

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

Service Appeal No:578/2024

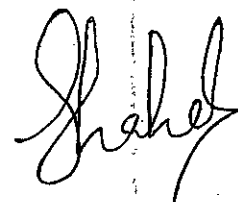
Muhammad Idress, Ex-Junior Clerk, SDEO (M) Adenzai, District Dir Lower.
(Appellant)

Versus

1. Director, Elementary and secondary Education Khyber Pakhtunkhwa Peshawar,
and one others. (Respondents)

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Deponent

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER
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(Appellant)

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1. Director, Elementary and secondary Education Khyber Pakhtunkhwa Peshawar,
and one other. (Respondents)

JOINT PARA WISE REPLY ON BEHALF OF RESPONDENT No. 1 & 2.

Respectfully sheweth:

PRELIMINARY OBJECTIONS

1. That the Appellant is not the "aggrieved" person with the meaning of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974.
2. That the Appellant has got no cause of action /locus standi to file this service appeal because the Appellant did not come on merit.
3. That the Appellant has not come to this Honorable court with clean hands rather than the instant service appeal is mainly based on malafide intentions just to put pressure on the respondent department for illegal promotion.
4. That the Appellant is estopped by his own conduct.
5. That the instant service appeal suffers from laches, hence not maintainable in the present form.
6. That the service appeal in hand is badly barred by the relevant provision of Law/Rules/Policy in Field.

ON FACTS

1) Para -1 of the facts is incorrect. Hence denied and further stated that the appellant in his whole rendered service practiced irregular activities through fake and illegal letters and on the basis of which he was also removed from service vide order dated 30-10-2009. However he got his reinstatement order conditioned with ~~the no~~ ^{Denovo} inquiry but none was ready to inquire him again as reflected in the inquiry report submitted by Uzair Ali DEO (M) Dir Lower dated 08/06/2022. again major penalty of "compulsory retirement" was imposed upon him vide DEO(M) Dir lower No. 6103-07 dated 22/08/2022 due to his involvement in drafting fake letters against his officers.

(Copy of the removal order dated 30-10-2009 is attached as "A" and his compulsory retirement from service "B").

2) Pertains to record.

3) Para -3 of the facts is correct to the extent that of the judgment dated 07-11-2023, in which the respondents were directed to conduct a proper inquiry within a period of 60 days of receipt of this judgment. Here it is pertinent to mention that as per direction of this Honorable Tribunal a

proper inquiry was conducted within stipulated time ,and as per recommendation of the inquiry committee, the major penalty of compulsory retirement upon the appellant was upheld by the competent authority vide office order dated 664-70 dated 27-01-2024. (Copy of the notification 06-12-2023 is attached as "C", Copy of the inquiry report is attached as "D")

- 4) Para-4 of the facts is correct to the extent of application for implementation, wherein the ibid application was disposed of by this honorable Tribunal on 12-03-2024 with the remarks that "learned counsel for the petitioner stated that he does not want to press the instant petition, however the petitioner will avail his remedy against the order dated 27-01-2024 in accordance with law". (copy of the order dated 12-03-2024 is attached as "E")
- 5) Para -5 of the facts is incorrect, hence denied, and further stated that the appellant along with others were informed by the office of the DEO (M) Dir Lower regarding the inquiry for which the appellant and Mst.Sarwat Begaum appeared, wherein Mst. Sarwat Begum recorded her statement while the appellant requested time for recording statement, later on refused for recording of statement due to some objections. In this regard four opportunities were provided to the appellant and subsequent final warning was issued to him for submission of his reply to the inquiry committee before 31-12/2023 otherwise inquiry committee will proceed with the inquiry ex-parte by the inquiry committee vide No. 350 dated 28/12/2023.(copy of the warning letter dated 28-12-2023 is attached as "F")
- 6) Para-6 of the facts is correct; details have been submitted in the Para-5 of the facts above.
- 7) Para-7 of the facts is correct to the extent that as per judgment dated 07-11-2023, the appellant was re-instated into service for the purpose of proper inquiry in compliance of the honorable Service Tribunal judgment dated 07-11-2023.
- 8) Para-8 is incorrect. Hence denied, blame/allegations of the appellant regarding signature on blank paper is illegal. In fact four opportunities were provided to the appellant, however, malafidely he did not record his statement, just to linger on the process of inquiry. Moreover, charge sheet /statement of allegations is not the work of inquiry committee but show cause was served to him vide this office No 577-82 dated 19-01-2024 in the light of inquiry conducted in compliance honorable Service Tribunal judgement dated 07-11-2023.However, neither the appellant submitted his reply nor appeared for personal hearing. Resultantly, the competent authority uphold the major penalty "compulsory retirement" imposed upon the appellant vide his office No.664-70 dated 27-01-2024. (copy of the order dated 27-01-2024 is attached as "G")
- 9) As elaborated in Para No 08 above.
- 10) Para-9 of the facts is incorrect, four opportunities under Article 10-A of the Constitution of Pakistan were provided to the appellant by the inquiry committee constituted in the light of judgement dated 07-11-2023 of honorable Tribunal.
- 11) Para-11 of the facts pertains to record. Details have been submitted in the facts above.
- 12) Para-12 of the facts pertains to record. Details have been submitted in the facts above.
- 13) Para-13 of the facts pertains to record, however, the appellant malafidely visited the school on Sunday as he was well aware that due to Sunday, the school will be closed and the Principal concerned/ inquiry officer will not be available in the school due to holiday.

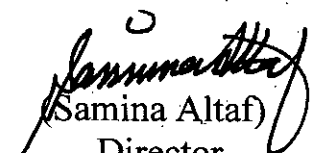
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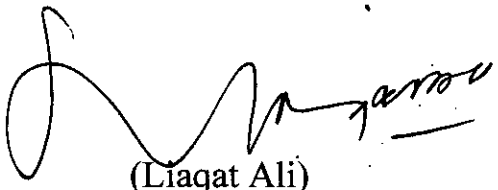
- 14) Para-14 of the facts is incorrect, hence denied. The judgment of this Honorable Tribunal has been implemented in letter and spirit by the issuing the office order dated 27-01-2024 and the same was submitted to the honorable Tribunal within the stipulated time.
- 15) As elucidated in the above Para's.
- 16) Para-16 of the facts is incorrect, details have been submitted in the foregoing Para's.
- 17) Para-17 of the facts is correct to the extent of the office order dated 27-01-2024, in which the allegations leveled against the appellant were proved, and the appellant major penalty of compulsory retirement already imposed upon him vide order dated 22-08-2022 was upheld as explained in Para's above.
- 18) Para-18 of the facts pertains to record.
- 19) Para-19 of the facts are correct, needs no comments.
- 20) Para-20 of the facts needs no comments.

GROUNDS

- A. In correct and not admitted. The stand of the Appellant is without any moral and legal justification on the grounds that the appellant has been treated as per law and policies' .the inquiry has been conducted as per law and rules. Furthermore, as per Article 10-A of the constitution of Pakistan, four opportunities were provided to the appellant, but he did not record his statement in his defense till issuance of final warning by the inquiry committee on dated 28-12-2023 as Annexed "F" of the facts above.
- B. Incorrect hence denied. Detail has been submitted in the facts above.
- C. Incorrect hence denied. Detail has been submitted in the facts above.
- D. Incorrect hence denied. Detail has been submitted in the facts above.
- E. Incorrect hence denied. Detail has been submitted in the facts above.
- F. Incorrect hence denied. Detail has been submitted in the facts above.
- G. Incorrect hence denied. Detail has been submitted in the facts above.
- H. Incorrect hence denied. Detail has been submitted in the facts above.
- I. Incorrect hence denied. Detail has been submitted in the facts above.
- J. Incorrect hence denied. Detail has been submitted in the facts above.
- K. Incorrect hence denied. Detail has been submitted in the facts above.
- L. Incorrect hence denied. Detail has been submitted in the facts above.
- M. Incorrect hence denied. Detail has been submitted in the facts above.
- N. Incorrect hence denied. Detail has been submitted in the facts above.
- O. Legal, however, the respondents also seek permission to additional grounds/case laws during arguments on the date fixed.

It is, therefore, humbly prayed that on acceptance of the above submission, the instant time barred writ petition may very graciously be dismissed in favor of the answering respondents with cost.


 (Samina Altaf)
 Director
 Elementary and Secondary Education
 Peshawar Khyber Pakhtunkhwa Peshawar
 Responden


 (Liaqat Ali)
 District Education Officer
 (Male) Dir Lower
 Respondent No. 2

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Muhammad Idress, Ex-Junior Clerk, SDEO (M) Adenzai, District Dir Lower.
(Appellant)

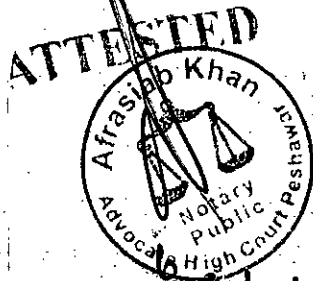
Versus

1. Director, Elementary and secondary Education Khyber Pakhtunkhwa Peshawar,
and one others. (Respondents)

Affidavit

I, Liaqat Ali, DEO (M) Dir Lower hereby solemnly affirm and declare that contents of the accompanying para wise reply are true and correct to the best of my knowledge and belief and nothing has been concealed from this August court.

*The answer responded neither
been placed in evidence nor their defense struck/lost.*



26/2/24

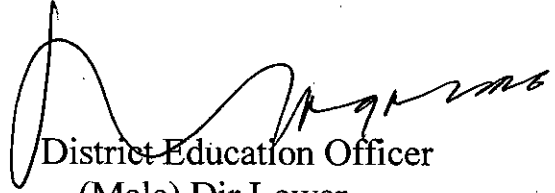
[Handwritten signature of Liaqat Ali]

Deponent

Liaqat Ali

AUTHORITY LETTER

I, Liaqat Ali, District Education Officer Male Dir Lower, do hereby authorize Mr. Mr. Muhammad Shahab o/o the DEO (M) Dir Lower to submit the comments /reply in Service Appeal No.578/2024, Title: Muhammad Idress v/s Director, E&SE Peshawar and one other, hence an authority letter is hereby issued in favor of the above-named office.



District Education Officer
(Male) Dir Lower
Respondent No. 2

Annex "A"

OFFICE OF THE EXECUTIVE DISTT: OFFICER

(E&SE) DISTT: DIR LOWER

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OFFICER ORDER.

WHEREAS one Mr. Muhammad Idress Junior Clerk Govt. Girls High School Shawa Tehsil Adenzai District Dir Lower found accused guilty of the charges levied against him in the charge sheet and found proved by the inquiry committee after performing all the codal procedure, i.e explanation charge sheet/statement of allegation, checking of the record and recording the statement of the Head mistress concerned along with her staff and also the statements of the accused.

AND WHEREAS show cause notice was issued / served upon the accused official concerned, and after giving a chance of personal hearing, no convincing reply has been submitted so far.


Now therefore, I being the competent authority do hereby order the removal/dismissal from service in respect of Mr. Muhammad Idress Junior Clerk Govt. Girls High School Shawa Tehsil Adenzai District Dir Lower under the NWFP removal from service (Special Powers Ordinance) 2000-01 with immediate effect.

(SAEED KHAN)
EXECUTIVE DISTT: OFFICER
(E&SE) DIR LOWER.

In:dist:No. 30/110/2009 / Dated Timergara the 30/1/10 2009.

- Copy to :-
1. The Director Elementary and Secondary Education NWFP Peshawar with the request to kindly convey to all the line department for information and necessary action please.
 2. The District Co-ordination Officer Dir Lower.
 3. The District Accounts Officer Dir Lower.
 4. The District Officer(F) (E&SE) local office.
 5. The Head Mistress GCHS Shawa.
 6. The Official concerned.


EXECUTIVE DISTT: OFFICER
(E&SE) DIR LOWER.

attested


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OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
DIR LOWER AT TIMERGARA.

E- Mail: deomaledirlower@gmail.com Tell: 0945-9250081-82

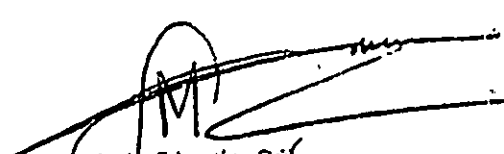
NOTIFICATION

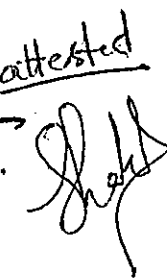
1. WHEREAS, You Mr. Muhammad Idress Jouner clerk were transferred on administrative ground from GGHS Kotigram and your services were placed on the disposal of DEO (M) vide No.7861-65 / F.No./A-23/ MS /Comp/Dir Lower dated 20/1/2022 and latter on you were adjusted at SDEO (M) office Adenzai vide No.1346-53 dated 7/3/2022.
2. AND WHEREAS. You were proceeded under the Khyber Pakhtunkhwa Govt. servant (Efficiency and Discipline) Rules. 2011 as result of the request of Head Mistress GGHS Kotigram for reality based inquiry vide her office No. Nil dated 7/3/2022.
3. AND WHEREAS. An inquiry was initiated against you vide No. 4701-04 /A-23 Ms Comp. Dir Lower dated 30/3/2022.
4. AND WHEREAS. the following charges have been proved against you during the inquiry.
 - i- You found involved in drafting fake letters for retirement of the Head Mistress and submit a bogus letter to DEO (F) for the change of DDO ship of the school.
 - ii- You provided a fake transfer order of Mst. Sarwat Begum SST from GGHS Kotigram to GGHS Nulo Mkd Agency.
 - iii- You have submitted a source for stoppage of pay of the teacher concerned.
 - iv- You have submitted a fake letter for the stoppage of pay of Mst. Lubna Kanwal SST IT as showed her abroad (Out of Country).
5. AND WHEREAS. the inquiry officer recommended a penalty of Compulsory retirement upon you.
6. AND WHEREAS. the undersigned was directed for implementation of recommendation of the inquiry vide End. NO. 2961 / F.No./A-23/ MS Comp. Dir Lower dated 27/6/2022.
7. AND WHEREAS. a show cause notice vide this office No.6101-03 dated 18/7/2022 was served upon you.
8. AND WHEREAS, due to un-convincible reply of the show cause notice you were called for personal hearing on 18/8/2022.
9. AND WHEREAS, during personal hearing you failed to defend yourself against the charges framed against you.
10. AND WHEREAS, As per office record you have also been removed from service on 30/10/2009 due to similar charges and was re-instated by taking oath that you will not repeat the same in future. Hence in the exercise of powers confirmed upon him under 4(B) of the government Servant (Efficiency and Discipline) Rules 2011. I Muhammad Amin DEO (M) Dir Lower, the competent authority is pleased to impose upon Mr. Muhammad Idress JC SDEO (M) Adenzai Dir Lower the major penalty of "Compulsory Retirement from Service" with immediate effect.

(Muhammad Amin)
District Education Officer
(M) Lower Dir.

Ends: No. 6103-07 / Dated. 22 / 8/2022

- Copy of the above is forwarded to:-
1. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
 2. The District Accounts Officer Dir Lower.
 3. The District Monitoring Officer Dir Lower.
 4. SDEO Concerned.
 5. Official Concerned.


District Education Officer
(M) Lower Dir.

attested


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**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT KHYBER PAKHTUNKHWA PESHAWAR**

NOTIFICATION

Pursuant to the directions of Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar vide Judgment dated 07-11-2023 rendered in Service Appeal No. 1670/2022 & in view of the request of DEO (M) Dir Lower being a competent authority, the Director E&SE Khyber Pakhtunkhwa is pleased to constitute the following inquiry committee for conducting proper enquiry in accordance with Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

- 1) Mr. Shabl Mulk, Principal (BS-19) GHS Sham Shatoo, Peshawar.....Chairman.
- 2) Mr. Shabeer Ahmad, Principal (BS-19) GHSS Musa Zai, Peshawar.....Member

Consequent to the above, Mr. Muhammad Idrees District Dir Lower is hereby reinstated against the post of Junior Clerk (BPS-11) for the purpose of enquiry as directed by the Honorable Service Tribunal vide Judgment ibid. The committee is further directed to submit the inquiry report to this Directorate within a period of 20 days from the receipt of the instant Notification positively.

(Dr. Iqbal Khan)
DIRECTOR

Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Endst. No. 3072-76 /F.No. (Lit-II)/SA# 1670/2022/M. Idrees/JC/2023

Dated Peshawar the 06/12 /2023.

Copy of the above is forwarded for information & n/action to the:

1. Learned Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Learned Additional Advocate General Khyber Pakhtunkhwa Service Tribunal.
3. Additional Secretary (G) E&SE Department Khyber Pakhtunkhwa.
4. District Education Officer (M) Dir Lower.
5. ✓ Mr. Shahi Mulk Principal GHS Sham Shatoo, Peshawar.
6. Mr. Shabeer Ahmad Principal GHSS, Musa Zai Peshawar.
7. Mr. Muhammad Idrees Junior Clerk R/O Ouch East, Tehsil Adenzai, Dir Lower.
8. PA to Director E&SE Khyber Pakhtunkhwa, Peshawar.
9. Master File.

*1 week
7 Dec 12/2023*

*Attested
SIC
12/2023
M. Idrees
H. Khan*

6/12

Assistant Director (Admin)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

attested
Shah

(9)

INQUIRY REPORT IRO M.IDRESS JC O/O DEO (M) DIR LOWER

Authority/Reference: Worthy Director (E&SE) Khyber Pakhtunkhwa, Peshawar Vide Endst. No 3072-76 dated 06-12-2023

Inquiry Committee:

- (i) Mr. Shah-E-Mulk Principal (BS - 19). GHS Shamshatoo, HSD Peshawar Chairman.
- (ii) Mr. Shabeer Ahmad Principal (BS-19) GHSS Musa Zai, Peshawar. (Annex-A)

As the Letter received, the Inquiry Committee informed DEO (M/F) Dir lower through Deputy Director (E&SED) KP-Peshawar, regarding the scheduled visit of the Inquiry Committee to Dir lower on dated: 15.12.2023 with the request to inform all the complainants and the accused clerk Mr. Muhammad Idrees J/C for conducting proper inquiry as directed by worthy Service tribunal in its Judgment dated: 22/08/2022

The Inquiry Committee reached the office of DEO (M/F), Dir lower at: 11 am dated:15/12/2023. The alleged Clerk and Mst. Sarwat Begum SST(G) GGHS Kotigram were present on that day .First Mst. Sarwat Begum recorded her statement.(Annex-B/P1-3 plus Endorsed statement).

1ST OPPORTUNITY OF SELF-DEFENSE:

The Alleged clerk named, M Idrees was called for recording his statement after Juma prayer in the very presence of i) Mr. Mehboob Illahi DDEO (M) Dir lower. , ii) Shad Muhammad Khan (Accountant) DEO (F) Dir lower, iii) Mr. Sami Ullah J/C DEO (M) Dir lower. This session was conducted at the office of DEO (F) Dir lower. The accused raised the following objections

- i. He has not received the notification so for regarding the Inquiry and has not been reinstated for the purpose of Inquiry.
- ii. The alleged clerk also informed the forum that he has already submitted an application for CPLA in Supreme Court.
- iii. The accused stated that as I have not been reinstated as yet so the I/ Committee has called me in Private Capacity; I am not on the strength of DEO (M) Dir lower.
- iv. The Judgement is concerned only to conduct Proper Inquiry regarding back benefits, not to ascertain the veracity of the complaint, filed by staff of GGHS Kotigram, against him.
- v. He contended that I/ Committee has no mandate to conduct proper inquiry regarding the allegation leveled against him.

The accused clerk was informed by the inquiry committee that the said notification about inquiry has been issued by the Directorate, E&SE, Peshawar on the direction of the Service tribunal Judgement and he has been reinstated for the purpose of inquiry only. The said notification was shown to him. At this the accused got satisfied.

2ND OPPORTUNITY OF SELF-DEFENSE:

- i. On next day i.e. 16/12/2023 Mr. Muhammad Idrees Junior Clerk was given another opportunity for self-defense in the presence of Mr. Sami Ullah Junior Clerk DEO (M), Dir lower, he was given a copy of inquiry notification and asked him to show his reservation regarding the said notification and conduct of inquiry committee. He showed satisfaction and confidence. (Annex -C).

attested

47/01/24
[Signature]

76

allegations leveled against him. At the mid of the session, the accused all of a sudden deviated from the agreed upon procedure and left the room without signing the reply questionnaire.

THIRD OPPORTUNITY OF SELF-DEFENSE:

The accused was given another opportunity through letter containing Questionnaire vide. No 339 dated: 18/ 12/ 2023, sent to him on his Whatsapp number 0348-9837828. He received the same with "blue tick" appeared on his Whatsapp number as confirmation. Reply to the Questionnaire was received on 31/12/2023 (Annex-D).

FOURTH OPPORTUNITY OF SELF-DEFENSE:

- i. The accused clerk was given the chance of appearing before the "Inquiry Committee" for the fourth time through letter No 942 dated: 20/ 12/ 2023 for personal hearing at Directorate E& SE, K.P in Peshawar (legal section) on 22/ 12/ 2023 (2 pm) positively. The said letter was also sent to him on his Whatsapp number 0348-9837828. The DEO (M) Dir lower was also requested to furnish the letter to M. Idrees JC and take acknowledgement from him regarding the receipt of notice concerning his appearance before the Inquiry Committee on 22/ 12/ 2023(Friday at 2 pm). (Annex-E).
- ii. The Inquiry committee attended the Deputy Director Office (Legal Section) E&SE, KP Peshawar on the 22/12/2022 for personal hearing of the accused. But the accused could not turn up for personal hearing/ self-defense. On telephonic contact by Mr. Sohail Junior Clerk, the accused told that he has not received any letter regarding his personal hearing on 22/12/2023 and that is why he could not come. On query regarding the receipt of the Questionnaire, the accused acknowledged the receipt of the Questionnaire. When the Inquiry committee offered the accused another opportunity for personal hearing/ defense, the accused did not respond positively.

Statement recorded/ Questionnaire served to Officer/ Official O/O DEO (M/F), Dir lower:

Questionnaire was served to the Officer/ Official mentioned below;

S.NO	NAME	DESIGNATION	OFFICE
1.	Jan Bakht said	Ex- Assistant	DEO (F), Dir/ lower (Annex-F/P1-3)
2.	Shad Muhammad Khan	S/ Clerk	DEO (F), Dir/ lower (Annex-G/P1-3)
3.	Shahid Anwar	HM Ex-ADEO (Primary)	DEO (M), Dir/ lower (Annex-H/P1-3)

Statement recorded/ Questionnaire served to Complainants:

The I/ Committee also paid visit to GGHS Kotigram D/ lower. Mr. Shah Muhammad Khan S/C and Jan Bakht Suptid DEO (F) D/ lower were accompanied. All the complainants/ affectees were given opportunity to record their statement/ endorsed their previous statement.

S.NO	NAME	DESIGNATION	OFFICE
1.	Mst. Sarwat Begum	SST (G)	GGHS Kotigram (Annex-B/P1-3 plus Endorsed statement)
2.	Mst. Rabia Ayub	SST (Maths/ Phy)	(Annex-I/P1-3)
3.	Mst. Lubna Kanwal	SST- IT	(Annex-J)

attested
Shahid

Handwritten signature and date: 24/12/23

Handwritten signature and date: 24/12/23

MADAM ZAITOON BEGUM: EX-HM. GGHS KOTI GRAM DIR LOWER

(75)

- i. The Ex- Head Mistress categorically stated that Mister Mohammed Idris had submitted bogus/designed/ fake application of her retirement to Secretary (E& SE) Office with fake signatures as he is expert in it.
- ii. She also stated that the alleged clerk submitted stoppage of pay source in the account office with fake signature of her. The source-II was returned with the remarks that date for retirement on superannuation is 2/4/2022 as per SAP system while source for stoppage of pay submitted to this Office iro the Officer concerned is 3/2/2022 which may be clarified please. (Annex-L/P-1-3)
- iii. The Ex- Headmistress first deemed the letter of DDO ship of Mst. Rabia Ayub SST to be notified by DEO (F) Dir lower but later on discovered that the said clerk has designed it, without her approval. It is pertinent to mention here that Mst. Rabia Ayub SST (Maths/ Phy) is NTS based Teacher, taking over charge at this school on 15/08/2020. She is Junior most Teacher. Senior and experienced faculty staff were on the strength of school, but it is astonishing that why nomination of Junior, inexperienced teacher was sent for DDO ship in the presence of Senior and experienced faculty staff. Also if Ex- Head
- iv. Mistress was the prime mover, then why she wrote letter for cancellation of her DDO ship and nomination of Mst Sarwat Begum SST (G), Senior and experienced teacher as DDO.

MADAM SARWAT BEGUM: SST (G) : GGHS KOTIGRAM

Date of appointment: 28/04/2014

Date of Taking over charge GGHS: Kotigram: 17/08/2018

- i. Mst Sarwat Begum SST (G) informed the Inquiry Committee that the alleged clerk provided a bogus transfer order showing her transferred from GGHS Kotigram to GGHS Nul Mkd signed by Deputy directress (E&SE,KP) and on the basis of it submitted stoppage of pay source in the account office, with the fake signatures of the Ex- Head Mistress keeping her unaware just to torture and torment her because she had been very close to Headmistress and was nominated as Incharge and DDO after her retirement . She got the information through Mr. Wasif Auditor DAO Dir lower w.r.t stoppage of her salary. When the transfer order was sent for verification to the concerned signatory in Directorate. She discovered her signature (Annex-M/P1-3).
- ii. She also disclosed before the I/ Committee during Q/A session at DEO (F) Dir lower office dated: 15/12/2023 and at GGHS Kotigram when I/ Committee visited the school dated: 16/12/2023 that she is still being threatened by the subject clerk regarding her complaint/ statement recorded earlier. The complainant also owned and endorsed her previous written statement recorded (Annex endorsed statement).

MST. RABIA AYUB SST (MATHS/ PHY):

Date of appointment: 15/08/2022 (NTS based)

- i. Mst. Rabia Ayub (SST) while responding to a question to the committee stated that Mr. Muhammad Junior Clerk handed her over the DDO ship order.
- ii. When asked regarding any financial transaction made during her short period of DDO ship, she replied that no transaction had been conducted during her DDO

attested
Shahed

4/10/24

4/10/24

MST. LUBNA KANWAL SST (IT) GGHS KOTIGRAM

(74)

Mst Lubna Kanwal SST (IT) informed the Committee that the subject clerk took a new IT Lab Printer to home on pretext for official business for 2-3 days. He was reminded again for the return of said IT Lab Printer. AT last, he returned an old and out dated printer. The Ex- Head

Mistress was informed, who asked for explanation. from the clerk who turned against her (Mst. Lubna Kanwal) and produced the fake Ex- Pakistan leave sanction I/R of her and consequently submitted source-2 for stoppage of her pay. She also owned and endorsed the written statement submitted earlier (Annex-N/P1-4).

ANALYSIS OF QUESTIONNAIRE/ STATEMENT OF OFFICERS/ OFFICIAL OF O/O DEO (M/F) DIR LOWER

Questions regarding alleged fake signature of Ex- H/ Mistress retirement application; fake transfer order of Mst. Sarwat Begum by Director; fake Ex-Pak leave application IRO Mst. Lubna Kanwal; fake application for DDO ship of Mst Rabia AyuB SST (Maths/Phy); main beneficiary of implementation Letter addressed to DEO (M) or DEO (F) Dir lower by directorate and lastly general reputation of the accused were answered by officer's/official of DEO (M/F) Dir lower. All categorically and unanimously endorsed the allegation leveled against the accused and denied the authenticity and genuiness of all Correspondence made by Ex-H/Mistress and other complainants for retirement case; Ex-Pakistan Leave; DDO ship and transfer order. All were on the same page regarding main beneficiary (Mr. Muhammad Idrees Junior Clerk) of the ambiguous implementation letter addressed to DEO (M/F) Dir lower by Director E&SE, KP.

ANALYSIS OF LETTER/ NOTIFICATION ISSUED BY DEO (M/F), DIR LOWER AND DIRECTORATE OF E&SED

Notification # 4701-4 dated: 30/3/2023 (Annex-O).

- i. This notification was issued by Directorate regarding nomination of DEO (M), Dir lower as inquiry officer for conducting inquiry against the accused, named Muhammad Idrees, J/C GGHS Kotigram, Dir lower with reference to vide letter bearing No 1138 dated: 18/2/2022, Dir lower where in allegations were levelled against the accused.
- ii. Letter vides No 3593 dated: 11/06/2022 (Annex-P).
This letter was issued by DEO (M). Dir lower regarding submission of inquiry report conducted by him in the instant case.
- iii. Letter vide No 2961 dated: 27/06/2022: Annex-Q/P1-3)
 - This letter was issued by Directorate of E&SE, KP, and Peshawar. The DEO (F), Dir lower was asked to implement the recommendation of inquiry Officer.
 - Perusal of record i.e.; PUC, note sheet, submission, approval, diary and dispatch number, with reference to Letter No 1138 dated: 18/3/2022, all these reflect that the implementation Letter# 2961 dated: 27/6/2022 concerning recommendation of the inquiry report, carried out by DEO (M), Dir lower, was addressed to DEO (F) Dir lower and not to DEO (M) Dir lower.
 - The Inquiry Committee observed similar drafted 3 letters bearing same No# 2961 dated 27/6/2022 to DEO (Female) Dir lower; DEO (Male) Dir lower and DEO (Female), Dir lower. In the third letter, Fe of Female was whitened and now it appeared like DEO (-male) Dir lower.
 - It is unshakable opinion of the Inquiry Committee that the implementation letter was deliberately and intentionally tampered and sent to DEO (M) Dir lower to favor the accused. Here the Defense lawyer took advantage of this and pleaded before the court that:

"Inquiry proceeding were carried out by DEO (M), Dir lower as Inquiry Officer and the implementation penalty of compulsory retirement was

attested

11/01/23
11/02/23

Rule 17. Departmental appeal and review.—(1)

An accused who has been awarded any penalty under these rules may, within thirty days from the date of communication of the order, prefer departmental appeal to the appellate authority:

Provided that where the order has been passed by the Chief Minister, the accused may, within the aforesaid period, submit a review petition directly to the Chief Minister.

(2) The authority empowered under sub-rule (1) shall call for the record of the case and comments on the points raised in the appeal from the concerned department or office, and on consideration of the appeal or the review petition, as the case may be, by an order in writing-

- (a) Uphold the order of penalty and reject the appeal or review petition; or
- (b) Set aside the orders and exonerate the accused; or
- (c) Modify the orders or reduce the penalty.

(3) An appeal or review petition preferred under these rules shall be made in the form of a petition, in writing, and shall set forth concisely the grounds of objection in impugned order in a proper and temperate language.

- a) DEO (M) Dir lower was nominated as inquiry officer by Directorate vide notification Dated:30/3/2022
- b) DEO (M) Dir lower submitted inquiry report to Directorate vide letter# 3593 dated 21/6/2022.
- c) The accused filed appeal before Directorate, E&SE, KP, Peshawar dated:17/6/2022 against the Ex- Parte inquiry report (in view of accused)_conducted by DEO (M), Dir lower .He was called for personal hearing by the Appellate Authority vide Letter Endst. No. 2156 dated: 1/8/2022.
- d) The accused was issued show cause notice bearing Endst. No# 6101-03 dated: 18/7/2022 by DEO (M), Dir lower.
- e) The accused was awarded major penalty of compulsory retirement from service by DEO (M), Dir lower vide order bearing Endst. No# 6103-7 dated: 22/8/2022.
- f) Vide Letter Endst. No# 2156 dated:1/8/2022, the Directorate called the appellant for personal hearing.
- g) Vide Notification bearing Endst. No# 5364-67 dated: 11/8/2022 passed by Directorate E& SE Peshawar. The appellant was issued only warning in the subject case.

PERUSAL OF ALL THESE LETTERS NOTIFICATIONS AND ORDERS ISSUED FROM DIFFERENT CHAIRS REFLECT THAT:

- i. Officers of DEO (M) Dir lower and Directorate were on one page regarding nominations of DEO (M) Dir lower as Inquiry officer and subsequent submission of Report to Directorate by the Later.
- ii. Directorate E&SE, KP, Peshawar, issued Letter vide No 2961 dated: 27/6/2022 to DEO (F) Dir lower to implement recommendation of Inquiry Officer conducted by DEO (M) Dir lower. However 3 similar letter bearing the same number and even date addressed to DEO(Female) Dir lower, DEO(Male) Dir lower and fabricated one DEO(male) Dir lower are available at Directorate and offices of DEO(M/F) Dir lower with the collusion of same black sheep in the Department.
- iii. After accepting the appeal filed by the accused dated: 17/6/2022, Directorate and DEO(M) Dir lower adopted different courses of actions; Directorate called the appellant for personal hearing dated: 1/8/2022 while DEO(M) Dir lower issued show cause notice to the accused

attested
Shahid

72

DEO(F) Dir lower on 27/6/2022. These two sub rules are operative only when penalty is awarded to the accused (sub rule (1) of Rule 17) and the Appellate authority call for the record of the case and comments on the points raised in the appeal from concerned office (Sub-rule (2) of Rule 17). In the issue at hand, no penalty is awarded by DEO (M) Dir lower, only report is being submitted. The Directorate did not fulfill the condition stated of Sub-rule (2) of Rule 17 of E&D Rules 2011. So the whole procedure adopted by the Directorate right from accepting appeal on the Appellant is not in accordance with provisions of E&D Rules 2011. Here the appellant mislead the department by submitting a pre-mature appeal dated: 17/6/2022.

FINDINGS

In view of all the oral and documentary evidence collected from the complainants and the officials / officers of DEO (M/F) Dir Lower the inquiry committee has reached to the following findings/ conclusions.

- i. It is the considered and unchangeable opinion of the Inquiry Committee that the accused is the prime actor in fabricating, manipulating, altering, designing the letters, orders, notifications and fake signature, keeping in view his previous devil nature.
- ii. An organized hidden hands do exist in the Department who act as facilitator to materialize the evil design of the prime accused. Hence need to conduct inquiry to dig out such network to save department from embarrassment in future.
- iii. The premature appeal filed by the appellant (Mr. Muhammad Idrees) on 17/06/2022 regarding EX- Parte inquiry is in utter violation of rule 17 of E&D rules 2011. It was filed with Malifide intention by the appellant to deceive the department because no cause of action and penalty order of compulsory retirement had been issued till then.
- iv. The appeal filed by the appellant on prematurely 17/6/2022 was accepted by Directorate of E&SE, Peshawar. Consequent upon personal hearing of appellant at Directorate. The appellant was not "EXONERATED" from all the charges as he claimed rather he was issued a "WARNING" dated: 11/8/2022, (Annex-R).
- v. The accused was awarded penalty of compulsory retirement from service dated: 22/8/2022 by DEO (M) Dir lower.
- vi. The prime accused named Muhammad Idrees, seems to be the main beneficiary regarding fabrication, manipulation, affixing fake signature, and culprit in terms of targeting the complainant faculty staff of GGHS Kotigram Dir lower, who filed complaint against his misconduct.
- vii. The implementation letter addressed to DEO (Female) Dir lower (dated: 27/6/2022) was deliberately tampered and addressed to DEO (Male) Dir lower to benefit the prime accused with the blessing of evil fabricators at Department. This point has been raised by the defense lawyer as recorded in judgment.
- viii. The accused behaved indecently and inappropriately during the inquiry proceeding on 15/12/2023 and 16/12/2023 objecting time and again regarding whole process of the inquiry which tantamount to a conduct unbecoming of Govt. servant and a gentleman as per Rule 2(1) (L) (iii) of E&D rules 2011.
- ix. His conduct is prejudicial to good order or service discipline as per 2 (1) (L) (i) of E&D

Handwritten signature and date: 17/07/23

Handwritten signature and date: 17/11/23

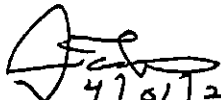
attested
Shahel


- xii. The accused reposed his full trust and confidence on the Inquiry Committee during personal hearing on 15/12/2023 in the very presence of i) Mr. Mehboob Illahi DDEO (M) Dir lower. , ii) Shad Muhammad Khan (Accountant) DEO (F) Dir lower, iii) Mr. Sami Ullah J/C DEO (M) Dir lower. This session was conducted at the office of DEO (F) Dir lower and in the presence of Mr. Sami Ullah Junior Clerk on 16/12/2023.
- xiii. Regarding his reservation about conduct and behavior of Inquiry Committee (Annex-S), the accused should have addressed these to Appellate Authority The Inquiry Committee has not received any direction/ guideline from the competent authority in the issue at hand. Furthermore, his reply to Questionnaire shows his willingness, confidence and trust on Inquiry Committee.
- xiv. All the charges leveled against the accused have been proved.

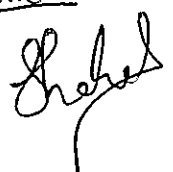
RECOMMENDATION:

The major penalty of Compulsory Retirement from service under rule 4 (b) (ii) of E&D rules 2011 already imposed upon the accused namely Mr. Muhammad Idrees (J/Clerk) may be upheld.

Dated: 04-01-2024


47/01/24
SHABEER AHMAD
Principal/(Member)
GHSS Musa Zai Peshawar.


04/01/2024
SHAH-E-MULK
Principal/(Chairman)
GHS Shamshatoo HSD Peshawar.

attested


Name

Sarwat Begum

(Mk-B.1-3)

Q:- Your profession & address please
Ans:- I am a housewife

(69)

Q:- Date of Appointment
Ans:- 28-1-2014 NTS

Q:- Your Tenure at GHS Khyber
Ans:- Since 17-08-2018 till working

Q:-
Ans:- This brief

Q:- Please mention your transfer order
Ans:- (17) This vehicle

Q:-
Ans:- GHS Khyber to GHS Mako
Tana, Makrand

27/11 January 2028

Q:-
Ans:- As in the transfer order

Q:-
Ans:- Genuine

Q:-
Ans:- It was forged

Q:-
Ans:- My witness/proof of this
I have taken order

Q:-
Ans:- Muzam Asmat Ansari, DBO

attested
Shahid

Shelby

attached

1/20/2013

Thank you for the information regarding the transfer order. I have reviewed the information and it appears to be correct. I will be sure to get you the information as soon as possible.

Additional info: 1/20/2013

Communicated by Mr. West

Transfer order is in

The information regarding the transfer order is in

transfer order

regarding the transfer order. I will be sure to get you the information as soon as possible.

NO: not received

1/20/2013

transfer order

Thank you for the information regarding the transfer order. I will be sure to get you the information as soon as possible.

NO: The order was being


(68)

order

Thank you for the information regarding the transfer order. I will be sure to get you the information as soon as possible.

(3)

Shah
attached

15307-4527498-4
15/12/2023


Q: Do you understand / know whether state already submitted in the subject case? ~~detected~~
A: Yes, I covered my statement already submitted in subject case.
Note: The Q/A session is conducted at DEO (F) place office.

Q: Do you understand / know whether state already submitted in the subject case? ~~detected~~
A: Yes, I covered my statement already submitted in subject case.
Note: Nothing altered
MVA 67
27/12/2023

Statement of SST (G) Ms Sarwat Begum

With respect it is stated that JC Mldrees was a complicated and problematic person not only for the institute but also tortured temple staff most of the and created so many issues for all but especially targeted some of them as:

JC Mldrees also missed place transfer order of MS Sarwat begum from school file

Mldrees JC created a letter of transfer of with a fake signed of EDO (F) Madam Asmat Ara of Ms Sarwat Begum to Nalo Thana and also a fake source was submitted in account office for salary blocking. The account section contacted her through phone call for further confirmation.

The high authority can inquire his past performance and record from those schools and offices where ever he worked as JC...please for further legal process and proceduras.

Ms Sarwat Begum
SST (G) GGHS Kotigram
Head Mistress
CNIC: 15307-4527428-4
GGHS Kotigram
Cell: 995439772748 / Dir Lower

*This state-
received earlier is
hereby correct/ endorsed by
me as under signed*

[Signature]
15/12/2023

attested
[Signature]

(6) WhatsApp

(Annex-D) (64)



OFFICE OF THE PRINCIPAL
GHS SHAMSHATOO HASSAN KHEL SUB DIVISION PESHAWAR
 No. 339 Dated. 18/12/2023

To

Mr. Muhammad Idrees Junior Clerk
O/O DEO (M) District Dir Lower

Subject :- Questionnaire.

Reference to Notification Issued by Directorate of Elementary and Secondary Education Khyber Pakhtun Khwa Peshawar, vide Endst No. 3072- 76 dated 06/12/2023 where an Inquiry committee has been constituted for conducting proper enquiry in accordance with Khyber Pakhtun Khwa Government Service (Efficiency and Discipline) Rules, 2011 concerning the charges leveled against you.

Consequent to the above, a Questionnaire covering all the charges / allegation leveled against you, is hereby sent as per enquiry proceeding. You are directed to furnish the information / reply within three days from the receipt of the instant letter. You are further directed to submit the reply questionnaire along with all supporting documents to the undersigned manually within the stipulated time.

Shah -E- Mulk
Chairman Inquiry Committee
Principal GHS Shamshatoo
HSD Peshawar

Endst No: 340-41 dated 18-12-2023
A copy of the above is forwarded for information.

- 1- PA to Director E& SE Department Khyber Pakhtun Khwa Peshawar.
- 2- District Education Officer (M) Dir Lower with the request to take acknowledgment from Muhammad Idrees J/ Clerk regarding the receipt of Questionnaire already sent to him on his WhatsApp Number 03489837828.

Shah -E- Mulk
Chairman Inquiry Committee

attested
Shahid

OFFICE OF THE PRINCIPAL GHSS MUSAZAI PESHAWAR

Diary No. 943 Dated 20/12/23

(Anex - E)

To
**MR. MUHAMMAD IDREES JUNIOR CLERK
O/O DEO (M) DISTRICT DIR LOWER**

SUBJECT : APPEARANCE BEFORE THE INQUIRY COMMITTEE

Reference to Notification Issued by Directorate of Elementary and Secondary Education Khyber PakhtunKhwa Peshawar, Vide Ends No:3072-76 dated.06-12-2023 where in an inquiry committee has been constituted for conducting proper inquiry in accordance with Khyber PakhtunKhwa Government servant (Efficiency and discipline) Rules,2011 concerning the charges levelled against you.

You are hereby directed to appear before the inquiry committee for personal hearing at Directorate of Elementary and Secondary Education office Khyberpakhtun khwa (Legal section) on 22.12.2023 (2 PM) positively.



**SHABEER AHMAD
MEMBER INQUIRY COMMITTEE**

Ends No: 943-944 Dated 20/12/23

Copy of the above is forwarded for information.

1. PA to Director EBSE Department Khyber Pakhtun Khwa Peshawar.
2. District education officer (M) Dir Lower with the request to furnish the letter to Muhammad Idrees J/Clerk and take acknowledgement from him regarding the receipt of notice concerning his appearance before the inquiry committee on 22/12/2023 (Friday at 2PM).

— S d —

**SHABEER AHMAD
MEMBER INQUIRY COMMITTEE
PRINCIPAL GHSS MUSAZAI PESHAWAR**

attested



سوال نمبر 02 ~~کتاب نمبر 11~~ DEO (M) / (F) ~~دسم کونسل~~
بابت ایٹوٹریسی برخلاف محمد اور پسران / آ
(max - F / 11 - 3) (6)

سوال # 01 : ~~کتاب نمبر 11~~ نمبر 05 ~~کتاب نمبر 11~~ Assistant DEO (F) دسم کونسل

موجودہ سالی پر خارج اپنے کا تاریخ 2023-12-16

سوال # 02 : سابق پبلک سروس مجسٹریٹز ایجنسیوں کے مطابق محمد اور پسران
JAC نے ان کے جعلی دستخط کے ذریعے ایٹوٹریسی ڈیپارٹمنٹ کی درخواست
26/11/2021 کو DEO (F) کے جوابی خط میں اس بات پر اصرار کیا ہے کہ

مختصر کے درجہ کارڈ کے مطابق درخواست میں

سوال # 03 : جس محمد اور پسران کے الزام ہے کہ جس نے ڈیپٹی ڈائریکٹر
E & SRO کی جعلی دستخط کے ذریعے G.G.H.S کو الزام کے معطلہ سماعت
شرکت بنایا SST کا تبادلہ لیسر فارمی کیا تھا۔ اس میں آئے کے معطلہ
کیا میں
ڈائریکٹر (س) صاحبہ سند خود ایٹوٹریسی کے الزام
کے ہیں۔
Fake کے الزام

سوال # 04 : کیا سماعت لینی کنول (M) SST : G.G.H.S کو الزام ہے کہ جس نے
Ex-Park Leave کے لئے درخواست جمع کرائی تھی۔ اور کیا میں منظور ہوئی تھی۔

attested

Shahid

Study

attached
DEB (M) 2002-27-6-2022
DEB (M) 2002-27-6-2022
DEB (M) 2002-27-6-2022
DEB (M) 2002-27-6-2022

DEB (M) 2002-27-6-2022
DEB (M) 2002-27-6-2022
DEB (M) 2002-27-6-2022
DEB (M) 2002-27-6-2022

DEB (M) 2002-27-6-2022
DEB (M) 2002-27-6-2022
DEB (M) 2002-27-6-2022
DEB (M) 2002-27-6-2022

Amat
82

(Date Date)

24/01/2022
25/01/2022
26/01/2022
27/01/2022
28/01/2022
29/01/2022
30/01/2022
31/01/2022

Shahy
attached

M. Emberson
SABIR AHMAD
12/12/2023
1/ committee

Shah-E-Mulk
16/12/2023
Chairman
Input Committee

سہ ماہی کے لئے 10 # اور
پانی کے لئے 10 #

next
2/3

پانی کے لئے 10 # اور
سہ ماہی کے لئے 10 #

(109)
(B)

پانی کے لئے 10 # اور
سہ ماہی کے لئے 10 #

(113) پانی کے لئے 10 # اور
سہ ماہی کے لئے 10 #

attached
Shahid

Ex-park leave
HS (STC) leave
04

Fare

ESRD
03

02

01

DEOM
05

Shahid

attached

33/01/2022
27-6-2022
08 #

DEC 2021

14/12/2021

07 #

06 #

05 #

04 #

03 #

02 #

01 #

00 #

28/1/2022

24/1/2022

21/1/2022

Shahid
attested

Inquiry Committee
Chairman
SHAH-E-MILLAT
16/12/2023

M. Amin
SHABIR AHMAD
16/12/2023

مجلس اعلیٰ تعلیم و تربیت
گورنمنٹ ہائی اسکول، کراچی
10 # 10

مجلس اعلیٰ تعلیم و تربیت
گورنمنٹ ہائی اسکول، کراچی
10 # 10

گورنمنٹ ہائی اسکول، کراچی
10 # 10

Shahid
attended

Ex-Pak Leave
24: ...
25: ...
26: ...
27: ...

...

...

...

...

...

...

...

...

...

...

Mex 11/11 - 3
56

...

سوال # 05: مسمات لہنی کنول (SST) S GGH S کن رام کی کھشیت
 کے حوالے (DEO(F) کے جاری ہونے والے Sanction مورخہ 24/01/2022
 اور 2-Source کے مطابق جاری ہونے والے Sanction مورخہ 28/01/2022
 کی قانونی حیثیت کیا ہے

حرف تالیفی حیثیت حاصل ہوا ہے اس لئے اس کی مورخہ ہے۔

Ameez
 P2 (13)

سوال # 06: مسمات راجہ ایوب SST S GGH S کن رام کی کھشیت
 DDO متعلقہ کنول کی دستاویز میں اس کی طرف سے کوئی درخواست
 کی گئی تھی۔
 ایثار (DEO(F) آئیں سے معلوم ہو سکتی ہے۔

سوال # 07: مسمات راجہ ایوب SST S GGH S کن رام
 کی کھشیت DDO کے سلسلے میں (DEO(F) دیر گونہ سے جاری ہونے
 والے justification مورخہ 14/12/2021 کی قانونی حیثیت کیا ہے
 حکم نامہ کے ذریعے اس کے لئے اس کے حوالے کیے گئے
 (DEO(F) کے حوالے سے authority اس کے لئے ہے۔

سوال # 08: عسما محمد ادریس کے حوالے کی کھشیت کے حوالے سے
 ڈیوٹی کنٹریکٹ (DEO(F) کی طرف سے مورخہ 27-6-2022 جاری ہونے والے
 (DEO(F) کے نام تھا۔ اور اس سلسلے میں ایسا کیا گیا۔

attested
 Shafiq

Study
attached

Chairman
Input Committee
16/12/2023
JHAI-E-MILK

M. Amin
16/12/2023
SHABIR AHMAD

Handwritten notes in Urdu, including a circled number 10 and a signature.

Handwritten notes in Urdu, including a circled number 14 and a signature.

Handwritten notes in Urdu, including a circled number 54 and a signature.

Group

attended

Ans: Yes I accepted but later

Q4: Had job accepted 300 step

regard

guide me in this

consulted me in June 2011

Did send order: IT/mis/hes

Ans: M. Idrees J/c handed over

DDO swp by M/hes regards

Q3:- were you informed / considered

Ans: NTS appointed

Q2:- Your mode of appointment - 1/1/18

Ans: 15-05-2020: AS SST (M/P)

at Mrs Nehal

Q1: Your 1st appointment - order / posting (53)

(18)

Dispatched to Mst. Leena Alys. SST 1/R Muhammad Idrees J/c

M. Idrees

Shah
attested

16/12/2023
Labu
Labu
16/12/2023

Ans:- No: to financial transaction
made during my
DDO stay tenure.

Q5:- Any deposition / withdrawal
Financial transaction made
during your DDO stay

MST Jarwal Begun us 12/11/2023
as DDO stay. 12/11/2023

Attn Complaint filed by H/mbd/mbd
(52)

(Annex - I)
P1 - 1/12
P2

(18) (51)

(25)

Statement of SST-IT of GGHS Kotigram.

With respect it is stated that JC M. Idrees was a complicated and problematic person, he borrowed school IT-Lab printer pretended that his own printer is out of function. so we let them provided and after a few minutes he said that i will take to home and after a long time when he returned the printer was not our printer out of function.

(31)

M. Idrees also submit a fake letter and source in the office of account section of Ms Lubna Kanwal SST-IT for her salary blocking that's she is abroad.

So office high authorities have the right to inquire the matter through a transparent way for further legal procedures.

Lubna
Lubna Kanwal
SST-IT GGHS kotigram
CNIC:15307-2681691-2
Cell No: 03448910762

Lubna

*This statement submitted earlier is hereby endorsed by me under signed
Lubna Kanwal 16/12/2023
SST (IT)*

attested
Shahel

Amra J/P2

Amra J/P2 (5)

(13)

(13)

**OFFICE OF THE DISTRICT EDUCATION OFFICER FEMALE
DIR LOWER AT TIMERGARA**

SANCTION

Sanction is hereby granted for Ex-Pakistan leave without pay wef 1-2-2022 to 31-08-2022 in the interest of public.

Necessary entry made in her service record.

(Asmat Ara Qureshi)
District Education Officer (F)
Dir Lower at Timergara.

Endstt: No. 257 /

Dated Timergara the 26/10/2022

Copy forwarded to the:

1. District Account Officer Dir Lowe
2. Head Mistress GGHS Kotigram Dir Lower
3. Teacher Conerned.
4. Master File.:

Asmat Ara
District Education Officer (F)
Dir Lower at Timergara

7/1
HEAD MISTRESS
GGHS, Kotigram
Distt: Dir (Lower)

Asmat Ara
District Education Officer (F)
Dir Lower at Timergara

attested
Shahid

38

109

Prepared By
ROLL SYSTEM
AMENDMENT FORM (GENERAL DATA)

Audited/Checked By

11/12/13
2/41
5/2
(20)

Entered/Verified By
FORM: PAY F02
Date:
Page:

attested

Shahid

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D	A	6	2	9	1
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Head Mistress GGHS Kotigram Dir Lower

Sub-DDO Code

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Detailed Deptt: Function Code

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Secondary Education

National ID Card Number	Name	Field ID	New Contents	Effecti
00898313	Lubna Kanwal	117		01
	Granted Ex-Pakistan			
	Leave without pay			
	WEF 01-02-2022 to			
	31-08-2022 Vide DEO			
	Female Endstt: No.610-			
	13 dated 28-01-2022.			

Reld unprocessed with remarks that the Sol order attached with the source seems fake as it does not have name of the teacher concerned to whom Sol has been granted, which may be verified from the issuing authority.

Reld. Attached order is intorect as name of applicant not mentioned in this. DEO signature seems fake. be reviewed.

DDO 24/12/22

Page Totals:

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Prepared By: gram
Distt: Dir Lower

Audited/Checked By

Entered/Verified By

36

AP

Amr J/PL

Amr J/PL
(21)

attested
Shahid

Prepared By
ROLL SYSTEM
AMENDMENT FORM (GENERAL DATA)

Audited/Checked By

Entered/Verified By
FORM: PAY F02
Date:
Page:

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Head Mistress GGHS Kotigram Dir Lower

Sub-DDO
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Detailed Deptt:
Function Code

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Secondary Education

National ID Card Number								Name	Field ID	New Contents								Effective	
0	0	-	9	8	3	1	3	Lubna Kanwal	117									01	02
		-						Granted Ex-Pakistan											
		-						Leave without pay											
		-						WEF 01-02-2022 to											
		-						31-08-2022 Vide DEO											
		-						Female Endstt: No.610-											
		-						13 dated 28-01-2022.											

Amr J/PL
OFFICER

Page Totals:

Prepared By
Kotigram
Dir Lower

Audited/Checked By

Entered/Verified By

(Annex - K)

(Annex - 2) (22)

47

Statement of Headmistress

GHS Kotigram

(Signature)

It is here stated that JC Muhammad Idrees was a most complicated person and mentioned so many complaints and reports against the school (GHS Kotigram) and denies his own point of view and he mentioned names of local people and local organizations who they were even they not know those technical words used in those complains letters.

20

Muhammad Idrees JC creates fake letters of Retirement of Head Zaitoon and also submits a fake source to block her salary.

The JC Muhammad Idrees also nominated and issue DDO ship order to a contract holder teacher Ms Rabia Ayoub with fake sign of school Head and also misguided office concerns

The high authority can inquire his past performance from the those schools and office where ever he worked as JC...please

This statement submitted earlier is endorsed by me under signature of Madam Zaitoon Begum

Zaitoon Begum
Madam: Zaitoon Begum
L. Headmistress of
GHS Kotigram
11307-1176181-8
CNIC: 999010026636
Cell No: 03448916610

attested
Shahab

**PAYROLL SYSTEM
AMENDMENT FORM (GENERAL DATA)**

FORM: PAY F02
Date: _____
Page: _____

23
attached
Shahid

2684
912

Annex

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Head Mistress GGHS Kotigram Dir Lower

Cod

Secondary Education

Sub-DDO
Code

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Detailed Deptt:
Function Code

0 9 2 1 0 1 - 0

National ID Card Number	Name	Field ID	New Contents	Effect
0 0 0 2 4 2 7 9	ZAITOON BEGUM	117		03
	Retired from service			

Retired from service with remainder of the
due date for retirement on superannuation
is 4-2-2022 as per SHIP system, which
while source for purpose of pay is submitted to this
office IRO of the officer concerned is with 3-7-2022,
which may be clarified please

(Signature)

(Signature)
DISTRICT EDUCATION OFFICER
(F) DIR LOWER

Page Totals:

HEAD MISTRESS
GGHS Kotigram
Distt: Dir (Lower)

Audited/Checked By

(Signature)

Entered/Verified By

**PAYROLL SYSTEM
AMENDMENT FORM (GENERAL DATA)**

*Amex L
PR*

FORM: PAY F02
Date:
Page:

*attested
Shahab*

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Head Mistress GGHS Kotigram Dir Lower

24

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Detailed Deptt:
Function Code

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Secondary Education

National ID Card Number								Name	Field ID	New Contents								Effect
0	0	0	2	4	2	7	9	ZAITOON BEGUM	117									03
								Retired from service		<i>(A) 3-2-22</i>								
								<i>Hand</i> DISTRICT EDUCATION OFFICER KOTIGRAM LOWER										

Page Totals:

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2/
**HEAD MISTRESS
GGHS, Kotigram
Dist: Dir (Lower)**

Audited/Checked By

*Q. D. A. S. O.
2/1/22*

Entered/Verified By

Annex 2
P3

(FS)

(15)

(44)

ADEO (Secy) and
Rafiq SB/So

DDEOF
Dix
14/31

The District Education officer (F)
Dir Lower Timergara

Date: 07/03/2022

Subject: Request for reality based inquiry against JC M.Idrees.

R/Madam,

It is here by stated that we got a phone call from Account office of Education that M.Idrees junior clerk have submitted three sources for salary block of Headmistress Zaitoon Begum (Retired from services), Lubna Kanwal SST (IT) (Letter No 259-62 fake signed of DEO (F) and Sarwat Begum SST (G) (Letter No 9792-96 fake signed by Deputy Directress Female) find attached. We requested to account office to process it for further inquiry but they refused to do so, just handed over the file back to us.

M. Idrees Junior clerk is an expert person in such fake and fabricated activities as already he misguided EDO (F) office concerned and issued a letter of DDO ship of a contract teacher on the basis of illegal fake signature of Headmistress Zaitoon Begum. He also put forwarded so many complaints against GGHS Kotigram from different names of local villagers.

Our honorable request that please an impartial inquiry should be conducted for confirmation and termination of M.Idrees because he is not fit for any kind of Government offices and also inquiry should be made from those offices where he worked as a clerk.

Yours truly

Zaitoon Begum

Headmistress GGHS Kotigram
Head Mistress
GGHS Kotigram

14/3/22

Director Education Officer
Dir Lower Timergara

attested

Shahel

Annex 2
Ph

10

The District Education Officer (F)
Timergara Dir Lower

5/11
of the letter
The letter cannot be cancelled
The clerk may please be placed
in the disposal of Director in
- letter -
26
43
27
Suppl + 11
The DDO author
services o
please be plac
Director in
- letter -

Subject: Transfer of Junior clerk Muhammad Idrees.

R/Madam,

It is here by requested that the M.Idrees is a junior clerk at GGHS Kotigram, but unfortunately we found him a problematic person who always creating hurdles for all staff and never cooperate with anyone. We also found him ethically corrupt and using abusing words to school khala etc. He takes away school new printer to home and after a great struggle handed over an old one non-functional to IT-Lab. He also not prints a single paper for staff with printer existing one in his custody.

M.Idrees JC also nominated and selected order No 18808-10 Ms Rabia SST (Math's & Physics) 2020 contract based employee as school incharge (DDO) without my permission and consultation (copy attached) should be cancelled please.

High ups can consult from other schools and offices employee about his character and ceredibility where he worked as JC.

So please kindly transfer Muhammad Idrees Junior clerk from GGHS Kotigram to any GHS because he is not fit for any female school anywhere.

I shall be very thankful to you if you kindly consider my honorable request, that we should get rid from this tension forever.

Yours sincerely

Ms: Zaitoon Bibi

Headmistress GGHS Kotigram

School Teachers
" ~~Saima~~ Saima SST (G)
" ~~Rishika~~ Rubina SST (S)
" ~~Qand~~ Lubna Kanwal SST (IT)
" ~~Shahid~~ Shahida SST

27/12/21
HEAD MISTRESS
Govt. Girls High School
Kotigram Dir (Lower)

PTC members
Nabeed Akhtar chairperson

Signature

attested
Shahid

(Anex-M)
PI-3

(Anex M) 3 20/11

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR**

42 28

Office Order

Miss Sarwat Begum SST (G) GGHS Kotigram is hereby transfer to GGMS Nal Thana D Malakand in the interest of public with immediate effect.

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

DIECTOR
Elementary & Secondary Education,
Khyber Pakhtun Khwa Peshawar

No. 17/11/22 /A-17/Transfer/Dir Lowe Dated Peshawr the 27/11/2022

Copy forwarded to the:

1. District Education Officer Female Dir Lower
2. District Education Officer Female Malakand
3. District Account Officer Dir Lower
4. District Account Officer Malakand.
5. Teacher Concerned.
6. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
7. Master file.

HEAD MISS
GGHS, Kotigram
Dist: D/L (Lower)

Deputy Directress Female
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

DISTRICT EDUCATION OFFICER
DIR LOWER
DD-I

Please verify
10/11/2022

Order
Nal. Sarwat Begum
attested
Shahel

**PAYROLL SYSTEM
AMENDMENT FORM (GENERAL DATA)**

Amendment
82

(29)
attested
Shahid

FORM: PAY F02
Date:
Page:

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Head Mistress GGHS Kotigram Dir Lower

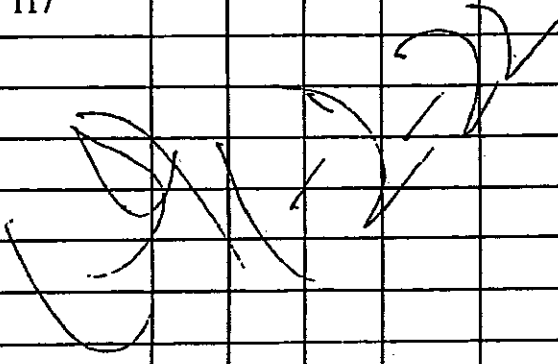
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 Detailed Deptt: Function Code

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 Secondary Education

National ID Card Number								Name	Field ID	New Contents								Effectiv	
0	0	7	2	9	3	4	7	SARWAT BEGUM	117									01	02
								Transferred to GGMS											
								Nal Thana Malakand											
								Agency.											

Shahid
LOCAL EDUCATION OFFICER
Dir Lower

Page Totals:

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Head Mistress:
GGHS, Kotigram
Distt: Dir (Lower)

DDO
1/22
A/r

44

51

2022
512

Anex M
13

32
attested
Shahid

**PAYROLL SYSTEM
AMENDMENT FORM (GENERAL DATA)**

FORM: PAY F02
Date:
Page:

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Cod

D A 6 2 9 1

Head Mistress GGHS Kotigram Dir Lower

Sub-DDO
Code

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Detailed Deptt:
Function Code

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Secondary Education

Retard ~~unpaid~~ with remarks that
charge ~~relates~~ report in respect
of teacher ~~cannot~~ ~~may~~ ~~be~~ ~~mentioned~~
as the transfer order attached
is being filed ~~in~~ ~~the~~ ~~same~~ ~~may~~ ~~be~~ ~~identified~~
with issue of authority

(Large handwritten signature/initials)

National ID Card Number	Name	Field ID	New Contents	Effective
0 0 7 2 9 3 4 7	SARWAT BEGUM	117		01 02
	Transferred to GGMS			
	Nal Thana Malakand			
	Agency vide Director			
	E&SED KPK No. 9792			
	-95 dated 27-01-2022			

Page Totals:

71
HEADMISTRESS
GGHS, Kotigram

DHC
24/2/22 24/2

(Handwritten initials/signature)



(Annex-C) (Annex-D) 48
DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.
 Phone: 091-9225344 Email: ddadm.esc@gmail.com

19/4/22

Notification.

Consequent upon approval of the competent authority, DEO (M) Dir lower is hereby nominated as enquiry officer to conduct enquiry against Muhammad Idress Ex-Junior Clerk GGHS Kotigram Lower in the light of the letter of the DEO (Female) Dir Lower vide No. 1138 dated 18.3.2022 (copy attached)

The enquiry officer shall submit his report facts/ finding with recommendation within a week to this Directorate for further necessary action.

31

DY No 4091
 18/04/2022
 -04

DIRECTOR
 Elementary & Secondary Education
 Khyber Pakhtunkhwa, Peshawar

Endst: No. 4701 /A-23/MS/Complaint/Dir Lower

Dated Peshawar the 30/3/2022

Copy forwarded to the: -

1. District Education Officer (Female) Dir Lower w/r to her letter No.1138 dated 18.3.2022.
2. District Education Officer (Male) Dir Lower alongwith copy of letter of DEO (F) Dir Lower.
3. Head Mistress GGHS Kotigram Dir Lower
4. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
5. Master File

Kabir sb

18/04/2022

[Handwritten signature]

Deputy Director (F&A)
 Directorate E& Secondary Education
 Khyber Pakhtunkhwa, Peshawar

attested
[Handwritten signature]

Amr P

32

(Amr P)

39

u



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
DIR LOWER AT TIMERGARA.

E- Mail: deomaledirlower@gmail.com Tell: 0945-9250081-82

No. 35931

Dated Timergara thè. 11/6/2022

To

The Director (E&SE)
Khyber Pakhtunkhwa Peshawar.

Subject;- Inquiry Report.
Memo;-

Inclosed please find herewith an inquiry report IRO Mr. Muhammad Idress
Junior Clerk GGHS Kotigram Dir Lower for further necessary action.

District Education
Officer (M) Lower Dir.

0313 9868835

attested

Shahab



NO: 21161 /F.No. /A-23/MS/Complaint/Dir Lower
 Dated Peshawar the 27/06 /2022
 Phone: 091-9225344 Email: ddadm.n.ese@gmail.com

To

The District Education Officer
 (Female) Dir Lower

Subject: INQUIRY REPORT

Memo:

I am directed to refer to your letter No. 1138 dated 18.3.2022 and to enclose herewith a copy of inquiry report carried out by DEO(Male) Dir lower and submitted to this Directorate vide his letter No. 3593 dated 11.6.2022 against Muhammad Idress Junior Clerk GGHS kotigram Dir Lower on the subject cited above and to ask you to implement the recommendation of the inquiry report please.

(Mx. 8/11-3)
05/07/22
27/6/22

Assistant Director (Admn)
 Directorate of E&SE K.P, Peshawar

Endst; No. _____
 Copy forwarded to the: -

1. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Master File

Assistant Director (Admn)
 Directorate of E&SE K.P, Peshawar

attested

Shahid

23/37



Registered

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.**

No. 2961 /F No. /A-23/MSI/Complaint/Dir Lower

Dated Peshawar the 27/06/2022

Phone: 091-9225344

Email: ddadm000@gmail.com

To

The District Education Officer
(Male) Dir Lower

Mes Q
P2

34

Subject

INQUIRY REPORT

Memo

I am directed to refer to your letter No 1138 dated 18/3/2022 and to enclose herewith copy of inquiry report carried out by DEO(Male) Dir lower and submitted to this Directorate vide letter No 3593 dated 11.6.2022 against Muhammad Idress Junior Clerk GGHS kotigram Dir Lower of the subject cited above and to ask you to implement the recommendation of the inquiry report please.

Assistant Director (Admin)
Directorate of E&SE K.P. Peshawar

Encl. No. _____

Copy forwarded to the -

1. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Master File

Assistant Director (Admin)
Directorate of E&SE K.P. Peshawar

attested
Shahel



Registered

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.

No. 2962 /F.No. /A-23/MS/Complaint/Dir Lower
Dated Peshawar the 27/06 /2022
Phone: 091-9225344 Email: ddadmn.esse@gmail.com

36

To

The District Education Officer
(Male) Dir Lower

Amex-2
P3

35

Subject: INQUIRY REPORT

Memo:

I am directed to refer to your letter No. 1138 dated 18.3.2022 and to enclose herewith a copy of Inquiry report carried out by DEO(Male) Dir lower and submitted to this Directorate vide his letter No. 3593 dated 11.6.2022 against Muhammad Idress Junior Clerk GGHS kotigram Dir Lower on the subject cited above and to ask you to implement the recommendation of the inquiry report please.

[Signature]
27/6/22

Assistant Director (Admn)
Directorate of E&SE K.P, Peshawar

Endst; No. _____
Copy forwarded to the: -

- 1. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2. Master File

[Signature]
27/6/22

Assistant Director (Admn)
Directorate of E&SE K.P, Peshawar

attested-
[Signature]



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.
Phone: 091-9225344 Email: ddadmn.esc@gmail.com

Muhammad Salim sb
2/8/22

NOTIFICATION

1. **WHEREAS,** The District Education Officer (Female) Dir Lower has submitted a complaint against Muhammad Idrees Ex-JC GGHS Kotigram Dir Lower vide letter No.1138 dated 18/3/2022, now service placed at the disposal of DEO (M) Dir Lower vide office order issued under Endst: No.7861-65 dated 20/01/2022.
2. **WHEREAS,** an enquiry has been conducted by this Office through DEO (M) Dir lower vide Notification Issued under Endst: No.4501-04 dated 30/03/2022.
3. **WHEREAS,** the District Education Officer (M) Dir Lower (Enquiry Officer) has Conducted enquiry and submitted detail enquiry report to this Directorate vide letter No.3593 dated 11/06/2022 with clear cut recommendations of compulsory Retirement from service in r/o Muhammad Idrees J/C.
4. **WHEREAS,** an appeal has been received in r/o Muhammad Idrees JC against the enquiry report with the request that the enquiry officer has conducted an ex-parte enquiry against him.
5. **WHEREAS,** the appellate authority has accepted his appeal and called Muhammad Idress JC for personal hearing on 4/8/2022 vide this office letter No.2156 dated 1/08/2022.
6. **WHEREAS,** a questioner was served upon Muhammad Idress JC during personal hearing dated 4/8/2022.
7. **AND WHEREAS,** Muhammad Idress JC has submitted written reply of the Questioner on the same date..
8. **NOW, THEREFORE,** the appellate authority, the Director E&SE Khyber Pakhtunkhwa has decided to issue **warning** to Muhammad Idrees J/Clerk to perform his duty regularly with the entire satisfaction of the highups, otherwise strict action will be taken against him.

36

DIRECTOR

Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 36.11-67 /F.No. /A-23/MS/Complaint/ Dir Lower Dated 21/08/2022

Copy of the above is forwarded for information and n/action to the:-

- 1- District Education Officer (M/F) Dir Lower.
- 2- District Account Officer Dir Lower.
- 3- Principal/HM concerned.
- 4- Official concerned.
- 5- PA to the Director E&SE Khyber Pakhtunkhwa Peshawar.

attested
Shahid

DISTRICT EDUCATION OFFICER (F)

(Annex - 5)

(i)
341

The Hon'ble Members
Inquiry Committee.

**Subject: REPLY/RESPONSE TO THE TO THE QUESTIONNAIRES
SERVED UPON THE UNDERSIGNED.**

Respected Sir,

With due respect the undersigned humbly submits as under;

Preliminary Objections:

- A. That questionnaire is the violation of the fundamental guaranteed rights of the petitioner enshrined in Article 13(b) of the Constitution of the Islamic Republic of Pakistan, 1973.
- B. That questionnaire is not the approved process of law governing the subject of disciplinary inquiry proceedings therefore, violation of section 16 of the Khyber Pakhtukhwa Civil Servant Act, 1973 and for the said reason; the same is the violation of Article 3, 4, 8 and 10A of the Constitution of Pakistan.
- C. That the procedure adopted by the departmental authority and members of inquiry committee is against the directions/decision of the Hon'ble Khyber Pakhtunkhwa Service Tribunal dated 07-11-2023 in Service Appeal No.1670/2022.
- D. That the behavior and conduct of the members of inquiry committee is highly objectionable and the undersigned has already showed his distrust over the members of the committee.

Detail response to the questionnaire is hereby attached as per prescribed proforma served upon the undersigned.

Yours faithfully

Muhammad Idrees
18/12/2023

Muhammad Idrees
Junior Clerk
Awaiting for posting
Dir Lower
Cell No.0348-9837828

attested
Shahab

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Execution Petition No. 64/2024

Muhammad Idrees, Ex-Junior Clerk, R/O Ouch East, Tehsil Adenzai, Dir Lower.

VERSUS


The Director Education, (E&SED), Near Malik Saad BRT, Terminal, G.T. Road Firdous, Peshawar and 02 others.

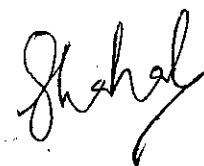
ORDER
12.03.2024

Petitioner alongwith his counsel present. Mr. Mehboob Elahi, District Education Officer (Dir Lower) alongwith Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

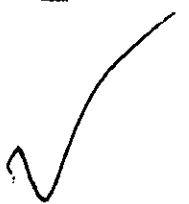
Representative of the respondents submitted copy of order bearing Endorsement No. 664-70 dated 27.01.2024, whereby the petitioner has been awarded major penalty of compulsory retirement from service. Confronted with this situation, learned counsel for the petitioner stated that he does not want to further press the instant petition, however the petitioner will avail his remedy against the order dated 27.01.2024 in accordance with law. Disposed of. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
12.03.2024


(Salah-Ud-Din)
Member (Judicial)

attested


33/



OFFICE OF THE PRINCIPAL
GHS SHAMSHATOO HASAN KHEL SUB DIVISION PESHAWAR

No: 350 Dated: 28/12/2023

To

Mr. Mohammad Idris Junior Clerk


O/O DEO (M) District Dir Lower

Subject : Warning

The Inquiry committee is satisfied that you have been hampering the progress of the inquiry by;

- (i.) Neither signing the reply to Questionnaire narrated to you as per agreed upon procedure in the very presence of Mr. Samiullah junior clerk DEO (M) Dir lower on 16/12/2023, nor signed the attendance sheet.
- (ii.) Failing to furnish your reply to the Questionnaire sent to you through WhatsApp at your WhatsApp number: 0348-9837828 dated: 17/12/2023 (5 pages) & 18/12/2023 (revised 2 pages).
- (iii.) Failing to appear before the Inquiry committee at Directorate of Elementary and Secondary Education Khyber Pakhtunkhwa (legal section) on 22/12/2023 2:00 PM.

You are hereby warned to furnish the reply to the Questionnaire physically to the Inquiry committee on or before 31/12/2023, otherwise the Inquiry committee will proceed with the inquiry Ex-parte as per rule 11 (2) of E& D Rules 2011.

 28/12/2023

Shah-E-Mulk
Chairman Inquiry Committee
Principal GHS Shamshatoo
HSD Peshawar


Endst No: 351-352 dated: 28/12/2023

Copy of the above is forwarded for information.

1- PA to Director E& SE Department, Khyber Pakhtunkhwa, Peshawar.

2- District Education Officer (M) Dir lower with the request to take acknowledgement from Muhammad Idrees J/ Clerk regarding the receipt of this letter and Questionnaire already sent to him on his Whatsapp number: 0348-9837828. Dated: 17/12/2023(5 pages) & 18/12/2023 (revised 2 pages).

Shah-E-Mulk
Chairman Inquiry Committee
Principal GHS Shamshatoo
HSD Peshawar

attested




OFFICE OF THE
DISTT: EDUCATION OFFICER (M)
DISTRICT DIR LOWER

Fax # 0945-9250081

#.9250082



deomaledirlower@gmail.com



@DEOMaleDirLower



District Education Officer (M) Dir Lower

84
54

Recd by Dir 01-01-2024
M. Shahid

OFFICE ORDER.

1. Whereas, Muhammad Idress Junior Clerk (BPS-11), GGHS Kotigam Dir Lower was proceeded under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline Rules), 2011 for involving in illegal, unlawful & fraudulent activities. As a result thereof, regular inquiry was conducted in the matter by the authority concerned, whereafter; major penalty of compulsory retirement was imposed upon the accused after due process of law & observing the mandatory legal formalities vide order bearing Endst No. 6103-07 dated 22-08-2022.
2. And whereas, feeling aggrieved, the appellant invoked the constitutional jurisdiction under Article, 212 of the constitution of Islamic Republic of Pakistan, 1973 through filing Service Appeal No. 1670/2022 before the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar which was decided vide judgment dated 07-11-2023 with the directions to the Respondent Department for conducting proper enquiry in the matter within a period of 60 days of receipt of copy the judgment ibid.
3. And whereas, due to the vacant post of DEO (M) Dir lower the matter was referred to the Directorate E&SE Khyber Pakhtunkhwa, Peshawar vide memo dated 29-11-2023 for conducting proper enquiry against the appellant as per directions of the Honorable Service Tribunal, Peshawar rendered in judgment dated 07-11-2023.
4. And whereas in compliance of the judgment ibid, the Director E&SE constituted an inquiry committee vide Notification dated 06-12-2023. The committee submitted its report to the Directorate E&SE vide memo dated 04-01-2024 which was further forwarded to this office vide memo dated 11-01-2024 for passing an appropriate order being a competent authority. Perusal of the inquiry report transpires that the charges leveled against the accused have been proved and the committee recommended that the already, imposed penalty of "compulsory retirement" upon the accused may be upheld.
5. And whereas, a show cause notice vide Endstt: No.577-82 dated 19-01-2024 was issued to you, but you failed to reply, nor appeared for personal hearing.

Therefore, in compliance of the judgment dated 07-11-2023 of the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar and consulting with the recommendation of the Inquiry report dated 04-01-2024, discussed hereinabove, I, Mehboob Ilahi DEO (M) Dir Lower, in a capacity of the competent, authority, am pleased to up hold the major penalty of compulsory retirement imposed upon Mr. Muhammad Idrees Junior Clerk by maintaining the order bearing Endstt No. 6103-07 dated 22-08-2022 in terms of rule 4(1)(B)(ii) of Government Servants (efficiency & discipline) Rules, 2011.

Mehboob Ilahi
District Education Officer
(Male) Dir Lower

Dated 27/01/2024

attested

Endstt: No. 664-70 2024

Copy of the above is forwarded to the :

Shahid