18.03.2019

Appellant absent Learned counsel for the appellant absent. Mr. Muhammad Bilal learned Deputy District Attorney alongwith Hamid Mansoor Assistant present. Case called but no one turned up on behalf of appellant. Consequently the present service appeal is hereby dismissed in default. No order as to costs. File be consigned to the record room.

Member

Member Camp Court A/Abad.

ANNOUNCED. 18.03.2019

26.06.2018

Neither appellant nor his counsel is present. Mr. Ziaullah, Deputy District Attorney for the respondents present. Adjourned. To come up for arguments on 30.08.2018 before the D.B at camp court, Abbottabad.

Member

Chairman Camp court, A/Abad

30.08.2018

Due to summer vacations, the case is adjourned .To come up for the same on 16.10.2018 at camp court Abbottabad.

Reader

16.10.2018

Neither the appellant nor his counsel is present. Mr. Tausif Ahmad, ADO alongwith Mr. Usman Ghani, District Attorney for the respondents present. Adjourned. To come up for arguments on 19.12.2018 before the D.B at camp court, Abbottabad.

Member

Chairman Camp Court, A/Abad

19.12.2018

None for the appellant present. Mr. M. Tauseef Alam, ADO alongwith Mr. Ziaullah, Deputy District Attorney for the respondents present. Adjourned to 18.03.2019 for arguments before D.B at camp court, Abbottabad.

Member

Chairman \Camp Court; A/Abad

21.12.2017 Appellant in person present. Mr. Muhammad Bilal, Deputy District Attorney for respondents present. None present on behlf of respondents department. Fresh notice be issued to respondents department for attendance. Written reply on behalf of respondents not submitted. Learned DDA requested for further time adjournment. Adjourned. To come up for written reply/comments on 19.02.2018 before S.B at Camp Court, Abbottabad.

(Gul Zeb Anan) Member (Executive) Camp Court, Abbottabad.

19.02.2018

Appellant in person and Mr. Kabir Ullah Khattak alongwith Mr.Usman Senior Clerk for respondents present. Written reply submitted on behalf of the respondents No.1 to 4. None present on behalf of respondent No.5, last opportunity is granted to respondent No.5. Adjourned. To come up for written reply/comments on 21.03.2018 before S.B at Camp Court, Abbottabad.

Camp Court, Abbottabad

21.03.2018

None for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Touseef Alam, ADO for respondents no. 1 to 4 present. None present on behalf of respondent no. 5 nor his written reply submitted, hence proceeded against ex-parte. To come up for rejoinder and arguments on 26.06.2018 before the D.B at camp court, Abbottabad.

Chairman
Camp court, A/Abad

21.12.2017 Appellant in person present. Mr. Muhammad Bilal, Deputy District Attorney for respondents present. None present on behlf of respondents department. Fresh notice be issued to respondents department for attendance. Written reply on behalf of respondents not submitted. Learned DDA requested for further time adjournment. Adjourned. To come up for written reply/comments on 19.02.2018 before S.B at Camp Court, Abbottabad.

(Gul Zebsthan) Member (Executive) Camp Court, Abbottabad.

19.02.2018

Appellant in person and Mr. Kabir Ullah Khattak alongwith Mr.Usman Senior Clerk for respondents present. Written reply submitted on behalf of the respondents No.1 to 4. None present on behalf of respondent No.5, last opportunity is granted to respondent No.5. Adjourned. To come up for written reply/comments on 21.03.2018 before S.B at Camp Court, Abbottabad.

CHAIRMAN Camp Court, Abbottabad

21.03.2018

None for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Touseef Alam, ADO for respondents no. 1 to 4 present. None present on behalf of respondent no. 5 nor his written reply submitted, hence proceeded against ex-parte. To come up for rejoinder and arguments on 26.06.2018 before the D.B at camp court, Abbottabad.

Chairman
Camp court, A/Abad

24.11.2016

Learned counsel for the appellant argued that the appellant was serving as PST when subjected to enquiry on the allegations of leaving school unattended for a half day and compulsorily retired from service vide impugned order dated 21.3.2015 where-against he preferred departmental appeal dated Nil which was not responded despite the fact that the appellant was given assurance of acceptance of the same and was performing his duty and hence the instant service appeal on 01.08.2016.

2 3 5 C 1

That no enquiry in the mode and manners prescribed by rules was not conducted and appellant was condemned unheard. That the impugned order is unwarranted.

Points urged need consideration. Admit subject to limitation. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 16.02.2017 before S.B at camp court, Abbottabad. Notice of application for condonation of delay shall also be issued to the respondents.

Chairman
Camp Court, A/Abad

16.02.2017

Appellant Deposited

Security & Process Fee

Appellant in person and Mr. Jan Muhammad, ATO and Hamid, Junior Clerk for respondents present. Seeks adjournment. To come up for written reply/comments on 18.05.2017 before S.B at camp court Abbottabad.

Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

Court of			٠.,	
ase No.	265 /201	6 .		

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1.	2	3
-		
. 1	25/08/2016	The appeal of Mr. Amjid Hussain resubmitted today
		by post through Dildar Ahmad Lughmani Advocate may be
		entered in the Institution Register and put up to Worthy
		Chairman for proper order please.
		REGISTRAR
		This case is entrusted to Touring S. Bench at A.Abad for
		preliminary hearing to be put up there on. 20-10-2016
		CHAIRMAN
-		
	20.10.2016	None and Co. II. II. I. N. N. II.
	20.10.2010	None present for the appellant. Notices be issued to appellant and his counsel. To come up for preliminar
		1 ' 2444 2046 4 "
		hearing on 24.11.2016 before S.B at camp cour
		Abbottabad.
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-		Chairman
		Camp Court, A/Abad
	;	

The appeal of Mr. Amjid Hussain son of Muhammad Nawaz Ex-PST Distt. Mansehra received to-day i.e. on 01.08.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ∠1- Annexures of the appeal may be attested.
- →2- Annexures of the appeal may be flagged.
- 3- One copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. \23\ /S.T

Dt. Z = \(\(\) /2016

REGISTRAR SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Mr. Dildar Ahmad Khan Lughmani Advocate Supreme Court of Pakistant At Mansehra

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service appeal No. 265 of 2016
Amjad HussainAppellant

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Education, Peshawar etcRespondents

SERVICE APPEAL

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4	Copy of the appointment letter alongwith service book.	· "A"	19-45
5	Copy of the medical treatment slip of the daughter of the appellant.	"B"	46
6	Copy of the show cause notice dated 25.02.2015.	"C"	47
7	Copy of the reply.	"D"	48
8	Copy of the impugned order dated 21.03.2015.	"E"	49
9	Copies of the attendance register alongwith duty certificates.	"F"	50-61
10	Copy of the representation.	"G"	62
11	Copy of the bill.	"H"	63
12	Copy of the letter dated 20.05.2016.	"I"	64
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Dated 26.07.2016

Amjad Hussain

Through

DILDAR AHMED KHAN EUGHMANI, Advocate Supreme Court, Of Pakistan.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service appeal No. 865 of 2016

Amjad Hussain son of Muhammad Nawaz resident of Mandagucha, Tehsil and District Mansehra, Ex-Primary School Teacher (PST)

VERSUS

Diary No. $\frac{778}{0|-8-20/6}$

Government of Khyber Pakhtunkhwa through Secretary Education, Peshawar.

- 2. Director Education, Khyber Pakhtunkhwa Peshawar
- 3. District Education Officer (Male), Mansehra.
- 4. Assistant Sub Divisional Education Officer (Male), Circle Dhodial, Mansehra.

District Accounts Officer, Mansehra
......Respondents.

Ex-poute (5) 21/3/18

Filedto-day
Registrare

Re-submitted to -day

Registrar 0

SERVICE APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ENDST. NO.4800-08 · **DATED** <u>21.03.2015</u> WHEREBY THE RESPONDENT NO.3 **IMPOSED** MAJOR PENALTY OF COMPULSORY RETIREMENT FROM SERVICE ON THE APPELLANT WITHOUT PAYING THE ONE YEAR SALARY OF THE APPELLANT AND AGAINST THE ORDER DATED 20.05.2016 WHEREBY THE RESPONDENT NO.5 **EFFECTED** RECOVERY

AMOUNT OF RS.1,46,096/- FROM PENSIONARY BENEFITS OF THE APPELLANT.

PRAYER: -

On acceptance of the instant appeal, impugned order dated passed 21.03.2015 by the respondent No.3 may please be set and the appellant graciously be reinstated in service with all back benefits and the respondent No.3 may also be directed appellant pay the all outstanding salary of the year 2015 the recovered amount and Rs.1,46,096/- from the pensionary benefits of the appellant may also please be ordered to be refunded to the appellant or any other order or relief which this Honourable tribunal deem fit and appropriate in the circumstances of the case, may also be passed/issued.

Respectfully Sheweth!

1. That, the appellant was appointed as Primary School Teacher (PST) in the year 1984 and since then the appellant is serving the department with great zeal and zest.

(Copy of the appointment letter alongwith service book are annexed as annexure "A").

2. That, during the period of service, the appellant remained posted in

different schools of District Mansehra, the appellant performed his duties regularly and honestly without any stigma on the service record of the appellant.

3. That, during the year December 2014, the appellant was posted at Government Primary School Nokot, Tehsil and District Mansehra. On 10.12.2014, the appellant was on his duty in the above-mentioned school, meanwhile the appellant telephonically informed that the daughter of the appellant namely Bakhtawar has met with an accident and she is seriously injured. The appellant at about 10:00 AM left the school by handing over the said school to some local persons as the other my colleague teachers were on polio duty.

(Copy of the medical treatment slip of the daughter of the appellant is annexed as annexure "B").

4. That, the respondent No.3 has taken serious action against the appellant and issue a show cause notice bearing No.2587 dated 25.02.2015 in the name of the appellant wherein

the respondent No.3 alleged absence of the appellant from duty.

(Copy of the show cause notice dated 25.02.2015 is annexed as annexure "C").

5. That, the appellant has given comprehensive reply of the notice to respondent No.3, wherein the appellant has refuted all the allegations levelled against him. No other regular inquiry was conducted the against appellant by respondents especially respondent No.3.

(Copy of the reply is annexed as annexure "D").

6. That, ultimately, the respondent No.3 passed the impugned order of compulsory retirement against the appellant on 21.03.2015.

(Copy of the impugned order dated 21.03.2015 is annexed as annexure "E").

7. That, the appellant was not informed by the respondent No.3 about the impugned order dated 21.03.2015 rather the appellant was performing his duties regularly in Government Primary School Nokot. The appellant

was marked as present in the attendance register similarly, the Head Teacher and respondent No.4 also issued duty certificates to the appellant.

(Copies of the attendance register alongwith duty certificates are annexed as annexure "F").

- 8. That, on 20.08.2015, the respondent No.4 handed over the impugned order dated 21.03.2015 to the appellant from where, the appellant came to know about the impugned order of compulsory retirement from service. To this effect, the signatures of the appellant as well as of respondent No.4 are available on the back side of the annexure "E".
- 9. That, the appellant has filed his representation before the respondent No.2 being a competent authority but the appeal of the appellant has not been decided so far. The same is still pending in the office of respondent No.2.

(Copy of the representation is annexed as annexure "G").

10. That, during the service year for 2015, the respondent No.4 got prepared a bill of salary of the appellant which was duly signed by him but the said salary of the appellant is still outstanding against the education department.

(Copy of the bill is annexed as annexure "H").

11. That, the respondent No.5 also effected recovery of an amount of Rs.1,46,096/- from the pensionary benefits of the appellant vide letter dated 20.05.2016.

(Copy of the letter dated 20.05.2016 is annexed as annexure "I").

That, the appellant being aggrieved 12. from the impugned orders dated 21.03.2015 regarding compulsory retirement from service. nonpayment of salary for the year 2015 to the appellant and order dated 20.05.2016 regarding recovery of an amount Rs,1,46,096/-, seeks the gracious indulgence of this Honourable court, inter alia, on the following amongst the other grounds:-

GROUNDS

- That, impugned orders dated a. 21.03.2015 regarding compulsory retirement from service, payment of salary for the year 2015 to the appellant and order dated 20.05.2016 regarding recovery of an amount Rs,1,46,096/issued/passed by the respondents are wrong, illegal, against the law facts, arbitrary, fanciful, perverse, without lawful authority, unconstitutional, against the fundamental rights of the appellant hence not maintainable in the eyes of law and liable to be set aside.
- That, the respondents have not rendered any reasons in support of impugned orders.
- c. That, the impugned orders issued/ passed by the respondents are not speaking orders.
- d. That, the respondents especially respondent No.3 and 5 have acted illegally and overlooked the relevant record of the appellant while passing the impugned order. As per record,

appellant was dutiful person and he never remained absent from his duty rather the appellant was shown as present in the respective school where the appellant was remained posted during the service.

- e. That, the appellant has 31 years unblemished service at his credit. All this service period of the appellant clearly transpires that the appellant was a dutiful person. There is no complaint against the appellant on behalf of any person regarding the performance of my duties.
- f. That, the fateful date on i.e. 10.12.2014, the appellant reached at the school as usual at about 10:00 AM, the appellant was telephonically informed that his daughter namely Mst. Bakhtawar has met with an accident and she was seriously As there was injured. no male member available in the house of the appellant, the appellant constrained to leave the school so as to arrange the treatment of his daughter in hospital. This was the right of the appellant as the law permits the civil servants to avail the

casual leave to meet such like eventualities. Inspite of this facility, the appellant has handed over the school to one local person for management of the school as the head teacher appointed with the appellant in the said school was on polio duty.

- g. That, the appellant was so careful in performance of his duties that the appellant handed over the school to one local person for management and for saving the precious time of the students.
- h. That, the respondent No.3 issued show cause notice to the appellant under the Efficiency and Discipline Rules, 2011 while the said rules were not in field at the relevant time as the said rules were already repealed by of the government Khvber Pakhtunkhwa. Under the law, the respondent No.3 was not allowed to issue show cause notice to the appellant under the repealed law. If such notice was issued by the respondent No.3 then no major penalty can be imposed on the appellant on the basis of said notice.

- i. That, under the law when the major penalty is to imposed, the authority/ respondent No.3 was duty bound to conduct a regular and fair inquiry against the appellant. In the present case, the respondent No.3 has not regular conducted the inquiry against the appellant and he has the imposed major penalty compulsory retirement of service on the appellant while doing so, the respondent No.3 has violated all the law and norms of justice and equity.
- That, the malafide on the part of ٠j. respondents No.3 and 5 is apparent from the record that on one hand, the respondent No.3 has issued show cause notice to the appellant while on the other hand, the appellant was allowed to perform his duties for a period of one year in Government Nokot Primary School respondent No.4 also got prepared a pay bill for the payment of salary of the year 2015 which was duly signed by him, inspite of this neither the appellant was allowed to remain in service the salary of the nor appellant was paid to him for the

year 2015 although the appellant performed his duties as per record in the Government Primary School Nokot for the whole year.

- That. neither the statement k. allegation nor the inquiry report was issued by the respondent No.3 to the appellant during the course alleged inquiry. Similarly, the respondent No.3 has not appointed any inquiry officer and no statement of the appellant was recorded during the course of alleged inquiry by the respondent No.3. The respondent No.3 has not taken pain to produce any witness against the appellant and no statement of any witness was recorded by any person against the appellant in support of the show cause notice.
- 1. That, the malafide of the respondent No.3 is also crystal clear from the record that he never informed the appellant about the impugned order dated 21.03.2015 till 20.08.2015. Soon after the receiving of the impugned order, the appellant submitted his representation to the concerned authority but inspite of

the efforts of the appellant, the same has not been decided yet by the concerned authority.

- m. That, the appellant time and again visited the office of respondent No.3 for redressal of his grievances but the appellant and his lower staff assured the appellant that the respondent No.3 is going to restore me in the service.
- That, the respondents No.3 and 5 n. closed the salary of the appellant, as appellant has 05 children. parents and wife. All are dependents upon the appellant when respondents refused to pay the salary to the appellant, I sold my vehicle Alto Mehran to meet the daily expenses of my family as all the children are school going. When the respondents refused to restore the appellant in service rather they put the pressure on the appellant for receiving his pensionary benefits, as the appellant is a poor person and having no other job, the appellant and his family were near to death due to starvation so, the appellant constrained to receive

pensionary benefits from the respondents. The respondent No.5 deducted an amount of Rs.1,46,096/- from the pensionary benefits of the appellant illegally inspite of the fact that the appellant has performed his duties in the school.

- That, the appellant cannot file appeal 0. the Honourable Tribunal the within stipulated period, appellant is filing an application for condonation of delay alongwith the appeal which is self explanatory the impugned order passed by the respondent No.3 is totally wrong, illegal and void so no limitation will run against void order under the law.
- p. That, the appellant has no fault on his part, the respondent No.3 has absolutely no right to pass the impugned order in such a summary manner which is not permissible under the law.
- q. That, the impugned orders dated 21.03.2015 regarding compulsory retirement from service, non-payment of salary for the year 2015

to the appellant and order dated 20.05.2016 regarding recovery of an Rs,1,46,096/issued/ amount by the respondents passed wrong, illegal, against the law and facts, arbitrary, fanciful, perverse, without lawful authority, unconstitutional, against the fundamental rights of the appellant hence not maintainable in the eyes of law and liable to be set aside.

PRAYER: -

It is, therefore, most humbly prayed that on acceptance of the instant appeal, the impugned order dated 21.03.2015 passed by the respondent No.3 may please be set the and aside appellant graciously be reinstated in service back benefits and the with all respondent No.3 may also be directed the appellant all to outstanding salary of the year 2015 the recovered amount of and Rs.1,46,096/- from the pensionary benefits of the appellant may also please be ordered to be refunded to the appellant or any other order or relief which this Honourable tribunal

deem fit and appropriate in the circumstances of the case, may also be passed/issued.

Dated 26.07.2016

Amjad Hussain ... Appellant

Through

DILDAR AHMED KHAN LUGHMANI, Advocate Supreme Court, Of Pakistan.

AFFIDAVIT.

I, Amjad Hussain son of Muhammad Nawaz resident of Mandagucha, Tehsil and District Mansehra, Ex-Primary School Teacher (PST), Appellant, do hereby solemnly affirm and declare on oath that the contents of the foregoing service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Dated 26.07.2016

ATTESTED

KOTARY PUBLI

24/910

Amjad Hussain
(DEPONENT)

16

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service appeal No.____ of 2016 Amjad HussainAppellant

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Education, Peshawar etcRespondents

SERVICE APPEAL

APPLICATION UNDER SECTION 5 OF LIMITATION ACT FOR CONDONATION OF DELAY IN FILING THE ABOVE-TITLED APPEAL.

Respectfully Sheweth!

- 1. That, this application may please be considered as part and parcel of above-titled appeal.
- 2. That, the respondents have assured the appellant that they are going to restore the appellant in service and the appellant also performed his duties during the year 2015 on the direction and order of the respondent No.3 keeping in view the performance and duty of the appellant, the respondent No.4 prepared the pay bill of the appellant.
- 3. That, the appellant was awaiting the decision of his representation filed before respondent No.2 as the respondent No.3 assured the appellant that

P-17

he may also be restored by the respondent No.2 while deciding the representation in favour of the appellant.

- 4. That, the impugned order dated 21.03.2015 is a wrong, illegal and void order and according to law no limitation will run against such a void order.
- 5. That, the precious rights of the appellant are involved as the appellant has 31 years unblemished service record and near to the retirement and if the appeal of the appellant is dismissed on technicalities then the appellant will have to suffer an irreparable loss.

It is, therefore, most humbly requested that the delay in filing the above-titled appeal may please be condone.

Dated 26.07.2016

Amjad HussainAppellant

Through

DILDAR AHMED KHAN LUGHMANI, Advocate Supreme Court, Of Pakistan.

AFFIDAVIT.

I, Amjad Hussain son of Muhammad Nawaz resident of Mandagucha, Tehsil and District Mansehra, Ex-Primary School Teacher (PST), Appellant, do hereby solemnly affirm and declare on oath that the contents of the foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Dated 26.07.2016

Amjad Hussain
(DEPONENT)

ATTESTED

NOTARY PUBLIC

24/84



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

	Service appeal No	of 2016
		. :
Amjad Huss	ain	.Appellant

VERSUS

Governmen	t of Khyber Pal	khtunkhwa thr	ough
	Education,		
	• • • • • • • • • • • • • • • •	Respon	dents

SERVICE APPEAL

CORRECT ADDRESSES OF THE PARTIES

APPELLANT

Amjad Hussain son of Muhammad Nawaz resident of Mandagucha, Tehsil and District Mansehra, Ex-Primary School Teacher (PST).

RESPONDENTS

- 1. Government of Khyber Pakhtunkhwa through Secretary Education, Peshawar.
- 2. Director Education, Khyber Pakhtunkhwa Peshawar
- 3. District Education Officer (Male), Mansehra.
- 4. Assistant Sub Divisional Education Officer (Male), Circle Dhodial, Mansehra.
- 5. District Accounts Officer, Mansehra.

Dated 26.07.2016

Amjad Hussain
...Appellant

Through

DILDAR AHMED KHAN LUGHMANI, Advocate Supreme Court, Of Pakistan.

TRUINING :-

As desired by the chairman District Council Mangehrs, a pointment of following candidates in hereby ordered an Primary foucher application in the SON- 14 Plant (land) the Primary foucher applied and the Poops 14 Plant (land) the middle allowances as admirative under the rules of public as page weef the date of their taking over charge.

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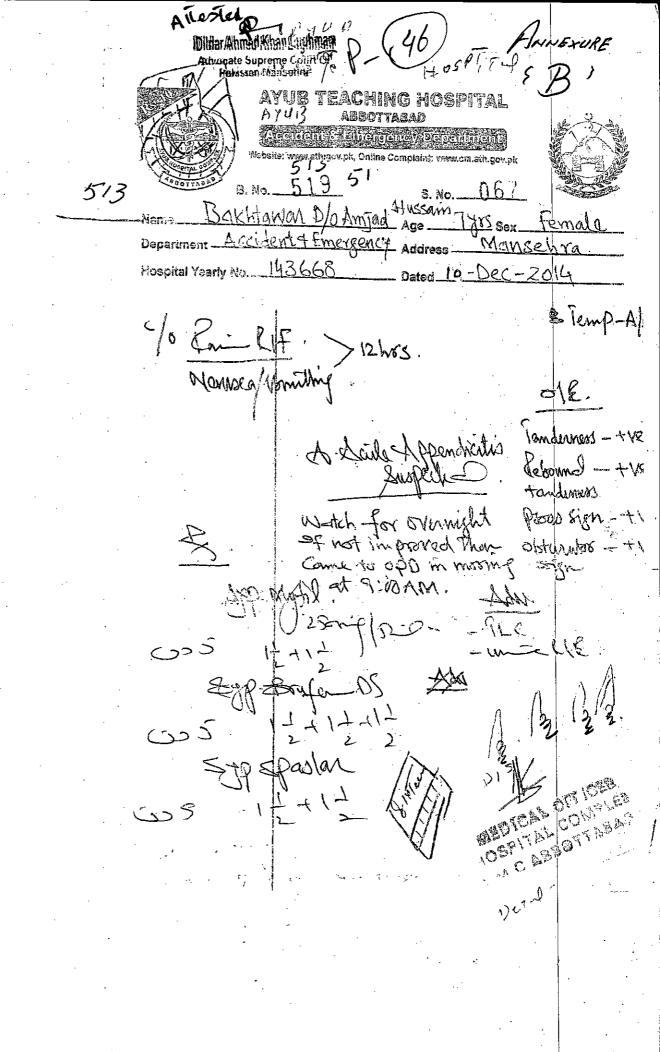
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FORM OF LEAVE ACCOUNT UNDER THE REVISED LEAVE RULES 1978 (Approved vide Finance Division's letter No. F. 1 (3)-Rev. 178, dated 18-1-1979)

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OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHR

Τo

Mr. Amjid Hussain PST GPS Nakot Jabar Mansehra

Dildar Ahmed Khan Lughman Advocate Supreme Court Of

Subject:

SHOW CAUSE NOTICE

Pakistan Mansehra The District Education Officer (M) Elementary & Secondary Education District Mansehra, under the Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules. 2011 do hereby serve you Mr. Amjid Hussain PST GPS Nakot Jabar Mansehra

- The District Monitoring Officer Mansehra is reporting vide ibrahim.co.mansehra@gmail.com dated 25/01/2015 during the visits of Data Collection and Monitoring Assistants you are always found absent from duty and one proxy teacher was found instead of you it shows you are habitual in absenteeism and deceived the department.
- (ii). On going through report. I am Satisfied as per Rule 7 of the Khyber Pakhtunkhwa Government Servants (E & D) Rules, 2011 that you have committed the following acts/omissions specified under rule 03 of the said rules.
 - (a) Misconduct (b) Corruption (c) inefficient
- As a result therefore, I, as competent authority, have tentatively decided to impose upon you the major penalty of REMOVAL FROM SERVICE under rules 4 of the said rules.
- i). You are, therefore, 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 or not.
- ii). If no replay 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 exprate action shall be taken against you.

DISTRICT E (MALE) MANSEHRA

Endst: No	_ Dated	Mansehra th	ne/	 /2015
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- The Minister of Elementary & Secondary Education Peshawar.
 The Secretary to Govt: of Khyber Pakhtunkhwa E&SE Department Peshawar.
- 3. The Director E&SE Khyber Pakhtunkhwa Peshawar.
- 4. The Deputy Commissioner Mansehra.
- 5. The District Monitoring Officer Mansehra.
- 6. The District Account Officer Mansehra
- 7. The SDEO (M) Mansehra with the direction to immediately stop the salary of accused Official.

DISTRICT EDÚCATION OFFICER (MALE) MANSEHRA

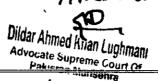
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Advocate Supreme Court Of
Pakistan Mansehra كرارش عركم المن المناف المراك ا المرف جیٹر میں بینے ضراف سر رہام دے عصے ۔ سائل کو ماکی فرف سے شوکازلوئی ملا جناب عالی اس صی سررون ہے کا کے کول سے پسٹر دیگیر لولنو ڈیول ہے 12 CECTO MAR ELECT - 124 - DED BELLE WILL اس على النامى مى الما المالية على المالية على المالية 2 M-00 dim My 6 3 7 6 (M 3) 1) الم نے گائوں کے رکب نو فرران جو کہ برا ما مکاسے. أے ادر سر رزان کی کو سکر راز نے میکس اس جمال دی کو در فل مواكر عدج كرورا مسيال كى جاك كن سزاع وس نے انزائل عالم کا کا کی من فوالے عمل العبائين وو كورندن براي كاول تلوك

REGISTERED

TATION OFFICER (MALE) DISTRICT MANSEHRA OFFICE OF THE DISTRICT ED



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NOTIFICATION.

ADO (E/P) MR. AMJID HUSSAIN PST GPS NAKOT JABBAR CIRCLE DHODIAL MANSEHRA: WHEREAS Mr. Amjid Hussain PST GPS Nakot Jabbar Circle Dhodial Mansehra proceeded against under Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipiine) Rules , 2011 on account of his willful and unauthorized absence from duty.

- 2. AND WHEREAS the accused official/teacher was issued show cause notice vide letter No.2587 dated 25/02/2015, he submitted his reply to the show cause notice along with other relevant papers.
- 3. AND WHEREAS the competent authority (District Education Officer M) after having considered the charges and evidence on record, response to the show cause notice and personal hearing, is of the view that the charges against the accused official have been proved.
 - NOW, THEREFORE, in exercise of the powers conferred under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, the competent Authority (District Education Officer M) is pleased to impose Major Penalty of "COMPULSORY RETIREMENT W.E.F 21/3/2015" upon Mr. Amjid Hussain PST GPS Nakot Jabbar Circle Dhodial Mansehra.

Sd/=

DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Endst: No. 4800-08 Dated Mansehrathe 21 / 03 - /2015 Copy forwarded for information to:

- The Minister of Elementary & Secondary Education Peshawar. 1.
- 2. The Secretary to Govt: of Khyber Pakhtunkhwa E&SE Department Peshawar.
- 3. The Director E&SE Khyber Pakhtunkhwa Peshawar.
- The Deputy Commissioner Mansehip.
- 5. The District Account Officer Manseina.
- The District Monitoring Officer Mansehra. 6.
- The SDEO (M) Mansehra with the direction to make necessary entries in his S/Book. 7.
- Mr. Amjid Hussain PST GPS Nakot Jabbar Circle Dhodial Mansehra 8.

DY: DISTRICT EDUCATION OFFICER

(MALE) MANSEHRA

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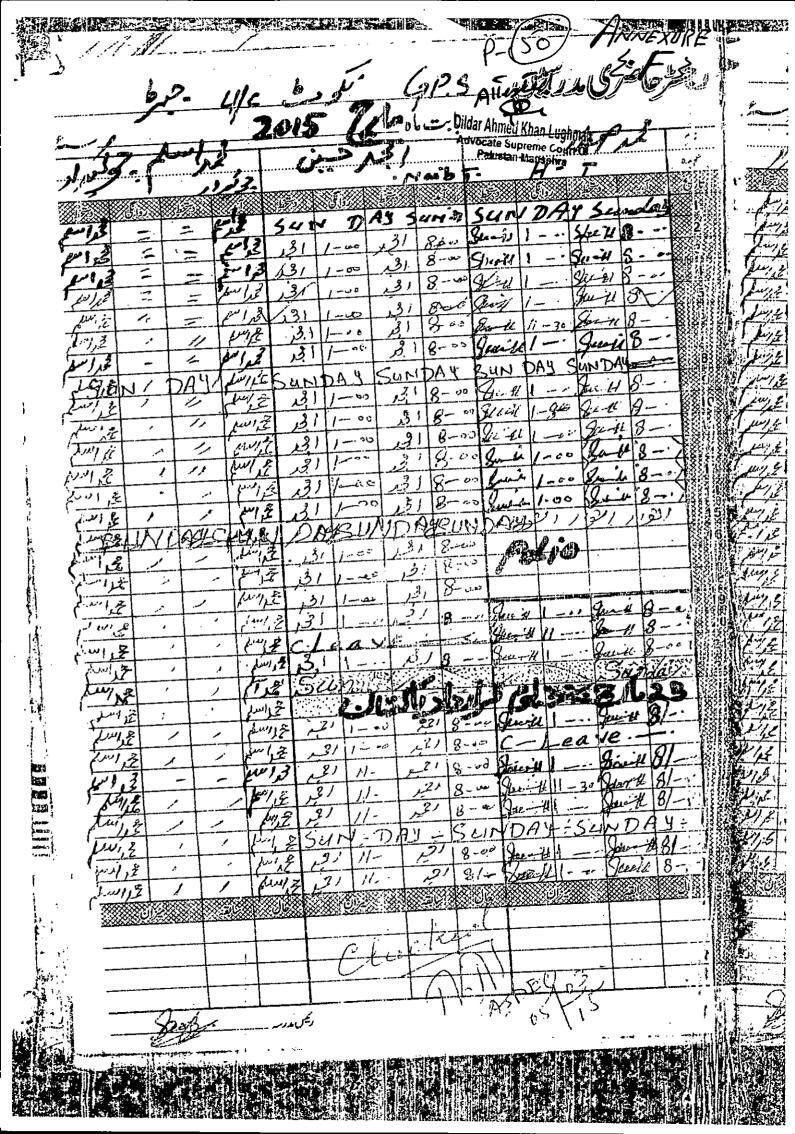
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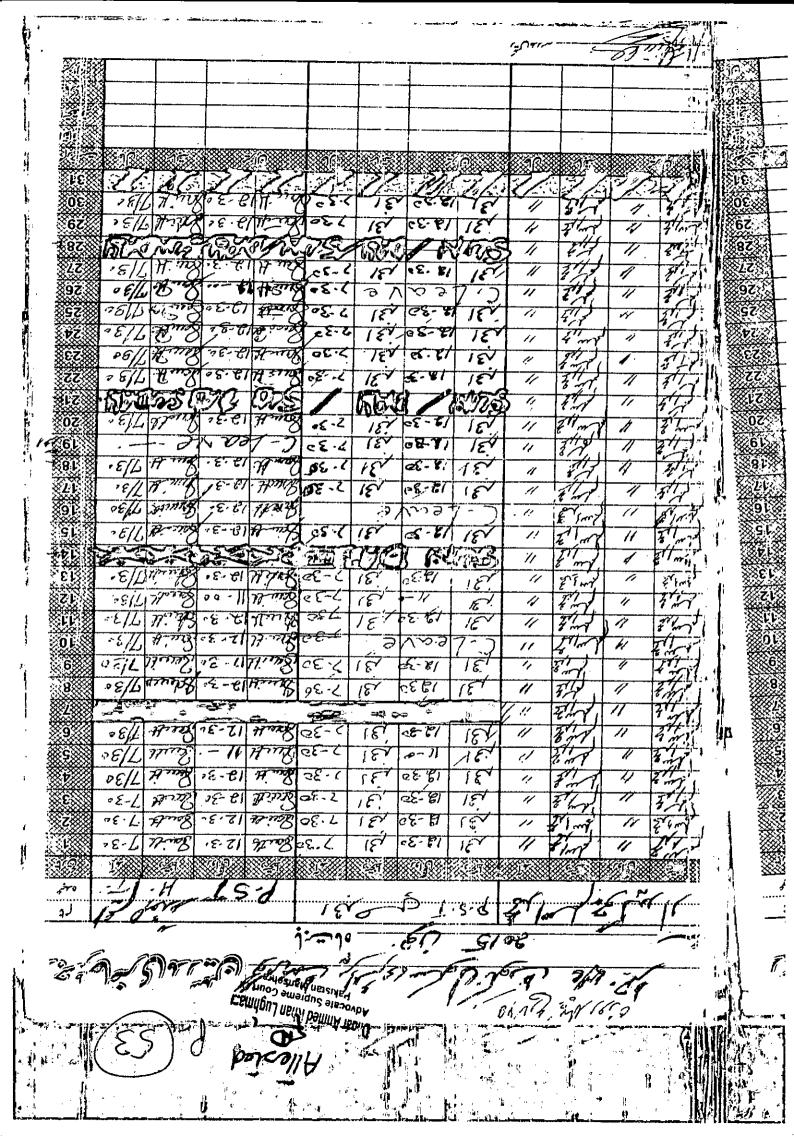
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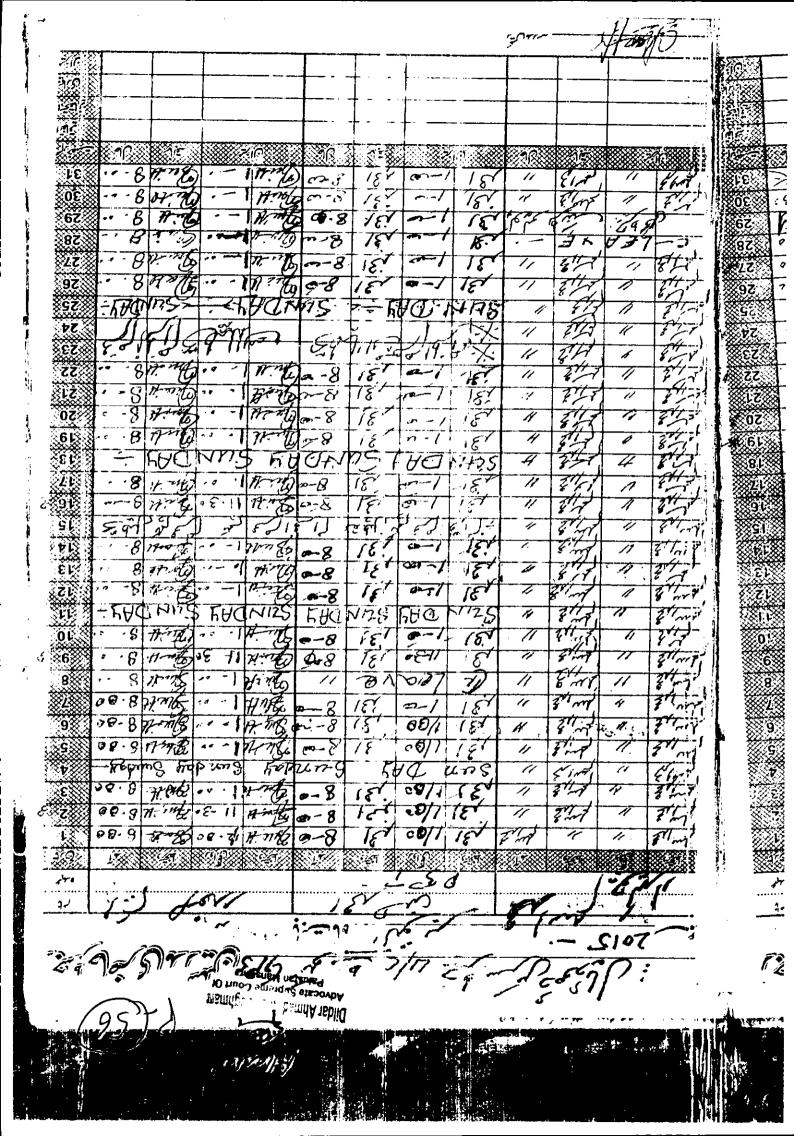
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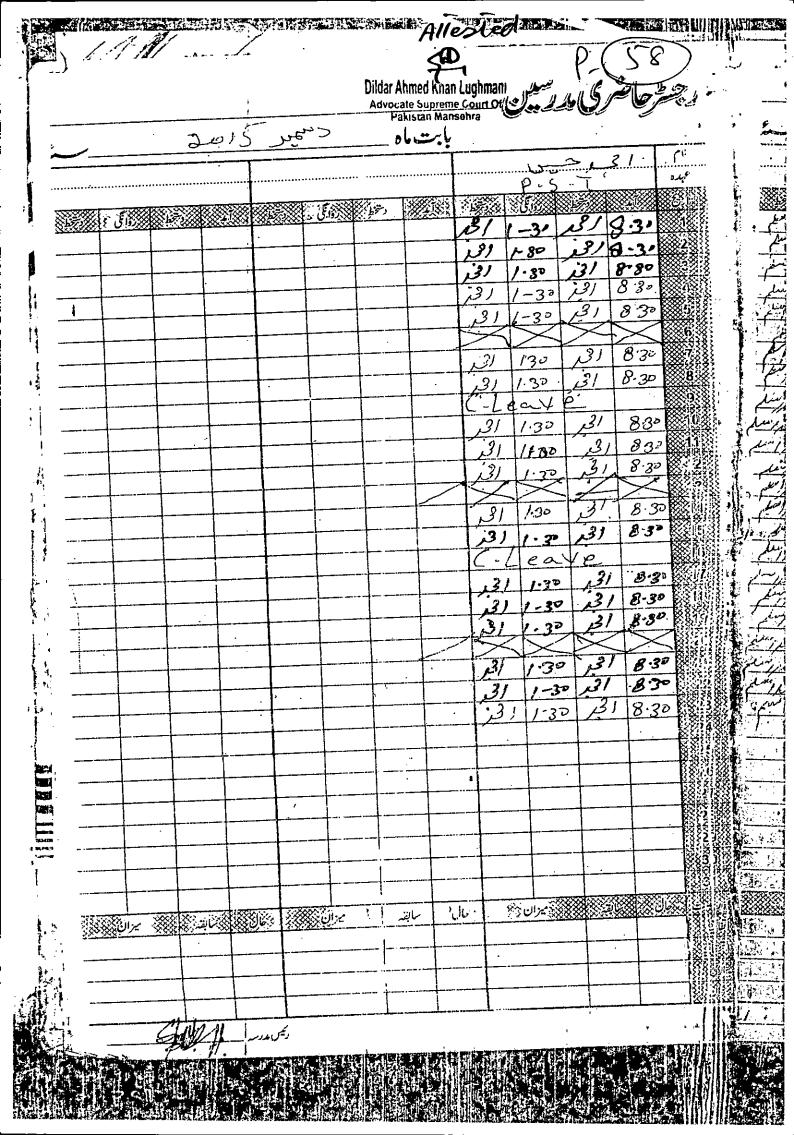
ميدال كرار در بابت اه ١١. 7.35 Sai # 12/35 Sait 184 // 11 10 15 17 " 18 // 20 21 " 20 1 /2 - 35 24 27 1333 Buil 12:35 /hin 7.35

e Fa Suc 4. 8.00 Hila 730 2/ 23 31 11 81 GD Pp. " at 8.35 e a 28/34 800 12 35 80 8.0 3) // // 11 31 3. 13. " E & 400 31 # // 11 11 N " -35 عال القبي المناه حال سابتيه مان کی سابقہ





تام ومتعط DAY 8.3. 1/18 3 5 Trains 9.30 // - 30 // 8-31 11 <u>}</u> 3. 8-3: برور 3.6 43-30 8.30 3^ // 3. 30 U 3-11 8-30 9-3. 414 34 3. 9.30 34 21 <u>z</u>. 527:14 €;-3 ° 3-7. 11 3-3: 1% 2. SUN 10 1/ 1) ¥ <u>.</u> 3: // 30 1/ 1 , 30 11 11 3. 3 30 إعارا سااقه - زان



P (59)

LANGUE OF THE PUREYELL EDUCATION OF THE REPORT (MALE) MANSEHRE

Hay 17847

Dated: 24 1/12

Allesia

To

The Director E&SE Peshawar

Dildar Ahmed Khan Lughman Advocate Supreme Court Of Pakistan Mansehra

Subject:

APPLICATION/COMPLAINT OF MR.AMJID HUSSAIN PST GPS NOKOT

JABBAR-

Memo:

I am directed to refer to the letter No. 509 dated 30/06/2015 on the subject

noted above.

It is stated that Mr. Amjid Hussain PST was reported absent from duty by IMU Mansehra dated 25/01/2015 and this office issued show-cause notice vide No. 2587 dated 25/02/2015 and the accused teacher replied with the request the he inform the other teacher telephonically that his daughter was ill and he has to bring her to hospital for treatment therefore he may be marked C/Leave.

The DEO (M) Mansehra while considering the charges, personal hearing and relevant record imposed major penalty of Compulsory Retirement vide No. 4800-08 dated 21/03/*2015 (Relevant Record attached)

DY: DISTRICT EDUCATION OFFICER

(MALE) MANSEHRA

by GPS PS-ind consider the first of the firs

s,

.

Duty Certificate

P- (61)

Cestified That MA Amjed Hussain

PST GPS Nakot Circle Dhodial is Allosted

Pergeroning his duty regularly at Dildar Ahmed Khan Lughmani

Advocate Supreme Court of
Pakistan Mansobra

CIPS Maked were or 108/2015 do date.
Cips Maked were or 108/2015 do date.
Cabove mentioned Certificate is given in
The light of Mr. Safdar Hussain pst

GPS Nouch report

ASD.E.O (M)

Circle Dhodial
Mansehra

P-68 PINNEXURE
EGI

العامه الم بخد مت جناب ڈائریکٹر ایلمسٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخواہ پشاور

ildar Anmed Khan Lughmal الطنوان: البيل برطلاف عم نمبر 4800-08 بتاريخ 2015-21-03

بناب عالى!

گزارش ہے کہ سائل کی مورخہ 2014-12-10 کوسکول گیا اور وہاں پہنچتے ہی سائل کے گھر سے بذر بعد نون اطلاع دی گئی کہ پنگی مشد یدعلیل ہے۔ سائل کا ہیڈ ٹیچر پولیوڈ یوٹی پرتھا۔ اور سکول میں کوئی ٹیچر نہیں تھا اس لئے سائل نے گاؤں کے ایک نوجوان کو بلا کر کہا کہ میں بنی نہ ہو۔ سائل گھر آیا اور پکی کولیکر ہیتال گیا اور پکی کا علاج کروایا شوت کے طور پر ہیتال کی جیٹ لف بندا ہے۔ اس ایک دن کی غیر حاضری کی وجہ سے (M) DEO ماسہ و نے سائل کو جری ریٹائر کردیا۔ جبکہ سائل کا سوائے اس نوکری کے وئی فر ربعہ معاش نہیں ہے۔

ہذر ایداس درخواست التماس ہے کہ سائل کونو کری پر بحال کر کے سائل کے بچیں کوفاقہ کئی سے بچایا جائے۔علاوہ ازیں عرض ہے کہ سائل نہ کورہ بالا آرڈ رمور خد 2015-20-50 کوملا ہے جس کا ثبوت لیٹر ٹی پشت پرموجود ہے۔

I was to be a second of the se

سأتل

امي حسان

ولدمحر نوازيان

ساكنه: مٿڏه ڳھيه

شاختى كأرد نمبر 9-541092-533

موبائل نمبر 5717920-0334

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AMENDMENT FORM (PAYMENTS/DEQUCTIONS)

Allested Dildar Ahmed Khan Lughman MANSEHRA

Advocate Supreme Court of

Detailed Dept./

FunctionCode 4/5025

DATE:

PAGE:

OFFICE OF THE SOE

DDO Code MA

Sub-DDO Codé

Personnel No.	National ID Card Number	Name	Code	Amount	Effective Date	Remarks
00217872	Pay 40 0 1 2 to -	AMJID HUSSAIN VST.	5801	180885-00	P - -	
	30-11-3015 COTMON 1/15)		5002	19992-00		
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Audited/Checked By

Entered/Verified By

OFFICE OF THE DISTRICT ACCOUNTS OFFICER MANSEHRA

P- (64)

No.PN- 9437-m

Dated 20.05,2016

Advocate Supreme Court Of

Pakistan Manschra

(Per.No :

To

The Drawing & Disbursing Officer, DY DISTT EDU OFFICER MALE MANSEHRA

Sub: - COMMUTATION AUTHORITY IN R/O AMJID HUSSAIN S/O MUHAMMAD NAWAZ

PPO. 9437-M

Dildar Ahmed Khan Lughman

Please refer to your letter No. NO.5300 Dated 29.04.2016 forwarding there in pension case in respect of above named officer / official.

2. You are hereby authorized to submit a bill for Rs. 976732.00 (Rupees: NINE HUNDRED SEVENTY-SIX THOUSAND SEVEN HUNDRED THIRTY-TWO) at the counter of this office for issuance of cross cheque in favour of Mr. Mrs. Miss. Mst. AMJID HUSSAIN S/O MUHAMMAD NAWAZ 00217972)

NIC.NO' on account of Commutation of pension.

of pension.

Bank Name : A/c No :

3. The amount involved in charged / other than charged and debitable to the federal Govt. under the following head of accounts:-

01 - General Administration. A04 - Transfer payment. 0112 - Fiscal administration. A041 - Pensionery benefi

0112 - Fiscal administration. A041 - Pensionery benefits. 011210 - Pension. A04102 - Commuted value of pension.

A04102 - Pension. A04102 - Commuted value of pension. A04103 - Cratuity value of pension.

Withheld amount

Amount Payable: 976,732.00

Amount With Held: 0.00

Amount Paid: 976,732.00

Recoveries Rs.146096/- MAY PLEASE RECOVERED.

Note: - This authority letter may please be attached with the bill in original along with the Office order/notification of retirement. Vendor No, Name of Bank and A/c No of payee may also be recorded on the bill

Remarks: -

Copy for information to :-Mr. Mrs. Mst. Miss. AMJID HUSSAIN S/O MUHAMMAD NAWAZ

ACCOUNTS OFFICER (PENSION)

ACCOUNTS OFFICER (PENSION)

P- (65)

وكالثنامي

بعدالت جناب سهروس كر مروم كيناور ا حرصت بنام تشرور عند به ۱۲ ومنوره دعوى ياجرم سهروس ا معل منجاب اسلائدات باعث تحريراً مكه

مندرجه بالاعنوان میں اپنی طرف سے پیروی وجوابد ہی بمقام <u>لینت امد (مسموسی م</u>سرسول کم)

دلداراحمه خان لغماني ايدووكيث سيريم كورث آف بإكستان

برین شرط و کیل مقرر کیا ہے کہ میں ہر پیٹی پر خود یا بذراجہ تختیار خاص رو پروعدالت حاضر ہوتارہوں گا۔ اور ہوت الکارے جانے وکیل صاحب موصوف کواطلاع و کے کرحاضر کروں گا۔ اگر کی پیٹی پر مظہر حاضر نہ ہوا اور غیر حاضری کی وجہ ہے کی طور پر متقد مہ میر سے خلاف ہوگیا تو صاحب موصوف اس کے کی طرح زمد دار نہ ہوں گے۔ نیز و کیل صاحب موصوف صدر مقام کے میر عظاف ہوگیا تو بری کے مقاور کی مقررہ اوقات ہے پہلے یا پروز تحطیل پیروئی کرنے کئواز نہ ہوں گے۔ اگر مقدمہ مقام کی ہجری کے علاوہ کی اور جگہ یا چہری کے مقاورہ کی اور جگہ باعت ہو نے بریا پروز کی ہری کے اوقات ک آگے یا چیجے ہونے پر مظہر کو کوئی نقصان پہنچ تو فرمد دار ایا کہ اس کے واسطے کی معاوضہ ادا کرنے ہوئی تی ایروز کی ہری کے اوقات ک آگے یا چیجے ہونے پر مظہر کو کوئی نقصان پہنچ تو فرمد دار یا اس کے واسطے کی معاوضہ ادا کرنے ہوئی اور صاحب موصوف کو مرضی دعوی اور درخواست اجرائے ڈگری ونظر خانی ایک گرانی دائر کرنے ، نیز پر تم کی ورخواست پر وی خلاصہ این رہے کا ہم تھی اختیارہ وگا اور بھورت اپنیل و برائے گا ہم تھی مقارت و گا اور بھورت اپنیل و برائے گا ہم تھی دھیے دی کیا ہم تھی میں میں میں وہوئی کو برائی تعلیل ہوگی ان دیو کیا ہوگی اس امر میں وہی اختیار است طاحس کی دوسرے دیلی بایر شرکو ہو جائے گئی علی دو ہیروی گئی این دیئے اور نی کی طرفہ درخواست تھم استا گی یا ڈگری تھی اس امر میں وہی اختیار است طاحس کی دوسرے دیلی بایر میں تاریخ بیش ہے ہمراہ تقرر کر ہیں اور ایسلے کی دوسرے دیلی بایر میں تاریخ بیش ہے ہمراہ تقرر کر ہیں اور ایسلے کیا دوسرے دیلی بایر ہوگی کی مقدد میں موسوف کو بور ااختیار است حاصل ہوں کہتار نامہ کی ایا ہوگی کے مقدد میں موسوف کو بور ااختیار ہوگا کہ مقدد میں موسوف کو بور ااختیار ہوگا کہ مقدد میں موسوف کو بور ااختیار ہوگا کہ مقدد میں موسوف کو بور اختیار ہوگا کہ مقدد میں ہوگا اختیار ہوگا کہ ہو است سے کہ کسندر ہے۔ بیروی نگر میں اور ایس کی اور بیک طرح جو ایک کے دوسرے کو کی معامر تر جوایا ہے اور منظور ہے۔ المحکون نگر میں اور ایس کی اس کی موسوف کو بور ااختیار میں اور ایس کی در میں گئی تھی اس کی دوسرے کو کو کھور کی کھور کے کھور کھور کے کھور کے کھور کھور کے کھور کے کھور کھور کے کھور کے کھور ک

ATTESTED & ACCEPTED

DILDAR AHMED KHAN LUGHMANI

Advocate Supreme Court,

of Pakistan.

Augh

(origional reply)

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR CAMP COURT ABBOTTABAD

Appeal No<u>, 865/2016</u>

Amjid HussainAPPELLANT.

VERSUS

- 5. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education KPK Peshawar.
- 6. Director Elementary & Secondary Education KPK Peshawar.
- 7. District Education Officer (Male) Mansehra
- 8. Assistant Sub-Divisional Education Officer (Male) Circle Dhodial Mansehra.

S.No	Description of documents	Annexure	Pages
1.	Comments of Respondents		1-54
2.	Affidavit		5
3	Copy of monitoring report	A	7-10
4 .	Copy of show cause notice	В	11.
5	Copy of personal hearing	C	12
6	Copy of compulsory Retirement order	D	13
7	Copy of LPC	E	14

DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR CAMP COURT ABBOTTABAD

Appeal No, 865/2016

A ** 1 1 1 1	•	ADDEL LANT
Amjid Hussain .	·	APPELLAN I

VERSUS

- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education KPK Peshawar.
- 2. Director Elementary & Secondary Education KPK Peshawar.
- 3. District Education Officer (Male) Mansehra
- 4. Assistant Sub-Divisional Education Officer (Male) Circle Dhodial Mansehra.

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS NO 1,2,3, AND 4.

Respectfully Sheweth:-

PRELIMARY HEARING.

- 1. That the Appellant is not the "AGGRIEVED" person.
- 2. That the Appellant is estopped by his own conduct.
- That the Appellant has not come to the Hon'ble Tribunal with clean hand.
- 4. That the Appellant has no cause of action/locus standi to file the instant appeal.
- 5. That instant Appeal is against the prevailing law and rules.
- That the appeal is time barred and not maintainable in eye of Law and also time barred hence liable to be dismissed.
- 7. That the appeal is groundless and based on malafide, alter motive, hence the same is liable to be dismissed.
- 8. The instant appeal is not maintainable in the present form and also in the present circumstances of the issue.
- 9. That the demand of the appellant is against the law and facts hence the appellant is not entitled for any relief and appeal is liable to be dismissed on this score alone.
- 10. That impugned order bearing No.4800-08 dated 21-3-2015 passed by the authorities' accordance with Law; hence the appeal is liable to be dismissed.

Factual Objections:-

- Para No.01 is correct, the appellant was duly appointed by the respondent Department.
- 2) Para No.2 is incorrect because the appellant does not performed his duty honestly and regularly.
- of District Monitoring Officer District Mansehra dated 25.01.2015 through Email ID lbrahim.co.mansehra@gmail.com during the visit of data collection and monitoring assistant you are always found absent from duty and one proxy teacher was found instead of you it shows you are habitual and absenteeism and deceive the department. (Copy of monitoring report is Annexed as Annexure A).
- 4) That the Para No.4 is incorrect because in the light of DMO provided information the appellant is habitual and absenteeism and deceive the department and one proxy teacher was working from long period. So the action taken by the competent authority is under the law and rule. (Copy of show cause and personal hearing are Annexed as Annexure B and C.)
- 5) Para No.5 is incorrect because the appellant was failed to satisfied the authority and hence the action was taken by the competent authority as major penalty "Compulsory Retirement" w.e.f from 21/03/2015 (Copy of compulsory Retirement order is Annexed as Annexure D).
- 6) That the Para No.06 is incorrect, because after observing all the codal formalities the penalty was imposed.
- 7) Para No.7 is incorrect because the penalty was already imposed on the appellant and Duty Certificate which was issued by the concerned Head Master has no meaning.
- 8) Para No.8 is incorrect and need no comments.
- 9) Para No.9 is incorrect and need no comments.
- 10) Para No.10 is incorrect because the penalty has already been imposed on the appellant.
- 11) Para No.11 is incorrect because the appellant has already been Compulsory Retirement from service

w.e.f.21.03.2015 and he continued his duty without intimation to office and has no any legal right to claim the salary after his compulsory retirement. The recovery was made amount Rs.1,46,096 for the period 22/03/2015 to 31/07/2015 (four month ten days) Rs.32069 per month paid to appellant.

(Copy of LPC is Annexed as Annexure E)

been Compulsory Retirement from service w.e.f.21.03.2015. The recovery was made amount Rs.1, 46,096 for the period 22/03/2015 to 31/07/2015 (four month ten days) Rs.32069 per month paid to appellant.

Grounds:-

- a) Incorrect hence denied, the appellant is guilty of mis conduct, wherein allegation leveled against the appellant has been proved, whereupon Compulsory Retirement from service order was issued. the entire action of the answering respondent is within the ambit of Law, Rules and regulations, Compulsory Retirement from service order was issued after all legal and codal requirements.
- b) Incorrect and denied, because after the all codal formalities the Department has rightly issued "Compulsory Retirement Order from Service".
- c) Incorrect and denied, that as per law respondent Department was properly issued a showcase to the appellant and also conducting a personal hearing, after observing all codal formalities the order of Compulsory Retirement from service was issued by the competent authority. The order was issued by Respondent Department without any bias or prejudices after observing all codal formalities.
- d) Incorrect and denied, because the appellant has drawn the salary from respondent No.5 wrongly & illegally because the appellant has already imposed the penalty on 21/03/2015 and has no legal rights to draw the salary after the date.
- e) Incorrect and denied because a proxy teacher was found in his place by the IMU during visit day, therefore competent authority

- E&SE Mansehra imposed upon major penalty "Compulsory Retirement".
- f) Incorrect, Need no comments.
- g) Incorrect and denied. Because the charge cannot be handed over to irrelevant person without the permission of the Respondent Department. Which was illegal, unlawful and misconduct?
- h) Incorrect and denied. Because the competent authority has right to issue a showcase notice to the appellant under the E&D rule. Therefore competent authority E&SE Mansehra imposed upon major penalty "Compulsory Retirement".
- i) incorrect and denied because after a proper complaint of the IMU show cause notice was issued by the competent authority and after complete process with all coddle formalities major penalty of compulsory retirement was imposed.
- j) Incorrect and denied because the appellant has already been Compulsory Retirement from service w.e.f.21.03.2015. The recovery was made amount Rs.1, 46,096 for the period 22/03/2015 to 31/07/2015 (four month ten days) Rs.32069 per month paid to appellant.
- k) Para No. k is incorrect and denied.
- Para No. I is incorrect and denied because the appellant is aware of all the coddle formalities of the departments.
- m) Incorrect and denied.
- n) incorrect and denied because due to which according to the report of District Monitoring Officer District Mansehra dated 25.01.2015 through Email ID lbrahim.co.mansehra@gmail.com during the visit of data collection and monitoring assistant you are always found absent from duty and one proxy teacher was found instead of you it shows you are habitual and absenteeism and deceive the department. After the 21/03/2015 he has no right to claim the salary because he was already compulsory retire from the service.
- o) Incorrect and denied.
- p) Incorrect and denied, because after the all codal formalities the Department has rightly issued "Compulsory Retirement Order from Service".

q) Incorrect and denied because appellant has no right to draw the salary after the penalty has already been imposed.

PRAYER:-

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

Dochandant			
Respondent	• • • • • • • • •	 	 • • • • • • • • • • • • • • • • • • • •

The Secretary

Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

The Director, Elementary & Secondary Education Elementary & Secondary & Sec

The District Education Officer, (Male) Mansehra

Assistant District Education Officer, (Male) Mansehra

<u>AFFIDAVIT</u>

I, Mr. Muhammad Touseef Assistant District Education officer on Behalf of District Education Officer (M) Mansehra do, hereby solemnly affirm and declare that the Para wise comments of the Service Appeal No.865/2016 titled Amjad Hussain versus Govt, is true to the best of my conviction and belief and nothing has been concealed from this Honourable Court.

DEPONENT

DISTRICT EDUCATION OFFICER (MALE) MANSEHRA.

DRAFT

MINUTES OF THE MEETING OF INDEPENDENT MONITORING UNIT (ELEMENTARY & SECONDARY EDUCATION DEPARTMENT) HELD ON 15/01/2015 AT 11 AM UNDER THE CHAIRMANSHIP OF DEPUTY COMMISSIONER MANSEHRA.

The meeting of the District Steering Committee was held on 15/01/2015 at 1200 hours in Circuit House Mansehra under the chairmanship of Deputy Commissioner Mansehra. The list of participants is attached. Following is the detail of the meeting:

Sr. No.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Brief Description	Decision	By/Timeline	Responsibility
. 1	Schools without	It was observed that 231 (F)	The chair decided to prepare a PC-II	30/01/2015	DEO (M)/DEO (F)
Etrene .	boundary walls	male and 4 female schools	for completion of boundary walls of		
i i Limii		have been reported under	such schools immediately.		
		this category.			
,2	Schools without Building	It was observed that 134	A report may be prepared by	31/01/2015	DEO (M)/DEO (F)
or regarded	Structure	male and 28 female schools	education offices regarding the causes		and Executive
a carb by d	a contract to	do not have appropriate.	of non-availability of building of such		Engineer C&W
		building/structure.	schools.		
3	Schools without	It was observed that 276/m	The reason of non-availability of	Next DSC	DEO (M)/DEO(F)
	Furniture	male and 108 female	furniture may be explained in the next		' '' ' ''
	·	schools do not have	DSC.		<u> </u>
		furniture for students.	•		,
4	Vacant Teaching Posts	It was observed that 328 / 1	The matter may be taken up with the		DEO (M)/DEO (F)
	e. Vijiris	male and 51 female posts	concerned authorities and the posts		
	ger sem of s	of teaching staff are lying	which fall under the purview of district		,' '
		vacant in Mansehra	education offices may be filled		
		District.	immediately.		
7.75	Vacant Non-teaching	62 male and 44 posts in	These posts may immediately be filled	31/01/2015	DEO(M)/DEO(F)

Signature
Deputy Commis

Page 1 of 4

District Monitoring Officer

	·		The second secon	Decision	By/Timeline	Responsibility
	Sr. No.		Brief Description female schools were	without further loss of time.		·
	6 :	Excess Teaching Staff	reported as vacant. 12 male and 8 female teachers were found in excess in various schools in	Rationalization in respect of such excess may immediately be carried out.	31/01/2015	DEO(M)/DEO(F)
gigar e elektrologik (j. 1800.) 1801 - Paris Barris (j. 1801.) 1801 - Paris Barris (j. 1801.)		Excess Non- Teaching Staff	the December data. One male and one female non-teaching staff was reported in December	Rationalization in respect of such excess may immediately be carried out.	31/01/2015	DEO(M)/DEO(F)
o de la crite al la crite a La crite al la	1		data: The actions taken by DEO male and DEO female were reported during the meeting.	The school authorities may be asked to observe the school timings properly. Moreover, AC Mansehra will conduct enquiry about the reported long time closure of GGPS Jacha and		AC (M), Principals/Head masters of the concerned schoo
PS Sekintas. Cheen on god headagailean Ann thomas and the contractions and the contractions are contracted to the contracted t		Habitual Absent Teaching	teaching staff was highlighted	GGPS Sukhian. The education staff was asked to determine the habitual teaching staff in the light of reports of previous months and take proper action.	31/01/2015	Directorate of E&SE and DEO(M DEO(F)
alata di kamengan sebes	10	Leacung aran	The data of habitual non- teaching staff was highlighted.	The education staff was asked to determine the habitual non-teaching staff in the light of reports of previous months and take proper action.	31/01/2015	DEO (M)/DEO (F) and Principals / Head masters concerned.
mak kanal Pangan pendah Pendah kanal	11	Proxy Staff	The data of proxy staff was shown to the participants.	The copy of proxy teachers data will be shared with district administration, which will take action accordingly. However, lack of action by the education department was noticed	Report of non- presence of proxy to be reported by 25/01/2015.	DEOs and ASDEC

Signature

Deputy Commission

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District Monitoring Officer

Page 2 of 4

17	Issue Merger of Mosque	There were a total of 461	Decision		Responsibility
	Schools	GMPS/GMKS in Mansehra	The IMU data showed lesser	31/01/2015	ASDEO concerned.
		1	enrollment in majority of GMPS/GMKS		1
		among which 147 have so	which have not been merged so far.	i	
		far been merged in the	So, it was decided that education		
	Of the second of the	nearest primary schools.	department will confirm the		
,	remain at the company of	The education department	enrollment of all remaining		
- 44	A Line 1	explained that others are	GMPS/GMKS.		,
		not being merged due to		Í	•
		high enrollment of those			
		GMPS/GMKS.	,		

Deputy Commissioner

- Marianthe

Page 4 of 4

Signature

District Monitoring Officer





OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEL No 1 (27 Date 15

Mr. Amjid Hussain PST GPS Nakot Jabar Mansehra

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C.11	biect:	
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SHOW CAUSE NOTICE

- The District Education Officer (M) Elementary & Secondary Education District Mansehra, under the Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules, 2011 do hereby serve you Mr. Amjid Hussain PST GPS Nakot Jabar Mansehra
- District Monitoring Officer Mansehra is reporting vide (i). ibrahim.co.mansehra@gmail.com dated 25/01/2015 during the visits of Data Collection and Monitoring Assistants you are always found absent from duty and one proxy teacher was found instead of you it shows you are habitual in absenteeism and deceived the department.
- On going through report. I am Satisfied as per Rule 7 of the Khyber Pakhtunkhwa Government Servants (E & D) Rules, 2011 that you have committed the following acts/omissions specified under rule 03 of the said rules.
 - (a) Misconduct (b) Corruption (c) Inefficient
- As a result therefore, I, as competent authority, have tentatively decided to impose upon you the major penalty of **REMOVAL FROM SERVICE** under rules 4 of the said rules.
- You are, therefore, required to show cause as to why the aforesaid penalty should not be i). imposed upon you and also intimate whether you desire to be heard in person or not.
- If no replay to this notice is received within seven days or not more than fifteen days of its ii). delivery, it shall be presumed that you have no defense to put in and in that case an exprate action shall be taken against you.

(MALE) MANSEHRA

Endst: No	Dated Mansehra the _	/	/ 	/2015
Control of facing and a second face to	· a ·			

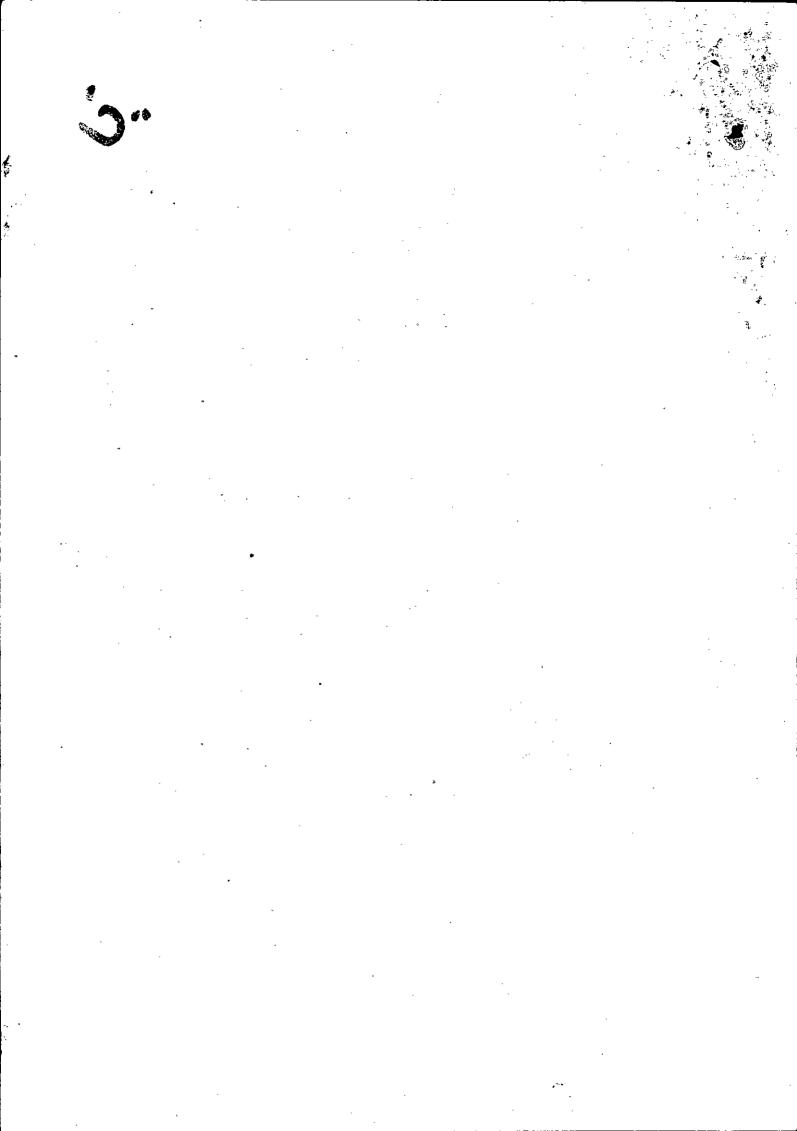
Copy forwarded for information to:

- 1. The Minister of Elementary & Secondary Education Peshawar.
- 2. The Secretary to Govt: of Khyber Pakhtunkhwa E&SE Department Peshawar.
- The Director E&SE Khyber Pakhtunkhwa Peshawar.
 The Deputy Commissioner Mansehra.
- 5. The District Monitoring Officer Mansehra.
- 6. The District Account Officer Mansehra
- 7. The SDEO (M) Mansehra with the direction to immediately stop the salary of accused Official.

DISTRICT EDÚCATION OFFICER (MALE) MANSÈHRA

OFFICE OF THE DISTRICT EI	<u>DUCATI</u>	ON OFFIC Dated	CER (MALE	E) MANSEHI /2015.	<u>ra</u> 46 4
No		Date			
1. Mr. Amjid Hussian P 2. M. Ilyas PST GPS Ta 3. Mr. Arif PST GMPS 4. Mr. Muhammad Jan 5. Mukhtair Shah PSHT 6 Malik Refaqat PST C 7. Fazal ur Rehman Che 8 Said Wali Chowkida	anawha . Thakra I Chowkid GPS Jal BPS Kara owkidar (Barder. ar GPS Se obar Manse r. GPS Sundi	rian No 1. ehra.		
Subject: PERSONAL HE Memo:	EARING	<u>.</u>			·
l am directed refe hearing to defend your self again	er to your ast the ch	reply of sl arges again	how cause, ynst you.	you are call f	or personal
Time: 9: 00. AM. Date: 19/03/2015. Venue: DEO (Male) Mansehra.				bdv	. J
				E) MANSEH	
Endst: No 401-4	_ Dated ₋	19/3	/2015.		
Copy for information to the: 1. The Director Elemer Peshawar.				hyber Pakhtu	ınkhwa -
 District Monitoring (ASDEO (M) Circle (Office Order file. 			sehra.	,	

DY: DISTRICT ENTRATION OFFICER (MALE) MANSEHRA









REGISTERED

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT MANSEHRA



NOTIFICATION

ADO (E/P) MR. AMJID HUSSAIN PST GPS NAKOT JABBAR CIRCLE DHODIAL MANSEHRA: WHEREAS Mr. Amjid Hussain PST GPS Nakot Jabbar Circle Dhodial Mansehra proceeded against under Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules , 2011 on account of his willful and unauthorized absence from duty.

- 2. AND WHEREAS the accused official/teacher was issued show cause notice vide letter No.2587 dated 25/02/2015, he submitted his reply to the show cause notice along with other relevant papers.
- AND WHEREAS the competent authority (District Education Officer M) after having 3. considered the charges and evidence on record, response to the show cause notice and personal hearing, is of the view that the charges against the accused official have been proved.
- NOW, THEREFORE, in exercise of the powers conferred under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, the competent Authority (District Education Officer M) is pleased to impose Major Penalty of "COMPULSORY RETIREMENT W.E.F 21/3/2015" upon Mr. Amjid Hussain PST GPS Nakot Jabbar Circle Dhodial Mansehra.

Sd/=

DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

Dated Mansehrathe スイ

Copy forwarded for information to:

The Minister of Elementary & Secondary Education Peshawar.

2. The Secretary to Govt: of Khyber Pakhtunkhwa E&SE Department Peshawar.

3. The Director E&SE Khyber Pakhtunkhwa Peshawar.

The Deputy Commissioner Mansehra. 4.

The District Account Officer Mansehra. 5.

6. The District Monitoring Officer Mansehra.

The SDEO (M) Mansehra with the direction to make necessary entries in his S/Book. 7.

Mr. Amjid Hussain PST GPS Nakot Jabbar Circle Dhodial Mansenta 8.

> MON OFFICER (MALE) MAÑSEHRA

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LAST PAY CERTIFICATE Personal No:
Last pay certificate of
or the
Robben !
2. He has been paid up to 31, 7, 2015 as per following rates:-
Pay: Rs. 17500 =
1386 =
Particulars: SSA Rs SSA Rs
Substantive Pay: - SRA: Rs. 4657 = Officiating Pay: - AR: Rs. 2550 =
Exchange Compensation Allowance:-
and Componsation Allowance:-
MA 4297 Total: Rs. 32669
Deductions:-
GPF A/C No GPF Ady Rs. 1160 =
B/F Rs. 6950 =
GI Rs 180 = -
3. He made over charge of the office of
On the after noon of L9 =
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en the reverse
He has been paid leave salary is detailed below. Deductions have been made as
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to at Re
6. He is entitled to draw the following
TO AN AN AUSO CONTINUE TO LOST TO A CONTINUE AND A
8. the details to the income Tax recovered from his upto the date from the beginning of the current year are noted on the reverse.
<u>REVERSE</u>
Name of recovery / 166 0 96/2 mg Sa A 1 1
Amount Rs.
15 D 31-7-2015
$\mathcal{M}_{\mathcal{M}}$
S.D.E.O (NALE)