

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Appeal No. 1015/2016

Date of Institution ... 29.09.2016

Date of Decision ... 12.10.2017

Inayatur Rahman R/O Haleemzai, Tehsil Shabqadar District Charsadda (PSHT GPS
(M) Haleemzai, District Charsadda). ... (Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary, E&SE, Peshawar and
2 others. ... (Respondents)

MR. SHAFI ULLAH, ... For appellant
Advocate

MR. MUHAMMAD JAN, ... For respondents.
Deputy District Attorney

MR. NIAZ MUHAMMAD KHAN, ... CHAIRMAN
MR. AHMAD HASSAN, ... MEMBER

JUDGMENT

NIAZ MUIHAMMAD KHAN, CHAIRMAN.- Arguments of the
learned counsel for the parties heard and record perused.

FACTS

3. The appellant was demoted to lower grade vide impugned order dated 27.6.2016. Aggrieved from this order, the appellant filed a Review Petition on 23.07.2016 which was rejected on 01.09.2016 and thereafter the present service appeal has been filed on 29.09.2016.

ARGUMENTS.

4. The learned counsel for the appellant argued that the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 has not been followed in the departmental

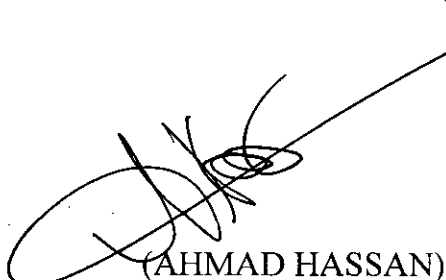
proceedings. No charge sheet or statement of allegations were served on the appellant. That formal enquiry has not been dispensed with by the authority. That the whole proceedings are illegal. The learned counsel for the appellant also argued that the authority has not mentioned the period for which the penalty shall remain imposed in view of Rule 4 (1) (b) of the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011.


5. On the other hand, the learned Deputy District Attorney argued that the appellant has admitted his guilt in the departmental appeal. That the allegations were proved against the appellant. That procedure of due process has been fulfilled.

CONCLUSION.

6. The authority has not dispensed with the holding of regular enquiry and has issued show cause notice straight away on the basis of some preliminary enquiry. No regular enquiry was ordered by issuing charge sheet and statement of allegations. The nature of allegations are such which requires regular enquiry as some factual controversies are involved in the charges like cutting of trees without sanction of the competent authority, demolition of group latrine and irregular expenditure of Rs. 49000/- out of Rs. 100000/- allotted for transaction of c/rooms. The authority has also not mentioned the period for reduction to lower grade.

7. In view of the above discussion, this appeal is accepted and the appellant is reinstated in service. The department is at liberty to hold denovo enquiry. Parties are left to bear their own costs. File be consigned to the record room.


(AHMAD HASSAN)
MEMBER

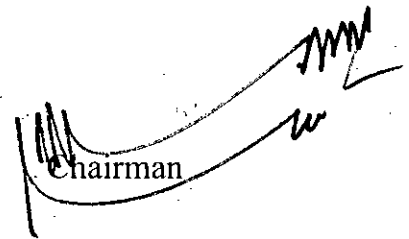

(NIAZ MUIHAMMAD KHAN)
CHAIRMAN

12.10.2017

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Attaur Rahman, S.I (Legal) for the respondents present. Arguments heard and record perused.

This appeal is accepted as per our detailed judgment of today. Parties are left to bear their own costs. File be consigned to the record room.


Member


Chairman

ANNOUNCED
12.10.2017


23.11.2016

Appellant in person and Addl: AG alongwith Mr. Hameed-Ur-Rehman, AD for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 06.02.2017 before S.B.


(PIR BAKHSH SHAH)
MEMBER

06.02.2017

Clerk to counsel for the appellant and Mr. Hameed-Ur-Rahman alongwith Addl: AG for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing on 13.06.2017.


(ASHFAQUE TAJ)
MEMBER

13.06.2017

Counsel for the appellant present. Mr. Wisal Muhammad, ADO alongwith Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Learned counsel for the appellant submitted rejoinder and requested for adjournment. Adjourned. To come up for arguments on 12.10.2017 before D.B.


(GUL ZEEB KHAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

05.10.2016

Appellant with counsel present. Preliminary arguments heard and case file perused. Learned counsel for the appellant submitted that fund were allocated to GPS Haleemzai, Charsadda of which school, the appellant was a Head Teacher (BPS-15). He further stated that through another direction of the competent authority, the said funds were transfers to another school GPS Hisera (Pinda Khel Tarnab) but in the mean while the sum of Rs. 50000/- only were spent in the earlier school in accordance with rules and regulation and after fulfilling all codal formalities. The learned counsel for the appellant argued that the appellant was unlawfully penalized vide impugned order dated 27.06.2016 vide which he was demoted from BPS-15 to BPS-14 without affording opportunity of defense and hearing to the appellant. He stated that no charge sheet was issued nor any enquiry was conducted. He also urged that his departmental appeal was rejected on 01.09.2016 and the present appeal is within time.

Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notice be issued to the respondents for submission of written reply. To come up for written reply/comments on 23.11.2016 before S.B.


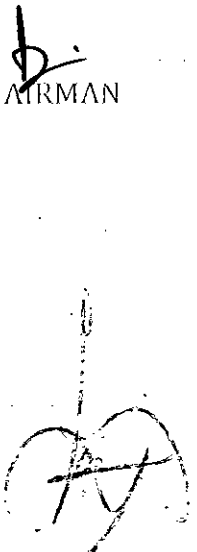
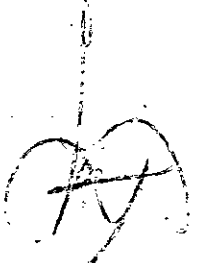
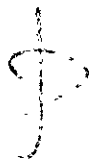
Appellant Deposited
Security & Process Fee


(PIR BAKHASH SHAH)
MEMBER

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1015/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	29/09/2016 29-9-2016	<p>The appeal of Mr. Inayat-Ur-Rehman presented today by Mr. Shafi Ullah Advocate may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>05-10-2016</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: center;"></p> <p style="text-align: left;"></p>

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

PESHAWAR

Appeal No. 1015/2016
Inayat-ur- Rehman R/o Haleemzai, Tehsil Shabqader, District Charsada
(PSHT, GPS (M) Haleemzai Charsadda)

Appellant

Versus

Govt. of KPK through Secretary Elementary and Secondary Education
Peshawar etc.

Respondents

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4	Show cause notice a/w better copy and Reply	C, C-1 and D	13 to 15
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6	Appeal to the Director and Order on appeal dated 1/9/16	F and G	17 to 18
7	Copy of the PTC Rules / Iglass / Resolution of PTC	H and I	19 to 22
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Appellant

Through


Shafi Ullah

Advocate Peshawar

Cell No. 0345-9793708

Dated: 23/09/2016

①

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Inayat-ur- Rehman R/o Haleemzai, Tehsil Shabqader, District Charsada
(PSHT, GPS (M) Haleemzai Charsadda)

Appeal No. 1015/2016

Khyber Pakhtunkhwa
Service Tribunal
Appellant

Diary No. 1028

Dated 29-9-16

Versus

1. Govt. of KPK through Secretary Elementary and Secondary Education Peshawar.
2. Director Education Elementary and Secondary Education KPK Peshawar.
3. District Education Officer (Male) District Charsadda.

Respondents

Service Appeal Under Section 4 Of KPK Service Tribunal Act 1974 Against The Order Of The Respondent No.3 Dated 27/06/2016 Whereby The Appellant Has Been Demoted From BPS-15 To BPS-14 And The Order Of The Respondent No.2 Dated 01/09/2016 Whereby The Departmental Appeal Has Been Dismissed / Rejected.

Prayer:-

On Acceptance Of The Instant Appeal Against The Orders Dated 27/06/2016, Of The Respondent No.3 And Order Dated 01/09/2016 Of The Respondent No.2 May Please Be Set Aside And The Appellant be Remained On His Previous Status Grade/ Scale BPS-15.

Other Relief Which This Honorable Tribunal Deems Fit And Appropriate, May Also Be Given To The Appellant.

Filed to-day

Registrar

29/9/16.

Respectfully Sheweth:-

Facts:-

1. That the appellant was initially appointed in the Education Department as PST in scale 7 vide order dated 12/10/1988 at serial No.56 (Copy of the appointment order as annexure-A).
2. That there after the appellant perform the duty with full devotion and was promoted as PSHT in GPS Haleemzai Charsadda. (Copy of

the promotion order dated 21/01/2013 at Serial No.200 as annexure-B).

3. That the appellant during his entire period served the department with great zeal and never given a chance of complaint to his superior.
4. That the appellant was served with Show Cause Notice dated Nil by the respondent No.3 in which certain allegations were put to the appellant. (Copy of the Show Cause Notice as annexure-C).
5. That the appellant is submitted detail written reply / application to the respondent No.3 wherein the allegation leveled in the show cause notice were negated as the charges were baseless and concocted. (Copy of the detail written reply annexure-D).
6. That despite of the detail reply submitted by the appellant the respondent No.3 passed the impugned order dated 27/06/2016 and the appellant was demoted from PBS-15 to BPS-14 and awarded major penalty. (Copy of Demotion is annexure-E).
7. That the appellant then submitted departmental appeal/ application to the respondent No.2 within stipulated time period. (Copy of the departmental appeal / application is annexure-F). But no heed was given to the request / appeal of the appellant and straight away dismissed / rejected and maintain the impugned order dated 27/06/2016. (Copy of the Order on appeal of the respondent No.2 is annexure-G).
8. That the appellant aggrieved from the impugned orders dated 27/06/2016 and 01/09/2016, referred the instant service appeal *inter alia* on the following grounds.

Grounds:-

- A. That the impugned orders dated 27/06/2016 and 01/09/2016 of respondents no.2 &3 are against the law, facts of the available records, illegal, void, *ab initio*.
- B. That the impugned orders dated 27/06/ 2016 and 01/09/2016 are based on surmises and conjecture as the appellant has got proper

permission from the PTC Iglass convened under rules / policy of the Education Department in which 8 members including the appellant were present. (Copy of the PTC Rules is annexure-H)

It is pertinent to note here that the PTC Resolution very much clear regarding the allegation leveled in the show cause notice as well as in the impugned orders dated 27/06/2016 and 01/09/2016, but the Respondents totally ignored and passed the impugned orders in a haste manners which is liable to set aside. (Copy of the PTC Iglass is annexure-I).

- C. That though the appellant has spent Rs.50,000/- on the reconstruction of the latrines as the latrine were damage due to earthquake, repairing of class rooms etc and auction of the trees after the approval of the PTC Iglass (The Copy of the expenditure are annexure-J), while the remaining amount Rs. 9,50,000/- was transferred by the order of the DEO Charsadda to GPS Hisera (Pinda Khel Tarnab). (The Copy of the order of the DEO Charsadda and receipt of the transferred money is annexure-K).
- D. That the appellant has deposited Rs.50,000/- in the Govt. Treasury from his own pocket as his salary was stop by the respondent and was directed to the deposit the amount Rs. 50,000/- otherwise his salary would be remain stop. After depositing Rs. 50,000/- under compulsion the appellant salary was released. (The order of the release is annexure-L).
- E. That the appellant has been demoted by the respondents No. 2 & 3 without observing the codal formalities contemplated under KPK efficiency and discipline rules and against the norms of natural justice which are liable to set aside.
- F. That the appellant was not treated according to law, rules, precedents laid by the superior courts and passed the impugned orders which are liable to set aside.
- G. That the appellant has served the Education Department from more than 28 Years with honesty and during his entire service period even a single complain has not been made against the appellant.

Therefore, keeping in view an unblemished service record of the appellant impugned orders are liable to set aside.

H. That to the appellant has never been given a chance of personal hearing which is mandatory under service law and rules and the respondent No. 2 & 3 passed the impugned orders in a technical manner which liable to set aside.

I. That other legal and factual ground will be raise at the time of arguments with the permission of this honorable tribunal.

It is therefore, requested that on acceptance of the instant service appeal and keeping in view of the above facts and circumstances, the impugned order dated 27/06/2016 and 01/09/2016 passed by the respondents No. 2 & 3 may please be set aside and the appellant status been maintain as PSHT BPS-15.

And other remedy which is not specifically asked for may also be granted in favour of the appellant.

Dated: 23/9 2016

Inayat-ur-Rehman
Inayat-ur-Rehman

Appellant

Through

Shafiullah
Shafiullah

Advocate High Court Peshawar

Verification:-

Verified that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Inayat-ur-Rehman
Appellant

AFFIDAVIT

That the contents of the instant appeal are corrects to the best of my knowledge and belief and nothing has been concealed therein and no such like appeal has been pending or decided before this honorable tribunal.

Dated: 23 / 9 / 2016

Deponent

Inayat-ur-Rehman
Inayat-ur-Rehman

ATTESTED
Orakzai
Commissioner
23-09-2016
Peshawar

Attached

6

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) CHARAUDA.

APPOINTMENT.

Consequent upon the declaration of P.T.O Examination Result held in 1988, the following P.T.C.s who passed / Failed are hereby appointed in Scale No.7 (750-31-1370) with effect from the date of their taking over charge in the interest of public service. Failed candidates will get Rs.750/-p.m.fixed.

Their appointment is made on temporary basis.

They should produce their health and age certificate before their taking over charge. They should not be handed-over charge in case their age exceeds 25 years.

In case they desire to leave the department, they will give one month prior notice otherwise their pay will be forfeited to the Government.

They should report for duty within 10 days positively.

Charge report should be submitted to the authority concerned. No T.A. and D.A. is allowed.

Sr. No.	Name of the candidate.	Father's name.	Marks obtained.	Name of school where posted.
1.	Mafdar Khan.	Bahadar Khan.	819	GPS Amir Abad.
2.	Habib ullah.	Mahesh ullah Khan.	789	GPS No-1 Tangi.
3.	✓ Zahir Shah.	Mir Ahmad Shah.	782	GPS Pahlawan Qilla.
4.	Alim Zeb.	Amin ullah.	758	GPS No-1 Umarzai.
5.	Farooq Muhammad Khan.	Nisar Muhammad.	756	GPS Jaloo.
6.	Muhammad Ali.	Khan Zad Gul	751	GPS Shukardand.
7.	Khalid Rauf.	Abdul Rauf.	741	GPS Bostak.
8.	Samiur Rahman.	Hayatur Rahman.	741	GPS No-1 Tangi.
9.	Muhammad Yousaf.	Abdul Manan.	737	GPS Abazai.
10.	✓ Yar Muhammad.	Mohd Aslam	728	GPS No.1. Tangi/
11.	✓ Ali Mohammad	Baqir Mohammad	725	GPS Gonda.
12.	Mohibullah	Misal Khan	711	GPS. Havan Killi.
13.	✓ Shah Nawaz Khan	Abbas Khan	709	GPS. No.2. Charaunda.
14.	Malang Jan	Miras Khan	705	GPS. Koda Khel.
15.	Zakirullah	Aminullah	701	GPS. Gul Abad Tangi.
16.	Muz Mohammad	Habib Gul	700	GPS. No.2. Kajjar.
17.	Masir Ali	Khisro Pervoz	694	GPS. No.3. Prang.
18.	Boorul Jaid	Abdul Wahid	688	GPS. Inzar Qilla.
19.	✓ Inaullah Jan	Yar Mohammad	688	GPS. No.1. Babara.
20.	Abdul Karim	H. Hamish Gul	678	GPS. Wardaga.
21.	Mubarak Shah	Khaista Khan	671	GPS. Ziam.
22.	Zaharul Haq	Fazli Haq	664	GPS. Gul Abad Tangi.
23.			655	GPS. Khelo.

27. Saifullah	Habibullah	641	7	Boobak.
28. Saif Ali	Rahman Gul	636	"	No.1.Umarzai.
29. Ali Haleem	Fazli Karim	635	"	Ziarat Killi.
30. Mohammad Haroon	Abdul Chaffar	628	"	Kalyas.
31. Wali Khan	Waqif Khan	627	"	No.1.Dusehra.
32. Mohammad Tahir	H.Deedar Shah	626	"	Parao Koroon.
33. Shah Nozar	Ghulam Rasool	625	"	Nrsatta.
34. Mohammad Ashiq	H.Gul Rehman	624	"	No.3.Prang.
35. Saifullah	Rehmanullah	617	"	Qazi Khol.
36. Usman Jan	Qasim Jan	596	"	Nasratpuri (Tangi)
37. Mohammad Zahedi	Azizur Rahman	594	"	Dharki
38. Arifullah	Shakirullah	583	"	Shahqadap Vart.
39. Wajid Khan	Safdar Khan	588	"	No.2. Gandhar.
40. Dilal Ahmad	Mohammad Jamail	587	"	Shah Chand.
41. Saifur Rahman	Fazlur Rahman	560	"	Gandhari Shargu.
42. Faizullah	H.Moconullah	510	"	Gandhari Bala.
43. Inayatullah	Azizur Rahman	480	"	Daulat Pura.
44. Hashim Jan	Sher Ali Khan	609	"	No.2.Tarnab.
45. Fazli Akbar	Mohammad Akbar	657	"	Gidar.
46. Hakimullah	Ihsanullah	PTO/failed	"	Rustam Khan Killi
47. A.Shahid Shah	Amir Dar Shah	"	"	Sheikh Abad.
48. Saifhatullah	Marood Khan	"	"	Dab Koroon.
49. Najmul Hassan	Abdul Sattar	"	"	Jalal Abad.
50. Noorul Amin	Nawaz Din	"	"	Nasratpuri (Tangi)
51. Mansur Ali	Akbar Ali	"	"	Sardap Sahi.
52. Tahir Hussain	Azam Khan	"	"	Abbas Killi.
53. Akmal Din	Azam Din	"	"	Buz Mian Koroon
54. Sher Hassan	Gul Rahman	"	"	Ibrahim Zai.
55. Ihsanullah	Wasiullah	"	"	Paro Koroon.
56. Inayatullah ✓	Fazli Khaliq ✓	"	"	Halimzai. ✓
57. Jehanzeb	Sher Bahadur.	"	"	Nahaqi.
58. Hissar Mohammad	Shamshul Qamar	"	"	Marchaki (Rajjar)
59. Niaz Mohammad	Saccedur Rahman	"	"	Fazli Rahman-Koroon
60. Farooq Jan	Shamshul Haq	"	"	Saifullah Koroon.
61. Noorul Amin	Gul Shah Zafar	"	"	Matta Maghul Khel
62. Jan Hissar	Noor Jamal	"	"	Fazli Rahman Koroon
63. Mohammad Tariq	Noorul Haq	"	"	Saifullah Koroon
64. Mansur Ali	Alif Khan	"	"	Ibrahimzai.
65. Mohammad Siyar	Fazli Raziq	"	"	Kharaki.

(KORONIA KHILAT)

Attested
 1100 - Oct 12-10-82
 Hissar
 District Officer
 District Office
 Hissar

As per Adv. Adv. Adv.

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) CHARSADDA.

OFFICE ORDER.

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No.2412-2542/Promotion/Estab Dt Peshawar the 21/01/2013, the following Primary School Teacher PST B-12 are hereby promoted to the post of HPST B-15(8500-700-29500) plus usual allowances as admissible under the rules on regular basis under the existing policy of the provincial Government, in Teaching Cadre on the terms and condition given below with immediate effect and further posted in the school noted against each:-

S.No.	Name of Teacher	Name of School	Transfer to
1	Hidayat Ullah	GPS Kula Dher	GPS Baz Mian Killi
2	Zahir Shah	GPS -do-	GPS Kula Dher
3	Fazal Muhammad	GPS -do-	GPS Malka Dher
4	Zakir Ullah	GPS -do-	GPS Ghunda Karkana
5	Niaz Ali Khan	GPS -do-	GPS Chitral Bali Kor
6	Murad Ali	GPS Zarin Abad	GPS Zarin abad
7	Qasim Khan	GPS Abas Killi-1	GPS Azcem Gul Killi
8	Jan Afzal	GPS Sheikho	GPS Sheikho
9	Sher Zaman	GPS Abas Killi-1	GPS Abas Killi-1
10	Sadiq Ullah	GPS Abas Killi-2	GPS Abas Killi-2
11	Sadiq Ullah	GPS Azcem Gul Killi	GPS Sher Ali Khan Kil
12	Jehanzeb	GPS Dab Banda	GPS Dab Banda
13	Amjid Ali No.2	GPS -do-	GPS Dherai Kor
14	Muhammad Ayaz	GPS Gul Abad Mera	GPS Gul Abad Mera
15	Shah Wali Khan	GPS -do-	GPS Sumbari
16	Muhammad Sarir	GPS Khan Mai	GPS Khan Mai
17	Khalid Khan	GPS Swati	GPS Swati
18	Shaukat Ali	GPS Gul Abad Mera	GPS Mufti Pur
19	Zakir Ullah	GPS S.Kamal uddin	GPS S.Kamal Uddin
20	Akbar Jan	GPS S.Sardar Ali	GPS S.Sardar Ali
21	Jan Muhammad	GPS Swati	GPS Chamyanan
22	Nasrullah Jan	GPS Gigi	GPS Inzer Killi
23	Ihsan Ali	GPS Gul Abad Mera	GPS Mahal Umari
24	Muhammad Umar	GPS Gigi	GPS Gigi
25	Muhammad Sadiq	GPS Mir Ahmad Gul	GPS Mir Ahmad Gul Kil
26	Umar Rahman	GPS Zahid Abad	GPS Zahid Abad
27	Muhammad ayaz	GPS Gujrano Killi	GPS Shakar Dhand
28	Sher Muhammad	GPS Wardaga-2	GPS Wardaga-2
29	Muhammad Rafiq	GPS Landi Shah	GPS Landi Shah
30	Muhammad Azam Jan	GPS Shakar Dhand	GPS Hikmat Abad
31	Muhammad Tahir	GPS -do-	GPS Gujrano Kili
32	Abdul Karim	GPS Wardaga-1	GPS Wardaga-1
33	Nadir Khan	GPS Shakar Dhand	GPS Faqir Killi
34	Saeed Anwar	GPS -do-	GPS Rahima

A 11/12/2011
Advs 212

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170	Qalander Khan	GPS No.2 Parao	GPS No.2 Parao
171	Abdur Rehman	GPS No.1 Parao	GPS Parao No.1
172	Faiz Ullah Khan	GPS Kakar Khel	GPS Kakar Khel
173	Shahab Uddin	GPS S.Noor Abad	GPS S.Noor Abad
174	Muhammad Fayaz	GPS Palosa Jadeed-1	GPS Palosa Jadeed-1
175	Saif Ullah	GPS Londa Nisatta	GPS Londa Nisatta
176	Muhammad Zahir	GPS Londa Nisatta	GPS Nisatta
177	Misbah uddin	GPS BHU Nisatta	GPS BHU Nisatta
178	Javed Akhtar	GPS Mali Kor	GPS Sultan Abad
179	Ihsan Uddin	GPS Boobak	GPS Boobak
180	Khadimun Nabi	GPS Patwari Killi	GPS Patwari Killi
181	Khalid Rauf	GPS Mali Kor	GPS Mali Koroona
182	Saif Ullah	GPS Boobak	GPS Kalyas
183	Rasool Muhamamd	M/S Taji Kor	GPS Yousaf Khel
184	Javed Akhtar	GPS No.1 Nazo Killi	GPS No.1 Nazo Killi
185	Akhtar Ali	GPS No.2 Nazo Killi	GPS No.2 Nazo Killi
186	Naseer Khan	GPS Shad Killi	GPS Shad Killi
187	Nisar Muhammad	GPS No.2 Pakistan Killi	GPS No.2 Pakistan Killi
188	Muzafar Khan	GPS Zarin Abad	GPS Ghandil Khan Kor
189	Habib Ullah	GPS Dherai Kor	GPS Aziz Khan Dherai
190	Fayaz Ullah	GPS Islam Abad Dargai	GPS No.2 Dherai Palosa
191	Wasim Ullah	GPS Sheikho	GPS No.1 Dheria Palosa
192	Shahid Ali	GPS Baz Mian Killi	GPS Palosa Jadeed-2
193	Fazli Ghafoor	GPS Manga Dargai	GPS Aziz Abad-1
194	Azeem Khan	GPS Shakar Dhand	GPS Aziz Abad-2
195	Qadeem Shah	GPS Wardaga-1	GPS No.3 Pakistan Killi
196	Muhib Ullah	GPS Shabqadar Fort-2	GPS Shabqadar Fort-2
197	Noor Islam	GPS Shabqadar Fort-1	GPS Shabqadar Fort-1
198	Sabih Ullah	GPS Shabqadar Fort-2	GPS Yousaf Khan Qala
199	Taj Mir Shah	GPS Shabqadar Fort-1	GPS Pahlawan Qala
200	Inayatur Rehman	GPS Haleemzai	GPS Haleemzai
201	Noorul Wajid	GPS Sadiq Abad	GPS Rahmat Ullah Khan
202	Rizwan Ullah	GPS Shara	GPS Shara
203	Fazal Hameed	GPS Shabqdar Deh	GPS Shabqadar Deh
204	Midrar Ullah	GPS Baskha	GPS Baskha
205	Misal Khan	GPS Sadiq Abad	GPS Sadiq Abad
206	Saleem Khan	GPS Nasratzai	GPS Nasratzai
207	Fida Muhamamd	GPS Attaki-1	GPS Attaki-1
208	Abdul Aziz	GPS Gonda	GPS Gonda
209	Muhamamd Razaq	GPS -do-	GPS Attaki-3
210	Iftikhar Ahamd	M/S Gonda-1	GPS Attaki-2
211	Israr Ali	GPS Sardar Ghari	GPS Sardar Ghari
212	Feroz Khan	GPS Salgaor Killi	GPS Daman Katozai
213	Inzar Gul	GPS Katozai-2	GPS Katozai-2
214	Fazli Hakim	M/S Nasratzai	GPS Sadar Ghari-3

Amirul
Advocate

10

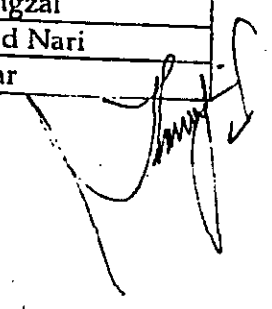
215	Abdul Hai	GPS Bela No.4	GPS Bela No.4
216	Said Ghani Shah	GPS Spinkai-2	GPS Spinkai-2
217	Tasleem Khan	GPS Malik Abad	GPS Malik Abad
218	Abdul Bari	GPS Sardar Ghari	GPS Sadar Ghari-1
219	Shah Zamin	GPS Katozai-3	GPS Katozai-3
220	Ittikhar	GPS Katozai-1	GPS Katozai-1
221	Shah Room	GPS Malik Abad	GPS Salgaro Killi
222	Ihsan Ullah	GPS Katozai-1	GPS Dherai Koroona
223	Waheed Ullah	GPS Shabqadar Fort-2	GPS Shabaz Khan Kor
224	Rabnawaz	GPS Hassanzai	GPS Spinkai-1
225	Akhtar Gul	GPS Khubai	GPS Khubai
226	Zafar Ullah	GPS Hassanzai	GPS Hassanzai
227	Ghafer Shah	GPS Kotak	GPS Kotak
228	Zaitur Rehman	GPS Sokhta-1	GPS Sokhta-1
229	Shaheen Shah	GPS Tarnab SKF	GPS Tarnab SKF
230	Fazal Maboob	GPS Sokhta-2	GPS Sokhta-2
231	Said Wali Khan	GPS Khubai	GPS Miobeen Kor
232	Hazrat Bilal	GPS Mirzai	GPS Mirzai
233	Gul Wali Shah	GPS -do-	GPS Jalhar
234	Aflab Hussain	GPS Hassanzai	GPS Mula Khel
235	Ihsan Ali Shah	GPS Kandara Bala	GPS Kandera Bala
236	Fazli Malik	GPS Mirzai	GPS Mian Isea
237	Saidul Maboob	GPS Ocha Wala-1	GPS Ocha Wala-1
238	Noorul Haq	GPS Mehmood Abad	GPS Mahmood Abad
239	Hidayat Ullah	GPS Hajizai	GPS Subhan Kor
240	Muhammad Iqbal	GPS Ocha Wala-1	GPS Mazara
241	Hameed Ullah	GPS Mahmood Abad	GPS Tarkha
242	Dildar Khan	GPS Ocha Wala-2	GPS Ocha Wala-2
243	Niaz Wali Shah	GPS Mehmood Abad	GPS Hajizai
244	Sikandar Shah	GPS M.Rustem Khel	GPS Hassan Gul Kor
245	Haji Gul	GPS M.Rustem Khel	GPS Krpa Muhammad Kh
246	Niaz Muhammad	GPS M.Rustem Khel	GPS GPS M.Rustem Khel
247	Tahsin Ullah	GPS M.Rustem Khel	GPS Kachkol Kor
248	Siraj ul Haq	GPS M.Rustem Khel	GPS Daryab Kor
249	Noor ul Amin	GPS M.Mughal Khel	GPS M.Mughal Khel
250	Ayub Khan	GPS Kabli Kor	GPS Kabli Kor
251	Jan Ali	GPS Dalazak-1	GPS Dalazak-1
252	Ambar Khan	GPS Dalzak-1	GPS Pir Qala-1
253	Tauseer Khan	GPS Masal Qala	GPS Khawaj Hawas
254	Nazir Ahamd	GPS Shabqadar Fort-2	GPS Masal Qala
255	Mukhtair Ahamd	GPS Rahat Ullah Kor	GPS Aranda
256	Zakir Ullah	GPS Hajizai	GPS Dalazak-2
257	Said Afan	GPS Hajizai	GPS Mardana
258	Ayaz Khan	GPS Attaki-2	GPS Sadar Gahri-2
259	Habibur Rehman	GPS Dherai Kor	GPS Banda Rashaki

[Handwritten signature]

A Justiceal
Advocate

(11)

260	Jan Ali	GPS Pahlawan Qala	GPS Mansoka
261	Raz Muhammad	GPS Mian Kili-2	GPS Mian Killi-2
262	Said Muhammad	GPS Mian Kili-2	GPS Ghundai Kor
263	Sultan Muhammad	GPS Rashaki	GPS Rashaki
264	Fazle Ahad	GPS Baskha	GPS Yar Jan Killi
265	Haider Ali	GPS Attaki-1	GPS Mian Kili-1
266	Saif Ullah	GPS Shabqadar Fort-2	GPS Somanat
267	Dawood Amin	GPS Shabqadar Fort-2	GPS Zarwar Khan Kor
268	Tila Muhammad	GPS Shabqadar Fort-2	GPS Kodai-1
269	Jan Sher	GPS Pahlawan Qala	GPS Tahir Abad
270	Israr Ahamd	GPS Pahlawan Qala	GPS Shabra-2
271	Fazli Amin	GPS Shabqadar Fort-2	GPS Sarki Koroono
272	Ajmur Shah	GPS Shabqadar Fort-2	GPS Dagi Faiz Ullah
273	Shah Nawaz	GPS Yousaf Khan Qala	GPS Kodai-2
274	Saeedur Rehman	GPS Gonda	GPS Pir Qala-2
275	Muhtaram Khan	GPS Nasratzai	GPS Agra Payan
276	Jihar Muhammad	GPS Attaki-1	GPS Pinda Khel Tarnab
277	Shauakt Sajid	GPS Attaki-3	GPS Marchaki-2
278	Liaqat Ali Shah	GPS Mehmood Abad	GPS Rafiullah Killi Tangi
279	Subhan Ullah	GPS M.Mughal Khel	GPS Asili Killi Tangi
280	Azizul Hakeem	GPS M.Rustem Khel	GPS Karimo Banda Tangi
281	Mujahid Ali	GPS M.Mughal Khel	GPS Muslim Abad Tangi
282	Usman Ullah	GPS Khubai	GPS Spimai
283	Shamshad Khan	GPS Gonda	GPS Nawan Killi Kangra
284	Chulam Farooq	GPS Pervez Kor	GPS Pervez Kor
285	Wali Muhammad	GPS Sheikhan Kor	GPS Sheikhan Kor
286	Abdullah Jan	GPS Katigan	GPS Katigan
287	Sarir Ullah	GPS Mulyano Killi	GPS Mulyano Killi
288	Muhammad Zahir	GPS Umara Khan Kil	GPS Umara Khan Killi
289	Nisar Ahamd	GPS Palay Pul	GPS Palay Pul
290	Abdul Wakil	GPS Qalari	GPS Qalari
291	Anwar Khan	GPS Zahoor Abad	GPS Zahoor Abad
292	Muhammad Hassan	GPS Sheikh Abad Rajjar	GPS Sheikh Abad Rajjar
293	Ismail Khan	GPS Utmanzai Twon	GPS Utmanzi Twon
294	Subhan Ullah	GPS Rasool Khan Kil	GPS Rasool Khan Killi
295	Sardar Gul	GPS Asghar Abad	GPS Asghar Abad
296	Raza Muhammad	GPS Rajjar-1	GPS Rajjar-1
297	Qaiser Jehan	GPS Ajoon Killi	GPS Ajoon Killi
298	Alamgir Khan	M/S Sheikh Abad	GPS Ghazgi
299	Jehangir Khan	M/S -do-	GPS Anwar Killi-2
300	Malang Jan	GPS Mufti Abad	GPS Kulalan
301	Farooq Muhanunad	GPS Gardeen	GPS Gardeen
302	Zahir Shah	GPS Khat Turangzai	GPS Khat Turangzai
303	Murtaza Khan	GPS Muhammad Nari	GPS Muhammad Nari
304	Mukram Shah	GPS No.2 Rajjar-2	GPS Sulai Kamar



Attended
Khan
Advocate

12

500	Khaista Rahman	GPS Chacha Khan Killi	GPS Chacha Khan Killi
501	Muhammad Salim	GPS Nasratzai	GPS Nasratzai
502	Zakir Ullah	GPS No.1 Tangi	GPS No.1 Tangi
503	Shaid Gul	GPS No.2 Tangi	GPS No.2 Tangi
504	Riaz Muhammad	GPS No.3 Tangi	GPS No.3 Tangi
505	Shur Gul	M/S Usmani Khel	GPS Mirza Dher-2
506	Habib Ullah	GPS mian Wali	GPS Mian Wali
507	Ifikhar Ahmad	GPS Jurra	GPS Jurra
508	Rizwan Ullah	GPS Ghulam Farid	GPS Bijar Ghari
509	Dost Muhammad	M/S Ghari	GPS Ghari
510	Zahoor Ahmad	GPS No.1 Mirza Dher	GPS Mirza Dher-1
511	Muhammad Ibrahim	GPS Kaniwar	GPS Kaniwar
512	Muhammad Kamal	GPS Kas Koroona	GPS No.2 Ganji Dag
513	Muhammad Ismail	M/S Jan Babu	GPS Khanjare
514	Mukaram Shah	GPS No.2 Sherpao	GPS Habib Abad
515	Hayatur Rehman	GPS Tala Shah	GPS Palai
516	Abdul Nasir Shah	GPS No.1 Sherpao	GPS Sakhra
517	Noorul Baswar	GPS Ghazo Dheri	GPS Totakai
518	Sahibur Rehman	GPS Cheena	GPS Dildar Ghari-2
519	Altatur Rehman	GPS Shah Abad	GPS Izat Khan Killi
520	Zuhoor Ahmad	GPS No.2 Sherpao	GPS Gandheri Baln
521	Safir Ullah	GPS Majeed Abad	GPS Anwar Mahal
522	Muhammad Aslam	GPS Gul Abad Mera	GPS Khisro Killi
523	Muhammad Hayat	GPS Nan Killi	GPS Julagano Killi
524	Rakhtair Shah	GPS Chail	GPS Turangzai-3
525	Ahmad Jan	GPS No.2 Prang	Suspended due murder case
526	Niaz Ali	GPS No.2 Haryana	Involved in Anti Corruption case

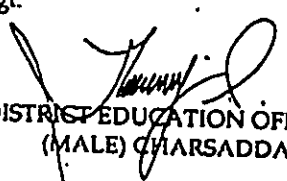
TERMS & CONDITIONS:-

- 1) They would be on probation for a period of one year extendable for another one year.
- 2) They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 3) Their services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be proceeded under the rules framed from time to time.
- 4) Charge report should be submitted to all concerned.
- 5) Their Inter-Se-Seniority on lower post will remain intact.
- 6) No.TA/DA is allowed for joining his duty.
- 7) They will give an under taking to this effect to be recorded in their S/Book.
- 8) All the new Head teachers are hereby directed to form new PTC and activate the account and submit the copy of PTC to ADO, SDEO and DEO concerned in order to ensure the smooth transfer of PTC amount to your schools.
- 9) No application for any charge regarding posting/transfer shall be entertained.

(ATTA ULLAH KHAN)
DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA.

Endst: No 1465-1996/Dated Charsadda the 14/03/2013

- 1) Copy forwarded for information and necessary to the:-
- 2) PA to the Director (E&SE) Khyber Pukhtunkhwa Peshawar.
- 3) District Accounts Officer Charsadda.
- 4) Sub Divisional Education Officer Charsadda/Tangi.
- 5) Official Concerned.
- 6) M/File.


DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA

CAUSE NOTICE

1. Shariif Gul District Education Officer (M) Charsadda as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) rules, 2011, do hereby serve you Mr. Inayat ur Rehman SBT 10515 C151 Halmizai.

1) That during the visit of SDEO (M) Charsadda to your school on 17/6/2015 and he noted some irregularities on your part, which were investigated through proper inquiry and the inquiry officer has proved the charges against you.

2) From the perusal of inquiry report I am satisfied that you have committed the following acts/omissions specified in rule,3 of the said rules.

- a> Cutting of 3 trees without sanction of the competent authority.
- b> Demolition of group latrin.
- c> Irregular Expdtt: of Rs. 49000/- out of Rs. 1000000/- allotted for construction of c/rooms.

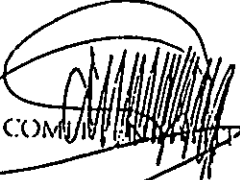
(a) In efficiency

3) As a result thereof, I as competent authority, have tentatively decided to impose upon you any one of the major penalty under rule 4 of the said rules.

4) You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

5) If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in failing which an ex-parte action shall be taken against you.

6) Copy of your absence report is enclosed.


 COMPETENT AUTHORITY.

Received
Addressed

14

BETTER COPY

Cause Notice:-

1. I, Sharif Gul District Education officer (M) Charsadda as competent Authority under the Khyber Pakhtunkhwa Government Servant (Efficiency and Discipline) Rules 2011, do hereby serve you Mr. Inayat-ur-Rehman PSHT BPS-15 GPS Halimzai.
 - i. That during the visit of SDEO (M) Charsadda to your school on 17/09/2015 and he noted some irregularities on your part, which were investigated through proper inquiry and the inquiry officer has proved the charges against you.
 - ii. From the perusal of the inquiry report I am satisfied that you have committed the following acts / omission specified in rule 3 of the said rules.
 - a. Cutting of three trees without sanction of the competent authority.
 - b. Demolition of group latrine.
 - c. Irregular Expdtt: of Rs. 49,000/- out of Rs. 1,000000/- allotted for construction of C/ Rooms.
 - a. In efficiency.
2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you any one of the major penalty under rule 4 of the said rules.
3. You are thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
4. If no reply to this notice is received within 7 days or not more than 15 days of the delivery, it shall be presumed that you no defense to put in failing which ex-party action shall be taken against you.
5. Copy of your absence report is enclosed.

Signature

Competent Authority

(male)

مختصر جواب

جوابی

فڈائرشن کی وجہ سے ایک آہستہ آہستہ دفتر سے

کارے نام ایک خط آیا ہے۔ صبر سے آہستہ آہستہ ان لوگوں کی ذمہ داریاں لی گئی ہیں

① درخواستوں کی کٹائی اور وضاحت کے درخواستوں کی کٹائی PTC

کونسل کی منظوری سے کی ہے۔ پندرہ ستمبر سے کارروائی

اور دیوار کا ساتھ دینے کی منظوری دے دی۔ جو کہ میں کوئی بے ذریعے 4500 روپے

پر وقت کر دی۔ دستخط کیے۔

② گروپ لیڈرین کو حتم کرنا۔ یہ ذمہ داریاں میں کر رہی ہوں

جو بہت فراہم ہے۔ اور کسی بھی وقت ایک بڑے حادثے کا سبب بن سکتا ہے

PTC کونسل کی باہمی مشاورت اور منظوری سے اسے ونگر دیا

③ 50,000 روپے لے کر یہ رقم سکول کے سٹوڈنٹس کے

کی ضروری اور سکول کے دوڑنے والی کاموں پر انہیں تک ترسیل

کئے گئے ہیں۔ اور یہی انکو امریکی 23 11/2015

پہنچا ہے

لہذا ونگر ہم بلڈ ہاؤس پر نوا تانی کرنا چھوڑنا PSHT

العارض

20/16

اگرچہ اس سے پہلے PSHT حکم

A. Inayat ur Rahman

16

OFFICE OF THE DISTRICT EDUCATION OFFICER MALE CHARSAJDA

NOTIFICATION

1. WHEREAS, Mr. Inayat Ur.Rahman PSHT GPS HaleemZai reported guilty of corruption (embezzlement in PTC fund).
2. AND WHEREAS, the embezzlement is tantamount to guilty of corruption as specified in rule 3 of E&D rules 2011 KPK.
3. AND WHEREAS, the competent authority served Show Cause notice on dated 31/12/2015.
4. AND WHEREAS, you were personally heard on 24/06/2016.
5. AND WHEREAS, the charges of corruption were admitted by you, during the personal hearing.
6. NOW THEREFORE, in exercise of powers conferred under the Government of Khyber Pakhtunkhwa, Government servants (E&D) Rules, 2011. 1, Mr. Sharif Gul the Competent authority impose upon you major penalty of Demotion to lower grade (BPS-14) under Rules 4(b).

COMPETENT AUTHORITY

Endst No 23921-24 Dated 27/6 2016

Copy for Information to:

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. SDEO (M) Charsadda.
3. Official Concerned.
4. Office File.

[Signature]
DY: DISTRICT EDUCATION OFFICER
(MALE) CHARSAJDA

کے نام سے درخواستیں کی گئی ہیں۔

درخواست برائے لفٹ تالی

جہاں تالی

مقامی طور پر (پشاور) کے دفتر سے میرے نام پر سٹوکارڈ لفٹ
 پر تالی (جسکی میں نے تھمیں) کی اور میں نے جی۔ پی۔ سی
 فنڈز سے جو پیسے ہتھ لائے (50,000) روپے سکول
 کے خلیجی کاموں میں لگائے گئے۔ وہ (DEO) چار سہ
 کے حکم پر واپس پی۔ پی۔ سی فنڈز میں اپنے حلیے سے لے کر
 اس کے باوجود (DEO) صاحب شریف علی نے جو کو
 سب سے کسے اور پھر یہ وہ
 جو کہ جنوری کے ساتھ میرے سرکاری بلے
 فروی پی۔ پی۔ سی پتھر ہے۔ اور اس کے مجموعی مجموعے میں
 اب شریف علی صاحب کا تیار لم ہو گیا ہے۔ اور ڈی پی ایچ کے
 محمد اقبال صاحب کی تالی ہے۔ کہ یہ ڈی پی ایچ سے لے کر
 لہذا آپ صاحبان میری فرمائشیں کو واپس نہیں لے
 میں لفظات سے لے کر حکم فرمادیں

عین نوادش ہوئی گا

الصارحہ

انجیل ویمان برادر عیادت الراجحی (PSHT) جی پی ایچ کے نام سے

Recommended & Forwarded
 to the honourable District
 Sahab P. M. A. please.

ASDEO/MI
 Shabqadar
 Circle (CH)

23/07/2016



DIRECTORATE OF ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA.

No. 290/F.No. 162/Vol:III/Appeal of PST

Dated Peshawar the 1/9 /2016.

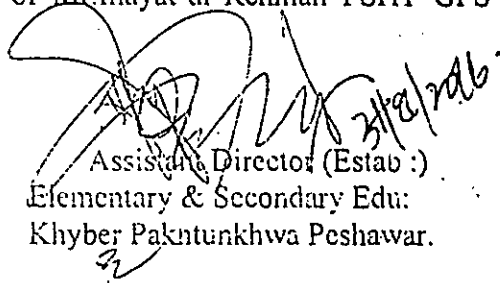
To,

The District Education Officer (M)
Charsadda

Subject: - APPLICATION.

Memo:-

I am directed to refer to your letter No.1034/F.No.8/Vol:3 Estab (P) dated 12.08.2016 on the subject cited above and to state that the appeal of Mr.Inayat-ur-Rehman PSHT GPS Haleem Zai has been rejected.


Assistant Director (Estab :)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

Endst: No. _____/

Copy forwarded to the:-

1. P.A to Director Elementary and Secondary Education local office.

Assistant Director (Estab :)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

گائیڈ برائے پی ٹی سی
والدین اور اساتذہ کی کونسل

Guide for
Parent Teacher Council

Government of Khyber Pakhtunkhwa
Elementary and Secondary Education Department

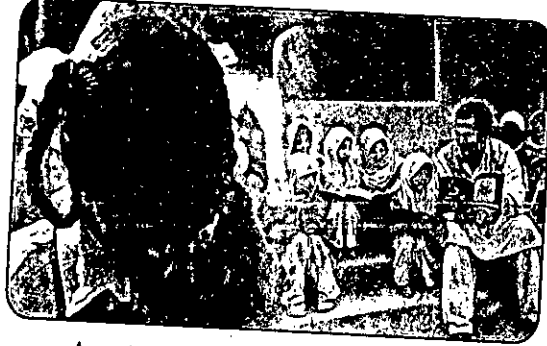
۱۹

Handwritten signature and text in Urdu, possibly indicating approval or ownership.

Annexure-14

مار نہیں پیارا!

کیا آپ جانتے ہیں کہ طلباء پر جسمانی تشدد قانوناً حرام ہے؟



اطلاع برائے عوام الناس!

حکومت خیبر پختونخوا نے تمام سرکاری اور نجی تعلیمی اداروں میں جسمانی سزا کو حرام قرار دیا ہے۔
عوام الناس کو اطلاع دی جاتی ہے کہ اگر سرکاری اور نجی تعلیمی اداروں میں جسمانی تشدد کا کوئی بھی واقعہ رونما ہو یا شاف کی غیر حاضری وغیرہ ہو تو درج ذیل نمبر پر اطلاع دیں۔

هاٹ لائن 0800-33857

یاد رکھیے!

- بچے مار سے بنتے نہیں بگڑتے ہیں!
- بچے شفقت کے مستحق ہیں!
- جسمانی سزا روحانی زخم لگاتی ہے!
- تعلیم جو پیار سے دی جائے اثر رکھتی ہے!

حکومت ابتدائی و ثانوی تعلیم صوبہ خیبر پختونخوا



Annexure-13

FINANCIAL PROCEDURE FOR PARENTS-TEACHERS-COUNCIL (Current Budget)

The following Financial Procedure shall be observed by the Parents-Teachers-Councils (PTCs) in all Governments Schools in NWFP:-

A. SOURCE OF FUNDING

- (1) The funds to the Parents-Teachers-Councils shall be transferred from Provincial Consolidated Fund Account No. 1, through Account IV of the respective District Government, as tied budgeted grant.
- (2) The District Governments shall be required to budget the allocation for each PTC on yearly basis.
- (3) Each Parents-Teachers-Council shall maintain a commercial bank account to be jointly operated by the Chairman/chairperson and Secretary of the council.
- (4) The Executive District Officer (Schools & Literacy) of the respective district government shall accord administrative sanction and Executive District Officer F&P shall issue financial sanction for the transfer of funds from the district Account -IV to the bank account of the Parents-Teachers-Councils. These funds shall be transferred/credited upfront in the bank account of the Councils by the respective District Accounts Officers.

B. FINANCIAL PROCEDURE FOR DISBURSEMENT OF PTC FUNDS

- (1) The funds upto Rs. 200,000 per annum shall be spent by the parents-teachers-Councils on Need Basis, for the purpose as prescribed in the PTC Guide, issued by the S&L Department, including necessary civil works.
- (2) All expenditure shall be incurred with prior approval of the parents-Teachers-Councils.
- (3) All purchases/execution of work shall be carried out by the Parents-Teachers-Councils in a transparent and economical manner.
- (4) The secretary of the PTC, on behalf of the Council shall maintain the accounts of the receipts and expenditure in a simple cash book in the prescribed format (refer to PTC Guide).
- (5) The cash book and allied details/vouchers/receipts shall be verified and approved by the Parents-Teachers-Councils in the Council's meetings to be held on quarterly basis.
- (6) The vouched accounts shall be subject to inspection by the functionaries of the Schools & Literacy Department and to Third Party validation.
- (7) The expenditure on civil works shall be market based and shall be incurred by exercising general financial prudence.
- (8) This financial procedure shall also apply to Performance Based Budgeting.

27/8/2015

G.P.S. HANMAM ZILLI

Chairman

(Signature)

27/8/2015

Gov. Primary School

Head Master

(Signature)

مجلس اطفال اور تفریحی سرگودھا ضلع

کمیٹی کے اجلاس کے فیصلے

1- اجلاس

2- اجلاس

3- اجلاس

4- اجلاس

5- اجلاس

6- اجلاس

7- اجلاس

8- اجلاس

9- اجلاس

10- اجلاس

11- اجلاس

12- اجلاس

13- اجلاس

Auction G.P.S. HALEEMZAI

S. No.	Name of Auction	NIC No.	Auction No I	Auction No II
1	Jumalia		2500	
2	Mazuliah	17101-0396486-7		4500
3	Gul Zaiman	171010323924-3	3000	
4				
5				

PTC عمران

صحت

Incompetent
 Govt. ...
 District ...

22/2/15

22/2/15

- 1 رستم خان = رستم خان
- 2 بھوان زبیر = بھوان زبیر
- 3 عبدالقیوم = عبدالقیوم
- 4 اول خان = اول خان
- 5 فرید خان = فرید خان
- 6 آبین خان = آبین خان
- 7 عنایت الرحمن = عنایت الرحمن
- 8 حسین خان = حسین خان

Incompetent
 حسین

رسید بابت پنک لہاریہ 30/8/15 2

2 عدد پنک 40 روپیہ لوہیہ 80 روپیہ

10 دنوں کا حساب

800 روپیہ = 80 x 10

100 روپیہ

900 روپیہ

حسین خان

Signature of
30/8/15

30/8/15

ASDEO (mt)
Shabqadar
Circle (Chd)

رسید بابت فریڈلاری سامان 30/8/15 1

2 عدد تیشی = 300

1 عدد چنی 120

1 عدد کپڑی 500

920 روپیہ

لیٹر نیون کی ہیناری = 1400
جمعہ یا فوڈ چارٹی کرایہ

400 مختصر مار سپرے 7 عدد 14 9/15

300 مشب درمیر P.T.C

Signature of
30/8/15

30/8/15
ASDEO (mt)
Shabqadar
Circle (Chd)

Advanced
A

25

3 ویران لیٹر بنوں کو گرانے کی مزدوری
18/9/15

3 در مزدور 500 یومیہ مزدوری = 1500

15 دنوں کا حساب $1500 \times 15 = 22500$

ناشتہ روٹی یومیہ فہریم 300

15 دنوں کا حساب $300 \times 15 = 4500$

کل قیمتان = 27,000/-

Inventor
30/9/15

حسین خان
P.T.A.
G.P.S. Hama Zila
30/9/15

ASDEO (m)
Shabqadar
Circle (Chd)

(ر سیر برائے سکول سفیری چونا آ کمروں اور برآمدہ کی)

مزدوری رنگساز 5 دن کی
18/9/15

4500 = 5 x 900

مزدور 5 = 5 x 500 = 2500

ناشتہ 5 = 5 x 150 = 750

گورڈا گرانے 5 = 5 x 50 = 250

ٹوٹل بل = 8000/-

حسین خان
P.T.A.
G.P.S. Hama Zila
30/9/15

Inventor
Head Master
Govt Primary School
Hama, Hama Zila
30/9/15

ASDEO (m)
Shabqadar
Circle (Chd)

Asst. Secy
Hama

25

210
27
015



NO.	DESCRIPTION	QUANTITY	UNIT	AMOUNT
-----	-------------	----------	------	--------

280	اسپرٹس کیمپ	2	کلو	560
240	اسپرٹس کیمپ	2	کلو	480
340	اسپرٹس کیمپ	2	کلو	680
860	اسپرٹس کیمپ	2	کلو	1720

Inasater
Head Master
Govt Primary School
Halimzai Shabqadar, G.P.O. Halimzai

ASDEO (M)
Shabqadar
Circle (O.P.)

Value Paints
گورنمنٹ پینٹس ٹاورز
زردجام مسجد شہنشاہ
091-628126
0300-5893909

135
نمبر

تاریخ 15/11/2015
پیرا ماسٹر (P.R.S) حلیہ بندی

تعداد	تفصیل	نرخ	مبلغ
2	فلو پینٹ	440	880
1 1/2	پوری جوڑا	600	900
2	پیش	250	500
1	سکرینر	40	40
2	مٹل	60	120
1450/2	گلاس		725
150	کرار		150

1550/2
Inasater
Head Master
Govt Primary School
Halimzai Shabqadar, G.P.O. Halimzai
20/11/15

ASDEO (M)
Shabqadar
Circle (O.P.)
CROWN COLOUR COATINGS

Aside...
Handwritten notes on the right margin.

26

HM گورنمنٹ پرائمری سکول حلیم زئی 3/11/2015

200 10 دستہ لکچر دار کاغذ
 300 بیسیر فولو شیٹ
 200 سلیبس شیٹ
 480 6 عدد تالی 80 x 6
 600 4 عدد بلب ازبی رگور
 300 6 عدد جھاڑو

2080

Innovator

Head Master
 Govt. P.S. Hazrat Zia

حسین خان

P.T.O.
 Govt. P.S. Hazrat Zia

ASDEO (m)
 Shahqadar
 Circle (Chd)

دستہ 8

کلیم اللہ بیسیر آرٹسٹ

بیسیر آرٹسٹ کے لئے 8 دستہ لکچر دار کاغذ

تاریخ: 3/11/2015
 پی ای: 6289729
 جی ایم جیڈ ہاسٹ گورنمنٹ پرائمری سکول
 حلیم زئی

1 عدد بورڈ لکھائی

ASDEO (m)
 Shahqadar
 Circle (Chd)

Innovator
 Head Master of
 Govt. P.S. Hazrat Zia
 Govt. P.S. Hazrat Zia

500
 500
 100
 600
 ویلڈ ٹک + کیل

ASDEO (m)
 Shahqadar
 Circle (Chd)

217

دستور 10
 15-12-2015

- صندوق خرچے
- ① فولو سٹیٹ - 80
 - (A) کی دستہ ٹائمز - 110
 - (B) کی دستہ جھاڑو - 120
 - (C) ٹرانسپارنٹ سرورٹ فرم - 500
 - (D) ٹالے 2 عدد - 166
- 970

حسین خان

M.T.A.
 28-3-2015
 ASDEO (M)
 Shabqadar
 Circle (Shah)

Instructor
 Head Master
 Govt Primary School
 Halimzai Shabqadar

دستور 9

رسد ریٹ ٹریڈنگ ضروری مورخہ 9/12/15

مسٹر ڈرائیور محمد زاہد نے سکول کی زمین کی پیمواری

کی جس پر 900 روپے فی گنتہ کے حساب سے دو گنتہ

تک اور 1800 روپے میں رسد کی تانہ سزا کی ہے

ASDEO (M)
 Shabqadar
 Circle (Shah)

دستور پیمواری کے لیے
 D.T.C. شہر میں
 B.S.A.
 Halimzai
 P.S. Halimzai

دستور پیمواری کے لیے
 Magistrate
 Head Master
 Govt Primary School
 Halimzai Shabqadar

بابت ٹرانسپورٹ کے اخراجات

رسم 11

آج مورخہ 11/02/2016 کو حاجی سید بادشاہ اور

رسول خان نے ٹرانسپورٹ کے اخراجات کے سلسلے میں

آٹے اور فی سروس کے حساب سے 800 روپے وصول

کیے۔ رسید بلوری تالی سند ہے۔

28-3-2016

A.S.D.E.O (m)
Shahdadar
Circle (Chai)

حاجی سید بادشاہ

D.T.A.

P.T.A.

Chairman, Tal.

In-charge

Head Master

Govt. Primary School

Halimzaib Shahdadar

11/2/2016

Abdul
Gul Advocate

رسید (12) گورنمنٹ پبلک سکول جلندھر 4/4/16

1) ستر شہدائے پاکستان لائبریری - 200

2) کتبوں کی ولڈنگ پرفیکشن - 500/-

ٹوٹل خرچہ 700 روپے

رسید بلوچی خانہ سدریہ

حسین خان

P.T.A.

Chairman

G.P.S. Hahsan Zai.

Institute

Head Master
Govt. School
Hahsan Zai

Amirul
Adver

رسید (13) گورنمنٹ ایمری سکول حلیم زئی، 7/4/16

ایڈر P.T.C کونسل لوڈ ہمس بلکفانی

مقدار 1000/- (ایس)

رسید بلکفانی خانہ سدر ریل

حسین خان

Instructor
Head Master
Govt. School
Halim Zai, Sadr

Chaitanya
Govt. School

رسید (14)
کلیم اللہ پسر
کلیف

6289729-33
7/4/16
بٹ
G.P.S
حلیم زئی

سید

دائریہ
حسین خان
P.T.C.
Chaitanya
Govt. School
Halim Zai

Instructor
Head Master
Govt. School
Halim Zai, Sadr

رسید

32

Account Statement

1143-SHABQADAR
 HEAD MASTER GPS HALIMZAI
 HALIMZAI SHAHQADAR
 SHAHQADAR
 CHARSAJDA

*Amended
 Advice*

Reg Cell No:
 IBAN No: PK21 UNIL 0112 1143 0103 4236 - CIF#: 21924556

Statement Period : From 01-JAN-2016 To 10-MAY-2016
 Account No : 114301034236
 Account Type : CURRENT
 Product Type : BUSINESS PARTNER
 Currency : PAKISTAN RUPEE
 Balance : 62,025.00 Cr
 As of : 10-MAY-2016

Date	Particulars	Inst No.	Debit	Credit	Balance
01-JAN-2016	** OPENING BALANCE **				951,025.00 Cr
24-JUN-2016	CHEQUE PAYMENT	3429071	950,000.00		1,025.00 Cr
08-APR-2016	TRANSFER FROM 200828268 TRANSFER (Br: 0232)			61,000.00	62,025.00 Cr
10-MAY-2016	** CLOSING BALANCE **				62,025.00 Cr
Total Withdrawals & Total Deposits			950,000.00	61,000.00	
Total number of Transactions					2

UNITED BANK LIMITED
 UNITED BANK LIMITED
 UNITED BANK LIMITED
 UNITED BANK LIMITED
 UNITED BANK LIMITED

1143-SHABQADAR
 10-MAY-2016 09:55:23
 *** CASH DEPOSIT ***
 TO A/C: 114301034236
 1143-SHABQADAR
 HEAD MASTER GPS HALIMZAI
 CHARSAJDA

AMOUNT: *****50,000/-
 PER FIFTY THOUSAND ONLY
 (SER NO: 877028921)
 POSTED BY: NASEER AHMED

THIS IS A COMPUTER GENERATED RECEIPT
 AND DOES NOT NEED SIGNATURE OR STAMP

Note: The items and balance shown on this statement should be verified and the branch manager notified within 2 weeks of any discrepancies, otherwise it will be assumed as correct.



A *Personal* *Advise*

33

OFFICE OF THE DISTRICT EDUCATION OFFICER, SADDA

CORRIGENDUM

Please read the shifting of basic facilities under Conditional Grant/Security Measure of the following schools as per detail given below:-

S.No	Name of School	Name of School proposed for shifting facilities	Name of facilities	Amount
01	GPS Cardai	G/Latrine	GPS Ahmad Yar Killi	160000/-
02	GPS Ghunda Karkana	G/Latrine	GPS Raj Muhammad Sheikh	160000/- 160000/-
03	GPS Kotak	G/Latrine	GPS Katozai No.1	
04	GHSS Hassanzai	Add: Class Room	GPS Dalazak-2	700000/-
05	GPS Sardaryab	Add: Class Room	GPS Hisara(Painda Khel Tarnab)	700000/-
06	GPS Faqir Killi	B/Wall	GMS Kot	663600/-
07	GPS Tarnab	Saved Amount	GPS Daman Katozai Bala	150000/-
08	GPS Tarnab	Saved Amount	GPS Hasan Gul Korona	100000/-
09	GPS Bela No.4	Saved Amount	GPS Katozai No.2	50000/-
10	GPS Ghurambak-1	Saved Amount	GPS Marchaki-1	60000/-
11	GPS Haleemzai	Add: Class Room	GPS Hisara(Painda Khel Tarnab)	1000000/-

[Signature]
District Education Officer,
(Male) Sadda
12

UBL UNITED BANK Ltd

SHABQADAR, GHULAM MUHAMMAD KHAN MARKET, NEAR M

CURRENT A/C NO. 0001034236

CD-25 10 CHEQUE No. 3429071

Date 23.3.16 OR BEARER

PAY Head Master GPS Paindakhel Tarnab

RUPEES Nine lacs 9 Fifty Thousand only Rs. Rs: 950000 =

DO NOT WRITE BELOW THIS LINE

Head Master
Govt Primary School
Haleemzai Shabqad

⑈ 31 290 7 1 ⑈ 086 1 1 4 31 000 1 0 3 4 2 3 6 ⑈ 000 ⑈

34

Account Statement

1143-SHAHQADAR
 HEAD MASTER GPN HALIMZAI
 HALIMZA-SHAHQADAR
 SHAHQADAR
 CHARSADDA

A. U. Ghalib
Adnan

Statement Period : From 01-JAN-2015 To 27-SEP-2015
 Account No : 114301034236
 Account Type : CURRENT
 Product Type : BUSINESS PARTNER
 Currency : PAKISTAN RUPEE
 Balance : 951,025.00 Cr
 As of : 27-SEP-2015

Reg Cell No :
 IBAN No : PK21 UNIL 0112 1143 0103 4236 C/PN: 21924556

Date	Particulars	Inst No.	Debit	Credit	Balance
01-JAN-2015	** OPENING BALANCE **				14,025.00 Cr
16-JAN-2015	TRANSFER FROM 200828268 TRANSFER (Br: 0232)				46,025.00 Cr
17-JAN-2015	TRANSFER FROM 200828268 TRANSFER (Br: 0232)			32,000.00	78,025.00 Cr
21-JAN-2015	CASH			80,000.00	158,025.00 Cr
26-JAN-2015	CASH	3429065	50,000.00		108,025.00 Cr
27-JAN-2015	CASH	3429066	50,000.00		58,025.00 Cr
30-JAN-2015	CASH	3429067	10,000.00		48,025.00 Cr
02-MAR-2015	CASH	3429068	2,000.00		46,025.00 Cr
08-MAY-2015	CASH	3429069	12,000.00		34,025.00 Cr
10-JUN-2015	TRANSFER FROM 202045199 TRANSFER (Br: 0232)	3429062	1,000.00		33,025.00 Cr
15-SEP-2015	CASH			1,000,000.00	1,033,025.00 Cr
27-SEP-2015	** CLOSING BALANCE **	3429070	50,000.00		983,025.00 Cr
Total Withdrawals & Total Deposits			1,050,000.00	1,112,000.00	
Total number of Transactions			10		

Note: The items and balance shown on this statement should be verified and the branch manager notified within 2 weeks of any discrepancies, otherwise it will assumed as correct.



Saved Ann
Release the
the pay
only
 26/16
 35



Personal Information of Mr INAYATUR RAHMAN d/w/s of FAZLI KHALIQ
 Personnel Number: 00147188 CNIC: 1710102936911 NTN: 46116
 Date of Birth: 01.05.1966 Entry into Govt. Service: 12.10.1988 Length of Service: 27 Years 04 Months 019 Days

Employment Category: Vocational Permanent
 Designation: PRIMARY SCHOOL HEAD TEACH 80001042-DISTRICT GOVERNMENT KHYBE
 DDO Code: CA6012-DEPUTY DISTRICT OFFICER (MALE) PRIM EDUCATION CHARASADDA -REGULAR
 Payroll Section: 001 GPF Section: 001 Cash Center: 1
 GPF A/C No: EDUCA000390 Interest Applied: Yes GPF Balance: 243,738.31
 Vendor Number: -
 Pay and Allowances: Pay scale: BPS For - 2015 Pay Scale Type: Civil BPS: 15 Pay Stage: 19

Wage type	Amount	Wage type	Amount
0001 Basic Pay	28,180.00	1000 House Rent Allowance	1,566.00
1210 Convey Allowance 2005	2,856.00	1300 Medical Allowance	1,500.00
1505 Charge Allowance	40.00	1948 Adhoc Allowance 2010@ 50%	5,277.00
2148 15% Adhoc Relief All-2013	3,165.00	2174 Adhoc Relief Allow-2014	2,110.00
2199 Adhoc Relief Allow @ 10%	2,818.00		0.00

Deductions - General

Wage type	Amount	Wage type	Amount
3015 GPF Subscription - Rs1965	-1,965.00	3501 Benevolent Fund	-180.00
3511 Addl Group Insurance	-13.00	3604 Group Insurance	-115.00
3609 Income Tax	-409.00	3990 Emp. Edu. Fund KPK	-100.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	20,000.00	-6,550.00	1,000.00
6505	GPF Loan Principal Instal	235,800.00	-6,550.00	144,100.00

Deductions - Income Tax

Payable: 4,545.58 Recovered till February-2016: 2,561.00 Exempted: 757.58 Recoverable: 1,227.00

Gross Pay (Rs.): 47,512.00 Deductions: (Rs.): -15,882.00 Net Pay: (Rs.): 38,180.00

Payee Name: INAYATUR RAHMAN
 Account Number: A/C 5481-4
 Bank Details: NATIONAL BANK OF PAKISTAN, 231435 SHABQADAR SHABQADAR.

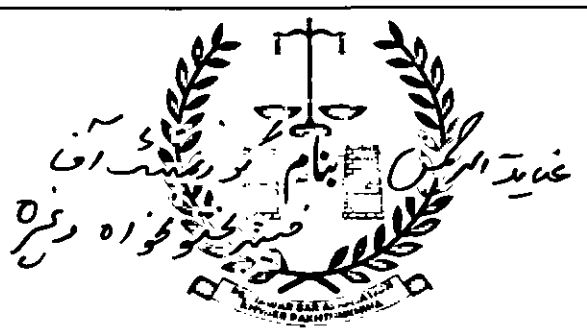

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: SDEO M CHARASADDA
 City: CHARASADDA Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official
 Temp. Address:
 City: Email: inayaturrahman147188@gmail.com

System generated document in accordance with APPM 4.6.12.9 (SERVICES/27.02.2016/05:38:56/v1.1)
 * All amounts are in Pak Rupees
 * Errors & omissions excepted

 ایڈووکیٹ/دستخط بار کونسل ابار ایسوسی ایشن نمبر: ۸۵۹۸ رابطہ نمبر: ۰۳۷۵ ۹۷۹۳۷۰۸	 69077 پشاور بار ایسوسی ایشن، خیبر پختونخواہ
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------

بعدالت جناب: مسرور سید سہیل اختر خیبر پختونخواہ

Appellant منجانب	دعوی: علت نمونہ: مورد: جرم: تھانہ:
 عندہ امرتسن بنام نور محمد خان خیبر پختونخواہ رجسٹرڈ	
بامث تحریر آگہ	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

آن مقام سیمہ حیدرآباد کے جج صاحب نے فیصلہ کیا کہ اس کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر حالت و فیصلہ برطن دینے جواب دعوی اقبال دعوی اور درخواست ازہر قسم کی تصدیق زریں بد دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا مانتہ بد داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ اتوائے مقدمہ کے سب سے ہوگا وہ وکیل موصوف و قبول کرنے کا اختیار ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کرتاں، لہذا وکالت نامہ لکھ دیا تاکہ مندر ہے۔

Accepted

23-9-2016

المقوم:

Signature

مقام

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No. 1015/2016

Inyat Ur Rahman

Vs

Govt of KPK & others

INDEX

S No	Description	Annexure	Page
1	Comment		1-5
2	Affidavit		6
3	Copy of the show cause notice	A	7
4	Copy of the enquiry report	B	8-9
5	Copy of letter	C	10
6	Copy of bank statement	D	11-12
7	Copy of personal hearing	E	13


24/12/16
DISTRICT EDUCATION OFFICER
(MALE) CHARSAKDA

2

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No. 1015/2016

Inayat Ur Rahman

Vs

Govt of KPK & others

Written comments on behalf of Respondents

Preliminary Objections:

Respectfully Sheweth:

- A. That the Appellant has no locus standi and cause of action.
- B. That the present Appeal is wrong, baseless and not maintainable, it shows no cause to be taken for adjudication, therefore, the Appeal is liable to be rejected/dismissed.
- C. That the Appeal is unjustifiable, baseless, false, frivolous and vexatious. Hence the same is liable to be dismissed with the order of special compensatory costs in favour of Respondents.
- D. That no legal right of the appellant has been violated, therefore, the appellant has no right to file the instant appeal.
- E. That the Appellant is completely estopped/precluded by his own conduct to file this Appeal.
- G. That the Appellant has not come to this Hon' able Tribunal with clean hands. The Appeal also suffers from mis-statements and concealment of facts and as such the Appellant is not entitled to equitable relief.
- H. That the Appellant has no right to file the instant Appeal and the Hon' able Services Tribunal has got no jurisdiction to adjudicate upon and the Appeal is liable to be dismissed.
- I. That the instant appeal is barred by law and limitation.

PARA WISE REPLY ON FACTS:

1. That the Para is related to the personal information of the appellant, therefore, needs no comments.

- 3
2. That the Para is related to the personal information of the appellant, therefore, needs no comments.
 3. That the Para is based on facts, therefore, is subject to proof.
 4. That the appellant was involved in embezzlement. Therefore, was served with a show cause notice and an enquiry was conducted and in pursuance of that enquiry the appellant has been proceeded accordingly.

(Copy of show cause notice is attached as Annexure A).

5. Incorrect, an enquiry was conducted by the competent authority to dig out the facts. The enquiry report shows that a huge amount of Rs. 50000/- has been wasted at purposeless activity. The enquiry recommendations are reproduced for the kind assistance of the Hon'ble Tribunal.

Recommendations:-

- The Head Teacher may be directed to deposit back Rs. 49000/- from his own sources in the school PTC account and the cheque of Rs 10 Lac may be handed over back to the office of the DEO (M) Charsadda.
 - A warning may be issued to him that in future he should not make any auction or demolition without the approval/sanction of the competent authority.
 - The building material kept in the custody may be entered in the stock register and the SDEO (M) Charsadda may be consulted in this regard.
6. In reply to the Para it is stated that as the appellant has been involved in an embezzlement case, therefore, proper enquiry into the matter was conducted and the appellant has been proceeded accordingly.

(Copy of enquiry is annexed as Annexure B).

7. The Para is self-explanatory, therefore, needs no comments.
8. That the appellant is not an aggrieved party, therefore, can't file the instant appeal and is liable to be dismissed on the following grounds inter-alia.

GROUND:

A. Incorrect the order dated 27/06/2016 and 01/09/2016 is in accordance with law, rules and policy.

B. Incorrect, as the appellant was found guilty of embezzlement, therefore, has been directed to deposit the embezzled amount.

According to the policy every Government School is paid by the Government an amount of Rs. 7000/- per room for the purpose of repair. The appellant school has been paid accordingly an amount of Rs. 112000/- every year in

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June. Statement of account for the year shows that the appellant as Head Teacher of the said school been paid Rs. 112000/- for (16) sixteen rooms i.e. per room Rs. 7000/.

Further the SDEO (M) Charsadda visited the said school and observed that there is no need for more rooms to be constructed and the conditional grant of one million be shifted for the basic facilities under conditional grant/security measures to other needy school.

(Copy of the letter is attached as Annexure C).

- C. That the amount imbursement to GPS Haleemzai for the purpose of repairing was in the year 2015. This amount is Rs. 112000/ at the rate of Rs. 7000/ per room. The receipt annexed by the appellant shows that it was spent in the year 2015 on account of petty repairing. While the disputed amount i.e. 10 Lac was paid in the year 2016 and the (ijlas) i.e. meeting convened was for PTC fund and not for the amount imbursement for the purpose of constructing additional rooms, because the GPS Haleemzai has (16) sixteen well furnished rooms and well functional latrines only for one hundred seventy one students (171).

(Copy of bank statement attached as Annexure D).

- D. That as the appellant does not utilize the huge amount paid to him on account of PTC fund for petty repair in the year 2015 i.e. total of Rs. 112000/ at the rate of Rs. 7000/ per room for total of (16) sixteen rooms. Therefore, has been directed by the competent authority after proper proceedings and enquiry and personal hearing to deposit the embezzlement amount of Rs. 50000/.

E&F. Incorrect, the appellant has been proceeded according to law, rules and policy.

The appellant has been called for personal hearing and then demoted to lower grade according to law, rule and policy.

G. That the Para is related to the personal information of the appellant, therefore, need evidence and solid proof.

H. The Para as stated is based on misstatement, misrepresentation, frivolous and false because the appellant has been provided full opportunity and has been issued a show cause notice and a proper enquiry was conducted and in furtherance of the recommendations of that enquiry the competent authority has been pleased to demote the appellant to a lower scale with the directions to deposit the embezzled amount of Rs. 50000/- in the Government Treasury.

The signature and thumb impression of the appellant on the attendance sheet

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shows that the appellant has been personally heard and then proceeded.


(Copy of personal hearing is attached as Annexure E).

PRAYER:

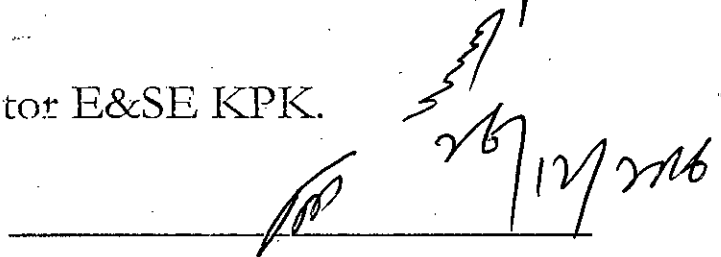
IT IS, THEREFORE, MOST HUMBLY PRAYED THAT ON ACCEPTANCE OF THE WRITTEN PARA WISE REPLY TO THE APPEAL THE APPEAL OF THE APPELLANT BE DISMISSED IN FAVOR OF THE ANSWERING RESPONDENTS AS THE APPELLANT WAS INVOLVED IN AN EMBEZZLEMENT CASE. AND ORDERS ISSUED ON DATED 27/06/2016 & 01/09/2016 BE DECLEAR IN ACCORDANCE WITH LAW, RULES AND POLICY.

Respondents

1. The Secretary E&SE KPK.



2. The Director E&SE KPK.



3. The District Education Officer (Male) Charsadda.



BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

6

Service Appeal No. 1015/2016

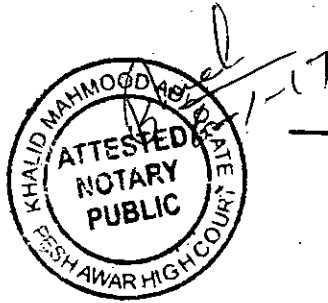
Inyat Ur Rahman

Vs.

Govt of KPK & others

AFFIDAVIT

I Mr. Siraj Muhammad DEO (M) Charsadda do hereby solemnly affirms that the contents of the Para-wise comments submitted by respondents are true and correct and nothing has been concealed intentionally from this Hon' able court.



Deponent

[Handwritten Signature]

Siraj Muhammad
DEO (MALE)
Charsadda CNIC: 17301-2831355-9

CAUSE NOTICE.

3212
A
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1>- I Sharif Gul District Education Officer (M) Charsadda as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) rules, 2011, do hereby serve you Mr: Inayat ur Rehman PSHT BPS-15 GPS Halimzai.

i)- That during the visit of SDEO (M) Charsadda to your school on 17/09/2015 and he noted some irregularities on your part, which were investigated through proper inquiry and the inquiry officer has proved the charges against you.

ii)- From the perusal of inquiry report I am satisfied that you have committed the following acts/omissions specified in rule 3 of the said rules.

a>- Cutting of 3 trees without sanction of the competent authority.

b>- Demolition of group latrin.

c>- Irregular Expdtt: of Rs. 49000/- out of Rs. 1000000/- allotted for construction of c/rooms.

(a) In efficiency.

2>- As a result thereof, I, as competent authority, have tentatively decided to impose upon you any one of the major penalty under rule 4 of the said rules.

3>- You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

4>- If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in failing which on ex-parte action shall be taken against you.

5>- Copy of your absence report is enclosed.

§ COMPETENT AUTHORITY.



Office of the Head Master
GHS Dheri Sikandar Khan Chd
No. 273 Dated 8-12-2015

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B
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To
The DEO(M)
E&SE Charsadda.

Subject:- Enquiry Report against the Head Master GPS Haleem Zai!

Sir;

Kindly with reference to your notification No. 1327-28 Dated 29-10-2015 received on 20-11-2015 the undersigned Head Master GHS Dheri Sikandar Khan visited GPS Haleem Zai Shabqadar Fort on 23-11-2015 and checked the record and the ground realities with relation to the Allegation leveled against the Head Teacher GPS Haleem Zai Shabqadar.

Prior to prove the allegations the information regarding GPS Haleem Zai are as under

GPS Haleemzai Shabqadar Fort

Classwise Enrollment

Prep	Class 1(J)	Class 1(S)	Class 2	Class 3	Class 4	Class 5	Total
16	35	33	22	19	25	21	171

Head Teacher =01 PST Teachers=04 Chowkidar-01
Classrooms=10 CAU Old=04 Constructed By MPA=02 Total=16
Latrines=02 Functioning

The allegations against the Head Teacher were not enclosed with the notification. However the three allegations were verbally toled by the SDEO(M) Charsadda.

1. Auction of 3 trees without the permission of Office
2. Demolition of unserviceable Group Latrines
3. Utilization of the fund Rs 1.00(M) for construction of additional classroom under early Childhood programme.

Approved
P.A. 15/12/15

HPST

GPS - Haleem Zai

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Reply to the above allegations are as under

Allegation No1:-

The Head Teacher has auctioned and cut the three trees through PTC recommendation. The highest bidding shown is Rs ,4500/= which has been deposited in the PTC Fund . But no prior sanction of the competent authority was found in the school record .

Allegation No2:-

The nine unfunctioning old latrines have been demolished on PTC committee recommendation and the material bricks , doors and steel has been stored by the Head Teacher in school. No prior sanction for demolation has been obtained from the competent authority. The resolution by the PTC for demolishing the old latrines exist in PTC register.

Allegation No.3

The amount Rs 10 Lac has been transferred to the PTC account for construction of additional classrooms under early childhood programme but utilization of the fund has not been made on construction of additional classrooms under the said programme .

The Head Teacher claims that having 16 classrooms for only 171 students for single section , the schools has no need for constructing any other rooms . Even then he has spent Rs 43410 out of 10 Lac on purposeless activities. Consequently the balance amount in the bank statement has to be Rs 954590 but in the bank statement the balance amount is Rs 951000 having a difference of Rs 3590/-

Recommendations:-

- The Head Teacher may be directed to deposite back Rs 49000 from his own sources in the school PTC account and the checque of Rs 10 Lac may be handed over back to the office of the DEO(M) Charsadda .
- A warning may be issued to him that in future he should not make any auction or demolation without the approval / sanction of the competent authority.
- The building material kept in the custody may be entered in the stock register and the SDEO(M) Charsadda may be consulted in this regard.

Misbah Ullah Enquiry Officier

Head Master GHS Dheri Sikandar Khan

HEAD MASTER

G.H.S
Dheri Sikandar Khan Charsadda

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C



SUB DIVISIONAL EDU. OFFICER
(M) CHARSADDA.

NO. 1013/DT 6/10/2015

To

THE DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA.

SUBJECT:-

CUTTING OF TREES.

Memo:-

The undersigned paid surprise visit to Govt. Primary School Haleemzai on 17/9/2015 at 9:00AM staff found present. The school has sixteen rooms. Mr. Inayatpur Rehman is working as PSHT. GPS Haleemzai and GHS Haleemzai are function in one building.

Four numbers tress have been cutted by the PSHT without permission of the competent authority. There are 1 million rupees in PTC Account and there is no need of extra rooms. Ten rooms already have been constructed while there are less enrollments.

Strictly disciplinary action may be initiated against the PSHT.

W.S. G. 15/9/15
10/7/15

SUB DIVISIONAL EDU. OFFICER
(M) CHARSADDA

D. NO. 3106

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Statement

1143-SHABQADAR

HEAD MASTER GPS HALIMZAI

HALIMZAI SHABQADAR

SHABQADAR

CHARSADDA

Reg Cell No :

IBAN No: PK21 UNH 0112 1143 0103 4236 CIF#: 21924556

Statement Period : From 01-JAN-2015 To 27-SEP-2015
 Account No : 114301034236
 Account Type : CURRENT
 Product Type : BUSINESS PARTNER
 Currency : PAKISTAN RUPEE
 Balance: 951,025.00 Cr
 As of: 27-SEP-2015

Date	Particulars	Inst. No.	Debit	Credit	Balance
01-JAN-2015	** OPENING BALANCE **				14,025.00 Cr
16-JAN-2015	TRANSFER FROM 200828268 TRANSFER (Br: 0232)			32,000.00	46,025.00 Cr
17-JAN-2015	TRANSFER FROM 200828268 TRANSFER (Br: 0232)			80,000.00	126,025.00 Cr
21-JAN-2015	CASH	3429065	50,000.00		76,025.00 Cr
26-JAN-2015	CASH	3429066	50,000.00		26,025.00 Cr
27-JAN-2015	CASH	3429067	10,000.00		16,025.00 Cr
30-JAN-2015	CASH	3429068	2,000.00		14,025.00 Cr
02-MAR-2015	CASH	3429069	12,000.00		2,025.00 Cr
08-MAY-2015	CASH	3429062	1,000.00		1,025.00 Cr
10-JUN-2015	TRANSFER FROM 202045199 TRANSFER (Br: 0232)			1,000,000.00	1,001,025.00 Cr
05-SEP-2015	CASH	3429070	50,000.00		951,025.00 Cr
27-SEP-2015	** CLOSING BALANCE **				951,025.00 Cr
Total Withdrawals & Total Deposits			175,000.00	1,112,000.00	
Total number of Transactions					10

Note: The items and balance shown on this statement should be verified and the branch manager notified within 2 weeks of any discrepancies, otherwise it will assumed as correct.

1143-SHABQADAR

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MASTER GPS HALIMZAI
SHABQADAR

Statement Period : From 01-JAN-2016 To 17-JUN-2016
 Account No : 114301034236
 Account Type : CURRENT
 Product Type : BUSINESS PARTNER
 Currency : PAKISTAN RUPEE
 Balance : 112,025.00 Cr
 As of : 17-JUN-2016

PK21 UNIL 0112 1143 0103 4236 CIF#: 21924556

Date	Particulars	Inst No.	Debit	Credit	Balance
01-JAN-2016	** OPENING BALANCE **				951,025.00 Cr
24-FEB-2016	CHEQUE PAYMENT	3429071	950,000.00		1,025.00 Cr
01-APR-2016	TRANSFER FROM 200828268 TRANSFER (Br: 0232)			61,000.00	62,025.00 Cr
17-MAY-2016	CASH	877024891		50,000.00	112,025.00 Cr
17-JUN-2016	** CLOSING BALANCE **				112,025.00 Cr
Total Withdrawals & Total Deposits			950,000.00	111,000.00	
Total number of Transactions			3		

Note: The items and balance shown on this statement should be verified and the branch manager notified within 2 weeks of any discrepancies, otherwise it will be assumed as correct.





111-825-888 Visit your nearest branch

Handwritten notes and stamps at the bottom of the page, including a signature and some illegible text.

Attendance Sheet Dated 24/06/2016

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S.No	Name of Teacher	Name of School	Signature
1.	Inayat ur Rahman PSHT	GPS Haleemzai	 <i>Inayat ur</i>
2.	Syed Waqas Aslam PST	GPS Chancharo Khat Killi	 <i>Waqas</i>

PSHT
2016/2016
GPS Chancharo Khat Killi
24/06/16

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

Service appeal No. 1015 /2016

Inayat ur Rehman

VS

Govt. of KPK and others

Rejoinder on behalf of appellant is as under:-

1. Para No. A of the preliminary objection of the written comments of the respondent is incorrect, wrong and baseless as the appellant / answering respondent has locus standi and have a cause of action to file the appeal in question.
 2. Para No. B of the written comments of the respondents is also incorrect and baseless hence denied, the appeal of the appellant / answering respondent may be accepted as prayed of in the heading of the main appeal.
 3. Para No. C of the written comments of the respondent is also incorrect. The respondents are liable to be ordered for special compensatory cost.
 4. Para No. D of written comments of the respondent is incorrect, misconceived hence denied. The legal right of the appellant has been violated, therefore, the appellant / answering respondent has filed the appeal in question.
 5. Para No. E written comments of the respondent is incorrect, wrong hence denied. The appellant / answering respondent right has been infringed, therefore he has filed the appeal in question.
 6. Para No. G of the preliminary objection of the written comments of the respondent is incorrect, wrong and baseless hence denied. Appellant / answering respondent has come to this honorable tribunal with clean hands.
 7. Para No. H written comments of the respondent is incorrect, wrong hence denied. The appellant / answering respondent has the right to file the instant appeal and this honorable tribunal has got jurisdiction to entertain the instant appeal.
 8. Para No. I written comments of the respondent is incorrect, wrong hence denied, the appeal filed by appellant / answering respondent is well within time.
-

Reply Para Wise:

1. Para No. 1 of the Para wise reply of the respondents is incorrect while Para No. 1 of the appeal is correct.
2. Para No. 2 of the Para wise reply of the respondents is incorrect while Para No. 2 of the appeal is correct.
3. Para No. 3 of the Para wise reply of the respondents is incorrect while Para No. 3 of the appeal is correct.
4. Para No. 4 of the Para wise reply of the respondents is incorrect while Para No. 4 of the appeal is correct.
5. Para No. 5 of the Para wise reply of the respondents is incorrect while Para No. 5 of the appeal is correct.
6. Para No. 6 of the Para wise reply of the respondents is incorrect while Para No. 6 of the appeal is correct.
7. Para No. 7 of the Para wise reply of the respondents is incorrect while Para No. 7 of the appeal is correct.
8. Para No. 8 of the Para wise reply of the respondents is incorrect while Para No.8 of the appeal is correct.

Grounds

- A. Ground of the written reply is incorrect while ground of the appeal is correct.
- B. Ground of the written reply is incorrect while ground of the appeal is correct.
- C. Ground of the written reply is incorrect while ground of the appeal is correct.
- D. Ground of the written reply is incorrect while ground of the appeal is correct.
- E&F. Ground of the written reply is incorrect while ground of the appeal is correct.

G. Ground of the written reply is incorrect while ground of the appeal is correct.

H. Ground of the written reply is incorrect while ground of the appeal is correct.

it is therefore, respectfully submitted that by acceptance of this instant Rejoinder on behalf of the appellant / answering respondent may please be accepted as prayed for the heading of the appeal and written reply of the respondents is wrong, baseless, misconceived hence denied, may please be considered illegal, void ab initio.

In the circumstances above the appeal of the appellant / answering respondent may please be accepted as prayed for in the heading of the appeal.

Dated: 13/06/2017

Inayat ur
Appellant

Inayat ur Rehman

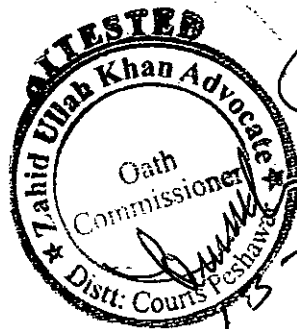
Through

Shafi Ullah

Shafi Ullah Advocate
Peshawar High Court

Affidavit

I, Inayat ur Rehman R/o Haleemzai Tehsil Shabqdar District Charsdda (PSHT, GPS (M) Haleemzai Charsadda do here by solemnly affirm and declare on oath that the instant contents of this Rejoinder are true and correct to the best of my knowledge and nothing has been concealed from this honorable tribunal.



Inayat ur
Deponent