


FORM OF ORDER SHEET

Court of _____

Case No. - 184/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/1/2023	<p>The appeal of Ms. Parveen Akhtar re-submitted today by Mr. Muhammad Furqan Yousafzai Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Parcha Peshi is given to appellant/counsel.</p> <p>By the order of Chairman  REGISTRAR</p>

The appeal of Miss. Parveen Akhtar PST GGPS Islamia Collegiate Peshawar received today i.e. on 13.01.2023 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 is not signed by the appellant.
- 2- Annexures of the appeal may be attested.

No. 212 /S.T.

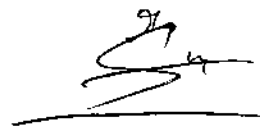
Dt. 18-01- /2023


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Furqan Yousafzai Adv.
High Court Pesh.

Six-

Re-submitted After Compliance


19-1-23

BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR

Appeal No. 184 /2023

Miss. Parveen Akhtar.....**Appellant**

V E R S U S

Secretary E & SE and others.....**Respondents**

I N D E X

S.No.	Description of Documents	Annex	Pages
1.	Memo of appeal	*	1-9
2.	Affidavit	*	10
3.	Application for injunction	*	11-12
4.	Copy of the statement of appellant	A	13-14
5.	Copy of impugned order dated 22/09/2022	B	15
6.	Copy of the notification	C	16
7.	Copy of departmental appeal	D	17-19
8.	Copy of inquiry report	E	20-23
9.	Copy of explanation and receiving receipts	F	24-25
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11.	Copies of medical documents	H	29-35
12.	Wakalatnama	*	36

Appellant

Through

Muhammad Furqan Yousafzai

Advocate, Supreme Court of
Pakistan

Cell# 0333-9266225

Date: 10/01/2023

BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR

Appeal No. 184 /2023

Miss. Parveen Akhtar, PST, Govt. Girls Primary School,
Islamia Collegiate, Peshawar

.....**Appellant**

V E R S U S

1. Secretary, Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar
2. Director, Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar
3. District Education Officer, (Female), Peshawar
4. Miss Tasleem, Head Mistress GGPS, Islamia
Collegiate, Peshawar University, Peshawar.

.....**Respondents**

APPEAL UNDER SECTION 4 OF KP
SERVICES TRIBUNAL ACT 1974
AGAINST THE IMPUGNED TRANSFER
ORDER DATED 22/09/2022 ISSUED
BY THE RESPONDENT NO.3 WHERE
BY THE APPELLANT HAS BEEN
ILLEGALLY TRANSFERRED FROM
GGPS, ISLAMIA COLLEGIATE,
PESHAWAR TO GGPS, HAYATABAD
NO.1, PESHAWAR WHICH IS AGAINST
THE POSTING TRANSFER POLICY
AND FURTHER MORE THE

RESPONDENTS HAD NOT DECIDED
THE DEPARTMENTAL APPEAL OF
THE APPELLANT WITHIN STATUTORY
PERIOD OF 90 DAYS AND INSTEAD
OF DECIDING DEPARTMENTAL
APPEAL, THE RESPONDENT NO.3
INITIATED INQUIRY AGAINST THE
APPELLANT AS WELL AS AGAINST
THE RESPONDENT NO.4 AND DURING
THE PROCEEDINGS OF THE INQUIRY
NO SHOW CAUSE NOTICE CHARGE
SHEET AND NO OPPORTUNITY OF
PERSONAL HEARING HAS BEEN
AFFORDED TO THE APPELLANT NOR
THE COPY OF THE INQUIRY REPORT
WAS PROVIDED TO THE APPELLANT

Prayer in Appeal:

On acceptance of this service appeal, the impugned transfer order dated 22/09/2022 issued by the respondent No.3 may kindly be set aside and the respondents be directed to decide the departmental appeal of the appellant strictly in accordance with law, rules and regulation.

Respectfully Sheweth:

1. That appellant having unblemished 40 years service as PST in the Education Department and

there is no complaint against her, the appellant is fully devoted with her duties.

2. That the appellant was performing her duties as PST at Govt. Girls Primary School Islamia Collegiate, Peshawar with full zeal and devotion.
3. That the appellant has raised her voice against the illegal activities of respondent No.4 due to her daughter (Assistant Commissioner) interference in the affairs of school and as well as against her illegal activities of forcefully shifting the students from morning shift to evening shift pressuring appellant to perform her duties till evening and also (during unofficial hours) against the abusive language of respondent No.4 upon which she was annoyed and filed a frivolous complaint against the appellant on the instance of respondent No.3.
4. That when pre-planned inquiry was started, the appellant filed her statement before the respondent No.3 (DEO Female, Peshawar) wherein she has stated that she have not trust upon the inquiry officer, because the inquiry officer is the colleague of respondent No.4 and requested that the respondent No.3 may kindly

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supervise or conduct the inquiry proceeding but respondent No.3 intentionally ignored request of the appellant thus pre-planned inquiry was conducted against appellant within a week time and the appellant has been transferred in light of inquiry report vide order dated 22/09/2022.

(Copy of the statement of appellant is attached as Annexure-A)

5. That the appellant has been malafidely transferred from GGPS, Islamia Collegiate, Peshawar to GGPS, Hayatabad No.1, Peshawar which is against the posting transfer policy vide impugned order dated 22/09/2022 by the DEO (Female), Peshawar. **(Copy of impugned order dated 22/09/2022 is attached as Annexure-B)**

6. That it is worthy to mention here that the appellant was transferred during the ban period imposed by the Govt. of KPK which is against the rules and shows malafide on part of DEO Female and Headmistress (Respondent No.3 and 4). **(Copy of the notification is attached as Annexure-C)**

7. That being aggrieved from the impugned transfer order dated 22/09/2022 of the respondent No.3 and acts & omissions, the appellant preferred

departmental appeal to the respondent No.2 on 27/09/2022. **(Copy of departmental appeal is attached as Annexure-D)**

8. That instead of deciding the departmental appeal, the respondents again initiated second inquiry against the appellant and as well as against the respondent No.4 and it is worthy to mention here that the respondents has not afforded an opportunity of personal hearing in departmental appeal and straightaway decided the inquiry proceedings.. It is pertinent to mention here that the inquiry report itself speaks about the aggressive and rude behavior of headmistress (respondent No.4) wherein no solid detail reason has been mentioned about the transfer of the appellant. **(Copy of inquiry report is attached as Annexure-E)**

9. That respondents has not decided the departmental appeal of appellant within statutory period of 90 days so feeling aggrieved from the acts of the respondents, having no other remedy, the appellant approach this Hon'ble Tribunal inter alia on the following grounds:

GROUND S:

- A. That the impugned transfer order dated 22/09/2022 issued by the respondent No.3 is not in accordance with law, facts, evidence on record, rules and principles of justice, and also the impugned order dated 22/09/2022 had been issued during the ban period, hence liable to be set aside.
- B. That with active connivance of respondent No.3 (DEO Female, Peshawar) with respondent No.4 (Head Mistress) the appellant has been transferred just to continue her illegal-activities and beside that the appellant belongs to a very good family, who father has donated property measuring 8 Kanal for GPS, Saray Nourang, District Lakki Marwat and 16 Kanal Land for GHS, Saray Nourang District Lakki Marwat and 80 Kanal land for Degree College Nar Maidad Khel, District Lakki Marwat.
- C. That the impugned order dated 22/09/2022 of the respondent No.3 has been issued just for pressurizing the appellant from discharging her lawful duties in future and at the face of the impugned order smell malafidely on part of respondent No. 3 and 4.

D. That the appellant has not relinquished her charged at GGPS, Islamia Collegiate School, Peshawar and the respondent No.4 is not giving her attendance register and not marking the attendance of appellant which also shows the malafide intention and her enmity towards appellants and the said matter has been brought time and again in to the knowledge of respondent No.2 but despite this, he failed intentionally to give direction to respondent No.3 to allow the appellant for performing her duties and marked the appellant absent continuously till date and despite this absente notice was issued to appellant and appellant also submitted explanation to absente notice. **(Copy of explanation and receiving receipts are attached as Annexure-F)**

E. That no show cause notice, no opportunity of personal hearing in the inquiry proceeding was afforded to the appellant, and the recommendation of second inquiry regarding transferring of respondent No.4 vide letter No. 5580, F No. 9/Vol-III/F/Appeal/Peshawar dated 02/11/2022 has not been implemented yet against the respondent No.4 by DEO Female, Peshawar (Respondent No.3) which shows active connivance of respondent No.3 with Headmistress (respondent No.4) and the

respondents were not providing the inquiry report to the appellant for which the appellant applied through RTI Act 2013 through Dairy No. 1249 dated 25/11/2022 and then again online complaint was filed through complaint No. 9879 dated 19/12/2022. **(Copy of complaint is attached as Annexure-G)**

- F. That the impugned transferred order was preplanned and was passed malafidely which is clear from the acts of respondents, because during the ban period, appellant was transferred and it is also well established principle of law that during the inquiry proceedings no one shall be transferred till the completion of inquiry proceedings.
- G. That any other grounds will be raised at the time of arguments with prior permission of this Hon'ble Tribunal.

It is, therefore, most humbly prayed that on acceptance of this service appeal, the impugned transfer order dated 22/09/2022 issued by the respondent No.3 may kindly be set aside and the respondents be directed to decide the departmental appeal of the appellant strictly in accordance with law, rules and regulation.

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OR

Any other relief may deemed fit in the circumstances of the law may also be granted in favour of the appellant against respondent.

Appellant

Through

Date: 13/01/2023

Muhammad Furqan Yousafzai
Advocate, Supreme Court of
Pakistan

BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR

Appeal No. _____/2023

Miss. Parveen Akhtar.....Appellant

V E R S U S

Secretary E & SE and others.....Respondents

APPLICATION FOR SUSPENSION OF THE
IMPUGNED TRANSFER ORDER DATED
22/09/2022 WITH DIRECTION TO
RESPONDENT NO.4 TO ALLOW
APPELLANT FOR ATTENDANCE AND ALSO
RESTRAINED THE RESPONDENTS FROM
TAKING ANY ADVERSE ACTION AGAINST
THE PETITIONER/APPELLANT, TILL THE
FINAL DECISION OF THE SERVICE
APPEAL.

Respectfully Sheweth:-

1. That the above noted service appeal is being filed before this Honourable Tribunal, in which no date of hearing has yet been fixed.
2. That the facts and grounds of the service appeal may kindly be read as an integral part of this application.

- 11
3. That the applicant has got a good prima facie case in her favour, and is sanguine about its success.
 4. That the balance of convenience also lies in favour of the applicant.
 5. That if the transfer order dated 22/09/2022 not suspended, than the applicant would suffer irreparable loss.

It is, therefore, respectfully prayed that on acceptance of this application, the impugned transfer order dated 22/09/2022 may kindly be suspended, till the final decision of the case.

Applicant

Through

Muhammad Furqan Yousafzai
Advocate, Supreme Court of
Pakistan

Date: 10/01/2023

AFFIDAVIT

I, **Miss. Parveen Akhtar**, PST, Govt. Girls Primary School, Islamia Collegiate, Peshawar, do hereby solemnly affirm and declare on oath that the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.


DEPONENT

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BEFORE THE COURT OF WORTHY CHAIRMAN
SERVICES TRIBUNAL, PESHAWAR

Appeal No. _____/2023

Miss. Parveen Akhtar.....**Appellant**

V E R S U S

Secretary E & SE and others.....**Respondents**

AFFIDAVIT

I, **Miss. Parveen Akhtar**, PST, Govt. Girls Primary School, Islamia Collegiate, Peshawar, do hereby solemnly affirm and declare on oath that the contents of accompanying **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.

Identified by:


D E P O N E N T

Muhammad Furqan Yousafzai
Advocate, Supreme Court of
Pakistan.



بیان ازالہ سماعت پروین اختر زوجہ جہانگزیب خان (مرحوم)
(پرائمری سکول ٹیچر، اسلامیہ کالجیٹ گورنمنٹ گرلز پرائمری سکول پشاور)

حلفاً بیان کرتی ہوں کہ بطور PST ٹیچر اسلامیہ کالجیٹ گورنمنٹ گرلز پرائمری سکول پشاور میں خدمات سرانجام دے رہی ہوں، حالفہ کا تمام تر تازہ ترین اور کسی بھی قسم کی شکایت کے بغیر 40 سالہ عرصے کا ریکارڈ ہے۔ حالفہ کا خاندان لکی مروت کے رہائندہ علاقہ سے تعلق رکھتا ہے اور من حالفہ کے والد کی نامزدی اللہ خان، مرحوم سمیت خاندان کے دیگر افراد سے ساری عمر محکمہ تعلیم اور شعبہ تعلیم کی خدمت میں آزادی ہے اور من حالفہ نے گورنمنٹ پرائمری سکول پشاور اورنگ ضلع لکی مروت سے قیام پیلے اپنی ذاتی اراضی تعدادی 8 کنال منہ تک تعلیم کو فراہم کی تھی اور اس طرح گورنمنٹ ہائی سکول پشاور اورنگ کے قیام پیلے 16 کنال اراضی بغیر کسی لاچ کے مہیا کی تھی، گورنمنٹ گرلز ڈگری کالج پشاور اورنگ (نار سردار میڈیکل) کے قیام پیلے 80 کنال اراضی بغیر کسی معاوضہ اور شرائط کے فراہم کی گئی تھی اور یہ تمام تر ریکارڈ محکمہ تعلیم اور دیگر متعلقہ اداروں سے حاصل کر کے اس کی تصدیق کی جاتی ہے، چونکہ من حالفہ ایک شریف اور پیرا من خاندان سے تعلق رکھتی ہیں اور اسلامیہ کالجیٹ گورنمنٹ گرلز پرائمری سکول میں جب سے مہتمم تسلیم بطور ہیڈ مسٹریس تعینات ہوئی ہیں ادارے کا ماحول خراب ہو چکا ہے، مہتمم اساتذہ ان کے رویہ کی وجہ سے نالاں ہیں، مہتمم تسلیم نے بدزبانی اور نازیبا الفاظ کے استعمال کی وجہ سے ان کے خلاف آئے روز شکایات کا انبار لگا رہتا ہے، ہیڈ مسٹریس مہتمم تسلیم کی بیٹی بطور ایڈمنٹریل اسٹنٹ کمنشنر تعینات اپنے محافظوں کو سکول بھجوا کر اساتذہ پر دباؤ ڈالتی ہے اساتذہ کے ساتھ ساتھ سکول کی طالبات کو بھی ہراساں کیا جاتا ہے، جس کی وجہ سے بہت سے طالبات نے سکول ہی چھوڑ دیا، ہیڈ مسٹریس کیخلاف طالبات کے والدین نے بھی کئی بار شکایات کیں لیکن متعلقہ حکام کو پہنچنے کی بجائے کمپلیٹ کو چھپایا گیا، اس کے علاوہ پہلی شفٹ (Morning) کے بچوں کو سیکنڈ شفٹ (Evening) میں بٹھانے پر بھی مجبور کرتی ہے اور رات گئے تک سکول میں موجود رہتی ہے، سکول ہذا کے ایک سابق چوکیدار کو جب ہیڈ مسٹریس کی ہمت کا علم ہوا تو ایڈمنٹریس تسلیم نے اس کا تباہ کر دیا، من حالفہ اور مہتمم تسلیم کے مابین تنازعہ تب شروع ہوا جب من حالفہ نے مہتمم تسلیم کے رویہ اور غیر قانونی کاموں کیخلاف آواز اٹھانا شروع کی جس پر من حالفہ کو ٹرانسفر کرنے کی دھمکی دیکر چپ کرانے کی کوشش بھی کی گئی، اس کے علاوہ من حالفہ پر ہاتھ پائی اور ہاتھ اٹھانے کا الزام بھی ڈالیا گیا، من حالفہ کے مرحوم شوہر کیخلاف نازیبا الفاظ کا استعمال کرتی ہے، اس کے علاوہ دیگر اساتذہ تباہی کے خوف سے اپنی

سے میڈیم تسلیم کی بدتمیزی اور ناروا رویہ برداشت کر رہے ہیں، میڈیم تسلیم سکول کے فنڈز میں خورد
 برد کرنے کے ساتھ ساتھ داخلہ فارم کے عوض آبی بھاری رقوم وصول کرتی ہے، سکول کی سٹیشنری
 بھی فروخت کر دیتی ہے، من حالفہ کو ان تمام تر کالٹ کا پتہ چلا تو من حالفہ کا تبادلے کرنے کیلئے
 اقدامات شروع کر دیے اور من گھڑت الزامات کے تحت من حالفہ کیخلاف انکو انری شروع کروا
 دی جو کہ میڈیم تسلیم نے اپنی کرایشن، غیر قانونی اقدامات کو چھپانے اور من حالفہ کو باؤ ڈال کر چھپ
 کرانے کیلئے شروع کروائی ہے جس کی کوئی ضرورت ہی نہیں، مزید عرض ہے کہ اگر من حالفہ
 کیخلاف انکو انری ضروری ہوتی تو گزارش ہے کہ دیگر کسی سکول پر نبل یا ہیڈ مسٹریس کی بجائے
 DEO از خود انکو انری کریں، من حالفہ نے قبل از یوں بھی ہیڈ مسٹریس میڈیم تسلیم کیخلاف شکایات
 اور خواتین گزار چکی ہیں جو کہ تا حال زیر التواء ہیں جس پر ابھی تک کوئی کارروائی نہیں ہوئی۔

لہذا استدعا ہے کہ ادارہ ہذا کی ترقی اور طالبات کے مستقبل کو مد نظر رکھتے ہوئے اور ان کے
 آنے والے کل کو محفوظ بنانے کیلئے ہیڈ مسٹریس میڈیم تسلیم کیخلاف کارروائی کرتے ہوئے انہیں
 فوری طور پر ہٹایا جائے۔

—————

14.09.22

بیان ازاں سماۃ پروین اختر، زوجہ جہانگیر خان (مرحوم)

(پرائمری سکول، میجر اسلامیا کالج، گورنمنٹ گراؤ پرائمری سکول، پشاور)

رابطہ نمبر: 0331-5816006



B
Annex-B 15

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) PESHAWAR. Email I.D. emisfeshawar@gmail.com**

OFFICE ORDER:-

In the light of the inquiry report, Mst. Parveen Akhtar, PST, Govt. Girls Primary School Islamia Collegiate Peshawar is hereby transferred to Govt. Girls Primary School Hayatabad No.1 Peshawar on her own pay & scale in the best interest of public service with immediate effect.

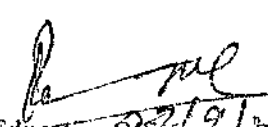
Note: - Charge report should be submitted to all concerned.
No TAVDA etc. is allowed.

(SAMINA GHANI)
District Education Officer
(Female) Peshawar

Endst: No. 211/AS / G-Transfer/ Dated Peshawar the 22/09/2022.

Copy of the above is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Sub Divisional Education Officer (Female) Town-III Peshawar & ASDEO (Female) Circle Hayatabad Peshawar are hereby warned & directed to solve such problems on the spot and keep close eyes on the problematic teachers in future. Further, it is also directed to follow the instruction issued by E&SE Department regarding not using Mobiles in the school premises during school timing.
3. Head Teacher, G.G.P.S Islamia Colligate and G.G.P.S Hayatabad No.1 Peshawar.
4. P.A to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
5. Official concerned.
6. Personal File.


Dy: District Education Officer
(Female) Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MIA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9233573

Dated Peshawar the August 31, 2022

OFFICE ORDER

No.SO(SM)E&SEDI/5-17-20/2022/PT/G:

In order to ensure the smooth and uninterrupted teaching and learning environment in schools, there will be complete ban on all kinds of postings/transfers of teaching staff in Education Department with effect from 01-09-2022 till further orders.

However, postings/transfers on administrative grounds (including poor performance in SSC/HSSC examination 2021-2022 and 2022-2023 with subsequent posting/transfer), new recruitments, court cases, repatriation of deputationists, promotion cases and summaries/notes already processed for approval of the Competent Authority will be exempted from the ban.

This Notification is issued in the best public interest

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Enclst: Even No. & Date:

Copy of the above is forwarded to the.

1. PSO to Chief Secretary Khyber Pakhtunkhwa.
2. The Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. The Director, Curriculum and Teacher Education, Khyber Pakhtunkhwa Abbottabad.
4. The Director, Directorate of Professional Development, Peshawar.
5. Director, EMIS, E&SE Department for uploading at official website.
6. PS to Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
7. All District Education Officers (Male/Female), Khyber Pakhtunkhwa.
8. All Section Officers, E&SE Department Khyber Pakhtunkhwa, Peshawar
9. PS to Secretary E&SE Department
10. PS to Special Secretary E&SE Department.
11. PA to Additional Secretary (Estab) E&SE Department.
12. Office order file.

Page 31/08/2022
SECTION OFFICER (SCHOOLS MALE)

To,

The Worthy Director,
Elementary & Secondary Education Department
Khyber Pukhtunkhwa,
Peshawar

3/17
D
Annex-D

Subject: DEPARTMENTAL APPEAL AGAINST THE
IMPUGNED ORDER DATED 22/09/2022
WHEREBY THE APPELLANT HAS BEEN
TRANSFERRED FROM GOVT. GIRLS PRIMARY
SCHOOL ISLAMIA COLLEGIATE PESHAWAR
AND POSTED TO GOVT. GIRLS PRIMARY
SCHOOL HAYATAQBAD, NO.1, PESHAWAR

Respected Sir,

1. That appellant having unblemished 40 years service as PST in the Education Department and there is no complaint against her, the appellant is fully devoted with her duties.
2. That the appellant was performing her duties as PST at Govt. Girls Primary School Islamia Collegiate, Peshawar with full zeal and devotion.
3. That the appellant has raised her voice against the illegal activities of Head Mistress Miss Tasleem due to her daughter (Assistant Commissioner) interference in the affairs of school and as well as against her illegal activities of forcefully shifting the students from morning shift to evening shift and against the abusive language of Miss Tasleem upon which she was annoyed and filed a frivolous complaint against the appellant.

2022-23
P. Hearing
as given to
appellant

27/9/2022

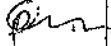
215
27/9/22

4. That when inquiry was started, the appellant filed her statement before the inquiry officer wherein she has stated that she have not trust upon the inquiry officer. because the inquiry officer is the colleague of Head Mistress Miss Tasleem and requested that the District Education Officer may kindly supervise or conduct the inquiry proceeding. (Copy of the statement of appellant is attached herewith)
5. That it is worthy to mention here that although the inquiry has been conducted but Miss Tasleem was badly failed to prove her stance before the inquiry officer.
6. That during the process of inquiry, the appellant has been malafidely transferred from GGPS, Islamia Collegiate, Peshawar to GGPS, Hayatabad No.1, Peshawar which is against the posting transfer policy vide impugned order dated 22/09/2022 by the DEO (Female), Peshawar.
7. That with active connivance of DEO with Head Mistress the appellant has been transferred just to continue her illegal activities and beside that the appellant belongs to a very good family, who father has donated property measuring 8 Kanal for GPS, Saray Nourang, District Lakki Marwat and 16 Kanal Land for GHS, Saray Nourang District Lakki Marwat and 80 Kanal land for Degree College Nar Maidad Khel, District Lakki Marwat.
8. That the impugned order dated 22/09/2022 of the DEO (Female) Peshawar has been issued for just to pressurizing the appellant from discharging her lawful duties in future and at the face of the impugned order smell malafidely on part of DEO (Female) Peshawar and Head Mistress.

9. That the appellant has not relinquished her charged at GGPS, Islamia Collegiate School, Peshawar and the Head Mistress is not giving her attendance register and not marking the attendance of appellant which also shows the malafide intention and her enmity towards appellants.

For the aforesaid reasons, it is therefore, humbly requested that the aforesaid order may kindly be withdrawn and the appellant be allowed to continue her duties at GGPS, Islamia Collegiate, Peshawar.

Appellant



Miss. Parveen Akhtar
PST,
Govt. Girls Primary School,
Islamia Collegiate, Peshawar
Cell# 0331-5876006

Date: 26/09/2021

Annex-E

E

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(E)

Inquiry Report in respect of Mst. Parveen Ex-PSI

Application for cancellation of transfer order

Inquiry Officer

Mst. Naseera Begum

Assistant Director Establishment-I

Directorate of E&SE, Peshawar

Date of Inquiry

14-10-2022 to 19-10-2022

Venues:-

GGPS Islamiya Collegiate

Sub Division Town-III

DEO (E) Peshawar

Report submitted for further necessary action please

Background:

Worthy Director Elementary and Secondary Education Department ordered an inquiry in respect of Mst. Parveen Ex-PST where by the applicant has been transferred from GGPS Islamia Collegiate to GGPS Hayat Abad No. 1. It is the second inquiry Previously an inquiry had been conducted by DEO (F) Peshawar on the basis of the complaint addressed by Head Teacher of the said school because there were some clashes between the subordinate Mst. Parveen Ex-PST and Head of the Institution.

In the light of previous inquiry recommendation subordinate Mst. Parveen Ex-PST had been transferred.

So the inquiry office has assigned the task to look into.

1. Mst. Parveen Ex-PST had been transferred mala fidi?
2. Her transferred was based on with active connivance of DEO (F) Peshawar and with Head Teacher.

Procedures

To prob the matter the undersigned visited that school, met with SDEO and then went toward DEO (F) Peshawar. After that when I came to that institution discussed the matter with subordinate and with head teacher and with staff member including CIM.

Everyone has own point of views.

There observation and grievance from each other's. they are highly discussed and took written statements from every one related to the issue.

I judged the transfer order of the subordinate and I judged the issue why she was transferred then I came to know that there were some solid ground reality. On the basis of that ground reality she was transferred from that institution. But there is another person, who is the head of institution had adopted aggressive attitude not only with staff members but with on and towards everyone. It is a long story but being an inquiry officer I highlighted these points.

- 99
64
1. Mst. Parveen Ex-PST had been transferred mala fide.
 2. She had been transferred with active connivance of DEO (F) Peshawar and Head of the institution.
 3. The applicant has raised her voice against illegal activities which involved the head of institution.
 4. Why the clashes was not resolved by SDEO and ASDEO circle concerned.

Finding and conclusion

After it thorough investigation it derives the following facts.

It has been concluded that both teacher were become personal. Their personal grudges made them egoist and dogmatic which resultanty victimized both students and school staff.

1. To resolve the issues.
2. In the best interest of the school students
3. Create peaceful atmosphere within the institution subordinate had been transferred to her nearby home station.

Besides these the head of institution was objection of this second inquiry, she minded very rudely. The clashes was not resolved by SDEO and ASDEO because their role was completely passive

Recommendation

1. In the light of previous inquiry why should we recommend one official for transfer? It will be more better to transfer both of them. The head of the institution and subordinate created an atmosphere of horror for student as well as staff members. The negative attitude of the head created not a lot of issue within the institution. So both are essential for the creation of peaceful environment.
2. Our first priority are children. Child is nucleus.
3. It is stated that a serious conflict arose in GGPS Islama Collage Peshawar between the head teacher and PST. Therefore, it is recommended to the high-ups to resolve the

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3


only of head teacher and her subordinate but the concerned SDEO and ASDEO may be warned.

4. Both teachers initiate inquiries against each other in future.
5. SO, we recommend both should be transferred from the said institution to nearby station in order to create peaceful educational environment for staff in general and student's particular.

Written statements are attached with the report.

- | | |
|------------------------------------|-------------|
| 1. DEO (F) Peshawar | Exhibit (1) |
| 2. SDEO and ASDEO | Exhibit (2) |
| 3. Teachers Exhibit | Exhibit (3) |
| 4. Head teacher Exhibit | Exhibit (4) |
| 5. Mst. Parveen Ex-PST subordinate | Exhibit (5) |
| 6. Previous Inquiry Report | Exhibit (6) |

Inquiry Officer



Naseera Begum

Assistant Director Establishment

Directorate of E&SE, Peshawar

Dated 26 / 12 / 2022

Annex-F

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To.

The SDEO (female) Town-III, Peshawar,

Subject: Explanation to absentee Notice.

Respectfully Madam, it is humbly submitted as under:

1. That the undersigned has been malafidely transferred from GPS, Islamia Collegiate, Peshawar vide impugned order dated 22-09-2022 passed by the DEO (female) Peshawar.
2. That the undersigned has not yet relinquished her charge from GPS, Islamia Collegiate, Peshawar.
3. That the undersigned has time and again went to the concerned school for performing her duty but the headmistress concerned was not giving her attendance register neither marking the attendance of undersigned and continuously marked her absent.
4. That the undersigned has already brought the aforesaid situation into the notice of ASDEO concerned via telephonically and expressly, but she didn't pay any heed to the request of the undersigned and being a competent authority, she failed to resolve the matter.
5. That the undersigned has filed an appeal against the impugned transfer order dated 22-09-2022 before the Worthy Director Secondary & Elementary Education, wherein the undersigned has already raised the same issue in para No.09 of appeal with the request to give directions to headmistress concerned to allow the undersigned for attendance and the appeal is still pending before the Director concern.
6. That during the said period the undersigned was got affected by Typhoid and she remained on medical leave from 30-09-2022 to 14-10-2022. (All relevant documents are attached).

Therefore, it is again requested to give directions to headmistress concerned to allow the undersigned for performing of her duty and marking her attendance

Parveen Akhtar,
PST, Islamia Collegiate,
Govt Girls Primary
School,
University of Peshawar

Dated: 10-11-2022

RECEIPT OF RECEIVING

25

Explanation to absentee notice submitted by Parveen Akhtar PST, GGPS, Islamia collegiate, Peshawar University before SDEO (female) Town III, Peshawar is hereby received in hand.

Received by,

Name: Manzoor ul

Signature: M. Manzoor

15/11/22

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

Registered

No. 584 /File: 536/RTI/P.F Parveen Akhtar
/Mardan/2022.
Dated Peshawar the: 19 / 12 /2022

Mst. Parveen Akhtar, PST
House # 148, Street-02, Sector K-6, Phase-3, Hayat Abad, Peshawar.
Cell No. 0336-3131752

Subject: - PROVISION OF INFORMATION / RECORD UNDER RTI ACT 2013.

I am directed to refer to your application dated 25.11.2022 on the subject cited above and to enclose herewith a copy of the following information as per RTI Act 2013 as under:

1. Inquiry report in respect of Mst. Parveen Akhtar, Ex-PST duly conducted by Mst. Naseera Begum, Assistant Director, Directorate of E&SE Khyber Pakhtunkhwa Peshawar on dated 19.10.2022.
2. You are requested to approach to the office of the DEO (Female) Peshawar regarding provision of information about the implementation upon the recommendations of the inquiry officer.
3. This office letter No. 5580 dated 02.11.2022 issued to the DEO (Female) Peshawar for implementation the recommendations of the inquiry officer.

Encls: As Above

Encls: No _____ /

Copy forwarded to the:

1. P.A to Director E&SE KPK Peshawar.

[Signature] - 16/12/22
AD (RTI & Ombudsman)
Directorate of E&SE KP

[Signature]
AD (RTI & Ombudsman)
Directorate of E&SE KP



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

No. 550/FNo.9/Vol-III/F/Appeal/Peshawar

Dated Peshawar the 02/21/2022

To

The District Education Officer
(Female) Peshawar

Subject:- **INQUIRY REPORT**

Memo:

I am directed to refer to the subject cited above and to enclose herewith a copy of enquiry report carried out by Mst. Naseera Begum Assistant Director Establishment Female Local Directorate and to ask you to implement the recommendations of the enquiry officer under intimation to this office.

Endst No. _____ / Parveen

Copy of the above is forwarded to the:

1. PA to Director E&SE KPK Peshawar.

[Signature]
Assistant Director (Female)
E&SE Khyber Pakhtunkhwa.

[Signature]
Assistant Director (Female)
E&SE Khyber Pakhtunkhwa.
3/11/22

The Worthy Director,

Elementary and Secondary Education Peshawar.

Annex-H

SUBJECT: APPLICATION FOR GRANT OF MEDICAL LEAVES FOR TWO WEEKS i.e. 30-09-22 to 14-10-2022

29

Respected Sir, It is humbly submitted as under:

1. That the applicant has been appointed as PST Teacher in year 1884 and she is serving as PST teacher (BPS 13) in Govt. Girls Primary School Islamia Collegiate Peshawar University since 2017.
2. That the applicant is badly affected by typhoid and doctor has advised two weeks bed rest for the applicant. (Copy of medical prescriptions and test reports are attached herewith).
3. That the applicant approached to concern Headmistress namely Tasleem twice but she flatly refused to forward application of the applicant.
4. Thereafter the applicant approached to ASDEO Female (Govt. Girls Primary School Hayatabad No.02 Circle) for grant of medical leave but she also refused to accept the same.
5. That it was already brought into your kind notice that with active connivance of D.E.O (Female) with headmistress concern, the applicant has been malafidely transferred from Govt. Girls Primary School Islamia Collegiate Peshawar University to Govt. Girls Primary School Hayatabad No.01 vide order Endst. No.2498-2502 dated 22-09-22.
6. That the applicant has not yet relinquished her charge from Govt. Girls Primary School Islamia Collegiate Peshawar University and due to the aforesaid reason the instant application is filed before your good self.

It is therefore humbly submitted that on acceptance of this application, the applicant may kindly be granted medical leave for two-weeks.

Applicant,

Parveen Akhtar PST,
Govt. Girls Primary School Islamia,
Collegiate, Peshawar University.

C/o
Parveen Akhtar
By Director
PZ
Peshawar University

To

ASDEO (Worthy)
Govt Girls Primary School Hayatabad
No. 01 Peshawar (Circle)

Subject Application for grant of medical
leave from 30-9-22 to 14-10-22

Respected Madam

with due respect it is stated
that I am badly affected by typhoid
and doctor has advised two weeks
bed rest for me. (Copt of medical
prescriptions are attached herewith.)

Therefore it is humbly requested

to grant two weeks medical leave
from 30-9-22 to 14-10-22.

I shall be very obliged. Pr

Parveen Akhtar
PST Istamia
Collegiate Peshawar
University

M. N. S. S.

5/10/2022

Handwritten notes in left margin:
- 30-9-22
- 14-10-22
- 2 weeks
- medical leave
- bed rest
- with prescriptions
- attached



10:45:00
126000
1000000
Form 1

TREATMENT DEPARTMENT (OPD)

Medical Treatment Department
1000000
1000000
Date: 03-05-22

Patient Name	R _x	Signature
[Faint handwritten text]	① Tab	[Faint handwritten notes and a circled number 1]
[Faint handwritten text]	② Tab	[Faint handwritten notes and a circled number 2]
[Faint handwritten text]	③ Cap	[Faint handwritten notes and a circled number 3]
[Faint handwritten text]	④ 19	[Faint handwritten notes and a circled number 4]
[Faint handwritten text]	⑤ Supp	[Faint handwritten notes and a circled number 5]

Handwritten signature and notes at the bottom of the table.

Administrative text at the bottom left of the page.

DR. Jan Muhammad

D.H.M.S
M.T
B.Pharmacy
Phone No:091-2264846
Mob :0345-9397566



ڈاکٹر جان محمد

ڈی ایچ ایم ایس
ایم ٹی
بی فارمیسی
فون: 091-2264846
موبائل نمبر: 0345-9397566

Pt's Name Abulhasan Akhtar

Age/Sex 57 yrs

Date 30/9/22

Clinical Record

1400 - 1100
Dentive
1000
1000
1000

16 Proximal 2g

16 ~~Proximal~~

1000 5g

1000 2g

1000 2g

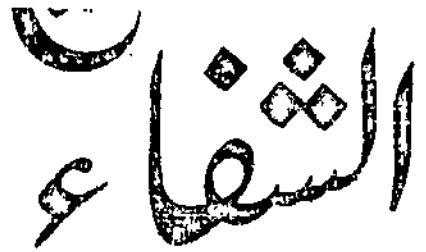
The Patient needed two weeks
but not able to 30 $\frac{2}{22}$ to 14 $\frac{10}{22}$

درا. جان محمد

پت: جن ابوالحسن اکھٹار

Jan Muhammad
30/9/22

AL-SHIFA CLINICAL LABORATORY



کلینکل لیبارٹری

Patient's Name: Parveen Akhtar	Age: 57 Years	Sex: Female
Physician: Self	Date: 30 Sep 2022	Time: 07:55 PM
Investigation Req: Dengue NSI, IgM, IgG		Lab No: 467

TEST REPORT

DENGUE Profile

Test	Result
Dengue NSI (Antigen)	Negative
IgM	Negative
IgG	Negative

Comments

Lab. Incharge

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AL-SHIFA CLINICAL LABORATORY



کلینیکل ایبیاورٹری

الشفاء

Patient's Name: Parveen Akhter Age: 57 Years Sex: Female
 Physician: O.P.D. Self Date: 30 Sep 2022 Time: 07:50 PM
 Investigation Req: Typhidot, H. Pylori Lab No: 466

TEST REPORT

TEST	RESULT	Normal Range
TYPHIDOT		
IgM	Positive	
IgG	Positive	
H. Pylori	Positive	

Lab Incharge

OFFICE OF THE SUB-DIVISIONAL EDUCATION
OFFICER (FEMALE) TOWN III PESHAWAR

No. 81 Dated: 29/09/2022

To,

The District Education officer
(Female) Peshawar.

Subject: GRANT OF MEDICAL LEAVE

Memo.

Enclosed please find herewith the Medical Leave application
in r/o Mst. Parveen Akhtar PST GGPS Islamia Collegiate Peshawar w.e.f.
30-09-2022 to 14-10-2022 (15 days) with pay for the grant of Medical
leave. Her service & medical leave account complete in all respects
attached herewith for further necessary action please.

Encl: As Above

S D O (FEMALE)
TOWN III PESHAWAR
S D O (F)
EDUCATION & SE
Peshawar

بعدالت فی حق کو اسروس ٹریبونل حکم



Appellant

2023ء جناب صاحب

موز 2023/13/21

مقدمہ Appeal

دعویٰ

مزم

بینام

ایک طرف دوسری طرف

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و عمل کاروائی متعلقہ میں صریح نوکرت

آن مقام لیشنڈر کے لئے خذ حرقان لیشنڈر کے لئے کہ صاحب و صوف کو مقدمہ کی عمل کاروائی کا کامل اختیار ہوگا۔ نیز مقررہ کر کے اتر کر کیا جاتا ہے۔ کہ صاحب و صوف کو مقدمہ کی عمل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقریر نکالت و فیصلہ بر حلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق ذرا میں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل گرائی و نالہ گرائی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے عمل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقریر کا اختیار ہوگا۔ اور صاحب مقرر شدہ گوشی دہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پر واضح منظور قبول ہوگا۔ در ان مقدمہ میں جو چیز چاہے وہ جہاں التوا سے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی نہ کوڑ کریں۔ لہذا وکالت نامہ لکھ دیا کہ مندر ہے۔

اپنی طرف سے

Appellant

جنوری 2023ء

الرقوم 09

پشاور کے لئے منظور ہے Pashawar