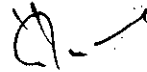



20.02.2019 Learned counsel for the appellant present. Daud Jan Superintendent representative of the respondent department present. Learned counsel for the appellant seeks adjournment to file application for the change of nomenclature of respondents due to the merger of FATA in Khyber Pakhtunkhwa. Adjourn. 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/s also submitted amended copy of memo of appeal. To come up for rejoinder and arguments on 15.05.2019 before D.B-~~f~~



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 10.08.2018 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.

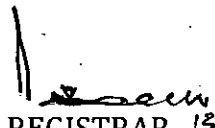
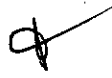

Appellant Deposited
Security & Process Fee



Chairman

Form-A
FORM OF ORDERSHEET

Court of _____
Case No. 522/2018

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. Nusrat Kalsoom 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;"> 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;"> 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 27.06.2018 before S.B.</p> <p style="text-align: right;"> Reader</p>

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.522...../2018

Mst Nusrat Kalsoom
(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:- _____

3/11/18
Appellant
Through
Muhammad Saeed Khattak
Advocate, Peshawar
D6, JK Shopping Mall,
University Road, Peshawar
Cell No. 03336272753

1

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.522..... /2018

*Mst. Nusrat Kalsoom Ex. PST, GGPS, Muhammad Azam, Khaisor, ,
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, AGAINST 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 23rd August 2017 it was notified for the general information that 1st to 4th 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 01.09.20017 (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

(Signature)
Khattak

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

Service Appeal No. 522/2018

Nusrat Kalsoom Ex. Primary School Teacher. (Appellant)

VERSUS

Director Education, FATA & another (Respondents)

INDEX

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
11 09	Wakalatnama		16

Dated:-

Appellant
Through

Muhammad Saeed Khattak

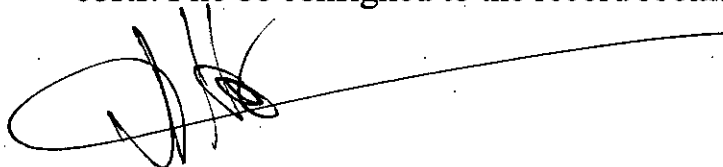
Advocate, Peshawar.

Mob. 03336272753

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 of connected service appeal bearing No.519/2018, 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

①

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

Service Appeal No. 522/2018

Nusrat Kalsoom Ex. Primary School Teacher GGPS Muhammad Azam Khaisor
North Waziristan Agency.

(Appellant)

Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 854

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 10.09.2003. (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

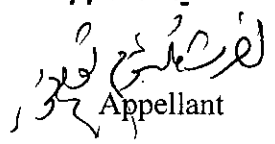
- A. That the appellant has not been treated in accordance with law nor has equal protection of law been extended to her. The so called visit mentioned in the notification dated 13-12-2017 is illegal, against law, without lawful authority, void ab initio for the reason it has been passed on the ground 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 23rd August 2017 it was notified for the general information that 1st to 4th 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)

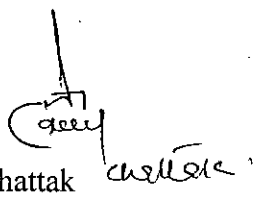
- C. That it is quite astonishing that how Assistant Agency Education officer visited too many schools on 01.09.2017 (which was public holiday) and only cases of Non Local Female Teachers were reported.
- D. That according to para 3 of the notification issued by Respondent No. 2 that the appellant did 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 reinstated 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.

SWO = 35

Annex (A)
(4)

OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY
FOURTH ORDER

Consequent upon the approval of Departmental Selection Committee, the following FTEs/Female Candidates are hereby appointed as FTEs in EPS-7 (RS: 2220-120-5720/PM) P.S. on such allowances as applicable to them under the rules, purely on CONTRACT basis for three years with effect from their taking-over charge of the schools whose names, their names:

S. No.	Name with Father's name	Place of Posting	Remarks
1.	LOCAL FEMALE CANDIDATES FTE Hassanat Jabbar D/O Mohd Ali (u/l)	GGPS Ghanat Shakor	V/Post
2.	Rukia Ghareeb Nawaz D/O Ghareeb Nawaz (u/l)	GGPS Ghanat Shakor	"
3.	Bibi Hadiq D/O Snadat Khan (Local)	GGPS Sakhi Maridan	"
4.	Nazia Amin D/O Jamal-Khan -do-	GGPS Jamal Khan	"
5.	Fatima D/O Kamil Khan -do-	GGPS Akbar Gul Kot	"
6.	Rukhsada D/O Jamal Khan -do-	-do- -do-	"
7.	Shah Farhad Noora D/O Wahid Gul -do-	GGPS Zahoor Din	"
8.	Bachta Noora D/O Wahid Gul -do-	-do- -do-	"
9.	Nadia Akbar D/O Akbar Jan -do-	GGPS Ayub Kot-Rakhi	"
10.	Mausheen Jamal D/O Hazrat Akbar -do-	GGPS Noor ul Post	Monday-do-
11.	Sheria Jamal D/O Hazrat Akbar -do-	GGPS Hashmat Tappa	N/C Post
12.	Nareesa Bibi D/O Noor Mohd -do-	GGPS Nawab Subhan	N/C Post
13.	Sheria Sahiba D/O Hoorullah Jan -do-	GGPS Amrullah Jan	V/Post
14.	Surraya Raz D/O Sher Nawaz -do-	GGPS Faisal Ghilgi	-do-
15.	Aishma Aziz D/O Sher Nawaz -do-	-do- -do-	-do-
16.	Shagufta Begum D/O Amir Mohd N/I -do-	GGPS Tar Sakhi Maridan	-do-
17.	Zafreena Begum D/O Tafreeh-U-Din -do-	GGPS Archiladar Kot	-do-
18.	Muntana D/O Yousaf Khan Local -do-	GGPS Alla Mohd Ghoshal -do-	-do-
19.	Muntanee Jana D/O Lal Rehman N/I -do-	Ghosal Sardar	-do-
20.	Bibi Asma D/O Rasool Khan Local -do-	GGPS Akbar Gul	-do-
21.	Beghan Bibi D/O Mlek Mohd -do-Local -do-	GGPS Akbar Gul	-do-
22.	Fazilat Begum D/O Issa Khuy -do-Local -do-	-do- -do-	-do-
23.	Aleza Jamila D/O Sakht Jamal -do-	GGPS Rofi Gul	N/C Post
24.	Mussarat Tanzeem D/O Raham Badshah -do-	-do- -do-	-do-
25.	Mehmooda Akhtar D/O Ali Ahmed -do-	GGPS Ajab Khan Shewa	V/Post
26.	Shahida Begum D/O Shah Mohd -do-	-do- -do-	-do-
27.	Farhanda Noor D/O Amal Noor -do-	GGPS Mohd Amir	-do-
28.	Pervaen Jehan D/O Swaid Ali -do-	GGPS Shukin Jan	-do-
29.	Nadia Nisar D/O Nisar Ahmed -do-	GGPS Nisar	-do-
30.	Gul Nasreen D/O Ali Shah -do-	-do- -do-	-do-
31.	Fozia Begum D/O Mohd Umar -do-	GGPS Zaffar Ali Khel	-do-
32.	Robina Shahen D/O Gul Muht -do-	GGPS Gul Harroof	-do-
33.	Zar Taj Begum D/O Payo Khan -do-	GGPS Saiful Kot	-do-
34.	Gulshah Akhtar D/O Yousaf Khan -do-	GGPS Babar Kot	-do-
35.	Huprat Kalsum D/O Mohd Nawaz -do-	GGPS Taj Ali Kot	-do-

etc
CTI

36.	Shahida Begum D/O Mirza...	Local	CGPS
37.	Ihsan Zari D/O Mir Kalam	-do-	CGPS Sahibzar Sahibz...
38.	Falak Naz Begum D/O Mohd Tiyas	-do-	-do-
39.	Rashida Kuresh D/O Abdullatif	-do-	-do-
40.	Akhtar Begum D/O Behram Khan	-do-	-do-
41.	Shohraz Begum D/O Mirdaraz Khan	-do-	-do-
42.	Nadia Begum D/O Gul...	-do-	-do-
43.	Bajla Naz D/O Noor Hassan	-do-	-do-
44.	Bibi Sajida D/O Noor Sahab Gul	-do-	CGPS...
45.	Shamim Ijaz D/O Izat Khan	-do-	CGPS Mohd Khan Saad...
46.	Bibi-Aiesha D/O Ialam Zada	-do-	CGPS Sidara Naw...
47.	Samina Akhtar D/O Javed Yaqub	-do-	CGPS Baluch Kot
48.	Tahira Khatun D/O Noor Shahzada	-do-	CGPS...
49.	Nisar Sultana D/O Khan Nawaz	-do-	CGPS...
50.	Shaukat Ara D/O Noor Shahzada	-do-	CGPS...
51.	Dilshad Begum D/O M. Rafiq	-do-	-do-
52.	Bukhsana Begum D/O Amir Habibullah	-do-	CGPS...
53.	Umar Yasmin D/O Umar Huzir	-do-	-do-
54.	Shagufa Abid D/O Zainul Abedin	-do-	CGPS...
55.	Nazreen Begum D/O Gul Raees Khan	-do-	-do-
56.	Kalsum D/O Abdullah	-do-	CGPS Mohd Noor K. Khel
57.	Saimona D/O Nawaz Khan	-do-	CGPS Daroga Ali Khel
58.	Falak Naz D/O Gul Bustan	-do-	CGPS Pir Rehman
59.	Naveeda Yasmin D/O Mohd Majeed	-do-	CGPS Soyani Manoor
60.	Bibi Jamila D/O Rab Nawaz	-do-	-do-
61.	Farhad Yasmin D/O Salim Khan	-do-	CGPS Kussail Kot Shawa
62.	Bibi Saira D/O Amanullah	-do-	-do-
63.	Safia D/O Mihal Khan	-do-	CGPS Pir Mohd Salam
64.	Shahista Naz D/O Mohd Qias	-do-	CGPS Shah Alam Kot
65.	Farhana Yasmin D/O Amal Noor	-do-	-do-
66.	Imtiyaz Aziz D/O Abdul Aziz	-do-	CGPS Abbas Khan Spinaam
67.	Naceema Hayat D/O Hayatullah	-do-	CGPS Taj Mohd Tangari
68.	Zaibun Nisa D/O Dunya Dar	-do-	CGPS Shah Alam Shawa
69.	Zaibun Nisa Shamim Akhtar D/O Abdul Samad	-do-	CGPS Makila Jan Kot H/C
70.	Zakia Menhas D/O Fala Mohd	-do-	CGPS Abdul Jalil V/I
71.	Perveen Sultana D/O Fazal Mohd	-do-	CGPS Gulmat Khushali
72.	Bina Afroza D/O Mir Qabas Khan	-do-	CGPS Ali Khan
73.	Farzana Gul D/O Zarin Gul	-do-	CGPS Rasul Khan K-Pari
74.	Esa Bari D/O Khair Mohd	-do-	-do-
75.	Kusnat Perveen D/O Sher Ahmed	-do-	CGPS...
76.	Nusreen Begum D/O Masir Mohd	-do-	CGPS Adam Khan
77.	Bibi Zina D/O Masir Sajid	-do-	CGPS Fazal Karim
78.	Mehnaz Parvi D/O Mirza Wali Khan	-do-	-do-
79.	Samina Begum D/O Nawaz Gul	-do-	CGPS Pir Kotim K...
80.	Sadarat Begum D/O Mir Kamran	-do-	-do-
	Muzayyab Bibi D/O Sher Ali	-do-	CGPS...
	Shamim Akhtar D/O Gul Shah	-do-	CGPS Kayla...

5

2



100	Magista Ferlus D/O Sayed Gulam D/L	CCPS Kajir Kot Rzk	V/Post
101	Gulnaz D/O Zarin Khan	CCPS Gul Sade Khan	-do-
102	Jawara Khattak D/O Zoynt Mohd	-do-	-do-
103	Shamim Begum D/O Pir Mohd	CCPS Gul Zarey Garyum	-do-
104	Sheema D/O Faiz Muhammadi	CCPS Asal Mar Jan	-do-
105	Taj (Gul Taj Bibi) D/O Behram Shahzada	CCPS Gul Zarey Garyum	-do-
106	Kalsum Bibi D/O Lal Zarin	CCPS Gul Saeed Khan Saigal	-do-
107	Zainab Bibi D/O Gul Zarin	-do-	-do-
108	Naimsi Gul D/O Mazullah	CCPS Gul Daj Kot	-do-
109	Majida Begum D/O Mohd Ayub	-do-	-do-
110	Farakh Nureen D/O Karim Nawaz	CCPS Bad Shah Mir Spolga	-do-
111	Zainab Begum D/O Waris Khan	-do-	-do-
112	Usman Pari D/O Nabi Khan	CCPS Arbab Kot	-do-
113	Ramoon Begum D/O Hazrat Gul	CCPS Najim Kot Saigal	-do-
114	Tanzila Farman D/O Farmanullah	-do-	-do-
115	Shahnaz Begum D/O Yousof Khan	CCPS Jehangir Kot Saigal	-do-
116	Zinat Begum D/O Fazal Rauf	CCPS Zindai	-do-
117	Fazle Huda D/O Sakhi Mohd	-do-	-do-
118	Asma Ayaz D/O Amir Ayaz Khan	CCPS Haseen Kot	-do-
119	Tarjenda Begum D/O Fazal Rehman	CCPS Qutab Khan	-do-
120	Safia Shaheen D/O Wali Dad Khan	CCPS Faqir Miltari	-do-
121	Shamim Akhtar D/O Taza Gul	-do-	-do-
122	Hadi Shamshad D/O Shamshad Khan	CCPS Darra Jan	-do-
123	Nureen D/O Saad Bin	CCPS Gul Jan Kot	-do-
124	Navee Akhtar D/O Abdul Hadir	CCPS Mushtaq Tappi	N/C
125	Rozina Bhattar D/O Zahir Ali Khan	CCPS Sarwar Habibullah	V/Post
126	Rafiq Begum D/O Hamidullah Jan	CCPS Su Idar Makh	N/C
127	Fayhana Rohi D/O Chulam Sarwar	CCPS Haj Mohd Saigal	N/C
128	Bibi Gul D/O Sherin	-do-	-do-
129	Shakila Naz D/O Shah Doraz	CCPS Gul Saad Khattak	N/C
130	Sartaj Khana D/O Mir. Salamat Shah	CCPS Gul Khoon	V/Post
131	Shakila Naz D/O Gul Hassan	CCPS Rasool Khan Kohi Pari	

TERMS & CONDITIONS

- Their appointment are being made purely on CONTRACT basis and their termination without any notice. If they wish to resign from their Post they should give One Month Prior Notice. Or forfeit One Month Pay to the thereof.
- They should not handed Over charge of the same Posts, if they are 10 Years Or above 33 Years age.
- They should produce their Health & Age Certificate from the Medical Supdt. Agency Head Quarter Hospital Miran Sah (MSA).
- Their Original qualification, Date of Birth and Residence Certificate should be checked, before handing Over Charge of the Post, and Photo Copy of the same should be placed on record.

etc
CT

(9) حضور جناب ایجنسی ایجوکیشن آف فریم ورک شمالی وزیرستان ایجنسی میران سداہ
Annex-C

عنوان : جواب غیر صافری

سورڈیان گذار میں سیکم سائٹ گولڈنٹ گولڈنٹ گولڈنٹ گولڈنٹ سکول
فریم ورک ٹوٹ شمالی وزیرستان ایجنسی (میران سداہ) میں کسٹم PST کے
لغیانے ہے۔

یہ ۸۴۵ ملک روزنامہ مشرق و جنوب ۱۲.۲۰۱۷ ق ۵
وساطت سے سائٹ کے دیگر معلومات لے غیر صافری کا نوٹس جاری کیا ہے کہ
پندرہ (۱۵) لوہے کے اندر اندر اپنی غیر صافری کی رپورٹ لیس کر لے
یہ سائٹ کے کسی قسم کی غیر صافری کا ریکارڈ نہیں ہے۔
صافری معلومات کی نقل لفٹ ڈسٹریبیوٹ ہذا ہے۔

شہر
میں نواز نسیم
۱۲
۲۰۱۷

تعمیرت طلبہ
بتدریج ریکارڈ طلبہ کی ایس ٹی
= گولڈنٹ گولڈنٹ سکول فریم ورک ٹوٹ شمالی وزیرستان ایجنسی

نور محمد



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

NOTIFICATION

1. **WHEREAS** Mst. Nusrat Kalsoom PST GGPS Muhammad Azam Khaisor 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: 9654-55 dated 09/11/2017.
3. **AND WHEREAS** Mst Nusrat Kalsoom PST GGPS Muhammad Azam Khaisor North Waziristan Agency did not report to her duty within stipulated period of time and turned her ears deaf.
4. **ANDWHEREAS** Charge sheet notice was served upon Mst Nusrat Kalsoom PST GGPS Muhammad Azam Khaisor 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 WHEARAS** 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: Nusrat Kalsoom PST GGPS Muhammad Azam Khaisor North Waziristan Agency with retrospective on account of his willful absence from duty.

(HABIBULLAH)
Agency Education Officer,
North Waziristan Agency

Endst: No. 8197-205 Dated 13/10/2017

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

Encl N.W.A

etc
C.A.

بجضور جناب ڈائریکٹر صاحب ایجوکیشن فاٹا، خیبر پختونخوا پشاور

عنوان: اپیل برائے بحالی سروس

(11)
11/11/2017

جناب عالی!

گزارش بجضور انور ہے۔ سائلہ ذیل امور کی جانب آپ کی توجہ مبذول کروانا چاہتی ہے۔
یہ کہ سائلہ گورنمنٹ گرلز پرائمری سکول محمد اعظم کوٹ میں اپنی ڈیوٹی فرائض سرانجام دے رہی تھی۔

(1) یہ کہ سائلہ 01-09-2017 کو Show cause AEO No:9654-55 dated 09-11-2017
notice 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 رولز کے مطابق چھٹیوں کے دن کوئی بھی غیر حاضر نہیں ہو سکتا ہے۔ نوٹیفیکیشن لف ہے۔

(2) نہ ہی سائلہ کو تحریری طور پر شوکاژ نوٹس غیر حاضری کی ملی ہے۔

(3) یہ کہ AEO صاحب نے مورخہ 03-12-2017 کو روزنامہ مشرق احبار 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 Discipin Rules 2011 کے تحت سائلہ کی برحالتگی (Removal from service)
عمل میں لائی گئی ہے۔ سرکاری اعلامیہ روزنامہ مشرق احبار کی فوٹو کاپی منسلک ہے۔

(4) یہ کہ سائلہ سکول سے غیر حاضری کا ارتکاب نہیں کیا ہے۔ حاضری رجسٹر معاملات منسلک ہے۔
درجہ بالا حقائق کی روشنی میں سائلہ کی Removal 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 حضرت مکتوم لعل محمد

آپ کا تابعدار مس نصرت کلثوم پی ٹی سی گورنمنٹ گرلز پرائمری سکول محمد اعظم کوٹ شمالی وزیرستان ایجنسی میران شاہ

CNCI: 14203-1580219-6

محمد

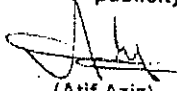
F.No.2/4/2016-Public.
GOVERNMENT OF PAKISTAN
MINISTRY OF INTERIOR

Islamabad the 23rd August, 2017.

PRESS RELEASE

It is notified for general information that 1st to 4th 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. PS to the Secretary, Ministry of Interior, Islamabad.
26. 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)

رجسٹر حاضر فی مدرسین گورنمنٹ کالج برائے سیکولر تعلیم کراچی

بابت ماہ 11/2017

(13)

تاریخ	نورث کالج			سول کالج			سول کالج			سول کالج		
	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی
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انفاقہ												
احتیاقہ												
بیلہ												
میزان												

لکڑی کلاں

الحق علی

درخواست‌های مالی و اداری
 در زمینه ...
 بابت ماه 10/2017

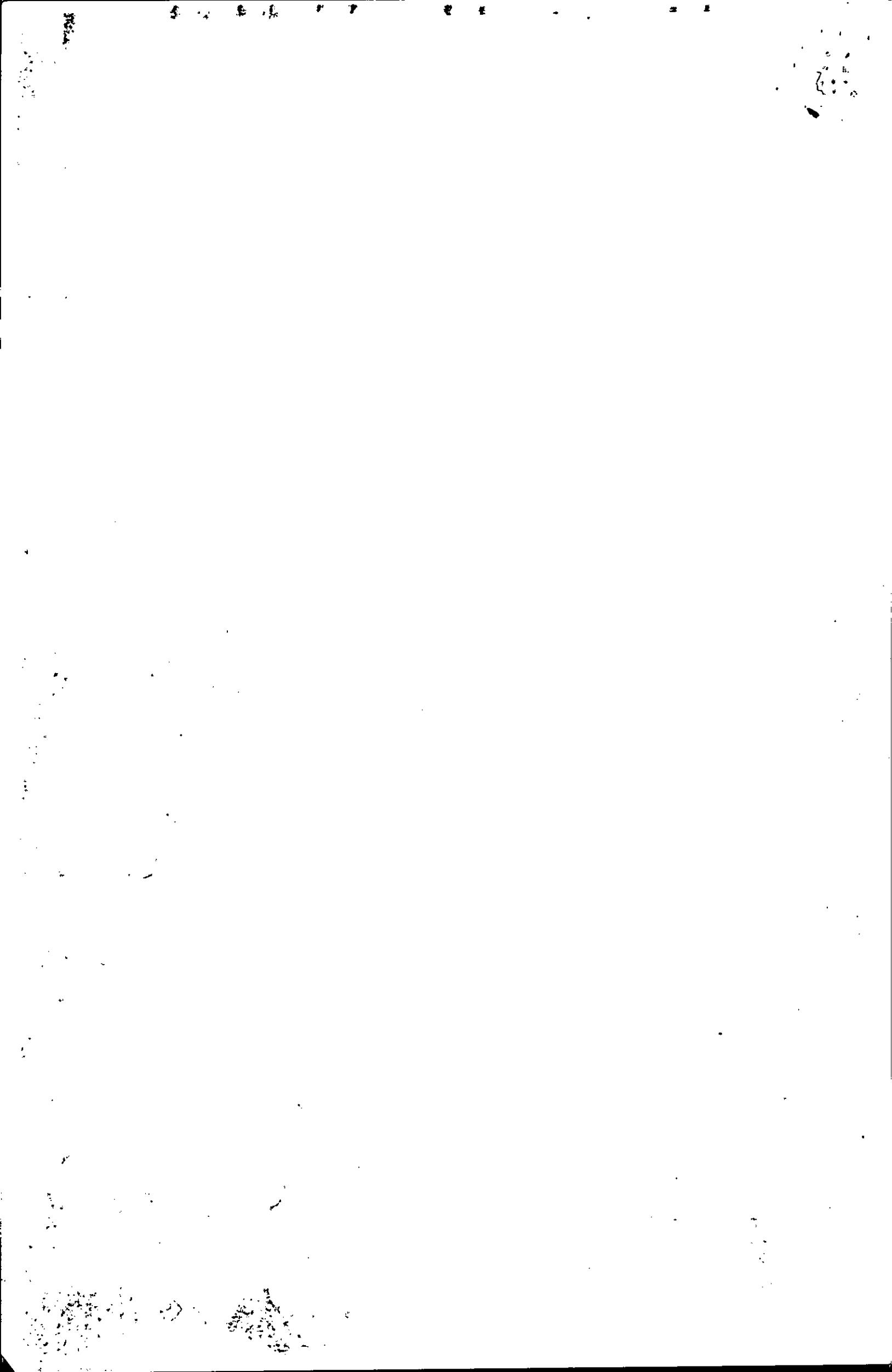
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میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان
میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان

مهر و امضاء



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رجسٹر حاضر کی ملازمتیں گورنمنٹ گریجویٹ سکول محمد اعظم کوٹ

بابت ماہ 09/2017

نام عہدہ	لبرٹ مکتوم PTC				فرناج ملکیم PTC			
	آمد	دستخط	روائی	دستخط	آمد	دستخط	روائی	دستخط
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2								
3								
4								
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31								
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انفاقیہ								
استحقاقیہ								
بیماری								
میزان								

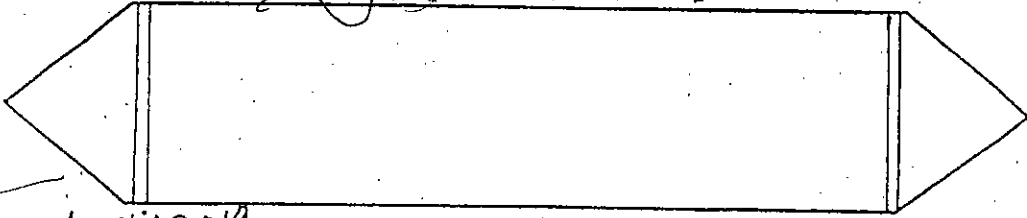
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گورنمنٹ گریجویٹ سکول محمد اعظم کوٹ

محمد اعظم کوٹ

بعدالت حیدرآباد میں ٹریبیونل سہ ماہی



2014ء منجانب ایڈووکیٹ

لفظاً مکلفم بنام
ڈاکٹر ابرار حسین
ڈاکٹر ابرار حسین

موزعہ
مقدمہ
دعویٰ
جرم

باعث تحریر آئینکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام محمد سعید حسن کیلئے محمد سعید حسن اور ابراہیم
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 صولی چیک دروپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرفہ 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 یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ یا اختیارات 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 لکھنڈیا کہ سندر ہے۔

المرقوم _____ ماہ _____ 20

العبد _____ واہ العبد _____

کے لئے منظور ہے۔

سہ ماہی

بمقام

Accepted

Case

کے لئے منظور ہے۔

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 522/2018

Nusrat Kalsoom 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 KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 522/2018

Nusrat kalsoom Ex-Senior Primary School teacher-----Petitioner

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 1st to 4th of September 2017 were holidays but the appellant had been remained absent from her duties since long till the 1st of September 2017. And till the 1st 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 1st 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 Tribale Districts**

Respondent No. 2



**District Education Officer
North Waziristan Tribale District**

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 522/2018

Nusrat kalsoom Ex-Senior Primary School teacher-----Petitioner

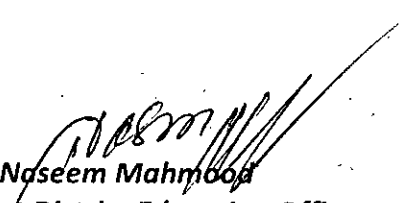
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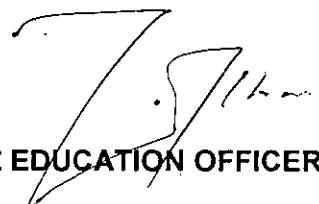
AFFIDAVIT

I Naseem Mahmood Assistant District Education Officer North Waziristan on behalf of the Respondent No. 1 & 2, do hereby solemnly affirm and declare that the report of Respondent No.1 & 2 in R/O of Appeal. No. 522/2018 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 ADEO. 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