

19.1.2015

Mr. Rahmatullah, Clerk of the counsel for the appellant and Mr. Muhammad Adeel Butt, AAG with Mosam Khan, AD, Khursheed Khan, SO and Muhammad Irshad, Supdt. for the respondents present. Respondents need time to submit written reply, which according to representatives of the respondents is in process. To come up for written reply on 26.3.2015.

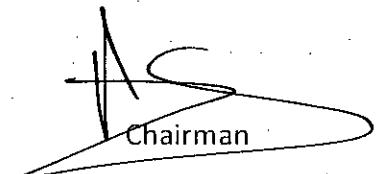

MEMBER

26.03.2015

Agent of counsel for the appellant and Addl: A.G for official respondents No. 1 to 3 present. Agent of counsel for the appellant submitted affidavit of appellant according to which she has been reinstated in service and, therefore, seeks withdrawal of the appeal.

The appeal is dismissed as withdrawn. File be consigned to the record.

ANNOUNCED
26.3.2015


Chairman
26.03.15

Appeal No. 616/2014
Mst. Nurgina Bibi

3. 03.06.2014

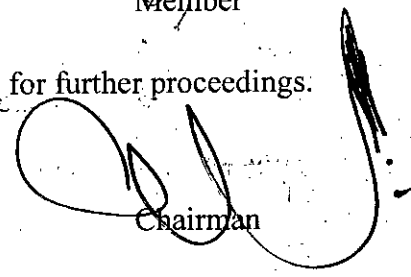
Counsel for the appellant present. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. Against the impugned order dated 21.01.2014, she filed departmental appeal on 29.01.2014, which has not been responded within the statutory period of 90 days, hence the present appeal on 05.05.2014. Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents. To come up for written reply/comments on 27.08.2014.

Appellant Deposited
Security & Process Fee
Rs. 200/- Bank
Receipt is Attached with File.


Member

4. 03.06.2014

This case be put before the Final Bench II for further proceedings.


Chairman

27.08.2014

Counsel for the appellant and Mr. Muhammad Jan, GP with Muhammad Khursheed, SO, Sajjad Rashid, AD respondents No. 1 to 3 present and requested for time. Fresh notice be issued to respondent No. 4. To come up for written reply on 12.11.14


MEMBER

13.11.2014

Junior to counsel for the appellant, and Mr. Muhammad Jan, GP with Javed Ahmad, Supdt. and Khursheed Khan, SO for respondents No. 1 to 3 present. None is available on behalf of respondent No.4. The Tribunal is incomplete. To come up for the same on 19.1.2015.




READER

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 616/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	05/05/2014	<p>The appeal of Mst. Nagina Bibi presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	8-5-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>3-6-2014</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHEWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 616 /2014

NAGINA BIBI VS EDUCATION DEPARTMENT

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APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 616 /2014

Mst: Nagina Bibi, ASDEO (BPS-16),
Circle Ghazi, District Haripur **APPELLANT**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar
- 3- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 4- Mst: Shagufta Abbasi ASDEO (Female), District Swabi, Presently posted as ASDEO (Female) Circle Ghazi, District Haripur.

.....**RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 21.1.2014 WHEREBY THE APPELLANT WAS TRANSFERRED IN VIOLATION OF THE TRANSFER/POSTING POLICY OF THE PROVINCIAL GOVERNMENT AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD

PRAYER:

That on acceptance of this appeal the impugned order dated 21.1.2014 may very kindly be set aside and the respondents may be directed not transfer the appellant from the post of ASDEO Circle Ghazi till completion of her normal tenure. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R.SHEWETH:

ON FACTS:

- 1- That appellant was appointed as Assistant District Officer (Female) (BPS-16) in the respondent Department on the recommendations of Khyber Pakhtunkhwa Public Service Commission vide order dated 31.3.2011. Copy of the appointment order is attached as annexure **A.**

- 2- That later on the appellant was adjusted/posted as Assistant District Officer (F) circle Ghazi District Haripur vide order dated 11.9.2011. That in response the appellant submitted her charge report and started performing her duties at the concerned station quite efficiently and up to the entire satisfaction of her superiors. Copy of the posting order is attached as annexure **B.**
- 3- That appellant while serving as Assistant District Officer (F) circle Ghazi astonishingly an order dated 12.12.2013 was issued against the appellant due to which the appellant was suspended from service on the basis of baseless, planted and malafide allegations which were leveled by the local MPA PK-52 Mr. Faisal Zaman against the appellant. That the said complaint of the local MPA is totally based malafide and arbitrary consideration just to accommodate his blue eyed person i.e. Respondent No.4. Copies of the complaint and order are attached as annexure **C and D.**
- 4- That on the basis of that ambiguous complaint the respondent No.3 has straight away initiated Departmental inquiry against the appellant without entering in to the facts of the matter for which fact finding inquiry is must under the law and rules. That the appellant was charge sheeted along with statement of allegations vide dated 3.1.2014. That in response the appellant submitted her reply to the said charge sheet and statement of allegations and denied all the allegations which were leveled against her. Copies of the charge sheet, statement of allegations and reply are attached **E, F and G.**
- 5- That during suspension and pendency of Departmental inquiry the respondent No.3 transferred the appellant to the Directorate of Elementary and Secondary Education Department vide order dated 21-1-2014 and on the same day dated 21-1-2014 respondent No.4 was transferred as ASDEO (Female) circle Ghazi District Haripur from ASDEO (Female) District Swabi. Copies of the transfer orders are attached as annexure **H and I.**
- 6- That feeling aggrieved from the impugned order dated 21-1-2014 the appellant filed Departmental appeal on 29-1-2014 but no reply has received so far. Hence the present appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure **J.**

GROUND:

- A- That the impugned orders dated 12-12-2013 and 21-1-2014 of the respondent No.3 are against the law, facts, norms of

natural justice and materials on the record hence not tenable and liable to be set aside.

- B- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the impugned order dated 21-1-2014 has been issued by the respondent No.3 during the suspension and pendency of Departmental inquiry against appellant, which is against the law and prevailing rules.
- D- That the impugned order dated 21-1-2014 is also against the Clause I, II, IV and X of the transfer/posting policy of the Government of Khyber Pakhtunkhwa. Copy of the Transfer/Posting Policy is attached as annexure K.
- E- That the impugned order dated 21-1-2014 is prematurely and politically motivated, hence not tenable and liable to be set aside.
- F- That the impugned order dated 21-1-2014 has not been issued by the respondent No.3 in the public interest nor exigencies of service.
- G- That stoppage of the salary of the appellant by the respondent Department during suspension period is also illegal and against the canons of natural justice.
- H- That the appellant seeks permission to advance other grounds at the time of hearing.

It is therefore most humbly prayed that the appeal of appellant may be accepted as prayed for.

APPELLANT



MST: NAGINA BIBI

THROUGH:



**NOOR MOHAMMAD KHATTAK
ADVOCATE**

MOBILE NO.0345-9383141

BEFORE THE KHYBER PAKHTUNKHEWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2014

NAGINA BIBI VS EDUCATION DEPARTMENT

APPLICATION FOR SUSPENSION OF OPERATION
OF IMPUGNED ORDER DATED 21.1.2014 TILL
THE DISPOSAL OF THIS APPEAL

R/SHEWETH:

- 1- That the appellant filed above mentioned appeal along with this application before this august service Tribunal in which no date has been fixed so for.
- 2- That all the three ingredients necessary for the stay is in favor of the appellant.
- 3- That the transfer of the appellant is against the transfer policy of the Government of Khyber Pakhtunkhwa and the impugned transfer order dated 21.1.2014 is also pre-mature and politically motivated.
- 4- That the grounds of main appeal is also be considered as integral part of this application.

It is therefore humbly prayed that on acceptance of this application the order dated 21.1.2014 may very kindly be suspended till disposal of this appeal.

APPELLANT



NAGINA BIBI

THROUGH:



NOOR MOHAMMAD KHATTAK
ADVOCATE

DIRECTOR OF ELEMENTARY & SECONDARY EDUCATION KHYBER
PAKHTUNKHWA PESHAWAR

NOTIFICATION:

Consequent upon the recommendation of the Khyber Pakhtunkhwa Public Service Commission, the competent authority is appoint the following candidates against the post of Assistant District Officer (Female) in BPS-16. (Rs.6060-170-20160) plus usual allowances as admission under the rules on regular basis under the existing policy of the Provincial Government, in management cadre on the terms and conditions given below with immediate effect.

S. NO	Name & F/Name	Address	Domicile Zone	Service placed at disposal of EDO (E&SE) for Further posting
1.	Nagina Bibi D/O Fazal Ahamd	Sayed Abbas Shah Quarter No. G-265 OF Estate Havelian Cantt: Havelian	Haripur/3	Haripur
2.	---	----	---	----
11.	---	----	---	----

Terms and Conditions:-

- 1- Their services will be considered regular but without pension at terms of section-19 of the NWFP civil servant act-1973 as amended vide NWFP Civil servant (Amended) Act, 2005. They will however be entitled to contributory provident and in such amount and at each as prescribed by the Government.
- 2- In case she already in Govt: service and working against pension able post on regular basis before 1st day of July 2001, without any service break, on application to Khyber Pakhtunkhwa public service Commission through proper channel and selection by the commission is appointed and allowance of option either to retain backlit of pension & gratuity ad allowed to her under her terms of appointment or to avail the benefit of contributory provident Fund allowed her under new appointment.
- 3- The Heads of the institutions are required to check the original documents of the candidates before handing over charge & sent it to the concerned authorities for verification other than this province.

ATTESTED


- 6
- 4- The candidates shall produce their health & Age certificate from Medical Supdt concerned.
 - 5- In case the candidates failed to take over the charge with in 15 days of the issue of this order, their appointments shall stand automatically cancelled.
 - 6- The candidates shall not be handed over charge if their age exceeds 33 years or below 18 years.
 - 7- No TA/DA will be allowed to the appointment for joining their duties.

SYEDA SERWAT JEHAN
Director of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar

Endst: No.4610-55/F-No.A-17/ADOs (F) Appointment
Dated Peshawar the 31.3.2011

Copy forwarded to all concerned.

ATTESTED

[Handwritten Signature]

SECRETARIE OF THE CHIEF SECRETARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA

NOTIFICATION

Consequent upon the recommendation of the Khyber Pakhtunkhwa Public Service Commission, the Competent authority is pleased to appoint the following candidates against the post of Assistant District Officer (Female) in BPS-16 (Rs.6060-470-20160) plus usual allowances as admissible under the rules on regular basis under the existing policy of the provincial Government, in management cadre on the terms and conditions given below with immediate effect.

S.No	Name & Father's name	Address	Domicile/zone	Services placed at the disposal of EDO (E&SE) for further posting.
1.	Nageena Bibi D/O Fozai Ahmad	Seyal Abbas Shah Quarter No. C/ 265 P/O Estate Hayelam Camp Hayelam	Haripur 5	Haripur ✓
2.	Nadia Begum D/O Anayath Ullah	Street Nali Gram, H.No.341/ A Nagar New Tanchi Bazaar Bannu City.	Bannu 4	Bannu
3.	Noor Rahat Yaseen D/O Adam Khan	Village Khawaja Abad P/O Aghiq Colony Bannu Road Teh: & Distt: Kohat.	Kohat 4	Kohat
4.	Shazna Bibi D/O Muhammad Ashraf CT GGMS Maira Anjad Ali Manshra Now at GGHS Kawai	Village Sanda Sar P/O Chitral Batta Teh: & Distt: Manshra.	Manshra 5	Manshra ✓
5.	Munira Bibi D/O Sher Nawaz CT GGHS Barenis Chitral	C/O Karimullah EDO (E&SE) Chitral.	Chitral 3	Dic Upper
6.	Shakeela Anjum D/O Mehrab Khan	Village & P/O Madakhashi Teh: & Distt: Chitral	Chitral 3	Chitral
7.	Sobia Tabassum D/O Inayat Ullah Khan PPT GGHS Musa Zai D.I Khan	H. No. C/3247, inside Dair Street D.I Khan	D.I Khan 4	Tank
8.	Sahra Amreen D/O Ghulam Zakria	C/O Ghulam Zakria Khan B.P.O Malana D.I Khan.	D.I Khan 4	Tank
9.	Naila Naz D/O Ali Gohar.	House No. D-40 Mehran Colony, P.O Man Colony Fahala Dair Teh: Ghazi District Haripur.	Mardan 5	Swabi
10.	Rizwan, Pari D/O Shah Doraz	Tehallah Hyas Abad Village Tappi P/O Teh: & District Karak.	Karak 4	Karak to place of Bibi Zahida who has been placed at the disposal of the EDO Nowshera
11.	Gul Farzana D/O Shah Nawaz ADO(F) O/O EDO (E&SE) Circle Booni Chitral.	C/O Hajar, Allama Iqbal Open University Chitral office.	Chitral 3	Chitral.

Terms and conditions:-

- Their services will be considered regular but without pension & gratuity in terms of section 19 of the NWFP civil servant Act, 1973 as amended vide NWFP Civil servants (Amendment) Act, 2005. They will however be entitled to contributory provident fund in such a manner and at such rates as prescribed by the Govt.

10394
4-4-4

No. 1920

4/4/11

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A - 5

DO(F)

A

4/4/11

X

6

2. In case, she is already in Govt. service and working against pensionable post on regular basis before 1st day of July 2001, without any service break, on application to Khyber Pakhtunkhwa public service Commission through proper channel and selection by the commission, is appointed and allowed choice of option either to retain benefit of pension & gratuity as allowed to her under her previous terms of appointment or to avail the benefit of contributory provident fund allowed to her under new appointment.
3. Their services are liable to termination on 90 days prior notice from either side. In case of resignation without notice the 90 days pay/allowance shall be forfeited to the Government.
4. They should join their posts within 30 days of the issuance of this notification. In case of failure to join their posts within 90 days of the issuance of this notification, their candidature will expire automatically and no subsequent appeal etc shall be entertained.
5. They would be on probation for a period of one year extendable for another one year.
6. They shall be governed by such rules and regulations as may be issued from time to time by the Govt. Khyber Pakhtunkhwa.
7. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded against under the NWFP Removal from service (Special Powers) Ordinance, 2000 and rules framed from time to time.
8. Charge report should be submitted to all concerned.
9. The BDOs concerned would furnish certificate to the effect that the candidate have joined the post or otherwise after 90 days of the issue of their posting orders.
10. No TADA will be allowed to the appointees for joining their duties.

Syedra Sarwat Jehan
 Directress Elementary & Secondary
 Education Khyber Pakhtunkhwa, Peshawar

Enclst: No. 4610-55/P, No. A-17/ADOs (E) appointment

Dated Peshawar the 31-03-2011.

- Copy forwarded for information and necessary action to the:-
1. Accountant General Khyber Pakhtunkhwa, Peshawar.
 2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
 3. All Executive District Offices (P&SE) concerned.
 4. District Accounts Officers concerned.
 5. All Deputy District Officers (P) concerned.
 6. PS to Minister for Elementary & Secondary Education Department Khyber Pakhtunkhwa.
 7. PS to Secretary to Govt. of Khyber Pakhtunkhwa (P&SE) Department.
 8. PA to Directress (P&SE) Khyber Pakhtunkhwa, Peshawar.
 9. All establishments concerned.
 10. Seniority List Dealing Assistant local Directorate.
 11. ACR Dealing Assistant local Directorate.
 12. Personal files.

Deputy Directress (Establishment)
 Elementary & Secondary Education

ATTESTED

19/3

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND
SECONDARY EDUCATION HARIPUR

ADJUSTMENT:

As per notification issued by worthy Director E&SE Khyber Pakhtunkhwa vide Endst No.4610-55/File No.A-17/ADO Females Dated 31-03-2011, the following adjustment as ADO Female IN BPS-16 against the vacant post of ADO Female in the Officer of Dy District Officer Elementary & Secondary Education Haripur is hereby made in the interest of public service with immediate effect.

S. No	Name and address	To	Remarks
1-	Shazia Yaqoob ADO Circle Ghazi O/O Dy Do (F) E&SE	GGHSS KTS-2	Against vacant post of SET
2-	Nagina Bibi D/O Fazal Ahmad H.No-G,265 POF Havelian Cantt (E&SE) Haripur	ADO Circle Ghazi O/O Dy Do (F)	against vacant post

Note:

- 1- Charge report should be submitted to all concerned.
- 2- No TA/DA is allowed to any one.
- 3- The Dy: District Officer Female E&SE Haripur would furnish a certificate to the effect that candidates has join the post or otherwise after issue her posting.

**Executive District Officer
Elementary & Secondary Education
Haripur**

ATTESTED

Endst No: 3377-82/ Dated 11/09/2011
Copy forwarded to all concerned.

Mg

B - (7)

Office of the Executive District Officer
Elementary and Secondary Education
Haripur

Adjustment

As per notification issued by worthy Director E&SE Khyber Pakhtoon Khawa vide Endst No: 4610-55/File No.A-17/ADO Females Dated 31.03.2011, the following adjustments as ADO Female IN BPS.16 against the vacant post of ADO Female in the Office of Dy District Officer Elementary & Secondary Education Haripur is hereby made in the interest of public service with immediate effect.

S.No	Name & Address	To	Remarks
1.	Shazia Yaqoob ADO Circle Ghazi O/O Dy Do (F)E&SE Haripur	GGHSS KTS.2	Against Vacant Post of SET
2.	Nuzma Bibi D/O Fazal Ahmed H.No. G.265 POF havelian Cantt	ADO Circle Ghazi O/O Dy Do (F)E&SE Haripur	Against Vacant Post

Notes:

1. Charge report should be submitted to all concerned.
2. No TA DA is allowed to any one.
3. The Dy. District Officer Female E&SE Haripur would furnish a certificate to the effect that candidates has join the post or otherwise after issue her posting order

sd-
Executive District Officer
Elementary and Secondary Education
Haripur

Endst No: 3277-827 Dated 11/09/2011

Copy to the

1. PA to Secretary E & SE Khayber Pakhtoon Khawa Peshawar
2. PA to Directress E & SE Khayber Pakhtoon Khawa Peshawar
3. District Coordination Officer Haripur
4. Executive District Officer E&SE Haripur
5. Senior District Accounts Officer Haripur
6. Deputy District Officer Female E & SE Haripur

sd-
District Officer Female
Elementary and Secondary Education
Haripur

ATTESTED

sd-

خدمت جناب ڈپٹی کمشنر صاحب ضلع ہری پور

عنوان :- پی۔ ٹی۔ سی (Parents teacher Council) / DFID / تعمیر و ترقی اسکولوں کے لئے (T.S.P)

جناب عالی ا

گزر دہائی سے کہ سال 2012ء میں پی۔ ٹی۔ سی فنڈز میں جہاں
 پی۔ ٹی۔ سی کی رقم معمول کے مطابق اس فنڈز میں ٹرانسفر کی جاتی ہے۔ ہوائے
 سرتی و سبٹری وغیرہ۔ اور یہ تمام رقم بذریعہ پی۔ ٹی۔ سی ممبران کی شہادت
 سے خرچ کی جاتی ہے۔ جسکی بینک میں باقاعدہ اجازت اور ڈپٹی کاروائی ایکٹو
 ہر لائی جاتی ہے۔ اور رجسٹر میں ریکارڈ رکھا جاتا ہے۔ سال 2012ء میں پی
 فنڈ میں پی۔ ٹی۔ سی علاوہ DFID کی رقم گورنرز اور ٹیچرز اسکول کو منتقل کی گئی
 پی۔ ٹی۔ سی رولز کے مطابق یہ تمام رقم بذریعہ پی۔ ٹی۔ سی ممبران
 و چیرمین خرچ کی جاتی تھی۔ اور یہ رقم تقریباً ہری پور کے گورنرز اور ٹیچرز اسکولز
 کو (یا) کروڑ ڈالرز

بدقسمتی سے متعلقہ SDEO زنانہ ADDs زنانہ نے اپنے اپنے سرکل سے
 بینک چیک (Blank cheque) لے کر اپنی مرضی سے نان رجسٹرڈ ٹیکسٹوں کو
 sublet کر دیئے۔

یہ تمام کاروائی رولز ریگولیشن کو پلائے طاق رکھتے ہوئے کی گئی ہے۔ پی۔ ٹی۔ سی
 جو اس تمام کام کی نگران و کام مکمل کرانے کی ذمہ دار ہے۔ وہ اس سے بالکل
 باخبر ہیں۔ اور ADDs زنانہ خود ٹیکسٹ لے رہی ہیں۔۔۔ اس ضمن میں دفتر
 کی طرف سے ADD (Psd) نے غازی اسکولز کے اسکولز کا فورٹ کیا۔ اور مقامی
 محاندین سے تحریراً بھی رپورٹ لی۔

اور محاندین علاقہ GGS-I جھلٹ / GGS قاضی پور نے اپنے ریمارکس
 میں سخت ناز و غضب کا اظہار کیا۔ کہ ہمارے اسکولوں کے بچے جات کی مد میں
 (5 سے 20) لاکھ فی اسکول خرچ کئے گئے۔ مگر کام Substandard

ATTESTED



ہے۔ لہذا جناب سے گزارش ہے کہ اس ضمن میں Comprehensive ریکورڈری کی جائے۔ اور ملکی دولت کے غلط استعمال کو روکا جائے۔

اسی سلسلے میں زیر دستخطی نے DDAO کی میٹنگ میں 7 minutes بھی دن پوائنٹ کو High light کیا ہے۔

TSPs کی ضمن میں کچھ مڈل اور ہائی سکولز کو PTC کے علاوہ ہائی کے بورڈ کے سلسلے میں رقوم دی گئی ہیں۔ جن پر ابھی تک کارروائی نہیں کی گئی ہے۔ اور احتمال ہے کہ یہ رقم بھی خرد برد کی نظر ہو چکی ہے۔

جناب سے گزارش ہے کہ مہرہ حلقے کے محامدین جھفوں کے گسرہری رپورٹس دی ہیں۔ وہ مجھ سے اس سلسلے میں استفسار کر رہے ہیں۔ کہ ابھی تک کارروائی کیوں نہیں کی گئی۔

اور متعلقہ ADOS (زبان) بے سٹور ڈیٹا سے کام Substandard جاری رکھے ہوئے ہیں۔ جسکی وجہ سے لوگوں میں با چینی پائی جاتی ہے۔

لہذا فوری طور پر ریکورڈری، مڈل، ہائی سکولز جنکو DFID یا TSP فنڈز ملے ہیں۔ ان کو با نقاب کر کے خرد برد واقعی سزا دی جائے۔

فیصل زمان

M.P.A Pk-52

ATTESTED

ذبح کھنڈیج میں بری اور

DFID / Parents Teacher Council / (TSP) / AC (H)

For detailed and correct information please visit the website

Date: 15/06/2012

گزارش ہے جسے 15/06/2012 میں پی ٹی سی (پی ٹی سی) میں پیش کیا گیا ہے۔

پی ٹی سی کی رقم وصول کے مطابق اس فنڈز میں ٹرانسفر کیا جا رہا ہے۔

رائے صدر، ڈسٹرکٹ ڈپٹی کمشنر، اور پی ٹی سی کے تمام اراکین نے اس پر اتفاق کیا ہے۔

اس کے علاوہ ڈسٹرکٹ ڈپٹی کمشنر اور پی ٹی سی کے تمام اراکین نے اس پر اتفاق کیا ہے۔

اس کے علاوہ ڈسٹرکٹ ڈپٹی کمشنر اور پی ٹی سی کے تمام اراکین نے اس پر اتفاق کیا ہے۔

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اس کے علاوہ ڈسٹرکٹ ڈپٹی کمشنر اور پی ٹی سی کے تمام اراکین نے اس پر اتفاق کیا ہے۔

ATTESTED

[Signature]

لیٹرا جناب سے گزارش ہے کہ اس میں
Comparison اور کوالٹی کے بارے میں اور ایسی دہلی کے

اور اس کے بارے میں
اس سلسلے میں زیر دستخط DDC کے مشیر Minutes

یا کہ ان پر اسٹیم کو ملانے کی اجازت ہے
TSP کی ٹین میں کچھ مڈل اور باقی سکولز کو PTC کے بلڈروہ

بارے میں (لوہے کے سلسلے میں رقوم ڈی ٹی سی) میں
تک پہلے کا بلڈروہ میں کی گئی ہے اور اس ضمن میں
شعبہ میں خود بہود کی نظر سے ہے

جناب سے گزارش ہے کہ میرے حلقے کے

عمارتیں عجزوں نے محرم رپورٹس میں وہ ٹیوٹ
رہیں سلسلے میں استفسار کر رہے ہیں کہ انہیں تک کاروائی
کریں نہیں کی گئی

اور متعلقہ ADOs ذیل کے طور ڈھٹائی ہیں
عام Substandard چھوڑا رکھ سہنے میں جسکی
دہ سے لوگوں کو بے چینی پائی جاتی ہے

لیٹرا خوری طور پر اس کے مڈل اور سکولز کے DFID
TSP منڈلز میں ان کو لٹو اب کر کے قرار دافنی
سزا دی جائے

فصل زمان
MPA PK-52

ATTESTED

[Signature]

**DIRECTORATE OF ELEMENTARY &
SECONDARY EDUCATION, KHYBER
PAKHTUNKHWA, PESHAWAR**

NOTIFICATION

Mst: Nagina Bibi ASDEO (F) Circle Ghazi Haripur is hereby suspended from service with immediate effect for three months due to her involvement in embezzlement/misappropriation of DFID fund and the mandate of the concerned PTCs has been violated by her and she got blank cheques from primary School Head Teachers (PSHTs) through undue threats and deputed her own contractors for civil work which did for her vested interest.

She will be entitled for subsistence allowance and the suspension will be extendable for three months.

**Director
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar**

Endst: No.1941-44/01/DFID/Enquiry Dated Peshawar the 12/12/2013

Copy forwarded to the :-

- 1- District Education Officer (F) Haripur with the remarks to refer to this office letter No. 1080/01/DFID/Enquiry Haripur dated 6-12-2013 and suspend the PSHTs concerned who are guilty. Please also prepare draft charge sheet and statement of allegations for serving upon Mst Nagina Bibi ASDEOs (F) Circle Ghazi and all others concerned who are guilty in the light of the enquiry report which has already been sent to her office vide No. & date cited above. The required draft charge sheets and statement of allegations should reach this office within a week otherwise she will be responsible for delay.
- 2- District Account Officer Haripur.
- 3- Sub: Divisional Education Officer (F) Haripur.

ATTESTED



**Director
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar**

D - (10)

DIRECTORATE OF ELEMENTARY &
SECONDARY EDUCATION, KHYBER
PAKHTUNKHWA, PESHAWAR

NOTIFICATION

Mst Nagina Bibi ASDEO (F) Circle Ghazi Haripur is hereby suspended from service with immediate effect for three months due to her involvement in embezzlement/misappropriation of DFID fund and the mandate of the concerned PTCs has been violated by her and she got blank cheques from Primary School Head Teachers (PSHTs) through undue threats and deputed her own contractors for civil work which did for her vested interest.

She will be entitled for subsistence allowance and the suspension will be extendable for three months.

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 1941-44 /01/DFID/Enquiry

Dated Peshawar the 12/12/2013.

Copy forwarded to the:-

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2. Distt: Accounts Officer Haripur.
3. Sub: Divisional Education Officer (F) Haripur.
4. Official Concerned.
5. PA to the Director E&SE Khyber Pakhtunkhwa

Deputy Director (Establishment)
E&SE, Khyber Pakhtunkhwa, Peshawar
12/12/13

ATTESTED

Registered

E- (11)

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar.

No. _____ / F.No. 17/ASDEO(F)/Enquiry

Dated Peshawar the 3/1 2014

To Mr. Usair Ali
Distt: Education Officer (M) Nowshera

Subject: - DISCIPLINARY ACTION AGAINST MST NAGINA BIBI
ASDEO (F) CIRCLE GHAZI HARIPUR

I am directed to refer to the subject noted above and to state that the Director of Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar, in his capacity as a competent authority under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, has been pleased to approve initiation of disciplinary proceedings against Mst Nagina Bibi ASDEO (F) Circle Ghazi Haripur vide attached charge sheet and statement of allegations. Consequently, the competent authority has been further pleased to constitute an inquiry committee (consisting you as chairman and the following officer as member) to scrutinize the conduct of the aforesaid accused officer vis-à-vis the statement of allegations and desires that the inquiry committee, should take further necessary action and submit its findings, recommendations and report in accordance with provision of the said Rules mentioned above within thirty days:-

1. Mr. Samina Iltaf
Principal GHS Kinal Haripur

Deputy Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar.

Endst/No. 560-62

Copy forwarded for information to:-

1. Distt: Education Officer (F) Haripur
2. Mst Nagina Bibi ASDEO (F) Circle Ghazi Haripur (the accused officer) with the directions to appear before the inquiry officer, on the date, time and place fixed by the inquiry officer, for the purpose of Inquiry proceedings. (Copies of charge sheet & statement of allegations are attached)
3. PA the Director E&SE Khyber Pakhtunkhwa Peshawar

ATTESTED

[Signature]
Deputy Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

[Signature]
3/1/14

CHARGE SHEET

I, Muhammad Rafiq Khattak Director Elementary and Secondary Education Khyber Peshawar, as competent authority, hereby charge you, Mst Nagina Bibi ASDEO (F) Circle Ghazi Haripur, as follows:-

That you, while posted as ASDEO(F) Circle Ghazi Haripur committed to the following irregularities:-

- (a) You have misappropriated of DFID Fund of GGPS Serikot (Ghazi). An amount of Rs. 300000/- has been allocated as conditional grant under DFID fund, out of which an amount of Rs. 1,50,000/- has been released as first installment for the construction of boundary wall of the school. You have handed over the civil work to your personal contractor i.e. your relative Syed Mehar Ali Shah and issued a cheque of Rs. 1,50,000/- to the contractor after obtaining of signatures of Primary School Head Teacher (PSHT) and the chairperson of the PTC. The contractor used the substandard and second hand material for construction. He later on, left the work incomplete with the pretext that the amount was insufficient for the project. He argued that the remaining work will be completed after the release of second installment. The committee members inspected the civil work and expressed their concerns regarding its condition.
- (b) You have misappropriated of DFID Fund of GGPS Hamlet No.2 (Ghazi). An amount of 20,60,000/- has been allocated for this school, out of which Rs. 10,30,000 have been released for the construction of two class-rooms and group latrine. a cross cheque of Rs. 7,50,000/- has been given to the contractor Mr. Ishtiaq Ahmad who is your real brother for construction of two rooms etc. Similarly you have got a cheque of Rs.1,50,000/- from Head teacher of school. The original cheque has been given to contractor Mr. Shafiqur Rehman. The photo copy of the same cheque has been returned by you to the Head teacher of the school and stated that the funds have been shifted in the account of the PTC of another school i.e. GGPS Bela Amazai, Hence you deceived the Head teacher concerned. The committee noticed the miserable condition of work left incomplete by the contractor who was appointed by you. The contractor used substandard constructional material and has not observed the proper building code. Pillars and beams are much weak rather dangerous. Boundary wall has not been constructed on need basis and cannot secure the Parda. Besides the provision of two water sources an amount of Rs. 25000/- has been claimed by the contractor for bringing water. Two class-rooms have been constructed up to lintel level and remaining work has been left incomplete. It has been noted that Primary School Head Teacher of the school has been bitterly tortured and directed to conceal the facts regarding the utilization of funds.
- (c) You have misappropriated of DFID Fund of GGPS Qazipur (Ghazi). An amount of Rs.16,00000/- has been allocated for this school as conditional grant. An amount of Rs. 8,00000/- has been released for the construction of two class-rooms with verandas. A contractor Mr. Mushtaq Ahmad started the work, who was introduced by you. Rs. 8,00000/- has been paid to the contractor and receipt has been obtained from him. The contractor erected the walls up to roof level and left the site. However he handed over 543 Kg steel and an amount of Rs.15000/- to the PSHT of the school for the remaining work. The contractor used substandard material. Moreover the contractor has started the work over weak foundations. The structure is looking dangerous. Whole of the amount has been spent under you command through contractor who is your real brother.
- (d) You have misappropriated of DFID Fund of GGPS Ghazi No.2. An amount of Rs.1,10,000/- has been allocated for the electrification work of the school but the amount has been shifted to another school. The bank statement shows that after 1-7-2013 no amount has been credited to the PTC amount of the school.

ATTESTED



- (e) The bank statement of the school shows that an amount of Rs.1,47,570/- is intact under amount No. 51412 NBP Ghazi. According to the statement of the PTC of the school, the school administration was planning to utilize the fund on need basis but the amount of PTC has been blocked owing to interruption of DEO(F) Haripur on the ground that the chairperson of PTC and Head teacher of the school did not participate in the training program of the PTCs, therefore the PTC of the school has lost its right to utilize the fund. As per statement of Head teacher and chairperson of the PTC, you demanded a blank cheque from them but they refused to do so. Resultantly, you ear poisoned the DEO(F) Haripur and compelled her to block the amount of PTC GGPS Davi.
- (f) The mandate to utilize the conditional grant was the absolute right of the PTC concerned which has been violated by you. No authority or office is allowed to bypass the PTC of a school in utilization of such grants.
- (g) You have exercised your managerial powers malafidely and ruthlessly and compelled your subordinates to do malpractices.
- (h) You have directly involved in corruption and illegal practices ignoring your prescribed job description. You have handed over civil works of various schools to your personal contractors i.e. relatives and sometimes your brother.

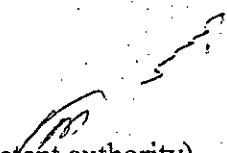
2. By reason of the above, you appear to be guilty of misconduct under rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule 4 of the rules *ibid*.

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


4. Your written defence, if any, should reach the inquiry officer 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)

Mst Nagina Bibi
ASDEO (F) Circle Ghazi Haripur

ATTESTED


(14)

DISCIPLINARY ACTION

I, Muhammad Rafiq Khattak Director Elementary and Secondary Education Khyber Peshawar, as competent authority, am of the opinion that Mst Nagina Bibi ASDEO (F) Circle Ghazi Haripur, has rendered himself 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

- (i) She has misappropriated of DFID Fund of GGPS Serikot (Ghazi). An amount of Rs. 300000/- has been allocated as conditional grant under DFID fund, out of which an amount of Rs. 1,50,000/- has been released as first installment for the construction of boundary wall of the school. She has handed over the civil work to your personal contractor i.e. your relative Syed Mehar Ali Shah and issued a cheque of Rs. 1,50,000/- to the contractor after obtaining of signatures of Primary School Head Teacher (PSHT) and the chairperson of the PTC. The contractor used the substandard and second hand material for construction. He later on, left the work incomplete with the pretext that the amount was insufficient for the project. He argued that the remaining work will be completed after the release of second installment. The committee members inspected the civil work and expressed their concerns regarding its condition.
- (ii) She has misappropriated of DFID Fund of GGPS Hamlet No.2 (Ghazi). An amount of 20,60,000/- has been allocated for this school, out of which Rs. 10,30,000 have been released for the construction of two class-rooms and group latrine. A cross cheque of Rs. 7,50,000/- has been given to the contractor Mr. Ishtiaq Ahmad who is her real brother for construction of two rooms etc. Similarly you have got a cheque of Rs.1,50,000/- from Head teacher of school. The original cheque has been given to contractor Mr. Shafiqur Rehman. The photo copy of the same cheque has been returned by her to the Head teacher of the school and stated that the funds have been shifted in the account of the PTC of another school i.e. GGPS Bela Amazai, Hence she deceived the Head teacher concerned. The committee noticed the miserable condition of work left incomplete by the contractor who was appointed by you. The contractor used substandard constructional material and has not observed the proper building code. Pillars and beams are much weak rather dangerous. Boundary wall has not been constructed on need basis and cannot secure the Parda. Besides the provision of two water sources an amount of Rs. 25000/- has been claimed by the contractor for bringing water. Two class-rooms have been constructed up to lintel level and remaining work has been left incomplete. It has been noted that Primary School Head Teacher of the school has been bitterly tortured and directed to conceal the facts regarding the utilization of funds.
- (iii) She has misappropriated of DFID Fund of GGPS Qazipur (Ghazi). An amount of Rs.16,00000/- has been allocated for this school as conditional grant. An amount of Rs. 8,00000/- has been released for the construction of two class-rooms with verandas. A contractor Mr. Mushtaq Ahmad started the work, who was introduced by you. Rs. 8,00000/- has been paid to the contractor and receipt has been obtained from him. The contractor erected the walls up to roof level and left the site. However he handed over 543 Kg steel and an amount of Rs.15000/- to the PSHT of the school for the remaining work. The contractor used substandard material. Moreover the contractor has started the work over weak foundations. The structure is looking dangerous. Whole of the amount has been spent under her command through contractor who is her real brother.
- (iv) She has misappropriated of DFID Fund of GGPS Ghazi No.2. An amount of Rs.1,10,000/- has been allocated for the electrification work of the school but the amount has been shifted to another school. The bank statement shows that after 1-7-2013 no amount has been credited to the PTC amount of the school.

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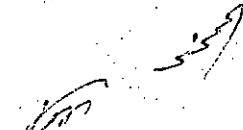
- (v) The bank statement of the school shows that an amount of Rs.1,47,570/- is intact under amount No. 51412 NBP Ghazi. A According to the statement of the PTC of the school, the school administration was planning to utilize the fund on need basis but the amount of PTC has been blocked owing to interruption of DEO(F) Haripur on the ground that the chairperson of PTC and Head teacher of the school did not participate in the training program of the PTCs, therefore the PTC of the school has lost its right to utilize the fund. As per statement of Head teacher and chairperson of the PTC, you demanded a blank cheque from them but they refused to do so. Resultantly, she ear poisoned the DEO(F) Haripur and compelled her to block the amount of PTC GGPS Davi.
- (vi) The mandate to utilize the conditional grant was the absolute right of the PTC concerned which has been violated by her. No authority or office is allowed to bypass the PTC of a school in utilization of such grants.
- (vii) She has have exercised your managerial powers malafidely and ruthlessly and compelled her subordinates to do malpractices.
- (viii) She has directly involved in corruption and illegal practices ignoring her prescribed job description. She has handed over civil works of various schools to her personal contractors i.e. relatives and sometimes her brother.

2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry committee, consisting of the following, is constituted under rule 10 (1) (a) of the ibid rules:


- 1. Mr. Usair Ali
DEO (M) Nowshera Chairman
- 2. Mst. Samina Iltaf
Principal GGHS Khal Haripur Member

3. The 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 committee.


(Competent authority)

Mst Nagina Bibi
ASDEO (F) Circle Ghazi Haripur

ATTESTED


To

The Director Elementary and Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

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16

SUBJECT: REPLY TO THE CHARGE SHEET VIDE NO. 560-62,
DATED 03-01-2014.

Respected Sir,

Reference is made to the Charge Sheet cited above and in response to the allegations levelled therein against me, I most reverentially would like to unveil the following facts for your worth consideration please.

- (1) That I have been performing the duty as ASDEO (F) Circle Ghazi Haripur under your kind control with zeal, zest, honestly and competently having complete knowledge and awareness of my obligations and responsibilities strictly in accordance with the prevailing rules and regulations of the Education Department.
- (2) That the entire allegations levelled against me are against the facts and evidence available on the record and the adverse reports lodged by the officers including MPA are merely on malafide intention just to harass me to leave the current Circle Ghazi Haripur to other far station, so that they could adjust their close relative or known person on my seat.
- (3) Now I deem necessary to give my Parawise reply towards the allegations pertaining to misappropriation & embezzlement of DFID Funds etc: for your entire satisfactions please.

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(a) That in order to complete the requisite construction of the boundary wall of GGPS Ghazi an amount of Rs. 1,50,000/- has been released as first installment out of approved DFID Fund of Rs. 3,00,000/- and in this respect the PTC Committee executed the civil work under the supervision of a Head Teacher and the PTC Committee handed over the civil work to a contractor namely Afsar Shah. The amount in question was withdrawn by the Committee & Head Teacher concerned and the civil work was handed over to the said Contractor on their own free will and wish. It is pertinent to mention here for your worth consideration that the said Contractor is neither my relative nor my consent was obtained by the committee at the time of awarding of said construction work. As far as the poor standard of civil work is concerned it is stated that it is crystal clear from the meeting minutes of PTC Committee that the civil work executed has good standard and the amount of Rs. 1,50,000/- rightly been spent on the civil work. Now the 2nd installment of Rs. 150,000/- has been released by the committee concerned and accordingly the PTC Committee under the supervision of the Head Teacher is executing the civil work whereas I have neither direct nor indirect concern either with the funds released or the civil work executed. It is worth mentioning that if the civil work in question was not satisfactory then why Delight Survey Company submitted its report showing satisfaction with the Civil work and accordingly the 2nd installment for the construction of remaining work has been released. Therefore this allegation is merely wrong and incorrect which is liable to be set-aside. (Copies of Meeting Minutes of PTC Committee and other relevant evidence are attached herewith).

ATTESTED



(b) In reply to allegation of misappropriation of DFID Fund of GGPS Hamlet No. 2 (Ghazi) an amount of Rs. 10,30,000/- have been transferred into the account of PTC for the construction of two class-rooms and group latrine and this amount was also withdrawn by PTC Committee and Head Teacher concerned. The said civil work was executed under the direct control and supervision of the PTC Committee and Head Teacher and in this respect the meeting minutes reveals that the work was satisfactory. It is further explained that in group latrine, two class rooms and one staff room as well as two latrines were constructed whereas 03 latrines were constructed by H.T. (Photographs and copies of meeting minutes are annexed herewith.) As far as the Cheque amounting to Rs. 1,50,000/- is concerned it is stated that this amount was transferred to Baila Amazai on the Order of DEO (F) for the construction of boundary wall because the boundary wall of Ghazi Hamlet exists. This amount was transferred by adopting proper procedure i.e. written application and approval of DEO (F). Please peruse the bank statement of the School of Baila Amazai and Cheque for your satisfaction. The PTC Committee is executing the construction of the said boundary wall.

(c) In reply to the misappropriation and embezzlement of DFID Fund of GGPS Qazipur (Ghazi) it is explained for your worth consideration that Rs. 8,00,000/- were transferred into the account of PTC for the construction of two room where the work upto the roof without lanter was completed and this work was also completed under the direct control and supervision of HT and PTC Committee. It is pertinent to mention that this work was completed

ATTESTED

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by maintaining good standard of the material used. Sand, steel and other material is present in the School. Please peruse Photographs attached herewith. The construction work has been executed throughout the District but the lanter material is not available. Rs. 1,50,000/- cost of cement are still available with H.T. and till the release of 2nd installment the work of room is intact. The foundations are more durable and strong because the steel has been mixed in the foundations. Therefore the allegation levelled against me in the said fund is entirely wrong and incorrect which is against the all norms of justice.


(d) In reply to the misappropriation and embezzlement of DFID Fund GGPS Ghazi No. 2, it is explained that Rs. 55000/- were sanctioned as first installment for the Electricity but due to the negligence on the part of ADO Establishment this amount has wrongly been transferred in their old PTC account and now with my best efforts Rs. 55000/- has again been transferred to the PTC account Ghazi No. 2 and the work is being completed under my supervision, hence the allegation in this regard is merely wrong. It is just and proper that this matter be inquired from ADO Establishment that why she wrongly transferred these funds in the wrong account.

(e) In reply to the misappropriation and embezzlement of DIFD Fund of GGPS Devi, it is stated that in order to construct the boundary wall of the School Rs. 150,000/- were transferred in the account No. 51412 but due to the non-

ATTESTED
[Signature]

cooperation of DEO (F) Rehana Yasmeen the account became freeze and in this context I am innocent. The ADO Establishment took interest in this matter and the account was got congealed. Now on the application of H.T. Devi the new comer DEO (F) has effected the account and after withdrawal of the amount the requisite work has been started. It is further stated that I neither received blank Cheque nor demanded from them. The Inquiry Committee also did not visit GPS Devi and this allegation is merely self-made, fabricated and concocted. Therefore the charge levelled in this respect has no sincerity and I am liable to be exonerated from this charge too. (Copy of Bank Statement and copies of Cheques are enclosed herewith).

- (f) That the construction work of the entire Schools of Circle Ghazi is still in function under the supervision and control of PTC Committee and ADO (PND) is also watching the work, whereas I have no concern with the constructions matter, however I am only watching & monitoring the works.
- (g) In reply to Para 7 of charge sheet it is stated that in order to avoid the misusage of funds, I only gave the better suggestions to HT because huge amount has been misappropriated from the PTC Funds in past.
- (h) In reply to Para 8 of the charge sheet it is stated all the constructions and other works of the School are being executed on the conditional grant with the consent of HT and PTC Committee and I am fully aware with regard to

ATTESTED


the obligations of PTC Committee. I am also aware with regard to my responsibilities, as I am supposed to monitor the work.

- (i) In reply to Para 9 of the charge sheet it is stated that all the Head Teachers and PTC Chairpersons have been trained by SRSP and they have knowledge about their duties and they did the work on their free will and wish. I never forced any one to do the wrong work.
- (j) In reply to the Para 10 of the charge sheet it is stated that I am fully aware pertaining to my job description: I never awarded the civil work to my any brother or relative. Every School has its own PTC Committee and the Committee is responsible for the quality of work executed. It is worth mentioning that the amount of conditional grant was transferred to the respective PTC accounts and the Head Teacher and PTC Committee withdrew the amount through Cheque and the requisite civil work completed. The PTC Committee meeting minutes of all the Schools of Circle Ghazi pertaining to the conditional grant, Bank statement, Cheque issued confirm the fact that I have no involvement in any School, hence I am liable to be exonerated from the charge.
- (k) That I am unsatisfied with the Inquiry committee constituted by this Authority and in order to reach the end of justice an impartial inquiry committee be constituted to inquire the matters in the light of facts and evidence available on the record.

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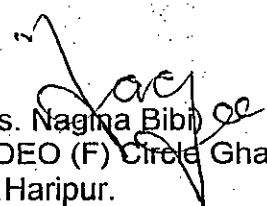
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Furthermore, it has been directed in my Suspension letter for inquiry and disciplinary action against me. I have neither been informed about the inquiry nor a copy of the inquiry report has yet been handed over to me which reveals that the entire proceedings is ex-parte on the malafide intention which is synonymous to discourage an honest, dedicated, punctual, competent and hardworking officer, therefore it is just and proper that I may please be given an opportunity of personal hearing to unveil and explain the facts with the credible evidence and I may please be exonerated from the charge in the interest of justice.

Dated: 10-01-2014.

Yours Obediently,


(Mrs. Nagma Bibi)
ASDEO (F) Circle Ghazi
Haripur.

Affidavit

I, do hereby solemnly affirm and declare that the contents of this reply to the Charge Sheet are true and correct to the best of my knowledge And belief and nothing has been suppressed therein.


DEPONENT

ATTESTED


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کوائف برائے پی ٹی سی مجبران
 گورنمنٹ گھرانہ سیکول سسٹم سرکاری کونٹریکٹ مندرجہ ذیل کے ناموں کے لیے
 بینک اکاؤنٹ نمبر بنانے کے لیے: 805-9-805-9

Sl No	نام مجبران	ولدیت	مقام پیدائش	رابطہ نمبر	دستخط مجبران
01	عمر النساء	عبدالحنان	پشاور	13301-1280811-2	03078162658
02	کشتین بیگم	نصیب گل	پشاور	13301-5809099-6	03115032475
03	ناصرہ	محمد ارشد	پشاور	13301-8677692-4	03129874048
04	رفیق بی بی	حسن داد	پشاور	42000-0403012-2	03039421500
05	عبدالستار	شیر برادر	پشاور	13301-1349972-9	03465947336
06	بیاتون علی خان	بہادر خان	پشاور	13301-1320071-3	03088297871
07	خاں چیرجان	عوض شاہ	پشاور	13301-1891996-8	03438941780
08	ایمان گوٹہ	فضل الرحمن	پشاور	33303-2086950-0	03345836061
09	زکیر بی بی	علی محمد	پشاور	13301-1309009-4	0342-9051734

ATTESTED

Head Address
 G.P.O. Sirkot
 12-06-2013

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H-25

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KHYBER
PAKHTUNKHWA PESHAWARNotification

The Services of Mst Nagina Bibi ASDEO (F) Circle Ghazi Haripur (under suspension) is hereby placed at the disposal of this Directorate till the decision of the disciplinary case.

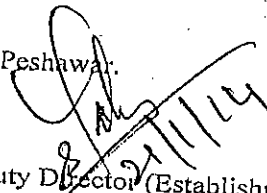
Note: 1. Charge report should be submitted to all concerned

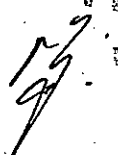
DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 4119-24 / F No.1 Distt: Pesh: Dated Pesh: the 21/11/2014

Copy forwarded for information & necessary action to the:-

1. Deputy Director Establishment (Female) E&SE Khyber Pakhtunkhwa Pesh:
2. DEO (F) Haripur.
3. District Accounts Officers Haripur.
4. ASDEO (F) concerned.
5. P/A to Director E&SE, Khyber Pakhtunkhwa, Peshawar.
6. Master File.


Deputy Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

ATTESTED


I - ~~26~~ 26

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KHYBER
PAKHTUNKHWA PESHAWAR

Notification

Mst Shagufta Abbasi ASDEO (F) Swabi is hereby transferred/adjusted against the vacant post of ASDEO (F) Circle Ghazi Haripur on her own pay scale in the interest of Public Service with immediate effect:-

- Note:
1. Charge report should be submitted to all concerned
 2. No TA/DA is allowed.

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 4195-29 /F No.1 Dist: Pesh: Dated Pesh: the 21-1- 2014.

Copy forwarded for information & necessary action to the:-

1. DEOs (F) Haripur & Swabi.
2. District Accounts Officers Haripur & Swabi.
3. ASDEO (F) concerned.
4. P/A to Director E&SE, Khyber Pakhtunkhwa, Peshawar.
5. Master File.

[Signature]
21/1/14
Deputy Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

ATTESTED

[Signature]

The Director
E & SE Education
Peshawar.

J- ~~27~~ (27)

Subject: Appeal for Cancellations of OST in Director.
E & SE Peshawar.

Reverend Sir.

It is stated that I, Mrs Nafeena Bib
ASDEO(F) Circle Ghazi. Distt Haripur. was made C.S.T in
E & SE Directorate Peshawar. I requested to you, kindly
cancelled this respective order NO 4119-24 dated ²
because it is impossible for me to Join Peshawa
Directorate being lady having a family of two
small kids. I am very thankful to you for this
act of kindness.

ATTESTED

Copy to

Mg

ASDEO(F). Circle Ghazi

Mrs. Nafeena Bibi

Contact # 0332-8902256.

Secretary, E & SE Peshawar.

Office record.

Deputy Commissioner, Distt Haripur.



**GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)**

POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) ¹{ }
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained

²While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.

- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

¹ Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules.

² Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004

Attested

af.


- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement
DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

Outside the Secretariat	
1. Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2. Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3. Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat	
1. Secretaries	Chief Secretary with the approval of the Chief Minister.
2. Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment
3. Officials up to the rank of Superintendent: a) Within the same Department b) To and from an Attached Department c) Within the Secretariat from one Department to another	Secretary of the Department concerned. Secretary of the Dept in consultation with Head of Attached Department concerned. Secretary (Establishment)

xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:

- To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.
- Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

Added vide Urdu circular letter No: SOR-VI(E&AD)/1-4/2005, dated 9-9-2005.

Attested


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xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be, through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) Pre-mature posing/transfer or posting transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

{Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003}.

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

Attested

VAKALATNAMA

IN THE COURT OF KPK Service Tribunal
Peshawar OF 2014

Nagina Bibi

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt.

(RESPONDENT)
(DEFENDANT)

I/We Nagina Bibi, ASDEO

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2014



CLIENT



ACCEPTED

**NOOR MOHAMMAD KHATTAK
(ADVOCATE)**

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Phone: 091-2211391

Mobile No.0345-9383141