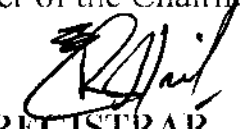


FORM OF ORDER SHEET

Court of _____

Appeal No. 2463/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/11/2024	<p>The appeal of Mr. Atta ur Rehman presented today by Mr. Shah Hussain Nasapi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 21.11.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 2463 /2024

Atta Ur Rehman.....Appellant

VERSUS

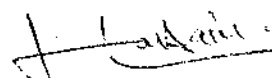
Director Elementary & Secondary Education, Khyber
Pakhtunkhwa, Peshawar & others.....Respondents

I N D E X

S#	Description of Documents	Annex	Pages
1.	Service Appeal with affidavit		1-7
2.	Application for interim relief with Affidavit		9-10
3.	Addresses of parties		11
4.	Copy reply of Show Cause Notice	A	12-15
5.	Copy of inquiry	B	16-17
6.	Copy of order dated 25.04.2024	C	18
7.	Copy of the monthly pay roll	D	19
8.	Copy of Departmental Appeal	E	20-24
9.	Wakalatnama		25

Appellant
Atta ur Rehman

Through


Shah Hussain Nasapi
Cell No.0345-9208982

&

Adil Awan
Advocates High Court

Dated 12.11.2024

①

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 2463 /2024

Atta Ur Rehman Son of Qissam Khan
Ex-Primary School Head Teacher,
R/o Kukki Khel Sher Khan Khel Taddey Bazar
Jamrud District Khyber.....**Appellant**

Versus

1. Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar
2. District Education Officer (Male) Khyber at Jamrud
.....**Respondents**

**APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL
ACT, 1974 AGAINST IMPUGNED ORDER
DATED 25.04.2024.**

Prayer:

**On acceptance of this Service
Appeal, the Impugned Orders dated
25.04.2024 may kindly be set aside and
the deduction of pay may be stopped
from the salary of the appellant.**

2

Respectfully Sheweth,

Short facts, giving rise to present Service Appeal, are as under:

1. That the appellant is peaceful and law abiding citizen of Pakistan belongs to District Khyber and working as Primary School Head Teacher.
2. That the Govt. of Khyber Pakhtunkhwa Education Department started/ issued developmental Project of Primary School through head teacher and for that purpose funds were allocated and issued.
3. That the appellant was the head teacher of GPS Lashora Jamrud was issued an amount of Rs.1600000/- (sixteen Lac) for the construction of two additional rooms, the alleged amount was withdrawn by the appellant, however he re-deposited the same to the department.
4. That the department falsely involved the appellant and alleged against the appellant embezzlement of Rs.235000/- on the basis of surmises and conjectures upon which Show Cause Notice was issued to the appellant, the appellant replied the

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show Cause Notice. **(Copy reply of Show Cause Notice is attached as annexure-A).**

5. That on 21.11.2023 an inquiry was constituted against the appellant which was conducted on the basis of malafide and inadvertently appellant was declared guilty of embezzlement. **(Copy of inquiry is attached as annexure-B).**
6. That in that inquiry it was ordered that the alleged embezzled amount will be recovered from deduction of an amount of Rs.9792/- PM from the appellant salary. **(Copy of the monthly pay roll is attached as annexure-C).**
7. That the appellant being aggrieved submitted the departmental appeal on 28.06.2024 against the said order dated 25.04.2024 which is pending before the competent authority. **(Copy of Departmental Appeal is attached as annexure D).**
8. That the appellant is bitterly aggrieved from the order dated 25.04.2025 and act and omission of respondents by not deciding the departmental appeal, hence having no alternate remedy except

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to file the instant service appeal before this Hon'ble Court on the following grounds:

GRUNDS:

- A.** That the impugned order dated 25.04.2024 is against the law, against the proceedings and facts by not providing the opportunity of hearing to the appellant.
- B.** That no evidence whatsoever are collected from the school teachers Chowkidar and a false complaint was entertained which itself is against the law.
- C.** That the department has not decided the complaint through merits and not brought on record that why the complaint was filed by the complaint against the appellant.
- D.** That the appellant explained the developmental work in the school to the respondent but the respondent not bothered to endorse the developmental work of the appellant and alleged allegation was levelled against the appellant.

- 5
- E.** That the respondents have not conducted the proceedings and inquiry according to law and not examined any persons regarding the good behavior of the appellant of the alleged embezzlement.
 - F.** That the decision of respondent is based on against the proceedings and misreading & non-reading of the evidence and pass an illegal order against the appellant. The act & omission of respondents by not deciding the departmental appeal is also against the law.
 - G.** That both the order passed by the respondent against the appellant are against the law, natural justice and nullity in the eye of law.
 - H.** That any other ground will be raised at the time of arguments with the prior permission of this Hon'ble Tribunal.

It is therefore requested that On acceptance of this Service Appeal, the Impugned act, omission and Order dated 25.04.2024 may kindly be set aside and the deduction of pay may be stopped from the salary of the appellant.

6

Any other relief deems fit and appreciate in the circumstance of the cases may also be passed in favour of the appellant.

Atta ur Rehman

Appellant
Atta ur Rehman

Through

Shah Hussain Nasapi

Shah Hussain Nasapi
Cell No.0345-9208982

&

Adil Awan
Advocates High Court

Dated 12.11.2024

7

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. _____ **/2024**

Atta Ur Rehman.....**Appellant**

VERSUS

Director Elementary & Secondary Education, Khyber
Pakhtunkhwa, Peshawar & others.....**Respondents**

AFFIDAVIT

I, Atta Ur Rehman Son of Qissam Khan, Ex-Primary
School Head Teacher, R/o Kukki Khel Sher Khan Khel Taddey
Bazar Jamrud District Khyber, do hereby solemnly affirm and
declare that the contents of the accompanying **Service Appeal**
are true and correct to the best of my knowledge and belief and
nothing has been concealed from this Hon'ble Court.



DEPONENT

(4)

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. _____ **/2024**

Atta Ur Rehman.....**Appellant**

VERSUS

Director Elementary & Secondary Education, Khyber
Pakhtunkhwa, Peshawar & others.....**Respondents**

**APPLICATION FOR GRANT OF INTERIM
RELIEF BY RESTRAINING THE
RESPONDENTS FROM DEDUCTION FROM
THE MONTHLY SALARY OF THE
APPELLANT AND MAY ALSO BE
RESTRAINED FROM TAKING ANY
ADVERSE ACTION AGAINST THE
APPLICANT/PETITIONER, TILL THE FINAL
DISPOSAL OF THE INSTANT SERVICE
APPEAL.**

Respectfully Sheweth

1. That the above tilted Service Appeal is being filed today in which no next date of hearing has yet been fixed.
2. That the applicant/appellant has a prima facie case and is hopeful of its success.

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3. That balance of convenience also lies in favour of the applicant/appellant.
4. That if interim relief is not granted in favour of the applicant, appellant then he will suffer an irreparable loss.
5. That grounds of the Service Appeal may please be read as part and parcel of this Application.

It is, therefore, prayed that by accepting this application, the respondents may kindly be restrained from deduction from the monthly salary and may also be restrained from taking any adverse action against the applicant/petitioner and suspension the impugned orders, till the final disposal of the instant service appeal.



Appellant
Atta ur Rehman

Through



Shah Hussain Nasapi
Cell No.0345-9208982

&

Adil Awan
Advocates High Court

Dated 12.11.2024

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BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. _____ **/2024**

Atta Ur Rehman.....**Appellant**

VERSUS

Director Elementary & Secondary Education, Khyber
Pakhtunkhwa, Peshawar & others.....**Respondents**

AFFIDAVIT

I, Atta Ur Rehman Son of Qissam Khan, Ex-Primary
School Head Teacher, R/o Kukki Khel Sher Khan Khel Taddey
Bazar Jamrud District Khyber, do hereby solemnly affirm and
declare that the contents of the accompanying **Application** are
true and correct to the best of my knowledge and belief and
nothing has been concealed from this Hon'ble Court.



DEPONENT

(11) (A)

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. _____ /2024

Atta Ur Rehman.....Appellant

VERSUS

Director Elementary & Secondary Education, Khyber
Pakhtunkhwa, Peshawar & others.....Respondents

ADDRESSES OF PARTIES

APPELLANT

Atta Ur Rehman Son of Qissam Khan -
Ex-Primary School Head Teacher,
R/o Kukki Khel Sher Khan Khel Taddey Bazar
Jamrud District Khyber

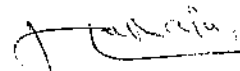
RESPONDENTS

1. Director Elementary & Secondary Education, Khyber
Pakhtunkhwa, Peshawar
2. District Education Officer (Male) Khyber at Jamrud



Appellant
Atta ur Rehman

Through

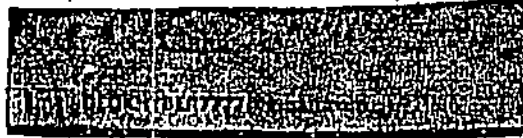


Shah Hussain Nasapi
Cell No.0345-9208982

&

Adil Awan
Advocates High Court

Dated 12.11.2024



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Annex 'A'

SHOW CAUSE NOTICE:

I, Muhammad Uzair Ali, the District Education Officer (M), District Khyber as Competent Authority under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you Mr. Atta Ur Rehman Ex- PSHT at GPS Lashora Jamrud, now working as PSHT at GPS Sur Kamar, Jamrud District Khyber upon this show cause notice as follows:

1. That a complaint submitted by Chairman VC-3 Jamrud vide letter No. 032 dated: 30/11/2023 that you have made embezzlement in the total conditional grant amounting Rs. 1760000/- released on account of Two (02) Additional Class Rooms (Rs. 1600000/-) & Group Latrine (Rs.160000/-) to your school (GPS Lashora Jamrud).
2. That inquiry committee comprising Mr. Syed Rafoqat All Shah Principal GHS Alam Gudar Bera and Mr. Inayat Ullah ASDEO Landi Kotal was constituted vide this office letter No. 11759 dated, 01/11/2023 to probe into the lodged complaint regarding alleged embezzlement in conditional grant.
3. That the committee submitted its report vide No. 1082, dated: 21/11/2023
4. That as per the recommendations of inquiry committee that you have made embezzlement of Rs. 235000/- in the released conditional grant on account of construction of Two (02) Additional Class Rooms & Group Latrine.
5. That due to your embezzlement and negligence, the students of the concerned school are sitting on the bare floor without doors and windows in their rooms in the severe cold condition.
6. That after going through the Chairman VC-3 Complaint and inquiry report, I am satisfied that you have committed an act of commission/omission under Rule-3(a) & (c) of the ibid Rules i.e.
 - a) Inefficient or has ceased to be efficient for any reason; or
 - c) Guilty of corruption.
7. That in exercise of powers conferred under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, I as the Competent Authority have tentatively decided to impose upon you any of the penalties as mentioned in Rule-4(a) or Rule-4(b) of the ibid rules.
8. You are, therefore, required to show cause as to why one of the aforementioned penalty should not be imposed upon you and also intimate in writing whether you desire to be heard in person.
9. If no reply to this show cause is received within 07 days of its receipt, it shall be presumed that you have no defense to put in and, in that case, an ex-Parte decision shall be taken against you.

(Muhammad Uzair Ali)
District Education Officer (M)
Khyber at Jamrud

Encl: No. 17930-39, Date 11/13/2024

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

1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa.
2. Deputy Commissioner, Khyber.
3. DMO (EMA), Khyber.
4. Assistant Commissioner, Jamrud.
5. SOEO/ASDEO concerned.
6. Litigation Officer, Local Office.
7. ADEO Primary concerned.
8. Chairman VC-3, Jamrud.
9. Official concerned.
10. Master File.

District Education Officer (M)
Khyber at Jamrud

خدمت جناب ڈی ای او صاحب، بمقام جمود، ضلع خیبر۔

(شوکار ٹوٹن کا جواب از سائلہ PSHT GPS لاٹوز ۱۰)

جناب عالی!

نہایت ادب سے عرض ہے کہ بندہ سچے بخورصہ $\frac{11}{2513}$ ۱۳ کو بمقام

GPS، ہام آباد میں جناب کرسٹل رقابت علی صاحب (شوکار ٹوٹن کا جواب از سائلہ PSHT GPS لاٹوز ۱۰) کے انکوٹری کے تمام سوالات کا تحریری جوابات اذکے چکا ہے۔ اس انکوٹری کے سوال نمبر ۹ میں حساب کی غلطی ہے۔ عرض ہے کہ اس سے دیکھا جائے

صاحب والا

یہ درست ہے کہ اسکول لفظ کو کل ۱۱۷ لاکھ ۶۵ ہزار روپے ملے تھے جس میں

سے بندہ نے ۳ لاکھ ۵۰ ہزار اسکول کے مختلف کاموں پر خرچ کر کے بقیہ رقم ۱۴,۵۵,۵۵۰

سنگ آف خیبر میں اسکول کے اکاؤنٹ میں واپس جمع کئے عند ASDCO (ضلع اٹک) کے اسکول کے منظر تھا کہ اس رقم کو اس کے حوالہ کیا جائے

اسکول میں کئے گئے تمام کام کی تفصیل اس سے کامت اور درج ہے۔

انکوٹری کمیٹی سے جس میں ناچوری کا ذکر کیا ہے وہ سرسر غلط اور بے بنیاد ہے

اسکول کے A/C میں کل رقم = ۱۷,۶۵,۵۵۰/-

۳,۵۵,۵۵۰/-

اسکول پر خرچ کی گئی رقم = ۱۴,۵۵,۵۵۰/-

اب انکوٹری کمیٹی کا حساب = ۲,۳۵,۵۵۰/- روپے کا اس میں

اسکول پر خرچ کی گئی رقم = ۳,۵۵,۶۵۰/-

۲,۳۵,۵۵۰/- منہی کر کے

۷۰,۵۵۰

اس حساب سے میرا خرچہ صرف ۷۰,۵۵۰ روپے ہے۔ جو کہ بالکل غلط ہے

صاحب والا

بندہ صرف اینٹ اور سرسہ کا حساب عرض کرتا ہے

17 ہزار اینٹ پر فی اینٹ خرچہ = 2 روپے = 2 x 17000 = 34,000 روپے
 مکان ایک کمرے اور بڑا کمرے کے لئے لنگر اور کھانے کا خرچہ = 28,000 روپے
 تقریباً ایک ٹن سریرہ اکٹھا کیا گیا تھا۔
 مختصر تفصیل عرض ہے۔ " اینٹ، سریرہ "

جناب عالی! لاہور کے ایس ڈی کے ساتھ ساتھ کئی اسکول جو دھماکوں سے اڑا یا گیا تھا۔ اس کے
 اسکول کے استعمال کے لئے اور کئی اسکولوں کے اجراء کے لئے وقتاً فوقتاً ہجرت کرتے تھے۔
 تقریباً 4 ہزار اینٹ کو مسی شاہ خالد (S.M. Khalid) ہجرت کر کے لایا ہے۔ انکو لنگر کے جو اب
 میں اس بابت تحریر ہے کہ مذکورہ اینٹ کو شاہ خالد نے لنگر کے کھوکھے کھمت پر چار دیواری
 میں استعمال کیا ہے اگر بستر نہ ہو تو اسالی سے بیچالی جا سکتی ہے۔ اس کے علاوہ
 ان اینٹوں کے بہتوں میں بھی استعمال ہے۔
 اسکول کے 1/2 میں 60,000 روپے آئے ہیں جن سے مناسب کھانا کھانے ہوئے
 لنگر کے کھوکھے کے اسکول میں جمع کیا جائے۔ اس کیلئے اسکول سے خارج لڑکوں کو
 لالچ دیا کہ کوئی اینٹ ایک روپے کے حساب سے جتنا اینٹ جمع کر سکتے ہو وہ کھانے
 لنگر کے شاہ خالد جعفری اور ان کے ساتھ لنگر کے کھوکھے کے کھانے کے لئے لالچ یا آخر
 دور میں ہی اینٹ۔ اس کی صفائی اور اسکول میں لانا۔ اسی طرح 17 ہزار
 اینٹ جمع کیا۔ اینٹ جمع کرنے والوں کا دست لٹ ہے۔

2021-22 کو جناب سار صاحب سائیکل ڈیو ڈیو جیمر بنگہ سڈی ٹیگ صاحب ایس ڈی
 لاہور آئے تھے۔ ڈیو ڈیو صاحب کے ساتھ ساتھ کئی اسکول کے باہر شاہ مندرہ عمارت کی طرف نکل آیا۔ ڈیو ڈیو
 صاحب کو گرتے ہوئے کھمت میں سے نازہ نہیں ہوئی اور جوری کی جگہ بتائی اور بتایا کہ اسی طرح
 اوت آتے رہتے ہیں اور جوری کھیتے رات کو اینٹ، سریرہ یا جو بھی ہاتھ لگے لے جاتے ہیں۔
 اس کے ساتھ ساتھ صاحب نے تمام میٹریل کو اسکول میں اکٹھا کرنے کا حکم دیا تاکہ حکم پر عمل کر کے
 لنگر کے کھوکھے کے اسکول کو لنگر اور سریرہ نکالنے پر لگایا۔ وہ تھا TRP جو کیدار کا
 بیٹا ہے۔ اس کے دوسرے دن کہا کہ کون سا جی بہ مجھ سے نہ ہو سکے گا۔ اس کے
 ہاتھوں پر چھالے پڑے دکھائے دے رہے تھے۔ پھر میں نے اپنے گاؤں سے مزدور لے
 کر کام پر لگائے۔ جنہوں نے سخت محنت کر کے مکان ایک کمرے اور بڑا کمرے کو تیار کر سہا۔
 نکال کر اسکول میں جمع کیا۔ جس پر مزید 28 ہزار روپے کا خرچہ آیا۔
 پھر یہ آمد کی بات ہے کہ اس تمام سریرہ کو مسی شاہ خالد جو کیدار اسکول لایا تھا لنگر لے گیا
 اس کے خلاف میرے لئے والے ایس ڈی نے دفتر ایجوکیشن میں جوری کی درخواست دی تھی۔

GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE PRINCIPAL GHS ALAM GUDAR BARA KHYBER
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT KHYBER PAKHTUNKHWA

No. 1099 / 01/11/2023

DATE: 21/11/2023

Inquiry Report

To
The District Education Officer,
District Khyber.

Subject: Inquiry Report in Respect of GPS Lashora Jamrud

Memo.

Reference to the letter DEO Khyber, Encl No 11759, Dated: 01/11/2023, the undersigned has conducted the inquiry in subject as follows:

Annexure:

1. Office Order
2. Reply of the Questionnaire by concerned PSHT
3. Reply of the Questionnaire by the PTC Chairman of the subject school
4. Reply of the Questionnaire by the concerned STT
5. Reply of the Questionnaire by the Ex PSHT
6. Complaint by Chairman VC-3 Jamrud Khyber
7. Bank Deposit Receipt

Background History

The Chairman VC-3 Jamrud Khyber has submitted an application at DEO office Khyber against the Ex-PSHT GPS Lashora Jamrud, Mr. Atta Ur Rehman. The Chairman VC-3 has alleged Mr. Atta Ur Rehman for embezzlement in the conditional grants released to the concerned school. As per written statement of the Chairman VC-3 Jamrud, Mr. Atta Ur Rehman is involved in that embezzlement worth of 300000/- pkr.

Procedure Adopted

The committee visited GPS Lashora Jamrud Khyber on 13th November 2023, hence, the committee physically observed the school's premises and analyzed the issue in hand. Moreover, the concerned committee also met with the complainant regarding the complaint he raised. Subsequently, the committee served a questionnaire to the concerned PSHT, Chairman PTC committee. On the same day, a questionnaire was also placed before Ex PSHT Lashora Jamrud, Mr. Atta Ur Rehman, at GHS

ADEO (M)

19/12

D No. 1091

DATE 21/11/2023
PUT ON FILE
11/12/2023

GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE PRINCIPAL GHS ALAM GUDAR BARA KHYBER
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT KHYBER PAKHTUNKHWA



No. 1083 / Official Letter / GHSAG-BARA

DATE: 21/11/2023

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Hashim Abad Jamrud. Similarly, the STT of the concerned school, Mr. Shah Khalid was summoned at GHS Alam Gudar on 20th November 2023 for personal hearing along with the desired questionnaire.

Finding

The concerned committee has found the facts that GPS Lashora Jamrud has received the amount worth of 160000/- pkr under the heads of PTC fund for the construction of two additional rooms. Mr. Atta Ur Rehman, the Ex-PSHT of the aforementioned school, withdrew the whole amount from the PTC account, but he credited only 145000/- pkr back into the PTC account on 7th June 2021. Hence, he credited less than the actual amount, which is worth of 145000/- pkr.

Furthermore, the concerned official has received 160000/- pkr for the construction of group latrines. But, committee has physically observed that the alleged official has invested only up to 70000/- pkr in this regard for the purposes of renovation and maintenance of already existed group latrines. As per the physical observations, the alleged official has the outstanding amount worth of 90000/- pkr.

Recommendations

In the light of aforementioned findings, the undersigned came to the conclusion of the inquiry in hand as follows;

- The amount 235000/- maybe recovered from Mr. Atta Ur Rehman, Ex PSHT Lashora Jamrud Khyber.
- The students of the concerned school are sitting on the bare floor without doors and windows in their rooms in the severe cold conditions. Therefore, the suitable amount from the ptc fund may be allocated for the mentioned reasons.
- An inquiry committee may be constituted to probe about the bricks and iron which were taken away by Shah Khalid STT and Saeed Ullah Chowkidar respectively from the concerned damaged institute.

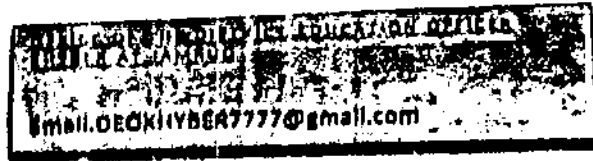
Mr. Syed Rifaqat Ali Shah (Chairman)
Principal

GHS Alam Gudar Bara Khyber

Mr. Iqbal Ullah (Member)

ASDEO LKL

235000
145000
90000



Amex
18

OFFICE ORDER

1. Whereas, Mr. Atta Ur Rehman Ex- PSHT GPS Lashora Now GPS Sur Kamar District Khyber, was proceeded against in accordance with Efficiency & Discipline Rules, 2011 for Rules 3 (a) (b) (c)
2. And whereas, an inquiry committee comprising of Mr. Syed Rifaqat Ali Shah Principal GHS Alam Godar Bam and Mr. Inayat Ullah ASDEO Landi Kotal was constituted vide this office No.11759 dated, 01/11/2023 as per complaint of Mr. Hussain Zada Chairman VC-3 Jamrud for the embezzlement of PTC fund of Rs. 235000/- vide his No.032 dated, 30/11/2023.
3. And whereas, the inquiry officers submitted inquiry report vide No. 1082 dated, 21/11/2023 along with recommendations, proved and held responsible for the embezzlement of PTC Fund of Rs. 235000/-.
4. And whereas, show cause was served upon him vide Endst: No.17930-39 dated, 11/03/2024 under Rules 3 (a) (b) (c) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.
5. And whereas, he submitted his reply to the show cause on dated: 29/03/2024.
6. And whereas, he was called for personal hearing vide this office No. 19036 dated, 16/04/2024 on 18/04/2024 but he did not provide proof on his defense.
7. And whereas, the authority, having considered the inquiry report, the material on record, reply to the show cause and personal hearing, is of the view that the charge against is proved as specified in Rules 3 (a) (b) (c) established against him in the inquiry report.

Now therefore, in exercise of the powers conferred by the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, rule 14, the Competent Authority (District Education Officer (Male) Khyber) is pleased to impose the minor penalty of "Censure" in accordance with Rule-4 (a) (i) and 7(4) (a) (iii) upon Mr. Atta Ur Rehman Ex- PSHT GPS Lashora Now GPS Sur Kamar District Khyber with the direction to deposit the Rs. 235000/- in the PTC account of GPS Lashora Jamrud within 15 days in the best interest of public.

(Muhammad Uzair Ali)
Competent Authority
District Education Officer (M)
DASE Khyber, Khyber Pakhtunkhwa
Date: 25/4/2024

Endst: Even No. 19889-95

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

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa.
2. Deputy Commissioner District Khyber.
3. District Accounts Officer Khyber.
4. SDEO Jamrud with the direction to recovery that come under intimation to this office.
5. ADEO Local Office.
6. Official concerned.
7. Master File.

Competent Authority
District Education Officer (M)
DASE Khyber, Khyber Pakhtunkhwa

Dist. Govt. KP Provincial
District Accounts Office Khyber
Monthly Salary Statement (May-2024)

Ammen 19/18



Personal Information of Mr. ATTA UR REHMAN JAVIS of QISSAN KILAN

Personnel Number: 00412163 CNIC: 2120256802841
Date of Birth: 20.02.1967 Entry into Govt. Service: 28.11.1992

NTN: Length of Service: 31 Years 06 Months 005 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL HEAD TEACH. 80926125-DISTRICT GOVERNMENT KHYBER

DDO Code: KH6013-DEO, Primary Education, Khyber

Payroll Section: 001

GPF Section: 001

Cash Center: 24

GPE A/C No: KFEEDU/2488

GPF Interest applied:

GPF Balance:

462,688.00 (provisional)

Vendor Number:

Pay and Allowances:

Pay scale: BPS For - 2022

Pay Scale Type: Civil BPS: 15

Pay Stage: 23

Wage type	Amount	Wage type	Amount
1001 Basic Pay	69,460.00	1001 House/Rent Allowance 35%	3,524.00
1210 Convey Allowance 2005	2,856.00	1300 Medical Allowance	1,500.00
1528 Unattractive Area Allow	1,000.00	2148 15% Adhoc Relief All-2013	915.00
2199 Adhoc Relief Allow @10%	614.00	2316 Teaching Allowance 2021	3,224.00
2341 Dispr. Rel: All 15% 2022 KP	6,607.00	2347 Adhoc Rel: All 15% 22 (PS 17)	6,608.00
2378 Adhoc Relief All 2023 35%	23,618.00		0.00

Deductions - General:

Wage type	Amount	Wage type	Amount
3015 GPF Subscription	1,290.00	3501 Benevolent Fund	1,200.00
3523 Professional Tax	1,200.00	3609 Income Tax	2,805.00
3914 Education (ROP)	9,792.00	3900 Emp. Edu. Fund KPK	135.00
4004 Residential & Death Comp	0.00		0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 43,651.44 Recovered till MAY-2024: 29,934.00 Exempted till 09.12.62: Recoverable: 2,805.00

Gross Pay (Rs.): 119,926.00 Deductions (Rs.): 20,022.00 Net Pay (Rs.): 99,904.00

Payee Name: ATTA UR REHMAN

Account Number: 6134-3

Bank Details: ALLIED BANK LIMITED, 250302-B.I.S.E. Jinnah Rd, Peshawar B.I.S.E. Jinnah Rd, Peshawar, Peshawar

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: City: PESHAWAR District: Housing Status: No Official
Temp Address: City: Email: fageedurrehman2018@gmail.com

System generated document in accordance with AT/PM 4.6.12.9(87176/28.05.2024)K3.D)
* All amounts are in Pak Rupees.
* Errors, Omissions & Exceeded (SERVICES/04.06.2024/00-15-02)

Handwritten signature



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

No. 5522 / P&D PTC. CONDITION GRANT DATED 3/07/2024

Annex F
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To
District Education Officer (M)
Khyber

Subject: - APPEAL
Memo:

I am directed to enclose herewith photo copy of an appeal lodged by Atta Ur Rehman Ex PSHT at G.P.S Lashara Jamrud Khyber for further necessary action under intimation to this directorate please.

Endo No: 5523-24
Copy forwarded to the:-

- 1 P.A to Director E&SE Khyber Pakhtunkhwa Peshawar.
- 2 PA to Chief Planning Officer E&SE Department Khyber Pakhtunkhwa.

Assistant Director (P&D)

Assistant Director (P&D)

25-7-2024

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To

The Director
Elementary & secondary Education,
Khyber Pakhtunkhwa Peshawar

Subject **DEPARTMENTAL APPEAL AGAINST THE ORDER/FINDINGS OF DEO (M) KHYBER AT JAMRUD DATED 25.04.2024 UNDER WHICH THE PENALTY OF "CENSURE" IS IMPOSED BY DIRECTING DEPOSITING OF DISPUTED AMOUNT OF RS.235,000/- IN THE STIPULATED TIME IN CONNECTION WITH ALLEGED DECLARED INVOLVEMENT OF THE APPELLANT IN THE ALLEGEDLY DECLARED EMBEZZLEMENT IN UTILIZATION OF THE CONSTRUCTION FUNDS APPROVED BY THE LOCAL GOVERNMENT.**

Prayer-In-Appeal

On acceptance of this appeal the impugned order/findings of the worthy DEO (M) of Jamrud District Khyber dated 25.04.2024 may kindly be set aside by declaring it illegal, unlawful, result of misapplication of the liability of appellant may please be quashed by exonerating the appellant from deposit of the above disputed amount.

[Handwritten signature]

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Respected Sir

- 1) That the appellant is currently performing his duty in Government Primary School, Sur Kamar Jamrud, District Khyber as (PSHT), since and above 3 years consistent having unblemished character of his official obligations in respect as mark of appreciation.
- 2) That the local government approved the funds while allocated the school of vicinity in the year of 2020. The document served to the especially Show Cause Notice that amount of Rs.1760000/- was pleased to approved, out of which the allegation leveled to the appellant about Rs.235000 embezzlement.
- 3) That Show Cause Notice is served upon the appellant which properly replied on behalf of the appellant, but the proper proceeding was not adopting by the department. (Copy of Show Cause Notice is attached).
- 4) That thereafter enquiry is shown to be allegedly conducted by the office of DEO (Male) comprising one of the member of which

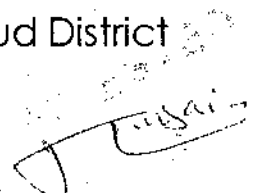
7/10/2021
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comprising of one of the member of which was principle of the above school of the appellant. The department not conducted the inquiry according to the law and rule and all proceeding was conducted malafidely.

- 5) That after the said inquiry in absence of the appellant and other material alleged record the impugned findings of the office of DEO Male Khyber are pronounced against the appellant which regard to payment of Rs.235000/- in a stipulated time by awarding censure punishment. (Copy of the order dated 25.04.2024 is attached).
- 6) That all the proceedings against the appellant was not conducting according to lawful manner and not given of opportunity of hearing to the appellant.
- 7) That the appellant has been treated in accordance with law and he has been deprived from equal protection of law.

It is, therefore humbly prayed that on acceptance of this appeal the impugned order/findings of worthy DEO Male Jamrud District



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Khyber dated 25.04.2024 may kindly be set aside and declaring all the proceedings against the appellant is illegal, against the law and result of misapplication of the liability having no force in the eye of law.

Any other relief deemed proper may also be granted in favour of the appellant.

Appellant

Atta ur Rehman

Ex-PSHT

At GPS Lashora Jamrud

Dated 28.06.2024

28/06/2024
Atta ur Rehman

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قیمت 50 روپے	71578 Khalid	پشاور بار ایسوسی ایشن، خیبر پختونخواہ
ایڈووکیٹ Shahid Hussain Naqvi	پشاور بار ایسوسی ایشن نمبر: 11-414	PESHAWAR BAR ASSOCIATION
رابطہ نمبر: 03459208982		QR Code

بعدالت جناب: *Shahid Hussain Naqvi*

دعویٰ:	مخائب / Petitioner / Appellant
علت نمبر:	
مورد:	مسئلہ الہدائن بنام ڈاکٹر مظہر
جرم:	
تھانہ:	

بابت تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ
 آن مقام *مسئلہ الہدائن بنام ڈاکٹر مظہر* کیلئے *مسئلہ الہدائن بنام ڈاکٹر مظہر*
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقررات و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی، نیز
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پڑا دستخط منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

Shahid Hussain Naqvi
 عطا الہدائن ولد قسیم خان (مردم)
 مسئلہ الہدائن ولد قسیم خان

المترقوم: *Accepted by 20*
 العا *Shahid Hussain Naqvi*
 مقام *Shahid Hussain Naqvi*
 کے لیے منظور ہے۔