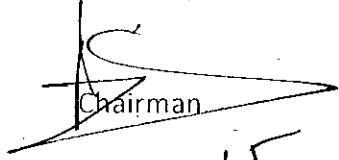


03.12.2015


Counsel for the appellant, M/S Alam Zaib, Supdt. and Muhammad Saleem, Director (Legal) alongwith Addl: A.G for official respondents No. 1 to 4 and father of private respondent No. 5 present. Learned counsel for the appellant and official respondents submitted joint statement according to which the respondent-department has agreed to transfer the appellant to Mardan instead of Kohat.

In view of the above joint statement and agreement between the parties, the appeal is disposed of as withdrawn. File be consigned to the record room.

ANNOUNCED  
03.12.2015

  
Chairman

03.12.15



26.11.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant is serving as Parole/Probation Officer (BPS-16) and vide impugned order dated 5.10.2015 transferred from the post of PPO District Courts Peshawar to the post of PPO District Courts Kohat where against she preferred departmental appeal on 8.10.2015 which was rejected on 13.11.2015 and hence the instant service appeal on 26.11.2015.

That the appellant belongs to a notable family ~~and~~ Shia sect and, previously, due to tense situation and threats faced by the appellant she was transferred to Peshawar but vide impugned order referred to above the afore-stated factor was ignored and she again exposed to the said threats. That despite departmental appeal and reasons mentioned above, her order of posting was not modified and remain posted to District Kohat where she may face the consequences of the threats if forced to join the duties as PPO. That the appellant has relinquished the charge at District Courts Peshawar and willing to serve elsewhere but, due to life threats, cannot afford to join duty at Kohat.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 3.12.2015 before S.B. Notice of stay application be also issued for the date fixed. Since the appellant has relinquished the charge and has not yet assumed the same at Kohat as such and keeping the prevailing circumstances and agonies of the appellant, it is directed that, meanwhile, she shall report to respondent No. 1 for assigning her any interim duty. Status-quo to this effect be maintained.

  
Chairman



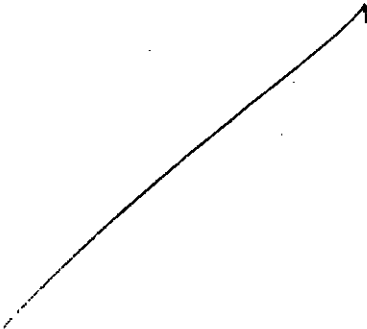
Appellant Deposited  
Security & Process Fee



Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 1323/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	26.11.2015	<p>The appeal of Ms. Lal Samina presented today by Mr. Mian Zahir Shah Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR -</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>26-11-15.</u></p> <p style="text-align: right;"> CHAIRMAN</p> 

**BEFORE THE PROVINCIAL SERVICES TRIBUNAL, PESHAWAR**

Appeal no. 1323/2015

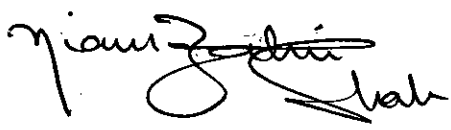
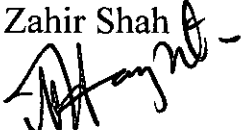
**Lal Samina VS Secretary Home**

**INDEX**

S.No	Description Of Documents	Annexure	Pages
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2	Memo Of Addresses		5
3	Affidavit		6
4	Interim Application		7
5	Affidavit		8
6	Copy of the Appointment Letter	A	9-10
7	Copy of the Transfer Application Dated 18/10/2012	B	11
8	Copy of the Appreciation Certificate	C	12 to 14
9	Copy of the Complaint dated 31/12/2013	D	15 to 17
10	Copy of the Transfer Order dated 05/10/2015	E	18
11	Copy of the Departmental Representation	F	19
12	Copy of the Dismissal of Departmental Representation	G	20 - 21
13	Vakalatnaama		

  
APPELLANT

Through

  
Mian Zahir Shah  
&   
Azam Hayat Khan  
Advocates, High Court  
Peshawar

**BEFORE THE PROVINCIAL SERVICES TRIBUNAL, PESHAWAR**

Appeal No. 1323/2015

P.W.F. Province  
Service Tribunal

Diary No. 1379

Dated 26-11-2015

Lal Samina W/O Syed Kazim Hussain D/O Syed Tahir Hussain R/O  
Yosafkhel, Para Chenar, Tehsil Upper Koram, Koram Agency.

**Appellant**

Versus

1. Secretary Home, Khyber Pakhtunkhwa, Peshawar.
2. Additional Secretary Home, Khyber Pakhtunkhwa, Peshawar.
3. Section Officer (prisons). *HOME DEPT. CIVIL SECRETARIATE, PKW.*
4. Director Reclamation and Probation Department, Khyber Pakhtunkhwa, Peshawar .
5. Mrs. Najma Ajmal Probation officer, District Court Kohat

**Respondents**

**APPEAL AGAINST THE NOTIFICATION  
NO.SO(Prisons)-HD/9-4/BC-118790/2012  
DATED 05/10/2015 WHEREBY THE  
RESPONDENT NO.3 TRANSFERED THE  
APPELLANT FROM DISTRICT COURT  
PESHAWAR TO DISTRICT COURT KOHAT  
AND ALSO AGAINST THE OFFICE DATED  
13/11/2015 WHEREBY THE  
DEPARTMENTAL APPEAL OF THE  
APPELLANT HAS BEEN DISMISSED BY  
RESPONDENT No.1**

**Prayer in Appeal**

On acceptance of this appeal the impugned Notification NO.SO(Prisons)-HD/9-4/BC-118790/2012 Dated 05/10/2015 and the dismissal of the departmental representation dated 13/11/2015 may please be cancelled as being illegal, unlawful, void and ineffective and the Appellant may please be allowed to continue her services at District Court Peshawar. Any other remedy deems appropriate in the circumstances of the case may also be granted to the appellant.

**Respected Sheweth:**

1. That the Appellant belongs to a respectable shia family of Parachenar Kurram Agency, the elders of the family of the Appellant are highly notable, distinguished and prominent members of the shia sect of the locality and most of them are the ulmah of shia sect.
2. That the appellant was appointed on the post of Female Parole/Probation officer BPS 16 vide Letter No.535-40DR&P(P/F) Dated 22/02/2012 by the Respondent No.1. (Copy of the Appointment Letter is annexed as Annexure A)
3. That the Appellant first posting was at District Bannu, where the appellant has performed her duties in a professional manner with dignity, zeal and devotion.
4. That as the Appellant belongs to a prominent shia family of Parachinar, at her posting at Bannu the Appellant receiving threats and immoral massages from some unknown persons, eventually on 18/10/2012 she approached Respondent No.1 for her transfer to anywhere else where the sectarian issues/risks were less then Bannu. (Copy of the Application is Annexed as Annexure B)
5. That the Respondent No.1 has pleased to transfer the Appellant from Bannu to Peshawar on 31/10/2012.
6. That after taking the charge in Peshawar, the Appellant performed her duties with more zeal, confidence and in fearless atmosphere.
7. That Appellant whole service record is crystal clean & her services towards his employer was up to the mark & the superior officers were satisfied with her performance and in the reward of Appellant hard work, honesty, goodwill & reputation the Director Reclamation & Probation KPK Peshawar on 28/03/2013 had pleased to grant a Progress Appreciation Certificate to Appellant. (Copy of the Certificate is annexed as Annexure C)
8. That it is pertinent to mention here that the appellant has never conflict with any one in the department, she enjoyed a better cordial and profession working relationship with her colleagues and the department appreciated the Appellant with various certificates, but unfortunately the one, Naimat Ullah i.e Respondent No.4 has the professional jealousy with the Appellant, who used to tease the Appellant without any valid and solid reasons.
9. That the above said Respondent No.4, who is of the same pay scale as of the Appellant, are unnecessarily and illegally middling in the Appellant responsibility which did not come

under his domain, all such acts of the Respondent No.4 was based on malafide, biasness and professional jealousy, eventually on 31/12/2013 the Appellant submitted a complaint to Respondent No.2 against the Respondent No.4. (Copy of the Complaint is annexed as Annexure D)

10. That on the instigation of Respondent No.4 the authority has transferred the Appellant from Peshawar to Kohat vide impugned Notification NO.SO(Prisons)-HD/9-4/BC-118790/2012 Dated 05/10/2015. (Copy of the Notification is annexed as Annexure E)
11. That as per law applicable, the appellant has submitted a departmental appeal against the impugned Notification before Respondent No.1 on 08/10/2015. (Copy of the Departmental Appeal is annexed as Annexure F)
12. That on 13/11/2015 the Respondent No.1 has dismissed the said departmental representation. It is pertinent to mention here that the malafide of the respondents can be estimated from the fact that they have not intimated the same to the appellant in order to prevent her from filing the appeal before this Hon'ble Tribunal. (Copy of the Dismissal of Departmental Appeal is annexed as Annexure G)
13. That it is worth mentioning here that when the appellant relinquished her charge from the department then the respondent intimated the appellant that her departmental representation has dismissed, which shows the malafide on the part of the respondents.
14. That being aggrieved from the above said both orders the Appellant submits this Appeal before this Hon'ble Tribunal inter alia on the following grounds;

**GROUND:-**

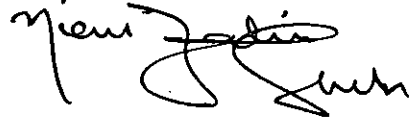
- A. That the impugned order is illegal, unlawful, void and ineffective hence not sustainable in the eye of law.
- B. That the same is against the natural justice also as the Appellant belongs to a shia family of Parachinar Kurram Agency, the elders of the family of the Appellant are highly notable, distinguished and prominent members of the shia sect of the locality and most of them are the ulmah of shia sect. it is pertinent to mention here that hundreds of Shias have subjected to brutal killings, kidnappings and torture on main highway particularly in Dera Adam Khel on the basis of their sectarian identity.

- C. That the Appellant has not been treated in accordance with law, hence the impugned conduct of the Respondents is contrary to Article 4 of the Constitution.
- D. That the impugned notification is based on malafide intention and extraneous consideration.
- E. That it is a well established law that every civil servant will have to be placed with proper posting and assignment of duties where he/she can work and render valuable service to the state.
- F. That the appellant has never conducted prejudicial to good order or service discipline or abuse or misuse of official position to gain undue advantage in the performance of official duties.
- G. That the very valuable rights of the Appellant are attached with the instant appeal and if she is not allow to work in Peshawar the Appellant will suffer irreparable loss.

It is, therefore, most humbly requested that on acceptance of this appeal the impugned Notification NO.SO(Prisons)-HD/9-4/BC-118790/2012 Dated 05/10/2015 and the dismissal of the departmental representation dated 13/11/2015 may please be cancelled as being illegal, unlawful, void and ineffective and the Appellant may please be allowed to continue her services at District Court Peshawar. Any other remedy deems appropriate in the circumstances of the case may also be granted to the appellant.

  
APPELLANT

Through

  
Mian Zahir Shah  
&

  
Azam Hayat Khan  
Advocates, High Court  
Peshawar



**BEFORE THE PROVINCIAL SERVICES TRIBUNAL,**  
**PESHAWAR**

**Lal Samina      VS      Secretary Home**

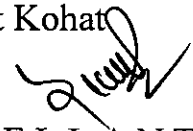
**MEMO OF ADDRESSES**

**APPELLANT**

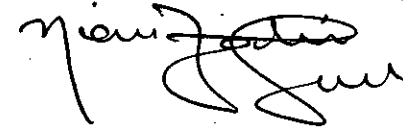
Lal Samina W/O Syed Kazim Hussain D/O Syed Tahir Hussain R/O  
Yosafkhel, Para Chenar, Tehsil Upper Koram, Koram Agency. ,

**RESPONDENTS**

1. Secretary Home, Khyber Pakhtunkhwa, Peshawar.
2. Additional Secretary Home, Khyber Pakhtunkhwa, Peshawar.
3. Section Officer (prisons).
4. Director Reclamation and Probation Department, Khyber  
Pakhtunkhwa, Peshawar .
5. Mrs. Najma Ajmal Probation officer, District Court Kohat

  
APPELLANT

Through

  
Mian Zahir Shah  
Advocate, High Court  
Peshawar

**BEFORE THE PROVINCIAL SERVICES TRIBUNAL,**  
**PESHAWAR**

**Lal Samina VS Secretary Home**

**AFFIDAVIT**

I Lal Samina W/O Syed Kazim Hussain D/O Syed Tahir Hussain R/O Yosafkhel, Para Chenar, Tehsil Upper Koram, Koram Agency. do hereby solemnly affirm and declare on oath that the contents of the Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon able court

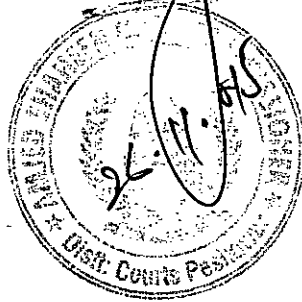


Deponent

**Identified By**



Mian Zahir Shah  
Advocate



**BEFORE THE PROVINCIAL SERVICES TRIBUNAL,**  
**PESHAWAR**

**Lal Samina      VS      Secretary Home**

**APPLICATION FOR GRANT OF INTERIM RELIEF**

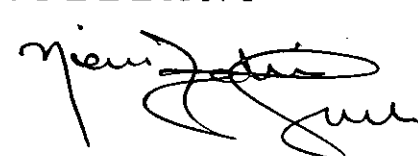
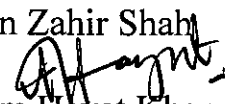
**Respectfully Sheweth**

1. That the applicant has filed the annexed Appeal with this application wherein no date of hearing is fixed yet.
2. That the contents of the Appeal may kindly be considered as an integral part of this application.
3. That the applicant has got good prima facia case in her favour and has every hope of its success.
4. That balance of inconvenience liens in favour of applicant.
5. That the applicant will suffer irreparable loss if the impugned notification is non suspended and the Appellant is not allowed to work in Peshawar till the final disposal of the instant appeal.

It is, therefore, humbly prayed that on acceptance of this application the impugned notification may pleased be suspended and the Appellant may pleased be allowed to work in Peshawar till the final disposal of the instant appeal.

  
APPELLANT

Through

  
Mian Zahir Shah  
  
Azam Hayat Khan  
Advocate, High Court  
Peshawar

**BEFORE THE PROVINCIAL SERVICES TRIBUNAL,**  
**PESHAWAR**

**Lal Samina VS Secretary Home**

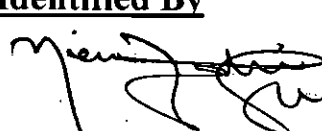
**AFFIDAVIT**

I Lal Samina W/O Syed Kazim Hussain D/O Syed Tahir Hussain R/O Yosafkhel, Para Chenar, Tehsil Upper Koram, Koram Agency. do hereby solemnly affirm and declare on oath that the contents of the Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon able court



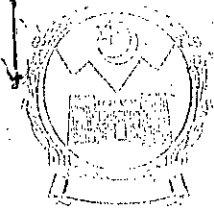
Deponent

**Identified By**



Mian Zahir Shah  
Advocate





GOVERNMENT OF  
RECLAMATION AND PROBATION  
KHYBER PAKHTUNKHWA

Government Fund Building R. No. 126-127-128 & 231  
P.O. 9215309, 9211207 Fax: 9210720

No. S 35-40 D.R&P P/F

Dated Peshawar, K.P. 22/2/12

Annex A  
(9)

To

Ms. Lal Samina D/O Syed Tahir Hussain,  
Working Women Hospital Khyber Pakhtunkhwa,  
Gulabad Peshawar.

Subject:- APPOINTMENT AS FEMALE PAROLE/PROBATION OFFICER (BPS -16)

Memo:

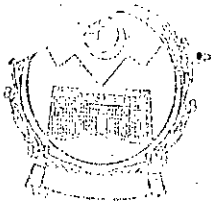
Consequent upon the recommendation of Khyber Pakhtunkhwa Public Service Commission, a post of Female Parole/Probation Officer BPS-16 i.e. Rs.10000-800-34000) in the Reclamation and Probation Department Khyber Pakhtunkhwa is hereby offered to you and posted you as Female Parole/Probation Officer, District Courts Bannu against the vacant post.

Your appointment is subject to the following conditions:-

1. Your appointment will take effect from the date you join duty at the office of your posting.
2. Your appointment is purely temporary and your services are liable to be terminated at any time on 15 days notice without assigning any reasons.
3. No TA/DA will be admissible to you for joining your first appointment.
4. In case you wish to resign at any time you will give one month notice OR in lieu thereof one month pay will be forfeited from you subject to the discretion of the competent authority in public interest.
5. You will be eligible for continuance on the post if your work and conduct remained satisfactory during the period of your this temporary appointment provided the vacancy against which you have been appointed continues.
6. Your services will be terminated if your work and conduct is not found satisfactory OR the vacancy ceases to exist.
7. You will be on probation for a period of two years.
8. You will not contribute to G.P.Fund and shall not be entitle to Pension, Gratuity benefits. You will for all intents and purposes be Civil Servant except for the purpose of pension and gratuity. In lieu of the same, you will be entitled to receive C.P.Fund according to prescribed manner.
9. The terms and conditions of your service will be those as laid down in the West Pakistan Government Temporary Employment Rules and Reclamation and Probation Department Recruitment Rules, 2006.
10. For all other purposes such as Pay, T.A. and Medical Attendance etc: you will be governed by such Rules as may be issued by the Government for the category of Government Servants of the Reclamation and Probation Department to which you will belong.

You will be governed by the NWFP Government Servants(Conduct ) Rules 1987, the NWFP Civil Servants (Efficiency and Discipline) Rules. 2011, Reclamation and Probation Department Service Rules, NWFP Civil Servants(Appel) Rules 1986, the NWFP Civil Servants Act,1973, the NWFP Government Servants (Appointment, Promotion and Transfer) Rules 1989, NWFP Removal from Service (Special Power) Ordinance 2000 and all other rules/regulations framed or to be framed by the Government from time to time.

Attested  
by  
[Signature]



10  
DIRECTORATE OF  
RECLAMATION AND PROBATION  
K.P.C., PESHAWAR

Government Fund Building R. No. 126-127-128 & 231  
P.N.O. 9213300, 9211207 Fax: 9210720

No. \_\_\_\_\_ D.R.&P.( )

District Peshawar

In case you accept the appointment on the above cited terms and conditions, you should report to the office of Female Parole/Probation Officer, District Courts Bannu with in 10 (ten) days of the receipt of this letter at your own expenses. In case you fail to join duty within the said period, the offer of appointment will be treated as cancelled/withdrawn.

(WASIMA JAMIL)

DIRECTOR  
RECLAMATION & PROBATION  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Endst:No.& Date Even

Copy of the above is forwarded to :-

1. The Secretary to Government of Khyber Pakhtunkhwa, Home & T.As Department, Peshawar.
2. The District & Session Judge, Bannu.
3. The District Accounts Officer, Bannu.
4. The Probation Officer District Courts, Bannu.
5. Personal file of the official concerned

DEPUTY DIRECTOR  
RECLAMATION & PROBATION  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Annex - B

(11)

To

The Secretary Home

Government of Khyber Pakhtunkhwa, Peshawar, Pakistan.

Subject: Request of Transfer from Bannu to Peshawar.

Respected Sir/Madam

With due respect it is stated that I have been working as Probation Officer in District Courts Bannu for the last 08 months and performing my duties in professional manner with dignity, honesty and devotion but unfortunately for last few months I have been regularly receiving threats and immoral messages from some unknown sources/people that negatively effected my professional growth and I have been going through constant stress and mental trauma.

Sir it is pertinent to mention here that I am a female hailing from Parachinar, Kurram Agency, FATA and belongs to a respectable Shia family/sect and it would be in your kind knowledge that for the past few years the entire region of FATA and particularly Kurram Agency have been affected by the worst form of militancy and sectarian clashes. This prolonged conflict have affected the entire fabric of society and hundreds of Shias have subjected to brutal killings, kidnappings and torture on main highway particularly in Dara Adam Khel, Sadda and other areas on the basis of their sectarian identity and belief.

Respected sir, keeping in view the aforementioned situation I am going through a constant fear of life threats and other dangers on the basis of my sect and being a female performing my duties in a far flung, strategically sensitive zone and prone to violence. I therefore humbly request to consider my case sympathetically and facilitate me in my case of transfer orders from Bannu to Peshawar.

I am looking forward to a positive and humane response and would be grateful for this act of kindness.

Thanking you in anticipation

Dated: 18/10/2012

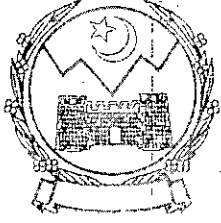
Attested  
by  
[Signature]

You're sincerely

Ms Samina [Signature]

Probation Officer

District Courts Bannu, KPK



21  
1/4/2013

Annex c  
12

DIRECTORATE OF  
RECLAMATION AND PROBATION,  
K.P.K., PESHAWAR

Benevolent Fund Building R. No. 126-127-128 & 231  
P.No. 9210309, 9211207 Fax: 9210720

No. 128 D.R&P (S-1A)

Dated Peshawar the 28-3-13

To

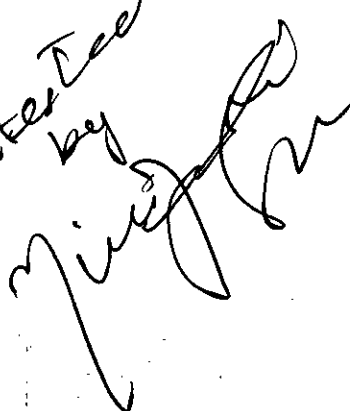
Mr, Lal Samina ( F )  
Probation Officers,  
District Courts Peshawar.

Subject: - PROGRESS/ APPRECIATION CERTIFICATE.

Memo:

The undersigned has been pleased to appreciate and to acknowledge your outstanding progress for the month of February 2013 and to issue appreciation Certificate in this regard please.

  
DIRECTOR  
RECLAMATION & PROBATION  
~~##~~ KHYBER PUKHTUNKHWA PESHAWAR.

Attested  
by  


Received  
Jawid  
1-4-2013




DIRECTORATE OF RECLAMATION & PROBATION KHYBER  
PAKHTUNKHWA PESHAWAR

13

TO WHOM IT MAY CONCERN.

*Mr./Mrs./Miss. Lal Samina, Probation Officer(F) District Courts,  
Peshawar is highly appreciated for his/her out standing progress for the  
month of February/2013.*

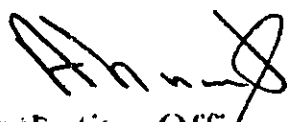
  
DIRECTOR  
RECLAMATION & PROBATION  
KHYBER PAKHTUNKHWA  
PESHAWAR

Completion Certificate of Basic Training

Miss. Lal Samina, Probation Officer, Bannu, has successfully completed her two months basic training period regarding Probation and Parole laws. She has evinced keen interest to acquaint herself with all the relevant provisions of Pakistan Probation of Offenders Ordinance 1960, Good Conduct Prisoners Probation Release Act, 1926 and Juvenile Justice System Ordinance, 2000 and also its rules. She has attended the Criminal Justice Coordination Committee meeting held on 27-03-2012 and meetings with Additional Sessions Judges and Judicial Magistrates regarding probation case work held on 03-04-2012 in Bannu. She has also attended the Courts, which is essential for the Probation Officer to apprise hereby in the disposal of cases at the time of releasing the offenders on probation by any court.

I observed that she is such a competent Female Probation Officer. During training, I observe that she has a punctual and a regular officer and would be an credit tie of this Department while in achieving comprehensive results in getting the cases of probation from the courts and keeping close contacts with courts.

Now she can independently perform her duty as Probation Officer with confidence.

  
Probation Officer-II  
District Courts  
Peshawar

Dated: /05/2012

Office of the Probation Officer (F)

District Courts Peshawar.

No: NSP.O (F)

Dated: 31/12/2013.

Annex D  
15

To

The Additional Secretary Home

Government of Khyber Pakhtunkhwa.

**Subject:-Complaint against Acting Director Reclamation & Probation for harassment  
indiscrimination and using abusive language.**

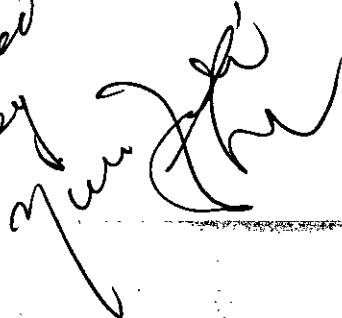
Respected Madam

Through this letter I would like to bring into your kind notice a very serious and urgent matter related to Acting Director R & P indiscriminate behaviour, abusive language, non professional attitude and threatening of dire consequences to female Probation Officer District Courts Peshawar.

Accordingly this morning at 10:09 am I received a call from the directorate R & P which I missed but soon called back on 10.23 am and asked the reason for being called. The superintendent who received the phone call informed me that the Acting Director wanted to talk to you and now he left for Mardan but surprisingly in a short while the Acting Director R & P entered my office and kicking the door angrily with a harsh attitude shouting and using extremely abusive language without listening my point of view and continuously taunting and threatening me for dire consequences and serious repercussions. He falsely stated that he contacted me several times over the phone which is totally wrong the fact is he only called me once and after 14 minutes I called back immediately. Secondly he alleged me for being coming late to office which is also wrong and a deliberate attempt to find a reason for explanation call or offend me to use the same abusive language against him which I restrained. My phone record and office assistant are proof of my innocence. Even then confronting this unwanted situation I did not argue with him and tried best to control my nerves and behave politely. I requested him to be patient and avoid using lay man street language in the public office with a female but he still maintained insulting and abusive language.

His aggressive attitude and threatening language is a clear reflection of his future plans and main reason that why I approach Home Department against him and highlighted his indiscrimination and non professional attitude. Besides the said incident is also termed to be an act of harassment of female workers at the work place and can be tried under the amended section 509 of the Pakistan Penal Code 1860 and "The Protection Against Harassment of Women at Workplace Act, 2010" in which any one found guilty of such acts can be imprisoned for a maximum term of 3 years or fined with a maximum sum of PKR 5 Lakh or with both.

Furthermore it is worth to remind here that the said department is already being highlighted in the female harassment case i.e. Director R & P VS four female probation officers in 2011 in which the Peshawar High Court took Suo motto notice of the said incident and directed the Khyber Pakhtunkhwa government to dismiss the then director on found guilty of harassing female probation officers. I am even worried that if the present acting director continues to work on breaching gross violation of the rules and regulations and harassing female employees through various ways and may lead to repeat the same episode in the competent court of jurisdiction. Despite the fact that the

Attested  
by  


concerned is in grade 16<sup>th</sup> and has already being controversial in so many issues is still allowed to work on the post.

Another issue that need your attention is that he is strongly favouring office politics by using one colleague against the other and using his close aides as his sources, encouraging male colleagues to create issues particularly for females and harassed them through various ways & means and policing them instead of focusing their own job responsibilities.

It is therefore humbly requested to forewarn and prevent the concerned for violating and miss using his authority and breaching official rules of business, advised him to treat all employees as equal and respect their self esteem and stop him from any misadventure in the future and victimization of subordinates particularly females.

I hope you will take up the issue as most urgent and sensitive and treat the matter according to the principles of justice, equality and in the best interest of department.

Note :- The another issue is that

I want to bring into your kind notice is that the Director R+P marked me absent in the attendance Register while the fact is I remained in office for the whole day and my office assistant and other colleagues are witnesses of my presence. This action also reflects his indiscriminate jealousy and victimizing...  
(copy enclosed)

Probation officer (F)  
District Courts  
Peshawar.

1/12/01

for the month of December 1953

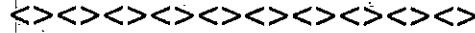
12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 Total No. of Days

Remarks

12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
P	P	P	x	elt	P	P	P	P	P	x	P	P	P	elt	x	P	P				
P	P	elt	x	P	P	P	P	P	x	P	P	P	P	P	x	P	P				2 c/leaves
P	P	P	x	P	P	P	P	P	x	P	P	P	P	P	x	P	P				1 c/leaves
P	P	P	x	P	P	P	P	elt	elt	x	P	P	P	P	x	P	P				3 c/leaves



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT



Dated the, 05<sup>th</sup> October, 2015, Peshawar.

*Amner E.*  
*(18)*

**NOTIFICATION**

No. SO(Prisons)-HD/9-4/BC-118790/2012. The Competent Authority is pleased to order posting/transfers of the following Parole and Probation Officers (BPS-16) of Directorate of Reclamation & Probation, Khyber Pakhtunkhwa in the best public interest, with immediate effect:

Sr.#	Name of the officer	From	To
1	Mrs. Lal Samina Probation Officer (BPS-16)	District Courts Peshawar	District Courts Kohat
2	Mrs. Saima Azam Probation Officer (BPS-16)	District Courts Swat	District Courts D.I.Khan
3	Miss Rozina Wahab Probation Officer (BPS-16)	District Courts Mardan	District Courts Swat
4	Mrs. Najma Ajmal Probation Officer (BPS-16)	District Courts Kohat	District Courts Peshawar



133715

Secretary to Government of Khyber Pakhtunkhwa  
Home & TAs Department.

No. SO(Prisons)-HD/9-4/BC-118790/2012.-

A copy is forwarded for information and necessary action to the: -

1. The Director Reclamation & Probation, Khyber Pakhtunkhwa, with reference to his letter No. 2077 dated 29/09/2015.
2. The Accountant General, Peshawar, Khyber Pakhtunkhwa.
3. District Accounts Officer's, Swat, Mardan and Kohat.
4. PS to Secretary Home, Khyber Pakhtunkhwa.
5. PS to Special Secretary Home, Khyber Pakhtunkhwa.
6. Officers Concerned.
7. Master file.

*Attested by*  
*[Signature]*

*[Signature]*

(Junaid Ali Khan)

SECTION OFFICER (PRISONS)

To

The Hon'ble Home Secretary  
Khyber Pakhtunkhwa, Peshawar.

Annex F

19

Subject: DEPARTMENTAL APPEAL-CANCELLATION OF TRANSFER ORDERS

Respected Sir,

With immense regards, it is stated that I have been working as Probation Officer in District Peshawar for the last 3 years and performing my duties in professional manner with dignity, honesty and devotion.

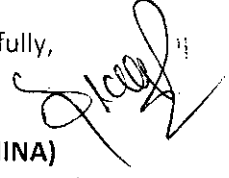
2. Sir, it is to be mentioned that I am a female, hailing from Parachinar Kurram Agency, FATA and belong to a notable Shia family. It would be in your kind knowledge that for the past few years, entire belt of FATA in general and Kurram Agency in particular, is highly affected by the worst militancy and sectarianism. This prolonged conflict has not only affected the entire fabric of society, but also resulted in brutal killings, kidnapping and torture of hundreds of Shia's on main highway, particularly at Dara Adam Khel, Hangu, Sadda and other areas on basis of their sectarian identity and belief.

3. Now I have been transferred from Peshawar to Kohat, which is strategically sensitive zone and prone to violence. Being a Shia female, I feel much insecure in performance of duties in the newly posted station as the same could be a risky task for me. Similarly, due to residence in Peshawar with husband running own business, it is unmanageable for him to shift his business to any other District abruptly.

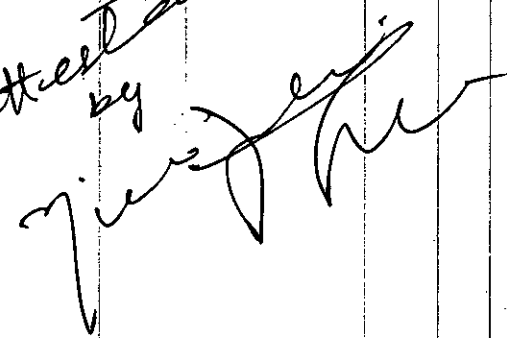
4. In the pre-context, your honor is very humbly requested to consider my case compassionately for cancellation of transfer orders from Peshawar to Kohat so that I may be able to continue my duties with serenity and devotion for which I shall indeed be obliged to you, Sir.

Dated: 08/09/2015

Yours faithfully,



(LAL SAMINA)  
Probation Officer, Peshawar.

Attested by  




GOVERNMENT OF KHYBER PAKHTUNKHWA,  
HOME & TRIBAL AFFAIRS DEPARTMENT.

NO. SO (PRISONS)/HD/9-4/BC-118790/2012.

Dated Peshawar the 13<sup>th</sup> November, 2015.

*Answered by*  
*(20)*

To

The Director,  
Directorate of Reclamation & Probation,  
Khyber Pakhtunkhwa,  
Peshawar.

Subject:- DEPARTMENTAL APPEAL-CANCELLATION OF TRANSFER ORDERS.

Dear Sir,

*2234*

I am directed to refer to your letter No. ~~2284~~<sup>2234</sup>-7/D.R&P(PF), dated 27/10/2015 on the subject noted above and to state that since the competent authority has already ordered to ensure compliance of the transfer, as such, keeping in view comments of the Directorate of R&P, as contained in your letter under reference, the appeals of the individuals have considered by this Department filed.

2. The appellants may be informed accordingly.

Yours faithfully,

Section Officer (Prisons)

CC:-

1. PS to Home Secretary, Khyber Pakhtunkhwa.
2. PS to Special Secretary Home, Khyber Pakhtunkhwa.
3. Master file.

*Attended by*  
*[Signature]*

*Sign* \_\_\_\_\_

*[Signature]*  
*19/11*  
*[Signature]*



21



**DIRECTORATE OF  
RECLAMATION & PROBATION  
KHYBER PAKHTUNKHWA  
PESHAWAR**

Benevolent Fund Building Room No. 126-128.  
Ph# 091-9213309, 9211207  
Fax No. 091-9210720

No. 2381-83 D.R&P( A-5 )

Dated Peshawar the 20/11/2015

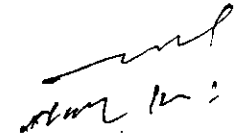
To

1. Miss.Rozina Wahab, Probation Officer,  
District Courts, Swat.
2. Mrs.Saima Azam, Probation Officer,  
District Courts, D.I.Khan.
3. Mrs.Lal Samina, Probation Officer,  
District Courts, Kohat.




Subject: DEPARTMENTAL APPEAL-CANCELLATION OF TRANSFER ORDERS.

Reference to the subject noted above and to enclose herewith Government of Khyber Pakhtunkhwa Home & Tribal Affairs Department letter No.SO (PRISONS) /HD/9-4/BC-118790/2012 dated 13-11-2015, which is self explanatory for information & strict compliance.

Encl:A.A:

  
DIRECTOR  
RECLAMATION & PROBATION  
KHYBER PAKHTUNKHWA  
PESHAWAR

Sign 25/11/2015  
(R)

			9471
ایڈووکیٹ / دستخط: _____ بار کونسل اہلکار ایسوسی ایشن پشاور رابطہ نمبر: _____		پشاور بار ایسوسی ایشن، نمبر پختونخواہ	
BC-10-1972 0300582824 0333 9946163			

بعدالت جناب: مندرجہ مندرجہ کے لئے پتہ

منجانب: اپیل 	دعویٰ: علت نمبر: مورخہ: جرم: تھانہ:
<b>بابت تحریر آگے</b>	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پر دی و جواب دی کاروائی متعلقہ  
 ان مقام ہنسہ کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو  
 راضی نامہ کرنے و تقریر جہالت و فیصلہ برطین دینے جواب دعویٰ اقبال دعویٰ اور درخواست ازہر قسم کی تصدیق  
 زریں ہد دستخط کرنے کا اختیار ہوگا، نیز ضرورت ہر صورت میں ہر ذریعہ یا اپیل کی آزمائگی اور منسوخی، نیز  
 دائر کرنے اپیل نگرانی و نظریاتی و پیروی کرنے کا اختیار ہوگا اور ضرورت ہر صورت مقدمہ مذکورہ کے کل یا جزوی  
 کاروائی کے واسطے اور وکیل یا پختونخواہ قانونی کو اپنے ہمراہ یا اپنے مجھے تقرر کا اختیار ہو گا اور صاحب  
 مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا سامنے ہر ذریعہ منظور و قبول ہوگا دوران مقدمہ  
 میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا وہ وکیل موصوف و جہالت نے کا اختیار ہوگا کوئی تاریخ پیشی مقام  
 دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی میں کو ذرا کریں، لہذا وکالت نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ کے لئے منظور ہے۔

**IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**

**APPEAL NO.1323/2015**

**LAL SAMINA .....**

**APPELLANT**

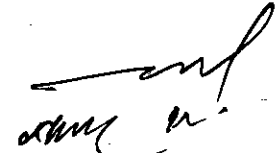
**VERSUS**

**THE SECRETARY, HOME & TRIBAL AFFAIRS DEPARTMENT  
Government of Khyber Pakhtunkhwa, Peshawar & Others**

**..... RESPONDENTS**

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2.	Reply to the Application.	-	4-5
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4.	Annexure	"A"	7-13
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**DIRECTOR**  
**REGISTRATION & PROBATION**  
**K.P.K. PESHAWAR**

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO.1323/2015

①

LAL SAMINA .....

APPELLANT

VERSUS

THE SECRETARY, HOME & TRIBAL AFFAIRS DEPARTMENT  
Government of Khyber Pakhtunkhwa, Peshawar & Others

..... RESPONDENTS

COMMENTS ON BEHALF OF RESPONDENTS NO.1 to 4

Respectfully Sheweth,

PRELIMINARY OBJECTIONS:

1. That the present appeal is not maintainable in the eye of law.
2. That the appellant has got no cause of action.
3. That the appellant has got no locus standi to file the appeal in hand.
4. That appellant has not come to this Honourable Tribunal with clean hands.
5. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
6. That the appellant has concealed material facts from this Honourable Tribunal.
7. That the appellant is estopped by his own conduct to bring the present appeal before this Honourable tribunal.

PARAWISE REPLY:-

1. Para No.1 of the appeal needs no reply. The burden of the same is lying on the appellant.
2. Para No.2 of the appeal pertains to record, hence need no comments.
3. Para No.3 of the appeal is correct to the extent that the applicant was first posted at District Bannu, however, rest of the para is incorrect. During the posting at District Bannu, she remained absent for quiet sufficient time and the Deputy Director Reclamation and Probation submitted a report to the Director Reclamation and Probation for initiating appropriate action, (Annexure-A)
4. Para No.4 is incorrect. As stated above at Para No.3, to safeguard her illegal absence from duty, the appellant submitted an application for transfer, however rest of the para is incorrect, as the appellant has not submitted any documentary proof regarding threats or immoral messages from some unknown persons. It is pertinent to mention here that the appellant has not produced the cell no. from which such type of immoral messages were given to her.
5. Para No.5 is incorrect. According to the record respondent No.1 has not made the transfer order of the appellant, however, the appellant with the active

*[Handwritten signature]*



connivance of the then Directress, Reclamation and Probation transferred the appellant from Bannu to Peshawar (**Annexure-B**)

21

6. Para No.6 is incorrect. According to the record, the appellant was served many explanations and even the Directorate of Reclamation and Probation requested the Administrative Department to enhance her probation period because of unsatisfactory performance of the appellant. Moreover, the conduct of the appellant can also be judged that she was nominated for training and left the same without intimation to Donor or to the Department concerned. This information was communicated by the Section Officer (General), Home & TAs Department and the appellant was given explanation on such conduct. (**Annexure-C**)
7. Para No.7 is incorrect. Detail reply is submitted at para No.6. Moreover, after transfer from District Peshawar to Kohat, the appellant locked the office situated at District Courts Peshawar and the new officer when assumed the charge of her duty at Peshawar informed the Directorate accordingly. So, the Directorate of Reclamation and Probation vide letter dated 17-11-2015 (**Annexure-D**) requested the District & Session Judge Peshawar to depute a Judicial Magistrate to unlock the official cupboard of the office of the Probation Officer Female and prepared the inventory report. The Judicial Magistrate-VI Peshawar after observing all legal formalities submitted his report vide letter dated 17-11-2015 (**Annexure-E**) which further show the conduct of the appellant.
8. Para No.8 is incorrect. The attitude of the appellant is not up to the mark towards her seniors as well as her colleagues. Mr. Zafar Iqbal Probation officer District Court Peshawar submitted a written complaint against the appellant, wherein he show his apprehension of harassment from the hands of the appellant. (**Annexure-F**)
9. Para No.9 is incorrect. Respondent No.4 is the senior most officer of the Directorate and the competent authority posted him as Director Reclamation and Probation being head of the Department (**Annexure-G**). There is no malafide on the part of respondent No.4 for transfer of the appellant rather the same was made by the competent authority.
10. Para No.10 is incorrect. According to the appointment order of the appellant, the competent authority may post him anywhere in the Province according to provision contains in the Khyber Pakhtunkhwa Civil Servant Act, 1973 and Rules / policy made there under. The appellant was transferred alongwith other probation officer after completing her normal tenure at district Peshawar. Moreover, according Rule-22(3) of the Probation of Offenders Rules, 1961 no female offender shall be placed under the supervision of a male Probation Officer. In District Kohat no other female Probation Officer is available and for the sake of leniency, she may be requested to opt any District except Peshawar where she complete her normal tenure.
11. Para No.11 pertains to record, hence needs no reply.
12. Para No.12 is incorrect. The competent authority after considering the appeal of the applicant, communicate his decision through letter No.2381-83 /DR & P (A-5) dated 20-11-2015. (**Annexure-H**)
13. Para No.13 is incorrect, detail has been submitted in the above paras.

*[Handwritten signature]*

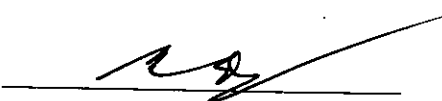
14. That on the basis of above, the appeal of the appellant may kindly be dismissed. (3)

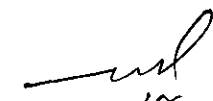
**GROUNDS**


- A) Incorrect. The order of the competent authority is according to Law and in the best public interest.
- B) Incorrect.
- C) Incorrect. Detail has been mentioned in Para No.A.
- D) Incorrect. The notification is according to Law and the Rules / Policy made there under.
- E) Incorrect, according to section-10 of the Khyber Pakhtunkhwa Civil Servant Act, 1973, the appellant shall be liable to serve anywhere within or outside the Province, in any post under the Federal Government or any Provincial Government.
- F) Incorrect. Detail has been submitted in the above mentioned paras.
- G) Incorrect. As discussed at Para No.E, the appellant shall be liable to serve anywhere in the Province.

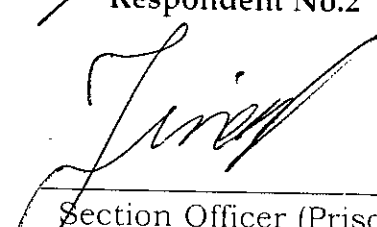
**PRAYER:**

In the wake of above submissions the appeal of appellant is devoid of merit, legal footing, which may kindly be dismissed with special cost.

  
Secretary to Govt.  
Home & Tribal Affairs Department  
Respondent No.1

  
02/12/15  
Director Reclamation & Probation  
Respondent No.4

  
Additional Secretary  
Home & Tribal Affairs Department  
Respondent No.2

  
Section Officer (Prisons)  
Home & Tribal Affairs Department  
Respondent No.3

LAL SAMINA .....

APPLICANT

VERSUS

THE SECRETARY, HOME & TRIBAL AFFAIRS DEPARTMENT  
Government of Khyber Pakhtunkhwa, Peshawar & Others

..... RESPONDENTS

COMMENTS ON BEHALF OF RESPONDENTS NO.1 to 4

Respectfully Sheweth,

PRELIMINARY OBJECTIONS:

1. That the present application is not maintainable in the eye of law.
2. That the applicant has got no cause of action.
3. That the applicant has got no locus standi to file the present application in hand.
4. That applicant has not come to this Honorable Tribunal with clean hands.
5. That the applicant has concealed material facts from this Honorable Tribunal.
6. That the applicant is estopped by his own conduct to bring the present application before this Honorable tribunal.

PARAWISE REPLY:-


1. Para No.1 is correct and next date of hearing is fixed for 03-12-2015.
2. With respect to Para No.2, the contents of the written comments of the respondents annexed with this application may kindly be considered as integral part of this reply.
3. Para No.3 is incorrect the applicant has got no prima facie case. The notification of the competent authority is according to law and Rules / policy made there under.
4. Para No.4 is incorrect. Balance of convenience lies in favour of the respondents. Moreover, the applicant relinquished the charge of her duties and the Honorable Tribunal vide order dated 26-11-2015 accepted the request of the applicant to the extent that she shall report to Respondent No.1 for assigning her any interim duty, but till date she has not submitted her report. Similarly, there is no vacant post of Probation Officer at District Peshawar and the applicant will face problems in getting her salary as the other Probation Officer transferred in her place has already assumed the charge of her duty.
5. Para No.5 is incorrect. In case of granting status quo, the government will suffer irreparable loss. Under article 199 of the Constitution of Islamic Republic of Pakistan, 1973 and S.56-D of the Specific Relief Act 1877, categorically debar the court for granting status quo in the matters pertaining

*[Handwritten signature]*

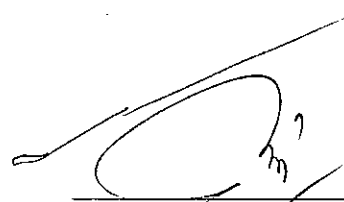


to government. Moreover, as per order of this honorable tribunal dated 26-11-2015 the applicant was directed to report to respondent No. 1 for assigning any interim duty. There is no vacant post of Probation Officer (BPS-16) in District Peshawar and the other Officer namely Mrs. Najma ajmal Probation Officer has assumed the charge of her duty and the applicant will face problem in getting her salary. (S)

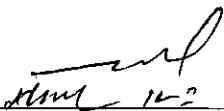
It is, therefore, requested that on the acceptance of this reply, application for grant interim relief may kindly be dismissed and the applicant may kindly be directed to assume the charge of her duty at District Kohat.



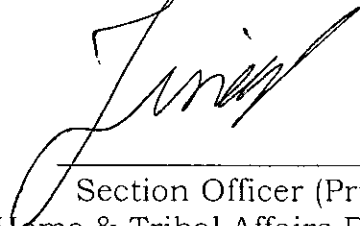
Secretary to Govt.  
Home & Tribal Affairs Department  
Respondent No.1.



Additional Secretary  
Home & Tribal Affairs Department  
Respondent No.2

  
How - 14?

Director Reclamation & Probation  
Respondent No.4



Section Officer (Prisons)  
Home & Tribal Affairs Department  
Respondent No.3

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO.1323/2015

LAL SAMINA .....

APPELLANT

VERSUS

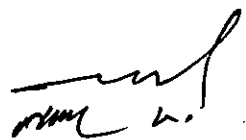
THE SECRETARY, HOME & TRIBAL AFFAIRS DEPARTMENT  
Government of Khyber Pakhtunkhwa, Peshawar & Others

..... RESPONDENTS

ON BEHALF OF RESPONDENTS NO.1 to 4

AFFIDAVIT

I, Niamatullah Khan Director Reclamation & Probation Khyber Pakhtunkhwa Peshawar do hereby solemnly affirm and declare upon oath that the contents of the accompanied service Appeal are true and correct to the best of my knowledge and belief and nothing has been intentionally concealed from this Hon'ble Tribunal.

  
Deponent

(7)

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22/

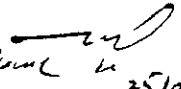
INSPECTION NOTES RECORDED BY THE DEPUTY DIRECTOR RECLAMATION & PROBATION KHYBER PAKHTUNKHWA ON HIS SURPRISE VISIT TO THE OFFICES OF PROBATION OFFICER MALE & FEMALE BANNU ON 20-9-2012.

I paid surprise visit to the offices of Probation Officers Male & Female Bannu on 20-9-2012 at about 1.00 p.m. I remained in their office till closing hours, the Probation Officer Bannu Mr.Hidayatullah and female Probation Officer Miss Lal Samina both were found absent.

From perusal of Attendance Register it reveal that Mr.Hidayatullah Probation Officer Bannu remained absent from 10-9-2012 todate and Miss Lal Samina Probation Officer Female Bannu remained absent from 1-8-2012 todate i.e. 20-9-2012. All Junior Clerks and Naib Qasids were present. The staff informed the undersigned that both the officers oftenly came to office once in a month for CJCC meeting and attendance purpose and marks their attendance for the whole month. It is very much clear that the Probation Department at Bannu is running by Junior Clerks and Naib Qasids as both the officers are enjoying french leave and remains absent from duties usually, they are sitting in their homes at Peshawar and Islamabad and drawing salaries from Government Exchequer.

Photocopies of Attendance Register and Daily Diary are attached for ready reference.

Submitted for appropriate action as your honour is deem fit.

  
25/9  
DEPUTY DIRECTOR  
RECLAMATION & PROBATION  
KPK PESHAWAR.

# DAILY DIARY REGISTER NO. (2)

(8) 9/9

Date

Particulars of work done

1-9-2012

Holiday and Sunday

2-9-2012

Attended office at early in the morning attended different courts for Bid-greetings and then remained in office till closing.

3-9-2012

Attended office it was very hot but it became raining and the weather soon adjusted pleasant. Therefore all the staff took interest in the work but the electricity disappeared and the office work disturbed. However we took keen interest in our job till closing.

5-9-2012

Attended office, work done and then left the office at closing hour.

Name

20/9/2012

D.D

356 (9)

# DAILY DIARY REGISTER NO. (2)

Date	Particulars of work done
17-8-2012	Attended office, work done and left the office to enjoy eid holidays
18+19	Holiday + Sunday
20 to 22	Eid Holidays
23-8-2012	Attended office, work done, enjoyed eid greetings and left the office at closing
24-8-2012	Attended office + work done
25+26-8-2012	Holiday + Sunday
27-8-2012	Attended office, work done related to office and remained in office till closing
28-8-2012	Holiday (Election)
29-8-2012	Attended office, remained in office, work done and left the office at closing
30-8-2012	Attended office, work done
31-8-2012	Attended office, work done

137  
205/

VISITORS REMARKS REGISTER No. (5).

98

Date.

Remarks.

0-9-2012

To day I visited the office of P.O (M) and P.O f. Both the officers were found absent, while their staff was present from the statement of their staff it is General that they oftenly come on every month once for attendance purpose only, and make attending for the whole month.

It is suggested that strict disciplinary action may be taken for public interest

P.O M,

~~visit~~  
20/9/2012  
D.D

P.O f.

11

ATTENDANCE ROLL FOR THE MONTH OF August 2019

No	Name	Month																															Total Late		Casual Leave		Holidays		REMARKS
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Current month	To end of Current month	Current month	To end of Current month	Current month	To end of Current month	
1	Mr. Bilal Shah S.I.C	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A							
2	Mr. Asjad Shah S.I.C	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A						
3	Mr. Dost Ali Khan N/O	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P							
4	Mr. Fajal Ali Hagi N/O	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P							
	Hidayatullah P.O.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								
	Samir P.O.																																						

01/08/19  
02/08/19  
03/08/19  
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05/08/19  
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28/08/19  
29/08/19  
30/08/19  
31/08/19

(2)

FORM NO. 10 (REV. 10/11) G.S.A.P.D. FORM NO. 10 (REV. 10/11)

ATTENDANCE ROLL FOR THE

MONTH OF September 2012

G.S.A.P.D. FORM NO. 10 (REV. 10/11)

Sl. No.	Name	Days of the Month																				Absence		Casual Leave		Holidays		REMARKS
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Current month	To end of Current month	Current month	To end of Current month	Current month	To end of Current month	
1	Mr. Bilal Shah J/c	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/								
2	Mr. Asjad Shah J/c	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/								
3	Mr. Dost Ali Khan N/A	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/								
4	Ms. Fazal Hossain N/A	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/								
	Hidayatullah PO	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/								
	Samin PO F	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/								

~~XXXXXX~~  
 D.D. 20/9/2012  
 D.D. 20/9/2012

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2012	752/p/9/12	Director R/P Peshawar	Pesh	Monthly Progress Report for the month of August-2012					
		do	Pesh	Det of attendance of Probationers					
10 <sup>09</sup> 2012	753/p/9/12	Directorate R/P Peshawar		Sanction of Probationers					
11 <sup>09</sup> 2012	754/p/9/12	Notice issued All absent Probationers and Surveils	Banna						
17 <sup>09</sup> 2012	755/p/9/12	Directorate R/P Peshawar	Banna	Lab: Statement for the month of August-2012					
17 <sup>09</sup> 2012	756/p/9/12	do	Banna	D.C. Bill for the month of August-2012					

Master Book Centre, Lahore.

(P.T.O)



1  
51-10-2012

DIRECTORATE  
RECLAMATION AND PROBATION  
KHYBER PAKHTUNKHWA PESHAWAR  
Benevolent Fund Building R.No. 126,127 & 128

(14) 2  
VA

P.No. 9213309, 9211207 Fax 9210720

No. \_\_\_\_\_ D.R&P ( )

Dated Peshawar the. 31/10/2012.

Order.

The following Posting / Transferred amongst the Probation Officers ( male & Female ) is hereby made in public interest with immediate effect:-

S.No	Name of Probation Officer	From	To
1.	Mr. Muhammad Ismail	Probation Officer District Courts Mardan	Against the vacant post of Probation Officer District Courts Charsadda.
2.	Miss Lal Samina	Probation Officer (F) District Courts Bannu	Probation Officer (F) District Courts Peshawar
3.	Mrs. Farzana Sarwar	Probation Officer (F) District Courts Peshawar.	Probation Officer (F) District Courts D.I.Khan.
4.	Mrs. Rifat Hina	Probation Officer (F) District Courts D.I.Khan.	Probation Officer (F) District Courts Bannu.

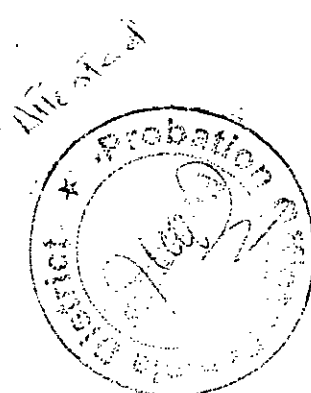
Note: 1. All the officers should relieved their duties immediately.

DIRECTOR  
RECLAMTION AND PRAOBTION  
KHYBER PAKHTUNKHWA  
PESHAWAR.

No. 4790-4806 D.R&P(A-1/Officer).

Copy of above is forward to :-

1. The Secretary to Govt of Khyber Pakhtunkhwa , Home & T.As Department Peshawar .
2. The Special Secretary Home & T.As Department Peshawar.
3. The Additional Secretary (Judicial) Home & T.As Department Peshawar.
4. The Accountant General Khyber Pakhtunkhwa Peshawar.
5. District Account officers , Bannu, D.I.Khan, Charssada & Mardan.
6. All Officers concerned.
7. Personal files of all concerned officers.



DIRECTOR  
RECLAMTION AND PRAOBTION  
KHYBER PAKHTUNKHWA  
PESHAWAR.

15

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**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT**

It is brought into your kind notice that Mst: Lal Samina Probation Officer of your Directorate deputed for one day training on basic communication skills held on 19/11/2014 at PC Hotel Peshawar, during the training session the above named Officer left the premises at 1100 hrs without any intimation, which totally against office norms and procedure. Furthermore the training period was scheduled from 9.00 hrs to 5.00 p.m., upon which the highups has taken a serious notice and desired to initiate disciplinary action against her under intimation to this Department.

*SO (G) dc*

Director Probation & Reclamation

*in 20/11/14  
call explanation immediately  
Suprd / O/A*

**SECTION OFFICER (GENERAL)**



16

25

DIRECTORATE OF  
RECLAMATION & PROBATION  
KHYBER PAKHTUNKHWA  
PESHAWAR  
Benevolent Fund Building Room No. 126-128.  
Ph# 091-9213309, 9211207  
Fax No. 091-9210720

No. 23404/D.R&P(P/F)

Dated Peshawar the 17/11/2015

To

The District & Session Judge,  
Peshawar.

Subject: REQUEST.

Respected Sir,

Kindly refer to Government of Khyber Pakhtunkhwa Home & Tribal Affairs Department Notification No.SO(Prs)9-4/BC-118790/2012 dated 05-10-2015. Mrs.Lal Samina, Probation Officer Judicial Complex District Courts, Peshawar of this Directorate has been transferred but she has not yet handed over the keys of official cupboard till date in spite of repeated directions by the concerned Probation Officer (Male+Female). Due to which the newly posted Officer is facing hardship in the performance of her day-to-day official work.

Therefore it is requested that a Judicial Magistrate may kindly be deputed to break the lock of the official cupboard of the office of the office of Probation Officer (Female) Judicial Complex District Courts, Peshawar and to fulfill the other legal requirements.

This may kindly be treated as most urgent in the best public interest, so that the official work may not suffer please.

*J/L*  
*17/11*  
DIRECTOR  
RECLAMATION & PROBATION  
KHYBER PAKHTUNKHWA  
& PESHAWAR

Endt: No & Date Even:

Copy of the above is forwarded to Probation Officer-I District Courts Peshawar for information & further necessary action.

*J/L*  
*17/11*  
DIRECTOR  
RECLAMATION & PROBATION  
KHYBER PAKHTUNKHWA  
& PESHAWAR

(17)

No 68 JMFC-VI, Peshawar dated 17/11/2015

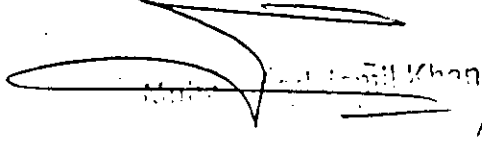
To - The Honourable  
District & Sessions Judge,  
Peshawar.

From - Muhammad Jamil Khan  
Judicial Magistrate-VI  
Peshawar

SUBJECT:- BREAKING LOCK OF OFFICIAL CUPBOARD  
OF PROBATION OFFICER (Female).

As per directions of the Honourable District and Sessions Judge, Peshawar dated 17.11.2015, the undersigned visited office of the female Probation Officer, Peshawar and under his supervision the lock of the official cupboard was broken in presence of Mr. Kamal Afzal Probation officer I, Peshawar, Miss Najma Ajmal Probation officer (Female) and Samina Naz Junior Clerk, Peshawar, attached with the office of Probation officer Peshawar. The items mentioned in the list consisting of three pages attached with this letter were found in the official cupboard.

Report submitted for information and necessary order please

  
Muhammad Jamil Khan  
Judicial Magistrate-VI,  
Peshawar

17/11/15

(18)  
100

OFFICE OF THE PROBATION OFFICER(II)  
RECLAMATION AND PROBATION DEPT:  
DISTRICT COURTS, PESHAWAR.  
NO. 65 /P.O. II, DATED: 18/11/2013

TO

The Director,  
Directorate of Reclamation and Probation,  
Khyber Pakhtunkhwa, Peshawar

Directorate of R. & P.  
No. 3087  
19/11/2013  
P/F

Subject: **COMPLAINT AGAINST Miss. LAL SAMINA, PROBATION OFFICER (F),  
DISTRICT COURTS PESHAWAR**

Dear Sir,

It is submitted that I, the undersigned, have been posted in this office since July 2013. I myself believe in mutual cooperation and have tried my best to keep and maintain good professional working relationship with my colleagues and with my seniors. However from the last two months, I and even the whole office is facing certain problems/issues which have disturbed the whole office environment and eventually contributed very negatively to the smooth functioning of this office. These problems/issues have been created by Miss. Lal Samina, Probation Officer (F) Peshawar. Details are as under:

2. She kept the attendance register of this office in her possession for four months (July-October) and we were kept ignorant of the existence of that register due to which we could not be able to maintain our attendance for the last four months. We have repeatedly asked her about the register and she repeatedly told us that there is no such register and even no attendance for the Probation Officers. She also forced the junior clerk and naib qasid of this office to deny the existence of such register. She did so just because to make our presence in the office as doubtful. On 2<sup>nd</sup> November 2013, she handed over the attendance register to Mr. Kamran Afzal PO (I) Peshawar vide Letter No. 87 dated 29-10-2013 which is incomplete and not properly maintained. It happened after the matter was brought into the notice of Directorate and as per the direction of the directorate a new attendance register was purchased and started to maintain it from 1<sup>st</sup> November 2013.

3. Stock Register of the office is still in the possession of Ms. Lal Samina about

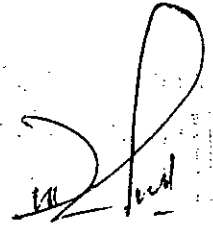
19/11  
H/R  
District

which we were kept completely unaware. However when a new stock register was purchased as per the direction of the directorate and send it to her to make entries of all the stock items of her office, she returned it without making entries of her office stock by saying that she is already having such register. Resultantly, we, the male Probation Officers, could not be able to have a record of the previous stock of this office, although we have put up all the available stock items on the new stock register except stock of the Probation Officer (f) office because she denied to do so.

4. She forced Mr. Kiramat, Naib Qasid of this office, for several times as not to obey the male probation officers who did so; although, under the rules he is bound to obey his seniors.

5. Miss Lal Samina's attitude/behavior is quite negative, make issues of minor things, highlights minor issues as major ones and more importantly her behavior is authoritative and she shows herself as superior one. I am even afraid of her not to blamed me for any immoral act because it is obvious from her attitude that she can do any thing just to show herself innocent.

6. Submitted for your kind consideration and necessary action; please.



(Mr. Zafar Iqbal)  
**PROBATION OFFICER (II)**  
**DISTRICT COURT, PESHAWAR**



Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department

Directorate of (1)  
No. 2207  
Date 2-10-13  
File 01F

Dated Peshawar the 1<sup>st</sup> October, 2013

**NOTIFICATION**


**No SO/9-4(Prisons)/HD/2013:** The competent authority has been pleased to entrust the additional charge of the post of Director Reclamation & Probation, Khyber Pakhtunkhwa Peshawar upon Mr. Niamatullah Khan, Deputy Director with immediate effect and till further orders.

**SECRETARY HOME  
KHYBER PAKHTUNKWHA**

**Endst: of even No & Date**

Copy forwarded to: -

1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. The Registrar, Peshawar High Court, Peshawar.
4. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
5. The Provincial Police Officer, Khyber Pakhtunkhwa.
6. The Inspector General of Prisons, Khyber Pakhtunkhwa.
7. The Director, Information, Khyber Pakhtunkhwa, Peshawar.
8. The Director, Reclamation & Probation Directorate, Khyber Pakhtunkhwa.
9. PS to Chief Secretary, Khyber Pakhtunkhwa.
10. PS to Secretary Establishment, Khyber Pakhtunkhwa, Peshawar.
11. PS to Secretary, Home Department.
12. PS to Special Secretary, Home Department.
13. The Section Officer (Media), Home Department.
14. The Manager, Govt Printing Press, Khyber Pakhtunkhwa for publication in the Govt Gazette.
15. Master file.

  
(KHALID KHAN) 01-10-13

**SECTION OFFICER (PRISONS)**

*Handwritten notes:*  
P.P. do what ever is  
meaning  
and 2/10

*Handwritten initials:*  
A  
2/10





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DIRECTORATE OF  
RECLAMATION & PROBATION  
KHYBER PAKHTUNKHWA  
PESHAWAR

Benevolent Fund Building Room No. 126-128.  
Ph# 091-9213309, 9211207  
Fax No. 091-9210720

No. 2381-83/D.R&P( A-5 )

Dated Peshawar the 20 / 11 /2015

To

1. Miss.Rozina Wahab, Probation Officer,  
District Courts, Swat.
2. Mrs.Saima Azam, Probation Officer,  
District Courts, D.I Khan.
3. Mrs.Lal Samina, Probation Officer,  
District Courts, Kohat.

Subject: DEPARTMENTAL APPEAL-CANCELLATION OF TRANSFER ORDERS.

Reference to the subject noted above and to enclose herewith Government of Khyber Pakhtunkhwa Home & Tribal Affairs Department letter No.SO (PRISONS) /HD/9-4/BC-118790/2012 dated 13-11-2015, which is self explanatory for information & strict compliance.

Encl:A.A:

*9/1*  
*20/11*

DIRECTOR  
RECLAMATION & PROBATION  
KHYBER PAKHTUNKHWA  
PESHAWAR