


Service Appeal No. 1405/2019

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.*

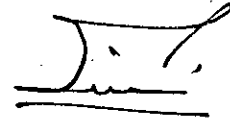

(FAREEHA PAUL)
Member (E)
(Camp Court Abbottabad)


(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
29/12/21



(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.

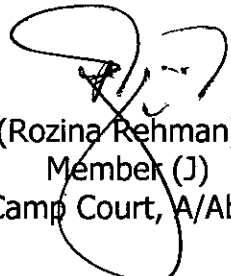
Written reply on behalf of the respondents not submitted. Representative of the respondents seeks time to submit written reply/comments. Last chance is given to the respondents to submit written reply/comments within fifteen days in office, failing which their right for submission of written reply shall 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.

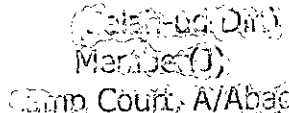
Points raised need consideration. Appeal is admitted to regular hearing subject to all legal objections. Appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for reply/comments. To come up for written reply/comments on 13.07.2021 before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


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

13.07.2021 Due to cancellation of tour, 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.

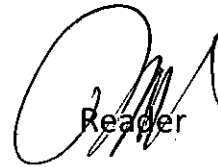

Member (J)
Camp Court, A/Abad


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 19 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.


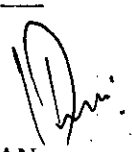
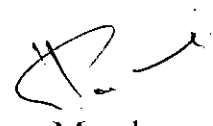

(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT ABBOTTABAD

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1405/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/10/2019	<p>The appeal of Mst. Saira Qayyum 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 24/10/19</p>
2-	24.01.2020	<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>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>

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No 1405 of 2019

Saira Qayyum.....**Appellant**

VERSUS

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

APPEAL

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Dated 22.10.2019


SAIRA QAYYUM
(Appellant)

Through:-


ABDUL SABOOR KHAN
Advocate High Court

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No 1405 of 2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1487

Dated 24/10/2019

Saira Qayyum, Ex-Primary School Teacher
at Government Girls Primary School,
Ishpidar, Tehsil Kandia, District Kohistan
upper.

.....Appellant

VERSUS

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

.....Respondents

Filed to-day
[Signature]
Registrar
24/10/19

APPEAL UNDER SECTION 4 OF KPK
SERVICE TRIBUNAL, ACT, 1974
AGAINST THE IMPUGNED ORDERS NO
1198-1210 DATED 20.04.2019 AND
5950 DATED 26.07.2019, 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 5950 dated 26.07.2019, passed by respondents may kindly be set-aside declaring them illegal, void-abnito 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, respondent No 02, vide office order No.289-93 dated 30.01.2019, transferred the appellant and posted/adjusted at Government Girls Primary School Ishpidar against the vacant post and appellant assumed the charge in the said school on 05.02.2019.

(Copies of Transfer order dated 30.01.2019 and charge report dated 05.02.2019 are annexed as Annexure "B" & "C" respectively).

3. That, respondent No 02, allegedly issued final show cause notice on 26.01.2019 to the appellant for willful absence from duty at the address of GGPS Seri Gabryal, but appellant neither received the same nor does it contain the period of alleged absence.

(Copy of final show cause notice dated 26.01.2019 is annexed as Annexure "D").

4. 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. 01.11.2018 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 "E").

5. That, appellant filed a Departmental appeal on dated 07.05.2019, with respondent No 02, which was rejected vide impugned order no 5950 dated 26.07.2019, but the appellant was never intimated by respondent No 02 despite direction contained therein and appellant was verbally informed by clerk of respondent No 02 about the fate of Departmental appeal on 21.10.2019 and handed over the copy

of order passed by respondent No 01 on 26.07.2019.

(Copies of Departmental appeal and impugned order dated 26.07.2019 are annexed as Annexure "F&G" respectively).

6. That, being aggrieved from the impugned orders dated 20.04.2019 and 26.07.2019, appellant having no other remedy files the present service appeal before this Honourable Tribunal for interference inter alia, on the following amongst other grounds.

GROUNDS:-

- 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, perusal of final show cause notice allegedly issued and impugned order dated 20.04.2019, would show that no alleged period of absence is mentioned therein, hence, the impugned order is vague, unclear and not based on any evidence worth name.
- 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 aulterm partem, hence, the impugned order is not sustainable and maintainable under the law.
- 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 5950 dated 26.07.2019, passed by respondents may kindly be set-aside declaring them illegal, void-abnito and against the law on the subject and appellant be re-instated into service with all back benefits.

Dated 22.10.2019

Saira

SAIRA QAYYUM
(Appellant)

Through:-

ABDUL SABOOR KHAN
ADVOCATE HIGH COURT

VERIFICATION :

I, Saira Qayyum, Ex-Primary School Teacher at Government Girls Primary School, Ishpidar, Tehsil Kandia, 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 from this Honorable Tribunal.


SAIRA QAYYUM

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No _____ of 2019

Saira Qayyum.....Appellant

VERSUS

Director Elementary and Secondary
Education Peshawar etcRespondents

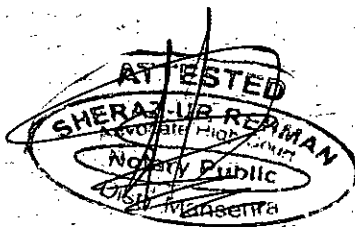
APPEAL

AFFIDAVIT

I, Saira Qayyum, Ex-Primary School Teacher at Government Girls Primary School, Ishpidar, Tehsil Kandia, 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: 22.10.2019

Saira
SAIRA QAYYUM
DEPONENT



22/10/19

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No _____ of 2019
 Saira Qayyum,.....**Appellant**

VERSUS

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

APPEAL

CORRECT ADDRESSES OF THE PARTIES

APPELLANT:

Saira Qayyum, Ex-Primary School Teacher
 at Government Girls Primary School,
 Ishpidar, Tehsil Kandia, District Kohistan
 upper.

RESPONDENTS:

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

Dated 22.10.2019

Saira
SAIRA QAYYUM
 (Appellant)

Through:-

ABDUL SABOOR KHAN
 Advocate High Court

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No _____ of 2019

Saira Qayyum.....**Appellant**

VERSUS

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

APPEAL

APPLICATION FOR CONDONATION OF ONE
MONTH AND 25 DAYS DELAY IN FILING
THE PRESENT SERVICE APPEAL.

Respectfully shewith!

1. That, this miscellaneous application may kindly be treated as part and parcel of the main service appeal.
2. That, order of rejection of Departmental appeal passed on 26.07.2019 by respondent No 02 was never communicated to the appellant by either respondents.
3. That, there is a direction to respondent No 02 in the impugned order No 5950 dated 26.07.2019 to communicate the same to the appellant, but he did not inform the appellant in time.

4. That, appellant was verbally and unofficially informed by clerk of respondent No 02 regarding the rejection of Departmental appeal on 21.10.2019 and on demand provided the copy of the same on the same date.
5. That, the delay has been caused due to non-communication of the rejection order of the Departmental appeal in time by the respondents.

It is therefore, very humbly prayed that on acceptance of the instant application the delay in filing the present service appeal may kindly condoned and the appeal be decided on merits in accordance with law.

Dated 22.10.2019

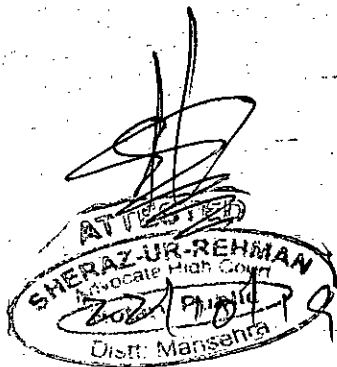
Said
SAIRA QAYYUM
(Appellant)

Through:-

Said
ABDUL SABOOR KHAN
ADVOCATE HIGH COURT

AFFIDAVIT !

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.



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 Palas (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	Shakira	Abdul Shakoor	Bataira	PTC	GGPS Gulababad No.1	Agst V.Post
2	Rakhshanda	Sadam Khan	Bataira	PTC	GGPS Darra M.Khel	Agst V.Post
3	Yasmin Bibi	Sher Zada	Bataira	PTC	GGPS Mahreen	Agst V.Post
4	Gul Samina	Sher Zada	Bataira	PTC	GGPS Mahreen	Agst V.Post
5	Bibi Khobana	Hazrat wali	Botial	PTC	GGPS Safia Darra	Agst V.Post
6	Taj-un Nissa	Haroot	Haran	PTC	GGPS Dusham Abad	Agst V.Post
7	Ruqia Bibi	Chaloo	Gulbagh	PTC	GGPS Nawazabad	Agst V.Post
8	Masra Bibi	Qadam Khan	Haran	PTC	GGPS Jhoom Gali	Agst V.Post
9	Tasteem bibi	Chaloo	Haran	PTC	GGPS Haiderabad	Agst V.Post
10	Hasteem Bibi	Chaloo	Haran	PTC	GGPS Bahadarabad	Agst V.Post
11	Zanab Bibi	Mohammad Sherin	Haran	PTC	GGPS Datt	Agst V.Post
12	Noshaba	Nazeer	Gaddar	PTC	GGPS Gulibagh	Agst V.Post
13	Parveen Bibi	Mohammad Sirtaj	Gaddar	PTC	GGPS Gulibagh	Agst V.Post
14	Basmeen Bibi	Safoor	Khotakot	PTC	GGPS Kgaro Gaddar	Agst V.Post
15	Bushra Bibi	Abdul Qadir	Kareen	PTC	GGPS Safia Darra	Agst V.Post
16	Gul Nasim	Amir Zada	Kolai	PTC	GGPS Mahreen	Agst V.Post
17	Robina	Amir Zada	Koli	PTC	GGPS Mahreen	Agst V.Post
18	Gul Zaron	Amir Zada	Koli	PTC	GGPS Mahreen	Agst V.Post
19	Shabana Khan	Banaras khan	Kuz Paro	PTC	GGPS Nawazabad	Agst V.Post
20	Sekina Bibi	Mohd Nazeer Shah	Kuz Paro	PTC	GGPS Unna	Agst V.Post
21	Khalida	Qutab Din	Kuz Paro	PTC	GGPS Unna	Agst V.Post
22	Gul Shah Naz	Miskeen	Kuz Paro	PTC	GGPS Shuman Kot	Agst V.Post
23	Samina Bibi	Mohd Nazeer Shah	Kuz Paro	PTC	GGPS Shuman Kot	Agst V.Post
24	Safina Bibi	Abdur Rahman	Kuz Paro	PTC	GGPS Zarafkot	Agst V.Post
25	Hussan Bibi	Mohd Nazoor Shah	Kuz Paro	PTC	GGPS Sadbar Kot	Agst V.Post
26	Saira Bibi	Abdul Qayoum	Kuz Paro	PTC	GGPS Sadbar Kot	Agst V.Post
27	Safia Bibi	Gul Zareen	Bar Paroo	PTC	GGPS Kolai	Agst V.Post
28	Shumaila	Mohammad Nazir	Hukamabad	PTC	GGPS Kolai	Agst V.Post
29	Nabila Qureshi	Abdul Hanan	Pooch Bela	PTC	GGPS Khizarabad	Agst V.Post
30	Bibi Rehana	Shamal	Hukum Abad	PTC	GGPS Khizarabad	Agst V.Post
31	Zainab Mustafa	Mohd Mustafa	Kuz Shrial	PTC	GGPS K.K Jahmra	Agst V.Post
32	Nadia	Mustafa	Kuz Shrial	PTC	GGPS Hujarabad	Agst V.Post
33	Rashida Jabeen	Khanizaman	Kuz Shrial	PTC	GGPS Shilkanabad	Agst V.Post
34	Hussan Pari	Malik Haidar	Shalkan abad	PTC	CMS Shilkanabad	Agst V.Post
35	Nusrat Begum	Pir Dad	Shalkan abad	PTC	GGPS Shilkanabad	Agst V.Post
36	Begum Bibi	Daleel	Shalkan abad	PTC	GGPS Shilkanabad	Agst V.Post
37	Bibi Hajira	Habat Khan	Shalkan abad	PTC	GGPS Shilkanabad	Agst V.Post
38	Bibi Halima	M.Gulfraz	Shalkan abad	PTC	GGPS Shilkanabad	Agst V.Post
39	Bushra Hayat	Hayat Mohammad	Shalkan abad	PTC	GGPS Shilkanabad	Agst V.Post
40	Aisha Bibi	Gul Fraz	Shalkan abad	PTC	GGPS Shilkanabad	Agst V.Post
41	Tasleem bibi	Qalandar	Bar Sheyal	PTC	GGPS Datt	Agst V.Post
42	Kiran Mustafa	M.Mustafa	Bar Sheyal	PTC	GGPS Shilkanabad	Agst V.Post
43	Misal Jan	Rokhan	Bar Sheyal	PTC	GGPS Sabirabad	Agst V.Post
44	Sadaf Bibi	M.Mustafa	Bar Shoyal	PTC	GGPS Sabirabad	Agst V.Post
45	Saima Hanif	Mohd Hanif	Bar Sheryal	PTC	GGPS Sharakot	Agst V.Post

Contd:P-02

P-13

46	Gul Safia	Mian Gul	Bar Sheryal	PTC	GGPS	Sharakot	Agst V.Post
47	Gul Fam	Abdul Qadcer	Bar Sheryal	PTC	GGPS	Sharakot	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 TA/DA is allowed to any one.
- 5 They will be governed by such rules and regulations enforced and as proscribed 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

sd
Executive District Officer
Schools & Literacy Kohistan

Endst.No. *45866* / App/UPTC's (M)U/C Wise Merit /2006 Dated Kohistan the *11/12* /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.

[Signature]
Executive District Officer
Schools & Literacy Kohistan

Handwritten notes:
All set
22/10/19

Adjusted
22/11/2019

OFFICE OF THE DISTRICT EDUCATION OFFICER (Female) KOHISTAN.

NO 289-93 /DEO(F) KH Dated 30/1/2019.

P-16
Annex B

OFFICE ORDER.

As proposed by SDEO(F) Dassu approved by the competent authority the following PST Teachers are hereby by Transferred/ adjusted on their own pay and scale to functionalize the schools on need basis, mentioned against each in the interest of public service.

S/NO	Name of Teacher	Desg:	From	To	Remarks
1	Benazir	PST	GGPS Kanoi	GGPS Karang	GGPS Kanoi is building less
2	Latifa	PST	GGPS Ghee	GGPS Summar Nala	GGPS Ghee is building less
3	Khudija	PST	GGPS Bagh Seri	GGPS Ser Gayal	AVP
4	Nazra Bibi	PST	GGPS Charagh Abad	GGPS Jalkot	AVP
5	Saira Qayoum	PST	GGPS Seri Gabral	GGPS Ishpidar	AVP
6	Zainab	PST	GGPS Bari Shaha	GGPS Eleel	GGPS Bari Shah is Merged
7	Nizakat	PST	GGPS Jalo Churto	GGPS Dannat	AVP
8	Suraya Marjan	PST	GGPS Bari Shaha	GGPS Soyol Dong	GGPS Bari Shah is Merged
9	Nazish	PST	GGPS Badar Shah	GGPS Jalo Churto	GGPS Badar Shah is Merged
10	Zubida Khanam	PST	GGPS Jalo Churto	GGPS Away sach	AVP
11	Resham Jan	PST	GGPS Dannat	GGPS Sfiaro Baik	AVP
12	Fehmida Zaib	PST	GGPS Badar Shah Dadair	GGPS Amir Abad	GGPS Badar Shah is Merged
13	Gul Naz	PST	GGPS Bar Osoi	GGPS Faridoon Abad	AVP
14	Khush Niaz	PST	GGPS Jalo Churto	GGPS Shikari	AVP
15	Saima Ayaz	PST	GGCMS Dassu	GGPS Dansh	AVP
16	Farigha	PST	GGPS Eleel	GGPS Rechao	AVP
17	Rukhsana Khurishid	PST	GGPS Shai Amir Abad	GGPS Kundal	AVP
18	Hanifa Sari	PST	GGPS Jakh Lohi	GGPS Mehran Abad	AVP
19	Mennaz	PST	GGPS Shaha	GGPS Jakh Lohi	V S NO 18
20	Rupza Bat	PST	GGPS Badar Shah	GGPS Shahi Amir Abad	GGPS Badar Shah is Merged
21	Rezwana	PST	GGPS Away Sach	GGPS Jalo Churto	AVP
22	Masome	PST	GGPS Ghee	GGPS Maigan Teya	GGPS Ghee is building less

District Education Officer,
(Female) Kohistan

Endst: NO 289-93 /DEO(F) KH Dated 30/1/2019.

Copy to the: -

- 1- The Dy: District Education Officer (F) Kohistan
- 2- The District Monitoring Officer IMU Kohistan.
- 3- Sub Divisional Education Officer (F) Dassu.
- 4- ASDEO(F) Circle Concerned.
- 5- Office record.

AS
District Education Officer,
(Female) Kohistan.

Approved
22/10/2019

Annex - (e)

چارچ رپورٹ

حساب الحکم DBO (F) KH کوہستان داسو۔

آرڈر 289-99 مورخہ 30/1/2019

کی تبدیل میں ارج مورخہ 2019-2-5 کو قبل از دوپہر گورنمنٹ

گورنمنٹ کے لئے لکھی گئی ہے اور اس میں اس کی تصدیق کی گئی ہے۔

P.S.T. کا چارج سنبھال کر ڈیوٹی کا

باقاعدہ آغاز کر دیا ہے۔

لکھن چارج رپورٹ حاضر خدمت ہے۔

Saiya Bagum

چارچ و سنبھال

چارچ و سنبھال

c/s
ASDEP
c/s
Kandia
05/02/2019

ASDEP
Circle Seci Kandia
Kandia

Alleged
14/07/19

A (B)
ANNEX - (D)

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

FINAL SHOW CAUSE NOTICE

I, Mr. Khurshid Ahmed, District Education Officer, (Male) Kohistan, being a competent authority under the Khyber Pakhtunkhwa Govt: Servants (E&D) Rules, 2011, do hereby serve you Mst: Saira Parveen PST GGPS Seri Ganyal as follows:

1. That consequent upon the report of IMU, your school was found closed & non-functional since long. You remained absent from your School duties willfully.
2. I am satisfied that you have committed the following acts/omissions specified in rule 3 of the said rules:
 - (i). Guilty of habitually absenting herself from duty without prior approval of leave.
4. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the major penalty under rule 4 (b) of the said rules.
5. You are therefore, required to finally show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desired to be heard in person.
6. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.

Enclt: No 2-61 /Dated Kohistan the 26/01 2019
Copy of the above is forwarded to the:-

1. Mst: Saira Parveen, Dist GGPS, Seri Ganyal

(Signature)

**COMPETENT AUTHORITY
(District Education officer)
(F) Kohistan**

No. 1204

For Insurance notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or any other no. knowledge left is, One.

Rs. 38/- Ps.

Received a registered addressed to _____ Date Stamp _____

Intents of Receiver (fill in) "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary

Insured for Rs. (in figures) _____ (in words) _____

Insurance fee Rs. Rs. 2/- (in words) _____ Kilo _____ Grams _____

Name and address of sender _____

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 Otail (G-4)	GGPS Baja Lohi	01-05-2016
12	Shagufta Kiran	GGPS Dhoop Lohi	01-01-2019
13	Gul Bibi	GGPS Seral Shah	01-04-2018
14	Zarmina	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 Soyol 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 Hafeez	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.

[Signature]
 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.

[Signature]
 DISTRICT EDUCATION OFFICER
 (F) KOHISTAN

[Handwritten signature]
 20/12/19

Tested
To 22/10/19

P. (19)

The Director
Elementary & Secondary Education Department
Khyber Pakhtunkhwa.

Annex (F)

Subject:- DEPARTMENTAL APPEAL FOR REINSTATEMENT IN GOVERNMENT SERVICE.

Most Respected Sir,

- 1- It is requested that kindly refer to the Office Order District Education Officer(Female)Kohistan bearing No.1198-1210 dated 20-4-2019(copy annex-A), vide which the District Education Officer(Female) Kohistan removed me from service.
- 2- That District Education Officer(Female) Kohistan send me a Show Cause Notice vide 261 dated 26-1-2019(copy Annex-B), by post, which I could not received, as there is no Post Office in the area where I am serving.
- 3- That in response to the Show Cause Notice, I submitted my reply to the show cause notice on 18-2-2019(copy Annex-C), as the area is inaccessible and I submitted reply on 18-2-2019 instead of 14-2-2019. I attended the office of District Education Officer(Female) Kohistan submitted my reply on the above date as well.
- 4- That in the meantime, vide another Office Order of District Education Officer(Female) Kohistan, bearing No.289-93 dated 30-1-2019(copy Annex-D), I was transferred from Government Girls Primary School Seri Gabral to Government Primary School Ashpedar Teshil Khandia, District Upper Kohistan and I submitted my arrival report on 5-2-2019(copy Annex-E)duly countersigned by ASDE(Female) Circle Seo/Khandia.
- 5- That it is requested I was the only teacher in my School and was performing my duties regularly in the school. During the months of March,October/November 2018, the general population of the areas migrates to different areas and the schools remains close due to heavy snow. I went on leave to home as I was alone teacher and often I went on leave and during this, I.M.U. team reported me as absent which is baseless.

Keeping in view my prayers, it is humbly requested that I may very kindly be reinstated in service from the date of my removal of service with all my back privileges and perks and assure your kind honour that I shall leave no stone unturned to the best satisfaction of my superiors, in future. I shall pray for your this act of summum bonum, forever, please.

Thanking you in anticipation.

Yours obedient
Saira Bagum
(Saira Qayyum)

ex- PST Teacher GGPS Aspedar,
Tehsil Khandia, District Upper Kohistan.

Dated 7-5-2019.



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

DEPUTY CACHER
Director (E&SE)
KPK P. (E&SE)

20

No. 5950 / F.No.323/F/Appeal Kohistan

Dated Peshawar the 26/7 /2019

Handwritten notes:
To
15/8/19
15/8/19

Annex 9

The District Education Officer,
(F) Kohistan.

Subject:- DEPARTMENTAL APPEAL FOR REINSTATEMENT

I am directed to refer to your letter No.3050 dated 03/07/2019 on the subject cited above and to state that the competent authority has rejected the appeal of Mst. Saira Qayyam Ex-PST GGPS Aspedar Tehsil Khabandia District Upper Kohistan. Hence she may be informed accordingly.

Handwritten: Here
Deputy Director Female
(E&SE) Khyber Pakhtunkhwa,

3
24/7/19

4207
20/8/19
DISPATCHER
Director (E&SE)
(F) Kohistan

وکالت نامہ

21

بعدالت جناب سروس ٹریبونل KPK پشاور

حکومت خیبر پختونخواہ وغیرہ

بنام

سروس اپیل

اپیلانٹ

باعث تحریر آنکھ!

سائرہ بیگم

منجانب:

عبدالصبور خان ایڈووکیٹ ہائی کورٹ

اندریں مقدمہ عنوان بالا اپنی طرف سے برائے پیروی و جواب دہی بمقام پشاور ہائی کورٹ

کو بدیں شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختیار خاص ریزرو عدالت حاضر ہوتا ہوں گا اور بوقت پکارے جانے وکیل صاحب 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 صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی اور جگہ پکھری کے مقررہ اوقات سے پہلے یا بروز تعطیل پیروی کرنے کے مجاز نہ ہونگے اگر مقدمہ مقام پکھری کے آگے یا پیچھے سماعت ہونے پر مظہر کو کوئی نقصان پہنچے تو صاحب موصوف ذمہ دار نہ ہوں گے اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجراء کے ڈگری و نظر ثانی، اپیل نگرانی، دائر کرنے نیز ہر قسم کی درخواست پر دستخط تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے کا، ہر قسم کا بیان دینے اور سپرد تالی و راضی نامہ و دستبرداری و اقبال دعویٰ کا اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا فیصلہ ڈگری و اجراء کے ڈگری بھی صاحب موصوف کو بشرط ادا کیگی 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 پیروی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ مجھے کل ساختہ پرداختہ مثل 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 22.10.2019

سائرہ قیوم سابقہ پرائمری سکول ٹیچر گورنمنٹ گرلز پرائمری سکول اسپید آر تحصیل کھنڈیاں ضلع کوہستان اپر

(اپیلانٹ)

Attested & Accepted
Abdul Saboor Khan
Advocate High Court