

Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	12.10.2017	<p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></p> <p style="text-align: center;">Service Appeal No. 591/2016</p> <p style="text-align: center;">Date of Institution ... 03.06.2016 Date of Decision ... 12.10.2017</p> <p>Mst. Siraj Bibi wife of Syed Anwar Ali Shah R/O Qasim Naste Kot, Parachinar, presently posted at Principle Govt. Girls High School City No. 1, Parachinar----- Petitioner</p> <p>1. The Director of Eductaion FATA, Fata Secretariat Directorate of Education Warsak Road, Peshawar. 2. Deputy Director Education (Establishment) Directorate of Education Warsak Road, Peshawar. 3. Assistant Director Education(Establishment) Directorate of Education Warsak Road, Peshawar. 4. Agency Education Officer Kurram Agency Parachinar. 5. Mst. Nosheen Ali SST Govt. Girls High School City No. 1, Parachinar.----- Respondents</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> - Learned counsel for the appellant and Mr. Zia Ullah, Deputy District Attorney on behalf of the official respondents present.</p> <p>2. Appellant has filed the present appeal u/s 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the respondents wherein she made impugned the order dated 30.05.2016 whereby</p>

D. Amin

transfer order in respect of the appellant from GHS Alamsher Kurrum Agency against the vacant post of Principal at GHS City

No. 1 Parachinar was cancelled.

3. Arguments heard. File perused.

4. During the course of arguments it transpired that during the

pendency of the present appeal, the appellant was promoted from

S.H.T (BPS-16) to the post of Headmistress (BPS-17) on regular

basis vide order dated 18.04.2017 and resultant, by virtue of

promotion she shall be transferred from GHS Alamsher, Kurrum

Agency and her services may be placed at the disposal of Director

Education FATA.

5. In the light of above, the present appeal has become

infructuous and is dismissed as such. In case, the appellant is

aggrieved from her fresh posting after her promotion, she may

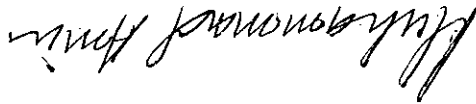
adopt the proper remedy as per law/rules. Parties are left to bear

their own costs. File be consigned to the record room.



(MUHAMMAD HAMID MUGHAL)

MEMBER



(MUHAMMAD AMIN KHAN KUNDLI)

MEMBER

ANNOUNCED


12.10.2017

Service Appeal No. 591/2016

29.09.2017

Counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney alongwith Mr. Daud Jan, Superintendent for the respondents also present. Order could not be announced as learned Member (Judicial) Mr. Muhammad Hamid Mughal was busy in Single Bench cases. Adjourned. To come up for order on 12.10.2017 before D.B.

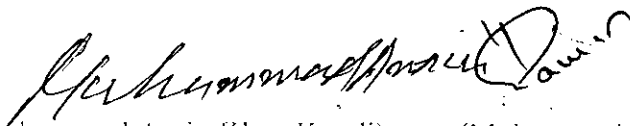
(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

12.10.2017

Learned counsel for the appellant and Mr. Zia Ullah, learned Deputy District Attorney on behalf of the official respondents present. Vide separate judgment of today of this Tribunal placed on file the present appeal has become infructuous, and is dismissed as such. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
12.10.2017


(Muhammad Amin Khan Kundi)
Member

(Muhammad Hamid Mughal)
Member

8.05.2017

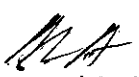
Clerk of counsel for the appellant and Addl. AG for the respondents present. Due to strike of the bar counsel for the appellant is not available. To come up for final hearing for 18.8.2017 before D.B. The restrain order shall continue.



Member


Chairman

18.08.2017


Counsel for the appellant present. Mr. Daud Jan, Superintendent alongwith Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Arguments heard. To come up for order on 12.09.2017 before D.B.


(Muhammad Amin Khan Kundi)
Member (J)


(Muhammad Hamid Mughal)
Member (J)

12.09.2017

Bench is incomplete. To come up for 29.09.2017 before D.B


Member

01.03.2017

Junior counsel for appellant and Mr. Daud Jan, Superintendent alongwith Mr. Usman Ghani, Sr.GP for official respondents No. 1 to 4 present. Junior counsel for appellant requested for adjournment as learned senior counsel for appellant is busy in august Peshawar High Court. Adjournment granted. To come up for arguments on 27.03.2017 before D.B. The restraint order shall continue.



(AHMAD HASSAN)
MEMBER


(ASHFAQUE TAJ)
MEMBER

27.03.2017

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present.

During the course of hearing it transpired that the appellant as well as private respondent No. 5 are not prima-facie eligible to be posted as Principals. The appellant as well as official respondents shall, on the next date of hearing, also argue this point as to whether the appellant or private respondent No. 5 are entitled to be posted as Principal in the said school or otherwise. To come up for final hearing on 08.05.2017 before the D.B. The restraint order shall continue.


Member


Chairman

15.12.2016

Appellant with counsel and Additional AG for official respondents No. 1 to 4 present. Rejoinder not submitted. Learned counsel for the appellant requested for further time for filling of rejoinder. To come up for rejoinder and arguments on 20.01.2017 before D.B. The restraint order shall continue.

(ASHFAQUE TAJ)
MEMBER

(MUHAMMAD AMIR NAZIR)
MEMBER

20.01.2017

Appellant with counsel and Mr. Kabirullah Khattak, Assistant AG for respondents present. Rejoinder on behalf of appellant Siraj Bibi submitted and copy handed over to all concerned. Learned counsel for appellant also pointed out that he had already moved an application for contempt of this court in violation of order dated 12.07.2016 vide which the impugned order was suspended. Since no one for respondents is in attendance today so Assistant AG make the attendance of all the official respondents before this Tribunal on next date otherwise strict action in shape of issuance of warrant would be initiated. To come up for attendance and arguments on 17.02.2017 before D.B. The restraint order shall continue.

(AHMAD HASSAN)
MEMBER

(ASHFAQUE TAJ)
MEMBER

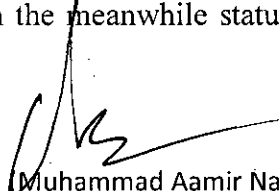
17.02.2017

Appellant with counsel and Mr. Daud jan, Superintendent alongwith Mr. Ziaullah, GP for official respondents No. 1 to 4 present. Learned Member (Judicial) Mr. Ishfaque Taj is on leave therefore, bench is incomplete. To come up for arguments on 01.03.2017 before D.B. The restraint order shall continue.

(AHMAD HASSAN)
MEMBER

06.10.2016

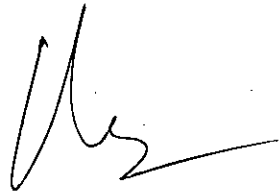
Counsel for the appellant and Mr. Murtaza Khan, Stenographer alongwith Addl: AG for respondents present. Perusal of the case file reveals that official respondents No. 1 to 4 already submitted written replies while private respondent No. 5 is not before the Tribunal hence summon be issued to private respondent No. 5 for appearance. Appellant is directed to submit rejoinder on next date. It is pertinent to mentioned there that the appellant has also moved contempt of court application in which proceedings have been conducted in the instant file. Muharar is directed to open a separate file of contempt of court proceedings. To come up for rejoinder and attendance of private respondent No. 5 before D.B on 15-11-16 in the meanwhile status-quo be maintained.


(Muhammad Aamir Nazir)
(Member)

15.11.2016

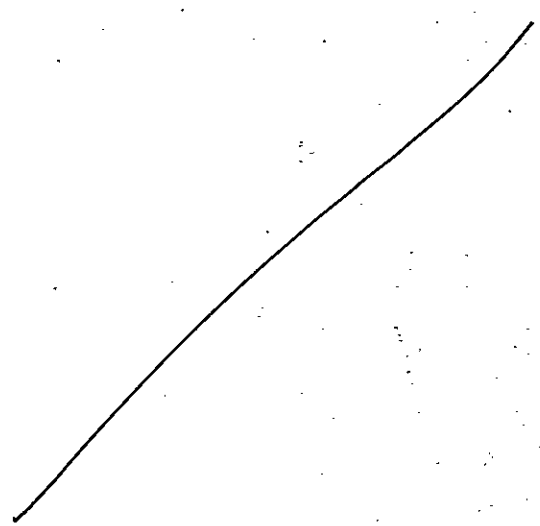
Counsel for the appellant and Assistant AG alongwith Daud Jan, Supdt. for the respondents present. Learned counsel for the appellant requested for adjournment for submission of rejoinder. To come up for rejoinder and final hearing before D.B on 15.12.2016. The restraint order shall continue.

Member



Chairman





20.09.2016 Counsel for the appellant and Mr. Murtaza Khan, Stenographer alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for reply/comments on man appeal as well as reply/arguments on C.O.C application on 21.09.2016 before S.B.



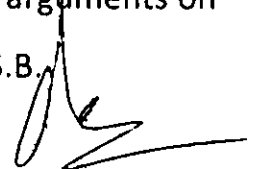
Member

21.09.2016 Counsel for the appellant and Mr. Murtaza, Stenographer alongwith Additional AG for official respondents No. 1 to 4 present. Witten reply on behalf of official respondents No. 1 to 3 submitted. The learned Additional AG relies on the written reply submitted by official respondents No. 1 to 3 on behalf of official respondent No. 4. Reply/arguments on C.O.C application not submitted and requested for further time. Request accepted. To come up for reply/arguments on C.O.C application on 23.09.2016 before S.B.



Member

23.09.2016 Counsel for the appellant and Mr. Murtaza Khan, Stenographer alongwith Addl. AG for respondents present. Requested for adjournment. Request accepted. To come up for reply/arguments on C.O.C application on 06.10.2016 before S.B.



Member

Appellant Deposited
Security & Process Fee

Points urged at the bar need further consideration. Admit. Subject to deposit of security and process fee within 10 days, where-after notices be issued to the respondents for written reply/comments for 09.08.2016 before S.B. The operation of the impugned order is suspended till the date fixed. Notice of the said application be also issued to the respondents for the date already fixed i.e 09.08.2016.


MEMBER

09.08.2016

Clerk to counsel for the appellant and Mr. Murtaza Khan, Stenographer alongwith Addl: AG for respondents present. Clerk to counsel for the appellant submitted C.O.C application, copy of which is handed over the representative of the respondents. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on main appeal as well as reply/arguments on C.O.C application on 20.09.2016.


Member

12.07.2016

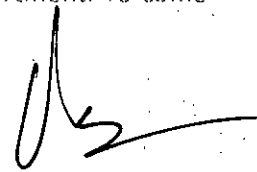
Counsel for the appellant present. Learned counsel for the appellant submitted that after serving for long seven years at GGHS Alam Sher Kalay, the appellant was transferred to GGHS Parachinar to work as principle of the school vide order dated 31.03.2016. He further stated that vide order dated 14.04.2016, the power of principle was withdrawn from her which were unlawfully handed over to her junior Mst. Nausheen Ali compelling the appellant to file Writ Petition in the Hon'ble Peshawar High Court. It was further stated that the Hon'ble High Court while sending directions to the respondent-department to treat the said Writ Petition as departmental appeal of the appellant vide order dated 25.05.2016, the respondent-department in retaliation and unlawfully cancelled transfer order of the appellant by way of the impugned order dated 30.05.2016. It was argued by the learned counsel for the appellant that the impugned order dated 30.05.2016 is revengeful in order to teach lesson to the appellant as to why she went before legal forum. He further submitted that in pursuance of order dated 31.03.2016, the appellant had assumed charge in GGHS City No. 1 Parachinar where she is still working and withdrawal of her transfer order is unlawful for the reason being revengeful and that there was no complaint against the appellant. Learned counsel for the appellant further argued that the appellant had already passed seven years at Alam Sher Kalay and after serving a little while at GGHS City No. 1 Parachinar, appellant has been prematurely compelled to go back to said school of Alam Sher Kalay in violation of posting and transfer policy. The learned counsel stressed that the appellant is still working at GGHS city No. 1 Parachinar and as the impugned order dated 30.05.2016 is unlawful and contrary to rules, in conflict with the requirement of natural justice as it was passed without affording an opportunity of hearing to the appellant, therefore the same may be suspended in the best interest of justice. He submitted that the indulgence of this Tribunal is requested in the matter to stop the respondents from showing unnecessary and unreasonable high handedness. The learned counsel submitted that if the impugned order is suspended, the status-quo position will remain intact and nobody will be adversely affected from such suspension of the impugned order.

Appeal No: 5911/2016
Sisay Bibi vs Govt

7-6-2016

Counsel for the appellant present. Preliminary arguments heard and case file perused. Through the instant appeal, appellant has impugned order dated 30.5.2016 vide which transfer order of appellant dated 31.3.2016 was cancelled with immediate effect. Learned counsel for the appellant argued before the court that the appellant filed writ petition No. 1877/2016 before the august Peshawar High Court which was decided on 25.5.2016 vide which the writ petition was sent to respondent No. 1 with the direction to consider the same as departmental appeal and decide the matter within a month positively in accordance with law. Learned counsel for the appellant submitted that despite the directions of the Peshawar High Court, respondent No.1 issued impugned order which is against law.

Since the matter in hand required further clarification and assistance therefore, pre-admission notice be issued to the respondent-department. The appellant has also filed an application seeking suspension of the impugned order dated 30.5.2016, notice of the same also be issued to the respondent-department. To come up for further proceedings on 28.6.2016 before S.B.



Member

28.6.2016.

Counsel for the appellant and Asstt. AG for the respondents present. Learned Asstt. AG requested for adjournment. To come up for preliminary hearing/further proceedings on 12.07.2016.




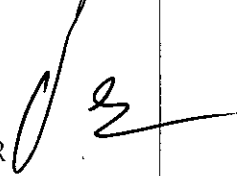
Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 591/2016

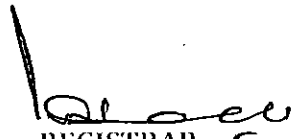
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	06/06/2016	<p>The appeal of Mst. Siraj Bibi resubmitted today by Mr. Khanzada Ajmal Zeb Khan Advocate, may be entered in the Institution register and put up to the learned Member for proper order please.</p> <p style="text-align: right;">  REGISTRAR </p>
2	06-6-16	<p>This case is entrusted to learned Member/S. Bench for preliminary hearing to be put up there on <u>07-6-16</u>.</p> <p style="text-align: right;"> MEMBER  </p>

The appeal of Mst. Siraj Bibi wife of Syed of Anwar Ali Shah presently posted at Principle Govt. Girls High School City No.1 Parachinar received to-day i.e. on 03.06.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Order dated 14.4.2016 is illegible which may be replaced by legible/better one.
- 3- Two more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 946 /S.T,

Dt. 6/6 /2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Khanzada Ajmalzeb Khan Adv. Pesh.

R/hs
Re submitted after completion
of the above 3 objections
DWO
6/6/16.

IN THE COURT OF CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

Appeal No. 591 2016

Mst. Siraj Bibi

VERSUS

Director of Education FATA and others

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Petitioner

Through

Khazada Ajmalzeb Khan
Advocate, Supreme Court of
Pakistan



IN THE COURT OF CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 564

Date 03-6-2016

Appeal No. 591 /2016

Mst. Siraj Bibi wife of Syed Anwar Ali Shah R/o Ali Qasim Naste
Kot, Parachinar, presently posted at Principle Govt. Girls High
School City No. 1, ParachinarPetitioner

VERSUS

1. Director of Education FATA, FATA Secretariat Directorate of Education Warsak Road, Peshawar.
2. Deputy Director Education (Establishment) Directorate of Education Warsak Road, Peshawar.
3. Assistant Director Education (Establishment) Directorate of Education Warsak Road, Peshawar.
4. Agency Education Officer Kurram Agency Parachinar
5. Mst. Nosheen Ali SST Govt. Girls High School City No. 1, Parachinar.

.....Respondents

APPEAL AGAINST THE ORDER DATED
30/05/2016 VIDE OFFICE ENDST NO. 6198-6203 /
A-12/NAUSHEEN 1/C PR/ DATED PESHAWAR
THE 30/05/2016, ISSUED FROM THE OFFICE OF
RESPONDENT NO. 1, VIDE WHICH THE
SERVICES OF THE PETITIONER ARE
TRANSFERRED TO ALAMSHER KALAY KURRAM
AGENCY, BY CANCELLING THE OFFICE
LETTER ENDST NO. 3778-83 DATED 30/03/2016

Filed to-day

Registrar

316/16

Re-submitted to -day
and filed.

Registrar

6/6/16

2

ISSUED BY THE OFFICE ~~OF~~ THE
RESPONDENT NO. 3,

PRAYER:-

ON ACCEPTANCE OF THIS APPEAL OFFICE
ENDST NO. 6198-6203 / A-12/NAUSHEEN 1/C PR/
DATED PESHAWAR THE 30/05/2016, BE SET
ASIDE / CANCELLED AND THE OFFICE
LETTER NO. 3778-83 DATED 31/03/2016 ISSUED
FROM THE OFFICE OF RESPONDENT NO. 3,
BE RESTORED AND THE PETITIONER BE
POSTED AS PRINCIPAL AT GGHS CITY NO. 1,
PARACHINAR KURRAM AGENCY

RESPECTFULLY SHEWETH,

1. That the petitioner Mst. Siraj Bibi is serving in education department since November, 1983, till date and is a senior most and qualified, and experienced teacher.
2. That the petitioner remained as a teacher at various stations of Girls High Schools at Parachinar Agency during her past service tenure.
3. That the petitioner remained as SET Teacher at Govt. Girls High School Qubat Shah Kalay, since 1995 to 2000 (5 years period), in Govt. Girls High School Qarman Kalay, since 2001-2005 (5 years period), in Govt. Girls High School Saragala from 2005 to 2008 (3 years period), and in the last the services of the petitioners were transferred to Govt. Girls High School Alam Sher Kalay, as Head Misters (BPS-17) from 2008 till 31/05/2016. (i.e. 7 years

and 10 months), the petitioner served in the said station Govt. Girls High School Alam Sher Kalay, for the period of 7 years and 10 months.

4. That the office letter bearing No. 3778-83 dated 31/03/2016, issued from the office of respondent No. 3 (Establishment) the petitioner accordingly took over the charge of her duties as Principal in Govt. Girls High School No. 1, City Parachinar, but astonishingly after 14 days of the above cited order, another official letter No. 4141-47/A-12/Siraj Bibi SET dated Peshawar, the 14/04/2016, is issued from the office of respondent No. 2, and the services of one Mst. Nausheen Ali (BPS-16) SST are retained as Incharge of the said school, i.e. Govt. Girls High School City No. 1 Parachinar.

5. That being aggrieved from the said process of office of respondent No. 2 and 3, petitioner filed writ petition No. 1877-P/2016 wherein the petitioner challenged the varies of the impugned letter dated 14/04/2016, issued from the office of respondent No. 2, the Honourable Peshawar High Court, Peshawar, vide said writ petition on 25/05/2016, treated the writ petition of the petitioner as Departmental Appeal and respondent No. 1 was directed to dispose of departmental appeal within a period of ^{I-}one month, positively, according with law, but astonishingly on 30/05/2016 the impugned letter bearing No. 6198-6203 / A-12/Nausheen 1/C PR/ dated Peshawar the 30/05/2016, issued from the office of Respondent No. 1 and 2, hence this appeal is needed on the following few grounds.

GROUNDS:-

1. That the petitioner served in Education Department for a long period at ^{for} Flung Area^{at} various station in Parachinar, Kurram Agency.
2. That the services of the petitioner are more than 23 years having more educational qualification as well as administrative experience and is a Senior Most teacher in BPS-17, but astonishingly respondent No. 1 issued the impugned order on 30/05/2016, though the petitioner remained / served more than 7 years in the said school situated at Alam Sher Kalay, Kurram Agency, Parachinar.
3. That the impugned order is absolutely illegal, against the rules and settled services law. The said letter is also based on political basis due to malafide.
4. That respondent No. 1 has over ~~ride~~ ^{ride} the rules and services law.
5. That the petitioner is a well qualified and experienced lady and eligible to the post as Principal at Govt. Girls High School City No. 1, Parachinar. Most of the service tenure the petitioner served / donate in rural areas of Parachinar, therefore, the petitioner having the superior rights to be posted in Urban Areas of Parachinar City.
6. That respondent No. 5 remained in the said school i.e. Govt. Girls High School City No. 1, Parachinar for more than 8 years and is sitting in the said school though the

petitioner having the superior rights as per services law, and the services of the petitioner were rightly / correctly transferred on 31/03/2016 by respondent No. 3 vide office letter No. 3778-83 but due to political basis the services of the petitioner were again interfered by defendant No. 2 on 14/04/2016 vide office letter No. 4141-47/A-12/Siraj Bibi SET.

7. That petitioner is serving as Principal vide BPS-17 being a Senior most, whereas respondent No. 5 Mst. Nausheen Ali SST is serving in BPS-16 and also having less educational experience, compared with the services of the petitioner.
8. That respondent No. 1 has fully favoured to respondent No. 5, therefore, the impugned official letter as cited in title above is liable to be canceled / set aside being void ab initio and against the rights of the petitioner.
9. That the Honourable Peshawar High Court, Peshawar, passed the direction, on 25/05/2016, vide writ petition No. 1877-P/2016 whereas the impugned order is issued on 30/05/2016, after 4 days of the order of the Honourable Peshawar High Court, Peshawar, and the petitioner is not heard nor she is provided any opportunity for personal hearing or any other grievances to be produced to the competent authority in written shape. The respondent No. 1 absolutely trans-graced the rules^{Law} which provide the process for departmental appeal, but respondent No. 1 issued the letter on 30/05/2016, which clearly suggest that

the order of the Peshawar High Court, is not processed / obeyed within the parameter of services laws, therefore, the impugned letter is liable to be set aside.

10. That other grounds would be agitated at the time of hearing of this appeal, with due permission of this Tribunal.

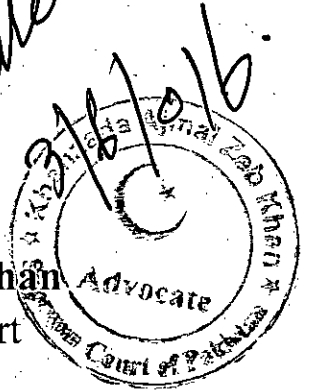
Prayer →

It is therefore, respectfully submitted that the whole varies & validity of the transfer order / letter bearing Endst No. 6198-6203 / A-12/NAUSHEEN 1/C PR/ dated PESHAWAR THE 30/05/2016, may kindly be set aside / cancelled, and the office letter bearing Endst No. 3778-83 dated 31/03/2016 issued from the office of respondent No. 3, may kindly be restored, and the petitioner be remained/ posted as Principal in GGHS City No. 1, Parachinar in the public interest.

Sizy Bibi
Petitioner

Through

Khanzada Ajmalzeb Khan
Advocate, Supreme Court
Of Pakistan.



IN THE COURT OF CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

Appeal No. _____ 2016

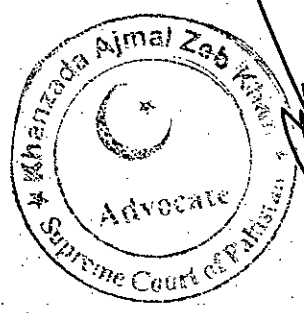
Mst. Siraj Bibi

VERSUS

Director of Education FATA and others

AFFIDAVIT

I, Khanzada Ajmal Zeb Khan, Advocate, Supreme Court of Pakistan, do hereby solemnly affirm and declare on oath that all the contents of instant **SERVICE APPEAL** are true and correct to the best of my knowledge and belief.



ADVOCATE

Handwritten signature and date 3/8/16

IN THE COURT OF CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

Appeal No. _____ 2016

Mst. Siraj Bibi

VERSUS

Director of Education FATA and others

APPLICATION FOR SUSPENSION OF THE ORDER
DATED 30/05/2016 VIDE OFFICE ENDST NO. 6198-6203/A-
12/NOUSHEEN 1/C PR DATED PESHAWAR THE
30/05/2016 ISSUED BY THE OFFICE OF RESPONDENT
NO. 1 MAY KINDLY BE SUSPENDED *till final decision of this appeal.*

Sheweth,

That the grounds agitated in the main appeal may kindly be considered as part and percal of this petition, being prima facie, having balance of convenience and irreparable loss may be suffered to the petitioner.

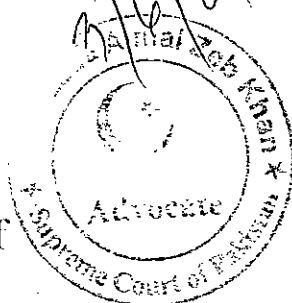
It is therefore, respectfully prayed that the impugned order may kindly be suspended till the ^{final} disposal of the main appeal.

Siraj Bibi

Petitioner

Through

Khazada Ajmalzeb Khan
Advocate, Supreme Court of
Pakistan



Page 8

INFORMATION REGARDING MY SERVICE ARE AS UNDER PLEASE

1	SET/DDO at GGHS, Qabad Shah Khel	w.e.f. 1995 to 2000 =	5 years
2	SET/DDO at GGHS, Kurram	w.e.f. 2001 to 2005 =	5 years
3	SET/DDO at GGHS, Sargola	w.e.f. 2005 to 2008 =	3 years
4.	SET/DDO at GGHS, Alamsher (B-17)	w.e.f. 2008 to upto date =	7 years 10 months
		Total tenure	= 18 years 10 months

Sir,

I am living in Parachinar City and served 18 years 10 months out of Parachinar City Due to hepatitis the performance of duty are so difficult for me.

Kindly consider my case for favorable consideration please. I shall be pray for your day and night.

Thanks.

Yours



Siraj Bibi
 Siraj Bibi SET/DDO
 GGHS Alamsher
 Kurram Agency.

Attested
 [Signature]

ATTESTED
 9/5

Page 9

9



FATA SECRETARIAT
DIRECTORATE OF EDUCATION
WARSAK ROAD PESHAWAR, PAKISTAN
PHONE: 091-9210166 FAX 091-9210216

No. /

Date Pesh: the / / 2016

OFFICE ORDER

Consequent upon the approval of Competent Authority Mst. Siraj Bibi working as SET at GGHS Alam Sher is hereby transferred against the vacant Principal B-IS at GGHS City No. 1 Parachinar in her own pay and scale in the interest of public service.

Director Education FATA

Endst: 3778-83 /- (dated: 31/3/2016)

Copy of the above is forwarded to the:

1. Agency Education Officer Kurram Agency.
2. Head Mistress GGHS Alam Sher Kurram Agency.
3. PS to Secretary SSD FATA.
4. PA to Director Education FATA.
5. Official Concerned.

6. AAO Kurram Agency

ATTENDED
9/5

Asstt. Director Education (Estab)

3/6

DIRECTORATE OF EDUCATION FATA SECRETARIAT, PESHAWAR

OFFICE ORDER

Consequence upon approval of competent authority, Mst. Nousheen Ali SST (BPS-16) GGHS Para Chinar No.1 Kurram Agency is hereby retained as in charge Principal of the said school till further order in the interest of public service.

DIRECTOR EDUCATION (FATA)

Endst: No. 4141-47/A-12/Siraj Bibi SET

Dated Pesh: the 14/4/2016

Copy forwarded to the: -

1. Agency Education officer, Kurram Agency.
2. Agency Accounts Officer, Kurram Agency
3. PS to Secretary SST FATA
4. Political Agent Kurram Agency.
5. Principal GGHS Parachinar No.1 Kurram Agency.
6. P.A. to D.E FATA.
7. P/file.

SD/-

DIRECTOR EDUCATION (ESTAB:)

Anwar

Insp

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109

DIRECTORATE OF EDUCATION, FATA SECRETARIAT, PESHAWAR

OFFICE ORDER

Consequent upon approval of the competent authority, Mst. Nourbeen Ali-SSP (BPS-16) GCHS Peshawar No. 1 Kurram Agency is hereby retained as in charge Principal DDO of Kurram Agency No. 1 in her order in the interest of public service.

10

DIRECTOR EDUCATION (FATA)

Endst: No. 4141-47 JA-12/Siraj Bibi SET

Dated Pesh: the 14/4 2016.

Copy forwarded to list:-

- 1 Agency Education Officer, Kurram Agency
- 2 Agency Accounts Officer, Kurram Agency
- 3 PS to Secretary SSP FATA
- 4 Political Agent Kurram Agency
- 5 Principal GCHS Peshawar No. 1 Kurram Agency
- 6 P.A to D.E.FATA
- 7 P/File

ATTESTED
9/5

[Signature]
DEPUTY DIRECTOR (ESTAB)

(Anwar)

[Large handwritten signature]
36
In the name of...
209

DDO AUTHORITY

Mat. Siraj Bibi SST GCHS Alam Sher, Kurram Agency
is hereby authorised to act as Drawing & Disbursing Officer for
the establishment of the said school till further order.

All kind of bills signed/countersigned by her may
be honoured if other-wise in order. However she will not claim
seniority or other emoluments related to the post of Head Mistress
till her regular promotion to BPS-17.

(FAKI MANAN)
DIRECTOR EDUCATION
P.A.S., NWFP, PESHAWAR

Endst: No. 6424-27

Dated Pesh: the 25/5/09

Copy of the above is forwarded to the:-

1. Agency Education Officer, Kurram Agency w/r to his letter
No. 4535 dated 6-5-2009
2. Agency Accounts Officer, Kurram Agency
3. Head Mistress GCHS Alam Sher, Kurram Agency
4. Manager State/National Bank concerned

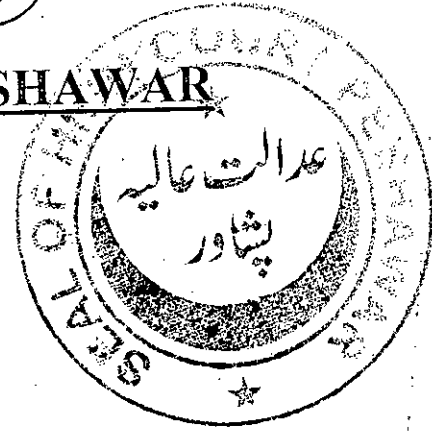
ATTESTED

8/5
DY: DIRECTOR EDUCATION
P.A.S., N.W.F.P. PESHAWAR



(12)

IN THE PESHAWAR HIGH COURT, PESHAWAR



W.P No. 1877P/2016

Mst. Siraj Bibi Wife of Syed Anwar Ali Shah R/o Ali Qasim,
Naste Kot, Parachinar, presently posted as Principle Govt.
Girls High School City No. 1, Parachinar.

.....Petitioner

VERSUS

1. Director of Education FATA, FATA Secretariat Directorate
of Education Warsak Road, Peshawar.
2. Deputy Director Education (Establishment) Directorate of
Education Warsak Road, Peshawar.
3. Assistant Director Education (Establishment) Directorate of
Education Warsak Road, Peshawar.
4. Agency Education Officer Kurram Agency Parachinar
5. Mst. Nosheen Ali SST Govt. Girls High School City No. 1,
Parachinar.

.....Respondents

~~FILED TODAY
Deputy Registrar
09 MAY 2016~~

**WRIT PETITION UNDER ARTICLE 199 OF
THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN, 1973.**

ATTESTED

**EXAMINER
Peshawar High Court**

27 MAY 2016

SHEWETH,

1. That the petitioner is serving in Education Department (FATA), since November 1983, the petitioner was appointed on the post of PTC since 1983.

2. That in the month of May, 1995 the services of the petitioner were promoted to the post of SET in Grade 16, after qualifying her education qualification, thereafter in the month of October 2008, petitioner was further promoted to BPS-17, initially the petitioner served at Govt. Girls High School Qubad Shah Khel, since 1995 to 2000 and since 2001 to 2005 petitioner served in Govt. Girls High School Karman, similarly since 2005 to 2008 at Govt. Girls High School Sara Gala and in the last the services of the petitioner were transferred to Govt. Girls High School at Alam Sher Kalay, and the petitioner was posted at Incharge / Head Mistress in the said school, and thereafter on 31/03/2016 the services of the petitioner was transferred from Govt. Girls High School Alam Sher Kalay to Govt. Girls High School City No. 1, Parachinar and since March 2016 the petitioner was performing her duty in the said school but astonishingly an official letter No. 4141-47 / A-12 Siraj Bibi SET on 14/04/2016 vide the said letter respondent No. 5 were transferred to Govt. Girls High School City No. 1 Parachinar and after 14 days the impugned cited letter was issued by respondent

FILED TODAY
 Deputy Registrar
 09 MAY 2016

ATTESTED
 EXAMINER
 Peshawar High Court
 27 MAY 2016

14
3

No. 3. The services of the petitioner were transferred accordingly and the petitioner was served the period of 7 years and 10 months, at Govt. Girls High School Alam Sher Kalay, which were later on transfer vide letter No. 3778-83 dated 31/3/2016. (All the concerned letters are attached / Annexure herewith).

3. That the petitioner is a senior most Govt. Servant in BPS-17 since long, the service of the petitioners were transferred on 31/03/2015, vide letter No. 3778-83 dated 31/03/2016, whereas the 2nd office letter No. 4141-47 dated 14/04/2016, issued by respondents No. 2 is absolutely illegal and based on malafide.

4. That respondent No. 5 is serving in BPS-16 The concerned respondents has adopted discriminatory policy toward the petitioner by not complying the terms and conditions of services laws.

5. That on 31/03/2016 transfer of the petitioner within 14 days in the name of respondent No. 5 fully based on political basis though the petitioner is the senior most principal, but the impugned order dated 4141-47 dated 14/04/2016 is against the rules and laws, it is settled law that the Govt. servant shall complete 3 years tenure on the post transferred too.

6. That being an experience and having long standing services of the petitioner were transferred to Govt. Girls High School No. 1, Parachinar, but the

FILED TODAY
Deputy Registrar
09 MAY 2016

ATTESTED

EXAMINER
Peshawar High Court

24 MAY 2016

interference made by respondent No. 2 is absolutely vide abinitio..

7. That the petitioner seeks permission of this Honourable Court to relay on additional grounds at the hearing of this petition.

It is therefore, requested, that the impugned order No. 4141-47 dated 14/04/2016 issued by respondent No. 2 is ineffective upon the rights of the petitioner may kindly be cancelled. And the office order No. 3778/83 dated 31/03/2016 issued by respondent No. 3 may kindly be restored. Any other remedy deemed appropriate may kindly be awarded in favour of petitioner.

INTERIM RELIEF:-

By way of interim relief it is requested that the office letter Endst No. 4141-47/A-12/ Siraj Bibi SET dated 14/04/2016 may kindly be suspended till final decision of this constitution petitioner.

Through

Petitioner

[Handwritten signature]
9/5/2016

Khazada Ajmalzeb Khan
Advocate, Supreme Court of Pakistan.

CERTIFICATE:-

As per information, conveyed to my client, No writ petition has earlier been filed before this Honourable Court.

[Handwritten signature]
ADVOCATE
9/5

LIST OF BOOKS:-

1. Constitution of Islamic republic of Pakistan, 1973.
2. Any other books

[Handwritten signature]
ADVOCATE
9/5

ATTESTED

EXAMINER
Peshawar High Court

27 MAY 2016

[Handwritten signature]

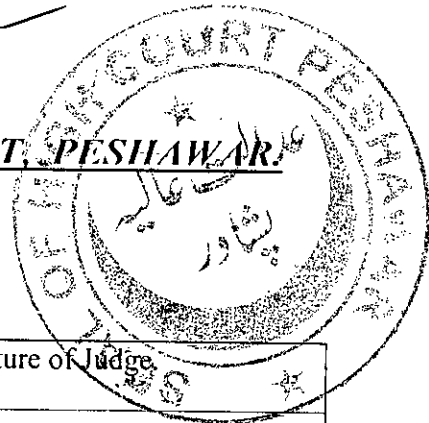
FILED TODAY
09 MAY 2016

1

16

PESHAWAR HIGH COURT, PESHAWAR.

ORDER SHEET



Date of Order/ Proceedings	Order or other Proceedings with Signature of Judge
<u>25/05/2016</u>	<p><u>WP No. 1877-P/2016 with IR</u></p> <p><u>Present:</u> Khanzada Ajmal Zeb Khan, Advocate, for the petitioner.</p> <p style="text-align: center;">===</p> <p><u>WAQAR AHMAD SETH, J.-</u> Petitioner, Mst. Siraj Bibi, through the instant constitutional petition seeks issuance of an appropriate writ with the following prayer:-</p> <p style="text-align: center;"><i>“It is therefore, requested that the impugned order No. 4141-47 dated 14/04/2016 issued by respondent No.2 is ineffective upon the rights of the petitioner may kindly be cancelled. And the office order No. 3778/83 dated 31/03/2016 issued by respondent No.3 may kindly be restored. Any other remedy deemed appropriate may kindly be awarded in favour of petitioner”.</i></p> <p>2. Learned counsel for the petitioner argued the case at some length but lastly, he stated at the bar that petitioner will be satisfied if the instant Writ Petition is treated as departmental appeal and sent it to respondent No. 1 for decision in accordance with law.</p> <p>3. In view of the above, office is directed to send</p>

ATTESTED

EXAMINER
Peshawar High Court

20 MAY 2016

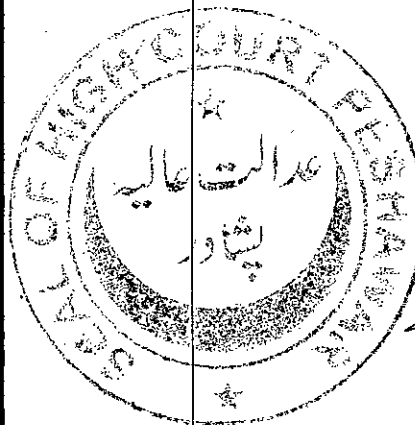
the instant Writ Petition to respondent No.1, copy whereof be retained in office for the purpose of record, who shall treat the same as departmental appeal and decide it within a month positively in accordance with law.

4. This Writ Petition is disposed of in above terms.

Dr. Wajeez Ahmad Sethi

Dr. Musabbat Hiclerli

J
J
JUDGE
JUDGE



CERTIFIED TO BE TRUE COPY

Examiner
Peshawar High Court, Peshawar
Authorized Under Article 87 of
The Qanun-e-Shahadat Order 1988

27 MAY 2016

No. 26963
 Date of Presentation of Application 27-05-16
 No of Pages 6P
 Copies for /
 Urgent /
 Total 12.00
 Date of the part and copy 27-05-16
 Date Check for Delivery 27-05-16
 Date of Delivery of Copy 27-05-16
 Received By [Signature]

Nawab Shah

DIRECTORATE OF EDUCATION, FATA SECRETARIAT, PESHAWAR

CANCELLATION OF TRANSFER ORDER

The transfer order in respect of Mst. Siraj Bibi SET B-16 GGHS Alam Sher Kurram Agency issued to GGHS Parachinar Kurram Agency against the post of Principal vide this Office Endst: No. 3778-83 dated 31/03/2016 is hereby cancelled with immediate effect in the public interest.

Previous order issued vide this Directorate Endst: No. 6121-24/ A-12/Nausheen I/C Pri dated 27/05/2016 may please be treated as cancelled.

DIRECTOR EDUCATION (FATA)

Endst: No. 6198-6203 /A-12/Nausheen I/C Pri Dated Pesh: the 30/5 /2016

Copy forwarded to the:

- 1 Agency Education Officer, Kurram Agency at Parachinar
- 2 Agency Accounts Officer, Kurram Agency
- 3 Headmistress GGHS Alam Sher Kurram Agency
- 4 PS to Secretary SSD FATA
- 5 PA to Director Education FATA
- 6 Official concerned

BY: DIRECTOR (ESTAB) *Ar*

(Anwar)

[Handwritten Signature]

19

RELIEVING CHIT

The transfer order of Mst.Siraj Bibi,SST BPS-16 has been cancelled vide Director of Education FATA Peshawar Endst: No.6198-6203/A-12/Nausheen I/C Pri: dated 30/052016.

She is hereby relieved of her duty to day on 31/05/2016 after noon.

W. Nausheen
Principal
GGHS Parachinar
Kurram Agency.
PRINCIPAL
GGHS Parachinar


Endst: No. 420 - 22 /
Copy forwarded to the:-

Dated 31 /05/2016


1. Director of Education FATA Peshawar.
2. Agency Education Officer Kurram Agency Parachinar.
3. Agency Accounts Officer Kurram Agency Parachinar.

W. Nausheen
Principal
GGHS Parachinar
Kurram Agency.
PRINCIPAL
GGHS Parachinar

3/6



55750



پشاور بار ایسوسی ایشن، خیبر پختونخواہ

ایڈووکیٹ/درستگن: **آسیف آسیف**
 بار کونسل ابار ایسوسی ایشن خیبر پختونخواہ
 راجہ نمبر: 3 4 5 8 8 5 - 0300

بعدالت جناب: **محترم مندرجہ صاحب سروس ٹریبونل KPK کے در**

منجانب: ایڈووکیٹ آسیف آسیف	دعویٰ: سروس ٹریبونل
صانع: سروس ٹریبونل	علت: سروس ٹریبونل
ڈرافٹ کنندہ: سروس ٹریبونل	مورثہ: سروس ٹریبونل
ڈرافٹ کنندہ: سروس ٹریبونل	جرم: سروس ٹریبونل
	تھانہ: سروس ٹریبونل

باعت تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے دوائے پیری وجوہ دی کاروائی متعلقہ

آن مقام کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا تاہم کبھی صاحب کو

راضی نامہ کرنے و تقریر نمائندگی و فیصلہ برحق دینے جو آپ دعویٰ اقبال و دعویٰ اور درخواست از ہر قسم کی تصدیق

زیریں مدد نظر کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا تاخیر کی صورت میں آپ کو ہر قسم کی اور منسوخی، نیز

دائرہ اختیار کرنے اور قانونی و بیرونی ہونے کا مختار ہوگا اور بصورت ضرورت مندرجہ تمام چیزوں کے ساتھ اس کے کارروائی کے لئے

کاروائی کے لئے اور وہیں یا ہر جگہ قانونی کو اپنے ہمراہ یا اپنے مجاہد کے اختیار ہو گا اور صاحب

مقرر شدہ کو بھی وہی جملہ مقررہ اختیارات حاصل ہوں گے اور اس کا ساتھ ہی درخواست منظور و قبول ہوگا اور ان مقدمہ

میں جو خرچہ ہر جانباً اتوائے مقدمہ کے لئے ہو گا وہ دیکھ موصوف و قبول کرنے کا اختیار ہوگا کوئی تاریخ پیشی مقام

دورہ یا حد سے باہر ہو تو دیکھ صاحب پابند نہ ہوں گے کہ پوری مدت کا کوئی ایسا وقت ہوگا کہ یہاں تک کہ یہاں تک کہ مندرجہ

المرقوم: 03-06-2016

_____ واہ شد _____

مقام _____ کے لئے منظور ہے۔

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Handwritten signature: Siyiq Bibi

BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No: 591/2016

Siraj Bibi.....Appellant.

VERSUS

1. The Director Education FATA, FATA Secretariat, Peshawar.
2. The Deputy Director Education (Establishment) Directorate of Education FATA, Peshawar.
3. The Assistant Director Education (Establishment) Directorate of Education FATA, Peshawar.
4. The Agency Education Officer Kurram Agency.
5. Mst: Nosheen Ali SST Govt: Girls High School No.1, Parachinar Respondents.

Para-wise comments on behalf of respondent No: 1, 2, 3 & 4.

Respectfully Sheweth:

Preliminary Objection

1. That the appellant has got no cause of action to file the instant appeal.
2. That the appellant has not come to this Honorable Tribunal with clean hands.
3. That the appellant has concealed material facts from this Honorable Tribunal.
4. That the appellant is estopped by his own conduct to bring the present appeal.
5. That the appeal is bad due to mis-joinder and non-joinder of necessary parties.
6. That this Honorable Tribunal has no jurisdiction to entertain the Appeal.
7. That the instant appeal is not maintainable and devoid of merits.

On Facts:

1. Pertains to record.
2. Pertains to record.
3. Pertains to record.
4. The appellant was previously adjusted/posted in her own pay and scale as incharge Principal, GGHS Parachiner vide order No. 3778-83, dated 31.3.2016 but was unable to carried out administrative assignment, and respondents department received complaint in this regard. Moreover, the post in question carries BS-18, whereas appellant is in BS-16 and respondent No.5 was retained as Incharge Principal, because she had been recommended by Public Service Commission as Headmistress in BS-17. The post of Principal GGHS Parachiner will be filled up as and when regular BS-18 (Female) is found.
5. The appellant is SET (BPS-16) while the post of Principal, GGHS Parachinar is of BPS-18, the respondent No. 5, was retained in the school being selected as a Headmistress in BPS-17 by Public Service Commission and in interest of Public Services. However, reply on the grounds are as under .

Grounds:

1. Subject to record.
2. Incorrect. Respondent No.1 acted under the rules and the appellant was transferred on public complaint in interest of public service.

3. Incorrect. No malafide intentions on behalf of the respondent is involved and acted according to rules.
4. Incorrect. The transfer order of the appellant has been issued by the competent authority according to policy.
5. Incorrect. The appellant is SET (BPS-16) while the post of Principal, GGHS Parachinar is of BPS-18, the respondent No. 5, was retained in the school being selected as a Headmistress BPS-17 by Public Service Commission and the appellant was transferred in interest of Public Service.
6. As stated in para-5 above.
7. Incorrect. The appellant basically Senior English Teacher of BPS-16, the post of Principal, GGHS Parachinar is of BPS-18.
8. Incorrect. The transfer order has been issued by the competent authority on administrative ground in the interest of public service according to the law and rules.
9. Pertain to record.
10. The respondent departments also seek permission to advance other grounds and proofs at the time of hearing.

In light of the above facts it is humbly requested to please dismiss the appeal having no legal grounds with cost.

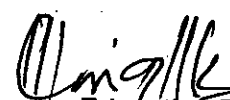
Respondent No. 1.


Director Education FATA.

Respondent No. 2.


Deputy Director Education FATA. 20/9/16

Respondent No. 3.


Assistant Director Education FATA.
for

Respondent No. 4.

Agency Education Officer, Kurram.

AFFIDAVIT

We the above respondents do hereby declare and affirm that the above comments are true and correct to the best of our Knowledge and belief and nothing has been concealed from this Honorable Tribunal.

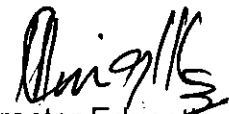
Respondent No. 1.


Director Education FATA.

Respondent No. 2.


Deputy Director Education FATA.

Respondent No. 3.


Assistant Director Education FATA.

For

Respondent No. 4.

Agency Education Officer, Kurram.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 1758 /ST

Dated 25 / 10 / 2016

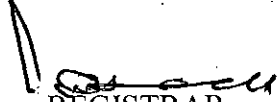
To

The Mst Nosheen Ali, SST Govt Girls High School City No. 1
Parachinar.

Subject: - ORDER.

I am directed to forward herewith a certified copy of order dated
6.10.2016 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

1

IN THE COURT OF KHYBER PAKHTUNKHWA, SERVICES
TRIBUNAL, PESHAWAR

Siraj Bibi

Versus

Director Education FATA etc

REJOINDER ON BEHALF OF THE APPELLANT SIRAJ BIBI
REGARDING COMMENTS OF RESPONDENTS NO. 1 TO 3

Respectfully Sheweth,

1. The appellant has a cause of action.
2. Para No.2 of preliminary objection in the comments is based on malafide.
3. The para no.3 of the preliminary objection is wrong, concerned respondents have initially concealed the material facts.
4. Para No.4 of the preliminary objections of the comments is incorrect, the appellate has a legal right to present the appeal.
5. Para no. 5 of the preliminary objection of the comments is wrong statement.
6. Para No.6 of the preliminary objection of the comments is wrong, this provincial services tribunal has jurisdiction to entertain the instant appeal
7. Para No.7 of the preliminary objection of the comments is also incorrect.

2

BRIEF FACTS:

1. That the appellant was appointed in the year 1982 as PTC Teacher, and in the year 1995 the services of the appellant were upgraded to the post of SET BPS-16, and ⁱⁿ the year 2008 the services of the appellant were further promoted to BPS-17 and in the month of Oct 2015 the services of the appellant were regularized as Headmistress by the competent authorities, the appellant is the senior most Headmistress in the Agency.
2. Para No.2 of the comments pertains to record as appended herewith. *from Page (7) to (19)*
3. Para No.3 of the comments also pertains to record.
4. Para No.4 of the comments are absolutely wrong / incorrect, and are favorable with respondent no.5. the appellant is serving in education department since 1982 till date, have long standing / administrative experience. The appellant was promoted to the post of SET BPS-16 in the year 1995 and thereafter in the year 2008 the appellant is promoted to BPS-17, and

3

now the appellant ~~is~~ under consideration to BPS-18. Moreover respondent no.5 Mst. Nousheen Ali is not recommended by Public Services Commission in this regard there is no official record have been annexed with the comments on behalf of respondent no.5 by interested respondent no. 1 to 3, and the comments are submitted by the official respondents no. 1 to 3, whereas respondent no.5 Mst. Nousheen Ali never appeared or submitted reply in the court, the comments are submitted by respondents no.1 to 3 on behalf of respondent no.5, which clearly suggests that respondent no.1 to 3 are in league with respondent no.5, therefore, para no.4 of the comments is absolutely wrong statement before the court.

5. In facts Para No.5 of the comments are totally wrong statement, respondent no.5 is not the recommendee of Public service Commission, there is no record hence the *is* ~~the~~ statement is wrong, whereas the appellant is mover to Grad-18 now adays and is eligible to be posted as Headmistress / Principal ^{no} GGHS No.1 Para Chinar City.

P.T.O.

Grounds: -

4

1. Para No.1 of the grounds is subject to the record as appended on page NO.8 with the main appeal.
2. There is no public complaint etc, but respondent no.5 is the relative of one secretary related to Anjuman-E-Husainiya Para Chinar and the political authorities of Para Chinar are contacted by the said Secretary, and due to his interference the present appellant is effected, though the appellant served at far flung areas since more than 20 years, respondent no.5 Mst. Nousheen Ali is not recommendee by the public services commission and respondent no. 5 is serving since more than 8 years in the said school^w Para Chinar City.
3. Para No.3 of the grounds ¹⁰⁰ ~~AD~~ comments are admittedly based on malafide because respondent no.5 never appeared or submitted any reply in the court till date, and she is absent till now which clearly suggests malafide intention on part of respondent no.1 to 3.
4. Para No.4 of the grounds ¹⁰⁰ ~~AD~~ comments is wrong, the policy cannot override the law, and the policy never permits discrimination amongst the subordinate servants. The respondent's department shall follow the law and rules instead of their sweet policy. Page no.8 of the main appeal is self explanatory.
5. Para No.5 of the grounds ¹⁰⁰ ~~AD~~ the comments is totally wrongly statement the appellant is mover

1

to grade 18, whereas respondent no.5 is not recommendee by public service commission, furthermore posting / transfer is not the job of Public Service Commission but only relates to recommend the candidate in initial appointment for a suitable post. It is further submitted that respondent no.5 remained on the post of Principle GGHS No.1 Para Chinar City since 8 years without any commendation certificate (Tamgha e Jurat).

6. Para NO. 6 of the appeal is correct, the appellant have superior rights to be posted in the GGHS No.1 Para Chinar City, respondents No.1 to 3 have no comments / reply of regarding para no.6 of the appeal, hence para no.6 of appeal is admitted as correct by respondents No.1 to 3.
7. Para No.7 in the grounds of the comments is wrong the appellant is appointed in the year 1982, whereas respondent no.5 Mst. Nousheen Ali is appointed in year 2002, therefore having less experience in service tenure as well as of grade 16, therefore para no.7 of the comments is incorrect.
8. Para No.8 in the grounds of the comments is discriminatory by competent authority respondents no.1 to 3, not on administrative grounds the authority never followed the principles of services law and rules, therefore, the competent authority have misused their own administrative powers and policy.

9. The Honourable Peshawar High Court Peshawar on dated 25/05/2016 treated the writ petition as departmental appeal, but the competent authorities never followed the process as provided for departmental appeal in services law and the appellant is condemned unheard, the competent authority never obeyed / complied the order of Honourable Peshawar High Court Peshawar dated 25/05/2016 as well as the order of this Respected Tribunal dated 12/07/2016 passed by a member of this respected tribunal as per the provisions of Civil Servant Act, COC is also subjudice before this Tribunal.

10. Para No.10 in the grounds of the comments pertains to record, hence no reply.

Prayer

→ In light of the above reply / rejoinder, and keeping in view the entire services record of the appellant, the prayer in the main appeal of the appellant may kindly be accepted.

Dated: 19/01/2017

Petitioner

Through

KHANZADA AJMAL ZEB KHAN,
Advocate SC (At Peshawar)

[Handwritten Signature]
[Handwritten Name]
20/1/2017

4, 5, 6, 7

1. Name (نام)

2. Nationality and Religion (قومیت اور مذہب)

3. Residence (مذہب و محل)

4. Father's name and residence (والد کا نام اور پتہ)

5. Date of birth by Christian era as nearly as can be ascertained (تاریخ پیدائش بمطابق مسیحی)

6. Exact height by measurement (قد و قامت)

7. Personal mark for identification (نشان شناخت)

8. Left hand thumb and finger-impressions of (Non-gazetted) officer

(مرد سبوتوں یا سبب ہاتھ کی انگلیوں کے نشان)
(عورت سبوتوں یا سبب ہاتھ کی انگلیوں کے نشان)

Little Finger

(چوٹی انگلی)

Ring Finger

(پہلی انگلی کے سبب والی انگلی)

Middle Finger

(انگشت میانی)

Fore Finger

(انگشت شہادت)

Thumb

(انگوٹھا)

9. Signature of Government servant

(سرکاری ملازم کے دستخط)

Siraj Bibi

Attested

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

(تصدیق کنندہ یا دفتر کے دستخط)

Attested
[Signature]
[Designation]

NOTE:- The entries in this page should be renewed or re-attested at least every five years, and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken afresh every 5 years under this rule.

اس صفحہ کے مندرجات کم از کم پانچ سال بعد تازہ یا دوبارہ تصدیق کیے جانے چاہئے۔

پانچ اور نو نومبر ۱۹۶۹ء کے دستخط کے نیچے تاریخ ہونی چاہئے۔ انگلیوں کے نشانات کی تصدیق ہر پانچ سال بعد کی جائے۔

1	2	3	4	5	6	7	8
Name of post.	When, where, and for what period of time appointed or re-appointed.	If appointing, state— (i) substantive appointment or (ii) whether service counts for pension under rule 23 of C.S. R. (P.) (Volume II)	Pay in substance	Additional pay for educating	Other emoluments under the term "pay"	Date of appointment	Signature of Government servant
Name of post.	When, where, and for what period of time appointed or re-appointed.	If appointing, state— (i) substantive appointment or (ii) whether service counts for pension under rule 23 of C.S. R. (P.) (Volume II)	Pay in substance	Additional pay for educating	Other emoluments under the term "pay"	Date of appointment	Signature of Government servant
215-12-399/14. S. 5-16	G. H. S. Per	S. 5-16	315/17	-	-	22-9-53	Sivraj B.P.
Trained	G. H. S. Per	-	Revised P.P.S. No. 17	-	-	1-53	Sivraj B.P.
G. H. S. Per	G. H. S. Per	-	Grade: 560-23-1020	-	-	1-12-53	Sivraj B.P.
-	-	-	583/116-1029	7th of 11/20	1-53	1-53	Sivraj B.P.
-	-	-	F.A. Examination	-	-	1.12.54	Sivraj B.P.
-	-	-	658/	-	-	-	-

Passed the P.T.C exam under Roll No. 55
Dated 30-9-1985 in Session 1980-79

Afsar Jehan
Head Mistress
Girls High School

Matric Certificate

1) Passed the Matriculation
Examination in 1975 in the
Roll No. 132271 of the
Board.

F.A. Certificate

Afsar Jehan

Certified that she passed the F.A. exam in
Annual 1983 (Intermediate group) having marks
1100. Result declared on 16-7-1984. Reg. No. 551916
from B.I.E. Peshawar.

B.A. Certificate

2) Passed the B.A. exam from University of Peshawar
in Supplementary Exam. 1986-Session, 3rd Division and
acquiring the 229 Marks out of 550. Result declared
on 11-12-1987, under Roll No. 5520.

Afsar Jehan

Passed B. Ed. Exam in Session 1992
from Peshawar University in 2nd
Division Under Roll No. 004517
Roll No. 209.

Afsar Jehan

Mistress
Girls High School
Peshawar

10	11	12	13		14	15
Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the Head of the office or other Attesting Officer	LEAVE		Signature of the head of the office or other Attesting Officer	Reference to any recorded punishment or censure, or reward or praise of the Government servant
			Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months (or carried leave not exceeding 120 days) to which leave salary is debitiable to another Government		
				Period		
				عرصہ		
<p>Signature and position of the officer in column 7 to 8.</p> <p>دستخط مجاز</p>	<p>تاریخ</p> <p>انقطاع</p> <p>ملازمت</p>	<p>دستخط مجاز</p> <p>رجوعات</p> <p>انقطاع</p> <p>ملازمت</p> <p>ترقی مجاوند</p> <p>بہر طور فی</p>	<p>دستخط مجاز</p> <p>رخصت کی</p> <p>فوریت و</p> <p>میعاد</p>	<p>چار ماہ تک کی رخصت کے</p> <p>لیے اوسط تنخواہ کا تقسیم</p> <p>Government to which debitiable</p> <p>کون منٹ</p> <p>رہم آباد</p>	<p>دستخط مجاز</p> <p>سزایا جزایا غیر</p> <p>مناسب کارکردگی</p> <p>کارپکارڈ</p>	
<p>Ms. Jehan</p> <p>30.6.83</p>	<p>pay down</p> <p>30.11.83</p>	<p>Ms. Jehan</p>	<p>Ms. Jehan</p>	<p>appointed as P.T.C. Teacher at Govt. Girls High School Parachinar</p> <p>vide P.T.C. Exam. East No. 1589-1</p> <p>dt. 16.9.1982</p> <p>Ms. Jehan</p> <p>Head Mistress,</p> <p>Govt. Girls High School</p> <p>PABACHINAR.</p> <p>P.T.C. Examination deferred</p> <p>under P.O. No. 55 dt. 30.9.1982</p> <p>Term 1978-1979</p> <p>Ms. Jehan</p> <p>11.11.83</p>	<p>Ms. Jehan</p> <p>12.11.83</p> <p>Ann. of Govt. Serv. 1983</p> <p>(209/83) - 1589/1</p> <p>Passed</p> <p>from the P.T.C. Exam. Board</p> <p>under P.O. No. 1589-1</p> <p>Obtaining 401 marks and was</p> <p>declared on 7.9.83.</p> <p>Jehan</p> <p>22/11/88</p>	
<p>Ms. Jehan</p> <p>30.11.83</p>	<p>Ann. of Govt. Serv. 1983</p>	<p>Ms. Jehan</p>	<p>Ms. Jehan</p>	<p>7.130</p> <p>11.11.83</p> <p>Ann. of Govt. Serv. 1983</p> <p>10.11.83</p> <p>16.11.83</p>	<p>Ms. Jehan</p> <p>12.11.83</p> <p>Ann. of Govt. Serv. 1983</p> <p>(209/83) - 1589/1</p> <p>Passed</p> <p>from the P.T.C. Exam. Board</p> <p>under P.O. No. 1589-1</p> <p>Obtaining 401 marks and was</p> <p>declared on 7.9.83.</p> <p>Jehan</p> <p>22/11/88</p>	

1 Name of post درجہ ملازمت	2 Whether substantive or officiating, and whether permanent or temporary عارضی مستقل یا قائم مقام	3 If officiating, state-- (i) substantive appointment or (ii) whether service counts for pension under rule 520 of C.S.R. (P.b) Volume II اگر عارضی ہے تو کیا ورنہ کے مطابق پیش کا منتحق ہے؟	Pay in substantive posi تنخواہ بطور عارضی ملازمت		Additional pay for officiating زائد تنخواہ بطور قائم مقام		Other emoluments falling under the term "pay" ماسوائے تنخواہ دیگر الاولیٰ	Date of appointment تاریخ تصدی	Signature Government servant حکومتی ملازم
			Rs.	Ps.	Rs.	Ps.			
P.Te. Post.	Revised								
C.H.S. Parachinar.	B.P.S. 7	(560-23-1020)							
Girls.			560/-			17/83	Sisraji		
do	Secty. Secy: J.C. FA.		467/-			79/83	Sisraji		
do			608/-			112/83	Sisraji		
do			627/-			112/83	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		
do			627/-			12/85	Sisraji		

ATC

10	11	12	13		14	15		
			LEAVE					
Signature and designation of the Head of the office or other attesting officer in station columns 1 to 2	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the Head of the office or other Attesting Officer	Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government		Signature of the head of the office or other Attesting Officer	Reference to any recorded punishment or censure, or reward or praised of the Government servant
					Period	Government to which debitable		
مجاز	تاریخ القطاع ملازمت	وجوہات القطاع ملازمت ترقی تبادلہ یا برطردنی	دستخط امیر مجاز	رضعت کی نوعیت و میعاد	چار ماہ تک کی رخصت کے لیے اوسط تنخواہ کا تعین	Government to which debtible رہنما ادا ہوگی	دستخط امیر مجاز	سزایا جزایا غیر مناسب کارکردگی کاریکارڈ
Headmistress Govt. Girls High School Parachinar	6/8/83 6/8/83 3/8/83 8/8/83 30/11/83	Pay Revision Panel Exam Inc. Promot. Inc.	Govt. Girls High School Parachinar Govt. Girls High School Parachinar Govt. Girls High School Parachinar Govt. Girls High School Parachinar Govt. Girls High School Parachinar				Service wife From the official record.	Headmistress Govt. Girls High School Parachinar
							Sanction leave w.e.f 2/5/85 to 16/5/85 on the strength of Medical certification vide A.1.5 Government office order no: 955 dated 21/11/85	
							Sanction leave w.e.f 2.8.85 to 10.8.85 on the strength of medical certificate vide A.1.5 Government No: 144-50 dt: 21/8/85	
							Headmistress, Govt. Girls High School, PARACHINAR.	
							7-338 12-11-85 Govt. order of two Advance merit for passing P.A. with 72631/85 P.530/85 drawn	
							Allowed the Advance increments on acquiring the higher Edu. qualifications i.e. FA, BA, MA, etc. with Finance Dept. No. F.T. (42) R-3/184-67, Dt. 13.7.81 undisputed DE, F.T., Peshawar 22/11/85	

27/07/87

1	2	3	4	5	6	7	
Name of post درجہ ملازمت	Whether substantive or officiating and whether permanent or temporary عارضی مستقل یا قائم مقام	If officiating state— (i) substantive appointment or (ii) whether service counts for pension under rule 3 20 of C.S.R. (P.b) Volume II اگر عارضی ہے تو کیا وہ رول کے مطابق پنشن کا مستحق ہے؟	Pay in substantive position تنخواہ بطور عارضی ملازمت Rs. Pa.	Additional pay for officiating زائد تنخواہ بطور قائم مقام Rs. Ps.	Other emoluments falling under the term "pay" ماسوائے تنخواہ دیگر الاؤنس	Date of appointment تاریخ تقرری	Signature Government servant سرکاری ملازم
P.T.C. Post at G.G.H.S. Parachinal.	Revised entry in off./Perms.	-	B.P.S.-7 (936/-) P.T.C. Promoted	750-31-1370		1-7-87	Surya
do	do	-	Rs. 967/- P.T.C.	-		1 12/87	Surya
do	do	③ Adv. on passing B.A. exam.	Rs. 93/-	-		8 12/87	Surya
do	do	-	Rs. 1091/- P.T.C.	-		1 12/88	Surya
do	do	-	Rs. 1091/- P.T.C.	-		1-12-88	Surya

P.T.C.

(750-31-1370) 87.

1-7-87 Rs. 936/-

1-12-87 Rs. 967/-

1-12-88

9	10	11	12	LEAVE		14	15
Signature and designation of the Head of the office or other Attesting Officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc)	Signature of the Head of the office or other Attesting Officer	Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) for which leave salary is debit to another Government	Signature of the head of the office or other Attesting Officer	Reference to any recorded punishment, or censure, or reward or praise of the Government servant
	تاریخ	وجوہات	دستخط	نوعیت و معیار	چار ماہ تک کی تخصیص کے لئے اوسط تنخواہ کا تعین	دستخط	سزا یا حیا یا غیر مناسب کارکردگی کا ریکارڈ
	انتظام	انتظام ملازمت	انتظام		Government to which debit is to be made	انتظام	
	ملازمت	ثوقتی، تبادلہ یا برطرفی			Period		
	عجاز				عرصہ		
	30/6/87	Pay revision					Service Verified from 25-5-85 to 30-11-85 from the Pay-bills and other School Record.
	30/11/87	Insert.					E. M. G. G. H. S. P. C. R.
	30/11/87	Three (3) Advance on passage of B.A. exam					Sanction leave w.e.f. 13-5-86 to 23/8/86 on the strength of Medical certificate on full pay with order no. 816-19 dt. 1-6-86
	30/11/88	Medical					Service Verified from 12-85 to 30-11-86 other School Record.
	29/8/89	Transfer					Passed B.A. Examination under Roll No. 7520 for university of Peshawar 1986 Sup: obtaining 229/300 marks and has been placed in 2nd Division and results declared on 7-12-89

T-193
25-11-1988
Amount of Three Advance Inc. w.e.f. 8-12-87 to 30-11-1988 on passage B.A. Examination amounting to Rs 1085/- drawn.

26/11/1988

Passed B.A. Examination under Roll No. 7520 for university of Peshawar 1986 Sup: obtaining 229/300 marks and has been placed in 2nd Division and results declared on 7-12-89

9	10	11	12	LEAVE		14	15
				Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) for which leave salary is debitable to another Government		
Signature and designation of the Head of the office or other Attesting Officer in columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc)	Signature of the Head of the office or other Attesting Officer			Signature of the head of the office or other Attesting Officer	Reference to any recorded punishment, or censure, or reward or praise of the Government servant
دستخط اشرف حجاز	تاریخ انتظام ملازمت	وجوہات انتظام ملازمت ترقی، تبادلہ یا برطرفی	دستخط اشرف حجاز	طبیعت و نوعیت معیار	چارہ ماہ تک کی بقعت کے لئے اوسط تنخواہ کا تعین	دستخط اشرف حجاز	سزا یا جزیایا غیر مناسب کارکردگی کا ریکارڈ
	30/6/87	Pay revision	[Signature]				Service Verified from 25-5-85 to 30-11-85 from the Pay-bills and other School Record.
	30/11/87	Merit	[Signature]				H. M. G. G. H. S. P. G. R.
	30/11/87	Three (3) Advance Grants on passing of B.A. exam	[Signature]				Sanction from no. of 13.5.86 to 22/11/88 on the strength of Medical certificate on full pay under Adis Kurvan order No. 816-19 dt. 1-6-86
	30/11/88	Transfer to P.S. Agra	[Signature]				Service Verified from 12.8.85 to 30/11/88 from School Record.
	29/8/89	Transfer to P.S. Agra	[Signature]				H. M. G. G. H. S. P. G. R.
	23-11-1988	Advance of Three Advance Inc. w.e.f 8-12-87 to 30-11-1988 on passing B.A. Exam in 1988 amounting to Rs 1085/- drawn.	[Signature]				Passed B.A. Exam under Roll No. 7520 university of Peshawar 1986 Sup: obtained 229/500 marks and placed in 2nd division result declared on 26/11/1988

1	2	3	4		5		6	7	8
Name of post درجہ ملازمت	Whether substantive or officiating and whether permanent or temporary عارضی مستقل یا قائم تمام	If officiating, state— (i) substantive appointment or (ii) whether service counts for pension under rule 329 of C.S.R. (P.b) Volume II انوکٹاریٹی آف کیا وہ رول کے مطابق پنشن کا مستحق ہے ؟	Pay in substantive post تنخواہ پیشہ عارضی ملازمت Rs. Ps.		Additional pay for officiating زیادہ تنخواہ بظہور قائم تمام Rs. Ps.		Other emoluments falling under the term "pay" ماسوائے تنخواہ دیگر الاولیٰ	Date of appointment تاریخ تقرری	Signature of Government servant دستخط سرکاری ملازم
L.P.H.S. Para-chin... P.T.C. Post		Temp.	1577/-	P.M.	1577/-	1.12.93	Siras Bi Bi		
— do —	—	—	2537/-	P.M.		1.6.94	Siras Bi Bi		
— do —	—	—	2614/-	P.M.		1.12.94	Siras Bi Bi		
— do —	—	—	1864/-	P.M.		1.1.93	Siras Bi Bi		
— do —	—	—	1941/-	P.M.		1.12.93	Siras Bi Bi		
— do —	—	—	2607/-	P.M.		1.6.94	Siras Bi Bi		
— do —	—	—	2730/-	P.M.		1.12.94	Siras Bi Bi		
(1230-79-2450)	—	—	1864/-	P.M.		1/93	Siras Bi Bi		
— do —	—	—	2020/-	P.M.		1/93	Siras Bi Bi		
(1660-107-3265)	—	—	2730/-	P.M.		6/94	Siras Bi Bi		
— do —	—	—	2337/-	P.M.		12/94	Siras Bi Bi		

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9	10	11	12	13		14	15
Signature and designation of the Head of the office or other Attesting Officer in attestation of columns 1 to 8	Date of termination or appointment:	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the Head of the office or other Attesting Officer	LEAVE		Signature of the head of the office or other Attesting Officer	Reference to any recorded punishment or censure, or reward or praise of the Government servant
دستخط انسٹر مجاز	تاریخ القطع ملازمت	وجوہات القطع ملازمت ترقی تبادلہ یا برطبری	دستخط انسٹر مجاز	Nature and duration of leave taken رخصت کی نوعیت و میعاد	Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government چار ماہ تک کی رخصت کے لیے اوسط تنخواہ کا تعین Government to which debitable گورنمنٹ جسے رقم ادا ہونی	دستخط انسٹر مجاز	سزایا جزایا غیر مناسب کارکردگی کاریگاری
<i>[Signature]</i>	19.8.89	Transfer from G.A.S. Par.	<i>[Signature]</i>	<i>[Signature]</i>	Service verified w.e.f. 1-12-86 to 30-11-87 from the office record.	<i>[Signature]</i>	
<i>[Signature]</i>	30/8/89	Equal to G.A.S. Par.	<i>[Signature]</i>	<i>[Signature]</i>	Service verified w.e.f. from 1-12-87 to 30-11-1988 from the acquittance Roll & other office record maintained in this office.	<i>[Signature]</i>	
<i>[Signature]</i>	30/11/89	Annual Incr:	<i>[Signature]</i>	<i>[Signature]</i>	Service verified from 20.8.89 to 31.8.89 from the Record of this office.	<i>[Signature]</i>	
<i>[Signature]</i>	30/11/89	Annual Incr:	<i>[Signature]</i>	<i>[Signature]</i>	Granted Medical Leave from 13-89 to 20-3-89 (Both days incl - since) on full pay & allowances as permissible under the rules vide H.E.O. Kurram Agency NO. 617 Dated 10-4-89.	<i>[Signature]</i>	
<i>[Signature]</i>	30.11.90	Annual Incr:	<i>[Signature]</i>	<i>[Signature]</i>	Service verified w.e.f. 1.12.88 to 19.8.89 from the acquittance Roll & other office record of this office.	<i>[Signature]</i>	
<i>[Signature]</i>	31.5.91	Pay Revision 7971	<i>[Signature]</i>	<i>[Signature]</i>		<i>[Signature]</i>	
<i>[Signature]</i>	30.11.91	Annual Incr:	<i>[Signature]</i>	<i>[Signature]</i>		<i>[Signature]</i>	
<i>[Signature]</i>	30.11.92	7177 inc.	<i>[Signature]</i>	<i>[Signature]</i>		<i>[Signature]</i>	

10	11	12	13		14	15
			Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) for which leave salary is debitable to another Government		
Signature and designation of the Head of the office or other Attesting Officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc)	Signature of the Head of the office or other Attesting Officer	LEAVE	Signature of the head of the office or other Attesting Officer	Reference to any recorded punishment or reward or praised of the Government servant
دستخط حاضر مجاز	تاریخ انقطاع ملازمت	وجوبت انتظام ملازمت ترقی، تبادلہ یا ببرطوری	دستخط انسویجیاز	نقصت کی نوعیت و معیار	دستخط انسویجیاز	بجایا غیر بکار کوئی کا سازد
	30/11/93	Pay Revision 1991		Period	Government to which debitable	
	31/5/94	Annual Increment		نورہ	گورنمنٹ جسے دقتم ادا ہوگی	
	31/12/92	Revision of pay				
	30/11/93	Disct				
	31/5/94	Revision of pay				
	30/11/94	Disct				
	31/12/92	Special				
	30/11/93	Disct				
	31/5/94	Revision of pay				
	30/11/94	Disct				
	23/5/95	Transferred and promoted to SET Post				

Awarded
 BLS (10)
 vide A.E.D
 No 1307-1
 dated 11/2/94

Confirmed as P.T.C.
 vide perm. No
 22-9-1987
 vide PEO Kurrum
 No 1843/Edk
 dt: 13/9/95
 vide
 dt: 13/9/95

Service verified w.e.f
 1-9-89 To 30-11-89
 from the record of the
 School.

Earned Leave sanctioned
 on full pay w.e.f
 19-5-90 to 31-5-90
 vide A.E.O. Kurrum
 Endst. No: 1363-65/Edk
 dated 05/06/90.

Service verified w.e.f
 1-12-89 to 30-11-90
 from the record of the
 School.

Service verified w.e.f
 1-12-90 to 30-11-91
 from the record of the
 school.

Earned Leave sanctioned
 on full pay w.e.f 1.5.
 to 10.5.92 (10 days)
 vide A.E.O. Kurrum
 Endst: No. 2172-54/Edk
 dated: 31.8.92.

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating, and whether permanent or temporary	If officiating state— (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (p-b) volume II	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term "pay"	Date of appointment	Signature of Government servant
درجہ ملازمت	درجہ ملازمت	کیا عارضی ہے یا قائم مقام	پندرہ سو روپے کے مطابق	ملازمت	ملازمت	تاریخ تقرری	دستخط سرکاری
			Rs. Ps.	Rs. Ps.			
SET Post	Substantive	Refined in Rs-16	2535/-	545/-		24 ⁵ / ₉₅	Signature of Government servant
GMS (Subordinate) office		Refined in Rs-16 due to confirmed against PTC Post and promoted to SET Post.	2535/-			24 ⁵ / ₉₅	
do	do		2929/-			24 ⁵ / ₉₅ (Fu)	
do	do		3126/-			1 ¹² / ₉₅	
do	do		3323/-			1 ¹² / ₉₆	
do	do		3520/-			1 ¹² / ₉₇	
do	do		3717/-			1 ¹² / ₉₈	
do	do	Refined in Rs-16 by promotion from Lower Post to High Post vide F.W.O. Department No. FSI (P.C) 107/11 DE FAIA No 95/23-723 dt 10/11/77	3914/-			1 ¹² / ₉₉	
do	do		3729/-				
do	do		3126/-			24 ⁵ / ₉₅	

Signature and Designation of the Head of the office or other Attesting Officer in attestation of columns 1 to 8	10 Date of termination of appointment تاریخ انقطاع ملازمت	11 Reason of termination (such as promotion, transfer, dismissal, etc) دستیورات انقطاع ملازمت ترقی، تبادلہ یا برطرفی	12 Signature of the Head of the office or other Attesting Officer دستخط اشرف مجاز	13 LEAVE Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) for which leave salary is debitable to another Government چار ماہ تک کی نفعیت کے لئے اوسط دستخطوں کا تعین Nature and duration of leave taken نفعیت کی نوعیت و معیار Period عرصہ		14 Signature of the head of the office or other Attesting Officer دستخط اشرف مجاز	15 Reference to any recorded promotion or reward or praiseworthy service of the Government servant سزا یا تحریز یا غیر مناسب کا ذکر کی کا ریکارڈ
Molodtsov AEO	23-5-95	Promotion to AEO-16	Molodtsov AEO			Service verified w.e.f 1.12.91 to 30.11.92 from the record of this school. [Signature]	
Molodtsov AEO	30-11-95	Promotion to AEO-16	Molodtsov AEO			Service verified w.e.f 1.12.92 to 30.11.93 from the record of this school. [Signature]	
Molodtsov AEO	30-11-96	Promotion to AEO-16	Molodtsov AEO			Service verified w.e.f 1.12.93 to 30.11.94 from the record of this school. [Signature]	
Molodtsov AEO	30-11-97	Promotion to AEO-16	Molodtsov AEO			T-577 of 4-6-95.	
Molodtsov AEO	30-11-98	Promotion to AEO-16	Molodtsov AEO			Increase of pay on attaining BPs (10) on satisfaction grade for 1-1-93 to 30-4-95 Rs 5374/- drawn.	
Molodtsov AEO	30-11-99	Promotion to AEO-16	Molodtsov AEO			[Signature]	
Molodtsov AEO	31-1-2001	Promotion to AEO-16	Molodtsov AEO	Allowed Promotion increment on 31.1.2001 Appl: from 1st pay 2 High Post 1st pay up to 15-3-99		Service verified from 1/12/94 to 31/5/95 from the record of this school. [Signature]	
Molodtsov AEO	31-11-95	Promotion to AEO-16	Molodtsov AEO			[Signature]	

1 Name of post درجہ ملازمت	2 Whether substan- tive or officiating, and whether permanent or temporary عارضی مستقل یا قائم مقام	3 If officiating state— (i) substantive appointment or (ii) whether ser- vice counts for pension under rule 5-20 of C.S.R. (p-b) volume II اگر عارضی ہے تو کیا ددروں کے مطابق پیشن کا مستحق ہے	4 Pay in substan- tive post تنخواہ بطور عارضی ملازمت		5 Addition- al pay for officiating, زا کد تنخواہ بطور قائم مقام		6 Other em- oluments falling under the term "pay" ماسوائے تنخواہ دیگر الوانس	7 Date of appoint- ment تاریخ تقرری	8 Signature of Government servant مستحق سرکاری ملازم
			Rs.	Ps.	Rs.	Ps.			
SEI Post GMS Ruhel Shah Khel.				3323/-				1/13/55	
do				3520/-				1/13/56	
do				3717/-				1/13/57	
				7100				1-12-58	
				7210				1-12-58	
				7400				10-7-59	
				7500				1-12-59	
				7600				1-12-59	
				7700				10-7-59	
				7800				1-12-59	
				7900				1-12-59	
				8000				1-12-59	
				8100				1-12-59	
				8200				1-12-59	
				8300				1-12-59	
				8400				1-12-59	
				8500				1-12-59	
				8600				1-12-59	
				8700				1-12-59	
				8800				1-12-59	
				8900				1-12-59	
				9000				1-12-59	
				9100				1-12-59	
				9200				1-12-59	
				9300				1-12-59	
				9400				1-12-59	
				9500				1-12-59	
				9600				1-12-59	
				9700				1-12-59	
				9800				1-12-59	
				9900				1-12-59	
				10000				1-12-59	

10	11	12	13		14	15
Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the Head of the office or other Assistant Officer	LEAVE		Signature of the head of the office or other Approving Officer	Reference to any recorded punishment or reward or praise of the Government servant
تاریخ التفرغ یا تعینات	وجوہات التفرغ یا تعینات	دستخط افسر	Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitab to another Government	دستخط افسر	سزا یا جزا یا غیر مناسب کارکردگی کاریکارڈ
ملازمت	ترقی یا تبادلہ یا برطرفی	مجاز	نوعیت و میعاد	Period عرصہ	Government to which debitab گورنمنٹ جسے رقم ادائیگی	
30/11/96	M.S.C.	M.S.C.				
30/11/97	M.S.C.	M.S.C.				
30/11/98	Transfer of E.G.A. Section	M.S.C.				

Service was paid from 24/5/95 to 30/11/98 from office record.

Agency Education Officer
Kurram Agency Parach

17

9	10	11	12	13		14	15
Signature and designation of the Head of the office or other Attesting Officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc)	Signature of the Head of the office or other Attesting Officer	LEAVE		Signature of the head of the office or other Attesting Officer	Reference to any recorded punishment or censure, or reward or praised of the Government servant
دستخط افسر مجاز	تاریخ قطع تعمیرات	وجوہات انقطع مہلت توقی و تبادلہ یا بطریق	دستخط افسر مجاز	Nature and duration of leave taken رضعت کی تعمیرات معیاد	Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) for which leave salary is debitable to another Government چار ماہ تک کی رضعت کے لئے اوسط تنخواہ کا تعین Period تعمیرات ماہانہ	دستخط افسر مجاز	سزایا حیزایا غیر مناسب کارکردگی کا دیکارڈ
				<p>Selected against the post of SET by the Departmental Selection Committee vide Director Secondary Education N.W.F.P, Peshawar Notification End No. 963 - 997/44ptt. Dated Peshawar the 22/5/1995.</p> <p>F 307 of 27-9-95.</p> <p>Award of pay on drawing D-16 from 24-5-95 to 30-9-95 No. 1064/95 drawn on 3/11/95</p>			

18

Qualifying Service \Rightarrow 34 years 11 months

Pay Slip of Siraj Bibi \Rightarrow BPS \Rightarrow 17

New member BPS = 18

GOVERNMENT OF PAKISTAN
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA
DISTRICT Kurram at Area C
PAY ROLL SYSTEM

PAYMENT ADVICE
Month September 2011

Form No. 1001

Per No: 00671316
Name: SIRAJ BIBI
HEAD MASTER
BPS 17

DEPTT CODE

NET AMOUNT PAYABLE

QUALIFYING SERVICE
YRS MON
33 Years 07 Months

34,390.00 =

Total \Rightarrow 79,116.00

GOVERNMENT OF PAKISTAN
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA
DISTRICT Kurram at Area C
PAY ROLL SYSTEM

PAYMENT ADVICE
Month September 2011

Form No. 1001

Per No: 00671316
Name: SIRAJ BIBI
HEAD MASTER
BPS 17

DEPTT CODE

NET AMOUNT PAYABLE

QUALIFYING SERVICE
YRS MON
33 Years 07 Months

2,200.00 =

86,908.00 =

79,116.00

18/1

19

Qualifying Service \Rightarrow 12 years
Pay Slip / Notheem / BPS - 16

GOVERNMENT OF PAKISTAN
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA
DISTRICT
PAY ROLL SYSTEM

Ref: 005715
No: 515
SIT

BPS 16

NET AMOUNT PAYABLE
 $\checkmark 38,160.00 =$

QUALIFYING SERVICE
YRS MON
12 Years - 0 Months

Total 52,275.00

GOVERNMENT OF PAKISTAN
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA
DISTRICT
PAY ROLL SYSTEM

DEPTT CODE

BPS

NET AMOUNT PAYABLE

QUALIFYING SERVICE
YRS MON

PAYMENT ADVICE

01 Month September 20
Dist Of K A P N A S P

DEPTT CODE

NET AMOUNT PAYABLE
52,275.00

184. 10. 1948

11

IN THE COURT OF KHYBER PAKHTUNKHWA, SERVICES
TRIBUNAL, PESHAWAR

Siraj Bibi

Versus

Director Education FATA etc

PARAWISE REPLY OF THE COMMENTS IN CONTEMPT OF
COURT PETITION

Parawise rejoinder to Preliminary objections:

1. This court has got jurisdiction to entertain the present petition.
2. The appellant has clearly contacted this Honourable Tribunal.
3. Para No.3 of reply is incorrect.
4. Para No.4 of reply is incorrect.
5. Para No.5 of reply is incorrect.
6. Para No.6 of reply is incorrect.

Parawise rejoinder to on facts:

1. Para No.1 needs no reply.
2. Para no.2 of COC is correct.
3. Para No.3 of COC is correct, respondents no. 1 to 3 were properly served with a notice.
4. Para NO.4 of COC is correct.
5. Para No.5 of COC is correct.
6. Para No.6 of COC is correct, respondents no.1 to 3 twice violated / disobeyed / disregarded the order

of this Respected Tribunal and wrongly made a statement before a Tribunal, hence are liable to be prosecuted as per COC proceedings, respondents no.5 is never selectee by provincial public service commission, therefore this statement on part of respondent no.1 to 3 is an attempt to mislead the court.

7. Para No. 7 of the COC is correct.

8. Para NO.8 of COC is correct.

9. Para No.9 of the comments / reply in COC is not admissible and due to the conduct of respondent no.1 to 3 they are estopped to advance any further misleading, statement before the court.

It is, submitted that proceeding against respondents no.1 to 3 may kindly be processed as per COC proceedings.

Dated: 19/01/2017

Appellant / petitioner

Siraj Bibi

Through

Khazada Ajmal Zeb Khan

Advocate, SC (At Peshawar)

[Handwritten signature and date]
20/1/17