

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. 1038/2016

Date of institution ... 06.10.2016

Date of judgment ... 30.08.2019

Mst. Shagufta Bibi, Ex:PST (BPS-12),
GGPS Khanori No. 1, District Malakand

... (Appellant)

VERSUS

1. The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
2. The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (F), District Malakand.
4. The District Account Officer, District Malakand. ... (Respondents)

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 06.06.2016 WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE WAS IMPOSED ON THE APPELLANT WITHOUT CONDUCTING REGULAR INQUIRY IN THE MATTER AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

Mr. Noor Muhammad Khattak, Advocate

.. For appellant.

Mr. Muhammad Jan, Deputy District Attorney

.. For respondents.

Mr. MUHAMMAD AMIN KHAN KUNDI

.. MEMBER (JUDICIAL)

MR. HUSSAIN SHAH

.. MEMBER (EXECUTIVE)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER: - Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Arguments heard and record perused.

2. Brief facts of the case as per present service appeal are that the appellant was serving in Education Department as Primary School Teacher. She was imposed major penalty of removal from service vide order dated 06.06.2016 on the allegation of absence from duty. The appellant filed departmental appeal on

24.06.2016 which was not responded hence, the present service appeal on 06.10.2016.

3. Respondents were summoned who contested the appeal by filing of written reply/comments.

4. Learned counsel for the appellant contended that the appellant was appointed as Primary School Teacher in the year 2010. It was further contended that the appellant was performing her duty regularly without any complaint. It was further contended that the appellant was imposed major penalty of removal from service vide order dated 06.06.2016 but neither charge sheet, statement of allegation was served or framed upon her nor proper inquiry was conducted nor any show-cause notice alongwith copy of inquiry was handed over to her. It was further contended that neither any absence notice was issued to the appellant nor any absence notice/show-cause notice was published in two newspaper as required under rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 therefore, the appellant was condemned unheard which has rendered the whole proceeding illegal and liable to be set-aside. It was also contended that the alleged absence period was also for a short period of 2/3 months therefore, the major penalty of removal from service is very harsh as the appellant was having more than six years service in her credit therefore, prayed for acceptance of appeal.

5. On the other hand, learned Deputy District Attorney for the respondents opposed the contention of learned counsel for the appellant and contended that the appellant was serving as Primary School Teacher in Education Department. It was further contended that the appellant has produced fake medical prescription and remained absent from duty without permission of lawful authority. It was further contended that all the codal formalities were fulfilled before imposing major penalty of removal from service therefore, the competent

M. Amin
30.8.2019


authority has rightly imposed major penalty of removal from service and prayed for dismissal of appeal.

6. Perusal of the record reveals that the appellant was serving in Education Department as Primary School Teacher. She was imposed major penalty of removal from service on the allegation of absence from duty without permission of lawful authority but the record reveals that neither charge sheet, statement of allegation was served upon the appellant nor proper inquiry was conducted nor any show-cause notice alongwith copy of any inquiry report was handed over to the appellant nor any absence notice was issued by the competent authority to her nor any advertisement regarding her absence was published in two newspaper as required under rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 therefore, the appellant was condemned unheard which has rendered the whole proceeding illegal and liable to be set-aside. As such, we partially accept the appeal, set-aside the impugned order and reinstate the appellant into service without back benefits. However, the respondent-department are at liberty to conduct de-novo inquiry in the mode and manners prescribed under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 within a period of ninety days from the date of copy of receipt of this judgment. The issue of back benefits will be subject to the outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
30.08.2019




(HUSSAIN SHAH)
MEMBER



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

27.05.2019

Due to general strike of the bar, the case is adjourned. To come up for arguments on 26.07.2019 before D.B.



Member


Member

26.07.2019

Learned counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Arguments heard. File Perused. To come up for order on 30.08.2019 before D.B.

(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

30.08.2019

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today consisting of three pages placed on file, partially accept the appeal, set-aside the impugned order and reinstate the appellant into service without back benefits. However, the respondent-department are at liberty to conduct de-novo inquiry in the mode and manners prescribed under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 within a period of ninety days from the date of copy of receipt of this judgment. The issue of back benefits will be subject to the outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
30.08.2019


(HUSSAIN SHAH)
MEMBER

(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

05.11.2018

Due to retirement of Hon'ble Chairman, the

28.02.2019 Tribunal is defunct. Therefore, the case is adjourned. To
Clerk to counsel for the applicant, Addl. AG
come up on 27.12.2018,
for the respondents present.

Due to general strike on the call of Bar
Association instant matter is adjourned to 27.05.2019
before the D.B.

27.12.2018

Member Mir Zaman, Advocate junior Chairman Noor
Muhammad Khattak, Advocate for appellant and Mr.
Muhammad Riaz Khan Paindakhel, Asstt. AG for the
respondents present.

Requests for adjournment on the ground that learned
senior counsel is busy before the Hon'ble High Court.
Adjourned to 28.02.2019 for arguments before the D.B.

Member

Chairman

28.02.2019

Clerk to counsel for the applicant, Addl. AG
for the respondents present.


Due to general strike on the call of Bar
Association instant matter is adjourned to 27.05.2019
before the D.B.

Member

Chairman


27.06.2018

Counsel for the petitioner present. Arguments on restoration of appeal heard. Record reveals that service appeal was dismissed on 05.04.2018 for want of prosecution. Learned counsel for the petitioner submitted application on 13.04.2018 for restoration of the same. The application is well within time therefore, restoration application is accepted and the appeal is restored. To come up for arguments on 02.08.2018 before D.B. Notice be also issued to the respondents accordingly.


(Muhammad Amin Khan Kundi)
Member

02.08.2018


Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 26.09.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

26.09.2018

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for the respondents present. Counsel for the appellant seeks adjournment. Granted. Case to come up for arguments on 05.11.2018 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

Form-A

FORM OF ORDER SHEET

Court of _____

Appeal's Restoration Application No. ¹²⁰ /2018

| S.No. | Date of order Proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1 | 13.04.2018 | <p>The application for restoration of appeal no. 1038/2016 submitted by Mr. Noor Muhammad Khattak Advocate, may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 13/4/18</p> |
| 2 | 19/04/18. | <p>This restoration application is entrusted to S. Bench to be put up there on <u>30/04/18.</u></p> <p style="text-align: right;"><i>MA</i> MEMBER</p> |
| | 30.04.2018 | <p>The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is adjourned. To come up for the same on <u>27/06/18</u> before S.B.</p> <p style="text-align: right;"><i>[Signature]</i> Reader</p> |

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

C.M NO. 120 /2018

IN

SERVICE APPEAL NO. 1038/2016

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 425

Dated 13/04/2018

SHAGUFTA BIBI

VS

EDUCATION DEPTT:

APPLICATION FOR RESTORATION OF THE ABOVE
MENTIONED APPEAL

R/SHEWETH:

- 1- That the above mentioned service appeal was pending adjudication before this august Tribunal in which 05.04.2018 date was fixed for hearing.
- 2- That appellant filed the above mentioned appeal against the impugned order dated 06.06.2016 whereby major penalty of removal from service was imposed on the appellant.
- 3- That due to non appearance of the Counsel for appellant on the date mentioned above the appeal of the appellant has been dismissed by this august Tribunal vide order/ judgment dated 05.04.2018. **Copy of the order is attached.**
- 4- That on the same date Counsel for the appellant was busy before the Hon'ble Peshawar High Court Peshawar and due to the above mentioned reason Counsel for the appellant could not appear before this august Service Tribunal.
- 5- That the non appearance of the Counsel for appellant was neither deliberate nor intentionally but caused due to the above mentioned reason.

It is therefore, most humbly prayed that on acceptance of this application the above mentioned service appeal may very kindly be restored.

Dated: 12.04.2018.

APPLICANT


SHAGUFTA BIBI

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

C.M NO. _____/2018

IN

SERVICE APPEAL NO. 1038/2016

SHAGUFTA BIBI

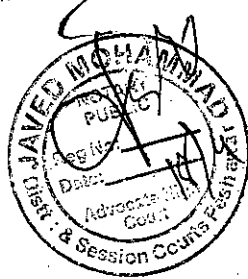
VS

EDUCATION DEPTT:

AFFIDAVIT

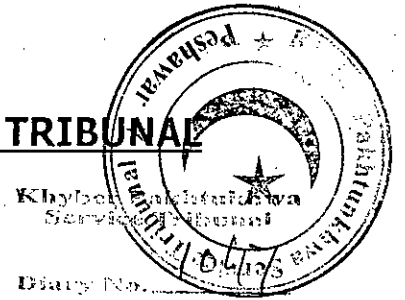
I Noor Mohammad Khattak Advocate on the instructions and on behalf of the petitioner do hereby solemnly affirm that the contents of this restoration application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

ATTESTED




NOOR MOHAMMAD KHATTAK
ADVOCATE

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**



APPEAL NO. 1038 /2016

Diary No. _____

Dated 6-10-2016

Mst: Shagufta Bibi, Ex: PST (BPS-12),
GGPS Khanori No.1, District Malakand **APPELLANT**

VERSUS

- 1- The Govt: of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (F), District Malakand.
- 4- The District Account Officer, District Malakand.

..... **RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 6.6.2016 WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE WAS IMPOSED ON THE APPELLANT WITHOUT CONDUCTING REGULAR INQUIRY IN THE MATTER AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

05.04.2018

None present for the appellant. Mr. Usman Ghani, Distinct Attorney for the respondents present. On previous date also none was present on behalf of the appellant

In view of the above, the present appeal is dismissed for want of prosecution. File be consigned to the record.

Announced self
05-04-2018 Member

self my
Chairman
camp court SWAT

Certified to be true copy
EX-1022R
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 9-4-18
Number of Words 4400
Copying Fee 4
Urgent 2
Total 8
Name of Copyist [Signature]
Date of Completion of Copy 9-4-18
Date of Delivery of Copy 9-4-18

01.02.2018

None present on behalf of the appellant. Mr. Kabir Ullah Khattak, Addl; AG for the respondents present. Counsel for the appellant is not in attendance due to general strike of the bar. To come up for arguments on 05.04.2018 before D.B at Camp Court, Swat.

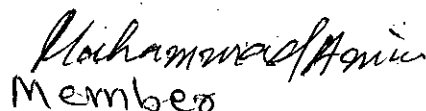

Member

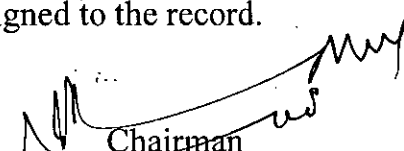

Chairman
Camp Court, Swat

05.04.2018

None present for the appellant. Mr. Usman Ghani, Distinct Attorney for the respondents present. On previous date also none was present on behalf of the appellant

In view of the above, the present appeal is dismissed for want of prosecution. File be consigned to the record.


Member



Chairman
Camp court, Swat

ANNOUNCED
05.04.2018

1038/2016

02.05.2017

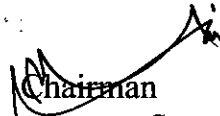
Clerk of the counsel for appellant present. Mr. Abdul Ali, Junior Clerk and Mr. Nowsherwan, Senior Auditor alongwith Mr. Muhammad Zubair, District Attorney for the respondents also present. Due to non-availability of learned counsel for the appellant as well as incomplete bench arguments could not be heard. To come up for rejoinder and arguments on 05.09.2017 before D.B at Camp Court Swat.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
Camp Court Swat.

05.09.2017

Husband of the appellant and Mr. Noshawan, Senior Auditor for respondent No. 4 alongwith Mr. Muhammad Zubair, District Attorney for the respondents present. Counsel for the appellant has not turned up from Peshawar. Seeks adjournment. Adjourned.. To come up for rejoinder and final hearing on 06.12.2017 before the D.B at camp court, Swat.



Member


Chairman
Camp court, Swat.

06.12.2017

Husband of the appellant and ddl. AG alongwith Noshawan, Senior Auditor for the respondents present. Counsel for the appellant is not in attendance due to death of his junior. Requested for adjournment. Granted. To come up for arguments on 1.02.2018 before the D.B at camp court, Swat.


Member


Chairman
Camp court, Swat

25.10.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as PST when removed from service vide impugned order dated 06.06.2016 on the allegations of willful absence, where-against she preferred departmental appeal on 24.06.2016 which was not responded and hence the instant service appeal on 06.10.2016.

That the procedure prescribed for enquiry was not followed and hence the impugned is liable to be set aside.

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 05-01-2017 before S.B. The appeal pertains to territorial limits of Malakand Division as such to be heard at camp court Camp Court Swat.

Appellant Deposited
Security & Process Fee

Chairman

05.01.2017



None present for appellant and Mr. Abdul Ali, Senior Clerk alongwith Mian Amir Qadar, GP for the respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 02.05.2017 at camp court Swat.

Chairman
Camp court Swat.

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1038/2016

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge or Magistrate |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1 | 06/10/2016 | <p>The appeal of Mst. Shagufta Bibi presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>2-</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>25-10-16</u></p> <p style="text-align: right;"> MEMBER</p> |

BEFORE THE KHYBER PA KHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1038 /2016

SHAGUFTA BIBI

VS

EDUCATION DEPTT:

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APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. 1038 /2016

Diary No. 1047

Mst: Shagufta Bibi, Ex: PST (BPS-12),
GGPS Khanori No.1, District Malakand

Dated 6-10-2016

APPELLANT

VERSUS

- 1- The Govt: of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (F), District Malakand.
- 4- The District Account Officer, District Malakand.

..... **RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 6.6.2016 WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE WAS IMPOSED ON THE APPELLANT WITHOUT CONDUCTING REGULAR INQUIRY IN THE MATTER 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 06-06-2016 may very kindly be set aside and the appellant may 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:

Filed to-day

[Signature]
Registrar

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

6/10/16

- 1- That initially the appellant was inducted/ appointed as Primary School Teacher (BPS-12) on the proper recommendation of Departmental selection committee on vide Notification dated 23.12.2010. That in response the appellant submitted her medical certificate and charge report and started performing her duty at the concerned station quite efficiently and up to the entire satisfaction of her

superiors. Copy of the Notification is attached as annexure
.....**A.**

- 2- That where after the appellant was transferred to GGPS Khanori No.1 against the vacant post vide order dated 27.9.2013. That in response the appellant submitted her arrival report and started performing her duty at the concerned station. Copy of the transfer order is attached as annexure.....**B.**
- 3- That during service the appellant filed application for maternity leave which was accepted by the concerned authority in light of the Revised Leave Rules 1986. That appellant filed another application for the extension of her maternity leave which was also accepted by the concerned authority and allowed further extension to appellant. Copies of the applications along with medical prescriptions and attendance register are attached as annexure.....**C, D & E.**
- 4- That after expiry of the said leave the appellant submitted her arrival report and started performing her duty at the concerned station quite efficiently and up to the entire satisfaction of her superiors. That astonishingly the concerned authority issued a show cause notice dated 21.1.2016 to the appellant wherein it were alleged that appellant have absented her self from duty and embezzled the PTC fund. That in response the appellant submitted her detailed reply and denied the allegations with documentary proofs. Copies of the show cause Notice and reply are attached as annexure.....**F & G.**
- 5- That the concerned authority stopped the salaries of the appellant w.e.f. 1.12.2015 till date without any plausible reason and clear justification. That appellant feeling aggrieved filed Departmental appeal for the release of her salaries w.e.f. 1.12.2015 till date but the concerned authority instead of releasing salaries of the appellant transferred the appellant to GGPS Shawlai which is more than 95 kilometers away from her home station vide impugned order dated 7.3.2016. Copies of the Departmental appeal and Transferred order are attached as annexure.....**H & I.**
- 6- That appellant being aggrieved of the unlawful act of the concerned authority filed Departmental appeal but in response the concerned authority directed the appellant to join duty at GGPS No.2 Khanori. That feeling aggrieved the appellant filed writ petition before Honorable Court of Darul Qaza Swat wherein through judgment dated 31.5.2016 the concerned authority was directed to release the

salaries of the appellant but the competent authority instead of releasing monthly salaries of the appellant imposed major penalty of Removal from service vide impugned order dated 6.6.2016. Copies of Departmental appeal, judgment and impugned order are attached as annexure.....**J, K & L.**

- 7- That appellant feeling aggrieved filed Departmental appeal against the original order dated 6.6.2016 but no reply has been received so far. Hence the instant appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure **M.**

GROUND:

- A- That the impugned order dated 6.6.2016 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 concerned authority in accordance with law and rules and as such the authority violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the impugned order dated 6.6.2016 has been issued by the respondent No.3 in utter disregard of law and prevailing Rules.
- D- That no charge sheet and statement of allegation has been issued by the respondent No.3 before issuing the impugned order dated 6.6.2016.
- E- That no show cause notice has been issued to appellant before issuing the impugned order dated 6.6.2016.
- F- That no chance of personal hearing/defense has been provided to the appellant and as such the appellant has been condemned unheard.
- G- That no regular inquiry has been conducted before issuing the impugned order dated 6.6.2016, which is as per Supreme Court judgments is necessary before imposing major punishment.
- H- That the respondents acted in arbitrary and malafide manner while issuing the impugned order dated 6.6.2016.
- 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.

26.9.2016

APPELLANT

SHAGUFTA BIBI

THROUGH:


NOOR MOHAMMAD KHATTAK

&


**SYED IMDAD HUSSAIN
ADVOCATES**



OFFICE OF THE
EXECUTIVE DISTT.OFFICER
(E&SE)DISTRICT DIR LOWER

Tel: 0945-9250081
9250082

E. Mail: edostdir@yahoo.com

Appointment Order:-

Consequent upon the approval accorded by the District Recruitment Committee meeting held on 09/08/2010. The following candidates FA/FSC and SSC of remaining Union Council are hereby appointed as PST in BPS. 7 @ of Rs(3530-190-9230), BPS.6 Rs.3430 PM fixed and BPS.5, Rs,3340/0 PM fixed plus usual allowances as admissible to them under the rules in the schools as noted against their name subject the following terms and conditions in the interest of public services.

Union Council 40 %

| S# | Name | Father Name | U/Council | Qulif | Merit Posit: | Professional Qualification | School | Rem k: |
|----|---------------|-----------------|-------------|-------|--------------|----------------------------|-------------------|--------|
| 1 | Humma Raz | Rahim Ullah | Kambat | FA | 51 | PTC | GGPS.Damtal | AVP |
| 2 | Gulshan Bibi | Fazli amin | Kambat | FA | 50.45 | PTC | GGPS.Surkh Dheri | AVP |
| 3 | Salma Begum | Muhammad Shuaib | Kambat | BA | 46.63 | PTC | GGPS.Tangi Bala | AVP |
| 4 | Bibi Razia | Faqir Muhammad | Drangal | FA | 29.87 | BPS.6 fixed | GGPS.Hattan | AVP |
| 5 | Shagufta Bibi | Muhammad Yousaf | Drangal | FA | 25.71 | BPS.6 fixed | GGPS.Shahi | AVP |
| 6 | Zaibun Nisa | Allowdin | Drangal | FA | 24.22 | BPS.6 fixed | GGPS.Drangal | AVP |
| 7 | Safia | Yousaf Khan | Drangal | SSC | 20.83 | BPS.5. fixed | GGPS.Gola | AVP |
| 8 | Sabba | Samadan Khan | Sadbarkalay | FA | 46.85 | PTC | GGPS.Swara Ghundi | AVP |

TERMS & CONDITIONS:-

1. They will governed by such rules and regulations as may be prescribed by the government from time to time for the category of government servants to which they belong.
2. Their appointment are purely on temporary basis liable to termination at any time without notice. In case leaving the service, they shall be required to submit one month prior notice or deposit one month,s pay in the government treasury in lieu thereof.
3. They are directed to produce their Health & Age certificate from the Civil Surgeon Dir lower at Timergara.
4. The appointment of the candidates mentioned above are subject to the condition that they are having domiciled in district Dir lower.
5. NO TA/DA will be paid to them on joining the post.
6. Their age may not exceed 25 years or below 18 years.
7. Charge reports should be submitted to all concerned,
8. Drawing & Disbursing Officers concerned are directed to check / verify their documents from the concerned boards / institutions before handing over the charge to them.
9. This order is issued, errors and omissions accepted, as notice only.
10. 60 % appointment has been made purely on District level and 40 % on union council basis.
11. They are directed to take over charge after winter vacations.
12. The will get all the benefits of civil servants except pension & gratuity vide letter No.6.(E&AD)1-13/2006 dated 10-8-2005 and Act 2003 NWFP 23-7-2005.

(5)

ATTESTED

[Signature]

(SAEED KHAN)
EXECUTIVE DISTT.OFFICER
(E&SE) DISTRICT DIR LOWER

B-6

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR

OFFICE ORDER.

Consequent upon relaxation of ban and approval by the competent authority, Mst: Shagufta Bibi PST GGPS Lounda Dir Lower is hereby transferred/ adjusted against the vacant post of PST at GGPS Khanori Malakand on her own pay & BPS In the interest of public service with immediate effect.

Note:-

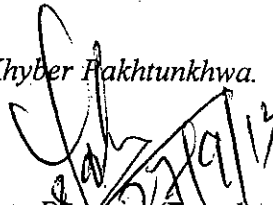
1. Charge report should be submitted to all concerned.
2. No TA/DA etc are allowed.
3. The DEOS (F) concerned are directed to check her original service documents before making payment of her salary.
4. Her seniority will be determined at the bottom of the seniority list of PST (B-12) as per rules.

Director
Elementary & Secondary
Education Khyber Pakhtunkhwa


Endst: No. 7421-86 /F.No.84/(F)/G.Transfer Dated Peshawar the 27/9/2013

Copy for information to the:-

1. District Education Officer (Female) Malakand & Dir Lower.
2. District Account Officer Malakand & Dir Lower.
3. Headmistress concerned.
4. Teacher concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa.
6. M/File.


Deputy Director (Female)
Elementary & Secondary Education
Khyber Pakhtunkhwa,

ATTESTED


27/9/13



کمیٹی صواب D.E.O لاہور محلہ (E.L.S.E) لہاج عطا لکھنا
درخواست برائے میٹرنٹی لیو 45 دن

C-67

14-11-2015 تا 01-10-2015

جناب عالیہ

مؤدبہ سہ گزارش ہے کہ خود سے بیمار ہے اور ڈاکٹر
صاحبین خود سے کو میٹرنٹی لیو چھوڑ گیا ہے۔ میرا بچل سہ ہفتہ
درخواست ہے اس سبب لکھنا۔ جبکہ علاج سے خود
2015-10-01 تا 2015-11-14 تک سکول میں حاضر
ہے قائم رہے گی۔

مکملہ آپ صاحبان میں باقی کہ خود سے کو میٹرنٹی
میٹرنٹی لیو عطا فرمائے کہ سکول میں فرماویں۔

Head Mistress
S.C.P.S. No 1
Khanpur

عین لکھنا

29/09/2015 مورخ

حفظ ذیادہ آداب

Received on
30-9-2015

S.D.E.O (F) Bahkhalu

آئی سی ایم نیشنل ایس ایس ٹی
جی بی ایس خانپور

ATTESTED

[Signature]

post no.

1874
28-8-15

D (8)

This pt Mrs Shagufta
is advised to have
Antenatal
maternity leave of 45
days i.e 1/10/2015
to 14/11/2015.

DR. Masjumi Rahman
M.O.

R.H.C

Sakhakot

29/8/15

DR. SAADAT ANWAR
M.O.RHC
Sakhakot

ATTESTED

[Signature]



OPD Ticket Price: Rs2/-



OUT PATIENT DEPARTMENT TICKET

BHU: Bhakharai Yearly OPD No: 503
 Monthly OPD No: Date: 14/10/15 Daily OPD No: 503
 Patient's Name: Shagufta Age: 22y Sex: M F
 Father / Husband's Name: Contact # (if Possible):
 Address:

Problem/Disease Diagnosed: Deny
 Patient Seen By:

Clinical Findings / Record PRESCRIPTION / TREATMENT SUGGESTED / REFERRED TO / FEEDBACK

Handwritten notes in the left column:
 as
 ASTHMA
 DENT
 D.M.I.C

Handwritten notes in the right column:
 R. Las. S-T Max 100 mg - (2)
 oxycodone 2D
 m. d. g. 3
 R. 1 cal to
 QW IV D. Syringes - (3) us
 14.10.15
 14.10.15

ATTESTED

Signature of MO / INCHARGE:

MEDICAL OFFICER
 INCHARGE BHU
 ASHAKATI

(9)

10



پاکستان



قومی توسیعی پروگرام برائے حفاظتی ٹیکہ جات
وزارت برائے نیشنل ہیلتھ سروسز، ریگولیشنز اینڈ کنٹرولز - حکومت پاکستان



Pregnant Mother's Vaccination Card

نام: گیتا

شوہر/والد کا نام: سہیل زارو

تاریخ پیدائش/عمر: 21/11

یونین کونسل: گیتا - کلاں

تحصیل/تعلقہ: گیتا ضلع

کارڈ نمبر: 219

ای پی آئی سٹرک کا نام: BHU Ashkari

تاریخ اجراء: 20.6.15

ٹیکہ لگانے والے کا نام: Faris فون نمبر: 05554-1997890

ATTESTED

(15)

محترم جناب D.E.O (F) صاحب محکمہ ابتدائی و ثانوی تعلیم ضلع ملتان

درخواست برائے میٹرنگ لیو 45 > 45

2015-11-15 تا 2015-12-29

جناب عالیہ!

مؤدبانہ گزارش ہے کہ فردیہ بیمار ہے۔ اور

ڈاکٹر صاحبہ نے فردیہ کو میٹرنگ لیو تجویز کیا ہے۔ میٹرنگ

سہولت درخواست کذا کے ساتھ لف ہے۔ جس کی وجہ سے

فردیہ 2015-11-15 تا 2015-12-29 تک سکول میں حاضری

دینے سے قاصر رہے گی۔

لہذا آپ صاحبان میں بانی گھر کے فردیہ کو مذکورہ

میٹرنگ لیو عطا فرما کر مشکور فرمادیں۔

عین نوازش ہوگی۔

فقو ذیاب آداب۔

محمد رفیق مورخ 2015-11-17

آپ کی تابع فرمان شلفہ بی بی PST

بی بی ایس خانوڑے I

ATTESTED



Head Mistress
G.G.P.S. No. 1
Khanori

128

Medical No. 2

Rs. 5/-

No.

OUT-PATIENTS DEPARTMENT

NAME

YEARLY NO.

DATE

No.

Rs. 3/-

OUT-PATIENTS DEPARTMENT

NAME

YEARLY NO.

DATE

DISEASE

FACE VALUE RUPEES 5/- FACE VALUE RUPEES 5/-

This pt Mrs. Shagufta is advised to have Postnatal maternity leave of 45 days i.e. from 15/11/2015 to 29/12/2015.

Dr. Manjambhomen
DR. SAADAT ANWAR
S.M.O RHC
Sakhakot
W.M.O
R.M.C
Sakhakot

ATTESTED 12/11/2015

[Signature]

رجسٹر حاضری مدرسین

(156)

۲۰۱۳

بابت ماہ

| PCT | | | | PST | | | | تاریخ |
|-----|-------|-------|-------|-----|-------|-------|-------|-------|
| آمد | دستخط | رواگی | دستخط | آمد | دستخط | رواگی | دستخط | |
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ATTESTED

Winter's vacations

October 2013

2013/11

| موضوع | تاریخ | میزان | حالت | میزان | حالت | میزان | حالت | میزان | حالت | میزان | حالت |
|--------|-------|-------|------|-------|------|-------|------|-------|------|-------|------|
| اقایہ | 2 | 12 | 14 | | | | | | | | |
| امتحان | | | | | | | | | | | |
| بندی | | | | | | | | | | | |
| میزان | | | | | | | | | | | |

دستخط ہیڈ ماسٹر

وزیر دی پیشگی کمیٹی

تاریخ

د. د. اسحاق نوری

رجسٹر حاضری مدرسین

(16)

۲۰۱۴

بابت ماه مارچ ۲۰۱۴

| روز | | روز | | روز | | روز | | روز | | روز | | تاریخ |
|--------------|--------------|-------|-------|--------------|--------------|--------------|--------------|--------------|--------------|-------|-------|-------|
| دستخط | زمانی | دستخط | زمانی | دستخط | زمانی | دستخط | زمانی | دستخط | زمانی | دستخط | زمانی | |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۱ |
| P | P | | | S | U | N | D | A | U | | | ۲ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۳ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۴ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۵ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۶ |
| P | P | | | Sha | 12:00 | Sha | 8:30 | HAU | 12/1 | HAU | 8:30 | ۷ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۸ |
| P | P | | | S | U | N | D | A | U | | | ۹ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | C-leave | | | | ۱۰ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۱۱ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۱۲ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۱۳ |
| P | P | | | Sha | 12:00 | Sha | 8:30 | HAU | 12/1 | HAU | 8:30 | ۱۴ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | C-leave | | | | ۱۵ |
| P | P | | | S | U | N | D | A | U | | | ۱۶ |
| P | P | | | C/leave | | | | HAU | 11:35 | HAU | 8:30 | ۱۷ |
| P | P | | | C/leave | | | | HAU | 11:35 | HAU | 8:30 | ۱۸ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۱۹ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۲۰ |
| P | P | | | Sha | 12:00 | Sha | 8:30 | HAU | 12/1 | HAU | 8:30 | ۲۱ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۲۲ |
| P | P | | | S | U | N | D | A | U | | | ۲۳ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۲۴ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۲۵ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۲۶ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۲۷ |
| P | P | | | Sha | 12:00 | Sha | 8:30 | HAU | 12/1 | HAU | 8:30 | ۲۸ |
| P | P | | | Sha | 1:35 | Sha | 8:30 | HAU | 11:35 | HAU | 8:30 | ۲۹ |
| P | P | | | S | U | N | D | A | U | | | ۳۰ |
| P | P | | | Sha | 11:00 | Sha | 8:30 | HAU | 10/1 | HAU | 8:30 | ۳۱ |

ATTESTED

[Signature]

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|-------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| میزان | سابقه | میزان | سابقه | میزان | سابقه | میزان | سابقه | میزان | سابقه | میزان | سابقه | میزان | سابقه | میزان | سابقه |
| | | | | | | | | | | | | | | | |
| [Signature] | | | | | | | | | | | | تاریخ | | | |
| [Signature] | | | | | | | | | | | | میزان | | | |

دستخط هیڈ ماسٹر 31/3/14

وزیر تعلیم، سندھ

تاریخ

رجسٹر حاضری مدرسہ سین

(18)

۲۰۱۴ء

بابت ماہ اگست ۲۰۱۴ء

| روز | | آد | | دستخط | | نمازی | | دستخط | | آد | | دستخط | | نمازی | | دستخط | | تاریخ |
|--------------|--------------|----|--|-------|-------|-------|------|----------|-------|------|------|-------|--|-------|--|-------|--|-------|
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 1 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 2 |
| P | P | | | | | | | | | | | | | | | | | 3 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 4 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 5 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 6 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 7 |
| P | P | | | Sha | 12:00 | Sha | 7:30 | HAU | 11- | HAU | 7:30 | | | | | | | 8 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | | | | | | | | | | | 9 |
| P | P | | | | | | | | | | | | | | | | | 10 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 11 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 12 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 13 |
| P | P | | | 20/14 | | 20/14 | | HAU | 12:35 | HAU | 7:30 | | | | | | | 14 |
| P | P | | | Sha | 12:00 | Sha | 7:30 | HAU | 4/- | HAU | 7:30 | | | | | | | 15 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 16 |
| P | P | | | | | | | | | | | | | | | | | 17 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | | | | | | | | | | | 18 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 19 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 20 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 21 |
| P | P | | | Sha | 12:00 | Sha | 7:30 | HAU | 4/- | HAU | 7:30 | | | | | | | 22 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | HAU | 12:35 | HAU | 7:30 | | | | | | | 23 |
| P | P | | | | | | | | | | | | | | | | | 24 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | Relieved | HAU | 7:30 | | | | | | | | 25 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | from the | | | | | | | | | | 26 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | School | | | | | | | | | | 27 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | due to | | | | | | | | | | 28 |
| P | P | | | Sha | 12:00 | Sha | 7:30 | transfer | | | | | | | | | | 29 |
| P | P | | | Sha | 12:35 | Sha | 7:30 | transfer | | | | | | | | | | 30 |
| P | P | | | | | | | | | | | | | | | | | 31 |

| قرمضت | مال | سابقہ | میزان | مال | سابقہ | میزان | مال | سابقہ | میزان | مال | سابقہ | میزان | مال | سابقہ | میزان |
|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| انقاریہ | | | | | | | | | | | | | | | |
| استحقاق | | | | | | | | | | | | | | | |
| بندی | | | | | | | | | | | | | | | |
| میزان | | | | | | | | | | | | | | | |

جن کی ایسی جانور طہی کا

رجسٹر حاضری مدرسہ سین

(20)

۲۰۱۵ء

جون ۲۰۱۵ء

| نمبر نمبر | | | | نام شاکر، کمال | | | | تاریخ | | | | | | | | |
|--------------|------|--------------|-----|----------------|------|-------|-----|-------|-------|-------|------|-------|------|-------|-----|-------|
| کلاس | | | | پہلے | | | | دوسرے | | | | | | | | |
| دستخط | ماگی | دستخط | آمد | دستخط | ماگی | دستخط | آمد | دستخط | ماگی | دستخط | آمد | دستخط | ماگی | دستخط | آمد | تاریخ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۱ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۲ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۳ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۴ |
| P | | P | | | | | | Sha | 12:00 | Sha | 7:30 | | | | | ۵ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۶ |
| P | | P | | | | | | S | U | N | D | A | U | | | ۷ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۸ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۹ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۱۰ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۱۱ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۱۲ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۱۳ |
| P | | P | | | | | | S | U | N | D | A | U | | | ۱۴ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۱۵ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۱۶ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۱۷ |
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| P | | P | | | | | | Sha | 12:00 | Sha | 7:30 | | | | | ۱۹ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۲۰ |
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| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۲۲ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۲۳ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۲۴ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۲۵ |
| P | | P | | | | | | C | Leave | | | | | | | ۲۶ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۲۷ |
| P | | P | | | | | | S | U | N | D | A | U | | | ۲۸ |
| P | | P | | | | | | Sha | 12:35 | Sha | 7:30 | | | | | ۲۹ |
| P | | P | | | | | | Sha | 12:00 | Sha | 7:30 | | | | | ۳۰ |
| | | | | | | | | | | | | | | | | ۳۱ |

ATTESTED

Handwritten signature

| حاضریت | حال | سابقہ | میزان | حال | سابقہ | میزان | حال | سابقہ | میزان | حال | سابقہ | میزان |
|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| اتفاقہ | ۶ | ۲ | ۸ | | | | | | | | | |
| استحقاق | | | | | | | | | | | | |
| بیماری | | | | | | | | | | | | |
| میزان | | | | | | | | | | | | |

Khanna

دستخط ہیڈ ماسٹر

وزارت دی پیشگی کینی

تاریخ

جی بی کی اس خانواری کا
رجسٹر حاضری مدرسہ سین

(24)

اگست 2015

2015

| نمبر نمبر | | نام | | تاریخ | |
|--------------|--------------|-------------|-------------|-------|----------------|
| C/U | | شکستہ بی کی | | بہارہ | |
| آمد | دستخط | آمد | دستخط | آمد | دستخط |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | S U | N D A Y |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | S U | N D A Y |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | S U | N D A Y |
| P | P | | | Sha | 12:35 Sha 7:30 |
| P | P | | | Sha | 12:35 Sha 7:30 |
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Signature
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G.G.P.S. No: 1
Khanpur

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Signature
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دستخط ہیڈ ماسٹر

وزیر تعلیم دیوبند کینی

تاریخ

دستخط حاضرین مدرسین

22

بابت ماه سپتمبر 2015

2015

| دستخط | | | | دستخط | | | | دستخط | | | | دستخط | | | | تاریخ |
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دستخط ہیڈ ماسٹر

وزیر تعلیم دی پبلک سکول

تاریخ

(23)

رجسٹر حاضری مدرسین

اکتوبر ۲۰۱۵ء

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بابت ماہ

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Attested
Shagufta

دستخط ہیڈ ماسٹر

وزیر دی پبلشنگ کمپنی

تاریخ

SHOW CAUSE NOTICE

F-26

I, Dilshad Begum District Education Officer (F) Malakand, as a competent authority under the Khyber Pakhtunkhwa Government servant (E&D) Rules 2011 do hereby serve upon you Mst.Shagufta PST GGPS No.1 Khanori District Malakand.

As per inquiry report submitted by the SDEO(F) Swat Ranizai at Batkhela vide her office memo:No.834 dated 6.01.2016 now and your written statement that you have directed your duty assigned to you being a Primary School Teacher.

Ongoing through the materials on record and other connected papers, I am satisfied that you have committed the following acts/omissions specified in rule-3 of Khyber Pakhtunkhwa Civil Servant (E&D) rules 2011.

- (a) Absence from duty. According to the enquiry that the school remained closed since long and you come to school after the expiry of three/four months and then marked your signature in the teachers attendance register for three/four months on the same day.
- (b) Guilty of misconduct and applied for maternity leave with effect from 29.9.2015 to 14.11.2015 vide O.P.D slip No.1874 dated 29.9.2015 and w.e.from 15.11.2015 to 29.12.2015 vide RHC Sakhakot O.P.D slip No.528 dated 12.11.2015 are verified from the Incharge Doctor were found Fake and bogus.
- (c) PTC Funds have been allotted to the school, but no repair/work has been done in the last three years up till now.

2. (i) On the basis of the afore mentioned valid grounds and facts, the undersigned being the competent authority in exercise of the powers conferred under Rules-5(1)(a) of the Khyber Pakhtunkhwa (E&D) Rules,2011, deem it un-necessary to conduct inquiry and therefore, decided to dispense with the inquiry procedure required under Rules-10(1) of the rules ibid.

(ii) As a result thereof, I as competent authority, have tentatively decided to impose upon you the major penalty of Removal from service under rules 4 (b) (iii) of the Khyber Pakhtunkhwa Civil Servants (E&D) Rules 2011.

You are therefore, directed to furnish your reply to the show cause notice as to why the Aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

If no reply to this notice is received within seven days or not more than fifteen days of its delivery. It shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.

COMPETENT AUTHORITY
DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

Endst:No. 295-97 /FNo/Complaint/PST (F)/

Dated 21/01 /2016.

Copy of the above is forwarded to:-

1. The P/A to Director Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. The SDEO(F) Swat Ranizai at Batkhela w/r to her office memo:No.834 dated 6.01.2016 and with the direction to serve the said show cause notice on the accused teacher.
3. Mst.Shagufta PST GGPS No.1 Khanoori Malakand with the remarks, that her reply should reached to this office within seven days positively.

Received at
28/01/2016

ATTESTED

DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

To

G - 27

DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.

Subject : Reply to the Show Cause Notice ,
dated 21/01/2016;Endst No.295-97.

Madam

I, Mist. Shagufta PST GGPS Khanori No.1 Distt.Malakand would like to say that I am shocked and astonished when I received the show cause notice from your office but I refuse and refute it because of the following background facts .

- (1) Sentence no. (a) in show cause is baseless and merely a charge and blame imposed upon me as I've regularly performed my due duty and during my duty many times Monitoring Cell Members visited our school and I put my signatures in theirs' mobile of data collection and checking teachers attendance in school . It's a very clear and authentic proof of performing my duty in the period as you mentioned.
- (2) Sentence no. (b) is also not based on facts , as I've taken step by step permission and submitted my medical and ultrasound report to the concerned office and that was my legal right . And I have all the necessary medical reports which are genuine and based on facts ,if needed I'll present at any forum for my defense .
- (3) Sentence no.(c) have no facts and intended to merely torture me , as I've taken my charge as PSHT of the school at 25/08/2014, and merely spent P.T.C amount of two years of 2014 and 2015 on compound wall , main gate and stationary of the school .

Note.copy of the show cause notice is attached with.

So I most humbly request you to sit aside the show cause notice and release my salary , for because of stopping my salary a lot problems are being created with respect to my children education and livelihood . /

THANKS



**Yours obediently Mst.Shagufta GGPS Khanori No.1 Subdivision Batkhela
Malakand.**

Dated 28/01/2016-SS
G.G.P. Khanori

ATTESTED



District Education Officer
Malakand

District Education Officer
Batkhela

H-28

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محرمات جناب ڈی ایچ ای - او صاحب ضلع ملائذہ بھنڈالہ -

عنوان: درخواست برائے Release منخواہ

از دسمبر 2015 کو تاریخ 2016

جناب عالیہ -

موردہ بارہ گزارش کی برائی ہے کہ سائیکل کی منخواہ سزا کر رہا ہلا

آپ صاحبان نے بند کی ہوئی ہے۔ اس ضمن میں عرض کی جاتی ہے

کہ سائیکل کی منخواہ Release کر دینے کے احکامات جاری فرما کر جانے

کیونکہ منخواہ بندش سے سائیکل کو بیت زیادہ سائیکل درپیش ہے۔

جن میں سے سے بچے بچوں کے تعلیم متاثر ہو رہے ہے اور گھر کے دوسرے

اخراجات برداشت کرنے کی کوئی اور ذرائع نہیں ہے۔

فقط ذرا آداب۔

عمر لفظ مورخہ 03/06/01

آپ کی تابع فرمان مشکفہ بی بی بی ایس ٹی بی بی ایس خانوار لہری

01-03-01/6
Head of Press

You are directed to perform your duty at H.H. PS Shandankai till further order

ATTESTED

Handwritten signature/initials

Distt. Education Officer (F)
Talukand at Battihela
13/01/6

I- (29)

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.

NOTIFICATION/

The Government Girls Primary School No.1.Khanoori Malakand is totally damaged and due to less enrolment of students.

Hence GGPS No.1. Khanoori Malakand Code No.19744 is hereby merged in GGPS No.2.Khanoori. Malakand Code No.29472.

Mst.Shagufta PST GGPS No.1.Khanoori is hereby transferred to GGPS No.2.Khanoori on her own pay and grade in the interest of public service with immediate effect.

Note:- No TA/DA is allowed.


Charge report should be submitted to all concerned.

(DILSHAD BEGUM)
DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

Endst.No. 23 / 7.3 / No/Merging of GGPS/DEO(F)Malakand/ Dated 21 / 4 / 2016.

Copy forwarded to :-

- 1.The Director, E&SE Department Khyber Pakhtunkhwa, Peshawar for information please.
- 2.The Director, EMIS, E&SE Department Khyber Pakhtunkhwa, Peshawar with the request to delete Code No.19744 of GGPS No.1.Khanoori please.
- 3.The SDEO(F) Swat Banizai at Batkhela for information and necessary action.
- 4.The District Monitoring Officer Malakand.
- 5.The A/P DEMIS Cell local Office.
- 6-7.The Head Teachers concerned schools


DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

ATTESTED



بخدمت جناب ڈائریکٹر ایجوکیشن گنڈاپہ سکول ڈائریکشن ایجوکیشن گنڈاپہ

(30) J

درخواست برائے منسوخ ٹرانسفر آرڈر نومبر 2016/3/7

جناب عالی! گودمانہ ٹرانسفر ہے۔

کہ میں گورنمنٹ گریلز ہائی اسکول خانوڑ سے
نمبر 1 میں بطور PST ڈپٹی سرانجام دہی ہوئی۔
میں نے دسمبر 2015 سے مارچ 2016 تک کوئی تقریباً
بیس علی جس کی جبری پوسٹنگ میں ڈی۔ای۔او۔

صاحب ضلع ملتان گنڈاپہ ضلع کو ایک عدد درخواست
دیا جس پر کوئی عمل نہیں کیا گیا بلکہ اس کی وجہ سے مجھے

گورنمنٹ گریلز ہائی اسکول خانوڑ سے
نمبر 1 سے گورنمنٹ گریلز ہائی اسکول شاہ ولی ٹرانسفر کیا گیا۔

لہذا آپ صاحبان سے التماس ہے کہ میرے ٹرانسفر آرڈر
منذومہ بالا کو منسوخ کرنے کے احکامات صادر فرمائے تاکہ لوہے

13/4/2016

آپ کی فائبر در مختلفہ جہاں پر ایس ڈی جی جی ایس
خانوڑ سے نمبر 1

ATTESTED

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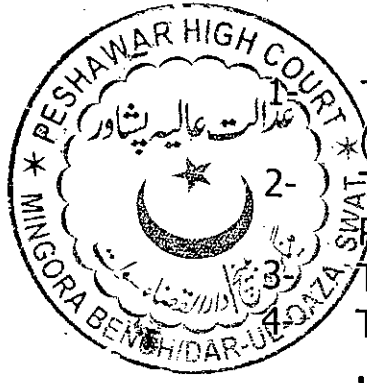
**BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH/
DARUL QAZA AT SWAT**

WRIT PETITION No. 314-y /2016

Mst: Shagufta Bibi, PST (BPS-12),
GGPS Khanori No.1, District Malakand under transfer to,
GGPS Shawlai, Tehsil Batkheja, District Malakand.

PETITIONER

VERSUS



The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
3- The District Education Officer (F), District Malakand.
The District Account Officer, District Malakand.

RESPONDENTS

**WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN
1973 AS AMENDED UP TO DATE**

R.SHEWETH:

- 1- That initially the petitioner was inducted/ appointed as Primary School Teacher (BPS-12) on the proper recommendation of Departmental selection committee on vide Notification dated 23.12.2010. That in response the petitioner submitted her medical certificate and charge report and started performing her duty at the concerned station quite efficiently and up to the entire satisfaction of her superiors. Copy of the Notification is attached as annexure **A.**
- 2- That where after the petitioner was transferred to GGPS Khanori No.1 against the vacant post vide order dated 27.9.2013. That in response the petitioner submitted her arrival report and started performing her duty at the concerned station. Copy of the transfer order is attached as annexure **B.**
- 3- That during service the petitioner filed application for maternity leave which was accepted by the respondent No.3 by allowing sanctioned leave in light of the Revised Leave Rules 1986. That petitioner filed another application for the

10 MAY 2016

PESHAWAR HIGH COURT, MINGORA BENCH
(DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

Court of

Case No. of

| No. of order ceeding 1 | Date of Order or Proceedings 2 | Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary. 3 |
|------------------------------|--------------------------------------|---|
| | 31.05.2016 | <p><u>W.P No. 314-M/2016</u> <u>With Interim Relief</u></p> <p>Present: Mr. Noor Muhammad Khattak, Advocate for the petitioner.</p> <p align="center">***</p> <p><u>LAL JAN KHATTAK, J.-</u> Through this writ petition, petitioner seeks release of her salary and also has prayed for declaring the impugned transfer order dated 26.04.2016 as illegal and unconstitutional.</p> <p><u>2.</u> Facts of the case need no reiteration as learned counsel for the petitioner, after arguing the case at some length, stated at the bar that he would not press the instant petition if directions are given to respondent No.3 to look into the petitioner's grievance and redress the same in accordance with law.</p> <p><u>3.</u> In view of the above, this writ petition is hereby dismissed being not pressed, however,</p> |



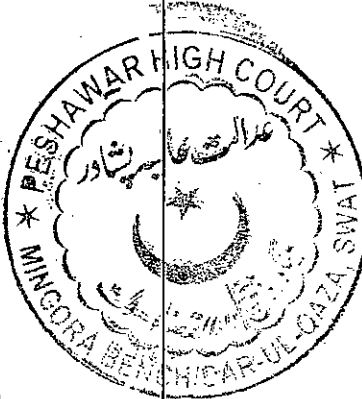
33

respondent No. 3 is directed to look into the petitioner's grievance and, after hearing her, shall pass an appropriate order qua her grievance within a period of one month.

Announced
31.05.2016

Sd: Lal Jan Khattak

Sd. Muhammad Younis Thaheem-J



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JUDGE

S.No. 2511
Name of Applicant M. Zaidi
Date of Presentation of Applicant 6.6.16
Date of Completion of Copies 1
No of Copies 3 P
Urgent Fee ---
Fee Charged 6/-
Date of Delivery of Copies 6.6.16

Certified to be true copy

EXAMINER

Peshawar High Court, Mingora Bar-ul-Qaza, Swat
Authorized Under Article 67 of Qanun-e-Majlisat Qadimat

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6/6/16

Ati 6/2/16

L-34

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.OFFICE ORDER.

WHEREAS, Mst. Shagufta Bibi, PST, GGPS No.2. Khanoori, Malakand was proceeded against under the Khyber Pakhtunkhwa Government servants (Efficiency and Disciplinary) Rules-2011 on the charges of willful absence from duties without prior approval of leave as well as submission of fake maternity leave certificate w.e. from 1.9.2015 to 31.12.2015, which were declared by the Incharge Medical Officer concerned and on the said material, you were issued show cause notice vide this office endst: No.295-97 dated 21.1.2016 and after personal hearing on 11.2.2016 the said absence period were converted into Extra Ordinary Leave without pay and you were also issued censure of minor penalty vide this office order endst: No. 1387-90/ dated 3.3.2016.

AND WHEREAS, The said absent teacher appeared before the competent authority on 11.2.2016 and made commitment for regular performance in future.

AND WHEREAS, You were regularly remained absent from your duty after the expiry of winter vacations (w.e. from 1.1.2016 to 29.2.2016) as reported by the Headmistress concerned/ASDEO(F) Circle/SDEO(F) Batkhela vide No.852 dated 13.01.2016, No.29-30 dated 31.3.2016, No.1253 dated 13.4.2016 and dated 19.5.2016 and also Hot line complaint regarding her willful absence received from the Deputy Director Estt: Directorate of E&SED KPK, Peshawar vide his complaint No.4794-4303 dated 20.3.2016.

AND WHEREAS, The detail absence report received from the Headteacher concerned/Chowkidar/ ASDEO(F) Circle concerned vide her letter No.Nil dated 16.5.2016 and No:Nil dated 17.5.2016 and memo:No.49-50 dated 17.5.2016.

AND WHEREAS, At the last a detail report of her willful absence received from the SDEO(F) Batkhela vide her office memo:No.1335 dated 31.5.2016, it means that she did not take interest in her duties and regularly remained absent from her duty without consent/approval of the competent authority.

AND WHEREAS, The competent authority (District Education Officer (F) Malakand) visited the school by herself on 18.4.2016 and the accused mistress found absent from her duty and satisfied to remove her service.

AND WHEREAS, The competent authority DEO(F) Malakand after having considered the charges evidence on record is of the view that the charges of willful absence have been proved against the said accused teacher.

NOW, THEREFORE, in exercise of powers conferred under section 11 of Khyber Pakhtunkhwa, Government servants (E&D) rules 2011, the competent authority (DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND) is pleased to impose the major penalty of "REMOVAL FROM SERVICE" upon Mst. Shagufta Bibi PSI (BPS-12) Govt: Girls Primary School No.2. Khanoori Malakand with immediate effect.

(DILSHAD BEGUM)
DISTRICT EDUCATION OFFICER (FEMALE),
MALAKAND AT BATKHELA.

To,

M- 36

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

SUBJECT: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER DATED 6.6.2016 WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE WAS IMPOSED ON THE APPELLANT

R.SHEWETH:
ON FACTS:

- 1- That initially the appellant was inducted/ appointed as Primary School Teacher (BPS-12) on the proper recommendation of Departmental selection committee on vide Notification dated 23.12.2010. That in response the appellant submitted her medical certificate and charge report and started performing her duty at the concerned station quite efficiently and up to the entire satisfaction of her superiors.
- 2- That where after the appellant was transferred to GGPS Khanori No.1 against the vacant post vide order dated 27.9.2013. That in response the appellant submitted her arrival report and started performing her duty at the concerned station.
- 3- That during service the appellant filed application for maternity leave which was accepted by the concerned authority by allowing sanctioned leave in light of the Revised Leave Rules 1986. That appellant filed another application for the extension of her maternity leave which was also accepted by the concerned authority and allowed further extension to appellant.
- 4- That after expiry of the said leave the appellant submitted her arrival report and started performing her duty at the concerned station quite efficiently and up to the entire satisfaction of her superiors. That astonishingly the concerned authority issued a show cause notice dated 21.1.2016 to the appellant wherein it were alleged that appellant have absented her self from duty and embezzled the PTC fund. That in response the appellant submitted her detailed reply and denied the allegations with documentary proofs.
- 5- That the concerned authority stopped the salaries of the appellant w.e.f. 1.12.2015 till date without any plausible reason and clear justification. That appellant feeling

aggrieved filed Departmental appeal for the release of her salaries w.e.f. 1.12.2015 till date but the concerned authority instead of releasing salaries of the appellant transferred the appellant to GGPS Shawlai which is more than 95 kilometers away from her home station vide impugned order dated 7.3.2016.

- 6- That appellant being aggrieved of the unlawful act of the concerned authority filed Departmental appeal but during the pendency of the said Departmental appeal another order dated 26.4.2016 was issued due to which the appellant was transferred to GGPS No.2 Khanori. That feeling aggrieved the appellant filed writ petition before the Darul Qaza wherein the concerned authority was directed to release the salaries of the appellant but the competent authority instead of releasing monthly salaries of the appellant imposed major penalty of Removal from service vide impugned order dated 6.6.2016.
- 7- That appellant feeling aggrieved filed the instant Departmental appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned order dated 6.6.2016 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 concerned authority in accordance with law and rules and as such the authority violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the impugned order dated 6.6.2016 has been issued by the concerned authority in violation of section-3 of the Transfer/ Posting Regulatory Act, 2011 of the Provincial Government.
- D- That no charge sheet and statement of allegation has been issued by the concerned authority before issuing the impugned order dated 6.6.2016.
- E- That no show cause notice has been issued to appellant before issuing the impugned order dated 6.6.2016.
- F- That no chance of personal hearing/defense has been provided to the appellant and as such the appellant has been condemned unheard.

- G- That the concerned authority acted in arbitrary and malafide manner while issuing the impugned order dated 6.6.2016.
- H- That appellant seeks permission and advance other grounds and proofs at the time of hearing.

It is therefore most humbly prayed that on acceptance of this Departmental appeal the impugned order dated 6.6.2016 may kindly be set aside and the appellant may be re-instated into service with all back benefits. Any other remedy which your good self deems fit that may also be awarded in favor of the appellant.

DATED: 24.6.2016

APPELLANT



SHAGUFTA BIBI, PST (BPS-12),
R/O VILLAGE HAJI HABIB UR REHMAN KLAI, P/O
SAKHAKOT, TEHSIL DARGAI, DISTRICT MALAKAND

VAKALATNAMA

IN THE COURT OF KPK Service Tribunal Peshawar

OF 2016

Shagufta Bibi

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Department

(RESPONDENT)
(DEFENDANT)


I/We Shagufta Bibi

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.

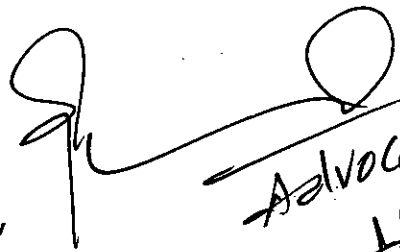
Dated. ___/___/2016



CLIENT


ACCEPTED
NOOR MOHAMMAD KHATTAK
(ADVOCATE)

OFFICE:
Room No.1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.
Phone: 091-2211391
Mobile No.0345-9383141


Advocate
S. Imroz Hussain
Advocate

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

APPEAL NO 1038 /2016.

Mst. Shagufta Bibi Ex: PST (BPS-12),
GGPS Khanoori No.1, District Malakand.....**APPELLANT.**

VERSUS

1. The Govt: of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
2. The Director (E&SE) Department, Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer (F), District Malakand.
4. The District Accounts Officer, District Malakand.

.....**RESPONDENTS**

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 TO 4.

Preliminary Objections

1. The Appellant has not come to this august Service Tribunal with clean hands.
2. The Appellant has got not cause of action and locus standi.
3. That the Appeal is not maintainable in its present form.
4. That the appeal is barred by law & time.

Facts.

Para-1. The appellant was initially appointed as PST at District Dir Lower and then applied for transfer to GGPS Khanoori No.1. District Malakand.

Para-2. The appellant/teacher concerned transferred to District Malakand

GGPS No.1 Khanoori on her own request, but always remained absent from her school duties.

Para-3. The mistress concerned always remained absent from her duties and also sent medical certificate for Maternity leave, which was investigated by the SDEO(F) Batkhela and found fake/bogus as the concerned Medical Officer declared fake. In response of such illegal activities and submission of fake medical certificate for Maternity leave and always remained absent from her duties a show cause notice was issued to the concerned teacher and also given a chance of personal hearing. During the personal hearing the teacher concerned committed for performing her duty regularly and the undersigned being the Competent Authority imposed the minor penalty of censure against her and the

absent period converted in to Extra Ordinary Leave without pay to save the carrier of the teacher as she was young , but regretted to say that she set aside all the mercies of the undersigned and remained absent from her duties. After expiry of winter vacation she remained absent as reported by the Headteacher as well as ASDEO(F) Circle vide No.862 dated 13.01.2016 and No 29-30 dated 31.3.2016 and No.1253 dated 13.4.2016 and dated 19.5.2016 and also HOT LINE COMPLAINT regarding her willful absence received from the Deputy Director Estt: Directorate E&SE KPK Peshawar vide his complaint No.4794-4303 dated 20.3.2016. The undersigned also visited on 18.4.2016 and found the mistress concerned absent from duties and the undersigned was no way to remove the mistress concerned from service.(copies attached as Annexure A-(Pages 1-14),B- (pages 1-4), C-(pages 1-3), E,B).

Para-4. As above para-3.

Para-5. As above para-3.

Para-6. The appellatant filed an appeal before Darul Qaza Swat and the case was dismissed on the following direction.

W.P No.314-M/2016

With Interim Relief

Present: Mr.Noor Muhammad Khattak, Advocate for the Petitioner.

LAL JAN KHATTAK. J:- Through this writ petition, petitioner seeks release of her salary and also has prayed for declaring the impugned transfer order dated 26.4.2016 as illegal and unconstitutional.

2. Facts of the case need no reiteration as learned counsel for the petitioner, after arguing the case at some length, stated at the

bar that he would not press the instant petition if directions are given to respondent No.3 to look into the petitioner's grievance and redress the same in accordance with law.

3. In view of the above this writ petition is hereby dismissed being not pressed, however, respondent No.3 is directed to look into the

petitioner's grievance and, after hearing her, shall pass an appropriate order qua her grievance within a period of one month. But the mistress was not change her behavior and not performing her duties and nor

attend the school for a single day and wasting the precious time of

national kids.

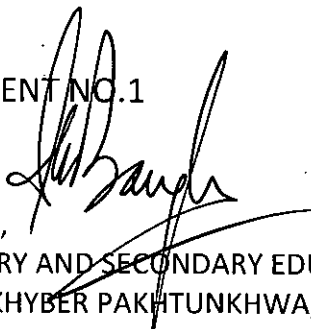
Para-7. No Comments.

GROUNDS.

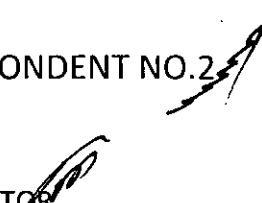
- A. The order has been issued on the basis of material and record available according to the law.
- B. Not admitted. The appellant has been treated in accordance to the law and rules and no violation of article 4 & 25 of the constitution of Islamic republic of Pakistan 1973.
- C. That no violation has been made of Section-3 of transfer posting regulatory act-2011 of the provincial Govt.
- D. As stated in Para-3. The charges have been proved and the undersigned have no further need to inquire the case.
- E. As Ground-D.
- F. The detail reply has been given in Para-3.
- G. Proper Inquiry has been conducted by the SDEO(F) Batkhela (Copy attached As annexure-A)
- H: All the codal formalities have been observed.
- I. The respondent seeks permission of the tribunal to advance other grounds and proofs at the time of hearing.

It is, therefore, humbly prayed that the instant appeal may graciously be dismissed.

RESPONDENT NO.1


SECRETARY,
ELEMENTARY AND SECONDARY EDUCATION
GOVT: OF KHYBER PAKHTUNKHWA, PESHAWAR.

RESPONDENT NO.2


DIRECTOR,
ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR.

RESPONDENT NO.3


DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

AFFIDAVIT

I, the respondents solemnly affirm and declare that the accompanying comments are true to the best of my knowledge and record in light of the office record and nothing has been canceled.

DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA

Annexure-A
Shagufta

(A)

80

D.E.O (F) Mkd
Diary 47
Date: 9-1-2016
At Batkhela

OPD
9-1
16

OFFICE OF THE
SUB DIVISIONAL EDUCATION OFFICER (F)
SWAT RANIZAI AT BATKHELA
No. 834
Dated 6-01-2016

To

The District Education officer,
(Female) Malakand at Batkhela.

Subject:- DISCIPLINARY ACTION AGAINST MR. SHAGUFTA PST GGPS, NO. 1 KHANORI.
Memo,

It is submitted for your kind information that Mst. Shagufta PST G.G.P.S. No. 1 Khanori was applied for maternity leave with effect from 29-09-2015 to 14-11-2015 vide O.P.D. chit No. 1874 dated 29-09-2015 and with effect from 15-11-2015 to 29-12-2015 vide RHC Sakhakot O.P.D. chit No. 528 dated 12-11-2015 (OPD chit No. 1874 dated 29-09-2015 and bogus OPD No. 528 dated 12-11-2015 are enclosed herewith).

Meanwhile the Nazim Union council Khanori lodged complaint against the maternity leave case of the mistress concerned and stated that the mistress concerned remained absent from her duty in each and every month since long. Then the maternity leave was sent to the Incharge Doctor RHC Sakhakot through the representatives of this office for verification. The In charge Doctor of R.H.C. Sakhakot recorded his remarks on the back of OPD Chit that O.P.D. No. 528 dated 12-11-2015 is wrong and the same OPD No. is not on the record of his O.P.D. register. (Copy attached).

Hence it is requested that strict disciplinary action may please be initiated against Mst. Shagufta Bibi PST GGPS, No. 1, Khanoori under E&D rules 2011.

Encl: As above.

Inquiry report of this office
is also attached for information
& further NIA PIS

Sub Divisional Education Officer (F)
SWAT RANIZAI AT BATKHELA
4/1/2015

OFFICE OF THE
SUB DIVISIONAL EDUCATION OFFICER (F)
SWAT RANIZAI AT BATKHELA

A
2

Annexure A

2

ENQUIRY REPORT REGARDING ABSENCE OF MST. SHAGUFTA PST GGPS, NO.2 KHANORI.

In compliance with the directions of the Sub Divisional Education officer (Female) Swat Ranizai at Batkhela dated 19-12-2015, Mr. Farmanullah Superintendent accompanied Mr. Faridullah J/Clerk of local office visited GGPS, No. 1 Khanori on 19-12-2015 and reached the school at 1.20 PM in connection with absence and maternity leave case of Mst. Shagufta Bibi PST GGPS, No. 1 Khanori. The following irregularities were noted.

FINDINGS.

The school was completely closed and Mst. Shagufta Bibi PST GGPS, No. 1 Khanori was absent from her duty. Mr. Muhammad Naseer Chowkidar was present. Then Mst. Shagufta Bibi PST came to school after the closing of school timing i.e. on 2.30 PM.

2. A questionnaire was given to Muhammad Naseer Chowkidar, he stated that Mst. Shagufta Bibi PST come to school three/ four days in the month and marked herself present in the teachers attendance register. He further stated that the school has been closed since three months. (Copy of written statement is enclosed as annexure "A").
3. A questionnaire was given to Mst. Shagufta Bibi PST GGPS, No. 1 Khanori. She stated in her reply that she performing her duty regularly from 7.30 am to 1.35 pm. She replied that her maternity leave case is based on fact. She recorded 7.30 am and 1.30 pm in the teachers attendance register in the whole month of October, November and December 2015. (Copy of written statement is enclosed as annexure "B").
4. The inhabitants of the area given written statement that the school remained closed since long and the teacher come to school after the expiry of three/ four months and then marked her signatures in the teachers attendance register for three/ four months on the same day. They further stated that the precious times of the small kids are wasting due to the absence of the mistress concerned.
5. **BUILDING AND CONDITIONAL GRANT.**
One class room has been fallen down since long and the other class room and veranda are also in bad condition. Rs.1,10,000/- for electrification Rs.1,60,000/- for Group latrine and Rs.2,00,000/- for water supply Total Rs.6,45,000/- have been allotted and are lying in the school account so far. The amount has not been drawn and utilized so far due to the absence of Mst. Shagufta Bibi PST. It is suggested that the higher authority may please be approached to construct one class room on need basis and strict action may be taken against the teacher concerned.
6. **PTC FUNDS.**
PTC funds have been allotted to the school, but no repair/work has been done in the last three years. The PTC amount allotted since 2013 up till now may be recovered from her salaries and be deposited into Government treasury through proper challan.
7. **5TH CLASS EXAMINATION 2016.**
The registration of some students of 5th class students of GGPS, No. 2, Khanori has not been done so far due to the absence of Mst. Shagufta Bibi PST. Explanation of the teacher may be called and action may be initiated against her.

Contd: p-2

Annexure A (27)
3

A
3

SUGGESTION.

The teacher concerned may be directed to utilize the conditional grant without further delay, as the target date of completion of work is near to be expired in few days. The ASDEO (F) circle concerned visited the school, on 20.09.2014 and then on 15.12.2015 as and when she directed. The ASDEO (F) circle concerned did not visit the school in the last One Year and three months. She has not visited the school during the last annual examination, as reflected from the teachers' attendance register of the school. Explanation of the A.S.D.E.O.(Female) Circle Betkhela and the teacher concerned may be called.

(FARMANULLAH)
SUPERINTENDENT
O/O THE S.D.E.O.(FEMALE)BATKHELA

(FARIDULLAH KHAN)
JUNIOR CLERK
O/O THE S.D.E.O.(FEMALE)BATKHELA.

in few days
on 15.12.2015
in the last
annual ex

Amn... A
45
29-12-2015

Medical No. 2

Rs.

No.

OUT-PATIENTS DEPARTMENT

NAME.....

YEARLY NO.....

DATE.....

No.

Rs. 3/-

OUT-PATIENTS DEPARTMENT

NAME *William...*

YEARLY NO. *528*

DATE *12-11-2015*

DISEASE.....

FACE VALUE RUPEES 5/- FACE VAL

This pt Mrs Shagufta is advised to have

Postnatal maternity

leave of 45 days

i.e from 15/11/2015 to

29/12/2015
29/12/2015

Dr. Mayam Khan

S.M.O RHC Sakharot

*DR SAADAT ANWAR
S.M.O RHC
Sakharot*

*W.M.O
R.H.C
Sakharot
12/11/2015*

PTO

گورنمنٹ جنرل ڈی. ایف. ڈی. ایف. ڈی. ایف.

(1)

اس
2015-11-12 کو
سنگھ میں ہونے والی
مشورہ میں
کے ریکارڈ کے مطابق
مادہ 11/1 کے تحت
مقررہ مدت میں غلط ہے۔

جناب عالیہ!

ڈاکٹر صاحبہ!

سرٹیفکیٹ دیا

فروری 2015-11

دین سے قیام

میدان نشی لکھنؤ

فقو

عمر

آپ کی تابع فرمان

پہلی بی ایس خانہ

DR. SAADAT ANWAR
S.M.O. RHC
SAKHAKOT
23/12/2015

DR. SAADAT ANWAR
S.M.O. RHC
SAKHAKOT

9-15

DE.O

25/2

A/S

Annexure A/5

This pt Mrs Shogufra is advised to have Antenatal maternity leave of 45 days i.e 1/10/2015 to 14/11/2015.

جناب عالی را
مؤدبانه گزارش
کامله کن فرمایید که
درخواست طریقه ای

DR. Maryam Behman
M.O
R.H.C
Sakhakot

11-2015 C 01-10-2015

29/09/15
DR. SAADAT ANWAR
M.O R.H.C
Sakhakot

Signature

Head Mistress
G.S.P.S. No. 1
Khanosht

عین گزارش است

کلمه ای در
مستنداتی که
مستند فرمایید

حفظ ذیادہ آداب

29/09/2015

التاریف
آئی سی ایم فرمان
پست پی ایس پی
جی ای ایس خانقوا

بیمان مشران و اہلیان محلہ سید خانواری

بیمبھیان و صاحبزادوں بچے امین اللہ و بیگم کونسلر (مستجاب) صاحبزادوں
 بچے غیر فرادی فضل پٹرن P.T.C. کیمس و غیرہ اترارک
 کو دیتے ہیں کہ صحت کے لیے وہ GPS پر ماہانہ خانواری
 کے دروازے بند پڑا ہے۔ اُستانی دو تین مہینے بعد
 اکثر رخصتیاں میں دستخط کرنا ہے۔ والدین کی جان کے
 لیے ہم سے ہماری بچیاں پر انہی کی تعلیم جس کی صورت
 شرم رہی ہے۔ اور تقریباً 30 مہینوں سے کل طور پر بند ہے
 پھر ہم سے تمام بالوں سے اسدیا کرتے ہیں کہ ہماری مثال
 ہم کو دو ٹون اور سامبھیان فی الفور (P.D.)

کلیان
 بی بی امین اللہ و بیگم کونسلر
 امین اللہ

بچے صاحبزادوں صاحبزادوں

بچے صاحبزادوں صاحبزادوں
 بچے غیر فرادی غیر فرادی

بچے فضل پٹرن فضل پٹرن

بچے نام سے نام سے

بچے صاحبزادوں صاحبزادوں

(8) صاحبزادوں صاحبزادوں

19/12/2015

ALLAH
 MUMBAI
 (Small illegible text)

Attested
Muz
(Super Intendant)
SDED (P) Bakhral

س: آپ کا نام اور عہدہ کیا ہے۔

ج: شہادت ملی اور عہدہ PST

س: آپ نے اس سکول میں کب سے چارج سنبھالی ہے؟

ج: 2013-10-

س: آپ سکول میں باقاعدگی سے ڈیوٹی انجام دے رہی ہے۔ یا نہیں۔

ج: ہاں دے رہی ہوں

س: آپ سکول میں کس وقت سے کس وقت تک ڈیوٹی انجام دے رہی ہیں۔

ج: صبح 7:30 سے کیلر 11:35 تک ڈیوٹی انجام دے رہی ہوں

س: آپ کے خلاف اس علاقے کے عوام نے شکایت (تحریری) کی ہے کہ آپ اپنی ڈیوٹی

میں کوتاہی کر رہے ہیں۔ اور مہینے میں ایک دن آکر تمام مہینے کی دستوری

ایک ہی دن کر کے واپس چلی جاتی ہیں۔ اس بارے میں مفصل جواب دیجیے۔

ج: یہ ٹھوسٹ ہے کہ میں سارے مہینے کی دستوری ایک

دن میں کرتی ہوں۔ اگر کبھی نہیں آتی یا دو دن

تو ٹرانسپورٹ کی وجہ سے کرتی ہوں

س: خدا کو حاضر و ناظر جان کر اقرار کریں کہ آپ کی میرٹھی لیو حقیقت پر مبنی ہے۔

ج: ہاں مہینے سے

س: آپ کے سکول کو کنڈیشنل گرانٹ ہیں اس سال کس کس مد میں کتنا رقم ملا ہے۔

ج: خانگے رقم _____ سولہ لاکھ _____ پندرہ لاکھ

_____ چالیس لاکھ _____ ساٹھ لاکھ

_____ بیانیہ سے کا ایساں رقم _____ لاکھ جو اکاؤنٹ میں ہے۔ 645000/-

س: آکر کنڈیشنل گرانٹ واپس کی گئی ہے تو اسے واپس لے کر کس کام کیوں شروع نہیں کیا ہے۔

ج: ایڈا میں منتظر رہنے کیلئے رقم ہم کام شروع

دستخط Shoghatta

میں لیا گیا ہے

سوالنامہ برائے چوکیدار گورنمنٹ ٹیگڈ پرائمری سکول غا خانوڑے

س۔ آپ کا نام اور عہدہ کیا ہے۔ ج۔ محمد نصیر چوکیدار

س۔ آپ اس سکول میں کب سے ڈیوٹی انجام دے رہے ہیں۔

ج۔ 2006

س۔ سکول ہذا میں سماہ شگفتہ جی پی ایس ٹی کی ڈیوٹی کے بارے میں تفصیل سے بیان دے دیں۔

3 ہفتے سے ملکہ بند ہے۔ صدمہ ہے جس چار دن سلا رہیں

حاضر و لیگان کیا آئے ہے لگتی سکول بند رہتا ہے

محمد نصیر

محمد نصیر چوکیدار
GAPS غا خانوڑے

19/12/15

Muhammad
Muhammad
SUPER INTENDANT
GOVT. SCHOOL

حضرت جناب ڈاکٹر آغا محمد عثمان صاحب (بقلم) بٹ خراسان

درخواست سب سے زیادہ قانونی حادراتی خلاف سماعت شہادتہ جی بی (PST) بقلم ڈاکٹر آغا محمد عثمان صاحب خاٹوڑی قلعہ میں۔

تذراش جناب سائل صاحب ذیل ہے۔

1) یہ سائل محنی الرحمن ولدہ دوامید و بی بی ناظم سکنہ خاٹوڑی پور میں کونسل سے تعلق رکھتا ہے۔

2) یہ سائل مزورہ بالا بی بی عثمانہ دوامید سے غنیمہ حاضر ہے۔ اور کالونی مندرجہ میں ایک بار رقتی ہے۔ اور تمام مندرجہ سیکول جیڈا سے مسلسل غنیمہ حاضر ہوتی رہتی ہے۔

3) یہ سائل مزورہ بی بی عثمانہ کی غنیمہ حاضر کی وجہ سے بیمار ہے، بچوں کا مستقبل تاریک ہوتا جا رہا ہے۔ جبکہ سیکول جیڈا کے تمام بچے باقاعدگی سے آتے رہتے ہیں۔

4) یہ سائل حاجت بی بی عثمانہ کے لئے ڈاکٹر عثمان بن لہویا سے ہے۔
5) یہ سائل PST مندرجہ سے متعلق ہے۔

سیدہ اسد علی گھانی یہ کہہ کر مزورہ بالا بی بی عثمانہ کے خلاف قانونی حادراتی کے تمام اہل کار در مشر ما کر مشر و صاحبین۔
سینہ لائسنس ہوگے۔ الموقوفہ 05/12/2015

GHANAZIM GHANI U RAHM VILLAGE COUNCIL

سائل محنی الرحمن ولدہ دوامید و بی بی ناظم سکنہ خاٹوڑی قلعہ میں۔

through SDEO(F) Batkhela. Annexure = (30)

OFFICE OF THE
DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.
No. 750

A
10

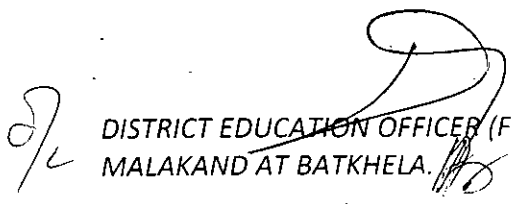
Dated 8/2 /2016.

To
Mst. Shagufta PST
Govt: Girls Primary School No.1. Khanoori
Malakand.

Subject:- SHOW CAUSE NOTICE.
Memo:

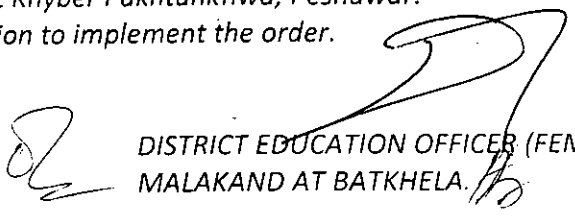
Reference your reply to the Show Cause Notice No. Nil Dated Nil received in this office is not tenable.

Hence you are directed to attend this office for personal hearing on 11.2.2016. at 10.00 AM.


DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.


Endst: No. 751-52
Copy forwarded to :-

1. The P/A to Director E&SE Department Khyber Pakhtunkhwa, Peshawar.
2. The SDEO(F) Batkhela with the direction to implement the order.



DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

سیٹلنگ پی ایس ٹی جی بی پی ایس خانوڑے نمبر 1

ڈسٹرکٹ ایجوکیشن آفیسر (DEO) کو طاعن ہوئی


11-2-2016

After personal hearing the
minor penalty of censure
should be imposed and
recovery: w.e.f. 1-9-2015 to 31-12-15
may be made. ASDEO (Cis!)
are advised to visit the school
twice within month.



Annexure
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11
30-
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SHOW CAUSE NOTICE

I, Dilshad Begum District Education Officer (F) Malakand, as a competent authority under the Khyber Pakhtunkhwa Government servant (E&D) Rules 2011 do hereby serve upon you Mst. Shagufta PST GGPS No.1 Khanori District Malakand.

As per inquiry report submitted by the SDEO(F) Swat Ranizai at Batkhela vide her office memo:No.834 dated 6.01.2016 now and your written statement that you have directed your duty assigned to you being a Primary School Teacher.

Ongoing through the materials on record and other connected papers, I am satisfied that you have committed the following acts/omissions specified in rule-3 of Khyber Pakhtunkhwa Civil Servant (E&D) rules 2011.

- (a) Absence from duty. According to the enquiry that the school remained closed since long and you come to school after the expiry of three/four months and then marked your signature in the teachers attendance register for three/four months on the same day.
- (b) Guilty of misconduct and applied for maternity leave with effect from 29.9.2015 to 14.11.2015 vide O.P.D slip No.1874 dated 29.9.2015 and w.e.from 15.11.2015 to 29.12.2015 vide RHC Sakhakot O.P.D slip No.528 dated 12.11.2015 are verified from the Incharge Doctor were found Fake and bogus.
- (c) PTC Funds have been allotted to the school, but no repair/work has been done in the last three years up till now.

2. (i) On the basis of the afore mentioned valid grounds and facts, the undersigned being the competent authority in exercise of the powers conferred under Rules-5(1)(a) of the Khyber Pakhtunkhwa (E&D) Rules,2011, deem it un-necessary to conduct inquiry and therefore, decided to dispense with the inquiry procedure required under Rules-10(1) of the rules ibid.

(ii) As a result thereof, I as competent authority, have tentatively decided to impose upon you the major penalty of Removal from service under rules 4 (b) (iii) of the Khyber Pakhtunkhwa Civil Servants (E&D) Rules 2011.

You are therefore, directed to furnish your reply to the show cause notice as to why the Aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

If no reply to this notice is received within seven days or not more than fifteen days of its delivery. It shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.

COMPETENT AUTHORITY
DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

Endst:No. 295-97 /FNo/Complaint/PST (F)/ Dated 21/01 /2016.

Copy of the above is forwarded to:-

1. The P/A to Director Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. The SDEO(F) Swat Ranizai at Batkhela w/r to her office memo:No.834 dated 6.01.2016 and with the direction to serve the said show cause notice on the accused teacher.
3. Mst. Shagufta PST GGPS No.1 Khanoori Malakand with the remarks, that her reply should reached to this office within seven days positively.

Supdt:
Served the notice to the
concerned teacher through ASDEO
circle concerned

26/1/2016

Received
signature

DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

28/01/2016

Abdul AS
2/1/16

Ammeasure = (29)
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12

To

DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.

Subject : **Reply to the Show Cause Notice** ,
dated 21/01/2016; Endst No.295-97.

D.E.O (F) Mkd
Diary 232.....
Date: 2-2-2016.....
At Batkhela

Madam

I, Mist. Shagufta PST GGPS Khanori No.1 Distt. Malakand would like to say that I am shocked and astonished when I received the show cause notice from your office but I refuse and refute it because of the following background facts .

- (1) Sentence no. (a) in show cause is baseless and merely a charge and blame imposed upon me as I've regularly performed my due duty and during my duty many times Monitoring Cell Members visited our school and I put my signatures in theirs' mobile of data collection and checking teachers attendance in school . It's a very clear and authentic proof of performing my duty in the period as you mentioned.
- (2) Sentence no. (b) is also not based on facts , as I've taken step by step permission and submitted my medical and ultrasound report to the concerned office and that was my legal right . And I have all the necessary medical reports which are genuine and based on facts ,if needed I'll present at any forum for my defense .
- (3) Sentence no.(c) have no facts and intended to merely torture me , as I've taken my charge as PSHT of the school at 25/08/2014, and merely spent P.T.C amount of two years of 2014 and 2015 on compound wall , main gate and stationary of the school .

Note. copy of the show cause notice is attached with.

So I most humbly request you to sit aside the show cause notice and release my salary , for because of stopping my salary. a lot problems are being created with respect to my children education and livelihood .

THANKS

Yours obediently Mst. Shagufta GGPS Khanori No.1 Subdivision Batkhela
Malakand.

Dated 28/01/2016 SS
Head P.T.C
G.G.P.S No.1
Khanori

Annexure
A
13
30-B

Abdul AS
42
16

OFFICE OF THE
SUB DIVISIONAL EDUCATION OFFICER (F)
SWAT RANIZAI AT BATKHELA.
No. 989
Dated 3/2 /2016.

To

The District Education officer,
(Female) Malakand at Batkhela.

D.E.O (F) Malakand
Diary 251
Date: 4-2-15
At Batkhela

Subject: -
Memo,

SHOW CAUSE NOTICE SERVED UPON MST.SHAGUFTA PST GGPS,NO.1 KHANORI.

Kindly refer to your office endst: No.295- 97/F.No./Complaint/ PST (F) dated 21-01-2016 on the above cited subject.

Enclosed please find herewith receipt of show cause notice served upon Mst. Shagufta PST Government Girls Primary school No.1 Khanori is submitted for your kind information and further necessary action, as directed vide your office endst: No.295- 97/F.No. Complaint/PST (F) dated 21- 01- 2016.

Encl: As above.

SUB DIVISIONAL EDUCATION OFFICER (F)
SWAT RANIZAI AT BATKHELA.
3/2/2016

Ammeasur = A
20/1/16

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.

OFFICE ORDER.

WHEREAS, Mst. Shagufta, PST, GGPS No.1. Khanoori Malakand was proceeded against under the Khyber Pakhtunkhwa Government servants (Efficiency and Disciplinary) Rules-2011 on the charges of willful absence from duties without prior approval of leave as well as submission of fake Maternity leave certificate.

- 1- AND WHEREAS, proper inquiry report submitted by the SDEO(F) Swat Ranizai Batkhela vide her office memo: No.834 dated 6.01.2016 and subsequently Show Cause Notice was issued vide this office under endst: No.295-97 dated 21.01.2016 to the said teacher.
- 2- AND WHEREAS, the said absent teacher appeared before the competent authority on 11.2.2016 and made commitment for regular performance in future.
- 3- AND WHEREAS, the competent authority DEO(Female), Malakand after having considered the charges evidence on record, reply of the accused teacher is of the view that the charges of willful absence/ have been proved against the said accused teacher.
4. Now therefore, in exercise of powers conferred under clause-(f) of Rule-7 of the Khyber Pakhtunkhwa Government Servants (E&D) Rules-2011, the competent authority is pleased to impose the minor penalty of "censure" in addition to recovery of pay, if already drawn, for the following period of absence from duty which is converted into Extra Ordinary Leave without pay.

PERIOD OF ABSENCE CONVERTED INTO E.O.L WITHOUT PAY.

1. w. e. from 01.9.2015 to 31.12.2015.

Note:- Necessary Entry to this effect should be made in her S/Book.

(DILSHAD BEGUM)
DISTRICT EDUCATION OFFICER(FEMALE),
MALAKAND AT BATKHELA.

Endst: No. 1327-90/P/F Disciplinary action PST (F)/

Dated 3/3 /2016.

Copy of the above is forwarded for information and necessary action to:-

1. The Director E&SED Khyber Pakhtunkhwa, Peshawar.
2. The SDEO(F), Swat Ranizai at Batkhela.
3. The District Accounts Officer Malakand.
4. The Headteacher, GGPS No.1. Khanoori Malakand.

DISTRICT EDUCATION OFFICER(FEMALE),
MALAKAND AT BATKHELA.

Service concerned teacher through ASDEO
Circle concerned

26/1/2016

Received
GIC/AS

DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

شہادت جینا ڈسٹرکٹ ایجوکیشن آفیسر (زنانہ) فرا کنگز سٹیٹ۔

Annex = B

(5)

جناب عالیہ! نہایت ادب سے گزارش کی جاتی ہے۔ کہ گورنمنٹ لرننگ
 ٹیچر امبری سکول خانوڑی ٹیچرہ کی واحد ٹیچر آڈی کا تیار کیا گیا ہے۔
 گورنمنٹ لرننگ ٹیچر امبری سکول خانوڑی ٹیچرہ کی تیار کیا گیا ہے۔
 جناب والا! چونکہ سکول خیرا میں بھی صرف ایک ٹیچر ہے
 اور داخلہ یوں کی تعداد 54 ہے۔ ایک استانی کے لیے سکول
 چلانا مشکل نہیں ہے۔ اور خانوڑی سکول ٹیچرہ کی ٹیچرہ
 تاحال بطور خیرا 2016-18 اسکول میں خارج نہیں کیا ہے۔
 لہذا آپ صاحبان کی طرف سے بزرگوار درخواست
 سنبھال کر ہے۔ کہ سکول خیرا کے مسائل کو مد نظر رکھ کر
 خانوڑی ٹیچر امبری سکول ٹیچرہ کے آڈی ٹیچر کو دو ٹیچر سکول
 گورنمنٹ لرننگ ٹیچر امبری سکول خانوڑی میں فراہم
 کر دیں اور اس کے لیے فوراً سمیت احکامات جاری فرما دیں
 بڑی شکرگزار اور میں تاحیات دعا گو رہوں گی۔

السرینے، عظیم پالو آڈی جی جی ایس انس خانوڑی (ٹیچرہ)

~~Mx. Akmal Ahsan~~

~~19.5.2016~~

Zano

HEAD MISTRESS
G.O.P.S Khanol No2
Malaband Agency

HEAD MISTRESS
G.O.P.S Khanol No2

Annexure

B/2

(1)

D.E.O (F) Mkd
Diary93.....
Date: 15-1-2016
At Batkhela

OFFICE OF THE
SUB DIVI: EDU: OFFICER (F)
SWAT RANIZAI AT BATKHELA.
No. 862
Dated 13-01-2016

To

The District Education officer,
(Female) Malakand at Batkhela. ✓

Subject:- ADJUSTMENT OF STAFF OF GGPS, NO.1 KHANORI INTO GGPS, NO.2 KHANORI.
Memo,

It is submitted that due to bad condition of the building of GGPS, No.1 Khanori/ single teacher school and absence of mistress, the GGPS, No.1 Khanori always remained closed and the precious time of small kids are badly suffered since long.

Hence it is requested that the teaching/ non teaching staff of GGPS, No.1 Khanori may please be adjusted at GGPS, No.2 Khanori in the interest of public service please.

[Signature]
SUB DIVISIONAL EDUCATION OFFICER (F)
SWAT RANIZAI AT BATKHELA.

Abdul AR
15/1/16

OFFICE OF THE ASSISTANT SUBDIVISIONAL EDUCATION OFFICER TOTAKAN

No: 29-30

Date: 31-3-2016

To

The Subdivisional Educational officer female

At Batkhela

Subject: Condition of GGPS Sholawai

Detail:

GGPS Sholawai is situated in UC Pirkhail in circle Totakan. There are 02 sanctioned posts of PST in the school. But the working position is nil from 1st March 2016 due to reappointment of existing NTS Teacher MS Neelam through NTS in another school in GGPCMS Kharki Pirkhail. With consultation of the School PTC Temporary teacher has been selected in PTC Fund From 8th March 2016, and she is regular in her duties. According to verbal order of DEO female Malakand to the teacher of GGPS Khanori 1 about duty in Sholawai, she is also remain absent in GGPS Sholawai. She has performed her duty in the school only one day for 15 minutes and till date she is absent. so there is no regular teacher in the school.

ASDEO Circle Totakan

Copy forwarded to DEO female Malakand at batkhela

ASDEO Totakan

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Annexures

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(4)

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OFFICE OF THE
SUB DIVISIONAL EDU: OFFICER (F)
SWAT RANIZAI AT BATKHELA.
NO. 1253
Dated 13/4/2016.

To

✓
The District Education officer,
(Female) Malakand at Batkhela.

Subject:-
Memo,

ABSENTEESIM REPORT.


D.E.O (F) Mkd
Diary ... 1022.....
Date: 4-5-2016
At Batkhela

Kindly refer to the subject cited above that one Mst. Shagufta PST of Government Girls Primary school No.1 Khanori already submitted a fake maternity leave with effect from 01-09-2015 to 24-12-2015, Which was verified from concerned Hospital? Later on detail report submitted to your good office for disciplinary action. The decision of your good office was process further.

But it come into notice that the said teacher is absent and her where about is unknown. The detail report of ASDEO (Female) Circle Batkhela and Circle Totakan was taken regarding the said teacher duty position, as well as the school position of Government Girls Primary school Sholawai and Government Girls Primary school No.01 Khanori (Copies attached).

Report is submitted for your kind information and further necessary action please.


Encl: As above,


SUB DIVISIONAL EDUCATION OFFICER
(FEMALE) SWAT RANIZAI AT BATKHELA.

Endst: No. _____

Copy of the above is forwarded for information to:-

1. P.S. to Secretary to Govt:of Khyber Pakhtunkhwa E&SE Peshawar.
2. The Director Elementary and secondary Education Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Commissioner, Malakand.
4. The District Monitoring Officer, I.M.U. District Malakand at Blatkhela.


SUB DIVISIONAL EDUCATION OFFICER
(FEMALE) SWAT RANIZAI AT BATKHELA.

Annex = $\frac{D}{T}$ (13)
F 3/12
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DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

No. 4794-4300 / F.No.8/Hot Line/G.Branch
Dated: Peshawar the 20/5 /2016.

To
The District Education Officers,
(M+F) Mansehra, Haripur (M),
Dir Upper (M), D.I.Khan (M+F),
Peshawar (M), Swat (M), Mardan (M),
Dir Lower (F), Hangu (M), Swabi (F)
Nowshera (M), Malakand (F) & Karak (F).

Subject: - HOT LINE COMPLAINT.
Memo:

Abdul A.S.
D.E.O (F) Mkd
Diary... 12.14...
Date... 25.5.2016...
At Bathkela
CP/25/5
16

I am directed to refer to the subject noted above and to submit that 24 complaint have been received ~~by~~ the Additional Directors (Establishment)/ P&D which are forwarded to your good self with request to take necessary action in the matter and send complete report to this office to the quarter concerned at earliest. The detail is attached herewith.

It is further stated that the complaint cell is operational from 8.00 a.m to 10.00 p.m.

[Signature]
By: Director (Estt.) 19/5/2016
Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar

Endst: No. _____ /
Copy of the above is forwarded to the:-

1. P.A. to Director of Elementary & Secondary Education Local Directorate.

[Signature]
Dy: Director (Estt.)
Directorate of Elementary and Secondary
Education Khyber Pakhtunkhwa, Peshawar

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
KHYBER PAKHTUNKHWA, PESHAWAR

Phone: 091-9210938, E-mail: complaintcellese@gmail.com

No. 4247-48 F.No. Hotline Complaint/2016

Dated Peshawar the 12/5/2016

Annex - 2 C/2

(9)

To

[Handwritten mark]

- i. The Add: Director (Establishment),
- ii. The Add: Director (P&D),
Directorate of Elementary and Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Subject: - **HOT LINE COMPLAINTS.**

I am directed to refer to the subject cited above and submit that Ten (10) complaints have been received in the complaint cell on 11th May, 2016 8:00 AM to 10:00 PM, which are forwarded to your good self with request to take necessary action in the matter. The detail is attached herewith.

It is further stated that the complaint cell is operational from 8:00 AM to 10:00 PM.

[Handwritten signature]

Deputy Director (P &D)
Directorate of E&SE KPK

Endst: No. _____/

Copy forwarded to the: -

- 1:- P.A. to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2:- Master File.

[Handwritten signature]

13/5/16 636
13/5

Deputy Director (P &D)
Directorate of E&SE KPK

Hotline Complaint Tracking database

(7)

| No | Date of complaint received | Time | Name of Complainant | Complainant Contact No. | Address | District | Complaint about | Description of Complaint | Name of School |
|----|----------------------------|----------|-----------------------------------|-------------------------|-----------------------|-----------|---|--|--|
| 86 | 27/04/2016 | 8:05 AM | Wakeel Khan | 0336-0915933 | Khanory | Malakand | Absent of Teacher | 2 Teachers are deputed in GGPS Khanory, Malakand, 1 of them has been transfered but the other is absent from duty, She did not take interest to teaching. Our children are suffering | GGPS, No.2, Khanry, Malakand. |
| 87 | 27/04/2016 | 8:40 AM | Hazrat Khan | 0343-9782307 | Jalil Abad | Mardan | Corporal Punishment | Anwar PST is Punished the students and threaten the village elders that no one can stop me this attitude. | GPS, Jalil Abad, Lund Khwar, Mardan |
| 88 | 27/04/2016 | 9:23 AM | Sher Azam | 0344-8180567 | Muslim Abad | Mardan | Admission in 9th Class | Teacher Sulaman is not giving admission to my son Azaz Ali of 9th class. He take his certificate since 15 days ago and now return it and said that I did not admit him. | GHS, Muslim Abad, Lund Khwar, Mardan |
| 89 | 27/04/2016 | 12:30 PM | Muhammad Ishaq Afridi, C.M, House | 0307-5982484 | Rashakai | Nowshera | Principal required and teachers does not work | At GHSS, Rashakai, Nowshera Principal post is laying vacant from 1 years, therefore the teacher does not work and students are suffering | GHSS, Rashakai, Nowshera |
| 90 | 27/04/2016 | 12:58 PM | Syed Mian Ali Shah | 0345-2585097 | Kabal | Swat | Corporal Punishment | Ejaz teacher in Iqra Globle Academy, Galoch Kabal Swat are punished their daughter Maria | Iqra Globle Academy, Galoch, Kabal, Swat |
| 91 | 27/04/2016 | 2:55 PM | Muhammad Arshad | 0321-8931505 | Thanda Katha, Balakot | Mansehra. | Absent of Teacher | Mushtaq PST is transfer here, but he did not come to school, and students are suffering. | GPS, Thanda Katha, Balakot, Mansehra |

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Approved by $\frac{D}{3}$

$\frac{D}{3}$

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18

Annexure D

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.

OFFICE ORDER.

WHEREAS, Mst. Shagufta Bibi, PST, GGPS No.2. Khanoori, Malakand was proceeded against under the Khyber Pakhtunkhwa Government servants (Efficiency and Disciplinary) Rules-2011 on the charges of willful absence from duties without prior approval of leave as well as submission of fake maternity leave certificate w.e. from 1.9.2015 to 31.12.2015, which were declared by the Incharge Medical Officer concerned and on the said material, you were issued show cause notice vide this office endst: No.295-97 dated 21.1.2016 and after personal hearing on 11.2.2016 the said absence period were converted in to Extra Ordinary Leave without pay and you were also issued censure of minor penalty vide this office order endst: No. 1387-90/ dated 3.3.2016.

AND WHEREAS, The said absent teacher appeared before the competent authority on 11.2.2016 and made commitment for regular performance in future.

AND WHEREAS, You were regularly remained absent from your duty after the expiry of winter vacations (w.e. from 1.1.2016 to 29.2.2016) as reported by the Headmistress concerned/ASDEO(F) Circle/SDEO(F) Batkhela vide No.862 dated 13.01.2016, No.29-30 dated 31.3.2016, No.1253 dated 13.4.2016 and dated 19.5.2016 and also Hot line complaint regarding her willful absence received from the Deputy Director Estt: Directorate of E&SED KPK, Peshawar vide his complaint No.4794-4303 dated 20.3.2016.

AND WHEREAS, The detail absence report received from the Headteacher concerned/Chowkidar/ ASDEO(F) Circle concerned vide her letter No.Nil dated 16.5.2016 and No.Nil dated 17.5.2016 and memo: No.49-50 dated 17.5.2016.

AND WHEREAS, At the last a detail report of her willful absence received from the SDEO(F) Batkhela vide her office memo: No.1386 dated 31.5.2016, it means that she did not take interest in her duties and regularly remained absent from her duty without consent/approval of the competent authority.

AND WHEREAS, The competent authority (District Education Officer (F) Malakand visited the school by herself on 18.4.2016 and the accused mistress found absent from her duty and satisfied to remove her service.

AND WHEREAS, The competent authority DEO(F) Malakand after having considered the charges evidence on record is of the view that the charges of willful absence have been proved against the said accused teacher.

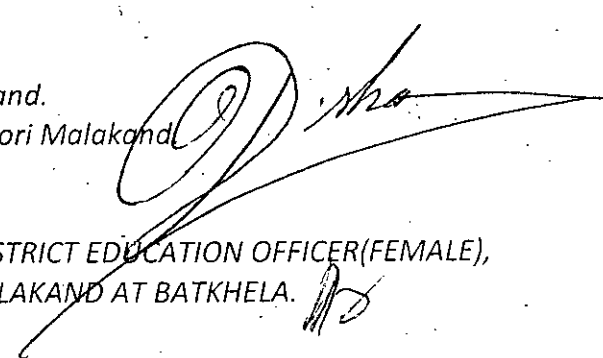
NOW, THEREFORE, in exercise of powers conferred under section 14 of Khyber Pakhtunkhwa, Government servants (E&D) rules 2011, the competent authority (DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND) is pleased to impose the major penalty of "REMOVAL FROM SERVICE" upon Mst. Shagufta Bibi PST (BPS-12) Govt: Girls Primary School No.2. Khanoori Malakand with immediate effect.

(DILSHAD BEGUM)
DISTRICT EDUCATION OFFICER (FEMALE),
MALAKAND AT BATKHELA.

Endst:No. 3109-13/FN0/GGPS No.2.Khanoori /DEO(F) Mkd:/ Dated 6/6 /2016.

Copy of the above is forwarded for information and necessary action to:-

1. The Director E&SED Khyber Pakhtunkhwa, Peshawar.
2. The SDEO(F),Swat Ranizai at Batkhela.
3. The District Accounts Officer Malakand.
4. The Head Teacher, GGPS No.2. Khanoori Malakand.
5. Mst.Shagufta Bibi PST (BS-12) GGPS No.2.Khanoori Malakand.


DISTRICT EDUCATION OFFICER(FEMALE),
MALAKAND AT BATKHELA.

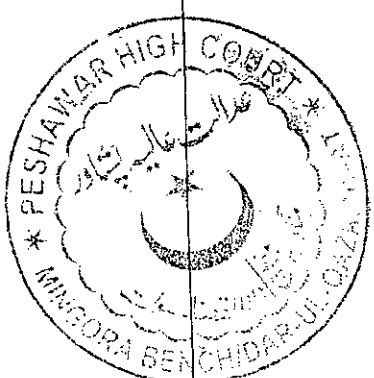
E
*
Annex = A
(2)

PESHAWAR HIGH COURT, MINGORA BENCH
(DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

Court of

Case No. of

| Serial No. of order or proceeding | Date of Order or Proceedings | Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary. |
|-----------------------------------|--|--|
| 1 | 2 | 3 |
| | <p style="text-align: center;">31.05.2016</p>  | <p><u>W.P No. 314-M/2016</u> <u>With Interim Relief</u></p> <p>Present: Mr. Noor Muhammad Khattak, Advocate for the petitioner.</p> <p style="text-align: center;">***</p> <p><u>LAL JAN KHATTAK, J.-</u> Through this writ petition, petitioner seeks release of her salary and also has prayed for declaring the impugned transfer order dated 26.04.2016 as illegal and unconstitutional.</p> <p><u>2.</u> Facts of the case need no reiteration as learned counsel for the petitioner, after arguing the case at some length, stated at the bar that he would not press the instant petition if directions are given to respondent No.3 to look into the petitioner's grievance and redress the same in accordance with law.</p> <p><u>3.</u> In view of the above, this writ petition is hereby dismissed being not pressed, however,</p> |

11/2

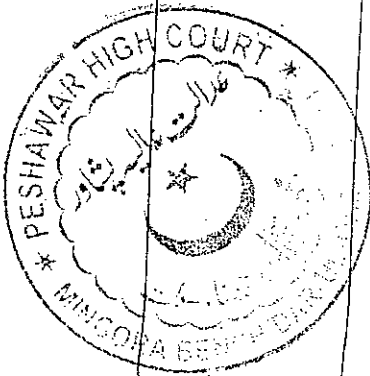
respondent No. 3 is directed to look into the petitioner's grievance and, after hearing her, shall pass an appropriate order qua her grievance within a period of one month.

Announced
31.05.2016

Sd: Lal Jan Khattak-J
Sd. Muhammad Younis Thabeem-J

Certified to be true copy

JI



EXAMINER

Peshawar High Court, Mingora/Char-ul-Qaza, Swat
Authorized Under Article 07 of Ganoon-e-Zahadat Order 1984

JUDGE

S.No. 2492

Name of Applicant... Gul Khan

Date of Presentation of Applicant... 07.6.16

Date of Completion of Copies... 1

No of Copies... 8

Urgent Fee... 8/-

Fee Charged... 16/-

Date of Delivery of Copies... 4.6.16

Att 6/2/6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

APPEAL NO 1038 /2016.

Mst.Shagufta Bibi Ex: PST (BPS-12),
GGPS Khanoori No.1, District Malakand.....APPELLANT.

VERSUS

1. The Govt: of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
2. The Director (E&SE) Department, Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer (F), District Malakand.
4. The District Accounts Officer, District Malakand.

.....
RESPONDENTS

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 TO 4.

Preliminary Objections

1. The Appellant has not come to this august Service Tribunal with clean hands.
2. The Appellant has got no cause of action and locus standi.
3. That the Appeal is not maintainable in its present form.
4. That the appeal is barred by law & time.

Facts.

Detail be given.
~~Para-1. Related to District Dir Lower as she was appointed in District Dir Lower.~~

Para-2. The appellant/teacher concerned transferred to District Malakand GGPS No.1 Khanoori on her own request, but always remained absent from her school duties.

Para-3. The mistress concerned always remained absent from her duties and also sent medical certificate for Maternity leave, which was investigated by the SDEO(F) Batkhela and found fake/bogus as the concerned Medical Officer declared fake. In

response of such illegal activities and submission of fake medical certificate for Maternity leave and always remained absent from her duties a show cause notice was issued to the concerned teacher and also given a chance of personal hearing. During the personal hearing the teacher concerned committed for performing her duty regularly and the undersigned being the Competent Authority imposed the minor penalty of censure against her and the absent period converted in to Extra Ordinary Leave without pay to save the carrier of the teacher as she was young , but regretted to say that she set aside all the mercies of the undersigned and remained absent from her duties. After expiry of winter vacation she remained absent as reported by the Headteacher as well as ASDEO(F) Circle vide No.862 dated 13.01.2016 and No 29-30 dated 31.3.2016 and No.1253 dated 13.4.2016 and dated 19.5.2016 and also HOT LINE COMPLAINT regarding her willful absence received from the Deputy Director Estt: Directorate E&SE KPK Peshawar vide his complaint No.4794-4303 dated 20.3.2016. The undersigned also visited on 18.4.2016 and found the mistress concerned absent from duties and the undersigned was no way to remove the mistress concerned from service.(copies attached as Annexure ABCDEF).

Para-4. As above para-3.

Para-5. As above para-3.

Para-6. The appellant filed an appeal before Darul Qaza Swat and the case was dismissed on the following direction.

W.P No.314-M/2016

With Interim Relief

Present: Mr.Noor Muhammad Khattak, Advocate for the Petitioner.

LAL JAN KHATTAK. J:- Through this writ petition, petitioner seeks release of her salary and also has prayed for declaring the impugned transfer order dated 26.4.2016 as illegal and unconstitutional.

2. Facts of the case need no reiteration as learned counsel for the petitioner, after arguing the case at some length, stated at the bar that he would not press the instant petition if directions are given to respondent No.3 to look into the petitioner's grievance and redress the same in accordance with law.

3. In view of the above this writ petition is hereby dismissed being not pressed, however, respondent No.3 is directed to look into the petitioner's grievance and, after hearing her, shall pass an appropriate order qua her grievance within a period of one month. But the mistress was not change her behavior and not performing her duties and nor attend the school for a single day and wasting the precious time of national kids.

Para-7. No Comments.

GROUNDS.

- A. The order has been issued on the basis of material and record available according to the law.
- B. Not admitted. The appellant has been treated in accordance to the law and rules and no violation of article 4 & 25 of the constitution of Islamic republic of Pakistan 1973.
- C. That no violation has been made of Section-3 of transfer posting regulatory act-2011 of the provincial Govt.

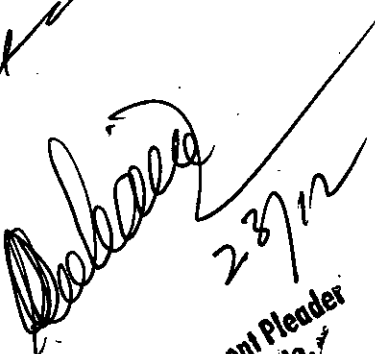
- 62
- D. As stated in Para-3. The charges have been proved and the undersigned have no further need to inquire the case.
 - E. As Ground-D.
 - F. The detail reply has been given in Para-3.
 - G. Proper Inquiry has been conducted by the SDEO(F) Batkhela (Copy attached As annexure-)
 - H. All the codal formalities have been observed.
 - I. The respondent seeks permission of the ~~department~~^{tribunal} to advance other grounds and proofs at the time of hearing.

It is, therefore, humbly prayed that the instant appeal may graciously be dismissed.


 DISTRICT EDUCATION OFFICER (FEMALE)
 MALAKAND AT BATKHELA. *As*

Director
 ECSE, KPKU,

Secy to Govt. of KPKU,
 ECSE Deptt.

23/12

 Senior Government Pleader
 Swat at Gulakada.

*Verified subject
 to copy at both
 pages.*

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1762/ST

Dated 14/10 2019

To


The District Education Officer Female,
Government of Khyber Pakhtunkhwa,
Malakand.

Subject: -

JUDGMENT IN APPEAL NO. 1038/2016, MST. SHAGUFTA BIBI.

I am directed to forward herewith a certified copy of Judgement dated 30.08.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.