

BEFORE THE KHYBERPAKHTUNKHWA SERVICE TRIBUNAL CAMP
COURT, SWAT

Service appeal No. 7798/2021

Miss: Nusrat Bibi

.....Appellant

Versus

DEO (Female) Buner and other

.....Respondent

S.#	Description of Documents	Annexure	Page No.
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Spul Sh:
A DEO (F) Litigation
DEO (F) Buner

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 7798/2021

Miss. Nusrat Bibi

----- Appellant

VERSUS

1. District Education Officer (F) Buner & one other.

----- Respondents

PRELIMINARY OBJECTIVES

1. The appellant has got no locus standi to file this instant appeal.
2. **The instant appeal is badly time barred.**
3. That the appellant has concealed material facts from this honorable court.
4. That the appellant has not come to this honorable court with clean hands.
5. That the appellant just want to put extra pressure on the respondents.
6. That the appellant was quite for longer period of time and has approached this office after Nine Years.

REPLY OF PARA WISE COMMENTS ON BEHALF OF RESPONDENT NO. 1

& 2

Respectfully shewith

1. Agreed up to the extent that the appellant joined PST in this department but she did not perform her duty with zeal and zest. She remained on leave for most period of time.
2. Last leave without pay was sanctioned to appellant vide EDO Buner Endst: No. 2070 dated: 13/07/2010 w.e.f 08/04/2010 to 31/03/2011 (359 days). **(Copy of Service Book is attached as annexure-A)**
3. **Incorrect hence denied:** The appellant ~~was~~ leave was extended for an year w.e.f 03-07-2008 to 02-07-2009 (365 days) vide this Office Endst: No. 10152-55 /EDO/DO/ADO Estab: dated 06-10-2007 **(sanction order is attached as annexure-B)**. Later on another leave was granted to the appellant w.e.f 08-04-2010 to 31-03-2011 (359 days) vide this Office Endst NO. 2070 dated 13-07-2010 **(already attached as annexure-A)**. Then upon the completion of this leave period she was directed to resume her duty. Neither any such request has been submitted to the office for extension of leave nor she was given any sort of assurance by the office of undersigned. Rather the appellant was informed through this office notice No. 186 dated: 25/04/2011, office notice No. 220 dated: 14/05/2011, office notice No. 231 dated: 28/05/2011 and a final notice in the Daily Mashriq Newspaper

Lk

Dated: 16/08/2011 (Copy of absent Notice published in Daily Mashriq Newspaper attached as annexure-C) to resume her duty but no such response was given to the undersigned then she was removed from the service vide this office Order No. 11047-52 dated 30-08-2012 (Copy of Removal from Service Order is attached as annexure-D).

4. **Incorrect hence denied:** as explained in para No. 3 that the appellant has been removed from service after following all the legal procedures.
5. **Incorrect hence denied:** upon completion of One Year leave she had been informed through multiple notices to resume her duty but she failed to do so. She had been absent from duty since 2012 till date. Interestingly, the appellant claim that she has come to know about her removal from service after Nine Years and then submitted an application on dated: 15/08/2021 for reinstatement into service.

GROUND:

- A. Incorrect hence denied: That the removal order in respect of the appellant is according to the facts , law and procedure.
- B. Incorrect hence denied: That the appellant was treated in accordance with law and relevant rules.
- C. Incorrect hence denied: Being a Govt: Officer the undersigned perform her duty with honesty and there could not be any question of personal ill well with the appellant.
- D. Incorrect hence denied: explained in Para No. 3 and 4 of the Para wise Comments.

PRAYER

In light of the above mentioned facts it is kindly requested to this Honourable Court to dismiss this instant Service Appeal in favour of the Department please.


DISTRICT EDUCATION OFFICER (F)
BUNER


DIRECTOR
ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

2

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP COURT SWAT

Service Appeal No. 7798/2021

Miss. Nusrat Bibi

----- Appellant

VERSUS

District Education Officer (Female) Buner & One Other-----Respondents.

AFFIDAVIT

I Iftikhar Ali ADEO Litigation O/O District Education officer (Female) Buner do hereby solemnly affirms & state on oath that the whole contents of the reply are true & correct to the best of my knowledge & belief & nothing has been concealed from this August Court.

SIGN

CNIC No: 514-840542-1



(For use in Police Department only)

Holds:—

- 1.
- 2.
- 3.

Verification Roll No. dated received back.

Passed ssc - Exam: From
 BISE Saidi Sharif in Session
 1993 (A) Under R. No. 526
 Secured 452 marks
 Left Thumb Impression

Passed PTC Exam:
 From RDE in Session
 1998 Under 3552
 Secured 707 marks
 RT on 11-5-98

Sub Divisional Education Officer
 District Board

Sub Divisional Education Officer
 District Board

Qualifications	Date	Qualifications	Date
Passed Intermediate Exam: From BISE Saidi Sharif in Session 1994 (English) R. No. 20264 Secured 455 marks Pushio		First Arts	
		B.L. or B.A.	
Urdu		Pleadership Examination	
Plan-Drawing		Training School Final Examination	
Finger Print		Other Qualifications:—	
Drill Instructing			
Court Duties			
Reserve Duties			

C.T.C
 [Signature]

N.B.— Line to be drawn under the qualification possessed.

Note:— The entries in this page should be renewed or re-attested at least every five years and the Signatures in lines 9 and 10 should be dated.

1. Name: Aisrat Bibi

2. Race: Afghan

3. Residence: Vill. Kowza (Kankai) Dist. Buner

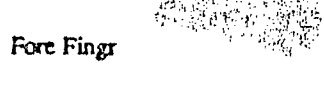
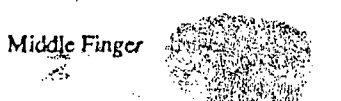
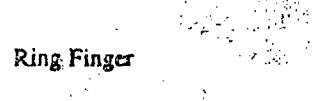
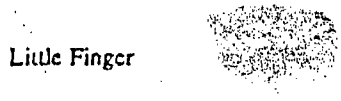
4. Father's name and residence: Shahzade

5. Date of birth by Christian era as nearly as can be ascertained: 17-7-1977 (Sontari July 17th and Sontari)

6. Exact height by measurement: 5-0

7. Personal marks for identification: wound mark on Right-Brow

8. Left hand thumb and Finger Impression of (Non-Gazetted) Officer.



C.T. L
gubal

9. Signature of Government Servant: [Signature]

10. Signature and Designation of the Head of the Office, or other Attesting Officer: [Signature]
Sub-Stationary Officer, District Buner

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MES
MIS (5)
etc

1	2	3	4	5	6	7	8	9
Name of Post	Whether substantive or officiating and whether permanent or temporary	If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive Post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government Servant	
PTC Trainee			B.P.S. 7-1480-81-2697					
G.P.S. Kadal	Sub/Per		1480/	Cutting alternate	15 ¹² / ₉₉	15 ¹² / ₉₉	Per	
do	do		1642/			15 ¹² / ₉₉	Per	
do	do		1723/			1 ¹² / ₂₀₀		
do	do		1804/			1 ¹² / ₂₀₁		
do	do	Revised B.A.S. No 7... 2220-20-5320	Rs 2700/			1 ¹² / ₂₀₁		
do	do		R. 2820/			1 ¹² / ₂₀₀₂		

Entries Revised w.e.f 15¹²/₉₉

Handwritten signature

PTC Trainee			B2-7, 1480-81-2697					
G.P.S. Kadal	Sub/Per		1642-1480/			15 ¹² / ₉₉	Per	
do	do		1793 1561/	Chettyalabast		1 ¹² / ₂₀₀₀	Per	

DIPLOMA ENGINEER

Signature of Government Servant	Date of termination of appointment	Reason of termination (e.g. promotion, transfer, dismissal, etc.)	Signature of the head of office or other attesting Officer	Allocation or period of leave on average pay and amount for which leave is payable to another Government Servant		Signature of the head of office or other attesting Officer	Reference to any records of previous or present Government Servant
				Period	Government to which available		
<i>[Signature]</i>	18/12/75	FA	<i>[Signature]</i>			<i>[Signature]</i>	Appointed as PTE Teacher (D. B. C. P. M. Educ. P. Order No. 653-82 dated 1/11/75)
<i>[Signature]</i>	30/11/2000	A/g	<i>[Signature]</i>			<i>[Signature]</i>	Metering Lead Junction for the period 27/2/2000 to 27/5/2000 Full Pay with DED (F) B. No. 1463-65 dt 19-10-2000
<i>[Signature]</i>	30/11/2002	Scale Revised	<i>[Signature]</i>			<i>[Signature]</i>	Approved for Adv. Grant Pass in FA, Educ. in DED (F) (M. P. M. or No. 1511-13 dt 15/11/2002)
<i>[Signature]</i>	30/11/2002	Am/gna	<i>[Signature]</i>			<i>[Signature]</i>	Service Verified 12-12-93 from the Accs Roll and other records of this office
<i>[Signature]</i>	30/11/2002	Am/gna	<i>[Signature]</i>			<i>[Signature]</i>	Sub Divisional Edu: office Nagar Distt Buner. Service Verified 1-12-2002 from the Accs Roll and other Record of this office
<i>[Signature]</i>	30/11/2000	A/g	<i>[Signature]</i>			<i>[Signature]</i>	Existing pg in BPS 7 on 1-12-01 Rs. 18
<i>[Signature]</i>	30/11/2001	A/g	<i>[Signature]</i>			<i>[Signature]</i>	Revised pg in BPS 7 on 1-12-01 Rs. 270
<i>[Signature]</i>	30/11/2001	Scale Revised	<i>[Signature]</i>			<i>[Signature]</i>	
<i>[Signature]</i>	30/11/02	A/g	<i>[Signature]</i>			<i>[Signature]</i>	

Wrong Entry

A Historical

[Signature]

[Signature]
Dy: Distt. Officer Edu: (F/P) Buner

[Signature]
Dy: Distt. Officer Edu: (F/P) Buner

[Signature]
Dy: Distt. Officer Edu: (F/P) Buner

[Signature]
Dy: Distt. Officer Edu: (F/P) Buner

[Signature]
Dy: Distt. Officer Edu: (F/P) Buner

[Signature]

1 Name of Post	2 Whether substantive or officiating and whether permanent or temporary	3 If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 31 C.S.R.	4 Pay in substantially a Post	5 Additional Pay for officiating	6 Other emolument falling under the term 'Pay'	7 Date of Appointment	8 Signature and name of the head of the department in which the post is situated Government
PST QBPS Kadul	Sub Post	2820/-	2580/-	C.A. Officer	Dy. Dist. Officer Edu. (F/P) Sumar	12/02	[Signature]
QBPS KamKohar	-Do-	2940/-	2700/-	C.A. Officer	Dy. Dist. Officer Edu. (F/P) Sumar	12/03	[Signature]
<p>pay fixation in Revised B-7 w.e.f 8-10-05 B-7: 2555 — 140 — 6755</p> <p>Excess pay in B-7 on 7/10/2005 Rs 2940/-</p> <p>pay fixed in Revised B-7 on 8/10/05 Rs 3395/-</p>							
<p>Dy. Dist. Officer Edu. (F/P) Sumar</p>							
-Do-	-Do-		3060/-			12/04	[Signature]
QAPS	B-7	2555	140		6755		Resumed duty
Kharclay	-Do-		3395/-			8/10/2005	[Signature]
<p>131/24/2</p> <p>By ad. Officer</p> <p>Jan 1/2006</p> <p>with 6798/-</p> <p>Post</p> <p>Dy. Dist. Officer Edu. (F/P) Sumar</p> <p>C.T. Agre</p>							

1 Name of Post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	4 Pay in substantive Post	5 Additional Pay for officiating	6 Other emoluments falling under the term "Pay"	7 Date of Appointment	8 Government
PST 99PS Kanikou	Sub/Per		3395 3335			1-12-05	[Signature]
PST 99PS Kanikou	Sub		3535			1-12-06	[Signature]
PST 99PS Kanikou	Sub		3535			3-7-09	[Signature]
Remun on BOL up to 2-7-09							
99PS Kanikou	Sub		3535			3-7-09	[Signature]
C.T. [Signature]							

8 Signature of Government	9 Signature and position of the head of office or other attesting officer in Government	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting Officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to recorded punishment or censure, or for praise of Government	
					Name and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
						Period			Government to which debitable
						(a) Granted Leave w.e.f. 1-9-07 to 7-2-08 (603 days) with hal at 8-2-08 to 2-7-08 (145 days) without pay vide EDO Sr. Buner order No. 6375-78 dt.			
							(b) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(c) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(d) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(e) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(f) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(g) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(h) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(i) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(j) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(k) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(l) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(m) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(n) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(o) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(p) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(q) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(r) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(s) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(t) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(u) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(v) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(w) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(x) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(y) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		
							(z) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 10152-55 dated 6-11		

Signature of Government

Distt. Officer

(Sd/-) (F/P) Buner

Distt. Officer

(Sd/-) (F/P) Buner

Rs. 450/-
148/11

Arrears of pay & allowances w.e.f. 03.7.2009 to 30.4.2010 (9 months & 29 days) paid Rs. 73664/-

C.T. applied

DA

(Sd/-) 26/8/10

(b) Leave without pay w.e.f. 3-7-09 to 2-7-2009 Extended vide EDO Sr. Buner order No. 2070 dated 13/7/2010 for the period 8-4-2010 to 31-3-2011 (359 days)

Distt. Officer

Al
Copy

13

OFFICE OF THE EXECUTIVE DISTRICT OFFICER SCHOOLS & LITERACY BUNER.

SANCTION ORDER: -

Sanction is hereby accorded to the grant of extension in leave without pay for the period of w.e.f 3/7/08 to 2/7/09 (365) days leave in respect of MST Nusrat Bibi PST GGPS kankowai as recommended by the DDO (F) Primary Buner vide No 1189 dated 06/10/2007 under the NWFP revised leave rules 1981, read with the District Govt: rules of business 2001 and amendment made vide No. SO (LG-I) 3-196/EM/05 Dated 07/10/2005.

Necessary entries to this effect should be made in the service book of the official concerned.

(SULTAN ZEB)
EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERACY BUNER

Endst: No. 16152-55/EDO/DO/ADO (Estb) (F) Dated. 6 / 10 / 2007.

Copy of the above is forwarded to the: -

1. District Account Officer Buner.
2. Assistant District Officer (B&A) Local Office Buner.
3. Dy; District Officer (F) Pry; Buner.
4. Teacher concerned.

C.T - c
Sultan Zeb

Sultan Zeb
EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERACY BUNER

Liqat J/C

6

DAE (E)
5/11/12
Amirul

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY & SECONDARY EDUCATION BUNER.

TERMINATION ORDER.

Where as Miss. Nusrat Bibi PST CGPS Kankowai remained absent from duty.

And where as she was directed to resume duty and explain her absence to immediate officer through various letters sent under registered covers.

And where as final absence notice was published in Daily Mashrafi & Pakistan on 16/08/2011. She was directed to resume duty within 15 days and explain her willful absence and where as she did not report in the stipulated period.

The Executive District Officer Elementary & Secondary Education Buner is pleased to order the removal from service of Miss. Nusrat Bibi PST CGPS Kankowai from 04/02/2011 because of prolong willful absence.

Sol-
(Raj Gulam Nabi Khan)
EXECUTIVE DISTRICT OFFICER
ELEMENTARY & SECONDARY
EDUCATION BUNER

Undst. No. 11047-52 / Dated. 30/8/2012
Copy for information is forwarded to:

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Coordination Officer Buner
3. District Accounts Officer Buner D. 21/6
4. Deputy District Officer (Female) Primary Buner w/r to L. No. 295/2012
5. Head Teacher CGPS Kankowai Buner
6. Official Concerned.

[Handwritten signature]
20/8/12

C.T.C.
[Handwritten signature]

C.T.C.
[Handwritten signature]

(15) A

Better copy of page No: 6

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND SECONDARY EDUCATION BUNER

TERMINATION ORDER.

Whereas Miss. Nusrat Bibi PST GGPS Kankowar, remained absent from duty and where as she was directed to resume duty and explain her absences to immediate officer through various letters sent under registered covers.

And whereas final absence notice was published in Daily Mashriq & Pakistan on 16/08/2011. She was directed to resume duty within 15 days and explain her without absences and whereas as she did not report in the stipulated period.

The executive District Officer Elementary & Secondary Education is pleased to order the removed from service of Miss Nusrat Bibi PST GGPS Kankowai from 04/04/2011 because of prolong willful absence.

C.T.C
[Handwritten Signature]

(Raja Muhammad Khan)
Executive District Officer,
Elementary & secondary

Endst No. 11047-52/dated 30/08/

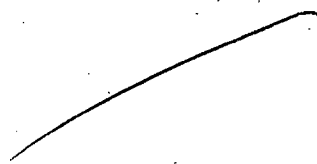
Copy for information is forwarded to:

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Coordination officer Buner.
3. District Accounts Officer Buner at Daggar.
4. Deputy District officer (Female) Primary Buner w/r to No. 295 dated .
5. Head Teacher GGPS Kankowar Buner.
6. Official Concerned.

Executive District Officer,
Elementary & secondary

AUTHORITY LETTER

I hereby declare to authorize Mr. Iftikhar Ali ADEO (Litigation) to submit comments of the Department in Service Appeal No, 7798/2021 with the title Miss. Nusrat Bibi Versus DEO (Female) Buner & one others in Service Tribunal Camp Court Mingora Swat.


DISTRICT EDUCATION OFFICER (F)
BUNER