


27.04.2023

Junior to counsel for appellant present.

Fazal Shah Mohmand, learned Additional Advocate General  
for respondents present.

**SCANNED**  
**KPST**  
**Peshawar**

Learned Member Executive (Mr. Muhammad Akbar Khan) is  
on leave, therefore, case is adjourned. To come up for arguments  
on 26.06.2023 before D.B. Parcha Peshi given to the parties.



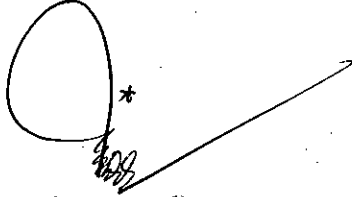
(Rozina Rehman)  
Member (J)

\*Mutazem Shah\*

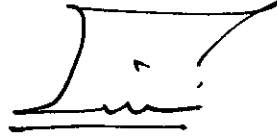
03.11.2022

Learned counsel for the appellant present. Mr. Ihsan Ullah alongwith Mr. Muhammad Jan, Deputy District Attorney for the respondents present.

Partial arguments heard. To come up for remaining arguments before the D.B on 28.11.2022



(Main Muhammad)  
Member (J)



(Salah-ud-Din)  
Member (E)

SCANNED  
KPST  
Peshawar

28-11-22

Deleted from list to come up  
for the same on 6-2-23




06.02.2023

Clerk of learned counsel for the appellant present. Mr. Azam Uzair Khan, Addl. AG for the respondents present.

The appeal was partially heard on 03.11.2022 by the Bench comprising of Mr. Salah-ud-Din, learned Member (J) and Mr. Mian Muhammad, learned Member (E). This appeal be fixed before the D.B of which Mr. Salah-ud-Din, learned Member (J) is Member. To come up for arguments on 27.04.2023 before the D.B.

SCANNED  
KPST  
Peshawar



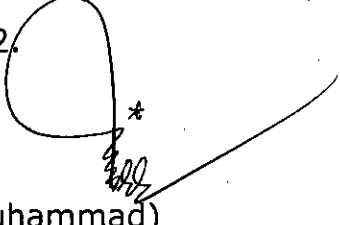
(FAREEHA PAUL)  
Member (E)




(ROZINA REHMAN)  
Member (J)

29.10.2021

Qaisar Dawood (brother of the appellant) present. Mr. Muhammad Saleem, Section Officer alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present and submitted reply/comments, which is placed on file. Brother of the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for arguments before the D.B on 28.02.2022.

  
(Mian Muhammad)  
Member (E)

  
(Salah-Ud-Din)  
Member (J)

28.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 03.06.2022 for the same as before.

  
Reader

03.06.2022

Bench is incomplete, therefore, case is adjourned to 11.08.2022 for the same as before.

  
Reader.

11.8.2022

Proper DB not available the case is adjourned to 3-11-2022

  
Reader

26.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 17.06.2021 for the same as before.


  
**Reader**

17.06.2021

Junior to counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG for respondents present.

Learned AAG seeks time to submit reply/comments. He is required to contact the respondents for submission of written reply/comments in office within 10 days, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 29.10.2021 before the D.B.

*Stipulated period has passed and reply has not been issued.*

  
Chairman

P.S

01.07.2021

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

  
Chairman

*ds*

27.01.2021

Mr. Muhammad Amin Ayub, Advocate, for appellant is present.

Being inducted into service as a Subject Specialist in Math in BPS-17 pursuant to recommendation of the Khyber Pakhtunkhwa Public Service Commission, appellant rendered her duties with utmost devotion and dedication. Her husband was holding post of LDC in the National Institute of Electronic Ministry of Science and Technology Government of Pakistan Islamabad, necessitating movement of transfer application from the province of Khyber Pakhtunkhwa to Federal Government under the spouse policy wherein no objection was raised on the part of the department concerned. An application was also moved by the husband of appellant requesting Director General Federal Government Education Department to adjust appellant as a subject specialist in BPS-17 in any school/college falling within the ambit of Islamabad, Federal Education Directorate on the basis of deputation. A request was also forwarded by the appellant for her permanent transfer to Federal Government and the competent authority held that the matter would be considered in the light of relevant rules on which she was asked to furnish NOC from her parent department. Appellant request was acquiesced and her transfer on deputation basis was allowed initially for a period of three years. Later on, extension in the period of deputation was allowed. Appellant consequently applied for her permanent absorption in the Federal Directorate of Education, Islamabad, appellant while performing her duties at Islamabad was handed over the impugned order dated 20.02.2015 which transpired that appellant has been removed from service on the allegation of willful and unauthorized absence from duty with effect from 16.03.2011, appellant was under an impression that she was going to be absorbed permanently in the Federal Government and she challenged the impugned order dated 20.02.2015 purportedly communicated on 16.10.2018 by way of departmental appeal but without any fruitful result hence, the present service appeal.

The point so agitated at the bar needs consideration. The appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 26.04.2021 before S.B. Notice of application be also issued to the respondents for the date fixed.

Appellant Deposited  
Security & Process Fee

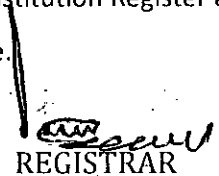

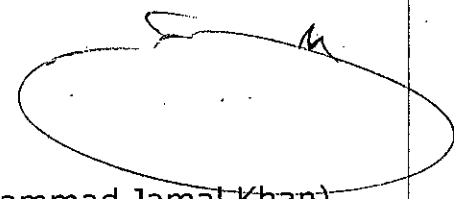
(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 11405 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/09/2020	<p>The appeal of Mst. Hafiza Rukhsana Farrukh presented today by Mr. Khaled Rehman Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>13/11/2020</u></p> <p> CHAIRMAN</p>
13.11.2020		<p>Nemo for the appellant.</p> <p>Since the Members of the High Court as well as of the District Bar Associations, Peshawar, are observing strike today, therefore, learned counsel for appellant is not available today. Adjourned to 27.01.2021 on which date to come up for preliminary hearing before S.B.</p> <p> (Muhammad Jamal Khan) Member (Judicial)</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. \_\_\_\_\_/2020

Hafiza Rukhsana Farrukh..... Appellant

Versus

The Govt. of KPK and others..... Respondents

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4.	Letter in response to application ibid	19.05.2004	C	12
5.	Representation		D	13
6.	Letter to DG Federal Government Education, Islamabad regarding permanent absorption of appellant in Federal Government		E	14-15
7.	Letter to Provincial Government for NOC of appellant	02.11.2005	F	16
8.	Notification of transfer of appellant on deputation basis for a period of three years	09.01.2006	G	17
9.	Letter of Federal Directorate of Education to the parent Department of appellant regarding her appointment on deputation basis	17.02.2006	H	18
10.	Notification whereby appellant was relieved to join her new assignment	13.03.2006	I	19
11.	Notification permitting the appellant to assume charge against the vacant post of Deputy Head Mistress at F.G. Girls Secondary School, Kurree (FA) Islamabad, w.e.f 20.03.2006	12.04.2006	J	20
12.	Request/application of appellant to the Director Federal Directorate of Education Islamabad for extension of deputation period to five years		K	21
13.	Letter thereby appellant was directed to obtain NOC from Parent Department	02.12.2008	L	22
14.	Notification regarding approval of further extension in deputation period	2.11.2009	M	23-24
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S.No.	Description of Documents	Date	Annexure	Pages
	absorption in the Federal Directorate of Education, Islamabad and extension in deputation period			
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Through

Appellant

Khaled Rahman  
Advocate,  
Supreme Court of Pakistan

&

Muhammad Amin Ayub  
Advocate, High Court

4-B, Haroon Mansion  
Khyber Bazar, Peshawar  
Off: Tel: 091-2592458  
Cell # 0345-9337312

Dated: 28/09/2020



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. \_\_\_\_\_/2020

**Hafiza Rukhsana Farrukh**  
 Ex-Subject Specialist (Maths) (BPS-17),  
 Elementary & Secondary Education Department  
 Khyber Pakhtunkhwa  
 lastly on deputation to Federal Government.....Appellant

Versus

1. **The Govt. of Khyber Pakhtunkhwa**  
 through Chief Secretary,  
 Civil Secretariat, Peshawar.
2. **The Secretary,**  
 Govt. of Khyber Pakhtunkhwa,  
 Elementary & Secondary Education Department,  
 Civil Secretariat, Peshawar.
3. **The Secretary,**  
 Govt. of Khyber Pakhtunkhwa,  
 Establishment Department,  
 Civil Secretariat, Peshawar.....Respondents

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SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED ORIGINAL ORDER DATED 20.02.2015 OF RESPONDENT NO.1 COMMUNICATED ON 16.10.2018 WHEREBY APPELLANT WAS REMOVED FROM SERVICE AGAINST WHICH SHE PREFERRED DEPARTMENTAL APPEAL ON 25.10.2018 BUT THE SAME WAS UNLAWFULLY REGRETTEED AND COMMUNICATED VIDE IMPUGNED APPELLATE ORDER DATED 10.09.2020.

---

**PRAYER:**

On acceptance of the instant appeal, both the impugned orders may kindly be set aside by reinstating the appellant into service, she may be allowed to rejoin her parent Department as Subject Specialist Maths (BPS-17) with all back benefits.

Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

---

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. That appellant hails from a respectable religious family of the locality. Appellant having excellent academic record and is Gold Medalist in M.Sc. Mathematics with B.Ed and Hafiz-e-Quran as well. Appellant being a citizen of the Country having all rights and privileges enshrined in the Constitution of Islamic Republic of Pakistan, 1973.
2. That appellant was initially appointed as Subject Specialist Mathematics (BPS-17) in the Respondent/Department on recommendations of the Khyber Pakhtunkhwa Public Service Commission on 31.07.1999. It would not be out of place to aver here that appellant from the very inception of her service has never been proceeded against departmentally nor was subjected to even any minor punishment which is the undeniable proof of unblemished service record of the appellant.
3. That since the husband of the appellant was discharging his duties against the Post of LDC in the National Institute of Electronics Ministry of Sciences & Technology Government of Pakistan, Islamabad right from the year 1995 as is evident from the Service Certificate dated 18.05.2004 (Annex:-A), therefore, appellant moved a transfer application (Annex:-B) for inter-Provincial transfer from the Khyber Pakhtunkhwa to Federal Government under the Spouse Policy inas much as both the spouses were facing great socio-economic problems and hardships which was also affecting their performance of duties.
4. That the application ibid, was duly replied on 19.05.2004 (Annex:-C) wherein the Respondent/Department maintained that they would have no objection on the transfer of the appellant from the Khyber Pakhtunkhwa to Federal Government, Islamabad. The husband of the appellant also

transmitted a Representation (*Annex:-D*) through proper channel by requesting the Director General, Federal Government Education Department to adjust appellant as a Subject Specialist (BPS-17) in any School/College under Islamabad Federal Education Directorate on permanent transfer/deputation basis.

5. That later on, appellant moved a request for her permanent transfer to the Federal Government pursuant to the same the Director General Federal Government Education, Islamabad and it was held (*Annex:-E*) that the matter would be considered in light of the relevant rules. In response to the request of appellant for permanent transfer/deputation to the Federal Government, appellant vide letter dated 02.11.2005 was asked to furnish NOC (*Annex:-F*) from her Parent Department regarding her transfer on deputation which she procured and produced.
6. That eventually the Respondent No.2 in consultation with the Establishment Department accorded the transfer of the appellant on deputation basis initially for a period of three years as is evident from the Notification dated 09.01.2006 (*Annex:-G*). The Federal Directorate of Education vide letter dated 17.02.2006 (*Annex:-H*) intimated the Parent Department of the appellant regarding her appointment on deputation basis and by virtue of Notification dated 13.03.2006 (*Annex:-I*) she was relieved to join her new assignment.
7. That vide Notification dated 12.04.2006 (*Annex:-J*) appellant was permitted to assume the charge against the vacant post of Deputy Head Mistress at F.G. Girls Secondary School, Kurree (FA) Islamabad, w.e.f 20.03.2006, where she commenced performing her duties to the entire satisfaction of the high-ups. During that period no complaint was lodged against the appellant.
8. That after completion of three years deputation period appellant made a request (*Annex:-K*) to the Director Federal Directorate of Education Islamabad, for extension of deputation period to five years which was considered and appellant was directed to obtain NOC from Parent

Department vide letter dated 02.12.2008 (*Annex:-L*) for which she applied and her application was conceded to w.e.f 17.03.2009 to 16.03.2011 as is evident from the Notification dated 2.11.2009 (*Annex:-M*).

9. That appellant while discharging her duties against the said post made a request/representation (*Annex:-N*) for her regularization/permanent absorption in the Federal Directorate of Education, Islamabad and extension in deputation period. In response, the borrowing Department showed its willingness and asked the appellant to procure NOC from the Parent Department vide letter dated 04.03.2011 (*Annex:-O*).
10. That it is pertinent to add here that the Government of Pakistan Ministry of Capital Administration & Development moved a Summary (*Annex:-P*) to the Prime Minister of Pakistan regarding abruption of staff under Federal Directorate of Education, Islamabad working on deputation basis. Pursuant to which the Borrowing Department vide letter dated 12.09.2013 (*Annex:-Q*) requested the Parent Department of the appellant for NOC for her permanent absorption in the Federal Government. The appellant also moved a written request (*Annex:-R*) to the Parent Department for NOC for permanent absorption.
11. That while correspondence between the two Departments continued when vide Notification dated 22.09.2014 (*Annex:-S*) appellant was transferred from IMSEG (I-X), Kuri against the vacant post of DHM at IMSEG (IV-X), I-X/IV where she assumed the charge of newly created post and started performing duties and received salaries from time to time vide Salary Slip (*Annex:-T*).
12. That appellant while performing her duties at Islamabad when on 16.10.2018 she was provided the impugned order dated 20.02.2015 (*Annex:-U*) whereby the appellant was shocked to know that she was removed from service under the false pretext of willful and unauthorized absence from duty w.e.f. 16.03.2011. Neither the order was earlier communicated to the appellant nor was she ever served with any kind of Notice whereas the appellant was confident that she was going to be

permanently absorbed in the Federal Government. On communication of such order, the Federal Government also stopped the salary of appellant.

13. That the appellant being highly aggrieved challenged the original order dated 20.02.2015 communicated on 16.10.2018 through Departmental Appeal (*Annex;-V*) before the appellate authority wherein all the facts were duly mentioned. Appellant waited for the decision of the Departmental Appeal and also repeatedly traversed the offices of Respondents, however, no positive result came out. She was verbally told that her appeal had been regretted but no written order was provided to her. Appellant then finally filed an application for providing the decision on her Departmental Appeal upon which vide letter dated 10.09.2020 (*Annex;-W*) she was informed that the appeal has been regretted.
14. That appellant, being morally aggrieved of the impugned orders, having no other adequate and efficacious remedy, files this appeal inter-alia on the following grounds:-

**Grounds:**

- A. That Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully issued the impugned orders, which are unjust, unfair and hence not sustainable in the eye of law.
- B. That the appellant has neither been absent from duty nor the so called absence is willful or intentional. The admitted position is that the appellant was at the disposal of the Federal and was regularly performing her duties over there and she was in the receipt of salaries, therefore, the charge of absence is totally false and fabricated.
- C. That since the appellant was not yet relieved by the Federal Government being a borrowing Department and has initiated the process of permanent of absorption of the appellant by requesting the lending Department, therefore, no question of the absence of the appellant could arise. The misfortune aspect of the case is that the Provincial Government neither

refused the permanent absorption of the appellant by clearly informing the Federal Government about such refusal nor it has requested the Federal Government to relieve the appellant from service to join the Provincial service. In absence of the relieving by the Federal Government from service the appellant was unable to join the Provincial service. Thus it was the lapses on the part of the Provincial Government which caused the entire mess and finally shown the appellant the doors in highly arbitrary manner. Thus the charge is misplaced, ill-founded and thus not sustainable.

D. That as per Section-16 of Khyber Pakhtunkhwa Civil Servants Act, 1973 a delinquent civil servant is to be treated as per prescribed procedure. The prescribed procedure has been embodied in Rule-5 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 therein a proper mechanism has been provided to proceed against civil servant, therefore, appellant has not been treated as per prescribed procedure, hence the impugned orders are null and void and liable to be struck down.

E. That under Rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, a procedure has been provided in case of willful absence which provides that 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 acknowledgment of his home address directing him/her to resume duty within 15 days of issuance of the Notice. If the same is received back as undelivered or no response is received from the absence within stipulated time, a Notice shall be published in at least two leading Newspapers. The impugned original order dated 20.02.2015 would reveal that the requirement of Rule ibid has not been complied with as such the absence Notice was published in daily AAJ, Peshawar dated 26.09.2014 and Daily Mashriq, Peshawar. In spite of the fact that at that time appellant was discharging her duties at Islamabad. An identical question of law came for consideration before this Hon'ble Tribunal in Service Appeal No.34/2015 which was adjudicated on 14.01.2019 (Annex:-X) wherein the referred appellant had been removed from service on the ground of absence from duty on 06.06.2014. The operative part of the Judgment is reproduced hereinbelow for ready reference:-

“6. *Though the Respondent/Department has annexed sufficient material with their written reply/comments to establish that appellant remained absent from duty, however, the fact remains that the appellant was transferred from GGPS Taloos to GGPS Donda vide order dated 31.10.2013 but on the other hand in the Show Cause Notice dated 04.12.2013, absence Notices through publication in Newspapers and in the impugned order the appellant has been shown posted as PST GGPS Taloos. This Tribunal is therefore, constrained to strike down the impugned original order dated 06.06.2014.*

7. *In light of the above, the original impugned order dated 06.06.2014 is set aside, the appellant is reinstated in service with all back benefits.”*

Since the question of law has already been settled down by this Hon'ble Tribunal, therefore, appellant is also to be treated at par with the appellant of the referred appeal as the Hon'ble Apex Court has held in 2009 SCMR 1.

F. That neither regular inquiry was conducted into the case nor any documentary or oral evidence was recorded in presence of the appellant nor was she provided opportunity of personal hearing. The entire action was taken at the back of the appellant and thus she was condemned unheard. It is a settled law that where a major penalty is to be imposed then regular inquiry is necessary which has not been done in the case in hand. Even the Fact Finding Inquiry into the matter has not been conducted by the Department, therefore, the impugned orders are classic example of violation of law.

G. That under Article-10A of the Constitution of the Islamic Republic of Pakistan, 1973 provides the right of fair trial for the determination of every civil rights and obligation or in any criminal charges against a person shall be entitled to a fair trial and due process. Even the Charge Sheet and Statement of Allegations and Show Cause Notice have not been issued by the Respondent No.2. It is pertinent to mention here that in case of Rule-7 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 wherein regular inquiry is dispensed with but in this case too it is binding upon the Inquiry Officer or Inquiry Committee, as the case may be, to inform the accused by an order in writing of the grounds for

proceedings against him, clearly specifying the charges therein, alongwith appointment of responsibility and chance of personal hearing, therefore, the Respondent No.2 has outright deviated from settled procedure and appellant was subjected to major punishment of removal from service, thus the impugned orders are not sustainable in the eye of law.

- H. That it is a settled legal principle that where major penalty is proposed then only a regular enquiry is to be conducted wherein the accused must be associated with all stages of the enquiry including the collecting of oral and documentary evidence in his presence and he must be confronted to the same and must be afforded an opportunity of cross-examining the witnesses. Thus the impugned orders are nullity in the eye of law and hence liable to be set aside.
- I. That as per Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 read with Rule-3 of the Khyber Pakhtunkhwa Civil Servants (Appeal), Rules-1986 limitation shall start from the date of communication of the impugned order. Rule-5(2) of the Appeal Rules-1986 *ibid*, also indicates that it is the duty of the competent authority against whose order an appeal is preferred under these Rules shall give effect to any order made by the appellate authority and shall cause the order so passed to be communicated to the appellant without undue delay, therefore, Respondent/Department has not only discarded the prescribed procedure for departmental proceedings but has also deviated from the provisions of Appeal Rules-1986 *ibid*, thus the whole proceedings are not sustainable.
- J. That as has already been enunciated hereinabove that the appellant performed his duties to the entire satisfaction of the high-ups in borrowing Department as well as Parent Department wherein she was never proceeded against departmentally and has rendered more than 21 years unblemished service.
- K. That appellant would like to offer some other grounds during the course of arguments.


It is, therefore, humbly prayed that the instant appeal may graciously be accepted as prayed for above.




Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Through

  
Appellant

  
Khaled Rahman,  
Advocate,  
Supreme Court of Pakistan

&

  
Muhammad Amin Ayub  
Advocate, High Court

Dated: 27 /09/2020



**National Institute of Electronics**  
Ministry of Science & Technology  
Government of Pakistan



No. NIE-300(13)/97-Pers(Crft)

Dated: 18.05.2004

Subject: SERVICE CERTIFICATE.

It is certified that Mr. Muhammad Asif S/o Mr. Amanullah Khan has been working in this Institute since 24.07.1995.

This certificate is being issued to him at his own request required in connection with transfer of his wife to Islamabad.

*18.5.2004*  
(MAQBOOL H. MINHAS)  
Deputy Director Personnel

**ATTESTED**

Annex B

-11  
B (2) 3

TRANSFER APPLICATION PROFORMA.

(Mean for transfer of EPS.NO.17 and above Officer)

- 1- Name, Designation & Institution, Office. RUKHSANA FURUKH S.S. G.H.S.S. S.K. Bala, Bannu.
- 2- Qualification of the applicant, M?So B.Ed
- 3- Regular B.P.S. BPS.NO. 17
- 4- Emiciple District. Dera Ismail Khan
- 5- If S.S. state subject in which Selected. Mathematic.
- 6- Date of Taking over against the present Post. 09-08-1999
- 7- Mode/Reason of Posting against the present post i.e. by promotion/own request/under complaint. Direct Selection.
- 8- Post/Stations held during last five years. G.H.S.S. Lakki Marwat (2) G.H.S.S. S.K. Bala Bannu.
- 9- Institution where wants to be posted/Transferred. Islamabad.
- 10- Grade of Post with EPS? of the Institution at Sr.NO. 9. EPS.NO. 17
- 11- Whether the post is vacant or otherwise.
- 12- Reason for transfer/Posting applied for. My Husband is serving in Islamabad

*[Signature]*  
Subject Specialist  
G.G.H.S.S S, K, Bala Bannu

Certified that the above information/Particulars are correct, Any Remarks/comments of the Head of Institution/District Education Officer concerned.

*[Signature]*  
Annex

*[Signature]*  
Signature of the Head of the Govt. Girls Higher Secondary School Sikandar Khel Bala, Bannu.

*[Signature]*  
Signature of the District Education Officer with Seal. (F.I.L.C) Literacy & Schools Bannu

*[Signature]*  
**ATTESTED**

*[Signature]*  
EXECUTIVE DIST OFFICER  
Schools & Lt. Genru

B

- 13

Annex C

Refd

(15)

(9)

✓

NO: 13076 /DO(E/S) NOC Dated: 19/5 2004.

From: The Executive District Officer  
Schools & Literacy Bannu.

To: The Director Schools  
& Literacy NWFP, Peshawar.

Subject: APPLICATION FOR INTER PROVINCIAL TRANSFER FROM  
NWFP TO FEDERAL GOVT: IN R/O RUKHSANA FARUKH SS  
Memo: C.G.H.S.S., S.K. BALA BANNU.

The enclosed application form in R/O the above named officer for Inter Provincial transfer from NWFP, to Federal Govt: Islamabad along with the following documents in duplicate are submitted herewith for favour of further necessary action.

The undersigned will have No Objection on the transfer of the aforesaid Officer from NWFP, to Federal Govt: Islamabad:-

1. Application for transfer to Federal Govt: on the prescribed form.
2. Undertaking regarding not claiming TA/DA & Transfer grant.
3. Undertaking regarding not claiming seniority.
4. Remarks of the Distt: Accounts Officer Bannu regarding Pension Liability Certificate.
5. Non Involvement Certificate.
6. Domicile Certificate of the Officer concerned.
7. Domicile Certificate of her Husband.
8. Nikah Nama.
9. Service Certificate of her Husband.
10. Academic & Profesional Certificates/Degree.

NOC

*[Signature]*  
Executive District Officer (E)  
Schools & Literacy Bannu.

Endst NO: \_\_\_\_\_

Copy forwarded to :-  
1- The Principal GCHSS, S.K Bala Bannu w/r to her No. 1136 dated: 4-5-2004 for information please.

ATTESTED

District Officer (E)  
Schools Bannu.

To

The Director General ✓  
Federal Government Education  
Islamabad

713

(20)

(4)

Area "D"

Through PROPER CHANNEL.

Subject: REQUEST FOR PERMANENT TRANSFER/DEPUTATION OF SPOUSE UNDER DIRECTORATE OF FEDERAL GOVERNMENT EDUCATION ISLAMABAD.

Dear Sir,

Most respectfully and humbly it is stated that I am a Government Servant, serving in the National Institute of Electronics under Ministry of Science and Technological Research as LDC since 24.07.1995.

My wife Mrs. Rukhsana Furukh is serving as Subject Specialist Mathematics in B-17 in Government Girls Higher Secondary School Sikandar Khel Bala Bannu (NWFP) Education Department. She is M.Sc Mathematics (Gold Medallist).

Due to posting at different stations of duty (i.e husband at Islamabad and wife at Bannu), we are facing great socio-economic problems and hardships, which is also affecting our performance with regard to excellent discharge of our duties.

The Government of Pakistan have issued instructions to solve the socio-economic problems and hardships faced by working husbands and wives due to posting at different stations of duty vide Establishment Division O.M No. 10/30/97 R.II dated 13.05.1998.

I therefore, request your kind honour to kindly adjust my wife Mrs. Rukhsana Furukh Subject Specialist Mathematics in B-17 in any School/Collage under Islamabad Federal Education Directorate Islamabad on Permanent Transfer/Deputation basis in light of above mentioned Government instructions.

My Service Certificate and that of my wife is also attached.

Thanking you in anticipation.

Yours obedient

(MUHAMMAD ASIF)  
LDC

National Institute of Electronics  
Plot No. 17 Sector H-9  
Ph:9258501-4

ATTESTED

- 14 -

(12) (7)

Annex F

**NATIONAL INSTITUTE OF ELECTRONICS**  
17, H-9, Islamabad

No. 123(20)/95

29 April 03

The Director General  
Directorate of Federal Government Education  
Islamabad

**Subject: TRANSFER OF SPOUSE OF A GOVERNMENT SERVANT UNDER  
DIRECTORATE OF FEDERAL GOVERNMENT EDUCATION, ON  
PERMANENT TRANSFER / DEPUTATION BASIS**

Dear Sir,

Please find enclosed herewith an application submitted by Mr. Muhammad Asif, serving as LDC in this Institute since 1995.

Since the Institute has no sub office / branch at any place other than the H-9, Islamabad, (which happens to be its only premises), it is not possible to transfer him at the location his spouse is working or any location close to it. It is, therefore, recommended that possibility of transfer of his spouse on permanent grounds or on deputation basis may be considered under the light of relevant rules (copies enclosed for ready reference).

This issues with the approval of Director General, NIE.

Yours faithfully

*Saiful Islam Qureshi*  
Saiful Islam Qureshi  
PRO/Deputy Director Personnel

Copy to

1. PA to DG
- ✓ 2. Mr. Muhammad Asif, LDC
3. File

**ATTESTED**

-15



**National Institute of Electronics**  
Ministry of Science & Technology  
Government of Pakistan



No. NIE-300(13)/97-Pers(Crft)

Dated 17 March, 2005

Subject: SERVICE CERTIFICATE.

It is certified that Mr. Muhammad Asif S/o Mr. Amanullah Khan has been working in this Institute since 24.07.1995.

This certificate is being issued to him at his own request required in connection with transfer of his wife to Islamabad.

*Attested  
Inayat*

*17-3-2005*  
(MAQBOOL H. MINHAS)  
Deputy Director Personnel

*Shaukat Mohammad Malik*  
Senior Research Officer  
National Institute of Electronics  
Ministry of Science & Technology  
ISLAMABAD

**ATTESTED**

16

No.F.1-13005(W)FDB  
Government of Pakistan  
Federal Directorate of Education  
\*\*\*\*\*

(17) (17)

Islamabad, November 02, 2005

To,

The Section Officer (Schools),  
Schools & Literacy Department,  
Government of NWFP,  
Peshawar.

"F"

Subject:-

REQUEST FOR PERMANENT TRANSFER / DEPUTATION

I am directed to refer to the application dated 29.06.2005 submitted by Mrs. Rukhsana Farrukh, Subject Specialist (BPS-17), Govt. Girls Higher Secondary School, Sikandar Khel Islam Banna received through Prime Minister's Secretariat (PUBLIC) Islamabad on the subject cited above and to request you to kindly furnish NOC of your department regarding her transfer on deputation under the Federal Directorate of Education, Islamabad at an early date.

(MRS. RIZWANA WAQAR)  
DEPUTY DIRECTRESS(W)

Copy forwarded to

1. The Joint Secretary (FSA),  
Prime Minister's Secretariat (Public) Islamabad w.r.t their  
U.O. No.2-1/DS(F&SSA-II)/05/Edu-925 dated 12.07.2005 and 15.08.2005.
- ✓ 2. Mrs. Rukhsana Farrukh, C/o. Maste Aman Ullah,  
Gali Qureshian Wali M'oh'illah Farooq-e-Azam Dera Ismail Khan,  
(NWFP)
3. Personal file.

(MANZOOR MASAT KOHKHAN)  
ADMINISTRATIVE OFFICER(W)

ATTESTED



GOVERNMENT OF NWFP  
SCHOOLS & LITERACY DEPTT.

Dated Peshawar the 09-01-2006.

NOTIFICATION

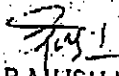
SO(S)4-27/2003/VO:IPSS/Male/Female. The Competent Authority in consultation with Establishment Department is pleased to transfer Ms. Rukhsana Furkh, Subject Specialist Maths (BS-17), GGHSS, Sikandar Khel Bala, Bannu (NWFP) on deputation basis and place her services at the disposal of Government of Pakistan, Federal Directorate of Education, Islamabad for initial period of three (03) years. The terms and conditions will be settled in due course of time.

SECRETARY.

ENDST. NO. & DATE EVEN.

Copy forwarded for information and necessary action to:

1. AGPR, Islamabad.
2. Accountant General, NWFP, Peshawar.
3. Director, Schools & Literacy, NWFP, Peshawar for information.
4. Administrative Officer (W) Government of Pakistan, Federal Directorate of Education, Islamabad with reference to his letter No.F.1-13005(W)-FDE dated 02-11-2005 for further necessary action.
5. EDO, S&L, Bannu.
6. District Accounts Officer, Bannu.
7. Section Officer, (Reg.I), Establishment & Adm. Department, Government of NWFP, Peshawar w/r to his letter No.SOR-I(E&AD)1-14/82/ dated 14-12-2005.
8. Officer concerned.
9. PS to Secretary, S&L Deptt; NWFP.
10. Office order file.

  
(ARBAB MUSHARAF KHAN)  
SECTION OFFICER (SCHOOLS)

ATTESTED

NO. F.1-3/2005 (W) FDE  
Government of Pakistan  
Federal Directorate of Education  
\*\*\*\*\*

Islamabad, February 17, 2006.

To,

The Deputy Secretary (Admn),  
Government of N.W.F.P.,  
School and literacy Department,  
Peshawar.

Subject:-

APPOINTMENT ON DEPUTATION IN RESPECT OF MRS. RUKHSANA  
FARRUKH, SPECIALIST / S.T. BS-17 GOVT GIRLS HIGHER SCHOOL,  
SIKANDAR KHEL BALA BANNU N.W.F.P.

The competent authority has been pleased to borrow the services of Mrs. Rukhsana Farrukh, on deputation as Subject specialist, BS-17, under the Federal Directorate of Education, Islamabad, on the following terms and condition:-

- She will be on deputation initially for a period of One (01) year or till the joining of a regular selectee, which ever is earlier.
- The Federal Government has the right to revert her to her parent department at any time without prior notice.
- She shall draw her own pay in her own scale / grade.
- She shall be entitled to draw allowances and other fringe benefits as admissible to other Federal Government employees.
- No. T.A/D.A will be admissible on joining this Department or repatriation to parent department.
- She will not be paid any deputation allowance.
- The parent department will retain her lien for the said bound to accept her as and when she is repatriated from this Directorate.
- There will be no responsibility of transfer within a period to deputation after joining.
- In case of her promotion in parent department, she will be reverted before completion of her deputation period.
- She will be posted in Rural Area of Islamabad.
- She will produce N.O.C, as well as lien retention certificate from her parent department.

2. Since Mrs. Rukhsana Farrukh, is working under the administrative control, it is requested that she may be relieved off and directed to report of the undersigned, if the above terms and condition are acceptable to her and the Department.

3. This is issued with the approval of Director (Schools).

(MRS. RIZWANA WAQAR)  
DEPUTY DIRECTRESS (W)

Copy to:-

- The A.G.P.R. Islamabad.
- Mrs. Rukhsana Farrukh, Subject Specialist / S.T. BS-17 Government Girls Higher School, Sikandar Khel Bala Bannu, NWFP.
- Personal file.
- Office Order file.
- Education officer (S & C) Ministry of Education, Islamabad.

ATTESTED

(MANZOOR MASUM KHOKHAR)  
ADMINISTRATIVE OFFICER (W)

-19 Annex 1

(S) (S)

GOVERNMENT OF N.W.F.P.  
SCHOOLS & LITERACY DEPTT.

Dated Peshawar the 13-03-2006.

NOTIFICATION

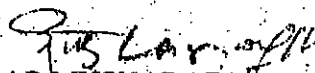
NO.SO(S) 4-27/2003/Vol:II/SS/(Male/Female). Consequent upon grant of NOC by the Establishment Department vide their letter No.SOR-I(E&AD)1-14/82 dated 14-12-2005, Mst.Rukhsana Furkh, SS(BS-17), GGHSS, Sikandar Khel Bala, Bannu is hereby relieved with immediate effect to join her new assignment in pursuance to Federal Directorate of Education letter No.F.1-5/2005(W)FDE dated 17-2-2006.

**SECRETARY,**

ENDST: NO. & DATE EVEN.

Copy forwarded for information and further necessary action to:-

- 1- Director Schools & Literacy Govt. of NWFP Peshawar.
- 2- Deputy Directress(W) Government of Pakistan, Federal Directorate of Education, Islamabad w/r to her letter cited above.
- 3- EDO, S&L, Bannu.
- 4- District Accounts Officer, Bannu.
- 5- Section Officer (R-1), Establishment Deptt.: NWFP w/r to his letter No. cited above.
- 6- PS to Secretary, S&L Deptt: NWFP.
- 7- PA to Special Secretary, S&L Deptt: NWFP.
- 8- Officer concerned.
- 9- Office order file.

  
(ARBAB MUSHARAF KHAN)  
SECTION OFFICER (SCHOOLS)

**ATTESTED**

No 1028,  
St-96,  
1-10/11, gsb.

20 Hamed J

**TO BE PUBLISHED IN PART-III OF THE GAZETTE OF PAKISTAN**

Government of Pakistan  
Federal Directorate of Education

\*\*\*\*\*

Islamabad, the April 12, 2006.

(27) (27)

**NOTIFICATION**

No. F.1-5/2005 (W) FDE... Consequent upon her relieving from her parent department vide their office letter No. SO (S) 4-27/2003/Vol:II/SS/(Male/Female) dated 13-03-2006, Mrs. Rukhsana Farrukh, Subject Specialist (BPS-17) Government Girls Higher Secondary School, Sikandar Kheh Bala, Bannu (Schools and Literacy Department, NWFP) is hereby allowed to join her duty in F.G. Girls Secondary School, Kurree (FA), Islamabad against a vacant post w.e.f. 20-03-2006 (FA).

2. No T.A/D.A will be paid in this connection.
3. This is issued with the approval of Director General (Education).

(MRS. RIZWANA WAQAR)  
DEPUTY DIRECTRESS (W)

To,

The Manager,  
Printing Corporation of Pakistan Press,  
University Road Karachi-5.

Copy to:

- i. A.G.P.R, Islamabad.
- ii. Head Concerned.
- iii. The Person Concerned.
- iv. The Personal File.
- v. Notification file.

(MANZOOR MASIH KHOKHAR)  
ADMINISTRATIVE OFFICER (W)

A. Hussain/-  
Sagf/Khokhar/Notification 13/-

ATTESTED

5

- 21

Amred K

No. F. 692/2010-FGBSS(Kuri)

*(Handwritten marks and signatures)*

To: The Director  
Federal Directorate of Education  
Islamabad

Through: Proper Channel.

Subject: EXTENSION IN THE DEPUTATION PERIOD FOR FIVE YEARS.

Respected Sir,

It is submitted that I am working as a Deputy Headmistress in Federal Government Girls Secondary School Kurree (F.A) Islamabad since last three years against a vacant post. I am performing my duties honestly and dedicatedly. Photocopy of my performance certificate is attached herewith.

My husband Mr. Muhammad Asif S/o Amanullah Khan is serving in National Institute of Electronics Islamabad under the Administrative control of Ministry of Science and Technology, Islamabad.

In accordance with reference Notification of Federal Directorate of Education Islamabad bearing No.1-13/2005(W) FDE dated, 19.04.2007 my deputation period is going to be ended.

Sir, in view of above, it is humbly requested that my deputation period may very kindly be extended for next five years.

I shall be profoundly thank-full by your honors decision and pray for you.

Dated: 13/11/08

*Forwarded*

*Tahir*  
**MRS. TAHIRA AZIZ**  
Vice Principal  
F.G. Girls Secondary School  
Kuri (FA) Islamabad  
ID0480

Yours Obediently  
*(Signature)*  
**RUKHSANA FARRUKH**  
Deputy Headmistress  
F.G. Girls Secondary School  
Kurree (FA), Islamabad.  
**(RUKHSANA FURRAK)**  
Deputy Headmistress  
MSc Math (Gold Medalist)

**ATTESTED**

K

~ 22

Annex 'L'

No.F.1-13/2005(W) FDE  
Government of Pakistan  
Federal Directorate of Education

(93)

(23)

Islamabad, 2<sup>nd</sup> December, 2008.

To,

The Section Officer (Schools),  
Schools & literacy Department,  
Govt. of NWFP,  
Peshawar.

Subject: **EXTENSION IN DEPUTATION PERIOD**

I am directed refer to Schools & Literacy Department, Govt. of NWFP, Peshawar's notification No. SO(S) 4-27/2003/Vol-II/SS/Male/Female, dated 09.01.2006 & 13.03.2006 under which Mrs. Rukhsana Farrukh, Subject Specialist (Mathematics) was allowed and relieved to serve on deputation in institutions under the Federal Directorate of Education, Islamabad and to say that the said lady has now applied for grant of further extension of five (05) years beyond 08.01.2009 in her deputation period (copy of her application is enclosed herewith for ready reference).

2. In this regard it is stated that FDE can recommend the extension of only two (02) years beyond 08.01.2009 in her deputation period, subject to issuance of NOC from your department for the purpose.

3. In the light of above, you are requested to kindly communicate the consent of your department to grant extension of two (02) years beyond 08.01.2009 in her deputation period or otherwise? to enable the FDE to proceed further in the matter.

4. This is issued with the approval of Director Schools (F).

(MRS. FARZANA ASHRAF GONDAL)  
DEPUTY DIRECTRESS (FEMALE)

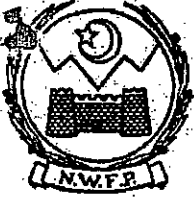
Copy to:-

- P.A to Director Schools (F).
- Principal concerned with the remarks to furnish the work & conduct report alongwith the results of classes taught by Mrs. Rukhsana Farrukh during her stay on deputation.
- Mrs. Rukhsana Farrukh with the remarks to persue the case in her parent department for issuance of NOC before 08.01.2009.
- Person concerned.
- Office Order File.

ATTESTED

(MUHAMMAD AFZAAL QADIR)  
ADMINISTRATIVE OFFICER (F)

Take  
22-12-08



- 23 - *Amir M*

(25) (24)

**GOVERNMENT OF NWFP  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT**

Dated November 2, 2009

**NOTIFICATION**

**NO.SO(S)4-27/2003/Vol:II/SS (Male & Female).** Consequent upon NOC of the Government of NWFP Establishment & Administration Department letter No. SOR-I (E&AD) 1-14/82 (Vol-XVI) dated 17-10-2009, the Competent Authority has been pleased to approve the extension in deputation for further period of two years with effect from 17-03-2009 to 16-03-2011 in respect of Ms Rukhsana Farrukh, Subject Specialist Maths (BS-17) GGHSS, Sikander Khel Bala, Bannu to Federal Directorate of Education Islamabad (total period of deputation including the instant period come to five (05) years.

**SECRETARY**

**Endst: of even No. & Date.**

Copy of the above is forwarded to the: -

1. Accountant General, NWFP, Peshawar
2. Director, E&SE, NWFP, Peshawar.
3. Administrative Officer (F) Govt: of Pakistan Federal Directorate of Education Islamabad with the request to provide deposit challans of payment with Provincial Government of monthly subscription of GP fund, Leave Salary, Benl: fund, Group Insurance etc for the whole period of deputation of the above named officer to the Director, Elementary & Secondary Education, NWFP Peshawar.
4. Section Officer (R-I) Estab: & Admn: Deptt: Peshawar w/r to his letter cited above.
5. District Accounts Officer concerned.
6. Principal GGHSS Sikander Khel Bala, Bannu.
7. PS to the Secretary E&SE Department
8. Officer concerned.
9. Office order File.

  
(SYED AHMAD KHAN)  
SECTION OFFICER (SCHOOLS)

**ATTESTED**





# National Institute of Electronics

Ministry of Science & Technology  
Government of Pakistan



*Annexure 1*

No. 123(20)-95-Admin

11 February 2010

Subject: SERVICE CERTIFICATE

It is certified that Mr. Muhammad Asif s/o Mr. Aman Ullah Khan is a regular employee of this Institute which is an autonomous body of Ministry of Science & Technology. He has been working in this Institute as LDC (BS-07) since 24-07-1995. At present, this Institute has no sub-office/branch office at any city of Pakistan.

This service certificate is being issued on the written request of the official

(Muhammad Umair Habib)  
Dy. Director Personnel

*C.T.C*  
*[Signature]*

ATTESTED



-25

Annex "N"

To: **The Director (F)  
Federal Directorate of Education,  
Islamabad.**

Handwritten initials and marks in circles.

Subject: **REQUEST FOR REGULAR/PERMANENT ABSORPTION  
IN FEDERAL DIRECTORATE OF EDUCATION ISLAMABAD.**

Yours Excellency,

I have the honour to state that I am Msc-Math (Gold Medalist) with B.Ed as well as conversant with computer knowledge. I was appointed as S.S.Math (BS-17) with the recommendation of N.W.F.P Public Service Commission, Peshawar and Notification of Govt. of N.W.F.P Education Deptt. vide No.SO(S)5-6/99/English(F) dated 31.07.1999 (Copy enclosed). Now I am working as Deputy Headmistress (BS-17) and teaching Mathematics to Higher Classes since March 17, 2006 on deputation basis against the vacant post in Federal Government Girls Secondary School Kurri (Federal Area) Islamabad.

The F.D.E is also appointed me as Drawing & Disbursing Officer vide their letter No.F.4-8/2001-(W)FDE, dated 23.06.2010. I am performing this job efficiently and effectively. I have not given any chance of complaints to staff members during the official duty. The students are also very happy with me. I am giving excellent result as a Math Teacher as certified by my Principal (copy enclosed).

I am a married teacher having three daughters and my husband namely Muhammad Asif S/o Amanullah Khan is serving in National Institute of Electronics Islamabad under the Administrative Control of Ministry of Science & Technology since July 24, 1995 and there is altogether no chance of his transfer to our home District Dera Ismail Khan, because the Institute has no branch/sub office at any city of Pakistan. On the expiry of my deputation period, I would have to join my parent Department, which will result that we (husband & wife) will be obliged to serve at different stations, and our family affairs will badly suffer especially Education of our Children, which the main wealth of parents. Eventually our family will ever be in trouble due to socio-economic problems.

Venerable Sir, lamenting the above mentioned nerve-rending tensions, I am going through permanent mental trauma.


The Government of Pakistan Establishment Division under O.M No.10/30/97-R-2 dated 13.05.1998, 17.12.1999 & 21.04.2006 have advocated that husband and wife if both are Government Servant, be posted at the same station with the aim to minimize their socio-economic problems.

In-view of above I earnestly request to you and your auspicious authority to very kindly be regular/permanently absorbed on compassionate grounds and posted in the same school, where I am working as Deputy Headmistress now-a-days or any other school of Federal Directorate of Education Islamabad.

Thanking you in anticipation.

Handwritten signature and date 2/15.

ATTES:ED

  
(RUKHSANA FARRUKH)  
Deputy Headmistress/DDO  
FGGSS Kurri (FA), Islamabad

**RUKHSANA FARRUKH**  
Deputy Headmistress/DDO  
F.G. Girls Secondary School  
Kurree (FA) Islamabad IDO480

N

- 26

No. F 692/2010.FGGSS(KURRI)

①  
②  
③

To: The Director (School)  
Federal Directorate of Education  
Islamabad

Through Proper Channel

Subject: EXTENSION IN DEPUTATION PERIOD.

Respected Sir,

It is stated with due respect that I was submitted an application for further extension of five years in my deputation period, but Federal Directorate of Education authorities recommended only two years vide Federal Directorate of Education No.F.1.13/2005(W)FDE dated 02.12.2008.

Sir, I am MSc Math (Gold Medalist) with B-Ed, working as Deputy Headmistress, Teaching Math and also assigned the extra duty of Drawing and Disbursing Officer in Federal Government Girls Secondary School Kurri (FA) Islamabad, during my duty I have not gave any chance of complaints to any one. As a Math Teacher I have shown excellent results as certified by my Principal (Photocopy is attached).

I am a married teacher having three younger daughters and my husband namely Muhammad Asif S/o Amanullah is serving in National Institute of Electronics Islamabad under the administrative control of Ministry of Science and Technology since 24.07.1995. The Institute has no other branch/sub office at any city of Pakistan and there is no chance of his transfer to home District, which will result that our family affairs badly suffer especially Education of our Children.


The Government of Pakistan have issued instruction to solve the socio-economic problems and hardship faced by working husbands and wives due to posting at different stations of duty vide Establishment Division O.M No.10/30/97-R-II dated 13.05.1998, 17.12.1999 and 21.04.2006.


In view of above, therefore, I am requested you kindly to extended the period of my deputation for next three years.

Dated: 06/12/2010 ✓

Forwarded

  
**RUKHSANA FARRUKH**  
Deputy Headmistress/DDO  
FG Girls Secondary School  
Kurree (FA) Islamabad ID0480  
(RUKHSANA FURRAKH)  
Deputy Headmistress/DDO  
FGGSS Kurri (FA) Islamabad

  
**PRINCIPAL**  
FG Girls Secondary School  
Kurree (FA)  
Islamabad

  
08/12/10  
**ATTACHED**

-27

Annex 0

No. F.1-13/2005-14GD (W) FDE  
Government of Pakistan  
Federal Directorate of Education  
\*\*\*\*\*

Islamabad, the 4<sup>th</sup> March, 2011.

To,

The Section Officer (Schools),  
Elementary & Secondary Education Department,  
Govt. of KPK,  
Peshawar.

Subject: **EXTENSION IN DEPUTATION PERIOD**

I am directed to refer to elementary and Secondary Education Department, Govt. of KPK, Peshawar's Notification(s) No. SO(S) 4-27/2003(Vol-II/SS (Male & Female), dated 02.11.2009 under which Mrs. Rukhsana Farrukh, Subject Specialist Maths (BS-17), Govt Girls Higher Secondary School Sikandar Khel Bala, Bannu was allowed to serve on deputation in institutions under the Federal Directorate of Education, Islamabad and to say that the said lady has now applied for grant of further extension of three (03) year upto 19.03.2014 in her deputation period (copy of her application is enclosed herewith for ready reference).

2. In this regard it is stated that in accordance with sub para (vi) of the Establishment Division's O.M.No.10/30/97-R.II, dated 13.05.1998, FDE can recommend the case for extension in her deputation period, subject to issuance of NOC from your department for the purpose.

3. In the light of above, you are requested to kindly communicate the consent of your department to grant extension in her deputation period or otherwise? to enable the FDE to proceed further in the matter.

4. This is issued with the approval of Director General (Education).

( SAID AMIR KHAN )  
Assistant Director (Female)

Copy to:-

- Principal concerned.
- Mrs. Rukhsana Farrukh, Deputy Headmistress (BS-17), F.G. Girls Secondary School Kurri (F.A), Islamabad with the remarks to pursue the case in her parent department for issuance of NOC at the earliest.
- Personal file.

ATTESTED

(RIASAT ALI)

Administrative Officer (Female)

- 28

Annex P

Government of Pakistan  
Ministry of Capital Administration & Development

Secret

SUMMARY FOR THE PRIME MINISTER

Subject: - ABSORPTION OF STAFF UNDER FEDERAL DIRECTORATE OF EDUCATION (FDE), ISLAMABAD WORKING ON DEPUTATION BASIS

Federal Directorate of Education (FDE) has hired the services of a number of teaching and non-teaching staff on deputation basis under the Wedlock Policy of the Government keeping in view the socio economic problems faced by husbands and wives in government service due to posting at different stations.

2. The rationale of Wedlock Policy is to facilitate posting of husbands & wives at one station for obvious reasons. The Wedlock Policy also provides *consideration of requests for extension in deputation period beyond the permissible limit with compassion if interests of public service would permit.* In the present situation, majority of the staff working on deputation has been borrowed in FDE under wedlock policy. All of these are skilled, qualified and experienced workers.

3. In order to facilitate the deputationists under FDE, Islamabad, M/o Capital Administration and Development, Islamabad had earlier submitted a summary seeking approval of the Honourable Prime Minister for bringing about amendment in the Wedlock Policy by providing clear provisions that the normal period of deputation i.e. 05 years would not be applicable in cases where an incumbent is borrowed under Wedlock Policy. The Honourable Prime Minister had been pleased to approve the following amendment in Civil Servants (Appointments, Promotions and Transfer) Rules, 1973:

"Provided that posting of serving husband and wife at the same station, unmarried female government servants at the place of residence of their parents family and that of married female government servants at the place of residence/posting of their husbands, who are not in government employment shall be exempted from the said rule"

The stated amendment has been notified by the Establishment Division, Islamabad, vide S.R.O. 375(I)/2012 dated 16<sup>th</sup> April, 2012 (Annex-I).

ATTESTED

P

39

4. The Prime Minister's Secretariat, Islamabad vide No.812(M)PSPM/13 dated 21-02-2013 has now desired M/o CA&D, Islamabad to "move a summary for the Prime Minister containing all the relevant details / papers immediately" (Annex-II).

5. Therefore, it is proposed that all the deputationists (teaching & non-teaching) working in the educational institutions under FDE, Islamabad on deputation basis under Wedlock Policy and completed their 05 years of deputation may be absorbed in their respective cadres. Absorption of the incumbents shall be subject to provision in the Recruitment Rules and be effected after fulfillment / completion of all the codal / procedural formalities contained under Civil Servants Act, 1973.

6. Para-5 above is submitted for approval of the Honourable Prime Minister, please.

7. The Minister, M/o CA&D, Islamabad has seen and approved submission of the Summary.

*Rafat Shaheen Qazi*  
Rafat Shaheen Qazi  
Secretary

Through:

Secretary, Establishment Division, Islamabad.

P.M.'s Sectt. (Mr. Muhammad Ayub Qazi, Principal Secretary to the Prime Minister)  
M/o CA&D, Islamabad's U.O.No.F4-57/2011 (Education), dated 8th February, 2013  
11th March

Dated: 23-2-2013

**ATTESTED**

-30

Annex Q

No. F.2013/P.A-Dep/14-16-17/(14) FDE  
Government of Pakistan  
Federal Directorate of Education  
\*\*\*\*\*

NOT RECORDED  
72

Islamabad the 12<sup>th</sup> September, 2013.

To,  
**The Section Officer (Primary),**  
Elementary & Secondary Education Department,  
Government of KPK,  
Peshawar.

Subject: **NO OBJECTION CERTIFICATE FOR PERMANENT ABSORPTION**

I am directed to refer to the subject noted above and to say that, Mrs. Rukhsana Farukh D.O.B 21.04.1972 D/O Haji Amam Bukshk was taken on deputation under FDE on 30.03.2006 in her own pay/grade & scale i.e DHM (B-17).

2. Now, in the light of approval of the Prime Minister of Pakistan, the FDE is preparing the case for permanent absorption of the deputationist for onward transmission to CA&D Division for DPC/DSC. In this regard, the NOCs of parent department for permanent absorption of the deputationists are required.

3. You are requested that, the NOC / consent of your's department for permanent absorption in respect of Mrs. Rukhsana Farukh may be furnished to this Directorate on 30.09.2013 for further process please. Beyond 30.09.2013 the NOC/consent will not be acceptable.

**Attention:** The name of above teacher will be considered for permanent absorption on the basis of recruitment rule subject to approval by the Departmental Selection Committee, CA&D Division Islamabad on the condition that, completion of 05-years deputation period, meet the wedlock policy, fulfillment of codal & procedural formalities, availability of posts. If the services of above name teacher not absorbed on permanent basis by DSC / CA&DD due to lack of academic / professional qualification OR not fall in the recruitment rule OR any other deficiencies then FDE will be not bound to absorbed her services on permanent basis under FDE on the basis of this letter.

4. This letter does not confer any right or claim of permanent absorption.

5. This is issued with the approval of Director General (Edu).

(HASAN IMRAN BAIQ)  
Dy. Director Schools (FEMALE)

- Copy to:
- ✓ E.D.O concerned.
  - ✓ D.E.O concerned.
  - ✓ Person concerned.

**ATTESTED**

(HASAN IMRAN BAIQ)  
Dy. Director Schools (FEMALE)

23/9

Page - 1

17

-31

Annex R<sup>2</sup>

By Hand

Liaison  
(Grapher)  
Section Schools (Female)

To

The Section Officer (S/F)  
Elementary & Secondary Education Department  
Govt. Of K.P.K, Peshawar.

EESEED

24/1/2014  
21/1/2014

Subject: NO OBJECTION CERTIFICATE FOR PERMENENT ABSORPTION

Reference: Your letter No.SO(S/F)E&SE-4-10/2013/Rukhsna Farrukh SS dated 06.01.2014

Respected Madam,

With reference to your above cited letter I request you to submit the following lines for your kind consideration/review with regards to grant No Objection Certificate for Permanent Absorption in Federal Directorate of Education Islamabad;

- That I am a married teacher having three daughters. Who are studying in Islamabad.
- That my husband namely Muhammad Asif S/o Amanullah is serving in National Institute of Electronics Islamabad under the Administrative Control of Ministry of Science & Technology since 24 July, 1995 and his retirement date is April 13, 2030 there is no chance of his transfer to home District Dera Ismail Khan, because the NIE, Islamabad has no Branch/Sub Office at any City of Pakistan.(Service Certificate & LPS photocopies enclosed).
- The Government of Pakistan Establishment Division under O.M No.10/30/97-R-2 dated 13.05.1998, 17.12.1999 & 21.04.2006 have advocated that husband and wife if both are Government Servant be posted at the same station with the aim to minimize their Socio-economic problems.
- Under Government of Pakistan Cabinet Secretrate Establishment Division Notification F.No.10/30/97-R-2 dated 16.04.2012. (Photocopy enclosed) and under Wedlock Policy of the Government, Spouses already posted at one station including those posted on deputation beyond the prescribed maximum period may not be disturbed with comply reason of Public Interest.
- That we will be quit difficult for me and my husband to manage our family life, living in different stations of duty. We will be badly disturbed and especially suffer the Education of our Children, which the main wealth of parents.

Venerable Madam, lamenting the above mentioned nerve-rending tensions, I am going through permanent mental trauma.

In the light of above family problems and Prime Minister's existing Orders/Wedlock Policy of the Government, it is requested to you and your auspicious authority that No Objection

ATTESTED

Signature R





-32

Amna S

**TO BE PUBLISHED IN PART - III OF THE GAZETTE OF PAKISTAN**

Government of Pakistan  
Federal Directorate of Education  
\*\*\*\*\*

Islamabad, September 22, 2014.

**NOTIFICATION**

No. F.1-16/2014/W/FDE.....With immediate effect and until further orders, following teachers are hereby transferred / posted to the institutions mentioned against each:

S #	Name & Designation	Present Institution	Posted to	Remarks
01	Hafiza Rukhsana Farrukh, DHM	IMSG (I-X), Kuri	IMSG (VI-X), I-10/4	Against vacant post of DHM.
02.	Nighat Shaheen, SST	IMS (I-V), G-10/1	IMSG (I-VIII), Dhaliala	Against vacant post of SST.
03.	Nousheen Khalid, TGT	IMSG (I-X), Lakhwal	IMSG (I-VIII), PTC Sihala	Against vacant post of TGT.
04.	Imrana Qureshi, TGT	IMSG (I-VIII), G-7/3-2	IMS (I-V) No.1, G-7/2	Against vacant post of TGT.
05.	Nudrat Naveed, TGT	IMS (I-V), E-7	IMSG (I-VIII), G-7/3-2	Against vacant post of TGT.

02. This issues in supersession of all previous notification.

03. This issues with the approval of competent authority.

( RANA MUHAMMAD NAZIR )  
Assistant Director (Schools (Female))

To,  
The Manager,  
Printing Corporation of Pakistan Press,  
University Road,  
Karach-5

Copy to:  
A.G.P.R, Islamabad.  
Head Concerned.  
Person Concerned.  
Personal File  
Office order file.

( ABDUL RAZZAQ )  
Admn. Officer (Schools Female)

ATTESTED

33

Approved

**Government of Pakistan**  
**Accountant General Pakistan Revenues (AGPR), Islamabad**  
**Monthly Salary Statement (September-2018)**

70

**Personal Information of Mrs RUKHSANA FARRUKH d/w/s of HAJI IMAM BAKHISH**

Personnel Number: 50071642      CNIC: 1210139936924      NTN:  
 Date of Birth: 21.04.1972      Entry into Govt. Service: 08.08.1999      Length of Service: 19 Years 01 Months 024 Days

**Employment Category: Active Permanent**

Designation: DEPUTY HEADMISTRESS      00000006-Min. Of Education

DDO Code: ID8822-ISLAMABAD MODEL SCHOOL FOR GIRLS (VI-X) I-10/4 IBD

Payroll Section: 001      GPF Section: 001      Cash Center:

GPF A/C No: MIED-16849      Interest Applied: No      GPF Balance: 546,105.00

Vendor Number: -

**Pay and Allowances:**      Pay scale: BPS For - 2017      Pay Scale Type: Civil      BPS: 17      Pay Stage: 17

Wage type		Amount	Wage type		Amount
0001	Basic Pay	69,470.00	1210	Convey Allowance 2005	5,000.00
1513	Deputation Allowance	12,000.00	1865	Teaching Allowance (2006)	1,000.00
1947	Medical Allow 15% (16-22)	3,234.00	2211	Adhoc Relief All 2016 10%	5,632.00
2224	Adhoc Relief All 2017 10%	6,947.00	2247	Adhoc Relief All 2018 10%	6,947.00

**Deductions - General**

Wage type		Amount	Wage type		Amount
3017	GPF Subscription - Rs4270	-4,270.00	3501	Benevolent Fund	-960.00
3604	Group Insurance	-1,090.00	3609	Income Tax	-407.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance

**Deductions - Income Tax**

Fayable: 8,137.95      Recovered till September-2018: 1,221.00      Exempted: 3,255.00      Recoverable: 3,661.92

Gross Pay (Rs.): 110,230.00      Deductions: (Rs.): -6,727.00      Net Pay: (Rs.): 103,503.00

Payee Name: RUKHSANA FARRUKH

Account Number: 406780022

Bank Details: ALLIED BANK LIMITED, 250741 I-10/4 ISLAMABAD I-10/4 ISLAMABAD, ISLAMABAD

ATTESTED

Leaves:      Opening Balance:      Availed:      Earned:      Balance:

33

Amended

70

**Government of Pakistan**  
**Accountant General Pakistan Revenues (AGPR), Islamabad**  
**Monthly Salary Statement (September-2018)**

**Personal Information of Mrs RUKHSANA FARRUKH d/w/s of HAJI IMAM BAKHISH**

Personnel Number: 50071642      CNIC: 1210139936924      NTN:  
 Date of Birth: 21.04.1972      Entry into Govt. Service: 08.08.1999      Length of Service: 19 Years 01 Months 024 Days

**Employment Category: Active Permanent**

Designation: DEPUTY HEADMISTRESS      00000006-Min. Of Education

DDO Code: JD8822-ISLAMABAD MODEL SCHOOL FOR GIRLS (VI-X) I-10/4 1RD

Payroll Section: 001      GPF Section: 001      Cash Center:

GPF A/C No: MJED-16      Interest Applied: No      GPF Balance: 546,105.00

Vendor Number: -

Pay and Allowances:      Pay Scale: BPS-17 For - 2017      Pay Scale Type: Civil      BPS: 17      Pay Stage: 17

Wage type		Amount	Wage type		Amount
0001	Basic Pay	69,470.00	1210	Convey Allowance 2005	5,000.00
1513	Deputation Allowance	12,000.00	1865	Teaching Allowance (2006)	1,000.00
1947	Medical Allow 15% (16-22)	3,234.00	2211	Adhoc Relief All 2016 10%	5,632.00
2224	Adhoc Relief All 2017 10%	6,947.00	2247	Adhoc Relief All 2018 10%	6,947.00

**Deductions - General**

Wage type		Amount	Wage type		Amount
3617	GPF Subscription - Rs4270	-4,270.00	3501	Benefit Fund	-960.00
3604	Group Insurance	-1,090.00	3609	Income Tax	-407.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance

**Deductions - Income Tax**

Payable: 8,137.95      Recovered till September-2018: 1,221.00      Exempted: 3255.03      Recoverable: 3,661.92

Gross Pay (Rs.): 110,230.00      Deductions: (Rs.): -6,727.00      Net Pay: (Rs.): 103,503.00

Payee Name: RUKHSANA FARRUKH

Account Number: 406780022

Bank Details: ALLIED BANK LIMITED, 250741 I-10/4 ISLAMABAD I-10/4 ISLAMABAD, ISLAMABAD

Leaves:      Opening Balance:      Availed:      Earned:      Balance:

**ATTESTED**

*[Signature]*

T

Annex 'U'

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REGISTERED



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Dated Peshawar the February 20, 2015

NOTIFICATION

NO.SO(S/F)E&SED/4-17/2015/Rukhsana Farrukh SS (BS-17) WHEREAS Ms. Rukhsana Farrukh Subject Specialist Maths (BS-17) GGHSS Ismail Mama Khel, Bannu working as Deputy Headmistress (BS-17) F.G Girls Secondary School Kurri (F.A), Islamabad under Federal Directorate of Education, Islamabad was proceeded against Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 on account of her willful and unauthorized absence from duty w.e.f. 16-03-2011.

2-5/145

AND WHEREAS she has been issued proper notices on 04-02-2014 & 25-08-2014 at her home and place of posting to report for duty within fifteen days, but she neither reported for duty nor replied/ informed in writing about her whereabouts and reasons of willful & unauthorized absence within the stipulated period. An absence notice was served upon the accused officer through daily "Aaj" Peshawar dated 26-09-2014 and daily "Mashriq" Peshawar dated 27-09-2014 but she remained absent and did not report for duty in response to the above absence notices.

NOW, THEREFORE, in exercise of the powers conferred under the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Secretary, Khyber Pakhtunkhwa) is pleased to impose major penalty of "Removal from Service" upon Ms. Rukhsana Farrukh Subject Specialist Maths (BS-17) GGHSS Ismail Mama Khel, Bannu working as Deputy Headmistress (BS-17) F.G Girls Secondary School Kurri (F.A), Islamabad under Federal Directorate of Education, Islamabad with immediate effect.

SECRETARY

Encls: of Even Nos. & Date:

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. District Accounts Officer Bannu.
4. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
5. Director General (Education) Govt. of Pakistan Federal Directorate of Education, Islamabad w/r to his letter No.F.2013/P.A-Dep/14-16-17/(W) FDE dated 12-09-2013.
6. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
7. Ms. Rukhsana Farrukh Subject Specialist Maths (BS-17) GGHSS Ismail Mama Khel, Bannu working as Deputy Headmistress (BS-17) F.G Girls Secondary School Kurri (F.A), Islamabad under Federal Directorate of Education, Islamabad.
8. Office order file.

2284-2015  
20/02/15  
Noted

Samreena Zia  
Deputy Director School (Female)  
Federal Directorate of Education  
G-914, Islamabad

ROZIA NAZ  
SECTION OFFICER (SCHOOLS/FEMALE)

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16/10/2018 at 8-30 AM

Received to day  
from School SMS  
(X-VI) 2-10/14 Islamabad

on the copy (6)





لیٹر نمبر F-2013/PA-Deptt/14-16-17/W-FDE مورخہ 12-9-2013 بھیجا (فوٹوکاپی لف ہے) جو سیکشن آفیسر E&SED کے پی کے پشاور کو بانی ہینڈ وصول کروایا گیا۔

جب کہ سیکشن آفیسر E&SED کے پی کے پشاور نے پہلے پتیر نہ کرنے اور بعد میں غیر مجاز غیر حاضری کے لیٹرز لکھے جن کا جواب بانی ہینڈ سیکشن آفیسر اور سیکرٹری E&SED کے پی کے پشاور کے پی اے اور پی ایس کو میرے خاوند نے وصول کروائے۔ اس کے بعد سیکشن آفیسر کے لیٹر نمبر S.O(S/F)E&SE/4-10/2013/R.F SS مورخہ 4-2-2014 کے لیٹر کے جواب میں سیکرٹری E&SED کے پی کے پشاور کو بذریعہ TCS رسید 2361091669 مورخہ 4-3-2014 کو بھجوا یا (فوٹوکاپی لف ہے) کا پی سیکشن آفیسر E&SED کے پی کے پشاور کو بھیجی گئی۔

پھر سیکشن آفیسر نے مورخہ 25-8-2014 کو دوبارہ لیٹر بھیجا جس کا سیکرٹری جناب افضل لطیف صاحب E&SED کے پی کے پشاور کو بذریعہ TCS رسید نمبر 2361565019 مورخہ 10-9-2014 کو جواب دیا جس میں حاضری کی اطلاع اور دوبارہ مستقل کھپت فیڈرل ڈائریکٹوریٹ آف ایجوکیشن میں NOC کی اپیل بھجوائی اور کا پی S.O(S/F)E&SED کو بھجوائی (کاپی لف ہے)۔ فیڈرل ڈائریکٹوریٹ آف ایجوکیشن اسلام آباد کے نوٹیفیکیشن نمبر F-1-16/2014/W/FDE مورخہ 22-9-2014 کے تحت میری ٹرانسفر اسلام آباد ماڈل سکول فار گرلز (I-X) کری (FA) اسلام آباد سے اسلام آباد ماڈل سکول فار گرلز (VI-X) سیکٹر 4/10-1 اسلام آباد ڈپٹی ہیڈ مسٹریس کی خالی سیٹ پر ہوئی۔

مورخہ 11-10-2018 فیڈرل ڈائریکٹوریٹ اسلام آباد میں زبانی کلامی سکول پرنسپل کے ذریعے حاضری لگانے سے روک دیا اور تنخواہ بھی رکوائی جو کہ غیر قانونی ہے۔ مورخہ 16-10-2018 کو سکول والوں نے سیکشن آفیسر E&SED کے پی کے پشاور کا لیٹر نمبر S.O(S/F)E&SED/4-17/2015/R-F SS مورخہ 20-2-2015 جو کہ فیڈرل ڈائریکٹوریٹ آف ایجوکیشن اسلام آباد کو بانی ڈاک 25-2-2015 کو وصول ہوا۔ میرے خاوند کو سکول والوں نے اس لیٹر کی فوٹوکاپی بغیر رسیدنگ دی۔ فیڈرل ڈائریکٹوریٹ آف ایجوکیشن اسلام آباد والوں نے سیکشن آفیسر کا یہ لیٹر تین سال سات ماہ اور تیس دن اپنے پاس رکھے رکھا ان کی اس غلطی کی وجہ سے ہم بروقت اپیل نہ کر سکے۔

ATTESTED

جناب والا! سیکشن آفیسر E&SED کے پی کے پشاور نے مجھے گورنمنٹ سروس سے ہٹانے میں گورنمنٹ ملازمین کی کارکردگی اور وضبط قانون 2011ء کے مطابق قانونی تقاضے پورے نہیں کئے اور نہ مجھے کوئی شوکانہ نوٹس جاری ہوا اور نہ ذاتی رائے سنی گئی اس کے علاوہ مندرجہ ذیل اہم نکتے گوش گزار کرنا اخلاقی فرض سمجھتی ہوں۔

1- ڈیوٹی پر 16-3-2011 سے مجھے غیر مجاز غیر حاضر سمجھا گیا جبکہ میں اب تک فیڈرل ڈائریکٹوریٹ آف ایجوکیشن اسلام آباد کے پے رول پر ہوں ثبوت کے طور پر پے سلپ ماہ ستمبر 2018 حاضر خدمت ہے۔

2- لیٹر میں کہا گیا کہ مورخہ 2-2-2014 اور 25-8-2014 کے لیٹرز کا میں نے کوئی تحریری جواب نہیں دیا جبکہ میں نے مورخہ 10-9-2014 اور 4-3-2014 کو تفصیل کے ساتھ جوابات اور اپیل بھیجی (کاپیاں لف ہیں)

3- غیر حاضری کی اطلاع پشاور کے مقامی اخبارات روزنامہ (آج) پشاور اور روزنامہ (مشرق) پشاور میں دی گئی جبکہ میں 2006ء سے کے پی کے سے اسلام آباد ٹرانسفر ہو چکی تھی۔

محترم جناب سیکرٹری صاحب مندرجہ بالا تفصیلات کو مد نظر رکھتے ہوئے اور عورت زاد کے گھریلو، معاشی اور معاشرتی مشکلات کی روشنی میں میری بحالی گورنمنٹ سروس اور فیڈرل ڈائریکٹوریٹ آف ایجوکیشن اسلام آباد کے لیٹر نمبر \* مورخہ 12-9-2013 اور مورخہ \* مورخہ 14-16-17/W FDE-2013/P.A-DEP کے مطابق پرائم فیسٹر اسلامی جمہوریہ پاکستان کی ویڈیلاک پالیسی کے تحت مستقل کھپت کیلئے NOC کے آرڈر صادر فرمائے جائیں۔

العارض

حافظہ رخسانہ فرخ

Rukhsana Farrukh

D.H.M

Islamabad Model School for Girls  
(VI-X) I-10/4, Islamabad

ڈپٹی ہیڈ ماسٹریں

اسلام آباد ماڈل سکول فار گرلز (VI-X) آئی ٹن فور، اسلام آباد

مورخہ 25.10.2018

کاپی ٹو:

1- چیف سیکرٹری کے پی کے پشاور ایجوکیشن اینڈ سیکرٹری ایجوکیشن K.P.K پشاور

2- سیکرٹری ایڈ، اسلام آباد (منسٹری آف ایجوکیشن) میں بحالی اور بحالی مسئلہ کی وجہ سے منسٹری آف ایجوکیشن

3- ڈی جی فیڈرل ڈائریکٹوریٹ آف ایجوکیشن، G-9/4 اسلام آباد

4- سیکشن آفیسر E&SED کے پی کے پشاور

syed Inam

25/10

ATTESTED

General Directorate of  
Govt. Servs  
14/11/2018  
H.K. Section  
Islamabad 9914, Islamabad

3329  
25/10/2018  
Pay Section  
Islamabad

D. No 2957/18  
2/11/18

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Annex W



**GOVT. OF KHYBER PAKHTUNKHWA**  
**ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

No. SO(S/F)E&SED/4-10/2019/Hafiza Rukhsana Bibi  
Dated Peshawar the September 10, 2020

To

Hafiza Rukhsana Bibi,  
Ex-Subject Specialist (BS-17),

**SUBJECT: REQUEST/APPEAL FOR REINSTATEMENT IN SERVICE AND PERMANENT ABSORPTION IN FEDERAL GOVERNMENT.**

I am directed to refer to your appeal, on the subject dated 10.09.2020 and to inform you that your earlier appeal regarding re-instatement in service, dated 25.10.2018 was regretted, being devoid of merit.

Yours faithfully,

*A Salam*  
10/9/2020

(ABDUS SALAM)  
SECTION OFFICER (S/F)

*R*  
**ATTESTED**

W



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Amara X<sup>05</sup>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 34/2015



Mst. Bibi Safeena,  
PST, GGPS Doondara Alai,  
Tehsil Alai, District Batagram.....Appellant

Versus

1. The Director,  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa,  
Dabgari Garden, Peshawar.
2. The District Education Officer (Female)  
Opposite Sky Hawk Public School,  
Batagram.....Respondents

M.W.F. [Signature]  
10-12-2015

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 06.06.2014 COMMUNICATED ON 18.09.2014 WHEREBY APPELLANT WAS IMPOSED UPON THE MAJOR PENALTY OF REMOVAL FROM SERVICE ON THE GROUND OF THE ALLEGED ABSENCE FROM DUTY AGAINST WHICH APPELLANT FILED DEPARTMENTAL APPEAL ON 27.09.2014 BUT THE SAME WAS NOT DISPOSED OF WITHIN STATUTORY PERIOD OF 90 DAYS.

Filed on 10/9/14

PRAAYER:

On acceptance of the instant appeal, the impugned Notification dated 06.06.2014 communicated on 18.09.2014 may graciously be set aside and the appellant be reinstated into service with all back benefits and the unpaid salaries be also paid to the appellant.

as submitted to-22 and filed,

Registered

ATTESTED

[Signature]

ATTESTED

[Signature]

FILED

40

Sr. No	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
		<div data-bbox="1141 408 1430 685" data-label="Image"> </div> <p align="center"><b>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</b>  <b>At Camp Court Abbottabad</b>  <b>Service Appeal No. 34/2015</b></p> <p align="center">Date of Institution ..... 10.12.2014  Date of Decision ..... 14.01.2019</p> <p>Mst. Bibi Safeena, Ex-PST, GGPS Doondara Alai, Tehsil Alai,  District Batagram.</p> <p align="right">Appellant</p> <p align="center">Versus</p> <p>1: The Director Elementary &amp; Secondary Education, Khyber Pakhtunkhwa.  2. The District Education Officer (Female) Opposite Sky Hawk Public School, Batagram.</p> <p align="right">Respondents</p> <p>14.01.2019. Mr. Muhammad Hamid Mughal-----Member (J)  Mr. Hussain Shah-----Member (E)</p> <p align="center"><u>JUDGMENT</u>  <u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> - Learned counsel for appellant and Mr. Muhammad Bilal learned Deputy District Attorney for the respondents present.</p> <p>2. The appellant (Ex-PST) has filed the present appeal against the order dated 06.06.2014 whereby she was awarded major penalty of removal from service on the ground of absence from duty since 02.05.2012.</p>

**ATTESTED**

**ATTESTED**

3. Learned counsel for the appellant argued that the impugned order, communicated to the appellant on 18.09.2014, is against law, facts and norms of justice; that the appellant was not absent from duty as alleged. Learned counsel for the appellant mainly argued that the appellant was transferred from GGPS Taloos to GGPS Doondara vide order dated 31.10.2013 and she also reported her arrival to GGPS Doondara on 04.11.2013 however in the Show Cause Notice dated 04.12.2013 issued to the appellant on the ground of her willful absence from duty, the appellant was shown posted at GGPS Taloos. Further argued that in the absence notices through publication in the newspapers and in the impugned order of removal from service the place of posting of the appellant was also shown as GGPS Taloos. Further argued that how the appellant could be expected to be present at GGPS Taloos when she was already transferred to another school i.e. GGPS Doondara.

4. As against that learned Deputy District Attorney argued that the appellant has not performed her duties both at GGPS Taloos and at GGPS Doondara and the disciplinary action was initiated against the appellant before her transfer to GGPS Doondara. Further argued that the respondent department has annexed with their written reply/comments the report of ADO Female (E&SE) Primary Batagram, copy of attendance registers, report of the staff of GGPS Doondara, report of ASDEO (Female) Circle Alai, report of Monitory Unit District Batagram, report of SDEO (Female) Batagram to substantiate the charge against the appellant that she

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa

ATTESTED

remained with the appellant from her duties when she was posted  
 GGS Taloo and GGS Doodhna. Further argued that Show C  
 Notice was served upon the appellant similarly absence notice  
 through publication in the daily newspapers were also issued but  
 appellant did not return to perform her duties. Further argued that  
 per report of DMU Patna, the GGS Taloo was closed for  
 month of August 2014 due to the absence of staff. Further argued  
 that since the appellant had not performed her duty as GGS Taloo  
 as well as GGS Doodhna therefore she was rightly removed  
 from service.


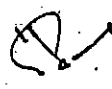
2. Arguments heard and perused.

6. Though the respondent department has annexed sufficient  
 material with their written reply/comments to establish that  
 appellant remained absent from duty. However the fact remains  
 the appellant was transferred from GGS Taloo to GGS Doodhna  
 vide order dated 31.10.2013 but on the other hand in the Show C  
 Notice dated 04.12.2013, absence notices through publication in  
 newspapers and in the impugned order the appellant has been con-  
 sidered as PST GGS Taloo. This Tribunal is therefore constrained  
 to strike down the original impugned order dated 06.06.2014.

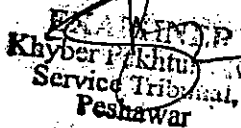
7. In the light of above, the original impugned order  
 06.06.2014 is set aside, the appellant is reinstated in service with  
 back benefits. All the absence period and intervening period are  
 treated as extraordinary leave without pay. The respondent  
 department is at liberty to conduct departmental proceedings.


**ATTESTED**  
 [Signature]  
 Dy. Commr. Patna  
 Bihar State  
 Patna

**ATTESTED**

		<p>the appellant in accordance with law/rules. The present service appeal is accepted in the above terms. Parties are left to bear their own costs. File be consigned to the record room.</p> <p> (Hussain Shah) Member</p> <p> (Muhammad Hamid Mughal) Member Camp Court-Abbottabad</p> <p><b>ANNOUNCED</b> 14.01.2019</p>
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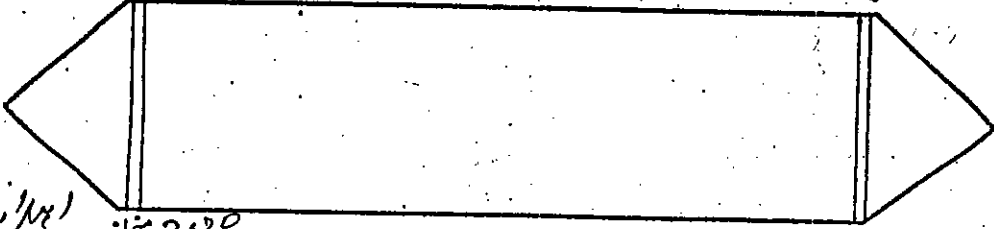
Certified to be true copy

  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

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# بعدالت کا ایک سرویس میمورینڈم



2020ء پنجاب اہل عدالت  
گورنمنٹ وائس چیمبر

حافظہ مسند فریح بنام

مورخہ  
مقدمہ  
دعویٰ  
جرم

## باعث تحریر آنکے

مقدمہ مشدرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کارروائی متعلقہ

آن مقام کیلئے محکمہ کارروائی

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز

وکیل صاحب کو راضی نامہ کرنے و تقریر ثالثہ فیصلہ بر حلف دینے جواب دہی اور اقبال دعویٰ اور

بصورت ڈگری کرنے اجراء اور وصولی چیک درو پیسہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق

ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی

نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور

کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لیا اپنے بجائے تقریر کا اختیار

ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ

پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانشینانہ مقدمہ کے سبب سے ہوگا۔

کوئی تاریخ پیشی مقام دورہ نہ ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی

مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 2020ء

ماہ  
گورنمنٹ وائس چیمبر

کے لئے منظور ہے۔

بمقام

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

**S.A.# 11405/2020.**

Hafiza Rukhsana Farrukh Ex-SS (Maths) BS-17.....**Appellant.**

**VERSUS**

Govt. of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa & others..... **Respondents**

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2.	Annexure	A	4
3.	Annexure	B	5
4.	Annexure	C	6
5.	Annexure	D	7
6.	Annexure	E	8
7.	Annexure	F	9
8.	Annexure	G	10

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

**Service Appeal No. 11405/2020**

Hafiza Rukhsana Farrukh Ex-SS (Maths) BS-17.....Appellant

**VERSUS**

1. Chief Secretary, Khyber Pakhtunkhwa,
2. Secretary E&SE, Govt: of Khyber Pakhtunkhwa..... Respondents.

**JOINT PARAWISE COMMENTS FOR & ON BEHALF OF THE RESPONDENTS NO 01-03.**

**Respectfully Sheweth,**

**The Respondents submit as under:-**

**Preliminary Objections**

- I. That the appellant has no cause of action/ locus standi to file the instant appeal.
- II. That appellant is estopped by his own conduct, to approach this Hon'able Tribunal.
- III. That no vested right of the appellant has been infringed nor any provisions of the Constitution have been violated, therefore, the instant service appeal is not maintainable in the circumstances.
- IV. That the instant appeal is based on mala fide intentions just to put pressure on the Respondents for the grant of illegal and even unauthorized service benefits.
- V. The present appeal has been filed to entangle the Department unnecessarily in litigation and to waste the precious time of the respondents as well as of this Hon'able Tribunal.
- VI. That the present appeal is against the relevant provision of law and rules.
- VII. That in the instant service appeal, the appellant has suppressed material facts from this Honourable Tribunal which are *Sine Qua Non* for the just and fair disposal of the case.
- VIII. That the instant appeal is barred by law of limitation.
- IX. That the appeal is bad for mis-joinder & non-joinder of necessary and proper parties.
- X. It is a settled principal of law that deputationist cannot be treated as aggrieved persons for the purpose of Article 199 of the Constitution of Islamic Republic of Pakistan 1973. Reliance in this regard is placed as judgment of the august Supreme Court of Pakistan titled as "S.Masood Abbas Rizvi VS FoP" (2014 SCMR 799) and Dr. Shafi ur Rehman Afridi Vs CDA, Islamabad (2010 SCMR 378).

**Reply on Facts.**

1. Pertains to record.
2. Pertains to her service record.
3. Pertains to record.
4. Incorrect and not admitted. That the DEO (F) Bannu only forwarded the appellant's appeal to Director E&SE and the same was filed without any further action.
5. That para-5 related to Federal Government and has no concerned with respondents.
6. Correct to the extent that the appellant services were placed on the disposal of Federal Government on deputation basis for interval of 03 years under deputation policy.
7. That para-7 related to Federal Government.



8. Correct to the extent of deputation and its further extension but as per deputation policy after five year the deputationist is automatically repatriated to present Department.
9. Incorrect and not admitted. The Federal Govt. Notification has not been binding upon the Provincial Govt. as the appellant were placed at the disposal of Federal Directorate of Education Islamabad on deputation basis w.e.f. 20-03-2006 to 17-03-2009 to 16-03-2011, however after expiry of her deputation period, she did not assume her duty at parent department repealed direction vide this Department letter dated 25-08-2014 followed by published absence notices in two local newspapers (Annex-A, B, C & D).
10. That the Federal Government vide letter dated 12-09-2013 requested for NOC regarding permanent absorption of the appellant. The Department regretted the said request for permanent absorption and requested Federal Government Education to repatriate the appellant and subsequently the Directorate of Federal Education repatriated the appellant on 21-02-2014 and directed through letter dated 04-02-2014 to report to the parent department but the appellant did not report to the Department (Annex-E, F & G).
11. Incorrect and not admitted. That the appellant deputation period was expired, after expiry of her deputation period, the appellant automatically stands repatriated. After completion of her deputation period of maximum 05 years, no further extension is allowed under law. Hence the appellant illegal stay on deputation is a permanent temporary in her absence from her parent department.
12. Incorrect, as explained above, however, after expiry of her deputation period, she did not assume her duty at parent department despite of repeated notices. She was absent from duty and was proceeded against her under E&D Rules, 2011 and hence removed from service as per direction of the Competent Authority.
13. That the appellant removal from service notification was issued on 26-02-2015 and filed the departmental appeal after the lapse of more than three years, thus the departmental appeal was badly time barred.
14. Incorrect and not admitted. The penalty imposed upon the appellant is according to law, rules on the subject, natural justice, acts, material, evidence on record, hence legal, lawful, by the lawful authority hence, tenable/ maintainable in the eye of law. The present appeal is liable to be dismissed inter alia on the following grounds.

### Reply on Grounds

- A. Incorrect and not admitted. The appellant has been treated in accordance with law and no right of the appellant has been violated. Hence denied being a false and baseless and against the facts, record.
- B. Incorrect as already explained in foregoing para, however the appellant was proceed under Rule 5(1) read with Rule-7 with the Rule-3(a), b of the rules abid.
- C. Incorrect and not admitted. The appellant did not assume her duty despite the fact that the Federal Govt. relieved her on 21-02-2014 with the direction to report to her parent department.
- D. Incorrect. The statement of the appellant in this para is false baseless, against the facts, record. In fact proper proceedings were conducted against the appellant under Section 09 (willful absence) of Government Servant (Efficiency & Discipline) Rules, 2011, served absence notice upon her on 25-08-2014.

address on 25-08-2014 and also published absence notice in two leading newspaper but no response has been received.

- E. Incorrect and not admitted. The charges leveled against the appellant are based on fact which were proved within the meaning of law, thus the penalty imposed is tenable and liable to be maintained in the eye of law and justice. Hence this para is denied.
- F. Incorrect and not admitted. The appellant thus been treated in accordance with law and no right of the appellant has been violated, hence denied.
- G. Incorrect and not admitted. The Chief Minister being appellate authority in terms of Rule-17(1) of Khyber Pakhtunkhwa Govt. Servant (E&D) Rules, 2011 and pass orders under Rule-17(2) of rules was pleased to approve the impugned removal from service of the appellant.
- H. Incorrect and not admitted. The appellant did not assumed her duty at parent department after expiry of her deputation period despite repeated directions.
- I. Incorrect and not admitted. The penalty imposed upon the appellant is according to law, rules on the subject, natural justice, acts, material, evidence on record and confession of the appellant, hence legal, lawful, by the lawful authority hence, tenable/ maintainable in the eye of law.
- J. The contentions of the appellant are misleading on the <sup>plea</sup> that the appellant remained absent from duty at her parent department.
- K. The respondents also seek the permission of this Hon'able Tribunal to adduce more grounds and proofs at time of arguments.

**In view of the above submissions, it is, therefore, most humbly prayed that this Honourable Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favour of the Respondents in the interest of justice.**

  
Secretary,  
E&SE Department.

SECRETARY  
Department of Secondary Education  
Government of Khyber Pakhtunkhwa

  
Secretary,  
Establishment Department.

A. A  
A. A



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

No.SO(S/F)/E&SED/5-8/2011/Rukhsana FarrUkh  
Dated Peshawar the 7<sup>TH</sup> May, 2011

To

The Assistant Director (Female)  
Government of Pakistan,  
Federal Directorate of Education,  
Islamabad

SUBJECT EXTENSION IN DEPUTATION PERIOD

I am directed to refer to your letter No. F.1-13/2005-14GD (W)/FDE dated 04/03/2011 on the subject noted above and to convey that Elementary & Secondary Education Deptt. has regretted the request for extension in deputation period of Ms. Rukhsana Farrukh, SS (Maths) BS-17 GGHSS Sikandar Khel Bala working on deputation under the Federal Directorate of Education due to shortage of Subject Specialist Maths in the Province. Therefore she may be directed to report to this Department immediately.

*[Handwritten signature]*  
27/5/11

A. A

(AASMA ARIF)  
SECTION OFFICER (SCHOOL/FEMALE)

Endst. of even number & date

- Copy forwarded to:
- 1- The Directress E&S: Khyber Pakhtunkhwa Peshawar w/r to her letter 4094/A-12/Rukhsana Farrukh dated 26/04/2011.
  - 2- P.S to Secretary E&SE Department for information.
  - 3- Ms. Rukhsana Farrukh SS (Maths) BS-17 on deputation to the Federal Directorate of Education.

c/c

*[Handwritten signature]*

SECTION OFFICER (SCHOOLS/FEMALE)

A-D  
A-B C

GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

No. SO(S/F)E&SED/4-17/2014/Rukhsana Farrukh SS  
Dated: Peshawar the, August 25, 2014.

- ① Ms. Rukhsana Farrukh 10 Haji Imam Bukshk,  
Street # 95, House # 1120, Sector I, 101,  
Islamabad.
- ② Ms. Rukhsana Farrukh Deputy Headmistress,  
FG Girls Secondary School Kuri (A), Islamabad.

**SUBJECT:- ABSENCE NOTICE**

I am directed to refer to the subject noted above and to state that you are willfully absent from your duty w.e.f 16-03-2014 without any intimation to the competent authority. Your absence is tantamount to misconduct under the rules. You are, therefore, directed to resume your duties within fifteen (15) days of the issuance of this letter.

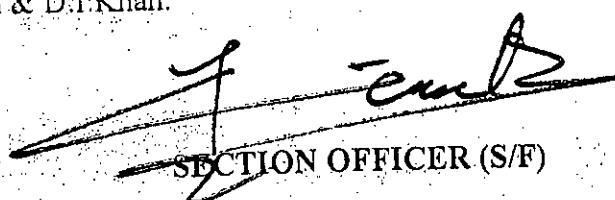
You are further directed to report for duty and also explain reasons of absence promptly, otherwise ex-parte action shall be taken against you under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

(FOZIA NAZ)  
SECTION OFFICER (S/F)

1st of even No & date

Copy is forwarded for information to:-

- The Director, E&SE Khyber Pakhtunkhwa, Peshawar.
- The District Education Officer (Female), Bannu & D.I.Khan.
- Principal GGHSS Sikandar Khel Bannu.
- The PS to Secretary E&SF Department.

  
SECTION OFFICER (S/F)

G.A.B  
G.A.C

1	رسول اکبر سٹریٹ سائنس لیبارٹری
2	رسول اکبر سٹریٹ کیمسٹری لیبارٹری
3	رسول اکبر سٹریٹ کولڈ اسٹوریج
4	رسول اکبر سٹریٹ پلاسٹک
5	رسول اکبر سٹریٹ پاپر
6	رسول اکبر سٹریٹ بریک

نوٹ: اگرچہ یہاں کارڈز کے ذریعے سٹیٹمنٹس فراہم کیے گئے ہیں لیکن یہ سٹیٹمنٹس

www.khyberpaktunhwa.gov.pk

# CORRIGENDUM

Notice for Bids (IFB)

## ACQUISITION AND INSTALLATION OF MEDICAL EQUIPMENTS, INSTRUMENTS, LABORATORY REAGENTS & GENERAL ITEMS

International Competitive Bidding (NCB)

The following Para's may be read as follows:

1. Bidders are invited to give their best and final price for the items as per the Specifications as no price escalation is allowed. The bid must be valid up to the date of bid opening. Quantity of items can be increased or decreased.

2. The Government has the right to reject all bids under the provisions of the Public Procurement Regulations, 2014 by the Government of Khyber Pakhtunkhwa.

3. For any clarification regarding the Meeting & Bid Notice, please contact the Project Director.

4. The Project Director is located at the following address:

**GENERAL PROJECT DIRECTOR**  
**CHENBERA MEDICAL COLLEGE**  
**CHENBERA Contact # 091-5823159**

www.khyberpaktunhwa.gov.pk

## خبریں پختونخواہ حکومت

ذمہ داری کو سنبھالنے کے لیے حکومت نے اقدامات کیے ہیں۔

آرٹیکل نمبر	تعداد	تاریخ	تفصیلات
0400	...	...	...
0900	...	...	...
0100	...	...	...
0100	...	...	...
0100	...	...	...

دیکھ کر اور اس کے تحت (1) کے تحت فراہم کیے گئے ہیں۔

جاتے ہیں اور ان کے بارے میں کوئی شکوکہ نہ ہو۔

مقامی اداروں کے ساتھ ساتھ حکومت نے اقدامات کیے ہیں۔

پالیسی اور حکمت عملی کے تحت حکومت نے اقدامات کیے ہیں۔

درخواستیں 2014ء کے 20 دسمبر تک قبول کی جائیں گی۔

پاکستان کے تمام صوبوں کے سرکاروں کے ساتھ ساتھ حکومت نے اقدامات کیے ہیں۔

تقریباً ہر صوبہ کے لیے ایک ایک (1) تقریباً ہے۔

کے اس بارے میں 2014ء کے 23 دسمبر تک حکومت نے اقدامات کیے ہیں۔

کے ساتھ ساتھ حکومت نے اقدامات کیے ہیں۔

دیکھ کر اور اس کے تحت (1) کے تحت فراہم کیے گئے ہیں۔

www.khyberpaktunhwa.gov.pk

A.B. 1  
F

آپ سہ ماہی رخصانہ ٹرننگ ماہر مشورین کی طرف سے  
 سکریٹریٹ میں بلا مطلع ہوں سو پر 16-8-2006  
 اسلام آباد میں ڈیپوٹیشن (Deputation)  
 ملازمت کیلئے وفاقی ٹرننگ ماہر کی واسطے سے صورت  
 لیکن محکمہ ہڈا نے آپ کی درخواست منظور نہ کی اور  
 سکول میں جلد از جلد حاضر ہو جائیں۔ کیونکہ آپ کے  
 کو ختم ہو گیا ہے۔ لیکن آپ نے اسے اس تک حاضر کیا  
 لیکر اب تک غیر حاضر رہی ہیں۔ آپ کو گورنمنٹ کے  
 کا نوٹس جاری کر دیا گیا تھا۔ آپ سے درخواست کی گئی  
 تحریری جواب دیا۔  
 لہذا آپ کو بذریعہ نوٹس ہڈا آخری بار مطلع کیا گیا ہے۔  
 دن (15) کے اندر اندر اپنی ڈیوٹی پر حاضر ہو جائیں اور  
 بھی تائیں۔ بصورت دیگر آپ کے خلاف کارروائی  
 قواعد و ضوابط 2011 کے تحت شروع کی جائے گی۔  
 نوٹس سے برخاستگی بھی شامل ہو سکتی ہے۔

**نوش نیلام ٹھیکہ، چھکلی اور پائے سندھ پوسٹ**  
 برائے تین سال 2014-17

برخاستگی کے لئے اسٹینڈنگ ڈار کیلئے ایک ایسی پروری اور رہائش  
 برائے تین سال 2014-2017 (ایکریٹر 2014 تا 2014) کے لئے  
 ٹھیکہ پوائے جانے لگے۔

نام سرکاری پالی	کال ٹیپ کٹ
دریائے سندھ پوسٹ نمبر 1 ڈیمہ اسمبلی خان (موجودہ ٹھیکہ محققانہ زمینوں اور زمینوں) ڈیمہ اور پالی خان میں اسوائے چشمہ راجہ جی آر ای سی کیمپل، منٹری ڈسٹرکٹ سندھ اور منٹری محروم ہسپتال تالپل (ایس ڈی)	1000000.00

ٹھیکہ (موجودہ) سب سے زیادہ پالی کی منظوری کے لئے  
 دیں گے۔ ہر وہ شخص پالی میں سب سے زیادہ پالی ہوگا۔ اس سے  
 ڈیپارٹمنٹ کی صورت میں نیلام اسٹینڈنگ ڈار کیلئے ایک ایسی پروری  
 نوٹس جاری کیا گیا ہوگا جو کہ پالی کے انتظام پر، کاسٹریوٹی اور  
 تیسرے نمبر پر زیادہ پالی اور دیگر زمینوں کے کالڈ اور  
 دہانہ کو ٹھیکہ کی حالت کا ایک تھالی (1000) کے لئے  
 ضبط کیا جائے گا۔ پالی اور پالی میں دوسرے زمینوں  
 ادا کرنے کا پابند ہوگا۔ جس کے لئے ٹھیکہ کے پاس  
 کرنے کی صورت میں دوبارہ نیلام عام کیا جائے گا اور پالی  
 کا اسی سرحد قانون کے مطابق پالی ہوگا۔ اس سے  
 اندر اندر یا جائز آسانی کی صورت میں پالی اور پالی  
 ٹھیکہ پہلے سال کے ٹھیکہ کی کل رقم پر سرحد کے مطابق  
 تیسرے سال کے اقساط کے ساتھ ہی ایڈوانس آگے  
 وقتاً فوقتاً کو ہونے اور کسی تیسری کی صورت میں اس ادا کرنے  
 اگست بذریعہ چال شکار جعلی شروع ہوگا۔ غیر ٹھیکہ  
 1976ء اور تمام ٹریم جو ڈاؤن ٹا کی گئی ہیں یا اس سے  
 بلز ٹھیکہ منظور کرنے یا پالی ہوگا۔ (8) کے لئے  
 سکریٹری پالی کا پالی ڈسٹرکٹ سندھ میں  
 دفتری اوقات کار میں پالی ڈسٹرکٹ سندھ میں

**اسٹینڈنگ ڈار کیلئے ایک ایسی پروری اور رہائش**

**MOST IMMEDIATE**

No. F. 013/P.A-Dep/14-16-17/(W) FDE  
Government of Pakistan  
Federal Directorate of Education  
\*\*\*\*\*

Islamabad the 12<sup>th</sup> September, 2013.

The Section Officer (Primary),  
Elementary & Secondary Education Department,  
Government of K.P.K.,  
Peshawar.

Subject: **NO OBJECTION CERTIFICATE FOR PERMANENT ABSORPTION**

I am directed to refer to the subject noted above and to say that, Mrs. Rukhsana Farukh D.O.B 21.04.1972 D.O. Haji Amam Bukshk was taken on deputation under FDE on 30.03.2006 in her own pay/grade & scale i.e DHM (B-17).

2. Now, in the light of approval of the Prime Minister of Pakistan, the FDE is preparing the case for permanent absorption of the deputationist for onward transmission to CA&D Division for DPC/DSC. In this regard, the NOCs of parent department for permanent absorption of the deputationists are required.

3. You are requested that, the NOC / consent of your's department for permanent absorption in respect of Mrs. Rukhsana Farukh may be furnished to this Directorate upto 30.09.2013 for further process please. Beyond 30.09.2013 the NOC/consent will not be acceptable.

Attention: The name of above teacher will be considered for permanent absorption in the light of recruitment rule subject to approval by the Departmental Selection Committee / CA&D Division Islamabad on the condition that, completion of 05-years deputation period, meet the wedlock policy, fulfillment of codal & procedural formalities, availability of posts. If the services of above name teacher not absorbed on permanent basis by DSC / CA&DD due to lack of academic / professional qualification OR not fall in the recruitment rule OR any other deficiencies then FDE will be not bound to absorb her services on permanent basis under FDE on the basis of this letter.

4. This letter does not confer any right or claim of permanent absorption.

5. This is issued with the approval of Director General (Edu).

*79*  
*Hasan*  
(HASAN IMRAN BAIG)  
Dy. Director Schools (FEMALE)

Copy to:

- ↓ E.D.O concerned.
- ↓ D.E.O concerned.
- ↓ Person concerned.

(HASAN IMRAN BAIG)  
Dy. Director Schools (FEMALE)

**TO BE PUBLISHED IN PART-III OF THE GAZETTE OF PAKISTAN**

Government of Pakistan  
Federal Directorate of Education  
\*\*\*\*\*

Islamabad the 21<sup>st</sup> February, 2014

**NOTIFICATION**

No.F.1-13/2005(W)FDE..... MS. RUKHSANA FARRUKH, Deputy Headmistress (Deputationist), Islamabad Model School for Girls (I-X) Kurri (FA), Islamabad is hereby repatriated to her parent department i-e, Elementary & Secondary Education Department, Government of KPK, Peshawar with immediate effect due to completion of her deputation tenure under this Directorate.

2. She stands relieved with immediate effect to report for duty to her parent department.
3. This is issued with the approval of Director General (Education).

**HASAN IMRAN BAIG  
DEPUTY DIRECTOR (FEMALE)**

*The Manager,  
Printing Corporation of Pakistan Press,  
University Road,  
Karachi-5.*

Copy to:

- The Section Officer (S/F),  
Elementary & Secondary Education Department,  
Govt. of Khyber Pakhtunkhwa, Peshawar  
w.r.t. letter No. SO(S/F)E&SE/4-10/2013/Rukhsana Farukh SS dated 04.02.2014
- The AGPR, Islamabad
- The Head/DDO Concerned
- The Person Concerned

**HASAN IMRAN BAIG  
DEPUTY DIRECTOR SCHOOLS (F)**



MOST IMMEDIATE /  
REGISTERED

GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

No. SO(S/F)E&SE/4-10/2013/Rukhsana Farukh SS  
Dated Peshawar February 04, 2014.

To

Ms. Rukhsana Farukh,  
Deputy Headmistress (BS-17),  
F.G Girl Secondary School Kurr (F.A),  
Govt. of Pakistan, Islamabad.

SUBJECT:- NO OBJECTION CERTIFICATE FOR PERMANENT ABSORPTION.

I am directed to refer to this Department's letter of even number dated 06-01-2014 on the subject noted above and to state that immediately report to your parent Department i.e Khyber Pakhtunkhwa Elementary & Secondary Education Department without any further delay, otherwise disciplinary action will be initiated against you under (E&D) Rules, 2011.

It is further directed that your deputation period has already been expired 16-05-2011, and the Competent Authority has regretted your request for permanent absorption.

(FOZIA NAZ)  
SECTION OFFICER (S/F)

Endst. of even No & Date

Copy to:

1. The Deputy Director Schools (Female), Federal Directorate of Education, Govt. of Pakistan, Islamabad with the request to immediately relieve her.
2. Director E&SE with the request to furnish home address of the above Subject Specialist, immediately for further proceeding.
3. PS to Secretary E&SE Department.

SECTION OFFICER (S/F)

10/2/14

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 11405/2020

Hafiza Rukhsana Farrukh ..... Appellant

Versus

The Govt. of KPK and others..... Respondents

**REJOINDER ON BEHALF OF APPELLANT IN RESPONSE  
TO REPLY FILED BY RESPONDENTS.**

Respectfully Sheweth,

**Preliminary Objections:**

Preliminary objections raised by answering respondents are erroneous and frivolous. Appellant has got a strong cause of action and for that matter locus standi to file the instant appeal. The instant appeal being filed within time. All the relevant facts have been incorporated in the memo of the appeal. All the relevant parties have been arrayed in the panel of Respondents. Estoppels does not run against law.

**Facts:**

- 1-3. Being not replied hence amount to admission.
- 4-7. Not admitted as submitted by the Respondents. Appellant under the policy was sent on deputation by the Respondent Department after meeting all the codal formalities as spouse of the appellant was performing his duties at Islamabad, therefore, they were facing great socio-economic problems and hardships which were affecting their performance of duties. Appellant moved an application for permanent transfer in the Federal Government thereon she was directed to provide NOC from the parent Department which she procured and produced, whereafter, she was transferred on deputation initially for a period of three years where appellant

assumed the charge against vacant post of Deputy Headmistress at F.G. Girls Secondary School, Kurree (F.A) Islamabad.

- 8-10. Partly admission has been made by the answering Respondents. Moreover, after completion of the period of three years, upon application of the appellant such period of was further extended to five years with the consultation of the Respondent Department. Appellant also moved an application for permanent absorption and extension in deputation period wherein borrowing Department showed its willingness. Moreover, under the prevailing policy in vogue, appellant was also entitled to be permanently absorbed in the Federal Government. It is further submitted that under the law, Respondent Department was required to have issued publication at the place of posting of the appellant but that very important requirement of law was outright overlooked which vitiates whole the proceedings against the appellant.
- 11-14. Not admitted. Correspondence were being made amongst the Department regarding permanent absorption of the appellant in the Federal Government. It would not be irrelevant to assert here that in the meanwhile appellant was transferred from IMSG (I-X), Kurree against the vacant of DHM at IMSG (IV-X), I-X/4 where she assumed the charge and commenced performing duties, therefore, it supports the stance of the appellant that no Notices as well as publication have been communicated to appellant or the Federal Government, otherwise, appellant had not been transferred against the subject post. All of sudden, while performing her duties, she was handed over the impugned order dated 20.02.2015 communicated on 16.10.2018 whereby appellant had been removed from service w.e.f. 16.03.2011 without observing mandatory requirements.

**Grounds:**

- A-C. Incorrect. Appellant has not been dealt with in accordance with law and rules. Appellant was on the role of the Federal Government where she was performing her duties but neither absence Notices were communicated to the borrowing Department nor to appellant

which resulted into transfer of appellant, therefore, appellant had to be relieved by the Federal Government, therefore, no question arises in respect of absence. Consequently, the impugned removal order is null and void.

D-F. Not admitted. Appellant was not dealt with in accordance with law and Rules rather Department was required to adhere the provision of Article-10A of the Constitution of Islamic Republic of Pakistan, 1973. No inquiry has been conducted. Moreover, mandatory provision of Rule-9 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 has not been complied with. An identical matter has been adjudicated by this Hon'ble Tribunal in Service Appeal No.34/2015, therefore, appellant is also entitled under the law of consistency and equality to be treated at par with the referred appeal.

G-K. Respondents have badly failed to reply the averments as have been taken by the appellant, thus amounts to admission.


It is, therefore, humbly prayed that the reply of answering Respondents may graciously be rejected and the appeal as prayed for may graciously be accepted with costs.

  
Appellant

Through

  
Muhammad Amin Ayub


&

  
Muhammad Ghazanfar Ali  
Advocates, Peshawar

Dated: 9 /07/2022

**Verification**

Verified that the contents of this rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

  
Advocate

**TO BE PUBLISHED IN PART-III OF THE GAZETTE OF PAKISTAN**

Government of Pakistan  
Federal Directorate of Education

\*\*\*\*

Islamabad the 27<sup>th</sup> June, 2019

**NOTIFICATION**

No.F.1-13/2005(W)FDE .....In pursuance of intimation about removal from service conveyed by Section Officer (Schools/Female), Elementary & Secondary Education Department, Government of Khyber PakhtunKhwa vide letter No.SO(S/F)E&SED/4-17/2015/Rukhsana Farrukh SS(BS-17) dated February 20, 2015, Mrs. Rukhsana Farrukh, Subject Specialist Maths (BS-17), Govt. Girls Higher Secondary School, Ismail Mama Khel, Bannu working on deputation basis as Deputy Headmistress (BS-17) at Islamabad Model School for Girls (VI-X), I-10/4, Islamabad under Federal Directorate of Education is hereby repatriated to her parent department w.e.f. the date of removal from service 20.02.2015.

2. This is issued with the approval of competent authority i.e. Director General, Federal Directorate of Education, Islamabad

(Sameena Zia)  
Deputy Director Schools

— The Manager,  
Printing Corporation of Pakistan Press,  
University Road,  
Karachi-5.

**Copy to:**

- PS to Secretary, Ministry of Federal Education & Professional Training
- PSO to Chief Secretary, Khyber PakhtunKhwa
- PS to Director General, FDE
- Section Officer (Schools/Female), Elementary & Secondary Education Department, Government of Khyber PakhtunKhwa
- Director Elementary & Secondary Education, Khyber PakhtunKhwa
- DDO/Head Concerned
- Person Concerned