

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1707/2019

BEFORE: MRS. ROZINA REHMAN ... MEMBER(J)
 MISS. FAREEHA PAUL ... MEMBER(E)

Mst. Shabana Naz, Senior Arabic Teacher (S.A.T) BPS-16, Government Girls High School Mahoo Deheri, Mardan.

... (*Appellant*)

Versus

1. District Education Officer (Female) Mardan.
2. The Incharge Headmistress, Government Girls High School Mahoo Dheri, Mardan.
3. District Nazim Mardan.
4. Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
5. The Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat, Peshawar.

... (*Respondents*)

Mr. Rahat Ali Khan Nahqai
Advocate

...

For appellant

Mr. Kabir Ullah Khattak
Additional Advocate General

...

For respondents

Date of Institution.....04.12.2019
Date of Hearing.....14.09.2022
Date of Decision.....14.09.2022

JUDGEMENT

FAREEHA PAUL, MEMBER (E): The service appeal in hand has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the impugned order dated 06.04.2019 issued by the District Education Officer (Female) whereby minor penalty of withholding of one increment for two



years was imposed upon the appellant and she was transferred to Government Girls High School Ghala Dher on administrative grounds.

2. Brief facts of the case, as given in the memorandum of appeal, are that appellant was appointed as Senior Arabic Teacher (SAT) in the year 2007. On 13.02.2019 she became seriously ill and applied for one day casual leave which was not recommended by the incharge Headmistress GGHS Mahoo Dheri, Mardan (Respondent No. 1). On the next date i.e 14.02.2019, the appellant sent another proforma for one day casual leave to the office of Respondent No. 1 (DEO (Female) Mardan) which was returned unapproved. Against the behaviour of the Headmistress, appellant filed an application before the DEO (F) Mardan which was not considered. On 21.03.2019, she was directed to attend the office of DEO (F) Mardan on 28.03.2019 for personal hearing but without hearing, punishment was imposed on her. The DEO (F) without paying any heed to the ban imposed on transfer by the Secretary Elementary & Secondary Education as well as the District Nazim, transferred the appellant from Mahoo Dheri to Ghala Dher vide the impugned order dated 06.04.2019. The appellant preferred an appeal before the Director Elementary and Secondary Education Khyber Pakhtunkhwa on 28.06.2019 which was not responded; hence this service appeal.

3. Respondents were put on notice who submitted written replies/ comments on the appeal. We have heard the learned counsel for the appellant as well as the learned Additional Advocate General and perused the case file with connected documents in detail.

4. Learned counsel for the appellant presented the case in detail and argued that she was charged on the ground of misconduct whereas casual leave did not come under the ambit of misconduct. He contended that the punishment imposed on the appellant was a double jeopardy, not only her increment was stopped for two years



but she was transferred as a punishment from GGHS Mahoo Dheri to GGHS Ghala Dher, which was against the Constitution and law and also against the transfer policy. He further contended that no proper procedure under the E&D Rules was adopted before imposing penalty on her, i.e neither any inquiry was conducted nor she was given any show cause notice.

5. The learned Additional Advocate General at the very onset contended that the appeal was not maintainable because the appellant was found absent by the Inspection Team on which the Headmistress called an explanation and requested the DEO (F) to take disciplinary action against her. On the question of transfer, the learned Additional Advocate General argued that the competent authority under Civil Servant Act was fully empowered to transfer her on administrative ground and such order was not in violation of the transfer policy.

6. In view of the arguments presented and the record available before us, it is clear that the appellant was serving at GGHS Mahoo Dheri and that she applied for leave on grounds of sickness on 13.02.2019 but leave request was not granted by the Headmistress of the school. Unfortunately a copy of that application is not available with the record produced before us. However, another leave application on a specified proforma for 14.02.2019 is available with the record, which was also regretted. It has been contended by the learned Additional Advocate General that the appellant was proceeded against based on a report of the inspection team dated 14.02.2019. Copy of report is annexed with the reply of respondents which indicates that report has been signed by the Principal GGHS Hoti No. 2, Mardan. Date on that report is 14.02.2018 which seems to be written by mistake and the year is read as 2019. Record available before us further contains a letter addressed to DEO (F) Mardan and signed by two Principals and one Headmistress i.e Principal GGHS No. 1 Mardan, Principal GGHS Hoti No.2 Mardan and Headmistress GGHS Mahoo Dheri Mardan. They have raised certain issues against the appellant in their

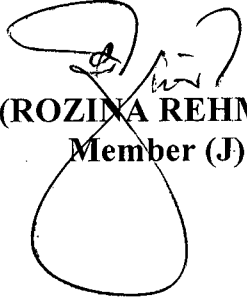


letter with a recommendation to transfer her at some far off place and take disciplinary action against her.

7. The above mentioned letter contains some allegations against the appellant. It is felt that had it not been appropriate for the competent authority to inquire into those allegations before taking any action and imposing punishment on the appellant? We feel that the competent authority should have ordered an inquiry first or given her a show cause notice for her response. He should have given her a fair opportunity to present and defend her case. Record is silent on these lines.

8. In view of the above, the appeal in hand is allowed and the impugned order dated 06.04.2019 is set aside, with the direction to respondents to restore the increment that was stopped and retain the appellant on her present post at GGHS Mahoo Dheri. Parties are left to bear their own costs. Consign.

9. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 14th day of September, 2022.*


(ROZINA REHMAN)
Member (J)



(FAREEHA PAUL)
Member (E)

Service Appeal No. 1707/2019

1. Mr. Rahat Ali Khan Nahqai, 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 04 pages, we arrive at the conclusion that the appeal in hand is allowed and the impugned order dated 06.04.2019 is set aside, with the direction to respondents to restore the increment that was stopped and retain the appellant on her present post at GGHS Mahoo Dheri. Parties are left to bear their own costs. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 14th day of September, 2022.*


(ROZINA REHMAN)
Member (J)


(FAREEH PAUL)
Member (E)

09.09.2022

Appellant in person present.

Kabir Ullah Khattak, learned Additional Advocate General alongwith Muhammad Jameel Litigation Officer for respondents present.

Order in the instant case could not be announced as learned Member Executive (Ms. Fareeha Paul) is on leave, therefore, case is adjourned to 14.09.2022 for orders before D.B.



(Rozina Rehman)
Member(J)

13th June, 2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Learned counsel for the appellant seeks adjournment. Last opportunity granted to argue the case failing which the case will be decided on the available without arguments. To come up for arguments on 06.09.2022 before D.B.



(Fareeha Paul)
Member(E)



(Kalim Arshad Khan)
Chairman

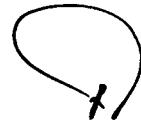
06.09.2022

Rahat Ali Khan Nahqi Advocate present and submitted Wakalat Nama in favor of appellant.

Kabir Ullah Khattak, learned Additional Advocate General alongwith Abdul Jamil Litigation Officer for the respondents present.

Arguments heard. To come up for order on 09 / 09 / 2022 before D.B.

(Fareeha Paul)
Member(E)

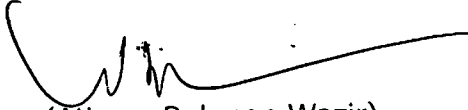


(Rozina Rehman)
Member(J)

04.01.2022

Counsel for the appellant and Mr. Javaidullah,
Asstt. AG for the respondents present.

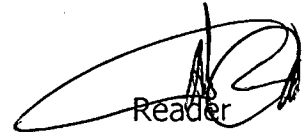
Former seeks adjournment in order to further prepare
the brief. Request accorded. To come up for arguments on
15.02.2022 before the D.B.


(Atiq-ur-Rehman Wazir)
Member(E)


Chairman

15.02.2022

Due to retirement of the Worthy Chairman the
Tribunal is defunct, therefore, case is adjourned to
07.06.2022 for the same as before.


Reader

07.06.2022

Appellant alongwith clerk of his counsel present. Mr.
Muhammad Adeel Butt, Additional Advocate General for the
respondents present.

Clerk of learned counsel for the appellant requested for
adjournment on the ground that learned counsel for the
appellant is not available today due to strike of lawyers.
Adjourned. To come up for arguments on 13.07.2022 before the
D.B.


(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)

10.06.2021

Miss. Sherash Naz, junior of learned counsel for the appellant present. Mr. Sajid Khan, ADO (Litigation) alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Former sought adjournment on the ground that learned counsel for the appellant is busy before the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments before the D.B on 05.10.2021.



(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

05.10.2021

Mr. Shahid Raza Malik, Advocate for appellant present and fresh Wakalatnama submitted which is placed on file. Mr. Javaidullah, Asstt. AG alongwith Sajid Khan, ADO for the respondents present.

Former sought adjournment. Request is accorded. To come up for arguments on 04.01.2022 before the D.B.


(Mian Muhammad)
Member(Executive)


Chairman

16.11.2020

Junior to counsel for the appellant and Sajid Superintendent for respondents No. 1, 2, 4 and 5 alongwith Addl. AG for the respondents present.

Representative of the said respondents has submitted parawise comments. Placed on record. Respondent No. 3 has not furnished reply/comments despite last opportunity. The matter is assigned to D.B for arguments on 08.12.2020. The appellant may furnish rejoinder within 10 days, if so advised.

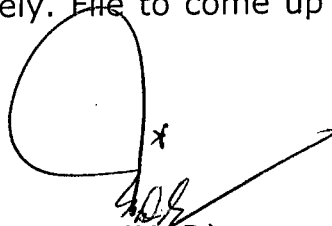


Chairman


08.12.2020

Counsel for appellant is present. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General, for the respondents is also present.

Learned Assistant Advocate General sought time for submission of reply. The learned counsel for appellant has got no objection on the request so made. The appeal is adjourned to 05.03.2021 directing the rest of the respondents to submit their reply positively. File to come up for reply and arguments before D.B.



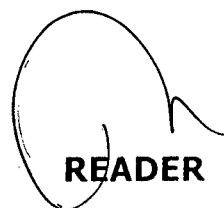
(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

04.03.2021

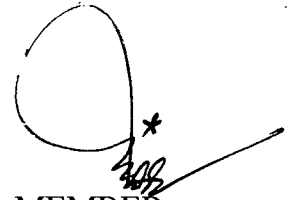
Due to COVID-19, the case is adjourned for the same on 10.06.2021 before D.B



READER

24.06.2020

Counsel for the appellant present. Addl:AG for respondents present. Written reply not submitted. Requested for time to submit the same on the next date of hearing. Adjourned. To come up for written reply/comments on 11.08.2020 before S.B.



MEMBER

11.08.2020

Counsel for the appellant and Addl. AG for the respondents present.

Learned AAG requests for time to contact the respondents for submission of written reply/comments. Adjourned to 23.09.2020 on which date the requisite reply/comments shall positively be furnished.



Chairman

23.09.2020

Counsel for the appellant and Addl. AG for the respondents present.

Learned AAG seeks further time for submission of reply/comments. He is required to contact the respondents regarding submission of requisite reply/comments on 16.11.2020 as last chance.



Chairman

18.03.2020

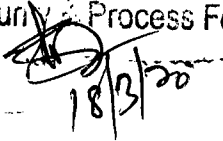
Learned counsel for the appellant present. Preliminary arguments heard.

The appellant has filed the present service appeal against the order dated 06.04.2019 whereby minor penalty of withholding of one increment for two years was imposed upon the appellant and she was transferred to GGHS Ghala Dher.

Learned counsel for the appellant contended inter-alia that after withdrawal of the earlier service appeal the appellant has submitted departmental appeal and hence the present fresh service appeal.

Submissions made by the learned counsel for the appellant, need consideration. The present service appeal is admitted for regular hearing subject to all just legal objections including the issue of maintainability. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 01.04.2020 before S.B.

Appellant Deposited
Security & Process Fee


18/3/20



Member

01.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 24.06.2020 for the same. To come up for the same as before S.B.

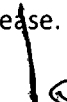


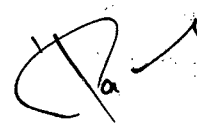

Reader

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. - 1707/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/12/2019	<p>The appeal of Mst. Shabana Naz resubmitted today by Mr. Shahriyar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 6/12/19</p>
2-	10/12/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>19/12/19</u></p> <p> CHAIRMAN</p>
	19.12.2019	<p>Muhammad Yousaf, father of appellant present. Requests for adjournment due to general strike of the Bar. Adjourned to 29.01.2020 before S.B.</p> <p> Chairman</p>
	29.01.2020	<p>Clerk to counsel for the appellant present. Due to general strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for preliminary hearing on 18.03.2020 before S.B</p> <p> Member</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Mst: Shabana Naz

V/S

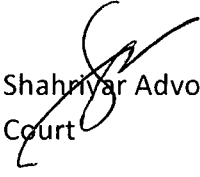
District Education Officer (F) Mardan and others

Your No.2117 dated 04-12-2019

Respected Sir,

Resubmitted offer complying as under:-

1. The leave application dated 13-2-2019 mentioned at S 3 of petition is in possession of defendant No.2.
2. Omission supplied.
3. Complied with.
4. Complied with.
5. Better copy attached.
6. Complied with Sir.


Shahriyar Advocate High
Court

at Mardan


6/12/2019

The appeal of Mst. Shabana Naz SAT GGHS Mahoo Dkheri Mardan received today i.e. on 04.12.2019 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Copies of leave application mentioned in para-3 of the memo of appeal (Annexure-B) are not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal may be attested.
- 3- Annexures are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 4- Sub-rule-4 of rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974 requires that the competent authority whose order is challenged shall be shown as respondent no.1.
- 5- Annexure-B of the appeal is illegible which may be replaced by legible/better one.
- 6- Four more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2117 /S.T,

Dt. 4-12- /2019.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Shahriyar Khan Adv. Mardan.

BEFORE THE KHYBER PAKHTOON KHWA SERVICES TRIBUNAL PESHAWAR

Appeal No 1707 2019

Mst Shabana Naz
Senior Arabic Teacher (S.A.T) BPS-16
Government Girls High School (GGHS)
Mahoo Dheri Mardan

V/S
DEO(F) Mardan.

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4.12.2019

[Signature]
Appellant

[Signature]
Through
SANGHVI & SANGHVI
Advocate High Court
at District Courts Mardan

BEFORE THE KHYBER PAKHTOON KHWA SERVICES TRIBUNAL

PESHAWAR

Appeal No 1707 2019

Mst Shabana Naz
Senior Arabic Teacher (S.A.T) BPS-16
Government Girls High School (GGHS)
Mahoo Dheri Mardan

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1715

Dated 04/12/2019

..... (Petition)

VERSUS

- ✓ 1. District Education Officer(F) Mardan.
 - ✓ 2. The In charge Headmistress , Govt Girls Hight School Mahoo
Dheri Mardan
 - 3. District Nazim Mardan
 - ✓ 4. Director Education ^{EASE} KPK, Peshawar
 - 5. The Govt of KPK Through Chief Secretary
Civil Secretariat Peshawar
- (Respondents)

Filed to-day

[Signature]
Registrar
4/12/19

1. APPEAL UNDER SECTION-4 OF SERVICES TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 06/04/2019 ANNEXURE A ISSUED BY RESPONDENT NO 2 WHERE BY PERSONAL MALICE WITH MALAFIDE INTENTION, ILLEGALLY AND WITHOUT JUSTIFICATION WITHHELD THE INCREMENT OF APPELLANT & AS A PUNISHMENT TRANSFERRED HER FROM MAHOO DHERI TO GHALA DHER

Re-submitted to -day and filed.

[Signature]
Registrar
6/12/19.

PRAYERS:

On accepting this appeal the impugned order dated 06/04/2019 being passed for personal malice with malafide intention being illegal and without justification may graciously be set aside and the stopped increment be restored and appellant to be retained at her present post at Mahoo Dheri, meanwhile operation of the impugned order be suspended till the disposal of stay application.

GRUNDS FOR APPEAL:

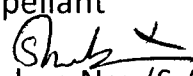
Respectfully sheweth;

The petitioner humbly submits as under;

1. That on 06/04/2019 the respondent NO2 (D.E.O) Female Mardan wide his office No 2819/D/PF, the petitioner was imposed Penalty of stoppage of one increment for two years and as punishment / penalty transferred from G.G.H.S Mahoo Dheri Mardan To G.G. H.S Ghala Dher Mardan (copy is attached as annexure A)which is against the law , bases on injustice maliee, malafied and illegal.
2. That the petitioner was appointed as senior Arabic Teacher (SAT) in the year 2007 and since then performing her duties whole heartedly committed and for the entire satisfaction of her high-ups and welfare of the students.
3. That on 13/02/2019 the petitioner was seriously ill and applied for one day casual leave which was not recommended by the respondent No: 1 (in charge Headmistress) G.G.H.S Mahoo Dheri Mardan. On the next day i.e is on 14/02/2019 the petitioner sent another Performa for one day casual leave to the office of respondent No:2 (D.E.O) Female Mardan which was returned un approved (copy attached as annexure B)
4. That against the said behavior of the respondent No 1 (The in charge Headmistress of the school) a complaint was filed before respondent No2 (D.E.O) Female Mardan but of no consequences (Copy attached as annexure No D)
5. That on 21/03/2019 the petitioner was directed to attend the office for respondent No2 for personal hearing on 28/03/2019 and on the same date the petitioner was called and without hearing inflicted certain punishment upon me. (copy is attached as annexure E)

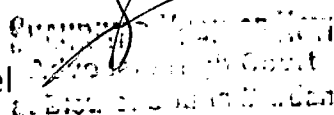
- 6. That on 01/04/2019 the **DISTRICT NAZIM** has already imposed complete ban on transfer in education Department including other departments, the Dependent No2 did not bother about it. (copy attached as annexure as G). The Secretary Elementary Education also imposed ban on posting and transfer(copy attached as H).
- 7. That the clipping regarding imposing of Ban on transfer dated 26-4-2019 is enclosed as K.
- 8. The dependant has charged the appellant on the ground of misconduct while the absence of casual leave does not come within the ambit of misconduct.
- 9. The appellant is charged under double jeopardy as one increment is stopped for two years and other is transferred as a punishment from G.G.H.S Maho Dheri to G.G.H.S Ghala Dher which is against the constitution and law.
- 10. That the punishment awarded and transfers as well is against the mandate of disciplinary rules & justice.
- 11. That the impugned order is against the policy of Government.
- 12. That the appellant preferred on appeal before the Director of Education Peshawar on 28-8-2019 as directed by this Honorable Tribunal on 23-8-2019(copy enclosed as I and J).
- 13 That no proper inquiry has been conducted before inflicting the punishment against the appellant.
- 14 That the punishment order is not speaking order.
- 15 That the ban imposed was also published in news paper dated 26-4-2019 which is not resulted(copy enclosed as K).
- 16 That now the defendant has stopped the pay of petitioner for the release of same copy of petition is annexed L but of no avail.

It is therefore humbly prayed that the impugned order may kindly by set aside by restoring the stop increment and retained the appellant on her present post at G.G.H.S Mahoo Dheri. Apart from this any other relief which the Honorable Tribunal may deem fit and proper may also be granted.

Appellant

 Shaban Naz (S.A.T)

4.12.2019

Through Counsel



BEFORE THE KHYBER PAKHTOON KHWA SERVICES TRIBUNAL

PESHAWAR

Appeal No _____ 2019

Mst Shabana Naz

Senior Arabic Teacher (S.A.T) BPS-16

Government Girls High School (GGHS)

Mahoo Dheri Mardan

..... (Petition)

VERSUS

District Education Officer (F) Mardan etc

..... (Respondents)

ADDRESSES OF THE PARTIES

Appellant

Shabana Naz D/O Muhammad Yousaf (S.A.T) at G.G.H.S Mahoo

Dheri Mardan, R/O Mohabbat Abad, Mardan

Respondents:

1. The In charge Headmistress , Govt Girls Hight School Mahoo Dheri Mardan
2. District Education Officer (F) Mardan
3. District Nazim Mardan
4. Director Education KPK, Peshawar
5. The Govt of KPK Through Chief Secretary
Civil Secretariat Peshawar

Date: 4 / 12 / 2019

Appellant

Through Counsel

P-8

BEFORE THE KHYBER PAKHTOON KHWA SERVICES TRIBUNAL PESHAWAR

Appeal No _____ 2019

Mst Shabana Naz
Senior Arabic Teacher (S.A.T) BPS-16
Government Girls High School (GGHS)
Mahoo Dheri Mardan

..... (Petition)

VERSUS

District Education Officer (F) Mardan etc

..... (Respondents)

The application for seeking suspension of operation of the impugned order dated 06/04/2019 passed by respondent No2 whereby the appellant has been transferred from Maho Dheri to Ghala Dher and stoppage of increment till final disposal of the accompany appeal.

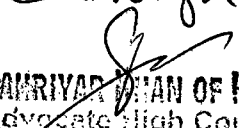
Respectfully Sheweth; The appellant submit as under:

1. That the applicant is filing the attached appeal in this Honorable Tribune.
2. That the applicant has got a good Prima facia case and is confident of its success.
3. That the applicant will suffer an irreparable loss if implementations of the impugned order of respondent No2 are not suspended.
4. That the balance of convenience is in favor of applicant.

It is therefore humbly prayed that the implementation of the impugned order of respondent No2 may graciously be suspended till final disposal of the appeal meanwhile status quo be granted till the final decision of the petition.

Date: 9 / 12 / 2019


Applicant

Through

SHARIYAT ULLAH OF HOTI
Advocate High Court
of District Courts Mardan

BEFORE THE KHYBER PAKHTOON KHWA SERVICES TRIBUNAL

PESHAWAR

Appeal No _____ 2019

Mst Shabana Naz
Senior Arabic Teacher (S.A.T) BPS-16
Government Girls High School (GGHS)
Mahoo Dheri Mardan

..... (Petition)

VERSUS


District Education Officer (F) Mardan etc

..... (Respondents)

AFFIDAVIT

I, Shabana Naz D/O Muhamma Yousaf (S.A.T) at G.G.H.S Mahoo Dheri Tehsil & District Mardan the appellant do hereby solemnly affirm and declare that he contents stated in my accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been concealed. Moreover I have not filed any other appeal, exept the present appeal, in any Registry office of the Tribunal at Peshawar for the same cause of action or other matter connected with my terms and conditions of service.

Date: 4 / 12 / 2019

through

SHABANA NAZ, Advocate
Advocate High Court
at District Courts Mardan


DEPONENT



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN.
PHONE/FAX NO.09379230156

Email Address:-EMISMARDAN_DEOFEMALE@YAHOO.COM

OFFICE ORDER.

WHEREASE Mst:Shabana SAT GGHS Maho Dheri (Mardan) was proceeded against under the Khyber Pakhtun Khwa Govt:servant (Efficiency & Discipline) Rules,2011 on account of Mis Conduct.

Now therefore, in exercise of the powers conferred under rule-14 of the Khyber Pakhtun Khwa (Efficiency & Discipline) Rules,2011, the Competent Authority (DEO Female) is pleased to impose minor penalty of withholding of One increments for two years upon Mst:Shabana SAT GGHS Maho Dheri Mardan & Transferred to GGHS Ghala Dher against vacant SAT post on administrative ground-with immediate effect.

Note: Charge Report shoule be submitted to all concerned.

(Zulfiqar -ul-Mulk)
District Education Officer
(Female) Mardan.

Endst:No 2819/4/PF Shabana SAT/

Dated 6/4/2019.

Copy to the:

1. DMO Mardan
2. Deputy Commissioner Mardan
3. District Nazim Mardan.
4. District Accounts Officer Mardan.
5. Principal GGHS Ghala Dher Mardan.
6. Principal GGHSS No,1 Mardan
7. Principal GGHS Hoti No,2 Mardan.
8. Head Mistress GGHS Maho Dheri
9. Mst Shahbana SAT GGHS Maho Dheri Mardan.
10. P.File.

Attest
SHABANAR KHAN OF HOTI
Advocate High Court
& District Courts Mardan
5/12/2019

[Signature]
District Education Officer
(Female) Mardan.

APPLICATION FOR LEAVE.

Better Copy

P.8

S.NO	Detail	Remarks.
1.	Name.	CNIC No. Shabana Naz
2	Substantive Basic Scale.	BPS S.A.T
3	Leave applied for (days)	a. No. of Days(1) days. b. WEE
4	Type of leave i.e. EOL Earned leave etc	Sickness
5	Will the applicant be in Pakistan OR leaving for abroad	—
6	Exact date of availing. Leave	14-2-2019
7	Reason for leave.	—
8	Personal Number.	—
9	Previous leave record.	—
10	Length of service.	—

Signature of applicant. _____

Principal/HM. _____

Attest
SHANRIYAN KHAN OF HOTA
Advocate High Court
of District Courts Mardan
5/12/2019

7 (B) 8

ANNUAL LEAVE PROFORMA FOR TEACHING STAFF

Name of the Teacher	Shabana Muz
Designation	S.A.T
Annual Leave Applied for	Sickness
Annual Leave Entitled	01
Annual Leave Taken upto Last Month	03
Total Days	03
Annual Leave Taken in This Month	-
Signature of Teacher	<i>A.B</i>
Signature of Head Mistress	

Head Mistress:
Govt. Girls High School
Maho Dheri Mardan

Dated: 14/02/2019

Note: Submitted in duplicate to the District Education Officer (Female) for further necessary action.

Head Mistress
Govt. Girls High School
Maho Dheri Mardan

J. Abbas J. Clerk

Attestd | *CTO*
[Signature]

[Signature]
Chairman, Board of High
Advisors, District Court
of District Courts Mardan
5/12/2019

جناب عالی!


گزارش کی جاتی ہے۔ کہ میں نے 14-2-2019 کو DEO (F) مردان کو اپنی ہیڈ مسٹریس جو کہ میرا جائز اور قانونی Causal Leave Proforma سائن نہیں کر رہی تھی، اس کے اسی نامناسب رویہ کے خلاف درخواست لکھی۔ جو کہ ADO (زنانہ) مردان مسز فوزیہ اعظم نے وصول کی۔ جسکے بارے میں مشہور ہے۔ کہ وہ بہت کرپٹ ہے اور اپنی 3,4 بہنوں کو بھی ناجائز طریقے سے محکمہ ایجوکیشن مردان میں بھرتی کیا ہے۔ مسز فوزیہ اعظم نے وہ درخواست DEO (F) کو دینے کی بجائے میری ہیڈ کو دکھا دی ہے۔ اور مسز فوزیہ اعظم ہی کی مدد سے میری ہیڈ مسٹریس GGHS مہنڈ پھری مردان مسز زبیدہ بیگم نے التا میرے خلاف درخواست دی ہے۔ DEO (F) مردان کے موجودہ DEO ذوالفقار الملک کے مطابق 23-2-2019 کو مسز زبیدہ نے درخواست دی ہے تو نہ تو مسز زبیدہ کی درخواست پر کوئی انکوائری کی گئی ہے بلکہ 02-03-2019 کو سابقہ DEO زنانہ محترمہ رخسانہ رحیم نے مجھے آفس بلایا تو شدید بارش کے باوجود میں آفس گئی جس پر محترمہ رخسانہ رحیم صاحبہ نے میری بہت تعریف کی۔ اور میری بات سننے کے بعد سپرنٹنڈنٹ گل بہادر سے مسز زبیدہ کا نمبر ملانے کو کہا تو ہمارے سامنے ہیڈ مسٹریس زبیدہ بیگم کو DEO زنانہ محترمہ رخسانہ رحیم نے نصیحت کی کہ یہ تیری ماتحت ٹیچر صرف تیری تابعداری نہیں کریگی بلکہ آپ بھی اس کے سر پر دست شفقت رکھیں گی۔ اس کے بعد میرے خلاف کوئی درخواست نہیں دی گئی۔ اس کے باوجود بھی مجھے DEO زنانہ آفسل نے Personal Hearing کے عنوان سے مجھے دو لیٹرز بھیجے گئے ایک میں ٹائم 10 بجے دیا گیا۔ لیکن 26-03-2019 کو DEO زنانہ آفس کے عمران نامی بابو نے 0340-1900002 اس نمبر سے مجھے کال کی کہ تم نے 2 بجے کے بعد آنا ہے۔ دوسرے لیٹرز میں ذکر ہے کہ انکوائری رپورٹ کی روشنی میں حالانکہ اس دوران کوئی انکوائری نہیں ہوئی۔ پھر بھی میں 02-04-2019 کو DEO زنانہ آفس اپنے بہائی اور تنظیم علماء اساتذہ مردان کے صدر مولانا شاہ زمان صاحب کے ہمراہ چلی گئی۔ لیکن DEO زنانہ آفس کے موجودہ DEO ذوالفقار الملک کا رد یہ ایک آفیسر کا نہیں تھا بلکہ ایک ڈسٹن سے بھی بدتر تھا۔ ایک طرف کہہ رہا تھا کہ میرے سوالوں کا جواب دو اور دوسری طرف کہہ رہا تھا کہ تم Reasoning کر رہی ہو۔ اور میری بات بالکل نہیں سن رہا تھا۔ بلکہ مجھ پر مسلسل ٹرانسفر کے لئے دباؤ ڈال رہا تھا۔ اور مجھے دھمکی بھی دی کہ اگر تم نے یہ بات نہیں مانی تو میرے پاس اختیار ہے کہ تمہیں برطرف، Terminate یا D Grade کر دوں۔ تو میں نے کہا کہ ایک تو یہ میرا کل سکول ہے اور دوسرا یہ کہ میں نے کچھ کیا بھی نہیں ہے۔ بلکہ میری ہیڈ مسٹریس میرے ساتھ ڈیوٹی کر رہی ہے۔ تو میں کیوں جاؤں؟ اس پر ذوالفقار الملک آپ سے باہر ہو گیا اور کہا کہ ہیڈ مسٹریس کو ظلم اور زیادتی کرنے کا حق حاصل ہے۔ مگر ایک ٹیچر کو فریاد کرنے کا حق حاصل نہیں ہے۔ اور یہ کہ تم یہ نوکری چھوڑ دو کسی اور ڈیوٹی پارٹنمنٹ میں چلی جاؤ۔ جس پرائس نے کہا کہ سر آپ نے مجھے Personal Hearing کے لئے بلایا ہے یا میری بے عزتی کرنے کے لئے مجھے بلایا ہے۔ اور یہ کہ اگر میں نوکری چھوڑنا چاہوں تو اس کے لئے میں DEO آفس میں مشورہ لینے کے لئے نہیں آؤں گی۔ کیونکہ یہ میرا ذاتی معاملہ ہے۔




تو جناب عالی! کیا ذوالفقار الملک صاحب اپنے اختیارات کا جائز استعمال کر رہا ہے؟ اور کیا واقعی قانون ایک ہیڈ مسٹرس کو ظلم اور زیادتی کرنے کا حق دیتا ہے؟ اور یہ کہ اگر DEO زنانہ آفس مردان بقول ذوالفقار الملک صاحب HMs اور Principals کا ہے تو پھر ٹیچرز کو بتا دیا جائے کہ ان کا آفس کونسا ہے۔ جہاں پر وہ اپنا مسئلہ لے کے جائیں۔ اور یہ کہ جب DEO زنانہ آفس مردان ٹیچرز کا نہیں ہے تو پھر یہ لوگ کن حیثیت سے اور کیوں ٹیچرز کو مختلف حیلوں بہانوں سے آفس بلا تے ہیں؟ بقول ذوالفقار الملک صاحب کے وہ حاکم وقت ہے اور سب کچھ کر سکتا ہے اور اس سے کوئی پوچھنے والا نہیں ہے۔ اور وہ کسی بھی اساتذہ تنظیم کو نہیں مانتا۔ تو میرا آپ صاحبان سے عرض ہے کہ کیا DEO ذوالفقار الملک صاحب کی یہ بات ٹھیک ہے یا غلط؟ کیونکہ وہ Personal Hearing کے نام پر وہ ٹیچرز کو بلا کر ان کی بے عزتی کرتا ہے ان کی بات نہیں سنتا ہے۔ بلکہ الٹا ان کو ڈراتا دھمکاتا ہے۔ اور ان پر ناجائز ٹرانسفر کے لئے ڈباؤ ڈالتا ہے۔ لہذا آپ صاحبان مہربانی کر کے DEO زنانہ ذوالفقار الملک سے اس ظلم و زیادتی کے بارے میں پوچھیں کہ آخر وہ کیوں ٹیچرز کے مسائل حل کرنے کی بجائے ان کے مسائل کو بڑھا رہا ہے۔ اور آپ صاحبان مسز فوزیہ اعظم کے خلاف بھی کارروائی کریں کہ جو اپنے اختیارات کا غلط استعمال کر رہی ہے۔ اور ٹیچرز کی دی گئی درخواست DEO زنانہ کو دینے کی بجائے اس ہیڈ مسٹرس کے حوالے کرتی ہے جس کے خلاف درخواست دی گئی ہو۔ کیا جب ایک ٹیچر رشوت کے خلاف ہو اور وہ فوزیہ اعظم کو رشوت نہ دیتی ہو تو فوزیہ اعظم کو ان کے لئے ایسی مشکلات پیدا کرنے کا حق ہے؟ اور میری اس درخواست پر تاحال کوئی کارروائی نہیں کی گئی جو میں نے 14-02-2019 DEO زنانہ مردان کو لکھی تھی۔ اور میں نے 02-03-2019 کو محترمہ رخصانہ رحیم صاحبہ سے پوچھا کہ کیا آپ کو میری درخواست ملی ہے تو اس نے کہا کہ نہیں ابھی تک مجھے کوئی درخواست نہیں ملی۔ اس درخواست کے ساتھ ساری کا پیاں منسلک ہیں۔ ملاحظہ فرمائیں۔

شکریہ

نقول مراسلہ


Shabana Naz SAT
GGHS Maho Dheri
Mardan
Date: 05-04-2019

- ۱۔ ڈائریکٹر خیبر پختونخواہ پشاور
- ۲۔ DCO مردان
- ۳۔ ڈسٹرکٹ ناظم مردان
- ۴۔ سیکرٹری ایجوکیشن پشاور


SHARIYA KHAN OF NOTI
Advocate High Court
at District Courts Mardan
5/12/2019

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN

PHONE/FAX NO. 0937-9230150

Email Address: emismardan_deofemale @Yahoo.com

E
10

No. /File, DA/AT
To

Dated: 27/3/2019

Mst Shabana, A.T
GGHS, Maho Dheri Mardan.

Subject: PERSONAL HEARING

Memo:-

You are directed to attend the office of the undersigned on 28-3-2019, at 10.00 Am sharply for personal hearing.

In case of non compliance of this order it will be presumed that you have nothing to say in your defence and ex-parte action will be taken against you.

DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN

Enclst: No. 2286 /

Copy for information the :-

- 1. Head Mistress, GGHS Kourgh with the remarks to inform the mistress concerned accordingly.

DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN

CHIEF CLERK
District Court
Mardan

5/12/2019



11

P. 13

E

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN.
PHONE/FAX NO.09379230150

Email Address:-EMISMARDAN_DEOFEMALE@YAHOO.COM

No _____/

Dated _____/2019

To


22/13

Mst:Shabana S.AT,
GGHS Mahod Dheri.

Subject:- **PERSONAL HEARING**
Memo:

In the light of the inquiry report you are directed to attend this office for personal hearing with in three days positively.

In case of non compliance, it will be presumed disobedience and ex-party action will be taken against you that is compulsory retirement from service.


District Education Officer
(Female) Mardan


235860

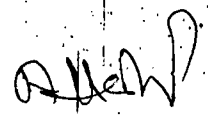
Endst No : _____/ Shabna Inq File

Dated Mardan the : _____/2019

Copy for information to the :

- 1: Principal GGHS NO 1 Mardan.
- 2: Head Mistress GGHS Maho Dheri Mardan.
- 3: P/File.


District Education Officer
(Female) Mardan



Stamp of District Court Mardan

5/14/2019

12

12

OFFICE OF THE
DISTRICT NAZIM
DISTRICT GOVERNMENT
MARDAN


G
R

No. 641-49 /DNM/PSO

Dated Mardan the 01 /April: 2019

OFFICE ORDER

In exercise of powers conferred upon the District Nazim Mardan, the undersigned being Executive Authority, has been pleased to impose complete ban on all kind of postings/transfers in all devolved departments functioning in Mardan District, with immediate effect till further orders in the best public interest.

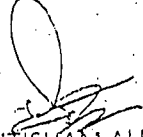

(IHTISHAM ALI)
District Nazim, Mardan.

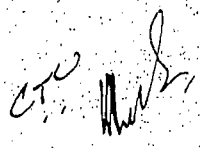
Copy to:

- 1- Deputy Commissioner, Mardan.
- 2- All Heads of Devolved Department in Mardan District.
- 3- District Accounts Officer, Mardan.
- 4- PSO to Chief Minister, Khyber Pakhtunkhawa, Peshawar.
- 5- PSO to Chief Secretary, Khyber Pakhtunkhawa, Peshawar.
- 6- District Naib Nazim Mardan.
- 7- AD LG & RDD Mardan.
- 8- AD Information Mardan Division.
- 9- PSO to District Nazim Mardan.



5/12/2019


(IHTISHAM ALI)
District Nazim, Mardan.



13

PQR



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Fax # 091-9211419

Dated Peshawar the February 14th, 2019

NOTIFICATION

No.SO(S/F)E&SED/4-16/2019/Ban/Posting/Transfer/Khyber Pakhtunkhwa: The Competent Authority is pleased to impose complete ban on all kind of posting/ transfers in Elementary & Secondary Education Department Khyber Pakhtunkhwa with immediate effect till further orders, except the following:

- i. Fresh recruitment and subsequent adjustment
- ii. Promotion and subsequent adjustment
- iii. Summaries already submitted to honorable Chief Minister, Khyber Pakhtunkhwa

SECRETARY

Endst: of even No. & date:

Copy forwarded to the:

- 1. Accountant General Khyber Pakhtunkhwa, Peshawar.
- 2. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar.
- 3. Director E&SE Khyber Pakhtunkhwa, Peshawar.
- 4. PSO to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
- 5. Director DCTE Khyber Pakhtunkhwa, Abbottabad.
- 6. Director PITE Khyber Pakhtunkhwa.
- 7. Director RITE (Male/ Female) Khyber Pakhtunkhwa.
- 8. All District Education Officers (Male/ Female) Khyber Pakhtunkhwa.
- 9. All District Accounts Officers Khyber Pakhtunkhwa.
- 10. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for E&SE, Peshawar.
- 11. PS to Secretary, Establishment & Administration Department, Peshawar.
- 12. PS to Secretary, Finance Department, Peshawar.
- 13. PS to Secretary E&SE Department.
- 14. PS to Special Secretary, E&SE Department.
- 15. PA to Additional Secretary (Estab) E&SE Department.
- 16. PA to Deputy Secretary (Admn) E&SE Department.
- 17. Incharge EMISE, E&SE Department for uploading at official website at the earliest.
- 18. Office order file.

15/2/19

SHABIR KHAN OF HOTI
Advocate High Court
at District Courts Mardan
5/12/2019

(SHABIR KHAN)
SECTION OFFICER (SCHOOLS FEMALE)
3/14/2019

2019

26 اگست

شہر اعمار

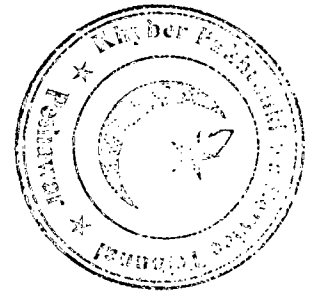
محکمہ تعلیم مردان میں تبادلوں کے مسودے کی منظوری

صوبہ بھر میں اساتذہ کے تبادلوں پر پابندی کے باوجود ڈی ای او نے متعدد تبادلوں کے پٹا در (نیوز رپورٹ) محکمہ تعلیم نے مردان ایجوکیشن جاری کر دیا ہے ذرائع کے مطابق صوبائی حکومت کی ڈیپارٹمنٹ میں ہونیوالے تمام تبادلوں اور تعیناتیوں جانب سے پٹا در سمیت صوبہ بھر میں اساتذہ کے کومسوخ کرنے کا فیصلہ کرتے ہوئے پابندی کے تبادلوں اور تعیناتیوں پر غیر معینہ مدت کیلئے پابندی اور تبادلوں اور تعیناتیوں پر انکوائری کرانے کا حکم لگادی گئی ہے تاہم (بقیہ 36 صفحہ 10)

بقیہ نمبر	انکوائری
36	تاکم مقام ڈسٹرکٹ ایجوکیشن آفیسر مردان نے پابندی باوجودگی اختیارات کا غیر ضروری استعمال کرتا ہوئے متعدد اساتذہ کے تبادلوں اور تعیناتیاں کر دی ہیں محکمہ تعلیم کو شکایات موصول ہوئیں جس پر محکمہ تعلیم نے مردان میں ہونے والے تمام تبادلوں کو مسوخ کرنے کے احکامات جاری کروئے ہیں اور پابندی کے باوجود تبادلوں کے حوالے سے انکوائری کرانگی بدلت کر دی گئی ہے۔
37	

18

RECEIVED



23.08.2019

Counsel for the appellant present.

Learned counsel argued the matter at some length and when confronted with the position that departmental appeal was submitted by the appellant before an official who passed the impugned order dated 06.04.2019, requested for withdrawal of instant appeal in order to approach the competent departmental authority for the purpose. He is also of the view that the impugned order was void ab-initio as appellant was transferred as punishment, the period of limitation should not hamper the proceedings before the departmental appellate authority. Order accordingly.

The appeal is dismissed as withdrawn. File be consigned to the record room.

Chairman

ANNOUNCED
23.08.2019

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Number of Applications	27-8-19
Number of Words	800
Copying Fee	12-00
Urgent	4-00
Total	16-00
Name of Officer	
Date of Completion of work	27-8-19
Date of delivery of work	27-8-19

DEPARTMENTAL APPEAL AGAINST THE ORDER OF D.E.O (F)MARDAN DATED 6-4-2019.

16

Respected Sir,

The appellant submits as under:

1. That the appellant was working as Senior Arabic Teacher at Government Girls High School Maho Dheri Mardan.
2. That on 13-2-2019 the appellant was ill and unable to attend the school hence submitted application proforma for one day casual leave.
3. That 14-12-2019 appellant still not recovered and submitted another application /proforma for causal leave
4. That the applicant also filed a petition before the D.E.O (F) Mardan.
5. That on 6-4-2019 (DEO(F) Mardan via his order No,2819/D/PF imposed the double punishment of stoppage of increment and transfer the applicant from GGHS Maho Dheri to GGHS Ghala Dher as punishment(copy enclosed)
6. That the District Nazim vide his notification No.641-49/DNM/PSO dated 1-4-2019 and secretary /education vide notification No. SO(S)(F) E&SED/4-16/2019/Ban/posting/Transfer/KPK dated 14-2-2019 had imposed complete ban on all kind of posting/Transfer but in clear violation of these orders transferred the applicant from Maho Dheri to Ghala Dher.
7. That casual leave ~~have~~ does not come under ambit of misconduct.
8. That nor proper inquiry was conducted and double punishment was ~~an~~ order which is against the law/justice..
9. That KPK service Tribunal directed to prefer the departmental appeal Before the Departmental competent authority, Therefore the appellant pray that the impugned order of DEO(Female) dated 6-4-2019 may kindly be set aside.

DATED 28-6-2019

SHABANA NAZ

SET GGHS MAHO DHERI

No. 958

For Insurance Notices see reverse
 Stamp Rs. Ps.
 unit **RGL19734122**
 not more than
 the initial weight prescribed in the
 Post Office Guide or on which no
 acknowledgement is due.

70

Received a registered* addressed to

Director Education

Initials of Receiving Officer *Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before if when necessary.

Insured for Rs. (in figures) 1000 (in words)

If insured
 Insurance fee Rs. Ps. Weight / Kilo Grams
 Name and address of sender
 28/08/19

RC no 958 dated 28/8/2019

At Maho Dheri

5/12/2019

to
The D.E.O (female) mardan.

Sub - Release of Jay (monthly Jay)

All
8/8/19

Respected madam -

The petitioner submit as under -

- 1) That petitioner is working as Senior Arabic Teacher at Mahodhesi mardan.
- 2) That the monthly Jay for the month of July 2019 paid in Aug 2019 is not paid by the Bank concerned.
- 3) That according to 1997 P.L.C (CS) 666 The Stoppage of Jay is violation of Constitution of Pakistan (1973) (copy enclosed)
- 4) That the Islamabad High court vide 2013 (P.L.C) (CS) 545 has declared that every one is to follow the judgement of Supreme court of Pakistan (copy enclosed) therefore it is humbly prayed that the Bank concerned may kindly be ordered to release my Jay from July 2019 and onward.

With
Yours obedience

8/8/2019

Shabana Naz S.A.T Mahodhesi

Attest



5/12/2019

مورخہ 20ء منجانب: Petitioner
مقدمہ بعنوان Shabana No 3 بنام DBO (female)
مقدمہ نمبر _____ رجوعہ _____
نوعیت مقدمہ _____
مقدمہ علت نمبر _____ مورخہ _____
جرم _____ تھانہ _____

50
روپے

باعث تحریر آنکہ



مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام ملدرن کیلئے سکس بار رضاں ایڈووکیٹ عامی کورٹ کو وکیل مقرر
کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل مقررہ کو راضی نامہ کرنے و تقرر
ی ثالث و فیصلہ برحلف دینے عرضی دعویٰ، جواب دعویٰ، اقبال دعویٰ، جواب الجواب،، عذر داری، درخواست زبردفعہ (2) 12
ض د، درخواست بمراد برآمدگی و سرسبزی مقدمہ، درخواست بمراد منسوخی کاروائی و ڈگری یکطرفہ دائر کرنے جواب، جواب
الجواب وغیرہ درخواست کاروائی اجراء دائر کرنے و وصولی چیک و رقم اور درخواست از ہر قسم کی تصدیق زراس پر دستخط وغیرہ
کرنے کا اختیار ہوگا۔ اپیل، اپیل دراپیل، نگرانی، نظر ثانی، رٹ و عذر داری وغیرہ دائر کرنے کا بھی اختیار ہوگا۔ اور بصورت
ضرورت مذکورہ کے عمل یا جزوی کاروائی کے واسطے وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب
مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برداختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ دہر
جانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کا بھی اختیار ہوگا۔ اگر کوئی
تاریخ پیشی پر وکیل موصوف مقام دورہ پر ہو یا حد سے باہر ہو یا بیمار ہو یا کوئی ضروری کام ہو۔ تو وکیل صاحب پابند نہ ہونگے کہ
پیروی مقدمہ مذکورہ کریں لہذا وکالت نامہ لکھ دیا تاکہ سندر ہے۔

المرقوم: 4.12.2019

مقام KPK Services Tribunal Peshawar کے لئے منظور ہے۔

نوٹ: اس وکالت نامہ کو فونو کالی یا قابل قبول ہوگی۔

Advocate I.D:

Bar Council

673

Bar Association

Contact #:

0300 5713918

Attested
&
Accepted

(Signature)

(Signature)
4/12/2019

6

①

**PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

) R/O GGHS Mahoo Dheri Teh & Distt, Mardan.
(Appellant)

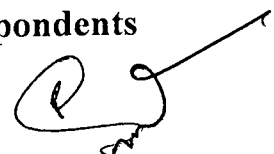
Versus

istrict Education Officer (Female) Mardan & Others.
(Respondents)

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S.NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGES	
1.	Para wise comments along with affidavit		01	06
2	Copy report	A	07	7A-
	Copy of Transfer Oder	B	08	
	& Relieving Certificate	C	09	

Respondents



**District Education Officer
(Female) Mardan**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
Service Appeal No: 1707/2019 PESHAWAR

Mst. Shabana Naz (AT) R/O GGHS Mahoo Dheri Teh & Distt Mardan.
(Appellant)

Versus

The District Education Officer (Female) Mardan & Others.
(Respondents)

Para Wise Comments on Behalf of Respondents No 1,2 4&5

Respectfully Sheweth,

PRELIMINARY OBJECTIONS:

1. That the appellant has got no cause of action as well as locus standi to file the instant appeal.
2. That the instant appeal is incompetent in its present form, hence liable to be dismissed.
3. That the instant appeal is badly time barred.
4. That the instant appeal is **not maintainable**, hence the appeal is liable to be dismissed.
5. That the appellant has not come to this Honorable Tribunal with clean hands.
6. That the appellant is estopped by his own conduct.
7. The Inspection team has found absent and the Head of GGHS Hoti No2 mardan called explanation and we requested to the respondent (DEO Female) to take disciplinary action against appellant.

(Copy report is as Annexure A)

8. That the respondent No 1 /competent Authority DEO Female Mardan is pleased to imposed minor penalty of withholding of one increment for two years upon appellant Shabana naz SAT is **transferred** from GHS Maho Dheri

to GHS Ghala Dher on administrative ground and Relieved from School.
(Copies of transfer Order & Relieving Certificate are as Annexure B & C)

9. That the Competent Authority (Respondent No 2) U/S 9 of Civil Servant Act 1974 is in empowered to transfer any civil servant from one place to another at any time, in exigencies of service Or on administrative ground. Civil Servant having been transferred on administrative ground, such order was not in violation of the transfer policy.
10. That the respondent has not issued transfer order on malafide and ulterior motive, therefore, not necessary that in transfer order detail must be given because transfer order, which is passed in the discretion of the respondent (Competent Authority), cannot be challenged in routine.

FACTS:

1. Para No 1 pertains to record, however the order of the appellant is legal, lawful and accordance to justices, hence needs no comments.
2. Para No 2 is incorrect, baseless, and against facts, extent to the performance of duty as the appellant is disobedient Careless, and irresponsible Servant in the respondent department, hence denied.
3. Para No 3 is incorrect, baseless, and against facts, as The Inspection team has found absent and the Head of GGHS Hoti No2 mardan called explanation and requested to the respondent (DEO Female) to take disciplinary action against appellant. The respondent No 1 /competent Authority DEO Female Mardan is pleased to imposed minor penalty of withholding of one increment for two years upon appellant Shabana naz SAT is **transferred** from GHS Maho Dheri to GHS Ghala Dher on administrative ground and Relieved from School, hence denied.

(Copy of transfer Order & Relieving Certificate are as Annexure B & C)

4. Para No 4 pertains to record, however the complaint of the appellant is meritless and baseless, hence needs no comments.

5. Para No 5 is incorrect, baseless, and against facts, as the appellant has called for personal hearing on dated 28-03-2019 while the respondent has issued orders vid no 2819/G dated 06-04-2019, hence denied.

(Copy of Personal hearing Order & Transfer Order are as Annexure B&C)

6. Para No 6 pertains to record, hence needs no comments.

7. Para No 7 pertains to record, hence needs no comments.

8. Para No 8 is incorrect, baseless, and against facts, as the respondents being a responsible Government Officer acted in according to law and rules. The Inspection team clearly written in his report that the appellant has come to school late regularly and the said transfer order dated 06-04-2019 is issued on administrative ground which is not violation of the rule and regulation, hence denied.

(Copy report is as Annexure A)

9. Para No 9 is incorrect, baseless and against facts, as the respondents issued all orders in the interest public service and to save the precious and valuable time, education of the students, because the appellant is disobedient Careless, and irresponsible **Servant** in the respondent department, hence denied.

10. Para No 10 is incorrect, baseless, and against facts, as the respondents being a responsible Government Officer acted in according to law and rules. The said transfer order dated 06-04-2019 is issued on administrative ground which is not violation of the rule and regulation, hence denied.

11. Para No 11 is incorrect and reply is in the above para, hence denied.

12. Para No 12 pertains to record, hence needs no comments.

13. Para No 13 is incorrect, baseless and against facts, as the respondent has not issued transfer order on malafide and ulterior motive, therefore, not necessary that in transfer order detail must be given because transfer order, which is passed in the discretion of the respondent (Competent Authority), cannot be challenged in routine, hence denied.

14. Para No 14 is incorrect, baseless and against facts, as the said punishment order dated 06-04-2019 has issued on administrative ground on basis of the report of the inspection team, therefore it is a speaking order, hence denied.

15. Para No 15 pertains to record, however transfer of the appellant has issued on administrative ground, hence needs no comments.

16. Para No 15 pertains to record, hence needs no comments.

It is therefore humbly prayed that in the light of above facts, the service appeal may please be dismissed with cost.

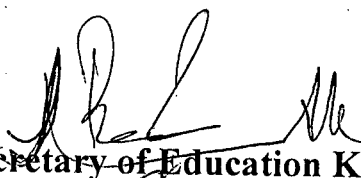
Respondent



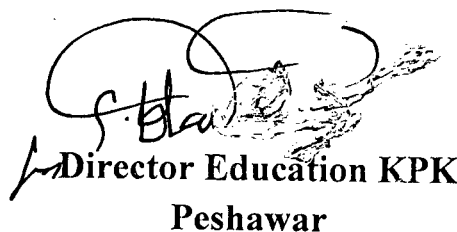
**Headmistress GHS Mahoo
Mardan**



**District Education Officer
(Female) Mardan**



**Secretary of Education KPK
Peshawar**



**Director Education KPK
Peshawar**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**Service Appeal No: 1707/2019****PESHAWAR**

Mst. Shabana Naz (AT) R/O GGHS Mahoo Dheri Teh & Distt Mardan.

(Appellant)

Versus

The District Education Officer (Female) Mardan & Others.

(Respondents)

AFFIDAVIT

I, **Mr Sajid khan Litigation Officer** Education Department Mardan do hereby solemnly affirm and declare that the contents of Para Wise Comments submitted by Respondents No 1,2,4&5 are true to the best of my knowledge and belief and nothing has been concealed from this Honorable

Deponent,


Sajid Khan

16101-6005318-5

Annex A (7)

رائے اور پورٹ مائنس

رہنمائی کی روشنی میں سکول انتظامی
سے جڑکاروائی کی

R/Teacher Miss Shabana (SAT)

14/02

Today this school GHS Habibi
is visited by Principal GHS Habibi
in regard of annual inspection
and found you absent from
duty. As the C/Leave application
was no present and found
no ~~message~~ message from your
side. You are directed to
be punctual and honest
with job and cooperative
with your head of school.
If you have any problem
regarding your health there
should be proper medical
leave application and original
doctor certificate and best
rest advise.

Thanks

[Signature]

14/02/18

Principal
GHS No. 2
Habibi

10/2/18

Annex A - (7A)

77

To

The District Education Officer
(Female) Mardan.


Subject: ENQUIRY

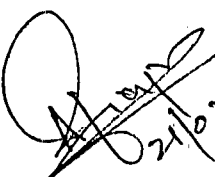
Memo:


I have the honour to submit that Miss, Shabana AT GGHS Maho Dheri Mardan is previously two times under enquiry because of the misconduct with Head Mistress / People of the village and she also harshly beated a student of that time Miss, Samina Ghani DEO (Female) transferred her and issue her warning letter,, but she accepted her misconduct and refused to be careful in future.

Now she once again repeating misconduct and regularly late comer to school. On dated 14-02-2019. The inspection team marked her absent and the head of GGHS Hoti No.2 Mardan call explanation to her. She replied the explanation with abused words. After that she not followed the instruction of Head Mistress and making so many problems in school. When the Head Mistress sent her papers for checking she returned with abuse remarks, I am not your servant.

We recommended her to please transfer her far away that no one step a misconduct her Head Mistress. We all District Principals and Head Mistresses request y to take disciplinary action against her.


(MISS. SAEEDA AKHTAR) ✓
PRINCIPAL
GGHSS No.1 Mardan


21/02/2019
PRINCIPAL
GGHS Hoti No.2 Mardan


HEAD MISTRESS
GGHS Maho Dheri Mardan

NLSa
23/

D.E.O. (Female)
Dairy No. ... /
Date: _____

7/2

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN.
PHONE/FAX NO.09279230156

Email Address:-EMISMARDAN_DEOFEMALE@YAHOO.COM

OFFICE ORDER.

WHEREASE Mst:Shabana SAT GGHS Maho Dheri (Mardan) was proceeded against under the Khyber Pakhtun Khwa Govt:servant (Efficiency & Discipline) Rules,2011 on account of Mis Conduct.

Now therefore, in exercise of the powers conferred under rule-14 of the Khyber Pakhtun Khwa (Efficiency & Discipline) Rules,2011, the Competent Authority (DEO Female) is pleased to impose minor penalty of withholding of One increments for two years upon Mst:Shabana SAT GGHS Maho Dheri Mardan & Transferred to GGHS Ghala Dher against vacant SAT post on administrative ground-with immediate effect.

Note: Charge Report shoule be submitted to all concerned.

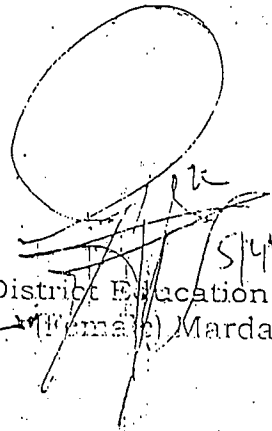
(Zulfiqar -ul-Mulk)
District Education Officer
(Female) Mardan.

Encl: No 2819/4/PF Shabana SAT/

Dated 6/4/2019.

Copy to the:

1. DMO Mardan
2. Deputy Commissioner Mardan
3. District Nazim Mardan
4. District Accounts Officer Mardan.
5. Principal GGHS Ghala Dher Mardan.
6. Principal GGHS No,1 Mardan
7. Principal GGHS Hoti No,2 Mardan.
8. Mistress GGHS Maho Dheri
9. Mst Shahbana SAT GGHS Maho Dheri Mardan.
10. P.File.


District Education Officer
(Female) Mardan.

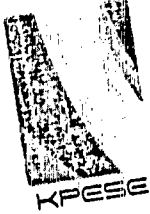
Annex CD - (8) (8)

Relie

**OFFICE OF THE HEADMISTRESS GOVT GIRLS HIGH SCHOOL
MAHO DIHERI MARDAN**

E-MAIL : HEADMISTRESS.MAHODIHERI@GMAIL.COM

86



NO : 125

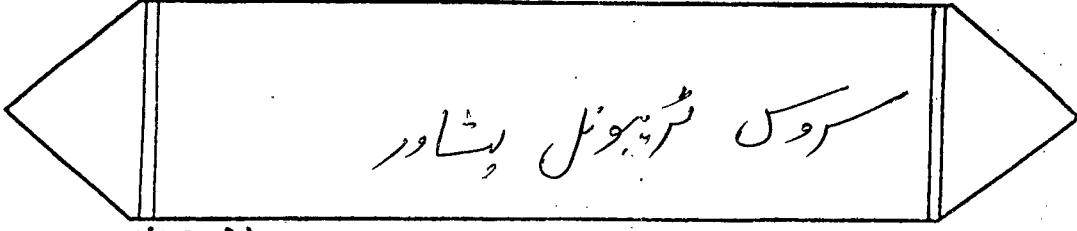
DATED : 15-04-2019 (A.N)

RELIEVING CERTIFICATE

Mst : Shabana Naz (Senior-A.T , B:16) of this school, you are hereby relieved of her duties today on 15-04-2019 (A.N) due to your transfer to Govt Girls Higher Secondary School Ghalla Dher Mardan vide District Education Officer (Female) Mardan Ensostt: No: 2819/G/PF Shabana SAT , Dated : 06/04/2019 as this order copy has been delivered & received by the undersigned on 26/04/2018 (A.N).

Headmistress
GGHS Maho Dheri Mardan
[Signature]
**HEAD MISTRESS
G.G.H.S Maho Dheri
(MARDAN)**

بعدالت



Petitioner 2022ء منجانب

بنام D.E.O مردان و دیگر

موزخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

آن مقام پشاور کے اتر اکر کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب وہی اور اقبال دعویٰ اور بسورت ڈگری کرنے اجراء اور صولی چیک دروپہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرایں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا اوکالت نامہ لکھ دیا کہ سندر ہے۔

المرقوم 05 ماہ اکتوبر 2022ء

16101-9181922-0
10191
(شعبہ نماز)

کے لئے منظور ہے۔

منجانب

Asad Mahmood

Accepted

04.05.2018

مس شانہ ناز، S.A.T، جی جی ایچ ایس

میوزک ڈیپارٹمنٹ کی بہت اچھی ٹیچر سے

وہ ایک ایماندار اور محنتی ٹیچر سے

انہیں ان سے کوئی شکایت نہیں ہے

Class	اسما دستگیر	اسما دستگیر	اسما دستگیر
8th	Asma	class 8	1
8th	Ruggaya Ayaz	class 8	2
8th	Shabnam	class 8	3
	Zafer Khan		
	علاء حسن	8th	4
	عبداللطیف	7th	5
	عبدالرشید	8th	6
	عبدالرشید	8th	10
	عبدالرشید	8th	11
	عبدالرشید	8th	12
	عبدالرشید	7th	13
	عبدالرشید	7th	14
	عبدالرشید	8th	15
	عبدالرشید	8th	16
	عبدالرشید	8th	17
	عبدالرشید	8th	18
	عبدالرشید	8th	19
	عبدالرشید	8th	20

class	دستخط / نام	class	نام / دستخط
	N	7th	سید ولیہ الطیف
		8th	فریح ناز
		7th	سینا
	عالم زین	19th	بی بی رانی
	عالم زین	6th	ملانگم

(3)

17
18
19
20

7
A

CASUAL LEAVE PROFORMA FOR TEACHING STAFF

Name Of Teacher	Shabana Naz
Designation	S-A-T
Casual Leave Applied For	Sickness
Casual Leave Required	01
Casual Leave Taken Upto Last Month	03
Total Upto	03
Casual Leave Taken in This Month	—
Signature Of Teacher	<i>[Signature]</i>
Signature Of Head Mistress	

Head Mistress
Govt. Girls High School
Maho Dheri Mardan

File No.:

Dated:

14/02/2019

Note: Submitted in duplicate to the District Education Officer (Female) for further necessary action.

Head Mistress
Govt. Girls High School
Maho Dheri Mardan

✓ Abbas ... J/Clerk

CTU
[Signature]

LAST THREE YEAR'S RESULT

IN RESPECT OF MR/MISS: Shabana Naz

SCHOOL: Govt. Girls High School Mchh Dheri

YEAR	SUBJECTS	CLASS	RESULT IN PERCENTAGE	REMARKS
2011	Maths	9th	96 %	V. Good
	Maths	8th	94 %	V. Good
	Arabic	8th	90 %	V. Good
2012	Maths	10th	100 %	Excellent
	Isl. (elective)	9th	100 %	Excellent
	Maths	8th	95 %	V. Good
2013	Maths	10th	100 %	Excellent
	P. Study	10th	100 %	Excellent
	Arabic	8th	94 %	V. Good



PRINCIPAL/H.M/ H.MISTRESS

SYNOPSIS IN R/o: SHABANA NAZ

NAME OF SCHOOL: Govt Girls High School Maho Dheri
Mardan

S.No	Year	General Remarks	Pen Picture	Adverse	Conveyed	Expunged
1	2009	hard working	Co-operative	-	-	-
		Fit for Promotion	honest	-	-	-
		Good	Responsible	-	-	-
2	2010	Excellent	Good	-	-	-
		Active teacher	v. Good	-	-	-
		v. Good	Satisfactory	-	-	-
3	2011	Good	Excellent	-	-	-
		Hard working	v. Good	-	-	-
		Teacher		-	-	-
4	2012	Responsible Teacher	Co-operative	-	-	-
		Good	Responsible	-	-	-
		v. Good	Good	-	-	-
5	2013	Good	Honest	-	-	-
		Responsible	Co-operative	-	-	-
		hard working	Punctual	-	-	-


Shamail Bilal
Principal/H.M/H.Mistress

LAST THREE YEAR'S RESULT

IN RESPECT OF MR/MISS: Shabana Naz

SCHOOL: Govt. Girls High School Mako Dheri

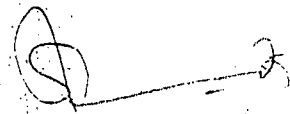
YEAR	SUBJECTS	CLASS	RESULT IN PERCENTAGE	REMARKS
2011	Maths	9 th	96%	V. Good
	Maths	8 th	94%	V. Good
	Arabic	8 th	90%	V. Good
2012	Maths	10 th	100%	Excellent
	Isl. (elective)	9 th	100%	Excellent
	Maths	8 th	95%	V. Good
2013	Maths	10 th	100%	Excellent
	P. Study	10 th	100%	Excellent
	Arabic	8 th	94%	V. Good



PRINCIPAL/H.M./ H.MISTRESS

certificate

certified that Shabana Naz
(SAT) has not taken charge
in this school i.e. G.G.H.S.S
Ghallaohar mardom.



Principal
G.G.H.S.S Ghallaohar
Mardom

06/9/2022



OFFICE OF THE HEADMISTRESS

GOVT GIRLS HIGH SCHOOL MAHO DHERI MARDAN

E-Mail :- abaseklota@gmail.com Contact # : 0311-9283511

No : 227

Date : 15-01-2022

To

The District Education Officer

(Female) Mardan

Subject : COMPLETE & UPDATED DUTY REPORT IN R/O Mst:SHABANA NAZ-EX-SAT

Memo :

Complete duty report of Mst : Shabana Naz Ex-SAT of this school since her relieving from the school up to 05-June-2021 with arrival & departure timing, as she didn't attend the school after this date.

➤ Note : During her attendance in school she didn't took any class.

Head Mistress

Govt Girls High School

Maho Dheri Mardan

HEAD MISTRESS

G.G.H.S Maho Dheri

(MARDAN)

969
5-3-22

DA, AT
3/3/22

APRIL 2019 After releasing

Date	Arr	Dep	Date	Arr	Dep
23-4-19	7.30	12.00	18/5/19	8.25	9.20
24-4-19	7.30	12.00	20/5/19	Absent	
25-4-19	7.30	12.00	21/5/19	7.40	10.00
26-4-19	7.30	12.00	22/5/19	8.40	9.40
27-4-19	7.30	12.00	23/5/19	7.35	10.00
29-4-19	7.30	12.00	24/5/19	8.35	9.30
30-4-19	7.30	12.00	25/5/19	8.15	9.20
			26/5/19	8.00	9.00
2/5/19	8.00	10.00	28/5/19	8.00	9.00
3.5.19	7.35	10.00	29/5/19	8.20	9.20
4.5.19	Absent		30/5/19	7.35	9.30
6.5.19	8.20	9.00	31/5/19	7.35	9.30
7.5.19	7.45	9.00	June 2019		
8.5.19	8.00	9.00	10.6.19	8.00	9.00
9.5.19	7.35	9.10	11.6.19	8.00	9.00
10.5.19	7.45	8.40	12.6.19	8.00	10.00
11.5.19	7.40	9.30	13.6.19	Inauguration day	
13.5.19	8.00	9.20	14.6.19	Absent	
14.5.19	8.15	9.00	Sep 2019		
15.5.19	8.30	9.30	2.9.19	7.30	8.30
16.5.19	8.00	9.15	3.9.19	7.30	8.30
17.5.19	8.20	9.30	4.9.19	7.30	8.30


 HEAD MISTRESS
 G.B.H.S. Manohar
 (WARDAN)

Sep. 2019

Oct. 2019

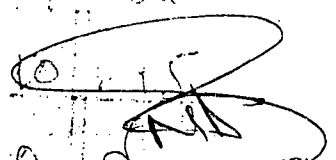
Date	Arr	Dep	Date	Arr	Dep
5.9.19	7.45	8.30	1.10.19	8.15	9.00
6.9.19	Absent		2.10.19	8.15	9.00
7.9.19	Absent		3.10.19	8.15	9.00
11.9.19	7.40	8.30	4.10.19	Absent	
12.9.19	8.00	8.30	5.10.19	Absent	
13.9.19	Absent		7.10.19	Absent	
14.9.19	Absent		8.10.19	8.30	9.30
16.9.19	8.00	8.30	9.10.19	Absent	
17.9.19	7.35	8.30	10.10.19	8.30	9.30
18.9.19	8.00	9.00	11.10.19	Ab	
19.9.19	8.00	9.00	12.10.19	Ab	
20.9.19	Absent		14.10.19	Ab	
21.9.19	Absent		15.10.19	8.30	9.30
23.9.19	Absent		16.10.19	8.30	8.30
24.9.19	8.00	9.00	17.10.19	Ab	
25.9.19	7.45	8.45	18.10.19	Ab	
26.9.19	7.45	8.45	19.10.19	Ab	
27.9.19	7.45	8.45	21.10.19	8.30	9.30
28.9.19	7.45	8.45	22.10.19	Ab	
30.9.19	7.45	8.45	23.10.19	8.30	9.15
			24.10.19	8.30	9.15
			25.10.19	Ab	


 HEAD MISTRESS,
 P.O.H.S. Mado Dns.
 (MADON)

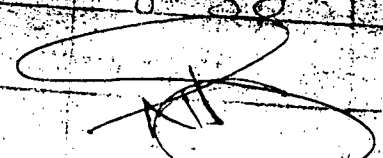
Oct. 2019

Feb. 2020

Date	Arr	Dep	Date	Arr	Dep
26.10.19		Ab	4-2-20	8.45	9.30
28.10.19		Ab	10-2-20	8.45	9.45
29.10.19		Ab	14-2-20	9.30	10.30
30.10.19	8.00	9.00	21-2-20	8.50	9.20
31.10.19	8.00	9.00	22-2-20	8.45	9.05
NOV. 2019			25-2-20	8.30	9.30
5.11.19	8.30	9.30	26-2-20	8.50	9.20
6.11.19	8.30	9.30	2-3-20	8.30	9.40
12.11.19	8.30	9.30	9-3-20	8.45	9.20
15.11.19	8.30	8.30	10-3-20	8.45	9.20
20.11.19	8.30	9.30	13-3-20	9.00	9.15
25.11.19	8.30	9.30	Sep. 2020		
26.11.19	8.30	9.30	14-9-20	10.30	11.15
27.11.19	8.30	9.30	11-9-20	9.00	10.40
DEC. 2019			17-9-20	8.00	9.30
11.12.19	8.45	9.30	2-10-20	8.15	10.00
12.12.19	8.45	9.30	5.10.20	8.00	9.15
21.12.19	8.45	9.30	10.10.20	8.00	9.05
JAN. 2020			12.10.20	8.00	10.10
15.1.20	8.45	9.30	16.10.20	8.10	9.20
21.1.20	9.30	11.00	22.10.20	8.00	10.15
30.01.20	9.00	9.45	28.10.20	8.00	9.20
31.01.20	9.00	12.00			


 HEAD MISTRESS
 S. S. Maho, D.K.
 WARDAN

7-11-20	8.00	9.15
14-11-20	8.00	9.15
21-11-20	8.00	9.10
28-11-20	8.00	9.00
5-12-20	8.15	9.20
12-12-20	8.00	9.30
17-12-20	8.30	9.30
23-12-20	8.30	9.40
19-1-21	8.45	9.45
01-02-21	8.15	9.10
6-2-21	8.15	10.15
13-2-21	9.00	9.20
5-6-21	7.30	8.30


HEAD MISTRESS
G.G.H.S Maho Dher
(MARDAN)



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.

NOTIFICATION:

Mst. Shamim Akhtar B-19 DEO (Female) Swat is hereby nominated as enquiry officer to probe into the matter as per attached letter of Assistant Director Female (Complaint) Local Directorate against Shabana Naz SAT, GGHS Maho Dheri Mardan.

The inquiry officer should submit detail inquiry report alongwith clear findings **recommendations within 15 days positively** to this Directorate for further necessary action please.

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

3269-70

Endst:No. _____ /F.No.316/Vol-I(F)Appeal Mardan Dated Pesh: the 22/10/2021

Copy forwarded to the:-

1. Mst. Shamim Akhtar B-19 DEO (Female) Swat. **(Register)**
2. District Education Officer (F) Mardan with the remarks to assist and provide the relevant record to the Inquiry Officer concerned.
3. PA to Director E&SE Peshawar.

Shamim Akhtar 22/10/2021
Assistant Director (Female)
(E&SE) Khyber Pakhtunkhwa.

DA, CT
[Signature]
22/10/21

D.E.O. (F) Mardan

Date: 28-10-21

Date: 28-10-21



PROVINCIAL OMBUDSMAN (صوبائی محتسب) SECRETARIAT,
KHYBER PAKHTUNKHWA

No: PO/Complaint/ 0661/07/2020/16942

Dated: 13/08/2021

To,

1. Director, Directorate of Elementary & Secondary Education, Peshawar.
2. District Education Officer (Female), Mardan.
3. Mst. Shabana Naz (SAT),
c/o Govt Girls High School Maho Dheri, Mardan:

SUBJECT: APPEAL FOR JUSTICE.

Memo:

Copy of Findings dated 13/08/2021 issued by the Hon'ble Provincial Ombudsman Khyber Pakhtunkhwa in Complaint No. 0661/07/2020 filed by Mst. Shabana Naz r/o Mardan, regarding the subject is enclosed herewith for information and necessary action.

THIS ISSUE WITH THE APPROVAL OF THE PROVINCIAL OMBUDSMAN

SHABANA GUL
(DIRECTOR-II)

Provincial Ombudsman Secretariat,
Khyber Pakhtunkhwa

ENDST: OF EVEN NO. & DATE:

Copy forwarded to i/c Computer Section, Provincial Ombudsman Secretariat Khyber Pakhtunkhwa along with Finding in duplicate for updating record under Regulation 19 of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation, and Disposal of Complaints) Regulations, 2011.

(DIRECTOR-II)

Provincial Ombudsman Secretariat,
Khyber Pakhtunkhwa

DA - SAT

21/8/21

2858

23/8/21

Refer

Overseas Pakistanis Foundation Building, Phase -V, Hayatabad, Peshawar.

Office Phone # 091-9219531-32, Office Fax # 091-9219526

Website: www.ombudsmankp.gov.pk

Email: provincialombudsman@gmail.com

Amir

PROVINCIAL OMBUDSMAN (صوبائی محکمہ) SECRETARIAT,
KHYBER PAKHTUNKHWA

CLOSURE FINDINGS		
1	COMPLAINT NO.	PO/Complaint/0661/07/2020.
2	NAME & ADDRESS OF THE COMPLAINANT	Mst. Shabana Naz (SAT), c/o Govt Girls High School Maho Dheri, Mardan.
3	NAME OF THE AGENCY COMPLAINED AGAINST	1. Director, Directorate of Elementary & Secondary Education, Peshawar. 2. District Education Officer (Female), Mardan.
4	NAME OF THE INVESTIGATION OFFICER	Shabana Gul, (Director-II)
5	SUBJECT OF COMPLAINT	Appeal for justice.
6	DATE OF REGISTRATION	19/08/2020
7	DATE OF FINDINGS	09/08/2021.

THE COMPLAINT

Mst. Shabana Naz r/o Mardan instituted the joint complaint stating that she is serving as Senior Arabic Teacher (SAT) in Government Girls High School, Maho Dheri Mardan. She stated that due to her medical problem she requested her Headmistress for two days leave but the Headmistress grant her only one day leave. The next day she was marked absent by the Inspection Team. Later on an inquiry was conducted but the DEO Mardan imposed penalty and two increments were deducted from her pay. She alleged that inquiries in the matter were not impartial and that the matter may be probed impartially. She has requested this Forum that justice may be done to her for the redressal of her grievance.

REPLY OF THE AGENCY

Notices under Section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010, were issued to Director, Directorate of E&SE Peshawar, and DEO (F) Mardan to meet the allegations and submit reply including rebuttal, if any. In response, DEO (F) Mardan submitted comments stating that initially first case was reported against complainant having charges of corporal punishment after due inquiry made by 24/02/2018. Warnings were issued to her to be careful in future, but of no use. Complainant was therefore transferred to GGHS Ghala Dher on Admin ground, which was later on cancelled in interest of public service. Later on, another complaint was made by the concerned Head Teacher against complainant for continuous misconduct. Another inquiry in the matter was conducted and the Inquiry Officer submitted report on 23/02/2019 with recommendations of imposing a minor penalty of deduction of increment and transfer on admin ground. At the time of present complaint, she was under proceeding with the DEO (F) Mardan. Due to annual inspection of schools it was decided in pre-inspection meeting that none of the teachers will be allowed for leave during inspection which shows the ill/bad behavior of the complainant towards her duties.

Overseas Pakistanis Foundation Building, Phase -V, Hayatabad, Peshawar.

Office Phone # 091-9219531-32, Office Fax # 091-9219526

Website: www.ombudsmankp.gov.pk

Email: provincialombudsman@gmail.com



PROVINCIAL OMBUDSMAN (صوبائی محتسب) SECRETARIAT,
KHYBER PAKHTUNKHWA

REJOINDER

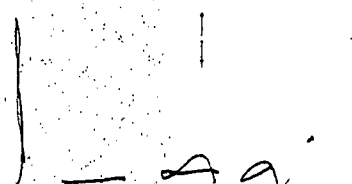
Report of the Agency was shared with the complainant for her feedback/rejoinder. In response, she submitted her rejoinder denied the stance of Agency and reiterated her earlier version.

HEARING

In order to expedite and clarify the factual position, the case was fixed for hearing. Mr. Muhammad Sajid Khan (ADEO-Lit) appeared on behalf of Agency and submitted that complainant has approached the KP Service Tribunal Peshawar vide Appeal No. 1707/2019 and the subject matter is under process in the Tribunal. Complainant attended in person and accepted that she has filed the appeal in the Service Tribunal.

FINDINGS

Perusal of the record shows that complainant has also approached the KP Service Tribunal Peshawar vide Appeal No. 1707/2019. Being a subjudice matter the subject matter of the complaint is outside the domain of this Forum. Investigation is closed in terms of Regulations 17 (j) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations 2011.


SYED JAMAL UD DIN SHAH
PROVINCIAL OMBUDSMAN

13.8.2021

Sep. 2019

Oct. 2019

Date	Arr.	Dep.	Date	Arr.	Dep.
5.9.19	7.45	8.30	1.10.19	8.15	9.00
6.9.19	AbSENT		2.10.19	8.15	9.00
7.9.19	AbSENT		3.10.19	8.15	9.00
11.9.19	7.40	8.30	4.10.19	AbSENT	
12.9.19	8.00	8.30	5.10.19	AbSENT	
13.9.19	AbSENT		7.10.19	AbSENT	
14.9.19	AbSENT		8.10.19	8.30	9.30
16.9.19	8.00	8.30	9.10.19	AbSENT	
17.9.19	7.35	8.30	10.10.19	8.30	9.30
18.9.19	8.00	9.00	11.10.19	Ab	
19.9.19	8.00	9.00	12.10.19	Ab	
20.9.19	AbSENT		14.10.19	Ab	
21.9.19	AbSENT		15.10.19	8.30	9.30
23.9.19	AbSENT		16.10.19	8.30	9.30
24.9.19	8.00	9.00	17.10.19	Ab	
25.9.19	7.45	8.45	18.10.19	Ab	
26.9.19	7.45	8.45	19.10.19	Ab	
27.9.19	7.45	8.45	21.10.19	8.30	9.30
28.9.19	7.45	8.45	22.10.19	Ab	
30.9.19	7.45	8.45	23.10.19	8.30	9.15
			24.10.19	8.30	9.15
			25.10.19	Ab	

[Signature]
 HEAD MISTRESS,
 P.O.H.S. Maho Dns.
 (MARDIA)



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN

PHONE/FAX NO. 0937-9230150

Email Address:-emismardan_deofemale @Yahoo.com

No. _____/File, DA /AT
To

Dated. 21/3 /2019.

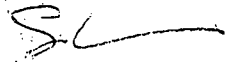
Mst Shabana , A.T
GGHS, Maho Dheri Mardan.

Subject: - PERSONAL HEARING..

Memo:-

You are directed to attend the office of the undersigned on 28-3-2019, at 10.00 Am sharply for personal hearing.

In case of non compliance of this order it will be presumed that you have nothing to say in your defence and ex-parte action will be taken against you.


DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN

Endost: No. 2286 /

Copy for information the :-

1. Head Mistress, GGHS Kourgh with the remarks to informed the mistress concerned accordingly..


DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN



OFFICE OF THE HEADMISTRESS

GOVT GIRLS HIGH SCHOOL MAHO DHERI MARDAN

E-Mail :- abaseklota@gmail.com Contact # : 0311-9283511

No : 174

Date : 01-12-2020

To

The District Education Officer
(Female) Mardan

Subject : COMPLETE & UPDATED DUTY REPORT IN R/O MST:SHABANA EX-SAT

Memo :

Reference your official memo No. 5111/PF Shabana Naz-SAT File & dated : 25/11/2020 regarding duty report of Mst. Shabana Naz Ex-SAT of this school, the same is hereby forwarded & submitted as attested photo copy of complete & updated duty history is enclosed herewith.


Headmistress

Govt Girls High School
Maho Dheri Mardan

D.E.O. 3681

Date: 01-12-2020

10/12/20

Attendance of Miss Shabana Das AT
APRIL 2019 After leaving

162

Date	Arr.	Dep.	Date	Arr.	Dep.
23-4-19	7.30	12.00	18.5.19	8.25	9.20
24-4-19	7.30	12.00	20.5.19	Absent	
25-4-19	7.30	12.00	21/5/19	7.40	10.00
26-4-19	7.30	12.00	22/5/19	8.40	9.40
27-4-19	7.30	12.00	23/5/19	7.35	10.00
29-4-19	7.30	12.00	24/5/19	8.35	9.30
30.4.19	7.30	12.00	25/5/19	8.15	9.20
May 2019			27/5/19	8.00	9.00
2/5/19	8.00	10.00	28/5/19	8.00	9.00
3.5.19	7.35	10.00	29/5/19	8.20	9.20
4.5.19	Absent		30/5/19	7.35	9.30
6.5.19	8.20	9.00	31/5/19	7.35	9.30
7.5.19	7.45	9.00	June 2019		
8.5.19	8.00	9.00	10.6.19	8.00	9.00
9.5.19	7.35	9.10	11.6.19	8.00	9.00
10.5.19	7.45	8.40	12.6.19	8.00	10.00
11.5.19	7.40	9.30	13.6.19	Invacary day	
13.5.19	8.00	9.20	14.6.19	Absent	
14.5.19	8.15	9.00	Sep. 20		
15.5.19	8.30	9.30	2.9.19	7.30	8.30
16.5.19	8.00	9.15	3.9.19	7.30	8.30
17.5.19	8.20	9.30	4.9.19	7.30	8.30

Attested

400
 4515 h
 10/11/19

Sep 2019

Oct 2019

(161)

Date	Arr.	Dep.	Date	Arr.	Dep.
5.9.19	7.45	8.30	1.10.19	8.15	9.00
6.9.19	Absent		2.10.19	8.15	9.00
7.9.19	Absent		3.10.19	8.15	9.00
11.9.19	7.40	8.30	4.10.19	Absent	
12.9.19	8.00	1.00	5.10.19	Absent	
13.9.19	Absent		7.10.19	Absent	
14.9.19	Absent		8.10.19	8.30	9.30
16.9.19	8.00	8.30	9.10.19	Absent	
17.9.19	7.35	8.30	10.10.19	8.30	9.30
18.9.19	8.00	9.00	11.10.19	Ab.	
19.9.19	8.00	9.00	12.10.19	Ab.	
20.9.19	Absent		14.10.19	Ab.	
21.9.19	Absent		15.10.19	8.30	9.30
23.9.19	Absent		16.10.19	8.30	9.30
24.9.19	8.00	9.00	17.10.19	Ab.	
25.9.19	7.45	8.45	18.10.19	Ab.	
26.9.19	7.45	8.45	19.10.19	Ab.	
27.9.19	7.45	8.45	21.10.19	8.30	9.30
28.9.19	7.45	8.45	22.10.19	Ab.	
30.9.19	7.45	8.45	23.10.19	8.30	9.15
			24.10.19	8.30	9.15
			25.10.19	Ab.	

Attended

HEAD MISTRESS
G.G.H.S. Moho Dhesi
(MARDAN)

Oct. 2019

Feb. 2020

Date	Ass.	Dep.	Date	Ass.	Dep.
26.10.19	Ab		4-2-20	8.45	9.30
28.10.19	Ab		10-2-20	8.45	9.30
28.10.19	Ab		14-2-20	9.30	9.30
30.10.19	8.00	9.00	21-2-20	8.50	9.20
31.10.19	8.00	9.00	22-2-20	8.45	9.05
NOV. 2019			25-2-20	8.30	9.30
5.11.19	8.30	9.30	26-2-20	8.50	9.20
6.11.19	8.30	9.30	2-3-20	8.30	9.40
12.11.19	8.30	9.30	9-3-20	8.45	9.20
15.11.19	8.30	9.30	10-3-20	8.45	9.20
20.11.19	8.30	9.30	13-3-20	9.00	9.15
25.11.19	8.30	9.30	Sep. 2020		
26.11.19	8.30	9.30	14.9.20	10.30	11.15
27.11.19	8.30	9.30	11.9.20	9.00	10.40
Dec. 2019			17.9.20	8.00	9.30
11.12.19	8.45	9.30	2.10.20	8.15	10.00
12.12.19	8.45	9.30	5.10.20	8.00	9.15
21.12.19	8.45	9.30	10.10.20	8.00	9.05
Jan. 2020			12.10.20	8.00	10.10
15.1.20	8.45	9.30	16.10.20	8.10	9.30
21.1.20	9.30	11.00	22.10.20	8.00	10.15
30.01-20	9.30	9.45	28.10.20	8.00	9.20
31.01-20	9.00	12.00			

Muted



HEAD MISTRESS
G.G.H.S. Maho Dheri
(MARDAN)

10/11/2020
9/11/20

7-11-20	8.00	—	9.15
14-11-20	8.00	—	9.15
21-11-20	8.00	—	9.10
28-11-20	8.00	—	9.00

started

HEAD MISTRESS
G.G.S. Maho Dheri
IMARD

156

PF Shabana Naz S- AT file

Dated 25-11/2020

The principal
1-GGHS Dhala Dheri
2-GGHS Maho Dheri

Subject: Duty Report

Mst. Shabana Naz SAT GGHS Maho Dheri has been transferred to GGHS Ghala (Mardan) vide No 2819/G Dated 06-04-2019.

You are directed to submit detail report duties of the above mistress up till now



DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN

a/c

*



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN
PHONE/FAX NO. 09379230150

Email Address:-EMISMARDAN_DEOFEMALE@YAHOO.COM

No 2258/

Dated 27/ /2019

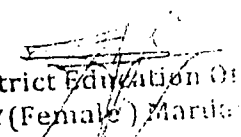
To

Mst:Shabana S.AT,
GGHS Maho Dheri.

Subject:-
Memo:

PERSONAL HEARING

In the light of the inquiry report you are directed to attend this office for personal hearing with in three days positively.
In case of non compliance, it will be presumed disobedience and ex-party action will be taken against you that is compulsory removal from service.


District Education Officer
(Female) Mardan

Endst No : _____ / Shabna Inq File Dated Mardan the _____

Copy for information to the :

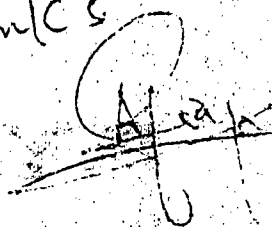
- 1: Principal GGHS NO 1 Mardan.
- 2: Head Mistress GGHS Maho Dheri: Mardan.
- 3: P/File.

District Education Officer
(Female) Mardan

R/Teacher Miss Sabana (SAT) 14/02/20

Today this school GHS Mahadere is visited by Principal G.L.H.S.H. in regard of annual inspection and found you absent from duty. As the C/Leave application was not present and found no ~~msg~~ message from your side. You are directed to be punctual and honest with job and cooperative with your head of school. If you have any problems regarding your health, those should be proper medical leave application and a doctor certificate and rest advise.

Thanks



لاکھنؤ

رہبرت کی روشنی میں

GGHS No 2 Hosi
Maxdan

5/10/20

GGHS محمود ظہیری کی

پہلے ڈپٹی سیکریٹری ڈپٹی سیکریٹری سے کام لے رہے تھے اور فیروز خان اور تانوی کی درخواست پر

13/10/2019 کو درخواست پر فیروز خان اور تانوی کی درخواست پر

DEO رانا سے آفیس جی جی ایچ ایس

فوروارد کر دیا گیا ہے

Forward کر چکی ہے

فیروز خان اور تانوی کی درخواست پر

DEO رانا سے آفیس جی جی ایچ ایس

فوروارد کر دیا گیا ہے

15/02/19

کہ بیٹا میری طرف سے یا میں بھی دینے
 کا اختیار ہے۔ مگر صاحب نے یہی
 قسم آئی تو اس وقت بھی وہ نہیں
 دے گا۔ صاحب نے کئی دفعہ وہ میری
 بیٹی کا بیوی نہ آپ کا بیٹی ہے
 بیٹی کے لیے یہ بیٹی یا دو بیٹی صاحب
 بیٹیاں لڑائی بیویوں اس مقصد سے
 بنایا جاتا ہے۔ مگر وہ صرف ان بیویوں
 کے لیے ہے۔ اور واقعی بیمار بیویوں کے لیے ہے
 اور اس بات کا بھی ثبوت تھا کہ میری کار
 کے جانوں پر اس قدر عمل لڑائی ہوں کہ
 ان کے جانوں کے لیے یہ مقصد ہے۔
 یہاں نہ بنا یا تھا آپ کے آگے سے
 اس بیٹے کو صلح نہیں کیا تھا۔ ہم
 ان کے آگے سکول آ رہے ہیں۔ اگر
 تھا تو کیا یہ اس بیٹے کی ذمہ داری
 ہے۔ کیا ہے۔ یہ وقت (ingovm)
 ہر دن۔ بیوی نہ اس کے

15/02/14

حاشیہ میں کہ میں 14/02/14 کو
صرف اس سے متعلق اس کے لیے

صرف اس سے متعلق اس کے لیے
13/02/14

DEO (رانا) نے اس کے لیے
صرف اس سے متعلق اس کے لیے
صرف اس سے متعلق اس کے لیے
صرف اس سے متعلق اس کے لیے

DEO (رانا) نے اس کے لیے
صرف اس سے متعلق اس کے لیے

صرف اس سے متعلق اس کے لیے
صرف اس سے متعلق اس کے لیے

صرف اس سے متعلق اس کے لیے
صرف اس سے متعلق اس کے لیے

GGS Meo (SAT) سائنس نائز

Daxi Meo

رجسٹر حاضرہ اسکول میں
گورنمنٹ گرلز ہائی اسکول مہر ڈھری
بابت ماہ فروری 2019

No.	صورت اول			صورت دوم			صورت چہارم			وقت	نمبر
	وقت	روز	نمبر	وقت	روز	نمبر	وقت	روز	نمبر		
1	12:00	At	8:15	Zahida	2:20	Zahida	8:15	At	12:00	8:15	1
2	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	2
3	-	-	-	S	U	N	A	A	-	-	3
4	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	4
5	-	-	-	K	A	S	H	M	-	-	5
6	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	6
7	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	7
8	12:00	At	8:15	Zahida	12:00	Zahida	8:15	At	12:00	8:15	8
9	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	9
10	-	-	-	S	U	N	A	A	-	-	10
11	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	11
12	-	-	-	C	L	E	A	V	-	-	12
13	-	-	-	Zahida	2:20	Zahida	8:15	At	2:20	8:15	13
14	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	14
15	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	15
16	-	-	-	S	U	N	A	A	-	-	16
17	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	17
18	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	18
19	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	19
20	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	20
21	12:00	At	8:15	Zahida	12:00	Zahida	8:15	At	2:20	8:15	21
22	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	22
23	-	-	-	S	U	N	A	A	-	-	23
24	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	24
25	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	25
26	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	26
27	2:20	At	8:15	Zahida	2:20	Zahida	8:15	At	2:20	8:15	27
28	-	-	-	S	U	N	A	A	-	-	28
29	-	-	-	C	L	E	A	V	-	-	29
30	-	-	-	-	-	-	-	-	-	-	30
31	-	-	-	-	-	-	-	-	-	-	31

Attest
HEADMISTRESS
G.G.H.S Maho Dheri
Mardan

05	03	02	03	01	02	02
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صنیز شبانہ ناز				صنیز زاہرہ				صنیز مسرت حسنا				No	
S.S. AT				S.S. DM				S.S. C.T					
دستخط	رواگی	دستخط	آمد	دستخط	رواگی	دستخط	آمد	دستخط	رواگی	دستخط	آمد	دستخط	رواگی
Qk	2:00	Qk	8:11	Zahida	2:20	Zahida	8:15	Qk	12:00	Qk	8:15		1
Qk	2:20	Qk	8:11	Zahida	2:20	Zahida	8:15	Qk	2:20	Qk	8:15		2
-	-	-	S	u	n	d	a	-	-	-	-	-	3
Qk	2:20	Qk	8:15	Zahida	2:20	Zahida	8:15	Qk	2:20	Qk	8:15		4
Qk	2:20	Qk	8:15	Zahida	2:20	Zahida	8:15	Qk	2:20	Qk	8:15		5
Qk	2:20	Qk	8:15	Zahida	2:20	Zahida	8:15	Qk	2:20	Qk	8:15		6
Qk	2:20	Qk	8:36	Zahida	2:20	Zahida	8:15	Qk	2:20	Qk	8:15		7
Qk	2:20	Qk	8:15	Zahida	12:00	Zahida	8:15	Qk	12:00	Qk	8:15		8
C. leave				Zahida	2:20	Zahida	8:15	Qk	2:20	Qk	8:15		9
-	-	-	S	u	n	d	a	-	-	-	-	-	10
Qk	2:20	Qk	8:15	C. leave				C. leave				11	
Qk	2:20	Qk	8:15	Zahida		Zahida	8:15	Qk	2:20	Qk	8:15		12
								Qk	2:20	Qk	8:15		13
								Qk	2:20	Qk	8:15		14
								Qk	2:20	Qk	8:15		15
								Qk	2:20	Qk	8:15		16
-	-	-	S	u	n	d	a	-	-	-	-	-	17
								Qk	2:20	Qk	8:15		18
								Qk	2:20	Qk	8:15		19
								Qk	2:20	Qk	8:15		20
								Qk	2:20	Qk	8:15		21
								Qk	12:00	Qk	8:15		22
								Qk	2:20	Qk	8:15		23
								-	-	-	-	-	24
								Qk	2:20	Qk	8:15		25
								Qk	2:20	Qk	8:15		26
								Qk	2:20	Qk	8:15		27
								Qk	2:20	Qk	8:15		28
								Qk	12:00	Qk	8:15		29
-	-	-	S	u	n	d	a	-	-	-	-	-	30
								-	-	-	-	-	31


S.S. Exkan
 Major Duty
 W.C. #13
 03-2019

P a k i s t a n
 S u n d a
 03-2019

HEADMISTRESS
 G. H. S Maho Dheri
 Mardan

Attendance of Miss Shabana Nao AT
April 2019 After releasing 168

Date	Arr.	Dep.	Date	Arr.	Dep.
23-4-19	7.30	12.00	18.5.19	8.25	9.20
24-4-19	7.30	12.00	20.5.19	Ab	end
25-4-19	7.30	12.00	21/5/19	7.40	10.00
26-4-19	7.30	12.00	22/5/19	8.40	9.40
27-4-19	7.30	12.00	23/5/19	7.35	10.00
29-4-19	7.30	12.00	24/5/19	8.35	9.30
30-4-19	7.30	12.00	25/5/19	8.15	9.20
MAY 2019			27/5/19	8.00	9.00
2/5/19	8.00	10.00	28/5/19	8.00	9.00
3.5.19	7.35	10.00	29/5/19	8.20	9.20
4.5.19	Absent		30/5/19	7.35	9.30
6.5.19	8.20	9.00	31/5/19	7.35	7.30
7.5.19	7.45	9.00	June 2019		
8.5.19	8.00	9.00	10.6.19	8.00	9.00
9.5.19	7.35	9.10	11.6.19	8.00	9.00
10.5.19	7.45	8.40	12.6.19	8.00	10.00
11.5.19	7.40	9.30	13.6.19	Invuax	day
13.5.19	8.00	9.20	14.6.19	Absent	
14.5.19	8.15	9.00	Sep. 20 19		
15.5.19	8.30	9.30	2.9.19	7.30	8.30
16.5.19	8.00	9.15	3.9.19	7.30	8.30
17.5.19	8.20	9.30	4.9.19	7.30	8.30

Attested

 HEAD MISTRESS
 G.G.H.S. Maho Dheri
 Mardan

Sep. 2019

OCT. 2019



26

Date	Arr.	Dep.	Date	Arr.	Dep.
5.9.19	7.45	8.30	1.10.19	8.15	9.00
6.9.19	Absent		2.10.19	8.15	9.00
7.9.19	Absent		3.10.19	8.15	9.00
11.9.19	7.40	8.30	4.10.19	Absent	
12.9.19	8.00	1.00	5.10.19	Absent	
13.9.19	Absent		7.10.19	Absent	
14.9.19	Absent		8.10.19	8.30	9.30
16.9.19	8.00	8.30	9.10.19	Absent	
17.9.19	7.35	8.30	10.10.19	8.30	9.30
18.9.19	8.00	9.00	11.10.19	Ab.	
19.9.19	8.00	9.00	12.10.19	Ab.	
20.9.19	Absent		14.10.19	Ab.	
21.9.19	Absent		15.10.19	8.30	9.30
23.9.19	Absent		16.10.19	8.30	9.30
24.9.19	8.00	9.00	17.10.19	Ab.	
25.9.19	7.45	8.45	18.10.19	Ab.	
26.9.19	7.45	8.45	19.10.19	Ab.	
27.9.19	7.45	8.45	21.10.19	8.30	9.30
28.9.19	7.45	8.45	22.10.19	Ab.	
30.9.19	7.45	8.45	23.10.19	8.30	9.15
			24.10.19	8.30	9.15
			25.10.19	Ab.	

M. Javed

JEALU MISTRESS
G.G.H.S Maho Dheri
Mardan



Oct. 2019

Feb. 2020

Date	Ass.	Dep.	Date	Ass.	Dep.
26.10.19	Ab.		4-2-20	8.45	9.30
28.10.19	Ab.		10-2-20	8.45	9.15
29.10.19	Ab.		14-2-20	9.30	10.30
30.10.19	8.00	9.00	21-2-20	8.50	9.20
31.10.19	8.00	9.00	22-2-20	8.45	9.05
NOV. 2019			25-2-20	8.30	9.30
5.11.19	8.30	9.30	26-2-20	8.50	9.20
6.11.19	8.30	9.30	2-3-20	8.30	9.40
12.11.19	8.30	9.30	9-3-20	8.45	9.20
15.11.19	8.30	9.30	10-3-20	8.45	9.20
20.11.19	8.30	9.30	13-3-20	9.00	9.15
25.11.19	8.30	9.30			
26.11.19	8.30	9.30			
27.11.19	8.30	9.30			
Dec. 2019					
11.12.19	8.45	9.30			
12.12.19	8.45	9.30			
21.12.19	8.45	9.30			
Jan. 2020					
15.1.20	8.45	9.30			
21.1.20	9.30	11.00			
30-01-20	9.30	9.45			
31-01-20	9.00	12.00			

Attested
[Signature]

HEAD MISTRESS
G.G.H.S. Jhalo Dheri
Mardan



OFFICE OF THE HEADMISTRESS

GOVT GIRLS HIGH SCHOOL MAHO DHERI MARDAN

E-Mail : headmistress.mahodheri@gmail.com

No : 151

Dated : 06-12-2019

To

The District Education Officer
(Female) Mardan

Put up on file plz.
E
06/12/19

Subject : REQUEST TO SETTLE THE INVETERATE DISCIPLINARY & ADMINISRATIVE ISSUE CREATED BY MST: SHABANA NAZ-SENIOR-A.T

Memo :

With utmost respect the undersigned want to draw your kind attention to the most inveterate main issue of this school created by Mst: Shabana Naz-Senior-A.T, which is disturbing the discipline & administration of the institute very badly.

Mst: Shabana Naz-Senior-A.T who was transferred to GGHS Ghalla Dher Mardan by the then Acting DEO (Female) Mardan on administrative ground vide your office Endostt: No. 2819/G & Dated : 06-04-2019 and relieved from her duties vide this office Endostt: No.125 & Dated : 15-04-2019 (as this order has been delivered to school on 15-04-2019), but she refused to leave the charge & the station & filed a writ petition at Peshawar High Court the very next day i.e: 16-04-2019.

The undersigned informed your august office from her refusal at that very time and also send those documents of relieving certificate & charge report and a copy of the writ petition to your office along with the refusal, responding to which the then DEO (Female) Mardan called a show cause notice from the concerned teacher vide your office Endostt: No. 5434/PF Shabana SAT & Dated : 22-05-2019, which she didn't took serious to reply as usual.

From then she is constantly refusing to obey orders of the undersigned & DEO (Female) to leave charge & station in the result of which the undersigned ordered to stop her salary from the month of May 2019 and still is stopped.

Then a detailed inquiry has also been taken by the worthy Director Elementary & Secondary Education Khyber Pakhtunkhwa.

In the light of which your office order No. 9951-55 & Dated : 17-08-2019 has been issued by your august office, intimating her to leave the charge at GGHS Maho Dheri Mardan & make your arrival possible at GGHS Ghalla Dher Mardan at once. So she was relieved of her duties vide this office Endostt: No. 141 & Dated: 17-08-2019 once again & in reply she threatened the undersigned and also added that her case is in high court and the then acting DEO (Female) Mardan & the undersigned will soon be seeking apology of her.

E.O.S.

lin.

4=10

All these words and refusal from leaving the charge has once again forwarded & submitted to your august office vide this office Endostt: No. 139 & Dated : 18-07-2019 for information and further necessary action. (139)

During all these proceedings as she was refusing from leaving the school from the first day (15-04-2019) the undersigned didn't include her name in the Daily Staff Attendance Register & also didn't allotted any period .

But she is attending school for an hour after every two or three days for creating disturbance in the staff room by using threatening & insulting words & backbiting of the undersigned since this issue has been rised which is also a big headache on the other side.

So it is requested humbly to settle this issue on priority basis for the betterment of the students & institute as soon as possible.

This will encourage & motivate the undersigned both mentally & physically to maintain the discipline & schedule of the institute with more attention and run it smoothly.

(Signature)

Head Mistress
Govt Girls High School
Maho Dheri Mardan
HEAD MISTRESS
G.G.H.S Maho Dheri
MARDAN

E

64
19



126

OFFICE OF THE HEADMISTRESS

GOVT GIRLS HIGH SCHOOL MAHO DHERI MARDAN

E-Mail :- headmistress.mahodheri@gmail.com

1. Certified that we have on the after noon of this day 17/08/2019 (A.N) made over & received charge of this office of the Senior: A.T. (B:16.) at this school vide District Eduaction Officer. (F.) Mardan. Office Order. Endostt: No. 9951-55, Dated Mardan the 17/08/2019.
2. Particulars of cash, important secrets and confidential documents handed over are noted on the reverse.

Signature of Relieved Govt. Servant

Refused to sign and leave charge on 19/8/19

Station : G.G.H.S Maho Dheri Mardan

Name & Designation

Mst : Shabana Naz-SAT, B 16

Signature of Relieving Govt. Servant

Vacant

Name & Designation

Vacant

DA AT

Shabana

D.E.O. 0794

Date: 31/8/19

[Signature]

Head Mistress
GGHS Maho Dheri Mardan
HEAD MISTRESS
G.G.H.S Maho Dheri
(MARDAN)

[Signature]

Head Mistress
GGHS Maho Dheri Mardan
HEAD MISTRESS
G.G.H.S Maho Dheri
(MARDAN)

Endostt: No : 141 Dated : 17-08-2019 (A.N)

Copy of the above is forwarded to :

- 1: District Education Officer (Female) Mardan.
- 2: District Accounts Office Mardan.
- 3: Personal File.

✓ Prepared By : M. Abbas ... JC

D.E.
Jan
Jan

OFFICE OF THE HEADMISTRESS

125


GOVT GIRLS HIGH SCHOOL MAHO DHERI MARDAN

No: 141

Dated: 17-08-2019 (A.N)

Relieving Certificate

Mst: Shabana Naz (Senior-A.T, B:16) of this school, you are hereby relieved of your duties today on 17-08-2019 (A.N) vide District Education Officer (Female) Mardan
Ensostr: No: 9951-55, Dated: 17/08/2019 and is further advised to report the
Principal GGHSS Ghalla Dher Mardan & take over charge immediately.


Head Mistress
GGHS Maho Dheri Mardan
HEAD MISTRESS
G.G.H.S MAHO
(MARDAN)



OFFICE OF THE HEADMISTRESS

GOVT GIRLS HIGH SCHOOL MAHO DHERI MARDAN

E-Mail : headmistress.mahodheri@gmail.com

No : 139

Dated : 18/07/2019

To

The District Education Officer

(Female) Mardan

DA AT
22/7/19

Subject : REPORT REGARDING MST: SHABANA NAZ-S.A.T CASE

Memo:

With utmost respect is to be reported that Mst: Shabana Naz-S.A.T has constantly stand by her stance of NOT OBEYING THE ORDERS OF THE HIGH UPS BY NOT LEAVING CHARGE which was issued by your office under Endostt: No.2819/G/PF,Shabana=SAT, Dated : 06-04-2019, & insisting of seeking apology of Mr. Zulfiqar-Ul-Mulk (DEO Male) the then in charge as DEO (Female) Mardan who has issued that order, current DEO (Female) Mardan and the undersigned.

Although she has been relieved of her duties vide this office Endostt. No 125 & dated. 15-04-2019 & her pay has already been stopped by the undersigned immediately after being relieved.

Therefore this report is forwarded & submitted to your august office in order to fulfill all the official duties & requirements by the undersigned on time.

Head Mistress
G G H S Maho Dheri Mardan
HEAD MISTRESS
G.G.H.S Maho Dheri
(MARDAN)

3865
22/07/19

77

To:
The District Education Officer
(Female) Mardan.


Subject: ENQUIRY

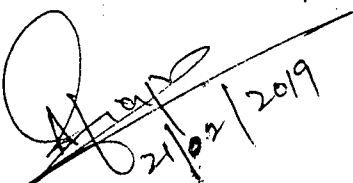
Memo:


I have the honour to submit that Miss, Shabana AT GGHS Maho Dheri Mardan is previously two times under enquiry because of the misconduct with Head Mistress / People of the village and she also harshly beated a student of that time Miss, Samina Ghani DEO (Female) transferred her and issue her warning letter,, but she accepted her misconduct and refused to be careful in future.


Now she once again repeating misconduct and regularly late comer to school. On dated 14-02-2019. The inspection team marked her absent and the head of GGHS Hoti No.2 Mardan call explanation to her. She replied the explanation with abused words. After that she not followed the instruction of Head Mistress and making so many problems in school. When the Head Mistress sent her papers for checking she returned with abused remarks, I am not your servant.

We recommended her to please transfer her far away that no one step any misconduct her Head Mistress. We all District Principals and Head Mistresses request you to take disciplinary action against her.


(MISS. SAEEDA AKHTAR) ✓
PRINCIPAL
GGHSS No.1 Mardan


PRINCIPAL
GGHS Hoti No.2 Mardan
21/02/2019


HEAD MISTRESS
GGHS Maho Dheri Mardan

NLSab

23/2/19

DEO. (Female) Mardan
Gairy N. 1513
Date: 23/2/19



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN
PHONE/FAX NO.09379230150
Email Address:-EMISMARDAN_DEOFEMALE@YAHOO.COM

70

No 2451 /PF Shabana SAT/

Dated 7/3 /2018


To

Mst:Shabana SAT
GGHS Maho Dheri
(Mardan).

Subject:- WARNING

Memo:

Reference to the inquiry report against you in the corporal punishment to the students you are hereby warned to be careful infuture otherwise strict disciplinary action will be initiated against you in case of repetition of such practices.


DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN.

No & Dated even:

Copy to the:-

1. Director Elementary & Secondary Education Khyber-Pakhtunkhwa Peshawar
2. Head Mistress GGHS Maho Dheri (Mardan) with the direction to seen the warning letter upon the concerned teacher.

DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN

لاگ بک (حصہ دوم)

75

رپورٹ کی روشنی میں سکول انتظامی
سے جو کارروائی کی

رائے اور پورٹ مہمان

R/Teacher Miss Shabana (SAT)

14/02/18

Today this school GHS Hadei is visited by Principal GHS Hadei in regard of annual inspection and found you absent from duty. As the C/Leave application was not present and found no ~~message~~ message from your side. You are directed to be punctual and honest with job and cooperative with your head of school. If you have any problem regarding your health there should be proper medical leave application and original doctor certificate and best rest advise.

Thanks

[Signature]

14/02/18

Principal
GHS No. 2
Hadei

رپورٹ کی روشنی میں مکمل اعداد و شمار کی

بائے اربورٹ معائنہ

محکمہ سیریلز
GGHS No2 Hoti
Maddan

15/02/19

14/02/19 کو GGHS سپروڈ ڈپٹی سیریلز

ڈپٹی سیریلز بیٹ ڈپٹی سیریلز سے کام لے رہے تھے اور سیرا چائٹر اور کالونی ڈپٹی سیریلز کے ساتھ سیریلز کر رہے تھے۔ حالانکہ آئی

سیریلز ڈپٹی سیریلز نے وہ ڈپٹی سیریلز 13/02/19

کو DEO رزٹرنٹ آفیس جیسی ملکر آفیسوں

کے پاس لے کر آئے تھے۔ یہ جیلڈ ڈپٹی سیریلز

بھروسہ Forward کر چکے ہیں جس کے بعد

سیریلز نے وہ ڈپٹی سیریلز آئی جانے والے

سیریلز کا تعلق ڈپٹی سیریلز سے ہو سکتا ہے یا سیریلز

بھروسہ جیسا کہ وہ DEO رزٹرنٹ آفیسوں پر

ملنے DEO کے پاس نہیں تھے تو وہ ملے

بھروسہ ڈپٹی سیریلز کے پاس ملے بھروسہ

بھروسہ کے پاس آئے ہیں یا نہیں

لاگ بک (حصہ دوم)

رہنہ اور پورٹ معائنہ

رہنہ کی روشنی میں سکون اشدادی
نے حکام کو اپنی

15/02/19

ہم بلا کسی شک و شبہ کے اس سے بھیجی دینے
 کا اختیار ^{اللہ} ہے اور جب اس سے
 شہادت آتی تو اس وقت بھی وہ یہ نہیں
 اور اسے صرف کٹے کے لئے وہ حیدر آباد
 نہیں تھا بیرونہ اس کا عائنہ یہ ہے کہ
 میں نے اسے دیکھا ہے یا رو میں نے جب
 چھٹیوں لڑی تھی تو اس وقت سے
 بنایا جاتا ہے مگر وہ صرف ان ہی تھوت
 تھا کہ میرا واقف بیمار ہوں یہاں یہ ہے
 اور اس بات کا بھی ثبوت تھا کہ میرا
 قاتلوں کے ہاں قدر محل لڑا ہوں یہ نہیں
 کے لئے تو اس کے لئے یہ ہے مگر
 یہاں نہ بنا یا گیا آپ کے آئے سے
 اس سے پہلے تو مطلع نہیں کیا تھا ہم
 آج آپ کے سکول آ رہے ہیں آپ کو
 تھا تو کیا یہ اس سے پہلے ہی دار
 سے تھا کہ مجھے یہ وقت (info)

سر دتہ بیرونہ نے اس سے 2

لاگ بک (حصہ دوم)

7

رہنما کی رہنمائی میں سکول اقامتی
کے جو کارروائی کی

رائے ازپورٹ معائنہ

15/02/19

جانتی تھی کہ میری 14/02/19 کو
صحیح کروا کر دیوئے اس میں صحیح کر لیا
صرف فارم اس کے پاس 13/02/19
کے لئے کرانے کے لیے بھیجا گیا تھا
DEO (رہنما) آئیں وہ کہہ
تے تھے بار بار کہیں دیکھتے تھے صرف
دینا لگو دینے سے وہ Forward کر رہے
ہیں صحیح دینا یا نہ دینا آئیگا کام
پہلے مگر متعلقہ میٹر بھیجیں دیکھیں
تہ مجھے DEO (رہنما) کی طرف سے
امارتا نہیں ہے اور کہیں یہ کیا نہ
جانتی رہی کہ میٹر بھیج دیکھیں یہ
یہ میٹر کیوں ہیٹ دھری سے کام
کے لئے ہے یہ اس سے لگا لو گھیا جائے

Sub: رہنما

15/02/19

GGHS Melo (SAT) رہنما تاز
Dhati Madan

19



70

OFFICE OF THE HEADMISTRESS GOVT GIRLS HIGH SCHOOL

MAHO DHERI MARDAN

E-Mail : headmistress.mahodheri@gmail.com

No: 61

Dated : 28-04-2018

To

The District Education Officer
(Female) Mardan

ADD(S) - N.G.
S. Maw
4/5/18

Subject : REQUEST FOR GUIDANCE TO RESOLVE THE ISSUE

Memo :

With utmost respect the undersigned wish to draw your kind attention towards the recent incident took place in this school today.

Urooj D/O Akhtar Munir student of Class-9th, who has serious issue with Mst : Shabana Naz-SAT since long, regarding which an enquiry has already been constituted by your august office in the result of which the teacher has been transferred to GGHS Ghalia Dher Mardan vide your office Ensostt: No: 3026-28/PF Shabana-SAT & Dated: 22-03-2018.

Today Mst : Shabana Naz-SAT was enquiring something from the students regarding this issue on which Urooj changed words with her.

Then the teacher took her to the undersigned office. On enquiring from the Urooj regarding to day's issue, she started screaming and blaming the school and all the staff & demanded for School Leaving Certificate at once.

After some time all Class-9th students ran out screaming and after this the remaining classes started the same too.

The undersigned also ran out of the office to judge the situations, on enquiring the undersigned was told that Urooj has hurt her hand by breaking the window glass.

In these situations the undersigned need your guidance in order to maintain the discipline of the institute.

Head Mistress
GGHS Maho Dheri Mardan

HEAD MISTRESS
G.G.H.S Maho Dheri
MARDAN

3088
5/5



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN
PHONE/FAX NO.09379230150
Email Address:-EMISMARDAN DEOFEMALE@YAHOO.COM

6

OFFICE ORDER

Mst:Shabana S.AF GGHS Maho Dheri is hereby transferred to GGHS Ghala Dher against vacant SAT post on her own pay & BPS on administrative ground with immediate effect.

Note: Charge report should be submitted to all concerned.

TA/DA is not allowed.

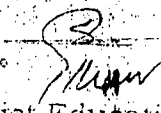
(SAMINA GHANI)
District Education Officer
(Female) Mardana

Endst:No 2526-28 /PF Shabana SAT

Dated 22/3 /2013

Copy forwarded to the:-

1. District Accounts Officer Mardana
2. Principal GGHS Ghala Dher.
3. Head Mistress GGHS Maho Dheri
4. M/File


District Education Officer
(Female) Mardana



OFFICE OF THE DISTRICT
OFFICER (FEMALE) MARDAN.
Email Address: EM

31
DISTRICT EDUCATION OFFICER (FEMALE) MARDAN.
09379230150
DEOFEMALE@YAHOO.COM

No 1113 /PF. Shabana SAT

Dated 35/10 /2017.

To

Mst: Shabana SAT
GGHS Maho Dheri

Subject:- EXPLANATION.
Memo:

It come to the notice during the visit of ADEO (S) of the local office on 26/10/2017 that you have left the school for Northern University Nowshera without taking permission of the undersigned for attending M.Phil class. You got admission in M.Phil class without taking any NOC from the Head of Department for which you were bound being employec of the Department under the rules. Not only got admission but also attending the classes for your own interest ^{not} on the sake of the innocent kids benefits.


You are therefore directed to explain your willful irregularity that why not you should be booked for Disciplinary action & also submit your reply to the undersigned within three days of the receipt of this letter.


DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN.

Endst: No _____ /

Copy to the:-

1. Head Mistress. GGHS Maho Dheri (Mardan).


DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN.

Factors & Legal Points:-

- 1- Appellant submitted application for 01 day medical leave and on the same day, on inspection of Principals, appellant was found absent despite medical leave application submitted.

2. As a result appellant was transferred as a **PENALTY**. In fact, transfer is not provided neither in major or minor penalty.

3. Question of assumption's charge arises ~~only~~ in such transfer cases, if transfer is made on the basis of exigency of service and it can be termed as legal transfer order. Transfer as a penalty is **ILLEGAL** as per Supreme Court verdict, Civil servant is not bound to obey **ILLEGAL** orders.

4. Once transfer order is illegal, Act in furtherance of illegal order will also be illegal. Hence, Question of assumption of charge of illegal order is also an illegal act. and appellant abstain to commit illegal act.

Rule 13 of Appeal Rules:

- Medical Leave cannot be refused (R-13 Appeal Rule)
 - 1985 PLC CS 484 → Medical leave cannot be refused. (Attached).
-

Appellant:-

Medical Documents:-

- Surgery of Spinal cord/Nerves -
 - Doctor advise - Avoid travelling to far areas.
-

Medical Documents attached.

1985 P L C (C.S.) 484

[Service Tribunal Punjab]

Present: S. Abdul Jabbar Khan, Chairman

QADIR BAICHSH BHATTI

Versus

CHIEF ENGINEER, IRRIGATION, MULTAN ZONE and another

Case No. 693/961 of 1984, decided on 18th February, 1985.

Civil Service--

--- Leave--On medical grounds--Cannot be refused--Appellant proceeding on sanctioned leave and not joining on expiry--Sending application for extension of leave on grounds of illness duly supported by certificate of Medical Superintendent, District Headquarter Hospital describing disease and advising rest--Competent authority instead of sanctioning leave treating same as without pay and imposing penalty of censure on plea that appellant had broken a gentleman's promise and request for extension was not genuine--Competent authority, in circumstances, held, could not refuse leave and could at the most direct appellant to appear before Medical Board--Impugned order set aside by Service Tribunal and period involved treated as medical leave on full pay--Punjab Service Tribunals Act (IX of 1974), S.4.

Haji Muahtaq Ahmad Aqil for Appellant.

A.G. Humayun, District Attorney for Respondents.

JUDGMENT

Qadir Bakhsh Bhatti has filed this appeal under section 4 of the Punjab Service Tribunals Act, 1974, in which he has impleaded the Chief Engineer, Irrigation Multan Zone, Multan and Superintending Engineer, Headquarters, Irrigation Multan Zone, Multan, as respondents.

2. By virtue of this appeal he has prayed that the impugned order dated 10-4-1984, be set aside and appeal accepted.

3. Brief facts of the case are that the appellant applied for four months' leave w.e.f. 16-6-1983 to 13-10-1983, which was duly sanctioned by the Department. However, after the expiry of leave he fell ill and submitted Medical Certificate given by Medical Superintendent District Headquarters Hospital, Faisalabad, in which he was advised bed rest because he was suffering with Lambago pain. This was not considered a genuine request by the Superintending Engineer, Headquarters Irrigation, Multan Zone, Multan, who was of the opinion that in this manner the appellant had violated certain mandatory provisions of rules and had also broken a gentleman's promise. He imposed upon him penalty of censure as well as treated the medical leave as extraordinary leave without pay. The appellant filed an appeal before the Chief Engineer.

Irrigation as he has received no reply and after waiting for 90 days he has filed this appeal before this Tribunal.

4. I have heard the learned counsel for the appellant as well as learned District Attorney and have perused the record of this case with their assistance.

5. Learned counsel for the appellant has submitted that the Superintending Engineer Headquarters, Multan had mentioned that the appellant had broken gentleman's promise which was not a fact. The appellant had all intention to join his duty but it was act of Almighty God that he fell ill and could not do so. According to the learned counsel for the appellant, this is why he sent Medical Certificate duly issued by Medical Superintendent, District Headquarters Hospital, Faisalabad. A grievance has been made by the learned counsel for the appellant that the respondent No.2 had no right to refuse the medical certificate/medical leave because the rules do not permit him to do so. According to the learned counsel the respondent No. 2 had relied on the old rules which were no more in the field, therefore, his contention should not be taken into consideration.

6. On the other hand learned District Attorney has adopted the comments submitted by the Department as well as supported the order of the respondent No.2 and has prayed that the appeal be dismissed.

7. I have given my anxious thought to the arguments advanced by the parties and find that the appellant's second leave application does not contain a mention for any personal work and is duly supported by a medical certificate of a person holding the rank of Medical Superintendent, District Headquarters Hospital, Faisalabad. In view of this established fact on record the medical leave could not be refused to him, at the most if the Superintending Engineer respondent No.2 Has not satisfied about the genuineness of the said leave he could have issued him a docket to appear before the Medical Board but what find is that no docket has been issued nor any such direction has been given for the said purpose and the order of the Superintending Engineer, Respondent No.2 is based on conjecture and surmises by taking in his mind that second medical leave was in fact to prolong leave so granted to the appellant on some private affairs. This suspicion would be ill-founded when I find there is documentary evidence in the form of Medical certificate of Medical Superintendent, District Headquarters Hospital, Faisalabad, in which the disease has been defined as well as bed rest has been advised to the patient (appellant).

8. In view of the above analysis of the case, I proceed to accept the appeal, set aside the impugned order and direct that leave from 13-10-1983 to 13-11-1983, be treated as medical leave on full pay.

Announced in the open Court on 18-2-1985. Judgment be released the parties accordingly. There will be no order as to costs.

A. E.

Appeal accepted.

DEPARTMENT OF NEUROSURGERY MARDAN MEDICAL COMPLEX MARDAN

Neurosurgeon

Dr. Naeem-ul-Haq

FCPS (Neuro Surgery)
CHR (KMU)
CHPE (NUMS)
ASDC (UAE / North American
Spine Society)
ESDC (FRANCE)

Brain & Spine Surgeon



PMDC #: 11780-N

Ref. No. _____

Date _____

3/08
[Signature]

Shobana 1374/10

She has Back pain
of 6 months

— She needs to
avoid long travel/
Risks

[Signature]

Dr. Mumtaz Ali

ASSISTANT PROFESSOR
M.B.B.S. F.C.P.S. (NEURO)
NEURO SURGEON



Ph: _____
Date: 1/3/17

Lady Reading Hospital Peshawar

Name SHABANA _____

Rx

M. M. M. M. M.

Q 5-6⁺

5-8P

5-AP

2 1/2 p.p.s

INTJ. VIT. D3

2000 1000 1000

Tab Bone one 0.5g

Ca 1000 1000

Tab 1000 1000

CLINIC: Shifa Clinical Lab. Shamsi Road Mardan.



Shifa Clinical Laboratory

OPP: Tehsil Municipal Administration Shamsi Road Mardan

E. Mail: Shifalab@hotmail.com

Ph No. 7334

Dr. Shams ur Rahman

MBBS, D.P.M.P.S. (Genl)

Pathologist

Name: Shabana

Age: ?

Date: February 29, 2004

Ref. Dr. Mumtaz Ali
(Neuro Surgeon)

Investigations: Serum calcium, Alkaline Phosphatase & ESR

⇒ Serum Calcium: 6.66 mg/dl ↓
(Normal Range 8.50 - 10.50)

⇒ Alkaline Phosphatase: 1447 U/L ↑
(Normal Range (F) 100 - 290)

⇒ ESR (Westergren): (18) mm/1st Hr

Dr. Shams ur Rahman
Pathologist

Shifa Clinical Laboratory

OPP, Tehsil Municipal Administration Shamsi Road Mardan
E. Mail. ShifaLab@hotmail.com Ph No. 73343

Dr. Shams ur Rahman

MBBS.DCP.MCPS (Path)
Pathologist

Name: Shabana

Age: ?

Date: February 29, 2004

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(Normal Range (F) 100 - 290)

⇒ ESR (Westergren): (18) mm/1st Hr



Dr. Shams ur Rahman
Pathologist

Dr. Mumtaz Ali



Ph: _____

Date: 1/3/2019

ASSISTANT PROFESSOR
M.B.B.S. F.C.P.S. (NEURO)
NEURO SURGEON

Lady Reading Hospital Peshawar

Name SHABANA

Rx

n Stomach

Q 5-6+

ESP

S-AP

& Rx pulses

- INTJ. VIT. D3

دوبارہ لے کر

Tab Bone one 0.07

Fracture

Rx CALSON 121

Rx Ramethas 54 121

CLINIC: Shifa Clinical Lab. Shamsi Road Mardan.

DEPARTMENT OF NEUROSURGERY MARDAN MEDICAL COMPLEX MARDAN

Neurosurgeon
Dr. Naeem-ul-Haq

FCPS (Neuro Surgery)
CHR (KMU)
CHPE (NUMS)
ASDC (UAE / North American
Spine Society)
ESDC (FRANCE)

Brain & Spine Surgeon



PMDC #: 11780-N

Ref. No. _____
Date 3/08
[Handwritten signature]




Shobana Bt Y L

*She has Backache
of l5/s1*

*— She needs to
avoid long travel/
Rikshaw*

DR. NAEEM-UL-HAQ
MBBS, FCPS (Neuro Surgery)
CHPE, Assoc. of Doctors
BKMC / M. G. C. S. S.
Chairman, Neurology

[Handwritten signature]

قیمت 50 روپے	9938			
ایڈوکیٹ: <u>Rahat Ali Khan Nohay</u>		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل / ایسوسی ایشن نمبر: <u>BC-09-2302</u>				
رابطہ نمبر: <u>03339149116</u>				

Honorable Service Tribunal

بعدالت جناب:

مخانب:	دعویٰ:
<u>Petitioner</u>	
<u>Mst Shabana</u>	علت نمبر:
بنام	مورثہ:
<u>DEO Mardan</u>	جرم:
	تھانہ:

باعث تحریر آنگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ

آن مقام Fakhrudin کیلئے Rahat Ali Khan Nohay کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سندرجے

المقوم: Rahat Ali Khan Nohay, Advocate

العواہ شد العواہ شد

مقام کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

Rahat Ali Khan Nohay
4/9/22

کتاب خانہ ناز احمد گل و سنف

2003 P L C (C.S.) 1434

For Appellants

[Supreme Court of Pakistan]**Present: Javed Iqbal and Karamat Nazir Bhandari, JJ****PROVINCE OF PUNJAB through the Director (E.E.), Lahore Division, Lahore and others****Versus****MUHAMMAD AFZAL**

Civil Petition No. 1950-L of 2001, decided on 29th April, 2003.

(On appeal from the judgment dated 27-3-2001 of the Punjab Service Tribunal, Lahore, passed in Appeal No.935 of 2000).

(a) Punjab Service Tribunals Act (IX of 1974)---

---S.4---Constitution of Pakistan (1973), Art. 212(3)---Dismissal service---Appointment of civil servant after six years was alleged to be bogus and procured by exerting political pressure---Civil servant was dismissed from service on such allegation---Service Tribunal accepted civil servant's appeal---Validity---No evidence had been led to support such accusation---No regular inquiry had been made to unveil reality---Civil servant possessing requisite qualification for appointment as PTC Teacher Competent Authority had made such appointment at recommendations Tehsil Recruitment Committee---Civil servant had been dismissed from service after having rendered six years' service without affording opportunity of hearing and completion of mandatory formalities as envisaged to Punjab Civil Servants (Efficiency and Discipline) Rules, 1975 causing him serious prejudice and resulting in grave miscarriage of justice---Such dismissal smacked of mala fides---Impugned judgment being well-reasoned did not warrant interference---Supreme Court dismissed petition and refused to grant leave to appeal.

(b) Punjab Civil Servants (Efficiency and Discipline) Rules, 1975---

---Rr. 5, 6 & 7---Regular inquiry and haphazard probe---Distinction and effect---Haphazard probe and its result without following prescribed procedure as enumerated in Punjab Civil Servants (Efficiency and Discipline) Rules, 1975 could not be equated to that of inquiry and would have no significance at all.

(c) Civil service---

--- Illegal order and arbitrary direction issued by person having no authority---Duty of bureaucracy to disobey such order and direction--Emphasized.

Bureaucracy should be courageous enough to disobey illegal orders irrespective of the fact, who had issued them including politicians/MNAs/MPAs having no authority to pass such order or give such arbitrary directions, so that no illegal appointment could be made in contravention of

law and under political influence or for any other extraneous considerations.

Aziz Ahmad Chughtai, Advocate Supreme Court and Rao M. Yusuf Khan, Advocate-on-Record for Petitioners.

Nemo for Respondent.

Date of hearing: 29th April, 2003.

ORDER

JAVED IQBAL, J.---This petition for leave to appeal is directed against the judgment dated 27-3-2001 passed by learned Punjab Service Tribunal, Lahore, whereby the appeal preferred on behalf of Muhammad Afzal (respondent) has been accepted by setting aside the order dated 4-10-1999 whereby the respondent was dismissed from service.

2. Precisely stated the facts of the case are that the petitioner was appointed as PTC teacher on 28-10-1993 at the recommendations of Tehsil Recruitment Committee Sheikhpura. After lapse of about six years disciplinary proceedings were initiated against the respondent on the allegation that his appointment was bogus which culminated into his dismissal from service. After exhausting departmental remedies the respondent approached the Punjab Service Tribunal by means of appeal which has been accepted, hence this petition.

3. It is mainly contended by Mr. Aziz Ahmad Chughtai, learned Advocate Supreme Court on behalf of petitioner that the learned Service Tribunal has not appreciated the legal and factual aspects of the controversy in its true perspective which resulted in serious miscarriage of justice. It is next contended that the respondent got his appointment on the basis of a fake and bogus appointment letter which aspect of the matter has been ignored without any cogent reasoning. It is also contended that the appointment of the respondent was never made in accordance with the prescribed procedure and merit was not kept in view.

4. We have carefully examined the contentions as agitated on behalf of the petitioner in the light of relevant provision of law and record of the case. We have perused the judgment impugned carefully. After having gone through the entire record we are of the view that it does not support the view point as canvassed at the bar by learned Advocate Supreme Court on behalf of petitioner. No evidence worth the name could be led to support the accusation that the appointment of the respondent was bogus and procured by exerting political pressure. No regular inquiry was held to unveil the reality. The haphazard probe and its result by not following the prescribed procedure as enumerated in the Punjab Civil Service (Efficiency and Discipline) Rules, 1975 cannot be equated to that of inquiry and would have no legal significance at all. There is no denying the fact that the respondent possessed the requisite qualification prescribed for appointment as PTC teacher and District Education Officer by whom his appointment was made was competent to make such appointment at the recommendations of Tehsil Recruitment Committee. The respondent was dismissed from service after having rendered about six years service without affording him proper opportunity of hearing and completion of mandatory formalities as envisaged in the Punjab Civil Servants (Efficiency and Discipline) Rules, 1975 thereby causing a serious prejudice against the respondent which resulted in grave miscarriage of justice. The dismissal of respondent from service smacks of mala fides and perhaps some other blue-eyed chap is required to be accommodated. The bureaucracy should be courageous enough to disobey illegal orders

irrespective of the fact is who including politicians/MNAs/MPAs having no authority to pass such order or give such arbitrary directions so that no illegal appointment could be made in oblivion of law and under political influence or for any other extraneous considerations.

5. The conclusion as arrived at by the learned Service Tribunal being well-reasoned does not warrant any interference. Besides that no question of law of public importance is involved in the matter on the basis whereof leave could be granted. The petition being devoid of merit is dismissed and leave refused.

S.A.K./P-107/S

Leave refused.

BEFORE THE KHYBER PAKHTOON KHWA SERVICES TRIBUNAL

PESHAWAR

Appeal No _____ 2019

Mst Shabana Naz

Senior Arabic Teacher (S.A.T) BPS-16

Government Girls High School (GGHS)

Mahoo Dheri Mardan

..... (Petition)

VERSUS

1. District Education Officer(F) Mardan.
2. The In charge Headmistress , Govt Girls Hight School Mahoo
Dheri Mardan
3. District Nazim Mardan
4. Director Education KPK, Peshawar
5. The Govt of KPK Through Chief Secretary
Civil Secretariat Peshawar

..... (Respondents)

1. APPEAL UNDER SECTION-4 OF SERVICES TRIBUNAL ACT 1973 AGAINST THE ORDER DATED 06/04/2019 ANNEXURE A ISSUED BY RESPONDENT NO 2 WHERE BY PERSONAL MALICE WITH MALAFIDE INTENTION, ILLEGALLY AND WITHOUT JUSTIFICATION WITHHELD THE INCREMENT OF APPELLANT & AS A PUNISHMENT TRANSFERRED HER FROM MAHOO DHERI TO GHALA DHER

PRAYERS:

On accepting this appeal the impugned order dated 06/04/2019 being passed for personal malice with malafide intention being illegal and without justification may graciously be set aside and the stopped increment be restored and appellant to be retained at her present post at Mahoo Dheri, meanwhile operation of the impugned order be suspended till the disposal of stay application.

GRUNDS FOR APPEAL:

Respectfully sheweth;

The petitioner humbly submits as under;

1. That on 06/04/2019 the respondent NO2 (D.E.O) Female Mardan wide his office No 2819/D/PF, the petitioner was imposed Penalty of stoppage of one increment for two years and as punishment / penalty transferred from G.G.H.S Mahoo Dheri Mardan To G.G. H.S Ghala Dher Mardan (copy is attached as annexure A)which is against the law , bases on injustice malice, malafied and illegal.
2. That the petitioner was appointed as senior Arabic Teacher (SAT) in the year 2007 and since then performing her duties whole heartedly committed and for the entire satisfaction of her high-ups and welfare of the students.
3. That on 13/02/2019 the petitioner was seriously ill and applied for one day casual leave which was not recommended by the respondent No: 1 (in charge Headmistress) G.G.H.S Mahoo Dheri Mardan. On the next day i.e is on 14/02/2019 the petitioner sent another Performa for one day casual leave to the office of respondent No:2 (D.E.O) Female Mardan which was returned un approved (copy attached as annexure B)
4. That against the said behavior of the respondent No 1 (The in charge Headmistress of the school) a complaint was filed before respondent No2 (D.E.O) Female Mardan but of no consequences (Copy attached as annexure No D)
5. That on 21/03/2019 the petitioner was directed to attend the office for respondent No2 for personal hearing on 28/03/2019 and on the same date the petitioner was called and without hearing inflicted certain punishment upon me. (copy is attached as annexure E)


6. That on 01/04/2019 the **DISTRICT NAZIM** has already imposed complete ban on transfer in education Department including other departments, the Dependent No2 did not bother about it. (copy attached as annexure as G). The Secretary Elementary Education also imposed ban on posting and transfer(copy attached as H).
7. That the clipping regarding imposing of Ban on transfer dated 26-4-2019 is enclosed as K.
8. The dependant has charged the appellant on the ground of misconduct while the absence of casual leave does not come within the ambit of misconduct.
9. The appellant is charged under double jeopardy as one increment is stopped for two years and other is transferred as a punishment from G.G.H.S Maho Dheri to G.G.H.S Ghala Dher which is against the constitution and law.
10. That the punishment awarded and transfers as well is against the mandate of disciplinary rules & justice.
11. That the impugned order is against the policy of Government.
12. That the appellant preferred on appeal before the Director of Education Peshawar on 28-8-2019 as directed by this Honorable Tribunal on 23-8-2019(copy enclosed as I and J .
- 13 That no proper inquiry has been conducted before inflicting the punishment against the appellant.
- 14 That the punishment order is not speaking order.
- 15 That the ban imposed was also published in news paper dated 26-4-2019 which is not resulted(copy enclosed as K).
- 16 That now the defendant has stopped the pay of petitioner for the release of same copy of petition is annexed L but of no avail.

It is therefore humbly prayed that the impugned order may kindly be set aside by restoring the stop increment and retained the appellant on her present post at G.G.H.S Mahoo Dheri. Apart from this any other relief which the Honorable Tribunal may deem fit and proper may also be granted.

Appellant


Shaban Naz (S.A.T)

4.12.2019
Through Counsel


SHABAN NAZ (S.A.T)
Advocate High Court
District Courts Mardan

BEFORE THE KHYBER PAKHTOON KHWA SERVICES TRIBUNAL

PESHAWAR

Appeal No _____ 2019

Mst Shabana Naz
Senior Arabic Teacher (S.A.T) BPS-16
Government Girls High School (GGHS)
Mahoo Dheri Mardan

..... (Petition)

VERSUS

District Education Officer (F) Mardan etc

..... (Respondents)

AFFIDAVIT

I, Shabana Naz D/O Muhamma Yousaf (S.A.T) at G.G.H.S Mahoo Dheri Tehsil & District Mardan the appellant do hereby solemnly affirm and declare that he contents stated in my accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been concealed. Moreover I have not filed any other appeal, exept the present appeal, in any Registry office of the Tribunal at Peshawar for the same cause of action or other matter connected with my terms and conditions of service.

Date: 4 / 12 / 2019

Through

[Signature]
CHAIRMAN OF NOTI
Advocate High Court
of District Courts Mardan

[Signature]

DEPONENT

BEFORE THE KHYBER PAKHTOON KHWA SERVICES TRIBUNAL

PESHAWAR

Appeal No _____ 2019

Mst Shabana Naz

Senior Arabic Teacher (S.A.T) BPS-16

Government Girls High School (GGHS)

Mahoo Dheri Mardan

..... (Petition)

VERSUS

District Education Officer (F) Mardan etc

..... (Respondents)

ADDRESSES OF THE PARTIES

Appellant

Shabana Naz D/O Muhammad Yousaf (S.A.T) at G.G.H.S Mahoo
Dheri Mardan, R/O Mohabbat Abad, Mardan

Respondents:

1. The In charge Headmistress , Govt Girls Hight School Mahoo Dheri
Mardan
2. District Education Officer (F) Mardan
3. District Nazim Mardan
4. Director Education KPK, Peshawar
5. The Govt of KPK Through Chief Secretary
Civil Secretariat Peshawar

Date: 4 / 12 / 2019

Appellant
Through Counsel

BEFORE THE KHYBER PAKHTOON KHWA SERVICES TRIBUNAL PESHAWAR

Appeal No _____ 2019

Mst Shabana Naz
Senior Arabic Teacher (S.A.T) BPS-16
Government Girls High School (GGHS)
Mahoo Dheri Mardan

..... (Petition)

VERSUS

District Education Officer (F) Mardan etc

..... (Respondents)

The application for seeking suspension of operation of the impugned order dated 06/04/2019 passed by respondent No2 whereby the appellant has been transferred from Maho Dheri to Ghala Dher and stoppage of increment till final disposal of the accompany appeal.

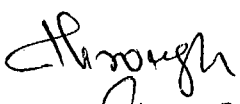
Respectfully Sheweth; The appellant submit as under:

1. That the applicant is filing the attached appeal in this Honorable Tribune.
2. That the applicant has got a good Prima facia case and is confident of its success.
3. That the applicant will suffer an irreparable loss if implementations of the impugned order of respondent No2 are not suspended.
4. That the balance of convenience is in favor of applicant.

It is therefore humbly prayed that the implementation of the impugned order of respondent No2 may graciously be suspended till final disposal of the appeal meanwhile status quo be granted till the final decision of the petition.

Date: 9 / 12 / 2019


Applicant


SHAIRIVAR DEAN OF NOTI
Advocate High Court
of District Courts Mardan

A

(7)

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN.
PHONE/FAX NO.09379230156

Email Address:-EMISMARDAN_DEOFEMALE@YAHOO.COM

OFFICE ORDER.

WHEREASE Mst:Shabana SAT GGHS Maho Dheri (Mardan) was proceeded against under the Khyber Pakhtun Khwa Govt:servant (Efficiency & Discipline) Rules,2011 on account of Mis Conduct.

Now therefore, in exercise of the powers conferred under rule-14 of the Khyber Pakhtun Khwa (Efficiency & Discipline) Rules,2011, the Competent Authority (DEO Female) is pleased to impose minor penalty of withholding of One increments for two years upon Mst:Shabana SAT GGHS Maho Dheri Mardan & Transferred to GGHS Ghala Dher against vacant SAT post on administrative ground with immediate effect.

Note: Charge Report shoule be submitted to all concerned.

(Zulfiqar -ul-Mulk)
District Education Officer
(Female) Mardan.

Endst:No 2818/9/PF Shabana SAT/

Dated 6/4/2019.

Copy to the:

1. DMO Mardan
2. Deputy Commissioner Mardan
3. District Nazim Mardan
4. District Accounts Officer Mardan.
5. Principal GGHS Ghala Dher Mardan.
6. Principal GGHS No,1 Mardan
7. Principal GGHS Hoti No,2 Mardan.
8. Head Mistress GGHS Maho Dheri
9. Mst Shahbana SAT GGHS Maho Dheri Mardan.
10. P.Fils.

District Education Officer
(Female) Mardan.

APPLICATION FOR LEAVE.

Better Copy

(B)

(8)

S.NO	Detail	Remarks.
1.	Name.	CNIC No. Shabana Na3
2	Substantive Basic Scale.	BPS S.A.T
3	Leave applied for (days)	a. No. of Days(1) days. b. WEE
4	Type of leave i.e. EOL Earned leave.etc	Sickness
5	Will the applicant be in Pakistan OR leaving for abroad	—
6	Exact date of availing. Leave	14-2-2019
7	Reason for leave.	—
8	Personal Number.	—
9	Previous leave record.	—
10	Length of service.	—

Signature of applicant. _____

Principal/HM. _____

⑦ E (B) (8)

CASUAL LEAVE PROFORMA FOR TEACHING STAFF

Name of the teacher	Shabana Nazki
Designation	S.A.T
Casual Leave Applied for	Sickness
Casual Leave Available	01
Casual Leave Taken Upto Last Month	03
Total Upto	03
Casual Leave Taken in This Month	—
Signature of Teacher	<i>[Signature]</i>
Signature of Head Mistress	

Head Mistress:
Govt. Girls High School
Maho Dheri Mardan

Employee No.:

Dated: 14/02/2019

Note: Submitted in duplicate to the District Education Officer (Female) for further necessary action.

Head Mistress
Govt. Girls High School
Maho Dheri Mardan

[Signature] J. Clerk

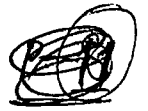
CTO
[Signature]

(1) (9)

بخدمت جناب ڈائریکٹر آف ایجوکیشن چیئرمین پختونخوا ایشیا اور

جناب عالی!


گزارش کی جاتی ہے۔ کہ میں نے 14-2-2019 کو DEO (F) مردان کو اپنی ہیڈ مسٹریس جو کہ میرا جائز اور قانونی Causal Leave Proforma سائن نہیں کر رہی تھی، اس کے اسی نامناسب رویہ کے خلاف درخواست لکھی۔ جو کہ ADO (زنانہ) مردان مسز فوزیہ اعظم نے وصول کی۔ جسکے بارے میں مشہور ہے۔ کہ وہ بہت کرپٹ ہے اور اپنی 3,4 بہنوں کو بھی ناجائز طریقے سے محکمہ ایجوکیشن مردان میں بھرتی کیا ہے۔ مسز فوزیہ اعظم نے وہ درخواست DEO (F) کو دینے کی بجائے میری ہیڈ کو دکھادی ہے۔ اور مسز فوزیہ اعظم ہی کی مدد سے میری ہیڈ مسٹریس GGHS مہوڑ پھری مردان مس زبیرہ بیگم نے التا میرے خلاف درخواست دی ہے۔ DEO (F) مردان کے موجودہ DEO ذوالفقار الملک کے مطابق 23-2-2019 کو مس زبیرہ نے درخواست دی ہے تو نہ تو مس زبیرہ کی درخواست پر کوئی انکوائری کی گئی ہے بلکہ 02-03-2019 کو سابقہ DEO زناہ مختر مدد رخصانہ رحیم نے مجھے آفس بلایا تو شدید بارش کے باوجود میں آفس گئی جس پر مختر مدد رخصانہ رحیم صاحبہ نے میری بہت تعریف کی۔ اور میری بات سننے کے بعد سپرنٹنڈنٹ گل بہادر سے مس زبیرہ کا نمبر ملانے کو کہا تو ہمارے سامنے ہیڈ مسٹریس زبیرہ بیگم کو DEO زناہ مختر مدد رخصانہ رحیم نے نصیحت کی کہ یہ تیری ماتحت ٹیچر صرف تیری تابعداری نہیں کرے گی بلکہ آپ بھی اس کے سر پر دست شفقت رکھیں گی۔ اس کے بعد میرے خلاف کوئی درخواست نہیں دی گئی۔ اس کے باوجود بھی مجھے DEO زناہ آفل نے Personal Hearing کے عنوان سے مجھے دو لیٹرز بھیجے گئے ایک میں ٹائم 10 بجے دیا گیا۔ لیکن 26-03-2019 کو DEO زناہ آفس کے عمران نامی بابو نے 0340-1900002 اس نمبر سے مجھے کال کی کہ تم نے 2 بجے کے بعد آنا ہے۔ دوسرے لیٹر میں ذکر ہے کہ انکوائری رپورٹا کی روشنی میں حالانکہ اس دوران کوئی انکوائری نہیں ہوئی۔ پھر بھی میں 02-04-2019 کو DEO زناہ آفس اپنے ہوائی اور تنظیم علماء اساتذہ مردان کے صدر مولانا شاہ زماں صاحب کے ہمراہ چلی گئی۔ لیکن DEO زناہ آفس کے موجودہ DEO ذوالفقار الملک کا رد یہ ایک آفیسر کا نہیں تھا بلکہ ایک دشمن سے بھی بدتر تھا۔ ایک طرف کہہ رہا تھا کہ میرے سوالوں کا جواب دو اور دوسری طرف کہہ رہا تھا کہ تم Reasoning کر رہی ہو۔ اور میری بات بالکل نہیں سن رہا تھا۔ بلکہ مجھ پر مسلسل ٹرانسفر کے لئے دباؤ ڈال رہا تھا۔ اور مجھے دھمکی بھی دی کہ اگر تم نے یہ بات نہیں مانی تو میرے پاس اختیار ہے کہ تمہیں برطرف، Terminate یا D Grade کر دوں۔ تو میں نے کہا کہ ایک تو یہ میرا کل سکول ہے اور دوسرا یہ کہ میں نے کچھ کیا بھی نہیں ہے۔ بلکہ میری ہیڈ مسٹریس میرے ساتھ زیادتی کر رہی ہے۔ تو میں کیوں جاؤں؟ اس پر ذوالفقار الملک آپ نے سے باہر ہو گیا اور کہا کہ ہیڈ مسٹریس کو ظلم اور زیادتی کرنے کا حق حاصل ہے۔ مگر ایک ٹیچر کو فریاد کرنے کا حق حاصل نہیں ہے۔ اور یہ کہ تم نے نوکری چھوڑ دو کسی اور ڈیپارٹمنٹ میں چلی جاؤ۔ جس پر میں نے کہا کہ سر آپ نے مجھے Personal Hearing کے لئے بلایا ہے یا میری بے عزتی کرنے کے لئے مجھے بلایا ہے۔ اور یہ کہ اگر میں نوکری چھوڑنا چاہوں تو اس کے لئے میں DEO آفس میں مشورہ لینے کے لئے نہیں آؤں گی۔ کیونکہ یہ میرا ذاتی معاملہ ہے۔



تو جناب عالی! کیا ذوالفقار الملک صاحب اپنے اختیارات کا جائز استعمال کر رہا ہے؟ اور کیا واقعی قانون ایک ہیڈ مسٹریس کو ظلم اور زیادتی کرنے کا حق دیتا ہے؟ اور یہ کہ اگر DEO زنانہ آفس مردان بقول ذوالفقار الملک صاحب HMs اور Principals کا ہے تو پھر ٹیچرز کو بنا دیا جائے کہ ان کا آفس کونسا ہے۔ جہاں پر وہ اپنا مسئلہ لے کے جائیں۔ اور یہ کہ جب DEO زنانہ آفس مردان ٹیچرز کا نہیں ہے تو پھر یہ لوگ کس حیثیت سے اور کیوں ٹیچرز کو مختلف حیلوں بہانوں سے آفس بلا تے ہیں؟ بقول ذوالفقار الملک صاحب کے وہ حاکم وقت ہے اور سب کچھ کر سکتا ہے اور اس سے کوئی پوچھنے والا نہیں ہے۔ اور وہ کسی بھی اساتذہ تنظیم کو نہیں مانتا۔ تو میرا آپ صاحبان سے عرض ہے کہ کیا DEO ذوالفقار الملک صاحب کی یہ بات ٹھیک ہے یا غلط؟ کیونکہ وہ Personal Hearing کے نام پر وہ ٹیچرز کو بلا کر ان کی بے عزتی کرتا ہے ان کی بات نہیں سنتا ہے۔ بلکہ انان کو ڈراتا دھمکاتا ہے۔ اور ان پر ناجائز سفر کے لئے ڈباؤ ڈالتا ہے۔ لہذا آپ صاحبان مہربانی کر کے DEO زنانہ ذوالفقار الملک سے اس ظلم و زیادتی کے بارے میں پوچھیں کہ آخر وہ کیوں ٹیچرز کے مسائل حل کرنے کی بجائے ان کے مسائل کو بڑھا رہا ہے۔ اور آپ صاحبان مسز فوزیہ اعظم کے خلاف بھی کارروائی کریں کہ جو اپنے اختیارات کا غلط استعمال کر رہی ہے۔ اور ٹیچرز کی دی گئی درخواست DEO زنانہ کو دینے کی بجائے اس ہیڈ مسٹریس کے حوالے کرتی ہے جس کے خلاف درخواست دی گئی ہو۔ کیا جب ایک ٹیچر رشوت کے خلاف ہو اور وہ فوزیہ اعظم کو رشوت نہ دیتی ہو تو فوزیہ اعظم کو ان کے لئے ایسی مشکلات پیدا کرنے کا حق ہے؟ اور میری اس درخواست پر تاحال کوئی کارروائی نہیں کی گئی جو میں نے 14-02-2019 کو DEO زنانہ مردان کو لکھی تھی۔ اور میں نے 02-03-2019 کو محترمہ رخسانہ رحیم صاحبہ سے پوچھا کہ کیا آپ کو میری درخواست ملی ہے تو اس نے کہا کہ نہیں ابھی تک مجھے کوئی درخواست نہیں ملی۔ اس درخواست کے ساتھ ساری کاپیاں منسلک ہیں۔ ملاحظہ فرمائیں۔

شکر یہ

نقول مراسلہ


Shabana Naz SAT
GGHS Maho Dheri
Mardan

Date: 05-04-2019

- ۱۔ ڈائریکٹر خیبر پختونخواہ پشاور
- ۲۔ DCO مردان
- ۳۔ ڈسٹرکٹ ناظم مردان
- ۴۔ سیکرٹری ایجوکیشن پشاور

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN

PHONE/FAX NO. 0937-9230150

Email Address: emismardan_deofemale@yahoo.com

P-12
E
10

No. /File, DA/AT
To

Dated: 27/3/2019

Mst Shabana 'A.'
CGHS, Maho Dheri Mardan.

Subject: PERSONAL HEARING.

Memo:-

You are directed to attend the office of the undersigned on 28-3-2019, at 10.00 Am sharply for personal hearing.

In case of non compliance of this order it will be presumed that you have nothing to say in your defence and ex-parte action will be taken against you.

DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN

Encl: No. 2286 /

Copy for information the :-

1. Head Mistress, CGHS Kourgh with the remarks to inform the mistress concerned accordingly.

DISTRICT EDUCATION OFFICER
(FEMALE) MARDAN

CTO
MS



11

~~11~~

"F"

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN.
PHONE/FAX NO.09379230150

Email Address: EMISMARDAN_DEOFEMALE@YAHOO.COM

No _____/

Dated _____/2019

To


Mst:Shabana S.A.T,
GGHS Mahod Dheri.

Subject:- PERSONAL HEARING

Memo:

In the light of the inquiry report you are directed to attend this office for personal hearing with in three days positively.

In case of non compliance, it will be presumed disobedience and ex-party action will be taken against you that is compulsory retirement from service.

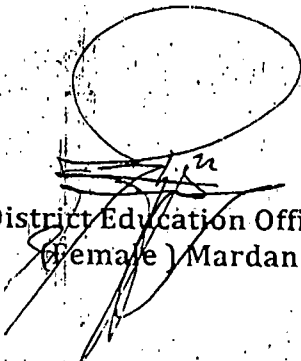

District Education Officer
(Female) Mardan

235960
Endst No : _____/ Shabna Inq File.

Dated Mardan the : _____/2019

Copy for information to the :

- 1: Principal GGHS NO 1 Mardan.
- 2: Head Mistress GGHS Maho Dheri Mardan.
- 3: P/File.


District Education Officer
(Female) Mardan

(12)

9

OFFICE OF THE
DISTRICT NAZIM
DISTRICT GOVERNMENT
MARDAN

No. 641-49 /DNM/PSO

Dated Mardan the 01 /April/ 2019

OFFICE ORDER

In exercise of powers conferred upon the District Nazim Mardan, the undersigned being Executive Authority, has been pleased to impose complete ban on all kind of postings/transfers in all devolved departments functioning in Mardan District, with immediate effect till further orders in the best public interest.

(IHTISHAM ALI)

District Nazim, Mardan.

Copy to:

- 1- Deputy Commissioner, Mardan.
- 2- All Heads of Devolved Department in Mardan District.
- 3- District Accounts Officer, Mardan.
- 4- PSO to Chief Minister, Khyber Pakhtunkhawa, Peshawar.
- 5- PSO to Chief Secretary, Khyber Pakhtunkhawa, Peshawar.
- 6- District Naib Nazim Mardan.
- 7- AD LG & RDD Mardan.
- 8- AD Information Mardan Division.
- 9- PSO to District Nazim Mardan.

(IHTISHAM ALI)

District Nazim, Mardan.

etc. *[Handwritten signature]*



(13) (H)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Fax # 091-9211419

Dated Peshawar the February 14th, 2019

NOTIFICATION

No.SO(S/F)E&SED/4-16/2019/Ban/Posting/Transfer/Khyber Pakhtunkhwa: The Competent Authority is pleased to impose complete ban on all kind of posting/ transfers in Elementary & Secondary Education Department Khyber Pakhtunkhwa with immediate effect till further orders, except the following:

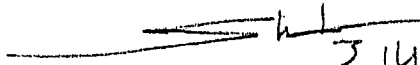
- i. Fresh recruitment and subsequent adjustment
- ii. Promotion and subsequent adjustment
- iii. Summaries already submitted to honorable Chief Minister, Khyber Pakhtunkhwa

SECRETARY

Endst: of even No. & date:

Copy forwarded to the:

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar.
3. Director E&SE Khyber Pakhtunkhwa, Peshawar.
4. PSO to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
5. Director DCTE Khyber Pakhtunkhwa, Abbottabad.
6. Director PITE Khyber Pakhtunkhwa.
7. Director RITE (Male/ Female) Khyber Pakhtunkhwa.
8. All District Education Officers (Male/ Female) Khyber Pakhtunkhwa.
9. All District Accounts Officers Khyber Pakhtunkhwa.
10. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for E&SE, Peshawar.
11. PS to Secretary, Establishment & Administration Department, Peshawar.
12. PS to Secretary, Finance Department, Peshawar.
13. PS to Secretary E&SE Department.
14. PS to Special Secretary, E&SE Department.
15. PA to Additional Secretary (Estab) E&SE Department.
16. PA to Deputy Secretary (Admn) E&SE Department.
17. Incharge EMISE, E&SE Department for uploading at official website at the earliest.
18. Office order file.

3/14/2019

(SHABIR KHAN)
SECTION OFFICER (SCHOOLS FEMALE)

2019
شروع اعداد 26
دسمبر 2019

محکمہ تعلیم مردان میں تیاروں کے مشورے کی آگوازی

صوبہ بھر میں اساتذہ کے تیاروں پر پابندی کے باوجود ای ای او نے متحد تیاروں کے پشاور (نیوز رپورٹ) محکمہ تعلیم نے مردان انجکشن جاری کر دیا ہے ذرائع کے مطابق صوبائی حکومت کی ڈیپارٹمنٹ میں ہونے والے تمام تیاروں اور تعیناتیوں جانب سے پشاور سمیت صوبہ بھر میں اساتذہ کے کوششوں کرنے کا فیصلہ کرتے ہوئے پابندی کے تیاروں اور تعیناتیوں پر غیر معینہ مدت کیلئے پابندی اور مرد تیاروں اور تعیناتیوں پر آگوازی کرانے کا حکم لگادی گئی ہے تاہم (بقیہ 36 صفحہ 10)

بقیہ نمبر	آگوازی	36
<p>تمام مقام ڈسٹرکٹ انجکشن آفیسر مردان نے پابندی - باوجودگی اختیارات کا غیر ضروری استعمال کرتے ہوئے متحد اساتذہ کے تیاروں اور تعیناتیاں کر دی تھیں محکمہ تعلیم کو شکایات موصول ہوئیں جس پر محکمہ تعلیم نے مردان میں ہونے والے تمام تیاروں کو مشورے کرنے سے احکامات جاری کر دیئے ہیں اور پابندی کے باوجود تیاروں کے چالے سے آگوازی کرانگی وزارت کوئی ٹی ہے۔</p>		
		37

I (15)



23.08.2019

Counsel for the appellant present.

Learned counsel argued the matter at some length and when confronted with the position that departmental appeal was submitted by the appellant before an official who passed the impugned order dated 06.04.2019, requested for withdrawal of instant appeal in order to approach the competent departmental authority for the purpose. He is also of the view that the impugned order was void ab-initio as appellant was transferred as punishment, the period of limitation should not hamper the proceedings before the departmental appellate authority. Order accordingly.

The appeal is dismissed as withdrawn. File be consigned to the record room.

Chairman

ANNOUNCED
23.08.2019

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of presentation of Application	27-8-19
Number of Words	800
Copying Fee	12-00
Urgent	4-00
Total	16-00
Name of Applicant	
Date of Completion of copy	27-8-19
Date of Delivery of Copy	27-8-19

16

J

DEPARTMENTAL APPEAL AGAINST THE ORDER OF D.E.O (F)MARDAN DATED 6-4-2019.

Respected Sir,

The appellant submits as under:

1. That the appellant was working as Senior Arabic Teacher at Government Girls High School Maho Dheri Mardan.
2. That on 13-2-2019 the appellant was ill and unable to attend the school hence submitted application proforma for one day casual leave.
3. That 14-12-2019 appellant still not recovered and submitted another application /proforma for casual leave
4. That the applicant also filed a petition before the D.E.O (F) Mardan.
5. That on 6-4-2019 (DEO(F) Mardan vie his order No,2819/D/PF imposed the double punishment of stoppage of increment and transfer the applicant from GGHS Maho Dheri to GGHS Ghala Dher as punishment(copy enclosed)
6. That the District Nazim vide his notification No.641-49/DNM/PSO dated 1-4-2019 and secretary /education vide notification No. SO(S)(F) E&SED/4-16/2019/Ban/posting/Transfer/KPK dated 14-2-2019 had imposed complete ban on all kind of posting/Transfer but in clear violation of these orders transferred the applicant from Maho Dheri to Ghala Dher.
7. That casual leave ~~have~~ does not come under ambit of misconduct .
8. That nor proper inquiry was conducted and double punishment was ~~an~~ order which is against the law/justice..
9. That KPK service Tribunal directed to prefer the departmental appeal Before the Departmental competent authority, Therefore the appellant pray that the impugned order of DEO(Female) dated 6-4-2019 may kindly be set aside.

DATED 28-6-2019


SHABANA NAZ

SET GGHS MAHO DHERI

No. 958

For Insurance Notices see reverse
Stamp RGL19734122 Rs. Ps.

unit 70 letters or not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

Received a registered*
addressed to Director Education

Initials of Receiving Officer PCPK
*Write here "letter", "postcard", "packet" or "parcel"
with the word "insured" before it when necessary.

Insured for Rs. (in figures) 1000 (in words)

If insured, Insurance fee Rs. 50 Ps. 00
Name and address of sender Shabana Naz
Weight 70 Kilo Grams
28/08/19

RC no 958 dated
28/8/2019
Mandam C/o

to
The D. E. O. (female) mardam.

17

Subj: Release of pay (monthly pay)

8/8/19

Respected madam:-

The petitioner submit as under:-

- 1) That petitioner is working as Senior Arbae Teacher at Mahodhezi mardam.
- 2) That the monthly pay for the month of July 2019 paid in Aug 2019 is not paid by the Bank concerned.
- 3) That according to 1997 P.C. (CS) 666 The Stoppage of pay is violation of Constitution of Pakistan (1973) (copy enclosed)
- 4) That the Islamabad High court vide 2013 (P.C.) (CS) 545 has declared that every one is to follow the judgement of supreme court of Pakistan (copy enclosed) therefore it is humbly prayed that the Bank concerned may kindly be ordered to release my pay from July 2019 and onward.

With
Yours obedently

8/8/2019

Shabana Naz S.A.T Mahodhezi

Honourable KPK Services Tribunal پشاور

مورخہ _____ 20 _____ منجانب: _____
 مقدمہ بعنوان _____ نام _____ Shabana Naz _____
 مقدمہ نمبر _____ رجوعہ _____
 نوعیت مقدمہ _____
 مقدمہ علت نمبر _____ مورخہ _____
 جرم _____ تھانہ _____

50
روپے

باعث تحریر آنکہ



مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
 آن مقام _____ کیلئے _____ سکس بار اٹارنمنٹ عظمیٰ کو وکیل مقرر
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل مقررہ کو راضی نامہ کرنے و تقرر
 ی ثالث و فیصلہ بر حلف دینے عرضی دعویٰ، جواب دعویٰ، اقبال دعویٰ، جواب الجواب، عذر داری، درخواست زبردفعہ (2) 12
 ض د، درخواست بمراد برآمدگی و سرسبزی مقدمہ، درخواست بمراد منسوخی کارروائی و ڈگری یکطرفہ دائر کرنے جواب، جواب
 الجواب وغیرہ درخواست کارروائی اجراء دائر کرنے و وصولی چیک و رقم اور درخواست از ہر قسم کی تصدیق زراس پر دستخط وغیرہ
 کرنے کا اختیار ہوگا۔ اپیل، اپیل در اپیل، نگرانی، نظر ثانی، رٹ و عذر داری وغیرہ دائر کرنے کا بھی اختیار ہوگا۔ اور بصورت
 ضرورت مذکورہ کے عمل یا جزوی کارروائی کے واسطے وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب
 مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برداختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ دہر
 جانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کا بھی اختیار ہوگا۔ اگر کوئی
 تاریخ پیشی پر وکیل موصوف مقام دورہ پر ہو یا حد سے باہر ہو یا بیمار ہو یا کوئی ضروری کام ہو۔ تو وکیل صاحب پابند نہ ہونگے کہ
 پیروی مقدمہ مذکورہ کریں لہذا وکالت نامہ لکھ دیا تاکہ سند رہے۔

المقوم: 12.2019

مقام _____ KPK Services Tribunal Peshawar کے لئے منظور ہے۔

رٹ: اس وکالت نامہ کو نوکری یا قابل قبول ہوگی۔

(Signature)

Attested
&
Accepted

Advocate I.D:

Bar Council

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Bar Association

Contact #:

0300 5713918