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OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)

ABBOTTABAD

No _____ Dated _____/2023

Phone No. 0992-342533-342324

AUTHORITY LETTER

Mr Syed Hajjaj Shah and Lala Rukh, legal representatives' office of undersigned are hereby authorised to attend the instant Service Appeal No. 1540/2022 titled "Aliya Jadoon VS Govt of KPK & Others" before the Service Court Camp Abbottabad fixed on 11-12-2023 on behalf of the respondents.


09/12/2023
District Education Officer (F)

Abbottabad

**BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR CAMP COURT ABBOTTABAD**

Appeal No. 1540/2022

Mst Aliya Jadoon W/O Muhammad Iqbal, District Abbottabad.....APPELLANT

VS

Government of Khyber PakhtunkhwaRESPONDENTS

COMMENTS ON BEHALF OF RESPONDENT NO 1, 2 & 3

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Mst. DILSHAD BEGUM

**DISTRICT EDUCATION OFFICER
(F) ABBOTTABAD
(RESPONDENT NO: 3)**

24-11-21
A. Ahsan

[Handwritten Signature]

[Handwritten Signature]

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR CAMP COURT
ABBOTTABAD

Appeal No. 1540/2022

Mst Aliya Jadoon W/O Muhammad Iqbal, GGPS Chooni Kari,
Nowansher, Abottabad APPELLANT

VS

1. Government of Khyber Pakhtunkhwa through Secretary E & SE
Department Peshawar
2. Director Elementary and Secondary Education Peshawar
3. District Education Officer (Female) Abbottabad

..... RESPONDENTS

Para wise comments on behalf of the respondent no 1, 2 and 3 are as under

Respectfully sheweth;

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11202

Date 16-02-2024

Preliminary objections

1. That the appellant has no locus standi/cause of action to file instant appeal.
2. That the appellant is stopped to agitate the instant matter before this Honorable Tribunal.
3. That the appellant has not approached this Honorable Tribunal with clean hands.
4. That the appellant has filed instant appeal with malafide intention for wrongful gain and suppressing the original facts, from this Honorable Tribunal, hence the appeal is liable to be dismissed.
5. That the appeal is hopelessly time-barred.
6. That the appellant is treated as per rules and law and policy. Therefore appellant is not entitled for any relief and hence appeal is liable to be dismissed without further proceeding.
7. That the appellant file the service appeal to pressurize the respondents just to do unlawful act.
8. That the instant appeal is not maintainable in its present form.

9. That the instant appeal is against the law/service rules hence not maintainable in the eye of law and liable to be dismissed.

10. That the appellant had already been willful/habitual absent during her service in various schools/posting stations vide the absent report sent by the PSHT GGPS Choona Kari dated 5-3-2020 along with staff attendance register of February, 2019 and logbook dated 5-3-2020. Similar, absent report sent by the concerned ASDEO (F) Abbottabad to SDEO (F) Abbottabad dated 5-3-2020. An explanation regarding the absent reports of appellant served to appellant by SDEO (F) Abbottabad vide No. 656 dated 26-3-2019. SDEO (F) Abbottabad also sent complaint/absent report of appellant to DEO (F) Abbottabad vide No. 248 dated 5-3-2020. Another, absent report sent by PSHT (GGPS Choona Kari) to DEO (F) Abbottabad vide dated 27-4-2020 and along with logbook dated 18-12-2020 and 16-2-2021. Another absent report sent by SDEO (F) Abbottabad to DEO (F) vide No. 1222 dated 19-2-2021 along with staff attendance register of February 2021. Show cause notice issued to appellant vide No. 2628-32 dated 9-3-2021 by DEO (F) Abbottabad. And in the light of show cause and personal hearing as outcomes of inquiries (Inquiry dated 4-5-2020 by the Principal Mst Saima Asghar, GGHS Kuthyala ATD) of appellant was rightly imposed major penalty that is compulsory retirement from the service (Efficiency and Discipline rule 2011) due to lack of interest and non-serious attitude that counted towards wastage of students precious time and public resources as well vide notification No. 4658-65 dated 20-5-2021 (Compulsory retirement) passed by the respondent No. 3. The appellant filed a departmental appeal to the respondent No. 2 against the impugned compulsory retirement order dated 27-5-2021. In the light of appeal forwarded by appellant, the respondent No. 2 decided for further probe into

the matter by the Ex DEO (M) Kolai Pallas vide No. 9419-20 dated 9-6-2021 and inquiry conducted by the ex DEO (M) K.P Kohistan vide inquiry report No. 3 dated 7-7-2021. In pursuance of inquiry No. 03 dated 7-7-2021 and notification issued to respondent No. 3 to implement the recommendations of inquiry report vide No. 161/F.No.364/F/Appeal Abbottabad dated 16-8-2021. Respondent No. 2 issued the final notification to reduce "the major penalty of compulsory retirement into minor penalty of degrading to appellant from SPST BPS-14 to PST BPS-12 for the period of three years with immediate effect, vide No. 9925 dated 2-11-2021. Copy of relevant record is annexed as annexure "A" "B" "C" "D" "E" "F" "G" "H" "I" "J" & "K"

11. That in pursuance of final notification (No. 9925 dated 2-11-2021) the departmental appeal filed by the appellant on 27-6-2022 which is hopelessly time-barred may kindly be dismissed as mentioned above.

Factual Objections

1. Para No 1 of service appeal as composed is incorrect, hence denied. Appellant was always habitually absent during her service, the absent reports sent by the PSHT GGPS Choona Kari dated 5-3-2020 and 27-4-2020 along with logbooks dated 5-3-2020, 18-12-2020 and 16-2-2021. And staff attendance register 2019, explanation sent to appellant by SDEO (F) Abbottabad vide No. 656 dated 26-3-2019. In the light of absent and inquiry (dated 4-5-2020 and 7-7-2021) reports is the result as minor penalty.
2. Para No 2 of service appeal is incorrect, hence denied. Detailed reply have already been given in Para 10 of the preliminary objection in the comments.

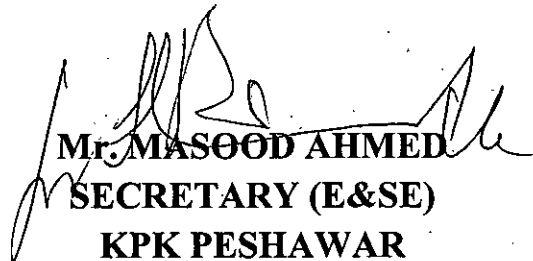
3. Para No 3 of Service Appeal is as composed is incorrect hence denied. Final order was issued and received by the appellant after three days for the purpose of charge in the said school. Therefore departmental appeal and service appeal in hand is time-barred and hit under the limitation Act, may kindly be dismissed.
4. Para No 4 of the service appeal is composed as incorrect and denied. That the departmental appeal filed by the appellant dated 27-6-2022 whereas final order was passed on 22-11-2021 which is hopelessly time- barred and may kindly be struck down.


GROUND:

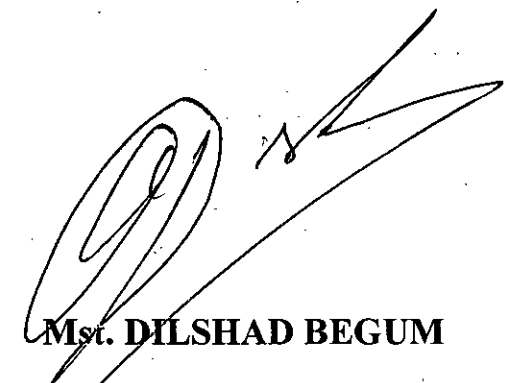
- A. That Para A of the ground is incorrect and denied in the light of absent reports, staff attendance register, logbook, personal hearing and inquiry reports. The order passed by the DEO (F) Abbottabad dated 02-11-2021 in accordance with law and rules on the subject.
- B. That Para B of the ground as composed is incorrect hence denied. Detailed reply have already been given in Para A of the ground in the comments.
- C. Para C of the ground as composed is incorrect hence denied. Previous history/record regarding service of appellant being habitual absent, willful disobedience, lack of interest, mismanagement in school timing and belongs to a political family is the result of impugned order which is passed by the competent authority in accordance with the interest of children and their learning aspects as well as under the rules and policy on the subject.
- D. Para D of the ground as composed is incorrect hence denied. In the instant case departmental appeal as well as service appeal of the appellant is the time barred and may kindly be struck down.

That the other points shall be agitated *during the* of arguments ~~to~~ the permission of Honorable Court.

It is therefore humbly prayed that the instant Service Appeal in the light of comments may graciously be dismissed throughout with cost.


Mr. MASOOD AHMED
SECRETARY (E&SE)
KPK PESHAWAR
(RESPONDENT NO: 1)


SAMINA ALTAF
DIRECTRESS (E&SE)
KPK PESHAWAR
(RESPONDENT NO: 2)


Mst. DILSHAD BEGUM
DISTRICT EDUCATION OFFICER
(FEMALE) ABBOTTABAD
(RESPONDENT NO: 3)

Before the honorable service tribunal KPK
Peshawar, camp court abbotabad

Service Appeal: 1540/22

ALIYA JADOON.....appellant

VS

Govt of Kpk and others.....respondents

AFFIDAVIT

*I mst Dilshad Begum, District Education Office
Abbottabad stated on oath that the contents of Para
wise comments are true and correct to the best of
my knowledge and belief and nothing has been
concealed from this Honorable court.*

*It is further stated on oath
on that ^{against} the answering respondent
right struck off defence
nor place expatrie or coast.*

Deponent

Dilshad Begum

DEO (F) Abbottabad

Masood Ahmed

(Secretary E&SE KPK Peshawar)

Samina Altaf
Samina Altaf

(Directress E&SE KPK Peshawar)



(7)

Amr A

حضرت صاحبہ ڈی ای او صاحبہ بہ زکاتہ مقدار سے ایف آئی

جناب عالی

گزارش خدمت عدیلہ مورخہ 5-3-2020 کو SDEO

میں نامیدہ نقل صاحبہ اور ADO میں تادیب انجام دینا

نے چارہ سیکر (گورنمنٹ گراؤنڈ پر انگریزی سکول چھوڑ کر) کا

نوٹ کیا ہے اور میں عالی جناب سے 9:30 تک سیکر میں

پہنچی موریٹھ میں اور وہ اکثر و بیشتر لپیٹ آتی ہیں

Handwritten signature
PSMT
Govt. Girls Primary School
Chasnakari

السلام علیہ و آلہ

Attested
District Education Officer
(Fcmale) Abbottabad

PSMT

Handwritten signature

5-3-2020

8

Ann (F)

چتر حاضری مدرسین گورنمنٹ کالج برائے نرسی ہسپتال حواتماکری

2019

ستمبر

بابت ماہ

رقم	تاریخ	آمد	دستخط	رواگی	دستخط	آمد	دستخط	رواگی	دستخط	آمد	دستخط	رواگی	دستخط	آمد	دستخط	رواگی	دستخط	آمد	دستخط	رواگی	دستخط	
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SUNDAY
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 all staff present
 from 12:30 to 1:30
 with all staff
 with the
 Principal
 18/09/19

Principal Model
 Sec. 5, Nawan Sher
 Abbottabad

Admitted

Handwritten signature and scribbles.

حاضر	جان	میران	جان	میران	جان	میران	جان	میران	جان	میران	جان	میران	جان	میران	جان	میران	جان	میران	جان	میران	جان	میران
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رپورٹ کی روشنی میں
نے جو کارروائی کی

رپورٹ معاہدہ

3/2020 اسکول کا ورثہ یہ ہے

اسکول میں عالیہ جلال اپنے معمول
کے مطابق اسکول میں سے غیر حاضر
ہیں۔ باقی سٹاف حاضر اور معروف کار

کھا۔ کھولنا یہ ایسی خاصہ کی توجہ
نہیں وقت کی پابندی کا خاص
ضمانت رکھیں۔ عام کی عینت

باقاعدگی سے رہتا اور اس کا اہتمام رکھیں
داخلہ میں شروع کر دینا عام اپنے معمول
میں بچے زیادہ سے زیادہ داخلہ ہوں

کچھ کو سالانہ امتحان کی تیاری روایت
پہلیں لہذا بعد کچھ تو چھٹی نہ ہیں
بہتر اٹھو اعلیٰ پہلیں کی تیاری روایت

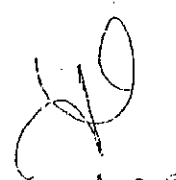
تعمیراتی ڈر در صورت حالت میں رکھیں

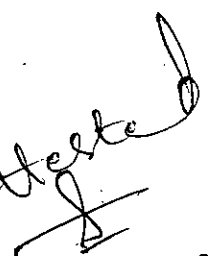
Attested

Disa... Officer
(Female) Ab...

Absent Report
Mst Ali Jadoon
G.P.S Chookari

Reference complaint received from the
H/T G.P.S Chookari of surprise
visit of the undersigned dated
5/3/2020 Mst Ali Jadoon has been
found absent from duty as reported
by the Head Teacher she often
arrives late in school. Although
conveyed several times to remain
regular & punctual in duty, but
unfortunately she failed to do so,
Hence report is submitted for
further action p12.


Assistant
Sub Divisional Education Officer
(F) Abbottabad
5/3/2020

Attested

District Education Officer
(Female) Abbottabad

12

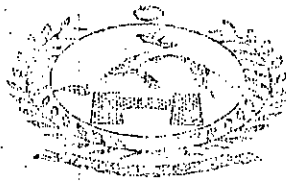
~~ANX (D)~~

Amru

"B"

378

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (FEMALE) ABBOTTABAD



No. 556/Explanation.

Dated: 26/3/2019

0992-330856

Mst. Alia Jadoon
GGPS Saliha (Circle Abbottabad)

Subject: EXPLANATION.

Memo,

This office is in receipt of a complaint sent by the inhabitant of Village Saliha and also reported of the Headteacher GGPS Saliha (Circle Abbottabad), for verification/collect the full facts and authentications of contents of the complaint, I, the under signed was ordered by the D.E.O (Female) Abbottabad to pay a surprise visit of the school and collect the following facts recorded in complaints.

1. You come to school at about 11.00 am on daily basis.
2. Owing to later comers, poor kids are used by your in Personal affairs instead of the teacher learning process work.
3. Your unprofessional behavior badly effects the environment of school as well as staff.

Hence you are hereby called upon explanation as to why such negligence /misconduct have been done by you. Your written reply must reach in the office of the undersigned within 03 days positively otherwise stern action will be taken against you under E&D rule 2011.

^{Sd-}
Sub Divisional Education officer
(Female) Abbottabad

Encls: No _____

Copy of the above is forwarded for information to the:

1. District Education Officer (Female) Abbottabad.
2. ASI EO Circle Abbottabad.

Handwritten signature and date: 26/3/2019

Sub Divisional Education officer
(Female) Abbottabad

Attested
District Education Officer
(Female) Abbottabad

13

ANNEX (C)

Amma

u 31
C 2

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (FEMALE) ABBOTTABAD.

No: 248

Dated At the 27/3 /2020

To
The District Education Officer
(Female, Abbottabad.

Subject:- COMPLAINT /HABITUAL ABSENT.

Memo:-

It is stated for your kind information that as per report of ASDEO Circle Abbottabad one Mst; Aliya Jadoon SPST Govt; Girls Primary school Choona Kari absent from duty on 05-03-2020 (copy attached).

The undersigned is also visit the said school on 05-03-2020 the mistress concerned was absent from her duty.

It is further added that Mst; Alia Jadoon SPST GGPS Choona Kari, this office has already called explanation of her negligence/misconduct vide No: 656 dated 26-03-2019, due to her absent from school the learning process/ work of studying of innocent students are badly affected. Therefore it is requested that action may kindly be taken against the mistress concerned under E&D rules 2011.

[Signature]
SUB DIVISIONAL EDUCATION OFFICER
(FEMALE) ABBOTTABAD.

[Signature]

District Education Officer
(Female) Abbottabad

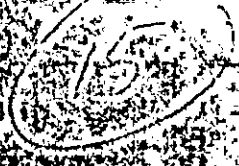
جناب منظور

گزارش پیرامون مس خالہ کی بیرون گورنمنٹ اسکول چنانکری
 اسکول چنانکری کا راجی ۲۰۱۹/۹/۱۸ کو اسکول میں خارج کیا۔
 خارج لینے کے بعد مس خالہ کی بی بی اسکول میں داخل ہو
 جس کے بعد اسکول چنانکری میں گورنمنٹ اسکول چنانکری
 کی ریسٹورنٹ میں حاکمہ نے کھینچ لیا مس خالہ
 اسکول میں موجود نہیں تھیں۔ انکوائری کے لئے اسکول
 میں اسکول میں خالہ کی اسکول ایڈیشن۔ ڈیپٹی سیکریٹری
 A.D.O چنانکری میں نادرا ایف جی ڈی ڈی ڈی۔ مس خالہ
 اسکول میں موجود نہیں تھیں۔ ڈیپٹی (S.D.E.O) میں تاشیف
 صاحبہ (5732020) کو اسکول فریڈ لیا۔ مس خالہ بیرون
 9:30 صبح اسکول میں تھیں۔ کھینچ لیا۔ مس خالہ بیرون اسکول
 ایف جی ڈی ڈی میں۔ اور اس کے بعد اسکول چنانکری
 کے قریب سے۔

PSHT
 Govt. Girls Primary School
 Chunakari

27/4/2020

Attested
 District Education Officer
 (Female) Abbottabad
 37361500



لاک بیک (حصہ دوم)

۹۴

رپورٹ کی روشنی میں گولڈ اسٹارٹی
نے جو کارروائی کی

رپورٹ معائنہ

18/12/2020 کو سکول کاورٹس
 سہ SOPs کو Follow کرتے ہوئے
 دورانہ امداد کے سہ قواعد میں ایک
 ڈیجیٹل ورک بک میں ایسی شکایات
 کو حل کریں۔ سکول سے جسٹس
 گزرتی ہیں۔ معمول کے مطابق آج
 فوٹو کے دوران بھی عالمہ جدولوں 9.53
 پر سکول پہنچی تھیں۔ لہذا
 میں PTC اور PAM کی صیانت
 کرتی ہوں اور اسکالریٹ کے وقت
 کی پابندی کا خاص خیال رکھیں سکول
 وقت پر لگائیں اور وقت پر لگتے ہیں

Attest
S.

District Education Office
(Female) Abbottabad

16
لاہ پب (حصہ دوم)

رپورٹ کی روشنی میں
 نے جو کارروائی کی

نی میں کون تھائی
 وائی کی

پرائے 1 رپورٹ معائنہ
 16/02/2021 سکول کا کارروائی

ae

Diagnostic Test
 کا نتیجہ کیونکہ سکول سے
 30 دنوں سے گزیرا ہے۔ اس کے نتیجے میں
 کا خاصہ خیال رکھیں۔ اس کے نتیجے میں
 کے مطابق کو کارروائی کریں۔ اس کے نتیجے میں
 پر دو ایسے ہی ہیں۔ اس کے نتیجے میں
 کو کارروائی کریں۔ اس کے نتیجے میں

Ne

Sub Divisional Education Officer
 (Female) Abbottabad

Abdullah
 District Education Officer
 (Female) Abbottabad



OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER (FEMALE)

Abbottabad

PH No. 0992-330856

Amnel u E 9 (a)

No. 1222 / EB-I (P)
Dated 19/02/2021

To
The District Education Officer
(Female) Abbottabad.

Subject:- ABSENT REPORT IN R/O ALIA JADOON S.PST GGPS CHOONA KARI ABBOTTABAD.

Memo,

The undersigned visited the GGPS Choona Kari, Abbottabad dated 16-02-2021. Mst Alia Jadoon S.PST was found absent from duty without any intimation to this office. Report is submitted for your kind perusal and for further necessary action please.

[Signature]
Sub Divisional Education Officer
(Female) Abbottabad

[Signature]
District Education Officer
(Female) Abbottabad

(18)

AFF / TEACHER ATTENDANCE REGISTER

For the month of February Year 2021

No. 2

No. 3

QC

Name: Sadaq Jadoon
Designation: PSHT

Name: Salma Bibi
Designation: SPST (14)

Name: Alia Jadoon
Designation: SPST (14)

Date	Sadaq Jadoon (PSHT)				Salma Bibi (SPST 14)				Alia Jadoon (SPST 14)			
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Winter

Vacation

Winter
Vacation

~~Alia~~
Districtal Education Officer
(Female) Abbottabad

16/2/2021

Absent
Absent

Attended

STATEMENT OF LEAVES TAKEN

	Sadaq Jadoon				Salma Bibi				Alia Jadoon			
	Sick	Casual	Pri	Total	Sick	Casual	Pri	Total	Sick	Casual	Pri	Total
This Month												
Previous												
Total:												

Dated _____

Headmistress/Headmaster

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD



No. _____ / Dated: _____ / 2021

0992-342533, 0992-342314

Deofemale_abbottabad@gmail.com

SHOW CAUSE NOTICE

I, Rehana Yasmin, District Education Officer (Female) Abbottabad being competent authority under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline Rule 2011) do hereby serve upon you **Mst: Alia Jadoon SPST GGPS Choona Kari Circle Abbottabad**, Show Cause Notice as Follows.

- That, during the surprised visit of SDEO (F) Abbottabad dated: 16-02-2021, you were found absent from duty without prior permission/ intimation.
- That, it shows inefficiency, misconduct and non-professional attitude on your part.

In exercise of Power conferred upon me government servants (Efficiency & Discipline Rule 2011), I, as a Competent Authority served upon you with the Instant Show Cause Notice with the direction to submit reply within 07 days of the issuance of this notice as to why the major/minor penalties of said rules should not be imposed upon you and also intimate whether you desired to be heard in person.

In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defence to offer and Ex-Parte decision will be taken against you under the E&D rules ibid.

Endst No: 2628-32- dated: 9/3 / 2021District Education Officer
(Female) Abbottabad

Copy of the above is forwarded to:

1. SDEO (F) Abbottabad.
2. Head Teacher GGPS Choona Kari.
3. ASDEO (F) Abbottabad.
4. Office File.

District Education Officer
(Female) Abbottabad

Alleged
District Education Officer
(Female) Abbottabad

9/3/2021

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OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD



No. _____/

Dated: _____/2020

0992-342533, 0992-342314

Deofemale_abbottabad@gmail.com

NOTIFICATION:

The undersigned is hereby pleased to nominate Miss Saima Asghar Principal GGHSS Khutaila as inquiry officer to probe in to the matter regarding habitual absent and late arrival in school in R/O Miss Aliya Jadoon SPST GGPS Choona Kari, and also directed to submit the detail inquiry along with recommendation/finding within 7 days.

[Signature]
District Education Officer
(Female) Abbottabad

Endst No: 1779-80 dated: 10/3/2020

Copy of the above is forwarded to:

- Principal GGHSS Khutaila.
- All Concerned.
- Office File.

[Signature]
District Education Officer
(Female) Abbottabad

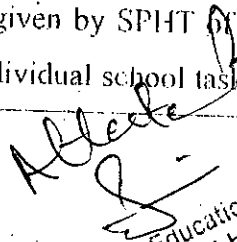
[Signature]
District Education Officer
(Female) Abbottabad

21

INQUIRY REPORT

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1	Caption of Inquiry	Habitual absent and late arrival in school in respect of Miss Aliya Jadoon SPST GGPS Choona kari Abbottabad.
2	Inquiry Committee	Mrs Saima Asghar Principal GGHSS Kuthiala Abbottabad.
3	Reference	Notification No. 1779-80 dated: 10-03-2020 issued by District Education Office (Female) Abbottabad.
4	Short History	Miss Aliya Jadoon SPST GGPS Choona kari Abbottabad has been habitual in coming late to the school where she had been posted throughout her service since 1995.
5	Procedure	<ul style="list-style-type: none"> ➤ Got written statement of: <ol style="list-style-type: none"> 1. Miss Aliya Jadoon SPST GGPS Choona kari Abbottabad. (Annexure-A) 2. Miss Sadaf Jadoon PSHT GGPS Choona kari Abbottabad. (Annexure-B) ➤ Observed the relevant data provided by District Education Office (Female) Abbottabad. (Annexure-C) ➤ Observed explanation of Miss Aliya Jadoon SPST GGPS Choona kari Abbottabad, dated 26-05-2019. (Annexure-D) ➤ Observed the application of Miss Aliya Jadoon SPST GGPS Choona kari Abbottabad. (Annexure-E) ➤ Observed the relevant record of GGPS Choona kari Abbottabad. (Annexure-F)
6	Observation	<ul style="list-style-type: none"> ➤ Miss Aliya Jadoon has been working as SPST since 12-09-2019 at GGPS Choona kari Abbottabad. ➤ She has also served at GGPS Salhad before GGPS Choona kari but she was transferred from there for coming absent / late. (Annexure-C) ➤ Her service record in all schools she has been appointed to, is not satisfactory. ➤ SPHT GGPS Choona kari said in her written statement that Aliya Jadoon has always been late in coming school since her arrival at GGPS Choona kari Abbottabad. (Annexure-B) ➤ She was found absent / late repeatedly during the visit of ASDO (F), and ADO of District Education Office (F) Abbottabad. (Annexure-C) ➤ Principal GGCMSS Nawanshehr Abbottabad has also observed her to absent / late on her visit at GGPS Choona kari on 18-09-2019. (Annexure-F) ➤ Aliya Jadoon admitted in her written statement that she is incapable of her job duties. ➤ According to the written statement given by SPHT of GGPS Choona kari she has not assign any class period of individual school tasks to Miss Aliya Jadoon.


 District Education Officer
 (Female) Abbottabad

	(Annexure-G)
	<ul style="list-style-type: none"> ➤ Currently she is only working as a helper of KG Teacher. ➤ Miss Aliya Jadoon SPST GGPS Choona kari Abbottabad has said in her written statement that the cause of her absences and late arrival to school is the illness of her aged mother.
7	Findings
	<ul style="list-style-type: none"> ➤ Throughout the service of Miss Aliya Jadoon SPST GGPS Choona kari Abbottabad has been habitually absent and late. ➤ She does not take interest in her job duties because of lack of abilities. ➤ Proper explanation have been issued to her but no convincing response was shown by her. ➤ As far as her mother's illness is concerned, this matter is personal and she should try to find a solution to this issue. ➤ Her services in previous schools are also not satisfactory. ➤ She is still found absent/late from school and has no interest in her job. ➤ Lastly, being a Government servant she has proved herself to be irresponsible, non-cooperative, careless and has taken her job as granted.
8	Recommendations
	<ul style="list-style-type: none"> ➤ On the basis of observations and findings major plenty of "FORCED RETIREMENT" under E&D rules 2011 is recommended for Miss Aliya Jadoon SPST GGPS Choona kari Abbottabad.

Dated: 04-05-2020

Saima Asghar
 Mrs Saima Asghar
 Principal
 GGHS Kuthiala
 Abbottabad

04/05/2020

Accepted
S.
 District Education Office
 (Female) Abbottabad

3d میں عالیہ جہدین SPST گورنمنٹ گہر لہہ لم انٹری سکول چوناٹاری ایشیا

Remarks

1 سب کتب سے 99PS چوناٹاری میں فراغت لہہ انجام دے
ہی ہیں۔

12-9-2012 کو سکول میں گورنمنٹ کی طرف سے

2 کیا آپ سکول ٹائٹل سے فلو کرتی ہیں؟

ضابطہ والہ میں سکول ٹائٹل کی پاسداری
سے متعلقہ سب سے کونکر ہماری والدہ سے

3 ذہنی و جسمانی ترقی میں اور کھیلوں کی
طریقہ کی وجہ سے اس میں ترقی ہے۔
اس سے پہلے آپ 99PS سکول میں فراغت انجام
دیں یہ ہیں (D.E.O) آفس ریکارڈ سے مطابق اس سکول
میں بھی آپ انٹر و لٹریچر ہی آتی ہیں؟

4 جی ہاں میں 99PS سکول میں فراغت انجام
دیں یہ ہیں۔ دراصل والدین اکثر و بیشتر

لیٹریچر آتی رہے ہیں۔ جس کے والد

کی سہاری ہے تو ان میں سے بہت سے اور مطابق

کتابیات میں بیان کرتے ہیں کہ والدین کو
آپ فرمائے گا۔ سکول والدین سے

[Handwritten Signature]

District Education Officer
(Female) Ashoknagar

رہنما

موجودہ سکول میں بھی آپ انکم اور فائٹ سکول ٹائمنٹ
 کو بھاری کر کے پورے بائیں گئے ہیں کیوں؟ وجہ؟
 وراثت والے میں نے اسراران باک کو بار
 بار مود بائڈ گزارش ہے کرو والدہ صاحبہ
 کی وہ ایسی میسر ہی لیتے آئے گی وہ ہے

4

2019-5-26 کی لیکچر نمبر 656 کے تحت (D.E.O) ایٹ آباد
 کی طرف سے سکول لیکچر نمبر Explanation بھی کی گئی
 تھی۔

5

اسی باران میں سکول سے جواب
 طلبی کی بھی ملے گی Reason بتائی گئی
 والدہ صاحبہ کی بیٹا ہی۔

آپ نے اس Explanation کا Reply کیا تھا؟ آپ
 کے پاس اس کا ریکارڈ ہے؟ فوٹو کاپی سپلا کر رہی۔

6

ریکارڈ
 نہیں کیا گیا۔
 Provide

اسی باران فوٹو کاپی سپلا کر رہی۔
 وراثت والے میں مود بائڈ گزارش ہے کرو

گورنمنٹ کی کوڈنگ رہی۔ اور ریٹائرمنٹ
 کے بھی فوٹو کاپی سپلا کر رہی۔

سکول میں لیکچر نمبر 656 کے تحت
 اسراران باک کو بار بار مود بائڈ گزارش ہے کرو

District Education Officer
 (Female) Abbottabad
 37361580

7. کوآپ کی Complaint کی گئی (سکول قلمانی) جس کے نتیجے میں 5-3-2020 کو (ADoF) سٹیڈ فیکل مٹا دیا اور (SADoF) نادیم پنجم صبا میں آپ کے سکول کا Visit کیا آپ 09:30 تک سکول میں پہنچی تھیں تھیں؟

8. کیا یہ بات آپ کا علم میں ہے کہ 5-3-2020 سے (ASDoF) آپ کو Absent مارت بھی کیا؟

حاضری رجسٹر میں
SDEO صاحبہ نے
Absent mark
کیا لیکن عالم چادر
نے Absent کا درجہ
اپنی Alliance کتاب
پر لکھی تھی۔

9. کیا یہ بات آپ کا علم میں ہے کہ 5-3-2020 کو (S.D.E) صاحبہ نے ورنڈ پر Absent مارت کیا ہے۔ جسکی وجہ سے میں نے سٹر مڈل سکول والدہ صاحبہ سے بیماری کے حوالے دیے تھے۔ آپ کا موجودہ H/T کی طرف سے اکثر سکول قلمانی ہے۔

صبا والدہ میں نے اپنی H-T کو اپنی والدہ صاحبہ کے Reason بتائی تو انھوں نے اور کہیں سے لے کر والدہ صاحبہ کو دوسرے اسکول لے کر گئی۔

Abbeeha
District Education Officer
(Female) Abbottabad

اب ان اطلاعوں کی کون کون سے صفحات پر لکھی گئی ہیں

صداک برائے والدین میں لکھی گئی ہے۔ اس کے علاوہ
کے تمام افسران کی کاپیاں فراہم
ہوں اور پڑھائی گئی ہیں۔ کون کون سے افسران
کے پاس لکھی گئی ہیں 20 سے زیادہ ہے

اور ایچ ڈی اسٹڈنٹ پر مشتمل کلاس میں ہے
SPED (F) ممبر نے اپنے تعلقاً 2020-3-5 کو اب کو
Absent سارے کیا تھا۔ اب نے cutting کٹ کر تیار نہیں
حاضری گائی ہے۔ کیوں؟

حاضری رصیمہ کی
صورت میں ریکارڈ
جو موجود ہے۔ میں میں
cutting کی گئی ہے۔

صداک برائے والدین کے لئے لکھی گئی ہے
جو سب سے پہلے لکھی گئی ہے۔
ڈائری میں آئیڈن اسٹیٹس والی کاپی لکھی گئی ہے
کردن کی۔

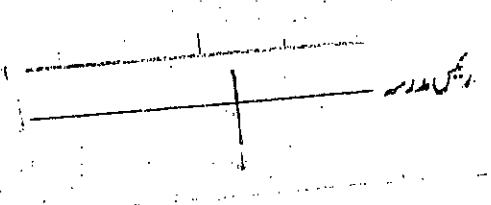
میڈم منامہ نے بھی اپنے لکھی ہے
کے دوران اب کو Absent سارے کیا۔ اب نے اس نام بھی
حاضری گائی ہے۔ کیوں؟

حاضری رصیمہ میں
ریکارڈ جو موجود ہے۔
cutting کی گئی ہے۔

صداک برائے والدین لکھی گئی ہے۔
لکھی گئی ہے۔ آئیڈن اسٹیٹس والی کاپی لکھی گئی ہے
کردن کی۔

ڈائری میں والدین کے لئے
اور اسٹڈنٹ پر مشتمل کلاس میں
27-4-2020

Attested
District Education Officer
Faisalabad



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Ammy A

OFFICE OF THE DISTRICT EDUCATION

(FEMALE) ABBOTTABAD



NO. _____ /Dated: _____ /2021



0992-342533, 0992-342314



Deofemale_abbottabad@gmail.com

Notification: -

Mst: Aliya Jadoon SPST GGPS Choona Kari, was proceeded against under the Khyber Pakhtunkhwa Govt. Servant (Efficiency and disciplinary rules 2011) for charges of habitual absent and habitual late from school, inefficiency and misconduct.

- **AND WHEREAS:** SDEO (F) Abbottabad reported about your absence from school vide letter No: 248 dated: 05-03-2020.
- **AND WHEREAS:** inquiry committee was constituted Vide No: 1779-80 Dated: 10-03-2020, to conducted inquiry against the accused official for the charges levelled against her in accordance with the rules.
- **AND WHEREAS:** inquiry officer Mst: Saima Asghar Principal GGHSS Khuthaila after having examined the case confirmed the charges levelled against her, and clearly stated that official concerned has failed to defend the charges levelled against.
- **AND WHEREAS:** Mst: Aliya Jadoon SPST GGPS Choona Kari, has been served with a show cause notice under No: 2628-32 dated: 09-03-2021.
- **AND WHEREAS:** you were called for personal hearing vide No: 3250 dated: 27-03-2021, but failed to satisfy the undersigned.
- **AND WHEREAS:** the competent authority (District Education Officer (F) Abbottabad), after having considered the charges and evidences on record, inquiry report / personal hearing is of the view that the charges against the accused official have been proved.

NOW THEREFORE, in exercise of the power conferred upon me under section 14 Khyber Pakhtunkhwa Govt. Servant (Efficiency and Discipline rule 2011), the District Education Officer (Female) Abbottabad_ being competent authority is pleased to impose a major penalty of "**COMPULSORY RETIREMENT**" upon Mst: Aliya Jadoon SPST GGPS Choona Kari with immediate effect.

Endst No: 4658-65 Dated: 20/5/2021

District Education Officer
Female) Abbottabad.

20/5/2021

Copy to:

1. Director (E&SE) Khyber Pakhtunkhawa Peshawar.
2. Deputy Commissioner Abbottabad.
3. District Monitoring Officer Abbottabad.
4. District Account Office Abbottabad.
5. SDEO (F) Abbottabad with direction to recover the amount of absent period.
6. Official concerned.
7. Office File

Adhered
District Education Officer
Female) Abbottabad

District Education Officer
(Female) Abbottabad.



(28)

Amul I³

**DIRECTORATE OF ELEMENTARY & SECONDARY
EDUCATION KHYBER PAKHTUNKHWA PESHAWAR.**

NOTIFICATION:

Muhammad Ashraf^{4/} District Education Officer Male Kolai Palas now (services placed at the Disposal of Directorate of E&SE KPK Peshawar) is hereby nominated as enquiry officer to probe into the matter as per attached appeals in r/o the following teachers as under:

1. Mst. Alia Jadoon Ex-SPST, GGPS, Choona Kari District Abbottabad.
2. Mst. Farah Irshad Ex- PSHT, GGPS Shadaiyal District Abbottabad.

The inquiry officer should submit detail inquiry report alongwith clear findings **recommendations within 15 days positively** to this Directorate for further necessary action please.

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 9/1/20 /F.No.364/F/Appeal/Abbottabad Dated Pesh: the 9/6 /2021

Copy forwarded to the:-

1. Muhammad Ashraf District Education Officer Male Kolai Palas now (services placed at the Disposal of Directorate of E&SE KPK Peshawar).
2. District Education Officer (Female) Abbottabad with the remarks to assist and provide the relevant record to the Inquiry Officer concerned.
3. PA to Director E&SE Peshawar.

Deputy Director (Female)
(E&SE) Khyber Pakhtunkhwa,

14/6/2021

2191
14/6/2021

Attended
District Education Officer
(Female) Abbottabad

29

OFFICE OF THE EX. DISTRICT EDUCATION OFFICER (MALE) K.P KOHISTAN

The Honorable Director E&SED.

Khyber Pakhtunkhwa Peshawar.

Subject: Fact finding inquiry in respect of Ms. Alia Jadoon SPST GGPS Chona Kari, District Abbottabad regarding her Compulsory Retirement by DEO (F) Abbottabad.

Memo:

In compliance of your office notification No. 9419-20/F.NO.364/F.Apeal/Atd. Dated Peshawar the 09.06.2021 on the subject cited above. The undersigned visited the DEO (F) Abbottabad office on 16th and 17th June, 2021 after proper intimation to the above mentioned female teachers and the DEO (F) Abbottabad Vide letter no.01 and 02 dated 15.6.2021(Annex.01) to probe into the matter.

Brief History.

District Education Officer (F) Abbottabad , the competent authority vide Notification No. 4658-65 dated 20.5.2021, imposed major penalty of Compulsory Retirement as per rule 4(b) of E&D rules 2011, vide notification no.4658-65 dated 20.5.2021, upon Ms. Alia Jadoon ,SPST GGPS Chonakari Abbottabad due to her long and habitual absence from her duty as reported by SDEO Abbottabad and circle ASDEO Abbottabad in the light of a fact finding inquiry.

The teacher concern used her right of appeal before the Director E&SED Peshawar, the appellate Authority as per rule and before deciding the case the respected Director E&SED decided to further probe into the matter and directed the undersigned to probe into the matter.

Procedure

1. The respected teacher Ms. Alia Jadoon was requested through letter to submit her written defense and appear before inquiry officer in the presence of representative of the DEO (F) Abbottabad in the office of DEO (F) Abbottabad.
2. The DEO (F) Abbottabad was requested by letter to nominate a representative to provide the relevant record in this regard.

ADD/CO
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Accepted
Office
Female) Abbottabad

- PUNJAB
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3. The teacher Ms. Alia Jadoon was given a conducive environment of personal hearing to cross examine the record and allegations in the presence of representative of DEO(F) Abbottabad.(Anex .2)
 4. The written statements of SDEO atd. and the circle ASDEO atd against Ms. Alia jadoon were examined and discussed during the personal hearing of the respected teacher Ms. Alia jadoon.
 5. The circle ASDEO atd. Briefed the undersigned regarding late coming of the teacher Ms. Alia Jadoon during her visit to her school.
 6. All the relevant record, Photocopies of relevant documents, EMA reports e.t.c and supportive environment provided by representative of DEO were carefully observed.
 7. Interviews and briefings.

Findings

1. A fact finding inquiry regarding habitual absenteeism of Ms. Alia Jadoon SPST was conducted one and a half year ago before the latest proceedings i.e on 10.03.2020 and inquiry report submitted on 04.5.2020 by the inquiry officer in which the inquiry officer recommended for proceeding against the mentioned teacher but no proceeding was initiated in the light of recommendations of inquiry till 9.3.2021 when a show cause notice was served to the concern teacher for her absence from duty for one day on the report of SDEO atd.
2. A personal hearing of the concern teacher was conducted on 11.5.2020 without any show cause notice and this personal hearing even was not decided by the competent authority till a fresh show cause notice for absence from duty of a single day i.e 16.02.2021 as reported by SDEO atd. A personal hearing by a committee rather the DEO herself, was conducted on 29.03.2021 and a final decision of major penalty of compulsory retirement of the concern teacher was imposed by the competent authority.
3. No formal inquiry with clear charge sheet and statement of allegations, observing all steps / formalities of the regular/formal inquiry was conducted by the competent authority in the light of fact finding inquiry before imposing major penalty which can easily be challenged in any court of law and may be a source of ill reputation for Education Department.
4. As per written and verbal statement of the concern teacher, Ms. Alia Jadoon she has never been habitual absent from her duty and as her mother is seriously ill and she has to take care of her medicine that is why she often come late to school.(Annex.3)
5. The undersigned found a difference between written and verbal statement of the circle ASDEO about habitual absenteeism of the teacher concern as according to the

Alia Jadoon
Signature of the undersigned
Deputy Commissioner (F)
Abbottabad

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- verbal statement of circle ASDEO Ms. Alia Jadoon was late comer only due to the serious illness of her mother, rather than habitual absent.(Annex.4)
6. As per report of the SDEO atd the teacher concern was habitual absent.
 7. Though the teacher concern was reported to be irregular, least interested in her professional duties and latecomer to school as per report of EMA, SDEO atd, Circle ASDEO, inquiry officers as well as her head teacher but it seems that she was not proceeded as per E&D rules 2011 especially for imposing major penalty, also there exists a difference between written and verbal statements as observe during personal hearing.

Recommendations

1. The teacher concerned be reinstated in service and the competent authority i.e the DEO (F) Abbottabad be directed to conduct a formal De novo inquiry with clear charge sheet and statements of allegation and observing all the formalities/steps of regular/formal inquiry in the light of the fact finding inquiry before final decision of imposing any major penalty as per rule 4(B) of E&D rules 2011 or new E&D rules 2020 in the light of recommendations of the regular/formal inquiry report if so recommended,
OR
 2. The major penalty of compulsory retirement be reduced to Miner penalty of degrading the teacher concern from SPST BS -14 to PST BS-12 for a period of three years if agree please.
 3. All the respected DEOs male and female be directed to conduct a regular inquiry before imposing any major penalty except for long absenteeism for which rule 9 of E&D rules 2011 can be applied without formal inquiry please.
 4. A format of, Notice of being proceeded, charge sheet and statements of allegation with constitution of inquiry committee and final show cause notice be circulated in official WhatsApp groups for capacity boosting of respected DEOs please.
- Submitted for your kind perusal and necessary action please.

No. 93 /Dated 7/7 /2021

Muhammad Ashraf
Ex. DEO KP
deokpk@gmail.com
Cell. 03015712960

A. Ashraf
District Education Officer
(Female) Abbottabad

32

Annex J

~~Annex - B~~



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

R-70

No. 161 /FNo.364/F/Appeal A,abad

Dated Peshawar the 16/08/2021

To

The District Education Officer,
(Female) Abbottabad

Subject:-

INQUIRY REPORT

I am directed to refer to the subject cited above and to enclose herewith a copy of enquiries report carried out by Mr. Muhammad Ashraf Ex-DEO Male appeals Mst. Alia Jadoon Ex-PST GGPS, Choona Kari District Abbottabad and Mst. Farah Irshad Ex-PSHT, GGPS Shadniyal District Abbottabad and to ask you to implement the recommendations of the enquiry officer.

Endst No. _____/

Assistant Director (Female)
E&SE Khyber Pakhtunkhwa,

Copy of the above is forwarded to the:

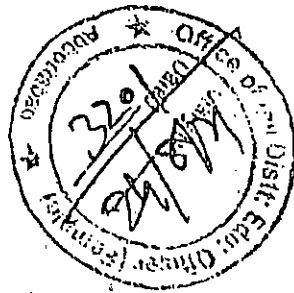
- 1. PA to Director E&SE KPK Peshawar.

Assistant Director (Female)
E&SE Khyber Pakhtunkhwa,

Suppl (Primary)
Put up
7 de
force

D/Zutair/Munawar/Appeals 21 Doc

Attested 24/8/2021



Advocate Supreme Court
Office

Attested
District Education Officer
(Female) Abbottabad

33

Amir K

~~Annex B C~~

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD



No. 9925

Dated: 2/11/2021 ✓

☎ 0992-342533, 0992-342314

✉ Deofemale.abbottabad@gmail.com

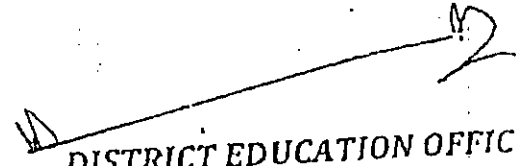
~~P.H~~

To
The SDEO (Female),
Abbottabad.

Subject: INQUIRY REPORT.

Memo;

Reference letter No.8794/F.No.364/F/Appeal A, Abad dated 14-09-2021 received from the office of Deputy Director E&SE Khyber Pakhtunkhwa, you are directed to implement the recommendation of inquiry Officer that "The Major penalty of compulsory retirement is reduces to Minor penalty of degrading Mst. Aliya Jadoon from SPST BPS-14 to PST BPS-12 for the period of three years" with immediate effects.

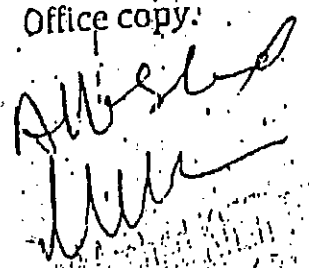

DISTRICT EDUCATION OFFICER
(FEMALE) ABBOTTABAD

01/11/2021

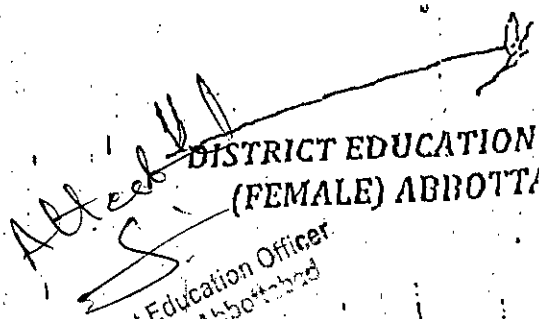
Endst No: _____ Dated: _____

Copy to:

1. The Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. SDEO (F) Abbottabad with direction to initiate the process of down grading.
3. District Monitoring Officer Abbottabad.
4. District Account Office Abbottabad.
5. ASDEO (F) concerned.
6. Mst. Alta Jadoon.
7. Office copy.



Advocate
Office
Abbottabad


DISTRICT EDUCATION OFFICER
(FEMALE) ABBOTTABAD
District Education Officer
(Female) Abbottabad