

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR.

SERVICES APPEAL NO 341/2024

Bibi Ruqia PST GGPS Shamtiaz Kala Khel Bannu

.....Appellant

VS

Government of Khyber Pakhtunkhwa through Secretary (E&SE)
Education Department and others

.....Responde

nts

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17-04-24

per


HALIMA SADIA
DEO (FEMALE)
BANNU

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.**SERVICES APPEAL NO 341/2024**

Bibi Ruqia PST GGPS Shamti az Kala Khel Bannu.....Appellant

VS

Government of Khyber Pakhtunkhwa through Secretary (E&SE) Education

Department and others.....Respondents

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS NO. 3-4**RESPECTFULLY SHEWETH:****PRELIMINARY OBJECTIONS:**

1. That the present appellant was transferred being under complaint on the basis of administrative grounds and hence the present appeal is liable to be set aside.
2. That the present Appeal of the Appellant is not maintainable in its present form.
3. That the Appellant has filed the instant Appeal to waste the precious time of this Honorable Services Tribunal.
4. That the case of the Appellant is devoid of merit and having no legal force hence liable to set-aside.
5. That the appeal of the appellant is bad for non-joinder and miss-joinder.
6. That the instant appeal is barred by limitation and hence liable to be dismissed.

ON FACTS:

1. That the Para 1 on fact is related to the personal information and personal assertion of the appellant, hence needs no comments.
2. That Para 2 on facts is related to the official record of this office
3. That Para 3 on facts is incorrect and denied, as that written as well as verbal complaints has been received to this office, that the appellant was not performing her duties properly by violating the government rules and policy as she was closing the school every day before the officially school timing for closing of all the institutions. (Annexure A & B)
4. That Para 4 on facts is correct to the extent of sanction of medical leave for 20 days however it was a routine matter for her coming late to the school and closing of the school before the government timing as tabulated by the government through official notification which is attached as (Annexure C & D) as reported by the concerned SDEO.
5. That Para 5 on facts is incorrect and denied, as the behavior of the appellant was totally unofficial, domineering, unsocial, unethical and based on false statement each and every time pertaining to deceived the head of the school and the district administration through the technics of mockery by playing hide and seek with the department, thus she was to spoil the bright future of the students.
6. That Para 6 on facts is incorrect and denied, as the appellant was transferred from the said school after complaints and she was in habit of taking French leave from the school and after that she was transferred

on administrative ground in the light of the recommendation of the SDEO concerned as per law, rules and policy.

7. That Para on facts is related to the official record of the offices concerned. Anyhow the appeal of the appellant was rejected as she was transferred on administrative grounds and as per law, rules and policy, she is bound to perform her duties anywhere in the district
8. That Para 8 on facts is related to the appellant and her counsel.

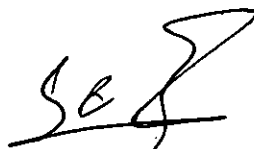
GROUND

- A. That Para A on grounds is incorrect and denied as the appellant was transferred after receiving complaints and recommendation of the SDEO concerned as she was polluting the peaceful environment of the school and spoiling the future of the students. And hence she was transferred purely on administrative grounds as she was being under complaint as per law, rules and policy.
- B. That Para B on grounds is incorrect and denied as she misbehaved with her concerned officer that the SDEO circle and she herself acknowledged the fact that she was doing MPhil and for which she got NOC while she is denying the other facts by taking cool and hot in a single breath, as she was dead serious about her M.Phil and this was the only cause for coming late to the school and going early by closing the institution on 12 O'clock every day in violation of the existing rules and policy which tantamount to serious misconduct and misbehavior.
- C. That Para C on grounds is related to the official record; moreover this office has never made any unlawful and illegal act but in fact is to follow the existing law, rules and policy.
- D. That Para D on ground is incorrect and denied, this department has never made any discrimination and never violated any article of the Constitution of the Islamic Republic of Pakistan concerning the fundamental right.
- E. That Para E on ground is incorrect and denied no rules has been violated by this department but in fact the case of appellant was dealt as per existing law, rule and policy.
- F. That Para F on ground is related to the appellant and her counsel and their personal approach.
- G. That Para G on ground is related to the appellant and her counsel but in fact the respondent may kindly be allowed for additional grounds at the time of hearing.

PRAYER:

In view of the above made submissions it is requested that this Honorable Services Tribunal may very graciously be please to dismiss the instant appeal with heavy cost.

~~HALEEMA SADIA
DISTRICT EDUCATION OFFICER
(FEMALE) BANNU
Respondent No.3~~



HALEEMA SADIA
DISTRICT EDUCATION OFFICER
(FEMALE) BANNU
Respondent No.3

~~ZAFRAN BEGUM
SDEO BANNU
Respondent No.4~~



ZAFRAN BEGUM
SDEO BANNU
Respondent No.4

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR.

SERVICES APPEAL NO 341/2024

Bibi Ruqia PST GGPS Shamtiaz Kala Khel Bannu

.....Appellant

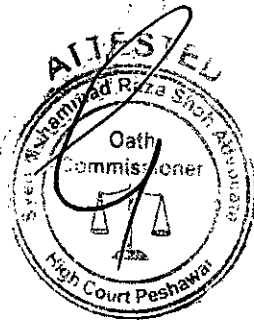
VS


Government of Khyber Pakhtunkhwa through Secretary (E&SE)
Education Department and others

.....Responde
nts

AFFIDAVIT

I Mst. Halima Sadia do here by Certify that all the contents of these Para wise comments are true & correct to the best of my knowledge and nothing has been concealed from this Honorable Services Tribunal. It is further stated on oath that in this appeal, the answering respondents have neither been placed exparte nor their defense has been struck off.




**HALIMA SADIA
DEO (FEMALE)
BANNU**

BEFORE THE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR.

SERVICES APPEAL NO 341/2024

Bibi Rudia PST GPs, Shamsiaz Kala Khet Bannu

Appellant

VS

Government of Khyber Pakhtunkhwa through Secretary (ES&E)

Education Department and others

..... Respondent

vs

AFFIDAVIT

I, Mrs Halima Sadia do hereby Certify that all the contents of these Para wise comments are true & correct to the best of my knowledge and nothing has been concealed from this Honorable Services Tribunal. It is further stated on oath that in this appeal the answering respondents have neither been placed ex parte nor their defense has been struck off.

**HALIMA SADIQA
DEO (FEMALE)
BANNU**



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**OFFICE OF THE DISTRICT EDUCATION
OFFICER
FEMALE BANNU**

AUTHORITY

Certified that Mr. Basir Ullah ADEO Litigation of this Office is hereby authorized to submit this Para wise comments on behalf of under signed in connection with the Case titled as Bibi Ruqia Vs Govt; in services appeal No 341/2024.

**DISTRICT EDUCATION OFFICER
(FEMALE) BANNU**

I have checked the
 documents and the
 same are found to be
 correct. I have
 signed the documents
 and the same are
 being submitted to
 the concerned
 authorities for
 their consideration.
 Yours faithfully,
 M. H. Khan
 Secretary

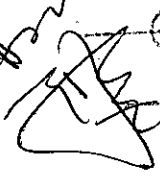
P-11
 29/11/23

No. of the
 13/11/23
 29/11/23

(D.A)

06/12/23

مودبانہ ٹرنس لینے کی قیمت
 ٹرنس لینے پر ایسی سکول شہزاد
 کلا جیل کی ثابت معام
 کی رقم کو ہمارے سکول
 سے ٹرانسفر کی جانے کی
 پر روز اہم نقل جانے کے
 سے 2.08 بجے چھٹی آتی ہے
 اور کھسی 20 دینا کی رخصت
 کی درخواست دے دیتی ہے
 ہمارے سکول کی تعداد
 380 ہے۔ بچوں کی یہ
 بہت ہے۔ اس لیے
 ہمارے سکول کی رقم
 کی ٹرانسفر ایسے سکول کی
 جہاں تعداد کم ہو۔

Attached


مین کوآرڈینر

الفاضل
 معزات

29-11-23

درجہ ششماں کی مدرسہ مسلمین جی جی ایس شہنشاہ کمالا خیل منوں

ابتداء: توہمیر تا: 30

نمبر	سینئر اول			درجہ انساء			سینئر ٹیوم			روقیہ						
	آد	دستخط	رہائی	آد	دستخط	رہائی	آد	دستخط	رہائی							
1	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
2	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
3	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
4	2:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
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7	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
8	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
9	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
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14	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
15	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
16	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
17	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
18	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
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23	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
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25	8:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
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30	9:30	سہما	1:35	سہما	8:30	زینت	1:35	زینت	8:30	سینئر	1:35	سینئر	8:30	آد	دستخط	رہائی
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تعداد																
موجود	3	6	9	3												
غائب																
مجموع																

Absent
Absent
Absent

Amir
[Signature]

رجسٹر حاضرگی مدرسین

دسمبر

ابتدا

اسد علی خان

حوکمدار

روز	روز پیر		روز جمعہ		نوٹس بابی	نام
	آمد	دستخط	آمد	دستخط		
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3					ABSENT	
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Technical

Admin

P-9

Am-B



OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) BANNU

OFFICE ORDER:

As proposed by the SDEO (F) Bannu and Bakak Khel, The undersigned is pleased to transfer/ adjusted the following teacher to the school noted on administrative ground in the best interest of public service with immediate.

S#	NAME OF TEACHER	FROM	TO	REMARKS
1	Mst. Bibi Ruqia PSHT BPS-12	GGPS Shantiaz Kala Khel Bannu	GGPS Jhadri Muhammad Khel Kotka Sharif Ullah Bannu	On Administrative Ground
2	Mst. Zeba Aslam PST BPS-12	GGPS Kotka Mulagan Bannu	GGPS Inayat Mitha Khel Bannu	Through Rationalization A.V.P

Note:


- Charge Report should Submitted to all concerned.
- No TA/DA is allowed.

(SABIRA PARVEEN)
DISTRICT EDUCATION OFFICER
(FEMALE) BANNU

Endst: No: 14496-100 Date: 06/12/2023.

Copy for Information to the: -

1. District Monitoring Officer (EMA) Bannu.
2. District Accounts Officer Bannu.
3. SDEO (F) Concerned.
4. Accountant SDEO (F) Sub-Division Concerned.
5. Master File.


 DISTRICT EDUCATION OFFICER
 (FEMALE) BANNU



P-10

Amx-e



**OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER
(FEMALE) BANNU DISTRICT BANNU**

Address: Outside Miryan Gate Near GHS No.4 Bannu City.

No: 1500

(D.A) PST
26/12/23

Date: 26/12/2023.

To

District Education Officer,
(Female) Bannu.

Subject: REPORT REGARDING MISS BEHAVE OF MST. RUQIA BIBI PST.

Memo:-

It stated for your kind information that one Mst. Ruqia Bibi working at GGPS shamtiz kala khel which recently transfer to GGPS Abdul Ghafar Muhammad Khel Bannu on administrative by the compliant of her Head teacher) come to the undersigned office with her sister Mst. Shabeena (working as technician at DHQ Bannu) and used very abused and un-ethical language which is unbearable for forcing to give her sister relaxation for two hours early leave on routine basis from her school for M.phill Studies which is miss conduct and against the rules.

Therefore, as per E&D efficiency & Disciplinary rules, I am preceding her case for onward process please.

SUB-DIVISIONAL EDUCATION OFFICER
(FEMALE) BANNU

Endst: No. 1503

Date: 26/12/2023.

Copy for Information to:-

1. District Education Officer (Female) Bannu.
2. Accountant Local Office.
3. Office File.

Attended

SUB-DIVISIONAL EDUCATION OFFICER
(FEMALE) BANNU

P-011

Amu-D



GOVERNMENT OF PUNJAB
OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)
DISTRICT BANNU

Ph No 0928-660019 Email: deo.femalebanu@gmail.com
Address: Near Govt: High School for Boys No.4 Main Miryan Road Bannu.

Dated: 01/01/2024

Filo No: 2530

SHOW-CAUSE NOTICE:

WHEREAS, You Mst. Bibi Ruqia SPST GGPS Khadri Muhammad Khel Kotka Sharif Ullah Bannu are charged of having committed the following omission and commission which constitute inefficiency and misconduct under Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules, 2011.

1. That you are usually come late to the school and forcedly put attendance in the attendance register.
2. That your school head teacher approached to the undersigned office several time regarding your miss behave and unethical practice.
3. That you have taken admission being a Government Servant in M.Phil, in UST Bannu without the prior permission of the undersigned.
4. That you are leaving you school before 2 hours ago of your school timing which is a serious misconduct, and this regard you and your sister several time harass the school head teacher of GGPS Shamtiarz Kala Khel Bannu.
5. That the head teacher of GGPS Shamtiarz Kala Khel Bannu submitted a written complaint regarding your miss behave to the undersigned office on dated 29-11-2023.
6. That due to complaint submitted by the Head teacher and SDEO (F) Concerned, the undersigned transferred you to your previous school GGPS Khadri Muhammad Khel Kotka Sharif Ullah Bannu on administrative ground. But you still failed to took over charge there.
7. That you visited the undersigned office on dated 26-12-2023 and use harsh words and show unprofessional attitude during the conversation, as well as with the SDEO (F) Concerned in her office too.
8. That the SDEO (F) submitted report of your miss behave to the undersigned office regarding you act/ misconduct during the official hours vide her memo no.1500 dated 26-12-2023, that adversely means that you have attitudinal problem, having unwanted, abusive and inappropriate behavior with the officials/officers, which is a clear misconduct and inefficiency.
9. WHEREAS, I Mst. Sabira Parveen, being the Competent Authority, after examining your case reached the proportional Conclusion that you are guilty of the charge of misconduct and decide that conduction an inquiry into your case is not necessary in terms of Rule-4 (b) (iii) of Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules, 2011.

AND NOW THEREFORE, you Mst. Bibi Ruqia SPST GGPS Khadri Muhammad Khel Kotka Sharif Ullah Bannu are hereby called upon to show cause in written within (07) days of the receipt of this notice as to why one or more penalties including major penalty of "Removal from Service" as prescribed in Rule-4 (a) & (b) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules, 2011 may not be imposed upon you.

Your written reply to the show cause notice should be reach to the office of the undersigned within (07) days of the receipt of this Notice, failing which ex-party decision shall be taken against you.

You are also called upon to convey in writing if you would like to be heard in person.

Attested

(SABIRA PARVEEN)
DISTRICT EDUCATION OFFICER
(FEMALE) BANNU

Endst: Even No. & Date

Copy of the above is forwarded to the:-

1. Director, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. Deputy Commissioner Bannu.
3. District Monitoring Officer Bannu.
4. District Accounts Officer Bannu.
5. ADEO Establishment (F) Primary Bannu.
6. Master Filo

DISTRICT EDUCATION OFFICER
(FEMALE) BANNU