


# FORM OF ORDER SHEET

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

**Appeal No. 1432/2023**


S.No.	Date of order proceedings	Order or other proceedings with signature of judge.
1	2	3
1-	05/07/2023	<p>The appeal of Mst. Samina Ara resubmitted today by Mian Muhammad Imran Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mst. Samina Ara PST GGPS No: 11 Latamber District Karak received today i.e on 19.06.2023 is incomplete on the following score which is returned to her attorney for the appellatant for completion and resubmission within 15 days.

- 1- Memo of appeal be got signed by the appellatant.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Check list is not attached with the appeal.
- 4- Affidavit be got attested by the Oath Commissioner.
- 5- Annexures of the appeal are unattested.
- 6- Page Nos. 6 to 11, 20, 21 and 25 of the appeal are illegible which may be replaced by legible/better one.
- 7- Annexures of the appeal are not in sequence which be annexed serial wise as mentioned in the memo of appeal.
- 8- Wakalat nama in favour of appellatant be placed on file.
- 9- Seven more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.


No. 1809 /S.T,

Dt. 20/6 /2023.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mian Muhammad Imran Adv.  
High Court Peshawar.

*R/S - The deficiencies have been rectified  
and the Service Appeal may kindly  
be placed before the Court please.*

  
Mian Muhammad Imran  
Adv.  
High Court Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL**  
**PESHAWAR**

Service Appeal No 1432 /2023

Samina Ara (PST) D/O Khyal Tawan, Government Girls Primary School No. 01,  
Latambar, District Karak

....Appellant


VS

Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat  
Peshawar and others

**INDEX**

<u>S.No</u>	<u>Documents</u>	<u>Flag</u>	<u>Page</u>
01.	Service Appeal		1-5
02.	Copy of Appointment Order	A	6-8
03.	Copy of Judgment	B	9-11
04.	Copy of Order Dated: 4/11/2020	C	12
05.	Copy of the Order Dated: 12/11/2020	D	13
06.	Copy of Appeal & Letter Dated: 08/09/2021	E	14-16
07.	Copy of Source-I Form & Observations	F	17-21
08.	Copy of Letter Dated: 7/6/2022	G	22-23
09.	Copy of Appeal for the Back- Benefits	H	24
10.	Copy of Rejection of Appeal	I	25-33

Through

  
Appellant

(Mian Muhammad Imran)  
BC-13-4213

&

(Muhammad Iqbal Safi)  
Advocate High Court

(1)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL**  
**PESHAWAR**

Service Appeal No 1432 /2023

Samina Ara (PST) D/O Khyal Tawan, Government Girls Primary School, No. 01,  
Latamber District Karak

.....Appellant

**VS**

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar
2. Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education, Civil Secretariat Peshawar
3. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar
4. District Education Officer (DEO) (Female), District Karak, Khyber Pakhtunkhwa
5. District Account Officer (DAO), District Karak, Khyber Pakhtunkhwa

.....Respondents

**APPEAL UNDER SECTION 04 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER DATED 19/05/2023 WHEREBY THE APPEAL OF THE APPELLANT REGARDING GRANTING OF BACK-BENEFITS HAS BEEN REGRETED BY THE RESPONDENT NO. 03 & TO SET-ASIDE THE SAME AND ANY OTHER ORDER WHICH IS DETRIMENTAL TO THE APPELLANT AND TO GRANT BACK-BENEFITS TO THE APPELLANT FROM THE DATE OF HER DISMISSAL DATED: 12/08/2011 KEEPING IN VIEW THE PROBITY THAT THE APPELLANT HAS BEEN REINSTATED BY THE RESPONDENTS INTO SERVICE VIDE ORDER DATED: 04/11/2020 BY ACCEPTING HER DEPARTMENTAL APPEAL**

The Appellant is pleased to beseech before this Honorable Tribunal as under;

1. That the Appellant was appointed as PST (Primary School Teacher) by the Executive District Officer, Elementary & Secondary Education, Karak on 31/12/2010. (Copy of the Appointment Order is attached as F/A)

2. That the Appellant after fulfilling all the codal formalities, started her duties with profound zeal and zest.
3. That the stroke of misfortune hit the Appellant when she was dismissed from service on 12/08/2011 based on the baseless pretext and allegation of providing fake documents. Feeling peeved, the Appellant preferred her departmental appeal which was also rejected on 25/07/2012. In order to seek justice qua her unlawful dismissal order, she filed Service Appeal No. 996/2012 for her re-instatement. The said appeal was heard by this Worthy Tribunal on 25/05/2016 and was pleased to set-aside the then impugned appellate order Dated: 25/07/2012 and directed the department to decide the appeal of the Appellant via a speaking order. It is indispensable to submit that no time-frame was given for rendering such speaking order in the judgment. (Copy of the Judgment is attached as F/B)
4. That after the deliverance of the above mentioned judgment; the Appellant time and again approached the Respondents to implement the judgment of the Worthy KP Service Tribunal, and at last, the Respondent No. 03 (Director, E&S Education, K-P) was pleased to accept the departmental appeal of the Appellant on 04/11/2020. (Copy of the Order Dated: 04/11/2020 is attached as F/C)
5. That it is legit to bring into notice of this Honorable Tribunal that in line of the order issued by the appellate authority (Director E&S Education), the Respondent No. 04 (DEO Female) showed compliance and Order Dated: 12/11/2020 was issued. It is also added that the Appellant was also directed to serve at "GGPS Latamber No. 01, Karak". It is also axiomatic to state that even seniority of the Appellant was kept intact with the Appellant's seniority counterparts. (Copy of the Order Dated: 12//11/2020 is attached as F/D)
6. That after resumption of her duties at "GGPS Latamber No. 01, Karak", the Appellant was astonished that her salaries were not released so in this regard, she filed departmental appeal for the release of her salaries, whereby, the Respondent No. 04 issued letter Dated: 08/09/2021 for the release of her salaries. (Copy of the Appeal & Letter Dated: 08/09/2021 is attached as F/E)
7. That it is also legit to submit that the source-I form duly filled was sent to the office of Respondent No. 05 (DAO Karak) for the release of the salaries of the Appellant which was sent by him with some observations on 30/12/2021. (Copy of the Source-I Form & Observation by the DAO Karak is attached as F/F)
8. That in response to the observations made by the Respondent No. 05 (DAO Karak), the Respondent No. 04 (DEO Female, Karak) was pleased to clarify the entire vignette vide letter Dated: 07/06/2022. (Copy of the Letter Dated: 07/06/2022 is attached as F/G)

9. That after clarification by the Respondent No. 04, the salary of the Appellant was released but still it was shocking that the Appellant was extended salaries from the date of her re-instatement i.e. 13/11/2020 but not from her illegal dismissal. So feeling distressed, the Appellant submitted her departmental appeal for granting of her back-benefits keeping in view the probity that her appeal was accepted by the appellate authority and her dismissal order was withdrawn. (Copy of the Appeal for the back-benefits is attached as F/H)
10. That the Appellant's departmental appeal regarding granting of back-benefits was regretted vide Order Dated: 19/05/2023 by the Respondent No. 03 (Director, E&S Education K-P). (Copy of the Rejection of Appeal is attached as F/I)
11. That feeling badly aggrieved, the Appellant knocks the door of this Honorable Tribunal on the following grounds *inter-alia*;

**GROUND:**

- A. That the impugned rejection order Dated: 19/05/2023 is *prima facie* and *ex-facie* illegal, unlawful and void-ab initio because the Appellant departmental appeal has been accepted and she has been re-instated into service.
- B. That the departmental appeal qua dismissal from service has been accepted by the competent authority i.e. the Respondent No. 03 (Director, E&S Education K-P) being the appellate authority, so, the appellant resumed her duties with a lawful order, hence, she is entitled of all the arrears in shape of back-benefits since her illegal dismissal from service i.e. 12/08/2011.
- C. That after acceptance of the departmental appeal, the Respondent No. 04, issued a proper order on 12/11/2020 in line of the acceptance of departmental appeal order issued by the Respondent No. 03. A simple *coup d'oeil* over the order Dated: 12/11/2020 provides that the dismissal order has been withdrawn and she has not been reinstated with immediate effect. Thus, the Appellant is entitled to have all the arrears in shape of back-benefits.
- D. That apart from it, a simple glance over the Order Dated: 12/11/2020 makes it crystalline that the seniority of the Appellant has been kept intact, which is, an un-skeptical, endorsement of the probity that her service is absolutely continuous and without any break. So, rejection of her appeal and issuance of the impugned order Dated: 19/05/2023 holds no water at all.

4

E. That the Appellant's departmental appeal regarding her dismissal has, in fact, been accepted by the competent authority based on the judgment of this Honorable Tribunal Dated: 25/05/2016 whereby the Respondents were directed to decide the appeal of the appellant with a speaking order. Hence, the Appellant is entitled to have all the arrears in shape of back-benefits.

F. That by pouring a momentary look at the relevant statute regarding granting of pay/salary and arrears of pay/back-benefits, it is advantageous to reproduce Section 17 of the KP Civil Servants Act, 1973 *ad-verbatim*;

17. *Pay.*---*A Civil Servant appointed shall be entitled, in accordance with the rules, to the pay sanction for such post:*

*Provided that when the appointment is made on current charge basis or by way of additional charge, his pay shall be fixed in the prescribed manner:*

*Provided further that when a Civil Servant has, under an order, which is later set-aside, been dismissed or removed from service or reduced in rank, he shall on setting aside of such order, be entitled to such arrears of pay as the authority setting aside such order may determine.*

Hence, keeping in view the aforesaid *proviso* of Section 17 of the KP CSA Act, 1973, it is settled that on setting-aside any order of dismissal or removal as well as reduction in rank, the employee is entitled of arrears of pay. In the case in hand, the Appellant's departmental appeal has been accepted by the competent authority and her dismissal from service order has been withdrawn, so, the Appellant is entitled of her arrear of pay. It would further be pertinent to submit that acceptance of departmental appeal means setting-aside of the impugned dismissal order while the term "withdraw" as per the Black's Law Dictionary means to take back or to retract. Thus, the Appellant is entitled to all her arrears of pay from the date when she was dismissed from service.

G. That it is also rudimentary to submit before this Honorable Tribunal that the acceptance of departmental appeal and withdrawal of the dismissal order by the competent authority acknowledges the probity and truthfulness that the allegations against the Appellant were baseless and concocted. The Appellant, if didn't, serve the department during such period, such fault cannot be laden on her shoulder because it was due to unlawful step taken by the Respondents which curtailed her


5  
from performance of her duties. Thus, the Appellant is entitled of all the arrears of pay.

- H. That true that during the period she was abstained from service via the dismissal from service order Dated: 12/08/2011, she didn't serve any other place or department and also didn't receive any perks and privilege from any other source or entity. Her entitlement to the arrears of pay cannot be ignored.
- I. That any other ground can be raised at the time of arguments.

**PRAYER:**

In light of the foregoing submissions, it is therefore, most humbly prayed that on acceptance of the instant service appeal, this Honorable Tribunal may graciously be pleased to set-aside the impugned order Dated: 19/05/2023 and any other order, if not communicated and detrimental to the interest of the Appellant, may also be set-aside and direction may graciously be issued to the Respondents to grant all the outstanding arrears of pay/back benefits to the Appellant from the date of her dismissal from service keeping in view the probity that the Appellant' departmental appeal has been accepted by the competent appellate authority on 04/11/2020. Any other relief may also be extended in favor of the Appellant against the Respondents.

Through

  
Appellant  
(Mian Muhammad Imran)  
BC-13-4213

&

(Muhammad Iqbal Safi)  
Advocate High Court

**Verification:** The instant appeal is the 1<sup>st</sup> one on the subject-matter, true and correct and nothing has been concealed from this Honorable Tribunal.

Deponent



**OFFICE OF THE EXECUTIVE DISTRICT OFFICER, ELEMENTARY AND  
SECONDARY EDUCATION KARAK**

**APPOINTMENT**

Consequent upon the recommendation of the District Recruitment / Selection Committee constituted by the Government of NWFP Schools & Literacy Department (Elementary and Secondary Department) the following candidates are hereby appointed as P.S.T. (Primary School) teacher on regular basis in BPS -7(3530-150-9230) Pm plus usual allowance as admissible under the rule on 60% Open Merit, 40% Union Council wise basis, and decessed sons quota w.e.f. the date of their taking over charge on the terms and conditions mentioned below.

**OPEN MERIT: 60% POSTS=16**

S.N. NO.	NAME	FATHER NAME	UNION COUNCIL	SCHOOL WHERE POSTED	MERIT
1	Saima Nooreen	Ismail Khan	North Karak	GGPS Kamal Khel	60.64
2	Haseena Riddos	Mohammad Khaliq	South Karak	GGPS Halala	68.07
3	Basem Ara	Khyal Tawan	North Karak	GGPS Shakar Khel	67.91
4	Zahcen Akhtar	Mohammad Subhan	Sabir Abad	GGPS Shaikhani Khel	67.16
5	Haseena Wajid	Awaz Jan	South Karak	GGPS Chandana Khurram	67.51
6	Samina Ara	Khyal Tawan	North Karak	GGPS Shakar Khel	67.16
7	Shoukat Ara	Ghulam Sadique	do	GGPS Enqir Abad Spina	66.45
8	Munayyar Sultana	Qabil Badshah	South Karak	GGPS Daraki Banda	65.39
9	Farukh Naz	Ali Abbas	T Narati	GGPS Gugun	65.00
10	Naila Riddos	Hazrat Usman	Do	GGPS Dargah Shahidan	64.70
11	Janja Melbooh	Melbooh Khan	South North	GGPS Theon Dand	64.50
12	Zuhra Nooreen	Mohammad Ishag	Sabir Abad	GGPS Mato	64.64
13	Barbat Nabila	Fazal Munir	Mithal Khel	GGPS Haya Abad	64.99
14	Gulistan	Mudasir Gul	South Karak	GGPS Chanda Khurram	64.74
15	Haseena Gul	Mohammad Sidique	Do	GGPS Faisal Khumani	64.24
16	Sara Riaz	Mohammad	North Karak	GGPS Chaudhary	64.12
<b>UNION COUNCIL WISE 40%</b>					
<b>UNION COUNCIL TAKHTI NAST</b>					
17	Parha Naz	Sheir Mula Jan	Chofara	GGPS Chofara Khel	60.52
<b>UNION COUNCIL CHOFARA</b>					
18	Sadat Naz	Noqceeb Qr	Chofara	GGPS Amberi Khel	62.65

*Approved  
order*

*Executive District Officer  
Elementary and Secondary Education  
Karak*

6

**UNION COUNCIL SABIR ABAD**

61	Anam Sana	Faiz Ulla	Sabir Abad	GGPS Sabir Abad No 2	61/90
62	Naila Yasmin	Nasrullah Khan	Do	GGPS Dandi Edal Khel	58/20

**UNION COUNCIL GMR KHEL**

63	Ferdoos Pari	Husain Badshah	Gundi Mir Khan Khel	GGPS Kamali Zarak Khel	57/21
----	--------------	----------------	---------------------	------------------------	-------

**UNION COUNCIL MITHA KHEL**

64	Hatham Bibi	Dost Khan	Mitha Khel	GGPS Shino Alghada	61/77
----	-------------	-----------	------------	--------------------	-------

**UNION COUNCIL JANDARI**

65	Shakeela Naz	Iqayat Ullah	Jandari	GGPS Faqir Agha Spina	62/39
66	Bushra Khatoon	Banaras Khan	Do	GGPS Mashki Khel	61/74

**UNION COUNCIL TERI**

67	Ambreen Fatima	Narulla Jan	Teri	GGPS Esak Khumari	63/19
----	----------------	-------------	------	-------------------	-------

**UNION COUNCIL JATTAN**

68	Bibi Khuda	Makial Khan	Jattan	GGPS Shaikan Mami Kael	51/15
69	Sheh Naz Begum	Khan Malik	Do	GGPS Mami Khel	50/36
70	Shazia Gul	Gul Bad Shah	Do	GGPS Mami Khel	50/18

**DECEASED**

71	Saima Jabeem	Azmat Ullah Khan	Paloosa Sar	GGPS DARA KAI	62/95
72	Shazia Ghani	Ghani ur Rahman	Jhangiri	GGPS SAKOT	55/80

**TERMS AND CONDITION**

1. No TA/DA is allowed.

2. Charge report should be submitted to all concerned in duplicate.

3. They should not be hand over charge if they exceed 35 years and below 18 years of age.

4. Appointments subject to the condition that the certificates/documents must be verified from the concerned authorities by the undersigned. If any one found producing bogus certificates she will be reported to the law enforcing agencies for further action and their services will be considered as automatically dismissed with no privileges of the post.

5. Under the provision of Government of NWFP Civil Servant (Amendment) Act 2005 (came into force on 23 July 2005) Notified vide Establishment and Administration Department (Regulation Wing) Government of NWFP NO SO (REGULATION) 6 (E&AD) 13/2005 Dated 10/8/2005 all the above persons and the person appointed on regular basis to services are posted in the prescribed manner after the commencement of the said act, all for all intents and purposes be a civil servant except for the purpose of pension or gratuity. Such a civil servant shall in lieu of pension and gratuity be entitled to receive such amount contributed by him towards the Contributory Provident Fund along with the contribution made by the Government to his account in the said fund in the prescribed manner.

6. If they failed to hand over charge cancelled and their health and age certificate concerned for taking over.

7

*[Handwritten Signature]*  
 Director, NWFP

3

- 8. They are required to produce an affidavit on stamp paper regarding the genuineness of the certificates/Degrees submitted by them in response of the advertisement of this office. They should not be allowed to take over charge if they fail to produce the affidavit at the time of their arrival to join the duty to the concerned DDO. The DDO concerned should countersign the affidavit and the same should be submitted to the undersigned for record.
- 9. All the appointees will be entitled for the benefits as admissible to a civil servant on pension and gratuity.
- 10. This office will verify their documents from the concerned authorities of their own expenses.
- 11. The candidates already in regular Service shall have to give a option either to retain the benefit of Contributory Provident Fund allowed to her under her new appointment. Under the provision of NWFP gazette notification issued vide Government of NWFP Assembly Secretariat No. P/NT/PP/BI/3/2009/11-7-1983 dated 28-3-2009.
- 12. They will remain on probation for a period of 01 year.

(Muhammad Shahid Zaidi)  
 Executive District Officer  
 Elementary and Secondary Education  
 Karak

Encls. No. 2809/14

Dated Karak the 3/11/2017

- 1. Copy of the above is forwarded to the:-
- 2. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar
- 3. District Coordination Officer, Karak
- 4. District Officer (F) Elementary & Secondary Education Karak
- 5. Deputy District Officer (Elementary & Secondary Education) Karak
- 6. District Accounts Officer Karak with the request not to honour their pay and allowances until the verification of documents from concerned Board/University is received.
- 7. Further more this office will issue proper release order after verification.
- 8. Candidates concerned.

(Muhammad Shahid Zaidi)  
 Executive District Officer  
 Elementary and Secondary Education  
 Karak

*[Handwritten signature]*

BETTER COPY

8-A

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY & SECONDARY  
EDUCATION KARAK

APPOINTMENT:

Consequent upon the recommendation of the District Recruitment/Selection Committee constituted by the Government of NWFP Schools & Literacy Department (Elementary & Secondary Department) the following candidates are hereby appointed as PST (Primary School Teachers) on regular basis in BPS-7 (3530-190-9230) pm plus actual allowance as admissible under the rule on 60% Open Merit, 40% Union Council wise basis and deceased sons quota w.e.f the date of their taking over charge on the terms and conditions mentioned below;

OPEN MERIT 60% POSTS=16

<u>S.No</u>	<u>NAME</u>	<u>FATHER'S NAME</u>	<u>UNION COUNCIL</u>	<u>SCHOOL WHERE POSTED</u>	<u>MERIT</u>
01.	Saima Nooreen	Ismail Khan	North Karak	GGPS Kamal Zarne Khel	69.64
02.	Haseena Ferdos	Mohammad Khalig	South Karak	GGPS Halalai	68.07
03.	Baseen Ara	Khyal Tawan	North Karak	GGPS Shakar Khel	67.91
04.	Zaheen Akhtar	Mohammad Subhan	Sabir Abad	GGPS Shaikhan Numikhel	67.76
05.	Haseena Wajid	Awaz Jan	South Karak	GGPS Channda Khurram	67.51
06.	Samina Ara	Khyal Tawan	North Karak	GGPS Shakarkhel	67.06
07.	.....	.....	.....	.....	.....
08.	.....	.....	.....	.....	.....

←  
Allister  
by Ake

8-B

**TERMS & CONDITIONS:**

1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. ....
4. ....
5. ....
6. ....
7. ....
8. ....
9. ....
10. ....
11. ....
12. They will remain on probation for a period of 01 year.

(Muhammad Shahid.....)  
Executive District Officer  
Elementary and Secondary Education  
Karak

Endst: No. 2809/14

Dated: 31/12/2010

Attched  
AHC

(9)

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

SERVICE APPEAL NO. 995/2012

Date of Institution ... 04.09.2012  
Date of Judgment ... 25.05.2016



Dassin Ara D/o Khalil Tawan  
R/O Mohalla Faqeer Khel Post office,  
Tehsil & District Karak.

... (Appellant)

SERVICE APPEAL NO. 996/2012

Samina Ara D/o Khalil Tawan  
R/O Mohalla Faqeer Khel Post office,  
Tehsil & District Karak.

... (Appellant)

SERVICE APPEAL NO. 997/2012

Masina Wajid D/o Awaz Jan  
R/O Mohalla Pal Khel, Post office,  
Tehsil & District Karak.

... (Appellant)

VERSUS

**ATTESTED**

1. Government of Khyber Pakhtunkhwa through Secretary  
Elementary and Secondary Education Peshawar.
2. Director Elementary and Secondary Education Peshawar.
3. District Coordination Officer, Karak.
4. Executive District Officer, Elementary and Secondary Education Karak.

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

... (Respondents)

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER NO. 4970-70 DATED  
12.08.2011, WHEREBY THE SERVICE OF THE APPELLANT HAS BEEN  
DISMISSED FROM SERVICE W.E.F 31.12.2010 AGAINST WHICH THE  
DEPARTMENTAL APPEAL WAS REJECTED VIDE ORDER DATED  
25.07.2012 CONVEYED TO THE APPELLANT ON 04.08.2010.

Mr. Sajid Amin, Advocate.  
Mr. Muhammad Jan, Government Pleader.

.. For appellant.  
.. For respondents.

MR. PIR BAKHSH SHAH  
MR. ABDUL LATIF

*(Signature)*  
Sub Divisional Edu:  
Officer (F) Karak

.. MEMBER (JUDICIAL)  
.. MEMBER (EXECUTIVE)

In view of the common question of fact

and of law, we propose to dispose of the above three served appeals Nos. 995 of 2012, 996 of 2012 and 997 of 2012 by way of this single judgment.

Appointed as Primary School Teachers (PST) on the recommendation of District

Selection Committee vide order dated 31.12.2010, the appellants were dismissed from service

vide impugned order dated 12.08.2011 with effect from the date of issue of appointment order

dated from 31.12.2010, on the ground of producing bogus and fake documents. Their

departmental appeals were also rejected vide order dated 25.07.2012. Appellants have come

before this Tribunal by instituting service appeals under section-4 of the Khyber Pakhtunkhwa

Service Tribunal Act, 1974.

Arguments heard and record perused.

After a simple perusal of the record, it was noted that the appointments were made by

issuing applications through citation in the daily newspaper and appointments of the

appellants were duly recommended by the District Selection Committee constituted for the

purpose. We have also noted that no show-cause notice or charge sheet or inquiry was

conducted in the case. There is nothing on record to specify as to which of the documents or

documents produced by the appellant was/were bogus/fake and in what respect? It is also not

available on record to show that who declared and decided the documents as fake/forged and

for what reason? The Tribunal is of the considered opinion that proper opportunity of defense

has not been provided to the appellant and order dated 25.07.2012 passed on the departmental

appeal of the appellants also does not answer the above questions. The said order is based on

the comments of EDO Karak but those comments are also not available on record. In the light

of foregoing discussion in brief, the Tribunal is of the considered view that departmental

appeals of the appellants have not been duly disposed of through an authoritative and speaking

order, hence we are constrained to set-aside the said order of 25 July 2012. The cases are

remitted back to the appellate authority with the direction to decide appeals of the appellants

afresh through a speaking order in which the above observations of this Tribunal may have

ATTESTED

EXAMINER

Sud Divisional Edu. Officer (F) Karak

JUDGMENT

P. DAKISH SHAH, MOJIBUL

16

Handwritten signature

11

3

been taken into account. The appeals are decided accordingly. Parties are, however, left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
25.05.2016

Sd/- Pir Bakhtish Shah Member  
Sd/- Abdul Latif, Member

Certified to be true copy

EX-12  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Presentation of Application 03-06-2016  
 Number of Words 1200  
 Copying Fee 8-00  
 Charges 2-00  
 Total 10-00  
 Name of Copyist Sd/-  
 Date of Completion of Copy 03-06-2016  
 Date of Delivery of 03-06-2016

*Er. Imtiaz Ghaffar*  
Sub Divisional Edu.  
Officer (F) Karak



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER  
PAKHTUNKHWA PESHAWAR

12

IFICATION

1797  
12/11/2020 Mr. Nana...  
ped up...  
07/11/2020

1. WHEREAS, the then Executive District Officer (Female) Karak imposed Major Penalty of Dismissed from Service upon Mst. Samina Ara Ex-PST District Karak & Mst. Bassin Ara Ex-PST vide Notification issued under Endst: No. 4964-70 dated 12-08-2011.
2. WHEREAS, Mst. Samina Ara Ex-PST District Karak & Mst. Bassin Ara Ex-PST lodged an appeal to the District Coordination Office Karak on dated 07/02/2012
3. WHEREAS, the District Coordination Officer has rejected their appeal vide office order No.2746 dated 25.07.2012.
4. WHEREAS, the teachers concerned has also approached the honorable Khyber Pakhtunkhwa Service Tribunal Peshawar through Service appeal No.995/2012 which was decided by the Khyber Pakhtunkhwa Service Tribunal Peshawar vide judgment dated 25/05/2016.
5. WHEREAS, the competent authority after having examined the appeals/ Judgment of the Khyber Pakhtunkhwa Service Tribunal Peshawar, this Office sent the case to District Education Office (F) Karak vide letter No.2282 dated 20/08/2019 for doing the needful but no response was received from her and.
6. AND WHEREAS, the appellants have lodged an appeals to competent authority on dated 27/07/2020 alongwith court judgment.
7. Now therefore, **NOW THEREFORE**, in exercise of power conferred under the Government of Khyber Pakhtunkhwa Government Civil Servants Appeal Rules, 1986 the appellate authority i.e. Director (E&SE) accepts the appeal in respect of Mst. Samina Ara Ex-PST District Karak & Mst. Bassin Ara Ex-PST and directed the DEO (F) Karak to implement the decision of the Khyber Pakhtunkhwa Service Tribunal Peshawar dated 25/05/2016.

Director  
Elementary & Secondary  
Education Khyber Pakhtunkhwa

Endst: No. 5927-31 /F.No.401/(F)/Appeal Karak Dated Peshawar the 4/11 2020  
Copy forwarded for information to the:-

1. District Education Officer (Female) Karak
2. District Account Officer Karak
3. Sub Divisional Education Officer (Female) concerned.
4. Teacher concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa.

Deputy Director (Female)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

4/11/2020



**OFFICE OF THE DISTRICT EDUCATION OFFICER,**  
**(FEMALE) KARAK**

13

**NOTIFICATION.**

Consequent upon acceptance of appeal in respect of Mst: Samina Ara Ex-PST and Basin Ara Ex-PST District Karak by the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar in the capacity of appellate authority in light of the decision of Khyber Pakhtunkhwa Service Tribunal Peshawar dated 25/5/5/2016 through service appeal No.995/2012 in excise of power conferred under the Government of Khyber Pakhtunkhwa, Government Servant appeal Rules,1986 vide Notification endorsement No:5927-31/F.No.401/(F)/Appeal Karak dated Peshawar the 4/11/2020.

The Dismissal order of Mst: Samina Ara EX-PST and Basin Ara Ex-PST District Karak issued vide Executive District Officer (S&L) Karak issued under Endorsement No.4964-70 dated 12/8/2011 is hereby with drawn and they posted in the School noted against each.

1. Mst: Samina Ara Ex-PST is Posted at GGPS Latamber No.1 against the vacant post of SPST.
2. Mst: Basin Ara Ex-PST District Karak is posted at GGPS Karak No.2 against the vacant post of SPST.

Note: Their Seniority will remain intact with their seniority counterparts.

**DISRICT EDUCATION OFFICER**  
**(FEMALE)KARAK**

Endst: No 468-08 /F-I/V-I/trans/file/C-IV/KK: dated Karak the 12/11 /2020  
Copy to the:-

1. Secretary Elementary & Secondary Education Department KPK Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. Chairman Service Tribunal Khyber Pakhtunkhwa Peshawar.
4. Office copy.

S. SDBO (F) KK

**DISRICT EDUCATION OFFICER**  
**(FEMALE)KARAK**

14

### CERTIFICATE OF TRANSFER OF CHARGE

Certified that we have on the fore/afternoon of this day respectively made over and receive

charge of this office of the SDEO (F) Karak vide NO: 4605

dt. 12/11/2020 DEO (F) Karak

Particulars of cash and important, secret and confidential documents handed over are noted on the reverse:—

Signature of relieved Government servant..... vacant post

Designation..... B-14

Signature of relieving Government servant..... Samir-Ara

Designation.....

Attention G.G.P.S. Latamber NO. 1

Dated 12/11/2020 (F.N)

*[Signature]*  
Chief Divisional Edu:  
Officer Karak

To

The Worthy Director,  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa

15

Subject: **DEPARTMENTAL APPEAL IN RESPECT OF RELEASING OF SALARIES**

Respected Sir,

With due veneration, it is submitted that the appellant/undersigned has been reinstated into service vide order dated: 12/11/2020 on the post of "PST" and was directed to resume duties at "GGPS Latamber No. 01 Karak". It is submitted that the undersigned was pleased to start her duties immediately soon after her re-instatement and presently, performing her duties with great zeal and zest. It is also added that since re-instatement, the appellant/undersigned has been kept deprived of her salary. No doubt, pay/salary is the fundamental right of each and every employee because it is something which is rightly enjoyed in consideration of services. The appellant has been serving the department since then.

It is therefore, most humbly requested that the salaries of the undersigned may kindly be released from the date it is due and outstanding.

I shall pray for your long life and prosperity.

Appellant  
Samina Ara

(Samina Ara)

"PST"

GGPS Latamber No. 01 Karak



OFFICE OF THE DISTRICT EDUCATION  
OFFICER (FEMALE) KARAK

(16)

16

PAY RELEASE ORDER.

The Dismissal order issued vide Executive District officer Karak due to Fake/ Bogus documents Under Endst:: No 4964-70 dated 12/8/2011 in respect of Samina Ara PST GGPS Latmaber No. 1 and Basin Ara PST GGPS Karak No.2 and Re-instated by the Hounorable Service Tribunal Khyber Pakhyunkhwa Peshawar Service Appeal No.995/2012 and further notified by the Director E&SE KPKP Peshawr Vide Endst: No 5927-31 dated 4/11/2020. Pay of the above named teachers may be release in the light of the above decision/Notification.

DISTRICT EDUCATION OFFICER (F)  
KARAK

Endst: No 4346-48 Dated Karak the 8/9/ 2021.

Copy to the:

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar w/r to his office No. cited above.
2. District Accounts Officer Karak.
3. Sub Divisional Education Officer (F) Karak.

DISTRICT EDUCATION OFFICER (F)  
KARAK



Employee Master File Creation Form

(Applicable for both Payroll and GP Fund)

FORM: PAY01

Employee ID (To be assigned by office)

Employee ID grid

01 OFFICE OF THE SDCO (F) KARAK

02 FOR THE MONTH OF 06/2021

03 DDO Code (Cost Center) KK6009 Description 04

PERSONNEL ACTIONS - INFO TYPE 0001

05 Date of Entry (DD/MM/YYYY) 13-11-2020

06 Current Govt KP

07 Employee Group

08 Employee Grade (Sub group) 72

09 Employee NIC Number

10 DOB (DD/MM/YYYY)

11 Date of Entry into Govt Service(DD/MM/YYYY) 13-11-2020

12 Reason for Action

PERSONAL DATE - INFO TYPE 0002

13 Title  Mr  Miss  Ms  Mrs

14 Last Name ARA

15 First Name SAMINA

16 Father/Husband Name KHYAL-TAWAN

17 District of Domicile KARAK

19 City of Birth KARAK

21 Province of Domicile KP KP

23 Nationality PAKISTANI

18 Marital Status MARRIED

20 Date of Marriage/Since (if applicable) DD/MM/YYYY

22 No of Dependents

24 Religion ISLAM

ORGANIZATIONAL ASSIGNMENT- INFO TYPE 0001

25 DDO Code (Cost Centre)

27 District (Sub Area) KIK KARAK

29 Position  Gazetted  Non Gazetted

30 Designation

32 Fund Section 001 Edu:

34 Buckle No (if any)

26 DDO Code (Fund Centre)

28 Contract Government  AJK Government  Baluchistan Government  Federal Government  NWFP Government  Punjab Government  Sindh Government

31 Ministry (Organizational Unit)

33 Pay Roll Section 001 Edu:

Handwritten notes: "Attn: Mr. Previous", "this office objects to", "Employee ID to be assigned by office", "17", "R-334", "27-22", "T-405", "08-07-2021", "after 15/11/21", "the next", "PST Sub Division", "this office wishes observation", "vide C# 51 dated 11/11/20", "DDI", "observed by DDO", "BANK A/C", "M", "DPO", "W"

PRESENT ADDRESS - INFO TYPE 0006

35 C/O

House No / Street

36 VILLAG AND POST OFFICE  
KARAK CITY TEHSIL AND  
DISTRICT KARAK

37 Postal Code

38 City KARAK

39 District KARAK

40 Province / Region KPK

41 Contact No

42 Company housing  
 Yes  No

18

PERMANENT ADDRESS - INFO TYPE 0006

Permanent Address

• Permanent Address is same as above

• Permanent Address is different from Present

43 C/O

44 House No / Street

45 Postal Code

46 City

47 District

48 Province

49 Contact No

50 Company Housing  
 Yes  No

BASIC PAY - INFO TYPE 0008

51 Pay Scale Type CIVIL

52 BPS Year (Pay Scale Area) 2017

53 Grade (Pay Scale Group) 12 P57

54 Pay Scale Level 01

55 Pays

Wage Type	Description	Amount
0001	B.Py	Rs. 13329.- P.M
/	/	/
/	/	/
/	/	/
/	/	/

Wage Type	Description	Amount
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

56 LEAVES - INFO TYPE 2001

Code	Description	Balance

Code	Description	Balance

BANK DETAIL - INFO TYPE 0009

57 Bank Branch (Bank Key)

58 Postal Code

59 City

60 Bank Account No

61 Payment Method

19

**GP FUND SUBSCRIPTION - INFO TYPE 0057**

62 Wage Type

63 GPF Subscription

**GP FUND - INFO TYPE 9202**

64 Interest Applied  
 Yes  No

65 GPF Balance

66 GPF Bal Date (DD/MM/YYYY)

67 Old GP Fund Account Number

**CREATE DATE SPECIFICATION - INFO TYPE**

68 Date Appointed as Gazetted Officer (DD/MM/YYYY)

69 Suspension Date

70 Expiry of Adhoc/Contract Date

**INTERNAL DATA - INFO TYPE 0032**

71 Previous Personnel Number (If any)

72 National Tax Number (NTN)

73 Leave Without Pay

74 Cash Center

**75. FAMILY INFORMATION - INFO TYPE 0021**

SNo	Relation	Last Name	First Name	Nominee	Gender	DOB	City of Birth	Nationality	%Age of Share	Emp.Type	Other.Nationality
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											

**76 RECURRING PAYMENTS (ALLOWANCES) - INFO TYPE 0014**

Wage Type	Description	Amount	Wage Type	Description	Amount
1 0 0 0	HRA	2948 -	2 3 0 9	10% (2022)	13321 - 0.00
1 2 1 0	Comp. alt	28561 -	2 3 1 6	Teaching alt	22641 - 1
1 3 0 0	PF. A	1500 -			
2 2 1 1	10% (2016)	11141 -			
2 2 4 4	10% (2017)	13241 -			
2 2 4 7	10% (2018)	13241 -			
2 2 6 6	10% (2019)	13321 -			

**77 RECURRING PAYMENTS (DEDUCTIONS) - INFO TYPE 0014**

Wage Type	Description	Amount	Wage Type	Description	Amount

*deduction made in the rules*

**PAYROLL STATUS - INFO TYPE 003**

78 SALARY STATUS  Start Payment  Stop Payment

*Erinme...*  
 at

*Samina...*  
 22/12

SUB-DIVISIONAL Edu:  
 Officer (E.S.)

Prepared By

Audited/Checked By

Officer (E.S.)

Employee Signature

24/11



**FROM: PAY01- INSTRUCTIONS**

**General Instruction**

20

- A** This form is to be used at the time of hiring of a new employee.
- B** This form can also be used at the time of hiring a GP Fund only employee
- C** Dates are to be included in the following format  
DD/MM/YYYY  
For example: To input 1 January 2002 use 01/01/2002
- D** For list of Codes please refer to List of Codes Booklet provided to support these Input Forms
- E** As a general rule where the following is seen,

--	--

The boxes imply that there is a code that go into the field.  
The description will follow in the line provided.

For Example:

Current Government		
CODE	W	DESCRIPTION
N	W	NWFP

**Specific Instructions \***

- 1 Add The Office name: e.g. Ministry of Commerce /Govt. High School  
No 2 Peshawar
- 2 Add the month to which this adjustment relates, e.g. October
- 3 Refer to List #3 from the Lists of Codes booklet
- 4 Enter the Description of the DDO Code.
- 5 Enter Date when this information is entered in the computer in DAO/AG/AGPR
- 6 Refer to List #1 from the Lists of Codes
- 7 Refer to List #2 from the Lists of Codes
- 8 Self Explanatory
- 9 Self Explanatory
- 10 Date of Birth
- 11 Self Explanatory
- 12 Reason for Action:- Choose 01 for Fresh Appointment, Choose 02 for Transfer in from Non Computer Office
- 13 Self Explanatory
- 14 Enter your last name  
e.g. Name is Mr. Javed Saleem Arif  
Last Name will be: Saleem Arif
- 15 Enter your first name.  
Using the above example  
First Name will be: Javed
- 16 Full Father of Husband's Name
- 17 Self Explanatory e.g. Hyderabad
- 18 Self Explanatory, Options can be Single, Married, Widow, Divorced, Unknown
- 19 Self Explanatory, e.g. Peshawar
- 20 If applicable when did an employee get married
- 21 Refer to list # 4 from the lists of codes
- 22 Self Explanatory
- 23 Self Explanatory e.g. Pakistani
- 24 Self Explanatory e.g. Islam
- 25 Write DDO Codes
- 26 Write DDO Codes

- 27 Refer to list #5 from the lists of Codes
- 28 Tick the appropriate Contract with a Government.
- 29- Tick the appropriate box.
- 30 Refer to List #6 from the Lists of Codes
- 31 Refer to List # 7 from the Lists of Codes
- 32 Write concerned fund section
- 33 Write Pay Roll/GA section
- 34 In case of Civil Armed Forces write buckle number
- 35 Self Explanatory
- 36 Self Explanatory
- 37 Self Explanatory
- 38 Self Explanatory
- 39 Self Explanatory
- 40 Self Explanatory
- 41 Add Phone Number Here
- 42 Self Explanatory
- 43 Self Explanatory
- 44 Self Explanatory
- 45 Self Explanatory
- 46 Self Explanatory
- 47 Self Explanatory
- 48 Self Explanatory
- 49 Add Phone Number Here
- 50 Self Explanatory
- 51 Refer to List # 8 from the Lists of Codes
- 52 Refer to List # 9 from the Lists of Codes
- 53 Self Explanatory
- 54 Self Explanatory
- 55 Wage Type: Refer to List # 10 from the Lists of Codes booklet  
Add Description using the list and enter the Amount in Rupees
- 56 Refer to List # 11 from the lists enclosed with these instructions
- 57 Write bank/branch name with codes
- 58 Self Explanatory
- 59 Self Explanatory
- 60 Enter Employee Bank Account Number here
- 61 Refer to List # 12 from the Lists of Codes
- 62 Refer to List # 13 from the Lists of Codes
- 63 This is an amount Column as shown in list # 13
- 64 Self Explanatory
- 65 This is an Amount Column
- 66 Date on which this balance exists.
- 67 Old GP Fund Account Number is a 11 digit GP Fund Number.
- 68 Self Explanatory
- 69 Self Explanatory
- 70 Self Explanatory
- 71 Self Explanatory
- 72 Self Explanatory
- 73 Self Explanatory
- 74 Self Explanatory
- 75 Enter Nominee/Family info here
- 76 Wage Type: Refer to List # 14 from the Lists of Codes  
Add description using the list and enter amount in Rupees
- 77 Wage Type: Refer to List # 14 from the Lists of Codes booklet  
Add Description using the list and enter amount in Rupees.
- 78 Self Explanatory

**PAYROLL SYSTEM  
AMENDMENT FORM  
SINGLE EMPLOYEE ENTRY**

*Position code 180708895*

FORM: PAY02

(21)



OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER FEMALE KARAK

Date <sup>1</sup>

Page No. <sup>2</sup>

FOR THE MONTH OF <sup>4</sup> Nov-22

**kk6009**

DDO Code <sup>5</sup> (Cost Center) 

K	K				
---	---	--	--	--	--

Personnel <sup>7</sup> Number 

0	0				
---	---	--	--	--	--

 Employee Name <sup>8</sup>

Grade (Pay Scale Group) <sup>10</sup>

1	2	T
---	---	---

 PST

BASIN AREA

Salary Status

Stop

*Robina K.K. on deinstatement vide D.O. No. 4988-90 dated 22/11/2022. All arrears up to 10/12/22 are not to be paid. The case has been referred to AG for clarification. The case vide this D.O. No. 1318, all arrears up to 10/12/22 are not to be paid. The case has been referred to AG for clarification.*

GENERAL DATA CHANGE <sup>13</sup>

CHANGE IN PAYMENTS / DEDUCTIONS

Info <sup>14</sup> Type	Field ID <sup>15</sup>	adjustment wef 13/11/2020 to 10/2022 New Contents	Wage Type	Amount							Effective Date <sup>21</sup>	Remarks		
				Rupees <sup>19</sup>				Paise	Adj					
	5801	B.Pay												
	5002	HRA	1	2	1	2	0	0	GRAND	2220	1.1.2022			
	5011	CA	1000	2	9	4	0	0	BFUND	600				
	5012	MEDICAL	1210	2	8	5	6	0	EEF	125				
	5979	2016	1300	1	5	0	0	0	RR OF	800				
	5990	2017							TOTAL	3545				
	5322	2018							G.TOTAL	81535				
	5336	2019												
	5151	2021												
	5155	DRA2022												
		2022	2341	2	1	4								
	5150	TEACHING AL	2347	2	1	4								
		G.TOTAL	2316	2	6	6	4							
		DEDUCTION												
		NET AMOUNT												

Prepared By

*objection made vide memo dated 10/12/22 by DDO Karak*

Audited/Checked By

*The case has been referred to AG for clarification. The case vide this D.O. No. 1318, all arrears up to 10/12/22 are not to be paid. The case has been referred to AG for clarification.*

Sub Divisional Education Officer Karak  
Verified By A23:A137AE24A24



OFFICE OF THE  
DISTRICT ACCOUNTS OFFICER  
KARAK

No. D.A.O/KK/Payroll/2021-22/ 1088-90

Phone # 0927-210529

Dated: 30/12/2021

22

To

The Sub-Divisional Education Officer (F)  
Karak

**SUBJECT:** RETURN OF SOURCE-I / SERVICE BOOK IN R/O BASEEN  
ARA AND SAMEEN ARA.

**Memo:**

Kindly refer to the subject cited above and to state that the Source-I Form along with other relevant documents in r/o the above named officials are returned in original for want of the following point's clarification.

1. Judgment of the Honorable Service Tribunal Khyber Pakhtunkhwa, Peshawar announced on 25.05.2016 where in the cases of petitioners were remitted to the appellant authority with the direction to decide appeals of the appellants a fresh to a speaking orders, where as the attached documents with the Source-I, there is no any order of the appellant authority exist and the claimants are re-instated in the service by the District Education Officer (F), Karak directly, vide there office letter endorsed order No.4605-08/F-I/V-I/Trans/File/C-IV/KK Dated 12.11.2020 after a lapse of approximately 05 year latter, which needs justification.
2. The claimants were dismissed from service by the EDO (E), Karak on 12.08.2011 from the date of issuance of appointment order i.e 31.12.2010 on the ground of producing Fake & Bogus documents. As per rules the officers/officials dismissed from service by the authority will be re-instated in to service by the next higher authority (appellate authority). In the existing case the claimants are re-instated in to service by the same authority i.e District Education Officer (F) Karak, which is contrary to the relevant prevailing rules, also needs clarification.
3. Pay release order regarding verification of academic qualifications / degrees from the concerned Board/Universities may also be submitted by the existing District Education Officer (F), Karak.

Hence the said point may kindly be clarified and re-submit the claims for pre-audit to this office for early processing, please.

Enclosed:- As Above.

District Accounts Officer  
Karak

Copy Forwarded for Information:-

1. The Director Elementary & Secondary Education, Peshawar
2. The District Education Officer (F), Karak.

- Sd -  
District Accounts Officer



OFFICE OF

(FEMALE) KARAK

EDUCATION OFFICER

23

Address: KDA Karak

Phone: 0927-291177

Email: emiskarak@yahoo.com

NO.

1980

/F-I/V-I/ : /C-IV/PST/KK

Dated Karak the 07/06/2022.

To

The Sub Divisional Education Officer,  
(Female) Karak.

**SUBJECT:- RETURN OF SOURCE-I/ SERVICE BOOK IN R/O BASEEN  
ARA AND SAMEEN ARA PSTS**

Memo:-

Reference your Office Memo No. 167 dated 3/3/2022 on the subject cited above. This office already remove the observation duly raised by the District Accounts Officer Karak through your Office vide this Office No. 4813 dated 11/10/2021, however once again the Original Service Books along with Source -I of the above named PSTs are resubmitted herewith the following clarification.

1. Judgment of the Honourable Service Tribunal announced on 25/5/2016 while the appellant authority accepted their appeal on 4/11/2020 vide Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar under Endst: No. 5927/F.NO.401/(F)/Appeal dated Peshawar the 4/11/2020. (Copy attached for ready reference), In light of the above Notification No. & Dated this Office withdrawn the Dismissal order No. 4964-70 dated 12/8/2011 vide this Office Endst: No.4605-08 dated 12/11/2020. (Copy Attached)
2. Correct that the claimants were dismissed by the EDO(E) Karak on 12/8/2011 from the date of issuance of appointment order i.e 31/12/2010. It is clearly notified in the withdrawal order that appeal of the above named mistress accepted by the direction of honourable Director Elementary & Secondary Education Khyber pakhtunkhwa Peshawar (appellant authority) Copy attached.
3. Pay release order already issued vide this Office Endst: No. 4346-48 dated 8/9/2021(copy attached) Further the Deputy Distt: Officer (F) (S&L)B.D Shah made entry of their Academic / Professional qualification in their original Service Book (Copy attached for ready reference)

Hence you are directed to submit both the source-I form in the Office of the DAO Karak for activation of pay.

DISTRICT EDUCATION OFFICER  
(FEMALE) KARAK

Endst: No. 1981-83  
Copy to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Accountant General Khyber Pakhtunkwa Peshawar for Information please.
3. District Accounts Officer Karak with reference to his Office letter No. 088-90 dated

To,

*2nd appeal*  
The Director,  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa.

24

Subject: **DEPARTMENTAL APPEAL (2<sup>ND</sup>).**

R/Sir,

Kindly refer to your good office letter No.5790/F.No. F401/F/Appeal/Karak dated Peshawar the 19/05/2023 on the above cited subject wherein your good office has regretted the grant of back benefits to the appellant by stating the reason that back benefit issue had not been mentioned in the court judgement.

The judgment of Khyber Pakhtunkhwa Service Tribunal clearly states that "we are constrained to set-aside the said order of 25 July, 2012". The interpretation of the judgment is clear that as the order of 25 July, 2012 was set aside, the appellant service is not interrupted, and she is eligible for all the back benefits.

Furthermore, the notification issued by District Education Officer (Female) Karak, office bearing No. 4605-08/F-I/V-I/trans/file/C-IV/KK dated Karak the 12/11/2020, in which the officer concerned has approved that the seniority of the applicant will remain intact with their seniority counterparts. The actual words being "Note: Their Seniority will remain intact with their seniority counterparts." This further clarifies that as the seniority of the appellant is not disturbed, her service from the date of the impugned order of 25 July, 2012 is continued and counted, and she is eligible for all the back benefits.

In view of the above, you are requested very kindly to grant all the back benefits and arrears to the undersigned, please.

Your Obediently,

*Samina Ara*  
Samina Ara,  
PST, GGPS No.2 Karak



No. 5707 / E.No. 1017 / App. dt Karak

25

Date of Peshawar the 11/05

The District Education Officer,  
(Female) Karak

APPEAL FOR GRANT OF BACK BENEFIT.

Memo:

I am directed to refer to the subject cited above and to state that the appeal of Mst. Basin Ara PST & Samin Ara PST, GGPS Farer Yhel Karak is hereby regretted by the competent Authority because that back benefit had not been mentioned in the court judgment. The teachers concerned may be informed accordingly.

*[Handwritten Signature]*  
Assistant Director (Female)  
E&SE Khyber Pakhtunkhwa.  
18/57023

Copy of the above is forwarded to the:

PA to Director E&SE KPK Peshawar.

Assistant Director (Female)  
E&SE Khyber Pakhtunkh

5/11/2022

26

# SERVICE BOOK

سروس بک



Name: Samina Arif

Father's Name: Muhammad Tahir

Qualifications: \_\_\_\_\_

Designation: Educator (Pst)

Department: Educator

Address: Moh: Faqeer (Shel) Kama  
P.O. Kama Teh: Dist: Kama

0307697402

1. Name (نام) Samina Ara
2. Nationality and Religion Islam Pakistan  
(قومیت اور مذہب)
3. Residence Karac city  
(مستقل رہائش)
4. Father's Name and Residence Iqbal Tawana  
(والد کا نام اور پتہ)
5. Date of birth Christian era as nearly as can be ascertained 02-08-1980  
(تاریخ پیدائش مطابق سن عیسوی)
6. Exact height by measurement 5-2  
(قد و قامت)
7. Personal mark of identification Nil  
(نشان شناخت)

27

Left hand/right hand thumb and finger impressions of (Non-gazetted officer)

(بایں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Index Finger (چھنگلیا)

Ring Finger (چھنگلیا کے ساتھ کی انگلی)

Middle Finger (انگشت میاں)

Fore Finger (انگشت شہادت)

Thumb (انگوٹھا)

Samina-Ara

Signature of Govt. Servant (سرکاری ملازم کے دستخط)

Signature and designation of the Head of the Officer or other Attesting Officer

(تصدیق کنندہ افسر کے دستخط اور مہر)

Signature of Head of the Officer or other Attesting Officer

By: Dist. Office (Female)  
(S&L) Banda and Shah (107)

The entries in this page should be renewed or re-aggested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

اس صفحہ پر درج کیے گئے تمام اوزار پانچ سال بعد تجدید ہونا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے نیچے تاریخ لکھنی چاہیے۔  
انگلیوں کے نشانات کے لئے پانچ سال کے بعد تجدید ہونا ضرورت نہیں۔



28

1 Name of Post	2 Whether Substantive of officiating any whether permanent or temporary	3 If officiating state. (1) substantive appointment of (ii) whether service counts for pension under rule 3-20 C.S.R. (Pb) Volume II	4 Pay in substantive position		5 Additional pay for officiating		6 Other emoluments falling under the term pay	7 Date of appointment
			Rs.	Pk.	Rs.	Pk.		
پبلازمت	عارضی منتقل تمام نظام	اگر عارضی ہے تو رواں کے مطابق مندرجہ ذیل مقرر ہے	تختواہ بطور عارضی ملازمت		زائد تختواہ بطور قائم مقام		باسوائے تختواہ دیگر الادیس	
PST			Rs.	Pk.	Rs.	Pk.		
circles school			Rs.	Pk.	Rs.	Pk.		13/11/2022
school			Rs.	Pk.	Rs.	Pk.		13/11/2022
Scale Revised 2017 BPS-12 (13320-96042) 14/11/2022								
PST			Rs.	Pk.	Rs.	Pk.		13/11/2022
CPS			Rs.	Pk.	Rs.	Pk.		13/11/2022
Stationary			Rs.	Pk.	Rs.	Pk.		13/11/2022
No-I			Rs.	Pk.	Rs.	Pk.		13/11/2022
Scale Revised 2022 BPS-12 (19770-1430-62) 14/11/2022								
the			Rs.	Pk.	Rs.	Pk.		13/11/2022
			Rs.	Pk.	Rs.	Pk.		13/11/2022

Signature and Name of the Head of the Office or other Attesting Officer (Column 1 to 8)	10 Date of termination or appointment تاریخ انقضاء ملازمت	11 Reason of termination (such as promotion, transfer, dismissal etc.) دوجبات انتقال، ملازمت ترقی یا برطرفی	12 Signature of the head of the office or other Attesting Officer دستخط افسر مجاز	13 Nature and duration of leave taken رضعت کی نوعیت و معیار	13 Allocation of period of leave of average pay up to four months (for earned leave not exceeding 120 days) to which leave salary is debitable to another Government پارہاتک کی رضعت کے لئے اور ساتھ تو اہل کا قسین Period Government to which debitable ۱۰ ۱۱	14 Signature of the Head of the office other attesting officer دستخط افسر مجاز	15 Reference to any recorded punishment of censure, or reward, or praised or the Government servants سزا یا جزا یا غیر مناسب کارکردگی کا ریکارڈ
James Daggal Distt. Officer (Female) BSL Bangor Daud Shah (KK)							Appointed as a P&T BPs-7 (Rs. Rs 80-190-9230) Plus usual Allowances on Regular Basis at 4475 Scale (Khet) vide Ed. Order No: 2809-14 dated 31-12-2016.
<del>James Daggal</del>	2	Re. Instated	<del>James Daggal</del>			<del>James Daggal</del>	
Sub Divisional Officer (F) Marak		on 12-11-2016	Sub Divisional Officer (F) Marak				Passed SSC Exam from BISE Peshawar under Roll No. 109192 (session 1997) (A) obtain 80/850 marks Grade (A)
Sub Divisional Officer (F) Marak	No.	General	Sub Divisional Officer (F) Marak				
Sub Divisional Officer (F) Marak	A/onet		Sub Divisional Officer (F) Marak				
Sub Divisional Officer (F) Marak	Seal	Faisal	Sub Divisional Officer (F) Marak				
Sub Divisional Officer (F) Marak			Sub Divisional Officer (F) Marak				Passed F.A Exam from BISE Peshawar under Roll No. 128 (session 1999) (S) and obtain marks 653/1100 marks.
Sub Divisional Officer (F) Marak			Sub Divisional Officer (F) Marak				
Sub Divisional Officer (F) Marak			Sub Divisional Officer (F) Marak				
Sub Divisional Officer (F) Marak			Sub Divisional Officer (F) Marak				
Sub Divisional Officer (F) Marak			Sub Divisional Officer (F) Marak				

10	11	12	13		14	15	
			Nature and duration of leave taken	Allocation of period of leave of average pay up to four months for earned leave net exceeding 120 days) to which leave salary is debitable to another Government			
Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal)	Signature of the head of the office or other Attesting officer	Period	Government to which debitable	Signature of the Head of the office or other attesting Officer	Reference to any recorded punishment or censure, reward or praised of the Government servants	
تاریخ اختتام ملازمت	وجوہات اختتام ملازمت ترقی تبادلہ یا برطرفی	دستخط افسر معیار	فصلہ	حکومت کو جس پر ذمہ داری ہے	دستخط افسر معیار	سزا یا جزا یا غیر مناسب کارکردگی کا ریکارڈ	
				Passed B.A Exam from Peshawar University under Roll No. 272304 Session 2001 (A) obtained 1st Divisional result declared on 25 <sup>01</sup> / <sub>2001</sub> .			
				Passed M.A (Education) Exam Peshawar University under Roll No. 21629 Session 2005 (A) and obtained 1st Divisional Result declared on 22 <sup>2</sup> / <sub>2005</sub> .			
				Passed P.T. Exam from AF 011 Islamabad under Roll No. F6187000 Reg. No. 00-N/416-0296 And (2001) and obtained marks 454/900 result decision 31 <sup>7</sup> / <sub>2001</sub> .			

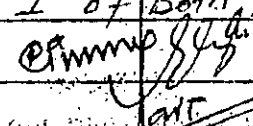
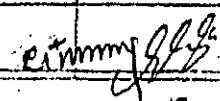
Javed Aggarwal  
 Dy. Distt. Officer (Female)  
 (S&L) Bani Badli (KPK)

Javed Aggarwal  
 Dy. Distt. Officer (Female)  
 (S&L) Bani Badli (KPK)

Javed Aggarwal  
 Dy. Distt. Officer (Female)  
 (S&L) Bani Badli (KPK)



32

10 Date of termination or appointment تاریخ انقطاع ملازمت	11 Reason of termination (such as promotion, transfer, dismissal) وجوہات انقطاع ملازمت ترقی تدارک یا برطرفی	12 Signature of the head of the office or other Attesting officer دستخط افسر تیار	13 Nature and duration of leave taken رخصت کی فوجیت وسعیاد	13 Allocation of period of leave of average pay up to four months (for earned leave not exceeding 120 days) to which leave salary is debitable to another Government پارہنگ کی رخصت کے لئے اسیلہ کو ادھار کا تقین Period عرصہ	14 Signature of the Head of the office or other attesting Officer دستخط افسر مجاز	15 Reference to any recorded punishment or censure, reward or praised of the Government servants سزا یا جزایا غیر مناسب کارکردگی کا ریکارڈ
				(Pay Release order)		
				Pay Release order of Mst. Samina Ara GGS Latamber No 3, Endst No-4346-48 dt 08/09/2021 DEO (F) Karak and further more the direction of DEO (F) <sup>KK</sup> under Endst No 4813 dt 18/10/2021 to submit the source I of Both Teacher		
				 Mst. Samina Ara Officer (F) Karak		
				The With drawnl order issued vide DEO (F) Karak Endst No 4665-08 / F- I / v - S - / Transfer / File dt 14 / KK ? Dated Karak the 12-11-2020 may be <del>not</del> read as re-employment order in light of order issued vide- DEO (F) Karak Endst No 4988-09 dt 22-11-2022		
				 Mst. Samina Ara Officer (F) Karak		

Sub Divisional Officer (F) Karak

**OFFICE OF THE MEDICAL SUPERINTENDENT DHQ HOSPITAL KARAK**  
**HEALTH & AGE CERTIFICATE**

33  
Took over charge  
07.13.11-2020  
Eimmo Jhu  
Sub Divisional Edu.  
Officer (F) Karak

Name Samina Aya  
Father Name Khyal Tawan  
Nationality Pakistani  
Cast Afghan khatak  
Residence Muhallah Faqir Khel  
Karak  
Date of Birth 07-08-1980 Height 5.2

Personal mark of Identification A small mole above the right eye below

**HEAD OF OFFICE**

I hereby certify that I have examined Mr./Mrs. Samina Aya

A candidate for employment in the office of the Education

Department and cannot discover that He/She has any communicable disease

Constitutional affection or badly infirmity except all

I do not considered His/her disqualification for employment in the Education

Department.

His/her age accordingly to his own statement/N. I. Card is 30 years, and by

Physical appearance He/ She is about 30 "THIRTY" years of age.

**LEFT/RIGHT HAND THE THUMB FINGERS IMPRESSION**

Thumb      Fore Finger      Middle Finger      Ring Finger      Little Finger



Medical Superintendent  
DHQ Hospital Karak

Medical Superintendent  
D.H.Q Hospital  
Karak

بعدالت

Senia Tribunal

2 منجانب  
کسبہ آر آر بنام گورکھ سنگھ

مورخہ  
مقدمہ  
دعویٰ  
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ  
آن مقام پر  
کیلئے حصاران محمد طہران اور  
مقرر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز  
ویکل صاحب کو راضی نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں 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 محتاج ہوگا۔ از بصورت ضرورت  
مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے  
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے  
اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ ہوں گے  
سبب سے و ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔  
کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

20

واہ العبد

Samina Asa D/o Kunal Tanwar  
S/o Karan

بعدالت

BC 13 42 13  
03339577770

Serina Tribunal

imranatlaw@  
gmail.com

2ء منجانب  
کھنہ آرا بنام گورکھ

مورخہ  
مقدمہ  
دعوی  
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی وجواب وہی وکل کاروائی متعلقہ

کیلئے صبا ل محمد علی انہ  
مقرر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کال اختیار ہوگا۔ نیز

وکیل صاحب کو راضی نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب وہی اور اقبال دعوی اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعوی اور درخواست ہر قسم کی تصدیق زرائیں 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 محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہوتا وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

20ء

المقوم  
واہ العبد

Muhammad Iqbal Safi  
Attc

Serina Aqa D/o Kyal Janan  
R/o Karan