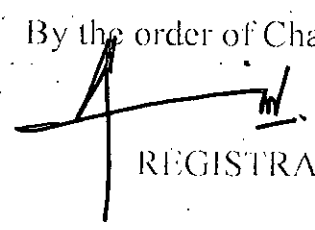


FORM OF ORDER SHEET

Court of _____

Appeal No. 183/2024

S.No.	Date of order proceedings	Order of other proceedings with signature of judge
1	2	3
1	25/01/2024	<p>The appeal of Mst. Nabeela Afridi presented today by Mr. Mir Zaman Safi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Parcha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 183 /2024

NABEELA AFRIDI

VS

EDUCATION DEPTT

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APPELLANT

THROUGH:


MIR ZAMAN SAFI
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 183 /2024

Mst; Nabeela Afridi, PST,
GGPS Mari Kor, Pandiali, District Mohmand.....APPELLANT

VERSUS

- 1- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The District Education Officer, District Mohmand.
- 3- The District Education Officer, District Kohat.

.....RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 23/05/2023 COMMUNICATED TO THE APPELLANT ON 01/09/2023 DURING COURT PROCEEDINGS WHEREBY MAJOR PENALTY OF REMOVAL OF SERVICE HAS BEEN IMPOSED UPON THE APPELLANT AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned order dated 23.05.2023 communicated to the appellant on 01/09/2023 may very kindly be set aside and be re-instated the appellant into service 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:

- 1- That the appellant was initially inducted in the respondent Department as PST in the year 1993. That right from appointment the appellant served the respondent Department at far flung areas of FATA quite efficiently and up to the entire satisfaction of her superiors. Copy of the service book is attached as annexure A.
- 2- That during service the appellant was transferred and posted at GFCS Spinki Tangi, Mohmand Agency from GPS Tarkho, Bajaur Agency vide order dated 6/08/2007. That in pursuance of the above mentioned order the appellant submitted her charge report and started performing her duty at concerned station with zeal and zest. That it is pertinent to mention that the concerned authority also issued LPC to the appellant. Copies of the order and charge report are attached as annexure B & C.
- 3- That during service at Mohmand Agency the appellant was transferred from one station to another quite regularly and as such being obedient to

high ups the appellant complied all the orders and had performed her duties quite efficiently and with devotion. Copies of the posting orders and charge reports are attached as annexure **D.**

- 4- That being the bonafide resident of FR Kohat the appellant submitted applications for her transfer to her home Agency/District in light of section-3 of the transfer/posting Regulatory Act, 2011. That in response the respondent No.1 directed the respondent No.3 to adjust the appellant against the post of PST at FR Kohat. Copies of the applications are attached as annexure **E.**
- 5- That vide order dated 5.5.2014 the appellant was adjusted against the post of PST at GGMS Feroz Mela FR Kohat. That in compliance the appellant submitted her charge report and started her duty at the satiation with devotion. Copies of the order and charge report are attached as annexure **F & G.**
- 6- That appellant after serving for some time at GGMS Feroz Mela, FR Kohat the respondent No.3 relieved the appellant and directed her to report back to her previous place of posting i.e. GGPS mari kor, accordingly the appellant submitted her arrival report at GGPS mari Kor, Mohmand Agency but the same was refused by the Head mistress as well as by the respondent No.2 without showing any reason and justification. Copy of the arrival report is attached as annexure **H.**
- 7- That since then the appellant is requesting the respondents for adjustment against the post of PST at GGPS Mari Kor, Mohamand Agency and this regard the appellant lastly submitted her Departmental appeal before the respondent No.1 but of no avail. Copy of the Departmental appeal is attached as annexure **I.**
- 8- That appellant feeling filed service appeal No.1172/2018 before this august Tribunal and during proceedings in the above mentioned service appeal the respondent Department submitted the order dated 18.10.2013 which was communicated to the appellant on 04.03.2019 whereby the appellant was removed from service. Copies of the memo of appeal and order dated 18.10.2013 are attached as annexure.....**J & K.**
- 9- That appellant feeling aggrieved from the order dated 18.10.2013 preferred Departmental appeal followed by service appeal No.875/2019 which was accepted vide judgment dated 22.09.2021 and the respondents were directed to conduct proper regular inquiry in the matter and the shall be completed within a period of ninety days. That after obtaining the judgment passed by this august Tribunal the appellant submitted the same before the respondents for implementation but the respondents were not willing to implement the same and finally the appellant filed execution petition No.58/2023. Copies of the Departmental appeal, memo of service appeal, Judgment and execution petition are attached as annexure.....**L, M, N & O.**
- 10- That the respondent department conducted de-novo proceeding after the lapse of more than one year and after issuance of strict directions from this august Tribunal the respondent department conducted one sided de-novo

appeal, Judgment and execution petition are attached as annexure.....L, M, N & O.

- 10- That the respondent department conducted de-novo proceeding after the lapse of more than one year and after issuance of strict directions from this august Tribunal the respondent department conducted one sided de-novo inquiry without associating the appellant and after conclusion of the same the appellant once again awarded major penalty of removal from service vide impugned order dated 23.05.2023 communicated to the appellant on 01.09.2023. Copies of the inquiry report, impugned order dated 23.05.2023 and order sheet are attached as annexure.....P & Q.
- 11- That the appellant feeling aggrieved from the impugned order dated 23.05.2023 preferred departmental appeal before the appellate authority on 25.09.2023 but no reply has been received so far. Hence the appellant feeling aggrieved and having no other remedy but to file the instant service appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure.....R.

GROUND:

- A- That the impugned order dated 23.05.2023 issued by the respondents 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 in accordance with law and rules by the respondent Department 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 the respondents acted in arbitrary and malafide manner while issuing the impugned order dated 23.05.2023.
- D- That the respondent Department transferred the appellant to FR Kohat where she was posted on temporary basis in GGPS Feroz Mela FR Kohat, but the respondent Department inspite of knowing the fact issued the impugned order dated 23.05.2023 on account of absentia.
- E- That no charge sheet and statement of allegation has been served on the appellant before issuance of the impugned order dated 23.05.2023.
- F- That no show cause notice has been served on the appellant before issuing the impugned order dated 23.05.2023.
- G- That chance of personal hearing/defense has been provided to the appellant which is mandatory under the law and rules.
- H- That no regular inquiry has been conducted in the matter of the appellant which is mandatory as per judgments of the Honorable Supreme Court of Pakistan before taking punitive actions against the civil servants.
- I- That the inquiry has been conducted by the respondents is not in accordance with law and rules ibid, therefore, the impugned order dated 23.05.2023

issued by the competent authority on the basis of so called baseless inquiry is not tenable in the eye of law and the same is liable to be set aside.

J- 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: 25.01.2024


APPELLANT
NABEELA AFRIDI

THROUGH: 
MIR ZAMAN SAFI
ADVOCATE

CERTIFICATE:

It is, certified that no other earlier appeal was filed between the parties.


DEPONENT

LIST OF BOOKS:

- 1- CONSTITUTION OF PAKISTAN, 1973
- 2- SERVICES LAWS BOOKS
- 3- ANY OTHER CASE LAW AS PER NEED

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2024

NABEELA AFRIDI

VS

EDUCATION DEPTT:

AFFIDAVIT

I **Mir Zaman Safi**, Advocate High Court, Peshawar on the instructions and on behalf of my client do hereby solemnly affirm and declare that the contents of this **service appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.



MIR ZAMAN SAFI

Advocate

High Court, Peshawar

ATTESTED



25/11/2024

MISS. NABILA AFRIDI

(For use in Police Department only)

P.T.C

Teachers

Service Book

A-6

Note:— T II

1. N

2. R

3. R

4. F

5. D
M

6. E

7. P

8. L
O

I

1

9.

10.

Heirs:—

1.

2.

3.

Verification Roll No. _____ dated _____ received back.

Left Thumb-Impression

① Passed SBL Examination

Qualifications	Date	Qualifications	Date
B.S. Urdu	Sardar Sharif Sardar	First Arts	
English	1904 held at	B.L. or B.A.	
1992 (A) marks above		Pleadership Examination	
Urdu	Agency Education Officer	Training School Final Examination	
	Sub-Inspector at Khas		

②

Passed P.T.C Examination from AIOU
Islamabad under Roll No. E-659524
S.No. 78351, held in 1986, marks obtained
430/400, result declared on 31-12-1986.
Drill Instructing

Court Duties _____ Agency Education Officer
_____ Agency

③

Passed P.T.C Examination from AIOU,
Reserve Duties
Islamabad under Roll No. E-659524, in
S.No. 78351, held in 1986, marks obtained
530/400, result declared on 31-12-1986.

N.B.— Line to be drawn under the qualification possessed.

Agency Education Officer
Sub-Inspector at Khas

ATTESTED

ATTESTED

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.

(D) (7)

1. Name: MISS. Nabeela Afridi

2. Race: Afghan/Muslim

3. Residence: Village - Feroz Khan, PO Dera Adam Khan, Dist. Kohat (P.R.) Kohat

4. Father's name and residence: Mr. Hakim Khan Afridi

5. Date of birth by Christian era as nearly as can be ascertained: (24-08-1973) Twenty fourth August 1973 N.H. and Security Force

6. Exact height by measurement: 5-0

7. Personal marks for Identification: A mole on left arm

8. Left hand thumb and Finger Impression of (Non-Gazetted) Officer.

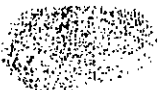
Little Finger



Ring Finger



Middle Finger



Fore Finger



Thumb



9. Signature of Government Servant: Nabeela Afridi

10. Signature and Designation of the Head of the Office, or other Attesting Officer.

S. Raza Sur 9/8/94
Special Education Officer
Sajid Agency at E.H.

ATTESTED
[Signature]

ATTESTED
[Signature]

ATTESTED
[Signature]

8

1 Name of Post	2 Whether substantive or officiating and whether permanent or temporary	3 If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	4 Pay in substantive Post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of Appointment	8 Signature of Government Servant
PR							
			BPS no OB 1025-60-1997				
BPS Phingai SP		A	1097	2x20		25-10-93	Nabeela Abidi
			BPS 2 B 1480-87-2691				
		B	1487	20		1-99	
		A	1487			1-12-95	
/							

Signature of the officiating Government Servant

SV

RA

RA

APPROVED

6

9

9	10	11	12	13		14	15
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitabile to another Government		
Signature and designation of the head of the office or other attesting officer in columns 1 to 8	Date of termination of 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 debitabile	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
<i>Swikari</i> A. B. O. Bhair Agency	31/94		<i>Swikari</i> A. B. O. Bhair Agency			<i>Swikari</i> A. B. O. Bhair Agency	
<i>Swikari</i> A. B. O. Bhair Agency	30/11		<i>Swikari</i> A. B. O. Bhair Agency			<i>Swikari</i> A. B. O. Bhair Agency	
<i>Swikari</i> A. B. O. Bhair Agency	3/96		<i>Swikari</i> A. B. O. Bhair Agency			<i>Swikari</i> A. B. O. Bhair Agency	
						Service Verified w.e.f. 25/10/93 To 25/11/93 From Office record	
						Service Verified w.e.f. 1-12-93 To 31/11/93 From Office record	
						Service Verified w.e.f. 1-12-95 To 3/9/96 from Office record	
						2/10/96 w.e.f. 4/9/96 to 2/10/96 (34 days) (919 days) Some days were A.B.O.B. of Govt no. 58788	

Approved against ATR
Part in BNS 7 & 10957pm
7/10/93 w.e.f. ATR by
Free no 4,028-38 1F
20/10/1993.

Swikari
 9/8/92
 Agency Education Officer
 Bhair Agency at Khar

Service Verified w.e.f. 25/10/93
 To 25/11/93 From Office record
Swikari
 Agency Education Officer,
 Bhair Agency at Khar

Service Verified w.e.f. 1-12-93
 To 31/11/93 From Office record
Swikari
 Agency Education Officer,
 Bhair Agency at Khar

Service Verified w.e.f. 1-12-95
 To 3/9/96 from Office record
Swikari
 Agency Education Officer,
 Bhair Agency at Khar

2/10/96 w.e.f. 4/9/96 to 2/10/96 (34 days) (919 days) Some days were A.B.O.B. of Govt no. 58788

AGENCY EDUCATION OFFICER
 BHAIIR AGENCY AT KHAR

ATTESTED
M-2

ATTESTED
[Signature]

1	2	3	4	5	6	7	8	9
Name of Post	Whether substantive or officiating and whether permanent or temporary	If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371-C.S.R.	Pay in substantive Post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant	Signature of the officer requesting or certifying of a regular column
PTC			B7 (2220-120-5820)					
SSPS Chingpa	Temp		A 2220/m. ind			26/2005		A
Revised		B7(2555-140-6755)	A 2557-m. ind			12/05		A B
			A 2557			12/2005		A
			A 2697			12/2006		A
B-7(2940-166-7740)			A 3100/			12/2007		A
SSPS SPINKI KANGI			B 3100/1.			18/07		A
		B						
		M						

Signature and name of the head of the office or other attesting officer in columns 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting Officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to a recorded punishment or censure, or revocation or praise of the Government Service
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government		
				Period	Government to which debit		
A. B. O. Bajar Agency	30/6/05	Pay revised.	A. B. O. Bajar Agency				
A. B. O. Bajar Agency	30/11/05	Service left till 6.11.05	A. B. O. Bajar Agency			Extra ordinary leave under 142-97 to 30/11/99 (730 days) with all pay	
A. B. O. Bajar Agency	30/11/06	A. Jm	A. B. O. Bajar Agency			Some time under 1420 B. J. M. 5151-53	
A. B. O. Bajar Agency	30/6/07	pay revised.	A. B. O. Bajar Agency			Extra ordinary leave with effect from 3/9/96 to 27/5/2001 and 4/7/2001 to 1/6/2005	
A. B. O. Bajar Agency	8/8/2007	Transfer	A. B. O. Bajar Agency			and under 1420, Bajar Agency	
A. B. O. Bajar Agency	30/11/07	M	A. B. O. Bajar Agency			Order No. 3975-77 dated 25/8/2005	
						Agency Education Officer Bajar Agency.	
						Adjusted against the vacant PTC post at G.P.S. Doda	
						Alwaragari on her own pay and scale under 2-6-205	
						vide AEO, Bajar Enclst. No-2057-61 Dated 4-6-205.	
						Agency Education Officer Bajar Agency.	
						Allowed Graduate Prof. cum A/C	
						of passy PTC Examination under 31-12-1996, vide AEO, Bajar	
						Enclst. no. 5458-60 dt. 9/9/07	

11

ATTENDED

ATTENDED

AGENCY EDUCATION OFFICER BAJAR AGENCY

Signature and attestation of the head of the office or other attesting officer in columns 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting Officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government		
					Period		

11/A

Service Verified w.e.f. 2/6/2005 to 30/11/2006 from the office record
 Agency Edu: Officer
 Bijpur Agency

Service verified w.e.f. 1/12/06 to 31/12/07 from the office record.
 Agency Edu: Officer
 Bijpur Agency

ATTESTED

[Handwritten signature]

ATTESTED

[Handwritten signature]

ATTESTED

دائرہ تعلیم و تربیت
DIRECTORATE OF EDUCATION (FATA) N.W.F.P. PESHAWAR.

TRANSFER.

Mst: Nabila Afridi PTC Govt: Girls Primary School Tarkho (Bajour Agency) is hereby transferred to GPCS Spinki Tangi (Mohmand Agency) against a vacant post of PTC on her own pay & grade w.e.f the date of her taking over charge.

NOTES:-

1. Change reports should be submitted to all concerned.
2. No TA/DA etc: is allowed.

(FAZLI MANAN)
Director of Education
(FATA) N.W.F.P. Peshawar.

Endst: NO 17858-62 /V.M./Mohmand/Vol-II/Dated 6/08/2007

Copy forwarded for information to the:-

1. Agency Education Officer Bajour Agency at Khar.
2. Agency Education Officer, Mohmand Agency st Ghallanai w/r to his letter No: 8158 dated 2.8.0
3. Agency Accounts Officer (Bajour Agy:) at Khar.
4. Agency Accounts Officer (Mohmand Agy:) Ghallana
5. Teacher concerned.

[Signature]
Dy: Director of Education
(FATA) NWFP Peshawar.

PL
96/8

ATTESTED

[Signature]

Irshad

For 11/08

ATTESTED

ATTESTED

خارج رپورٹ

C (13)

میں نے حکم ایجوکیشن افسر، مہمند ایجوکیشنل ڈسٹرکٹ میں بحالت - پی

طے سے ایچ اور کونسل نوٹس - الف ایچ ایچ - ایچ ایچ ایچ

GFC

میں بحوالہ 9/8/07 میں قبل از لاؤ میں مہمند کے خارج

سہما لیا =

دستخط خارج دہندہ

دستخط خارج گریڈ

بنا لیا

Alaula Akhbar

P.T.C

Dudeta

ATTACHED

A

ATTACHED

ATTACHED

LAST PAY CERTIFICATE

0 14

Last Pay Certificate of Wahid Akhbar PTC
of the GCPS, Tarkhan District Bazaar Agency,
proceeding to Transfered.
He has been paid upto 31/07/2007.

as the following rates:—

Particulars:

Substantive Pay:—

Officiating Pay:—

Exchange Compensation Allowance:—

Pay	Rs.	3100/-
NRA	Rs.	382/-
SAA	Rs.	370/-
MA	Rs.	425/-
UAA	Rs.	75/-
SRA	Rs.	598/-
15 %	Rs.	404/-
T. Allow.	Rs.	500/-
TOTAL:	Rs.	6422/-

Verified
[Signature]
Agency Accounts Officer

Deductions:—
OP Fund @ Rs. 250/- PM vide A/C No. IV:RDU/MS/2452/CSS.
OP Fund @ Rs. 44/- PM.
OP Fund @ Rs. 04/- PM.

3. He made over charge of the Office of PTC Post:
GCPS, Tarkhan District Bazaar Agency,
on the 1st day noon of 3/8/2007 (AK).

4. Recoveries are to be made from the pay of the Government servant as detailed on the reverse.

5. He has ben paid leave salary as detailed below. Deductions have been made as noted on the reverse.

From _____ to _____ at Rs. _____ a month
From _____ to _____ at Rs. _____ a month
From _____ to _____ at Rs. _____ a month

6. He is entitled to draw the following:—

7. He is also entitled to joining time for As per Rules days.

8. The details to the Income Tax recovered from him upto the date from the beginning of the current year are noted on the reverse.

ATTACHED

[Signature]

AGENCY ACCOUNTS OFFICER
BAZAR AGENCY KHAR

Signature: _____

BETTER COPY PAGE-0 15

OFFICE OF THE AGENCY EDUCATION OFFICER, MOHMAND
AGENCY AT GHALLANAI

TRANSFER ORDER:

Miss Nabila Afridi PTC Female Community School Spinki Tangi Mohmand Agency is hereby transferred to Govt. Girls Primary School Shinsari Pandialai against the vacant PTC post with immediate effect in the interest of public service.

NOTE:-

- 1:- No TADA and Transferred grant is allowed.
- 2:- Charge report should be submitted to all concerned.

(HAJI HASHIM KHAN)
Agency Education Officer,
Mohmand Agency at Ghallanai

Endst: No. 12156-59/ dated 25/10/2007
Copy forwarded to all concerned.

Agency Education Officer,
Mohmand Agency at Ghallanai

ATTENDED

ATTENDED

D-15

OFFICE OF THE DISTRICT OFFICER, CHALLANAI

REVENUE DEPARTMENT

The Madam (Miss) and female community school
Minkil Pong Mohand Agency is hereby transferred to Fort St. John's
Primary School, Chinari, Challanai against the 1000 cost with
immediate effect in the interest of public service.

NOTE:-

- 1:- No TA/DA and Transfer grant is allowed.
- 2:- Charge report should be submitted to the concerned authority.

(NAME OF THE OFFICER)
Agency Education Officer,
Mohand Agency at Challanai.

Endst: No. 12156-59 / dated 28/10/2007.

Copy to the:-

- 1:- A.I.S (Female) at this office.
- 2:- M.O., Mohand Agency at Challanai.
- 3:- Accountant/Asst. Clerk at this office.
- 4:- Teacher concerned.

Agency Education Officer,
Mohand Agency at Challanai.

ATTACHED

5

16

15

مقامہ سیدہ آفریدی کے مطابق

از دفتر اے ای او محمد اجس سے گدغٹ گریڈ 1

سیدہ شہینہ سرکار تحصیل ننڈا (1) از 10/07/2007

کو تحصیل از دو لکھ

از کوٹشہر گلگت

AB-12 سے وارج حاصل کیا

وارج دیکھو

گن گران

سیدہ آفریدی (P.T.C)

DR. L. S. P. M. S. 10/7/07

4

ATTACHED



OFFICE OF THE AGENCY EDUCATION OFFICER,
MORMAND AGENCY AT GHALLANAI.

No. SB76 /Dated. 22/11 /2011.

(17)

Subject:- Transfer/Posting

Memo:-

The following transfer/Posting of Female PTC teacher is hereby ordered to the school noted against her name on her own pay and scale in the interest of public service with effect from the date her taking over charge.

S.No.	Name and Designation	Present Posting	Transferred to	Remarks
01	Nabeela Afridi PTC	GGPS Shin Sari	GGPS Mari Kore	Vacant Post

Note:-

- 01:- No TA/DA is allowe.
- 02:- Charge Report should be submitted to all concerned.

[Signature]
Agency Education officer,
Mohmand Agency at Ghallanai.

Endst;No. _____ /Dated. _____ /2011.

Copy to:-

- 01:-AAEO Concerned.
- 02:-Pay clerk.
- 03:-Teacher Concerned.

[Signature]
Agency Education officer,
Mohmand Agency at Ghallanai.

ATTESTED

[Signature]

ATTESTED

[Signature]

[Signature]

ATTESTED

Allauz Rahma

for n/a pl

جارج راج اور سٹیٹ
24/11/11

5

18

میں نے حکم نامہ پیش آفیسر کے پاس دیا اور سمجھا

ایس ایس (علی) آرڈر نمبر 5076 مورخہ 22/11/11

حکومت اسیگنڈ پوسٹ P.T.C پر گورنمنٹ

پرائمری سکول G.P.S. ٹاؤن 19 میں مورخہ 23/11/2011

فصلی از دوپہر عہدے کا چارج سنبھال لیا۔

دستخط چارج ٹرن اوور

مذکورہ آفیسری P.T.C

Alauz Khidki

P.T.C

دستخط چارج دہندہ

Allauz
22/11/11

ATTESTED

[Signature]

Rabina Farhat

23/11/11

ATTESTED
[Signature]

Teacher's Attendance Register

For the Month of MAY 2011

6

19

Name:		<u>M. S. Khan</u>				<u>M. S. Khan</u>				<u>M. S. Khan</u>				<u>M. S. Khan</u>			
Designation:		<u>P.T.</u>				<u>P.T.</u>				<u>P.T.</u>				<u>P.T.</u>			
Dates	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	
1	2:00	M.N	12:30	M.N	2:00	N.B	12:30	N.B	2:00	T.B	12:30	T.B	2:00	N.A	12:30	N.A	
2	"	M.N	"	M.N	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
3	"	M.N	"	M.N	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
4	"	M.N	"	M.N	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
5	"	M.N	"	M.N	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
6	Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		
7	"	M.N	"	M.N	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
8	"	M.N	"	M.N	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
9	"	M.N	"	M.N	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
10	"	L	"	L	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
11	"	M.N	"	M.N	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
12	"	M.N	"	M.N	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
13	Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		
14	"	M.N	"	M.N	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
15	"	ON	July	"	"	"	"	"	"	T.B	"	T.B	"	N.A	"	N.A	
16	"	"	"	"	"	"	"	"	"	T.B	"	T.B	"	L	"	L	
17	"	"	"	"	"	"	"	"	"	T.B	"	T.B	"	N.A	"	N.A	
18	"	"	"	"	"	"	"	"	"	T.B	"	T.B	"	N.A	"	N.A	
19	"	"	"	"	"	"	"	"	"	T.B	"	T.B	"	N.A	"	N.A	
20	Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		
21	"	"	"	"	"	N.B	"	N.B	"	T.B	"	T.B	"	ON	"	ON	
22	"	"	"	"	"	N.B	"	N.B	"	T.B	"	T.B	"	"	"	"	
23	"	"	"	"	"	N.B	"	N.B	"	T.B	"	T.B	"	"	"	"	
24	"	"	"	"	"	N.B	"	N.B	"	T.B	"	T.B	"	"	"	"	
25	"	"	"	"	"	N.B	"	N.B	"	T.B	"	T.B	"	"	"	"	
26	"	"	"	"	"	N.B	"	N.B	"	T.B	"	T.B	"	"	"	"	
27	Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		Sunday		
28	"	"	"	"	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
29	"	"	"	"	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
30	"	"	"	"	"	N.B	"	N.B	"	T.B	"	T.B	"	N.A	"	N.A	
31	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	

STATEMENT OF LEAVES TAKEN

	Sick	Casual	Prv.	Total	Sick	Casual	Prv.	Total	Sick	Casual	Prv.	Total	Sick	Casual	Prv.	Total
This Month																
Prv. Month																
Total																

WORLD-HOOR PRINTING PRESS 14-CHANDIWAR LAHORE 54000

Signature M. S. Khan
Headmistress / Headmaster

O. G. P. S. Zahid Shah

ATTACHED

A

A

ATTACHED

Teacher's Attendance Register

For the Month of April 2011

20

Name: <u>M. Zahid Shah</u>				<u>M. Zahid Shah</u>				<u>M. Zahid Shah</u>				<u>M. Zahid Shah</u>				
Designation: <u>P.T.C.</u>				<u>P.T.C.</u>				<u>P.T.C.</u>				<u>P.T.C.</u>				
Dates	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.
1	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
2	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
3	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
4	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
5	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
6	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
7	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
8	7-30	M-N	7:30	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	on duty	"	"
9	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	"	"	"
10	Sunday	"	"	Sunday	"	N-B	"	N-B	"	T-B	"	T-B	"	"	"	"
11	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	"	"	"
12	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	"	"	"
13	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	"	"	"
14	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	"	"	"
15	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	7:30	N.A	12:30	N.A
16	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N.A	"	N.A
17	Sunday	"	"	Sunday	"	N-B	"	N-B	"	T-B	"	T-B	"	N.A	"	N.A
18	"	on duty	"	"	"	N-B	"	N-B	"	T-B	"	T-B	"	N.A	"	N.A
19	"	"	"	"	"	N-B	"	N-B	"	T-B	"	T-B	"	N.A	"	N.A
20	"	"	"	"	"	N-B	"	N-B	"	T-B	"	T-B	"	N.A	"	N.A
21	"	"	"	"	"	N-B	"	N-B	"	T-B	"	T-B	"	N.A	"	N.A
22	"	"	"	"	"	N-B	"	N-B	"	T-B	"	T-B	"	N.A	"	N.A
23	"	"	"	"	"	N-B	"	N-B	"	T-B	"	T-B	"	N.B	"	N.A
24	"	"	"	"	"	N-B	"	N-B	"	T-B	"	T-B	"	N.B	"	N.A
25	"	"	"	"	"	N-B	"	N-B	"	T-B	"	T-B	"	N.A	"	N.A
26	"	"	"	"	"	N.B	"	N.B	"	T-B	"	T-B	"	N.A	"	N.A
27	"	"	"	"	"	N.B	"	N.B	"	T-B	"	T-B	"	N.A	"	N.A
28	"	"	"	"	"	N.B	"	N.B	"	T-B	"	T-B	"	N.A	"	N.A
29	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N.A	"	N.A
30	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N.A	"	N.A
31	"	"	"	"	"	N-B	"	N-B	"	T-B	"	T-B	"	N.A	"	N.A

STATEMENT OF LEAVES TAKEN

	Sick				Casual				Priv.				Total			
	Sick	Casual	Priv.	Total	Sick	Casual	Priv.	Total	Sick	Casual	Priv.	Total	Sick	Casual	Priv.	Total
This Month																
Prv. Month																
Total																

KOH-I-NOOR PRINTING PRESS 14-URDU BAZAR LAHORE 54000

Signature: M. Zahid Shah
Headmaster / Headmistress

Zahid Shah

ATTESTED

Teacher's Attendance Register

For the Month of 5/26/2011

(9) (21)

Name: جی. بی. ایم جی. بی. ایم جی. بی. ایم جی. بی. ایم
 Designation: P.T.C P.T.C P.T.C P.T.C

Dates	Teacher 1				Teacher 2				Teacher 3				Teacher 4			
	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.
1																
2	T.P	M-N	M-N	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
3	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
4	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
5	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
6	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
7	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
8	Sunday				Sunday				Sunday				Sunday			
9	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
10	C	L	C	L	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
11	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
12	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
13	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
14	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
15	Sunday				Sunday				Sunday				Sunday			
16	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
17	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
18	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
19	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
20	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
21	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
22	Sunday				Sunday				Sunday				Sunday			
23	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
24	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
25	C	L	C	L	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
26	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
27	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
28	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
29	Sunday				Sunday				Sunday				Sunday			
30	"	M-N	"	M-N	"	N-B	"	N-B	"	T-B	"	T-B	"	N-A	"	N-A
31																

STATEMENT OF LEAVES TAKEN

	Teacher 1				Teacher 2				Teacher 3				Teacher 4			
	Sick	Casual	Prv.	Total	Sick	Casual	Prv.	Total	Sick	Casual	Prv.	Total	Sick	Casual	Prv.	Total
This Month																
Prv. Month																
Total																

Signature M. Naz
 Headmistress/Headmaster

ATTESTED

خدمتِ جناب اہل کوشش ڈائریکٹر، فائیا،

(22)

عنوان ہوائی ڈیپول، حاضری

جناب عالی:

تذکرہ میں ہے کہ ہمیں قیدی آفندی ہے۔ ٹی سے ڈی 2010 سے

ہمارے سکول گورنمنٹ گورنر پورائٹری سکول ظاہر شاہ سرور کے میں

سینئر ایجوکیشن آفیسر چارج سنبھالی۔ اور 2011 14 مئی تک

اعلانیہ ڈیپول سرانجام دی ہے اور ہمیں کوئی شہادت مانو فرمیل دیا
سر قمل حاضری دی ہے

تین ڈائریکشن ہوئے

الذکر

قلم گل حسن خاں نسیم 33۔ سرور کے سپرنٹنڈنٹ

ATTESTED

Handwritten signature and date 1/10/2011

ATTESTED

Handwritten initials

عنورہ - ڈائریکٹر آف محکمہ تعلیم خانہ KPK پشاور

جناب عالی :- درخواست عبادتبادلہ :-

انگزارش عنقریب لکھی کہ سائیکل 25¹⁰/₁₉₉₃ سے تاحال بحیثیت P.S. گورنمنٹ کونزرویٹو اسکول عاریٹی کورڈ تحصیل ننڈیالی ضلع پشاور میں ڈھونڈا جا سکا ہے۔

سائیکل F.R کوغٹ کے رہنے والی ہے۔ سائیکل نے اپنی علاقے سے دور گھومتے ہوئے مشکلات کا سامنا کیا۔ اور ہر دست بھائی :- اب چونکہ

گورنمنٹ مشکلات بہت زیادہ ہو چکی ہیں۔ اور پھر ساری پرورش و صبح تہ بہت دینے کے لئے اپنے گاؤں جانا ضروری ہو چکی ہے،

ننڈیالی پشاور میں رہنے والی ہے۔ سائیکل کے مشکلات کو مد نظر رکھ کر سائیکل سے F.R کوغٹ کو تبادلہ کا حکم صادر فرمائیں۔

نوڈرل سہیل

العارض :- جناب عالی کا تابع فرماں نبیلہ آفریدی آئیڈیو گورنمنٹ کونزرویٹو اسکول عاریٹی کورڈ ننڈیالی تحصیل پشاور

ATTACHED

Handwritten mark

No objection
for transfer
to FR school

Handwritten signature

17/9/13
A. E. O.
Mohmand Agency.

ATTACHED

Handwritten mark

24

گنور مینا ڈائریکٹر آف ٹیکس فنانا KPK لیٹاور

حساب عالی :-
گنور مینا ڈائریکٹر آف ٹیکس فنانا کے نام سے ایک رقم 25¹⁰/₁₉₉₃ سے حاصل پشیت آئی ہے۔
اس رقم سے گنور مینا ڈائریکٹر آف ٹیکس فنانا کے لیے ایک اکاؤنٹ کھولا گیا ہے۔

اس اکاؤنٹ پر گنور مینا ڈائریکٹر آف ٹیکس فنانا کے لیے ایک اکاؤنٹ کھولا گیا ہے۔
اس اکاؤنٹ پر گنور مینا ڈائریکٹر آف ٹیکس فنانا کے لیے ایک اکاؤنٹ کھولا گیا ہے۔
اس اکاؤنٹ پر گنور مینا ڈائریکٹر آف ٹیکس فنانا کے لیے ایک اکاؤنٹ کھولا گیا ہے۔

حساب عالی کا نام فریڈ نیبل آفری پوسٹ آفیسر ہے۔
اس اکاؤنٹ پر گنور مینا ڈائریکٹر آف ٹیکس فنانا کے لیے ایک اکاؤنٹ کھولا گیا ہے۔

The Applicant
Statement is based
on facts although we
do not have account
ANFR kept at bank of
Director Pch. Govt. of
K.P. has the provision of
constitutional adaptation
Amendment in Mohmand
FR 17/9



ATTACHED

(Signature)

حضرت جناب ڈائریکٹر آف محکمہ تعلیم ماٹا - KPIC لہستان
25
حضرت عالی در خواست بھراد تبادلی

تعداد 10 سے 25 سالہ 1993 سے تاحال خدمت
گورنمنٹ گریجویٹ اسکول مارہ گورنمنٹ
پتہ پالی پکنڈا کھنسی میں ڈیوٹی انجام دے رہی ہے۔
F.R کو حثیت میں رہنے والی ہے۔ سائنس میں اعلیٰ درجہ کی
اور چونکہ گورنمنٹ اسکول کا سامنا کیا۔ اور پورا وقت گورنمنٹ
پوریشن اور ایچ ٹی بیٹ زیادہ ہو چکی ہے۔ اور پچھلے
سیکشن میں لکڑی آپ صاحبان سے رہنے کے لیے گاہوں جانا پڑی
مد نظر گورنمنٹ اسکول مارہ گورنمنٹ
حکم صا در فرمایا ہے۔ لہذا آپ صاحبان سے رہنے کے لیے گاہوں جانا پڑی
الغا رہ حضرت عالی کا نام فرحان نبیلہ فرم
گورنمنٹ گریجویٹ اسکول مارہ گورنمنٹ

NABILA
PST SM
15/4/2014

As I have already started on vacant post at Kohat
Division Applicant we don't have vacant post at Kohat
she is deputy from Mohmand Agency
we will adjust her in FR Kohat if
any vacant post arises she will be
accordingly

ATTESTED

18.4.2014
Asst. Edu. Officer (HR)
FR Kohat

26

بجانب جناب ڈائریکٹر آف تعلیم ناٹا - PK-1 لیسٹا میں
درخواست نمبر 104

جناب عالی

تذکرہ سائیکل 25¹⁰/₁₉₉₃ سے تاحال مختب PST
گورنمنٹ گرلز ہائی اسکول مارہ کورنگ
پتہ مالی پھندا ایجنسی سے ڈیڑھ اہتمام دے رہی ہے۔
F.R کو حاشیہ پر بھی والی سے سائیکل سے اپنی علاقہ کو
دب چونکہ گوریلو مشکلات کا سامنا کیا۔ اور لبرداشت کی ہے۔
پوریشن اور یہ تقریبیت دے کے ایک گاؤں جانا لہذا
مد نظر رکھا جائے گا۔ اس سائیکل کے مشکلات
حکم صا در فرمائیں۔ عین وزارت
العارضہ جناب عالی کا ناٹا لہذا فرمائیں
گورنمنٹ گرلز ہائی اسکول مارہ کورنگ

PST NABILLA

As I have already started on vacant post for Kohat
previous application we don't have deputy. I will adjust her in FR Kohat
to FR Kohat. we will adjust vacant post arising. She will be
adjusted accordingly.

18.4.2014

ARO Peshawar
in favour of priority basis
Director Education, Peshawar
24/4

ATTACHED

M. Q.

F-27

OFFICE OF THE AGENCY EDUCATION OFFICER FR KOHAT AT KDA KOHAT.

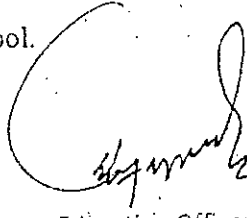
No. 833-35

Dated: 5/5/2014.

OFFICE ORDER.

As directed by the Director of Education FATA, Warsak Road Peshawar
Mst. Nabila Afridi PST at GGPS Mari Kor Tehsil Pandiali Mohamand Agency is here by adjusted
in GGMS Feroz Mela FR Kohat on temporary basis with immediate effect till further order.

NOTE: - She will draw her salary from here original school.


Agency Education Officer
FR Kohat.

Endst No. _____ /

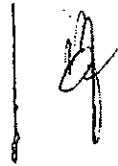
Dated: _____ / _____ /2014.

Copy to the:-

1. Director of Education FATA, warsak Road Peshawar.
2. Agency Education Officer Mohmand Agency.
3. Assistant Agency Education Officer (Fe-Male) FR Kohat.

Agency Education Officer
FR Kohat.

ATTESTED



ATTESTED



کتابت کے لئے لکھی گئی ہے

28

G

28

28

28

ماہنامہ

833-35 P.T.C. ...

...

...

...

...

P.T.C. ...

Date 7/5/2014

Nina

Head Mistress
G.G.M School
Feroze Khel Mala

Atul Kishore

ATTESTE

[Signature]

[Signature]

[Signature]

کارخانہ

28

H-29

سینئر ایگزیکٹو P.T.C. کے دفتر میں
کارخانہ میں 26/5/2014

نوٹس کے تحت
مہال

26/5/2014

دستخط

P.T.C.

Behula Shrotri

P.T.C.

Attested
of

ATTESTED

of

u/c

محترم جناب ڈائریکٹر ایجوکیشن قائمہ قانا سیکرٹریٹ ایجوکیشن

درخواست ہجرت منظور کی جا رہی ہے رپورٹ I-30

جناب عالی

عرض ہے کہ میں بہرہ پور پرائمری سکول پٹیگر گورنمنٹ گریڈ پرائمری سکول مہنگا پور، پنڈیال ہمنڈ ایجنسی میں اپنی خدمات سرانجام دے رہی تھی۔ اس دوران میں ہمنڈ ایجنسی سے ایف آر کوٹھارت تبادلہ کر کے درخواست جمع کی جو منظور ہو کر مجھے گورنمنٹ گریڈ پرائمری سکول فیروز پور ایف آر کوٹھارت عارضی طور پر ٹرانسفر کر دیا گیا۔ تین ماہ کوئی خالی آسامی نہ ہونے کی بناء پر ایس کر دیا گیا اور میں نے دوبارہ گورنمنٹ گریڈ پرائمری سکول مہنگا پور ہمنڈ ایجنسی میں اپنا حارج رپورٹ جمع کیا لیکن وہ منظور نہیں کیا گیا اور تاحال میں دفتروں کے حکمران کی رہی ہوں۔

اسلام آباد، صاحبان سے ملاقات کے بعد اس سے کہ متعلقہ ایجنسی ایجوکیشن آفیسر کو حکم صادر فرمائے کہ میرا حارج رپورٹ منظور کر کے مجھے ڈیوٹی کرنے کی اجازت دی جائے۔

Suba Akhtar

Attested

المترجم 11/06/2018

بیلہ آفریدی سے P.T.

گورنمنٹ گریڈ پرائمری سکول مہنگا پور، ہمنڈ ایجنسی

J-31

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 1172 /2018

Mst; Nabeela Afridi, PST,
GGPS Mari Kor, Pandiali, District Mohmand.....**APPELLANT**

VERSUS

- 1- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The District Education Officer, District Mohmand.
- 3- The District Education Officer, District Kohat.

.....**RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE INACTION OF THE RESPONDENTS BY NOT ADJUSTING THE APPELLANT AGAINST THE POST PRIMARY SCHOOL TEACHER AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the respondents may very kindly be directed to adjusted the appellant against the post of Primary School Teacher (BPS-12) and release the monthly salaries of the appellant w.e. from October, 2011 till date. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

1-That the appellant was initially inducted in the respondent Department as PST in the year 1993. That right from appointment the appellant served the respondent Department at far flung areas of FATA quite efficiently and up to the entire satisfaction of her superiors. Copy of the service book is attached as annexure **A.**

2- That during service the appellant was transferred and posted at GFCS Spinki Tangi, Mohmand Agency from GPS Tarkho, Bajaur Agency vide order dated 6/08/2007. That in pursuance of the above mentioned order the appellant submitted her charge report and started performing her duty at concerned station with zeal and zest. That it is pertinent to mention that the concerned authority also issued IPC.

3- That during service at Mohmand Agency the appellant was transferred from one station to another quite regularly and as such being obedient to high ups the appellant complied all the orders and had performed her duties quite efficiently and with devotion. Copies of the posting orders and charge reports are attached as annexure **D.**

4- That being the bonafide resident of FR Kohat the appellant submitted applications for her transfer to her home Agency/District in light of section-3 of the transfer/posting Regulatory Act, 2011. That in response the respondent No.1 directed the respondent No.3 to adjust the appellant against the post of PST at FR Kohat. Copies of the applications are attached as annexure **E.**

5- That vide order dated 5.5.2014 the appellant was adjusted against the post of PST at GGMS Feroz Mela FR Kohat. That in compliance the appellant submitted her charge report and started her duty at the station with devotion. Copies of the order and charge report are attached as annexure **F & G.**

6- That appellant after serving for some time at GGMS Feroz Mela, FR Kohat the respondent No.3 relieved the appellant and directed her to report back to her previous place of posting i.e. GGPS mari kor, accordingly the appellant submitted her arrival report at GGPS mari Kor, Mohmand Agency but the same was refused by the Head mistress as well as by the respondent No.2 without showing any reason and justification. Copy of the arrival report is attached as annexure **H.**

7- That since then the appellant is requesting the respondents for adjustment against the post PST at GGPS Mari Kor, Mohmand Agency and this regard the appellant lastly submitted her Departmental appeal before the respondent No.1 but of no avail. Copy of the Departmental appeal is attached as annexure **I.**

8- That appellant feeling aggrieved and having no other remedy filed the instant service appeal before this august Tribunal on the following grounds amongst the others.

GROUND:

A- That the inaction of the respondents by not adjusting and accepting the arrival report of the appellant is against the law, facts and norms of natural justice.

B- That the appellant has not been treated in accordance with law and

- C- That the respondents acted in arbitrary and malafide manner by not adjusting and accepting the arrival report of the appellant as PST.
- D- That respondents are duty bound to adjust and accept the arrival report of the appellant as Primary School Teacher at GGPS mari kor, Mohmand Agency.
- E- That appellant has served the respondent Department for more than 20 years but inspite of that respondents are using tactics by not adjusting and accepting the arrival report of the appellant.
- F- That the inaction of the respondents is violative of Article 27 of the Constitution of Pakistan 1973.
- G- 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: 18.09.2018

APPELLANT

NK
NABEELA AFRIDI

THROUGH:

NM
**NOOR MOHAMMAD KHATTAK
ADVOCATE**

NK
Attorney

NM

AMR



34



OFFICE OF THE AGENCY EDUCATION
AT GHALLANAI MOMAND AGENCY
Phone.0924290180 Fax.0924290180
No. _____
Dated Ghallanai the _____ / _____ /2013

To,

Msr, Nabila Afridi PST.
GGPS, Marai kor Tehsil Pandaily M/Agency.

Subject:- REMOVAL FROM SERVICE.

Memo,

Consquent upon your absence from duties you were asked vide this office No. 18486-92 dated, 20/09/2013, to explain about your absence, but no reply was received form this office, then you were asked vide this office No. 18570-75 dated, 02/10/2013, to show the reasons of absence and no response towards the explanations served upon you, but in vein.

Therefore, you are hereby removed from service in the best interest of public service with immediate effect.

Agency Education Officer,
Mohmand Agency at Ghallanai.

Endst: 18721-26 / Dated Ghallanai the 18 / 10 /2013.

Copy for information to the,

1. Director of Education FATA, KPK, Peshawar.
2. Political Agent Mohmand Agency.
3. Assit; Political Agent Upper/Lower Mohmand.
4. AAO, Mohmand Ghallanai.
5. AAEO, Concerned.

Agency Education Officer,
Mohmand Agency at Ghallanai.

[Handwritten signature]

[Handwritten signature]

To

The Director, (E&SE) Department,
Khyber Pakhtunkhwa, Peshawar.

Subject: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER DATED 18.10.2013 COMMUNICATED TO THE APPELLANT DURING COURT PROCEEDINGS ON 04.03.2019 WHEREBY THE APPELLANT HAS BEEN REMOVED FROM SERVICE.

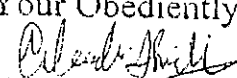
Respected Sir,

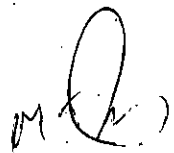
It is most humbly stated that I was initially appointed before your good self Department as PST in the year 1993. After appointment I was submitted my charge report and started performing duty quite efficiently and upto the entire satisfaction of my superiors. I have served the respondent Department for more than 20 years at far flung areas in FATA. During service I was submitted several applications for my transfer to my home station i.e. FR Kohat which was allowed and I was adjusted on temporary basis in GGMS Feroz Mela, FR Kohat vide order dated 05.05.2014 and in response to the said order I was submitted my arrival report and started performing my duty at the concerned station. After few days I was again relieved due to non availability of the vacant post from FR Kohat to Mohmand Agency and I was submitted my charge report in GGPS Mari Kor, Mohmand Agency but the same was refused. I was time and again visited the concerned quarter and requested for acceptance of my arrival at the concerned station but the concerned authority was not willing to accept my arrival report. Finally I was feeling aggrieved filed Departmental appeal before the Director Education FATA on 11.06.2018 followed by service appeal No.1172/2018 before the august Service Tribunal. During the pendency of the above mentioned service appeal the District Education Officer, District Mohmand submitted his reply alongwith other documents on 04.03.2019 from which It came into my knowledge that the concerned authority removed me from service on 18.10.2013. Respected Sir, I am feeling aggrieved from the impugned order dated 18.10.2013 communicated to me during proceedings before the august Service Tribunal on 04.03.2019 preferred this Departmental appeal before your good self.

It is therefore, most humbly prayed that on acceptance of this Departmental appeal the impugned order dated 18.10.2013 may very kindly be set aside and I may be re-instated into service with all back benefits.

Dated: 25.03.2019.

Your Obediently


NABEEL AFRIDI



M-36

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

SERVICE APPEAL NO. 875 /2019

Diary No 918

Mst; Nabeela Afridi, PST,
GGPS Mari Kor, Pandiali, District Mohmand.....**APPELLANT**

Dated 03/7/2019

VERSUS

- 1- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The District Education Officer, District Mohmand.
- 3- The District Education Officer, District Kohat.

.....**RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 18/10/2013 COMMUNICATED TO THE APPELLANT ON 04/03/2019 DURING PROCEEDINGS BEFORE THIS AUGUST TRIBUNAL IN APPEAL NO. /2018 AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned order dated 18.10.2013 communicated to the appellant on 04/03/2019 may very kindly be set aside and the appellant may be re-
led to-day
registrar
instated into service 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:

1- That the appellant was initially inducted in the respondent Department as PST in the year 1993. That right from appointment the appellant served the respondent Department at far flung areas of FATA quite efficiently and up to the entire satisfaction of her superiors. Copy of the service book is attached as annexure
..... **A.**

2- That during service the appellant was transferred and posted at GFCS Spinki Tangi, Mohmand Agency from GPS Tarkho, Bajaur Agency vide order dated 6/08/2007. That in pursuance of the above mentioned

1

3- That during service at Mohmand Agency the appellant was transferred from one station to another quite regularly and as such being obedient to high ups the appellant complied all the orders and had performed her duties quite efficiently and with devotion. Copies of the posting orders and charge reports are attached as annexure **D.**

4- That being the bonafide resident of FR Kohat the appellant submitted applications for her transfer to her home Agency/District in light of section-3 of the transfer/posting Regulatory Act, 2011. That in response the respondent No.1 directed the respondent No.3 to adjust the appellant against the post of PST at FR Kohat. Copies of the applications are attached as annexure **E.**

5- That vide order dated 5.5.2014 the appellant was adjusted against the post of PST at GGMS Feroz Mela FR Kohat. That in compliance the appellant submitted her charge report and started her duty at the station with devotion. Copies of the order and charge report are attached as annexure **F & G.**

6- That appellant after serving for some time at GGMS Feroz Mela, FR Kohat the respondent No.3 relieved the appellant and directed her to report back to her previous place of posting i.e. GGPS mari kor, accordingly the appellant submitted her arrival report at GGPS mari Kor, Mohmand Agency but the same was refused by the Head mistress as well as by the respondent No.2 without showing any reason and justification. Copy of the arrival report is attached as annexure **H.**

7- That since then the appellant is requesting the respondents for adjustment against the post of PST at GGPS Mari Kor, Mohmand Agency and this regard the appellant lastly submitted her Departmental appeal before the respondent No.1 but of no avail. Copy of the Departmental appeal is attached as annexure **I.**

8- That appellant feeling ^{aggrieved} filed service appeal No. 1172/2018 before this august Tribunal and during proceedings in the above mentioned service appeal the respondent Department submitted the impugned order dated 18.10.2013 which was communicated to the appellant on 04.03.2019 whereby the appellant was removed from service. Copies of the memo of appeal and impugned order are attached as annexure..... **J & K.**

9- That appellant feeling aggrieved from the impugned order dated 18.10.2013 preferred Departmental appeal but no reply has been

A

GROUNDS:

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- A- That the impugned order dated 18.10.2013 issued by the respondents 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 in accordance with law and rules by the respondent Department 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 the respondents acted in arbitrary and malafide manner while issuing the impugned order dated 18.10.2013.
- D- That the respondent Department transferred the appellant to FR Kohat where she was posted on temporary basis in GGPS Feroz Mela FR Kohat, but the respondent Department inspite of knowing the fact issued the impugned order dated 18.10.2013 on account of absentia.
- E- That no charge sheet and statement of allegation has been served on the appellant before issuance of the impugned order dated 18.10.2013.
- F- That no show cause notice has been served on the appellant before issuing the impugned order dated 18.2013.
- G- That chance of personal hearing/defense has been provided to the appellant which is mandatory under the law and rules.
- H- That no regular inquiry has been conducted in the matter of the appellant which is mandatory as per judgments of the Honorable Supreme Court of Pakistan before taking punitive actions against the civil servants.
- 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: 02.07.2019

APPELLANT
Nabeela Afridi
NABEELA AFRIDI

Ch

N-39

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 875/2019

Date of Institution ... 03.07.2019

Date of Decision ... 22.09.2021

Mst. Nabeela Afridi, PST, GGPS Mari Kor, Pandiali, District Mohmand
... (Appellant)

VERSUS

The Director (E&SE) Government of Khyber Pakhtunkhwa, Peshawar and
two others. ... (Respondents)

Present.

Mr. Noor Muhammad Khattak,
Advocate.

... For appellant.

Mr. Muhammad Adeel Butt,
Addl. Advocate General

... For respondents.

MR. AHMAD SULTAN TAREEN
MRS. ROZINA REHMAN,

... CHAIRMAN
... MEMBER(I)

JUDGMENT

AHMAD SULTAN TAREEN, CHAIRMAN:-The appellant named above invoked the jurisdiction of this Tribunal through service appeal described above in the heading challenging thereby her removal from service dated 18.10.2013, communicated to her on 04.03.2019 during proceedings before this Tribunal in Service Appeal No. 1172/2018.

2. The factual account as given in the memorandum of appeal is summed up as hereinafter follows. The appellant was appointed as PST in

40

Tarkho Bajaur Agency was transferred and posted at GFCS Spinki Tangi Mohmand Agency, vide order date 06.08.2007. The appellant assumed charge at her new assignment and started performing her duty. LPT was also issued in her favour by the concerned authority. The appellant was then transferred to GGPS Mari Kor District Mohmand Agency. The appellant being bonafide resident of FR Kohat submitted application to the Director, E&SE Department, Khyber Pakhtunkhwa Peshawar on 17.09.2013 under Section 3 of the Khyber Pakhtunkhwa (Appointment, Deputation, Posting and Transfer of Teachers, Lecturers, Instructors and Doctors) Regulatory Act, 2011 for her permanent transfer to home District. In response to the said application, the District Education Officer, Kohat was directed to adjust the appellant against the post of PST at FR Kohat. Vide order dated 05.05.2014, the appellant was adjusted against the post of PST at GGMS Feroz Mela, FR Kohat. The appellant assumed the charge on 27.05.2014 and started performing her duty. After serving for some time in the said school, respondent No. 3 relieved her and directed to report back to her previous assignment. The appellant went to GGPS Mari Kor District Mohmand for submitting arrival report which was refused by the Headmistress. Since then the appellant agitated her grievance before the concerned authorities but in vain. Lastly, she filed departmental appeal on 11.06.2018 before respondent No. 1 which elicited no response. Ultimately, the appellant approached this Tribunal through Service Appeal at hands. After admission of the appeal for regular hearing, the respondents were given notices. They after attending the proceedings have filed the written reply refuting the claim of the appellant.





4. The appointment of the appellant in the respondent department in the year, 1993 and her continuous service thereafter has not been specifically denied in parawise comments filed on behalf of the respondents No. 1 & 2. Similarly account of her transfers given by the appellant that she was transferred to GFCS Spinki Tangi Mohmand Agency from GGPS Tarkho, Bajaur Agency followed by issuing of LPC is also not denied. The fact of rendering service by the appellant at Mohmand Agency is also not disputed. The dispute relates to the version of the appellant that she being bonafide resident of Kohat, submitted application for her transfer to her home Agency/District in the light of Section 3 of the Khyber Pakhtunkhwa (Appointment, Deputation, Posting and Transfer of Teachers, Lecturers, Instructors and Doctors) Regulatory Act, 2011 and the respondent No. 1 directed the respondent No. 3 to adjust the appellant against the post of PST at FR Kohat. There is note of "no objection" recorded by A.E.O Mohmand Agency on application of the appellant as available on record. The copy of office order dated 05.05.2014 issued by Agency Education Officer, FR Kohat is also available on file as annexed with the Memorandum of Appeal. According to the order dated 05.05.2014, the appellant was adjusted in GGMS Feroz Mela FR Kohat on temporary basis with immediate effect till further order, in pursuance to direction of the Director of Education FATA Warsak Road, Peshawar. However, the respondent No. 1 and 2 in their Parawise comments did not admit the correctness of facts stated in Para-4 of the Memorandum of Appeal and denied the same. It was added on behalf of the said respondents that the duration, during which the appellant claims that she submitted application for her transfer, she was already relieved

42

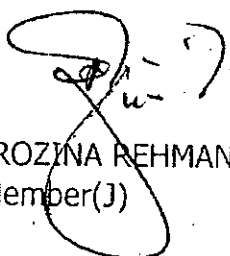
the order showing removal of the appellant from service has been annexed with the Parawise comments. The order dated 18.10.2013 as to removal of the appellant as referred before is in the style of Memorandum addressed to her by Agency Education Officer, Mohmand Agency at Ghalanai. It is stated in the said Memo. that consequent upon her absence from duty, she i.e. the appellant was asked to explain her absence but no reply was received in the office and again she was given show cause notice to show the reasons of absence but in vain. Therefore, she was informed that she by the said Memo. was removed from service with immediate effect. On the other hand, respondent No. 3 in his separate comments, submitted that the appellant was transferred to Mohmand Agency from Bajaur Agency and there at Mohmand Agency, she served till April, 2014. She was deputed from Mohmand Agency to F.R Kohat at the direction of Director of Education FATA on 24.04.2014 and the deputation order was issued for duty vide order dated 05.05.2014 at GGMS Feroz Mela, FR Kohat. It is also an admitted position on behalf of respondent No. 3 that she performed her duty in FR Kohat till October, 2014 and there-after she was relieved with direction to join her service in the previous station i.e. Mari Kor at Mohmand Agency. If version of the respondent No. 3 is kept in view, proceedings as to absence as reflected in the Memo. dated 18.10.2013 addressed to the appellant about her removal becomes questionable, when she was on duty till October, 2014 as per version of respondent No. 3. Obviously, the available parawise comments of respondents No. 1 and 2 with the copies of supporting record are short to provide the material for determination of the question of conflict between versions of respondents No. 1 & 2 and that of the respondent No. 3. The...



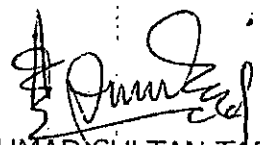
43

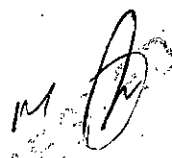
against the appellant were taken ex-parte due to her non-participation. The relevant Rule 9 of the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 provides that in case of non-availability/absence of a civil servant, he/she has to be served with notice through registered post at her residential address and, in case of failure of appearance, the notice is required to be published in two leading Newspapers. But no such notice was published before the impugned order. In the circumstances, the appellant remained at loss in defending her cause in accordance with law.

5. For what has been discussed above, the appeal in hand is allowed, the impugned order dated 18.10.2013 is set aside and the appellant is reinstated into service. The respondents shall be at liberty to hold regular/proper enquiry against the appellant and pass order afresh strictly in accordance with law. De-novo exercise shall be completed by the respondents within a period of ninety days from the receipt of copy of instant judgment, also allowing the appellant to participate therein and bring forth her defense. She shall be allowed to cross examine witnesses appearing against her, if any. The issue of back benefits in favour of the appellant shall be subject to the outcome of de-novo proceedings. Parties are, however, left to bear their respective costs. File be consigned to the record room.


(ROZINA REHMAN)
Member(J)

ANNOUNCED
22.09.2021


(AHMAD SULTAN TAREEN)
Chairman


AHMAD SULTAN TAREEN

0-44

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Implementation Petition No. _____/2023

In

Appeal No. 875/2019

Mst: Nabeela Afridi, PST (BPS-12),
GGPS Mari Kor, Pandiali, District Mohmand.

..... PETITIONER

VERSUS

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

.....PETITIONERS

IMPLEMENTATION PETITION FOR DIRECTING
THE RESPONDENTS TO OBEY THE JUDGMENT
OF THIS AUGUST TRIBUNAL DATED 22.09.2021 IN
LETTER AND SPIRIT

R/SHEWETH:

- 1- That the petitioner filed Service appeal bearing No. 875/2019 before this august Service Tribunal against the impugned order dated 18.10.2013.
- 2- That appeal of the petitioner was finally heard by this august Tribunal on 22.09.2021 and was decided in favor of the petitioner vide judgment dated 22.09.2021 with the view that *“For what has been discussed above, the appeal in hand is allowed, the impugned order dated 18.10.2013 is set aside and the appellant is re-instated into service. The respondents shall be at liberty to hold regular/proper enquiry against the appellant and pass order a fresh strictly in accordance with law. De-novo exercise shall be completed by the respondents within a period of ninety days from the receipt of copy of instant judgment, also allowing the appellant to participate therein and bring forth her defense. She shall be allowed to cross examine witnesses appearing against her, if any. The issue of back benefits in favor of the appellant shall be subject to the outcome of de-novo proceedings”*. Copy of the judgment is attached as annexure.....A.
- 3- That after obtaining attested copy of the judgment dated 22.09.2021 the petitioner submitted the same before the respondents for implementation but till date the judgment of this

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august Tribunal has not been implemented by the respondent in letter and spirit.

- 4- That the petitioner has no other remedy but to file this implementation petition before this august Tribunal.

It is, therefore, most humbly prayed that on acceptance of this implementation petition the respondents may very kindly be directed to implement the judgment dated 22.09.2021 in letter and spirit. Any other relief which this august Tribunal deems fit that may also be awarded in favor of the petitioner.

[Handwritten Signature]
 PETITIONER
 NABEELA AFRIDI

THROUGH:
[Handwritten Signature]
 MIR ZAMAN SAFI
 ADVOCATE

[Handwritten Signature]
 ATTORNEY



Directorate of Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar



No. _____ Dated _____ /2023

P-46

INQUIRY REPORT REGARDING SERVICE APPEAL# 875/2019-MST.
NABEELA AFRIDI, EX PST GGPS MARI KOR, PANDIALI, DISTRICT
MOHMAND V/S DIRECTOR E&SE KP AND OHTERS

The Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar has nominated the under signed as Inquiry Officer vide Notification issued under endorsement No. 16937-39 dated 07-12-2021 (Annexure-A) to dig out the facts pertaining to the Service Appeal# 875/2019, title Mst. Nabeela Afridi Ex PST GGPS Mari Kor (Pandiali) District Mohmand and decision of the honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar, rendered in Service Appeal# 875/2019 vide dated 22-09-2021 (Annexure-B).

PROCEEDINGS OF THE INQUIRY:

In the light of the above cited notification, the under signed visited the office of District Education Officer Mohmand on 13-01-2022 and asked him for submission of the following information:-

- i. Copy of 1st appointment order of the Ex PST.
- ii. Copy of her transfer order from GGPS Tarkhor Bajaur to GFCS Spinki Tangi District Mohmand
- iii. Copy of Removal from Service Order dated 18-10-2013
- iv. Copy of transfer order from District Mohmand to FR Kohat dated 05-05-2014
- v. Agency Education Officer (AEO) FR Kohat relieving order from FR Kohat to GGPS Mari Kor (Pindiali) Mohmand.
- vi. Show Cause Notices served upon the Ex PST.
- vii. Any other proceedings adopted during the course.
- viii. Copy of her Removal Order.

Due to non-submission of the mentioned information by the DEO concerned, the under signed once again asked the DEO vide letter No. 3574 Dated 30-03-2022 (Annexure-C) for provision of the requisite information, but nil response received from the DEO (F) Concerned (Annexure-D). However some relevant information pertaining to the subject case were collected from DEO Kohat, appellant and various sources from time to time which was the main cause of delay in the matter. Last information was collected from the appellant on eve of her personal hearing dated 02-03-2023 in the shape of copy of her Service Book, which was in custody of her since, 2012.

RECEIVED
M B

FACTS OF THE INQUIRY:

- i. Mst. Nabeela Afridi D/O Karim Khan resident of village Feroz Khan Tehsil Dara Adam Khel FR Kohat had been appointed against the post of PST (BS-07) and posted at Govt. Girls Primary School Chungal District Bajaur by the Agency Education Officer Bajaur vide Appointment Order No. 4028-38 Dated 20-10-1993 (Annexure-E) and she took over charge on 25-10-1993. She availed 1143 days Extra Ordinary Leave (Leave without Pay) w.e.f. 08-10-1996 to 20-11-1997 and w.e.f. 01-12-1997 to 30-11-1999 respectively against the revised leave rules, 1981.
- ii. The Services of the said Ex PST were transferred from District Bajaur to GFCS Spinki Tangi District Mohmand by the Competent Authority vide Transfer Order No. 17858-62 Dated 06-08-2007 (Annexure-F) and took over charge at District Mohmand on 09-08-2007 (Annexure-G).
- iii. The AEO Mohmand imposed major penalty of Removal from Service upon the Ex PST on basis of her willful absence from the duties vide endorsement No. 18721-26 Dated 18-10-2013 (Annexure-H).
- iv. Prior to the issuance of her Removal from Service Order vide dated 18-10-2013, she got NOC from AEO Mohmand vide Dated 17-09-2013 (Annexure-I), on the direction of Director (FATA) Peshawar vide Dated 24-04-2014 (Annexure-J), the Agency Education Officer FR Kohat, adjusted her at GGMS Feroz Mela FR Kohat vide No. 833-35 Dated 05-05-2014 on temporary basis with immediate effect (Annexure-K). she submitted her arrival report to Headmistress GGMS Feroz Mela on 07-05-2014 (Annexure-L) although she was removed earlier from her service on 18-10-2013, and as per attendance register she performed her duty at the same School up to October, 2014 (Annexure-M), without drawing her salary.
- v. It is pertinent to mention here that after taking over charge on 07-05-2014 at GGMS Feroz Mela FR Kohat vide No. 833-35 Dated 05-05-2014 (Page-25 of Service Tribunal File), she took over charge on 26-05-2014 in GGPS Mari Kor District Mohmand (Page-26 of the Service Tribunal File) at (Annexure-N).
- vi. On 11-06-2018 she also submitted an application to the Director of Education (FATA) as per page No. 27 of the Service Tribunal File, wherein she is stated that she was transferred to GGMS Feroz Mela FR Kohat, but was sent back to GGPS Mari Kor due to non-availability of vacant post at GGMS Feroz Mela FR Kohat (Annexure-O).
- vii. In the light of Service Tribunal Judgment Dated 04-03-2019, she submitted a Departmental Appeal to Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar on 25-03-2019, almost a lapse of Six Years of her Removal of Service Order Dated 18-10-2013, which was not honored (Annexure-P).
- viii. She filed a Service Appeal before the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar on 03-07-2019 (Annexure-B) which was partially accepted by the Honorable Tribunal vide decision Dated 22-09-2021.

BTM (Signature)

FINDINGS OF THE INQUIRY:

10/48

1. On attaining of two years, nine months & 18 days service, the Ex AEO Bajaur had been granted her Extra Ordinary Leave w.e.f. 08-10-1996 to 20-11-1997 and w.e.f. 01-12-1997 to 30-11-1999 (1143 days) leave without pay to the mentioned ex teacher against the existing leave rules.
2. She approached to the Director of Education (FATA) Peshawar for her transfer/adjustment to her native village Feroz Mela FR Kohat from District Mohmand on 18-04-2014 and 24-04-2014, in spite of the fact that a Major Penalty of Removal from Service had already imposed upon her by the Ex AEO Mohmand vide dated 18-10-2013.
3. Her Service Book has not been updated since 01-12-2012. The concerned authority has not been made any entry in her Service Book after 2012 i.e. Removal from Service etc.
4. Excluding three years extra ordinary leave already availed, as per Service Book, her total length of Service is about 16 years.
5. Going through all the record provided by the appellant, it was observed that the appellant misguided/misled the Honorable Khyber Pakhtunkhwa, Service Tribunal during the proceedings of her service appeal. In her supportive documents she claims that she took over charge at GGMS Feroz Mela on 07-05-2014 (Page-25 of Service Tribunal File), vide No. 833-35 Dated 05-05-2014 and perform her duties there till 31-10-2014 as (Annexure-M), but on Page-26 of the Service Tribunal file she shows her self taking over charge at GGPS Mari Kor District Mohmand, while on the same day and Six Months after that she perform duty at GGMS Feroz Mela FR Kohat which show clear contradiction.

CONCLUSION/RECOMMENDATIONS.

Keeping in view the facts/findings mentioned above, the undersigned concludes/recommends that:-

- 1. Disciplinary proceeding may be initiated against the Ex AEO Bajaur. As he had granted the Extra Ordinary Leave for three years to the Ex PST concerned against the leave rules.
2. Disciplinary proceeding may be initiated against the Officials/Officers of DEO Mohmand for not maintaining proper record in the instant case and not adopting proper procedure imposing the penalty upon the Ex PST.
3. The Major Penalty of Removal from Service imposed upon her vide Order No. 18721-26 Dated 18-10-2013 by District Education Officer Mohmand may be retained as intact.



(MR. WAJEEH UDDIN AHMAD)
INQUIRY OFFICER/DEPUTY DIRECTOR (ESTAB/M)
ELEMENTARY & SECONDARY EDUCATION (NMD)
KHYBER PAKHTUNKHWA, PESHAWAR





Q-49

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) MOHMAND TRIBAL DISTRICT**

Email: deomohmandfemale@gmail.com

No

Dated

2023

NOTIFICATION

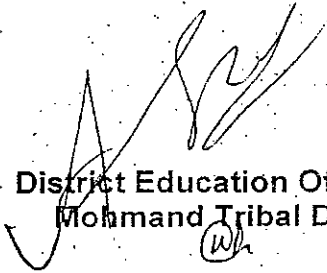
Consequent upon the recommendation of Inquiry Committee of Mr. Wajeeh Uddin Ahmad Deputy Director (Estab/M) Elementary & Secondary Education (N) Khyber Pakhtunkhwa Endstt. No. Nil Dated Nil the Competent Authority is agreed to impose Major penalty of "**REMOVAL FROM SERVICE**" with immediate effect upon **Mst. Nab Afridi PST GGPS Marai Kor District Mohmand** In exercise of the power conferred under Rule 4 (b) II of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011,

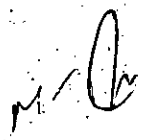
(Abida Shaheem)
District Education Officer (F)
Mohmand Tribal District.

Endstt No. 4184-90 /Removal Dated 23/05/2023

Copy to:-

1. Secretary Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
3. Deputy Commissioner Mohmand Tribal District
4. District Account Officer District Mohmand
5. QMO EMA District Mohmand
6. Pay clerk Local Office.
7. Teacher concerned.


District Education Officer (F)
Mohmand Tribal District.





BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Implementation Petition No. 58/2023

Date of institution 02.02.2023

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Mst. Nabeela Afridi, PST (BPS-12), GGPS Mari Kor, Pandiali, District
Mohmand.

VERSUS

Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar and 02
others.

ORDER

01.09.2023

Mr. Mir Zaman Safi, Advocate for the petitioner present. Mr. Noor
Badshah, ADEO alongwith Mr. Asad Ali Khan, Assistant Advocate General
for the respondents present.

On previous date, representative of the respondents had
produced Notification bearing Endorsement No. 4184-90/Removal dated
23.05.2023, whereby major penalty of removal from service with immediate
effect was imposed upon the petitioner. Copy of the Notification handed
over to learned counsel for the petitioner, who stated that in view of the said
Notification, there exist no need for further proceedings in the instant
Execution Petition and the same may be filed, however the petitioner will
avail legal remedy as available to him under the law. In this respect,
signature of learned counsel for the petitioner obtained at margin of order
sheet.

In view of the above, the Execution Petition in hand stands filed.
Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

01.09.2023

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(SALAH-UD-DIN)
MEMBER (JUDICIAL)

To,

The Director, (E&SE) department,
Khyber Pakhtunkhwa, Peshawar.

R-51

Subject: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER DATED 23.05.2023 COMMUNICATED TO THE APPELLANT DURING COURT PROCEEDINGS ON 01.09.2023 WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE HAS BEEN IMPOSED UPON THE APPELLANT.

Respected Sir,

It is most humbly stated that the appellant was initially appointed before your good self-department as PST on 25.10.1993. After appointment the appellant was submitted her charge report and started performing her duty quite efficiently and up to the entire satisfaction of her superiors.

That the appellant has served the department for more than 20 years at the far flung areas in FATA. During service the appellant was submitted several applications for her transfer to her home station i.e. FR Kohat which was allowed and the appellant was adjusted on temporary basis in GGMS Feroz Mela, FR Kohat vide order dated 05.05.2014. That in response to the order dated 05.05.2014 the appellant submitted her arrival report and started performing her duty at the concerned station.

After a few days the appellant was relieved from GGMS Feroz Mela, FR Kohat due to non-availability of the vacant post and the appellant was submitted her charge report in GGPS Mari Kor, Mohmand Agency but the same was refused. That the appellant time and again visited the concerned quarter and requested for acceptance of her arrival report at the concerned station but the concerned authority was not willing to do so.

That the appellant feeling aggrieved filed department appeal before the Director Education FATA on 11.06.2018 followed by service appeal No. 1172/2018 before the august Service Tribunal. During pendency of the above mentioned service appeal the District Education Officer, District Mohmand submitted its reply along with other documents on 04.03.2019 from which it came into the knowledge of appellant that the concerned authority removed her from service on 18.10.2013.

That it is pertinent to mention that the appellant withdraw the above mentioned service appeal and challenged the order dated 18.10.2013 before the Hon'ble Service Tribunal, Peshawar in service appeal No. 875/2019 which was allowed in favor of appellant vide judgment dated 22.09.2021 with the directions to the respondents that "*For what has been discussed above, the appeal in hand is allowed, the impugned order dated 18.10.2013*

ACCEPTED

(52)

is set aside and the appellant is re-instated into service. The respondents shall be at liberty to hold regular/proper enquiry against the appellant and pass order afresh strictly in accordance with law. De-novo exercise shall be completed by the respondents within a period of ninety days from the receipt of copy of instant judgment, also allowing the appellant to participate therein and bring forth her defense. She shall be allowed to cross examine witnesses appearing against her, if any”.

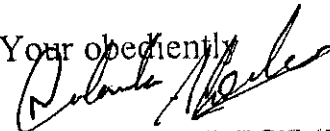
That after obtaining attested copy of the judgment dated 22.09.2021 the appellant submitted the same before your good self office for implementation but your good office kept silence on the same. That appellant feeling aggrieved preferred execution petition before the august Service Tribunal, Peshawar for implementation of the judgment dated 22.09.2021 but during pendency of the same the impugned order dated 23.05.2023 alongwith the enquiry report on 01.09.2023 whereby the appellant once again removed from service without participating in the inquiry proceedings as per directions of the Hon'ble Service Tribunal.

That the appellant feeling aggrieved from the impugned order dated 23.05.2023 communicated to the appellant on 01.09.2023 preferred this Departmental appeal before your good self.

It is, therefore, most humbly prayed that on acceptance of this departmental appeal the impugned order dated 23.05.2023 may very kindly be set aside and the appellant be re-instated into service with all back benefits.

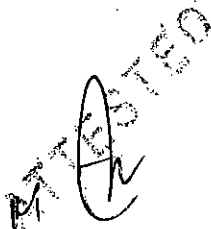
Dated: 25.09.2023.

Your obediently



NABEELA AFRIDI, PST (BPS-12),
GGPS Mari Kor, District Mohmand.

ATTESTED



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No. 1043

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uninsured more than

RGL 117572580

53

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addressed to

To, Director, SESE
Department of

Date-Stamp
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*Write here "letter", "postcard", "packet" or "parcel"
Initials of Receiving Officer with the word "insured" before it when necessary.

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If insured.

Insurance fee Rs. Ps. (in words) Weight Kilo Grams

Name and address of sender { K. P. Peshawar

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

_____ OF 2024

Nabeela Afridi

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt.

(RESPONDENT)
(DEFENDANT)

I/We Nabeela Afridi

Do hereby appoint and constitute **MIR ZAMAN SAFI, 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. _____ / _____ /2024

Nabeela Afridi

CLIENT

Mir Zaman Safi

ACCEPTED

MIR ZAMAN SAFI
ADVOCATE

OFFICE:

Room No.6-E, 5th Floor,
Rahim Medical Centre, G.T Road,
Hashtnagri, Peshawar.
Mobile No.0333-9991564
0317-9743003