

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 431/2018

Date of Institution ... 30.03.2018

Date of Decision ... 18.10.2019

Shahla Gul, Ex-SST, (BPS-16), GGMS, Dalori Swabi.

... (Appellant)

VERSUS

The Secretary Education (E&SE), Khyber Pakhtunkhwa, Peshawar and two others.

... (Respondents)

MR. TAIMUR ALI KHAN,  
Advocate

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For appellant.

MR. M. RIAZ KHAN PAINDAKHEL,  
Assistant Advocate General

---

For respondents

MR. AHMAD HASSAN  
MR. MUHAMMAD AMIN KHAN KUNDI

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MEMBER(Executive)

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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 appointed as SST (BPS-16) at GGMS Doroli, Swabi vide order dated 11.05.2017 and performed duty regularly. On 21.08.2017 while coming back from duty she met a serious road accident and was confined to bed. She submitted an application for grant of leave alongwith medical prescription. After recovery she joined duty on 13.11.2017 and performed duty up to 04.12.2017. That she was not allowed to perform duty as was evident from the attendance register. A show cause notice dated 17.10.2017 was served on her on the allegations of absence from duty on various dates, as pointed out in the IMU Monitoring Report to which she replied. Thereafter, vide impugned

order dated 11.01.2018 her appointment order was withdrawn with immediate effect. She filed departmental appeal on 25.01.2018 which was rejected vide order dated 14.03.2018, hence, the present service appeal. Appointment order of the appellant was withdrawn without affording opportunity of defence and personal hearing. Respondents were required to conduct proper enquiry under E&D Rules 2011 and thereafter, appropriate order could be passed. In the present circumstances, she was condemned unheard. Learned counsel for the appellant pressed into service case law reported as 1997 SCMR 1552 and judgments of this Tribunal dated 13.03.2019 and 06.08.2019 passed in service appeal no. 288/2017 and 228/2017 respectively.

3. Learned Assistant Advocate General raised preliminary objection on the maintainability of the present service appeal. As appointment of the appellant vide order dated 11.05.2017 was made on contract basis therefore, she was not a civil servant and due to bar of jurisdiction on this Tribunal, the present service appeal was maintainable. As she was willfully absent from duty on various occasions, therefore, a show cause notice was served on her and thereafter her appointment order was withdrawn. As she was guilty of mis-conduct so the penalty was rightly awarded to her.

### CONCLUSION

4. We would first like to address the issue of maintainability of the present service appeal. Learned counsel for the appellant provided a copy of Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education Department (Appointment and Regularization of Services) Act, 2017, where-under services of contract employees including the appellant were regularized. Moreover, certain amendments were brought in this act and it came into force from 08.01.2018. On

the strength of above an enactment, the appellant was regular civil servant and had rightly invoked the jurisdiction of this Tribunal.

5. We have felt that the way the respondents took action against the appellant was against the prescribed procedure given in the prevalent rules. As a civil servant, she was entitled to be treated in the mode and manner prescribed in E&D Rules 2011. On the strength of the judgment of this Tribunal dated 06.08.2019 wherein it was again reiterated that it had been laid down that where a person was to be condemned for misconduct, even if he was a temporary employee or a person employed on contract basis or probationer, he was entitled to a fair opportunity by way of regular enquiry under the rules referred to above (1997 SCMR 1552). The irregularities committed by the respondents provided strong ground to re-enquire the matter according to the E&D Rules 2011.

06. As a sequel to above, the appeal is accepted, impugned order dated 11.01.2018 and 14.03.2018 are set aside and the appellant is reinstated into service. The respondents are directed to conduct de-novo enquiry within a period of ninety days from the date of receipt of this judgment strictly in accordance with law and rules. The issue of back benefits shall be subject to the outcome of the de-novo enquiry. Parties are left to bear their own costs. File be consigned to the record room.



(AHMAD HASSAN)  
Member

  
(MUHAMMAD AMIN KHAN KUNDI)  
Member

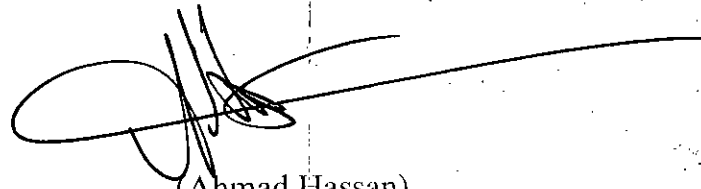
ANNOUNCED  
18.10.2019

**ORDER**

18.10.2019

Appellant with counsels present. Asst: AG for respondents present.  
Arguments heard and record perused.

Vide our detailed judgment of today placed on file, the appeal is accepted, impugned order dated 11.01.2018 and 14.03.2018 are set aside and the appellant is reinstated into service. The respondents are directed to conduct de-novo enquiry within a period of ninety days from the date of receipt of this judgment strictly in accordance with law and rules. The issue of back benefits shall be subject to the outcome of the de-novo enquiry. In the circumstances, parties are left to bear their own costs. File be consigned to the record room.



(Ahmad Hassan)  
Member



(M. Amin Khan Kundi)  
Member

**ANNOUNCED**  
18.10.2019

26.08.2019

Appellant in person present. Mr. Ziaullah, DDA for respondents present. Appellant seeks adjournment due to general strike on the call of Peshawar Bar Association. Adjourn. To come up for arguments on 16.09.2019 before D.B.

Member

Member

16.09.2019

Clerk to counsel for the appellant present. Addl: AG for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike of the bar. Adjourn. To come up for arguments on 18.10.2019 before D.B.

ORDER

18.10.2019

~~Appellant with counsel present. Asst. State Counsel (Litigation) Member respondents present. Arguments and record perused.~~

~~Vide our detailed judgment of today placed on file, the appellants accepted; impugned order dated 11.01.2018 and 14.05.2018 are set aside and the appellants reinstated into service. The respondents are directed to conduct de-novo enquiry within a period of ninety days from the date of receipt of this judgment strictly in accordance with law and rules. The issue of back benefits shall be subject to the outcome of the de-novo enquiry. In the circumstances, parties are left to bear their own costs. File be consigned to the record room.~~

~~(Amir Khan Kundh)~~  
Member

~~(Ahmed Hassan)~~  
Member

ANNOUNCED  
18.10.2019

28.02.2019

Appellant in person and Addl. AG alongwith Hayat Khan, AD for the respondents present.

Due to general strike on the call of Bar Association instant matter is adjourned to 27.05.2019 before the D.B.

  
Member

  
Chairman

27.05.2019

Clerk to counsel for the appellant present. Due to general strike of the bar, the case is adjourned. To come up for arguments on 24.06.2019 before D.B.

  
Member

  
Member

24.06.2019

Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 26.08.2019 before D.B.

  
Member

  
Member

25.09.2018

Husband of the appellant present. Mr. Kabirullah Khattak, Addl, AG for the respondents present and requested for further adjournment. Last opportunity is granted. To come up for written reply/comments on 18.10.2018 before S.B.

  
Chairman

19.10.2018

Representative of the appellant present. Fresh notice be issued to the respondents for written reply/comments. Adjourn. To come up for written reply/comments on 30.11.2018 before S.B.

  
Member

30.11.2018

Junior to counsel for the appellant present. Mr. Hayat Ullah, AD alongwith Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. Case to come up for written reply/comments on 15.01.2019 before S.B.

  
(Ahmad Hassan)  
Member

15.1.2019

Counsel for the appellant and Addl. AG alongwith Hayat Khan, A.D for the respondents present.

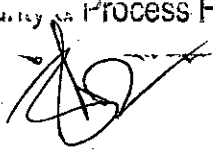
Parawise comments submitted on behalf of the respondents. To come up for arguments before D.B on 28.02.2019. The appellant may submit rejoinder within a fortnight, if so advised.

  
Chairman

Service Appeal No. 431/2018

11.06.2018

Appellant Deposited  
Security & Process Fee



Counsel for the appellant present. Security and process fee have not been deposited. Counsel for the appellant is directed to deposit the same within three days, thereafter, notice be issued to the respondents for written reply/comments for 24.07.2018 before S.B.



(Muhammad Amin Khan Kundi)  
Member

24.07.2018

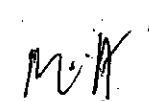
Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Written reply not submitted. Mr. Hamed Ur Rehman AD representative of the respondent department absent. He be summoned with the direction to furnish reply/Para wise comments on the next date fixed as 30.08.2018 before S.B.



Member

30.08.2018

Appellant in person and Mr. Kabirullah Khattak, AAG for the respondents present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply/comments on 20.09.2018 before S.B.

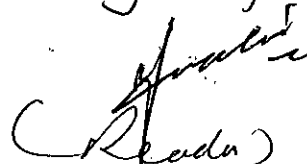


(Muhammad Amin Kundi)  
Member

22-9-18

Due to Muharram holiday, case was not heard on 20-9-18. Adjourned for

25-9-2018



(Reader)



23.04.2018

Counsel for the appellant present. Preliminary arguments heard. The learned counsel for the appellant argued that the appellant was appointed as SST on 11.5.2017. That without any enquiry ~~conducted~~, her appointment order was withdrawn on 11.1.2018 against which she filed departmental appeal on 25.1.2018 which was rejected on 14.3.2018 and thereafter she filed the present service appeal on 30.3.2018.


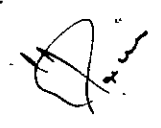
The ground as taken by the learned counsel for the appellant is that the appointment order has been withdrawn without any enquiry.

The points raised need consideration. The appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 11.06.2018 before the S.B.

  
Chairman

Form-A  
FORM OF ORDERSHEET

Court of \_\_\_\_\_  
Case No. 431/18 ~~20~~/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	30/03/2018	<p>The appeal of Mst. Shela Gul presented today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p> REGISTRAR 30/3/18</p>
2-	02/04/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>23/04/18.</u></p> <p> MEMBER</p>

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

**APPEAL NO. 431 /2018**

Mst. Shahla Gul

V/S

Education Deptt:

**INDEX**

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2.	Copy of appointment order	--A--	04-08
3.	Copy of medical report	--B--	09-12
4.	Copy of application	--C--	13
5.	Copy of attendance register	--D--	14-21
6.	Copy of show cause notice	--E--	22
7.	Copy of reply to show cause notice	--F--	23
8.	Copy of order	--G--	24
9.	Copy of departmental appeal	--H--	25
10.	Copy of rejection order	--I--	26
11.	Vaklat Nama	-----	27

**APPELLANT**

  
Shahla Gul

THROUGH:

  
(M. ASIF YOUSAFZAI)

**ADVOCATE SUPREME COURT**

  
(TAIMUR ALI KHAN)

**ADVOCATE HIGH COURT,**

  
(S. NOMAN ALI BUKHARI)

**ADVOCATE HIGH COURT**

Room No. Fr-8, 4<sup>th</sup> Floor,  
Bilour Plaza, Peshawar Cantt:  
Contact No. 03339103240

BEFORE THE KPK, SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 431 /2018

Shahla Gul, Ex-SST, (BPS-16)  
GGMS, Dalori Swabi.

(APPELLANT)

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 465

Dated 30/3/2018

VERSUS

1. The Secretary Education (E &SE), KPK, Peshawar.
2. The Director Education (E&SE), KPK, Peshawar.
3. The District Education Officer (Female), Swabi.

(RESPONDENTS)

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APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 14.03.2018 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT AGAINST THE ORDER DATED 11.01.2018 HAS BEEN REJECTION FOR NO GOOD GROUND.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 14.03.2018 AND 11.01.2018 MAY BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

Filed to-day  
Registrar  
30/3/18

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant was appointed as SST in BPS-16 in GGMS Daroli Swabi vide order dated 11.05.2017 and perform her duty with entire

satisfaction of her superior and no complaint against her. **Copy of appointment order is attached as Annexure-A**

2. That the appellant after performing her duty returning to home met with severe accident on 21.08.2017 due to which she confined to bed unable to perform her duty. She also filed application the competent authority about the accident and for grant of the leave vide letter dated 25.08.2017. **(Copy of medical report & Application are attached as Annexure-B & C.**
3. That after recovery, she again then her duty on 13.11.2017 and performed her duty to 04.12.2017 and after that she was not allowed to perform her duty which is evident from the attendance register. **(Copy of attendance register is attached as Annexure-D.**
4. That show cause notice was issued to the appellant and she replied to show cause notice when show cause notice was communicated to her in which clear mentioned about the accident and reason of her absence from duty. **Copy of show cause notice and reply to show cause notice are attached as Annexure-E & F.**
5. That due to above mention reason the appointment order of the appellant was withdrawn with immediate effect on 11.01.2018 against which she preferred departmental appeal on 25.01.2018 which was rejected on 14.03.2018. **(Copy of order dated 11.01.2018 departmental appeal and rejection order are attached as Annexure-G, H & I.**
6. That now the appellant come to this august tribunal on the following grounds amongst others.

#### **GROUND:**

- A) That the impugned order dated 14.03.2018 and 11.01.2018 are against the law, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B) That the appellant has been condemned unheard and has not been treated according to law and rules.
- C) That no inquiry was conducted against the appellant and the appointment order of the appellant was withdrawn without conducting inquiry which is violation of law and rules.

- D) That the appellant also filed application to her high-ups about this accident and request for grant of leave but no action has been taken on her application.
- E) That no charge sheet was served to the appellant before passing the impugned order of discharge from service, which is the violation of law and rules.
- F) That the penalty imposed upon the appellant is very harsh which is passed in violation of law and, therefore, the same is not sustainable in the eyes of law.
- G) That the appellant did not intentionally absent from her duties but due to severe accident she was unable to perform her duty and was compelled to remain absent from her duty.
- H) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

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

THROUGH:

**APPELLANT**

Shahla Gul

(M. ASIF YOUSAFZAI)

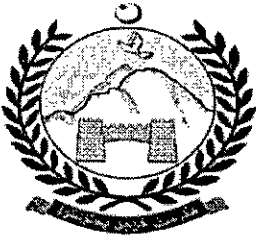
ADVOCATE SUPREME COURT

(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT,

(S. NOMAN ALI BUKHARI)

ADVOCATE HIGH COURT



**Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar**

PH No. 091-9210389, 9210938,

9210437, 9210957, 9210468

Fax 091-9210936

E-mail [rafiq\\_kk851@yahoo.com](mailto:rafiq_kk851@yahoo.com)

**APPOINTMENT.**

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Secondary School Teacher (SST Bio Chem), (SST Maths Phy), (SST General) School based in BPS-16 (Rs. 15880-1280-54280) @ Rs. 15880/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge:-

**(SST Bio Chem)**

Sr	RollNo	Name	Father Name	Permanent Address	Academic Marks [out of 100]	NTS Marks [Out of 100]	Total Marks [Out of 200]	School
1	721000037	Nighat Seema	Muhammad Sabir	Mohallah Babu Khel Village Adn Post Officezaida Teh Adbn Dsitt Swabi CNIC No.16202-1985075-8	67.76	79	146.76	GGHS Beka
2	721000284	Salma Khan	Abdul Rasheed	Mohallah Janakhel Village And Post Office Dagi Tehsil Razzar And District Swabi CNIC No.16202-8041907-8	72.12	71	143.12	GGHS Yar Hussain
3	721000315	Sameena	Gulzar Ali	Mohallah Aladad Khail Village And Post Office Dagi, Tehsil Razzar District Swabi CNIC No.16204-0575110-8	71.18	71	142.18	GGHS Parmoli
4	721000141	Hina Ambareen	Zahoor Ahmad	Mohallah Qamral Village And Post Office Marghuz Tehsil And District City Swabi CNIC No.37406-6272630-6	69.25	72	141.25	GHSS Zarobi
5	721000379	Bakht Zaheena	Muhammad Zameen	Moh Mazee Khl, Village And Post Office Kalabat Teh Topi District Swabi CNIC No.16203-0565228-4	72.48	68	140.48	GGHS Utlra
6	721000282	Maryam Bibi	Safi Ullah	Mohallah Juna Khel Village And Post Office Dagi Tehsil And District Swabi CNIC No.16202-6934639-0	70.15	70	140.15	GGHS Dobian
7	721000330	Saima Gul	Muhammad Irshad	Mohallah Ali Khan Khel Village Turrlandi Tehsil Razar District Swabi Kpk CNIC No.16202-9855823-4	73.03	66	139.03	GGHS Ziam Yar Hussain
8	721000247	Gul Rukh	Qasim Khan	Moh; Mama Kheil, Village And Post Office Kalu -Khan, Teh Razzar Distt Swabi CNIC No:16202-4959446-2	70.72	67	137.72	GGHS Mangal Chai
9	721000003	Nabeela Anjum	Sultan Muhammad	Mohalla Musa Khel Village And Post Office Box Topi Tehsil Topi District Swabi CNIC No.16202-9954084-8	69.07	68	137.07	GGHS Batakara
10	721000018	Sidra	Bashir Afzal	Village And Post Office Kunda Tehsil Lahor District Swabi CNIC No.16201-2246629-0	62.00	75	137.00	GGHS Sudher
11	721000295	Saira Afsar	Mir Afsar Khan	Village Ismail Abad Darra Mohallah Moti Khel Post Office Jamal Aba District And Tehsil Swabi	70.49	66	136.49	GGHS Tordher

**Swabi Female Appointment Order SST Adhoc 2**

5

CNIC No.16202-9683201-6

**(SST Maths Phy)**

Sr	RollNo	Name	Father Name	Permanent Address	Academic Marks [out of 100]	NTS Marks [Out of 100]	Total Marks [Out of 200]	School
1	722000012	Sania Manan	Fazal Manan	Mohallah Sreekh Lory Villag And Post Office Marghuz Tehsil And District Swabi CNIC No.16202-6940449-8	70.27	58	128.27	GGHS Marghuz
2	722000050	Naveeda Naz	Faqir Muhammad	Mohallah Shagi Village Anbar Tehsil Lahore District Swabi CNIC No.16201-1186759-8	66.44	61	127.44	GGHS Lahor Sharqi
3	722000043	Shagufta Niaz	Niaz Muhammad	Moh Mami Khel Village Maneri Payan Tehsil And District Swabi CNIC No.16202-4257003-4	67.25	54	121.25	GGCMH S Swabi
4	722000027	Saman Saleem	Muhammad Saleem Shah	Village Saleem Khan Po Qaziabad Teh/ Distt Swabi CNIC No.37405-5376840-4	57.19	60	117.19	GGHS Maneri Bala
5	722000042	Ruqiya Khan	Raees Khan	Mohallah Karam Khel Village Maneri Payan Distirct Nd Tehsil Swabi CNIC No.16202-4525789-6	60.16	56	116.16	GHSS Mansoor Khel Zaida
6	722000039	Sehrish Gul	Laiq Khan	Seema Guyl Examination University Of Swabi Anbar Swabi CNIC No.16202-6144872-2	67.31	47	114.31	GGHS Kernal Sher Killi
7	602000672	Nadia Karim	Said Karim	House No 255 Street No 14 Sector No K 6 Phase No3 Hayatabad Peshawar CNIC No.17301-0782307-0	62.38	49	111.38	GGHSS Shewa
8	722000010	Tanzeela Javed	Muhammad Javed	Mohallah Munan Khel Village And Post Office Kalu Khan Tehsil And Distirct Swabi CNIC No.16202-2215722-4	60.87	49	109.87	GGHSS Kalu Khan
9	722000001	Saima Gul	Muhammad Hanif	Village And Post Office Kernal Sher Killi , Muhallah Bangzara Tehseel Razar , District Swabi CNIC No.16202-1609850-6	58.55	51	109.55	GGHS Kernal Sher Killi
10	722000009	Syeda Kalsoom Bibi	Syed Musharraf Shah	Faqirabad Village And Post Office Jalsai Tehsil Lahor District Swabi CNIC No.16201-1655471-0	65.06	44	109.06	GGHS Kunda
11	722000015	Iram Akbar	Zer Akbar Khan	Mohallah Gar Banda Village Maneri Bala Post Office Distric Swabi Distrcet Swabi CNIC No.16202-6542045-8	60.32	47	107.32	GGHS Sarwar Shah Kote
12	722000049	Sabeen	Khaleeq Ur Rehamn	Moh Yousaf Khel Village Andpost Ioffice Swa Swbai CNIC No.16202-7805938-2	61.29	46	107.287	GGHS Adian
13	722000007	Muneeba Gul	Said Naeem	Moh Aladad Khel Village An D Post Office Yar Hussian Togh Razar Distirct Swabi CNIC No.16201-4407536-2	61.76	45	106.76	GGHS Ziam Yar Hussain
14	722000004	Irum Naz	Lal Pur	Village Manki Tehsil Lahore District Swabi Post Office Manlli CNIC No.16201-4114515-4	60.47	46	106.47	GGHS Jalbai
15	722000003	Asma	Syed Rahim Shah	House Number 380 F Rvc Colony Tarbela Dam District Swabi CNIC No.16202-6066187-4	57.61	48	105.61	GGHS Pehur Hemlet
16	722000005	Mehreena Khan	Muhammad Ilyas Khan	Mohallah Sama Khail Kottha Tehsil Tiopi District Swabi CNIC No.44103-2757486-6	63.22	42	105.22	GGHSS Kalabat

**ATTES**



**Swabi Female Appointment Order SST Adhoc 3**

6

17	722000030	Sitara Israr	Muhammad Israr	Mohallah Sama Khiil Villae Andpopst Office Kota Distyriut Swabi Tehsil Topi CNIC No.16202-5161015-2	57.66	46	103.66	GGHSS Kotha
18	722000023	Bibi Asma	Ismail Khan	Mohalalh Rehmat Abad Village And Post Ofice Kotha Tah Topi District Swabi CNIC No.16203-0570642-8	54.90	47	101.90	GGHS Yousfi
19	722000011	Zainab	Shafiq Ud Din	Mohallah Boobakhel Bandi Vilalge And Post Office Topi Tehsil Toopi Dsitrect Swabi CNIC No.16202-2567356-6	49.92	49	98.92	GGHS Bamkhel
20	722000420	Amna Zaib	Jahan Zaib Khan	Distt Swabi Tehsil Topi Post Office Topi Mohallah Soolai C/O Haszai Karyana Store Sardar Market Topi CNIC No.16202-8742133-4	50.75	44	94.75	GGHSS Topi
21	602000675	Amnaz	Janaskhan	Kohat Road Green Model Town House No 107 Street No 2 CNIC No.16202-5330262-6	50.22	40	90.22	GGHS Marghuz
22	722000040	Salma	Amir Shah	Mohallah Babi Khel V/Po Turlandi Distt Swabi CNIC No.16202-6582258-4	44.43	40	84.43	GGHS Ismaila

**(SST General)**

Sr	RollNo	Name	Father Name	Address	Academic Marks [out of 100]	NTS Marks [Out of 100]	Total Marks [Out of 200]	School
1	723000364	Faiza Adnan	Mian Adnan	Village Sudher Tehsil Lahor , District Swabi CNIC No.16101-9952849-8	69.36	82	151.36	GGHS Yaqubi
2	723000995	Nida Shams	Shams Ul Amin	Muhallah Gulatay Village Shahmansoor Tehsil And Distt Swabi CNIC No.16202-6800946-2	65.92	83	148.92	GGHS Jalsai
3	723002062	Durra E Shehwar	Muhammad Ilyas Khan	Mohallah Sama Khail Village Kotha Tehsil Topi CNIC No.17301-3358721-8	73.82	73	146.82	GGHS Beka
4	723000625	Ayesha Zain	Zain Ul Abideen	C/O Zain Clinic Salim Khan Shakh Post Office Qazi Abad Tehsil And District CNIC No.16202-6214774-4	65.67	81	146.67	GGHS Salim Khan
5	723000063	Aneesa Bibi	Sardul Khan	Village Kalu Khan Moyhalah Parah Tehsil Bazar Distt Swabi CNIC No.42000-6886992-6	64.28	81	145.28	GGMS Khesha
6	723000071	Lubna Ali	Mirza Khan	Mohallah Shagai Village Anbar Tehsil Lahore District Swabi CNIC No.16201-7156292-0	72.21	71	143.21	GGMS Bada
7	723001118	Safina Begum	Peer Muhammad	Mohallaha Kamal Khel Village Asota Sharif Post Office Ksk Tehsil Razzar Distt Swabi CNIC No.16202-9914939-2	67.06	75	142.06	GGMS Urmal Dheri
8	723001069	Shaista Naz	Sattar Khan	Moh. Ghari Chum, Village And P.O Box Kunda Disst Swabi, Tehsil Lahor CNIC No.16201-2162528-4	64.07	77	141.07	GGMS Nabi Dhok
9	723002051	Shumaila	Rizwan Ullah	Moh Taju Khel Vilalge And P O Zaida Teh And Distt Swabi CNIC No.16202-6625427-4	64.42	75	139.42	GGHS Jalbai
10	723002035	Syeda Nasiha Seemi	Syed Zulfiqar	Village And Post Office Ismaila Near Water Tanki Tehsil Razarh And District Swabi CNIC No.16202-1545402-4	63.43	75	138.43	GGMS Jaganath
11	603001917	Kiran Ijaz	Ijaz Ali	Mohallah Akhun Zada Gan Adobian Tehsil Lahore CNIC No.16101-1603407-8	61.34	77	138.34	GGHS Manki
13	723000192	Huma	Muhammad	Mohallah Mir Khel Villege	60.05	78	138.05	GGMS

		Gul	Naseem	Maneri Bala Tehsil Swabi District Swabi CNIC No.16202-9208169-6				Dab Koroona
14	723002054	Ambreen Sultan	Sultan Muhammad	Moh, Moti Khel Village Mahaeri Payan Tehsil And District Swabi CNIC No.16202-2403949-4	67.87	70	137.87	GGHSS Pabaini
15	723000078	Haseena Bibi	Siraj Ahmad	House No E 37 Mehran Colony Tarbela Dam Tehsil Ghazi Distrct Haripur CNIC No.16201-4791706-4	60.81	77	137.81	GGHS Mangal Chai
	723000354	Shahla Gul	Muhammad Naseer Khan	House No 210 Arbab Road Bilal Lanc University Road Peshawar CNIC No.17301-4084846-2	56.06	81	137.06	GGMS Dalori
17	723000440	Huma Riaz	Riaz Muhammad	Moh Shekh Mali Khali Vill P.O Maini Teh Top Distt Swabi CNIC No.16202-6812416-6	62.03	75	137.03	GGMS Gabasni
18	723000127	Sana Sumbal	Sher Aman	Village And Post Office Tarakai Tehsil Razzar District Swbai Mohallah Babi Khel CNIC No.42301-5381482-2	62.21	73	135.21	GGCMS Yaqub Shah Dhok
19	723001094	Fareeda Begum	Gul E Bakhsh	Vpo Sheikh Jana Mohallah Ali Sher Khail CNIC No.16202-0599008-4	53.70	79	132.70	GGMS Chanai

**TERMS & CONDITIONS.**

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year wef Ist May, 2017 to 30th April, 2018.
4. She should not be handed over charge if she exceeds 35 years or below 18 years of age. Age relaxation case may be submitted to competent authority.
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO (concerned), any one found producing bogus Certificate will be reported to the law enforcing agencies for further action.
6. His/her services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
7. Pay will not be drawn until and unless a certificate to the effect by DEO(concerned) is issued that his/her certificates are verified
8. He/She should join his post within 10 days of the issuance of this notification. In case of failure to join the post within 10 days of the issuance of this notification, his/her appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. He/she will be governed by such rules and regulations as may be issued from time to time by the Govt.
11. His/her services shall be terminated at any time, in case his performance is found unsatisfactory during his/her contract period. In case of misconduct, he/she shall be preceded under the rules framed from time to time.
12. His/her appointment is made on School based, He/she will have to serve at the place of posting, and His/her service is not transferable to any other station.
13. Before handing over charge once again their document may be checked if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.

**(Muhammad Rafiq Khattak)**

Director  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

**ATTESTER**  
10

Swabi Female Appointment Order SST Adhoc 5

8

Endst: No. 1702-8 / File No.2/A-14/SST/Adhoc/Apptt: Dated Peshawar the 11/4/2017.

Copy forwarded for information and necessary action to the: -

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
3. District Education Officers Concerned
4. District Accounts Officer Concerned
5. Official Concerned.
6. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
7. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
8. M/File

Dy: Director (Estab)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

M/16

ATTESTED  
/



10

GOVERNMENT  
Postgraduate Medical

DHIS-02(F)

Sent To: \_\_\_\_\_

OUT DOOR PATIENT TICKET

District 11/11/2017

CRP No: \_\_\_\_\_

Facility Name \_\_\_\_\_

Name S. J. / M. Age: 30y Sex: F

Father's / Husband's Name \_\_\_\_\_

Monthly OPD Serial No. 3561

Provisional Diagnosis: \_\_\_\_\_

Date	Clinical Findings / Investigations / Treatment / Referred / Test Findings
	<p>- Post Tibia plating.</p> <p>- wound healed</p> <p>- X-Ray normal.</p> <p>She is now fit for Joint Duty</p> <p>11/11/2017 day</p>

DHIS-02(F) OPD TICKET

Medical Officer  
B.K.M.C (Swabi)

ATTESTED

Treatment in Hospital

1) Augmentin 1g bid  
2) RBC 100 mg bid  
3) Paracetamol 1g qd  
4) Tramadol 50mg qd

Investigation

RBS \_\_\_\_\_ Hb -ve  
Urine R/E \_\_\_\_\_ HCV/HBS -ve  
B. Urea \_\_\_\_\_ Creatinine \_\_\_\_\_  
Mis. \_\_\_\_\_

Operation Notes

under GA TSCA plastic  
done, wound closed  
dressings applied.

TREATMENT AT HOME

1) Augmentin 1g bid  
2) RBC 100 mg bid  
3) Paracetamol 1g qd  
4) Tramadol 50mg qd  
5) Cap. Edo 100mg bid

Medical Officer  
B. ... (Swabi)

ATTESTED

Doctor's Signature

FOLLOW UP

Advise complete Bed rest and full weight bearing for 3 months with effect from 30/8/17

Medical Officer  
B.K.M.C. (Swabi)

\* دوبارہ معائنہ کیلئے 14 دن بعد تشریف لائیں۔  
\* اگر پیشگی اور توجہ دہاں کر لیں۔ البتہ مزید تکفیفی سیدگی کی صورت میں فوراً ہسپتال تشریف لائیں اور اپنے تمام کاغذات اور ایکس ریز وغیرہ ضرور لے جائیں۔  
\* ہاتھ پاؤں کی انگلیاں سوج جائیں یا پلستر ٹک سے توجہ فوراً ہسپتال تشریف لائیں۔

GAJJU KHAN MEDICAL COLLEGE &  
BACHA KHAN MEDICAL COMPLEX  
Sheh Mansoor (Swabi)

DISCHARGE CARD  
ORTHOPAEDIC & TRAUMA UNIT

CHARGE  
Assistant Professor  
Dr. Imran Wazir  
M.B.S., F.C.P.S. (Ortho)  
Fellowship in Spine Surgery

Senior Registrar:  
Dr. M. Imran Shinwari  
M.B.S., F.C.P.S (Ortho)  
Fellowship in Spine Surgery  
Dr. Manzoor Rasheed  
M.B.S., M.S. (Ortho)  
Dr. Muhammad Saqib  
M.B.S., F.C.P.S. (Ortho)

District Orthopaedic &  
Trauma Surgeon  
Dr. Khalid Khan  
M.B.S., F.C.P.S. (Ortho)  
Medical Officers:  
Dr. Mubazar Ahmad Khan  
M.B.S., M.S. (Ortho)  
Dr. Adnan  
M.B.S., F.C.P.S-I

Name of Patient Shah Gul  
Address Zard, Swabi  
Age 30 yr Sex F AD/IN \_\_\_\_\_ B/No. \_\_\_\_\_  
D.A. 21/8/2017 D/O 25/8/2017 D.D. 30/8/2017  
Diagnosis Distal Tibia fracture

ATTEN Procedure Tibia Plating  
30/8/2017

10

The DEO (F),

Swabi.

Subject: Medical leave.

Madam,

With due respect it is stated that on 22 August 2017, while returning from my duty I faced a severe road accident. My injuries are to such an extent that doctor has recommended me complete bed rest.

Kindly grant me leave till my recovery & obliged.

Thanking you,

Yours Sincerely,

Shahla Gul

SST (6).

Dalori Bala.

Dated : 25<sup>th</sup> Aug. 2017.

(Note : My medical reports are attached here with)

ATTESTED



14

زینت  
گور احمد

ATTESTED

٢٠١٤

# رجسٹر حاضری و مدت رسیدن

15

لوہانڈہ گورنمنٹ ہسپتال، سولہ ویڈیو ڈاؤن لوڈنگ

روزانہ عمل				فونٹل رول				مہینہ				سری	
وقت	رنگ	وقت	آدم	وقت	رنگ	وقت	آدم	وقت	رنگ	وقت	آدم		وقت
SST (6)				LABOUR				DAY				1	
				P	1:30	P	7:30	P	2:00	P	7:00		2
				P	1:30	P	7:30	P	2:00	P	7:00		3
				P	1:30	P	7:30	P	2:00	P	7:00		4
				P	12:00	P	7:30	P	11:30	P	7:00		5
				P	1:30	P	7:30	P	2:00	P	7:00		6
				SUNDAY				SUNDAY				7	
				P	1:30	P	7:30	P	2:00	P	7:00		8
				P	1:30	P	7:30	P	2:00	P	7:00		9
				P	1:30	P	7:30	P	2:00	P	7:00		10
				P	1:30	P	7:30	P	2:00	P	7:00		11
				P	12:30	P	7:30	P	12:00	P	7:00		12
				P	1:30	P	7:30	P		P	7:00		13
				SUNDAY				SUNDAY				14	
				P	1:30	P	7:30	P	2:00	P	7:00		15
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				P	1:30	P	7:30	P	2:00	P	7:00		17
				P	1:00	P	7:15	P	2:00	P	7:00		18
				P	12:00	P	7:30	P	2:00	P	7:00		19
				P	1:30	On duty		P	2:00	P	7:00		20
				SUNDAY				SUNDAY				21	
				P	1:30	P	7:30	P	2:00	P	7:00		22
				P	1:30	P	7:30	P	2:00	P	7:00		23
				On duty		P	7:30	P	2:20	P	7:00		24
				On duty		P	7:30	P	2:00	P	7:00		25
				P	12:00	P	7:30	P	2:00	P	7:00		26
				SUNDAY				SUNDAY				27	
				SUNDAY				SUNDAY				28	
				SUNDAY				SUNDAY				29	
				SUNDAY				SUNDAY				30	
				SUNDAY				SUNDAY				31	

Naam: Am  
DCM Swabi  
17-5-2017

1:30  
- SUNDAY -

On duty

1:30 7:30

1:30 7:30

1:00 7:15

12:00 7:30

1:30 7:25 On duty

- SUNDAY -

1:30 7:30

1:30 7:30

On duty

On duty

12:00 7:30

SUNDAY

FUNCTIONS

مہر و دستخط مال سابقہ میزان مال سابقہ میزان مال سابقہ میزان مال سابقہ میزان مال سابقہ میزان مال سابقہ میزان

ATTESTED

*(Signature)*



جسٹریٹری مدرسہ سین  
گورنمنٹ ایئر لائنز ہسٹریل اسکول ایئر لائنز سالانہ امتحان ۲۰۰۷ء

بیتنام  
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بیتنام		کمیڈر		سیکریٹری		آئی ڈی		ڈی ایم		ایئر لائنز	
C.T		T.T		AT		DM		DM		SST (G)	
وقت	تاریخ	وقت	تاریخ	وقت	تاریخ	وقت	تاریخ	وقت	تاریخ	وقت	تاریخ
7:30	۱۶	SA 1:30	SA 7:30	1:30	7:30	1:30	7:30	1:30	7:30	1:30	7:30
7:30	۱۷	SA 1:30	SA 7:30	1:30	7:30	1:30	7:30	1:30	7:30	1:30	7:30
7:30	۱۸	SA 12:00	SA 7:30	12:00	7:30	12:00	7:30	12:00	7:30	1:30	7:30
7:30	۱۹	SA 1:30	SA 7:30	1:30	7:30	1:30	7:30	1:30	7:30	1:30	7:30
7:30	۲۰	SUNDAY		SUNDAY		SUNDAY		SUNDAY		SUNDAY	
7:30	۲۱	SA 1:30	SA 7:30	1:30	7:30	1:30	7:30	1:30	7:30	1:30	7:30
7:30	۲۲	SA 1:30	SA 7:30	1:30	7:30	1:30	7:30	1:30	7:30	1:30	7:30
7:30	۲۳	SA 1:30	SA 7:30	1:30	7:30	1:30	7:30	1:30	7:30	Absent	
7:30	۲۴	SA 1:30	SA 7:30	1:30	7:30	1:30	7:30	1:30	7:30	Absent	
1:30	۲۵	SA 12:00	SA 7:30	12:00	7:30	12:00	7:30	12:00	7:30	?	?
1:30	۲۶	?	?	?	?	?	?	?	?	?	?
1:30	۲۷	SUNDAY - SUNDAY		SUNDAY - SUNDAY		SUNDAY - SUNDAY		SUNDAY - SUNDAY		SUNDAY - SUNDAY	
1:30	۲۸	SA 1:30	SA 7:30	1:30	7:30	1:30	7:30	1:30	7:30	Absent	
1:30	۲۹	SA 1:30	SA 7:30	1:30	7:30	1:30	7:30	1:30	7:30	Absent	
1:30	۳۰	SA 1:30	SA 7:30	1:30	7:30	1:30	7:30	1:30	7:30	Absent	
1:30	۳۱	SA 11:30	SA 7:30	11:30	7:30	11:30	7:30	11:30	7:30	Absent	

Summat  
Vacations

نمبر	موضوع	تاریخ	موضوع	تاریخ	موضوع	تاریخ	موضوع	تاریخ	موضوع	تاریخ	موضوع	تاریخ
۲۵	25	25	-	04	04	-	04	04	-	-	-	-

ATTESTED



رجسٹر حاضری مدرسہ سین

۲۰۱۷

گورنمنٹ کالج سکول مالواری سارا

الستوبلر

شعبہ		شعبہ (BST)		مختل رتی		مختل رتی		مختل رتی	
تاریخ	وقت	تاریخ	وقت	تاریخ	وقت	تاریخ	وقت	تاریخ	وقت
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Handwritten notes in Urdu, possibly indicating attendance status or specific remarks for certain dates.

Large handwritten signature or name written vertically across the right side of the table.

حاضریت	مال	سابقہ	میزان	مال	سابقہ	میزان	مال	سابقہ	میزان

ATTESTED



۲۰۱۶

سرگزشت روزانه مدرسه

SSI (G)

21

207

روز	تاریخ	شرح	تعداد	ملاحظات
12	12/12/2017	...	...	...
<p>She was Absent.</p> <p>Did not answer the slow motion.</p> <p>Her name is put led to Director</p> <p>For Prerequisite withdrawal of order</p> <p>Dos A / ready / Admitted</p>				

A. S. ...

...

روز	تاریخ	شرح	تعداد	ملاحظات

HEAD MISTRESS  
GGM Dalvi

District Ed. Officer  
Ferozabad

ATTESTED





Government of Khyber Pakhtunkhwa  
Office of the District Education Officer Female  
SWABI

E (22)

File No: 4787/Off M/S  
Dated: 17-Oct-2017


To,  
Shahla Gul,  
GGMS Dalori Bala, GABASNI, TOPI, SWABI

**Subject: - SHOW CAUSE NOTICE**

I am directed to refer to the subject noted above and to enclose herewith a copy of Show Cause Notice wherein the Competent Authority District Education Officer, Female, SWABI, Khyber Pakhtunkhwa has tentatively decided to impose upon you the major penalty of "Removal from service", under Rule-4 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 in connection with the charges leveled against you.

2. You are therefore directed to furnish your reply to the Show Cause Notice as to why the aforesaid penalty should not be imposed upon you and **also intimate whether you desire to be heard in person.**

3. Your reply should reach to this Department **within Seven (07) days** of the delivery of this letter otherwise action under the Rules shall be taken against you.


  
District Education Office, Female

**Encl: As Above**

**Endst: Even No. & Date**

Copy of the above is forwarded to the: -

i.-Copy to all concerned

  
District Education Office, Female

**ATTESTED**

**SHOW CAUSE NOTICE**

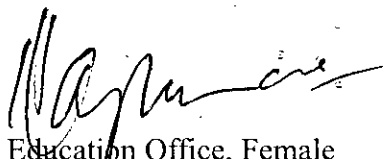
I, District Education Officer, Female, SWABI, Khyber Pakhtunkhwa, as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you, Mr. Shahla Gul () as follows:

i. That as confirmed by the IMU monitoring report you were found absent from duty on 16-Oct-2017, 12-Sep-2017 and 24-Aug-2017 without lawful authority in sheer violation of the rules, the material on record and other connected papers under Rule-5 (i),(a) read with Rule-7 of the said Rules,

I am satisfied that you have committed the following acts/omissions specified in Rule-3 of the rules ibid:

- a. Inefficient
- b. Misconduct

1. Therefore, I, as competent authority, have tentatively decided to impose upon you the penalty of Removal from service under rule 4 of the said rules.
2. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
3. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you
- 4.
- 5.

  
District Education Office, Female  
COMPETENT AUTHORITY  
District Edu. Officer  
(Female) Swabi

113770-208102

The District Education Officer (Female)  
Swabi.

JVD  
SB  
28-11-2017  
F (23)

Subject: REPLY OF SHOW CAUSE NOTICE

Reference: your office letter No. 4787 dated 17 Oct 2017

Madam,

In response to the above mentioned reference, it is hereby submitted that owing to an unfortunate accident, while returning from Govt. duty on 21-08-2017, I faced extremely miserable circumstances. The severe accident shocked me to such an extent that I was confined to bed for a long time and could not communicate with the competent authority to explain my position. During this period I have not received any letter from your office or from any other quarter.

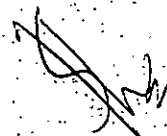
It is therefore, requested that my absence from duty may kindly be condoned sympathetically and on humanitarian grounds. I have assumed my duty regularly and assure you of my devoted and dedicated performance in future. I further request and desire to be heard in person for clarification in this matter.

I expect a favorable response from your good self and will be very thankful to you for this act of kindness.

Medical Report is attached.

- 1) Hosp Adm card in original
- 2) Adm Ticket
- 3) Fitness certt  
S.No. 3561

Yours sincerely,

  
Shahfa Gul (S.S.T)  
GGMS, Dalori

ADDE  
Please  
28/12/2017

ATTESTE  




**Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar**

PH No. 091-9210389, 9210938,  
9210437, 9210957, 9210468  
Fax : 091-9210936  
E-mail [desekpk@yahoo.com](mailto:desekpk@yahoo.com)

**NOTIFICATION**

The appointment order of Mst. Shehla Gul SST GGMS Dalori District Swabi at S.No.16 in the appointment order issued vide this office E.No.1702-8/F.No.2/A-17/SST/Adhoc/Apptt: dated 11-05-2017, is hereby withdrawn with immediate effect.

(Muhammad Rafiq Khattak)  
Director Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Endst: No 2799-3101 /A-17/SST/F/NTS/Apptt./Swabi/2017

Dated Peshawar the 11/11 /2018

Copy forwarded for information and necessary action to the: -

1. District Education Officer (F) Swabi w/r to her No.19 dated 01-01-2018
2. District Accounts Officer Swabi
3. Mst. Shehla Gul SST GGMS Dalori Swabi
4. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar
5. M/File

*[Signature]*  
10/01/2018  
Deputy Director Establishment (F)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

\*/Noor/17/\*

**ATTESTED**

H. (25)  
ADDE  
Please process  
MS  
25/01/21

To

The Director  
Elementary & Secondary Education  
Peshawar

Subject: - APPEAL FOR SYMPATHETIC CONSIDERATION.

Respected Sir,

It is submitted that owing to an unfortunate accident while returning from Government duty. I faced extremely miserable circumstances. The severe accident shocked me to such an extent that I was confined to bed and was unable to inform my office. As I recovered from this misery, I immediately assumed my duty and submitted report about the accident along with medical report (attached) to higher-ups. During this period I have not received any letter from the competent authority on my mailing address.

It is requested that I always performed my duty regularly and assure your good self of my devoted and dedicated performance in future.

It is further requested that I am the only person of my old sick parent's treatment. The competent authority is also requested for the non payment of salary for the duration of the period of absence form Government duty.

It is once again humbly requested to your good self to allow me to be reinstated on my job. I and my parents will be thankful to you and will pray for your good health and prosperity.

Thanks.

Yours obediently

Shahla Gul (SST)

GGMS Dalori, Swabi

PA to Director ADDE  
648  
25/1/2021

ATTESTED



**DIRECTORATE OF ELEMENARY & SECONDARY EDUCATION**  
**KHYBER PAKHTUNKHWA PESHAWAR**

NO. 2723 /A-17/SST/NTS/ Apptt:/Swabi/2017

Dated Peshawar the 14/3 /2018

To

Mst. Shahla Gul Ex-SST  
GGMS Dalori District Swabi

**SUBJECT:- DEPARTMENTAL APPEAL**

Memo:-

I am directed to refer to your appeal No. Nil dated 24-01-2018, on the subject cited above and to inform you that your appeal is hereby disregarded by the competent authority.

*[Signature]*  
Assistant Director-II

Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

\*/Noor/13\*

**ATTACHED**  
*[Signature]*

**VAKALAT NAMA**

NO. \_\_\_\_\_/20

IN THE COURT OF Service Tribunal Peshawar

Mst. Shahla Gul

(Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

Education Deptt:

(Respondent)  
(Defendant)

I/~~we~~ Mst Shahla Gul


Do hereby appoint and constitute **M. Asif Yousafzai, Advocate Supreme Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.


I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.


Dated \_\_\_\_\_/20

  
(CLIENT)

ACCEPTED

  
**M. ASIF YOUSAFZAI**  
Advocate Supreme Court  
Peshawar.

  
**Taimur Ali Khan**  
Advocate High Court

  
**Syed Nauman Ali Bukhari**  
Advocate

**OFFICE:**

Room # FR-8, 4<sup>th</sup> Floor,  
Bilour Plaza, Peshawar,  
Cantt: Peshawar  
Cell: (0333-9103240)

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

Service Appeal No: 431/2018

**Shahla Gul Ex-SST(BPS-16) GGMS Dalori District Swabi.** .....Appellant.

**VERSUS**

**Secretary E&SE Department, Khyber Pakhtunkhwa & others.** .....Respondents

**PARAWISE COMMENTS ON & FOR BEHALF OF THE RESPONDENTS No: 1-4.**

Respectfully Sheweth :-

The Respondents submit as under:-

**PRELIMINARY OBJECTIONS.**

- 1 That the Appellant has got no cause of action/locus standi .
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal.
- 4 That the instant Service Appeal is based on mala fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the Appellant is not entitled for the relief she has sought from this Honorable Tribunal.
- 7 That the Appeal is not maintainable in its present form.
- 8 That the Appeal is bad for mis-joinder & non joinder of the necessary parties.
- 9 That this Honorable Tribunal has got no jurisdiction to entertain the instant case as the appellant is a contract employee.

**ON FACTS**

- 1 That Para-1, is correct to the extent that the appellant was appointed against the SST(G) Post in BPS-16 vide notification dated 11/5/2017 issued by the Respondent No: 2 on contract basis through the NTS after the approval of the DPC falling a S/No: 16 in the column of SST (G) Female BPS-16 Post & has been found guilty of her willful absence from duty wef 21/8/2017 by the Respondent No: 3. Hence, the matter has reported to the Respondent No: 2 vide his office letter dated 01/01/2018 for taking Departmental action against the accused teacher under the relevant provisions of law. **(Copies of the Ist: appointment order dated 11/ 5/2017 & letter of the DEO (F)Swabi dated 01/01/2018 are annexed as Annexure-A&B).**



- 2 That Para-2, is incorrect & denied as no intimation regarding her road accident has given to the Head of the school or to the DEO(F) Swabi nor any such copy of the application dated 25/8/2017 is available in both the offices of the Respondents No: 2&3 till date in support of her stand & plea.
- 3 That Para-3 is also incorrect & misleading as she has been remind willful absent from duty against the SST(G) BPS-16 Post since 21/8/2017 till 4/12/2017 nor any such correspondence to the Respondent No: 2 & 3 has been made neither the appellant has performed her duty.
- 4 That Para-4 is correct, a Show Cause Notice dated 17/10/2017 has been served upon the appellant by the Respondent Department dully replied by the appellant in an unsatisfactory shape hence, resulted in the issuance of the impugned Notification dated 11/01/2018 vide which the appellant appointment order has been withdrawn against the SST(G) (B-16) Post issued by the Respondent No: 2 of being a competent authority. **(Copies of the Show Cause Notice , reply to the Show Cause Notice & impugned Notification dated 11/01/2018 are attached as Annexures B, C &D).**
- 5 That Para-5 is correct to the extent that vide the impugned Notification dated 11/01/2018, the appointment order dated 11/5/2017 of the has been withdrawn under the provisions of Section-21 of General Clauses Act 1897 by the Respondent No: 2 against which the appellant has filed a Departmental Appeal dated 25/01/2018 which same was also rejected vide the impugned order dated 14/3/2018 by the Respondent No: 2 on merits of the case. **(Copies of the impugned order dated 25/01/2018 & rejection of the said appeal dated 14/3/2018 are attached as Annexures E&F).**
- 6 That Para-6 is legal. However, the Respondents No: 1-3 further submit on the following grounds Inter alia :-

**ON GRONDS.**

- A Incorrect & not admitted. The impugned Notifications dated 14/3/2018 & 11/01/2018 are legally competent & liable to be maintained in favour of the Respondents in the interest of justice.
- B Incorrect & not admitted. The statement of the appellant is without any cogent proof & justification as a Show Cause Notice dated 17/10/2017, has been served upon the appellant wherein, it has been directed that reply of the said Show Cause Notice be submitted within due period of time by the appellant which was submitted accordingly but in an unsatisfactory shape to the Respondent No: 2 which resulted in the impugned withdrawal order dated 11/01/2018 against the appellant.
- C Incorrect & denied. The appellant has been appointed through NTS on contact basis against the SST(G) Post in B-16 & has been found absent from duty. Hence, the contractual appointment order dated 11/5/2018 has been withdrawn U/S-21 of General Clauses Act 1897 as she has been proved guilty of her willful absence from duty & also admitted by the appellant in her own service appeal before this Honorable Tribunal.
- D Incorrect and not admitted. No application for the grant of leave has been filed nor leave is admissible to an NTS recruitee against the SST(G)Post being contract appointment which is liable to withdraw by the Respondent Department.

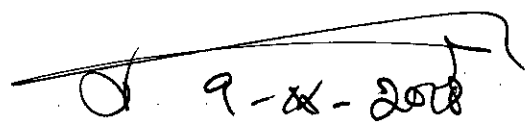
- E Incorrect & denied. Formal Show Cause Notice has been served upon the appellant by the Respondent No: 2 regarding her absence from duty which was also replied by the appellant but in an unsatisfactory form resulted in the impugned order/Notifications dated 11/01/2018 & 14/3/2018 against the appellant.
- F Incorrect & denied. The appellant has rightly been treated in accordance with law, rules & procedure by the Respondent Department.
- G Incorrect & denied. The appellant has been found guilty of her willful absence from duty by the competent authority. Hence, her appointment order has been recalled vide Notification dated 11/01/2018 by the Respondent No: 2 under the cited provision of law.
- H Legal. However, the Respondent Department seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments before this Honorable Bench on the date fixed.

**In view of the above made submissions, it is most humbly Prayed that this Honorable Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favor of the Respondent Department in the interest of justice.**

Dated \_\_\_/\_\_\_/2018




Director  
E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondents No: 2&3)



Secretary  
E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondent No: 1)

**AFFIDAVIT**

I, Hameedur Rehman Asstt: Director (Litigation-II) E&SE Department do hereby solemnly affirm and declare that the contents of the instant Comments are true & correct to the best of my knowledge & belief.



Deponent



B

E (22)

Government of Khyber Pakhtunkhwa  
Office of the District Education Officer Female  
SWABI

File No: 9787/Off MIS  
Dated: 17-Oct-2017

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To,  
Shahla Gul,  
GGMS Dalori Bala, GABASNI, TOPI, SWABI

Subject: - SHOW CAUSE NOTICE

I am directed to refer to the subject noted above and to enclose herewith a copy of Show Cause Notice wherein the Competent Authority District Education Officer, Female, SWABI, Khyber Pakhtunkhwa has tentatively decided to impose upon you the major penalty of "Removal from service" under Rule-4 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 in connection with the charges leveled against you.

2. You are therefore directed to furnish your reply to the Show Cause Notice as to why the aforesaid penalty should not be imposed upon you and **also intimate whether you desire to be heard in person.**

3. Your reply should reach to this Department **within Seven (07) days** of the delivery of this letter otherwise action under the Rules shall be taken against you.

*(Signature)*  
District Education Office, Female

Encl: As Above

Endst: Even No. & Date

Copy of the above is forwarded to the: -

1. Copy to all concerned

Scd -  
District Education Office, Female

**ATTESTED**

*Shahla Gul*

To

The District Education Officer (Female)  
Swabi.

C/D N/D SB  
28-11-2017

F (23)

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REPLY OF SHOW CAUSE NOTICE.

your office letter No.4767 dated 17, Oct 2017.

Reference

In response to the above mentioned reference, it is hereby submitted that owing to an unfortunate accident, while returning from Govt. duty on 21-08-2017, I faced extremely miserable circumstances. The severe accident shocked me to such an extent that I was confined to bed for a long time and could not communicate with the competent authority to my satisfaction. During this period I have not received any letter from your office or from any other authority.

It is therefore, requested that my absence from duty may kindly be condoned sympathetically and on humanitarian grounds. I have assumed my duty regularly and assure you of my devoted and dedicated performance in future. I further request and desire to be heard in person for clarification in this matter.

I expect a favorable response from your good self and will be very thankful to you for the act of kindness.

Medical Report is attached.

Yours sincerely

Shahla Gul (S.S.T)

GGMS, Dalori

Hosp Adm card in original

2) Adm Ticket

3) Fitness cert  
S.No 3561

ADDE  
Please process  
28/11/2017

**ATTESTE**

Shahla Gul

"A"

51 (24)

**Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar**

PH No. 091-9210389, 9210938,  
9210437, 9210957, 9210468  
Fax 091-9210936  
E-mail [desekpk@yahoo.com](mailto:desekpk@yahoo.com)



**NOTIFICATION**

The appointment order of Mst. Shehla Gul SST GGMS Dalori District Swabi at S.No.16 in the appointment order issued vide this office E.No.1702-8/F.No.2/A-17/SST/Adhoc/Apptt: dated 11-05-2017, is hereby withdrawn with immediate effect.

(Muhammad Rafiq Khattak)  
Director Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Endst: No 27099-3101 /A-17/SST/F/NTS/Apptt./Swabi/2017  
Dated Peshawar the 11/11 /2018

Copy forwarded for information and necessary action to the: -

1. District Education Officer (F) Swabi w/r to her No.19 dated 01-01-2018
2. District Accounts Officer Swabi
3. Mst. Shehla Gul SST GGMS Dalori Swabi
4. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar
5. M/File

*(Signature)*  
10/01/018  
Deputy Director Establishment (F)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

\*/Noor/17/\*



F (26)

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**DIRECTORATE OF ELEMENARY & SECONDARY EDUCATION**  
**KHYBER PAKHTUNKHWA PESHAWAR**

NO. 2723 /A-17/SST/NTS/ Apptt:/Swabi/2017

Dated Peshawar the 14/3 /2018

To

Mst. Shahla Gul Ex-SST  
GGMS Dalori District Swabi

**SUBJECT:- DEPARTMENTAL APPEAL**

Memo:-

I am directed to refer to your appeal No. Nil dated 24-01-2018, on the subject cited above and to inform you that your appeal is hereby disregarded by the competent authority.

  
Assistant Director-II

Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

\*/Noor/18\*

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1880-81/ST

Dated 29 / 10 / 2019


To

1. The Director E&SE,  
Government of Khyber Pakhtunkhwa,  
Peshawar.
2. District Education Officer Female,  
Government of Khyber Pakhtunkhwa,  
Swabi.

Subject: - JUDGMENT IN APPEAL NO. 431/2018, MST. SHAHLA GUL.

I am directed to forward herewith a certified copy of Judgement dated 18.10.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.