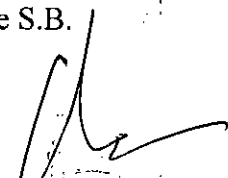


27.10.2016

Counsel for the appellant and Mr. Daud Jan, Supdt. alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 27.12.2016 before S.B.

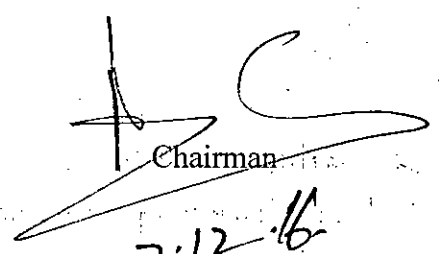

Member

27.12.2016

Husband of appellant and Mr. Muhammad Ihsan Shah, Principal alongwith Asst. AG for respondents present. Representative of the respondents submitted reinstatement order dated 22.11.2016 vide which the appellant has been reinstated into service by the appellate authority.

In view of the afore-stated development, request^d for withdrawal of appeal was made with the permission to re-agitate grievances of the appellant, if any, in the prescribed manners. In view of the afore-stated order coupled with the submission of husband of the appellant, the appeal is dismissed as withdrawn and appellant placed at liberty to re-agitate her grievances if any in the mode and manner prescribed by law. File be consigned to the record room.

Announced:
27.12.2016.


Chairman
27.12.16

Appeal No. 385/2016
Shakeela Syed vs Govt

385/16

26.7.2016

Counsel for the appellant and Addl. AG alongwith Daud Jan, Supdt. for the respondents present. Preliminary arguments heard and record perused.

The impugned order dated 03.11.2015 is an order of dismissal of the appellant from service on the allegations of willful absence etc. where-against departmental appeal dated 08.12.2015 was not responded and hence the instant service appeal on 08.4.2016.

According to stance of the appellant neither any enquiry was conducted nor any opportunity of hearing afforded to him.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days. To come up for written reply/comments of the respondents on 28.09.2016 before S.B.

Appellant Deposited
Security & Process Fee

Chairman

28.09.2016

Handwritten notes: 27.10.16 and a signature.

Appellant in person and Addl: AG for respondents present. Written reply not submitted. Learned AAG requested for time to submit written reply. Request accepted. To come up for written reply/comments on 27.10.2016.

Member

10.05.2016

Counsel for the appellant present. The learned counsel for the appellant argued that the appellant was appointed as PET BPS-9 on 31.08.2005. She was proceeded against for the charges as contained in the charge sheet which comprise of illegal transfer, absence from duty and fake service documents. The learned counsel for the appellant further argued that no formal inquiry was conducted in the case, the appellant was not provided opportunity of defense and furthermore she was not heard in person before condemning her with major penalty of dismissal from service.

Pre-admission notices given to learned Government Pleader who shall assist the Court by requisitioning of relevant documents such as inquiry report etc for 23.06.2016 before S.B.

Member

06.2016




Clerk to counsel for the appellant and Mr. Daud Jan, Supdt alongwith Addl. AG for respondents present. Representative of the department has not produced the relevant record and requested for adjournment. Request accepted. To come up for further proceedings on 26.7.2016.

Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 386/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	08.04.2016	<p>The appeal of Mst. Shakeela Syed presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2	14.4.16	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>25.4.16</u>.</p> <p> CHAIRMAN</p>
25.4.2016		<p>Agent of counsel for the appellant present. Seeks adjournment as counsel for the appellant is not in attendance. Adjourned for preliminary hearing to 10.05.2016 before S.B.</p> <p> Chairman</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 385 /2016

SHAKEELA SYED

VS

EDUCATION DEPTT:

INDEX

S. NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of appeal	1- 4.
2.	Appointment order	A	5.
3.	Service book	B	6- 11.
4.	Application for NOC	C	12.
5.	Transfer order	D	13.
6.	Redeployment orders	E & F	14- 15.
7.	Charge sheet/show cause	G	16.
8.	Reply	H	17.
9.	Impugned order	I	18.
10.	Departmental appeal	J	19.
11.	Inquiry order	K	20.
12.	Inquiry report	L	21- 23.
13.	Educational testimonials	M	24- 25.
14.	Vakalat nama	26.

APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 385 /2016

A.W.P. Province
Service Tribunal
Diary No 352
Dated 08-4-2016

Mst: Shakeela Syed, Ex: PET (BPS-09),
Govt: Girls High School, Khyber Agency **APPELLANT**

VERSUS

- 1- The Director of Education FATA, FATA Secretariat, Warsak Road, Peshawar.
- 2- The Agency Education Officer, Khyber Agency at Jamrud.
..... **RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974
AGAINST THE IMPUGNED ORDER DATED 03-11-2015
WHEREBY THE APPELLANT HAS BEEN DISMISSED
FROM SERVICE 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 impugned order dated 03-11-2015 may be set aside and the appellant may kindly be re-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:

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

- 1- That the appellant was appointed as PET in the respondent Department on the proper recommendation of Departmental selection Committee vide order dated 31.8.2005. Copies of the appointment order and Service book are attached as annexure **A & B.**
- 2- That inresponse to the said appointment order the appellant submitted her charge report along with medical certificate and started performing her duty at the concern station quite efficiently and up to the entire satisfaction of her superiors.
- 3- That the appellant while serving at Govt: Girls Middle School Badama, Central Kurram applied for NOC before the competent authority for her posting to Khyber Agency

Handwritten notes:
10/4/16

under the spouse policy. That resultantly the appellant was transferred to Govt: Girls Middle Azam Din Killi Tehsil Bara, Khyber Agency by respondent No.2 vide order dated 27-08-2012. That subsequently the appellant was redeployed to GGMS Fazal Rehman Kalay Tehsil Bara Khyber Agency vide order dated 23-05-2013 and was further redeployed to GGHS Hanif Jan Kalay Bara Khyber Agency, wherein she submitted her charge report and started performing her duty quite efficiently and up to the entire satisfaction of her superiors. Copies of application for NOC, Transfer Order, and redeployment orders are attached as annexure **C, D, E & F.**

4- That appellant while working at GGHS Hanif Jan Killi Bara Khyber Agency a charge sheet/show cause notice dated 16-10-2015 was issued to the appellant in which it was alleged by the respondent No.2 that the service documents of the appellant have been reported as bogus and have been illegally/bogusly hired in the system with out any formalities laid down in recruitment rule. That the charge sheet/show cause notice was communicated to the appellant on 30-10-2015. That on the same day the appellant replied that the allegations leveled against her are baseless and she will reply in detail before 20th November, 2015. Copies of the charge sheet/show cause notice and reply to charge sheet/show cause notice are attached as annexure **G & H.**

5- That astonishingly the respondent No.4 issued the impugned order dated 03-11-2015 whereby the appellant has been Dismissed from service with out conducting regular inquiry and with out assigning any reason/clear justification. Copy of the impugned order dated 03-11-2015 is attached as annexure **I.**

6- That appellant feeling aggrieved from the impugned order dated 03-11-2015 filed Departmental appeal on 08.12.2015 before the respondent No.1 but no reply has been received so far. That it is very pertinent to mention here that the respondent No.1 constituted an enquiry committee consisting of 3 officers vide order 21-12-2015 who in their recommendations exonerated the appellant from the allegations but inspite of that the respondent No.2 issued the above mentioned order. Copies of the Departmental appeal, Enquiry order, Enquiry report and educational testimonials are attached as annexure **J, K, L & M.**

7- Hence the present appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned order dated 03-11-2015 issued by the respondent No.2 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondent No.1 constituted an enquiry committee consisting of 3 officers vide order 21-12-2015 who in their recommendations exonerated the appellant from the allegations but inspite of that the respondent No.2 issued the impugned order dated 3.11.2015.
- D- That appellant has been appointed in light of the appointment, promotion and transfer Rules 1989 and as such proper advertisement has been issued for the said post of appellant but inspite of that the respondent No.2 without any reason issued the impugned order dated 03-11-2015.
- E- That no charge sheet and statement of allegation has been issued by the respondent No.2 before issuing the impugned order dated 3.11.2015.
- F- That no regular inquiry has been conducted before issuing the impugned order dated 03-11-2015 by the respondent No.2 which is as per Supreme Court judgments is necessary in punitive actions.
- G- That no chance of personnel hearing/personnel defense has been given to the appellant before issuing the impugned order dated 03-11-2015.
- H- That the respondent Department acted in arbitrary and malafide manner while issuing the impugned order dated 03-11-2015 against the appellant.
- I- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 05-04-2016

APPELLANT



SHAKEELA SYED

THROUGH:



**NOOR MOHAMMAD KHATTAK
ADVOCATE**

(0345-9383141)

APPOINTMENT

Consequent upon the approval by the Selection Committee,

The appointment of the following post holders is hereby ordered:

purely on contract basis in N.P. NO. 2/B.P. NO. 10 (If passed) BA/B.S.O

examination in 2nd division) this usual provision is applicable

under the rules with effect from the date of their taking over charge:-

S.No	Name of Teacher	Teacher's Name	School where appointed
1.	Adnan Beyer	G. M. S. Thero CK against vacant	RET post.
2.	Razia Begum	G. M. S. Bilyamin against vacant	RET post.
3.	Shakila Ayub	G. M. S. Mandur against vacant	RET post.

TERMS/CONDITIONS

1. They are directed to produce their medical certificates from the Medical Deptt. at the Hospital Faraochiniar.

2. Their age should be between 18 to 30 years.

3. Their appointment is purely made on temporary basis and liable to termination at any time without assigning any notice. In case they want to resign their posts, they will have to give one month's notice in writing.

4. Charge report should be submitted to this office.

5. No payment will be made to the appointees until and unless their academic and professional certificates are got verified from the issuing authorities concerned.

6. If they fail to take over charge within 15 days, their appointment will automatically be considered as cancelled.

(NASHIM KHAN AFRIDI)
Agency Examination Officer
Kurnah Agency Faraochiniar

Enrol No. 10746-54 Date: 31/8/2007

1. Director of Education Faraochiniar

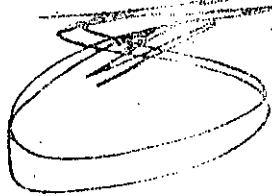
2. Agency Accounts Officer Kurnah

3. Accountant Local Office

4. Health Officer concerned

5. Office file

ATTESTED



Agency Examination Officer

B-6

(For use in Police Department only)

Note: The an
9 and 1

Heirs.

- 1) Passed SSC Exam from BISE Peshawar under Roll No
- 2) 21808, Session 2001 (Annual) Arts group. Marks obtained
- 3) 449/850 in grade "C"

- 1. Name:
- 2. Race:
- 3. Reside

Verification Roll No

dated

A. S. G. received back
A. S. G.

- 2) Passed Inter Exam from BISE Peshawar under Roll No 68953, Session 2004 (Annual) Arts group. Marks obtained 505/1100 in 2nd Division.

Left Thumb Impression

- 4. Father
- 5. Date of nearly

Approved by
Signature

6. Exact h

Qualification

Date

Qualification

Date

English

First Arts

7. Person

Rushto

B.L. Or B.A.

8. Left ha
of (Non

Urdu

Pleadership examiantion

Little F

Plan drawing

Training School Final examiantion

Middle l

Finger Print

Other qualification:--

Thumb

Drill Instructing

Cont Duties

Reserve Duties

ATTESTED

[Signature]

9. Signatur

10. Signatur
Head of
Officer

7

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.

1 Name: SHAKEELA SYED

2 Race: SYED

3 Residence: VILLAGE SATEEN P.O SADDA
KURRAM AGENCY






4 Father's name and residence: SYED KARAMAT SHAH
as above

5 Date of birth by Christian era as nearly as can be ascertained: 05-6-1982
FIFTH JUNE NINE EIGHT TWO


6 Exact height by measurement: 5' 2"

7 Personal marks for identification: SCAR ON CHIN

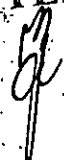
8 Left hand thumb and finger impression of (Non-Gazetted) officer:

Little Finger		Ring Finger	
Middle Finger		Fore Finger	
Thumb			

9 Signature of Government Servant: S.Sy. A

10 Signature and designation of the Head of the Office, or other Attesting Officer: 
Agency Education Officer
Kurram Agency

ATTESTED


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 "p"	7 Date of appointment	8 Signature of Government Engineer
BPS 09 (2770-165-7720)							
RET. Post CGMS Munder Kowar Kheran	dt/Temp		2770/-			01/09/05	S. Syed
do	do		2770/-			01/12/2005	S. Syed
do	do		2770/-			01/12/2006	S. Syed
Pay Revised in BPS 09 (3185-190-8885)							
do	do		3185/-			01/7/2007	S. Syed
RET. Post CGMS Badana Kantil Kheran	do		3185/-			20/9/2007	S. Syed
do	do		3185/-			01/12/2007	S. Syed
Revised Entry in BPS 09 (3820-230-10720) on a/c pay Revision on 01.7.2008.							
do	do	ATTESTED 	3820/-			01/7/2008	S. Syed
do	do		3820/-			01/12/2008	S. Syed

OFFICE OF THE AGENCY EDUCATION

1. Post

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 debitable to another Government		
Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Period	Government to which debitable	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.
	30-11-2005	U.T.					
	3-11-2006	U.T.					
	3-6-2007	Pay					
	19-9-2007	Transfer					
	30-11-2007	U.T.					
	3-6-2008	Pay					
	30-11-2008	U.T.					
	30-11-2009	U.T.					

Appointed as a PET at
 C.A.M.S. Munderi Lower
 Kurram, Vide AEO Kurram
 Endst: No 10746-54/Edn
 Dated 31/8/05.

Service Verified v.o. 01.9.2005 To 30.11.2006
 from office record.

Service Verified v.o. 01.12.2006 To 30.11.2007
 from office record.

Service Verified v.o. 01.12.2007 To 30.11.2008
 from office record.

Service Verified v.o. 01.12.2008
 from office record.

ATTESTED

Add: A.E.O
 Sadda Kurram


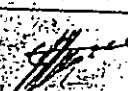

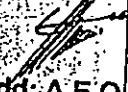
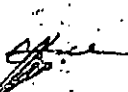

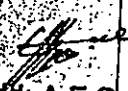

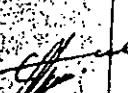
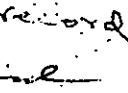
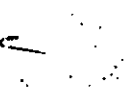
10

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantize appointment, or (ii) whether service counts for pension under Art. 371 G.S.R.	4 Pay subsl: pc	5 Additional pay for officiating	6 Other emolument falling under the term "p"	7 Date of appointment	8 Signature of Government Servant.	9 Signature and Desi of the head of the or other attesting in attestation columns 1 to
Pet post at C.I.M.S. Badama H. tang Central Kurram Agency	do	BPS 09 (382)		230-17720 3820/-		01/12/2009	S. Syed	Add: A.E.O Sadda Kurram
Entry Revised in Revision of pay w.e.f. 01-7-2011. BPS 09 (6200-380-17600)	do			3820/- 6200/-		01/12/2010 01/7/2011	S. Syed S. Syed	Add: A.E.O Sadda Kurram Add: A.E.O Sadda Kurram
				6200/-		01/12/2011	S. Syed	Add: A.E.O Sadda Kurram

ATTESTED

[Signature]

11

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or 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 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 debitable to another Government			
					Period			Government to which debitable
 Add: A.E.O Sadda Kurram	30/11/2010	U.T. None	 Add: A.E.O Sadda Kurram					
 Add: A.E.O Sadda Kurram	30/06/2011	lay Ration	 Add: A.E.O Sadda Kurram			 Add: A.E.O Sadda Kurram		
 Add: A.E.O Sadda Kurram	30/11/2011	U.T. None	 Add: A.E.O Sadda Kurram				Service Verified w.e.f. 01-12-2009 to 30-11-2011 from the office Record.	
 Add: A.E.O Sadda Kurram	31/8/2012	Transfer to Khyber Agency	 Add: A.E.O Sadda Kurram			 Add: Agency Education Officer Sadda Kurram Agency	Service verified w.e.f. 01-12-2011 to 31-8-2012 from the office record.	
						 Add: Agency Education Officer Sadda Kurram Agency	Transferred to Govt. Girls Middle School Azam Din Killi Tehsil Bora Khyber Agency vide order No. FS/SSD/30(E)/Transfer/6151-56. Dated Beshwar the 27-8-2012.	

ATTESTED



(B)

C-12

To,

The Add; Agency Education Officer
Sadda Kurram Agency.

Subject:-

N.O.C FOR TRANSFER FROM KURRAM TO KHYBER AGENCY

Respected Sir,

Most respectfully, I am going to invite your kind attention that I am a P.E.T at Govt: Girls Middle School Badama Central kurram w.e.f 01-09-2005 with the satisfaction of my officers. Due to some domestic problem as well as my family shifted to Agency. therefore, I request you that the NOC may kindly be issued for proceeding of me to Khyber Agency.

THANKS,

Forwarded to D.E (PATA)

No 507 dated 06/3/2007

the under signed has no objection if the court decision are not applied in the case

Official
Add: Agency Education Officer,
L&C Kurram Agency, Sadda

ATTESTED



Your most obedient.

SSyed

SHAKEELA SYED
P.E.T, GGHS, Badama
Central Kurram Agency.



FATA SECRETARIAT
Social Sectors Department
Warsak Road Peshawar



Dated Peshawar the 27-08-2012

Transfer order.

No.FS/SSD/SO(E)/Transfer/6151-56 Mst. Shakeela Syed PET Govt. Girls Middle School Badama Central Kurram Agency, is hereby transferred in her own pay & scale under spouse policy against the vacant post of PET at Govt. Girls Middle School Azam Din Killi Tehsil Bara Khyber Agency with immediate effect.

TA/DA/Transfer Grant is not allowed.
Charge report should be submitted to all concerned.

Secretary
Social Sectors Department

Endst: No. & Date Even.

Copy forwarded to the.

1. Director Education FATA, Peshawar w/r to his 122 dated 17-08-2012.
2. Agency Accounts Officer Kurram Agency.
- ✓ 3. Agency Accounts Officer Khyber Agency.
4. Agency Education Officer Kurram Agency.
5. Agency Education Officer Khyber Agency
6. PS to Secretary Social Sector Department FATA Secretariat Peshawar.

27/8/2012
Section Officer (Edu.SSD)

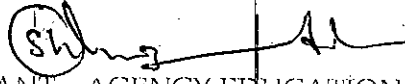
ATTESTED

 E-14

AGENCY EDUCATION OFFICE KHYBER AGENCY AT JAMRUD.

REDEPLOYMENT ORDER

Mst: Shakila Syed, P.E.T GGMS Azam Din Kalay Tehsil. Bara Khyber Agency is hereby redeployed to GGMS Fazal Rehman Kalay Tehsil Bara Khyber Agency on her own pay and scale w.e.f the date of her taking over charge till further order in the interest of public service.



ASSISTANT AGENCY EDUCATION OFFICER (F)
TEHSIL. BARA KHYBER AGENCY AT JAMRUD

23/5/2013

ATTESTED





(19) F-15

AGENCY EDUCATION OFFICE
KHYBER AGENCY AT JAMRUD
PHONE: 091-5820584 FAX 091-5820584
NO. _____ REDEPLOYMENT FILE
DATED _____ 2014

AGENCY EDUCATION OFFICE KHYBER AGENCY AT JAMRUD
REDEPLOYMENT

Consequent upon the proposal of AAEO(F) Tehsil Jamrud/ Bara Khyber Agency dated 02/04/2014 the following PST/PET Female Teachers of Tehsil Bara/Jamrud are hereby redeployed to the schools noted against their names with immediate effect, in the interest of Public service till further order however they will continue to draw their salaries from their original place of posting.

S#	Name / Designation/School.	From	Redeployed to.
1	Mst. Rozina Ayoub PST	GGPS Shah Gulab Bara	GGPS Do Ghundi Jamrud
2	Mst. Shakila Sayed PET	GGMS Fazal Rehman Bara	GGHS Hanif Jan Bara
3	Mst. Jamila Sohail PST	GGPS Yar Gul BQK Bara	GGMS Gul Abad Jamrud

NOTE: -

1. Charge report should be submitted to all concerned
2. No TA/DA is allowed.

(ATIQ UR RAHMAN)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Endst. No 1969-74 Redeployment File Dated 02/04/ 2014

Copy forwarded to the:

1. Director Education FATA at Peshawar.
2. Political Agent Khyber Agency at Peshawa
3. Agency Accounts Officer Khyber Agency.
4. AAEOs Female concerned local office.
5. Superintendent Local office.
6. Officials Concerned.

ATTESTED


AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD



Agency Education Office
Khyber Agency at Jamrud

PHONE. 091-5820265 FAX 091-5820023

No. 19056

dt 16/10/2015

G-16

CHARGE SHEET/SHOW CAUSE

1. I, Atiq-ur-Rahman, the Agency Education officer khyber, as a competent authority under Khyber Pakhtunkhwa Govt Servants (Efficiency and Discipline) Rules 2011, do hereby charge You,

1. Mst Shakeela Syed PET^G GMS AzamDin killi Bara had been absent since your illegal transfer from Kurrum agency wef 01/09/2012 and reportedly you are working in GGHS Hanif jan killi Bar Kambar Bara at sweet will, besides your transfer order and your service documents have been reported as bogus and have been illegally/bogusly hired in the system, without any formalities laid down in recruitment rule—

In exercise of the power conferred by the Khyber Pakhtunkhwa Govt: servants (Efficiency & Discipline) Rules 2011, in the capacity of the competent authority is hereby pleased to dispense with the conduct of a formal enquiry and serve you with the instant show cause notice with the direction to submit your defense by providing your transfer order and all your service document within 7 days not more than 15 days of the receipt of this notice as to why one of the major or minor penalty of Rule 4 of the said rule should not be imposed upon you and also intimate whether you desire to be heard in person.

In case you failed to submit your written reply and present the above documents before the competent with in the specified period of time it will be presumed that you have no defense to offer and in that case an ex-parte decision will be taken against you.


Competent Authority

Mst Shakeela Syed PET GMS AzamDin killi Bara/GGHS Hanif jan killi BQK Bara

1. Director Education FATA for information

ATTESTED



اس دور خطاب اچھی ایکویشن آفسر خیراچی
جنرل

جناب عالی

H-17

مؤدیانہ گزارشیں ہے کہ میں گورنمنٹ

گنریٹریائی سکول حنیف جان مکے میں محنت

P-E-T خدمات انجام دے رہی ہوں۔ مجھے

آج مورفم 2015¹⁰ 30 کو آپ کی طرف سے

جارج شیٹ وصول ہوا۔ جس میں لگاؤ لگے

تمام التراعات بے بنیاد ہیں۔ جس کا جواب

میں 20 نومبر 2015 سے ملے جمع کرونگی۔

ٹری میٹریائی ہوگی

مؤرفم 30-10-2015

العارفین

~~3487~~
P-E-T شہلہ سید

ATTESTED

G.G.H-S حنیف جان مکے

3487

30-10-2015



Agency Education Office
Khyber Agency at Jamrud
PHONE. 091-5820265 FAX 091-5820023

I - 18

NOTIFICATION-

1. **WHEREAS** It was reported that Mst Shakeela Syed PET had been fakely transferred from Kurum Agency on 01/09/2012 latter on her pay history was collected from Accounts office, wherein it was reported that her pay center had been frequently changed there from one center to other after her hiring in 2005.
2. **AND WHEREAS** Mst Shakeela Syed PET GMS Azam Dinkilli Bara had been absent since her illegal transfer from Kurum agency wef 01/09/2012 and reportedly she was working in GGHS Hanifjankilli Bar Kambar Bara at her sweet will as is evident from AEO visit dt 17-Sep-15, where Mst Fahira Zaem PET was also absent.
3. **AND WHEREAS** it was also reported that the whole service documents of Mst Shakeela Syed PET were also bogus.
4. **AND WHEREAS** the monthly salary of Mst Shakeela Syed PET was stopped wef Oct 2015.
5. **AND WHEREAS** Mst Shakeela Syed PET was served with a show cause notice vide this office No. 19056dt16/10/2015.
6. **AND WHEREAS** Mst Shakeela Syed PET responded on 30/10/2015 dairied 3487 that she will provide all the proofs on 20/11/2015 but she badly failed thereby reflecting that the charges against her are correct.
7. **NOW THEREFORE** In exercise of the Powers conferred under Rules-4 (b) (iv) of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, the competent Authority, Agency Education officer Khyber, is pleased to impose major penalty of " **Dismissal from Service** " upon Mst Shakeela Syed PET with immediate effect.

Agency Education Officer,
Khyber Agency at Jamrud

Endst: No. 19390-98 Dated Khyber the 03/11/2015

Copy forwarded to the:-

1. Additional Chief Secretary FATA Secretariat Peshawar.
2. Secretary SSD FATA Secretariat.
3. Director Education FATA
4. Political Agent Khyber.
5. DD(M&E) Directorate of Education FATA.
6. Agency Account Officer Khyber Agency at Jamrud.
7. All AAEOs local office
8. Superintendent/ Accountant for entry in her service book.
9. Officials Concerned.

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Agency Education Officer,
Khyber Agency at Jamrud

محفوظ جہا - ڈائریکٹر ایجوکیشن ماٹھ اور سہ آرڈر پشاور

(19) J

عنوان: ایئر سیرانہ بحالی ملازمت

جہا - عالی

گزارش کی جا رہی ہے کہ میں گورنمنٹ ٹیچرز ہائی اسکول حسیف جہا مکہ

پارک میں بحالی P.E.T ڈیوٹی کر رہی ہوں۔ مجھے AEO جنیور ایجنسی لکھنؤ

سے جاری شدہ جاریہ شیٹ نمبر 19056 مورخہ 16/10/2015 مورخہ 30/10/2015 کو موصول

ہوا اور یہی دن 30/10/2015 کو میں نے جاریہ شیٹ کا عارضی ہوا۔ ڈائری نمبر 3487 مورخہ 30/10/2015 جمع کر دیا۔

12 نومبر 2015 کو میں جاریہ شیٹ کا تفصیلی ہوا۔ اہم تمام نتیجوں کو AEO آفس

تسلی کر کے میرا Dismissal آرڈر دیا گیا۔ میں نمبر 98-19390 مورخہ 3/11/2015

جہا - میرا Dismissal آرڈر غیر قانونی اور ذاتی غلطی بنا دیا گیا۔ ایونٹ

میرے تمام تعلیمی کاغذات اور سروس ریکارڈ اور دیگر دستاویزات اور اصل

ہے، جبکہ AEO جنیور ایجنسی نے مجھے Dismiss کر کے یہاں سے لے کر کوئی موقع

میں دیا اور نہ ہی قانونی تقاضے پورے کیے۔

لہذا آج یہاں میری ان کے الصاف کے تقاضوں کو مدنظر رکھتے ہوئے میرا

Dismissal آرڈر اہل کر کے مجھے ملازمت بحال کرنے کے احکامات جاری کر دیے

رہی میرا ہوتی

مسل 08/12/2015

ATTESTED

العارضہ 15/12/2015

شکلہ سید P.E.T

AEHS حسیف جہا پارک



Supdt
21-12-2015

NO. _____

DATED _____ / _____ / 2015 E-7-FR LAKKI

DIRECTORATE OF EDUCATION (FATA) SECRETARIAT PESHAWAR

K-(20)

ENQUIRY OFFICERS/ORDER.

The following Officers are appointed as enquiry Officers authorized to dig out the facts/reality on the appeal of the following appellant whose services have been removed/dismissed by the Agency Education Officer Khyber Agency.

1. Mst.Naeema Gul PST and Mst.Shumaila PST GGPS Bagh Killi Kam Shalman.
2. Mst.Uzma Anjum DM GGMS Musa Killi Loi Shalman.
3. Shakeela Syed PET GGMS Azam Din Killi Redeployed to GGHS Hanif Jan Killi.

Enquiry Officers.

1. Mr.Abdur Rauf Shah Agency Education Officer Khyber Agency.
2. Mr.Shahinshah Associate Professor GDC Jamrud.
3. Mst.Neelam Azam Principal GECT (W).

The committee should submit their report within seven (7) days positively with documentary proof and recommendation/finding.

(Hamid Ullah Jan)
Director Education FATA

Endst.No. 10608-11
Copy to;

Dated 21-12 2015

1. Agency Education Officer Khyber Agency.
2. Principal GDC Jamrud with the request to allow Mr.Shahinshah AP of your college for conducting the said enquiry.
3. Principal GECT (W) Jamrud Khyber Agency for compliance.
4. PA to Director Education, FATA.

Deputy Directress (Estab)

ATTESTED



PHONE. 091-5820584 FAX 091-5820584

Agency Education Office
Khyber Agency at Jamrud

No: 6118

Date: 13/1/2016

L-(21)

To

The Director Education FATA
FATA Secretariat Warsak Road
Peshawar

Subject

ENQUIRY REPORT

Memo:

In response to the Directorate of Education FATA Letter No12608-1
Dated 21/12/2015 on the subject cited above, an enquiry report of the same is
herebysubmitted for further befitting action please.

Endst: No. _____ /-
Copy to the:

ENQUIRY OFFICERS

ENQUIRY OFFICERS

ATTESTED



Agency Education Office
Khyber Agency at Jamrud
PHONE. 091-5820584 FAX 091-5820584

No: _____

Date: _____/2016

22

INQUIRY REPORT

Introduction.

The following officers are appointed as enquiry officers hereby authorized to dig out the facts/realities on the appeals of the following appellants, whose services have been dismissed/removed by the Agency Education Officer Khyber Agency.

1. **Mst.NaeemaGul (PST) and MstShumaila (PST) Govt Girls Primary School BaghKillikamshalman**
2. **MstUzmanAnjum (DM) Govt Girls Middle School Musa KilliLoiShalman**
3. **Shakeela Syed (PET) Govt ,Girls High School Azam Din Killi redeployed to Govt,Girls High School HanifjanKilli Bara.**

We the members of the enquiry committee summoned the accused teachers namely, NaeemaGul(PST), GGPS BaghKiliKamShalman , ShumailaUmbreen (PST) GGPS BaghKilliKamShalman, Mst UZMA GUL (DM) GGMS Musa Khan KilliLandiKotal Khyber Agency and ShakilaSayed (PET) GGMS Azam Din Killi , redeployed at GGHS Hanif Jan Killi to GCET (F) Jamrud where their documents were thoroughly checked and their written statements were taken. The inquiry Committee has deduced the following findings.

FINDINGS

1. Miss UzmaGul (DM) had taken medical leave and she had gone to Umrah (Documents Attached F/A) and in that period she has been marked absent which is not correct.
2. Mst.NaeemGul (PST) and ShumailaAmbreen (PST) of GGPS BaghKilliKamShalman Khyber Agency ,attendance register was not in their custody which is still in the control of the School Malik, that is why they have been marked absent.
3. The principal of Govt,Girls Higher Secondary School LandiKotal has given a written certificate to MstNaeemaGul and ShumailaAmbareen that they are performing their duties very

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efficiently and that both of them are very dutiful. (Copy attached F/B)

- (23)
4. The most important point is that the Ex-Agency Education Officer (AEO at that time) has given a written statement to the teachers that their dismissal ought to be abolished . (Copy attached F/C)
 5. The Agency Education Officer had reported that the transfer order and service documents of Shakeela Sayed (PET) are fake . The inquiry committee checked her transfer order and service documents (attached F/D) and were found quite correct.

RECOMMENDATIONS

Keeping in view the above findings, we the members of the enquiry Committee recommend that the dismissal of Mst. Uzma Gul (DM), Naeema Gul (PST) , Shumaila Ambreen (PST) and Shakila Sayed (PET) should be abolished .

Enquiry Officers

1. Mr. Muhammad Iqbal Principal GDC Jamrud
2. Neelam Azam Principal GCET (F) Jamrud
3. Mr. Shahin Shah A/P GDC Jamrud
4. Mr. Abdur Rauf Shah AEO Khyber Agency

ATTESTED



S.No.180293

Roll No. 21808



N-24

Board of Intermediate and Secondary Education
Peshawar N.W.F.P. Pakistan
Secondary School Certificate Examination

SESSION 2001-ANNUAL

(Humanities Group)

This is to Certify that Shakeela Syed Son / Daughter of Syed Karamat Shah
and a resident of Kurran Agency has passed the Secondary School Certificate
Examination of the Board of Intermediate and Secondary Education, Peshawar held in March/April, 2001 as a Private
candidate. He / She obtained 449 Marks out of 850 and has been placed in Grade C Representing Good

The Candidate passed in the following subjects:

- | | | | |
|------------|---------------------|--------------------|-------------------------------|
| 1. English | 3. Islamiyat | 5. Mathematics | 7. Islamic Studies |
| 2. Urdu | 4. Pakistan Studies | 6. General Science | 8. Elements of Home Economics |

Date of birth according to admission form June 05, 1982

[Signature]
Asstt Secretary

ATTESTED

[Signature]

[Signature]
Secretary

This certificate is issued without alteration or erasure.

S.No. 147798



Roll No. 68953

Group. Humanities




25

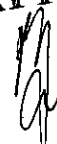
Board of Intermediate and Secondary Education
Peshawar N.W.F.P. Pakistan
INTERMEDIATE EXAMINATION

SESSION 2004-ANNUAL

This is to Certify that Shakeela Syed *Daughter of* Syed Kiramat Shah
and a resident of KURRAM AGENCY *Registered No.* 66-B/GLD-2001
has passed the Intermediate Examination of the Board of Intermediate & Secondary Education, Peshawar
held in May, 2004 *as a* Private *Candidate. She obtained* 503 *Marks out of 1100*
and has been placed in Grade D *Representing* Fair *. The Examination was taken in parts.*


Asstt Secretary

ATTESTED




Secretary



This certificate is issued without alteration or erasure.

VAKALATNAMA

IN THE COURT OF RPH Service Tribunal Peshawar

Appeal No. 385 OF 2016

Shakeela Syed

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Department

(RESPONDENT)
(DEFENDANT)

I/We Shakeela Syed

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

Dated. ___/___/2016

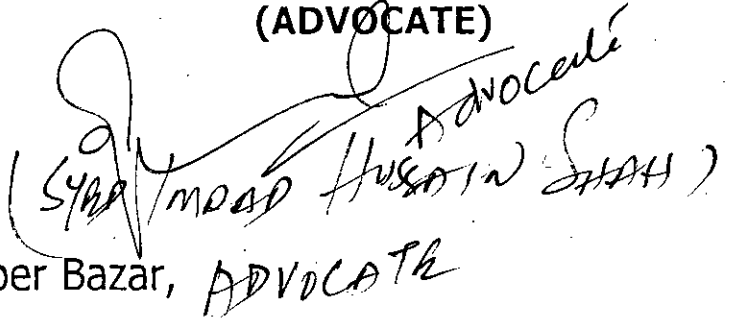


CLIENT



ACCEPTED

**NOOR MOHAMMAD KHATTAK
(ADVOCATE)**

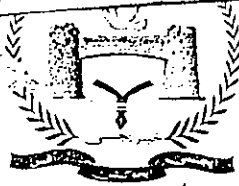

(Syed Noor Muhammad Hussain Shah)
ADVOCATE

OFFICE:

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

Phone: 091-2211391

Mobile No 0345-0322141



REINSTATEMENT ORDER..

Consequent upon the approval of Director Education FATA, in his capacity as the appellate authority, vide Endst. No.14858-59 Dated 14/11/2016 & proposal of AAEO (Female) Bara Mst.Shakeela Syed PET Govt Gils High School Hanif Jan Killi Bara Khyber Agency is hereby re- instated & adjusted to GGMS Abdullah Jan Bara Khyber Agency on vacant post with effect from the date of her removal i.e 03/11/2015, without back benefits on the following conditions:-

1. The salaries drawn by her during the removal period is to be recovered in normal installments through source from her Pay.
2. The period during which she had not performed her duty after dismissal will be converted into leave without pay w.e.f 03/11/2015 to 13/11/2016 (378 days) & will not be entitled to any back benefits.
3. This order is effective w.e.f 14/11/2016.
4. An under- taking on stamp paper will be obtained from her to the effect that she will never be absent without proper approval and will warned to be careful in future. In case if she found absent she will be removed from the service under E&D Rules 2011.

Note: Necessary entry to this effect should be made in her Service Book.

(Muhammad Jadoon Khan)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Endst: NO 9324-37 Reinstatement File. Dated 22 /11/2016.

Copy of the forwarded to the:

1. Director Education FATA at Peshawar w/r to their Endst.No. 14858-59 Dated 14/11/2016
2. Agency Accounts officer Khyber Agency at Jamrud.
3. Head Mistress GGHS Hanif Jan Bara Khyber Agency.
4. AAEO Concerned.
5. Superintendent Local Office
6. Female Accountant Branch for further pay process.
7. Data Entry operator EMIS local office
8. Official Concerned.

AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD