

Sr. No.	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	12.03.2020	<p align="center"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u> Service Appeal No. 332/2019</p> <p align="center">Date of Institution 29.03.2019 Date of Decision 12.03.2020</p> <p align="center">Mst. Nargis Jamal.</p> <p align="right">Appellant</p> <p align="center">Versus</p> <p>1. Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Peshawar. 2. The Secretary (E&SE) Khyber Pakhtunkhwa Peshawar. 3. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.</p> <p align="right">Respondents</p> <p>Mr. Muhammad Hamid Mughal-----Member(J) Mr. Hussain Shah -----Member(E)</p> <p align="center"><u>JUDGMENT</u> <u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> Appellant</p> <p>with counsel present. Mr. Kabir Ullah Khattak learned Additional Advocate General present.</p> <p>2. The appellant has filed the present service appeal against the order dated 06.09.2018 whereby major penalty of compulsory retirement from service was imposed upon her and against the order dated 26.02.2019 through which it was conveyed to the appellant that her departmental appeal for her</p>

12.3.2020

reinstatement in service and back benefits has been regretted.

3. Learned counsel for the appellant argued that the appellant joined the Education Department as Drawing Mistress in the year 1992 and then after qualifying the Provincial Public Service Commission in the year 2002, she was appointed as Headmistress (BS-17); that due to excellent performance the appellant was promoted to BS-18 in the year 2014; that the appellant was promoted to BS-19 in the year 2017. Further argued that the appellant has gone abroad for several times for participating in short term training program and acquiring higher education and in this respect proper NOC was given to her by the department and leave was also sanctioned in different intervals; that the appellant did not obey the illegal orders of the MPAs and hi-ups, therefore problems were created for her and a charge sheet was served upon her on the baseless allegation that she travelled abroad several times without proper approval of the competent authority; that the appellant submitted detailed reply to the charge sheet while denying the allegation ;that inquiry was conducted against the appellant on the above mentioned allegation; that the inquiry committee gave its recommendation that keeping in view the regrettable health condition of her daughter and herself, lenient view may be taken and minor penalty may be imposed upon the appellant; that Show Cause Notice issued to the appellant was also duly replied. Further argued that the authority without observing the recommendation of the inquiry committee of minor penalty, awarded major

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punishment of compulsory retirement to the appellant vide impugned order dated 06.09.2018; that the departmental appeal filed by the appellant was regretted vide order dated 26.02.2019 hence the present service appeal. Further argued that the impugned orders are against law, facts and norms of justice; that the inquiry committee recommended minor punishment but major punishment of compulsory retirement was imposed upon the appellant; that the appellant had to go abroad for treatment of herself and her daughter and the appellant informed her hi-ups within time about her going abroad and also applied for leave but despite that the appellant was punished; that the appellant has good ACRs throughout; that the main reason for punishment is that the appellant did not obey the illegal orders of MPAs and her hi-ups; that the penalty of compulsory retirement from service is otherwise harsh and excessive; that the appellant has been condemned unheard and has not been treated in accordance with law and rules.

4. As against that learned AAG argued that the appellant has travelled abroad frequently but without prior approval of the competent authority ; that the IBMS Travelling History Report of the appellant is a sufficient proof that she travelled abroad many times; that during the inquiry proceeding, the appellant could not produce approval of Ex-Pakistan Leave and failed to produce any documentary evidence in support of her verbal claim that she obtained NOCs whenever she had gone and stayed abroad. Further argued that the appellant also failed to provide a

12.3.2020

copy of her valid passport to the inquiry committee to ascertain that how she travelled without NOC as in case of government servant proceeding abroad, NOC from the concerned department is required, otherwise, the Immigration authority disallows the passenger to travel abroad and that the IBMS report also leaves an impression that the appellant might be holding dual nationality. Further argued that during the course of inquiry, another irregularity came into notice that when the appellant was abroad, her ACRs were drawn by her reporting officers which resulted into her undeserving promotion to BS-18 and BS-19. Further argued that all the codal formalities were duly fulfilled; that the inquiry committee submitted its report to the competent authority wherein the accused/appellant was found guilty of misconduct hence Show Cause Notice was served upon the appellant and was duly replied by her in an unsatisfactory and evasive form; that the competent authority after considering the charges, evidence on record, inquiry report, explanation of the appellant in response to charge sheet/statement of allegation, Show Cause Notice and personal hearing granted to her by the Secretary Zakat Usher, Social Welfare, Special Education & Women Empowerment Department Khyber Pakhtunkhwa on behalf of Chief Minister, was of the view that charges leveled against the appellant have been proved hence the appellant was awarded penalty of compulsory retirement from service; that the appellant has developed self-made story to cover up her illegal travelling abroad.

12.3.2020

5. Arguments heard. File perused.

6. IBMS Travel History Report of the appellant also reproduced by the inquiry committee in its inquiry report is as under:

Event/date	F/No.	Entry/Exit	Location
13 th April 2010	PK030	Arriving	PIA, Peshawar
29 th April, 2010	PK001	Departing	Jinnah International Airport, Karachi
1 st Feb, 2011	QR399	Departing	Benazir Bhutto International Airport
20 th Sep 2011	EK 888	Arriving	Peshawar International Airport
11 th Oct 2011	ED 837	Departing	Peshawar International Airport
10 th Feb 2012	SY 789	Departing	Peshawar International Airport
23 rd Sep 2013	QR 349	Departing	Peshawar International Airport
30 th Sep 2013	QR 347	Departing	Peshawar International Airport
6 th March 2014	EK 036	Arriving	Peshawar International Airport
05 th May, 2014	GQ 555	Departing	Peshawar International Airport
21 st May, 2014	GQ 565	Arriving	Peshawar International Airport
27 th May 2014	ED 637	Departing	Peshawar International Airport
2 nd Aug, 2014	GF 786	Arriving	Peshawar International Airport
07 th Sep 2014	GF 787	Departing	Peshawar International Airport
11 th Nov, 2014	QR 014	Arriving	Benazir Bhutto International Airport Islamabad
30 th Dec. 2014	QR 603	Departing	Jinnah International Airport Karachi
29 Jan, 2015	QR 614	Arriving	Benazir International Airport Islamabad
03 rd March	QR 617	Departing	Benazir
06 th April, 2015	QR 608	Arriving	Peshawar International Airport
7 th May, 2015	QR 809	Departing	Peshawar International Airport
04 th June 2015	QR 608	Arriving	Peshawar International Airport
15 th June, 2015	QR 609	Arriving	Peshawar International Airport
1 st Aug 2015	SV 888	Arriving	Benazir Bhutto International Airport, Islamabad
7 th Sep 2015	SV 725	Departing	Benazir Bhutto International Airport, Islamabad
12 th Oct 2015	PK788	Arriving	Jinnah International Airport Karachi
15 th Nov, 2015	PK 787	Departing	Jinnah International Airport Karachi
12 th Dec 2015	QR 610	Arriving	Peshawar International Airport
28 th Feb. 2016	PK 895	Arriving	Peshawar International Airport

12.3.2020

27 Mar, 2016	GF 785	Departing	Peshawar International Airport
25 th April, 2016	PK 788	Arriving	Jinnah International Airport, Karachi

7. The travel history of the appellant is undisputed one. In the inquiry report, the inquiry committee while considering the mentioned facts and documentary proof on record, held that the appellant availed frequent leaves without prior approval of competent authorities. The inquiry committee held the appellant liable for imposition of penalty however recommended minor penalty in view of the regrettable health condition of the appellant and her daughter.

8. Before this Tribunal too, the appellant could not produce documentary evidence in the shape of approval of Ex-Pakistan leaves/NOC to justify her frequent travelling abroad as mentioned in her IBMS Travel History Report. The appellant could not therefore make out a case in her favor. This Tribunal also noted with concern that the appellant also managed to secure accelerated promotion to BS-19 despite her frequent traveling and stay abroad. It appeared that the appellant belongs to Teaching Cadre but she was also assigned the posts meant for Management Cadre.

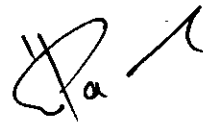
9. In view of the recommendation of the inquiry committee for imposition of minor penalty, plea of the appellant that she had to travel abroad on different intervals for medical treatment of herself and her daughter and the fact that timely action was not taken against the appellant, for the purpose of safe

12.3.2020

administration of justice, the punishment of compulsory retirement from service awarded to the appellant, is modified and converted into reduction to lower substantive post i.e. from BS-19 to BS-18 for a period of four years. Resultantly the appellant is reinstated into service. The intervening period shall be treated as leave without pay. Parties are left to bear their own costs. File be consigned to the record room.



(Hussain Shah)
Member



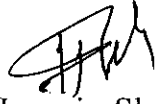
(Muhammad Hamid Mughal)
Member

ANNOUNCED
12.03.2020

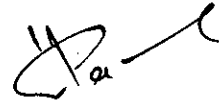
12.03.2020

Appellant with counsel present. Mr. Kabir Ullah Khattak learned Additional Advocate General present.

Vide our separate judgment of today of this Tribunal placed on file, the punishment of compulsory retirement from service awarded to the appellant, is modified and converted into reduction to lower substantive post i.e. from BS-19 to BS-18 for a period of four years. Resultantly the appellant is reinstated into service. The intervening period shall be treated as leave without pay. Parties are left to bear their own costs. File be consigned to the record room.



(Hussain Shah)
Member



(Muhammad Hamid Mughal)
Member

ANNOUNCED.
12.03.2020

16.10.2019

Junior to counsel for the appellant and Addl. AG alongwith Fazal Subhan, S.O for the respondents present.

Respondents have not furnished the requisite reply/comments despite last opportunity. The appeal is posted to D.B for arguments on 24.12.2019.


Chairman

24.12.2019

Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney alongwith Fazal Subhan S.O present. Representative of the respondent department submitted reply placed on file. Adjournment requested. To come up for arguments on 27.02.2020 before D.B.


Member


Member

27.02.2020

Appellant with counsel present. Mr. Kabir Ullah Khattak learned Additional Advocate General present. Arguments heard. To come up for order on 12.03.2020 before D.B.


Member


Member

332/19

27.05.2019

Nemo for the parties.

Notices be issued to appellant as well as respondents for the next date. To come up for written reply/comments on 04.07.2019 before S.B.


Chairman

04.07.2019

Counsel for the appellant and Addl. AG for the respondents present. Learned AAG seeks time to contact the respondents. To come up for written reply/comments on 30.08.2019 before S.B.


Member

30.08.2019

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

Upon request by learned AAG the respondents are given last chance for submission of written reply/comments. Adjourned to 16.10.2019 before S.B.


Chairman

08.04.2019

Counsel for the appellant present.

Contends, inter-alia that the only allegation against the appellant was that she travelled abroad several times without proper approval of the competent authority while the appellant was duly granted NOC and sanction of leave at different occasions by the competent authority. The said factor was not considered during the departmental proceedings against the appellant. Further stated that the impugned order of compulsory retirement of the appellant was passed on 06.09.2018, where-against, her departmental appeal remained un-responded, therefore, service appeal was submitted on 29.01.2019. In the meanwhile, departmental appeal was decided in negative, therefore, instant amended appeal was preferred with permission of the Tribunal, on 29.03.2019.

In view of the above, instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 27.05.2019 before S.B.




Appellant Deposited
Security & Process Fee


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 332/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/03/2019	<p>The appeal of Mst. Nargas Jamal resubmitted today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 5/3/19</p>
2-	11/03/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>08/04/19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

2019-03-05
11/03/19



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

No. 3162 /ST Dated 08/11 /2022

To,

The Registrar,
Supreme Court of Pakistan,
Islamabad.

Subject: CIVIL PETITION NO. 19 OF 2022
OUT OF
CIVIL PETITION NO. 390-P OF 2020

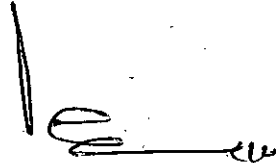
Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar
and others.

Versus
Nargis Jamal

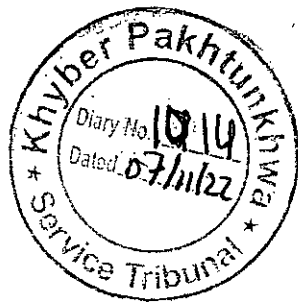
**On appeal from the judgment/ Order of the Khyber Pakhtunkhwa
Service Tribunal, Peshawar dated 12.03.2020, in A.NO. 332/2019.**

Dear Sir,

I am directed to acknowledge the receipt of your letter No. C.A. 19/2022-
SCJ dated 03-11-2022 alongwith its enclosure.


REGISTRAR
KHYBER
PAKHTUNKHWA
SERVICE TRIBUNAL,
PESHAWAR

Ph: 9220581
Fax:9220406



REGISTERED
No. C.A. 19/2022 – SCJ
SUPREME COURT OF PAKISTAN.

Islamabad, dated 03/11/22, 2022.

From

The Registrar,
Supreme Court of Pakistan,
Islamabad.

To

The Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Subject: CIVIL APPEAL NO. 19 OF 2022.
OUT-OF
CIVIL PETITION NO. 390-P OF 2020.

Government of Khyber Pakhtunkhwa through Chief Secretary,
Peshawar and others.

Versus

Nargis Jamal.

On appeal from the Order/Judgment of the Khyber
Pakhtunkhwa Service Tribunal, Peshawar dated 12.03.2020,
in A. No. 332/2019.

Dear Sir,

In continuation of this Court's letter of even number dated
20.01.2022 and in accordance with the provisions contained in Order X,
rule 9, Supreme Court Rules, 1980, a certified copy of the Judgment of
this Court dated 06.10.2022, allowing the above cited civil appeal, in the
terms stated therein, is enclosed for further necessary action.

The original record of the **Service Tribunal** received under
the cover of your letter No. **247/ST/SCJ/SA-332/2019**: dated
01.02.2022, is returned herewith.

Please acknowledge receipt of this letter along with its
enclosure immediately.

Encl: Judgment:
2. O/Record:

Yours faithfully

Muhammad
(MUHAMMAD MUJAHID MEHMOOD)
ASSISTANT REGISTRAR (IMP)
FOR REGISTRAR

Do the needful.

L/D

7/11/22

12/0/22

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

MR. JUSTICE SARDAR TARIQ MASOOD
MR. JUSTICE AMIN-UD-DIN KHAN
MR. JUSTICE MUHAMMAD ALI MAZHAR

(A/R)
CIVIL APPEAL NO. 19 OF 2022

(Against the judgment dated
12.03.2020, passed by the Khyber
Pakhtunkhwa Service Tribunal,
Peshawar in Service Appeal No.332
of 2019)

Government of Khyber Pakhtunkhwa through Chief Secretary
Khyber Pakhtunkhwa, Peshawar and others

...Appellants

VERSUS

Nargis Jamal, Ex-DEO (Female) Karak

...Respondent

For the Appellants: Mr. Shumail Aziz, Addl. A.G.KPK

For the Respondent: In-Person

Date of Hearing: 06.10.2022

JUDGMENT

MUHAMMAD ALI MAZHAR, J. This Civil Appeal by leave of the Court is directed against the Judgment dated 12.03.2020 passed by the Learned Khyber Pakhtunkhwa Service Tribunal, Peshawar ("**Tribunal**") in Service Appeal No. 332 of 2019.

2. Leave to appeal was granted vide order dated 11.01.2022 in the following terms:-

"The learned Additional Advocate General, K.P. contends that the respondent has remained absent for 1268 days and she has been travelling abroad very frequently without obtaining NOC from the department. The travel history of the respondent is given in para-4 of the impugned judgment at page-10 of the record. He contends that all codal formalities were complied with in respect of the disciplinary proceedings conducted against the respondent and ultimately she was imposed penalty of compulsory retirement. Contends that such penalty was imposed after the receipt of the report of the inquiry on issuance of a show cause notice and giving her personal hearing. The learned Addl. A.G. contends that the

WITNESSED

[Signature]

Court Associate
Supreme Court of Pakistan
Islamabad

[Signature]

Tribunal by the impugned judgment has modified the penalty, imposed upon the respondent, from compulsory retirement to that of reduction to lower substantive post from BPS-19 to BPS-18 for a period of four years. He contends that such interference by the Tribunal in the penalty imposed by the Competent Authority upon the respondent is not justified, more so, when the Tribunal itself has found that the respondent excessively has travelled abroad and that too without obtaining NOC from the department and even she did not file before the inquiry proceedings passport on which she has been travelled.

2. The contentions raised by the learned Addl. A.G. require consideration. Leave to appeal is granted to consider, *inter alia*, the same. The appeal shall be heard on the available record but the parties are allowed to file additional documents, if any, within a period of one month. As, the matter relates to service, office is directed to fix the same expeditiously, preferably, after three months.

3. C.M.A. No.746-1/20: In the meantime, operation of the impugned judgment is suspended.”

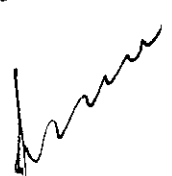
3. The learned Additional Advocate General, KPK argued that the respondent travelled abroad frequently without prior approval of the competent authority. It was further argued that the travel history report of the respondent, featured in IBMS (Integrated Border Management System) was also produced before the learned Tribunal which was duly incorporated in paragraph 6 of the impugned judgment as a sufficient proof that the respondent travelled abroad many times and during the inquiry proceedings, she also failed to produce any documentary evidence that she ever obtained NOC before her travel. It was further contended that in the case of a government servant, NOC from the concerned department is also required for travelling abroad. He further averred that after complying with all requisite formalities and conducting impartial inquiry, the competent authority had decided to impose the punishment of compulsorily retirement.

4. The respondent in person argued that she joined the Education Department in the year 1992. Subsequently, she was appointed as headmistress on satisfactory performance and in the year 2017, she was promoted to BS-19. She also admitted her travel to abroad several times for certain training programmes but according to her, the leave was sanctioned with intervals. She further contended that the recommendations were made by the inquiry committee for minor penalty but the competent authority imposed the penalty of compulsory

ATTESTED



Court Associate
Supreme Court of Pakistan
Islamabad



retirement vide order dated 06.09.2018 beyond recommendations and the departmental appeal filed by her was also rejected on 26.02.2019.

5. Heard the arguments. In point of fact, the respondent had challenged the order dated 06.09.2018 whereby the major penalty of compulsory retirement was imposed on her. The main allegation or cause of concern against the respondent in the charge sheet was that "she travelled abroad several times without prior approval of the competent authority (permission/leave)". The travel history of the respondent is undisputed and even before the learned Tribunal, the respondent failed to offer any justification nor could she produced any document or NOC, nor did she contradict the "Travel History Report" divulged to the department via IBMS (Integrated Border Management System), which is a website hosted as <https://www.fia.gov.pk/ibms>, being a software of national level system of critical nature and a vital component to support FIA immigration to keep an eye on all incoming and outgoing international travelers on the basis of FIA Act 1974 and Foreigners Registration Act 1964. It is also part of the National Action Plan to support Law Enforcement Agencies (LEAs) & Intelligence Agencies (IAs) in the fight against terrorism, illegal trafficking and over stay of foreign nationals in Pakistan.

6. The finding recorded by the learned Tribunal in paragraph 8 of the impugned judgment is quite significant which is reproduced as under:-

"8. Before this Tribunal too, the appellant could not produce documentary evidence in the shape of approval of Ex-Pakistan leaves/NOC to justify her frequent travelling abroad as mentioned in her IBMS Travel History Report. The appellant could not therefore make out a case in her favor. This Tribunal also noted with concern that the appellant also managed to secure accelerated promotion to BS-19 despite her frequent traveling and stay abroad. It appeared that the appellant belongs to Teaching Cadre but she was also assigned the posts meant for Management Cadre."

7. The findings of inquiry report do reflect that for some visits abroad the respondent sought the sanction of leave, sometimes on half pay and sometimes without pay. So far as her request for 118 days leave without pay w.e.f. 20.08.2012 to 15.12.2012, 126 earned leave w.e.f. 05.02.2015 to 10.06.2015, 35 days earned leave w.e.f. 19.02.2017 to 25.03.2017 and for ex-post facto leave for 1268 days, there was no prior sanction or

ATTESTED


[Signature]
 Court Associate
 Supreme Court of Pakistan
 Islamabad


approval available before the Inquiry Committee which could justify or straighten up that the respondent availed the leave with the approval of competent authority. Quite the reverse, the application for ex-post facto approval of leave makes it somewhat obvious that, had the respondent secured the sanction of leave before travel, there would have been no occasion or rationale for applying for ex-post facto approval for regularizing the period of leave availed without sanction.

8. Regardless of rendering stringent and rigid observations by the Tribunal in paragraph 8, together with the reservations to the accelerated promotion of respondent to BS-19, as well as frequent travelling without NOC, the Tribunal without any commonsensical or analytical justification, modified the punishment of compulsory retirement to reduction to lower substantive post from BS-19 to BS-18 for a period of four years. The punishment of compulsory retirement was imposed after due process of law and conducting proper inquiry into the charges of misconduct. It was the province and dominion of the competent authority to award punishment in case the allegations of misconduct are proved in the inquiry. There is no hard and fast rule that the competent authority in all circumstances is bound to adhere to the recommendations of the inquiry committee or inquiry officer but what carries great weight is the assiduousness and onerous duty of the competent authority to scrutinize and gauge the inquiry proceedings and inquiry report with proper application of mind for a fine sense of judgment and if charges of misconduct are proved and ample opportunity of defence was afforded to the accused during the inquiry, then obviously, keeping in mind all attending circumstances including the gravity or severity of the proven charges, the competent authority may impose the punishment in accordance with law. In our sagacity, the competent authority has already taken a very lenient view against the respondent and instead of preferring dismissal from service, the punishment of compulsory retirement was imposed.

9. Without a doubt, under Section 5 of the Service Tribunal Act 1973, the Tribunal may, on appeal, confirm, set aside, vary or modify the order appealed against and, for the purpose of deciding any appeal, the law authorizes the Tribunal to make a decision on the question of penalty awarded to a civil servant by the departmental authority and substitute the quantum of punishment in a right and proper manner but only in a

WITNESSED


Court Associate
Supreme Court of Pakistan
Islamabad



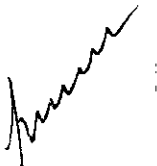
suitable case within the statutory command. Be that as it may, the award of punishment under the law is primarily the function of the competent authority and the role of the Tribunal or Court is secondary unless the punishment imposed upon the delinquent is found to be unreasonable or contrary to law, but according to our solicitous evaluation and scrutiny of the case in hand, the conversion of punishment by the Tribunal was neither pragmatic nor judicious.

10. In the case of Director General Federal Directorate and another vs. Tanveer Muhammad and another (2021 SCMR 345), this Court held that where the Tribunal exercises jurisdiction under section 5 of the Service Tribunals Act, 1973, legally sustainable reasons must be recorded. Merely and casually making an observation that the penalty imposed is not commensurate with the gravity of the offence is not enough and constitutes arbitrary, capricious and unstructured exercise of jurisdiction. The order must show that the Tribunal has applied its mind to the facts and circumstances of the case and exercised its discretion in a structured, lawful and regulated manner keeping in view the dicta of superior Courts in the matter. Whereas in the case of Divisional Superintendent, Postal Services, Faisalabad and others vs. Muhammad Zafarullah (2021 SCMR 400), it was held by this Court that the Tribunal enjoys powers to modify any order passed by the departmental authorities. However, such power is required to be exercised carefully, judiciously and after recording cogent reasons for the same in appropriate cases keeping in view and considering the specific facts and circumstances of each case. All Courts/Tribunals seized of matters before them are required to pass orders strictly in accordance with the parameters of the Constitution, the law and the rules and regulations framed under the law. No Court has any jurisdiction to grant arbitrary relief without the support of any power granted by the Constitution or the law. This basic and fundamental principle of jurisprudence appears to have eluded the attention of the Tribunal which has clearly exceeded its jurisdiction in granting relief to the respondent. While in the case of Government of Pakistan, Revenue Division, Federal Board of Revenue through Chairman, Islamabad and another vs. Nawaz Ali Sheikh (2020 SCMR 656), this Court held that, no doubt, under section 5 of the Service Tribunals Act, the Service Tribunal enjoys powers to modify any Appellate order but such power is to be exercised carefully, judiciously and with great

WITNESSED



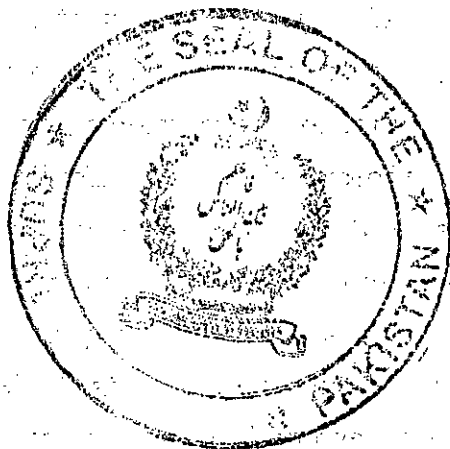
Court Associate
Supreme Court of Pakistan
Islamabad



circumspection by assigning cogent, valid and legally sustainable reasons justifying such modification. We fail to understand how and from where the Service Tribunal derived the authority and jurisdiction to arbitrarily and whimsically grant the relief that it has ended up granting to the Respondent. Whereas in the case of Commissioner Faisalabad Division, Faisalabad and another Vs. Allah Bakhsh (2020 SCMR 1418), it was held that the powers of the Tribunal under section 5 of the Punjab Service Tribunals Act, 1974 to confirm, set aside, vary or modify orders appealed against are neither discretionary nor unbridled. Such powers have to be exercised cautiously, carefully and with circumspection where the order imposing the penalty is wholly perverse or ex facie so demonstrably disproportionate and excessive for the offence/misconduct, that to let it stand would be unfair, unjust and inequitable.

11. As the result of the above discussion, this appeal is allowed. The impugned judgment of the Tribunal is set aside and the punishment of compulsory retirement awarded to the respondent is restored.

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Certified to be True Copy

[Handwritten signature]
 Court Associate
 Supreme Court of Pakistan
 Islamabad

Islamabad the
 6th October, 2022
 Khalid
 Approved for reporting.

[Handwritten signature]
 22/10/22



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No. 246 /ST/SCJ/SA-683/2016

Dated: 01/08 /2022

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

To,

The Registrar,
Supreme Court of Pakistan,
Islamabad.

Subject: CIVIL REVIEW PETITION NO. 224 OF 2021
IN
CIVIL APPEAL NO. 980 OF 2020

Mohammad Arshad

Versus

Govt. Of Khyber Pakhtunkhwa thr. Chief Secreatry Establishment &
Administration Department Peshawar.

On Review of the Judgement /Order of this Court dated 12/04/2021 passed in C.A. 980/2020 Filed against the Order/Judgement of Khyber Pakhtunkhwa Service Tribunal, Peshawar dated 02/11/2017 in Appeal. 683/2016

Dear Sir,

I am directed to aknowledge the receipt of your letter No. C.R.P. 224/2021- SCJ dated 24-01-2022 alongwith its enclosure.

REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

AMENDED APPEAL NO. 332/2019

Nargis Jamal

V/S

Education Deptt:

*Put up to the court with
an appeal,*

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APPELLANT

THROUGH:

M. Asif Yousafzai

**M.ASIF YOUSAFZAI
ADVOCATE SUPREME COURT**

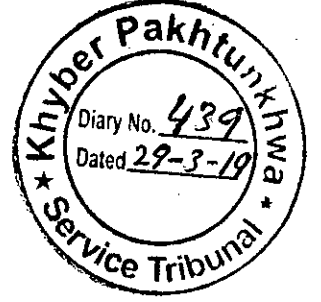
Taimur Ali Khan
**(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT,**

&

**(ASAD MAHMOOD)
ADVOCATE HIGH COURT**

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

AMENDED APPEAL NO. 332/2019



Nargis jamal, Ex-DEO (Female), Karak.

(APPELLANT)

VERSUS

1. The Govt: of KPK, through Chief Secretary KPK, Peshawar.
2. The Chief Secretary Khyber Pakhtunkhwa, Peshawar.
3. The Secretary (E&SE) Khyber Pakhtunkhwa, Peshawar.
4. The Director (E&SE) Khyber Pakhtunkhwa, Peshawar.

(RESPONDENTS)

AMENDED APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 26.02.2019 COMMUNICATED TO THE APPELLANT ON 12.03.2019 DURING THE INSTANT SERVICE APPEAL, WHEREBY THE REVIEW PETITION OF THE APPELLANT HAS BEEN REJECTED AGAINST THE ORDER DATED 06.09.2018, WHEREIN THE PENALTY OF COMPULSORY RETIREMENT WAS IMPOSED UPON THE APPELLANT FOR NO GOOD GROUND.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS AMENDED APPEAL, THE ORDER DATED 26.02.2019 AND 06.09.2018 MAY KINDLY BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO, BE AWARDED IN FAVOUR OF APPELLANT.



RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant initially joined the education department as drawing mistress in the year 1992 and after qualifying the Provincial Public Service Commission in the year 2002 she was appointed as Headmistress BPs-17 and thereafter posted as assistant director planning officer and since from appointment the appellant performed her duty with great devotion and honesty whatsoever assigned to her.
2. That due excellent performance, the appellant was promoted to BPS-18 in the year 2014 and has received cash prize and best performance award of the year 2015-2016. The appellant was promoted to BPS-19 and posted as DEO (Female) Karak in September 2017.
3. That the appellant has gone abroad for several times for participating in short term training programme and acquiring higher education and this respect proper NOC has given by the department and leave was also sanctioned by the department in different intervals. **(Copy of relevant documents are attached as Annexure-A)**
4. That as the appellant did not obey the illegal orders of the MPAs and high ups for wrong doing and illegal appointments which are evident from some letter of the MPAs and orders of the high ups, therefore the appellant was relieved from the post DEO (F) karaka and placed at the disposal of Directorate of Elementary & Secondary Education KPK and the charge of the DEO (Female) was assigned to DEO (Male) vide order dated 20.03.2018 and was further posted against the vacant as Principal GGHS Col: Sher Khan Kally Swabi vide order dated 02.04.2018. **(Copies of MPAs letter and orders of high ups are attached as Annexure-B&C)**
5. That as the appellant did not obey the illegal order of MPAs and high ups, therefore problems were created for her, a charge sheet of baseless allegation was served to the appellant in which the following charge was level against the appellant that,

1. You travelled abroad several times without proper approval of the competent authority (permission/leave).

The appellant submitted detail reply to the charge sheet denied the allegation of travelling abroad without proper approval of competent authority and gave detail about the facts of the situation. **(Copies of charge sheet, statement of allegations and reply to charge sheet are attached as annexure-D, E&F)**

6. That inquiry was conducted against the appellant in the above mentioned allegation and the inquiry committee gave its recommendation that keeping in view the regrettable health condition of her daughter and herself lenient view may be taken and minor penalty may be imposed upon the appellant. **(Copy of inquiry report is attached as Annexure-G)**
7. That show cause notice was issued to the appellant which was duly replied by the appellant in which he again denied the allegation. **(Copies of show cause notice and reply to show cause notice are attached as Annexure-H&I)**
8. That without observing, recommendation of the inquiry committee, major punishment of compulsory retirement was imposed upon the appellant vide order dated 06.09.2018 against which she filed review petition on 03.10.2018 which was not responded within the statutory period of ninety days. **(Copies of order dated 06.09.2018 and review petition are attached as annexure-J&K).**
9. That the appellant has filed service appeal in this august Service Tribunal against the order dated 06.09.2018 and not taking action on her review petition within the stipulated period of 90 days to which appeal No.332/2019 was allotted and fixed for preliminary hearing on 08.04.2019, however during the pendency of the service appeal of the appellant in this august Service Tribunal, her review petition was rejected on 26.02.2019 without any reason and the same was communicated to the appellant on 12.03.2019, therefore the appellant filed an application in this august Service Tribunal on 13.03.2019 for permission to allow her to amend her appeal by challenging the rejection order 26.02.2019 along with early hearing application, which was allowed by the Honourable Chairman of this august Service Tribunal on 18.03.2019. **(Copies of rejection order dated 26.02.2019, application for amendment of appeal and early hearing application are attached as Annexure-L,M&N)**
10. That now the appellant has no other remedy except to file this service appeal in this august Service Tribunal on the following grounds amongst others.

GROUND:

- A) That the rejection order dated 26.02.2019 communicated to the appellant on 12.03.2019 and 06.09.2018 are against the law, facts,

norms of justice and material on record, therefore not tenable and liable to be set aside.

- B) That the inquiry committee recommended for minor punishment, but major punishment of compulsory retirement was imposed upon the appellant without giving any reason for dis-agreeing with the recommendation of inquiry committee by the authority, which is violation of law and rules.
- C) That the appellant has properly applied for leave in different intervals to go abroad for treatment of herself and her daughter and was leave was also sanctioned by the competent authority, but despite that the appellant was punished for the reason that you go abroad without proper approval which is against the facts and material on record.
- D) That the appellant informed his high ups well time about going abroad and also applied for leave for going aboard but despite that the appellant was punished on that allegation which means that the appellant was punished fro no fault on her part.
- E) That the appellant has good ACR through out and also promoted on the basis of that ACR and no hurdle was created in her promotion which means that the high ups was well known about his performance but later he was punished for baseless allegations.
- F) That the main reason for the punishment is that the appellant did not obey the illegal order of MPAs and her high ups and they dig out the fabricated story of base less allegation of going abroad to penalize her for not obeying their illegal orders.
- G) That the penalty of compulsory retirement from service is very harsh which is passed in violation of law and, therefore, the same is not sustainable in the eyes of law.
- H) That the review petition of the appellant was rejected without speaking order, which is violation of of superior court judgments as well 24-A of General clause Act.
- I) That the appellant has been condemned unheard and has not been treated according to law and rules.

J) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.



**APPELLANT
NARGIS JAMAL**

THROUGH:



**M.ASIF YOUSAFZAI
ADVOCATE SUPREME COURT**



**(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT,**

&

**(ASAD MAHMOOD)
ADVOCATE HIGH COURT**



NOC CELL

A (E) (B)

GOVERNMENT OF PAKISTAN
MINISTRY OF EDUCATION

No.F.3-16/2003-IC(NOC)

Islamabad, March 09, 2004.

Subject:- NOC IN FAVOUR OF MS. NARGIS JAMAL DURRANI,
STATISTICAL OFFICER, SCHOOLS & LITERACY
DEPARTMENT, GOVERNMENT OF NWFP, PESHAWAR.

The Government of Pakistan, Ministry of Education, Islamabad has no objection to the proceeding abroad of Ms. Nargis Jamal Durrani, Statistical Officer, Schools and Literacy Department, Government of NWP, Peshawar to participate in the Short Term Training Programme to be held during March-April 2004 at France.

2. All expenses in this regard will be borne by the organizers. There is no financial liability on the part of Ministry of Education, Islamabad.
3. The issuance of this NOC is subject to clearance from Ministry of Foreign Affairs, Islamabad.
4. This issues with the approval of competent authority.

(Jamil Ahmad Hashmi)
Assistant Educational Adviser.

Ms.Nargis Jamal Durrani,
Statistical Officer,
Schools and Literacy Department,
Government of NWFP,
Peshawar.

Copy to:-

The Assistant Director, Immigration & Passport Airport,
Islamabad/Lahore/Karachi, Quetta.

(Jamil Ahmad Hashmi)
Government of Pakistan
NOC CELL
Ministry of Education

ATTACHED

(6) (7)

GOVERNMENT OF NWFP
SCHOOLS & LIT: DEPTT:

No. SO (B & A)4-3/Study Leave /04
Dated Peshawar, the 20.9.2004.

SANCTION.


Sanction of the Government of N.W.F.P, is hereby accorded to the Grant of study leave on half pay for(654 days) with effect from 20.9.2004 to 6.7.2006 in respect of Mst:Nargis Jamal Durrani Statistical Officer (BPS-17) Schools & Literacy Department for the Degree of EdD Education in the University of Hull (UK) under the provision of FR-84 read with Appendix 9-IA, subject to the condition that internal/local arrangement will be made by the Administrative Department and no contract employee will be appointed during the entire absence of the applicant concerned.

"Certified that on expiry of leave she is likely to
resume her duty at the same post and station"

SECRETARY TO GOVT: OF NWFP
SCHOOLS & LITERACY DEPARTMENT.

Endst. No. SO(FR)FD/5-13/2001/Vol:I, Dated Peshawar, the 20.09.2004


Copy of the above is forwarded to the District Accounts Officer Peshawar


(FAZLE RAHIM) 20/9/2004
SECTION OFFICER (FR)

Endst of even Number & Date.

Copy of the above is forwarded to :-

- 1) The Director Schools & Literacy N.W.F.P., Peshawar.
- 2) The Section Officer(FR) Government of N.W.F.P., Finance Department with reference to his letter No. So (FR)/FD/5-13/2001/Vol:I Dated 20.9.2004.


(IHSANULLAH) 20/9
SECTION OFFICER(B&A)



GOVERNMENT OF KHYBRR PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the, January 26, 2011

NOTIFICATION

No.SOG/E&SE/1-31/2011. Sanction is hereby accorded to grant Earned Leave w.e.f. 01-02-2011 to 05-02-2012 (370 days) in favour of Ms. Nargis Jamal, Headmistress/ Planning Officer (BS-17) E&SE Department with the following break up:-

1. W.e.f 01-2-2011 to 31-5-2011 (120 days) on full pay.
2. W.e.f 01-06-2011 to 05-02-2012 (250 days) on half pay.
2. District Accounts Officer Peshawar has certified that leave applied for is admissible to the Officer concerned under the Revised Leave Rules, 1981.
3. The Officer concerned is likely to return to the same post or another equivalent post on expiry of leave.

Secretary to Govt. of Khyber Pakhtunkhwa
Elementary & Secondary Education Department

Endst: Even No. & Date.

Copy forwarded to:-

1. The Directress Elementary & Secondary Education, Peshawar.
2. The District Accounts Officer, Peshawar.
3. The Section Officer (Accounts) E&SE Department.
4. C.P.O E&SE Department.
5. Ms. Nargis Jamal, Planning Officer E&SE Department.
6. P.S to Secretary E&SE Department.
7. Section Officer (S/F) E&SE Department.

(FARID AHMAD KHATTAK)
SECTION OFFICER (GENERAL)

ATTESTED

(2) (7)

GOVERNMENT OF N.W.F.P
SCHOOLS & LITERACY DEPARTMENT

NOTIFICATION.

NO. SOG/S&LD/ The Government of NWFP in the Schools & Literacy Department has no objection to the proceeding abroad of Mrs. Nargis Jamal Durrani, Statistical Officer, Schools & Literacy Department to U.K. for study in the University of Hull for the course "Education Doctorate" at her own expenses.

On expiry of her study period, the official will report to her parent Dept: i.e. Directorate of Schools & Literacy, NWFP.

(Sher Zada Khan)
Secretary to Govt: of NWFP,
Schools & Literacy Department.

Endst: No. SOG/S&LD/

dated 4.8.2004.

A copy is forwarded to :-

S/c

1. The Accountant General, NWFP, Peshawar.
2. The Secretary to Govt: of NWFP, Establishment Dept:
3. The Secretary to Govt: of NWFP, Finance Department.
4. The Director of Schools & Literacy, NWFP.
5. The P.S. to Secretary, Schools & Literacy Dept:
6. The P.As to Additional Secretary/Deputy Secretary, S&L Dept:
7. Applicant.

N. Nawaz Khan
(Nek Nawaz Khan)
Section Officer (General)

Adm
5/8/04

Int
5/8/04

h

h

GOVERNMENT OF NWFP
SCHOOLS & LIT: DEPTT:

No. SO (B & A)4-3/Study Leave /04
Dated Peshawar, the 20.9.2004.

SANCTION.

Sanction of the Government of N.W.F.P, is hereby accorded to the Grant of study leave on half pay for(654 days) with effect from 20.9.2004 to 6.7.2006 in respect of Mst:Nargis Jamal Durrani Statistical Officer (BPS-17) Schools & Literacy Department for the Degree of EdD Education in the University of Hull (UK) under the provision of FR-84 read with Appendix 9-IA, subject to the condition that internal/local arrangement will be made by the Administrative Department and no contract employee will be appointed during the entire absence of the applicant concerned.

"Certified that on expiry of leave she is likely to resume her duty at the same post and station"

SECRETARY TO GOVT: OF NWFP
SCHOOLS & LITERACY DEPARTMENT.

Endst. No. SO(FR)FD/5-13/2001/Vol:I, Dated Peshawar, the 20.09.2004.


Copy of the above is forwarded to the District Accounts Officer Peshawar


(FAZLE RAHEEM) 20/9/2004
SECTION OFFICER (FR)

Endst of even Number & Date.

Copy of the above is forwarded to :-

- 1) The Director Schools & Literacy N.W.F.P., Peshawar.
- 2) The Section Officer(FR) Government of N.W.F.P., Finance Department with reference to his letter No. SO(FR)/FD/5-13/2001/Vol:I Dated 20.9.2004.


(IHSANULLAH) 20/9
SECTION OFFICER(B&A)

(10) (11)

GOVERNMENT OF N.W.F.P.
SCHOOLS & LITERACY DEPARTMENT

NOTIFICATION.

No. GPO/S&L/SO/1-1/Study Leave. Consequent upon the grant of 654 days study leave on half pay Vide Finance Department Sanction issued vide No. SO(B&A)4-3/Study Leave/04, dated 20.9.2004, the Competent authority in the Schools & Literacy Department has been pleased to relieve Mrs. Nargis Jamal, Statistical Officer from duty w.e.f. 20.9.2004.

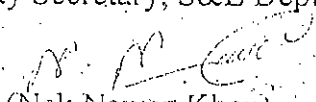
Secretary to Government of NWFP,
Schools & Literacy Department.

Endst. No.

Dated 20.9.2004.

A copy is forwarded to :-

1. The A.G. NWFP, Peshawar.
2. The Director, Schools & Literacy, NWFP,
3. The Chief Planning Officer, S&L Dept:
4. P.S. to Secretary, S&L Dept:
5. P.As to Additional Secretary/Deputy Secretary, S&L Dept:


(Nek Nawaz Khan)
Section Officer (General)

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(12)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the, August 19, 2011

NOTIFICATION

NO. SO(S/F)/E&SE/4-16/2011/Nargis Jamal: The Competent Authority is pleased to cancel the remaining portion of 175 days earned leave granted to Ms. Nargis Jamal Headmistress/Planning Officer (BS-17) E&SE Department with immediate effect.

2. Consequent upon the above Ms. Nargis Jamal is posted as Headmistress (BS-17) GHS Babozai Mardan against the vacant post in relaxation of ban and in the public interest with immediate effect.

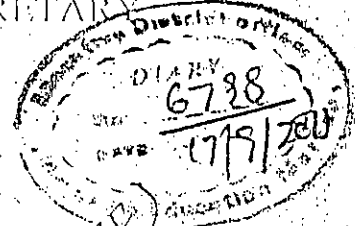
1. No TA/DA is allowed.

English of even No. & Date

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar
2. Director, E&SE, Khyber Pakhtunkhwa Peshawar
3. Executive District Officer E&SE concerned.
4. District Accounts Officer concerned.
5. Incharge, EMISE, E&SE Department
6. PS to Secretary Elementary and Secondary Education Department
7. Ms. Nargis Jamal, 11 A Pendicstone Road, London, E17 9BH. She is directed to report to the EDO E&SE concerned within 15 days of the receipt of this letter.
8. Office order file.

SECRETARY



(AMIR HASSAN KHAN)
SECTION OFFICER (S/F)

SECTION OF THE DIRECTOR (E&SE) KHYBER PAKHTUNKHWA PESHAWAR.

ENCL: No. 4/14-17 / 16-12 / Nargis Jamal's Order / 14/8 / 2011.

Copy to the:-

1. Section officer (Female) Govt. of Khyber Pakhtunkhwa E&SE Deptt: w/r to his letter cited above.
2. MNO (E&SE) Mardan for info & throu/ report.
3. Ms: Nargis Jamal 11 A Pendicstone Road London, E17 9 BH. for compliance of order of the Secretary to Govt: of Khyber Pakhtunkhwa E&SE Department.
4. PA to Directress (Local office).

Deputy Directress (Local Office)
Directorate Elementary & Secy: Edu:
Khyber Pakhtunkhwa Peshawar.

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GOVERNMENT OF N.W.F.P.
SCHOOLS & LITERACY DEPARTMENT

NOTIFICATION.

No. CPO/S&L/SO/1-1/sty Leave. Consequent upon the grant of 654 days study leave on half pay Vide Finance Department Sanction issued vide No. SO(B&A)4-3/Study Leave/04, dated 20.9.2004, the Competent authority in the Schools & Literacy Department has been pleased to relieve Mrs. Nargis Jamal, Statistical Officer from duty w.e.f. 20.9.2004.

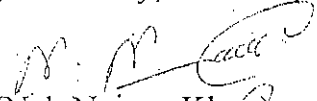
Secretary to Government of NWFP,
Schools & Literacy Department.

Endst:No.

Dated 20.9.2004.

A copy is forwarded to :-

1. The A.G. NWFP, Peshawar:
2. The Director, Schools & Literacy, NWFP,
3. The Chief Planning Officer, S&L Dept:
4. P.S. to Secretary, S&L Dept:
5. P.As to Additional Secretary/Deputy Secretary, S&L Dept:


(Nek Nawaz Khan)
Section Officer (General)

ATTACHED

Regd

(13)

(14)

GOVERNMENT OF N.W.F.P
SCHOOLS & LITERACY DEPARTMENT

DATED PESHAWAR THE 28.11.2006.

NOTIFICATION

No. A.077-26/Study Leave/05/KC. Sanction of the Competent Authority is hereby accorded to grant of extension in Ex-Pakistan Leave from 7.7.2006 to 6.7.2008 (730 days) without pay in respect of Mst. Nargis Jamal Durrani Statistical Officer S&L Deptt. as admissible under the Revised Leave Rule, 1981.

2. This Department has no objection to her proceeding abroad.

Secretary to Govt. of NWFP
Schools & Literacy Department.

Ends: Even No. & date

Copy to:

1. The Accountant General, NWFP, Peshawar
2. The Chief Planning Officer S&L Deptt.
3. Mst. Nargis Jamal Durrani Statistical Officer 57 Exmouth Street, HULL HU5 2ED, UK
4. Section Officer(G) S&L Department.

M. M. Coram
ASSISTANT ACCOUNT OFFICER.

ATTESTED



Bank Qasim Khan Khattak

Suppl (E)

ADVISOR

(18) B

(15)

Naval

DEO

DEO (Naval)

Work

It is submitted that Mr. Asif
 Iqbal No. 101 Dad P/O
 Bangi Killa is recommended
 to appoint in vacant Post
 of Driver at ^{at SOE office} SOE office
 Reports

Yours

PAKISTAN TEHREEK-E-INSAF

16



M.P.A

GUL SAHIB KHAN KHATTAK

Member Provincial Assembly
Khyber Pakhtunkhwa, PK-40,
Chairman D.D.A.C, Distt. Karak
Mob: 0312-3333003 / 0334-8339899

34



188

Date 4/1/18

Ref No _____

Miss Fainal Sagal D/O
Wagat Ali Khan R/O
Karak city may well
be considered for appointment
as (PST) teacher of
medical field
(100%)
Employment will
be high as high

[Handwritten signature]
Gul Sahib Khan Khattak
Chairman D.D.A.C
Distt. Karak

ATTACHED

17

To
The Director
Elementary and Secondary Education,
Peshawar Khyber Pakhtunkhwa.

Subject: Transfer from GGMS Shaheedan Banda Takht-e-Nasrati to GGHS Sorati Killa Karak
Against Vacant TT Post.

Respected Sir,

With Due Respect and humble submission, it is stated that I am currently working on TT post at Govt Girls Middle School Shaheedan Banada Takht-e-Nasrati District Karak since 2011, it is very difficult and many other issues to face, and the said school is so far away from home being a female.

So, the one TT post should be vacant due to transfer of Miss. Nadira TT from GGHS Sorati Killa Karak, to Govt Girls High School Ahmed Abad Karak.

It is very humble request to your kind Authority to transfer me from GGMS Shaheedan Banda to GGHS Sorati Killa Karak against vacant post.

I will be very thankful to you for this kind act.

Your sincere

Haseena
Haseena Khatoon
D.O Musam Badshah
TT GGMS Shaheedan Banda
Takht-e-Nasrati Distract Karak
Dated: 20th Dec 2017

DEOS
Please transfer
against
vacant
post
18/12/17

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

ATTACHED

محکمات جناب ڈسٹرکٹ ایجوکیشن آفیسر جامعہ (زنانہ) ضلع کراچی

(18)

عنوان - درخواست براد تعیناتی / تقرری PST
میدل کھل بورڈ سن کوٹ

جناب عالیہ!

گزارش ہے کہ فروری کے سال 1987ء سے 1998ء تک 10 سال کا ناہ حکم تعلیم میں
محکمات آف ایجوکیشن ڈسٹرکٹ کراچی کے دوران سروس فروری کو ڈسٹرکٹ ایجوکیشن
لاہور میں اور فروری کے 2 اپریل 1998ء کو حکم سے میڈل کھل بورڈ ڈسٹرکٹ کراچی
میں آٹھ کیا۔ اب چونکہ صوبائی حکومت نے میڈل کھل بورڈ میں آٹھ ہونے والے
کے حکم تعلیم میں کوٹہ مختص کیا ہے۔
بالجگہ 1 چونکہ میری دختر مہمانہ زینب بیگم کو پیسٹ PST کے لیے - لکھا گیا ہے کہ
فروری کے حکم کو حکم تعلیم میں محکمات PST تقرری فرما کر شکور و معاون
کوٹہ فروری کے حکم اعلیٰ، میڈل کھل آن فٹ سرٹیفکیٹ، مگر پتہ پتہ پتہ پتہ پتہ پتہ
اور پتہ کے حکم اسناد کے Alleged کوٹہ والی درخواست لکھا گیا ہے کہ
لکھا فروری کو PST کے تحت آیا ہے۔ 12 BPS کی قابل پوسٹ بر تعیناتی کے لیے

محکمات وزارت تعلیم -

فقط آداب - مورخہ 20/12/2016

Zainab Liaquat

فروری حافظ بیگم علی خان - دختر زینب بیگم

03339717904
03459649196

DEEF, Karachi
Please do the
needful as per
of the appointment, Promotion and
transfer rules 1989 after
filling up all
documentation of all forms etc.

ATTESTED

15/12/2016
Director
Elementary & Secondary
Education
Hyderabad

18
19



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

NOTIFICATION

Mst. Shagufta Yasmeen ADEO(Establishment) O/O the DEO(F) Karak, is hereby transferred in her own pay and BPS to ASDEO(F) Circle Sabir Abad District Karak, in the interest of public service against the vacant ASDEO(F) post.

Note:-

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

**Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar**

Endst.No. 5084-27 /A-17/Proposal of ADEO/ASDEO/F

Dated Peshawar the 27/11/2017

Copy of the above is forwarded to the:-

- 1- District Educ: Officer(F) Karak
- 2- District Accounts Officer, Karak
- 3- SDEO(F) concerned
- 4- ADEO(F) concerned
- 5- PA to Director (E&SE) Local Office.
- 6- M.file

[Signature]
**Deputy Director Establishment(F)
(E&SE) Khyber Pakhtunkhwa,**

*/Noor/*17*/

DF & OS Karak

Immediately implement this order and relieve her.

15/12/17

[Signature]



OFFICE OF THE DISTRICT EDUCATION OFFICE (FEMALE) KARAK.

Phone:0927-29117

Address: KDA KARAK Email:emiskarak@yahoo.com

CONSTITUTION OF INQUIRY:

Mst: Razia Bibi Principal GGHSS Chokara is hereby nominated as inquiry officer against the Ex-Headmistress Shamshad Begum GGMS Sarki Lawaghar to find out the embezzlement of fund and conditional grant.

Whether the proper procedure of PTC fund utilization procedure and chairman selection has been observed properly. This is the fact finding inquiry followed by the audit.

The pension papers of the officer concerned Shamshad begum will be pending until the completion of inquiry and audit reports, so that the justice criteria may be satisfied in the best interest of public service.

DISTRICT EDUCATION OFFICER (FEMALE)
KARAK.

dt: 22/11/2017

Dist: No. 2638-421

Copy to the:-

1. Deputy Commissioner, Karak.
2. District Monitoring Officer, Karak.
3. District Accounts officer, Karak with the request that the officer concerned case may be kept pending until her clearance certificate issued by this office.
4. Mst: Razia Bibi Principal GGHSS Chokara with the direction to probe into the matter and submit findings and recommendations within a week time due to the sensitive issue as the pension for lying pending of the officer concerned.
5. Incharge HM Ex-Headmistress GGMS Sarki Lawaghar.

DISTRICT EDUCATION OFFICER (FEMALE)
KARAK.

CHARGE SHEET

D
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I, Parveez Khattak, Chief Minister Khyber Pakhtunkhwa, as Competent Authority, hereby charge you Mst. Nargis Jamal (BS-19) Ex-Principal GGHS Pir Saddi Mardan now DEO (Female) Karak, as follows:

That you while posted as **Principal GGHS Pir Saddi Mardan**, committed the following irregularities:

- i. You travelled abroad several times without proper approval of the competent authority (permission/ leave).

By reasons of the above, you appear inefficient under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule-4 of the rules ibid.

You are, therefore, required to submit your **written defense** within seven days of receipt of this Charge Sheet to the Inquiry Officer/ Inquiry Committee, as the case may be.

Your written defense, if any, should reach the Inquiry Officer/ Inquiry Committee within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.

Intimate whether you desire to be heard in person.

A statement of allegations is enclosed.

Parveez Khattak
(Parveez Khattak)
Chief Minister
Khyber Pakhtunkhwa
12/12/2013

Mst. Nargis Jamal (BS-19),
Ex-Principal GGHS Pir Saddi Mardan,
Now DEO (Female) Karak

Handwritten signature or stamp at the bottom right of the page.

E 22
228

REGISTERED



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the December 14th, 2017

OFFICE ORDER

No. SO(S/F)E&SED/4-17/2017/Mst. Nargis Jamal/DEO(F)/Karak: The Competent Authority is pleased to constitute Inquiry Committee comprising of the following officers to conduct formal inquiry against Mst. Nargis Jamal, Ex-Principal GGHS Pir Saddi Mardan now DEO (F) Karak on account of allegations mentioned in the charge sheet/ statement of allegations:

- i. Mr. Mutahir Zeb (PCS-EG-BS-20),
Commissioner Kohat
- ii. Mst. Fareeda Begum,
Principal (BS-20) RITE (Female) Peshawar

2. The Inquiry Committee shall submit recommendations/ report to the Competent Authority within fifteen (15) days positively (Copies of charge sheet/ statement of allegations are enclosed).

SECRETARY

Endst: of even No. & date:

Copy forwarded to the:

1. Director E&SE Khyber Pakhtunkhwa Peshawar (Copies of charge sheet/ statement of allegations are enclosed).
2. Mr. Mutahir Zeb (PCS-EG-BS-20) Commissioner Kohat (Copies of charge sheet/ statement of allegations are enclosed).
3. Mst. Fareeda Begum, Principal (BS-20) RITE (Female) Peshawar (Copies of charge sheet/ statement of allegations are enclosed).
4. Mst. Nargis Jamal, Ex-Principal GGHS Pir Saddi Mardan now DEO (F) Karak (Copies of charge sheet/ statement of allegations are enclosed).
5. District Education Officers (Female) Karak & Mardan.
6. PS to Secretary E&SE Department.
7. Master File.

Encl: as above:

(ANEELA FAHIM)
SECTION OFFICER (SCHOOLS FEMALE)

ATTENTION

(1)
Statement

not reply.

F 23
22

I am Nargis Jamal presently working as DEO female Karak, today appeared before the Inquiry Committee in the presence of DEO (f) Masda and her clerical staff and department representative Shabnam D/director.

I showed them my original ACRs for last 6 years and my Medical treatment Record for last six years, also I produced the leave sanction and NOC from my department in original (the copies been kept by worthy committee and they returned my original Record to me).

It is very astonishing to mention that DEO (f) Marden (Sameena Ghani) denied her signature on my ACR of 2015 and afterwards she stolen this original ACR very tactfully to hide the factua

Police Station
Karachi

APPROVED
DATE

Position in front of committee. This incident
of theft was happen in front of Mr Sajid
Ahmad Secretary to Commissioner and the same
ACR (original) was Recovered with his help
which I need to return to Directorate.
I have received this ACR from Directorate
on sign only to show to the enquiry

Committee.
This Act of theft it self proved that
DEO (1) Mardan (Sameena Ghani) is a ~~copy~~ ^{too much}
~~biased~~ ^{biased} and she was denying her signature
but when she saw the original copy
of ACR, she become upset and committed
the theft with the help of her clerks.

Moreover, this DEO, never visited my
school in my 3 years tenure. None of
the DEO has paid visit to my
school during last 6 years. This DEO

ATTEST

Madam Sameena Ghani and EX DEO Dilshad Begam signed my ACR and mentioned that

I am hardworking and competent and fit for promotion.

I mentioned to the committee that I traveled to UK with the permission of my department when I was working in Secretariat in 2004 and for the purpose

of EDD (Doctorate in Education) and I took my family (my Husband, my son, my two daughter) with me and afterwards my

little daughter was diagnosed with Prader Willi Syndrome (a mental condition) with the Global developmental delay condition and her

treatment and study was started in UK. My elder children started study and received degree over there.

Due to my little daughter health condition, I applied the extension for the study leave on EOL (without pay)

Alfays
Urdu Education Center
(P) Karak

ATTEST

(4)
being over there, but this period was sanctioned
in 2010 when ~~A~~ as EX-POST-FECTO attached
and I have joined the deptt on 1/1/2010 again
Later on I was informed that my little
daughter is going to be treated in my present
hospitality I applied for one year leave with
pay on EOL basis. I left again with the
sanctioned leave and NOC (attached) but
Meanwhile, due to unknown reason, my leave
was cancelled after few months and I was
thrown back to the school (H/M) side.
I gave my arrival on 21/9/2011 and instead
of Planning officer, I started my job as H/M
in Mardan (attached) as B-17.
I was promoted to BPS-18 on March 2014
and transferred to GHS Pirsaddi as a PRINCIPAL
B-18.
A took over the charge and on March
and on the same day the INAU DCM
visited the school and took me as
Principal of GHS Pirsaddi on the basis

228
96

Wakil
District Education Officer
(F) Mardan

Signature

(2)
IMU Report and School SSC results
my school was declared at No 7 in
Mardan and one of the Best performing
School in 2016 and we were given
Cash prizes and the one Lakh rupees
were transferred to my account by
the DEO (Z) Mardan in Nov 2016 and ^{3.50} ~~3.50~~ _{lakh to}
I was asked to ~~give~~ ^{submit} some Commission ~~to~~
from this money to the DEO office,
But I explained to them that I can give
you my money but from teacher money
I can not take out because it is gone
to their account directly by your office
I paid 5 thousand to DEO office employees
and 50 thousand for the DEO Sameena
ghani through her Supdt M Gul Bahadar.
I don't know that later on why she
become unhappy with me and started
interference in my school by sending my
teachers for Board duties without my
permission. The matter was not finished
and she made false proofs and given to
media and damaged my
name on govt.
extent -

26
27

Ms. Gul Bahadar

✓

A will provide further Statment
in my next hearing.
only I ask that if I was not
fit for promotion why she wrote my
AER in Dec 2015.

The promotion was based on AERs till 2015.
She wanted to stop my promotion but
unfortunately 2016 AER was not sequred
and I was promoted to B-19 and
got transferred to DEO (F) Karak.

Sameena ghani become Jelous and
started Campaign through Media and
facebook to ~~to~~ and also told to
Minister and C.M.A, due to which
after six months I recieved this
inquiry and I have faced it but.

I have heard that my name
has been placed in Summary to transfer
to Kohistan. I am so upset.
I will write further facts in next
Thankyou, Yours Sincerely
Nargis Jinnal
2/1/18

District Educational Office
Karak

District Educational Office
Karak

NOTED

بیان تمینہ عنی حضرت شریفی ٹی ای او (رہنما) حردان

بیان کیا کہ گورنمنٹ گرنز بائی سکول پیرمہدی حردان کی ایک ایسی ایس ٹی ٹیچر من کوثر نے فون پر اطلاع دی کہ ہماری پرنسپل اکثر و بیشتر ملکی سے باہر جاتی ہے اور اس کی غیر موجودگی میں ایک پرائیویٹ لڑکی نادیدہ بی بی اس کی جگہ معلمین کی اسٹیبٹ میں اس کی حاضری لگاتی ہے اور بیرون ملک سے فون پر ہمیں یہ بات دیتی رہی ہے۔

جس وقت پھر نے فون کیا تھا ان دنوں بھی مذکورہ پرنسپل حردان میں موجود تھی لیکن بقول اس کے کہ وہ چند دنوں میں پھر باہر جانے والی ہیں۔ جس نے مورخہ 2017-01-01 کو ہمراہ اے ٹی ای او (پرائیویٹ ایس ٹی) سید اکرام اور اے ٹی ای او سکینڈری اسٹیٹمنٹ نہیں شاہین کیساتھ متعلقہ سکول کا اجازت معائنہ کیا۔ مذکورہ پرنسپل سکول میں موجود نہیں تھی۔ اصل معلمین جسٹریکٹ کو اپنے تجویز میں لیا۔ تمام سٹاف کو سنا دے پھا کس معلمین کی رجسٹر میں ان کی حاضری چیک کی۔ لٹو انج میں ناچو یہ بی بی نام کی لڑکی بھی اس موقع پر موجود تھی۔ اور پوچھ گچھ کرنے پر معلوم ہوا کہ یہی لڑکی مذکورہ پرنسپل کی جگہ سکول میں حاضری لگاتی ہے۔ لہذا میں نے اس لڑکی کے خلاف ایف آئی آر درج کرنے کو لیدر ٹیچر کی کسمپرسی حردان کو خط لکھا، مزید یہ کہ میں نے ڈپٹی ڈائریکٹر ایف آئی آر کو مذکورہ پرنسپل کے بیرون ملک آمدورفت کی تفصیل جاننے کے لیے خط لکھا۔ (نقل لفظ)

میرے عرصہ عملد زما حردان میں صرف ایک بار مذکورہ پرنسپل نے Earned Leave کے لیے درخواست دی تھی جو مورخہ 2017-02-19 تا 2017-03-25 جو کوئی اسٹریکٹ رہا کو بھیج دی تھی۔ اس دوران مجھے ڈپٹی ڈائریکٹر ایف آئی آر سے سٹریکٹ پر موصول ہوئی۔ لہذا میں نے تمام ریکارڈ ڈائریکٹر صاحب کو بذریعہ چھٹی ارسال کی۔

نصیب
2/1/2017
DISTRICT EDUCATION OFFICER
FEBLE: MZ/1/17

ATTESTED

بیان نہ کس مجال ڈی ای او (بھیل) کرک

موافق 2 جنوری 2018 کو مہینہ لوہاٹ کے اوپر دستی کے بعد ساہو
 اور صاحب نے مجھے مہینہ غنی ڈی ای او مردان کے بیان کی کاپی
 اور ایک ساتھ منگنے کے سہو یا کاغذات کی گاہیاں دیں
 جن کی وضاحت ایک ایک کر کے کرنا ضروری ہے تاکہ مزکورہ
 بالا قانون کی بددستی اور سائرس کو طھولا اور بیان لیا جائے
 محترم مہینہ غنی ڈی ای او مردان کے بیان میں جس طرح
 تادیر تاجی عارضی استانی کا ذکر ہے وہ بددستی نہ دیتی ہے اور
 بالکل جھوٹ ہے کیونکہ اس غیر ملکی کے خلاف کوئی FIR یا کارروائی
 محل میں نہ تاجی کیوں ابتدائی تفتیش سے ہی یہ ثابت ہو گیا تھا کہ
 تادیر نے قصور اور قصور ہی کیوں کاؤں کی تنظیم کے قانون سے شافی
 کی گئی ہے باعث باقاعدہ اجازت کے ساتھ صرف ایک جگہ کے لئے
 عارضی طور پر مجال سے لے کر 75 کاؤں کی کوئی وارنٹ کی ملک سے
 لایا گیا تھا جس کو کل استانی کوئی (جس کا ذکر نہیں تاجی
 ڈی ای او مردان کے بیان میں ہو رہے) کو اور اسے
 سونے مختار طھانہ (اسے طھانہ استانی کے بیان کے ساتھ ڈی ای او
 نے لگائی ہے) اس غیر ملکی سے کوئی ضمانت دینی نہ تاجی ہی
 جسے باعث یہ ساری سائرس تم تفتیش کی گئی حالانکہ
 کوئی ای سی جی غیر موجودگی میں گول اجازت ہوئی ہے
 اور اس کے باعث سارا ریکارڈ تاجی کے بیان ہوئی ہے۔
 اگر یہ بیان لیا جائے اور اسے آدرا اور صدارہ ناظم کارروائی کا

ATTESTED

کہ اچھے تیلوں میں کوئی اہم کول و صلوحت نہ ہوگی جس سے
 وہ صبراً انکار کیجے کہ صبراً خلاصہ سارا چھوڑا یہ دیکھنا کہ
 اندر مختلف طرح کے تیلوں سے بہت سی تیلوں کو (مردت پر نہ تم نے تصدیق
 کر دی ہے) لیکن یہ انسانی طور پر لوگوں میں صبراً صبراً مردان
 میں ہے میرا ال لوگوں کی آئین کی دوسری بار تھی گا کوئی تعلق نہ تھا۔
 اس لئے ڈی ای او لینڈ میں کہ بیان کو چھوڑا گا بلکہ کچھ کہ نظم انرا
 کر دیا جائے بیان کے ساتھ صبراً کا غور اتنی تفصیل اور

- وضاحت یہ ہے :
- (1) یہ کاغذ کے صفحے اور تے بنیاد اجڑی طوٹ کر لیا گیا ہے۔
 - (2) یہ محض ایک طرف ہے کوئی تہوت نہیں ہے۔
 - (3) یہ بھی محض ایک طرف ہے کوئی تہوت و کچھ نہیں ہے۔
 - (4) یہ بھی ڈائریکٹ صاف کے نام ایک طرف ہے جس کا انوائری
 کے ساتھ کوئی تعلق نہیں ہے۔
 - (5) یہ ایک صفحے میں انوائری اور ٹ ہے جس میں ڈی ای او
 کی حالت میں حافظہ میں ایسا ہے کہ اس میں CH_3 کا ہر دو
 کو جو انوائری کوئی گئی ہے صبراً کہ نام سٹاف کے خلاف
 وہ اور ٹ میں جو سوالات حافظہ میں ایسا ہے صبراً
 اظہار کے صفحے وہ بالکل جانے اور دیکھتے ہیں اور اس اور ٹ
 کو یہ کہ آواز ہو جاتا ہے کہ وہ اور ٹ کے اصل میں سٹاف کے خلاف
 ہے۔

میں مشاہدہ نہیں کیا گیا ہے۔ لیکن یہ سب سے پہلے اس بات پر توجہ دینی چاہیے کہ اس وقت تک کہ
 اس کے لئے کوئی اور طریقہ نہیں ہے۔ اس لئے اس کے لئے اس وقت تک کہ اس کے لئے کوئی اور طریقہ
 نہیں ہے۔ اس لئے اس کے لئے اس وقت تک کہ اس کے لئے کوئی اور طریقہ نہیں ہے۔ اس لئے اس کے لئے
 اس وقت تک کہ اس کے لئے کوئی اور طریقہ نہیں ہے۔ اس لئے اس کے لئے اس وقت تک کہ اس کے لئے
 کوئی اور طریقہ نہیں ہے۔ اس لئے اس کے لئے اس وقت تک کہ اس کے لئے کوئی اور طریقہ نہیں ہے۔

صفحہ 7 سے لے کر صفحہ 8 تک اس کے لئے کوئی اور طریقہ نہیں ہے۔ اس لئے اس کے لئے
 اس وقت تک کہ اس کے لئے کوئی اور طریقہ نہیں ہے۔ اس لئے اس کے لئے اس وقت تک کہ اس کے لئے
 کوئی اور طریقہ نہیں ہے۔ اس لئے اس کے لئے اس وقت تک کہ اس کے لئے کوئی اور طریقہ نہیں ہے۔

(10) یہ مختار کھٹانہ (کوئٹہ طلبہ ایسی) کی درخواست ہے جو کہ
 مذکورہ استانی کانسٹیبلوں کے ناطے میں اس وقت تک کہ اس کے لئے کوئی اور طریقہ
 نہیں ہے۔ اس لئے اس کے لئے اس وقت تک کہ اس کے لئے کوئی اور طریقہ نہیں ہے۔ اس لئے اس کے لئے
 اس وقت تک کہ اس کے لئے کوئی اور طریقہ نہیں ہے۔ اس لئے اس کے لئے اس وقت تک کہ اس کے لئے
 کوئی اور طریقہ نہیں ہے۔ اس لئے اس کے لئے اس وقت تک کہ اس کے لئے کوئی اور طریقہ نہیں ہے۔

ATTESTED

میں نے تم کو مطلع کیا ہے کہ میں نے گزشتہ سال کا بلڈنگ ڈیپارٹمنٹ
یا کسی اور ایجنسی سے فراغت نظر یا بیان وغیرہ حاصل کرنے کی طرف
اپنی توجہ دینی ہے۔ اس لیے اس کے تحت سالوں کی PER کا وہ ذمہ
لیا ہے جو میں نے اس میں لیا ہے اور میں نے اس کے تحت سالوں کی
ACR (PERs) عام ڈی وی او اور EDO اور ڈائریکٹر
صافیت کے تحت سے لیا ہے۔ ان کے ساتھ ساتھ اس کے تحت سے
میں نے تفصیل کے تحت سال (English) جو 2002 سے 2003 تک
میں دے چکی ہوں کہ کسی طریقہ پر اس کے تحت سے انکار کیا
اور جو بعد میں اسے ACR کو فراہم کیا ہے۔ تم ایسا نہیں سہارا
کی حد سے اس کے ساتھ ساتھ اس کے تحت سے اس کے ساتھ ساتھ
میں نے اس کے ساتھ ساتھ اس کے ساتھ ساتھ اس کے ساتھ ساتھ
Secretary to Commissioner Karak کا ساتھ ساتھ اس کے ساتھ ساتھ

وہ کم ہوگا۔
آخر میں عرض کرتی ہوں کہ میں نے 2002 میں BPS سے رہا کرتے
BPS 17 حاصل کیا اور اس کے بعد 2003 اور 2004 میں طبیعت
اسٹیب ڈائریکٹر اور طبیعت D.O سیکرٹری میں کام کیا اور طبیعت
ہی میں ملک سے باہر گئی ہوں میں نے باقاعدہ طبیعت ڈی پورٹیشن
ہے اور NOC حاصل کیا ہے۔ لیکن یہاں ڈی پورٹیشن میں اکثر
بیشتر درخواستیں کم عمری کے ساتھ ساتھ اس کے ساتھ ساتھ
EX-POST-FACTO کے ساتھ ساتھ اس کے ساتھ ساتھ اس کے ساتھ ساتھ
sanction (کافی عمری کے ساتھ ساتھ)

ATTACHED

اور کارکردگی کی بنیاد پر B-19 پر ترقی دی گئی ہے اور اصل میں
 بنیادیں ہیں کہ کون کون سے ڈی ای او بنیاداً بنیاد اور ای او کی شرح
 یعنی وہ سائزنگی کو لے کر کسی طرح کے ترقی اور ای او کی شرح
 لے کر انڈیا میں کوئی ترقی کے خلاف ہے یا نہیں ہے
 سب سے پہلے کے بنیاد کے بنیاد میں بنیاد کوئی چیز ہے
 ہی نہیں اس لئے تمام ترقی کے بلکہ کوئی چیز کے خلاف ترقی کے خلاف
 الیکٹرانکس میں اور صاف ہے جو انوائٹری رپورٹ ہے وہ ترقی
 صفی چیز اور ترقی کے خلاف ثابت ہوتی ہے جس میں
 IMO اور ڈی ای او کی طرح ترقی کے خلاف ہے
 ضابطہ عالی اس بیان کے ساتھ صرف ایک درخواست
 کی گئی ہے کہ اس کے باقی ترقی کے خلاف ہے اور اس میں
 ہو کہ ای او 2017 میں ڈی او کے ساتھ ساتھ ترقی کے خلاف ہے
 گئی ہے تاکہ جو درخواستیں ترقی کے خلاف ہیں
 یا جو کہ ترقی کے خلاف ہیں اس کے خلاف (Broken Period) کو
 لے کر لے کر ایک ہی EX-POST-FACTO درخواست ہے ترقی
 کی ہے جس کے ساتھ admissibility رپورٹ ہے جس کے
 لیکن اسی تک اس درخواست میں ترقی کے خلاف ہے اور اس میں
 جس کے ساتھ ساتھ یہ ترقی کے خلاف ہے اور اس میں
 لے کر لے کر ترقی کے خلاف ہے اور اس میں
 لے کر لے کر ترقی کے خلاف ہے اور اس میں

ATTESTED

مایکسی جی مزید صفت ظاہر کر کے مزید ضرورت ہو تو میں حاضر ہوں
 میں نے اس بیان کو مزید طویل ہونے سے قائل کر کے لکھنے سے اتفاق
 اور زیادتیوں جو کہ میرے ساتھ کی گئی ہیں انفرادی نہیں بلکہ کسی ادارے
 کے لئے یہ عام لایزوں سے پارہ ہڈانے کے لئے تیار ہوں فی الوقت اس
 بیان کو ہمیں یہ قطع کرنی ہوں اور صرف بات سنبھال کر جو اتنی
 صحافی میں لکھی گئی ہے کہ موقع دینے میں غیاب ہونے سے
 پرویز خٹک، غیاب مسز کوہاٹ و عظیم دین اور محترمہ پرویز صاحبہ کی
 شکر گزار ہوں کہ فتح ایک ایسی بلکہ دو یا تین ان لوگوں کی کسی شکر
 نہیں ہونے کا اور اپنا دفاع کرنے کا موقع دیا جس کے لئے میں
 ان سب کا لیتہ دل سے شکر ادا کرتی ہوں اور ضرورت پڑنے پر
 یہ ممکن تعاون کے لئے تیار ہوں

11/18/18
 محمد نواز
 Director Education Officer
 (F) Karakoram

ڈی ای او اور سیکرٹری کی
 2 کا غیر منسلک میں جو کہ میرے کینڈیڈ 19.10.18 اور آئیے لود ہوی معذور رہنے پر
 علاج کے لئے ایئر جینی میں درخواستیں دی گئی تھیں وہ کم نہیں گئی تھیں
 NOC دینے کے لئے - EX-POST-FACTO کیوں درخواست لینے
 ہی 24 اکتوبر کو ڈائریکٹر صاحبہ نے P.A کی ڈائریکٹری کے مطابق
 لوج کر وائی سے تاجر بیوت لوج اور درخواست کم نہ ہونے کی کاپی منسلک ہے

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ENQUIRY REPORT AGAINST MST. NARGIS JAMAL (BS-19),
EX-PRINCIPAL GGHS, PIR SADDI MARDAN NOW DEO (FEMALE),
KARAK ON ACCOUNT OF TRAVELING ABROAD WITHOUT PROPER
APPROVAL OF THE COMPETENT AUTHORITY.

PREAMBLE:

The competent authority has constituted the following enquiry committee vide office Order No. SO(S/F)E&SED/4-17/2017/Mst. Nargis Jamal/DEO(F)/Karak dated: 14-12-2017 to conduct formal enquiry against Mst. Nargis Jamal (BS-19), Ex-Principal GGHS, Pir Saddi, Mardan now DEO (Female), Karak for the charges mentioned in the Charge Sheet and Statement of Allegations already served upon the concerned officer (Annex-A):

1. Mr. Mutahir Zeb (PCS-EG-BS-20), Commissioner, Kohat Division, Kohat.
2. Mst. Farceda Begum, Principal (BS-20) RITE (Female), Peshawar.

ALLEGATIONS:

She travelled abroad several times without proper approval of the competent authority (permission/leave).

TERMS OF REFERENCE OF ENQUIRY COMMITTEE:

The aforesaid committee shall look into the matter, conduct formal enquiry for the charges mentioned in the Charge Sheet and Statement of Allegations already served upon the concerned officer and submit recommendation/ report to the competent authority.

PROCEEDINGS:

In compliance with the above referred office order of the competent authority, the enquiry committee started the proceedings accordingly. In this connection Mst. Nargis Jamal, DEO (Female), Karak furnished written reply (Annex-B) denying the charges of travelling abroad several times without the approval of competent authority (permission / leave). She further stated that relevant documents/ proofs will be presented in personal hearing. The enquiry committee summoned Mst. Nargis Jamal, DEO (Female), Karak to appear before the enquiry committee personally on 02-01-2018 (Annex-C).

On 02-01-2018 Mst. Nargis Jamal, DEO (Female), Karak appeared before the inquiry committee and recorded her statement (Annex-D). She produced ACRs and Medical treatment record for the last 6 years and the leave sanctioned from the Department. The accused officer submitted in his statement that the ACR for the year 2015 (Annex-E) was signed by Mst. Sameena Ghani herself and has mentioned her hardworking, competent and fit for promotion. She has further stated that she travelled to UK with the permission of her department when she was working in Secretariat in 2004. She took her family (her husband, her son and her two daughters) with her. Afterwards, her little daughter was diagnosed with pradar willi syndrome (a mental condition) with the global developmental delay condition and her treatment and study was started in UK. Due to her little daughter health condition applied for extension of the study leave on EoL (without pay) being over

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(38)

there, but the leave was sanctioned in 2010 as Ex-post-Facto and joined the department on 01-01-2010. Later on she was informed that her little daughter is going to be treated in her presence therefore, she applied for one year leave without pay on EoL basis and left again with the sanctioned leave and NOC in the meanwhile her leave was cancelled for unknown reasons and she was transferred to school as Headmistress (Annex- F). She submitted her arrival on 21-09-2011 and instead of Planning Officer, started her duty as Headmistress (BPS-17) and took charge in March 2014. On the same day the IMU, DCMA visited the school and took her as Principal GGHS Pir Saddi. On the basis of IMU report and SSC results, her school was declared No.7 in Mardan and one of the best performing schools in 2016, due to which she was awarded Rs. 100000/- (one Lac) as cash prize which was transferred to her account in November 2016. At 03:50 PM she was asked on behalf of DEO office for some commission/ share out of the cash prize awarded to her and other teachers. She agreed to give her share to them but denied to take out any share from teacher prize money as the same was directly transferred to their Bank Accounts. She paid five thousand for DEO office employees and 50 thousand for the DEO Sameena Ghani through her superintendent M. Gul Bahadar. Later on she became unhappy with her for unknown reasons and started interfering in her school by sending her teachers for board duties without her permission. The matter did not stop there and the DEO (F) Mardan provided false proofs against her to the media and thus damaged her reputation to a great extent. Mst: Sameena Ghani did all this out of jealousy and approached the high-ups to stop her promotion.

Mst: Sameena Ghani DEO (F), Mardan was also called to appear before the inquiry committee on 02-01-2018 alongwith all relevant documents. She appeared before the inquiry committee and recorded her statement (vide Annex- G). She submitted that that she was telephonically informed by a teacher of GGHS Pir Saddi Mardan namely Ms. Kausar that their principal often travels abroad and one Nadia Bibi marks her attendance in the teachers attendance register in her absence. When the teacher had phoned her, the accused officer was present in her school but was to leave for abroad in a few days. She alongwith Syed Ikram ADEO (P&D) and Naeema Shaheen, ADEO (Secondary Establishment) visited the concerned school on 31-01-2016 but the said Principal was not present in her school. The teachers attendance register was taken in custody and attendance of all the teacher was checked in their presence. Ms. Nadia Bibi was also present on the spot and it was known on investigation that she is the same girl who marks her attendance in absence of the Principal. Therefore, she wrote a letter to Deputy Commissioner, Mardan to lodge FIR against the said teacher (vide Annex- H) and also to Deputy Director FIA to provide data of the travels made by the said Principal to abroad (vide Annex-I).

The DEO (F) further stated that during her posting as DEO (F) Mardan. The said Principal has submitted application for earned leave (from 19-02-2017 to 25-03-2017) only once which was forwarded to the Director Education for further necessary action (vide Annex- J). In the meanwhile the travel history of the said Principal was received from Director FIA and was forwarded to Director Education through official letter (vide Annex- K).

(39)

As per report of IBMS, provided by DEO (Female) Mardan, the said Principal travelled abroad on the following dates:

Event/ date	F/No.	Entry/ Exit	Location
13 th April, 2010	PK030	Arriving	PIA Peshawar
29 th April, 2010	PK001	Departing	Jinnah International Airport, Karachi.
1 st Feb, 2011	QR399	Departing	Benazir Bhutto International Airport.
20 th Sep, 2011	EK 888	Arriving	PIA Peshawar
11 Oct, 2011	EK 837	Departing	PIA Peshawar
10 th Feb, 2012	SY 789	Departing	PIA Peshawar
23 rd Sep 2013	QR 349	Departing	PIA Peshawar
30 th Sep, 2013	QR 347	Departing	PIA Peshawar
08 th March, 2014	EK 036	Arriving	PIA Peshawar
05 th May, 2014	GQ 555	Departing	PIA Peshawar
21 st May, 2014	GQ 565	Arriving	PIA Peshawar
27 th May, 2014	ED 637	Departing	PIA Peshawar
2 nd Aug, 2014	GF 786	Arriving	PIA Peshawar
07 th Sep, 2014	GF 787	Departing	PIA Peshawar
11 th Nov, 2014	QR 014	Arriving	Benazir Bhutto International Airport, Islamabad.
13 th Dec 2014	QR 603	Departing	Jinnah International Airport Karachi
29 th Jan, 2015	QR 614	Arriving	Jinnah International Airport Karachi
3 rd March, 2015	QR 617	Departing	Benazir
6 th April, 2015	QR 608	Arriving	PIA Peshawar
7 th May, 2015	QR 809	Departing	PIA Peshawar
14 th June, 2015	QR 608	Arriving	PIA Peshawar
15 th June, 2015	QR 609	Arriving	PIA Peshawar
1 st Aug, 2015	SV 888	Arriving	Benazir Bhutto International Airport, Islamabad.
7 th Sep, 2015	SV 725	Departing	Benazir Bhutto International Airport, Islamabad.
12 th Oct, 2015	PK 788	Arriving	Jinnah International Airport Karachi
15 th Nov, 2015	PK 787	Departing	Jinnah International Airport Karachi
12 th Dec, 2015	QR 610	Arriving	PIA Peshawar
27 th March, 2016	GF 785	Departing	PIA Peshawar
25 th April, 2016	PK 788	Arriving	Jinnah International Airport Karachi


Copy of the statement of DEO (Female) Mardan was provided to the accused officer for reply/defense. In response, she submitted her another written statement on 09-01-2018 (Annex-L), stating therein that the name of Miss Nadia is mentioned in the statement of DEO (Female) Mardan, on the basis of mala fide intentions, as no FIR was lodged against her and was proved innocent in the initial investigation. She was hired only for one month as a teacher due to shortage of teaching staff but a local teacher namely Miss Kausar (who also used to be the incharge of the school in her absence) and her husband Mr. Mukhtar Khattana (who happens to be a political person) had some family enmity with her and plotted all this against her (Miss Nadia). The husband of Miss Kausar (SST) was demanding a contract of Solar System installation but there was no such funds available in the relevant head, therefore, considering it as her refusal they started worrying her by propagating against her. She denied all the charges mentioned in the statement of DEO (Female) Mardan being a fabricated story concocted for her removal from service. She further denied her signature in the teachers attendance register on the plea that she has never marked her attendance in the register, being Principal of the school. She further stated that she has travelled abroad for treatment of her disabled daughter and herself and has submitted applications for Ex-Pakistan leave every time but the same used to get missing in the Deptt.

ATTESTED

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view may be taken and as laid down under Rule 4, sub rule 1 (a) of Khyber Pakhtunkhwa
Govt: Servants (Efficiency & Discipline) Rules-2011 "Minor Penalty (i) or (ii)" as specified
under the Rule ibid may be imposed upon her.


(MUTAHIR ZEB)
COMMISSIONER KOHAT DIVISION,
KOHAT.

(FAREEDA BEGUM)
PRINCIPAL,
RITE (FEMALE), PESHAWAR.

ATTESTED

REGISTERED



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

No. SO(S/F)E&SED/4-17/2017/Mst. Nargis Jamal/BS-19
Dated Peshawar the April 18th, 2018

To

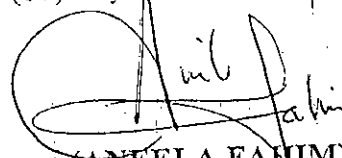
Mst. Nargis Jamal (BS-19),
Ex-Principal Govt. Girls High School Pir Saddi Mardan,
Now services at the disposal of Directorate of E&SE Peshawar.

SUBJECT: SHOW CAUSE NOTICE

I am directed to refer to the subject noted above and to enclose herewith copy of the show cause notice wherein the competent authority i.e. Chief Minister Khyber Pakhtunkhwa has tentatively decided to impose upon you the major penalty of "compulsory retirement" under Rule-4 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, in connection with the charges leveled against you.

2. You are, therefore, directed to furnish your reply to the show cause notice as to why the aforesaid penalty should not be imposed upon you and intimate whether you desire to be heard in person.

3. Your reply should reach this department within seven (07) days of the delivery of this letter otherwise ex-parte action shall be taken against you.


(ANNELA FAHIM)
SECTION OFFICER (S/F)

Endst: of even No. & date:

Copy forwarded for information to the:

1. Director E&SE Khyber Pakhtunkhwa; Peshawar alongwith copy of show cause notice.
2. District Education Officer (Female) Mardan.
3. PS to Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
4. PS to Chief Secretary Khyber Pakhtunkhwa Peshawar.
5. PS to Secretary E&SE Department Peshawar.

Encl: as above:


SECTION OFFICER (S/F)

To, the Pervez Khattak (Chief Minister)
Competent Authority Khyber Pukhtun Khawza

Subject: Show Cause Notice

I
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Sir,
Refer to your Show Cause Notice as competent authority
Served on me on 18/4/18 by the SO schools female letter
No: SO(S/F)ESSED/4-17617/MST. Nargis Jamal/BS-19,
I am writing to Register my strong disagreement
against the above mentioned unfair, illegal, unlawful and
inhuman, biased Penalty of a Compulsory Retirement
being imposed on me by the competent authority due to
the misleading and missguiding material on record and
other connected papers (Not provided to me on request) including
my missing defence before the inquiry officer as I/O Recommended the
minor penalty.
I also Register my intimation:

by an impartial and powerful inquiry board as soon as possible please.
I have also enclosed the detailed facts sheet here to
show the cause that why the aforementioned penalty should
not be imposed on me unless and untill the criminals behind
the conspiracy of 31st March incident of harassment act
at the DEO Office Karak are not sent behind the bars
to satisfy the Justice in public interest please.

This Show cause and Penalty is
being served and imposed on me with the mala fide intention of
hiding the facts and having the criminals of 31st March
incident (detailed complaint wrote to Chief Secretary of KPK on
2/4/18 after this harassment incident with me as a
female topic of B-19 at my duty place damaged my life and mind
and have lost my confidence on my department and
Govt of KPK. Please give me chance to see you and to be
heard in person as soon as possible in favor of Justice and public
rights.

Copy for n/a to
Anella Fahim (SO schools female)
Govt of KPK, ESSE Deptt:

Yours sincerely
Nargis Jamal B-19
EX-Principal of girls pirsaditi, Lakhiss Kalu
Now - DEO of Karak (accused)
Khan Swabi



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

J 44
KBS

NOTIFICATION

Dated Peshawar the September 6th, 2018

No. SO(S/F)E&SED/4-17/2017/Mst. Nargis Jamal/DEO(F)/Karak: WHEREAS Mst. Nargis Jamal, Ex-Principal GGHS Pir Saddi Mardan now Principal GGHSS Sher Khan Kally Swabi was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 on account of allegations mentioned in the charge sheet/ statement of allegations.

2. AND WHEREAS Mr. Mutahir Zeb (PCS-EG-BS-20) Commissioner Kohat and Miss. Farida Begum, Principal (BS-20) RITE (Female) Peshawar conducted formal inquiry against the accused.

3. AND WHEREAS the inquiry committee after having examined the charges, evidence on record and explanation of the accused, submitted the report.

4. AND WHEREAS major penalty of "compulsory retirement" was imposed vide show cause notice served upon her by the Competent Authority (Chief Minister, Khyber Pakhtunkhwa).

5. AND WHEREAS the Competent Authority (Chief Minister, Khyber Pakhtunkhwa) after having considered the charges, evidence on record, reply to show cause notice and personal hearing granted to her by the Secretary Zakat, Usher, Social Welfare, Special Education & Women Empowerment Department Khyber Pakhtunkhwa on behalf of Chief Minister/ Competent Authority, is of the view that the charges against her have been proved.

6. NOW, THEREFORE, in exercise of the powers conferred under Rule-14 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Minister) is pleased to confirm the major penalty of "compulsory retirement" upon Mst. Nargis Jamal, Ex-Principal GGHS Pir Saddi Mardan now Principal GGHSS Sher Khan Kally Swabi, with immediate effect.

SECRETARY

Endst: of Even No. & Date:

Copy forwarded to the:

- i. Accountant General, Khyber Pakhtunkhwa, Peshawar.
- ii. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- iii. District Education Officers (Female) Mardan & Swabi.
- iv. PS to Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
- v. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- vi. PS to Secretary E&SE Department, Khyber Pakhtunkhwa.
- vii. Mst. Nargis Jamal, Ex-Principal GGHS Pir Saddi Mardan now Principal GGHSS Sher Khan Kally Swabi.
- viii. Master File.

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K
P3/C.S
Diary No. 9257
Date 5/X/2018
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Before the chief secretary Khyber Pukhtunkhwa

Subject: Departmental appeal against the Order/notification No: SO(S/F)E8SED/4-17/2017/mst Nargis Jamal/DEO(F) Karak dated 6-9-2018, whereby the appellant was compulsory retired from service.

Respected Sir,

The appellant most respectfully submits as under:

Preliminary Facts:

Grounds for appeal:

1. that the impugned order/Notification is against that law, Facts and material available an record and as such not tenable in the eyes of law.
2. That the departmental action against the appellant was taken in utter disregard of the law.
3. That the material facts of the matter were not taken into consideration and as such impugned notification was issued without any legal justification.
4. That the appellant was not afforded proper opportunity of defense and personal hearing which is against the principle of natural justice.
5. That the appellant was not served upon with show cause notice summary of allegations final show cause notice in accordance with the law.
6. That the appellant was not officially served upon with the impugned notification in order to prevent the appellant from falling appeal.
7. That the appellant is an honest and hardworking officer never committed any corruption in her service period but the health reasons (Cancer Treatment) disturbed her life and she travelled aboard in such a strained and urgent conditions to save her life and survival which has been ignored in impugned notification issuance which is against the international human rights and natural justice.

dc

AT 12/10/2018

5/X/18
[Signature]

- (48)
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8. That the impugned notification was ready for issue for long time but placed for waiting best time, when the department come to know that the appellant is suffering with the trauma of her only brother (Mushtaq Ahmad) brutal murder and as she get involved in war for justice practically. So the impugned notification was issued next day on 06-09-2018 so that the appellant is already preoccupied in serious matters and will not be able to file the appeal against the impugned order/notification in time which violates the international law of human rights and justice.
 9. That the impugned notification is based on conspiracy and one-sided decision of department without involving the appellant in fact finding initial inquires and also not serving the final show cause and not provision of final personal hearing to the appellant is a series of modified facts on the part of department against the rules of service and natural justices.

Grounds for appeal:

1. That appellant joined that school and literacy department as a drawing mistress BPS:09 on 02-03-1992. After having qualified the provincial public service examination the appellant was appointed as headmistress BPS:17 in the year 2000 and thereafter posted as assistant Directress, planning officer in the same department.
2. That the appellant performed her duties during her service efficiently, diligently, to the satisfaction of the high ups and due to that reason the appellant reached to the post of principal BPS:18 in 2014 and thereafter DEO BPS:19 and worked hard as district education officer female Karak since September 2017 till the 20-03-2018 satisfaction and had fight with the political pressure to open the close schools and improve the attendance and officer of teaching non teaching staff by paying regular visits to field every day.
3. That the appellant was forced by the MPAs and high ups for wrong doings and illegal appointments which were denied by appellant being an honest vigilant officer and there were no corruption charges leveled on appellant during her period of service of 26years and no inquiry was conducted till the post of DEO period which clarify the modified involvement of department.
4. That the appellant worked hard at every station where ever the department posted her as principal or as DEO or H/M etc as GGHS Pirsaddi was a far flung area for appellant when was posted as principal BPS:18 in 2014 and due to the hard work and capability of the appellant this ignored station become a bright institution as stood 7th in whole district of Mardan in 2016 and the principal and

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staff received cash prizes from chief minister being the best performance school in KPK, the high ups were happy and appreciating.

5. That the appellant was selected by the worthy Director of S/L department as DEO (F) Karak to work as additional charge of DEO while the appellant was working as principal BPS:19 at GGHSS Kalu Khan Swabi. *LA August 2017.*
6. That the appellant was given the full fledged DEO (F) Karak Designation eventhough she was from teaching cadre because the high ups were satisfied with her efficiency and wanted to improve an ignored far flung District of Karak girls Schools education with the help of best lady officer, which was done by the appellant upto the satisfaction of high ups.
7. That the appellant was serving as DEO (F) Karak since September 2017 with zeal and zest and honestly which was not in favor of corrupt mafia and illegal political pressure that's why the conspiracy was started by the MPA (Local) and his close relation with C.M and the department been forced to remove all my record of leave and ACR(PER) and to start the illegal inquiries ending on termination but they finded no ground of allegation due to my clear service record.
8. That the appellant left no stone unturned to full fill her duties but illegal appointments and serving for political figures was not her cup of tea that's why she refused clearly to political Gods of Mardan, Karak and KPK due to which the conspiracy was started but they selected the period of my principal ship and the allegation was "my foreign travels which I made in 2012, 2013, 2014, 2016" to get the treatment of Breast cancer and my little daughter's health issues which was known to everyone in the department and nothing was hidden about the cancer treatment and foreign travels in 2012, 2013 etc, so the base of *molified* and one sided fact finding inquiry was done *hidden* in November 2017 silently with the involvement of Directorate officials and my leave record and ACR(PER) were disappeared from record.
9. That the appellant received the inquiry letter from worthy chief minster with the allegation: *foreign travel with prior approval* which was based on one sided fact finding inquiry made by *department* hiddenly without involving/informing the appellant which is against the service rules and part of conspiracy.
10. That the appellant appeared before the inquiry committee *commissioner officer* kohat in December 2017, and secondly in January 2018, along available record and submitted the statement as well.

ATTESTED

- 11. That the inquiry report was in my favor and the minor point was travelled by the commissioner Kohat Mir Mutahir Zeb but this report was kept hidden by the enemies of appellant and later they forced the lady officer department to add the additional notes after the passage of tow month with mayor penalty suggestions.
- 12. That the appellant received disgracing behavior from department after that during the month of March to date during this year when an illegal order issued on 20-03-2018 to remove the appellant from DEO (F) Karak in urgency and the charge was taken by the DEO (M) karak Mr Taus Khan without proper handover takeover and started signing heavy financial matters straight after taking over charge of DEO (F) karak himself with the interest of Political figures and corruption mafia involved in money matters related to the seat of DEO (F) Karak for financial year 2017-2018.
- 13. That the appellant was disgraced by harassment acts of DEO (M) Karak on 31-03-2018 and the main gate of office was locked and threat by the male staff of DEO office and matter was reported to police by the appellant to save her life and honor and the appellant was saved by police on the spot but later the political pressure and corrupt mafia stopped the DPO from lodging FIR against the DEO (M) Karak.
- 14. That the appellant wrote to the chief secretary about the illegal removal also about the incident of harassment date 31-03-2018 but not received any answer or relief from C.M, C.S or department which was a huge injustice on the part of Govt of KPK.
- 15. That the appellant's salary was blocked in the months of April and May 2018 and despite of various applications the salary was not released to date.
- 16. That the appellant received a show case notice (initial) in May 2018 and replied to the department with in time with the request of personal hearing but the appellant was not provided the opportunity of self defence by giving the chance of personal hearing at all and everything was finalized at C.M office and department one sided and allegedly without involving the appellant.
- 17. That the appellant was waiting for personal hearing when was posted as principal at GGHS Karnal Sher Killi Swabi, where I took over charge on 01-06-2018 and worked smoothly efficiently when I saw an impugned notification shared at a whatsApp group of department just recently but I was suffering with the trauma and tragedy of my only brothers murder so I did not went to department and received the impugned notification but the department did not full filled its responsibility to serve the notification to the appellant without serving the final

ATTESTED

Handwritten signature and scribbles

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show cause notice to avoid the appellant to defend herself which shows the ~~malicious~~ intentions of department and their partners.

18. That the appellant wrote to the chief Secretary and high ups for all matters and ask for help but the silence of department and Govt of KPK discouraged the appellant as the appellant did not received a single response from high ups while the teasing and annoying facts were applied on appellant as the time of issuance of this impugned notification is again under question to stop appellant form ~~defense~~ in time as the appellant was actively involved in a fight of justice for her innocent brother murder and she appellant was mentally upset under trauma and preoccupied with grief and court matters and was not able to defend herself in a proper way and sufficiently and not serving the final shows cause notice and the said impugned notification to the appellant was another a drawback and showing the inefficiency of officials and urgency shows the ~~malicious~~ in the part of department by working the name of school GGHS Sher Khan Kelli instead of GGHS Karnel Sher Kelli which is another fact or inefficiency of officials involved in the issuance of impugned order and notification.

19. That the appellant had a sound record and best character reputation among colleagues and served the department efficiently, honestly that's why the appellant received the department promotion from BPS:17 to BPS:18 in 2014 and further more in 2017 from BPS:18 to PBS:19, its proving the best and good conduct of the appellant service record and ~~history~~ and satisfaction of high ups.

20. That the appellant tried her best to get the record from directorate but it seems that all relevant record of appellant has been misplaced and removed from directorate with the ~~malicious~~ intentions of high ups which is the resalt of political interference, I can try to provide all relevant record available with appellant but due to health reasons and breast cancer ~~history~~ and treatment period the leave and passport matters were looked after by my family due to my serious illness so the appellant is not directly liable on human rights grounds as the life struggle and fight for life is much important then waiting for leave/approval/NOC/etc which is a cruality on the part of department to ask a female honest efficient officer that why she saved her life by getting treatment from foreign on the expenses of family when she is serving efficiently in 2017 and department is going back to ask about the period of 2012 to 2016 it is such a joke and ~~malicious~~ on the part of department and previous and present govt of KPK.

5/1/20
[Signature]

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Dear Sir,

In the light of above, it is therefore humbly requested that by acceptance of this the appellant may kindly be re-instated into service with all back date benefits and honours.

Your's Sincerely

Nargis Janjal
3/10/18

Appellant: Nargis Janjal

Ex-DEO(F) Karak.

Ex-Principal GGHS Kernal Sher Killi, Swabi.

Home Address: H/No:22, Sector A, Sheikh Maltoon Town, Mardan.

Mobile: 0334-9808025

date: 03.10.2018 (intime)

Incl: Page 1 to 10

CC. to all relevant for help and info Please.

Prof
8/12/18

ATTACHED




GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

No. SO(S/F)E&SED/4-17/2017/Mst. Nargis Jamal/DEO(F)/Karak
Dated Peshawar the February 26th, 2019

Mst. Nargis Jamal,
Ex-District Education Officer (Female) Karak,
Ex-Principal GGHS Kernal Sher Killi, Swabi,
Now compulsory retired from service.

Subject: DEPARTMENTAL APPEAL AGAINST THE ORDER/ NOTIFICATION NO. SO(S/F)E&SED/4-17/MST. NARGIS JAMAL/DEO(F)/KARAK DATED 06/09/2018, WHEREBY THE APPELLANT WAS COMPULSORY RETIRED FROM SERVICE

I am directed to refer to your appeal dated 03-10-2018 on the subject noted above and to state that your appeal for re-instatement into service and back benefits, has been regretted by the Competent Authority (Chief Minister Khyber Pakhtunkhwa) having no solid grounds.



(SHABIR KHAN)
SECTION OFFICER (S/F)

Endst: of even No. & Date:

Copy forwarded to the:

1. Director E&SE Khyber Pakhtunkhwa, Peshawar.
2. PS to Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar.
3. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
4. PS to Secretary, E&SE Department.
5. PA to Additional Secretary (Estab:) E&SE Department.
6. PA to Deputy Secretary (Admn) E&SE Department.

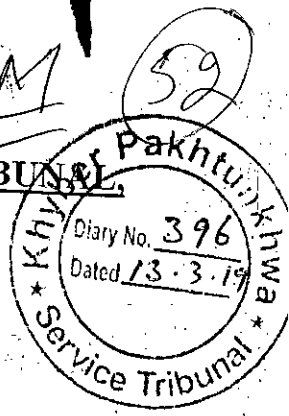

SECTION OFFICER (S/F)

Received on 12/3/19

12/07/09
14/26/02/19 D. H. J.

ATTESTED

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal _____ /2019



Nargas Jamal

VS

Govt: of KPK etc.

Subject: - APPLICATION FOR PERMISSION TO ALLOW THE APPELLANT TO AMEND THE INSTANT APPEAL BY IMPUGNING THE REJECTION ORDER DATED 26.02.2019 RECEIVED ON 12.03.2019

up to the court with
relevant appeal.

Respected Shewith:-

13/3/19

1. That the appellant has filed the instant appeal against the order dated 06.09.2018 whereby the appellant compulsory retirement from service and against the not taking action on the review petition within the statutory period 90 days.
2. That the instant appeal has fixed on 08.04.2019 for preliminary hearing.
3. That the respondents rejected the review petition of the appellant on 26.02.2019 which was received by the appellant on 12.03.2019 which is also liable to be impugned. Copy of order dated 26.02.2019 is attached as Annexure-A.
4. That the appellant has also wants to challenge the order dated 26.02.2019 by amending the instant appeal.
5. It will be in the interest of justice to allow the appellant to challenge the rejection order dated 26.02.2019.

It is therefore most humbly prayed that on acceptance of this application that the appellant may be allowed to challenge the rejection order dated 26.02.2019 by amending the instant appeal.

APPELLANT
Nargas Jamal

Through

(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT

&

TAIMUR ALI KHAN
Advocate High Court

Allowed.

18/3/19

Stamp and signature of the court/authority.

AFFIDAVIT

It is affirmed and declared that the contents of Application are true and correct to the best of my knowledge and belief

[Signature]

DEPONENT

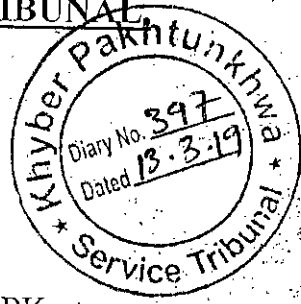


ATTESTED

[Signature]

N 59

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.



Service Appeal _____ /2019

Nargas Jamal

VS

Govt: of KPK etc.

Put up to the court with
relevant appeal.

Subject: - APPLICATION FOR FIXING ANY EARLY DATE OF
HEARING IN THE INSTANT APPEAL INSTEAD OF
08.04.2019.

13/3/19

Respected Shewith:-

1. That the appellant has filed the instant appeal against the order dated 06.09.2018 whereby the appellant compulsory retirement from service and against the not taking action on the review petition within the statutory period 90 days.
2. That the instant appeal has fixed on 08.04.2019 for preliminary hearing.
3. That the respondents rejected the review petition of the appellant on 26.02.2019, which was received by the appellant on 12.03.2019 and the appellant has also wants to challenge the order dated 26.02.2019 by amending the instant appeal.
4. It will be in the interest of justice to fix the instant appeal on any early date instead of 08.04.2019 so that the appellant may be able to challenge the rejection order dated 26.02.2019 by amending the instant appeal.

It is therefore most humbly prayed that on acceptance of this application any date may kindly be fixed instead of 08.04.2019 to meet the ends of justice.

APPELLANT

Through

Asif Yousafzai
(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT

~~ATTACHED~~

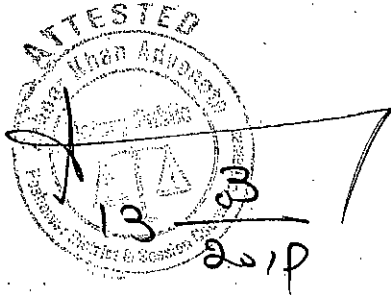
Taimur Ali Khan
& *Taimur Ali Khan*
Advocate High Court

AFFIDAVIT

It is affirmed and declared that the contents of Application are true and correct to the best of my knowledge and belief.

[Signature]

DEPONENT




ATTESTED

The appeal of Mst. Nargis Jamal Ex-DEO Karak received today i.e. on 29.01.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Annexures of the appeal may be attested.
- 3- Annexures of the appeal may be flagged.
- 4- Copy of show cause notice and reply to charge sheet mentioned in the memo of appeal are not attached with the appeal which may be placed on it.
- 5- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 6- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 186 /S.T,

Dt. 31-1- /2019.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Asif Yousafzai Adv.

Respected

1- Removed


2- Removed

3- Removed

*4- Copy of Show cause is attached as Anot page-41 and
reply to charge sheet is attached at page-22.*

5- Removed

6- Removed

*Resubmitted after
compliance*


BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 332/2019

Nargis Jamal

V/S

Education Deptt:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of Appeal	-----	01-04
2.	Copy of relevant documents	A	05-13
3.	Copies of MPAs letter and orders of high ups	B&C	14-19
4.	Copies of charge sheet, statement of allegations and reply to charge sheet	D,E&F	20-35
5.	Copy of inquiry report	G	36-40
6.	Copies of show cause notice and reply to show cause notice	H&I	41-42
7.	Copies of order dated 06.09.2018 and review petition	J&K	43-44
8.	Vakalat Nama	-----	50

APPELLANT

THROUGH:

M. Asif Yousafzai

M.ASIF YOUSAFZAI
ADVOCATE SUPREME COURT

Taimur Ali Khan
(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT,
&

(ASAD MAHMOOD)
ADVOCATE HIGH COURT

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 332/2019

Khyber Pakhtukhwa
Service Tribunal

Diary No. 131

Nargis jamal, Ex-DEO (Female), Karak.

Dated 29-1-2019

(APPELLANT)

VERSUS

1. The Govt: of KPK, through Chief Secretary KPK, Peshawar.
2. The Chief Secretary Khyber Pakhtunkhwa, Peshawar.
3. The Secretary (E&SE) Khyber Pakhtunkhwa, Peshawar.
4. The Director (E&SE) Khyber Pakhtunkhwa, Peshawar.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 06.09.2018, WHEREBY THE APPELLANT WAS COMPULSORY RETIRED FROM SERVICE AND AGAINST NOT TAKING ACTION ON THE REVIEW PETITION OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

Filed to-day

Registrar

29/1/19

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 06.09.2018 MAY BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO, BE AWARDED IN FAVOUR OF APPELLANT.

Re-submitted to-day
and filed.

Registrar
25/3/19

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant initially joined the education department as drawing mistress in the year 1992 and after qualifying the Provincial Public Service Commission in the year 2002 she was appointed as Headmistress BPs-17 and thereafter posted as assistant director planning officer and since from appointment the appellant performed her duty with great devotion and honesty whatsoever assigned to her.
2. That due excellent performance, the appellant was promoted to BPS-18 in the year 2014 and has received cash price and best performance award of the year 2015-2016. The appellant was promoted to BPS-19 and posted as DEO (Female) Karak in September 2017.
3. That the appellant has gone abroad for several times for participating in short term training programme and acquiring higher education and this respect proper NOC has given by the department and leave was also sanctioned by the department in different intervals. **(Copy of relevant documents are attached as Annexure-A)**
4. That as the appellant did not obey the illegal orders of the MPAs and high ups for wrong doing and illegal appointments which are evident from some letter of the MPAs and orders of the high ups, therefore the appellant was relieved from the post DEO (F) karaka and placed at the disposal of Directorate of Elementary & Secondary Education KPK and the charge of the DEO (Female) was assigned to DEO (Male) vide order dated 20.03.2018 and was further posted against the vacant as Principal GGHS Col: Sher Khan Kally Swabi vide order dated 02.04.2018. **(Copies of MPAs letter and orders of high ups are attached as Annexure-B&C)**
5. That as the appellant did not obey the illegal order of MPAs and high ups, therefore problems were created for her, a charge sheet of baseless allegation was served to the appellant in which the following charge was level against the appellant that,

1. You travelled abroad several times without proper approval of the competent authority (permission/leave).

The appellant submitted detail reply to the charge sheet denied the allegation of travelling abroad without proper approval of competent authority and gave detail about the facts of the situation. **(Copies of charge sheet, statement of allegations and reply to charge sheet are attached as annexure-D,E&F)**

6. That inquiry was conducted against the appellant in the above mentioned allegation and the inquiry committee gave its recommendation that keeping in view the regrettable health condition of her daughter and herself lenient view may be taken and minor penalty may be imposed upon the appellant. **(Copy of inquiry report is attached as Annexure-G)**
7. That show cause notice was issued to the appellant which was duly replied by the appellant in which he again denied the allegation. **(Copies of show cause notice and reply to show cause notice are attached as Annexure-H&I)**
8. That without observing, recommendation of the inquiry committee, major punishment of compulsory retirement was imposed upon the appellant vide order dated 06.09.2018 against which she filed review petition on 03.10.2018 which was not responded within the statutory period of ninety days. **(Copies of order dated 06.09.2018 and review petition are attached as annexure-J&K).**
9. That now the appellant has no other remedy except to file this service appeal in this august Service Tribunal on the following grounds amongst others.

GROUNDS:

- A) That the impugned order dated 06.09.2018 and not taking action on the review petition are against the law, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B) That the inquiry committee recommended for minor punishment but major punishment of compulsory retirement was imposed upon the appellant without giving any reason for dis-agreeing with the recommendation of inquiry committee by the authority, which is violation of law and rules.
- C) That the appellant has properly applied for leave in different intervals to go abroad for treatment of herself and her daughter and was leave was also sanctioned by the competent authority, but despite that the appellant was punished for the reason that you go abroad without proper approval which is against the facts and material on record.

- D) That the appellant informed his high ups well time about going abroad and also applied for leave for going aboard but despite that the appellant was punished on that allegation which means that the appellant was punished fro no fault on her part.
- E) That the appellant has good ACR through out and also promoted on the basis of that ACR and no hurdle was created in her promotion which means that the high ups was well known about his performance but later he was punished for baseless allegations.
- F) That the main reason for the punishment is that the appellant did not obey the illegal order of MPAs and her high ups and they dig out the fabricated story of base less allegation of going abroad to penalize her for not obeying their illegal orders.
- G) That the penalty of compulsory retirement from service is very harsh which is passed in violation of law and, therefore, the same is not sustainable in the eyes of law.
- H) That the appellant has been condemned unheard and has not been treated according to law and rules.
- I) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.


APPELLANT

NARGIS JAMAL

THROUGH:


M.ASIF YOUSAFZAI

ADVOCATE SUPREME COURT


(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT,

&

(ASAD MAHMOOD)

ADVOCATE HIGH COURT



NOC CELL

A (5)
GOVERNMENT OF PAKISTAN
MINISTRY OF EDUCATION

No.F.3-16/2003-IC(NOC)

Islamabad, March 09, 2004.

Subject:- NOC IN FAVOUR OF MS. NARGIS JAMAL DURRANI,
STATISTICAL OFFICER, SCHOOLS & LITERACY
DEPARTMENT, GOVERNMENT OF NWFP, PESHAWAR.

The Government of Pakistan, Ministry of Education, Islamabad has no objection to the proceeding abroad of Ms. Nargis Jamal Durrani, Statistical Officer, Schools and Literacy Department, Government of NWP, Peshawar to participate in the Short Term Training Programme to be held during March-April 2004 at France.

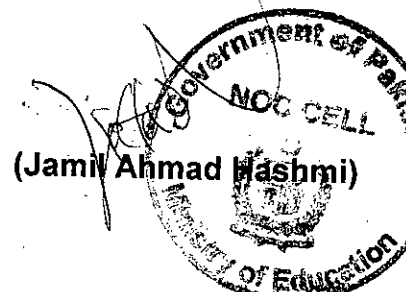
2. All expenses in this regard will be borne by the organizers. There is no financial liability on the part of Ministry of Education, Islamabad.
3. The issuance of this NOC is subject to clearance from Ministry of Foreign Affairs, Islamabad.
4. This issues with the approval of competent authority.

(Jamil Ahmad Hashmi)
Assistant Educational Adviser.

Ms.Nargis Jamal Durrani,
Statistical Officer,
Schools and Literacy Department,
Government of NWFP,
Peshawar.

Copy to:-

The Assistant Director, Immigration & Passport Airport,
Islamabad/Lahore/Karachi, Quetta.



6

GOVERNMENT OF NWFP
SCHOOLS & LIT. DEPTT.

No. SO (B & A) 4-3/Study Leave /04
Dated Peshawar, the 20.9.2004.

SANCTION.


Sanction of the Government of N.W.F.P. is hereby accorded to the Grant of study leave on half pay for (654 days) with effect from 20.9.2004 to 6.7.2006 in respect of Mst. Nargis Jamal Durrani Statistical Officer (BPS-17) Schools & Literacy Department for the Degree of EdD Education in the University of Hull (UK) under the provision of FR-84 read with Appendix 9-IA, subject to the condition that internal/local arrangement will be made by the Administrative Department and no contract employee will be appointed during the entire absence of the applicant concerned.

"Certified that on expiry of leave she is likely to resume her duty at the same post and station"

SECRETARY TO GOVT. OF NWFP
SCHOOLS & LITERACY DEPARTMENT

Endst. No. SO(FR)FD/5-13/2001/Vol:I, Dated Peshawar, the 20.09.2004

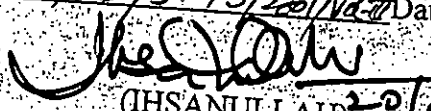
Copy of the above is forwarded to the District Accounts Officer Peshawar


(FAZLE RAHIM) 20/9/2004
SECTION OFFICER (FR)

Endst of even Number & Date.

Copy of the above is forwarded to :-

- 1) The Director Schools & Literacy N.W.F.P., Peshawar
- 2) The Section Officer(FR) Government of N.W.F.P. Finance Department with reference to his letter No. So (FR) / FD / 5 - 13 / 2001 / Nd - 7 Dated 20.9.2004


(IHSANULLAH) 20/9
SECTION OFFICER (B&A)

RECEIVED
20.9.2004

7



GOVERNMENT OF KHYBR PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the, January 26, 2011

NOTIFICATION

No.SOG/E&SE/1-31/2011. Sanction is hereby accorded to grant Earned Leave w.e.f. 01-02-2011 to 05-02-2012 (370 days) in favour of Ms. Nargis Jamal, Headmistress/ Planning Officer (BS-17) E&SE Department with the following break up:-

1. W.e.f 01-2-2011 to 31-5-2011 (120 days) on full pay.
2. W.e.f 01-06-2011 to 05-02-2012 (250 days) on half pay.
2. District Accounts Officer Peshawar has certified that leave applied for is admissible to the Officer concerned under the Revised Leave Rules, 1981.
3. The Officer concerned is likely to return to the same post or another equivalent post on expiry of leave.

Secretary to Govt. of Khyber Pakhtunkhwa
Elementary & Secondary Education Department

Endst: Even No. & Date.

Copy forwarded to:-

1. The Directress Elementary & Secondary Education, Peshawar.
2. The District Accounts Officer, Peshawar.
3. The Section Officer (Accounts) E&SE Department.
4. C.P.O E&SE Department.
5. Ms. Nargis Jamal, Planning Officer E&SE Department.
6. P.S to Secretary E&SE Department.
7. Section Officer (S/F) E&SE Department.

TESTED

(FARID AHMAD KHATTAK)
SECTION OFFICER (GENERAL)

8

GOVERNMENT OF N.W.F.P
SCHOOLS & LITERACY DEPARTMENT

NOTIFICATION.

NO. SOG/S&LD/ . The Government of NWFP in the Schools & Literacy Department has no objection to the proceeding abroad of Mrs. Nargis Jamal Durrani, Statistical Officer, Schools & Literacy Department to U.K. for study in the University of Hull for the course "Education Doctorate" at her own expenses.

On expiry of her study period, the official will report to her parent Dept: i.e. Directorate of Schools & Literacy, NWFP.

(Sher Zada Khan)
Secretary to Govt: of NWFP,
Schools & Literacy Department.

Endst: No. SOG/S&LD/

dated 4.8.2004.

A copy is forwarded to :-

S/c

- 1. The Accountant General, NWFP, Peshawar.
- 2. The Secretary to Govt: of NWFP, Establishment Dept:
- 3. The Secretary to Govt: of NWFP, Finance Department.
- 4. The Director of Schools & Literacy, NWFP.
- 5. The P.S. to Secretary, Schools & Literacy Dept:
- 6. The P.As to Additional Secretary/Deputy Secretary, S&L Dept:
- 7. Applicant.

Adm
5/8/04

Imd
5/8/04

N. N. Khan
(Nek Nawaz Khan)
Section Officer (General)

h

TESTED

9

GOVERNMENT OF NWFP
SCHOOLS & LIT: DEPTT:

No. SO (B & A)4-3/Study Leave /04
Dated Peshawar, the 20.9.2004.

SANCTION.

Sanction of the Government of N.W.F.P, is hereby accorded to the Grant of study leave on half pay for(654 days) with effect from 20.9.2004 to 6.7.2006 in respect of Mst:Nargis Jamal Durrani Statistical Officer (BPS-17) Schools & Literacy Department for the Degree of EdD Education in the University of Hull (UK) under the provision of FR-84 read with Appendix 9-IA, subject to the condition that internal/local arrangement will be made by the Administrative Department and no contract employee will be appointed during the entire absence of the applicant concerned.

"Certified that on expiry of leave she is likely to resume her duty at the same post and station"

SECRETARY TO GOVT. OF NWFP
SCHOOLS & LITERACY DEPARTMENT.

Endst. No. SO(FR)FD/5-13/2001/Vol:I, Dated Peshawar, the 20.09.2004.


Copy of the above is forwarded to the District Accounts Officer Peshawar


(FAZLE RAHEEM) 20/9/2004
SECTION OFFICER (FR)

Endst of even Number & Date.

Copy of the above is forwarded to :-

- 1) The Director Schools & Literacy N.W.F.P., Peshawar.
- 2) The Section Officer(FR) Government of N.W.F.P., Finance Department with reference to his letter No. So (FR) /FD /5-13/2001/Vol:II Dated 20.9.2004.


(IHSANULLAH) 20/9
SECTION OFFICER(B&A)

(10)

GOVERNMENT OF N.W.F.P.
SCHOOLS & LITERACY DEPARTMENT

NOTIFICATION.

No. CPO/S&L/SO/1-1/Study Leave. Consequent upon the grant of 654 days study leave on half pay Vide Finance Department Sanction issued vide No. SO(B&A)4-3/Study Leave/04, dated 20.9.2004, the Competent authority in the Schools & Literacy Department has been pleased to relieve Mrs. Nargis Jamal, Statistical Officer from duty w.e.f. 20.9.2004.


Secretary to Government of NWFP,
Schools & Literacy Department.

Endst.No.

Dated 20.9.2004.

A copy is forwarded to :-

1. The A.G. NWFP, Peshawar.
2. The Director, Schools & Literacy, NWFP,
3. The Chief Planning Officer, S&L Dept:
4. P.S. to Secretary, S&L Dept:
5. P.As to Additional Secretary/Deputy Secretary, S&L Dept:


(Nek Nawaz Khan)
Section Officer (General)



135

11

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the, August 19, 2011

NOTIFICATION

NO. SO(57)/E&SE/4-16/2011/Nargis Jamal: The Competent Authority is pleased to cancel the remaining portion of 175 days earned leave granted to Ms. Nargis Jamal Headmistress/Planning Officer (BS-17) E&SE Department with immediate effect.

2. Consequent upon the above Ms. Nargis Jamal is posted as Headmistress (BS-17) GCHS Babozai Mardan against the vacant post in relaxation of ban and in the public interest with immediate effect.

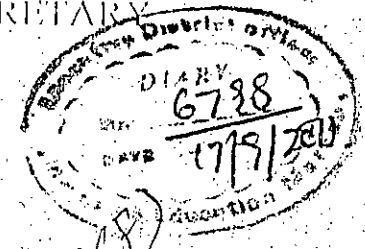
3. No TADA is allowed.

End of even No. & Date

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar
2. Director E&SE Khyber Pakhtunkhwa Peshawar
3. Executive District Officer E&SE concerned.
4. District Accounts Officer concerned.
5. Incharge EMISE E&SE Department
6. PS to Secretary Elementary and Secondary Education Department
7. Ms. Nargis Jamal, 11 A Pendinstone Road London, E17 9BH. She is directed to report to the EDO E&SE concerned within 15 days of the receipt of this letter.
8. Office order file.

SECRETARY



D.O. 16/9

(AMIR HASSAN KHAN)
SECTION OFFICER (S/O)

OFFICE OF THE DIRECTOR (E&SE) KHYBER PAKHTUNKHWA PESHAWAR

ENDET: No. 414-17 / 4-12 / Nargis Jamal / 14/8 / 2011

Copy to the:-

1. Section officer (Female) Govt: of Khyber Pakhtunkhwa E&SE Deptt: w/r to his letter cited above.
2. BHO (E&SE) Mardan for info & Liaison purpose.
3. Mst: Nargis Jamal 11 A Pendinstone Road London, E17 9 BH. for compliance of order of the Secretary to Govt: of Khyber Pakhtunkhwa E&SE Department.
4. PA to Directress (Local office).

Deputy Directress (Est. Establishment)
Directorate of Elementary & Secy: Edu:
Khyber Pakhtunkhwa Peshawar.

GOVERNMENT OF N.W.F.P.
SCHOOLS & LITERACY DEPARTMENT

NOTIFICATION.

No. CPO/S&L/SO/1-1/sty ^aleave Consequent upon the grant of 654 days study ^aleave on half pay Vide Finance Department Sanction issued vide No. SO(B&A)4-3/Study Leave/04, dated 20.9.2004, the Competent authority in the Schools & Literacy Department has been pleased to relieve Mrs. Nargis Jamal, Statistical Officer from duty w.e.f. 20.9.2004.

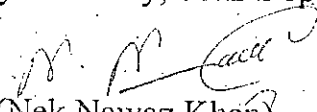
Secretary to Government of NWFP,
Schools & Literacy Department.

Endst.No.

Dated 20.9.2004.

A copy is forwarded to :-

1. The A.G. NWFP, Peshawar.
2. The Director, Schools & Literacy, NWFP,
3. The Chief Planning Officer, S&L Dept:
4. P.S. to Secretary, S&L Dept:
5. P.As to Additional Secretary/Deputy Secretary, S&L Dept:


(Nek Nawaz Khan)
Section Officer (General)

ATTESTED


Regd

(13)

GOVERNMENT OF N.W.F.P
SCHOOLS & LITERACY DEPARTMENT

DATED PESHAWAR THE 28.11. 2006.

NOTIFICATION

No. A.O/7-26/Study Leave/05/KC. Sanction of the Competent Authority is hereby accorded to grant of extension in Ex-Pakistan Leave from 7.7.2006 to 6.7.2008 (730 days) without pay in respect of Mst. Nargis Jamal Durrani Statistical Officer S&L Deptt. as admissible under the Revised Leave Rule, 1981.

2, This Department has no objection to her proceeding abroad.

Secretary to Govt. of NWFP
Schools & Literacy Department.

Endst: Even No. & date

Copy to:

1. The Accountant General, NWFP, Peshawar
2. The Chief Planning Officer S&L Deptt.
- ✓ 3. Mst. Nargis Jamal Durrani Statistical Officer 57 Exmouth Street, HULL HU5 2ED, UK
4. Section Officer(G) S&L Department.

M. M. Coramille
ASSISTANT ACCOUNT OFFICER.

ATTACHED



Malik Qasim Khan Khattak

Suppl (E)

ADVISOR

14 B

CHIEF MINISTER OF PUNJAB
KEYBER PAKHTUNKHWA

Forwarded to
Name of

DEO

DEO (Jewels)

Work

It is submitted that Mr. Asif
Iqbal No Mir Dad R/o
Bangi Wala is recommended
to appoint in vacant Post
at SOE office.
Post of Driver at SOE
Jewels

Signature

RECEIVED

Signature

PAKISTAN TEHREEK-E-INSAF



GUL SAHIB KHAN KHATTAK

Member Provincial Assembly
Khyber Pakhtunkhwa, PK-40,
Chairman D.D.A.C, Distt Karak
Mob: 0312-3333003 / 0334-8339899

34 15

Date 4/1/18

Ref No _____

Miss Faimal Isagal D/O
Wagat Ali Khan R/O
Karak city may well
be considered for appointment
as (PST) teacher of
medical field
(100%)
Employment will
be high as per

[Signature]
Gul Sahib Khan Khattak
Chairman D.D.A.C
Distt Karak

To
The Director
Elementary and Secondary Education,
Peshawar Khyber Pakhtunkhwa.

Subject: Transfer from GGMS Shaheedan Banda Takht-e-Nasrati to GGHS Sorati Killa Karak
Against Vacant TT Post.

Respected Sir,

With Due Respect and humble submission, it is stated that I am currently working on TT post at Govt Girls Middle School Shaheedan Banada Takht-e-Nasrati District Karak since 2011, it is very difficult and many other issues to face, and the said school is so far away from home being a female.

Sir, the one TT post should be vacant due to transfer of Miss. Nadira TT from GGHS Sorati Killa Karak, to Govt Girls High School Ahmed Abad Karak.

It is very humble request to your kind Authority to transfer me from GGMS Shaheedan Banda to GGHS Sorati Killa Karak against vacant post.

I will be very thankful to you for this kind act.

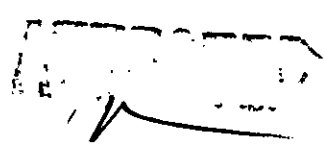
Your sincere

Haseena
Haseena Khatoon
D.O Musam Badshah
TT GGMS Shaheedan Banda
Takht-e-Nasrati Distract Karak

Dated: 20th Dec 2017

DEAD
Please transfer
against vacant
post.
3/11/17
20/12/17

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar



بخدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر صاحبہ (زنانہ) صاحبہ

25
17

عنوان - درخواست براد تعیناتی تقرری PST

میدل کھل بورڈ سن کورس

جناب عالیہ!

گزارش ہے کہ فزوی نے سال 1987ء سے 1998ء تک 10 سال 6 ماہ تک تعلیم میں بحیثیت AT پوسٹ ڈیوٹی سرانجام دی ہے۔ دورانِ سروس فزوی کو پمپیشن مہارتی لاقی ہوئی اور فزوی نے 2 اپریل 1998ء کو حکایت میں کھل بورڈ تعیناتی پمپیشن رازد پمپیشن کیا۔ اب چونکہ مہارتی حکومت نے میں کھل بورڈ پمپیشن ہو سوال چون کہ حکایت تعلیم میں کوٹہ مختص کیا ہے۔ لہذا استدعا کیا ہے کہ مہارتی پمپیشن کوٹہ مختص کیا ہے۔ لہذا استدعا کیا ہے کہ فزوی کی بیٹی کو حکایت تعلیم میں بحیثیت PST تقرری فرما کر شکور و خاویں لوطی فزوی کے حملہ اعداات، میں کھل بورڈ پمپیشن، مہارتی پمپیشن، پمپیشن اور پمپیشن کے حملہ اسناد کے Alleged ٹوٹو مہارتی درخواست حیدر کے ساتھ ہے۔ حیدر فزوی کو PS 6 سے رخصت آبادیہ میں PS 12 کی حال پوسٹ تعیناتی پمپیشن اور پمپیشن

محسن گزارش ہوئی -

فقط آبادیہ میں 20/12/2016

Zainab Khatun

فزوی حافظ بیات علی خان - ڈسٹرکٹ بیات

03339717904
03459644196

DEOF, Kasode.
Please do the
needful as per
of the appointment, Promotion and
transfer rules 1989 after
fulfilling of all formalities
do documents of all formalities
15/10/2017
Elementary & Secondary Edu
Khyber Pakhtunkhwa P



(18)

DIRECTORATE OF ELEMENARY & SECONDARY
EDUCATION KHYBER PAKHTUNKHWA PESHAWAR

NOTIFICATION

Mst. Shagufta Yasmeen ADEO(Establishment) O/O the DEO(F) Karak, is hereby transferred in her own pay and BPS to ASDEO(F) Circle Sabir Abad District Karak, in the interest of public service against the vacant ASDEO(F) post.

Note:-

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


Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Endst.No. 5084-27 /A-17/Proposal of ADEO/ASDEO/F

Dated Peshawar the 27/11/2017

Copy of the above is forwarded to the:-

- 1- District Educ: Officer(F) Karak
- 2- District Accounts Officer, Karak
- 3- SDEO(F) concerned
- 4- ADEO(F) concerned
- 5- PA to Director (E&SE) Local Office.
- 6- M.file


Deputy Director Establishment(F)
(E&SE) Khyber Pakhtunkhwa,

*/Noor/*17*/

DF O B Karak
Immediately implement this order and relieve her.
15/12/17



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) KARAK.

Phone:0927-29117

Address: KDA KARAK Email:emiskarak@yahoo.com

CONSTITUTION OF INQUIRY:

Mst: Razia Bibi Principal GGHSS Chokara is hereby nominated as inquiry officer against the Ex-Headmistress Shamshad Begum GGMS Sarki Lawaghar to find out the embezzlement of fund and conditional grant.

Whether the proper procedure of PTC fund utilization procedure and chairman selection has been observed properly. This is the fact-finding inquiry followed by the audit.

The pension papers of the officer concerned Shamshad begum will be pending until the completion of inquiry and audit reports, so that the justice criteria may be satisfied in the best interest of public service.

*DDO Karak
Immediate
her pension
as per rules
12/11/17*

DISTRICT EDUCATION OFFICER (FEMALE)
KARAK.

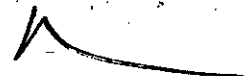
dt: 22/11/2017

Edst: No. 2638-40

Copy to the:

1. Deputy Commissioner Karak.
2. District Monitoring Officer Karak.
3. District Accounts officer Karak with the request that the officer concerned case may be keep pending until her clearance certificate issued by this office.
4. Mst: Razia Bibi Principal GGHSS Chokara with the direction to probe into the matter and submit findings and recommendations within a week time due to the sensitive issue as the pension for lying pending of the officer concerned.
5. Incharge HM Ex-Headmistress GGMS Sarki Lawaghar.

DISTRICT EDUCATION OFFICER (FEMALE)
KARAK.



CHARGE SHEET

20

1. Parveez Khattak, Chief Minister Khyber Pakhtunkhwa, as Competent Authority, hereby charge you Mst. Nargis Jamal (BS-19) Ex-Principal GGHS Pir Saddi Mardan now DEO (Female) Karak, as follows:

That you while posted as Principal GGHS Pir Saddi Mardan, committed the following irregularities:

- i. You travelled abroad several times without proper approval of the competent authority (permission/ leave).

By reasons of the above, you appear inefficient under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule-4 of the rules ibid.

You are, therefore, required to submit your written defense within seven days of receipt of this Charge Sheet to the Inquiry Officer/ Inquiry Committee, as the case may be.

Your written defense, if any, should reach the Inquiry Officer/ Inquiry Committee within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.

Intimate whether you desire to be heard in person.

A statement of allegations is enclosed.

Parveez Khattak
(Parveez Khattak)
Chief Minister
Khyber Pakhtunkhwa

12/12/2017

Mst. Nargis Jamal (BS-19),
Ex-Principal GGHS Pir Saddi Mardan,
Now DEO (Female) Karak



E (21)

**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

Dated Peshawar the December 14th, 2017

OFFICE ORDER

No. SO(S/F)E&SED/4-17/2017/Mst. Nargis Jamal/DEO(F)/Karak: The Competent Authority is pleased to constitute Inquiry Committee comprising of the following officers to conduct formal inquiry against Mst. Nargis Jamal, Ex-Principal GGHS Pir Saddi Mardan now DEO (F) Karak on account of allegations mentioned in the charge sheet/ statement of allegations:

- i. Mr. Mutahir Zeb (PCS-EG-BS-20),
Commissioner Kohat
- ii. Mst. Fareeda Begum,
Principal (BS-20) RITE (Female) Peshawar

2. The Inquiry Committee shall submit recommendations/ report to the Competent Authority within fifteen (15) days positively (Copies of charge sheet/ statement of allegations are enclosed).

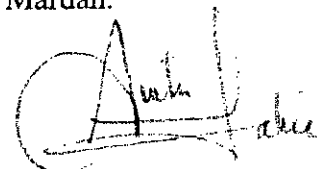
SECRETARY

Endst: of even No. & date:

Copy forwarded to the:

1. Director E&SE Khyber Pakhtunkhwa Peshawar (Copies of charge sheet/ statement of allegations are enclosed).
2. Mr. Mutahir Zeb (PCS-EG-BS-20) Commissioner Kohat (Copies of charge sheet/ statement of allegations are enclosed).
3. Mst. Fareeda Begum, Principal (BS-20) RITE (Female) Peshawar (Copies of charge sheet/ statement of allegations are enclosed).
4. Mst. Nargis Jamal, Ex-Principal GGHS Pir Saddi Mardan now DEO (F) Karak (Copies of charge sheet/ statement of allegations are enclosed).
5. District Education Officers (Female) Karak & Mardan.
6. PS to Secretary E&SE Department.
7. Master File.

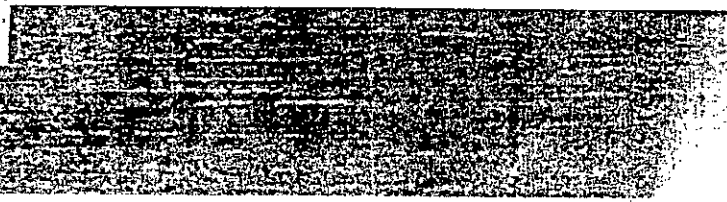
Encl: as above:


(ANEELA FAHIM)

SECTION OFFICER (SCHOOLS FEMALE)

11/12

[Faint stamp or signature]



Statement

1st reply

F

22

I am Nargis Jamal presently working as DEO female Karak, today appeared before the Inquiry Committee in the presence of DEO (f) Mardan and her clerical staff and department representative Shabnam D/director.

I showed them my original ACRs for last 6 years and my Medical treatment Record for last six years, also I produced the leave sanction and NOC from my department in original (the copies been kept by worthy committee and they returned my original Record to me).

It is very astonishing to mention that DEO (f) Mardan (Sameena Ghani) denied her signature on my ACR of 2015 and afterwards she stolen this original ACR very tactfully to hide the factua

Wahid Hussain Education Officer
Mardan

WITNESSED

presentation in front of committee. This incident of theft was happen in front of Mr Sajid Ahmad Secretary to Commissioner and the same ACR (original) was Recovered with his help which I need to return to Directorate. I have received this ACR from Directorate on sign only to show to the enquiry committee.

This Act of theft it self proved that DEO (J) Mardan (Sameena Ghani) is a ~~biased~~ ^{too much} ~~biased~~ ^{biased} and she was denying her signature but when she saw the original copy of ACR, she become upset and committed the theft with the help of her clerks.

Moreover, this DEO, never visited my school in my 3 years tenure. None of the DEO has paid visit to my school during last 6 years. This DEO

District Education Office
(F) Karak

[Signature]

RECEIVED

Madam Sameena Ghani and EX DEO Dilshad Begam signed my ACR and mentioned that

I am hardworking and competent and fit for promotion.

I mentioned to the committee that I traveled to UK with the permission of my department when I was working in Secretariat in 2004 and for the purpose of EDD (Doctorate in Education) and I took my family (my husband, my son, my two little daughter) with me and afterwards my little daughter was diagnosed with Prader Willi Syndrome (a mental condition) with the Global developmental delay condition and her treatment and study was started in UK. My elder children started study and I received degree over there.

Due to my little daughter health condition, I applied the extension for the study leave on EOL (without pay)

ATTACHED

(4)
being over there, but this period was sanctioned
in 2010 when I was EX-POST-FECTO attached
and I have joined the deptt on 1/1/2010 again

Later on I was informed that my little
daughter is going to be treated in my present
pay on EOL basis. I applied for one year leave with
sanctioned leave and I left again with the
NOC (attached) but

mean while, due to unknown reason, my leave
was cancelled after few months and I was
thrown back to the school (H/M) side.

I gave my arrival on 21/9/2011 and instead
of planning officer, I started my job as H/M
in Mardan (attached) as B-17.

I was promoted to BPS-18 on March 2014
and transferred to GHS Pirsaddi as a principal
B-18.

A took over the charge and on March
and on the same day the 1st MA DCM
visited the school and took me as
Principal of GHS Pirsaddi. on the basis

IMU Report and School SSC results
My School was declared at No 7 in
Mardan and one of the Best performing
School in 2016 and we were given
Cash prizes and the one Lakh rupees
were transferred to my account by
the DEO (Z) Mardan in Nov 2016 and 3.50
lakh to ^{lakh to} ~~Commission~~ ^{Teachers}

I was asked to give some Commission
from this money to the DEO office,
But I explained to them that I can give
you my money but from teacher money
I can not take out because it is gone
to their account directly by your office.

I paid 5 thousand to DEO office employees
and 50 thousand for the DEO Sameena
ghani through her Supdt M Gul Bahadar.

I don't know that later on why she
became unhappy with me and started
interference in my school by sending my
teachers for Board duties without my
permission. She made false proofs and given to
and she made media and damaged my
name on govt. extent -

Handwritten signature/initials

I will provide further Statment
in my next hearing.
only I ask that if I was not
fit for promotion why she wrote my
AER in Dec 2015.

The promotion was based on AERs till 2015.
She wanted to stop my promotion but
unfortunately 2016 AER was not sequenced
and I was promoted to B-19 and
got transferred to DEO (F) Karak.

Sameena Ghani became jealous and
started campaign through media and
facebook to ~~to~~ and also told to
Minister and C. R. , due to which
after six months I received this
inquiry and I have faced it but.

I have heard that my name
has been placed in Summary to transfer
to Kohistan. I am so upset.
I will write further facts in next
Thank you, Yours Sincerely
Nargis Jemal
2/1/18

State Education Office
Karak

State Education Office
Karak

بیان مکتبہ عنی دستر شریفی ڈی ای او (بی ای او) حران

بیان کیا کہ گورنمنٹ گریجویٹ اسکول پیر پورہ حران کی ایک ایسی ایس ٹی ٹیچر مس کوثر نے فون پر اطلاع دی کہ ہماری پرنسپل اکثر و بیشتر ملک سے باہر جاتی ہے اور اس کی غیبت موجودگی میں ایک پرائیویٹ لڑکی نادیہ بی بی اس کی جگہ معلمین کی اسٹیبلشمنٹ میں اس کی حاضری لگاتی ہے اور بیرون ملک سے فون پر ہمیں ہدایات دیتی رہتی ہیں۔

جس وقت پھر نے فون کیا تھا ان دنوں بھی مذکورہ پرنسپل حران میں موجود تھی لیکن بقول اس کے کہ وہ چند دنوں میں پھر باہر جانے والی ہیں۔ جس نے مورخہ 2017-01-01 کو ہمراہ اے ڈی ای او (بی ای او) سید اکرام اور اے ڈی ای او سکینڈری اسٹیبلشمنٹ نے پتہ شاہین کپڑا مقصداً سکول کا اجانک معائنہ کیا۔ مذکورہ پرنسپل سکول میں موجود نہیں تھی۔ اصل معلمین اسٹیبلشمنٹ کو اپنے تجویز میں لیا۔ تمام اسٹاف کو سامنے بٹھا کر معلمین کی رہنمائی میں ان کی حاضری چیک کی۔ تو ان میں نادیہ بی بی نام کی لڑکی بھی اس موقع پر موجود تھی۔ اور پوچھ گچھ کرنے پر معلوم ہوا کہ یہیں لڑکی کو پورہ پرنسپل کی جگہ سکول میں حاضری لگاتی ہے۔ لہذا میں نے اس لڑکی کے خلاف ایف آئی آر درج کرنے کے لیے ڈی ای او (بی ای او) حران کو خط لکھا، مزید یہ کہ میں نے ڈی ای او ایس ڈی ایو ایف آئی آر کو مذکورہ پرنسپل کے بیرون ملک آفریقا کی تفصیل جاننے کے لیے خط لکھا۔ (نقل لفظ)

میرے عرصہ عملد وقت حران میں صرف ایک بار مذکورہ پرنسپل نے Earned Leave کے لیے درخواست دی تھی جو مورخہ 2017-02-19 تا 2017-03-25 کو ڈائریکٹر میں کو بھیج دی تھی۔ اس دوران مجھے ڈی ای او ایس ڈی ایو ایف آئی آر سے مطلع ہوا۔ لہذا میں نے تمام ریکارڈ ڈائریکٹر صاحب کو بذریعہ چھٹی ارسال کی۔

2/1/2017
DISTRICT EDUCATION OFFICER
FEMALE