

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

**Service Appeal No: 1109 of 2024**

**Mr. Umar Rahman, Ex-Chowkidar, GPS Sabar Shah, Batkhela, District Malakand.**

..... Appellant

**Versus**

- 1. Director E&SE Khyber Pakhtunkhwa Peshawar.**
- 2. District Education Officer (M) Malakand**

..... Respondents

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**RESPONDENT No 02**



**KIRAMAT SHAH**  
**DISTRICT EDUCATION OFFICER (M)**  
**MALAKAND**

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

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Mr. Umar Rahman, Ex-Chowkidar, GPS Sabar Shah, Batkhela, District Malakand.  
..... Appellant

**Versus**

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Education Officer (M) Malakand.

..... Respondents

**PARA WISE COMMENTS ON BEHALF OF RESPONDENTS**

**PRELIMINARY OBJECTIONS:**

1. That the appellant has no locus standi.
2. That the appellant has no cause of action to file the instant appeal against the respondents.
3. That the appellant has concealed the material facts from this Honorable Service Tribunal, hence liable to be dismissed.
4. That the appellant has filed the instant appeal on malafide motives.
5. That the appellant is estopped by his own conduct.

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 16942

Dated 18-10-24

**RESPECTFULLY SHEWETH**

**OBJECTIONS ON FACTS**

1. Correct up to the extent that the appellant was ex-chowkidar at GPS Sabar Shah Batkhela, District Malakand, but he was removed from service due to his moral turpitude. (Removal .....annexure (A)).
2. Incorrect, hence not admitted, the appellant according to witness statements in previous inquiry and recent statements in De-Novo inquiry proved him to be guilty of his Moral les conduct and on the same incident the mobs protested for victims' minor girls and demanded for strict action against the accused. He participated in the inquiry and was provided an opportunity for personal hearing.
3. Incorrect, the trial court did not engage the respondent department i.e. DEO (M) Malakand during the case. Although the department had sufficient evidences and documentary proof in shape of inquiry which was not kept on record of trial court for consideration. Besides, the trial court had decided the case due to the reluctances of the victim minor girls' parent for medical investigation. Thus, the respondent department issued the removal order of the appellant on account of his misconduct.

4. Incorrect, and not admitted, this Honorable Tribunal disposed of the appeal with the direction to reinstate the appellant into service for the purpose of DE novo inquiry by providing opportunity of self-defense, personal hearing, and cross-examination to the appellant. That's why in compliance to August Tribunal Judgment the respondent department conducted a De-novo inquiry and issued reinstatement order of appellant for the purpose as stated above. All the procedures were followed by the department in accordance with the sole of inquiry under E&D rules, 2011. (Copies of office order, reinstatement order for the purpose of De-Novo inquiry is attached as annexure..... (B) & (C)).
5. Incorrect and not admitted. The appellant was rightly provided an opportunity of personal hearing in DE novo inquiry and proper questionnaire was served upon him on 22/02/2024, and statements of the victims' parents were also recorded. Though the minor girls have grown enough that's why due to social constrains and psychological mental trauma of the past incident the parents did not allow their teenage girls to be inquired. Besides among other witnesses of the previous inquiry Mr. Alam Zeb Father of Manahil Bibi and Amjad father of Manahil Deeni did not deny of their previous statements. Mr. Amjad was contacted on what Sapp because he is nowadays abroad in Saudi Arabia.  
Besides, among other witnesses Rasool Bacha, Ex- Naib Nazim, village counsel Lower Batkhela, District Malakand was time and again contacted to physically appear before inquiry committee, but each time he was not willing to co-operate. Finally, he affirms his previous statement on phone dated 02/03/2024. On the same manner Mr. Iqbal Hussain, PSHT GPS Sabar Shah (The place where the incident happened), affirmed his previous statement. (Copies of De-Novo inquiry including statements of witnesses are attached as annexure..... (D)).
6. Incorrect and not admitted. The respondent's department conducted a De- Novo inquiry as directed by this August Tribunal and in light of witness's affirmation of their previous statements the inquiry committee recommended to intact the appellant previous order of his removal from service. Therefore, keeping in view the findings & recommendations of De-Novo inquiry his previous order of removal from service was kept intact issued vide No. 13762-701 dated 01/04/2024. (Copy of Removal order..... (E)).
7. That the appellate authority seeks reply of departmental appeal submitted by the appellant from DEO (M) Malakand, and the same was responded vide letter No 14842 dated 22/05/2024. (Copy of reply is attached..... (F)).
8. The appellant has got no cause of action to file the instant appeal.

## GROUNDS


- A) Incorrect, the removal order issued by the respondent No 02 vide Endst. No 13762-701, dated 01/04/2024 was in accordance with law and Efficiency & Discipline Rules, 2011.
- B) That the respondent department never violated Article-4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C) In the previous inquiry proper charge sheet and statement of allegations were served upon the appellant and the De-novo inquiry was conducted in the same charges leveled against him, therefore, under rule (5) (a) of E&D Rules, 2011 due to sufficient grounds the appellant/accused was issued show cause notice vide this office letter No. 13461-64, dated 22.03.2024.
- D) Incorrect, the appellant has been called for personal hearing and a proper questionnaire was served upon him on 22/02/2024 at the office of the DEO (M) Malakand.

- E) Incorrect, the inquiry was conducted in a formal format and a proper opportunity for personal hearing was provided to the appellant as discussed in proceeding paras.
- F) Incorrect, the inquiry officer recorded statements separately for record.
- G) Incorrect, the respondent department issued the order in the best public interest in order to avoid such incident in future.
- H) Incorrect, the removal order is for the purpose to discourage the unethical conduct in future.
- I) Incorrect, a final show cause was issued to the appellant dated 22.03.2024. (Copy of Show cause notice is attached..... (G)).
- J) The evidence and proof showed him to be guilty in the De-Novo inquiry that's why the previous order was kept intact.
- K) The respondents seek leave to raise additional grounds at the time of arguments.

**PRAYER:**

It is humbly prayed that instant appeal of the appellant before the Honorable Service Tribunal is baseless and mere wastage of time, may graciously be dismissed.

SAMINA ALTAF  
DIRECTOR  
RESPONDENT No 01



AUTHORIZED OFFICER  
RBDUS SAMAD DEPUTY DIRECTOR  
DIRECTOR E&SE KHYBER PAKHTUNKHWA  
PESHAWAR

RESPONDENT No 02



KIRAMAT SHAH  
DISTRICT EDUCATION OFFICER, (MALE)  
MALAKAND

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

**Service Appeal No: 1109 of 2024**

**Mr. Umar Rahman, Ex-Chowkidar, GPS Sabar Shah, Batkhela, District Malakand.**

..... Appellant

Versus )

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Education Officer (M) Malakand.

..... Respondents

**AFFIDAVIT**

I, Kiramat Shah District Education Officer (Male) Malakand do hereby solemnly affirm and declare on oath that the contents of the instant Service Appeal on behalf of respondents are true & correct to the best of my knowledge & belief and nothing has been concealed from this Honorable service Tribunal. It is further stated on oath that in this appeal the answering respondent has neither been placed ex-parte nor their defense has been struck off/cost.



DEPONENT

Kiramat Shah  
District Education Officer, (Male)  
Malakand

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

Service Appeal No: 1109 of 2024

Mr. Umar Rahman, Ex-Chowkidar, GPS Sabar Shah, Batkhela, District Malakand.

..... Appellant

Versus

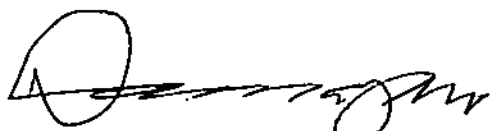
1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Education Officer (M) Malakand

..... Respondents

**AUTHORITY LETTER**

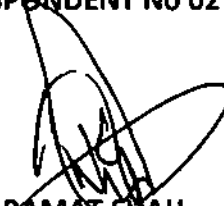
Mr. Muhammad Naveed Superintendent DEO (M) Malakand is hereby authorized to submit the comments/ reply in the service appeal No 1109 of 2024 on behalf of the undersigned.

SAMINA ALTAF  
DIRECTOR  
RESPONDENT No 01



AUTHORIZED OFFICER  
ABDUS SAMAD DEPUTY DIRECTOR  
DIRECTOR E&SE KHYBER PAKHTUNKHWA  
PESHAWAR

RESPONDENT No 02



KIRAMAT SHAH  
DISTRICT EDUCATION OFFICER, (MALE)  
MALAKAND



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

**Removal From Service /**

1. WHEREAS, Mr. Umar Rahman, Chowkidar GPS Sabar Shah Batkhela District Malakand was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 on account of moral turpitude by attempting sexual harassment with two minor girls i.e. Manahil D/O Alamzeb and Manahil Deeni D/O Amjad in light of the complaint letter by the Sub Divisional Magistrate Batkhela under memo: No. 2600 dated 27-05-2019 and its subsequent procedure under E&D Rules, 2011.
2. AND WHEREAS, a suspension order issued vide this office No. 4873-78/PST/Suspension 2019 dated 28-05-2019 and inquiry committee was constituted in light of the FIR No. 106 dated 27-05-2019 U/S 337B/53CPA at Levy Post Batkhela and requested for departmental action in the matter.
3. AND WHEREAS, the commitment of charges have been confessed as per Police Report, press clipping of Daily Mashriq Peshawar dated 30-05-2019.
4. AND WHEREAS, an inquiry committee consisting Mr. Fida Muhammad Principal GZSHS Dargai (Chairman Inquiry Committee) and Mr. Fazal Ahad Principal GHSS D/Julagram (Member Inquiry Committee) was constituted to report the facts in the matter vide this office Endst: 4880-84/Pry/Inq: dated 28-05-2019
5. AND WHEREAS, the inquiry Committee has also reported that the accused Chowkidar has been found guilty of committing the heinous and inhuman crime of sexual assault/ harassment with above two minor girls and recommended for imposing the major penalty under E&D Rules, 2011.
6. AND WHEREAS, Charge sheet, statement of allegations and show cause were served but the replies received from the Class-IV have been found clearly against the facts and charges levelled against the guilty class-IV have been proved.
7. Now, therefore, in exercise of powers conferred upon him under the rules 4 (B) (iii) of the Government servant (Efficiency and Discipline) Rules 2011, the competent Authority is pleased to impose upon Umar Rahman, Chowkidar GPS No. 3 Batkhela Sabar Shah District Malakand the major penalty of "Removal from service" from the date of his arrest i.e. 27-05-2019.

(Siraj Muhammad)

Competent Authority

District Education Officer (M)  
Malakand

Dated Batkhela the 11/11/2019

Endst, No. 1564-73 /Inquiry File Umar Rahman Chow:

Copy of the above is forwarded for information to the: -

1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Commissioner Malakand.
3. DMO, IMU E&SE Department Malakand At Batkhela.
4. DAO Malakand for necessary action at his end
5. SDEO (M) Batkhela, Distt: Malakand with the direction to recover salary/ of suspended period if drawn.
6. ADO Litigation Local Office.
7. PSTI GPS No. 3 Batkhela District Malakand with the direction to hand over copy of this Notification to the accused Class-IV through any of his family member.
8. Umar Rahman Ex-Chowkidar GPS No. 3 Batkhela Sabar Shah District Malakand
9. Dealing Assistant, IMU matters local office.
10. Office Copy.

District Education Officer (M)  
Malakand

**ADNAN HUSSAIN**  
Superintendent (BPS-17)  
O/o DEO (Male) Malakand  
at Batkhela



**OFFICE OF THE DISTRICT  
EDUCATION OFFICER (MALE)  
MALAKAND AT BATKHELA**

Telephone No.0932-410281  
Fax No.0932-410010  
Email. emismalemalakand@gmail.com

**OFFICER ORDER**

In compliance to the judgment announced on 06.12.2023, at honourable Khyber Pakhtunkhwa Service Tribunal Peshawar at camp court Swat, the following committee is hereby constituted for the purpose of De-Novo inquiry in respect of Mr. Umar Rahman S/O Said Manan Ex-Chowkidar GPS Sabar Shah Batkhela District Malakand.

S.No	Name of Officer	Designation	Office/School	Work Assigned
01.	Muhammad Hayat	Principal	GHSS Sakhakot	Chairman
02.	Naimat Hussain	Head Master	GHS Heroshah	Member

The competent authority is pleased to initiate proceeding under E&D rules 2011, of the government of Khyber Pakhtunkhwa Efficiency & discipline rules.

The enquiry officers are directed to conduct an enquiry into the matter and submit comprehensive report with clearcut recommendations within 07 days positively.

Relevant documents are appended.

(Midrar Ullah)  
DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND

Endst: No. 513-35 /Dated. 24 / 01 / 2024,  
Copy Forwarded for information to the: -

1. The Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. The PS to Secretary EGSE Khyber Pakhtunkhwa.
3. The PA to Director EGSE Khyber Pakhtunkhwa Peshawar.
3. The Deputy Commissioner Malakand.
4. The SDEO (M) Batkhela
6. The DAO Malakand.
7. Mr. Umar Rahman Ex-Chowkidar GPS Sabar Shah Batkhela.
8. Office Record.

DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND

*Accepted*  
**ADNAN HUSSAIN**  
Superintendent, (GPS-1)  
o/o DDO (Male) Malakand  
at Batkhela





**OFFICE OF THE  
DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND AT  
BATKHELA**

Telephone No.0932-410281  
E-mail: emismalakand@yahoo.com

**NOTIFICATION.**

Whereas, Mr. Umar Rahman S/O Said Manan Ex-Chowkidar GPS Sabar Shah Tehsil Batkhela District Malakand was appointed as Chowkidar vide this office on 21.11. 1996..

Whereas, he continued his services till his removal from services, order issued vide this office Endst: No. 1564-73, dated 06.11.2019, due to his alleged involvement in a criminal case i.e. Harassment of two minor girls namely Miss. Manahil D/O Alam Zeb and Miss. Manahil Deeni D/O Amjad, while following the procedures under Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules-2011.

Whereas, a proper inquiry was conducted consisting of Mr. Fida Muhammad Principal GZSHS Dargai (chairman Inquiry Committee) and Mr. Fazal Ahad Principal GHSS Dheri Julagram (Member of Inquiry Committee), a charge sheet, statement of allegations and show cause notice were served upon him in light of written statement recorded by the victims and witnesses.

Whereas, his reply was found un-satisfactory and a clear contradiction was observed in the facts and his statement, and was found guilty and his removal from service order was issued as mentioned above.

Whereas, being aggrieved from his removal order, he filed a service appeal bearing No.1793/2019 before honourable Khyber Pakhtunkhwa Service Tribunal Peshawar, which was announced on 06.12.2023, with the direction to respondent department for Re-Instatement of appellant Mr. Umar Rahman S/O Said Manan Ex-Chowkidar for the purpose of De-Novo inquiry.


Now therefore, in compliance to honourable Khyber Pakhtunkhwa Service Tribunal Peshawar Judgment announced on 06.12.2023, at camp court swat, Mr Umar Rahman S/O Said Manan Ex-Chowkidar GPS Sabar Shah Batkhela District Malakand is hereby Re-Instated for the purpose of De-Novo inquiry, and the outcomes of proposed inquiry shall be honored in accordance with E&D rules,2011.

(Midrar Ullah)  
DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND

Endst: NO. 524-33 / Fill/Re-In statement Dated 24/01/2024.

Copy of the above is forwarded for information to:

1. The Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. The PS to Secretary EGSE Khyber Pakhtunkhwa.
3. The PA to Director EGSE Khyber Pakhtunkhwa Peshawar.
3. The Deputy Commissioner Malakand.
4. The SDEO (M) Batkhela
5. The DAO Malakand.
7. Mr. Umar Rahman Ex-Chowkidar GPS Sabar Shah Batkhela.
8. Office Record.

  
DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND

*Attended*  
**ADMAN HUSSAIN**  
Superintendent (BPS-17)  
O/o DEO (Male) Malakand  
at Batkhela

Office of the Principal Government Higher Secondary School Sakhakot, Malakand.

No. 840 GHSS Sakhakot.

dated 21-03-2024 27/3/24

To,

The DEO (M),  
Malakand at Batkhela.

Subject: Inquiry Report i.r.o. Mr. Umar Rahman chokidar GPS Sabar Shah Batkhela.

Enclosed please find herewith the inquiry report i.r.o Mr. Umar Rahman chokidar GPS Sabar Shah Batkhela conducted by the following inquiry officers:

1. Hayat Mohammad Khan  
Principal GHSS Sakhakot, Malakand.

2. Naimat Hussain  
Headmaster GHS Heroshah, Malakand.

*Adnan*  
  
**ADNAN HUSSAIN**  
Superintendent (BPS-17)  
O/o DEO (Male) Malakand  
at Batkhela

**INQUIRY REPORT**

From: The inquiry committee:

Date: 21/03/2024

- 1) Hayat Mohammad Khan, Principal GHSS Sakhakot (chairman)
- 2) Naimat Hussain, Head Master GHS Heroshah (member)

To: The District Education Officer (M), Malakand at Batkhela, Malakand.

**INTRODUCTION**

Mr. Umar Rahman, chowkidar, GPS Sabar Shah, Batkhela, was removed from service after his involvement in harassment of two minor girls. Being aggrieved from his removal, he filed a service appeal bearing No. 1793/2019 before the Honourable Service Tribunal Peshawar. He was, therefore, re-instated for the purpose of de-novo inquiry by the Service Tribunal.

The said de-novo inquiry was assigned to this inquiry committee by the DEO (M) Malakand vide his office order Endst. No. 518-25/Dated 24/01/2024 (annexed as A).

**PROCEEDINGS AND FINDINGS**

After going through the earlier files of the case, respondents of the previous inquiry were served upon with questionnaires. It is pertinent to mention here that responses of two respondents of the previous inquiry could not be recorded because Mr. Fateh ur Rahman has died (the accusers two minor girls used to go to Fateh ur Rahman's house for tuition) and Mr. Safdar Ali did not cooperate though the inquiry officers attempted several times through his phone No. 03459337972 to get his response.

- A. Statement given by Mr. Alamzeb (annexed as C), father of the accuser minor girl Manahil Bîbi, to the questionnaire (annexed as B), consists of the following points:
  1. That he had no quarrel, enmity or any other issue with Mr. Umar Rahman before this incident.
  2. That although, Mr. Umar Rahman was not innocent in this case but he made compromise with him after his repeated requests through *jirga*/elders. That the other reason for reconciliation was that the case was a matter of honour not to spread further.
  3. That he has no objection if Mr. Umar Rahman is re-instated on his service.
- B. Statement given by Mr. Amjad Ali, father of the accuser minor girl Ms. Manahil Deeni through whatsapp voice message (phone No.03456040947) to the questionnaire (annexed as D), contains the following points: (Amjad Ali is nowadays in Saudi Arabia)
  1. That he had good terms with Mr. Umar Rahman before the incident but they beat him and ended relations with him after his dirty act because no one can bear his children's honour being damaged. That the other affected party beat him even more than they did.
  2. That they compromised with Mr. Umar Rahman after his repeated requests through his elders for compromise. That they compromised for the sake of their honour not to spread further.
  3. That the minor girls gave their own statements at the Levies Thana.
  4. That he has no objection if he is re-instated.

Accepted  
**ADNANI HUSSAIN**  
 Superintendent (BP-5-17)  
 Q/o DEO (Male) Malakand  
 at Batkhela

C. Statement given by Mr. Fazal Rahman (annexed as F), chairman PTC, GPS Sabar Shah, Batkhela, to the questionnaire (annexed as E) consists of the following points:

1. That all the parents of the students used to say that they would take their children out of the school because of Mr. Umar Rahman, so, he was also of the view that Mr. Umar Rahman was not a virtuous man.
2. That he has no objection if Mr. Umar Rahman is re-instated on his service.

D. Statement given by Mr. Rasool Bacha (annexed as G), naib nazim, Maizara, Batkhela, to the previous inquiry officers, consisted of the following points:

1. That Mr. Umar Rahman was a man of savage character.
2. That the honour of children was not safe in the presence of the chowkidar (Umar Rahman).
3. That if the chowkidar was re-instated, they would take their children out of the school and admit them in another school.
4. That there was a fear of public reaction if the chowkidar was re-instated.

Mr. Rasool Bacha was several times contacted by this inquiry committee on phone but each time he was not willing to cooperate. Finally, his response on his previous four points (mentioned above) was taken on phone (03469451436, dated 02/03/2024). He affirmed his previous statement mentioned above.

E. Mr. Iqbal Hussain PSHT, GPS Sabar Shah, Batkhela had given statement (annexed as H) to the previous inquiry committee in which he had stated that the two affected minor girls had given their statements in front of the school staff. In this connection, Mr. Iqbal Hussain was contacted by this inquiry committee through his phone No.03139866618 about his previous statement mentioned above. He affirmed his statement given to the previous inquiry committee.

F. Reply of Mr. Umar Rahman (annexed as J) to the 1<sup>st</sup> questionnaire (annexed as I) of this inquiry committee is reproduced here along with questions:

Q.1. Where were you on the day (24 May, 2019) you were accused? Were you at the school? If not, where were you?

Reply 1. On the day of the alleged incident, I was on duty at my school till 12:45 hours and then left for my maternal uncle's house in Badwan, Dir-(L).

Q.2. What kind of books were there in the school that you wanted to give to the minor girls?

Reply 2. I do not know about school books because I am illiterate and I did not give any books to the children.

Q.3. Does the PTC chairman Mr. Fazal Rahman belong to your village?

Reply 3. Yes, Mr. Fazal Rahman belongs to my village and he has political differences with me since long.

Q.4. Does Mr. Rasool Bacha who had given statement against you, belong to your village?

Reply 4. Mr. Rasool Bacha belongs to our area, he is not naib nazim and he has given false statement against me to the levies due to his malice/theft.

Who is Mr. Safdar Ali? Why did he fight with you?

Reply 5. I know Mr. Safdar Ali. There has been bitterness between us. I did not

Attested  
ADNAN HUSSAIN  
Superintendent (BPS-Q5)  
O/o DEO (Male) Malakand  
at Batkhela

- fight with him but differences have been going on between our elders.
- Q.6. Why did the aforementioned persons give statements against you?
- Reply 6. I have differences with Mr. Fazal Rahman since long. I have differences with Mr. Rasool Bacha due to his previous malice/theft since long. My elders have differences with elders of Mr. Safdar Ali since long. The aforementioned persons implicated me in a false case by giving false statements to the levies.
- Q.7. How far is Mr. Fateh ur Rahman's house from your school?
- Reply 7. Mr. Fateh ur Rahman's house is adjacent to the school but I had bad relations with Mr. Fateh ur Rahman.
- Q.8. Mr. Fateh ur Rahman also gave statement against you, what could be the reason for this?
- Reply 8. Mr. Fateh ur Rahman gave false statement against me to the levies. Mr. Fateh ur Rahman used to demand school keys from me to use the school as a guest house and use school's water and electricity but I plainly refused many times. Due to this reason, relations between us strained. Mr. Fateh ur Rahman, along with other accusers, maliciously conspired to implicate me in a false case for defaming me and getting me removed from the school.
- Q.9. Apart from the aforementioned persons, the school PTC also passed a resolution against you, what could be the reason for this?
- Reply 9. Neither a PTC resolution was passed nor a school meeting was held regarding the allegations made against me. No record of this meeting can be found.
- Q.10. News about the said incident were also published in the newspapers. What could be the reason for this?
- Reply 10. I am unaware of what was published about the incident in the newspapers. It must have been appeared in the newspapers due to the rumours spread by the persons mentioned above including levies personnel to defame me in the society and to get me removed from the government service.
- Q.11. The affected minor girls came to the school and gave their statements against you in front of the inquiry committee on 30 May, 2019, their parents filed a report against you in the levies thana and they, along with other people of the area, also took off your *shalwar*. Why did they all take such extreme measures against you? Mention of each of them separately.
- Reply 11. The accuser minor girls have not given their statements against me in front of the inquiry committee. Parents of the minor girls have maliciously filed FIR against me pressurized by the persons mentioned above. No one in the area has tarnished my honour. No one has taken any untoward action against me.
- Q.12. When your *shalwar* was taken off, did you report the incident to the police? If not, why? If yes, what was the outcome?
- Reply 12. I did not report to the local police because no one has taken off my *shalwar* and no one has beaten me up. I was arrested by the levies force while on duty at night at the school.
- Q.13. Both the minor girls and their parents have not made such allegations against anyone in the area before, why did they make it against you?
- Reply 13. Neither I nor anyone else had done any dirty act with the two minor girls before

Attested  
ADNAN HUSSAIN  
Superintendent (BPS-17)  
O/o DEO (Male) Malakand  
- - - - -

that is why their parents have not accused anyone. Parents and their minor girls made false and baseless allegations against me on the behest and advice of the above-mentioned persons.

Q.14. Has this incident not damaged the honour of the parents of the minor girls in the area? Who is responsible for it?

Reply 14. No such incident has happened and that the respect of the girls' parents has not been damaged. In fact, the above-mentioned persons have made an unsuccessful attempt to mislead the parents of the girls by creating a false story to vilify me and the parents of the girls in the society. I reserve the right to claim for my defamation because the aforementioned persons have unsuccessfully tried to defame me in the society.

Q.15. Have you made a reconciliation/compromise with the families of the minor girls? If yes, on what basis? Also provide us a copy of the compromise.

Reply 15. I have been honourably acquitted by the competent court after going through the entire record.

Q.16. In addition to all these statements and answers, if you have any other verbal or documentary evidence to prove your innocence, submit/describe it in detail.

Reply 16. I am Innocent and I have been implicated in the case with bad faith. The prosecution has failed miserably to prove its case. I belong to a respectable and poor family. I have performed my duties as a watchman in the same school for about 22, 23 years. During this entire period, no one has made such absurd and false allegations against me before. My retirement is coming soon. I have four daughters, one married and three unmarried. I am the sole breadwinner of my family, so restoration of my job is requested.

G. Reply of Mr. Umar Rahman (annexed as K) to the 2<sup>nd</sup> questionnaire (annexed as K) of this inquiry committee is reproduced here along with questions:

Q.1. After the incident, you were arrested where you gave your statement (annexed as L) in the levies *thana* Batkhela in which you confessed in detail what dirty act you had done with the two minor girls but why did you keep denying it afterwards?

Reply 1. I did not give confessional statement in *thana* Batkhela.

Q.2. You submitted an application dated 02/09/2019 (application annexed as M) to the DEO (M) Malakand in which (para 3, page 2) you admitted that people had disgraced you and taken off your *shalwar* but why did you keep denying it afterwards?

Reply 2. I did not submit the said application to the DEO(M).

Q.3. In the first questionnaire, you were asked why did you not report your disgrace to the police to which you replied that you had not been disgraced but, in your application dated 02/09/2019 (annexed as M) submitted to the DEO(M), you stated (para 3-4, page 2) that you wanted to report it to the police but the post commander refused to do so. Why is there a contradiction in your statements?

Reply 3. I did not submit the said application to the DEO (M).

Attested  
**ADWAN HUSSAIN**  
Superintendent (BPS-17)  
O/o DEO (Male) Malakand  
at Batkhela

- H. The inquiry committee visited GPS Sabar Shah on 02/03/2024 where the PTC meeting record was checked. It was observed that the PTC meeting of the school was held on 03/06/2019 in which a unanimous resolution was passed against Mr. Umar Rahman that Mr. Umar Rahman had committed a dirty act due to which he was termed as condemnable and unforgivable. That if he was not transferred to another school, the parents of the locality would shift their children to another school. (photocopy of the PTC meeting record annexed as N)
- I. The inquiry committee visited the levies thana Batkhela on 02/03/2024 where the statement given by Mr. Umar Rahman (dated 30/05/2019) during custody in the said levies thana was confirmed in which he had confessed molestation of the minor girls by him. (Confessional statement of Umar Rahman annexed as L).

### CONCLUSION

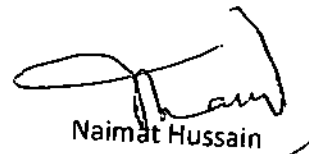
1. Though Mr. Umar Rahman evasively denied all the charges leveled against him and termed the respondents of the inquiry as malicious and antagonist to him but did not provide any solid proof in his support. Mere refutation and evasive denial cannot establish any proof in his support.
2. The following points support the accusations made against Mr. Umar Rahman:
  - a. Statements given by the two minor girls, their parents, Mr. Rasool Bacha naib nazim and Mr. Fazal Rahman chairman PTC of the school.
  - b. Mr. Umar Rahman's repeated requests for reconciliation with the accuser parties.
  - c. Mr. Umar Rahman's confessional statement in Thana Batkhela.
  - d. Contradictions in the statements given by Mr. Umar Rahman.
  - e. PTC's resolution passed in condemnation of Mr. Umar Rahman.
3. This inquiry confirms the reliability of the previous inquiry. It was properly conducted.

### RECOMMENDATION

1. It is inferred from this inquiry that Mr. Umar Rahman could not prove himself as innocent. Therefore, Conclusion and Recommendations of the previous inquiry are upheld.



Hayat Mohammad Khan  
Principal GHSS Sakhakot,  
Malakand. (Inquiry Officer)



Naimat Hussain  
Headmaster GHS Heroshah,  
Malakand (Inquiry Officer)

Attested

**ADNAN HUSSAIN**  
Superintendent (BPS-17)  
O/o DEO (Male) Malakand  
at Batkhela



**OFFICE OF THE DISTRICT  
EDUCATION OFFICER (MALE)  
MALAKAND AT BATKHELA**

Telephone No.0932-410281  
Fax No.0932-410010  
Email. emismalemalakand@gmail.com

**OFFICER ORDER**

In compliance to the judgment announced on 06.12.2023, at honourable Khyber Pakhtunkhwa Service Tribunal Peshawar at camp court Swat, the following committee is hereby constituted for the purpose of De-Novo inquiry in respect of Mr. Umar Rahman S/O Said Manan Ex-Chowkidar GPS Sabar Shah Batkhela District Malakand.

S.No	Name of Officer	Designation	Office/School	Work Assigned
01.	Muhammad Hayat	Principal	GHSS Sakhakot	Chairman
02.	Naimat Hussain	Head Master	GHS Heroshah	Member

The competent authority is pleased to initiate proceeding under E&D rules 2011, of the government of Khyber Pakhtunkhwa Efficiency & discipline rules.

The enquiry officers are directed to conduct an enquiry into the matter and submit comprehensive report with clearcut recommendations within 07 days positively.

Relevant documents are appended.

(Midrar Ullah)  
**DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND**

Endst. No. 578-25 /Dated. 24 / 12 / 2023  
Copy Forwarded for information to the: -

1. The Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. The PS to Secretary EGSE Khyber Pakhtunkhwa.
3. The PA to Director EGSE Khyber Pakhtunkhwa Peshawar.
3. The Deputy Commissioner Malakand.
4. The SDEO (M) Batkhela
5. The DAO Malakand.
7. Mr. Umar Rahman Ex-Chowkidar GPS Sabar Shah Batkhela.
8. Office Record.

**DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND**

*Attended*  
**ADNAN HUSSAIN**  
Superintendent (SPS-17)  
O/o DEO (Male) Malakand  
Batkhela





OFFICE OF THE  
DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND AT  
BATKHELA

Telephone No.0932-410281  
E-mail: emismalakand@yahoo.com

**NOTIFICATION.**

Whereas, Mr. Umar Rahman S/O Said Manan Ex-Chowkidar GPS Sabar Shah Tehsil Batkhela District Malakand was appointed as Chowkidar vide this office on 21.11.1996..

Whereas, he continued his services till his removal from services, order issued vide this office Endst: No. 1564-73, dated 06.12.2019, due to his alleged involvement in a criminal case i.e. Harassment of two minor girls namely Miss. Manahil D/O Alam Zeb and Miss. Manahil Deeni D/O Amjad, while following the procedures under Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules-2011.

Whereas, a proper inquiry was conducted consisting of Mr. Fida Muhammad Principal GZSHS Dargai (chairman Inquiry Committee) and Mr. Fazal Ahad Principal GHSS Dheri Julagram (Member of Inquiry Committee), a charge sheet, statement of allegations and show cause notice were served upon him in light of written statement recorded by the victims and witnesses.

Whereas, his reply was found un-satisfactory and a clear contradiction was observed in the facts and his statement, and was found guilty and his removal from service order was issued as mentioned above.

Whereas, being aggrieved from his removal order, he filed a service appeal bearing No.1793/2019 before honourable Khyber Pakhtunkhwa Service Tribunal Peshawar, which was announced on 06.12.2023, with the direction to respondent department for Re-Instatement of appellant Mr. Umar Rahman S/O Said Manan Ex-Chowkidar for the purpose of De-Novo inquiry.

Now therefore, in compliance to honourable Khyber Pakhtunkhwa Service Tribunal Peshawar Judgment announced on 06.12.2023, at camp court swat, Mr Umar Rahman S/O Said Manan Ex-Chowkidar GPS Sabar Shah Batkhela District Malakand is hereby Re-Instated for the purpose of De-Novo inquiry, and the outcomes of proposed inquiry shall be honored in accordance with E&D rules,2011.


(Midrar Ullah)  
DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND

Endst: NO. 526-33 / Fill/Re-In statement Dated 24/01/2024

Copy of the above is forwarded for information to:

1. The Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. The PS to Secretary EGSE Khyber Pakhtunkhwa.
3. The PA to Director EGSE Khyber Pakhtunkhwa Peshawar.
3. The Deputy Commissioner Malakand.
4. The SDED (M) Batkhela
6. The DAO Malakand.
7. Mr. Umar Rahman Ex-Chowkidar GPS Sabar Shah Batkhela.
8. Office Record.

*Atena*  
**ADMAN HUSSAIN**  
Superintendent (BPS-17)  
O/o DEO (Male) Malakand  
at Batkhela

  
DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND

سوالنامہ بنام عالم زیب والد مناعل

مقام: ..... ریاضت (ری ای او) (سرنامہ) فارلڈرز برٹ طرہ مورخہ: 21/07/2024

گورنمنٹ پرائمری سکول مہر شاہ بٹ خیلہ کے چوکیدار عمر رحمان کو آپ کی اور امجد کی کس بیٹیوں کے ساتھ تازہ بہ تازہ حرکات کرنے کی پاداش میں نوکری سے برخاست کر دیا گیا۔ اس نے سروس ٹرانسپوٹل میں درخواست دی کہ مجھے صفائی کا موقع نہیں دیا گیا۔ سروس ٹرانسپوٹل نے فیصلہ دیا کہ اس کو بھی سنا جائے اور ان تمام لوگوں کو بھی دوبارہ سنا جائے جو پہلی انکوائری میں شامل تھے۔ اس سلسلے میں آپ کے تعاون کی ضرورت ہے تاکہ انصاف کے تقاضے پورے ہوں۔ برائے مہربانی درج ذیل سوالات کے جوابات الگ الگ کاغذ پر اپنے دستخط کے ساتھ لکھ کر دیں۔

- سوال ۱: کیا چوکیدار عمر رحمان کے ساتھ وقوع سے پہلے آپ کی کوئی دشمنی یا جھگڑا یا کوئی اور مسئلہ تھا؟
- سوال ۲: کیا آپ نے چوکیدار عمر رحمان کے ساتھ صلح کیا ہے؟ اگر ہاں تو کیوں؟ کیا جرگے نے آپ کو مجبور کیا یا اگر وجہ کوئی اور تھی تو وضاحت کریں۔



نعت حسین (انکوائری افسر)



حیات محمد خان (انکوائری افسر)

Attested  
  
**ADNAN HUSSAIN**  
 Superintendent (BPS-17)  
 O/o DEO (Male) Malakand  
 at Batkhola

**ADMAN HUSSAIN**  
Superintendent (BPS-17)  
at Bahkhal  
010 DEO (Male) Malakand

Approved

Cell No. 03163515142

NIC: 17101-0320834-1

21/02/2024  
Date  
21/02/2024

مقامی ایجنسی کے  
موجودہ ایجنسی کے

Signature  
C/signed

اس پر بھی نوٹ لیا گیا ہے۔  
اس کی وجہ سے اس کی اسٹیٹس میں تبدیلی  
کے لئے درخواست کی جا رہی ہے۔ اس کی اسٹیٹس  
میں تبدیلی کے لئے درخواست کی جا رہی ہے۔  
اس کی اسٹیٹس میں تبدیلی کے لئے  
درخواست کی جا رہی ہے۔ اس کی اسٹیٹس  
میں تبدیلی کے لئے درخواست کی جا رہی ہے۔  
اس کی اسٹیٹس میں تبدیلی کے لئے  
درخواست کی جا رہی ہے۔ اس کی اسٹیٹس  
میں تبدیلی کے لئے درخواست کی جا رہی ہے۔

نوٹ کیا گیا ہے۔ اس کی اسٹیٹس میں تبدیلی کے لئے درخواست کی جا رہی ہے۔

تاریخ: 21/02/2024

مقامی ایجنسی کے

21/02/24

مقامی ایجنسی کے

Page 4/24 Annexure C

(18)

(18)

ممبر ایجنسی  
Nigamat Huzar  
Committed

ADMAN HUSSAIN  
Superintendent (RPS-17)  
at Bahawalpur

Attor

(میرزا علی حسین)

[Signature]

(میرزا علی حسین)

[Signature]

آ قرینہ کو شہادت کے لئے تیار ہے، اگر تیار ہو تو یہ کہتا ہے کہ میرزا علی حسین نے جو شہادت دیا ہے اس سے وہ پوری طور پر باخبر ہے۔  
میرزا علی حسین کے پاس جو شہادت ہے وہ وہی ہے جس نے میرزا علی حسین کو شہادت دی ہے۔  
میرزا علی حسین کے پاس جو شہادت ہے وہ وہی ہے جس نے میرزا علی حسین کو شہادت دی ہے۔  
میرزا علی حسین کے پاس جو شہادت ہے وہ وہی ہے جس نے میرزا علی حسین کو شہادت دی ہے۔

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میرزا علی حسین

Page 1/24

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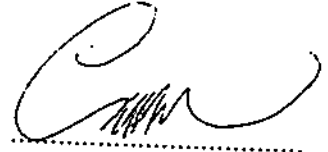
سوالنامہ بنام فضل رحمان چیمبر میں پی ٹی سی گورنمنٹ پرائمری سکول صبر شاہ بٹ خیلہ، مالاکنڈ

مقام: دفتر ڈی ای او (مردانہ) مالاکنڈ بمقام بٹ خیلہ مورخہ: 21/02/2021  
 گورنمنٹ پرائمری سکول صبر شاہ بٹ خیلہ کے چوکیدار عمر رحمان کو دو کسٹ بجیوں کے ساتھ نازیبا حرکات کرنے کی پاداش میں نوکری سے برخواست کر دیا گیا۔ اس نے سروس ٹرانسپوٹل میں درخواست دی کہ مجھے صفائی کا موقع نہیں دیا گیا۔ سروس ٹرانسپوٹل نے فیصلہ دیا کہ اس کو بھی سنا جائے اور ان تمام لوگوں کو بھی دوبارہ سنا جائے جو پہلی انکوائری میں شامل تھے۔ اس سلسلے میں آپ کے تعاون کی ضرورت ہے تاکہ انصاف کے تقاضے پورے ہوں۔ برائے مہربانی درج ذیل سوال کا جواب الگ کاغذ پر اپنے دستخط کے ساتھ لکھ کر دیں۔

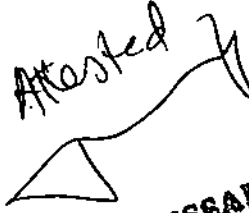
سوال: آپ نے اپنے بیان میں عمر رحمان چوکیدار کو بد چلن اور ناسور کہا تھا۔ آپ نے اس کو ایسا کیوں کہا تھا؟



نعت حسین (انکوائری افسر)



حیات محمد خان (انکوائری افسر)

Attested 

**ADNAN HUSSAIN**  
 Superintendent (SP6-17)  
 O/o DEO (Male) Muzakand  
 at Bakkhela

ADNAN MUSSAIN  
Superintendent (BPS-17)  
O/o OEO (Male) Malakand  
at Bakkhela

Attached

NIC: 15402-6273173-9  
Cell No. 03449778897

21/02/2024  
M.M.M.

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Niamat Hussain  
members enquiry  
Committee

Handwritten signature or initials.

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88

میں نائب ناظم دہلیج کو ذیل بندہ دسول باجا دیرلیج ڈیپارٹمنٹ  
کو مزید سٹاف اسٹیشن پر کارڈ (ڈیس) سٹور ایجٹ کے طور پر

ڈیپارٹمنٹ (ڈیس) ناظم دہلیج کی خدمت میں منظور ہو۔  
ڈیپارٹمنٹ (ڈیس) ناظم دہلیج کی خدمت میں منظور ہو۔  
ڈیپارٹمنٹ (ڈیس) ناظم دہلیج کی خدمت میں منظور ہو۔

میں ڈیپارٹمنٹ ناظم ناظم اور عوامی ناظمین ایجوکیشن  
کی بجائی سرکاران عوامی سرکاران ہاؤسنگ میں۔

30/05/2019

دسول باجا ناظم دہلیج ڈیپارٹمنٹ

CNIC = 15402-1426639-5  
03469451436

C. signed

①  
②

Chairman & Member  
Inquiry Committee

ADAN HUSAIN  
Superintendent (PSC-17)  
of OEO (Male) Malakand  
Attested

Muzhakkat

③  
①  
C. signed

HEAD TEACHER  
GOVT. PRAMATHY SCHOOL  
NO. 3 BAIKHELA  
DISTRICT MALAKAND

10/10/2018  
10/10/2018

3-10-2018  
10/10/2018

2018-19

Handwritten text in Urdu script, likely a letter or report, containing several lines of text.



سوالنامہ بنام عمر رحمان جو کیدار گورنمنٹ برائری سکول مرشاد بٹ خیلہ، مالکنڈ

مقام: ڈیپارٹمنٹ ڈی ایچ ای (عمر ذرائع) پتھان پور ضلع، خیبر پختونخوا، مورخہ: ۲۱/۰۵/۲۰۱۹ء

آپ پر الزام ہے کہ آپ نے دو کسٹمیجیوں (سماة مناعہ اور سماة مناعہ دینی) کے ساتھ نازیبا حرکات کیں جس کی پاداش میں آپ کو سرکاری نوکری سے برخاست کر دیا گیا۔ آپ نے اس برخاستگی کے خلاف سرورس ٹریڈیونل میں درخواست دی کہ آپ کو نہیں سنا گیا ہے۔ اگرچہ اس سے پہلے انکوآری افسران نے آپ کو سننے کا موقع دیا تھا جن کے سوالات کے جوابات بھی آپ نے مورخہ ۳۰ جولائی ۲۰۱۹ء کو دیے تھے۔ لیکن سرورس ٹریڈیونل کے فیصلے کے مطابق آپ کو سننے کا موقع اب بھی دیا جا رہا ہے۔ اس سلسلے میں آپ درج ذیل سوالات کے جوابات الگ کاغذ پر لکھ کر دے دیں اور اپنے دستخط ثبت کریں۔ اگر آپ خود نہیں لکھ سکتے تو کسی اور سے مدد لے سکتے ہیں۔

### سوالات

- ۱۔ جس دن آپ پر الزام تھا (۲۳ مئی ۲۰۱۹ء) کیا اس وقت آپ سکول میں موجود تھے؟ اگر نہیں تو کہاں تھے؟
- ۲۔ سکول میں کون سی کتابیں تھیں جن کو آپ بچیوں کو دینا چاہتے تھے؟
- ۳۔ کیا پی ٹی سی کا چیرمین مسی فضل رحمان آپ کے گاؤں کا ہے؟
- ۴۔ کیا بیان دینے والا نائب ناظم مسی رسول باچا آپ کے گاؤں کا ہے؟
- ۵۔ مسی صفدر علی کون ہے؟ اس کے ساتھ آپ کی ہاتھ پائی کس وجہ سے ہوئی تھی؟
- ۶۔ مذکورہ بالا افراد نے آپ کے خلاف کیوں بیان دیا؟ ہر ایک کا ذکر الگ الگ کریں۔
- ۷۔ مسی فاتح الرحمان کا گھر آپ کے سکول سے کتنا دور ہے؟
- ۸۔ فاتح الرحمان نے بھی آپ کے خلاف بیان دیا، اس کی کیا وجہ ہے؟
- ۹۔ مذکورہ بالا افراد کے علاوہ سکول پی ٹی سی اجلاس میں بھی آپ کے خلاف قرارداد منظور ہوا۔ اس کی کیا وجہ ہے؟
- ۱۰۔ آپ سے متعلق مذکورہ واقعے کے بارے میں اخبارات میں بھی بیان آیا (مثلاً روزنامہ شرق مورخہ ۳۰ مئی ۲۰۱۹ء)۔ اخبارات میں کیوں آیا؟
- ۱۱۔ متاثرہ بچیوں نے مورخہ ۳۰ مئی ۲۰۱۹ء کو جی پی ایس صبر شاہ آ کر انکوآری کمیٹی کے سامنے آپ کے خلاف اپنے بیانات ریکارڈ کرائے، ان کے والدین نے آپ کے خلاف تھانہ میں رپورٹ بھی درج کی اور علاقے کے لوگوں کے ساتھ مل کر آپ کی شلوار بھی اتار دی تھی، ان سب نے آپ کے خلاف ایسے انتہائی اقدامات کیوں اٹھائے؟ ہر ایک کا ذکر الگ الگ کریں۔
- ۱۲۔ جب آپ کی شلوار اتاری گئی تو کیا آپ کے ساتھ ہونے والے اس واقعے کو آپ نے پولیس/انتظامیہ کو رپورٹ کیا ہے؟ اگر نہیں تو کیوں اور اگر ہاں تو اس کا کیا نتیجہ نکلا؟
- ۱۳۔ دونوں بچیوں اور ان کے والدین نے اس سے پہلے علاقے میں کسی پر اس قسم کے الزامات نہیں لگائے ہیں۔ آپ پر ہی کیوں لگائے؟
- ۱۴۔ کیا اس قسم کے واقعے سے علاقے میں بچیوں کے والدین کی بے عزتی نہیں ہوئی؟ اس کا ذمہ دار کون ہیں؟
- ۱۵۔ کیا آپ نے دونوں متاثرہ بچیوں کے خاندان والوں سے راضی نامہ کیا ہے؟ اگر ہاں تو کس بنیاد پر؟ راضی نامہ کی نقل بھی ہمارے حوالے کریں۔
- ۱۶۔ ان سب بیانات/جوابات کے علاوہ اگر آپ کے پاس اپنی بے گناہی ثابت کرنے کے لیے کوئی اور زبان یا دستاویزی شہادت یا ثبوت ہو تو اس کی تفصیل بتا دو/پیش کرو۔

.....  
نعت حسین (انکوآری افسر)

.....  
حیات محمد خان (انکوآری افسر)

Attested  
ADNAN HUSSAIN  
Superintendent (MPS-17)  
O/o DEO (Male) Malakand  
at Batakhuwa

(سال نمبر 6) (ماریجنا)

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے ساتھ ساتھ ان کے گھروں میں بھی جانچ کر دیکھنا۔

(سال نمبر 5) (ماریجنا)

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے گھروں میں بھی جانچ کر دیکھنا۔

(سال نمبر 4) (ماریجنا)

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے گھروں میں بھی جانچ کر دیکھنا۔

(سال نمبر 3) (ماریجنا)

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے گھروں میں بھی جانچ کر دیکھنا۔

(سال نمبر 2) (ماریجنا)

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے گھروں میں بھی جانچ کر دیکھنا۔

(سال نمبر 1) (ماریجنا)

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے گھروں میں بھی جانچ کر دیکھنا۔

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے گھروں میں بھی جانچ کر دیکھنا۔

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے گھروں میں بھی جانچ کر دیکھنا۔

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے گھروں میں بھی جانچ کر دیکھنا۔

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے گھروں میں بھی جانچ کر دیکھنا۔

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے گھروں میں بھی جانچ کر دیکھنا۔

ماریجنا کے بارے میں جاننے والے لوگوں کو روکنا اور ان کے گھروں میں بھی جانچ کر دیکھنا۔



(سوال نمبر 7 کا جواب)

کسی فاتح رحمان کا گھر سکول کے پوسٹ واقع ہے۔ لیکن فاتح رحمان کا میرے ساتھ تعلقات درست نہ تھے

(سوال نمبر 8 کا جواب)

مسی فاتح رحمان نے میرے خلاف لیویز والوں کو چھوٹا بیان دیا ہے کیونکہ فاتح رحمان ہر وقت مجھ سے سرکاری سکول کی بجلی و پانی کو استعمال کرنے اور سکول کی چابیاں لینے اور سرکاری سکول کو بطور پبلک / مہمان خانہ استعمال کرنا چاہتا تھا لیکن میں نے کئی مرتبہ صاف انکار کیا ہے۔ بدیں وجہ ہمارے مابین تعلقات اچھے نہ تھے اور مجھے بدنام کرنے اور سکول سے ہٹانے کی غرض سے مستحیث فریق کے ساتھ ساز باز کر کے مجھے مقدمہ ہذا میں بدیتی سے ملوث کیا ہے۔

(سوال نمبر 9 کا جواب)

میرے خلاف متذکرہ بالا الزامات کے نسبت کسی قسم کا اجلاس یا قرارداد نہیں ہوا تھا۔ اس نسبت میرے خلاف ریکارڈ موجود نہ ہے۔

(سوال نمبر 10 کا جواب)

مجھے اخبارات کے اشتہارات کے نسبت کوئی علم نہ ہے اور اگر ہو تو وہ بھی متذکرہ بالا افراد اور لیویز والوں کی افواہوں کی وجہ سے ہوگا جو مجھے معاشرے میں بدنام کرنے اور سرکاری سکول کی نوکری سے برخاست کرنے کی غرض سے بدیتی سے شائع ہوگی۔

(سوال نمبر 11 کا جواب)

میرے خلاف بچیوں نے انکوائری کمیٹی کے سامنے کسی قسم کے کوئی بیانات قلمبند نہیں کیئے ہیں۔ بچیوں کے والدین نے متذکرہ بالا افراد کے دباؤ میں آکر میرے خلاف بدیتی سے FIR درج کی تھی۔ علاقہ کے لوگوں نے میرے ساتھ کسی قسم کی کوئی غیر اخلاقی کام نہیں کیا ہے۔ میرے خلاف کسی نے بھی کسی قسم کی تہمتیں نہیں اٹھائے ہیں۔

(سوال نمبر 12 کا جواب)

یہ غلط ہے مجھ سے کسی نے بھی شکوہ نہیں اتاری ہے اور نہ ہی مجھے کسی نے مارا پٹا ہے۔ بدیں وجہ اس نسبت میں نے کسی کے خلاف مقامی لیویز کو کوئی رپورٹ درج رجسٹرڈ نہیں کیا ہے۔ لیکن رات کی تاریکی میں لیویز والوں نے مجھے سکول سے بدروان ڈیوٹی گرفتار کر کے لیویز پوسٹ بٹ جیلہ لے گیا تھا۔

Attached  
ADNAN HUSSAIN  
Superintendent (BPS-17)  
O/o DEO (Male) Malakand  
at Batkhela

ADMAN MUSSAIN  
Superintendent (SPS-17)  
of DEO (Water) Bahawalpur  
at Bahawalpur

ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔

ذرا بخوبی دیکھو۔



الرقم: 22/02/2024

ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔  
ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔  
ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔  
ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔  
ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔  
ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔  
(برال نمبر 16 رجاہ)

ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔  
(برال نمبر 15 رجاہ)

ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔  
ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔  
ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔  
ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔  
(برال نمبر 14 رجاہ)

ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔

ذرا بخوبی دیکھو۔ جو بیان میں ہے وہ سب سچا ہے۔

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ANNA ELIASAIN  
Superintendent (BPS-17)  
o/o UED (Male) Malakand  
at Balthala

Niamet Hussain, M. K. Khan  
Minister & H.S. H. 8030  
Ministry of Health  
at Balthala

Handwritten text in Urdu script, likely a letter or official communication. The text is written in a cursive style and covers most of the page. It appears to be a formal document, possibly related to health services or administrative matters in the Malakand region.

24/3/24  
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24/3/24

28  
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Accepted  
*[Signature]*

*NMF*  
30/05/2019

3۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

4۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

5۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

6۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

7۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

8۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

9۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

10۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

11۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

12۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

13۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

14۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

15۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

16۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

17۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

18۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

19۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

20۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

- 21۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔
- 22۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔
- 23۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔
- 24۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔
- 25۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔
- 26۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔
- 27۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔
- 28۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔
- 29۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔
- 30۔ برساتی پانی کا استعمال کیلئے درخت لگانے کا کام شروع کیا گیا ہے۔

ADMAN HUSSAIN  
Superintendent (Males) Malakand  
of Duthkhai

Attached

(1) ... 21/12/21 ...

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(6) ...

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(5) ...

(4) ...

(3) ...

(2) ...

(1) ...

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ADNAN HUSSAIN  
 Superintendent (BPS-17)  
 O/o DDO (Male) Malakand  
 at Daktar.

Attestd

- (7) یہ نمبر 7 کے تحت ہے جس میں ...
- (6) یہ نمبر 6 کے تحت ہے جس میں ...
- (5) یہ نمبر 5 کے تحت ہے جس میں ...
- (4) یہ نمبر 4 کے تحت ہے جس میں ...
- (3) یہ نمبر 3 کے تحت ہے جس میں ...
- (2) یہ نمبر 2 کے تحت ہے جس میں ...

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Amended



ADMAN HUSSAIN  
 Superintendent (895-17)  
 O/o DCO (Male) Malakand  
 at Balthora

بہرہ نمبر 10

سید محمد علی شاہ صاحب نے سید محمد علی شاہ صاحب کی طرف سے پیش کی گئی درخواست پر (مکران) (مکران)

تعمیر

02/09/2019

بہرہ نمبر 10  
 سید محمد علی شاہ صاحب نے سید محمد علی شاہ صاحب کی طرف سے پیش کی گئی درخواست پر (مکران) (مکران)

(11) سید محمد علی شاہ صاحب نے سید محمد علی شاہ صاحب کی طرف سے پیش کی گئی درخواست پر (مکران) (مکران)

(10) سید محمد علی شاہ صاحب نے سید محمد علی شاہ صاحب کی طرف سے پیش کی گئی درخواست پر (مکران) (مکران)

(9) سید محمد علی شاہ صاحب نے سید محمد علی شاہ صاحب کی طرف سے پیش کی گئی درخواست پر (مکران) (مکران)

(8) سید محمد علی شاہ صاحب نے سید محمد علی شاہ صاحب کی طرف سے پیش کی گئی درخواست پر (مکران) (مکران)

(3)

Hameez - M1

32

9	10	11	12	13	14
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CHAIRMAN P.T.O.  
GOVERNMENT AND MODEL  
SCHOOL, KOTA DAMAI, MALAKA

HEAD TEACHER  
KOTA DAMAI SCHOOL  
NO. 2, KOTA DAMAI  
DISTRICT MALAKA

ADNAN HUSSAIN  
Superintendent (IPS) at Bahkela  
D/O DEO (Mal) Malakka

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OFFICE ORDER



OFFICE OF THE DISTRICT EDUCATION OFFICER (M) MALAKAND

9922-418281 0200MILAKAND 0200MILAKAND@gmail.com



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1. Whereas, Mr. Umar Rahman Chowdhary GPS Sabar Shah Badshah District Malakand was proceeded under Khyber Pakhtunkhwa Government Servant (Efficiency and Discipline) rules, 2011 on account of moral turpitude by attempting sexual harassment of two minor girls Le. Hanif D/O Ahsan Zeb and Hanif D/O Arif. As a result there of, regular inquiry was conducted in the matter by the authority concerned, keeping in view the confessional statement of accused as per police reports and witness statements through regular inquiry a major penalty of 'Removal from Service' was imposed upon the accused under the rules 4(B) (ii) of the Government Servants (Efficiency & Discipline) rules, 2011 vide order bearing Endst No. 1564-73 dated, 06.11.2019. And

2. Whereas, being aggrieved, the appellant invoked the constitutional jurisdiction under Article 212 of the constitution of Islamic Republic of Pakistan, 1973 while filing service appeal No. 1793/2019 before the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar, which was decided vide judgment dated 06.12.2023, at camp court swal with the directions to the respondent Department for conducting proper inquiry/De-novo inquiry in the matter within a period of 90 days of receipt of copy the judgment ftd. And

3. Whereas, in compliance of the judgment ftd Mr. Umar Rahman S/O Said Mahan Chowdhary GPS Sabar Shah Badshah district Malakand was Re-instated for the purpose of De-novo inquiry vide bearing Endst No. 626-33 dated 24.01.2024, and a proper inquiry committee was constituted vide bearing Endst No. 518-25 dated 24.01.2024, as per directions of the Honorable Service Tribunal, Peshawar rendered in judgment dated 06.12.2023. And

4. Whereas, an opportunity for personal hearing was provided to accused Mr. Umar Rahman through written questionnaire and written reply was recorded. All the previous witnesses were cross examined and report was submitted to the office of DEO (M) Malakand vide memo dated 21.03.2024; Pursal of the inquiry report transpires that Mr. Umar Rahman S/O Said Mahan Chowdhary GPS Sabar Shah Badshah district Malakand could not prove himself as innocent, therefore conclusion and recommendations of the previous inquiry are upheld. And

5. Whereas, as per the recommendations of De-novo inquiry the major penalty of 'Removal from Service' upon the accused may be up held, as it was previously imposed upon him.

Therefore, in compliance of the judgment dated 06.12.2023, of the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar at camp court swal and as per the recommendations of the inquiry report dated 21.03.2024, discussed herein above, I, Mr. Umar Rahman S/O Said Mahan Chowdhary, being the competent authority, please enough to uphold the major penalty of 'Removal from Service' imposed upon Mr. Umar Rahman Chowdhary GPS Sabar Shah Badshah District Malakand by maintaining the order bearing Endst No. 1564-73 dated 06.11.2019 in terms of rule 4(B) (ii) of Government Servants (Efficiency & Discipline) rules, 2011.

(MIRAN ULLAH)  
DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND

DISTRICT EDUCATION OFFICER  
(MALE) MALAKAND



Endst No. 13763-71 dated 01/04/2024  
Copy forwarded for information and necessary action to the:-

1. General Manager, Khyber Pakhtunkhwa Service Tribunal Peshawar
2. General Manager, Khyber Pakhtunkhwa Service Tribunal Peshawar
3. Director (ICT) Khyber Pakhtunkhwa Service Tribunal Peshawar
4. Director (ICT) Khyber Pakhtunkhwa Service Tribunal Peshawar
5. Deputy Commissioner, Malakand
6. District In-charge, Malakand
7. DCS PO Malakand
8. Mr. Umar Rahman Chowdhary GPS Sabar Shah Badshah
9. Other hand

Handwritten signature and notes



Office of the, District Education Officer,  
(M) Malakand at Batkhela.  
No. 14242 dt: P/file the 22/05/2024.

To

The Director (F & A),  
Directorate (E&SE) Khyber Pakhtunkhwa  
Peshawar.

Subject:

**DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER DATED 01-04-2024 WHERE BY THE ORDER OF REMOVAL FROM SERVICE DATED 06-11-2019 HAS BEEN KEPT INTACT BY THE COMPETENT AUTHORITY.**

Memo:


Reference to your good office letter No.2599/ F.No./ A-20/ C-IV/ P/ File dated Peshawar the 03-05-2024 on the subject cited above.

The detail report in respect of the subject case is as under as desired please.

1. Sub-Divisional Magistrate (A.C. Batkhela) asked this office vide his letter No.2600 dt: 27-05-2019 to take immediate action against the accused Mr.Umar Rahman, Chowkidar, GPS Sabar Shah who intenced two girls Manayal D/O Alam Zeb and Manahal Deeni D/O Amjad Ali aged 09 & 06 years respectively. They were offered new books and were taken to the school premises where he removed the clothes of both the kids and were sexually harassed. (Copy enclosed).
2. Earlier an F.I.R. was also logged by the parents bearing No.106 dated 27-05-2019. (Annexure-B).
3. D.C. Malakand also asked this office for departmental action against the chowkidar concerned vide his letter No.3825 dated 30-05-2019. (Annexure-C).
4. The Chairman P.T.C. and residents of the area were also on the firm opinion that a disciplinary action may be taken against him.
5. The Chowkidar concerned was arrested and was put behind the bars by the district administration.
6. The National print and electronic media also highlighted the issue and a panic was emerged in the area. (Annexure-D).
7. This office started a disciplinary action against the Chowkidar concerned namely Mr. Umar Rahman and suspension orders issued vide this office Endst: No. 4873-78 dated 28-05-2019. (Annexure-E) followed by assigning inquiry to two of the senior Principals for probing into the matter.
  1. Mr. Fida Muhammad, Principal GZSHS No.I, Dargai and
  2. Mr.Fazal Ahad Khan, Principal GHSS Dheri Julagram were in the Pannel. (Annexure-F).
8. This office wrote a letter to:
  - A. Honourable Senior Civil Judge Malakand at Batkhela.
  - B. The Deputy Commissioner Malakand.
  - C. The Superintendent Judicial Lock up Malakand for access of the inquiry officers to the accused who was then at the Judicial Lock up (Sub- Jail) Malakand. (Annexure-G.H.I) respectively.
9. The inquiry officers submitted their report on 10-08-2019 recommending him for major penalty under E & D Rules 2011. (Annexure-J).

Attended  
ADN 21/11/2024  
Superintendent (3-5-17)  
O/o DEO (Male) Malakand  
at Batkhela

PTO

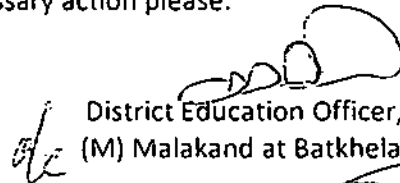
  
District Education Officer  
Malakand at Batkhela

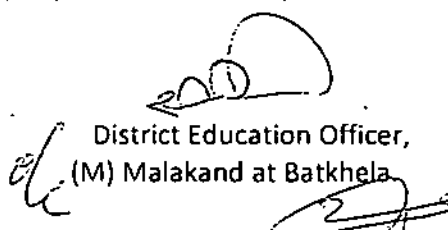
10. A show cause notice had already been issued to him vide this office Endst: No.8664 dated 03.10.2019 (Annexure-k).
11. Charge sheet vide Endst:No. 7587-92 dt: 27-08-2019 was issued to him. (Annexure-L).
12. Finally he was removed from service vide this office letter No.15464-73 dated 06-11-2019. (Annexure-M) after the fulfilment of all coddle formalities.
13. Feeling aggrieved, he filed service Appeal No.1793/2019 before the honorable Service Tribunal Khyber Pakhtunkhwa Peshawar and the same was decided accordingly vide Judgment dated 06-12-2023 with the directions to the respondent Department for De-Novo inquiry within a period of 90 days.
14. The applicant concerned was reinstated into service for only the purpose of De-Novo inquiry vide Endstt: No.526-33 Dated 24-01-2024, in the light of the above Judgement and inquiry committee was also constituted under inquiry officers, Mr. Muhammad Hayat, Principal, GHSS Sakhakot as Chairman and Naimat Hussain, Head Master GHS Hero Shah as a Member. The inquiry was completed in stipulated time frame and submitted vide No.840 GHSS Sakhakot Dated 21-03-2024 with clear cut recommendation, whereas, the conclusion and Recommendations of previous inquiry were up held. (Annexure-N).
15. Keeping in view the recommendations of the inquiry committee the removal orders of Mr. Umar Rahman, Ex-Chowkidar GPS Sabar Shah were up hold vide No.13762-701 dated 01-04-2024. (Annexure-O).

Report is submitted for further necessary action please.

Endorsement No. E/100  
Copy of the above is forwarded to:-

1. The Deputy Director (F&A), Directorate (E&SE) Khyber Pakhtunkhwa, Peshawar.
2. The SDEO (M) Batkhela.
3. The Head Master, GPS Sabar Shah.
4. The Official Concerned.

  
District Education Officer,  
(M) Malakand at Batkhela.

  
District Education Officer,  
(M) Malakand at Batkhela.

  
**ADNAN HUSSAIN**  
Superintendent (BPS-17)  
O/o DEO (Male) Malakand  
at Batkhela



OFFICE OF THE  
DISTRICT EDUCATION OFFICER (M) MALAKAND

9- (37)

**SHOW CAUSE NOTICE**

- I Mr. Midrar Ullah, District Education officer (M) Malakand, as a competent authority under the Khyber Pakhtunkhwa Government servant (E&D) rules, 2011, do hereby serve you, Mr. Umar Rahman, Ex-Chowkidar of Government Primary School Sabar Shah Batkhela, District Malakand, and resident of Sabar Shah.
1. That the Honorable service Tribunal Khyber Pakhtunkhwa announced a decision on 06/12/2023 at camp court Swat for De-Novo Inquiry in connection with service appeal No. 1793/2019. Incompliance to Honorable service Tribunal judgement, you were reinstated for the purpose of De-Novo inquiry vide notification No 626-33/File/Reinstatement, dated 24.01.2024.
  2. Whereas, on 22.02.2024 you were called for a personal hearing regarding charges and allegations of harassment of two minor girls, based on a previous charge sheet served to you since 2019.
  3. Whereas, in previous inquiry, you were found guilty under sub-section 2 of the E&D rules, and you were removed from service on 06/11/2019 vide no. 1564-73/ inquiry file Umar Rahman Chowkidar.
  4. That the De-Novo inquiry was compiled on 21/03/2024 vide No.840 GHSS Sakhakot, in which the witnesses from the previous inquiry were inquired. The inquiry affirmed that your immoral conduct of harassing the minor girls, Ms. Manahil Bibi and Ms. Manahil Deeni, was proven, and the previous order of your removal from services was upheld.
  5. In the light of the findings and recommendations of the inquiry committee, constituted under sub-rule 4 rules (14) of Government servants of the E&D rules, it is concluded that you have committed acts/omissions specified in rules-3(a)(b) &(e) of the said rules.
    - a) Misconduct.
    - b) Violation of law.
  6. Therefore, based on the findings and recommendations of the De-Novo inquiry Vide No. 840, dated 21/03/2024, I, as competent authority have tentatively decided to uphold the major penalty of removal from service under rule 4 (iii) of the said rules.
  7. You are, therefore, required to show cause as to why the aforementioned penalty should not be imposed upon you, and also intimate whether you desire to be heard in person.
  8. If no reply to this notice as received within seven days of its delivery, otherwise it shall be presumed that you have no defense to put in and, in that case, an ex-parte action shall be taken against you.
  9. A copy of the findings of the officers/Inquiry committee is enclosed.

MIDRAR ULLAH JAN


District Education Officer (Male)  
Malakand

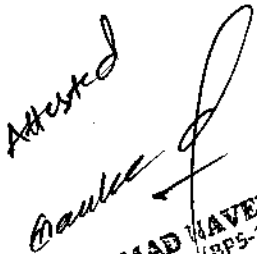
Even No. 13461-64 /Inquiry/Show Cause/Umar Rahman Chowkidar

Dated: 22/03/2024

Copy of the above is forwarded for information to:

1. Registrar Honorable Service Tribunal Khyber Pakhtunkhwa Peshawar.
2. PS to Secretary E&SED Khyber Pakhtunkhwa Peshawar.
3. PA To Director E&SE Khyber Pakhtunkhwa Peshawar.
4. Mr. Umar Rahman Ex-Chowkidar GPS Sabar Shah
5. Master file.

  
District Education Officer (Male)  
Malakand

Attested  
  
**MUHAMMAD HAVED**  
Superintendent (SPS-17)  
O/o DEO (Male) Malakand  
at Batkhela

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