

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.578 /2024

Muhammad Idress,
Ex-Junior Clerk,
R/o Ouch East, Tehsil Adenzai, Dir LowerAppellant.

Versus


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

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Appellant

Through


Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan

Dated: ___/___/2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

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Muhammad Idress,
Ex-Junior Clerk,
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Versus

1. The Director Education, (E & SED),
Near Malik Saad BRT, Terminal,
G.T. Road Firdous, Peshawar
Kohat Region, Kohat.

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 14055

Date: 09/07/2024

2. The District Education Officer (Male),
(E & SED), Dir Lower.. **Respondents.**

REJOINDER IN RESPONSE TO THE PARA WISE REPLY

SUBMITTED BY RESPONDENTS

Respectfully Sheweth,

Appellant humbly submit as to the following:-

Back Ground:

It is humbly submitted that the Appellant has remained as a Junior Clerk, GGHS Kotigram from **October/21/2019** to **January/30/ 2022**. He was relived from GGHS Kotigram on **31-01-2022** in pursuance of the transfer order dated **20-01-2022** and his services were placed at the disposal of District Education Officer (Male), Dir Lower for further adjustment. Copies of the transfer and reliving order dated **20-01-2022** and **31-01-2022** attached with memo of Service Appeal.

On **26-11-2021** vide dispatch No.24 Mst: Zaitoon Begum, Head Mistress, GGHS Kotigram, who was going to be retired

w.e.f 02-04-2022 on attaining the age of superannuation, submitted an application for retirement so, as to obtain NDC before her retirement. The application was received on 10-12-2021 by the office of DEO (F) Dir Lower and whereas the audit process was carried out on 27-11-2021 for the purpose of NDC. Now the question is as to why the application for retirement was submitted on 10-12-2021, when the audit process was already carried out on 27-11-2021. During the audit proceedings on 27-11-2021, it was unearthed that Mst: Zaitoon Begum has misappropriated Rs.150500/- of Pupil Fund. It is humbly submitted that Junior Clerk by virtue of his job description has nothing to do with the Pupil Fund. The fund is collected from the students directly by the Class Teacher and then is handed over to the Head Mistress, who further deposits the same into the Bank Account of the School. The Head Mistress misappropriated the Pupil Fund and failed to deposit the same in the concerned Bank Account. It is pertinent to note that the audit has been carried out on 27-11-2021 and whereas the Bank Statement of the concerned account shows that till 10-12-2021, no such amount was deposited in the Bank Account. The Bank Statement further shows that the Pupil Fund amount Rs.150500/- has been deposited on 30-12-2021 i.e. after the audit proceedings. Copies of application alongwith audit notes on the account of GGHS Kotigram Dir Lower dated 27-11-2021 and Bank Statements are attached already attached with memo of Service Appeal.

It is humbly submitted that the Head Mistress named above directed the undersigned to complete the documentary proof of the Pupil Fund and its expenditures. The undersigned requested the Head Mistress that *“since the questioned fund has been utilized by you (Head Mistress) directly and the undersigned has nothing to do with the said fund therefore, you (Head Mistress) may kindly provide necessary documentation regarding the utilization of subject fund so that the undersigned could further processed the legal proceedings in respect of the fund but she failed to provide any sort of document.”*

It is worth mentioning that the Head Mistress by herself deposited the Pupil Fund amount Rs.150500/- on 30-12-2021 which is evident from the Bank Statement.

This got the Head Mistress annoyed and she bent upon to penalize the appellant and in connivance with higher authorities primarily got the appellant transferred from the school vide order dated 20-01-2022 and placed the appellant at the disposal of DEO (Male). It is also worthy to note that the appellant was relieved by the said Head Mistress vide reliving order dated 31-01-2022. The pay of the appellant was also made inactive by the said Head Mistress on 31-01-2022. The appellant was then adjusted at SDEO (Male) Adenzai at Chakdara against the post of Computer Operator. It is also worth mentioning that the salary of the appellant for the month of February, 2022 has not been paid, which is still outstanding.

The enmity of the Head Mistress does not end and she lodged complaint before the District Education Officer (Female) Dir Lower, Timergara on 14-03-2022 wherein she leveled frivolous and baseless allegations against the appellant and resultantly a slipshod inquiry was initiated in the absence of appellant.

The ASDEO (Establishment Primary) Mr. Shahid Anwar Sahib called the appellant through Mr. Raza Shah, SDEO (Male) Adenzai to appear before him on 20-05-2022. The appellant appeared before the worthy ASDEO (Establishment Primary) Mr. Shahid Anwar Sahib on 21-05-2022 wherein the appellant was informed that complaint has been received from Mst: Zaitoon Begum, the then Head Mistress, GGHS Kotigram. He showed copy of the complaint and directed to take picture of the same and submit answer to the complaint immediately at the spot. The appellant answered the allegations on the spot and denied the same in written form.

It is humbly *submitted that the appellant has never been served with any charge sheet / statement of allegations. The undersigned was unaware as to whether any inquiry/ order has been made and whether any inquiry officer or as the case may be, inquiry committee has been constituted on the complaint of Head Mistress. The appellant was later on came across the information that a report has been submitted before the worthy Director Education, E&SE wherein it has been proposed to penalize the undersigned with major penalty of compulsory retirement.*

The appellant immediately approached the respondent No.1 the worthy Director, E&SE, Khyber Pakhtunkhwa and submitted application in this behalf on 22-06-2022 wherein he requested that since, the appellant has been condemned unheard in the whole proceedings. Neither the appellant has been served with charge sheet and statement of allegations nor has he been associated with the alleged inquiry proceedings. The statement of the complainant and others, if any, were recorded. The same were at the back of appellant with no opportunity of cross examination and defense therefore the whole proceedings against the appellant were void ab initio and cannot be clothed with validity.

The respondent No.1 worthy Director Education was pleased to allow the application and marked the same to Additional Director on 22-06-2022 for further necessary action thereupon. It is also humbly submitted that the additional Director also marked the application of the undersigned to Assistant Director (Admn) for further process. Appellant was called by the respondent No.1 Worthy Director E & SE vide letter Endstt: No.2156-F.No./A-23/Complaint/Dir Lower Dated 01-08-2022 to appear before him at Peshawar for personal hearing on 04-08-2022. Appellant accordingly appeared on 04-08-2022 for personal hearing, questioner was served upon him and appellant replied the questioner on

the same date. Copies of personal hearing attached with memo of Service appeal.

The appellant received Notification No.5364-67 dated 11-08-2022 from the office of respondent No.1 the Director E &SE on 12-08-2022 with the remarks that appellant is exonerated of the charges, however **“the appellate authority, Respondent No.1 the Director E&SE Khyber Pakhtunkhwa has decided to issue “warning” to Muhammad Idress Junior Clerk to perform his duty regularly with the entire satisfaction of high-ups, otherwise strict action will be taken against him”** copy of Notification attached with the memo of Service appeal.

During this period respondent No.2 the District Education Officer Male Dir Lower issued show Cause Notice to the appellant vide Endstt: No.6101-03 Dated 18-07-2022 with the direction to submit the reply of show cause within 7 days of the delivery. Appellant accordingly submitted his reply. Copy of show cause notice and reply of show cause notice attached with memo of Service appeal.

It is very astonished that on one hand the appellant was exonerated by the worthy Director and whereas on the other hand; appellant was served with show cause notice on the same set of allegation upon which appellant was exonerated.

All relevant facts has been already elaborated by the appellant in his service appeal, which is worth perusal.

From the circumstances explain above it can be easily judged that the whole department proceedings were initiated with malafide intention to remove the appellant from his legal service. Copy of rejoinder to the 1st

inquiry report in Service Appeal No.1670/2022 submitted in response to the 1st inquiry report by the appellant is attached as **Annexure/Rj-1**.

REJOINDER TO THE PRELIMINARY OBJECTIONS:-

That the preliminary objections raised by the answering respondents are erroneous in nature and spirits rather self-created and flimsy. The answering respondents have failed to give legal and factual support to their contentions submitted in the shape of preliminary objections. No legal reasons have been submitted by the answering respondents as to why the appellant has no cause of action and locus standi? Why the appellant is estopped by his own conduct? Which necessary party have left and not arrayed as party? Why the appeal is bad in law? How the appellant has not approached this Hon'ble Tribunal with clean hands? How the appeal is time barred. In absence of legal support; proper rejoinder could not be filed and submitted therefore, preliminary objections raised by the answering respondents are liable to be struck down. The rest of the preliminary objections have no legal backing therefore, nullity in the eyes of law. Appellant would like to seek the permission of this Hon'ble Tribunal to rebut the same during the course of arguments.

REJOINDER TO FACTS:

1. That reply to para No.1 of the appeal is incorrect hence, denied. The answering respondents has tried to confuse this Hon'ble Tribunal by stating that the appellant was removed from service in the year 2009, but however he was conditionally re-instated with direction to conduct De-novo enquiry and therefore, he was again proceeded and on the recommendation of De-novo enquiry report he was awarded major penalty of compulsory retirement vide order dated 22-08-2022.

The real facts in shape of documentary evidence is that, that appellant was proceeded against in the year 2009 on some flimsy concocted and fabricated allegations with mollified intention and ulterior motives but this Hon'ble Tribunal was gracious to re-instate the appellant and resultantly the appellant was re-instated with all back benefits. This is a past and closed transition and therefore could not be made a base to prosecute and convict the appellant again and that too after the lapse of all most 13 - 14 years.

2. That no reply has been submitted by the answering respondents to Para No.2 of the appeal. Presumption of truth is attached to the Judgment / Order of this Hon'ble Tribunal dated 07-11-2023 therefore, the stance taken by the appellant vide Para No.2 of the appeal is deemed to have been proved.
3. That para No.3 of the para wise reply is incorrect, hence denied. The documents attached by the answering respondents with their reply itself explain that the enquiry committee by their self-adopted an alien procedure for conducting enquiry in shape of answer and question. Prescribed procedure elaborated in the Efficiency & Discipline Rules, 2011 were intentionally avoided. The judgment of this Hon'ble Tribunal is very clear as it had directed the respondents to conduct De-novo enquiry in accordance with prescribed procedure. The statement of prosecution witnesses recorded by the enquiry committee reveals that the same has been recorded in the absence and at the back of the appellant with no opportunity of cross examination. It is a settled principle of law that statement without opportunity of cross examination is nullity in the eyes of law and could not be relied upon as it loses its evidentiary value. In the presences of such like material objection how, it could be said that the enquiry was conducted in accordance with law and rules. The Hon'ble Supreme Court of Pakistan and this Hon'ble Tribunal has repeatedly held that when law prescribes somethings to be done in a particular manner; the same shall be done in that manner or not at all.
4. That Para No.4 is admitted by the answering respondents.

5. That Para No.5 of the Para wise reply is incorrect and false hence, denied. The visits of the appellant on 15-12-2023 has already been explained by the appellant in his Para No.5 of the appeal. The answering respondents have admitted the visit of the appellant on 15-12-2023 to the District Education Office (Male) and also affirm the objection raised by the appellant with respect to the self-adopted procedure of the inquiry committee. The answering respondents have not explained the questions objection. It is humbly submitted that appellant has already explained his objection in his memo of appeal as well as in the preceding paras of the instant rejoinder. The available record particularly attached by the answering respondents with their reply reveals and establish the fact that appellant has never been communicated with any sort of documents/notices. Appellant has only been communicated letter dated 18-12-2023 and that too through the Whatsapp number of the appellant. The answering respondents have failed to prove the communications of the rest of the documents. The burden of communication lies on the shoulders of answering respondents.
6. That para No.6 of the appeal has been admitted as correct by the answering respondents therefore, no need of further explanation.
7. That para No.7 of the appeal has also been admitted by the answering respondents.
8. That reply to para No.8 of the appeal is incorrect hence, denied. The plea of providing four opportunities to the appellant is not only false but highly unethical. Appellant has never been communicated with any sort of document except the document he received through his WhatsApp number which has already been brought by the appellant into the active notice of this Hon`ble Tribunal.
9. That no answer has been submitted to para No.9 of the appeal hence, proved as correct.

10. That reply to para No.10 of the appeal is also incorrect hence, denied. The record attached by the answering respondents with their para wise reply clearly reveals that the directions of this Hon`ble Tribunal vide Judgment dated 07-11-2023 has been abundantly violated. The prescribed procedure has not been adopted. Moreover, copy of statements attached by the answering respondents establishes the fact that the same has been recorded in the absence and at the back of the appellant with no opportunity of cross examination. These two facts are sufficient to prove that the Judgment of this Hon`ble Tribunal has been grossly violated.
11. That paras No. 11 & 12 of the appeal has also been admitted by the answering respondents as correct therefore, no need of further elucidation.
12. That reply to para No.13 of the appeal is also incorrect hence, denied. The answering respondents have narrated a false story with no oral or documentary evidence. The whole story has already been explained by the appellant vide para No.13 of his memo of appeal with solid and documentary evidence. It is admitted fact that on 31-12-2023, the day was Sunday whereas a Notification was also notified by the Government for vacation of Schools from 1st January, 2024 to 7th January, 2024. Copy of Notification is attached as **Annexure/Rj-2**. It is pertinent to explain again that appellant was informed by one Mr. Sohail, P.S to DEO (Male) that his reply to questionnaire has not been received by the inquiry committee and therefore, appellant is required to submit his reply to questionnaire upto 31st December, 2023. In this short span of time, appellant visited Peshawar on 31-12-2023 and handed over a copy of reply to the questionnaire to the Chowkidar of the School Mr. Muhammad Shafique and received written receipt from him. It is also pertinent to bring into the notice of this Hon`ble Tribunal that Mr, Muhammad Shafique (Chowkidar) has also informed the appellant that his earlier reply through UMS has already been received by the Chairman Inquiry Committee Mr. Shah E Mulk (Principal GHS Shamshatoo). It is also worth mentioning that the Chairman Inquiry Committee Mr. Shah E Mulk (Principal GHS Shamshatoo) has received the copy of 1st

reply of the appellant to the questionnaire on 28-12-2023 which is evident from UMS receipt (due acknowledgment). Copies of receipt of reply received from Chowkidar dated 31-12-2023 and receipt (due acknowledgment) of UMS dated 28-12-2023 are attached as **Annexure/Rj-3**.

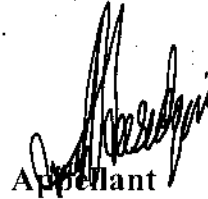
13. That para No.14 of the reply is also incorrect hence, denied. The detail answer has already been submitted in the preceding paras therefore, no need of further elucidation.
14. That no reply has been submitted to para No.15 and 16 of the appeal.
15. That reply to para No.17 of the appeal is also incorrect hence, denied. The detail answer has already been submitted in the preceding paras.
16. That para No. 18 to 20 of the appeal has been admitted by the answering respondent therefore, no need of further elucidation.

REJOINDER TO GROUNDS:

That no proper answer has been submitted by the answering respondents to the grounds of appeal from A to O. Appellant relies on the grounds as elaborated in his memo of appeal. From the bear perusal of the record, it can easily be judged that the mandate and directions of this Hon'ble Tribunal vide Judgment dated 07-11-2023 has been violated. The inquiry committee has adopted an alien procedure to the law and rules governing the subject. The statement of prosecution witnesses has established the fact the same has been recorded in the absence and at the back of the appellant and he has been deprived from his fundamental right to cross examine the witnesses. It is further humbly submitted that the inquiry committee has placed a questionnaire regarding the alleged allegation before persons who were not only the custodian of the official record concerned but had no link whatsoever to answer the questions brought before them in shape of questionnaire. Those so called prosecution witnesses were not even on the strength of office concerned which fact is

evident from the salary slips, attendance sheets, copy of posting orders, DDO Open & Field Summary, Promotion orders and NHA Map. Even at this time Mr. Jan Bakht Said was on the strength of SDEO (Female) Adenzai Chakdara. It is one of the most astonishing fact that the inquiry committee has failed to record statement of the complainant Mst. Zaitoon Begum, Ex-Head Mistress GHSS Kotigram. The statement is not available with the record. Copies of relevant documents are attached as **Annexure/Rj-4**. Appellant would like to seek the permission of this Hon'ble Tribunal to place arguments in rebuttal if any referred by the answering respondents during the course of arguments.

It is therefore, most humbly prayed that the para wise reply of the answering respondents may kindly be struck down and the appeal may graciously be allowed as prayed for.



Appellant

Through

A—5710
Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan

Dated: ____ / ____ /2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**Service Appeal No.578 /2024**

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 Ex-Junior Clerk,
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Versus

The Director Education, (E & SED),
 Near Malik Saad BRT, Terminal,
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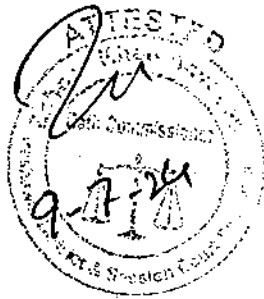
AFFIDAVIT

I, Muhammad Idress, Ex-Junior Clerk, R/o Ouch East, Tehsil Adenzai, Dir Lower, do hereby solemnly affirm and declare on oath that the contents of the instant rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from the notice of this Hon'ble Tribunal.



DEPONENT

CNIC: 15302-0937058-9



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Re-joinder to the inquiry report

In

Service Appeal No.1670 /2022

Muhammad Idress,
Ex-Junior Clerk,
R/o Ouch East, Tehsil Adenzai, Dir LowerAppellant.

Versus

1. The Director Education,(E & SED),
Near Malik Saad BRT, Terminal.
G.T. Road Firdous, Peshawar
Kohat Region, Kohat.
2. The District Education Officer (Male),
(E & SED), Dir Lower.
3. The District Education Officer (Female),
(E & SED), Dir Lower.....Respondents.

Respectfully Sheweth,

With due respect the undersigned humbly submits as under;

Back Ground:

It is humbly submitted that the Appellant has remained as a Junior Clerk, GGHS Kotigram from October/21/2019 to January/30/ 2022. He was **relived** from GGHS Kotigram on 31-01-2022 in pursuance of the transfer order dated 20-01-2022 and his services were placed at the disposal of District Education Officer (Male), Dir Lower for further adjustment. Copies of the transfer and reliving order dated 20-01-2022 and 31-01-2022 attached with memo of Service Appeal.

ATTESTED

On 26-11-2021 vide dispatch No.24 Mst: Zaitoon Begum, Head Mistress, GGHS Kotigram, who was going to be retired w.c.f02-04-2022 on attaining the age of superannuation, submitted an application for retirement so, as to obtain NDC before her retirement. The application was received on 10-12-2021 by the office of DEO (F) Dir Lower as evident from Annexure-Flag/1, and whereas the audit process was carried out on 27-11-2021 for the purpose of NDC. Now the question is as to why the application for retirement was submitted on 10-12-2021, when the audit process was already carried out on 27-11-2021. During the audit proceedings on 27-11-2021, it was unearthed that Mst: Zaitoon Begum has misappropriated Rs.150500/- of Pupil Fund. It is humbly submitted that Junior Clerk by virtue of his job description has nothing to do with the Pupil Fund. The fund is collected from the students directly by the Class Teacher and then is handed over to the Head Mistress, who further deposits the same into the Bank Account of the School. The Head Mistress misappropriated the Pupil Fund and failed to deposit the same in the concerned Bank Account. It is pertinent to note that the audit has been carried out on 27-11-2021 and whereas the Bank Statement of the concerned account shows that till 10-12-2021, no such amount was deposited in the Bank Account. The Bank Statement further shows that the Pupil Fund amount Rs.150500/- has been deposited on 30-12-2021 i.e. after the audit proceedings. Copies of application along with audit notes on the account of GGHS Kotigram Dir Lower dated 27-11-2021 and Bank Statements are attached already attached with memo of Service Appeal.

No Demand certificate

ADJUSTED

It is humbly submitted that the Head Mistress named above directed the undersigned to complete the documentary proof of the Pupil Fund and its expenditures. The undersigned requested the Head Mistress that *"since the questioned fund has been utilized by you (Head Mistress) directly and the undersigned has nothing to do with the said fund therefore, you (Head Mistress) may kindly provide necessary documentation regarding the utilization of subject fund so, that the undersigned could further processed the legal*

proceedings in respect of the fund but, she failed to provide any sort of document."

It is worth mentioning that the Head Mistress by herself deposited the Pupil Fund amount Rs.150500/- on 30-12-2021, which is evident from the Bank Statement.

This got the Head Mistress annoyed and she bent upon to penalize the appellant and in connivance with higher authorities primarily got the appellant transferred from the school vide order dated 20-01-2022 and placed the appellant at the disposal of DEO (Male). It is also worthy to note that the appellant was relieved by the said Head Mistress vide relieving order dated 31-01-2022. The pay of the appellant was also made inactive by the said Head Mistress on 31-01-2022. The appellant was then adjusted at SDEO (Male) Adenzai at Chakdara against the post of Computer Operator. It is also worth mentioning that the salary of the appellant for the month of February, 2022 has not been paid, which is still outstanding.

The enmity of the Head Mistress does not end and she lodged complaint before the District Education Officer (Female) Dir Lower, Timergara on 14-03-2022 wherein she leveled frivolous and baseless allegations against the appellant and resultantly a slipshod inquiry was initiated in the absence of appellant.

The ASDEO (Establishment Primary) Mr. Shahid Anwar Sahib called the appellant through Mr. Raza Shah, SDEO (Male) Adenzai to appear before him on 21-05-2022. The appellant appeared before the worthy ASDEO (Establishment Primary) Mr. Shahid Anwar Sahib on 21-05-2022. Wherein the appellant was informed that complaint has been received from Mst: Zaitoon Begum, the then Head Mistress, GGHS Kotigram. He showed copy of the complaint and directed to take picture of the same and submit answer to the complaint immediately at the spot. The appellant answered the allegations on the spot and denied the same in written form.

ATTACHED

It is humbly *submitted that the appellant has never been served with any charge sheet / statement of allegations. The undersigned was unaware as to whether any inquiry/ order has been made and whether any inquiry officer or as the case may be, inquiry committee has been constituted on the complaint of Head Mistress. The appellant was later on came across the information that a report has been submitted before the worthy Director Education, E&SE wherein it has been proposed to penalize the undersigned with major penalty of compulsory retirement.*

The appellant immediately approached the respondent No.1 the worthy Director, E&SE, Khyber Pakhtunkhwa and submitted application in this behalf on 22-06-2022 wherein he requested that since, the appellant has been condemned unheard in the whole proceedings. Neither the appellant has been served with charge sheet and statement of allegations nor has he been associated with the alleged inquiry proceedings. The statement of the complainant and others, if any, were recorded. The same were at the back of appellant with no opportunity of cross examination and defense therefore the whole proceedings against the appellant were void ab initio and cannot be clothed with validity.

The respondent No.1 worthy Director Education was pleased to allow the application and marked the same to Additional Director on 22-06-2022 for further necessary action thereupon. It is also humbly submitted that the additional Director also marked the application of the undersigned to Assistant Director (Admn) for further process. Appellant was called by the respondent No.1 Worthy Director E & SE vide letter Endstt: No.2156-F.No./A-23/Complaint/Dir Lower Dated 01-08-2022 to appear before him at Peshawar for personal hearing on 04-08-2022. Appellant accordingly appeared on 04-08-2022 for personal hearing, questioner was served upon him and appellant replied the questioner on the same date. Copies of personal hearing attached with memo of Service appeal.

ATTESTED

17

The appellant received Notification No.5364-67 dated 11-08-2022 from the office of respondent No.1 the Director E &SE on 12-08-2022 with the remarks that appellant is exonerated of the charges, however "the appellate authority, Respondent No.1 the Director E&SE Khyber Pakhtunkhwa has decided to issue "warning" to Muhammad Idress Junior Clerk to perform his duty regularly with the entire satisfaction of high-ups, otherwise strict action will be taken against him" copy of Notification attached as Flag-II

During this period respondent No.2 the District Education Officer Male Dir Lower issued show Cause Notice to the appellant vide Endstt: No.6101-03 Dated 18-07-2022 with the direction to submit the reply of show cause within 7 days of the delivery. Appellant accordingly submitted his reply. Copy of show cause notice and reply of show cause notice attached with memo of Service appeal.

It is very astonished that on one hand the appellant was exonerated by the worthy Director and whereas on the other hand; appellant was served with show cause notice on the same set of allegation upon which appellant was exonerated.

All relevant facts have been already elaborated by the appellant in his service appeal, which is worth perusal.

From the circumstances explain above it can be easily judged that the whole department proceedings were initiated with malafide intention to remove the appellant from his legal service.

Reply to the inquiry Report.

ATTSTED

The undersigned humbly submit as under:-

Reply to allegation leveled against the undersigned in in the inquiry report.

Allegation in the show cause notice.

A. Allegation No.A...“You have submitted bogus/designed/fake application to the DEO (F) for the retirement of Headmistress GGHS Kotigram”

B. Allegations in inquiry report.

C. Whereas the inquiry officer in his report “Analysis of the statements” says as to the following:-

“The written statement and verble information shared by the HIM and Teacher shows that the clerk concerned pracized irregular activities through fake and designed letters for which he has very known reputation and experty.

The Headmistress categorically that Mr.MuhammadIdress has submitted bogus /designed /fake application of her retirement to Secretary E & SEOffice with fake signature as he is expert in it.

In this respect, it is humbly submitted that:-

i. From the perusal of the show cause notice, it is evident that appellat was blamed for submitting retirement application of the Head Mistress to DEO (F)Dir Lower and whereas the inquiry officer in his inquiry report says that appellat has submitted bogus retirement application to the SecretaryEducation (E & SE), Khyber Pakhtunkhwa. Now the question is “which one is true”. Whether the prosecution could be allowed to approbate and re-probate in the same breath.

ii. It is universally accepted principle that an illegal act is done for the sake of some monetary or otherwise benefits. In the instant case the question arises that what was the motive of the undersigned in fabricating bogus/designed and fake application?.....Theanswer is negative. As per rule application for retirement is submitted six month prior

ATT/STED

to the date of retirement so, as to secure the NDC for the purpose of pension. The audit of the school Head Mistress was carried out on 27-11-2021 for the purpose of NDC, which was a legal requirement. The question is what was the purpose of appellant in submitting the so called bogus application for retirement. Headmistress was going to retirement on superannuation 02-04-2022. Complainant herself submitted application vide dated 26-11-2021 and received in the office of DEO (F) on 10-12-2021. An audit of the accounts of GGHS Kotigram was carried out by the office of Director of Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar 27-11-2021 i.e much before the date of receipt of retirement application by the Office of DEO (F), which was received by the EDO (F) on 10-12-2021. This is the routine practice of the department. The complainant was herself beneficiary of the whole audit proceedings. In case if any audit Para is endorsed against the complainant than how it can be presumed that it was unearthed due to the act of the undersigned.

iii. In case the undersigned has falsely fabricated the signature of the complaint on the application then the best course for the inquiry officer would be to send the signature to FSL for verification and then to determine the genuines or otherwise of the signature. In absence of any evidence, how it can be presumed that the undersigned has/had fabricated/designed bogus signature on the application.

iv. In order to burden the shoulders of the appellant with alleged accusation, the inquiry officer was legally bound to record the statement of the complainant in the presence of the appellant and provide opportunity to scrutinize her statement under the scrutiny of cross examination. The appellant has not been associated with inquiry proceeding and has been condemned unheard which

FSL
compare
statement of
complainant

ATT/STEE

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against the principle of natural justice and also against the provision of E & D Rules, 2011.

v. It has been repeatedly held by the Hon'ble Supreme Court of Pakistan that in case of major penalty there must be regular inquiry. In the instant case no regular inquiry has been conducted. The appellant was neither been served with any sort of charge sheet and statement of allegation nor any regular inquiry has been conducted. Appellant was unaware of the inquiry proceeding. No inquiry was attached with the show cause Notice. The appellant was also denied with opportunity of personal hearing. The whole departmental proceeding was/is nullity in the eyes of law therefore, liable to set aside.

Allegation in the Show Cause Notice.

D. "You have submitted a fake letter to DEO (F) for cancellation of DDO ship of the Headmistress GGHS Kotigram"

Allegation in the inquiry report.

The inquiry officer vides its report "Analysis of the statements" says as under:-

"She (Complainant / Headmistress) also disowned the letter of DDO ship of Mst: RabiaAyoub SST as the clerk (appellant) has designed it without the approval of the Headmistress".

ATTSTED

IN Response, it is humbly submitted that the undersigned has never submitted any application or letter for cancellation of DDO ship of the Headmistress GGHS Kotigram. It is the prerogative of the competent authority to appoint or nominate any person on the post of DDO ship. No evidence is available on record that the undersigned has ever submitted application for cancellation of

21

DDO ship of the complaint Headmistress. In case if there is any evidence the undersigned has right to be confronted with such type of evidence. In the instant case the undersigned has never been confronted with such type of evidence. In case of submission any such type of application; there must be initial of the appellant on the application.

The statement of Mst: RabiaAyub has not been recorded by the inquiry officer in the presence of appellant.

Allegation in the Show Cause Notice

E. "You also submitted a bogus transfer order of Mst: Rabia SST from Kotigram to GGHS NulMalakand Agency."(Show Cause).

Allegation in inquiry report.

The inquiry officer vide its report "Analysis of the statements" says as under:-

It is too astonishing that he (appellant) provided a bougus transfer order of one Mst: Sarwat Begum showing her transfer from GGHS Kotigram to GGHS Nul MKD signed by the Deputy Directress and on the basis of it submitted stoppage of pay source in the Account Office with Fake Signature of the Headmistress keeping the teacher concerned unaware just to torture her. The Transfer order was verified from the concerned signatory in Directorate, she disowned her signature.

ATTSTED

In response it is humbly submitted that:-

- i. In Show Cause Notice, it has been provided that appellant has submitted a bogus transfer order of Mst: Rabia SST from Kotigram to GGHS NulMalakand Agency and where as in the inquiry report the name of Mst: Sarwat Begum has been mentioned.

Now the question is which statement is true. Whether prosecution could be allowed to approbate and re-probate in the same breath.

- ii. The undersigned was transferred from GGHS Kotigram on 20/01/2022 and was placed at the disposal of DEO Male Dir Lower at Timergara and was relieved by the complainant Head Mistress on 31/01/2022 and where is salary of the undersigned has also been withheld w.e. 31-01-2022 to 28-02-2022 which is still outstanding.
- iii. It has been already explained above that an illegal act is committed with certain ulterior motive or financial benefits. The first question which would likely to be raised in a prudent mind would be is to what was the interest of the appellant to fabricate/ prepare bogus transfer order of Mst: Sarwat Begum SST GGHS Kotigram. Mst. Sarwat Begum is neither relative of appellant nor the appellant has / had any sort of relation with the concerned teacher. It is also humbly submitted that the undersigned has no enmity what so ever, with the concerned teacher. In absence of such type of relationship the question would be as to why the appellant has prepared/ fabricated a bogus transfer order of the said teacher?
- iv. The inquiry officer was under legal obligation to record evidence of all concerned persons including Mst: Sarwat Begum SST GGHS Kotigram and that to in the presence of appellant with opportunity of cross examination. In the instant case no such evidence has been recorded by the enquiry officer and what to say of cross examination? In absence of compliance with mandatory provisions of law for the validity of accusation; how it can be presumed that the undersigned is guilty of submitting bogus transfer order of Mst: Sarwat Begum SST from GGHS Kotigram to GGHS NalMalakand

ATTSTED

Agency. The appellant has never been confronted with such type bogus transfer order.

F. "You have also been removed from service on 30-10-2009 on similar charges"

The inquiry officer vide its report "Analysis of the statements" says as under:-

"His (appellant) previous service record is full of such devil incidence on the basis of which he was removed from service vide this Office No.6767-72 dated 30-10-2009 after legal formalities for such like bogus and designed practices.

Later on, when got his re-instatement order conditioned with De-Novo inquiry, but no one was ready to inquire him again.

The competent authority, Worthy Director E & SE (as EDO/DEO Dir Lower of that time) settled the matter through Oath, but the concerned clerk (appellant) did not himself reformed.

He (appellant) practiced such skills in SDEO (F) Office Adenzai, GGHS Osakai and now in GGHS Kotigram. The previous inquiries and personal files (huge Volume) of the junior clerk is full of such like practices for which he is well known to every one."

ATTSTED

In response to this allegation, it is humbly submitted that the Hon'ble Service Tribunal Vide Judgments Dated 24-06-2009 and 09-08-201 re-instated the undersigned and declared all sort of such type of allegations as illegal, unlawful and without lawful authority.

It is also worth mentioning that Denovo inquiry was conducted and the reinstatement order was withdrawn. The appellant again approached the Service Tribunal and filed Service Appeal No. 556/2010 and resultantly the appellant was again reinstated with all back benefits. The order of the Hon'ble Service Tribunal and that of competent authority is worth perusal. *Once a civil servant is*

honorably acquitted of the charges, the same cannot be made precedent for any subsequent allegation and no conviction can be made on the score of such type of allegations. It is also worth mentioning that the competent authority vide his comments dated 09-02-2011 has categorically admitted that the alleged accusations as flimsy in nature and have no nexus with the conduct of the appellant therefore, liable to be set at naught. Copies of Judgment of Hon'ble Service Tribunal dated 09-08-2010 along with reinstatement order, Service Appeal No.556/2010, Order Sheet dated 05-09-2011, and Comments of the competent authority dated 09-02-2011 and the reinstatement order with all back benefits dated 13-03-2014 are attached as **Flag III**.

Appellant has neither been confronted with such like alleged allegations nor has the inquiry officer bothered to record any evidence in this respect.

De novo inquiry was conducted through Mr. Hazar Hayat Principle GCMSS Timergara and Mukhtiar Khan Principal GHSS, Khall and it is false to say that no one was ready to conduct inquiry against the appellant. Copies attached as **Flag-IV**.

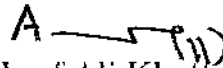
So far the question of Oath of the appellant is concerned; the same has no factual back ground, false and concocted. The Official respondents are under legal obligation to present any such type of stamp paper or other evidence before this Hon'ble Tribunal for perusal and scrutiny.

ATTACHED

In view of the above explained humble submissions, the impugned Inquiry Report has no backup and nullity in the eyes of law therefore; this Hon'ble Tribunal may graciously be pleased to set aside the same and exonerate the appellant with all types of accusations and re-instate the appellant w.c.f 22-08-2022 with all back benefits accordingly.


Appellant

Through

A 
Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan

Dated: ___ / ___ / 2023


ATTSTED

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Rejoinder

in

Service Appeal No. 1670 /2022

Muhammad Idress,
Ex-Junior Clerk,
R/o Ouch East, Tehsil Adenzai, Dir Lower **Appellant.**

Versus

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

Affidavit

I, Muhammad Idress, Ex-Junior Clerk, R/o Ouch East, Tehsil Adenzai, Dir Lower, do hereby solemnly affirm and declare on oath that the contents of the instant rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from the notice of this Hon'ble Tribunal.

DEPONENT

CNIC: 15302-0937058-9

ATTSTED



ANX RJ 2/27

Government of Khyber Pakhtunkhwa
Elementary & Secondary Education Department
A-Block, Civil Secretariat Peshawar

Dated Peshawar the 30th December, 2023

NOTIFICATION

No. SO(G)/E&SED/1-48/2023/Winter Vacations. The Competent Authority has been pleased to extend winter vacations in Summer Zones upto 07th January, 2024 for all the Public and Private Educational Institutions throughout the province due to prevailing cold weather conditions and engagements of teachers in training for General Elections, 2024.

SECRETARY
Elementary & Secondary Education
Department.

Endst: No. & date even.

Copy forwarded to:

1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
4. The Secretary to Govt. of Khyber Pakhtunkhwa, Higher Education Department.
5. All Commissioners, Khyber Pakhtunkhwa.
6. All Deputy Commissioners, Khyber Pakhtunkhwa.
7. PSO to Chief Secretary, Khyber Pakhtunkhwa.
8. The Managing Director KP-PSRA, E&SE Department for information and further necessary action.
9. The Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar
10. The Director General, EMA, Khyber Pakhtunkhwa, Peshawar.
11. The Director, DCTE, Abbottabad.
12. The Director DPD, Khyber Pakhtunkhwa, Peshawar.
13. The Managing Director ESEF, Khyber Pakhtunkhwa, Peshawar.
14. All Chairmen BISE's in Khyber Pakhtunkhwa.
15. The Chairman, Text Book Board, Peshawar.
16. The Director Information, Khyber Pakhtunkhwa.
17. All District Education Officers (Male/Female), Khyber Pakhtunkhwa.
18. P.S to Advisor to Chief Minister for E&SE, Khyber Pakhtunkhwa, Peshawar.
19. P.S to Secretary, E&SE Department.
20. P.A to Additional Secretary (G), E&SE Department.
21. P.A to Deputy Secretary (Admn), E&SE Department.


(BAKHTIAR WADI KHAN)
SECTION OFFICER (GENERAL)

ATTSTEE

ATTACHED

Handwritten signature and date: 31/12/2023

Handwritten text at the bottom, including 'ANX RJ 3/28/2023' and other illegible script.

ATTESTED



25 01 2023

Customer Service
Customer Care
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Customer Care
Customer Care

Our products
Our services
Our support
Our training
Our development
Our research
Our innovation
Our growth
Our success
Our future

Package you made
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Package you made
Package you made



0 1234

December 22, 2023	9:30 AM	Package CPO	Booked at Pakistan CPO
December 27, 2023	4:42 PM	Package	Dispatch from office Pakistan to office Pakistan (BAGD BAG1206653)
December 28, 2023	5:44 PM	Package	Dispatch from DAD Member to delivery office WSA OUT (BAGD BAG1211133)
December 28, 2023	8:34 AM	Package	Dispatch from DAD Member to delivery office GAT (BAGD BAG1206003)

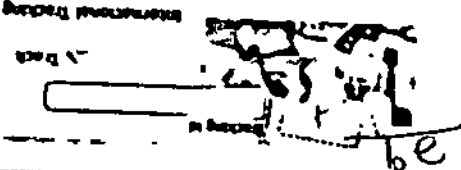
Result of your query

Article Tracking No: 14552987861
 Booking Order: Pakistan CPO
 Delivery Office: Pakistan

Delivery & information at lightning speed



Pakistan Post
EMTS - Express Mail Track &
Trace System



29

Dir at Timargar

S#:1

P Sec:001 Month:December 2021
DA6297 -SUB-DIVISIONAL EDUCATION O
SUB-DIVISIONAL EDUCATION

Pers #: 00262354 Buckle: 0
Name: JAN BAKHT SAID
COMPUTER OPERATOR

NTN:
GPF #: EDUDA003565
Old #: 10962022171

CNIC No.10962022171
GPF Interest Applied
16 Active Temporary

DA6297

PAYS AND ALLOWANCES:

0001-Basic Pay	47,790.00
1001-House Rent Allowance 45%	4,091.00
1210-Convey Allowance 2005	5,000.00
1924-UAA-OTHER 20%(16 G/NG)	1,500.00
1947-Medical Allow 15% (16-22)	1,881.00
2148-15% Adhoc Relief All-2013	949.00
2199-Adhoc Relief Allow @10%	634.00
2211-Adhoc Relief All 2016 10%	3,232.00
2224-Adhoc Relief All 2017 10%	4,779.00
Gross Pay and Allowances	87,693.00

DEDUCTIONS:

IT Payable	11,427.42	Deducted	10,900.00	TAX: (3609)	1,905.00
GPF Balance	579,912.00			Subrc:	3,340.00
3501-Benevolent Fund					1,500.00
3990-Emp.Edu. Fund KPK					150.00
4004-R. Benefits & Death Comp:					650.00

Total Deductions

7,545.00

80,148.00

D.O.B
01.02.1965
35 Years 07 Months 030 Days

LFP Quota:
ALLIED BANK LIMITED TIMERGARA DISTT DIR
CA 2359-2

Dir at Timargar

S#:2

P Sec:001 Month:December 2021
DA6297 -SUB-DIVISIONAL EDUCATION O
SUB-DIVISIONAL EDUCATION

Pers #: 00262354 Buckle: 0
Name: JAN BAKHT SAID
COMPUTER OPERATOR

NTN:
GPF #: EDUDA003565
Old #: 10962022171

CNIC No.10962022171
GPF Interest Applied
16 Active Temporary

DA6297

PAYS AND ALLOWANCES:

2247-Adhoc Relief All 2018 10%	4,779.00
2264-Adhoc Relief All 2019 10%	4,779.00
2309-Adhoc Relief All 2021 10%	4,779.00
2315-Special Allowance 2021	3,500.00
Gross Pay and Allowances	87,693.00

DEDUCTIONS:

IT Payable	11,427.42	Deducted	10,900.00	Subrc:	
GPF Balance	579,912.00				

Total Deductions

7,545.00

80,148.00

D.O.B
01.02.1965
35 Years 07 Months 030 Days

LFP Quota:
ALLIED BANK LIMITED TIMERGARA DISTT DIR
CA 2359-2

ANX RJ/4/30

ATTACHED

OFFICE ATTENDANCE REGISTER
FOR THE MONTH

OF THE S.P. *Shahzade Agha* *Chakola-02*
OF December 2021

Serial No.	NAME	Designation	Days																													Total No. of Days	Remark			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29			30	31	
11	Shahzade Agha	S.P.																																		
21	ZEEBAT BIBI	ASD																																		
31	SABDA GULL	ASD																																		
41	GULL NARBEED	ASD																																		
51	SAIDUR RAHMAN	ASD																																		
61	JAN BHART SAID	ASD																																		
71	MUHAMMAD FAROQ	ASD																																		
81	MAGAR ALI SHAH	N/A																																		
91	IMRATUL HOSSAIN	ASD																																		
101	ANUR SAID	ASD																																		
111	Muhammad Zahid	S/C																																		

ATTESTED

ATTACHED

OF THE SDRS (E) Accounts - 2021
OF 11 FEB 2021

OFFICE ATTENDANCE REGISTER
FOR THE MONTH

Serial No.	NAME	Designation	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remark	
(1)																																				
(2)	ZEENAT BIBI	ASDEC																																		
(3)	SALIDA GULL	ASDEC																																		
(4)	GUL MASREEN	ASDEC																																		
(5)	SAAEED UR RAHMAN	ASDEC																																		
(6)	IMTIAZ KHAN	ASDEC																																		
(7)	MUHAMMAD FARHAN	ASDEC																																		
(8)	MUHAMMAD FARHAN	ASDEC																																		
(9)	MUHAMMAD FARHAN	ASDEC																																		
(10)	MUHAMMAD FARHAN	ASDEC																																		

01/03



Controller General of Accounts

Islamabad

DDO's OPEN & T

Original for KP Government

DDO CODE: DA6013

SEARCH

Details

View: [Standard View] Print Version Export

Personnel No	Employee Name	POSITION	DESCRIPTION
263610	YASMIN AKHTAR	80149152	SUB DIVISIONAL EDUCATION OFFICER
1051513	SUMAYYA KARIM	80862481	SCHOOL LEADER
265260	SAMI UR RAHMAN	80149151	SENIOR CLERK
932806	SAJID HUSSAIN	80149153	NAIB QASID
1021489	MUHAMMAD WAHAB KHAN	80149163	NAIB QASID
266166	MUHAMMAD INAMULLAH	80149125	ASSISTANT SUB DIVISIONAL EDUCATION OFFICER
258270	MUHAMMAD IBRAHIM	80149158	SENIOR CLERK
1051515	MS ZAINAB	80862479	SCHOOL LEADER
964960	KAMRAN KHAN	80149161	JUNIOR CLERK
725878	KALSOOM JEHAN RESHMI	80862477	ASSISTANT SUB DIVISIONAL EDUCATION OFFICER
262354 ✓	JAN BAKHT SAID ✓	80149157	SUPERINTENDENT ✓
828073	IZAZ ULLAH	80149124	DRIVER
1049193	FAZILA INAM	80862480	SCHOOL LEADER
966622	FAHEEM UD DIN	80149159	JUNIOR CLERK
		80149156	SCHOOL LEADER
		80862478	SCHOOL LEADER
		80149123	ASSISTANT
		80862482	SCHOOL LEADER
		80862484	ASSISTANT SUB DIVISIONAL EDUCATION OFFICER
		80862485	ASSISTANT SUB DIVISIONAL EDUCATION OFFICER
		80862486	ASSISTANT SUB DIVISIONAL EDUCATION OFFICER
		80862487	ASSISTANT SUB DIVISIONAL EDUCATION OFFICER
		80549394	SCHOOL LEADER
		80862483	SCHOOL LEADER

ATTACHED



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

Dated Peshawar the August 29, 2022

NOTIFICATION

NO.SO(S/M)E&SED/5-17/2022/Promotion from Assistant (BS-16) to Superintendent (BS-17): Consequent upon their promotion from Assistant (BS-16) to Superintendents (BS-17) as notified vide this Department's Notification No. SO(PE)/ E&SED/2-6/DPC Meeting/Promotion of Supdt./2022 dated 27.06.2022, following posting/transfers of Superintendents (BS-17) are hereby ordered, in the public interest with immediate effect:-

S#	Name of Officer	From	To	Remarks
1.	Mr. Ghulam Muhammad	GGHSS Kalanga Khyber	DEO Khyber	A.V.P
2.	Mr. Muhammad Tariq	SDEO (M) Abbottabad	DCTE Abbottabad	A.V.P
3.	Mr. Ghafoor Shah	Directorate of E&SE	DEO (F) Charsadda	A.V.P
4.	Mr. Farid Khan	Directorate of E&SE Peshawar	Directorate of NMD	Vice S.No.119
5.	Mr. Mian Sher Shah	DEO (M) Nowshera	DEO (M) Torghar	A.V.P
6.	Mr. Mukhtaj Nabi	SDEO (F) Topi Swabi	DEO (M) Haripur	A.V.P
7.	Mr. Muhammad Khalid	RPDC (M) Haripur	SDEO (F) Haripur	A.V.P
8.	Mr. Muhammad Ajmal	SDEO (F) Oghi Mansehra	SDEO (F) Mansehra	A.V.P
9.	Mr. Muhammad Shabir Ali	SDEO (F) Swabi	SDEO (F) Lahor Swabi	A.V.P
10.	Mr. Naqib Ahmad	DEO (F) Mardan	SDEO (F) Takht Bhai Mardan	A.V.P
11.	Mr. Jan Muhammad	DEO (M) Nowshera	SDEO (M) Nowshera	A.V.P
12.	Mr. Shah Alam Khan	SDEO (F) Lakki Marwat	SDEO (F) Lakki Marwat	A.V.P
13.	Mr. Siraj ul Haq	SDEO (F) Lal Qila Dir Lower	DEO (M) Dir Lower	A.V.P
14.	Mr. Sher Alam	DEO (M) Charsadda	DEO (M) Charsadda	A.V.P
15.	Mr. Sajid Ullah	DEO (F) Peshawar	DEO (M) Peshawar	A.V.P

S.No. 40
page - 2

ATTACHED

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16.	Mr. Abdul Ghafoor	DEO (F) Kohat	DEO (F) Kohat	A.V.P
17.	Mr. Muhammad Naeem Khan	SDEO(F) Havelia Abbottabad	DEO (F) Battagram	A.V.P
18.	Mr. Abdus Salam	SDEO (M) Dir Lower at Timergara	DEO (M) Dir Lower	A.V.P
19.	Mr. Muhammad Tahir	DEO (F) Shangla	DEO (M) Shangla	A.V.P
20.	Mr. Naeem Gul	DEO (M) Abbottabad	SDEO (F) Abbottabad	A.V.P
21.	Mr. Waqas Shah	DEO (F) Kohat	SDEO (F) Kohat	A.V.P
22.	Mr. Tariq Shah	DEO (F) Abbottabad	DEO (M) Abbottabad	A.V.P
23.	Mr. Said Jehan	DEO (M) Shangla	DDEO (M) Swat Upper	A.V.P
24.	Mr. Ubaid ur Rehman	DEO (M) Buner	SDEO (M) Dagar Buner	A.V.P
25.	Mr. Nisar Ahmad	DEO (F) Buner	DEO (F) Buner	A.V.P
26.	Mr. Ijaz Khan	GHSS Comprehensive, Bannu	SDEO (M) Bannu	A.V.P
27.	Mr. Shahid ud Din	SDEO (M) Samar Bagh Dir Lower	SDEO (M) Timergara Dir Lower	A.V.P
28.	Mr. Nazir Ahmad	DEO (M) Shangla	DEO (F) Shangla	A.V.P
29.	Mr. Sardar Hussain	DEO (F) Shangla	SDEO (F) Shangla	A.V.P
30.	Mr. Said Anwar Ali	SDEO (M) Shangla	SDEO (M) Shangla	A.V.P
31.	Mr. Fazal Ghafar	SDEO (F) Shangla	DEO (M) Shangla	A.V.P
32.	Mr. Sher Malik	DEO (M) Shangla	DEO (M) Kohistan Upper	A.V.P
33.	Mr. Said Ameer	DEO (F) Kohistan	DEO (F) Kohistan Lower	A.V.P
34.	Mr. Muhammad Ibrahim	DEO (M) Mardan	SDEO (F) Mardan	A.V.P
35.	Mr. Tahir Sartaj	DEO (M) Mardan	SDEO (F) Dargai Malakand	A.V.P
36.	Mr. Abdul Wadood Jan	SDEO (F) Samar Bagh Dir Lower	SDEO (F) Samarbagh Dir Lower	A.V.P
37.	Mr. Muhammad Iqbal	DEO (M) Dir Lower	DEO (M) Upper Chitral	A.V.P
38.	Mr. Faizul Haq	SDEO (M) Lal Qilla Dir Lower	DEO (M) Bajaur	A.V.P
39.	Mr. Fazli Wahid	DEO (M) Swabi	DEO (M) Swabi	A.V.P
40.	Mr. Jehan Bakht Said	SDEO (F) Dir Lower	SDEO (M) Babuzai Lower Swat	A.V.P
41.	Mr. Muhammad Idrees	DEO (M) Nowshera	DEO (M) Nowshera	A.V.P

ATTACHED



42.	Mr. Badshah Muhammad	SDEO (F) Malakand	SDEO (M) Malakand	A.V.P
43.	Mr. Imdad Ullah	SDEO (M) Town-II Peshawar	SDEO (M) Battagram	A.V.P
44.	Mr. Badshah ul Haq	SDEO (M) Samar Bagh Dir Lower	DEO (M) Kohistan Upper	A.V.P
45.	Mr. Anwar Khan	SDEO (M) Munda Dir Lower	DEO (M) Kohistan Lower	A.V.P
46.	Mr. Muhammad Dawood Shah	SDEO (M) Dir Upper	SDEO (M) Dir Upper	A.V.P
47.	Mr. Muhammad Ibrar	DEO (M) Nowshera	SDEO (F) Bannu	A.V.P
48.	Mr. Naeem Khan	DEO (F) Malakand	DEO (M) Malakand	A.V.P
49.	Mr. Gul Wali Khan	DEO (F) Nowshera	SDEO (F) Nowshera	A.V.P
50.	Mr. Pir Bakhsh	SDEO (F) Nowshera	DEO (M) Torghar	A.V.P
51.	Mr. Mahmood Khan	DEO (F) Nowshera	SDEO (F) Dir Upper	A.V.P
52.	Mr. Mujahid Khan	SDEO (F) Khall Dir Lower	SDEO (F) Upper Kohistan	A.V.P
53.	Mr. Muhammad Manzoor Khan	DEO (M) Chitral	SDEO (M) Chitral Lower	A.V.P
54.	Mr. Hakim Shah	DEO (F) Chitral	SDEO (F) Chitral Lower	A.V.P
55.	Mr. Fateh Muhammad	DEO (M) Dir Lower	DEO (M) Dir Upper	A.V.P
56.	Mr. Aminullah Khan	SDEO (M) Warai Dir Upper	SDEO (M) Warai Dir Upper	A.V.P
57.	Mr. Zahir Rahman	SDEO (F) Dir Upper	DEO (M) Dir Upper	A.V.P
58.	Mr. Hazrat Wahab	SDEO (F) Warai Dir Upper	DEO (F) Upper Chitral	A.V.P
59.	Mr. Umer Ayaz Khan	DEO (M) Bannu	DEO (M) Bannu	A.V.P
60.	Mr. Abdul Shabbir	DEO (F) Haripur	DEO (F) Haripur	A.V.P
61.	Mr. Muhammad Ajmal Khan	SDEO (M) Topi Swabi	SDEO (M) Topi Swabi	A.V.P
62.	Mr. Sabz Ali Khan	DEO (F) Swabi	DEO (F) Swabi	A.V.P
63.	Mr. Haleem Jan	DEO (M) Swabi	DEO (M) Swabi	A.V.P
64.	Mr. Bashir Ahmad	DEO (M) Tank	DEO (F) Torghar	A.V.P
65.	Mr. Ibrarullah Hashmi	SDEO (M) Tank	DEO (M) Tank	A.V.P

ATTACHED

[Handwritten signature]

66.	Mr. Ihsan Ullah	SDEO (F) Parova D.I Khan	SDEO (F) Prova D.I Khan	A.V.P
67.	Mr. Haroon Khan	DEO (F) Dir Upper	DEO (M) Battagram	A.V.P
68.	Mr. Anwar Khan	SDEO (M) Hangu	SDEO (M) Hangu	A.V.P
69.	Mr. Javid Iqbal	DEO (M) Buner	DEO (F) Buner	A.V.P
70.	Mr. Iftikhar Nadeem	DEO (F) Buner	DEO (M) Battagram	A.V.P
71.	Mr. Sar Anjam Khan	DEO (M) Buner	SDEO (F) Alliy Battagram	A.V.P
72.	Mr. Saeed Ahmad.	SDEO (M) Kulachi D.I Khan	DEO (M) D.I Khan	A.V.P
73.	Mr. Shoaib Sultan	SDEO (M) D.I Khan	SDEO (M) D.I Khan	A.V.P
74.	Mr. Haq Nawaz	SDEO (F) Kulachi D.I Khan	SDEO(F) D.I Khan	A.V.P
75.	Mr. Zakir Ullah	SDEO (M) Topi Swabi	SDEO (M) Swabi	A.V.P
76.	Mr. Amir Ullah	DEO (F) Charsadda	DEO (M) Charsadda	A.V.P
77.	Mr. Wazir Shah	DEO (F) Charsadda	SDEO (F) Charsadda	A.V.P
78.	Mr. Nizar Khan	SDEO (F) Charsadda	DEO (F) Bannu	A.V.P
79.	Mr. Abdul Bari	Directorate of E&SE	Directorate of E&SE Peshawar	A.V.P
80.	Mr. Farooq Ahmad	Directorate of NMD	Directorate of NMD	A.V.P
81.	Mr. Muhammad Yasir Jillani	DEO (M) Peshawar	SDEO (M) Mastuj Upper Chitral	A.V.P
82.	Mr. Imran Ullah	DEO (M) Bannu	DEO (M) Bannu	A.V.P
83.	Mr. Azhar Uddin	DEO (M) Bannu	DEO (F) Chitral Lower	A.V.P
84.	Mr. Muhammad Ayaz	Directorate of E&SE	SDEO (M) Dasu Kohistan	A.V.P
85.	Mr. Fazle Rehman	SDEO (M) Katlang Mardan	Assistant Director (BS- 17) DPD Peshawar	A.V.P
86.	Mr. Amir Ullah	Directorate of E&SE	Directorate of E&SE Peshawar	A.V.P
87.	Mr. Shah Fahad Afridi	Directorate E&SE	Directorate of E&SE Peshawar	A.V.P
88.	Mr. Muhammad Naveed	DEO (M) Malakand	DEO (M) Malakand	A.V.P
89.	Syed Mohsin Ali	DEO (M) Buner	DEO (M) Buner	A.V.P

ATTACHED



90.	Mr. Hashmat Abbas	DEO (M) Karak	SDEO (M) Karak	A.V.P
91.	Mr. Shakir Naeem	SDEO (F) Baffa Mansehra	DEO (M) Mansehra	A.V.P
92.	Mr. Farhan Farid	Directorate of E&SE	DEO (M) Tank	A.V.P
93.	Mr. Adnan Hussain	DEO (M) Malakand	DEO (M) Malakand	A.V.P
94.	Mr. Muhammad Khalid	DEO (M) Karak	DEO (M) Karak	A.V.P
95.	Mr. Waleed Safdar	DEO (F) Kohat	DEO (M) Kohat	A.V.P
96.	Mst. Huma Nisar	SDEO (F) Town-II Peshawar	SDEO (F) Town-I Peshawar	A.V.P
97.	Mr. Jousha Mehboob	Directorate of E&SE Peshawar	Directorate of E&SE Peshawar	A.V.P
98.	Mr. Arif Iqbal	DEO (F) Lakki Marwat	DEO (F) Lakki Marwat	A.V.P
99.	Mr. Murtaza Khan	Directorate of E&SE	DEO (M) Lower Swat	A.V.P
100.	Mr. Amjad Ali	RPDC (F) Charsadda	DEO (M) Kolai Palas Kohistan	A.V.P
101.	Mr. Wajid Ali	SDEO (F) Charsadda	DEO (F) Kolai Palas Kohistan	A.V.P
102.	Mr. Muhammad Islam	DEO (M) Charsadda	DEO (M) Mohmand	A.V.P
103.	Mr. Sher Alam	DEO (M) Karak	DEO (F) Karak	A.V.P
104.	Mr. Habib ur Rehman	SDEO (M) Karak	DEO (M) Karak	A.V.P
105.	Mr. Atiq Ullah	DEO (F) Karak	SDEO (M) Banda Daud Shah Karak	A.V.P
106.	Mr. Luqman Gul	SDEO (F) Karak	SDEO (F) Karak	A.V.P
107.	Mr. Muhammad Yahya	Directorate of E&SE	DEO (F) Hangu	A.V.P
108.	Mr. Hashmat Khan	DEO (M) Hangu	DEO Orakzai	A.V.P
109.	Mr. Muhammad Siraj	DEO (M) Hangu	DEO (M) Hangu	A.V.P
110.	Mr. Muhammad Khalid	SDEO (F) Gari Kapoora Mardan	DDEO (F) Swat Upper.	A.V.P
111.	Mr. Muhammad Nisar Khan	SDEO (F) Hangu	DEO (F) Hangu	A.V.P
112.	Mr. Bakht Ali Khan	SDEO (M) Banda Daud Shah	SDEO (F) Banda Daud Shah	A.V.P
113.	Mr. Akhtar Munir	DEO (M) Lakki Marwat	DEO (F) Tank	A.V.P

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114.	Mr. Qasim Khan	DEO (M) Lakki Marwat	DEO (M) Lakki Marwat	A.V.P
115.	Mr. Rahim Dil Khan	SDEO (M) Lakki Marwat	SDEO (M) Lakki Marwat	A.V.P
116.	Mr. Hidayat Ullah	SDEO (F) Lakki Marwat	DEO (M) Lakki Marwat	A.V.P
117.	Mr. Irshad Ali	DCTE Abbottabad	SDEO (M) Jodba Torghar	A.V.P
118.	Mr. Majid Ullah	SDEO (F) Dir Upper	SDEO (F) Mastuj Upper Chitral	A.V.P

Consequential Posting/Transfers

119.	Mr. Sandal Khan	Directorate of NMDs Khyber Pakhtunkhwa	SDEO (M) Town-II Peshawar	A.V.P
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SECRETARY E&SE DEPARTMENT

Endst: of even No. & Date

1. Accountant General, Khyber Pakhtunkhwa, Peshawar
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar
3. Director, DPD, Khyber Pakhtunkhwa, Peshawar
4. Director, DCTE Abbottabad.
5. District Education Officers Male, Concerned
6. District Accounts Officers Concerned
7. PS to Secretary E&SE Department, Khyber Pakhtunkhwa
8. Incharge EMIS E&SE Department
9. Officers concerned
10. Office order file

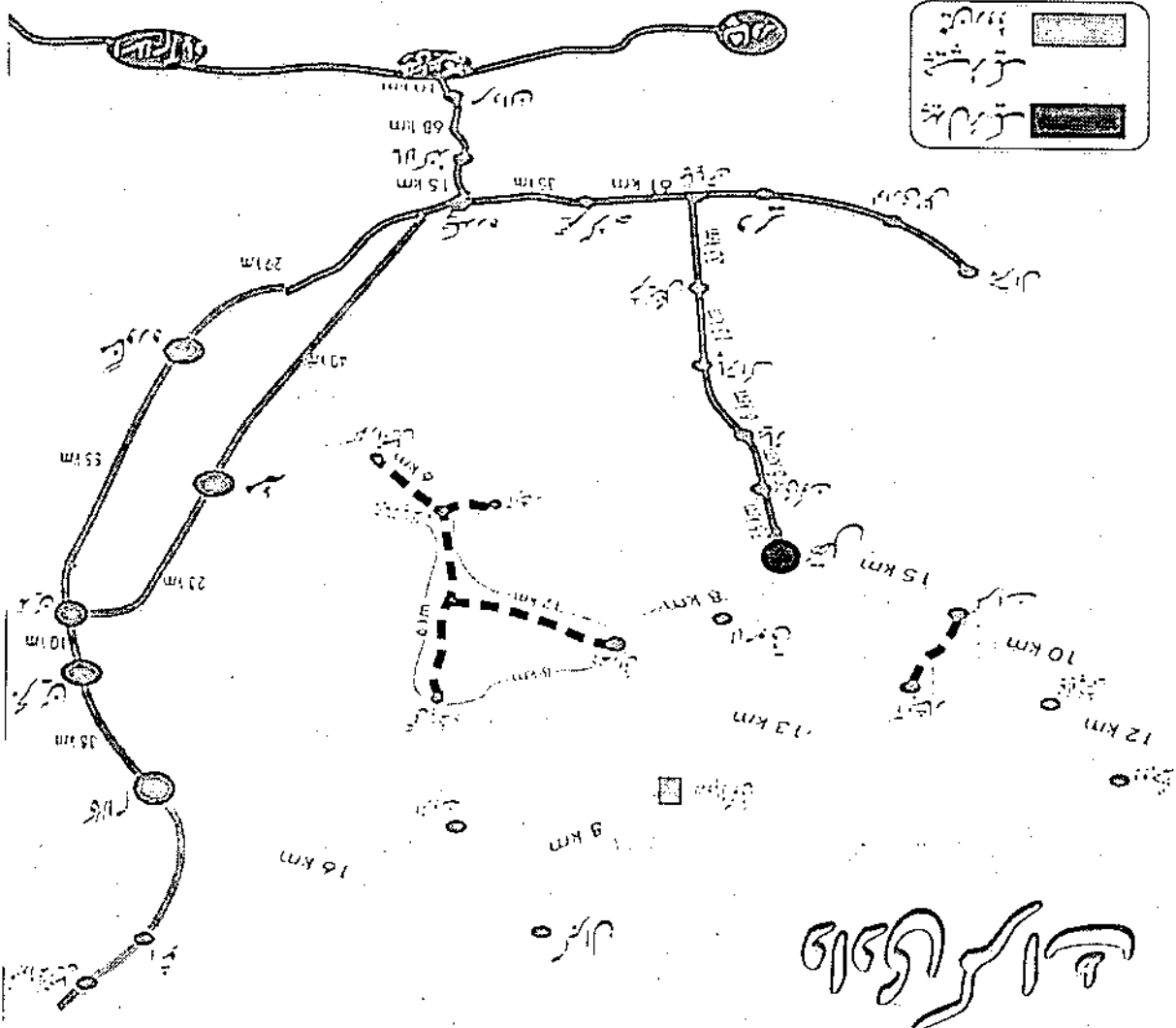
Baqir Ali
29/08/2022

(BAQIR ALI)

SECTION OFFICER (SCHOOLS MALE)

ATTSTED

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داری کرامت



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GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT, CABINET DIVISION
NATIONAL TELECOM & INFORMATION TECHNOLOGY SECURITY BOARD
(NTISB)

No. 1-S/2003 (NTISB-II)

Islamabad 31st January 2020

Subject Ban on Use of Whatsapp / Likewise Means for Sharing of Official Letters / Information.

CC: Secy (I.T) / G.A.C.
Date: 31.1.2020

FUNCTIONAL USE
Date: 31.1.2020

It has been reported that Hostile Intelligence agencies have developed technical capabilities and means to gain access to sensitive information stored mobile phones of officials of Government Departments / Institutions / Ministries in country. These spyware companies are using hacking softwares / applications such as "Chat Line" and "Pegasus" malware on whatsapp Account of target mobile phone (IOS and Android) to gain access of sensitive information stored on mobile phone. The malware is capable to infect any mobile phone (IOS and Android) only by generating missed call on target WhatsApp number. This "Pegasus" malware has infected approximately 1400 senior government and military officials in twenty countries including Pakistan. Hostile spyware companies such as Israel based NSO Group have been sued by WhatsApp / Facebook in the US court of San Francisco for "violating both US and California laws as well as the WhatsApp Terms of Service".

2. Although advisory on the subject has also been issued to all government departments / ministries by NTISB, Cabinet Division, however in order to minimize the possibility of any infection by Pegasus malware, senior government officials holding sensitive portfolios / dealing with national security matters are advised to consider following:-

- a. No official / classified information be shared on WhatsApp or similar application being highly insecure.
- b. WhatsApp be upgraded to latest version (version 2.19.112 for iOS and 2.19.308 for Android as of 4 November 2019).

All mobile phones purchased prior to 10 May 2019, be immediately replaced.

3. Forwarded for strict compliance, please.
Secy (I.T) / G.A.C.

Asst. Secy
Cabinet Secretary

All Secretaries of Ministries / Divisions of Federal Government and Chief Secretaries of Provincial Government

S.O. (CAB) 10/02/20

NTISB