

**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA
SERVICE TRIBUNAL PESHAWAR.**

Service Appeal No: 2021/2022

Shakeela Naz, SST (B/C) GGHS Shodag District Charsadda.....Appellant

VERSUS


Govt: of Khyber Pakhtunkhwa through Secretary E&SE Department Khyber Pakhtunkhwa & others.....Respondents

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6 Authenticity letter ✓

17


Assistant Director (Lit: II)
E&SE Department, Khyber
Pakhtunkhwa, Peshawar.

**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA
SERVICE TRIBUNAL PESHAWAR.**

Service Appeal No: 2021/2022

Shakeela Naz, SST (B/C) GGHS Shodag District Charsadda.....Appellant

VERSUS

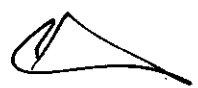
**Govt; of Khyber Pakhtunkhwa through Secretary E&SE Department Khyber
Pakhtunkhwa & others.....Respondents**

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS No: 1-3.

Respectfully Sheweth,

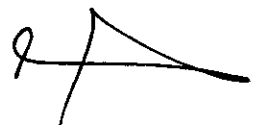
The Respondent submit as under:-

PRELIMINARY OBJECTIONS.

- 1 **That** the Appellant has got no cause of action/locus standi to file the instant appeal before this Honorable Tribunal.
- 2 **That** the appellant is not an aggrieved person within the meaning of Article 212 of the constitution of Islamic Republic of Pakistan.
- 3 **That** the appellant has concealed material facts from this Honorable Tribunal in the titled appeal.
- 4 **That** the Appellant has not come to this Honorable Tribunal with clean hands.
- 5 **That** the appeal in hand is based on mala fide intentions for illegal reinstatement in service against the SST (B/C) post in the Department.
- 6 **That** the appeal is barred by law of limitation. 
- 7 **That** the case is bad for mis-joinder and non-joinder of the necessary parties.
- 8 **That** the Notifications dated 16-08-2021 & 08-06-2022 of the Respondent Department are within legal sphere & liable to be maintained.
- 9 **That** the appellant has been found willful absent~~ce~~ from official duty against the above mentioned post w.e.f. 22-10-2020 as per absence from duty report dated 29-03-2021 of the Respondent No.3 to the Respondent No.2.
- 10 **That** a formal show cause Notice has been served upon the appellant along with observing all the codal formalities prior to the issuances of the Notification dated 16-08-2021 by the Respondent No.2, whereby, the appellant has been removed from the mentioned post after due process of law.

ON FACTS.

- 1 That Para-1 pertains to the service record of the appellant regarding her appointment as SST (B/C) BPs-16 vide Notification dated 30-04-2014 in the Respondent Department. *(Copy of the Notification dated 30-04-2014 is Annexure-A).*
- 2 That Para-2 is incorrect on the grounds that as per absence from duty report under letter No. 2807 dated 07-02-2022 of the Respondent No.3 to the Respondent No.2 that the appellant has been found guilty of willful absence from duty without formal approval & leave sanction order of the competent authority which was resulted in the absence from duty notices upon both in the National Press as well as through the postal address of the appellant by the Respondent Department including the Daily AJJ & Mashriq Peshawar, notice No. 900 dated 17-07-2020, final Show Notice as proposed vide letters dated 29-03-2021, 26-04-2021, 12-12-2021, 30-10-2020 & 04-11-2020 which were not Responded by the appellant without moral & legal grounds, hence, resulted in the show cause notice under rules-7 of E&D Rules 2011 upon the appellant which was not replied by the appellant.
 Therefore, in view of the aforementioned legal procedure, the Respondent No.3 after considering the facts & evidences available on file has been pleased to imposed major penalty of *Removal From Service* under the mandatory provision of Rule-4 (b)(iii) of E&D Rules-2011 w.e.f. 22-10-2020 upon the appellant vide Notification dated 16-08-2021. *(Copies of the letters dated 07-02-2022, 17-07-2020, 29-03-2021, 26-04-2021, 11-11-2021, 31-10-2020, 04-11-2020 are attached as Annex-B, C,D,E, F, G & H)*
- 3 That Para-3 is correct that vide Notification No.4494-95 dated 27-09-2021 upon the absence from duty report by the District Monitoring officer Charsadda, whereby, the minor penalty of one day deduction of pay was also imposed upon the appellant on charges of her willful absence from duty against the said post within the meaning of Rule-3 (d) & Finance Department Notification No.SO(FR)/FD/5-14/2014 dated 16-12-2014. Furthermore, the appellant has also been afforded the chance of her personal hearing on dated 02-08-2021 which was not availed by the appellant & consequently minor penalty of one day deduction under Rule-4 (a) (iii) of E&D Rules-2011 upon the appellant with a copy for information to all concerned including the District Monitoring officer Charsadda. *(Copy of the Notification dated 27-09-2021 is Annexure-I).*
- 4 That Para-4 is correct that the Departmental appeal against the notification dated 16-08-2021 has been rejected by the competent authority vide Notification dated 08-06-2022 on merits of the case by the respondent No.1 which is attached as *Annexure-J*.
- 5 That Para-5 is also incorrect, as the Notification dated 16-08-2021 & 08-06-2021 of the Respondent Department are legally competent, hence, the appeal in hand is liable to be dismissed on the following grounds inter alia:-



ON GROUNDS.


- A. Incorrect & not admitted, on the grounds that the plea of the appellant is illegal the Notification dated 16-08-2021 & 08-06-2021 of the Despondent Department are legally competent.


- B. Incorrect & not admitted. The appellant has been treated as per Law & Rules & prescribed policy & criteria by the Department vide Notification dated 16-08-2021 & 08-06-2021 of the Respondent Department are legally competent which are in accordance with the provision of Artiles-4 & 25 of the constitution of 1973 .
- C. Incorrect & not admitted. The plea of the appellant is illegal & even against the factual position of the case, hence, liable to be rejected in favor of the Department.
- D. Incorrect & not admitted. The appellant been treated as per law & Rules by the Department in the titled case.
- E. Incorrect & not admitted. The plea of the appellant is illegal & even against the factual position of the case, as formal show cause notice, absence from duty notices & publication regarding her absence from duty against the SST post have been served upon the appellant which were not Responded by her without any moral & legal justification.
- F. Incorrect & not admitted. The plea of the appellant is illegal & even against the factual position of the case, hence, liable to be rejected in favor of the Department
- G. Incorrect & not admitted. The appellant has been treated as per Law & Rules & prescribed policy & criteria by the Department vide Notification dated 16-08-2021 & 08-06-2021 of the Despondent Department are legally competent which are in accordance with the provision of Artile-10 of the constitution of 1973.
- H. Incorrect & not admitted as replied above.
- I. Incorrect & not admitted fair chance of her personal hearing has been afforded to the appellant by the department which was not availed by the appellant without any reason.
- J. Incorrect & not admitted, both the cited Notifications of the department are legal.
- K. Incorrect & not admitted. The stand of the appellant is illegal. Therefore, the Respondent also seek leave to this Honorable Tribunal to submit additional grounds record & case law at the time of arguments.



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Therefore, in view of the above made submissions, it is most humbly prayed that on the acceptance of this reply, the appeal in hand may kindly be dismissed in favor of the Respondent Department in the interest of justice.


SECRETARY
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 1)


DIRECTOR
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No: 2 & 3)

AFFIDAVIT

I, Dr. Hayat Khan Assistant Director (Litigation-II) Directorate of E&SE Khyber Pakhtunkhwa Peshawar, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief.


Deponent

ATTESTED

Azmaz Ali Adani
Notary Public
E-Block Complex Peshawar
17-04-2023

**Directorate of Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar**



PH No. 091-9210389, 9210938,
9210437, 9210957, 9210468
Fax 091-9210936
E-mail desekpk@yahoo.com

APPOINTMENT.

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Secondary School Teacher (SST Bio/Chem) School based in BPS-16 (Rs.10000-800-34000) @ Rs. 10000/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge :-

Abbottabad					
S No	Name	Father Name	Address	Score	Place of Posting
1	Saima Bibi	Malik Muhammad Ramzan	Malik Muhammad Ramzan H No 361/9 K-L Makki Moh Khola Kehal St No 03 Atd CNIC No 13101-1019175-8	143.42	GGHS Bandi Matrach
2	Irum Qayum	Abdul Qayum	House No Ms 073 Mohallah Kheil Havelian Village CNIC No 13101-2653655-8	142.19	GGHS Birote
3	Urooj Abbasi	Banaras Khan	Post Office Muslimabad Shaheed District Abbottabad Mohallah Jhambra Muslimabad CNIC No 13101-2904874-8	140.35	GGHS Beeran Gali
4	Imrana Safdar	Muhammad Safdar	House No 171 Abuzar Street Kunj Qadeem Abbottabad CNIC No 13101-9197317-6	138.99	GGHS Bakote
Bannu					
S No	Name	Father Name	Address	Score	School
1	Anila Murad	Murad Ali Khan	Baien Khel Kakki Post Office Kakki Tehsil And District Bannu CNIC No 13101- 3621115-6	137.76	GGHS Fazal Sadiq Mandew
2	Noor Ul Huda	Saeed Khan	H No 98 Sec A Bannu Town Ship Bannu CNIC No 11101- 8999153-0	134.99	GGHSS Ismaili Mama Khel
3	Sania Bibi	Muhammad Ali Khan	Fatima Jinnah Girls Hostel University Of Peshawar CNIC No 11101-4892659-2	131.67	GGHS Ghoriwala
4	Basmina Bibi	Raham Pazeer Khan	Village Kot Adil Tehsil And District Bannu CNIC No 11101-7254023-6	131.64	GGHS Nar Shakurullah
5	Shah Zeb Bibi	Sher Muhammad Khan	Kotka Sher Zaman Opposite Engineering University Campus Dera Ismail Khan Bannu Road CNIC No 11201- 4985633-2	131.48	GGHS Koti Sadat
Batagram					
S No	Name	Father Name	Address	Score	School
1	Bibi Javiria	Abdul Haleem	Bibi Javiria D/O Abdul Haleem C/O Telephone Exchange Ghazikot Township Mansehra CNIC No 13202-7984938-6	121.6	GGHS Banian

F. J. J.
Assistant Director (Litigation)
E&SE Department
Khyber Pakhtunkhwa Peshawar

[Signature]

Appointment Order SST (Bio/Chem) F Adhoc

2	Javaria Shah	Mutahir Shah	Geroli Bazar Post Office Battagram Tehsil And Dsistrict Battagram CNIC No 13202-3272931-6	112.18	GGHS Shamlai
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Bunner

S No	Name	Father Name	Address	Score	School
1	Fatima Bibi	Alim Haidar	C O Bakht Baidar Khan Asst, Public Prosecutor Daggar Distt Courts CNIC No 15101-9290505-6	133.02	GGHS Matwani
2	Nusrat Bakht	Bakht Room Shah	C/O Subedar Major Bakht Room Shah 44 Eme Bn Khyber Road Peshawar CNIC No 15101-3180479-6	129.55	GGHS Kowga
3	Ambreen	Habib Ur Rehman	House No. 1042 Street No. 25 Sector F/9 Phase 6 CNIC No 17301-3323094-4	128.86	GGHS Topai
4	Tabassum Matik	Malik Zada	Mohalla Bakhshah Village Shalbandi Post Office Daggar Tehseel Gagra CNIC No 15101-6828187-2	125.03	GGHS Batanai

Charsadda

1	Durr E Shahwar	Muhammad Afzal Shah	House Number 252 Street Number 01 Sector F 8 Phase 06 Hayatabad Peshawar CNIC No 17301-2687045-8	143.22	GGHS Jammal
2	Hajira Sami	Haji Samiullah	New Grain Market Gur Mandi Al Habib Seed Store Peshawar CNIC No 17301-5101700-8	135.9	GGHS Boobak
3	Shakeela Naz	Noor Muhammad	Moh Noor Abad Biary Village And Post Office Matla Mughphal Khel Tehsil Shabqadar CNIC No 17101-3674039-8	135.78	GGHS Shoodag

D.I.Khan

S.No	Name	Father Name	Address	Score	School
1	Asma Ali	Muhammad Ali	Asim Ali Bhatti Super Store Near Attock Petrol Pump CNIC No 12101-5806589-2	134.34	GGHSS Kulachi
2	Shahana Gul	Sohail Anwar	Care Of H.M. Yaqub Khan Principal (Late) Basti Sheikhan Wali Near Zanana Hospital CNIC No 12101-9924233-2	133.73	GGHS, Kiri Shamoza

Dir Lower

S.No	Name	Father Name	Address	Score	School
1	Afshan Begum	Aziz Muhammad	P/O Malakand Payeen Tehsil Balambat District Lower Dir CNIC No 15306-1680826-6	132.17	GGHS Kohairi
2	Aisha Kanwal	Muhammad Eisa Khan	Irshad Sweet Corporation Raouf Market Shop No 1 Main Bazar Timergara CNIC No 15306-6955939-2	130.16	GGHS Haya Serai
3	Hasiba	Rizwan Ullah	Village And Post Office Koti Gram Tehsil Adenzai Mohallah Farooq Chowk CNIC No 15307-4735027-0	129.89	GGHS Beshgram

Assistant Director (Litigation)
E&SE Department
Khyber Pakhtunkhwa Peshawar

[Handwritten Signature]

Appointment Order SST (Bio/Chem) F Adhoc

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3. Appointment is purely on temporary & contract basis initially for one year wef May 1st, 2014 to April 30th, 2015.
4. She should not be handed over charge if she exceeds 35 years or below 18 years of age. Age relaxation case may be submitted to competent authority.
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO (concerned), any one found producing bogus Certificate will be reported to the law enforcing agencies for further action.
6. His/her services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
7. Pay will not be drawn until and unless a certificate to the effect by DEO (concerned) is issued that his/her certificates are verified
8. He/She should join his post within 10 days of the issuance of this notification. In case of failure to join the post within 10 days of the issuance of this notification, his/her appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. He/she will be governed by such rules and regulations as may be issued from time to time by the Govt.
11. His/her services shall be terminated at any time, in case his performance is found unsatisfactory during his/her contract period. In case of misconduct, he/she shall be preceded under the rules framed from time to time.
12. His/her appointment is made on School based, He/she will have to serve at the place of posting, and His/her service is not transferable to any other station.
13. Before handing over charge once again their document may be checked if they have not the required relevant qualifications they may not be handed over charge.

(Muhammad Rafiq Khattak)

Director
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar.

Endst: No. 2092-99 / File No.2/A-14/SST/Adhoc/Apptt: Dated Peshawar the 30/04/2014.

Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
3. District Education Officers Concerned
4. District Accounts Officer Concerned
5. Official Concerned.
6. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
7. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
8. M/File


Assistant Director (Litigation)
E&SE Department
Khyber Pakhtunkhwa Peshawar


Dy: Director (Estab)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar





DIRECTORATE OF ELEMENARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

NO. 2807 / A-17/PF/Shakeela Naz/Charsadda

Dated Peshawar the 07/02/2022

8

To

The Section Officer (Primary)
Elementary & Secondary Education Department
Govt. of Khyber Pakhtunkhwa, Peshawar.

Subject: - **APPEAL AGAINST THE DECESSION OF HONOURABLE DIRECTOR E&SE**
KPKP PESHAWAR

Dear Sir,

With reference to your letter No. SO (PE) E&SED/5-19/Re-Instatement/2021 dated: 20-10-2021 on the subject cited above and to enclose herewith a letter received from DEO (F) Charsadda vide No.6821 dated 21-01-2022 along with the connected documents in respect of Miss Shakeela Naz SST GGHS Shodag Charsadda the detail report is as under.

That the Miss Shakeela Naz SST-BC GGHS Shodag Charsadda was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 for unauthorized absence.

That the Miss Shakeela Naz SST-BC GGHS Shodag Charsadda remained absent from her duty w.e.f 22-10-2020 as per the report of DEO (F) Charsadda vide her letter No. 19875 dated: 29-03-2021.

That under Rule-7 of the ibid Rules, a show cause was served upon Miss Shakeela Naz SST-BC GGHS Shodag Charsadda.

That the teacher concerned failed to submit reply to the show cause notice and the DEO (F) Charsadda has published Absent Notice in two leading daily newspaper, i.e., Daily Aaj and Daily Mashriq on the behalf of this directorate.

That the after going through the material on record and the report of DEO (F) Charsadda, the Competent Authority has come to the conclusion that charges against Miss Shakeela Naz SST-BC GGHS Shodag Charsadda have been proved.

That the the Competent Authority (Director E&SE Khyber Pakhtunkhwa) has imposed the major penalty of "**Removal from service**" upon Miss Shakeela Naz SST-BC GGHS Shodag Charsadda, as specified in Rule-4 (b) (iii) of the above-mentioned Rules with effect from 22-10-2020.

Hence the report is submitted for perusal and further necessary action please

[Handwritten Signature]
Assistant Director (Litigation)
E&SE Department
Khyber Pakhtunkhwa Peshawar

2808

[Handwritten Signature]
Assistant Director Establishment (F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Copy forwarded for information to the:-

1. District Education Officer (Female) Charsadda w.r to her letters No. & dated cited above.
2. PA to Director E&SE Local office.

[Handwritten Signature]
Assistant Director Establishment (F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

oh

[Handwritten Signature]



Registered
DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

9

NO. 100 A-17 PE Nadra Sarsa E&SE Charsadda
Local Post No. 17-7 2020

To
The District Education Officer
(Female) Charsadda

Handwritten notes:
Subject
17-7

SUBJECT:- NOTICE.
Memo:-

I am directed to refer to your letter No. 3657 dated 03.02.2020 on the subject cited above and to ask you to publish absent notice in respect of Mst Nadia Saeed DB Saeed Jam SST (Math/Phy) GGHS Shoodag Charsadda in two newspapers on behalf of the Director E&SE and submit report accordingly.

Handwritten signature
Deputy Director Establishment (F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Handwritten signature
13/2/20

Copy forwarded for information to the:-

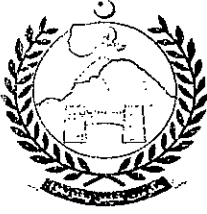
- 1. PA to Director E&SE Local Office.

Handwritten notes:
Noted
24/2/20

Handwritten signature
Deputy Director Establishment (F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Handwritten signature
Assistant Director (Litigation)
E&SE Department
Khyber Pakhtunkhwa Peshawar

DA
2/2



10

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

(Office Phone #0919220486)

Email: emischarsadd.deof@yahoo.com

No. 19875 /Dated 29 / 3 .2021

To,


The Director ✓
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.

Subject;- **FINAL SHOW CAUSE NOTICE.**

Memo;-

Reference to report of Head Mistress GGHS Shodag on the subject cited above and to submit that Miss Shakeela Naz SST (BIO-Chem) remained absent from duty with effect from 22/10/2020 up to till date despite issuing of several notices and Final notice published in daily Mashriq on 27/03/2021 (copy attached) but neither she submitted reply nor reported for duty till date.

You are therefore requested to serve final show cause notice upon her being competent authority and proceed under the rules please


DISTRICT EDUCATION OFFICER
M/S (FEMALE) CHARSADE

Endst;No. _____ dated ____ / ____ /2021.


Copy for information to the;-

1. PA to Sectary E&SE KPK Peshawar.
2. Deputy Commissioner Charsadda.
3. Principal/HM Concerned.
4. Official Concerned.
5. Office File.

1339
30/3

Fahad

DISTRICT EDUCATION OFFICER
(FEMALE) CHARSADE


Assistant Director (Litigation)
E&SE Department
Khyber Pakhtunkhwa Peshawar



DIRECTORATE OF ELEMENARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

NO 6413 /A-17/PF/Shakeela Naz/Charsadda

Dated Peshawar the 26-4 2021

11

To

The District Education Officer,
(Female) Charsadda

SUBJECT:- FINAL SHOW CAUSE NOTICE.

Memo:-

I am directed to refer to your letter No.19875 Dated 29-03-2021 on the subject cited above and to ask to provide detail report along with relevant documents, in respect of Mst. Shakeela Naz, SST, (B/C) to this office, to proceed further into the matter.

e/c
Assistant Director Establishment (F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

6/4/21

Copy forwarded for information to the:-

1 PA to Director E&SE Local Office.

e/c
Assistant Director Establishment (F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

6/4/21

Y. P. Dani
Assistant Director (Litigation)
E&SE Department
Khyber Pakhtunkhwa Peshawar



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

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41

NO. 8560 /A-17/PF/Shakeela Naz/Charsadda

Dated Peshawar the 11 / 11 /2021

To

The District Education Officer
(Female) Charsadda

SUBJECT:- APPEAL AGAINST THE DECISION OF HONOURABLE DIRECTOR E&SE
KHYBER PAKHTUNKHWA

Memo:-

I am directed to refer to the subject cited above and to enclose herewith a copy of Section Officer (Primary) letter No. SO (PE) E&SED/5-19/Re-instatement/2021 dated: 20-10-2021 in respect of Mst. Shakeela Naz, SST, Shodag Charsadda and to ask you to submit detail report to this office to proceed further into the matter.

8561
11/11/21
Deputy Director Establishment (F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Copy forwarded for information to the:-

1. So (PE) E&ES Department w/r to his letter No. & date cited above.
2. PA to Director E&SE Local office.

h
Deputy Director Establishment (F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

11/11/21
Assistant Director (Litigation)
E&SE Department
Khyber Pakhtunkhwa Peshawar

7

13
Head Mistress
D.O.H.T. T. T. T.

Handwritten title in Urdu script.

- 1- تم 23-10-2020 کو اپنے اطلاع کے تحت اس کے لئے درخواست
- 2- جس میں اطلاع دی گئی ہے کہ اس کے لئے درخواست
- اور اس کے لئے درخواست کے لئے درخواست

Handwritten signature and text.

31-10-2020

Head Mistress
G.G.H.S Shodag
Charsadda

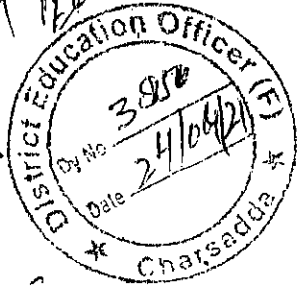
Assistant Director (Litigation)
E&SE Department
Khyber Pakhtunkhwa Peshawar

(8)

(14)
(A)

(B)

(B to ch) ...



کفین ...

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4-11-2020

Assistant Director (Litigation)
E&SE Department
Khyber Pakhtunkhwa Peshawar

Head ...
G.H.S Shorada
Charsadda

15-02-2021 252 37



Government of Khyber Pakhtunkhwa
Directorate of Elementary & Secondary Education

File No: _____
Dated: 27/09/2021

Notification

1. Whereas, (SHAKEELA NAZ, SST (Bio-Che), GGHS SHODAG(EmisCode:35151)) TANGI CHARSADEA was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 for the charges of willful absence from duty.
2. And whereas, a show cause notice was served upon you vide No. 918-14 dated 22-02-2021 for willful absence from within the meaning of Rule-3 (d) and the Finance Department Notification No. So (FR)/FD/5-14/2014 dated 16-12-2014.
3. And whereas, the Competent Authority after having considered the charges, evidence on record, his/her explanation dated 27-09-2021 and the personal hearing granted to him/her vide No. _____ dated _____ is of the view that the charges mentioned in the show cause have been proved against (SHAKEELA NAZ, SST (Bio-Che), GGHS SHODAG(EmisCode:35151)).
4. Now, therefore, in exercise of the powers conferred under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 the Competent Authority is pleased to impose the penalty of one-day salary deduction upon (SHAKEELA NAZ, SST (Bio-Che), GGHS SHODAG(EmisCode:35151)) in accordance with Rule-4 (a) (iii) of the ibid rules and absent period is converted into leave without pay with immediate effect.

Note: Necessary entries may be made in his/her service book.

4494-95

Director (E&SE)
Khyber Pakhtunkhwa

Endst: Even No. & Date

11/10/2021

Copy of the above is forwarded to the: -

- i. Principal/Headmaster/Headmistress/DDEO/SDEO concerned for necessary action under intimation to this office within 7 days.
- ii. SHAKEELA NAZ, SST (Bio-Che), GGHS SHODAG(EmisCode:35151), SHODAG, TANGI, CHARSADEA
- iii. Master File

Director (E&SE)

By do.charsadda.Female - Warning Letter

Assistant Director (Litigation)
E&SE Department
Khyber Pakhtunkhwa Peshawar



(16)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar

Dated Peshawar the June 8, 2022

NOTIFICATION

No. SO(PE)5-19/Mst. Shakeela Naz/SST/Charsadda:

WHEREAS, Mst. Shakeela

Naz was initially appointed as SST (Sc) in this department vide order bearing Endst: No. 2092-99-File No. 2/14/SST/Adhoc/Appoint, dated 30-04-2014.

2. **AND WHEREAS,** Mst. Shakeela Naz, SST-BC, GGHS Shodag Charsadda was proceeded against under the Khyber Pakhtunkhwa Govt. Servant (E&D) Rules, 2011 for unauthorized absence from duty w.e.f. 22-10-2020 as per report of DEO (F) Charsadda vide letter No. 19875. dated 29-03-2021.

3. **AND WHEREAS.** show cause notice was served upon her under Rule-7 of the rules ibid.

4. **AND WHEREAS.** she failed to submit reply to the show cause notice and the DEO (F) Charsadda published absence notice in two leading daily newspapers i.e. Daily Aaj and Daily Mashriq on behalf of Directorate of E&SE.

5. **AND WHEREAS,** going through the material on record and the report of DEO (F). Charsadda. the Competent Authority come to the conclusion that charges against her have been proved.

6. **AND WHEREAS,** the Director E&SE has imposed major penalty of "**Removal from service**" upon her w.e.f. 22-10-2020.

7. **AND WHEREAS,** the teacher was heard in person. She could not justify her plea with any solid documentary evidence/ proof.

8. **NOW, THEREFORE.** in exercise of the powers conferred *under Rule 17 (2)(a) of Efficiency & Discipline Rules, 2011.* the Appellate Authority (Secretary E&SE) is pleased to "**Uphold the order of penalty and reject the appeal or review petition**" and keep intact the Directorate of E&SE Notification No. 141-44/A-17/PF/Shakeela Naz/Charsadda, dated 16-08-2021.

13/6/22

SECRETARY
ELEMENTARY & SECONDARY EDUCATION

Endst: No & date even:

Copy forwarded to:

1. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
2. The District Education Officer (F). Charsadda.
3. The District Accounts Officer, Charsadda.
4. The PS to Secretary, E&SED Khyber Pakhtunkhwa.
5. The PA to Additional Secretary (Estab).E&SED. Khyber Pakhtunkhwa.
6. The PA to Additional Secretary (General),E&SED. Khyber Pakhtunkhwa.
7. The PA to Deputy Secretary (A/B)/ E&SED. Khyber Pakhtunkhwa.
8. Mst. Shakeela Naz, SST-BC, GGHS Shodag Charsadda.
9. Concerned File.
10. Master File.

DD-I

ADDE (P)

Fahad

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(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY)

13/6/22



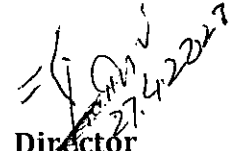
(17)

**DIRECTORATE ELEMENTARY & SECONDARY
EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR.**

AUTHORITY LETTER

I Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar do hereby authorize Mr. MI. Tufail Assistant (Litigation) of this Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar to attend the Khyber Pakhtunkhwa Service Tribunal in connection with filing of para wise comments in Service Appeal No. 2021/2022 Titled Shakeela NAZ VS Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department.

Dated 27/4/2023


Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.