

(For vetting)

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD.

Service Appeal No.1768/2023

Rasheed MuhammadAPPELLANT.

VERSUS

1. Secretary Elementary & Secondary Education KPK Peshawar.
2. Director Elementary & Secondary Education KPK Peshawar.
3. District Education Officer (Male) Mansehra
4. Sub Divisional Education Officer (Male) Mansehra.....**RESPONDENTS.**

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS

NO.01.02..3 & 04 ARE AS UNDER:-

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DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

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Khyber Pakhtunkhwa
Service Tribunal

Registry No. 8438

Date: 19-10-2023

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS

NO 1, 2, 3 & 04 ARE AS UNDER:-

PRELIMINARY OBJECTIONS:-

1. That the appellant has got no cause of action locus standi.
2. That the appellant has concealed material facts from his Honorable Tribunal in the instant service appeal. Hence not entitled for any relief and appeal is liable to be dismissed without any further proceeding.
3. That the instant service appeal is based on malafide intentions.
4. That the appellant has not come to this Honorable Tribunal with clean hands.
5. That the appellant is not entitled for the relief he has sought from this Honorable Tribunal.
6. That the instant service appeal is against the prevailing law and rules.
7. That the appeal is based on malafide intentions just to put extra pressure on the Respondents for gaining illegal service benefits.
8. That the instant service appeal is not maintainable in its present form.
9. That the appeal is liable to be dismissed for non-joinder /mis-joinder of necessary parties.
10. That the appellant has filed the instant appeal on malafide motive.
11. That the instant appeal is not maintainable in the present form and also in the present circumstances of the issue.
12. That the honorable court has no jurisdiction to adjudicate the present appeal.
13. That the instant appeal is premature.
14. Section 10 of the Khyber Pakhtunkhwa Civil Servant Act 1973 empower the competent authority regarding posting/transfer of civil servant to anywhere in the province or outside the province including the appellant.

FACTUAL OBJECTIONS:

1. Para No.1 relate to the service record of the appellant, Needs No Comments.

2. Para No.02 pertains to record.

3. Para is incorrect that the aforementioned school was not functional and Mr. Rasheed Muhammad was transferred with a task to make it functional and enroll students but he failed badly. Whereas in the new academic session 2023-24, only two new students were enrolled in four months, and their enrollment drives lacked passion and hence was not successful, Whereas Deputy District Education officer (Male) Mansehra made "surprise" visit to GPS Mandihar Mansehra on 29-04-2023 at 8:00 AM, he found that the school was closed and thus he called Mr. Syed Anwar Shah SDEO (M) Mansehra and ASDEO concerned therein. Whereas Deputy DEO checked the Attendance Register and marked the concerned teacher absent and took the Attendance Register in his custody. After being called, Rasheed Muhammad PSHT GPS Mundihar arrived at 8:30 AM, and the appellant tried to snatch the Attendance Register from Dy: DEO and also used abusive language. As far as school attendance was concerned, students were found absent and only four students were enrolled according to the school records. In Log Book, he was directed to appear personally the next day and was show caused but he did not appear. He was transferred to GPS Bela Sacha (Hangrai) vide Notification No 3914-19 on 29-04-2023, but he did not obey the Order and filed an appeal to the Director E&SE Department Peshawar which is still pending before Respondent No.02. whereas after transfer order of the appellant Mr, Attiq ur rehman was adjusted at GPS Mandihar with a task to make it functional and enroll students, Whereafter the student enrollment increase day by day with the collaboration of community as per report of SDEO Circle enrollment was 22 and present student were 17 on 18-05-2023. Whereas the allegation of willful absence from duty, misbehavior the abused/immoral language used against the Deputy DEO (Male) Mansehra, the competent authority nominated the inquiry committee on 14-06-2023, the inquiry committee submitted report on 09-09-2023 with the recommendation that "the concerned teacher is penalized under E&D Rule 2011 under 4 sub-Rule 1(a) "Forfeiture of two annual increments" An Affidavit from accused may be obtained for non-involvement in such Misbehavior/Misconduct/ill-disciplined activities, a Final warning of Removal from service may be issued and the transfer order issued is legal as per Rule"

(Report of the Surprise visit of Deputy DEO 29-04-2023, SDEO 02-05-2023, ADEO ON 08-05-2023, visit dated 18-05-2023, Transfer order, nomination of inquiry committee, inquiry report are annexed as annexure A,B.C.D.E.F.G & H)

4. Para is pertains to record.
5. That the appellant is not aggrieved person in the meaning of service rule and policy in the following grounds.

GROUND:-

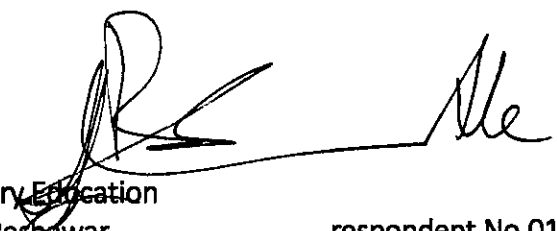
- a. Incorrect and denied, the transfer order of appellant was issued due to his negligence aforementioned school was not functional and Mr. Rasheed Muhammad was transferred with a task to make it functional and enroll students but he failed badly. Whereas In the new academic session 2023-24, only two new students were enrolled in four months, and their Enrolment drives lacked passion and hence, have not been successful,
- b. Para is pertains to record.
- c. Par pertains to record.
- d. Para is incorrect and misleading respondent department are bound to exercise his power justly fairly honestly in the light of rules and policy of the Government.
- e. Para is incorrect and misleading respondent department cannot think any violation under articles of Islamic Republic of Pakistan, Respondent department exercise his power justly fairly honestly in the light of rules and policy of the Govt not whim and wishes of any body.
- f. Para f is incorrect and denied, as per rules and policy prevailing by the Government the officials of any cadre is bound to obey the order of Competent Authority and posted where the authority assign the duty for performing.
- g. Para in incorrect and misleading respondent department cannot think any violation under articles of Islamic Republic of Pakistan, Respondent department exercise his power justly fairly honestly in the light of rules and policy of the Govt not whim and wishes of any body.
- h. Para is incorrect and misleading respondent department assign the task to respondent No.05 to aforementioned school was not functional and Mr. Attiq ur rehman was transferred with a task to make it functional and enroll students and make its functional.
- i. Incorrect and misleading the transfer order issue by the competent authority after observing all codal formalities.
- j. Para is incorrect hence denied.
- k. Incorrect hence denied.
- l. Para pertains to record.
- m. Incorrect hence denied, respondents department cannot think any violation under articles of Islamic Republic of Pakistan, Respondent department exercise his power

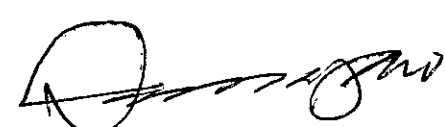
justly fairly honestly in the light of rules and policy of the Govt not whim and wishes of any body.

- n. Incorrect hence denied that respondents are bound to exercise his power as per law rules and policy of the Government.
- o. That the respondents will raise more facts/grounds with the permission of this Honourable Court at the time of Arguments. the stand of appellat is incorrect he is not liable any kind of remedy.

PRAYER:

In the view of above factual position it is humbly prayed that this Honorable Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favor of the Respondent Department in the interest of justice.


The Secretary
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.respondent No.01


The Director,
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.....Respondent No.02


The District Education Officer,
(Male) Mansehra.....Respondents No.03 & 04

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PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS

NO 1, 2, 3 & 04 ARE AS UNDER:-

AFFIDAVIT

I, Mr. Ishfaq Jaddon District Education Officer (M) Mansehra do, hereby solemnly affirm and declare that the Para wise comments of the Service Appeal No.1768/2023 titled Rasheed Muhammad versus Govt, is true to the best of my conviction and belief and nothing has been concealed from this Honourable Court. It is further stated on oath that in this appeal the answering respondents have neither been placed ex-parte nor their defence has been struck off.

DEPONENT _____



DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA.

لاگ بک (حصہ دوم)

2

رپورٹ کی روشنی میں سکول انتظامیہ
نے جو کارروائی کی

رائے / رپورٹ نمائندہ

29-04-2023

Surprise Visit.

GPS Mundhar Manshra.

Found school closed at 8:00 AM. School Gate was locked. After calling SDEO (M) Manshra and other concerned the teacher came at about 8:30 AM, and directly misbehaved on marking him absent.

There are only two (02) new admissions in school since last 04 months. No student was found present in school.

Head teacher is directed to report to the office of undersized after school and explain in writing why all this happened and why he showed so negligence in his duties and why not he proceed under EDD rules.

29/04/23
OFFICE OFFICER

HEAD TEACHER
Govt. Primary School
Mandhar

لاگ بک (حصہ دوم)

رپورٹ کی روشنی میں سکول انصار
نے جو کارروائی کی

رائے / رپورٹ معائنہ

02-05-2023

جو GPS منڈھار کا وزٹ کیا گیا -
 Dy DEO صاحب ، ADEO اسٹیشنمنٹ سیف الاکلیہ
 ASDEO سرکل مالندہ ہمراہ SDEO مالندہ نے
 PTC کی فیزنگ بلڈنگ گئی جس میں 13 لوگوں نے
 شرکت کی جس کی لیسٹ ADEO صاحب کے پاس ہے
 جناب Dy DEO صاحب نے سالانہ H.T رشید ام کو
 سکول ہذا سے ٹرانسفر کیا گیا اور نئے ہیڈ ماسٹر
 مشتاق احمد PSHT کو GPS مالندہ سے
 GPS منڈھار میں لگادیا گیا ہے . اور عثمان علی
 PSHT کو GPS لندی منڈھار میں لگایا گیا ہے .
 مشتاق احمد PSHT اور عثمان علی PSHT کو سکول ہذا
 میں اس ٹاسک کی سادہ لگایا گیا ہے کہ وہ 10 مئی
 سے پہلے پہلے کم از کم 20 نئے داخل کر رہے ہوں گے -
 اور طلبہ کی تعداد کو بتدریج بڑھایا جائیگا اور ان کی
 بہترین تعلیم و تربیت کا انتظام ہر دو ماہانہ آرام کریں گے
 PTC کو فعال کیا جائے اور فنڈسنل کیا جائے
 ہر مہینہ ہر ادارے کی قریبی اور پتلی کیلئے PTC کو متعلق کیا جائے
 ASDEO سرکل مالندہ کو ہدایت کیجاتی ہے کہ سکول ہذا کی
 ہر ہفتہ کے بعد تحریری احوال زیر دستخطی کو پیش کیجائے
 اس سکول کی کامیابی اور بہتری کیلئے مسلسل visit کیے جائیں
 (نوٹ) سالانہ H.T رشید ام نے ستمبر 2022 تا اپریل 2023 میں
 فیزنگ کی ہے جو داخل نہیں کیا ہے کاغذات میں 9 بجے تک

Atiq ur Rehman
 PSHT
 GPS Dakhan di
 Shaki Doga
 to
 GPS Mandihar



سیدہ اوزما SDEO مالندہ
 02-05-2023

ADEO

21/5/2023

Handwritten signature/initials at the bottom left corner.

لاگ بک (حصہ دوم)

رپورٹ کی روشنی میں سکول افسر نے جو کارروائی کی	راشیا رپورٹ معائنہ	
<p>لاگ بک</p> <p>30/12/2023</p> <p>31/12/2023</p> <p>1/1/2024</p> <p>2/1/2024</p> <p>3/1/2024</p> <p>4/1/2024</p> <p>5/1/2024</p> <p>6/1/2024</p> <p>7/1/2024</p> <p>8/1/2024</p> <p>9/1/2024</p> <p>10/1/2024</p> <p>11/1/2024</p> <p>12/1/2024</p> <p>13/1/2024</p> <p>14/1/2024</p> <p>15/1/2024</p> <p>16/1/2024</p> <p>17/1/2024</p> <p>18/1/2024</p> <p>19/1/2024</p> <p>20/1/2024</p> <p>21/1/2024</p> <p>22/1/2024</p> <p>23/1/2024</p> <p>24/1/2024</p> <p>25/1/2024</p> <p>26/1/2024</p> <p>27/1/2024</p> <p>28/1/2024</p> <p>29/1/2024</p> <p>30/1/2024</p> <p>31/1/2024</p> <p>1/2/2024</p> <p>2/2/2024</p> <p>3/2/2024</p> <p>4/2/2024</p> <p>5/2/2024</p> <p>6/2/2024</p> <p>7/2/2024</p> <p>8/2/2024</p> <p>9/2/2024</p> <p>10/2/2024</p> <p>11/2/2024</p> <p>12/2/2024</p> <p>13/2/2024</p> <p>14/2/2024</p> <p>15/2/2024</p> <p>16/2/2024</p> <p>17/2/2024</p> <p>18/2/2024</p> <p>19/2/2024</p> <p>20/2/2024</p> <p>21/2/2024</p> <p>22/2/2024</p> <p>23/2/2024</p> <p>24/2/2024</p> <p>25/2/2024</p> <p>26/2/2024</p> 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لاگ بک (حصہ دوم)

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15

رپورٹ کرنے والے کے نام	راہے / رپورٹ معائنہ	
	<p>کو پی پی ای منڈھار کا اجاں معائنہ کیا گیا۔</p> <p>آئی ٹی ایس عتیق الرحمان آفس آرڈر نمبر 3920-25</p> <p>مورخہ 29/04/2023 کو بحکم DEO مانسہرہ کے تحت فرقہ 03/05/2023 کے بعد باقاعدہ حاضرین کر دیے</p> <p>جے اور ایک بند سکول کو چلانے میں آئی ٹی ایس عتیق الرحمان کا حباب ہو چکے ہیں۔ یہ سکول تقریباً 3 سال بالکل بند رہا ہے اور کوئی بچہ بھی اس سکول حذا میں نہیں تھا۔ پھر ستمبر 2022 سے اس سکول کو دوبارہ فنکشنل کرنے کیلئے رشید فخر PSHIT کو یہاں تعینات کیا گیا لیکن رشید فخر PSHIT ستمبر 2022 سے اپریل 2023 تک 9 ماہ میں کسی بچے کو داخل کرنے اور ادارہ کو چلانے میں بڑی طرح کا کام کیا ہے۔ عثمان علی PPT کا آرڈر پی پی ای منڈھار سے سکول حذا میں کیا گیا اور اس کی رقم تعداد 16% تک بھجوا دی۔ اب جبکہ 3/05/2023 سے عتیق الرحمان نے خارجہ سنبھالا ہے اور اس کے ساتھ عثمان علی PPT نے عمل کر سکول کو کامیاب کرنے میں اپنا کمر کھول کر رکھا ہے</p> <p>جو فی سٹوڈنٹس 18 فی سٹوڈنٹس کے داخل ہونے کے بعد اس کی تعداد درج ذیل ہے</p> $\frac{17}{22} = \frac{5}{3} + \frac{4}{5} + \frac{3}{2} + \frac{2}{4} + \frac{1}{3} + \frac{2}{5} + \frac{1}{1}$ <p>ASDEO سرگرمیوں کے ساتھ اس کو سکول حذا کا ورک کیا ہے لیکن کوئی بچہ اس رپورٹ میں نہیں آیا ہے۔</p> <p>اس کے علاوہ ازین رشید فخر سابقہ PSHIT جو کہ بحکم آفس آرڈر نمبر 3920-25 مورخہ 29-04-2023 کو حوا ہے اس کی رپورٹ بھی اب تک زیر دستگی کو نہیں دیا ہے۔</p> <p>سکول حذا کے بارے میں اساتذہ ارازم عتیق الرحمان PSHIT اور عثمان علی PPT کو حوا دیا گیا ہے کہ وہ ابتدائی دنوں میں اس سکول کو کامیاب کریں اور بچوں کو شہر میں تسلیم دہریہ کا انتظام کریں۔</p> <p style="text-align: center;">ASDEO</p> <p style="text-align: center;">سید الزین شاہ 18/05/2023</p> <p>ASDEO مانسہرہ</p>	<p>18-05-2023</p>

ASDEO

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Phone # 0997-382271 Fax # 0997-382244
E-mail Address: edde@manshra.gov.pk
Face book Page: [www.facebook.com/DEO\(M\)MANSEHRA](https://www.facebook.com/DEO(M)MANSEHRA)

TRANSFER / ADJUSTMENT

Consequent upon relaxation of ban by Election Commission of Pakistan vide No. F-10 (1) 2023 Elec II dated 28-02-2023 and Establishment Deptt No. SO (E-IV)/E&AD1-14 (G)2023 dated Peshawar 09-03-2023 and E&SE Deptt No. SO (G) E&SED/1-15/2023 dated 09-03-2023 and endorsed by Directorate of Elementary & Secondary Education KP Peshawar vide No. 7469-7532 dated 10-03-2023 regarding NOC in Ban for below B-16, The Following Under Disciplinary Action Transfer is hereby ordered in the best interest of public service with immediate effect.

Sl#	Name & Desig:	From	To	Remarks
1.	Rasheed Ahmed (PSHT)	GPS Munchiar	GPS Bela Sacha (Hangrai)	A.V Post On Disciplinary Ground

Note:

1. Charge report should be submitted to all concerned.
2. No TA/DA is allowed.

-Sd/-
DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Dated 29/04/2023

Endst: No 3914-191
Copy for information to the:

1. District Account Office Manshra.
2. District Monitoring Officer (I:MA) Manshra.
3. A.D EMIS Branch Local office.
4. Budget & Account Branch Local office.
5. SDEO (M) Concerned.
6. Official Concerned.
7. Office Order File.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Phone # 0997-362271 Fax # 0997-362244

E-mail Address: deom@khyber.gov.pk

Facebook Page: <https://www.facebook.com/deom.khyber>

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DISCIPLINARY ACTION

1. District Education Officer (M) Elementary & Secondary Education District Mansehra as competent authority am of the opinion that Mr. *Rasheed Muhammad Ex-PSHT GPS Mundihar Mansehra* rendered himself liable to be proceeded against, as he committed following acts/omissions within the meaning of Rule -3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 as reported by Deputy DFO (M) Mansehra.


STATEMENT OF ALLEGATIONS

1. Guilty of Misconduct & Inefficiency.
2. Willful absence/School Closure.
3. Misbehave, abused/immoral language used against the DY:DEO (M) which is liable to proceed under Khyber Pakhtunkhwa Government Servant Conduct Rule 1987.
4. Non compliance the order of Competent Authority.

2.) For the purpose of Inquiry against the said accused with reference to the above allegations, an Inquiry committee, consisting of the following, is constituted under rule 10(1) (a) of the ibid Rules.

1. Mr. Muhammad Aslam Khan (Principal) GHSS Phulra. (Chairman)
2. Mr. Muhammad Zeeshan SST (G) GHS Shohal Mazullah. (Member)


3.) The 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 fifteen days of the receipt of this order, recommendations for appropriate action against the accused under the law.


DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Enclst: No. SS/1-1/1 Dated Mansehra the 14/1/2023

Copy forwarded for information to:

1. The Director E&SE Khyber Pakhtunkhwa Peshawar.
2. The Principal GHSS Phulra Mansehra.
3. The Principal GHS Shohal Mazullah Mansehra.
4. Mr. Rasheed Muhammad Ex-PSHT GPS Mundihar Mansehra.


DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

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District Education Officer (M)
Elementary & Secondary Education
Mansehra

INQUIRY REPORT

Caption of Inquiry	Inquiry in respect of Mr. Rasheed Muhammad PSHT GPS Mundihar
Inquiry Committee	i- Mr. Muhammad Aslam Principal GHSS Phulra ii- Mr. Zeeshan Shahjehan SS English GHSS Jabbori
Period	17-07-2023 to 09-09-2023
Reference	The inquiry was initiated under the direction of DEO (M) vide No 5510 Dated 14-06-2023.(Annexure A)
Brief History of the Case	The genesis of the inquiry is the allegations of District Education Officer Mansehra against Mr. Rasheed Muhammad Ex-PSHT GPS Mundihar Mansehra. The concerned teacher rendered himself liable to be proceeded against: i- Guilty of Misconduct ii- Willful absence/ School Closure iii- Misbehave, Abused/Immoral Language against Dy:DEO (M) iv- Non compliance the order of Competent Authority. The concerned teacher Mr. Rasheed Muhammad was adjusted at post of PSHT (Surplus) at GPS Mundihar vide notification No.1322-27 dated 19-09-2022.(Annexure B)
Procedure	The undersigned visited the GPS Mundihar for the personal hearing of the aforementioned teacher, the relevant documents and records were perused. In addition, the inquiry officer also provided questionnaire to the teacher to dig out and probe into the matter. (Annexure C) <u>Statement of Mr. Rasheed Muhammad</u> Mr. Rasheed Muhammad, while being investigated, had said he came late that day due to the transport issue. Moreover, he confessed that he had misbehaved with the Deputy DEO (M) Mansehra but unintentionally as he did not know the Dy. DEO (M) Mansehra personally so he thought someone else had come to school in disguise. While the concerned teacher in response to undersigned questionnaire through ASDEO (M) Hameed Khan Circle Mansehra on 01-09-2023 refused the aforementioned allegations. He also said that he did not disobey the Transfer Order but he filed an appeal to the Director E. & SED. (Annexure D) <u>Statement of the Dy. DEO (M) Mansehra</u> Dy. DEO (M) Mansehra is in possession of the file of Mr. Rasheed Muhammad GPS Mundihar on 19-09-2022. The file contains the following documents: 1. Notification No. 1322-27 dated 19-09-2022 regarding the adjustment of Mr. Rasheed Muhammad at GPS Mundihar. 2. Transfer Order No. 1322-27 dated 19-09-2022 regarding the transfer of Mr. Rasheed Muhammad from GPS Mundihar to GPS Mundihar. 3. Appeal filed by Mr. Rasheed Muhammad to the Director E. & SED dated 01-09-2023. 4. Questionnaire submitted by Mr. Rasheed Muhammad to the undersigned dated 01-09-2023. 5. Statement of Mr. Rasheed Muhammad dated 01-09-2023. 6. Statement of the Dy. DEO (M) Mansehra dated 01-09-2023. 7. Copy of the file of Mr. Rasheed Muhammad at GPS Mundihar dated 19-09-2022. 8. Copy of the file of Mr. Rasheed Muhammad at GPS Mundihar dated 19-09-2022. 9. Copy of the file of Mr. Rasheed Muhammad at GPS Mundihar dated 19-09-2022. 10. Copy of the file of Mr. Rasheed Muhammad at GPS Mundihar dated 19-09-2022.

ASHT-1
17/9/23

OFFICE OF THE PRINCIPAL GOVERNMENT HIGHER SECONDARY SCHOOL
PHULRA MANSEHRA

No _____

Dated _____

To,

The District Education Officer (M)
 Elementary & Secondary Education
 Manshra.

INQUIRY REPORT

Caption of Inquiry	Inquiry in respect of Mr. Rasheed Muhammad PSHT GPS Mundihar
Inquiry Committee	i- Mr. Muhammad Aslam Principal GHSS Phulra ii- Mr. Zeeshan Shahjehan SS English GHSS Jabbori
Period	17-07-2023 to 09-09-2023
Reference	The inquiry was initiated under the direction of DEO (M) vide No 5510 Dated 14-06-2023.(Annexure A)
Brief History of the Case	<p>The genesis of the inquiry is the allegations of District Education Officer Manshra against Mr. Rasheed Muhammad Ex-PSHT GPS Mundihar Manshra. The concerned teacher rendered himself liable to be proceeded against:</p> <p>i- Guilty of Misconduct ii- Willful absence/ School Closure iii- Misbehave, Abused/Immoral Language against Dy:DEO (M) iv- Non compliance the order of Competent Authority.</p> <p>The concerned teacher Mr. Rasheed Muhammad was adjusted at post of PSHT (Surplus) at GPS Mundihar vide notification No.1322-27 dated 19-09-2022.(Annexure B)</p>
Procedure	<p>The undersigned visited the GPS Mundihar for the personal hearing of the aforementioned teacher, the relevant documents and records were pursued. In addition, the inquiry officer also provided questionnaire to the teacher to dig out and probe into the matter. (Annexure C)</p> <p><u>Statement of Mr. Rasheed Muhammad</u> Mr. Rasheed Muhammad, while being investigated, had said he came late that day due to the transport issue. Moreover, he confessed that he had misbehaved with the Deputy DEO (M) Manshra but unintentionally as he did not know the Dy: DEO (M) Manshra personally so he thought someone else had come to school in disguise. While the concerned teacher in response to undersigned questionnaire through ASDEO (M) Haneef Khan Circle Manshra on 01-09-2023 refused the aforementioned allegations. He also said that he did not disobey the Transfer Order but he filed an appeal to the Director E & SED. (Annexure D)</p> <p><u>Statement of the Dy: DEO (M) Manshra</u></p> <p>Dy: DEO (M) Manshra in his statement said that when he had visited GPS Mundihar on 29-04-2023, the concerned teacher Muhammad Rasheed was not present in the school and he arrived at 9 AM. Furthermore, he tried to snatch the Attendance Register from Dy: DEO and also used abusive language. As far as school attendance was concerned, students were found absent and only four students were</p>

appear personally the next day and show cause but he did not do so. He was transferred to GPS Hamra but he did not obey. (Annexure E)

Facts Findings

- i- Dy: DEO (M) Manshra Mr. Mahroof Khan paid a surprise visit to GPS Mandihar on 29-04-2023 at 8:00 AM. (Annexure F)
- ii- He found the school closed and thus he called Mr. Syed Anwar Shah SDEO (M) Manshra and ASDEO concerned. (Annexure G)
- iii- Deputy District Education Officer checked the Attendance Register and marked the concerned teacher absent and took the Attendance Register in his custody.
- iv- After being called, Rasheed Muhammad PSHT GPS Mandihar arrived at 8:30 AM
- v- He then tried to snatch the Attendance Register and had a heated talk and misbehaved with Deputy District Education Officer (M) Manshra.
- vi- On 02-05-2023, ASDEO (M) paid a visit to GPS Mandihar and he mentioned on the Log Book that not a single student was enrolled from September 2022 to April 2023. While in documents only 09 students were enrolled.
- vii- The aforementioned school was not functional and Mr. Rasheed Muhammad was transferred with a task to make it functional and enroll students but he failed badly
- viii- In the new academic session 2023-24, only two new students were enrolled in four months, and their Enrollment drives lacked passion and hence, have not been successful.
- ix- The concerned teacher was transferred to GPS Bela Sacha (Hamra) vide Notification No 3914-19 on 29-04-2023
- x- He did not comply with the Transfer Order and filed an appeal to the Director E&SI Department Peshawar.
- xi- The concerned teacher has not even cooperated with the Inquiry Committee. He was given the questionnaire on 17-07-2023 and he provided the answer to questionnaire on September 01, 2023.

Recommendations

On the basis of above facts findings and perusal of the available record, the Inquiry Committee recommended that:

1. The concerned teacher is penalized under E & D Rule, 2011 under 4 sub-Rule 1(a) "Forfeiture of two annual increments".
2. An Affidavit from accused may be obtained for non-compliance in such Misbehavior/Misconduct/ill-disciplined behavior.
3. A Final warning of Removal from service may be issued.
4. The concerned teacher is transferred from GPS Mandihar to GPS Bela Sacha is legal and as per rule.

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	enrolled according to the school records. In Log Book, he was directed to appear personally the next day and show cause but he did not do so. He was transferred to GPS Hangrai but he did not obey. (Annexure E)
Facts/ Findings	<p>i- Dy: DEO (M) Mansehra Mr. Mahroof Khan paid a surprise visit to GPS Mundihar on 29-04-2023 at 8:00 AM. (Annexure F)</p> <p>ii- He found the school closed and thus he called Mr. Syed Anwar Shah SDEO (M) Mansehra and ASDEO concerned. (Annexure G)</p> <p>iii- Deputy District Education Officer checked the Attendance Register and marked the concerned teacher absent and took the Attendance Register in his custody.</p> <p>iv- After being called, Rasheed Muhammad PSHT GPS Mundihar arrived at 8:30 AM.</p> <p>v- He then tried to snatch the Attendance Register and had a hard talk and misbehaved with Deputy District Education Officer (M) Mansehra.</p> <p>vi- On 02-05-2023, ASDEO (M) paid a visit to GPS Mundihar and he mentioned on the Log Book that not a single student was enrolled from September 2022 to April 2023. While in documents only 09 students were enrolled.</p> <p>vii- The aforementioned school was not functional and Mr. Rasheed Muhammad was transferred with a task to make it functional and enroll students but he failed badly.</p> <p>viii- In the new academic session 2023-24, only two new students were enrolled in four months, and their Enrolment drives lacked passion and hence, have not been successful.</p> <p>ix- The concerned teacher was transferred to GPS Bela Sacha (Hangrai) vide Notification No 3914-19 on 29-04-2023.</p> <p>x- He did not compliance with the Transfer Order and filed an appeal to the Director E&SE Department Peshawar.</p> <p>xi- The concerned teacher has not even cooperated with the Inquiry Committee. he was given the questionnaire on 17-07-2023 and he provided the answer to questionnaire on September 01, 2023.</p>
Recommendations	<p>On the basis of above facts findings and perusal of the available record, the Inquiry Committee recommended that:</p> <ol style="list-style-type: none"> 1. The concerned teacher is penalized under E & D Rule, 2011 under 4 sub-Rule 1(a) "Forfeiture of two annual increments". 2. An Affidavit from accused may be obtained for non-involvement in such Misbehavior/Misconduct/ill-disciplined activities. 3. A Final warning of Removal from service may be issued. 4. The concerned teacher is transferred from GPS Mandihar to GPS Bela Sachan is legal and as per rule.

Principal
GHSS Phulra
Mansehra.

Zeeshan Shahjehan
SS English GHSS Jabbori