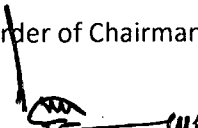


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1383/2022 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/09/2022	<p>The appeal of Mst. Saira Khaliq presented today by Mr. Muhammad Tasleem Khan Kaloch Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

SCANNED
KPST
Peshawar

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
CHECK LIST**

Case Title: Mst. Saira Khaliq vs GOVT of KPK- EDU

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

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

Name: M-Tasleem Khan

Signature: [Signature]

Dated: 21-09-2022

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No 1383 of 2022

Mst. Saira Khaliq.....Appellant

VERSUS

The Govt of KPK through Secretary E&S
Peshawar etc.....Respondents

APPEAL
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8.	Copy of Departmental appeal.	"D"	17
9.	Copy of the impugned order dated 30.06.2022.	"E"	18
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Dated 14.09.2022

Saira Khaliq
Saira Khaliq
(Appellant)

Through:-

MUHAMMAD TASLEEM KHAN KALOCH
ADVOCATE HIGH COURT
At Mansehra

0318-9008348

TasleemPHCBA@gmail.com

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No 138 of 2022

Mst. Saira Khaliq w/o Muhammad Esa Ex-
 PST Government Girls Primary School
 Samad Abad, Kohistan upper.....**Appellant**

VERSUS

- 1) Government of Khyber Pakhtunkhwa through Sectary Elementary and secondary Education Peshawar.
- 2) Director Elementary and secondary Education Peshawar.
- 3) Muhammad Amin, District Education officer (F) Kohistan upper at Dassu.
**Respondents**

APPEAL UNDER SECTION 4 OF KPK
SERVICE TRIBUNAL, ACT, 1974 AGAINST
THE IMPUGNED ORDER NO 1846-57
DATED 30.06.2021, PASSED BY
RESPONDENT NO. 03 WHEREBY MAJOR
PENALTY OF REMOVAL FROM SERVICE
OF APPELLANT ON THE GROUND OF
ALLEGED UNSPECIFIED ABSENCE FROM
DUTY WAS IMPOSED WITHOUT ANY
INQUIRY AND INTENDING OPPORTUNITY
BEING HEARD WITHOUT AND BEYOND TO
THE LAW, SUCH CONDUCT OF THE

RESPONDENTS IS ILLEGAL AND VOID-AB-INITIO AND IMPUGNED ORDER BEARING NO. 4755-57 DATED 30.06.2022 PASSED BY THE RESPONDENT NO. 02 WHEREBY THE APPEAL OF THE APPELLANT WAS REJECTED.

PRAYER:-

On acceptance of the instant 'service appeal, the impugned order bearing No **1846-57** dated **23.06.2021**, passed by respondent No. 03 and impugned order bearing No. **4755-57** dated **30.06.2022** may kindly be set-aside declaring them illegal, void and against the law on the subject and appellant be re-instated into service with all back benefits.

Respectfully Sheweth:-

1. That, appellant is a civil servant and initially appointed as a Primary School Teacher BPS-05 on 02.12.2009 in GGPS Kuz Phurwa District Kohistan.

(Copy of appointment order is annexed as Annexure "A").

2. That, appellant was performing his duty with great zeal and devotion, sincerely for long time since appointment in District Education Department in Kohistan.

3. That, the appellant was lastly transferred to GGPS Samad Abad from GGPS Shar seo on dated 12.10.2019 vide respondent No. 03 office order No.5583-91.

(copy of transfer order is annexed as annexure "B")

4. That, appellant upon the transfer order, take a charge report at GGPS Samad Abad Kohistan.

5. That, all of a sudden, respondent No 03 without citing any reason and intimation straightaway, with a single stroke of pen imposed Major penalty of removal from service upon appellant on the ground of alleged unspecified absence from duty, vide impugned order No. 1846-53 dated 23.06.2021

(copy of impugned removal order dated 23.06.2021 is annexed as Annexure "C").

6. That, appellant feeling aggrieved from the above removal order filed a Departmental appeal on dated 15.07.2021.

(Copy of Departmental appeal annexed as Annexure "D").

7. That, respondent No. 02 vide impugned order 4755-57 dated 30.06.2022 rejected the appeal of the appellant.

(copy of the impugned order dated 30.06.2022 annexed as annexure "E").

8. That, the appellant filed another appeal before respondent No. 01 on dated 25.07.2022 which is still pending.

(Copy of Second appeal dated 25.07.2022 is annexed as annexure "F").

9. That, the respondent No. 01 and 02 issued a notification on 08.07.2021 w.e.f 01.04.2019 for the absenteeism mechanism to be observed for penalty of civil servant.

(copy of the notification is annexed as annexure "G").

10. That, felling aggrieved from both the impugned orders issued by respondents No 02 and 03 appellant having no other alternative remedy except to file service appeal before this Honourable Tribunal for interference inter alia, on the following amongst other grounds.

GROUND:-

- A) That, appellant never remained absent as alleged and the entire illegal proceedings were carried out fictitiously, while sitting in office by respondent No 03 out of mala-fide.
- B) That, before imposing the impugned penalty, no publication as required

under **rule 9 of E&D, Rules, 2011**, was ever made in the leading newspapers, commonly available in the District of the appellant. Hence, the impugned order is wholly illegal, unlawful, without lawful authority and of having no legal effect.

- C) That, no inquiry into the alleged allegations was ever conducted and the impugned penalty was imposed without having the allegations proved.
- D) That, appellant was never confronted with the alleged allegations at any point of time, condemning her unheard.
- E) That, before passing the impugned order, appellant was not put on notice to present her view point/explanation under the Doctrine of **AUDI AULTEM PARTEM**, hence, the impugned order is not sustainable and maintainable under the law on this very sole ground.
- F) That, no evidence worth name was attempted to collect by respondent No 03 against the appellant for alleged absence from duty and she has been condemned on flimsy and perverse grounds with mala-fide intention.

- G) That, appellant had a long unblemished service record at her credit and she has been removed from service with a single stroke of pen without observing due process of law and having the allegations proved.
- H) That, no complaint was ever filed by any one against the appellant for her being absent from duty as alleged on any working day with any authority.
- I) That, the impugned order on its very face value, is illegal, unlawful, without lawful authority, without jurisdiction and of having no legal effect.

PRAYER

On acceptance of the instant service appeal, the impugned order bearing No. **1846-57** dated **23.06.2021**, passed by respondent No. 03 and impugned order bearing No. **4755-57** dated **30.06.2022** may kindly be set-aside declaring them illegal, void and against the law on the subject and appellant be re-instated into service with all back benefits.

Dated 14.09.2022

Saira Khaliq
Mst. Saira Khaliq
 (Appellant)

Through:-

Muhammad Tasleem Khan Kaloch
MUHAMMAD TASLEEM KHAN KALOCH
ADVOCATE HIGH COURT
At Mansehra

VERIFICATION/CERTIFICATE :

I, Mst. Saira Khaliq w/o Muhammad Esa
Ex-PST Government Girls Primary School
Samad Abad, Kohistan upper, do hereby
solemnly affirm and declare that the contents of fore-
going Appeal are true and correct to the best of my
knowledge and belief and nothing has been
concealed or suppressed from this Honorable
Tribunal.



Mst. Saira Khaliq
(DEPONENT)

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No _____ of 2022

Mst. Saira Khaliq..... **Appellant**

VERSUS

The Govt of KPK through Secretary E&S
Peshawar etc..... **Respondents**

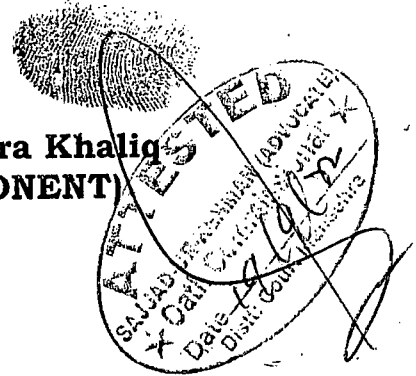
APPEAL

AFFIDAVIT

I, Mst. Saira Khaliq w/o Muhammad Esa
Ex-PST Government Girls Primary School
Samad Abad, Kohistan upper, do hereby
solemnly affirm and declare on oath that the no
such subject matter appeal has ever been filed
before this honorable court nor pending nor
decided. That the contents of fore-going affidavit
are true and correct to the best of my knowledge
and belief and nothing has been concealed or
suppressed from this Honourable tribunal.

Dated 14.09.2022

Saira Khaliq
Mst. Saira Khaliq
(DEPONENT)



BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No _____ of 2022

Mst. Saira Khaliq..... **Appellant**

VERSUS

The Govt of KPK through Secretary E&S
Peshawar etc..... **Respondents**

APPEAL

APPLICATION FOR CONDONATION OF
DELAY IN PRESENTING THE INSTANT
SERVICE APPEAL.

Respectfully shewith!

- 1). That, this application may kindly be treated as part and parcel of the main appeal.
- 2). That, appellant filed Departmental appeal within time i.e 15.07.2021, against the impugned order dated 23.06.2021 which is rejected on 30.06.2022 but officially the appellant was not communicated,
- 3). That, appellant kept on visiting the office of respondent No. 02 time and again but she was being told and assured that she was going to reinstated, due to which the appellant filed second appeal before respondent No. 01 which is still pending.

- 4). That, appellant has brought a good prima face case and a balance of connivance also lies in a favour of the appellant. Appellant valuable right of reinstatement in a service of the appellant as PST Teacher or involved.
- 5). That, the delay in filing the company appeal is a not deliberate nor was in a control or reach of the appellant but was due to non communicate by respondent No. 02 and department till to date to the appellant.
- 6). That, impugned removal order is a void has been issued with retrospective effect which is void order and according to this Honourable tribunal larger bench Judgment Titled Raheem ud din Vs IG Police and others Appeal No. 562/2016 decided on 02.03.2018 and Shoukat Ali Versus SPRFP Malakand Region appeal No. 957/2019 decided on 07.12.2017 and Muhammad Saleem versus District Police Officer Manshera. Appeal No. 265/17 decided on 29.07.2021 etc. delivered that retrospective order is void order and no limitation run against the void order.
- 7). That, the Apex court held the various judgment the cases may be decided on merit rather than technicalities.
- 8). That, the appellants shall suffer irreparable loss if the delay is not condoned.

It is therefore very humbly prayed that, on acceptance of the instant application the delay in a filing the appeal before this Honourable service tribunal may kindly be condone on humanitarian ground as well and may very graciously decided on its merit in the interest of justice.

Dated 14.09.2022

Saira Khaliq
(Appellant)

Through:-



MUHAMMAD TASLEEM KHAN KALOCH
ADVOCATE HIGH COURT
At Mansehra

AFFIDAVIT!

I, Mst. Saira Khaliq w/o Muhammad Esa Ex-PST Government Girls Primary School Samad Abad, Kohistan upper, do hereby solemnly affirm and declare that the contents of fore-going application are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed form this Honorable Tribunal.

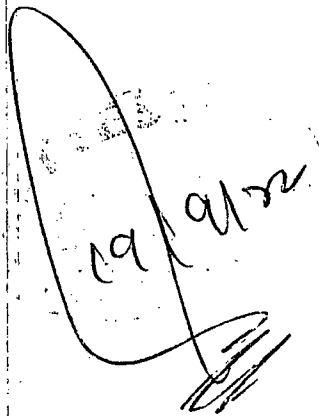
Dated: 14.09.2022

Saira Khaliq

Saira Khaliq
(DEPONENT)



19/9/22



BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No _____ of 2022

Mst. Saira Khaliq.....**Appellant**

VERSUS

The Govt of KPK through Secretary E&S
Peshawar etc.....**Respondents**

APPEAL

CORRECT ADDRESSES OF THE PARTIES

APPELLANT:

Mst. Saira Khaliq w/o Muhammad Esa Ex-
PST Government Girls Primary School
Samad Abad, Kohistan upper.

RESPONDENTS:

1. Government of Khyber Pakhtunkhwa
through Sectary Elementary and
secondary Education Peshawar.
2. Director Elementary and secondary
Education Peshawar.
3. Muhammad Amin, District Education
officer (F) Kohistan upper at Dassu.

Dated 14.09.2022

Saira

Mst. Saira Khaliq
(Appellant)

Through:-

Muhammad Tasleem Khan Kaloch

MUHAMMAD TASLEEM KHAN KALOCH
ADVOCATE HIGH COURT
At Mansehra

Annexure (A) 13

OFFICE OF THE EXECUTIVE DISTRICT OFFICER
ELEMENTARY & SECONDARY EDUCATION
KOHISTAN

APPOINTMENT

Consequent upon approval of Departmental Committee Kohistan, on the acceptance of appeal the competent authority is pleased to appoint the following (Female) candidates in BPS-5 plus usual allowance as due and admissible under the rules in the schools noted against each on vacant posts with immediate effect in the interest of public service according to the merit policy issued by the Government of NWFP Elementary & Secondary Education Department, subject to the following conditions.

S.#	Name of Candidates with Father Name	R/O	Name of School	Remarks
1	Talemana D/O Allah Dad	Pattan	GGPS Gail Chawa	Agst V Post
2	Sonia D/O Abdur Fehman	Pattan	-do-	-do-
3	Saima Bibi D/O Siquab Khan	Sharakot	GGPS Jhuni	-do-
4	Zinub D/O Talimand	Dubair	GGPS Bar Dhar	-do-
5	Rehana D/O Bahramand	-do-	-do-	-do-
6	Farzana D/O Habib-ullah	-do-	GGPS Kass Dubair	-do-
7	Shaheen Bibi D/O Mohammad Ghafoor	Seo	GGPS Kuz Phurwa	-do-
8	Sairah D/O Abdul Khalig	-do-	-do-	-do-

CONDITIONS.

1. Charge report should be submitted to all concerned
2. No TA/ DA is allowed to him
3. Her appointments is purely on temporary basis and liable to termination at any time without assigning any reason/ notice
4. She will be governed by such rules & regulation enforced and as prescribed by the Government from time to time for the category of the Government servants to which she belong.
5. In case the above candidate failed to assume the charge of his post within 15-days, her appointment will automatically stand cancelled.
6. She should not be allowed to take over charge if his age is less than 18-years and above 35-years.
7. She should produced Age & Health Certificate from EDO Health Kohistan before taking over Charge.
8. Dy: District Officer (F) is directed to verify his certificates/ Documents from the concerned Board/ Institution before drawl of her pay.

Executive District officer
(E & S) Education Kohistan

Enclst: No. 157-62

Dated Kohistan the 2/12 /2009

Copy of the above is forwarded to the:-

1. PA to Director Schools & Literacy NWFP Peshawar
2. District Nazim Kohistan
3. District Coordination Officer Kohistan
4. District Accounts Officer Kohistan
5. Dy: District Officer (F) E&SE Kohistan Kohistan.
6. Candidate concerned.

Attested
19-09-2009
[Signature]

[Signature]
Executive District officer
(E & S) Education Kohistan

BETTER COPY

14

Better copy

Office of the Executive District Officer

Elementary & Secondary Education Kohistan.

Appointment

Consequent upon the approval of Departmental Committee Kohistan, on the acceptance of appeal the competent authority is please to appoint the following the (female) candidates in BPS 5 plus usual allowance as due and admission under the rules in the schools noted against each on vacant posts with immediate effect to the intrest of public service according to the merit policy issued by the Government of NWFP Elementary and secondary Education department Subject to the flowing conditions.

S#.	Name of Candidate with father name	R/O	Name of School	Remarks.
1	Talemana D/o Allah Dad	Pattan	GGPS Gail Chawa	Agst V. Post
2.	Sonia D/o Abdul Rehmand	Pattan	-do-	-do-
3	Saima Bibi D/O Siquab Khan	Sharakot	GGPS Ghum Gali	do
4	Zinub D/o Talimand	Dubair	GGPS Bar Dhar	-do-
5	Rehana D/o Bahramand	-do-	-do-	-do-
6	Farzana D/o Habib Ullah	-do-	GGPS Kass Dubair	-do-
7	Shaheen Bibi D/o Muhammad Ghafoor	Seo	GGPS Kuz Phurwa	-do-
8	Sairah D/o AbdulKhaliq	Do	-do-	-do-

CONDITIONS

1. Charge report should be submitted to all concerned.
 2. No TA/DA is allowed to him.
 3. Her appointments is purely on temporary basis and liable to termination at any time with out assigning any reason/notice.
 4. She will be governed by such rules 7 regulations enforced and as prescribed by the Government from time to time for the category of the Government servants to which she belong.
 5. In case the above candidate failed to assume the charge of his post with in 15 days, her appointment will automatically stand cancelled.
 6. She should not be allowed to take over charge of her age is less than 18 years and above 35 years.
 7. She should produccd Age and Health Certificate from EDO Health Kohistan before taking over Charge.
 8. Dy District Officer (F) is directed to verify his certifies/Documents from v.c concerned board institution before drawl of her pay.
- Executive District Officer
*E&S) Education Kohistan

Endst No. 457-62

Dated Kohistan the 2/12/2009

Copy of the above is forwarded to the:-

1. PA to Director Schools & literacy NWFP Peshawar.
2. District Nazim Kohistan.
3. District Coordination Officer Kohistan.
4. District Accounts Officer Kohistan.
5. Dy District Officer (F) E&SE Kohistan Kohistan.
6. Candidate Concerned.

**Executive District Officer
(E&S) Education Kohistan.**

Annexure "B"

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) KOHISTAN**

OFFICE ORDER

As proposed by ASDEOs concerned and recommended by the Sub Divisional Education Officer (F) Dasso Kohistan the following administrative ground adjustment/transfer of teaching staff due to low enrollment/Non Functional are hereby accorded under the existing policy of posting transfer against vacant post for smoothly running/functionlization of Schools noted against each on need basis on their own pay and grade in the best public interest with immediate effect.

S#	Name of officials	From	To	Remarks
1	Asima Saif PST	GGPS Shur Seo	GGPS Tayab Abad	AVP
2	Saira Khaliq PST	GGPS Shur Seo	GGPS Sumad Abad	AVP
3	Shabnam Afia PST	GGPS Dabala Razika	GGPS Karang	AVP
4	Anila Babar PST	GGPS Banseri	GGPS Kai Rustum Abad	AVP
5	Maryam Bibi PST	GGPS Banseri	GGPS Kai Rustum Abad	AVP
6	Abida Ishaq PST	GGPS Bugh Seri	GGPS Kheil Gabral	AVP
7	Musrat Shahen PST	GGPS Dad Boon	GGPS Amir Abad	AVP
8	Baqam Naseem PST	GGPS Dad Boon	GGPS Faridoon Abad	AVP
9	Gulsham PST	GGPS Bar Gahcen	GGPS Hill Jalkot	AVP
10	Nazakat PST	GGPS Damat	GGPS Jalo Churtoe	AVP
11	Sher Bano PST	GGPS Bar Buk	GGPS Sumar Abad	AVP
12	Maryam Anwar PST	GGPS Khaki Abad	GGPS Kuz Konila	AVP
13	Gul Khazana PST	GGPS Bar Katur Kot	GGPS Dasso Village	AVP
14	Arifa PST	GGPS Dhraoj Lohi	GGPS Lohi Dadir	AVP
15	Banazee PST	GGPS Karang	GGPS Lohi Dadir	AVP
16	Asmat Begum PST	GGPS Khat Kandia	GGPS Karang	AVP
17	Shahen Ilyas PST	GGPS Khulid Abad	GGPS Sumar Abad	AVP
18	Zubaida Khanam PST	GGPS Awuy Sach	GGPS Jalo Churtoe	AVP
19	Zainah Bibi PST	GGPS Bari Shulm	GGPS Lohi Dadir	AVP
20	Resham Jun PST	GGPS Shur Bulk	GGPS Lal Abad	AVP
21	Safia Iqbal PST	GGPS Amir Abad	GGPS Kaigah	AVP

NOTE.

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

District Education Officer
(Female) Kohistan

Endstt; No 583-91 DEO (F) KH Dated: 12/12 2019.

- Copy forwarded to the:-
1. Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
 2. Deputy Commissioner Kohistan.
 3. Deputy District Education Officer Female Kohistan.
 4. District Monitoring Officer (DMO) Kohistan.
 5. District Accounts Officer Kohistan.
 6. Sub Divisional Education Officer (Female) Dasso Kohistan.
 7. ASDEOs (Female) concerned.
 8. Officials concerned.
 9. Office File.

Attested
19/09/2022
[Signature]

District Education Officer
(Female) Kohistan

OFFICE OF THE DISTRICT

DISTRICT EDUCATION OFFICER (F) KOHISTAN (UPPER)

Email: deo@malekohistanupper@gmail.comOFFICE ORDER/ REMOVAL FROM SERVICE

1. Whereas Mst. Saira Khaliq PST GGPS Samadabad, Kohistan Upper remained willfully absent from her duty without proper permission, intimation or leave.
2. Whereas she has been reported absent by EMA several times, as indicated in the show cause.
3. Whereas she was called several times to resume her school duty properly, but she badly failed to comply the Departmental Orders.
4. Whereas she has drawn her salary illegally during her absent period without performing her duty.
5. Whereas her absenteeism was confirmed/verified by the concerned ASDEO/SDEO, vide meeting held on 10-04-2021 and it was unanimously decided to terminate her services.
6. Whereas a show cause notice was served upon her vide this office order No. 1052-57 Dated: 21-04-2021, which was delivered to her vide her proper acknowledgement and dated signature.
7. Whereas she badly failed to reply to the show cause within stipulated period.
8. She badly failed to avail the chance of personal hearing.
9. Whereas her illegal drawl of pay was confirmed by the concerned Accountant/ Assistant vide his signature on copy of show cause on 27-4-2021.
10. Whereas while going through the material on record and verified absenteeism of the said teacher by SDEO & ASDEO concerned in the meeting, and personal observations of the undersigned, all the charges/allegations leveled against her have been proved to the full satisfaction of the undersigned.

Therefore the undersigned being the competent authority do hereby impose Major Penalty of Removal from Service, upon Mst. Saira Khaliq PST GGPS Samadabad Kohistan Upper under Rule 4(b) of E&D Rules 2011, with immediate effect, in the interest of public service.

(MUHAMMAD AMIN)
District Education Officer (F)
District Kohistan Upper.

End No. 1896-53Dated: 23 /06/2021

Copy for information and necessary action forwarded to:

1. The PA to Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar
2. The Deputy Commissioner Kohistan Upper.
3. The District Accounts Officer Kohistan Upper
4. The PA to District Education Officer (F) Kohistan Upper.
5. The Sub Divisional Education Officer (F) Daska Kohistan Upper.
6. The DDO concerned to stop the pay of the concerned teacher and make necessary entries in her service book, immediately
7. The Ex. PST, Mst. Saira Khaliq GGPS Samadabad, Kohistan Upper.
8. Copy to Matter file for record

Attested
19-09-2022
[Signature]

[Signature]
District Education Officer (F)
District Kohistan Upper.

[Stamp] District Education Officer

Annexure

17

بجو کیشن خیبر پختون خواہ پشاور

بخدمت جناب ڈائریکٹر صاحب ایسٹری ای

اپیل برائے بحالی

عنوان:

جناب عالی

آداب کے بعد عرض ہے۔ مجھے بحوالہ شوکارڈ نوٹس 57-1052 تا تاریخ 21/04/2021 وصول شدہ 27/04/2021 کو،

ڈوگری سے ٹیکس برورر خاستہ کر دیا گیا ہے (ملاحظہ ہو نمبر 53-1846 تا تاریخ 23/06/2021 ب DEO اپر کوہستان)

دانش رہے کہ بحوالہ شوکارڈ نوٹس خذ کردہ بالاست پہلے میں نے فیصلہ کیا تھا کہ میں اپنی ذاتی مجبوریوں کے تحت اپنی ڈگری سرید جاری نہیں رکھ

سکتی تھی۔ اس لیے دفتر کی ہدایات کے مطابق مجھے ٹیکس جبری پنشن پر بھیج دے اس لئے مورخہ 24/03/2021 سے میں اپنی ملٹی میڈیاں مدعا بالا

پر مبنی کہ جناب DEO اپر کوہستان کے سامنے رکھ دی۔ جس پر DEO صاحب نے تمام ضروری کاغذات لف ہذا میں محتاجہ

ADEO (F) اپر کوہستان نے ہدایات رقم کر دیں کہ ADEO Pry: Put up on File (مورخہ 25/03/2021) جو کہ

میں نے ADEO مذکورہ کو اسی دن دفتر میں جمع کر دی۔ تاکہ مذید کارروائی بمطابق کی جاسکے۔ چونکہ بعض سماجی مسائل کے صورتوں کا دفتروں

میں رابطہ ممکن نہیں اس لئے میں نے تاریخ مذکور کے بعد خود کو ڈیوٹی سے ٹہرا سمجھ کر گھر بیٹھی رہی۔ لیکن بغیر کسی تحقیق یا کارروائی کے میری

درخواست پر مجھے مورخہ 27/04/2021 کو جاری شدہ آرڈر برخواستگی مورخہ 23/06/2021 بمطابق آرڈر نمبر بالا کے تحت جاری کیا

گیا۔ اب میں آپ جناب سے اپیل کرتی ہوں کہ میرا Termination order کو کھد مقرر دے کر مجھے جبری پنشن پر بھیج دیا

جائے۔ جو کہ تو آپ کی بڑی مہربانی ہوگی۔

العارض 15-07-2021

Sara

نظماً سائرہ خاتون

GGPS صمآ باد سیو کوہستان اپر

Attested
19-09-2022
[Signature]

NOTIFICATION

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

11E/18
75/

Consequent upon the approval of the competent authority and report of DEO Female Kohistan Upper, vide her office letters No. 2158, 2146, 2148, 2149, 2150, 2151, 2152, 2153 and 2154 dated 31.5.2022, the appeals of the following Ex-PST Teachers are hereby rejected due to their willful absence from duties under rules 17 (2)(a) of E&D Rules 2011.

- 1:- Mst Gul Nar Ex PST GGPS Thooti
- 2:- Mst Rizwana Ex PST GGPS Jaloo Churtoo
- 3:- Mst. Nazish Ex PST GGPS Jaloo
- 4:- Mst. Nargus Ex PST GGPS Bar Gaheen
- 5:- Mst. Gul Taj Ex PST GGPS Thooti
- 6:- Mst. Fatima Ex TT GGMS Lohi Jalkot
- 7:- Mst. Gul Sehr Ex PST GGPS Kot Bashah
- 8:- Mst. Neclan Ex PST GGPS Sazeen
- 9:- Mst. Saira Khaliq Ex PST GGPS Samad Abad

DIRECTOR
Elementary & Secondary
Education Khyber Pakhtunkhwa.

4755-57
Endst: No. /F.No. 322/Vol-II/Appeal/Kohistan Upper Dated Peshawar the 30/09/2022

Copy forwarded for information to the:-

1. District Education Officer (Female) Kohistan Upper with the direction to inform the teacher concerned accordingly.
2. Teacher concerned.
3. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa.

Attested
19-09-2022
[Signature]

[Signature]
Assistant Director (Female)
Elementary & Secondary Education
Khyber Pakhtunkhwa.

بخدمت جناب سیرٹری ایجوکیشن صاحب خیبر پختونخواہ پشاور

درخواست براد بحالی ملازمت PST

جناب عالی! سائلہ حسب ذیل عرض ارسال ہے۔

(۱) یہ کہ سائلہ گورنمنٹ پرائمری سکول سہا آباد کوہستان اپر میں اپنی ڈیوٹی 2009 سے سرانجام دے رہی تھی۔

(۲) یہ کہ سائلہ نے ہمیشہ اپنی ڈیوٹی نہایت ایمانداری لگن اور فرض شناسی سے سرانجام دی ہے۔

(۳) یہ کہ بعد ازاں سائلہ کو مورخہ 23.06.2021 کو جناب DEO صاحب کوہستان اپرنے سائلہ کو ملازمت سے برخاست کر دیا جس کے خلاف سائلہ نے مورخہ 15.07.2021 کو درخواست گزاری جنہوں نے سائلہ کی درخواست مورخہ 30.06.2022 آرڈر نمبر 4755-57 خارج کر دی۔

(۴) یہ کہ علاقہ معززین سے ڈیوٹی کی نسبت دریافت کیا جاسکتا ہے اور کافی معززین علاقہ نے جناب DEO صاحب کوہستان اپر سائلہ کی دوبارہ بحالی اور سکول مذکورہ ڈیوٹی سرانجام دینے کی نسبت عرض کی تو DEO صاحب نے یقین دہانی کروائی تھی کہ دوبارہ سائلہ کو بحال کر دیا جائے گا۔

(۵) سائلہ کو ملازمت سے برخاستگی کی صورت میں اہلیان علاقہ سے تعلق رکھنے والے زیر تعلیم بچے محروم ہو چکے ہیں اور زیادہ تر بچے دور دراز علاقوں میں جا کر تعلیم حاصل کرنے پر مجبور ہیں۔

لہذا آپ جناب سے التماس ہے کہ سائلہ کے سابقہ سروس ریکارڈ، ریگولر حاضریوں کو اور گاؤں کے بچوں کے مستقبل کو مد نظر رکھتے ہوئے سائلہ کو دوبارہ بحالیت PST بحال کرنے کے احکامات صادر فرما کر مشکور فرمائیں۔ سائلہ دعا گو ہے گی۔

المرقوم 25.07.2022

ارض

سائزہ خالق PST ٹیچر سہا آباد کوہستان اپر



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

NOTIFICATION

Consequent upon the approval of the Competent Authority (Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa), the new Online Action Management System (OAMS) has taken place w.e.f 01-04-2019 in Khyber Pakhtunkhwa. The following system/mechanism will be observed.

1. **On First Time Absenteeism**
Show cause notice will be issued to the delinquent teacher/official and the competent authority will decide whether to exonerate or deduct one day salary on the basis of reply/explanation of the concerned alleged accused teacher duly supported by valid documentary proof in support with the explanation/reply.
2. **On Second Time Absenteeism**
Show cause notice will be issued followed by imposition of minor penalty of "Censure" and deduction of one-day salary,
3. **On Third Time Absenteeism**
Show cause notice for stoppage of one increment for one year.
4. **On Fourth Time Absenteeism**
Show Cause Notice for stoppage of two increments for three years.
5. **On Fifth Time Absenteeism**
Show Cause Notice for imposition of any of the major penalties specified under E&D Rules 2011, which includes Down-grading, Compulsory retirement, Removal from Service or Dismissal from service as the case may be.

NOTE:

- For each academic year, teacher absenteeism will start from the first occurrence.
- District Education Officer (M&F) will be responsible to take action against the teacher from BPS-01 to BPS-15 (Being Competent Authority)
- The District Education Officer (M&F) will forward cases of BPS-16 and above to the Director E&SE, Khyber Pakhtunkhwa. The Director E&SE, Khyber Pakhtunkhwa will take action against the staff in BPS-16 being Competent Authority.
- The Director E&SE, Khyber Pakhtunkhwa will forward the cases of BPS-17 and above to the Secretary E&SE Department Khyber Pakhtunkhwa for necessary action.

**Director
E&SE Department
Khyber Pakhtunkhwa**

Dated 28/07/2021

Endst: No. 9970-8031 /F.No.1/B&T/OAMS/2016-17

Copy forwarded for information to the:

1. Director EMIS E&SED Khyber Pakhtunkhwa, Peshawar.
2. Director General EMA, Khyber Pakhtunkhwa with the request to inform and direct all District Monitoring Officers to observe the above notification in true letter and spirit.
3. All the District Education Officers (M&F) in Khyber Pakhtunkhwa with the directions have a strict compliance with the above notification.
4. PS to Secretary E&SED Khyber Pakhtunkhwa, Peshawar.
5. PA to Director E&SE, Khyber Pakhtunkhwa, Peshawar.
6. Head of ASI, PC Hotel Peshawar.
7. Master File.

**Deputy Director (B/T)
Directorate of E&SE**

Attested
19-09-2022
[Signature]

M No.

649

(21)

5755

No.

15-5711

S.No

Fee Rs. 200/-

Name of Advocate

محمد نسیم کلونج

وکالت نامہ



2022 SECRETARY
District Bar Association
Manshera

بعدالت: جناب ضیاء الحق کوٹلی سروس ٹریڈیونگ پرائیویٹ لمیٹڈ کوٹلی سروس ہزارہ
 عنوان: مسماہ سائیرہ ظائق بنام: حکومت ضیاء الحق کوٹلی
 منجاب: سائیکل / اسپلائنڈ نوعیت مقدمہ: سروس ریسٹ

باعث تحریر آئیکہ

دریں مقدمہ عنوان بالا میں اپنی طرف سے برائے پیروی و جواب دہی بمقام ریسٹ ہنر بھائی محمد نسیم کلونج کے لئے
 محمد نسیم کلونج ریسٹ ہنر بھائی کوٹلی
 کو بدیں شرائط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بوقت پکارے
 جانے وکیل موصوف کو اطلاع دیکر حاضر کروں گا۔ اگر کسی پیشی پر مظہر حاضر نہ ہوا اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ
 میرے خلاف ہو گیا تو وکیل موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل موصوف صدر مقام کچہری کے علاوہ
 کسی اور جگہ کچہری کے ہتھ بھرے اوقات سے پہلے یا بروز تعطیل پیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ کچہری کے علاوہ
 کسی اور جگہ سماعت ہوا یا کچہری کے اوقات کے آگے پیچھے سماعت ہونے پر مظہر کو کوئی نقصان پہنچے تو وکیل موصوف ذمہ دار
 نہ ہوں گے اور وکیل موصوف کو عرضی دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست
 بیان حلفی و تصدیق کرنے اور اسپر دستخط کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور قسم کا روپیہ وصول
 کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور سپر دثالی و راضی نامہ و دستبرداری و اقبال دعویٰ کا اختیار بھی ہوگا
 بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم اتناعی یا فیصلہ قبل از ڈگری اجراء ڈگری بھی وکیل موصوف
 کر بشرط ادائیگی علیحدہ محتسناہ ادا کرنے کا مجاز ہوگا اور بصورت ضرورت بدوراں مقدمہ یا اپیل و نگرانی کسی دوسرے وکیل یا بیرسٹر کو
 بجائے خود یا اپنے ہمراہ مقرر کریں اور مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے وکیل موصوف کو
 اور اگر پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو وکیل موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی حالت
 میں میرا مطالبہ وکیل موصوف کے برخلاف نہیں ہوگا مجھے کل ساختہ پر داخنتہ وکیل موصوف مثل ذات خود منظور و قبول ہوگا۔
 لہذا وکالت نامہ لکھ دیا ہے اور دستخط انگوٹھا ثبت کر دیا ہے تاکہ سند رہے۔ مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے۔

مورخہ 14 ستمبر 2022ء

0318-9008348
Signature



ACCEPTED

Tasleem PHCBA@gmail.com

مسماہ سائیرہ ظائق زوجہ محمد نسیم کلونج کوٹلی سروس ہزارہ
 سروس ٹریڈیونگ پرائیویٹ لمیٹڈ کوٹلی سروس ہزارہ