



OFFICE OF THE DISTRICT EDUCATION OFFICER (M) SHANGLA.
LILOWNAI ROAD DISTRICT COMPLEX

CONTACT NO. (0996) 850639. 851108- Fax # 851108

OFFICE ORDER:

Whereas, Mr. Ghuncha Din served in Education Department since 1982 as PTC (now Retired PSHT), and during his official duties, he was reported for negligence in his duty again and again. As a result thereof, disciplinary proceedings were initiated against him and after fulfilling all the codal formalities the following penalties were imposed upon the teacher concerned vide order dated 26.6.2015.

- (i) Recovery of salaries for the period of two years and fifteen days w.e.f 15.4.2013 to 30.4.2015 (745 days). i.e Rs. 10,18,403.
- (ii) Demotion from BPS 15 to BPS 12.
- (iii) Transfer from GPS Koo to GPS Alpurai No 2 .
- (iv) Recovery of School PTC fund to the tune of Rs. 28000/-

Whereas, feeling aggrieved, the teacher concerned preferred a service appeal No.1090/2015 before the Honorable Services Tribunal Peshawar against the aforementioned order. His appeal was accepted vide order dated 31.1.2018, whereby, the impugned order dated 26.6.2015 was set aside and the respondent Department was directed to hold de-novo inquiry against the appellant in the stipulated period of ninety days.

Whereas, in compliance of the order of the Honorable Service Tribunal, the De-novo inquiry committee was constituted to probe into the matter. The committee submitted its report on 4.5.2018, and as a result thereof, the office order No.9333-40 dated 14.5.2018 has been passed by the competent authority. The last Para of the order is reproduced as under.

"Whereas, recovery of salaries for the absent period of two years and eight days with effect from 14.5.2013 to 23.4.2015 converted into leave without pay. Furthermore, the recovery of Rs 28,000/- as PTC fund may be deposited in PTC account for having been proved as irregular expenses in the interest of public service with immediate effect."

Whereas, the teacher concerned filed another service appeal No. 1372/2018 against the aforesaid office order, meanwhile he submitted an application for retirement on superannuation, LPR etc on dated 1.10.2021. In this regard guidance was sought vide letter No.1862 dated 6.4.2022. The guidance received with copy of concerned rules vide letter No. 5091 dated 10.8.202. In light of which sanction of retirement on superannuation was issued vide office order No.2886-90 dated 6.9.2022. Reproduced as:

"In light of the above stated rules sanction is hereby accorded to the grant of superannuation (60 years of age) w.e.f 12.4.2021 in r/o Mr. Ghuncha Din PSHT GPS Begamar Puran alongwith 275 days leave encashment in lieu of LPR as due and admissible to him under the above mentioned rules alongwith a recovery of amount 847443/- for the period of two years and eight days i.e 14.5.2013 to 23.4.2015 (738) being converted in to leave without pay with Rs. 28000/- to be deposited in the PTC account of the respective school."

[Handwritten signature and date: 02/07/24]

Whereas, the service appeal 1372/18 accepted by the Honorable Service Tribunal KP at Peshawar on dated 3.4.2023. The last para of the Honorable Tribunal is reproduced as under:

08. "in view of what has been discussed , we accept the appeal in hand as prayed for and set aside the orders dated 14.5.2018 and 8.10.2018 with all back benefits to the appellant."

Whereas, the respondent department submitted CPLA No. 567-P/2023 in the august Supreme Court of Pakistan for further clarification of the matter.

Whereas, Execution Petition No.842/2023 submitted by Mr. Ghuncha Din PSHT (Retired) R/O Sundovi Puran for implementation of the judgment dated 3.4.2023 of the Honorable Service Tribunal KP at Peshawar.

NOW THEREFORE, IN COMPLIANCE OF THE JUDGMENT DATED 3.4.2023 OF THE HONORABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA, I, MR. MUZAFFAR ALI KHAN, DISTRICT EDUCATION OFFICER (M), SHANGLA BEING A COMPETENT AUTHORITY IS PLEASED TO SET ASIDE THE ABOVE MENTIONED ORDERS IN LIGHT OF THE JUDGMENT OF THE HONORABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA SUBJECT TO THE OUTCOME OF FINAL DECISION OF THE AUGUST SUPREME COURT OF PAKISTAN IN CPLA No. 567-P/23 in THE INTEREST OF PUBLIC SERVICE.

Endstt No. 3272-82 /Lit/SH:

(Muzafar Ali Khan)
District Education Officer (M)
District Shangla
Dated 02/01/24

Copy forwarded to;

1. The Registrar KP Service Tribunal Peshawar.
2. The A.A.G KP Service Tribunal Peshawar.
3. The Director E&SE Khyber Pkhtunkhwa Peshawar.
4. The Deputy Commissioner Shangla.
5. The District Accounts Officer Shangla.
6. The DMO EMA Shangla.
7. The SDEO (M) Primary Puran.
8. The ASDEO Circle concerned.
9. DEMIS Cell local office.
10. The Accountant Local Office.
11. Mr. Ghuncha Din (Retired PSHT)


District Education Officer (M)
District Shangla