


FORM OF ORDER SHEET

Court of _____

Appeal No. 854/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/06/2024	<p>The appeal of Mst. Nusrat Begum presented today by Mr. Imdad Ullah Advocate. It is fixed for preliminary hearing before touring Single Bench at Swat on 03.07. 2024. Parcha Peshi given to counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 854 of 2024

Nusrat Begum PST GGPS Doghallgy Beha, Tehsil Matta, District Swat.

...Appellant

VERSUS

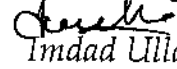
The District Education Officer (Female) District Swat and Another.

...Respondents

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Appellant Through


Imdad Ullah

Advocate Swat

Office: Khan Plaza, Gulshone Chowk,
Mingora Swat, Cell 0333 929 7746

Email: imdadswati@gmail.com

①

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 854 of 2024

Nusrat Begum PST GGPS Doghallgy Beha, Tehsil Matta,
District Swat.

...Appellant

VERSUS

1. The District Education Officer (Female) District Swat.
2. The District Account Officer at Saidi Sharif, District Swat.

...Respondents

SERVICE APPEAL UNDER SECTION 4
OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974 FOR
THE RELEASE OF ANNUAL
INCREMENTS FORM 31-12-2000 TILL
31-12-2006, FOR THE RELEASE OF THE
SAME THE RESPONDENT NO. 1 WAS
APPROACHED; BUT TO NO AVAIL
DESPITE THE LAPSE OF STATUTORY
PERIOD OF TIME.

PRAYER:

*That on acceptance of this service appeal the
Respondents be directed to release the annual increments
for the date of appointment till the year 2006.*

Respectfully Sheweth:

Facts:

- i. That the Appellant was appointed as PTC (Untrained) vide order Endst: No. 775-91/dated Dasu the 27-12-1999. Copy of the order dated 27-12-1999 is enclosed as Annexure "A".
- ii. That the Appellant was regularly performing her duties to the satisfaction of the authorities.
- iii. That in the year 2010 the Appellant applied for transfer from District Kohistan to District Swat, for which purpose NOC was granted on 15-10-2010.
- iv. That subsequently vide Notification Endst: No. 2160-66/F.No.99/PTC(F) Transfer Swat dated Peshawar the 22-02-2012 the Appellant was transferred from GGPS Dadeer Jamara Kohistan to GGPS Doghallgy Beha Swat. Copy of the order dated 22-02-2012 is enclosed as Annexure "B".
- v. That the Appellant also got the LPC (Last Pay Certificate) from the District Kohistan and submitted at District Swat. Copy of the LPC is enclosed as Annexure "C".
- vi. That to the salary of the Appellant was not released so for the release of the same the Appellant approached the Peshawar High Court, Mingora Bench, which petition was converted to departmental appeal and sent to the Respondent

Department. Copy of the judgment dated 290-01-2019 is enclosed as Annexure "D".

- vii. That to the utmost surprise of the Appellant she was communicated the order Endst: No. 2206-10 dated Kohistan the 01-06-2010, whereby the services of the Appellant along with others were terminated. Copy of the order dated 01-06-2010 is enclosed as Annexure "E".
- viii. That the impugned order was never communicated to the Appellant and she was kept in darkness, even her transfer was made. To find the truth the DEO(F) Dir Lower was appointed as inquiry officer and who categorically narrated the fact that the Appellant along with others were never communicated the impugned order. Copy of the inquiry report is enclosed as Annexure "F".
- ix. That the Appellant then submitted a departmental appeal for her reinstatement, which appeal was allowed, in light of the inquiry conducted, vide Notification Endst: No. 7717-21/F.No.394/F/Appeal Swat dated Peshawar the 30-12-2020. Copy of the appeal along with letters are enclosed as Annexure "G" and that of the Notification dated 30-12-2020 is enclosed as Annexure "H", respectively.
- x. That the Appellant was subsequently adjusted vide office order Endst: No. 3093-02 dated 18-

04-2023. Copy of the order dated 18-04-2023 is enclosed as Annexure "I".

- xi. That the Appellant joined her duties on 19-04-2023, while her salary was released vide Pay Release Order Endst: No. 5033-36 dated 12-06-23. Copy of the charge report is enclosed as Annexure "J" and that of the salary release order is enclosed as Annexure "K", respectively.
- xii. That the Appellant was flabbergasted to find out that the increment form the joining till the year 2006 are not paid for no valid reason, despite the fact that salary has regularly been released. Copies of the relevant pages of the service book are enclosed as Annexure "L".
- xiii. That feeling aggrieved the Appellant submitted an appeal to the department for the release of the same, but the same is not responded to despite the lapse of statutory period of time. Copy of the departmental appeal is enclosed as Annexure "M".
- xiv. That still feeling aggrieved and having no other option this Honourable Tribunal is approached for the redressal of the grievances on the following grounds.

Grounds:

- a. That the Appellant has not been treated in accordance with the law and rules on the subject and has been subjected to forced labour.
- b. That the Appellant is denied her vested rights to the utter and blatant negation of the law and rules to the detriment of the Appellant.
- c. That this is a classic case of colourfull, fanciful and arbitrary exercise or powers and authority not vest, which is never approved by the laws emanating from the commands of the constitution.
- d. That the Appellant has been intentionally made to suffer for no fault of her.

It is, therefore, very respectfully prayed that on acceptance of this service appeal the increment of the said may very kindly be ordered to be released forthwith.

Any other relief deemed appropriate in the circumstances and not specifically prayed for may also very kindly be granted.

Appellant
N. Begum
Nusrat Begum
Through Counsels,
Aziz-ur-Rahman
Aziz-ur-Rahman
Imdad Ullah
Imdad Ullah
Advocates Swat

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____ of 2024

Nusrat Begum PST GGPS Doghallgy Beha, Tehsil Matta,
District Swat.

...Appellant

VERSUS

The District Education Officer (Female) District Swat
and Another.

...Respondents

AFFIDAVIT

It is solemnly stated on Oath that all the contents of
this service appeal are true and correct to the best of my
knowledge and belief and nothing has either been
misstated or kept concealed before this Honourable
Tribunal.

Deponent
N. Begum
Nusrat Begum

M. As
AFFIDAVIT
Ms. Michas Yousufzai Advocate
District Courts Swat.
OATH COMMISSIONER
S.No. 159 Date 14-06-2024

(7)

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____ of 2024

Nusrat Begum PST GGPS Doghallgy Beha, Tehsil Matta,
District Swat.

...Appellant

VERSUS

The District Education Officer (Female) District Swat
and Another.

...Respondents

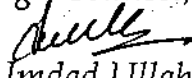
ADDRESSES OF THE PARTIES

Appellant:

Nusrat Begum PST GGPS Doghallgy Beha, Tehsil Matta,
District Swat.

Respondents:

1. The District Education Officer (Female) District Swat.
2. The District Account Officer at Saidu Sharif, District Swat.

Appellant
Through Counsel,

Imdad Ullah
Advocate Swat

OFFICE OF THE DISTRICT EDUCATION OFFICER (H&F) PESHAWAR.

APPOINTMENT ORDER OF FEMALE (UN-TRAINED)

PA
8

Consequent upon the screening test and interview held on 10 to 12/10/1999 and after proper verification of testimonials/certificates from the concerned Boards/Institutions, the appointments of the following PPO (Un-trained) candidates of District, Peshawar, are hereby ordered purely on merit basis in HPS-7 (Rs. 1480/- PM fixed) plus usual allowances as admissible under the rules, in the schools noted against their names.

The appointments are purely according to the policy/procedure of the department and are in the interest of public service and their taking over charges-

Sr. No.	Name.	Father's Name	Residence	School	Remarks
1.	Shahzad Tariq	Qasim	Swat GGPB	Dadiala	---do---
2.	Nusrat Begum	Mohammad Amin	Swat	Sani Central	---do---
3.	Anjum Begum	Hedayatullah	Chak	Dadiala	---do---
4.	Rohail Gul	Hedayatullah	Chak	Mughal Abed	---do---
5.	Nehida Bibi	Habib Khan	Swat	---do---	---do---
6.	Farzana Keron	Wali Mohammad	Swat	Badakota	---do---

Notes

1. Charge reports should be submitted to all concerned.
2. No TA/DA is allowed to any one.
3. Their services are purely temporary and are liable to be terminated at any time without assigning any reasons.
4. Their age should not be below 18 and above 40 years.
5. They should produce their age and health certificates from DHO Kohistan.
6. Their appointments will be considered as cancelled if they failed to take over charge within 15 (fifteen) days after the issue of this order.
7. They will be governed by the service rules and regulations as prescribed by the department from time to time.
8. The teachers who are appointed in the schools, which are going to be closed for long winter vacations, are not allowed for salaries during the vacation.
9. In case of person appointed as an untrained teacher, will have to pass the requisite training examination within a period of 4 years failing which service will be terminated.
10. Pure merit is ensured in all respects, even then any collusion or error detected at any time will be accepted by the concerned teachers accordingly.

(MALIK ABDUR RAHIM)
DISTRICT EDUCATION OFFICER
(H&F) PRIMARY KOHISTAN AND DASSU.

Encl: No. 775-911

Dated Dassu the 27-12-1999.

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

1. P.O to Secretary to Government of NWFP, Education Deptt, NWFP.
2. P.O to Director Primary Education NWFP, Peshawar.
3. Deputy Commissioner, Kohistan.
4. Commanding Officer MIT Circuit Route, Dassu.
5. District Accounts Officer, Kohistan.
6. Sub Divisional Edu. Officer (Female) Peshawar.
7. All the concerned for compliance accordingly.
8. C.O. File.

DISTRICT EDUCATION OFFICER
(H&F) PRIMARY KOHISTAN AND DASSU.

Verified
[Signature]
District Education Officer
Kohistan

Attested
[Signature]
Assistant

(9)

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR

NOTIFICATION

Signature **B-**

Consequent upon the ban relaxation by the competent authority, the following posting/transfers of PST (Female) are hereby ordered in their own pay & BPS in the interest of public service with immediate effect.

S#	Name & Designation	From	To	Remarks
1	Mst. Naseema Khan PST	GGPS Seglo Kohistan	GGPS Mian Kalay Tajarry Swat	Against V/Post
2	Mst. Nusrat Begum PST	GGPS Dadeer Jamra Kohistan	GGPS Daghally Beha Swat	-do-

Note:-

- iv. Charge report should be sent to all concerned.
- v. No TA/DA etc are allowed
- vi. The EDOs (E&SE) are directed to check the original service document before making payment of their salaries.

DIRECTOR

Elementary & Secondary Education
Khyber pakhtunkhwa, Peshawar

Endst: No. 2160-66 /F.No.99/PTC(F) Transfer Swat Dated Peshawar the 22/2 2012

Copy of the above is to the:-

1. Executive District Officer (E&SE) Kohistan & Swat
2. District accounts Officers Kohistan & Swat.
3. Teachers concerned.
4. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar
5. Master File.

Signature

Deputy Directress (Estab)
Elementary & Secondary Education
Khyber pakhtunkhwa, Peshawar

Signature

444444

Am3

Signature ^C

LAST PAY CERTIFICATE

10

P.No.374601

Last pay certificate of **Mst. Nusrat Begum PTC BPS-07**
Office of the GGPS Gabbair Ranolia Education Department District Kohistan

Proceeding to: Transfer to District Swat (Matta)

She has been paid up-to **01/12/2009** as per following rates:-

0001-B-Pay.	Rs. 3530/-
1000-House Rent Allowance.	Rs. 1059/-
1300-Medical Allowance.	Rs. 500/-
1920-UAA. Kohistan 40% (16 G/NG)	Rs. 1412/-
1770-Special Addl: Allo	RS. 370/-
1830- Special All: 2005	Rs. 333/-
1831-Adhoc Relief Allow, 2005	Rs. 333/-
1864-Dearness All, 2006	Rs. 383/-
1909-Adhoc Relief Allow, 2009	Rs. 744/-

Total : Rs. 8664/PM

Deductions:-

G.P.F. Accumulation. No. IV ___/KH/___/Css.	Rs.320/-
G.P.F.Advance.	Rs.nil
Contributory Provident Fund.	Rs.nil
Income Tax.	Rs.nil
Additional Group Insurance.	Rs.07
Group Insurance:	Rs. 67/-
Benevolent Fund.	Rs. 35/-
Employees Education Fund, KPK	Rs. 15/-
House Rent Deduction.	Rs.nil

Total :Deduction Rs. 444/- P.M.

NET PAY Rs. 8220/- P.M.

- i. Recoveries are to be made from the pay of the Government Servants as detailed on the reverse.
- ii. She has been paid leave salary as detailed below.
Deductions have been made as noted on the reverse.

From _____ to _____ at Rs. _____
 From _____ to _____ at Rs. _____
 From _____ to _____ at Rs. _____

She is entitled to draw the following:-

She is also entitled to joining time for usually admissible days.

The details to the income Tax recovered from his up-to the date from the beginning of the current year are noted on reverse.

Attested
Advocate

LPC No. 105/2009/10/10
Counter signed

District Account Officer
Kohistan

Sub Divisional Education Officer
(Female) Dasso Kohistan

Muhammad Amin
District Education Officer, P&N
Kohistan Upper

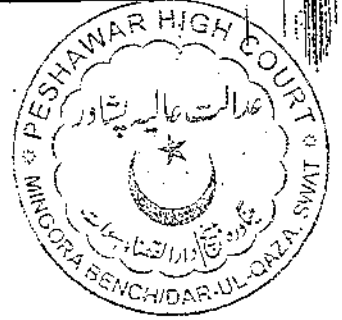
01/22

(11)

(4)

M.D.

**BEFORE THE PESHAWAR HIGH COURT (MINGORA CIRCUIT
BENCH/DARRUL QAZA) AT SWAT.**



W.P. No. 270-M /2015.

1. Mst Azra Bi Bi PST(Female)
Presently Posted at Govt Girls Primary School Dndanai
District Swat.
2. Mst Nasima Khan PST(Female)
Presently Posted at Govt Girls Primary School Mian
Kalay, Tajarray District Swat.
- X 3. Mst Nusrat Begum PST(Female)
Presently Posted at Govt Girls Primary School Doghalgay
Biha District Swat.
4. Mst Naheed Bi Bi PST (Female)
Presently Posted at Govt Girls Primary School Qayyum
Abad, Swat.
5. Mst Nuzhat Bano PST (Female)
Presently Posted at Govt Girls Primary School Mandoor,
Swat.
6. Mst Farzana Kiran PST (Female)
Presently Posted at Govt Girls Primary School Awishah,
Swat.....Petitioners

VERSUS

1. Secretary to Govt of Khyber Pakhtunkhwa, Elementary &
Secondary Education, Peshawar.
2. Director, Elementary & Secondary Education, Khyber
Pakhtunkhwa, Peshawar.

FILED TODAY

Additional Registrar
12 MAY 2015

JUDGMENT SHEET

IN THE PESHAWAR HIGH COURT,
MINGORA BENCH (DAR-UL-QAZA), SWAT
(Judicial Department)

W.P. No. 270-M/2015

JUDGMENT

Date of hearing: 29.01.2019

Petitioners:- (Mst. Azra Bibi & others) by Mr. Shams-ul-Hadi, Advocate

Respondents:- (Secretary to Govt. of KPK & others) by Mr. Wilayat Ali Khan, A.A.G.

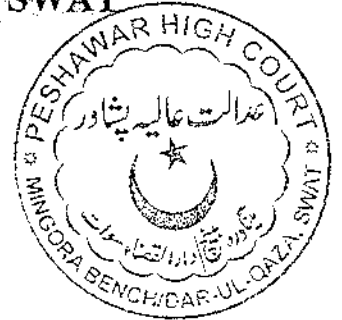
SYED ARSHAD ALI, J.- Through the instant writ petition, the petitioners seek constitutional jurisdiction of this Court with the following prayer:-

“ It is, therefore, humbly prayed that on acceptance of this writ petition, the respondents may kindly be directed to release their salaries without further delay

Or

Any other relief which this august Court deems appropriate may kindly be awarded to meet the ends of justice.

2. At the very outset, when learned counsel for the petitioners was confronted with the legal proposition that the matter impugned herein essentially relates to the terms and conditions of the services of the petitioners, therefore, in view of the jurisdictional contour of this Court as envisaged by Article 212 of the Constitution of the Islamic



Republic of Pakistan, 1973, whether this Court can entertain this petition. The learned counsel for the petitioners has frankly conceded that this Court has no jurisdiction, however, has requested that this petition may be sent as representation to the respondent No. 2 i.e. Director, E&E, Khyber Pakhtunkwa Peshawar for issuance of an appropriate order.

3. In view of the above and while relying on the law laid down in "Muhammad Akram's case V/S DCO Rahim Yar Khan and others reported as 2017 SCMR 56", this petition is treated as representation and the same is transmitted to the respondent No. 2 for adjudication in respect of redressal of the grievances of the petitioners. Office is directed to transmit original file to the respondent No. 2 and shall retain photocopy of the same for office record.

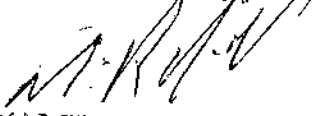
ANNOUNCED
DT: 29.01.2019


 JUDGE

 JUDGE

S.No. 12
 Name of Applicant M. Ali
 Date of Presentation of Applicant 16/4/24
 Date of Completion of Copies 16/4/24
 No of Copies 3
 Urgent Fee Nil
 Fee Charged Nil
 Date of Delivery of Copies 16/4/24

Certified to be true copy


 EXAMINER
 Peshawar High Court, Min. Qaza, Swat
 authorized Under Article 87 of constitution of Pakistan
16/4/24

File
02/10/19

M. Anwar

(14)

**OFFICE OF THE EXECUTIVE DISTRICT OFFICER
ELEMENTARY & SECONDARY EDUCATION KOHISTAN**

NOTIFICATION

Consequent upon enquiry report conducted by the enquiry committee through Deputy District Officer (Female) Elementary & Secondary Education Kohistan the Service of the following Female PTC teachers is hereby terminated due to prolong absent from their duties under special power ordinance 2001 on disciplinary ground with immediate effect in the interest of public service.

S. #	Name of Teacher	School	Absentee Period From 12/11/2009	Remarks
1	Farzana Kiran	GGPS Bela Dubair		Terminated from Service
2	Nahced Begum	GGPS Gabair Ranolia	-do-	-do-
3	Nusrat Begum	-do-	-do-	-do-
4	Fozia Kanwal	GGPS Bela Dubair	-do-	-do-
	Yasmin Khan	GGPS Bela Dubair	-do-	-do-
6	Zaib-ul Haram	GGPS Shatal	-do-	-do-
7	Hussan Bano	GGPS Kayal Village	-do-	-do-
8	Noreena	GGPS Sulmanabad	-do-	-do-
9	Naila Fareed	GGPS Qamar Band	-do-	-do-
10	Sartaj Bibi	GGPS Hyderabad	-do-	-do-
11	Sadaf Afzal	GGPS Khan Karim	-do-	-do-
12	Bibi Ruqia	GGPS Samad Abad	-do-	-do-

Executive District Officer
(E & S) Education Kohistan

Endst: No. 2206/10

Dated Kohistan the 1-6 2009

- Copy of the above is forwarded to the:-
1. PA to Director Elementary & Secondary Education Department KPK Peshawar
 2. District Coordination Officer Kohistan
 3. District Accounts Officer Kohistan
 4. Dy: District Officer (F) E&SE Kohistan

M. Anwar
Executive District officer
(E & S) Education Kohistan

Attended
Amir
Accountant

16

16

After Re-instatement of the petitioner named Nusrat Begum PST GGPS, Doghallgy Beta presented an application to the ASDEO circle and was asked two set of her Service Book which forwarded to the SDEO(F) Matta. In response to the application, the District education Officer (F) Swat asked the following documents vide letter No,409 dated 14/01/2021,(1) Appointment order 2. LPC from District Kohistan 3. Pay slip 4. Transfer order 5. Photo copy of Service Book as well as 1.Adjustment order 2. Termination order 3. CNIC Photo copy and Domicile alongwith All academic & Professional documents in duplicate (Anxr-J).

On provision of service documents etc the DEO(F) Swat submitted letter No,545 dated 22/01/2021 and subsequent letter No.601-02 dated 25/01-2021 to the District Education Officer (F) Kohistan Uper and requested for Verification of (1) Appointment order 2.Photo Copy of Service Book in R/O Nusrat Begum PTC and 3. NOC issued by the then EDO Kohistan for Inter District transfer(Anxr-K&L), and another letter was submitted to Director (E&SE) KPK Peshawar vide No,546 of even No .date for verification of transfer order bearing No,2160-66 dated 22/02/2012(Anxr-M).

The District Education Officer(F) Kohistan submitted a letter No,80 dated 09/02/2021, wherein she stated that as per report of the SDEO(F) Dasu Kohistan that service record of the teachers mentioned in the letters No.10159&10161 dated 08/12/2020 as well letter No.545 dated 22/01/2021 cannot be traced. Hence the Service record of referred teachers could not be verified (Anxr-N).

In response to letter No,546 dated 22/01/2021 the worthy director inform the DEO(F) Swat vide No.2261 dated 25/02/2021 to sent appointment order in respect of Nusrat Begum to the DEO(F) Kohistan for verification if found correct then she may be dealt as per existing rules/policy for appointment(Anxr-O).

After that a detailed report was submitted by DEO(F) Swat Vide No.1206 dated 20/02/2021 to the worthy Director (E&SE) KPK Peshawar(Anxr-P).The Director direct the DEO(F) Swat to take action as per Rules/policy vide letter No.8633 dated 07/05/2021(Anxr-Q).

Vide letter No.5209 dated 03/06/2021 the DEO(F) Swat to the Director wherein she stated that the DEO(F) Kohistan declared the service documents of the teachers unverified, and seeking about transfers order of the teachers verified or unverified(Anxr-R).

The DEO(F) Swat again submitted a letter No,6381 dated 05/07/2021 to the DEO(F) Kohistan wherein she stated to recheck the service documents of the teacher and informed accordingly(Anxr-S). A self explanatory letter vide No,4254 dated 05/08/2021 was submitted to the DEO(F) Swat in which she verified the service documents of Mst: Nusrat Begum(Anxr-T), and also submitted the (1)Service Book 2.Appointment order 3. Last pay Certificate(LPC) vide letter No.4440 dated 04/09/2021.Another a self explanatory letter No.144 dated 23/10/2021 also submitted by DEO(F) Kohistan upper to DEO(F) Swat(Anxr-U).

Attested
Amir
Advocate

17

The DEO(F) Kohistan again verified the service documents in respect of the teacher vide letter No.980 dated 18/03/2022(Anxr-V).

FINDINGS.

1. The DEO(F) Kohistan time and again verified service documents of the teacher in letters referred above for which the DEO(F) was required to honour the verification of service documents of the teacher.
2. During inquiry the DEO(F) Kohistan upper office also given report vide No.453 dated 28/02/2023, in which she verified the service documents of Nusrat Begum PST appointment order also check in Dispatch register and found correct (Copies attached).
3. The Case is subjudice and under trial in peshawar High Court(Dar ul Qaza Bench Mingora Swat).

CONCLUSION.

The DEO(F) Swat is required to adjust the teacher and release her pay to avoid the department from unnecessary litigation.

(SHAHEEN BEGUM)
INQUIRY OFFICER
DEO (F) DIR LOWER

Am-3

5-191

5-191

18

عنوان: درخواست ملازمت

صاف لکھو!

آداب مؤدبانہ زاری ہے کہ سابق ضلع سوات کا اصل اور تعلق
 باشندہ ہے یہ کہ سابق کا تعلق اور غنت گریز ہے اور اس کے
 کو محبوب آرڈر نمبر 2165-66 بطور 22/2/2018ء کو ایک آرڈر
 صادر کیا گیا ہے۔ بعد ازاں ضلع کوہستان میں اس کی تشریح ہوئی جو
 رکھی۔ لیکن اس کے باوجود وہی کوئی شہسوار نہیں ہے۔ تو سابق نے ضلع
 سوات کی عداوت علیہ (دارالقضاد سوات میں درخواست دائر کی
 جو کہ فیصلے آنے کی بعد سوات کی آمدنی ہو گئی ہے اور میں سابق
 کے تعلق قبائلی سے شروع ہوں۔ دراصل وہ ایک قبیلہ ہے اور میں سابق
 سابق کو اس فیصلے کے لئے لکھوں کہ قبائلی کلیم کے لئے درخواستیں
 قبائلی کلیم کے لئے لکھوں کہ قبائلی کلیم کے لئے درخواستیں

Attested
 N Begum
 write to
 50 (P2)
 m/c

19



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
No. SUI/EE&SE/D/S 19/Re-Instatement/2020
Dated Peshawar the 22.09.2020

To:

The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa,
Peshawar

Subject - APPLICATION FOR RE-INSTATEMENT

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of an application alongwith connected documents in respect of Mst Nusrat Begum Ex-PSI, GGPS Daghally Beha, District Swat regarding her re-instatment in service, for further necessary action as per rules policy and as per Peshwar High Court (Mingora Circuit Bench/Darrul Qaza) at Swat Judgement dated 29.01.2019 under intimation to this department, please.

Yours Faithfully,

SECTION OFFICER (PRIMARY)

Encl: as above.

Endsft: of even Number & Date:

Copy to the:-

1. DEO (Female) District Swat, for similar necessary action.
2. PS to Secretary, E&SE Department, Peshawar..

SECTION OFFICER (PRIMARY)

Attest

20



OFFICE OF THE
DISTRICT EDUCATION OFFICER (F) SWAT
(LEGAL SECTION)

+92-946-9240-214 deofswat@gmail.com

No. 9113 /Azra/WP No.270-M/2016

Dated 5/11 /2020

To,
Director
Elementary & Secondary Education,
KPK Peshawar

SUBJECT ; APPLICATION FOR RE-INSTATEMENT
MEMO;

Referenc your office Memo;No.8117/F.No.394/F/Appeal Swat Dated 7/10/2020 regarding the subject cited above.

The case in hand decided on 29/1/2019 and passed the Judgment by the Hon;High Court Mingora bench Darul Qaza Swat in WP No.270-M/2016 in the case of Azra & Others.....VS.....Govt;of KPK through Secratray Education.. The relevenat portion of the Judgment is reproduced as below for further course of action.

- In View of the above and while relying on the law laid down in "Muhammad Akram's Case V/S DCO Rahim Yar Khan and other reported as 2017 SCMR 56" this Petition is treated as representation and the same is transmitted to the respondent No.2 for adjudication in respect of redressal of the grievenaces of the Petitioners. Office is directed to transmit original file to the respondent No.2 and shall retain photocopy of the same for office record.

The appellant Mst Nusrat begum was one of the Petitioner at S.No.3 and this office submitted Parawise comments (Copy enclosed) and the case was transmitted to your goodself for further adjudication. In this connection Two candidates/Petitioners namely Mst.Azra BiBi has been re-Instated vide your office Order under Endstt;No.4586/F.No.606/F/Appeal Swat dated 24.6.2019 and Mst.Farzana Kiran who has also been re-Instated vide office Order under Endstt; No.4591/F.No.606/F/Appeal Swat dated 24.6.2019 .

Now the case of the Appellant is the same nature case of the above named petitioner and submitted for your kind consideration ,please.

DISTRICT EDUCATION OFFICER(F)
SWAT

Attested

*Amir
Advocate*



14

(21)

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER
PAKHTUNKHWA PESHAWAR**

NOTIFICATION

1. **WHEREAS**, Mst. Nusrat Begum Ex-PST GGPS Gabair Ranolia District Kohistan under transfer to GGPS Daghally Beha District Swat was terminated from service by the then Executive District Officer Kohistan vide Notification issued under Endst No.2206-10 dated 01-12-10.
2. **WHEREAS**, Mst. Nusrat Begum Ex-PST Gabair Ranolia District Kohistan has filed Writ Petition No. 270-M/2015 in the Peshawar High Court Mingora Bench (Dar-ul-Qaza) at Swat against the order of the then DEO Kohistan.
3. **WHEREAS**, the Peshawar High Court Mingora Bench (Dar-ul-Qaza) at Swat has announced Judgment on 29/01/2019 in the subject case as **"this petition is treated as representation and the same is transmitted to the respondent No.2 for adjudication in respect of redressal of the grievances of the petitioners,,**
4. **WHEREAS**, the teacher concerned has approached this Directorate through SO (Primary) vide letter No. SO (PE)/E&SED/5-19/Re-Instatement/2020 dated 22.09.2020.
5. **WHEREAS**, the appellate authority has sent her appeal to District Education Officer (F) Swat for detail report comments vide No. 8117 dated 07/10/2020.
6. **WHEREAS**, the District Education Officer (F) Swat has submitted her report vide No.9113 dated 5/11/2020 in which the DEO (C) has stated that the case of Mst. Nusrat Begum Ex-PST is similar to the case of Mst. Azra Bibi & Farzana Kiran PST which has already re-instated in service by the Director in the light of recommendation of inquiry report conducted through Mr. Janas Khan Principal B-19 GHS Deh Bahadar Peshawar.
7. **WHEREAS**, the competent authority has examined report of the District Education Officer (F) Swat and other available documents.
8. **WHEREAS**, the competent authority Director E&SE KPK Peshawar in analogy of the inquiry report conducted by Mr. Janas Khan Principal B-19 GHS Deh Bahadar Peshawar in the case of Mst. Azra Bibi & Farzana Kiran has decided to accept her appeal.
9. **NOW THEREFORE**, in exercise of power conferred under the Government of Khyber Pakhtunkhwa Government Civil Servants Appeal Rules, 1986 the appellate authority i-e Director (E&SE) has accept appeal in respect of Mst. Nusrat Begum Ex-PST GGPS Gabair Ranolia District Kohistan is hereby re-instated in service subject to the verification of all related documents/testimonials from the concerned authorities and service is hereby placed at the disposal of the District Education Officer (Female) Swat for further adjustment.

Director
Elementary & Secondary
Education Khyber Pakhtunkhwa

7717-21

Endst:No. _____ /F.No.394/F/Appeal Swat Dated Peshawar the 30/12 2020

Copy forwarded for information to the:-

1. District Education Officer (Female) Swat with the direction to verify all her related documents/testimonials and if the same are found correct then their absent period may be treated as leave without pay and if the same are found otherwise, then she may be dealt as per existing rules/policy for appointment under intimation to this directorate.
2. District Account Officer Swat.
3. Sub Divisional Education Officer (Female) concerned.
4. Teacher concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa.

Am3

Assistant Director (Female)
Elementary & Secondary Education
Khyber Pakhtunkhwa.

30/12/2020



OFFICE OF THE
DISTRICT EDUCATION OFFICER (F) SWAT
(ESTABLISHMENT)

+92-946-9240-214 leofswat@gmail.com

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OFFICE ORDER

Whereas Mst.Nusrat Begum D/O Muhammad Amin W/O Muhammad Ali belong to village Beha, Tehsil Matta district Swat, bearing CNIC No.15601-0951165-Q and appointed as PST at GGPS Serai Gabral district Kohistan vide No.771-99 Dated 27.12.1999 and later on she was terminated from service by the then Executive District Officer (E&S) Education vide office Notification under Endstt; No.2206-10 dated 1.6.2010

Whereas Mst.Nusrat Begum along with others approached to the Hon; High Court Mingora Bench Darul Qaza Swat and filed a Writ Petition No.270-M/2015 which was transmitted to Director E&SE KP Peshawar on 29.1.2019 for "adjudication in respect of redressal of the grievances of the Petitioner" including Mst.Nusrat Begum.

Whereas for compliance of the order of the Hon;High Court ,Director Education conducted inquiry through principal and Notification of re-Instatement in R/O Mst.Nusrat Begum issued conditionally vide Notification under Endstt; No. 7717-21 dated 30.12.2020 and could not be adjusted due to non-Verification of service record on the basis of DEO(F) Kohistan Letter No. 80 Dated 9.2.2021

Whereas this office time & again make Correspondence with the quarter concerned for finalization of verification of service record of Mst.Nusrat Begum and finally DEO(F) Dir Lower Mrs.Shaheen Begum was nominated for verification & Inquiry vide Director E&SE KP Peshawar on 28.12.2022 which was conducted and report received on 8.4.2023 and confirmed appointment order of Mrs.Nusrat Begum and letter No.453 dated 28.2.2023 as Correct.

Keeping in view the above detail and order of the Hon; High Court Mingora Bench Darul Qaza Swat Passed on 8.2.2023 in W.P.No.531-M/2022, the undersigned resolve the issue and Ordered for adjustment of Mrs.Nusrat Begum as PST at GGPS Doghlai Beha with immediate effect and the intervening period wef 22.2.2012 To 17.4.2023 is converted into leave without pay.

TERMS & CONDITIONS

Terms & Conditions already mentioned in the appointment order dated 27.12.1999 will be intact.

DR. SHAMIM AKHTAR
DISTRICT EDUCATION OFFICER(F)
SWAT

Endstt; No. 3093-02

Dated 18/4 /2023

Copy Forwarded for information and necessary action to the;

1. Additional Advocate general Peshawar High Court Mingora Bench Darul Qaza Swat .
2. Director Elementary & Secondary Education KP Peshawar.
3. Dy; District Education Officer(F) Upper Swat at Matta.
4. District Comptroller of Account Swat at saidu Sharif.
5. District Monitoring Officer Swat.
6. Sub Divisional Education Officer(F) Matta Swat.
7. Budget 7 Account Officer (lower & Upper) Swat.
8. Mst.Nusrat Begum D/O Muhammad Amin , W/O Muhammad Ali Village Beha tehsil Matta Upper Swat.
9. DEMIS Local Office.
10. Master File.

DR. SHAMIM AKHTAR
DISTRICT EDUCATION OFFICER(F)
SWAT

Attest
Ais
Advocate

Amir's J

Charge Report

Certified that I have on the forenoon / afternoon of this day 19-04-2023 took over charge as PST BPS-12 at Govt. Girls Primary School Doghalgay, Beha, Swat against the vacant post of PST, vide DEO Female Swat office order under Endst: No. 3093-02 Dated: 18-04-2023.

Amir's

Signature: W. Begum
 Government Servant: (Nusrat Begum PST)
 Designation: PST B-12

Dated: - 19-04-2023

Forwarded to the: -

1. District Education Officer Female Swat
2. District Comptroller of Accounts Swat
3. District Monitoring Officer Swat
4. SDEO Female Matta, Swat
5. Head Mistresses Concerned
6. Official Concerned.

Nusrat
 Head Mistress
 Govt. Girls Primary School
 Doghalgay, Distt. Swat
 EIAS Code: 10469

19/4/2023

HM


Amir's
 Amir's




(24)

Kv

**OFFICE OF THE
DISTRICT EDUCATION OFFICER (FEMALE)
DISTRICT SWAT**

 #: (0946) 9240214
Email: deofswat@gmail.com

 #: (0946) 9240214
Web: www.female.sed.edu.pk

PAY RELEASE ORDER:

Consequent upon, the Judgment passed by the Honorable Peshawar High Court Mingora Bench (Darul Qaza Swat) on 08-02-2023 under W.P.No.531-M/2022, the confirmation of appointment order by the inquiry officer Mst. Shaheen Begum DEO(F) Dir Lower vide inquiry report dated: 08-04-2023 and submission of duty certificate by the Head Teacher, the undersigned is pleased to **release the monthly salary** in respect of **Mst. Nusrat Begum PST GGPS Doghalgay** with effect from the date of her taking over charge i-e 19-04-2023 in the interest of public service.


(Dr. Shamim Akhtar)
District Education Officer (F)
Swat.

Endst: No. 5033-36

Dated: 19 / 06 / 2023

Copy for information and necessary actions to the:

1. Director E&SED KP at Peshawar
2. District Comptroller of Accounts Swat
3. Sub-Divisional Educational Officer (F) Matta, Swat
4. Official Concerned.


District Education Officer (F)
Swat.

Attested
Am3
Advocate

(25)

Am 3 "L"

NIC = 15601-0951165-0 ✓

2681-9 2 6 10 6 1

NBP DASSU

00374601

Am 3

(For use in Police Department only)

Heirs:---

1.

2. Passed Intermediate Year 1992 from BISE. Swat marks obtained 48 of Grade D.

3.

Verification Roll No. dated received back.

Passed S.S.C Examination from BISE
 under R.No 9066. Marks obt. 360 (Grade D)
 Session Roll declared on 31 Aug 1989 850

Left Thumb-Impression

Passed PST Roll no J-6147012 from
 with 38% Marks Grade B Result
 Declared on 3 Aug 2003.

(Signature)
 S.D.O. (P)
 Kohistan

Qualifications	Date	Qualifications	Date
English		First Arts	
Pushto		B.L. or B.A.	
Urdu		Pleadership Examination	
Plan-Drawing		Training School Final Examination	
Finger Print		Other Qualifications:---	
Drill Instructing			
Court Duties			
Reserve Duties			

N.B--- Line to be drawn under the qualification possessed.

The entries 10 should b

1. Name:

2. Race

3. Residence

DIS

4. Father's name

5. Date of birth nearly as can

6. Exact height

7. Personal mar

8. Left hand thumb of (non-Gazet

Little Finger

Middle Finger

Thumb

9. Signature of G

10. Signature and the Office, or o

Note: -- The entries in this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 should be dated.

26

1. Name: Ms NUSRAT BEGUM.

2. Race AFGAN.

3. Residence VILLAGE BEHA TEHSIL MATTA DISTRICT SWAT.

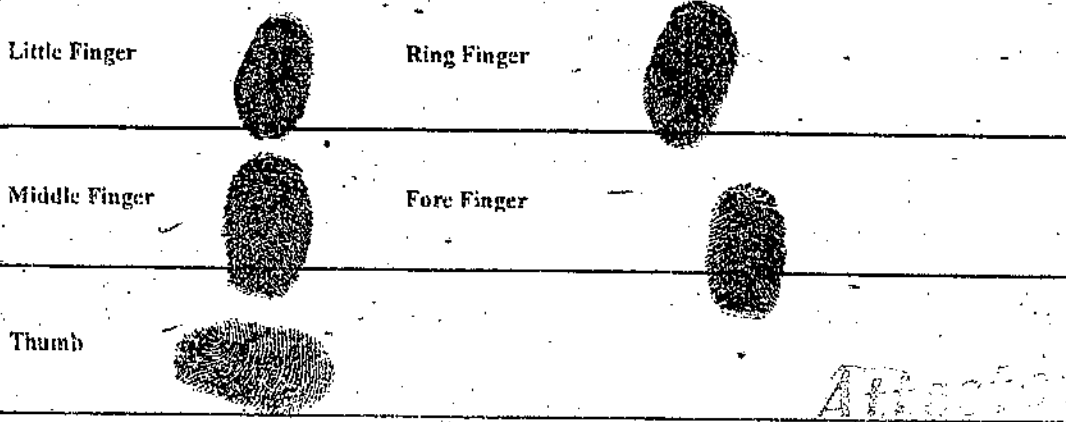
4. Father's name and residence MOHAMMAD AMIN MATTA SWAT

5. Date of birth by Christian areas nearly as can be ascertained 04/04/1971


6. Exact height by measurement. 5-3"

7. Personal marks for Identification.

8. Left hand thumb and Finger Impression of (non-Gazetted) Officer.



9. Signature of Government Servant Nusrat Begum

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

Swat

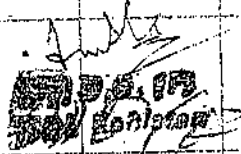
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Date

mination

1	2	3	4	5	6	7	8	Signature and office of the head of the office or other Government setting officer in attestation of columns 1 to 8	Date of app me
Name of post	Whether substantive or officiating and whether permanent or temporary	If Officiating, state (i) Substantive appointment, or (ii) whether service courts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for Officiating	Other emolument falling under the term "Pay"	Date of Appoint- ment	Signature and office of the head of the office or other Government setting officer in attestation of columns 1 to 8	Signature and office of the head of the office or other Government setting officer in attestation of columns 1 to 8	Date of app me
PT TEACHER			BPS No. 7	Rs. 1480/-		30-12-1999			30-12-99
e.e.p.s Sevi Gabryal				Rs. 1480/-					30-12-99
— u —				(BPS No. 7 Rs. 2220/-)					30-12-99
— u —				Rs. 1480/-		12-2000			30-12-00
— u —				BPS (S) Rs. 2220-120-5820)		12-01			30-12-01
— u —				Rs. 2220/-		12-02			30-12-02
— u —				Rs. 2220/-		12-03			30-12-03
— u —				Rs. 2220/-		12-04			30-12-04
— u —				BPS 7 Rs. (2555-140-6755)		12-05			30-12-05
e.e.p.s Jendakari				Rs. 2555/-		12-06			30-12-06
Yamsi Qalaga				BPS No-07 (2940-160-7740)		12-07			30-12-07
— u —				Rs. 2940/-		12-07			30-12-07
— u —				BPS 7 (Rs. 3530-145-9230)		12-08			30-12-08
— u —				Rs. 3530/-		12-08			30-12-08

7 Date of appointment	8 Signature of the head of Government office or other attesting officer in columns 1 to 8	9 Date of termination of appointment	10 Reason of termination (such as promotion, transfer, dismissal, etc.)	11 Signature of the head of the office or other attesting officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
					Period	Government to which debitable		
30-12-1999	NUSKAT Begum	30-12-2000	Fixed	S.D.E.O. (F) Kohistan				Appointment as P.T. Teacher at G.P.S. Sani Gaboral Kohistan
			Scale revised	S.D.E.O. (F)				Wide D.E.O. (M) P.T. Kohistan Endost: NO, 775-91 date, 27-12-99
12-2000	NUSKAT Begum	30-11-2000						
1-12-01	NUSKAT Begum	30-11-02						Service Verified w.e.f 30-12-99 To 30-11-2000 from A/Roll and other record of this office
1-12-02	NUSKAT Begum	30-11-03						
1-12-03	NUSKAT Begum	30-11-04						Service Verified w.e.f 1-12-2000 to 30-11-04 from aq: Roll other Record of this office
1-12-04	NUSKAT Begum	30-6-05						
1-12-05	NUSKAT Begum	30-9-06	Adjusted					Service Verified w.e.f 1-12-01 to 30-11-03 from aq: Roll & other Record of this office.
1-12-06	NUSKAT Begum	30-11-06	prom					By: District Officer(F) Schools & Literacy Kohistan
1-12-07	NUSKAT Begum	30-6-07	S/Revised					Service Verified w.e.f 1-12-02 to 30-11-03 from aq: Roll & other Record of this office
1-12-07	NUSKAT Begum	30-11-07	prom					Service Verified w.e.f 1-12-03 to 30-11-03 from aq: Roll & other Record of this office
30-12-08	NUSKAT Begum	30-6-08	S/Revised					
1-12-08	NUSKAT Begum	30-11-08	Transfer					Service Verified w.e.f 1-12-03 to 30-11-05

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If Officiating, state (i) Substantive appointment, or (ii) whether service courts for pension under Art. 371 C.S.R.	4 Pay in substantive post	5 Additional Pay for Officiating	6 Other emolument falling under the term "Pay"	7 Date of Appointment	8 Signature of Government Secretary	9 Signature and position of the head office or other officer in station of posts 1 to 8	10 Date of termination of appointment
P.S.T. 9985 Gautam Khandelwal Hemant Khandelwal			RS	3530/-		4/12/08		21/12/08 D.O. No. 175 12/12/08	21/12/08
-11			RS	3530/-		1/12/08		21/12/08 D.O. No. 171 12/12/08	21/12/08
11			RS	3530/-		1/12/08		21/12/08 D.O. No. 171 12/12/08	21/12/08
Terminated from Govt.									
Service vide EDO (E/SB)									
K.H. Endrota NO-2206-10									
dt: 1-6-2010									
<div style="display: flex; justify-content: space-between;"> <div data-bbox="33 1339 295 1803"></div> <div data-bbox="295 1339 1326 1803"> <p style="text-align: center;">  [Signature] [Signature] </p> </div> <div data-bbox="1326 1339 1592 1803"> <p style="text-align: center;">Adjustment</p> <p>Consequent to Hon. High Court Dage's order No. 531-M/2002 resolve the issue Adjustment of P.P.'s Dage's order the intervening is converted. Office order Eo</p> </div> </div>									

"M"

30

بخدمت جنابہ ڈی ای او صاحبہ ضلع سوات محکمہ ایجوکیشن

عنوان:- درخواست بمراد عطا یگی سالانہ انکریمنٹس، بقایاجات اور سیناریٹی کے بنیاد پر ترقی کا حکم صادر کرنا۔

جناب عالیہ!

گزارش عاجزانہ یہ ہے 27/12/1999 کو آرڈر نمبر 775-91 کے تحت کوہستان میں سائلہ PST پوسٹ پر تعینات ہوئی تھی۔ 27/02/2012 کو آرڈر نمبر 2160-66 کے تحت سائلہ کے GGPS کو ڈوغلگو تبادلہ ہوئی۔ جو کہ تاحال اسی سکول میں ڈیوٹی سرانجام دے رہی ہے بد قسمتی سے سائلہ کے تمام کوائف پورا کرنے کے باوجود آج بھی سالانہ انکریمنٹس، بقایاجات کے ادائیگی اور سیناریٹی کے بنیاد پر ترقی پانے سے محروم ہے لہذا اگر آپ صاحبہ مہربانی فرما کر سائلہ کی مذکورہ بالا حقوق کے عطا یگی کا حکم صادر فرمائیں تو پورا اہلخانہ تادم حیات دُعا گوہ اور مشکور رہینگے۔ فقط

آپ صاحبہ کے خصوصی تعاون کے منتظر

نصرت بیگم PST

N. Begum

GGPS ڈوغلگو UC بہامہ سوات



Attested

Advocate

مورخہ 3 جولائی 2024ء منجانب سرور ٹریڈنگ کمپنی
مقدمہ لفٹ بیگم بنام صاحبہ
دعویٰ سرور ٹریڈنگ کمپنی
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنے طرف سے واسطے پیروی و جواب دہی و کل کارروائی متعلقہ آن مقام سرور ٹریڈنگ کمپنی و دھبہ پور سولہ کے متعلقہ آن مقام سرور ٹریڈنگ کمپنی کے اقرار کیا جاتا ہے کہ صاحبہ موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحبہ کو راضی نامہ و تقرر ثالث و فیصلہ برحلف دینے جواب دہیا اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زر اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف اپیل کی برآمدگی اور منسوخ مذکور کے مکمل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحبہ مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحبہ ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحبہ پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند رہے

2024

ماہ جون

المرقوم 03

العبد

گواہ شد

العبد N. Begum

کنٹری بیگم ریسٹورانٹ

العبد

گواہ شد

العبد

کیلئے منظور ہے

بمقام سرور ٹریڈنگ کمپنی و دھبہ پور سولہ