

Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	30.08.2019	<p align="center"><b><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></b>  <b>Service Appeal No. 519/2018</b></p> <p>Date of Institution ..... 13.04.2018  Date of Decision ..... 30.08.2019</p> <p>Gulshan Ara Ex-Senior Primary School Teacher GGPS Taj Ali Kot  Miran Shah North Waziristan Agency.</p> <p align="right"><b>Appellant</b></p> <p align="center"><b>Versus</b></p> <p>1. Director Education FATA, Khyber Pakhtunkhwa Peshawar.  2. Agency Education Officer, North Waziristan Agency at Miran Shah.</p> <p align="right"><b>Respondents</b></p> <p><b>Mr. Muhammad Hamid Mughal-----Member(J)</b>  <b>Mr. Ahmad Hassan-----Member(E)</b></p> <p align="center"><b><u>JUDGMENT</u></b></p> <p><b><u>MUHAMMAD HAMID MUGHAL, MEMBER: -</u></b> Learned counsel for appellant and Mr. Zia Ullah learned Deputy District Attorney present.</p> <p>2. This Single/common judgment in the above captioned service appeal shall also dispose of service appeal bearing No.520/2018 filed by Mst. Salma, service appeal bearing No.521/2018 filed by Mst. Akhtar Numana, service appeal bearing No.522/2018 filed by Mst. Nusrat Kalsoom, service appeal bearing No.523/2018 filed by Mst. Zainab Bibi, service appeal bearing No.524/2018 filed by Mst. Kauser Shabana, service appeal bearing No.525/2018 filed by Mst. Mehnaz,</p>

30.8.2019

service appeal bearing No.526/2018 filed by Mst. Zartaj Begum and service appeal bearing No. 527/2018 filed by Mst. Baswari Begum being identical in nature having arisen from the same facts and circumstances.

3. The appellant (Ex-Senior Primary School Teacher) has filed the present appeal against the order dated 13.12.2017 whereby she was awarded major penalty of removal from service on the charge of absence from duty.

4. Learned counsel for the appellant argued that the appellant was removed from service without observing the codal formalities. Learned counsel for the appellant also pleaded that one of similarly placed person namely Mst. Shabnam who was also removed from service vide order dated 13.12.2017 by the same authority on the ground of absence from duty, has been reinstated in service on the acceptance of her service appeal bearing No.393/2018 vide judgment dated 11.04.2019.

5. As against that learned Deputy District Attorney resisted the present service appeal and the connected service appeals on the ground that schools were checked on different dates and it was proved that all the terminated teachers remained absent from duties for long time and that the habitual absenteeism remained constant. Further argued that through local media notices were given to all the habitual absent teachers, similarly absence notice was also published in the daily newspaper in relation to the absent female teachers including the appellants, however they did not report for duty.

6. Arguments heard. File perused.

30.8.2019

7. After issuance of Show Cause Notice and publication of absence notice in the daily Mashriq, many female teachers were removed from service by the Agency Education Officer North Waziristan Agency vide separate orders dated 13.12.2017.

8. There is no dispute that out of those removed female teachers, one of the PST Mst. Shabnam/similarly placed person, has been reinstated in service by this Tribunal vide judgment dated 11.04.2019 in Service Appeal bearing No.393/2018.

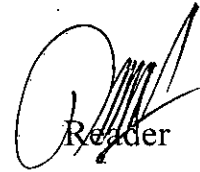
9. In view of above, the impugned orders of removal from service dated 13.12.2017 in relation to the appellants, are set aside and the appellants namely Mst. Gulshan Ara, Mst. Salma, Mst. Akhtar Numana, Mst.Nusrat Kalsoom, Mst. Zainab Bibi, Mst. Kauser Shabana, Mst. Mehnaz, Mst. Zartaj Begum and Mst. Baswari Begum are reinstated in service and their absence period and the intervening period shall be treated as leave without pay. All the appeals are accepted in the above noted terms. Parties are left to bear their own costs. File be consigned to the record room.

  
(Ahmad Hassan)  
Member

  
(Muhammad Hamid Mughal)  
Member


ANNOUNCED.  
30.08.2019

26.06.2019 Counsel for the appellant and Addl: AG alongwith Mr. M. Sharif, ADEO for respondents present. Due to incomplete bench the case is adjourned to 30.08.2019 before D.B.




Reader

30.08.2019 Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Vide separate/common judgment of today of this Tribunal placed on file, the impugned order of removal from service dated 13.12.2017 in relation to the appellant, is set aside and the appellant is reinstated in service and her absence period and the intervening period shall be treated as leave without pay. The appeal is accepted in the above noted terms. Parties are left to bear their own costs. File be consigned to the record room.



(Ahmad Hassan)  
Member




(Muhammad Hamid Mughal)  
Member

ANNOUNCED.  
30.08.2019

20.02.2019 Learned counsel for the appellant present. Daud Jan Superintendent representative of the respondent department present. Learned counsel for the appellant seeks adjournment to file application for the change of nomenclature of respondents due to the merger of FATA in Khyber Pakhtunkhwa. Adjourn. To come up for further proceedings on 27.02.2019 before S.B.

  
Member

27.02.2019 Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Naseem Mehmood, ADO for respondents present. Written reply on behalf of respondents submitted which is placed on file. Counsel for the appellant is also submitted amended copy of memo of appeal. To come up for rejoinder and arguments on 15.05.2019 before D.B.

  
Member  
(Ahmad Hassan)

15.05.2019 Counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present.

Due to demise of his father, learned Member of the Bench (Mr. Hussain Shah) is on leave. Adjourned to 26.07.2019 for arguments before the D.B.

  
Chairman

10.10.2018

Counsel for the appellant Mr. Muhammad Saeed Khattak, Advocate present. Mr. Kabirullah Khattak, Addl. AG for the respondents present and made a request for adjournment. Granted. To come up for written reply/comments on 19.11.2018 before S.B.

  
Chairman

19.11.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG on behalf of the respondents present. Representative of the respondent-department is not in attendance therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. Case to come up for written reply/comments on 08.01.2019 before S.B.

  
**Muhammad Amin Khan Kundi**  
Member

08.1.2019

Clerk of counsel for the appellant present.  
Nemo for the respondents.

Notices be repeated to respondents for attendance and submission of written reply/comments on 20.02.2019 before S.B.

  
Chairman

27.06.2018

Appellant absent. Learned counsel for the appellant absent. Adjourned. To come up for preliminary hearing on 20.07.2018 before S.B.



Member

20.07.2018

None for the appellant present. Adjourned. To come up for preliminary hearing on 08.08.2018 before S.B.



(Ahmad Hassan)  
Member

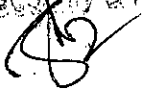
10.08.2018

Mr. Muhammad Saeed Khattak, Advocate counsel for the appellant present and heard in limine.

Contends that major punishment of removal from service has been imposed on the appellant on the ground that on 01.09.2017 she was found absent from her duty whereas from 01.09.2017 to 04.09.2017 were declared as public holidays.

Points raised need consideration. The appeal is admitted to full hearing, subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 10.10.2018 before S.B.

Appellant Deposited  
Security & Process Fee



Chairman

**Form-A**  
**FORM OF ORDERSHEET**

Court of \_\_\_\_\_

Case No. 519/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	13/04/2018	<p>The appeal of Mst. Gulshan Ara presented today by Mr. Muhammad Saeed Khattak Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 13/4/18</p>
2-	13/04/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>30/04/18.</u></p> <p style="text-align: right;"><i>[Signature]</i> MEMBER</p>
	30.04.2018	<p>Clerk of the counsel for appellant present. The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore the case is adjourned. To come up for the same on <b>27.06.2018</b> before S.B.</p> <p style="text-align: right;"><i>[Signature]</i> Reader</p>



BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 519 /2018

Mst. Gulshan Ara  
(Appellant)

Vs

Director Education, & Another  
(Respondents)

INDEX

S#	DESCRIPTION OF DOCUMENTS	ANNEX	PAGE
1	Amended Memo of Service Appeal	--	1-3
2	Copy of Appointment Letter	A	4-7
3	Copy of publication	B	8
4	Copy of the reply	C	9
5	Copy of impugned Order dt 13.12.2017	D	10
6	Copy of Departmental Appeal	E	11
7	Copy of Press Release	F	12
8	Copies of relevant pages of Attendance Register	G	13-15
9	Wakalatnama	--	16

Dated:- \_\_\_\_\_

Appellant  
Through

Muhammad Saeed Khattak  
Advocate, Peshawar  
D6, JK Shopping Mall,  
University Road, Peshawar  
Cell No. 03336272753

**BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. .... 579 ..... /2018

*Mst. Gulshan Ara Ex. S-PST, GGPS, Taj Ali Kot, Miran Shah, North Waziristan Agency (now District North Waziristan)..... (Appellant)*

**Versus**

1. *Director Education, FATA, (now KPK) Peshawar*
2. *District Education Officer (previously Agency Education Officer) District North Waziristan at Miran Shah..... (Respondents)*

AMENDED, SERVICE APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNAL ACT, 1974, AGAINNST THE IMPUGNED ORDER DATED 13.12.2017 PASSED BY RESPONDENT NO. 2 WHEREBY THE DEPARTMENTAL APPEAL DATED 05.01.2018 TO RESPONDENT NO. 1 HAS YET NOT BEEN DISPOSED OF.

**PRAYER-IN-APPEAL**

*ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL THE IMPUGNED ORDER DATED 13.12.2017 PASSED BY RESPONDENT NO. 2 MAY VERY GRACIOUSLY BE SET ASIDE AND THE APPELLANT MAY KINDLY BE RE-INSTATED ON THE POST; WITH ALL BACK BENEFITS.*

**Respectfully Sheweth,**

1. That, the appellant consequent upon the approval of Departmental Selection Committee was appointed as PTC (Female) in BPS 09 and took over charge of her duty on 14.04.2010. *(Copy of the Charge Report is attached as annexure A)*
2. That, after taking charge of her duties she performed her duties during the service whole heartedly and to the quite satisfaction of officials concerned as well as according to the demand and nature of the job.
3. That, the appellant came to know about a publication published in daily "Mashriq" dated 03.12.2017 regarding her absence from duty along with other female teachers.

Furthermore according to the said publication a show cause notice was issued to her. But the appellant has received no such notice. *(Copy of the publication is attached as annexure B)*

4. That, in compliance the appellant submitted a reply in the office of respondent No. 2 along with relevant documents in her defense. *(Copy of the reply is attached as annexure C)*
5. That, thereafter the respondent No. 2 vide impugned order dated 13.12.2017 removed the appellant from service against all the norms of justice. *(Copy of the impugned order dated 13.12.2017 is attached as annexure D)*
6. That, being aggrieved of the same the appellant preferred an appeal before respondent No. 1 on 28.12.2017 which has yet not been responded. *(Copy of the departmental appeal is attached as annexure E)*
7. That, the appellant now prefers the instant Service Appeal, inter alia, on the following amongst others;

#### **GROUNDS**

- A. That, the appellant has not been treated in accordance with law nor has equal protection of law has been extended to her. The so called visit mentioned in the notification dated 13.12.2017 is illegal, against law, without lawful authority, void ab initio for the reason it has been passed on the ground of remaining absent from the duty on 01.09.2017. On the said date public holiday was notified. Therefore the mentioned notification dated 13.12. 2017 and all proceedings thereafter based on it are illegal and liable to be set aside.
- B. That, according to notification dated 13.12.2017 (Impugned herein) in its first para that appellant was

found absent from duty during monitoring visit of the concerned Assistant Agency Education Officer to the School on 01.09.2017. with due respect it is stated that according to Press Release dated Islamabad 23<sup>rd</sup> August 2017 it was notified for the general information that 1<sup>st</sup> to 4<sup>th</sup> September 2017 (Friday, Saturday, Sunday and Monday) shall be public holidays on the occasion of Religious Festival of Eid-ul-Azha. *(Copy of the press release is attached as annexure F)*

- C. That, it is quite astonishing that how Assistant Agency Education Officer managed the visits of too many schools on 01.09.2017 (which was public holiday) and only cases of non-local female teacher were reported.
- D. That, according to para 3 of the notification issued by respondent no. 2 the appellant did not report to her duty within stipulated period of time and turned deaf ear is quite baseless, wrong as well as against the record. As mentioned earlier the appellant remained present on her duty beside the mentioned date because it was a public holiday.
- E. That, while awarding major penalty no proper procedure was adopted. Otherwise too the impugned order has been passed with retrospective effect which is nullity in the eyes of law.
- F. That, any other ground can also be taken during the arguments with permission of this Hon'ble Tribunal.

*It is, therefore, most humbly prayed that the instant service appeal may be allowed as per prayer. Any other relief which has not been specifically asked for and deem fit in the circumstances of the case may also be granted to the appellant.*

Dated:- \_\_\_\_\_

Appellant  
THROUGH  
Muhammad Saeed Khattak  
Advocate, Peshawar

*Case*  
*Muhammad Saeed Khattak*

**BEFORE THE K.P.K. SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 519/2018

Gulshan Ara Ex. Senior Primary School Teacher. .... (Appellant)

**VERSUS**

Director Education, FATA & another ..... (Respondents)

**I N D E X**

S.No.	Description of Documents	Annexure	Pages
01	Memo of Service Appeal		1-3
02	Copy of the appointment	A	4-7
03	Copy of the publication	B	8
04	Copy of the reply	C	9
05	Copy of the order dated 13-12-2017	D	10
06	Copy of the departmental appeal	E	11
08	Copy of the Press Release	F	12
08	Copies of relevant pages of the attendance register	G	13-15
<del>11</del> 09	Wakalatnama		16

Dated:-

Appellant  
Through

Muhammad Saeed Khattak

Advocate, Peshawar.

Mob. 03336272753

①

**BEFORE THE K.P.K. SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 519...../2018

Gulshan Ara Ex. Senior Primary School Teacher GGPS Taj Ali Kot Miran Shah  
North Waziristan Agency.

(Appellant) **Khyber Pakhtunkhwa  
Service Tribunal**

**VERSUS**

Diary No. 551

1. Director Education, FATA, KPK, Peshawar.
2. Agency Education Officer, North Waziristan Agency at Miran Shah.

Dated 13-4-2018

(Respondents)

**SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER DATED 13 /12 /2017, PASSED BY RESPONDENT NO.2 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT TO RESPONDENT NO. 1 AGAINST THE ORDER DATED 13.12.2017 PASSED BY RESPONDENT NO. 2 IS/WAS NOT DISPOSED WITHIN STATUTORY PERIOD.**

**PRAYER – IN – APPEAL**

**ON ACCEPTANCE OF THE INSTANT APPEAL THE IMPUGNED ORDER DATED 13.12.2017 PASSED BY RESPONDENT NO. 2 MAY VERY GRACIOUSLY BE SET ASIDE AND THE APPELLANT MAY KINDLY BE RE-INSTATED ON THE POST WITH ALL BACK BENEFITS.**

Respectfully Sheweth;

1. That the appellant consequent upon the approval of Departmental Education Committee was appointed as PTC (Female) in BPS-07 on 13.09.2007. (Copy of the appointment order is attached as annexure A)
2. That the appellant thereafter took the charge of her duties and performed her duties during the service whole heartedly and to the quite satisfaction of officials concerned as well as according to the demand and nature of her duties.
3. That the appellant came to know about a publication published in daily "Mashriq" dated 03.12.2017 regarding an appellant's absence from the duty along with other female teachers. Further in the said publication a show cause notice has been mentioned, which is/was issued to the appellant but the appellant has received no show cause notice. (Copy of the publication is attached as annexure B)

Filed to-day

Registrar

13/4/18

- 4. That in compliance, the appellant submitted a reply in the office of respondent No. 2, the appellant submitted her reply on 08.12.2017 along with copies of relevant pages teachers attendance register. (Copy of the reply is attached as annexure C)
- 5. That thereafter the respondent No. 2 vide order dated 13-12-2017 removed the appellant from the service illegally, unlawfully and without going through the available record for the reasons best known to him. (Copy of the order dated 13-12-2017 is attached as annexure D)
- 6. That being aggrieved of the same the appellant preferred a departmental appeal before Respondent No.1 on 28-12-2017, which has not been decided till statutory period. (Copy of the departmental appeal is attached as annexure E.)
- 7. That the appellant now prefers the instant Service Appeal, inter alia, on the following amongst others;

**GROUNDS**

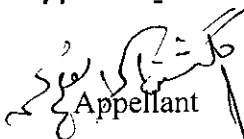
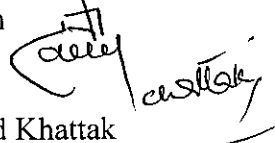
- A. That the appellant has not been treated in accordance with law nor has equal protection of law been extended to her. The so called visit mentioned in the notification dated 13-12-2017 is illegal, against law, without lawful authority, void ab initio for the reason it has been passed on the ground of remaining appellant absent from the duty on 01.09.2017. On the said date public holiday was notified. Therefore the mentioned notification dated 13-12-2017 and all proceedings thereafter based on it are illegal and liable to be set aside.
- B. That according to notification dated 13-12-2017 (impugned herein) in its first para that appellant was found willfully absent from duty during monitoring visit of the concerned Assistant Agency Education Officer to the School on dated 01.09.2017. With due respect it is stated that according to Press Release dated Islamabad 23<sup>rd</sup> August 2017 it was notified for the general information that 1<sup>st</sup> to 4<sup>th</sup> September 2017 (Friday, Saturday, Sunday and Monday) shall be public holidays on the

occasion of Religious Festival of Eid-ul-Azha. (Copy of the Press Release is attached as annexure F)

- C. That it is quite astonishing that how Assistant Agency Education officer visited too many schools on 01.09.2017 (which was public holiday) and only cases of Non Local Female Teachers were reported.
- D. That according to para 3 of the notification issued by Respondent No. 2 that the appellant did not report to her duty within stipulated period of time and turned deaf ear is quite baseless, wrong as well as against the record. As mentioned earlier the appellant remained present on her duty beside the mentioned date, because it was notified public holiday. (Copies of relevant pages of the attendance register are attached as annexure G)
- E. That while awarding major penalty of removal from service no proper procedure was adopted, otherwise too the impugned order has been passed with retrospective effect which is nullity in the eyes of law.
- F. That any other ground can also be taken during the course of arguments with permission of this Hon`ble Tribunal.

It is therefore most humbly prayed that on acceptance of the instant appeal the impugned order dated 13.12.2017 passed Respondent No. 2 may very graciously be set aside and the appellant may kindly be re-instated on the post with all back benefits.

*Any other relief which has not specifically asked for and deems fit in the circumstances of the case may also be awarded to the appellant.*

  
Appellant  
Through 

Muhammad Saeed Khattak  
Advocate, Peshawar.



Annex-A

S.No. (10)

(4)

OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY.APPOINTMENT ORDER

Consequent upon the approval of Departmental Selection Committee, the following PTC (Female) Non Local Trained Candidates are hereby appointed in BPS-7 (RS:2220-120-5920/PM) Plus usual allowances on CONTRACT basis for Three Years with effect from their taking over charge in the Schools noted against their names:-

S.No.	M/No.	Name With Father's Name	Name of School	Remarks
1.	01	Shamim Akhtar D/O Mehr Amin(BU)	GGPS Nek Umer Kot	V/Post
2.	02	Rozina Shebnum D/O Mohd Azim(Pesh.)	GGPS Haji Mohd	V/Post
3.	03	Farya Bibi D/O Noor Mohd (MKD)	GGPS Akram Kot	"
4.	04	Sherafat Begum D/O Nek Mohd(MKD)	-do-	"
5.	17	Sumera Iftikhar D/O Iftikhar Ahmed(PR)	GGPS Noor Mohd(Khushali)	
6.	46	Samina Raz D/O Akbar Ali(Karak)	GGPS Zardat Kot	V/Post
7.	07	Maryum Jamila D/O Dr:Iqbal M.Shah(KK)	-do-	"
8.	67	Musarat Perveen D/O Mir Sarfraz(KK)	GGPS Gul Zardat Garyum	
9.	09	Ume Kalsoom D/O Amin Ahmad (MKD)	GGPS Madak Kot	"
10.	10	Kalsoom Ara D/O Fazli Kabir(MKD)	-do-	"
11.	12	Naheed Akhtar D/O Ghulam Qasim(BU)	GGPS Mir Zeli Kot	"
13.	13	Shahista D/O Fatch Khan (Mardan)	GGPS Mir Kazim Kot	"
14.	31	Baq Nihar D/O Bahim Dad (Mardan)	-do-	"
15.	14	Nasreen Akhtar D/O Hakim Khan(KK)	GGPS Jehangir Kot	"
16.	15	Sakeem Akhtar D/O Dilwar Khan(KK)	-do-	"
17.	16	Bibi Aamina D/O Mehr Amin (BU)	GGPS Hanayun	"
18.	05	Janet Bibi D/O Rahim Gul (Pesh.)	GGPS Mohd Khan Seer Kot"	
19.	19	Zaibun Nisa D/O Rahim Gul(Pesh.)	-do- -do-	"
20.	18	Irum Iqbal D/O Amir Sultan(BU)	GGPS Sardar Ali	"
21.	20	Ghazala Bukhari D/O Kifayat Ali Shah(PR)	GGPS Bakhtali"	
22.	21	Shakila D/O Amir Zaman (MKD)	GGPS Gul Mati	"
23.	22	Surraya Bibi D/O Din Mohd (KK)	GGPS Janet Mir Kot	"
24.	23	Gul Naz Akhtar D/O Nek Nawaz(KK)	-do- -do-	"
25.	24	Nazla Bibi D/O S.Sadiq Shah(KT)	GGPS Noor Khan Sheera Tala"	
26.	25	Rozina Salim D/O Mohd Salim (MKD)	GGPS Ahmed Gul	"
27.	22	Rozina D/O Hamid Khan (MKD)	GGPS Gul Dad Kot	"
28.	32	Naheed Akhtar D/O Mohd Hazrat(MKD)	GGPS Danager Kot	"
29.	34	Tabassum Ara D/O Sher Zaman (MKD)	GGPS Sindai	"
30.	40	Shazia D/O Sultan Zeb (..)	-do- -do-	"
31.	47	Naheed Khan D/O Khanullah (MKD)	GGPS Qutab Khan Mani Rogha	
32.	48	Sardar Begum D/O Bil Wali Khan(MKD)	GGPS Aler Gul	"
33.	64	Kishwar Begum D/O Bakht Nurir Khan(MKD)	GGPS Sardar Khan"	
34.	74	Nargus Perveen D/O Saadullah Khan(MKD)	GGPS Gul Kheon "	
35.	77	Farzana D/O Rehman Shorif (MKD)	-do- -do-	"

Contd: Page...2

36	43	Zahida Bibi D/O Jan Mohd (Charsadda)	GGPS Machheer V/Post
37	55	Shama Begum D/O Zarin Khan (Charsadda)	GGPS S. Saleh Gul "
38	65	Rukhsana Begum D/O Zarin Khan (Charsade)	-do- -do-
39	26	Shahida Begum D/O Shed Mohd (KK)	GGPS Eider Jan "
40	27	Halima Bibi D/O Shamsud Din (Sawabi)	GGPS Sakhi Mar Jan "
41	70	Nazia Jamal D/O Sayed Jamal (Sawabi)	-do- -do- "
42	29	Hanida Begum D/O Aminullah (MKD)	GGPS Mohd Nawaz Spinwan
43	30	Aiesha Bibi D/O Safi Jan (Lakki)	GGPS Mir Saleh Jan "
44	11	Safia Bibi D/O Aman Gul (KK)	GGPS Scadet Khan "
45	42	Nilofer D/O Mohd Gul (Gardan)	GGPS Gul Mankor "
46	59	Shemim Akhtar D/O Mubarik Shah (Mardan)	GGPS Mohd Noor Dalil K
47	90	Malika D/O Mehmood Khan (Mardan)	GGPS Mohd Nawaz Khushal
48	35	Sharefat Bibi D/O Muntaz Khan (PR)	GGPS Nek Dara z M. Khel.
49	37	Amina Begum D/O Dura Khan (PR)	-do- -do-
50	36	Chand Gul D/O Ahmed Saood (Charsadda)	GGPS Akbar Khan Spinwan.
51	95	Shazia Gul D/O Bad Shah Gul (Charsadda)	-do- -do-
52	39	Shaukat Sultana D/O Amin Jan (KK)	GGPS Faqir Mitari V/P
53	56	Nargus Sultana D/O Amin Jan (KK)	-do- Noor Mohd L. Khel
54	38	Sedra Rehman D/O Mohd Rehman (BU)	GGPS Sayed Nawaz Ippi.
55	41	Bibi Sejida D/O Gul Payo (KK)	GGPS Sardar Habibullah
56	44	Zubida Khatoon D/O Sahib Gul (KK)	GGPS Najim Khan Spulga
57	45	Mahmooda Salim D/O Sher Dawal (KK)	GGPS Gul Zare Tall
58	06	Tahira Amberin D/O Mohd Ayez (KK)	GGPS Ajab Khan Shewa
59	52	Nighat Shaheen D/O Mohd Ayez (KK)	-do- -do-
60	49	Shamim Ara D/O Tefoor Khan (Mardan)	GGPS Sher Ayub Spinwan
61	79	Zaheen Begum D/O Mohd Ayub Bacha (Mardan)	-do- -do-
62	80	Kosia Naz D/O Sayed Zamin (MKD)	GGPS Nek Dara z Nawana
63	86	Zinat Bibi D/O Ghulam Sheh (MKD)	-do- -do-
64	71	Azifa Akbar D/O Akbar Ali Khan (BU)	GGPS Anar Gul
65	68	Rifat Shaheen D/O Niaz Gul (Kohat)	GGPS Wali Mohd Khan Spin
66	102	Shankad Bibi D/O Saif Akbar (Kohat)	-do- -do-
67	60	Musrat Shaheen D/O Wahid Ali Sheh (BU)	GGPS Saiful Kot
68	81	Azra Beno D/O Nasirud Din (BU)	-do- -do-
69	93	Armuz Begum D/O Mir Badam (BU)	GGPS Noor Din Dandey D. PK
70	94	Surraya Begum D/O Mohd Nawaz (BU)	GGPS Amanullah Jan
71	53	Naheed Kamal D/O Khub Nawaz Khan (KK)	GGPS Faqir Mitari K. Rogha
72	50	Zarina Khatoon D/O Mohd Umar (Kohat)	GGPS Ayub Malikan Rzk:
73	57	Anila Gul D/O Abdullah Jan (Kohat)	-do- Haq Nawaz Kot
74	58	Jamiat Khatoon D/O Noor Ahmed (Kohat)	GGPS Adam Khan Dossali
75	61	Ghazala Yasmin D/O Abdur Rashid (Kohat)	-do- -do-
76	51	Naheed Akhtar D/O Saifdar Khan (Pesh.)	GGPS Kajir Kot
77	62	Nizakat Bibi D/O Noor Mohd (Pesh.)	-do- -do-
78	54	Bas Peri D/O Khair Mohd (KK)	GGPS Rasul Khan K. Pari
79	63	Nagina Bibi D/O Rahim Gul (KK)	-do- -do-

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80	69	Saeeda Abida Bibi D/O S. Taj Hussain Shah (KT)	GGPS Ali Khan Kot
81	75	Shah Naz Begum D/O Khan Mohd (Nagshora)	GGPS Faqir Karim
82	76	Rabia Rauf D/O Rauf Khan (Sawabi)	-do- -do-
83	87	Sadeqat D/O Rehman Nabi (MID)	GGPS Ghani Sarwar
84	08	Balqis Akhtar D/O Gul Nawar Khan (KK)	GGPS Asad Pir Kot
85	66	Fahmida Begum D/O Aziz Rehman (KT)	GGPS Gul Roshan
86	72	Asia Khatoon D/O Pir Mohd (KK)	GGPS Ukan Kot M. Khel
87	73	Farzana Bibi D/O Mir Ali Khan (KK)	GGPS Saida Khan Kot
88	78	Samina Bibi D/O Gul Rais Khan (KK)	-do- -do-
89	83	Rehana Adil D/O Adil Bad Shah (KK)	GGPS Nawaz Kot Sarobi
90	84	Shamim Akhtar D/O Farakh Zaman (KK)	GGPS Pir Mohd Salam
91	85	Noor Shad Begum D/O Mohd Khan (KK)	GGPS Asad Har Jan
92	82	Zorqa Munir D/O Rasul Niaz (BU)	GGPS Mohd Selim Kot
93	108	Hajira Bibi D/O Heroon Khan (Makleand)	GGPS Sher Mohd Bando
94	88	Bibi Abida D/O Mohd Afzal (KK)	CGPT Zafar Ali Khel
95	89	Najma Perveen D/O Mir Dil Khan (KK)	GGPS Bawar Kot
96	91	Zainab Parveen D/O Adam Khan (KK)	GGPS Zar Ghun Shah
97	92	Zubida Khatoon D/O Yousaf Khan (KK)	-do- -do-
98	96	Rehana Yasmin D/O Poshan Khan (Lakki)	GGPS Ghaffoor Khushali
99	97	Shazia Salim D/O Mohd Salim (BU)	GGPS Shamaz Kot
100	98	Shohana Bibi D/O S. Shazia Hussain (KT)	GGPS Rabab Kot
101	99	Gulshan Ara D/O Hakim Khan (KK)	GGPS Taj Ali Kot
102	100	Shebana Yasmin D/O Manwar Khan (KK)	-do- -do-
103	101	Shah Naz Begum D/O Sultan Khan (Charsadda)	GGPS Meera Kot Khair
104	103	Zar Shad Begum D/O Habib Rasul (Charsadda)	-do- -do-
105	104	Bas Bihari D/O Mohd Hakim (KK)	GGPS Doreen Kot
106	105	Bibi Razia D/O Intiaz Khan (KK)	GGPS Balusht
107	33	Akhtar Begum D/O Mir Kalam Khan (KK)	-do- -do-
108	106	Saeeda Nureen D/O Abdur Rahim (KK)	GGPS Nasir Kot Dossali
109	107	Musret Hashad D/O Pir Sahib Shah (KK)	GGPS Nader Kot
110	109	Khalida Yasmin D/O Gul Zeda (KK)	GGPS Samander Khaisoor
111	110	Samina Begum D/O Gul Muhammad (KK)	GGPS Zawab Kot Tabbi
112	111	Gul Haya D/O Rozi Mohd (Mardan)	GGPS Darys Jan Kot
113	112	Hadia Bibi D/O Jamat Gul (MID)	GGPS Gul Saeed Khan
118	113	Shazia Yasmin D/O Adil Mir (KK)	-do- -do-

TERMS & CONDITIONS

1. Their appointment are being made purely on CONTRACT basis and liable to termination with out any notice, If they wish to resign from their Posts they should give One Month prior notice Or forfeit One Month Pay in lieu thereof.
2. They should not be handed over charge of the same Posts, If they are below 18 Years Or 40 Years age.
3. They should produce their Health & age Certificate from the Medical Supdt: AHQ Hospital Mian shah.

35 K... District

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4. Their Original qualification, Date of Certificate should be checked and Photo copy be before handed Over charge of the same Posts.
5. If they failed to resume their Charge with in should be treated as cancelled.
6. Their academic/Professional Certificates will be re- all concerned Board/University (by depositing usual Fees/charges, for necessary Verification till the receipt of their Certificates, the Salary will not be drawn .
7. No TA/DA is allowed.
8. They should be produced their National Identity Card to the AAOs circle concerned.
9. Charge Report should be submitted in duplicate to all concerned
10. The Services of the above Candidates will be terminated, if they are found absent un-authorizedly.
11. They will not be entitled for Annual Increments.

(GUL HAWAZ KHAN MASOOD)  
 Agency Education Officer  
 North Westristan Agency.

Encl: No 3355-3479 AAO/AEO/UGC (F) Dated 13/9/2002.

Forwarded to:-

1. The Director of Education PATA, NWFP, Peshawar.
2. The Agency Accounts Officer North Westristan Agency
3. The AAO Circle concerned.
4. Candidates concerned.
5. Accountant Local Office.

~~Agency Education Officer~~  
 North Westristan Agency.

13/9/02

*[Signature]*

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بخصوص اجراء اجسما اور جوشن آف صير سماں فرزند سماں الجسما لمن شفاء

صاحب عالی

جواب میں خاصہ ہے۔

گزارش کیجاتی ہے کہ سائل مگنشن آف گورنٹ گزراٹری کی سکیٹی ٹیبلنگ اور  
کوڈ میں بھرت ستر آف آف کی ڈیوٹی سر انجام دے چکے ہیں۔  
پہلے APB0 ممالک ریزرو سٹریٹ سولہ ۱۷/۱۲/۰۸ کی وسالیت سے  
غیر خاصہ ہے مگنشن جاری کر دیا ہے کہ مگنشن آف ستر آف آف گورنٹ  
گزارش کیجاتی ہے کہ سائل پندرہ دن کے اندر اندر اپنی ڈیوٹی کیلوریٹ  
دینے لگے۔

یہ سائل میں سائل کی قسم کہ غیر خاصہ ہے لہذا لگایا ہے۔ جو  
سائل ایک ایک دن لگایا پاس خاصہ ہوگا۔  
مغفرت کے ساتھ جسر صدر سٹریٹ ہے۔

شکر ہے

من رازش عالی

تاریخ ۰۸/۱۲/۰۸

علی

الغافل عنہ

ایک تالیف اور مگنشن آف ستر آف آف گورنٹ گزراٹری  
ڈیوٹی سیکرٹری ٹیبلنگ مگنشن آف صیر



OFFICE OF THE AGENCY EDUCATION OFFICER  
NORTH WAZIRISTAN AGENCY AT MIRAN SHAH  
Ph.NO.0928313045

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## NOTIFICATION

1. WHEREAS Mst. Gulshan Ara SPST GGPS Taj Ali Kot North Waziristan Agency was found willfully absent from duty during monitoring visit of the concerned Assistant Agency Education Officer to the School on dated 01/09/2017.
2. AND WHEREAS the accused was proceeded against under Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules 2011, for the charge of "willful absence from duty" as mentioned in the show cause notice served upon her at her home/School address vide AEO No: 9652-53 dated 09/11/2017.
3. AND WHEREAS Mst Gulshan Ara SPST GGPS Taj ali Kot North Waziristan Agency did not report to her duty within stipulated period of time and turned her ears deaf.
4. AND WHEREAS Charge sheet notice was served upon Mst Gulshan Ara GGPS Taj Ali Kot North Waziristan Agency through print media (Daily Mashriq) on dated 03.12.2017 wherein the accused was directed to submit reply in her defence through personal contact with this office.
5. AND WHEREAS the accused failed to put any defense in written and did not appear to be heard in person within fifteen days.
6. AND WHEREAS the competent authority, the Agency Education officer North Waziristan Agency, having considered the charges, evidence on record and facts of the case, is of the view that the charge of willful and unauthorized absence against the accused official has been proved.
7. NOW THEREFORE, In exercise of the Powers conferred under Rules-4 (b) iii of Khyber Pakhtunkhwa Government Servants "Efficiency and Discipline" Rules 2011, the competent Authority, Agency Education officer North Waziristan Agency, is pleased to impose major penalty "Removal from service" upon Mst: Gulshan Ara SPST GGPS Taj Ali Kot North Waziristan Agency with retrospective on account of his willful absence from duty.

(HABIBULLAH)  
Agency Education Officer,  
North Waziristan Agency

Endst: No. 8170-78 Dated 13/12/2017

Copy forwarded to the:

1. Director Education FATA, FATA Secretariat Peshawar
2. Political Agent North Waziristan Agency at Miran Shah.
3. Head Quarter 7-Division Camp Area Miran Shah.
4. Agency Accounts officer North Waziristan Agency at Miran Shah for stoppage pay of the official.
5. PS to Additional Chief Secretary FATA for perusal of the Additional Chief Secretary FATA
6. PS to Secretary SSD FATA for perusal of the Secretary SSD FATA
7. AAEO concerned for entry in his service book
8. Accountant local office for stoppage of his pay forthwith.
9. Official concerned

Agency Education Officer  
North Waziristan Agency

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بھطور جناب ڈائرکٹر صاحب ایجوکیشن فاٹا، خیبر پختونخوا پشاور

Amman (5)

(11)

عنوان: اپیل برائے بحالی سروس

جناب عالی!

گزارش بھطور انور ہے۔ سائلہ ذیل امور کی جانب آپ کی توجہ مبذول کروانا چاہتی ہے۔  
یہ کہ سائلہ گورنمنٹ گریڈ پرائمری سکول تاج علی کوٹ میں اپنی ڈیوٹی فرائض سرانجام دے رہی تھی۔

(۱) یہ کہ سائلہ 01-09-2017 کو Show cause AEO No:9652-53 dated 09-11-2017 کی بنیاد پر اپنی ڈیوٹی سے غیر حاضر تصور کی گئی۔ چونکہ 01-09-2017 تا 04-09-2017 کو عید الاضحیٰ کی تعطیلات تھی۔ گورنمنٹ آف خیبر پختونخواہ روز کے مطابق چھٹیوں کے دن کوئی بھی غیر حاضر نہیں ہو سکتا ہے۔ نوٹیفیکیشن لف ہے۔  
(۲) نہ ہی سائلہ کو تحریری طور پر شو کاز نوٹس غیر حاضری کی ملی ہے۔

(۳) یہ کہ AEO صاحب نے مورخہ 03-12-2017 کو روزنامہ مشرق اخبار کی وساطت سے دوبارہ غیر حاضری تصور کی گئی ہے۔ یہ کہہ کر کہ غیر حاضری کا جواب پندرہ دن کے اندر اندر رپورٹ پیش کریں۔ یہ کہ سائلہ نے غیر حاضری کا جواب مورخہ 08-12-2017 کو AEO صاحب کی دفتر میں جمع کیا گیا ہے۔ اور پندرہ دن سے پہلے مورخہ 13-12-2017 کو Efficiency and Disciplin Rules 2011 کے تحت سائلہ کی برحاشگی (Removel from service) عمل میں لائی گئی ہے۔ سرکاری اعلامیہ روزنامہ مشرق اخبار کی فوٹو کاپی منسلک ہے۔

(۴) یہ کہ سائلہ سکول سے غیر حاضری کا ارتکاب نہیں کیا ہے۔ حاضری رجسٹر معلمات منسلک ہے۔  
درجہ بالا حقائق کی روشنی میں سائلہ کی Removel from service کو Withdraw کا حکم صادر فرمائیں۔ اور سائلہ کی سروس بحالی کا حکم کر کے مشکور فرمائیں۔

سائلہ دعا گور ہے گا۔

مورخہ: 28-12-2017

العارض مہتمم خرد  
آپکا تابعدار مس گلشن آراء سینئر پی ٹی سی گورنمنٹ گریڈ پرائمری سکول تاج علی کوٹ شمالی وزیرستان ایجنسی میران شاہ

CNCI: 14203-1995075-8

حج


F.No.2/4/2016-Public.  
GOVERNMENT OF PAKISTAN  
MINISTRY OF INTERIOR

Islamabad the, 23<sup>rd</sup> August, 2017.

PRESS RELEASE

It is notified for general information that 1<sup>st</sup> to 4<sup>th</sup> September, 2017 ( Friday, Saturday, Sunday and Monday) shall be public holidays on the occasion of Religious Festival of Eid-ul-Azha.


The above Press Release may kindly be published in all major English and Urdu Dailies both at National and Regional levels and also be given wide publicity through electronic media.

  
(Atif Aziz)  
Deputy Secretary (Law-II) 23/08/17  
Tele: 9203851

The Principal Information Officer,  
Press Information Department,  
Islamabad.

Copy forwarded to: -

1. President's Secretariat (Personal), OSD (Admn), Aiwan-e-Sadr, Islamabad.
2. President's Secretariat (Public), DS (Admn), Aiwan-e-Sadr, Islamabad.
3. Prime Minister's Office (Internal), OSD (Admn), Islamabad.
4. Prime Minister's Office (Public), DS (Admn), Islamabad.
5. The Chief Election Commissioner of Pakistan, Islamabad.
6. The Auditor General of Pakistan, Islamabad.
7. The AGPR, Islamabad.
8. The Joint Staff HQrs, Chaklala, Rawalpindi.
9. GHQ, Rawalpindi..
10. Chairman, National Accountability Bureau, (NAB), Islamabad.
11. All Ministries / Divisions.
12. The Registrar, The Supreme Court of Pakistan, Islamabad.
13. Secretary, Senate Secretariat, Islamabad.
14. Secretary, National Assembly Secretariat, Islamabad.
15. Chief Secretaries, Government of the Punjab / Lahore, Sindh / Karachi, Khyber Pakhtoonkhwa / Peshawar, Balochistan / Quetta, Northern Areas / Gilgit-Baltistan and AJK / Muzaffarabad.
16. The Director General, ISI, Islamabad.
17. The Director General, IB, Islamabad.
18. The Chief Commissioner, ICT (Admn), Islamabad.
19. The Manager, State Bank of Pakistan, Islamabad.
20. Secretary, Wafaqi Mohtasib's Secretariat, Islamabad.
21. Secretary, Wafaqi Tax Ombudsman's Secretariat, Islamabad.
22. The Chairman CDA, Islamabad.
23. Director (Media), Minister for Interior, Islamabad with the request to ensure its publication in all dailies.
24. Staff Officer to Minister for Interior, Islamabad.
25. P.S to the Secretary, Ministry of Interior, Islamabad.
25. P.S to the Additional Secretary-I, II & III, M/o Interior, Islamabad.
27. The System Administrator (IT), MOI with request to upload an official website.

  
(Atif Aziz)  
Deputy Secretary (Law-II)



دستورالعملی در خصوص گزینش از پرسنل سازمان تامین اجتماعی

بابت ماه 09/2017

ردیف		پست سازمانی					پست دولتی					ردیف		
		PTC					P.D							
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	مجموع													

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روزنامه‌های فرهنگی و ادبی

گزارش از روزنامه‌های فرهنگی و ادبی

بابت ماه شهریور ۱۳۷۷ (۱۵)

گزارش از روزنامه‌های فرهنگی و ادبی															
بابت ماه شهریور ۱۳۷۷ (۱۵)															
گزارش از روزنامه‌های فرهنگی و ادبی															
ردیف	تاریخ	آمد	دستخط	ارواگی	دستخط	آمد	دستخط	ارواگی	دستخط	آمد	دستخط	ارواگی	دستخط	آمد	دستخط
1	۱۳۷۷/۰۹/۰۱														
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3	۱۳۷۷/۰۹/۰۳														
4	۱۳۷۷/۰۹/۰۴														
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7	۱۳۷۷/۰۹/۰۷														
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10	۱۳۷۷/۰۹/۱۰														
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31	۱۳۷۷/۰۹/۳۱														
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	اختلاف														
	بهره														
	میزان														

روزنامه نشری درسی

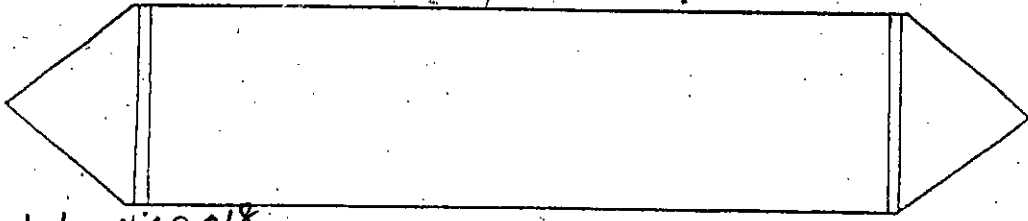
گزارش روزنامه نشری درسی  
 بابت ماه نوامبر ۲۰۱۷ ۱۱/۲۰۱۷

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31	8:00	8:00	2:00	2:00	11/11

تاریخ

میزان	حال	سابقه	میزان	حال	سابقه	میزان	حال	سابقه

# بعدالت جا۔ حیدر خٹونو سیدو مریٹونو سیدو



2018ء پنجاب ایپلینٹ

بنام  
ڈائریکٹر جنرل  
ڈائریکٹر

گلشن اود

موزخہ  
مقدمہ  
دعویٰ  
جرم

## باعث تحریر آنک

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ  
آن مقام سشام کیلئے محمد سعید ظفر اور ولایت

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور وصولی چیک دروپیا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لانا اپنے بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ  
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

المرقوم \_\_\_\_\_ ماہ \_\_\_\_\_ 20

العبد \_\_\_\_\_ واہ العبد

کے لئے منظور ہے۔

سشام

بمقام

گلشن اود

Accepted  
دستخط  
دستخط

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA PESHAWAR**

Service Appeal No. 519/2018

Gulshan Ara Ex-Senior Primary School teacher-----Petitioner

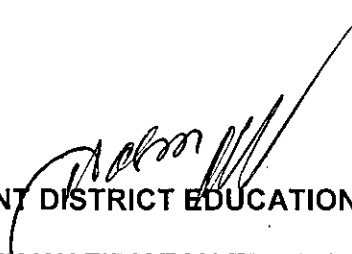
**VERSUS**

1. Director Education FATA, KPK, Peshawar.
2. Agency Education Officer, North Waziristan Agency at Miran Shah.

-----Respondents

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ASSISTANT DISTRICT EDUCATION OFFICER  
NORTH WAZIRISTAN TRIBLE DISTRICT

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA PESHAWAR**

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**VERSUS**

1. Director Education FATA, KPK, Peshawar.
2. Agency Education Officer, North Waziristan Agency at Miran Shah.

-----Respondents

Para wise comments on behalf of Respondent No.1 & 2

Respectfully Sheweth:

Preliminary Objections:

1. The appellant has no cause of action, locus standi, to file this instant appeal.
2. That the appellant has not come to this honorable Tribunal with clean hands.
3. That the appellant has concealed material facts from this Honorable Tribunal.
4. The appeal is not maintainable in this form.
5. That the appellant has been stopped by his own conduct to file the appeal.
6. That the appeal is badly time barred.

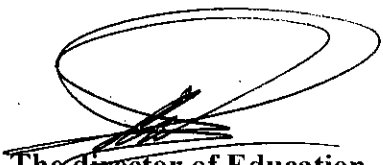
**On Facts:**

1. Correct. No comments.
2. The duty of the appellant was not that much satisfactory.
3. Though the appellant was posted at GGPS Taj Ali kot Bichi kaskai and the supervisor of the circle concerned was not satisfied with the performance of her duty at the said school and the AAEO (Female) complained to the Agency Education Officer ( now designated as DEO) time and again. At last the AEO, the Respondent No.2 issued Show cause notice to the appellant on 09/11/2017 to explain her position about her absence from her school. **(copy of the show cause notice is attached as Annexure-A)** But surprisingly, the appellant failed to report to the Education Office. In the same way the computerized salary of the appellant was inactivated for the month of Dec: 2017. **(Copy of the inactivation is attached as annexure-B)**. Similarly, on the local FM Radio at Miran shah, the notice of all such habitual absent teachers was brought on air, but again the appellant failed to join her school. Beside these, the names of such teachers, including the appellant was shared on social media such as face book which was shared by the than political Agent as well. Despite that the appellant neither reported to the DEO office nor joined her duty at her school. Then after a stipulated period of time, the DEO published a warning in the Newspaper, the Daily Mashriq on 03/12/2017 regarding the appellant and some other teachers about their absence from duties. **(copy of the newspaper cutting is attached as Annexure-C)**
4. The appellant has neither attended her school nor submitted any report to the Education office for any kind of her complaints or what's so ever.
5. At last, the respondent department terminated the appellant from service on 13/12/2017, which is lawful and legal. **(copy of the appellant's termination is attached as Annexure-D)**
6. Correct that the appellant has submitted her departmental appeal before the respondent No.1. In this regard proper interviews have also been arranged but the case has not yet been decided by the respondent No. 1. Keeping in view the above mentioned points, the appeal may kindly be dismissed on the following grounds.

**Grounds:**

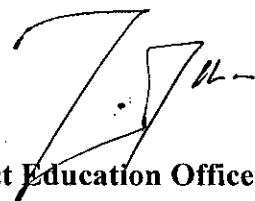
- A. The termination order issued by the respondent No.2 is just lawful and legal. Correct that the mentioned date of 01/09/2017 in the termination order was a holiday but that date has been mentioned just as a proof that since long till 01/09/2017, the appellant failed to join her duties at her school.
- B. Correct that the 1<sup>st</sup> to 4<sup>th</sup> of September 2017 were holidays but the appellant had been remained absent from her duties since long till the 1<sup>st</sup> of September 2017. And till the 1<sup>st</sup> of September 2017 different schools were checked by the AAEO female on different dates.
- C. All the schools were checked on different dates and it had been proved that all those terminated teachers including the appellant remained absent from duties for a long time and that habitual absenteeism remained constant till the 1<sup>st</sup> of September, 2017.
- D. If the appellant could have performed her duties at her school, she could have been informed of the reservations of the Education Office.
- E. The penalty of removal from service is just, lawful and legal
- F. The respondents seek permission of this august court to advance other points at the time of arguments.

**Respondent No.1**



**The Director of Education  
Newly Merged Tribble Districts**

**Respondent No. 2**



**District Education Officer  
North Waziristan Tribble District**

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA PESHAWAR**

Service Appeal No. 519/2018

Gulshan Ara Ex-Senior Primary School teacher-----Petitioner


**VERSUS**

1. Director Education FATA, KPK, Peshawar.
2. Agency Education Officer, North Waziristan Agency at Miran Shah.

-----Respondents

**AFFIDAVIT**

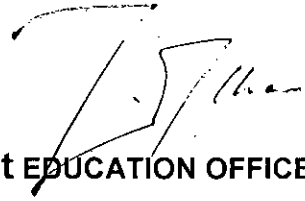
I Naseem Mahmood Assistant Agency education Officer North Waziristan Agency on behalf of the Respondent No.2, do hereby solemnly affirm and declare that the report of Respondent No.1 & 2 in R/O of Appeal. No. 519/2018 and others is true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable court.

  
Naseem Mahmood  
Assistant District Education Officer  
North Waziristan



## **AUTHORITY LETTER**

This office has the honor to state that Mr. Naseem Mahmood has been serving in the district Edu: Office as an AAEO. The undersigned has been given the authority to attend any kind of court case. So he may be considered as representative of the district Edu: officer, N.W.T.D



**District EDUCATION OFFICER**

**NORTH WAZIRISTAN TRIBLE DISTRICT**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

Service Appeal No. 393 of 2018

Mst. Shabnam, Ex. Primary School Teacher,  
Government Girls Primary School  
Gul Sanar Dossali, resident of Ghoriwala  
Tehsil and District Bannu...

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 409

Date 19-3-2018

Appellant

VERSUS

1. Secretary Education FATA,  
FATA Secretariat, Warsak Road,  
Peshawar.
2. Director of Education FATA,  
FATA Secretariat, Warsak Road,  
Peshawar.
3. Agency Education Officer  
North Waziristan Agency at  
Miran Shah...

Respondents

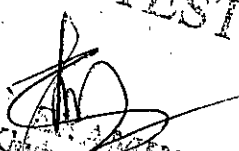
APPEAL UNDER SECTION 4 OF KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT  
1974 AGAINST THE IMPUGNED ORDER  
DATED 13.12.2017 WHEREBY THE  
APPELLANT HAS BEEN REMOVED FROM  
SERVICE BY RESPONDENT NO.3 AND HER  
DEPARTMENTAL APPEAL FILED BEFORE  
RESPONDENT N O.2 WAS REJECTED BY THE  
APPELLATE AUTHORITY VIDE ORDER  
DATED 13.03.2018.

Filed to day  
19/3/18  
Registrar

Respectfully Sheweth:

FACTS OF THE CASE.

1. That the appellant was a regular member of FATA Education and she was performing her statutory duties as PST (Primary School Teacher) under the administrative control of respondent No.3.

**ATTESTED**  
  
Registrar  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

1 copy of the

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 393/2018

Date of Institution ... 19.03.2018

Date of Decision ... 11.04.2019



Mst. Shabnam, Ex. Primary School Teacher, Govt: Girls Primary School Gul Sanar Dossali. R/O Ghoriwala Tehsil and District Bannu. ... (Appellant)

VERSUS

Secretary Education FATA, FATA Secretariat, Warsak Road, Peshawar and two others. ... (Respondents)

MR. SHAHZADA IRFAN ZIA,  
Advocate

--- For appellant.

MR. M. RIAZ KHAN PAINDAKHEL,  
Assistant Advocate General

--- For respondents.

MR. AHMAD HASSAN,

--- MEMBER(Executive)

MR. MUHAMMAD AMIN KHAN KUNDI

--- MEMBER(Judicial)

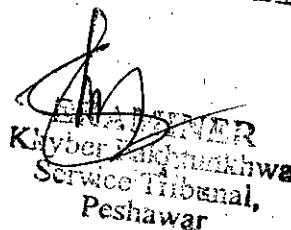
JUDGMENT

AHMAD HASSAN, MEMBER.- Arguments of the learned counsel for the parties heard and record perused.

ARGUMENTS

2. Learned counsel for the appellant argued that she was transferred from GGPS. Kifayatullah to GGPS Gul Sanar Dossali vide order dated 28.12.2016. That the appellant were removed from service on the allegations of absence from duty vide impugned order dated 13.12.2017. In the impugned order the place of posting of the appellant was shown as GGPS Pasham Razoni Dosalli, whereas, she was serving at GGPS Gul Sanar Dosali. Feeling aggrieved, she filed departmental appeal on 27.01.2018 which was rejected on 13.03.2018, hence, the

**ATTESTED**

  
MEMBER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

present service appeal. Major penalty was awarded to the appellant without holding regular enquiry, hence, action on the part of the respondents was not sustainable under the law. Opportunity of personal hearing was also denied and principle of "*Audi Ulterm Pertim*" was violated. Speaking order required under Section-24-A of the General Clauses Act 1897 was not passed by the respondents <sup>for</sup> departmental appeal.

3. On the other hand learned Assistant Advocate General argued that claim of the appellant regarding transfer to GGPS Gul Sanar Dosalli was false. No vacant post was available in that school. The attendance register produced by the appellant was also fake. She remained absent from duty for quite long, therefore, a show cause notice was served on her on 09.11.2017, in which date of absence was indicated as 01.09.2011. The respondents also inactivated her salary for the month of December 2017 but despite that she failed to resume duty. As a last resort a notice was published in the newspaper on 03.12.2017 directing her to resume duty but to no avail. Resultantly she was removed from service vide impugned order dated 13.12.2017.

### CONCLUSION

4. As per contents of the fact finding enquiry report conducted on the directions of the respondents, the Agency Education Officer, North Waziristan District removed twenty one (21) female PST's including the appellant from service on account of willful absence from duty w.e.f 01.09.2017 after serving show cause notice. Findings of the enquiry report were worth perusal and had indicated that <sup>due to</sup> unfavourable conditions, <sup>to</sup> in which it was not possible for the female

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

teachers to perform duty in the far flung areas of the district. They recommended reinstatement of fourteen teachers including the appellant but those recommendations were not honored by the respondents for reason best know to them.

5. Case of the appellant was required to be dealt with under Rule-9 of E&D Rules 2011. Requirements contained in the above rule were not fulfilled by the respondents. Notice was required to be published in two leading newspapers, whereas in the case in hand it appeared in only Daily Mashriq on 03.12.2017. Impugned order lacked the backing of law/rules. Penalty awarded to the appellant appeared to be very harsh and did not commensurate with her guilt. As the case was badly mishandled by the respondents, therefore, strong justification is available for reinstatement of the appellant.

6. As a sequel to above, the appeal is accepted, impugned orders dated 13.12.2017 and 13.03.2018 are set aside and the appellant is reinstated in service. The intervening period shall be treated as leave of the kind due. Parties are left to bear their own costs. File be consigned to the record room.




(AHMAD HASSAN)  
MEMBER

*Muhammad Amin*

(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

ANNOUNCED  
11.04.2019

**Certified to be true copy**  
  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Presentation of Application 10-5-19  
Number of Words 1600  
Copying Fee 10  
Urgent 2  
Total 12  
Name of Copyholder [Signature]  
Date of Copy Issued of Copy 10-5-19  
Date of Delivery of Copy 10-5-19

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1608 /ST

Dated 18-9- / 2019

To


The Agency Education Officer,  
Government of Khyber Pakhtunkhwa,  
North Waziristan Agency at Miran Shah.

Subject: -

JUDGMENT IN APPEAL NO. 519/2018, MST. GULSHAN ARA.

I am directed to forward herewith a certified copy of Judgement dated 30.08.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.