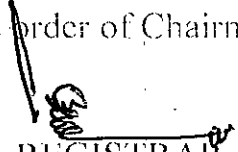


FORM OF ORDER SHEET

Court of _____

Case No.- _____

816/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/04/2023	<p>The appeal of Mst. Musarat Naheed presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>12-4-23</u>. Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman -</p> <p> REGISTRAR</p>

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

APPEAL No. 816 /2023

MUSARAT NAHEED

VS

EDU: DEPARTMENT

INDEX

S. NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of Appeal with Affidavit	1-3
2.	Copy of the order dated 23.07.2008	A	4
3.	Copy of order dated 04.02.2009	B	5
4.	Copies of the order dated 18.02.2009 and reliving chit	C & D	6-7
5.	Copies of the application and forwarding letter dated 18.01.2012	E	8-9
6.	Copy of the letter dated 28.01.2014	F	10
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9.	Copies of the relevant documents	I	14-21
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APPELLANT

THROUGH:

**NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT**

-1-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. 816/2023

Mst. Musarat Naheed, PST (BPS-12),
O/O the District Education Office (Female), Peshawar.

..... **APPELLANT**

VERSUS

- 1- The Secretary Elementary and Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer, District Peshawar.

..... **RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED INACTION OF THE RESPONDENTS BY NOT ADJUSTING/ POSTING THE APPELLANT ON POST OF PST W.E.F. THE DATE OF ARRIVAL I.E. 18.10.2018 AND AGAINST THE INACTION OF THE RESPONDENTS BY NOT DECIDING THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

That on acceptance of this appeal, the respondents may kindly be direct to adjust/ posted the appellant against the post of PST (BPS-12) w.e.f. 18.10.2018 with all back benefits including seniority. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:-

- 1- That the appellant was/ is an employee of the respondent department and was performing his duty as PTC, in the year 2007 the appellant submitted an application for her transfer through deputation to the province of Punjab, after the issuance of NOC, vide order dated 23.07.2008 the service of the appellant was placed at the disposal of Govt. of Punjab Education Directorate. Copy of the order dated 07.2008 is attached as Annexure**A.**

- 2- That in pursuance to the order mentioned above the services of the appellant was placed at the disposal of the Executive District Officer Education Attock vide order dated 4.02.2009 for further adjustment. Copy of order dated 04.02.2009 is attached as Annexure**B.**
- 3- That the Executive District Officer Education Attock vide order dated 18.02.2009 adjusted/ posted the appellant at GGE School B-Block Attock City. That in compliance to the order dated 18.02.2009 the appellant was relieved from the respondent department w-e-f 19.02.2009. Copies of the order dated 18.02.2009 and reliving chit are attached as Annexure**C&D.**
- 4- That it is pertinent to mention here that an application was submitted by the appellant before the worthy Chief minister Punjab for extension of deputation period of the appellant for another term. Copies of the application and forwarding letter dated 18.01.2012 are attached as Annexure**E.**
- 5- That the appellant was directed to continue with her duties at district Attock till further order. That vide letter dated 28.01.2014 the appellant was strongly recommended for her permanent transfer/ posting. Copy of the letter dated 28.01.2014 is attached as annexure**F.**
- 6- That similarly the in the year 2016 the extension of deputation case of the appellant was taken with the worthy chief minister and till 2018 the appellant was allowed to continue at his deputation post in district *Attock*. Copies of the letter are attached as annexure**G.**
- 7- That vide order dated 20.10.2018 the appellant was relived from GGHS Kalu Kalan, District Attock and was directed to report to her parent department. Copy of the order dated 20.10.2018 is attached as annexure**H**
- 8- That in pursuance to the order mentioned above the appellant reported to her parent department and submitted her arrival report, and the case of the appellant was taken up by the district education officer district Peshawar with the Director Education Khyber Pakhtunkhwa and correspondence were made between both of them but the appellant was neither adjusted in the department nor posted on her post. Copies of the relevant documents are attached as annexure**I.**
- 9- That appellant feeling aggrieved from the inaction of the respondents and having no other preferred departmental appeal before the respondent department which has not been decided by the respondent till date. Copy of the Departmental Appeal is attached as Annexure**J.**
- 10- That appellant having no other efficacious remedy but to file the instant appeal on the following grounds amongst the others.

GROUNDS:

- A- That the impugned inaction of the respondents by not adjusting the appellant in her parent department and further not posting on her post is against the law, facts, and norms of natural justice.
- B- That the appellant has not been treated in accordance with the laws and rules by the respondent department on the subject noted above and as such the respondent department violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the impugned inaction of the respondents by not adjusting the appellant in her parent department and further not posting on her post is violation of the law and rules on the subject.
- D- That the respondents acted in arbitrary and mala fide manner by not adjusting the appellant in her parent department and posting her on her post.
- E- That the impugned inaction of the respondents by not adjusting the appellant in her parent department and further not posting on her post is the violation of the fundamental rights of the appellant.
- F- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal may kindly be accepted as prayed for.

APPELLANT

Musarat Naheed

MUSARAT NAHEED

Through:

Noor Muhammad Khattak

**NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT**

Kamarn Khan
KAMARN KHAN

Umar Farooq
UMAR FAROOQ

Muhammad Aizaz
MUHAMMAD AIZAZ

Waleed Adnan
WALEED ADNAN

Muhammad Ayub
MUHAMMAD AYUB

Mujeeb Ur Rahman
MUJEEB UR RAHMAN

AFFIDAVIT

I Musarat Naheed (The Appellant) do hereby solemnly affirm that the contents of this **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

Musarat Naheed
DEPONENT

A - 4 -

GOVERNMENT OF NWFP
ELEMENTARY & SECONDARY EDU: DEPTT:

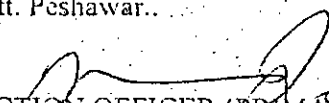
ORDER.

NO. SO(PE)5-2/173/07/IPT/Musarat Naheed PTC. In pursuance of NOC issued by the Government of NWFP Establishment Department contained in letter No. SOR-1 (E&AD)1-14/82/(VOL.XII) dated 26-10-2008, the services of Mst. Musarat Naheed, PTC GGPS Mirakzai District Peshawar (NWFP) are hereby placed at the disposal of the Govt. of Punjab Education Department (School Wing) Lahore on deputation basis for initial period of 03 years on the terms & conditions contained in the Govt. of Punjab Education Department (School Wing) Lahore letter No. SO (SE-IV)8-2/2007 dated 16-08-2007.

SECRETARY TO GOVT. OF NWFP
ELEMENTARY & SECONDARY EDU:DEPTT:

Endst.No.SO(PE)5-2/173/07/IPT/Musarat Naheed PTC. Dated Pesh: the 23-07-08:
Copy forwarded to:-

1. The Secretary to Govt. of NWFP Establishment Department w/r to his letter No. quoted above.
2. The Secretary to Government of Punjab Education Department School wing Lahore w/r to his letter No. quoted above.
3. The Director School & Literacy NWFP Peshawar w/r to his letter No. 3658 dated 1-7-2008.
4. The Distt. Accounts Officer Peshawar O/O Accountant General NWFP.
5. The Executive District Officer Elementary & Secondary Education Peshawar with the request to relieve and direct the lady teacher to report to the Executive District Officer (Education) Attock Punjab for adjustment against the vacant post of PTC.
6. The Executive District Officer (Education) Attock.
7. Mst. Musarat Naheed GGPS Mirakzai Distt. Peshawar..


SECTION OFFICER, (PRIMARY)

4B^u . 5-

GOVERNMENT OF THE PUNJAB
SCHOOL EDUCATION DEPARTMENT

ORDER

No.S.O(SE-IV)8-2/2007. Consequent upon the placement of the service by the Government of NWFP vide No.S.O(PE)5-2/173/07/IPT/Musarat Naheed PTC dated 23-7-2007, transfer on deputation from NWFP to Punjab in respect of Mst. Musarat Naheed, PTC GGPS Mirakza District Peshawar(NWFP) is approved, she may be directed, relieved for her further adjustment against vacancy to the Executive District Officer(Education), Attock on the following terms & conditions:-

- i) The deputationist will join at its own expenses.
- ii) No TA/DA will be admissible on joining in the Department.
- iii) No deputation Allowance will be paid.
- iv) The deputationis will draw salary as per L.P.C.
- v) The tenure of deputation is three years only.
- vi) The Punjab Education Department shall not deduct G.P.Fund and no pension gratuity shall be paid or born by this department.
- vii) The incumbent shall automatically deemed repatriated after completion of deputation period and any delay on the part of the deputationist in reporting back to its parent department shall be considered as an absence from duty.

DATED LAHORE, THE
4-2-2009.

SECRETARY SCHOOL EDUCATION

NO. & Date Even.

A copy is forwarded for information & necessary action to the:-

1. The Secretary, Govt. of the NWFP.
2. The E.D.O(Education), Attock.
3. The District Accounts Officer, Attock.
4. The Lady Teacher concerned.
5. Officer order file.

.....
SECTION OFFICER(SE-IV)

"C" -6-3

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (EDUCATION), ATTOCK.

Order No. 651 /Admn.

Dated 18-2 /2009

Subject: - INTER PROVINCE TRANSFER ON DEPUTATION/ADJUSTMENT

In compliance with the orders of Secretary School Education, Govt. of the Punjab, School Education Department, Lahore No.S.O. (SE-IV) 8-2/2007 dated, 04-02-2009, Mst. Musarat Naheed, PTC Govt. Girls Primary School, Mirakzai District Peshawar (NWFP), whose services have placed at the disposal of this office, is hereby adjusted / posted on deputation as PTC at Govt. Girls Elementary School (MC) B-Block Attock City against a vacant post of PTC with effect from the date she joins on the following terms and conditions:

1. The deputationist will join on her own expenses.
2. No TA/DA will be admissible on joining in the Department.
3. No deputation allowance shall be paid.
4. The deputationist will draw salary as per L.P.C.
5. The tenure of deputation is three years only.
6. The Punjab Education Department shall not deduct G.P. Fund and no pension/gratuity shall be paid or born by this Department.
7. The incumbent shall automatically deem repatriated after completion of deputation period and any delay on the part of the deputationist in reporting back to its parent department shall be considered as an absence from duty.

*Executive District Officer (Edu),
Attock.*

No. & date even.

Copy for information and N/ action to: -

1. The Section Officer (SE-IV), Govt. of the Punjab, School Education Department, Lahore w/r to order No. quoted above.
2. The Section Officer (PE), Government of NWFP Peshawar.
3. The Director Public Instruction (SE/EE) Punjab, Lahore.
4. The Executive District Officer, (Edu), Peshawar.
5. The District Education Officer (W-EE) Attock/Peshawar.
6. The District Accounts Officer, Attock/Peshawar.
7. The Deputy D.E.O. concerned.
8. The H.M. concerned.
9. The teacher concerned.
10. Notification file.

MW2
*Executive District Officer (Edu),
Attock.*

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (EDUCATION), ATTOCK

Order No. 651/Admn.

Dated 18-02-2009

Subject: **INTER PROVINCE TRANSFER NO DEPUTATION/ADJUSTMENT**

In compliance with the orders of the Secretary School Education, Govt. of the Punjab, School Education Department, Lahore No.S.O. (SE-IV) 8-2/2007 dated 04.02.2009, Mst. **Musarat Naheed, PTC** Govt. Girls Primary School, Mirakzai District Peshawar (NWFP), whose services have placed at the disposal of this office, is hereby adjusted/posted on deputation as PTC at Govt. Girls Elementary School (MC) B-Block Attock City against a vacant post of PTC with effect from the date she joins on the following terms and conditions.

1. The deputationist will joint on her own expenses.
2. No TA/DA will be admissible on joining in the Department.
3. No deputation allowance shall be paid.
4. The deputationist will draw salary as per L.P.C
5. The tenure of deputation is three years only.
6. The Punjab Education Department shall not deduct G.P Fund and no pension/gratuity shall be paid or born by this Department.
7. The incumbent shall automatically deem repatriated after completion of deputation period and any delay on the part of the deputationist in reporting back to its parent department shall be considered as an absence from duty.

Sd/-
Executive District Officer (Edu).
Attock

No & Date even

Copy for information and N/action to:-


1. The Section Officer (SE-IV), Govt. of the Punjab, School Education Department Lahore w/r to order No. quoted above.
2. The Section Officer (PE), Government of NWFP Peshawar
3. The Director public instruction (SE/EE), Punjab, Lahore
4. The Executive District Officer (Edu), Peshawar
5. The District Education Officer, (W-EE), Attock Peshawar
6. The District Account Officer, Attock/Peshawar
7. The Deputy D.E.O, concerned
8. The H.M concerned.
9. The teacher concerned.
10. Notification file.

Sd/-
Executive District Officer (Edu).
Attock

"D"
-7-

REIVING CHIT

In the compliance of order Secretary to Govt: of NWFP (E&S) Education Deptt NO.SO(PE)5-2/173/IPT/Must: Dated 23/7/2008, and order issued vide Executive District Officer (E&S) Attock NO.651 dated 18/2/09 the Mat: Musrat Naheed PST Govt: Girls Primary School Mirakzal District Peshawar is hereby relieved from this Department with effect from 18/2/2009 (A.N).


Executive District Officer,
(E&S) Education Peshawar

RELIVING CHIT

In the compliance of order secretary to Govt. of NWFP (E&S) Education Department No.SO (PE)5-2/173/IPT/Must: Dated 23/7/2008, and order issued vide Executive District Officer (Educ.) Attock No.651 dated 18/2/09 the Mst: Musarat Naheed PST Govt. Girls Primary School Mirakzal District Peshawar is hereby relived from this Department with effect from 19/2/2009 (A.N).

Sd/-
Executive District Officer,
(E&s) Education Peshawar

4E
-8-

To
The Chief Minister
Punjab

Subject: Issue of Directive for Extension of Deputation Period in the Dist
Muzarrat Najeed P.T.C Teacher from Dist Peshawar to Dist Attock
(Humaid).

Respected Sir,

With due reverence it is stated that I was married to Mr. Muhammad Ijaz, resident of Village Mari Kanjur, Distt Attock. He is also Govt Employee and serving in Field Pay Office Artillery Centre Attock. I have four school going children under 10 years of age.

I am a P.T.C Teacher. Due to my domestic circumstances I requested to the authority concerned for my permanent transfer but orders regarding transfer on deputation for 3 year were issued by the Secretary Education Punjab vide their order No SO (SE-IV) 8-2/2007 dated 4 February 2009 (photocopy attach). In compliance with EDO Education Attock Order No 651/Adm dated 18 February 2009 and I joined my duty in Distt Attock on 20 February 2009.

As deputation period for 3 years is going to be completed on 20 Feb 2012. It is requested that orders regarding extension of deputation for next 2 years from Distt Peshawar to Distt Attock may kindly be issued, so that I may look after my family as well as to perform my duties with full devotion. As relaxation has already been granted by Govt vide Establishment Division O.M No 10 30 97-R-II dated 13 May 1998.

I would be extremely thankful to you for issuance of necessary order as requested above to your kind honour.

Yours Obediently,

Muzarrat Najeed
P.T.C Teacher
Govt Girls High School Chibol West Distt Attock

Wife of
[Name] P.T.O Attock

*M. Ijaz is
Govt school
Consider the request
for joining the school
in Attock
5/1/11*

18/1/11
6-

To

The Chief Minister
Punjab

Subject: **Issue of Directive for extension of Deputation period in r/o Mst. Musarat Naheed PTC Teacher from District Peshawar to District Attock (Punjab)**

Respected Sir,

With due reverence it is stated that i was married to Mr. Muhammad Ijaz, resident of Village Mari Kanjur, District Attock. He is also Govt. Employee and serving in Field Pay Office Artillery Center Attock. I have four school going children under 10 years of age.

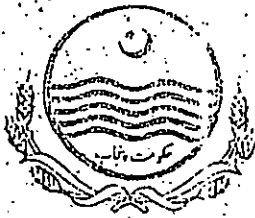
I am a PTC Teacher. Due to my domestic circumstances. I requested to the authority concerned for my permanent transfer but orders regarding transfer on deputation for 3 year were issued by the Secretary Education Punjab vide their order No. SO (SE-IV) 8-2/2007 dated 4 February 2009 (photocopy attach). In compliance with EDO Education Attock Order No 651/Adm dated 18 February 2009 and I joined my duty in District Attock on 20 February 2009

As deputation period for 3 years is going to be completed on 20 Feb 2012. It is requested that orders regarding extension of deputation for next 2 years from District Peshawar to District Attock may kindly be issued, so that I may look after my family as well as to perform my duties with all devotion. As relaxation has already been granted by Govt. vide Establishment Division OM No.10/90/97-R-II dated 13 May 1998.

I would be extremely thankful to you for issuance of necessary order as requested above to your kind honour.

Yours Obediently,

Sd/-
Musarrat Naheed
PTC Teacher
Govt. Girls High School
West District Attock



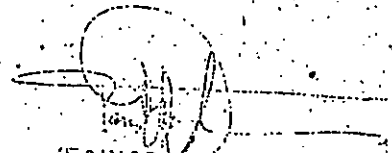
CHIEF MINISTER'S SECRETARIAT
PUNJAB

08-Club Road, Lahore
18th Jan, 2012

Subject: REQUEST FOR EXTENSION OF DEPUTATION PERIOD

Please find enclosed herewith application alongwith relevant documents, submitted by Mrs. Musarrat Naheed, PTC Teacher, Govt. Girls High School, Chhoi West, District Attock, addressed to the Chief Minister, Punjab, contents of which are self explanatory.

The same is forwarded to consider the request for doing the needful under rules, under intimation to this office.


(FAWAD AKRAM KHAN)
Deputy Secretary
(Parliamentary Affairs)

The Secretary
Govt. of the Punjab,
School Education,
Lahore.

CC:
Musarrat Naheed Wajid Iqbal, hammad Ijaz, PTC Teacher, Govt. Girls High School, Chhoi West, District Attock



NO. PS MIN (ESATY) 2013/LAHORE
MINISTER FOR SCHOOL EDUCATION,
ADDITIONAL CHARGE: HIGHER EDUCATION AND
YOUTH AFFAIRS, SPORTS,
ARCHAEOLOGY & TOURISM PUNJAB

DATED: Lahore the 7th January 2014

Subject: REQUEST FOR PERMANENT TRANSFER / POSTING

Enclosed herewith an application of Mrs. Musarat Hameed W/o
Mohammad Iqbal PS-1 Govt. Girls High School, Kalu Kalar, Distt. Attock of the subject
mentioned above.

It is strongly recommended that the request of the applicant may be
considered favorably as per rules/policy and acceded to on compassionate
grounds.

(Rana Mashhood Ahmad Khan)

MINISTER FOR SCHOOL EDUCATION,
ADDITIONAL CHARGE: HIGHER EDUCATION AND
YOUTH AFFAIRS, SPORTS,
ARCHAEOLOGY & TOURISM PUNJAB

Secretary,
School Education Department

NO.PS MIN (ESATY)2010/LAHORE
MINISTER FOR SCHOOL EDUCATION
ADD. CHARGE. HIGHER EDUCATION AND
YOUTH AFFAIRS, SPORTS
ARCHAEOLOGY & TOURISM PUNJAB

Dated Lahore, the January 2014

Subject **REQUEST FOR PERMANENT TRANSFER /POSTING**

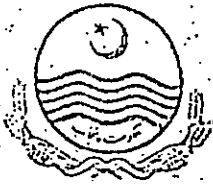
Reference enclosed herewith an application of Mrs. Musarrat Naheed
W/o.Mohammad Ijaz PST Govt. Girls School Kalu Kalan, District Attock to the subject
noted above.

Strongly recommended that the request of the applicant to be
consideredratably as per rules/policy and acceded to on compassionate
grounds.

Sd/-

Rana Mashhood Ahmad Khan
MINISTER FOR SCHOOL EDUCATION
ADDL. CHARGE. HIGHER EDUCATION AND
SPORTS ARCHAEOLOGY

Secretary,
School Education Department



No.DIR(ASSEM)CMO/16/AB-18/0115219

CHIEF MINISTER'S OFFICE
PUNJAB

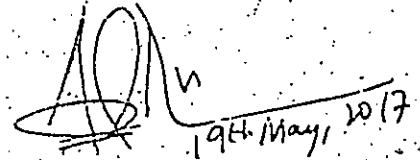
Dated Lahore 19.09.2016

REMINDER

Subject: REQUEST FOR EXTENSION IN DEPUTATION PERIOD

Please reference this office's letter of even No. dated 19.09.2016, on the subject noted above.

2. Chief Minister has desired that the matter be expedited and requisite summary in this regard be submitted to this office for his information / orders, immediately.



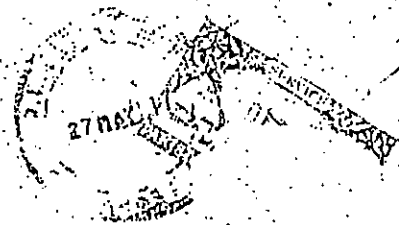
(ALI R. RIZVI)
Deputy Secretary (North) to
Chief Minister

SECRETARY SCHOOL EDUCATION

PC

Ch. Sher Ali Khan, MPA, PP-18, District Attock / Minister for Mines & Mineral Punjab

✓ Mst. Mussarat Naheed, PST, Govt. Girls High School, Kalukalan, District Attock





NO. DIR (ASSEM) CMO / 10 / 08-18 /


CHIEF MINISTER'S OFFICE
PUNJAB

Dated Lahore 18.09.2016

Subject: REQUEST FOR EXTENSION IN DEPUTATION PERIOD

Please find enclosed herewith a reference forwarded by
Ch. Sher Ali Khan, MPA, PP-18, District Attock / Minister for Mines & Mineral
Punjab along with an application of Mst. Hussarat Naheed, PST, Govt. Girls
High School, Kalukalan, District Attock, on the subject noted above.

2. I am directed to request you to initiate a Summary on the
subject within 07 days positively for the orders of the Chief Minister.


ALI RAZA RIZVI
DIRECTOR

SECRETARY SCHOOL EDUCATION

PC

Ch. Sher Ali Khan, MPA, PP-18, District Attock / Minister for
Mines & Mineral Punjab
Mst. Hussarat Naheed, PST, Govt. Girls High School, Kalukalan,
District Attock

No.DIR(ASSEM) CMO/16/AB-18/

**CHIEF MINISTER'S OFFICE
PUNJAB**

Dated Lahore 19.09.2016

Subject: **REQUEST FOR EXTENSION IN DEPUTATION PERIOD**

Please find enclosed herewith a reference forwarded by CH. Sher Ali Khan, MPA, PP-18, District Attock/Minister for Mines & Mineral Punjab alongwith an application of Mst. Mussarat Naheed, PST, Govt. Girls, High School, Kalukalan, District Attock, on the subject noted above.

2. I am direct to request you to initiate a Summary on the subject **within 07 days** positively for the orders of the Chief Minister.

Sd/-
ALI RAZA RIZVI
DIRECTOR

Secretary School Education

PC

Ch. Sher Ali Khan, MPA, PP-18, District Attock/Minister for Mines & Mineral Punjab

Mst. Mussarat Naheed PST, Govt. High School, Kalukalan, District Attock.



10

4H -13-

OFFICE OF THE HEADMISTRESS,
GOVERNMENT GIRLS HIGH SCHOOL, KALU KALAN
TEHSIL HAZRO, DISTRICT ATTOCK

ORDER

No. 108/HM

Dated. 20/10/2018

Subject: RELIEVING.

With Reference to Government of the Punjab School Education Department, Lahore order No S.O(SE-IV)8-2/2007, dated 04-02-2009. Mst Musarrat Naheed, PST Government Girls High School Kalu Kalan, Tehsil Hazro, District Attock (deputation from kpk Government). Who was working on deputation for the period from 18-02-2009 to 17-02-2012 is hereby relieved with effect from 18-10-2018 on expiry of her deputation period and directed her to report parent Department immediately.

Ullah

Headmistress
Govt Girls High School Kalu Kalan
Hazro, Attock.

Encl.No. & Date Even

A copy for information and necessary action to:-

1. PS to Secretary School Education Department Govt of the Punjab, Lahore w/r to order referred above.
2. The Section Officer (Stab), Fata Secretariat Warsak Road Peshawar (KPK).
3. The Chief Executive Officer Attock.
4. The District Education Officer (SE) Attock.
5. The District Account Officer, Attock.
6. Office File.
7. Teacher Concerned.
8. The District Education Officer, Attock.

227
20-11-18
[Signature]
Original 162

Ullah
Headmistress
Govt Girls High School
Kalu Kalan Hazro, Attock



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
No. SO/PS/E&S/ED/5-2/HT/14-15/18 of Mst. Musarat Naheed
PST 5008
Dated Peshawar, the 20.10.2018

To:
The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Subject: RELIEVING

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of relieving order No.108/11M dated 20.10.2018 along with other documents in respect of Mst. Musarat Naheed, PST, GGHS Mirakzai District Peshawar, who was on deputation in Punjab Government at GGHS Kahu Khan, Tehsil Hazro District Attock, Punjab w.e.t 18.02.2009 to 17.02.2012 for her adjustment in her own District Peshawar, for further necessary action as per rules/policy, please.

Yours faithfully,

M. Raza
SECTION OFFICER (PRIMARY)

Encl: as above.
Encls: of even number & date:
Copy to the:

- 1. District Education Officer (Female), District Peshawar, for similar necessary action.
- 2. PS to Secretary, E&S Department.

M. Raza
SECTION OFFICER (PRIMARY)

A.D.A.S

20/10/18
35/11

DD(P)

12-18

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATING DEPARTMENT**

No.So (PE) E&SED/5-2/IPT Peshawar Mst. Musarat Naheed
PST 2008

Dated Peshawar the ____ .11.2018

To,

The Director
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Subject: **RELIEVING**

Dear Sir,

I am directed to refer to the subject noted above and to enclosed herewith a copy of relieving order No.108/HM dated 20.10.2018. alongwith other document in respect of Mst. Musarat Naheed, PST, GGPS Mirakzai District Peshawar, who was on deputation in Punjab Government at GGHS Kala khan, Tehsil Hazro District Attock, Punjab w.e.f. 18.02.2009 to 17.02.2012 for her adjustment in her own District Peshawar, for further necessary action as per rules, policy please.

Yours faithfully

Sd/-
SECTION OFFICER (PRIMARY)

Enc: as above

1. District Education Officer, (Female), District Peshawar, for similar necessary action.
2. P.S to Secretary, E&SE-Department.

Sd/-
SECTION OFFICER (PRIMARY)

15-

District Education Officer (Female) Peshawar

DATED PESHAWAR THE 16/12/2018

The Sub-District Education Officer
Female Peshawar

OFFICE OF THE DISTRICT EDUCATION OFFICER
PESHAWAR

It is submitted that Mst. Muzra Nahir PST GPPS Haraq Zai Peshawar working
in the school of GGS Kahu Kahu PAFIO Arook Lahore (Female) relieved w.e.f 15.10.2016 on expiry
of her contract and joined the GPPS dated 20.10.2016

You are directed to inform this office whether the above named official report back
for any reason.
If she not yet reported, then absent notice may be served at her home address
and if not possible, you may inform to this office.

This may be treated as most urgent

DISTRICT EDUCATION OFFICER
(FEMALE) PESHAWAR

Dated Peshawar the 16/12/2018

Copy forwarded for information to:

- 1. Section Officer, (Primary) w/e to his order No. SO(P) 105/177/2018 dated 15/12/2018.
- 2. PAFIO Director Basic Higher Education, Peshawar.
- 3. PAFIO Director Government Girls High School, Kahu Kahu PAFIO, District Arook
- 4. PAFIO (Female) Local Officer
- 5. Official concerned.
- 6. M/PA/10

DISTRICT EDUCATION OFFICER
(FEMALE) PESHAWAR

District Education Officer (Female) Peshawar

Dated Peshawar the 10/12/2018

The Sub Divisional Education Officer
Female Town-II, Peshawar

Subject: **DEPUTATION /RELIVING**

It is submitted that Mst. Musarat Naheed PST GGPS Mirak Zai Peshawar working on deputation GGHS Kalu Kala Hazro Attock Lahore (Punjab) relived w.e.f 18.10.2016 on expiry of her deputation letter no.108/HM dated 20.10.2018

You are directed to inform this office whether the above named official report back for

If she not yet reported then absent notice may be served as her home address under intimation to this office.

This may be treated as most urgent.

Sd/-
District Education Officer
(Female) Peshawar

Endst. No. _____ dated Peshawar the ____/2018

Copy forwarded for information to

1. Section Officer, (primary) w.r. to his order No.SO (PE)5/2/173/HPT/Musarat Naheedm PTC dated 23.07.2008.
2. PA to Director E&SE Khyber Pakhtunkhwa Peshawar
3. Headmistress Government Girls High School, Kalu Kalan, Tehsil Hazro, District Karak
4. PA to D.E.O (Female) Local Office
5. Official concerned
6. M/File

Sd/-
District Education Officer
(Female) Peshawar

-16-

#

13

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar

No. 4535 P. File Musarat Naheed PST/IPT

Dated Peshawar the 24/06 /2019

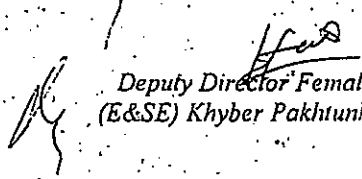
To.

The District Education Officer,
(Female) Peshawar

Subject:- RELIEVING

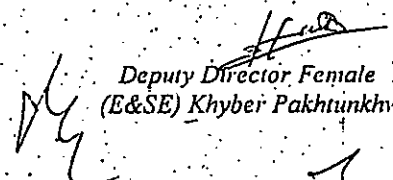
I am directed to refer to the subject cited above and to enclose herewith a copy of letter No SO(PE)/E&SED/5-2/IPT/Peshawar/Mst. Musarat Naheed PST/2008 dated 29-11-2018 in respect of Mst. Musarat Naheed PST GGPS, Mirakzai, District Peshawar which is self-explanatory, for appropriate necessary action.

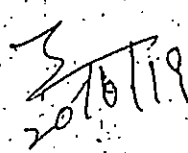
Endst.No. _____


Deputy Director Female
(E&SE) Khyber Pakhtunkhwa,

Copy of the above is forwarded to the:-

1. Section Officer (Primary) E&SE Khyber Pakhtunkhwa w/r to his No. & dated cited above.


Deputy Director Female
(E&SE) Khyber Pakhtunkhwa,


20/06/19



-17- 14

**OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)
PESHAWAR.**

To,

No. 4045 Dated. 27 /07/2019.

The Sub Divisional Education Officer,
(Female) Town-II Peshawar.

Subject:- RELIEVING.
Memo:

I am to refer to the director E&SE letter No.4535 dated 24-06-2019 on the captioned subject and to ask you to intimate a vacant post of PST for adjustment of Mst.Musarrat Naheed PST GGPS Merakzai, Peshawar returned from deputation form Govt: of Punjab.

Suman
DISTRICT EDUCATION OFFICER,
FEMALE, PESHAWAR.

Endst: 4046-47 dated the Peshawar 27 /07/2019.
Copy of the above is forwarded for information to the:

1. SO (Primary) E&SE Khyber Pakhtunkhwa, Peshawar.
2. PA to Director E&SE Khyber Pakhtunkhwa, Peshawar.

Suman 25/07/19
DISTRICT EDUCATION OFFICER,
FEMALE, PESHAWAR.



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

No. 7976 /P. File Musarat Naheed PST

Dated Peshawar the 18-5-2020

To

The Secretary to Govt. of
Khyber Pakhtunkhwa (E&SE) Department

Subject: RELIEVING

I am directed to refer to the letter no. SO (PE) E&SED/5-2/PT/Peshawar/ Mst. Musarat Naheed PST/2008 dated 29-11-2020 on the subject cited above and to enclose herewith a copy of letter from DEO (Female) Peshawar vide No. 14426 dated 01-10-2020 in respect of Mst. Musarrat Naheed PST GGPS Mirakzai District Peshawar.

1. Mst Musarrat Naheed PST GGPS Mirakzai was on deputation w.e.f 18-02-2009 to 17-02-2012 at GGHS Kulu Kala Hazro District Attock Punjab.
2. She has been relieved by the headmistress GGHS Kulu Kala Hazro District Attock Punjab vide letter no 108/HM Dated 20-10-2018.

Hence report is submitted to your good office for information with remarks that she is no more employee of this department please.

Deputy Director (Female)
E&SE Khyber Pakhtunkhwa.

Encl: No. _____
Copy to the:-

1. District Education Officer (F) Peshawar.
2. PA to Director E&SE Khyber Pakhtunkhwa Peshawar.

Deputy Director (Female)
E&SE Khyber Pakhtunkhwa.

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

No.8980/P.File Musarat Naheed PST

Dated Peshawar the 18-05-2020

To,

The Secretary to Govt. of
Khyber Pakhtunkhwa (E&SE) Department

Subject: **RELIEVING**

I am directed to refer to the letter No.SO (PE) E&SED/5-2/IPT/Peshawar / Mst. Musarrat Naheed PST/2008 dated 29.11.2020 on the subject cited above and to enclose herewith a copy of letter from DEO (Female) Peshawar vide No. 14426 dated 01.10.2020 in respect of Mst. Musarat Naheed PST GGPS Mirakzal District Peshawar

1. Mst. Musarrat Naheed PST GGPS , Mirakzal was on deputation w.e.f. 18.02.2009 to 17.02.2012 at GGHS Kalu Kala Hazro District Attock Punjab.
2. She has been relieved by the headmistress GGHS Kalu Kala Hazro District Attock Punjab vide letter No.108/HM dated 20.10.2018.

Hence report is submitted to your good office for information with remarks that she is no more employee of this department please.

Sd/-
Deputy Director (Female)
E&SE Khyber Pakhtunkhwa

Endst. No. _____

Copy to the:

1. District Education Officer (F), Peshawar
2. PA to Director E&SE Khyber Pakhtunkhwa Peshawar

Sd/-
Deputy Director (Female)
E&SE Khyber Pakhtunkhwa

STRICTLY CONFIDENTIAL
OFFICE OF THE DISTRICT EDUCATION OFFICER
PESHAWAR

To: The Director
Elementary & Secondary Education
Peshawar

Subject: GEDHS/196

Reference is made to your letter no. GEDHS/196/1 dated 23.07.2019 and PS/PT dated 18.02.2012. The subject captioned above and mentioned in the subject while going through the file it has been noted that Mrs. Minarat Sahred PST, GEDHS/196/1 was proceeded on deputation wear from 18.02.2012 to 17.02.2012, whereas she has been relieved by the Headmistress G. G. P. S. K. at Kala hazo Attock, Punjab on 18.02.2012.

It is therefore requested to let this office know about the period of 18.02.2012 to 17.02.2012, whether the mentioned period of deputation was extended by the competent authority or otherwise. It is further added that either the teacher concerned has given arrival notice to this office no. SDEO (Female) Town-II has intimated a vacant post of PST which was vide this office memo no. 4045 dated 27.07.2019 in the light of your above mentioned letter.

Action in the matter is required to be taken as deemed fit under the rules.

[Signature]
DISTRICT EDUCATION OFFICER,
(FEMALE) PESHAWAR

[Signature]
Copy of the above is forwarded to the

1. Section Officer (Primary) Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. SDEO (F) Town-II, Peshawar, with the remarks to submit vacant post as asked in the letter noted above. Moreover if the teacher has submitted arrival & still absent then issue absent notice at her home address under registered cover & copy thereof to undersigned for taking further necessary action.

196
5-10-2019

[Signature]
DISTRICT EDUCATION OFFICER,
(FEMALE) PESHAWAR

**DISTRICT EDUCATION OFFICER
(FEMALE) PESHAWAR**

To

The Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Subject **RELIEVING**

I am directed to refer your letter No.4535/P File/Musarrat Naheed PST/IPT dated Peshawar the 24.06.2012 in the subject captioned above and to for the while going through the file if is been notice that Mst. Musarat Naheed PST GGPS Miralzai was proceeded on deputation w.e.from 18.02.2009 to 17.02.2012 whereas, she has been relieved by the Headmistress GGHS Kara Kala Hazro Attock Punjab on 18.10.2018.

It is therefore requested to left his office know about the period i.e. 18.02.2012 to 17.10.2018, whether the mentioned period of deputation was extended by the competent authority, it is further added that neither the teaching concerned has given arrived in this office not SDEO (Female) Town-II has intimated a vacant post of PST which was asked vide his office memo No.4045 dated 27.07.2019 in the light of your above mentioned letter.

Action in the matter is required to be taken as deem fit under the rules.

Sd/-XXXX
DISTRICT EDUCATION OFFICER
(FEMALE) PESHAWAR

Endst. No.

Copy of the above is forwarded to the:-

1. Section Officer (Primary) Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. SDEO (F) Town-II, Peshawar, with the remarks to submit vacant post as asked in the letter noted above. Moreover if the teacher has submitted arrival and still absent then issue absent notice at her home address under registered cover & copy their off to undersigned for taking further necessary action.

Sd/-XXXX
DISTRICT EDUCATION OFFICER
(FEMALE) PESHAWAR

GOVERNMENT OF KHYBER PAKHTUNKHWA
 ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
 No. SO/PE/ps 21P/1-Peshawar/Mst. Mussarat Naheed PSI 2908
 Dated Peshawar the 12/07/2021

To
 The Director,
 Elementary & Secondary Education,
 Khyber Pakhtunkhwa

Subject: RELIEFING/APPEAL/REPRESENTATION AGAINST NON-ADJUSTMENT OF MST, MUSSARAT NAHEED, PSI.

Dear Sir,
 I am directed to refer to your letter No. 8980/P/1/10/Mussarat Naheed PSI dated 18/5/2020 on the subject noted above and to state that the Worthy Secretary has directed that it may be intimated as to what disciplinary action has been taken against the teacher concern for her wilful absence during the unauthorized overstayed period of deputation.

It is requested that a detailed report as per directives of Secretary may be furnished to this department for further necessary action. (ESC)

Yours faithfully,

(Signature)
 (Mian Hussain Din)
 SECTION OFFICER (PE)

~~Encl. as above.~~

Encls: of even number & date:
 Copy to:
 PS to Secretary, E&SE Department.

(Signature)
 SECTION OFFICER (PE)

7012
 14/7

2021
 14/7/21

ADDED
 13/7
 2 submitt 576
 1519
 14/7/2021

25/7
 13/7/21

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATING DEPARTMENT**

No.So. (PE) 2-2/IPT/Peshawar Mst. Musarrat Naheed PST 2008
Dated Peshawar the 12.07.2021.

To,

The Director
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Subject: **RELIEVING/APPEAL/REPRESENTATION AGAINST NON-ADJUSTMENT
OF MST, MUSAARAT NAHEED PST.**

Dear Sir,

I am directed to refer to your letter No.8980/P.File Musarat Naheed PST dated 18.05.2020 on the subject noted above and to state that the Worthy Secretary has directed that it may be initiated as to what disciplinary action has been taken against the teacher concern for her willful absence during the unauthorized overstayed period of deputation.

It is requested that a detailed report as per directive of Secretary (E&SE) may be furnished to this department for further necessary action.

Yours faithfully

Sd/-
Mian Hussain Din
SECTION OFFICER (PE)

Encl: as above

1. P.S to Secretary, E&SE Department.

Sd/-
SECTION OFFICER (PE)



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

Date of Peshawar: 11/1/2021

The District Education Officer,
Dera Ismail Khan

Subject: RELINQUISHING APPEAL REPRESENTATION - AGGRESSIVE - AND
ADJUSTMENT OF MIST. MUSSARAT SAHRED PST.

I am directed to refer to your letter No. 14476 dated 1/10/2020 on the subject
mentioned above and to enclose herewith a copy of letter No. SO(P-15)2414 Peshawar (MS)
No. 1000 dated 12/27/2021 received from Section Officer (PI) Govt. of
Khyber Pakhtunkhwa E&SE Department and to ask you to submit a comprehensive report
concerning the case to this Directorate for onward submission to the quarter concerned.

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

Page No: _____

The above is forwarded to the:

- 1. Section Officer (Primary) Govt of Khyber Pakhtunkhwa E&SE Department w/r to his letter No. & dated cited above
- 2. PA to Director E&SE KPK Peshawar.

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

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

Dated Peshawar ___/___/2021

To,

The District Education Officer,
(Female) Peshawar

Subject: **RELIEVING/APPEAL/REPRESENTATION AGAINST NON-
ADJUSTMENT OF MST. MUSAARAT NAHEED PST.**

Dear Sir,

I am directed to refer to your letter No.14426 dated 1.10.2020 on the subject cited above and to enclosed herewith a copy of letter No. So (PE)5-2/IPT/Peshawar /Mst. Musarrat Naheed PST/2008 dated 12.07.2021 received from Section Officer (PE) Govt. of Khyber Pakhtunkhwa E&SE Department and to ask, you to submit a comprehensive report comments views to this Directorate for onward submission to the quarter concerned

Sd/-
ASSISTANT DIRECTOR (FEMALE)
E&SE KHYBER PAKHTUNKHWA

Endst. No. _____/

Copy of the above is forwarded to the

1. Section Officer (Primary) Govt. of Khyber Pakhtunkhwa E&SE Department w/r to his letter No. & dated cited above.
2. PA to Director E&SE KPK Peshawar

Sd/-
ASSISTANT DIRECTOR (FEMALE)
E&SE KHYBER PAKHTUNKHWA

To,

The Director (E&S) Education,
Department, Khyber Pakhtunkhwa,
Peshawar.

"J"
-22-

Subject: DEPARTMENTAL APPEAL AGAINST THE INACTION OF THE COMPETENT AUTHORITY FOR NOT ACCEPTING THE ARRIVAL AND NOT POSTING THE APPELLANT AGAINST HER POST.

Respected Sir,

It stated with great respect that the appellant was/ is an employee of the your good-self department and was performing his duty as PTC, in the year 2007 the appellant submitted an application for her transfer through deputation to the province of Punjab, after the issuance of NOC, vide order dated 23.07.2008 the services of the appellant was placed at the disposal of the Govt. of Punjab education directorate.

That in pursuance to the order mentioned above the services of the appellant was placed at the disposal of the Executive District Officer Education Attock vide order dated 4.02.2009 for further adjustment.

That the Executive District Officer Education Attock vide order dated 18.02.2009 adjusted/ posted the appellant at GGE School B-Block Attock City.

That it is important to note that an application was submitted by the appellant before the Chief minister Punjab for extension of deputation period of the appellant for another term.

That the appellant was directed to continue with her duties at district Attock till further order. That vide letter dated 28.01.2014 the appellant was strongly recommended for her permanent transfer/ posting.

That similarly the in the year 2016 the extension of deputation case of the appellant was taken with the worthy chief minister and till 2018 the appellant was allowed to continue at his deputation post in district Attock.


That vide order dated 20.10.2018 the appellant was relived from GGHS Kalu Kalan, District Attock and was directed to report to her parent department.

That in pursuance to the order mentioned above the appellant reported to her parent department and submitted her arrival report, and the case of the appellant was taken up by the district education officer district Peshawar with your good-self office and correspondence were made but the appellant was neither adjusted in the department nor posted on her post and is still without any post.

It is, therefore, most humbly prayed that on acceptance of this departmental appeal the competent authority may please be directed to accept the arrival of the appellant and be post.

Dated: 22.12.2022

YOURS OBEDIENTLY


Mst. Musarat Naheed
PST (BPS-12)

VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL NO: _____ OF 2023

Musavvat Nazeed

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Edu Deptt:

(RESPONDENT)
(DEFENDANT)

I/We Appellant

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. _____ / _____ / 202

Musavvat
CLIENT

ACCEPTED

NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT
(BC-10-0853)
(15401-0705985-5)

KAMRAN KHAN

UMAR FAROOQ MOHMAND

WALEED ADNAN

MUHAMMAD AYUB
ADVOCATES

OFFICE:

Flat No. (TF) 291-292 3rd Floor,
Deans Trade Centre, Peshawar Cantt.
(0311-9314232)