



24.04.2018

Junior to counsel for the appellant and Mr. Zia Ullah, learned Deputy District Attorney Present. Junior to counsel for the appellant seeks adjournment as senior counsel is not available. Adjourn. To come up for arguments on 09.07.2018 before D.B.


(Ahmad Hassan)

Member


(Muhammad Hamid Mughal)

Member

Order

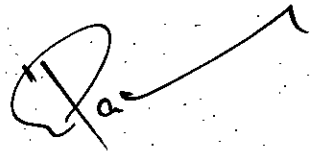
09.07.2018

Counsel for the appellant present Mr: Sardar Shoukat Hayat, Additional Advocate General for respondent present. Arguments heard and record perused.


Vide detail judgment of today of this Tribunal placed in file of the appeal No. 476/2016, The present appeal is accepted, the impugned order dated 15.12.2015 is set aside and the appellant is reinstated in service. The respondents are at liberty to conduct de-novo enquiry. The intervening period shall be treated as leave without pay. Parties are left to bear their own cost. File be consigned to the record room.

Announced:

09.07.2018


(MHUAMMAD HAMID MUGHAL)


Member


(AHMAD HASSAN)

Member

05.06.2017

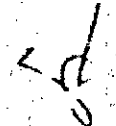

Clerk of the counsel for appellant present. Mr. Kabirullah Khattak, Assistant AG for the respondents also present. Due to strike of the bar learned counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 02.10.2017 before D.B.



(GUL ZIB KHAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

02.10.2017

Clerk of the counsel for appellant present. Mr. Zia Ullah, Deputy District Attorney for the respondents present. Clerk of the counsel for appellant seeks adjournment on the ground that senior counsel was busy before Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 20.12.2017 before D.B.



Member
(Executive)


Member
(Judicial)

20.12.2017

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Counsel for the appellant seeks adjournment. To come up for arguments on 16.02.2018 before the D.B.


Member


Chairman

16.02.2018

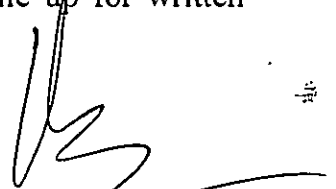
Counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present. Counsel for the appellant seeks adjournment. To come up for arguments on 24.04.2018 before the D.B.


Member


Chairman

31.10.2016

Clerk to counsel for the appellant and Mr. Hameed ur Rehman, AD (Litigation) alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 29.12.2016 before S.B.



Member

29.12.2016

Counsel for the appellant and Mr. Hameedur Rahman, AD alongwith Addl. AG for the respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 22.02.2017.



Chairman

22.02.2017

Clerk to counsel for the appellant and Addl. AG for respondents present. Rejoinder submitted which is placed on file. To come up for arguments on 05.06.2017 before D.B.



(AHMAD HASSAN)
MEMBER



(MUHAMMAD AAMIR NAZIR)
MEMBER

30.6.2016

Counsel for the appellant present. Learned counsel for appellant argued that the appellant was serving as PST when removed from service vide impugned order dated 15.12.2015 on the allegations of willful absence where-against she preferred departmental appeal on 07.1.2016 which was not responded and hence the instant service appeal on 05.05.2016.

That neither the appellant has remained absent nor enquiry in the moved and manners prescribed by rules was conducted.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 29.08.2016 before S.B.

Appellant Deposited
Security & Process Fee


Chairman

29.08.2016



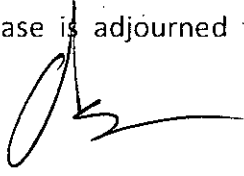

Clerk to counsel for the appellant and Mr. Khan Muhammad, DEO alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 31.10.2016 before S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 477/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	05.05.2016	<p>The appeal of Mst. Naseem Akhtar presented today by Mr. Noor Muhammad Khattak 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 thereon <u>19.5.16</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	19.05.2016	<p>Clerk of counsel for the appellant present. Due to strike of the Bar learned counsel for the appellant is not available today before the Court, therefore, case is adjourned for preliminary hearing to <u>24.5.16</u> before S.B.</p> <p style="text-align: right;"> Member</p>
14.06.2016		<p>Agent of counsel for the appellant present. Requested for adjournment as counsel for the appellant is not in attendance. Adjourned for preliminary hearing to 30.06.2016 before S.B.</p> <p style="text-align: right;"> Chairman</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 477 /2016

NASEEM AKHTAR

VS

EDUCATION DEPTT:

INDEX

S. NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of appeal	1- 3.
2.	Appointment order	A	4.
3.	Service book	B	5- 8.
4.	Impugned order	C	9.
5.	Attendance register	D	10- 21.
6.	Departmental appeal	E	22.
7.	Vakalat nama	23.

APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCTE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 477 /2016

G.W.F. Province
Service Tribunal
Diary No. 448
Dated 05-5-2016

Mst: Naseem Akhtar, Ex: PST (BPS-5) Now (BPS-12),
Govt: Girls Primary School, Kass Dubair, District Kohistan

..... **APPELLANT**

VERSUS

- 1- The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar:
- 3- The District Education Officer (F), District Kohistan.

..... **RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974
AGAINST THE IMPUGNED ORDER DATED 15-12-2015
WHEREBY MAJOR PENALTY OF REMOVAL FROM
SERVICE HAS BEEN IMPOSED ON THE APPELLANT AND
AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL
APPEAL OF THE APPELLANT WITHIN THE STATUTORY
PERIOD OF NINTY DAYS

PRAYER:

That on acceptance of this appeal the impugned order dated 15.12.2015 may be set aside and the respondents may be directed to re-instate the appellant with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

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

- 1- That on proper recommendation/approval of the Departmental Selection Committee of Elementary and Secondary Education Department Kohistan, the appellant was appointed as PST (BPS-05) vide order dated 04-07-2009. That in response the appellant submitted her charge report and Medical Certificate and started performing her duty at the concern station quite efficiently and up to the entire satisfaction of her superiors. Copies of the appointment order and service book are attached as

Filed to-day
5/5/16

annexure **A & B.**

- 2- That during service an order dated 15.12.2015 was issued against the appellant by the respondent No.3, whereby major penalty of removal from service was imposed on the appellant on the allegation of absence from duty, though the appellant had regularly performed her duty during the said period and had never been absent herself during the said period. Copies of the impugned order dated 15-12-2015 and attendance are attached as annexure **C & D.**
- 3- That appellant feeling aggrieved from the impugned order dated 15.12.2015 filed Departmental appeal to the appellate authority on 07-01-2016 but no reply has been received so far. Hence the present appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure **E.**

GROUND:

- A- That the impugned order dated 15.12.2015 issued by the respondent No.3 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That no charge sheet and statement of allegation has been issued to appellant before issuance of the impugned order dated 15.12.2015.
- D- That no show cause notice has been served on the appellant by the respondent Department before issuing the impugned order dated 15.12.2015 against the appellant.
- E- That no regular inquiry has been conducted before issuing the impugned order dated 15.12.2015 which is as per Supreme Court judgments is necessary in punitive actions against the civil servant.
- F- That no chance of personnel hearing/personnel defense has been given to the appellant before issuing the impugned order dated 15.12.2015.

- G- That no publication whatsoever has been published against the appellant which and as such the impugned order dated 15.12.2015 is not tenable and liable to be set aside.
- H- That the respondent Department acted in arbitrary and malafide manner while issuing the impugned order dated 15.12.2015 against the appellant.
- I- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 12.4.2016

APPELLANT



NASEEM AKHTAR

THROUGH:



**NOOR MOHAMMAD KHATTAK
ADVOCATE
(0345-9383141)**

OFFICE OF THE EXECUTIVE DIRECTOR OF COLLEGE & UNIVERSITY EDUCATION
 SECONDARY EDUCATION DIVISION KHOSRA
 KHOSRA

Consent upon approval of District Departmental Selection Committee of Elementary & Secondary Education Department Kohistan the competent authority is placed to appoint the following (Female) candidates against the post of PST in BPS-5 (UC Wise) in the schools noted against each according to the policy issued by the Government of NWFP Elementary & Secondary Education Department in the interest of public service with immediate effect.

S.N.	Name of Candidate	Father Name	PO	Name of School where appointed	Remarks
1	Nadia Urcoi	Fazal Rehman	Bankat	G.P.S. Behn Nusrat Khel	Agst V Post
2	Rehana Bhal	Mohd Bhal	-do-	-do-	-do-
3	Saeeda Bibi	Abdullah	-do-	G.P.S. Dhok B.Z.	-do-
4	Sadia Bibi	Umar Rehman	-do-	Dubair Bala	-do-
5	Sobia Bibi	Abdul Qadir	-do-	G.P.S. Kuz Chok	-do-
6	Rukhsana	Moulana	-do-	G.P.S. Ghulam Baik	Agst V Post
7	Shaza	Mohammad Ali	-do-	G.P.S. Yunn Ghar	-do-
8	Nabeeda Bibi	Muzafar Khan	-do-	G.P.S. Dubair Virage	-do-
9	Zarnud Begum	Fazal Rahim	-do-	G.P.S. Ser Dubair	-do-
10	Riqiati Bibi	Abdul Mannan	-do-	G.P.S. Saeedabad	-do-
11	Naseera Rehmani	Ghulam Ikhmani	-do-	Dubair Khass	-do-
12	Shameen Bibi	Dahabi	-do-	G.P.S. Bar Dhar	-do-
13	Shahista Bibi	Sayed Azam	-do-	G.P.S. Sanagel	-do-
14	Nasim Akhtar	Gul Jehan	-do-	G.P.S. Kass Dubair	-do-
15	Mehar Fatima	Shamsher Ali	-do-	G.P.S. Jann Dubair	-do-
16	Rogha	Abdul Haq	-do-	G.P.S. Kachha Dargah	-do-
17	Robina Bibi	Fazal-ur Rehman	-do-	-do-	-do-

1. No PA/DA is allowed to any one

2. Charge report should be submitted to all concerned
3. Their appointment is purely on temporary basis and liable to termination at any time with out assigning any reason/notice
4. They will be governed by such rules & regulation enforced and as prescribed by the Government from time to time for the category of the Government servants to which they belong
5. In case the above candidates failed to assume the charge of his post within the time specified in the sanction of this Order their appointment will automatically stand cancelled
6. They should produced Age & Health Certificate from EDO Muzafar Khan
7. They should not be allowed to take over charge if their age is less than 18 years & above 55 years
8. Their original certificates/ Degrees should be verified by Dy: District Officer (Female) Education Kohistan from the concerned board/ University/ Institution before draw of their pay

Enstt. No. 24126-III
 Dated Kohistan the _____
 Executive District Officer
 E.S.S. Kohistan

1. PS to Secretary Elementary & Secondary Education Department NWFP Peshawar
2. PA to Director Elementary & Secondary Education NWFP Peshawar
3. District Coordination Officer Kohistan
4. District Accounts Officer Kohistan
5. Dy: DC (F) E.S.S. Kohistan
6. Candidates concerned

EXECUTIVE DISTRICT OFFICER
 E.S.S. KHOSRA

Sub: Divisional Education
 (Female) Kohistan

(Handwritten signature)

4

(For use in Police Department only).

Heirs,

Passed S.S.C examination from BISE
Saide Sharif Swat war Roll
NO: 180175 during the session 2008 (A)
obtaining marks 420/900 ✓

B-5

Verification Roll No.

dated

received back

Dy. D.O (F)

P.L. Kohistan

Left Thumb Impressions

Qualification

Date

Qualification

Date

English

First Arts

Pushto

B.L. or B.A.

Urdu

Pleadership examination

Plan-drawing

Training School Final examination

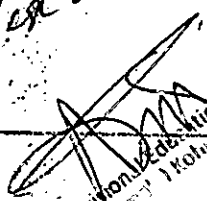
Finger Print

Other qualifications

Drill instructing

Court Duties

Reserve Duties

Accepted

Sub-Division Education
Muzir (F) Kohistan

Note:— The entries in this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 should be dated.

(6)

1. Name: Mrs Nasim Akhtar

2. Race: Saeed Mir Khail

3. Residence: Village Jang Duban P/O Renolia
Teh. Pattan District Kohistan

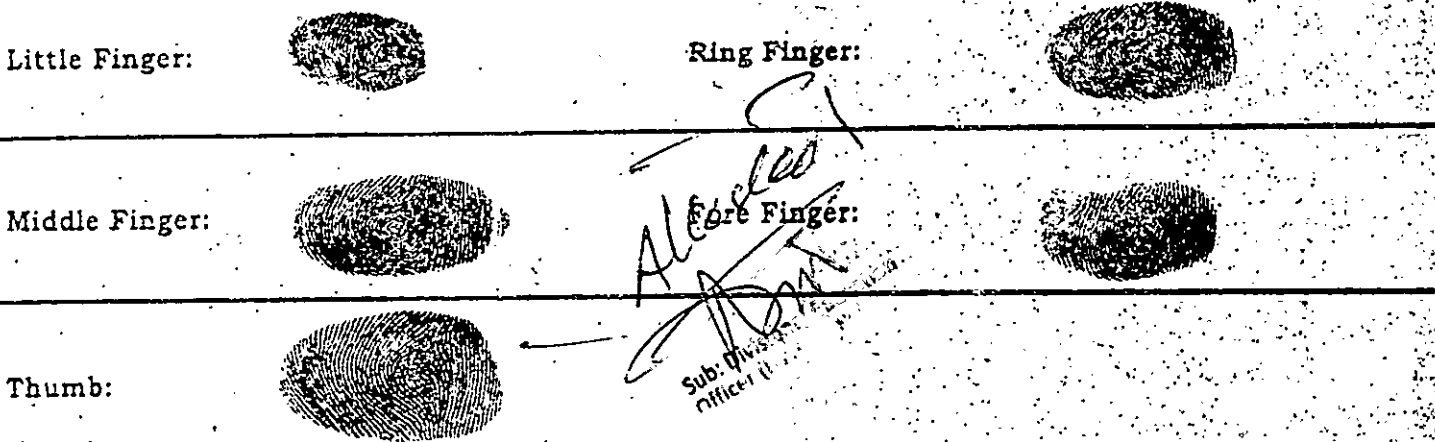
4. Father's name and residence: Erud Khan

5. Date of birth by Christian era as nearly as can be ascertained: 13-02-1985

6. Exact height by measurement: 5 x 3 1/2

7. Personal marks for identification: None

8. Left hand thumb and Finger impression of (Non-Gazetted) officer:



9. Signature of Government Servant: Nasim Akhtar

10. Signature and designation of the Head of the Office, or other Attesting Officer: Dy. D.O (F) S&L Kohistan

Attested
A certificate

9	10	11	12	13		14	15
				Leave			
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitabale to another Government		
Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer.	Period	Government to which debitabale	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
Dy. D.O (F) S&L Kohistan	30 ¹¹ / ₀₉	Fixed	Dy. D.O (F) S&L Kohistan			7	Appointed against Pst teacher in B.S No: 5 (Rs: 3340-8 (80-814)) at F&S Vass Dubair Vice E.D.O E&S&L Kohistan under Exd. No: 2406-11 Dated 4-7-2009
Dy. D.O (F) S&L Kohistan	30 ¹¹ / ₂₀₁₀	Fixed	Dy. D.O (F) Kohistan				
Dy. D.O (F) Kohistan	30 ⁶ / ₂₀₁₁	S/R	Dy. D.O (F) Kohistan				
Dy. D.O (F) Kohistan	30 ¹¹ / ₂₀₁₁	Fixed	Dy. D.O (F) Kohistan				Dy. D.O (F) S&L Kohistan 24-7-09 Service Verified w.o. 1 to 30-11-09 from sqq Roll & other Record of this office.
Dy. D.O (F) Kohistan	30 ⁶ / ₂₀₁₂	up graded To BRS 12	Dy. D.O (F) Kohistan				
Dy. D.O (F) Kohistan	30 ¹¹ / ₂₀₁₂	Fixed	D.D.O (F) Kohistan				Dy. D.O (F) S&L Kohistan Temp. P. P. 1/9 Drawn for 4 allow. due to appointment 1st bill as annual w.e.f 1-9-09 to 31-3-2010 under T. No. 351 dt. 1-4-2010 Rs: 47922/-
D.D.O (F) Kohistan							
Naseem Akhtar				Distt. Accounts Officer Kohistan at Dasso			
Sulbut				Since I verified for			
Accessed				4/2010			
				Distt. Accounts Officer Kohistan at Dasso			
				8/4/2010			
				Service Verified w.e.f 1-12-09 to 30-11-2010 from sqq Roll & other Record of this office.			
				Dy. D.O (F) Kohistan			

9	10	11	12	13		14	15
				Leave			
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc)	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, or reward or praise of the Government Servant
						<p>Drawn arrear amounting to Rs. 5600/- vide No 236 dated 26-5-01</p> <p>On account of Special Allowance to Female teachers working in hard areas w.e.f. 3/01 @ Rs: 800/- PM</p> <p>DDO (E&S) Kohistan</p>	
						<p>Service Verified w.e.f. 12-01 to 30-11-01 from acq: Roll & other Record of this office</p> <p>DDO (E&S) Kohistan</p>	
						<p>Sanctioned MPS No. 5 to BPS vide Finance Department Notification No: 801/RPFO/0220/2010 dated Peshawar the 20-06-2012 With EHECF from 1-7-2012</p> <p>Deputy District Officer (F) E&S District Kohistan</p>	
						<p>Awarded B.P.S. 5 to B.P.S. 19</p> <p>Due to upgrade of scale vide</p> <p>Due to up Director (E&S) KPK Notification No: 1685-179 dated 27-08-2012</p> <p>W.e.f. 01-07-2012</p> <p>Deputy District Officer (E&S) Kohistan</p>	
						<p>Service Verified w.e.f. 1-12-01 to 30-11-01 from acq: Roll & other Record of this office</p> <p>Sub-Divisional Officer Education Office (E&S) Kohistan</p>	
						<p>D.D.O. (F) Kohistan</p>	

Accessed

Sub-Divisional Officer Education Office (E&S) Kohistan



C-9

OFFICE OF THE DISTRICT EDUCATION OFFICER, (FEMALE) KOHISTAN.

OFFICE ORDER.

In the light of recommendations of SDEO (F) Kohistan and Circle ASDEO Pattan, the following teachers are hereby removed from services with effect from the dates mentioned against each, as they are failed to perform their duties, after a chance given to them vide this office memo No. 15/Estab/7564-71/DEO (F) KH: dated 24/11/2015 on the strength of their written affidavit duly attested by the circle ASDEO, regarding performing their duties.

S/No.	Teacher Name	School Name	Date of absentee	Remarks
01	Naseem Akhtar PST PNO. 499235	GGPS Kass Dubair	9/4/2015	Due to prolong absentee
02	Nahida Bibi P/No. 499234	-do-	9/4/2015	-do-
03	Ghunjroo Bibi P/No. 374908	GGPS Harigah	9/5/2015	-do-
04	Nabila Umar, P/No. 499233	GGPS Dar Kali.	4/2015	-do-

The absent period salary of the above teachers, if paid may be recovered from them accordingly, under intimation to this office.

E/No. 15/Estab 7994-3000 /DEO (F) KH: dated 15/12 /2015

[Signature]
District Education Officer
(Female) Kohistan. 15/12/15

Copy of the above is forwarded to:

1. The Deputy Commissioner, Kohistan Upper/Lower
2. The District Monitoring Officer, IMU Kohistan.
3. The P.A to Director, E&SE Khyber Pakhtunkhwa.
4. The District Accounts Officer, Kohistan.
5. The Deputy District Education Officer, (F) Kohistan.
6. The Sub Divisional Education Officer, (F) Kohistan, for n/action at his end.
7. The Master file.

[Type text]

ME/DA
For further n/a
16/12/15

[Signature]
District Education Officer
(Female) Kohistan. 15/12/15

ATTESTED

[Signature]

رجسٹر حاضری ملازمین

گورنمنٹ ٹرنز میرالمن سکول کس ڈویژن

بابت ماہ فروری 2015

ردیف	ناقصہ پی				سیم اجنر				م	عدہ		
	روزگاری	دستخط	امد	دستخط	روزگاری	دستخط	امد	دستخط				
				X	X	X	X	X	SUNDAY	X	1	
				ناقصہ پی	1:00	ناقصہ پی	8:00		C/Leave		2	
				ناقصہ پی	1:00	ناقصہ پی	8:00		C/Leave		3	
				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	4
				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	5
				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	6
				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	7
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				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	9
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				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	12
				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	13
				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	14
				X	X	X	X	X	SUNDAY	X	15	
									C/Leave		16	
									C/Leave		17	
				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	18
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				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	20
				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	21
				X	X	X	X	X	SUNDAY	X	22	
				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	23
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				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	26
				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	27
				ناقصہ پی	1:00	ناقصہ پی	8:00	سیم اجنر	1:00	سیم اجنر	8:00	28
				X	X	X	X	X	X	X	29	
				X	X	X	X	X	X	X	30	
				X	X	X	X	X	X	X	31	
	میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	مترخصت	
											انقارہ	
											استحقاق	
											یادگار	
											میزان	

روز	تاریخ	کار	ساعت	کار	ساعت	کار	ساعت	کار	ساعت
31	14/12	کار	8:00	کار	1:00	کار	8:00	کار	1:00
30	13/12	کار	8:00	کار	1:00	کار	8:00	کار	1:00
29	12/12	SUNDAY	X	X	X	X	X	X	X
28	11/12	کار	8:00	کار	1:00	کار	8:00	کار	1:00
27	10/12	کار	8:00	کار	1:00	کار	8:00	کار	1:00
26	09/12	کار	8:00	کار	1:00	کار	8:00	کار	1:00
25	08/12	کار	8:00	کار	1:00	کار	8:00	کار	1:00
24	07/12	leave		کار	1:00	کار	8:00	کار	1:00
23	06/12	leave		کار	1:00	کار	8:00	کار	1:00
22	05/12	SUNDAY	X	X	X	X	X	X	X
21	04/12	کار	8:00	کار	1:00	کار	8:00	کار	1:00
20	03/12	کار	8:00	کار	1:00	کار	8:00	کار	1:00
19	02/12	کار	8:00	کار	1:00	کار	8:00	کار	1:00
18	01/12	کار	8:00	کار	1:00	کار	8:00	کار	1:00
17	30/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
16	29/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
15	28/11	SUNDAY	X	X	X	X	X	X	X
14	27/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
13	26/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
12	25/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
11	24/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
10	23/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
9	22/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
8	21/11	SUNDAY	X	X	X	X	X	X	X
7	20/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
6	19/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
5	18/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
4	17/11	کار	8:00	کار	1:00	کار	8:00	کار	1:00
3	16/11	leave		کار	1:00	کار	8:00	کار	1:00
2	15/11	leave		کار	1:00	کار	8:00	کار	1:00
1	14/11	SUNDAY	X	X	X	X	X	X	X

کار PST

کار PST

تاریخ: 2015
 محل: کارخانه
 نام: ...

رجسٹر حاضر کی مدد سے گورنمنٹ گزٹنگ پرائمری سکول کس ایس

بابت ماہ اپریل 2015

تاریخ	سہ ماہی			نامیہ			PST		
	آب	دستخط	روزانگی	دستخط	روزانگی	دستخط	دستخط	روزانگی	دستخط
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30								8:00	1:00
31									
تعمیر صحت	حال	سابقہ	بیماران	حال	سابقہ	بیماران	حال	سابقہ	بیماران
انٹاری									
استقرار									
بیماری									
بیماران									

اپریل سے 7 اپریل تک
موسم بیماری سے معافی

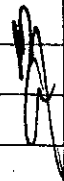
ATTESTED

[Signature]

رہنما حاضر فی مدرسہ سیدین
 گورنمنٹ گرلز ہائر سیکولر سکول کئی ڈوئس
 بابت ماہ جون 2015

نام عہدہ	سہ ماہی PST			نہ ماہی PST			تاریخ
	آمد	دستخط	رواگی	آمد	دستخط	رواگی	
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مجموعہ	حال	سابقہ	میزان	حال	سابقہ	میزان	
اتفاقیہ							
استحقاقیہ							
بیاری							
میزان							

تعمیرات موسم گرما
 6
 1/2015

ATTESTED


گورنمنٹ گرلز ہیرالڈری سکول کئی دہسہ
 بابت ماہ جولائی 2015ء

نام عہدہ	نقصہ پی پی PST				نقصہ پی پی PST				
	آمد	دستخط	رواگی	دستخط	آمد	دستخط	رواگی	دستخط	
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حصہ نمٹ	جان	سابقہ	بیزان	جان	سابقہ	بیزان	جان	سابقہ	بیزان
آئی									
آئی									
بازی									
بیزان									

تخطیات موسم لکھنا

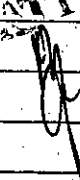
7
 1-2015

ATTESTED

[Handwritten Signature]

گورنمنٹ ٹرنر ہائر سیکولر سکول کوس روہڑی
 بابت ماہ ستمبر 2015ء

نمبر ردیف	ناہدہ صبحی PST						سیخ اجرت PST					
	روزگاری	دستخط	آب	دستخط	روزگاری	آمد	دستخط	روزگاری	دستخط	آمد	نمبر ردیف	
1					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	1	
2					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	2	
3					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	3	
4					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	4	
5					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	5	
6					SUNDAY							6
7					e/Leave							7
8					e/Leave							8
9					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	9	
10					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	10	
11					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	11	
12					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	12	
13					SUNDAY							13
14					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	14	
15					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	15	
16					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	16	
17					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	17	
18					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	18	
19					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	19	
20					SUNDAY							20
21					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	21	
22					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	22	
23					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	23	
24					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	24	
25					e/Leave							25
26					e/Leave							26
27					SUNDAY							27
28					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	28	
29					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	29	
30					1:00	8:00	ناہدہ صبحی	1:00	8:00	سیخ اجرت	30	
31					SUNDAY							31
تصدیق	حالیہ	میرزا	حالیہ	میرزا	حالیہ	میرزا	حالیہ	میرزا	حالیہ	میرزا	تصدیق	
میرزا											میرزا	

ATTESTED


روز	تاریخ	وقت	روز	تاریخ	وقت	روز	تاریخ	وقت
31	8:00	کیرات	30	8:00	کیرات	29	8:00	کیرات
28	8:00	کیرات	27	8:00	کیرات	26	8:00	کیرات
25	X	SUNDAY	24	X	SUNDAY	23	X	X
22	8:00	کیرات	21	8:00	کیرات	20	8:00	کیرات
19	8:00	کیرات	18	X	SUNDAY	17	8:00	کیرات
16	8:00	کیرات	15	8:00	کیرات	14	8:00	کیرات
13	8:00	کیرات	12	8:00	کیرات	11	X	X
10	8:00	کیرات	9	8:00	کیرات	8	8:00	کیرات
7	8:00	کیرات	6	8:00	کیرات	5	8:00	کیرات
4	X	SUNDAY	3	8:00	کیرات	2	8:00	کیرات
1	8:00	کیرات						

ATTENTION

کیرات
 2015
 تاریخ

روز	۱۴	۱۵	۱۶	۱۷	۱۸	۱۹	۲۰	۲۱	۲۲	۲۳	۲۴	۲۵	۲۶	۲۷	۲۸	۲۹	۳۰	۳۱	
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RECEIVED

تاریخ: ۲۰۱۵
 شرکت خدماتی و بازرگانی پارس

گورنمنٹ پبلک سکول نس دھولہ
 ریجنل جاسٹر کی مدد سے
 بابت ماہ جنوری 2016

تاریخ	آد	دستخط	رہائی	دستخط	آد	دستخط	رہائی	دستخط	آد	دستخط	تاریخ
1											1
2											2
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30											30
31											31
مسترحضت	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان	مسترحضت	مسترحضت
اتفاقہ										اتفاقہ	اتفاقہ
استحقاقہ										استحقاقہ	استحقاقہ
بیماری										بیماری	بیماری
میزان										میزان	میزان

ATTE

بخدمت جناب ڈائریکٹر انجینئر ٹی اینڈ سیکنڈ ٹری ایجوکیشن سیکشن سٹیٹ کالج
E-22

عنوان: درخواست برادر داد اسی بابت Removal from Service

جناب عالی!

مؤدبانہ گزارش یہ ہے کہ میں 07-04-2009 سے GGPS کی
دوبہ ضلع کوہستان میں اپنی ڈیوٹی سرانجام دے رہا ہوں۔

① یہ کہ میں Regular اور punctual ہوں۔

② اور میں نے پہلے ہی سے show-cause نوٹس کا جواب دی تھی۔

③ یہ کہ سکول کی عمارت بے پردہ تھی۔ اور ڈیوٹی سرانجام دینے کی قابل نہ

تھی۔ لہذا دونوں ٹیچر ترین عمارت میں اپنی ڈیوٹی سرانجام
دے رہی تھی اسی اتنا میں inquiry officer نے بغیر پوجہ کچھ کے

ہر دونوں ٹیچر دل کو Removal from Service کر دیا گیا۔

اپیل: لہذا، آپ صاحبان بطور ایجوکیشن آفیسر اعلیٰ ہائی اسکول۔ اور

(فیسبل) کوہستان سے Remarks طلب کر کے مجھے انصاف دلا کر میری
نوکری بحال کر کے محنون فرمادیں۔

آپ کی فرمائندہ دار

D N
ڈائریکٹر ایجوکیشن - ایس۔ ٹی (BPS-12)

GGPS 385
دوبہ ضلع کوہستان

07-01-2016

VAKALATNAMA

IN THE COURT OF KPK Service Tribunal Peshawar

Appeal No. 477 OF 2016

Naseem Akhtar

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt.

(RESPONDENT)
(DEFENDANT)

I/We Naseem Akhtar

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

Dated. ___/___/2016

Naseem Akhtar

CLIENT

NA

ACCEPTED

**NOOR MOHAMMAD KHATTAK
(ADVOCATE)**

Syed Imad Hussain Shah
Advocate

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Phone: 091-2211391

Mobile No 0345-0383141

**BEFORE THE KHYER PAKTUNKHAWA SERVICE
TRIBUNAL, PESHAWAR**

Service appeal No.477/2016

Mst.Naseem Akhtar.....APPELLANT

VERISUS

Govt: of KPK and others.....RESPONDENTS

**SERVICE APPEAL UNDER SECTION 4 OF 5THE KHYBER
PAKTUNKHAWA SERVICE TRIBUNAL ACT, 1974,**

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS

No.1 to 3 AS UNDER:-

Respectfully Sheweth,

PRELIMINARY OBJECTIONS.

1. That the appellant is not an aggrieved persons.
2. That the appellant has got no cause of action/locus standi to file the instant Appeal.
3. That the Appeal is not maintainable in the present circumstances of the issue.
4. That the appellant has concealed the material facts from Hon'ble Tribunal.
5. That the appeal is time barred and not maintainable in eye of Law.
6. That the appeal is groundless and based on malafide, hence the same is liable to be dismissed.
7. That the appellant has estopped by her own conduct.
8. That the service appeal is against the facts, prevailing rules and policy.

FACTUAL OBJECTIONS.

1. Para No.1 is correct, the appellant was appointed against post of BPS-5. However her performance of duty was not satisfactory.

2. Para No. 2 is incorrect, the major penalty was rightly imposed in the appellant being willful absent after fulfilling all codal formalities.
3. Para No. 3 is incorrect. The appellant was removed from service being willful absent , No appeal (departmental) has been served to respondents.

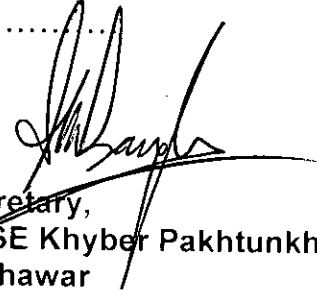
GROUNDS

- A. Para is incorrect ,the appellant was removed according to law and rules.
- B. Para is incorrect,the department has imposed the penalty in accordance to law and rules.
- C. Para is incorrect, that the appellant remained willful absent. The ASDEO reported her absence from duty and the competent authority initiated disciplinary proceedings by issuing show cause notices vide this office No.1640-45 dated 08-05-2015 (Copy attached as Annexure "A")
- D. Para is incorrect, Proper show cause notice was issued vide this office No.1640-45 dated08-05-2015 .
- E. Para is incorrect; the impugned order has been issued in accordance with law. However, it is pertinent to mention that she has time and again committed the willful absence and availed so many chances but of no positive result.
- F. Para is incorrect, the appellant was given proper chance for personal hearing.
- G. Para is incorrect, her absence was published in two newspapers dated 21/09/2015.
- H. Para is incorrect, the department acted according to rules and Law.
- I. The respondent seek permission to raise additional grounds at the time of hearing.

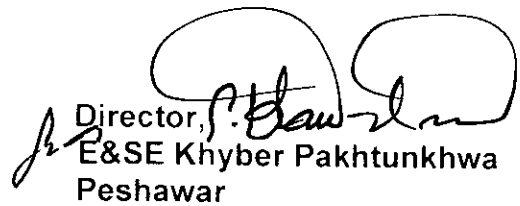
PRAYER.

It is therefore humbly prayed that on acceptance of above Para wise comments the appeal may graciously be dismissed with cost.

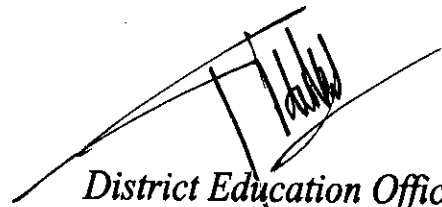
Respondents.....



Secretary,
E&SE Khyber Pakhtunkhwa
Peshawar



Director,
E&SE Khyber Pakhtunkhwa
Peshawar



District Education Officer,
(Female) Kohistan.

(2) - The special conditions and restrictions a

No. NOTICE (1) - The Post Office is not responsible for loss or damage in the case of inland registered articles, unless they are also insured.

Annexure (A)

80

OFFICE OF THE DISTRICT EDUCATION OFFICER, (FEMALE) KOHISTAN.

Ph: & Fax No. 0998407225

SHOW CAUSE NOTICE.

I, Zubaida Khattak, District Education Officer (F) Kohistan, as competent authority under the Khyber Pakhtunkhwa, Govt: servant (E&D) rules 2011, do hereby serve

You, Naseem Akhtar PST Gups Kass Dubai as follows:

That during the visit of ASDEO (F) to your School on 9/14/2015, it has been observed that you have committed the following acts/omissions specified in rule 3 of the said rules.

- (a) Guilty of misconduct.
- (b) Willful absent from School duties without prior permission/information
W.e.f 9/4/2015 To 11/4/2015
- (c) _____

236

As a result thereof, I as competent authority, have tentatively decided to impose upon you the penalty of Removal from Service (Major Penalty)

You thereof required show cause as to why the aforesaid penalties should not be imposed upon you and also intimate whether you desired to be heard in person.

If any reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in and in that case, an ex-parte action shall be taken against you under the KPK E&D rules, 2011,

To: Naseem Akhtar PST Gups Kass Dubai

[Signature]
District Education Officer
(Female) Kohistan.

Endst; NO. IMU/ 1640-45 DEO (F) KH. Dated 08/05/2015

Copy forwarded to;

1. The Deputy Commissioner, Kohistan Upper & Lower.
2. The District Account Officer Kohistan.
3. The PA to Director E&SE Khyber Pakhtunkhwa.
4. The District Monitoring Officer IMU Kohistan.
5. The Sub Divisional Education Officer (F) Kohistan.
6. The Official Concerned, through Registered Post.

[Signature]
District Education Officer
(Female) Kohistan.

Amesure
C

Report regarding those teachers which has
Plan were given affidavit to perform their duties regularly

487

1/16 12/15.
Salma Ahmad - GGPS Ghambur pattan -

① Mrs Salma Ahmad is performing her duty regularly
now in the school so it is kindly recommended that
absent period may be deducted from her salary
and pay may be released.

② Mrs Meer Bibi PST GGPS Harigah Kayal -

Mrs Meer Bibi PST GGPS Harigah is performing her
duty regularly. Her pay may be released
after deduction of absent period from her salary.

③ Mrs Saira Iqbal GGPS Bar churlak -

Mrs Saira Iqbal PST GGPS Bar churlak is
performing her duty now so pay may be released
after deduction of absent period.

✓
④ Mrs Naseem Akhtar GGPS Kas Dubair -

Teacher has given affidavit but still absent
from her duty so teacher is recommended
for termination.

ITVI ✓
Mrs Nahida Bibi PST GGPS Kas Dubair -

Teacher has given affidavit that will perform

Amesure
C

regularly in future but did not attend the
yet. Teacher is still absent from her duty so
teacher is proceeded further action/termination

Mrs Ghungroo Bibi PST 691 Harigah Kyal, 486


Teacher is still absent from her duty and
not performing. She has an affidavit but
could not act upon this. Teacher is proceeded
further for n/s action

⑦ Mrs Shazia Ali G99S Serubair

Now the teacher is performing her
duty so the absent period may be deducted
from the salary as pay may be released

⑧ Nabila Uroos PST 669
Darakilay

Teacher is still absent from
her duty so she is pro. ~~del~~
further for n/s please


ASDEO (F)
Circle Pattan
Distt: Kohistan
08/12/2018

ASDEO (F)
Circle Pattan

Annexure
"D"

467

OFFICE OF THE DISTRICT EDUCATION OFFICER, (F) KOHISTAN.

Ph: & Fax No.0998407225

Notification:

WHERE AS, you: Mst: Naseem Akhtar PST GGPS Khas Dubair reported absent by ASDEO/SDEO /DEO (F) Kohistan, with effect from 09/04/2015 without any application/information.

WHERE AS a show cause notice was issued on your home address available in this office through register post vide this office No. 760-66 dated 11/03/2015 and where as neither you joined your duty nor submitted convincing reply.

AND WHERE AS, final show cause was issued in the DAILY NEWSPAPERS daily AAJ Peshawar/Abbott Abad dated 21/9/2015, in which you were directed to assume your duty and submit your reason for willful absent from duty but neither you attended the school nor submitted convening reply to the department.

NOW, in view of the above, the competent authority is pleased to impose the major penalty up to removal from service with effect date of absentee i.e. August, 2014 and recovery of the absent period pay.
from

District Education Officer
(Female) Kohistan.

E/NO.15/Estab: 6732-39/DEO (F) KH: dated 16/10/2015.

Copy of the above is forwarded to:

1. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa.
2. The Deputy Commissioner Kohistan Upper.
3. The Deputy Commissioner Kohistan lower.
4. The District Monitoring Officer (IMU) District Kohistan.
5. The District Accounts Officer, Kohistan.
6. The Sub Divisional Education Officer (F) Kohistan with the direction to ensure the recovery of absent period pay from the Teacher concerned if already paid.
7. The ASDEOs Circle
8. Teacher concerned.

District Education Officer
(Female) Kohistan.

OFFICE OF THE DISTRICT EDUCATION OFFICER, (F) KOHISTAN.

Ph: & Fax No.0998407225

(18)
Amessee
B & E

Notification:

WHERE AS you were reported absent by ASDEO/SDEO /DEO (F) Kohistan Where as show cause notices were issued at your home address available in this office through registered post.

WHERE AS neither you were joined your duty nor submitted convincing reply .And where as final show cause was issued in the DAILY NEWSPAPERS daily AAJ Peshawar dated 21-09-2015 in which you were directed to assume your duty or submit your reason for willful absent from duty but neither you attended the school nor submitted convincing reply to the department.

WHERE AS the competent authority imposed the major penalty up to the removal from service.

WHERE AS to again clarify/verify your attendance in the school the removal order was held in abeyance.

AND WHERE AS, the ASDEO/SDEO (F) enquire the matter and submitted a report that you are now performing your school duties. You have also furnished a written affidavit that in case of any absentee in future, you will be removed from service without any further enquiry/following process.

Hence the competent authority imposed the following penalties upon you under E&D Rules 2011.

- PENALTIES.** 1. Recovery of absent period pay as mentioned against each.
2. With held one annual increment with effect from 1/12/2015.

S No	Name of Teacher with School	Absent w.e.f.
1	Durkhna PST GGPS Dat Sharakot	4/2014
2	Nabila Umar PST GGPS DharKaly	4/2015
3	Naheed PST GGPS KassDubair	9/4/2015
4	Naseem Akhtar PST GGPS KassDubair	9/4/2015
5	Salma Ahmad PST GGPS Gamber Pattan	11/4/2015
6	Gungroo PST GGPS Harigah	9/5/2015
7	Mair bibi PST GGPS Harigah	9/5/2015
8	Saira Iqbal PST GGPS bar Churlaka	06/5/2015
9	Perveen Sartaj GGPS sadarKot	4/2/2015
10	Yasmeen Taj PST GGPS badar Abad	5/2015
11	Shazia Ali PST GGPS Seri Dubair	8/4/2015

Further more you are hereby strictly censure to be careful in future otherwise major penalty up to the removal from service will be imposed upon you. The SDEO female Kohistan is directed to again verify the attendance of the above teachers within one week and furnish report to this office. it is further added that no payment of salary is to given to any official without working. Necessary entries in this regard may be recorded in their service books accordingly.

District Education Officer
(Female) Kohistan.

E/NO.15/Estab: 7564-71 /DEO (F) KH: dated 24/11/2015.

Copy of the above is forwarded to:

1. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa.
2. The Deputy Commissioner Kohistan Upper.
3. The Deputy Commissioner Kohistan lower.
3. The District Monitoring Officer (IMU) District Kohistan
4. The District Accounts Officer, Kohistan.
5. The Sub Divisional Education Officer (F) Kohistan with the diction to ensure the recovery of absent period from the Teacher if already paid and not process any NOC for out District transfer
6. The ASDEOs Circles
7. Teacher concerned

District Education Officer
(Female) Kohistan.

(61)

Page 205

OFFICE OF THE ASSISTANT SUB DIVISIONAL EDUCATION OFFICER ELEMENTARY & SECONDARY EDUCATION (F) CIRCLE DABOL KHAN

Inspection Report:

The undersigned visited the following schools in the Month of 4 2015. The detail report is as under. Some of the schools are visited by U/C supervisors/mentors Teachers of the Union Councils. Positions are mentioned in different columns for necessary action please.

S. #	Time of Visit & Date	Name of School	U/C	Name of the Teachers + Position + Status	Enrollment Class Wise	Hilly/Plane Snowy	Status of School	PTC Fund Position	Remarks
1	8 AM 9/4/2015	Kass Dubay	Dubay Khass	NAHIDA DST NASEEM AKHTAR PST.	6th 7th 8th 9th 10th 4th 5th Total	plain	Functioal		All teaching staff were found absent. while chawkidar was present. w.e.f 8/4/2015 to 11/4/2015
02	9 am 9/4/2015	99 P.S. ANIL DUBAY	Dubay Khass	ZAINAB TAL	KACHT PAKKI 2nd 3rd 4th 5th Total				All teaching staff were found absent. while chawkidar was found present. w.e.f 8/4/2015 to 11/4/2015
03	10 AM 9/4/2015	99 M.S. BEOLA DUBAY	DUBAY Dagan		KACHI PAKKI 2nd 3rd 4th 5th Total				All teaching staff were found absent. while chawkidar was found present. w.e.f 8/4/2015 to 11/4/2015

Handwritten signatures at the bottom of the page.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No.477/2016

NASEEM AKHTAR

VS

EDUCATION DEPTT:

REJOINDER ON BEHALF OF PETITIONER IN RESPONSE TO
THE REPLY SUBMITTED BY THE RESPONDENTS

R/SHEWETH:

(1-8):

All the objections raised by the respondent are in correct, baseless and not in accordance with law and rules rather the respondent is estopped due to their own conduct to raise any objection at this stage of the appeal.

ON FACTS:

- 1- Admitted correct to the extent of appointment of the appellant as PST (BPS-5) while the remaining Para is incorrect. That appellant was regularly performed her duty quite efficiently and upto the entire satisfaction of her superiors. That there is no complaint has been received against the appellant during her entire service.
- 2- Incorrect and not replied accordingly. That the major penalty of removal from service was imposed on the appellant due to willful absence from duty, though the appellant had regularly performed her duty during the said period and had never been absented from her lawful duty.
- 3- Incorrect and not replied accordingly. That appellant filed her departmental appeal before the appellate authority vide dated 07.01.2016 but no response has been given till date.

GROUND:

(A to G):

All the grounds of main appeal are correct and in accordance with law and prevailing rules and that of the respondent are incorrect and baseless hence denied. That no charge sheet and statement of allegation has been issued to appellant before issuance of the impugned order dated 15.12.2015. That no show cause notice has been served on the appellant by the respondent Department before issuing the impugned order dated 15.12.2015 against the appellant. That no regular inquiry has been conducted before issuing the impugned order dated 15.12.2015 which is as per Supreme

Court judgments is necessary in punitive actions against the civil servant. That no chance of personnel hearing/personnel defense has been given to the appellant before issuing the impugned order dated 15.12.2015. That no publication whatsoever has been published against the appellant which and as such the impugned order dated 15.12.2015 is not tenable and liable to be set aside. That the respondent Department acted in arbitrary and malafide manner while issuing the impugned order dated 15.12.2015 against the appellant.

It is therefore, most humbly prayed that on acceptance of this rejoinder the appeal of the appellant may very kindly be accepted in favor of the appellant.

APPELLANT



NASEEM AKHTAR

THROUGH:



**NOOR MOHAMMAD KHATTAK
DVOCATE**