

3

08.06.2015

Counsel for the appellant present. Learned counsel for the appellant argued that vide impugned order dated 15.4.2015 the appellant was transferred from the office of Agency Education Officer Orakzai to Govt. Higher Secondary School, Kalaya, Orakzai Agency. That the appellant preferred departmental appeal on 23.4.2015 which was rejected on 29.4.2015 and hence the instant service appeal on 20.5.2015.

That the impugned transfer order was passed in view of anonymous complaint and as such not sustainable in the eye of law.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply for 28.7.2015 before S.B. Notice of stay application be also issued for the date fixed.

200-2-8

71-2-2

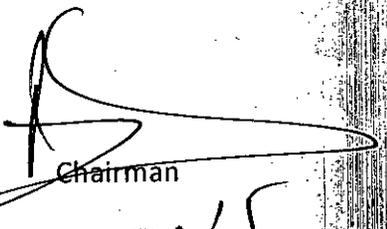
  
Chairman

4

28.07.2015

Counsel for the appellant present. Learned counsel for the appellant requested for withdrawal of appeal. Dismissed as withdrawn. File be consigned to the record.

ANNOUNCED  
28.7.2015

  
Chairman  
28.07.15

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 556/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	29.05.2015	<p>The appeal of Mr. Mehboob Khan resubmitted today by Mr. Shakeel Ahmad Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>8-6-2015</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2	5-6-15	

This is an appeal filed by Mr. Mehboob Khan today on 20/05/2015 against the order dated 15.04.2015 against which he preferred/made a departmental appeal on 23.04.2015 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.

No. 767 /ST,

Dt. 20/5 /2015

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

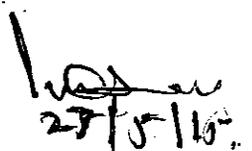
Mr. Shakeel Ahmad Adv. Pesh.

on departmental appeal; it was written that the same may be filed, which is a final order of impugned before the Honble Tribunal, however, it may be placed before the worthy Chairman for appropriate order. ~~and~~  
He submitted for doing the needful. ~~and~~

Sir,

The absconction of this office and copy of counsel from the appellant is submitted for order phase.

Hon'ble  
Chairman.

  
27/5/15.

**BEFORE THE SERVICE TURBUNAL KPK, PESHAWAR**

SERVICE APPEAL NO-556---/2015

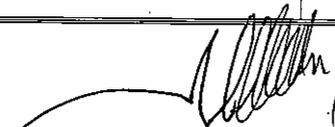
Mehboob khan.....Appellant

**V E R S U S**

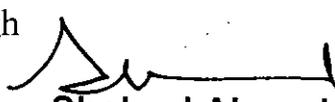
Additional Chief Secretary& others.....Respondents

**I N D E X**

S.No	Description of Documents	Annex	Pages
1.	SERVICE APPEAL		1-5
2.	AFFIDAVIT		6
3.	APPLICATION FOR INTERM RELEIF WITH AFFIDAVIT		7-9
4.	ADDRESSES OF PARTIES		10
5.	COPY OF SUIT	"A"	11-14
6.	NOTIFICATION DT DT.30/05/2011	"B"	15-16
7.	COPY OF PUBLICATIONS	"C"	17-20
8.	COPY OF CERTIFICATE DT.15.04.2015	"D"	21
9.	COPY OF CERTIFICATE DT.11/08/2014	"D1"	22
10.	COPY OF TRANSFER ORDER DT.15/04/2015	"D2"	23
11.	COPY OF APPEAL DT.23/04/2015	"E"	24
12.	COPY OF ENQUIRY REPORT WITH RELEVANT DOCUMENTS	"F"	25-28
13.	COPY OF MINUTES OF MEETING DT.13/05/2014	"G"	29-31
14.	WAKALAT NAMA		

  
APPELLANT

Through

  
**Shakeel Ahmad**

Advocate, Peshawar  
FR-28. 4<sup>th</sup> Floor, Bilour  
Plaza Peshawar Cantt  
Cell No.0321-9179188

Date: 19/05/2015

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,**  
**PESHAWAR**

Service Appeal No. 556 /2015

A.W.F. Province  
Service Tribunal

Diary No. 517

Dated 20-5-2015

Mehboob Khan S/o Muhammad Akbar

Assistant Agency Education

Office Orakzai Agency, Hangu. ....Appellant

Versus

1. Additional Chief Secretary (FATA), FATA Secretariat, Kababian, Warsak Road, Peshawar.
2. Secretary, Social Sector Department, FATA, Warsak Road, Peshawar.
3. Director Education (FATA), FATA Secretariat, Warsak Road, Peshawar.
4. Agency Education, <sup>officer</sup> Orakzai Agency, Hangu.

.....Respondents

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**APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974 AGAINST THE  
ORDER NO.4512-17 DATED 15.04.2015, WHEREBY  
THE APPELLANT WAS TRANSFERRED FROM  
AGENCY EDUCATION OFFICE ORAKZAI AT  
HANGU AGENCY TO GOVT. HIGHER  
SECONDARY SCHOOL, KALAYA, AND ORDER  
DATED 29.04.2015, WHEREBY THE DEPARTMENTAL  
APPEAL OF THE APPELLANT WAS FILED.**

Filed to-413  
20/5/15

**Respectfully Sheweth:**

Compendium of facts out of which the present appeal arises are as under:

1. That the appellant was posted in office of Agency Education Officer, Orakzai Agency at Hangu as Assistant.
2. That the unanimous complaints were received in the office of the respondent No.1, 2 & 3 wherein it was alleged that bogus appointments were made in the office of the Agency Education Office Orakzai at Hangu, whereafter inquiry was conducted, however, it culminated in favour of Agency Education Office Orakzai at Hangu, holding therein that all appointments were made on merit. It is pertinent to mention here that some people had issued statement in a newspaper against the appellant in respect of the appointments made above, alleging that the appellant had made illegal appointments, against whom the appellant has filed a suit for damages, which is subjudice before the court of competent jurisdiction.
3. That the defendants in defamatory suit, first attempted to effect compromise with the appellant, but on his refusal to enter into compromise used political channel and got the appellant transferred from office of Agency Education Officer, Orakzai,

Hangu in connivance with the respondent No.1, vide office order No.4512-17 dated 15.04.2015, not satisfied with the same the appellant filed departmental appeal before the respondent No.2, which was filed, vide order dated 29.04.2015, hence feeling aggrieved the appellant now approaches this Honourable Tribunal, inter alia, on the following grounds;

**GR OUNDS:**

- A. That the impugned order No.4512-17 dated 15.04.2015, whereby the appellant was transferred from office of the Agency Education Officer, Orakzai Agency to Higher Secondary School Kalaya and order dated 29.04.2015, whereby departmental appeal of the appellant has been filed, is illegal, without lawful authority, without jurisdiction, malafide, politically motivated, void-ab-initio and of no legal effect, therefore liable to be laid to rest.
- B. That the appellant being posted as Assistant in the Office of Agency Education Officer, Orakzai Agency has no role in the appointment process, the allegations as set forth in the publication could not be proved against him during course of inquiry, rather it was held that all appointments were made on merit.

- C. That the appellant always works with due diligence and never acted prejudicial to good order, therefore, impugned transfer order is nullity in the eye of law, he earned appreciation from his Department.
- D. That the respondent No.2 has filed departmental appeal of the appellant without assigning any reason, every government official is under legal obligation to pass an appropriate order on the departmental appeal of an employee, on this score alone, the impugned order is not sustainable.
- E. That the appellant has already filed suit for damages against the Reporter of the false news, which is subjudice, the appellant has been transferred from the office of Agency Education Office, Orakzai Agency, on account of political channel in connivance with the respondent No.3, hence the same is liable to be set aside.
- F. That the appellant has been given appreciation certificate by the competent authority, recognizing therein his efficiency and hard work.
- G. That the appellant seeks leave of this Honourable Tribunal to raise/ argue any additional point at the time of arguments.

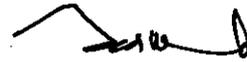


It is, therefore, prayed that on acceptance of this appeal, the impugned order No.4512-17 dated 15.04.2015 may be declared as illegal, without lawful authority, without jurisdiction, malafide, politically motivated, void-ab-initio and of no legal effect and the same may be laid to rest.



Appellant

Through



**SHAKEEL AHMAD**

Advocate, Peshawar

Dated: 09.05.2015

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,****PESHAWAR**

Service Appeal No. \_\_\_\_\_/2014

Mehboob Khan ..... Appellant

Versus

Director Education FATA &amp; others. .... Respondents

**AFFIDAVIT**

I, Mehboob Khan S/o Muhammad Akbar Assistant Agency Education, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Court.


  
 DEPONENT


 19/5/15

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

C.M.No.\_\_\_\_\_/2015

In

S.A.No.\_\_\_\_\_/2015

Mehboob Khan .....Applicant/Appellant

Versus

Director Education FATA & others. .... Respondents

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**APPLICATION FOR INTERIM RELIEF BY  
SUSPENDING OPERATION OF THE  
IMPUGNED ORDER DATED 15.04.2015,  
WHEREBY THE APPLICANT/APPELLANT WAS  
TRANSFERRED FROM AGENCY EDUCATION  
OFFICE, ORAKZAI AGENCY AT HANGU TO  
GOVT. HIGHER SECONDARY SCHOOL  
KALAYA TILL THE FINAL DISPOSAL OF THE  
CASE.**

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**Respectfully Sheweth:**

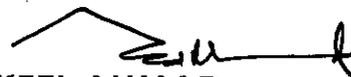
1. That the captioned appeal is being filed before this Honourable Tribunal, in which no date of hearing has yet been fixed.

2. That grounds of the accompanying appeal may be read as integral part of this petition.
3. That on the face of it, the applicant has got a strong arguable case and is sanguine about its success.
4. That balance of inconvenience tilts in favour of grant of interim relief.
5. That if the operation of the impugned order is not suspended, the applicant would sustain an irreparable loss, not redeemable in terms of money.

It is, therefore, prayed that on acceptance of this petition, the interim relief as prayed for in the heading of this petition may kindly be granted in favour of applicant till the final disposal of the case.

  
Applicant/Appellant

Through

  
**SHAKEEL AHMAD**  
Advocate, Peshawar

Dated: ~~14~~ 19.05.2015

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

C.M.No. \_\_\_\_\_/2015

In

S.A.No. \_\_\_\_\_/2015

Mehboob Khan ..... Applicant/Appellant

Versus

Director Education FATA & others. .... Respondents

**AFFIDAVIT**

I, Mehboob Khan S/o Muhammad Akbar Assistant Agency Education, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Court.



*Mehboob Khan*  
DEPONENT

*Mehboob Khan*  
19/5/15

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

Service Appeal No. \_\_\_\_\_/2014

Mehboob Khan ..... Appellant

Versus

Director Education FATA & others. .... Respondents

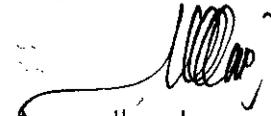
**ADDRESSES OF THE PARTIES**

**APPELLANT:**

Mehboob Khan S/o Muhammad Akbar  
Assistant Agency Education  
Office Orakzai Agency, Hangu

**RESPONDENTS:**

1. Additional Chief Secretary (FATA), FATA Secretariat, Kababian, Warsak Road, Peshawar.
2. Secretary, Social Sector Department, FATA, Warsak Road, Peshawar.
3. Director Education (FATA), FATA Secretariat, Warsak Road, Peshawar.
4. Agency Education, Orakzai Agency, Hangu

  
Appellant

Through

  
**SHAKEEL AHMAD**  
Advocate, Peshawar

Dated: ~~04~~ 05.2015

Bel...  
11  
A

BEFORE THE LEARNED DISTRICT & SESSIONS JUDGE,  
PESHAWAR

Mehboob Khan S/o Muhammad Akbar  
R/o Village Chauntra, caste Feroz Khel,  
Lower Orakzai Agency.  
Presently Garhi Mawaz Khan, Kohat. .... Plaintiff

Versus

1. Musawar Ali S/o Wahid Ali  
R/o Village Andkhel, caste Sturi Khel,  
P.O Tazi Khel, Lower Orakzai, Agency.
  2. Mastaj Ali S/o Momin Ali  
R/o Village Largi Tang, P.O Kurez,  
Lower Orakzai, Agency.
  3. Syed Mumtaz Ali Shah S/o Syed Sultan Akbar  
R/o Village Chashma Metha Khan, P.O Sher Kot,  
Tehsil & District Kohat.
  4. Printer & Publisher, The Daily Khabrain, Peshawar.
  5. Editor in Chief, The Daily Khabrain, Peshawar.
- .....Defendants

SUIT FOR RECOVERY OF RS.10  
MILLION AS DAMAGES FOR CAUSING  
DAMAGE TO REPUTATION, HONOUR,  
ACUTE MENTAL TORTURE AND BODY  
PAIN.

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Before

The

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Respectfully Sheweth:

1. That plaintiff is a law abiding citizen of Pakistan, he belongs to a noble family of Orakzai Agency, presently he is serving as Assistant in the office of the Agency Education Officer, Orakzai Agency at Hangu.
2. That plaintiff is known for his fair and candid work, he was posted as Assistant in the said office on 31.05.2011, he always worked with due diligence and never acted prejudicial to good orders.
3. That the defendants have issued a statement in the daily "Khabrain" Peshawar, alleging therein that plaintiff has hijacked the office of Education Agency, Orakzai and making appointments, through bogus order ignoring the merit position of the candidates and he may be transferred from Orakzai Agency, immediately, in a press conference held on 14.01.2015 in the Press Club at Peshawar, which appeared in the Daily Khabrain, Peshawar dated 14.01.2015.
4. That the aforesaid statement is false, bogus, frivolous, without substance and further from truth, plaintiff has nothing to do with the appointments and selection of the candidates, being posted as Assistant.
5. That the aforesaid statement is pregnant with malafide intentions to cause irreparable harm to the immaculate reputation of plaintiff and to lower his position among his friends, relatives in particular and public at large in general.





6. That due to publication of aforesaid false news in the newspaper, position and status of plaintiff has been lowered in the eyes of his relatives, friends and public at large, his reputation has been tarnished, he has sustained an irreparable loss to his honour, besides damage to his reputation, he has also sustained acute mental torture, agony and body pain after going through the aforesaid news item, his loss of reputation, mental torture, agony and body pain cannot be measured in money, however, he estimates his damage as under;
  - i. For causing damage to his reputation Rs.5 million.
  - ii. For causing acute mental torture, body pain and agony Rs.5 million.
7. That the aforesaid act of the defendants in no way can be excused.
8. That after reading the newspaper in the Daily Khabrain dated 14.01.2015, the plaintiff was shocked, the accusation was false, the plaintiff issued/ served a legal notice upon the defendants through registered A.D, which was not replied till today.
9. That cause of action accrued to the plaintiff against the defendants on 14.01.2015, when the defendant No.1 to 3 held Press Conference within the territorial jurisdiction of this Honourable Court and the news



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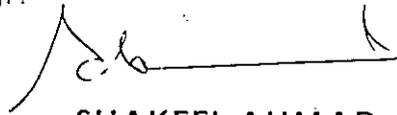
item was published within the territorial jurisdiction of this Honourable Court and the Honourable Court has got jurisdiction to adjudicate upon the matter.

10. That value for the purpose of court fee and jurisdiction for relief claimed is Rs.10 Million and court of Rs.15,000/- has been affixed.

It is, therefore, prayed that a decree as prayed for in heading of the plaint may kindly be granted in favour of plaintiff against the defendants with costs.

Plaintiff

Through



SHAKEEL AHMAD  
Advocate, Peshawar

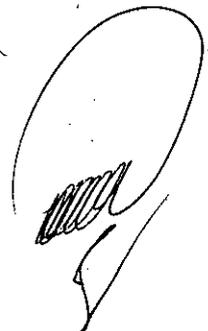
Dated: 14.02.2015

VERIFICATION:

It is verified on oath that the contents of this **Plaint** are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Court.

  
DEPONENT

ATTESTED  
17.02.2015  
Mian Shafiqullah Khan  
OATH OFFICER  
HIGH COURT PESHAWAR



15

B-

Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.

Notification.

Consequent upon the approval of the Departmental Promotion Committee (DPC) meeting held on 27.5.2011, the following Senior Clerk (B-09) of Elementary & Secondary Education Department are hereby promoted/adjusted as regular Assistant (B-14) in the interest of public service with immediate effect.

S.No	Name	P/Address	Posted at	Remarks
1	Kiramat Hussain	AEO Kurram Agency	Services placed at the disposal of DE (FATA) for further adjustment	
2	Nekam Khan	GHSS Nadir Badin Khel FR Bannu.	Services placed at the disposal of DE (FATA) for further adjustment	
3	Zahid Khan	GHS Ahmad Wam SWA	Services placed at the disposal of DE (FATA) for further adjustment	
4	Habib Ali	AEO Kurram Agency.	Services placed at the disposal of DE (FATA) for further adjustment.	
5	Wazir Ali	GGHSS Luqman Khel Kurram Agency	GGHSS Luqman Khel Kurram Agency	Against vacant Assistant post
6	Bakhtiar	AEO SWA	Services placed at the disposal of DE (FATA) for further adjustment	
7	Qamar Zaman	O/O the AD Exam:	Services placed at the disposal of DE (FATA) for further adjustment	
8	Hafizuddin	DE (FATA)	Services placed at the disposal of DE (FATA) for further adjustment	
9	Ashafaq Ahmad	DE&SE Khyber Pakhtunkhwa	DE&SE Khyber Pakhtunkhwa	Against vacant Assistant post
10	Muhammad Jamal	DE&SE Khyber Pakhtunkhwa	DE&SE Khyber Pakhtunkhwa.	Against vacant Assistant post
11	Zahoor Alam	DCTE Abbottabad	RITE (M) Haripur	Against vacant Assistant post
12	Ayaz Khan	AEO Mohmand Agency	Services placed at the disposal of DE (FATA) for further adjustment	
13	Mehboob Khan	AEO Orakzai Agency	AEO Orakzai Agency	Against vacant Assistant post
14	Muhammad Ayub	DE&SE Khyber Pakhtunkhwa	DE&SE Khyber Pakhtunkhwa	Against vacant Assistant post
15	Azmat Ali	RITE (M) Mardan	RITE (F) Swabi.	Against vacant Assistant post
16	Fauladi Shah	RITE (F) Peshawar	RITE (F) Peshawar	Against vacant Assistant post

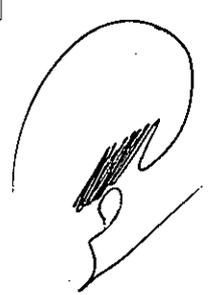
Consequential posting/transfer of the following officials is hereby ordered in their own pay and BPS in the public interest.

S.No	Name & Designation	From	To	Remarks.
17	Mr. Jan Shah Assistant	RITE (F) Peshawar.	PITE, Peshawar.	Against vacant Assistant post.

Note:

- Charge report should be submitted to all concerned.

(Syeda Sarwat Jehan)  
**DIRECTRESS**  
 Elementary & Secondary Education  
 Khyber Pakhtunkhwa, Peshawar



16

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Endst: No.4092-4142/A-23/MS/Prom/S/C to Asstt:/2011 Dated Peshawar the 30/05/2011.

Copy of the above is forwarded to the: -

1. Director Curriculum & Teachers Education Khyber Pakhtunkhwa Abbottabad.
2. Director of Education (FATA) Peshawar.
3. Director Provincial Institute of Teachers Education Khyber Pakhtunkhwa Peshawar.
4. Accountant General Khyber Pakhtunkhwa Peshawar.
5. District Accounts Officers concerned.
6. Agency Accounts Officers concerned.
7. Agency Education Officers concerned.
8. Assistant Director Examination at PITE, Khyber Pakhtunkhwa, Peshawar.
9. Officials concerned.
10. PS to Minister for Elementary & Secondary Education Department Khyber Pakhtunkhwa.
11. PS to Secretary Govt of Khyber Pakhtunkhwa Elementary & Secondary Education Department.
12. PA to Directress Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
13. PA to Additional Directors (Estt:) & (Dev) Local Office.
14. Master File.

Deputy Director (F&A)

30/5/2011



17

استشارات و تعلیم

قسم ہے قلم کی اور جو کچھ لکھتے ہیں، القرآن

2279881-2279848  
2277832-2828647

اسلام آباد اور ملتان میں نظر آ رہے ہیں لندن اور گلگت بلتستان تک وقت کے ساتھ ساتھ اسلام آباد اور خیبر

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CERTIFIED

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جلد: 17 جمرات کم جنوری 2015ء، 9 ربیع الاول 1436ھ، 16 اپریل 2015ء، صفحات 12 قیمت 12 روپے شمارہ: 36

Thursday, 1st January, 2015

Registered ID 174

### حکومت تعلیم اور کرنی میں جعلی بھرتیاں نہیں کی گئیں، عبدالملک

امیدواروں کی جانب سے سنے آ رہے ہیں کہ وجہ سے بھرتیاں روکی گئیں تھیں

حکومت (چند روز پہلے) نے تعلیم اور کرنی ایجنسی میں کئی قوائین کے مطابق بھرتیوں کے لئے انٹریوں لے کر  
 بھی قسم کی جعلی بھرتیاں نہیں کی گئی ہیں جو کہ جعلی بھرتیوں کا چند امیدواروں کی جانب سے سنے آ رہے ہیں کی صورت  
 وارڈ کیا جا رہے ہیں درحقیقت وہ بھرتیوں پر ہونا نہیں آتے۔ میں بھرتیاں روک دی گئی بھرتیوں کے سلسلے میں عدالت  
 ان خیالات کا اظہار آل ٹرانسٹیکٹرز ایسوسی ایشن اور کرنی عدالت سے رجوع کیا جس پر عدالت نے حکم دیا کہ بھرتیوں  
 ایجنسی کے صدر عبدالملک اور کرنی، جنرل سیکریٹری سید  
 انور شاہ، اعلیٰ مشینا، وزیرین شاہ، افتخار اور بھرتیوں کے  
 زادہ کی بناوٹ کے بعد سرحد کے ای ای اے صوبہ  
 ایکٹریف جاننے کے ایک پریس ریلیز میں کہا ہے کہ سابق  
 نے عدالت عالیہ کے احکامات کی روٹی میں بھرتی لیسٹ  
 ایجنسی ایگریگیشن ڈاؤن لے لی گئی ہے بھرتیوں کے  
 کے تقرری کے احکامات کے۔



19

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The daily Awami Dastak

چیف ایڈیٹر: سعد اللہ خٹک

ایڈیٹر: حسن اقبال سرپرست

کوہاٹ  
کرک

# عوامی دستک

روزنامہ

صفحات 8 قیمت 10 روپے / شماره نمبر 282

جلد 1 / جمعرات 09 ربیع الاول 1436 ھ یکم جنوری 2015ء

Registered No: 2955

## محکمہ تعلیم میں جعلی بھرتیوں کا الزام بے بنیاد ہے، عبدالملک

داویلا چائے والے میرٹ پر پورا نہیں اتارے صدر اول ٹرائل جیور ایسوسی ایشن اور کزنٹی ایجنسی  
ایسکو (بیورو رپورٹ) محکمہ تعلیم اور کزنٹی ایجنسی میں ٹرائل نمبر ڈی ایس ایس اور کزنٹی ایجنسی کے صدر  
کسی بھی قسم کی جعلی بھرتیاں نہیں کی گئی ہیں جو لوگ عبدالملک اور کزنٹی، جنرل بکر یزیدی شیخ اللہ اور کزنٹی  
جعلی بھرتیوں کا داویلا چار ہے ہیں درحقیقت وہ، اور شاہ اور کزنٹی، حاجی شہنشاہ، زرین شاہ  
میرٹ پر پورا نہیں اتارے ان خیالات کا اظہار آل، انٹونڈ اوجھان، لعل اکبر، (بقیہ نمبر 37 صفحہ 7)

37

حنیف جان نوروز خان، وارث علی نے ایک پریس  
ریلیز میں کہا ہے کہ سابق ایجنسی ایجوکیشن ایفیرس  
زادہ نے بی ٹی سی پرسوں پر قوانین کے مطابق  
بھرتیوں کے لئے اظہار یوں لئے تھے مگر چند امید  
داروں کی جانب سے سنے آرڈر لینے کی صورت  
میں بھرتیاں روک دی گئی تھیں آرڈر کے خاتمے پر  
متعلق امیدواروں نے بھرتیوں کے سلسلے میں  
عدالت عالیہ سے رجوع کیا جس پر عدالت عالیہ  
نے سابق اسے ای اوصل زادہ کو طلب کر کے  
وجوہات مطلوب کی جس پر عدالت نے حکم فرمایا کہ  
بھرتیوں سے پابندی اٹھایا جائے جس کے بعد  
سابق اسے ای اوصل زادہ کی تادمے کے بعد  
موجودہ اسے ای اوصل زادہ خان نے عدالت  
عالیہ کے احکامات کی روشنی میں میرٹ لیسٹ کے  
مطابق اہل امیدواروں کے تقرری کے احکامات  
سادر کئے جو کہ عدالت عالیہ کے احکامات پر من و  
من قبیل ہے جن اشخاص نے مختلف قومی اخبارات  
میں جعلی بھرتیوں کا داویلا چایا ہوا ہے درحقیقت وہ  
میرٹ پر پوری نہیں اتارے اور اپنے نااہلی کا ذمہ  
دار اسے ای او کو طر ار ہے ہیں ان کے یہ خبرے  
جھوٹ اور بدینگی پر مبنی ہے ہم ان جھوٹی اور بے  
بنیاد خبروں کے پر زور دست کرتے ہیں ہمارے  
پاس تمام ثبوت موجود ہیں ان بھرتیوں میں  
انصاف اور میرٹ کے تمام تقاضے پورے کر کے

20

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 تاریخ 31 دسمبر 2014ء 8-1436ھ 17  
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اورکزئی ایجنسی محکمہ تعلیم میں بھرتیاں میرٹ پر ہوئیں جنیب  
 اساتذہ کی بھرتیاں پر 2012 میں حکم تنہی لیا گیا تھا 2014 میں واپس لیا گیا

حکو (مرحبات) اورکزئی ایجنسی آفیسر جنیب اللہ  
 نے اپنے رسائی بیان میں کہا کہ اورکزئی ایجنسی میں محکمہ  
 تعلیم میں بھرتیاں (ہائی میو: 3، پیر میو: 50)



حکو اورکزئی ایجنسی آفیسر جنیب اللہ

50  
 بھرت کے مطابق ہوتی ہیں 2012 میں اساتذہ کی  
 آسامیوں کیلئے اساتذہ اوروں کے عدالت عالیہ سے حکم  
 اختتامی ماسل کیا تھا اور 2014 میں پابندی اٹھانے  
 جانے کے احکامات پر قانونی طور پر بھرتیاں کی گئیں  
 انہوں نے کہا کہ مذمت ستالی اور انرا ہا پر دور کی کے انعام  
 کالے دانے لفظ بجالی سے کام لے رہے ہیں اور ان  
 حاکم نے محکمہ تعلیم کے کارکنوں کو بھرتوں کی کوشش کی  
 ہے انہوں نے کہا کہ قانون سے متصادم فیصلوں کے ذریعہ  
 سے بالاتر ہو کر قانون کی عملداری پر صورت یعنی بنائی  
 جائے گی۔

Handwritten signature or scribble.

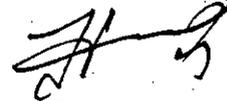


(21) D  
TO WHOM AT MY CONCERN.

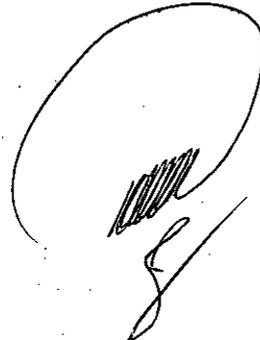
It is certified that Mr. Mahboob Khan Assistant office of the Agency Education office Orakzai Agency is hard working and honest.

The undersigned is satisfied from his work.

Dated Hangu the 15/4/2015.



Agency Education Officer  
Orakzai Agency at Hangu



22

D-15

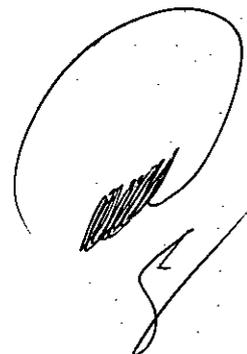
TO WHOM IT MAY CONCERN.

It is certified that Mr Mahboob Khan, Assistant office of the Agency Education Office Orakzai Agency is hard working, honest and dutiful. He is working as Assistant in this office w.e.f 31.5.2011 till date.

The undersigned is satisfied from his performance and duty.

Dated Hangu the:- 11.8.2014

  
Lal Zada Safi  
Agency Education Officer  
Orakzai Agency at Hangu  
11/8/2014





23

FATA SECRETARIAT  
DIRECTORATE OF EDUCATION  
KHYBER PAKHTUNKHWA, WARSAK ROAD PESHAWAR, PAKISTAN  
PHONE. 091-9210166 FAX 091-9210216  
NO. \_\_\_\_\_ /  
DATED \_\_\_\_\_ /

D-29

### TRANSFER ORDER

Mr. Mehboob Khan Assistant Agency Education Office Orakzai Agency is hereby transferred to Govt. Higher Secondary School Kalaya, Orakzai Agency against a vacant post of Assistant in his own pay & scale from the date of taking over charge in the best interest of public service.

Note: - 1. Charge reports should be submitted to all concerned.

**Director Education FATA**

Endst: No. 4512-17 /

Dated 15/4/2015

Copy to the:-

1. Agency Education Officer Orakzai Agency.
2. Agency Accounts Officer Orakzai Agency.
3. Principal Govt. Higher Secondary School Kalaya Orakzai Agency.
4. PS to secretary Education FATA for information.
5. PA to Director Education FATA.
6. Official Concerned.

15-4-15

**Deputy Director (F&A)**

15/4/15

جنسور جناب سیکریٹری کوارڈینیشن اس۔ ائی اینڈی ڈی پارٹنٹ فانا صوبہ خیبر پختون خواہ پشاور۔ / سوشل سیکٹر

عنوان :- اپیل برائے حصول انصاف۔

جناب عالی

مودبانہ گزارش ہے کہ فدوی نے نہایت اسٹنٹ ایجنسی ایجوکیشن افس اور کزنٹی ایجنسی ہنگو میں نہایت ایمانداری سے اپنی ڈیوٹی سرانجام دی ہے۔ مورخہ ۳۱ مئی ۲۰۱۱ کو جب میری تقرری کی گئی تو اس وقت اور کزنٹی ایجنسی اور ہنگو میں حالات نہایت کشیدہ تھے اور کوئی بھی ہنگو اور کزنٹی ایجنسی جانے کو تیار نہیں تھا۔ ان مشکل حالات میں بھی میں نے پوری ایمانداری سے اپنی ڈیوٹی سرانجام دی۔ لیکن اب جب حالات اچھے ہوئے۔ تو بغیر کسی وجہ کے میری تبدیلی کی گئی۔ میں اور کزنٹی ایجنسی کے ایک معزز گھرانے سے تعلق رکھتا ہوں۔ جناب والا۔ ۱۹ نومبر ۲۰۱۳ کو اے۔ اے۔ او اور کزنٹی نے معزز ہائی کورٹ پشاور کے احکامات کی روشنی میں میرٹ پر پی۔ ٹی۔ سی اساتذہ کی تقرری کے احکامات جاری کیے۔ جس کی وجہ سے بعض امیدواروں نے میرے اور اے۔ اے۔ او کے خلاف اخبارات میں من گھڑت بیانات دیئے اور ہمارے خلاف طرح طرح کے الزامات لگا کر درخواستیں بھی دیئے۔ ان تمام درخواستوں پر انکوآٹری مقرر کی گئی۔ انکوآٹریوں میں ہم بے گناہ ثابت ہوئے۔ جس کے بعد میں نے معزز عدالت پشاور میں ان لوگوں پر کیس دائر کیا۔ جو کہ ابھی تک عدالت میں چل رہا ہے اور وہ لوگ اپنے جھوٹے الزامات کی وجہ سے عدالت میں حاضر نہیں ہو رہے ہیں۔ اور ان کے خلاف عدالت نے اشتہار بھی جاری کیا ہے۔ لیکن افسوس کے ساتھ لکھنا پڑتا ہے۔ کہ انہی جھوٹے اور من گھڑت الزامات اور گناہم درخواستوں کی وجہ سے مجھے ایجنسی ایجوکیشن افس اور کزنٹی ایجنسی ہنگو سے تبدیل کیا گیا۔ جو کہ میرے ساتھ ظلم و زیادتی ہے۔ چاہئے تو یہ تھا کہ میری پرفارمنس کی رپورٹ میرے متعلقہ افسر سے مانگتے۔ لیکن ایسا نہیں کیا گیا۔

- ۱۔ یہ کہ جو جھوٹے الزامات ہم پر لگائے گئے تھے۔ اس کی انکوآٹری پولیٹیکل ایجنٹ اور کزنٹی ایجنسی اور فانا مانیٹرنگ ٹیم نے کی ہیں۔ جس میں ہم پر کوئی بھی الزام ثابت نہیں ہوا۔ انوں رپورٹس کی فوٹوکاپی منسلک ہیں۔
- ۲۔ یہ کہ گناہم لمپلینٹس پر کارروائی نہیں ہو سکتی۔ فیصلے کی رپورٹ کی فوٹوکاپی منسلک ہے۔
- ۳۔ یہ کہ جن لوگوں نے مجھ پر جھوٹے الزامات لگائے تھے۔ میں نے ان پر عدالت میں کیس دائر کیا ہے۔ فوٹوکاپی منسلک ہے۔
- ۴۔ یہ کہ میں نے اپنی ڈیوٹی ایمانداری سے سرانجام دی ہے۔ جس کی تصدیق میرے متعلقہ افسر نے بھی کی ہے۔ فوٹوکاپی منسلک ہے

لہذا میں اپ جناب کی خدمت میں عرض کرتا ہوں کہ میرے تبدیلی کے احکامات واپس لے کر مشکور و ممنون فرمائیں۔ عین نوازش ہوگی۔  
 مورخہ 23/4/2015  
 23/4/2015

SSD No - 811  
23/4/15

معلقہ  
may 14 2015  
DDC(FIA) E-4  
29/4/15  
29/4/15

آپ کا تابع دار محبوب خان آسنٹ ایجنسی ایجوکیشن افس اور کزنٹی ایجنسی ہنگو

29

25



"7"  
F

**DIRECTORATE OF MONITORING & EVALUATION**

**FATA Secretariat, Peshawar**

**Phone: (091) 9214130 (091) 9210950**



Subject: Enquiry Report Huge Embezzlement

PUC was a self-explanatory application (Annexed-A) from inhabitants of Orakzai Agency regarding embezzlement in procurement of miscellaneous items purchased for schools in the FY (2012-13) and (2013-14). The application was addressed to honorable Governor KPK with a copy to Additional Chief Secretary FATA. The ACS FATA had directed DG M&E FATA to check and report within 10 days. Accordingly Directorate of M&E FATA took the task on priority basis and contacted the office of Agency Education Office Orakzai Agency for furnishing of documentary information through letter No. Do (M&E)/FS/DD/2014-15/271-75 dated 28.01.15 (Annexed-B) followed by reminder No. Do (M&E)/FS/DD/2014-15/271-75 dated 30.01.15 (Annexed-C), however the Directorate of Education FATA responded by submitting the requisite information through letter No. 130-87 dated 03.02.15 (Annexure-D). DoM&E after receiving the information visited Orakzai Agency on 09.02.15 rest of the details of the inquiry report are as follow:

**Inquiry Report Findings**

A total of 64 items of different categories were purchased periodically under different ADP schemes in the year 2012-13. The dumped items were randomly selected for inspection some items were verified visually while others were physically verified by counting.

The items purchased in the FY (2012-13) to the tune of Rs. 13.706 (m) were found dumped in the GMS Star Sam, GGPS Star Sam, GGHS Korez, GHS Korez, and GHSS Kalya. All these schools were physically inspected, whereas items dumped in GHS Garobi Ghari, GHS And Khel and GMS Anjani could not be visited for security reasons. However items received receipt from the concerned incharge of the former and later schools was obtained through AEO and (Annexure-E).

Processes for fixture purchase for the FY (2013-14) have been finalized, however as per statement of education directorate due late release of funds to the tune of Rs. 12.620 (m) in the last week of June the amount was drawn in favor of DDO (A copy of bank statement annexed).

Most of the items purchased for the FY (2012-13) were found in satisfactory condition.

**Recommendations**

To avoid such situations on permanent basis, firstly the process for sanctioning of posts shall be expedited and secondly in the coming ADP new schemes of Education and Health sector shall be included having only capital side, and for revenue side a single scheme Agency/FR wise shall be reflected after posts for the schools/facilities have been sanctioned as practiced in KP and other provinces.

Inventory of the purchased items under different ADP schemes needs to carried out.

The detail report is placed on board for the perusal of Additional Chief Secretary and further orders please

Director (Social) M&E

1812

OFFICE OF THE POLITICAL AGENT,  
ORAKZAI AGENCY

No. 119 /C/PA-AN

Dated 16 January, 2015.

To:- Secretary to Governor,  
Khyber Pakhtunkhwa Peshawar.

SUB:- FACT FINDING REPORT ON NEWS ITEM REGARDING PST  
APPOINTMENTS IN AGENCY EDUCATION OFFICE ORAKZAI

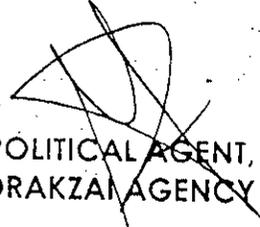
Reference to the telephonic discussion of Secretary Law & Order FATA dated 13-01-2015 and taking of notice by the honourable Governor Khyber Pakhtunkhwa regarding the subject noted above.

In this regard Additional Political Agent Orakzai Agency was nominated to prepare fact finding report in the matter.

The report of the Additional Political Agent Orakzai is submitted for perusal as desired please.

  
POLITICAL AGENT,  
ORAKZAI AGENCY

Copy of even No. and date forwarded to the Secretary Law & Order Department FATA Secretariat Peshawar.

  
POLITICAL AGENT,  
ORAKZAI AGENCY



27

**OFFICE OF THE ADDITIONAL POLITICAL AGENT,  
ORAKZAI AGENCY**

No. 22 /Addl: PA-Edu

Dated 16 January, 2015.

To:- Political Agent  
Orakzai Agency..

**Sub: FACT FINDING REPORT ON NEWS ITEM REGARDING PST APPOINTMENTS IN  
AGENCY EDUCATION OFFICE ORAKZAI**

Kindly refer to the telephonic discussion of Secretary Law & Order, News-item dated 14-01-2015 in leading news papers and taking of notice by the honourable Governor Khyber Pakhtunkhwa regarding appointments in Education Departments in Orakzai Agency which was protested by some of the applicants/candidates alleging the Education department of violating the merit. Subsequently, the undersigned was tasked to prepare a fact finding report in the matter.

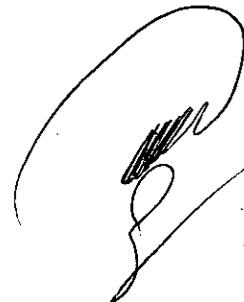
The fact finding report on the allegation levelled against the department is as under:-

A delegation of the applicants/complainants' was called to the office of the undersigned on 15-01-2015 at 11:00 AM, including:

S.No.	Name	Tehsil	Detail	Remarks
i	Mosawer Ali	Lower Tehsil	At S.No. 24 on merit list of PST.	Having recognized PTC certificate but Low in merit.
ii	Mustaj Ali	-do-	at S.No. 01 on merit of PST (Skill Dev: Council certificate	Case is pending in the Supreme Court of Pakistan.
iii	Muhammad Ghani	Upper Tehsil	at S.No 58 on merit list of PST (Skill Dev: Council certificate	-do-
iv	Haji Akbar	-do-	at S.No. 44 on merit list of PST (Skill Dev: Council certificate	-do-
v	Israfeel Khan	Central Tehsil	at S.No. 25 on merit list of PST.	Having recognized PTC certificate but Low in merit.
vi	Abdur Rehman	-do-	at S.No.12 on merit list of PST.	-do-

Documents of all the above applicants were scrutinized and scored as per Govt: policy wherein they could not qualify to be recommended appointment (policy attached at Flag "A")

The candidate at (ii, iii & iv) in the above table having Skill Development Council Certificates do not qualify as the Directorate of Education FATA has lodged an appeal in the Supreme Court of Pakistan against the decision of Peshawar High Court whether the SDC certificates are valid or not. The case is pending in the Supreme Court of Pakistan (Attached at Flag "B").



Agency selection committees have been notified by the competent authority under the chairmanship of the Political Agent Orakzai Agency for BPS 11-15 and BPS 1-10 under the chairmanship of Agency Education Officer Orakzai Agency (Flag "C").

The honourable Governor Khyber Pakhtunkhwa vide notification No. SO/E/SSD/CSTR/99-108 dated 11-05-2012 has issued orders regarding regularization of community School teacher in BPS-7 in all Agencies/FRs (Flag "D") on which Peshawar High Court ordered status quo on 06-08-2012 in the Writ Petition on the request of some of the aspirant's candidates from Orakzai Agency.

Advertisement for appointment against the vacant post was published on 15-10-2012 which was stayed by the Peshawar High Court on the request of some of the candidates which delayed the appointment process. Subsequently the Peshawar High Court ordered that when the ban is lifted, the Govt; shall make appointments as per law including the candidates having Skill Development Council Certificates (Flag-"E"). The Directorate of Education FATA lodged appeal in Supreme Court against the decision of Peshawar High Court regarding validity of the SDC Certificates which is still pending (Flag-"F").

The candidates again knocked at the door of Peshawar High Court for contempt of Court by Agency Education Officer Orakzai for inordinate delay, which was actually because of ban imposed by the Federal Govt; the Peshawar High Court directed when the ban is lifted, appointments be made immediately (Flag "G")

Keeping in view the above findings and scrutiny of documents and rescoring of the marks of the selected and unselected candidates by the undersigned (Flag-"H" & "I") it is concluded that appointments have been made on merit and as per Govt; policy. Education Department of Orakzai will further proceed as and when the decision of the Supreme Court comes in the case of validity of Skill Development Council Certificate.

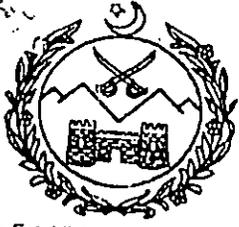
Submitted for perusal and further necessary action please.

ADDITIONAL POLITICAL AGENT  
ORAKZAI AGENCY



29

9



Establishment Section

IMMEDIATE

**FATA SECRETARIAT**  
(ADMINISTRATION, INFRASTRUCTURE & COORDINATION DEPARTMENT)  
**WARSAK ROAD PESHAWAR**

No.FS/E/100-9 (Enquiry) Vol-3/6718-29  
Dated 13/5/2014

*H/O Peshawar  
13/5/14*

1. Secretary,  
Finance Department, FATA Secretariat.
2. Secretary,  
P&D Department, FATA Secretariat.
3. Secretary,  
Law & Order Department, FATA Secretariat.
4. Director General,  
Monitoring & Evaluation (FATA)

Subject: MINUTES OF THE MEETING

Dear Sir,

In continuation of this department letter No.FS/E/100-9 (Enquiry) Vol-3/6485-94 dated 09-05-2014, I am directed to enclose herewith a copy of minutes of the meeting on progress of enquiries held on 12-05-2014 under the chairmanship of Additional Chief Secretary (FATA) for information and strict compliance.

Yours faithfully,

(JIBREEL RAZA)  
Section Officer (Estab)

Copy of above alongwith a copy of minutes is forwarded to:-

1. Deputy Secretary (Services) A,I&C Department FATA Secretariat
2. PS to Additional Chief Secretary FATA Secretariat.
3. PS to Secretary A,I&C Department FATA Secretariat.  
(for information)
4. Deputy Secretary (Coord) A,I&C Department FATA Secretariat
5. Deputy Secretary Law & Order Department FATA Secretariat
6. Deputy Secretary (Narcotics) L&O Department FATA Secretariat
7. All Heads of Line Directorates  
(for similar compliance)

*copy of above  
is being  
circulated  
amongst  
all the  
offices  
of  
the  
secretariat  
for  
information  
and  
strict  
compliance*

*A.D (Estab) 3713 15/5/2014  
Please circulate  
among all. 13/5/2014  
3713 15/5/2014*

*Jibreel Raza*  
Section Officer (Estab)

*[Handwritten signature]*

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29

9

IMMEDIATE



Establishment Section

**FATA SECRETARIAT**  
(ADMINISTRATION, INFRASTRUCTURE & COORDINATION DEPARTMENT)  
**WARSAK ROAD PESHAWAR**

No.FS/E/100-9 (Enquiry) Vol-3/ 6718-28  
Dated 13/5/2014

*H/O/ Rahmat Khan  
MEO  
29/5/14*

1. Secretary,  
Finance Department, FATA Secretariat.
2. Secretary,  
P&D Department, FATA Secretariat.
3. Secretary,  
Law & Order Department, FATA Secretariat.
4. Director General,  
Monitoring & Evaluation (FATA)

Subject: MINUTES OF THE MEETING

Dear Sir,

In continuation of this department letter No.FS/E/100-9 (Enquiry) Vol-3/6485-94 dated 09-05-2014, I am directed to enclose herewith a copy of minutes of the meeting on progress of enquiries held on 12-05-2014 under the chairmanship of Additional Chief Secretary (FATA) for information and strict compliance.

Yours faithfully,

(JIBREEL RAZA)  
Section Officer (Estab)

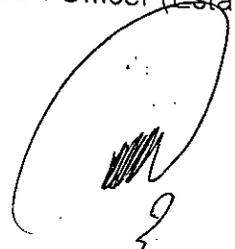
Copy of above alongwith a copy of minutes is forwarded to:-

1. Deputy Secretary (Services) A,I&C Department FATA Secretariat
2. PS to Additional Chief Secretary FATA Secretariat.
3. PS to Secretary A,I&C Department FATA Secretariat.  
(for information)
4. Deputy Secretary (Coord) A,I&C Department FATA Secretariat
5. Deputy Secretary Law & Order Department FATA Secretariat
6. Deputy Secretary (Narcotics) L&O Department FATA Secretariat
7. All Heads of Line Directorates  
(for similar compliance)

*13/5/14  
A.D (Estab)  
Please circulate among all.  
3713 15/5/2014*

*A.D (Estab)  
Please circulate among all.  
3713 15/5/2014*

*Jibreel Raza*  
Section Officer (Estab)



(30)

MINUTES OF THE MEETING ON PROGRESS OF ENQUIRIES

In order to ascertain the progress and to have an updated position of various enquiries pertaining to the departments/Line Directorates of FATA Secretariat, a meeting was held under the Chairmanship of Additional Chief Secretary (FATA) in Conference Room of Secretariat on 12-05-2014 at 9.00 AM. The meeting was also attended by Secretary A,I&C and representatives of departments/Line Directorates.

2- Highlighting the significance of the meeting, the Additional Chief Secretary (FATA) pointed out that proper finalization of enquiries requires due attention of Heads of Departments and particularly the officers to whom conducting of enquiries have been entrusted. The Additional Chief Secretary (FATA) emphasized to take immediate measures for prompt finalization of enquiries, presently at any stage, for final conclusion.

3- The Secretary A,I&C, while going through the statement of enquiries indicating department-wise position, discussed the status of each enquiry and directed the participants to devote their attention for reaching at logical conclusion with the following guidelines and directions:-

- (a) The Heads of Directorates/Departments particularly the Enquiry Officers were directed to submit individual complete Enquiry Report to A,I&C Department on urgent basis (Office of Secretary A,I&C by Monday the, 19<sup>th</sup> of May, 2014).
- (b) In case final report is not available, the Enquiry Officer must prepare and submit the interim enquiry report, complete in all respect.
- (c) Similar directions were given to the Representatives of Monitoring & Evaluation Directorate to finalize all pending/under process enquiries entrusted to the said Directorate.
- (d) Where the Enquiry Officers are confronted with no response from the concerned quarters posing hurdle in further progress in conducting enquiries, they may issue final reminder to the offices/quarter concerned from whom replies are awaited with the direction to send the same within a period of 03 days without failure otherwise responsibility thereof will rest with them.
- (e) Under government policy/rules, no action is to be taken on anonymous/ pseudonymous complaints which do not constitute base for conducting enquiries.
- (f) Where site inspection and field visit is essential in connection with enquiries, the same may be done expeditiously however where there is a problem of non access to a certain location, then the easily accessible nearest points may be visited to make headway in proceeding further in the enquiry.

(31)

- (g) Pay of the officer of any department/Directorate responsible for non submission of information to the Enquiry Officer will be stopped.
- (h) Representative of Office of the Chief Engineer (FATA) Works & Services Department Peshawar may attend A,I&C Department FATA Secretariat for discussion on the enquiries pertaining to C&W Department FATA.
- (i) The Enquiry Officers must give specific recommendations identifying the names of person(s) involved/accused in the enquiry and the quantum of responsibility of each of them.

4- The meeting ended with a vote of thanks to and from the Chair.

OFFICE OF DIRECTORATE OF EDUCATION (FATA) KPK PESHAWAR.

Endst: No: 4460-55 Dated 21/5 /2014.

- 1 All AEOs for strict compliance.
- 2 SO (Estab) FATA Secretariat w/r to his No: FS/E/100-9 (Enquiry) vol: 3/6718-28 dated 13.5.2014
- 3 PA to Director Education (FATA)

  
Deputy Director (M&E)

