

21.1.2016

Agent of counsel for the appellant and Mr. Muhammad Fayaz, Supdt. alongwith Mr. Muhammad Saddique, Sr.GP for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 15.8.2016 at Camp Court A/Abad.

Chairman
Camp Court A/Abad

15.08.2016

Counsel for the appellant and Mr. Muhammad Usman, Senior Clerk alongwith Mr. Muhammad Siddique Sr.GP for the respondents present. Learned counsel for the appellant requested for adjournment to submitted rejoinder. To come up for rejoinder and final hearing on 17.01.2017 before D.B at camp court, Abbottabad .

Member

Chairman
Camp court, A/Abad

17.01.2017

Counsel for the appellant and Mr. Muhammad Siddique, Senior Government Pleader alongwith Mr. Muhammad Usman Senior Clerk for the respondents present. Arguments heard. Record perused.

Vide our detailed judgment of to-day placed in connected service appeal No. 744/2015 titled "Shahida Bibi Versus Government of Khyber Pakhtunkhwa through Secretary, E&SE Peshawar and others", we accept the instant appeal also as per detailed judgment. Parties are left to bear their own costs. File be consigned to the record room.

Member

Chairman
Camp court, A/Abad,

ANNOUNCED
17.01.2017

17.01.17

3

24.07.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was appointed as civil servant in the prescribed manners but vide impugned order dated 3.3.2015 she was dismissed from service on the allegations of discrepancies in appointment regarding which she preferred departmental appeal on 9.3.2015 which was not responded and hence the instant service appeal on 8.7.2015.

That the appellant was given no opportunity of hearing nor the inquiry was conducted in the prescribed manners and major penalty in the shape of dismissal from service was passed which penalty is against facts and law.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 20.10.2015 before S.B at camp court A/Abad. Notice of stay application be also issued for the date fixed.


Chairman
Camp Court A/Abad

20.10.2015

Counsel for the appellant and Mr.Sakeenullah, ADO alongwith Mr.Muhammad Tahir Aurangzeb, G.P for respondents present. Requested for adjournment. To come up for written reply/comments on 21.01.2016 before S.B at Camp Court A/Abad.


Chairman
Camp Court A/Abad.



Appellant Deposited
Security & Process Fee



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 760/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	08.07.2015	<p>The appeal of Mst. Ruby Sarfaraz presented today by Mr. Muhammad Arshad Khan Tanoli Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	10-7-15	<p>This case is entrusted to Touring Bench A.Abad for preliminary hearing to be put up thereon <u>24-7-15</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Appeal No. 760/2015

Ruby Sarfraz D/O Sarfraz Ahmed (PST GGPS) R/O Jaba , Tehsil &
District Mansehra

.....Appellant

VERSUS

1. Govt. of KPK through Secretary Education (E & SE), KPK Peshawar.
2. Director (E & SE), KPK Peshawar.
3. District Education Officer (Female), Mansehra.

.....Respondents

INEX

S.No	Prescription of Document	Annexure	page
1	APPEAL		1-10
2	Copy of Advertisement	"A"	11
3	Copies of Documents/testimonial are annexed	"B"	12-27
4	Copy of appointment order and corrigendum	"C"	28-29
5	Copy of Show cause notice and one page of inquiry of the then EDO	"D"	30-32
6	Copy of impugned dismissal order of appellant	"E"	33
7	Copy of departmental appeal /representation	"F"	34
8	Copy of merit list	"G"	35
9	Wakalatnama		36

Dated: 7/7/2015

روبی سرفراز
Appellant

Through


Muhammad Arshad Khan Tanoli

Advocate, High Court

Abbottabad

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Appeal No. 769/15

K.W.P. Province
Service Tribunal
Diary No. 790
Dated 8/7/2015

Ruby Sarfraz D/O Sarfraz Ahmed (PST GGPS) R/O Jaba, Tehsil &
District Mansehra

.....Appellant

VERSUS

1. Govt. of KPK through Secretary Education (E & SE), KPK Peshawar.
2. Director (E & SE), KPK Peshawar.
3. District Education Officer (Female), Mansehra.

.....Respondents

SERVICE APPEAL.

Service Appeal u/s 4 of KPK Service
Tribunal, 1974

Filed to the
Registrar
8/7/15.

Respectfully Sheweth,

Facts forming the back ground of the instant Service Appeal is as under:-

1. That, respondent No 3 announced the posts of PST in Dailly "The Aaj" dated 20/5/2011 for appointment of PST teachers. The Appellant fulfills the entire criteria which is sine qua non for appointment for the post of PST Teacher.

Copy of Advertisement is annexed as Annexure "A"

2. That, the appellant qualified test as well as interview conducted by respondent No 3. The appellant is qualified Matric, F.A/F Sc PTC with extra qualification. **Copies of Documents/testimonial are annexed as Annexure "B"**

3. That, following this, the appellant was appointed as PST Teacher in respondents' Department on the basis of merits and was posted in GGPS Singal Kot vide Jamila vide appointment order endrst No 4713/ Estt ; PST 2011/2012 Mansehra Dated 26 07 2012. **Copy of appointment order and is annexed as Annexure "C"**.

4. That, the appellant served the Department with complete devotion and dedication to the entire satisfaction of her superiors from the date of her appointment i.e. 26.07.2012 onwards.

5. That, the appellant was though dismissed from service by the respondents' department vide Endrs. No 1926-35/AE /ESTB on 3.3.2015.

6. That, Respondent No 3 issued Show Cause notice to the appellant without annexing the statement of allegations however, a page of inquiry which was conducted against the then EDO Umar Khan Kundi and DEO, Shamim Akhtar was found attached with the show cause notice, wherein

it was mentioned against the name of appellant that "that appointment order was the result of misuse of authority by the then EDO according to his sweet will and wishes as against the recruitment rules". **Copy of Show cause notice annexed as Annexure "D"**. AS the inquiry committee did not recommend any remarks against the Appellant

7. That, show cause notice issued to the appellant was properly replied by her mentioning that the appellant applied for the post of PST Teacher and appeared in ETTA of the merits list and thereafter was appointed on merit Beside, District Education Officer solicited candid views from respondent No 2 regarding as to whether the candidate who possess their requisite qualification from recognized Institution to be appointed "as per service structure in prescribe rules the requisite qualification against the vacant post of PST Teacher is taken into consideration and thereafter appointment made on merit.
8. That, the respondent No 3, as stated above, served show cause notice to the appellant, which was properly replied by her. As per law, the appellant was entitled to be heard in person by respondent No 3. But Respondent NO 3 without resorting the rules, without providing opportunity of personal hearing and adopting proper modus operandi required for dismissal of employees from service, dismissed the appellant vide impugned dismissal order

b. That, as per educational record annexed with the appeal, the appellant has been appointed as PST according to the laid down procedure and criteria mentioned in the advertisement published by respondent 3. It is further submitted that there were vacant post of PST in the Union Council of the appellant but respondent No 3 did not appoint the appellant in her Union Council. However later on she was to be posted in her own Union Council. It is worth mentioning that there was no contesting candidate in the Union Council where the appellant was appointed as per law and procedure mentioned in the advertisement.

c. That, when law prescribe something which is to be done in a particular manner that must be done in that manner and not otherwise. As per law the appellant was eligible for appointment as PST. But the conduct of respondents department towards the appellant is mala fide, discriminatory and not maintainable at law.

d. That, this fact may not be left to fade in oblivion that the Govt. of KPK removed the then EDO, Mansehra, Umar Kundi from service but the appellant has been dismissed from service due to no fault of her. Once an employee is dismissed he is de-barred to get appointment in Govt. Departments. Therefore,

respondents' Department, not only illegally dismissed the appellant but snatched her bread and butter in future as well. Hence impugned dismissal order is liable to be set aside.

- e. That, respondent No 3 did not issued final show cause notice to the appellant and dismissed her in hasty manner and wants to induct some blue eyed chaps at the alter of appellant which is discriminatory against the principle of natural justice and fair play.
- f. That, respondents' Department has led the appellant to the place which is utterly unknown to the principle of jurisprudence and natural justice.
- g. That, right from the appointment of the appellant as PST in 2012, there was no rival candidate who contested the appointment of the appellant in any Court of law anywhere in KPK.
- h. That, Govt. of KPK conducted inquiry against the then EDO, Umar Khan Kundi for committing illegalities/irregularities in appointments/promotions etc and finally removed from service. Therefore, the appellant cannot make a scapegoat for illegal acts of the then EDO Umar Kundi. Therefore on the basis of removal of Umar Kundi from service, the appellant

endst. No 1926-35/AE./Estb dated 3.3.2015. **Copy of impugned dismissal order of appellant is attached as annexure "E".**

9. That on receipt of dismissal order, appellant filed departmental appeal against the order of respondent No 3 to respondent No 2 on 9.03.2015. **Copy of departmental appeal /representation is attached as annexure "F"** but respondent No 2 did not bother to reply the representation of the appellant so far. Hence feeling aggrieved, the instant appeal is filed by appellant inter-alia on the following grounds:-

GROUND

- a. That, the appellant fulfilled the criteria of appointment as PST being qualified. The appellant was appointment on merit on the recommendation of Departmental Selection Committee and was placed on the merit list. **Copy of merit list is attached as Annexure "G".** Hence impugned dismissal order is illegal, perverse, discriminatory without lawful justification and null and void on the rights of the appellant.

cannot be dismissed for the acts committed by the Ex-
EDO.


- i. That, the Honourable Service Tribunal has jurisdiction to entertain the grievance of the appellant and the appeal of the appellant is within the prescribe period of limitation

It is, therefore, prayed that on acceptance of the instant Service Appeal of the appellant, impugned dismissal order Endrst. No 1926-35/AE /ESTB dated 3.3.2015 may graciously be set aside and respondent No 3 may be directed to reinstate the appellant in service in the School with effect from the date of her dismissal with all service back benefits in terms of pay etc. Any other relief which this Honourable Court deems appropriate in the circumstance may also be done.

Dated 7/7-2015


Appellant

Through


Muhammad Arshad Khan Tanoli
Advocate, High Court
Abbottabad

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Ruby Sarfraz D/O Sarfraz Ahmed (PST GGPS) R/O Jaba , Tehsil &
District Mansehra

.....Appellant

VERSUS

1. Govt. of KPK through Secretary Education (E & SE), KPK Peshawar.
2. Director (E & SE), KPK Peshawar.
3. District Education Officer (Female), Mansehra.

.....Respondents

APPLICATION FOR SUSPENSION
OF IMPUGNED ORDER NO 1926-
35/AE /ESTB AND GRANT OF STATUS
QUO TILL FINAL DISPOSAL OF THE
MAIN APPEAL .

Respectfully Sheweth,

1. That the instant service appeal is being filed today and this application may be treated as part and partial of the service appeal.
2. That, competent authority i.e District Education Officer (Male) Mansehra prior to dismissal of the applicant did not followed the procedure laid down in service laws. Hence the applicant has not been provided opportunity of personal hearing and no final show cause notice has been issued
3. That, valuable rights have been accrued to the applicant for serving teacher and Education Department since 2012 to till date.
4. That, the applicant served the Department with complete devotion and dedications. Besides, the applicant had required qualification/criteria for the said post and the

applicant has not been contested by any one as there was no contesting rival candidate.


5. That, the applicant got appointment purely on the basis of merit. The applicant has been dismissed by the competent authority due to no fault of her.
6. That, the balance of convenience is infavour of the applicant and in case, status quo is not granted, the applicant shall suffer irreparable.

It is, therefore, very humbly prayed that on acceptance of the instant application, impugned termination order dated 03.03.2015 may graciously be suspended and status quo may also be granted till final decision of the main appeal.

Dated: 2/7-2015

Appellant

Through


Muhammad Arshad Khan Tanoli

Advocate, High Court

Abbottabad

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR

Ruby Sarfraz D/O Sarfraz Ahmed (PST GGPS) R/O Jaba , Tehsil &
District Mansehra

.....Appellant

VERSUS

1. Govt. of KPK through Secretary Education (E & SE), KPK Peshawar.
2. Director (E & SE), KPK Peshawar.
3. District Education Officer (Female), Mansehra.

.....Respondents

AFFIDAVIT

I, Ruby Sarfraz D/O Sarfraz Ahmed (PST GGPS) R/O Jaba , Tehsil & District Mansehra do hereby solemnly affirm and declare that the contents of foregoing service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Dated: _____/2015

Deponent

GG.No. 165549

Annex B P/12

Board of Intermediate & Secondary Education
ABBOTTABAD

DETAILED MARKS CERTIFICATE
Secondary School Certificate Examination
(GENERAL GROUP)



162

Session 200 / (Annual/Supplementary)

Name

Ruby

Father's Name

Sarfraz

Roll No.

5311

SUBJECT		MARKS OBTAINED	
		In figure	In words
1. English	150	89	Five hundred & Forty Six
2. Urdu	150	110	
3. Islamiyat Comp:	75	57	
4. Pakistan Studies	75	46	
5. Gen. Mathematics	100	47	
6. General Science	100	66	
7. BHE	100	54	
8. IS	100	77	
Total	850	546-B	

This certificate is issued. Errors and omission excepted

Prepared by:

Checked by:

Dated

200

20 JUN 2001

Controller of Examinations
Board of Intermediate & Secondary Education
Abbottabad

Attested
Distt. Courts Abbottabad

HEAD MISTRESS
Govt Girls High School
Afzal Abad

ADA No 082745

Roll No. 5311

BOARD OF INTERMEDIATE & SECONDARY EDUCATION



P-13

Abbottabad N.W.F.P. - Pakistan
Secondary School Examination Certificate
SESSION ANNUAL 2001

This is to certify that RUBY

Son/Daughter of SARFRAZ

Enrollment No. 7781-AB/GAFD-99

A candidate from GGHS AFZALABAD MANSEHRA

has passed the Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Abbottabad held in March 2001 as a Regular / Private Candidate He/She obtained 546 marks out of 850

and has been placed in Grade B Representing VERY GOOD

The Candidate passed in the following subjects

- | | | | |
|----------------|---------------|-----------------|---------------------|
| 1. English | 2. Urdu | 3. Islamiyat | 4. Pakistan Studies |
| 5. Mathematics | 6. G. SCIENCE | 7. ISL. STUDIES | 8. EHE |

Date of birth according to admission form is EIGHTH OF NOVEMBER

One thousand nine hundred and EIGHTY THREE (08-Nov-83)

Asstt. Secretary

This certificate is issued without alteration or correction
HEAD MISTRESS
Govt Girls High School
Afzal Abad

Secretary

Munir Ahmad Khan Tanoli
Advocate

Distt. Govt's Abbottabad.

P-14

12003
Sr. No. Z

BOARD OF INTERMEDIATE & SECONDARY EDUCATION ABBOTTABAD

DETAILED MARKS CERTIFICATE
Higher Secondary School Certificate Examination
Part-II



Name : RUBY SARFARAZ
Father's Name : SARFARAZ AHMED
Group : HUMANITIES

Session: 2003 (Annual)
Roll No: 41576

Subjects	Marks	Marks Obtained					
		Part-I		Part-II		Total	Marks in Words
		Theory	Pract	Theory	Pract		
English	200	52	--	46	--	98	Ninety-Eight
Urdu (Comp)	200	58	--	62	--	120	One Hundred Twenty Only
Islamic Education	50	27	--	--	--	27	Twenty-Seven
Pakistan Studies	50	--	--	29	--	29	Twenty-Nine
Islamic History	200	42	--	49	--	91	Ninety-One
Civics	200	33	--	59	--	92	Ninety-Two
Islamic Studies	200	53	--	54	--	107	One Hundred Seven

Total : 1100

564-C Five Hundred Sixty-Four Only

Remarks :

Checked By : [Signature]
Date : 23-August, 2003

[Signature]
Controller of Examinations
Board of Intermediate & Secondary Education
Abbottabad

Note: Errors / Omissions excepted

[Signature]
HEAD MISTRESS
Govt Girls High Sc^s
Afzal Abad

[Signature]
Mulla Ahmad Arshad Khan
Advocate
Distt: Courts Abbottabad

P-15

ADA No 038336

Roll No. 41576

BOARD OF INTERMEDIATE & SECONDARY EDUCATION



Abbottabad N.W.F.P. - Pakistan
HIGHER SECONDARY SCHOOL EXAMINATION CERTIFICATE
SESSION ANNUAL 2003
Humanities Group

This is to certify that RUBY SARFARAZ

Son/Daughter of SARFARAZ AHMED

A candidate from MANSEHRA DISTRICT

has passed the Higher Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Abbottabad held in May 2003 as a Regular/Private Candidate. He/She obtained 564 marks out of 1100 and has been placed in Grade C Representing GOOD.

The Examination was taken as a whole/in-parts and the candidate passed in the following subjects.

- | | | |
|--------------------|-----------|-------------------------------|
| 1. ENGLISH | 2. URDU | 3. ISL. EDUCATION-PAK STUDIES |
| 4. ISLAMIC HISTORY | 5. CIVICS | 6. ISLAMIC STUDIES |

Asstt. Secretary

HEAD MISTRESS
Govt Girls High School
Atal Abad

This certificate is issued without alteration or erasure.

Secretary

Munir Ahmad Khan Tanoli
District Council Abbottabad

P-16

SNo: 3715

HAZARA UNIVERSITY, MANSEHRA, NWER, PAKISTAN



DETAILED MARKS CERTIFICATE

BA Supplementary 2005

Roll No: 06560

Registration No: 04-P-865

Student's Name: Ruby Sarfaraz

Father's Name: Sarfaraz Ahmed

Institution/District: Manshra

Part: Second

Course Name	Maximum Marks	Marks Obtained	Marks In Words	Remarks
1. Part I Marks.	285	139	One Hundred & Thirty-Nine	Pass
2. English Compulsory	75	30	Thirty	Pass
3. Pakistan Studies	40	18	Eighteen	Pass
4. Urdu	75	47	Forty-Seven	Pass
5. Islamic Studies	75	47	Forty-Seven	Pass
Total	550	281		
Percentage	51.09 %			
Division	Second			

Prepared by:

M. Anwar Khan

Checked by:

[Signature]

[Signature]

Controller Examinations
Hazara University, Mansehra
December 25, 2005

Attested
[Signature]

Distt: Courts Abbottabad

[Signature]
HEAD MISTRESS
Govt Girls High School
Afzal Abad

Serial No. 003502

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Registration No. 04-P-865

Roll No. 06560

HAZARA UNIVERSITY

Mansehra, Pakistan

Attested
Muhammad Ali
Muhammad Ali
Distt: Courts Abbottabad

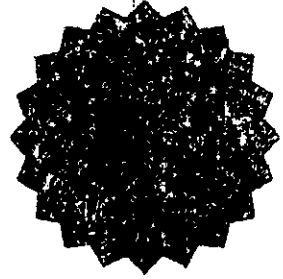


The University in recognition of the fulfilment of prescribed requirements has conferred upon
Mr / Ms Ruby Sarfaraz Son / Daughter of Sarfaraz Ahmed

The Degree of **BACHELOR OF ARTS** in the examination
field in November 2005 session Supplementary 2005 (Private)

He / She was placed in Second Division / Grade / CGPA.

The examination was taken in parts.



[Signature]
Controller of Examinations
Date 25-Dec-05

[Signature]
Vice Chancellor

[Signature]
Registrar

[Signature]
HEAD MISTRESS
Govt Girls High School
Afzal Abad



HAZARA UNIVERSITY

MANSEHRA, NWFP, PAKISTAN

SNo: 2929

DETAILED MARKS CERTIFICATE

MASTER OF ARTS (FINAL) ANNUAL 2008

Roll No: 21322

Registration No: 04-P-865

Student's Name: Ruby Sarfaraz

Father's Name: Sarfaraz Ahmed

Institution/District: Mansehra

Subject: Urdu

Course Title	Total Marks	Marks Obtained	Marks In Words	Remarks
MA Previous Marks	500	228	Two Hundred & Twenty-Eight	Pass
(VI) Poetry "Nazam"	100	40	Forty	Pass
(VII) Qaseeda, Masnavi & Marsia	100	52	Fifty-Two	Pass
(VIII) Iqbaliat	100	54	Fifty-Four	Pass
(IX) Criticism	100	56	Fifty-Six	Pass
(X) Essay	100	57	Fifty-Seven	Pass
General Viva Voce	100	60	Sixty	Pass
Total	1100	547		
Percentage	49.73%			
Division	Second			

Checked by:

Errors and omissions are subject to subsequent rectification. Any mistake in Name, Father Name etc must be intimated within 60 days of the issuance date of this certificate.

Controller Examinations
Hazara University, Mansehra
January 21, 2009

Attested

Muhammad Ali
District: Abbottabad

HEAD MISTRESS
Govt Girls High School
Afzal Abad

Serial No. 001682

f-19

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Registration No. 04-P-865

Roll No. 21322

HAZARA UNIVERSITY

Mansehra, Pakistan

Attested
Muhammad *[Signature]*
District: *[Signature]*
District: *[Signature]*



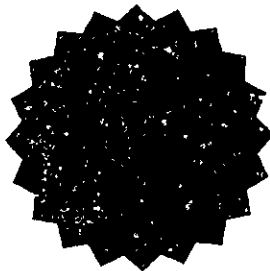
The University in recognition of the fulfilment of prescribed requirements has conferred upon

Mr / Ms Ruby Sarfaraz Son / Daughter of Sarfaraz Ahmed

The Degree of **MASTER OF ARTS** in Urdu
in the examination field in August, 2008 session Annual 2008 (Private)

He / She was placed in Second Division / Grade / CGPA.

The examination was taken as a Whole.



[Signature]
Controller of Examinations

Date 21-01-2009

[Signature]
Vice Chancellor

[Signature]
Registrar

[Signature]
HEAD MISTRESS
Govt Girls High School
Afzal Abad

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD



PROVISIONAL RESULT CARD

Serial No. 172426

Name RUBY
 Fathers's Name SARFRAZ
 Address D/O SARFRAZ VILL AFZAL ABAD P/O
 Tehsil SAME
 District MANSEHRA
 has successfully completed PRIMARY TEACHING CERTIFICATE

Roll No 607010367
 Registration No 07NMA2536
 Final Semester SPR- 2008

P-20

The detail of passed courses are as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
SPR- 08	0611	PRACTICAL WORKSHOP & TEACHING PRACTICE	100	80
SPR- 08	0617	TEACHING OF URDU	100	71
SPR- 08	0618	TEACHING OF MATHEMATICS	100	63
SPR- 08	0619	TEACHING OF SCIENCE & PHYSICAL EDUCATION	100	61
SPR- 08	0616	SCHOOL COMMUNITY & PRACTICAL ARTS	100	62
SPR- 08	0613	PRINCIPLES OF EDUCATION	100	70
SPR- 08	0614	EDUCATIONAL PSYCHOLOGY	100	75
SPR- 08	0615	SCHOOL ORGANIZATION & MANAGEMENT	100	72
SPR- 08	0620	TEACHING OF ISLAMIAT & SOCIAL STUDIES	100	64

Atesh
 Advocate
 Distt: Courts Abbottabad

Zahida
 HEAD MISTRESS
 Govt Girls High School
 Afzal Abad

CREDITS: 5

Total Marks / Obtained 900 / 618

Result Declared on MARCH 14, 2009

Percentage / Grade 69 B

Date of issue APRIL 04, 2009

[Signature]

Controller of Examinations

Disclaimer: This result card is issued provisionally, error and omission excepted, as a notice only. Any entry appearing in this card does not itself confer any right or privilege on a candidate for the grant of certificate/degree/diploma which will be issued under the provisions of regulations on the basis of the original record of the university student.

Azama Afzal Open University Islamabad



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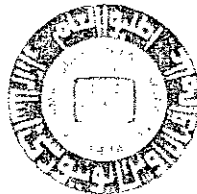
Serial No. 196278

Certified that *Mr/Ms* RUBY
Son/Daughter of SARFRAZ
Registration No. 07-NMA-2536 *Roll No.* 607010367
Semester SPRING 2008 *having met all the requirements under*
the semester system is this day awarded the

Primary Teaching Certificate

He/She has secured 69 % *marks*
and has been placed in B *grade*

Muhammad
Distt: G. M. Abbottabad



rahiya
HEAD MISTRESS
Govt Girls High School
Afzal Abad

Result declared on: **March 14, 2009**

Date of issue: **August 27, 2010**

[Signature]
Controller of Examinations

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD

PROVISIONAL RESULT CARD



Serial No. 333963

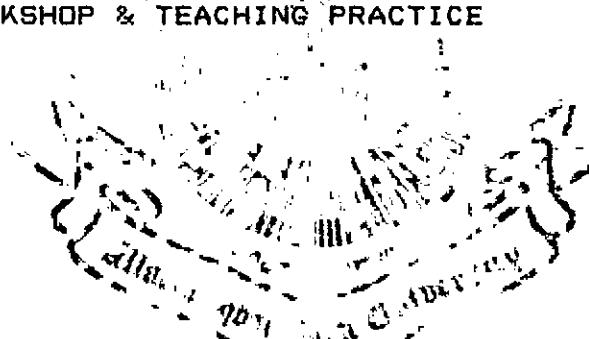
Name **RUBY**
 Father's Name **SARFRAZ**
 Address **D/O SARFRAZ VILL AFZAL ABAD P/O SAME**
 Tehsil **MANSEHRA**
 District **MANSEHRA**
 has successfully completed **BACHELOR OF EDUCATION (B. ED)**

Roll No. **AF621323**
 Registration No. **07NMA2536**
 Final Semester **AUT- 2010**

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The detail of passed courses are as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
AUT- 09	0513	SCHOOL ORGANIZATION	100	66
AUT- 09	0514	EVALUATION, GUIDANCE & RESEARCH	100	65
AUT- 09	0518	EDUCATIONAL PSYCHOLOGY & CURRICULUM	100	56
AUT- 09	0651	ENGLISH (COMPULSORY)	100	65
SPR- 10	0654	TEACHING OF ISLAMIAT	100	65
SPR- 10	0658	TEACHING OF URDU	100	61
AUT- 10	0512	PERSPECTIVES OF EDUCATION	100	57
AUT- 10	0652	ISLAM, PAKISTAN AND MODERN WORLD	100	60
AUT- 10	0655	WORKSHOP & TEACHING PRACTICE	100	90



Attested

 Controller of Examinations
 Distt: Courts Abbottabad

Attested
HEAD MISTRESS
 Govt Girls High School
 Afzal Abad

CREDITS: 6
 Result Declared on **JULY 18, 2011**
 Date of issue **JULY 29, 2011**

Total Marks / Obtained **700 / 585**
 Percentage / Grade **65 B**

Attested
Controller of Examinations

Disclaimer:
 This result card is issued provisionally, errors and omission excepted, as a notice only. Any entry appearing in this card does not itself confer any right or privilege on a candidate for the grant of certificate/degree/diploma, which will be issued under the rules/regulations on the basis of the original record of the university student.

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD



PROVISIONAL RESULT CARD

Serial No. 112178

Name RUBY
 Father's Name SARFRAZ
 Address D/O SARFRAZ VILL AFZALABAD P/O SAME

Roll No. A5853472
 Registration No. 07NMA2536
 Final Semester SPR-2014

Tehsil MANSEHRA
 District MANSEHRA

has successfully completed MASTER OF EDUCATION (M. ED.)
 TEACHER EDUCATION

P-23

The detail of passed courses is as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
SPR- 13	0831	FOUNDATIONS OF EDUCATION	100	69
SPR- 13	0837	EDUCATIONAL RESEARCH	100	64
SPR- 13	0838	CURRICULUM DEVELOPMENT & INSTRUCTION	100	69
SPR- 13	0840	EDUCATIONAL PSYCHOLOGY	100	73
AUT- 13	0826	ELEMENTARY EDUCATION	100	64
AUT- 13	0827	SECONDARY EDUCATION	100	67
AUT- 13	0829	TEACHER EDUCATION IN PAKISTAN	100	59
AUT- 13	0828	HIGHER EDUCATION	100	65
SPR- 14	6505	ISLAMIC SYSTEMS OF EDUCATION	100	61
SPR- 14	6552	TEXTBOOK DEVELOPMENT	100	67
SPR- 14	6507	EDUCATIONAL MEASUREMENT & EVALUATION	100	56
SPR- 14	6553	TEXTBOOK DEVELOPMENT - II	100	70

Attested
[Signature]
 Distt: Courts Abbottabad

CREDIT HOURS: 36

Total Marks / Obtained

1200 / 784
 65 %

Result Declared on MARCH 25, 2015

Percentage / Grade

Date of issue APRIL 15, 2015

M. Khan

Controller of Examinations

Disclaimer: This result card is issued provisionally, errors and omission excepted, as a notice only. Any entry appearing in this card does not itself confer any right or privilege on a candidate for the grant of certificate/degree/diploma, which will be issued under the rules/regulations on the basis of the original record of the university student.

GOVERNMENT GIRLS HIGH SCHOOL AFZAL ABAD. (MANSEHRA).

PROVISIONAL CERTIFICATE.

This is to certify that

P-24

1. Name of student. Ruby
2. Father, s Name Sarfraz
3. Father, s occupation Farmer
4. Caste. Tamole
5. Admission No. 176
6. Resident of. Afzal Abad
7. Registration No. 7781 AB/GAFD-99

Appeared in secondary school certificate examination 2001
under Roll No. 5311 obtained 546 out of 850 marks
and her Date of Birth according to our school record is as under.

1. In figur 08-11-1983
2. In words 8th Nov. N.H. of Eighty three

PREPARED BY. Ratna

CHECKED BY. Zulhija

Nasir Akhtar
HEAD MISTRESS,
GOVT: GIRLS HIGH SCHOOL
AFZAL ABAD. (MANSEHRA).
Govt Girls High School
Afzal Abad, Mansehra.

Zahida
HEAD MISTRESS
Govt Girls High School
Afzal Abad

Musleh
Wahid
HEAD MISTRESS
GOVT GIRLS HIGH SCHOOL
AFZAL ABAD, MANSEHRA.

CHARACTER CERTIFICATE.

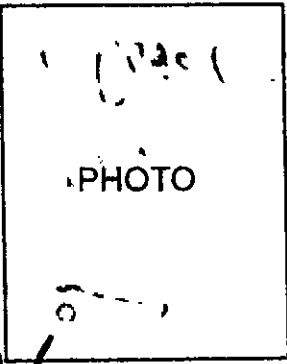
This is certified that miss Ruby was a regular student of Govt: Girls High School Afzal Abad during the session 2000-2001. Her conduct during her stay in the school was good.

25

Nasir Akhtar
Headmistress,
Govt: Girls High School
Afzal Abad. (Mansehra)
Govt: Girls High School
Mansehra

DOMICILE CERTIFICATE

(NORTH WEST FRONTIER PROVINCE)



I declare that I was born of parents who are permanently domiciled in N.W.F.P having belonged to it by birth/ settled.

1-26

I belong by birth to village/Mohallah Village Afzal Abad

Tehsil Mansehra District Mansehra

*Alister
Walter*
District Officer
Mansehra

Ruby Sarfraz
Signature of the applicant

Dated 20 / 06 / 2003

Pursuance to the declaration dated / / 2003 filed by

Ruby Sarfraz daughter of Sarfraz

hereby certified that the said Ruby Sarfraz is born of parents who are permanent residents of the N.W.F.P., having belonged to it by birth / settled in it.

Verification over lead

I have satisfied my self from personal / my knowledge verification that the above declaration is true and certify.

This 24th day of June 2003

COUNTERSIGNED

[Signature]
DEPUTY DISTRICT OFFICER
Revenue & Estate Mansehra

DISTRICT REVENUE OFFICER
MANSEHRA

No. 4560 Dated 24/6/03
Countersigned

[Signature]
District Officer
DISTRICT REVENUE OFFICER
MANSEHRA

[Signature]
HEAD MISTRESS
Govt Girls High School
Afzal Abad

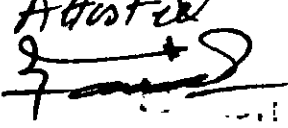
تصدیق بیجان بی رومی دختر سرفراز خرم تنوی ساکن افضل آباد (تہذیبیہ)
 نے جماعت پنجم کا امتحان زیر سلسلہ نمبر ۲۵۲ کے تحت
 خود غرض سرفراز پرائمری اسکول افضل آباد (تہذیبیہ) میں
 پاس کیا ہے۔

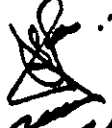
۲۱/۶/۵۳

HEAD MISTRESS
 Govt. Girls Primary School
 Afzalabad (Mansehra)

نیا علی

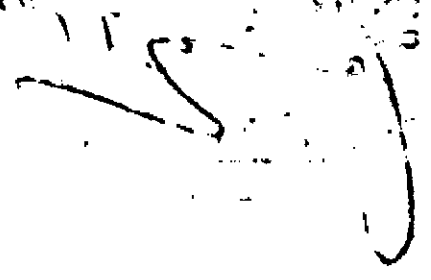
تصدیق بیجان خدیجہ مسعودہ روٹی سرفراز دختر سرفراز خرم تنوی ساکن افضل آباد
 تحصیل وادی مہراں مورہ آباد لہیاہ سے ریاضی پورچرنگ دیکھتی ہے
 و فرسٹ کلاس فنڈہ کا درجہ حاصل کر چکی ہیں اس کی تاریخ ۲۵/۶/۵۳ اور نمبر ۲۵۲

Attested

 F. K. 90
 24/6/53

یہ تصدیق

 25/6/53

MANSEHRA

Government of Punjab
 Education Department

۲۵/۶/۵۳


Annex "C"

OFFICE OF THE EXECUTIVE DISTRICT OFFICER E&S EDUCATION MANSEHRA

ORDER:-

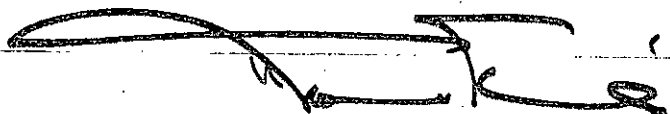
P-28

Consequent upon the acceptance of the appeal the PST candidate of Union Council Shoukatabad is hereby appointed as Primary School Teacher PST (Female) against the vacant post mentioned against in **BPS-07 @ Rs.5800-320-15400** plus usual allowances as admissible under the rule on regular basis under the existing policy of provincial Government on the terms and conditions given below with immediate effect

S#	Name of Candidate	Father's Name	Address	Union Council	Place of Posting
1	Ruby Sarfraz	Sarfraz Ahmad	Aizalabad	Shoukatabad	GGPS Singal Kot

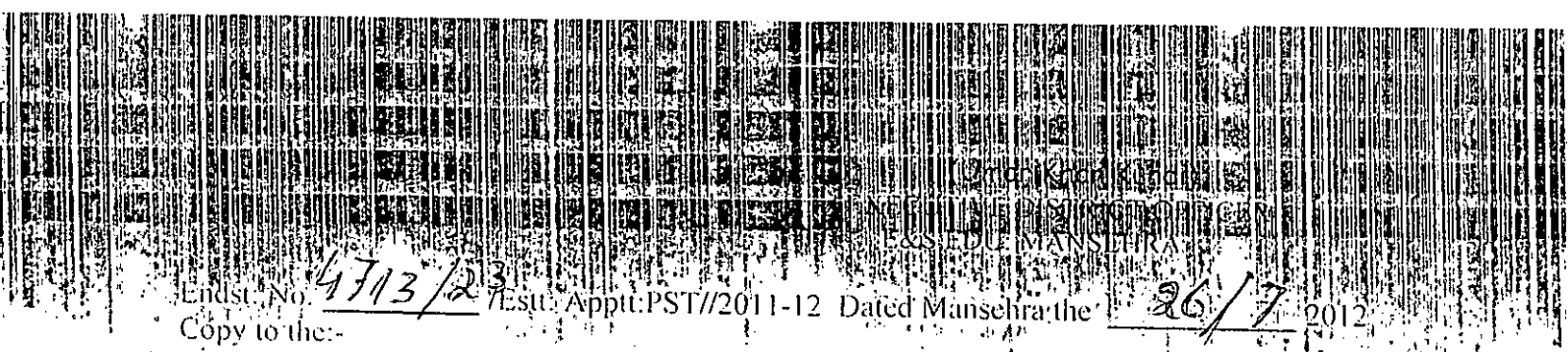
TERMS & CONDITIONS:

1. His/her appointment are purely on temporary basis and liable to termination at any stage without assigning any reason/notice.
2. He/she will be governed by such rules and regulations enforce and as may be prescribed by the Government from time to time for the category of the Government servants to which he/she belong.
3. In case He/she failed to assume the charge of his/her post within 15 days of his/her appointment, candidature-ship will be stand automatically cancelled.
4. His/her services are regular but will not be entitled for pension/gratuity & he/she will not contribute any amount towards GP Fund however he/she will contribute CP fund on the prescribed rate & half contribution will be made by the Government.
5. He/she will submit to this office, his/her all testimonial and domicile/ UC Certificate from the secretary concerned union councils along-with bank drafts in the name of controller / treasurer of the concerned BISE / University within 7 days after the taking over charge for verification.
6. The release of the pay by the concerned DDOs will be subject to the receipt of verified documents by the appointing authority / (EDO E&SE Mansehra)
7. In case a document or documents is / are found fake or forged or Bogus on such scrutiny or all the verification, the service of the teachers concerned shall be terminated. The whole amount paid to him/her as salary will be recovered and a case against him/her shall be registered under relevant section of Law.



Musad
Arshad Khan Tanoli
Municipal Arshad Khan Tanoli
District Advocate
Distt: Courts Abbottabad

- 8. His/her services are liable to termination on one month prior notice from either side in case of resignation without prior notice. his/her one month pay/allowances if any shall be forfeited to Government Treasury.
- 9. His/her services can be terminated at any time in case his/her performance is found unsatisfactory; he/she will be proceeded against under the removal from service under E&D Rules 2011.
- 10. He/she should produce Age & Health Certificate from the MS DHQ Hospital Mansehra.
- 11. He/she may not be handed over the charge if his/her age is above 35 years and below 18 years.
- 12. The Candidates who are working as regular before 1st July 2001 in pervious post, his/her entitled for pension / gratuity etc.
- 13. No. TA/DA etc is allowed.
- 14. Charge report should be submitted to all concerned in duplicate.



Endst. No. 4713/23 / Estt. Apptt: PST//2011-12 Dated Mansehra: the 26/7 2012

Copy to the:-

- 1. Secretary to Govt. of KPK E&SE Department Peshawar.
- 2. Director E&SE Department KPK Peshawar.
- 3. District Accounts Officer, Mansehra.
- 4-5. District Officer (M&F) Local Office.
- 6-7. Deputy District Officer (Female&Male) E&SE Mansehra.
- 8. PA to District Coordination Officer, Mansehra.
- 9. Budget & Accounts Officer, local office, Mansehra.
- 10. Candidate concerned.

EXECUTIVE DISTRICT OFFICER
E&S EDU: MANSEHRA

Attested

Muhammad Khaliq

Muhammad Khaliq
District Courts Abbottabad

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA.

No. 7921/16(D.O.)

Dated 01/10/2014

SHOW CAUSE NOTICE.

AMM

D 3

I, Naghmana Sardar, District Education Officer (Female) Mansehra as Competent Authority under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011, do hereby serve you Mst. Rubi Sarfraz, PTC GGPS Single Kote Mansehra as follows:

P 36

1. You were illegally appointed as PTC at GGPS Single, vide defunct Executive District Education Officer (R&SI) Mansehra Endst: No. 4712-23 /Appl./PST/F/ dated 26.7.2012, whereas you was stranger for recruitment process initiated through EATA, you never appeared in selection process as a candidates for said post through EATA. your name did not fall in the merit list prepared for the selection of candidates. Acceptance of your appeal and subsequently your appointment order was the result of misuse of authority by the then EDO according to his sweet will and wishes against the recruitment rules, as per inquiry report receive I through Government of Khyber Pakhtunkhwa, elementary and Secondary Education Department Letter No. SOIS/MJE&SED/4-17/2013 Umar Khan EDO BS-19 dated 25.8.2014 More over the then EDO (R&SI) removed from Government Service in connection with all such bogus appointment including you made by him.

2. Going through the findings and recommendations of the inquiry committee, the material on record and other connected papers including your defense before the inquiry committee:-

I am satisfied that you have committed the following acts/omissions specified in rules.

- a) Misconduct and dishonesty in getting bogus/faked appointment without due process of recruitment
- b) Collected huge financial losses to the Govt. Treasury receiving pay and result of bogus appointment.
- c) By snatching established rights of the deserving candidates due for appointment on merit. Cheating / concealing the facts for unlawful appointment with collusion of then EDO.

- 1. As a result thereof, I as competent authority, have tentatively decided to impose upon you the major penalty of dismissal from services under rule 4 of the said rules.
- 2. You are, hereby, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
- 3. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in and in that case an appropriate action shall be taken against you.
- 4. A copy of relative page of the finding of the inquiry committee is enclosed

Mst. Rubi Sarfraz, P.T.C.
GGPS Single Kote

COMPETENT AUTHORITY

District Education Officer
(Female) Mansehra

Mst. Naghmana Sardar
Advocate
Distt: Court
Abbottabad

Mst. Sobia D/O Nour Hussain

جناب عالیہ!

مستعملہ شیوہ کار نوٹس نمبری (F) AE III | 7921 مورخہ 10/2014ء کو ایک مورخہ 20/14ء کو بواسطتہ سینئر ایڈیٹر جی جی پی جی بھر کنتھ موصول ہو کر مطالعہ کے بعد ذیل سپر اوڈر جی جی پی گزارش ہے

سالہ 2011ء میں ایٹاٹھٹھ کو الفائیڈ کرتے کے بعد یونین کو نسل شہادت آباد میں میرٹ لسٹ پر پہلے نمبر پر آئی لیکن یونین اسٹل شہادت آباد کی خالی اسامیوں ریکورڈ ٹھنڈ سے قبل قواعد و ضوابط کو نظر انداز کرتے ہوئے بذریعہ پوسٹنگ پر کردی گئیں اور ریکورڈ ٹھنڈ کے وقت 4 اسامیاں خالی ہونے کے باوجود جی جی پی اسامیوں پر بذریعہ ٹرانسفر خانہ پوری لگی جبکہ چوتھی آسامی جی جی پی درجہ اول کی بذریعہ ریکورڈ ٹھنڈ پر لگی گئی سالہ 2011ء میں یونین اسٹل شہادت آباد میں پہلے نمبر پر آنے کے باوجود اپنی ریکورڈ ٹھنڈ اس کی نسبت اس وقت کے EDO صاحب سے ڈرامہ معلوم کی نوڈہ کی متعلق جواب نہ دے سکے اور مجھے ہانگ آپا اپیل کرنی جس پر میں نے EDO صاحب کو اپیل کی جو اپیل کمیٹی کے سپرد ہوئی جس نے مئی 2011ء تا جولائی 2011ء تک اس پر سماعت کی اور میرے حق میں فیصلہ دیا میں جلتا بیانیوں میں اپنی تعیناتی کیے گئے کوئی غیر قانونی طریقہ نہیں اپنایا میری تقرری حالصا میرٹ کے مطابق ہوئی ہے۔

میری یونین کو نسل میں مجھ میرٹ میں کوئی آگے نہ تھا میں B.ed, P.T.C, MA کے علاوہ m.ed کے پروفیشنل اور اس کو الفائیڈ ہوں۔ اسی بناء پر میری تقرری حالصا میرٹ پر ہوئی ہے۔

جہاں تک اس الزام کا تعلق ہے کہ میری ریکورڈ ٹھنڈ سے سرکاری خزانہ کو نقصان ہوا ہے تو کیا میرٹ پر اپیل کے مفصلے بعد تقرری ہونے پر جو معاوضہ فراہم کیا گیا ہے وہ ملازم کا حق نہیں ہوتا؟

Attested
[Signature]
Distt: Gujrat Abbottabad

(B)

(۸)

جہاں تک اس الزام کا تعلق ہے کہ میری ریگورڈمنٹ سے دوسرے امیدواروں کا حق محروم ہوا ہے تو کیا محکمہ کی عفت اور لیدرواہی بدعملی، بدستی اور رینٹ پر اپیل کر کے اپنا حق حاصل کرنا حرم ہے؟ میں اس حق میرٹ پر حکم ہی سے حاصل کیا ہے ورنہ میں اپنے حق کے لئے عدلیہ کا دروازہ بھی کھٹکھا سکتی تھی۔ لیکن مجھے میرا حق میرٹ پر اپیل کے فیصلے کے بعد ملد اپیل پر سماعت کے بعد میری ریگورڈمنٹ ہونے سے کئی امیدواروں کا حق تلخی نہیں ہوئی بلکہ حق اور صداقت کی فتح ہوئی ہے۔ باوجود اس کے کہ اپیل کی سماعت کرنے والی کمیٹی نے میرے حق میں فیصلہ دیا ہے اور یہ ہے تو یہ تھا کہ مجھے میری یوشن کونسل سنو میں جی توڑ کیا جانا مگر ناخدا دم و جہاں کی بنا پر مجھے یوشن کونسل اجڑ جانے کے بجائے سیکرٹری میں اس وعدہ کے ساتھ تقیبات کیا گیا کہ اگر ۳ ماہ کے اندر اپنی یوشن کونسل میں تبدیل کر لیا جائے گا ورنہ حسب وعدہ میرے بارے میں اجڑا کر مجھے میری یوشن کونسل کے سکول میں تبدیل کیا گیا۔

جناب عالیہ!

یاد حقیقت کو پیش نظر رکھتے ہوئے آج تمام عالم سے استدعا ہے کہ میری تقریریں جو خالصاً میرٹ اور قواعد و ضوابط کے مدنظر تھیں وہ میری تقیباتی کے کسی امیدوار کا حق محروم ہوا ہے اور نہ ہی کسی کی حق تلخی ہوئی ہے۔ میں طعناً بیانیوں میں اس نے اپنی تقریریں کیلئے کوئی نا جائز ذرائع استعمال نہیں کیے۔ PCT کی پوسٹ پر میری تقیباتی صرف میری اہلیت اور میرٹ کے مطابق ہوئی ہے۔ استدعا ہے کہ شوکارز ٹریڈنگ اور اعلیٰ دفتر فرمایا جائے سالم ماعمر آپکی دررازی عمر، صحت اور ترقی کے لئے دعا گوہ رہے گا۔

روپیہ سرفراز PCT محل چاہر خان ستر تمان، لاہور شوکت آباد
 رقم: ۱۰/۱۹/۲۰۲۱

Attested
 [Signature]
 District Courts Abbottabad



Annex E

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

NOTIFICATION

P-33

- 1:- Where as Mst: Rohi Sarfraz D/O Sarfraz working as PSI GGHS/GGMS/GGP Single Kat was served with show cause notice and was proceeded under the Khyber Pukhtunkhwa Govt: Servants (Efficiency and Disciplinary) Revised Rules 2011 for the charges mentioned in her Show-Cause Notice.
- 2:- And where as the inquiry committee comprising the following officers conducted an inquiry regarding the illegal appointments in the office of Ex- Executive District Officer Elementary and Secondary Education Mansehra.
 - i) Syed hidayat Jan, (PCS SG B-20) Agricultural Department Khyber Pukhtunkhwa, Peshawar (Now Secretary Zakat, Usher and Social Welfare Department)
 - ii) Mr. Akhalhaq Baig, Principal BS-20 RITE Male Haripur.
- 3:- And where as the inquiry Committee after having examined the record pointed out that you were appointed illegally and against the recruitment rules and policy.
- 4:- And where as District Education Officer (Female) in the capacity of competent Authority, after having considered the charges, evidence on record, recommendation of report of the inquiry committee and replies in response to Show Cause Notices, is of the view that the charges against you have been proved.
- 5:- Now, therefore, in exercise of the powers conferred under Khyber Pakhtunkhawa Govt: Servants (Efficiency and Discipline) Revised Rules 2011 the District Education Officer (Female) Mansehra, in the capacity of competent Authority is pleased to impose major penalty of "DISMISSAL" from Govt: Services upon Mst. Rohi Sarfraz D/O Sarfraz CT/PET/TT PSI GGHS/GGM GGPS Single Kat.

[Handwritten signature]

DISTRICT EDUCATION OFFICER
FEMALE MANSAEHRA.

Endst: No. 1926-35 /AE- /Estab: dated 03/03 /2015.

Copy to the:-

1. Secretary Elementary and Secondary Education Department Khyber Pakhtunkhawa, Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtunkhawa, Peshawar.
3. District Accounts Officer Mansehra.
4. District Monitoring Officer Mansehra.
5. Deputy Commissioner Mansehra.
6. Principal/Headmistress _____
7. SDEO(F) Mansehra.
8. Budget and Accounts Officer Local Office.
9. Mst: _____
10. Office File.

Attested
[Handwritten signature]
Muhammad
Advocate
Distt. Courts Abbottabad

[Handwritten signature]

DISTRICT EDUCATION OFFICER
FEMALE MANSAEHRA.

Anwar F.,

اپیل بنام جناب ڈائریکٹر ایلمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخواہ پشاور

جناب عالی!

P-34

گزارش ہیکہ ہماری یونین کونسل شوکت آباد میں 4 آسامیاں PST کی خالی تھیں جو یہ آسامیاں ماسوائے ایک آسامی کے دیگر آسامیاں ریکروٹمنٹ سے قبل ہی بذریعہ پوسٹنگ پر کردی گئی تھیں۔ ایٹا ٹیسٹ رو نمبر 00217 کے تحت 144 نمبر حاصل کئے جب میرٹ لسٹ تیار کی گئی تو اس وقت میرا نام اپنی یونین کونسل میں پہلے نمبر پر تھا لیکن ریکروٹمنٹ کرنے پر سیاسی مداخلت کی وجہ سے میرا نام میرٹ لسٹ سے نکال دیا گیا اور بقایا تین امیدواروں میں سے سعدیہ جاوید کی تقرری "GGPS" درہ لعل میں Extra پوسٹ پر کی گئی جبکہ تبسم رشید کی تقرری "GGPS" پنیالی میں ہوئی مگر وہاں پر ہیڈ ٹیچر نے اسے پوسٹ نہ ہونے کی بناء پر حاضری نہیں کرنے دی جبکہ تیسری امیدوار سبین بی بی کی پوسٹنگ "GGPS" تھجو بالا میں ہوئی اور سانلہ کوسرے سے ہی نظر انداز کر دیا گیا۔ سانلہ نے ان غیر قانونی بھرتیوں کیخلاف جب اس وقت کے EDO کنڈی صاحب کو مورخہ 23-05-2012 اپیل دائر کی جنہوں نے اپیل کی سماعت کیلئے منظوری کردی جو میرا آرڈر بعد از سماعت اپیل بحوالہ 26-07-2012 Endst.No.4713-23/ESTT"APPTT"PST/2011-12 مورخہ 26-07-2012 بجائے میری یونین کونسل میں کرنے کے یونین کونسل اچھڑیاں کے GGPS سنگل کوٹ میں کردی جو میں نے جناب ایجوکیشن منسٹر صاحب کو اپنے تبادلے کی درخواست دی جنہوں نے میری درخواست پر تحریر فرمایا کہ خالی پوسٹ پر اس کا آرڈر کر دیں۔ جس پر تریڈہ افضل آباد یونین کونسل شوکت آباد میں sanctioned ہونے والی سیٹ پر میرا آرڈر ہوا مگر اس وقت کے MPA صاحب نے وہاں بھی ہر دو پوسٹ بذریعہ ٹرانسفر پر کر دیں جو میرا آرڈر بعد بحوالہ آرڈر نمبر 2159-2444 مورخہ 13-05-2013 گورنمنٹ پرائمری سکول جاہ خانیزمان میں ہوا۔

جناب عالی: میں MA اور PTC کے علاوہ B.Ed اور ایم ایڈ کے پروفیشنل کورسز پاس ہوں میری تعیناتی خالصتاً میرٹ پر ہوئی ہے تقریباً 2 سال 2 ماہ سروس مکمل ہونے کے بعد مجھے شوکاژ نوٹس ملا میں نے اس کا پیرا دائر جواب تحریر کر کے دیا اسکے بعد مورخہ 03-03-2015 کو مجھے بغیر انکوائری کے نوکری سے Dismiss کرنے کا آرڈر جاری کر دیا گیا جو کہ سراسر نا انصافی ہے نہ تو میری باضابطہ انکوائری کی گئی ہے اور نہ ہی مجھے صفائی کا موقع دیا گیا اور نہ ہی مجھ پر غیر قانونی بھرتی کا الزام ثابت ہوا۔ میری اسناد ڈگری ہائے پروفیشنل تعلیم باقاعدہ تصدیق ہو کر درست پائی گئی ہیں۔ میرا آرڈر اس وقت کے EDO جو کہ گریڈ 19 کا افسر تھانے کیا جبکہ اس سے کم درجہ کی DEO(F) نے مجھے بغیر کسی معقول وجہ اور ثبوت کے برطرف کیا جو کہ میرے ساتھ نا انصافی ہے۔ بالا حقیقت کو مد نظر رکھتے ہوئے میری تعلیمی قابلیت، اسناد اور پروفیشنل تعلیم اور تقریباً 3 سال سروس کو دیکھتے ہوئے DEO(F) کا آرڈر منسوخ کرتے ہوئے مجھے نوکری پر بحال کیا جائے۔ سانلہ تا عمر آپ کی ترقی اور درازی عمر کیلئے دعا گوہ رہے گی۔

عین نوازش ہوگی۔

9/3/2015

روبی سرفراز ولد سرفراز احمد GGPS جاہ خانیزمان ضلع مانسہرہ!

Attested
Muhammad Farooq Farooqi
Advocate
Distt: Courts Abbottabad

Annex "G"

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TAT-1 FEMALE MANSEHRA RESULT 2011

Roll No	Name	Father Name	Marks	%age
1700173	GULNAZ BEGUM	M ANWER KHAN	84	Fail
1700174	SARWAT BIBI	ABDUL REHMAN	88	Fail
1700175	ASMA BIBI	GOHAR REHMAN	80	Fail
1700176	KANWAL SHADAB	DID M SHAH	72	Fail
1700177	NAZIA BIBI	M BASHIR	84	Fail
1700178	NAZEEM BIBI	AHMED KHAN	104	Fail
1700179	ASMA HASSAN	S ABUL HASSAN	68	Fail
1700180	BIBI FAIZA	ABDUL RASHEED	56	Fail
1700181	SHUGUFTA	DURIAAMAN	108	Fail
1700182	FOZIA KHAN	M KHAN	76	Fail
1700183	ASIA BIBI	M AYUB	136	45.33
1700184	NAZIA RAFIQUE	M RAFIQUE	132	44.00
1700185	AROOSA IQBAL	M IQBAL	128	42.67
1700186	ZOBIA NAZIR HUSSAIN	NAZIR HUASSIN	84	Fail
1700187	NAZLEEN ABIID	ABID GUL ZAR	56	Fail
1700188	SAIMA BIBI	M BASHIR	128	42.67
1700189	FAIZA ANWE	ANWER ZEB	128	42.67
1700190	FARHAT RASHEED	ABDUL RASHEED	204	68.00
1700191	FOUQIA BASHIR	M BASHIR	40	Fail
1700192	AYESHA BIBI	ZAHID MUKHTAR KHAN	128	42.67
1700193	ASIA AHMED DIN	AHMED DIN KHAN	92	Fail
1700194	FARKHANDA JABEEN	M IDREES	112	Fail
1700195	TAHIRA BIBI	SAIF UR REHMAN	100	Fail
1700196	SHUGUFFA NAZ	MOHD IDREES	108	Fail
1700197	ASIA BIBI	KHAWAJ MOHD	120	40.00
1700198	HUMAIRA BIBI	M RAIZ	120	40.00
1700199	NAZIA NAWAZ	M NAWAZ	80	Fail
1700200	ABIDA	M ASLAM	152	50.67
1700201	BIBI ZARAJ	ASHIQ UR REHMAN	112	Fail
1700202	NADIA	MAL AFSAR KHAN	72	Fail
1700203	IRUM SAEED	SAEED AKHTAR	160	53.33
1700204	ASIA KHATOON	FER ZAMAN	156	52.00
1700205	ASMA RANI	ANWER BEG	124	41.33
1700206	ZAKIA BIBI	ABDUL SATAR KHAN	100	Fail
1700207	NAZIA	SARFRAZ ARIF	136	45.33
1700208	FARRKHANDA SHAHEEN	M HAROON KHAN	88	Fail
1700209	SHERISH ZEB	ALAM ZEB	80	Fail
1700210	GUL NAZ AKHTAR	ABDUL MALIK	108	Fail
1700211	SAFIA BANO	M KHURSHEED	60	Fail
1700212	YASMIN BIBI	AURANGZED	68	Fail
1700213	SAKIMA BIBI	ABDUL WAQIL	48	Fail
1700214	SADIA ANJUM	ANWER ISLAM	116	Fail
1700215	MEHNAZ GUL	AYUB	56	Fail
1700216	MARYUM BIBI	BAAZ MOHD	104	Fail
1700217	RUBI	SARFRAZ	144	48.00
1700218	REHANA ZEB	JAHAN ZEB	128	42.67
1700219	SHABNAM BEGUM	M FEREDOON KHAN	0	Fail
1700220	SABA KHAEEQ	KHALEEQ UR REHMAN	140	46.67
1700221	MEHNAZ BIBI	FAZAL UR REHMAN	80	Fail
1700222	TAHIRA JABEEN	M ANWER	116	Fail
1700223	SERISH RAIZ	M RAIZ	144	48.00
1700225	SAKIMA TAJ	TAJ MOHD	76	Fail
1700226	DIBI TANZEEM	MEHBOOB UR REHMAN	120	40.00
1700227	AMBER PERVAIZ	M PERVAIZ KHAN	128	42.67
1700228	SALAM BIBI	ALI ZAMAN	100	Fail
1700229	SUMAIRA SHAZADI	S MUBARAK ALI SHAH	132	44.00
1700230	ASSAR	ALI ZAMAN	84	Fail

Muhammad Ali Khan
 District Officer
 Mansehra
 F-11
 Abbottabad

نتیجہ امتحان تات-1 خواتین مانسہرا 2011

قیمتی

کورٹ فیس

وکالت نامہ

بعدالت ۲۰۲۳ سے میں سرنوبل پتہ

عنوان: روی سرفراز بنام گورنمنٹ KPK ایگرنٹ

منجانب: ایسڈ

نوعیت مقدمہ: ریسل

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام

محمد اسد خان سنوئی ریٹروگرسٹ دعائی کورٹ ایسڈ

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء

وصول چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار

بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پر داختم مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔

نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جز و بقایا ہو تو وکیل صاحب موصوف

مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراء استجارت نالش بصینہ مفلسی کے دائرہ کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المقوم:

بمقام:

Attested

M. Asad Khan Tanoli
Adv High Court Attd

Rubi Sarfraz

روی سرفراز

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL

CAMP COURT ABBOTTABAD

Appeal No 760/2015

Mst: Ruby Sarfraz , D/O Sarfraz Ahmad, PST, R/O Jabba, Tehsil &
District Mansehra.....

APPELLANT

Versus

1. Govt of Khyber Pakhtun Khawa, through Secretary Elementary and Secondary Education, Peshawar and others.
2. Director Elementary and Secondary Education, Govt. of Khyber Pakhtun Khawa, Peshawar.
3. District Education Officer (Female) District Mansehra.

.....RESPONDENTS.

Written reply on behalf of Respondents.

PRELIMINARY OBJECTIONS:

1. That the appellant has got no cause of action to file the present appeal.
2. That the appeal is not maintainable in its present form.
3. That the appeal is time-barred and not entertain able.
4. That the appellant has not come to this tribunal with cleans hands.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appeal is based on false and mala fide hence deserves dismissal.
7. The appellant has suppressed the material facts from this Honorable Service Tribunal, hence not entitled for any relief & appeal is liable to be dismissed.

FACTUAL OBJECTIONS:

- 1) Para No.1 is correct to the extent that respondent No.3 announced the post of PST in daily "The AAJ" dated 20-5-2011, while rest of the Para is incorrect.
- 2) Para No.2 is subject to proof.
- 3) Para No.3 is incorrect. The appellant was appointed as PST in the education Department through illegal appointment order dated 18-05-2012. (Appeal annexure C)
- 4) Para No.4 needs no comments.

- 5) Para No.5 is correct.
- 6) Para No.6 is correct to the extent that the respondent No.3 issued show cause notice to the appellant on the bases of inquiry conducted at high level, in the light of same inquiry the respondent No.3 was directed by the competent authority through letter No. SO(S/M) E&SE D/4-17/2013/ Umar Khan EDO BS-19 Dated Peshawar the August 25, 2014, that further action may be taken in the light of the finding of the inquiry committee after issuance of Show cause notice to the female teachers who were illegally appointed.

(Annexure A)

- 7) Para No.7 is incorrect as composed. The reply of appellant was not satisfactory, rest of the para is denied.
- 8) Para No.8 is incorrect. The respondent No.3 issued Show case notice to the appellant after completion of high level inquiry, as stated in Para No.6 opportunity of personal hearing was given to the appellant which was not availed. Dismissal of the appellant was in accordance with the law / rules.
- 9) The departmental appeal of the appellant rejected by the Director E & SE Peshawar on the following grounds.
 - i. She belongs to U/C Shoukat Abad where 03 Posts of PSTs were lying vacant while her name was at S. No 4 of the merit list of her U/C, under ETEA R.NO 1700217. Her name was not included in the working papers of DSC minutes of PST. She was appointed through a single / individual order at GGPS Single Kot U/C Hilkot vides Endst: No. 4713-23 dated 26-07-2012.
 - ii. . Appeal may be rejected with the remarks that there were 03 vacancies reserved for fresh candidates of the merit list and she stood at Sr. NO. 04.

(Annexure-B)

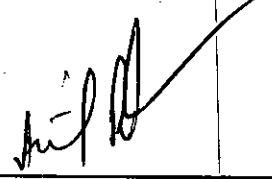
GROUNDS:-


- a. Para No. a is incorrect. The appointment was not made in accordance with law due to which the dismissal order was issued.
- b. Para No. b is incorrect hence denied.
- c. Para No. c is correct to the extent, of adoption of proper procedure as per Law. Rest of the para is incorrect, hence denied.


- d. Para No. d is incorrect. The appellant was not eligible for appointed as PST further proper cause has not been adopted for appointment.
- e. Para No. e is incorrect. The entire allegations leveled against the appellant have been proved by the enquiry committee and appellate authority.
- f. Para No. f is incorrect. All the coddle formalities have been fulfilled at the time of dismissal of appellant.
- g. Para No. g is incorrect. The act of the respondent department is accordance with the principle of jurisprudence and natural justice. The detail of posts and rival candidate in her own U/C was given in the Para No.9
- h. Para No. h is incorrect as composed if base of an action is wrong. All super structure raised there in collapse automatically.
- i. Illegal may be treated as per law
- j. Para No. j need no comments.

Prayers:

It is therefore humbly prayed that the instant appeal may kindly be dismissed.

Respondent No. 1 
 Secretary E&SE, KPK, Peshawar.

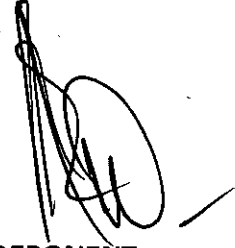
Respondent No.2 
 Director E&SE, KPK, Peshawar.

Respondent No. 3 
 District Education Officer
 (Female) Mansehra.

3/6/2016

AFFIDAVIT

I, Mr. Sakinullah, ADEO(Litigation), District Education Officer (F) Mansehra, do, hereby solemnly affirm and declared that the contents of reply in the instant Appeal No.760-A/2015 titled case MST: Ruby Sarfraz PST Versus Education are correct and true to the best of my knowledge and record and I have concealed nothing as material facts before this Honorable Court.



DEPONENT

BEFORE THE KPK SERVICE TRIBUNAL, CAMP COURT ABBOTTABAD

5

Mst: Robi Sarfaraz, EX-PST,APPELLANT

VERSUS

Govt. of Khyber Pakhtun Khawa, through Secretary Education,
Peshawar etc.....Respondents

SERVICE APPEAL

**REAPPLICATION IN RESPECT OF SUSPENSION OF OPERATION OF IMPUGNED
ORDER DATED 03-03-2015.**

RESPECTFULLY SHEWETH:

1. The replication may please be considered as integral part of written reply.
2. Para No. 2 is incorrect, hence denied.
3. Para No. 3 in incorrect, hence denied.
4. Para No. 4 is incorrect. The applicant was not entitled for the said post.
5. Para No. 5 is incorrect, hence denied.
6. The ingredients of suspension are not fulfilled. The dismissal of the appellant was made in accordance with the law by the competent authority.

It is therefore most humbly prayed that the application may graciously be dismissed with cost.

Respondent No. 1 to 3 through
District Education Officer
(Female) Mansehra.



AFFIDAVIT

I, Mr. Sakinullah, ADEO (Litigation), District Education Officer (F) Mansehra, do, hereby solemnly affirm and declared that the contents of replication in the instant Appeal No.760/2015 titled case Mst: Robi Sarfaraz, EX-PST Versus Education are correct and true to the best of my knowledge and belief and I have concealed nothing as material facts before this Honorable Court.



DEPONENT



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the February 27, 2014

7

NOTIFICATION

NO.SO(S/M)E&SED/4-17/2013/Umar Khan DEO:

WHEREAS Mr. Umar Khan Ex-Executive

District Officer (BS-19), E&SE/ District Education Officer Male Mansehra (now District Education Officer Male Karak) was proceeded against under the Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011 for the charges mentioned in the charge sheet and statement of allegations.

2. **AND WHEREAS** inquiry committee was constituted comprising the following officers to conduct formal inquiry against the accused officer, for the charges leveled against him in accordance with the rules.

- i. Syed Hidayat Jan, (PCS SG BS-20), Special Secretary, Agricultural Department, Khyber Pakhtunkhwa Peshawar (now Secretary Zakat, Usher, and Social Welfare Department.
- ii. Mr. Khallaq Baig Principal BS-20, RITE Male Haripur

3. **AND WHEREAS** the Inquiry committee after having examined the charges, evidence on record and explanation of the accused officer has submitted the report.

4. **AND WHEREAS** a show cause notice was served upon Mr. Umar Khan Ex-Executive District Officer (BS-19), E&SE/ District Education Officer Male Mansehra (now District Education Officer Male Karak) dated 25-12-2013 circulated to him on 01-01-2014.

5. **AND WHEREAS** the Competent Authority (Chief Minister, Khyber Pakhtunkhwa) after having considered the charges and evidence on record, inquiry report, explanation of the accused officer in response to the Show Cause Notice and personal hearing granted to him by Secretary Establishment Khyber Pakhtunkhwa on behalf of Chief Minister Khyber Pakhtunkhwa on 14-02-2014 at 1100 hours, is of the view that the charges against the accused officer have been proved.

6. **NOW, THEREFORE**, in exercise of the powers conferred under section 14 of Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Minister, Khyber Pakhtunkhwa) is pleased to impose major penalty of "**Removal from service**" upon Mr. Umar Khan Ex-Executive District Officer (BS-19), E&SE/ District Education Officer Male Mansehra (now District Education Officer Male Karak) with immediate effect.

SECRETARY

Endst: of Even No. & Date:

Copy forwarded to the: -

- 1- Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2- PSO to Chief Minister Khyber Pakhtunkhwa Peshawar.
- 3- Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 4- District Education Officer (Male), Mansehra/ Karak.
- 5- Mr. Umar Khan District Education Officer Male (BS-19) District Karak.
- 6- District Accounts Officer Mansehra/ Karak.
- 7- PS to Chief Secretary Khyber Pakhtunkhwa Peshawar.
- 8- PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
- 9- PS to Special Secretary, E&SE Department, Khyber Pakhtunkhwa.
- 10- Office order file.

(MUJEEB-UR-REHMAN)
SECTION OFFICER (SCHOOLS/MALE)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

No. (A)

No.SO(S/M) E&SED/4-17/2013/Umar Khan EDO BS-19
Dated Peshawar the August 25, 2014

Mr. ... (8)

To:

- i. The Director,
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.
- ii. District Education Officer (Female)
Mansehra.

Please ...
put up ...
DEO

Subject: - ENQUIRY REGARDING APPOINTMENT/ GUIDANCE.

I am directed to refer to your letter No:3076 dated 16-07-2014 on the subject noted above and to forward herewith a copy of inquiry report conducted by inquiry committee comprising the following officers.

- i. Syed Hidayat Jan, (PCS-SG BS-20) Ex-Special Secretary Agriculture Department
Khyber Pakhtunkhwa Peshawar.
- ii. Mr. Khalaq Baig, Principal (BS-20) RITE Male Haripur.

2. It is requested that further action may be taken in the light of findings of the inquiry committee after issuance of show cause notices to the female teachers who were illegally appointed.

Encl: As Above:

[Signature]
(MUJEEB-UR-REHMAN)
SECTION OFFICER (SCHOOLS/MALE)

INTRODUCTION:

DURING THE YEAR 2012 AND 13 IN OFFICE OF THE EDO, ELEMENTARY AND SECONDARY EDUCATION, DISTRICT MANSEHRA APPOINTMENTS OF FEMALE TEACHERS IN VARIOUS CADRES WERE CARRIED OUT PURSUANT TO AN ADVERTISEMENT PUBLISHED IN DAILY AAJ DATED: 20-05-2011, WHEREIN CERTAIN IRREGULARITIES/ILLEGALITIES IN VIOLATION OF RULES AND PRESCRIBED PROCEDURE WERE NOTED, THEREBY RESULTING IN BREACH OF MERIT/ILLEGAL PRACTICE AND IGNORING THE RIGHTFUL CANDIDATES.

1. The Competent Authority has constituted the enquiry committee, comprising the following officers vide Notification No: SO(S/M)S&SED/4-17/2013 to conduct formal enquiry against Mr. Umar Khan Ex-EDO (E & SE) (BS-19) Mansehra now DEO(M) Haripur and Miss. Shamim Akhtar Deputy DO (E & SE) Mansehra (BS-18) and others for the charges mentioned in the charge sheet and statement of allegations(**Annex-A**)

I. SAAYED HIDAYAT JAN (PCS SG BS-20), Special Secretary, Agriculture Department, Khyber-Pakhtunkhwa, Peshawar.

II. MUHAMMAD KHALAQ BAIG, Principal (BS-20) R.I.T.E (M), Haripur.

2. Both the accused officers i.e. Mr. Umar Khan, Ex-DEO (E & SE) , Mansehra and Miss. Shamim Akhtar, Deputy District Officer(E & SE) , Mansehra have been charge sheeted as under:

a. The accused Mr. Umar Khan Ex-DEO (M) (E & SE) Mansehra presently posted as DEO(M) Haripur

i. That while posted as DEO (M) Mansehra (BS-19) committed the following irregularity (**Annex-I**)

MADE ILLEGAL APPOINTMENTS OF CT, DM, PET, AT, QARIAS AND PSTS (FEMALE) DURING THE YEAR 2012 AND 2013 IN VIOLATION OF RULES AND PRESCRIBED PROCEDURE IN DISTRICT MANSEHRA.

b. Mst. Shamim Akhtar Deputy District Officer (BS-18) Female (E & SE), Mansehra

i. That while posted as Deputy District Officer (BS-18) (Female) (E & SE), Mansehra, committed the following irregularity (**Annex-II**)

MADE ILLEGAL APPOINTMENTS OF CT, DM, PET, AT, QARIAS AND PSTS (FEMALE) DURING THE YEAR 2012 AND 2013 IN VIOLATION OF RULES AND PRESCRIBED PROCEDURE IN DISTRICT MANSEHRA.

3. Venue of Enquiry:

The enquiry was conducted in the office of Dy. DEO (Female) Mansehra.

1. PROCEEDINGS:

The committee informed both the accused officers vide No. PS/SSA/Enquiry /2013 Dated 6/7/2013. The District Accounts Officer Mansehra was also asked to provide copies of appointment orders of the teachers quoted in subject enquiry (**Annex-III**)

Copies of Charge sheets and Statements of allegations which were already sent to the other officers by the Department were re-submitted to them with the directions to submit their replies in the stipulated time.

The committee visited the office of DEO (Female) Mansehra on 01/8/2013 to conduct enquiry. Mr Umar Khan Ex EDO (E & SE) Mansehra and Miss Shamim Akhtar Dy. DEO (Female) Manshera were present alongwith their staff and attended the enquiry proceedings (**Annex-IV**)

8. The Present DEO (M) and Dy. DEO (F) Mansehra were asked to provide all the record /files and other related record mentioned in the letter to the committee on the day of enquiry vide. No: SS (AD) Enquiry/2013 Dated 01/08/2013 (**Annex-V**).

9. The enquiry proceedings continued on daily basis w.e.f 01-08-2013 and on the very second day, one of the accused Mr. Umar Khan, insisted on his designation as recorded in his reply to the Charge sheet/statement of allegations submitted to the committee, claiming that he had not served as DEO (Male) Mansehra during the year 2012 rather he had served as EDO(E & SE)Mansehra. Despite persuasion by the committee regarding factual position of the designation as contained in the Education Department Notification No: SO(S/M E&SED/3-2/2012/Management Cadre dated: 28-12-2012, he was still adamant not to change his stance. (Annex-V (A)).

On account of this, the committee immediately informed and requested the Administrative Department for rectification of the designation of the accused as contained in the charge sheet/statement of allegation vide letter No: SS (AD) Enquiry/2013 dated: 02-08-2013 and subsequent reminder of even number dated: 17-08-2013 (**Annex-V(B-C)**) viz a viz reminder to the department from the Chief Minster Secretariat, vide No: SO-1/CMS/KPK/3-1/2013/3514 dated: 27-08-2013 (**Annex-V (D)**).

The proceedings remained continued until the same were adjourned due to falling of Eid- Ul-Fitr Holidays, Independence day, coupled with appearance in the PHC by Chairman of the enquiry committee in an official case and proceedings on leave by most of the concerned staff of the office of DEO(F), Mansehra as well. The same were, however, resumed w.e.f 16-08-2013 and since action on rectification of designation of the accused couldn't be communicated to the committee, therefore, the Administrative Department was again reminded for early needful as well as granting an extension of two weeks vide letter No: SS (AD) Enquiry/2013 dated: 27-08-2013. (**Annex-V (E)**).

The Education Department vide their letter No: SO(S/M)E&SED/4-17/2013/Umer Khan dated: 02-Sept. 2013 intimated that a summary for rectification of the designation of the accused in the charge sheet /statement of allegation was moved to the Chief Minister, Khyber Pakhtunkhwa/Competent Authority. Similarly an extension for further two weeks w.e.f 27-08-2013 was also allowed vide letter quoted ibid (**Annex-V (F)**).

FACTS

REPLIES TO THE CHARGE SHEET:

REPLY OF MR UMER KHAN TO THE CHARGE SHEET:

10. Mr. Umar Khan EX- EDO E&SE Mansehra in his reply of charge sheet sent to the committee through registered cover vide NO:7475-76 Dated 27/07/2013 *has taken the stand that he had not served as DEO (M) BS-19 Mansehra during the period 2012 but worked as EDO E&S BS-19 Mansehra w.e.f.01/03/2011/to 31/12/2012*. He added that in the charge sheet it has been recorded that he while posted as DEO(M) BS-19 Mansehra committed the irregularities of making illegal appointments of female teachers during the year 2012& 2013 in violations of rules and prescribed procedure in District Mansehra whereas he had not worked as DEO Male Mansehra during the said period. He further added that he was neither an authority for appointments for female side nor made even a single appointment of female teacher in capacity of posting as District Education Officer BS-19 (M) Mansehra and hence question of making illegal appointments of CT,DM,PET,AT,QARI, PST(Female) during the year 2012 and 2013 in violation of rules and prescribed procedure does not arise. He requested for the exemption from the charges and with-drawl of charge sheet from him (**Annex-VI**).

				S.No.5 of the merit list has been appointed where as the applicant was at S.No.3. It is astonishing that appeal was received on 13.07.2012, but the appointment order was issued on 31.05.2012 i.e 02 months earlier than appeal. ((Annex- LX, A,B, C & D).	11
Rani Gul D/O Dildar Tanoli	Merit list No. Nil	Endst:No.117 0-79: Estt:/Apptt:PS T/2011-12 dated 20.06.2012. Appointed at GGPS Monjahni in BPS-7	Her order was issued by the EDO E&SE Mansehra who has indicated that the Departmental Selection Committee has approved the appointment of the candidate but no such record was produced / available on the file. Her name is not traceable in the merit list and in the selection process (Annex- LXI).	The appointment order is illegal and against the recruitment rules/ policy.	
Shahida Bibi D/O Abdur Rahim r/o Sawan Maira	Nil	Endst:1110- 19: Estt:/Apptt:PS T/2011-12 dated 20.06.2012. appointed at GGPS Gali Namshera in BPS-7	Her appointment was issued on the acceptance of appeal by EDO E&SE Mansehra. No record of appeal is available in the office file. No DPC Minutes / working papers are available. (Annex- LXII).	The appointment order is illegal and against the recruitment rules/ policy.	
Rubi Sarraz D/O Sarraz	UC Shouka t Abad	Endst: / No.4713-23: # Estt:/Apptt:PS T/2011-12 dated 26.07.2012. appointed at GGPS Single Kot in BPS-7	Her appointment order was issued on acceptance of appeal by Mr. Umer Khan Kundi EDO E&SE Mansehra. She was appointed at GGPS Singal Kot U.C Oghi. No post was vacant in her own U.C. her appointment in other Union Council is also invalid / against the recruitment rules and policy. The appointment order was issued without working papers or minutes or DSC. (Annex- LXIII).	The appointment order is illegal and against the recruitment rules/ policy.	
Uzma Sarraz D/O Sarraz R/O Ghanool	Nil	Endst:No.683 0-39 Estt:/Apptt:PS T/2011-12 dated 31.05.2012. appointed at GGPS Badal Gran in BPS-7	Her appointment order was issued on acceptance of appeal by Mr. Umer Khan Kundi EDO E&SE Mansehra. Her name was not available in the merit list or in EATEA Test. No working paper/DSC/Proper procedure was adopted to decide the	The appointment order is illegal and against the recruitment rules/ policy.	

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

NOTIFICATION.

WHEREAS, Mst. Rubi Sarfaraz, PST at Government Girls Primary School Single Kot District Mansehra was dismissed from service by the DEO (Female) Mansehra vide Order No. 1926-35 dated 03/03/2015 after serving Show Cause Notice and giving her an opportunity of personal hearing on charge of irregular/fake/bogus appointment.

WHEREAS, consequently the above aggrieved teacher lodged/preferred an appeal to the Director E&SE Khyber Pakhtunkhwa, Peshawar (appellant authority) against her dismissal from service with the pray to set aside her dismissal order issued by the DEO concerned followed by her reinstatement.

AND WHEREAS, the Director E&SE Khyber Pakhtunkhwa, Peshawar constituted a committee vide Notification No. 5500-09 dated 23-04-2015 for the scrutiny of appeals of above dismissed teacher.

AND WHEREAS, the committee having scrutinized appeal of above affected teacher on the basis of available record and merit of the case submitted its report to the Director E&SE Khyber Pakhtunkhwa, Peshawar with the findings and recommendations reproduced briefly below:-

1. She belongs to U/C Shoukat Abad where three posts of PSTs were lying vacant while her name was at S. No. 4 of the merit list of her U/C, under ETEA R.No. 1700217. Her name was not included in the working papers of DSC minutes of PST. She was appointed through a single/ Individual order at GGPS Singal Kot U/C Hil Kot vide Endst.No.4713-23 dated 26/07/2012.
2. Appeal may be rejected with the remarks that there were 03 vacancies reserved for fresh candidates of the merit list and she stood at Sr.No.04.

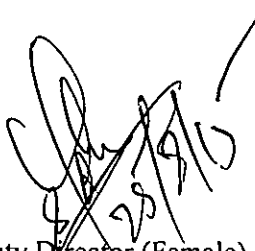
NOW, THEREFORE, in exercise of powers conferred upon the Director E&SE Khyber Pakhtunkhwa, Peshawar (appellant authority) under E&D Rules 2011 read with rules 17 (2) (a) and keeping the findings/recommendations of the committee into consideration, rejects the appeal of aforesaid sacked teacher for reinstatement, however her dismissal order issued by the DEO (F) Mansehra vide order No. 1926-35 dated 03/03/2015 is hereby converted into removal from service.

Director
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Endst: No. 4301-66 /F.No. 79/Appeals Female MSR Dated Peshawar the 25/8/2015

Copy of the above is forwarded for information & n/action to the:-

1. District Education Officer (Female) Mansehra
2. District Accounts Officer Mansehra
3. Sub Divisional Education Officer (Female) Mansehra
4. Appellants concerned
5. PA to Director E&SE KP, Peshawar
6. Master File.


Deputy Director (Female)
Directorate E&SE, KP
Peshawar