

Service Appeal No. 1497/2019

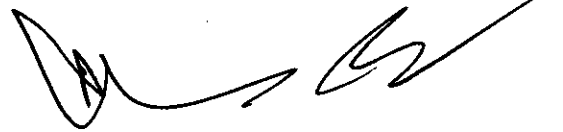
1. Mr. Abdul Saboor Khan, Advocate for the appellant present.
Mr. Kabir Ullah Khattak, Additional Advocate General for respondents present. Arguments heard and record perused.

2. Vide our detailed judgement containing 05 pages, placed in connected Service Appeal No. 1400/2019 titled "Sharafat-un-Nisa Vs. Director Elementary & Secondary Education Peshawar and one other", we arrived at the conclusion that the appeal in hand is allowed and the case is remitted back to the department for denovo inquiry with the direction that the appellant should be associated in the inquiry. A detailed, self contained inquiry, fulfilling all codal formalities should be completed within sixty days of the receipt of this judgment. The appellants are reinstated in the service for the purpose of denovo inquiry. The issue of back benefits shall be subject to the final outcome of the denovo inquiry. The respondents shall intimate the date of receipt of judgement to the Registrar of this Tribunal and also the result of the inquiry. Parties are left to bear their own costs. Consign.

3. *Pronounced in open court in Abbotabad and given under our hands and seal of the Tribunal on this 22nd day of September, 2022.*



(FAREEHA PAUL)
Member (E)
(Camp Court Abbottabad)

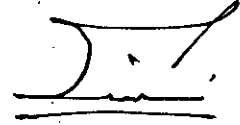


(KALIM ARSHAD KHAN)
Chairman
(Camp Court Abbottabad)

22.12.2021

Learned counsel for the appellant present and stated that security and process fee have not been deposited due to having no knowledge of the same and in this respect, he submitted an application for allowing him to deposit the same. The application is placed on file in connected Service Appeal No. 1483/2019, which is accepted and the appellant is directed to deposit security and process fee within seven working days from today. After the requisite deposit, notices be issued to the respondents for submission of written reply/comments on 17.02.2022 before the S.B at Camp Court Abbottabad.

Appellant Deposited
Security & Process Fee
22/12/21



(Salah-Ud-Din)
Member (J)

Camp Court Abbottabad

21st July 2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG and Mr. Noor Zaman Khattak, District Attorney alongwith Mr. Shah Wali Ullah, Computer Operator for the respondents present.

Written reply on behalf of the respondents not submitted. Representative of the respondents seeks time to submit written reply/comments. Last chance is given to the respondents to submit written reply/comments within fifteen days in office, failing which their right for submission of written reply shall be deemed as struck of. To come up for arguments on 22.09.2022 before D.B at camp court Abbottabad.

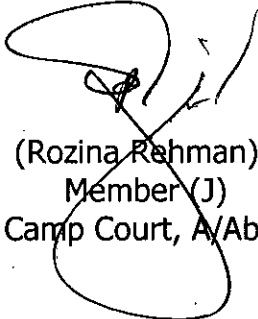


(Kalim Arshad Khan)
Chairman

Camp Court Abbottabad

17.03.2021 Appellant present through counsel. Preliminary arguments heard. File perused.

Points raised need consideration. Appeal is admitted to regular hearing subject to all legal objections. Appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for reply/comments. To come up for written reply/comments on 13.07.2021 before S.B at Camp Court, Abbottabad.

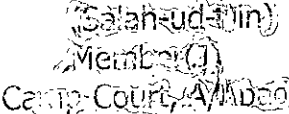

(Rozina Rehman)
Member (J)
Camp Court, A/Abad

13.07.2021 Due to cancellation of court, Bench is not available. Therefore, case to come up for the same as before on 13.10.2021.

Reader

13.10.2021 None is present on behalf of the appellant.

Security and process fee have not been deposited, therefore, notices could not be issued to the respondents. Notice be issued to the appellant/counsel to deposit the security and process fee within 07 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on next date positively, otherwise their right for submission of written reply/comments shall be deemed as struck off. Case to come up on 22.12.2021 before the S.B at at camp court, Abbottabad.


(Salah-ud-Din)
Member (J)
Camp Court, A/Abad


Chairman
Camp Court, A/Abad

Due to covid ,19 case to come up for the same on / /
at camp court abbottabad.

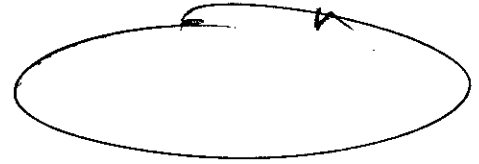
Reader

Due to summer vacation case to come up for the same on
18.12.20 at camp court abbottabad.


Reader

18.09.2020

Appellant has not forth come in person however, the clerk of the counsel did appear. According to him Mr. Abdul Saboor Khan learned counsel for the appellant has proceeded to District Kohistan for attending a case in the Model Court situated there, therefore, requested for adjournment. The appeal is adjourned to 14.12.2020 on which to come up for preliminary hearing before S.B at Camp Court, Abbottabad.



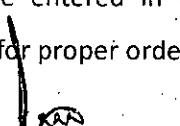


(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT ABBOTTABAD

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1497/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/11/2019	<p>The appeal of Mst. Nagina Otail received today by post through Mr. Abdul Saboor Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 7/11/19</p> <p>2-</p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>24-1-20</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>24.01.2020</p> <p>Clerk to counsel for the appellant present and seeks adjournment on the ground that learned counsel for the appellant is not in attendance. Adjourn. To come up for preliminary hearing on 20.03.2020 before S.B at Camp Court Abbottabad.</p> <p style="text-align: right;"> Member Camp Court, A/Abad</p>

9

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No 1497 of 2019

Mst. Nagina Otail **Appellant**

VERSUS

Director Elementary and Secondary
Education Peshawar etc **Respondents**

APPEAL

INDEX

S#	Description of documents	Annexure	Page#
1.	Memo of Appeal	-	1-6
2.	Affidavit	-	7
3.	Correct address of Parties	-	8
4.	Copy of appointment order dated 01.12.2006	"A"	9- 10
7.	Copy of impugned order dated 20.04.2019.	"B"	11-12
8.	Copies of Departmental appeal and impugned order dated. 08.10.2019.	"C&D"	13-14
9	Wakalt Nama	-	15

Dated 02.11.2019

NAGINA

NAGINA OTAIL
(Appellant)

Through:

ABDUL SABOOR KHAN
Advocate High Court

1

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No/497 of 2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1590

Dated 07/11/2019

Mst, Nagina Otail, Ex-Primary School
Teacher at Government Girls Primary
School, Baja Lohi, Tehsil Dassu, District
Kohistan upper.....**Appellant**

VERSUS

- 1) Director Elementary and secondary
Education Peshawar.
- 2) District Education officer (Female)
Kohistan at Kandia.

.....**Respondents**

Filed to-day

Registrar

7/11/19

APPEAL UNDER SECTION 4 OF KPK
SERVICE TRIBUNAL, ACT, 1974
AGAINST THE IMPUGNED ORDERS NO
1198-1210 DATED 20.04.2019 AND
6802 DATED 08.10.2019, PASSED BY
RESPONDENTS WHEREBY MAJOR
PENALTY OF REMOVAL FROM
SERVICE OF APPELLANT ON THE
GROUND OF ALLEGED UNSPECIFIED
ABSENCE FROM DUTY WAS IMPOSED
AND UPHELD.

PRAYER:-

On acceptance of the instant service appeal, the impugned orders bearing No 1198-1210 dated 20.04.2019 and 6802 dated 08.10.2019, passed by respondents 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 was appointed in a prescribed manner by competent authority against the post of Primary school Teacher vide appointment order dated 01.12.2006.

(Copy of appointment order dated 01.12.2006, is annexed as Annexure "A").

2. That, all of a sudden, respondent No 02 without citing any reason and intimation straightaway, with a single stroke of pen imposed Major penalty of removal from service upon appellant w.e.f. 01.01.2019 on the ground of alleged unspecified absence from duty, vide impugned order No. 1198-1210 dated 20.04.2019.

(copy of impugned order dated 20.04.2019 is annexed as Annexure "B").

3. That, appellant filed a Departmental appeal on dated 15.05.2019, with respondent No 02, which was rejected vide impugned combined order no 6802 dated 08.10.2019. Which too was rejected without hearing the appellant.

(Copies of Departmental appeal dated 15.05.2019 and impugned order dated. 08.10.2019 are annexed as Annexure "C&D" respectively).

4. That, felling aggrieved from the impugned orders dated 20.04.2019 and 08.10.2019, appellant having no other remedy files the present 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 02 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. The reference of news

papers publication in the impugned order are not commonly available in the area of the appellant, hence, the impugned order is wholly illegal, unlawful, without lawful authority and of having no legal effect.

- C) That, no show cause notice was ever issued and the entire proceedings were fictitiously conducted by respondent No 02 at the back of the appellant.
- D) That, no inquiry into the alleged allegations was ever conducted and the impugned penalty was imposed without having the allegations proved.
- E) That, appellant was never confronted with the alleged allegations at any point of time, condemning her unheard.
- F) That, before passing the impugned order, appellant was not put on notice to present his 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.
- G) That, no evidence worth name was attempted to collect by respondent No 02 against the appellant for alleged absence from duty and he has been

condemned on flimsy and perverse grounds with mala-fide intention.

- H) 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.
- I) 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.
- J) 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 orders bearing No 1198-1210 dated 20.04.2019 and 6802 dated 08.10.2019, passed by respondents 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 02.11.2019

NAGINA
NAGINA OTAIL
(Appellant)

Through:-

**ABDUL SABOOR KHAN
ADVOCATE HIGH COURT**

VERIFICATION :

I, Mst. Nagina Otail , Ex-Primary School Teacher at Government Girls Primary School, Baja Lohi, Tehsil Dassu, District 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 form this Honorable Tribunal.

NAGINA
NAGINA OTAIL
(DEPONENT)

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No _____ of 2019

Mst. Nagina Otail **Appellant**

VERSUS

Director Elementary and Secondary
Education Peshawar etc **Respondents**

APPEAL

AFFIDAVIT

I, Mst. Nagina Otail , Ex-Primary School Teacher
at Government Girls Primary School, Baja Lohi,
Tehsil Dassu, District 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: 02.11.2019

NAGINA

NAGINA OTAIL
(DEPONENT)

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No _____ of 2019

Mst. Nagina Otail **Appellant**

VERSUS

Director Elementary and Secondary
Education Peshawar etc **Respondents**

APPEAL

CORRECT ADDRESSES OF THE PARTIES

APPELLANT:

Mst, Nagina Otail, Ex-Primary School
Teacher at Government Girls Primary
School, Baja Lohi, Tehsil Dassu, District
Kohistan upper.

RESPONDENTS:

- 1) Director Elementary and secondary
Education Peshawar.
- 2) District Education officer (Female)
Kohistan at Kandia.

Dated 02.11.2019

NAGINA
NAGINA OTAIL
(Appellant)

Through:-

ABDUL SABOOR KHAN
Advocate High Court

Annexure (A)

P-97

**OFFICE OF THE EXECUTIVE DISTRICT OFFICER SCHOOLS AND LITERACY
KOHISTAN AT DASSU**

APPOINTMENT ORDER

Consequent upon the approval of Departmental Selection Committee the competent authority has been pleased to appoint the following (Female) Middle Passed Untrained candidates Fresh of Tehsil Dassu (Union Council wise) against the vacant Posts of PTC in BPS-04 (Rs.2345-100-5345) Fixed plus Usual Allowances as admissible under the rules on contract basis for a period of three years according to the Merit policy issued by the Government of NWFP Schools & Literacy Department in the Schools noted against each with immediate effect in the interest of public service.

S.No	Name of candidate	Father's Name	Residence/ U/C	Apptt as	School where posted	Remarks
1	Lal pari	Said Amir	Dassu	PTC	GGPS	Dassu Village
2	Gul Shan	Rafiq shah	Bar Jalkot	PTC	GGPS	Koop
3	Umar Jan	Khaiyanoos	Bar Jalkot	PTC	GGPS	Koop
4	Gul Panarr Bibi	Abdul Hanan	Bar Jalkot	PTC	GGPS	Saddam Dadir
5	Sergena Bibi	Abdul Hanan	Bar Jalkot	PTC	GGPS	Eal Jalkot
6	Salma Bibi	Qalander Khan	Bar Jalkot	PTC	GGPS	Eal Jalkot
7	Bibi Hawa	Saif ullah	Jaffar Dader	PTC	GGPS	Khaloot
8	Gul Naz Bibi	Bakhtiar	Bar Jalkot	PTC	GGPS	Khaloot
9	Naseema	Nawab Khan	Bar Jalkot	PTC	GGPS	Dadboon
10	Saira Marjan	M.Qadeer	Baryar	PTC	GGPS	Dadboon
11	Shakila	M.Saeed	Baryar	PTC	GGPS	Barishaha
12	Gul Nargas	Sher Bhadar	Baryar	PTC	GGPS	Mamoki Ser
13	Maheena Bibi	Ghulam Haider	Baryar	PTC	GGPS	Mamoki Ser
14	Salma Bibi	Son Main	Baryar	PTC	GGPS	Sheroi Baik
15	Nizakat Begum	Shah Zareen	Baryar	PTC	GGPS	Jaakh
16	Bibi Fatima	Masta Khan	Baryar	PTC	GGPS	Jaakh
17	Kul Soom	Sikandar Khan	Baryar	PTC	GGPS	Jamra Jalkot
18	Farzana Bibi	Sher wali Khan	Baryar	PTC	GGPS	Jamra Jalkot
19	Gul Badan	M.Miskeen	Baryar	PTC	GGPS	Kuz Gaheen
20	Gul Badan	Gharib Shah	Kaigah	PTC	GGPS	Dhannat
21	Nargis	Mohammad Ashraf	Dassu	PTC	GGPS	Dassu Village
22	Yasmin Bibi	Hassan Shah	Dassu	PTC	GGPS	Dassu Village
23	Serwesa bibi	Ali Akbar	Dassu	PTC	GGPS	Uchar Ser
24	Hussan Pari	Hasham Khan	Teyal	PTC	GGPS	Sheshi Ratt
25	Gul Naba	Janan Khan	Dassu	PTC	GGPS	Uchar Ser
26	Gul Chaman	Sikandar Khan	Dassu	PTC	GGPS	Dassu Colony
27	Gul Hamida	Janan Khan	Dassu	PTC	GGPS	Dassu Colony
28	Lugash	Mustaqeem	Teyal	PTC	GGPS	Dassu Colony
29	Laiba	M.Jenan	Dassu	PTC	GGPS	Shal Dar
30	Hussan Jan	Hasham Khan	Teyal	PTC	GGPS	Dassu Colony
31	Hussan Bano	Shahalam	Dassu	PTC	GGPS	Shal Dar
32	Sumbal	Abdur Raouf	Dassu	PTC	GGPS	Dassu Colony
33	Zeba Hamid	Abdul Hameed	Dassu	PTC	GGPS	Dassu Colony
34	Gul Parri	M.Sharif	Dassu	PTC	GGPS	Dassu Colony
35	Shazia	M.Miskeen	Dassu	PTC	GGPS	Dassu Village
36	Gul Safia	Mohammad Alam	Dassu	PTC	GGPS	Dassu Village
37	Bibi Nagina	Utair	Goshali	PTC	GGPS	Jalo Chortoo
38	Rukhsana Bibi	AlamGir	Goshali	PTC	GGPS	Mohd:Shaha Dadir
39	Bibi Rashida	Saif-ul Malook	Goshali	PTC	GGPS	Mohd:Shaha Dadir
40	Saira bano	M.Miskeen	Goshali	PTC	GGPS	Samarabad
41	Fareegh Bibi	Saif Ul Malook	Goshali	PTC	GGPS	Bar Bak
42	Gul taj	Jumshed	Goshali	PTC	GGPS	Dadir Goshali
43	Hanifa Bibi	Saif-ul Malook	Goshali	PTC	GGPS	Dadir Goshali
44	Bibi Bajlia	Shamal Khan	Goshali	PTC	GGPS	Jahmra Dadir
45	Aseema Bibi	Saif ur Rahman	Goshali	PTC	GGPS	Jalo Chortoo
46	Musrat	Said Nadir	Komila	PTC	GGPS	Jalo Chortoo
47	Butshah Bibi	Sher Khan	Harban	PTC	GGPS	Bar Komila
						Gakuz

Contd:P-02

48	Gul fer	M.Faqeer	Harban	PTC	GGPS	Gakuz	Agst V.Post
49	Bibi Miryam	M.Ibrahim	kuz Jalkot	PTC	GGPS	Shakari	Agst V.Post
50	Lazaba Bibi	Shams ur Rahman	Dilbar Dadir	PTC	GGPS	Jalo Chortoo	Agst V.Post
51	Kulsoom bibi	Barkat Khan	kuz Jalkot	PTC	GGPS	Jalkot Village	Agst V.Post
52	Gul Shad	Sher Mohammad	kuz Jalkot	PTC	GGPS	Jalkot Village	Agst V.Post
53	Begum Hakeem	Abdul Khan	Seo	PTC	GGPS	Seo Village	Agst V.Post
54	Najma Bibi	Ser Baz Khan	Dassu	PTC	GGPS	Jalo Chortoo	Agst V.Post
55	Nelam Bibi	Shafes Khan	Sazin	PTC	GGPS	Sultanabad	Agst V.Post
56	Sobia Akram	Mohammad Akram	Sazeen	PTC	GGPS	Sultanabad	Agst V.Post

CONDITIONS:-

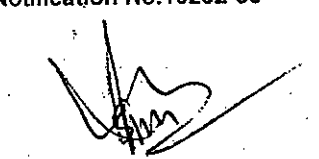
- 1 Their appointments are purely on temporary basis and liable to termination at any time / stage with out assigning any reason/notice.
- 2 Their Certificates if not verified earlier, should be verified by the DDO (M) ie Mr.Abdur Rehman I/C Dy:DO (F) S&L Kohistan before handing over their charge.
- 3 Charge reports should be submitted to all concerned.
- 4 No TADA is allowed to any one.
- 5 They will be governed by such rules and regulations enforced and as prescribed by the Government from time to time for the category of the Government Servants to which they
- 6 In case any of the above candidates failed to assume the charge of their posts with in fifteen days, their appointments will automatically stand cancelled.
- 7 They should not be allowed to take over charge if their age is less than 18-years and above 35-years
- 8 They should produce age and health certificate from EDO Health Kohistan before taking of charge.
- 9 They should not be handed over charge and their salaries should not be drawn by Drawing & Disbursing Officers concerned till verification of their Degrees/ Certificates e.t.c from the concerned Universities/ Boards/ Institutions by the concerned DDO's

- cd -
Executive District Officer
Schools & Literacy Kohistan

Endst.No. 1031-39 / App/PTC's (M)U/C Wise Merit /2006 Dated Kohistan the 27/12 /2006.

Copy of the above is forwarded to:-

- 1 Director Schools & Literacy NWFP Peshawar.
- 2 P/S to Minister of Education NWFP Peshawar.
- 3 P/S to Secretary Government of NWFP (S & L) Department Peshawar.
- 4 District Nazim Kohistan
- 5 District Coordination Officer Kohistan with reference your Notification No.10232-36 dated 20/11/2006 & 10407-10 dated 24/11/2006.
- 6 District Accounts Officer Kohistan.
- 7 District Officer Schools & Literacy Kohistan.
- 8 Deputy District Officer (F)S&L Kohistan.
- 9 Candidates concerned.


Executive District Officer
Schools & Literacy Kohistan

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) KOHISTAN

NOTIFICATION

Whereas the following teachers were reported wilful absent from duties by the concerned Assistant Sub Divisional Education Officers (Female), Sub Divisional Education Officers (Female) and Independent Monitoring Unit (IMU) Kohistan.

And whereas on the report of the visiting officers, this office issued show cause notices at home address through registered posts but neither the teachers joined their duties nor submitted convincing replies within the stipulated time (15 days) before the committees constituted for personal hearing vide this office letter no. 394-98 dated 11-02-2019 and the same were conveyed to the teachers in time.

And whereas final show cause notices were issued through two leading newspapers i.e. Daily "Hazara News" Mansehra and Daily "Akhbaar" Abbottabad dated 26/02/2019 in which teachers were directed to assume their duties and submit reason (s) of their wilful absence but neither they attended their schools nor submitted convincing replies before the committee within the stipulated period mentioned in the newspaper. Now in view of the above facts I, Mr. Khurshid Ahmed, being competent authority, as District Education Officer (female) Kohistan, is fully satisfied to impose major penalty of **REMOVAL FROM SERVICE** upon the teachers under rule 4b(iii) of E&D Rules 2011 with effect from the dates mentioned against each.

S#	NAME OF TEACHER	NAME OF SCHOOL	DATE OF REMOVAL FROM SERVICE
1	Lazhaba (G-4)	GGPS Pashot	01-10-2016
2	Sadaf Zeb	GGPS Pashot	01-10-2017
3	Raqiba	GGPS Ser Garhi	01-10-2017
4	Asma	GGPS Ser Garhi	01-10-2017
5	Farzana Wali	GGPS Jhakh Lohi	01-04-2018
6	Shaheen Zameer	GGPS Loohi Dader	01-10-2018
7	Gul Bibi	GGPS Baja Loohi	01-04-2018
8	Nuzhat Ara	GGPS Harban kot	01-05-2018
9	Tahmena Roohi	GGPS Kuz Kamila	01-01-2017
10	Zuhra Bibi	GGPS Kherza khail Dader	01-10-2015
11	Nagina Orail (G-4)	GGPS Baja Lohi	01-05-2016
12	Shagufta Kiran	GGPS Dhoop Lohi	01-01-2019
13	Gul Bibi	GGPS Seral Shan	01-04-2018
14	Zarina	GGPS Kemia Abad	01-01-2019
15	Salma Bibi	GGPS Kemia Abad	01-01-2019
16	Shakira	GGPS Mehran Abad	01-03-2018
17	Masooma	GGPS Ghee Harban	01-04-2018
18	Latifa	GGPS Ghee Harban	01-01-2019
19	Johajra Bibi	GGPS Bar Bak	01-04-2018
20	Rasheeda Bano	GGPS Serto Kandia	01-10-2017
21	Rehana	GGPS Seri Gabriel	01-01-2019
22	Sara Qayum	GGPS Seri Gabriel	01-11-2018
23	Aisha Sadiq	GGPS Soyal Jashoi	01-04-2018
24	Bibi Hawa (G-4)	GGPS Awaysach	01-12-2016
25	Fahmeeda	GGPS Bhati Kuz Shrial	01-11-2017

26	Bushra Mafeez	GGPS Bhati Kuz Shiryal	01-01-2019
27	Salma	GGPS Momin Abad	01-01-2019
28	Safia Zareen	GGPS Sanga Abad	01-01-2019
29	Naheed Sartaj	GGPS Sanga Abad	01-01-2019
30	Mehnaz	GGPS Berser Shared	01-11-2017
31	Aisha Qureshi	GGPS Habib Abad	01-11-2017
32	Shema	GGPS Jaren Ranolia	01-01-2019
33	Durkhana	GGPS Kas Dobair	01-05-2017
34	Robina Syed	GGPS Ali Abad	01-11-2018
35	Nasreen Sultan	GGPS Tares	01-12-2018
36	Fatima Akhtar	GGPS Serzahab Abad	01-02-2019
37	Rizwana Bibi	GGPS Z K Abad	01-12-2018
38	Mufeed Akhtar	GGPS Sher Abad	01-12-2018

NOTE: Any teacher who is found involved in any embezzlement of fund/conditional grant, she will be proceeded for FIR/Anti-corruption proceedings as and when reported at any stage. Concerned DDOs are directed to recover the payment (if any) made for absence period out of their GPF etc.

DISTRICT EDUCATION OFFICER
(F) KOHISTAN

Endst No: 1198-1210 Dated: 20-04-2019

Copy for Information to:

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Kohistan.
3. Deputy Commissioner Kohistan Lower.
4. Deputy Commissioner Kolai Palas Kohistan.
5. District Monitoring Officer Kohistan.
6. DEO (M) Kohistan Lower & Kolai Palas Kohistan.
7. District Accounts Officer Kohistan.
8. PA to Advisor to CM for Elementary & Secondary Education Khyber Pakhtunkhwa.
9. PA to Secretary (E&SE) Govt of Khyber Pakhtunkhwa Peshawar.
10. All concerned teachers.
11. PA to DEO (M/F) Kohistan.
12. Office copy.

DISTRICT EDUCATION OFFICER
(F) KOHISTAN

Attested
11/11/19

Annexure (c)
P-13

عنوان: اپیل برخلاف آڈر نمبر 1190-1210 Endst No. 20.04.2019 محررہ

- جناب عالی! گزارشات حسب ذیل پیش ہیں۔
- (۱)۔ یہ کہ سائلہ 01.12.2006 سے محکمہ تعلیم میں اور تاحال GGPS باجوہ لوہی داسو کوہستان میں بطور PST گزشتہ 12 سالوں سے اپنے فرائض سرانجام دے رہی ہے۔
 - (۲)۔ یہ کہ دوران سروس کبھی بھی سائلہ کو نہ غیر حاضر پایا گیا نہ اسکے خلاف کسی قسم کی کوئی محکمانہ شکایت آئی ہے۔
 - (۳)۔ یہ کہ غیر حاضری کے بارے میں سائلہ کو کوئی علم نہیں اور نہ بتایا گیا ہے کیونکہ سائلہ ریگولر اپنی ڈیوٹی سرانجام دے رہی ہے۔
 - (۴)۔ یہ کہ جب کبھی بھی محکمہ تعلیم سے کوئی شوکاژ نوٹس ہوا تو سائلہ نے بروقت اسکا جواب دیا ہے مگر محکمہ کے افسران نے اسے دیکھنے کی کوئی ضرورت محسوس نہ کی۔
 - (۵)۔ یہ کہ اچانک ایک Letter نمبر 1198-1210 مورخہ 20.04.2019 موصول کر کے حیرت ہوئی کہ سائلہ کو ملازمت سے برطرف کر دیا گیا ہے۔
 - (۶)۔ یہ کہ دفتر سے یکطرفہ فیصلہ کر کے سائلہ کو سروس سے برخاست کیا گیا ہے اسی دوران نہ تو کوئی انکوائری ہوئی ہے اور نہ سائلہ کو پرسنل ہیئرنگ کیلئے بلایا گیا ہے۔
 - (۷)۔ یہ کہ سائلہ کے ساتھ نہایت زیادتی ہوئی ہے سائلہ کے چھوٹے چھوٹے بچے ہیں، نہایت ہی غریب خاندان سے اور پسماندہ علاقے سے تعلق رکھتی ہے۔
- لہذا استدعا کی جاتی ہے کہ مندرجہ بالا عنوان کی روشنی میں سائلہ کا برخاستگی کا حکم نامہ ختم کر کے سائلہ کو اپنی پوسٹ پر بحال کرنے کا حکم صادر فرمایا جائے تو سائلہ تاحیات دعا گور ہے گی۔

ارضی

گنبدہ اوتیل PST گورنمنٹ گرلز پرائمری سکول باجوہ لوہی داسو کوہستان

محررہ 15-5-2019



Annexure - (D) 99
P-14

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

No. 6202 /FNp.324/F/Appeal Kohistan

Dated Peshawar the 08/10/ /2019

To

The District Education Officer,
(F) Kohistan

Subject:- APPEALS REGARDING REMOVAL FROM SERVICE

I am directed to refer to your letter No.5158 dated 02/09/2019 on the subject cited above and to state that the competent authority has rejected the appeals of the following teachers. Hence she may be informed accordingly.

S.No	Name and Designation	School Name
1.	Zarmina PST	GGPS Kemia Abad Kohistan
2.	Salma Bibi PTS	---do--
3.	Shakira Bibi PST	GGPS Mehran Abad
4.	Gul Bibi PST	GGPS Seral Shah
5.	Sadaf Zeb PST	GGPS Pashot
6.	Shaheen Zameer PST	GGPS Loohi Dader
7.	Raqiba PST	GGPS Ser Garhi
18.	Nagina Otail PST	GGPS Baja Lohi
9.	Asma PST	GGPS Ser Garhi Kandia
10.	Farzana Wali PST	GGPS Jhakh lohi
11.	Rehana Bibi PST	GGPS Seri Gabriel
12.	Gul Bibi PST	GGPS Baja Looni
13.	Johajra Bibi PST	GGPS Bar Bak
14.	Gul Shanaz Bibi PST	GGPS Nimraty Sosak Upper
15.	Bibi Rashida PST	GGPS Serto Kandia
16.	Shagufta Kiran PST	GGPS Dhoop Lehi
17.	Huree PST	GGPS Nimraty Sosak Upper
18.	Latifa PST	GGPS Ghee Harban
19.	Aisha Qurashi PST	GGPS Habib Abad Koli
20.	Aisha Sadiq	GGPS Soyal Jashoi
21.	Naheed Sartaj PST	GGPS Sanga Abad

Endst No. _____

Copy of the above is forwarded to the:

1. PA to Director E&SE KPK Peshawar.

Handwritten Signature
Deputy Director (Female)
E&SE Khyber Pakhtunkhwa

Handwritten Signature
Deputy Director (Female)
E&SE Khyber Pakhtunkhwa

وکالت نامہ

P-15

بعدالت جناب سروس ٹریبونل KPK پشاور

ڈسٹرکٹ ایجوکیشن آفیسر وغیرہ

بنام

نگینہ اوتیل

سروس اپیل

اپیلانٹ

باعث تحریر آنکھ!

منجانب:

عبدالصبور خان ایڈووکیٹ ہائی کورٹ

اندریں مقدمہ عنوان بالا اپنی طرف سے برائے بیرونی وجوہات ہی بمقام پشاور ہائی کورٹ

کو بدیں شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختیار خاص رُویت و عدالت حاضر ہوتا ہوں گا اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دیکر حاضر کروں گا۔ اگر کسی پیشی پر منظر حاضر نہ ہوا اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پشاور کے علاوہ کسی اور جگہ پشوری کے مقررہ اوقات سے پہلے یا بروز تعطیل بیرونی کرنے کے مجاز نہ ہونگے اگر مقدمہ مقام پشوری کے آگے یا پیچھے سماعت ہونے پر منظر کو کوئی نقصان پہنچے تو صاحب موصوف ذمہ دار نہ ہوں گے اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجراء کے ذگری و نظر ثانی، اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست پر دستخط تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ذگری کے اجراء کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے کا، ہر قسم کا بیان دینے اور سپرد ثالثی و راضی نامہ و دستبرداری و اقبال دعویٰ کا اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ذگری یکطرفہ درخواست حکم امتناعی یا فیصلہ ذگری و اجراء کے ذگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ فیس کرنے کا مجاز ہوگا۔ بصورت ضرورت بدوران مقدمہ یا اپیل و نگرانی کسی دوسرے وکیل یا پیرسٹر کو بجائے خود یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو، پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی بیرونی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ مجھے کل ساختہ پر داختمثل ذات خود منظور و قبول ہوگا۔ لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے۔ مضمون وکالت نامہ سن لیا اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

مورخہ 02.11.2019

نگینہ اوتیل سابقہ PST ٹیچر گورنمنٹ گرلز پرائمری سکول باجہ لوہی داسو کوہستان

(اپیلانٹ)

Attested & Accepted
Abdul Saboor Khan
Advocate High Court