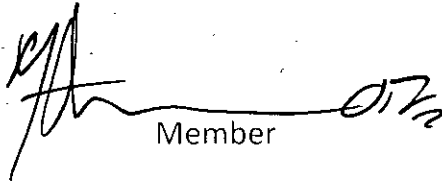
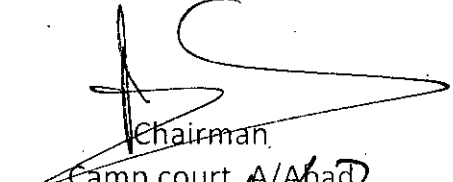


17.01.2017

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


19.5.2016

Counsel for the appellant and Mr. Muhammad Usman, Senior Clerk alongwith Mr. Muhammad Siddique, Sr.GP for the respondents present. Amended appeal not submitted. Requested for further adjournment. Amended appeal shall be submitted in office within 7 days which shall be placed before S.B after scrutiny by the Registrar, on 19.08.2016 at camp court, Abbottabad.

  
Chairman  
Camp Court, A/Abad.


19.08.2016

Counsel for the appellant and Mr. Muhammad Usman, Senior Clerk alongwith Mr. Muhammad Siddique Sr.GP for the respondents present. Amended appeal submitted and copies whereof handed over to learned Sr.GP and representative of the respondents. To come up for written reply on amended memo: of appeal on 23.09.2016 before S.B at camp court, Abbottabad.

  
Chairman  
Camp court, A/Abad.

23.09.2016

Counsel for the appellant and Mr. Muhammad Usman, Senior Clerk alongwith Mr. Muhammad Siddique Sr.GP for the respondents present. Written reply by respondents No. 1 to 3 submitted. Learned Sr.GP relies on the same on behalf of respondent No. 4. The appeal is assigned to D.B for rejoinder and final hearing for 17.01.2017 at camp court, Abbottabad.

  
Chairman  
Camp court, A/Abad

21.1.2016

None present for appellant. Mr. Muhammad Fayaz, Supdt. alongwith Mr. Muhammad Saddique, Sr.GP for respondents present. Application for permission for filing amended appeal has already been submitted. To come up for reply on application before S.B on 20.4.2016 at Camp Court A/Abad.

  
Chairman

Camp Court A/Abad

20.04.2016

Counsel for the appellant and Mr. Muhammad Usman, Senior Clerk alongwith Muhammad Siddique, Sr.GP for the respondents present. Reply to application not submitted. Arguments on application heard and record perused.

Appellant is seeking amendment in the service appeal as departmental appeal of the appellant dated 14.3.2015 was not decided at the time of filing of appeal which was decided thereafter on 25.08.2015. Learned counsel for the appellant intends to impugn the same by amending the appeal.

Since the departmental appeal of the appellant has been decided after filing of the service appeal and the appellant intends to impugn the same as well, as such the application is allowed and appellant shall therefore submit amended appeal in office within two weeks which shall be placed before this court (S.B) after scrutiny by the Registrar, on 19.05.2016 at camp court, Abbottabad.

  
Chairman

Camp court, A/Abad

3

24.07.2015

Appellant Deposited  
Security & Process Fee



Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was appointed as civil servant and was serving as such when dismissed from service vide impugned order dated 3.3.2015 on the allegations of procuring illegal appointment regarding which she preferred departmental on 14.3.2015 which was not responded and hence the instant service appeal on 6.7.2015.

That the appellant was appointed in the prescribed manners and that no inquiry whatsoever was conducted in the prescribed manners and as such the impugned order is a nullity in the eye of 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.

## Form- A

## FORM OF ORDER SHEET

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

Case No. 748/2015

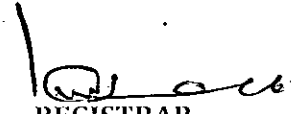
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	06.07.2015	<p>The appeal of Mst. Madiha Yaqoob presented today by Mr. Abdul Saboor Khan Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <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>

The amended appeal of Mst. Madhia-Yaqoob received to-day i.e. on 13.05.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal is not in proper format.
- 2- Annexures referred to in the memo of appeal (A to G) are not attached with the appeal which may be placed on it.
- 3- Six copies/sets of the Memorandum of appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 776 /S.T,

Dt. 13/5 /2016

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Malik Ashfaq Ahmad Jilani Adv.  
High Court Mansehra.

کھنور رجسٹرار صاحب

منہ پر بالا objection دور  
کر دی گئی ہے۔ لہذا امید ہے اپیل  
میں صرف ہے۔

عدلیہ محبوب — ایڈووکیٹ

بندوبست قور



19/05/2016

I

BEFORE THE KHYBER PAKHTUNKHAW  
SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 748/2015

Amended appeal

Mst: Madhia Yaqoob .....Appellant

Versus

1. Secretary Elementary & Secondary Education Khyber Pakhtunkhaw
2. Director Elementary & Secondary Education Khyber Pakhtunkhaw
3. District Education officer (Female) Mansehra
4. District Accounts Officer Mansehra

S#	Description of documents	Annexure	Page #
1	Memo of service appeal along with affidavit	-----	1-10
2	Correct address of the Parties	-----	10A
3	Copies of Education Record	"A"	11-19
4	Copy of Advertisement (newspaper Daily Mashraq)	"B"	20
5	Copies of ETA Test Result	"C"	21
6	Copy of Appointment Order	"D"	22-23
7	Copies of Adjustment with arrival report	"E"	24A-24B
8	Copy of Show Cause Notice	"E-1"	24C
9	Copy of Reply of Show cause Notice	"F"	25
10	Copy of the impugned order	"G"	25A
11	Copy of Appeal and receipt	"H"	26-29
12	Copy of the Rejection of appeal	"I"	30
13	Copy of the Application and order	"J"	31-32

Date 16/05/2016

Appellant

Madhia Yaqoob A.T  
GGMS Kamalban

Through:-

  
Malik Ashfaq Ahmad Jilani

&

Abdul Saboor Khan  
Advocate High Court

P-1

**BEFORE THE KHYBER PAKHTUNKHAW  
SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. 748/2015

Amended Appeal

Mst: Madhia Yaqoob .....Appellant

Versus

1. Secretary Elementary & Secondary Education Khyber Pakhtunkhaw
2. Director Elementary & Secondary Education Khyber Pakhtunkhaw
3. District Education officer (Female) Mansehra
4. District Accounts Officer Mansehra

**AMENDED APPEAL UNDER SECTION 4 OF THE  
KHYBER PAKHTUNKHAW SERVICE TRIBUNAL  
ACT, 1973 AGAINST THE IMPUGNED ORDER  
DATED 03/03/2015 AND REJECTION ORDER  
DATED 25/08/2015 WHICH WAS PASSED BY THE  
DEPARTMENT AFTER APPEAL FILED IN  
TRIBUNAL WHEREBY THE DEPARTMENTAL  
APPEAL OF THE APPELLANT AGAINST THE  
ORDER OF DISMISSAL FROM SERVICE HAS  
BEEN REJECTED FOR NO GOOD GROUNDS,  
HOWEVER DISMISSAL ORDER IS CONVERTED  
INTO REMOVAL FROM SERVICE.**

**PRAYER:-**

On the acceptance of this appeal, the impugned order dated 03/03/2015 and 25/08/2015 may please be set aside and appellant may be reinstated in to



Service with all back and consequential benefits. Any other remedy, which this August Tribunal deem fit and proper that may also be awarded in favour of appellant.

**RESPECTFULLY SHEWETH:**

1. That the appellant is residence of Mohallah Dab No.1 Mansehra, District & Tehsil Mansehra present address village Jaba Near Sheep form Balakot Road Mansehra.
2. That the appellant is qualified and having the required documents/ certificates of her testimonial. **(Copies of the educational records are attached as annexed "A")**
3. That the Executive District officer Elementary & Secondary Education Mansehra advertised the vacancies in daily Mashraq News Paper ( **copy of the advertisement is attached as annexure "B"**)
4. That as per procedure, the appellant applied for the post of A.T being a qualified teacher having A.T Certificate with M.A and Almia, ETA Test was conducted on 26/02/2011 and the appellant appeared as a candidate and obtained 136 marks out of 300 under role No.1700512**(Copy of the ETA test result is attached as annexure "C")**

5. That, the then Executive District Education Officer (EDO) conducted interview and scrutinized the documents of the candidate, and merit list of the candidate was displayed for receiving objections. After due official process, the meeting of D.S.C was held and approved the case of A.T candidates for appointment against vacant posts of A.T and the appointment order of the appellant was issued under endorsement No.4385-94/Estt: Apptt: AT/2011-12 dated 23/07/2012 and the appellant was posted at GGMS sokal Mansehra and later on transferred from GGMS Sokal to GGMS Kamalban Tehsil Balakot **(Copy of the transfer order is attached as annexure "D")**
6. That the appellant performed here duties very honestly, regularly and fairly since the time of her appointment in above mentioned different schools and also received her salaries till June, 2015 **(Copies of the transfer order and arrival report are attached as annexure "E")**
7. That the appellant was continuously performed her duties without any break from the period for which the salaries were received and has never been found guilty of any kind of absenteeism truancy, misconduct, misfeasance, are nonfeasance, nor been found guilty of dereliction of duty without taking these things

into consideration, the respondent No.3 issued show cause notice to the appellant leveling baseless allegation against the appellant therein ( **copy of the show cause notice is attached as annexure "E"**)

8. That, the reply of the show cause notice was in-time submitted (**Photo copy of the show cause is attached as annexure "F"**)

9. That the appellant appointment was dismissal through impugned dismissal order dated 03/03/2015 by imposing major penalty of dismissal from service. (**Copy of the impugned order is attached as annexure "G"**)

10. That, being agreed from the impugned dismissal order, the appellant preferred departmental appeal before the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar but of no avail. (**Copy of the appeal and receipt thereof are attached as annexure "H"**)

11. During the pendency of appeal the appellate authority has issued notification dated 25/08/2015, whereby the Departmental appeal of the appellant has been rejected however the appellant penalty order issued by the DEO (Female) Mansehra vide order dated

P-5

03/03/2015, is modified to the extent of conversion of penalty of dismissal into removal from service. ( **Copy of the rejection order dated 25/08/2015 is annexure "I"**)

12. That thereafter appellant filed an application for amendment of appeal which was allowed by the Honourable Tribunal vide order dated 26/04/2016. Hence the amended appeal on the basis of following grounds amongst other. (Copy of the application and order dated 26/04/2016 is annexure "J")

**Grounds:**

- A. That the impugned order dated 03/03/2015 and 28/08/2015 are against the Law, facts, norms of justice, arbitrary fanciful, perverse, without lawful authority, based on malafide, unconstitutional and against the relevant rules and regulation hence not maintainable and liable to be set aside.
  
- B. That the service of the appellant was terminated on the fact that the appellant appointment was the result of misuse of the authority by the then competent authority i.e EDO (BPS-19) Mr. Umar Khan Kundi such facts cannot legally be made base for removal from the service and the same is the case of appellant. The appellant legally, as per the rule of good governess and in the

light of her fundamental rights granted in the constitution could have not been penalized with major penalty for act, howsoever illegal, unjustified and without jurisdiction of then EDO Mr. Umar Khan kundi.

- C. That however the appellant penalty order issued by DEO female, Mansehra vide order dated 03/03/2015, is modified to the extent of conversion of penalty of dismissal into removal from service by showing reason that there were 18 Posts of A.T and thus she was not entitled for appointment as A.T.
- D. That perusal of first Para impugned show cause notice is self-explanatory and worth considering for reinstatement of the service of the appellant.
- E. That there is no case of ill-gotten means against the appellant and section 20 of general clause Act is not applicable to the case of the appellant because appellant has not been found guilty of any misconduct or procuring her services through any fraudulent means.
- F. That in the light of authoritative decision/views of the superior judiciary including the Supreme Court of Pakistan, the services of the appellant could not have been terminated and the impugned order could not have been issued because where the authority is guilty or

P-7

irregularities, illegalities and procedural, the service of an employee cannot be terminated.

G. That the appellant have not been allowed fair opportunity of personal hearing, thus the appellant have been condemned unheard.

H. That no proper procedure has been followed before awarding appellant the major penalty, no proper enquiry has been conducted, the appellant have not been properly associated in with the enquiry properly associated in with the enquiry proceeding, statements of witnesses if any were never taken in the appellant presence not the appellant have been allowed opportunity of cross examination, thus the proceeding so conducted or defective in the eye of law.

I. That writ petition No. 75-A of 2014 had also been filed by the present appellant for her salaries to which the respondent No.3 not only admitted, though impliedly the propriety and legality of the appointment of the appellant but also paid to her salaries.

J. That on the acceptance of the appeal by the competent authority the appointment order of the appellant was issued under the endorsement No.4385-94 Estt: Apptt: AT/2011-12 dated 23/07/2012 Mansehra the 23/07/2012

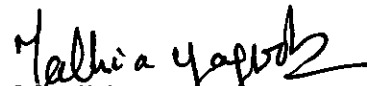
and the appellant was posted as A.T at GGMS Kamal Ban, but the appellant was removed from Service by showing reason that she applied for Qaria post bearing endorsement No.7813 and under ETA role No.1700512 but her name was included in the merit list of A.T at serial No.27, it is pertinent to mention here that the appellant being lady has been appointed for the post of A.T under serial No.27 by the competent hierarchy of Education Department, it is not appeal to prudent mind that what was / is the character and conduct of high up/ officials of any departmental, thus the appellant in all respect entitled for the post of A.T upon which she has been meticulously and scrupulously appointment by the concerned authority, therefore now she is also entitled for all the benefits since the appointment. The respondents are trying to deprive the appellant from her legal and fundamental rights as contemplated by the constitution of Islamic Republic of Pakistan 1973, the respondents before issuing of dismissal and removal orders were duty bound to hear the appellant personally, but they have failed to do so, thus they violated the principal of natural justice i.e "AUDI ALTRAM PATRAM" which means no one should be condemned unheard.

P-9

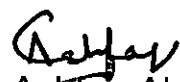
K. That the appellant seeks permission to advance other grounds and proof at the time of hearing. It is therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated 9<sup>th</sup> May 2016

Appellant

  
Madhia Yaqoob

Through:

  
Malik Ashfaq Ahmad Jilani  
&  
Abdul Saboor Khan  
Advocate High Court



P-10

**BEFORE THE KPK SERVICE  
TRIBUNAL PESHAWAR**

APPEAL NO. 748/2015

Mst: Madhia Yaqoob .....Appellant

v/s

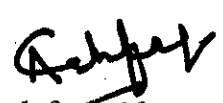
Secretary Education etc.....Respondents

**AMENDED SERVICE APPEAL**

**AFFIDAVIT**

I, Malik Ashfaq Ahmed Jilani , Advocate High Court, counsel for the appellant do hereby solemnly affirm and declare on oath that the contents of this amended appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed form this Honorable Tribunal.

Dated: 09.05.2016



Malik Ashfaq Ahmed Jilani  
&  
Abdul Saboor Khan  
Advocate High Court



P-10  
A  
P-10  
A

BEFORE THE KPK SERVICE TRIBUNAL,  
PESHAWAR

Mst. Madiha Yaqoob .....Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary  
Education, Peshawar etc.....Respondents

SERVICE APPEAL

CORRECT ADDRESSES OF THE PARTIES

APPELLANT

Mst. Madiha Yaqoob daughter of Sheikh  
Muhammad Yaqoob resident of Mohallah Dab  
No.1, Mansehra, Ex-A.T Government Girls  
Middle School Kamal Ban, Tehsil Balakot  
District Mansehra.

RESPONDENTS

1. Govt. of Khyber Pakhtunkhwa through Secretary  
Education, Peshawar.
2. Director Education Department, Khyber  
Pakhtunkhwa Peshawar.
3. District Education Officer (Female) (E&SE)  
Education Mansehra.
4. District Accounts Officer, Mansehra.

Dated 01.05.2016

*Madiha*  
Mst. Madiha Yaqoob  
...Appellant

Through

*A. Saboor Khan*  
ABDUL SABOOR KHAN,  
MALIK ASHFAQ AHMED JILANI,  
Advocates High court,  
Mansehra.

Attested  
Guliy

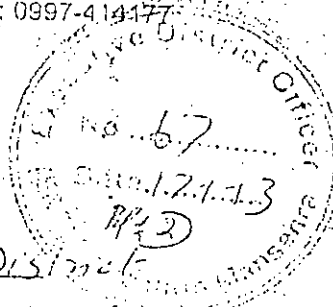
P- (11)  
Annex = 'A'

OFFICE OF THE CONTROLLER OF EXAMINATIONS  
HAZARA UNIVERSITY MANSEHRA

Phone: 0997-414177

No: HU/CE/2012/ 2618

Date: 14/11/2013



Sayed / (A)

To

Executive District  
Manshera School  
Manshera

11/11/13

Subject:

Verification of Degree/Detail Marks Certificates

1. Reference is made to your letter No. Nil dated Nil.
2. Enclosed please find verified Degree/DMC bearing Roll/No. 57812 for further necessary action.
3. Kindly acknowledge receipt.

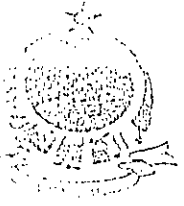
W.P.C.P.

Assistant Controller of Examinations  
Hazara University, Mansehra

Affected  
Rahif

P-12  
Annex "A"

SNo: 23357



# HAZARA UNIVERSITY

MANSEHRA, PAKISTAN

## DETAILED MARKS CERTIFICATE

### BA ANNUAL EXAMINATION 2011

l.g.m.s  
10000  
13000

Roll No: 57812

Reg No: 09-PM-1227

Name: Madiha Yaqoob

F/ Name: Sheikh Muhammad Yaqoob

Institution/ MANSEHRA

Part: Second

District

09/08/11/10

COURSE TITLE	Max. Marks		Marks Obt.		Total	Marks in Words	Remarks
	TH	PR	TH	PR			
Part-I Marks----->	285				135	ONE HUNDRED THIRTY-FIVE	
ENGLISH	75		26		26	TWENTY-SIX	Pass
URDU	75		52		52	FIFTY-TWO	Pass
PAKISTAN STUDIES	40		21		21	TWENTY-ONE	Pass
ISLAMIC STUDIES	75		52		52	FIFTY-TWO	Pass
Total:	550				286	TWO HUNDRED EIGHTY-SIX	
Percentage:	52.00						
Division:	SECOND						



Total:

550

Percentage:

52.00

Division:

SECOND

Date: 15-08-2011

P-240/351

*[Signature]*

Checked By: *[Signature]*

Errors and omissions are subject to subsequent rectification.  
Note: 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  
August 15, 2011

VERIFIED BY  
*[Signature]*

Attaced  
A-1/1/13

P-13  
Annex = A

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION ABBOTTABAD

No. 1739 HSSC/Secy/Verf/BISE/Atd.

Dated. 02/01/13

To

District Offices (F)  
Etaj, 9, Secy: Education  
Mansehra

Subject:

VERIFICATION OF DETAILED MARKS CERTIFICATES

Your letter No.

1922

Dated. 20/12/12

The Detailed Marks Certificate attached herewith are returned after verification.

Assistant Controller of Examinations (S)  
BISE, Abbottabad.

08  
17/11/2013

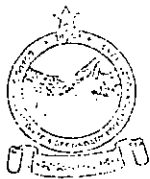
Notes:-

1. Only photocopies of DMCs must be sent to Assistant Controller of Examination (S)
2. Provisional Certificates/Original Certificates must be sent to Assistant Secretary Certificates for verification

*Allected*  
*Asif*  
96200

*g.h.m.s*  
*Komal*  
*P.*  
14

Certificate No: AB \_\_\_\_\_  
BOARD OF INTERMEDIATE & SECONDARY EDUCATION ABBOTTABAD



Roll No: 4129  
Group: HUMANITIES

**DETAILED MARKS CERTIFICATE**  
**HIGHER SECONDARY SCHOOL CERTIFICATE EXAMINATION**

Part - II  
Session: 2008 (Supply)

Name: MADIHA YAQOOB  
Father Name: SHEIKH MUHAMMAD YAQOOB  
Reg No: 0545AB/MA-intFP06  
Institution/  
District: MANSEHRA

has secured the marks shown against each subject in the Higher Secondary School Certificate Examination Part-II held in the month of Nov/Dec as a Private Candidate.

Subjects	Marks	Marks Obtained				Total	Marks in Words
		Part-I		Part-II			
		Theory	Pract	Theory	Pract		
English	200	47	--	35	--	82	Eighty-Two
Urdu (Comp)	200	61	--	60	--	121	One Hundred Twenty-One
Pakistan Studies	50	--	--	29	--	29	Twenty-Nine
						232	Two Hundred Thirty-Two Only

**SECRET**  
**H.S.C. SECRET**

Remarks :

Qualifying Sub

Date : 20 January, 2009

Checked By : \_\_\_\_\_

Controifer of Examinations

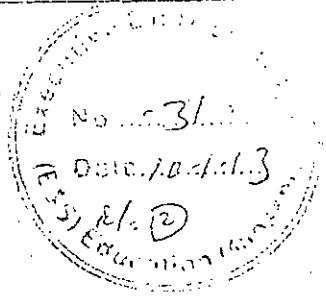
Note: Errors / Omissions excepted. Any mistake in Name, Father Name etc must be intimated within 30 days of the issuance date of this certificate to BISE Abbottabad. Visit us: [www.biseabd.edu.pk](http://www.biseabd.edu.pk)

P-15

*Accepted  
Secretary*



**BOARD OF INTERMEDIATE AND SECONDARY EDUCATION ABBOTTABAD**



No. 4340/SSC/Secy/Verf/BISE/Abd.  
Dated. 7 / 1 / 13.

*Secretary - II (I-2)*

*The Depl. Officer (Female)*  
*(145) Education*  
*Manshera*

*13*  
*09 / 01 / 13*

*D. 10/1/13*

Subject: VERIFICATION OF DETAIL MARKS CERTIFICATES

Your letter No. 1922  
Dated. 20/12/12

The Detail Marks Certificate attached herewith are returned after verification.

*[Signature]*  
Assistant Controller of Examinations, (S)  
Board of Intermediate & Secondary Education,  
Abbottabad.

Note:-

- 1 Only photocopies of DMCs must be sent to Assistant Controller Secrecy.
- 2 Provisional Certificate/Original Certificates must be sent to Assistant Secretary Certificates for verification.

Attached  
Result

EGMS  
1000000  
3000

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION ABBOTTABAD



Roll No: 80199  
Group: HUMANITIES

**RESULT CARD**  
**SECONDARY SCHOOL CERTIFICATE EXAMINATION**  
(CLASS 10)

Session: 2005 (Annual)

Name: MADIHA YAQOUB  
Father Name: SHAIKH MUHAMMAD YAQOUB  
Date of Birth: 15-AUG-86  
Institution / District: MANSEHRA DISTRICT

has secured the marks shown against each subject in the Secondary School Certificate Examination Part - II (10 Class) held in the month of March / April as a Private candidate.

Subjects	Total Marks	Part-I		Part-II		Total	Marks in Words
		Th	Pract	Th	Pract		
English	150	40	--	25	--	65	Sixty-Five
Urdu	150	40	--	43	--	83	Eighty-Three
Pakistan Studies	75	--	--	32	--	32	Thirty-Two
Total: 375						160	One-Hundred Eighty Only

SECRETARY  
BISE ABBOTTABAD

Dated: 04-APR-06  
Checked By: [Signature]

Remarks: ADDITIONAL  
[Signature]  
Controller of Examinations

Note: Errors/Omissions excepted. Any mistake in the Date of Birth & Name etc must be intimated within 30 days of the issuance date of this certificate to BISE Abbottabad. Visit us: www.biseaid.edu.pk



Attached  
Madaris - il - Arabia, Pakistan

وفاق المدارس العربیہ پاکستان

فون نمبر : 6539376 - 6539665 - 061  
فیکس نمبر : 6539485 - 061

مرکزی دفتر : گارڈن ٹاؤن، شیرشاہ روڈ ملتان

M.Z. 0089 1434

Suppl-2011 (F)

جناب ایگزیکٹو ڈسٹرکٹ آفیسر  
ایڈمنسٹری ایٹو سیکٹری ایجوکیشن مانسہرہ

15/1/13  
DCC (K)

السلام علیکم ورحمۃ اللہ وبرکاتہ!

آپ کی طرف سے مکتوب بحوالہ نمبر 1917 مورخہ 20-12-2012 موصول ہوا۔ جس

کے ساتھ لف شدہ اسناد کی فوٹو کاپیوں کی تصدیق طلب کی گئی جن کی تفصیل درج ذیل ہے۔

نمبر شمار	نام	ولدیت	کیفیت
01	شائستہ شاہ	سید ولی شاہ	سند عالیہ و عالیہ ہمارے ریکارڈ کے مطابق درست ہے۔
02	مدیحہ شیخ	محمد یعقوب	سند عالیہ ہمارے ریکارڈ کے مطابق درست ہے۔

الحمد لله رب العالمین

والسلام

مولانا عبدالحمید

ناظم مرکزی دفتر

وفاق المدارس العربیہ پاکستان



G.G.M.S  
Kamral  
Boni

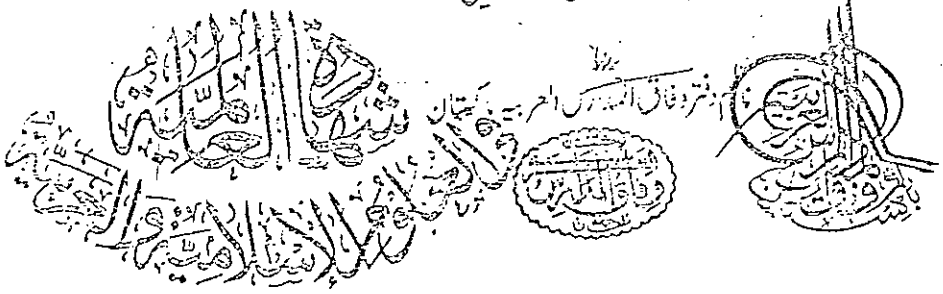
M. A. J. Khan

Annex - A

P-18

1579  
1951-52

تعمیر کی جاتی ہے کہ سند ہذا کے جملہ کوائف  
ریکارڈ کے مطابق درست ہیں



الحمد لله رب العالمين، والصلاة والسلام على خاتم الانبياء والمرسلين، وعلى آله وصحبه اجمعين. انما بعد، فان رئاسة  
وفاء المدارس العربیہ پاکستان، کشمیر، بانی الخالفة بنديجه شيخ بنت محمد اعتراب من .....  
المولودة في عام ..... في قد أتمت الدراسة الشبائية في .....  
تحت إشراف وفاق المدارس العربية باكستان في شبان .....  
ورئيس الوفاق إذ يمنحها هذه الشهادة، يوصيه بتقوى الله تعالى ويسأل الله عز وجل أن يسلك بها سبيل العالقات العاملات.

رقم التسجيل ..... ١٣١٨٢  
رقم المدارس ..... ٣٢٤٢  
الدرجات ..... ٢٤٨ / ١٠٠  
محل الإصدار: .....  
التاريخ: ١٤٢٤/٩/٢٠ (٢٠٠٣/١١/٢٠)



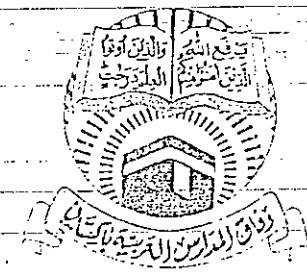
حبيب حسن



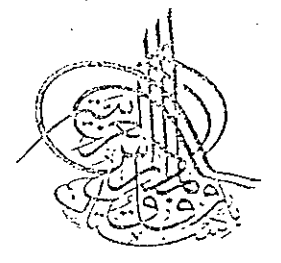
مخيف الجالدي

P-19  
 Annex 'A'  
 Attached  
 Received

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



شهادة  
 التخرج  
 من  
 كلية  
 الشريعة  
 والاسلام  
 جامعة  
 المدينة المنورة



الحمد لله رب العالمين. والصلاة والسلام على خاتم الانبياء والمرسلين، وعلى آله وصحبه أجمعين. أما بعد، فإن رئاسة  
 وفاق الدراسات والبحوث بباكستان. تشهد بأن الطالبة مديحة شاخ بنت شيخ محمد يعقوب من منسوبيه  
 المولودة في عام ١٩٨٦م. قد أتت الدراسة العالية في جامعة الصالحات ابنا الأستاذ (بمنسوبيه) ونجحت في الامتحان التمهائي المنعقد  
 تحت إشراف وفاق المدارس الشرعية بباكستان في شعبان ١٤٢٣م بتقدير مقبول. وبسبب ذلك استحققت الشهادة العالية  
 ورئيس الوفاق إذ يمتحها هذه الشهادة يوصيها بتقوى الله تعالى ويسأل الله عز وجل ان يسلك بها سبيل الصالحات العاملات.

تاريخ التخرج

١٤٢٣/١٢/٢٥

تاريخ التخرج

١٤٢٣/١٢/٢٥

رقم التسجيل ١٢٨٦١

رقم الجلوس ٢٩٣٢٣

الدرجات ٢٥٥



محمد حبيب الله

محمد حبيب الله

محمد حبيب الله

محل الإصدار: جامعة المدينة المنورة

التاريخ: ١٤٢٣/١٢/٢٥



Handed P- (21)  
 Rauf  
 Annex = C

**TAT-2 FEMALE MANSEHRA RESULT 2011**

Roll No	Name	Father Name	Marks	%age
1700474	HIFZA SHAZADI	ADBUL QADIR	120	40.00
1700475	HABAJA BIBI	ROSHAN KHAN	84	Fail
1700476	SALMA KHAN	HABIB UR REHMAN KHAN	116	Fail
1700477	BIBI NAHEED	MOHD RAFIQUE	88	Fail
1700478	KHOLA MUMTAZ	MOHD MUMTAZ	88	Fail
1700479	ZAHIDA BIBI	MOHD TARIQ	64	Fail
1700480	SAIRA	MOHD SADIQUE	136	45.33
1700481	JAVARIA BIBI	FAIAZ AHMED	128	42.67
1700482	NAZMA SAEED	SAEED AHMED	88	Fail
1700483	NELEEM NAZ	GHULAM MUSTAFA	140	46.67
1700484	IRUM JEHAN	MOHD YOUNIS	152	50.67
1700485	NAGINA BIBI	MOHDASHRAF	92	Fail
1700486	NADIA RUBY	ABDUL RASHID	108	Fail
1700487	NAZIA BANO	BADRI ZAMAN	Absent	#VALUE!
1700488	FOZIA BANO	JAN MOHD	140	46.67
1700489	BUSHRA	PIR ZADA	132	44.00
1700490	FOZIA	SHOUKAT ALI	108	Fail
1700491	UZRA PIR ZADA	PIR ZADA	140	46.67
1700492	NAHEEDA KHATOON	SHAFI ULLAH	100	Fail
1700493	RAHAT NAZ	SAHIB KHAN	132	44.00
1700494	AZRA BIBI	MAHRUM SHAH	86	Fail
1700495	BIBI HALEEMA	WALI MOHD	120	40.00
1700497	NOSHEEN JAN	JAN MOHD	72	Fail
1700498	BIBI DILSHAD	REHMANT ULLAH	36	Fail
1700499	NAHEEMA	SHER MOHD	144	48.00
1700500	SUMAIRA GUL FIDA M KHAN	ATTA ULLAH	104	Fail
1700501	LUBNA BIBI	FAZAL KHAN	84	Fail
1700502	GULNAZ BIBI	M SADIQ	136	45.33
1700503	RIFFAT ARA	FAQIR MOHD	144	48.00
1700504	NADIA BIBI	HABIB UR REHMAN KHAN	116	Fail
1700505	RAHILA TABASUM	M SADIQ	128	42.67
1700506	SUMAIRA RANI	M SADDIQ	148	49.33
1700507	SOBIA WALI	KHAN WALI	128	42.67
1700508	NARGIS BIBI	FAIZ ULLAH	136	45.33
1700509	RUKSANA	MAQBOOL	188	62.67
1700510	NAILA BIBI	FAIZ ULLAH	132	44.00
1700511	BIBI ABIDA	QAZI M ARIF	156	52.00
1700512	MADHIA	SHJEIKH M YAQUB	136	45.33
1700513	SARWAT SHAH	REHMAT SHAH	116	Fail
1700514	MEWISH BIBI	M RASHID	104	Fail
1700515	KALSOOM BIBI	SAID KHAN	Absent	#VALUE!
1700516	RASHIDA BIBI	ALI GHOR	120	40.00
1700517	MAIRA BIBI	KHAWAJ	124	41.33
1700518	SAMAWYA REHMAN	FAZAL UR REHMAN	112	Fail
1700519	HAIDA YASMIN	MUDAD KHAN	84	Fail
1700520	NOREEN BIBI	HAYAT ULLAH	116	Fail
1700521	NAZISH	M IMRAN	116	Fail
1700522	ALLIA BIBI	PIR MOHD	156	52.00
1700523	FARAH SHEIKH	SHEIKH M AMIN	152	50.67
1700524	UZMA BIBI	ABDUL REHMAN	104	Fail
1700526	BALQEES	FARID MOHD	100	Fail
1700527	YASMIN BIBI	S YOUSAF SHAH	104	Fail
1700528	FARHAT NAZ	ROSHAN KHAN	108	Fail
1700529	ZAINAB BIBI	SADIQ HUSSAIN	112	Fail
1700530	NIGHAT BIBI	M BISHARAT	84	Fail



Accepted P. 22  
Rajp

22

Annex-D

OFFICE OF THE EXECUTIVE DISTRICT OFFICER E&S EDUCATION MANSEHRA

ORDER

In continuation of this office endst No. 625-654/Estt (M) Apptt AT (M)/202 Dated Mansehra 14/06/2012 and on the acceptance of the appeal by the competent authority Miss: Madiha Yaqoob D/O Shaikh Muhammad Yaqoob R/O Dab Mansehra is hereby appointed as a **AT (Female)** against the vacant post of AT, at GGMS Sokal in BPS-15 @ Rs.8500-700-29500 plus usual allowances as admissible under the rule on regular basis under the existing policy of provincial Government on the terms and condictions 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 Manschra)
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.

Affected  
Review

P- (23)  
Annex - D

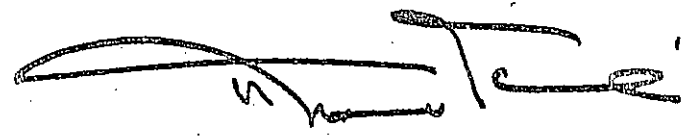
8. His/her services are liable to termination on one month prior notice from either side in case of resignation without prior notice, his/her one month pay/allowances if any shall be forfeited to Government Treasury.
9. His/her services can be terminated at any time in case his/her performance is found un-satisfactory; 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 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.

(DR. AMAR KHAN)  
DISTRICT COORDINATION OFFICER  
MANSEHRA

Endst: No. 4385-94 /Estt: Apptt: AT//2011-12 Dated Mansehra the 23-7- 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. Candidates concerned.



EXECUTIVE DISTRICT OFFICER  
E&S EDU: MANSEHRA

Accepted

P-24A

مقبول ہے

Annex E

تصدیق کی جاتی ہے کہ عساقہ ماریچہ لعقوبہ رحمتہ اللہ علیہ  
 ساکنہ مائیسرہ (A-T) نے آج مورخہ 14/9/12 (قبل از دوپہر) کو  
 گورنمنٹ گریلز مڈل سکول کمال بن میں اپنی پوسٹ کے  
 زیر آرڈر نمبر 4385-94 Endst کے تحت حاضری کر دی ہے۔

لیپز رپورٹ سرہن ہے۔

Dated 14-9-12

مقام: گورنمنٹ گریلز مڈل سکول

کمال بن۔

انتخابی نمبر خان

135010129409305



مہندرانجلیار کمال بن

13501017051826





Attaced P-24B Annex - E

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND  
SECONDARY EDUCATION MANSEHRA

ADJUSTMENT.

1. Mst:Madhia AT ~~PS~~ GGMS Sokalis hereby adjusted at GGMS Kamal Ban against vacant post in the interest of public service with immediate effect.

-Sd-


EXECUTIVE DISTRICT OFFICER  
ELEMENTARY AND SECONDARY  
EDUCATION MANSEHRA

Endst: No. 8039-42

Dated Mansehra the: 21/9/12

Copy to:-

1. The District Accounts officer Mansehra
2. The DO(F)Local office.
3. Headmistress concerned
4. Teacher concerned.

  
EXECUTIVE DISTRICT OFFICER  
ELEMENTARY AND SECONDARY,  
EDUCATION MANSEHRA



*Heeted*  
*A. Yaqub*

*P*

*240*

*Max E1*

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

No. 2234 / Establishment/ 2014

Email: [deofmansehra@yahoo.com](mailto:deofmansehra@yahoo.com)

Dated: 29/9 / 2014

Phone & Fax: 0997-302518

**SHOW CAUSE NOTICE**

I, Naghmana Sardar, District Education Officer (Female) Mansehra as Competent Authority under the Khyber Pakhtunkhwa Servant (Efficiency & Discipline) rules, 2011, do hereby serve you Mst Madeeha Yaqoob D/O Sheik Muhammad Yaqoob, AT, Govt: Girls Middle School Sokal Now at GGMS Kamal Ban Mansehra Show cause Notice as follows:

1) You were appointed as AT at GGMS Sokal vide defunct Executive District Officer (E&SE) Mansehra Endstt: No 4385-64/Estt:/Apptt: AT/2011-12 Dated 23:07.2012 where you were stranger for recruitment process initiated through EATA. Acceptance of your appeal & subsequently your appointment order was the result of misuse of authority by the then EDO according to his sweet will & wishes against the recruitment rules, as per inquiry report received through Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department letter No SO(S/M)E&SED/4-17/2013 Umar Khan EDO BS-19 dated 25/08/2014 More over the then EDO(E&SE) has been removed from Government Service in connection with all such bogus appointment including yours made by him.

2) Going through the finding and recommendation of the inquiry committee, the material on record & other connected papers including your defiance before the inquiry committee:-

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

- Misconduct and dishonesty in getting bogus/faked appointment without due process of recruitment.
- Inflicted huge financial losses to the Govt: Treasury receiving pay are result of bogus appointment.
- By snatching established rights of the deserving candidates due for appointment on merit. Cheating/canceling the facts for un lawful appointment with coordination of then EDO.

3) 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.

4) You are thereof, required to Show Cause as to why the aforesaid penalty should not be imposed upon you & also intimate where 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 defiance to put in and in that case an ex-parte action shall be taken against you.

6) A copy of the finding inquiry committee related page is enclosed.

*Naghmana Sardar*

COMPETENT AUTHORITY

Attached

P-25

عزت مآب جناب ڈسٹریکٹ ایجوکیشن آفیسر صاحبہ (زنانہ) ضلع مانسہرہ  
عنوان: Anna = F  
جو اسد برائے شوقاز۔

جناب عالیہ

یہ کہ سائلہ گورنمنٹ گرلز ٹرڈل سکول کمال بن میں بطور AT ٹیچر اپنے فرائض منصبی سرانجام دے رہی ہے جناب عالیہ محکمہ تعلیم ضلع مانسہرہ نے اخبار میں اشتہار برائے بھرتی اساتذہ دیا جس کے جواب میں سائلہ نے اپنی درخواست محکمہ تعلیم ضلع مانسہرہ جناب ایگزیکٹو ڈسٹرکٹ آفیسر صاحب کے دفتر میں جمع کروائی۔ تمام قانونی پراسس مکمل کیے گئے اور ایٹاٹ بھی اچھے نمبروں سے پاس کیا جس میں سائلہ نے 135 نمبر لیے مگر سائلہ کا آرڈر نہیں ہو سکا۔ سائلہ کے ساتھ والی سب امیدواروں کے آرڈر ہو گئے تو سائلہ نے محکمہ تعلیم ضلع مانسہرہ میں جناب ایگزیکٹو ڈسٹرکٹ آفیسر صاحب سے اپیل کی کہ میری تقرری نہیں ہو سکی۔ جناب ایگزیکٹو ڈسٹرکٹ آفیسر صاحب نے محسنت Competent Authority مہربانی کرتے ہو میری اپیل پر دراندانہ غور کیا اور اپنا ریکارڈ چیک کرنے کے بعد میری تعیناتی کر دی۔ میں تقریباً ایک سال تک بغیر تنخواہ کے اپنی ڈیوٹی احسن طریقہ سے سر انجام دیتی رہی۔ تنخواہ کے لیے میں نے کئی بار ڈسٹرکٹ آفیسر صاحبہ کو اپیلیں کیں مگر کوئی شنوائی نہ ہو سکی۔ مجبوراً سائلہ نے معزز عدالت عالیہ میں رجوع کیا جس پر معزز عدالت ہائی کورٹ بیچ ایٹ آباد نے بحوالہ ٹپیشن نمبر WP-75-A/2014 مورخہ 12/02/2014 اور CM

No.63-A/2014 میں فیصلہ دیتے ہوئے معزز عدالت عالیہ نے اُس وقت کی ڈسٹرکٹ آفیسر صاحبہ کو میری تنخواہ کی ادائیگی کا حکم دیا جس پر انہوں نے مجھے تنخواہ کی ادائیگی کر دی اُس وقت سے آج تک سائلہ اپنی ڈیوٹی اُن دور دراز پہاڑی علاقہ میں وہاں رہتے ہوئے احسن طریقہ سے سرانجام دے رہی ہے۔ آج دو سال بعد مجھے شوکا ز دیا گیا ہے کہ میرا آرڈر ٹھیک نہیں اور مجھے سروس سے برخاست کیا جائے گا وغیرہ وغیرہ۔ یہ کہنا نہ صرف میرے بنیادی انسانی حقوق کی خلاف ورزی ہے بلکہ معزز عدالت عالیہ کے حکم کی خلاف ورزی بھی کی گئی ہے۔ آپ جناب سے دراندان اپیل ہے کہ میں ایک کولیفیاڈ ٹیچر ہوں میرے تمام تر ضروری کاغذات کی اُس وقت کی ڈی ای او صاحبہ نے از خود متعلقہ بورڈ اور یونیورسٹی سے آفس چھٹیوں کے ذریعہ سے verification کر دی ہوئی ہے اور انہوں نے ہر قسم کی تسلی کر لینے کے بعد مجھے تنخواہ کی ادائیگی کی ہے۔ آپ سے گزارش ہے کہ میرے خلاف شوکا ز کو فائل کرتے ہوئے واپس لیا جائے تاکہ مجھے دوبارہ معزز عدالت عالیہ میں رجوع نہ کرنا پڑے۔ آپ کے اس احسان کی میں از حد مشکور و ممنون ہوں گی۔

دارفرض:-

مدیحہ یعقوب اے ٹی گورنمنٹ گرلز ٹرڈل سکول کمال بن کاغان ضلع مانسہرہ۔

Madiha

مدیحہ یعقوب

اے ٹی گورنمنٹ گرلز ٹرڈل سکول کمال بن  
13503-4614548-8

کاپی برائے اطلاع:-

ساق احمد جیلانی ایڈوکیٹ ہائی کورٹ آفس مانسہرہ



Attested  
R. Syed

P

2 SA

Annex - 5

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

NOTIFICATION

1- Whereas Mst: Madeya Yarsoob D/O Muhammad Yarsoob working as AT GGHS/GGMS/GGP Kumbalban 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. Akhallaq 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 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: Madeya Yarsoob D/O Muhammad Yarsoob CT/PET/TT AT GGHS/GGM GGPS

*(Signature)*

DISTRICT EDUCATION OFFICER  
FEMALE MANSEHRA.

Order No. 1592-1571 /AE- 1 /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 Kumbalban
7. SDO(I) Mansehra.
8. Budget and Accounts Officer Local Office.
9. Mst: Madeya Yarsoob
10. Office File.

*(Signature)*

DISTRICT EDUCATION OFFICER  
FEMALE MANSEHRA.

*Alleged  
Deputy* P-26

Annex <sup>of</sup> *A*

The Director,  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa Peshawar

Subject:- DEPARTMENTAL APPEAL AGAINST THE IMPUGNED NOTIFICATION ISSUED UNDER ENDORSEMENT NO.1502-0511 DATED 3<sup>RD</sup> MARCH 2015 WHEREBY MAJOR PENALTY OF DISMISSAL FROM GOVERNMENT SERVICE WAS IMPOSED UPON THE APPELLANT IN A HIGH CAPRICIOUS/WHIMSICAL MANNER WITHOUT LAWFUL AUTHORITY (COPY OF THE IMPUGNED NOTIFICATION IS ATTACHED & MARKED AS ANNEX "A").

Prayer:- CAPTIONED IMPUGNED NOTIFICATION MAY PLEASE BE SET ASIDE FROM THE DATE OF ITS ISSUANCE DECLARING THE SAME WITHOUT LAWFUL AUTHORITY CONTRADICTORY TO THE RECRUITMENT POLICY & RULES AND RE-INSTATE THE APPELLANT WITH ALL BACK BENEFITS AT THE SAME STATION.

Respected sir:-

I would like to invite your kind attention to the following facts in connection to colorful exercise of power on the part of authority i.e DEO (F) Mansehra.

1. That the then Executive District Officer E&SE Mansehra invited applications for recruitment of teachers of various cadres in District Mansehra through advertisement published in daily MASHRAQ.
2. That as per procedure appellant applied for the post of DM being a qualified teacher having AT Certificate with MA & Almia and ETA Test was conducted on 26/02/2011 and appellant appeared as a candidate under Roll No. 1700512 and obtained 136 marks out of 300.
3. That the then EDO conducted interview and scrutinized the documents of the candidates, and merit list of the candidate was displayed for receiving objections. After due official process the meeting of DSC was

*Accepted  
Ashraf*

P-27

held and approved the cases of AT candidates for appointment against the vacant posts.

4.

That appointment order of the appellant was issued under endorsement No.4385-94/Estt: Apptt: AT/2011-12/ dated 23/07/2012 and appellant was posted at GGMS Sokal and later on transferred 8035-42 dated 10/09/2012 to GGMS Kamal ban (Copy attached).

5.

That appellant continuously performing her duty without any break for more than 02 years while a show cause notice whereby allegations were leveled against the appellant based on concoction, baseless & concealment of facts:

6.

The appellant was appointed after due recruitment process and her appointment order along-with others candidates was issued in a lot after the approval of DSC by the competent authority i.e EDO E&SE BPS-19. And dismissal order was issued by the Dy: DEO BPS-18.

7.

That appellant received impugned order dated 3rd March 2015, whereas the major penalty of dismissal from service has been imposed upon the appellant. (copy of the dismissal is attached)

8.

That the appellant passed here professional qualification i.e , AT Course with MA & Almia. All the degrees and certificates were also get verified from the concerned University / Board / Institutions by the District Officer (Female) Copy attached. Photo copy of the Service Book is also attached.

Sir,

- a) Appellant was appointed after due process of recruitment through ETA test and her appointment order was issued after the approval of DSC. The appellant served as regular teacher in Education Department for more than 2 years without any break/leave/absentee etc and no action was taken nor show-cause was served neither asked for any irregularities or personal hearing during the Probation period.

Alleged  
Rajiv

P- (28)

- b) No inquiry was conducted or initiated, no opportunity of defense was offered, no personal hearing was made, how the authority was passed in the light of E&D rules under what charges/ evidence imposed such a harsh punishment.
- c) The inquiry regarding illegal appointment was made against the then EDO not against the candidates/teachers.
- d) The enquiry was made and in the finding no recommendation was issue for the termination/dismissal of teachers, they only recommended the appointing authority for minor punishment as one step down or 2 deductions of 2 increments.
- e) The District Education Officer has dismissed all the teachers appointed during 2012, from Government service after three years, which is absolutely against the rules regulation and clear cut against the human rights and against the justice.

In the light of the above facts, it is humbly requested that to set aside the impugned dismissal order /notification that is without lawful authority and having no legal sanctity and re-instate the original appointment order of the appellant with all back benefits at the same station.

M. Adil  
14.03.15

Mdia Yaqoob W/O Sheraz Ahmad  
Village Jaba Near Sheep Form Balakot  
Road Tehsil & District Mansehra  
CNIC No.13503-4614548-8

Attaced  
Relief

P- (29)

No. 569

For insurance Notices see reverse.  
Stamps affixed except in case of  
insured letters not more than  
the initial weight described in the  
Post Office Guide or on which no  
acknowledgment is due.

Rs.  
50/2

Received a registered  
addressed to

*District Commissioner*

Write here "letter", "postcard", "packet" or "parcel"  
with the word "insured" before it when necessary

Insured for Rs. (in figures) *Rs. 100/-*

If insured.

Insurance fee Rs.

*Rs. 10/-* Kilo Grams

Name and  
address  
of sender

*Redman*



Affected  
Rashid

P-30  
Annex - "A" 1

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA, PESHAWAR.

NOTIFICATION.

WHEREAS, Mst. Madeeha Yaqoob, AT at Government Girls Middle School Manshra District Manshra was dismissed from service by the DEO (Female) Manshra vide Order No. 1502-11 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 applied for Qaria post bearing form No.7813 under ETEA R.No. 1700512 but her name was included in the merit list of A.T at S.No. 27. Neither her name was included in the working paper nor in DSC minutes of A.T. She claimed in her appeal that she also applied for A.T post. Her name was at S.No.27 of the A.T merit list while there were 18 posts of A.T and thus she was not entitled for appointment as A.T according to the available vacancies. If she is considered for A.T post even then she was not eligible for appointment in terms of her merit/vacancy position. She has been appointed vide a single order Endst.No.4385-94 dated 23/7/2012.
2. Appeal may be rejected with the remarks that she was appointed on the post other than the post applied for showing her a candidate for the post of Qaria instead of A.T.

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) Manshra vide order No. 1502-11 dated 03/03/2015 is hereby converted into removal from service.

Director  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa, Peshawar.

Post No. 6553-58 / F No. 79 Appellants Female MSR Dated Peshawar the 23/05/2015

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

1. District Education Officer (Female) Manshra
2. District Accounts Officer Manshra
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

P-32

Annex "B"  
"J"

Received  
20/01/16

KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
Case No. 286  
21/01/2016

BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR

247/248/  
21-01-2016  
ABBOTTABAD

In the matter of  
Appeal No. \_\_\_\_\_/2015

Madiha Yaqoob..... (Applicant)

Versus

Govt of Khyber Pakhtunkhwa through Secretary  
Education, Peshawar and others.....  
(Respondents)

Application for permission for filing amended  
appeal in view of the Modification in the final  
order i.e conversion of penalty from dismissal  
to removal from service vide order dated  
25.08.2015.

Respectfully Submitted:

1. That the above noted appeal is pending adjudication before this Honorable Tribunal and is fixed for hearing on 21.01.2016, at Camp Court Abbottabad.
2. That the appellant request for allowing necessary amendment in the following manner inter alia on the following grounds:-

Grounds of Application

A. That the appellant has in the titled appeal challenged the order dated 03.03.2015, vide which she has been dismissed from service. Before approaching the Honorable Tribunal, the appellant also submitted the mandatory departmental appeal on 14.03.2015, however the same was not responded till 90 days, hence the appellant filed the titled appeal.

P. (32)  
Annex - [ ]  
'J'



A No. 748/2015  
Mst. Madiha Yarwood

20.04.2016

Counsel for the appellant and Mr. Muhammad Usman, Senior Clerk alongwith Muhammad Siddique, Sr.GP for the respondents present. Reply to application not submitted. Arguments on application heard and record perused.

Appellant is seeking amendment in the service appeal as departmental appeal of the appellant dated 14.3.2015 was not decided at the time of filing of appeal which was decided thereafter on 25.08.2015. Learned counsel for the appellant intends to impugn the same by amending the appeal.

Since the departmental appeal of the appellant has been decided after filing of the service appeal and the appellant intends to impugn the same as well, as such the application is allowed and appellant shall therefore submit amended appeal in office within two weeks which shall be placed before this court (S.B) after scrutiny by the Registrar, on 19.05.2016 at camp court, Abbottabad.

Certified to be true copy  
Khyber Pakhtunkhwa Service Tribunal, Peshawar

Chairman  
Camp Court  
Abbottabad

Date  
Name  
C  
T  
E  
N  
D  
Date

26-4-2016  
6-800  
2-  
8-  
26-4-2016  
26-4-2016

# وکالت نامہ

بعدالت جناب سرورس ٹریبونل کے KPK بسٹا کے  
مدد کے لیے لیتو اب نام خدمت KPK بسٹا کے مدد کے لیے لیتو اب نام خدمت

منجانب ایسٹ ایبل  
دعویٰ یا جرم

باعت تحریر آنکے  
مندرجہ بالا عنوان میں اپنی طرف سے بیروی و جواب دہی نام سب اسٹاف احمد حیدر احمد عبدالعزیز  
خان ایسٹ ایبل بدیں شرط وکیل مقرر کیا ہے میں ہر خود یا بذریعہ مختیار خاص رو برو عدالت حاضر ہوتا ہوں گا

اور بوقت پکارے جانے پروکیل صاحب موصوف کو اطلاع دیکر حاضر کروں گا اگر کسی پیشی پر مظہر حاضر نہ ہو اور غیر حاضری  
کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہو گئے نیز وکیل صاحب  
موصوف صدر مقام کچہری کے علاوہ کسی اور جگہ کچہری کے مقررہ اوقات سے پہلے یا بروز تعطیل بیروی کرنے کے مجاز نہ ہوں  
گے اور اگر مقدمہ مقام کچہری کے کسی اور جگہ ساعت ہونے پر بروز کچہری کے اوقات کے آگے یا پیچھے ہونے پر مظہر کو کوئی  
نقصان پہنچے تو ذمہ دار یا اس کے واسطے کسی معاوضہ ادا کرنے، مختیار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ

ہو گئے کہ مجھے کل ساختہ پر داختہ صاحب مثل کردہ ذات خود منظور قبول ہوگا اور صاحب موصوف کو عرضی دعویٰ اور درخواست  
اجراء ڈگری و اپیل، نگرانی، نظر ثانی دائر کرنے نیز روپیہ وصول کرنے اور رسید دینے اور دخل کرنے کا ہر قسم کا بیان دینے اور  
سپردہ ناشی و راضی نامہ و فیصلہ بر خلاف کرنے و اقبال و دعویٰ کا اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری  
یکطرفہ درخواست حکم امتناعی یا ڈگری قبل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط ادا کیگی علیحدہ بیروی  
مختیار نامہ کرنے کا مجاز ہوگا اور بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا بیرسٹر کو بجائے اپنے ہمراہ  
مقرر کرے اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو پوری فیس  
تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی بیروی نہ کرے اور ایسی حالت

میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا لہذا اختیار نامہ لکھ دیا ہے کہ یہ سند ہے مضمون مختیار نامہ سن  
لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

المرقوم 2015-07-01

د العب د العب د العب

Accepted

Amir

مدد کے لیے لیتو اب AT بسٹا ایسٹ ایبل

Madina

BEFORE THE KPK SERVICE TRIBUNAL,  
PESHAWAR

*Appeal no 748/2015*  
Mst. Madiha Yaqoob... ..Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary  
Education, Peshawar etc.....Respondents

SERVICE APPEAL

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Dated 01.07.2015

*Madiha*  
Mst. Madiha Yaqoob  
...Appellant

Through

ABDUL SABOOR KHAN,  
MALIK ASHFAQ AHMED JILANI,  
Advocates High court,  
Mansehra.

*Rauf*

**BEFORE THE KPK SERVICE TRIBUNAL,  
PESHAWAR**

*Appeal no. 748/2015*

Mst. Madiha Yaqoob daughter of Sheikh Muhammad Yaqoob resident of Mohallah Dab No.1, Mansehra, Ex-A.T Government Girls Middle School Kamal Ban, Tehsil Balakot District Mansehra .....Appellant

**VERSUS**

**K.P. Provincial  
Service Tribunal**  
Diary No. 768  
Dated 6-7-2015

1. Govt. of Khyber Pakhtunkhwa through Secretary Education, Peshawar.
2. Director Education Department, Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Female) (E&SE) Education Mansehra.
4. District Accounts Officer, Mansehra .....Respondents.

**SERVICE APPEAL UNDER SECTION 4 OF  
KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL ACT, 1973 AGAINST THE  
ORDER ENDST NO.1502-1511/AE-I/ESTAB  
DATED 03.03.2015 VIDE WHICH THE  
APPELLANT WAS DISMISSED FROM  
SERVICE.**

*6/7/15*  
*Handwritten signature and stamp*

**PRAYER: -**

On acceptance of instant appeal, the impugned order dated 03.03.2015 may please be set aside and the appellant may graciously be re-instated in service with all back benefits.

Respectfully Sheweth!

1. That, the appellant is resident of Mohallah Dab No.1, Mansehra, Tehsil and District Mansehra.
2. That the appellant is fully qualified and having the required documents/certificates.

*(Copies of educational record are annexed as annexure "A").*

3. That, the District Education Officer, Mansehra/respondent No.3 advertised some vacancies in Daily Mashriq.

*(Copy of the advertisement is annexed as annexure "B").*

4. That, as per procedure, the appellant applied for the post of A.T being a qualified teacher having A.T Certificate with M.A & Almia. E.T.A test was conducted on 26.02.2011 and the appellant appeared as a candidate and obtained 136 marks out of 300 under roll No.1700512.

*(Copies of E.T.A Test result is annexed as annexure "C").*

5. That, the then E.D.O conducted interview and scrutinize the documents

of the candidates, and merit list of the candidates was displayed for receiving objections. After due official process, the meeting of D.S.C was held and approved the case of A.T candidates for appointment against the vacant post of A.T and the appointment order of the appellant was issued under Endst. No.4385-94/Estt: Apptt: AT/2011-12 dated 23.07.2012 and the appellant was posted at GGMS Sokal and later on transferred to GGMS Kamal Ban.

*(Copy of the appointment order is annexed as annexure "D").*

6. That, the appellant performed her duties very honestly, regularly and fairly since the time of her appointment in above-mentioned different schools and also received her salaries till June 2015.
7. That, the appellant was continuously performing her duties without any break for the period for which the salaries were received and has never been found guilty of any kind of absenteeism, truancy, misconduct, misfeasance, malfeasance or nonfeasance, nor been found guilty of dereliction of duty. Without taking these things into consideration, the respondent No.3



issued show-cause notice to the appellant levelling baseless allegations against the appellant therein.

*(Copy of the show cause notice is annexed as annexure "E").*

8. That, reply to the notice was submitted.
9. That, the appellant appointment was terminated through impugned dismissal order dated 03.03.2015 by imposing major penalty of dismissal from service.

*(Copy of the impugned order dated 03.03.2015 is annexed as annexure "F").*

10. That, being aggrieved from the impugned dismissal order, the appellant preferred departmental appeal before the Director (Elementary & Secondary) Education Peshawar but of no avail.

*(Copy of the departmental appeal and receipt thereof are annexed as annexure "G & H").*

11. That, the appellant being aggrieved from the impugned order, seeks the gracious indulgence of this Honourable Court/tribunal, inter alia, on the following amongst the other grounds: -

**GROUNDS**

- i. That, the impugned order dated 03.03.2015 is wrong, illegal, against the law and facts, arbitrary, fanciful, perverse, without lawful authority, based on malafide, un-constitutional and against the relevant rules and regulations hence not maintainable and liable to be set aside.
- ii. That, the services of the appellant were terminated on the fact that the appellant's appointment was the result of misuse of the authority by the then E.D.O Mr. Umer Khan; such fact cannot legally be made base for removal from the service and same is the case of appellant. The appellant legally, as per the principle of natural justice, as per the rule of good governance and in the light of her fundamental rights guaranteed in the constitution could not have been penalized with major penalty for act, howsoever, illegal, unjustified and without jurisdiction of the then E.D.O Mr. Umer Khan.
- iii. That, perusal of first para of impugned show cause notice is self explanatory

and worth considering for reinstatement of the services of the appellant.

- iv. That, there is no case of ill-gotten means against the appellant and section-20 of General Clauses Act is not applicable to the case of the appellant because appellant has not been found guilty of any misconduct or procuring her services through any fraudulent means.
- v. That, in the light of authoritative decisions/view of the superior judiciary including the Supreme Court of Pakistan, the services of the appellant could not have been terminated and the impugned order/notification could not have been issued because where the authority is guilt of irregularities, illegalities and procedural violations, the services of an employee cannot be terminated.
- vi. That, no opportunity of personal hearing has been given to the appellant and her services have been struck through a single stroke of pen. Thus the impugned order is also against the principal of natural justice that no one should be condemned unheard.

vii. That, Writ. Petition No.75-A of 2014 had also been filed by the present petitioner for her salaries to which the respondent No.3 not only admitted, though impliedly, the propriety and legality of the appointment of the appellant but also paid to her salaries.

It is, therefore, most humbly prayed that on acceptance of instant appeal, the impugned order dated 03.03.2015 passed by the respondent No.3 may please be set aside and the appellant may graciously be re-instated in service with all back benefits.

Dated 01.07.2015

*Madiha*  
Mst. Madiha Yaqoob  
.....Appellant

Through

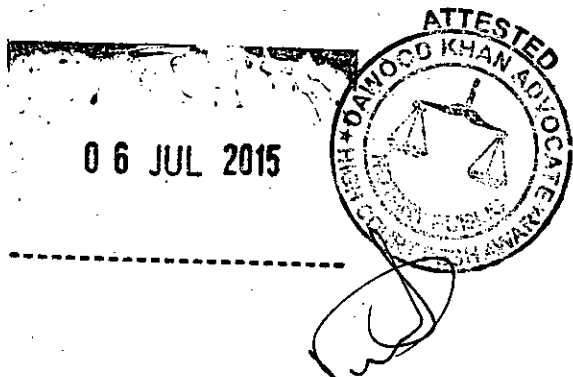
**ABDUL SABOOR KHAN,  
MALIK ASHFAQ AHMED JILANI,**  
Advocates High court, *Ashfaq*  
Mansehra.

AFFIDAVIT.

I, Malik Ashfaq Ahmed Jilani, Advocate High Court, Mansehra, counsel for the appellant, do hereby solemnly affirm and declare on oath that the contents of this appeal are true and correct to the best of my knowledge and belief as per information furnished by my client and nothing has been concealed from this Honourable Court.

Dated 01.07.2015

*Ashfaq*  
MALIK ASHFAQ AHMED JILANI,  
Advocate High court,  
Mansehra.



**BEFORE THE KPK SERVICE TRIBUNAL,  
PESHAWAR**

Mst. Madiha Yaqoob.....Appellant

**VERSUS**

Govt. of Khyber Pakhtunkhwa through Secretary  
Education, Peshawar etc.....Respondents

**SERVICE APPEAL**

**APPLICATION FOR SUSPENSION OF  
OPERATION OF IMPUGNED ORDER  
DATED 03.03.2015 TILL THE DISPOSAL  
OF ABOVE-TITLED APPEAL.**

Respectfully Sheweth!

1. That, this application may please be considered as part and parcel of main appeal.
2. That, the appellant have a prima facie case and there is every hope of its success.
3. That, the balance of convenience also tilts in favour of the appellant.
4. That, if the operation of the impugned order dated 03.03.2015 has not been suspended then the appellant would suffer an irreparable loss and purpose of above appeal would become infructuous.

It is, therefore, most humbly requested that the operation of the impugned order dated 03.03.2015 may please be suspended till the disposal of main appeal.

Dated 01.07.2015

*Madaha*  
Mst. Madiha Yaqoob  
...Appellant

Through

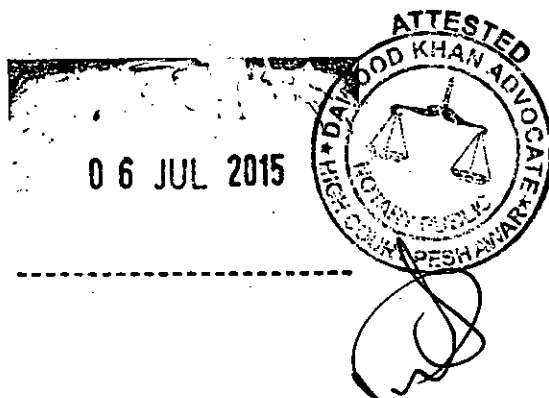
*Ashfaq*  
ABDUL SABOOR KHAN,  
MALIK ASHFAQ AHMED JILANI,  
Advocates High court,  
Mansehra.

**AFFIDAVIT**

I, Malik Ashfaq Ahmed Jilani, Advocate High Court, Mansehra, counsel for the appellant, do hereby solemnly affirm and declare on oath that the contents of this application as per information furnished by my client are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Dated 01.07.2015

*Ashfaq*  
MALIK ASHFAQ AHMED JILANI,  
Advocate High court,  
Mansehra.



**BEFORE THE KPK SERVICE TRIBUNAL,  
PESHAWAR**

Mst. Madiha Yaqoob .....Appellant

**VERSUS**

Govt. of Khyber Pakhtunkhwa through Secretary  
Education, Peshawar etc.....Respondents

**SERVICE APPEAL**

**CORRECT ADDRESSES OF THE PARTIES**

**APPELLANT**

Mst. Madiha Yaqoob daughter of Sheikh  
Muhammad Yaqoob resident of Mohallah Dab  
No.1, Mansehra, Ex-A.T Government Girls  
Middle School Kamal Ban, Tehsil Balakot  
District Mansehra.

**RESPONDENTS**

1. Govt. of Khyber Pakhtunkhwa through Secretary  
Education, Peshawar.
2. Director Education Department, Khyber  
Pakhtunkhwa Peshawar.
3. District Education Officer (Female) (E&SE)  
Education Mansehra.
4. District Accounts Officer, Mansehra.

**Dated 01.07.2015**

*Madiha*  
Mst. Madiha Yaqoob  
...Appellant

Through

*Ashfaq*  
**ABDUL SABOOR KHAN,  
MALIK ASHFAQ AHMED JILANI,  
Advocates High court,  
Mansehra.**



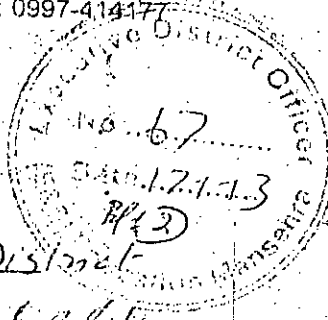
OFFICE OF THE CONTROLLER OF EXAMINATIONS  
HAZARA UNIVERSITY MANSEHRA.

Phone: 0997-414177

P- (11)  
Annex = "A"

No: HU/CE/2012/ 2618

Date: 14/07/2013



Sepal - (1)

To

Executive District

Officer - School & Lit

Manshra -

17/07/13

Subject:

Verification of Degree/Detail Marks Certificates

D/CO (E)

1. Reference is made to your letter No. nil dated nil.
2. Enclosed please find verified Degree/DMC bearing Roll/No. 57812 for further necessary action.
3. Kindly acknowledge receipt.

Assistant Controller of Examinations  
Hazara University, Manshra

Attended

Rehman

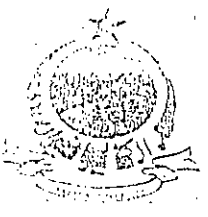


P. 12

Annex "A"

SNo: 23357

g.g.m.s  
Kamran  
Ban



# HAZARA UNIVERSITY MANSEHRA, PAKISTAN

## DETAILED MARKS CERTIFICATE

### BA ANNUAL EXAMINATION 2011

Roll No: 57812

Reg No: 09-PM-1227

Name: Madiha Yaqoob

F/ Name: Sheikh Muhammad Yaqoob

Institution/  
District: MANSEHRA

Part: Second

CO 958/5/10

P 14/88

COURSE TITLE:	Max. Marks		Marks Obt.		Total	Marks in Words	Remarks
	TH	PR	TH	PR			
Part-I Marks----->	285				135	ONE HUNDRED THIRTY-FIVE	
ENGLISH	75		26		26	TWENTY-SIX	Pass
URDU	75		52		52	FIFTY-TWO	Pass
PAKISTAN STUDIES	40		21		21	TWENTY-ONE	Pass
ISLAMIC STUDIES	75		52		52	FIFTY-TWO	Pass
<b>Total:</b>	<b>550</b>				<b>286</b>	<b>TWO HUNDRED EIGHTY-SIX</b>	

Total: 550  
Percentage: 52.00  
Division: SECOND



Date: 15-08-2011

Checked By:

P-246/331

Errors and omissions are subject to subsequent rectification.  
Note: 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  
August 15, 2011

Attested

VERIFIED BY

P-13

Annex = A

**BOARD OF INTERMEDIATE AND SECONDARY EDUCATION ABBOTTABAD**

Handwritten notes and signatures in the top left corner, including 'DPC' and '11/11/2013'.

No. 1739 HSSC/Secy/Verf/BISE/Atd.

Dated. 08/01/13

To

District Officer (F)  
Etty: 9 Secy: Education  
Manshera

Subject: VERIFICATION OF DETAILED MARKS CERTIFICATES

Your letter No. 1922

Dated. 20/12/12

The Detailed Marks Certificate attached herewith are returned after verification.

Handwritten signature of the Assistant Controller of Examinations (S).

Assistant Controller of Examinations (S)  
BISE, Abbottabad.

Handwritten date and initials: 08/11/2013

Note:-

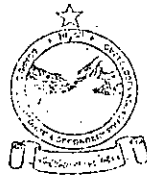
1. Only photocopies of DMCs must be sent to *Assistant Controller of Examination (S)*
2. Provisional Certificates/Original Certificates must be sent to *Assistant Secretary Certificates* for verification

Attached  
Asif

Certificate No: AB 96200

BOARD OF INTERMEDIATE & SECONDARY EDUCATION ABBOTTABAD

g. g. g. s  
Komal  
Dair  
P-14



Roll No: 4129  
Group: HUMANITIES

**DETAILED MARKS CERTIFICATE**  
**HIGHER SECONDARY SCHOOL CERTIFICATE EXAMINATION**

Part - II  
Session: 2008 (Supply)

Name: MADIHA YAQOOB  
Father Name: SHEIKH MUHAMMAD YAQOOB  
Reg No: 0545AB/MA-intFP06  
Institution/ District: MANSEHRA

has secured the marks shown against each subject in the Higher Secondary School Certificate Examination Part-II held in the month of Nov/Dec as a Private Candidate.

Subjects	Marks	Marks Obtained				Total	Marks in Words
		Part-I		Part-II			
		Theory	Pract	Theory	Pract		
English	200	47	--	35	--	82	Eighty-Two
Urdu (Comp)	200	61	--	60	--	121	One Hundred Twenty-One
Pakistan Studies	50	--	--	29	--	29	Twenty-Nine
						232	Two Hundred Thirty-Two Only

RECEIVED  
HSSC. S460  
SECRET

Remarks :

Qualifying Sub

Date : 20 January, 2009

Checked By :

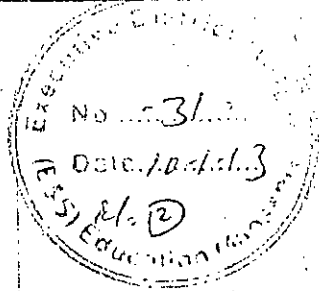
Note: Errors / Omissions excepted. Any mistake in Name, Father Name etc must be intimated within 30 days of the issuance date of this certificate to BISE Abbottabad. Visit us: www.biseatd.edu.pk

Controller of Examinations

Attested  
Rafay



**BOARD OF INTERMEDIATE AND SECONDARY EDUCATION ABBOTTABAD**



No. 4340/SSC/Secy/Verf/BISE/Atd.

Dated. 7 / 1 / 13.

*Supdt - II (F)*

To

*The Dist Officer (Female)  
(T.S.) Education  
Manshera*

*13  
09/01/13*

*DTCO (F)*

Subject: VERIFICATION OF DETAIL MARKS CERTIFICATES

Your letter No. 1422

Dated. 20/12/12

The Detail Marks Certificate attached herewith are returned after verification.

Assistant Controller of Examinations (S)  
Board of Intermediate & Secondary Education,  
Abbottabad.

Note:-

- 1 Only photocopies of DMCs must be sent to Assistant Controller Secrecy.
- 2 Provisional Certificate/Original Certificates must be sent to Assistant Secretary Certificates for verification.

*Attested  
Rahman*

54376

EGMS Hassan 130m



**RESULT CARD**  
**SECONDARY SCHOOL CERTIFICATE EXAMINATION**  
(Class X)

Roll No: 80199  
Group: HUMANITIES

Session: 2005 (Annual)

Name: MADIHA YAQOOB  
Father Name: SHAIKH MUHAMMAD YAQOOB  
Date of Birth: 15-AUG-86  
Institution / District: MANSEHRA DISTRICT

has secured the marks shown against each subject in the Secondary School Certificate Examination Part - II (10 Class) held in the month of March / April as a Private candidate.

Subjects	Total Marks	Part-I		Part-II		Total	Marks in Words
		Th	Pract	Th	Pract		
English	150	40	--	25	--	65	Sixty-Five
Urdu	150	40	--	43	--	83	Eighty-Three
Pakistan Studies	75	--	--	32	--	32	Thirty-Two

Total: 375

180- One Hundred Eighty Only

RESULT DIVISION SSC-75  
SECRETARY  
BISE Abbottabad

Dated: 04-ARR-06

Remarks:

ADDITIONAL

Checked By: [Signature]

[Signature]  
Controller of Examinations

Attested  
[Signature]

Note:- Errors/Omissions excepted. Any mistake in the Date of Birth & Name etc must be intimated within 30 days of the issuance date of this certificate to BISE Abbottabad. Visit us: [www.biscatd.edu.pk](http://www.biscatd.edu.pk)

Madaris - il - Arabia, Pakistan.



وفاق المدارس العربیہ پاکستان

فون نمبر: 061 - 6539376 - 6539665

فیکس نمبر: 061 - 6539485

مرکزی دفتر: گارڈن ٹاؤن، شیرشاہ روڈ ملتان

Date 09.01.2013

M.Z. 0089 1434

Supdt-Pol II (F)

مکرمی جناب ایگزیکٹو ڈسٹرکٹ آفیسر  
ایڈمنسٹری ایٹو سیکٹری ایجوکیشن مانسہرہ

15-1-13  
15-1-13

15/1/13  
D.F.C. (H)

السلام علیکم ورحمۃ اللہ وبرکاتہ!

آپ کی طرف سے مکتوب بحوالہ نمبر 1917 مورخہ 20-12-2012 موصول ہوا۔ جس

کے ساتھ لف شدہ اسناد کی فوٹو کاپیوں کی تصدیق طلب کی گئی جن کی تفصیل درج ذیل ہے۔

کیفیت	ولدیت	نام	نمبر شمار
سند عالیہ و عالیہ ہمارے ریکارڈ کے مطابق درست ہے۔	سید ولی شاہ	شائستہ شاہ	01
سند عالیہ ہمارے ریکارڈ کے مطابق درست ہے۔	محمد یعقوب	مدیحہ شیخ	02

والسلام

والسلام

مولانا عبدالمجید

ناظم مرکزی دفتر

وفاق المدارس العربیہ پاکستان



Attested

Qasim

G.G.M.S  
Karnal  
Bihar

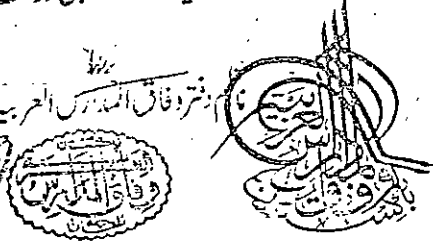
1579  
13-1-1961

تقدیر کی جاتی ہے کہ سند ہذا کے جملہ کوآئف  
ریکارڈ کے مطابق درست ہیں

Abdullah  
محمد عبد اللہ



وزارت اعلیٰ  
حکومت ہند  
وزارت اعلیٰ  
بھارت



الحمد لله رب العالمين. والصلاة والسلام على خاتم الانبياء والمرسلين، وعلى آله وصحبه أجمعين. أما بعد، فإن رئاسة  
وفاق المدارس العربية بباكستان، تشهد بان طالبة يدعى نسيخ بنت محمد يعقوب من .....  
المولودة في عام 1947م قد أتمت الدراسة الابتدائية في .....  
تحت إشراف وفاق المدارس العربية بباكستان في شعبان 1387هـ بتقدير (جيد) .....  
ورئيس الوفاق إذ يمنحها هذه الشهادة، بوصفها بتقوى الله تعالى ويسأل الله عز وجل أن يسلك بها سبيل العالقات العاملات.



محمد حبيب رحمة

مؤرخ  
محمد حبيب رحمة

مؤرخ  
محمد حبيب رحمة

رقم التسجيل 43182  
رقم الجلوس 3242  
الدرجات 10/48  
محل الإصدار  
الشارع 449/2  
2003

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Annex-A

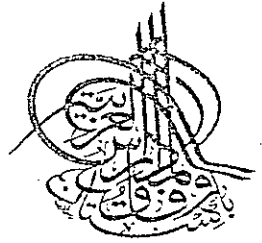
P-19  
Annex "A"

پتہ  
مدرسہ

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ



وَمَا كُنَّا بِمُرْسِلِيْنَ  
الْمَلَائِكَةِ اَنْ يَنْزِلُوْا  
بِالْحَقِّ عَلٰى قَوْمٍ



الحمد لله رب العالمين . والصلاة والسلام على خاتم الانبياء والمرسلين ، وعلى آله وصحبه أجمعين . أما بعد ، فإن رئاسة  
وفاء المدارس العربية بباكستان : تشهد بأن الطالبة . مديحة شيخ . بنت شيخ محمد يعقوب . من ماسهده .....  
المولودة في عام ١٩٨٦م . قد أتت الدراسة العالية في جامعة الصالحات لباكستان (ماسهده) ونجحت في الامتحان النهائي المنعقد  
تحت إشراف وفاق المدارس العربية بباكستان في شعبان ١٤٢٣م بتقدير مقبول . وبسبب ذلك استحققت الشهادة العالية  
ورئيس الوفاق اذ يمنحها هذه الشهادة يوصيها بتقوى الله تعالى ويسأل الله عز وجل ان يسلك بها سبيل الصالحات العاملات .

مدير الفروع

مدير الفروع / باكستان

مدير الفروع

مدير الفروع

رقم التسجيل ..... ١٣٨٦١

رقم الجلوس ..... ٢٩٣٣

الدرجات ٦ ..... ٢٥٥

محل الإصدار (الشارع الرئيسي لباكستان)

الشارع ٢٠١٢ / ١١٢ / ١٤٢٣ / ٨٢٦



حبيب الرحمن

مدير الفروع

مدير الفروع

مدير الفروع

مدير الفروع



Amey  
"B"

تعمیرات و تعمیرات حکومت صوبہ خیبر پختونخوا

ممبران ذیل تقریر کریں کہ ایک ایگزیکٹو ایوارڈ کی ضرورت ہے یا نہیں

31-Gilardard/90419  
ADP No. 102(2010-11)  
2009 کی قرارداد کے تحت

نمبر	تاریخ	موضوع	حاصل شدہ	تاریخ
1	2009	ایگزیکٹو ایوارڈ	2-7	09
2	2009	ایگزیکٹو ایوارڈ	4-7	09
3	2009	ایگزیکٹو ایوارڈ	6-7	14
4	2009	ایگزیکٹو ایوارڈ	9-7	09
5	2009	ایگزیکٹو ایوارڈ	11-7	09
6	2009	ایگزیکٹو ایوارڈ	14-7	09
7	2009	ایگزیکٹو ایوارڈ	19-7	07

ایگزیکٹو ایوارڈ کی ضرورت ہے یا نہیں

نمبر	تاریخ	موضوع	حاصل شدہ	تاریخ
1	2009	ایگزیکٹو ایوارڈ	2-7	09
2	2009	ایگزیکٹو ایوارڈ	4-7	09
3	2009	ایگزیکٹو ایوارڈ	6-7	14
4	2009	ایگزیکٹو ایوارڈ	9-7	09
5	2009	ایگزیکٹو ایوارڈ	11-7	09
6	2009	ایگزیکٹو ایوارڈ	14-7	09
7	2009	ایگزیکٹو ایوارڈ	19-7	07

Pre Bid Meeting

Pre Bid Meeting کی تاریخ 31-5-2011 کو برت 11:00 بجے ایک ریجنل مینجمنٹ کے دفتر میں ہوگی۔

1) ایگزیکٹو ایوارڈ کے حصول کے لئے فراہم کنندگان کی درخواستیں ایگزیکٹو ایوارڈ کے لئے 31-05-2011 تک ذمہ داری کے ساتھ ارسال کی جائیں گی۔

2) ایگزیکٹو ایوارڈ کے لئے فراہم کنندگان کی درخواستیں ایگزیکٹو ایوارڈ کے لئے 31-05-2011 تک ذمہ داری کے ساتھ ارسال کی جائیں گی۔

3) ایگزیکٹو ایوارڈ کے لئے فراہم کنندگان کی درخواستیں ایگزیکٹو ایوارڈ کے لئے 31-05-2011 تک ذمہ داری کے ساتھ ارسال کی جائیں گی۔

4) ایگزیکٹو ایوارڈ کے لئے فراہم کنندگان کی درخواستیں ایگزیکٹو ایوارڈ کے لئے 31-05-2011 تک ذمہ داری کے ساتھ ارسال کی جائیں گی۔

5) ایگزیکٹو ایوارڈ کے لئے فراہم کنندگان کی درخواستیں ایگزیکٹو ایوارڈ کے لئے 31-05-2011 تک ذمہ داری کے ساتھ ارسال کی جائیں گی۔

6) ایگزیکٹو ایوارڈ کے لئے فراہم کنندگان کی درخواستیں ایگزیکٹو ایوارڈ کے لئے 31-05-2011 تک ذمہ داری کے ساتھ ارسال کی جائیں گی۔

7) ایگزیکٹو ایوارڈ کے لئے فراہم کنندگان کی درخواستیں ایگزیکٹو ایوارڈ کے لئے 31-05-2011 تک ذمہ داری کے ساتھ ارسال کی جائیں گی۔

8) ایگزیکٹو ایوارڈ کے لئے فراہم کنندگان کی درخواستیں ایگزیکٹو ایوارڈ کے لئے 31-05-2011 تک ذمہ داری کے ساتھ ارسال کی جائیں گی۔

ایگزیکٹو ایوارڈ کی ضرورت ہے یا نہیں

نمبر	تاریخ	موضوع	حاصل شدہ	تاریخ
1	2009	ایگزیکٹو ایوارڈ	2-7	09
2	2009	ایگزیکٹو ایوارڈ	4-7	09
3	2009	ایگزیکٹو ایوارڈ	6-7	14
4	2009	ایگزیکٹو ایوارڈ	9-7	09
5	2009	ایگزیکٹو ایوارڈ	11-7	09
6	2009	ایگزیکٹو ایوارڈ	14-7	09
7	2009	ایگزیکٹو ایوارڈ	19-7	07

ایگزیکٹو ایوارڈ کی ضرورت ہے یا نہیں

ایگزیکٹو ایوارڈ کی ضرورت ہے یا نہیں

ایگزیکٹو ایوارڈ کی ضرورت ہے یا نہیں

ایگزیکٹو ایوارڈ کی ضرورت ہے یا نہیں

ایگزیکٹو ایوارڈ کی ضرورت ہے یا نہیں

ایگزیکٹو ایوارڈ کی ضرورت ہے یا نہیں

ایگزیکٹو ایوارڈ کی ضرورت ہے یا نہیں

ایگزیکٹو ایوارڈ کی ضرورت ہے یا نہیں

Attached  
Page

0937-870861 فون

www.khyberpakhtunkhwa.gov.pk

Also available on www.khyberpakhtunkhwa.gov.pk

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Annex = 'C'

## TAT-2 FEMALE MANSEHRA RESULT 2011

Roll No	Name	Father Name	Marks	%age
1700474	HIFZA SHAZADI	ADBUL QADIR	120	40.00
1700475	HABIBA BIBI	ROSHAN KHAN	84	Fail
1700476	SALMA KHAN	HABIB UR REHMAN KHAN	116	Fail
1700477	BIBI NAHEED	MOHD RAFIQUE	88	Fail
1700478	KHOLA MUMTAZ	MOHD MUMTAZ	88	Fail
1700479	ZAHIDA BIBI	MOHD TARIQ	64	Fail
1700480	SAIRA	MOHD SADIQUE	136	45.33
1700481	JAVARIA BIBI	FAZ AHMED	128	42.67
1700482	NAZMA SAEED	SAEED AHMED	88	Fail
1700483	NELEEM NAZ	GHULAM MUSTAFA	140	46.67
1700484	IRUM JEHAN	MOHD YOUNIS	152	50.67
1700485	NAGINA BIBI	MOHDASHRAF	92	Fail
1700486	NADIA RUBY	ABDUL RASHID	108	Fail
1700487	NAZIA BANO	BADRI ZAMAN	Absent	#VALUE!
1700488	FOZIA BANO	JAN MOHD	140	46.67
1700489	BUSHRA	PIR ZADA	132	44.00
1700490	FOZIA	SHOUKAT ALI	108	Fail
1700491	UZRA PIR ZADA	PIR ZADA	140	46.67
1700492	NAHEEDA KHATOON	SHAFI ULLAH	100	Fail
1700493	RAHAT NAZ	SAHIB KHAN	132	44.00
1700494	AZRA BIBI	MAHRUM SHAH	96	Fail
1700495	BIBI HALEEMA	WALI MOHD	120	40.00
1700497	NOSHEEN JAN	JAN MOHD	72	Fail
1700498	BIBI DILSHAD	REHMANT ULLAH	36	Fail
1700499	NAHEEMA	SHER MOHD	144	48.00
1700500	SUMAIRA GUL FIDA M KHAN	ATTA ULLAH	104	Fail
1700501	LUBNA BIBI	FAZAL KHAN	84	Fail
1700502	GULNAZ BIBI	M SADIQ	136	45.33
1700503	RIFFAT ARA	FAQIR MOHD	144	48.00
1700504	NADIA BIBI	HABIB UR REHMAN KHAN	116	Fail
1700505	RAHILA TABASUM	M.SADIQ	128	42.67
1700506	SUMAIRA RANI	M SADDIQ	148	49.33
1700507	SOBIA WALI	KHAN WALI	128	42.67
1700508	NARGIS BIBI	FAIZ ULLAH	136	45.33
1700509	RUKSANA	MAQBOOL	188	62.67
1700510	NAILA BIBI	FAIZ ULLAH	132	44.00
1700511	BIBI ABIDA	QAZI M ARIF	156	52.00
1700512	MADHIA	SHJEIKH M YAQUB	136	45.33
1700513	SARWAT SHAH	REHMAT SHAH	116	Fail
1700514	MEWISH BIBI	M RASHID	104	Fail
1700515	KALSOOM BIBI	SAID KHAN	Absent	#VALUE!
1700516	RASHIDA BIBI	ALI GHOR	120	40.00
1700517	MAIRA BIBI	KHAWAJ	124	41.33
1700518	SAMAWYA REHMAN	FAZAL UR REHMAN	112	Fail
1700519	HAIDA YASMIN	MUDAD KHAN	84	Fail
1700520	NOREEN BIBI	HAYAT ULLAH	116	Fail
1700521	NAZISH	M IMRAN	116	Fail
1700522	ALLIA BIBI	PIR MOHD	156	52.00
1700523	FARAH SHEIKH	SHEIKH M AMIN	152	50.67
1700524	UZMA BIBI	ABDUL REHMAN	104	Fail
1700526	BALQEES	FARID MOHD	100	Fail
1700527	YASMIN BIBI	S YOUSAF SHAH	104	Fail
1700528	FARHAT NAZ	ROSHAN KHAN	108	Fail
1700529	ZAINAB BIBI	SADIQ HUSSAIN	112	Fail
1700530	NIGHAT BIBI	M BISHARAT	84	Fail

Attached  
Rafay

P. (22)  
Annex = D



**OFFICE OF THE EXECUTIVE DISTRICT OFFICER E&S EDUCATION MANSEHRA**

**ORDER**

In continuation of this office endst No. 625-654/Estt (M) Apptt AT (M)/202 Dated Mansehra 14/06/2012 and on the acceptance of the appeal by the competent authority Miss: Madiha Yaqoob D/O Shaikh Muhammad Yaqoob R/O Dab Mansehra is hereby appointed as a **AT (Female)** against the vacant post of AT, at GGMS Sokal in BPS-15 @ Rs.8500-700-29500 plus usual allowances as admissible under the rule on regular basis under the existing policy of provincial Government on the terms and condictions 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 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.

Attested  
Daryaq



P- (23)  
Annex - D

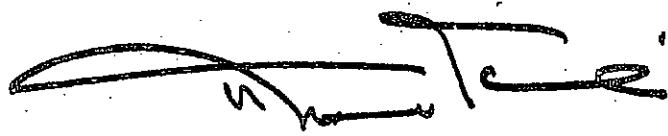
8. His/her services are liable to termination on one month prior notice from either side in case of resignation without prior notice, his/her one month pay/allowances if any shall be forfeited to Government Treasury.
9. His/her services can be terminated at any time in case his/her performance is found un-satisfactory; 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 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.

(DR. AMAR KHAN)  
DISTRICT COORDINATION OFFICER  
MANSEHRA

Endst: No. 4385-94 /Estt: Appt:AT//2011-12 Dated Mansehra the 23-7- 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. Candidates concerned.

Attended  
Gajjar



EXECUTIVE DISTRICT OFFICER  
E&S EDU: MANSEHRA



P- (24)  
Amr's E

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

No. 2214 / Establishment/ 2014

Email: deofmansehra@yahoo.com

Dated: 29/9 / 2014

Phone & Fax: 0997-302518

**SHOW CAUSE NOTICE**

I, Naghmana Sardar, District Education Officer (Female) Mansehra as Competent Authority under the Khyber Pakhtunkhwa Servant (Efficiency & Discipline) rules, 2011, do hereby serve you Mst **Madeeha Yaqoob** D/O Sheik Muhammad Yaqoob, AT, Govt: Girls Middle School Sokal Now at GGMS Kamal Ban Mansehra Show cause Notice as follows:

1) You were appointed as AT at GGMS Sokal vide defunct Executive District Officer (E&SE) Mansehra Endstt: No 4385-64/Esst:/Apptt: AT/2011-12 Dated 23.07.2012 where you were stranger for recruitment process initiated through EATA: Acceptance of your appeal & subsequently your appointment order was the result of misuse of authority by the then EDO according to his sweet well& wishes against the recruitment rules, as per inquiry report received through Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department letter No SO(S/M)E&SED/4-17/2013 Umar Khan EDO BS-19 dated 25/08/2014 More over the then EDO(E&SE) has been removed from Government Service in connection with all such bogus appointment including yours made by him.

2) Going through the finding and recommendation of the inquiry committee, the material on record & other connected papers including your defiance 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/canceling the facts for un lawful appointment with coordination of then EDO.
- 3) 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.
- 4) You, are thereof, required to Show Cause as to why the aforesaid penalty should not be imposed upon you & also intimate where 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 defiance to put in and in that case an ex-parte action shall be taken against you.
- 6) A copy of the finding inquiry committee related page is enclosed.

Attested  
Naghmana

COMPETENT AUTHORITY



P-25

Annex 'F'

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

NOTIFICATION

- 1:- Where as Mst: Madiya Yaqoob D/O Muhammad Yaqoob working as AT GGHS/GGMS/GGP Mansehra 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. Akhahaq 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 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: Madiya Yaqoob D/O Muhammad Yaqoob CT/PET/TT AT GGHS/GGM GGPS

*Majumdar*

DISTRICT EDUCATION OFFICER  
FEMALE MANSAEHRA.

Endst: No. 1502-1511 /AE- I /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 Khanzada
7. SDEO(F) Mansehra.
8. Budget and Accounts Officer Local Office.
9. Mst: Madiya Yaqoob
10. Office File.

*Majumdar*

DISTRICT EDUCATION OFFICER  
FEMALE MANSAEHRA.

*Attested  
Raufay*

P-26

Annex = 3

To

The Director,  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa Peshawar

Subject:- DEPARTMENTAL APPEAL AGAINST THE IMPUGNED NOTIFICATION ISSUED UNDER ENDORSEMENT NO.1502-0511 DATED 3<sup>RD</sup> MARCH 2015 WHEREBY MAJOR PENALTY OF DISMISSAL FROM GOVERNMENT SERVICE WAS IMPOSED UPON THE APPELLANT IN A HIGH CAPRICIOUS/WHIMSICAL MANNER WITHOUT LAWFUL AUTHORITY (COPY OF THE IMPUGNED NOTIFICATION IS ATTACHED & MARKED AS ANNEX "A").

Prayer:- CAPTIONED IMPUGNED NOTIFICATION MAY PLEASE BE SET ASIDE FROM THE DATE OF ITS ISSUANCE DECLARING THE SAME WITHOUT LAWFUL AUTHORITY CONTRADICTORY TO THE RECRUITMENT POLICY & RULES AND RE-INSTATE THE APPELLANT WITH ALL BACK BENEFITS AT THE SAME STATION.

Respected sir:-

I would like to invite your kind attention to the following facts in connection to colorful exercise of power on the part of authority i.e DEO (F) Mansehra.

1. That the then Executive District Officer E&SE Mansehra invited applications for recruitment of teachers of various cadres in District Mansehra through advertisement published in daily MASHRAQ.
2. That as per procedure appellant applied for the post of DM being a qualified teacher having AT Certificate with MA & Almia and ETA Test was conducted on 26/02/2011 and appellant appeared as a candidate under Roll No. 1700512 and obtained 136 marks out of 300.
3. That the then EDO conducted interview and scrutinized the documents of the candidates, and merit list of the candidate was displayed for receiving objections. After due official process the meeting of DSC was

Attested  
G. S. Khan

held and approved the cases of AT candidates for appointment against the vacant posts.

4. That appointment order of the appellant was issued under endorsement No.4385-94/Estt: Apptt: AT/2011-12/ dated 23/07/2012 and appellant was posted at GGMS Sokal and later on transferred 8039-42 dated 10/09/2012 to GGMS Kamal ban (Copy attached).
5. That appellant continuously performing her duty without any break for more than 02 years while a show cause notice whereby allegations were leveled against the appellant based on concoction, baseless & concealment of facts:
6. The appellant was appointed after due recruitment process and her appointment order along-with others candidates was issued in a lot after the approval of DSC by the competent authority i.e EDO E&SE BPS-19. And dismissal order was issued by the Dy: DEO BPS-18.
7. That appellant received impugned order dated 3rd March 2015, whereas the major penalty of dismissal from service has been imposed upon the appellant. (copy of the dismissal is attached)
8. That the appellant passed here professional qualification i.e , AT Course with MA & Almia. All the degrees and certificates were also get verified from the concerned University / Board / Institutions by the District Officer (Female) Copy attached. Photo copy of the Service Book is also attached.

Sir,

- a) Appellant was appointed after due process of recruitment through ETA test and her appointment order was issued after the approval of DSC. The appellant served as regular teacher in Education Department for more than 2 years without any break/leave/absentee etc and no action was taken nor show-cause was served neither asked for any irregularities or personal hearing during the Probation period.

Attested  
Rajesh



- b) No inquiry was conducted or initiated, no opportunity of defense was offered, no personal hearing was made, how the authority was passed in the light of E&D rules under what charges/ evidence imposed such a harsh punishment.
- c) The inquiry regarding illegal appointment was made against the then EDO not against the candidates/teachers.
- d) The enquiry was made and in the finding no recommendation was issue for the termination/dismissal of teachers, they only recommended the appointing authority for minor punishment as one step down or 2 deductions of 2 increments.
- e) The District Education Officer has dismissed all the teachers appointed during 2012, from Government service after three years, which is absolutely against the rules regulation and clear cut against the human rights and against the justice.

In the light of the above facts, it is humbly requested that to set aside the impugned dismissal order /notification that is without lawful authority and having no legal sanctity and re-instate the original appointment order of the appellant with all back benefits at the same station.

M. Qadira 14.03.15

Mdia Yaqoob W/O Sheraz Ahamd  
Village Jaba Near Sheep Form Balakot  
Road Tehsil & District Mansehra  
CNIC No.13503-4614548-8

Attested  
Gulzar

P. (29)

No. 569

For insurance Notices see reverse.  
Stamps affixed except in case of  
uninsured letters ~~of~~ not more than  
the initial weight prescribed in the  
Post Office Guide or on which no  
acknowledgment is due.

Rs.

50/2

Received a registered  
addressed to

*District Collector*

Write here "letter", "postcard", "packet" or "parcel"

with the word "insured" before it when necessary.

Insured for Rs. (in figures)

*Rs. 1000/-*

If insured.

Insurance fee Rs.

Rs.

Weight

Kilo

Grams

Name and  
address  
of sender

*Reddanna*

Attested  
*G. Raju*

# وکالت نامہ

بعدالت جناب سرویس ٹریبونل کے KPK ایسٹاٹ  
 مدد کے لیے مقرب نامہ خدمت KPK ایسٹاٹ کی ایجوکیشن و ونیزہ  
 منجانب ایسٹاٹ  
 دعویٰ یا جرم۔ ایسٹاٹ۔ باعث تحریر آنکہ  
 مندرجہ بالا عنوان میں اپنی طرف سے بیروی و جواب دی نام۔ سب اسٹاف احمد حیدر ایسٹاٹ عبدالعزیز  
 خان ایسٹاٹ کی بدیں شرط وکیل مقرر کیا ہے میں ہر خود یا بذریعہ مختیار خاص رو برو عدالت حاضر ہوتا رہوں گا  
 اور بوقت پکارے جانے پروکیل صاحب موصوف کو اطلاع دیکر حاضر کروں گا اگر کسی پیشی پر منظر حاضر نہ ہوا اور غیر حاضری  
 کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہو گئے نیز وکیل صاحب  
 موصوف صدر مقام کچہری کے علاوہ کسی اور جگہ کچہری کے مقررہ اوقات سے پہلے یا بروز تعطیل بیروی کرنے کے مجاز نہ ہوں  
 گے اور اگر مقدمہ مقام کچہری کے کسی اور جگہ سماعت ہونے پر بروز کچہری کے اوقات کے آگے یا پیچھے ہونے پر منظر کو کوئی  
 نقصان پہنچے تو ذمہ دار یا اس کے واسطے کسی معاوضہ ادا کرنے، مختیار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ  
 ہو گئے کہ مجھے کل ساختہ پرواختہ صاحب مثل کردہ ذات خود منظور قبول ہوگا اور صاحب موصوف کو عرضی دعویٰ اور درخواست  
 اجراء ڈگری و اپیل، نگرانی، نظر ثانی وائر کرنے نیز روپیہ وصول کرنے اور رسید دینے اور دخل کرنے کا ہر قسم کا بیان دینے اور  
 سپرد ثالثی و راضی نامہ و فیصلہ بر خلاف کرنے و اقبال دعویٰ کا اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری  
 یکطرفہ درخواست حکم امتناعی یا ڈگری قبل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط ادا نیگی علیحدہ بیروی  
 مختیار نامہ کرنے کا مجاز ہوگا اور بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا بیرسٹر کو بجائے اپنے ہمراہ  
 مقرر کرے اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو پوری فیس  
 تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی بیروی نہ کرے اور ایسی حالت  
 میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا لہذا مختیار نامہ لکھ دیا ہے کہ یہ سندار ہے مضمون مختیار نامہ سن  
 لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

المرقوم 2015-07-01

د العب د العب

Accepted  
Anisay

مدد کے لیے مقرب AT ایسٹاٹ  
Madiha

1286  
10-11-2015

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

In the matter of  
Appeal No. \_\_\_\_\_/2015

Madiha Yaqoob..... (Applicant)

**Versus**

Govt of Khyber Pakhtunkhwa through Secretary  
Education, Peshawar and others.....  
(Respondents)

**Application for permission for filling amended  
appeal in view of the Modification in the final  
order i.e conversion of penalty from dismissal  
to removal from service vide order dated  
25.08.2015.**

Respectfully Submitted:

1. That the above noted appeal is pending adjudication before this Honorable Tribunal and is fixed for hearing on 21.01.2016, at Camp Court Abbottabad.
2. That the appellant request for allowing necessary amendment in the following ,manner inter alia on the following grounds:-

**Grounds of Application**

- A. That the appellant has in the titled appeal challenged the order dated 03.03.2015, vide which she has been dismissed from service. Before approaching the Honorable Tribunal, the appellant also submitted the mandatory departmental appeal on 14.03.2015, however the same was not responded till 90 days, hence the appellant filed the titled appeal.

B. That now during the pendency of the titled appeal the Appellate authority has issued notification dated 25.08.2015, whereby the departmental appeal of the appellant has been rejected, however her Penalty order issued by the DEO Female, Mansehra vide order dated 03.03.2015, is modified to the extent of conversion of Penalty of dismissal into Removal from service. *(Copy of the order dated 25.08.2015, is attached)*

C. That in light of the said modification and to avoid future complications, it is necessary to amend the titled appeal to the extent of challenging the order dated 25.8.2015. ←

D. That there is no legal impleadment in allowing such permission, rather the interest of justice would best be served.

*It is, therefore, humbly prayed that on acceptance of the instant application the appellant may please be allowed to file amended appeal in view of the issuance of final order whereby the penalty of dismissal from service was converted to removal from service vide order dated 25.08.2015.*

Appellant

Through

Abdul Saboor Khan

&

Malik Ishfaq Ahmad Jilani  
(Advocates, High Court)

#### Affidavit

I do hereby solemnly affirm and declare on oath that the contents of the above application are true and correct and that nothing has been kept back or concealed from this Honourable Tribunal.

Dated: \_\_\_/11/2015



Deponent

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

**NOTIFICATION.**

WHEREAS, Mst Madeeha Yaqoob, AT at Government Girls Middle School Khambia District Mansehra was dismissed from service by the DEO (Female) Mansehra vide Order No. 1502-11 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 applied for Qaria post bearing form No.7813 under ETEA R.No. 1700512 but her name was included in the merit list of A.T at S.No. 27. Neither her name was included in the working paper nor in DSC minutes of A.T. She claimed in her appeal that she also applied for A.T post. Her name was at S.No.27 of the A.T merit list while there were 18 posts of A.T and thus she was not entitled for appointment as A.T according to the available vacancies. If she is considered for A.T post even then she was not eligible for appointment in terms of her merit/vacancy position. She has been appointed vide a single order Endst.No.4385-94 dated 23/7/2012.
2. Appeal may be rejected with the remarks that she was appointed on the post other than the post applied for showing her a candidate for the post of Qaria instead of A.T.

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. 1502-11 dated 03/03/2015 is hereby converted into removal from service.

Director  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa, Peshawar.

Endst: No. 4753-58 /F.No. 77 /Appeals Female MSR Dated Peshawar the 27/8/2015

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

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

In the matter of  
Appeal No. \_\_\_\_\_/2015

MadihaYaqoob..... (Applicant)

**Versus**

Govt of Khyber Pakhtunkhwa through Secretary  
Education, Peshawar and others.....  
(Respondents)

**Application for permission for filling amended  
appeal in view of the Modification in the final  
order i.e conversion of penalty from dismissal  
to removal from service vide order dated  
25.08.2015.**

Respectfully Submitted:

1. That the above noted appeal is pending adjudication before this Honorable Tribunal and is fixed for hearing on 21.01.2016, at Camp Court Abbottabad.
2. That the appellant request for allowing necessary amendment in the following ,manner inter alia on the following grounds:-

**Grounds of Application**

- A. That the appellant has in the titled appeal challenged the order dated 03.03.2015, vide which she has been dismissed from service. Before approaching the Honorable Tribunal, the appellant also submitted the mandatory departmental appeal on 14.03.2015, however the same was not responded till 90 days, hence the appellant filed the titled appeal.

- B. That now during the pendency of the titled appeal the Appellate authority has issued notification dated 25.08.2015, whereby the departmental appeal of the appellant has been rejected, however her Penalty order issued by the DEO Female, Mansehra vide order dated 03.03.2015, is modified to the extent of conversion of Penalty of dismissal into Removal from service. *(Copy of the order dated 25.08.2015, is attached)*
- C. That in light of the said modification and to avoid future complications, it is necessary to amend the titled appeal to the extent of challenging the order dated 25.8.2015.
- D. That there is no legal impleadment in allowing such permission, rather the interest of justice would best be served.

*It is, therefore, humbly prayed that on acceptance of the instant application the appellant may please be allowed to file amended appeal in view of the issuance of final order whereby the penalty of dismissal from service was converted to removal from service vide order dated 25.08.2015.*

Appellant

Through

Abdul Saboor Khan

&

Malik Ishfaq Ahmad Jilani  
(Advocates, High Court)

**Affidavit**

I do hereby solemnly affirm and declare on oath that the contents of the above application are true and correct and that nothing has been kept back or concealed from this Honourable Tribunal.

Dated: \_\_\_/11/2015



Deponent



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA, PESHAWAR.

NOTIFICATION:

WHEREAS, Mst Madeeha Yaqoob, AT at Government Girls Middle School Kumbia District Mansehra was dismissed from service by the DEO (Female) Mansehra vide Order No. 1502-11 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 applied for Qaria post bearing form No.7813 under ETEA R.No. 1700512 but her name was included in the merit list of A.T at S.No. 27. Neither her name was included in the working paper nor in DSC minutes of A.T. She claimed in her appeal that she also applied for A.T post. Her name was at S.No.27 of the A.T merit list while there were 18 posts of A.T and thus she was not entitled for appointment as A.T according to the available vacancies. If she is considered for A.T post even then she was not eligible for appointment in terms of her merit/vacancy position. She has been appointed vide a single order Endst.No.4385-94 dated 23/7/2012.
2. Appeal may be rejected with the remarks that she was appointed on the post other than the post applied for showing her a candidate for the post of Qaria instead of A.T.


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. 1502-11 dated 03/03/2015 is hereby converted into removal from service.

Director  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa, Peshawar.

Enust. No. 1553-58 /F No. 79 /Appeals Female MSR Dated Peshawar the 23/7/2015

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

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

Amended Appeal No. /2016

Mst, Madiha Yaqoob.....APPELLANT.

VERSUS

1. Govt Khyber Pakhtunkhwa (KPK), through Secretary Education KPK  
Peshawar; and Others

.....RESPONDENTS

**WRITTEN REPLY ON BEHALF OF RESPONDENTS 1, 2 AND 3.**

Respectfully Sheweth:

**PRELIMINARY OBJECTIONS:**

- ✓ 1. That the appellant has got no cause of action/locus standi to file the instant appeal.
- ✓ 2. That the appeal is not maintainable in its present form and also the present circumstances of the issue.
- ✓ 3. That the appellant has not come to the court with clean hands.
- ✓ 4. That the appellant is estopped by his own conduct to file the instant appeal.
- ✓ 5. That the appeal is groundless, and based on malafide and <sup>ulterior</sup> ~~ulter~~ motive.
- ✓ 6. That the appeal is based on false and malafide intention hence liable ~~able~~ to be dismissed.
- ✓ 7. That the respondents have not violated any law/policy/rules.
- ✓ 8. That the instant appeal is filed just to pressurize the respondents.
- ✓ 9. That the appellant has concealed the material facts from this honorable Tribunal.
- ✓ 10. That the appeal is badly time barred.

## FACTUAL OBJECTIONS

- ✓1. No Comments.
- ✓2. Para No 2 is relate to the Academic and Professional Qualification of the appellant hence no comments.
3. Para No.3 is correct.
4. Para No. 4 is incorrect. That the appellant was not qualified candidate for appointment, whereas the appointment order of appellant illegal and against the recruitment rules and policy. Such type of illegal and appointment the higher authority was conducted an inquiry against the appointing authority i.e. Mr. Umer Khan Kundi the then Executive District Officer (E&SE) Mansehra, whereupon the appointing authority was removed from service on the charge of illegal and irregular appointment Orders. According to the inquiry report and finding of the appellant authority i.e. Director E&SE Department Peshawar, The Appellant applied for the post of Qari for not the post of AT bearing form no 7813 under ETEA Roll Number 1700512 but her name was include in merit list AT at serial No 27, whereas the appellant claimed in her appeal that she was also applied for AT Post. Her name was at serial no 27 of AT merit list while there were 18 post of AT and thus she was not entitled for appointment as AT according to the available vacancies. If she is considered for AT post even then she was not eligible for appointment in term of her merit/vacancy position. She has been appointed as AT vide order Endst No 4385-94 dated 23.07.2015 and she performed her duty as AT for 3 years.

5. Para No.5 is correct to the extent that the appointment order was issued vide Endst No 4385-94 dated 23.07.2015 whereupon the appellant was posted GGMS Sokal Masnshera and later on transferred from GGMS Sokal to GGMS Kamal Ban Tehsil Balakot. The Remaining Para is incorrect, detail reply is given in Para no. 4.
6. Para No. 6 is correct to the extent of drawing /taking of salaries rest of the para need cogent proof.
7. Para No. 7 is incorrect, on the basis of inquiry report the appellant was served a showcase notice and afterword appellant was removed from service.
8. Para No.8 is incorrect, Need Proof.
9. Para No.9 is correct.
10. Para No.10 is correct to the extent that the appellant was filed an appeal before appellant authority i.e Director E&SE Khyber Paktun Khawa Peshawar against the dismissal order, whereupon the departmental authority has rejected the appeal, however the dismissal order was modified, wherein the dismissal order was converted into removal from service.
11. Para No.11 is correct.
12. Para No. 12 pertains to judicial record hence no comments further the respondent department has further solid/ genuine ground against the said appeal as under.

## GROUND.

- A. Ground A is incorrect hence denied, the act of respondent is in accordance to the law, rules and policy.
- B. Ground B is incorrect as stated hence denied the removal from service order was issued after adopting codal formality as per E&D rules 2011.
- C. Ground C is incorrect as stated hence denied, the Respondent Department are bound to obey the rules as provided by the Government of Khyber Pakhtun Khawa, the removal from service order was issued after fulfilling the procedure prevailing by the Government.
- D. Ground D is incorrect hence denied.
- E. Ground E is incorrect, the appointment order was issued by the Executive District E&SE Mansehra, Whereupon the inquiry was conducted and the order of appellant was declared illegal and against the recruitment policy, on the basis of said of said inquiry the appellant was removal from service after fulfilling codal formality.
- F. In reply to ground F it is submitted that each case has its own facts and circumstances. The service of appellant was rightly terminated in accordance with the law.
- G. Ground G is Incorrect as stated.
- H. Ground H is incorrect hence denied.
- I. Ground I is incorrect as stated hence denied.
- J. Ground J is incorrect, detail reply has already been given in above paras.
- K. The respects seeks permission to raise further grounds on hearing.

## PRAYER

**It is therefore humbly prayed that on acceptance of above Para wise comments the appeal may graciously be dismissed with cost.**

Respondent No.1 \_\_\_\_\_  
Secretary E&SE, Department  
KPK Peshawar

Respondent No. 2 \_\_\_\_\_  
Director E& SE Department  
KPK Peshawar

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

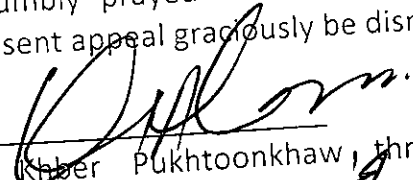
5

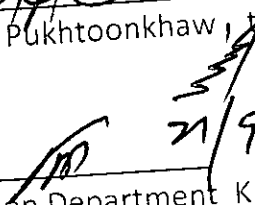
Grounds


- a. Ground a is incorrect hence denied . the act of respondant is in accordance to the law , rules and policy :
- b. Groud b is incurred as stated hence denied . the revomal from service order was issued after adopting the codal formalities as per E&D rules 2011.
- c. Ground c is incorrect as sated hence denied . the respondant department is bound to obey the rules provided by the government of the Khyber Pukhtoonkhaw . the removal from service order after fulfilling the procedure prevailing by the government
- d. ground d is incorrect hence denied
- e. ground e is incorrect .The appointment order was issued by the then Executive District Officer E&SE Mansehra , where upon the inquiry was conducted and the order of appellat was declared illegal and against the recruitment policy ; on the basis of the said inquiry the appealant was removal from service after fulfilling the codal formalities .
- f. in reply to ground f it is submitted that each case has its own facts and circumstance and the services of the appellat was rightly terminated in accordance with the law .
- g. Ground g is incorrect as stated .
- h. Incorrect hence denied
- i. Para l is incorrect as stated hence.
- j. Ground j is incorrect. detailed reply has already been given in above paras
- k. The respondents seeks permission to raise further grounds on hearing

Prayers .

It is therefore humbly prayed that this on acceptance of above para wise comments the present appeal graciously be dismissed with cost

Respondent No 1   
 Government of Khyber Pukhtoonkhaw, through Secretary Education Civil  
 Secretariat Peshawar.

Respondent No 2  21/9/2006  
 The Director E&SE Education Department KPK Peshawar

Respondent No 3   
 District Education Officer (Female) Mansehra

6

**AFFIDAVIT**

I, Mis. Shamalia, ADEO District Education officer(F) Manserha, do hereby solemnly affirm and declared that the contents of reply in the instant Appeal No 748/16 titled case Madis Yalado 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.

  
**RESPONDENT**



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)



CP

(A)  
8

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

**NOTIFICATION.**

WHEREAS, Mst Madeeha Yaqoob, AT at Government Girls Middle School Khambhia District Mansehra was dismissed from service by the DEO (Female) Mansehra vide Order No. 1502-11 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 applied for Qaria post bearing form No.7813 under ETEA R.No. 1700512 but her name was included in the merit list of A.T at S.No. 27. Neither her name was included in the working paper nor in DSC minutes of A.T. She claimed in her appeal that she also applied for A.T post. Her name was at S.No.27 of the A.T merit list while there were 18 posts of A.T and thus she was not entitled for appointment as A.T according to the available vacancies. If she is considered for A.T post even then she was not eligible for appointment in terms of her merit/vacancy position. She has been appointed vide a single order Endst.No.4385-94 dated 23/7/2012.
2. Appeal may be rejected with the remarks that she was appointed on the post other than the post applied for showing her a candidate for the post of Qaria instead of A.T.

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. 1502-11 dated 03/03/2015 is hereby converted into removal from service.

Director  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa, Peshawar.

Endst: No. 4283-88 /F.No. 79 /Appeals Female MSR Dated Peshawar the 23/8/2015

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



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

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.

*Handwritten notes:*  
Please examine the case of  
part of the...  
D.E.O.

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**)

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

2. 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.

4. **PROCEEDINGS:**

1. 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 records/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 violation 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)**.



Nil	Robina Naz Jillani D/O Ghulam Jillani	Endst No. 6508-13/Estt: Dated 11.8.2012  Appointed as AT at GGHS Kaghan in PBPS-15.	Robina Naz Jillani was not a candidate as per entries of merit lists. She also did not appear in EATA Test. Her appointment order was issued on the acceptance of <b>appeal</b> by EDO E &SE Mansehra and she is drawing her salary too. The EDO E &SE Mansehra appointed the candidate unlawfully without the approval of DSC and prescribed procedure( <b>Annex-XXX</b> ).	The appointment is illegal and cause of loss to Government treasury.
3/27	Madeeha Yaqoob D/O Sheik Mohammad Yaqoob	Endst No. 4385-94/Estt:(F) apptt:AT/2012 Dated 23.7.2012  Appointed at GGMS Sokal in BPS-15  Reported at GMS Kamal ban on 14/09/12	Her order was issued by the EDO E &SE Mansehra on the acceptance of her <b>appeal</b> . The entry of dispatch register shows that appointment order was made in compliance of the judgment of Honorable High Court, however, no record/ copy of judgment was produced to the inquiry committee. Appointment of 18 candidates was made and she was at S.No 27 of the merit list. No DSC working paper and prescribed procedure was followed ( <b>Annex-XXXI</b> ).	The appointment is illegal and against the recruitment rules/procedure.
4/Nil	Sanila -Tul-Kubra D/O Mohammad Hilal Khan	Endst No. 1466-76/Estt: apptt:AT/2011-12 Dated 26.6.2012  Appointed as AT at GGMS Agla Grain in BPS-15	Appointment order was issued by the EDO E &SE Mansehra on acceptance of <b>appeal</b> . Copy of the appeal has not been produced to the inquiry committee. The candidate neither appeared in test nor her name exists in the merit list. NO meeting of DSC was held to decide the appeal ( <b>Annex-XXXII</b> ).	The appointment is illegal and against the recruitment rules/procedure.

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

In the matter of  
Appeal No. \_\_\_\_\_/2015

Madiha Yaqoob..... (Applicant)

**Versus**

Govt of Khyber Pakhtunkhwa through Secretary  
Education, Peshawar and others.....  
(Respondents)

**Application for permission for filling amended  
appeal in view of the Modification in the final  
order i.e conversion of penalty from dismissal  
to removal from service vide order dated  
25.08.2015.**

Respectfully Submitted:

1. That the above noted appeal is pending adjudication before this Honorable Tribunal and is fixed for hearing on 21.01.2016, at Camp Court Abbottabad.
2. That the appellant request for allowing necessary amendment in, the following manner inter alia on the following grounds:-

**Grounds of Application**

- A. That the appellant has in the titled appeal challenged the order dated 03.03.2015, vide which she has been dismissed from service. Before approaching the Honorable Tribunal, the appellant also submitted the mandatory departmental appeal on 14.03.2015, however the same was not responded till 90 days, hence the appellant filed the titled appeal.

- B. That now during the pendency of the titled appeal the Appellate authority has issued notification dated 25.08.2015, whereby the departmental appeal of the appellant has been rejected, however her Penalty order issued by the DEO Female, Mansehra vide order dated 03.03.2015, is modified to the extent of conversion of Penalty of dismissal into Removal from service. *(Copy of the order dated 25.08.2015, is attached)*
- C. That in light of the said modification and to avoid future complications, it is necessary to amend the titled appeal to the extent of challenging the order dated 25.8.2015.
- D. That there is no legal impleadment in allowing such permission, rather the interest of justice would best be served.

*It is, therefore, humbly prayed that on acceptance of the instant application the appellant may please be allowed to file amended appeal in view of the issuance of final order whereby the penalty of dismissal from service was converted to removal from service vide order dated 25.08.2015.*

Appellant

Through

Abdul Saboor Khan

&

Malik Ishfaq Ahmad Jilani  
(Advocates, High Court)

**Affidavit**

I do hereby solemnly affirm and declare on oath that the contents of the above application are true and correct and that nothing has been kept back or concealed from this Honourable Tribunal.

Dated: \_\_\_/11/2015



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA, PESHAWAR.

NOTIFICATION

WHEREAS, Mst. Madeena Yaqoob, AT at Government Girls Middle School Khambra District Mansehra was dismissed from service by the DEO (Female) Mansehra vide Order No. 1502-11 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 25-04-2015 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 applied for Qaria post bearing form No.7813 under ETEA R.No. 17005/12 but her name was included in the merit list of A.T at S.No. 27. Neither her name was included in the working paper nor in DSC minutes of A.T. She claimed in her appeal that she also applied for A.T post. Her name was at S.No.27 of the A.T merit list while there were 18 posts of A.T and thus she was not entitled for appointment as A.T according to the available vacancies. If she is considered for A.T post even then she was not eligible for appointment in terms of her merit/vacancy position. She has been appointed vide a single order Endst.No.4385-94 dated 23/7/2012.
2. Appeal may be rejected with the remarks that she was appointed on the post other than the post applied for showing her a candidate for the post of Qaria instead of A.T.

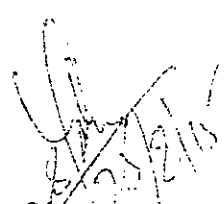
NOW, THEREFORE, in exercise of powers conferred upon the Director E&SE Khyber Pakhtunkhwa, Peshawar (appellant authority) under E&D Rules 2011 read with rules 17 (2) (a) and keeping the findings/recommendations of the committee into consideration, rejects the appeal of aforesaid sacked teacher for reinstatement, however her dismissal order issued by the DEO (F) Mansehra vide order No. 1502-11 dated 03/03/2015 is hereby converted into removal from service.

Director  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa, Peshawar.

Must No. 1753-88 / F No. 77 Appeals Female MSR Dated Peshawar the 25/7/2015

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