

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.**

Service Appeal No. 391 of 2018

Mst: Mehnaz Afridi Appellant

VERSUS

Director Education FATA, FATA Secretariat Warsak
Road, Peshawar and others

..... Respondents


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Dated 15/03/2018


Appellant

Through

Tariq Kakar 
Advocate,

Supreme Court of Pakistan

Cell # 0333-9126151

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Khyber Pakhtunkhwa Service Tribunal

Service Appeal No. 391 of 2018

Diary No. 414

Dated 19-3-2018

Mst: Mehnaz Afridi D/o Zahir Shah presently Posted at Govt Girls Higher Secondary School, Samand Khan Kaley, FR Peshawar.

..... Appellant

VERSUS

- 1- Director Education FATA, FATA Secretariat Warsak Road, Peshawar.
- 2- Deputy Secretary Education SSD FATA, FATA Secretariat Warsak Road, Peshawar.
- 3- Agency Education Officer, FR Peshawar Office Situated at FATA Secretariat Warsak Road, Peshawar.
- 4- Addl: Chief Secretary, FATA, FATA Secretariat Warsak Road, Peshawar.
- 5- Miss: Shagufta GGHS Khanzda Kelay FR Peshawar.

..... Respondents

Filed by
Samand Khan
19/3/18
Registrar

APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT 1974 AGAINST IMPUGNED ORDER DATED 08/12/2017 VIDE WHICH THE APPELLANT WAS TRANSFERRED FROM GGHS KHANZADA KELAY TO GGHSS SAMAND KHAN KELAY FR PESHAWAR AND NO ORDER ON THE DEPARTMENTAL APPEAL OF APPELLANT WAS PASSED DESPITE THE

2

MATURITY /LAPSE OF STATUTORY PERIOD.

Respectfully Sheweth:

The Appellant submits as under:

- 1- That the Appellant is employee of Education Deptt: and presently post at Govt Girls Higher Secondary School, Samand Khan Kaley, FR Peshawar.
- 2- That the Appellant was posted at GGHS Khanzada Kaley FR Peshawar in the year 2016 and before date she remained posted at different places.
- 3- That when the Appellant took charge in the above mentioned school it transpired from the record. That two Class - IV official namely Alamzeb and Naeem Khan Sons of Samand Khan and one Kashif Son of Wakeel Khan are the employee and salary were paid according to the record but actually they were not performing duties in the school and remained absent from duty.
- 4- That the Appellant inquired about the said employees and they were issued show cause notices for the continuous absence from duty to explain their position and in case of default why not to remove them from service.

3

- 5- That when the said notices were issued to the delinquent officials it transpired that Alamzeb and Naeem Akhter had proceeded abroad since long whereas other official namely Kashif was under study and was regular student in a school in the same area. Whereas he was holding the post of Chowkidar in the school and was receiving the salary.
- 6- That to verify the facts of absence of the above persons in the light of the above information an extensive inquiry was carried out and some record from the Immigration Department of FIA was collected which show that two officials namely Alazeb and Naeem Akhter had gone abroad and were labouring there. The said employees were again were put on notice and the respondent department was kept on board/informed about the whole scenario.
- 7- That respondents were apprized of the whole situation and the respondents also agreed that what was going on and how and official who was not performing duty was receiving the salary.
- 8- That some political elements came for the rescue of the delinquent official and political pressure was buildup on the respondents, so much so that the

respondents also could not take the issue to logical conclusion.

9- That the political stakeholder not only stopped the matter here but they also mounted pressure on the respondents and finally the transfer order of the Appellant was issued from the above mentioned school.

10- That the appellant filed departmental appeal before respondent No.4 against the impugned order on 12/12/2017 but no reply till today was received, despite the lapse of statutory period, hence the impugned order is assailed before this Hon'ble Tribunal inter-alia on the following grounds:

GROUND:

A) That the impugned order is purely due to the political interference which is based on malafide and hence the same is liable to be set aside.

B) That despite the fact that Appellant remained posted at various places and wherever she performed duty she had brought very constructive changes in those schools. In the present school she was posted in the year 2016 as Mistress and after qualifying the commission she was posted in the above school as Head Mistress on 30/12/2016 and the minimum

period required to be spent in a particular institution and particular place is three years whereas in this case hardly one year has passed and the impugned order was made which is against all norms of justice.

C) That the Appellant zealously performed duty in the above mentioned school, and brought very constructive changes in the institution when took over as Head Mistress. This annoyed those persons who were not willing to perform duty and to get salary and their political will wishers mounted pressure on the respondents who were constrained to pass the impugned order but the respondent ought to have been appreciate the performance of the Appellant but they also failed to do so and hence the impugned order was passed which is liable to be set at naught.

D) That it was bounden duty of the respondents to have lauded the efforts and struggle of the Appellant in saving the public exchquare but the respondents also could not stand against the political pressure made by the political stakeholder for the delinquent officials and hence the respondents committed grave injustice by passing the impugned order which is by no canons of law sustainable.

- ②
- E) That the Appellant saved the public exchequer from loss and the respondents should have appreciate the efforts but the respondents in fact punished the Appellant for a noble deed.
- F) That the impugned order has neither passed in the public interest nor it is mentioned in the said order and hence it is the personal vendata of the respondents who tried to oblige the political stakeholder who are the will wishers /supporters of those officials who were served with show cause notices for their absence from duty.
- G) That there is no compliant whatsoever against the appellant and the appellant has been victimized for initiation of inquiry against the absent officials.
- H) That the appellant sister house is situated / located near GGHS Khanzada Kelay FR Peshawar and the appellant very conveniently performed her duty as being lady it is difficult for her to reach her duty place from Jagrah Kaley Peshawar.
- I) That in the circumstance as mentioned above when the public officials resort to such an action for a good deed this definitely create ancure, anguish,

acrimony and despondency in the official and then causes dissatisfaction and as such the impugned order is liable to be set aside.

J) That any other ground not specifically taken may also be allowed to be urged at time of arguments.

It is, therefore, most humbly prayed that on acceptance of this service appeal the impugned transfer order dated 08/12/2017 of the Appellant may kindly be set aside and the appellant be brought to her previous position i.e. GGHS Khanzada Kaley FR Peshawar.

Any other relief deem fit and appropriate in the circumstances of the case be also granted.

Dated 15/03/2018

Appellant

Through

Advocate,

Supreme Court of Pakistan

Certificate;

Certified as per instruction of my client no such like appeal has earlier been filed before this Hon'ble Tribunal by the present appellant.

Advocate

(8)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Service Appeal No. _____ of 2018

Mst: Mehnaz Afridi Appellant

VERSUS

Director Education FATA, FATA Secretariat Warsak
Road, Peshawar and others

... .. Respondents

ADDRESSES OF THE PARTIES


Appellant

Mst: Mehnaz Afridi D/o Zahir Shah Posted at Govt
Girls High School, Khanzada Kaley, FR Peshawar.

Respondents

- 1- Director Education FATA, FATA Secretariat Warsak Road, Peshawar.
- 2- Deputy Secretary Education SSD FATA, FATA Secretariat Warsak Road, Peshawar.
- 3- Agency Education Officer, FR Peshawar Office Situated at FATA Secretariat Warsak Road, Peshawar.
- 4- Addl: Chief Secretary, FATA, FATA Secretariat Warsak Road, Peshawar.
- 5- Miss: Shagufta GGHS Khanzada Kelay FR Peshawar.

Dated 15/03/2018

Appellant
Through 
Tariq Kakar
Advocate,
Supreme Court of Pakistan

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.**

Service Appeal No. _____ of 2018

Mst: Mehnaz Afridi Appellant

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Road, Peshawar and others

... .. Respondents

AFFIDAVIT

I, Mst: Mehnaz Afridi D/o Zahir Shah Posted at Govt Girls High School, Khanzada Kaley, FR Peshawar do hereby solemnly affirm and declare on oath that the contents of the accompanied writ petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

DEPONENT

CNIC # 16101-9314770-8

Identified by

Tariq Kakar

Advocate

SC

ATTESTED
IRFAN ULLAH ADVOCATE
NOTARY PUBLIC



FATA SECRETARIAT
(SOCIAL SECTORS DEPARTMENT)
WARSAK ROAD PESHAWAR

Dated Peshawar the December 8, 2017

(10)
A

NOTIFICATION

No. SO/Edu/SSD/FATA/5065-23 Mst. Mehnaz Afridi, Headmistress
(BS-17) is hereby transferred from Govt. Girls High School Khan Zada Killi
FR. Peshawar to Govt. Girls Higher Secondary School Samand Khan Killi
FR. Peshawar against the vacant post of Headmistress (BS-17) with
immediate effect in the interest of Public Service. 2 k.m

ADDITIONAL CHIEF SECRETARY FATA

Copy of the above is forwarded to the

1. Director Education FATA
2. Deputy Secretary Education SSD FATA
3. Agency Education Officer FR. Peshawar
4. Principal GGHSS Samand Khan FR. Peshawar
5. Accounts Officer AGPR (Sub Office) Peshawar
6. PS to ACS FATA
7. PS to Secretary SSD FATA
3. Officer Concerned

[Handwritten Signature]

ATC
[Handwritten Initials]

No. 192

Dated 12-12-017

11

Take action against all
the persons who are
absent from duty

To

ACS FATA

Annex. (B)

Subject: My transfer/posting after I gave applications about corruption and long absence of some low grade servants in Govt. girls school Khanzada FR Peshawar

Dear Sir,

Sy 5511

With due respect, I state that I am 17 grade school headmistress. I had given applications before that some low grade school servants are doing job abroad and provided full proofs. Their salaries are taken by one person in their family every month which is about Rs.200000 while those low grade servants do not come to schools to clean schools. Female students instead clean wash rooms and latrines. I stood for rights of innocent female students that they all should come and do proper duty. Meanwhile my brother has full information that they reached all quarters from political parties to everyone to buy people and get me posted from here. This is complete injustice that I have been posted while those who refused to do duty were neither punished nor compelled to do duty. It is requested to cancel my transfer as this is against justice as being female and headmistress of school. Senior FATA management should stand with me against absent and corrupt people. This issue is in every school and now every low grade school servants will refuse duty in every school of FR Peshawar. If FATA senior management wants to solve this matter then they should punish and compel them on duty. This is what we have been taught by Allah and law. Lawlessness and corruption needs solution and not posting of headmistresses. I request your upper authority to solve this issue and cancel my posting as other school has same issue. If senior management wants then all low grade school servants will start duty immediately in FR Peshawar. It is requested to cancel my posting as same issues are in every school. This is not solution. If education department gives me written order to give free salaries to school servants then that is another thing. I request to cancel this posting as it is complete injustice with me and innocent female students. All proofs of corruption and absence from duty of those people who ran from pillar to post to post me so that they continue getting Rs.200000 2 lak every month without duty.

Thank you sir

Headmistress,

Govt. girls school Khanzada

FR Peshawar

[Signature]
HEADMISTRESS
Govt. Girls School
Khanzada - FR Peshawar

ATe

[Signature]

A.C.C. No. 11695

Date 12-12-17

OFFICE OF THE HEAD MISTRESS G.G.H.S KHAN ZADA FR PESHAWAR.

NO: 181

Dated: 22/11/17

To

The Director of Education FATA,
Secretariat Peshawar.

C

Through: The Agency Education Officer FR Peshawar.

Subject: Class IV on French leave.

R/Sir,

With due respect, It is stated that I Mehnaz Afridi Head Mistress
GGHS Khan Zada Killi FR Peshawar in unison with teaching staff would like to bring
Your kind attention to continuous absenteeism of class IV.

Despite my several premonitory notice in order book as well as verbally,
They turned deaf ear and termed it as useless. From highly placed sources, it is conformed
That a few of them are living abroad.

As a result their lackadaisical attitude in performing duties has adversely
effected Educational environment as well as mundane concern of day-to-day life in school.

Therefore, it is requested to look into the matter with serious and earnest
Consideration and figure it out as soon as possible.

Thanks.

Head Mistress,
GGHS Khan Zada
FR Peshawar.

ATC
[Handwritten initials]

received by
[Handwritten signature]
22/11/17

عینہ 153 مورخہ 24/11/17

مفتاب پریڈیشن میں ہمارے گورنمنٹ گمناہی سکول
خانزادہ کمالہ بیگم آرٹسٹا

محبت : نازہ لیب اینڈ ڈسٹک - ریسمین خان جاکوہ

لغیم اختر عالی ، عالم زیب نائیک قاصد -

زاہدہ بی بی سوہیلہ ہاشمی سکین احمدیہ بیگم کمالہ -

وکیل خان بشتی ، محمد کاشف جوگدار پیر احمدی سکین

عنوان : نوٹس

آپ کو ہدایت کی جاتی ہے کہ زمبابوی اور کٹرہری

سیٹھانٹ ملنے کے بارے میں آپ سے اگلی تک

عینہ حاضر ہیں۔ نوٹس نڈا کے ذریعہ آپ کو

مطلوبہ کیا جاتا ہے کہ دو (2) دن کے اندر اندر اپنی

ڈیوٹی پر حاضر ہو کر اپنی عینہ حاضر کی وجوہات

کٹرہری طور پر زیر دستخطی اور ارسال کر میں

لصورت ریم آپ کے خلاف ای اینڈ ڈی رولز 110

ذیلی سٹوڈنٹوں کے تحت قانونی کارروائی میں آپ

کی سہولت سے ہم فاسٹنگ کی ہو سکتی ہے عمل میں لائے

HEAD MISTRESS
Govt. Girls High School
Khan Zada Killi FR Peshawar

عینہ 156 - 154 مورخہ 24/11/17

مفتاب پریڈیشن میں ہمارے گورنمنٹ گمناہی سکول

(1) نازہ لیب اینڈ ڈسٹک - ریسمین خان جاکوہ

(2) زاہدہ بی بی سوہیلہ ہاشمی سکین احمدیہ بیگم کمالہ

(3) وکیل خان بشتی ، محمد کاشف جوگدار پیر احمدی سکین

HEAD MISTRESS
Govt. Girls High School
Khan Zada Killi FR Peshawar

ATC

ATC

14

OFFICE OF THE HEAD MISTRESS G.G.H.S KHAN ZADA FR PESHAWAR.

NO. 152

DATED: 23/11/17

E

The Assistant Political Agent,
F.R Peshawar.

Subject:- Class IV on French Leave / Intervention by unconcerned people.

R/Sir,

It is intimated that I Mehnaz Afridi the Head Mistress of GGHS Khan Zada Killi FR Peshawar with concerned teaching staff unanimously report that class IV is on French leave - Despite my several premonitory notice, they termed it as useless. From reliable sources it is conformed that a few of them are living abroad.

More-over, when they are marked absent, then they become intimidated and adopt threatening attitude.

In this regard, Mr, Janas khan who is khasadar and Mr, Noor Mhammad, a local school teacher are threatening us IV absenteeism.

Meanwhile, Mr, Janas khan under the banner of Law enforcement Agency (LEA) has further deteriorated school environment along with his associate Mr, Noor Muhammad. Therefore it is requested to look into the matter with serious consideration and sort it out at earliest.

Thanks.

Head Mistress
GGHS Khan Zada
FR Peshawar.

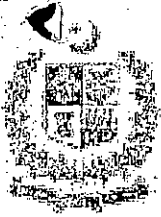
Copy forwarded to:-

1. Agency Education Officer FR Peshawar.
2. 12 Punjab.

P.S. There assertions are endorsed by teaching staff.

ATC
[Signature]

Head Mistress,
GGHS Khan Zada
FR Peshawar.



SAVING TO CORRUPTION
OFFICE OF THE DIRECTOR
FEDERAL INVESTIGATION AGENCY
KHYBER PAKHTUNKHWA
PHASE-V, HAYATABAD PESHAWAR
PH: 091-9217801, FAX: 091-9217813

15



No. FIA/KPK/ Immgn.Control /17/14965

Dated: 29-11-2017

To

F

The Headmistress,
Government Girls High School,
Khanzada Killi F.R. Peshawar.

Subject:

RETRIEVAL OF AIRPORT ARRIVAL AND DEPARTURE DATA OF FOLLOWING EMPLOYEES.

Reference your letter No.Endst / 183 dated 29.11.2017 on the subject noted above.

Enclosed please find herewith travel history regarding of the following Government servants received from Assistant Director / IBMS Peshawar Airport, for further necessary action.

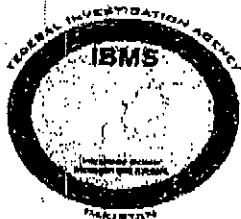
1. Alamzeb S/o Samand Khan
2. Naeem Akhtar S/o Samand Khan

29/11
Sardar Ullah Babar
(SARDAR ULLAH BABAR)
Assistant Director Admn
For: Director FIA KP Peshawar

ATC
QC

16

IBMS TRAVEL HISTORY REPORT



Name: NAEEM AKHTAR
 Father/Husband Name: SAMAND KHAN
 Personal Number: 2250187150581
 Birth Date: 15-MAR-86
 Nationality: PK

Document Number	Event Date	Flight No	Entry Status	Name	Location Name
AS1340581	31-JUL-08	NL785	arriving		Peshawar International Airport
AS1340581	09-OCT-08	NL786	departing		Peshawar International Airport
AS1340581	04-JUL-09	NL785	arriving		Peshawar International Airport
AS1340581	25-DEC-09	NL786	departing		Peshawar International Airport
AS1340581	02-MAR-10	NL791	arriving		Peshawar International Airport
AS1340582	26-APR-12	NL786	departing		Peshawar International Airport
AS1340582	15-FEB-13	NL785	arriving		Peshawar International Airport
AS1340582	20-APR-13	G9556	departing		Peshawar International Airport
AS1340582	20-APR-13	G9555	departing		Peshawar International Airport
AS1340582	03-SEP-13	G9555	arriving		Peshawar International Airport
AS1340582	19-SEP-13	G9556	departing		Peshawar International Airport
AS1340582	04-DEC-14	G9555	arriving		Peshawar International Airport
AS1340582	19-JUL-15	G9556	departing		Peshawar International Airport
AS1340582	01-SEP-16	G9555	arriving		Peshawar International Airport
AS1340583	04-JAN-17	PA610	departing		Peshawar International Airport

Appointment dubai

1
2
3

P.No = 52166638

NILAN = 22501-8715058-1

1ST Appointment Date = 29-11-2012

1 NAEEM AKHTAR MALI

NOTE

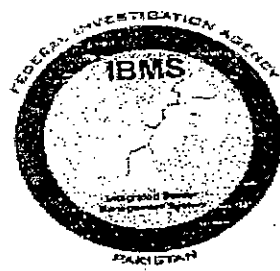
- 26-04-2012 = Departing to Dubai } 1ST Appointment date 29-11-2012 mali
- 15-02-2013 = Arriving to Pakistan } Post G.G.H.S. Khan Zade Killa FR Peshawar.

ATC

all

(17) (17)

IBMS TRAVEL HISTORY REPORT



Name ALAM ZEB
 Father/Husband Name SAMAND KHAN
 Personal Number 1730112775245
 Birth Date 15-APR-77
 Nationality PK

Document Number	Event Date	Flight No	Entry Status	Name	Location Name
AU5095241	25-SEP-08	PK3284	arriving		Peshawar International Airport
AU5095241	20-DEC-08	ED610	departing		Peshawar International Airport
AU5095241	04-JUL-09	NL785	arriving		Peshawar International Airport
AU5095241	27-DEC-09	NL786	departing		Peshawar International Airport
AU5095241	03-JUN-10	NL791	arriving		Peshawar International Airport
AU5095241	24-NOV-10	NL792	departing		Peshawar International Airport
AU5095241	16-DEC-10	PK208	arriving		Jinnah International Airport Karachi
AU5095241	23-SEP-12	NL786	departing		Peshawar International Airport
AU5095241	01-FEB-13	G9555	arriving		Peshawar International Airport
AU5095241	24-JUN-13	G9556	departing		Peshawar International Airport
AU5095242	03-FEB-14	G9555	arriving		Peshawar International Airport
AU5095242	12-NOV-14	NL792	departing		Peshawar International Airport
AU5095242	12-FEB-16	G9555	arriving		Peshawar International Airport
AU5095242	15-APR-16	G9556	departing		Peshawar International Airport
AU5095242	08-OCT-17	G9555	arriving		Peshawar International Airport

ATC
[Signature]

PAN = 00092480

NIC NO = 17301-1277524-5
1ST APPOINTMENT = 06-09-1995

NOTE
ALAM ZEB NAIB
[Signature]
Through out Absent
from duty to e from
25-9-2008 up to date

17

FAX NO. : 9215372

FROM : FIA

APPOINTMENT.

Mr. Muhammad Kashif S/O Wakeel Khan Village Ali Khel FR Peshawar is hereby appointed purely on Regular (Non-Pension able Basis) as a Chowkidar at GGMS Khan Zada Kalli FR Peshawar in BPS-1 (2970-90-5670) against vacant Chowkidar Post with effect from the date of taking over charge in the interest of public service.

(F1)

(18)

TERMS & CONDITIONS :-

1. Charge report should be submitted to all concerned.
2. The appointment of the candidate being purely on temporary basis and is liable to termination at any time without any notice.
3. If the candidate wishes to resign his post he will give One-Month prior notice or his pay for one month will be forfeited in lieu thereof.
4. He should produce his original Domicile and NIC copy before proper verification from the quarters concerned.
5. He should produce his Health and Age Certificate from the Medical Superintendent concerned.
6. He may not be handed over charge if he is below 18 years or above 45 years.
7. If he fails to report within 15 days then will be treated as cancelled automatically.
8. The appointee will not be entitled to pension/ commutation and G.P Fund emoluments; however C.P Fund will be deducted as per rules.

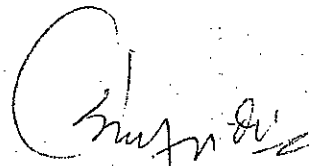
(MUHAMMAD ASHRAF)
Agency Education Officer
FR Peshawar/ FR Kohat

Endst: No. 1311-17

Dated 16/11/2010

Copy forwarded to the: -

1. Director Education FATA, NWFP Peshawar.
2. Addl: Accountant General (PR) Sub Office Peshawar.
3. Headmistress GGMS Khan Zada Kalli FR Peshawar.
4. Accountant Local Office.
5. Assistant Political Agent FR Peshawar.
6. Candidate Concerned.
7. EMIS Local Office.


Agency Education Officer
FR Peshawar/ FR Kohat



ATC



139307	Asad Qbal	Liaqat Ali Khan	11-11-97	076-B/MMSZP-2012	700	B	(19)
139308	Muhammad Amir	Behram Khan	09-02-98	003-B/UBKEA-2012	881	A1	(9)
139309	Muzamil Khan	Tela Muhammad	05-05-98	001-B/KSP-2012	770	A	
139310	Muhammad Arshad	Muhammad Arif	20-02-98	002-B/KSP-2012	837	A	
139311	Muhammad Kashif	Wakil Khan	10-10-98	003-B/KSP-2012	785	A	
139312	Arsalan Zeb	Jehanzeb Farrukh	02-04-98	004-B/KSP-2012	827	A	
139313	Muhammad Ayaz	Ghazi Khan	01-04-98	005-B/KSP-2012	882	A1	
139314	Aamir Khan	Nasir Khan	01-03-98	006-B/KSP-2012	843	A	
139315	Zakir Ullah	Nasir Khan	30-03-99	007-B/KSP-2012	825	A	
139316	Habib Ullah	Saeed Ullah Khan	30-03-99	008-B/KSP-2012	747	B	
139317	Aziz Ullah	Said Wali Khan	04-04-98	009-B/KSP-2012	806	A	
139318	Nadir Shah	Faiz Ur Rehman	25-05-98	010-B/KSP-2012	807	A	
139319	Hamayun Riaz	Muhammad Riaz	01-04-98	012-B/KSP-2012	874	A	
139320	Adnan Khan	Gul Roz Khan	07-08-97	013-B/KSP-2012	825	A	
139321	Hamayun	Saif Ullah Khan	12-12-98	014-B/KSP-2012	785	A	
139322	Muhammad Saqlain	Sultan Muhammad	05-04-98	016-B/KSP-2012	836	A	
139323	Khadim Hussain	Shamoo's Khan	15-04-97	017-B/KSP-2012	761	B	
139324	Jamshid Ali	Amjad Ali	05-01-98	018-B/KSP-2012	765	B	
139325	Zafeer Ullah	Safeer Ullah	30-03-98	019-B/KSP-2012	870	A	
139326	Ali Muhammad	Naib Khan	18-04-98	020-B/KSP-2012	870	A	
139327	Salah Ud Din	Qismat Khan	30-03-96	021-B/KSP-2012	673	B	
139328	Syed Rooh Ullah Shah	Syed Ihsan Ullah Shah	20-04-98	022-B/KSP-2012	786	A	
139329	Haroon Khan	Abbas Khan	25-03-99	023-B/KSP-2012	786	A	
139330	Mujib Ur Rehman	Khial Mir	15-05-98	024-B/KSP-2012	884	A1	
139331	Raheem Khan	Ahmad Sher	10-02-98	025-B/KSP-2012	806	A	
139332	Muhammad Qadar Hayat	Mir Wali	01-03-99	026-B/KSP-2012	823	A	
139333	Alamgir Khan	Maweez Khan	09-04-97	027-B/KSP-2012	841	A	
139334	Khalid Khan	Muqadir Shah	20-04-97	028-B/KSP-2012	683	B	
139335	Saif Ullah	Muhammad Ayub	28-02-98	031-B/KSP-2012	795	A	
139336	Muhammad Haroon	Mehrab Gul	09-04-97	032-B/KSP-2012	726	B	
139337	Alam Zeb	Tika Khan	15-04-97	033-B/KSP-2012	743	B	
139338	Abdullah	Wali Dad Shah	06-05-96	034-B/KSP-2012	641	C	
139339	Abdullah	Sakhi Jan	12-02-98	036-B/KSP-2012	757	B	
139340	Usman Ali	Muhammad Yousaf	23-03-99	037-B/KSP-2012	710	B	
139341	Hazrat Ali	Zar Wali Khan	30-09-98	039-B/KSP-2012	836	A	
139342	Imran Khan	Raz Muhammad	11-09-95	040-B/KSP-2012	848	A	
139343	Waqar	Sher Dad	25-03-99	051-B/KSP-2012	809	A	
139344	Hamid Ali Khan	Niaz Ali	01-01-97	010-B/SMSKP-2012	645	C	

ATC


MONTHLY STAFF STATEMENT OF GGHS KHAN ZADA KILLI FR PESHAWAR FOR THE MONTH OF

10/2/17

S.No	Name & Designation	Father Name	Qualification	BPS No.	D/O Birth	D/O Ist App;	D/O Prom;	D/O ch; in this School	NIC No.	P/No	Domicile	Trained Untrain ;	Total No of Students
1.	Mehnaz Afridi H.M	Zahir Shah	M.A,M.Ed	17	04-02-77	03.01-00	30-12-16	21-04-12	16101-9314770-8	0308-5405524	FR Pesh;	Trained.	10th=09
2.	Nadia Riyaz SET	M.Riaz	M.A, B.Ed	16	30-08-79	30-10-99	10-11-17	07-02-12	17301-3843949-2	0333-8562952	Dist Pesh	-	9th=16
3.	Vacant ; SET	-	-	-	-	-	-	-	-	-	-	-	8th=12
4.	Vacant ; SET	-	-	-	-	-	-	-	-	-	-	-	7th=23
5.	Husana. C.T	Said Ullakhan	M.A, B.Ed	16	01-01-76	10-09-03	-	10-09-03	17301-1419959-4	0303-5269743	-do-	Trained	6th=29
6.	Hamida bibi C.T	Khadi sher.	M.A, M.Ed	15	18-11-78	01-09-99	-	01-02-10	17301-1790556-4	0307-8556666	-do-	-do-	5th=25
7.	Bushra begum C.T	Khadi Sher.	M.A, B.Ed	15	16-10-87	15-08-09	21-01-13	10-02-13	17301-0334571-2	0307-8556666	-do-	-do-	4th=26
8.	Vacant; D.M	-	-	-	-	-	-	-	-	-	-	-do-	3rd=52
9.	Robina Awan PET	Abdul Qayyum	M.Sc, B.Ed	16	22-02-65	30-10-99	-	01-12-16	17301-1421571-4	0335-5949919	-do-	-do-	2nd=31
10	Prveen Naz. A.T	M.Ziarat Gul	B.A,(A.H).	15	05-02-76	01-09-06	-	01-09-06	17301-1258064-6	0345-9225424	-do-	-do-	1st.S=41
11	Falak Naz Qaria	M.Yaqoob.	B.A, Sanad	07	01-03-76	01-10-95	-	01-10-95	17301-1285560-8	0307-9494300	FR Pesh;	-do-	1st.J=40
12	Salma Qaria	Hamayoun k	B.A	12	25-05-86	05-10-17	-	06-10-17	17301-0918392-8	0340-0904554	-	-	Total=304
13	Vacant L/Asst	-	-	-	-	-	-	-	-	-	-	-	
14	Niamat khan J.C	Zarmat khan	M.A, M.Ed	11	15-05-74	25-03-95	-	01-04-12	17301-1328394-7	0346-9038179	FR Pesh;	-do-	
15	Alam Zeb. N.Q	Samand khan	-	02	15-04-77	06-09-95	-	06-09-95	17301-1277524-5	-	-do-	-	
16	Vacant. Sweepr	-	-	-	-	-	-	-	-	-	-	-	
17	Zahid bibi Swee;	Shah Baz kha	-	02	13-03-73	06-09-95	-	06-09-95	17301-4862649-0	-	-do-	-	
18	Naeem Akhtar.Mali	Samand khan	-	01	15-03-86	29-11-12	✓	29-11-12	22501-8715058-1	-	-do-	-	
19	Yasmeen khan Swe	Saeedur Reh;	-	01	1980	29-11-12	✓	29-11-12	17301-1397952-6	-	-do-	-	
20	Nazia L/Att	Waras khan	-	01	1980	29-11-12	✓	29-11-12	17301-6759467-2	-	-do-	-	

Head Mistress,
GGHS Khan Zada
FR Peshawar.

ATC
[Signature]

20

Annex #1

20

#

20

محرمیت جناب سر نیشنل سٹوڈنٹ ایسوسی ایشن سکول خانی پور

الف - آر لٹریچر

Annex-I

جناب عالیہ!

غز میں خدمت سے کہ تمام اسٹاف کو کہ سندن
درمیں سے کہ فکریں فورڈ لوٹی ہر میں آتے اور د لوٹی نہیں کرتے اور سٹول
گزرہ پڑا رہتا ہے اور میں کام محدوداً بچوں میں کھانا پڑتا ہے تاکہ وہ
گزرے پڑے رہتے ہیں جب بچوں سے کام گزواتے ہیں تو وہ اردن بھی اعتراض
کرتے ہیں

سر از میر نالی فرما کر ہماری درخواست پر غور فرمائیں اور حکام اس قدر
کو ڈیوٹی سرانجام دینے کے لیے حکم جاری فرمائیں تاکہ یہ حالت مسائل حل
ہو سکیں

عین لوازش میں ہوگی۔
انکی نالی فرمائیں

نادر زمان (P.E.T.)
انچارج

سر نیشنل سٹوڈنٹ ایسوسی ایشن (P.E.T.)
Rahwal

سلیٹی کی Salma

میں پرچوں Pan

میں بخیرہ Quila Bibi

میں عزیزہ Banna

میں زینہ Zahra

میں خیرہ Hani

میں رشقا Miss Rashqa

میں میلا Meela

A.T.C





جنرل صاحب بیڈ میٹر (صاحب) اور ریٹائرمنٹ گزرتی ہیں مولانا خانزادہ قاری الف - ایشیاء

جناب عالیہ!

موجودہ آنکھوں کے سہم تمام سٹاف آپ سے یہ درخواست کرتے ہیں کہ
بیر ایڈجسٹمنٹ کے بعد بائریک کے دوران ہمیں چارٹ یا ریفریکشن ٹیسٹ کی ضرورت
ہوتی ہے۔ بائریک کے دوران ہم خود چارٹ بنائیں تو مختصر سے وقت میں ہم چارٹ
بنائے اور دیکھیں ہیں بائریک ختم ہو جاتی ہے۔ اگر نوجوان سے ہم کام کرواتے
ہیں تو اول تو بچوں کو کھیل کود کا موقع نہیں ملتا دوسرے ان کے والدین
اعتراض کرتے ہیں۔ چارٹ کے بعد گندے برتن دھوئیں تو بچوں کی بڑھائی یا
خرچ ہوتا ہے۔

بیر ایڈجسٹمنٹ کے دوران آپ کے دل میں فور کو ان کی ڈیوٹی پر بلا کر بیمار کرنے کے
حل کریں کیونکہ فلاس فور بھی بیماری طرح حکومت کے ملازمین میں نہیں
کلاس فور والے حقوں کا نا جائز استعمال کرتے ہیں حالانکہ وہ بھی حکومت
کے ملازم اور خدمتگاران ہیں۔ اگر وہ ڈیوٹی سرانجام دیں گے تو سکول کا
مافول بہتر ہو گا، اور وقت کی بھی بچت ہوگی۔ اور تعلیمی بیر ایڈجسٹمنٹ
فدائی ہو گا۔

آپ سے التماس ہے کہ اس سٹیٹ پر سنجیدگی سے غور فرمائیں۔ ہم
آپ کے فوری اور مثبت جواب کے منتظر رہیں گے۔

عسین، نواز شہبازی

S.S.T. ① نازہ ریاض

بیر ایڈجسٹمنٹ P.S.T ② روزینہ Begum

C.T - شہناز - Bushra P.S.T - زینا Fatma

Dabra - نازہ - Falak Nazki C.T - عیدہ بیگم - Anil

Salma سانی - Damia SST - یارہ شہوار - Hadia

AT - پروین ناز - Parv

SCT - حمیرا مفتی - H

S.C.T - منو - M

SPET - روسیہ لؤلؤ - Ratiya

ATC
[Signature]

قیمت
50 روپے



31217

ایڈوکیٹ: بی آر اے

بار کونسل ایسوسی ایشن نمبر: 3418

رابطہ نمبر: 03339126157

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب:

دعویٰ:	مخائب: <u>اسلامی</u>
علت نمبر:	<u>صہنا زہ فزیریں</u>
مورخہ:	<u>بنام</u>
جرم:	<u>ڈائریکٹر فائی وائرس</u>
تھانہ:	

باعث تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
آن مقام مسٹر محمد کیلے کی طرف سے ڈائریکٹر فائی وائرس کو وکیل مقرر
کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا
دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے
باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المترقوم:

الع بد _____ واہ شد _____ الع بد

مقام _____ کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

Accepted &
attested

8-02-41 11:57:05 91

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

implementable COC No. _____ of 2018
In
Service Appeal No. 391 of 2018

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 700
Dated 22/06/2018

BEEG Mst: Mehnaz Afridi D/o Zahir Shah presently Posted
at Govt Girls Higher Secondary School, Samand Khan
Kaley, FR Peshawar.

COC Appellant
In
Service

VERSUS

BEEG Yousaf Rahim Deputy Secretary Education ^{Posted} SSD
FATA, FATA Secretariat Warsak Road, Peshawar.

COC Respondent
In
Service *implementation of order dt 10-4-2018*

APPLICATION FOR INITIATION OF
CONTEMPT OF COURT PROCEEDING
AGAINST THE RESPONDENT
MENTIONED ABOVE.

Respectfully Sheweth:

The Applicant submits as under:

- 1- That the applicant had filed service appeal before this Hon'ble tribunal which came up for hearing on 10/04/2018 and is now fixed for 22/06/2018.
- 2- That on the said date detail order was passed by this Hon'ble Tribunal in which the reply from the respondents in the said appeal was asked for and the

transfer order impugned in the appeal was also suspended.

3- That the order of suspension dated 10/04/2018 was submitted /communicated and transmitted to the respondents for necessary action and compliance

4- That the present respondent who is respondent No.2 in the service appeal clearly refused to comply with the order of this Hon'ble Court mentioned above and showed defiance attitude which constitute contempt of the order of this Hon'ble Tribunal.

5- That the delinquent official mentioned above clearly and blatantly defied, trampled and disobeyed the clear cut direction of this Hon'ble tribunal for no good reasons and the same attitude of the respondent is contemptuous and he is liable to be proceeded against.

6- That this Hon'ble Tribunal is required under the law to implement its own order and to ask for the

compliance report otherwise to proceed against the
contempner and strike out their defence.

It is, therefore, most humbly prayed that
on acceptance of this application, the
respondent may kindly be prosecuted for
contempt of the order dated 10/04/2018 of
this Hon'ble Tribunal and be convicted and
sentenced according to law.

Any other relief deem fit and appropriate
in the circumstances of the case be also
granted.

Dated 21/06/2018.

Appellant

Through



Tariq Kakar
Advocate,

Supreme Court of Pakistan
Cell # 0333-9126151

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

COC No. _____ of 2018

In

Service Appeal No. _____ of 2018

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.
Mst: Mehnaz Afridi D/o Zahir Shah presently Posted
at Govt Girls Higher Secondary School, Samand Khan
Kaley, FR Peshawar.

..... Appellant

VERSUS

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.
Yousaf Rahim Deputy Secertary Education SSD
FATA, FATA Secretariat Warsak Road, Peshawar.

..... Respondent

AFFIDAVIT

I, Mst: Mehnaz Afridi D/o Zahir Shah Posted at
Govt Girls High School, Khanzada Kaley, FR Peshawar
do hereby solemnly affirm and declare on oath that the
contents of the accompanied writ petition are true and
correct to the best of my knowledge and belief and
nothing has been concealed from this Hon'ble Court.

DEPONENT

CNIC # 16101-9314770-8

~~ATTESTED~~
IRFAN ULLAH ADVOCATE
NOTARY PUBLIC

2/1 - 66-17

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Mehnaz Afridi *Appellant*

Versus

DIRECTOR EDUCATION FATA & others..... *Respondents.*

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BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAW

Mehnaz AfridiAppellant

Versus

Director Education FATA & others.....Respondents

Para wise comments on behalf respondent NO 1, 3 & 4

Preliminary objections.

1. That the appellant has got no cause of action/locus standi to file the instant appeal.
2. That the appellant has not come to this Honorable Tribunal with clean hands.
3. That the appellant has concealed material facts from this Honorable Tribunal.
4. That the appellant is estopped by his own conduct to bring the present appeal.
5. That the appeal is bad due to mis-joinder and non-joinder of necessary parties.
6. That the appeal is barred by law.
7. The instant appeal is devoid of merits and not maintainable in the present form liable to be dismissed.

ON FACTS.

1. *The Appellant is presently working In GGHSS samand Khan Kalli FR Peshawar as Head Mistress and had taken over charge in said school vide dated 9th December 2017 in compliance of Notification No SO/Edu/SSD/FATA 8065-73 dated 8-12-2017 issued by competent authority in public interest. Copy (A)*
2. *The Appellant is concealing the material fact and try to mislead the honorable tribunal in this Para ^{as} she was Working in GGHS Khanzada Kaly since 2014 and later on was Adjusted in 2016 as Head Mistress in the same school but on complaint from the community of locality, the Agency education officer investigated and visited the said school on 25-11-2017 whereby the report was submitted to competent authority in respect of the appellant's performance in GGHS Khanzada Kaly and the appellant was ordered to be transferred from the said school by competent authority in public interest vide order dated 8-12-2017. copy of report attached as annexure (B)*
3. *Incorrect. The appellant was under an Obligation to report the Absent staff of her school also under the rules appellant shall have served explanations upon concerned staff, however on her so report concerned staff was proceeded accordingly by Agency Education Officer and in response, it was Transpired that such absenteeism was encouraged and with the connivance of Appellant as the absent staff Admitted In their personal hearings to the respondents department that they were*

monthly paid a portion of their salaries to Appellant in lieu of their absence from duty . Copy of statement /charge sheet reply attached as **annexure (C)** so the appellant was also involved in illegal activities in said school which warrant her transfer from the said school on administrative grounds under the exigencies of circumstances because due to negligence and poor performance of the appellant management of GGHS Khanzada Kaly suffered which would have negative effect on the studies of the students.

- 4. As elucidated under Para 3 above.
- 5. Incorrect. Appellant reported the absent staff on 22-11-2017 **annexure (D)** at very belated stage as she was working in said school as DDO since 2014 up to 8-12-2017 which clearly shows the negligence of the appellant however respondent department still proceeded against the absent staff as was required under the law. Copy of charge sheet attached as **annexure (E)**.
- 6. As elucidated under Para 5 above.
- 7. As elucidated under Para 5 above.
- 8. Incorrect. There was no Political pressure on respondent department and she was transferred on administrative grounds under the exigencies of circumstances.
- 9. Incorrect. Under section 10 of civil servant Act 1973 which require the appellant to serve anywhere in province or outside the province , as the appellant has been transferred on administrative grounds from GGHS Khanzda to GGHSS samand khan kaly FR Peshawar in public interest therefore cannot legally impugned the order dated 8-12-2017 issued by competent authority in public interest.
- 10. Subject to record.

Grounds

- A. Incorrect. The Appellant has been transferred from one school to another school in same FR Peshawar on administrative grounds issued by competent authority in public interest. There was no political Pressure involved in transfer of Appellant it was the poor performance of the appellant due to which administration of the said was at stake therefore under exigencies of the circumstances she could legally be transferred from the said school so as to avoid further administrative complications.
- B. As elucidated under Para 3 above.
- C. In correct hence denied.
- D. As elucidated under para 9 above.
- E. As Elucidated under Para 3 above.
- F. In correct. Impugned order dated 8-12-2017 has been issued by competent authority in public interest and appellant has taken over


charge against the said impugned order dated 8.12.2017 so under the Principles of estoppel appellant could not legally impugned the said order therefore her case has become in fructuous and liable to be dismissed.

- G. As elucidated under Para 3 above.
- H. As elucidated under Para (A) above.
- I. In correct hence denied as Elucidated under Para (F) above.
- J. Respondents department also seeks permission of the Honorable court to produce additional grounds at the time hearing of the case.


Pray.

In light of the stated facts it is therefore humbly prayed the appeal in hand is ordered to be dismissed.

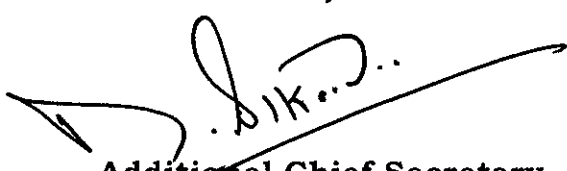
Respondent No. 1


Director Education *Newly merged Districts*

Respondent No. 3


Agency Education Officer
FR Peshawar / SUB Diy.

Respondent No. 3₁


Additional Chief Secretary
EX-FATA / NEWLY merged DISTRICTS.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Mehnaz AfridiAppellant

Versus

DIRECTOR EDUCATION FATA & others.....Respondents.

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR.

Mehnaz AfridiAppellant

Versus

DIRECTOR EDUCATION FATA & others.....Respondents.

AFFIDAVITE

I Saif ul Islam Assistant Agency Education Officer FR Peshawar do hereby solemnly affirm and declare that the contents of the accompanying parawise comments submitted by the respondent No. 1, 3 & 4 are correct to the best of my knowledge and belief nothing has been concealed from this honorable service Tribunal


Deponent

CNIC: 17301-1526740-9



(A)

(S)

FATA SECRETARIAT
(SOCIAL SECTORS DEPARTMENT)
WARSAK ROAD PESHAWAR
Dated Peshawar the December 8, 2017

Attested
[Signature]

NOTIFICATION

No. SO/Edu/SSD/FATA/3065-023 Mst. Mehnaz Afridi, Headmistress (BS-17) is hereby transferred from Govt. Girls High School Khan Zada Killi FR Peshawar to Govt. Girls Higher Secondary School Samand Khan Killi FR Peshawar against the vacant post of Headmistress (BS-17) with immediate effect in the interest of Public Service.

ADDITIONAL CHIEF SECRETARY FATA

Copy of the above is forwarded to the:

1. Director Education FATA
2. Deputy Secretary Education SSD FATA
3. Agency Education Officer FR Peshawar
4. Principal GGHSS Samand Khan FR Peshawar
5. Accounts Officer AGPR (Sub Office) Peshawar
6. PS to ACS FATA
7. PS to Secretary SSD FATA
8. Officer Concerned

met (A)

[Signature]



(B)

(6)

OFFICE OF THE
 AGENCY EDUCATION OFFICER
 FR PESHAWAR
 BLOCK: 8 NEAR INFORMATION DEPTT:
 KHYBER ROAD, PESHAWAR, K.P.K
 Phone No. 091-9210145
 Endst: No _____ Dated: _____ /2017

MONITORING & EVALUATION REPORT

Affected
Signature

I, undersigned paid a comprehensive visit on 25.11.2017 (Saturday) at 9:00 AM.

• GGHS Khan Zada killi FR Peshawar:

a. Staff position:

S.No.	Name	Desig/BPS	Remarks	Action taken
1	Mehnaz	HM	A ✓	Explanation
2	Hadia	SST	A ✓	Explanation
3	Nadia Riaz	SST	A ✓	Explanation
4	Rubaina Awan	S PET	A ✓	Explanation
5	Bushra	CT	P	
6	Hameeda	CT	A	Explanation
7	Husna	CT	P	
8	Perveen Naz	AT	A	Explanation
9	Falak Naz	Qaria	A	Explanation
10	Salma	Qaria	P	
11	Rozina	PST	P	
12	Zeba	PST	P	
13	Shakiecla	TT	A	Explanation
14	Nimat	J/C	A	Explanation
15	M kshif	Chow	P	
16	Alamzaib	N/Q	P ✓	
17	Wakeel khan	Beshi	P ✓	
18	Jamila	Caller	p	
19	Zahida	Sweeper	p	
20	Naeem Akhtar	Mali	A ✓	Explanation
21	Nazia	L.Alt	p	
22	Hamida	Caller	p	
23	Yasmin khan	Sweeper	P	

b. Enrolment:

Class	Un-add	1 st J	1 st S	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	9 th	10 th	Total
Present	0	33	29	24	49	23	23	26	19	11	17	6	260
Total st:	0	41	34	31	52	25	24	29	23	12	17	9	294

Note: Double page is used as per Finance Deptt: Instruction for the principle of Economy

(NA)

Remarks:

I the undersigned paid a comprehensive visit to GGHS Khan Zada Killi FR Peshawar on 25.11.2017 at 9:00 AM. Details are as under:

I entered the school at 9:00 AM, but I was really regreted to see that all Major classes like 10th, 9th, 8th, 7th and 6th found vacant. The Head Mistress along with concern senior staff found absent.

I observed that she not only created a group in the staff but also divided the innocent students in two groups. She has not managerial qualities and totally failed to run the school. She is reluctant to maintained the attendance register of class-iv despite of my direction vide dated 10.12.2016(Saturday). She also using very harsh and foul language to the class-iv.

I also received a call from Maj: Baber of Pak Army for the said area at 2:39 PM (call duration 3min, 31 sec). He said that the said Headmistress creating dispute amongst the community and also disturbing the law & order situations and therefore needs to get rid of her.

I personally met the community elders and malaks they also justified the complaint already leveled against her.

In light of the aforementioned facts I recommended that she may be transferred from this school and replaced by a competent dedicated, and one with good administrative capabilities please.

(Abdur Rauf Shah)
Agency Education Officer
FR Peshawar

Enclst: No 2337-42 Dated: 27/11/2017

Copy to:

1. PA to Secretary SSD FATA Peshawar.
2. PA to Director Education FATA Peshawar.
3. Maj: Pak Army for said Area.
4. Deputy Director E&M FATA Peshawar.
5. Assist: Director AD Monitoring FATA Peshawar.
6. Assistant Political Agent FR Peshawar.

Agency Education Officer
FR Peshawar



(B)

(7)

OFFICE OF THE
AGENCY EDUCATION OFFICER
FR PESHAWAR
BLOCK: 8 NEAR INFORMATION DEPT.
KHYBER ROAD, PESHAWAR, K.P.K
Phone No. 091-9210145
No. 2342 Dated: 27/11/2017

To

The Headmistress
GGHS Khan zada Killi
FR Peshawar.

Attested
[Signature]

Subject: PHYSICAL VERIFICATION
Memo:

Reference to the Headmistress letter No: 168 dated: 27.11.2017 on the subject cited above, you are hereby directed to inform all the class-iv staff under your jurisdiction to attend the undersigned office on 29.11.2017 at 10:00am along with Original CNIC for physical verification.

Endst; No 2343-46

Copy for information to the:

1. Director Education FATA Peshawar.
2. Deputy Commissioner/PA FR Peshawar.
3. Assistant Political Agent FR Peshawar.
4. All class-iv staff GGHS Khanzada FR Pesh.

Agency Education Officer
FR Peshawar

[Signature]
Agency Education Officer
FR Peshawar

OFFICE OF THE AGENCY EDUCATION OFFICER FR PESHAWAR

PHYSICAL VERIFICATION OF

NON-TEACHING STAFF GGHS KHAN ZADA KILLI FR PESHAWAR.

S.No	NAME OF OFFICIALS	F/NAME	Desg.	CNIC#	Thumb impression	Signature.
1.	Hamidh	w/o Noor Mahd	caller	17301-1331784-2		
2.	Yasmin Khan	w/o Saeed Rehman	Sweeper	17301-1397952-6		
3.	Nazia	w/o Alamzeb	Lab. Att	17301-6759467-2		
4.	Zahida	D/o Shahbaz Khan		17301-4862649-0		
5.	Waliq Khan	So Gul Shad	Bashti	42000-0450706-7		
6.	Alamzeb	Simand Khan	N/A	17301-1277524-5		
7.	Muhammad Kashif	Waqil Khan	Chowk	17301-6637935-1		
8.						
9.						
10.						
11.	Assistant Agency Education Officer (Female) FR Peshawar		FAIZ MUHAMMAD Asstt. Agency Education Officer FR Peshawar.			Agency Education Officer FR Peshawar
12.			29-11-2017			29-11-2017

خدمت جناب ایجنسی (9) ایجوکیشن آفیسر (B) آر لیسٹاؤر

(F) 27/11/17

Attest
مہنگا

عنوان :-

شکایت بنام ہیڈ ماسٹر صاحبہ مہناز GHS خان زادہ کے علی خیل

جناب عالی

نہایت ادب کے ساتھ التماس ہے کہ ہم کلاس فور (گورنمنٹ ڈگری ٹی سکول خان زادہ کے علی خیل الف آر لیسٹاؤر) آپ کی خدمت میں ایک شکایت بنام ہیڈ ماسٹر صاحبہ مہناز GHS خان زادہ کے درج کرنا چاہتے ہیں۔ تفصیل ذیل قلم ہے۔

تفصیل کچھ یوں ہے کہ آپ نے بورڈ 25/11/2017 کو سکول ہذا کا ایک اوقافی وزٹ کیا جس میں آپ نے چشم بخور سکول کا معاہدہ کیا، جب آپ آئے تو اس وقت لیسٹاؤر سٹاف مع میڈم صاحبہ غیر حاضر بنائے گئے اور اس وقت وہ سکول میں موجود نہیں تھیں اور پھر آپ کی موجودگی میں میڈم صاحبہ مع لیسٹاؤر سٹاف سکول پہنچ گئیں، پھر وزٹ کرنے کے بعد آپ چلے گئے مگر سکول میں میڈم صاحبہ نے اخلاقیات کے تمام حدود توڑ دیئے، کیونکہ آپ کے جانے کے بعد میڈم صاحبہ انتہائی غصہ ہوئی اور اس نے تمام غصہ کلاس فور اور لوکل سٹاف پر نکال دیا، اس نے سب کے سامنے کلاس فور اور لوکل سٹاف کی ایک نمبر پر جسمانی تشدد کیا جس کی وجہ سے ان کی حالت غیر ہوئی اور ان کو طبی امداد کے لئے فوری طور پر ہسپتال لے جایا گیا، اس موقع پر خاصہ دار فورس کو اطلاع ہوئی اور وہ موقع پر پہنچ گئے، کلاس فور کو سکول سے نکال دیا گیا تھا اپنی سیکوریٹی کی ذمہ داری فوری طور پر خاصہ دار فورس نے سنبھالی

اس کے علاوہ چونکہ حالات سنگین تھے اور میڈم کو اپنی سنگین غلطی کا بھی ادراک ہو چکا تھا لہذا اس نے دفاع کیلئے سکول کی چھٹی بھی آدھا گھنٹہ لپٹ کی، اس لپٹ چھٹی کی وہ یہ کہتی تھی کہ میڈم اپنی دفاع میں سینئر ماسٹر کی دیکھوں سے ایک لپٹ لے رہی تھی، معلوم نہیں کہ خط میں کیا تھا لیکن بچوں کا حکم سکول

میں تعلیم حاصل کرنا ہے کہ کبھی ان کو دوسرے ذاتی مقاصد کے لئے استعمال کرنا ہے
 بچیوں کو ڈرایا اور دھکایا جاتا ہے کہ جس کے بعد میڈم صاحبہ جو چاہتی
 ہے ان سے کہلاتی ہے

ایک اور ہنڈرڈ اور قابل توجہ بات یہ ہے آپکو جمع ڈائریکٹوریٹ
 میڈم صاحبہ کی تمام وکالت اور اعلانات کا بخوبی ادراک ہے اور اس کی
 شکایات پہلے ہی آپ سے کی جا چکی تھی

لہذا آپ سے سیدردانہ التماس ہے کہ میڈم صاحبہ کے خلاف
 ممکنہ کارروائی مادی و قانونی تاکہ اُسے روز لڑائی جھگڑوں سے محفوظ رکھا جاسکے

العارضہ
 جملہ بلاسٹ بوٹرو مشدان ایسٹن علی ہیل
 (۹۹۸۵ خان زادہ کے علی ہیل)

نمبر شمار	نام	پتہ	دستخط
01	محمد کاشف	چوکیدار	Kashif
02	عالم زینب	نائب قاصد	عالم زینب
03	دکین خان	پیشی	دکین خان
04	✓ سمیع الرحمن	صفت	SMR
05	✓ نور محمد	Amir	Malik Samee-Ur-Rehman Asho Khel (Ali Khel) FR, Pesh.
06	حاجی قان ظیل الرحمن یوسف کاندھار	کاپی لہر اے الملاح	FRPK

MALIK MIR ALAM KHAN
 (Ali Khel) Asho Khel
 F.R. Peshawar

سلطان علی خیل

1. ڈائریکٹر ایجوکیشن خانہ
2. اسسٹنٹ ڈائریکٹر ایجوکیشن
3. گورنر ماہر ٹیچنگ سوسائٹی

پوسٹ کا نذر اسٹیشن

Attest
مالک

صاحب مکمل تصدیق کے لیے اپنا

کری

30/12/12

صاحب مکمل اسٹیشن

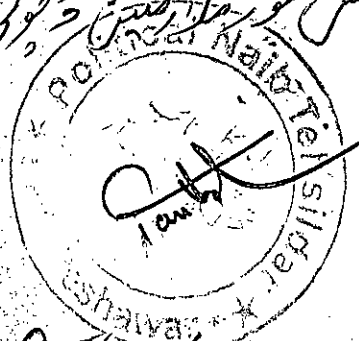
اپوزٹ کریں یہ کہ گورنمنٹ صحتی اسکول
گورنر خانزادہ گل کے کلاس فور ملز میں
ڈیوٹی پر حاضر ہوتے ہیں۔

ہذا اپوزٹ کریں

20/12/2017

صاحب عالی

صاحب عالی کے پاس گورنر خانزادہ گل کے کلاس فور ملز میں
ڈیوٹی پر حاضر ہوتے ہیں۔



تصدیق کیا جاتا ہے کہ گورنمنٹ گورنر
صحتی اسکول خانزادہ گل کے کلاس فور ملز میں باقاعدہ
کے سارے کلاس فور ملز میں باقاعدہ
ڈیوٹی سر انجام دے رہے ہیں۔
علاوہ 25 نومبر کو (AEO) فرم شمار
معمول کی مطابق اسکول کا دورہ کیا۔ اور
27 نومبر کو (ADI) فرم شمار

نے دورہ اسکول کیا۔ مندرجہ اصرار
نے باقاعدہ حاضری لی جس میں تمام کلاس
فور حاضر تھے۔ علاوہ (AEO) فرم شمار
نے بھی دفتر میں کلاس فور کی تصدیق کی
منگ سمیع الرحمن

8658911-5

Malik Samee-Ur-Rehman
Ashokhela (All I
FR. Per...

صاحب عالی
صاحب عالی کے پاس گورنر خانزادہ گل کے کلاس فور ملز میں
ڈیوٹی پر حاضر ہوتے ہیں۔

no. 440/KP
30/11/17

To

Political Agent, FR Peshawar

Subject: Absent class four servants doing jobs abroad and in Karachi want salary every month and their relatives become intimidating and threatens for marking them absent

Dear Sir,

With due respect, It is stated that I headmistress in Govt. Girls high school Khanzada school F.R.Peshawar. In that school, class four servants BPS-1 grades never do duty and remain absent. Some of them are abroad and their passports can be checked to see Entry and Exit record. I am headmistress and am responsible to insure they are present. I verbally informed my seniors many times but no action was taken. I tried to make a proper register to insure that do proper duty and are present during duty hours. This made some relatives of these class four servants intimidating and adopt threatening attitude. They want to draw salary freely without duty.

In such scenario, I request you to help me in this regard as I have no personal dispute or property dispute with them. This is pure a matter of hooliganism that they want free salary without doing duty for a single day. I want that they do duty. There is no issue whatsoever except that they do jobs abroad and gets salary freely. All those class four servants should be called to your offices every week to insure they do not go abroad and to Karachi for jobs and do not get free salary. I request to help me provide support and security to Govt. girls high school Khanzada, FR Peshawar.

Thanks

Your sincerely,

Head mistress and Teaching Staff Of Govt .Girls school Khanzada, FR Peshawar.

Copy To:

- 1. Governor Khyber Pakhtunkhwa
- 2. Secretary to governor
- 3. Chief secretary Khyber Pakhtunkhwa
- 4. Home secretary, Khyber Pakhtunkhwa
- 5. Chief justice, Peshawar high court

ACED FR Pesh
n/a
For
7/14/12/17

Office of The Assistant Secretary
Dery II 815
Date 29/11/17
FR Peshawar

PM
For
July 30/11

For
30/11/17

منجانب: ایجنسی ایجوکیشن آفیسر ایف۔ ار پشاور

بجانب: رسمی رسماً: جملہ کالز، مخد کاشف چوکدار، وکیل بہشتی GGPS Khanzada Killi ایف۔ ار پشاور

عنوان: جواب طلبی

یادداشت: بحوالہ ہیڈ مسٹر ایس رپورٹ خط نمبر: 149 مورخہ: 14-11-2017

بحوالہ ہیڈ مسٹر ایس رپورٹ خط نمبر: 149 مورخہ: 14-11-2017 رپورٹ کے مطابق آپ لوگ بغیر

چھٹی لیے اور پیشگی اجازت یا درخواست کے اپنی ڈیوٹی سے مورخہ 09-11-2017 سے 13-11-2017 تک مکمل غیر حاضر ہے لہذا آپ کو مطلع کیا جاتا ہے۔ کہ نوٹس ہذا کے ملنے کے فوراً بعد کم از کم 7 دن یا زیادہ سے زیادہ 14 دن کے اندر اندر اپنی ڈیوٹی پر حاضر ہو کر اپنی غیر حاضری کی وجوہات تحریری طور پر زیر دستخطی کو بیان کریں۔

بصورت دیگر آپ کے خلاف ای ایڈ ڈی رولز 2011ء ذیلی شق 9 کے تحت قانونی کارروائی جس میں آپ کی سرورس سے برخاستگی بھی ہو سکتی ہے۔ عمل میں لائی جائیگی۔

ایجنسی ایجوکیشن آفیسر
ایف۔ ار پشاور

نمبر مورخہ

نقول برائے اطلاع۔

(1) ڈائریکٹر ایجوکیشن فاٹا

(2) اسٹنٹ پولیٹیکل ایجنٹ ایف۔ ار پشاور

(3) اسٹنٹ ایجنسی ایجوکیشن آفیسر ایف۔ ار پشاور

(4) ہیڈ مسٹر ایس GGHS Khanzada Killi ایف۔ ار پشاور

ایجنسی ایجوکیشن آفیسر

ایف۔ ار پشاور

Handwritten signature and stamp

①

Further Report
AIC
20/12/17
⑫

✓
[Signature]

To

The Agency Education Officer
FR Peshawar.

Subject: CHARGE SHEET. (Reply)

Memo:

Kindly refer to your office Endst. No 2449-53 dated 07/12/2017 on the Subject cited above.

It is submitted with due honour that we are class IV employees and belong to respectable Malik family of our area. All of us including ourselves were at stake due to the life threats by terrorsits/miscreants. Being Class IV employees we were not accustomed/wonted with departmental procedure except submission of application to our immediate boss i.e the said Head mistress and we had done so (Photocopies attached).

The question which rises now that why the Head Mistress concerned could not report us earlier either absent or abroad because she used to pay us half of our salaries and half was deducted by her.

Now we are already present and assure your good self that we will never this commit this practice in future.

It is therefore, request that ours reply may please be accepted and no departmental proceeding be initiated against us please.

Affected
[Signature]

Dated 20-12-2017

1. Signature *[Signature]*
 Name Adam Zeb
 Designation Naibqasid
 CNIC No. 17301-1277524-5

2. Signature *[Signature]*
 Name Naeem akhtar
 Designation Mali
 CNIC 22501-8715058-1

OFFICE OF THE AGENCY EDUCATION OFFICER

FOR THE MONTH OF 11 / 2017 Vendor No.

DDO Code P R 0215 Description

Attended
 H.C.
 11/2017

Absentism

EMPLOYEE NUMBER	EMPLOYEE NAME	NIC NUMBER	Time Type	GENERAL DATA		CHANGE IN PAYMENT/DEDUCTIONS		Stop Date	Remarks
				Change ID	New Contents	Wage Type	Amount		
00089521	Makil K Ram					5801	4827		D 2 days pay deducted
00556093	Muhammad Kasim					5801	2981		D -20-

Prepared By

Agency Education Officer
 F.R. Peshawar

Audited/Checked By

Entered/Verified By

Makil

ASST

1

2

(D)

1 - DBD no 29-5-2016 - (14)

OFFICE OF THE HEAD MISTRESS G.G.H.S KHAN ZADA FR PESHAWAR.

NO: 151/

Dated: 22/11/17

To

The Director of Education FATA,
Secretariat Peshawar.

Through:- The Agency Education Officer FR Peshawar.

Subject:- Class IV on French leave.

R/Sir,


With due respect, It is stated that I Mehnaz Afridi Head Mistress
GGHS Khan Zada Killi FR Peshawar in unison with teaching staff would like to bring
Your kind attention to continuous absenteeism of class IV.

Despite my several premonitory notice in order book as well as verbally,
They turned deaf ear and termed it as useless. From highly placed sources, it is conformed
That a few of them are living abroad.


As a result their lackadaisical attitude in performing duties has adversely
effected Educational environment as well as mundane concern of day-to-day life in school.

Therefore, it is requested to look into the matter with serious and earnest
Consideration and figure it out as soon as possible.

Thanks.



Head Mistress,
GGHS Khan Zada
FR Peshawar.

Att est ed


حضرت جناب سید مسٹر جس صاحبہ
گورنمنٹ گرلز ہائی سکول
خان زادہ گل ایف آریٹاور

جناب عالیہ

مورد باتہ التماس ہے کہ لڑکتے کچھ ٹرہے سے مجھے ٹرہے سندھ اور
بھی سکول کو ہون سے اڑانے کی دھکیاں موصول ہو رہی ہیں۔ وہ
مارنے کی دھکیاں دیتے ہیں۔ وہ بروقت ہتہ طلب کرتے ہیں اور ادا
نہ کرنے پر سنگین نتائج کی دھکیاں دیتے ہیں۔ بار بار یہی بات کرتے ہیں
ان کو اپنے دفعہ ہتہ ادا کر رہی ہیں۔ ان لوگوں کے سلفہ کسی جا نہیں
مطالبہ دہرائے ہیں۔ جناب عالیہ ان لوگوں کے سلفہ کسی جا نہیں
ہیں چلنا۔ میرے لیے ان حالات میں یہاں ڈیوٹی کرنا بہت مشکل ہے
اور یہاں رہنا بھی ٹھہرنے سے خالی نہیں ہے۔ اسی لیے میں کچھ ٹرہے
کے لیے یہاں سے باہر جانا چاہتا ہوں۔ لہذا آپ سے گزارش ہے کہ مجھے کچھ ٹرہے کے لیے باہر
جانے کی اجازت دی جائے۔ میں آپ کا بہت مشکور ہو رہا۔

العارضہ

Affected
بیکار

آپ کا فرما بردار

عالم زیب

عالم زیب
نائب قاضی

Alam Zeb



(E)

(16)

OFFICE OF THE
AGENCY EDUCATION OFFICER
FR PESHAWAR
BLOCK: 8 NEAR INFORMATION DEPTT.
KHYBER ROAD, PESHAWAR, K.P.K
Phone No. 091-9210145

CHARGE SHEET

In the report of Headmistress GGHS Khanzada FR Peshawar and direction of Director Education FATA Peshawar the competent authority under Khyber Pakhtun khwa Government servants (Efficiency and Discipline) Rules, 2011 do hereby charge you.

1. Mr. Naeem Akhtar Mali GGHS Khanzada Killi FR Peshawar.
2. Mr. Alam Zeb N/Q GGHS Khanzada Killi FR Peshawar.

- i. That you were reported by Headmistress absent from your duty during long period.
- ii. With profound regret that official matters of the said school were found badly affected.

1. By reason of the above all are guilty of acts of omissions and commission under section (b) & (c) of rules 3 of the said rules and have rendered yourself liable to all and any of the penalties specified in rule 4 of the rules ibid.
2. Your written defense, if any, should reach the undersigned within 7 days not more than 15 days failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you all.
3. Statement of allegation described in para 1 at serial No.(a) above.

Endst No: 2449-53 Charge file, Dated 07/12/2017.

Copy for information to the

1. Director of Education FATA Peshawar.
2. Assistant Political Agent FR Peshawar.
3. AAEO(F) FR Peshawar.
4. Headmistress GGHS Khanzada with her letter No.dated:
5. Official concerned.

Agency Education Officer
F.R Peshawar

[Handwritten Signature]
[Handwritten Signature]
[Handwritten Signature]
Agency Education Officer
F.R Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.**

Replication No. _____ of 2018

In

Service Appeal No. _____ of 2018

Mst: Mehnaz Afridi D/o Zahir Shah presently Posted
at Govt Girls Higher Secondary School, Samand Khan
Kaley, FR Peshawar.

... .. **Appellant**

VERSUS

Director Education SSD FATA, FATA Secretariat
Warsak Road, Peshawar (Now called as District FR
Peshawar) and others.

... .. **Respondents**

**REPLICATION OF THE COMMENTS
SUBMITTED BY RESPONDENTS NO.1 3
AND 4.**

Respectfully Sheweth:

The Appellant submits as under:

Preliminary Objections:

That all the objections raised by the
respondents are incorrect, misconceived, not
tenable and are not sustainable, hence denied,
vehemently.

Facts:

- 1) *Para No.1 of the reply is correct but it shows that respondents have defied the order of suspension of transfer of the appellant and hence they are liable to be asked for as to why the order of this Hon'ble tribunal was not complied with. The appellant was constrained to join duty in the new school because the respondents showed defiance to the order of this Hon'ble Tribunal.*

- 2) *That Para No.2 is correct to the extent that the appellant took charge as headmistress in the year 2016 at GGHS Khanzada Kaley. The rest of the para is incorrect. The appellant has received / obtained appreciation certificate and others good performance certificate from the administration and even on international level. (Copy attached).*

- 3) *Para No.3 is incorrect the appellant made hectic efforts to procure the attendance of absent employees and that's why the said employees were put on show cause notice and the respondents were also apprized of the whole scenario.*

- 4) *Para No.4 is incorrect as explained above.*

5) Para No.5 is incorrect and denied the appellant when assumed charged she asked for the attendance of the absent employees and kept the department informed but the respondents give deaf ear to the saying of the appellant and the record of FIA about departure of the employee was not considered.

6&7) Paras No.6 and 7 are denied as stated above.

8&9) Para No.8&9 are also denied. The transfer of the appellant was prematurely made and it was not in the interest of public but in the interest of the absent employees and those officials who are in league with the absent employees:


Grounds:

A to J- All the grounds from A to J are incorrect, misconceived, dubious and be bereft of merit and are liable to be discarded.

It is, Therefore, prayed that on acceptance of this rejoinder the comments / reply of respondents be discarded and rejected out rightly and transfer order of the appellant be set aside with all consequential benefits.

Any other relief deem fit and appropriate in the circumstances of the case be also granted.

Dated 12/11/2018

*Appellant
Through 
Tariq Kakar
Advocate,
Supreme Court of Pakistan
Cell # 0333-9126151*

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do hereby solemnly affirm and declare on oath that the
contents of the accompanied writ petition are true and
correct to the best of my knowledge and belief and
nothing has been concealed from this Hon'ble Court.

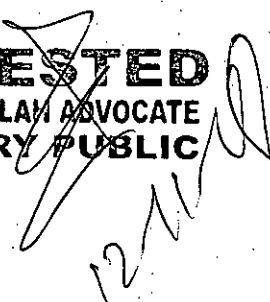


DEPONENT

CNIC # 16101-9314770-8

identified
by counsel

ATTESTED
IRFAN ULLAH ADVOCATE
NOTARY PUBLIC



12/11/18

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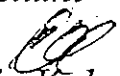
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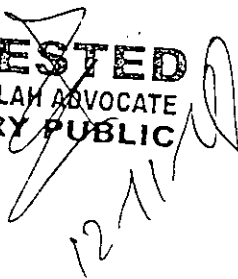


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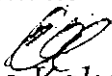
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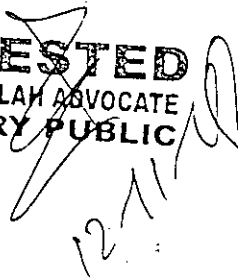


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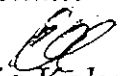
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