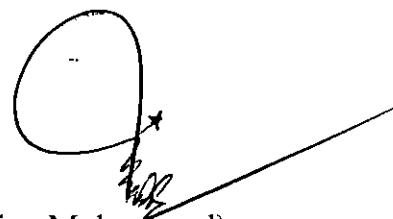


16.05.2022

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant while arguing the case at the stage of preliminary hearing contended that the appellant is aggrieved of the original impugned order dated 20.03.2020 whereby minor penalty of recovery to the tune of RS 311558/- was ordered to be recovered from the appellant for a period of her unauthorized training w.e.f. 01.09.2007 to 30.11.2009. The said amount is to be recovered in 36 equal installment of Rs. 8654/- each per month. She preferred departmental appeal on 24.11.2021 which was not responded within the statutory period hence the instant service appeal was instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 on 24.03.2022. Learned counsel for the appellant contended that the penalty has been imposed upon the appellant on the basis of a fact finding enquiry and no formal/regular enquiry has ever been conducted against the appellant. She has not been associated with the proceedings of departmental enquiry. Moreover, she had performed duty during the period and monthly salary has rightly been drawn during the period. The purported Show Cause Notice issued to the appellant was duly replied by the appellant, but no enquiry report was actually provided to her as mentioned/claimed in Para 5 of the Show Cause Notice.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments. To come up for reply/comments before the S.B on 21.07.2022. Alongwith the service appeal, an application for restraining respondents from effecting recovery from the appellant till the final disposal of the service appeal has also been submitted. The said application may also be sent to the respondents for their reply/comments.




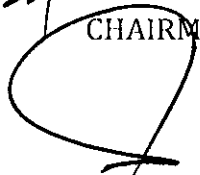
(Mian Muhammad)
Member(E)

Rs 500/-
Appellant Deposited
Security & Process Fee
20/5

Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- _____ 420/2022 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/03/2022	<p>The appeal of Mrs. Zainab Gul presented today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>16-05-2022</u> <i>Notice to the appellant/counsel</i></p> <p style="text-align: right;"> CHAIRMAN</p>
2-	<p><i>Noted Hittat. on 8/4/22 Hidayat Clerk.</i></p>	

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Case Title: Zainab Iqbal CHECK LIST v/s Request & etc.

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: _____	✓	
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	✓	
26	Whether copies of comments/reply/rejoinder submitted? On _____	✓	
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____	✓	

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Fazal Shah Mohiuddin
 Signature: [Signature]
 Dated: 24-3-22
ASC

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 420/2022

Mrs. Zainab Iqbal.....Appellant

V E R S U S

Govt. and others.....Respondents

I N D E X

S.No	Description of Documents	Annexure	Pages
1.	Service Appeal with Affidavit		1-3
2.	Application for interim relief with Affidavit		4
3.	Copy of Diploma	A	5-6
4.	Copy of Fact finding inquiry report	B	7-13
5.	Copy of Charge Sheet & Reply	C & D	14-18
6.	Copy of Show Cause Notice and reply	E & F	19-23
7.	Copies of Office Orders dated 20-03-2020 & Office Order dated 25-10-2021	G & H	24-25
8.	Copy of Departmental appeal	I	26-28
11.	Vakalat Nama		29

Dated:-24-03-2022

Through


Appellant

Fazal Shah Mohmand
Advocate,
Supreme Court of Pakistan

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841
Email:- fazalshahmohmand@gmail.com

-1-

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No 420/2022

Mrs. Zainab Iqbal, Family Welfare Assistant (Female), District Population Welfare, Office Nowshera.
.....Appellant

V E R S U S

1. Govt. of Khyber Pakhtunkhwa through Secretary Population Welfare, Peshawar.
2. Director General, Population Welfare, Khyber Pakhtunkhwa, Peshawar.
3. District Population Welfare Officer, Nowshera.

.....Respondents

**APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974
AGAINST THE OFFICE ORDER DATED 20-03-2020,
COMMUNICATED TO THE APPELLANT VIDE LETTER DATED 25-
10-2021 WHEREBY MINOR PENALTY OF RECOVERY OF RS.
3,11558/- HAS BEEN IMPOSED UPON THE APPELLANT AND
AGAINST WHICH DEPARTMENTAL APPEAL OF THE
APPELLANT DATED 24-11-2021 HAS NOT BEEN RESPONDED
SO FAR DESPITE THE LAPSE OF MORE THAN THE STATUTORY
PERIOD OF NINETY DAYS.**

PRAYER:-

On acceptance of this appeal the impugned Office Order dated 20-03-2020 may kindly be set aside thereby declaring the impugned recovery of Rs. 311558/- as illegal and unlawful.

Respectfully Submitted:-

1. That the appellant was appointed as Family Welfare Assistant (Female) (BPS-5) (herein referred to as FWA) on 18-11-2008 by the District Population Welfare Officer, Nowshera and since appointment has performed her duties with honesty and full devotion and to the entire satisfaction of her high ups. The appellant has acquired/qualified her LHV/Midwifery examination. **(Copy of Diploma is enclosed as Annexure A).**
2. That allegedly on the complaint regarding irregularities in the promotion of some FWA Females of one Mrs. Noor-Ul-Huda fact finding inquiry was conducted. **(Copy of Fact finding inquiry report is enclosed as Annexure B).**
3. That there after Charge sheet with statement of allegations was issued to the appellant on the allegations that she took admission without applying for any type of leave/NOC and that as per record she availed LHV training from Govt. Public Health School while serving in the department simultaneously drawing salaries from the

-2-

population welfare which the appellant replied in detail refuting the allegations and bringing the true facts accordingly. **(Copy of Charge Sheet & Reply is enclosed as Annexure C & D).**

4. That on 15-01-2020 Show Cause Notice was issued to the appellant by respondent No 2, on the same allegations, the appellant duly replied the same refuting the allegations and explaining the true position. **(Copy of Show Cause Notice and reply is enclosed as annexure E & F).**
5. That strangely and to utter shock of the appellant she was awarded the minor penalty of recovery of Rs. 311,558/- by the respondent No 2 vide Office dated 20-03-2020 which was communicated to the appellant vide Office dated 25-10-2020. **(Copies of Office Orders dated 20-03-2020 & Office Order dated 25-10-2021 is enclosed as annexure G & H).**
6. That the appellant filed departmental appeal before respondent No 1 on 24-11-2021 which has not been responded despite the lapse of more than the statutory period of ninety days. **(Copy of Departmental appeal is enclosed as Annexure I).**
7. That the impugned Office Order dated 20-03-2020 is against the law, facts and principles of justice on grounds inter-alia as follows:-

GROUNDS:-

- A. That the impugned Office order is illegal void ab-initio.
- B. That the appellant has not treated in accordance with law in violation of Article 4 and 25 of the Constitution and law of the land being his fundamental right.
- C. That the appellant did nothing that amounts to misconduct as she duly performed her duties during the said period and never become absent.
- D. That as the appellant regularly performed her duties and the salaries were paid to her in lieu of duties which cannot be recovered.
- E. That the appellant has completed her LHV Diploma in the year 2013 and she provided copies of the Diploma etc to the department while action against her was initiated after more than seven years i.e.in the year 2020 which speaks of anything but not fair and bonafide.
- F. That inquiry was conducted on the back of the appellant as the appellant was never associated with the same nor any one was examined in his presence and similarly the appellant was not afforded the opportunity of cross examination.
- G. That no evidence was collected in support of the allegations thus to the impugned order is liable to set at naught on this score alone.

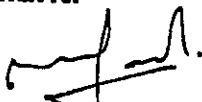
- H. That the appellant duly explained her position in reply to the Show case Notice and even otherwise no loss has been caused to the department, on this score too the impugned order is not tenable in the eyes of law.
- I. That the impugned order is based on malafied which is smacked from the circumstances of the case being spelled from the uncalled complaint as the appellant was never provided opportunity of defense nor her version was considered.
- J. That the appellant was not afforded opportunity of personal hearing.
- K. That the appellant has about 13 years of service with unblemished service record at her credit with no complaint during entire service career.
- L. That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.


It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Any other relief deemed appropriate and not specifically asked for, may also be granted in favor of the appellant.

Dated:-24-03-2022

Through


Appellant


Fazal Shah Mohmand
Advocate,
Supreme Court of Pakistan

LIST OF BOOKS

- 1. Constitution 1973.
- 2. other books as per need

CERTIFICATE:

Certified that as per instructions of my client, no other Service Appeal on the same subject and between the same parties has been filed previously or concurrently before this honorable Tribunal.


ADVOCATE

AFFIDAVIT

I, Mrs. Zainab Iqbal, Family Welfare Assistant (Female), District Population Welfare, Office Nowshera, do hereby solemnly affirm and declare on oath that the contents of this Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.


DEPONENT

-4-

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No _____/2022

Mrs. Zainab Iqbal.....Appellant

V E R S U S

Govt. and others.....Respondents

Application for restraining respondents from effecting recovery from the appellant till the final disposal of titled case.

Respectfully Submitted:-


1. That the accompanying appeal is being filed today in which no date of hearing has been fixed so far.
2. That the grounds of appeal may be considered as integral part of this application.
3. That the appellant has got good prima facie case in her favor and is sanguine of its success.
4. That the balance of convenience is also in her favor and if respondents are not restrained from effecting recovery the appellant would suffer irreparable loss.

It is therefore prayed that on acceptance of this application, respondents may kindly be restrained from effecting recovery from the appellant till the final disposal of titled appeal.

Dated:-24-03-2022

Through


Appellant


Fazal Shah Mohmand
Advocate,
Supreme Court of Pakistan

AFFIDAVIT

I, Mrs. Zainab Iqbal, Family Welfare Assistant (Female), District Population Welfare, Office Nowshera, do hereby solemnly affirm and declare on oath that the contents of this **Application**, are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.


DEPONENT

SERIAL No. 05001

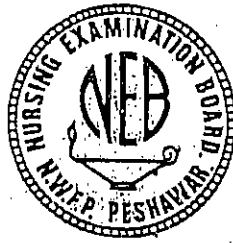
-S- "A"

Diploma No. N.W.F.P. 4918 /NEB/DM.SEC-II



Roll No. 44

Nursing Examination Board N.W.F.P.



DIPLOMA IN MIDWIFERY SECTION II

This is to Certify that Zainab Begum Daughter/wife/of Zakir Shah having been trained in the PHS, Nishterabad Peshawar has passed the MIDWIFERY EXAMINATION of the Nursing Examination Board N.W.F.P. held in September, 2012 and is considered qualified to attend Cases of NORMAL LABOUR.

She Passed in Second Division,

[Signature] Vice-Chairman

[Signature] Controller

NURSING EXAMINATION BOARD N.W.F.P.

Peshawar 29-May-13

[Circular stamp with handwritten text and signatures]

SERIAL No. 03686

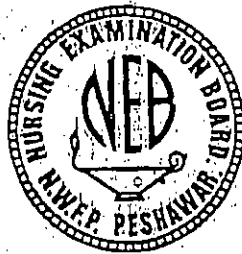
-6-

Diploma No. N.W.F.P. 4299 /NEB/LHV



Roll No. 198

Nursing Examination Board



P. M. J. P.

LADY HEALTH VISITORS DIPLOMA

This is to Certify that Zainab Begum
Daughter/wife/of Zakir Shah
having been trained in the PHS, Nishterabad Peshawar

has passed in the LADY HEALTH VISITOR EXAMINATION of the Nursing Examination Board N.W.F.P. held in ~~April~~ November, 2013 and is considered qualified to act as HEALTH VISITOR AND MATERNITY SUPERVISOR

She Passed in First Division,

[Signature]
Vice-Chairman

[Signature]
Controller

NURSING EXAMINATION BOARD N.W.F.P.

Peshawar 25-Apr-11

-7- "B" 4 B

FACT FINDING REPORT ON THE COMPLAINT LODGED BY MRS. NOOR-UL-HUDA, RESIDENT OF DISTRICT NOWSHERA REGARDING PROMOTION OF FAMILY WELFARE ASSISTANT (FEMALE) TO THE POST OF FAMILY WELFARE WORKER ISSUED VIDE ORDER F.NO.4(5)/2018/HR DATED 31.05.2019.

BACK GROUND

1. A complaint received to Director General, Population Welfare Department, Khyber Pakhtunkhwa showing her name as Mrs. Noor-ul-Huda resident of district Nowshera, wherein she has pointed out some irregularities in the promotion of FWA (Female) namely Zainab Iqbal, Haseena Begum and Mehr-un-Nisa of district Nowshera to the post of Family Welfare Worker (Annexure-A). Accordingly a committee was constituted by competent authority to investigate the matter and submit report (Annexure-B).

PROCEEDINGS

2. In pursuance of office order issued vide F.No.4(5)/2019/Admn dated 25.06.2019 (Annexure-B), the committee Mr. Muhammad Wali, Director (PME) and Mr. Naseem Ullah, Assistant Director (C&Ls) scheduled a visit on 27.06.2019 and accordingly a letter was issued to District Population Welfare Officer, Nowshera to ensure the presence of complainant and three other accuses vide Annexure-C.

3. As per above schedule, the committee visited District Population Welfare Office, Nowshera on 27.06.2019. District Population Welfare Officer, Nowshera informed the committee that the complainant Mrs. Noor-ul-Huda could not be traced out as no address is mentioned in the complaint and a copy of letter in this regard was also provided to the committee vide Annexure-D. As such the complainant did not traced out therefore the complaint seems anonymous/pseudonymous and could not be entertained. In this regard S&GAD has issued instructions vide their letter No.SOR-II(S&GAD)5(29)/97-Vol-II dated 15.11.1999 regarding disposal of anonymous/pseudonymous complaint which is reproduced as under:-

4. It has been observed that the aforesaid instruction vide this department letter of even no. dated 22.07/1998 are either not being followed or have been lost sight of as anonymous/pseudonymous complaint are still being received which on investigation are found baseless resulting in wastage of time and energy of the government functionaries and stationery of the government which could usefully be utilized in pursuit of public interest. (1) I am therefore directed to request once again that anonymous/ pseudonymous letter/complaint should not be entertained in any government department/office in future.

- 2 -

- 8 -

(B)

(2) The above instruction may kindly be brought to the notice of all concerned and noted for strict compliance vide **Annexure-E**.

5. The matter was discussed with the competent authority who directed the committee to investigate as there are some facts in the complaint of some officials who got training of LHV during their service in the department which required to be investigated. The committee scrutinized the list of promotees officials issued vide office order No.4(5)/2018/HR dated 31.05.2019 and eligibility list at **Annexure-F&G**, wherein the following three official were pointed out who got training/LHV diploma while serving at the same time in this department.

1. Mrs. Zainab Iqbal at S.No.25 of promote list DPW Office, Nowshera.

2. Mrs. Noor Jehan at S.No.18, DPW Office Dir Upper.

3. Mrs. Bakht Rawana at S.No.10 DPW Office Buner.

6. Mrs. Zainab Iqbal:- Mrs. Zainab Iqbal was appointed as FWA (Female) vide offer of appointment at **Annexure-H**. She got LHV Diploma from Nursing Examination Board, Khyber Pakhtunkhwa having been trained in the PHS Nishtarabad, Peshawar during the period 2011-13 on regular basis (copy of diplomas at **Annexure-I**). As per office record she has not applied for leave nor got NOC for the purpose of LHV training. However, she has applied only for two months earned leave w.e.f. 16.01.2013 to 15.03.2013 for the purpose of construction work of her house and was granted vide copy of application & office order available at **Annexure-J**.

7. The committee recorded statement of the present District Population Welfare Officer, Nowshera at **Annexure-K** wherein he informed that according to available record/documents Mrs. Zainab Iqbal FWA (Female) was performing her duties at DPWO, Nowshera during the training period of LHV diploma nor any study leave was granted to her. He further informed the committee that as per her tour programme, attendance register, service book & performance report. She has perform her duties and drawn salaries regularly during the training period. As per written statement submitted by her placed at **Annexure-L**. She failed to clarify her position regarding availing training and drawing salary from DPWO Nowshera simultaneously.

8. In order to further clarify the position the committee send a letter to Principal, Public Health School, Nishtarabad, Peshawar vide **Annexure-L1** for verification her attendance in the institution. In response the Principal, Public Health School,

-B- -9-

(B)

Nishtarabad vide letter at Annexure-L2 confirmed and verified that Mrs. Zainab Iqbal was enrolled at this institution during the session 2011-13 and completed her training regularly. Keeping in view the letter of Principal, Public Health School, Nishtarabad and statement of present DPWO Nowshera it is proved that at the same period i.e. 2011-13 she has obtained LHV diploma from PHS Nishtarabad and also drawn salaries from DPWO, Nowshera which did/do not cover under the rule.

9. **Mrs. Noor Jehan:-** Mrs. Noor Jehan was appointed as FWA (Female) in the year 2006 vide offer of appointment at Annexure-M. As per written statement of DPWO Dir (Upper) at Annexure-N, wherein he informed the committee that she has neither been granted leave for the training/LHV diploma nor submitted application for any sort of leave. As per available record of this office she has drawn her salaries regularly during the training period. He further certified that she had not been nominated officially for the said training course. A detail statement of salaries drawn by her during the training period is also available at Annexure-O. A written statement also taken from her placed at Annexure-P, wherein she stated that during the period 2007-09, she has given examination in PHS Peshawar as private candidate with the help of Peman Project and got LHV diploma. During the period she also performed her duty regularly and drawn her salaries accordingly. As per attendance register (copy of the same obtained from DPW Office, Dir (Upper)) she has marked herself present regularly during the said training period.

10. To verify further that whether the LHV diploma has been obtained by Mrs. Noor Jehan, FWA (F) of District Dir (Upper), the committee send a letter to Principal, Public Health School, Hayatabad placed at Annexure-P1 for verification her attendance in the institution. In response the Principal, Public Health School, Hayatabad vide her letter at Annexure-P2 confirmed/verified that Miss Noor Jehan d/o Faqir Muhammad was a regular student for LHV diploma course during the session 2007-09 at PHS, Hayatabad. Keeping in view the letter of Principal, Public Health School, Nishtarabad and statement of present DPWO Dir (Upper) it is proved that at the same period i.e. 2007-09 she has obtained LHV diploma from PHS Nishtarabad and also drawn salaries from DPWO, Dir (Upper) which did/do not cover under the rule.

11. **Mrs. Bakhti Rawana:-** Mrs. Bakhti Rawana was appointed as FWA (Female) in the year 2005 vide letter F.No.1(2)/Admn/2004-05 dated 29.04.2005 copy at

Annexure-Q. She got training of LHV course from PHS Hayatabad Peshawar during the session 2007-09 copies of diploma at **Annexure-R.** A written statement in this regard was taken from DPWO Buner placed at **Annexure-S.** Wherein he has stated that Mrs. Bakhti Rawana, FWA (Female) is working in this district since 2005. During the period from 2007-09 she performed her duty regularly in FWC Bagra which is evident from the record i.e. her attendance, attending of monthly meeting, her tour programme, movement register and other record. She has granted 90-days earned leave w.e.f. 19.05.2007 to 16.08.2007, except that she has not applied for any type of leave nor granted. Moreover no NOC was issued to her for the purpose of LHV training. He further stated that as per my scheduled visit to FWC Bogra the undersigned found her present in the center. Her incharge never reported her as absent. As per record of this office she performed her duty regularly and has drawn her salaries during the said period. Detailed statement of salaries drawn by her during the period also at **Annexure-T.** Statement of incharge her center and Chowkidar were also recorded and placed at **Annexure-U** who also affirmed that she has performed her duty regularly. In her statement placed at **Annexure-V** she stated that she has got LHV diploma from PHS Hayatabad Peshawar with the help of Peman Project and during the training period i.e. 2007-09 she also performed her duty regularly and drawn the salaries. On a question from her that how she managed both the training and her office duty, she failed to clarify her position.

Similarly to verify further the regular attendance of Mrs. Bakhti Rawana d/o Sultan from Public Health School, Hayatabad regarding LHV diploma during the period 2007-09, the committee send a letter of Principal, Public Health School, Hayatabad placed at **Annexure-P¹** for verification her attendance in the institution. In response the Principal, Public Health School, Hayatabad vide her letter at **Annexure-P²** verified that Miss Bakhti Rawana d/o Sultan was regular student for LHV diploma course during the session 2007-09 at PHS, Hayatabad. Therefore it has been proved that she at the same time got LHV diploma and also drawn her salaries from the office which did/do not cover under the rule.

12. **Mrs. Haseena Begum:-** In the complaint it was alleged that Mrs. Haseena Begum DPWO, Nowshera was appointed as Dai in the year 2006 and was appointed as FWA (Female) in the year 2012 and got training of Family Welfare Worker from Regional Training Institute, Peshawar, either her seniority in the cadre of FWA (Female) was considered from 2006 or 2012.

-5- -11-

(B)

13. The committee checked the record and found that she was appointed as Dai in the year 2006 vide order No.1(3)/Admn/2004-05 dated 06.04.2006 subsequently appointed as FWA (Female) in the year 2012 vide order No.1(1)/Admn-2012 dated 07.05.2012 copy of order at Annexure-W, she has obtained training of Family Welfare Worker from Regional Training Institute, Peshawar w.e.f. 03.06.2013 to 02.05.2015 vide Annexure-X through proper channel. The committee examined the seniority list of FWAs (Female) wherein it was observed that she has correctly been placed at S.No.366 w.e.f. 07.05.2012 which is her date of appointment as FWA (Female).
14. In order to further clarify that whether she has obtained any stipend from RTI, Peshawar during training period or not, a statement in this regard was also obtained from her placed at Annexure-Y, wherein she confirmed that during the Family Welfare Worker training course she has drawn only her salaries regularly and no stipend was given to her. To cross check her claim for not receiving any stipend, Principal, Regional Training Institute, Peshawar was requested to confirm/verify the statement of accused vide Annexure-Y1. Accordingly it was intimated by Principal, RTI, Peshawar vide Annexure-Y2 that she has not obtained/received any stipend from the institute.
15. **Mrs. Mehr-un-Nisa:-** In the complaint, it was alleged that she was appointed in ADP Project in the year 2012 and the project ended in June, 2014. She alongwith others were regularized in October, 2016. In this way her regular service approximately become 2 year 6 months then how she promoted to the post of Family Welfare Worker.
16. The Committee check the record and as per service rule the minimum length of service for promotion to the post of Family Welfare Worker is 3 years. As per APT rule 1989, para-9 sub-para-1, which reproduce as, "where the appointing authority considered it to be in the public interest to fill a post reserved under the rules for departmental promotion and the most senior civil servant belonging to the cadre or service concerned, who is otherwise eligible for promotion, does not possess the specified length of service, the authority may appoint him to that post on acting charge basis provided that no such appointment shall be made if the prescribed length of service is short by more than three years". She can be promoted on acting charge basis but promotion on regular basis required length of service i.e. 3 years is mandatory. However her promotion order has been withdrawn vide office

order No.4(5)/2019-Admn dated 17.06.2019 placed at Annexure-Z. Therefore the objection stand invalid.

17. The committee also scrutinized the documents of those FWA (Female) who were placed in the panel for promotion to the post of Family Welfare Worker but they have not completed their three years regular service as required in the service rule as well as those who got LHV diplomas.
18. The committee checked the record of the following FWA (Female) who got LHV diploma and their names placed in the panel for promotion to the post of Family Welfare Worker and were not promoted due to the reason of their lack of service as required.

S.No.	Name of FWA (Female)	Place of posting
1	Rifat Bibi	Buner
2	Fauzia Begum	Shangla
3	Nighat Hasham	Nowshera
4	Wahida Bibi	Peshawar
5	Azra Naz	D.I.Khan
6	Sadia Naz	Malakand
7	Amina Shah	Lakki Marwat
8	Hira Sadique	Charsadda
9	Shabana Masood	Tank

19. The committee checked their LHV diplomas with their original documents which they have got from Nursing Board, Fingers steps from all these were taken on each documents and a written statement from all the concerned taken on oath that they have completed LHV training before joining government service vide at Annexure-AA.

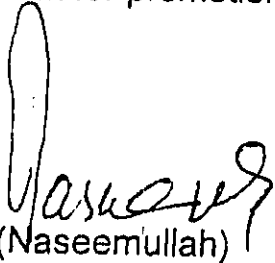
FINDINGS

1. As per statement of DPWO, Nowshera, Dir (Upper), Buner and accordingly confirmation of Principal, Public Health School, Nishtarabad and Principal, Public Health School, Hayatabad at Annexure-K, L2, N, P2, S & P2 respectively, it is proved that Mrs. Zainab Iqbal, FWA (Female) DPW Office, Nowshera, Mrs. Noor Jehan, FWA (Female) DPW Office, Buner and Mrs. Bakhti Rawana, FWA (Female) DPW Office, Buner performed her duties as per record and drawn her salaries during the period and also got LHV diploma in the same period from Nursing Board without applying any type of leave/NOC from the concerned office.

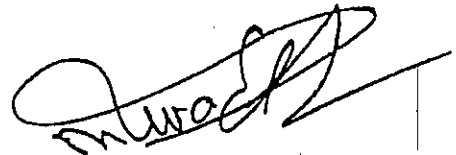
-8- -13-

10

2. Mrs. Haseena Begum was appointed as Dai in the year 2006 and subsequently appointed as FWA (Female) in the year 2012. She has correctly been placed at S.No.366 w.e.f. 07.05.2012 as per her appointment as FWA (Female). The objection in the complaint is stand invalid.
3. Mrs. Mehr-un-Nisa was appointed as FWA (Female) in ADP Project in the year 2012 and the project ended in 2014, subsequently she was regularized in October, 2016. As per promotion order she was promoted to the post of Family Welfare Worker on regular basis without completing 03 years mandatory service under service rule, however her promotion order has been withdrawn vide Annexure-Z, therefore no further cause of action exist.
4. The committee check the record of LHV diplomas of those FWA (Female)s mentioned at para-18 and confirmed from the record that they have got their LHV diplomas from Nursing Board before joining service may be promoted if otherwise fit for promotion.



(Naseemullah)
Assistant Director (C&Ls)
(Inquiry Officer)



(Muhammad Wali)
Director (PME)
(Enquiry Officer)

CHARGE SHEET

"C" 9
-14-

I, Fazal Nabi Khan, as Director General, Population Welfare Directorate, Khyber Pakhtunkhwa, as competent authority, hereby charge you Mst. Zainab Iqbal, Family Welfare Assistant (Female) BPS-07 District Population Welfare Office, Nowshera as follows:-

That you, while posted as Family Welfare Assistant (Female) BPS-07, RHSC-A, DHQ, Nowshera committed the following irregularities:

- a) That you took admission without applying for any type of leave/NOC from the Competent Authority
- b) That as per record you availed LHV Training from Govt. Public Health School while serving Population Welfare as regular employee simultaneously drawing salary from Population Welfare.

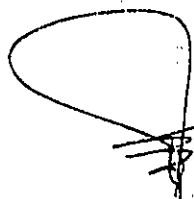
2. By reason of the above, you appear to be guilty of MISCONDUCT under rule (3) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule (4) of the rules ibid.

3. You are, therefore, required to submit your written defence within seven days of the receipt of this Charge Sheet to the inquiry officer/inquiry committee, as the case may be.

4. Your written defence, if any, should reach the inquiry officer/inquiry committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.

5. Intimate whether you desire to be heard in person.

6. A statement of allegations is enclosed.



COMPETENT AUTHORITY

-15-

DISCIPLINARY ACTION

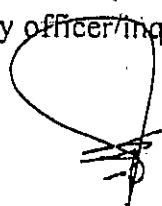
1. Fazal Nabi Khan, as Director General, Population Welfare Directorate, Khyber Pakhtunkhwa, as competent authority, am of the opinion that Mst. Zainab Iqbal, Family Welfare Assistant (Female) BPS-07 District Population Welfare Office, Nowshera has rendered herself liable to be proceeded against, as she committed the following acts/omissions, within the meaning of rule (3) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS

- a) That she took admission without applying for any type of leave/NOC from the Competent Authority.
 - b) That as per record she availed LHV Training from Govt. Public Health School while serving Population Welfare as regular employee simultaneously drawing salary from Population Welfare.
2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/inquiry committee, consisting of the following, is constituted under rule 10(1)(a) of the ibid rules:

- i. Kashif Fida ADA
- ii. _____
- iii. _____

3. The inquiry officer/inquiry committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings and make, within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.
4. The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the inquiry officer/inquiry committee.


COMPETENT AUTHORITY

- RTI سے درخواست دہانے پر - RTI سے درخواست
 سے اس کو ملتا ہے۔ - Willful Pay - اس سے اس کو ملتا ہے۔
 اس سے اس کو ملتا ہے۔ - RTI سے درخواست دہانے پر - RTI سے درخواست
 سے اس کو ملتا ہے۔ - RTI سے درخواست دہانے پر - RTI سے درخواست
 سے اس کو ملتا ہے۔ - RTI سے درخواست دہانے پر - RTI سے درخواست

- اس سے اس کو ملتا ہے۔ - RTI سے درخواست دہانے پر - RTI سے درخواست
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18- انہاں کے اتنا کہ ہے۔ انہوں نے اس کے لئے - غیر محلی سے جو عہدہ
 کے لئے ہے جو Department کے اصولوں کے خلاف ہے جو صرف سلاویج
 اور ریسرچ کے لئے ہے۔ اور یہ اس کے لئے ہے کہ صرف محلی سے اس کے
 کوئی FWW کا عمل نہ ہوگا۔ اس کے لئے اس کے Department کی فوری
 کیسکو۔

اس کے لئے اس کے لئے ہے۔ اس کے لئے اس کے لئے اس کے لئے اس کے لئے
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SHOW CAUSE NOTICE

"E"-19-E

1. Fazal Nabi Khan, Director General, Population Welfare Department, Khyber Pakhtunkhwa, as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Mst. Zainab Iqbal, Family Welfare Assistant (F) BPS-07, DPW Office, Nowshera as follows:

1. (i) That consequent upon the completion of inquiry conducted against you by the inquiry officer/inquiry committee for which you were given opportunity of hearing vide communication No. 4(5)/2019/Admn dated 04.12.2019; and
- (ii) On going through the findings and recommendations of the inquiry committee, the material on record and other connected papers including your defence before the inquiry committee,-

I am satisfied that you have committed the following acts/omissions specified in rule 3 of the said rules:

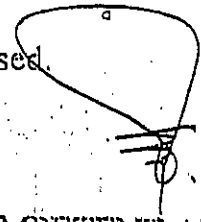
- (a) That you while serving as FWA (F) in this Department, had not applied for any type of leave / NOC from the Competent Authority for completion of LHV course from Govt. Public Health School.
- (b) That you availed LHV Training from Govt. Public Health School while serving in Population Welfare Department as regular employee simultaneously and drawn salaries with allowances.
- (c) That somehow you have managed attendance both at the workplace and Public Health School.

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of Major Penalty under rule 4 of the said rules.

3. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

4. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.

5. A copy of the findings of the inquiry committee is enclosed.



COMPETENT AUTHORITY

Findings:-

-20-

(10)

1. It is proved beyond any doubt that all of the accused officials have not applied for any type of leave / NOC from the Competent Authority for completion of LHV course from Govt. Public Health School.
2. It is also proved that all of the three accused officials availed LHV Training from Govt. Public Health School while serving Population Welfare as regular employee simultaneously and drawn salaries with allowances.
3. Somehow or the other, all of the accused officials have managed attendance both at workplace and Public Health School.
4. The role of DPWOs mentioned at Page-4 could not be ignored during the tenure of whom, the accused officials got the said training.

f.k?
16/12/2019

(KASHIF FIDA)
Assistant Director (Admin)
Enquiry Officer

The DG Population Welfare Department
RPR Peshawar

-21-

17

R/S/16,

"F"

Subject: REPLY OF SHOW CAUSE NOTICE

REF YOUR LIT NO-04(S)2019 Adm/220-22

dated 15/07/2020 - Received to me on dated 18/07/2020
Time 12:30 PM

① I was take leave 03/02 = month from
Department during my Exam/Training
Leave Application - Application and leave
on record also in service book I was now
in JSB/Department do not know about
the NOC or other Rule - but so many
time in DG office and District office
I submitted photo copy of that LHV
DIPLOMA for promotion -

so many time the Department officers
visited on me check the visitor book
of the said centers - I was present on
any visit on me - also names of
Mansoor SAB, - MALIK TAJ SAB, Faraz
Khan SAB, FAKHAR SAB, FAROQ SAB
for so many time to time.

Salary please check the Record about
 my duty / Job / work. also note from my
 District Office. Please check - c-s case and
 Family Planning Patients - also check the
 visit book and Remarks - also check
 the Com's Performance - where I stay in
 Job/duty -

c) I was new in Job do not know about
 the Department but 1st I complete my Job
 work here in morning / evening and after
 the completion of my work in Department
 then give some time to LHV course but
 I give Result to Department 100% that time
 I do not know about RTI course from
 Department if I know why I complete from
 LHV from PHST Post - I Give Admission in
 RTI from Population Department -

وہ وقت میں میں نے اپنے کام کو مکمل کیا
 اور اس کے بعد میں نے LHV کورس میں داخلہ لیا
 اور اس کے نتیجے میں میں نے 100% نتیجہ دیا
 اور اس کے بعد میں نے RTI کورس میں داخلہ لیا
 اور اس کے نتیجے میں میں نے بھی 100% نتیجہ دیا
 اور اس کے بعد میں نے اپنا کام دوبارہ شروع کیا



GOVERNMENT OF KHYBER PAKHTUNKHWA
 DIRECTORATE GENERAL POPULATION WELFARE
 Plot No. 10, Sector E-9, Phase VII, Hayatabad, Peshawar

1949
 -24-

OFFICE ORDER

Dated Peshawar the 28/3/2020.

F.No.4(S)/2020/Admin. Whereas, upon the complaint of Mr. Muzaffar Huda, B/C 1361, Nowshera, a fact finding inquiry was conducted against Mrs. Zahidat Iqbal, PWACF of DPW-Office Nowshera & afterwards on the following outcome of fact finding inquiry, formal inquiry under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 was conducted against the official concerned:-

- i. That she took admission without applying for any type of leave/NOC from the Competent Authority.
- ii. That as per record she availed LHV training from Govt. Public Health School while serving Population Welfare as regular employee simultaneously drawing salaries from Population Welfare.

AND WHEREAS, on the proven outcome of formal inquiry, a show cause notice was served upon the official concerned narrating the following grounds:-

- a) That she while serving as Family Welfare Assistant (F) BPS-07 in DPW-Office Nowshera, has not applied for any type of leave / NOC from the Competent Authority for completion of LHV course from Govt. Public Health School.
- b) That she availed LHV training from Govt. Public Health School while serving in Population Welfare as regular employee simultaneously and drawn salaries with allowances.
- c) That somehow she has managed attendance both at work place and Public Health School.

AND WHEREAS, the official concerned submitted her reply to the Show Cause Notice & also prayed for the grant of personal hearing, which was granted to her accordingly by the Competent Authority.

NOW, THEREFORE, the Competent Authority after having considered the charges, evidence on record, finding of the inquiry officer, the explanation of the accused official to the Show Cause and hearing her in person on 02/03/2020 and exercising his powers under Rule-14 (5) (ii) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 has been pleased to impose "Minor Penalty of Recovery" under Rule-4 (a) (iii) of the rules, ibid, i.e. a sum of Rupees, three lac, eleven thousand, five hundred & fifty eight only (31,558/-) pertaining to her unauthorized training period w.e.f. 01/09/2007 to 30/11/2009 will be recovered from her salary on installment basis through DPW-Office, Nowshera.

Director General
 Directorate of Population Welfare
 Khyber Pakhtunkhwa

Endst: No. 4(S)/2020/Admin

dated 28/3/2020

Copy forwarded to the following for information & n/a:-

1. PS to Director General, PWID, Khyber Pakhtunkhwa, Peshawar.
2. District Accounts Officer, Nowshera.
3. DPWO, Nowshera with the direction to share the recovery progress with this office on monthly basis.
4. Official concerned C/O DPWO, Nowshera.
5. P/F of the official concerned.

U. Iqbal 0151-1376-3044
 28/3/2020
 Assistant Director (Admin)



GOVERNMENT OF KHYBER PAKHTUNKHWA
DISTRICT POPULATION WELFARE OFFICE, NOWSHERA
EX-ADAM JEE PAPER MILLS COLONY, AMANGARH
Email: dpwo nowshera@hotmail.com



F.No: 1(6)/Admn-2021/Explanation: 1/373-80

-25-
Dated: 25/12/2021 "4"

OFFICE ORDER:

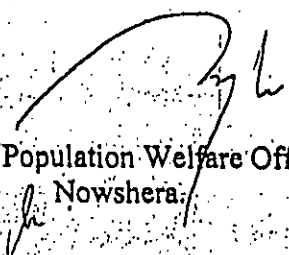
In pursuance of the letter No. 4(5)/2020/Admn. Dated 20-03-2020 and revised letter No. 4(5)/2021/62-64 dated: 22-10-2021 of the Director General, Population Welfare Directorate, Khyber Pakhtunkhwa, Peshawar. Wherein the directions has been issued regarding the deduction of Amounting to Rs.3, 11, 558/- (Rupees three lacs eleven thousand five hundred and fifty eight only) will be recovered from the salary of Mrs. Zainab Iqbal Family Welfare Assistant (Female) BPS-07 of this district. on installments basis through DPW Office Nowshera and exercising his powers under Rule-14 (5) (ii) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules, 2011 has been pleased to impose "Minor Penalty of Recovery" under Rule-4(a) (iii) of the rules, ibid.

In light of the above directions the undersigned has been pleased to order the deduction Rs. 311,558/- (Rupees three lacs eleven thousand five hundred and fifty eight only) from the salary of the concerned official in (36) equal installments i-e 8654/- (Rupees Eight Thousand Six hundred and fifty four per Month).

(Muhammad Tariq Khan)
District Population Welfare Officer,
Nowshera.

Copy to:

1. Deputy Commissioner Nowshera for information please.
2. District Accounts Officer, Nowshera for information and with the request to start deduction from the concerned official from the current month please.
3. Assistant Director (Admn) PWD, KP, Peshawar for information and w/r to letter No cited above.
4. Accounts Assistant (local) office for information and compliance.
5. Official concerned for information..
6. Personal file.
7. Master file.


District Population Welfare Officer,
Nowshera.

-26- "9" J

Time: 1:47 PM

BEFORE THE WORTHY SECRETARY POPULATION WELFARE,

KHYBERPAKHTUNKHWA, PESHAWAR

Subject: Departmental Appeal against the Office
Order dated 20-03-2020, communicated to
the appellant vide letter dated 25-10-2021,
whereby minor penalty of recovery of Rs.
311,558/ has been imposed upon the
appellant.

(Annex)
24/11/22

7800
diary num

Time:
091-922368.

Respectfully Sir,

The appellant most humbly submits as under:

1. That the appellant was appointed as Family Welfare Assistant (Female) (BPS-05) (hereinafter referred to as FWA) on 18-11-2008 by the District Population Welfare Officer, Nowshera and since appointment has performed her duties with honesty and full devotion and to the entire satisfaction of her high ups.
2. That on 15-01-2020 Show Cause Notice was issued to the appellant by the Director General, Directorate of Population Welfare, Khyber Pakhtunkhwa, Peshawar on the allegations that while serving as FWA (F) had not applied for any kind of leave/NOC for completion of LHV course, availed LHV training while serving in the department as regular employee simultaneously and drawn salaries with allowances and somehow managed attendance both at the workplace and Public Health School. The appellant duly replied the same refuting the allegations and explaining the true position.

(Copy of Show Cause Notice & reply is enclosed as Annexure A & B).

3. That strangely and to the utter shock of the appellant she was awarded the minor penalty of recovery of Rs. 311,558 by the Director General, Directorate of Population Welfare, Khyber Pakhtunkhwa, Peshawar vide Office Order dated 20-03-2020 which was communicated to the appellant vide Office Order dated 25-10-2021.

(Copies of Office Orders dated 20-03-2020 & Office Order dated 25-10-2021 is enclosed as Annexure C& D).

4. That the impugned Office Order dated 20-03-2020 communicated to the appellant vide Office Order dated 25-10-2021 is against the law, facts and principles of natural justice on grounds inter-alia as follows:

GR O U N D S :-

A. That the impugned Office order is illegal and void ab-initio.

B. That the appellant is not treated in accordance with law in violation of Article 4 and 25 of the Constitution and law of the land.

C. That no Charge Sheet & statement of allegations was issued to the appellant, thus no charge was farmed against the appellant.

D. That the appellant did nothing that amounts to misconduct as she has duly performed her duties during the said period and never became absent.

E. That the appellant has completed her LHV Diploma in the year 2013 and she provided copies of the Diploma etc to the department while action against her was initiated after more than seven years i.e. in the year 2020 which speaks of anything but not fair and bonafide.

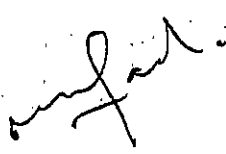
F. That no inquiry was conducted as the appellant was never associated with the same nor any one was examined in presence of the appellant.

G. That no evidence was collected in support of the allegations,

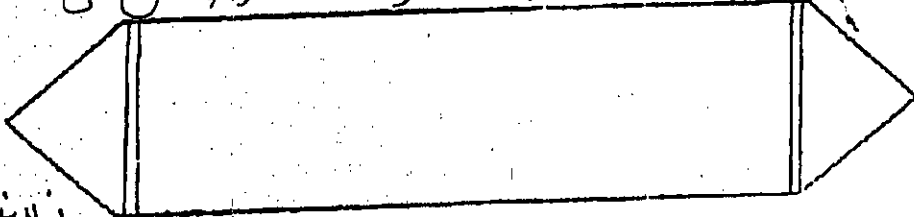
- H. That the appellant duly explained her position in reply to the Show Cause Notice and even otherwise no loss has been caused to the department, on this score too the impugned order is not tenable in the eyes of law.
- I. That the impugned order is based on malafide, which is smacked from the circumstances of the case being spelled from the uncalled complaint, as the appellant was never provided opportunity of defense nor her version was considered.
- J. That the appellant was not afforded opportunity of personal hearing.
- K. That the appellant has about 13 years of service with unblemished service record at her credit with no complaint during entire service career.

It is therefore prayed that on acceptance of this appeal, the impugned Order dated 20-03-2020 communicated to the appellant vide order/ letter dated 25-10-2021 may kindly be set aside thereby declaring the recovery of Rs. 311,558/- from the appellant as illegal and unlawful.

Dated: 24-11-2021


Mrs. Zainab Iqbal,
Family Welfare Assistant (Female),
District Population Welfare,
Office Nowshera.
Cell# 0312-5851231

بعدالت جناب سرور سے درخواستیں اور



زینب اقبال

22 مئی 2022

صفاہ زینب اقبال بنام گورنمنٹ وائٹ

مدرسہ
مقدمہ
دعویٰ
جیم

باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی در جواب دہی دکن کاروائی متعلقہ الجمہ فیصلہ اور
آن مقام کدینا اور کیلئے فیصلہ مشاہدہ صحت + الجمہ فیصلہ اور

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحبہ و صوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
دکن صاحبہ کو راضی نامہ کرنے و تقرر ثلثت و فیصلہ بر حلف دینے جو اب دہی اور اقبال دعویٰ اور
باسورت و گبری کرنے اجراء اور مسولہ چیک در و پیرا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
در ایس پر دستخط کرانے کا اختیار ہوگا۔ نیز مسورت عدم پیروی یا لکری سیکلٹرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل گمرانی و فالٹ گمرانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار تالونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحبہ مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساتھ
پر داخستہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر چاہا اتزانے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حدیث سے باہر ہو تو وکیل صاحبہ پابند ہوں گے۔ کہ پیروی
لیکھ کر کریں۔ لہذا اذکالت نامہ لکھد یا کہ سند ہے۔

زینب اقبال

Handwritten signature

المرقوم 29 مئی 2022

Accepted
Rabit

Attested & Accepted
Handwritten signature
(Adh)

کے لئے منظور ہے۔

بمقام

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR. SB

No.:

Appeal No. 420 of 20 22

Mrs. Zainab Jabbar Appellant/Petitioner:

Versus

Govt. of K.P.K. through Secy. Population Respondent

Respondent No. 2

Notice to: —

Director General Population Welfare
K.P.K. Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 21/7/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. _____ dated _____

Given under my hand and the seal of this Court, at Peshawar this 1st 16

Day of June 20 22

for Reply

Registrar,
 Khyber Pakhtunkhwa Service Tribunal
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, S.B
PESHAWAR.

No.

Appeal No. 420 of 20 22

Mrs. Zainab Iqbal Appellant/Petitioner

Reply

Govt. of KPK through Secy. Population
Respondent

Respondent No. 3

Notice to: —

Distt. population welfare officer
Now Shera.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 21/7/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 1st

Day of June 20 22

(for Reply)

Registrar,
Khyber Pakhtunkhwa Service Trib
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

Appeal No. 420 of 20 22

Mrs. Zainab Iqbal Appellant/Petitioner

Versus

Govt. of KPK Secy. Population Respondent

Respondent No. 1

Notice to: - Govt. of KPK through Secretary Population welfare Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 21/7/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing, 4 copies of written statement along with any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. dated

Given under my hand and the seal of this Court, at Peshawar this 1/6

Day of June 20 22

for Reply

Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

12-06-2022