

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**Khyber Pakhtunkhwa
Services Tribunal

Diary No.

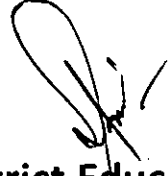
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Dated

20/3/2023

SERVICE APPEAL NO.184/2023**PARVEEN AKHTAR (PST) VS E&S EDUCATION****Index Sheet**

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**District Education Officer
(Female) Peshawar**

BEFORE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

SERVICE APEAL NO.184/2023

Miss Parveen Akhtar VS Department of E&SC Education Peshawar

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS NO.1, 2, 3 & 4

Respectively Sheweth:

The Respondents submit below:

PRELIMINARY OBJECTS

1. That the appellant has got no cause of action/locus standi.
2. That the appellant has concealed material facts from this Hon'ble Tribunal.
3. That the appellant has been estopped by her own conduct to file the instant appeal before this Hon'ble Tribunal.
4. That the instant appeal is barred by law/limitation.
5. That the instant appeal is not maintainable in its present form.
6. That the instant appeal is bad for mis-joinder and non-joinder of necessary parties.
7. That the appellant has not come with clean hands to this Hon'ble Tribunal.

ON FACTS:

1. That Para-No.1 &2 Pertains to Appellant's personal record.
2. Para -No3. It is submitted that Respondent No- 4 is responsible to maintain discipline and Provide a good educational environment for the students but the appellant did not Cooperate to maintain educational discipline in the said school.
3. Reply to Para No.4, it is submitted that the competent authority conducted inquiry about The rude behavior of the appellant and the inquiry officer examined all the allegation regarding the appellant behavior and recommended that the teacher concerned may be proceeded under E&D Rules 2011.
(Copy of inquiry is attached as annexure-A)
5. Para No.5 is incorrect misleading against the facts, the appellant has already completed her tenure in GGPS Islamia Collegiate Peshawar while during her services the appellant created disciplinary problems in the institution and disturb the educational process of the students therefore the competent authority conducted inquiry and on the recommendation of the inquiry officer the appellant was transferred to her home station GGPS Hayatabad No.1 which is the residential area of the appellant.
6. Para 6&7. The appellant has already been reported and on administrative ground she is transferred to GGPS Hayatabad No-1 which is the residential area of the appellant Moreover transfer is the part of service.
7. Para No:8&9 incorrect misleading it is submitted that the appellant has no cause of action to knock at the door of this Hon,ble service tribunal.

GROUNDS

- A: Ground-A is incorrect misleading against the facts transfer Order dated 9/2/2022
Is accordance to law and rule furthermore transfer is the part of service.**
- B: Ground -B is incorrect misleading against the facts, the Respondent No.3 is
Responsible officer and bound to act in accordance to her job description**
- C: Ground C&D are incorrect misleading against the facts, the appellant did not comply
The Order of the competent authority.**

- D: Ground-E is incorrect misleading and against the facts, detail reply has been given In the above Para.**
- E: Ground-F is incorrect and misleading against the facts that in the light of inquiry Officer The respondent department take action against the appellant.**
- F: Ground-G the respondent department also seek permission to submit other Documents at the time of arguments.**

It is therefore most humbly prayed that on acceptance of this Para wise comments, the instant service appeal may very kindly be dismissed with cost.



**District Education Officer
(Female) Peshawar**

BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR


SERVICE APPEAL NO.184/2023

PARVEEN AKHTAR VS E&S EDUCATION
REPLY ON BEHALF OF RESPONDENT NO.1,2,3 & 4

AFFIDAVIT

It is solemnly affirmed and declare on oath that the contents of this para wise comments on behalf of DEO (Female) Peshawar are correct to the best of my knowledge and that nothing has been concealed from this Hon'ble tribunal.




District Education Officer
(Female) Peshawar

(1)
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Inquiry Report in Respect of Parveen Akhtar (PST) GGPS Islamia Collegiate Peshawar

Brief History of the Case:

A complaint / letter addressed to the District Education Officer (F) from Head Teacher on 06/9/22, regarding the incidence occurred in GGPS Islamia Collegiate Peshawar, signed by four staff members of the school as witnesses. That a school Teacher Mst. Parveen Akhtar PST, had hostaged students of Class K.G. on 05/09/2022. To resolve the issue Head Teacher informed the concerned officers, Ms. Rifat Bano SDEO and Ms. Munsifa Khan ASDEO and they both reached to the school on the spot.

Meanwhile one lady entered the school, introduced herself as Assistant Director in HED (Daughter of Teacher), she intervened in the school matters, disrupted the entire environment and asking questions regarding qualification and experience of teachers. The lady asked the teacher Mst. Parveen Akhtar, to leave the school as she is not answerable to principal / Head Teacher.

Mst. Parveen Akhtar without any permission along with her daughter left the school at 09.30 am in the presence of SDEO, ASDEO and all staff members. Record of CCTV cameras also available.

Behavior of Mst. Parveen Akhtar is problematic since the undersigned took over charge as head Teacher in this school. She is not punctual and not performing her duties to the best satisfaction this institute. She disturbing the whole environment of the school and threatening the Head Teacher not to question her. She uses her mobile during school time and violating order of ban on mobile during duty hour.

In light of the above complaint, District Education Officer (F) appointed me vide Notification No.1867- 68 /G/Transfer, dated Pesh, the 08-09- 2022, to probe into the matter and submit report. (Attached as Annexure-A)

Procedure of Inquiry:

The undersigned visited GGPS Islamia Collegiate Peshawar 12-09-2022 and served questionnaires upon the Head Teacher, Teacher concerned and recorded statements of the eye-witnessed teachers. Students of KG were also interviewed in the classroom. The SDEO and circle ASDEO were not present in the school but contacted and discussed the issue with them



giving lunch to students in break time. Later, the picture was deleted by the head Teacher.

- The death of Mst: Parveen Akhtar's teenager son has adversely affected her emotional health.
- The outsider intervened the school matters and disrupted the school environment. Mst: Parveen Akhtar's daughter visited the school at the day of incident i.e. 05-9-2022, she behaved rudely with the eye-witness teachers and left school with her mother (Parveen Akhtar) at 9:30 A.M without the permission of Head Teacher.
- Head Teacher Mst: Tasleem Shah has been serving at GGPS Islamia Collegiate for the last 02 years while the teacher concerned, Mst: Parveen Akhtar (PST) has been serving for the last 05 years and completed her tenure. Moreover, the Head Teacher resides in Canal TOWN, Adjacent to Islamia College while the teacher concerned lives in Hayat abad.
- Head Teacher has informed verbally the concerned ASDEO about the problematic behavior of the teacher concerned but not in written despite of her instructions.
- The concerned officers reached were the witness of the hostage incident of K.G students but neither initiate action against the teacher concerned nor the outsider and also not reported the incident to the concerned high-ups.
- This act of negligence shows the inefficiency of both the officers i.e. SDEO & ASDE. This was not a big issue and can be solved amicably, if they showed their interest.

Recommendations

- To avoid any mishap and make relax the tense environment of the school in future. She may be transferred to the nearest school in the best interest of students and school as the teachers concerned Mst: Parveen Akhtar (PST) has completed her tenure in this school. OR may be treated under Government Servant E&D Rules 2011.
- The Concerned Officers may also be warned and directed to solve such problems on the spot and keep close eye on the problematic teachers.
- Also strictly warn all heads of school's to follow instruction issued by E&SE Department regarding not using mobile in school time.

Mst. Shazia Gul
Principal

GGHS Hayat Abad , Phase-3 Peshawar.

on telephone. Questionnaire was whatsapp to both ASDEO and SDEO and reply was sent by both.

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Reply to the Questionnaire: (Attached as Annexure-B)

- i. Mst. Parveen Akhtar PST :
- ii. Tasleem Shah Head Teacher:
- iii. Teachers (Eye-Witnesses):
- iv. Students Class K.G:
- v. SDEO & ASDEO(Town Three):

Findings.

In light of the replies of all concerned and analysis of the situation & report, the following are the findings of the inquiry report.

- Mst. Parveen Akhtar, PST had retained and hostaged, Small kids of class K.G inside the class forcefully who were scared and crying.
- Her behavior with Head Teacher is not commendable and harsh, as she did not follow the instructions of Head teacher regarding keeping cell phone in Head Teacher office during school time and used during duty hours which disturb teaching-learning process. Such instructions were given by the concerned ASDEO to all Head Teachers in a meeting.
- Well maintained building, decorated and facilitating class rooms, Green Plants and planters, well maintained school record; reflect the efforts and efficiency of Head Teacher.
- Head Teacher runs double shift school with a huge enrolment of 1200 students.
- Due to rude and harsh attitude of Mst: Parveen Akhtar (PST) with Mst: Tasleem shah Head Teacher, the school environment always remains tense.
- Mst: Parveen Akhtar, PST has tried to attack/ hit the Head Teacher, Mst: Tasleem Akhtar in front of few teachers in her office and also in the ground..
- An exchange of verbal abuse between the Head Teacher and teacher concerned in Head Teacher's office over the issue of not keeping cell phone in Head Teacher's office during school hours.
- Mst: Parveen Akhtar, PST, captured picture and video of Mst: Nazia Beenish, PST without her consent, on her cell phone. She did so when Mst: Nazia Beenish, PST, was