



CLOSURE FINDINGS		
1	COMPLAINT NO.	PO/Complaint/1080/04/2024.
2	NAME & ADDRESS OF THE COMPLAINANT	Mr. Javed Khan c/o Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar (Contact # 0302-9408656)
3	NAME OF THE AGENCY COMPLAINED AGAINST	1. Director, Elementary & Secondary Education Khyber Pakhtunkhwa. 2. District Education Officer (Male), Mohmand.
4	NAME OF THE INVESTIGATION OFFICER	Muhammad Ibrahim, Assistant Director (Media & Research).
5	SUBJECT OF COMPLAINT	Non-payment of Salary.
6	DATE OF REGISTRATION	04/04/2024.
7	DATE OF FINDINGS	27/09/2024.

THE COMPLAINT

Mr. Javed Khan instituted the instant complaint contending that he was appointed as “CT Teacher” in the Office of District Education Officer (Male) Mohmand and was designated as Legal representative in the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa w.e.f 28/08/2023 and added that he performed his duties in the Directorate of E&SE Khyber Pakhtunkhwa with dedication and enthusiasm. He also contended that issuance of seniority list of all CT Teachers and their salaries were required to be processed by the DDO concerned, but unfortunately DEO (Male) Mohmand Mr. Liaquat Ali failed to perform his duty. He made several requests to the concerned officers but due to unprofessional attitude, malafide intention and biased behavior of the DEO (Male), the complainant was deprived of his legal rights. He has requested this forum for redressal of his grievance.

REPORT OF THE AGENCY

Notices in terms of Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 were issued to Director, Elementary and Secondary Education Khyber Pakhtunkhwa, and District Education Officer (Male), Mohmand to meet the allegations and submit reply including rebuttal, if any. In response, DEO (Male) Mohmand informed that the complainant was a habitual absentee who consistently neglected his duties. He was proceeded against under Efficiency and Disciplinary Rules, 2011 and was awarded minor penalty of withholding of one increment for one year without commutation effect by the competent authority after completing all the codal formalities. Despite this, the complainant’s absenteeism persisted leading to further disciplinary action and eventual removal from service w.e.f 01/06/2023 after completion of all codal formalities. The Agency further informed that the Director Elementary and Secondary Education Khyber Pakhtunkhwa astonishingly transferred his duties to Directorate of E&SE Khyber Pakhtunkhwa despite the fact that he was already removed from his service. The Agency also



**OMBUDSMAN (محتسب) SECRETARIAT,
GOVERNMENT OF KHYBER PAKHTUNKHWA**

informed that finally complainant was adjusted at GMS Habibzai but he did not report for duty till date. Therefore the Agency requested that his complaint being baseless may be rejected.

REJOINDER

Reply of the Agency was sent to the complainant for his feedback/rejoinder. Despite being given an extended period of time, he did not submit any rejoinder.

FINDINGS

Perusal of record shows that the complainant failed to rebut the stance of the Agency within the stipulated time despite repeated notices. It can, therefore, be safely presumed that the complainant does not want to pursue his case further. As such, investigation in the complaint is closed in terms of Regulation 17 (d) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation, and Disposal of Complaints) Regulations, 2011.


Syed Jamalud din Shah
Provincial Ombudsman.

27.9.2024