


05.10.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional AG for respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments on 02.11.2022 before D.B.



(Fareeha Paul)
Member (F)

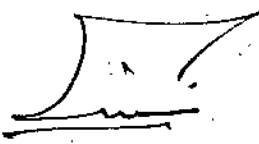

(Kalim Arshad Khan)
Chairman


02.11.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is out of station. Adjourned. To come up for arguments on 27.12.2022 before D.B.


(Mian Muhammad)
Member (E)

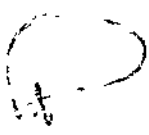

(Salah-ud-Din)
Member (J)

27-12-22 Due to winter Vacation the case is adjourned to 4-4-23 Before the same 
Reader

07.12.2021

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for official respondents present.

Clerk of learned counsel for the sought adjournment as learned counsel for the appellant is not available today. Adjourned. Case to come up for arguments on 10.03.2022 before the D.B.




(Salah-ud-Din)
Member (J)


Chairman

10-3-2022

Due to retirement of the Hon'ble Chairman the case is adjourned to come up for the same as before on 30-06-2022


Reader

30.06.2022

Mr. Habib Ur Rehman, husband of appellant on behalf of appellant present. Messrs. Farhan Assistant and Shoaib Assistant alongwith Mr. Kabir Ullah Khattak, Additional Advocate General for respondents present.

Husband of appellant requested for adjournment on the ground that learned counsel for the appellant is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 05.10.2022 before the D.B.


(Rozina Rehman)
Member (J)


(Salah Ud Din)
Member (J)

7811/2020

12.10.2021

Counsel for appellant present.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General alongwith Jehanzeb Superintendent for official respondents present.

Request for adjournment was made in order to further prepare the brief. Adjourned. To come up for arguments on 09.11.2021 before D.B.

(Atiq-Ur-Rehman Wazir)
Member (E)

(Rozina Rehman)
Member (J)

Handwritten notes in Urdu script, partially illegible.

09.11.2021 Mr. Khush Dil Khan, Advocate, for the appellant present. Ms. Lubna Farman, Assistant Director (Litigation) and Mr. Jehanzeb, Superintendent alongwith Mr. Javed Ullah, Assistant Advocate General for official respondents present.

Since connected Service Appeal has been posted for 07.12.2021, therefore, the instant appeal be also fixed on the said date. Adjourned. To come up for arguments on 07.12.2021 before the D.B.

(Atiq-Ur-Rehman Wazir)
Member (E)

(Salah-Ud-Din)
Member (J)

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06.2021

Hameed ur Rehman husband of appellant on behalf of appellant present.

Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith Jehanzeb Awan Superintendent for official respondents No. 1 to 4 present. Muhammad Shoaib S.C representative alongwith counsel for respondents No. 4 & 5 present.

According to prayer at the end of memorandum of appeal, the letter relates to the role of monthly salaries with all admissible allowances w.e.f 01.06.2019 and onward with all back benefits. The respondents No.4 & 5 have been arrayed as party because of their incidental role relating to the main impugned order. The respondent No.6 has been made party may be because of her being transferee vice versa but so far as the subject matter of appeal is concerned, she is neither necessary nor proper party. This Tribunal having powers of the Civil Court within meaning of Subsection-(2) of Section-7 of Khyber Pakhtunkhwa Service Tribunal Act, has got the power for addition and deletion of the parties as conferred upon a civil court under C.P.C, 1908. Therefore, the name of respondent No.6 is deleted from service appeal at hand i.e. Service Appeal No.7811/2020. The office is directed to make necessary entry in the memorandum of appeal. The departmental representative has submitted the comments/written reply on behalf of respondents No.1 to 3 and placed on file. Because of the incidental role of respondents No.4 & 5, learned counsel for the said respondents also relies upon the comments furnished on behalf of respondents No.1 to 3. The respondent No.7 is District Accounts Officer and he at the most is a proper party but having only concern with the accounting matters referred to him by the other official respondents. Therefore, there is no need to require him for furnishing of comments/written reply. File to come up for arguments on 12.10.2021 before D.B.



(Rozina Rehman)
Member (J)



Chairman

15.02.2021

Appellant is present in person. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Jehanzeb, Superintendent, on behalf of respondents No. 1, 2, 3 & 5 and counsel for respondents No. 4 & 6, are also present. No one is present on behalf of respondent No. 7.

Written reply on behalf of respondents not submitted despite last chance. Representative of respondents No. 1, 2, 3 & 5 as well as counsel for respondents No. 4 & 6 are still seeking further time for filing of written reply despite the fact that they have been given last chance for filing of written reply/comments vide preceding order sheet dated 29.12.2020. Therefore, the appeal is posted to D.B for arguments on 07.05.2021.

(Muhammad Jamal Khan)
Member

7.5.2021


Due to COVID-19, the case is adjourned to 6-9-2021 for the hearing.

[Signature]
Reader

22.10.2020

Since the Members of the High Court as well as of the District Bar Association Peshawar are observing strike today, therefore, learned counsel for appellant is not available today. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Shoaib, Senior Clerk, on behalf of respondent No. 4 are present.

Representative of respondent No. 4 seeks further time to submit written reply/comments while no one is present on behalf of remaining respondents nor written reply on their behalf is submitted, therefore, notices be issued to them for submission of written reply/comments for 29.12.2020 before S.B.




(Muhammad Jamal Khan)
Member (Judicial)

29.12.2020

Appellant in person and Muhammad Rasheed DDA alongwith Jehanzeb Superintendent on behalf of respondents No. 1 to 3 & 5 and counsel for respondents No. 4 and 6 present. None present on behalf of respondent No.7.

Representative of respondents No. 1 to 3, 5 and counsel for respondents No. 4 & 6 seeks time to submit reply/comments. Learned DDA is required to contact the respondent No.7 and facilitate the submission of reply/comments. Granted by way of last chance. To come up for reply/comments on 15.02.2021 before S.B.



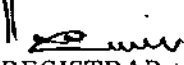

(Atiq-Ur-Rehman Wazir)
Member (E)

+Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 7811 /2020

1S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/07/2020	<p>The appeal of Mst. Hajra Bibi presented today by Mr. Khushdil Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>12/08/2020</u></p> <p style="text-align: right;"> CHAIRMAN</p>

Appeal No. 7811/2020

12.08.2020

Counsel for the appellant present.

The grievance of the appellant is that her monthly salary and allowances were stopped from 01.06.2019 by respondent No. 6. The stoppage occurred on a "relieving chit" dated 24.05.2019 issued by respondent No. 4. Upon disciplinary action against respondent No. 4, the said relieving chit was withdrawn on 24.06.2019 by respondent no. 2, however, the restraint about the salary of appellant is still being observed by the respondents.

The receipt of salary is one of the fundamental right of the appellant and its stoppage would amount to violation of the Constitution as well as the law pertaining to terms and conditions of service of a civil servant. Instant appeal is, therefore, admitted to regular hearing subject to all just exceptions. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 15.09.2020 before S.B.

Appellant Deposited
Security & Process Fee

15.09.2020

Junior to counsel for the appellant and Addl. AG for the respondents present. Chairman

Learned AAG seeks adjournment in order to contact the respondents and furnish reply/comments. Adjourned to 07.10.2020 on which date the requisite reply/comments shall positively be furnished.

07.10.2020

Junior to counsel for the appellant, Addl. AG for official respondents present. Syed Numan Bukhari, Advocate appeared on behalf of respondents No. 4 & 6 and furnished Wakalatnama in his favour.

Learned AAG as well as counsel for respondents No. 4 & 6 seek further time to furnish reply/comments. Learned AAG is required to contact the official respondents and to submit reply on next date.

Adjourned to 22.10.2020 on which date the requisite reply/comments shall be submitted without fail.

Chairman

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 7811 /2020

Mst: Bibi Hajira,
Lecturer in Home Economics (BPS-17),
Govt. Girls Degree College Sadda, Kurram,
Under transfer to Govt. Girls Degree College Tall
(Hangu).....Appellant.

Versus

The Chief Secretary,
Govt. of Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar and others.....Respondents.

INDEX

S.N.	Description of Documents.	Date	Annexure	Pages
1.	Memo of Service Appeal.			1-4
2.	Copy of Relieving Letter / Chit thereby appellant was forcefully relieved by the Incharge Principal/ respondent No.6.	26-05-2019	A	0-5
3.	Copy of application for cancellation of illegal Relieving Chit of the Incharge Principal/ respondent No.6 before the respondent No.2 / Secretary	10-06-2019	B	6-7
4.	Copy of the letter thereby application of appellant was accepted and the impugned relieving letter was withdrawn.	24-06-2019	C	0-8
5.	Copy of application of the appellant for releasing of salary to the respondent No.2 / Secretary.	12-07-2019	D	0-9
6.	Copies of letters of the respondent No.3 thereby directed the Incharge principal / respondent No.6 for releasing the salary.	20-09-2019 & 21-10-2019	E & F	10-11
7.	Copy of the letter of respondent No.7 / District Accounts Officer for activation of appellant's pay.	24-10-2019	G	0-12
8.	Copy of the order of Hon'ble Peshawar High Court passed in W.P No.1360-P/2020.	18-03-2020	H	13-15
9.	Copy of departmental appeal before the respondent No.1.	19-03-2020	I	0-16
10.	Wakalat Nama.			

Through

Appellant

Khush Dil Khan
Advocate,
Supreme Court of Pakistan

Dated: 08/07/2020

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2020

Mst: Bibi Hajira,
Lecturer in Home Economics (BPS-17),
Govt. Girls Degree College Sadda, Kurram,
Under transfer to Govt. Girls Degree College Tall
(Hangu).....Appellant.

Versus

1. The Chief Secretary,
Govt. of Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.
2. The Secretary,
Govt. of Khyber Pakhtunkhwa,
Higher Education Department,
Civil Secretariat, Peshawar.
3. The Director,
Higher Education Department,
Khyber Pakhtunkhwa, Peshawar.
4. The Principal,
Govt. Girls Degree College Sadda,
District Kurram.
5. The Principal,
Govt. Girls Degree College, Tall (Hangu).
6. Ms. Abida Dil Nasheen,
Lecturer in History (BPS-17) / Ex- Incharge Principal,
GGDC Sadda, Kurram,
Under transfer to GGDC Hangu.
7. The District Accounts Officer,
District Kurram.....Respondents.

**SERVICE APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE
TRIBUNALS ACT, 1974 FOR RELEASING THE
MONTHLY SALARY WITH ALL ADMISSIBLE**

ALLOWANCES AND OUTSTANDING AMOUNTS OF THE SALARIES WITH ALL ADMISSIBLE ALLOWANCES w.e.f 01-06-2019 TILL FILING OF THIS APPEAL AND ONWARD TO APPELLANT FOR WHICH SHE ALSO FILED DEPARTMENTAL APPEAL BEFORE THE RESPONDENT No.2 ON 19-03-2020 BUT THE SAME WAS NOT DISPOSED OF WITHIN STATUTORY PERIOD OF 90 DAYS.

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:

1. That appellant was initially appointed as Lecturer in Home Economics Subject (BPS-17) on Contract basis by an order dated 04-11-2010 and posted at Govt. Girls Degree College Alizai, Kurram. Later on her services were regularized on 26-05-2014 along with other colleagues under similar circumstances.
2. That appellant then transferred to GGDC Sadda, Kurram in the year 2017 and assumed the charge of her duty and performing her duties efficiently and with the entire satisfaction of the students but meanwhile the Incharge Principal of the said college (respondent No.6) has issued a letter with subject Relieving Chit vide No.130-07 dated 24-05-2019 thereby appellant was forcefully relieved of her duties and the copy of which was also forwarded to respondent No.7 (District Accounts Officer Kurram) with the request to stop the appellant's pay as per source form. Copy of the letter dated 24-05-2019 is attached as Annexure-A.
3. That appellant had submitted an application on 10-06-2019 before the respondent No.2 (Secretary) for the cancellation of illegal Relieving Chit issued by respondent No.6. The application was entertained and a letter dated 26-06-2019 issued under the signature of Section Officer (Colleges-III) therein the impugned Relieving Chit was withdrawn with the direction to initiate disciplinary action against the respondent No.6 but inspite of this clear order of the competent authority the respondent No.6 has neither submitted Computer Source for activation of appellant's pay nor allowed her to mark her

daily attendance in the staff attendance register or initiated any disciplinary proceeding against her (respondent No.6) and as such she was not paid the monthly salaries without legal justification. Copies of application dated 10-06-2019 and letter dated 26-06-2019 as **Annexed-B & C**.

4. That appellant then submitted an application on 12-07-2019 for releasing her monthly pay with all admissible allowances but instead of clear directions of various authorities the respondent No.6 has not acted accordingly and always ignored the orders of the competent authority deliberately and in this regard respondent No.7 has also written a letter to respondent No.6 vide dated 24-10-2019 but the same was also overlooked. Copies of application dated 12-07-2019 as (**Annexed-D**), letter dated 20-09-2019 as (**Annexed-E**), letter dated 21-10-2019 as (**Annexed-F**) and letter dated 24-10-2019 as (**Annexed-G**).
5. That appellant then filed a W.P No.1360-P/2020 before the Hon'ble Peshawar High Court for releasing of her monthly salary and outstanding amounts of rest of months with all admissible allowances w.e.f. 01-06-2019 but same was dismissed vide order dated 18-03-2020 for want of jurisdiction under Article 212 of the Constitution, 1973 in view of her subsequent transfer order dated 06-02-2020 then the appellant filed departmental appeal on 19-03-2020 before the respondent No.1 but same was not disposed of within statutory period of 90 days. Copies of the Order of the Hon'ble Peshawar High Court dated 18-03-2020 as (**Annexed-H**) and departmental appeal dated 19-03-2020 as (**Annexed-I**).

Hence the present Service Appeal is submitted on the following grounds.

Grounds:

- A. That appellant was not treated in accordance with law and rules on subject and unlawfully stopped her monthly salaries by the respondent No.6 in illegal manner on the basis of personnel grudges which is not sustainable.
- B. That appellant has regularly been performing her duties but depriving her of monthly due salaries without legal justification

amounting to forced labor which is not only violative of Article 11 of the Constitution, 1973 but also against Article 38 of the Constitution, 1973.

It is therefore, humbly prayed that on acceptance of this service appeal the respondents may graciously be directed to release the monthly salaries with all admissible allowances w.e.f. 01-06-2019 and onward 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.

Haya
Appellant

Through

97/wno
Khush Dil Khan,
Advocate,
Supreme Court of Pakistan

&

Ashraf Ali Khattak,
Advocate,
High Court, Peshawar

Dated: *08/07/2020*

RELIEVING CHIT

Annex: A
P. 5

The services of Mst: BIBI HAJRA Lecturer in Home Economics BPS-17. is no longer required to this institution and is hereby relieved from duty on 23/05/2019 regarding her constant unrest, hurdles, unsocial and immoral attitude towards the undersigned, students of GGDC Sadda as well as staff members.

As per request of student parents to relieve her as per issue of ~~making video and capture pictures~~ of students at GGDC Sadda on 22/05/2019

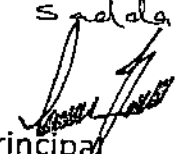
Her service is hereby placed at the disposal of Director Higher Education Khyber Pakhtunkhwa Peshawar, for further posting and initiate disciplinary action against the lecturer concerned under E & D rules 1973, 2001.


Principal
Govt: Girls Degree College
Sadda District Kurram

No. 103-07 Dated 24/5/2019

Copy to the

1. Secretary Higher Education Khyber Pakhtunkhwa Peshawar.
2. Director Higher Education at Peshawar.
3. Director Education Newly Merged Districts at Peshawar.
4. Deputy Commissioner at Parachinar District Kurram
5. District Accounts officer Kurram at Parachinar with the request to stop her pay and issue LPC as per source form enclosed.
- 6) Lecturer concerned at GGDC Sadda


Principal
Govt: Girls Degree College
Sadda District Kurram

Attested

ATTESTED

To

The secretary
Higher education department KP

Annex: B

P. 6

Subject: Request for Cancellation of illegal relieving chit dated 24-may-2019 by acting principal lecturer Ms.Abida dilnashin.

Respected Sir

It is stated that I am serving as a lecturer in GGDC Sadda Lower kurrum since April 2017. College has shown poor performance due to incompetencies, accommodation and employee harassment issues in the college for last few years. College DDO lecturer Ms.Abida dilnashin relieved me by force from the college on 23-may-2019 and stopped my pay without any legal authority vide relieving chit no.103-07 in the blame of capturing pictures of students and put baseless allegations against me. She is continuously creating problems from the very first day of my arrival to the college i.e, she gave me charge in college on wrong date in order to bring gap in my service but I helplessly revised it from the GGDC Alizai Lower kurrum from where I had been transferred. So she is continuously claimed and blamed me without any proof in order to assassinate my character. Copy of relieving chit dated 24-may-2019 is hereby enclosed for ready reference.

Sir this is an organized group which contain some lecturers, students and their parents, class IV. This group is supporting Ms.Abida dilnashin in her illegal acts and witness falsely in every inquiry against innocent and highly qualified teachers and she is very flexible with this group. She has cruel negligence towards some staff members and stopped and deducted the pay from staff illegally then she demands highly expensive gifts, money etc from the affected and oppressed person. She threatened the affected person that do not disclose her secrecy otherwise she will be destroyed his/her carrer that's why no body come in front of her. If anyone who accept her demands, so Abida is flexible with them but if somebody didn't accept her demands, then resultandely Abida dilnashin and her group starts creating problems for affected person. Due to this game of her about 7-8 lecturers have been suffered badly, terminated and transferred from said

ATTESTED

P. 7

college since 2011 till date. This group is misleading by one of the mastermind of the game Ms. Shamida bangash lec: zoology. Due to this group the education environment of the college is completely suffered, polluted and highly politicized. Instead of education she is conducting baseless inquiries against her staff and some inquiry officers are nominated according to her plan and inquiry officers conduct biased and partial inquiry because she pressurized the inquiry officers to write remarks completely in favour of her.

It is very kindly request to cancel my relieving chit and conduct impartial inquiry against Incharge principal Ms Abida dilnashin and her group at higher level in order to probe the matters in depth and restored the college environment in its true perspective please.

Thanks



Yours sincerely

Bi Bi Hajra

Lec: Home economics

GGDC Sadda Lower kurram

Dated: 10-6-2019



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

Annex: C

~~Annex: B~~ P. 8

No.SO(C-III)/HE/1-2/19/Hajira Bibi/
Dated Peshawar, 24th June, 2019

POS


To

The Director Higher Education,
Khyber Pakhtunkhwa, Peshawar.

Subject:

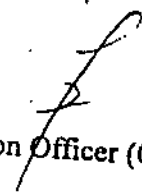
RELIEVING CHIT.

I am directed to enclose herewith a copy of the subject relieving chit issued by the Principal, GGDC, Sadda, District Kurram bearing No. 103-07 dated 28.05.2019 whereby Ms. Hajira Bibi, Lecturer in Home Economics has been relieved without any legal authority. The same may be treated as withdrawn and disciplinary action be initiated against the Principal concerned for the use of powers not authorized by the government.


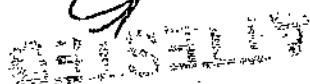

Section Officer (Colleges-III)

CC to:

2. PS to Secretary Higher Education for information.


Section Officer (Colleges-III)

Attested.

To

The Secretary
Higher education dept
Khyber-Pakhtunkhwa

Annex: D

P.9

Subject: Release of salary

Respected sir

It is stated that I am serving as a lecturer in Govt girls degree college Sadda lower kurram. Ex-DDO Ms Abida dilnashin relieved me by force from the College and stopped my pay without any legal authority since 1- June- 2019 vide relieving chit no. dated 24-may-2019. Sir as you cancelled my relieving chit and ordered her to release my salary but she did not compliance the orders of high authorities. She do not allow me to mark my attendance and when I come to college then she attacks me emotionally and misguides students and class IV against me.

I therefore kindly request to direct acting principal Ms. Abida dilnashin to release my salary and allow me to mark my attendance please.

Thanks

Yours sincerely

Bi Bi Hajra

Lec: Home economics

GGDC Sadda Lower kurram

Dated: 12-7-2019

ATTESTED



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI, NEW CHAMKANI CHOWK, PESHAWAR**

Tel # 091-9210242 / 9211025 Fax # 091-9210215
E-mail: dhekppesh@gmail.com Facebook.com/dhekppeshawar Twitter.com/dhekppeshawar1

No 20918 /CA-1/Ext. Branch/A-12/Regularized 01/2014/H.Economics Dated Peshawar the 20/9/2019

Annex: E¹³¹
P. 10


To

The Principal,
Govt. Girls Degree College,
Sadda (Lower Kurram).

SUBJECT: RELEASE OF SALARY.

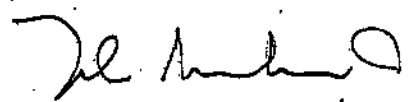
I am directed to refer to the subject noted above and state that salary of Ms. Bibi Hajira, Lecturer in Home Economics of your College should be released and she may be allowed to mark her attendance immediately.

In case of non-compliance strict disciplinary action will be taken against you under E&D Rules, 2011.


(Khadija Inayat)
DY. DIRECTOR (FEMALE)
20/9/2019

o/c FR

Pl conduct inquiry and
take necessary action.


8/6/2020

Dir HED
Spl Secretary

RESTRICTED

Scanned by CamScanner



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI, NEW CHAMKANI CHOWK, PESHAWAR**

Tel # 091-9210242 / 9211025 Fax # 091-9210215
E-mail:- dhokpkpesh@gmail.com Facebook.com/dhokpposhawar Twlltor.com/dhokpposhawar1

No. 92780 /CA-Estt: Branch/A-12-Regularized 01/2014/II.Economics Dated Peshawar the 01/11/2019

Amal. F
=
P. 11

To

The Principal,
Govt. Girls Degree College,
Sadda (Lower Kurram).

SUBJECT: RELEASE OF SALARY.

I am directed to enclose herewith self-explanatory application in respect of Ms. Hajira Bibi, Lecturer in Home Economics of your College for your comments & detailed report in the subject case for perusal of the Competent Authority.

Khadija Inayat
(Khadija Inayat) *01/11/2019*
DY. DIRECTOR (FEMALE)

9/c PR

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OFFICE OF THE DISTRICT ACCOUNTS OFFICER TRIBAL DISTRICT KURRAM

No 4291-92 /DAO/KM/COLLEGES/2019-20

dated. 24/2/19

To

The Principal,
Govt: Girls Degree College,
Sadda, Kurram.

Annex: G
P.12

Subject:- Relieving Chit.

Memo,

Please refer to the Govt: of Khyber Pakhtunkhwa Higher Education and Archive department Peshawar office memo No. SO(C-II)/1-2/19 Hajra Bibi dated. 02/8/2019 on the subject cited above.

Computer Source in respect of Mst Hajra Bibi Lecturer for activation of her pay, complete in all respect may please be sent to this office without further delay, as the department is pressing hard for release of her pay.

MATTER MOST URGENT.

--Sd--

**DISTRICT ACCOUNTS OFFICER
TRIBAL DISTRICT KURRAM**

Copy forwarded to the Section Officer Higher Education and Archive Department Peshawar for information please with reference to his office memo, under reference.

--Sd--

**DISTRICT ACCOUNTS OFFICER
TRIBAL DISTRICT KURRAM**

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R

OFFICE OF THE DISTRICT ACCOUNTS OFFICER TRIBAL DISTRICT KURRAM

No. 629-82 /DAO/KM/COLLEGES/2019-20 dated. 24/4/19

To, 33

The Principal
Govt. Girls Degree College
Sadda, Kurram

Annex. G

P. 12

Subject: RELAYING CHIT.

Memo

Please refer to the Govt. of Khyber Pakhtunkha Higher Education and Archive Department Peshawar office memo No. SI(C-II)/1-2/19/Hajra Bibi dated:02/8/2019 on the subject cited above.

Computer Source in respect of Mst. Hajra Bibi Lecturer for activation of her Pay, complete in all respect may please be sent to this office without further delay, as the department is pressing hard for release of her Pay.

MATTER MOST URGENT

[Signature]
DISTRICT ACCOUNTS OFFICER
TRIBAL DISTRICT KURRAM

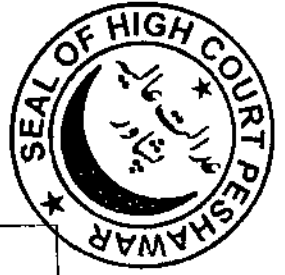
Copy forwarded to the Section Officer, Higher Education and Archive Department Peshawar. Information please with reference to his office memo under reference.

[Signature]
DISTRICT ACCOUNTS OFFICER
TRIBAL DISTRICT KURRAM

[Signature]

PESHAWAR HIGH COURT, PESHAWAR

ORDER SHEET



Date of order or proceedings 2.	Order or other proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary. 3.
18.03.2020	<p><u>WP No.1360-P/2020 with I.R.</u></p> <p><u>Present:</u> Mr. Muhammad Ilyas Orakzai, Advocate, for the petitioner.</p> <p>Syed Sikandar Hayat Shah, AAG along with Professor Abdul Wahab, Director, Ms. Khadija Inayat, Deputy Director Establishment, Mr. Khalid Gul, Superintendent, Directorate of Higher Education, Government of KPK, for the respondents.</p> <p>*****</p> <p><u>QAISER RASHID KHAN, J:-</u> Through the petition in hand, the petitioner has prayed as under :-</p> <ul style="list-style-type: none">➤ To allow the petitioner to join her duties in compliance of the order dated 24.6.2019 of the respondent No.2.➤ To release the salary w.e.f. 1.6.2019 withheld by the respondents illegally and without lawful justification.➤ To proceed against the respondent No.8 in terms of order passed by the respondent No.2 dated 24.06.2019.➤ To direct the respondents to provide accommodation in the College premises to the petitioner in bungalow already lying vacant.➤ To award compensation for mental torture, illegal exercise of power by the respondent No.8.➤ To award costs of the petition.

Annex: H
P. 13

Atif Hussain. PS

(DB) Justice Qaiser Rashid Khan
Justice Jaz Anwar

ATTESTED

EXAMINER
Peshawar High Court

P.14

2. On the previous date of hearing keeping in view the grievance of the petitioner, we thought it fit to have the personal attendance of the respondents and that is how Professor Abdul Wahab, Director, Ms. Khadija Inayat, Deputy Director Establishment and Mr. Khalid Gul, Superintendent, Directorate of Higher Education, Government of KPK are before the court.

Ms. Khadija Inayat, Deputy Director Establishment, Higher Education Department, Peshawar has come up with an altogether different version with a set of allegations against the petitioner and also states that she has been transferred to the Government Girls Degree College, Thal District Hangu vide notification dated 6.2.2020 (copy placed on file).

3. Since the petitioner has been transferred from the Government Girls Degree College, Sadda (Kurram) to the Government Girls Degree College,

Ahaf Hussain PS

(DB) Justice Qaiser Rashid Khan
Justice Ijaz Anwar**ATTESTED****EXAMINER**
Peshawar High Court

P.15

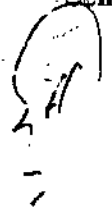
Thall District Hangu, therefore, we cannot proceed in this matter in view of the explicit bar contained in Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973.

4. Accordingly, this petition stands dismissed. The petitioner is, however, at liberty to agitate her grievance against the said order dated 6.2.2020 before the competent forum, if so advised.

Announced.
Dated: 18.03.2020.



Senior Puisne Judge



Judge



CERTIFIED TO BE TRUE COPY

EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 8.7 of
The Qanun-e-Shahadat Order 1984

20 MAR 2020

No. 32357
Date of Presentation of Application 20/3/2020
No of Pages 12-2
Copying fee 48
Total 48
Date of Preparation of Copy 20/3/2020
Date of Delivery of Copy 20/3/2020
Received By [Signature]

To

The Chief Secretary,
Govt. of Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.

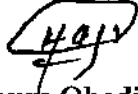
Annex: 1
= P. 16

Subject: **RELEASING MONTHLY SALARY.**

Respected Sir,

1. That appellant is permanent employee of Higher Education Department working as Lecturer in Home Economics Subject (BPS-17) and posted in Govt. Girls Degree College Sadda, Kurram now under transfer to Govt. Girls Degree College Hangu dated 06-02-2020. The Incharge Principal GGDC Sadda, Kurram who is also working as Lecturer in History (BPS-17) Ms. Abida Dilnashin had issued an illegal and unauthorized relieving letter on 24-05-2019 thereby I the applicant had forcefully relieved of duty and my monthly salary was also stopped through source form submitted in the office of District Accounts Officer Kurram at Parachinar and as such my pay was stopped inspite of the fact that on my application before the Secretary Higher Education, the illegal relieving letter was withdrawn but the Incharge Principal has not complied with on account of personnel grudges with me and for ulterior motive.
2. That earlier I also submitted applications for the release of my pay to higher authorities but no fruitful result was came to hand so I was constrained to file W.P No.1360-P/2020 but same was dismissed on 18-03-2020 for want of jurisdiction under Article 212 of the Constitution, 1973 and also I was advised to approach a proper forum under the law.
3. That stoppage of pay by an unauthorized person and in illegal manner amounting to forced labor which is not permitted under the Constitution. I have performed my duties regularly and with the entire satisfaction of the students. I am a poor lady having a family with school going children but since 01-06-2019 I have been deprived of my due right of monthly salaries on account of which I facing financial crises and suffering for no fault of mine.

It is therefore, humbly prayed that on acceptance of this departmental appeal, the Principal / DDO concerned may graciously be directed to immediately submit Computerized Source for activation of my monthly salary to the office of District Accounts Officer Kurram at Parachinar with the payment of outstanding amount of rest of months with all back benefits w.e.f. 01-06-2019 and onward.


Yours Obediently

Bibi Hajira

Lect: in Home Economics Subject (BPS-17),
GGDC Sadda, Kurram,
Now under transfer to GGDC Hangu.

Dated: 19-03-2020

WAKALAT NAMA

IN THE COURT OF Peshawar High Court Peshawar

Mst. Bibi Hayira Lecturer
B.P.S-17 Degree college Haripur. Appellant(s)/Petitioner(s)

VERSUS

the Chief Secretary Govt
of P.P.W Civil Secretary and others Respondent(s)

I/We Mst. Hayira do hereby appoint
Mr. Khush Dil Khan, Advocate Supreme Court of Pakistan in the above
mentioned case, to do all or any of the following acts, deeds and things.

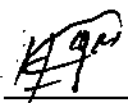
1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said case at all its stages.
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.

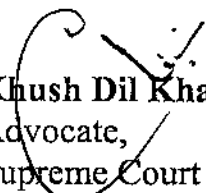
AND hereby agree:-

- a. That the Advocate(s) shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.

In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this _____

Attested & Accepted by


Signature of Executants


Khush Dil Khan,
Advocate,
Supreme Court of Pakistan
9-B, Haroon Mansion
Off: Tel: 091-2213445

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

S.A 7811/2020


Bibi Hajra Appellant

Versus

Govt. of Khyber Pakhtunkhwa
Through Secretary, Higher Education Department,
& Others Respondents

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**Respondents
Superintendent**
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar

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104

BEFORE THE HONOURABLE KHYBER PAKHTUN KHWA SERVICE TRIBUNAL
PESHAWAR

SA # 7811/2020

Bibi HajiraAppellant

Versus

Govt. of Khyber Pakhtunkhwa
Through Chief Secretary
& others.....

Respondents

SUBJECT: PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1,2,3 & 4

Respectfully Sheweth: -

Preliminary Objections:-

1. That the appellant has got neither cause of action nor locus standi to file the instant Service appeal.
2. That the appellant has not come to this Honourable Tribunal with clean hands.
3. That the appellant is trying to conceal material facts.
4. That the appellant is estopped by his own conduct to file the instant service appeal.
5. That the instant case is Time barred.

Facts:-

1. Pertains to record.
2. Correct to the extent that the appellant was transferred to Govt; Girls Degree College, Sadda, Kurram but under report. It is pertinent to mention that the appellant took pictures and made videos of the students and complaints were received from students and parents to incharge Principal/respondent no. 6 (**Annex A, B, C, D**) and demanded to relive the appellant and respondents no. 7 relived the appellant vide order dated: 24-05-2019 w.e.f 23-05-2020 assigning reasons of her constant unrest hurdles, unsocial and immoral attitude towards the Principal , students of the Govt. Girls Degree College, Sadda as well as staff members (**Annex-E**).
3. Correct to the extent that vide letter dated: 24-06-2019 the department withdrawn the reliving of the appellant (**Annex-F**) and inquiry committee was constituted to probe into the grievance of students vide letter dated: 26-06-2019 (**Annex-G**) wherein it was recommended that the appellant may be transferred/ adjusted somewhere else where students of her subject is enrolled as she bears extremely casual attitude towards her duties and she is habitual of her careless

attitude and behaviour from her very 1st day of her appointment. As no students are enrolled in her subject so she will always be busy in contriving something useless and unnecessary. The committee further recommended that as she is habitual of such activities so minor penalty like stoppage of increment may be imposed upon her (**Annex-H**), as a result both the appellant and respondent ^{no.6} were transferred from Govt. Girls Degree College, Sadda Kurram vide order dated: 06-02-2020 (**Annex-I**) rest of the Para pertains to the reply of respondent no. 6.

4. Pertains to the reply of respondent no. 6.
5. Correct to the extent that the appellant filed WP # 1360-P/2020, which was dismissed vide order dated 18-03-2020.

Grounds: -

- A. Pertains to the reply of respondent no. 6.
- B. Incorrect. As per Principal the appellant has not performed her duties since 24-05-2019 (**Annex-J**), so she is not entitled for salary of that period. Moreover, the appellant is habitual of absenteeism, previously when she was posted in Govt. Girls Degree College, Alizai an inquiry was conducted as she was absent from her duty, wherein the inquiry officer recommended to transferred her from Govt. Girls Degree College, Alizai and also recommended to stop her 2 months salary (**Annex K, L**) and two months salary was deducted from the appellant (**Annex M, N**).

Prayer:-

It is, therefore, humbly prayed that the instant Service Appeal is based on misconception/misstatements hence may graciously be dismissed.


Chief Secretary,

Govt: of Khyber Pakhtunkhwa
Respondent No. 01


Secretary,

Higher Education, Archives
& Library Department
Respondent No. 02


Director

Higher Education Department
Respondent No. 03


Principal

Govt; Girls Degree College, Sadda (Kurram)
Respondent No. 04
Principal
Govt: Girls Degree College
Sadda Tribal District

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

S.A 7811/2020

Bibi Hajra Appellant


Versus

Govt. of Khyber Pakhtunkhwa
Through Chief Secretary, Higher Education Department,
& Others Respondents

AFFIDAVIT

I, Jehanzeb Awan, Superintendent (Litigation), Higher Education Department do hereby declare and affirm on oath that the contents of Para Wise Comments are correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Court.

Identified by:


Deponent
Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar

S. Anna "A" 102
80 3/1

To

The Principal
GGDC Sadda District Kurram

A

Subject: REQUEST FOR RELIEVING/TRANSFER MST: HAJRA BIBI LECTURER.

It is requested that one Mst: Hajra Bibi Lecturer in Home Economics is constant headache for us and now she has crossed all the limits regarding her behavior.

Firstly she was catching pictures/ making videos at the office but now she started catching pictures and making videos of college's students.

Yesterday on 22/05/2019 what she acted, about which the higher authorities are to be informed immediately. We all are from respected families and being Pathans if our families know about such situation like this, it will lead us to enmity with the said lecturer.




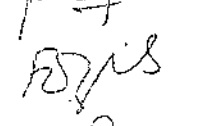
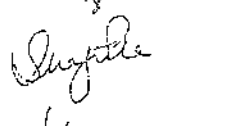
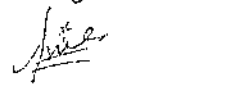
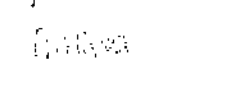
In future if such video or pictures goes viral or uploaded on social media, then who will be responsible for such act.

In this regard we are requesting you to inform the higher authority to take serious action against her and transfer her service from this college but if it is not possible then we are demanding you to transfer our services from here because we are from respected families and we cannot tolerate such unlawful action by Mst: Hajra Bibi lecturer at GGDC Sadda.

ATTESTED

Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar



Shamda Bangash
Sabina Naz
Zeba Khan
Faris Mahmood
Shaguffa Afidi
Uzma MEHARBAN
A. I. N. S.








حضرت جناب پرنسپل صاحبہ گریڈنگ کالج صدہ

آپ صاحبہ کی توجہ ہم اس جانب مبذول کروانا چاہتے ہیں کہ آج بھورضہ 22/05/2019 کو ہمارے کالج پر ایکٹو کے سلسلے میں گریڈنگ کالج صدہ آئے جو کہ کلاس میں سیکنڈ ایئر میں زیر تعلیم ہیں۔

کالج یذا میں ایک لیکچرار صیسی یا جبرہ بی بی نے موبائل کا غلط استعمال کر کے کالج یذا کی طالبات سے ویڈیو کروائی اور تصاویر بھی نکلوائی۔ طالبات نے ہمیں وقت پر آگاہ کر دیا۔

سب سے بڑی غلطی متعلقہ لیکچرار نے کی ہے۔

ہم آپ صاحبہ سے مذکورہ لیکچرار کے خلاف سخت قانونی کارروائی کی درخواست کرتے ہیں۔ اوداعلیٰ حکام کو بھی اس بابت آگاہ کر دینگے۔ اسی لیکچرار کو جلد از جلد Relieve کر کے ملے کو حل کر دے۔ ورنہ تمام ترمیمہ داری کالج پرنسپل پر ہوگی۔ سرپرست طالبات

- (1) یعقوب خان
- (2) سدیم خان
- (3) رحیم نور
- (4) فضل میر
- (5) حاجی سلیم خان

ATTESTED

Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar

خدمت جناب پرنسپل صاحبہ گورنر کالج ہمدہ

د

بہایت احترام کے ساتھ گزارش کی جاتی ہے

کہ بحودہ 22/5/2019 کو کالج میں طالبات پر یکنیٹل تھی۔ سیکنڈ انٹرمیڈیٹ طالبات آئے تھے۔ اسی دوران کالج کی ایک ٹیکسٹ بک میں جی جی یا جی جی کے ذریعے طالبات ویڈیو کروائی اور تصاویر بھی لگائے۔ موقع پر موجود تھی میں نے اور دوسرے بات نے منع کیا لیکن اس نے انکار کرتے ہوئے منبری تھی۔

آپ صاحبہ کو بروقت خبر دی تاکہ اسے کو حل کیے۔

المیجر خاتون
لیب اسٹڈنٹ
گورنر کالج ہمدہ

ATTESTED

Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar

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E

RELIEVING CHIT

The services of Mst: BIBI HAJRA Lecturer in Home Economics BPS-17. is no longer required to this institution and is hereby relieved from duty on 23/05/2019 regarding her constant unrest, hurdles, unsocial and immoral attitude towards the undersigned, students of GGDC Sadda as well as staff members.

As per request of student parents to relieve her as per issue of making video and capture pictures of students at GGDC Sadda on 22/05/2019

Her service is hereby placed at the disposal of Director Higher Education Khyber Pakhtunkhwa Peshawar, for further posting and initiate disciplinary action against the lecturer concerned under E & D rules 1973, 2001.


Principal
Govt: Girls Degree College
Sadda District Kurram


No. 103-07 Dated 24/5 2019

Copy to the

1. Secretary Higher Education Khyber Pakhtunkhwa Peshawar.
2. Director Higher Education at Peshawar.
3. Director Education Newly Merged Districts at Peshawar.
4. Deputy Commissioner at Parachinar District Kurram
5. District Accounts officer Kurram at Parachinar with the request to stop her pay and issue LPC as per source form enclosed.
6. Lecturer concerned.

ATTESTED


Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar


Principal
Govt: Girls Degree College
Sadda District Kurram


24/5/19

Armea: 44 (96)
2



DIRECTORATE OF HIGHER EDUCATION

**KHYBER PAKHTUNKHWA
KHYBER ROAD, PESHAWAR**

Tei # 091-9210242 Fax # 091-9210215

dhekpkpesh@gmail.com [facebook.com/dhekppeshawar](https://www.facebook.com/dhekppeshawar) twitter.com/dhekppeshawar1

No. /54-III/Complaint/AD(G)

Dated Peshawar the 26/6 /2019

To

1. The Principal,
Govt. Degree College Baggañ .
Kurram.
2. Deputy Director(Colleges)
Merged District Khyber Pakhtunkhwa.

Subject: INQUARY REGARDING GRIEVANCES OF STUDENTS OF GGDC, SADDA

Respected Sir /Madam, ^{میرا}

I am directed to refer to the subject noted above and to enclose herewith a self-explanatory application and to state that the Director, Higher Education is pleased to nominate the above mentioned Officers as inquiry committee members to probe into matter and to submit a detailed report within a week to this office for further proceeding into the instant case, please.

ATTESTED

Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar

Assistant Director (General)

Enclst No.
Copy to:

1. PA to Director, Local Directorate.
2. Principal Govt Girls Degree College, Sadda for information.

Assistant Director (General)
Higher Education Department

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INQUIRY REPORT

INTRODUCTION:


On 22nd of May, 2019, some students/parents submitted a written complaint letter to the Incharge principal GGDC Sadda with the remarks that Mst: Bibi Hajra (Lecturer in Home Economics) of the college had captured their photos and made video while they were busy in taking their practical examination at laboratory. The said unfortunate incident caused severe (Grievances among students/Parents). The Directorate Higher Education Khyber Pakhtunkhwa ordered to probe into the matter through an inquiry officer vide No. 15322-23, dated: 26-06-2019 and notified Mr. RAIS AHMAD JAN BPS-19 Pincipal Govt: Degree College Bagan Lower kurram as an inquiry officer to conduct an impartial inquiry and redress the "Grievances of students/parents:"

MECHANISM OF INQUIRY:

The inquiry Officer visited personally check the environment of the college. The Principal, Ex: Incharge Principal, teaching, Non teaching staff and students were inquired and concluded as follow.

- 1- The Principal Miss Saira Khatoon BPS-20 was inquired regarding the case. She had already interview all the staff members along with students about the situations. She was of the opinion that the said lecturer is a constant headache for college and the issue of capturing pictures and making video was a serious case. She had committed the said mistake and the credit goes to Incharge Principal Abida Dillnasheen who maintained the law and order situations but the lecturer concerned and his husband has still a serious threat from the arrogant parents of the students.
- 2- The Incharge Principal stated that on 22nd May 2019, she was usual present in the office, some students of 2nd year rushed into her office complaining that Mst: Bibi Hajra had captured their photos and made video while they were busy in taking their practical examination. The Lab: Attendant also endorsed the allegations of the students. The said lecturer was at once called to the office taken her mobile from her and deleted the photos and videos on the spot to the threat that it should not get viral on social media. The said students informed their parents about the incidents and approached college furious and angry. The Incharge Principal added that she tried her level best to satisfy the angry parents and to defuse the situations but students and parents were not ready to compromise on their demand to relieve the accused lecturer. An internal Committee was constituted to probe into the matter. As per recommendations of the internal Committee, upon the strong demand of students/ parents and looking the gravity of the situations, the said lecturer was relieved on 23rd May, 2019 in order to defuse the tense situations. She added that the lecturer concerned is a habitual absentee and very aggressive quarrelsome and unsocial in

ATTESTED


Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar

(8) 47

her behavior with colleagues and students. Number of inquires has been conducted against her in past and deduction of salaries has been made as a token of punishment. Further the said lecturer has been constantly about the accommodation to live in bachelor Hostel with husband and children. The college administration has always directed her to reside with her children in hostel where other staff members has been accommodated but her husband could not be accommodated in hostel but she refused to do so. Moreover the said lecturer has been a constant source of trouble and headache for the college administration due to undue interference in administrative affairs and the concerned quarters have been informed about her time and again.


- 3- In response to the alleged video /pictures scandal, the accused lecturer Mst: Bibi Hajra did confirm that she had captured photos and made video but it was general panoramic video of the college not specific to some girls. She argued that she is a resident of Dogar and requested for accommodation in college premises to live with her husband and children but still she had not been allotted any accommodation. In the same video and scandal issue she has also relieved me which is illegal.
- 4- The students who were present on the spot were also inquired about the alleged video/ picture scandal. They were confirming the incident as real and specific.
- 5- The opinion /views of almost all the staff members (teaching and non teaching) were sought. They were reiterating the stance of incharge principal and showing severe reservations about the accused lecturer Mst: Bibi Hajra.

FINDINGS:

To put the entire inquiry in a nutshell, the following findings are concluded:

- a- The issue of "capturing pictures and making video" was without any doubt a very serious and threatening incident generally in Girls College. Either the picture video was general or specific, it is unsocial, illegal and annoying.
- b- There was complete study environment and all the allegations /charges leveled by Hajra Bibi confirmed from the students and staff members were baseless / irrelevant and the concerned lecturer did so only to vilify the reputation of institution to get fulfilled her personal interests.
- c- The present regular Principal Saira Khatoon BPS-20 has also recommended that the said accused lecturer is a constant source of headache for college administration and problematic which has greatly suffered the smooth functioning of the college.
- d- The Undersigned is also well aware of the behavior and absenteeism when she was posted at Govt: Girls Degree college Alizai. The mount of Rupees 205832/- has been deposited from her on Challan in Govt; exchequer on 17/12/2012 vide challan No-04. (Challan copy enclosed)
- e- In 2016 due to absence at GGDC Alizai for two months her pay for the said period deducted by the Dy: director Colleges No. 8505, dated 17/08/2016.

ATTESTED


Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar

- 3 (93)
- f- In 2017 salary deducted from her pay vide Deputy Director colleges letter No. 19037, dated 27/11/2017 due to absenteeism. (Copy enclosed)
- g- On the basis of same attitude she has already been warned by Director Higher Education vide No. 14190-93, dated 14/09/2017. (copy enclosed for ready reference)
- h- Above all what is astonishing is that "Home Economics" is a subject specially offered for girls but being a girls college no student has been enrolled in the said subject in this college although lecturer in Home economics is available.


RECOMMENDATIONS:

After thorough evaluation of all aspects of inquiry, the following recommendations are hereby proposed in the best interest of the college.

- i- From the above stated findings it is quite clear that the said lecturer is habitual of her reckless attitude and behavior from the very 1st day of her appointment. As Mst: Bibi Hajra (Lecturer in Home Economics) has already been relieved w.e.f 23-05-2019, she may please be adjusted somewhere else in the college having students of her subject as she bears extremely casual attitude towards her duty. Having no students /class she will always be busy in contriving something useless and unnecessary. Transferring her will also give consolation to the students and their parents.
- ii- As the accused lecturer is habitual with such activities, so light punishment like stoppage of increment etc as per law is also recommended that she may not dare like this in any other college of her posting.

Dated- 24/09/2019

ATTESTED


Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa


INQUIRY OFFICER: Bagan
Principal GDC, Bagan
District Lower Kurram

RAIS AHMAD JAN (BPS-19)
PRINCIPAL GDC BAGAN, TRIBAL DISTRICT KURRAM

Annex-J

OFFICE OF THE PRINCIPAL

GGDC SADDA

NO-281-82-Dated-23-11-2019

To

The Director of Higher Education

KPK Peshawar.

Subject: EXPLANATION

Reference your explanation letter no 25983-84 dated 12/11/2019 on the above noted subject. It is stated that Mst Bibi Hajra lecturer in Home Economics is being absent from this college since 24 May 2019. Whether the official concerned Bibi Hajra paid the salaries of absent period? She has not performed the duty from the date mentioned above. It is further mentioned here with your good self office letter no 25672-708/CA-II Estt/General file in which the principals are directed of reporting the absent staff. The lecturer concerned is not performing her duty and she has been reported again and again to transfer/adjust somewhere else. Whole profile of said lecturer is dull and unsatisfactory. She is surplus and is disturbing the situation and smooth running of this college.

Being the head of the college it is my responsibility to report such officers/officials who are not performing their duties honestly and efficiently. But it shows that being a Principal of BPS 20, I am so helpless that being a responsible head of institution, the Directorate of Higher Education pay no heed to my report against the defaulter lecturer concerned. If the said lecturer was not dealt with iron hands then smooth functioning of the college will not be possible for the undersigned.

I need with your attention to adjust the same lecturer at any other college to sort out permanent solution of Miss Bibi Hajra issue.

ATTESTED

Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar

Principal

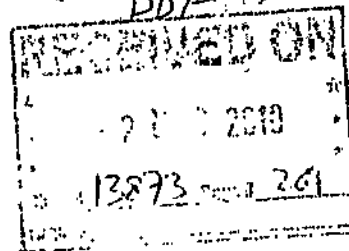
Govt: Girls Degree College Sadda

Copy to the:

1. Section Officer, (Colleges III) KPK Higher Education Department Peshawar.

Principal

Govt: Girls Degree College Sadda



Annex - 1c

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The Principal GDC Sadda Lower Kurram Agency
 The Principal GGDC Alizai Lower Kurram Agency

DISCIPLINARY ACTION AGAINST ABSENT STAFF

I am directed to refer to Section Officer (C-III) letter NoFS/SO(C-III)/1-10-(Vol-2015/968-70 dated 18-5-2016 and to request you to take disciplinary action against the following teaching and non-teaching absent staff who were found absent from duty during surprise visit of Political Agent Kurram Agency under intimation to this office.

School Name	Name of Absent Staff	Duration/Remarks
1 Govt: Degree Colleg Sadda	Umer Gul	
	Raiz Ullah	
	Hazrat Hussain	
	Rah Nawaz	
	Bakht Zamin	
	Ijaz Ralim	
	Siraj Ul Arafin	
	ASHiraz Khan	
	Muhammad Ayaz	
	Ayaz Khan	
	Asmat-Ullah	
	Hamid Rehman	
	Muhammad	
	Saglin	
	Ahmad Shah	
	Siraj Ullah	
Muhammad Wasif Khan		
Latif Ullah		
2 Govt: Girl Degree College Alizai	Miss Hajra Bibi Lec: Economics ✓	
	Miss Dil Khushad Lec: Maths ✓	
	Miss Asma Lab: Asstt: ✓	Absent since long

[Signature]
 o/c Assistant Director (M&E)

Endst: No. 25601-65

- Copy to:
- 1- Section Officer (C-III) AI&C Social Sectors FATA Secretariat.
 - 2- Political Agent Kurram Agency.
 - 3- PS to Secretary Social Sectors FATA.
 - 4- PA to Director Education FATA.

[Signature]
 o/c Assistant Director (M&E)

ATTESTED

[Signature]
 Superintendent
 Directorate of Higher Education
 Khyber Pakhtunkhwa Peshawar


Explanations produced by the teaching and non-teaching staff are satisfactory except the below mentioned:

1. Bibi Hajra is irresponsible and reckless.
2. Dilkhushad is not willing to perform her duties and has remained absent again for two months March, April 2016.
3. Miss Asma Gul is abroad without proper leave.
4. Mr. Latifullah, Junior clerk is rarely coming to college as he resides in Peshawar.
5. Miss Noreen Huma has already been transferred from Govt. Girls Degree College Alizai.

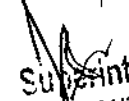
RECOMMENDATIONS.

To put the entire enquiry in a nutshell the following recommendations need to be carried out so that the college runs smoothly and precious time of the students is not wasted.

1. Bibi Hajra may be brought to the book by transferring her to some other college. As she has no class in college why should she be staying at this college doing nothing. She has an extremely reckless/casual attitude towards her duty. Miss Bibi Hajira be transferred from this college. At least TWO MONTHS salary be deducted/withdrawn from her so that other staff members remain careful in discharging duties in future.
2. Strict disciplinary action be immediately initiated against Miss Asma Gul, Laboratory Assistant as for the last six Months she has been remaining absent on baseless/pretexts/excuses. Allegedly she is abroad (outside the country) It makes her performance at college ridiculous and thus provides an extremely bad precedent for other staff members. Recovery of at least SIX MONTHS from her salary may be ensured to put a good precedent for other staff members.
3. Miss Dilkhushad, lecturer in Maths, may be transferred to another college as she is unwilling to be serving at her present station of duty. Moreover at least ONE MONTH salary be deducted/withdrawn from her as punishment as she has joined examination duty without prior permission from her principal thus putting a bad precedent for other employees.


Prof: Tasbi Ullah
Enquiry Officer in the subject enquiry

ATTESTED


Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar


FATA CLERICAL
DIRECTORATE OF EDUCATION
8505
17/8

Annex-11

✓
The Principal
Agency
Department of Education


Consequent upon the recommendation of Inquiry officer and approval of competent authority, the salaries of the following teaching staff of the college may be released for the period noted against each.


Name and Designation of absent officer	Period
Mr. Bilal Higin regular lecturer in II. Economics H-17	2 Months
Mr. Dilkshtad regular lecturer in Maths B-17	1 Month


Deputy Director Colleges

Sl. No: _____ Dated: 2016
Copy to the:

- 1. Agency Account Officer Kurram at Parachinar.
- 2. PS to Secretary Social Sectors FATA.
- 3. PS to Secretary A/R/C Department FATA.
- 4. PA to Director Education FATA.

ATTESTED

Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar


Deputy Director Colleges

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Annex - N

OFFICE OF THE PRINCIPAL
GGDC ALIZAI KURRAM AGENCY
NO 398
DATE: 18 / 11 / 2017

The Dy Director Colleges
FATA Secretariat Peshawar

Deduction of Salaries

Please refer to your Memo No: 8505 Dated 17/8/2016.

In this connection it is submitted that Miss Bibi Hajira Lecturer & Miss
Lecturer are absent from their duties till the closing of institution i.e. up to 22/12/2016.

In height of that their salaries have been stopped on Source 2 form (Copies
for ready reference).

So you are requested that the undersigned may kindly be guided to proceed
in the matter please.

Principal
GGDC Alizai
Lower Kurram Agency

398-455 dated 18/11/2017

- 1. Agency Account Officer Kurram Agency
- 2. To Social Sector FATA
- 3. To Secretary AI & C Department FATA
- 4. Political Agent Kurram Agency
- 5. Assistant Political Agent Lower Kurram Agency
- 6. To Director Education FATA

ATTESTED

Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar

Principal
Govt. Girls Degree
College Ali Zai

ANNEX-N

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NATIONAL BANK OF PAKISTAN PARACHINAR

Received from the bearer

Bibi Hajira Bee

DATED 17/12/2012

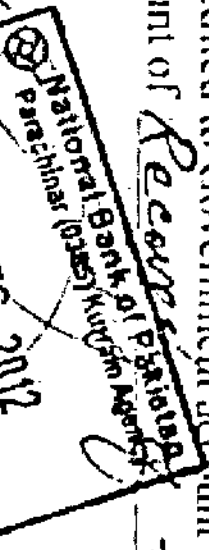
The sum of Rs. 205832/-

To be credited to Government account under the head

C-02814 - PEP

On account of Research

Pay



17 DEC 2012

The portion to be returned to ~~BEARER~~ RECEIVED received by the agent. Note. The bank Agent is directed not to receive money unless both portion of the invoice is carefully filled in.

Manager

PARACHINAR
COMMERCIAL

[Signature]

ATTESTED

Superintendent
Directorate of Higher Education
Khyber Pakhtunkhwa Province