

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR**  
**AT CAMP COURT, ABBOTTABAD**

Service Appeal No. 1310/2019

Date of Institution ... 10.10.2019

Date of Decision ... 24.09.2021

Mst. Gulshad W/o Sad Bar Khan Ex-PST Government Girls  
Primary School Sultanabad Harban District Kohistan C/o Sad Bar  
Khan Process Server Labour Court Haripur. ... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa Through Secretary  
Elementary and Secondary Education, Department Peshawar and  
two others. ... (Respondents)


-----  
Mr. SARDAR MUHAMMAD IRSHAD,  
Advocate --- For appellant.

MR. RIAZ KHAN PAINDAKHEIL,  
Assistant Advocate General --- For respondents.

MR. SALAH-UD-DIN --- MEMBER (JUDICIAL)  
MR. ATIQ-UR-REHMAN WAZIR --- MEMBER (EXECUTIVE)

JUDGEMENT:

SALAH-UD-DIN, MEMBER:-

  
Precise facts forming the back ground of the  
instant service appeal are that the appellant while serving as  
PST was posted in GGPS Sultanabad, when she was  
departmentally proceeded against on the allegations of her  
willful and unauthorized absence from duty. Show cause notice  
was straight away issued to the appellant and major penalty of  
removal from service w.e.f 01.01.2019 was awarded to the  
appellant and it was also ordered that the salary drawn by the

appellant during the absence period i.e with effect from 01.01.2019 to 30.06.2019 also to be recovered from the appellant. The appellant filed departmental appeal, however the same was rejected, therefore, the appellant has now approached this Tribunal through filing of the instant service appeal for the redressal of her grievance.

2. Learned counsel for the appellant has contended that the appellant never absented from duty and her attendance in the relevant register was duly marked during the period of her alleged absence from duty; that the alleged absence of the appellant from duty was factual controversy, which could be properly ascertained through a regular inquiry, however the competent authority has dispensed with the regular inquiry without assigning any reason, which fact has rendered the entire inquiry proceedings as wrong and illegal; that a show cause notice was allegedly issued to the appellant, however the same was sent on school address and has never been received by the appellant; that in case of willful absence, the competent authority is required to send notice on home address of a civil servant, however the same has not been complied with; that no regular inquiry was conducted in the matter and penalty has been awarded to the appellant with retrospective effect, which fact by itself has vitiated the whole proceedings. In last he requested that the impugned orders may be set aside and the appellant may be reinstated in service with all back benefits. Reliance was placed on 2007 PLC (C.S) 597, 2007 SCMR 152, 2009 SCMR 339, 2009 SCMR 329, 2012 PLC (C.S) 728, 2007 PLC (C.S) 354 and 2020 SCMR 1245.

3. On the other hand learned Assistant Advocate General has contended that the appellant was in the habit of remaining absent without any sanctioned leave and she was marked absent on many occasions by the concerned DCMA's of IMU Kohistan; that the appellant was issued proper show cause

notice and opportunity of personal hearing was also afforded to her, however the appellant neither filed reply to the show cause notice nor appeared before the competent authority for personal hearing; that the appellant has been dealt with in accordance with the relevant law/rules and her absence from duty stood proved, therefore, she has rightly been removed from service.

4. We have heard arguments of learned counsel for the both the sides and have perused the record.

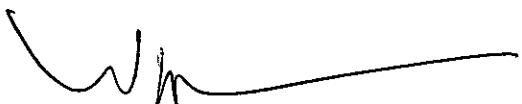
5. A perusal of record would show that the appellant was proceeded against on account of willful and unauthorized absence from duty w.e.f 01.01.2019 to 30.06.2019. The appellant has alleged that she remained present during the alleged period of her absence and in this respect, she has annexed photocopies of the relevant pages of register of attendance. Controversy in question is one of factual nature, therefore, competent authority was required to have conducted regular inquiry in the matter by affording opportunity to the appellant to properly defend herself. The competent authority has however dispensed with the regular inquiry without assigning any reason, which has resulted in causing of grave injustice to the appellant as she was condemned unheard. It is well settled principle of law that in normal circumstances, a case of misconduct involving controversial question of fact must not be decided in summary manner, as the dispensation of regular inquiry in such a case would amount to defeat the law and condemned a person unheard. Although copy of show cause notice is available on the record, however the same has been allegedly sent on school address and nothing is available on the record that the same was received by the appellant. The appellant has categorically denied her absence from duty, therefore, conducting of regular inquiry was necessary in the matter. August Supreme Court of Pakistan in its judgment reported as 2004 SCMR 316 has held that in case of imposing a

major penalty, the principle of natural justice requires that a regular inquiry is to be conducted into the matter and opportunity of defense and personal hearing is to be provided to the civil servant proceeded against. The impugned orders are thus not sustainable in the eye of law hence liable to be set aside.

6. In view of the above discussion, the appeal in hand is allowed by setting aside the impugned orders. The appellant is reinstated in service and the department is directed to conduct de-novo regular inquiry into the matter within a period of 3 months from the date of communication of this judgment. The issue of back benefits would be subject to the outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

24.09.2021



(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)  
CAMP COURT, ABBOTTABAD



(SALAH-UD-DIN)  
MEMBER (JUDICIAL)  
CAMP COURT, ABBOTTABAD

ORDER


24.09.2021

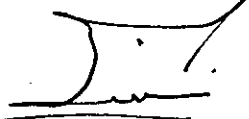
Mr. Sardar Muhammad Irshad, Advocate, for the appellant present. Mr. Shah Waliullah ADO (Litigation) alongwith Mr. Riaz Khan Paindakheil, Assistant Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand is allowed by setting aside the impugned orders. The appellant is reinstated in service and the department is directed to conduct de-novo regular inquiry into the matter within a period of 3 months from the date of communication of this judgment. The issue of back benefits would be subject to the outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

24.09.2021

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)  
CAMP COURT, ABBOTTABAD

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)  
CAMP COURT, ABBOTTABAD

20.01.2021

Due to COVID-19, the case is adjourned for the same on 18.02.2021 before D.B.

  
READER


18.02.2021


Learned counsel for the appellant present.

Noor Zaman Khattak learned District Attorney for respondents for respondents present.

Former requests for adjournment as issue involved in the present case is pending before a Larger Bench of this Tribunal.

Adjourned to 20.05.2021 for arguments before D.B at Camp Court, Abbottabad.

  
(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, Abbottabad

  
(Rozina Rehman)  
Member (J)  
Camp Court, Abbottabad

20-5-2021


Due to covid 19, case is Adjourned to 24-9-21 for the same.

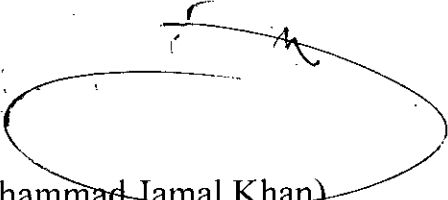
Reader

18.11.2020

Counsel for the appellant is present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General alongwith Mr. Muhammad Saddique, ADEO for respondents is present.

The issue with regard to retrospectivity has not been adjudicated by the Larger Bench of the august Service Tribunal, therefore, appeal is adjourned and to come up for further proceedings on 20.01.2021 before D.B at camp court Abbottabad.

  
(Mian Muhammad)  
Member(E)

  
(Muhammad Jamal Khan)  
Member(J)  
Camp Court Abbottabad

Due to covid ,19 case to come up for the same on / /  
at camp court abbottabad.

Reader


9 / 10 Due to summer vacation case to come up for the same on 11/3  
at camp court abbottabad.

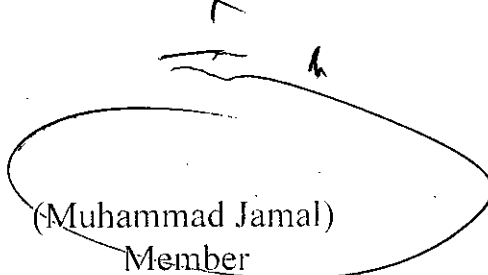
  
Reader

15.09.2020

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General alongwith Mr. Muhammad Saddique, ADO (Lit) for respondents present.

The perusal of record, particularly the impugned order passed by the DEO(F) Upper Kohistan, <sup>is</sup> was revealed that the same has been made efficacious w.e.f 01.01.2019 whereas his copy has been endorsed on 05.07.2019 meaning thereby that ex-post-facto effect was given to the refer to order and the issue <sup>ed is</sup> with regard to retrospectivity, is pending adjudication before the worthy Larger Bench, therefore, let a judgment on the issue of the Larger Bench is recorded or made till then file to come up for further proceedings/arguments on 18.11.2020 before D.B at camp court Abbottabad.

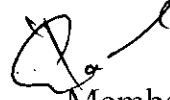
  
(Mian Muhammad)  
Member(E)

  
(Muhammad Jamal)  
Member  
Camp Court A/Abad



23.01.2020

Clerk to counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney alongwith Muhammad Siddique ADO present and submitted reply. Adjourn. To come up for rejoinder if any and arguments on 18.02.2020 before D.B at Camp Court Abbottabad.



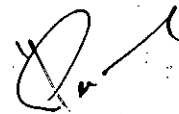
Member  
Camp Court, A/Abad

22.11.2019 Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Ex-PST) has filed the present service appeal against the order dated 05.07.2019 whereby major penalty of removal from service was imposed upon her on account of her willful and unauthorized absence from duty alongwith recovery of salary of absence period. The departmental appeal of the appellant was also rejected and to this effect she has also assailed the office letter dated 01.10.2019 in relation to communication of order of rejection of departmental appeal.

Points urged need consideration. The present service appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for reply/comments. To come up for written reply/comments on 18.12.2019 before S.B at Camp Court, A/Abad.

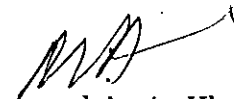
Appellant Deposited  
Security & Process Fee  
26/11/19



Member  
Camp Court, A/Abad

18.12.2019

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mr. Ahmad Sultan, ADO (Litigation) for the respondents present. Written reply on behalf of respondents not submitted. Representative of the department requested for further time for submission of written reply/comments Adjourned to 23.01.2020 for written reply/comments before S.B at Camp Court Abbottabad.




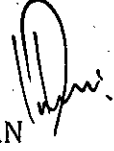
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Abbottabad

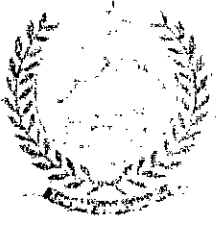
Form- A

# FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 1310/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/10/2019	<p>The appeal of Mst. Gulshad presented today by Sardar Muhammad Irshad 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</p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>22-11-2019</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		



KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR

No. 2016 /ST

Dated: 11/10 /2021

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 District Education Officer Female,  
Government of Khyber Pakhtunkhwa,  
Upper Kohistan.

Subject: JUDGMENT IN APPEAL NO. 1310/2019, MST. GULSHAD BIBI.

I am directed to forward herewith a certified copy of Judgement dated 24.09.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR

KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR

# Before KPK Service Tribunal, Peshawar

Appeal No. 1310/2019

Appeal No -

Mst. Gulshad W/o Sad Bar khan Ex-PST Government Girls Primary School Sultanabad Harban District Kohistan C/o Sad Bar Khan Process Server Labour Court Haripur.

**Appellant**

**V/s**

1. Govt. of KPK Through Secretary Elementary and Secondary Education Department Peshawar
2. Director Elementary and Secondary Education Department KPK Peshawar
3. District Education Officer (Female) Dassu District upper Kohistan

**Respondents**

Appeal U/S 4 of KPK Service Tribunal Act, 1974 against Notification bearing Endst: No 3058-64, dated 05/07/2019 of Respondent No 3 whereby appellant was removed from her service (original order) and against letter No.4475/F No 325/ F/Appeal Kohistan dated 01/10/2019 of Respondent No.2 whereby appellant's departmental appeal was dismissed (appellate order)

## INDEX

S.No	Description of Documents	Annexure	Page
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3	Copy of Posting order	B	7
4	Copy of Attendance Register	C	8-12
5	Copy of Impugned Notification	D	13
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**Appellant**

Through:

*Nasir Saleem*  
(Nasir Saleem)  
Advocate  
236- Iqbal Shopping Complex  
The Mall, Abbottbad  
No: +92334-1054951

*Irshad*  
(Sardar Muhammad Irshad)  
Advocate High Court  
236- Iqbal Shopping Complex  
The Mall, Abbottbad  
No: +92343-3326000

## Before KPK Service Tribunal, Peshawar

Appeal No. 1310/2019

Mst. Gulshad W/o Sad Bar Khan Ex-PST Government Girls Primary School Sultanabad Harban District Kohistan C/o Sad Bar Khan Process Server Labour Court Haripur.

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 12A4 Appellant

Dated 10-10-2019

V/s

1. Govt. of KPK Through Secretary Elementary and Secondary Education Department Peshawar
2. Director Elementary and Secondary Education Department KPK Peshawar
3. District Education Officer (Female) Dassu District upper Kohistan

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**Filed to-day**

**Registrar**

### PRAYER

For setting-a-side original and appellate orders and for appellant's reinstatement in service with all back benefits.

**Respectfully Sheweth:**

This appeal arises in the backdrop of the following facts:-

### FACTS

1. That the appellant was appointed on merit as primary School Teacher (PST) in 2006 when all codal formalities contained in the relevant rules were complied with in the process of her

appointment. Copy of the letter of appointment is annexure-  
"A"

2. That the appellant was posted/adjusted in GGPS Sultanabad with a view to functionalize the same vide office order dated 17/01/2018. Copy of the said office order is annexure-"B"
3. That the appellant has been succeeded to functionalize GGPS Sultanabad and remained present therein during the period from 01/01/2019 to 24/05/2019 while the School remained close on account of summer vacation commencing from 25/05/2019. In support of the above claim copy of Attendance Register duly verified by sub-divisional Education officer( Female) Dassu District Upper Kohistan is annexure -"C"
4. That the appellant has devotedly been performed her duties since inception and no complaint whatsoever from any quarter has ever been filed against her, therefore, her service record is clean and spotless. All of a sudden the appellant shocked to receive impugned Notification, dated 05/07/2019 from Respondent No 3 without receipt of any show cause Notice etc. whereby major penalty of removal from the service was imposed upon her. Copy of said Notification is annexure -"D"
5. That appellant filed departmental appeal on 22/07/2019 wherein Respondent No 2 was requested to set the above Notification at naught on the ground that no inquiry was conducted and no Notice was issued before taking above action and that it was factually incorrect. Copy of departmental appeal before Respondent No 2 is annexure -"E"
6. That Respondent No.2 vide his letter dated 01/10/2019 addressed to Respondent No.3 rejected the appellant's appeal without assigning any reason explicitly. Copy of the said letter is annexure -"F". Hence this appeal inter alia on the following grounds:-

## GROUNDS

- (i) That the impugned action is wholly against the law and facts as such cannot sustain alone on this score.
- (ii) That the impugned action was taken without issuing any notice to the appellant, therefore she has been condemned unheard.
- (iii) That during the period for which she has been shown absent the appellant remained present in her school and performed her duties efficiently and with dedication as such the impugned action is factually incorrect.
- (iv) That the disputed and complicated questions of facts are involved in the case against appellant as such the same cannot be resolved without holding regular inquiry. Moreover the procedure laid down in Rule 9 of KPK Government Servant (Efficiency and Discipline Rules, 2011) has not been followed.
- (v) That no show cause Notice was given to the appellant and no opportunity of personal hearing was granted to the appellant as such the impugned action is violative of the principle of Audi Alteram Partem.
- (vi) That impugned action was taken in grave violation of the principles of natural Justice being passed in appellant's back.
- (vii) That appellant's fundamental rights guaranteed by the Constitution have been done away in grave violation of Article 10-A of the Constitution Islamic Republic of Pakistan as her right to due process and fair trial was ignored.
- (viii) That it is Appellant's Inalienable right to be dealt with according to law within the meaning of Article 4 of the Constitution but the Respondents while taking impugned action against the appellant violated the above Constitutional Provision.
- (ix) That Respondent No 3 (Competent Authority) and Respondent No 2 (Appellate Authority) failed to pass speaking orders containing explicit reasons for the action taken.



- (x) That the impugned action is bad in law and perverse as such cannot sustain.

It is , therefore, prayed that this Honorable Tribunal may graciously be pleased to accept this appeal set-a-side the impugned original as well as appellate orders and direct appellants reinstatement in her service with all back benefits in the interest of Justice.

*Gul Shad*  
Appellant

Through:

*NASIR SALEEM*

(Nasir Saleem)  
Advocate  
236- Iqbal Shopping Complex  
The Mall, Abbottbad  
No: +92334-1054951

*Irshad*

(Sardar Muhammad Irshad)  
Advocate High Court  
236- Iqbal Shopping Complex  
The Mall, Abbottbad  
No:+92343-3326000

(5)

## Before KPK Service Tribunal, Peshawar

Appeal No. \_\_\_\_\_/2019

Mst. Gulshad W/o Sad Bar khan Ex-PST Government Girls Primary School Sultanabad Harban District Kohistan C/o Sad Bar Khan Process Server Labour Court Haripur.

**Appellant**

V/s

1. Govt. of KPK Through Secretary Elementary and Secondary Education Department Peshawar
2. Director Elementary and Secondary Education Department KPK Peshawar
3. District Education Officer (Female) Dasso District upper Kohistan

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Appeal U/S 4 of KPK Service Tribunal Act, 1974 against Notification bearing Endst: No 3058-64, dated 05/07/2019 of Respondent No 3 whereby appellant was removed from her service (original order) and against letter No.4475/F No 325/ F/Appeal Kohistan dated 01/10/2019 of Respondent No.2 whereby appellant's departmental appeal was dismissed (appellate order)

### AFFIDAVIT

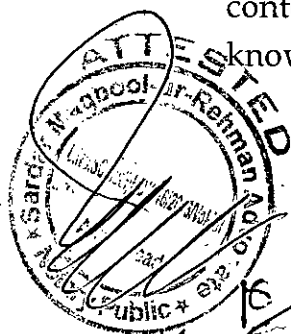
I, Mst. Gulshad W/o Sad Bar khan, appellant do hereby solemnly affirm and declare that the contents of the accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'blr Tribunal.

*Gulshad*  
Deponent

### VERIFICATION

Verified on Oath at Peshawar on \_\_\_\_ day of Oct 2019 that the contents of above affidavit are true and correct to the best of my knowledge and belief.

*Gulshad*  
Deponent



48	Gul fer	M.Faqeer	Harban	PTC	GGPS	Gakuz	Agst V.Post
49	Bibi Miryam	M.Ibrahim	kuz Jalkot	PTC	GGPS	Shakari	Agst V.Post
50	Lazaba Bibi	Shams ur Rahman	Dilbar Dadir	PTC	GGPS	Jalo Chortoo	Agst V.Post
51	Kulsoom bibi	Barkat Khan	kuz Jalkot	PTC	GGPS	Jalkot Village	Agst V.Post
52	Gul Shad	Sher Mohammad	kuz Jalkot	PTC	GGPS	Jalkot Village	Agst V.Post
53	Begum Hakeem	Abdul Khan	Seo	PTC	GGPS	Seo Village	Agst V.Post
54	Najma Bibi	Ser Baz Khan	Dassu	PTC	GGPS	Jalo Chortoo	Agst V.Post
55	Nelam Bibi	Shales Khan	Sazin	PTC	GGPS	Sultanabad	Agst V.Post
56	Sobia Akram	Mohammad Akram	Sazeen	PTC	GGPS	Sultanabad	Agst V.Post

## CONDITIONS:-

- 1 Their appointments are purely on temporary basis and liable to termination at any time / stage without assigning any reason/notice.
- 2 Their Certificates if not verified earlier, should be verified by the DDO (M) i.e. Mr. Abdur Rehman I/C Dy:DO (F) S&L Kohistan before handing over their charge.
- 3 Charge reports should be submitted to all concerned.
- 4 No TA/DA is allowed to any one.
- 5 They will be governed by such rules and regulations enforced and as prescribed by the Government from time to time for the category of the Government Servants to which they belong.
- 6 In case any of the above candidates failed to assume the charge of their posts within fifteen days, their appointments will automatically stand cancelled.
- 7 They should not be allowed to take over charge if their age is less than 18-years and above 35-years.
- 8 They should produce age and health certificate from EDO Health Kohistan before taking over charge.
- 9 They should not be handed over charge and their salaries should not be drawn by Drawing & Disbursing Officers concerned till verification of their Degrees/ Certificates e.t.c from the concerned Universities/ Boards/ Institutions by the concerned DDO's.

- gcl -  
Executive District Officer  
Schools & Literacy Kohistan

Endst: No. 1031-39 / Appt/PTC's (M) U/C Wise Merit /2006 Dated Kohistan the 17/12 2006.

Copy of the above is forwarded to:-

- 1 Director Schools & Literacy NWFP Peshawar.
- 2 P/S to Minister of Education NWFP Peshawar.
- 3 P/S to Secretary Government of NWFP (S & L) Department Peshawar.
- 4 District Nazim Kohistan.
- 5 District Coordination Officer Kohistan with reference your Notification No.10232-36 dated 20/11/2006 & 10407-10 dated 24/11/2006.
- 6 District Accounts Officer Kohistan.
- 7 District Officer Schools & Literacy Kohistan.
- 8 Deputy District Officer (F)S&L Kohistan.
- 9 Candidates concerned.

Executive District Officer  
Schools & Literacy Kohistan

Attest

J. Iqbal

**SARDAR MUHAMMAD IRSHAD**  
Advocate High Court

(7)

"B"

OF THE DISTRICT EDUCATION OFFICER (Female) KOHISTAN.

OFFICE ORDER.

As verbally directed by worthy District Education Officer (Female) Kohistan in the reference khuly kachery held on 19/9/2018 at GHS Harban Kot the following teachers are hereby posted/ adjusted to functionalize the school in the best interest of public service with imitated effect in the school noted against each.

S/NO	Name of Teacher	From	To	Remarks.
1	Sharafatunissa PST	GGPS Kaigha	GGPS Sultan Abad	
2	Gul Shad PST	GGPS Faridoon Abad	GGPS Sultan Abad	

Note:

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

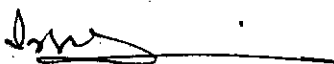
  
District Education Officer,  
(Female) Kohistan,

Endst:- 2260-62 /Dated 17/11 2018.

Copy forwarded to: \_

- 1- The District Monitoring Officer (IMU) Kohistan.
- 2- The Sub Divisional Education Officer (Female) Dasso.
- 3- Office Record.

  
District Education Officer,  
(Female) Kohistan



SARDAR MUHAMMAD IRSHAD  
Advocate High Court  
Abbottabad

رجسٹر حاضری مدرسہ سین P.S. و سولہ نمبر بابت ماہ جنوری سال 2019

نام:	گول مشاد	شہداء اقصیٰ مدرسہ	حجاب						
عہدہ:	P.S. T	P.S. T	ہیڈ کوارٹر						
قومی شناختی کارڈ نمبر:	13401-8632037-0	13503-5532884-2	13401-512883-7						
فون نمبر:	0346-0287280	03122626555	0312-332-3339						
تاریخ:	آب	دستخط	رواگی	دستخط	آب	دستخط	رواگی	دستخط	تاریخ
1									1
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3									3
4									4
5									5
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7	8:30	گل مشاد	12:30	گل مشاد	8:30	گل مشاد	12:30	گل مشاد	7
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12		گل مشاد		گل مشاد		گل مشاد		گل مشاد	12
13									13
14		گل مشاد		گل مشاد		گل مشاد		گل مشاد	14
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استحقاق									استحقاق
بازی									بازی
میزان									میزان

Attested  
[Signature]

SARDAR MUHAMMAD IRSHAD  
Advocate High Court  
Abbottabad

ردیف	تاریخ	آدم	دستخط	روزانگی	دستخط	آدم	دستخط	روزانگی	دستخط	آدم	دستخط	روزانگی	دستخط
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ردیف	تاریخ	آدم	دستخط	روزانگی	دستخط	آدم	دستخط	روزانگی	دستخط
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مہر و دستخط: \_\_\_\_\_  
 مقام: \_\_\_\_\_  
 تاریخ: 20/02/19  
 SDE (F)  
 DASHM

Attested  
 Signed

(Your suggestions will be welcome)

SARDAR MUHAMMAD IRSHAD  
 Advocate High Court  
 Abbottabad

رجسٹر حاضر کی بلڈ ریڈنگ رپورٹ کے لیے درخواستیں  
 رجسٹر حاضر کی بلڈ ریڈنگ رپورٹ کے لیے درخواستیں  
 رجسٹر حاضر کی بلڈ ریڈنگ رپورٹ کے لیے درخواستیں

نام: گل شاہد  
 پتہ: P.S.T  
 قومی شناختی کارڈ نمبر: 13401-8632037-0  
 فون نمبر: 6346-0287280

نام: گل شاہد  
 پتہ: P.S.T  
 قومی شناختی کارڈ نمبر: 13503-5532884-2  
 فون نمبر: 0312-2626555

نام: گل شاہد  
 پتہ: P.S.T  
 قومی شناختی کارڈ نمبر: 1401-512883-7  
 فون نمبر: 119-3323339

تاریخ	وقت	گروپ	رنگ	نتیجہ	گروپ	رنگ	نتیجہ	گروپ	رنگ	نتیجہ
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Seen by  
 17/05/19  
 Syed Jassu

Attest  
 Syed  
 SYED MUHAMMAD IRSHAD  
 Advocate High Court  
 Abbottabad



(13)

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



**NOTIFICATION**

**WHEREAS** Mst. Gul Shad PST GGPS Sultana Abad District Upper Kohistan proceeded against under Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 on account of her willful and unauthorized absence from duty.

2. **AND WHEREAS** as per report of ASDEO Circle as well as report of the DCMAs of IMU Kohistan the teacher concerned was reported remained absent from her duties w.e.f 01/01/2019 to till date without any prior permission/leave sanctioned of the competent authority.

3. **AND WHEREAS** Show Cause notice was served upon her vide this office letter No. 1355 dated 02/05/2019, she submitted her reply to the Show Cause notice on 29/05/2019 through SDEO Concerned his latter No 626 dated 29/05/2019.

4. **AND WHEREAS** reply to the Show Cause notice submitted by the teacher concerned was declared as non-convincing by the Competent authority, and directed the teacher to attend this office on 13/06/2019 before the District Education Officer Female Kohistan Upper for personal hearing vide this office letter No. 2706-9 Dated 30/05/2019, but she failed to avail opportunity of personal hearing.

5. **AND WHEREAS** the Competent Authority (District Education Officer ('F')) after having considered the charges and evidence on record response to the Show Cause Notice, is of the view that the charges against the accused teacher have been proved.

6. **NOW, THEREFORE**, in exercise of the powers conferred under the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (District Education Officer ('F')) is pleased to impose major penalty of "**REMOVAL FROM SERVICE**" w.e.f 01/01/2019 upon Mst. Gul Shad PST GGPS Sultana Abad District Upper Kohistan. Salary drawn by the teacher concerned during her absence period w.e.f 01/01/2019 to 30/06/2019 if any will be recovered.

-SD-

**District Education Officer (F)  
Upper Kohistan**

**Endst: No 3058-64 dated 5/7/2019:**

Copy forwarded for information and necessary action to the –

1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar
2. Deputy Commissioner District Kohistan
3. District Accounts Officer District Kohistan
4. District Monitoring Officer IMU Kohistan
5. Sub-Divisional Education Officer (F) Kohistan with the directions to ensure recovery for absent period mentioned above( if any) within 15 days under intimation to this office
6. Teacher Concerned.
7. Office File.

*Attested*  
*[Signature]*

*[Signature]*  
**District Education Officer (F)  
Upper Kohistan**

**SARDAR MUHAMMAD**  
**Advocate High C.**  
**Abbottabad**



بخدمت جناب ڈائریکٹر صاحب ایلمنٹری اینڈ سیکنڈری ایجوکیشن، پشاور

اپیل برخلاف غیر قانونی آرڈر نمبری 3058/64 مورخہ 05/07/2019

جناب عالی! موجبات اپیل ذیل ہیں۔

- 1- یہ کہ سالانہ 2006ء میں بھرتی ہوا اور باقاعدگی سے اپنے فرائض منصبی بطریق احسن بحیثیت PST سرانجام دیتی رہی۔
- 2- یہ کہ سالانہ / اپیلانٹ نے مورخہ 01/01/2019 تا 24/05/2019 کوئی غیر حاضری نہ کی ہے بلکہ انتہائی محنت سے بچوں کو پڑھاتی رہی ہے جبکہ بوجہ تعطیلات موسم گرما از مورخہ 25/05/2019 تا حال سکول بند ہے۔
- 3- یہ کہ دوران چیکنگ بھی سالانہ / اپیلانٹ سکول مذکورہ میں حاضر تھی۔ اس ضمن میں سالانہ / اپیلانٹ کاپی ہائے حاضری جو کہ حاضری رجسٹر سے لی گئی ہیں اور باضابطہ ASDEO سے تصدیق شدہ ہیں، لف ہذا ہیں۔
- 4- یہ کہ سالانہ کو بغیر انکوائری، بغیر کسی نوٹس اور بغیر چارج شیٹ کے غیر قانونی طور پر ملازمت سے برطرف کر دیا ہے جو کہ خلاف قانون و انصاف ہے۔

اندریں حالات استدعا ہے کہ غیر قانونی چھٹی نمبری 3058/64 مورخہ 05/07/2019 کو کالعدم اور منسوخ فرماتے ہوئے سالانہ کو بمعہ Back Benefits کے ملازمت پر بحال فرمایا جاوے۔

*Muhammad*  
*Irshad*

SARDAR MUHAMMAD IRSHAD  
Advocate High Court  
Abbottabad

العارضہ!

گل سجاد

مسماة گلشاد PST

گورنمنٹ گریڈ پرائمری سکول سلطانہ آباد ہرین، ضلع اپر کوہستان

C/O صدر برخان پروسس سرور، لیبر کورٹ ہری پور

مورخہ 22/07/2019

رابطہ نمبر 0301-3007676



(15) "F"

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

---

No. U775 FNo.325/F/Appeal Kohistan

Dated Peshawar the 11/10 /2019

To

The District Education Officer,  
(F) Kohistan

Subject:- **APPEAL**

I am directed to refer to your letter No.5157 dated 02/09/2019 on the subject cited above and to state that the competent authority has rejected the appeal of Mst. Syeda Sharafat Un Nisa PST and Mst. Gul Shad PST District Kohistan. Hence she may be informed accordingly.

*Hani*  
Deputy Director Female  
(E&SE) Khyber Pakhtunkhwa,

*O*  
*11/10/19*

VAKALATNAMA

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal

Mst. Gulshad VERSUS Government of Kpk and Others

I. Mst. Gulshad appoint M/S. Sardar Muhammad Irshad and Nasir Saleem, Advocates in the above mentioned case, to do all or any of the following acts, deeds and things:-

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected herewith.
2. To sign, verify and file appeals, petitions, suits, affidavits and applications for compromise or withdrawal or for referring to arbitration of the said case as may be deemed necessary or advisable by clients for the conduct, prosecution or defense of the said case at all its stages.

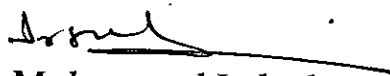
AND hereby agree:-

- 
- a. That the advocates shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remained unpaid.


In witness whereof I / We have signed this Vakalatnama hereunder, the contents of which have been read / explained to me / us and fully understood by me / us.

Accepted by:-

Signature of Executant Gul Shad



Sardar Muhammad Irshad  
Advocate High Court  
+92343-3326000

  
Nasir Saleem  
Advocate  
+92334-1054951

**BEFORE THE HONRABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR CAMP COURT ABBOTTABD.**

*Appeal No. 1310/2019*

**Mst: Gulshad .....APPELLANT.**

**VERSUS**


Govt: of Khyber Pakhtunkhwa through Secretary Elementary & Secondary  
Education Peshawar & others.

**RESPONDENTS**

**PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF  
RESPONDENTS NO 1 & 2, 3.**

**INDEX**

<i>S.No</i>	<i>Description of documents</i>	<i>Annexure</i>	<i>Pages</i>
1	<i>Comments of Respondents</i>		<i>1-4</i>
2	<i>Affidavit</i>		<i>5</i>
3	<i>Copy of IMU report &amp; Attendance Register</i>	<b>"A", "B"</b>	<i>6-10</i>
4	<i>Copy of Show Cause notice</i>	<b>"C"</b>	<i>11</i>
5	<i>Copy of letter for Personal Hearing</i>	<b>"D"</b>	<i>12</i>

  
DISTRICT EDUCATION OFFICER  
(FEMALE) KOHISTAN

**BEFORE THE HONRABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR CAMP COURT ABBOTTABD.**

**APPEAL No. 1310/2019**

**Mst: Gulshad ..... APPELLANT**

**VERSUS**

1. Govt: of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar.
2. Director Elementary & Secondary Education KPK Peshawar.
3. District Education Officer (Female) Kohistan

**RESPONDENTS**

**PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF  
RESPONDENTS NO 1, 2 & 3.**

**PREIMINARY OBJECTIONS:**

1. That the Appellant is not the "AGGRIEVED" person.
2. That the Appellant is estopped by his own conduct.
3. That the Appellant has not come to the Hon'ble Tribunal with clean hands.
4. That the Appellant has no cause of action/locus standi to file the instant appeal.
5. That instant Appeal is against the prevailing law and rules.
6. That the appeal is groundless and based on malafide, ulterior motive, hence the same is liable to be dismissed.
7. The instant appeal is not maintainable in the present form and also in the present circumstances of the issue.
8. That the demand of the appellant is against the law and facts hence the appellant is not entitled for any relief and appeal is liable to be dismissed on this score alone.
9. That the impugned passed by the respondent Department according with Law, hence appeal is liable to be dismissed.
10. That the appellant has field the present appeal just to pressurize the respondents.

11. That the act of the respondent with in law and rules. The order dated 5-7-2019 issued after fulfillment of the coddle formalities hence appeal is liable to be dismissed.

**FACTUAL OBJECTIONS:-**

1. That Para No.01 of the appeal relates to appellant service record hence no comments.
2. Para No.02 is correct, Need No Comments.
3. Para No.03 is incorrect , The appellant remained absent from her school duty w.e.f 1-1-2019 till final removal from service order without any prior permission /leave sanctioned of the competent authority. The Assistant Sub-Divisional Education Officer (F) and DCMA of Independent Monitoring Unit during their visit to the school reported from time to time that the appellant remained absent from her duty. The DCMA of Independent Monitoring Unit reported GGPS Sultan Abad closed and non-functional frequently. The concerned teacher marked the fake attendance, because before the start of each academic year, the school remains closed in the first week of April due to spring vacations. This fake attendance indicates the malafied contention of the appellant that she bogusly marked the attendance.

*(Copy of IMU report & Attendance register is annexed as Annexure "A" & "B")*

4. Para No.04 is incorrect and misleading, and to save her skin because the appellant was not performing her assigned duty but fakely marked her attendance in the attendance register. Her attendance on the register was the day of holyday which is the clear violation of the rules and regulations. The respondent No.3 properly issued show cause notice after the report of ASDEO Circle and independent Monitoring Unit. She was also called for personal hearing but she failed to avail. Hence after having consider charges and evidence on the record, the charges against the appellant have been proved, so in the light of these charges the appellant was imposed the major penalty of removal from service with effect from 1-1-2019.

5. Reply of Para No.05 of the appeal is that appellant filed Departmental appeal which was rejected by appellate authority. Further stated that appellant was treated as per rules and law on account of her willful absence.
6. Para No.06 is correct to the extent that the appeal of the appellant was rejected by the appellate authority because her willful absence was proved by ASDEO and DCMA of IMU reports respectively.

That the appellant was not aggrieved person inter alia on the following grounds.

**GROUND:-**

- (i) Para "I" of the ground is Incorrect hence denied; detail reply has already been given in the above Paras.
- (ii) Para "II" of the ground is Incorrect & misleading because proper show cause notice was issued to the appellant and also called for personal hearing, so the stance of the appellant is totally malafied. *(Photocopy of Show cause Notice and letter for Personal Hearing are annexed as Annexure "C" & "D").*
- (iii) Para "III" of the ground is Incorrect. Appellant remained absent from her respective duties, and the appellant was reported absent by the DCMA (IMU) and ASDEO concerned.
- (iv) Para "IV" of the ground is Incorrect, proper show cause notice was issued and the appellant was called for personal hearing. The respondent is bound to obey the rules and policies of the Government and they cannot deviate from the policies of the Government on the will and wishes of any body.
- (v) Para "V" of the ground is totally incorrect and misleading. Detail reply has already been given in the above paras.
- (vi) Para "VI" of the ground is incorrect, hence denied, already replied.
- (vii) Reply of Para "VII" of the ground is that all the action taken against the appellant is in accordance with rule and law.
- (viii) Para "VIII" of the ground is incorrect. Appellant was treated as per rules and law.
- (ix) Para "IX" of the ground is incorrect and denied. The appeal of the appellant was rejected by the appellate authority because her willful absence was proved by

Assistant District Education Officer and DCMA of Independent Monitoring Unit reports respectively. Respondents act in accordance with rules and law.

- (x) Para "X" of the ground is incorrect hence denied. Detail reply has already been given in above Paras.

**PRAYER:**

*It is therefore, humbly prayed that on acceptance of the above submissions, the instant appeal may very graciously be dismissed in the favor of the answering Respondents in the interest of the Justice.*



The District Education Officer,  
(Female) Kohistan  
(Respondent No. 3)



**DIRECTOR**  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar.  
*Del* (Respondent No. 2)



**SECRETARY**  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar.  
(Respondent No. 1)



**BEFORE THE HONRABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR CAMP COURT ABBOTTABD.**

**APPEAL No. 1310/2019**

**Mst: Gulshad .....APPELLANT.**

**VERSUS**

1. Govt: of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar.
2. Director Elementary & Secondary Education KPK Peshawar.
3. District Education Officer (Female) Kohistan

**RESPONDE**

**AFFIDAVIT**

I, Mr. Muhammad Siddique Assistant District Education officer on Behalf of District Education Officer (F) Kohistan do, hereby solemnly affirm and declare that the Para wise comments of the Service Appeal No.1310/2019 titled Mst: Gulshad versus Government is true to the best of my conviction and belief and nothing has been concealed from this Honorable Court.

**DEPONENT** \_\_\_\_\_



ASSISTANTDISTRICT EDUCATION OFFICER  
(FEMALE) KOHISTAN.

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## IMU REPORT FOR THE MONTH OF FEBRUARY 2019

## Non-functional Schools (Female)

S.No	UIS Code	Name of School	Gender	Tehsil	Uc Name	Circle Name	School	Reason	Remarks
1	30517	GGPS GAKUZ	Girls	DASSU	HARBAN	DASSU	close	Permanent Non Functional	School is found closed according to locals school is nonfunctional from last one year for unknown reasons.
2	30519	GGPS GAYAL SERI	Girls	DASSU	KUZ PURWA	SEO KANDIA	close	Permanent Non Functional	School is found non functional according to locals school is closed from last 2 years for unknown reasons.
3	30521	GGPS GHEE HARBAN	Girls	DASSU	HARBAN	DASSU HARBAN	close	Permanent Non Functional	School is found non functional according to chokidar Mul khan cnic 13401 4097316 9 school is closed from last one year for unknown reasons.
4	30561	GGPS SER GARI	Girls	KANDIA	KAREEN	SEO KANDIA	close	Permanent Non Functional	School is found non functional according to chokidar school is closed from last one year for unknown reasons.
5	30569	GGPS SAZEEN	Girls	DASSU	SAZEEN	DASSU	close	Permanent Non Functional	School is found non functional according local school is nonfunctional from last one year for unknown reasons.
6	30593	GGPS SULTAN ABAD	Girls	DASSU	SAZEEN	DASSU	close	Permanent Non Functional	School is found non functional according to locals school is closed from last two years for unknown reasons.
7	32665	GGPS SERTOOL KANDIA	Girls	KANDIA	THOTI	SEO KANDIA	close	Permanent Non Functional	School is found temporary closed according to locals school is closed from last one year for unknown reasons.
8	32673	GGPS SAMAR NALA	Girls	DASSU	SAZEEN	DASSU	close	Permanent Non Functional	School is found non functional according to chokidar teacher is non local and absent from last one year for unknown reasons.
9	40852	GGPS RAFIQSHAH ABA	Girls	DASSU	GOSHALI	DASSU HARBAN	close	Permanent Non Functional	School is non functional Since Long Time
10	39488	GGPS FERADOON ABA	Girls	DASSU	DASSU	DASSU HARBAN	close	Permanent Non Functional	School is found closed due to absence of teaching staff. There is no teaching and learning activity.
11	30573	GGPS SERAL SHAH	Girls	DASSU	DASSU	DASSU HARBAN	close	Permanent Non Functional	School is found non functional due to the absence of teaching staff. There is no teaching and learning activity.
12	30632	GGPS NAMRATAI	Girls	DASSU	KUZ JALCO	DASSU HARBAN	close	Permanent Non Functional	School is found non functional due to the absence of teaching staff and its hard far flung location.

*[Signature]* 2/3/2019

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Abdul Saleh  
AEO (S)  
R-70

2/3  
2/10

IMU REPORT FOR THE MONTH OF FEBRUARY 2019

Close Schools (Female)

Sl. No.	Roll No.	Name of School	Gender	Block	Location	Local Name	Status	Reason	Monitoring Date	Remarks
1	30502	GGPS CHOOCHANG	Girls	DASSU	DASSU	DASSU HARBAN	close	Student and teaching Staff Absent	2/15/2019 8:54 AM	school is found temporary closed according to chokidar this is single teacher school while teacher is from mansehra and absent from last one week.
2	30517	GGPS GAKUZ	Girls	DASSU	HARBAN	DASSU	close	Permanent Non Functional	2/9/2019 11:11 AM	School is found closed according to locals school is nonfunctional from last one year for unknown reasons.
3	30519	GGPS GAYAL SERI	Girls	DASSU	KUZ PURWA	SEO KANDIA	close	Permanent Non Functional	2/15/2019 11:15 AM	School is found non functional according to locals school is closed from last 2 years for unknown reasons
4	30521	GGPS GHEE HARBAN	Girls	DASSU	HARBAN	DASSU HARBAN	close	Permanent Non Functional	2/9/2019 10:39 AM	School is found non functional according to chokidar Mui Khan chik 13401 4097316 9 school is closed from last one year for unknown reasons.
5	30561	GGPS SER GARI	Girls	KANDIA	KAREEN	SEO KANDIA	close	Permanent Non Functional	2/11/2019 9:23 AM	School is found non functional according to chokidar school is closed from last one year for unknown reasons.
6	30569	GGPS SAZEEN	Girls	DASSU	SAZEEN	DASSU	close	Permanent Non Functional	2/16/2019 9:37 AM	School is found non functional according local school is nonfunctional from last one year for unknown reasons.
7	30570	GGPS SEO VILLAGE	Girls	DASSU	SEO	SEO KANDIA	close	Student and teaching Staff Absent	2/13/2019 10:37 AM	School is found temporary closed according to locals school is closed from last two months for unknown reasons. Jamila (pst) is local and unauthorized absent from last two months for unknown reasons while another local and found unauthorized absent.
8	30585	GGPS TAYAB ABAD	Girls	DASSU	SEO	SEO KANDIA	close	Student and teaching Staff Absent	2/13/2019 9:37 AM	School is found temporary closed for unknown reasons.
9	30593	GGPS SULTAN ABAD	Girls	DASSU	SAZEEN	DASSU	close	Permanent Non Functional	2/9/2019 11:10 AM	School is found non functional according to locals school is closed from last two years for unknown reasons.
10	30631	GGPS KASS BANDA	Girls	DASSU	KOMILA	SEO KANDIA	close	Student and teaching Staff Absent	2/13/2019 9:11 AM	School is found temporary closed according to locals school is closed from last one month for unknown reasons.
11	32665	GGPS SERI OK KANDIA	Girls	KANDIA	THOTI	SEO KANDIA	close	Permanent Non Functional	2/11/2019 10:46 AM	School is found temporary closed according to locals school is closed from last one year for unknown reasons.
12	30565	GGPS SHEKH RAT	Girls	DASSU	DASSU	DASSU HARBAN	close	Student and teaching Staff Absent	2/18/2019 10:27 AM	School is found closed due to the absence of teaching staff and students There is no teaching and learning activity
13	30573	GGPS SERAL SHAH	Girls	DASSU	DASSU	DASSU HARBAN	close	Permanent Non Functional	2/16/2019 10:47 AM	School is found non functional due to the absence of teaching staff there is no teaching and learning activity.

 2/13/2019

List of Permanent Non Functional Schools Reported In February 2019

S.No	EmisCode	SchoolName	LEVEL	Gender	District	Remarks	Action taken by D.O.
41	30606	GGPS HABIB ABAD	Primary	Girls	KOHISTAN	All teaching staff and students are absent according to local community teachers are absent since one year.	
42	30545	GGPS KASS DUBAIR PAIN	Primary	Girls	KOHISTAN	this school is non functional school since long teachers and students are not coming	
43	30572	GGPS DACHI	Primary	Girls	KOHISTAN	All teaching staff and student are absent.	
44	30666	GGPS SHISHAL KAYAL	Primary	Girls	KOHISTAN	School is non functional.chowkidar is also absent.	
45	32688	GGPS HARIGAH	Primary	Girls	KOHISTAN	School is non functional.	
46	30517	GGPS GAKUZ ✓	Primary	Girls	KOHISTAN	School is found closed according to locals school is nonfunctional from last one year for unknown reasons.	
47	30519	GGPS GAYAL SERI	Primary	Girls	KOHISTAN	School is found non functional according to locals school is closed from last 2 years for unknown reasons.	
48	30521	GGPS GHEE HARBAN ✓	Primary	Girls	KOHISTAN	School is found non functional according to chokidar Mul khan cnic 13401 4097316 9 school is closed from last one year for unknown reasons.	
49	30561	GGPS SER GARI	Primary	Girls	KOHISTAN	School is found non functional according to chokidarschool is closed from last one year for unknown reasons.	
50	30569	GGPS SAZEEN ✓	Primary	Girls	KOHISTAN	School is found non functional according local school is nonfunctional from last one year for unknown reasons.	
51	30593	GGPS SULTAN ABAD ✓	Primary	Girls	KOHISTAN	School is found non functional according to locals school is closed from last two years for unknown reasons.	
52	32665	GGPS SERTOQ KANDIA	Primary	Girls	KOHISTAN	School is found temporary closed according to locals school is closed from last one year for unknown reasons.	
53	32673	GGPS SAMAR NALA	Primary	Girls	KOHISTAN	School is found non functional according to chokidar teacher is non local and absent from last one year for unknown reasons.	
54	30573	GGPS SERAL SHAH ✓	Primary	Girls	KOHISTAN	School is found non functional due to the absence of teaching staff. There is no teaching and learning activity.	
55	30632	GGPS NAMRATAI ✓	Primary	Girls	KOHISTAN	School is found non functional due to the absence of teaching staff and its hard far flung location.	
56	37368	GGPS HARI KANDIA	Primary	Girls	KOHISTAN	School is found non functional due to the absence of teaching staff and its hard far flung location.	
57	39488	GGPS FERADOON ABAD ✓	Primary	Girls	KOHISTAN	School is found closed due to absence of teaching staff. There is no teaching and learning activity.	
58	40852	GGPS RAFIQSHAH ABAD ✓	Primary	Girls	KOHISTAN	School is non functional due to the absence of teaching staff and its hard far flung location.	
59	38553	GGPS BANIL DUBAIR	Primary	Girls	KOHISTAN	GGPS banil dubair is washed away in flood many years ago and there is no teacher and no students since long school is nonfunctional. and picture attached is area of the banil dubair.	

*[Handwritten Signature]*  
18/3/2019

CLOSED SCHOOL FEMALE

S #	EMIS Code	Name of School	UC Name	Circle Name	School St	Reason	Monitoring Date	Remarks
1	30487	GGPS ASHPADAR	GABRIAL	SEO KANDIA	close	Permanent Non Functional	2019-03-29 08:51:03	School is non functional.
2	30498	GGPS BAR BAK	GOSHALI	DASSU HARBAN	close	Permanent Non Functional	2019-03-22 11:33:21	only c4 named khan geer is present with close school. so strict action is needed against these teachers. school is non functional school since long
3	30507	GGPS DANSH KANDIA	KARANG	SEO KANDIA	close	Permanent Non Functional	2019-03-27 08:40:32	School is non functional since long time.while chowkidar is present.
4	30508	GGPS SOYAL JASHOI	KAREEN	SEO KANDIA	close	Permanent Non Functional	2019-03-28 09:28:02	school nonfunctional since long time.
5	30519	GGPS GAYAL SERI	KUZ PURW	SEO KANDIA	close	Permanent Non Functional	2019-03-15 09:45:39	School is non functional while chowkidar is present.
6	30521	GGPS GHEE HARBAN	HARBAN	DASSU HARBAN	close	Permanent Non Functional	2019-03-22 11:21:38	School is non functional since long time.
7	30526	GGPS HARBAN KOT	HARBAN	DASSU	close	Student and teaching Staff Absent	2019-03-21 12:20:27	According to local community After december miss tahira is absent.while nuzat ara is permanently absent .
8	30531	GGPS JAMRA JALKOT	BARIYAR	DASSU HARBAN	close	Student and teaching Staff Absent	2019-03-30 12:41:13	ggps jamra is closed
9	30533	GGPS KHIRZA KHEL DADIR	BAR JALKO	DASSU HARBAN	close	Student and teaching Staff Absent	2019-03-26 10:00:31	students and teaching staff found absent at the time of vissit..
10	30538	GGPS KUZ GAHEEN	BAR JALKO	DASSU HARBAN	close	Student and teaching Staff Absent	2019-03-26 10:11:33	students and teaching staff are absent at the time of vissit..
11	30543	GGPS MEHRAN ABAD	GOSHALI	DASSU HARBAN	close	Permanent Non Functional	2019-03-22 10:27:28	whole school is close and non functional school since long teachers and students are not coming.
12	30551	GGPS PEEROBELA	BARIYAR	DASSU HARBAN	close	Permanent Non Functional	2019-03-30 12:02:27	ggps peero bela is non functional school since long.so plz kindly remove these non functional schools.this is onlh fatigue for dcmas.
13	30561	GGPS SER GARI	KAREEN	SEO KANDIA	close	Permanent Non Functional	2019-03-13 11:28:02	School is permanently non functional.while chowkidar is present.
14	30566	GGPS SAMAR ABAD	GOSHALI	DASSU HARBAN	close	Teaching Staff Absent	2019-03-22 11:16:13	teaching staff is absent .only students are present.one unknown proxy teacher is present with identity .
15	30569	GGPS SAZEEN	SAZEEN	DASSU	close	Student and teaching Staff Absent	2019-03-22 09:45:29	All teaching staff are absent.while chowkidar post is vacant.
16	30573	GGPS SERAL SHAH	DASSU	DASSU HARBAN	close	Permanent Non Functional	2019-03-29 10:02:24	ggps seraal shah is non functional school since long.
17	30585	GGPS TAYAB ABAD	SEO	SEO KANDIA	close	Student and teaching Staff Absent	2019-03-16 09:32:06	All teaching staff are absent.
18	30590	GGPS DADIR GOSHALI	GOSHALI	DASSU HARBAN	close	Permanent Non Functional	2019-03-29 10:32:42	ggps dadir goshali is closed school since long.
19	30593	GGPS SULTAN ABAD	SAZEEN	DASSU	close	Permanent Non Functional	2019-03-22 10:57:37	School is non functional since many year.
20	30629	GGPS BAJA LOHI	BARIYAR	DASSU HARBAN	close	Permanent Non Functional	2019-03-30 11:17:40	ggps jamra lohi is non functional and shelterless school .building is damagad by erra .only c4 is present named baram khan with photo
21	30631	GGPS KASS BANDA	KOMILA	SEO KANDIA	close	Teaching Staff Absent	2019-03-25 10:08:39	All teaching staff are absent.
22	30632	GGPS NAMRATAI	KUZ JALKO	DASSU HARBAN	close	Student and teaching Staff Absent	2019-03-27 10:31:01	Student and teaching staff are absent at the time of visits...
23	32657	GGPS KHAKI ABAD	GOSHALI	DASSU HARBAN	close	Student and teaching Staff Absent	2019-03-22 09:59:06	GGPS khaki abad is closed school since long.c4 is retired out since 5 month ago.his son named jamdar sheet order is pending and in progress
24	32664	GGPS SADAM DADIR	BAR JALKO	DASSU HARBAN	close	Student and teaching Staff Absent	2019-03-26 09:05:25	School found close teacher and students are absent at the time of visit...
25	32665	GGPS SERTO O KANDIA	THOTI	SEO KANDIA	close	Permanent Non Functional	2019-03-13 11:22:30	School is permanently non functional.
26	32666	GGPS BAR GAHEEN	BAR JALKO	DASSU HARBAN	close	Student and teaching Staff Absent	2019-03-26 08:36:05	Teacher and students are absent at the time of vissits... people migrated to lower altitudnal villages...
27	32674	GGPS KARAG KANDIA	KARANG	SEO KANDIA	close	Permanent Non Functional	2019-03-27 11:57:15	School is non functional.
28	35162	GGMS SOYAL	KAREEN	SEO KANDIA	close	Permanent Non Functional	2019-03-28 09:43:07	School is non functional.

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Office file  
2/4/2019

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2019

سازمان اسناد و کتابخانه ملی جمهوری اسلامی ایران

بابت ماه اسفند سال 1399

کتابخانه		شماره سند		کتابخانه		شماره سند	
کتابخانه		P.S.T		کتابخانه		P.S.T	
13401-3		0312-2626555		13401-7		0312-23339	
0312-33		0312-2626555		13401-512883		0312-23339	
12	کتابخانه	کتابخانه	کتابخانه	کتابخانه	کتابخانه	کتابخانه	کتابخانه
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(Your suggestions will be welcome)

دکتر ...

Annexure "C"

11

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OFFICE OF THE DISTRICT EDUCATION OFFICER  
(FEMALE) KOHISTAN

SHOW CAUSE NOTICE

I, Mr. Raja Sheraz Ahmad District Education Officer, (Female) Kohistan, being a competent authority under the Khyber Pakhtunkhwa Govt: Servants (E&D) Rules, 2011, do hereby serve you **Mst. GUL SHAD PST GGPS SULTAN ABAD**

01. That as confirmed by IMU Inspection report, at the time of visit school found **Non-Functional for the month of 03/2019** and you were found absent from school duty since long, you have not performed your duty in school & resultantly your school found closed and complaints lodge by inhabitants/Chowkidar of the area without lawful authority in sheer violation of the rules. the material on record and other connected papers under Rule-5 (i) (a) read with Rule-7 of the said Rules, I am satisfied that you have committed the following acts/omissions specified in Rule-3 of the rules ibid:
  - a. Guilty of habitually absenting herself from duty without prior approval of leave.
02. Therefore, I as competent authority have tentatively decided why not to impose upon you the penalty under rule 4 (a/b) of the said rules.
03. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desired to be heard in person.
04. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.

Endstt: No. 1355 /Dated Kohistan the 2/5 /2019

Copy of the above is forwarded to the:-

01. Mst. GUL SHAD PST GGPS SULTAN ABAD.

District Education Officer (F)  
COMPETENT AUTHORITY

*[Handwritten signatures and initials]*

Annexure "D"

12

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


No 2706 DEO (F) KH Dated \_\_\_\_\_ 2019

To  
01.Mst. Gul Shahd PST  
GGPS Sultan ABad

Subject;-  
**PERSONAL HEARING.**

Memo:


A show cause notice regarding your absenteeism has been issued vide this office letter No. 1355 Dated. 02/05/2019 your written reply is not justified, So you are directed to attend this office for personal hearing on 13/06/2019 at 10:00 AM in the office of the undersigned to justify that why not, disciplinary action should be taken against you under E&D rule 2011.

  
District Education Officer  
(Female) Kohistan

No 2706-9 Dated 30/05/2019

Copy of the above is forwarded to the:

- 01. Deputy Commissioner Kohistan Upper.
- 02. Deputy District Education Officer (Female) Kohistan.
- 03. Sub Divisional Education Officer (Female) Dassu Kohistan
- 04. Office File

  
District Education Officer  
(Female) Kohistan

