

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA**  
**PESHAWAR**

**Appeal No.416/2022**

Mr. Abdur Rasheed, PSHT (BPS-15), GPS Agra, Malakand.

**SCANNED**  
**KPST**  
**Peshawar**

.....Appellant

**VERSUS**

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

.....Respondents

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**Deponent**

CNI # 15402-4483399-5

Muhammad Naveed  
Superintendent  
Office of the DEO (M) Malakand.  
Mobile No,03469450229

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA**  
**PESHAWAR**

**Appeal No.416/2022**

Mr. Abdur Rasheed, PSHT (BPS-15), GPS Agra, Malakand.

Khyber Pakhtunkhwa  
Service Tribunal

Dirry No. 1317

Dated 16/9/2022

.....Appellant

**VERSUS**

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

.....Respondents

**PARA WISE COMMENTS ON BEHALF OF RESPONDENTS**

**PRELIMINARY OBJECTIONS:**

- 1 That the appellant has no locus standi.
- 2 That the appellant has no cause of action to file the instant appeal against the respondents.
- 3 That the appellant has concealed the material facts from this Honorable Service Tribunal, hence liable to be dismissed.
- 4 That the appellant has filed the instant appeal on malafide motives.
- 5 That the appellant is estopped by his own conduct.
- 6 **That the appeal of the appellant is badly based by law and limitation**

**RESPECTFULLY SHEWETH**

**OBJECTIONS ON FACTS**

- 1). Pertains to record.
- 2). That a major penalty of " Compulsary Retirement" was imposed upon the appellant under Rule 4(b)(ii) for the charges levelled against him i.e., misconduct, willful, absence, corruption, embezzlement of PTC and conditional Grant funds worth Rs. 5,03040/- under Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011. Whereas, a proper departmental Enquiry was initiated after receiving report from ASDEO (M) circle Totakan vide. No: 3344 Dated 14-04-2017. Whereas, a proper charge sheet, statement of Allegation, show cause notice were served to the appellant naming Mr. Abdur Rashid PSHT for his defence. All of the above discussed necessary documments are annexed with annexures.....(A, B, C, D, and E).
- 3). Pertains to record.

Continued.....


- 4) Incorrect, as the appellant himself confessed that the higher authority i.e., Director (E&SE) Peshawar converted the major penalty of "compulsary Retirement" into one post reduction of time Scale from BPS-15 to BPS-14 and intervening period was considered as leave without pay. And it was the mercy of department upon him in which the major penalty was converted to reduction of time scale because he refunded the embezzled amount in shape of solar installation, electrification and other work, while the remaining were recovered by the then DEO(M) Malakand.
- 5). Incorrect, as explained above the case was properly initiated through departmental Enquiry and all the necessary correspondences were taken place with worthy Secretary (E&SED), Director (E&SE) Khyber Pakhtunkhwa, Peshawar. Keeping in view the whole record, the worthy director neutrally and conditionally converted his major penalty of "Compulsary Retirement" into major penalty "Reduction to lower post i.e., (PSHT BPS-15 to SPST BPS-14) for the period of Two (02) years subject to condition of recovery of Rs. 5,03040/- (Copy of notification is attached as annexure.....(F).

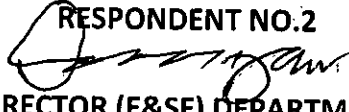
### GROUNDS


- A). Inccorret, as explained above the respondent department an accordance with service rules relaxed the major penalty of compulsory retirement into reduction of one pay scale and safeguarded the rights of appellant.
- B). Inccorret, that keeping in view the age factor of appellant, the worthy Director (E&SE) relaxed his major penalty of compulsory retirement.
- C). Inccorret, all the codal formalities were done an accordance with law and rules.

### Prayer

It is humbly prayed that the appeal of the appellant is based on malafide motives and concealling the material facts, may kindly be dismissed.

  
RESPONDENT NO.1  
SECRETARY (E&SE) DEPARTMENT  
KHYBER PAKHTUNKHWA PESHAWAR.

  
RESPONDENT NO.2  
DIRECTOR (E&SE) DEPARTMENT  
KHYBER PAKHTUNKHWA PESHAWAR.

RESPONDENT NO.3  
  
DyS DISTRICT EDUCATION OFFICER  
(M) MALAKAND

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA PESHAWAR**

**Appeal No.416/2022**

Mr. Abdur Rasheed, PSHT, GPS Agra, Malakand.

.....(Appellant)

**VERSUS**

- 1 Secretary Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2 Director, Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 3 The District Education Officer (M) Malakand, District Malakand at Batkhela.

.....(Respondents)

**AFFIDAVIT**

I Muhammad Naveed Superintendent on the instructions of D.E.O. (Male) Malakand do hereby solemnly affirm and declare on oath that the contents of the accompanying para wise comments submitted by Respondent s as true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Service Tribunal.

Deponent

*Muhammad Naveed*

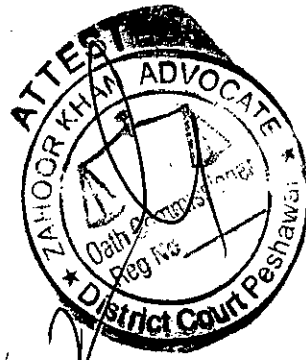
CNI # 15402-4483399-5

Muhammad Naveed  
Superintendent

Office of the DEO(M) Malakand.

Identified by

Assistant Advocate General  
Khyber Pakhtun Khwa,  
At Tribunal, Peshawar.



**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA**  
**PESHAWAR**

**APPEAL NO.416/2022**

**ADDRESSES OF PARTIES**

Mr. Abdur Rasheed, PSHT, GPS Agra, Malakand.

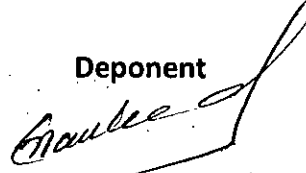
.....(Appellant)

**VERSUS**

- 1 Secretary Elementary and Secondary Education Khyber Pakhtunkhwa
- 2 Director, Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 3 District Education Officer (Male) Malakand.

.....(Respondents)

Deponent



CNI# 15402-4483399-5

Muhammad Naveed

Superintendent

Office of the DEO (M) Malakand.

Mobile No,03499362725

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHW PESHAWAR**

**Appeal No.358/2022**

Mr. Abdur Rasheed, PSHT, GPS Agra, Malakand.

.....(Appellant)

**VERSUS**


- 1 Secretary Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2 Director, Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 3 District Education Officer (Male) Malakand.

.....(Respondents)

**AUTHORITY**

**Mr. Muhammad Naveed Superintendent** office of the DEO (M) Malakand is hereby authorized to attend the Tribunal, submit reply and pursue the above titled Service Appeal on behalf of the undersigned till the decision of the case and progress made be intimated to this office as well as to all others concerned.

**Respondent No.3**

  
District Education Officer,  
(M) Malakand

Normal copy  
For immediate  
inquiry.

to  
14/4/17

NO: 3444 Dated: 14/4/17

7

The DEO (m) Malahar.

sub: Report against Head Teacher Gps Agra.

Memo: @

Reference to your good self verbal/ telephonic direction for the subject cited above on 13/4/17 the under signed visited Gps Agra and checked the credit/debit of PTC account, Rs. 544000 ~~has~~ transferred to the PTC account of Gps Agra. Just Rs. 50000/- (fifty thousand) is on the record of the cashbook. But the HT has drawn consecutively the following amount on various dates and has no record in the PTC account.

- (1) 15 Sep 2014 = Rs = 14000/-
- (2) 20th Jan 2015 = Rs = 14000/-
- (3) 21st March 2016 = Rs = 22000/-
- (4) 11 July 2016 = Rs = 75000/-
- (5) 14 July 2016 = Rs = 50000/-
- (6) 18 July 2016 = Rs = 50000/-
- (7) 25 July 2016 = Rs = 30000/-
- (8) 28 July 2016 = Rs = 20000/-
- (9) 29 July 2016 = Rs = 145000/-
- (10) 30th August 2016 = Rs = 5000/-
- (11) 1st Dec 2016 = Rs = 50000/-
- (12) 5 Dec 2016 = Rs = 25000/-

DEO (m) Malahar  
Date: 22-4-17  
At Ballahala

Attested  
Superintendent

PTO

⑬ 7th December 2016 - Rs 34000/-

⑭ 6th Feb 2017 - Rs 10000/-

Honourable DDFEO, Inspected SDBD (m) Bataka  
also directed to utilize the fund but of  
no use.

So, Sir, report is hereby submitted for  
further n/a, please

Statement is attached



SDBD (m)  
Jotakan Kot  
14/11/17

Annex  
(3)



H. Khalid  
 Supervisor  
 AD  
 GRA  
 AND AGENCY

ACCOUNT STATEMENT  
 PERIOD ENDING: JAN01, 2014 TO APR06, 2017

TEACHER GOVT PRIMARY SCHOOL AGC  
 TEACHER GOVT PRIMARY SCHOOL

ACCOUNT NO : 1139 00045717-01 OF  
 TOTAKAH BRANCH

ACCOUNT TYPE : PLS-SAVINGS CHEQUING  
 CURRENCY : Pakistan Rupee  
 PRINTING DATE : 10 04-17  
 FREQUENCY : INTERIM / DUPLICATE  
 PAGE NO : 1  
 USER : N75301

DATE	VALUE	PARTICULARS	DEBIT	CREDIT	BALANCE
		BRUGHT-FORWARD			440.68
16MAY14		Statement Charge 1139 CAYDRO 001	35.00		405.68
		Dup statement charges recovered		15.11	423.79
30JUN14		Profit/Mark up		14,000.00	14,423.79
12JUL14		Transfer - Credit PTC AMMUNT			423.79
15SEP14		Cash Withdrawal b 24803420	1,000.00		613.10
31DEC14		Profit/Mark up		189.51	813.10
13JAN15		Transfer by Cash		14,000.00	14,813.10
20JAN15		Cash Withdrawal b 07130551	2,000.00		12,813.10
20JAN15		Che book Issue c	300.00		12,513.10
10MAY15		Statement Charge 1139 CAYDRO 001	35.00		12,178.10
		Dup statement charges recovered		28.06	12,206.16
30JUN15		Profit/Mark up		8.66	12,214.82
31DEC15		Profit/Mark up		22,000.00	22,414.82
10MAR16		Transfer - Credit			22,414.82
21MAR16		Cash Withdrawal b 07130553	22,000.00		414.82
20JUN16		Transfer - Credit		375,000.00	375,414.82
30JUN16		Profit/Mark up		111.72	375,524.54
19JUL16		Cash Withdrawal b 07130554	75,000.00		300,524.54
14JUL16		Cash Withdrawal b 07130555	50,000.00		250,524.54
15JUL16		Cash Withdrawal b 07130556	50,000.00		200,524.54
25JUL16		Cash Withdrawal b 07130557	30,000.00		170,524.54
28JUL16		Cash Withdrawal b 07130558	20,000.00		150,524.54
29JUL16		Cash Withdrawal b 07130559	45,000.00		105,524.54
		ABDUL RASHEED			
		C1540235515043			
		03419042718			
30AUG16		Cash Withdrawal b 07130560	5,000.00		100,524.54
07OCT16		Statement Charge 1139 CAYDRO 001	35.00		95,524.54
		DUPLICATE STATEMENT			95,524.54
07OCT16		Statement Charge 1139 CAYDRO 001	35.00		60,524.54
		DUPLICATE STATEMENT			60,524.54
21NOV16		BILL CHARGE DRD 380001		110,000.00	110,454.54

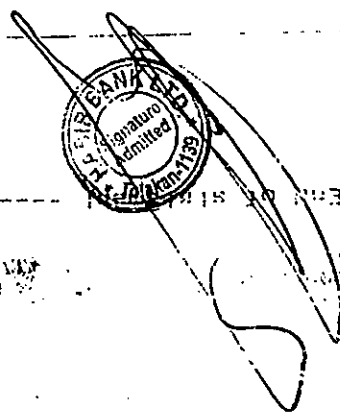
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ACCOUNT NO : 1139 00045117 01 OF  
 TOTAKAN BRANCH  
 ACCOUNT TYPE : PLS SAVINGS CHITRINO  
 CURRENCY : Pakistan Rupee  
 PRINTING DATE : 10-04-17  
 FREQUENCY : INTIM / DUPLICATE  
 PAGE NO : 2  
 USER : N25301

STATEMENT PERIOD ENDING: JAN01 2014 TO APR06 2017  
 TEACHER GOVT PRIMARY SCHOOL  
 TEACHER GOVT PRIMARY SCHOOL  
 AGENCY

DATE	DESCRIPTION	DEBIT	CREDIT	BALANCE
	BRDGHT/FORWARD		370.00	110,084.54
	ONLINE CHARGES			109,334.54
	ONLINE FUND TRANSFER			109,334.54
	CASH BOOK ISSUANCE CHARGES	750.00		109,299.54
	STATEMENT CHARGES	1,05.00		109,299.54
	CASH WITHDRAWAL D	25,000.00		84,299.54
	CASH WITHDRAWAL B	25,000.00		59,299.54
	CASH WITHDRAWAL B	34,299.54		25,000.00
	PROFIT/LOSS		945.12	1,044.86
	TRANSFER - CREDIT		8,000.00	10,044.86
	CASH WITHDRAWAL B	10,000.00		44.86

Opening balance 444.68  
 Total Debit Transactions 545,495.00  
 Total Credit Transactions 545,095.98  
 Closing Balance 44.56



Attended  
 Checked  
 Superintendent

YOUR ACCOUNT STATEMENT  
FOR THE PERIOD ENDING: JAN01.2014 TO APR06.2017

ACCOUNT NO : 1139 00045717-01 OF  
TOTAKAN BRANCH

HEAD TEACHER GOVT PRIMARY SCHOOLAGR  
HEAD TEACHER GOVT PRIMARY SCHOOL  
AGRA  
MKD AGENCY

ACCOUNT TYPE : PLS-SAVINGS CHEQUING  
CURRENT : Pakistan Rupee  
PRINTING DATE : 10/04/17  
FREQUENCY : INTERIM / DUPLICATE  
PAGE NO : 1  
USER : NZ5301

DATE	VALUE	PARTICULARS	DEBIT	CREDIT	BALANCE
		BROUGHT FORWARD			447.66
16MAY14		Statement Charge 1139 CAYDBR001	35.00		408.66
		Doc statement charges recovered			
30JUN14		Profit/Mark up		15.11	423.79
12JUL14		Transfer - Credit PTC AMOUNT		14,423.69	14,423.79
15SEP14		Cash Withdrawal b 2400620	14,000.00		423.79
31DEC14		Profit/Mark up		189.31	613.10
14JAN15		Transfer by Cheq		14,000.00	14,613.10
20JAN15		Cash Withdrawal b 07130551	14,000.00		613.10
20JAN15		Cheq Book Issue c	200.00		413.10
10MAR15		Statement Charge 1139 CAYDBR 001	35.00		378.10
		Doc statement charges recovered			
30JUN15		Profit/Mark up		26.06	404.16
31DEC15		Profit/Mark up		8.66	412.32
11MAR16		Transfer - Credit		22,000.00	22,412.32
21MAR16		Cash Withdrawal b 07130553	22,000.00		412.32
29JUN16		Transfer - Credit		375,000.00	375,412.32
30JUN16		Profit/Mark up		111.72	375,524.54
11JUL16		Cash Withdrawal b 07130554	75,000.00		300,524.54
14JUL16		Cash Withdrawal b 07130555	30,000.00		250,524.54
15JUL16		Cash Withdrawal b 07130556	50,000.00		200,524.54
25JUL16		Cash Withdrawal b 07130557	30,000.00		170,524.54
26JUL16		Cash Withdrawal b 07130558	20,000.00		150,524.54
29JUL16		Cash Withdrawal b 07130559	145,000.00		5,524.54
		ABOUL RASHEED			
		C1540235515843			
		03419042713			
30AUG16		Cash Withdrawal b 07130560	5,000.00		524.54
07OCT16		Statement Charge 1139 CAYDBR 001	35.00		489.54
07OCT16		DUPLICATE STATEMENT			
07OCT16		Statement Charge 1139 CAYDBR 001	35.00		454.54
07OCT16		DUPLICATE STATEMENT			
20NOV16		HW Cheque Dep 300001		110,000.00	110,454.54

Continue on next page

Attested  
Special Officer  
Superintendent

YOUR ACCOUNT STATEMENT  
FOR THE PERIOD ENDING: JAN01.2014 TO APR06.2017

HEAD TEACHER GOVT PRIMARY SCHOOL ACR  
HEAD TEACHER GOVT PRIMARY SCHOOL  
AGHA  
MKID AGENCY

ACCOUNT NO : 1139 00045717 01 OF  
TOTAKAN BRANCH

ACCOUNT TYPE : PLS SAVINGS CHEQUING  
CURRENCY : Pakistan Rupee  
PRINTING DATE : 10-04-17  
FREQUENCY : INTERIM / DUPLICATE  
PAGE NO : 2  
USER : NZ5301

DATE	VALUE	PARTICULARS	DEBIT	CREDIT	BALANCE
		BROUGHT FORWARD			110,454.54
21NOV18		Online Charges 1139-CAYDB0-001	370.00		110,084.54
		ONLINE FUND TRANSFER			
27NOV18		Cha Book Issue c 1139-CAYDB0-001	750.00		109,334.54
		CHEQUE BOOK ISSUANCE CHARGES			
28NOV18		Statement Charge 1139-CAYDB0-001	35.00		109,299.54
		Dup statement charges recovered			
01DEC18		Cash Withdrawal b 00000001	50,000.00		59,299.54
05DEC18		Cash Withdrawal b 00000002	25,000.00		34,299.54
07DEC18		Cash Withdrawal b 00000003	34,000.00		299.54
31DEC18		Profit/Mark-Up		945.12	1,244.66
10JAN17		Transfer - Credit		8,000.00	10,044.66
01FEB17		Cash Withdrawal b 07130552	10,000.00		44.66

Opening balance 443.68

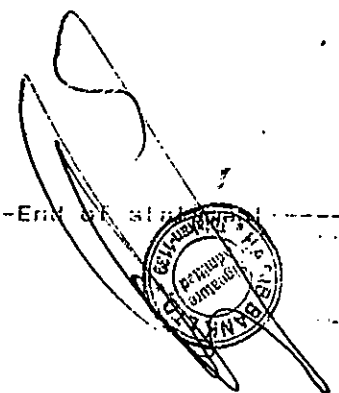
Total Debit Transactions 22

Total Amount Debited 545,495.00

Total Credit Transactions 12

Total Amount Credited 545,095.98

Closing Balance 44.36



*Agreed*  
*Member of*  
**Superintendent**

AGHA VAO



(12)  
5

**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE),  
MALAKAND**

**SUSPENSION /**

Mr. Abdur Rahici, PSHT, GRS Agra is hereby suspended from service with immediate effect on account of misconduct, incomplete PTC record, non-functional of PTC, habitual absenteeism and embezzlement of school PTC funds.

Furthermore, all the school record of PTC etc. may be handed over to the second senior teacher till completion of the inquiry and further orders under E&D and service rules in vogue.

( PROFESSOR MUHAMMAD UZAIR ALI )  
DISTRICT EDUCATION OFFICER (M),  
MALAKAND

Endst: No. 3962-66

Dated 24-4-2017

- Copy forwarded for information and necessary action to :-
- 1 The Director, E&SE Khyber Pakhtunkhwa Peshawar.
  - 2 Mr. Abdul Haq, Principal GHS Badraga Tehsil Dargai (Chairman Inquiry Committee) for information and with the remarks to carry out the enquiry already assigned to him and submit report to this office for further n/a please.
  - 3 Mr. Muhammad Riaz Vice Principal GCMHS Batkhela (Member Inquiry Committee in the matter).
  - 4 SDEO (Male) Batkhela w/r to his office to his office No.3344 dated 14-04-2107
  - 5 Mr. Abdur Rashid, PSHT GRS Agra.

  
DISTRICT EDUCATION OFFICER (M),  
MALAKAND

*Attested*  
*Signature of*  
Superintendent

(13)  
(3)

34

**OFFICE OF THE  
DISTRICT EDUCATION OFFICER(MALE),  
MALAKAND**

No. 4063

Dated 27-4 /2017

Mr. Abdur Rashid PSMT,  
Govt: Primary School Agra Dist: Malakand.

**Subject:- CHARGE SHEET & STATEMENT OF ALLEGATIONS**

Memo:

Enclosed find herewith a copy of charge sheet & statement of allegations for your reply within a week so as to proceed further in the matter under E&D Rules, 2011.

Encl: As above.

*[Signature]*  
DISTRICT EDUCATION OFFICER (M),  
MALAKAND.

Endst: No. 4064-68

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

- 1 Director ESSE Khyber Pakhtunkhwa, Peshawar.
- 2 Mr. Abdul Haq, Principal GHS Bazadara
- 3 Mr. Muhammad Riaz, Vice Principal GCMHS Batkhela.
- 4 ADEO Litigations local office.
- 5 SDEO (Male) Batkhela w/r to his memo No. 3344 dated 14-04-2017.

*[Signature]*  
DISTRICT EDUCATION OFFICER (M),  
MALAKAND.

*[Signature]*  
Superintendent

**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
MALAKAND** 3A

**PRELIMINARY ACTION**

Muhammad Uzair Ali DEO (M) Malakand as Competent Authority, am of the opinion that  
Abdur Rahsid Khan PSHT G.P.S. Agra Tehsil Batkhela District Malakand has rendered  
liable to be proceeded against, as he committed the following acts/commissions within the  
of Rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline)  
2011.

**Statement of Allegation**

**Misconduct: -**

Committed irregular, careless, Incomplete FTC record and non-functional of PTC.

**b. Willful Absenteeism: -**

Remained absent from the school duty on 17th and 18th April without any prior permission.

**c. Corruption: -**

Committed embezzlement of School PTC funds of Rs.545051/32 (As Bank statement).

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

i. Mr. Abdul Haq Principal GHS Badraga (Chairman Inquiry Committee).

ii. Mr. Muhammad Piaz Vice Principal GCMHS Batkhela (Member Inquiry Committee).

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 recommendations  
within a week time of this order as to punishment or other appropriate action against the accused.

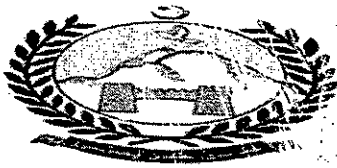
4. The accused and a well conversant representative of the department shall join the proceedings on  
the date, time and place fixed by the inquiry committee.

*[Signature]* 27/4/17

Prof. Muhammad Uzair Ali  
Competent Authority  
District Education Officer Male  
Malakand

Mr. Abdur Rahid Khan PSHT GPS Agra Tehsil Batkhela District Malakand

*[Signature]*  
Superintendent



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**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
MALAKAND**

**Show Cause Notice**

I, Muhammad Uzair Ali District Education Officer (M) Malakand as Competent Authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, do hereby serve upon you, Abdur Rashid, PSHT GPS Agra Tehsil Barkhela this show cause notice as follow: -

That while you have been reported inefficient vide ASDEO (M) Circle Totakn, committed the following acts/omissions.

- 1 You have drawn Rs.545051/32 (as per bank statement) from PTC account and proper record of PTC funds/ committee process is not on record.
- 2 You remained habitually absent from from the school w.e from 17-04-2017 to 29-04-2017 without any prior approval of the higher officers.
- 3 You committed embezzlement of School PTC funds as per records.
- 4 That you were suspended and Inquiry Committee was constituted to dig out the real facts and recommendations in the matter under E&D rules 2011.
- 5 That you were given sufficient opportunities in your defence by issuing Statements of Allegations and Charge Sheet vide this office memo No. 663 dated 27-04-2017.
- 6 That you have failed to prove in your defence clear from the charges and allegation levelled against you.
- 7 Going the various statements, papers proofs and in light of the findings by the Inquiry Committee, interview, oral hearings, written statements and office record, you have committed the following acts.
- 9 That by reason of the above you appear to be guilty of misconduct, corruption and guilty of willful absenteeism, under Rule 5 (a), (b), (c) and (d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have thus rendered yourself liable to the penalty of removal from service specified in Rule 4 (b) (iii) of the ibid Rules.
- 10 You are, therefore, required to submit your written defence within 03 days of the receipt of this charge sheet to the inquiry committee failing which it shall be presumed that you have no defence to put in your favour and in that case Ex. Parte action shall be taken against you.
11. That as per report of the inquiry committee, during the enquiry you appeared, your statements are not satisfactory before the Inquiry Committee.
- 12 That ultimately the Committee submitted its report proving the case of proofs and willful absenteeism against you with all the evidences on record.
- 13 On going through the findings and recommendations of the inquiry committee, the material on record and other connected papers including your defence before the inquiry officers, I am satisfied that you have committed the following acts/omissions specified in Rule, 3 of the aforementioned Rules.

- a. Guilty of misconduct,
- b. Guilty of corruption and embezzlements amounting to Rs.503040/-

*Abdur Rashid*  
*Muhammad Uzair Ali*  
**Superintendent**



(16)

c. Guilty of habitually absenting yourself from duty without prior approval (Guilty of willful absenteeism).

As a result, thereof, I as the competent authority, have tentatively decided to impose upon you the major penalty of removal from service under Rule 4 (iii) of the ibid rules.

You are, therefore, required to show cause as to the aforementioned penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

If no reply to this effect is received within 15 days of its issuance, it shall be presumed that you have no defense to put in and in that case Ex-Parte action shall be taken against you.

Note: Copy of the inquiry, charge sheet and statement of allegations are enclosed herewith.

**(Prof. Muhammad Uzair Ali)**  
**Competent Authority**  
**District Education Officer (M)**  
**Malakand**

Endst; No. /Pry/Inquiry/P.File Abdur Rashid

Dated Batkhela the \_\_\_\_\_/2017

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

1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. SDEO (M) Batkhela, Malakand.
3. ADO Litigation Local Office, \_\_\_\_\_
4. Abdur Rashid, PSHT GPS Agra Tehsil Batkhela.
5. Office Copy.

**Competent Authority**  
**District Education Officer (M)**  
**Malakand**

Abdur Rashid, PSHT GPS Agra Tehsil Batkhela.

*Attested*  
*Chaudhry*  
**Superintendent**

H T انوار کاروٹ دامت انوار عبد الرشید

20

میں سہمی رافت علی ولا محمد کو اب سنا کر گل  
 اگرہ 3 - 1404636 - 15902 CNIC # خد کو حاضر  
 جان کر یہ اقرار کرتا ہوں کہ میری عبد الرشید  
 کے ساتھ کوئی ذاتی دشمنی اور عباد میں سے  
 حد سے فرکورہ مستحق نے خارج استعمال ہے اس  
 کبھی نہ مجھ سے کسی کارروائی پر دستخط ہے  
 ہی کبھی میں نے بہت چیک پر کبھی دستخط کیا  
 یعنی تمام دستخط جو میرے طرف سے  
 کیے گئے ہیں جعلی "fake" ہیں۔

ان امور کو اجاگر کرنے کیلئے دست نامہ  
 محکمہ تعلیم کو اگاہ کیا تھا۔  
 شخص اس سکول کے خلاف اور خاص کر  
 کے خلاف یعنی پروپیگنڈہ کر رہا ہے اور  
 میں یہ اقویہ عیدلا رہا ہے کہ یہ سکول  
 والے ہیں۔ اسکی اچھی نظیر ہے کہ سکول  
 میں طلباء کی لڈراں انتہائی کم ہے۔

یہ سکول 1937 میں معرض وجود میں آیا ہے اور  
 اس نے ناسی گرافی ایشیائی پیدا کی ہے لیکن  
 سے اس شخص نے اس سکول کو اس طرح  
 لکھی دیا ہے۔

سکول بلڈنگ انتہائی عرصہ حال ہے اور اس کے علاوہ اس  
 جدید دور میں یہ سکول کو اس

Attested  
 Received  
 Superintendent

(124) تحریر سے بنائے ہوئے انکوائری

جب سے لی گئی ہے کہ عوام کو اس میں آسانی ملے اور  
یہ سہولت کے لیے اس میں توجہ دیا جائے اور اس میں  
مطابقت نہ ہوگی۔ سہولت کے لیے ہے۔ اور نہ اس میں  
کوئی دستخط کیا گیا ہے  
اور اس کوئی دستخط یا منسک اور کارڈ  
یہ تو مجھے بتایا جان

علی رضا و سہولت کے لیے  
سہولت کے لیے آج

سہولت کے لیے کارڈ نمبر 5-7455-142-15402

Attested  
Signature  
Superintendent

محمد علی بیگ ایسٹرن انٹرنیٹ عبدالرحمن

میں سے اس وقت لائی گئی تھی کہ وہ یہ جہ سے  
 موصول ہو رہی ہے۔ مجھے صرف ایک دفعہ ملنا پڑا ہے  
 جب وہ دن ہی ٹی سی اراکین کو پرنسٹن کے خارجہ  
 اس کے عملوں میں کسی بھی موقع پر ملتا تھا اور  
 مجھ سے کسی کا جواب ہی دستیاب نہیں  
 اور خود اندازہ لگائے کہ مجھ سے اس کے معاملات کا  
 کیا اندازہ ہوگا

محمد علی بیگ  
 محمد علی بیگ ولد مستن علی خان  
 سکنہ محلہ آباد اگرہ

شناختی کارڈ نمبر 7-140113-15402

Attested  
 Signature of  
 Superintendent

تحریر ہری بیگم کیسٹنگ انکوائری فیڈ بک نمبر 2517  
995 ڈگری

10

میں جس شخص کو رپورٹ کیا گیا تھا اس کے بارے میں  
 اس کے تحریر کردہ بیان کے ساتھ ساتھ رپورٹوں -  
 کہ GPS آریج میں اسٹیشنڈ طریقے سے چھپا گیا  
 کہ رپورٹوں کے ساتھ ساتھ رپورٹوں کے ساتھ  
 کہ چھپائی ہے۔ میں اس کے ساتھ ساتھ تمام کا  
 اس میں بطور عہدہ سونپا ضروری ہے، لہذا  
 باقی صاحب کے تمام باقی دستاویزوں میں بطور  
 عہدہ سونپا ہے اور اس میں آپ کے پاس  
 یہ نوٹ کرنا کہ جو جانے، اس کے ساتھ ساتھ  
 2012 یا 2013 میں ایک بار چھپائی  
 دستاویزوں کے ساتھ ساتھ اس کے ساتھ ساتھ  
 سب سے پہلے۔ رپورٹوں کے ساتھ ساتھ  
 سفارش کے ساتھ ساتھ اس کے ساتھ ساتھ  
 کسی بھی قسم کے ساتھ ساتھ اس کے ساتھ ساتھ  
 اس کے ساتھ ساتھ اس کے ساتھ ساتھ  
 اس کے ساتھ ساتھ اس کے ساتھ ساتھ  
 اس کے ساتھ ساتھ اس کے ساتھ ساتھ

Attached  
Signature of  
Superintendent

Signature  
8/5/17

کمری بی بی لیسانس انکوائری

میرا نام محمد اسرار ہے عبدالرشید صاحب سے

گوانٹ ڈپارٹمنٹ سکول آرہے تھے میرے

دو دوکان میں یہ کامی جہڑ میں لکھتے دستاویز

اور باقی تھے meeting کے نہ تو راج

کرتے اور نہ تھے میرے پاس

~~ASR~~

محمد اسرار ولد محمد

سکنہ آرہے

CNIC No 15402-144 6567-5

Attested  
Signature of  
Superintendent

ایم عبدالرشید P.H.T کا تبادلہ 2014ء تا 8 مئی 2017ء تک P.T.C کا کوئی اجلا  
ہوا تھا۔ 13 ستمبر 2014ء تا 8 مئی 2017ء تک P.T.C کا کوئی اجلا  
ہوا۔ یعنی P.T.C کو غیر فعال کر دیا ہے۔ نئی مکتبی بھی صرف  
غزنی میں شروع ہوئی ہے۔ اس کے علاوہ یعنی فدرل مدرسہ یا سرٹیفکیٹ

میں وغیرہ کچھ بھی ہیں لیکن کوئی نہیں کرتا۔

اکثر سکول میں غیر حاضر ہو گیا ہے۔ بعد میں اگر آرڈر  
بک لکھا ہے۔ اور بار بار یٹا لکھا ہے۔ ہمارے محلے  
میں انھوں نے لوگوں کو یہ بتا کر دیا تھا کہ یہ سکول ختم ہو رہا ہے۔  
یعنی بند ہو رہا ہے۔ جب ہم لوگوں کو پتہ سکول میں بھیج دیا گیا  
تو لوگوں کو اس دیا گیا ہے کہ جب عبدالرشید صاحب اس  
سکول میں ہوں گا تو ہم ان کے نہیں بھیج سکتے۔

لینڈ اسکول کے بچوں کی خاطر P.H.T عبدالرشید سے  
سکول کو حکومت کا دیا ہوا رقم واپس کر کے پانے، سولہ اور  
بھی کا بندوبست کیا جائے۔ اور ان کا تبادلہ دوسری  
سکول کروائیں۔ تاکہ بچوں کا مستقبل محفوظ ہو جائے۔

Attested  
Signature of  
Superintendent

ناٹب صدر طارق صاحب پرائمری سکول اگرہ

NIC: 15402-1417921-9

محکمہ تعلیم، سندھ، لاہور، پاکستان

محکمہ تعلیم، سندھ، لاہور، پاکستان

یہ تحریر تعلیمات پر ہے۔ اس وقت سے ابھی تک نہ

کوئی کام ہو رہا ہے۔ اور نہ کوئی (کاوش) maintain

ہو رہا ہے۔ فی ٹی سی فنڈ سے ابھی تک کوئی کام نہیں ہو رہا ہے۔

اور جو بھی تقریبات، جلسے، میٹنگز، show کے لئے آئے ہیں

وہ جوگس ہے۔ سکول کی حالت بھی اتنی ہی

خرابی کی طرح ہے۔ اور جو چیزیں

سکول کے لیے ہیں اور سٹاف اس کی ضرورت ہے

کی وجہ سے سکول بند ہے

سکول میں نہ کھانا ہے نہ پانی ہے اور چیزیں

سکول کے لیے ہیں۔ لہذا درخواست ہے

کہ عبدالرشید کو اس سکول سے transfer کیا جائے

اس کے علاوہ PTC فنڈ کی تعمیر شدہ رقم کی (کاوش) کی جائے

*[Handwritten Signature]*

اسفندیار خان ولد محمد وارث

Attested  
Principal



24  
20  
12  
اکثر بری براب بسلسلہ جاریہ ٹیٹ میں 4072-77

بھوضہ 27/4/2017

وضاحت پیرا نمبر -

میں نے پی ٹی سی اگاوونٹ سے مبلغ 594000 روپے  
دوران پیرا ٹیٹ ٹیٹ ٹیٹ ٹیٹ میں نے جمع کر اسوں  
اسفند پار سکول کے عیوض پر مبلغ 4456 روپے  
خرچہ لگے ہیں۔ باقی رقم میں سے ایک عدد سولہ روپے  
پر خرید رکھ۔ بچہ کیلئے 5000 روپے کا سامان  
خرید رکھ۔ اور باقی رقم پیرا ٹیٹ کیلئے

وضاحت پیرا نمبر -

بھوضہ 4/17/2017 پر میں چھٹی پر تھا۔ باقاعدہ آرڈر  
میں نائب مڈرس لائٹس جیب مہاجب کو لکھا تھا۔ جو ریکارڈ  
پر موجود ہے۔ بھوضہ 4/18/2017 پر اسٹنٹ ڈسٹرکٹ  
ڈپٹی جج (AD) بٹ خلیج کے پاس تاریخ  
پیشی تھا۔ جس کا ثبوت منکائیے۔

وضاحت پیرا نمبر -

اسکی وضاحت پیرا نمبر میں دیا گیا ہے۔

Attest  
superintendent

T.O

میں نے پٹی سی اکاؤنٹ سے مبلغ = 544000/- روپے

اپنے دوران پیرا مینجری مشن نکالے ہیں۔

میں نے رقم کھٹی سکول کے قیمت پر

مبلغ = 44560/- روپے خرچ کیے ہیں

باقی رقم میں ایک عدد سولہ مبلغ = 175000/- روپے

سولہ خریدا ہے۔ سکول میں بجلی میں 109000/- روپے

کا سامان خریدا ہے۔ اور باقی = 200000/- روپے

کلیے ہے۔ گین پٹی سی کے متعلقہ جسم میں لاہور

آگیا ہے۔ کہ سکول میں نہ سولہ لگے گا اور نہ پیرا

10) پروف 17/4/2017 میں عمل پیرا ہے۔ اور باقاعدہ نائیک

ڈریس کو آرگنائزنگ پروف 7-30-2017 میں لیا گیا ہے۔

جو ریکارڈ پر موجود ہے۔

پروف 18/4/2017 پیر فدوی کا جناب (AD)

اسٹاف میں جمع ہونے کے سائے تاریخ پیش کی

جو ریکارڈ پر موجود ہے۔

Attested  
Superintendent

P-T-0

۱۲۴ جواب نام سلسلہ انکوائری ①

①۴ نام: عبدالرشید بیادی سیکل 15 PS

حکیمہ PSAT عرصہ ملازمت 30 سال -

موجودہ سیکل میں آمد 13/9/2014

① سیکل میں PTC کا قیام فروری 2007 سے قائم

② ہاں - سیکل میں بی ٹی سی کا اجلاس ہوتے ہیں

③ ہاں - میں نے اپنے دوران پینڈنگ چارجز میں

کمٹی کی باقاعدہ تشکیل نو 2/7/2017 پر کیا ہے۔

④ نہیں بی ٹی سی کمٹی 2/7/2017 قائم ہوئی ہے۔

⑤ ہاں - میں بی ٹی سی شرط استعمال کرتے آئیے

کونسل سے منظوری لیتے ہیں۔

⑥ بی ٹی سی کارروائی کا ریکارڈ باقاعدہ موجود ہے۔

⑦ میں نے خریداری کیے؟ کو اس کے اسفندیار اور

ٹوڈ کمٹی بنائی ہے۔

⑧ میں نے charge sheet کا تحریری جواب انکوائری کمٹی

کے پاس جمع کیا ہے

(186)

(2)

19 اپریل تا 29 اپریل حاضری ریٹر کل اس

اسفندیار کے قصبے میں تھا۔ کیونکہ SDE

کے حکم کے مطابق میں معطل تھا۔ اور اسفندیار

ان خالتوں میں Absent لکھا ہے۔

سکول بیویں فنڈ کا اٹھری ہوئی جوڑ۔ ریٹکارڈ میں

اسلئے موجود نہیں ہے۔ کیونکہ سکول میں کل کا لبا

ذیر تعلیم ہے۔ اور میں رہتے جیسے سے مبلغ 50 روپے

جمع کرنا ہوں۔

میں اپنی دفاع میں ایک کچھ کہتا چاہتا ہوں

جنا۔ والا۔

میں نے 28 سال گلوبل ٹیچنگ سے باہر انجام دی۔

صرف 2 سال گلوبل ٹیچنگ میں انجام دی۔

کھوئے 12/50 پر جناب SDE صاحب اور ASDE

2016

جاسید صاحب اچانک 25 منٹ پر اچانک سکول کا

اچانک حاضری لیا۔ دونوں اساتذہ حاضر اور معروف کار

پائے گئے۔ چونکہ اس وقت سکول میں کا لبا ذیر تعلیم

ہے۔ حکم SDE صاحب نے سکول میں لکھوا دیا ہے۔

Attested  
Superintendent

GW

# ENQUIRY REPORT

Subject: Enquiry Report in r/o Mr. Abdul Rashid PSHT GPS Agra Dist: Malakand

Enquiry Officers:

1. Mr. Abdul Haq  
Principal GKS Badragga  
Dist: Malakand.
2. Mr. Miaz Ahmad  
Vice Principal  
GCMHS Battahela.

*Nasimul Haq*  
*Share came AS per the recommendation*  
*12/5/17*

## 1. INTRODUCTION

An enquiry has been ordered through above mentioned committee by District Education Officer (M) Malakand vide letter No. 3787-88/PST/Enquiry dated 19-4-2017 on the report of ASDEO circle Totakan vide his letter No. 3444 dated 14-04-2017 against the Head Teacher GPS Agra on the reported embezzlements in conditional grant for the year 2014-15, 2015-16 and 2016-2017.

## 2. TERM OF REFERENCE.

- 2.1. Investigation of reported embezzlements in conditional grant for 2014-15, 2015-16 and 2016-2017.
- 2.2. Willful absenteeism w.e.f. 17<sup>th</sup> April to 29<sup>th</sup> April without any prior permission.
- 2.3. Reporting of findings on the basis of investigations.
- 2.4. Making conclusions on the basis of finding and recommendations on the basis conclusions.

## 3. PROCEDURE OF THE ENQUIRY.

After receiving the enquiry letter the Enquiry Committee visited GPS Agra on 08-04-2017. The committee called upon and met all the stakeholders of the school including the Head Teacher, the school staff (Teachers and Class IV), the PTC Chairman, members of the Committee and parents.

The committee also enquired the students verbally in this regard. The written statements of all concerned were obtained. The photo copies of the relevant school record were also obtained. The school building and the required facilities were also observed physically. A written questionnaire was served to Mr. Abdur Rashid PSHT to defend his case. The reply of the questionnaire was obtained on the spot. The branch of HBL Totakan was also visited for verification of the transactions and signatory.

*Attested*

*Nasimul Haq*  
 Superintendent

RECEIVED  
 District Office  
 Date 12.5.17  
 At Battahela

(3)

4. FINDINGS.

In the light of all the above interviews, discussions, written statements and office records, the following findings are hereby made.

- 4.1. The ASDEC Circle Totakan reported the Head Teacher on 14-04-2017 for embezzlements in the conditional grant. (Annexure No. 4).
- 4.2. The District Education Officer (M) Malakand visited the school on 18-04-2017 and suspended the Head Teacher concerned on the spot for being absent and reported embezzlements in conditional grant. (Annexure No. 9)
- 4.3. Charge Sheet and Statement of Allegations were issued to the Head Teacher on 27-04-2017. (Annexure No. 3)
- 4.4. Suspension Order was issued to the Head Teacher on 24-4-2017. (Annexure No. 2)
- 4.5. Statement of Allegations includes:
  - 4.5.1. Misconduct regarding irregular, careless, incomplete PTC Record and Non Functional of PTC.
  - 4.5.2. Willful absenteeism.
  - 4.5.3. Corruption and embezzlements of PTC Funds Rs. 545351/32. (as per Annexure No. 3)
- 4.6. The Bank Statement of PTC w.e.f. May 2014 to Feb 2017 shows total amount credited Rs. 545539.66, debited Rs. 544000/- and thus closing balance 44.66/-. (Annexure No. 5).
- 4.7. Out of the above amount Rs 40960/- has been shown on record which is also incomplete showing no bills and receipts on record. (Annexure No. 7)
- 4.8. The remaining amount Rs. 50504/- has not been shown on PTC record
- 4.9. The PTC is non functional, and incomplete. Only one meeting on 30-11-2016 has been shown on record with bogus sign of PTC Chairman and signs of other members. (Annexure No. 6)
- 4.10. According to the written Statements of PTC Chairman and other members of the Council, no meeting of PTC has been called so far and no consultation and approval has been made with them in connection of PTC Funds and other matters of the school. (Annexure Nos. 8 to 18).
- 4.11. No purchase committee has been constituted for purchase so far.
- 4.12. The PTC has not been re-constituted since 2007 and no election process has been arranged for this purpose.
- 4.13. He claimed the reconstitution of ptc committee in reply of questions no 3 and 4 in his reply but when the members concerned were contacted on phone personally one by one, all of them disowned the membership of the ptc. They further explained that they know nothing about the school matters and ptc funds because no meeting of the committee was called upon so far. (Annexure no 21)
- 4.14. All his replies in response to the questionnaire and charge sheet have no documentary and written proofs.

Attested  
Maulana  
Superintendent

- (12) (29)
- 4.15. The PTC Account is not joint account and the cash has been drawn on the single signature of the Head Teacher
  - 4.16. There is no record of Pupil Funds since 15-05-2014. (Annexure No. 10)
  - 4.17. According to his reply there are 16 students in the school and he did not receive the Pupil Funds from the students. But according to the students Attendance Register there are 51 students in the school.
  - 4.18. According to the statements of the students Rs. 30/- per student has been collected from the students but the amount since May 2014 has not been recorded in the Pupil Fund Register.
  - 4.19. He remained absent w.e.f. 17-04-2017 to 29-04-2017 reported by the D.E.O. (M) concerned. (Annexure No. 9)
  - 4.20. In spite of the so much huge amount debited from the account, the school has no facilities of electricity and drinking water. As the Electricity Bills has not been deposited, the Power Line has been disconnected by PESCO. Mr. Rahat Ali the then PTC Chairman arranged the supply of water from his home.
  - 4.21. Interestingly the amount Rs. 110000/- for electricity has been shifted from GMS Mukhnawala on the request of Head Teacher concern.

## 5. CONCLUSION.

In light of the available proofs, evidences from discussions, written statements, interviews and relevant record, it is concluded that the accused is guilty of violation of rules and regulations, misconduct, willful absence and corruption as clear from the following acts.

- 5.1. Illegal withdrawal and embezzlements of Rs. 503040/- (Rs. Five Hundred Thousand Three and Forty).
- 5.2. Putting bogus signs of PTC Committee.
- 5.3. Maintaining illegal account of PTC.
- 5.4. Embezzlement and illegal collection of Pupil Funds since May 2014.
- 5.5. Willful absence w.e.f. 18<sup>th</sup> April to 29<sup>th</sup> April.

## 6. RECOMMENDATIONS

As the accused was found to be guilty of violation of rules and regulation, misconduct, willful absence and corruption it is recommended that:

- 6.1. The amount of Rs. 503040/- (Rs. Five Hundred Thousand Three and Forty) as well as the amount of private pupil fund since May 2014, may be recovered from the accused under the Khyber pakhtunkhwa Government Servant (Efficiency and Discipline) Rules 2011 rule No 4 sub-rule(iii) of clause(a).
- 6.2. The accused may be sent on compulsory retirement under the Khyber pakhtunkhwa Government Servant (Efficiency and Discipline) Rules 2011 rule No 4 sub rule (ii) of clause (b).
- 6.3. The period of absence w.e.f 17<sup>th</sup> April to 29<sup>th</sup> April may be converted to leave without pay.
- 6.4. Directives should be issued to the SDEO Birkela and ASDEO circle Totakan to handle the matter of illegal ptc account and missing of school private pupil fund on priority basis.

*Directed  
to be  
Superintendent*

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7. ENCLOSURES

- 7.1. Enquiry Letter.
- 7.2. Copy of Suspension Order.
- 7.3. Copy of Charge Sheet and Statement of Allegations.
- 7.4. Report of ASDEO Totakan Circle.
- 7.5. Bank Statement.
- 7.6. Minutes of PTC Meeting.
- 7.7. Expenditure Statement of PTC.
- 7.8. Photocopy of CNIC of PTC Charman.
- 7.9. Photocopy of Teacher Attendance
- 7.10. Photocopy of Income Expenditure Pupil Funds.
- 7.11. Written Statement of Fahat Ali PTC Chairman.
- 7.12. Written Statements of Hakim Zada Member PTC.
- 7.13. Written Statement of Mehmood Khan Member PTC.
- 7.14. Written Statement of Muhammed Guj Member PTC.
- 7.15. Written statement of Muhamvad Nawab Member PTC.
- 7.16. Written Statement of Muhammad Israr.
- 7.17. Written Statement of Tariq Habib PST.
- 7.18. Written Statement of Asfaudyar Class IV.
- 7.19. Reply of Questionnaire of Abdur Rashid PSHT.
- 7.20. Reply of charge sheet.
- 7.21. photocopy of ptc committee.

*A. Haq*  
AEDUL HAQ

(ENQUIRY OFFICER)

Dated: May 11, 2017

PRINCIPAL GHS BADRAGGA  
DISTRICT MALAKAND

*Attested*  
*Copy of*  
**superintendent**

*R. Zahmad*  
REZA AHMAD  
(ENQUIRY OFFICER)  
VICE PRINCIPAL  
GCMHS BATHKHELA

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731 (2)

DIRECTORATE OF ELEMENTARY AND SECONDARY  
EDUCATION KHYBER PAKHTUNKHWA

NOTIFICATION.

1. WHERE AS Mr. Abdur Rashid PSHT GPS Agra District Malakand was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 for the charges of embezzlements of PTC funds.
2. AND WHEREAS, the teacher concerned was suspended from official duty on the mis-conduct, incomplete PTC record, non-functional of PTC, habitual absenteeism, & embezzlement of school PTC funds.
3. AND WHERE AS, the DEO(M)Malakand conducted departmental enquiry against the teacher concerned and imposed major penalty of Compulsory Retirement from service and Recovery of the embezzled amount of Rs.503040/-
4. AND WHERE AS, Mr. Abdur Rashid PSHT GPS Agra Malakand submitted an appeal to this office vide date 06.12.2017 against the above cited penalty.
5. AND WHEREAS, The appellate authority asked the DEO (M) Malakand for comments vide letter No.275 dated 05.09.2017.
6. AND WHEREAS, the DEO (M) Malakand submitted comments/report vide letter No.10338 dated 04.10.2017.
7. AND WHEREAS, the competent authority Director Elementary and Secondary Education Khyber Pakhtunkhwa, being competent authority, re-enquire the case through Deputy Director Local Directorate. The enquiry officer recommended conversion of major penalty of "Compulsory Retirement" into major penalty of Reduction to lower post (SPST BPS-14) subject to the condition of recovery of Rs.503040/-
8. NOW THEREFORE, in exercise of powers conferred under Khyber Pakhtunkhwa Servants (Efficiency & Discipline) Rules-2011, the appellate authority has decided to accept the appeal of Mr. Abdur Rashid PSHT GPS Agra Malakand and he is re-instated into service with immediate effect and major penalty of "Compulsory Retirement" into major penalty "Reduction to Lower Post i.e (PSHT BPS-15 to PSHT BPS-14) for the period of Two(02) years subject to condition of recovery of Rs 503040/- and the intervening period may be treated as leave without pay.

**DIRECTOR**

Encls: No. 2769-71 / No. 162/2018 Appeal of PSHT(M) Peshawar Dated Peshawar the 16-02 /2018.

Copy forwarded for information and necessary action to the:-

1. District Education Officer (M) Malakand with the direction to recover the above cited amount at appropriate instances.
2. Teacher concerned.
3. P/A to Director E&SE, Khyber Pakhtunkhwa, Peshawar.
4. Master File

*Handwritten signature*  
Member of  
superintendent

*Handwritten signature*  
Deputy Director (Estb)  
Elementary & Secondary Edu.  
Khyber Pakhtunkhwa Peshawar.

3/2/18