

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Amended Service Appeal No. 1377 of 2018

Khayal Muhammad.....Appellant

VERSUS

Director Elementary and Secondary Education Khyber Pakhtunkhwa and
othersRespondents

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Respondent

24-1-24
A. A. Baek

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE

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Director Elementary and Secondary Education Khyber Pakhtunkhwa and
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Khyber Pakhtunkhwa
Service Tribunal

Diary No. 10564

Dated 15-1-24

Para-wise Comments /Reply on behalf of
Respondents NO. 1 and 2

Respectfully Sheweth:

Preliminary Objections

1. That the appellant has no cause of action/locus standi to file the instant appeal.
2. That the appellant has concealed the material facts from this Honorable Tribunal.
3. That the appellant has not come to this Honorable Tribunal with clean hands.
4. That the appellant has filed the instant appeal on malafide grounds.
5. That the appellant's appeal is against the prevailing law and rules.
6. That the appellant is estopped by his own conduct to file the instant appeal.
7. That the claim of the appellant is unlawful; hence the instant appeal is liable to be dismissed.
8. **THAT THE APPOINTMENT ORDER ATTACHED BY THE APPELLANT IS FAKE, FABRICATED AND PREPARED IN BOGUS MANNER, NOT ISSUED BY LAWFUL/COMPETENT AUTHORITY WHICH HAVING NO LEGAL SANCTITY BE CONSIDERED AS "NULL AND VOID". THE APPELLANT HAS NOT BEEN APPOINTED AS PST BY THE COMPETENT AUTHORITY AND HE NEVER REMAINED AS A CIVIL SERVANT IN THIS DEPARTMENT; HENCE THE INSTANT APPEAL IS LIABLE TO BE DISMISSED WITHOUT ANY FURTHER PROCEEDINGS.**

9. THAT THE AMENDMENT SERVICE APPEAL IS HOPELESSLY TIME BARRED. HENCE LIABLE TO BE DISMISSED BEING NON MAINTAINABLE.

FACTS

1. In reply of Para NO. 1 it is stated that appellant did not challenged the rejection/final order, hence appeal is not maintainable. Furthermore, instant Amendment Service Appeal is liable to be dismissed being non maintainable as instant appeal is hit under the principle of latches.
2. Para NO. 2 of the appeal is incorrect. The appellant was not appointed as Primary School Teacher (PST) by the competent authority. **THE APPOINTMENT ORDER HAVING ENDSTT: NO. 3192-96 DATED 06-07-2008 ANNEXED BY THE APPELLANT IS FAKE, BOGUS, FABRICATED AND NOT ISSUED BY THE LAWFUL AUTHORITY.** Endstt; No. and date of issuing of order are not matching with office dispatch record. Moreover no order/letter was issued on 06-07-2008 from this office as is was **SUNDAY i.e HOLIDAYON 06-07-2008** as per calendar July 2008. His claim regarding recommendation of District Selection Committee and approval of the competent authority is incorrect/concoction. **It is pertinent to mention here that case of the appellant is already pending/under enquiry along with other ghost employees in National Accountability bureau (NAB).** (Copies of Dispatch Register, Calendar July 2008 and copy of NAB case are attached as *Annex: "A1, A2 & B"*).
3. Para NO. 3 of the appeal is incorrect. The appellant neither remained on the strength of this department nor did he perform any duty. The appellant has failed to provide any proof regarding performance of duty. According to the record of school claimed by the appellant and reports of the concerned SDEO, ASDEO and Head Teacher, he has neither taken over charge nor performed any duty. Furthermore his case along with other fake/ghost employees was communicated to the Secretary E&SE KP Peshawar for initiating departmental enquiry. (Copies of reports of SDEO, ASDEO, Head Teacher of concerned school

and letter addressed to Secretary E&SE KP Peshawar are annexed as *Annex: C, D, E & F*”).

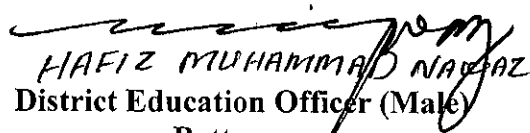
4. Para NO. 4 of the appeal is incorrect. The appellant's salary was rightly stopped. He received salaries earlier fraudulently and unlawfully as he was not on the strength of this department. As per statements of SDEO, ASDEOs and office staff neither his salary was activated by their offices nor was his service book/record maintained there. His claim regarding informing the high-ups is concoction. (Copy of certificate of SDEO/ASDEOs and office staff is attached as *Annex; "G"*).
5. Para NO. 5 of the appeal is incorrect. The application attached by the appellant has no diary No. or any other sign of its submission in DEO Office which shows that the application is also bogus like his appointment order.
6. Para 6 of the appeal is correct to the extent that the appellant submitted an appeal to the respondent No. 1 which was rejected on the basis of bogus/fake appointment order.
7. Para No. 7 of the appeal is incorrect hence denied.
8. Appeal of the appellant was rightly rejected as the appellant never remained as a civil servant on the strength of this department. Appointment order attached by him has no legal sanctity.
9. Para No. 9 of the appeal is incorrect. The appellant has not been aggrieved. The appellant being non civil servant has no cause of action.


GROUND:

- A. Ground A of the appeal is incorrect. Salary of a civil servant is attached to the work done. While the appellant is neither a civil servant nor he performed any duty.
- B. Ground B of the appeal is incorrect. The appellant never remained on the strength of this department. He is not a civil servant.
- C. Ground C of the appeal is incorrect. Disciplinary proceeding is initiated against a civil servant while the appellant is neither on the strength of this department nor is he a civil servant. However his name was included in the list of ghost employees communicated to Secretary E&SE KP and his case is also under enquiry in NAB along with other ghost employees.

- D. Ground D of the appeal is incorrect. The appellant was not a civil servant. Detail has been given in preceding Paras.
- E. Ground E of the appeal is incorrect. The appellant is neither a Govt. Employee nor did he perform any duty. He has no right to be paid salary. However he is legally bound to refund the amount received by him as salaries fraudulently/unlawfully.
- F. Ground F of the appeal is incorrect. Salary of the appellant was rightly and lawfully stopped as he was neither on the strength of this department nor remained a civil servant.
- G. Appeal of the appellant was rightly rejected as the appellant never remained as a civil servant on the strength of this department. Appointment order attached by him has no legal sanctity.
- H. The appellant has no cause of action. Respondents also seek gracious permission of this Hon'able Tribunal to raise other legal and factual grounds during the course of arguments.

It is therefore humbly prayed that on acceptance of above Para-wise comments, the appeal of the appellant may graciously be dismissed with cost and direction to the appellant to refund the amount into Govt; treasury received by him as salaries unlawfully/fraudulently.


HAFIZ MUHAMMAD NAVEEZ
District Education Officer (Male)
Battagram
(Respondent NO. 2)


SAMINA ALTAF
Director
E&SE Khyber Pakhtunkhwa
Peshawar
(Respondent NO. 1)

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TRIBUNAL PESHAWAR

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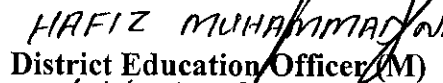
Director Elementary and Secondary Education Khyber Pakhtunkhwa and
othersRespondents

AFFIDAVIT

I Hafiz Muhammad Nawaz District Education officer (M) Battagram do hereby affirm and declare on oath that content of accompanying Para-wise comments are true and correct to the best of my knowledge and belief that nothing has been concealed from this Honorable Tribunal.


(Samina Altaf)
DIRECTOR

E&SE Department Khyber
Pakhtunkhwa, Peshawar


HAFIZ MUHAMMAD NAWAZ
District Education Officer (M)
6110118839003
Battagram

ATTESTED
Miss Rozina Qureshi
Advocate
OATH COMMISSIONER
Judicial Complex, Peshawar

15-07-2024

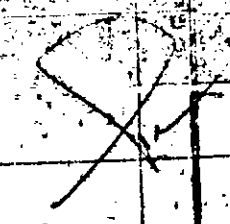
Register of Letters Despatched



رجسٹر ڈاک روانگی

Annex-1
R-8
①

Serial NO. نمبر شمار	Month & Date ہینداور	Name and Address نام اور پتہ	Place مقام	Subject مضمون	File NO. فائل نمبر	Stamps Received ٹکٹ آمد		Stamps Used ٹکٹ استعمال		Stamps Balanced ٹکٹ باقی		Remarks کیفیت
						Rs.	Ps.	Rs.	Ps.	Rs.	Ps.	
3187-9	11/10/08	All concerned	Head Master	Migration Notification								
3192		Director (CSE) Peshawar		Application for annual increments of W/O								
3193		Training Officer PBT		Trained Record of Services								
3194-95	10/9	DAO, Battagram		Official concerned								
3197-99		All concerned		Grant of Gift fund Adm. Sanction								
319	3200	DAO Battagram		Stoppage of Pay								
3201	11/9/08	Head Master		Migration Notification								
3202												

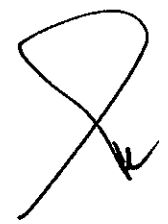


R. B.
APR 2008

(7)

July, 2008

Su	Mo	Tu	We	Th	Fr	Sa
29	30	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31	1	2
3	4	5	6	7	8	9



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INFORMATION REGARDING GHOST/FAKE EMPLOYEES IN DISTRICT BATTAGRAM

1	2	3	4	5	6	7	8	9	10	11	12	13	14	
S.No	NAME OF EMPLOYEE	Father Name	Personal.No	Designation	Date of Pay initiation	Pay Drawn upto	DDO Code	Date on which reported as fake	District	UC	School / Office in which pay initiated	Name of the officer / Drawing & Disbursing officer	From	To
1	MUHAMMAD IQBAL	Sharafat Khan	718138	TT	7/2014	31/12/2014	BM7070	21/07/2016 (NAB vide letter No: 1338			GHS ASHARBAN	Mir Azam Ex-HM GHS Banna	12/01/2013	15/03/2015
2	AAMIR ZEESHAN	Ghareeb Nawaz	718811	CT	8/2014	31/08/2014	BM7070	21/07/2016 (NAB vide letter No: 1338			GHS ASHARBAN	Mir Azam Ex-HM GHS Banna	12/01/2013	15/03/2015
3	ABDUL AWAL	Dost Muhammad	720678	CT	9/2014	30/09/2014	BM7070	21/07/2016 (NAB vide letter No: 1338			GHS ASHARBAN	Mir Azam Ex-HM GHS Banna	12/01/2013	15/03/2015
4	ANWAR ZAIB	Mohib Gul	718806	DM	8/2014	11/2014	BM7070	21/07/2016 (NAB vide letter No: 1338			GHS ASHARBAN	Mir Azam Ex-HM GHS Banna	12/01/2013	15/03/2015
5	NAYAT SHAH	Maraza Ali	718808	TT	8/2014	11/2014	BM7070	21/07/2016 (NAB vide letter No: 1338			GHS ASHARBAN	Mir Azam Ex-HM GHS Banna	12/01/2013	15/03/2015
6	Muhammad Naeem	.....	718227	TT	7/2014	12/2014	BM7063	30/06/2016 (NAB vide letter No: 1273			GGHS BANIAN			
7	Anwar Zeb /Khalid Khan	.....	701737	DM	6/2013	10/2013	BM6082	05/01/2017 HM GHS H.Batkol No: 192			GHS HUTAL BATKOL	Mir Azam Ex-HM GHS Banna	05/03/2013	31/05/2015
8	Muhammad Adnan	Muhammad Ayaz	718804	CT	8/2014	08/2014	BM7067	21/07/2016 (NAB vide letter No: 1338			GHS HUTAL BATKOL	Mir Azam Ex-HM GHS Banna	05/03/2013	31/05/2015
9	Shahid	Gujar Khan	524242	CT	1/2011	07/2016	BM6082	21/07/2016 HM H.Batkol D.No: 2016			GHS HUTAL BATKOL	Muhammad Tayyeb HM GHS Battagram	10/05/2010	04/03/2013
10	Yasir Ameen	Abdul Aziz	709119	DM	12/2013	03/2015	BM7063	21/07/2016 HM H.Batkol D.No: 2016			GGHS BANIAN			
11	Ismail Shah	Zawar Khan	706742		10/2013	02/2015	BM7067	30/06/2016 (NAB vide letter No: 1273			GHS HUTAL BATKOL	Mir Azam Ex-HM GHS Banna	05/03/2013	31/05/2015
12	Rahim Dad	Muhab Gul	718807	DM	8/2014	31/08/2014	BM7067	30/06/2016 (NAB vide letter No: 1273			GHS HUTAL BATKOL	Mir Azam Ex-HM GHS Banna	05/03/2013	31/05/2015
13	Muhammad Zahoor/ Aziz ur Rehman	....	431101	SET	1/2011	07/2016	BM6082	21/07/2016 HM H.Batkol D.No: 2016			GHS HUTAL BATKOL	Muhammad Tayyeb HM GHS Battagram	10/05/2010	04/03/2013
14	Muhammad Asif	.....	680752	J/C	5/2012	01/2015	BM6085	05/01/2017 HM GHS H.Batkol No: 192			GHS ASHARBAN	Muhammad Younis Ex-SDEO	01/11/2010	11/01/2013
15	Sayed Haidar Ali Shah	Manshad Hussain	700407	J/C	5/2013	05/2013	BM6082	05/01/2017 HM GHS H.Batkol No: 192			GHS HUTAL BATKOL	Mir Azam Ex-HM GHS Banna	05/03/2013	31/05/2015
16	Aftab Alam	Muhammad Ayaz	720474	DM	9/2014	09/2014	BM7056	21/07/2016 (NAB vide letter No: 1338			GHS SAKARGAH	Mir Azam Ex-HM GHS Banna	Dec-13	Apr-15
17	Ehtisham ul Haq	Rahim Ullah	720499	CT	9/2014	09/2014	BM7056	21/07/2016 (NAB vide letter No: 1338			GHS SAKARGAH	Mir Azam Ex-HM GHS Banna	Dec-13	Apr-15
18	Shabana Bibi	Jan Muhammad	720677	DM	9/2014	09/2014	BM7056	21/07/2016 (NAB vide letter No: 1338			GHS SAKARGAH	Mir Azam Ex-HM GHS Banna	Dec-13	Apr-15
19	Asim Faheem	Shah Faheem	720679	CT	9/2014	09/2014	BM7056	21/07/2016 (NAB vide letter No: 1338			GHS SAKARGAH	Mir Azam Ex-HM GHS Banna	Dec-13	Apr-15
20	Faisal lateef	Abdul Latif	709109	J/C/PTC	12/2013	02/2014	BM7041	21/07/2016 (NAB vide letter No: 1338			GHS BATEELA	Muhammad Saqib Ex-SDEO	19/12/2012	01/09/2014
21	Imtiaz Ali Khan	Niaz Ali Khan	721561	CT	10/2014	10/2014	BM7056	21/07/2016 (NAB vide letter No: 1338			GHS SAKARGAH	Mir Azam Ex-HM GHS Banna	Dec-13	Apr-15
22	Ihsan Khan	Niaz Ali Khan	721562	CT	10/2014	10/2014	BM7056	21/07/2016 (NAB vide letter No: 1338			GHS SAKARGAH	Mir Azam Ex-HM GHS Banna	Dec-13	Apr-15
23	Malik Hayat	Munir Khan	48646	N/Q / J/C	8/2014	02/2015	BM7056	30/06/2016 (NAB vide letter No: 1273			GHS SAKARGAH	Mir Azam Ex-HM GHS Banna	Dec-13	Apr-15
24	Qazi Rashid Hussain	Muhammad Arshad	701740	AT	6/2013	02/2015	BM6085	30/06/2016 (NAB vide letter No: 1273			GHS ASHARBAN	Mir Azam Ex-HM GHS Banna	12/01/2013	15/03/2015
25	Fazal Wahaab	Rahim Ullah	660390	CT	4/2012	02/2015	BM6039	30/06/2016 (NAB vide letter No: 1273			SDEO (M) BATTAGRAM	Muhammad Younis Ex-SDEO	21/02/2008	11/01/2013
26	Sar Faraz Khan	Umar Fahad	699014	PST	5/2013	02/2015	BM6039	30/06/2016 (NAB vide letter No: 1273			SDEO (M) BATTAGRAM	Muhammad Saqib Ex-SDEO	14/01/2013	13/10/2013
27	Khyal Muhammad	.....	684967	PST	7/2012	02/2015	BM6039	30/06/2016 (NAB vide letter No: 1273			SDEO (M) BATTAGRAM	Muhammad Younis Ex-SDEO	21/02/2008	11/01/2013
28	Shah Faisal	Ameer Ur Rehman	711974	PST	3/2014	08/2014	BM7033	21/07/2016 (NAB vide letter No: 1338			SDEO (M) BATTAGRAM	Abdul Majid Ex-SDEO	11/01/2014	25/04/2014
29	Muhammad Mudasir	Sardar Muhammad	702800	PST	7/2013	03/2017	BM6039	01/08/2017 SDEO (M) Battagram			SDEO (M) BATTAGRAM	Muhammad Saqib Ex-SDEO	14/01/2013	13/10/2013
	Wasim Nazir	Muhammad Nazir	692143	J/C/ PST	2/2014	02/2014	BM6059	30/06/2016 (NAB vide letter No: 1273			GHS SAKARGAH	Mir Azam Ex-HM GHS Banna	Dec-13	Apr-15

Annex - B

INFORMATION REGARDING GHOST/FAKE EMPLOYEES IN DISTRICT BATTAGRAM

15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32			
Amount Drawn	Name of SDEO	From	To	Name of Dy. DED	From	To	Name of DEO	From	To	Immediate Action Taken	When expenditure reconciled	Name of the Clerk	From	To	Was the post vacant against which pay drawn	Date at which Variation noticed in Expenditure	Reconciliation signature	Who is responsible in Education Deptt. according to sitting DEO	Comments	
303460				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	Inquired by NAB and this office fully cooperated and provided all the record to NAB and Responsible persons were terminated of DAO office Battagram. Request was made to Director E&SE vide letter No: 9417-22 Dated: 22-08-2016, Deputy Commissioner Battagram vide letter No: 10511-17 Dated: 22-09-2016, Dr. Shahzad Khan Bangash Secretary E&SE KP vide letter No: 17193-17209 Dated: 20-10-2016, Director E&SE KP vide letter No: 18769-91 Dated: 07-12-2016 & Special Secretary E&SE KP vide letter No: 2822-25 Dated: 20-03-2017 for initiating a high level departmental inquiry and this inquiry Committee conducted on this office request. All the record already provided to your goodself.		Muhammad Fayyaz	07/01/2013	31/10/2015					The officers / officials at fault in the offices of the DAO Battagram have either been terminated /suspended. Mr. Ali Rehman Es-Junior Clerk of the GHSS Thakot have been arrested by NAB which is reportedly now under its custody.	
0				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Muhammad Fayyaz	07/01/2013	31/10/2015				.....do.....	
0				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Muhammad Fayyaz	07/01/2013	31/10/2015				.....do.....	
79592				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Muhammad Fayyaz	07/01/2013	31/10/2015				.....do.....	
64281				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Muhammad Fayyaz	07/01/2013	31/10/2015				.....do.....	
276237										.....do.....		Muhammad Fayyaz	07/01/2013	31/10/2015				.....do.....	
76029				Vacant			Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....								.....do.....	
0				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Noorani Shah	17/04/2007	31/03/2014				.....do.....	
1509738				Fida Muhammad Khan	21/06/2010	22/04/2013	Muhammad Saeed	01/12/2007	22/04/2013	His transfer order was declared null and void under Endstt No: 6866-72 Dated: 12-05-2017 and DDO was directed to lodge FIR.		Muhammad Jan	08/04/2014	31/08/2014				.....do.....	
273011										.....do.....		Noorani Shah	17/04/2007	31/03/2014				.....do.....	
315728				Vacant			Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Noorani Shah	17/04/2007	31/03/2014				.....do.....	
21427				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Muhammad Jan	08/04/2014	31/08/2014				.....do.....	
1070347				Fida Muhammad Khan	21/06/2010	22/04/2013	Muhammad Saeed	01/12/2007	22/04/2013	.....do.....		Noorani Shah	17/04/2007	31/03/2014				.....do.....	
654068				Fida Muhammad Khan	21/06/2010	22/04/2013	Muhammad Saeed	01/12/2007	22/04/2013	.....do.....		Ali Rehman	2010	2013				.....do.....	
12294				Vacant			Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Noorani Shah	17/04/2007	31/03/2014				.....do.....	
0				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Saeed Akbar	26/02/2013	Till Date				.....do.....	
0				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Saeed Akbar	26/02/2013	Till Date				.....do.....	
0				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Saeed Akbar	26/02/2013	Till Date				.....do.....	
0				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Saeed Akbar	26/02/2013	Till Date				.....do.....	
0				Vacant			Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Saeed Akbar	26/02/2013	Till Date				.....do.....	
0				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Fakhr Zaman	15/04/2007	23/03/2014				.....do.....	
0				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Saeed Akbar	26/02/2013	Till Date				.....do.....	
183522				Muzafar Ali Khan	30/05/2014	30/08/2017	Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Saeed Akbar	26/02/2013	Till Date				.....do.....	
400417				Vacant			Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Saeed Akbar	26/02/2013	Till Date				.....do.....	
664435	Muhammad Younus	21/02/2008	11/01/2013	Fida Muhammad Khan	21/06/2010	22/04/2013	Muhammad Saeed	01/12/2007	22/04/2013	.....do..... His order was declared null & void under Endstt No: 1899-18907 Dated: 09-12-2016 & DDO was DDO was directed to lodge FIR. (Already provided to your goodself)		Naimatullah, Shahidin, Amir Muhammad, Ataur Rehman, Shad Muhammad			Tenure list duly signed by SDEO is provided			.....do.....	
460110	Muhammad Saqib	14/01/2013	13/10/2013	Vacant			Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Naimatullah, Shahidin, Amir Muhammad, Ataur Rehman, Shad Muhammad			Tenure list duly signed by SDEO is provided			.....do.....	
598224	Muhammad Younus	21/02/2008	11/01/2013	Fida Muhammad Khan	21/06/2010	22/04/2013	Muhammad Saeed	01/12/2007	22/04/2013	.....do.....		Naimatullah, Shahidin, Amir Muhammad, Ataur Rehman, Shad Muhammad			Tenure list duly signed by SDEO is provided			.....do.....	
33476	Abdul Majid	11/01/2014	25/04/2014	Vacant			Muhammad Shaukat	24/04/2013	07/10/2015	.....do.....		Muhammad Zubair Shahidin, Amir Muhammad, Ataur Rehman, Shad Muhammad			Tenure list duly signed by SDEO is provided			.....do.....	
933783	Muhammad Saqib	14/01/2013	13/10/2013	Vacant			Muhammad Shaukat	24/04/2013	07/10/2015	SDEO(M) Battagram was directed to lodge FIR vide letter No: 14569-73 Dated: 04-11-2017 & Circle Officer Anticorruption Thana ACE Battagram & DPO Battagram were requested vide letter No: 15620-27 Dated: 19-12-2017 to lodge FIR against Mr. Muhammad Mudasiir Ghost employee.		Naimatullah, Shahidin, Amir Muhammad, Ataur Rehman, Shad Muhammad			Tenure list duly signed by SDEO is provided			.....do.....	
				Vacant			Muhammad Shaukat	24/04/2013	07/10/2015do.....		Saeed Akbar	26/02/2013	Till Date			do.....		

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**MOST IMMEDIATE/
COURT MATTER**

**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

Finance Department Civil Secretariat Peshawar <http://www.finance.gkp.pk> [facebook.com/GokPFD](https://www.facebook.com/GokPFD) twitter.com/GokPFD

No: SO (ESTT-I) FD/5-14/2016

Dated Posh: the 05-06-2023

To
The Secretary,
Govt: of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department.

ASE
05/06/23

Subject: **GHOST EMPLOYEES / FAKE APPOINTMENTS IN DISTRICT
ACCOUNTS OFFICE, BATTAGRAM.**

Dear Sir,

I am directed to refer to this Department letter of even number dated 12-03-2021 along-with Judgment of Khyber Pakhtunkhwa, Services Tribunal dated 13-01-2021 (copy enclosed for ready reference) on the subject noted above and to enclose herewith a copy of order dated 23-05-2023 of the Supreme Court of Pakistan in Civil Petitions No.470 and 165-166-P of 2021 with the request to initiate disciplinary proceedings against the officers of District Education Office, Battagram which should be concluded within three months as directed by the August court.

2. In view of the above, it is requested that final outcome of the disciplinary proceedings taken in the matter may be shared with this department as well as other concerned in light of the above orders, please.

*immediately
Ret. up.*

Encl: As above.

*D. S. Khan
807 (M. 2)*

Your's faithfully,
[Signature]
SECTION OFFICER (E-I) *05/06/23*

Endst: No: & Date even

Copy forwarded for information to:

1. The Section Officer (Lit-II), Finance Department.
2. PS to Secretary Finance, Khyber Pakhtunkhwa.
3. PA to Additional Secretary (Regulation), Finance Department.
4. PA to Additional Secretary (Admn), Finance Department.

07/06

[Signature]
516 123

SECTION OFFICER (E-I)

(11)

Annie-C

P-11



OFFICE OF THE SUB DIVISION EDUCATION OFFICER (M)
BATTAGRAM

NO 877

Dated 10 / 10 / 2016

TO

The District Education Officer (M)
Battagram.

Subject:

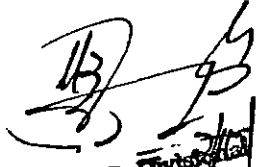
Comments/Record in W/P. NO.819-A of 2016 Titled
Khyal Muhammad and another VS Govt. of KPK

Reference your office letter NO. 10963-64 dated 07/10/2016.

1. Enclosed please find herewith copies of Log Book and Teacher Attendance Register GPS Bandi Chari Said, statements of school staff duly signed by ASDEO circle, statement of Ex ASDEO circle Kuza Banda in respect of Sarfaraz Khan PST GPS Bandi Chari Said (Circle Kuza Banda), Statements of Dealing Assistants circle Kuza Banda.
2. As per school record and statements of school staff the person namely Sarfaraz Khan has neither attended the said school nor has taken over charge as PST in the said school.
3. AS per statements of concerned Dealing Assistants ~~and~~ teacher of the names Khyal Muhammad S/O Nooran Shah and Sarfaraz Khan S/O Faad have neither submitted their arrival reports or charge reports to this office nor their cases have been submitted to District Accounts Office Battagram for activation of pay.
4. Their service books have not been processed/maintained by this office.

SUB-DIVISION EDUCATION OFFICER (M)
BATTAGRAM

سرکاری سرٹیفکیٹ کے لیے (GPS Laghari Sar Naseem) کے طلبہ کے لیے
 کے سرٹیفکیٹ کے رپورٹ اور سرٹیفکیٹ کے مطابق اس اسکول
 (GPS Laghari Sar Naseem) میں خیال محمد نامی کوئی مدرس کبھی بھی نہیں
 رہا ہے اور نہ اب ہے۔ مذکورہ شخص نے اس اسکول میں نہ چارج لیا ہے
 اور نہ ہی اس اسکول میں ڈیوٹی سرانجام دی ہے۔
 میں نے بذاتہ خود مذکورہ اسکول کا ریکارڈ چیک کیا جس میں مذکورہ شخص کا کوئی
 تذکرہ یا اندراج نہیں پایا گیا۔


 20/6
 ASDEO (M)
 Edu: Officer (M)
 Allai

السید
 عزیز مراد
 ASDEO (M)
 Allai

شناختی کارڈ نمبر: 13201-3934309-7
 حویلی نمبر: 03469606765

نوٹ: اس سرٹیفکیٹ کے ساتھ جملہ اسکول ریکارڈ (رجسٹر، معائنہ اور لائبریک) کی فوٹو کاپیاں اور
 سرٹیفکیٹ کے سرٹیفکیٹ منسلک ہیں۔



تقدیر لائق حاتی بہتہ میں زینت کی حثیت سے

GPS لٹریچر کے نام کا جملہ ریکارڈ چیک کیا اور ریکارڈ میں

ضیال ٹرنام کے مدرسے کا کوئی ریکارڈ موجود نہیں ہے۔

اور نہ ہی اس کا نام حافظی محلین رجسٹرڈ اور نہ ہی

ڈاگ بک رجسٹر میں اس کا تذکرہ ہے۔ جس سے میں

اس نتیجے پر پہنچا ہوں کہ ضیال ٹرنام کے مدرسے نے

سکول فوڈ میں چارج لیا ہے اور نہ ہی ڈیوٹی سر انجام دی ہے۔

سکول فوڈ میں اس کا کوئی ریکارڈ موجود نہیں ہے۔

نیز رجسٹر حافظی محلین اور رجسٹر ڈاگ بک کے فوٹو کا پیرا

تصدیق رپورٹ کے ساتھ منسلک ہے۔

P.S.H.T
GPS Sar Nasim Allal

نام: محمد حسن =

عہدہ: P.S.H.T = مدرس GPS لٹریچر کے نام کے سربراہ

شناختی کارڈ نمبر: 1820199-13201-13201 = H03463055240

(14) Annex-F1
Annexure-F1 E

P-23

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
EMAIL: emisbattagram@gmail.com BATTAGRAM PHONE NO: 0997311439

No: 17193-17209
To:

Dated: 20/10/2016 Page(1/4)

Dr. Shahzad Khan Bangash
Secretary to Govt of Khyber Pakhtunkhwa
Elementary & Secondary Education Department
Peshawar

Subject:

GHOST / FAKE EMPLOYEES REGULARLY DRAWN THEIR SALARIES AGAINST VARIOUS COST CENTERS OF E&SE DEPARTMENT BATTAGRAM AND INFLECTED HUGE FINANCIAL LOSS TO THE PROVINCIAL EXCHEQUER AND NAB KP PESHAWAR INITIATED INQUIRY AGAINST AURANGZEB SENIOR AUDITOR & HAMID SUB-ACCOUNTANT DISTRICT BATTAGRAM AND OTHERS REGARDING MISUSE OF AUTHORITY

Memo:

The undersigned would like to invite your kind intention to the following facts:-

1. That National Accountability bureau KP Peshawar initiated captioned inquiry and communicated to the District Education Officer Battagram vide letter No: 1/609/IW-II/NAB(KPK)/1273 Dated 30-06-2016 for provision of complete record regarding salary slips . copy of CNIC & Appointment Orders of 18 employees of E&SE Department Battagram. (Copy Attached and annexed as Annex-A).
2. That this office made request to DAO Battagram for provision of monthly salary slips / Payroll Vide office letter No: 7051-53 Dated 11-07-2016 as the cost center was not mentioned in the letter of NAB KP. (Copy attached and annexed as Annex-B). In response to that DAO Battagram replied vide his office letter No: 471/2016 Dated 14-07-2016 and provide copy of payroll of the 16 Employees out of 18 (Copy attached and annexed as Annex-C).
3. That all the payrolls received from office of the DAO Battagram were submitted to Deputy Director (Coord) NAB KP Peshawar vide this office letter No: 7396 Dated 20-07-2016 (Copy attached and annexed as Annex-D).
4. That after provision of payrolls this office asked the DDOs / Head of Schools / SDEOs concerned for provision of copies of CNIC & Appointment order in respect of all those officials who had drawn salaries against their cost center. (Copy attached and annexed as Annex-E). All the concerned DDOs made reply with the contention that they never activated pay of the fake and ghost employees who had drawn salaries against their cost center (annexed as Annex-F1-F22).
Replies of the DDOs were communicated to NAB KP Peshawar vide this office letter No: 9132-33 Dated 15-08-2016 (Copy attached and annexed as Annex-G).
5. That NAB Peshawar issued call Notices addressed to the Employees through DEO Battagram asking them to attend NAB Office Peshawar on 03-08-2016, however the same were received in this office on 9-8-2016 which were endorsed to concerned DDOs / Head of Schools / SDEOs vide this office letter No: 9134-41 Dated 15-08-2016 (Copy attached and annexed as Annex-H1 to H2).
6. That Mr. Naeemullah Investigation Officer NAB KP Peshawar intimated his schedule of visit to the office of the DEO (M) Battagram on 17-08-2016 and asked that attendance of all the DDOs in the proceeding is mandatory and same may be ensured please. Accordingly the instruction of the investigation officer was communicated to the concerned DDOs / Heads of the Schools / SDEOs through this office letter No: 9144-52 Dated 15-08-2016 (Copy attached and annexed as Annex-I).

22917

That IO initiated the proceeding on 17-08-2016 in the office of the undersigned and subsequently on 18-08-2016 recorded the statements of the DDOs and also served a format upon the DDOs and asked them for their concluding remarks against each employee drawn pay against their cost center. (Copies attached and annexed as Annex- J1-J8).

8. That the DDOs facing the inquiry made request to the DAO Battagram to provide the copies of the following documents to judge their legal sanctity and validity.
 1. Source 1 & 2,
 2. Appointment Order
 3. MC (Age and health Certificate,
 4. Pay release order from the competent authority.
 5. CNIC
 6. Charge Report.
9. That this office endorsed the request of the DDOs vide letter No: 9287-95 Dated 18-08-2016 to DAO Battagram for provision of said documents to enable the DDOs to avail the opportunity of defence. (Annexed as Annex-K1-K2)
10. That District Accounts Officer Battagram argued vide letter No: 620-23 Dated 18-08-2016 that keeping of such record is the responsibility of the concerned DDO and his office is unable to provide such type of record (Copy attached and annexed as Annex-L).
11. That on 19-08-2016 undersigned vide letter No: 9320-31 Dated 19-08-2016 again made request to the DAO Battagram that DDOs have no record in their offices regarding fake and bogus activation of pay in respect of ghost/ strangers persons drawn their pay through mal-practices without due process as required under the law. (Copy attached and annexed as Annex-M-1).
12. Undersigned submitted detail of case to Director E&SE KP Peshawar regarding the NAB inquiry and copies thereof to Secretary Finance Department, E&SED, Accountant General Additional Director E&SE Directorate & Deputy Commissioner Battagram (Copies attached and marked as M-2-M-4).
13. That it is further added that NAB KP Peshawar provided another list of 65 Employees for their pay slips and other record vide letter No: 1/609/IW- II/NAB(KPK)/1338 Dated 21-07-2016 (Copies attached and marked as Annex- N 1 - N3).
14. In pursuance to the same this office approached to the DAO Battagram through letter No: 8967-70 Dated 06-08-2016 as the cost center was not mentioned in the letter of NAB KP. (Copy attached and annexed as Annex-O1-O2).
15. In response to that DAO Battagram replied vide office letter No: 632 Dated 03-08-2016 and provide copies of payroll of all the 65 Employees (Copy attached and annexed as Annex-P).
That after provision of payrolls, this office checked it and found that 33 employees related to E&SE Department District Battagram while the other 32 belong to other various departments. Undersigned asked the DDOs / Head of Schools / SDEOs concerned vide letter No: 9908-15 Dated 01-09-2016 for provision of copies of CNIC & Appointment order in respect of all those officials who had drawn salaries against their cost center. (Copy attached and annexed as Annex-Q1-Q2).
16. All the concerned DDOs made replies with the contention that they never activated pay of the fake and ghost employees who had drawn salaries against their cost center except 04 out of 33 employees (annexed as Annex-R1-R21).
17. That replies of the DDOs and Payrolls provided by the DAO Battagram were communicated to NAB KP Peshawar vide this office letter No: 10365-71 Dated 19-09-2016 (Copy attached and annexed as Annex-S1-S3).

2291

18. In response to Deputy Commissioner Battagram office letter No. 6179/AE Dated 31-08-2016. brief history / detail of the case of ghost / fake employees reported by NAB KP Peshawar along with mentioned enclosures have already been communicated to DC Battagram vide this office letter No. 10511-17 Dated 22-09-2016. Copy attached and marked as annex-T1-T2)

19. The NAB KP Peshawar asked information, letters / Orders bearing Endst: Numbers on 7-10-2016 detail of which is mentioned in letter, reply to NAB made vide this office letter No: 12030-32 Dated 14-10-2016. (Copies attached and marked as AnnexU1 to U-18) NAB further asked all the DDOs concerned to attend NAB Peshawar Office on 13-10-2016 and this office informed all the DDOs to attend so (Copy attached and annexed as annex-V)

In the light of above facts, you are requested to initiate departmental inquiry against all those officers / officials who have committed misuse of authority and inflicted such a huge loss to Govt treasury through mal-practices.

Detail of fake appointees / Ghost / Strangers employees who had drawn salaries through various DDO Codes / Cost centers are submitted as below:

S.No	AG P.NO	NAME EMPLOYEE	OF	DDO CODE	SCHOOL / OFFICE NAME
1	711974	SHAH FAISAL		BM 7033	SDEO (M) Battagram
2	701740	Qazi Rashid Hussain		BM 7033	SDEO (M) Battagram
3	684967	Khyal Muhammad		BM 7033	SDEO (M) Battagram
4	699014	Sarfaraz Khan		BM 7033	SDEO (M) Battagram
5	660390	Fazal Wahab		BM 7033	SDEO (M) Battagram
6	718733	SHAH JEHAN		BM 7034	SDEO (F) Battagram
7	718805	MUHAMMAD TARIQ		BM 7034	SDEO (F) Battagram
8	705608	NAVEEDA TARIQ		BM 7037	DDEO FEMALE BATTAGRAM
9	705607	Saima Gul		BM 7037	DDEO FEMALE BATTAGRAM
10	48646	Malik Hayat Khan		BM 7056	GHS SAKARGAH
11	720474	AFTAB ALAM		BM 7056	GHS SAKARGAH
12	720499	ETHISHAM UL HAQ		BM 7056	GHS SAKARGAH
13	720677	SHABANA BIBI		BM 7056	GHS SAKARGAH
14	720679	ASIM FAHEM		BM 7056	GHS SAKARGAH
15	709109	FAISAL LATIF		BM 7056	GHS SAKARGAH
16	721561	IMTIAZ ALI KHAN		BM 7056	GHS SAKARGAH
17	721562	IHSAN KHAN		BM 7056	GHS SAKARGAH
18	706742	Ismail Shah		BM 7067	GHS HUTAL BATKOL
19	718804	MUHAMMAD ADNAN		BM 7067	GHS HUTAL BATKOL
20	718227	Muhammad Naeem		BM 7070	GHS ASHARBAN
21	718138	MUHAMMAD IQBAL		BM 7070	GHS ASHARBAN
22	718811	AAMIR ZESHAN		BM 7070	GHS ASHARBAN
23	720678	ABDUL AWAL		BM 7070	GHS ASHARBAN
24	718806	ANWAR ZAIB		BM 7070	GHS ASHARBAN
25	718808	NAYAT SHAH		BM 7070	GHS ASHARBAN
26	706741	Neelam		BM 7063	GGHS BANIAN
27	702876	Nazia Hassan		BM 7063	GGHS BANIAN
28	701739	Jisarat Bibi		BM 7063	GGHS BANIAN

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8-26

29	704377	NAEEMA	BM 7063	GGHS BANIAN
30	718734	NADIA NOOR	BM 7063	GGHS BANIAN
31	718810	UZMA NOREEN	BM 7063	GGHS BANIAN
32	720475	SHAHNAZ BEGAM	BM 7063	GGHS BANIAN
33	720682	FARAH NAZ	BM 7063	GGHS BANIAN
34	720683	HUMA	BM 7063	GGHS BANIAN
35	702865	KIRAN QAYUM	BM 7063	GGHS BANIAN
36	709118	ZARKA RONAQ	BM 7063	GGHS BANIAN
37	718228	AROOJ TEHSEEN	BM 7063	GGHS BANIAN
REPORTED BY HEADMASTER GHS HUTAL BATKOOL OTHER THAN NAB INQUIRY				
38	524242	Shahid CT	BM 7067, 6082	GHS HUTAL BATKOL
39	431101	Muhammad Zahoor SST	BM 7067, 6082	GHS HUTAL BATKOL
40	709119	Yasir Amin TT	BM 7067, 6082	GHS HUTAL BATKOL

Endstt: No: _____

-Sd-
District Education Officer (Male)
Battagram

Dated: ___/10/2016.

Copy for information & n/a to the:

1. Secretary Government of KP Finance Department Peshawar.
2. Accountant General KP Peshawar.
3. Director E&SE Department Peshawar
4. Additional Director Establishment Directorate of E&SE KP Peshawar.
5. Mr. Naeemullah Investigation Officer NAB KP Peshawar.
6. Deputy Commissioner Battagram.
6. District Accounts Officer Battagram.
8. SDEO (M) Battagram & Allai.
9. All the DDOs / Head Masters Concerned.

Page(4/4)

District Education Officer (Male)
Battagram

522911

(18)

Annex - G

OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER (M) BATTAGRAM.

NO. 160

Dated, 11 / 01 / 2019

To

The District Education Officer

(Male) Battagram.

Subject: comments in service appeal NO-1376 & 1377/2018.

Memo:

Reference your letter dated, 7/1/2019 on the subject mentioned above.

1-As per School record & statements of School staff the person namely Sarfaraz Khan has not attended the said School neither he has taken over his charge as PST in the School. No activation of pay was made by the DDO. Hence his appointment order/Service Book/Source I and II not found in the School and office.

2-And as per statement of concerned ASDEO, one Mr. Khyal Muhammad S/o Faad have neither submitted his arrival report of charge to this office and nor his pay activation has been submitted To the District Accounts Office Battagram. The Service Book has not maintained and processed by the local office. And he is not the employee of Education Department.

Sub-DIVISIONAL EDUCATION OFFICER (MALE) BATTAGRAM

11 / 01 / 2019

A

Annexure - B

19

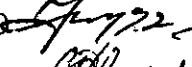
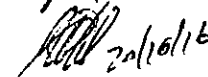


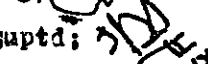
P-16

Certificate

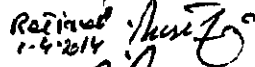
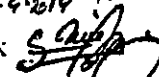




It is to certify that we the following ASDEOs/Dealing Assistants of this Sub Division declared that we have not processed/maintained the service record i.e service books, charge report, source I and II etc in respect of the following persons who have drawn illegally amount from the Govt. treasury as salaries, there is no record in this office regarding their service.

1. Khyal Muhammad S/O Nooran Shah R/O Rashang Allai.
2. Sarfaraz Khan S/O Umar Faad R/O Kas Qalandar Allai.

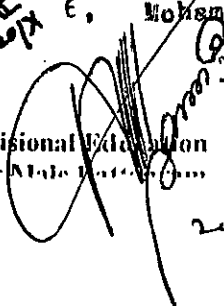
Signatures of ASDEOs

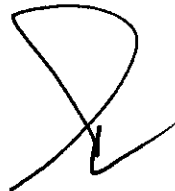
1. Muhammad Fayaz AS DEO 
2. Wali ur Rehman AS DEO 
3. Gul Rahman AS DEO 
4. Zahbi Ullah AS DEO
5. Niamatullah Suptd; 
6. Mohammad Zubair, Suptd; 

Signatures of Dealing Assistants

1. Mustafa TC Clerk 
2. Shahidin senior Clerk 
3. Shad Muhammad TC Clerk 
4. Ameer Muhammad JC 
5. Atta Ur Rahman JC 
6. Mohammad Afzal S.C. 

Sub Divisional Education Officer


2011/276





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

Email: emisbattagram@gmail.com Ph# 0997-543539/ 543540

AUTHORITY LETTER

It is hereby certified that Mr. Nasir Ali ADEO Litigation of the local office is authorized to attend the KP service tribunal Peshawar for vetting Amended SA No.1376 & 1377 of 2018 and submitted the Parawise comments in KP service tribunal Peshawar on behalf of the undersigned i.e. District education officer male Battagram on 15-01-2024.

**District Education Officer (Male)
Battagram**

AUTHORITY LETTER