

BEFORE THE HONORABLE SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 4274/2021

Mst. Humaira Bibi.....(Appellant)

Versus

Director E&SE Khyber Pakhtunkhwa and Others.(Respondents)

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 3958

Dated 1/3/2023

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BEFORE THE HONORABLE SERVICE TRIBUNAL PESHAWAR.

Appeal No.4274/2021

st. Humaira Bibi.....Appellant.

Versus

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa,
2. Deputy Director (Estb) Merged Area
3. District Education Officer Tribal District Khyber at Jamrud.....Respondents

Comments on behalf Respondents No1 and 3.

Preliminary objections.

- That the appellant has got no cause of action locus standi to file the instant appeal.
- That the appellant has not come to this honorable tribunal with clean hands.
- That appellant concealed material facts from this honorable tribunal.
- That the appellant is stopped by her own conduct to bring the present appeal.

Respectfully submitted as;

ON FACTS.

1. Subject to record.
2. Incorrect. The appellant involved in willful absence from duty among other ghost teachers whose issue was properly tackled through an independent inquiry and it was proved that the appellant was absent from her duties and never perform her duty and there concerned AAEO give a certificate that "The ghost individuals are neither known to us nor perform duties in our tenure as AAEO" (Annexure A). The respondent department published the show cause notices in two leading Newspapers i.e "Daily Express" dated 01/09/2017 and "Daily Mashriq" dated 06/09/2017 but the appellant turned a deaf ear to these notices and did not respond (Annexure B, C & D). Finally the responded department removed the appellant from service vide Endst No: 6906-14 dated 28/11/2017(Annexure -E).
3. The appellant filed the departmental appeal which was properly examined with the opportunity of personal hearing to the appellant and found the appellant absent from duties on the basis of which her appeal was regretted (annexure - F).
4. That the appellant has got no cause of action to file instant appeal.

Grounds:

- A. Incorrect. The respondent department removed the appellant from service after fulfilling all the codal formalities.
- B. Incorrect. The respondent department served show cause notice in two leading newspapers but the appellant did not respond and the appellant filed the departmental appeal which was properly examined with the opportunity of personal hearing to the appellant and found the appellant absent from duties on the basis of which her appeal was regretted.

- C. Incorrect. The responded department informed the appellant through show cause notices but the appellant turned a deaf ear to these notices and did not respond and remained absent.
- D. Incorrect. As per Para "B"
- E. Incorrect. As elucidate under Para 2 above on facts.
- F. Incorrect. The respondent department followed laws/rules and acted accordingly. The responded department informed the appellant through show cause notices but the appellant turned a deaf ear to these notices and did not respond and remained absent.
- G. Incorrect. As elucidate in Para F above.
- H. Incorrect. The appellant involved in willful absence from duty among other ghost teachers whose issue was properly tackled through an independent inquiry and all were remove from the service.
- I. Incorrect. The respondent department served show case notices in two leading newspapers but the appellant did not respond.
- J. Incorrect. The respondent department followed laws/rules and acted accordingly.
- K. Th e respondent department may also be allowed to advance other proofs at the time of hearing.

PRAY:

It is humbly prayed that the appeal may please be dismissed with cost.

Respondent No. 1

[Signature]
 Director E & SE
 Khyber Pakhtunkhwa

Respondent No. 3

[Signature]
 District Education Officer
 District Khyber

Affidavit

We the respondents do hereby declare and affirm the above comments are true and correct to the best of our knowledge and nothing has been concealed from this Honorable Tribunal.

Respondent No. 1



[Signature]
 Director E & SE
 Khyber Pakhtunkhwa

Respondent No. 3

[Signature]
 District Education Officer
 District Khyber

Authority Letter

Mr. Munawar Khan /focal Person of (Litigation) District education Officer Khyber
is hereby authorized to submit parawise comments in service tribunal on behalf
of the respondent



**District Education Officer
District Khyber**

Certificate

It is to certify that the following ghost individuals are neither unknown to us nor performed duties in our tenure as AAEO of the respective circle.

No	P.No	Name of Officials & Designations	Bank Account No and Bank Address
1	423514	Shakeela Begum PST	
2	423462	Naseem Begum PST	UBL Peshawar Cantt : 7781-7
3	423543	Bibi Zanab	ABL Chick Center 3094-4
4	50189537	Zakara PST	HBL Dabgari Ghate 9299-6
5	50171842	Naveed Shehzad PST	HBL Hayat Abad Town 11137900595603
6	412353	Bakht Mina PST	ABL Tehsil Bazar -01-101-1935-8
7	414031	Sonia Bhatti	NBP Pak Jamrud Bazar 4320072045
8	521855	Humaira Bibi TT	NBP Pak Main Branch Mardan 12240-8
9	50189536	Habiba PST	HBL University Campus 04047901247103
10	50183006	Nargas PST	ABL Nawa Killi Peshawar 0120604778
11	50193142	Asad Shehar Yar	UBL Hayatabad Peshawar 0204152215
12	412706	Saira Bano PST	HBL New Bara Market 50317900018303
13	423480	Salma Afridi PST	NBP Tehsil Bazar Charsada 7069-1
14	423570	Musif Khan Chowikdar	MCB Rigi Lalma 7938455291001082
15	50161611	Mehwish Ashraf PST	UBL Safaid Diri Peshawar 0002103882
16	423495	Qismat Ara Caller	DDO Code KH0012
17	423086	Saima Akhtar PST	Bank of Khyber Secretariat 5702
18	428284	Mariya PST	NBP Pak Bara Branch 8493-7
19	422958	Maryam Ayaz PST	HBL Tehkal Bala 02677900075203
20	50150036	Najma PST	HBL New Bara Market 50317901040703
21	50161615	Nazia Shahbir TT	HBL Hayatabad Town 11137900991903
22	423512	Nishad Shaheen PTC	Bank of Khyber Secretariat Branch 5703
23	572881	Nodrat Begum PST	UBL Sawabi 0152725
24	50187098	Rahat Begum PST	NBP Pak Sugar Mill Charsada 4352-9
25	423454	Robina Begum PST	ABL Pak Jehangeer Pura 28229
26	414830	Saba PST	NBP Pak Gujrat Branch Mardan 3519-8
27	423589	Sadia Haroon TT	NBP Jamrud 3156-7
28	423091	Saima Rohi CT	NBP Pak GT Road Peshawar 8576-8
29	422721	Shabnam Shah Nawaz CT	NBP Pak Corporation Branch Peshawar 14288-9
30	414865	Shafat Begum PST	NBP Pak GT Road Peshawar 14937-0
31	423502	Shakira Bano TT	HBL New Bara Market 50317900072003
32	423212	Ojala Azam PST	Bank of Khyber Secretariat Branch 6141
33	409052	Zahida Begum PST	ABL Pak PDA Building Hayatabad 6399-0
34	50150046	Arfa Naz PST	ABL Pak Irrigation Cloney 52015191
35	415435	Asia Parveen PET	HBL Cantonment 02247900271103
36	409911	Aisha Azam PST	Bank of Khyber Secretariat Branch 6140
37	414822	Farzana PTC	NBP Pak Gunj Gate 3540
38	416280	Gulshan Ara PET	ABL Tehsil Bazar 01-101-19370
39	410740	Badana Begum	UBL Umarzai 1005856-6
40	50174991	Zeenat PST	ABL Naway Killi Peshawar 01-212-0114-4
41	423474	Shaheen Akhtar PST	HBL Tehkal Bala 026779001729-3
42	423449	Nasreen Gul PTC	ABL BISE Jamrud 6520-9
43	50187097	Noreen Kamal ADC	ABL Tower Branch Hayatabad 0010005251480014
44	657577	Muhamnad Shahid ADC	DDO KH0012
45	50187095	Kaleem ADC	DDO KH0012
46	50458988	Samina Khan Canal Inspector	HBL 221202 12027900034401
47	50183005	Samina Begum PST	UBL Umarzai 0001060507
48	50188342	Zahir Shah Inspector	DDO KH0012
49	50188344	Zafar Khan Inspector	DDO KH0012
50	50188345	Farman Ullah Inspector	DDO KH0012
51	408754	Khaliq Noor Lais Naik	DDO Code KH0012
52	50189541	Taimur Press Mechanic	ABL 250052 1002731940014
53	50150053	Taj Muhammad Pump Mechanic	KH0012 DDO

Accessed

1 / GENERAL EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Answer = B
P-5

Vertical text on the left margin, possibly a list of numbers.

Sl. No.	Name of Officials	Designations	Bank Account No and Bank Address
5019929	Muhammad Sadiq	ADC	DPO KHOCHE
5019929	Kaleem	ADC	DPO LAHORE
5019929	Sarim Khan	General Inspector	HBL 221202 1702, 900031301
5019929	Sarim Khan	General Inspector	HBL 221202 1702, 900031301
5019929	Zafar Khan	General Inspector	DPO LAHORE
5019929	Sahib Khan	General Inspector	DPO LAHORE
5019929	Sahib Khan	General Inspector	DPO LAHORE
5019929	Sahib Khan	General Inspector	DPO LAHORE
5019929	Farooq Khan	General Inspector	VIA 0031 119 2 11 10 700000 205 (Muzamam Road) 1900
5019929	Khaliq Noor	General Inspector	DPO LAHORE
5019929	Tausif	General Inspector	ABL 221202 1702, 900031301
5019929	Muhammad Ali	General Inspector	DPO LAHORE

- 1. General Education Officer, Khyber Agency at Jamrud
- 2. General Education Officer, Khyber Agency at Jamrud
- 3. General Education Officer, Khyber Agency at Jamrud
- 4. General Education Officer, Khyber Agency at Jamrud
- 5. General Education Officer, Khyber Agency at Jamrud

Mr. Muhammad
General Education Officer
Khyber Agency at Jamrud

S. H. Khan
General Education Officer
Khyber Agency at Jamrud

M. Aslam
General Education Officer
Khyber Agency at Jamrud

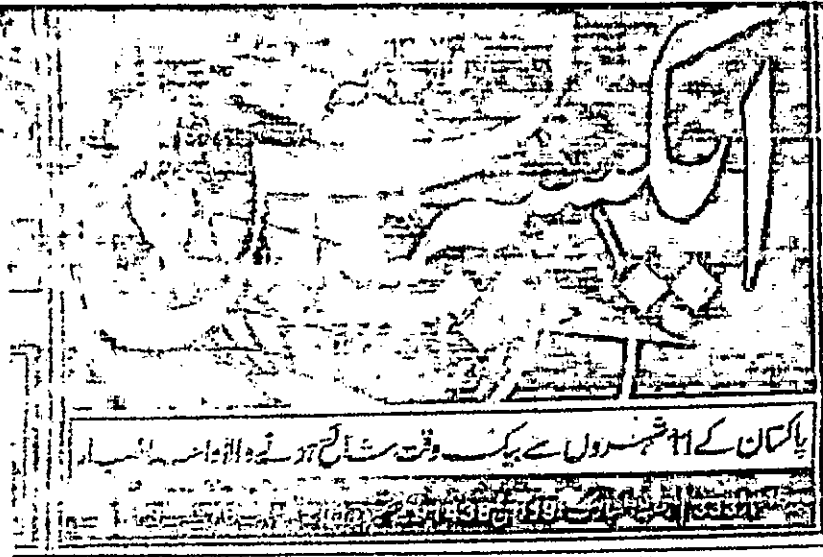
M. Aslam
General Education Officer
Khyber Agency at Jamrud

M. Aslam
General Education Officer
Khyber Agency at Jamrud

M. Aslam
General Education Officer
Khyber Agency at Jamrud

Copy of the list is being
forwarded to the concerned
offices for their information.

Aslam



Sl. No.	Name	Age	Religion	Address	Mobile No.
1	محمد علی	41	مسلم	...	412630
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اللہ ہی کیلئے ہیں مشرق و مشرق القرآن

DAILY MASHRIQ PESHAWAR

پشاور

جمہور کے ہائی

سید تاج میر شاہ

مشرق

سلسلہ اشاعت کے 51 سال

ABC CERTIFIED پشاور اسلام آباد سبیک وقت شائع ہونے والا کثیر الاشاعت قومی اخبار

جلد 51 نمبر 14 ذی الحجہ 1438ھ 6 ستمبر 2017ء 21 ہماروں قیمت 13 روپے

گماہر ملازم کے اہل کار

reason(s) thereof.

مشتعل و متعصب

مردہ ذیل تمام استانیوں کو بذریعہ اشتہار پڑھا گیا جانا ہے کہ آپ سب کو ہائی کورٹ نے 1691-97 تاریخ 20/12/2013 کو پیش کی گئی درخواستوں پر فیصلہ دیا ہے کہ اگر ان کے لئے آپ سب کو اشتہار پڑھا جائے گا کہ اشتہار پڑھنا کی اشاعت کے چھ روزوں کے اندر ہی ان کو ہائی کورٹ سے کمراست یعنی اپنا کس نام سے دست دیکر آپ سب کو EED Rules کے مطابق نوکریوں سے ہٹا دیا جائے گا۔

- (1) پرل ٹیئر 412630 (ڈی این سی) (2) پرل ٹیئر 423514 (ڈی این سی) (3) (ڈی این سی) 436337
- (4) (ڈی این سی) 423462 (5) (ڈی این سی) 423543 (6) (ڈی این سی) 7423536
- (7) (ڈی این سی) 50189537 (8) (ڈی این سی) 423462 (9) (ڈی این سی) 50171842
- (10) (ڈی این سی) 524090 (11) (ڈی این سی) 413704 (12) (ڈی این سی) 412353
- (13) (ڈی این سی) 414031 (14) (ڈی این سی) 521855 (15) (ڈی این سی) 50189537
- (16) (ڈی این سی) 50183006 (17) (ڈی این سی) 50183006 (18) (ڈی این سی) 412706
- (19) (ڈی این سی) 423400 (20) (ڈی این سی) 423570 (21) (ڈی این سی) 50183006
- (22) (ڈی این سی) 423495 (23) (ڈی این سی) 423091 (24) (ڈی این سی) 428284
- (25) (ڈی این سی) 422958 (26) (ڈی این سی) 50150038 (27) (ڈی این سی) 50161615
- (28) (ڈی این سی) 423512 (29) (ڈی این سی) 572881 (30) (ڈی این سی) 423512
- (31) (ڈی این سی) 423454 (32) (ڈی این سی) 50187088 (33) (ڈی این سی) 414830
- (34) (ڈی این سی) 423086 (35) (ڈی این سی) 414826 (36) (ڈی این سی) 50183005
- (37) (ڈی این سی) 422721 (38) (ڈی این سی) 414865 (39) (ڈی این سی) 423502
- (40) (ڈی این سی) 423212 (41) (ڈی این سی) 400052 (42) (ڈی این سی) 50150046
- (43) (ڈی این سی) 414913 (44) (ڈی این سی) 415435 (45) (ڈی این سی) 409911
- (46) (ڈی این سی) 414822 (47) (ڈی این سی) 416200 (48) (ڈی این سی) 410740
- (49) (ڈی این سی) 50171991 (50) (ڈی این سی) 50100854 (51) (ڈی این سی) 423474
- (52) (ڈی این سی) 423494 (53) (ڈی این سی) 414804 (54) (ڈی این سی) 423410
- (55) (ڈی این سی) 414804 (56) (ڈی این سی) 414804

P-7
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**Agency Education Office
Khyber Agency at Jamrud**

Phone. 091-5820265 Fax 091-5820265

Amru - D
P-8

Notification

Consequent upon the recommendation of enquiry committee Mst:Humaira Bibi (fake PST (P/No.521855 and Bank account No.12240-8 NBP of Pak Main Branch Mardan) is hereby struck off from the Education roll Khyber Agency with immediate effect in the best interest of public service.

The monthly salaries drawn by the above named fake PST is hereby reported to the concerned political/District administration for early recovery which will be deposited into the Govt: treasury on Challan.

(MUSHAMMAD JADOON KHAN)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Endst:No:6906-14/Struck Off/Notification

Dated:28/11/2017

Copy of the above is forwarded to:

1. Director Education FATA at Peshawar.
2. Political Agent Khyber at Peshawar.
3. Deputy Commissioner District Mardan Cantt: for recovery traceable from her bank detail mentioned above
4. AGPR Sub Office Peshawar.
5. PS to Additional Chief Secretary FATA
6. PS to Secretary SSD FATA.
7. Agency Accounts Officer Khyber with the request to stop payment of monthly salaries to the above named fake employee.
8. Branch Manager **NBP of Pak Main Branch Mardan**: to freeze account of the above named fake employee immediately till the recovery of irregular drawal and to provide the address of the account holder.
9. Superintendent Local Office

AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

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**DIRECTORATE OF ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA**

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Amen = E

NOTIFICATION.

1. WHERE AS Mst Humaira PST GGPS Sahib Muhammad Killi District was proceeded under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 for the charges of Fak PST.
2. AND WHEREAS, the DEO/AEO issued a struck off notification against Mst Humaria Fak PST vide Endst.No.6906-14 dated 28.11.2017.
3. AND WHEREAS, the teacher concerned submitted an appeal 02.11.2020 against the order to the appellant authority.
4. AND WHERE AS, the appellant authority sent the appeal to DEO Khyber for comments vide No.5105 dated 02.11.2020 and the DEO concerned has submitted comments vide No.20765 dated 09.11.2020 wherein the codal farmalites has been observed by the then AEO as competent authority.
5. NOW THEREFORE, the Appellate Authority (Director E&SE) Khyber Pakhtunkhwa is pleased to regret the appeal in respect of Humaira PST GGPS Sahib Muhammad Killi District Khyber.

DIRECTOR.

Endst: No. 6215-17 E-6/PST (F) Khyber Dated Peshawar the 07/11/2020

Copy forwarded for information and necessary action to the:-

1. District Education Officer Khyber w/r to his No. cited above.
2. Teacher concerned.
3. P/A to Director E&SE, Khyber Pakhtunkhwa, Peshawar.
4. Master File.

Egach:
Mst. Jehangir, 2595.
14/12/20
15/12/20
Dy. Deo

R. Khan
Deputy Director (Estb :)
Merged Area
7/11/20

M. S. Khan