

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 .

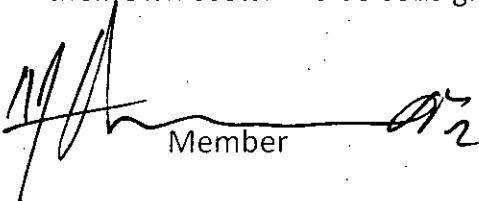
  
Member


  
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,  
17.01.17

ANNOUNCED  
17.01.2017


18.08.2015

Counsel for the appellant present. Learned counsel for the appellant argued that identical service appeals No.758 to 789/2015 have already been admitted to regular hearing and fixed for further proceeding on 20.10.2015.

In view of the above, this appeal is also admitted to regular hearing. 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.

Appellant Deposited  
Process Fee



  
Chairman  
Camp Court Abbottabad

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.

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

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 824/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	15.07.2015	<p>The appeal of Mst. Memoona 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	29-7-15	<p>This case is entrusted to Touring Bench A.Abad for preliminary hearing to be put up thereon <u>12-8-15</u></p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE THE KHYBER PUKHTUNKHAW SERVICE**  
**TRIBUNAL, PESHAWAR.**

Appeal No. 824/2015

Mst. Memoona d/o Haq Nawaz (CT GGMS, Kotri Battal) R/o  
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

**INDEX**

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"	12-19
4	Copy of appointment order and corrigendum	"C"	20-21
5	COPY OF SHOW CAUSE NOTICE	"D"	22-28
6	Copy of impugned dismissal order of appellant	"E"	29
7	Copy of departmental appeal /representation	"F"	30
8	Wakalatnama		

Dated: 11/7-2015

Appellant

Through

**Muhammad Arshad Khan Tanoli**

Advocate, High Court

Abbottabad

①

**BEFORE THE KHYBER PUKHTUNKHAW SERVICE**  
**TRIBUNAL, PESHAWAR.**

Appeal no. 824/2015

M.W.F. Province  
Service Tribunal  
Diary No. 858  
Dated 15-7-2015

Mst. Memoona d/o Haq Nawaz (CT GGMS, Kotri Battal) R/o  
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**

Respectfully Sheweth,

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

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

**Copy of Advertisement is annexed as Annexure "A"**

15/7/15

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 CT Teacher in respondents' Department on the basis of merits and was posted in GGPS vide appointment order endrst No 1800-8/ Estbb: Appoit CT Mansehra Dated 02.07.2012. **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. 02.7.2012 onwards.
  
5. That, the appellant was though dismissed from service by the respondents' department vide Endrs. No 1432-41/AE - -J/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

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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". AS the inquiry committee did not recommend any remarks against the Appellant.

**Copy of Show Cause notice is attached as Annexure "D"**

7. That, show cause notice issued to the appellant was properly replied by her mentioning that the appellant applied for the post of CT 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 CT 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

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endst. No 1432-41/AE --J/ESTB dated 03.03.2015. **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 14.3.2015. **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 CT being qualified. The appellant was appointment on merit on the recommendation of Departmental Selection Committee and was placed on the merit list.12
- b. Hence impugned dismissal order is illegal perverse, discriminatory without lawful justification and null and void on the rights of the appellant.



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- c. That, as per educational record annexed with the appeal, the appellant has been appointed as CT 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 CT 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.
- d. 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 CT. But the conduct of respondents department towards the appellant is mala fide, discriminatory and not maintainable at law.
- e. 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,

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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.

- f. 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.
- g. That, respondents' Department has led the appellant to the place which is utterly unknown to the principle of jurisprudence and natural justice.
- h. That, right from the appointment of the appellant as CT in 2012, there was no rival candidate who contested the appointment of the appellant in any Court of law anywhere in KPK.
- i. 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

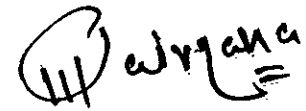
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cannot be dismissed for the acts committed by the Ex-EDO.

- j. 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

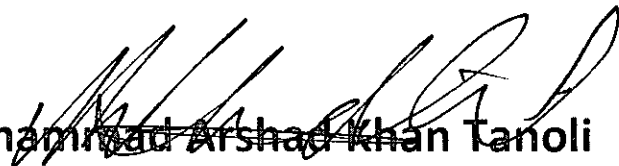
It is, therefore, prayed that on acceptance of the instant Service Appeal of the appellant, impugned dismissal order Endrst. No 1432-41/AE --J/ESTB dated 3.3.2015 may graciously be set aside and respondent No 3 may be directed to reinstate the appellant in service in the School with effect from the date 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: 11/7/2015



Appellant

Through

  
**Muhammad Arshad Khan Tanoli**  
Advocate, High Court  
Abbottabad

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**BEFORE THE KHYBER PUKHTUNKHAW SERVICE**  
**TRIBUNAL, PESHAWAR.**

Mst. Memoona d/o Haq Nawaz (CT GGMS, Kotri Battal) R/o  
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 1432-**  
**41/AE-J/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

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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.

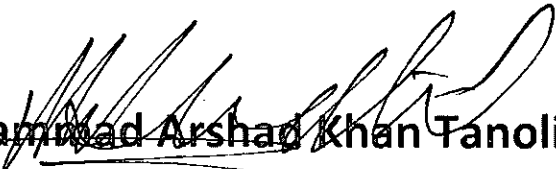
It is, therefore, very humbly prayed that on acceptance of the instant application, impugned termination order dated 03.03.2015 may graciously be suspended and status quo may also be granted till final decision of the main appeal.



Dated: 4/7/2015

Appellant

Through



**Muhammad Arshad Khan Tanoli**  
Advocate, High Court  
Abbottabad

(10)

**BEFORE THE KHYBER PUKHTUNKHAW SERVICE**  
**TRIBUNAL, PESHAWAR.**

Mst. Memoona d/o Haq Nawaz (CT GGMS, Kotri Battal) R/o  
Tehsil & District Mansehra

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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, Mst. Memoona d/o Haq Nawaz (CT GGMS, Kotri Battal) R/o 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: 11/7 /2015

Deponent

حکومت پاکستان اور وزارت تعمیرات حکومت سندھ

صوبہ سندھ اور ضلع دادخوار کے لیے تعمیراتی کاموں کے لیے درخواستیں جمع کروانے کے لیے

ADP No. 1022(2010-11) کے تحت

2009 کے لیے درخواستیں جمع کروانے کے لیے

نمبر	تفصیلات	رقبہ	تعمیراتی
1	پبلک اسکول	2	تعمیراتی
3	پبلک اسکول	4	تعمیراتی
5	پبلک اسکول	6	تعمیراتی
7	پبلک اسکول	8	تعمیراتی
9	پبلک اسکول	10	تعمیراتی

نمبر	تفصیلات	رقبہ	تعمیراتی
1	پبلک اسکول	100.105	تعمیراتی

Pre Bid Meeting

پری بڈ میٹنگ کی تاریخ 31-5-2011 کو صبح 11:00 بجے ہوگی۔

مقام: ڈیپو، دادخوار۔

- 1) پری بڈ میٹنگ کے لیے درخواستیں جمع کروانے کے لیے 31-5-2011 کو صبح 11:00 بجے تک ہونی چاہئے۔
- 2) پری بڈ میٹنگ کے لیے درخواستیں جمع کروانے کے لیے 31-5-2011 کو صبح 11:00 بجے تک ہونی چاہئے۔
- 3) پری بڈ میٹنگ کے لیے درخواستیں جمع کروانے کے لیے 31-5-2011 کو صبح 11:00 بجے تک ہونی چاہئے۔
- 4) پری بڈ میٹنگ کے لیے درخواستیں جمع کروانے کے لیے 31-5-2011 کو صبح 11:00 بجے تک ہونی چاہئے۔
- 5) پری بڈ میٹنگ کے لیے درخواستیں جمع کروانے کے لیے 31-5-2011 کو صبح 11:00 بجے تک ہونی چاہئے۔
- 6) پری بڈ میٹنگ کے لیے درخواستیں جمع کروانے کے لیے 31-5-2011 کو صبح 11:00 بجے تک ہونی چاہئے۔
- 7) پری بڈ میٹنگ کے لیے درخواستیں جمع کروانے کے لیے 31-5-2011 کو صبح 11:00 بجے تک ہونی چاہئے۔
- 8) پری بڈ میٹنگ کے لیے درخواستیں جمع کروانے کے لیے 31-5-2011 کو صبح 11:00 بجے تک ہونی چاہئے۔
- 9) پری بڈ میٹنگ کے لیے درخواستیں جمع کروانے کے لیے 31-5-2011 کو صبح 11:00 بجے تک ہونی چاہئے۔
- 10) پری بڈ میٹنگ کے لیے درخواستیں جمع کروانے کے لیے 31-5-2011 کو صبح 11:00 بجے تک ہونی چاہئے۔

0937-870861 فون

نمبر	تفصیلات	رقبہ	تعمیراتی
1	پبلک اسکول	11	تعمیراتی
2	پبلک اسکول	11	تعمیراتی
3	پبلک اسکول	11	تعمیراتی
4	پبلک اسکول	11	تعمیراتی
5	پبلک اسکول	11	تعمیراتی
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9	پبلک اسکول	11	تعمیراتی
10	پبلک اسکول	11	تعمیراتی

P-11

Annex

A

Attested

Muhammad Ahsan

Magistrate Courts Abbottabad

SG No.

96333

P-12  
P-11 ANNEXUREBoard of Intermediate & Secondary Education  
ABBOTTABADDETAILED MARKS CERTIFICATE  
Secondary School Certificate Examination  
(SCIENCE GROUP)

Session 200 / (Annual/Supplementary)

Name MaimoonaFather's Name Haj NawazRoll No. 5238

SUBJECT	Marks Allotted	MARKS OBTAINED	
		In Figure	In Words
1. English	150	114	
2. Urdu	150	109	
3. Islamiyat Comp:	75	64	
4. Pakistan Studies	75	59	
5. Mathematics	100	100	
6. Physics	100	85	
7. Chemistry	100	84	
8. Biology	100	81	
<b>Total</b>	<b>850</b>	<b>696</b>	<b>A-1</b>

This Certificate is issued errors and omission excepted.

Prepared by: [Signature]Checked by: [Signature]

Controller of Examinations

Date \_\_\_\_\_ 200 \_\_\_\_\_

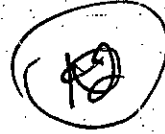
20 JUN 2001

Board of Intermediate & Secondary Education  
Abbottabad

[Signature]  
Muhammad Shao Khan Faridi  
Distt. Courts Abbottabad



p-13



25693

Sr. No. B \_\_\_\_\_

**BOARD OF INTERMEDIATE & SECONDARY EDUCATION ABBOTTABAD**  
**DETAILED MARKS CERTIFICATE**  
**Higher Secondary School Certificate Examination**  
**Part - II**



Name : MAIMOONA  
Father's Name : HAQ NAWAZ  
Group : PBE-ENGG

Session: 2004 (Annual)  
Roll No: 40062

Subjects	Marks	Marks Obtained				Total	Marks in Words
		Part-I		Part-II			
		Theory	Pract	Theory	Pract		
Mathematics	200	96	--	81	--	177	One Hundred Seventy-Seven
<b>Total: 200</b>						177	One Hundred Seventy-Seven Only
						REMARKS : MATHEMATICS Only	

Checked By : \_\_\_\_\_  
Date : 31-July, 2004

Controller of Examinations  
Board of Intermediate & Secondary Education  
Abbottabad

Note: Errors / Omissions excepted

COMPUTER SECTION BISE ABBOTTABAD

Muhammad Ashraf  
Distt. Courts Abbottabad

8-14

DB

Serial No. 002227

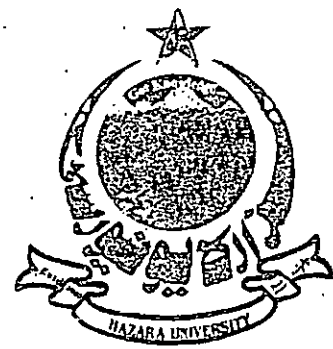
بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Registration No. 04-AG-115

Roll No. 06503

# HAZARA UNIVERSITY

Mansehra, Pakistan

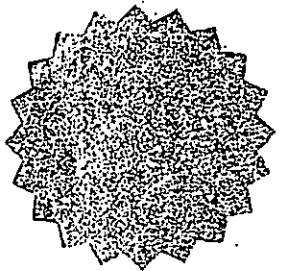


The University in recognition of the fulfilment of prescribed requirements has conferred upon  
Mr / Ms Maimoona Son / Daughter of Haq Nawaz

The Degree of **BACHELOR OF SCIENCE** in the examination  
held in June, 2006 session Annual 2006 (Regular)

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

The examination was taken as a Whole.



[Signature]  
Controller of Examinations

Date 22-09-2006

[Signature]

Vice Chancellor

[Signature]  
Registrar

[Signature]  
Registrar

Serial No. 001268



Registration No. 04-AG-115

Roll No. 14260

# HAZARA UNIVERSITY

Mansehra, Pakistan



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

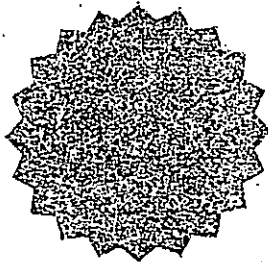
Mr / Ms Maimoona Son / Daughter of Haq Nawaz

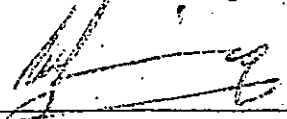
The Degree of **MASTER OF SCIENCE** in Mathematics

in the examination held in August, 2009 session 2007-09 (Regular)

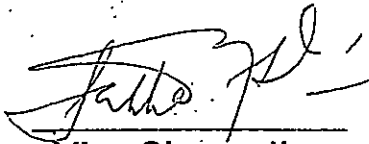
He / She was placed in 3.18 Division / Grade / CGPA.

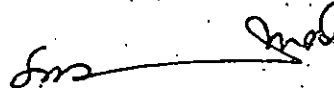
The examination was taken as a Whole.



  
Controller of Examinations

Date 14-10-2009

  
Vice Chancellor

  
Registrar

CR

P-15

Munir Ahmad  
B.A. (Hons) Islamic Studies  
Director, Centre for Islamic Studies  
HAZARA UNIVERSITY  
Mansehra

# ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD

## PROVISIONAL RESULT CARD



P# 18

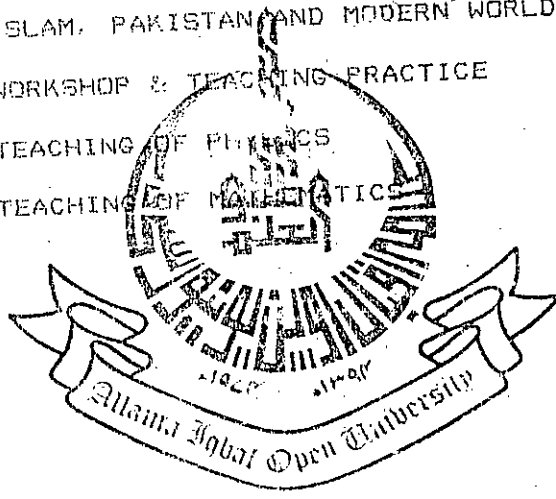
No. **201305**  
 Name **HAFIZUDDIN**  
 Father's Name **HAFIZ NAWAZ**  
 Address **UTTERO BAZAR HOUSE KASHMIRI BAZAR**

Roll No. **AP642111**  
 Registration No. **10NMA00812**  
 Final Semester **SPR-2013**

Tehsil **HANSLHRA**  
 District **HANSLHRA**  
**BACHELOR OF EDUCATION (B. ED)**  
 has successfully completed.

The detail of passed courses is as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
AUT- 11	0512	PERSPECTIVES OF EDUCATION	100	80
AUT- 10	0513	SCHOOL ORGANIZATION	100	75
AUT- 10	0514	EVALUATION, GUIDANCE & RESEARCH	100	66
AUT- 12	0518	EDUCATIONAL PSYCHOLOGY & CURRICULUM	100	65
AUT- 12	0651	ENGLISH (COMPULSORY)	100	65
AUT- 12	0652	ISLAM, PAKISTAN AND MODERN WORLD	100	67
SPR- 13	0655	WORKSHOP & TEACHING PRACTICE	100	73
SPR- 13	0656	TEACHING OF PHYSICS	100	57
SPR- 13	0661	TEACHING OF MATHEMATICS	100	84



CREDITS: **6**

Total Marks / Obtained

900 / 615  
 68.33 %

Percentage / Grade

Result Declared on **DECEMBER 20, 2013**

Date of issue **JANUARY 15, 2014**

**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.

*Muhammad Arif*  
**MUHAMMAD ARIF**  
 S.C.T (Tech)  
 G.H.S.S No. 1 N. 401

*Muhammad Arif*  
**Muhammad Arif**  
 Controller of Examinations  
 Allama Iqbal Open University  
 Islamabad

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Confidential



ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD  
DEPARTMENT OF EXAMINATIONS  
(Verification Section)



Dated: 12 Dec, 2012

No. F. 1-5/Veri/ 18642

DISTRICT OFFICER LEM: SECY: EDUC:  
MANSEHRA

Subject: VERIFICATION OF CERTIFICATE(S)/DEGREE(S)/DIPLOMA(S)/TRANSCRIPT/  
PRC ISSUED BY ALLAMA IQBAL OPEN UNIVERSITY

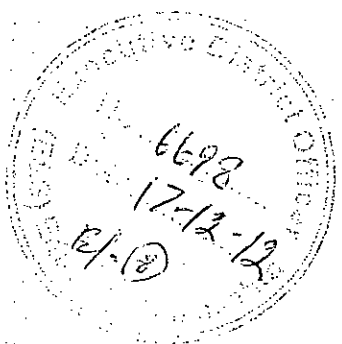
Dear Sir/Madam,

This is with reference to Letter No. 4014 dated 19 Jul, 12  
on the subject noted above. It is certified that Certificate(s)/Degree(s)/Diploma(s)/Transcript(s)/PRC issued by  
the University to the following students are correct:

Sr. No.	Student's & Father's Name	Programme	Registration No.	Certificate/Degree/ Diploma/Transcript/ PRC No.
1	RABIA SABIR SABIR HUSSAIN	M.ED	08NMA00831	62143
2	MAIMOONA HAQ NAWAZ	CT	10NMA00812	109163
3	SHAZIA RANI MUHAMMMAD ISMAIL	B.ED	02-NMA-0561	259015
4	RABIA SABIR SABIR HUSSAIN	B.ED	08NMA00831	272685
5	NIGHAT BIBI KHANI ZAMAN	B.ED	03-NMA-0359	333799
6	BIBI NAGINA KHANI ZAMAN	BA	06-NMA-2936	132409
7	SHAZIA RANI MUHAMMAD ISMAIL	CT	02-NMA-0561	67040

*Supdt II*

*IM*  
Deputy Controller of Exams  
(Certificate Section)  
Department of Examinations  
Allama Iqbal Open University  
DS - Islamabad



*17/12*  
*D2*

*Muhammad Hashim*  
Deputy Controller of Exams  
Department of Examinations  
Allama Iqbal Open University  
Islamabad



OFFICE OF THE CONTROLLER OF EXAMINATIONS  
 HAZARA UNIVERSITY MANSEHRA,  
 Phone: 0997-414177

①  
 P-18

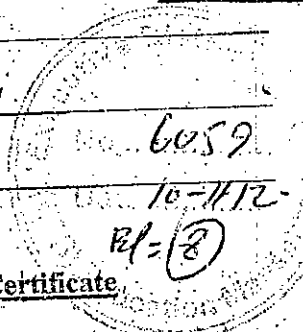
No: HU/CE/2012/2363

Date: 7/11/12

Report - II

To:

District officer  
Elc, Sec, Edu  
Mansehra



Subject:

Verification of Degree/Detail Marks Certificate

1. Refer to your letter No. 4008 dated 29/7/12
2. Enclosed please find verified DMC bearing R/No. 32219, 26582, 06970, 1421  
06503, 61985, 31532, 09  
 for further necessary action.
3. Kindly acknowledge receipt.

Assistant Controller of Examinations  
 Hazara University, Mansehra

*Attested*  
*Muhammad...*  
 Muhammad...  
 District Courts Abbottabad

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ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD  
PROVISIONAL RESULT CARD



109163

Name: HAYMOONA  
HOUSE NO R03 MOH NEELAN ZAFAR  
ROAD  
MANSEHRA  
MANSEHRA

Roll No. AG663026  
Registration No. 10NMA00812  
Final Semester AUT-2010



CERTIFICATE OF TEACHING

successfully completed

detail of passed courses are as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
SPR-10	0638	TEACHING STRATEGIES & EVALUATION	100	61
SPR-10	0633	SCHOOL ORGANIZATION	100	78
SPR-10	0632	EDUCATIONAL PSYCHOLOGY	100	70
SPR-10	0631	DIMENSIONS IN EDUCATION	100	61
AUT-10	0634	ENGLISH AND ITS TEACHING	100	69
AUT-10	0613	PRACTICAL WORKSHOP & TEACHING PRACTICE	100	82
AUT-10	0607	SCIENCE AND ITS TEACHING	100	73
AUT-10	0635	ISLAMIAT AND ITS TEACHING	100	71
AUT-10	0605	SOCIAL STUDIES & ITS TEACHING	100	87

Department of Examinations  
(Certificate Section)  
**VERIFIED**  
Certificate/Degree/Diploma/Transcript  
No. 9163 is  
Checked & Found Correct.

Total Marks / Obtained 700 / 632

Percentage / Grade 70 A

CREDITS: 5  
Result Declared on AUGUST 06, 2011  
Date of issue AUGUST 15, 2011

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.

Muhammad Arshad Khan  
Head of Examinations



OFFICE OF THE EXECUTIVE DISTRICT OFFICER E&S EDUCATION MANSHEIRA

C  
ANNEXURE  
"B"

ORDER

P-19

In the acceptance of the appeal by the competent authority ~~Mrs. Manroona - D/O - H-30~~  
~~Wazir K/O Minah Colony Near Feji Foundation Manshra is hereby appointed as a CT (Temporary)~~  
~~against the vacant CT at GGMS Sokal in BPS-9 @ Rs. 6200-380-17600 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

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 Manshra)
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.
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.

EXECUTIVE DISTRICT OFFICER  
E&S EDUCATION  
MANSHEIRA.

*Attache*  
Muzaffar Ahmad  
Distt. Courts Manshera



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(JP)

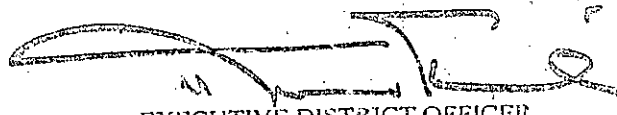
His/her services can be terminated at any time in case his/her performance is found unsatisfactory; he/she will be proceeded against under the removal from service under E&D Rules 2011.

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 1<sup>st</sup> July 2001 in pervicus 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.

(Umar Khan Kundi)  
EXECUTIVE DISTRICT OFFICER  
E&S EDU: MANSEHRA

Endst: No. 1850-8 /Est: Appt:CT /2011-12 Dated Mansehra the 2/7 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. District Officer (M&F) Local Office.
5. Deputy District Officer (Female&Male) E&SE Mansehra.
6. PA to District Coordination Officer, Manshra.
7. Budget & Accounts Officer, local office, Manshra.
8. Candidates concerned.



EXECUTIVE DISTRICT OFFICER  
E&S EDU: MANSEHRA  
EXECUTIVE DISTRICT OFFICER  
ELTY & SECY EDUCATION  
MANSEHRA

*Stuffed*  
Muhaimin  
Distt: Gornis Mansehra

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**OFFICE OF THE DISTRICT EDUCATION OFFICER ( FEMALE ) MANSEHRA.**

No. 7628 (M.E.I.D)

Dated 22/9/ /2014

**SHOW CAUSE NOTICE.**

*Annex D*

I, Naghmana Sardar, District Education officer (Female ) Mansehra as Competent Authority under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) rules,2011,do hereby serve Show Cause Notice you Mst: Mehmoona D/O Haqnawaz, Mansehra as follows:

- 1) (I) You were illegally appointed as CT at GGMS Sokal vide defunct Executive District Education Officer E&SE) Mansehra Endst: No. 1800-8 /Estt: apptt: PST/2011-12 dated 31.05.2012 , now working at GGMS Kotri , whereas you were stranger for recruitment process initiated through EATA, you never appeared in selection process as a candidate for the 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 well and wishes against the recruitment rules , as per inquiry report received through Government of Khyber Pukhtunkhwa, elementary and Secondary Education Department Letter No. SO(S/M)E&SED/4-17/2013 Umar Khan EDO BS-19 dated 25.8.2014. More over the then EDO (E&SE) has been removed from Government Service in connection with all such bogus appointment including your made by him.
- 2) Going through the findings and recommendations of the inquiry committee, the material on record and other connected papers including yours defence 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) Inflected huge financial losses to the Govt: Treasury receiving pay are result of bogus appointment.
  - c) By snatching established rights of the deserving candidates due for appointment on merit. Cheating / cancelling the facts for un lawful appointment with coorandation of faked then EDO.
3. As a result thereof, I as competent authority, have tentatively decided to impose upon you the major plenty of dismissal from services under rule 4 of the said rules.
- 4: You, are thereof, 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.
5. 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 defence to put in and in that case an ex-parte action shall be taken against you.
6. A copy of relative page of the finding of the inquiry committee is enclosed

*Naghmana*  
*Haqnawaz*

COMPETENT AUTHORITY

Mehmoona D/O Haqnawaz  
PET GGMS Kotri

*Mst. Mehmoona*  
District Education Officer  
Kotri  
Distt: Courts Abbottabad

District Education Officer  
(Female) Mansehra

GOVT: GIRLS MIDDLE SCHOOL KOTHRI BATTAL (MANSEHRA)

To

The District Education Officer  
(Female) Mansehra

Subject: SHOW CAUSE NOTICE

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Dear Madam:

Kindly reference to your Memo No. 7624 dated 27.09.2014 on the subject cited above.

It is submitted that I have been appointed as a C.T at GGMS Kothri Battal (Mansehra) vide Executive District Officer Elementary & Secondary Education Mansehra vide his No. 1800-8 dated 02.07.2012, purely on merit and all codal formalities had been adopted/observed by then E.D.O.

- a) Posts of C.T were advertised (Annex-I) committee was constituted for recruitment process and I appeared before the committee, EATA/Test interview was made the competent authority. Copy of EATA result is attached. (Annex-II).
- b) Merit was prepared and displayed and Appointment was made by the competent authority of Executive District Officer (Elementary & Secondary) Mansehra purely on merit so far as the changes/misconduct is concerned as indicated is concerned in your kind letter is illegal, unlawful and against the effecting and discipline rules 2011, because neither you nor inquiry/officer has adopted and observed coddle

Received  
11/10/14  
23/14

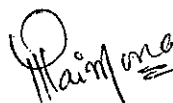
Muhammad  
Muhammad  
Distt: Courts Abbottabad

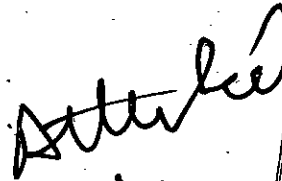
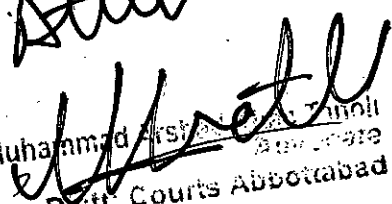
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formalities i.e. explanation, serving of notice and personal hearing hence I have committed no offence/omission.

- 1) I am not appointing authority who made fake and facetious order hence appoint is on merit.
- 2) No financial loss to the Govt: treasury has given by me, because I have been serving right from my appointment to date regularly and punctually being a Govt: Servant.
- 3) I have not deprived any candidate as I stood on merit list at the end.
- 4) Since I have been appointed/according to the rules and regulation and purely on merit by the competent authority i.e. Executive District Officer Educate BPS-19 and D.O (F) being in BPS-18 is not competent to impose Minor or Major penalty i.e. removal from service. If any Un lawful steps will be taken by you the rights to approach to Honourable High Court is reserved.

Thanking You.

  
Memoona (M.Sc, B.Ed)  
C.T (Maths)  
GGMS Kothri Battal  
Mansehra

  
  
Muhammad Arshad, Jinnah  
Associate  
Distt. Courts Abbotabad

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144-A

	<p>2. Haseha Yaqoob D/O Mohammad Yaqoob</p>	AT	<p>She did not know her EATA test roll number but recorded marks obtained as 135. She has denied regarding submission of any appeal for appointment, but received her appointment order through post. Appointed at GGMS Sakal and later at GGMS Kamalban. She has not been receiving her pay for the last one year. Her service book was prepared by Shah jahan clerk by receiving rupees 1000/- The Service Book is kept by him. She recorded her merit list number as 2.</p>
	<p>3. Saman Naz D/O Mohammad Younis</p>	PET	<p>She has not recorded her EATA test roll number but recorded marks obtained 168. She had submitted appeal in the office for appointment through her brother. Appointment letter was received through post and was appointed at GGMS Kothri (Battal) and still receiving her pay. She recorded her merit list number as 09.</p>
5	<p>Sadaf Riaz D/O Mohammad Riaz</p>	PET	<p>She did not remember her EATA test roll number, claimed marks as 156. She admitted of sending appeal for appointment in the office. Appointment letter was received through post and her father also collected same from the office. Appointed at GGMS Baradr Darband, has not been receiving salary so far and the service book has not been prepared either. Claims to be at merit list number 11.</p>
5	<p>Maimoona D/O Haq Nawaz</p>	CT	<p>Recorded EATA test roll number as 1700558 with marks obtained 184. Admitted submission of her appeal through her father who has also received her appointment order and that all process has been done by her father. Appointed at GGMS Sakal later on at GGMS Bahini, receiving her pay. Claimed to be at merit list number 03.</p>
7	<p>Asma Zeb D/O Anwar Zeb</p>	DM	<p>Recorded to be at serial number 04. Did not remember EATA test roll number but marks obtained as 150. Appointed on regular basis and received appointment order by hand. Receiving her pay regularly and appointed at GGHS Ganool. Presently working at GGHS Kewai</p>

*(Handwritten signature)*

*(Handwritten signature)*  
 Muhammad...  
 Dist: Courts Abbottabad

~~10-B~~  
14-1

The appointment order of DM contain three similar names / Parentage i.e.

- 1. Naghma Zeb D/O Aurang Zeb R/O Mansehra.
- 2. Asma Zeb D/O Anwar Zeb R/O Mansehra.
- 3. Fashida Zeb D/O Aurang Zeb R/O Mansehra.

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All the three DMs were called to appear before the committee. Naghma Zeb at S.No.1 of appointment order didn't appear before the committee despite of repeated requests but she sent her resignation from service to DO(F), Mansehra, copy of which is at Annex-LIII).

### CERTIFICATED TEACHER (CT)

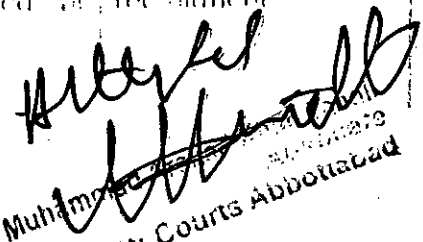
As per Government of Khyber Pakhtunkhwa E & SE Department notification number 50 4-5/SSCRC/VOL-III dated 18-01-2011 regarding service recruitment rules of teaching posts from BPS-07 to BPS-15 the minimum qualification and experience for initial appointment of CT (GENERAL) (BPS-09) was as follows: -

COMENCLATURE	Minimum Qualification & Experience for Initial Appointment or by Transfer	Age Limit.	Method of Recruitment
CT Teacher (General) BPS-9	Bachelor's Degree or equivalent qualification from a recognized University with Certified Teacher Certificate  OR With 2 years Diploma in Education	18 to 35 years.	(a) Sixty per cent by promotion on the basis of seniority cum fitness from amongst the Primary School teacher of the concerned district with five years service as such and having qualification mentioned in Column No.3  (b) Forty per cent by initial recruitment.

58. Eleven candidates were approved by the DSC in its meeting held on 14.5.2012 under the chairmanship of Mr.Umer Khan Kundi EDO E&SE Mansehra for appointment out of 439 candidates of the merit list. Appointment order of eleven candidates in BPS-9 was issued by Mr.Umer Khan Kundi EDO E&SE Mansehra Vide Endst No. 5331-5359/Estt(F) Aptt: CT(F)/ 2011-12 dated 18.5.2012. (Annex- LIV).

### 59. IRREGULARITIES FOUND IN THE APPOINTMENT ORDERS OF CT

SERIAL NO. IN THE MERIT LIST OF ATs	NAME & FATHER NAMES	APPOINTMENT ORDER NO/Endstt: No. AND DATE/PLACE OF POSTING	Facts	Remarks
	Maimoona D/O Haq Nawaz	1800-8/Estt:applt:CT/2011-12 dated 2.7.2012  Appointed at GGMS	Appointed on the acceptance of appeal by Mr.Umer Khan Kundi EDO, E&SE Mansehra. Her name was added at	The appointment is illegal and against the recruitment

  
 Muhammad Ali  
 District Courts Abbottabad

	Sokal in BPS-9	S.No 01 by hand written entry, in the merit list. Her application form was rejected by scrutiny committee because she was not qualified as the result of CT examination was not available. The closing date for the receipt of application was 6.6.2011. Whereas result of CT was not declared. The committee crossed her name in the list of interview/tentative list. Her appeal dated nil was accepted by Mr.Umer Khan Kundi EDO E&SE Mansehra dated nil is available. No meeting of DSC convened, no working papers or minutes were issued. (Annex- LV)	rules/policy and procedure 14-C P-27
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55. At page 5 of her Service Book Arrears of pay and allowances with effect from 05-07-2012 to 30-04-2013 Rs. 1,73,359/- were drawn and paid to her. (Annex- LVI)

#### APPOINTMENTS ORDER OF PSTs

61. As per Government of Khyber Pakhtunkhwa E & SE Department notification number SO (PE) 4-5/SSRC/VOL-III dated 18-01-2011 and No. SO (PE) 4-5/SSRC/PST/CT/2011 dated 20-01-2012 the Minimum Qualification and experience for initial recruitment of Primary School Teacher BPS-07 was as under: (Annex- LVII)

Nomenclature	Minimum Qualification & experience for initial appointment or by transfer	Age Limit	Method of Recruitment
Primary School Teacher BPS-07	<p>a) Intermediate or equivalent qualification from a Recognized Board with Primary School Teaching Certificate / Diploma in Education from a recognized institute or</p> <p>b) Secondary School Certificate from a Recognized Board in 2<sup>nd</sup> division with three years diploma in Elementary Education from a recognized institute.</p>	18-35 Years	<p>"By initial recruitment on merit at union council level" Provided that if no suitable candidate within the union council is available, then from the adjacent union council on merit.</p> <p>Vide Govt. of Khyber Pakhtunkhwa E&amp;SED Notification No. SO (PE) 4-5/SSRC/PST/CT/2011 dated 20.01.2012.</p>

*[Handwritten signature]*

*[Handwritten mark]*

*[Handwritten signature]*  
 District Courts Abbottabad

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UC Tarangri Shah	Sidra Hamayun r/o UC Tarangri Sabar Shah	Appointed at GGS Khati Paloi at S.M. and not in own UC where three appointment in other UC is against the recruitment policy.	UC Sum Elahi Mang is were vacant. The policy.
UC Sandi Shungli	Nosheen Bibi r/o UC Darband	Appointed in UC Bandi Shungli at GGS Darband being adjacent UC which is not the adjacent UC.	
	Salma javed r/o UC Darband	Appointed at GGS Piragura. She was not qualified as BA up to the closing date of advertisement. Her result was declared on 15.8.2011. Award of BA weightage is not justified. The appointment was irregular.	
UC Tanada	Shaibzadi Azmat Rabbhani UC Tanada	Appointed at S: NO 58 at GGS Talic Manda Ghucha. Which is other UC. The appointment in other UC is against the recruitment policy.	
UC Dodial	Asma Noreen r/o UC Dodial	Appointed at GGS Kothri S.No 59 being the adjacent UC. Being Mang is not adjacent to Dodial.	

**CONCLUSION**

On the basis of facts and findings recorded above it is evident that:

- a) The charge of making illegal appointments of CT, DM, PET, AT, RIAS and PSTs (female) during the year 2012 in violation of rules and proscribed procedure in District Mansehra, against Mr. Umar Khan Ex-EDO(E&E) Mansehra, **HAS BEEN PROVED.**
- b) The charge of making illegal appointments of CT, DM, PET, AT, RIAS and PSTs (female) during the year 2012 in violation of rules and proscribed procedure in District Mansehra, against Miss. Shamim Akhtar DO(F), Mansehra, **HAS NOT BEEN PROVED.**

**RECOMMENDATIONS**

A) Mr. Umar Khan, (BPS-19), Ex-EDO(E&SE), Mansehra presently posted as DEO(M), Haripur.

Since irregularities/illegalities in the appointment to in the enquiry have been proved on the part of Mr. Umar Khan, Ex-EDO(E&SE), Mansehra, hence, in terms of E&D Rules, 2011, Section 10(1) sub-section (b)(1) i.e. "reduction to a lower post or pay scale or to a lower grade in time scale" is recommended to be imposed.

B) Miss. Shamim Akhtar, Ex-District Officer (Female), Mansehra

• Since charges of irregularities/illegalities against her in the appointment of teachers could not be proved, therefore, she is recommended for **exoneration from the charges.**

*Sayed Hidayat Jan*  
22/10/13  
SAYED HIDAYAT JAN (PCS SG BS-20)  
Special Secretary,  
Agriculture, Livestock and Cooperative  
Department, Khyber Pakhtunkhwa,  
Peshawar  
(Member Enquiry Committee)

*Muhammad Khalid*  
22/10/13  
MUHAMMAD KHALID SAIG, PRINCIPAL (BS-20)  
Regional Institute of Teacher Education (M)  
Haripur, Khyber Pakhtunkhwa,  
(Member Enquiry Committee)

*Muhammad Hanif*  
Muhammad Hanif  
District Courts Abbottabad



Maimoona (C.T) has received this letter from Naseem (n/or) (C.N.T-C) 61101-6920839-5



16-3-15

Annex E  
P-29

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

**NOTIFICATION**

- 1:- Where as Mst: Maimoona D/O Haq Nawaz working as CT/GHS/GGMS/GGP Kotari 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 PITE 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 Pakhtunkhwa 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 Maimoona D/O Haq Nawaz CT/PET/PT C.T. GGMS/GGM GGPS Kotari Batta

*[Signature]*  
DISTRICT EDUCATION OFFICER  
FEMALE MANSAEHRA.

Endst: No. 1439-41 /AE- 3 /Estab: dated 03/03 /2015.

- Copy to the:-
1. Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
  2. Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar.
  3. District Accounts Officer Mansehra.
  4. District Monitoring Officer Mansehra.
  5. Deputy Commissioner Mansehra.
  6. Principal/Headmistress SSMS Kotari Batta
  7. SDEO(F) Mansehra.
  8. Budget and Accounts Officer Local Office.
  9. Mst: Maimoona ct SSMS Kotari Batta.
  10. Office File.

*[Signature]*  
DISTRICT EDUCATION OFFICER  
FEMALE MANSAEHRA.

*[Signature]*  
Muzaffar Hussain  
Distt: Courts Abbottabad

To

The Director,  
Elementary & Secondary Education  
Peshawar.

P-30

Annex F

Subject: APPEAL AGAINST DISMISSAL ORDER

Dear Sir:

Kindly reference to the DEO (F) Mansehra Memo No. 1432-41/AEJ-I/Estb: dated 03.03.2015 on the subject cited above.

It is submitted that I have been appointed as a C.T at GGMS Kotri Battal (Mansehra) vide Executive District Officer Elementary & Secondary Education Mansehra vide his No. 1800-8 Estbb: Appoit: C.T dated 02.07.2012, purely on merit and all codal formalities had been adopted/observed by then E.D.O.

b) Posts of C.T were advertised. Copy attached (Annex-I).

Copy attached. I applied through Proper Channel on prescribed performa. Copy attached. (Annex-II) Copy attached Committee was constituted for recruitment process and I appeared in EATA and passed the EATA test under Roll No. 1700558 scoring 184 Marks (Annex-III) Copy attached after that I appear before the Interview committee made by the competent authority merit was prepared and displayed and appointment was made by the competent authority of Executive District Officer (Elementary & Secondary) Mansehra purely on merit on acceptance of the appeal of the candidate. So far as the changes/misconduct is

Attache  
Distt Courts Abestabad

P-31

concerned as indicated is concerned in your kind letter is illegal, unlawful and against the effecting and discipline rules 2011, because neither you nor inquiry officer has adopted and observed codal formalities I explanation serving of notice. Hence I have committed no offence/omission.

- 5) I am not appointing authority who made fake and facetious order hence appoint<sup>ment</sup> is on merit.
- 6) No financial loss to the Govt: treasury has given by me, because I have been serving right from my appointment to date regularly and punctually being a Govt: Servant.
- 7) I have not deprived any candidate as I stood on merit list at the Serial No. 01 of C.T merit list. (Annex-IV). Copy of Merit list is attached.
- 8) Since I have been appointed/according to the rules and regulation and purely on merit by the competent authority i.e. Executive District Officer Educate BPS-19 and D.O (F) being in BPS-18 is not competent to impose major penalty i.e. Dismissal from service. Kindly cancel/set-aside the said illegal order issued by the DEO (F) Mansehra of dismissal from service please otherwise I reserved the rights to approach the Honourable service tribunal Peshawar.

Thanking You.

*Memoona*

Memoona  
(M.Sc, B.Ed,  
C.T AIOU Islamabad  
C.T  
GGMS Kotri Battal (Mansehra)

*Muhammad*  
*Muhammad*  
Muhammad  
District Courts Abbottabad

2415  
2416  
30/3

26/3

کورٹ فیس  
قیمتی

# وکالت نامہ

بعدالت سروس ٹرنوئل 12/12/15  
عنوان: محمد شہزاد بنام گورنمنٹ وٹھوکن موٹا  
منجانب: ایس۔ ایس۔  
نوعیت مقدمہ: اصل سروس

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کارروائی متعلقہ آں مقام  
محمد شہزاد نسیمی وٹھوکن موٹا  
کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی 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  
وصولی 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 کارروائی 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 براد استجارت ناش بصیغہ 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: 11/7/2015

بمقام: ایس۔ ایس۔

Accepted  
Mohammad Arshad  
Advocate  
Distt. Courts Anantnagar

محمد شہزاد  
11/7/2015

Shau Tanali  
court AT 9

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL**  
**CAMP COURT ABBOTTABAD.**

**Appeal No 824/2015**

Mst: Memoona , D/O Haq Nawaz, CT, GGMS Kotli Battal R/O, 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. That the appellant has suppressed the original facts from this Honorable Service Tribunal, hence not entitled for any relief & the appeal is liable to be dismissed.
8. That the competent authority has dismissed the appellant in accordance with law / rules. Thereafter the appellant preferred an appeal against the said order before the appellate authority i-e Director E & SE KPK, who has converted the penalty of "Dismissal to removal"

9. The appointment of the appellant was illegal ab initio And against the law and rules, hence the authority has conducted the inquiry against the then appointing officer i-e EDO, E & SE, appointed to present appellant in which it was found that the appointed to present appellant along with the number of other teachers were made against the rules / law and the then EDO, E & SE Mansehra namely Ommer Khan Kundi was removed from Service, by the competent authority i-e chief Minister KPK under E & D rules 2011. **(Copy is attached)**

**FACTUAL OBJECTIONS:**

- 1) Para No.1 is correct to the extent that respondent No.3 announced the post of CT in daily "The AAJ" dated 20-5-2011, while rest of the Para is incorrect.
- 2) Para No.2 is incorrect, hence denied.
- 3) Para No.3 is incorrect, hence denied. The appellant was appointed as CT in the Education Department through illegal appointment order dated 18-05-2012.
- 4) Para No.4 is incorrect, hence denied.
- 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. Rest of the Para is incorrect.

**(Annexure A)**

7) Para No.7 is incorrect as composed the competent authority was not satisfied with the reply of the appellant. More over the Appeal of the appellant was rejected by the appellate authority on the following grounds:

- i. Memoona's name was included in the merit list late in hand writing at S. No 01. Her application form No. 25 under ETEA R. No. 1700558 has been rejected due to late declaration of C.T result on 15/08/2011 i.e after due date (06/06/2011). Her appointment order Endst: No. 1800-8 was issued in light of her invalid appeal on 02/07/2012 instead of 18/05/21012.
- ii. Appeal may be rejected with the remarks that she did not possess the prescribed qualification at the time of last date for submission of application for the post applied for.

**(Annexur-B).**

- 8) Para No.8 is incorrect. The respondent No.3 issued Show cause 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 as stated in Para No. 7

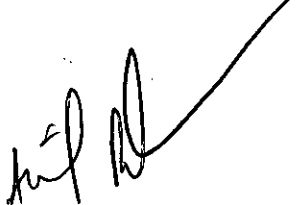
**GROUND:-**

- a. Para No. a & b is incorrect, the appointment was not made in accordance with law due to which the dismissal order was issued.
- c. Para No. c is incorrect. The detail of her illegal appointment has already stated in Para 6 & 7.
- d. Para No. d is correct to the extent of removal of Ummer Khan Kundi the then EDO rest of the Para is incorrect, hence denied.
- e. Para No. e is correct to the extent of removal of Ummer Khan Kundi the then EDO rest of the Para is incorrect, hence denied.
- 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, hence denied. The act of the respondent department is in accordance with the principle of jurisprudence and natural justice.
- h. Para No. h is incorrect, hence denied in fact according to the appeal rejection letter as stated in Para 07 of the main appeal.
- i. Para No. i is correct to the extent of removal of Ummer Khan Kundi the then EDO rest of the Para is incorrect, hence denied.
- j. Legal may be treated as per law.

**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.



**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.824-A/2015 titled case MST: Memoona CT 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

(6)

**BEFORE THE KPK SERVICE TRIBUNAL, CAMP COURT ABBOTTABAD**

Mst: Memoona ,CT, .....APPELLANT

**VERSUS**

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

**SERVICE APPEAL**

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

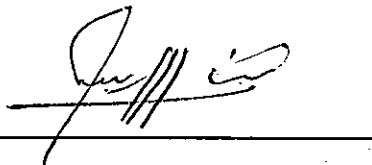
**RESPECTFULLY SHEWETH:**

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.

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.824-A/2015 titled case Mst: Memoona , CT, 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



(8)

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT**

Dated Peshawar the February 27, 2014

**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.

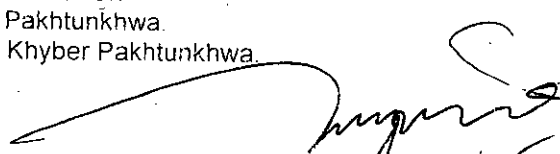
6. **NOW, THEREFORE**, in exercise of the powers conferred under section 14 of Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Minister, Khyber Pakhtunkhwa) is pleased to impose major penalty of "**Removal from service**" upon Mr. Umar Khan Ex-Executive 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.

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



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

(9)  
A

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

To

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

*Mr. ...*  
*file use ...*  
*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:**

(10)

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**)

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

**PROCEEDINGS:**

The committee informed both the accused officers vide No. PS/SSA/Enquiry /2013 Dated **5/7/2013**. 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 Minister 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**

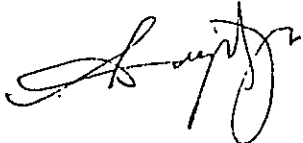
### **REPLIES TO THE CHARGE SHEET:**

#### **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)**.

3	Madeeha Yaqoob D/O Mohammad Yaqoob	AT	She did not know her EATA test roll number but recorded marks obtained as 135. She has denied regarding submission of any <b>appeal</b> for appointment, but received her appointment order through post. Appointed at GGMS Sokal and later at GGMS Kamalban. She has not been receiving her pay for the last one year. Her service book was prepared by Shah jahan clerk by receiving rupees 1000/- The Service Book is kept by him. She recorded her merit list number as 27.
4	Saman Naz D/O Mohammad Younis	PET	She has not recorded her EATA test roll number but recorded marks obtained 168. She had submitted <b>appeal</b> in the office for appointment through her brother. Appointment letter was received through post and was appointed at GGMS Kothri ( Battal) and still receiving her pay. She recorded her merit list number as 09.
5	Sadaf Riaz D/O Mohammad Riaz	PET	She did not remember her EATA test roll number, claimed marks as 156. She admitted of sending <b>appeal</b> for appointment in the office. Appointment letter was received through post and her father also collected same from the office. Appointed at GGMS Baradr Darband, has not been receiving salary so far and the service book has not been prepared either. Claims to be at merit list number 11.
6	Maimoona D/O Haq Nawaz	CT	Recorded EATA test roll number as 1700558 with marks obtained 184. Admitted submission of her <b>appeal</b> through her father who has also received her appointment order and that all process has been done by her father. Appointed at GGMS Sokal later on at GGMS Kothri, receiving her pay. Claimed to be at merit list number 03.
7	Aşma Zeb D/O Anwar Zeb	DM	Recoded to be at serial number 04; Did not remember EATA test roll number but marks obtained as 160. Appointed on regular basis and received appointment order by hand. Receiving her pay regularly and appointed at GGHS Ganool. Presently working at GGHS Kewai

(12)

*ant,* 



(B) B  
(B)

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

**NOTIFICATION.**

WHEREAS, ~~Mst Memoona, CT~~ at Government Girls Middle School Kothri District Mansehra was dismissed from service by the DEO (Female) Mansehra vide Order No. 1432-41 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. Memoona's name was included in the merit list late in handwriting at S.No. 01. Her application form No. 25 under ETEA R.No.1700558 has been rejected due to late declaration of C.T result on 15/08/2011 i.e. after due date (06/06/2011). Her appointment order Endst: No. 1800-8 was issued in light of her invalid appeal on 02/07/2012 instead of 18/05/2012.
2. ~~Appeal may be rejected~~ with the remarks that she did not possess the prescribed qualification at the time of last date for submission of application for the post applied for.

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. 1432-41 dated 03/03/2015 is hereby converted into removal from service.

Director  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa, Peshawar.

Endst: No. 4365-70 /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. Head Mistress Concerned.
4. Appellants concerned
5. PA to Director E&SE KP, Peshawar
6. Master File:

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