

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 142 / 2015

**Mst. Alia Iqbal VS Govt: of Khyber Pakhtunkhwa through
Secretary, KPE&SE, Peshawar
District Education Officer (Female), DIKhan**

DELETION OF FINE / COST

Respectfully sheweth:

1. As directed by this Honourable Tribunal during the hearing dated 09.05.2023, That the respondents have been fined / levied cost worth Rs. 10000/- for submission of record of the 2003 appointments.
2. That this humble civil servant has not deliberately denied provision of record rather our office has been exploring the record yet it is un-traceable till date.
3. That office of the DEO Female DIKhan has been established in 2013 and custodian of the earlier record was Executive District Education Officer DIKhan, which has not been handed over.

Therefore, the order of This Honorable Tribunal in above titled service appeal, date: 09.05.2023 regarding submission of cost may generously be elevated for this servant cannot pay the cost amount being hand to mouth with the salaries and other emoluments.

Dated: 17.05.2023

The humble Respondent

for DISTRICT EDUCATION OFFICER
(FEMALE) DERA ISMAIL KHAN

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

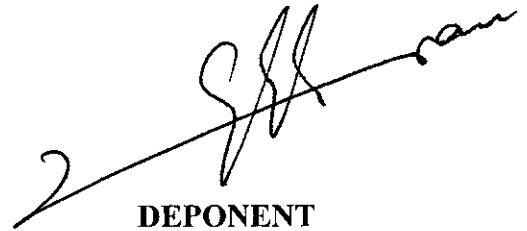
Service Appeal No. 142 /2015,

Mst. Alia Iqbal VS

**Govt: of Khyber Pakhtunkhwa through
Secretary, KPE&SE, Peshawar
District Education Officer (Female), DIKhan**

RECORD AND STATEMENT ON BEHALF OF RESPONDENT

S.No	Description of Documents	At Page No.
1.	Statement on the Remanded Record on behalf of respondents	1-2
2.	Affidavit	3
3.	Authority	4
4.	<u>Annexure</u>	5-


2

DEPONENT

Dr. Muhammad Imran Shah
12101-2797412-1
Subject Specialist (BS-18)
As
Litigation Representative
For O/o DEO (F) D.I.Khan
0966-9280133
emisfdikhan@gmail.com

(1)

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 142 / 2015

**Mst. Alia Iqbal VS Govt: of Khyber Pakhtunkhwa through
Secretary, KPE&SE, Peshawar
District Education Officer (Female), DIKhan**

RECORD AND STATEMENT ON BEHALF OF RESPONDENT

Respectfully sheweth:

1. As directed by this Honourable Tribunal during the hearing dated 20.03.2023, That the respondents (Executive District Officer Education) advertised various posts of teaching cadre in 2003, made the merit list and appointed meritorious candidates on the posts of Certified Teacher (CT) (then BS-09) in District DIKhan according to the policy in vogue, 25% on open merit and 75% on batch wise Quota.
2. That office of the DEO Female DIKhan has been established in 2013 and custodian of the earlier record was Executive District Education Officer DIKhan, which has not been handed over. Receiving orders of this Honourable Tribunal, this humble respondent has been digging out and exploring the record of merit lists, the minutes of the Departmental Selection Committee meeting for the year 2003 appointments, **but it could not trace it out and find nothing other than the joint appointment orders of the following TWELVE (12) CT (then BS-09) Teachers of which THREE (03) have been appointed on open merit and NINE (09) under the batch-wise policy** (batch-wise means, the earlier they completed their CT, the earlier they were appointed).(Annexed herewith an appointment order dated 27.12.2003.) **(Annexure Page to)**

OPEN MARIT

S.No	Name	Father Name	Posted At	Remarks
1	Aaisha Siddiqa	Abdul Aziz	GGHS Chaodhwan	---
2	Qurat-ul-Ain	Atta Ullah Jan	GGHS Chaodhwan	---
3	Shahida Gul	Muhammad Saddiq	GGMS Kot Jai	---

BATCH WISE

S.No	Name	Father Name	Posted At	(C.T Passed)
1	Farhana Fida	Fida Muhamm	GGHS Chaodhwan	09.07.1987
2	Nighat Parveen	Muhammad Yousaf	GGHS Kulachi	20.09.1989
3	Robina Anjum	Asad Jan	GGMS Lar	16.04.1990
4	Qaiser Shaheen	Muhammad Ayoub	GGHS Musa Zai	<i>Refused</i>
5	Aalia Kamran (Gul)	Khan Muhammad	GGHS Musa Zai	31.07.1999
6	Raheela Aalia	Aman Ullah	GGHS Kulachi	22.10.1991
7	Shazia Ambreen	Abdur Raouf	GGHS Paniyala	22.10.1991
8	Darakhshanda Aziz	Abdul Aziz	GGHS Paniyala	---
9	Farhat Jabeen	Inayat Ullah	GGHS Paniyala	<i>Deputation</i>

3. That the *appointment order, addendum order* and other orders related to appointment, annexed with this appeal are bogus, forged and counterfeited, without legal entity and any lawful authority. That the same has already been decided after thorough investigation through the Inquiry Committee constituted in light of the Worthy Judgment dated 27.10.2011, of this Honourable Tribunal in SA No.1407 of 2010.

4. That the appellant is concocting and fabricating his story of appointment without any legal footings and is **wrongly tracing it back to the 2003 advertisement** whereas, she has obtained her appointment in or 2007, with a fake order as investigated by the Inquiry Committee that was constituted in light of the Worthy Judgment dated 27.10.2011, of this Honourable Tribunal in SA No.1407 of 2010.
5. **That**, in compliance to the Order of this Honorable Tribunal as this Honourable Tribunal ordered in SA No.1407/ 2010, dated 27.10.2011, Titled as Abdus Salam vs Government of KPK,the appellant has already been served the final order **No.1520-1602, dated 08.02.2012**, after providing a satisfying opportunity of hearing to prove cogence of her appointment, though she could not prove her service based on legal footings and natural law of justice. **(ANNEX-B)**.
6. **That** the appellant is one of the **1613 teachers' case** –illegal, bogus and fake, who were appointed **without any advertisement**, hence, their service was duly terminated **either in general** or specifically through an omnibus Termination Order by the competent Authority, the EDO E&SE, D.I.Khan vide order dated 08.2.2012, along with almost 1613 teachers.
7. **That** the present service appeal is not maintainable in its present form and jurisdiction of this **Honourable Service Tribunal is barred by Section 23 of Khyber Pakhtunkhwa Service Tribunal Rules 1974**; according to which The Tribunal shall not entertain any appeal in which the matter directly or indirectly has already been finally decided by a Tribunal of the competent jurisdiction.
8. **That** the appellant has got no cause of action or locus standi to file the instant appeal. Especially, when there is provision for **Review under Rule 3 of Appeal Rules 1986.**
9. **That, in fact**, the EDO (Schools & Literacy) advertised vacant posts of PST and other cadres on 07-04-2007. **After completion of procedural formalities for only PST cadre**, the 309 male and 131 female PSTs were appointed on merit under joint appointment order No. 12655-973 Dated 02.07.2007. Whereas, name of the appellant does not reflect in the said appointment order, hence is illegal under the recommendations of the Committee constituted in light of direction of this Honourable Tribunal. In fact, the Provincial Assembly constituted a committee No. 26 for Elementary and Secondary Education Department, dated 20-08-2008, which scrutinized all the appointments record of the year 2007-08 and concluded that all the illegal appointees during the period 01-01-2007 to 30-06-2008 shall be terminated from services, except 309 male PSTs and 131 female PSTs appointed vide order No. **12655-973 Dated 02.07.2007.**
10. That this Service Appeal respondent may kindly be dismissed because the appellant has committed the guilt of corruption and usurped salaries from the Government exchequer and that she **concealed material facts** from this Honourable Tribunal.

In view of above submission, it is humbly prayed that this Service Appeal may kindly be dismissed.

The humble Respondent


DISTRICT EDUCATION OFFICER
(FEMALE) DERA ISMAIL KHAN

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 142 / 2015,

Mst. Alia Iqbal VS

**Govt: of Khyber Pakhtunkhwa through
Secretary, KPE&SE, Peshawar
District Education Officer (Female), DIKhan**

AFFIDAVIT

I, posted as,
working as Ligation Representative for the District Education Officer (Female) D.I.Khan, the
respondent in the above titled Service Appeal and its connected CMs, do hereby solemnly affirm
on oath that all the contents of this Reply/ statement/ CM are true and correct to the best of my
knowledge and belief and that nothing has been concealed from this Honorable Tribunal
deliberately.


Respondent

for **DISTRICT EDUCATION OFFICER
(FEMALE) DERA ISMAIL KHAN**

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 142 /2015,

Mst. Alia Iqbal VS

Govt: of Khyber Pakhtunkhwa through
Secretary, KPE&SE, Peshawar
District Education Officer (Female), DIKhan

AUTHORITY

I, the District Education Officer (Female), D.I.Khan, do hereby authorize Mr. 1 to represent and submit my signed Statement/ comments/ CMs on behalf of the Respondent, the District Education Officer (Female) D.I.Khan, before The Honorable Peshawar High Tribunal, D.I.Khan Bench till the final Judgment in the above titled Service Appeal and its connected CMs.


Respondent

**DISTRICT EDUCATION OFFICER
(FEMALE) DERA ISMAIL KHAN**

OFFICE OF THE EXECUTIVE DIRECTOR OF SCHOOLS & LITERACY DEKHTAN

APPOINTMENT ORDER

CT

Consequent upon the approval of selection committee and approved by the District Coordination Officer DEKHTAN. The following C.T. female candidates batch wise/open merit desirable are hereby appointed on vacant posts in the schools noted against their names in BPS-17 being a qualified fresh candidates on contract basis and in-service on regular basis as per existing policy in the interest of public service w.e.f. date of taking over charge on the following terms and conditions:

Open Merit

S.No	Name	Father's Name	Posted At	Remarks
1	Aarisha Siddiqui	Abdul Aziz	GGHS Chandhwan	Vacant Post
2	Qurat ul Aain	Ahmadullah Jan	GGHS Chandhwan	Vacant Post
3	Mahabada Gul	Mohammad Sadiq	GGHS Kot Jan	Vacant Post

Batch Wise

S.No	Name	Father's Name	Posted At	Remarks
1	Fahana Fida	Fida Muhammad	GGHS Chandhwan	Vacant Post
2	Naghat Parveen	Mohammad Yousof	GGHS Kufachi	Vacant Post
3	Rubina Siddiqui	Assad Latif	GGHS Kot Jan	Vacant Post
4	Qayser Shabreen	Muhammad Yousof	GGHS Musa Zai	Vacant Post
5	Aalia Kamran	Fahim Muhammad	GGHS Musa Zai	Vacant Post
6	Rabeela Naima	Amayullah	GGHS Kufachi	Vacant Post
7	Shahar Aashfaqueen	Abdul Raouf	GGHS Panyala	Vacant Post
8	Darakhshanda Aziz	Abdul Aziz	GGHS Panyala	Vacant Post
9	Fahar Latheem	Imayadullah	GGHS Panyala	Vacant Post

Notes:-

1. Change report should be submitted to all concerned within 15 days after the issuing of appointment order failing which the appointment shall stand automatically cancelled.
2. The service of the above named candidates shall be on temporary basis and liable to terminate at any time without assigning any reason.
3. The initial period of appointment shall be 1 year after which the contract may be renewed by the competent authority depending on the performance of the teacher concerned.
4. They will produce health and character certificate to the MS concerned.
5. The original documents may be checked/verified with the concerned Board/University through DDO before handing over charge.
6. The contract candidate will be bound by contract agreement on stamp paper as per recruitment rules.
7. No TADA is allowed.

Sd/-
ABDUL RAHIM KHAN
 EXECUTIVE DIRECTOR OF
 SCHOOLS & LITERACY DEKHTAN

File No. 15920-35 9.27.12

- Copy submitted to the
1. Director Schools & Literacy NWFP Peshawar
 2. District Coordination Officer DEKHTAN
 3. District Accounts Officer DEKHTAN
 4. Principal Headmaster concerned

Naima Kosar
 S.E.T. BPS-17
 D. I. Khan

Ahmed
 MO

Naima Kosar
 S.E.T. BPS-17
 D. I. Khan

(Signature)
 DISTRICT OFFICER (FEMALE)
 SCHOOLS & LITERACY DEKHTAN

No. 30

Date 17/8/87

(6)

GOVT. COLLEGE OF EDUCATION FOR ELEMENTARY TEACHERS (WOMEN)

DERA ISMAIL KHAN.

PROVISIONAL CERTIFICATE

Name Faizana Fida

Father's Name Fida Mohammad

Date of Birth 6.11.1967

Date of Declaration of Result 7.7.87

Class K.C.T. (General)

Session 1986-87

S.No.	SUBJECTS	Total Marks ¹⁰⁰ Obtained	Grades
1.	Theory and History of Education	64	C
2.	Child Development and Counselling	65	B
3.	School and Community Development	74	B
4.	General Methodology & Preparation of teaching Aids	67	B
5.	Counselling Testing and Evaluation	50	C
6.	Organization of Elementary Education and School Management	63	C
7.	Pakistan Studies	67	B
8.			
9.	Special School Subjects		
	1. English & method of Teaching	78	B
	2. Social Studies & method of Teaching	67	B
	3. Mathematics & method of Teaching	68	B
	4. Science & method of Teaching	53	C
10.	Teaching Practice <u>120/200</u>		
	Girls Guide Course <input checked="" type="checkbox"/>	Total	<u>836/1300</u>

(MISS SADIRA HASREEN)

Controller of Exams
Stamp: 17/8/87

(MISS SAIDA LOHNI)

Principal

Govt. College of Education for Elementary Teachers (Women) Dera Ismail Khan.

7

GSAID.-NWFP.-2231 Dir of Edu - 5,000 C.-21 B-17-177

ET

EDUCATION DEPARTMENT, N.-W.F.P., PESHAWAR.



CERTIFICATE OF TEACHING (CONDENSED COURSE).

ROLL NO. _____ 1127

Marks obtained 224/450,1000
Division Second

Certified that..... Nighat Farveen

born on..... xxx (..... xxx Nineteen hundred and)

Son/Daughter of Mohammad Yusuf Bhatti

resident of..... xxx Tehsil District D.I. Khan

having passed the Certificate of Teaching Examination held in 19 89 is qualified to teach in the Middle Department of School.

Trained at District..... D.I. Khan . From..... 20-6-1989 . To.. 20-9-1989

Dated Peshawar,
The..... 16-4-1990

[Signature]
Registrar,
Departmental Examinations,
Education Department, Peshawar.

REGULATIONS FOR THE C.T. CONDENSED COURSE EXAMINATION

Roll No. 1130

Date of the Fall of Practice 1969

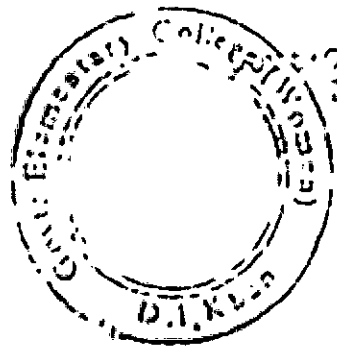
C.T. CONDENSED COURSE EXAMINATION

CERTIFIED that Rubina Anjum
daughter of Mr. Asad Jan of 1245/1967,
Nomasian Mala District D.I. Khan, has PASSED the
C.T. Condensed Course Examination, held in October, 1969, according to
the result cassette, supplied by the Registrar Department of
Examination, Education Department, Peshawar, vide his letter No. 6063-6162/Reg. Examin. dated 14.11.1969.

She has obtained 202 Marks out of 450 and has been placed in 2nd Division.

Prepared by: M. A. Khan
Checked by: K. A. Khan

(Mrs. Rania Rashid)
Principal
Government College for Women
D.I. Khan



UNDOCA

Allama Iqbal Open University, Islamabad



Mr/Ms. ALIA GULL son / daughter of KHAN MUHAMMAD MASIR
 Registration No. 95-FLE-0703 Roll No. D-6947547 has completed all the requirements of

Certificate in Teaching

in ^{XX}Spring/Autumn 98 semester on 31ST JUL. 1999

<u>Code/Course</u>	<u>Marks obtained</u>	<u>Code/Course</u>	<u>Marks obtained</u>
651-Dimensions in Education	<u>69/100</u>	604-TEACHING OF URDU	<u>55/100</u>
652-Educational Psychology	<u>65/100</u>	606-TEACHING OF P.ECONOMICS	<u>70/100</u>
653-School Organisation & Management	<u>62/100</u>	635-TEACHING OF ISL-MIAT	<u>47/100</u>
654-English and its Teaching	<u>61/100</u>	638-Teaching of Strategies	<u>58/100</u>
612-Workshop & Teaching Practice	<u>91/100</u>		

He/She has secured 64 % marks and cumulative grade E

Prepared by [Signature]

Checked by [Signature]

[Signature]
 Controller of Examinations

Govt: College of Education for Elementary Teachers



(FEMALE) D. I. KHAN.
~~P.T.C~~/C.T(GEN)
Provisional Certificate

Session 1990-91

Roll No. 323 date of declaration of result 27-10-91

Certified that Mahila Aiza Batool

Daughter of Amanullah Khan of this institution has PASSED
1991
the ~~P.T.C~~ C.T(Gen) Examination as a Regular
Candidate, According to the result Gazette, supplied by the Registrar
Departmental Examination Edu: Dept: Peshawar

Marks Obtained 516 Out of 1200 Marks

Division Ist

Conduct Good

Prepared by

Checked by

(MRS RAZIA RASHID)
Principal

Govt: College of Edu: For Elementary Teachers
(Female) D. I. Khan.

EDUCATION DEPARTMENT,

NARSEP, BISHAWAR,

CERTIFICATE OF TEACHING

ROLL NO. 2015/1000

DIVISION

Grade: Primary 1/2/3/4/5/6/7/8/9/10

NAME

Shreya Ambreen

RESIDENT

Department of Education, Bishawar

Trained at the Government Training School

Date

22-10-2015

Signature of the Officer in Charge, Bishawar

Attest

Signature

Date