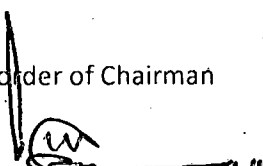



Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1457 /2022


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/10/2022	<p>The appeal of Mt. Shamim Bibi resubmitted today by Syed Noman Ali Bukhari Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on _____. Notices be issued to appellant and her counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR </p>

The appeal of Mst. Shamim Bibi Ex-PST GGPS Yazai Chawa Dara Pattan Lower Kohistan department received today i.e. on 16.09.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Page nos. 20, 21 and 24 to 26 are illegible which may be replaced by legible/better one.

No. 2644 /S.T,

Dt. 20/09/2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Syed Noman Ali Bukhari Adv.
High Court Peshawar.

① Some better copies still remain, it is, therefore, requested kindly the same time may be extended.
7/10/22

Sir,

all objections were removed and filed resubmitted again.

7/10/22

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL NO. 1457/2022

Shamim Bibi

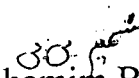
VS

Education Deptt. etc.

INDEX

S.NO.	Documents	Annexure	Page No.
1.	Memo of Appeal	-----	01-06
2.	Copy of Certificate & Affidavit	-----	07-08
3.	Copy of Application dated 16.02.2021	---A---	09
4.	Copy of FIR dated 17.02.2021	---B---	10-11
5.	Copy of Applications	-C & D-	12-13
6.	Copy of Letters	-E & F-	14-15
7.	Copy of Copy of Transfer Orders dated 22.04.2021	---G---	16-17
8.	Copy of Application dated 07.07.2021	---H---	18
9.	Copy of Application dated 14.07.2021	---I---	19-20
10.	Copy of Removal Order dated 22.11.2021	---J---	21
11.	Copy of Departmental Appeal	--- K---	22-25
12.	Copy of Notification dated 25.07.2022	---L---	26
13.	Vakalat Nama	-----	27

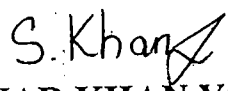
APPELLANT


Shamim Bibi

THROUGH:


(SYED NOMAN ALI BUKHARI),
ADVOCATE HIGH COURT,

&


(SHAHKAR KHAN YOUSAFZAI)
ADVOCATE.

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL NO. 1457 /2022

Shamim Bibi, Ex-PST,
GGPS Yazai Chawa Dara Pattan, Lower Kohistan.

(APPELLANT)

VERSUS

1. The Secretary, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Female), Kohistan Lower.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974
AGAINST THE ORDER DATED 22.11.2021 WHEREBY
THE APPELLANT WAS REMOVED FROM SERVICE
AND AGAINST THE REJECTION ORDER DATED
25.07.2022 RECEIVED ON 26.08.2022 WHEREBY THE
DEPARTMENTAL APPEAL AGAINST THE REMOVAL
FROM SERVICE ORDER HAS BEEN REJECTED FOR
NO GOOD GROUNDS.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL THE
IMPUGNED ORDER DATED 22.11.2021 AND
REJECTION ORDER DATED 25.07.2022 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

(2)

**APPROPRIATE THAT MAY ALSO BE AWARDED IN
FAVOUR OF THE APPELLANT.**

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant was performing her duties as Primary School Teacher in the respondent department with complete devotion, dedication and up to the entire satisfaction of her superiors.
2. That on 15.02.2021 winter vacations of the schools in the region ended and on 16.02.2021 the appellant filed an application for an emergency leave from 16.02.2021 to 22.02.2021 due to an unpleasant incident in the family of the appellant. That the husband of the appellant who is also a teacher in the Education Department was then wrongly charged in a criminal case on 17.02.2021 by their relatives due to a domestic issue which somehow resulted in the death of a person. The husband of the appellant who being a wrongly charged person in the FIR, handed over himself to the police. **Copy of Application and FIR are attached as Annexures - A & B.**
3. That the appellant due to a threat to her life and her family from the complainants of the FIR in which her husband was charged and then got behind the bars, filed an application dated 23.02.2021 to the ASDEO Circle Chawa Dara Pattan to transfer her from GGPS Yazai Chawa Dara Pattan to GGCMS Colony, Pattan which was near her home as there was great threat to her and her family due to that criminal case. She requested the said transfer so that she could peacefully attend to her duty at the respondent department as well as look after her family. Even a request from Mst. Saima Bibi, SST Head Mistress of GGCMS Colony, Pattan to DEO(F), E & SE, Kohistan Lower was made for transfer of the appellant to GGCMS Colony, Pattan but in vain. **Copy of Applications are attached as Annexures - C & D.**
4. That the respondent department through letter dated 11.03.2021 stopped the salary of the appellant due to her absence and through letter dated 12.03.2021 addressed by the concerned DEO (F) to SDEO (F) the appellant was to directed to attend the office of the DEO (F) on 17.03.2021 for personal hearing but that letter was never communicated to the appellant nor addressed to the appellant to home address. **Copy of Letters are attached as Annexures - E & F.**
5. That the respondent department on 22.04.2021 made several transfers in the district including to GGCM Pattan but did not keep any regard of the appellant for the said posting which was even vacant at the time when the

appellant as well as the Head Mistress of the concerned school had made the request for her posting over there. **Copy of Transfer Orders dated 22.04.2021 is attached as Annexure - G.**

6. That the appellant filed applications on 07.07.2021 to the DEO (F), Kohistan Lower and on 14.07.2021 to the Deputy Commissioner, Kohistan Lower and requested to transfer the appellant to GGCMS Pattan as she was unable to perform her duty at GGPS Chawa due to the threats and unavailability of any 'Mehram' to accompany her while travelling from home to the school of her posting which was earlier being done by her husband who is in jail. That the KPO namely, Mohabbat Ullah at the office of the DEO (F) was causing hindrance in the way of the appellant as he is the brother of the complainant in the FIR lodged against the husband of the appellant due to which the applications and requests of the appellant were never addressed. Even so, that a Show Cause Notice was issued to the appellant by the respondent department but it was never delivered to the appellant. **Copy of Applications dated 07.07.2021, 14.07.2021 and 29/09/2021 are attached as Annexures - H, & I.**

7. That the appellant through office order dated 22.11.2021 was Removed From Service from 16.02.2021 with immediate effect. The appellant then filed department appeal against the impugned order which was rejected through Notification (Rejection Order) dated 25.07.2022 but received to the appellant on 26/08/2022 **Copy of Removal Order dated 22.11.2021, Departmental Appeal and Notification dated 25.07.2022 are attached as Annexures - J, K & L.**

8. That now the appellant comes to this august Tribunal for the redressal of her grievances on the following grounds amongst others.

GROUND:

A) That the impugned orders dated 22.11.2021 and 25.07.2022 are against the law, facts, rules and material on record, therefore 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 codal formalities were followed by the department before imposing the penalty which is violation of Article 10-A of the Constitution of the Islamic Republic of Pakistan and also in violation of the Maxim, Audi alteram partem which means "listen to the other side", or "let the other side be heard as well", but this was not the case

(4)

in the instant matter. That according to a reported judgment cited as *2019 CLC 1750* stated that "Audi alteram partem" shall be read as part and parcel of the every statute. The same principle held in the Superior Court judgments cited as, *2016 SCMR 943, 2010 SCMR 1554 and 2020 PLC (C.S.) 67*, where in clearly stated that the penalty awarded in violation of the maxim "Audi alteram partem" is not sustainable in the eye of law.

- D) That the inquiry proceedings were conducted at the back of the appellant as fair opportunity of defense was not provided to her, nor chance of cross-examination of the so-called complainants were provided to her. The appellant was not confronted with any legal, solid and material evidence on record in support of the charges against her, therefore, the impugned orders are based on a defective inquiry.
- E) That impugned order was based on willful absence, so, for the willful absence procedure is provided in **Rule 9 of the E&D Rules, 2011**, which is so much crystal clear. The authority before imposing major penalty also violated the procedure of Rule 9. So the impugned order is defective in the eye of law.
- F) That no show cause notice was issued before taking adverse action which is violation of rule **Rule-5(a) Read with Rule-7** in case inquiry was not necessary and **Rule-14(b) of the E&D Rules 2011**, in case where regular inquiry is necessary. Which were totally ignored before taking adverse action. The same principle was held in the Superior Court judgments cited as *1987 SCMR 1562, 2019 PLC (C.S.) 811, 2008 PLC (C.S.) 921 and 209 SCMR 605*. Further, it is added that inquiry report was also not provided to the appellant which was also violation of **Rule 14(c) of the E&D rules 2011**, so the impugned order was passed in violation of law and rules and norms of justice. The same principle held in the Superior Court judgments cited as *1981 PLD SC 176 and 1987 SCMR 1562*.
- G) That it is, pertinent to mention here that if inquiry was not necessary the competent authority should follow the rule **5(a) of the E&D rules 2011** and dispense with the inquiry with reasons but the same was also violated, so the impugned order was in violation of law and rules so not tenable in the eye of law.

- H) That no proper regular inquiry was conducted before imposing major penalty. Moreover, if any fact finding inquiry was conducted but the appellant was not associated with the same, neither the statement recorded in presence of appellant nor was the chance of cross examination provided to the appellant which is violation of **Rule-10 (b) and Rule 11 (1) of the E&D Rules 2011**, which were totally ignored before imposing punishment which is illegal and against the law, rules and natural justice. The same principle held in the Superior Court judgments cited as 2010 SCMR 1554, 2016 SCMR 108, 2009 PLC (cs) 19, 2008 SCMR 1369, 2009 SCMR 412, 2007 PLC cs 247 and 2008 PLC cs 1107.
- I) That according to Federal Shariat Court Judgment cited as **PLD 1989 FSC 39** the show cause notice is must before taking any adverse action, non-issuance of show cause notice is against the injunction of Islam. Hence the impugned order is liable to be set-aside.
- J) That the show cause is the demand of natural justice before taking adverse action and also necessary for fair trial and also necessary in light of injunction of Quran and Sunnah but show cause was not served to the appellant (show cause given to the appellant but with the impugned order) which is malafide on the part of the department. So, fair trail denied to the appellant which is also violation of Article 10-A of the constitution. Further it is added that according to reported judgment cited as **1997 PLD page 617** stated that every action against natural justice treated to be void and unlawfully order. Hence impugned order is liable to be set-aside. The natural justice should be considered as part and parcel according to superior court judgment cited as 2017 PLD 173 and 1990 PLC cs 727.
- K) That no charge sheet was issued to the appellant on the allegation appellant was dismissed from service which is violation of **Rule-10(b) of the E&D Rules 2011** and if inquiry was conducted any in absence of charge sheet that is to be treated as fact finding inquiry and awarded major penalty on fact finding inquiry is against the law, rules and norms of justice, because in case of imposing major penalty proper regular inquiry and proper procedure has to be conducted under **Rule-5, 10, 11 & 14 of the E&D Rules 2011** but in case of the appellant same was violated which is also violation of Supreme Court

judgment Cited as 2008 SCMR 609 wherein clearly stated that inquiry conducted in absence of charge sheet is void-ab-initio and also violation of this Tribunal judgment in Appeal No. 905/2016 decided on 20.02.2018. In Supreme court judgment cited as 2004 SCMR 294, 2008 PLC (C.S.) 1107, 2008 PLC (C.S.) 1065 wherein clearly state that the major penalty cannot be imposed on the basis of fact finding inquiry.

- L) That the appellant filed several applications for transfer on need basis due to compelling reasons but the department gave no heed to the same. Which creates hurdles for the appellant in shape of removal from the service. So, the absence of the appellant is not wilfull.
- M) That the opportunity of personal hearing and personal defense was not provided to the appellant which was violation of **Rule 7(d)** in case inquiry was not necessary **and 14(5) of the E&D rules 2011** in case where inquiry is necessary.
- N) That no regular inquiry was conducted against the appellant before imposing major penalty of removal from service which is not permissible in law.
- O) That the appellant seeks permission to advance others grounds and proofs at the time of hearing

It is, therefore, most humbly prayed that on the acceptance of this appeal the impugned orders may kindly be set aside and the appellant may be reinstated into service with all back and consequential benefits.

APPELLANT

30/2
Shamim Bibi

THROUGH

(SYED NOMAN ALI BUKHARD),
ADVOCATE HIGH COURT,

S. Khan &
(SHAHKAR KHAN YOUSAFZAI)
ADVOCATE.

7

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL NO. _____ /2022

Shamim Bibi

VS.

Education Deptt. etc.

CERTIFICATE:

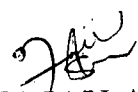
It is certified that no other service appeal earlier has been filed between the present parties in this Tribunal, except the present one.



DEPONENT

LIT OF BOOKS:

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. The ESTA CODE
3. Any other case law as per need.

THROUGH:


(SYED NOMAN ALI BUKHARI),
ADVOCATE HIGH COURT,
&


(SHAHKAR KHAN YOUSAFZAI)
ADVOCATE.

8

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL NO. _____/2022

Shamin Bibi

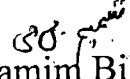
VS

Education Deptt. etc.

AFFIDAVIT

I, Shamim Bibi, Ex-PST, GGPS Yazai Chawa Dara Pattan, Lower Kohistan (Appellant), do hereby affirm that the contents of this service appeal are true and correct, and nothing has been concealed from this honourable Tribunal.

DEPONENT


Shamim Bibi

محکمہ صحت - سوات - 75000

تاریخ: 16/02/2021

صحت کے شعبہ کی طرف سے

واقعہ پیش آیا ہے۔

حاضرہ کے بارے میں

آگے لیا گیا ہے۔

16/02/2021

تقریباً

الدار

C.G.P.S. Yazai

Date - 16/02/2021

HEAD TEACHER
G.G.P.S. Yazai
16-02-2021

Copy forwarded

① A.S.D.C (F) circles Chawal Dara Pattan - KH (L)

② D.M.O - IMU - (L) KH

③ S.D.O (F) Pattan (L) Kohistan

ح کھنڈر جناب ASD سرکل عیوادرہ طین

جناب عالی

(12)

آداب کمرض گزارش ہیکر ہمارے خاندان والوں کا اپنے قریبی
رشتہ داروں کیساتھ بچوں کی وجہ سے کڑائی ہوئی۔ اس لڑائی میں
ایک بندہ کی فوتگی ہوئی۔ لہر خلاف لڈوں نے 2/7 کو میرے
خاوند محمد رحمن SPST پر ناکرہ، صبرم 302 کا FIR کاٹی گئی
اور میرے خاوند نے اپنے آپکو قانون کے حوالے کر دیا۔

جو کہ جیل میں ہے۔ اور میری ڈیوٹی گورنمنٹ گریڈ پر امرتھی سکول لڑی
میں ہے۔ جو کہ گھر سے کافی دور ہے۔ یہاں سکول ہے۔

لڈا دشمنی کی وجہ سے مجھے سکول کو آنے جانے میں سخت
مشکلات ہے۔ اور راستے میں مجھے جان کر خطرہ ہے۔

مخالف لوگوں کی طرف سے دھمکیاں بھی مل رہی ہے۔ لڈا کمرض
ہیکر مجھے گھر سے قریبی سکول GPS 99 کالونی میں تو
ٹرانسفر کیا ہے۔ تاکہ میں خوش اصولی سے اپنی ڈیوٹی سرانجام
دے سکوں۔ مگر جبر دغا گوہ رہی ہوگی

Forwarded to DFO (F) Pattan
24/2/2021

الغازی

Forward to DFO (F) PST
Kohistan to Mr. N. A. GPS XAZAI
Pattan

Sub Divisional Officer
Officer (F) Pattan
26-2 Dist: Kohistan
2021
23/02
021

**OFFICE OF THE DISTRICT EDUCATION OFFICER (F)
KOHISTAN LOWER**



No. 1543 / File No. 77 Pay stopped - DEO F KH-L. Dated 11/03/2021

(u)

E

To
The Sub-Divisional Education Officer
(F) Pattan

Subject: PAY STOPPED OF ABSENT TEACHER.
Memo.

Reference your office letter No. 789 dated 1-3-2021 regarding absentee report of of Shamim Bibi PSI GGPS Yazil who has been absent from 16-2-2021 to up till now.

In this regard you are directed to stopped the pay of the above said teacher immediately and submit your report in the office of undersigned within 3 days for further proceeding.

DISTRICT EDUCATION OFFICER (F)
KOHISTAN LOWER

File No. 1544-618

Copy for information & necessary action to:

1. Director of Elementary & Secondary Education Khyber Pakhtunkhwa.
2. Deputy Commissioner Kohistan Lower.
3. DMO Kohistan Lower.
4. ASDEO Circle Pattan.
5. Master File.

/
DISTRICT EDUCATION OFFICER (F)
KOHISTAN LOWER

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) KOHISTAN

LOWER

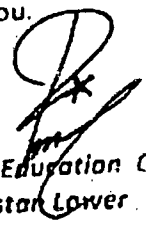
No. 1553 Dated: 10-03-2021

(15) F

To: The Sub-Divisional Education Officer (F)
Pattan Kohistan Lower

Subject: PERSONAL HEARING
Memo

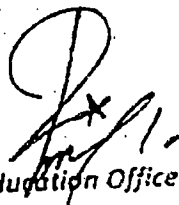
Reference SDEO (F) Pattan vide No. 789 dated 1-3-2021 regarding inquiry of absent teacher. In this regard you are directed to inform the Miss Shamim PST GGPS Yazi Chawa dara Pattan to attend office of the District Education Officer (F) Kohistan Lower on 17-3-2021 at 10:00 AM for personal hearing. This is a last chance given to you, if absent during personal hearing on the above said date and time it shall be presumed that you have no defense to put in and in that case an Ex-parte decision shall be taken against you.


District Education Officer
(F) Kohistan Lower

Endst. No. 1554-68 / F No. 23 / Inquiry DEO (F) KH (L) Dated the 12/03/2021

Copy above the above is forwarded to:-

1. Director Elementary and Secondary Education Khyber Pakhtunkhwa.
2. Deputy Commissioner Kohistan Lower.
3. ASDEO Concerned.
4. Miss Shamim Bibi PST GPS Yazi.
5. Master File.


District Education Officer
(F) Kohistan Lower



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) KOHISTAN LOWER



16
G

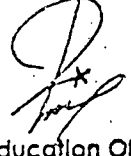
OFFICE ORDER.

The following transfer/adjustment of teaching staff is hereby made in the school noted against each on need base to functionalization of schools smoothly, on their own pay & grade in the interest of public service with immediate effect.

S#	Name of Teachers	From	To	Remarks
1	Hanifa bibi PST	GGPS K.K Ranolia	GGPS Kass Dubair	A.V.P
2	Jamila Bibi PST	GGPS Jag Dubair	GGPS Ranolia Bazar	A.V.P
3	Zakia Bibi PST	GGPS Dhara Bela	GGPS Ranolia Bazar	A.V.P
4	Nahced Akhtar PST	GGPS Bela Mani Khail	GGPS Bela Gaidan	A.V.P
5	Jamila Bibi SPST	GGPS Mali Dara Jijal	GGPS Hadar Khail village	Temporary adjustment vide SDEO (F) Pattan No. 716-19 dated 03/02/2021 has hereby cancelled no availability SPST Post B-14
6	Safina Bibi PST	GGPS Jan Bela	GGPS Mali Dara Jijal	A.V.P
7	Shaheen Akhtar PST	GGPS Bela Gaidan	GGPS Kass Dubair	A.V.P
8	Sabnam Rani PST	GGPS Dang Gabar Jijal	GGPS Mali Dara Jijal	A.V.P
9	Noreen Akhtar PST	GGPS Gal Raheem Abad	GGCM Pattan	A.V.P
10	Sadaf Ali Akbar PST	GGPS Kayun Zaro Khail	GGPS Dachi Pattan	A.V.P
11	Shaguffa Aziz PST	GGPS Tarees	GGPS Dachi	A.V.P
12	Razina PST	GGPS Kuz Saprona	GGPS Zargai	V.S.13
13	Sonia PST	GGPS Zargai	GGPS Kuz Saprona	V.S.12

NOTE.


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


District Education Officer
(Female) Kohistan Lower

Endstt: No 1810-17 / Estt: DEO (F) / Dated Kohistan lower the 29/12/2021.

Copy of the above is forwarded to the: -

1. Director (E&SE) Khyber Pakhtunkhwa, Peshawar
2. Deputy Commissioner Kohistan Lower.
3. DMO IMU/EMA Kohistan Lower.
4. Deputy District Education Officer (F) Kohistan Lower
5. Sub Divisional Education Officer (F) Pattan.
6. District Accounts Officer Kohistan Lower.
7. ASDEOs (F) circle Concerned.
8. Officials concerned


District Education Officer
(Female) Kohistan Lower



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

17

No. DEO (F) KHL
Dated: / / 2021

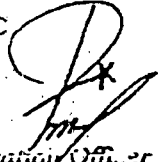
To:

Miss Jamila Khatoun SPST
GGPS Halder Village.

Subject: FUNCTIONALIZE OF SCHOOL

Memo:

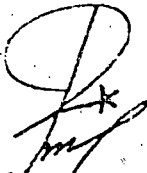
As per report of Circle ASDEO (F) Dubair GGPS Mali Dara has been newly established and enrollment of the student in that school is out of control the present staff posted at GGPS Mali Dara. Hence you're directed to perform your school duties at GGPS Mali Dara Jijal in the best interest of public.


District Education Officer
(Female) Kohistan Lower

Enast. No. 200027/31 DEO (F) KHL Dated: Pattan the 7/06/2021

Copy of the above is forwarded to the:-

1. Deputy Commissioner Kohistan Lower
2. District Monitoring Officer Kohistan Lower.
3. Sub-Divisional Education Officer (F) Pattan.
4. ASDEO Circle Dubair.
5. Office copy.


District Education Officer
(Female) Kohistan Lower

جمہورت شباب DEO فیصلہ کو مسترد کرنا لہذا

درخواست مراد ٹرانسفر کرنے PST پیپر G6P5 مجموعہ ۱۱۱۱ سے

G6MS نہیں کا لوٹی

شباب عالی

تذکرہ کے سائل حکم تعلیم میں بحیثیت پیپر PST تعینات ہے

وہ سائل کا شوہر سب جیل واسو میں ہے

وہ سائل G6P5 مجموعہ ۱۱۱۱ میں ڈیوٹی سرانجام دینے سے قاصر ہے
(Yazai)

وہ سائل G6MS کا لوٹی میں ڈیوٹی کے فرائض انجام دینا چاہتے

وہ سائل نے کئی بار درخواستیں دی ہیں لیکن محبت اللہ KPO دفتر حیدرآباد میں ڈیوٹی سرانجام دے رہا ہے

حکومت سے درخواست آپ تک نہیں پہنچ سکا کیونکہ وہ

بیمار اور غریب مخالف ہے

اس بابت استدعا ہے کہ سائل کو لٹر کا نوٹس دیا جائے

البتہ پوسٹ آفس والے بھی فریق مخالف ہونے کی وجہ سے جھوٹا نہیں پہنچے

وہ مختلف درخواستیں آپ جناب صاحبہ اور ڈی سی صاحبہ کو بھی ارسال کرے ہیں

لیکن دفتر میں مخالف فریق کی وجہ سے کوئی ایسی ریفٹ کرنے نہیں دیتے

وہ میں بغیر عارم کے ڈیوٹی اور دیگر ریگولیشنز کرنے سے قاصر ہیں

اس بابت جمعہ ٹرانسفر ٹو G6MS کا لوٹی بھی کرنے کا حکم صادر فرمائیں

القاریہ

شمیم PST G6P5 مجموعہ ۱۱۱۱

بذریعہ: محترمہ سار وار قریب سنہ ۱۹۸۷

0346.8112391

المرقوم ۱۱/۱۱/۸۷

صاحب ڈپٹی کمشنر صاحب ضلع کوئٹہ ایمان پور

درخواست براد ٹرانسپورٹ کے GPS جوڑارہے تو GPS کالونی سے

صاحب عالی

وہ سائل GPS جوڑارہے ہیں دروازے ڈیوٹی کے فرائض سے انجام دے رہے ہیں۔

یہ سائل کے فاور سب جیل داسو میں سلاسل بند ہے جبکہ وہ سائل کو مزکورہ سکول میں ڈیوٹی کرنے سے قاصر ہے کیونکہ راستہ دور ہونے کی وجہ سے محام کوئی بیس ہے۔

یہ سائل نے کئی بار DEO فی جیل کی دفتر میں درخواست ٹرانسپورٹ کی ہے۔ لیکن دفتر میں موجود فریق مخالف محبت الٹا KP0 موجود ہے جو کہ درخواست پر شنوائی کرنے کے بعد رکاوٹ بنا رہا ہے۔ یہ سائل کو ڈیوٹی کے فرائض GPS کالونی پیش میں ڈیوٹی آسانی کیلئے سے انجام دے سکتے ہیں۔

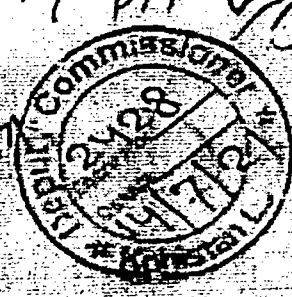
اس بابت فریادیں کے حکم تعلیم کے دفتر میں ایسے افراد کسی بھی وقت اشتیاق کا سبب بن سکتے ہیں۔ اس لئے ایسے افراد کو دفتر سے ٹرانسپورٹ کرنے کا حکم صادر فرمادیں اور جو ٹرانسپورٹ کا حکم صادر فرمادیں

العارف

شعبہ جی بی

DEO (F)

Please
14/09
27/09



بذریعہ محمد ارشد عبدالکریم PTI ضلع کوئٹہ

مخالفان ان غرض سے تم سائید...
PST ڈیوٹی سرعام...
سائید...
سائید...
لعل...
دروغ...

ڈیوٹی سرعام...
کرکے میرے ٹرانسفر میں رکاوٹ...
بہیمانہ ہے۔

سائید جہاں ڈیوٹی سرعام...
کے پیدل دشوار گزار معاہدے...
سرعام دیے کی دوران سائید کو جان کا خطرہ...
پر قسم دھمکی اور عالی نقصان بہیمانہ کی کوشش کر رہے ہیں۔

GCPs پیش میں بچیوں کی تقریباً 170 لکڑا...
دروغ مخالف حسب اللہ...
لہذا اپیل کرتی ہوں کہ آپ...
جاری کریں کہ موجودہ ناگزیر حالت...
ہوا دراز سے GCPs پیش کر کے...
سے بچانے میں مدد فرمائیں۔
اللہ

شمیم بی بی
PST
شیخ

1526
29-9-2021

11/9/2021
29/9/2021

J 21

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(F) KOHISTAN LOWER**

OFFICE ORDER.

Whereas, You Mst: Shamim Bibi PST has been transferred to GGPS Yazai Chawa Dara Pattan Vide No. 98-104 date 30-03-2020.

Whereas, you were found absent w.e.f 16-02-2021 to 22-02-2021 and your absent report received 22-02-2021

Whereas, show cause notices vide No. 1174-80 dated 26-02-2021, 1278-84 dated 05-03-2021, 1890 dated and 08-05-2021 have been served upon you and on your official address and also home address but not replied.

Whereas, Mr. Muhammad Hakim ASDEO (F) Circle Dubair & Rubina Shams SST (G) GGMS Dubair Village Inquiry officer visited to your school regarding inquiry on 20-04-2021 but you were found absent from your duty w.e.f 16-02-02021 to 20-04-2021.

Whereas, Tahira Syed ASDEO (F) Bankal & Salma SST GGMS Pattan inquiry officers again visited to your school on 15-09-2021 regarding inquiry but you were found again absent from your duty w.e.f 16-02-02-2021 to 15-09-2021, moreover no record of school were found there.

Whereas, according to the DCMA/EMA report GGPS Yazai Pattan found closed for the Month August 2021 visit date 05-08-2021 school found closed.

And whereas final showcase notice was issued through news paper to "Daily Aj" News Paper Peshawar dated 04-10-2021, in which you were directed to assume your duty and submit reasons of your wilful absence but neither you attended your school nor submit convincing replies before the committee within the stipulated period mentioned in the newspaper and again corroborate the notice also through "Daily Aj" Peshawar on 12-10-2021

Whereas, according to the DCMA/EMA report GGPS Yazai Pattan found closed for the Month of October 2021 visit date 09-10-2021 school found closed.

Whereas, show cause/ personal hearing notice issue by this office vide No. 7445-52/ EMA/IMU/ DEO (F) date 02-11-2021 personal hearing date was on 12-11-2021 but you did not reply nor you attend the office like before.

Now in view of the above fact I, Zubaida Khattak DEO (F) Kohistan Lower being a competent authority is fully satisfied to impose the major penalty of **REMOVAL FROM SERVICE** from 16 Feb 2021 under the rule 4b (iii) of E&D rules 2011 with immediate effect.

NOTE:

If the teacher is found involved in any embezzlement of fund/PTC/ conditional grant, she will be proceeded for FIR/ Anti-corruption proceeding as and when reported at any stage. Concerned DDO is directed to recover the payment (if any) made for absence period out of her GPF etc.


DISTRICT EDUCATION OFFICER (F)
KOHISTAN LOWER

Endsitt No. 7700-67 /

Dated 22 /11/2021

Copy of the above for information to the:

1. Director E&SE Khyber Pakhtunkhwa Peshawar
2. Deputy Commissioner Kohistan Lower
3. District Monitoring Officer (IMU) Kohistan Lower

جناب ڈائریکٹر E & SE خیبر پختونخواہ، بمقام پشاور۔

2R

مسماہ شمیم بی بی PST پرسنل نمبر 374808 متعینہ گورنمنٹ گرلز پرائمری سکول

یزنی چھوادرہ پٹن لوئر کوہستان

ایپلانٹہ

بنام

ایجوکیشن آفیسر زنانہ کوہستان لوئر

ریسپانڈنٹ

احقر ایپل منجانب ایپلانٹہ/سائلہ

- جناب عالی! ایپلانٹہ حسب ذیل عرض رساں ہے۔
- ۱۔ یہ کہ ایپلانٹہ دیہہ بالا کی رہائشی باشندہ ہے۔
 - ۲۔ یہ کہ ایپلانٹہ/سائلہ محکمہ ایجوکیشن میں بحیثیت IPST اُستانی گورنمنٹ گرلز پرائمری سکول یزنی چھوادرہ کوڈ نمبر 30671 تعینات تھی۔
 - ۳۔ یہ کہ سائلہ/ایپلانٹہ اپنی ڈیوٹی انتہائی خوش اسلوبی سے سرانجام دے رہی تھی۔ لیکن محکمہ ایجوکیشن میں ایک محبت اللہ نامی شخص بحیثیت کپیوٹراپرٹر (جو کہ من سائلہ کا دشمن ہے) کے ملی بھگت اور سازش پر مسئول الیہ نے مورخہ 22-11-2021 کو من سائلہ/ایپلانٹہ نوکری سے برخاست کیا۔ (نقل حکم لف ہے)
 - ۴۔ یہ کہ اصل حقیقت تو یہ ہے کہ من سائلہ نے کبھی بھی غیر حاضری نہیں کی ہے اور نہ ہی سکول بند کی ہے لیکن محبت اللہ نامی شخص کا من سائلہ کیساتھ ذاتی دشمنی/عناد موجود ہے اس وجہ سے محبت اللہ نامی شخص کے سازش پر من سائلہ کو نوکری سے برخاست کیا گیا ہے۔
 - ۵۔ یہ کہ مسئول الیہ نے 8 ماہ غیر حاضری بیان کی ہے حالانکہ IMU رپورٹ کے مطابق من سائلہ تین مہینے یعنی اپریل، جولائی، ستمبر 2021 کو من سائلہ سکول میں حاضر تھی اور من سائلہ نے CPD ٹریننگز میں حاضری یقینی بنائی ہے۔ باقی کچھ مہینے کرونا وبا کی وجہ سے سکول بند تھا۔ (CPD حاضری لف ہے)
 - ۶۔ یہ کہ من سائلہ نے کبھی بھی قصداً سکول سے غیر حاضری نہیں کی ہے۔
 - ۷۔ یہ کہ من سائلہ نے اپنی فریاد لیکر مورخہ 29-09-2021 ڈائری نمبر 1526 جناب ڈائریکٹر ایجوکیشن خیبر پختونخواہ پشاور کے پاس آئی تھی کہ سکول پہاڑی علاقہ میں موجود ہے حالانکہ ذاتی عناد/دشمنی کی وجہ سے سکول آنا جانا مشکل تھا لہذا میرا تبادلہ اسی سکول سے میرے گھر کے نزدیک گورنمنٹ کمیونٹی ماڈل گرلز سکول کالونی پٹن کو کیا جائے اور ساتھ میں تنخواہ کو بھی ریلیز کیا جائے لیکن انہوں نے کسی قسم کی کوئی کارروائی نہیں کی۔ (درخواست لف ہے)

(23)

۸- یہ کہ من سائلہ کا گزشتہ دس مہینوں سے تنخواہ بھی بند ہے۔۔
۹- یہ کہ من سائلہ کی سکول سرڈیوں کے چھٹی 15 فروری 2021 کو ختم ہوئے اور 16
23 فروری تک مسئول الیہ نے جان بوجھ کر 7 دن کی غیر حاضری لگائی ہے۔ اصل
حقیقت یہ ہے کہ من سائلہ 7 یوم کی چھٹیوں کی درخواست میلی آفس کو بھیجی
تھی۔ (درخواست لف ہے)

(۱۰) یہ کہ 17 مارچ 2021 کو من سائلہ زانہ آفس ایجوکیشن میں اصالتاً حاضر بھی ہوئی تھی اس
کے بعد من سائلہ کئی دفعہ مذکورہ دفتر/ آفس میں گئی تھی کہ میرا تبادلہ کیا جائے اور من سائلہ کی
تنخواہ کوریلیز کیا جائے لیکن انہوں نے من سائلہ کی عرض کو نظر انداز کیا۔ (درخواست لف
ہے)

(۱۱) یہ کہ من سائلہ نے مورخہ 14-07-2021 کو جناب ڈپٹی کمشنر لوئر کوہستان کے آفس
میں درخواست برائے تبادلہ جمع کرنے گئی انہوں نے نیپیل آفیسر زبیدہ خٹک کو مارک کی
لیکن انہوں نے بھی درخواست پر کسی قسم کی کوئی کارروائی نہیں کی اور من سائلہ کو بے یار و مدد
گار دفتر سے رخصت کی۔ (درخواست لف ہے)

(۱۲) یہ کہ سائلہ نے MPA کوہستان سے تحریر لیکر متذکرہ آفس گئی لیکن پھر بھی من سائلہ کا
تبادلہ نہیں ہوا اس کی دراصل حقیقت یہ ہے کہ محبت اللہ نامی شخص کے کرتوتوں کے وجہ سے
من سائلہ کو نوکری سے ہاتھ دھونا پڑا۔ (تحریر لف ہے)

(۱۳) یہ کہ مذکورہ محبت اللہ نامی شخص نے سکول میں موجود چوکیدار کو درغلا کر ان سے
مدرسین رجسٹر ڈطلب کیا جو کہ چوکیدار مذکورہ نے لا کر حوالہ محبت اللہ کیا اب مذکورہ
رجسٹر و محبت اللہ نامی شخص کے قبضہ میں عرصہ 03 مہینوں سے ہے۔

لہذا استدعا ہے کہ بمنظوری اپیل ہذا حسب اپیل
سائلہ/ اپیلانٹہ کو منظور کیا جا کر من سائلہ کو اپنی فرائض منصبی پر
دوبارہ تعینات کرنے کا حکم صادر فرمایا جائے۔ نیز دیگر دادرسی
جو قرین انصاف ہو اور جس کی خصوصی طور پر استدعا نہ کی گئی ہو
وہ بھی بحق سائلہ/ اپیلانٹہ مرحمت فرمائی جاوے۔

Nic 13453 4704692-2

دشیم بی بی
عربی

مسماہ شیم بی بی PST پر سٹل نمبر 374808 متعینہ
گورنمنٹ گرلز پرائمری سکول یزدنی چھوادرہ پٹن لوئر کوہستان

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

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(96
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OFFICE OF THE DIRECTOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20250

DIRECTOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20250

DATE: 10/1/77

TO: DIRECTOR, BLM

FROM: [Signature]

ADMINISTRATIVE
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20250

VAKALAT NAMA

NO. _____/20

IN THE COURT OF KP Service Tribunal, Peshawar

Shamim Bibi

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Education Deptt.

(Respondent)
(Defendant)

I/We, Shamim Bibi (Appellant)

Do hereby appoint and constitute **SYED NOMAN ALI BUKHARI Advocate High 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

شامیم بی بی

(CLIENT)

ACCEPTED

شہزاد

SYED NOMAN ALI BUKHARI
Advocate High Court Peshawar.

S. Khan

SHAHKAR KHAN YOUSAFZAI
Advocate.

Cell: (0306-5109438)