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Service Appeal No.6611/2021 titled "Mst. Bilqees Kausar Vs. Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar and others". decided on 01.10.2024 by Division Bench comprising of Mr. Kalim Arshad Khan, Chairman, and Mrs. Rashida Bano, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

BEFORE: **KALIM ARSHAD KHAN ...CHAIRMAN**
RASHIDA BANO ...MEMBER (Judicial)

Service Appeal No.6611/2021

Date of presentation of appeal.....26.11.2021

Dates of Hearing.....01.10.2024

Date of Decision.....01.10.2024

Mst. Bilqees Kausar daughter of Stana Mir resident of Village Brij Killi P.O Jamrud, Tehsil Jamrud, District Khyber(*Appellant*)

Versus

1. **Director** Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. **District Education Officer (Female)** District Khyber.
3. **Accountant General** Khyber Pakhtunkhwa, Peshawar.
.....(*Respondents*)

Present:

Mr. Aman Ullah Marwat, Advocate.....For the appellant
Mr. Naseer Ud Din Shah, Assistant Advocate Genera.....For respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST INACTION OF RESPONDENT BY NOT REINSTATEMENT OF THE APPELLANT AGAINST THE POST OF GOVERNMENT GIRLS PRIMARY SCHOOL IN TERMS OF INQUIRY DATED 15.11.2018 WHEREBY PETITIONER WAS RECOMMENDED FOR REINSTATEMENT IN SERVICE ALONGWITH ALL BACK BENEFITS I.E. SALARY, SENIORITY ETC. BY THE INQUIRY COMMITTEE.

JUDGMENT

KALIM ARSHAD KHAN CHAIRMAN: Appellant's case in brief, as per averment of appeal, is that she was appointed as Primary School Teacher vide order dated 14.10.2006; that upon visit of Agency Education Officer, she was found absent and

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Service Appeal No.6611/2021 titled "Mst. Bilqees Kausar Vs. Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar and others". decided on 01.10.2024 by Division Bench comprising of Mr. Kalim Arshad Khan, Chairman, and Mrs. Rashida Bano, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

resultantly, was removed from service vide order dated 25.05.2014; that an inquiry was ordered by the Agency Education Officer and issued Notification whereby salaries of other 101 teachers were stopped; that the inquiry committee recommended her for reinstatement with certain other recommendation in her favor but the department did not act upon the said report; that she had filed departmental appeal against the order dated 24.04.2014, on 26.02.2021 but the same remained unresponded, hence, the instant service appeal.

02. On receipt of the appeal and its admission to full hearing, the respondents were summoned. Respondents put appearance and contested the appeal by filing written reply raising therein numerous legal and factual objections. The defense setup was a total denial of the claim of the appellant.

03. We have heard learned counsel for the appellant and learned Assistant Advocate General for the respondents.

04. The learned counsel for the appellant reiterated the facts and grounds detailed in the memo and grounds of the appeal while the learned Assistant Advocate General controverted the same by supporting the impugned order(s).

05. Perusal of record shows that the impugned order of removal of the appellant was passed on 24.04.2014 against which the appellant filed departmental appeal on 26.02.2021 i.e. after passage of more than six years. While the instant appeal has also

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Service Appeal No 6611/2021 titled "Mst. Bilqees Kausar Vs. Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar and others", decided on 01.10.2024 by Division Bench comprising of Mr. Kalim Arshad Khan, Chairman, and Mrs. Rashida Bano, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

been filed beyond the statutory period of 90 days, after filing of departmental appeal.

06. The departmental appeal of the appellant as well as service appeal of the appellant were barred by time as he did not file the same during the prescribed period. We in this respect rely on a recent judgment of Supreme Court of Pakistan reported as 2023 SCMR 291 titled "Chief Engineer, Gujranwala Electric Power Company (GEPCO), Gujranwala versus Khalid Mehmood and others" the relevant para is reproduced below:

"12. The law of limitation reduces an effect of extinguishment of a right of a party when significant lapses occur and when no sufficient cause for such lapses, delay or time barred action is shown by the defaulting party, the opposite party is entitled to a right accrued by such lapses. There is no relaxation in law affordable to approach the court of law after deep slumber or inordinate delay under the garb of labeling the order or action void with the articulation that no limitation runs against the void order. If such tendency is not deprecated and a party is allowed to approach the Court of law on his sweet will without taking care of the vital question of limitation, then the doctrine of finality cannot be achieved and everyone will move the Court at any point in time with the plea of void order. Even if the order is considered void, the aggrieved person should approach more cautiously rather than waiting for lapse of limitation and then coming up with the plea of a void order which does not provide any premium of extending limitation period as a vested right or an inflexible rule. The intention of the provisions of the law of limitation is not to give a right where there is none, but to impose a bar after the specified period, authorizing a litigant to enforce his existing right within the period of limitation. The Court is obliged to independently advert to the question of limitation and determine the same and to take cognizance of delay without limitation having been set up as a defence by any party. The omission and negligence of not filing the proceedings within the prescribed limitation period creates a right in favour of the opposite party. In the

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case of Messrs. Blue Star Spinning Mills LTD -Vs. Collector of Sales Tax and others (2013 SCMR 587), this Court held that the concept that no limitation runs against a void order is not an inflexible rule; that a party cannot sleep over their right to challenge such an order and that it is bound to do so within the stipulated/prescribed period of limitation from the date of knowledge before the proper forum in appropriate proceedings. In the case of Muhammad Iftikhar Abbasi Vs. Mst. Naheed Begum and others (2022 SCMR 1074), it was held by this Court that the intelligence and perspicacity of the law of Limitation does not impart or divulge a right, but it commands an impediment for enforcing an existing right claimed and entreated after lapse of prescribed period of limitation when the claims are dissuaded by efflux of time. The litmus test is to get the drift of whether the party has vigilantly set the law in motion for the redress or remained indolent. While in the case of Khudadad Vs. Syed Ghazanfar Ali Shah @ S. Inaam Hussain and others (2022 SCMR 933), it was held that the objective and astuteness of the law of Limitation is not to confer a right, but it ordains and perpetrates an impediment after a certain period to a suit to enforce an existing right. In fact this law has been premeditated to dissuade the claims which have become stale by efflux of time. The litmus test therefore always is whether the party has vigilantly set the law in motion for redress. The Court under Section 3 of the Limitation Act is obligated independently rather as a primary duty to advert the question of limitation and make a decision, whether this question is raised by other party or not. The bar of limitation in an adversarial lawsuit brings forth valuable rights in favour of the other party. In the case of Dr. Muhammad Javaid Shafti Vs. Syed Rashid Arshad and others (PLD 2015 SC 212), this Court held that the law of limitation requires that a person must approach the Court and take recourse to legal remedies with due diligence, without dilatoriness and negligence and within the time provided by the law, as against choosing his own time for the purpose of bringing forth a legal action at his own whim and desire. Because if that is so permitted to happen, it shall not only result in the misuse of the judicial process of the State, but shall also cause exploitation of the legal system and the society as a whole. This is not permissible in a State which is governed by law and Constitution. It may be relevant to mention here that the law providing for limitation for various

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Service Appeal No.6611/2021 titled "Mst. Bilqees Kausar Vs. Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar and others", decided on 01.10.2024 by Division Bench comprising of Mr. Kalim Arshad Khan, Chairman, and Mrs. Rashida Bano, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

causes/reliefs is not a matter of mere technicality but foundationally of the "Law" itself."

07. In view of the above, instant service appeal, being barred by time, is dismissed with costs. Consign.

08. Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 1st day of October, 2024.



KALIM ARSHAD KHAN

Chairman



RASHIDA BANO

Member (Judicial)

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Mutazem Shah

(6)

S.A #.6611/2024

ORDER

1st Oct. 2024

1. Learned counsel for the appellant present. Mr. Naseer ud Din Shah, Assistant Advocate General for the respondents present.

Heard.

2. Vide our detailed judgment of today placed on file, instant service appeal, being barred by time, is dismissed with costs.

Consign.

3. *Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 1st day of October, 2024.*



(Rashida Bano)
Member (J)



(Kalim Arshad Khan)
Chairman

Mutazem Shah

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15th April, 2024 1. Appellant in person present. Mr. Umair Azam, Additional Advocate General for the respondents present.

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2. Appellant seeks adjournment on the ground that her counsel is not available today. Adjourned. To come up for arguments on 10.06.2024 before the D.B. Parcha Peshi given to the parties.



(Muhammad Akbar Khan)
Member (Executive)



(Kalim Arshad Khan)
Chairman

Nadeem Amin

10th June, 2024 1. Junior to counsel for the appellant and Mr. Asif Masood Ali Shah, Deputy District for the respondents present.

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2. Lawyers are on strike, case is adjourned. To come up for arguments on 02.09.2024 before D.B. P.P given to the parties.



(Muhammad Akbar Khan)
Member (E)



(Kalim Arshad Khan)
Chairman

Muazem Shah

2-9-24

Due to summer vacations the bench is cancelled. The case is adjourned to 1/10/24. Reader.


(8)


19.12.2023 1. Learned counsel for the appellant present. Mr. Asif Ali Shah learned Deputy District Attorney alongwith Manawar Khan, ADEO for the respondents present.

2. Learned counsel for the appellant requested for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments on 08.01.2024 before D.B. P.P given to the parties:

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KaleemUllah


(Fareeha Paul)
Member (E)



(Rashida Bano)
Member (J)


8th Jan. 2024 1. Learned counsel for the appellant and Mr. Muhammad Jan, District Attorney for the respondents present.

2. Former made a request for adjournment as he has not prepared the case. Adjourned. To come up for arguments on 15.04.2024 before D.B. P.P given to the parties.

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Mutazem Shah


(Rashida Bano)
Member (J)


(Kalim Arshad Khan)
Chairman


30.05.2023

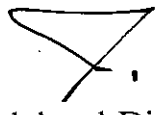
Learned counsel for the appellant present. Mr. Hidayat Alil, ADEO alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 31.08.2023 before the D.B. Parcha Peshi given to the parties.

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Naeem Amin


(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)


31st August, 2023


1. Clerk of learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

2. Lawyers are on strike, therefore, case is adjourned to 19.12.2023 for arguments before the D.B. Parcha Peshi given to the parties.

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Naeem Amin


(Salah-ud-Din)
Member (Judicial)


(Kalim Arshad Khan)
Chairman

02.02.2023

Clerk of counsel for the appellant present. Muhammad Adeel Butt learned Additional Advocate General for respondents present.

Written reply on behalf of respondents No. 1 & 2 have already been submitted. Reply on behalf of respondents No. 3 & 4 is still awaited. Learned AAG requested for time to submit reply. Last opportunity is extended on payment of cost of Rs. 2000/-. To come up for written reply on 10.03.2023 before S.B.

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(Rozina Rehman)
Member (J)

10.03.2023

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Reply/comments on behalf of respondents No. 1 & 2 have already been submitted.

Neither reply/comments on behalf of respondents No. 3 & 4 submitted nor costs of Rs. 2000/- was deposited on their behalf. Therefore, right of respondents No. 3 & 4 is hereby struck off. Adjourned. To come up for arguments on 30.05.2023 before D.B. P.P given to the parties.

(Muhammad Akbar Khan)
Member (E)

SCANNED
KEST
PESAWAR

15.11.2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Reply/comments on behalf of respondents not submitted. Learned Additional Advocate General seeks time to contact the respondents for submission of reply/comments. Adjourned. To come up for reply/comments before the S.B on 15.12.2022.

SCANNED
H. S. T
Peshawar

(Mian Muhammad)
Member (E)

15.12.2022

Clerk of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General alongwith Mr. Munawar Khan, ADEO for the respondents present.

Reply/comments on behalf of respondents No. 1 & 2 submitted which are placed on file. Reply/comments on behalf of respondents No. 3 & 4 are still awaited. Learned Assistant Advocate General seeks time to contact the respondents for submission of reply/comments. Last opportunity is granted. To come up for reply/comments of respondents No. 3 & 4 on 02.02.2023 before S.B.

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(Mian Muhammad)
Member (E)

27.06.2022 Learned counsel for the appellant present.
Mr. Munawar Khan, ADEO (Litigation) for the respondents present.


Learned Member (Executive), is on leave.
Therefore, the case is adjourned to 09.08.2022 for the same as before.

9.8.2022

Due to the Public Holiday The Case is Adjourned to 30-9-2022

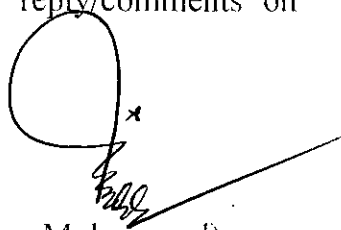

READER

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Reader.

30.09.2022 Counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Munawar Khan, ADEO for the respondents present.

Reply/comments on behalf of respondents not submitted. Representative of the respondents requested for further time. Last opportunity is granted. To come up for written reply/comments on 15.11.2022 before S.B.


(Mian Muhammad)
Member (E)

12

15.12.2021

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for respondents present.

Learned counsel for the appellant submitted an application to deposit security and process fee. Application is allowed and he is directed deposit the same within 10 days, thereafter notices be issued to the respondents for submission of written reply/comments. To come up for written reply/comments on 01.03.2022 before S.B.

Appellant Deposited Security & Process Fee

15/12/21

(MIAN MUHAMMAD)
MEMBER (E)

1-3-2022

Due to retirement of the Honorable Chairman the case is adjourned to come up to the same as before on 16⁵/₂₀₂₂

Reader

16.05.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Written reply/comments not submitted. Learned AAG requested for adjournment to contact the respondents for submission of written reply/comments on the next date. Request is acceded to. To come up for written reply/comments on 27.06.2022 before S.B.

(Mian Muhammad)
Member (E)

(B)

16.08.2021

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant contends that according to the enquiry report regarding absence of the appellant, as annexed with the appeal, she was recommended for reinstatement by the enquiry committee with certain other recommendations in her favour but the department for the reason best known to them did not act upon the said report. The appellant kept pursuing her case for relief in the light of the enquiry report but in vain. So the appellant was left with no other option but to approach this Tribunal. Subject to all just and legal objections including that of limitation to be determined during the course full hearing, this appeal is admitted for full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 15.12.2021 before the D.B.

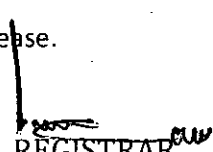


Chairman

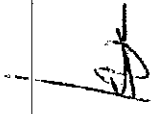
Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 6611 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/06/2021	<p>The appeal of Mst. Balqees Kausar resubmitted today by Mr. Amanullah Marwat Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16/08/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		



The appeal of Mst. Bilqees Kausar d/o Stana Mir r/o village Brij Killa received today i.e. on 14.06.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of transfer application mentioned in para-3 of the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Annexures are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 3- Annexures of the appeal may be attested.
- 4- Pages no. 8, 30 to 34 are illegible which may be replaced by legible/better one.

No. 988 /S.T,

Dt. 14/06 /2021

(Signature)
 REGISTRAR
 SERVICE TRIBUNAL
 KHYBER PAKHTUNKHWA
 PESHAWAR.

Mr. Amanullah Marwat Adv.Pesh.

*objection raised been removed.
 Transfer application is available on page 27 where is departmental
 appeal is available on page 25.
 Petitions is aggrieved from
 in action of the respondents by
 not implementing the award report
 So the case may be placed before
 every be placed before honorable
 bench for hearing.*

(Signature)
 16-6-2021

objection no- 3 & 4 still stand. The appeal is again returned to the counsel for the appellant for completion & resubmission within 10 days.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2021

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Mst. Bilqees Kausar **Appellant**

VERSUS

Director Elementary & Secondary Education & others.
..... **Respondents**

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S.No	Description of Documents	Annexure	Pages
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3.	Copy Of Service Book	B	9-18
4.	Copy of removal order dated: 25.04.2014	C	19
5.	Copy statement of Land owner	D	20
6.	Copy of certificate of Head Teacher	E	21
7.	Copy of attendance register	F	22-26
8.	Copy of Application for transfer	G	27
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Bilqees Kausar
Appellant

Through

Aman Ullah Marwat
Aman Ullah Marwat
Advocates, Peshawar

Date: 12.06.2021

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 6611 /2021

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 6069

Dated 11-6-2021

Mst. Bilqees Kausar D/o Stana Mir R/o Village Brij Killi P.O
Jamrud, Tehsil Jamrud, District Khyber.....**Appellant**

VERSUS

1. Director Elementary & Secondary Education,
Khyber Pakhtunkhwa, GT Road, Peshawar.
2. District Education Officer Female
Elementary & Secondary Education,
Tehsil Jamrud, District Khyber.
3. District Account Officer, District Khyber.
4. Accountant General, Khyber Pakhtunkhwa Cantt.
Peshawar.....**Respondents**

Service Appeal u/s 4 of Khyber
Pakhtunkhwa service tribunal act, 1974,
against inaction of respondent by not
re-instatement of the petitioner against
the post of government girls primary
school in terms of inquiry dated:
15.11.2018 whereby petitioner was
recommended for re-instatement in
service alongwith all back benefits i.e.

Filed to day
14/6/2021
Registrar

Re-submitted to -day
and filed.

Registrar
28/6/2021

salary, seniority etc. by the inquiry committee.

Prayer:-

ON ACCEPTANCE OF THE APPEAL, THE PETITIONER MAY PLEASE BE RE-INSTATEMENT AGAINST THE POST OF GOVERNMENT GIRLS PRIMARY SCHOOL ALONGWITH ALL BACK BENEFITS INCLUDING RELEASE OF SALARY WITH EFFECT FROM 01.09.2017 TILL RE-INSTATEMENT.

Respectfully Sheweth:-

1. That petitioner was appointed as PST (BPS-07) at government primary school, Sultan Khel, Landi Kotal, Khyber vide order dated: 14.10.2006. **(Copy of appointment order alongwith service book is attached)**
2. That since her appointment she was performing her duty efficiently with zeal and zest in the said school to the satisfaction of her superior and no complaints of any nature what so ever has been made against her. **(Copy of attendance is attached)**

3. That petitioner applied through application to respondent No. 2/ the then agency education officer for transfer to Government Primary School Hayat Shah Ghundai Jamrud or in nearby school located at Jamrud, but in vain. **(Copy of transfer application is attached)**
4. That the then agency education officer visited her school and allegedly found absent in the school, thereafter petitioner was issued show cause notice, thereafter she had been removed from service vide order dated: 25.05.2014.
5. That the then agency education officer issued a notification whereby salary of 101 ghost teachers were stopped and constitute a committee consisting of 5 members to separate white and black vide order dated: 20.03.2017. The salary of the petitioner was also stopped and she was put in the list of 101 missing teachers.
6. That the committee conducted detailed inquiry in respect of the case of the petitioner by recommending the reinstatement of petitioner with all back benefits. The relevant Para of the inquiry committee, is reproduce herein below;

Recommendations

1. On the vases of the above facts and findings, the official concerned may please be reinstated from the date of removal from service i.e. 25.04.2014 with all back benefits (seniority & other benefits) if any from the date of her reinstatement except salary that she has drawn up to Nov, 2017.
2. ...
3. ...
4. After the submission of her application in the D.E.O Khyber for re-instatement/ case consideration on March-2018, pay should be released w.e.f march-2018 upto arrival in the new/ same school.
5. ...
6. ...
7. The concerned teacher should be adjusted in Tehsil Jamrud District as per rule.

(Copy of inquiry committee dated: 15.11.2018 is attached)

7. That after detailed inquiry, the respondent neither communicate the outcome of the inquiry to the petitioner nor issued order of the reinstatement of the petitioner for the reason best known to them.
8. That petitioner was awaiting for completion and outcome of the inquiry, after waiting for sufficient time, the petitioner visited to the office of respondent No. 2, where she was informed on 02.02.2021 by the respondents that inquiry committee recommended her reinstatement into service. Despite this, petitioner tried her level best to obtain record also through RTI Act.
9. That the petitioner submitted application/ departmental representation to respondent No. 1 to issue direction of her reinstatement in service in terms of the recommendations of inquiry committee on 26.02.2002.

(Copy of representation dated: 26.02.2002 is attached)

10. That the petitioner waited for statutory period, seeks implementation after her reinstatement in service in terms of recommendation of the inquiry committee held due to inaction of the respondent inter alia on the following grounds;

GRUNDS:-

- A. That non issuances of the reinstatement of petitioner in service in terms of the inquiry committee is illegal, without lawful authority and jurisdiction. Thus she is liable to be reinstated in service.
- B. That petitioner is female teacher belonging to backward area of the district Khyber, having no source of communication in the respondent office, thus respondent are under obligations to communicate the outcome of the inquiry committee and issued her reinstatement in service. Nonperformance of such duty by the respondents is violative of article 4 of the 1973 constitution.
- C. That reinstatement order of the petitioner is delayed due to inaction of the respondents which has seriously prejudice her valuable rights. Such action of the respondents is violative of principle of administration of justice and also violative of golden principle "no one should be suffered by act of public functionaries".
- D. That petitioner is entitled for reinstatement in service and release of salary plus seniority and all monitory benefits in terms of the recommendations of the inquiry committee. Thus respondents are under obligations and duty bound to reinstate her

along with all benefits. Non action on the part of respondent is highly illegal, based on malafide for which they are liable to be proceeded.

It is, therefore, most humbly prayed that on acceptance of the appeal, the respondents may please be directed to reinstate the petitioner in service by implementing recommendations of inquiry committee by releasing her salary and all related benefits including seniority.

Bilqees
Appellant

Through

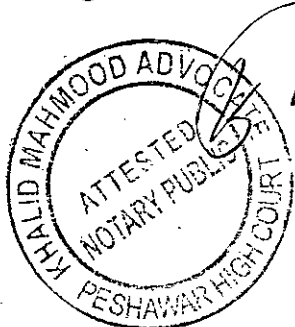
[Signature]
Aman Ullah Marwat

Advocates, Peshawar

Date: 12.06.2021

AFFIDAVIT

I, **Mst. Bilqees Kausar** D/o Stana Mir R/o Villge Brij Killi P.O Jamrud, Tehsil Jamrud, District Khyber, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



[Signature]
12-6-21

Bilqees
DEPONENT

CNIC: 21202-3435129-2

Prepared by: [Signature]

AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMSHED

- 1. Copy forwarded for information and necessary action to the Director of Education FATA (NW/17) Peshawar.
- 2. Agency Education Officer Peshawar at Peshawar.
- 3. Head of Institute/Lead Teachers concerned.
- 4. Assistant AEO Female Local Office.
- 5. AEO Local Office, Candidates concerned.

17-02-2002

(DULBER KHAN)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMSHED

1. Change reports should be submitted to all concerned.
2. The appointment of the candidates has been made purely on temporary contract basis for three years and is liable to termination at any time without assigning any reason, in case they wish to resign their services they will have to give one-month prior notice or forfeit one-month pay in lieu thereof.
3. They should produce their original certificate/Document before taking over charge and assign their copy thereof to be kept on the record of the school/polic office after the verification from the Board/University concerned.
4. They should produce their Health and Age certificate from the Agency Surgeon concerned.
5. Age should not exceed 55 years and below 18 years.
6. If they fail to report their arrival within 15 days the order will be treated as cancelled.
7. The order of the candidates is purely on contract basis for three years vide SO FATA/Education/6-1/2001 dated 09.02.2002 and Director of Education FATA Peshawar Indst. No.3738 dated 14.02.2002.

Notes:-

S#	Name of Candidate/ Domestic	Province	Appointed in	Remarks
01	Nabiya Afsar D/O	Khyber	GT's Warh Khan KMH	Against Vacant
02	Arshad Wazir D/O	Khyber	GT's Azhar Dm-KMH	Against Vacant
03	Wazir Khan	Khyber	GT's Azhar Dm-KMH	Against Vacant
04	Arshad Wazir	Khyber	GT's Azhar Dm-KMH	Against Vacant
05	Arshad Wazir	Khyber	GT's Azhar Dm-KMH	Against Vacant
06	Nazim Javed D/O	Khyber	GT's Amir Khan KMH	Against Vacant
07	Javed Khan	Khyber	GT's Amir Khan KMH	Against Vacant

Consent upon the approval of the Departmental Selection Committee the following PTC (Female) local candidates of Tribal Jampur are hereby temporary appointed on contract basis for three (3) years against PTC post in PTC No.07 PJI fixed plus usual allowances as admissible to them under the rules with effect from the date of their taking over charge in the schools noted against each their names.

OFFICE OF THE AGENT FOR THE KHYBER AGENCY AT JAMSHED

25

OFFICE OF THE AGENCY EDUCATION OFFICER KHYBER AGENCY AT JAMRUD**APPOINTMENT ORDER:**

Consequent upon the approval of the Department Selection Committee the following PTC (Female) local candidates of Tehsil Jamrud are hereby temporary appointed on contract basis for three (03) years against PTC post in BPS No. 07 PM fixed plus usual allowances as admissible to them under the rules with effect from the date of their taking over charge in the schools noted against each their names.

S#	Name of Candidate/ Father's Name	Domicile	Appointed at	Remarks
01	Nahiya Afridi D/o Fida Mohammad	Khyber	GGPS Wali Khan Killi Jamrud	Against vacant PTC Post
02	Mehnaz Waris D/o Waris Khan	Khyber	GGPS Azam Din Killi (sic)	Against vacant PTC Post
03	Saima D/o Muhammad Nisar	Khyber	GGPS Sultan Khel No. 1 LKL.	Against vacant PTC Post
04	Balqees D/o Stana Mir	Khyber	GGPS Saidan Khel No. 1 LKL	Against vacant PTC Post
05	Majida D/o Daulat Shah	Khyber	GGPS Akbar Khel LKL	Against vacant PTC Post
06	Nazia Javed D/o Javed Khan	Khyber	GGPS Amir Khan Killi (sic)	Against vacant PTC Post

Notice:

1. Charge report should be submitted to all concerned.
2. The appointment of the candidates has been made purely on temporarily contract for three years and is liable to termination at any time. Without (sic) any reason, in case they wish to resign their service they will have to give one-month prior notice or forfeit one-month pay in lieu thereof.
3. They should produce their original certificate/ Domicile before taking over charge and attested copies thereof (sic) kept on the record of the school/ office after the verification from the Board/ University concerned.
4. They should produce their Health and Age certificate from the Agency Surgeon concerned.
5. Age should not exceed 33 years and below 18 years.
6. If they fail to report their arrival within 15 days the order will be treated as cancelled.
7. The order of the candidates is purely on contract basis for three years vide SO FATA/Education/6-1/2001 dated: 09.02.2002 and Director of Education FATA Peshawar Endst: No. 3738 dated: 14.02.2002.

(DILBER KHAN)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Endst: No. 4599-643/ Apptt: PTC/ Female/ Jamrud/ (sic)

Dated: 11-10-2004

Copy forwarded for information and necessary action to the;

1. Director of Education FATA (NWFP) Peshawar.
2. Agency Education Officer Khyber at Peshawar.
3. Head Mistress/ head Teachers concerned.
4. Assistant AEO Female Local Office.
5. Acctt: Local Office Candidate concerned.

Sd/-
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

01/11/86 0040 Q510

27

MIC #

9

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.

1. Name: BALQEES

2. Race: KUKI KHEL AFRIDI

3. Residence: VILLAGE BRIJ KILLI P.O JAMRUD,
TEHSILE JAMRUD, KHYBER AGENCY

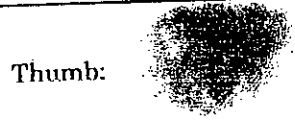
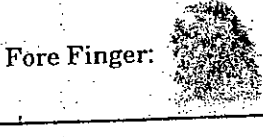
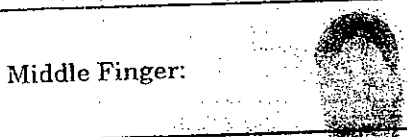
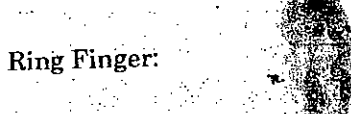
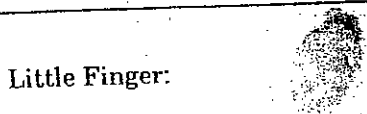
4. Father's name and residence: STANA MIR & AS Above

5. Date of birth by Christian era as nearly as can be ascertained: (01-01-1986)
1st January, N.H 8 Eighty Six

6. Exact height by measurement: 5-1"

7. Personal marks for identification: Black mark face Lt Side.

8. Left hand thumb and Finger impression of (Non-Gazetted) officer:



9. Signature of Government Servant: *Balqees*

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

Agency Education Officer
Khyber Agency Jamrud

[Signature]

[Signature]

28

10

(For use in Police Department only).

Name: _____

Heirs, _____

1. _____

2. _____

3. _____

Verification Roll No. _____ dated _____ received back _____

Left Thumb Impression _____

Qualification	Date	Qualification	Date
English	Passed FA Examination from BISE (Peshawar) Under Roll No. 72926. Marks obtained 584/1100 Session 2006. result dec: 15/2/2007 verified letter vide No. 234 dt: 26/6/07	First Arts	Passed SSC Exam From BISE Peshawar. R. No. 72926 in 2003/4. Marks obtained 533/850 grade-1 result was declared. B.L. or B.A. on: 25-06-2003.
Urdu		Pleadership examination	Education Officer Khyber Pakhtunkhwa
Plan-drawing		Training School Final examination	ATCO
Finger Print		Other qualifications—	
Drill Instructing	Passed PTC Examination from DES/Latsley Dep: NWFP Peshawar Under Roll No. 234 marks obtained 780/1200 result dec: 28-12-04		
Court Duties			
Reserve Duties			

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

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 Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
Ch. P. Sultain Kb. No. 1	BPS	07-As	Rs. 2020	120	5820	10/5/2004	
L.K.K. PTC. Pass.	Temp.		Rs. 2220/-	PM		12/2004	
			Rs. 2220/PM			12/2004	
Revision of Pay on 1/7/2005 BPS-07 (2555-140-6755)							
			Rs. 2555/PM			1/7/2005	
			Rs. 2555/PM			12/2005	
			Rs. 2555/PM			12/2006	
(Basis Entry)							
			Rs. 2220/-			25/11/04	
Revision of Pay on 1/7/05 BPS: 7 (2555-140-6755)							
			Rs. 2555/PM			1/7/05	
			Rs. 2695/-	PM		12/05	
						12/05	

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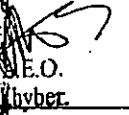
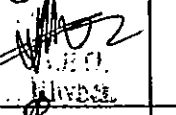
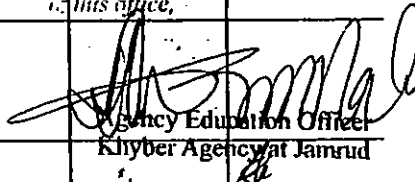
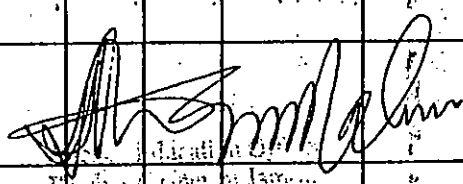
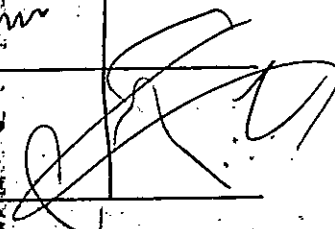
1	2	3	4	5	6	7	8
Name of post	Whether substantive and officiating (a) whether permanent or temporary	If officiating, extra (i) substantive appointment, or (ii) whether service under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emoluments falling under the term 'Pay'	Date of Appointment	Signature of Government Servant
77c Post at Revision of pay in 1/2 Rs 27 (2940-162-7740)			Rs = 3260/12	Rs = 3427/12		07	
44 Rggs Sultan Wala No-I LIC						07	
Revision of pay in 1/2 Rs 27 (3530-190-923)			Rs = 2112/12	Rs = 4250/12		05	
Revision of pay in 1/2 Rs 27 (3185-190-8885)						07	
Revision of pay in 1/2 Rs 27 (3375)						07	
Revision of pay in 1/2 Rs 27 (3565)						07	
Revision of pay in 1/2 Rs 27 (3820-230-192)						05	
						05	
						05	

13

(31)

44 Rggs Sultan Wala No-I LIC

11

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 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
 A.E.O. Khyber.	30/11/2011	A/Bnc	 A.E.O. Khyber.			SERVICES VERIFIED From 01/11/11 TO 30/11/2011 From the Pay Bill & other record of this office.		
 A.E.O. Khyber.	30/11/2012	A/Bnc	 A.E.O. Khyber.			 Agency Education Officer Khyber Agency Jamrud		
 A.E.O. Khyber.	30/11/2013		 A.E.O. Khyber.			SERVICES VERIFIED From 1/12/12 To 31/11/13 From the Pay Bills & other record of this office.		
						 Agency Education Officer Khyber Agency at Jamrud		
<u>Removed from Service</u>								
<p>On exercise of the powers conferred under Rules-4. (b) iii - read with Section-9 of K.P Govt. Servants (E&O) Rules 2011. The competent authority, AEO Khyber imposed major penalty of "Removal of Service" upon mst Baljeas PK G.G.P.S Sultan tehel No. I Landikotal with immediate effect vide this office Endst No. 3468-75</p> <p>Dated 25-4-2014.</p>								
								
								

37

19

~~25/4/14~~ (2)

NOTIFICATION

WHEREAS the Assistant Agency Education Officer Jamrud and Landi Kotal, reported dated 20/08/2013 that Mst Bilquees GGPS Sultan Kheil No.1 Landi Kotal Khyber Agency was absent from duty with effect from 2007.

AND WHEREAS a committee was appointed consisting of Mr. Habibullah I/C Pri. GHSS Jamrud (BPS18) (Chairman), Mr. Salim Khan Head Master GHS Hashim Abad (BPS-17) (Member) and Mr. Inamul Haq, Supdt O/O AEO Khyber (Member) to dig out the cases of those who were willfully absent. Detailed report and documentary proof to proceed further into the matter in accordance with the rules vide notification No.782-85 dated 14/02/14 and No1362-66 dated 13/03/2014

2. AND WHEREAS the committee after having examined the record has submitted its report after conducting a deep and detailed scrutiny of papers from all the relevant aspects and reported that Mst Bilquees GGPS Sultan Kheil No.1 Landi Kotal Khyber Agency was absent from duty wef 2007

3. AND WHEREAS Mst Bilquees GGPS Sultan Kheil No.1 Landi Kotal Khyber Agency was proceeded against under Khyber Pakhtunkhwa Govt. Servant (Efficiency & Discipline) Rules 2011, for the charge of "willful absence from duty, with effect from 2007 as mentioned in the show cause notice served upon her under registered post at her home address vide No.6785 dated 28/10/2013

4. AND WHEREAS the accused official did not submit her reply to the show cause notice.

5. AND WHEREAS absentee notices were served upon Mst Bilquees GGPS Sultan Kheil No.1 Landi Kotal Khyber Agency through print media in daily newspapers "MASHRIQ" and "Express" on 19/12/13 to attend the office and explain her absence period but she remained absent and did not report for duty in response to the above mentioned notices.

6. AND WHEREAS the competent authority, the Agency Education officer Khyber, after having considered the charges, evidence on record, enquiry report and facts of the case is of the view that the charge of willful and unauthorized absence against the accused official has been proved.

7. NOW THEREFORE, In exercise of the Powers conferred under Rules-4 (b) iii of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, the competent Authority, Agency Education officer Khyber, is pleased to impose major penalty of " Removal from service " upon Mst Bilquees GGPS Sultan Kheil No.1 Landi Kotal Khyber Agency with immediate effect on account of her willful absence with effect from 2007 up to date.

(Atiq-ur-Rahman)
Agency Education Officer,
Khyber Agency at Jamrud

Endst: No.3468-75 Dated Peshawar the 25/04/2014
Copy forwarded to the:-

1. Secretary Social Sector Department FATA Secretariat.
2. Director Education FATA
3. Political Agent Khyber.
4. PS to Additional Chief Secretary FATA Secretariat Peshawar
5. Agency Account officer Khyber Agency at Jamrud.
6. AAEO concerned.
7. Superintendent/ Accountant
8. Official Concerned.

Agency Education Officer,
Khyber Agency at Jamrud

21203-8308245-5

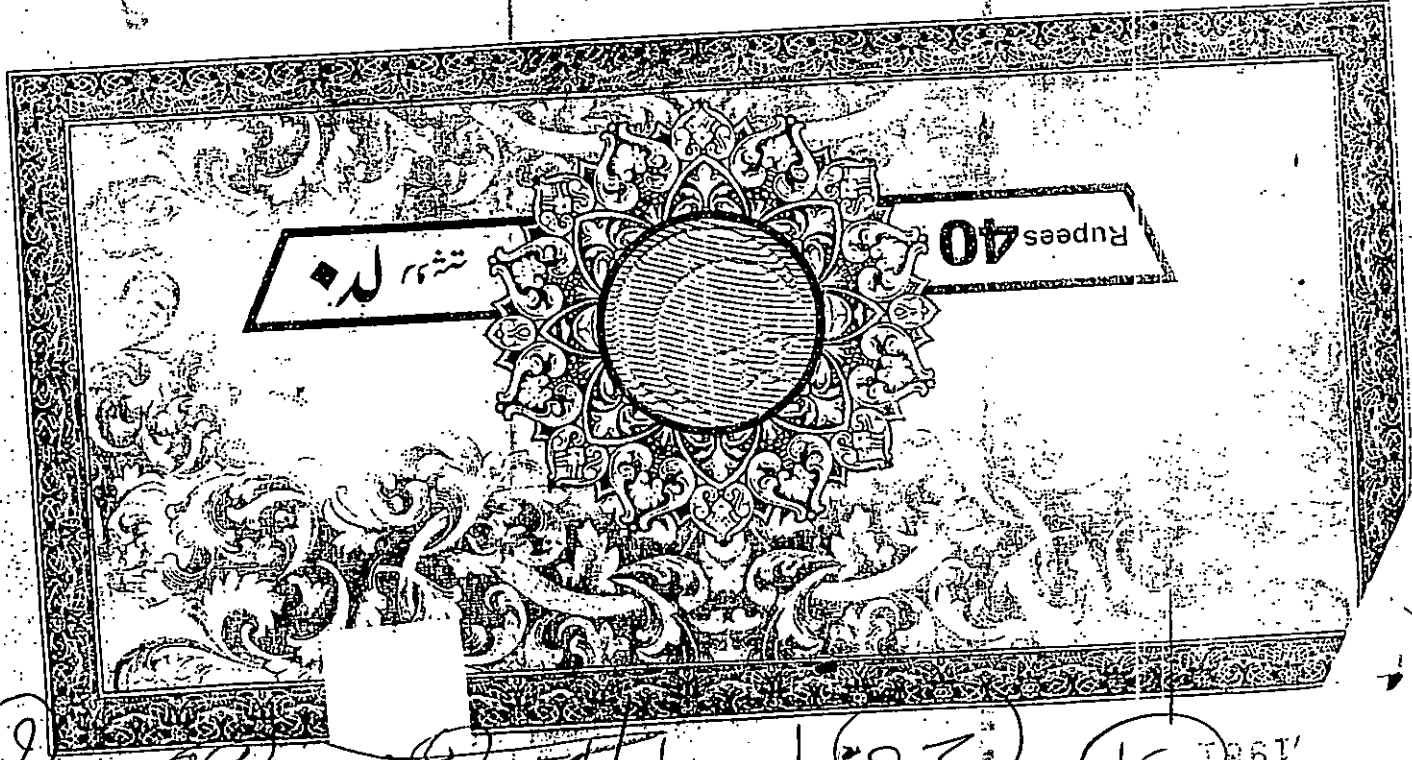
U. S. M. P. S. No. 100/100/100

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Character Certificate
 She has been performing her duty with honesty and
 dedication. She is a responsible and good moral
 character teacher, during her stay in this school upto 2
 School Sultana Khatun Landi Kotla has been serving in Mrs
 School since 20th regularly. She has been regular and punctual
 Certified that Mrs. Babar Kousar P. I. G. G. P. S.

Character Certificate



1981 39 | 26 | 6

37406-5666781-0

I.D. Card No

P.H.T. 0008
15-12-14

M. John

Wish her success in the coming days.

Attitude during her stay at this school upto 2014.

am really impressed with her working and

character.

a responsible and good teacher, having excellent moral performing her duty with honesty and dedication. She is

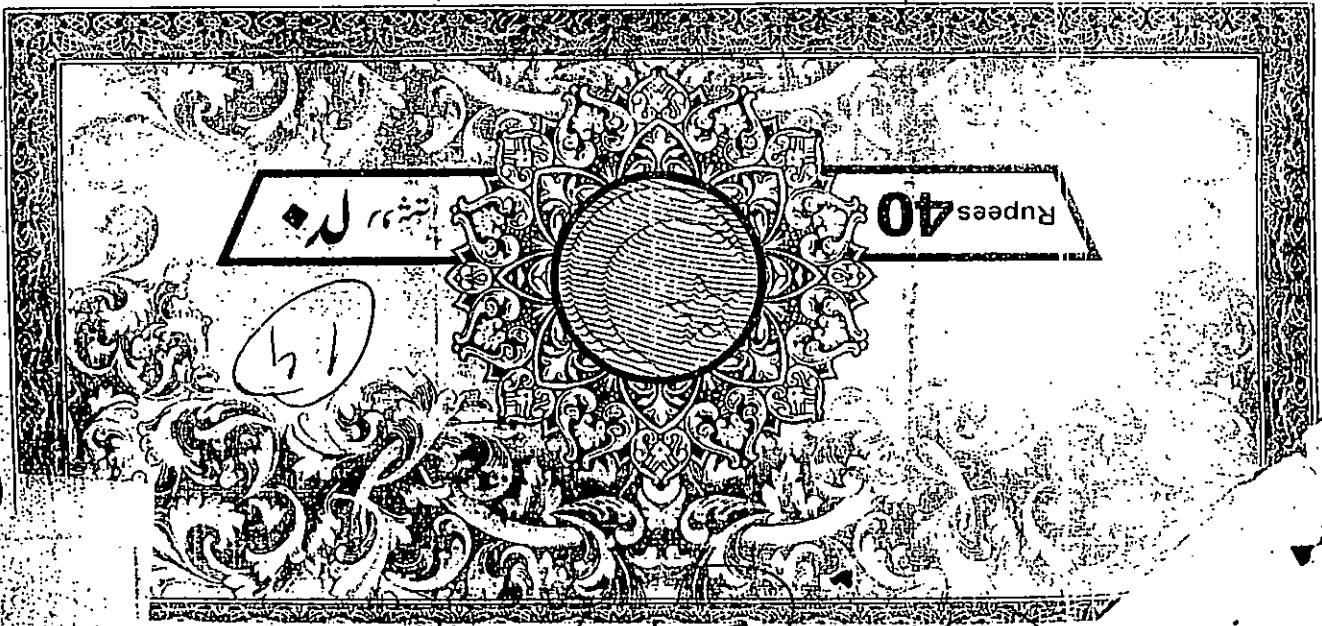
She has been regular and punctual. She has been

been serving in this school since 2014. Regularly.

P.T.C. G. G. primary school Sultanpalle Landisole has

of is certified that Mrs. Balle's teacher

Performance and Corrector Certificate



Rupees 40

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F/G

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Sl. No.	Name	Age	Qualification	Experience	Remarks
1	M. N. N. N.	23	B.A.	1	
2	M. N. N. N.	23	B.A.	1	
3	M. N. N. N.	23	B.A.	1	
4	M. N. N. N.	23	B.A.	1	
5	M. N. N. N.	23	B.A.	1	
6	M. N. N. N.	23	B.A.	1	
7	M. N. N. N.	23	B.A.	1	
8	M. N. N. N.	23	B.A.	1	
9	M. N. N. N.	23	B.A.	1	
10	M. N. N. N.	23	B.A.	1	
11	M. N. N. N.	23	B.A.	1	
12	M. N. N. N.	23	B.A.	1	
13	M. N. N. N.	23	B.A.	1	
14	M. N. N. N.	23	B.A.	1	
15	M. N. N. N.	23	B.A.	1	
16	M. N. N. N.	23	B.A.	1	
17	M. N. N. N.	23	B.A.	1	
18	M. N. N. N.	23	B.A.	1	
19	M. N. N. N.	23	B.A.	1	
20	M. N. N. N.	23	B.A.	1	
21	M. N. N. N.	23	B.A.	1	
22	M. N. N. N.	23	B.A.	1	
23	M. N. N. N.	23	B.A.	1	
24	M. N. N. N.	23	B.A.	1	
25	M. N. N. N.	23	B.A.	1	
26	M. N. N. N.	23	B.A.	1	
27	M. N. N. N.	23	B.A.	1	
28	M. N. N. N.	23	B.A.	1	
29	M. N. N. N.	23	B.A.	1	
30	M. N. N. N.	23	B.A.	1	
31	M. N. N. N.	23	B.A.	1	
32	M. N. N. N.	23	B.A.	1	
33	M. N. N. N.	23	B.A.	1	
34	M. N. N. N.	23	B.A.	1	
35	M. N. N. N.	23	B.A.	1	
36	M. N. N. N.	23	B.A.	1	
37	M. N. N. N.	23	B.A.	1	
38	M. N. N. N.	23	B.A.	1	
39	M. N. N. N.	23	B.A.	1	
40	M. N. N. N.	23	B.A.	1	
41	M. N. N. N.	23	B.A.	1	
42	M. N. N. N.	23	B.A.	1	
43	M. N. N. N.	23	B.A.	1	
44	M. N. N. N.	23	B.A.	1	
45	M. N. N. N.	23	B.A.	1	
46	M. N. N. N.	23	B.A.	1	
47	M. N. N. N.	23	B.A.	1	
48	M. N. N. N.	23	B.A.	1	
49	M. N. N. N.	23	B.A.	1	
50	M. N. N. N.	23	B.A.	1	

Handwritten notes and signatures at the bottom of the table.

15

#

F/P

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41

Sl. No.	Name	Age	Sex	Religion	Marital Status	Education	Occupation	Income	Assets	Liabilities	Remarks
1
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F/P 9

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~~Handwritten scribbles at the top of the page.~~

Handwritten notes in Urdu, including the phrase "Long Term" and "PTC Teacher".

Handwritten notes in Urdu, including the phrase "Explanation".

Explanation:

Handwritten notes at the bottom of the page.

Handwritten number 28 in a circle.

Handwritten number 47 in a circle.

NOTIFICATION

36 19

Under the provision of FR-84 read with appendix -09 of FR & SR & FD Circular No. ED/SO (SR-IV) 5-46/80 Dated 11/11/1982, Sanctioned is hereby accorded to the grant of study leave to the following officials (M/F) for the period mentioned against their names on half average pay and study allowance @ 300/- per month subject to the condition that half pay and study allowance should not exceed full pay or 75% of full pay which ever is more favorable.

S.No	Name/School	Period of Leave	Training Programme	Venue
1	Sakhi Jan CT GHS Kam Shalman Landi Kotal	1-9-2009 to 31-8-2011	M.A Education Previous	Federal College of Education Islamabad
2	Bilqees PTC GGPS Sultan Khel No 1 Landi Kotal	1-10-09 to 31-7-2010	B.Ed	GCET (F) Jamrud

Note:

Necessary entry to this effect should be made in his/her service book.


(HASHIM KHAN)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Endst No 4845-20 Leave-File Dated 07.1.10 2009.

Copy of the above is forwarded to the

1. Director of Education (FATA) NWFP Peshawar.
2. Agency Account Office Khyber Agency.
3. Principal Federal College of Education Sector 11-2 Islamabad.
4. Principal Govt Elementary College (F) Jamrud Khyber Agency.
5. Head Master GHS Kamshalman Landi Kotal w/r to his No. Nil Dated 24-9-2009
6. AAEO(F)/Pay clerk concerned local office.
7. Mr. Sakhi Jan CT GHS Kamshalman Landi Kotal Khyber Agency.
8. Mst. Bilqees PTC GGPS Sultan Khel No 1 Landi Kotal Khyber Agency.

AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD



NOTIFICATION:

Under the provision of FR-84 read with appendix-09 if FR & SR & FD Circular No. FD/SO(SR-IV)5-46/80 dated: 11.11.1982, Sanctioned is hereby accorded to the grant of study leave to the following officials (M/F) for the period mentioned against their names on half average pay and study allowance @ 3000/- per month subject to the condition that half pay and study allowance should not exceed full pay or 75% of full pay which ever is more favorable.

S. No.	Name/ School	Period of Leave	Training	Venue
1	Sakhi Jan GT GHS Kam Shalman Landi Kotal	1-9-2009 to 31-8-2011	M.A Education Previous	Federal College of Education Islamabad
2	Bilqees PTC GGPS Sultan Khel No. 1 Landi Kotal	1-10-09 to 11-7-2010	B.Ed	GECT (F) Jamrud

Note:

Necessary entry to this effect should be made in his/her service book.

(HASHIM KHAN)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Endst No. 4845-50 Leave-File Dated: 07-10-2009.

Copy of the above is forwarded to the

1. Director of Education (FATA) NWFP Peshawar.
2. Agency Account Office Khyber Agency.
3. Principal Federal College of Educaiton Sector H-9 Islamabad.
4. Principal Govt. Elementary College (F) Jamrud Khyber Agency.
5. Head Master GHS Kamshalman Landi Kotal w/r to his No Nil Dated: 24-09-2009.
6. AAEO(F)/Pay clerd concerned local office.
7. Mr. Sakhi Jan CT GHS Kamshalman Landi Kotal Khyber Agency.
8. Mst. Bilqees PTC GGPS Sultan Khel No. 1 Landi Kotal Khyber Agency.

Sd/-
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

51 31 33

INQUIRY REPORT IN R/O MST. BALQEES AFRIDI PST

To:

The District Education Officer
Tribal District Khyber

Subject:

INQUIRY REPORT

In connection with your letter No.1691-1697 dated 20-03-2017 one Mst. Balqees Afridi PST was employee of the Education Department Khyber and then she was removed from service by the then A.E.O Khyber in 2014 for her willful absence from the duty. She was appointed against PST post in GGPS Sultan Khel No. 1 Landikotal Khyber Agency. She was caught absent during a routine visit of the then A.E.O and Political Agent Khyber Agency (NMD). The then A.E.O Khyber issued show cause notice and then she has been removed from service by the same and the then A.E.O Khyber. Necessary entries to that effect have been made by the then A.E.O Khyber Agency in her service book. After her removal from service, her pay remained stopped for at least two months but mysteriously restarted. The sitting D.E.O Khyber Tribal District issued a notification of pay stoppage of 101 ghost teachers vide A.E.O No.1698-1708 dated 20-03-2017 and constituted a committee to separate white and black. The salary of Mst. Balqees PST also stopped as she was also put in the list of 101 missing teachers. To dig out the facts, she was interviewed by the inquiry committee. The inquiry officers administered questionnaire to the mentioned employee.

BACKGROUND OF THE CASE

Mst. Balqees PST was appointed by the then A.E.O Khyber Agency (NMD) vide No. 4599-603 dated 04-10-2004 on PTC BPS- 07 post at GGPS Sultan Khel No. 1 Landikotal on 04-10-2004 "F/A". She was performing her duty regularly and efficiently. During her course of service and as per her service book records, she has been allowed BPS-09 on passing F.A examinations vide A.E.O Khyber Agency (NMD) No. 8256-61 dated 17-02-2009. She has taken earned leave w.e.f 21-08-2009 (11 days) to 30-08-2009 on full pay vide No. 4019-22 dated 22/08/2009. Then she has taken Study Leave w.e.f 01-10-2009 to 31-07-2010 on half pay vide A.E.O Khyber Agency (NMD) No. 4815-50 dated 07-10-2009. Study Leave w.e.f 01-07-2010 to 31-07-2010 (31 days) was then cancelled vide A.E.O Khyber Agency No. 4684-87 dated 19-07-2010. After her arrival from Study Leave she has resumed her duty w.e.f 01-07-2010. The then A.E.O Khyber removed her from service w.e.f 25-04-2014 vide A.E.O Khyber No. 3468-75 on account of her willful absence "C.B". It is pertinent to mention over here that the service of the official concerned has already been verified upto 30-11-2013 by the same and then A.E.O Khyber. According to the mentioned notification, a committee was constituted where in Mr. Habib Ullah Ex-DC P.H.GHS Jamrud chairman, Mr. Saleem Khan wazir Ex-Head Master GHS Hashim Abud Jamrud member

[Handwritten signatures]

INQUIRY REPORT IN R/O MST. BALQEES AFRIDI PST

To

The Director Education Officer,
Tribal District Khyber.

Subject: INQUIRY REPORT

In connection with your letter No. 1691-1697 dated: 20-03-2017 on we Mst. Balquees Afridi PST was employee of the Education Department Khyber and then she was removed from service by the then A.E.O Khyber in 2014 for her willful absence from the duty. She was caught absent during a routine visit of the then A.E.O and Political Agent Khyber Agency (NMD). The then A.E.O Khyber issued show cause notice and then she has been removed from service by the same and the then A.E.O Khyber. Necessary entries to that effect have been made by the then A.E.O Khyber Agency in her service book. After her removal from service, her pay remained stopped for at least two months but mysteriously restarted. The sitting D.E.O Khyber Tribal District issued a notification of pay stoppage of 101 ghost teachers vide A.E.O No. 1698-1708 dated: 20.03.2017 and constituted a committee to separate white and black. The salary of Mst. Balquees PST also stopped as she was also put in the list of 101 missing teachers. To dig out the facts, she was interviewed by the inquiry committee. The inquiry officers administered questionnaire to the mentioned employee.

BACKGROUND OF THE CASE

Mst. Balquees PST was appointed by the then A.E.O Khyber Agency (NMD) vide No. 4599-603 dated: 01.10.2004 on PTC BPS-07 post at GGPS Sultan Khel No. 1 Landikotal on 04.10.2004 "F/A". She was performing her duty regularly and efficiently. During her course of service and as per her service book records. She has been allowed BPS-09 on passing F.A examinations vide A.E.O Khyber Agency (NMD) No. 8256-61 dated: 17.02.2009. She has taken Earned leave w.e.f 21.08.2009 (11 days) to 3.08.2009 on full pay vide No. 4019-22 dated: 22/08/2009. Then she has taken Study leave w.e.f 01.10.2009 to 31.07.2010 on half pay vide A.E.O Khyber Agency (NMD) No. 1815-50 dated: 07-10-2009. Study leave w.e.f 01.07.2010 to 31.07.2010 (31 days) was then cancelled vide A.E.O Khyber Agency No. 4684-87 dated: 19.07.2010. after her arrival from study leave she has resumed her duty w.e.f 01.07.2010. the then A.E.O Khyber removed her from service w.e.f 25.04.2014 vide A.E.O Khyber No. 3468-75 on account of her willful absence (sic). It is pertinent to mention over here that the service of the official concerned has already been verified upto 30.11.2013 by the same and then A.E.O Khyber. According to the mentioned notification, a committee was constituted where in Mr. Habib Ullah Ex-I/C Pd GHSS Jamrud Chairman. Mr. Saleem Khan Wazir Ex-Head master GHS Hashim Abad Jamrud and Mr.

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Inam Ul Haq Ex-Suptd were nominated as the committee members to dig out the matter "F/B". According to the removal notice show-cause notice was also served upon her at her home address vide A.E.O Khyber No. 6785 dated 28/10-2013. She has submitted her reply of show cause notice in Dec 2013 in this regard "F/C". Her pay remained stopped for two months but mysteriously restarted. The sitting D.E.O Khyber Tribal District issued a notification of pay stoppage of 101 ghost teachers and constituted a committee to dig out the actual position. Being inquiry officers, it is our duty to separate white and black and save the national treasury.

PERSONAL HEARING OF THE EMPLOYEE

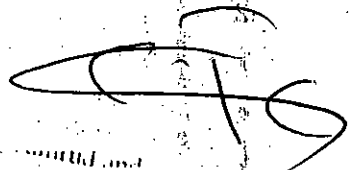
The concerned employee was called upon to the D.E.O Tribal District Khyber at Jamrud for personal hearing on dated 17-04-2017. According to her statements she was appointed as PTC BPS-07 on dated 01-10-2004. She was performing her duty efficiently. She took Earned Leave for 11 days on full pay w.e.f 21/08/2009 to 30/08/2009 vide A.E.O Khyber No. 4019-22 dated 07/10/2009. Then she applied for study leave and consequently the official concerned was granted Study Leave on half pay w.e.f 01/10/2009 to 31/07/2010 vide A.E.O Khyber No. 4845-50 dated 07/10/2009. Before the expiry of her Study Leave, the remaining period w.e.f 01/07/2010 to 31/07/2010 (31-days) was cancelled vide A.E.O Khyber No. 4684-87 dated 19/07/2010, while she has already resumed her duty w.e.f 01-07-2010.

She stated that her service has been already verified in her service book by the same and the then A.E.O Khyber (NMD) upto 30-11-2013. While in her removal notification she has shown absent w.e.f 2007. She has also replied to the Show cause notice served upon her by the then A.E.O Khyber (NMD) "F/C". The employee concerned has not been given any opportunity for personal hearing before issuing her termination notice from service. She further added that she was absent only on the date when the then A.E.O and Political Agent Khyber (NMD) visited the school.

According to her, the then A.E.O Khyber issued her removal notice from service without conducting any proper inquiry / personal hearing of the official concerned on date 25/04/2014 vide 3468-75 "F/B".

FACTS FINDING

1. The official concerned has been appointed as PTC BPS -07 and then she has been allowed BPS-09 vide A.E.O Khyber No. 8256-61 dated 17/12/2008 on producing verified intermediate certificate.
2. She was granted Earned Leave w.e.f 21-8-2009 to 30-08-2009 on full pay vide A.E.O Khyber No. 4019-22 dated 22-08-2009.



Inam ul Haq Ex-Suptd were nominated as the committee members to dig out the matter "F/B". according to the removal notice show-cause notice was also served upon her at her home address vide A.E.O Khyber No. 6785 dated: 28.10.2013. she has submitted her reply of show cause notice Dec 2013 in this regard "F/C".

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She stated that her service has been already verified in her service book by the same and the then A.E.O Khyber (NMD) upto 30.11.2013. While in her removal notification she has shown absent w.e.f 2007. She has also replied to the Show cause notice served upon her by the then A.E.O Khyber (NMD) "F/C". The employee concerned has not een given any opportunity for personal hearing before issuing her termination notice from service. She further added that she was absent only on the date when the then A.E.O and Political Agent Khyber (NMD) visited the school.

According to her the then A.E.O Khyber issued her removal notice from service without conducting any proper inquiry/ personal hearing of the official concerned on date 25.04.2014 vide 3468-75 "F/H".

FACTS FINDING

1. The official concerned has been appointed as PTC BPS-07 and then she has been allowed BPS-09 vide A.E.O Khyber No. 7145-51 dated: 17.12.2008 on producing verified intermediate certificate.
2. She was granted Earned Leave w.e.f 21-8-2009 to 30-08-2009 on full pay vide A.E.O Khyber No. 4019-22 dated: 11.08.2009.

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A.E.O Khyber had granted Study Leave w.e.f 01-10-2009 to 31-07-2010 on half pay or % of full pay vide A.E.O Khyber No. 4845-50 dated 07-10-2009.
 or remaining Study Leave w.e.f 01-07-2010 to 31-07-2010 (31 days) then cancelled vide A.E.O Khyber No.4684 dated 19-07-2010.
 She has already given statement on stamp paper dated 30-12-2013 that she will be careful in future regarding her duty, duly signed and put up to committee by the then A.E.O Khyber Agency "F/D".

7. Photocopies of attendance register w.e.f March 2013 to August 2013 also revealed that she was performing her duty regularly. While in termination notice dated 25-04-2014, she has been shown absent from duty w.e.f 2007 till 25-04-2014 "F/F".
8. Head Teacher of the GGPS Sultan Khel No.1 Landi Kotal also gave statement that Mst. Balqees Afridi was performed regular duty till 2014 "F/G".
9. She also applied for the transfer / adjustment to the nearest place at Jamrud to the then A.E.O Khyber Agency in 2013 "F/H". But no suitable correspondence done in that regard.
10. It is predicted from all the materials on record and connected papers that the then A.E.O Khyber Agency was misled to the actual position regarding her absence from the duty.
11. It is also clear from the service book record of the official concerned that her service has been duly verified w.e.f 01-12-2010 to 30-11-2013 by the then A.E.O Khyber, therefore her removal from service is not based on facts "F/I".
12. It is also a fact that she took her regular salaries upto Oct 2017.

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RECOMMENDATIONS

1. On the bases of the above facts and findings, the official concerned may please be reinstated from the date of her removal from service i.e 25-04-2014 with all back benefits (seniority & other benefits) if any, from the date of her reinstatement except salary that she has drawn up to Nov 2017.
2. As the undersigned already mentioned that the concerned teacher was getting salaries w.e.f May-2014 upto Oct-2017 mysteriously on the part of Agency Account Office Jamrud as official carelessness, should be tackled to the Agency Account Office Jamrud through official correspondence.
3. As the official concerned submitted her reply of show cause notice in Dec 2013 to the office of the then A.E.O Khyber. Therefore the period w.e.f 01-01-2014 to 24-04-2014 should be converted in EARNED LEAVE on full pay / half pay whichever is admissible under the rules. Proper entries should be made in her service book.

3. A.E.O Khyber has granted Study leave w.e.f 01.10.2009 to 31.07.2010 on half pay or (sic) % of full pay vide A.E.O Khyber No. 4845-50 dated: 07.10.2009.
4. Her remaining study leave w.e.f 01.07.2010 to 31.07.2010 (31 days) then cancelled vide A.E.O Khyber no. 4684 dated: 19.07.2010.
5. She has already given statement on stamp paper dated: 30.12.2013 that she will be careful in future regarding her duty duly signed and put up to committee by the then A.E.O Khyber Agency "F/D".
6. Malik Abdullah Jan, the land owner also gave written statement on stamp paper that she was performing her duty regularly w.e.f 2004 till her removal from service "F/F".
7. Photocopies of attendance register w.e.f march 2013 to August 2013 also revealed that she was performing her duty regularly. While in termination notice dated 25.04.2014, she has been shown absent from duty w.e.f 2007 till 25.04.2014 "F/F".
8. Head Teacher of the GGPS Sultan Khel No. 1 Landi Kotal also gave statement that Mst. Balqees Afridi was performed regular duty till 2014 "F/G".
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4. After the submission of her application in the D.F.O Khyber for re-instatement / case consideration on March-2018, pay should be released w.e.f March-2018 upto arrival in the new / same school.
5. It is recommended that all the documents i.e Academic and Professional should be verified from the concerned boards and universities on urgent bases.
6. It is also recommended that an affidavit duly signed by the Assistant Commissioner Tehsil Jamrud or Landi Kotal Tribal District Khyber with major points should be taken from her with the signature of the concerned teacher that,
 - i. She will never and ever be absent in future without prior permission to the concerned A.D.E.O (F) Tribal District Khyber.
 - ii. If she found absent then strict action will be taken against her under F&D Rules 2011.
7. The concerned teacher should be adjusted in Tehsil Jamrud District Khyber as per rule.

INQUIRY OFFICERS

1. Mr. Muhammad Ihsan Shah Principal, GHS Muhammad Khan Killi Landi Kotal
2. Mr. Abdur Rehman Principal, GHS Hasham Abad Jamrud
3. Mst. Safia Khatoon Principal, GGHS Gul Abad Jamrud
4. Mst. Farah Naz Afridi A.A.E.O(F) Jamrud/ Landi Kotal
5. Mst. Nawzeela Afridi A.A.E.O(F) Bura

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4. Mst. Farah Naz Afridi AAEO(F), Jamrud/ Landi Kotal Sd/-
5. Mst. Naveeda Afridi AAEO(F) Bara Sd/-

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To: **The Director
Education Department
Khyber Pakhtunkhwa, Peshawar.**

Subject: **APPEAL FOR RE-INSTATEMENT**

It is humbly stated that i have been appointed as PTC (BPS-07) at Govt Primary School Sultan Khel No. 1, Landikot Khyber vide No. 4599-603 dated: 14-10-2006. I was performing my duty efficiently with spirit and letter at the above mentioned school. i have applied to then Agency Education Officer Khyber for my transfer to my own Tehsil of Domicile Jamrud , but in vain. Then i have been removed from service by the then Agency Education Officer (A.E.O) Khyber No. 3468-75 dated; 25-04-2014, with the remarks that i have been used substitute for duty purpose. i have served upon a showcause notice by the same and then A.E.O Khyber regarding my willful absence on 20-08-2013. I submitted reply in response of the showcause notice on time to the then A.E.O Khyber on 30-12-2013 then in an inquiry of 101 missing employees dated: 30-03-2017 vide No. 1691-97 A.E.O khyber was conducted where in the undersigned was personally appeared and my case was recommended for re-instatement but i have kept unaware.

You are therefore kindly requested to issue an order o my re-instatement along with all back benefits. I will be very thankful for your this act of kindness.

Following supporting documents are attached herewith my application.

1. Appointment letter.
2. Service Book Photocopies.
3. Removal Letter.
4. Land Owner Letter.
5. Head Teacher Statement.
6. Attendance Register Photocopies.
7. Application for Transfer.
8. Inquiry Report.
9. Explanation.

Diome Special Assistant to C.M for C&W
Diary No. 09
Dated 25-02-2021

29
26-2-2021
Truly Yours

[Signature]
Mst. Bilqees Kansar PST
Govt: Primary School Sultan Khel No.1
Landikotal Khyber.

*in Dir Edu. Jk
Recommended by
Removal letter as
per policy*

[Signature]
Special Assistant to C.M for C&W
Khyber Pakhtunkhwa

etc.

[Signature]

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To

The Director
Education Department
Khyber Pakhtunkhwa, Peshawar.

Subject: APPEAL FOR RE-INSTATEMENT

It is humbly stated that I have been appointed as PTC (BPS-07) at Govt. Primary School Sultan Khel NO. 1, Landikot Khyber vide No. 4599-603 dated: 14.10.2006. I was performing my duty efficiently with spirit and letter at the above mentioned school. I have applied to then Agency Education Officer Khyber for my transfer to my own Tehsil of Domicile Jamrud, but in vain. Then I have been removed from service by the then Agency Education Officer (A.E.O) Khyber No. 3468-75 dated: 25.04.2014, with the remarks that I have been used substitute for duty purpose. I have served upon on 20.08.2013. I submitted reply in response of the show cause notice on time to the then A.E.O Khyber on 30.12.2013 then in an inquiry of 101 missing employees dated: 30.03.2017 vide No. 1691-97 A.E.O Khyber was conducted where in the undersigned was personally appeared and my case was recommended for re-instatement but I have kept unaware.

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Truly yours

Sd/-

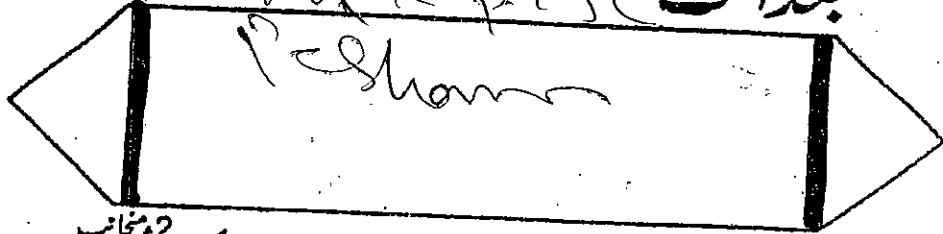
Mst. Bilqes Kausar PST
Govt: Primary School Sultan Khel No. 1
Landikotal Khbyer.

(61)

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Hon'ble

Service Tahnoon K. P. (بعدالت)



2 جناب

بنام

Mst Balqees

vis

موزنہ
مقدمہ
دعویٰ
چیم

Director Elementary and secondary education
باعث تحریر آنکے

educator
et

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
 آن مقام Resham کیلئے احوال العورت کے لئے درخواست
 مقرر کر کے اتر کر کیا جاتا ہے۔ کہ صاحبہ موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحبہ کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
 بسورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زراں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برادگی اور مشورتی
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
 کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
 ہوگا۔ اور صاحبہ مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔
 کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحبہ پابند ہوں گے۔ کہ پیروی
 مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

الرقوم 14-6-2021

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وہ الع

مقام Resham کے لئے منظور ہے۔

21209-3955129-2

Resham

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

Appeal No. 6611/2021

Mst. Bilqees Kausar.....VS.....Govt. of KPK others

**APPLICATION FOR PERMISSION TO DEPOSIT
PROCESS FEE FOR EFFECTING SERVICE
UPON RESPONDENT.**

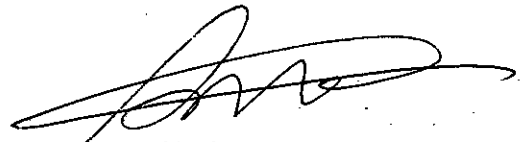
Respectfully Sheweth:

1. That the above titled appeal is pending before this Honorable Court which is fixed for written reply on behalf of respondent for today i.e. 15.12.2021.
2. That due to some missing understanding between counsel and appellant, process fee was not deposited due to which notice was not issued to the respondent.
3. That appellant has been deprived from her valuable right of employment by the respondents, law favors adjudication on merits rather on technical grounds.

It is therefore, respect fully prayed that appellant may please be allowed to deposit process fee for effecting service upon respondents.

Appellant

Through



Amanullah Marwat
Advocate High Court,
Peshawar.

Dated: 15.12.2021

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BEFORE THE HONORABLE SERVICE TRIBUNAL PESHAWAR.

Appeal No.6611/2021

Mst. Bilqees Kauser.....Appellant.

Versus

1. Director E & SE Khyber Pakhtunkhwa,
2. District Education Officer (F) Khyber at JamrudRespondents

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5	Minutes of Meeting	A	6-8
6	Photocopies of News papers	B	9 -11
7	Photocopies of inquiry report	C	12-13

Dated _____ / _____ /2022

Appeal No.6611/2021

Mst. Bilqees Kauser.....Appellant.

Versus

1. Director E&SE Khyber Pakhtunkhwa,
2. District Education Officer (F) Khyber at Jamrud.....Respondents

Comments on behalf Respondents No1 and 2.

Respectfully Sheweth

Preliminary objections.

- That the appellant has got no cause of action/ locus standi to file the instant appeal.
- That the appellant has not come to this honorable tribunal with clean hands.
- That appellant concealed material facts from this honorable tribunal.
- That the appellant is stopped by her own conduct to bring the present appeal.
- That the case of the appellant is time barred.

ON FACTS.

1. Pertains to record.
2. Pertains to record.
3. Incorrect, hence denied. She involved in willful absence and also deployed a substitute in her place, which is illegal (**Anx-A**).
4. The appellant involved in willful absence from duty among other ghost teachers whose issue was properly tackled through an independent inquiry and it was proved that the appellant was absent from her duties since 2007. The respondent department published the show cause notice in two leading news papers "Daily Express & Daily Mashriq" dated 19-12-2013 (**Anx-B**) & finally the responded department removed the appellant from service.
5. As elucidated above Para -4.
6. Incorrect, hence denied. An inquiry committee was constituted to dig out the cases of those who were willfully absent. According to inquiry report the appellant did not appear before the committee (**Anx-C**).
7. Incorrect, hence denied. As elucidated above Para -6.
8. Subject to proof.
9. Pertains to record.
10. Incorrect, hence denied. As elucidated above Para-6.

69

P = 3

Grounds:

- A. Incorrect. The respondent department removed the appellant from service after fulfilling all the codal formalities. An inquiry committee was constituted to dig out the cases of those who were willfully absent. According to inquiry report the appellant did not appear before the committee (Anx-C).
- B. Incorrect, hence denied. As elucidated above Para-A.
- C. Incorrect, hence denied. As elucidated above Para-A
- D. Incorrect, hence denied. As elucidated above Para-A

The respondent department may also be allowed to advance other proofs at the time of hearing.


PRAY:

It is humbly prayed that the appeal may please be dismissed with cost.

Respondent No. 1


Director E & SE
Khyber Pakhtunkhwa

Respondent No. 2


District Education Officer
Khyber at Jamrud

BEFORE THE HONORABLE SERVICE TRIBUNAL PESHAWAR.

Appeal No.6611/2021

Mst. Bilqees Kauser.....Appellant.

Versus

- 1. Director E&SE Khyber Pakhtunkhwa,
- 2. District Education Officer (F) Khyber at Jamrud.....Respondents

Affidavit

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

Respondent No. 1

[Handwritten Signature]
**Director E & SE
 Khyber Pakhtunkhwa**

Respondent No. 2

[Handwritten Signature]
**District Education Officer
 Khyber at Jamrud**

ATTESTED
[Handwritten Signature]
**Gul Daraz Khan
 Oath
 Commissioner
 Advocate High Court Peshawar**
 15/12/21

71

Authority Letter

P = 5

Mr. Munawar Khan, ADEO Litigation at District education Officer Khyber is hereby authorized to submit parawise comments in service tribunal on behalf of the respondents.



**District Education Officer
Khyber at Jamrud**



72

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

P = 61

Annex = A

NO. _____ /
DATED _____ / 2016 E-6 KHYBER KC

**MINUTES OF THE MEETING REGARDING APPEAL REMOVED/DISMISSED
TEACHERS IN KHYBER AGENCY.**

1. Meeting on the subject appeals held on 13.04.2016 and on 14-10-2016 respectively in the office of the chairman.
2. The following committee was constituted for disposal of subject appeals:-
 - i. Mr. Hashim Khan Director Education FATA, (Chairman).
 - ii. Mohib Ur Rehman Deputy Director (Estab) Member
 - iii. Abdul Malik, Asstt Director (Litigation) Member
 - iv. Mr. Abdur Rauf Shah, AEO Khyber Agency (Member)
3. The appellants were called for personal hearing one by one keeping in view principal of natural justice. The Ex-Agency Education Officer Attiq-Ur-Rehman and Assistant Agency Education Officer Mst. Waheeda Shinwari were also called for hearing and for provision of relevant Record.
4. **History of the cases**

The Ex-Agency Education Officer Khyber Agency had dismissed /removed from service various teachers male/female on various pretexts. The aggrieved teachers filed appeals to the Director Education FATA against the impugned dismissal/removal orders by the then Agency Education Officer.

Appeal No.1 Uzma Anjum DM

After perusal of the record, and hearing of the appellant, it was revealed, that the appellant performed duty with effect from October to December 2013, thereafter she went to "Umrah" in the Month of February, although she properly informed Agency Education Officer, through an application, but her leave application was not submitted for proper sanction and she went to Umra without getting leave admissibility report for sanction of leave from agency Account office, when question of leave admissibility report was asked from appellant, she frankly conceded, that she was totally ignorant of such legal formality, as "ignorance of law is no excuse and she should have complied with the legal formality but it is worth to be noted the sanctioned authority did not bother to allow or reject her application nor informed the appellant of such legal formality which amount to an implied/tacit approval, therefore her appeal is accepted, subject to the condition, that she will not be entitle for back benefits and her absence period is converted into leave without pay. The appeal is disposed on the above terms and conditions.

112
ATTESTED

73

P = 7
Anem = A

Appeal No.5&6 Mst. Naeema Gul & Shumaila PST GGPS BaghKilli.

The applicants concerned were dismissed from services on the ground of absenteeism and using substitutes. The perusal of the record and hearing proceeding reveals the fact, that, the Malik Makan had pressurized the appellant and unduly influenced them for payment out of their salaries to him in lieu of absence from duty.

The teachers concerned when confronted to other quarries reveals other facts, like accommodation problem and ill-treated behavior of Malak Makan, which the appellants concerned reported to Agency education Officer concerned who had not bothered to resolve the issue but rather keep himself MUM on the issue being female and stationed in far flung area were compelled to resort to such illegal practice, the school where the appellants were working is a legal possession of the Government and Agency Education officer being public Functionary and agent of the government should have refer the matter to authorities i.e to Director FATA or Political Agent who can take action under frontier crime Regulation Act against all those who try to illegally occupy the government building or premises no such report was submitted by the agency education officer against Malik -e - makan but the appellant were made responsible they were redeployed GGHS Landi kotal and the concerned principal has issued a performance certificate to them on 9-10-2015 which is a documentary proof that they had performed their respective duty .

The Committee records that being non locals and females were in weak position, therefore slight punishment/penalties has to be imposed rather strict penalty .They will be awarded penalty of forfeiture 03 increments and their appeals is accepted without back benefits.

Appeal No.8 Pervez Khan PST.

He has been dismissed from services on ground of his absence from duty with effect from 16.02.2013. The absence period had shown with effect from 16.02.2013, whereas AEO has already sanctioned three months leave from 16.09.2013 to 16.12.2013 and the absence period had converted into leave. Afterwards, the winter vacations had started. His dismissal order was issued in 2015.

Committee after perusal of the record observed, that the Agency Education Concerned had sanctioned 03 months leave only, but still the appellant remained absent for 6 months consecutively, more over appellant could not support his claim, but frankly admitted the fact, that he remained absent from duty on the pretext, that his father was ill, as, he did not produce any plausible reasons/proof, therefore his appeal is stand rejected.

Appeal No.9 Mohammad Umar PST.

The appellant services were dismissed on ground of willful absence from duty as he remained absent from duty i.e. 12-8-2013 to 28-10-2016 without any leave or prior approval.



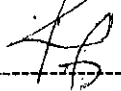
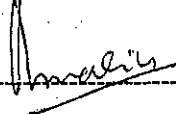
C12
ATTESTED

74

P = 8
Anem = A

His appeal is recommended to be rejected as he showed indifferent towards his case and produce a lame excuse, and admitted that he applied for leave but was not allowed and as a re-action he remained absent from duty, which is a gross negligence. So, his appeal is rejected/regretted.

Recommendation of the committee.

- 1. 
- 2. 
- 3. 
- 4. 


(Hashim Khan)

Director Education FATA

Endst. No. 14860-61 Dated 14/11 2016

Copy to:-

- 1. Agency Education Officer Khyber Agency.
- 2. PA to Director Education FATA.


Deputy Director (Estab)

C12
ATTESTED

ATTESTED

C.12

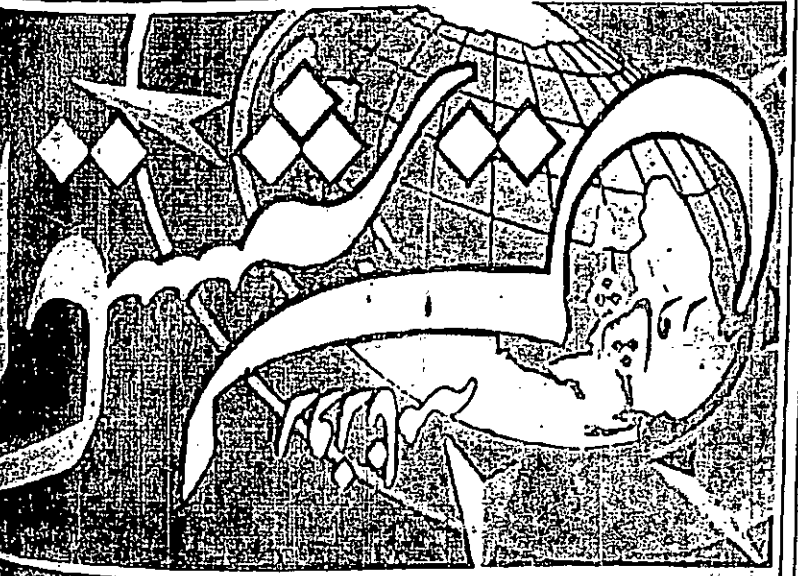
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75

Amen = B

P = 9

		but has been found absent so far.	
68	Jamila PST GGPS Adam Khan	1. Willful absence notice has been served upon her. 2. A Notice was given in the two leading NEWS papers i.e Daily "Mashriq" & Daily "Aaj" 19/12/2013 to resume his duty	AAEO(F) Jamrud and LKL is directed to recommend her case for further process
69	Alia PST GGPS Koz Wali Khel LKL	1. Willful absence notice has been served upon her. 2. A Notice was given in the two leading NEWS papers i.e Daily "Mashriq" & Daily "Aaj" 19/12/2013 to resume his duties but fail to report. 3. Now her where about is un known whether she is inland or abroad but has been found absent so far.	For her willful absence for the last 2 years she is removed from service.
70	Rabia Bahadar GGMS Shah Wali Kili	1. Willful absence notice has been served upon her. 2. A Notice was given in the two leading NEWS papers i.e Daily "Mashriq" & Daily "Aaj" 19/12/2013 to resume his duties but fail to report. 3. Now her where about is un known whether she is inland or abroad but has been found absent so far.	For her willful absence since her appointment she is removed from service
71	Balqees GGPS Sultan Khel LKL	1. Willful absence notice has been served upon her. 2. A Notice was given in the two leading NEWS papers i.e Daily "Mashriq" & Daily "Aaj" 19/12/2013 to resume his duties but fail to report. 3. Now her where about is un known whether she is inland or abroad but has been found absent so far.	Removed from service vide letter No 3468-75 dated 25/04/2014
72	Imrana GGPS Shagai	She has resumed her duty at her own school & submits an undertaking on stamp paper duly signed by AAEO (F) Jamrud/LKL. 07 dyas pay of the absent period Deduct through proper source. and also requested to direct the teacher concerned to be Careful in future	AAEO (F) to report her actual and existing position
73	Shabina Gul PST GGPS Sheikhwal	He has resumed her duty at her own school & submits an undertaking on stamp paper duly signed by _____ to be dutiful in future. As a sentence	AAEO (F) to report her actual and existing position
74	Takleem Begum PST GGPS Sheikhwal	She has resumed her duty at her own school & submits an undertaking on stamp paper duly signed by AAEO (F) Jamrud/LKL. One month's pay be Deduct through proper source and also requested to direct the teacher concerned to be Careful in future & attend AEO Office on dated	AAEO (F) to report her actual and existing position
75	Saira GGPS Gorgura	1. Willful absence notice has been served upon her vide No6785 dated 28/10/2013.	AAEO (F) to report her actual and existing position

CL2

[Handwritten signature]

		<p>2. A Notice was given in the two leading NEWS papers i.e Daily "Mashriq" & Daily "Aaj" 19/12/2013 to resume his duties but fail to report.</p> <p>3. Now her where about is un known whether she is inland or abroad but has been found absent so far.</p>	
76	Abida GGPS Niki Khel	<p>1. Willful absence notice has been served upon her.</p> <p>2. A Notice was given in the two leading NEWS papers i.e Daily "Mashriq" & Daily "Aaj" 19/12/2013 to resume his duties but fail to report.</p> <p>3. Now her where about is un known whether she is inland or abroad but has been found absent so far.</p>	Removed from service vide No3460-67 dated 25/04/2014
77	Gul Bidah TT GGPS Gharabo	<p>1. Willful absence notice has been served upon her.</p> <p>2. A Notice was given in the two leading NEWS papers i.e Daily "Mashriq" & Daily "Aaj" 19/12/2013 to resume his duties but fail to report.</p> <p>3. Now her where about is un known whether she is inland or abroad but has been found absent so far.</p>	Submitted her removal from service to PA Khyber in the capacity of competent authority

Member.
Muhammad Nawaz
(AAEO Dev)

Member.
Shindi Gul
(AAEO Jamrud)

Member.
Hastam Khan
(AAEO Landi Kotal)

Member.
Nawab Gul
(AAEO Bara)

Member.
Wahida Khan Shinwari
(AAEO Jamrud/Landi kotal)

Member.
Shahnaz Alam
(AAEO Bara)

Member.
Saleem Khan Wazir
Head Master
GHS Hasham Abad

Chairman
Mr. Habib Ullah
Principal GHSS Jamrud

ATTACHED
C12

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