SE KPK Peshawar.

All Reminders.DocxD:\Reminder\All Reminders.docx

Assistant Director Female
(E&SE) Khyber Pakhtunkhwa,

Assistant Director (Female)
E&SE Khyber Pakhtunkhwa

Abdul
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DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

43 10

No. W/No 323/Vol-2/P/Appeal/Kohistan Upper

Dated Peshawar the 14-11-2022

To

The Rehman Yamin B-19 (MC)
District Education Officer, (Inquiry Officer)
(Female) Battagram

Subject:- APPEAL FOR RELEASE OF PAY.

Memo:

I am directed to refer to notification No. 5883-84 dated 3.11.2022 on the subject cited above regarding the appointment /adjustment of 11 PST teachers without completing the codal formalities..

The worthy Director E&SE KP has already disowned the Notification vide No.7867-70 dated 11.11.2022 (attached).

I am further directed to ask you to inquire the matter regarding the misappropriations in appointment /adjustment of 11 PST teachers instead of 7 PST teachers as well as the misinterpretation of the statement as highlighted in letter No. 4058/F.323/Vol-2/appeal/Kohistan Upper dated 10.02.2022 (copy attached)

Endst No. 8144

Assistant Director (Female)
E&SE Khyber Pakhtunkhwa,

Copy of the above is forwarded to the:

1. District Education Officer Female Kohistan Upper
2. PA to Director E&SE KPK Peshawar.

Assistant Director (Female)
E&SE Khyber Pakhtunkhwa

14/11/2022



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

Notification

Consequent upon the approval of the Competent Authority, the Office order issued by the District Education Officer(Female) Kohistan Upper bearing Endst. No. 2482-90 dated 03/07/2022 is hereby **DISOWNED** ab-initio in the best interest of public service.

(Hafiz Dr. Muhammad Ibrahim)
DIRECTOR
(E&SE) Khyber Pakhtunkhwa Peshawar

Endst.No. 7867-70 /F.No.323/Vol-2/ Appeal/Kohistan Upper
Dated Peshawar the 11-11 /2022.

Copy of the above is to the:

1. Mst. Rehana Yasmeen, Inquiry Officer/DEO(F) Battagram.
2. District Education Officer (F) Kohistan Upper.
3. District Accounts Officer Kohistan Upper.
4. PA Director E&SE Khyber Pakhtunkhwa Peshawar.
5. Master File.

Deputy Director (Estab)-F
(E&SE) Khyber Pakhtunkhwa Peshawar

"D" - 7 - e



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR
No 9116-20 / A-23/MS/Kohistan/Vol-11
Dated Peshawar the 16/11/2022
Phone: 091-9225344 Email: ddadmna.eso@gmail.com

To: Mr. Sher Ahmad Assistant BPS-16
Office of the DEO (F) Kohistan Upper
(Now at SDEO (F) Kohistan Upper Dassu).

Subject: **SHOW CAUSE NOTICE**

Memo:

I am directed to refer to the subject cited above and to enclose herewith copy of Show Cause Notice served upon you duly counter signed by the competent authority for further necessary action.

Deputy Director (F&A)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar.

Endst; No. 9116-20
Copy forwarded to the:

1. District Education Officer (P) Kohistan Upper.
2. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. Master File.

Deputy Director (F&A)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar.

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DR. HAFIZ MUHAMMAD IBRAHIM
DIRECTOR
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar

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Register

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

Phone: 091-9225344

Email: ddadmn.ese@gmail.com

13 6/8

NOTIFICATION

1. **WHEREAS**, addressing the appeal of Seven applicants/Teachers (Upper Kohistan), the DEO (F) Kohistan Upper was asked vide this office letter No. 4058/F.No.323/Vol-2/F/Appeal/Kohistan Upper dated 10/02/2022, to release the salaries of Seven Teachers subject to the **performance of their duties**.
2. **WHEREAS**, the re-instatement/adjustment order of **Eleven Teachers** was issued duly signed by you under Endst No. 3482-90 dated 03/07/2022, contrary to the salaries release appeal submitted by the **seven applicants/Teachers**.
3. **WHEREAS**, the re-instatement/adjustment order of eleven Teachers signed by you was issued without approval of the competent authority (Director E&SE KP Peshawar).
4. **WHEREAS**, you were asked vide letter No.1693/F.No.323/Vol-2/Appeal/Kohistan Upper dated 17/10/2022 to attend this Directorate along with Dealing Assistant and complete record (service documents) of the concerned applicants/Teachers, but you failed and did not attend this office deliberately.
5. **WHEREAS**, you have misused the power of the competent authority by issuing office order thereby, misinterpreting the contents of this office letter and issuing the adjustment order with malafide intensions.
6. **WHEREAS**, a show cause notice was served upon you vide 9116-20 A.23/MS/Kohistan/Vol-II dated 16/11/2022 to submit reply within seven days as to why you should not be dismissed in light of above fraudulent act, but you failed to submit your reply within stipulated period of time.
7. **NOW, THEREFORE**, the Competent authority in exercise of power conferred upon him under Rules-4 (b) (iv) of Khyber Pakhtunkhwa Government Servant E&D Rules, 2011 is pleased to impose major penalty of **"Dismissal from service"** upon **Sher Ahmad Assistant BPS-16 office of the District Education Officer (Female) Kohistan Upper**.

DIRECTOR

Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 1902-5 /F.No. A-23/MS/Kohistan/Vol-II

Dated 25/11 /2022.

Copy of the above is forwarded for information and n/action to the: -

- 1- District Education Officer (F) Kohistan Upper.
- 2- Sher Ahmad Assistant BPS-16 office of the District Education Officer (Female) Kohistan Upper.
- 3- District Accounts Officer Concerned.
- 4- PA to the Director E&SE Khyber Pakhtunkhwa Peshawar.
- 5- Master File.

Sher Ahmad
25/11/22

Assistant Director (Admn)

Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar



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To be substitute bearing same No and date
DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.
Phone: 091-9225344 Email: ddadmn.ese@gmail.com

NOTIFICATION

1. **WHEREAS**, addressing the appeal of Seven applicants/Teachers (Upper Kohistan), the DEO (F) Kohistan Upper was asked vide this office letter No. 4058/F.No.323/Vol-2/F/Appeal/Kohistan Upper dated 10/02/2022, to release the salaries of Seven Teachers subject to the **performance of their duties**.
2. **WHEREAS**, the re-instatement/adjustment order of **Eleven Teachers** was issued duly signed by you under Endst No. 3482-90 dated 03/07/2022, contrary to the salaries release appeal submitted by the **seven applicants/Teachers**.
3. **WHEREAS**, the re-instatement/adjustment order of eleven Teachers signed by you was issued without approval of the competent authority (Director E&SE KP Peshawar).
4. **WHEREAS**, you were asked vide letter No.1693/F.No.323/Vol-2/Appeal/Kohistan Upper dated 17/10/2022 to attend this Directorate along with Dealing Assistant and complete record (service documents) of the concerned applicants/Teachers, but you failed and did not attend this office deliberately.
5. **WHEREAS**, you have misused the power of the competent authority by issuing office order thereby, misinterpreting the contents of this office letter and issuing the adjustment order with malafide intensions.
6. **WHEREAS**, a show cause notice was served upon you vide 9116-20 A.23/MS/Kohistan/Vol-II dated 16/11/2022 to submit reply within seven days as to why you should not be dismissed in light of above fraudulent act, but you failed to submit your reply within stipulated period of time.
7. **NOW, THEREFORE**, the Competent authority in exercise of power conferred upon him under Rules-4 (b) (iv) of Khyber Pakhtunkhwa Government Servant E&D Rules, 2011 is pleased to impose major penalty of **"Dismissal from service"** upon **Mr. Sirajul Wahaj (Ex-Name Sher Ahmad) Assistant BPS-16 office of the District Education Officer (Female) Kohistan Upper**.

DIRECTOR

Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 1902-5 /F.No. A-23/MS/Kohistan/Vol-II

Dated 25/11/2022.

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- 1- District Education Officer (F) Kohistan Upper.
- 2- Mr. Siraj Ul Wahaj (Ex-Name Sher Ahmad) Assistant BPS-16 office of the District Education Officer (Female) Kohistan Upper.
- 3- District Accounts Officer Concerned.
- 4- PA to the Director E&SE Khyber Pakhtunkhwa Peshawar.
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Assistant Director (Admn)