

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 393/2018

Date of Institution ... 19.03.2018

Date of Decision ... 11.04.2019

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

VERSUS

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

-----  
MR. SHAHZADA IRFAN ZIA,  
Advocate

--- For appellant.

MR. M. RIAZ KHAN PAINDAKHEL,  
Assistant Advocate General

--- For respondents.

MR. AHMAD HASSAN,  
MR. MUHAMMAD AMIN KHAN KUNDI

--- MEMBER(Executive)  
--- MEMBER(Judicial)

JUDGMENT

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

ARGUMENTS

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

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

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

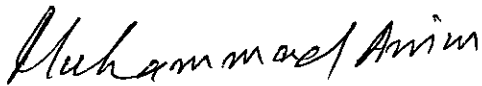
### CONCLUSION

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

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

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

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

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

  
(AHMAD HASSAN)  
MEMBER

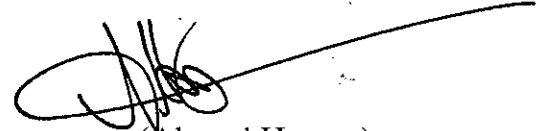
ANNOUNCED  
11.04.2019

Order

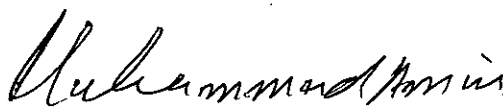
11.04.2019 Appellant with counsel present. Asst: AG alongwith Mr. Naseem Mehmood, ADEO for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today of this Tribunal placed on file, the appeal is accepted, impugned orders dated 13.12.2017 and 13.03.2018 are set aside and the appellant is reinstated in service. The intervening period shall be treated as leave of the kind due. Parties are left to bear their own cost. File be consigned to the record room.

Announced:  
11.04.2019



(Ahmad Hassan)  
Member



(Muhammad Amin Khan Kundi)  
Member

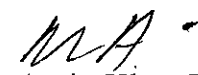
24.01.2019 Learned counsel for the appellant present. Hazrat Shah Superintendent representative of respondents present. Mr. Kabir Ullah Khattak learned Additional Advocate General present and stated that the remaining respondents also rely upon the written reply/comments of respondent No.3. Adjourn. To come up for rejoinder/final hearing on 10.04.2019 before D.B

  
Member

10.04.2019


Appellant with counsel present. Asst: AG alongwith Mr. Naseem Mehmood, ADEO for respondents present. Arguments heard. Case to come up for order on 11.04.2019 before D.B.

(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

15.10.2018

Appellant in person present. Mr. Naseem Mehmood, AAEO alongwith Mr. Kabirullah Khattak, Add: AG for respondents present. Written reply on behalf of respondent no.3 submitted. Case to come up for written reply/comments of the remaining respondents on 22.11.2018 before S.B.

  
(Ahmad Hassan)  
Member

22.11.2018

Mr. Irfanullah, husband of the appellant present. Addl. AG alongwith Naseem Mehmood, AAEO for the respondents present.

Learned AAG requests for time. Adjourned to 18.12.2018 for want of written reply on behalf of respondents No. 1 & 2 before S.B.

  
Chairman

18.12.2018

Learned counsel for the appellant present. Written reply already submitted on behalf of respondent No.3. Mr. Daud Jan Superintendent on behalf of respondents No.1 & 2 present and requested for time to furnish written reply/comments. Granted. To come up for written reply/comments on behalf of respondents No.1 & 2 on 24.01.2019 before S.B

  
Member

23.05.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents also present. Written reply not submitted. Learned Additional AG seeks adjournment. Adjourned. To come up for written reply/comments on 10.07.2018 before S.B.

  
(Muhammad Amin Khan Kundi)  
Member


10.07.2018

Neither appellant nor his counsel present. None is present as representative on behalf of the respondents. However, Mr. Usman Ghani, District put appearance on their behalf and requested for adjournment. Granted. To come up for written reply/comments on 28.08.2018 before S.B.

  
Chairman

28.08.2018

Counsel for the appellant and Mr. Kabirullah Khattak AAG for the respondents. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply/comments on 15.10.2018 before S.B.

  
(Muhammad Amin Kundi)  
Member

Form-A  
FORM OF ORDERSHEET

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

Case No. 393/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	19/03/2018	<p>The appeal of Mst. Shabnam presented today by Shahzada Irfan Zia Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
2-	20/03/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>02/04/18.</u></p> <p style="text-align: right;"><i>[Signature]</i> MEMBER</p>
02.04.2018		<p>Learned counsel for the appellant present. Preliminary arguments heard.</p> <p>The appellant (Ex-Primary School Teacher) has filed the present appeal against the order dated 13.12.2017 whereby she was removed from service on the ground of willful absence from duty and against the order dated 13.03.2018 whereby her departmental appeal/application was regretted.</p> <p>Points raised need consideration. Admitted for regular hearing subject to all just/legal objections. The appellant is directed to deposit process fee and security within 10 days, thereafter notice be issued to respondents for written reply/comments. To come up for written reply/comments on 23.05.2018 before S.B</p>

Appellant Deposited Security & Process Fee

*[Signature]*

*[Signature]*  
Member



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

IN RE:  
Service Appeal No. 393 / of 2018

Mst. Shabnam, Ex. Primary School Teacher...      ...      Appellant

VERSUS

Secretary Education FATA and others      ...      Respondents

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3.	Attendance Register	'B'	6 - 16
4.	Impugned order dated 13.12.2017	'C'	0 - 17
5.	Departmental Appeal of the appellant	'D'	0 - 18
6.	Impugned Final Order dated 13.03.2018	'E'	0 - 19
7.	Vakalat Nama		

Through: *Shabnam*  
Appellant  
*IRfan Zia*  
(Shahzada Irfan Zia)  
Advocate High Court,  
13-C, Haroon Mansion  
Khyber Bazar, Peshawar  
Cell # 0300-9345297

Dated: 19.03.2018

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

Service Appeal No. 393 / of 2018

Khyber Pakhtunkhwa  
Service Tribunal

Slary No. 409

Dated 19-3-2018

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

... Appellant

VERSUS

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

... Respondents

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

Filed to-day

Registrar

Respectfully Sheweth:

FACTS OF THE CASE.

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

2. That on 28.12.2016 the appellant was transferred from GGPS Kefyat Ullah and posted at GGPS Gul Sanar Dossali against a vacant post of PST and after taking over charge in the said School she regularly performed her functions to the entire satisfaction of her superiors and no cause of complaint was ever reported against her. (Annexs: A&B).
3. That on 13.12.2017 the respondent No.3 passed/issued an order whereby the appellant was removed from service on the allegations of absence from duty. It is astonishing that in the impugned order dated 13.12.2017 it was provided that the competent authority (respondent No.3) is pleased to impose major penalty "Removal from Service" upon Mst. Shabnam PST GGPS Pasham Razooni Dossali. ~~The~~ impugned order is absolutely illegal, arbitrary and void, *as the appellant was serving at GGPS Gul Sanar and not at GGPS Pasham Razooni.*
4. That feeling aggrieved the appellant approached respondent No.2 through her departmental appeal dated 27.01.2018 and explained the real position, but to her utter dismay that respondent No.2 rejected the appeal of the appellant vide order dated 13.03.2018 in a haphazard manner, without any reason. (Annexs: C&D), hence the present appeal is being filed inter alia on the following grounds:-

GROUND S:

- a. That the appellant was posted at GGPS Gul Sanar While her order of removal from service was passed from GGPS Pasham Razooni which is illegal, void, arbitrary even unwarranted by law.
- b. That at GGPS ~~Gul Sanar~~ the appellant regularly performed her statutory duties and no cause of complaint was ever reported against her. The attendance register is suffice for proof. Thus both the impugned orders are unsustainable under the law. The allegations of absence from duty are false, frivolous and against the record.

Was arriving at 10:15 AM on 10/10/1962  
at the office of the  
Director, Bureau of  
Investigation

10/10/62

2

- c. That the impugned rejection order passed by respondent No.2 is passed in haste and no reason was mentioned in the order for rejection, which is a clear violation of Section 24-A of General Clauses Act 1956, thus the impugned orders are liable to be struck down.
- d. That the impugned order dated 13.12.2017 and Final Order dated 13.03.2018 were passed by respondents in haphazard manner and no opportunity of defence was provided to the appellant, hence she was condemned unheard without any opportunity of personal hearing which is violation of well recognized principle of "Audi Alteram Partem".
- e. That before passing the impugned order dated 13.12.2017 no Charge Sheet and statement of allegations was served upon the appellant which is a mandatory requirement under the law, thus entire proceedings are illegal and unsustainable under the law.
- f. That before passing the impugned order no regular inquiry was conducted by respondents. It is settled principle of law that where major penalty is to be awarded the respondents are under legal obligation to initiate regular inquiry against the accused/delinquent officer, after recording evidence of the witnesses and an opportunity of cross-examination be given to the accused. Admittedly no such exercise was undertaken and an ex-parte proceedings in a summary manner conducted by respondents which is smoke screen and a pre-determined decision to punish the appellant, thus it is a defeat of truth and justice.
- g. That the appellant seeks permission of this Honourable Tribunal to raise more legal grounds at the time of arguments.

In view of the aforesaid facts and circumstances of the case it is humbly prayed that the impugned order dated 13.12.2017 passed by

respondent No.3 and the impugned Final Order dated 13.03.2018 passed by respondent No.2 both may very graciously be set aside being illegal and void, directing the respondents to reinstate the appellant into service with all consequential back benefits.

Any other relief through not specifically asked for to which the appellant is found entitled in the circumstances of the case may also be granted to the appellant.

*Shabnam*

Appellant

Through:

*(Shahzada Irfan Zia)*  
(Shahzada Irfan Zia)  
Advocate High Court,  
13-C, Haroon Mansion  
Khyber Bazar, Peshawar  
Cell # 0300-9345297

Dated: 19.03.2018

CERTIFICATE:

Certified that as per instructions of my client, no such Service Appeal on behalf of the appellant has earlier been filed in this Honourable Service Tribunal on the subject matter.

*(Shahzada Irfan Zia)*  
Advocate

## OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY MIRANSHAH.

## OFFICE ORDER.

Consequent upon the Executive order of the Political Agent with Pak Army the following teachers are hereby transferred on their own pay & BPS to the Schools mentioned against each from the date of taking over charge in the interest of public service.

S No	Name & Designation	From	To	Remarks.
1.	Palwasha PIC	Sher Muhd Kot	GGPS Jan Behader Kot	Vacant post.
2.	Shabnum PST	GGPS Kefyatullah	GGPS Gul Sanar Dossal	Vacant Post
3.	Dil Shad Begum PST	GGPS Dindar Kot	GGPS Kefyatullah	Vice No:2
4.	Rukhsana PST	GGPS Roohullah	GGPS Nander Kot	Vacant post.
5.	Agnass Munwer PST	GGPS Ikha Jan	GGPS Dindar Kot	Vice No:3

## Note:

1. No TA/DA & transfer grant is allowed.
2. Charge report should be submitted to all concerned.

*Sd*  
Agency Education Officer,  
North Waziristan Agency Miranshah.

Endst No 1799-1803/AEO/NWA, Dated 28/12-2016

Copy to the:-

1. The Political Agency NWA at Miranshah for information with Telephone conversation.
2. Headquarter 7-Division Camp area Miranshah.
3. The Director of Education FATA, K.P.K Peshawar.
4. AAEO Circle concerned.
5. Accountant local Office

*Ci*  
Agency Education Officer,  
North Waziristan Agency Miranshah

Attested.  
*IA*

گورنمنٹ ہسپتال، کراچی، پاکستان  
 دسمبر 2016ء  
 بابت ماہ

سری	پتہ			پتہ			پتہ			تاریخ
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Attested  
 [Signature]



بابت ماہ منگھوری ۱۷۱۲ھ

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Attested. 187



راجہ صاحبزادہ محمد اسحاق صاحب  
 ریجنل ایجوکیشنل آفیسر  
 گورنمنٹ پرائمری اسکول، سکول ٹاؤن، کراچی  
 پابت ماہ 2017

No	P.T.C				P.T.C				Date
	آء	دھنڈ	رواگی	دھنڈ	آء	دھنڈ	رواگی	دھنڈ	
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Attested.  
 187





در صورتی که در این مدرسه  
در شهر خاوری مدرسه  
استاد ...  
2017

ردیف	میزان		حال		سابق		توضیحات
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31	7/2	7/2	7/2	7/2	7/2	7/2	

Attested  
[Signature]

دستور کار صحرای مدینه  
بابت ماه حمل ۱۳۳۷  
تکمیل در تاریخ ۹/۱/۱۳۳۷

ردیف	تاریخ	میزان	سابقه	مال	میزان	سابقه	مال	میزان	سابقه	مال
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Attested.  
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درستی از مدرسه  
 راجه جعفری مدرسه

پایه ششم - شهریور 2017

روز	تاریخ	موضوع	نمره	تاریخ	موضوع	نمره
1	13/9	تاریخ	7/3	13/9	تاریخ	7/3
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17	29/9	تاریخ	7/3	29/9	تاریخ	7/3
18	30/9	تاریخ	7/3	30/9	تاریخ	7/3
19	1/10	تاریخ	7/3	1/10	تاریخ	7/3
20	2/10	تاریخ	7/3	2/10	تاریخ	7/3
21	3/10	تاریخ	7/3	3/10	تاریخ	7/3
22	4/10	تاریخ	7/3	4/10	تاریخ	7/3
23	5/10	تاریخ	7/3	5/10	تاریخ	7/3
24	6/10	تاریخ	7/3	6/10	تاریخ	7/3
25	7/10	تاریخ	7/3	7/10	تاریخ	7/3
26	8/10	تاریخ	7/3	8/10	تاریخ	7/3
27	9/10	تاریخ	7/3	9/10	تاریخ	7/3
28	10/10	تاریخ	7/3	10/10	تاریخ	7/3
29	11/10	تاریخ	7/3	11/10	تاریخ	7/3
30	12/10	تاریخ	7/3	12/10	تاریخ	7/3
31	13/10	تاریخ	7/3	13/10	تاریخ	7/3

Attested  
 [Signature]

در جسر خاصرنی با طول ۱۰۰ متر و عرض ۱۰ متر در مسیر جاده شماره ۱۰۱  
 بابت ماه آذر ۱۳۹۶

ردیف	روز اول		روز دوم		روز سوم		روز چهارم		روز پنجم		ملاحظات
	ساعت	میزان	ساعت	میزان	ساعت	میزان	ساعت	میزان	ساعت	میزان	
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روز اول ۹  
 ۲۰۱۷  
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SUNI

میزان

Accepted  
 ۱۹



بسم الله الرحمن الرحيم  
 در خصوص میزان بار بارین - ...  
 به استناد ...  
 تاریخ ...

ردیف	میزان			میزان سابقه			توضیحات
	حالت	میزان	سابقه	حالت	میزان	سابقه	
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Attested  
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روز	تاریخ	میزان	سابقه	حال	میزان	سابقه	حال	میزان	سابقه	حال	میزان	سابقه	حال	میزان	سابقه	حال	میزان	سابقه	حال
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میزان	سابقه	حال	میزان	سابقه	حال	میزان	سابقه	حال	میزان	سابقه	حال	میزان	سابقه	حال	میزان	سابقه	حال	میزان	سابقه	حال

Attested  
۱۹



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

NOTIFICATION

1. WHEREAS Mst. Shahbnam PST GGPS Pasham Razooni Dossali North Waziristan Agency was found willfully absent from duty during monitoring visit of the concerned Assistant Agency Education Officer to the School on dated 01/09/2017.
2. AND WHEREAS the accused was proceeded against under Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules 2011, for the charge of "willful absence from duty" as mentioned in the show cause notice served upon her at her home/School address vide AEO No: 969-I-05 dated 09/11/2017.
3. AND WHEREAS Mst Shahbnam PST GGPS Pasham Razooni Dossali North Waziristan Agency did not report to her duty within stipulated period of time and turned her ears deaf.
4. ANDWHEREAS Charge sheet notice was served upon Mst Shahbnam PST GGPS Pasham Razooni Dossali North Waziristan Agency through print media (Daily Mashriq) on dated 03.12.2017 wherein the accused was directed to submit reply in her defence through personal contact with this office.
5. AND WHEREAS the accused failed to put any defense in written and did not appear to be heard in person within fifteen days.
6. AND WHEARAS the competent authority, the Agency Education officer North Waziristan Agency, having considered the charges, evidence on record and facts of the case, is of the view that the charge of willful and unauthorized absence against the accused official has been proved.
7. NOW THEREFORE, In exercise of the Powers conferred under Rules-4 (b) iii of Khyber Pakhtunkhwa Government Servants "Efficiency and Discipline" Rules 2011, the competent Authority, Agency Education officer North Waziristan Agency, is pleased to impose major penalty "Removal from service" upon Mst: Shahbnam PST GGPS Pasham Razooni Dossali North Waziristan Agency with retrospective on account of his wilful absence from duty.

(HABIBULLAH)  
Agency Education Officer,  
North Waziristan Agency

Endst: No. 8343-57 Dated 13 12 2017

Copy forwarded to the:

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

Agency Education Officer  
HABIBULLAH

Attested  
107

محضور نظر عالی وقار خبابی ڈائریکٹر آف ایجوکیشن فائنا پشاور۔  
(عنوان: التجار دربارہ بحالی معتمدہ بر PST پوسٹ)

خبر عالی!

عاجزہ التماس خدمت عالیہ اینکہ!

سائڈ میماہ شبنم محبت PST معلمہ گورنمنٹ گزٹ پرائمری سکول گل شمار دوسلی  
NWA میں اپنے فرائض منصبی انجام دے رہی تھی۔ سائڈ اپنے سکول میں موجود اور معروف کارکن  
مورخہ یکم ستمبر 2017 کوئی بھی تعلیمی افسر سائڈ کے سکول میں نہیں آیا۔ کیونکہ سائڈ بذاتہ  
سکول میں موجود تھی۔ البتہ یہ ہو سکتا ہے۔ کہ وہ گورنمنٹ گزٹ پرائمری شبنم روزنی دوسلی میں آیا ہو۔  
اور وہاں پر سائڈ کو غیر حاضر تصور کیا ہو۔ بلکہ یہ حقیقت ہے۔ کیونکہ ایفیسر ایجوکیشن افسر NWA  
نے سائڈ کے ٹرمینیشن کے احکامات GAPS شبنم روزنی دوسلی سے جاری کیا ہے۔ جو کہ غلط ہے۔  
سائڈ تاحال اپنے سکول GAPS گل شمار دوسلی میں اپنے فرائض انجام دے رہی ہے۔ لیکن آج 03 دن  
ہوئے سائڈ چھٹی پر آئی تھی۔ جب واپس جانے لگی۔ تو وہاں سکول جانے نہیں دیا گیا۔ جب انہوں  
میں فائنا ایجوکیشن آفیسر سے رابطہ کیا۔ تو انہوں نے سائڈ کو Termination آرڈر دیا تھا میں تھما دیا۔  
حسن کی وجہ سے سائڈ کے بیرون تیل زمین چھٹ گئی۔ کیونکہ سائڈ کو ناکردہ جرم کا سزا دیا گیا یا دی جا رہی ہے۔  
سائڈ گورنمنٹ گزٹ پرائمری گل شمار دوسلی میں تعینات ہے۔ ٹرانسفر آرڈر کی نقل برکے ملاحظہ فرمائی ہے۔  
جسکے Termination آرڈر GAPS شبنم روزنی دوسلی سے جاری ہو رہے ہیں۔ Termination  
آرڈر اور ٹرانسفر آرڈر کے نقول برائے ملاحظہ التجار دربارہ کے ہمراہ لف ہے۔ یہ زیادتی ہے۔  
خلاف قانون ہے اور سراسر ظلم ہے۔ نہ سائڈ کو شوکارا نوٹس دیا گیا ہے۔ اور اخبار سائڈ تک  
نہیں پہنچی۔

گرامی قدر: \_\_\_\_\_ لہذا اللہ عارف ہیکم ا  
سائڈ کی التجار دربارہ اور حالات پر نرس کھاتے ہوئے خصوصی نظر کریم  
فرما کر سائڈ کو PST پوسٹ پر بحال کر کے مشکور فرمادیں۔

عین توثیق ہوگی۔

27/01/2018

العرف  
مماہ شبنم PST معلمہ GAPS گل شمار دوسلی NWA

Shobnam

Attested.

187



(Annex: E) (19)

FATA SECRETARIAT  
DIRECTORATE OF EDUCATION  
WARSAK ROAD PESHAWAR, PAKISTAN  
PHONE. 091-9210166 FAX 091-9210216

No. 3762-64 /Date Pesh: the / /2018.

E-6 E-7 KC NWA

13/3

To

1. Mst.Salma Begum Ex-PST  
GGPS Sher Nawaz Kot NWA.
2. Mst.Bibi Naheeda EX-PST  
GGPS Kajher Kot NWA.
- ✓ 3. Mst.Shabnum Ex-PST  
GGPS Gul Nisar NWA

Subject; APPLICATION FOR RE-INSTATEMENT.

Memo;

Reference your applications on the subject noted above and to inform all of you, that request have been regretted for the request purpose.

Deputy Director (Estab)  
Directorate of Education (FATA)

Endst: No. \_\_\_\_\_ /-.

Dated Pesh: the \_\_\_\_\_ /2018.

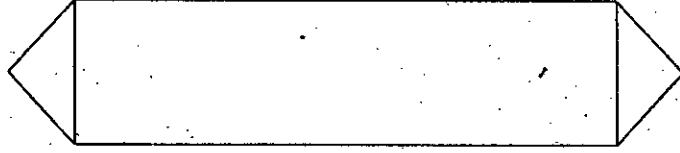
Copy is forwarded to the :-

1. Agency Education Officer, North Waziristan Agency
2. PA to Director Education, FATA.

Deputy Director (Estab),  
Directorate of Education, FATA.

Attended  
107

Before the KPK Service Tribunal Peshawar  
بجھالٹ سروس ٹریبونل پشاور



Mst. Shabnam 2 مخنام

19-3-2018 مورخہ

Secretary Education FATA  
And Others

Mst. Shabnam مقدمہ  
دعویٰ  
Service Appeal جرم

باعث تحریر آنک

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ  
Shahzada Lrfan Zia

آن مقام Peshawar  
Muhammad Saeed Butt کیلئے  
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا۔ نیز  
Advocates

وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق

Attested & Accepted  
Zrais پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کے برآمدگی  
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت

مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے  
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات 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 وہ ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں

گے۔ کہ پیروی مذکور کریں۔ لہذا کالت نامہ لکھد یا کہ سند ہے۔

المرقوم 19th March 2018

Shabnam

العہدہ گواہ العہدہ  
Peshawar  
مقام کے لئے منظور ہے۔

before the NY State Bar Association

1913-1914

Mr. [Name]

State Bar Association

Mr. [Name]

State Bar Association

and [Name]

State Bar Association

[Name]

State Bar Association

1913

1914

1915

1916

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**Appeal NO.393/2018**

MST: Shubnum Ex. PST Teacher, Government girls Primary School Gul Sanar Dossali,  
Resident of Ghoriwala Tehsil & distt: Bannu.

**VERSUS**

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

**INDEX**

S.NO	DISCRIPTION OF DOCUMENTS	ANNEXTURE	PAGES
1	COMMENTS		1-2
2	AFFIDAVITE		3
3	AUTHORITY LETTER		4
4	The show cause	ANNEXURE.A	5
5	Inactivation form	ANNEXURE. B	6
6	Newspaper cutting	ANNEXURE-C	7
7	Termination order	ANNEXURE-D	8

*Handwritten signature and scribbles*

*Handwritten text: AAE 357 27-8-2018*

*Handwritten signature*  
**ASSISTANT AGENCY EDUCATION OFFICE**  
**Assistant**  
**Agency Education Officer North Waziristan Agency**



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**Appeal NO.393/2018**

MST: Shubnum Ex. PST Teacher, Government girls Primary School Gul Sanar Dossali,  
Resident of Ghoriwala Tehsil & distt: Bannu.

**VERSUS**

- 1 • Secretary Education FATA, FATA Secretariat, Warsak Road, Peshawar.
- 2 • Director of Education FATA, Warsak Road Peshawar.
- 3 • Agency Education Officer North Waziristan Agency.

**Comments of behalf of Respondent NO.3**

**Preliminary Objections:**

- a • The appellant has no cause of action, locus standi, to file this instant appeal.
- b • That the appellant has not come to this honorable Tribunal with clean hands.
- c • That the appellant has concealed material facts from this Honorable Tribunal.
- d • The appeal is not maintainable in its present form.

**On Facts:**

- 1 • No comments. Subject to the record.
- 2 • Miss Hilly PST and Miss Gul Shada PST have been working at GGPS Gul Sanar Kot for so many years. And there was no vacant post at the said school, at the time the appellant claims her transfer. The photo state copies of her attendance register, attached with the Writ Petition looks fake, as it has never been checked and signed by any visiting officer of the education department. Similarly, the office computerized data shows that the appellant and one Miss. Bibi Salma are posted at GGPS Pasham Razoni, but thanks to the irresponsible attitude of the appellant, she failed to attend the school for a long time in spite of constant warnings by the Assistant Agency Education Officer (Female). After that she was given show cause notice on 09/11/2017 to join her duties at GGPS Pasham Kot, but she failed to do so. **(copy of the show cause is attached as Annexure-A)** In the same way, her computerized salary for the month of DEC: 2017 was inactivated but she again fail to attend the school. **(Copy of the inactivation form is attached as Annexure-B)**. Similarly, on the local FM Radio at Miran shah, the notice of all such habitual absent teachers was brought on air, but again the appellant fail to join her school. Beside these, the names of such teachers, including the appellant was shared on social media such as face book which was shared by the than political Agent, as well as the same notice was published in daily Mashriq dated 03/12/2017 **( copy of the Newspaper cutting is attached as Annexure-C)**.but she turned her ears deaf to that notice. At last, so many such absent teachers, including the appellant were terminated from service under the E&D rule 2011 for the charge of "willful absence from duty" **( copy of the**

*Attested*  
*(Signature)*  
 Assistant  
 Agency Education Officer  
 North Waziristan Agency



termination order is attached as Annexure-D)

- 3 • As elucidated in Para-2.
- 4 • Incorrect. The departmental appeal was rightly rejected.

**GROUND:**

- a • That the appellant was posted at GGPS Pasham kot but she failed to perform her duties. Hence the impugned orders are legal.
- b • Incorrect. The detail reply has been given in para 2 of the facts.
- c • Incorrect. As per para a.
- d • Incorrect. The impugned order was issued after fulfilling all codal formalities
- e • The appellant has been proceeded under rule 9 of the E&D rule 2011.
- f • As per para 2.
- g • The respondent seeks permission of the Honorable Service Tribunal to advance other points at the time of arguments.
- h • It is, therefore, requested that the appeal may kindly be dismissed with cost.

**Respondent NO-3**

  
**Agency Education Officer**  
**North Waziristan Agency**  


**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL**

Appeal NO.393/2018

MST: Shubnum Ex. PST Teacher, Government girls Primary School Gul Sanar Dossali,  
Resident of Ghoriwala Tehsil & distt: Bannu.

-----Appellant.


**VERSUS**

- Secretary Education FATA, FATA Secretariat, Warsak Road, Peshawar.
- Director of Education FATA, Warsak Road Peshawar.
- Agency Education Officer North Waziristan Agency

-----Respondents.

**AFFIDAVIT**



I Naseem Mahmood, Assistant Agency education Officer North Waziristan do solemnly affirm and declare that the Comments of Respondent No.3 in the appeal No. 393/2018 is true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable court.

  
**Naseem Mahmood**  
**Assistant Agency Educofficer**  
**North Waziristan Agency**  
Assistant  
Agency Education Officer  
North Waziristan Agency

(4)

## AUTHORITY LETTER

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

  
AGENCY EDUCATION OFFICER  
NORTH WAZIRISTAN AGENCY  


(5)

Te 8 min 20 sec



**OFFICE OF THE AGENCY EDUCATION OFFICER  
NORTH WAZIRISTAN AGENCY.**

**SUBJECT: SHOW CAUSE NOTICE.**

Memo:

Where as you Mrs. Shabnam PTC GGMS Pasham Kot has been found absent since long w.e.f 01/09/2017 as reported by AAEO (M&F).

1. And whereas the above act on your part amounts to (Misconduct) within meaning of rules 1973 (E&D) Govt: of KPK to (2&3) and amended rules in 2011.
2. And where by committing the aforesaid act you have render yourself liable to all or any of the penalties specified in rules, IV of the aforesaid rules.
3. Now therefore, you are called upon to show cause within 10 days of the receipt of this notice as to why anyone of the penalties prescribed in the said rules should not be imposed upon you.
4. Your explanation to this show cause notice should reach with in specified period, failing which ex-parte decision will be taken.

Mst: Shabnam PTC  
GGMS Pasham Kot

**Agency Education Officer,  
North Waziristan Agency**

**Endst: No 9694-95 /AEO/NWA**

**Dated: 09/11/2017**

Copy to:

1. The Director of Education FATA.
2. The Political Agent North Waziristan Agency Miranshah.
3. Head Quarter 7-Division Camp Area Miranshah.
4. Head Master/Head Teacher concerned.
5. AAEO Male/Female.
6. The Accountant Local Office.

  
Assistant  
Agency Education Officer  
North Waziristan Agency

  
Agency Education Officer,  
North Waziristan Agency  


PAYROLL SYSTEM  
AMENDMENT FORM  
SINGLE EMPLOYEE ENTRY

(6)

⊗

OFFICE OF THE Agency education officers NWA

FOR THE MONTH OF #VALUE! = 12/2017

DDO Code (Cost Center) MW0045 Description Primary Education

Personnel Number  Employee Name  National ID Card Number

BPS  Designation

Salary Status  Start  Stop

GENERAL DATA CHANGE 13

CHANGE IN PAYMENTS / DEDUCTIONS 17

Field ID 15	New Contents 16	Wage Type 18	REGULAR	ADJUST	Amount		Effective Date 21	Remarks 22
					Paisa	Adj 23		
1) P.No = 50240661	<del>Zahora Begum</del> PST = aaps Gul Nawaz kot	PST					117 (In-Active)	
2) P.No = 50216292	Zahora Begum PST = aaps, mis Karam kot	PST					117 (In-Active)	
3) P.No = 50225576	Zarfat Begum PST = aaps, Gul wali kot	PST					117 (In-Active)	
4) P.No = <del>50213112</del>	Zainab Bibi PST = <del>aaps Taj Ali kot</del>	PST					117 (In-Active)	open wrongly in-Active
5) P.No = 50225770	Shaheeda Kalsoom PST = aaps, mis Sehib kot	PST					117 (In-Active)	
6) P.No = 50188092	Selma PST = aaps, Nekam kot	PST					117 (In-Active)	
7) P.No = 50216282	Selma Begum PST = aaps Sheer Nawaz kot Teh. mis Ali	PST					117 (In-Active)	
8) P.No = 50203272	Shabnum PST = aaps Pashum Rezon, Dossul	PST					117 (In-Active)	
9) P.No = 50225882	Rashid Bano = PST = aaps Akram kot Teh. mis Ali	PST					117 (In-Active)	

Assistant  
Agency Education Officer  
North Waziristan Agency

Agency Education Officer  
N.W.A Miranshah  
19/12/2017

(7)

Mashri 9:

03/12/1017

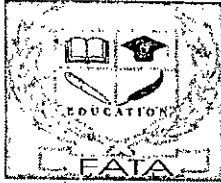
Niglas, Sima

**اسمعیلیہ جامعہ عربیہ اسلامیہ خواتین کی تعلیمی کمیٹی**  
**بیمارستان اسلام آباد**  
 اب سب سے دل شاندار کام چل رہا ہے، ہم نے اپنی تمام طاقتوں کو جمع کر کے اس کام کو سرکار سے اپنا کر لیا ہے۔ اس کے ذریعے ہم نے اپنی تعلیمی کمیٹی کو اپنی سرگرمیوں سے دلچسپی دلانے کی کوشش کی ہے۔ اس کے ذریعے ہم نے اپنی تعلیمی کمیٹی کو اپنی سرگرمیوں سے دلچسپی دلانے کی کوشش کی ہے۔ اس کے ذریعے ہم نے اپنی تعلیمی کمیٹی کو اپنی سرگرمیوں سے دلچسپی دلانے کی کوشش کی ہے۔

اس کے ذریعے ہم نے اپنی تعلیمی کمیٹی کو اپنی سرگرمیوں سے دلچسپی دلانے کی کوشش کی ہے۔ اس کے ذریعے ہم نے اپنی تعلیمی کمیٹی کو اپنی سرگرمیوں سے دلچسپی دلانے کی کوشش کی ہے۔ اس کے ذریعے ہم نے اپنی تعلیمی کمیٹی کو اپنی سرگرمیوں سے دلچسپی دلانے کی کوشش کی ہے۔

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Assistant  
 Agency Education Officer  
 North Waziristan Agency



7

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

## NOTIFICATION


1. WHEREAS Mst. **Shahbnam PST GGPS Pasham Razooni Dossali** North Waziristan Agency was found willfully absent from duty during monitoring visit of the concerned Assistant Agency Education Officer to the School on dated 01/09/2017.
2. AND WHEREAS the accused was proceeded against under Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules 2011, for the charge of "willful absence from duty" as mentioned in the show cause notice served upon her at her home/School address vide AEO No: 9694-95 dated 09/11/2017.
3. AND WHEREAS Mst **Shahbnam PST GGPS Pasham Razooni Dossali** North Waziristan Agency did not report to her duty within stipulated period of time and turned her ears deaf.
4. AND WHEREAS Charge sheet notice was served upon Mst **Shahbnam PST GGPS Pasham Razooni Dossali** North Waziristan Agency through print media (Daily Mashriq) on dated 03.12.2017 wherein the accused was directed to submit reply in her defence through personal contact with this office.
5. AND WHEREAS the accused failed to put any defense in written and did not appear to be heard in person within fifteen days.
6. AND WHEREAS the competent authority, the Agency Education officer North Waziristan Agency, having considered the charges, evidence on record and facts of the case, is of the view that the charge of willful and unauthorized absence against the accused official has been proved.
7. NOW THEREFORE, In exercise of the Powers conferred under Rules-4 (f, iii) of Khyber Pakhtunkhwa Government Servants "Efficiency and Discipline" Rules 2011, the competent Authority, Agency Education officer North Waziristan Agency, is pleased to impose major penalty "Removal from service" upon Mst: **Shahbnam PST GGPS Pasham Razooni Dossali** North Waziristan Agency with retrospective on account of his willful absence from duty.

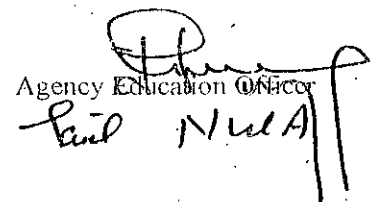
(HABIBULLAH)  
Agency Education Officer,  
North Waziristan Agency

Endst: No. 8343-51 Dated 13/12/2017

Copy forwarded to the:

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

  
Assistant  
Agency Education Officer  
North Waziristan Agency

  
Agency Education Officer  
North Waziristan Agency



**Directorate of Education Newly Merged Districts**  
**Khyber Pakhtunkhwa, Warsak Road, Peshawar, Pakistan**  
**Phone 091-9210166 Fax # 091-9210218**

**DeE M&E No. 15845-46 Dated 09/11/2018**



To

The Addl: Director Establishment  
Local Directorate

Apl no 393/18  
Shabnum.

Subject:

**Inquiry Report of Seventeen (17) female PSTs of District North**  
**Waziristan removed from their services**

Memo:

kindly refer to your office letter no.10038-42 dated: 17.08.2018 on the subjected cited above and to state that in compliance with the instruction contained therein the above coted letter, detailed inquiry report along with findings and recommendations of the inquiry committee relating to the appeal of the 17X Teachers (PSTs) removed from service by the Tribal District Education officer North Waziristan for perusal and further necessary action of the appellat authority please.

Asstt: Directress (M&E)

Copy for information to the:-

- 1 PA to Director Education NMD, Peshawar.

Asstt: Directress (M&E)

Friday, November 09, 2018



**Inquiry Report:**

**Subject:** Appeal of 17 PST (female) in the Tribal District North Waziristan.

**Background:**

The Agency Education Officer North Waziristan District had removed 21 female PST (female) from service on 9.11.2017, (F/A) due to their long will full absence from duty w.e.f 01.9.2017. The concerned Agency Education Officer served show cause Notices on the defaulter teachers on their respective schools address, (F/B) but due to nil response, the AEO concerned had no option other than floating/publishing an absences Notice of the defaulter teachers in the Daily Mashriq (F/C) so that the codal formalities for initiation of disciplinary action could be completed under the existing Revised Efficiency and Disciplinary Rules 2011, wherein all the absent PST (female) were asked to join their duties at their respective schools within 15-days of the publication of Showcause Notice but all in vain and thus all the 21 PST (Female) were removed from service on 13.12.2017 (F/D).

However, 17 PST (female) submitted an appeal to the Director Education, the appellate authority for reinstatement against their previous posts. The Director Education Newly Merge Districts responding positively to their appeal, constituted an inquiry committee, comprising the undersigned to conduct impartial and in depth inquiry into the matter on the following TORs (F/E)

1. To verify their performance of duties from the relevant record for the last two years.
2. Verify their performance of duties from the AAEO visit reports.
3. No. of students enrolled in their respective schools in the last two years etc.

**Procedure:**

In order to provide an ample opportunity of personal hearing in insolation, the Tribal District Education Officer North Waziristan was asked vide this office letter at (F/F) to inform all the defaulter PST (female) to appear before the inquiry committee at his office at 9.00 AM on 8.9.2018 along with substantial documentary proof for their defense. The inquiry committee left Peshawar for Miranshah on 04.09.2018, so that the target schools could be visited in accordance with TORs of the inquiry. After a night stay at Miranshah.

The surprise visits to the target school were started on 05.09.2018. Subsequent to surprise visit, it was observed that most of the schools were found closed for all sort of academic and administrative activities. However the defaulter teachers produced photocopies of the staff and student registers on the date of hearing. The local population in the area concerned was found migrated to the friendly weather places due to scorching heat in the area and the inquiry committee was unable to investigate the beneficiaries of the target schools.

It was observed during the surprise visit that only PST (Female) in the target schools were removed from service who were mostly non-local whereas the TT (Female) and class -IV have not been taken to task and they have been given the benefit of locality.

Due to complete closure of all target schools except Govt. Girls Primary School Akram kot Khaisor, neither students nor teachers were available for investigation. The students and staff attendance registers could not be checked

to verify students enrollment and staff attendance in the target schools. However, the school were giving a deserted look, rather some of them were fully damaged due to the militancy in the area and no alternate arrangement has been made for the students and staff so far.

All the 17 X defaulter female teachers with the exception of two female teacher. Mst. Zeenat Gul (PST) GGPS Mir Kazam Kot Dossali Kohe. Pari and Mst. Kalsoom Bibi GGPS Nekum Kot and fake teacher namely Mst. Naumana Kauser PST appeared before the inquiry committee on the scheduled date and time. More over 21 X teachers removed from service, also turned up for investigation on the same date and time. The inquiry committee marked their attendance in the attendance sheet but did not investigate them being not falling in the domain of TORs of the inquiry committee as they had not filed an appeal with the appellate authority for their reinstatement (F/G). They were heard in person. A questionnaire was served on them on the occasion which was returned on the spot dully replied (F/H) wherein all of them negated the receipt of Show cause Notice. As per their written and verbal statement, the Law and order situation in the area concerned led to their casual absence from duty. As per their verbal statement they have been removed from service due to their absence from duty during Eid vacation.

As per statement of the AEO concerned, the defaulter concerned remained habitually absent from their duties and he had no option other than removal from service. He was asked to produce record of the monitoring visits paid to the target school but failed to produce the same on the pretext of vacant post of AAEO (Female). However subsequent to checking of the record some monitoring reports were gone through neither which indicates that neither the target school has been visited nor the defaulter teachers caught absent from duty. The office record of the AEO shows that some of the teachers have been removed from service on the recommendation of Mr. Syed Noor, AAEO (Male) which does not appeal to the reasons (F/J).

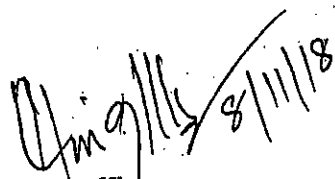
#### Findings:

- After going through the official record, investigation of the relevances, the finding derived are as under:
1. Most of the target schools were found closed due to the following reasons.
    - a) They are situated in the inaccessible areas and established in violation of the approved planning criteria.
    - b) Peace and tranquility has not been restored so far. Threats and fear of threats to life and honor still prevails in the area concerned.
    - c) Residential accommodation for teachers were not found attached with the target schools.
    - d) TDP return has not been completed in the area concerned so far.
    - e) Seasonal migration of families was observed from the area concerned during surprise visit.
  2. The non local PSTs (Female) have been removed from service whereas no action has been taken against the local T.Ts and class-IV of the same schools.
  3. Showcause Notices have been served on the defaulters on their school addresses instead of their permanent home addresses.
  4. Disciplinary action has been taken against them after 10 days of the publication in the NEWS Paper instead of 15 days.
  5. The monitoring reports produced to inquiry committee do not reflect the absence of the defaulter teachers rather some of them have been removed from service on the recommendation of the AAEO (Male).
  6. The target schools do not contain residential quarters whereas the women teacher Hostel at Miranshah has already occupied by the teachers of GGHS Civil Colony Miranshah and GGDC Miranshah and have no further capacity to accommodate other teachers.

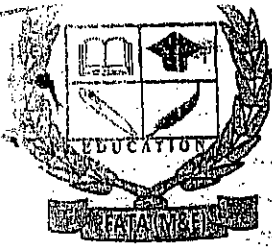
7. The local Management has paid no attention to the teachers of the target schools as evident from the fact that they were not re-deployed from the closed schools due to Zarb-e-Azb 18.06.2014 to 25.12.2016 and they were paid their monthly salaries at their homes without performing any duty.

### Recommendations

1. The inquiry committee recommends the re-instatement of 14 out of 17 appellant PST(Female) with the exception of 3X Mst:Zeenat Gul GGPS Mir Kazam Kot Dossali Kohe Pari Mst:Kalsoom Bibi GGPS Nekum Kot and fake teacher namely Mst: Naumana Kauser PST whom was not appeared before the enquiry committee with immediate effect with no monetary back benefits but service benefits. The period w.e.f the date of removal from service is proposed to be treated as leave without pay (EOL) till their date of re - instatement. However, the budget and Accounts officer in the local directorate, being expert in accounts under supervision of a senior officer is proposed to be assigned the task to check and verify from the concerned District Accounts officer as to whether these teachers have drawn their monthly salaries after their removal from service or otherwise.
2. The AEO concerned is proposed to comment on the action taken against T.T and class-IV of the target schools.
3. The appellant teachers may be asked to give an undertaking on Judicial Stamp paper that they will remain punctual and regular after their re-instatement and they will not claim monetary benefits during the EOL at the subsequent stage.
4. The local educational Managers may pay frequent surprise visit to all schools specifically to the target schools so that presence of the newly re-instated teachers could be made sure.
5. The Women Teachers hostel needs to be made functional immediately so that accommodation problem of the non-local female staff could be addressed effectively.
6. Due to conservative society in Distt: North Waziristan, AAEO(Male) may abstain from visiting the female/Girl's schools in the Distt:

  
Inquiry officer  
Mr. Laiq Khan Afridi  
Dy. Dir (Admn/Finance)

  
Inquiry officer  
Dr. Rukhsana Aziz  
Asstt: Directress (M&E)



**Directorate of Education Newly Merged Districts**  
**Khyber Pakhtunkhwa, Warsak Road Peshawar, Pakistan**  
**Phone 091-9210166 Fax # 091-9210218**

**DeE M&E No. 15845-46 Dated 09 / 11 / 2018**

To

The Addl. Director Establishment  
Local Directorate

*APN 02 393/18*

*Shabir*

Subject:

**Inquiry Report of Seventeen (17) female PSTs of District North**  
**Waziristan removed from their services**

Memo:

kindly refer to your office letter no.10038-42 dated: 17.08.2018 on the subjected cited above and to state that in compliance with the instruction contained therein the above coted letter, detailed inquiry report along with findings and recommendations of the inquiry committee relating to the appeal of the 17X Teachers (PSTs) removed from service by the Tribal District Education officer North Waziristan for perusal and further necessary action of the appellant authority please.

*[Signature]*  
Asstt: Directress (M&E)

Copy for information to the:-

1 PA to Director Education NMD, Peshawar.

*[Signature]*  
Asstt: Directress (M&E)

Friday, November 09, 2018



**Inquiry Report:**

**Subject:** Appeal of 17 PST (female) in the Tribal District North Waziristan.

**Background:**

The Agency Education Officer North Waziristan District had removed 21 female PST (female) from service on 9.11.2017 (F/A) due to their long will full absence from duty w.e.f 01.9.2017. The concerned Agency Education Officer served show cause Notices on the defaulter teachers on their respective schools address (F/B) but due to nil response, the AEO concerned had no option other than floating/publishing an absences Notice of the defaulter teachers in the Daily Mashriq (F/C) so that the codal formalities for initiation of disciplinary action could be completed under the existing Revised Efficiency and Disciplinary Rules 2011 wherein all the absent PST (female) were asked to join their duties, at their respective schools within 15-days of the publication of Showcause Notice but all in vain and thus all the 21 PST (Female) were removed from service on 13.12.2017 (F/D).

However, 17 PST (female) submitted an appeal to the Director Education, the appellate authority for reinstatement against their previous posts. The Director Education Newly Merge Districts responding positively to their appeal, constituted an inquiry committee, comprising the undersigned to conduct impartial and in depth inquiry into the matter on the following TORs (F/E)

1. To verify their performance of duties from the relevant record for the last two years.
2. Verify their performance of duties from the AAEO visit reports.
3. No. of students enrolled in their respective schools in the last two years etc.

**Procedure:**

In order to provide an ample opportunity of personal hearing in insolation, the Tribal District Education Officer North Waziristan was asked vide this office letter at (F/F) to inform all the defaulter PST (female) to appear before the inquiry committee at his office at 9.00 AM on 8.9.2018 along with substantial documentary proof for their defense. The inquiry committee left Peshawar for Miranshah on 04.09.2018, so that the target schools could be visited in accordance with TORs of the inquiry. After a night stay at Miranshah.

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It was observed during the surprise visit that only PST (Female) in the target schools were removed from service who were mostly non-local whereas the TT (Female) and class -IV have not been taken to task and they have been given the benefit of locality.

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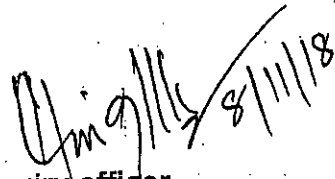
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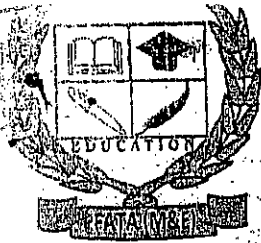
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Mr. Laiq Khan Afridi  
Dy. Dir (Admn/Finance)

  
Inquiry officer  
Dr. Rukhsana Aziz  
Asstt: Directress (M&E)





**Directorate of Education Newly Merged Districts**  
Khyber Pakhtunkhwa, Warsak Road Peshawar, Pakistan

Phone 091-9210166 Fax # 091-9210218

DeE M&E No. 15845-46 Dated 09 / 11 / 2018

To

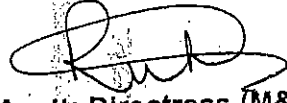
The Addl: Director Establishment  
Local Directorate

Appo 393/18  
Shabnam

Subject: **Inquiry Report of Seventeen (17) female PSTs of District North Waziristan removed from their services**

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Asstt: Directress (M&E)

Copy for information to the:-

1 PA to Director Education NMD, Peshawar.

  
Asstt: Directress (M&E)

Friday, November 09, 2018



NEWLY MERGED DISTRICTS  
DIRECTORATE OF EDUCATION

KHYBER PAKHTUNKHWA, WARSAK ROAD PESHAWAR, PAKISTAN  
PHONE: 091-9210166 FAX 091-9210218

No.

Date Pesh: the / / 2018

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As per statement of the AEO concerned, the defaulter concerned remained habitually absent from their duties and he had no option other than removal from service. He was asked to produce record of the monitoring visits paid to the target school but failed to produce the same on the pretext of vacant post of AAEO (Female). However subsequent to checking of the record some monitoring reports were gone through neither which indicates that neither the target school has been visited nor the defaulter teachers caught absent from duty. The office record of the AEO shows that some of the teachers have been removed from service on the recommendation of Mr. Syed Noor, AAEO (Male) which does not appeal to the reasons (F/J).

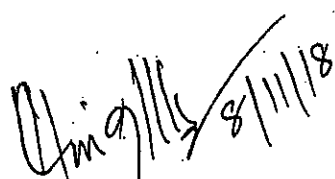
#### Findings:

- After going through the official record, investigation of the relevances, the finding derived are as under:
1. Most of the target schools were found closed due to the following reasons.
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    - b) Peace and tranquility has not been restored so far. Threats and fear of threats to life and honor still prevails in the area concerned.
    - c) Residential accommodation for teachers were not found attached with the target schools.
    - d) TDP return has not been completed in the area concerned so far.
    - e) Seasonal migration of families was observed from the area concerned during surprise visit.
  2. The non local PSTs (Female) have been removed from service whereas no action has been taken against the local T.Ts and class-IV of the same schools.
  3. Showcause Notices have been served on the defaulters on their school addresses instead of their permanent home addresses.
  4. Disciplinary action has been taken against them after 10 days of the publication in the NEWS Paper instead of 15 days.
  5. The monitoring reports produced to inquiry committee do not reflect the absence of the defaulter teachers rather some of them have been removed from service on the recommendation of the AAEO (Male).
  6. The target schools do not contain residential quarters whereas the women teacher Hostel at Miranshah has already occupied by the teachers of GGHS Civil Colony Miranshah and GGDC Miranshah and have no further capacity to accommodate other teachers.

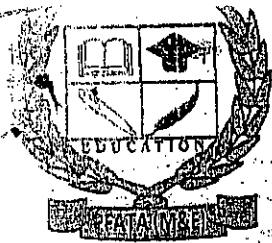
7. The local Management has paid no attention to the teachers of the target schools as evident from the fact that they were not re-deployed from the closed schools due to Zarb-e-Azb 18.06.2014 to 25.12.2016 and they were paid their monthly salaries at their homes without performing any duty.

### Recommendations

1. The inquiry committee recommends the re-instatement of 14 out of 17 appellant PST(Female) with the exception of 3X Mst:Zeenat Gul GGPS Mir Kazam Kot Dossali Kohe Pari Mst:Kalsoom Bibi GGPS Nekum Kot and fake teacher namely Mst: Naumana Kauser PST whom was not appeared before the enquiry committee with immediate effect with no monetary back benefits but service benefits. The period w.e.f the date of removal from service is proposed to be treated as leave without pay (EOL) till their date of re - instatement. However, the budget and Accounts officer in the local directorate, being expert in accounts under supervision of a senior officer is proposed to be assigned the task to check and verify from the concerned District Accounts officer as to whether these teachers have drawn their monthly salaries after their removal from service or otherwise.
2. The AEO concerned is proposed to comment on the action taken against T.T and class-IV of the target schools.
3. The appellant teachers may be asked to give an undertaking on Judicial Stamp paper that they will remain punctual and regular after their re-instatement and they will not claim monetary benefits during the EOL at the subsequent stage.
4. The local educational Managers may pay frequent surprise visit to all schools specifically to the target schools so that presence of the newly re-instated teachers could be made sure.
5. The Women Teachers hostel needs to be made functional immediately so that accommodation problem of the non-local female staff could be addressed effectively.
6. Due to conservative society in Distt: North Waziristan, AAEO(Male) may abstain from visiting the female/Girls schools in the Distt:

  
Inquiry officer  
Mr. Laiq Khan Afridi  
Dy. Dir (Admn/Finance)

  
Inquiry officer  
Dr. Rukhsana Aziz  
Asstt: Directress (M&E)



**Directorate of Education Newly Merged Districts**  
Khyber Pakhtunkhwa, Warsak Road Peshawar, Pakistan  
Phone 091-9210166 Fax # 091-9210218

DeEM&E No. 15845-46 Dated 09 / 11 / 2018

To

The Addl. Director Establishment  
Local Directorate

AP-2 No. 393/18

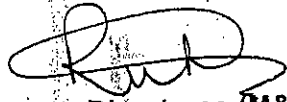
Shabnum

Subject:

**Inquiry Report of Seventeen (17) female PSTs of District North  
Waziristan removed from their services**

Memo:

kindly refer to your office letter no.10038-42 dated: 17.08.2018 on the subjected cited above and to state that in compliance with the instruction contained therein the above coted letter, detailed inquiry report along with findings and recommendations of the inquiry committee relating to the appeal of the 17X Teachers (PSTs) removed from service by the Tribal District Education officer North Waziristan for perusal and further necessary action of the appellant authority please.

  
Asstt: Directress (M&E)

Copy for information to the:-

1. PA to Director Education NMD, Peshawar.

  
Asstt: Directress (M&E)

Friday, November 09, 2018



**Inquiry Report:**

**Subject:** Appeal of 17 PST (female) in the Tribal District North Waziristan.

**Background:**

The Agency Education Officer North Waziristan District had removed 21 female PST (female) from service on 9.11.2017, (F/A) due to their long will full absence from duty w.e.f 01.9.2017. The concerned Agency Education Officer served show cause Notices on the defaulter teachers on their respective schools address, (F/B) but due to nil response, the AEO concerned had no option other than floating/publishing an absences Notice of the defaulter teachers in the Daily Mashriq (F/C) so that the codal formalities for initiation of disciplinary Rules 2011 be completed under the existing Revised Efficiency and Disciplinary Rules 2011, wherein all the absent PST (female) were asked to join their duties at their respective schools within 15-days of the publication of Showcause Notice but all in vain and thus all the 21 PST (Female) were removed from service on 13.12.2017 (F/D).

However, 17 PST (female) submitted an appeal to the Director Education, the appellate authority for reinstatement against their previous posts. The Director Education Newly Merge Districts responding positively to their appeal, constituted an inquiry committee, comprising the undersigned to conduct impartial and in depth inquiry into the matter on the following TORs (F/E)

1. To verify their performance of duties from the relevant record for the last two years.
2. Verify their performance of duties from the AAEO visit reports.
3. No. of students enrolled in their respective schools in the last two years etc.

**Procedure:**

In order to provide an ample opportunity of personal hearing in insolation, the Tribal District Education Officer North Waziristan was asked vide this office letter at (F/F) to inform all the defaulter PST (female) to appear before the inquiry committee at his office at 9.00 AM on 8.9.2018 along with substantial documentary proof for their defense. The inquiry committee left Peshawar for Miranshah on 04.09.2018, so that the target schools could be visited in accordance with TORs of the inquiry. After a night stay at Miranshah.

The surprise visits to the target school were started on 05.09.2018. Subsequent to surprise visit, it was observed that most of the schools were found closed for all sort of academic and administrative activities. However the defaulter teachers produced photocopies of the staff and student registers on the date of hearing. The local population in the area concerned was found migrated to the friendly weather places due to scorching heat in the area and the inquiry committee was unable to investigate the beneficiaries of the target schools.

It was observed during the surprise visit that only PST (Female) in the target schools were removed from service who were mostly non-local whereas the TT (Female) and class -IV have not been taken to task and they have been given the benefit of locality.

Due to complete closure of all target schools except Govt: Girls Primary School Akram kot Khaisor, neither students nor teachers were available for investigation. The students and staff attendance registers could not be checked

to verify students enrollment and staff attendance in the target schools. However, the school were giving a deserted look, rather some of them were fully damaged due to the militancy in the area and no alternate arrangement has been made for the students and staff so far.

All the 17 X defaulter female teachers with the exception of two female teacher. Mst. Zeenat Gul (PST) GGPS Mir Kazam Kot Dossall Kohe Pari and Mst. Kalsoom Bibi GGPS Nekum Kot and fake teacher namely Mst. Naumana Kauser PST appeared before the inquiry committee on the scheduled date and time. More over 21 X teachers removed from service, also turned up for investigation on the same date and time. The inquiry committee marked their attendance in the attendance sheet but did not investigate them being not falling in the domain of TORs of the inquiry committee as they had not filed an appeal with the appellate authority for their reinstatement (F/G). They were heard in person. A questionnaire was served on them on the occasion which was returned on the spot dully replied (F/H) wherein all of them negated the receipt of Show cause Notice. As per their written and verbal statement, the Law and order situation in the area concerned led to their casual absence from duty. As per their verbal statement they have been removed from service due to their absence from duty during Eid vacation.

As per statement of the AEO concerned, the defaulter concerned remained habitually absent from their duties and he had no option other than removal from service. He was asked to produce record of the monitoring visits paid to the target school but failed to produce the same on the pretext of vacant post of AAEO (Female). However subsequent to checking of the record some monitoring reports were gone through neither which indicates that neither the target school has been visited nor the defaulter teachers caught absent from duty. The office record of the AEO shows that some of the teachers have been removed from service on the recommendation of Mr. Syed Noor, AAEO (Male) which does not appeal to the reasons (F/J).

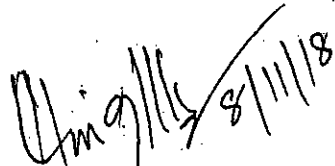
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1. Most of the target schools were found closed due to the following reasons.
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### Recommendations

1. The inquiry committee recommends the re-instatement of 14 out of 17 appellant PST(Female) with the exception of 3X Mst:Zeenat Gul GGPS Mir Kazam Kot Dossali Kohe Pari Mst:Kalsoom Bibi GGPS Nekum Kot and fake teacher namely Mst: Naumana Kauser PST whom was not appeared before the enquiry committee with immediate effect with no monetary back benefits but service benefits. The period w.e.f the date of removal from service is proposed to be treated as leave without pay (EOL) till their date of re - instatement. However, the budget and Accounts officer in the local directorate, being expert in accounts under supervision of a senior officer is proposed to be assigned the task to check and verify from the concerned District Accounts officer as to whether these teachers have drawn their monthly salaries after their removal from service or otherwise.
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Inquiry officer  
Mr. Laiq Khan Afridi  
Dy. Dir (Admn/Finance)

  
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**Directorate of Education Newly Merged Districts**  
**Khyber Pakhtunkhwa, Warsak Road Peshawar, Pakistan**

**Phone 091-9210166 Fax # 091-9210218**

**DoE M&E No. 15845-46 Dated: 09 / 11 / 2018**

To

The Addl: Director Establishment  
Local Directorate

AD/NO: 393/18

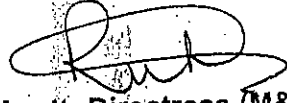
Shabnam

Subject:

**Inquiry Report of Seventeen (17) female PSTs of District North**  
**Waziristan removed from their services**

Memo:

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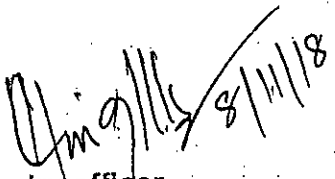
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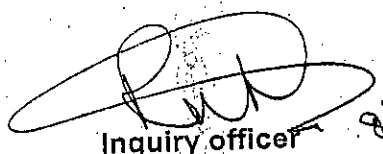
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Inquiry officer  
Dr. Rukhsana Aziz  
Asstt: Directress (M&E)

قیمت  
50 روپے

2371



ایڈوکیٹ: محمد سعید صاحب  
بار کونسل/ ایسوسی ایشن نمبر: 1889-11-6  
رابطہ نمبر: 1889-11-6  
03336272753

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: سردار شہباز

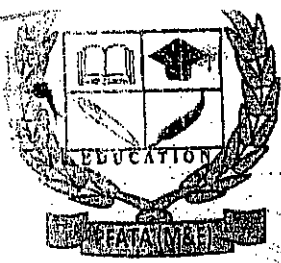
مخانب: <u>سائلہ اہلبیت</u>	دعوی:
<u>سندھ بنام ڈاکٹر گل دین</u>	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:

### باعث تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ  
برائے مقام پشاور کیلئے محمد سعید صاحب 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 برحلف دینے جواب دعوی اقبال دعوی اور درخواست از ہر قسم کی تصدیق  
زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرف سے یا اپیل کی برآمدگی اور منسوخی، نیز  
دائرہ کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار 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 اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا  
دوران مقدمہ میں جو خرچہ ہر جانب 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

المقام: پشاور  
العنوان: Shahin

مقام کے لیے منظور ہے۔



**Directorate of Education Newly Merged Districts**  
Khyber Pakhtunkhwa, Warsak Road Peshawar, Pakistan

Phone 091-9210166 Fax # 091-9210218

DoE M&E No. 15845-46 Dated 09 / 11 / 2018

To

The Addl: Director Establishment  
Local Directorate

AP2 No. 393/18  
Shabnam

Subject:

**Inquiry Report of Seventeen (17) female PSTs of District North**  
**Waziristan removed from their services**

Memo:

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Asstt: Directress (M&E)

Copy for information to the:-

1 PA to Director Education NMD, Peshawar.

Asstt: Directress (M&E)

Friday, November 09, 2018



NEWLY MERGED DISTRICTS  
DIRECTORATE OF EDUCATION

KHYBER PAKHTUNKHWA, WARSAK ROAD PESHAWAR, PAKISTAN  
PHONE: 091-9210166 FAX 091-9210218

No. /

Date Pesh: the / / 2018

**Inquiry Report:**

**Subject:** Appeal of 17 PST (female) in the Tribal District North Waziristan.

**Background:**

The Agency Education Officer North Waziristan District had removed 21 female PST (female) from service on 9.11.2017, (F/A) due to their long will full absence from duty w.e.f 01.9.2017. The concerned Agency Education Officer served show cause Notices on the defaulter teachers on their respective schools address, (F/B) but due to nil response, the AEO concerned had no option other than floating/publishing an absences Notice of the defaulter teachers in the Daily Mashriq (F/C) so that the codal formalities for initiation of disciplinary action could be completed under the existing Revised Efficiency and Disciplinary Rules 2011, wherein all the absent PST (female) were asked to join their duties at their respective schools within 15-days of the publication of Showcause Notice but all in vain and thus all the 21 PST (Female) were removed from service on 13.12.2017 (F/D).

However, 17 PST (female) submitted an appeal to the Director Education, the appellate authority for reinstatement against their previous posts. The Director Education Newly Merge Districts responding positively to their appeal, constituted an inquiry committee, comprising the undersigned to conduct impartial and in depth inquiry into the matter on the following TORs (F/E)

1. To verify their performance of duties from the relevant record for the last two years.
2. Verify their performance of duties from the AAEO visit reports.
3. No. of students enrolled in their respective schools in the last two years etc.

**Procedure:**

In order to provide an ample opportunity of personal hearing in insolation, the Tribal District Education Officer North Waziristan was asked vide this office letter at (F/F) to inform all the defaulter PST (female) to appear before the inquiry committee at his office at 9.00 AM on 8.9.2018 along with substantial documentary proof for their defense. The inquiry committee left Peshawar for Miranshah on 04.09.2018, so that the target schools could be visited in accordance with TORs of the inquiry. After a night stay at Miranshah.

The surprise visits to the target school were started on 05.09.2018. Subsequent to surprise visit, it was observed that most of the schools were found closed for all sort of academic and administrative activities. However the defaulter teachers produced photocopies of the staff and student registers on the date of hearing. The local population in the area concerned was found migrated to the friendly weather places due to scorching heat in the area and the inquiry committee was unable to investigate the beneficiaries of the target schools.

It was observed during the surprise visit that only PST (Female) in the target schools were removed from service who were mostly non-local whereas the TT (Female) and class -IV have not been taken to task and they have been given the benefit of locality.

Due to complete closure of all target schools except Govt: Girls Primary School Akram kot Khaisor, neither students nor teachers were available for investigation. The students and staff attendance registers could not be checked

to verify students enrollment and staff attendance in the target schools. However, the school were giving a deserted look, rather some of them were fully damaged due to the militancy in the area and no alternate arrangement has been made for the students and staff so far.

All the 17 X defaulter female teachers with the exception of two female teacher Mst. Zeenat Gul (PST) GGPS Mir Kazam Kot Dossall Kohe Pari and Mst. Kalsoom Bibi GGPS Nekum Kot and fake teacher namely Mst. Naumana Kauser PST appeared before the inquiry committee on the scheduled date and time. More over 21 X teachers removed from service, also turned up for investigation on the same date and time. The inquiry committee marked their attendance in the attendance sheet but did not investigate them being not falling in the domain of TORs of the inquiry committee as they had not filed an appeal with the appellate authority for their reinstatement (F/G). They were heard in person. A questionnaire was served on them on the occasion which was returned on the spot dully replied (F/H) wherein all of them negated the receipt of Show cause Notice. As per their written and verbal statement, the Law and order situation in the area concerned led to their casual absence from duty. As per their verbal statement they have been removed from service due to their absence from duty during Eid vacation.

As per statement of the AEO concerned, the defaulter concerned remained habitually absent from their duties and he had no option other than removal from service. He was asked to produce record of the monitoring visits paid to the target school but failed to produce the same on the pretext of vacant post of AAEO (Female). However subsequent to checking of the record some monitoring reports were gone through neither which indicates that neither the target school has been visited nor the defaulter teachers caught absent from duty. The office record of the AEO shows that some of the teachers have been removed from service on the recommendation of Mr. Syed Noor, AAEO (Male) which does not appeal to the reasons (F/J).

Findings:

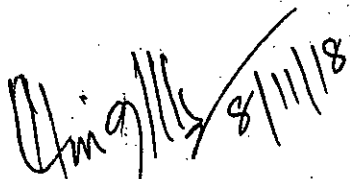
- Amir / 11/5 / 8/11/18
- After going through the official record, investigation of the relevances, the finding derived are as under:
1. Most of the target schools were found closed due to the following reasons.
    - a) They are situated in the inaccessible areas and established in violation of the approved planning criteria.
    - b) Peace and tranquility has not been restored so far. Threats and fear of threats to life and honor still prevails in the area concerned.
    - c) Residential accommodation for teachers were not found attached with the target schools.
    - d) TDP return has not been completed in the area concerned so far.
    - e) Seasonal migration of families was observed from the area concerned during surprise visit.
  2. The non local PSTs (Female) have been removed from service whereas no action has been taken against the local T.Ts and class-IV of the same schools.
  3. Showcause Notices have been served on the defaulters on their school addresses instead of their permanent home addresses.
  4. Disciplinary action has been taken against them after 10 days of the publication in the NEWS Paper instead of 15 days.
  5. The monitoring reports produced to inquiry committee do not reflect the absence of the defaulter teachers rather some of them have been removed from service on the recommendation of the AAEO (Male).
  6. The target schools do not contain residential quarters whereas the women teacher Hostel at Miranshah has already occupied by the teachers of GGHS Civil Colony Miranshah and GGDC Miranshah and have no further capacity to accommodate other teachers.



7. The local Management has paid no attention to the teachers of the target schools as evident from the fact that they were not re-deployed from the closed schools due to Zarb-e-Azb 18.06.2014 to 25.12.2016 and they were paid their monthly salaries at their homes without performing any duty.

### Recommendations

1. The inquiry committee recommends the re-instatement of 14 out of 17 appellant PST(Female) with the exception of 3X Mst:Zeenat Gul GGPS Mir Kazam Kot Dossali Kohe Pari Mst:Kalsoom Bibi GGPS Nekum Kot and fake teacher namely Mst: Naumana Kauser PST whom was not appeared before the enquiry committee with immediate effect with no monetary back benefits but service benefits. The period w.e.f the date of removal from service is proposed to be treated as leave without pay (EOL) till their date of re - instatement. However, the budget and Accounts officer in the local directorate, being expert in accounts under supervision of a senior officer is proposed to be assigned the task to check and verify from the concerned District Accounts officer as to whether these teachers have drawn their monthly salaries after their removal from service or otherwise.
2. The AEO concerned is proposed to comment on the action taken against T.T and class-IV of the target schools.
3. The appellant teachers may be asked to give an undertaking on Judicial Stamp paper that they will remain punctual and regular after their re-instatement and they will not claim monetary benefits during the EOL at the subsequent stage.
4. The local educational Managers may pay frequent surprise visit to all schools specifically to the target schools so that presence of the newly re-instated teachers could be made sure.
5. The Women Teachers hostel needs to be made functional immediately so that accommodation problem of the non-local female staff could be addressed effectively.
6. Due to conservative society in Distt: North Waziristan, AAEO(Male) may abstain from visiting the female/Girls schools in the Distt:

  
Inquiry officer  
Mr.Laiq khan Afridi  
Dy.Dir(Admn/Finance)

  
Inquiry officer  
Dr.Rukhsana Aziz  
Asstt:Directress(M&E)

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 815 /ST

Dated 25-4-2019

To

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

SUBJECT: -

JUDGMENT IN APPEAL NO. 393/2018, MST. SHABNAM

I am directed to forward herewith a certified copy of Judgment dated 11.04.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above



REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.