

BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2336/2023

Zia ur Rahman s/o Habib ur Rahman r/o Village Kankowai Tehsil Mandanr, District Buner
(APPELLANT)

Versus

District Education Officer Male District Buner and others

(RESPONDENTS)

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Deponent

16202-1039885-1

1540/2022/500-3

BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2336/2023

Zia ur Rahman s/o Habib ur Rahman r/o Village Kankowai Tehsil Mandanr, District Buner

(APPELLANT)

Versus

1. District Education Officer Male District Buner.
2. Director E &SE KP Peshawar
3. Secretary E &SE KP Peshawar
4. District Accounts Officer Buner
5. Head Master GMS Wach Khwar Kawga Buner
6. Muhammad Haroon PET GHS Langaw Buner Now GMS Wach Khwar Kawga Buner

Khyber Pakhtukhwa
Service Tribunal

Diary No. 10858

Dated 29/1/24

(RESPONDENTS)

Written Reply/Para wise Comments for & on behalf of Respondents No. 1 & 2

Respectfully Sheweth!

Preliminary Objections

- That every Government servant is bound to perform his duties anywhere in the best interest of public service within the legal frame work.
- That the Appellant has no cause of action/locus standi to file the instant declaration of right of serving at the place of his choice for a long time.
- The Appellant has concealed the material facts from this honorable court, hence liable to be dismissed.
- That the appeal is wholly incompetent, misconceived and untenable.
- That the appeal for declaration is wrong, baseless and not maintainable, it shows no strong cause to be taken for adjudication, therefore, the same is liable to be rejected/ dismissed.
- That the instant appeal is unjustifiable, baseless, false, frivolous and vexatious. Hence the same is liable to be dismissed with the order of special compensatory cost in favor of respondents.
- That the instant suit is not maintainable in the present form and also in the present circumstances of the issue.
- The Appellant has not come to this honorable court with clean hands.
- The Appellant has filed the instant appeal just to pressurize the respondents.
- The appellant has filed the instant suit on mala-fide motives.
- The instant litigation is against the prevailing law and rules.
- The appellant has been estopped by his conduct to file the appeal.

Facts

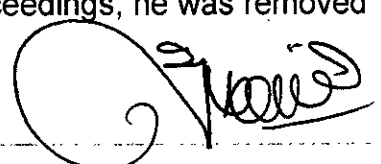
1. Pertains to the record of the appellant and hence needs no comments.
2. Pertains to the record of the mentioned school and hence needs no comments.
3. Incorrect and hence denied. The head master is the head and manager of the school and is responsible to manage the activities according to situation and needs of the students. The appellant was neither interested in his classes nor was cooperative with the headmaster due to which he reported him to the competent authority and requested to transfer him in the best interest of the students. **(The report of the Head Master against the behavior of the appellant is attached as Annexure "A")**

Thus, the respondent transferred the appellant from GMS Wach Khwar to GHS Janak Banda vide his office transfer order No. 107-11 dated 09-01-2023. **(Copy of the transfer is attached as Annexure "B")**.

However, the appellant requested through an application for corrigendum on the basis of an FIR No. 165 dated 27-10-2019, regarding his enmity in the locality of GHS Janak Banda, the Respondent No. 1 partially modified the transfer order of the appellant and he was adjusted at GHS Malka against, which is located in his own subdivision, vide this office Endorsement No. 1130-34 dated 07-03-2023. **(Copy of the corrigendum order is attached as Annexure "C")**.

As for as other allegations against respondents are concerned, these are baseless, fake, fabricated and frivolous. The appellant does not have a single proof to justify and prove his claim. The appellant is resorting to aspersion and false accusations. Neither the headmaster nor any other official of school or office has any illegal gains from school. The school has very limited funds, where such like blame of embezzlement has no justification nor the appellant has any proof against the head master. The appellant filed a 22-A case in the court of Additional District & Session Judge, Buner on the basis of the same false and frivolous accusations which was dismissed by the Honourable court and declared it to be based on malafide just to escape the disciplinary proceedings on the part of the appellant.

4. Incorrect hence denied. There was no ban on posting transfer during period in which the appellant was transferred. In addition, the appellant is a habitual problems creator and was always committing misconduct with the headmaster. He was also not performing his duty efficiently, due to which the headmaster reported him to the competent authority who issued his transfer order on administrative grounds in the public interest to prevent the school environment from further aggravation. As for as all other allegations against the appellant are concerned, a formal inquiry has been conducted which proved all allegations mentioned in the charge sheet and statement of allegations and recommended his removal from service. In the light of inquiry and proceedings, he was removed from service according to law, rules and policy.



In addition the question of "spouse policy" is irrelevant as the appellant has been transferred within his own subdivision/tehsil.

Furthermore, the Respondent No.2 (Director E&SED) has not accepted his appeal. The annexed documents regarding acceptance of appeal on the body of application is not supported by record of office of the Respondent No.2 (Director).

- 5. Incorrect and hence denied. The appellant, just to pressurize and compel the respondents to cancel his transfer order, instituted a case under 22-A, Cr.PC for lodging an FIR against the respondent No.1 & 5 in the court of Additional District & session Judge/Ilaqa Qazi Buner, which was dismissed after proper trial and proceedings by the Honourable Court vide judgment dated 15/7/2023, declaring the suit of the appellant to be based on malafide and personal grudges just to escape and avoid the proceedings initiated against the appellant by the respondents No.1. **(Judgment of the Additional District & Session Judge is attached as annexure "D")**.
- 6. Incorrect hence denied. The respondent No.6 was transferred to GMS Wach Khwar in the public interest vide General Transfer Order No. 2620-25 dated 27/7/2023 and no other motives were involved therein. **(Transfer order of respondent No. 6 is attached as annexure "E")** Furthermore, the appellant has been removed from service after fulfilling all codal formalities by issuing him charge sheet, statement of allegations and conducting a regular inquiry. **(Copy of Charge sheet, Statement of allegations, Notification of Inquiry Committee, inquiry report, are attached as Annexures "F, G, H & I)** Furthermore, after fulfilling the mentioned codal formalities a showcause was issued to the appellant dated 21-06-2023 bearing endorsement No. 2974-77 to which the official concerned did not reply till date. **(Show cause notice is attached as Annexure "J")**. The appellant did not submit reply to the showcause notice and willfully refused to face further proceedings being declared guilty by the inquiry committee. The appellant was given another opportunity of being heard under Rule-14 sub-rule -4 (b) in the showcause notice, to which he was legally bound to submit reply and opt for personal hearing, however, he in utter violation of the ibid rules neither submitted reply to showcause notice nor opted for personal hearing and remained willfully indifferent to the proceedings. After fulfilling all legal and codal formalities as envisaged in E&D Rules 2011, the appellant was removed from service vide order No.3659-64 dated 1/8/2023. **(Removal from service order is attached as annexure "K")**
- 7. The appellant was proceeded against under E&D Rules 2011 by conducting a regular inquiry and fulfilling all codal formalities and was awarded major penalty of "Removal from Service" vide Notification No.3659-64 dated 01/8/2023. As the appellant was transferred to GHS Malka and was already relieved from GMS Wach Khwar, however, he did not take over charge and remained absent there. His forceful entry and sitting in school from where he was transferred, was not only misconduct but violation of rules regulations and directives of various courts

judgments. Since, the transfer order was neither suspended by this Honorable court nor any status quo was granted to the appellant, therefore, his forceful entry and sitting there was in violation of rules and policy.

Furthermore, the appellant in violation of rules regulations and different court judgments did not comply with the transfer order and remained willfully absent, from 09-01-2023 to 01-08-2023.

Grounds


- A. Incorrect hence denied. The appellant has been removed from service after fulfilling all codal formalities by issuing him charge sheet, statement of allegations and conducting a regular inquiry as explained in para 6 of the facts. Furthermore, after fulfilling the mentioned codal formalities a showcause was issued to the appellant dated 21-06-2023 bearing endorsement No. 2974-77 through registered courier No. RGL105799262, RGL105799263 and RGL105799264 dated 22/6/2023 to which the official concerned did not reply till date. **(Show cause notice is attached as Annexure "L")**. The appellant did not submit reply to the showcause notice and willfully refused to face further proceedings being declared guilty by the inquiry committee. The appellant was given another opportunity of being heard under Rule-14 sub-rule -4 (b) in the showcause notice, to which he was legally bound to submit reply and opt for personal hearing, however, he in utter violation of the ibid rules neither submitted reply to showcause notice nor opted for personal hearing and remained willfully indifferent to the proceedings. After fulfilling all legal and codal formalities as envisaged in E&D Rules 2011, the appellant was removed from service vide order No.3659-64 dated 1/8/2023.
- B. Incorrect and hence denied. All the orders have been passed according to rules regulations and legal formalities as envisaged in E&D Rules 2011, have been fulfilled and there is no malafide on the part of respondents, as already explained in the preceding para.
- C. Incorrect hence denied. already explained in the preceding paras.
- D. Incorrect hence denied. Transfer of the appellant was made in the public and students interest, as his presence in school has aggravated the congenial environment of the school and teaching learning activities were badly suffered, which is also evident from the inquiry report. In addition the post did not remain vacant and the respondent No.6 was transferred to GMS Wach Khwar in the public interest vide General Transfer Order No. 2620-25 dated 27/7/2023 in order to save precious time of the students. Thus the question of counterpart is irrelevant and not justified.
- E. Incorrect and hence denied. there was no ban on posting transfers as already been explained in different para 4 of the facts.
- F. Incorrect and hence denied. The respondent No.2 has not accepted his appeal. The annexed documents regarding acceptance of appeal on the body of

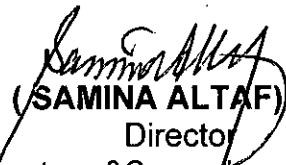
3/10/23

application is not supported by record of office of respondent No.2 (Director). Disposal of appeals by the Director is made through a standard procedure, and after proper scrutiny of the case and if needed such further inquiry, the appellate authority decides the case by itself, by issuing proper notification and does not send the case to the competent authority for decision or issue directives to the competent authority to cancel the order or vice versa. The plea fabricated and adopted by the plaintiff is baseless and devoid of any substance.

- G. Incorrect hence denied. Already explained in para "F" above. In addition the appellant requested through an application for corrigendum on the basis of an FIR No. 165 dated 27-10-2019, regarding his enmity in the locality of GHS Janak Banda, the Respondent No. 1 partially modified the transfer order of the appellant and he was adjusted at GHS Malka against, which is located in his own subdivision, vide this office Endorsement No. 1130-34 dated 07-03-2023.
- H. Incorrect and hence denied. Already explained in para 6 of the Facts and para "A" of the Grounds.
- I. Incorrect hence denied. Both the orders dated 9/1/2023 and corrigendum dated 7/3/2023 were made in the public interest as explained in para 3 of the Facts. In addition, since he was adjusted through corrigendum order dated 7/3/2023 in his own sub-division where his spouse is serving, therefore, the question of spouse policy does not arise in the instant case. It is also to aver that he was proceeded under E&D Rules 2011 as explained in greater detail in Para 6 of the Facts. He was removed from service after fulfilling all legal and codal formalities. It is also incorrect that his appeal was accepted by the appellate authority, which has also been explained in para "F" of the Grounds.
- J. The respondents also seek permission of this Honourable Court to rely on additional grounds at the time of arguments.

In view of the above noted submissions, it is humbly requested that this Honourable Court may very graciously be pleased to dismiss the instant suit with cost in favour of the respondents.


 (IFTIKHAR UL GHANI),
 District Education Officer (M)
 Buner
 (Respondent No. 1)


 (SAMINA ALTAF)
 Director
 Elementary & Secondary Education
 Peshawar
 (Respondent No. 2)

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(APPELANT)

Versus

District Education Officer Male District Buner and others

(RESPONDENTS)

AFFIDAVIT

I, Ubaid Ur Rehman, Superintendent Office of the DEO (M) Buner, hereby solemnly affirm and state on oath that the whole contents of this reply are true and correct to the best of my knowledge and belief and nothing has been concealed from this August court.

Deponent

15101-0882586-3

29 JAN 2024
ATTESTED
Haliz Muhammad Saif Qureshi
Commissioner
Advocate High Court Peshawar

Annex A

بخدمت جناب ڈی ای او صاحب ضلع بونیر

عنوان: گورنمنٹ مڈل سکول وچ خور کوگا میں پی ای ٹی ضیاء الرحمن کی بے ضابطگیاں

جناب عالی!

مودبانہ گزارش کی جاتی ہے کہ 8 جولائی 2021 سے جب پی ای ٹی ضیاء الرحمن گورنمنٹ مڈل سکول وچ خور آیا ہے۔ تو اس نے سکول میں گروپ بندی شروع کی ہے۔ یہاں تک کہ دفتر ہذا میں بھی جھوٹ بول کر میرے خلاف نفرت پیدا کرنے کی کوشش کی ہے اسکی سب سے بڑی وجہ یہ ہے کہ میں کسی کو c/leave لگانے بغیر نہیں چھوڑتا ہوں۔ اور یہ سب

سے زیادہ چھٹیاں کرنے والا ہے مثلاً 8 جولائی 2021ء سے 24 دسمبر 2022ء تک کل ایام کار 349 ہیں جبکہ اس نے اس میں 279 دن ڈیوٹی کی اور 70 دن سکول سے باہر رہے۔ اسکے علاوہ یہ ایک کام چور اور نا اہل استاد ہے اسکے نا اہلی کی وجہ سے ہم نے گزشتہ سال مڈل سکولز ٹورنامنٹ کے ادبی اور ایٹھلیٹکس مقابلوں میں حصہ نہیں لیا تھا۔ جبکہ اس سال میں نے ہر ایک مقابلے کیلئے لڑکوں کی تیاری الگ الگ استاد کے ذمہ لگانی تھی جس میں ملی نغمہ اور قومی ترانہ کیلئے لڑکوں کی تیاری اس ذمہ تھی لیکن اس نے دوسرے اساتذہ کو اپنے ذمہ داری پورا کرنے سے منع کرنے کی کوشش کی اور اپنی ذمہ داری کا احساس تک نہیں کیا یعنی لڑکوں کے نام تک نہیں لکھیں۔


اسکے علاوہ اس نے ٹین French Leave بھی کی جو دوسرے اساتذہ کیلئے غیر قانونی کام کرنے کی اکی سیڑھی ہو سکتی ہے۔ اس لئے میں نے اس کے خلاف آپ صاحبان کو 20 دسمبر پر ایک درخواست دی تھی جس پر آپ صاحبان نے

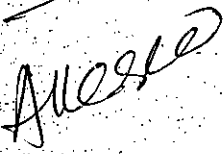
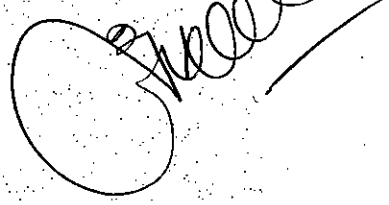
Transfer him کے الفاظ لکھے تھے لیکن تا حال کچھ پتہ نہ چلا اس لئے دوبارہ درخواست آپ کے حضور پیش کی جاتی ہے۔ چونکہ مذکورہ مدرس بورڈ اور دفتر ہذا میں نا جائز طریقہ سے تعلقات رکھتے ہیں اسلئے اگر آپ صاحبان کیلئے اس کے تبادلے میں کوئی مشکلات ہو تو پھر میرا تبادلہ ناوہ گنی یونین کونسل کے کسی بھی سکول کو کیا جائے۔

العارض

محمد صادق SST

گورنمنٹ مڈل سکول وچ خور کوگا


06.01.2023
Head Master
GMS, Wach Khwar,
Kawga Chamla Buner



GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) BUNER

Phone & Fax No. 0939-555110 Email: edobuner@gmail.com

TRANSFER ORDER

Consequent upon the report submitted by the Head Master GMS Wach Khwar Kawga, Buner Dated 21-12-2022 and the subsequent report dated 06-01-2023 against Zia Ur Rahman PET of the concerned school, the Competent Authority is pleased to transfer Mr. Zia Ur Rahman PET bearing CNIC.No. 15101-2047226-9 GMS Wach Khwar, Kawga to GHS Janak Banda on disciplinary grounds on account of absenteeism, inefficiency, misconduct, creating embarrassing situation for the department in the interest of public service with immediate effect.

Note:-

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

(IFTIKHAR UL GHANI)
DISTRICT EDUCATION OFFICER
MALE BUNER

Endst.No. 107-11 /SST-SPET- File2022 Dated: 9 / 1 /2023

Copy is forwarded for information to the:-

- 1 Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2 District Monitoring Officer EMA at Buner.
- 3 District Accounts Officer Buner at Daggar.
- 4 Principal /Head Master concerned.
- 5 Official concerned.

DISTRICT EDUCATION OFFICER
MALE BUNER

9/1/23



~~Amir Khan~~
~~Amir Khan~~
Amir Khan C11
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GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT BUNER

Phone & Fax No. 0939-555110 Email: edobuner@gmail.com



CORRIGENDUM.

In partial modification of this office transfer order on disciplinary grounds issued vide Endst. No. 107-11 Dated: 09-01-2023, the school name in R/O Mr. Zia Ur Rahman PET may be read as GHS Malka instead of GHS Janak Banda in the interest of public service.

Note:


1. No TA/DA is allowed.

(IFTIKHAR UL GHANI)
DISTRICT EDUCATION OFFICER
MALE BUNER

Endst No: 1130-34 /P.File- Zia Ur Rahman-PET Dated: 07/03/2023

Copy of the above is forwarded for information to the:

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshwar.
2. District Monitoring Officer EMA, Buner.
3. District Accounts Officer Buner at Daggar.
4. Principal/Head Master Concerned.
5. Official concerned.


DISTRICT EDUCATION OFFICER
MALE BUNER

7/3/23

IN THE COURT OF
ABDUL SALAM KHAN SARKANI KHEL,
ADDL: SESSIONS JUDGE/IZQ -I/EX-OFFICIO JUSTICE OF PEACE, BUNER
22-A Petition No. 56/M of 2023, "Zia Ur Rahman vs Muhammad Sadiq"

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07.2023

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Petitioner namely Zia Ur Rahman S/o Habib Ur Rahman in person present. Mr. Mazhar Ali Shah Dy:PP for the State present. Respondent Muhammad Sadiq S/o Muhammad Ishaq (Head Master Government Middle School Wach Khwar Kawga, Buner) and others present through counsel.

1. The petitioner Zia Ur Rahman S/o Habib Ur Rahman R/o Kankowai, Tehsil Mandanr, Buner, has filed instant petition u/s 22-A Cr.PC seeking the directions of this Court for the registration of case against Muhammad Sadiq & others.
2. The petition initially explained the fact that petitioner is PET teacher while respondent No.1 is head master while respondent No.2 is DEO Male Buner, their dispute evolved in respect of posting/transfer of petitioner from GHS Katkala Buner to another school, which he challenged before several forum and also filed writ petition No.359-M/2023, dated 03.05.2023, before Peshawar High Court, Mingora Bench/Dar-ul-Qaza, Swat, which was dismissed in limine, petitioner is shown to have reportedly knocked the door of service tribunal;

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EXAMINER
of Sessions Judge Buner
appointed under 187 of
PO No-20 of 1983

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with such a backdraft of the matter, petitioner alleged to have been beaten by the respondent No.1 on the instigation/abetment of respondent No.2 on 13.04.2023 at about 0930 AM, in front of 8th class students and mentioned eye witnesses Abdul Aziz and Muhammad Rashid and stated to have been threatened for life and alleged to have been illegally detained by the respondent, hence, filed instant petition.

3. Upon submission of the petition in hand, comments from SHO PS concerned, sought, received, placed on file.
4. Before embarking discussion/finding upon the merits/demerits of the petition, it is utmost necessary to highlight that section 22-A Cr.P.C relates to the issuance of appropriate directions to the police authorities concerned regarding registration of criminal cases, transfer of investigation of criminal cases and in respect of neglect, failure or excess committed by police authority in relation to its function & duties. Rationale behind conferring of powers upon justice of peace under the code is to enable aggrieved person to approach court of justice of peace for redressal of his grievances i.e. non-registration of FIRs, excess of police, transfer of the investigation to courts situated at district level or session or at particular session division. However, perusal of 22-

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 District Session Judge Buxar
 Authorized under 137 of
 EO No. 10 of 1984



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A petition, comments received from SP complaints officer, Buner, copies/correspondence of posting/transfer order etc of the petitioner, his application to DPO, Buner, OPD slip, application submitted by petitioner before Director Elementary & Secondary Education KPK which was shown endorsed by Rehmat Salam Khattak, Advisor to Chief Minister, E&SE KPK, with the remarks "cancel the order at your end" ^{and} further endorsement of Director E&SE for DEO (male) Buner with the remarks "appeal accepted and please withdraw order No.1130-34 dated 07.03.2023, Copies of writ petition No.359-M/2023, dated 03.05.2023, before Peshawar High Court, Mingora Bench/Dar-ul-Qaza, Swat, relieving certificate of Zia Ur Rahman issued by Head Master GMS Wachi Khwarr, copies of disciplinary proceedings against petitioner Zia Ur Rahman, time table of the eventful day, application of Head Master GMS Kawga addressed to the AC Tehsil Maolanr and application of Head Master Muhammad Sadiq addressed to incharge civil hospital Nawagai for provision of attested copies of outdoor patient and attested copies of OPD slip etc reveals that in fact there is a chronic dispute between the parties over posting/transfer of petitioner Zia Ur Rahman; he is striving his outmost to get cancellation of his transfer

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 District & Session Judge Buner
 Authorized under 187 of
 P.O. No-20 of 1984

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order by any means whatsoever for which he might have any reason while on the other hand department is bent upon the removal of petitioner from service for which department might have reasons ^{167 167 2} however, this court is not supposed to comment upon this aspect of the matter, which is not within domain of this court. Learned counsel for the respondents stated that even ^{upon} perusal of contents of petition, there appears no cognizable offence and OPD slip reflects nothing and even as per record of school time table and other supporting posting/transfer order, petitioner is not supposed to attend any class and violate service rules and he further argued that no such incident as reported by the petitioner has taken place and para No.5 of the petition is drafted with mala fide improvement by the petitioner and even then there appears no cognizable offence for which no order for registration of FIR can be passed. Learned counsel for the petitioner failed to controvert legal cum factual aspect of the matter as stated by the counsel for the respondents and record available on file.

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EXAMINER
 District & Session Judge Buzurg
 Authorized under 187 of
 R.O. No. 26 of 1934

5. In consequence of posting/transfer of petitioner, his relieving from the subject post/position and school for joining the place ^{position} of posting and his resistance to that is another ancillary issue, attached with the main

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controversy and this is also not within the domain of this court to ~~give~~ ^{resolve and} any finding about any party and for that purpose parties if so advised, may ^{resort} ~~resolved~~ to proper legal course.

6. Thus, report SP complaints and available materials on file reveals that dispute over posting/transfer inter-se the parties exists; the matter is still sub-judice before the service tribunal concerned and inquiry proceedings for the removal of petitioner from service have also been shown finalized. In this regard, inquiry report at page 16 to 20 of the documents, relied upon by the respondent No.1 is worth perusal; on file. It is apparent on the file that both sides are locked in dispute over service matter. Against the above peculiar backdrop, SP complaint officer stated that no report, whatsoever was lodged regarding the incident by the petitioner to the local police, i.e. initially to the SHO and to the DPO, therefore, application being baseless be dismissed.

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EXAMINER
District & Session Judge Bunder
Admission under 187 of
B.S. No-26 of 1934

Reliance is also placed on PLD 2016 Supreme Court 581 which held that:

"Functions performed by the Ex-officio Justice of Peace were not executive, administrative or ministerial inasmuch as he did not carry out, manage or deal

Board of Examiners
Bunder at Bunder

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with things mechanically. Such functions as described in clauses (i), (ii) and (iii) of section 22-A(6), Cr.P.C., were quasi-judicial as Ex-officio Justice of Peace entertained applications, examined the record, heard the parties, passed orders and issued directions with due application of mind. Every lis before him demanded discretion and judgment. Functions so performed could not be termed as executive, administrative or ministerial on any account"

U No: 3838
Date of Application 05-08-23
Date of Receipt of File 18-07-23
Date of Preparation 05-08-23
Date of Notice
Words 10
Fees Free of cost
Urgent Fees
Date of Delivery 05-08-23
Signature

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Since parties have been litigating against each other in respect of service matter, therefore, element of mala fide on the part of the petitioner could not be ruled out.

8. Keeping in view the above discussion, direction could not be passed for the registration of case/FIR against the respondent Muhammad Sadiq etc, therefore, the instant petition is hereby dismissed. Copy of this order be sent to the police station concerned for information.

9. Consign this file to record room after necessary completion & compilation. Requisitioned record be returned, forthwith.

TRIP COM
EXAMINER
District & Sessions Judge Buner
Appointed under 187 of
BU No. 6 of 1984

Announced
15.07.2023

(Abdul Salam Khan Sarkani Kani)
Additional Session Judge/LAQ-1.
Ex-Officio Justice of Peace, Buner

Amir Khan E



GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE BUNER



16

Phone & Fax No.0939-555110 Email: edobuner@gmail.com

NOTIFICATION.

In relaxation of ban granted by the Advisor to Chief Minister for Elementary and Secondary Education Khyber Pakhtunkhwa, the Competent Authority is pleased to order transfer in R/O the following officials to the schools noted against each in their own pay & scale in the best interest of public service with immediate effect.

S. No	NAME & DESIGNATION	CNIC	FROM	TO	Remarks
1.	HAKIM SHAH SCT	15101-0403405-3	GHSS BAMPORHA EMIS Code: 35903	GHSS KINGARGALI EMIS Code: 37248	V.S.No.02
2.	KAMRAN KHAN SCT	15101-0362825-9	GHSS KINGARGALI EMIS Code: 37248	GHSS BAMPORHA EMIS Code: 35903	V.S.No.01
3.	JAMSHID ALI CT	15101-7789016-7	GMS JICA AGARAI EMIS Code: 38803	GHSS NAWAGAI EMIS Code: 33965	A.V.P
4.	SYED MUJTABA HUSSAIN CT	15101-4866543-9	GHSS AMBELA EMIS Code: 37049	GHSS NAWAGAI EMIS Code: 36633	A.V.P
5.	TAIMUR KHAN CT	15101-6976516-7	GHSS KHANANO DHERAI EMIS Code: 35923	GHSS JANGAI EMIS Code: 35918	A.V.P
6.	SARHAND ZEB CT	15101-5232066-5	GHSS NAGRAI EMIS Code: 35926	GHSS KHANANO DHERAI EMIS Code: 35923	V.S.No.05
7.	MUHAMMAD IBRAHIM CT	15101-9111153-5	GMS SANGARA EMIS Code: 39259	GHSS DAGGAR NO.2 EMIS Code: 35931	A.V.P
8.	ABDUR RAHMAN CT	15101-6039727-7	GHSS AMBELA EMIS Code: 37049	GHSS CHANAR EMIS Code: 35905	A.V.P
9.	ZAHID ALI CT	15101-4829539-3	GMS ASHEZO NAWAKALAY EMIS Code: 37756	GHSS KARAPA EMIS Code: 35920	A.V.P
10.	ZAHIR HUSSAIN CT	15101-1680126-1	GHSS LEGANAI EMIS Code: 37051	GHSS TORWARSAK EMIS Code: 36631	A.V.P
11.	MUHAMMAD HAROON PET	15101-7152002-7	GHSS LANGAW EMIS Code: 33958	GMS WACH KHWAR EMIS Code: 38288	A.V.P
12.	ASAD ULLAH PET	15101-4271786-3	GHSS ALAMI BANDA EMIS Code: 33935	GHSS INZAR MAIRA EMIS Code: 35050	A.V.P

Note:-

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

(IFTIKHAR UL GHANI)
o/c DISTRICT EDUCATION OFFICER
MALE BUNER

Endst.No. 2620-25 Dated: 27 / 07 / 2023.

Copy is forwarded for information to the:-

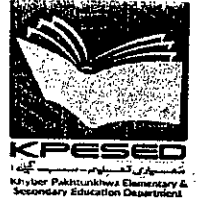
1. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Monitoring Officer EMA at Buner.
3. District Accounts Officer Buner at Daggar.
4. A.D (IT) EMIS Local Office, Buner
5. Principals /Head Master / Incharges concerned.
6. Officials concerned.

o/c DISTRICT EDUCATION OFFICER
MALE BUNER
27/7/23



Amman F11
15 97

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT BUNER
PHONE & FAX NO. 0939-510111
EMAIL: edobuner@gmail.com



CHARGE SHEET

I, Mr. Iftikhar Ul Ghani, District Education Officer, as Competent Authority hereby charge you Mr. Zia Ur Rahman PET, under-transfer to GHS Malka as follow:

That you while posted as PET, committed the following irregularities and misconduct:

- i. That on 21-12-2022, you were reported by the in charge/ Head Master of GMS Wach Khwar Kawga regarding your irresponsible, inefficient behavior and for not taking interest in duty.
- ii. That consequent upon the report of the Head Master of GMS Wach Khwar, the undersigned being a Competent Authority was pleased to transfer you from GMS Wach Khwar to GHS Janak Banda on account of absenteeism, inefficiency and misconduct vide this office transfer order bearing endorsement No. 107-11/ SST-SPET-File2022 dated 09-01-2023.
- iii. That instead of assuming charge of your duty at GHS Jhanak Banda, you submitted an application regarding your enmity at GHS Jhanak Banda.
- iv. That after submission of your application, you were transferred from GHS Jhar Banda to GHS Malka vide this office Corrigendum order bearing endorsement No. 1130-34/ P. File-Zia Ur Rahman PET dated 07-03-2023.
- v. That instead of assuming charge of your duty at GHS Malka, you remained absent from your duty at GHS Malka.
- vi. That consequent upon your absence from duty, you were served with two absence notices bearing endorsement No. 446 dated 30-01-2023 and 1566 dated 01-04-2023.
- vii. That instead of assuming your responsibility at GHS Malka, you filed a writ petition No. 359-M of 2023 in the Honorable High Court regarding your transfer which was dismissed by the court vide judgment dated 03-05-2023.
- viii. That after your adjustment and not taking of charge, you resorted to blackmailing and defaming the undersigned on social media, which is violation of the Conduct Rules 1987, sub-rules (21), (24), (25) and (34-A sub-rules (1)(2).
- ix. That you stigmatize, malign and slag off the character of certain officers of this Department including the undersigned without any proof by posting unauthorized, baseless information through various comments on various posts on Social Media Sites.
- x. That you are guilty of continuously creating embarrassing situation for the Govt. as well as Elementary and Secondary Education Department by propagating falsification and misrepresentation of facts and figures.

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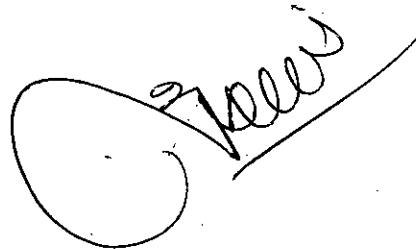
- xi. That you are guilty of absence, professional dishonesty, abetment, inefficiency and misconduct under Rule-3 (a) (b) & (d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011 read with Conduct Rules 1987, sub-rules (21), (24), (25) and (34-A sub-rules (1)(2) of the rules ibid.
- xii. That you have ceased to be efficient and are guilty of misconduct and liable to be proceeded under the rules for the charges given hereinabove.

2. By reasons of the above you appear to be guilty of absence, inefficiency and misconduct under Rule – 3 (a) (b) & (d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Rules ibid.
3. You are therefore required to submit your written defense within seven days of the receipt of this charge sheet to the inquiry Officer/ inquiry committee in black and white as the case may be.
4. Your written defense, if any, should reach the inquiry officer/inquiry committee within specified period, failing which it shall be presumed that you have no defense to put in and, in that case, ex-parte action shall be taken against you.
5. Intimate whether you desire to be heard in person.
6. A statement of allegations is enclosed.


(IFTIKHAR UL GHANI) 18/5/23

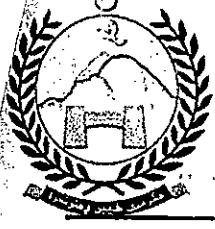
DISTRICT EDUCATION OFFICER
(MALE) BUNER

Mr. Zia Ur Rahman PET
GHS Malka District Buner.

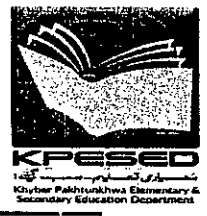


Amir ul Quli

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OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT BUNER
PHONE & FAX NO. 0939-510111
EMAIL: edobuner@gmail.com



DISCIPLINARY ACTION

I Mr. Iftikhar Ul Ghani, District Education Officer, as Competent Authority, am of the opinion that Mr. Zia Ur Rahman PET, GHS Malka under transfer Buner has rendered himself liable to be proceeded against, as he has committed the following act/omissions within the meaning of Rule -3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011.

STATEMENT OF ALLEGATIONS

- i. That on 21-12-2022, he was reported by the in charge/ Head Master of GMS Wach Khwar Kawga regarding his irresponsible, inefficient behavior and for not taking interest in duty.
- ii. That consequent upon the report of the Head Master of GMS Wach Khwar, the undersigned being a Competent Authority was pleased to transfer him from GMS Wach Khwar to GHS Janak Banda on account of absenteeism, inefficiency and misconduct vide this office transfer order bearing endorsement No. 107-11/ SST-SPET-File2022 dated 09-01-2023.
- iii. That instead of assuming charge of his duty at GHS Janak Banda, he submitted an application regarding his enmity at GHS Janak Banda.
- iv. That after submission of his application, he was transferred from GHS Janak Banda to GHS Malka vide this office Corrigendum order bearing endorsement No. 1130-34/ P. File-Zia Ur Rahman PET dated 07-03-2023.
- v. That instead of assuming charge of his duty at GHS Malka, he remained absent from his duty at GHS Malka.
- vi. That consequent upon his absence from duty, he was served with two absence notices bearing endorsement No. 446 dated 30-01-2023 and 1566 dated 01-04-2023.
- vii. That instead of assuming his responsibility at GHS Malka, he filed a writ petition No. 359-M of 2023 in the Honorable High Court regarding his transfer which was dismissed by the court vide judgment dated 03-05-2023.
- viii. That after his adjustment and not taking of charge, he resorted to blackmailing and defaming the undersigned on social media, which is violation of the Conduct Rules 1987, sub-rules (21), (24), (25) and (34-A sub-rules (1)(2).
- ix. That he stigmatized, maligned and slag off the character of certain officers of this Department including the undersigned without any proof by posting unauthorized, baseless information through various comments on various posts on Social Media Sites.

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- x. That he is guilty of continuously creating embarrassing situation for the Govt. as well as Elementary and Secondary Education Department by propagating falsification and misrepresentation of facts and figures.
- xi. That he is guilty of absence, professional dishonesty, abetment, inefficiency and misconduct under Rule-3 (a) (b) &(d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011 read with Conduct Rules 1987, sub-rules (21), (24), (25) and (34-A sub-rules (1)(2) of the rules ibid.
- xii. That he has ceased to be efficient and is guilty of misconduct and liable to be proceeded under the rules for the charges given hereinabove.

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

- i. Mr. Pervez Khan, BS-19, Principal GHSS Chanar (Buner)
- ii. Mr. Sikandar Hayat, BS-17, SDEO (M) Daggar (Buner)

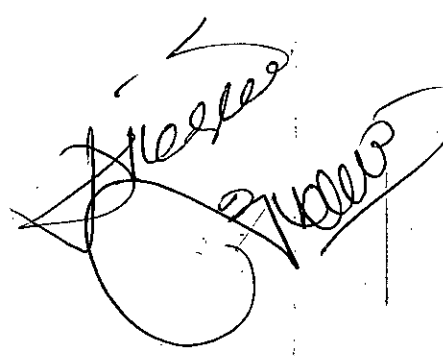
3. The inquiry officer/inquiry committee shall in accordance with the provision of the ibid rules provide reasonable opportunity of hearing to the accused, record its findings and make within fifteen days of the receipt of this order, recommendations as to punish or other appropriate action against the 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 officer/inquiry committee.

 18/5/23
(IFTIKHAR UL GHANI)

DISTRICT EDUCATION OFFICER
(MALE) BUNER

Mr. Zia Ur Rahman PET
GHS Malka District Buner.





Amir Khan 11/11
OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT BUNER
PHONE & FAX NO. 0939-510111
EMAIL: edobuner@gmail.com



No. 2344-47 Dated: 18 /05/2023

OFFICE ORDER

The Competent Authority is pleased to constitute inquiry committee comprising of the following officers to conduct formal inquiry against Zia Ur Rahman PET, GHS Malka for the charges mentioned in the charge sheet and statement of allegations with immediate effect.

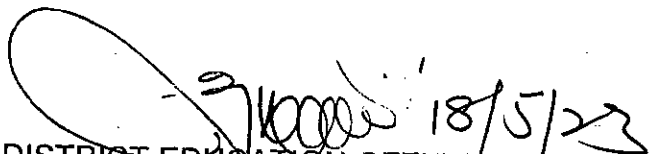
- i. Mr. Pervez Khan BS-19, Principal GHSS Chanar Buner (Chairman)
 - ii. Mr. Sikandar Hayat, BS-17, SDEO (M) Daggar Buner (Member)
2. The inquiry committee shall submit recommendations/report to the Competent Authority within 15 days positively. (Copy of charge sheet and statement of allegations are enclosed)

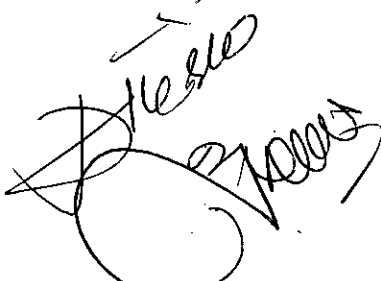
(IFTIKHAR UL GHANI)
DISTRICT EDUCATION OFFICER
(MALE) BUNER

Endst: of even No. & Date: -

Copy forwarded to the:

1. Mr. Pervez Khan BS-19, Principal GHSS Chanar (Buner) Copy of charge sheet & Statement of allegations are enclosed)
2. Mr. Mr. Sikandar Hayat, BS-17, SDEO (M) Daggar (Buner) (Copy of charge sheet & Statement of allegations are enclosed)
3. Mr. Zia Ur Rahman PET GHS Malka (Copy of charge sheet & Statement of allegations are enclosed)
4. Master File.


DISTRICT EDUCATION OFFICER
(MALE) BUNER



Amir 11/11

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ENQUIRY REPORT

To,

The District Education Officer
(M) Buner.

Subject:

FORMAL ENQUIRY AGAINST MR ZIAUR RAHMAN PET GHS MALKA. FOR THE CHARGES MENTIONED IN THE CHARGESHEET AND STATEMENT OF ALLEGATIONS

Respected Sir,

Mr Pervez Khan Principal GHSS Chanar and Mr Sikandar Hayat SDEO (M) Daggar were appointed as enquiry officers to conduct formal inquiry against Mr Ziaur Rahman PET GHS Malka Buner for the charges mentioned in the charge sheet and statement of allegations.

We informed the concerned officials about the venue and date of inquiry early in the morning on dated 30-05-2023 we both the inquiry officers visited to GMS wouch khwar kawga on 30-05-2023. The official under inquiry was not found at GMS Wouch khwar kawga on 30-05-2023 while the Head Master GMS wouch khwar kawga along with other staff members were present. We discussed the matter with the concerned and handed over the questioner to the Head master GMS Wouch khwar kawga. He returned us the reply along with supporting documents.

However, a notice was served upon to Mr ziaur Rahman PET to appear before the inquiry committee on dated 31-05-2023 at GHSS Chanar. But he failed to appear before the inquiry committee. Then another notice was served upon him on 31-05-2023 to attend GHSS Chanar Buner in connection of formal inquiry on date 01-06-2023. The official attended the venue on 01-06-2023. But when the questioner was given to him, he returned the questioner to Mr perviz khan Principal GHSS Chanar and failed to submit the reply and walked away, leaving the venue pretending to attend a phone call and could not submitted his reply till 06-06-2023.

On 06-06-2023 he came to GHSS Chanar. On his request I Mr perviz khan handed over him the questioner. He returned me the reply in written form on 06-06-2023

On the basis of the above procedure and observation an inquiry report was prepared. Which is submitted for your kind consideration and further necessary action please.

BACKGROUND OF INQUIRY:

Mr ziaur Rahman PET has taken over charge at GMS Wouch Khwar Kawga on dated 08-07-2021. The Head Master GMS Wouch Khwar Kawga reported MR Ziaur Rahman PET regarding his irresponsible, in efficient behavior and for not taking interest in duty. Consequent upon the report of the Head Master GMS Wouch Khwar Kawga Mr Ziaur Rahman was transferred to GHS Janak Banda on disciplinary ground vide DEO (M) Buner transferred order Endst: No 107-11 /SST-SPET -File -2023 dated 09-01-2023.

Mr Ziaur Rahman submitted an application in the office of the DEO (M) Buner regarding his enmity at GHSS Janak Banda. In the light of his application, Mr Ziaur Rahman was transferred from GHS Janak Banda to GHS Malka vide DEO (M) Buner office Corrigendum order bearing endst: No 1130-34 /P-file-Ziaur Rahman PET dated 07-03-2023.

That instead of assuming charge of his duty at GHS Malka he remained absent from his duty at GHS Malka. Consequent upon his absence from duty, two absence notices were served against him vide Endst: No 446 dated 30-01-2023 and Endst No 1566-dated 01-04-2023. That instead of assuming charge at GHS Malka, He remained absent. In the light of the above allegations an inquiry committee was constituted, comprising of the following officers to conduct formal inquiry against Mr Ziaur Rahman PET GHS Malka for the charges mentioned in the charge sheet and statement of allegations with immediate effect.

- 01 Mr Perviz Khan BPS 19 GHSS Chanar Buner (Chairman)
- 02 Mr, Sikiander Hayat BPS 17 SDEO(M) Daggar (Member)

FINDINGS.

According to the statements of Muhammad Sadiq Head Master GMS Wouch Khwar Kawga

- 01 I have taken over charge at GMS Wouch Khwar Kawga on 17-07-2017
- 02 Ziaur Rahman PET has taken over charge at GMS Wouch Khwar Kawga on 08-07-2021
- 03 Mr Ziaur Rahman Was reported by him regarding for not taking interest in duty
- 04 In connection of Tournament activities his performance is equal to Zero. I had handed over him the responsibility to prepare a group of students for National anthem and Milli Naghma. But he failed to prepare the groups
- 05 I informed him through Order Book to prepare a scout group / dasta for welcoming the guests at parents day celebrations and also ordered him not to take casual leave intentionally, but he remained on French leave on 21-12-2022 and 22-12-2022 without any genuine reason. The signs taken from him in Order Book are present as a proof.
- 06 The said teacher was absent on both the days i.e 21-12-2022 and 22-12-2022
- 07 Both the days the concerned teacher was absent and he told a lie that he had gone to Peshawar
- 08 The said teacher has not performed his professional duty. He neither paid any attention to Morning Assembly nor to Drill periods but he came late to school on every Monday.
- 09 The concerned teacher did not obey the orders of the headmaster and he thinks himself superior and wise as compared to others
- 10 MR ziaur Rahman has given application to the DEO (M) Buner against me. As a result of the said applications inquiry has been conducted against Mr Ziaur Rahman.
- 11 Mr Ziaur Rahman has accepted his mistake. He has signed on a mutual settlement in the presence of the members of inquiry committee and staff members and promised of mutual transferred.
- 12 I have submitted two reports against the concerned teacher to the DEO (M) Buner. The Ist report was displaced from the DEO (M) Office through some one. Then wrote another complaint against the concerned teacher. Because he is irresponsible, inefficient and indolent teacher.
- 13 Ali Mehmood and sardar Ali have conducted the inquiry against MR Ziaur Rahman PET. They sent the inquiry report to the DEO (M) Buner.

*District
27/10/22*

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- 14 Mr Ziaur Rahman is not a stable person.
- 15 Mr Ziaur Rahman has been transferred to GHS Janak Banda on my complaint on dated 09-01-2023.
- 16 I have relieved MR Ziaur Rahman on 11-01-2023
- 17 I have sent the relieving slip to Mr Ziaur Rahman through has WhatsApp Number while one copy of the said relieving slip was handed over to Mr Ziaur Rahman through Mr Abdul Baghis TT GMS Wouch Khwar Kawga. After receiving and checking the relieving slip he returned the said slip to Mr Abdul Baghis TT with the remarks that I have the knowledge about my transfer.
- 18 After relieving he has not signed in the teacher attendance register of GMS Wouch Khwar Kawga.
- 19 He has not taken over charge at GHS Janak Banda due to his enmity
- 20 Mr Ziaur Rahman had submitted the old FIR to the DEO (M) Buner office. In the result of which he was transferred to GHS Malka.
- 21 According to my knowledge MR Ziaur Rahman has not taken over charge at GHS Malka.
- 22 I have sent the relieving slip to Mr Ziaur Rahman through Mr Abdul Baghis GMS Wouch Khwar Kawga and I also sent the said relieving slip to Mr Ziaur Rahman Through has WhatsApp Number.
- 23 Mr Ziaur Rahman has used the social media against the DEO (M) Buner. The screen shots of which are present.
- 24 It is necessary for every subordinate to obey the orders of the officers and if some mistake happened among them. The subordinate should ask for givenness
- 25 Mr Ziaur Rahman has not signed / forwarded any type of appeal / application from me and he considers himself superior and high officers and mostly does illegal work due to his relationships and influence.

According to the statements of MR Ziaur Rahman PET GHS Malka

- 01 I have taken over charge as PET at GMS Wouch khwar kawga on 08-07-2021.
- 02 My duty is clear from the Job description of PET.
- 03 The head mater had submitted a secrete report against me due to his bad behavior to words me. He has finished my drill periods and the other responsibilities were handed over to MR Muhamamd Israr DM I have performed my responsibilities up to the mark which is clear from the merit certificate awarded to me by the Head Master GHS Katkala.
- 04 I have obeyed the orders of the Head Master and never refused. I have performed the extra duties like repairing fans etc.
- 05 I have not taken over charge at Janak Banda due to the following reasons
- (i) Order was illegal
 - (ii) Based on biased
 - (iii) Order was against the spouse policy
 - (iv) I have not heard as per rules
 - (v) Order was without counterpart.
 - (vi) Order was without show cause and inquiry.

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- 06 I was not bound to obey the illegal order according to the supreme court verdict. I have received only one show cause notice on 01-04-2023. the reply was returned to the concerned.
- 07 After submission of departmental appeal against the two orders in High court I have failed a case for the release of my Pay.
- 08 I have not shared a post or comments through social media. It is based on false.
- 09 I have not shared any post against the DEO on social media.
- 10 I have not obeyed the transfers order of the DEO because the order was according to the answers given in question 5. The other reason was that I have submitted the departmental appeal which has been accepted by the Director Education on 27-04-2023.
- 11 The DEO is the competent authority for the legal transfer which is clear from the Act 2011. According to this Act transfer is not a punishment.
- 12 I have performed my duty at GMS Wouch khwar Kawga till the verbal order of the DEO given to the Head Mater for my physical torcher. Beside this I have submitted the departmental appeal. The time fixed for which is 90 days while the DEO has illegally stopped my pay against the order of the supreme court.
- 13 I have performed my duties in best way. I have taken interest in my duty I have never become absent. However, no charges have leveled against me before this questioner.
- 14 The best solution of the issue is justice and to withdraw my transferred order I have also submitted para wise answers of the charge sheet. Which content 33 pages.

CONCLUSIONS.

- According to the facts and findings it is concluded that
- 01 Mr Ziaur Rahman PET has taken over charge at GMS Wouch Khwar Kawga on 08-07-2021.
- 02 Mr Ziaur Rahman PET has no good working relations with his Head master
- 03 Mr Ziaur Rahman PET did not obey the orders of his Head Master regarding his duty on different occasions (Order Book copies attached)
- 04 Mr Ziaur Rahman PET was not regular and late comer as is clear from the teacher's attendance register.
- 05 Two complaints were filed against Mr Ziaur Rahman PET by the Head Master GMS Wouch Khwar Kawga in the office of DEO (M) Buner on 21-12-2022 and 06-01-2023.
- 06 Mr Ziaur Rahman PET GMS Wouch Khwar Kawga was transferred to GHS Janak Banda on Disciplinary Ground vide DEO (M) Buner Endst No 107-11 SST-SPET-file 2022 dated 09-01-2023.
- 07 A corrigendum was issued on the application of Mr Ziaur Rahman PET to GHS Malka vide DEO (M) Buner endst No 1130-34 /P, File Ziaur Rahman PET dated 07-03-2023.
- 08 Mr Ziaur Rahman PET has not taken over charge at GHS Malka till to date and has not complied the departmental orders (Copy Attached)
- 09 Mr Ziaur Rahman PET has been relieved from GMS Wouch Khwar Kawga 11-01-2023 by the Head master GMS Wouch Khwar Kawga (Copy Attached)

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- 10 Mr Ziaur Rahman PET remained absent from duty w.e from 09-01-2023 up to date.
- 11 Two absence notices were issued to Mr Ziaur Rahman PET vide DEO Endst No 446 dated 30-01-2023 and 1566 dated 01-04-2023.
- 12 The pay of Mr Ziaur Rahman PET has been stopped.
- 13 Mr Ziaur Rahman PET has not proceeded his departmental appeal through proper channel.
- 14 Transfere order of Mr Ziaur Rahman PET has not been stayed or withdrawn by any competent authority.
- 15 Mr Ziaur Rahman PET has no solid reasons in defense to the charges leveled against him in the charge sheet.
- 16 Mr Ziaur Rahman PET his proved himself to be disobedient, irregular and guilty of mis conduct under the rules.


RECOMMENDATIONS.

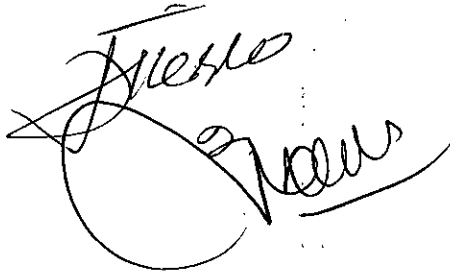
It is recommended that final show cause leading to removal from service may be issued to Mr Ziaur Rahman PET GHS Malka if agreed please.

COMMITTED MEMBERS.

01 Mr Pervez Khan BPS 19 GHSS
Chanar Buner (Chairman)

02 Mr, Sikandar Hayat BPS 17 SDEO
(M) Daggar (Member)


16/06/23
PRINCIPAL
GOVT HIGHER SECONDARY SCHOOL
CHAMAR DISTY BUNER



جواب نامہ مضامین لکھنوی ۱۱/۱۱

سوال نمبر ۱ جواب ۱۰ میں ۱۶ مئی ۲۰۱۶ کو یہاں جاری کیا ہے

جواب نمبر ۲۰: ضیاء الرحمن PCT نے سکول ہذا میں ۸ جولائی ۲۰۱۶ کو حاج

جواب نمبر ۳۰: لاہور میں اپنے ڈیوٹی کو تہی کر رہا تھا جسکی وجہ سے میں نے DEO صاحب کو رپورٹ کی۔

جواب نمبر ۴۰: ٹرانسمنٹ کے سلسلے میں مدرس کی کارکردگی بالکل مہربان۔ کیونکہ اس دوران دو دفعہ ٹرانسمنٹ آیا ہے، دونوں میں اس نے اپنے حصے کا کام بالکل نہیں کیا، دونوں دفعہ اس نے ملحقہ اور قوی ترانہ کے ٹیم تک نہیں بنایا۔

جواب نمبر ۵۰: یحیٰ والدین کیلئے پروگرام میں اسے سہاؤٹ دستہ کی تیاری لگائی، اور اس سے تحریری دستخط بھی لیائے۔ لیکن پھر بھی یہ بہانہ بنا کر سکول سے اسی دن غیر حاضر رہا،

دونوں دن یعنی ۲۱ اور ۲۲ دسمبر ۲۰۱۶ کو مدرس غیر حاضر رہا جبکہ ۲۳ دسمبر کو یہ جمعے کے بعد ۳ بجے آیا اور اپنے خالوں میں دونوں وقت کے دستخط کئے۔ جبکہ ۲۲ دسمبر کو دوبارہ غیر حاضر رہا اور ۲۳ دسمبر صبح سویرے آیا ۲۱ دسمبر والے دستخط کو مٹائے اور دوبارہ سوالیہ نشان لگائے۔

جواب نمبر ۶۰: مذکورہ مدرس دونوں دن غیر حاضر تھا۔

جواب نمبر ۷۰: دونوں دن میرے اجازت کے بغیر غیر حاضر رہا۔ اور جو پٹا بہانہ

بنایا کہ میں پیشاور گیا، لیکن اسی دن یہ جمعے کے بعد سکول آیا اور غیر قانونی دستخط کئے۔

(2)

جواب نامہ

(۱۱۷)

ب۔ ۱۸۔ PBI مذکورہ نے سکول لڈا میں جارح لہنے سے ۲۶ دسمبر 2022 تک نہ صبح اسمبلی میں اور نہ کسی پیرٹ میں بچوں کو آسان باش اور ہوشیار تک نہیں سناکھایا، بلکہ ہر پیر کے دن اپنی استانی بیوی کو دکاڑہ سکول کو پہنچاتی اور گھنٹہ دو گھنٹے دیر سے آتے۔

جواب ع۔ ۱۰۔ مذکورہ مدرس ایک فوڈر اسٹال کی کسی صاحبہ کے ہاتھ سے اپنے آد کو زیادہ ہوشیار سمجھتا ہے، اسلئے ہر وقت فوڈری کرتی ہے۔ جواب ع۔ ۱۱۔ بالکل میں اسے تحریری طور پر لکھا ہے۔ اور اس تحریر پر اس سے

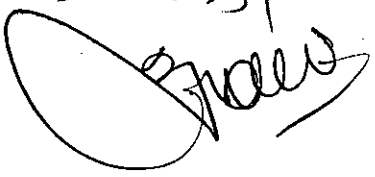
دستخط ملی ہے، جسے نقل موجود ہے۔

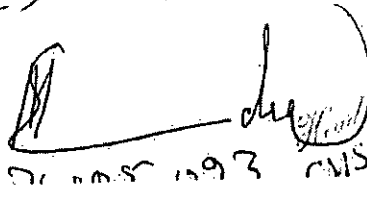
جواب ع۔ ۱۲۔ ضیاء الرحمن PBI نے میرے خلاف DEO صاحبہ کو درخواست دی کہ میں نے اسے خلاف غلط بیانی کی ہے، اسلئے انکو انٹری مقرر کی جائے لہذا میرے خلاف انکو انٹری مقرر ہوئی، جو ڈائریکٹر علی محمد صاحب اور ASDEO قارہ سردار علی صاحب نے کی۔

جواب ع۔ ۱۳۔ ضیاء الرحمن PBI نے اپنی غلط تسلیم کی۔ انکو انٹری آفسر اور سکول لڈا کے سٹاف کے سامنے تحریری معافی نامہ لکھی، اور یہاں سے Mutual Transfered کرنا کا وعدہ کیا۔

جواب ع۔ ۱۴۔ میں نے اسے خلاف دو رپورٹ جمع کی، پہلا رپورٹ PBI کے اٹریسٹس ڈیو DEO دفتر سے ٹائٹ کی گئی تھی اور مذکورہ مدرس نے مشہور کیا کہ میں نے اپنا آرڈر کینسل کی، اور ہیڈ ماسٹر نے ویسے بدنامی لی، اسلئے میں نے اسے بعد دوسرا درخواست دی۔

کیونکہ یہ ایک غیر ذمہ دار، نارہل اور ظالم پور استانی ہے




M. S. Chaudhary
M. S. Chaudhary
Chaudhary Buner

جواب نامہ (3)

جواب نمبر 1۔ ضیاء الرحمن PEE کی درخواست پر بہار سکول میں علمی محمود اور سردار علی صاحب نے انکوائری کی اور رپورٹ DEO صاحب کے دفتر میں جمع کی۔

جواب نمبر 2۔ ضیاء الرحمن کی بار بار ایسے بات سے مکرگئے ہیں اسلئے مستقل مزاج نہیں ہے۔

جواب نمبر 3۔ میرے رپورٹ بنیاد پر ضیاء الرحمن کا تبادلہ 9 جنوری 2023 کو یہاں سے GHS - جاکت بانڈا ہوا۔

جواب نمبر 4۔ میں نے ضیاء الرحمن کو 11 جنوری 2023 کو Relieve کیا۔

جواب نمبر 5۔ میں نے ضیاء الرحمن کو Relieving Slip واپس دیا اور بدست مدرس عبدالباقی صاحب سکول کڈا ہے والہ کی۔ لیکن آئے کہا کہ مجھے پتہ ہے اور Relieving Slip لینے سے انکار کی۔

جواب نمبر 6۔ Relieving کے بعد سکول کڈا کے مدرس میں دستخط نہیں کیے۔ آئے وہاں اپنی دشمنی کی بنیاد پر چارج نہیں لیا۔

جواب نمبر 7۔ ضیاء الرحمن نے DEO صاحب کو جاکت بانڈا اپنی دشمنی ثابت کرنے کیلئے ہرانا FIR کی رپورٹ جمع کی۔ اسلئے DEO صاحب نے GHS ملے کو Corrigendum کی۔

جواب نمبر 8۔ میرے علم کے مطابق ضیاء الرحمن نے ملے میں چارج نہیں لیا۔

جواب نمبر 9۔ میں نے ضیاء الرحمن کو Relieving بدست مدرس عبدالباقی صاحب اور Whatsapp پر بھیجا تاکہ اسے دونوں ذریعے سے خبر ہو جائے۔

جواب نمبر 10۔ ہاں جی یہ بالکل حقیقت ہے اور اسکے سکرین شاٹ بھی



Head Master,
GMS, Wach Khjar,
Kawga Chamla Buner
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اوپر دیا۔

جواب نامہ

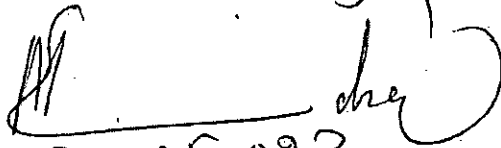
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جواب 25۔ میرے خیال میں ہر ماہیت کے تمام مسائل کا حل یہ ہے کہ وہ اپنے آفسر یا اے حکم مانے اور آر کوئی غلطی کرے تو معافی مانگے۔

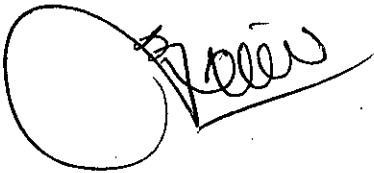
اب اس مسئلے کا حل میرے خیال میں یہ ہے کہ اگر ضیاء الرحمن DEO صاحب کا حکم مانے اور GMS ملے گا میں چارج لے اور اپنے تمام کیسوں کو واپس لے لیں۔

جواب 26۔ ضیاء الرحمن نے مجھ سے آج تک کوئی درخواست یا اپیل دستخط نہیں کرایا ہے، کیونکہ وہ اپنے آپ کو بہت اعلیٰ سمجھتا ہے، اپنے تعلقا کے بنا بہت سارے غیر قانونی کام کرتے ہیں۔



30-05-023

Head Master,
GMS, Wach Khwar,
Kawga Chamla Buner



(128)

P- (1)

کوالا از سو النامہ انکو اٹری ٹریڈی ضیاد الرهن
PET - ایم ایس سی 2020 کا جواب

1 میں 08-07-2020 سے GMS کو ڈوٹ کوگا میں اپنی ڈیوٹی سر انجام دے رہا ہوں۔

2 جو PET جا ب ڈسٹرکشن میں ہے۔

3 پیڈ ماسٹر صاحب نے میرے خلاف دفعہ رپورٹ جمع کی تھی لیونگ رور اول سے اسکا رویہ میرے ساتھ ٹھیک نہیں تھا۔ اس نے میرے ڈال پر پڈر ختم کیے تھے اور باقی ذمہ داریاں DM محمد اسرار کے حوالے کیے تھیں۔ میں نے ہمیشہ اپنی ذمہ داریاں بطور احسن نبھائی ہیں جس کی وجہ سے مجھے GMS کا لگام سے تفریق سنہ بھی ملا ہے میں نے وہاں تقریباً 7 سال ڈیوٹی کی ہے۔ پیڈ ماسٹر صاحب ہمیشہ کی طرح جھوٹ بول رہے ہیں۔

4 میں نے پیڈ ماسٹر صاحب کے طرف سے متعین کردہ کوئی بھی کامی

بھی فرض ادا کرنے سے انکار نہیں کیا۔ میں نے اپنے ڈیوٹی

کے علاوہ بھی کام لکے جیسے دیکھ کے کنٹینشن یا اور بجلی وغیرہ کا کام

5 میں نے GMS جانن بانڈہ میں اس لئے جاری نہیں کیا کیونکہ یہ آرڈر

1 غیر قانونی تھا۔ 2 بدنیسی پر مبنی تھا 3 سیاہی والی کے خلاف تھا۔

4 مجھ سے بغیر تبادلہ کیا جو کہ انگریزی قوانین کے ساتھ اسلامی احکامات کے

کے خلاف تھا۔ 5 Without Counterpart تھا۔ 6 کسی شوکار

کا انکو اٹری کے بغیر تھا۔ اور سپریم کورٹ کے مطابق غیر قانونی حکم ماننے کا

میں یا بند نہیں۔

RTI

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(6) تجھے صرف ایک شرکاز نوڈسٹری ملا جو کہ 27-04-2023 کو دھاری کیا گیا تھا۔
مہرہ کا جواب میں نے دیا تھا۔

(7) میں نے دونوں آرڈرز کے خلاف حکیمانہ اپیل جمع کرنے کے بعد ملٹی کورٹ سے تنخواہ ریٹرن کرنے کیلئے رجوع کیا تھا۔ دونوں حکیمانہ اپیل ~~درج ذیل~~ لٹ ہے۔

(8) میں نے نہ حکیمانہ نہ امیران بالا کے خلاف نہ کوئی پوسٹ کی ہے نہ ہی کوئی نوڈسٹری۔
یہ سراسر جھوٹ پر مبنی ہے۔

(9) میں نے DEO صاحب کے خلاف کوئی پوسٹ نہیں کی ہے اور نہ ہی کوئی القادہ سوشل میڈیا پر اس کے خلاف شائع کئے ہیں۔

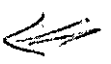
(10) کیونکہ DEO صاحب کے آرڈرز سوال نمبر 5 میں دیئے گئے جواب کے مطابق تھے اس لئے اور دوسری وجہ یہ تھی کہ میں نے اس کے خلاف حکیمانہ اپیل کی تھی جو کہ منظور ہوئی ہے محترم جناب ڈائریکٹر ایجوکیشن کی طرف سے بورڈ 27-04-2023۔

(11) DEO صاحب مجاز ہے لیکن قانون کے اندر جو کہ ACT-2011 سے واضح ہے اور اس قانون کے مطابق ٹرانسفر کوئی سزا نہیں ہے۔

(12) میں نے اپنی ڈیوٹی DEO صاحب کے زبانی احکامات جو کہ اس نے

پہلے ماسٹر صاحب کو دیئے تھے کہ PET ضیاء الرحمن کو مہمانی تشریح کا نشانہ بناد اور سکول سے نکالو گے GMS اور جوڑ اپنے خزانہ ادا کیے

PT-0 (2)



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اس کے علاوہ میں نے مذکورہ احکامات کے خلاف شکایت درج کی ہے
 کی جتنی جس کا دو لاکھ تالیوں میں دئے گئے احکامات کے مطابق
 90 دن ہے۔ اس کے باوجود DEO صاحب نے ماورائے قانون
 میری تنخواہ بند کی ہے حالانکہ سپریم کورٹ کے احکامات
 کے مطابق Suspension میں بھی ملازم کی تنخواہ بند نہیں کی جاسکتی

(13) میں نے اپنی تمام تر ذمہ داریاں بطور اس منجوائی ہے۔ میں نے اپنی
 ڈیوٹی اور ذمہ داریوں میں دل چسپی لی ہے میں نے کبھی ایک دن بھی
 غیر حاضری نہیں کی ہے۔ بہر حال مجھے اس سوالنامے کے علاوہ
 کوئی اور ثبوت یا گواہ پیش نہیں کیا گیا ہے۔

(14) میں اپنے اس سٹیڈ کے عمل کے بارے میں صرف اتنا کہوں گا کہ
 میرے ساتھ اصراف پر مبنی معاملہ کیا جائے غیر قانونی اور
 بددستی پر مبنی آرڈرز و ایس کیلر مشکور فرمائیں۔

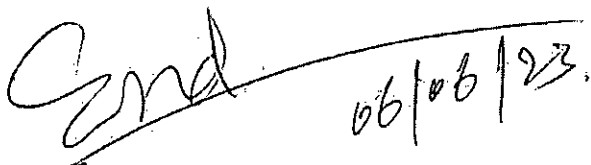
فارغ سٹیڈ کے مطابق میرا وائر جوابات میں نے اس سے اگلی
 سوالنامے سے اس بھی دی ہے جو کہ 33 صفحات پر مشتمل ہے۔

میں نے یہ میرا بیان ہے۔

ضیاء الرحمن PET

GMS وجہ فور کوٹہ -



 06/06/23

Amroha J. 34

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GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) BUNER

Phone & Fax No. 0939-555110 Email: edoo@khyber.gov.pk

NO. 2973 /Estab:Secy

Dated: 21/06/2023



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To


1. Head Master.
GHS MALKA, District Buner.
2. Head Master
GMS Wach Khwar Kawga, District Buner.

Subject: SHOWCAUSE NOTICE.

Memo.

Enclosed please find herewith an Original show cause notice in respect of Zia Ur Rahman PET GMS Wach Khwar Kawga under transfer to GHS Malka for delivery to the delinquent official and further necessary action please.

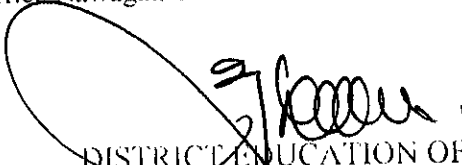
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DISTRICT EDUCATION OFFICER
MALE BUNER.

Undst: No. 2974-77 Dated: 21/06/2023

Copy for information to the.

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Monitoring Officer, (EMA) Buner.
3. Zia Ur Rahman PET vill: Kankowai, P.Office Nawagai, The: Mandaur, Distt: Buner.
4. Master file.


DISTRICT EDUCATION OFFICER
MALE BUNER.





OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT BUNER
PHONE & FAX NO. 0939-555116
EMAIL: edobuner@gmail.com

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SHOW CAUSE NOTICE.

I, Mr. Iftikhar UI Ghani, District Education officer (M) Buner, as a Competent Authority, under the Khyber Pukhtunkhawa Government Servants (Efficiency & Discipline) Rules 2011, do hereby serve upon you, Mr. Zia Ur Rahman PET, GMS Wach Khwar (Kawga) under-transfer to GHS Malka District Buner, this show cause notice as follow:-

1. That on 21-12-2022, you were reported by the Head Master GMS Wach Khwar (Kawga) regarding your irresponsible, inefficient behavior and for not taking interest in duty.
2. That consequent upon the report of the Head Master GMS Wach Khwar, the undersigned being Competent Authority was pleased to transfer you on disciplinary grounds from GMS Wach Khwar to GHS Janak Banda on account of absenteeism, inefficiency and misconduct vide this office transfer order bearing endorsement No. 107-11/ SST-SPET-File2022 dated 09-01-2023, but you did not take over charge there and submitted application regarding your enmity at GHS Jhanak Banda.
3. That after submission of your application, you were transferred from GHS Jhanak Banda to GHS Malka vide this office Corrigendum order bearing endorsement No. 1130-34/ P. File-Zia Ur Rahman PET dated 07-03-2023.
4. That instead of assuming charge of your duty at GHS Malka, you remained absent from your duty and started pressurizing the undersigned for illegal favour.
5. That consequent upon your absence from duty, you were served with two absence notices bearing endorsement No. 446 dated 30-01-2023 and 1566 dated 01-04-2023, but you failed to take over charge and resume your duty there.
6. That instead of taking over charge at GHS Malka, you filed a writ petition No. 359-M of 2023 in the Honorable High Court regarding your transfer which was dismissed by the Honourable High Court vide judgment dated 03-05-2023.
7. That after your adjustment and not taking over charge, you resorted to blackmailing and defaming the undersigned on social media, which is violation of the Conduct Rules 198 sub-rules (21), (24), (25) and (34-A sub-rules (1)(2).
8. That you stigmatize, malign and slag off the character of certain officers of this Department including the undersigned without any proof by posting unauthorized, baseless information through various comments on various posts on Social Media Sites.
9. That you are guilty of absence, professional dishonesty, abetment, inefficiency and misconduct under Rule-3 (a) (b) &(d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011 read with Conduct Rules 1987, sub-rules (21), (24), (25) and (34-A sub-rules (1)(2) of the rules ibid.
10. That you have ceased to be efficient and are guilty of misconduct and liable to be proceeded under the rules for the charges given herein above.

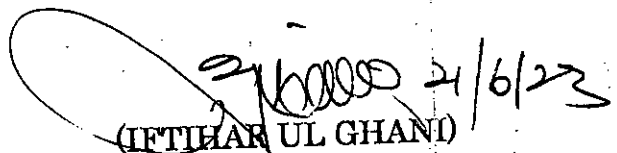
2. In terms of Rule-5(b) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, a **formal inquiry** was conducted against you vide this office Notification No. 2344-47 dated 18/5/2023, comprising of the following officers:

1. Mr. Pervez Khan BPS-19, Principal GHSS Chanar (Buner).
2. Mr. Sikandar Hayat SDEO (M) Daggar (Buner).

(Chairman)
(Member)

The Inquiry Committee, after conducting a comprehensive inquiry, submitted report, wherein, you were found to be guilty of the above mentioned allegations and has recommended your "**Removal from Service**" under Rule-4 of the rules *ibid*.

3. By reasons of the above, you appear to be guilty of absence, inefficiency and misconduct under Rules 3 (a), (b) & (d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, read with rules (21), (24), (25) and (34-A sub-rules (1)(2) of the Conduct Rules 1987 and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Rules *ibid*.
4. As a result thereof, I, as the Competent Authority, have tentatively decided to proceed against you under the above mentioned rules. You are, therefore, required to show cause as to why major penalty of "**Removal from service**" specified in Rule 4 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, should not be imposed upon you and also intimate whether you desire to be heard in person. If no reply to this office is received within 07 days of its delivery, it shall be presumed that you have no defense to put in and in that case *ex-parte* action will be taken against you under the above mentioned rules.


(IFTIKHAR UL GHANI)
DISTRICT EDUCATION OFFICER
MALE BUNER.

Mr. Zia Ur Rahman PET
GMS Wach Khwar under-transfer to GHS Malka
District Buner.



Amir Malik

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GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE BUNER

Phone & Fax No.0939-555110 Email: edobuner@gmail.com

NOTIFICATION.

1. WHEREAS Mr. Zia Ur Rahman PET GMS Wach Khwar Kawgā, Buner was reported by the Headmaster concerned for his absenteeism, inefficiency, misconduct and creating embarrassing situation for the department and was transferred on disciplinary ground to GHS Janak Banda Vide Endst: No. 107-11 Dated 9-1-2023.
2. AND WHEREAS the official concerned did not comply with the office order and did not take charge at his new station and remained absent w.e.f. 9-1-2023 till date.
3. AND WHEREAS in partial modification of the transfer order, a corrigendum made to GHS Malka instead of GHS Janak Banda on his own request vide this office corrigendum Endst. No. 1130-34 Dated 7-3-2023, but again he did not take over charge there and remained wilfully absent.
4. AND WHEREAS, he was proceeded against under E & D Rules 2011 for the charges mentioned in charge sheet and statement of allegations.
5. AND WHEREAS a formal inquiry was conducted through inquiry committee constituted vide this office No. 2344-47 dated 18-05-2023 comprising of Mr. Pervez Khan Principal BPS-19, GHSS Chanar as Chairman and Mr. Sikandar Hayat BPS-17, SDEO (M) Daggar as member.
6. AND WHEREAS the inquiry committee conducted a comprehensive inquiry and submitted its report.
7. AND WHEREAS the inquiry committee recommended major penalty of removal from service upon the delinquent official.
8. AND WHEREAS a final show cause notice was served to the official concerned vide Endst. No. 2974-77 dated 21-06-2023 through registered courier no. RGL 105799262, RGL 105799263 and RGL 105799264 Dated 22-06-2023, to which the official concerned did not reply till date.
9. AND WHEREAS the competent authority, DEO (M) Buner, after having considered the charges, evidence on record, inquiry report, show cause notice, is of the view that the charges against the accused have been proved.

NOW THEREFORE, in exercise of the powers conferred under the Khyber-Pakhtunkhwa Govt. Servants (Efficiency & Disciplinary Rules 2011), I Mr. Iftikhar Ul Ghani DEO (M) Buner, as Competent Authority am pleased to impose Major penalty of "Removal from Service" upon Mr. Zia Ur Rahman PET GMS Wach Khwar under transfer to GHS Malka Buner, in the interest of public service with immediate effect. The intervening period w.e.f. 9-1-2023 till date, is converted into unauthorized absence.

Note:-

1. Necessary entry to this effect should be made in his service Book accordingly.

(IFTIKHAR UL GHANI)
DISTRICT EDUCATION OFFICER
MALE BUNER.

Endst: No. 3659-641 Dated 01/08/2023

Copy for information to:-

1. Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Commissioner Buner.
3. District Monitoring Officer EMA, Buner.
4. District Accounts Officer Buner at Daggar.
5. Head Master/Incharge concerned.
6. Official Concerned.

DISTRICT EDUCATION OFFICER
MALE BUNER.

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GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) BUNER



Phone & Fax No. 0939-555110 Email: edo@kpk.gov.pk

NO. 2973 /Estab:Secy

Dated: 21/06/2023

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To

1. Head Master.
GHS MALKA, District Buner.
2. Head Master
GMS Wach Khwar Kawga, District Buner.

Subject: SHOWCAUSE NOTICE.

Memo.

Enclosed please find herewith an Original show cause notice in respect of Zia Ur Rahman PET GMS Wach Khwar Kawga under transfer to GHS Malka for delivery to the delinquent official and further necessary action please.

NOTICE (1)
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DISTRICT EDUCATION OFFICER
MALE BUNER.

Indst: No. 2974-77 Dated: 21/06/2023

Copy for information to the.

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Monitoring Officer, (EMA) Buner.
3. Zia Ur Rahman PET-vill: Kankowai, P.Office Nawagai. The: Mandanr, Distt: Buner.
4. Master file.

DISTRICT EDUCATION OFFICER
MALE BUNER.



OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DISTRICT BUNER
PHONE & FAX NO. 0939-555110
EMAIL: edobuner@gmail.com

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SHOW CAUSE NOTICE.

I, Mr. Iftikhar Ul Ghani, District Education officer (M) Buner, as a Competent Authority, under the Khyber Pukhtunkhawa Government Servants (Efficiency & Discipline) Rules 2011, do hereby serve upon you, Mr. Zia Ur Rahman PET, GMS Wach Khwar (Kawga) under-transfer to GHS Malka District Buner, this show cause notice as follow:-

1. That on 21-12-2022, you were reported by the Head Master GMS Wach Khwar (Kawga) regarding your irresponsible, inefficient behavior and for not taking interest in duty.
2. That consequent upon the report of the Head Master GMS Wach Khwar, the undersigned being Competent Authority was pleased to transfer you on disciplinary grounds from GMS Wach Khwar to GHS Janak Banda on account of absenteeism, inefficiency and misconduct vide this office transfer order bearing endorsement No. 107-11/ SST-SPET-File2022 dated 09-01-2023, but you did not take over charge there and submitted application regarding your enmity at GHS Jhanak Banda.
3. That after submission of your application, you were transferred from GHS Jhanak Banda to GHS Malka vide this office Corrigendum order bearing endorsement No. 1130-34/ P. File-Zia Ur Rahman PET dated 07-03-2023.
4. That instead of assuming charge of your duty at GHS Malka, you remained absent from your duty and started pressurizing the undersigned for illegal favour.
5. That consequent upon your absence from duty, you were served with two absence notices bearing endorsement No. 446 dated 30-01-2023 and 1566 dated 01-04-2023, but you failed to take over charge and resume your duty there.
6. That instead of taking over charge at GHS Malka, you filed a writ petition No. 359-M of 2023 in the Honorable High Court regarding your transfer which was dismissed by the Honourable High Court vide judgment dated 03-05-2023.
7. That after your adjustment and not taking over charge, you resorted to blackmailing and defaming the undersigned on social media, which is violation of the Conduct Rules 198 sub-rules (21), (24), (25) and (34-A sub-rules (1)(2).
8. That you stigmatize, malign and slag off the character of certain officers of this Department including the undersigned without any proof by posting unauthorized, baseless information through various comments on various posts on Social Media Sites.
9. That you are guilty of absence, professional dishonesty, abetment, inefficiency and misconduct under Rule-3 (a) (b) &(d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011 read with Conduct Rules 1987, sub-rules (21), (24), (25) and (34-A sub-rules (1)(2) of the rules ibid.
10. That you have ceased to be efficient and are guilty of misconduct and liable to be proceeded under the rules for the charges given herein above.

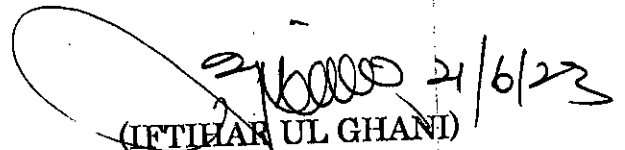
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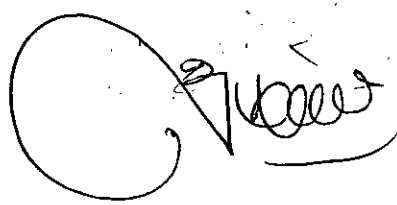
1. Mr. Pervez Khan BPS-19, Principal GHSS Chanar (Buner). (Chairman)
2. Mr. Sikandar Hayat SDEO (M) Daggar (Buner). (Member)

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(IFTIKHAR UL GHANI)
DISTRICT EDUCATION OFFICER
MALE BUNER.

Mr. Zia Ur Rahman PET
GMS Wach Khwar under-transfer to GHS Malka
District Buner.



BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2336/2023

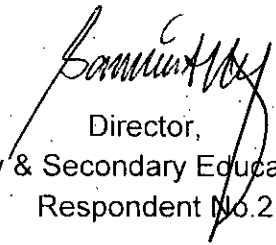
Zia ur Rahman s/o Habib ur Rahman r/o Village Kankowai Tehsil Mandanr, District Buner
_____ (APPELLANT)

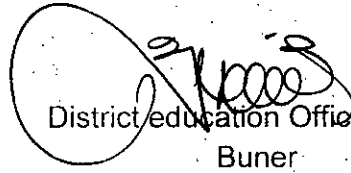
Versus

District Education Officer Male District Buner and others
_____ (RESPONDENTS)

AUTHORITY LETTER

Mr. Ubaid Ur Rehman Superintendent, Office of the DEO (M) Buner, is hereby authorized to submit the comments /reply in Service Appeal No.2336/2023 titled Zia ur Rahman v/s. Govt of KP and others on behalf of the undersigned in the Honorable court of Service Tribunal Khyber Pakhtunkhwa.


Director,
Elementary & Secondary Education Peshawar
Respondent No.2


District Education Officer Male
Buner
Respondent No.1