

BEFORE THE KHYBER PAKTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2551/2023

Inayat Ur Rahman son of Bahre Karam resident of Aligrama, Tehsil Kabal, District Swat.Appellant

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education department at Peshawar & others

..... Respondents

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(MUHAMMAD RIAZ)

DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA
(Respondent No. 3)

①

BEFORE THE KHYBER PAKTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2551/2023

Inayat Ur Rahman son of Bahre Karam resident of Aligrama, Tehsil Kabal, District Swat.

Khyber Pakhtunkhwa
Service Tribunal Appellant

Diary No. 16311

Dated 4/10/2024

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education department at Peshawar & others

..... Respondents

Parawise Joint Comments on Behalf of the Respondents 1 to 4:
Respectfully Shewith
Preliminary Objections

1. That the Appellant is not an aggrieved person within the meaning of section 4 of the Service Tribunal Act, 1974.
2. That the Appellant has no cause of action / locus standi.
3. That the Appellant has not come to this Honorable Tribunal with clean hands.
4. That the Appellant has filed this instant Service Appeal just to pressurize the respondents.
5. The present Service Appeal is liable to be dismissed for non-joinder/mis joinder of necessary parties.
6. That the instant Service Appeal is against the prevailing law and rules.
7. That the Appellant has filed this instant Service Appeal on malafide motives.
8. That the instant Appeal of the Appellant is **time barred**.
9. That the instant Service Appeal is not maintainable in the present form, and above in the present circumstances of the issue.
10. That the Appellant has estopped by his own conduct by harassing the miners/students.
11. That the Appellant has concealed the material facts from this Honorable Tribunal.

FACTS

1. Correct
2. Irrelevant
3. That this para is correct to the extent of conducting enquiry against the Appellant and issuance of show cause notice against the Appellant, the rest of the para is incorrect and denied. In fact, the Appellant was working as Chowkidar at GPS No.02 Koza Bandai Since 29.08.2019. The SDEO Sub Division Male Primary Kabal Swat sent a letter dated 16.06.2023 along with written complaints of some of the girl students of the school with some serious allegations against the Appellant. The respondent No. 03 nominated Principal GHSS Aboha Swat and SDEO (M) Kabal Swat as enquiry committee to probe into the matter vide office order dated 19.06.2023. The enquiry committee conducted a detailed enquiry and submitted its report to

the office of respondent No.03 with clear recommendations to remove the Appellant from Service. Thereafter, respondent No.03 being competent authority issued a show cause notice to the Appellant vide Endst: NO. 5031-35 dated 04.07.2023. The Appellant Submitted his reply dated 13.07.2023 which was found unsatisfactory. Respondent No. 03 provided another opportunity of defense to the Appellant and nominated personal hearing officer vide Endst No. 6428-29 dated 12.08.2023. The personal hearing officer heard the Appellant in person, his statements as well as the statements of affected girls/students, teaching staff, headmaster and complainant parents were recorded. The personal hearing officer recommended that the penalty proposed by the enquiry committee may be retained. **(SDEO office letter dated 16.06.2023 along with statements of students, enquiry report along with annexures, Copy of show cause notice, office order, and personal hearing report annexed A, B, C, D and E).**

4. That this para is correct to the extent of imposition of major penalty of removal from service of the Appellant, the rest of the para is incorrect and denied, All the allegations leveled against the Appellant were proved and the enquiry committee as well personal hearing officer having considered the allegations and proofs recommended that the Appellant may be removed from service. Therefore, being the competent authority, respondent No.03 imposed the • major penalty of removal from service upon the Appellant.
5. Correct.
6. The instant Service Appeal of the Appellant is bereft of any merit, hence, liable to be dismissed inter-alia following grounds.

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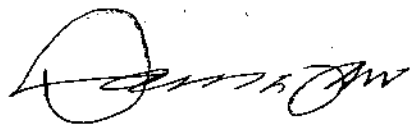
GROUNDS

- i. Incorrect and denied. The act of the respondents is legal, lawful and in according to the relevant rules.
- ii. Incorrect and denied. The allegations leveled against the Appellant have been proved trough reliable sources and thus the Appellant is not entitled for reinstatement at all.
- iii. Repetition.
- iv. Irrelevant.
- v. Irrelevant.
- vi. Incorrect and denied. Enquiry committee has heard the Appellant orally as well as his written reply has also been obtained.
- vii. Incorrect and denied. The Appellant has not been dismissed from service rather he has been removed from service.
- viii. Irrelevant.
- ix. Incorrect and denied. No discrimination, whatsoever, has been made with the Appellant.

- x. Incorrect and denied. The Appellant has violated law, rules and policy and committed severe misconduct, therefore, his instant Service Appeal is liable to be dismissed.
- xi. That the respondents also seek permission to raise further ground be at the time of the arguments.


It is therefore very humbly prayed that the instant Service Appeal of the Appellant may be dismissed with cost in favor of the respondents.

SAMINA ALTAF
DIRECTOR



AUTHORIZED OFFICER
DEPUTY DIRECTOR (LEGAL)
ELEMENTARY & SECONDARY
EDUCATION KHYBER PAKHTUNKHWA
(RESPONDENT NO.2)

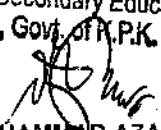
Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar



(MUHAMMAD RIAZ)
DISTRICT EDUCATION OFFICER
MALE SWAT.
(RESPONDENT NO.3)

Alam
Fiaz
(FIZA ALAM)
ADDITIONAL SECRETARY (ESTAB)
E&SED DEPARTMENT
ON BEHALF OF
SECRETARY E&SED
(RESPONDENT NO.1)
SECRETARY

Elementary and Secondary Education
Department, Govt. of P.K.



MUHAMMAD AZAM
SUB DIVISIONAL EDUCATION OFFICER
(M) KABAL SWAT
(RESPONDENT NO. 4)

BEFORE THE KHYBER PAKTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2551/2023

Inayat Ur Rahman son of Bahre Karam resident of Aligrama, Tehsil Kabal, District Swat.Appellant

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education department at Peshawar & others
..... Respondents

AFFIDAVIT

I, Muhammad Riaz, District Education Officer (M) Swat, do hereby solemnly affirm and declare on oath on the directions and on the behalf of the Respondents that the contents of the comments are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Honorable Tribunal. It is further stated on oath that in this appeal the answering respondent have neither been placed ex-parte nor their defense has been struck off.



u/ro/m

(MUHAMMAD RIAZ)

DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA
(Respondent No. 3)

5



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT

Email: emisswat@gmail.com

Phone No. 09469240228

AUTHORITY LETTER

It is certified that Hussain Ali, Assistant District Education Officer (P&D) Male Swat, Elementary & Secondary Education Department is hereby authorized to submit para-wise comments and attend the Service Tribunal Peshawar on behalf of the respondent no. 1 to 4 in Service Appeal No. 2551/2023 Title Inayat Ur Rahman Vs Secretary E&SE Peshawar and DEO Male Swat on the eve of each hearing till the disposal of the instant case.

(MUHAMMAD RIAZ)

DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA
(Respondent No. 3)

SA



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT

Email: emisswat@gmail.com,

Phone No. 09469240228

AUTHORITY LETTER

It is certified that Zahid Khan, Sub Divisional Education Officer Male Barikot Swat, Elementary & Secondary Education Department is hereby authorized to submit para-wise comments in Service Tribunal Peshawar on behalf of the respondent no. 1 to 4 in Service Appeal No. 2551/2023 Title Inayat Ur Rahman Vs Secretary E&SE Peshawar and others.

(MUHAMMAD SAZ)

DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA
(Respondent No. 3)

Annexure 'A'

OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER (M) KABAL, SWAT

No 1384-86 /NOC for UMRA/Dated 16/6 /2023

To

The District Education Officer (M)
District Swat.

Mr. 907 Jan 20
17/6/23

Subject: - COMPULSARY RETIREMENT.

Memo:

Reference to the subject cited above it is stated in your kind honor that Mr. Inayatullah Rahman, Chowkidar, Govt: Primary School No.2 Koza Bandai is involved in the abuse of the Female students since long. In this regard the undersigned visited to GPS No.2 Koza Bandai on dated 16.6.2023 and interacted with effected students Anixter/Statements of students attached. The situation in the school was found alarming in the light of which the undersigned directed the Chowkidar to report to the office of under signed as the Chowkidar is no longer trust worthy to performed his duty in the school. In this regard the undersigned requested you for the compulsory retirement of Mr. Inayatullah Rahman, Chowkidar, GPS: No.2 Koza Bandai Tehsil Kabal Swat.

16/6/23
SUB: DIVISIONAL EDUCATION OFFICER (M)
PRIMARY KABAL, DISTT: SWAT.

No and Dated even.

Copy of the above is forwarded for information to: -

1. The ASDEO (M) Kabal Circle-II.
2. The Headmaster, GPS: No.2 Koza Bandai Swat.

Alert
16/6/23
Dist. Edu. Officer (M)
District Swat

SUB: DIVISIONAL EDUCATION OFFICER (F)
PRIMARY KABAL, DISTT: SWAT.

①

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بقول ثانیہ (جماعت چہارم اے):

عنایت الرحمن نے مجھے پلے صحن جا ڈونے کو کیا پیر سٹاف

دوم صاف کرنے کو کیا اور پیر خود آکر مجھے پلے کر Love you

بول کر Kiss بھی کیا۔





16/06/2023

②

بقول آمنہ:

عنایت الرحمن کو پیر محمد پیر زبردستی صفائی کرتا ہے۔

Amma


نام آمنہ بی بی

جماعت: چہارم



Head Master,
Govt. Primary School No-2
Kuzu Buntal, District Swat.

ATTESTED



Dist. Edu. Officer (M)
District Swat.

(8)

بقول کجوا:

عنايت الرحمن نوکر جیسی بیان سے کلاس
 بلا کر Kiss کرتے ہیں اور میری مخصوص استفاد
 پر باتھ پھرتے ہیں۔ وہ اور اسی وجہ سے میری ایک
 بیلی "فریبا" نے سلوک پکھوڑ دی

(9)



Head Master,
 Govt. Primary School No-2
 Kozu Bandai, Distt: Swat
 16/06/2023

نام کجوا

کلاس پنجم

(8)

بقول دعا

عنايت الرحمان نوکر صبح کے وقت مجھے ہتھان
 کرنے کے لیے تھاپے اور انگار کرنے پر مجھے Kiss کرتا ہے۔

نام دعا بی بی

(9)



Head Master,
 Govt. Primary School No-2
 Kozu Bandai, Distt: Swat
 16/06/2023

ATTESTED
 District Education Officer (MI)
 District Swat

7

بقول زردک :-

عنائیت الرحمن نور مجہ پر صنادی کرتا ہے۔

[Handwritten signature]

نام زردک

جماعت چہارم

[Handwritten signature]

Head Master,
Govt. Primary School No-3
Kozabandai, Distt: Swat.
16/06/2023

6

بقول مسرورہ :-

عنائیت الرحمن ہر وقت ہمارے پیچھے لگتا ہے ہمیں
پکڑتے ہیں۔

[Handwritten signature]

نام مسرورہ

[Handwritten signature]

Head Master,
Govt. Primary School No-2
Kozabandai, Distt: Swat.
16/06/2023

جماعت
ATTESTED
Dist. Eds. Officer (M)
District Swat.

(15)

بقول ثانیہ :

عنايت الرحمان نوکر مجھے محبت کو جاڑوں کرنے کا پتا پسر
سنا فہم توصاف کرنے کا پتا اور پسر خود اسر مجھے Love you
بول کر مجھے Kiss کیا ۔

Deriva

نام ثانیہ بی بی

جماعت چہارم



Head Master
Govt. Primary School No-3
Kaza Bandal, Distt. Swat
16/06/2023

(14)

بقول زبیر :

عنايت الرحمان نوکر مجھ سے بہتر دن دھونے
ہیں اور ایس (Kiss) کرتے ہیں ۔ میں شکر ہے مجھ سے
کتنی ہونے اور مجھ سے لیتے ہیں ۔

نام زبیر

جماعت چہارم

Zubair



Head Master
Govt. Primary School No-3
Kaza Bandal, Distt. Swat
16/06/2023

ATTESTED

Distt. Edu. Officer (M)
District Swat

(4)

بقول سپانہ :

[Signature]

(3)

عنايت الرحمن فخر جيسے گلے لگاتا ہے۔ محمد پر
صنائی کرتا ہے۔

5

[Signature]
Head Master,
Govt. Primary School No-2
Kozal Bandai, Distt: Swat
16/06/2023

نام سپانہ
کلاس چارم

(2)

بقول انیسہ :

(10)

عنايت الرحمن فخر نے مجھے پلٹ کر Kiss کیا ہے۔

Anisa

[Signature]
Head Master,
Govt. Primary School No-2
Kozal Bandai, Distt: Swat
16/06/2023

نام: انیسہ

کلاس: چارم

ATTESTED
[Signature]
Distt. Edu. Officer (M)
District Swat

Annexure B
 The District Education Officer (M)
 P.S. Saadul Sharif, Distt: Sialkot
 Subject: Submission of Inquiry Report regarding
 Mayat ur Rahman Watchman (M.S.)
 Gps Kozza Bandal No 2 Sub-Division Kabal

Respected Sir,
 The DEO (M) office has not nominated the
 undersigned for the subject cited above inquiry.

Facts of the inquiry:-
 1. That the parents and the Community Subcommittees
 on Application on 13/6/2023 to the SDE (M) Sub-Division
 Kabal hadt Against Mr. Mayat-ur-Rahman Watchman
 of Gps Kozza Bandal No 2.

In the said Application it is stated that under
 Requiring Watchman is teasing and sexually
 Harassing the female students. He is kissing
 the female students and do immoral activities
 with these students during school timings.
 He also wash dishes, prepare tea for teachers,
 sweep the school and do other homistry (like
 works on the female students. He also use
 Chars (C-2) in the School and use abusive language
 (copy of Application is Attached)

2. The undersigned visited the said school for
 inquiry on 23/6/2023 and served a Questionnaire upon
 the Watchman and HT Mr. Niaz Ahmad Gps Kozza
 Bandal No 2. (copy Attached)

3. The statements of the HT, Watchman &
 other present teachers were recorded on the
 spot both verbally and in written.
 (continued on p# 02)

ATTESTED
 DIST. EDU. OFFICER (M)
 District Sialkot

(4) The statements of the Aggrieved Female ⁽²⁾ Students of class 4th & 5th were also recorded both verbally and in written in the presence of Under Inquiry Watchman, HT and other teachers of GPS Kozai Bandai No 2.
(Copies statements of Students are Attached)

(5) The Allegations against the Watchman have been proved.

(6) The HT Mr. Niaz Ahmad did not submit any Complaint/Report to the office despite the knowledge of the immoral & illegal activities in school since last two years. He remained silent throughout this long period of two years.

Conclusion Drawn:
The Allegations have been proved against the Under Inquiry Watchman. The HT is also held responsible due to his Silence & Negligence.


Recommendations:
In view of the above facts, it is recommended that: -

- (1) Mr. Mayat ur Rahman watchman may kindly be removed from service, please.
- (2) Mr. Niaz Ahmad HT may kindly be transferred to another school due to his Negligence and long silence on the Female Harassments & other activities under his supervision, please.

Muhammad Saeed
Inquiry officer
Principal,
Govt. High School,
Ahoia, Distt: Swat

Muhammad Azam
Inquiry officer
SDEO (M) Kabal Swat

Encl: p# 01 to 12

ATTESTED

Dist. Edn. Officer (M)
District Swat

حضرت HAF اور عنایت الرحمان چوہدری جی پی ایس نوزہ بانڈی عنایت ضلع سوات
"سوالنامہ بابت انکوائری"
73/6/2023

السلام علیکم!
محترم DEO صاحب مددگار (Male) ضلع سوات نے زیر دستخطی کو
انکوائری آفسر مقرر کیا ہے۔ اس بابت کو یہ سوالنامہ دیا جا رہا ہے
آپ اس سوالنامہ سے جوابات خود یا اس استاد سے تحریر کر کے زیر دستخطی
کو حوالہ کریں۔ آپ کو اپنی صفائی اور دفاع کا مکمل موقع دیا جائے گا۔
اگر آپ کو زیر دستخطی پر بطور انکوائری آفسر اعتراض ہو تو پھر یہ
سوالنامہ تحریر کریں لیکن DEO صاحب کو درخواست دیں کہ وہ دوسری
انکوائری کے طور پر مقرر کریں۔

- 1) آپ کا پورا نام، ولایت، اور سکونت کیا ہے؟
- 2) آپ کی تاریخ پیدائش بمطابق سرورسی کیا ہے؟
- 3) آپ کی حکم تعلیم میں ترقی کی تاریخ کیا ہے؟
- 4) کیا آپ حکم تعلیم سے پہلے کسی درسہ محلہ میں سرورسی میں تھے؟
اگر سرورسی میں تھے تو تفصیلات فراہم کریں۔
- 5) آپ پر الزام ہے کہ آپ سکول میں لڑکوں سے صفائی کرانے میں
اور ان پر برتن وغیرہ دھونے میں؟ خود سکول کا کام نہیں کرتے۔
- 6) آپ پر الزام ہے کہ آپ سکول میں لڑکوں سے چھتر خانی اور دیگر
نازیبا و ممنوعہ عمل گات کرتے ہیں۔ لڑکوں کے ساتھ ہتھیار کا وغیرہ
بھی کرتے ہیں۔
- 7) آپ کا روپ اور کردار درست نہیں ہیں جبکہ وجہ سے سکول
کی صفائے میں لا بد نامی ہو رہی ہے۔
- 8) محترم نیشنل پبلسٹک صاحب آپ ان الزامات کے بارے میں کیا کہتے ہیں تفصیلی
جواب جمع ثبوت تحریر کر کے وید دستخطی کے ذریعہ کریں۔

Attested
Principal
G.H.S.S. Aboha
Distt: Swat

Muhammad Saeed
Muhammad Azam Khan
Inquiry Officer Inquiry Officer

ATTESTED
District Education Officer (MD)
District Swat

انکوائری آفیسر میر سید محمد رفیق ڈیفنڈنٹ سیکنڈری سکول ابوہا
 ایجنسز اور انکوائری عنایت ارمغان چوہدری اور پبلسٹیٹی کوزہ بانڈری
 ساکن علیگرامہ ضلع سوات
 الزامات: پچوہا کی طرف سے یہ شہادت کہ مذکورہ چوہدری
 عنایت ارمغان پچوہا سے سکول کے دوران مختلف کام کرواتا ہے
 مثلاً برتنوں کا دھونا، سکول میں جھاڑو دا دینا وغیرہ

- بقول
- (۱) آمنہ دختر رحمت بی بی جماعت چہارم (۸) کہ صبح کے وقت چھوٹے صفائی کرواتا ہے۔
 - (۲) سہانا بی بی دختر صاحبہ جماعت چہارم (۸) کہ چھوٹے صفائی کرواتا ہے۔
 - (۳) زر لالہ دختر اجل جماعت چہارم (۸) کہ چھوٹے سکول کی صفائی کرواتا ہے۔
 - (۴) زکیم بی بی دختر ظہیر بی بی جماعت چہارم (۸) کہ چھوٹے وقت صابن سے میری تصویر لیتے ہیں۔

Attested

PRINCIPAL
G.H.S.S. Aboha
Dist: Swat.

Head Master
Govt. Primary School No. 2
Kozh Candai, Dist: Swat
23/06/2023

ATTESTED
Distt. Edu. Officer (M)
District Swat

۱) نیاز احمد صاحب

۲) نخت اکبر صاحب

۳) اعلیٰ صاحب

انکو انگری آفیس میں بریدینہ ان میں اپنا پورٹیل گورنمنٹ ہائیر سیکنڈ ٹری سکول ابوالہ
 ایجنڈہ اور انکو انگری عنایت انو مانا جو کیدار جیب ایسٹریٹ کوڑہ بانڈی
 الزامات: پچھو کی طرف سے مذکورہ چوکیدار عنایت انو مانا اور جیب ایسٹریٹ
 پر رجب ذرا الزامات

(۱) مسرورہ بی بی بنت جیب شاہ جماعت پنجم کہ جس سے نازیبا الفاظ
 استعمال کرتا ہے۔

(۲) انیس بی بی بنت واحد گل جماعت پنجم ۱۷ مئی میری ساتھ غلط حرکت کرتا ہے۔

(۳) دعابت احمد خان جماعت چہارم ۱۸ مئی ساتھ غلط حرکت کرتا ہے

(۴) عجبوہ بنت برکت علی جماعت پنجم ۱۸ کہ جس سے نازیبا الفاظ
 میا بات کرتا ہے۔

Attested
 PRINCIPAL
 G.H.S.S. Aboha
 Distt: Swat.

Head Master
 Govt. Primary School No-3
 Kazo Bandal, Distt: Swat.
 23/06/2023

ATTESTED
 District Education Officer
 District Swat

۱۱) نیاز احمد صاحب
 ۱۲) محبت انور صاحب
 ۱۳) احمد علی صاحب

DIST. ED. OFFICE
DUMKES
DISTRICT SCHOOL



PRINCIPAL
H.S.S. Aboba
Distt: Sivak

[Handwritten signature]

[Faint, mostly illegible handwritten text, possibly a list or report]

Parents Application

P#(0A)

(1)

(2)

(15)

S. D. - E. O. صاحب

اعظم خان صاحب السلام علیہم وعلیٰ آئینہم وعلیٰ ذریعہ

سیرت اہل بیت علیہم السلام پر مبنی ہے کہ جو کنکٹ ہر امر کی

مصلحتوں سے مشورہ کرے وہ ہر کام میں کامیاب رہتا ہے۔

اس لیے ہر وقت اس سیرت کو یاد رکھنا چاہیے۔

مشافہ و سنیہ سے بہرہ مند ہونا چاہیے۔

ان طوابعیات سے جو ہر وقت ہر وقت ہر وقت ہر وقت

میں ہر وقت سے ہر وقت ہر وقت ہر وقت ہر وقت

ان طوابعیات سے ہر وقت ہر وقت ہر وقت ہر وقت

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Principal
G.H.S.S. Mulla
Distt. Swat

APPROVED

Distt. Swat
District Swat

Parents Application
Part B.

(20)

(20)

(14)

Date: / /

Principal's Office

میرا بیٹا/بیٹی کے نام سے اپنی تعلیم کے لیے درخواست کرتا ہوں۔
 جو ان سیکشن کے تحت داخلہ لے گا۔
 میرے بیٹے/بیٹی کی عمر تقریباً 6 سال ہے۔
 اس لیے اسے ابتدائی تعلیم دینے کے لیے درخواست کرتا ہوں۔
 اس کے علاوہ اس کے تعلیمی اخراجات کو سنبھالنے کے لیے
 اس کے والدین کی طرف سے رقم جمع کی جائے گی۔
 اس کے علاوہ اس کے تعلیمی اخراجات کو سنبھالنے کے لیے
 اس کے والدین کی طرف سے رقم جمع کی جائے گی۔
 اس کے علاوہ اس کے تعلیمی اخراجات کو سنبھالنے کے لیے
 اس کے والدین کی طرف سے رقم جمع کی جائے گی۔

Principal
G.H.S.S. Abotaha
Distt. Swat

Distt. Edu. Officer
District Swat

Annexure 'C'

(21)



**OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT**

#: (0946) 9240228
Email: dcomswat@gmail.com

#: (0946) 9240228
Web: www.sed.edu.pk

SHOW CAUSE NOTICE

I Muhammad Riaz District Swat Education officer (M) Swat, Competent Authority under the Khyber Pakhtunkhwa Government Servant (Efficiency & Disciplinary) , Rules 2011, do hereby serve upon you, Mr. Inayat Ur Rahman Chowkidar GPS: No-02 Koza Bandai Kabal District Swat, this show cause notice as follows:-

1. That as reported by the SDEO (M) Kabal District Swat Vide No. 1384 Dated 16/6/2023.
2. That you are involved in teasing and sexually harassing female students in the school.
3. That you are kissing the female students and do immoral activities during school times.
4. That you also wash dishes, prepare tea for teachers, broom the school and do other sanitary works on female students.
5. That you are addicted to chars and are using during the school hours.
6. That you are using abusive and un-parliamentary language.
7. That you have proved to be non-professional in your duty.
8. That this Office constituted an Inquiry committee against you Vide this Office Endst No-4466-67 Dated 19/06/2023.
9. That the enquiry Committee conducted a detailed enquiry & the allegations leveled against you were proved and recommended you under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, for removal from service under 4 (b) (iii) of the ibid Rules.
10. As a result thereof, I Muhammad Riaz as the Competent Authority have tentatively decided to proceed against you under the above mentioned rule 2011.
11. You are, therefore, required to show cause as to why major penalty provided in the aforesaid Rules should not be imposed upon you and also intimate whether you desire to be heard in person.
12. If no reply to this office is received within 10 days of delivery of this show cause, it shall be presumed that you have no defense and the department will take ex-parte decision against you under the relevant rules.

(Muhammad Riaz)
DISTRICT EDUCATION OFFICER (M)
SWAT

Endst: No. 5031-35 /P/File/C-IV Dated 4/7 /2023.
Copy forwarded to:-

- 1- The Director of Elementary and Secondary Education Khyber PukhtunKhwa, Peshawar.
- 2- The SDEO (M) Kabal District Swat.
- 3- The Official Concerned.
- 4- P.A to District Education Officer (M) Swat local Office.

DISTRICT EDUCATION OFFICER (M)
SWAT

Mr. Inayat Ur Rahman Chowkidar GPS No-02 Koza Bandai Kabal District Swat

ATTACHED
Distt. Edu. Officer (M)
District Swat.

Annexure "D"

(22)



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT

#: (0946) 9240228
Email: deomswat@gmail.com

(0946) 9240228
Web: www.sed.edu.pk



OFFICE ORDER.

The undersigned is pleased to nominate Mr: Hazrat Rahman Principal GHSS Balogram for personal hearing of Mr. Inayat Ur Rahman chowkidar GPS Kuza Bandai No.2 district Swat on the basis of show cause notice issued vide this office Endst: NO.5031-35 dated 04.07.2023, and his reply submitted to this office. The enquiry Officer is further requested to record his personal hearing and submit facts findings & detailed report/ recommendations to this office within 05 days positively for further necessary action.

(MUHAMMAD RIAZ)
DISTRICT EDUCATION OFFICER (M)
SWAT

Endst: 6423-28 /P/File/C-IV

Dated 12/8 /2023.

Copy forwarded to:-

1. Mr: Hazrat Rahman Principal GHSS Balogram with the request to receive the original file of the Class-IV from Mr: Muhammad Irfan J/C and then to return after personal hearing please.
2. The SDEO (M) Kabal Swat.
3. P.A to District Education Officer (M) Swat local Office.
4. The Office concerned

ATTESTED
Dist. Edn. Officer (M)
District Swat

DISTRICT EDUCATION OFFICER (M)
SWAT

PERSONEL HEARING G PS KUZA BANDAI-2.

(23)

OFFICE OF THE PRINCIPAL GHSS BALOGRAM DISTRICT SWAT

No. 340 /inquiry dated 17/8/2023,

(Signature)

To

Annexure E

The District Education officer

Male swat at Gulkada.

Subject: -

PERSONAL HEARING IN R /O MR. INAYATUR REHMAN
CHOWKIDAR GPS KUZA BANDAI NO.2

Memo: -

Personal Hearing report:in r/o Mr. Inyatur Rahman

Chowkidar GPS Kuza Bandai No.2 along with other relevant documents is sent

herewith to your good office for further necessary action please.

(Signature)

PRINCIPAL 17/8/23
GHSS BALOGRAM
SWAT (INQUIRY OFFICER).

ATTESTED
(Signature)
Dist. Edu. Officer (M)
District Swat

PERSONAL HEARING INAYATUR REHMAN CHOWKIDAR GPS KUZA BANDAI NO.2

Reference to the DEO office order bearing No.6428-29 dated 12.08.23 the undersigned have been appointed as an officer to hold personal hearing in r/o Mr. Inayatpur Rahman chowkidar GPS Kuza Bandai No.2 swat on the basis of show cause issued vide DEO, s office Endst: No.5031 -35 dated 4.7.2023 and submit the conclusion thereafter.

Report P.K.3

24

(C)

NATURE OF ALLEGATION

The accused chowkidar is involved in harassment of girl's students of the school. He uses an un parliamentary language he uses to do his work as chowkidar through these girls. He use to touch no areas/prohibited part of girls students. He uses to kiss these girls. He uses abuse language and thus he is un professional individual and not looks like government servant.

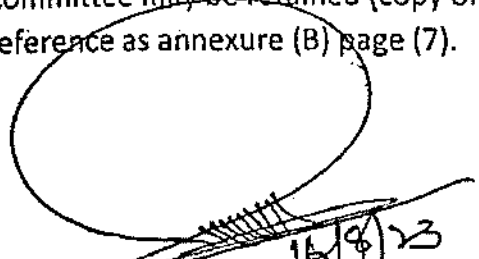
PROCEDURE.

The accused was telephonically contacted and was advised to attend personal hearing regarding the show cause issued vide No.5031-35 P/file/C-lv dated 4.7.23 to be held on 16.8.23 at GHSS Balogram swat and all the evidences, proofs which can be helpful to you may be presented along with your written statement to the undersigned during session of personal hearing.

CONCLUSION

During the personal hearing a questionair regarding the allegations reflected in the show chase on the bases of enquiry report was served on him and he was given sufficient relaxed time to counter all the charges with concert proofs in the enquiry report having against him supporting by sufficient proofs in terms of written statements of affected girls' students attested by Headmaster, statements of teaching staff, Head Master self-statement, Parents complaint, His questionair and his reply attached a annexure (A) page No. 5 - 6.

The accused could not present any concert proof in terms of witness videos etc, to wash out the allegations level against him supported by more than ten (10) officials, parents and even the effected girls students statements. Therefore, the undersigned is of the view that under section 366(A) of penal code read with section 2(H) of the protection harassment of women Act 2010 of Pakistan. The penalty proposed by the inquiry committee may be retained (copy of the above sections is attached for ready reference as annexure (B) page (7).



HAZRAT RAHMAN
INQUIRY OFFICER PRINCIPAL
GHSS BALOGRAM SWAT.

ATTESTED

Distt. Edu. Officer (M)
District Swat.

جو ایسا نہ (4) عنایت السرخین، جو کیدار گورنمنٹ پرائمری سکول کوزہ بانڈم

(4)

جوابات: نام: عنایت السرخین ولدیت بھری لہری سکولت علیہ امر

میری تقریبی 29/08/2019 سے

1 یہ مجھے سراسر الزام ہے اور میں نے ایسا کچھ نہیں کیا ہے۔

2 میں اپنے ذمے کے خرائٹوں ایماندار می سے ادا کرتا ہوں اور کوئی غیر اخلاقی اور ناجائز کام نہیں کیا ہے۔

3 یہ سراسر جھوٹ اور الزام ہے۔

4 میں نے کوئی فائینڈیشن نہیں کی ہے۔

5 میں نے کوئی غیر قانونی وغیر اخلاقی کام نہیں کیا ہے اور انکو اثری

تحقیق کی رپورٹ سراسر ظلم اور نا انصافی پر مبنی ہے۔

6 میں مجاز اتھارٹی سے درخواستوں کرتا ہوں کہ یہ میری خلاف سازش ہے

اور مجاز اتھارٹی سے رقم کے فیصلے کی امید رکھتا ہوں

7 میری پاس کوئی شواہد اور ثبوت نہیں لیکن صرف اتنا کہتا ہوں کہ وہ ذرا دل

سے ہی مجھے طرح طرح سے ذلیل کیا جا رہا ہے۔ اور ہر طرح کی تالیف اور

ذمہ داری دہی جا رہی ہے

لہذا میری ترقی سے رقم کا معاملہ کریں۔

نوٹ: ذاتی شنوائی آفیسر حضرت رحمان

مجھے 15/08/2023 کو ٹیلیفون پر

16/08/2023 کو بلایا۔

آپ کا فرما سبردار

نام: عنایت السرخین، جو کیدار

دستخط: آکس

تاریخ: 16/08/2023

شناختی کارڈ نمبر: 9-5781975-502

موبائل نمبر: 03459451391



سوالات نمبر 1 تا 7 کے جوابات تحریر کر کے دیئے جانے چاہئے۔

1. آپ کے خلاف S.D.E کے نام سے بمطابق جمعی نمبر 1384 بتاریخ 16/11/2011 رپورٹ کی ہے کہ آپ سیکولر لٹریچر کے ساتھ نادریہ اور غیر قانونی حرکات سے متعلق ہوئے ہیں۔ آپ کیا کہتے ہیں۔

2. آپ اپنے ذمے سے مزاحمتیں شامل کام فی ان لٹریچر سے کرتے ہیں اور مزاحمت اور ناجائزہ عنصروں کو جسم کو چھونے کی کوشش کرتے ہیں۔

3. آپ کے سول کے حدود میں نیشنل ایسٹابلیشمنٹ چرس و غیرہ کا استعمال کرتے ہیں۔

4. آپ کی حرکات و سلیکٹا غیر پیشہ ورانہ اور ناشائستہ ہیں۔

5. مندرجہ بالا غیر قانونی و غیر اخلاقی حرکات کے خلاف آپ انٹرنیٹ پر (www) کی کئی اور تحقیقاتی رپورٹ کے مطابق منسوب جرائم ثابت ہوئے اور آپ کو لٹریچر سے برطرفی کی سفارش کی گئی۔

6. زیر ضوابط 2011۔

7. آپ کی سفارش کے مطابق قانونی جادہ جوئی کا مفہم ملے۔

8. یہ کہ دستیاب ثبوتوں اور قانونی حوالوں کی دیکھ کر آپ کے پاس کیا ناقابل تردید ثبوت موجود ہیں۔

9. ساتھ لکھنے کے لئے دستخطی کے حوالے دیئے۔

حقت محالہ 16/11/2011
 مفسر برائے ذالی شنوائی
 مورخہ

ATTESTED
 Dist. Edu. Officer (M)
 District Swat

Section 366A of Pakistan Penal Code 1860: If a girl under the age of 18 is forced to perform sexual intercourse, the offender is liable to a punishment of 10 years and fine.

According to Section 2(H) of the Protection Against Harassment of Women at Workplace Act 2010, anyone making an unwelcoming sexual advance, requests for sexual favors, or his any verbal or physical conduct (falls in the category of workplace harassment) causes interference with work performance or creates an intimidating, hostile or offensive work environment for fellow co-workers, can be liable to following penalties

Minor penalties:-

Censure withholding for a specific period

Promotion or increment stoppage for a specific period

Recovery or compensation, payable to the complainant from pay or any other source of the accused

Major Penalties:-

Reduction to a lower post

Compulsory retirement

Removal from service

Dismissal from service or fine.

ATTESTED
[Signature]
Distt. Edu. Officer (M)
District Swat