

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**Service Appeal No. 936/2024**

Mst: Shagufta Bibi w/o Kamran Ali

R/O Buner PST currently serving at GGPS Gumbat

\_\_\_\_\_ **Appellant**

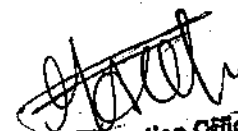
**VERSUS**

1. Director E & SE Khyber Pakhtunkhwa Peshawar
2. District Education Officer (Female) District Buner at Daggar.
3. Miss. Haseena w/o Wali Ullah r/o Village Pandir P/o Batara District Buner, currently serving as PST at GGPS Ajlai, Tehsil Chagharzi District Buner.

\_\_\_\_\_ **Respondents**

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District Education Officer (F)  
District Buner

1

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

**Service Appeal No. 936/2024**

Mst: Shagufta Bibi w/o Kamran Ali

Diary No. 15707

R/O Buner PST currently serving at GGPS Gumbat

Dated 11-09-24

\_\_\_\_\_ **Appellant**

**VERSUS**

1. Director E & SE Khyber Pakhtunkhwa Peshawar
2. District Education Officer (Female) District Buner at Daggar.
3. Miss. Haseena w/o Wali Ullah r/o Village Pandir P/o Batara District Buner, currently serving as PST at GGPS Ajlai, Tehsil Chagharzi District Buner.

\_\_\_\_\_ **Respondents**

**JOINT PARA WISE COMMENTS ON BEHALF OF RESPONDENT NO.1 AND 2  
RESPECTFULLY SHEWITH:**

**PRELIMINARY OBJECTIONS**

1. That the appellant has got no locus standi.
2. That the appellant has concealed material facts from this honorable court in the instant appeal.
3. That the instant appeal is based on mala fide intentions.
4. That the appellant wants to put extra pressure on the respondents to grind her own axe.
5. That the appeal is barred by law.

**On Facts:**

**A. Pertains to record**

**B. Pertains to record**

**C. Denied:** The appellant never remained dutiful in performance of her duty and she has been reported absent multiple times by District Monitoring Authority. Furthermore, the deplorable performance of the appellant can also be gauged from the letter of the Assistant Commissioner Chagharzi upon her visit to the school. **(attached annexure A & B)**

**D. Denied:** The appellant had been appointed on the post of PST and she was bound to perform her duty at GGPS Ajlai being a government employee of Education Department.

**E. Denied:** The respondents have not received gazillions of applications from the appellant.

**F. Agreed** upto the extent of issuing the transfer order in respect of the appellant.

**G. Denied:** The transfer order issued in respect of the appellant was cancelled because the appellant was the only serving teacher at GGPS Ajlai. Upon her transfer, the school got closed and the teaching learning process was badly effected; consequently the precious time of the students got wasted. Moreover, transfer of a teacher from

single school teacher is against the policy of rationalization. There shall be minimum of two teachers in primary school. (attached annexure C)

- H. Denied: Being government officials, the respondents perform their duty according to the relevant rules, policy and in the best interest of the public rather than serving individuals.
- I. Denied: The departmental appeal was rejected and the appellant had been directed to report back to her original station i.e GGPS Ajlai. Even an enquiry has also been initiated against the appellant for remaining absent and defying the orders of high ups but could not be proceeded further because the court has suspended the operation of cancellation order to the extent of appellant in their order sheet dated: 22-07-2024. (attached annexure D)
- J. Denied: The cancellation order issued is according to the rules and keeping in view the best interest of public; hence this appeal is liable to be set aside.

**GROUNDS**

- 1. **Incorrect:** That the cancellation order is right, legal, lawful and in the best interest of public.
- 2. **Incorrect:** That the cancellation order has been issued according to the rules.
- 3. **Incorrect:** That the cancellation order has been issued according to the relevant rules and policy.
- 4. **Incorrect:** As explained in previous paras that transfer from single teacher school is against the policy as well as against the interest of public. The school is in need of one other teacher under the rationalization policy and will be provided soon as there should be minimum of two teachers in a primary school.
- 5. **Incorrect:** That the cancellation order is totally lawful and legal.
- 6. **Denied:** It is not mentioned anywhere in any policy that individuals may be facilitated at the cost of public interest. Moreover, the transfer order had not been issued under the spouse policy.
- 7. **Denied:** The appellant is performing her duty at GGPS Gumbat at her own whim and wishes. When the transfer order got cancelled, the appellant was bound to report back to her previous station. The stubbornness on behalf of appellant clearly depicts her carelessness, irresponsibility towards her job by openly defying the orders of high ups.
- 8. **Denied:** As explained in previous paras that the respondents are performing their duty according to the rules and policy. The interest of community as well as students could not be violated just because the appellant wish to be transfer to her nearest station.
- 9. **Denied:** The discretionary power vested to respondent are totally logical, lawful and keeping in view the interest of the public.
- 10. That any other grounds not raised here may graciously be allowed to be advanced at the time of arguments

(3)

**PRAYER:**

In the light of above mentioned reasons it is humbly stated that the appeal may be kindly dismissed in favor of the respondents. Moreover, the order issued by this honorable court regarding the suspension of cancellation order may be ~~immediately~~ withdrawn in the best interest of public and community.

(SAMINA ALTAF)

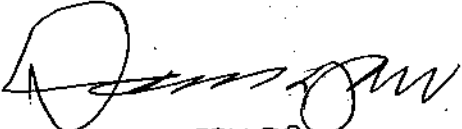
*Director Elementary & Secondary Education  
Khyber PakhtunKhwa Peshawar*

(Respondent No. 1)



*(Hafsa Gul)  
District Education Officer  
(Female) Buner*

(Respondent No. 2)



*AUTHORISED OFFICER  
ABDUS SAMAD  
DEPUTY DIRECTOR  
EDSED Khyber PakhtunKhwa  
PESHAWAR (Respondent No. 3 & 4)*

(4)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

**Service Appeal No. 936/2024**

Mst: Shagufta Bibi w/o Kamran Ali  
R/O Buner PST currently serving at GGPS Gumbat

\_\_\_\_\_ Appellant

**VERSUS**

1. Director E & SE Khyber Pakhtunkhwa Peshawar
2. District Education Officer (Female) District Buner at Daggar.
3. Miss. Haseena w/o Wali Ullah r/o Village Pandir P/o Batara District Buner, currently serving as PST at GGPS Ajlai, Tehsil Chagharzi District Buner.

\_\_\_\_\_ Respondents

**AFFIDAVIT**

I Mst. Hafsa Gul DEO (F) Buner do hereby solemnly affirm and declare that contents of the accompanying para wise comments are true and correct to the best of my knowledge and information and nothing has been concealed from this Honorable Service Tribunal.

*It is further stated on oath that the answering respondents here neither been place ex-parte nor their defense struck off / cert.*



*[Handwritten Signature]*  
**DEPONENT**

152  
 OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) DISTRICT BUNER

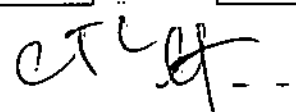
LIST OF PENDING ONLINE ACTIONS CASES ON OAMS DASH BOARD ON 01-07-2024

S.NO	NAME & DESIGNATION	SCHOOL	No. of Days Found ABSENT by DCMA and reported on OAMS										REMARKS	
			1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th		
1	Salma (PST-12)	GGPS ASHARAI	18/03/2023	19/04/2023	13/09/2023	07/05/2024	29/06/2024							1ST & 2ND RESOLVED
2	Zainab (AT-15)	GGMS SHANGRA	02/05/2023	13/09/2023	18/10/2023	09/05/2024	20/06/2024							1ST RESOLVED
3	Sheema bibi (TT-15)	GGMS SHANGRA	11/04/2022	10/06/2023	24/08/2023	13/10/2023	27/11/2023	05/03/2024	09/05/2024	20/06/2024				5 TIMES IN ACADEMIC YEAR 2023-24/ COURT CASE
4	nageena Matik (CT-15)	GGMS DEWANA BABA	15/06/2024											ONE DAY
5	QAMRUN NISA (AT-15)	GGMS DEWANA BABA	15/06/2024											ONE DAY
6	Laiba (PET-15)	GGMS HALL	12/06/2024											ONE DAY
7	Saima Tehseen (PST-12)	GGPS AMLOOK	11/06/2024											ONE DAY
8	Maryam rehman (PST-12)	GGPS GHAZI KHANAY	04/08/2021	10/06/2024										1ST RESOLVED
9	Farzana Habib (Senior PST-14)	GGPS GHAZI KHANAY	10/06/2024											ONE DAY ABSENT
10	Fiaza Gul (PST-12)	GGPS SURKHAW BANDA	14/04/2022	13/06/2022	06/09/2023	23/04/2024	08/06/2024							1ST, 2ND & 3RD RESOLVED
11	RAZIAT BEGUM (PSHT-15)	GGPS SURKHAW BANDA	23/04/2024	08/06/2024										
12	NABIA BIBI (PST-12)	GGPS ANGHAPUR	15/10/2022	06/05/2023	06/09/2023	04/03/2024	08/06/2024							3 TIMES IN ACADEMIC YEAR 2023-24 (1 increment for 1 years), 2ND date RESOLVED
13	Asia naz (CT-15)	GGHS BAGRA	07/06/2024											ONE DAY
14	Qinaat (PST-12)	GGPS GIRARAI	07/06/2024											ONE DAY
15	Fatima Karim (CT-15)	GGMS SROO	18/03/2024	05/06/2024										TWO DAYS
16	Husna Alam (CT-15)	GGMS SROO	03/02/2024	05/06/2024										TWO DAYS
17	Madeeha khalid (DM-15)	GGMS SRCO	05/06/2024											ONE DAY
18	Hadiqa naz (CT-15)	GGMS SROO	05/06/2024											ONE DAY
19	Dil ruba (Senior DM-16)	GGHS SURA	23/09/2020	10/05/2024	04/06/2024									1st date resolved, two Pending (Censure)
20	Shazma jalal (PST-12)	GGPS TINAWLO DHERAI	11/09/2023	04/06/2024										Two Days

CT

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NO	NAME & DESIGNATION	SCHOOL	No. of Days Found ABSENT by DCMA and reported on OAMS										REMARKS		
			1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th			
84	NAZIA HAKEEM (AT-15)	GGMS CHANAR	26/11/2020	14/03/2024											2nd date pending
85	WALIYAT (DM-15)	GGMS CHANAR	26/11/2020	21/10/2023	14/03/2024										2nd & 3rd pending (Censure)
86	Elam Naz (PST-12)	GGPS TANGORA	13/03/2024												one day
87	Usra kamal (PST-12)	GGPS TANGORA	13/03/2024												one day
88	Rizwana (CT-15)	GGHS Karapa	13/03/2024												one day
89	Sajida (Senior CT-16)	GGHS Karapa	13/03/2024												one day
90	Talba (AT-15)	GGHS Karapa	10/07/2021	13/03/2024											Two days
91	PERVEEN (Senior TT-16)	GGHS Karapa	13/03/2024												ONE DAY
92	ZAHIDA (PSHT-15)	GGPS JANG DARA TORWARSAK	08/09/2021	17/11/2021	19/04/2022	13/03/2024									last date pending
93	SABIHA BIBI (CT-15)	GGMS TANGORA	28/07/2021	13/03/2024											2nd date pending
94	Nihayat bibi (PST-12)	GGPS KARA	24/04/2019	05/09/2023	13/03/2024										2nd & 3rd pending, 2 times in 2023-24 (Censure)
95	SAIQA BIBI (PST-12)	GGPS KARA	24/04/2019	13/08/2021	05/09/2023	13/03/2024									2nd, 3rd & 4th pending. 2 times in 2023-24 (Censure)
96	Storiat Begum (PST-13)	GGPS Karapa	13/03/2024												ONE DAY
97	MISS.BAKHT GULON SAIDA (PSH)	GGPS Karapa	30/08/2021	04/10/2023	13/03/2024										last date pending
98	MISS.MALKIAT BIBI (Senior PST-14)	GGPS Karapa	03/03/2022	16/11/2023	13/03/2024										all pending
99	Robina begum (AT-15)	GGMS PACHA KALAY	12/03/2024												One day
100	Sajida (PST-12)	GGPS TOPDARA	16/10/2021	08/10/2022	04/09/2023	12/03/2024									3rd and 4th pending. 2 times in 2023-24 (Censure)
101	Bibi Sara (PST-12)	GGPS TOPDARA	08/10/2022	07/08/2023	12/03/2024										2nd, 3rd & 4th pending. 2 times in 2023-24 (Censure)
102	Shakila Naz (PSHT-15)	GGPS CHALANDRAI	09/03/2024												One day
103	SALMA BIBI (PST-12)	GGPS CHALANDRAI	09/03/2024												One day
104	Shagufta Bibi (PST-12)	GGPS AJLAI	13/03/2021	14/06/2022	20/03/2023	13/05/2023	18/10/2023	09/03/2024							1st resolved, 5 pending, 3 Times in 2023-24 (1 increment for 1 years)

CTC  


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	NAME & DESIGNATION	SCHOOL	No. of Days Found ABSENT by DCMA and reported on OAMS										REMARKS	
			1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th		
189	Noreen nabi (PST-12)	GGPS NANSER	02/03/2023	05/09/2023	10/10/2023									1st resolved. 2nd and 3rd pending Censure for 2023
190	FARIFA (PST-12)	GGPS TANGORA	24/05/2019	05/09/2023										1st resolved,
191	Sadia Gul (PST-12)	GGPS JOWAR NO 1	01/08/2019	10/10/2020	10/09/2021	16/05/2023	07/06/2023	05/09/2023						1st resolved, rest of all pending 1 increment for 1 year 2023
192	SAIQA BIBI (PST-12)	GGPS KARA	13/08/2021	05/09/2023										2 days, Censure
193	Nihayat bibi (PST-12)	GGPS KARA	02/08/2023	06/09/2023										2 days
194	Bakht Bilanda Jehan (CT-15)	GGMS BAMPOKHA	03/08/2021	07/08/2023	04/09/2023									1 day
195	Abida bibi (Senior PST-14)	GGPS GHAZI KHANAY	04/09/2023											1 day
196	Jamalia (PSHT-15)	GGPS GHAZI KHANAY	04/09/2023											1 day
197	FARHAT (PST-12)	GGPS BAJKATTA	08/08/2023	02/09/2023										2 days
198	AHMAD ZARI (PSHT-15)	GGPS MIAGANO DHERAI	18/04/2019	24/05/2019	09/03/2020	10/10/2022	02/09/2023							
199	Lubnaz (PST-12)	GGPS MIAGANO DHERAI	16/08/2019	10/10/2022	02/09/2023									1 & 2 resolved, last date pending
200	Hajra bibi (PST-12)	GGPS MIAGANO DHERAI	02/09/2023											one day
201	KHAIRUL WARA (PST-13)	GGPS BARA NAWAGAI	10/08/2023	02/09/2023										2 days

etc  
of



(8)

OFFICE OF THE  
ASSISTANT COMMISSIONER  
CHAGHARZAI BUNER



No. 849 IAC(CH)

Dated 26/03/2024

To,  
The Deputy Commissioner Buner.

Subject: SPECIAL REPORT REGARDING GOVERNMENT GIRLS PRIMARY SCHOOL  
AJLAI CHAGHARZIA

Memo:  
R/Sir,

Kindly refer to the subject noted above and to state that the undersigned paid a visit to GGPS Ajlai at 10:45 A.M on 26-03-2024. During inspection the School was found closed and the staff were found absent. Ironically, the staff has marked proxy attendance in the attendance register in advance until March 30<sup>th</sup>(Picture enclosed).

Furthermore, the locals were asked on the attendance of the teaching staff. They informed the undersigned that the teaching staff attend the school once a month. The locals also revealed that due to non availability of teaching staff, the enrolled students of the subject school attend nearby other schools for curriculum activities.

Moreover, the first aid items in the school were found expired. There was no proper maintenance of the first aid items.(Picture enclosed). Besides, no proper record of PTC Fund and its utilization was available till date. No proper connection of water pipe line to water Tank.

In cognizance of the above irregularities/misconduct, it is, therefore, requested to your good office to direct the DEO(F) and DMO(EMA) to initiate strict legal action against the delinquent staff of the said school under E&D Rules and to submit their respective report/position, please

Report submitted for your kind information, please.

End (9)

  
ASSISTANT COMMISSIONER  
CHAGHARZAI BUNER.

CTC  


Office Of The DC Buner,

Dairy No.....1275.....

Branch.....EA.....

Signature.....

29/03/2024



(9)

SDED (4) cl.d)  
to be substituted with even No and Date



**Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar**

PII No. 091-9201389, 9210938,  
9210437, 9210957, 9210468  
Fax 091-9210936 0800-33857  
No/c/ - 5/Rationalization/Estab  
Dated Peshawar the 01/04/2014.

(4)

36

To  
All the District Education Officers,  
(Male & Female), in Khyber Pakhtunkhwa.

Subject:- Guidelines for Posting of Teachers as a result of rationalization.  
Memo:

I am directed to refer to the subject noted above and to clarify that posts of PST B-12 /Senior PST B-14/PSHT B-15 may be rationalized and re-distributed among the Primary schools in the following manner and PST B-12 , Senior PST B-14 and PSHT B-15, may be posted as under:-

**Distribution of Posts in Primary Schools**

**Rationalization of Posts @ 1-40 ratio in Primary Schools (Female)**

N.No	School Code	Name of Primary School	Total Enrolment	Sanctioned Posts after Rationalization				
				SST B-12	CT B-15	PSHT B-15	SPST B-14 or PST B-15	Total
1	25288	GGPMS A (JICA)	1-100	1	2	0	3	5
2	25248	GGPMS B (JICA)	101-140	1	2	0	3	6
3	25143	GGCMS C	141-180	1	0	0	1	2
4	30056	GGPS D	1-100	0	0	1	1	2
5	25224	GGPS E	101-140	0	0	1	2	3
6	25244	GGPS F	141-180	0	0	1	3	4
7	25277	GGPS G	181-220	0	0	1	1	2
8	25221	GGPS H	221-260	0	0	1	1	2
9	34913	GGPS I	261-300	0	0	1	5	6
10	25097	GGPS J	301-340	0	0	1	6	7
11	25134	GGPS K	341-380	0	0	1	7	8
12	25266	GGPS L	381-420	0	0	1	8	9
13	25274	GGPS M	421-460	0	0	1	9	10
				0	0	1	10	11

CTE  
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**Rationalization of Posts @ 1-40 ratio in Primary Schools (Male)**

N.No	School Code	Name of Primary School	Total Enrolment	Sanctioned Posts after Rationalization		
				PSHT B-15	SPST B-14	Total
1	25154	GPS A	1-100	1	1	2
2	25224	GPS B	101-140	1	1	2
3	25244	GPS C	141-180	1	1	2
4	25277	GPS D	181-220	1	1	2

All Expts Primary

D No 177

(12)

be substituted with even No and Date

5	25221	GPS E	221-260	1	5	6
6	32912	GPS F	261-300	1	6	-
7	25097	GPS G	301-340	1	7	8
8	25138	GPS H	341-380	1	8	9
9	32606	GPS I	381-420	1	9	10
10	25278	GPS J	421-460	1	10	11

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Note:-

- Each Primary School (except JICA & Community Model School where SST post is sanctioned) will have one post of PSHT B-15 and minimum one post PST B-12/SPST B-14.
- There will be no post of PSHT B-15 in MPS.

**Rationalization of CT Posts @ 1.5 CT per Section in Middle/High/Higher Secondary Schools (Male). There will be a section on 40 students, on 21 more students another section be allowed.**

School Code	Name of Middle/High School	Example of Total Enrolment	Sanctioned Posts after Rationalization		
			Class	No of Section	CT
30056	GMS A	1-60	6 <sup>th</sup>	1	Minimum 2 CT per school afterward 1.5 CT per section. There will be a section on 40 students, on 61 students another section be allowed, similarly on 101 students 3 <sup>rd</sup> section will be allowed and so on.
		1-80	7 <sup>th</sup>	2	
		1-120	8 <sup>th</sup>	3	
25277	GHS B	1-60	6 <sup>th</sup>	1	Minimum 3 CT per school afterward 1.5 CT per section. There will be a section on 40 students, on 61 students another section be allowed, similarly on 101 students 3 <sup>rd</sup> section will be allowed and so on.
		1-80	7 <sup>th</sup>	2	
		1-120	8 <sup>th</sup>	3	
		1-60	9 <sup>th</sup>	1	
		1-80	10 <sup>th</sup>	2	Minimum 4 SST per school (one Bio Chem) + one Math, Phy) and 2 SST Gen) afterward 1.5 SST per Section. There will be a section on 40 students, on 61 students another section be allowed, similarly on 101 students 3 <sup>rd</sup> section will be allowed and so on.

**Posting of Teachers on rationalization.**

I am further directed to further clarify that:

- On rationalization surplus teachers in Primary Schools, PST B-12, Senior PST B-14, may be posted in the nearest school if possible then in the same UCs and then in the same circle and then in the same Sub Division and then in the same District Subject to the provisions of need,
- Over all ratio of SPST/PST will remain according the sanction posts.
- Senior most PSHT B-15, SPST B-14 & PST B-12 (According to the Seniority list) may be retained in the same school of their present posting and junior most may be transferred to other needy schools.
- No teacher of CT B-16, PET B-16, AT B-16, DM B-16, TT-16, will be posted in Middle Schools.
- Senior most Senior CT and SST (According to the Seniority list) may be retained in the schools of their present posting and junior most may be transferred to other schools.
- Disable teacher may be retained in the schools of their present posting; another teacher may be shifted instead of disable.


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be substituted with even No and Date

Widow teacher may not be transferred to another school on rationalization:  
another teacher may be shifted instead of widow.

8. Two schools of same level working in one building may be merged with each other.

4499-4501

  
Dy: Director (Estab)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Endst: No. / File No. 1/A-88/KC/S.list: Dated Peshawar the 27/10/2015.

Copy forwarded for information and necessary action to the: -

1. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
2. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. M/File

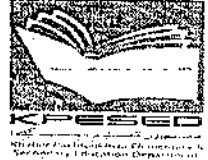
CTC  
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Dy: Director (Estab)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

(12)



OFFICE OF THE DISTRICT EDUCATION OFFICER  
(FEMALE) DISTRICT BUNER  
PHONE & FAX NO. 0939-510366  
EMAIL: [deofemalebuner@gmail.com](mailto:deofemalebuner@gmail.com)



### ENQUIRY

Consequent upon the complaint received against the Chowkidar of GGPS Kuza Nawagai, the undersigned being competent authority is pleased to nominate the following committee members to enquire into the matter and submit its recommendations to the office of undersigned within a week positively.

### COMMITTEE MEMBERS

- |   |             |
|---|-------------|
| 1. Miss. Riffat SS GGHSS Nawagai              | Chairperson |
| 2. Mr. Abid Usman ADEO (Primary) Local Office | Member      |

(LAILA ALI)  
DISTRICT EDUCATION OFFICER (F)  
BUNER

Endst: No. 5889-93 / Dated 27-06-2024

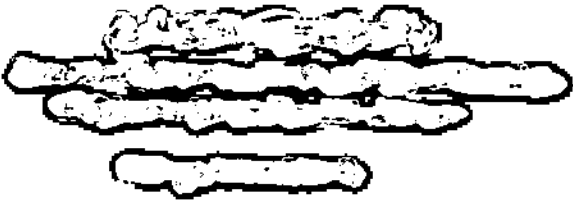
Copy forwarded to the;

1. Director E & SED Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Buner.
3. Committee Members.
4. SDEO Female Mandant.
5. Head Teacher GGPS Kuza Nawagai.
6. Official Concerned.

FAT 29/6/2024  
DISTRICT EDUCATION OFFICER (F)  
BUNER

**AUTHORITY LETTER**

Mr. Iftikhar Ali ADEO Litigation of DEO (F) Buner is hereby authorized to submit the comments and attend the Honorable KPK Service Tribunal in service appeal No. 936/2024 titled **Mst. Shagufta Bibi v/s Director E&SE and Others** on behalf of respondents departments till the finalization and decision of the instant appeal.



(Hafsa Gul)  
*District Education Officer*  
*(Female) Buner*

(Respondent No. 2)