

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR,
AT CAMP COURT SWAT.

Service Appeal No. 1199/2019

Date of Institution ... 27.09.2019

Date of Decision ... 12.05.2022

Mst. Nighat Seema Daughter of Zahir Shah, Resident of Faiz Abad,
Saidu Sharif District Swat.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary
Elementary and Secondary Education Civil Secretariat Peshawar
and two others.

... (Respondents)

SYED ABDUL HAQ,
Advocate

--- For appellant.

MR. KABIRULLAH KHATTAK,
Additional Advocate General

--- For respondents.

MR. SALAH-UD-DIN
MR. MIAN MUHAMMAD

--- MEMBER (JUDICIAL)
--- MEMBER (EXECUTIVE)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Through the instant
service appeal, the appellant has invoked jurisdiction of this
Tribunal with the prayer copied as below:-

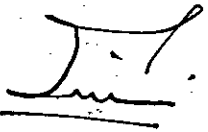
***"on acceptance of the instant appeal the
impugned removal order may kindly be declared
illegal, against the spirit of law/Rules and the
appellant may kindly be re-instated in service
with all back benefits.***

2. Precise facts forming the background of the instant
service appeal are that the appellant was appointed as Arabic

Teacher vide appointment order dated 18.12.1994. While posted at Government Girls Higher Secondary School Aboh, she was proceeded against departmentally on the allegation of willful absence from duty with effect from 01.06.2016. On conclusion of the inquiry, major penalty of removal from service was imposed upon the appellant with effect from 01.06.2016, vide order dated 20.12.2017 passed by the competent Authority. The aforementioned order was challenged by the appellant through filing of departmental appeal on 22.01.2018 but the same was not responded. The appellant then filed Writ Petition before august Peshawar High Court, Mingora Bench, Swat, which was dismissed on the ground of maintainability, vide order dated 25.06.2019, hence the instant service appeal.

3. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions made by the appellant in her appeal.

4. Learned counsel for the appellant has contended that neither any charge sheet nor any statement of allegations was issued to the appellant and the inquiry proceedings were conducted in violation of mandatory provisions of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011. He next contended that no show-cause notice was ever served upon the appellant and whole of the proceedings were carried out at her back, without affording her any opportunity of self defence. He next contended that the absence of the appellant was not willful, rather she was unable to attend his duty due to certain unavoidable circumstances. He further argued that the appellant was having sufficient length of service at her credit, therefore, the impugned penalty is quite harsh. He further argued that the appellant was on earned leave till 30.05.2017 but it is astonishing that she had been removed from service with effect from 01.06.2016, which was falling within the leave period. He next contended that the leave without pay of the appellant was expiring on 30.05.2017, however in order to



look after her mother in law, the appellant submitted application for earned leave with effect from 31.05.2017 to 09.04.2018, which was marked to the DEO (Female) Swat but the appellant was not conveyed any outcome of the same. In the last he argued that the impugned order being wrong and illegal is liable to be set-aside and the appellant is entitled to be reinstated in service with all back benefits.

5. On the other hand, learned Additional Advocate General for the respondents has contended that the appellant was not at all interested in performing her duty and availed leave from 15.09.2012 to 23.12.2012 (107 days), 04.03.2013 to 03.10.2014 and 01.06.2015 to 30.05.2017 (731 days). He next contended that the appellant then filed an application seeking earned leave with effect from 31.05.2017 to 09.04.2018, alleging therein that she was looking after her ailing mother in law but another application was sent by the appellant through e-mail from Canada, alleging therein that she was ill herself. He next contended that the appellant was least interested in performing her duty, therefore, she was removed from service after fulfilling all legal and codal formalities. He further argued that the appellant was on leave till 30.05.2017 and mentioning of her absence period with effect from 01.06.2016 in the impugned order dated 20.12.2017 was in-fact a clerical mistake and same has to be read as 01.06.2017. He next contended that the appellant went abroad without obtaining any NOC or ex-Pakistan leave, which also amounts to gross misconduct. He further argued that the appellant was removed from service vide order dated 20.12.2017 but she filed departmental appeal on 08.05.2018, which was badly time barred, therefore, the appeal in hand is not maintainable. The departmental appeal was filed by the appellant on 08.05.2018 and she was required to have filed service appeal within four months but the same has been filed on 27.09.2019, which is also time barred. He further argued that after fulfilling of all legal and codal formalities, the appellant was removed from

service, therefore, the impugned order may be kept intact and the appeal in hand may be dismissed with cost.

6. We have heard the arguments of learned counsel for the appellant as well as learned Additional Advocate General for the respondents and have perused the record.

7. A perusal of the record would show that the copy of impugned order of removal of the appellant from service as annexed with the appeal is showing the date of order of removal from service as 20.12.2017, while the respondents have alleged in their comments the she was removed from service vide order dated 28.12.2017. The order of removal of the appellant as annexed with comments of the respondents is bearing the date as 28.12.2017. As no rejoinder has been filed by the appellant to contradict the stance of the respondents that the appellant was removed from service on 28.12.2017, therefore, the said date shall be deemed to have been admitted as correct by the appellant. Similarly, copy of the departmental appeal as annexed by the appellant bears 22.01.2018 as its date of filing, while the respondents have alleged that the appellant has filed departmental appeal on 08.05.2018 and has annexed copy of the appeal alongwith their comments, which is bearing the said date. This fact also not been controverted by the appellant through filing of rejoinder.

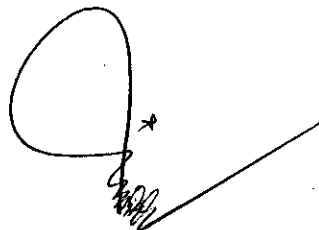
8. The appellant was removed from service vide order dated 28.12.2017, which was challenged by the appellant through filing of departmental appeal, however the same was not responded. The appellant then challenged the order of her removal from service by way of filing Writ Petition No. 735-M/2019, which was dismissed on the ground of maintainability, vide order dated 25.06.2019. While going through the order dated 25.06.2019 passed by the august Peshawar High Court, Mingora Bench, Swat, we have observed that in order to cover the question of limitation, learned counsel for the appellant had requested that the Writ Petition may be treated as appeal and

transferred to this Tribunal for adjudication but the said request was not acceded to and the Writ Petition was dismissed being not maintainable. It is by now well settled principle that the time spent/consumed in pursuing remedy before the wrong forum cannot be condoned. Reliance in this respect is placed on PLD 2016 Supreme Court page 872. The appellant filed departmental appeal on 08.05.2018 but the same was not responded, therefore, she was required to have filed service appeal within 30 days after waiting for elapsing of statutory period of 90 days. However, the appellant has filed service appeal on 27.09.2019, which is badly time barred. The appellant has though filed an application for condonation of delay alongwith the appeal in hand but no cogent reason has been mentioned therein, which could warrant condonation of delay.

9. August Supreme Court of Pakistan in its judgment reported as 1987 SCMR 92 has held that when an appeal is required to be dismissed on ground of limitation, its merits need not to be discussed.

10. In view of the above discussion, the appeal in hand stands dismissed being time barred. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
12.05.2022



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)
CAMP COURT SWAT



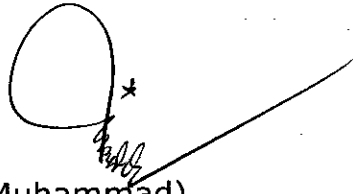
(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT SWAT

ORDER
12.05.2022

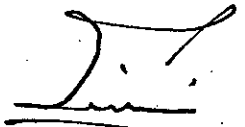
Learned counsel for the appellant present. Mr. Sultan Nabi, Litigation Officer alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand stands dismissed being time barred. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
12.05.2022




(Mian Muhammad)
Member (Executive)
Camp Court Swat



(Salah-Ud-Din)
Member (Judicial)
Camp Court Swat

07.02.2022

Tour is hereby canceled .Therefore, the case is adjourned to 04.04.2022 for the same as before at Camp Court Swat.


Reader

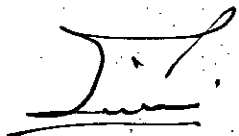
04.04.2022

Nemo for the appellant. Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as her counsel through registered post and to come up for arguments on 12.05.2022 before the D.B at Camp Court Swat.



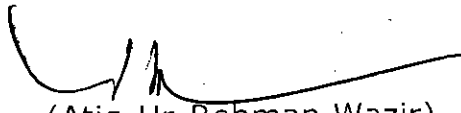
(Rozina Rehman)
Member (J)
Camp Court Swat

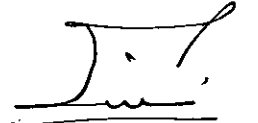


(Salah-ud-Din)
Member (J)
Camp Court Swat

02.11.2021

Mr. Muhammad Zahir Shah (father of the appellant) present. Mr. Alamgir Khan, Junior Clerk alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present and sought time for submission of reply/comments. Adjourned. To come up for submission of reply/comments as well as arguments before the D.B on 04.01.2022 at Camp Court Swat.



(Atiq-Ur-Rehman Wazir)
Member (E)
Camp Court Swat


(Salah-Ud-Din)
Member (J)
Camp Court Swat

04.01.2022

Mr. Muhammad Zahir Shah (father of the appellant) present. Mr. Sultan Nabi, Litigation Officer alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Para-wise reply on behalf of respondents No. ~~1 to 3~~ ⁷ submitted, which is placed on file and copy of the same is handed over to father of the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments before the D.B on 07.02.2022 at Camp Court Swat.



(Salah-Ud-Din)
Member (J)
Camp Court Swat

1199/19
24.08.2021

Junior to counsel for the appellant and Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Khawas Khan for respondents present.

Representative of the respondents seeks further time. Respondents are directed to submit written reply/comments in office at Peshawar within 10 days, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 02.11.2021 before the D.B, at camp court Swat.

Stipulated period has passed and reply has not been submitted.


Chairman
Camp Court Swat.

P.S

23.09.2021


Learned Addl. A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.


Chairman

05.11.2020

Appellant present through representative.

Lawyers are on general strike, therefore, case is adjourned to 07.01.2021 for preliminary hearing, before S.B at Camp Court, Swat.


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

7-1-2021

Due to COVID-19, the case is adjourned to 4-3-2021 for the same.



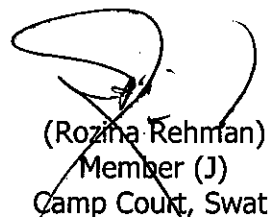
04.03.2021

Appellant present through counsel. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for reply/comments. To come up for written reply/comments on 05/05/21 before S.B at Camp Court, Swat.

Appellant Deposited
Security & Process Fee





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

26.07.2021

To come up for reply/comments on 24.08.2021 before S.B at Camp Court, Swat. Notices be issued to appellant/counsel as well as respondents for the date fixed.


Chairman

04.06.2020 Due to Covid-19, the case is adjourned. To come up for the same on 09.07.2020, at camp court Swat.



Reader


09.07.2020 Bench is incomplete. Therefore, the case is adjourned. To come up for the same on 10.09.2020, at camp court Swat.



Reader

10.09.2020 Nemo for appellant.


Notice be issued to appellant and her counsel for 05.11.2020 for preliminary hearing, before S.B at Camp Court, Swat.



Member (J)
Camp Court, Swat

04.02.2020

Clerk to counsel for the appellant present. Lawyers are not attending the courts today on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come for preliminary hearing on 04.03.2020 before S.B at Camp Court, Swat.



Member
Camp Court, Swat.

] 04.03.2020

Learned counsel for the appellant present.

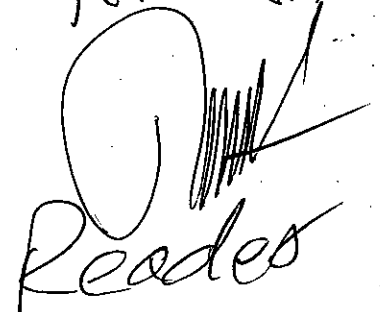
The impugned order was issued on 20.12.2017 and the appellant approached this Tribunal on 27.09.2019.

Issue of retrospectivity of punishment order is pending before larger bench. Adjournment requested. Adjourn. To come up for preliminary hearing on 04.05.2020 before S.B at Camp Court, Swat.



Member
Camp Court, Swat.

Due to corona virus tour
to camp Court Swat has been
Cancelled. To come up for the
same on 04/06/2020






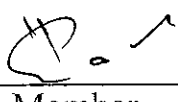
Reader

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1199/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	27/09/2019	<p>The appeal of Mst. Nighat Saeema presented today by Syed Abdul Haq Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 27/9/19</p>
2-		<p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>6-11-2019</u></p> <p> CHAIRMAN</p>
	06.11.2019	<p>None present on behalf of the appellant. Notice be issued to appellant and his counsel for attendance and preliminary hearing for 05.12.2019 before S.B at Camp Court Swat.</p> <p> (Muhammad Amin Khan Kundi) Member Camp Court Swat</p>
	05.12.2019	<p>Learned counsel for the appellant present and seeks adjournment. Adjourn. To come up for preliminary hearing including hearing on the issue of limitation on <u>06.02.2020</u> before S.B at Camp Court, Swat.</p> <p> Member Camp Court, Swat</p>

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal 1199 -M/2019

Mst. Nighat SeemaAppellant

VERSUS

Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education and others Respondents

INDEX

S.NO	DESCRIPTION	ANNEX	PAGES
1.	Copy of appeal alongwith certificate		1-8
2.	Address of the parties		9
3.	Affidavit		10
4.	Copy of application for condonation of delay		11-12
5.	Copy of the appointment order/Service book	A	13-23
6.	Copies of order qua grant of leave	B&C	24-25
7.	Copy of application for earned leave	C-1	26-
8.	Copy of impugned removal order dated 20.12.2017	D	27
9.	Copy of Departmental appeal	E	28
10.	Copy of High Court Judgment dated 25.6.2019	F	29-30
11.	Power of Attorney		31-32
12.	Wakalath Nama		33

Appellant through Counsel



SYED ABDUL HAQ
HIGH COURT DARULQAZA
BAR ROOM SWAT
Cell No 0333-9546154

(1)

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

**Khyber Pakhtunkhwa
Service Tribunal**

Service Appeal 1199 -M/2019

Diary No. 1315

Dated 27/9/2019

Mst: Nighat Seema Daughter of Zahir Shah, Resident of Faiz
Abad, Saidu Sharif District Swat.....Appellant

VERSUS

- 1) Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Civil Secretariat Peshawar
- 2) Director Elementary and Secondary Education Govt. of Khyber Pakhtunkhwa, at Peshawar.
- 3) District Education Officer (Female) District Swat at Gul Kada.
..... Respondents

APPEAL UNDER SECTION 4 OF THE GOVT. OF

KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT,

1974 AGAINST THE ILLEGAL, UNLAWFUL ACTION

WHEREIN THE OFFICIAL RESPONDENTS HAVE

ILLEGALLY Removed the appellant from service

vide order bearing No. 18010-15 dated 20-12-2017

Filed to-day

Waseem
Registrar
25/9/19

PRAYER IN APPEAL

On acceptance of the instant appeal the impugned removal order may kindly be declare illegal, against the spirit of law /Rules and the appellant may kindly be re-instated in service with all back benefits.

FACTS

Respectfully Sheweth;

The facts of the instant are as under.

1. That the appellant is bonafide resident of District swat and was appointed as A.T (Arabic Teacher) in Government Girls Middle Scholl Ghalegay District Swat vide appointment order dated 18.12.1994 *(Copy of the appointment order /Service book is attached as annexure-A).*
2. That the appellant performed her duty with zeal & zest to the entire satisfaction of her department, but due to bad

Situation in 2009, the District-Swat was unsafe & many life threats to her husband were received from the Militants.

3. That due to severe & repeated threat the husband of appellant decided to move on to any unknown safe place for the sake of protection of himself as well as his family, so the appellant accompanied him.

4. That the appellant immediately filed application for leave, which was granted to her from 15.09.2012 to 23.12.2012 & similarly subsequent leave without pay was granted to her from 01.06.2015 to 30.05.2017 on the application. *(Copies of order qua grant of leave are attached as annexure-B & C respectively).*

5. That the appellant filed application for grant of earned leave from 31.5.2017 to 09.4.2018 through proper channel, which was marked properly with remarks of *"please sanction the leave applied for"* by the respondent. *No.2 (Copy of application for earned leave is attached)*

6. That the respondent without adopting due process of law, removed the appellant from service with effect from 01.06.2016, vide order no.18010-15 dated 20.12.2017 ***(Copy of impugned removal order dated 20.12.2017 is attached as annexure-D).***

7. That as & when the appellant got knowledge qua her removal service, she assailed the same before the respondent No.2 ***(Copy of departmental appeal is attached as annexure-E).***

8. That the appellant repeatedly knocked the door for the fate of appeal but they do not responded yet to date.

9. That the appellant filed Writ petition bearing NO. 735-M/2019 before the Honourable Peshawar High Court Mingora Bench but unfortunately the same was dismissed due to lack of jurisdiction (Copy of the judgment dated 26.06.2019 is attached).

10. That now, the appellant has no other remedy except to file an instant petition on the following grounds before this honourable tribunal.

GROUND

A. That the act of respondents as removal of the appellant from service is one sided, illegal, cruel, unlawful, against the norms of justice, hence amounts to condemn unheard.

B. That all the proceedings against the appellant was conducted in his absentia, no notice for appearance before the authority had been issued, furthermore, the respondents was legally bound to issue show cause notice, conduct proper inquiry, provide full opportunity of personal hearing but the respondents badly failed to appreciate the relevant law on subject and passed the impugned order in hasty manner so no one can be deprived from his rights on such manner hence the impugned withdrawal order is liable to be set at naught.

- C. That the competent authority has been sanctioned leave w.e.f 01.06.2015 to 30.05.2017 vide office order dated 10.04.2015 but it is very astonishing that the appellant has been removed from service w.e.f 01.06.2016 on the allege grounds of absentee, so such order is against the record on file, and is not maintainable as the respondent No.3 was not competent to pass such order.
- D. That the appellant having 23 years of service & imposing such penalty against her is lack backing of law, hence liable to be set at naught.
- E. That the absentee period was not intentional as such was out of control of appellant so, the department was legally bound to enquire the matter in accordance with law but they failed to exercise their power under the mandate of service law & imposed such harsh penalty which is nullity in the eyes of law.
- F. That in such like circumstances the apex court of Pakistan, in plethora of judgments, dijudicated the matter &

considered such period as leave without pay, so the appellant is also be treated alike as per rule of consistency.

G. That under article 10-A of the constitution right of due process & fair trial being a fundamental right of appellant, so the act of respondent is based on malafidy as not providing proper opportunity for hearing so, on this score the impugned order qua removal of appellant from service is liable to be struck down.

H. That major penalty of removal from service on account of absence from duty is highly improper and unjustified as the impugned order has been passed during the sanctioned period so in such circumstances the order qua removal is not maintainable and liable to be struck down.

I. That the appellant serve the department for 23 years and major portion of her life has been employed for the department so, in such circumstances the department was legally bound to take a lenient view but they treated

9

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal _____-M/2019

Mst. Nighat SeemaAppellant

VERSUS

Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education and others Respondents

ADDRESSES OF THE PARTIES

APPELLANT

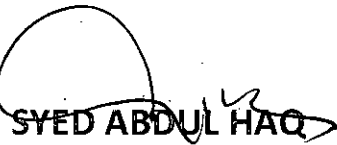
Mst. Nighat Seema Daughter of Zahir Shah, Resident of Faiz Abad, Saidu Sharif District Swat

CNIC 15602-1642268-2 MOB 0946-724821

RESPONDENTS

- 1) Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Civil Secretariat Peshawar
- 2) Director Elementary and Secondary Education Govt. of Khyber Pakhtunkhwa, at Peshawar.
- 3) District Education Officer (Female) District Swat at Gulkada.

✓ 10/11/19
Appellant, through Counsel


SYED ABDUL HAQ
HIGH COURT DARULQAZA
BAR ROOM SWAT
Cell No 0333-9546154

the appellānt so harshly as awarded her penalty of removal, which is not sustainable in the eyes of law.

J. That during the allege removal the appellānt was abroad and no service of the removal order has been intimated to her so on this score too the appellānt is liable to be re-instated on her post.

K. That the appellānt seeks leave of this honourable court to raise/argue any additional points at the time of arguments.

On acceptance of the instant appeal the impugned removal order may kindly be declare illegal, against the spirit of law /Rules and the appellānt may kindly be re-instated in service with all back benefits.


Appellant

Through

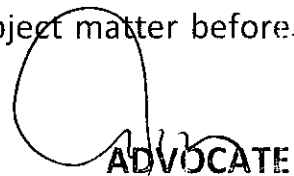
Counsel



SYED ABDUL HAQ
Advocate High Court

CERTIFICATE

As per instruction of my client no such like appeal, earlier has been filed by the Appellant on the subject matter before this Hon'able Court.


ADVOCATE

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal _____ -M/2019

Mst. Nighat SeemaAppellant

VERSUS

Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education and others Respondents

AFFIDAVIT

I, *Muhammad Zahir Shah (Attorney for Appellant) Son of Said Ali Shah, Resident of Faiz Abad Saidu Sharif Swat*, do hereby solemnly affirm and declare on oath that the contents of the accompanying appeal are true and correct to the best of my knowledge and belief, and not has been kept concealed from this Honourable court.



[Handwritten signature]

DEPONENT

CNIC 15602-1642268-2

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal _____-M/2019

Mst. Nighat SeemaAppellant

VERSUS

Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education and others Respondents

APPLICATION FOR CONDONATION OF DELAY

Respectfully sheweth

1. That the impugned order qua removal dated 20.12.2017 has been passed in back of appellant as the candidate was abroad and was unaware about such process.
2. That the appellant after getting knowledge of the situation, filed a writ petition bearing No. 735-M/2019 via attorney which was dismissed by honourable Peshawar High Court due to lack of jurisdiction vide order dated 25.06.2019.
3. That the petition being properly filed before honourable high court but after dismissal on the ground of maintainability have no other remedy except to file the instant appeal before this honourable tribunal as the departmental appeal filed by the by the appellant is still

pending and after passing the statutory period the only remedy available to the appeal to invoke the original jurisdiction of this honourable tribunal for redressal of her grievance.

4. That the appellant/applicant has served the department for 23 years and she is almost at the verge of retirement so removal of her with a single stroke of pen is utter disregard of law and no limitation become hurdles in way of appellant as no limitation run against void order.
5. That the grounds taken in appeal may be read and considered part of this application

*It is therefore humbly prayed that
if this honourable tribunal deems the
instant appeal as barred by time, may
please be condoned.*

Appellant/applicant
Through
Counsel



SYED ABDUL HAQ
Advocate High Court

(For use in Police Department only)

13
b

A

Heirs.

- 1.
- 2.
- 3.

Verification Roll No. _____ dated _____ received back _____

Left thumb-impression _____

Qualification	Date	Qualifications	Date
① passed SSC Exam in English 1990 (A) from BISE Peshawar obtained 433 Pashtu Marks under R.No-2916 Urdu District Education Officer, Female Secondary Swat & Buner at Saidu Sharif	850	② Passed H.O./in Arabic First Arts in 1995 under Roll No 156 obtained 318 B.T. or B.A. II DIV. from BISE Swat. Result declared on 25/1/96 Pleadership examination Training School Female Secondary Swat & Buner at Saidu Sharif	600
② passed Intermediate Exam Finger print in 1993 (A) under Roll No. 24060 from BISE Drill instructing Saidu Sharif Swat obtained 518 Court duties Reserve District Education Officer, Female Secondary Swat & Buner at Saidu Sharif	1100	④ Other Qualifications Passed B.A Exam in 1998, Av. from A.I.O. Islamabad Under Roll No. F4577455 Secured 529/600 Marks Result declared on 10/08/2009	

attested
 PRINCIPAL
 Govt. Girls High School
 Aboha, District Swat.

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

ATTESTED TO BE TRUE COPY

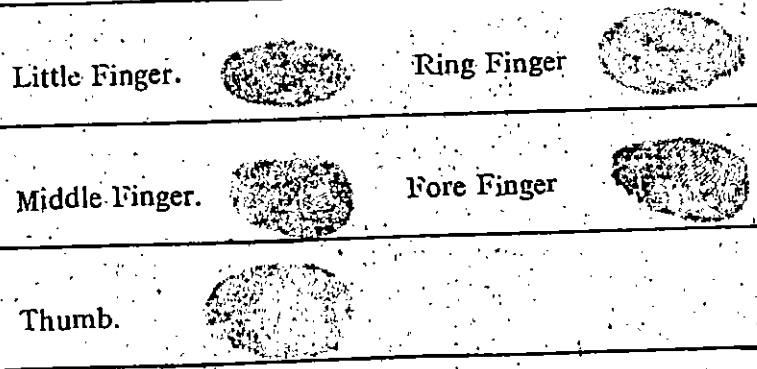
Note:—The entries in this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 should be dated.

- 1. Name. **NIGHAT SEEMA** 14
- 2. Race. **Pathan**
- 3. Residence **village Faiz Abad P.O. Saidu Sharif
SWAT**
- 4. Father's name and residence **Mohammad Zahir Shah
R/o Faiz Abad Swat.**
- 5. Date of birth by Christian era as nearly as can be ascertained **(16-01-1975)
(sixteenth of January N/H of Seventy five)**
- 6. Exact height by measurement **5-2**


Date
pic
 318
 600
 BISE
 25/96

7. Personal marks for identification **Nil**

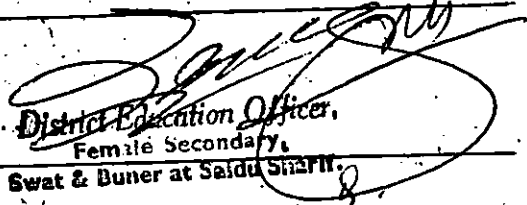
8. Left hand thumb and Finger impression of (non-gazetted) officer



1999, Awt,
 abad
 455
 B
 8/2000

9. Signature of Government servant 

10. Signature and designation of the Head of the Office, or other Attesting Officer.

Attested

 District Education Officer,
 Female Secondary,
 Swat & Buner at Saidu Sharif.
 PRINCIPAL
 Govt. Girls High School
 Abaha, District Swat.

ATTESTED TO BE
 TRUE COPY

1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment; or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term 'Pay'	Date of appointment	Signature of Government servant	Signature and designation of the head of the office or other testing officer in attestation of columns 1 to 8
AT GGMS Ghaligay	sub/ temp		Rs = 1605/- P.M.			21/12/94	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
do			Rs = 1605/- P.M.			1/12/95	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
do		Allowed BPS No-9	1605-97-8060					
do			Rs = 1605/- P.M.			25/1/96	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
do			Rs = 1702/- P.M.			1/12/96	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
do			Rs = 1799/- P.M.			1/12/97	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
			Rs = 1894/- P.M.			01/12/98	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
			Rs = 1993/- P.M.			01/12/98	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
		Allowed BPS No-14	(2065-161-4489)					
			Rs = 2065/- P.M.			10/8/2000	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
			Rs = 2065/- P.M.			01/12/2000	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
						1/12/2000	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
			Rs = 2220/- P.M.			1/12/2000	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
			(BPS No 14 = Rs-3100-240-10300)					
			Rs = 3340/- P.M.			1/12/2001	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat
			Rs = 3580/- P.M.			1/12/02	<i>[Signature]</i>	<i>[Signature]</i> D.E.O. Swat

1993
97
2090
with optw

Principal
Govt. Girls High School
Abaha District Swat

ATTESTED TO BE TRUE COPY

9	10	11	12	13		14	15
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitabale to another Government		
Signature and designation of the head of the office or other attesting officer in the columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting Officer	Period	Government to which debitabale	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
<i>[Signature]</i> D.E.O. (F) Swat	30/11/95	w/o Annual Increment	<i>[Signature]</i> D.E.O. (F) Swat			<i>[Signature]</i> D.E.O. (F) Swat	Appointed as AT at GMS Ghaliqay vide DDE (S) MKD: Divn. order NO. 9579-9698 dt: 18-12-94
<i>[Signature]</i> D.E.O. (F) Swat	29/1/96	Passed Holm Arabic	<i>[Signature]</i> D.E.O. (F) Swat			<i>[Signature]</i> D.E.O. (F) Swat	District Education Officer, Female Secondary, Swat & Buner at Saidu Sharif
<i>[Signature]</i> D.E.O. (F) Swat	30/11/96	Annual Increment	<i>[Signature]</i> D.E.O. (F) Swat			<i>[Signature]</i> D.E.O. (F) Swat	Service Verified w.e.f. 21-12-94 to 30-11-95 from acq: Roll & other Record of this office.
<i>[Signature]</i> D.E.O. (F) Swat	30/11/97	Annual Increment	<i>[Signature]</i> D.E.O. (F) Swat	(1)		<i>[Signature]</i> D.E.O. (F) Swat	
<i>[Signature]</i> D.E.O. (F) Swat	30/11/98	A/L	<i>[Signature]</i> D.E.O. (F) Swat	(2)		<i>[Signature]</i> D.E.O. (F) Swat	Service Verified w.e.f. 01-12-95 to 30/11/97 from acq: Roll & other Record of this office.
<i>[Signature]</i> D.E.O. (F) Swat	30/11/99	A/L	<i>[Signature]</i> D.E.O. (F) Swat			<i>[Signature]</i> D.E.O. (F) Swat	
<i>[Signature]</i> D.E.O. (F) Swat	29/08/2000	Allowed BPS No 14	<i>[Signature]</i> D.E.O. (F) Swat			<i>[Signature]</i> D.E.O. (F) Swat	Allowed BPS No-09 - running Pay Scale w.e.f. 25-01-96 vide DDE, MKD Division Exdt No 1752-54 - dt. 23-02-97
<i>[Signature]</i> D.E.O. (F) Swat	30/11/2000	w/out final pay	<i>[Signature]</i> D.E.O. (F) Swat			<i>[Signature]</i> D.E.O. (F) Swat	District Education Officer, Female Secondary, Swat & Buner at Saidu Sharif
<i>[Signature]</i> D.E.O. (F) Swat	30/11/2001	A/L	<i>[Signature]</i> D.E.O. (F) Swat	(3)		<i>[Signature]</i> D.E.O. (F) Swat	Service Verified w.e.f. 01-12-97 to 30-11-98 from acq: Roll & other Record of this office.
<i>[Signature]</i> D.E.O. (F) Swat	30/11/2001	Pay scale revision	<i>[Signature]</i> D.E.O. (F) Swat			<i>[Signature]</i> D.E.O. (F) Swat	
<i>[Signature]</i> D.E.O. (F) Swat	30/11/2002	Annual Incr.	<i>[Signature]</i> D.E.O. (F) Swat	(4)		<i>[Signature]</i> D.E.O. (F) Swat	Service Verified w.e.f. 1-12-98 to 30-11-99 from acq: Roll & other Record of this office.
<i>[Signature]</i> D.E.O. (F) Swat	30/11/2003	A/L	<i>[Signature]</i> D.E.O. (F) Swat	(5)		<i>[Signature]</i> D.E.O. (F) Swat	Service Verified w.e.f. 01/12/99 to 30/11/2000 from acq: Roll & other Record of this office.

PRINCIPAL
Govt. Girls High School
Aboha, District Swat

ATTESTED TO BE TRUE COPY

1	2	3	4	5	6	7	8	9
Name of Post	Whether substantive or officiating and whether permanent or temporary	If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive Post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government	Signature and designation of the officiating officer in attestation of columns 1 to 8
A.T. GGMS Gahligai			RS 3820/-			1/12/03	[Signature]	D.O. (S) SWA
							[Signature]	
							[Signature]	
							[Signature]	
de			4060/- PM RS (4390/-) PM			1/12/04	[Signature]	Distt. Office S/L Swal
de			B-14-3565-275-11815 RS 4665/- PM			1/2/05	[Signature]	Distt. Office S/L Swal
de			B-1 4940/- PM			1/05	[Signature]	Distt. Office S/L Swal
(9)	Service Verified w.o.f... to 30/11/03 from Roll & Other Record of this office.	1-12-03				1-12-03	[Signature]	(7)
	DISTRICT OFFICER S & L Swal							
(10)	Service Verified w.o.f... to 30/11/05 from Roll & Other Record of this office.	1-12-04				1-12-04	[Signature]	UNDER I Mess. against do hereby do result of 1-12- it will be Pay/Pens Attested
	DISTRICT OFFICER S & L Swal							

Offer of the...
Pay Fixed in the...
3600/-
3345/- P.M. 1-12-2003
with next increment on 1-12-2003
Accounts Officer
Pay...
14

Accessed
Principal
Govt. Girls High School
Aboha, District...

Service Verified w.o.f... to 30-11-03... other Record of... office.

District Officer (Female)
Secy: Lit. S/L Swal

UNDERTAKING
Nighat Seema
do hereby give an undertaking to the effect that if any error or is made to me as a result of in correct... of my Pay. WEF-1-7-2005. It is made good by recovery from my Pension/Gratuity.

ATTESTED Signature of Govt. Servant

ATTESTED TO BE TRUE COPY

8	9	10	11	12	13		14	15
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitabale to another Government		
Signature of Government Servant	Signature and designation of the head of the office or other attesting officer in columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting Officer	Period	Government to which debitabale	Signature of the head of the office or other attesting officer	Reference to ar recorded punishr. or censure, or rew or praise of the Government Serv
<i>[Signature]</i>	<i>[Signature]</i>	D.O. (SS&L) SWAT. 30/11/04	A/1/ae	<i>[Signature]</i> Distt: Officer S/L Swat	Sanctioned Maternity Leave w.e.f 01-9-99 to 29-11-99 (90 days), vide DEO F, Secy Swat & Buner Indst. No- 10421-73 Dated 22/12/1999.		<i>[Signature]</i> DISTRICT EDUCATION OFFICER (F) Secy: Swat Buner at Saidu Sharif.	
		Departmental Pay Fixation In Revised Pay Scale No. 14 @ Rs. 3565-275-11815 WEF-1-7-2005 vide No-FD (PRC) 1-1-2005 Dated Peshawar the July 9-2005 Pay in Existing Scale No. 14 on 30.6.2005 Rs. 4060/- Equal/Next Stage in Revised Pay Scale No. 14 Rs. 4665/- Pay Fixed on 1-7-2005 Rs. 4665/- With Next Annual Increment on 1-12-2005		<i>[Signature]</i> DISTRICT OFFICER S/L Swat	Paried B.A Exam in 2nd Div allowed at BPS No-14 w.e.f 10-8-2000 vide DEO F, Secy Swat & Buner Indst. No- 5162-64 Dated 17/11/2000		<i>[Signature]</i> DIST: EDUCATION OFFICER (F) Secy: Swat Buner at Saidu Sharif.	
		<i>[Signature]</i> Distt: Officer S/L Swat	30/6/05	Saeed <i>[Signature]</i> Distt: Officer S/L Swat	C.P No 2351 Drawn difference 31/01/2001 in Rs. 8A Total Rs. 1478/-		<i>[Signature]</i> DIST: EDUCATION OFFICER (F) Secy: Swat Buner at Saidu Sharif.	
		<i>[Signature]</i> Distt: Officer S/L Swat	30/11/05	A/1/m <i>[Signature]</i> Distt: Officer S/L Swat	15/12/2001 10/8/2000 due to Allocation of BPS 14 in 5/0-origat Sima.		<i>[Signature]</i> Distt: Officer S/L Swat	
		<i>[Signature]</i> Distt: Officer S/L Swat	30/11/06	A/1/me <i>[Signature]</i> Distt: Officer S/L Swat	1-12-2001 Service Verified w.e.f 1-12-2001 to 30-11-2001 from acq: Roll and other Record of this office.		<i>[Signature]</i> Distt: Officer S/L Swat	
				<i>[Signature]</i> E-District Officer (Remote) Secy: Lit: & Edu: Swat	Departmental Pay Fixation In Revised Pay Scale No. 14 @ Rs. 3400-240-10300 w.e.f 1-12-2001 vide FD (PRC) 1-1/2001, dated 27-10-2001 Pay in Existing Scale No. 14 on 30-11-2001 Rs. 2065/- Annual Increment in existing Pay Scale. Rs. 181/- TOTAL PAY:- Rs. 2246/- Equal/Next Stage in Revised P. Scale No. 14 Rs. 3340/- Pay Fixed on 1-12-2001. Rs. 3340/- With Next Annual Increment on 1-12-2002.		<i>[Signature]</i> District Officer (Admn: & Dev.) S/L Swat.	
		UNDERTAKING I Mess. Night Seema working against A.T. Post at GMS/59 MS. Ghahay. do hereby give an undertaking to the effect that if any over Payment is made to me as a result of in correct fixation of my Pay w.e.f. 1-12-2001 It will be made good by recovery from my Pay/Pension/Grativilty		Sign: of Govt: Servant <i>[Signature]</i>	Service Verified w.e.f 1-12-2001 to 30-11-2001 from acq: Roll and other Record of this office.		<i>[Signature]</i> Distt: Officer S/L Swat	
		Attested <i>[Signature]</i>		<i>[Signature]</i> PRINCIPAL Govt: Girls High School Aboba, District Swat.			<i>[Signature]</i> Distt: Officer S/L Swat	

ATTESTED TO BE TRUE COPY

1 Name of Post	2 Whether substantive or officiating and whether permanent or temporary	3 If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	4 Pay in substantive Post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of Appointment	8 Signature of Government Servant	9 Signature and designation of the head of the office, other attesting officer in attestation column 1 to 8	
		<p>(2005) Office of the Accountant General N.W.F.P Peshawar Pay: Fixed in the revised basic pay scale 2005 of Rs. 3565-275-11815 at Rs. 4655 PM on 01-07-2005 with increment on 01-12-2005</p>		<p>11</p>		<p>Service Verified w.e.f. 1-12-05 to 30-11-07 from a/c: Roll & Other Record of this office.</p>		<p>DISTRICT OFFICER, S & L Swat</p>	
RAMS									
Danbar Swat	Sub/Per		Rs. 5215 1/2 PM			1-12-06		District Off: S&L Swat	
			B-14 = 4100 - 315 - 13550						
do - do			Rs. 5990 1/2 PM			1-7-2007		District Off: S&L Swat	
do - do			Rs. 6305 1/2 PM			1-12-07		District Off: S&L Swat	
			PAPS No 142 4920 - 380 - 16320						
do - do			Rs. 7580 1/2 PM			1-7-2008		Distt: Office Elem: & Secy Swat	
do - do			Rs. 7960 1/2 PM			1-12-2008		Distt: Office Elem: & Secy; E Swat	
<p>Allowed Annual Incr/Retiring Pay</p>									
<p>Scale w.e.f. 21-12-94 w/e/e Eort 2</p>									
<p>N.W.F.P. Primary Dept. N51/1/2005</p>									
<p>PRINCIPAL Govt. Girls High School Aboha, District Swat</p>			<p>FD (PR) 5-2/01-30-3-09</p>						
			<p>DIST: OFFICER Elem: & Secy: Edu Swat</p>						

ATTESTED TO BE TRUE COPY

8	9	10	11	12	13		14	15
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitble to another Government		
Signature of Government Servant	Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Period	Government to which debitble	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
								(2008) DEPARTMENTAL PAY FIXATION IN REVISED PAY SCALE No. <u>14</u> @ Rs. <u>4920-380-16320</u> WEF 1-7-2008 vide Finance Deptt. Notification No FD (PRC) 11/2008, dated 10.07.2008. Pay In Existing Pay Scale No. <u>14</u> on 30-6-08 Rs. <u>6305/2</u> Equal/Next Stage in Revised Pay scale No. <u>14</u> Rs. <u>7580/2</u> Pay Fixed on 1.7.08 on point to point basis Rs. <u>7580/2</u> With Next Annual Increment on 1-12-2008
	District Officer S&L Swat	30/6/2007	Pay & Scale Revised	District Officer S&L Swat				
	District Officer S&L Swat	30/11/07	A/1/07	District Officer S&L Swat				Distt: Officer Elem: & Secy: Edu: Swat.
	District Officer S&L Swat	30/6/2008	Pay & Scale Revised	Distt: Officer Elem: & Secy: Edu: Swat.			Service Verified w.e.f. 1-12-07 to 30-11-2010 from acq: Roll & Other Record of this office.	
	Distt: Officer Elem: & Secy: Edu: Swat.	30/11/2008	Ami Int.	Distt: Officer Elem: & Secy: Edu: Swat.				Distt: Officer Elem: & Secy: Edu: Swat.
	Distt: Officer Elem: & Secy: Edu: Swat.	31/3/2009	Entry Revised due to Un-Transd. Retired.	Distt: Officer Elem: & Secy: Edu: Swat.			Service Verified w.e.f. 01-12-2010 to 30-11-2012 from acq: Roll & Other Record of this office.	
								Distt: Officer Elem: & Secy: Edu: Swat.
								Service Verified w.e.f. 1-12-2011 to 30-11-2012 from acq: Roll & Other Record of this office.
								Distt: Officer Elem: & Secy: Edu: Swat.

Attested
PRINCIPAL
Govt. Girls High School
Aboha, District Swat.

42
ATTESTED TO BE
TRUE COPY

1	2	3	4	5	6	7	8	
Name of post	Whether substan- tive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant	Signa- designat- head of t other a officer in of column
BPS-No-9(1605-97-3060)								
A-T G.G.M.S Dambur Swat	Sub/Perm			Rs. 1605/2 PM		21/12/94	<i>[Signature]</i>	Distt: Off Elem: & Secy Swat.
do	do			Rs. 1702/2 PM	✓	1/12/95	<i>[Signature]</i>	Distt: Off Elem: & Secy Swat.
do	do			Rs. 1799/2 PM	✓	1/12/96	<i>[Signature]</i>	Distt: Offi Elem: & Secy; Swat.
do	do			Rs. 1896/2 PM	✓	1/12/97	<i>[Signature]</i>	Distt: Offic Elem: & Secy; Swat.
do	do			Rs. 1993/2 PM	✓	1/12/98	<i>[Signature]</i>	Distt: Offic Elem: & Secy; Swat.
do	do			Rs. 2090/2 PM	✓	1/12/99	<i>[Signature]</i>	Distt: Offic Elem: & Secy; Swat.
BPS-No-14(2065-161-4480)								
3290 97 9187 do	do			Rs. 2226/2 PM	✓	10/8/2000	<i>[Signature]</i>	Distt: Offic Elem: & Secy; Swat.
do	do			Rs. 2226/2 PM	✓	1/12/2000	<i>[Signature]</i>	Distt: Offic Elem: & Secy; Swat.
do	do			Rs. 2387/2 PM	✓	1/12/2001	<i>[Signature]</i>	Distt: Offic Elem: & Secy; Swat.
BPS-No-14(3100-240-10300)								
do	do	PRINCIPAL Govt. Girls High School Abang District Swat		Rs. 3580/2 PM	✓	1/12/2001	<i>[Signature]</i>	Distt: Office Elem; & Secy: E Swat.
do	do			Rs. 3820/2 PM	✓	1/12/2002	<i>[Signature]</i>	Distt: Office & Secy: E Swat.

7
**ATTESTED TO BE
 TRUE COPY**

8	9	10	11	12	13		14	15	
					Leave				
Signature of Government servant	Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal etc)	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
						Per-iod.	Government to which debitable		
P/S	Distt: Officer Elem: & Secy: Edu: Swat.	30/11/95	A/mc	Distt: Officer Elem: & Secy: Edu: Swat.					
P/S	Distt: Officer Elem: & Secy: Edu: Swat.	30/11/96	A/mc	Distt: Officer Elem: & Secy: Edu: Swat.					
P/S	Distt: Officer Elem: & Secy: Edu: Swat.	30/11/97	A/mc	Distt: Officer Elem: & Secy: Edu: Swat.					
P/S	Distt: Officer Elem: & Secy: Edu: Swat.	30/11/98	A/mc	Distt: Officer Elem: & Secy: Edu: Swat.					
P/S	Distt: Officer Elem: & Secy: Edu: Swat.	30/11/99	A/mc	Distt: Officer Elem: & Secy: Edu: Swat.					
P/S	Distt: Officer Elem: & Secy: Edu: Swat.	9/8/2000	Allowed Extended Pay scale BPS-14	Distt: Officer Elem: & Secy: Edu: Swat.					
P/S	Distt: Officer Elem: & Secy: Edu: Swat.	30/11/2000	A/mc not allowed	Distt: Officer Elem: & Secy: Edu: Swat.					
P/S	Distt: Officer Elem: & Secy: Edu: Swat.	30/11/2001	A/mc	Distt: Officer Elem: & Secy: Edu: Swat.					
P/S	Distt: Officer Elem: & Secy: Edu: Swat.	30/11/2001	Pay scale Revised	Distt: Officer Elem: & Secy: Edu: Swat.					
P/S	Distt: Officer Elem: & Secy: Edu: Swat.	30/11/2002	A/mc	Distt: Officer Elem: & Secy: Edu: Swat.					
P/S	Distt: Officer Elem: & Secy: Edu: Swat.	30/11/03	A/mc	Distt: Officer Elem: & Secy: Edu: Swat.					

Principal
Govt. Girls High School
Aboha, District Swat.

ATTESTED TO BE
TRUE COPY

1	2	3	4	5	6	7	8	9
Name of post	Whether substan- tive or officiating and whether permanent or temporary	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 G. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "pay"	Date of appointment	Signature of Government servant	Signature and position of the head of the office or other attesting officer in attribution of columns 1 to 8
BPS-No-14 (3100-240-10300)								
AT G/GMS Cambah Sunt	Subpenc			Rs. 4060/- PM		1/12/03	<i>[Signature]</i>	<i>[Signature]</i> Distt: Officer Elem: & Secy: Ed Swat.
—do—	—do—			Rs. 4300/- PM		1/12/04	<i>[Signature]</i>	<i>[Signature]</i> Distt: Officer Elem: & Secy: Ed Swat.
BPS-No-14 (3565-275-11815)								
—do—	—do—			Rs. 4940/- PM		1/7/05	<i>[Signature]</i>	<i>[Signature]</i> Distt: Officer Elem: & Secy: Ed Swat.
—do—	—do—			Rs. 5215/- PM		1/12/05	<i>[Signature]</i>	<i>[Signature]</i> Distt: Officer Elem: & Secy: Ed Swat.
—do—	—do—			Rs. 5490/- PM		1/12/06	<i>[Signature]</i>	<i>[Signature]</i> Distt: Officer Elem: & Secy: Ed Swat.
BPS-No-14 (4100-315-13550)								
—do—	—do—			Rs. 6305/- PM		1/7/07	<i>[Signature]</i>	<i>[Signature]</i> Distt: Officer Elem: & Secy: Ed Swat.
—do—	—do—			Rs. 6620/- PM		1/12/07	<i>[Signature]</i>	<i>[Signature]</i> Distt: Officer Elem: & Secy: Ed Swat.
BPS-No-14 (4920-380-16320)								
—do—	—do—			Rs. 7960/- PM		1/7/08	<i>[Signature]</i>	<i>[Signature]</i> Distt: Officer Elem: & Secy: Ed Swat.
—do—	—do—	PRINCIPAL Govt. Girls High School Abaha, District Swat		Rs. 8340/- PM		1/12/08	<i>[Signature]</i>	<i>[Signature]</i> Distt: Officer Elem: & Secy: Ed Swat.
—do—	—do—			Rs. 8720/- PM		1/12/09	<i>[Signature]</i>	<i>[Signature]</i> Distt: Officer Elem: & Secy: Ed Swat.
—do—	—do—			Rs. 9100/- PM		1/12/10	<i>[Signature]</i>	<i>[Signature]</i> Distt: Officer Elem: & Secy: Ed Swat.

ATTESTED TO BE
TRUE COPY

19

Signature and designation of the head of the office or other attesting officer in columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting Officer	Leave		Signature of the head of the office or other attesting officer	Reference to a recorded punishment or censure, or reprimand or praise of the Government Servant
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government		
				Period	Government to which debitible		
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 ¹¹ / ₀₄	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 ⁶ / ₀₅	Pay scale Revised	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 ¹¹ / ₀₅	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 ¹¹ / ₀₆	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 ⁶ / ₀₇	Pay scale Revised	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 ¹¹ / ₀₇	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 ⁶ / ₀₈	Pay scale Revised	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 ¹¹ / ₀₈	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 ¹¹ / ₀₉	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 ¹¹ / ₁₀	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 ⁶ / ₁₁	Pay scale Revised	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.				

C.H No. 1135
 Drawn difference of pay w.e.f. 31/10/09 due to W.P.
 Total Rs. 2944/-
 Distt: Secy Officer, SWAT.
 13/09
 15/11

PRINCIPAL
 Govt. Girls High School
 Aboha, District Swat.

ATTESTED TO BE TRUE COPY

1	2	3	4	5	6	7	8	9
Name of Post	Whether substantive or officiating and whether permanent or temporary	If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive Post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government	Nature and position of the head office or other officer in station of ranks 1 to 8
A.T 99MS Dambot	Sub/Per		Rs. 14710/2 PM	X	8000-60-26300	12/2011	[Signature]	District Officer & Secy Swat
do	do		Rs. 15320/2 PM			12/2011	[Signature]	District Officer & Secy Swat
do	do		Rs. 15930/2 PM			12/2011	[Signature]	District Officer & Secy Swat
do	do		Rs. 15500/2 PM			12/2011	[Signature]	District Officer & Secy Swat
do	do		Rs. 16200/2 PM			12/2011	[Signature]	District Officer & Secy Swat
do	do		Rs. 16200/2			12/2013	[Signature]	District Officer & Secy Swat
6305/07 7960/08 14710/11	do		Rs. 16200/2			12/2013	[Signature]	District Officer & Secy Swat

Office of the Accountant General
Khyber Pakhtunkhwa, Peshawar
Pay Fixed in the Revised Basic Pay Scale
R.B.P.S. = 4600-25-13500-19
Pay Fixed @ Rs. 6300 w.e.f. 01-07-2007
Adj. G.P.S. 4820-20-16320-19
Pay Fixed @ Rs. 7960 w.e.f. 01-07-2007
R.B.P.S. 8000-10-26300-19
Pay Fixed @ Rs. 14710/2 w.e.f. 01-07-2007

Principal
Govt. GHS High School
Abotabad, District Swat

Caran
we
1090
760
651
M.A.
Enr.
Dair

ATTESTED TO BE TRUE COPY

8	9	10	11	12	13		14	15
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
Signature of Government Servant	Signature and position of the head of office or other attesting officer in Government Servants 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting Officer		Period	Government to which debitable	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
	<i>[Signature]</i> Distt. Officer Elem. & Secy. Edu. Swat	30/11/2011	A/10K	<i>[Signature]</i> Distt. Officer Elem. & Secy. Edu. Swat			Departmental Pay Fixation in upgraded Pay Scale No. 1.5 = 8500-700-29500 @ Rs. WEF-1-7-2012 vide No. SO(BXA) 1-18 (EXSE) 2012 dt 11-7-2012 & No. SO(FR) FD/10-22 Dated: 16-07-2012 Pay in Existing Scale No. 4 on 30-6-12 Rs. 15320/- Pay Fixed on 1-7-2012 in BPS No. 15 Rs. 15500/2	
	<i>[Signature]</i> Distt. Officer Elem. & Secy. Edu. Swat	30/12	A/line	<i>[Signature]</i> Distt. Officer Elem. & Secy. Edu. Swat				
	<i>[Signature]</i> Distt. Officer Elem. & Secy. Edu. Swat	30/12	Entry removed due to opt B15	<i>[Signature]</i> Distt. Officer Elem. & Secy. Edu. Swat				District Officer
	<i>[Signature]</i> Distt. Officer Elem. & Secy. Edu. Swat	30/12	Refusal	<i>[Signature]</i> Distt. Officer Elem. & Secy. Edu. Swat			OPTION IN THE LIGHT OF NOTIFICATION NO FD (PRO) 1-1/86-VI(A) DATED 05-06-1986 I MR DO HEREBY OPT FOR RE-FIXATION OF MY PAY IN BPS-WITHEFFECT FROM 1-12-2012 INSTEAD OF 1-7-2012	
	<i>[Signature]</i> Distt. Officer Elem. & Secy. Edu. Swat	30/11/2013	A/line not allowed	<i>[Signature]</i> D.E.O(F) Swat			ATTESTED	SIGN OF GOVT. SERVANT <i>[Signature]</i> Distt. Officer Elem. & Secy. Edu. Swat
<p><i>Granted Earned leave w.e.f. 4/3/2013 to 23/12/2014 (109 days) out of total pay 760 days without pay 651 days</i></p> <p><i>Wide DE(CES) Swat</i></p> <p><i>Enddt: NO 1031-32</i></p> <p><i>Dated: 25/2/13</i></p>					<p><i>Granted Earned leave w.e.f. 15/9/12 to 23/12/12 (100 days) on full pay under EDO (EXSE) Swat Office E No. 210-19-DT 5/10/12</i></p> <p><i>[Signature]</i> Distt. Officer Elem. & Secy. Edu. Swat</p>			
<p>District Education Officer (F) District Swat</p> <p><i>[Signature]</i></p>					<p>T.No. 1728 Date 10/11/13</p> <p>Drawn dues of B-15 w.e.f 1/7/12 to 31/12/12 = 944/-</p> <p><i>[Signature]</i></p>			
<p>PRINCIPAL Govt. Girls High School Aboha, District Swat</p> <p><i>[Signature]</i></p>					<p><i>CPN No 81 dt 18/12/13</i></p> <p><i>[Signature]</i></p>			

ATTESTED TO BE TRUE COPY

1 Name of Post	2 Whether substantive or officiating and whether permanent or temporary	3 If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.A.	4 Pay in substantive Post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of Appointment	8 Signature of Government	9 Signature at designation of head of the office or other attesting officer in attestation of columns 1 to 7
<p><i>Entry revised due to premature resignation of Pkls B-15, Arman admissible w.e.f. 30/05/2014</i></p>								
<i>AT GSMS Dambin</i>	<i>sub/Per</i>	<i>B-11 (8000-610-26300)</i>	<i>18370</i>	<i>15230</i>		<i>1/12/2012</i>		
<i>do</i>	<i>do</i>	<i>B-15 (8500-700-29500)</i>	<i>18700</i>	<i>16900</i>		<i>1/12/12</i>		
<i>do</i>	<i>do</i>		<i>19700</i>	<i>16900</i>		<i>1/12/13</i>		
<i>AT GSMS Abaha Swat</i>	<i>do</i>		<i>18700</i>	<i>16900</i>		<i>1/12/13</i>		
			<p>District Education Officer (F) District Swat.</p>					
<i>AT GSMS Abaha Swat</i>	<i>sub/Per</i>		<i>Rs. 16900/-</i>			<i>04/10/2014</i>	<i>[Signature]</i>	<i>PRINCIPAL Govt. Girls High School Abaha, Dist. Swat</i>
<i>do</i>	<i>do</i>		<i>Rs. 16900/-</i>			<i>1/12/2014</i>	<i>[Signature]</i>	<i>PRINCIPAL Govt. Girls High School Abaha, Dist. Swat</i>
			<p><i>Attested</i> PRINCIPAL Govt. Girls High School Abaha, District Swat.</p>					

ATTACHED TO REF. TRUE COPY

8 Signature of Government servant	9 Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc).	12 Signature of the head of the office or other attesting officer	13 Leave Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
					Nature and duration of leave taken	Period Government to which debitable		
							DDO Code SW-7152 / Vendor No 0204638 / GHS, Aboha, Swat.	
							Service Verified w.e.f 04/10/2014 to 31-12-2014 in acc: Roll & other Record of this office.	
							PRINCIPAL Govt: Girls High School Aboha, Distt: Swat. PMS Code 34538	
							PRINCIPAL Govt: Girls High School Aboha, District Swat.	

ATTESTED TO BE TRUE COPY

FORM OF LEAVE ACCOUNT UNDER THE REVISED LEAVE RULES, 1981.

Leave Account of Mr./Miss./Mrs. NIGHAT SEEMA A.T

Date of Commencement of service... 21-12-94

Date of attaining the age of superannuation 15-01-2035 (N.B.—Instruction for filling in the form are printed on reverse).

Government/Department served under		LEAVE TAKEN (From Column 8 to 20)																				Remarks	ATTESTATION		
DURATION OF DUTY		Leave earned on full pay 4 days for each calendar month.		Leave at credit (column 21+6)		PERIOD		Leave on full pay without medical certificate subject to maximum of 120 days & 365 days in case of L.P.R.		Leave on full pay on medical certificate subject to maximum of 180 days		Leave on full pay on medical certificate subject to maximum of 365 days in entire service		LEAVE ON HALF PAY		LEAVE NOT DUE		ABSENCE		Total leave (Columns 10+11+12+13+14+15+16+17+18+19+20)	Balance on 1-7-1978, as per return from leave (Column 7—20)				
From	To	Y.M.D.	Full Calendar month	Days	Days	From	To	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	22	23

Edu Dept Govt High School Aboha
 21-12-94
 31-8-99
 30/11/99
 12-7-11
 24-12-2012
 24-12-2013
 0-2-16
 24-12-2017
 31-12-17
 0-03-16
 24-12-2018
 31-12-18
 1-05-29

56 56 56 w.e.f. 01-9-99 to 29-11-99 (90 days) Maternity leave 56+
 w.e.f. 15/9/12 to 23/12/12 (100 days) leave on full pay 107 days
 151+56=207
 2 days + 107 = 109 days
 w.e.f. 4-3-2013 to 23-12-2014 (760 days) - 109 on full pay 651 without pay 00
 E/Leave without pay w.e.f. 01-15-2015 to 30-12-17
 E/Leave without pay w.e.f. 01-17-2018 to 30-12-18

D.E.O. (F)
 Secy Swat, Buner,
 at Saidu Sharif

Distt. Officer
 Elemt. & Secy Edu
 Swat

PRINCIPAL
 Govt. Girls High School
 Aboha, Distt: Swat.
 P.M.S Code 34568

PRINCIPAL
 Govt. Girls High School
 Aboha, District Swat.

PRINCIPAL
 Govt. Girls High School
 Aboha, District Swat.

TO BE
 ATTESTED COPY

GRANT OF LEAVE

Under the provision of power conferred by the government of Khyber Pakhtun Khwa Establishment and administration Department Regulation Wing No.SOR-VE D-27/2003 dated 17.11.2005.Sanction is hereby accorded to the grant of earned leave in respect of Mst.Nighat Seema AT GGMS Qambar Swat with effect from 15.9.2012 to 23.12.2012 (100days) on full pay as due and admissible to her under the leave rules 1981.

Necessary entry to this effect should be made in her service book and leave account form.

The official concerned is likely to return to the same station from where she proceeded on leave.

sd
Executive District Officer
E&S Education Swat.

Endst: No 9/0-14 /P.F/Nighat Seema/AT

Dated 05/10/12 012.

Copy forwarded to:-

1. The DAO Swat.
2. The B&AO local office with the remarks to deduct CA allowance from the official concerned of the above period under intimation to this office.
3. The Headmistress GGMS Qambar.
4. The official concerned.
5. PA To EDO local office.

sd
Executive District Officer
E&S Education Swat

11-12-2012
Head Mistress
GGMS. Qambar,
Distt: Swat.

ATTESTED TO BE
TRUE COPY

Amey

(22)
(25)

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) SAIDU SHARIF SWAT

C

GRANT OF LEAVE

Under the provision of power conferred by the government of Khyber Pakhtun Khwa Establishment and administration Department Regulation Wing No.SOR-VE D-27/2003 dated 17.11.2005.Sanction is hereby accorded to the grant of Earned leave in respect of Mst: Nighat Seema, A.T, GGHS Aboha, Swat with effect from 01/06/2015 to 30/05/2017(730 days) without pay as due and admissible to her under the leave rules 1981.

Necessary entry to this effect should be made in her service book in leave account form,

(SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICE
(FEMALE) SWAT.

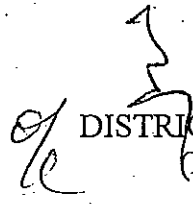
Endst.No 1021/24 /Saira/CT

Dated. 10/11 /2015

Copy forwarded to:-

1. The District Accounts Officer Swat.
2. Budget & Accounts Officer local office
3. Headmistress GGHS Aboha, Swat.
4. The official concerned.

UG.


DISTRICT EDUCATION OFFICER
(FEMALE) SWAT.

ATTESTED TO BE
TRUE COPY

C-1

26

~~26~~

The DEO of,
Elementary and Secondary
Education Distt Swat.

Through Proper Channel

Subject: Application for E/Leave

DE/DE
Swat.
Please sanction
the leave apply
for 11/17

Respected Madam,

It is submitted that my

mother in law is ill. we brought her to Karachi
for treatment. I am her attendant. Her
treatment is long. Except me there is no other
femal person in the family to be her attendant
and serve her during her illness. I am on E/leave
with one pay w.e.f 01 ⁰⁴/₀₅ to 30 ⁰⁵/₀₇. But unfortunately
her health condition is not good. For which I am
unable to join back my duty on 30 ⁰⁵/₀₇ as my
leave expire on 30 ⁰⁵/₀₇. Due to the serious illness
of her I request you to grant me E/leave from
31 ⁰⁵/₀₇ to 9 ⁰⁴/₂₀₁₈ (315 days)

Director
Elementary & Secondary Educ
District Peshawar

For That

End # 327 Dated: 29/05/2017

Forwarded in original
to DEO (E) Swat.

Yours obediently
Miss Nighat Seema
A.T GHS Abohar
Distt Swat

Principal
Govt. Girls High School
Abohar, District Swat.
29/5/2017

ATTESTED TO BE
TRUE COPY

D

(27)

(2018)

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) SWAT AT SAIDU SHARIF.

ORDER

Whereas Mst:Nighat Seema AT GGHS.Aboha Swat was proceeded against under the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules 2011.

2. **AND WHEREAS** you have been willfully absent from duty with effect from 01/06/2016.
3. **AND WHEREAS** you have been called at your home address vide this office letter No. 11411 Dated 01-06-2017 to perform your duty regularly but no response from Your end is received.
4. **AND WHEREAS** your absence was published in the Daily leading Newspapers, dated 16-05-2017 (The Daily Mashriq Peshawar) directed you to attend the office of the undersigned Within 15 days of the publishing of the said notice. But you failed to do so.
5. **AND WHEREAS** the District Education Officer being competent authority after having Considered the charges and evidence on record, against you, has been proved.
6. **AND WHEREAS** the competent authority is satisfied for reasons to be recorded in Writing that it is reasonably practicable not to give you an opportunity of showing cause.
7. **NOW, THEREFORE**, in exercise of the powers conferred under section 04(b)(iii) of Khyber Pakhtunkhwa. Government servants (efficiency & Discipline) Rules 2011, the competent Authority is pleased to impose, a major penalty of "**REMOVAL FROM SERVICE**" upon you Mst: Nighat Seema SAT GGHS.Aboha , Swat with effect from the date of absence from duty I.e. 01/06/2016.

(SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICER
(FEMALE) SWAT AT SAIDU SHARIF

Endst:No. 180/0-15 /Sumbal Gula/DM/REGD

Dated. 20/12 /2017

Copy to:-

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. The District Accounts Officer, Swat.
3. The Budget & Accounts Officer Local Office.
4. Principal GGHS.Aboha Swat.
5. Mst: Nighat Seema D/O Muhammad Zahir Shah R/O Village Ghalagay P O Ghalagay Swat.
6. P.A to DEO (F) Local Office.

DISTRICT EDUCATION OFFICER (f)
(FEMALE) SWAT AT SAIDU SHARIF

ATTESTED TO BE
TRUE COPY

To

The Director Elementary & Secondary Education
Khyber Pakhtun khwa Peshawar

Subject: - Appeal against termination Order Passed by the DEO (F) Swat.

Sir

I have the honor to submit the following few lines for your kind and sympathetic consideration with the hope that these will receive your immediate and positive response.

1: - That I was appointed in the E & SE Department as an Arabic Teacher in the year 1994, took over charge on 21/12/1994 and finally posted in Government Girls High School 'Aboha Swat.

2: - That I was performing my duties to the entire satisfaction and had not given a chance of slightest chance of complaint to my superiors.

3: - That in the year 2009 the situation in District Swat worsened and I and my husband were receiving life threat from the militants called Taliban in those. This was due to the fact that the place of our dwelling was the den of such like anti state people.

4: - That being vexed and disturbed and to save our precious lives we had finally migrated outside District Swat and began to settle in Karachi.

5: - That my husband finally went abroad and settled there. And I also applied for leave which was granted and went there to join my husband as it was not possible for me to live alone in view of dire life threat to me and my family.

6: - That I was granted extraordinary Leave for the period from 15/9/2012 to 23/12/2012(107 days), 4/3/2013 to 3/10/2014 and 1/6/2015 to 30/5/2017 (731 days) which expired on 30/5/2017. Since I was abroad there was no possibility for my early return and that is why I applied for extension in leave for the period from 31/5/2017 to 9/4/2018(315 days) which was not granted although I had rendered more than 10 years and am entitled to 5 years leave under revised leave Rules 1981.

7: - That my uncle met with the DEO (F) Swat and she directed that if I am allowed by the Director for the extension I will do the same.

8: - That as per direction given by the DEO (F) Swat my uncle went to the Director's Office and the Provincial Director of E & SE Department very kindly recommended that the leave applied for be given. Copy of the application bearing Director's direction to the DEO (F) Swat is attached as annexure A for your kind perusal please.

9: - That sorry to state the DEO (F) Swat had clandestinely issued her removal order in the month of December 2017 and copy of the same order has not been communicated to us on our home address. Copy of the removal order is attached as annexure B

10. That when my uncle attended the Office of the DEO (F) Swat, he was stirred with a feeling of surprise that I had been removed from service. The DEO (F) Swat has not communicated the termination order to me on our home address and she cannot prove the delivery of the removal order to me. This was done deliberately with a view to deprive me of my legal right of filing an appeal.

Given the above it is humbly requested that I may either be reinstated or retired compulsory as I have more than 17 years pensionable service at my credit and obliged.

I shall be thankful to you for this act of kindness.

Date 22/1/2018

Obediently yours

Nighat Seema

C/O

Muhammad Zahir Shah

R/O Faiz abad Saidu Sharif, Swat

ATTESTED TO
TRUE COPY

F

29

PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

Court of

Case No..... of.....

1	Date of Order or Proceedings 2	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary. 3
	25-06-2019	<p><u>W.P No. 735-M/2019</u></p> <p><i>Present: Syed Abdul Haq, Advocate for the petitioner.</i></p> <p>*****</p> <p><u>SYED ARSHAD ALI, J.-</u> Mst. Nighat Seema, the petitioner who remained as Arabic Teacher in Government Girls Middle School Ghalegay, District Swat has invoked the Constitutional jurisdiction of this Court with the following prayer:-</p> <p><i>“It is therefore, humbly prayed that on acceptance of this writ petition, the impugned order dated 20.12.2017 may kindly be set aside and the petitioner be re-instate on her own post with all back benefits”.</i></p> <p>2. Arguments heard and record perused.</p> <p>3. Admittedly, the present petitioner remained as a Civil Servant who was removed from service vide order dated 20.12.2017. The learned counsel when confronted with the jurisdictional contour of this Court as provided in Article 212 of the Constitution of the Islamic Republic of Pakistan,</p>

ATTESTED TO BE TRUE COPY

1973, he has frankly conceded that the jurisdiction of this Court is barred. However, he requests that this writ petition may be treated as an appeal and be transferred to the Worthy Khyber Pakhtunkhwa Service Tribunal for adjudication.

4. At this stage, we cannot concur with the learned counsel for the petitioner for the reason that the impugned order was passed on 20.12.2017 and the petitioner had the opportunity to file an appeal before the appellate authority within the statutory period of ninety (90) days and thereafter, could avail the remedy of further appeal before the Worthy Khyber Pakhtunkhwa Service Tribunal. However, instead of approaching the appropriate authority well within time, filing the instant writ petition at this belated stage does not appear to be a bonafide mistake.

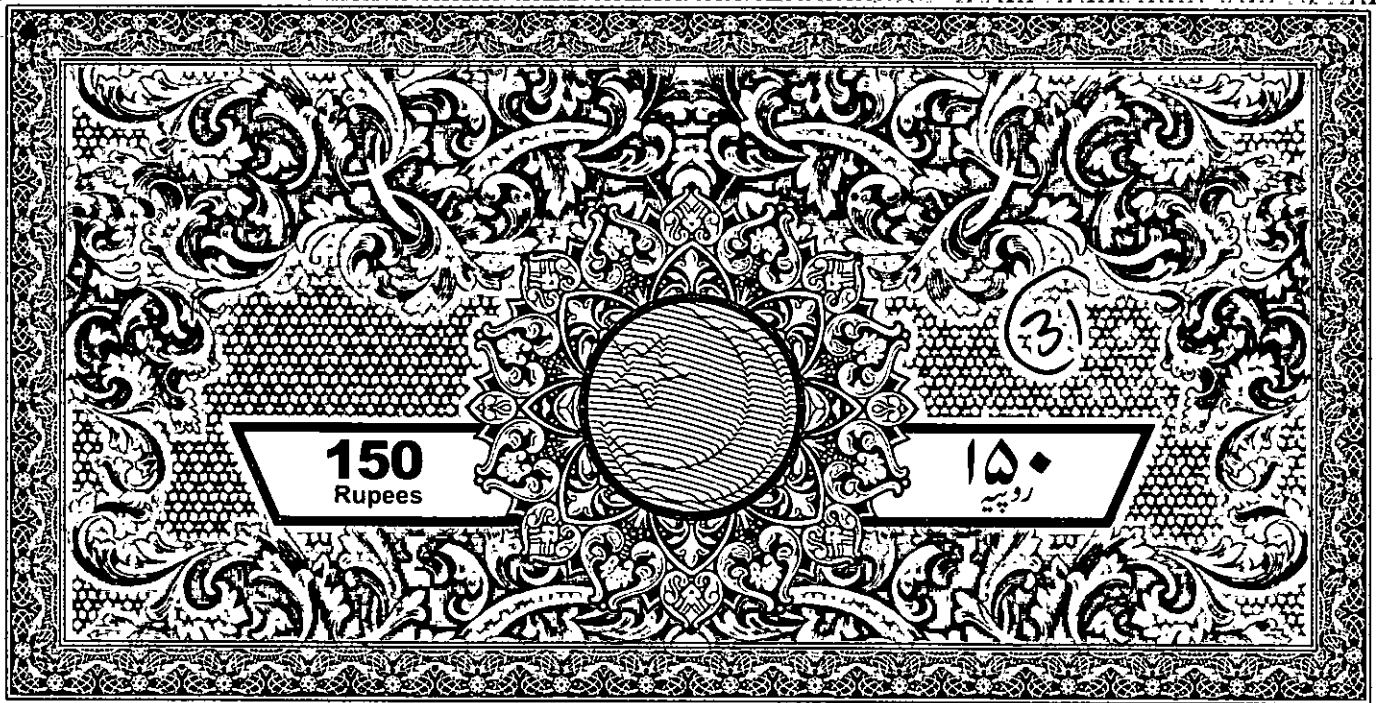
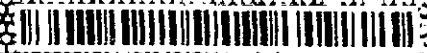
5. In this view of the matter, this petition is hereby dismissed being not maintainable.

Announced
Dt: 25.06.2019

ATTESTED TO BE TRUE COPY

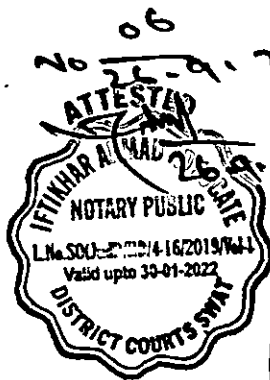
JUDGE
JUDGE

Office
28/07/19



مختار نامہ خانہ

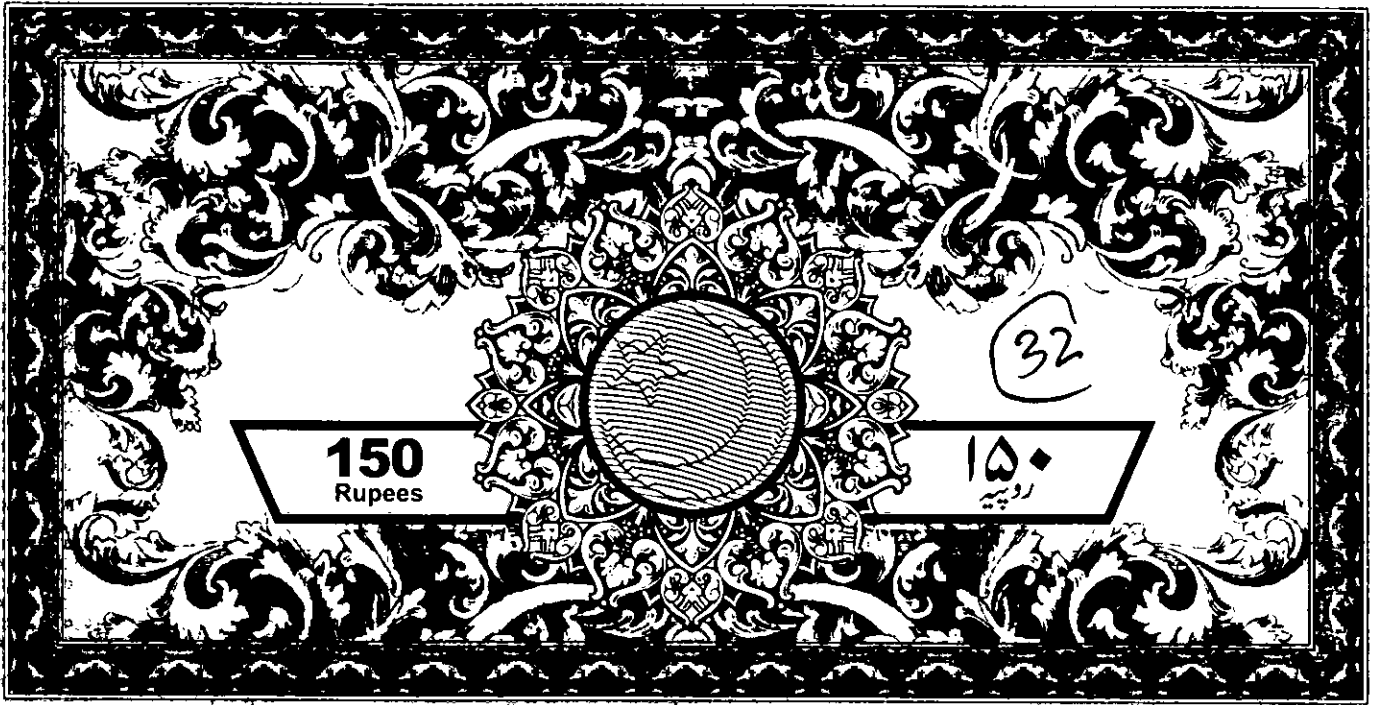
منکہ اختیار دہندہ مسماة نگہت سیماء دختر محمد ظاہر شاہ سکنہ فیض آباد، سید و شریف تحصیل بابوزی ضلع سوات کی ہوں۔ اندریں وقت بقانگی ہوش و حواس خمسہ برضامندی خود اقرار کر کے لکھ دیتی ہوں کہ من مقررہ ایک سروس اپیل بعنوان مسماة نگہت سیماء بنام حکومت وغیرہ، بعدالت جناب سروس ٹریبونل پشاور میں دائر کرنا چاہتی ہوں۔ چونکہ من مقررہ بوجہ زمانہ ذات، پردہ نشین خاتون ہونے کے بناء پر مقدمہ ہذا کی دائری/پیروی، جو اب ہی اصالتاً کرنے سے قاصر ہوں۔ بدیں وجہ اپنے جانب سے مسی محمد ظاہر شاہ ولد سید علی شاہ ساکن فیض آباد، سید و شریف تحصیل بابوزی ضلع سوات کو مختار خاص مقرر کر کے اختیار دیتی ہوں۔ کہ مختار خاص من مقررہ کی جانب سے مقدمہ ہذا دائر کرے، مقدمہ ہذا کی پیروی، جو اب ہی اصالتاً یا بذریعہ وکیل، بیرسٹرز عدالت ابتدائی تا عدالت عظمیٰ سپریم کورٹ آف پاکستان، ہر عدالت مجاز کرے اور کروائے، تصدیق عرائض کرے، درخواست ہائے، جواب درخواست، جواب الجواب ہائے گزارے، بیان زبانی و بیان تحریر دے، بیان حلفی دے، ضروری کاغذات، دستاویزات داخل کرے، وکیل مقرر کرے، پیروی مقدمہ کرے، مقدمہ ریمانڈ ہونے کی صورت میں ماتحت عدالت میں پیروی، جو اب ہی کرے۔ بیانات قلمبند کرے۔ گواہان طلب و پیش کرے، ثالثان/مصلح مقرر کرے، خرچہ و ہرجہ لے یادے، راضی نامہ، صلح نامہ کرے، اجراء کارروائی کرے، زرڈگری وصولی کرے، مختانہ وکیل ادا کرے، اپیل، نگرانی، نظر ثانی، رٹ پٹیشن عدالت مجاز میں دائر کرے۔ الغرض جملہ کارروائی بابت مقدمہ ہذا مختار خاص کے من مقررہ کو قبول و منظور ہوگی۔ فقط



العبد
مسماة نگہت سیماء دختر محمد ظاہر شاہ/اختیار دہندہ
شناختی کارڈ نمبر 2-15602-1642268
گواہ شدہ

گواہ شدہ
مہران ولد محمد شیرین
سکنہ فیض آباد سید و شریف سوات

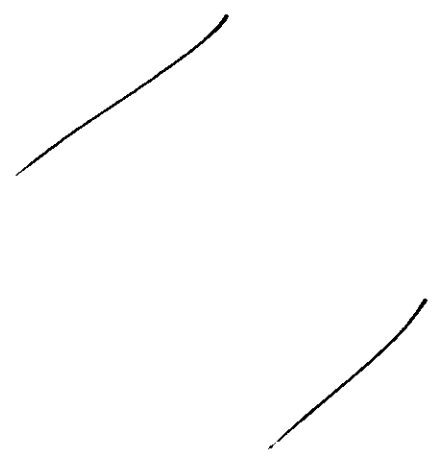
گواہ شدہ
عدنان ولد محمد ابراہیم
سکنہ فیض آباد سید و شریف سوات



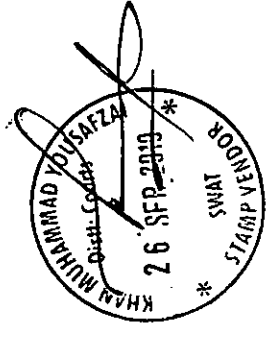
150
Rupees

۱۵۰
روپیہ

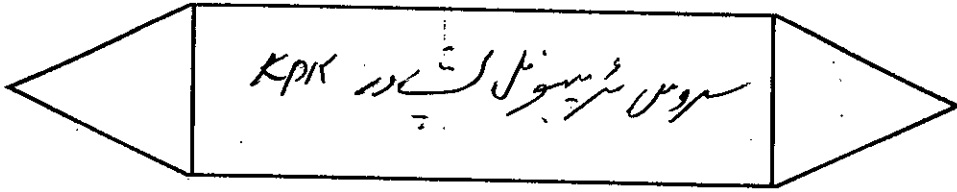
32



180 s u m 181



بعدالت



منجانب ایسٹاٹ
سماں لکھت سہما بنام حکومت

تاریخ 27-09-2019

مقدمہ
دعویٰ سروس ایسٹ
جرم زیر دفعہ

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کاروائی متعلقہ
آن مقام سروس سٹریٹس سول کورٹ اور کیلئے سید عبدالحق ایڈووکیٹ
مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا۔ نیز
وکیل صاحب کو اراضی نامہ و تقرر ثالث و فیصلہ بر حلف دینے جواب دہی اور اقبال دعویٰ اور بصورت
ڈگری کرانے اجراء اور وصولی چیک روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں
پر دستخط کرینا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی اور
دائر کرنے۔ اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکورہ
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے۔ اور اس کا ساختہ
پر داخیت منظور قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے
ہوگا۔ اس کے مستحق وکیل صاحب موصوف ہوں گے۔ نیز بقایا و خرچہ کی وصولی کرنے کا اختیار
حاصل ہوگا۔ اگر کوئی تاریخ پیشی مقام ہذا یا حد سے باہر ہو وکیل صاحب پابند نہ ہوں گے۔ کہ پیروی
مقدمہ مذکور کریں۔ لہذا کالت نامہ لکھ دیا تاکہ سند رہے۔

المرقوم ۲۷ ماہ ستمبر 2019

العبادہ شاہ

بمقام سروس سٹریٹس سول کورٹ اور کیلئے منظور ہے۔

سید عبدالحق ایڈووکیٹ

Attested
and accepted
by Syed Abdul Haq
Hak V.

27/9/2019

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.**

SERVICE APPEAL NO.1199/2019

Mst.Neghat Seema D/O Zahir Shah
R/O Faiz abad Saidu Sharif Swat.

.....(APPELLANT)

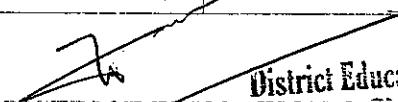
VERSUS

1. The Government of Khyber Pakhtunkhwa Through Secretary E&SE Department Peshawar.
2. The Director E&SE Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer(Female) Swat.

.....(RESPONDENTS)

INDEX

S#	DESCRIPTION OF DOCUMENTS	ANNEXURES	PAGES
1	Para wise Comments	1-7
2	Call Notice dated 4/7/2014	A	8
3	Notice in Newspaper dated 11/9/2017	B	9
4	Application from canada dated 18/9/2017 & 15/9/2017	C&D	10-11
5	Application for Condonation of delay	E	12-13
6	Removal Order dated 28/12/2017	F	14
7	Service book Photocopies	G,H,I,J	15-18
8	Leave granted dated 5/10/2012	K	19
9	Application for leave dated 10/9/2012	L	20
10	Leave granted dated 25/8/2013	M	21
11	Application dated 4/3/2013	N	22
12	Cancellation of leave dated 19/11/2014	O	23
13	Application dated 13/10/2014	P	24
14	Leave Granted dated 10/4/2015	Q	25
15	Application dated 1/4/2015 & 20/3/2015	R & S	26-27
16	Application dated 31/5/2017	T	28
17	Rejection of application for leave	U	29
18	Application to Director dated 29/5/2017	V	30
19	Letter of Director for comments dated 1/1/2018	W	31
20	Appeal of the appellant to Director dated 23/5/2018	X&Y	32-33
21	Detail report of DEO(F) Swat dated 20/7/2018	Z	34


District Education Officer (F)
DISTRICT EDUCATION OFFICER (F)
SWAT
(RESPONDENT NO.3)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.**

SERVICE APPEAL NO.1199/2019.

Mst.Nighat Seema D/O Zahir Shah R/O Faiz Abad saidu Sharif Swat
.....(APPELLANT)

VERSUS

1. The Government of Khyber Pakhtunkhwa Through Secretary E&SE
Department Peshawar.
2. The Director E&SE Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer(Female) Swat.

.....(RESPONDENTS)

PARAWAISE COMMENTS ON BEHALF OF RESPONDENTS NO.1,2&3

Respectfully Shewth;

Respondents submit as under;

PRELIMINARY OBJECTIONS.

1. That the appellant has been removed from service wef 31/5/2017 vide office Order Under Endstt; No.18010-15 dated 28/12/2017 and appeal filed by the appellant on 26/9/2019 which is badly barred by time and hence is liable to be dismissed.
2. That the appellant has no cause of action and locus standi to file the instant appeal against the respondents.
3. That this Hon; Tribunal has no jurisdiction to entertain the instant appeal for modification of penalty of removal from service in the light of Judgment of the August Supreme court of Pakistanis reported in 2020 PLC (CS) 772, hence the instant appeal is liable to be dismissed.
4. That the Present appeal is not maintainable in the present form and manner and is liable to be dismissed.
5. That the appellant has not come to this Hon; Tribunal with Clean hands.
6. That the appellant has concealed the material facts from this Hon; Tribunal and therefore the instant appeal needs to be struck down.
7. That due to legal lacunas, the instant appeal is not competent and maintainable in the eye of law.
8. That the instant appeal is against the Prevailing Rules and laws and Judgments of the Superior Courts of Pakistan and hence is liable to be dismissed.
9. That the appeal in hands is meritless as well as non-maintainable being hit by the doctrine of laches, hence is liable to be dismissed.
10. That the instant Appeal falls within the meaning of Res-judicata because the Prayer of the instant appeal has already been dismissed by the Hon;high Court Mingora bench Darul Qaza Swat in WP No.,hence the instant appeal 735-M.2019 under Title Mst.Nighat Seema VS Govt; of KPK through Secretary E&SE Department.

REPLY ON FACTS.

1. That this Para-1 is admitted to the Extent of Appointment and posted at GGMS Ghaligay Swat and needs no further comments.
2. That this Para-2 as drafted, is not admitted and denied because the appellant did not Perform duty but remained absent wef 31/5/2017 till date due to which her Services were Removed after observing codel formalities such as Call Notice dated 4/7/2017 (**Annexure-A**), Absence Notice in Daily News Paper Dated 11/9/2017 (**Annexure-B**) and as the appellant was in Canada, she confessed her Presence at Canada in her written application dated 18/9/2017 & 15/9/2017 (**Annexures C&D**) That 'I am recently in Canada' Moreover the appellant also admitted her status as abroad from Pakistan i.e. in Canada in the application for Condonation of delay (**Annexure-E**) and similarly she remained absent and was removed from Service wef 31/5/2017 vide order under Endstt;No.1010-5 dated 28/12/2017 (**Annexure-F**). As far as situation in 2009 as highlighted by the appellant, is not admitted because record as documentary Evidence reveals that the appellant remained in Swat and was on duty wef 21/12/1994 To 14/9/2012 and nothing was mentioned by the appellant regarding Threats from the Militants (Service Book Photocopies appended as **Annexure-G,H,I,J**) while in the year 2012 the appellant was proceeded on Leave with reason mentioning by the appellant as compared to her statement regarding threats from militants as well as other reason for which leave has been availed by the appellant and then after remained, is as under;

S#	Period of Leave as requested	Plea for Leave	Remarks
1	15/9/2012 To 23/12/2012 Leave Granted (<u>Annexure-K</u>)	Application submitted for Repair of Home (<u>Annexure-L</u>)	Leave availed
2	4/3/2013 To 23/12/2014 Leave Granted (<u>Annexure-M</u>)	Application submitted for Repair of Home (<u>Annexure-N</u>)	Leave availed 4/3/2013 To 3/10/2014
	4/10/2014 To 23/12/2014 Cancellation granted (<u>Annexure-O</u>)	Application for joining duty wef 4/10/2014 (<u>Annexure-P</u>)	Leave cancelled and duty joined
3	1/6/2015 To 30/5/2017 Leave Granted (<u>Annexure-Q</u>)	Two Applications for Repair of Home (<u>Annexures R&S</u>)	Leave availed. It is strange that in this application she mentioning reason, Repair of Home while in another application sent from Canada 18/9/2017 & 15/9/2017 (Already Appended as Annexure C&D) that I am recently in Canada and have been sick since May 2017.

Appellant failed to Produce any Evidence and Proofs regarding Threats from the Militants and the above detail reflects fraud and dishonesty of the appellant and such like statement reflects malafide of the appellant this stance of the appellant is not admitted and denied and appeal in hands is liable to be dismissed.

3. That this Para-3 not admitted because there is no Evidentiary documents as Proofs on record hence not tenable in the eye of law and nee sot be dismissed.

4. That this Para -4 has already been commented regarding leave granted and leave rejected hence needs no further comments.

5. That this Para as drafted is not admitted because the appellant concealed the facts as mentioned above in Para-2 at S.No.4. Although the appellant submitted application to Director E&SE dated 16/11/2017 (Already appended as Annexure-T) and the same has already been rejected by respondent No.3 (Already Appended as Annexure-U) but the Director E&SE KP Peshawar recorded the remarks as " Please Sanction the leave application applied for" and the same re-examined and report submitted to Director Education Vide No.16029 dated 18/11/2017 (Annexure-V) and highlighting that the case has been Processed for Removal from Service as such like Practice is not fair and directions received to the Respondent No.3/DEO(F) Swat from Director Education vide No.413 dated 1/1/2018 (Annexure-W) that " to decide the case at your own level being competent authority as per rule" and similarly the appellant was removed from Service on 28/12/2017 (Already appended as Annexure-F) but this fact has been concealed by the appellant and hence appeal is liable to be dismissed.

6. That this Para-6 as drafted is not admitted because respondent adopted due Process of law as mentioned in the above Para's and similarly the appellant has been removed from Service accordingly.

<p>Both Applications are contradictory which reflects malafide on the Part of the appellant.</p>	<p>Leave application Rejected (Annexure-U) and the appellant Remained absent from 31/5/2017.</p> <p>It is strange that the applicant already submitted application from Canada on 15/9/2017 & 18/9/2017 (C&D) regarding her leave and Now submitted application on 29/5/2017 regarding treatment of her Mother in Law at Karachi. How it is Possible that on 15/9/2017 & 18/9/2017 appellant was in Canada and on 29/5/2017, she is at Karachi.</p> <p>Such like situation and dealing falls within the meaning of Fraud and reflects malafide of the appellant.</p>
	<p>Application dated 29/5/2017 submitted showing reason treatment of Mother in law at Karachi (Annexure-T)</p>
	<p>To</p> <p>31/5/2017 9/4/2018</p>
	<p>4</p>

7. That this Para as drafted, is not admitted. However Director Education/Respondent No.2 sent back the case/appeal of the appellant through office Memo; No.4651 dated 23/5/2018 for asking detail report/factual Position (Annexures X & Y) and detail report submitted through office Memo; No.6577 dated 28/7/2018 (Annexure-Z) wherein action taken by the Respondent, has been highlighted for which directions have already been received from the Director Education (Already appended as Annexure-W). It is worth mentioning here that removal from Service has been made on 28/12/2017 while appeal submitted before Director Education after laps of 4 Months & 11 Days which is barred by time. Moreover appellant filed appeal before the Hon;Service Tribunal after the stipulated Period which is not maintainable in the eye of law and needs to be struck down.

8. That this Para is not admitted because detail has already been submitted to Director Education in the light of appeal/application submitted by the appellant and this office already informed the Director Education about the action taken by the respondent No.2 for which instructions have already been received from the Director Education (Already appended as Annexure-W) and the appellant knows better but intentionally concealed the facts about the time barred application and fraudulent transaction made by the appellant as mentioned above in Para-2 at S.No.4.

9. That this Para is self-Explanatory and needs no Comments.

10. That this Para needs no Comments and the appellant is not entitled for any remedy inter alia on the following grounds.

REPLY ON GROUNDS.

A. That this Para is not admitted and denied because action of the Respondent is legal, justified, lawful and within the meaning of justice and does not amount to condemn unheard due to the reason that respondent department followed due process of law.

B. That this Para as drafted is not admitted and is against the Prevailing Rules and laws. Although Proceedings were conducted in absentia because the appellant was not available and were absent and abroad from Pakistan while Call Notice was also issued to her home address (Already appended as Annexure-A) as well as Notice in Daily Mashriq (Already appended as Annexure-B) but the appellant failed to appear before the competent authority while during the course of time the appellant submitted two type of applications at the same time where in one application she presented herself at Canada (Already appended as Annexures C&D) and in another application she presented herself at Karachi doe service delivery for her Mother in law. Both applications reflected.malafide and fraud on the Part of the appellant. However, the respondent department followed the relevant Rules and wisdom drawn from the Judgment of the Apex Court of Pakistan reported as 2020 PLC(CS) 772. It is worth mentioning her that applicant services were being Governed by the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules 2011. Rule 9 of the ibid rules relates to the instant case in hand which has been applied for removal of service of the appellant. For ease of reference, the same is re-produces as below;

**KHYBER PAKHTUNKHWA GOVERNMENT SERVANTS
(EFFICIENCY AND DISCIPLINARY) RULES 2011.**

9. PROCEDURE IN CASE OF WILFUL ABSENCE.

Notwithstanding anything to the contrary contained in the rules, in case Of willful absence from duty by a Government Servant for Seven or more Days, a notice shall be issued by the competent authority through registered Acknowledgement on his home address directing him to resume duty within fifteen Days of issuance of the notice. If the same is received back an undelivered or no Response is received from the absentee within the stipulated time, a notice shall be published in at least Two leadings News Paper directing him to resume duty within fifteen days of the Publication of that Notice. Failing which an-Exparte decision shall e taken against the absentee. On Expiry of the stipulated period given in the notice. major penalty of removal from Service may be imposed upon such Government Servants.

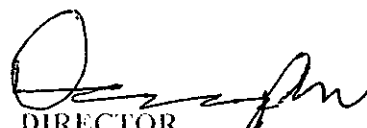
Hence Removal from service Order dated 28/12/2017 has been passed within the Contours of rules and Procedures laid down in the ibid rules and is sustainable in the eye of law but the appellant concealed the material facts with malafide intention.

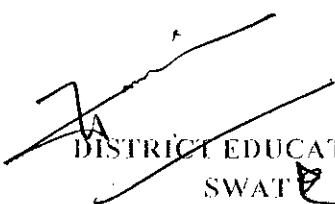
- C. That this Para as drafted is not admitted. Record on file is very much crystal Clear and the appellant remained absent wef 31/5/2017 till date and the same has been highlighted in the detail report submitted to Director education/Appellate authority in connection with the appeal submitted by the appellant and it was clearly mentioned that due to Human Error mistake has been made as 1/6/2016 instead of 31/5/2017 which is not intentional and such like mistake falls within the meaning of Technicalities and it is established that the law prefers matters to be decided on merits rather than on technicalities. Hence there is no need of astonishing because all relevant record and proceedings are based on record and facts and on the basis of the facts & figure the appellant has been removed from Service according to the prevailing rules and laws for which respondent No.3 is competent to passed the order dated 28/12/2017 for which directions have already been received from the appellate authority/Director education (Already appended as Annexure-w). Hence order is legal and lawful.
- D. That this Para as drafted is not admitted because Every Government Servant is bound to obey command of the law and Rules and the others and the violators shall be dealt in accordance with law and the Prevailing rules. The appellant concealed the facts of her absenteeism wef 31/5/2017, hence Order of Removal from service dated 28/12/2017 is based on Established rules, Laws and is maintainable in the eye of law while appeal of the appellant is liable to be dismissed.
- E. That this Para is not admitted because appellant, having the knowledge of rules, remained absent wef 31/5/2017 till date intentionally and the same absenteeism has been admitted by the appellant in this Para and such like absenteeism has


been condemned by the Apex Court Pakistan and set aside the Judgment Passed by the Hon; Service Tribunal as reported in 2020 PLC(CS) 772 and restored Penalty imposed by the department .Hence appeal in hands in such like circumstances may also be dismissed and the penalty imposed by Respondent No.3 upon the appellant needs to be restored .

- F. That this Para already commented in the above Para-E, hence needs no further comments.
- G. That this Para as drafted is not admitted Detail has already been incorporated in the above Paras B and Para-E and other Paras which cover the reply of this Para. Hence needs no further comments.
- H. That in the above paras B, C & E detail has been incorporated which Cover the reply of this Para and needs no further comments.
- I. That this para as drafted is not admitted. Respondent department Passed removal from Service order dated 28/12/2017 according to the Prevailing Rules and Procedures laid down in the ibid rules. it is established that no one is above the Law and Every one including the Government Servant is bound to obey command of the law and therefore, the undersigned /Respondent No.3 is competent for taking action according to the Prescribed rules and laws and in the instant case. appellant has been removed from Service within the contours of rules and laws instead of lenient view.
- J. That this Para is self-Explanatory to the extent of abroad and the factum of willful absence has been admitted by the appellant, therefore, action of the Respondent is legal, justified and lawful and sustainable in the eye of law and the appellant is not deserving for Re-Instatement at any cost.
- K. That this Para needs no Comments because it depends upon the Circumstances and Hon; Service Tribunal regarding permission for additional Points.

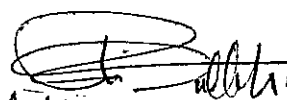
In wake of the above, it is humbly Prayed that the appeal in hands may graciously be dismissed.


DIRECTOR
ELEMETARY & SECONDRY EDUCATION
KP PESHAWAR
(RESPONDENT NO.2)


DISTRICT EDUCATION OFFICER(F)
SWAT
(RESPONDENT NO.3)
District Education Officer (F)
Swat.


SECRETARY
ELEMETARY & SECONDRY EDUCATION
KP PESHAWAR
(RESPONDENT NO.1)

Vetted subject to annexed relevant documents and necessary correction.


Assistant Advocate General
Khyber Pakhtunkhwa
Services Tribunal

COUNTER AFFIDAVIT

we respondents No.1,2,&3 do hereby solemnly declared and affirm that contents of the accompanying Para wise Comments are correct according to the record of the office and nothing has been concealed from this Hon; Service tribunal.

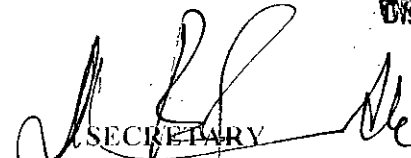


DIRECTOR
ELEMETARY & SECONDRY EDUCATION
KP PESHAWAR
(RESPONDENT NO.2)



DISTRICT EDUCATION OFFICER(F)
SWAT
(RESPONDENT NO.3)

District Education Officer (F)
Swat.



SECRETARY
ELEMETARY & SECONDRY EDUCATION
KP PESHAWAR
(RESPONDENT NO.1)

(95)
A

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) SWAT AT SAIDU SHARIF.

No. _____ / Nighat Seema, AT/ REGD

Dated. 4/7/ 2017

To

Mst: Nighat Seema D/O Muhammad Zahir Shah
Village, Fiaz Abad, Tehsil Babozai ,
P.O. Saidu Sharif Swat

Subject: - CALL NOTICE NO 1/ABSENCE FROM DUTY

Memo:-

As reported by the Principal, GGHS Aboha Swat vide her letter No. 335/ dated 06/06/2017, that you are absent from duty since 01-06-2016 without permission/sanction from the competent authority.

You are therefore once again directed to resume your duty and submit arrival report to the office of the undersigned within a week, failing which action under the E&D rules 2011 will be taken against you.

Endst: No. 17576

DISTRICT EDUCATION OFFICER
(FEMALE) SWAT AT SAIDU SHARIF

Copy to the:-

1. Principal, GGHS Aboha Swat.

UG.

DISTRICT EDUCATION OFFICER
(FEMALE) SWAT AT SAIDU SHARIF

11/9/2017

30

B

روزنامہ شرق پشاور اسلام آباد 11 ستمبر 2017

شہریاں میں دن دیہاڑے میں روڈز ایک شخص کو قتل کر دیا

پولیس اہلکار کو مار کر زخمی کر دیا

پولیس اہلکار کو مار کر زخمی کر دیا... شہریاں میں دن دیہاڑے میں روڈز ایک شخص کو قتل کر دیا...

پولیس اہلکار کو مار کر زخمی کر دیا... پولیس اہلکار کو مار کر زخمی کر دیا...

ماسٹر اور پیچر کا بیورو گرام شروع کیا جائیگا، سبحان اللہ شاہ

مسماں (بھٹ) اور دیگر پیکر بھٹ میں آج صبح... ماسٹر اور پیچر کا بیورو گرام شروع کیا جائیگا، سبحان اللہ شاہ...

NOTICE INVITING TENDERS Single Stage Single Envelope

Deputy Commissioner / Collector, Land Acquisition, Battagram... Invites sealed bids for Relocation / Shifting of graves...

Table with columns: Name of work, Required category of PEC, Estimated Cost, Bid Security, Period of completion, Last date of submission & time, Date of opening & time. Includes a sub-table for Moza/Village and No of Graves.

Bid documents including instruction to Bidders can be obtained from dated of issuance of tender notice... The advertisement is also available on www.kppra.gov.pk & Face Book page...

(Sardar Asad haroon) Deputy Commissioner/ Collector Land Acquisition, Battagram.

JOB OPPORTUNITIES

Govt. of Khyber Pakhtunkhwa invites applications from suitable candidates domiciled in Khyber Pakhtunkhwa/FATA for the following positions purely on temporary/contract basis (fixed salary) for ongoing project:-

Table with columns: Post, No. of Posts, Salary, Pre-requisites. Lists positions like Automobile Technician (BS-16) and Assistant Database Administrator (BS-16).

تفصیلی خبریں و حقائق

آپ کی بہت بڑی خبر ہے کہ... آپ کی بہت بڑی خبر ہے کہ... آپ کی بہت بڑی خبر ہے کہ...

زیب النساء، ڈسپنٹریٹ ایجوکیشن آفیسر کی حیل سوات

ایجوکیشن آفیسر کی حیل سوات... ایجوکیشن آفیسر کی حیل سوات... ایجوکیشن آفیسر کی حیل سوات...

Ph: 091-9217902, Fax: 091-9217901

INF (R) 5273 Also available on www.khyberpakhtunkhwa.gov.pk

ABSENCE NOTICE

You Ms. Shalata Nadoem Lecturer in English Govt. Girls Postgraduate College, Haripur submitted medical certificate for grant of Medical leave w.e.f. 01.09.2009 and after that you neither submitted fitness certificate nor report for duty in the college...

Secretary, Government of Khyber Pakhtunkhwa Higher Education Department

ABSENCE NOTICE

You Ms. Sobia Iqbal Lecturer in Political Science Govt. Girls Postgraduate College No.1, Abbottabad was granted for 163 days w.e.f. 01.03.2016 to 11.08.2016 vide Notification dated 07.03.2016...

The District Education Officer (F)
High Secondary, Swat, KPK, Pakistan

From: Nighat Seema

A T Government High School
Aboha, Swat, KPK. Pakistan

September 18, 2017

Subject: Explanation of show cause notice for absence of the duty

Respectable Madam,

This application is in response to the absence notice published in the Daily Mashriq, **reference No 123751**, regarding absence from duty after the expiration of two years leave without pay. As far my absence, I am recently in Canada and have been sick since May 2017. My sickness got worsened with the passage of time, and I am still under medical treatment. I intended to come and join my duties on June 1, 2017 but the doctor advised me complete bed rest and opposed my plan to travel because of my serious health condition. The doctor's medical certificate is attached herewith which can be verified from the doctor. Additional medical proofs can be provided upon request if required. I assure you that I will try my best to come and join my duties as soon as the doctor allows me to travel.

Keeping in view my medical condition, it is therefore requested my leave without pay may please be extended till my full recovery.

Thank you for your time and consideration

Sincerely yours,



Nighat Seema

Dr. Naila Ejaz
Medi Plus Clinic
1146, 4818 Westwinds Drive NE
Calgary, AB T3J 3Z5
Tel: 403-293-5435 Fax: 403-293-1511

17 (81)

Sep 15, 2017

D

RE:Nighat Seema
DOB:16-Jan-1975
PHN:378010761, AB
Phone:Personal (587)777-5038
Home (403)351-3956
Addr:140 Teravista Dr
Calgary, AB T3J 4T2

To Whom It May Concern:

Nighat Seema is suffering from serious health issue. She is under treatment now. During that treatment she is not able to travel. So that duration will last for 2 years.

Yours sincerely,

Dr. Naila Ejaz
cc:

Dr. Naila Ejaz
Medi Plus II
1146, 4818 Westwinds Drive NE
Calgary, AB., T3J 3Z5
TEL: 403-293-5435
FAX: 403-293-1511

CONFIDENTIAL: DO NOT DISTRIBUTE.

Page 1 of 1

15-Sep-2017 09:42 PM. MDT
Dr. Naila Ejaz

(18)

E
①

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal _____-M/2019

Mst. Nighat SeemaAppellant

VERSUS

Govt of Khyber Pakhtunkhwa through Secretary Elementary and
Secondary Education and others Respondents

APPLICATION FOR CONDONATION OF DELAY

Respectfully sheweth

1. That the impugned order qua removal dated 20.12.2017 has been passed in back of appellant as the candidate was abroad and was unaware about such process.
2. That the appellant after getting knowledge of the situation, filed a writ petition bearing No. 735-M/2019 via attorney which was dismissed by honourable Peshawar High Court due to lack of jurisdiction vide order dated 25.06.2019.
3. That the petition being properly filed before honourable high court but after dismissal on the ground of maintainability have no other remedy except to file the instant appeal before this honourable tribunal as the departmental appeal filed by the by the appellant is still

pending and after passing the statutory period the only remedy available to the appeal to invoke the original jurisdiction of this honourable tribunal for redressal of her grievance.

4. That the appellant/applicant has served the department for 23 years and she is almost at the verge of retirement so removal of her with a single stroke of pen is utter disregard of law and no limitation become hurdles in way of appellant as no limitation run against void order.
5. That the grounds taken in appeal may be read and considered part of this application

It is therefore humbly prayed that if this honourable tribunal deems the instant appeal as barred by time, may please be condoned.

Appellant/applicant
Through
Counsel



SYED ABDUL HAQ
Advocate High Court

(88) F

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) SWAT AT SAIDU SHARIF.

ORDER

Whereas Mst:Nighat Seema AT GGHS.Aboha Swat was proceeded against under the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules 2011.

2. **AND WHEREAS** you have been willfully absent from duty with effect from 01/06/2016.
3. **AND WHEREAS** you have been called at your home address vide this office letter No. 11411 Dated 01-06-2017 to perform your duty regularly but no response from Your end is received.
4. **AND WHEREAS** your absence was published in the Daily leading Newspapers, dated 16-05-2017 (The Daily Mashriq Peshawar) directed you to attend the office of the undersigned Within 15 days of the publishing of the said notice. But you failed to do so.
5. **AND WHEREAS** the District Education Officer being competent authority after having Considered the charges and evidence on record, against you, has been proved.
6. **AND WHEREAS** the competent authority is satisfied for reasons to be recorded in Writing that it is reasonably practicable not to give you an opportunity of showing cause.
7. **NOW, THEREFORE**, in exercise of the powers conferred under section 04(b)(iii) of Khyber Pakhtunkhwa. Government servants (efficiency & Discipline) Rules 2011, the competent Authority is pleased to impose, a major penalty of "**REMOVAL FROM SERVICE**" upon you, Mst: Nighat Seema SAT GGHS.Aboha , Swat with effect from the date of absence from duty i.e. 01/06/2016.

(SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICER
(FEMALE) SWATAT SAIDU SHARIF

Endst:No. 18010-15/Sumbal Gula/DM/REGD

Dated. 28/07 /2017

Copy to:-

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. The District Accounts Officer, Swat.
3. The Budget & Accounts Officer Local Office.
4. Principal GGHS.Aboha Swat.
5. Mst: Nighat Seema D/O Muhammad Zahir Shah R/O Village Ghalagay P O Ghalagay Swat.
6. P.A to DEO (F) Local Office.

DISTRICT EDUCATION OFFICER (F)
(FEMALE) SWATAT SAIDU SHARIF

6

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

1. Name **NIGHAT SEEMA**

2. Race **Pathan**

3. Residence **village Faiz Abad P.O. Saidu shary
SWAT**

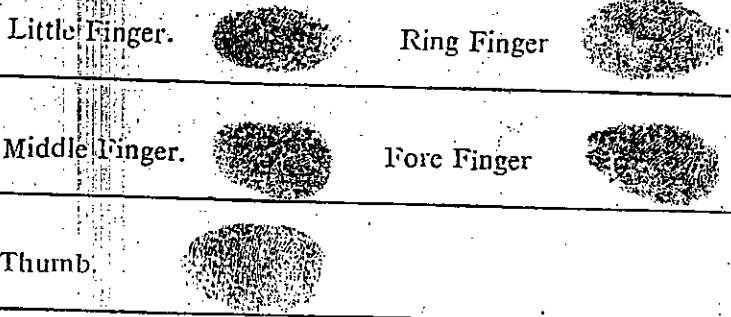
4. Father's name and residence **Mohammad Zakir Shah
R/O Faiz Abad Swat.**

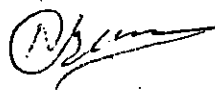
5. Date of birth by Christian era as nearly as can be ascertained **(16-01-1975)
(Sixteenth of January M/H of Seventy five)**

6. Exact height by measurement **5-2**

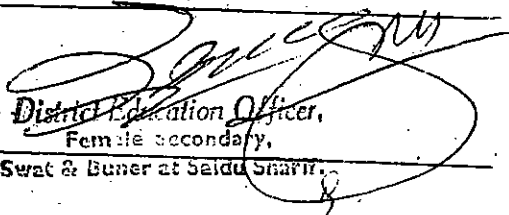
7. Personal marks for identification **Nil**

8. Left hand thumb and Finger impression of (non-gazetted) officer



9. Signature of Government servant 

10. Signature and designation of the Head of the Office, or other Attesting Officer


 District Education Officer,
 Female Secondary,
 Swat & Buner at Saidu Shari.

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service entitles for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature of Government servant
AT	sub / temp		RS = 1605/- P.M.			21 ¹² / ₉₄	<i>[Signature]</i>
GG MS							
Ghaligay			RS = 1605/- P.M.			1 ¹² / ₉₅	<i>[Signature]</i>
do							
			Allowed BPS No-9-1605-97-3060				
do			RS = 1605/- P.M.			25 ¹ / ₉₆	<i>[Signature]</i>
do			RS = 1702/- P.M.			1 ¹² / ₉₆	<i>[Signature]</i>
do			RS = 1799/- P.M.			1 ¹² / ₉₇	<i>[Signature]</i>
			RS 1894/- P.M.			01 ¹² / ₉₈	<i>[Signature]</i>
			RS 1993/- P.M.			01 ¹² / ₉₈	<i>[Signature]</i>
			Allowed BPS No-14-(2065-161-44898)				
			RS 2065/- P.M.			10 ⁸ / ₂₀₀₀	<i>[Signature]</i>
			RS 2065/- P.M.			01 ¹² / ₂₀₀₀	<i>[Signature]</i>
						1 ¹² / ₂₀₀₀	<i>[Signature]</i>
do	do		RS 2226/- P.M.			1 ¹² / ₂₀₀₀	<i>[Signature]</i>
			(BPS No. 14 = Rs-3100-240-10300)				<i>[Signature]</i>
do	do		RS 3340/- P.M.			1 ¹² / ₂₀₀₀	<i>[Signature]</i>
do	do		RS 3580 P.M.			1 ¹² / ₀₂	<i>[Signature]</i>

1 Name of Post	2 Whether substantive or officiating and whether permanent or temporary	3 If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	4 Pay in substantive Post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of Appointment	8 Signature of Government	
		<p>(2005) Office of the Accounts General N.W.F.P Peshawar Pay Fixed in the revised basic pay scale 2005 3565-275-11815 at P.M on 01-07-2005 with effect from 01-12-2005</p> <p>Accounts Officer N.W.F.P Peshawar</p>		<p>Service Verified w e f ... 1-12-05 to ... from acc: Roll & Other Record of this office.</p> <p>DISTRICT OFFICER, S & E SWP</p>				
49MS			Bankar Swat Sub/pc Rs 5215 1/2 PM			1 12/06		
			B-14 = 4100 - 315 - 13550			1 7/2007		
			do - do - Rs 5990 1/2 PM			1 7/2007		
			do - do - Rs 6305 1/2 PM			1 12/07		
			PAPS No 142 4920 - 380 - 16320			1 7/2008		
			do do Rs 7580 1/2 PM			1 7/2008		
			do - do - Rs 7960 1/2 PM			1 12/2008		
<p>Allowed Annual Inc/Retiring Pay Scale w.e.f. 21-12-94 vide Govt of NWFP Finance Deptt Notification No. FO (PRC) 5-2/DT-30-3-89</p>								
<p>District Officer, Elem: & Secy: Edu Swat</p>								

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary.	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "pay"	Date of appointment	Signature of Government servant
BPS-No-14 (3100-240-10300)							
AT GZMS Rambali Sant	Subfer			Rs. 4060/-	PM	1 ¹² / ₀₃	
-do-	-do-			Rs. 4300/-	PM	1 ¹² / ₀₄	
BPS-No-14 (3565-275-11815)							
-do-	-do-			Rs. 4940/-	PM	1 ⁷ / ₀₅	
-do-	-do-			Rs. 5215/-	PM	1 ¹² / ₀₅	
-do-	-do-			Rs. 5490/-	PM	1 ¹² / ₀₆	
BPS-No-14 (4100-315-13550)							
-do-	-do-			Rs. 6305/-	PM	1 ⁷ / ₀₇	
-do-	-do-			Rs. 6620/-	PM	1 ¹² / ₀₇	
BPS-No-14 (4920-380-16320)							
-do-	-do-			Rs. 7960/-	PM	1 ⁷ / ₀₈	
-do-	-do-			Rs. 8340/-	PM	1 ¹² / ₀₈	
cl.	cl.			Rs. 8720/-	PM	1 ¹² / ₀₉	
cl.	cl.			Rs. 9100/-	PM	1 ¹² / ₂₀	

J

9	10	11	12	13		14	15	
				Nature and duration of leave taken	Leave			
					Period			Government to which debitible
Signature and designation of the head of the office or other attesting officer in Column 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting Officer			Signature of the head of the office or other attesting officer	Reference to a recorded punish: or censure, or re or praise of the Government Ser	
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 $\frac{11}{04}$	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.					
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 $\frac{6}{05}$	Pay scale Revised.	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.					
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 $\frac{11}{05}$	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.					
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 $\frac{11}{06}$	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.					
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 $\frac{6}{07}$	Pay scale Revised	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.					
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 $\frac{11}{07}$	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.					
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 $\frac{6}{08}$	Pay scale Revised	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.					
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 $\frac{11}{08}$	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.					
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 $\frac{11}{09}$	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.					
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.	30 $\frac{11}{10}$	A/linc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.					
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.			<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu Swat.					

1135
 Drawn difference of pay
 31110109
 W.P. 291644
 Total Rs. 291644
 13/09
 Distt: A/c Officer,
 Swat.
 15/11

(51)

K

GRANT OF LEAVE

Under the provision of power conferred by the government of Khyber Pakhtun Khwa Establishment and administration Department Regulation Wing No.SOR-VE D-27/2003 dated 17.11.2005.Sanction is hereby accorded to the grant of earned leave in respect of Mst.Nighat Seema AT GGMS Qambar Swat with effect from 15.9.2012 to 23.12.2012 (100days) on full pay as due and admissible to her under the leave rules 1981.

Necessary entry to this effect should be made in her service book and leave account form .

The official concerned is likely to return to the same station from where she proceeded on leave .

sd
Executive District Officer
E&S Education Swat.

Endst.No 2/0-16 /P.F/Nighat Seema/AT

Dated 05/10/12.

Copy forwarded to:-

1. The DAO Swat.
2. The B&AO local office with the remarks to deduct CA allowance from the official concerned of the above period under intimation to this office .
3. The Headmistress GGMS Qambar .
4. The official concerned.
5. PA To EDO local office.

[Signature]
Executive District Officer
E&S Education Swat

(48)

L

To

The ~~DO~~ EDO,
E/S Education
Swat.

YUP
~~EDUCAS~~
10/9/2012

Subject: Application for long leave.

Sir/Madam,

This is stated that due to some domestic problems I am unable to perform the duty from 15th September, 2012 to 23rd December 2012. Therefore, I may kindly be granted leave ^{on full pay} for the same period.

Thanking you.

Sincerely yours,
Nighat Seema A.T
GGMS, Qambar.

Dated 15th Sep. 2012.

Forwarded to F.O. (CF) Sec
Education Gulakada Swat-

H. Beg
Head Mistress,
GGMS, Qambar,
Distt: Swat.
15.9.12

GRANT OF LEAVE

Under the provision of power conferred by the government of Khyber Pakhtun Khwa Establishment and administration Department Regulation Wing No.SOR-VE D-27/2003 dated 17.11.2005.Sanction is hereby accorded to the grant of earned leave in respect of **Mst: Nighat Seema, A.T, GGMS Qambar, Swat** with effect from 04/03/2013 to 023/12/2014 (661 days) with out pay as due and admissible to her under the leave rules 1981.

Necessary entry to this effect should be made in her service book/ leave account form and conveyance allowance may be deducted during leave period.

(DILSHAD BEGUM)
DISTRICT EDUCATION OFFICE
(FEMALE) SWAT.

Endst:No 1031-32 /Nighat Seema/AT Dated. 25/08 /2013

Copy forwarded to:-

1. The District Accounts Officer Swat.
2. The Headmistress GGMS Qambar Swat.
3. Budget & Accounts Officer Local Office.
4. The official concerned.

UG.

DISTRICT EDUCATION OFFICER
(FEMALE) SWAT.

(56)

N

put up
14/3/13

The District Education
officer (S) District Swat.

Subject,

EARNED LEAVE

Dear Madam,

I have the honor to state that I am
working at Govt. Girls Middle School
Damber at the Post of A.T teacher.

I have some unsophisticated
problems Repair of home.

Therefore kindly grant me earned
leave with effect from 4-3-2013

to 23-12-2014, I shall be very thankful

to you.

Forwarded to E.D.O-(F)

(Sec) Gulkada Swat

H. Begum
Head Mistress,
GGMS, Damber,
Dist: Swat.
6.3.2013

Yours Sincerely
Mst. Nighat Seemra A.T
G.G.M School Damber

OFFICE ORDER

The un avail portion of leave sanctioned vide this office Endst: No. 1031-32/dated 25/08/2013 in favour of Mst: Nighat Seema, A.T, GGMS Qambar Swat from 04/10/2014 to 23/12/2014 (81 days) is hereby cancelled.

Subsequently she is adjusted on her own pay and scale at GGHS Aboha, Swat in the interest of public service.

Note: - 1. No TA/DA is allowed.

2. Charge Reports should be submitted to all concerned.

3. Necessary entry should be made in her S/Book and leave account form.

(SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICER
(F) SWAT AT SAIDU SHARIF.

Endst: No. 3494 97 Night Seema/AT Dated. 19-11- /2014.

Copy to the:-

1. District Accounts Officer, Swat at Saidu Sharif.
2. Headmistress, GGHS Aboha, Swat.
3. Headmistress, GGMS Qambar, Swat.
4. Teacher Concerned.

DISTRICT EDUCATION OFFICER
(F) SWAT AT SAIDU SHARIF.

UG

57

57

P

Education Officer,
District Swat

Dear Madam;


I was granted long leave
from 4-3-2013 to 23-12-2014.

But now I want to rejoin my
duties earlier than my leave. Hence
I joined my ~~ss~~ duties at GGMS Damber
on October 04, 2014, on A.T Post.

Thanking you.

Nighat Seema
A.T. GGMS, Damber.

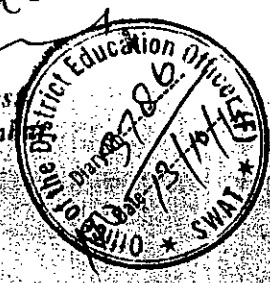
Dated:
Per:

Mr. Usman Ghani, S.O.


13/10/14

Forwarded to E.D.O. (F)
Galkada Swat.

H. Regi
Head Mistress
GGMS. Damber
Distt: Swat.



(S)

Q

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) SAIDU SHARIF SWAT

GRANT OF LEAVE

Under the provision of power conferred by the government of Khyber Pakhtun Khwa Establishment and administration Department Regulation Wing No.SOR-VE D-27/2003 dated 17.11.2005.Sanction is hereby accorded to the grant of Earned leave in respect of **Mst: Nighat Seema, A.T, GGHS Aboha, Swat** with effect from 01/06/2015 to 30/05/2017(730 days) without pay as due and admissible to her under the leave rules 1981.

Necessary entry to this effect should be made in her service book in leave account form,

(SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICE
(FEMALE) SWAT.

Endst:No 1821/24 /Saira/CT

Dated. 10/11/2015

Copy forwarded to:-

1. The District Accounts Officer Swat.
2. Budget & Accounts Officer local office
3. Headmistress GGHS Aboha, Swat.
4. The official concerned.

UG.

1
o/c DISTRICT EDUCATION OFFICER
(FEMALE) SWAT.

To,

The District Education Officer (F),
Swat at Saidu Sharif.

Subject: EARNED LEAVE.

I have the honor to state that I am working at Govt: Girls ~~High~~
School Aboha at the post of A.T. I have some unsophisticated Problems/Repair of
home.

Therefore kindly grant me earned leave with effect from 1/4/2015
to 1/4/2017 (2 years) on full pay. I shall be very thankful to you.

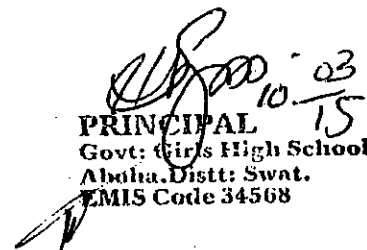
Yours sincerely,

Mst. Nighat Seema A.T.
GGMS Aboha Swat.

NO 298

Date 10/8/2015

original application forwarded to the -
District Education Officer (D) Swat, for recommendation
with the assurance that alternate/substitute may be provided
to this school, please.


PRINCIPAL
Govt: Girls High School
Aboha, Distt: Swat.
EMIS Code 34568

To,

~~DA~~
~~AT~~
29/5

(20)

T

The DEO (F)

Elementary and Secondary
Education Distt Swat.

Through: proper channel

Subjct: Application for E/Leave

Respected Madam,

It is submitted that my


mother in law is ill. we brought her to Karachi
for treatment. I am her attendant. Her
treatment is long. Except me there is no other
femal person in the family to be her attendant
and serve her during her illness. I am on E/leave
with out pay w.e.f 01⁰⁴/₁₅ to 30⁰⁵/₁₇. But unfortunately,
her health condition is not good. For which I am
unable to join back my duty on 30⁰⁵/₁₇ as my
leave expire on 30⁰⁵/₁₇. Due to The serious illness
of her I request you to grant me E/Leave from
31⁰⁵/₁₇ to 9⁴/₂₀₁₈. I shall be very thank full to you

for that.

End # 327 Dated: 29/05/2017

Forwarded in original
to DEO(F) Swat.

Yours obediently,
Miss Nighat J
A.T GHS Ab
Distt Swat


29/05/2017
PRINCIPAL
Govt. Girls High School
Aboha, District Swat.

97

U

OF THE DISTRICT EDUCATION OFFICER (FEMALE) SWAT AT SAIDU SHARIF.

11110 /Nighat Seema/AT

dated. /2017

The Principal
GGHS Aboha Swat.

Subject: - APPLICATION FOR LEAVE WITHOUT PAY

Memo:-
Referee your office Memo: No. 327 Dated 29/5/2017 on the subject noted above.

The leave case in r/o of Mst: Nighat Seema, AT of your school is totally rejected. Therefore, she may be directed to join her duty immediately/regularly and punctuality may be ensure

You are directed to explain your position that as to why you have not made entry of leave of the official in her service book.

[Handwritten Signature]
DISTRICT EDUCATION OFFICER
(FEMALE) SWAT AT SAIDU SHARIF.

Endst: No. 11111

Copy to the:-

1. Mst: Nighat Seema, AT, GGHS Aboha Swat with the direction to join your duty immediately as your leave case is rejected by the undersigned.

[Handwritten Signature]
DISTRICT EDUCATION OFFICER
(FEMALE) SWAT AT SAIDU SHARIF.

PRINCIPAL
Govt. Girls High School
Abaha, District Swat

22/8/2017

A.T. GHS Abaha
District Swat

Miss Nighat Seema
Yam's obediently

End #327 Dated: 20/05/2017
Forwarded via original
to DEO (P) Swat.

for 7th 9. 31/05 to 04/06 (35 days) shall be very thank you to you
of her I request you to grant me E/leave from
leave expire on 30/05/17. Due to the serious illness
unable to join back my duty on 30/05/17 as my
her health condition is not good. For which I am
with one pay w.e.f 01/06 to 30/05/17. But unfortunately
and serve her during her illness. I am one E/leave
general person in the family to be her attendant
treatment is long. Except me there is no other
for treatment. I am her attendant. Her
mother in law is ill. we brought her to Karachi

Respected Madam,
It is submitted that my

Application for E/leave

proper channel

Elementary and Secondary
Education @. Swat

The DEO (P)

Subject
through
to port
Dy. Insp
Dy. Insp

Please leave application
Swat
DEO (P)

85

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Pesh:

Mr. Riaz Ahmad SS

6-1-018

No. L13 /F.No.27/(F)/Appeal Swat

Dated Peshawar the 21/01 /2018

To

The District Education Officer,
(Female) Swat

Subject APPLICATION FOR EARNED LEAVE

I am directed to refer to your letter No.16029 dated 18-11-2017 on the
subject cited above and to ask you to decide the case at your own level being a
competent authority as per rules.

Assistant Director-II -
(E&SE) Khyber Pakhtunkhwa,



Mr. Barakat Ali
28/5/18

X
91

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar

No. W651 /F.No. 391/F/Appeal Swat

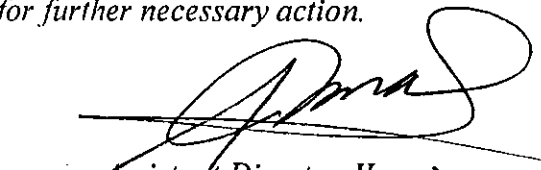
Dated Peshawar the 23/5 /2018.

To

The District Education Officer,
(Female) Swat

Subject:- APPEAL

I am directed to refer to the subject cited above and to enclose herewith a copy of appeal in respect of Mst. Nighat Seema AT GGHS, Aboha, District Swat and to ask you to submit detail report/factual position to this directorate for further necessary action.


Assistant Director-II
(E&SE) Khyber Pakhtunkhwa
22/5/18

10322
28/5/18

To: The Director Elementary & Secondary Education

Khyber Pakhtun khwa Peshawar

Subject: Appeal against termination Order Passed by the DEO (F) Swat.

Sir

I have the honor to submit the following few lines for your kind and sympathetic consideration with the hope that these will receive your immediate and positive response.

- 1:- That I was appointed in the E & SE Department as an Arabic Teacher in the year 1994, took over charge on 21/12/1994 and finally posted in Government Girls High School Aboha Swat.
- 2:- That I was performing my duties to the entire satisfaction and had not given a chance of slightest chance of complaint to my superiors.
- 3:- That in the year 2009 the situation in District Swat worsened and I and my husband were receiving life threat from the militants called Taliban in those. This was due to the fact that the place of our dwelling was the den of such like anti state people.
- 4:- That being vexed and disturbed and to save our precious lives we had finally migrated outside District Swat and began to settle in Karachi.
- 5:- That my husband finally went abroad and settled there. And I also applied for leave which was granted and went there to join my husband as it was not possible for me to live alone in view of dire life threat to me and my family.
- 6:- That I was granted extraordinary Leave for the period from 15/9/2012 to 23/12/2012(107 days), 4/3/2013 to 3/10/2014 and 1/6/2015 to 30/5/2017 (731 days) which expired on 30/5/2017. Since I was abroad there was no possibility for my early return and that is why I applied for extension in leave for the period from 31/5/2017 to 9/4/2018(315 days) which was not granted although I had rendered more than 10 years and am entitled to 5 years leave under revised leave Rules 1981.
- 7:- That my uncle met with the DEO (F) Swat and she directed that if I am allowed by the Director for the extension I will do the same.
- 8:- That as per direction given by the DEO (F) Swat my uncle went to the Director's Office and the Provincial Director of E & SE Department very kindly recommended that the leave applied for be given. Copy of the application bearing Director's direction to the DEO (F) Swat is attached as annexure A for your kind perusal please.
- 9:- That sorry to state the DEO (F) Swat had clandestinely issued my removal order in the month of December 2017 and copy of the same order has not been communicated to us on our home address. Copy of the removal order is attached as annexure B. Astonishingly I have been considered absent with effect from 1/6/2016 and have been removed from the same date, whereas I was on leave with effect from 1/6/2015 to 30/5/2017 as mentioned earlier in para 6 above. Copy of the sanction is attached as annexure C. It appears that the DEO (F) Swat have not gone through her office record.
- 10:- That when my uncle attended the Office of the DEO (F) Swat, he was stirred with a feeling of surprise that I had been removed from service. The DEO (F) Swat has not communicated the termination order to me on our home address and she cannot prove the delivery of the removal order to me. This was done deliberately with a view to deprive me of my legal right of filing an appeal.

Given the above it is humbly requested that I may either be reinstated or retired compulsory as I have more than 17 years pensionable service at my credit and obliged.

I shall be thankful to you for this act of kindness.

Obediently yours

Nighat Seema

e/o
Mohammad Zahid Sheikh R/o Fair Abad
Sandhu Sharif, Swat

1/6/16
8-5-18



98
Registered

OFFICE OF THE

DISTRICT EDUCATION OFFICER (Female) SWAT

CONTACT NO. (0946) 700686 - Fax # (0946) 700686

NO. 6577

Dated 20/7 /2018

To

The Director,
E&SE Khyber Pakhtunkhwa Peshawar.

Subject:- APPEAL.

Memo:

Reference your No.4651/F.No.391/F/Appeal Swat dated 23-05-2018.

I have the honour to state that the ex-Teacher Mst:Nighat Seema AT,GGHS Aboha proceeded on extra ordinary leave up to 30-05-2017. She was required to report on her duty on 31-05-2017 but she applied for extension in leave which was not granted. She was directed through daily Mashriq News paper dated 11-09-2017 to resume duty but she failed to do so. Needless to mention in the press clipping she was shown absent with effect from 01-06-2016 instead of 31-05-2017, but this was due to human error. Because she was on leave up to 30-05-2017 and then she remained continuous absent w.e.f 31-05-2017. Reportedly she has gone abroad. Your office was also approached by her and report was submitted to your good office vide this office No.16029 dated 18-11-2017 and your good office directed this office to decide the case at our own level vide this office memo No.413/F.No.27(F/Appeal swat) dated 01-01-2018 (Copy attached) Annexure-A.

She was therefore removed from service vide No.18010/ dated:28-12-2017(Copy attached) Annexure-B.

Needless to mention here that this office received two different leave applications for extension, one her application has been forwarded through the concerned Headmistress dated 29-05-2017, (copy attached) Annexure-C, in which she stated that her mother in law is ill and admitted in Karachi hospital, and she is the only attendant to take care of her. While for the same extension in leave application received through Email from Canada on dated 15-09-2017 (copy attached) Annexure-D, in which the teacher stated that she is ill herself, which is a contradictory statement and as such it reveals, that she is no more interested in continuation of her services.

Submitted for necessary action and to guide this office as to what action in this matter could be taken at this stage.

S. Khan
DISTRICT EDUCATION OFFICER
SWAT



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL NO.1199/2019

Mst.Neghat Seema D/O Zahir Shah

R/O Faiz abad Saidu Sharif Swat.

.....(APPELLANT)

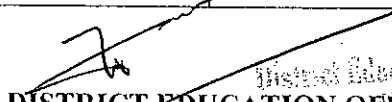
VERSUS

1. The Government of Khyber Pakhtunkhwa Through Secretary E&SE Department Peshawar.
2. The Director E&SE Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer(Female) Swat.

.....(RESPONDENTS)

INDEX

S#	DESCRIPTION OF DOCUMENTS	ANNEXURES	PAGES
1	Para wise Comments	1-7
2	Call Notice dated 4/7/2014	A	8
3	Notice in Newspaper dated 11/9/2017	B	9
4	Application from canada dated 18/9/2017 & 15/9/2017	C&D	10-11
5	Application for Condonation of delay	E	12-13
6	Removal Order dated 28/12/2017	F	14
7	Service book Photocopies	G,H,I,J	15-18
8	Leave granted dated 5/10/2012	K	19
9	Application for leave dated 10/9/2012	L	20
10	Leave granted dated 25/8/2013	M	21
11	Application dated 4/3/2013	N	22
12	Cancellation of leave dated 19/11/2014	O	23
13	Application dated 13/10/2014	P	24
14	Leave Granted dated 10/4/2015	Q	25
15	Application dated 1/4/2015 & 20/3/2015	R & S	26-27
16	Application dated 31/5/2017	T	28
17	Rejection of application for leave	U	29
18	Application to Director dated 29/5/2017	V	30
19	Letter of Director for comments dated 1/1/2018	W	31
20	Appeal of the appellant to Director dated 23/5/2018	X&Y	32-33
21	Detail report of DEO(F) Swat dated 20/7/2018	Z	34


District Education Officer (F)
DISTRICT EDUCATION OFFICER(F)
SWAT
(RESPONDENT NO.3)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL NO.1199/2019.

Mst.Nighat Seema D/O Zahir Shah R/O Faiz Abad saidu Sharif Swat
.....(APPELLANT)

VERSUS

1. The Government of Khyber Pakhtunkhwa Through Secretary E&SE Department Peshawar.
2. The Director E&SE Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer(Female) Swat.

.....(RESPONDENTS)

PARAWAISE COMMENTS ON BEHALF OF RESPONDENTS NO.1,2&3

Respectfully Shewth;

Respondents submit as under;

PRELIMINARY OBJECTIONS.

1. That the appellant has been removed from service wef 31/5/2017 vide office Order Under Endstt; No.18010-15 dated 28/12/2017 and appeal filed by the appellant on 26/9/2019 which is badly barred by time and hence is liable to be dismissed.
2. That the appellant has no cause of action and locus standi to file the instant appeal against the respondents.
3. That this Hon; Tribunal has no jurisdiction to entertain the instant appeal for modification of penalty of removal from service in the light of Judgment of the August Supreme court of Pakistanis reported in 2020 PLC (CS) 772, hence the instant appeal is liable to be dismissed.
4. That the Present appeal is not maintainable in the present form and manner and is liable to be dismissed.
5. That the appellant has not come to this Hon; Tribunal with Clean hands.
6. That the appellant has concealed the material facts from this Hon; Tribunal and therefore the instant appeal needs to be struck down.
7. That due to legal lacunas, the instant appeal is not competent and maintainable in the eye of law.
8. That the instant appeal is against the Prevailing Rules and laws and Judgments of the Superior Courts of Pakistan and hence is liable to be dismissed.
9. That the appeal in hands is meritless as well as non-maintainable being hit by the doctrine of laches, hence is liable to be dismissed.
10. That the instant Appeal falls within the meaning of Res-judicata because the Prayer of the instant appeal has already been dismissed by the Hon;high Court Mingora bench Darul Qaza Swat in WP No.,hence the instant appeal 735-M.2019 under Title Mst.Nighat Seema VS Govt; of KPK through Secretary E&SE Department.

REPLY ON FACTS.

1. That this Para-1 is admitted to the Extent of Appointment and posted at GGMS Ghaligay Swat and needs no further comments.
2. That this Para-2 as drafted, is not admitted and denied because the appellant did not Perform duty but remained absent wef 31/5/2017 till date due to which her Services were Removed after observing codel formalities such as Call Notice dated 4/7/2017 (**Annexure-A**), Absence Notice in Daily News Paper Dated 11/9/2017 (**Annexure-B**) and as the appellant was in Canada, she confessed her Presence at Canada in her written application dated 18/9/2017 & 15/9/2017 (**Annexures C&D**) That 'I am recently in Canada' Moreover the appellant also admitted her status as abroad from Pakistan i.e. in Canada in the application for Condonation of delay (**Annexure-E**) and similarly she remained absent and was removed from Service wef 31/5/2017 vide order under Endstt; No.1010-5 dated 28/12/2017 (**Annexure-F**). As far as situation in 2009 as highlighted by the appellant, is not admitted because record as documentary Evidence reveals that the appellant remained in Swat and was on duty wef 21/12/1994 To 14/9/2012 and nothing was mentioned by the appellant regarding Threats from the Militants (Service Book Photocopies appended as **Annexure-G,H,I,J**) while in the year 2012 the appellant was proceeded on Leave with reason mentioning by the appellant as compared to her statement regarding threats from militants as well as other reason for which leave has been availed by the appellant and then after remained, is as under;

S#	Period of Leave as requested	Plea for Leave	Remarks
1	15/9/2012 To 23/12/2012 Leave Granted (<u>Annexure-K</u>)	Application submitted for Repair of Home (<u>Annexure-L</u>)	Leave availed
2	4/3/2013 To 23/12/2014 Leave Granted (<u>Annexure-M</u>)	Application submitted for Repair of Home (<u>Annexure-N</u>)	Leave availed 4/3/2013 To 3/10/2014
	4/10/2014 To 23/12/2014 Cancellation granted (<u>Annexure-O</u>)	Application for joining duty wef 4/10/2014 (<u>Annexure-P</u>)	Leave cancelled and duty joined
3	1/6/2015 To 30/5/2017 Leave Granted (<u>Annexure-Q</u>)	Two Applications for Repair of Home <u>Annexures R&S</u>)	Leave availed. It is strange that in this application she mentioning reason, Repair of Home while in another application sent from Canada 18/9/2017 & 15/9/2017 (Already Appended as Annexure C&D) that I am recently in Canada and have been sick since May 2017.

4 1 1

			Both Applications are contradictory which reflects malafide on the Part of the appellant.
4	31/5/2017 9/4/2018	To Application dated 29/5/2017 submitted showing reason treatment of Mother in law at Karachi (Annexure-T)	<p>Leave application Rejected (Annexure-U) and the appellant Remained absent from 31/5/2017.</p> <p>It is strange that the applicant already submitted application from Canada on 15/9/2017 & 18/9/2017 (C&D) regarding her leave and Now submitted application on 29/5/2017 regarding treatment of her Mother in Law at Karachi. How it is Possible that on 15/9/2017 & 18/9/2017 appellant was in Canada and on 29/5/2017, she is at Karachi.</p> <p>Such like situation and dealing falls within the meaning of Fraud and reflects malafide of the appellant.</p>

Appellant failed to Produce any Evidence and Proofs regarding Threats from the Militants and the above detail reflects fraud and dishonesty of the appellant and such like statement reflects malafide of the appellant this stance of the appellant is not admitted and denied and appeal in hands is liable to be dismissed.

3. That this Para-3 not admitted because there is no Evidentiary documents as Proofs on record hence not tenable in the eye of law and nee sot be dismissed.
4. That this Para -4 has already been commented regarding leave granted and leave rejected hence needs no further comments.
5. That this Para as drafted is not admitted because the appellant concealed the facts as mentioned above in Para-2 at S.No.4. Although the appellant submitted application to Director E&SE dated 16/11/2017 (Already appended as Annexure-T) and the same has already been rejected by respondent No.3 (Already Appended as Annexure-U) but the Director E&SE KP Peshawar recorded the remarks as “ Please Sanction the leave application applied for” and the same re-examined and report submitted to Director Education Vide No.16029 dated 18/11/2017 (Annexure-V) and highlighting that the case has been Processed for Removal from Service as such like Practice is not fair and directions received to the Respondent No.3/DEO(F) Swat from Director Education vide No.413 dated 1/1/2018 (Annexure-W) that “ to decide the case at your own level being competent authority as per rule” and similarly the appellant was removed from Service on 28/12/2017 (Already appended as Annexure-F) but this fact has been concealed by the appellant and hence appeal is liable to be dismissed.
6. That this Para-6 as drafted is not admitted because respondent adopted due Process of law as mentioned in the above Para’s and similarly the appellant has been removed from Service accordingly.

That this Para as drafted, is not admitted. However Director Education/Respondent No.2 sent back the case/appeal of the appellant through office Memo; No.4651 dated 23/5/2018 for asking detail report/factual Position (Annexures X & Y) and detail report submitted through office Memo; No.6577 dated 28/7/2018 (Annexure-Z) wherein action taken by the Respondent, has been highlighted for which directions have already been received from the Director Education (Already appended as Annexure-W). It is worth mentioning here that removal from Service has been made on 28/12/2017 while appeal submitted before Director Education after laps of 4 Months & 11 Days which is barred by time. Moreover appellant filed appeal before the Hon; Service Tribunal after the stipulated Period which is not maintainable in the eye of law and needs to be struck down.

8. That this Para is not admitted because detail has already been submitted to Director Education in the light of appeal/application submitted by the appellant and this office already informed the Director Education about the action taken by the respondent No.2 for which instructions have already been received from the Director Education (Already appended as Annexure-W) and the appellant knows better but intentionally concealed the facts about the time barred application and fraudulent transaction made by the appellant as mentioned above in Para-2 at S.No.4.
9. That this Para is self-Explanatory and needs no Comments.
10. That this Para needs no Comments and the appellant is not entitled for any remedy inter alia on the following grounds.

REPLY ON GROUNDS.

- A. That this Para is not admitted and denied because action of the Respondent is legal, Justified, lawful and within the meaning of Justice and does not amount to condemn unheard due to the reason that respondent department followed due process of law.
- B. That this Para as drafted is not admitted and is against the Prevailing Rules and laws. Although Proceedings were conducted in absentia because the appellant was not available and were absent and abroad from Pakistan while Call Notice was also issued to her home address (Already appended as Annexure-A) as well as Notice in Daily Mashriq (Already appended as Annexure-B) but the appellant failed to appear before the competent authority while during the course of time the appellant submitted two type of applications at the same time where in one application she presented herself at Canada (Already appended as Annexures C&D) and in another application she presented herself at Karachi for service delivery for her Mother in law. Both applications reflected malafide and fraud on the Part of the appellant. However, the respondent department followed the relevant Rules and wisdom drawn from the Judgment of the Apex Court of Pakistan reported as 2020 PLC(CS) 772. It is worth mentioning here that applicant services were being Governed by the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules 2011. Rule 9 of the ibid rules relates to the instant case in hand which has been applied for removal of service of the appellant. For ease of reference, the same is re-produced as below;

**KHYBER PAKHTUNKHWA GOVERNMENT SERVANTS
(EFFICIENCY AND DISCIPLINARY) RULES 2011.**

9. PROCEDURE IN CASE OF WLFUL ABSENCE.

Notwithstanding anything to the contrary contained in the rules, in case Of willful absence from duty by a Government Servant for Seven or more Days, a notice shall be issued by the competent authority through registered Acknowledgement on his home address directing him to resume duty within fifteen Days of issuance of the notice. If the same is received back an undelivered or no Response is received from the absentee within the stipulated time, a notice shall be published in at least Two leading News Paper directing him to resume duty within fifteen days of the Publication of that Notice. Failing which an-Exparte decision shall be taken against the absentee. On Expiry of the stipulated period given in the notice. major penalty of removal from Service may be imposed upon such Government Servants.


Hence Removal from service Order dated 28/12/2017 has been passed within the Contours of rules and Procedures laid down in the ibid rules and is sustainable in the eye of law but the appellant concealed the material facts with malafide intention.

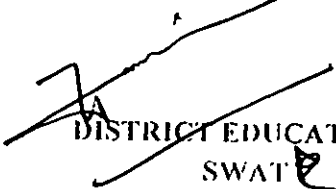
- C. That this Para as drafted is not admitted. Record on file is very much crystal Clear and the appellant remained absent wef 31/5/2017 till date and the same has been highlighted in the detail report submitted to Director education/Appellate authority in connection with the appeal submitted by the appellant and it was clearly mentioned that due to Human Error mistake has been made as 1/6/2016 instead of 31/5/2017 which is not intentional and such like mistake falls within the meaning of Technicalities and it is established that the law prefers matters to be decided on merits rather than on technicalities. Hence there is no need of astonishing because all relevant record and proceedings are based on record and facts and on the basis of the facts & figure the appellant has been removed from Service according to the prevailing rules and laws for which respondent No.3 is competent to passed the order dated 28/12/2017 for which directions have already been received from the appellate authority/Director education (Already appended as Annexure-w). Hence order is legal and lawful.
- D. That this Para as drafted is not admitted because Every Government Servant is bound to obey command of the law and Rules and the others and the violators shall be dealt in accordance with law and the Prevailing rules. The appellant concealed the facts of her absenteeism wef 31/5/2017, hence Order of Removal from service dated 28/12/2017 is based on Established rules, Laws and is maintainable in the eye of law while appeal of the appellant is liable to be dismissed.
- E. That this Para is not admitted because appellant, having the knowledge of rules, remained absent wef 31/5/2017 till date intentionally and the same absenteeism has been admitted by the appellant in this Para and such like absenteeism has

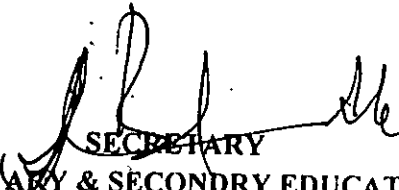
been condemned by the Apex Court Pakistan and set aside the Judgment Passed by the Hon; Service Tribunal as reported in 2020 PLC(CS) 772 and restored Penalty imposed by the department. Hence appeal in hands in such like circumstances may also be dismissed and the penalty imposed by Respondent No.3 upon the appellant needs to be restored.

- F. That this Para already commented in the above Para-E, hence needs no further comments.
- G. That this Para as drafted is not admitted Detail has already been incorporated in the above Paras B and Para-E and other Paras which cover the reply of this Para. Hence needs no further comments.
- H. That in the above paras B, C & E detail has been incorporated which Cover the reply of this Para and needs no further comments.
- I. That this para as drafted is not admitted. Respondent department Passed removal from Service order dated 28/12/2017 according to the Prevailing Rules and Procedures laid down in the ibid rules. it is established that no one is above the Law and Every one including the Government Servant is bound to obey command of the law and therefore, the undersigned /Respondent No.3 is competent for taking action according to the Prescribed rules and laws and in the instant case. appellant has been removed from Service within the contours of rules and laws instead of lenient view.
- J. That this Para is self-Explanatory to the extent of abroad and the factum of willful absence has been admitted by the appellant, therefore, action of the Respondent is legal, justified and lawful and sustainable in the eye of law and the appellant is not deserving for Re-Instatement at any cost.
- K. That this Para needs no Comments because it depends upon the Circumstances and Hon; Service Tribunal regarding permission for additional Points.

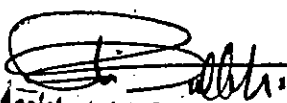
In wake of the above, it is humbly Prayed that the appeal in hands may graciously be dismissed.


DIRECTOR
ELEMETARY & SECONDRY EDUCATION
KP PESHAWAR
(RESPONDENT NO.2)


DISTRICT EDUCATION OFFICER(F)
SWAT
(RESPONDENT NO.3)
District Education Officer (F)
Swat.


SECRETARY
ELEMETARY & SECONDRY EDUCATION
KP PESHAWAR
(RESPONDENT NO.1)

*Vetted subject to annexed
relevant documents and necessary correction.*



Assistant Advocate General
Khyber Pakhtunkhwa
Services Tribunal

COUNTER AFFIDAVIT

we respondents No.1,2,&3 do hereby solemnly declared and affirm that contents of the accompanying Para wise Comments are correct according to the record of the office and nothing has been concealed from this Hon; Service tribunal.



DIRECTOR
ELEMETARY & SECONDRY EDUCATION
KP PESHAWAR
(RESPONDENT NO.2)



DISTRICT EDUCATION OFFICER(F)
SWAT
(RESPONDENT NO.3)

District Education Officer (F)



SECRETARY
ELEMETARY & SECONDRY EDUCATION
KP PESHAWAR
(RESPONDENT NO.1)

(95)
A

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) SWAT AT SAIDU SHARIF.

No. _____ / Nighat Seema, AT/ REGD

Dated. 4/7/ 2017

To

Mst: Nighat Seema D/O Muhammad Zahir Shah
Village, Fiaz Abad, Tehsil Babozai,
P.O. Saidu Sharif Swat

Subject: - CALL NOTICE NO 1/ABSENCE FROM DUTY

Memo:-

As reported by the Principal, GGHS Aboha Swat vide her letter No. 335/ dated 06/06/2017, that you are absent from duty since 01-06-2016 without permission/sanction from the competent authority.

You are therefore once again directed to resume your duty and submit arrival report to the office of the undersigned within a week, failing which action under the E&D rules 2011 will be taken against you.

Endst: No. 12376

DISTRICT EDUCATION OFFICER
(FEMALE) SWAT AT SAIDU SHARIF

Copy to the:-

1. Principal, GGHS Aboha Swat.

UG.

DISTRICT EDUCATION OFFICER
(FEMALE) SWAT AT SAIDU SHARIF

departmental appeal filed by the by the appen

The District Education Officer (F)

High Secondary, Swat, KPK, Pakistan

From: Nighat Seema

A T Government High School

Aboha, Swat, KPK. Pakistan

September 18, 2017

Subject: Explanation of show cause notice for absence of the duty

Respectable Madam,

This application is in response to the absence notice published in the Daily Mashriq, *reference No 123751*, regarding absence from duty after the expiration of two years leave without pay. As far my absence, I am recently in Canada and have been sick since May 2017. My sickness got worsened with the passage of time, and I am still under medical treatment. I intended to come and join my duties on June 1, 2017 but the doctor advised me complete bed rest and opposed my plan to travel because of my serious health condition. The doctor's medical certificate is attached herewith which can be verified from the doctor. Additional medical proofs can be provided upon request if required. I assure you that I will try my best to come and join my duties as soon as the doctor allows me to travel.

Keeping in view my medical condition, it is therefore requested my leave without pay may please be extended till my full recovery.

Thank you for your time and consideration

Sincerely yours,

Nighat Seema

departmental appeal filed by the by the appellant is...

Sep 15 2017

Dr. Naila Ejaz
Medi Plus Clinic
1146 4818 Westwinds Drive NE
Calgary, AB T3J 3Z5
Tel: 403-293-5435 Fax: 403-293-1511

17 (81)

D

RE:Nighat Seema
DOB:16-Jan-1975
PHN:378010761, AB
Phone:Personal (587)777-5038
Home (403)351-3956
Addr:140 Teravista Dr
Calgary, AB T3J 4T2

To Whom It May Concern:

Nighat Seema is suffering from serious health issue. She is under treatment now. During that treatment she is not able to travel. So that duration will last for 2 years.

Yours sincerely,

Dr. Naila Ejaz
cc:

Dr. Naila Ejaz
Medi Plus II
1146, 4818 Westwinds Drive NE
Calgary, AB., T3J 3Z5
TEL: 403-293-5435
FAX: 403-293-1511

15-Sep-2017 09:42 PM, MDT
Dr. Naila Ejaz

CONFIDENTIAL: DO NOT DISTRIBUTE.

Page 1 of 1

(1e)

departmental appeal filed by the by the appellant is s

E
①

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal _____-M/2019

Mst. Nighat SeemaAppellant

VERSUS

Govt of Khyber Pakhtunkhwa through Secretary Elementary and
Secondary Education and others Respondents

APPLICATION FOR CONDONATION OF DELAY

Respectfully sheweth


1. That the impugned order qua removal dated 20.12.2017 has been passed in back of appellant as the candidate was abroad and was unaware about such process.
2. That the appellant after getting knowledge of the situation, filed a writ petition bearing No. 735-M/2019 via attorney which was dismissed by honourable Peshawar High Court due to lack of jurisdiction vide order dated 25.06.2019.
3. That the petition being properly filed before honourable high court but after dismissal on the ground of maintainability have no other remedy except to file the instant appeal before this honourable tribunal as the departmental appeal filed by the by the appellant is still

pending and after passing the statutory period the only remedy available to the appeal to invoke the original jurisdiction of this honourable tribunal for redressal of her grievance.

4. That the appellant/applicant has served the department for 23 years and she is almost at the verge of retirement so removal of her with a single stroke of pen is utter disregard of law and no limitation become hurdles in way of appellant as no limitation run against void order.
5. That the grounds taken in appeal may be read and considered part of this application

It is therefore humbly prayed that if this honourable tribunal deems the instant appeal as barred by time, may please be condoned.

Appellant/applicant
Through
Counsel


SYED ABDUL HAQ
Advocate High Court

(88) F

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) SWAT AT SAIDU SHARIF.

ORDER

Whereas Mst:Nighat Seema AT GGHS.Aboha Swat was proceeded against under the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules 2011.

2. **AND WHEREAS** you have been willfully absent from duty with effect from 01/06/2016.
3. **AND WHEREAS** you have been called at your home address vide this office letter No. 11411 Dated 01-06-2017 to perform your duty regularly but no response from Your end is received.
4. **AND WHEREAS** your absence was published in the Daily leading Newspapers, dated 16-05-2017 (The Daily Mashriq Peshawar) directed you to attend the office of the undersigned Within 15 days of the publishing of the said notice. But you failed to do so.
5. **AND WHEREAS** the District Education Officer being competent authority after having Considered the charges and evidence on record, against you, has been proved.
6. **AND WHEREAS** the competent authority is satisfied for reasons to be recorded in Writing that it is reasonably practicable not to give you an opportunity of showing cause.
7. **NOW, THEREFORE**, in exercise of the powers conferred under section 04(b)(iii) of Khyber Pakhtunkhwa. Government servants (efficiency & Discipline) Rules 2011, the competent Authority is pleased to impose, a major penalty of "REMOVAL FROM SERVICE" upon you , Mst: Nighat Seema SAT GGHS.Aboha , Swat with effect from the date of absence from duty I.e. 01/06/2016.

(SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICER
(FEMALE) SWATAT SAIDU SHARIF

Endst:No. 1701015 /Sumbal Gula/DM/REGD

Dated. 28/11 /2017

Copy to:-

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. The District Accounts Officer, Swat.
3. The Budget & Accounts Officer Local Office.
4. Principal GGHS.Aboha Swat.
5. Mst: Nighat Seema D/O Muhammad Zahir Shah R/O Village Ghalagay P O Ghalagay Swat.
6. P.A to DEO (F) Local Office.

DISTRICT EDUCATION OFFICER (F)
(FEMALE) SWATAT SAIDU SHARIF

67

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

Name **NIGHAT SEEMA**

2. Race **Pathan**

3. Residence **Village Faiz Abad P.O. Saidu Sharif
SWAT**


4. Father's name and residence **Mohammad Zahir Shah
R/o Faiz Abad Swat.**


5. Date of birth by Christian era as nearly as can be ascertained **(16-01-1975)
(Sixteenth of January M/H of Seventy five)**


6. Exact height by measurement **5-2**


7. Personal marks for identification **Nil**


8. Left hand thumb and Finger impression of (non-gazetted) officer


Little Finger. 

Ring Finger 

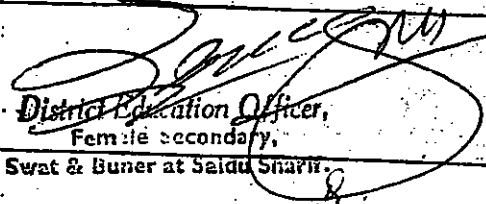
Middle Finger. 

Fore Finger 

Thumb. 

9. Signature of Government servant 

10. Signature and designation of the Head of the Office, or other Attesting Officer.


District Education Officer,
Female Secondary,
Swat & Buner at Saidu Sharif.

Name of post	Whether substantive or officiating and whether permanent or temporary	Officiating, state (i) substantive appointment, or (ii) whether service credits for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant
AT	sub / temp		Rs = 1605/- P.M.			21 ¹² / ₉₄	<i>[Signature]</i>
GGMS							
Ghaligay			Rs = 1605/- P.M.			1 ¹² / ₉₅	<i>[Signature]</i>
do		Allowed BPS No - 9 - 1605 - 97 - 3060					
do			Rs = 1605/- P.M.			25 ¹ / ₉₆	<i>[Signature]</i>
do			Rs = 1702/- P.M.			1 ¹² / ₉₆	<i>[Signature]</i>
do			Rs = 1799/- P.M.			1 ¹² / ₉₇	<i>[Signature]</i>
do			Rs 1896/- P.M.			01 ¹² / ₉₈	<i>[Signature]</i>
do			Rs 1993/- P.M.			01 ¹² / ₉₈	<i>[Signature]</i>
do		Allowed BPS No - 14 - (2065 - 161 - 4483)					
do			Rs 2065/- P.M.			10 ⁸ / ₂₀₀₀	<i>[Signature]</i>
do			Rs 2065/- P.M.			01 ¹² / ₂₀₀₀	<i>[Signature]</i>
do						1 ¹² / ₂₀₀₀	<i>[Signature]</i>
do			Rs 2226/- P.M.			1 ¹² / ₂₀₀₀	<i>[Signature]</i>
do		(BPS No. 14 = Rs - 3100 - 240 - 10300)					<i>[Signature]</i>
do			Rs 3340/- P.M.			1 ¹² / ₂₀₀₀	<i>[Signature]</i>
do			Rs 3580/- P.M.			1 ¹² / ₀₂	<i>[Signature]</i>

H

Signature of the head of the office or other attesting officer in columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting Officer	13 Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or praise of the Government Serv	
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
					Period			Government to which debitable
<i>[Signature]</i> D.O. (S&L) SWAT.	30/11/04	A/Me	<i>[Signature]</i> Distt. Officer S/L Swat.	Sanctioned Maternity leave w.e.f 01-9-98 to 29-11-98 (90 days), vide DEO F, Secy Swat & Buner Indst. No. 10471-73 Dated 22/12/1999		<i>[Signature]</i> DISTRICT EDUCATION OFFICER (F) Secy: Swat Buner at Saidu Sharif.		
Departmental Pay Fixation in Revised Pay Scale No. 14 @ Rs. 3565-275-11815 WEF-1-7-2005 vide No. FD (PRC) 1-1-2005 Dated Peshawar the July 9-2005 Pay in Existing Scale No. 14 on 30.6.2005 Rs. 4060/- Equal/Next Stage in Revised Pay Scale No. 14 Rs. 4665/- Pay Fixed on 1-7-2005 Rs. 4665/- With Next Annual Increment on 1-12-2005			<i>[Signature]</i> DISTRICT OFFICER S/L Swat.	Passed B.A Exam in 2nd Div allowed at BPS No. 14 w.e.f 10-8-2000 vide DEO F, Secy Swat & Buner Indst. No. 5162-64 Dated 17/11/2000		<i>[Signature]</i> DISTRICT EDUCATION OFFICER (F) Secy: Swat Buner at Saidu Sharif.		
<i>[Signature]</i> Distt. Officer S/L Swat.	30/05/05	Scale	<i>[Signature]</i> Distt. Officer S/L Swat.			<i>[Signature]</i> DISTRICT EDUCATION OFFICER (F) Secy: Swat Buner at Saidu Sharif.		
<i>[Signature]</i> Distt. Officer S/L Swat.	30/11/05	A/Me	<i>[Signature]</i> Distt. Officer S/L Swat.			<i>[Signature]</i> DISTRICT EDUCATION OFFICER (F) Secy: Swat Buner at Saidu Sharif.		
<i>[Signature]</i> Distt. Officer S/L Swat.	30/06/06	A/Me	<i>[Signature]</i> Distt. Officer S/L Swat.			<i>[Signature]</i> DISTRICT OFFICER S/L Swat.		
Service Verified w.e.f. 1-12-2001 to 30-11-2002 from acq: Roll and other Record of this office.				Total Rs. 1478/-		<i>[Signature]</i> Distt. Officer S/L Swat.		
E-District Officer (Remote) Secy: Lit. & Edu: Swat				Departmental Pay Fixation in Revised Pay Scale No. 14 @ Rs. 3100-240-10700 w.e.f 1-12-2001 vide FD (PRC) 1-1/2001, dated 27-10-2001 Pay in Existing Scale No. 14 on 30-11-2001 Rs. 2065/- Annual Increment in existing Pay Scale, Rs. 1611/- TOTAL PAY:- Rs. 2226/- Equal/Next Stage in Revised P. Scale No. 14 Rs. 3340/- Pay Fixed on 1-12-2001 Rs. 3340/- With Next Annual Increment on 1-12-2002		<i>[Signature]</i> District Officer (Admn. & Dev.) Edu: (M) Swat.		
UNDERTAKING I Mess. Night Seema working against A.P. Post at GMS/EGMS, Ghahagan. do hereby give an undertaking to the effect that if any over Payment is made to me as a result of in correct fixation of my Pay w.e.f. 1-12-2001 It will be made good by recovery from my Pay/Pension/Gratuity						<i>[Signature]</i> District Officer (Admn. & Dev.) Edu: (M) Swat.		
Attested <i>[Signature]</i>				Service Verified w.e.f. 1-12-2001 to 30-11-2002 from acq: Roll and other Record of this office.		<i>[Signature]</i> District Officer (Admn. & Dev.) Edu: (M) Swat.		

(Ad: Dev)
Edu: Swat.

(Ad: Dev)

9	10	11	12	13		14	15
				Leave			
				Period	Government to which debitable		
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or award or order of the Government in service.
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.	30 $\frac{11}{95}$	A/mc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.	30 $\frac{11}{96}$	A/mc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.	30 $\frac{11}{97}$	A/mc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.	30 $\frac{11}{98}$	A/mc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.	30 $\frac{11}{99}$	A/mc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.	9 $\frac{8}{2000}$	Allowed Contracted Pay scale BPS-14	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.	30 $\frac{11}{2000}$	A/mc not Allowed	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.	30 $\frac{11}{2001}$	A/mc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.	30 $\frac{11}{2001}$	Pay scale Revised	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.	30 $\frac{11}{2002}$	A/mc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.				
<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.	30 $\frac{11}{03}$	A/mc	<i>[Signature]</i> Distt: Officer Elem: & Secy: Edu; Swat.				

J

Name of post	Whether substantive or officiating and whether permanent or temporary	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "pay"	Date of appointment	Signature of Government servant
BPS-No-14 (3100-240-10300)							
AT 662MS Cambal Semit	Sub Officer			Rs. 4060/-	PM	1 ¹² / ₀₃	
-do-	-do-			Rs. 4300/-	PM	1 ¹² / ₀₄	
BPS-No-14 (3565-275-11815)							
-do-	-do-			Rs. 4940/-	PM	1 ⁷ / ₀₅	
-do-	-do-			Rs. 5215/-	PM	1 ¹² / ₀₅	
-do-	-do-			Rs. 5490/-	PM	1 ¹² / ₀₆	
BPS-No-14 (4100-315-13550)							
-do-	-do-			Rs. 6305/-	PM	1 ⁷ / ₀₇	
-do-	-do-			Rs. 6620/-	PM	1 ¹² / ₀₇	
BPS-No-14 (4920-380-16320)							
-do-	-do-			Rs. 7960/-	PM	1 ⁷ / ₀₈	
-do-	-do-			Rs. 8340/-	PM	1 ¹² / ₀₈	
di	di			Rs. 8720/-	PM	1 ¹² / ₀₉	
di	di			Rs. 9100/-	PM	1 ¹² / ₂₀₁₀	

J

9	10	11	12	13		14	15
				Leave			
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitabale to another Government		
Signature and designation of the head of the office or other attesting officer in Column 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting Officer	Period	Government to which debitabale	Signature of the head of the office or other attesting officer	Reference to a recorded punish or censure, or re or praise of Government Ser
				Distt: Officer Elem: & Secy: Edu Swat.	30/11/04		
Distt: Officer Elem: & Secy: Edu Swat.	30/6/05	Pay scale Revised.	Distt: Officer Elem: & Secy: Edu Swat.				
Distt: Officer Elem: & Secy: Edu Swat.	30/11/05	A/ine	Distt: Officer Elem: & Secy: Edu Swat.		1135		
Distt: Officer Elem: & Secy: Edu Swat.	30/11/06	A/ine	Distt: Officer Elem: & Secy: Edu Swat.		3110/09		
Distt: Officer Elem: & Secy: Edu Swat.	30/6/07	Pay scale Revised	Distt: Officer Elem: & Secy: Edu Swat.		Total Rs. 29644		
Distt: Officer Elem: & Secy: Edu Swat.	30/11/07	A/ine	Distt: Officer Elem: & Secy: Edu Swat.				
Distt: Officer Elem: & Secy: Edu Swat.	30/6/08	Pay scale Revised	Distt: Officer Elem: & Secy: Edu Swat.				
Distt: Officer Elem: & Secy: Edu Swat.	30/11/08	A/ine	Distt: Officer Elem: & Secy: Edu Swat.				
Distt: Officer Elem: & Secy: Edu Swat.	30/11/09	A/ine	Distt: Officer Elem: & Secy: Edu Swat.				
Distt: Officer Elem: & Secy: Edu Swat.	30/11/10	A/ine	Distt: Officer Elem: & Secy: Edu Swat.				
Distt: Officer Elem: & Secy: Edu Swat.							

1135
 Distt: Officer
 Elem: & Secy: Edu
 Swat.
 13/09
 Distt: Officer
 Elem: & Secy: Edu
 Swat.
 15/11

GRANT OF LEAVE

Under the provision of power conferred by the government of Khyber Pakhtun Khwa Establishment and administration Department Regulation Wing No.SOR-VE D-27/2003 dated 17.11.2005.Sanction is hereby accorded to the grant of earned leave in respect of Mst.Nighat Seema AT GGMS Qambar Swat with effect from 15.9.2012 to 23.12.2012 (100days) on full pay as due and admissible to her under the leave rules 1981.

Necessary entry to this effect should be made in her service book and leave account form .

The official concerned is likely to return to the same station from where she proceeded on leave .

sd
Executive District Officer
E&S Education Swat.

2/0-16
Endst.No _____/P.F/Nighat Seema/AT

05/10/12
Dated _____/10/12.

Copy forwarded to:-

1. The DAO Swat.
2. The B&AO local office with the remarks to deduct CA allowance from the official concerned of the above period under intimation to this office .
3. The Headmistress GGMS Qambar .
4. The official concerned.
5. PA To EDO local office.

[Signature]
Executive District Officer
E&S Education Swat

GRANT OF LEAVE

Under the provision of power conferred by the government of Khyber Pakhtun Khwa Establishment and administration Department Regulation Wing No. 20R-VE D-272003 dated 17.11.2002 sanction is hereby accorded to the grant of earned leave in respect of Mrs: Nighat Seema, A.T, GMS Gampar, Swat with effect from 04/03/2013 to 02/12/2014 (661 days) with out pay as due and admissible to her under the leave rules 1981.

Necessary entry to this effect should be made in her service book/ leave account form and conveyance allowance may be deducted during leave period.

(DILSHAD BEGUM)
DISTRICT EDUCATION OFFICER
(FEMALE) SWAT.

Endst: No 1531-32 Nighat Seema AT Dated 22/12/13 2013

Copy forwarded to:-

1. The District Accounts Officer Swat
2. The Headmistress GMS Gampar Swat
3. Budget & Accounts Officer Local Office
4. The official concerned.

DISTRICT EDUCATION OFFICER
(FEMALE) SWAT.

UG

(48)

L

To

The ~~EDO~~ EDO,
E/S Education
Swat.

15/9/12
10/9/12

Subject: Application for long leave.

Sir/Madam,

This is stated that due to some domestic problems I am unable to perform the duty from 15th September, 2012 to 23rd December 2012. Therefore, I may kindly be granted leave ^{on full pay} for the same period.

Thanking you.

Sincerely yours,
Nighat Seema A.T
GGMS, Qambar.

Dated 15th Sep. 2012.

Forwarded to E.D.O (CF) Sec
Education Gulakada Swat.

H. Beg 15.9.12
Head Mistress,
GGMS, Qambar,
Distt: Swat.

(35)

M

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) SAIDU SHARIF SWAT

GRANT OF LEAVE

Under the provision of power conferred by the government of Khyber Pakhtun Khwa Establishment and administration Department Regulation Wing No.SOR-VE D-27/2003 dated 17.11.2005.Sanction is hereby accorded to the grant of earned leave in respect of **Mst: Nighat Seema, A.T, GGMS Qambar, Swat** with effect from 04/03/2013 to 023/12/2014 (661 days) with out pay as due and admissible to her under the leave rules 1981.

Necessary entry to this effect should be made in her service book/ leave account form and conveyance allowance may be deducted during leave period.

(DILSHAD BEGUM)
DISTRICT EDUCATION OFFICE
(FEMALE) SWAT.

Endst:No 1031-32 /Nighat Seema/AT Dated. 25/08 /2013

Copy forwarded to:-

1. The District Accounts Officer Swat.
2. The Headmistress GGMS Qambar Swat.
3. Budget & Accounts Officer Local Office.
4. The official concerned.

UG.

DISTRICT EDUCATION OFFICER
(FEMALE) SWAT.

Dist: Swat
GMS, Dandor
Head Office, 6-3-2013

(Secy Gulakada Swat

forwarded to E.D.O-(F)

Yours Sincerely
Mst. Nighat Seena AT
G.M. School Dandor

to you.

to 23-12-2014, I shall be very thankful

leave with effect from 4-3-2013
Therefore kindly grant me earned

problems repair of home.

I have some unsophisticated
Dandor at the post of A.T Teacher
working at Govt. Girls Middle School
I have the honor to state that I am

Dear Madam,

EARNED LEAVE

Subject,

The District Education
Officer (F), District Swat

Put up
16/3/13

(58)
N

OFFICE ORDER

The un avail portion of leave sanctioned vide this office Endst: No. 1031-32/dated 25/08/2013 in favour of Mst: Nighat Seema, A.T, GGMS Qambar Swat from 04/10/2014 to 23/12/2014 (81 days) is hereby cancelled.

Subsequently she is adjusted on her own pay and scale at GGHS Aboha, Swat in the interest of public service.

Note: - 1. No TA/DA is allowed.

2. Charge Reports should be submitted to all concerned.

3. Necessary entry should be made in her S/Book and leave account form.

(SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICER
(F) SWAT AT SAIDU SHARIF.

Endst: No. 3494 97 Night Seema/AT Dated. 19-11- /2014.

Copy to the:-

1. District Accounts Officer, Swat at Saidu Sharif.
2. Headmistress, GGHS Aboha, Swat.
3. Headmistress, GGMS Qambar, Swat.
4. Teacher Concerned.


DISTRICT EDUCATION OFFICER
(F) SWAT AT SAIDU SHARIF.

UG

The District Education Officer (F),
Zawal at Zaidu Sharaf

Subject: EARNED LEAVE

I have the honor to state that I am working at Govt. Girls
School Aboha at the post of A.T. I have some unsophisticated problems repair of
home

Therefore kindly grant me earned leave with effect from 14/2/2012
to 14/2/2012 (2 years) on full pay. I shall be very thankful to you.

Yours sincerely,

Mst. Nijhat Zeena A.T.
Govt. School Aboha Zawal

Date 10/2/2012

110 270

Original copy of this letter is forwarded to the
District Education Officer (F) Zawal for his consideration
and the necessary arrangements will be provided
to the school, please.

Principal
Govt. Girls High School
Aboha, Zawal
110 270

Handwritten notes and signatures at the top of the page, including a circled '11' and various scribbles.

(57) (57) P

Education Officer,
District Swat.

Dear Madam,

I was granted long leave
from 4-3-2013 to 23-12-2014.

But now I want to rejoin my
duties earlier than my leave. Hence
I joined my ~~ss~~ duties at GGMS Dambur
on October 04, 2014, on A.T Post.

Thanking you.

Nighat Seema
A.T, GGMS, Dambur.

Dated:
13/10/14

Mr. Usman Khan, A.T.
13/10/14

Forwarded to E.D.O. (F)
Galkadal Swat.

H. Pagan
Head Mistress
GGMS, Dambur
Distt: Swat.



(8)

Q

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) SAIDU SHARIF SWAT

GRANT OF LEAVE

Under the provision of power conferred by the government of Khyber Pakhtun Khwa Establishment and administration Department Regulation Wing No.SOR-VE D-27/2003 dated 17.11.2005.Sanction is hereby accorded to the grant of Earned leave in respect of **Mst: Nighat Seema, A.T, GGHS Aboha, Swat** with effect from 01/06/2015 to 30/05/2017(730 days) without pay as due and admissible to her under the leave rules 1981.

Necessary entry to this effect should be made in her service book in leave account form,

(SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICE
(FEMALE) SWAT.

Endst:No 1821/24 /Saira/CT

Dated. 10/11 /2015

Copy forwarded to:-

1. The District Accounts Officer Swat.
2. Budget & Accounts Officer local office
3. Headmistress GGHS Aboha, Swat.
4. The official concerned.

UG.

1
3
e/c
DISTRICT EDUCATION OFFICER
(FEMALE) SWAT.

کونک جناب ڈی۔ بی۔ ای۔ او۔ پبلک اسکول (زنانہ) فورس سیروٹ
پوسٹاٹ: پرنسپل پبلک گورنمنٹ ہائی اسکول ابوہ سوات۔
جناب والدہ۔ (79)

موردمانہ گزار سے ہے۔ کہ میں نے یکم اپریل 2015ء سے پبلک اسکول (زنانہ) 2017ء
تک چھٹی کی درخواست ایک خدمت میں پیش کی تھی۔ جو کہ اب
جوانہ چھٹی طرز 14-12/4/15ء حیدرہ آباد سے کی تاریخ 3/3/2015ء کو
منگوا کی جو کہ مجھے چھٹی یکم جون 2015ء سے لینی تھی۔
لیذا اگر آپ صاحبان سے باز رکھیں چھٹی یکم جون 2015ء سے
پبلک 30 ویں 2017ء تک منگوا جائیں اور یکم اپریل 2015ء
سے طعم کی جائیں تو بڑی میر باز صورت

Mr. U. Ghani
314

مخلص
آپ کے نام سے

نگینہ بیگم AT

NO 301 Date 01/04/2015

original application forwarded to the
District Education Officer, Swat for a
Please.

PRINCIPAL
Govt: Girls High School
Aboha, Dist: Swat.
EMIS Code 34568
01/4/2015

To,
The District Education Officer (F),
Swat at Saidu Sharif.

72
She attended
Office on 20/3/15
20/03/15

Subject: EARNED LEAVE.

I have the honor to state that I am working at Govt: Girls ~~High~~^{High} School Aboha at the post of A.T. I have some unsophisticated Problems/Repair of home.

Therefore kindly grant me earned leave with effect from 1/4/2015 to 1/4/2017 (2 years) on full pay. I shall be very thankful to you.

Yours sincerely,

Mst. Nighat Seema A.T.
GGMS Abopha Swat.

NO 298

Date 10/3/2015

original application forwarded to the -
District Education Officer (F) Swat, for recommendation
with the proviso that alternate/substitute may be provided
to this school, please.

10/3/15
PRINCIPAL
Govt: Girls High School
Aboha, Distt: Swat.
EMIS Code 34568

(26)

T

To,
29/5

The DEO (F),

Elementary and Secondary,

Education, Distt Swat.

Through: proper channel

Subject: Application for E/Leave

Respected Madam,

It is submitted that my mother in law is ill. we brought her to Karachi for treatment. I am her attendant. Her treatment is long. Except me there is no other female person in the family to be her attendant and serve her during her illness. I am on E/Leave with out pay w.e.f 01⁰⁴/₀₁₅ to 30⁰⁵/₀₁₇. But unfortunately her health condition is not good. For which I am unable to join back my duty on 30⁰⁵/₀₁₇ as my leave expires on 30⁰⁵/₀₁₇. Due to the serious illness of her I request you to grant me E/Leave from 31⁰⁵/₀₁₇ to 9⁰⁴/₂₀₁₈. I shall be very thankful to you.

for Thank.

End # 327 Dated: 29/05/2017

Forwarded in original
to DEO(F) Swat.

Yours obediently,
Miss Nighat J
A.T GHS, Ab
Distt Swat

Principal
29/05/2017
PRINCIPAL
Govt. Girls High School
Aboha, District Swat.

10

X

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar

No. W/21 / F.No. 3917/Appeal Swat

Dated Peshawar the 25/1 2018

[Handwritten notes and scribbles]

To

The District Education Officer,
(Female) Swat

Subject - APPEAL

I am directed to refer to the subject cited above and to enclose herewith a copy of
appeal in respect of Mr. Nighat Zeema AT/GHZ, Aboha, District Swat and to ask you to submit
dated report/position to this directorate for further necessary action.

[Signature]
Assistant Director-II
(E&S) Khyber Pakhtunkhwa
[Handwritten initials]

28/1/18
10325

(92) U

OF THE DISTRICT EDUCATION OFFICER (FEMALE) SWAT AT SAIDU SHARIF.

11/10 /Nighat Seema/AT

dated. 11/10 /2017

The Principal
GGHS Aboha Swat.

Subject: - APPLICATION FOR LEAVE WITHOUT PAY

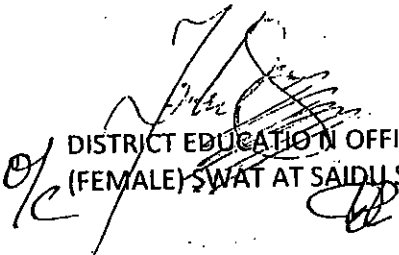
Memo:-

Referee your office Memo: No. 327 Dated 29/5/2017 on the subject noted above.

The leave case in r/o of Mst: Nighat Seema, AT of your school is totally rejected. Therefore, she may be directed to join her duty immediately/regularly and punctuality may be ensure

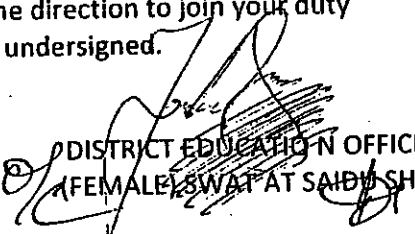
You are directed to explain your position that as to why you have not made entry of leave of the official in her service book.

Endst: No. 11/11


DISTRICT EDUCATION OFFICER
(FEMALE) SWAT AT SAIDU SHARIF.

Copy to the:-

1. Mst: Nighat Seema, AT, GGHS Aboha Swat with the direction to join your duty immediately as your leave case is rejected by the undersigned.


DISTRICT EDUCATION OFFICER
(FEMALE) SWAT AT SAIDU SHARIF.

Govt. Office
Aboha, District

Put up detail
report
Through
Subject

(85) ✓

The DEO, F,
Elementary and Secondary
Education Distt Swat
Proper Channel

DEO(F) Swat
Please sanction
this leave application
for 11/11/17

Application for E/Leave

Respected Madam,

It is submitted that my

mother in Law is ill. we brought her to Kavachi
for treatment. I am her attendant. Her
treatment is long. Except me there is no other
femal person in the family to be her attendant
and serve her during her illness. I am on E/Leave
with out pay w.e.f 01⁰⁴/₁₅ to 30⁰⁵/₁₇. But unfortunately
her health condition is not good. For which I am
unable to join back my duty on 30⁰⁵/₁₇ as my
leave expire on 30⁰⁵/₁₇. Due to the serious illness
of her I request you to grant me E/Leave from
31⁰⁵/₁₇ to 9⁰⁴/₂₀₁₈ (315 days). I shall be very thank full to you

Director
Elementary & Secondary Educ
Khyber Pakhtunkhwa Peshawar

for that.

Encl # 327 Dated: 29/05/2017

Forwarded in original
to DEO(F) Swat.

Yours obediently,
Miss Nighat Seema
A.T. GHS, Aboha
Distt Swat

29/5/2017
PRINCIPAL
Govt. Girls High School
Aboha, District Swat

59

Mr. Riaz Ahmad SS

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Pesh:

6-1-018

N

No. 113 /F.No.27/(F)/Appeal Swat

Dated Peshawar the 01/01 /2018

Handwritten signature/initials

To

The District Education Officer,
(Female) Swat

Handwritten mark

Subject APPLICATION FOR EARNED LEAVE

Handwritten signature/initials

I am directed to refer to your letter No.16029 dated 18-11-2017 on the
subject cited above and to ask you to decide the case at your own level being a
competent authority as per rules.

Handwritten signature

Assistant Director-II -
(E&SE) Khyber Pakhtunkhwa

Handwritten signature/initials



X
91
Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar

No. W651 /F.No.391/F/Appeal Swat

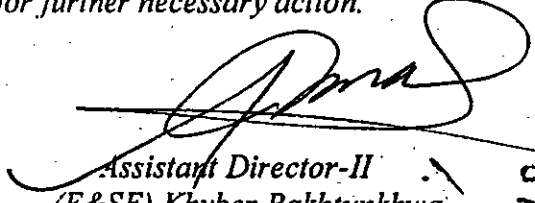
Dated Peshawar the 23/5 /2018.

To

The District Education Officer,
(Female) Swat

Subject:- APPEAL

I am directed to refer to the subject cited above and to enclose herewith a copy of appeal in respect of Mst. Nighat Seema AT GGHS, Aboha, District Swat and to ask you to submit detail report/factual position to this directorate for further necessary action.


Assistant Director-II
(E&SE) Khyber Pakhtunkhwa

10322
28/5/18

To The Director Elementary & Secondary Education

Khyber Pakhtun khwa Peshawar

Subject: Appeal against termination Order Passed by the DEO (F) Swat.

Sir

I have the honor to submit the following few lines for your kind and sympathetic consideration with the hope that these will receive your immediate and positive response.

- 1: That I was appointed in the E & SE Department as an Arabic Teacher in the year 1994, took over charge on 21/12/1994 and finally posted in Government Girls High School Aboha Swat.
- 2: That I was performing my duties to the entire satisfaction and had not given a chance of slightest chance of complaint to my superiors.
- 3: That in the year 2009 the situation in District Swat worsened and I and my husband were receiving life threat from the militants called Taliban in those. This was due to the fact that the place of our dwelling was the den of such like anti state people.
- 4: That being vexed and disturbed and to save our precious lives we had finally migrated outside District Swat and began to settle in Karachi.
- 5: That my husband finally went abroad and settled there. And I also applied for leave which was granted and went there to join my husband as it was not possible for me to live alone in view of dire life threat to me and my family.
- 6: That I was granted extraordinary Leave for the period from 15/9/2012 to 23/12/2012(107 days), 4/3/2013 to 3/10/2014 and 1/6/2015 to 30/5/2017 (731 days) which expired on 30/5/2017. Since I was abroad there was no possibility for my early return and that is why I applied for extension in leave for the period from 31/5/2017 to 9/4/2018(315 days) which was not granted although I had rendered more than 10 years and am entitled to 5 years leave under revised leave Rules 1981.
- 7: That my uncle met with the DEO (F) Swat and she directed that if I am allowed by the Director for the extension I will do the same.
- 8: That as per direction given by the DEO (F) Swat my uncle went to the Director's Office and the Provincial Director of E & SE Department very kindly recommended that the leave applied for be given. Copy of the application bearing Director's direction to the DEO (F) Swat is attached as annexure A for your kind perusal please.
- 9: That sorry to state the DEO (F) Swat had clandestinely issued my removal order in the month of December 2017 and copy of the same order has not been communicated to us on our home address. Copy of the removal order is attached as annexure B. Astonishingly I have been considered absent with effect from 1/6/2016 and have been removed from the same date, whereas I was on leave with effect from 1/6/2015 to 30/5/2017 as mentioned earlier in para 6 above. Copy of the sanction is attached as annexure C. It appears that the DEO(F) Swat have not gone through her office record.
- 10: That when my uncle attended the Office of the DEO (F) Swat, he was stirred with a feeling of surprise that I had been removed from service. The DEO (F) swat has not communicated the termination order to me on our home address and she cannot prove the delivery of the removal order to me. This was done deliberately with a view to deprive me of my legal right of filing an appeal.

Given the above it is humbly requested that I may either be reinstated or retired compulsory as I have more than 17 years pensionable service at my credit and obliged.

I shall be thankful to you for this act of kindness.

Obediently yours

Nighat Seema

c/o
Mohd Zahid Shah R/o Fair Abad
Sandhu Shahi Su

1/6/16
8-5-18



98

Registered

7

OFFICE OF THE

DISTRICT EDUCATION OFFICER (Female) SWAT

CONTACT NO. (0946) 700686 - Fax # (0946) 700686

NO 8577/

Dated 20/7 /2018

To

The Director,
E&SE Khyber Pakhtunkhwa Peshawar.

Subject:- APPEAL.

Memo:

Reference your No.4651/F.No.391/F/Appeal Swat dated 23-05-2018.

I have the honour to state that the ex-Teacher Mst:Nighat Seema AT,GGHS Aboha proceeded on extra ordinary leave up to 30-05-2017. She was required to report on her duty on 31-05-2017 but she applied for extension in leave which was not granted. She was directed through daily Mashriq News paper dated 11-09-2017 to resume duty but she failed to do so. Needless to mention in the press clipping she was shown absent with effect from 01-06-2016 instead of 31-05-2017, but this was due to human error. Because she was on leave up to 30-05-2017 and then she remained continuous absent w.e.f 31-05-2017. Reportedly she has gone abroad. Your office was also approached by her and report was submitted to your good office vide this office No.16029 dated 18-11-2017 and your good office directed this office to decide the case at our own level vide this office memo No.413/F.No.27(F/Appeal swat) dated 01-01-2018 (Copy attached) Annexure-A.

She was therefore removed from service vide No.18010/ dated:28-12-2017 (Copy attached) Annexure-B.

Needless to mention here that this office received two different leave applications for extension, one her application has been forwarded through the concerned Headmistress dated 29-05-2017, (copy attached) Annexure-C, in which she stated that her mother in law is ill and admitted in Karachi hospital, and she is the only attendant to take care of her. While for the same extension in leave application received through Email from Canada on dated 15-09-2017 (copy attached) Annexure-D, in which the teacher stated that she is ill herself, which is a contradictory statement and as such it reveals, that she is no more interested in continuation of her services.

Submitted for necessary action and to guide this office as to what action in this matter could be taken at this stage.

Suan
DISTRICT EDUCATION OFFICER
SWAT