

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal # 167/2023

Mst. Kalsoom Salma, Headmaster (BPS-17).....Appellant.

VERSUS

Govt: of Khyber Pakhtunkhwa & others.....Respondents.

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Despondent

(1)

BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

Service Appeal # 167/2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 6297

Dated 5/7/2023
Appellant

Mst. Kalsoom Salma, Headmaster (BPS-17).....

VERSUS

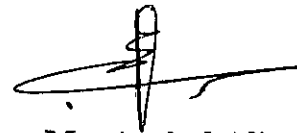
Govt. of Khyber Pakhtunkhwa & others..... Respondents

AFFIDAVIT

I, Mr. Amjad Ali, Section Officer (Litigation-II) Elementary & Secondary Education, Department do hereby solemnly affirm and declare that the contents of the accompanying para-wise comments, submitted by the respondents, are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

It is further, stated on oath that in this appeal the answering Respondents have neither been placed ex-parte nor their defense has been struck off.

DEPONENT



Mr. Amjad Ali
Section Officer (Lit-II)
E&SE Department Peshawar

On Grounds:

- A. Para A is incorrect, the appellant was imposed minor penalty of censure after conducting a proper inquiry and personal hearing.
- B. Para B is incorrect, legal proceedings in shape of inquiry has been conducted against appellant.
- C. Incorrect, the appellant was given right of defense and he was personally heard with filing of reply of show cause. But the appellant failed to defend the charges against her.
- D. Incorrect and denied.
- E. Incorrect, the appellant was charged with mis-conduct & proper inquiry was conducted followed by all legal proceedings and the appellant was found guilty.
- F. Incorrect, free fair and impartial inquiry was conducted against the appellant.
- G. Incorrect and not permissible as nothing irregular or un-lawful against appellant.

It is therefore, most humbly prayed that on acceptance of these parawise comments the appeal in hand may kindly be dismissed with cost.



DIRECTOR

**Elementary & Secondary Education,
(Respondent No. 03)**



SECRETARY

**Elementary & Secondary Education,
(Respondent No. 1 & 2)**



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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No: (011) 9223555

Dated Peshawar the, October 07th, 2021

NOTIFICATION

No.SO(S/F) E&SED/4-16/2021/POSTING/TRANSFERS/ Wrong Posts: - The Competent Authority has been pleased to order the posting/transfer of the following officers of Elementary & Secondary Education Department Khyber Pakhtunkhwa, recommended through E-Transfer, with immediate effect, in the public interest.

Sr. No	Name and designation	Working against the post of	Proposed place of posting against original post
1.	NOUSHEEN ANWAR Headmistress (BS-17)	SS Chemistry (BS-17) GGHSS BEHZADI KOHAT	Headmistress (BS-17) GGHS KHAOIZAI KOHAT
2.	KALSOOM SALMA Headmistress (BS-17)	SS Urdu (BS-17) GGHSS DHAKKI CHARSADEA	Headmistress (BS-17) GGHS CHARSADEA KHASS CHARSADEA
3.	SYEDA SAJIDA MUMTAZ Headmistress (BS-17)	SS Urdu (BS-17) GGHSS MURAD PUR MANSEHRA	Headmistress (BS-17) GGHS PERHANNA MANSEHRA
4.	MS. CHAMAN ARA Headmistress (BS-17)	SS Urdu (BS-17) GGHSS BEHARI COLONY DI KHAN	Headmistress (BS-17) GGHS PAI TANK
5.	SHAHIDA NASEEM Headmistress (BS-17)	SS Economics (BS-17) GGHSS BEHARI COLONY DI KHAN	Headmistress (BS-17) GGHS DABBARA TANK
6.	NARGIS BIBI Headmistress (BS-17)	SS Islamiyat (BS-17) GGHSS HAJIA GALI ABBOTTABAD	Headmistress (BS-17) GGMS WAZIRAN ABBOTTABAD
7.	ROSHAN ARA Headmistress (BS-17)	SS Home Economics (BS-17) GGHSS PANIALA DI KHAN	Headmistress (BS-17) GGHS WANDA LALI DI KHAN
8.	SHABANA ASIA Headmistress (BS-17)	SS Urdu (BS-17) GGHSS DARABAN KALAN DI KHAN	Headmistress (BS-17) GGHS ZANGI KHEL LAKKI
9.	SAEEDA TU NISAH Headmistress (BS-17)	SS Islamiyat (BS-17) GGHSS BANGHASH KHEL BANNU	Headmistress (BS-17) GGHS DHERMA KHEL BANNU
10.	ISHRAT JAHAN Headmistress (BS-17)	SS Pushto (BS-17) GGHSS JOGIWARA PESHAWAR	Headmistress (BS-17) GGHS JOGANI PESHAWAR
11.	RUSHDA HABIB Headmistress (BS-17)	SS Islamiyat (BS-17) GGHSS KANGRA COLONY HARIPUR	Headmistress (BS-17) GGHS BASSOMAIRA HARIPUR
12.	ADEEBA RAZZAO Headmistress (BS-17)	SS Islamiyat (BS-17) GGHSS SHINKIARI MANSEHRA	Headmistress (BS-17) GGHS BAJNA MANSEHRA
13.	NIGHAT BEGUM Headmistress (BS-17)	SS Urdu (BS-17) GGHSS HATTAR HARIPUR	Headmistress (BS-17) GGHS HARYAN SWABI
14.	SHAISTA MUMTAZ Headmistress (BS-17)	SS History-cum-Civics (BS-17) GGHSS AKBAR PURA NOWSHERA	Headmistress (BS-17) GGHS SHAGAI BALA PESHAWAR
15.	MEHMOOD UN NISA I.P.E (BS-17)	SS Pushto (BS-17) GGHSS CHOKARA KARAK	IPE (BS-17) GGHS REHMAT ABAD KARAK
16.	RAZIA BIBI I.P.E (BS-17)	SS Pak Study (BS-17) GGHSS HJOMAN KHEL	IPE (BS-17) GGHS



⑥ GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
(Phone No. 091-932351)

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Encls: of even No. & Date

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) concerned.
4. District Account Officers, Concerned.
5. Director, EMIS E&SE Department.
6. PS to Minister for E&SE Department.
7. PS to Secretary E&SE Department.
8. PA to Deputy Secretary (Admn) E&SE Department.
9. Officers concerned.
10. Office order file.

*Attested
Form*

(Signature)
(HAFEEZ UR REHMAN SHAH)
SECTION OFFICER (SCHOOLS MALE)

Handwritten notes at the top left, including a signature and some illegible text.

تاریخ: _____

- ۱۔ تاکہ ہندو اوقات آپ کے گھر لڑا کرنا پاتی ہے۔ وہ لڑا اوقات یہ ہیں۔
- ۲۔ سرگرمی فرمائے اور وہ روزہ روح اللہ جان بحیثیت لیبارٹری اینڈ ڈسٹری بیوٹرز 13 سے کولمبیا اور نیو یارک کے ہیں۔
- ۳۔ تاکہ اسے فراموش نہیں کیے بغیر اس میں سرانجام ہو رہا ہے۔
- ۴۔ مسٹر کبیر احمد سکول کے تمام معاملات سے باخبر رہتے ہیں اور ان کو لیبارٹری میں جاننا پاتی ہے اور وہ سب سے زیادہ جاننے والے ہیں۔
- ۵۔ قیصر احمد سے مشورہ لینے کو کہتی ہے۔ اور بخیر سکول کا ہیڈ ماسٹر موصوف ہی ہے۔
- ۶۔ موصوف سرکاری سکول میں بحیثیت ایس ایس ٹی مقرر تھے مگر تقسیم میں کام کرتے ہیں۔ لیکن ان کی یہ حالت بن چکی ہے کہ ان کی تمام جہاں بھی جوبان پر سکول کے معاملات میں ناگج ضرور اڑانے کا۔
- ۷۔ یہ کہ موصوف نے چند دن قبل میرے ساتھ دراندازی بھی کی اور مجھ کو جنسی تشدد کا نشانہ بنانے کی کوشش کی۔
- ۸۔ میرے منع کرنے پر موصوف نے سکول کے باہر گیٹ کے سامنے پہنچنے سے پہلے میرے موہاں سے ٹیکر بچھو دھمکانے کی کوشش کی کہ سکول میں یہ سب ناممکن ہے اور بتوں ان کے میرے خلاف تاحی کارروائی ہو سکتی ہے۔
- ۹۔ یہ کہ خیبر پختونخوا سے ڈیپارٹیشن کے مطابق کوئی بھی مریضی بھی زمانہ سکول کا اور وہ تو درکنار سکول میں نہیں آسکتا۔
- ۱۰۔ یہ کہ سکول کا موہاں جمع نمبر موصوف استعمال کرتا ہے اور جب کسی ٹیکر کو جنسی کی ضرورت پڑتی ہے تو بیڈ روم میں سہا بھجھ کو اپنے شوہر یعنی لیج سے بات کرنے کو کہتی ہے۔ جو کہ راز راز باتوں کے منافی ہے۔
- ۱۱۔ یہ کہ بیڈ روم میں اور ان کے شوہر نامہ دار کا سابقہ ریکارڈ چیک کر لیں تو آپ کو ان کی خانیوں کا بخوبی اندازہ ہو جائیگا۔
- ۱۲۔ مندرجہ بالا واقعہ کو مد نظر رکھتے ہوئے آپ نے پرنسپل کو درخواست کی جاتی ہے کہ اس قسم کے واقعات کا فوری نوٹس لیا جائے اور نمونہ بیڈ کے ساتھ جنسی تشدد اور دراندازی کے واقعات کی تحقیقات کی جائے اور موصوف کو نہ صرف زمانہ سکول پر بند کیا جائے بلکہ اس کو قہراً اٹھائی جائے تاکہ اور لوگ ان سے عبرت حاصل کر سکیں۔

الغرض

تاریخ: 8/02/2021

Handwritten signature 'Atiq' on the left side.

کاپی پر نے انڈیشن نوٹس
 سہارا ڈی جی چارسدہ
 ڈی ایچ او (فی میل) چارسدہ
 اسٹینٹ پبلسیشنز

آپ کی تابعدار

فرخندہ ناز - لیبارٹری اینڈ ڈسٹری بیوٹرز

گورنمنٹ گرلز ہائی سکول ہونہ بابا، ایف بی

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(8)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223588

Dated Peshawar the August 23rd, 2021

NOTIFICATION

NO.SO(S/F)E&SED/4-17/2021/Inquiry against Mst. Kalsoom Salma: The Competent Authority is pleased to constitute Inquiry Committee comprising of Mst. Sarah Rehman (PAS BS-18) Chief of Section (International Development) P&D Department and Mst. Shaheen Akhtar (BS-19) Principal GGHS Akora Khattak, Nowshera to conduct formal inquiry under Govt. servant (Efficiency & Disciplinary) Rules, 2011, against Mst. Kalsoom Salma Headmistress (BS-17) GGHS Kot Baba Dag Tangi District Charsadda, on account of allegations mentioned in the Charge sheet & Statement of allegations.

2. The Inquiry Committee shall submit recommendation(s)/report to the Competent Authority within **thirty days** positively.

**SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT**

Endst: of even No. & date:

Copy forwarded for information to the:

1. Director E&SE Khyber Pakhtunkhwa, Peshawar with the request to depute a well-conversant departmental representative to assist the inquiry committee as and when required.
2. Ms. Sarah Rehman (PAS BS-18) Chief of Selection (International Development) P&D Department (along-with copy of fact-finding inquiry report, charge sheet & statement of allegations).
3. Mst. Shaheen Akhtar (BS-19) Principal GGHS Akora Khattak, Nowshera (along-with copy of fact-finding inquiry report, charge sheet & statement of allegations).
4. Mst. Kalsoom Salma Headmistress (BS-17) GGHS Kot Baba Dag Tangi District Charsadda. (along-with charge sheet sheet out / Statement of allegation)
5. Master File.

(4)
24/8

Accepted
(3) 24/8
24/8

(Hafeez Ur Rehman Shah)
SECTION OFFICER (S/ F)

23/8



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① 3

① 139

OFFICE OF THE
ADDL: DEPUTY COMMISSIONER (Relief & HR)
CHARSADDA

ADDL: ADC (Relief & HR) (CHD) / 371-75

Dated: 09/03/2021.

INQUIRY REPORT

Introduction:

Mst. Farkhanda Naaz, Laboratory Attendant, Government Girls High School Kot Baba Dag, Tangi submitted an application before Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar on 18-02-2021 with a copy thereof endorsed to Deputy Commissioner, Charsadda and others.

Proceedings:

Application was received on 19-02-2021. From perusal of application certain allegations have been levelled against Mst. Kalsoom Salma (Head Mistress of her school) and her husband Mr. Zaheer Ahmad regarding harassment and undue interference of said Zaheer Ahmad in the affairs of school and requested for investigations and appropriate action.

Parties were summoned. Statements were recorded. Hearing of the case was made on 03-03-2021, 05-03-2021 and today 08-03-2021. From perusal of record hearing of parties and getting information from other sources, it is transpired that Mr. Zaheer Ahmad is a government school teacher in district Mardan and not performing his duty at his place of posting rather performing duty in place of his wife Mst. Kalsoom Salma Head Mistress interfering her administration with or without her will. Issue is also discussed with Deputy District Education Officer (Female), Charsadda and it is held that these issues are continuously exist since the posting of Mst. Kalsoom Salma Head Mistress in the last year. In order to restore, the feasible environment in the school, the said Head Mistress Mst. Kalsoom Salma is recommended to be transferred and departmental proceeding be initiated against her that why she allow her husband to administratively handle the affairs of Girls School and why she allow access to her husband to intervene the school matters with female teachers.

It was also learnt that the same issues were exist earlier in Government Girls High School Ganderi during the posting of Mst. Kalsoom Salma Head Mistress. To avoid repetition of these practices the said Mst. Kalsoom Head Mistress may not be posted as Head Mistress and be considered as Subject Specialist in any Higher Secondary School to avoid any incident in the interest of public.

Findings:

The allegation contain in the application are proved to the extent as discussed above and the Mst. Kalsoom Salma Head Mistress Government High School Kot Baba Dag, Tangi is recommended for the departmental proceeding, transfer and further posting as Subject Specialist in any Government Higher Secondary School.

ADDL: DEPUTY COMMISSIONER (Relief & HR)
CHARSADDA

Encl No & Date

Copy forwarded to:

1. The Director, Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Commissioner, Charsadda for information please.
3. The District Education Officer (Female), Charsadda.
4. The Assistant Commissioner, Tangi.
5. Mst. Farkhanda Naaz, Laboratory Attendant, Government Girls High School Kot Baba Dag, Tangi.

Attested
3/3/21

ADDL: DEPUTY COMMISSIONER (Relief & HR)
CHARSADDA

G.B.
put up for sanctioning
inquiry report to
Director ESSE for
action.

2278



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GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar.

-10-

No. SO(IQ)E&SED/1-1/2022/Kalsoom Salma/Charsadda
Dated Peshawar the July 29, 2022

To

Mst. Kalsoom Salma,
Headmistress (BS-17),
GGHS Kot Baba Dag Tangi, Charsadda.

SUBJECT: SHOW CAUSE NOTICE.

I am directed to refer to the subject mentioned above and to enclose herewith a copy of show cause notice served upon you by the Competent Authority/ Chief Secretary Khyber Pakhtunkhwa.

(MUJEEB UR REHMAN)
SECTION OFFICER
(INQUIRIES)

Endst: of Even No. & Date:

Copy of the above is forwarded to PS to Secretary, E&SE Department.

AH ested
3/8/22
Section Officer (Inquiries)
Elementary & Secondary Edu. Deptt.
Govt. of Khyber Pakhtunkhwa

SECTION OFFICER
(INQUIRIES).

(11)

- 11 -

SHOW CAUSE NOTICE

I, Dr. Shahzad Khan Bangash, Chief Secretary Khyber Pakhtunkhwa, as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you, Ms. Kalsoom Salma, Headmistress (BS-17), GGHS Kot Baba Dag Tangi, Charsadda as follows: -

- (i) That consequent upon the completion of inquiry conducted against you by the inquiry committee for which you presented your written defense before the inquiry committee;
- (ii) On going through the findings and recommendations of the inquiry committee, the material on record and other connected papers including your defense before the inquiry committee:

I am satisfied that you have committed the following acts/omission specified in rule-3 of the said rules:

Inefficiency & Misconduct

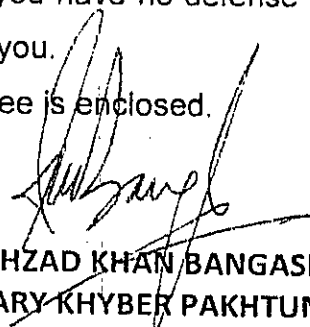
2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of Censure under Rule-4 of the said rules.

3. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

4. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.

5. A copy of findings of the inquiry committee is enclosed.

Attested
(3 of 13)
Secretary
Department of Education
Govt. of Khyber Pakhtunkhwa



(DR. SHAHZAD KHAN BANGASH)
CHIEF SECRETARY KHYBER PAKHTUNKHWA

Ms. Kalsoom Salma, Headmistress (BS-17),
GGHS Kot Baba Dag Tangi, Charsadda

(12) 4 F

To

The Inquiry Committee

-12-

- i. Chief of Section Officer P & D
Khyber Pakhtunkhwa Peshawar
- ii. Principal GGHSS
Akora Khattak

Subject:-Reply to the allegation mentioned in Show Cause Notice as well as in Statement of Allegation.

Respected Inquiry Committee-

It is brought to your kind notice with great respect that I and my Husband are Government Servant and abide by the Rules and Regulation formulated by the Government and my Husband is aged man and as well diabetic Patient and all the time he is involved in the health issue and frequently going for medical checkup, and presently his posting is in District Mohmand, therefore neither I nor my Husband can even think of Harassing the female teachers of the School and my husband has never interfere in the school affairs.(Medical Reports of my Husband are **Attach as Annex "A"**)

And I am qualified, competent and committed Headmistress appointed by the Public Service Commission Khyber Pakhtunkhwa and always keep tight vigilance on the School matters and run the school affairs smoothly, it is pertinent to mention here that my Board result of the Students of SSC (A) are 100 % from the last five years, therefore my PERs / ACRs which is signed by the DEO (F) Charsadda are in best grades, which gives proof of my efficiency and good discipline in running of the School and my performance is also clear from the Surprise visit made by the Dy.DEO Female Charsadda.(Copy of PERs/ ACRs and **Dacuments regarding Visit is Attach as Annex "B"**)

Therefore I solemnly declare that my Husband, who is posted in District Mohmand, hasn't come to school at all to interfere in my school affairs or Harass the female teacher, it is pertinent to mention here that cameras are also installed in the school premises and the same can be verify from the recording of camera, as well as at the day time, the chokidaar

Attested
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Secretary &
Govt of Khyber Pakhtunkhwa

of the School is setting at the gate all the time with Gun, and as well about Seven Hundred (700) Students are studying in the School, and if my husband would have come to the School, the Students or their Parents and the inhabitants of the locality would have made a lot of noise, complaints against me and my husband, I and my husband are responsible Government Servant and my husband is Performing his duty in District Mohmand. (Copy of Attendance Certificate issue by DEO (M) Mohmand in favor of my Husband is attach as Annex "C")

I would like to brought the fact before this Honorable Inquiry Committee that in fact, the Complaint was made by the Lab Attendant namely Farkhanda Naz who is Class IV and who is indulged in selling of unhygienic food item to the student in the School,

Therefore on the receipt of the message of the Honorable DEO (F) Charsadda in Whatsapp group regarding the Closure of Canteen vide Order dated 20-01-2021, I wrote orderbook to all Class IV especially the female not to sell the unhygienic food item i-e Chips & Nimko etc to the Students and I took a written Statement from them that they would be refrain from selling the unhygienic food item to the students in those days of covid-19, but in spite of all direction, the Farkhanda Naz Lab attendant violated and continuously remain indulged in selling these food item to the students in the School, and I caught her red handed at the School Gate in the Morning time while bringing the unhygienic food item to the School in the Chinchi (Raksha) and for the evidence I also took her pictures on 08-02-2021, and I send those pictures to the DEO (F) Charsadda in Whatsapp group but no action was taken on my report.

(Copy of Message Received from DEO (F), Orderbook & Pictures are Attach as Annex "D")

Therefore for the sake of Revenge the Said female Farkhanda Naz made a baseless complaint to the Director E & SE KPK vide dated 18-02-2021 endorsing its copy to D.C Charsadda for involving and blaming me and my Husband for the sake of Revenge.

And thereafter one sided inquiry was conducted by the Additional Deputy Commissioner Charsadda by ignoring all the facts and proofs

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 Attest
 Element
 Govt of Kyber Pakhtunkhwa
 District Office
 Charsadda

and without recording any single Person Statement including Students or teachers of the School moreover I have been condemned unheard and before proving of Charge I was transferred from my place of duty, even no opinion of District Education Officer Female Charsadda was sought who is the immediate Head of the District Education Office Charsadda.

Therefore everything is clear that I informed the DEO (F) Charsadda on 08-02-2021 while she made complaint on 18-02-2021 to the Director E & SE KPK and by passing the District Education Officer Female Charsadda being the immediate Head of our office.

As I stated above that I informed the DEO (F) about selling of unhygienic food item by Farkhanda Naz and if the then DEO (F) would take action against her or conducted inquiry in that period of 08-02-2021 to 18-02-2021, then the said Farkhanda Naz would not found any space to make a false complaint against me or my Husband.

Besides it is also on the record that almost 700 students are studying in the School and the said Farkhanda Naz is selling these unhygienic food item to the Students, this clearly suggest that her daily income will be more than a normal shop keeper who deals in food business, as the normal shop keeper would never find 700 customers during a day, therefore when I stop her from selling these food items, she made complaint against me by making these false allegation just to get rid of me by indulging me in departmental proceeding and thereafter she become succeeded in previous activity by selling unhygienic food item quite easily in the School, I served here for 1 year while she is serving here from 2007 for more than 13 years.

39. Alleged
M.A.P.K.
Section Officer (In-charge)
Elementary & Secondary Schools
Distt. Dir. Deptt.
Govt. of Khyber Pakhtunkhwa

And further I would like to brought to the notice of this Honorable Inquiry Committee that vide dated 07-06-2021, School Chokidaar namely Ibrahim during the day time reported that Lab Attendant Farkhanda Naz was found with the driver of Chinchhi (Riksha) in the premises of the School at 07-30 am and thereafter she was restrained from such activities.(Photocopy of Orderbook regarding Restraining is Attach as Annex "E")

(15)

- 15 -

I say with regret that due to her false allegation I was transferred to the D.I Khan and then I was adjusted at the Post of Subject Specialist of Urdu in GGHSS Dhaki and by losing the Honour, prestige and reputation of my career.

With great respect I would like to brought in the notice of this Honorable Inquiry Committee that I am talented, competent and well qualified teacher having Master degree of English with M.Ed and further I have the qualities to make a Model School of any School by imparting qualitative and standard Education to the Students and if my Performance is judged from all the angles i-e Academic, financial matter and supervision, the result will be 100 % efficient,

Therefore I request you to exonerate me and declare the Charges against me to be basless & false and be filed without further proceeding

I also request for personal hearing in this matter so that I can explain my position before the Honorable inquiry Committee, if your goodself are not satisfied from my reply.

Affested
B. P. M.
Section Officer (Inquiries)
Elementary & Secondary Edu. Deptt.
Govt. of Khyber Pakhtunkhwa

Yours obediently

Kalsoom Salma

14-09-2021

SS Urdu GGHSS Dhaki

Former Headmistress GGHS Kot Baba Tangi



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CB

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

-16-

Dated Peshawar the October 25, 2022

NOTIFICATION

No. SO(Inq)ESSED/1-1/2022/Mst. Kalsoom Salma/HM/Charsadda: WHEREAS Mst. Kalsoom Salma, Ex-Headmistress (BS-17), GGHS Kot Baba Tangi, District Charsadda now Headmistress, GGHS Charsadda Khass 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 Mst. Sarah Rehman (PAS BS-18), Chief Section, P&D Department and Mst. Shaheen Akhtar, Principal (BS-19), GGHSS Akora Khattak, Nowshera were nominated as Inquiry Committee to conduct Formal Inquiry under the ibid Rules, against Mst. Kalsoom Salma, Ex-Headmistress (BS-17), GGHS Kot Baba Tangi, District Charsadda now Headmistress, GGHS Charsadda Khass, for the charges leveled against her.

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

4. AND WHEREAS the Competent Authority (Chief Secretary) after having considered the charges and evidence on record, inquiry report, explanation of the accused in response to the show cause notice and personal hearing granted to her by Additional Secretary, Law Department on behalf of the Competent Authority on 12.10.2022 is of the view that charges against the accused have been proved.

5. NOW, THEREFORE, in exercise of the powers conferred under section 14 (5) of the ibid Rules, the Competent Authority (Chief Secretary), is pleased to impose minor penalty of "Censure" upon Mst. Kalsoom Salma, Ex-Headmistress (BS-17), GGHS Kot Baba Tangi, District Charsadda now Headmistress, GGHS Charsadda Khass with immediate effect.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst: of even No. & Date:

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Female) Charsadda.
4. District Account Officer Charsadda.
5. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
6. PS to Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.
7. Section Officer (Schools/ Female), E&SE Department.
8. Incharge EMIS E&SE Department.
9. Mst. Kalsoom Salma, Ex-Headmistress (BS-17), GGHS Kot Baba Tangi, District Charsadda now Headmistress, GGHS Charsadda Khass.
10. Office order file.

A.H. Akhtar

Section Officer (Inquiries)
Elementary & Secondary Edu. Deptt.
Govt. of Khyber Pakhtunkhwa

(Bilal Khan) 25/10/2022
Section Officer (Inquiries)

(17)

1190 -23-

REGISTERED



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

No. SO(Inq)E&SED/1-1/2022/Mst. Kalsoom Salma/HM/Charsadda
Dated Peshawar the December 27, 2022

To

Mst. Kalsoom Salma,
Ex-Headmistress, GGHS Kot Baba Dag Tangi, Charsadda,
Now Headmistress, GGHS Charsadda Khass, Charsadda.

→ EOM -
29.12.22.

Subject: **DEPARTMENTAL APPEAL AGAINST THE NOTIFICATION DATED
25-10-2022 WHEREBY THE PENALTY OF CENSURE HAS BEEN
IMPOSED UPON THE APPELLANT.**

I am directed to refer to the subject noted above and to state that the Chief Minister Khyber Pakhtunkhwa/ Competent Authority has considered your review petition and rejected having no valid grounds.

**(BILAL KHAN)
SECTION OFFICER (INQUIRIES)**

Endst: Even No. & Date:

Copy of the above is forwarded to the:

1. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
2. District Education Officer (Female), Charsadda.
3. PS to Secretary, E&SE Department.

Elementary & Secondary Edu. Deptt
Govt. of Khyber Pakhtunkhwa

SECTION OFFICER (INQUIRIES)



(18)

225

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223588

208
12

NOTE FOR CHIEF SECRETARY KHYBER PAKHTUNKHWA

SUBJECT: COMPLAINT AGAINST MST. KALSOOM SALMA HEADMISTRESS (BS-17) GGHS KOT BABA DAG TANGI DISTRICT CHARSADDA, (FILLED BY MST. FARKHANDA NAAZ, LABORATORY ATTENDANT GGHS KOT BABA DAG TANGI).

A fact finding Inquiry was conducted on charge of interference in Female School Administration Mst. Kalsoom Salma Headmistress (BS-17) GGHS Kot Baba Dag Tangi District Charsadda (**Annex-I**). The inquiry officer has submitted its report following Finding/recommendations.

i. The allegation contain in the application are proved to the extent as discussed above and the Mst. Kalsoom Salma Head Mistress Government High School Kot Baba Dag, Tangi is recommended for the departmental proceeding, transfer and further posting as Subject Specialist in any Government Higher Secondary School.

2. The Department, while agreeing with findings of inquiry officer, proposes that a formal inquiry may be conducted against the accused under rule 5(b) read with rule-11 of Khyber Pakhtunkhwa Efficiency and Discipline rules, 2011.

3. The Competent Authority/Chief Secretary Khyber Pakhtunkhwa is requested to:

a) Appoint inquiry officer/committee from amongst the following officers.

- i. Mst. Shahnee Akhtar Principal (BS-19), GGHSS Akora Khattak, Nowshera.
- ii. Mst. Sabra Parvin, DEO (F) (MD BS-19) District Lakki Marwat.
- iii. Hasrat Zohra, Deputy Directories (MC BS-18) E&SE Department Khyber Pakhtunkhwa Peshawar.

b) Sign the charge sheet (**Annex-II**) and statement of allegations (**Annex-III**) after incorporating the name/names of inquiry officer/inquiry committee in the statement of allegations (**Annex-III**).

4. The Chief Secretary is requested to pass an appropriate order on the proposal contained at para-3 ante.

Attested
(Signature)
Elementary and Secondary Education Deptt.
Govt. of Khyber Pakhtunkhwa

SECRETARY, ESTABLISHMENT DEPARTMENT

(Muhammad Yahya Akhunzada)
SECRETARY E&SE DEPARTMENT

P.T.O

Secy E&AD KP
Diary No. 18/8
FTS No. 27/1/21
Date. 27/1/21

Diary No. 27/7/21
Date: 27/7/21

(19)

5- Note for Chief Secretary moved by Elementary & Secondary Education Department regarding inquiry against **Mst. Kalsoom Salma**, Headmistress (BS-17) GGHS Kot Baba Dag Tangi, Charsadda has been examine !.

6- Proposal of the Administrative Department contained in Para-3 of the Note is endorsed for approval of the Chief Secretary, Khyber Pakhtunkhwa. The Chief Secretary, Khyber Pakhtunkhwa may sign Charge Sheet and Statement of Allegation (**Annex-II & III**) and appoint an Inquiry officer/Inquiry committee from the following panel by indicating the name (s) in the space left blank in the Statement of Allegations (**Annex-III**).

Panel of PAS Officers

- i. Mr. Imran Hussain Ranjha (PAS BS-18), Additional Secretary, Mineral Development Department.
- ✓ ii. Ms. Sarah Rehman (PAS BS-18), Chief of Section (International Development) P&D Department.

Panel of Professional Officers

- ✓ i. Mst. Shahnee Akhtar, Principal (BS-19), GGHSS Akora Khattak, Nowshera.
- ii. Mst. Sabra Parvin, DEO (F) (MD BS-19), Lakki Marwat.
- iii. Hasrat Zuhra, Deputy Directress (MC BS-18), E&SE Department, Khyber Pakhtunkhwa, Peshawar.

Salma

Secretary Establishment
August, 19, 2021

07. Chief Secretary Khyber Pakhtunkhwa

08. Secy Estab.

09. Secretary E&SE

10. SO (F)

Attested (3) *15/8/21*

Section Officer (Inquiry) Deputy Secretary Establishment, Government of Khyber Pakhtunkhwa

11/8/21

20/8

11/2018

PS/Secy Estab. 23999
Diary No. 18/18
FTS No. 12/8/21
Date: 12/8/21



10

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223588

ensed -13-1182-00239

NOTE FOR THE CHIEF SECRETARY KHYBER PAKHTUNKHWA

Subject: - **COMPLAINT AGAINST MST. KALSOOM SALMA HEADMISTRESS (BS-17) GGHS KOT BABA DAG TANGI DISTRICT CHARSADEA, (FILLED BY MST. FARKHANDA NAAZ, LABORATORY ATTENDANT GGHS KOT BABA DAG TANGI).**

Reference Para-6 & 7 of the Note:

11. In order to conduct formal inquiry against Mst. Kalsoom Salma, Headmistress (BS-17) GGHS Kot Baba Dag Tangi, Charsadda as per Charge Sheet / Statement of Allegations (refer to Annex-II&III), the following officers were nominated by the Competent Authority for the said purpose: -

- i. Mst. Sara Rehman (PAS BS-18), Chief of Section, P&D Department.
- ii. Mst. Shaheen Akhtar, Principal (BS-19) GGHSS Akora Khattak, Nowshera.

12. The Inquiry Committee has now furnished its report vide (Annex-IV) with the following findings and recommendations: -

FINDINGS:

- 1) It appears that Mst Kalsoom Salma has faced difficulties in administration the schools affairs. A perusal of the documentation shows that Mst. Kalsoom Salma repeatedly brought certain issues to the notice of the DEO Office which should have alerted the office that there are problems among the schools teaching staff and HM .Further that Mst Kalsoom Salma had also complained to the DEO office about the missing SOS mobile , the illegal canteen and other issue however the record did not not show any action taken or response provided by the DEO office.
- 2) Mst. Kalsoom Salma by the office of the ADC Charsadda in result of which she has been transferred twice and is currently as an SST.
- 3) With regard to the undue interference by the husband of Mst. Kalsoom Salma that appears to have been established to the extent of petty works and procurement around the school. It appears that Mst Kalsoom used the help of her husband in various maintenance and procurement activities for the school.
- 4) With regard to whether Mr. Zaheer Muhammad visited the school, the same appears to have been established through statements; however this was never brought up as an issue by any of the teaching or non-teaching staff until the action against Mst Farhana Naz.

RECOMMENDATIONS:

- 1) The photos reveal that Mst Farkahanda Naaz is sitting in a Chingchi which is full of packets of chips for selling in the school.
- 2) As Mst. Kalsoom Salma has already been transferred away from the school as a punishment she may be issued a warning to be careful in the future.

Diary No. 1818
FTS No.
Date 23/11/2021

356
22/11/2021

Section Officer (Inquiries)
Secondary Edu. Deptt.
Govt. of Khyber Pakhtunkhwa



(2)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223588

- 3) Mst. Farhanda Naaz (Lab Attendant) may be censured and strictly directed to focus on her official job and refrain from any other activity selling sub-standardized chips/food items in school.
- 4) The Director E&SE and DEO (F) Charsadda may observe GGHSS Kot baba Dag Tangi, District Charsadda for at least for six months.
- 5) The E&SE Department may issue a circular to all the educational institutes for stopping /banning business(canteen .selling unhygienic food items etc) run by the government officials in order to prevent escalation of such kind of issues in future and the same may be confirmed by IMU monitors.

13- Foregoing in view, the Elementary & Secondary Education Department suggests the following further course of action which will be carried out at the department level: -

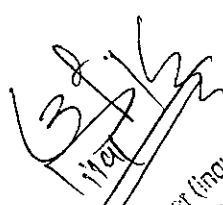
- i. To withdraw the disciplinary proceedings against Mst. Kalsoom Salma, Headmistress (BS-17) from GGHS Kot Baba Dag Tangi, Charsadda in light of the recommendations of the Inquiry Committee.
- ii. To direct the District Education Officer concerned to serve the Showcase Notice upon Mst. Farhanda Naaz, Lab Attendant (BS-03) of the said school.
- iii. To issue instructions to the educational institutions for imposition of ban on all types of business in schools.

14- Approval of the Chief Secretary, Khyber Pakhtunkhwa is solicited to the proposal contained at Para-13 ante, please.


(MUHAMMAD YAHYA AKHUNZADA)
SECRETARY E&SED

SECRETARY, ESTABLISHMENT DEPARTMENT

Attended


Section Officer (Inquiries)
Elementary & Secondary Edu. Dept.
Government of Khyber Pakhtunkhwa

270

15- Note for Chief Secretary moved by Elementary & Secondary Education Department regarding inquiry against **Mst. Kalsoom Salma**, Headmistress (BS-17) GGHS Kot Baba Dag Tangi, Charsadda has been examined.

16- The Inquiry Committee has submitted its report (**Annex-IV**) with the recommendations that the accused Mst. Kalsoom Salma has already been transferred from the school as a punishment and that she may be issued a warning to be careful in the future. However, the Administrative Department vide Para 13 ante has proposed withdrawal of the disciplinary proceedings against the accused and serving of show cause notice upon the co-accused Mst. Farkhanda Naaz, Lab Attendant (BS-03) through the District Education Officer concerned and issuance of instructions to the educational institutions for imposition of ban on all types of businesses in schools.

17- The Administrative Department has proposed withdrawal of the disciplinary proceedings against the accused which is not covered in the Rules ibid. Establishment Department is, therefore, of the views that she may be exonerated as the charges have not been proved under Rule 14(3) of the Khyber Pakhtunkhwa Govt. Servant (Efficiency & Discipline) Rules, 2011 (**Annex-V**) instead of withdrawal of proceedings as proposed in Para 13 (i) ante. Moreover, the proposal at Para 13(iii) is purely administrative in nature and needs no approval from the Chief Secretary.

18- Proposals of the Administrative Department contained in Para 13 (i) & (ii) read with Para 17 of the Note are submitted for approval of the Chief Secretary, Khyber Pakhtunkhwa being competent authority in terms of Rule 2(f) read with Rule 14(3) of the Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011 (**Annex-V** ibid).

Chief Secretary Khyber Pakhtunkhwa

Initial
(Flt. Lt. Retd. Iftikhar Ali Sahoo)
Secretary Establishment
23 December, 2021

19. Findings and recommendations of the inquiry report show establishment of certain charges and hence penalty recommended. Pt. reexamined & submitted

Chief Secretary (S-1)
Establishment Adm Deptt
File No. 31
Date: 04/10/2022

CA to Chief Secretary
Khyber Pakhtunkhwa
Diary No: 2399
Dated: 23/12/21

Secretary E&AU KP
Diary No. 1818
FTS No. 23/12/21
Date: 23/12/21

Sed
Attested
31/12/21
Elementary & Secondary Education Department
Government of Khyber Pakhtunkhwa

29/12

270

20- Note for Chief Secretary moved by Elementary & Secondary Education Department regarding inquiry against **Mst. Kalsoom Salma**, Headmistress (BS-17) GGHS Kot Baba Dag Tangi, Charsadda has been re-examined and observed that:-

- I. The inquiry committee has not explicitly mentioned as to whether the charges have been proved against the accused or otherwise (**Annex-IV**). The relevant instructions dated 28.03.2014 (**Annex-VI**) require the inquiry officer or inquiry committee to find out whether the charges have been proved or not or proved fully or partially.
- II. The inquiry committee has recommended that the accused may be issued a warning to be careful in future which means that she has been found guilty. Moreover, warning and transfer as mentioned in the Report are not punishments (penalties) under Rule 4 of the Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011.

21- For the above reasons, the Chief Secretary, Khyber Pakhtunkhwa being competent authority may remand the inquiry to the Inquiry Committee under Rule 14(6) of the Rules ibid (**Annex-V**) to submit revised report as per above observations.

M. Ali
 (Flt. Lt. Retd. Iftikhar Ali Sahoo)
 Secretary Establishment
 17 January, 2022
[Signature]
 17/1
CHIEF SECRETARY
 Govt. of Khyber Pakhtunkhwa

Chief Secretary Khyber Pakhtunkhwa

22.

As proposed

Sec / SE

Chief Secretary
 Khyber Pakhtunkhwa
 Diary No: *23/1/22*
 Dated: *17/1/22*

PS/Secy E&AU KP
 Diary No: *18/8*
 FTS No: *17/1/22*
 Date: *17/1/22*

Attested
38/1/22
 Secretary (Inquiries)
 Elementary & Secondary Edu Deptt.
 Govt. of Khyber Pakhtunkhwa
[Signature]
 18/1/2022

[Signature]
 19/1/22



(24)

ensd-13-1182-0239

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

NOTE FOR CHIEF SECRETARY

SUBJECT: - DISCIPLINARY ACTION AGAINST MS. KALSOOM SALMA, HEADMISTRESS, GGHS KOT BABA DAG TANGLI, DISTRICT CHARSADEA.

Reference paras-20-22 of the note

23. The Competent Authority/Chief Secretary remanded back the inquiry to the Inquiry Committee to revisit the same and give clear recommendations (**Annex-VII**).
24. The inquiry committee has re-submitted Inquiry report with the following recommendations, which are reproduced as under (**Annex-VIII**):

RECOMMENDATIONS:-

- i. As regard the charge leveled against Mst. Kalsoom Salma that she and her husband have harassed female teachers, the same has not been established/ proved.
- ii. With regard to the 2nd charge leveled against Mst. Kalsoom Salma, it appears to have been established to the extent that Mst. Kalsoom Salma used the help of her husband in various maintenance and procurement activities for the school.
- iii. The inquiry committee therefore, recommends imposition of minor penalty of "Censure" upon the accused.


25. In view of Para-24 of the note, the accused may be issued a show Cause Notice under Rule-14 (4) (b) of Government of Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011.
26. The Hon'ble Chief Secretary/Competent Authority may sign the Show Cause notice at (**Annex-IX**) and insert penalty therein from the list of penalties (**Annex-X**) under E&D Rules, 2011, please.
27. The proposal contained in Para-26/N is submitted for approval, please.


(Motaşim Billah Shah)
SECRETARY E&SED

SECRETARY ESTABLISHMENT

CHIEF SECRETARY KHYBER PAKHTUNKHWA

Diary No. 1651
FTS No. 14/17/m
Dated 13/07/2022
SECRETARY DIIA
11082-947

Attested

Secretary (Inquiries)
Elementary & Secondary Edu. Deptt.
Govt. of Khyber Pakhtunkhwa

(25)

40- Note for Chief Secretary, Khyber Pakhtunkhwa moved by Elementary & Secondary Education Department regarding inquiry against **Mst. Kalsoom Salma**, Headmistress (BS-17) GGHS Kot Baba Dag Tangi, Charsadda has been examined. Consequent upon approval of the Chief Secretary, Khyber Pakhtunkhwa being competent authority vide Para 39 ante, Ms. Tabassum, Additional Secretary, Law Department has been nominated to afford opportunity of personal hearing to the accused on behalf of the competent authority under Rule 15 of the Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011 (**Annex-XII**).

Salma

Secretary Establishment
October 4, 2022

Ms. Tabassum, Additional Secretary, Law Department

*Attested
Sd/-
11/10/22*

PS/Secy E&AD KP

Diary No. 1651

FTS No. 5/10/22

Date: 5/10/22

BdPP

(27)

Pakhtunkhwa Elementary & Secondary Education Department vide letter dated 29.10.2018 (Annex: XIII), the accused teacher allowed her husband to visit the school where she was posted as Headmistress. Her non-compliance of the instructions of the Administrative Department has hampered the smooth functioning of the school's affairs and generated multiple issues in the school. Moreover, her response during the personal hearing proceedings was not convincing as she re-iterated the same stance which she put-forth before the Inquiry Committee. Therefore, the undersigned is agreed with recommendations of the inquiry committee.

45. In view of the above, it is proposed that the minor penalty "Censure" tentatively imposed upon the accused teacher may be confirmed.

(TABASSUM)
PMS BS-18 Additional Secretary
Law Department
October 18, 2022

~~Secretary Establishment~~

~~Chief Secretary~~

46. Para 45 app d.

~~Sec of SE~~

19/10/22
SECRETARY ESTABLISHMENT
Establishment & Administration
Department.

20/10

Chief SECRETARY
Govt of KHYBER PAKHTUNKHWA

AS (E):

SO (Inq)

Attested

Stamp: Director (Inquiry Committee)
Elementary & Secondary Edu. Deptt.
Govt of Khyber Pakhtunkhwa

21-10-2022

Diary No. 1651
FTS No. 26773
Date. 19/10/22

28



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

SUMMARY FOR CHIEF MINISTER

Subject: - DEPARTMENTAL APPEAL AGAINST THE NOTIFICATION DATED 25-10-2022 WHEREBY THE PENALTY OF CENSURE HAS BEEN IMPOSED UPON THE APPELLANT.

Reference para-46 of the note for CS:

47. The Chief Secretary/ Competent Authority had imposed minor penalty of "Censure" upon Mst. Kalsoom Salma, Ex-Headmistress (BS-17), GGHS Kot Baba Dag Tangi, Charsadda now Headmistress (BS-17), GGHS Charsadda Khas vide notification placed at (Annex-XIV).

48. Now the above mentioned accused officer has submitted her review petition through Chief Minister Secretariat vide letter dated 02-11-2022 (Annex-XV), wherein she has pleaded innocence and requested for review of the decision and exoneration.

49. This Department is of the view that her review petition is devoid of merit and carries no weight, hence, it is proposed that her review petition may be rejected.

50. The Chief Minister/ Competent Authority is requested to approve the proposal contained in Para-49, please.

02-12-22
(Motasim Billah Shah)
Secretary E&SE Department

SECRETARY ESTABLISHMENT

CHIEF SECRETARY

CHIEF MINISTER

Attested
3/11/22
Section Officer (Inquiries)
Elementary & Secondary Education Deptt.
Government of Khyber Pakhtunkhwa

P- 7/28

51- Summary moved by Elementary & Secondary Education Department regarding departmental appeal of **Mst. Kalsoom Salma** Ex. Headmistress (BS-17) GGHS Kot Baba Dag Tangi now Headmistress (BS-17) GGHS Charsadda, against the order dated 25/10/2022 (**Annex-XIV**) whereby the appellant has been awarded minor penalty of "Censure" has been examined.

52- In terms of provisions contained in Rule-17 (1) of Khyber Pakhtunkhwa Govt. Servants (E&D) Rules, 2011, an accused who has been awarded any penalty under these rules may, within thirty (30) days from the date of communication of the order, prefer departmental appeal to the appellate authority (**Annex-XVI**). Therefore, departmental appeal of the appellant is within stipulated period as she has submitted her appeal on 02.11.2022 (**Annex-XV**). The Administrative Department while examining the departmental appeal of the accused has submitted that the appeal is devoid of merit and carries no weight and has, therefore, proposed that appeal of the accused may be rejected.

53- Forgoing in views, proposal of the Administrative Department contained in Para-49 ante is submitted for approval of the Chief Minister, Khyber Pakhtunkhwa being Appellate Authority in terms of Rule-17(1) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 (**Annex-XVI**) as deemed appropriate.

Chief Secretary, Khyber Pakhtunkhwa

Secretary Establishment
December 15, 2022

HCM

Sad
19/12

CHIEF SECRETARY
Govt. of Khyber Pakhtunkhwa

59- Doc - 53/P,

approved

ntak
21-12-2022

CHIEF MINISTER
Khyber Pakhtunkhwa

Attestee
38/12
Secretary
Elementary & Secondary Education
Govt. of Khyber Pakhtunkhwa

[Handwritten mark]

30

28- Note for Chief Secretary moved by Elementary & Secondary Education Department regarding inquiry against **Mst. Kalsoom Salma**, Headmistress (BS-17) GGHS Kot Baba Dag Tangi, Charsadda was earlier examined vide Para 20 ante and returned to the Administrative Department to remand the inquiry back to the Inquiry Committee for clarification of the observations mentioned therein.

29- The Inquiry Committee has re-submitted inquiry report at **(Annex-VIII)** with the recommendations:-


- i. As regard the charge leveled against Mst. Kalsoom Salma that she and her husband have harassed female teachers, the same has not been established/proved.
- ii. With regard to the 2nd charge, it appears to have been established to the extent that Mst. Kalsoom Salma used the help of her husband in various maintenance and procurement activities for the school.
- iii. The Inquiry Committee, therefore, recommended imposition of minor penalty of "Censure" upon the accused.

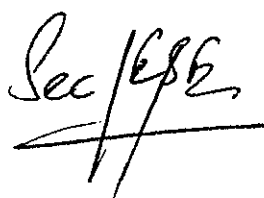
30- The Administrative Department has submitted Show Cause Notice **(Annex-IX)** under Rule 14(4)(b) of the Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011 for insertion of penalty(ies) to be imposed tentatively upon the accused.

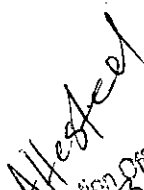
31- The Chief Secretary, Khyber Pakhtunkhwa being competent authority under Rule 14(4) of the Rules ibid **(Annex-V)** may sign the Show Cause Notice at **(Annex-IX)** and insert penalty(ies) from the list of penalties at **(Annex-X)**.

Chief Secretary
Khyber Pakhtunkhwa
Diary No. 24773
Dated: 25/7/22

Chief Secretary Khyber Pakhtunkhwa

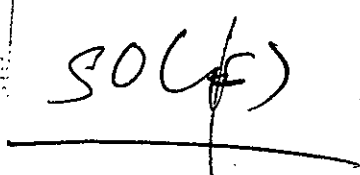

(ZULFIQAR ALI SHAH)
Secretary Establishment
25 July, 2022




Section Officer (Inquiries)
Elementary & Secondary Edu. Deptt.
Govt. of Khyber Pakhtunkhwa
119


26/7/22
Chief Secretary
Govt. of Khyber Pakhtunkhwa

AS/Secy E&AD KF
Diary No. 1651
S No. 25/7/22


Superintendent (FF)
27/07/22. m.

26 07/2022

(31)

ensed-13-1182-00239



GOVT. OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

NOTE FOR CHIEF SECRETARY

SUBJECT: APPEAL AGAINST THE MINOR PENALTY OF "CENSURE" AND REPLY TO SHOW CAUSE NOTICE.

Reference para-31 of the note:

32. The Chief Secretary/ Competent Authority has tentatively imposed minor penalty of "Censure" upon Mst. Kalsoom Salma, Ex-Headmistress (BS-17), GGHS Kot Baba Dag Tangi, Charsadda now Headmistress (BS-17), GGHS Charsadda Khas vide show cause notice at (Annex-IX).

33. The above mentioned officer has submitted reply to the show cause notice wherein she has pleaded innocence and requested that she may be exonerated of the charges leveled against her (Annex-XI). She has not requested for personal hearing by the competent authority.

34. This Department is of the view that her reply to the show cause notice is not convincing. It is mere repetition of her statement made before the inquiry committee. Hence, the Department does not agree to her stance. The E&SE Department therefore, proposes that her penalty may be confirmed.

35. The Hon'ble Chief Secretary, being the Competent Authority, may approve the proposal contained in Para-34 of the note, please.

Barr

Secretary E&SE Department

SECRETARY ESTABLISHMENT

CHIEF SECRETARY

SECRETARY DIARY

No. 48

Dated 12/9/2022

1651
13-09-22

Attested

G. J. Khan

Section Officer (Inquiries)
Elementary & Secondary Edu. Deptt.
Govt. of Khyber Pakhtunkhwa

36- Note for Chief Secretary moved by Elementary & Secondary Education Department regarding inquiry against **Mst. Kalsoom Salma**, Headmistress (BS-17) GGHS Kot Baba Dag Tangi, Charsadda has been examined.

37- The competent authority has tentatively imposed minor penalty of "Censure" upon the accused (**Annex-IX**). The accused has submitted reply to the Show-cause Notice wherein she has pleaded innocence and requested that she may be exonerated of the charges leveled against her (**Annex-XI**), however, she has not requested for personal hearing. The Administrative Department vide Para 34 ante has commented that her reply to the Show-cause Notice is not convincing being mere repetition of her statement made before the Inquiry Committee. Hence, the Administrative Department does not agree to her stance and has proposed for confirmation of the penalty.

38- Establishment Department is of the view that although the accused has not requested for personal hearing, however, the Chief Secretary, Khyber Pakhtunkhwa being competent authority may like to grant an opportunity of personal hearing to the accused or nominate a "hearing officer" for the purpose under Rule 15 of the Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011 before confirmation of the penalty (**Annex-XII**).

1537
Dated: 28-9-22

CA to Chief Secretary
Khyber Pakhtunkhwa
Diary No. 2799/22
Dated: 27/9/22

Secretary Establishment
September 21, 2022

Chief Secretary Khyber Pakhtunkhwa

39.

A.S. Law dept., Mr. Tabassum to

afford opportunity of personal hearing to the accused on my behalf.

Diary No. 1651
FTS No. 279/22
Date: 27/9/22

Secy Est

Attested

37/9/22
CHIEF SECRETARY
Govt. of KHYBER PAKHTUNKHWA

SECRETARY ESTABLISHMENT
Establishment & Administration
Department.

(SCR-1)

Process Urgently

- P.T.O -

133

CHARGE SHEET

I, **Syed Zafar Ali Shah**, Chief Secretary, Khyber Pakhtunkhwa as the Competent Authority, hereby charge you, **Mst Kalsoom Salma** Headmistress (BS-17) GGHS Kot Baba Dag Tangi District Charsadda as follows: -


2. That you while posted as Headmistress (BS-17) GGHS Kot Baba Dag Tangi District committed the following irregularities.

- i. You and your husband (Mr. Zaheer Ahmad) have harassed female teachers and undue interference in the affairs of School.
- ii. Your husband is a Government Teacher in District Mohmand and came to your school while Male are not allowed in Girls School.

3. By reason of the above, you appear to be guilty of inefficiency and misconduct under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the rules ibid.


4. You are, therefore, required to submit your written defense within seven days of the receipt of this Charge Sheet to the enquiry officer/enquiry committee, as the case may be. Your written defense, if any, should reach the enquiry officer/ enquiry committee within specified period of time, failing which it shall be presumed that you have no defense to put in and, in that case, ex-parte action shall be taken against you.

5. A statement of allegations is enclosed.


(Syed Zafar Ali Shah)
CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Mst Kalsoom Salma

Headmistress (BS-17) GGHS Kot Baba Dag Tangi, Distt: Charsadda.
Now Headmistress (BS-17) GGHS Wanda Lali, D.I Khan.

Attested

11/07/11
Enquiry Officer (Inquiries)
Government Servants (Efficiency & Discipline)
Govt. of Khyber Pakhtunkhwa

(24)

DISCIPLINARY ACTION

I, **Syed Zafar Ali Shah**, Chief Secretary, Khyber Pakhtunkhwa as the Competent Authority, am of the opinion that, **Mst Kalsoom Salma** Headmistress (BS-17) GGHS Kot Baba Dag Tangi, District Charsadda, has rendered herself liable to be proceeded against, as she committed the following acts/omissions, within the meaning of Rules-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS

- i. She and her husband (Mr. Zaheer Ahmad) harassed female teachers and undue interference in the affairs of School.
- ii. Her husband is a Government Teacher in District Mohmand and came to her school while Male are not allowed in Girls School.

2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/inquiry committee, consisting of the following, is constituted under Rule 10(1) (a) of the Rules *ibid*.

- i. Ms. Sarah Rehman (PAS-BS-18) Chief of Section (PSC)
- ii. Mst. Shahneez Akhtar, Principal GGHS Akora Khas

3. The inquiry officer/inquiry committee shall, in accordance with the provisions of the Rules *ibid*, provide reasonable opportunity of hearing to the accused, record its findings and make within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the inquiry officer/inquiry committee.

Attested
(Signature)
Secretary (General Services)
Elementary Education
Govt. of Khyber Pakhtunkhwa

(Signature)
(Syed Zafar Ali Shah)
CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Mst Kalsoom Salma
Headmistress (BS-17) GGHS Kot Baba Dag Tangi, Distt: Charsadda.
Now Headmistress (BS-17) GGHS Wanda Lali, D.I Khan.

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INQUIRY REPORT

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Inquiry against Mst. Kalsoom Salma, Headmistress (BS-17), GGHS Kot Baba Dag Tangi, District Charsadda

Vide notification of Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa No.SO(S/F)E&SED/4-17/2021/Inquiry dated 23rd August, 2021 the two undersigned, Ms. Sarah Rehman, Chief of Section, International Development, P&D Department and Mst. Shaheen Akhtar, Principal GGHS Akora Khattak, District Nowshera were appointed as Inquiry Committee to inquire the charges framed against Mst. Kalsoom Salma, the Headmistress of the GGHS, Kot Baba Dag Tangi, District Charsadda (The notification and charge sheet is **Annex-I**).

The official was charged with the following allegations:

- i. You and your husband (Mr. Zaheer Ahmad) have harassed female teachers and undue interference in the affairs of school.
- ii. Your husband is a Government Teacher in District Mohmand and came to your school while Male are not allowed in Girls Schools.


PROCEEDING:

The accused (Mst. Kalsoom Salma) along with her husband (Mr. Zaheer Ahmad) was called for personal hearing before the inquiry committee on 14th September, 2021 (the call letters are **Annex-II** & **Annex-III** respectively). Mst. Farkhanda Naaz, Laboratory Attendant, GGHS, Kot Baba Dag Tangi, District Charsadda, who was the main complainant was also asked to appear and present her case before the inquiry committee on 14th September, 2021 (letter is **Annex-IV**).

(List of attendees, who attended the inquiry committee on 14th September, 2021 for personal hearing is at **Annex-V**)

The respondents were asked to submit their statements as per their will and to respond to a questionnaire served upon them.

Attested


Sarah Rehman
Section Officer (Inquiries)
Elementary & Secondary Edu. Deptt.
Govt. of Khyber Pakhtunkhwa

I. Personal hearing of Mst. Farkhanda Naz

The complainant, Mst. Farkhanda Naaz, Laboratory Attendant, GGHS, Kot Bab Dag Tangi, District Charsadda put the following allegations on Mst. Kalsoom Salma, the Headmistress:

- i. That her husband is a Government Teacher and posted as Headmaster in GHS, Azim Kor, District Mohmand, however, instead performing his duty at Mohmand District, he is looking after the affairs of his wife's school.
- ii. That on one occasion the husband pulled her scarf (Dupatta) off her head outside the school, took photos from his cell phone, and uploaded them on social media. After this she faced uncomfortable situation as the locals were also inquiring about her pictures on social media.
- iii. That Mst. Kalsoom Salma had so many time asked her to stay in the school after closing, as her husband was there in the school for carrying out various maintenance works.

(The statement of Mst. Farkhanda Naz is at **Annex VI**)

II. Personal hearing of Mst. Kulsoom Salma

The accused, Mst. Kalsoom Salma, Headmistress, GGHS Kot Baba Dag Tanig District Charsadda has submitted her written reply (**Annex-VII**). She has also provided supporting documents with her written statement in defense (**VII-A**). She presented the following defense both in writing and in question answer session:

- i. She stated that Mst. Farkhanda Naaz, the Laboratory Attendant apart from her official duties was also involved to sell unhygienic food items (like Chips & Nimko etc) within the premises of school. On the receipt of the message of the DEO (Female), District Charsadda in Whatsapp group regarding the closure of canteen within the school premises, she wrote in order-book to all Class-IV employees of the school dated 3rd February, 2021, especially to female Class-IV regarding stoppage of selling of unhygienic food item within the premises of school which was acknowledged by Mst. Farkhanda Naaz and Mst. Shaukat Begum by putting their thumb impression (**Annex-VIII**). However, Mst. Farkhanda Naaz did not obey the order, violated and continuously remained indulged in selling these unhygienic food items to the students in the school.

Alleged

G. S. M.

Division of
Govt. of Punjab, Pakistan

- ii. Mst. Kalsoom Salma, later caught Mst. Farkhanda Naaz, the Laboratory attendant red handed at school gate in the morning time while bringing the unhygienic food items to school. She added that, she took her pictures as a witnesses and shared with DEO (Female), District Charsadda through Whatsapp Group however, no action was taken on the report.
- iii. She added that just for the sake of revenge and financial & customer loss (approximately 700 students), she approached the Director E&SE, Khyber Pakhtunkhwa dated 18th February, 2021 (**Annex-IX**) with a baseless complaint and made a false allegations of harassment against her and her husband.
- iv. She further stated that an inquiry was conducted by Additional Deputy Commissioner Charsadda however the findings/report (**Annex-X**) was submitted without grant of personal hearing. Upon the recommendation of inquiry report she was transferred to GGHS Wanda Lali, D.I.Khan as Headmistress on 12th July, 2021 (**Annex-XI**) and later posted as Subject Specialist (SS) Urdu GGHSS Dhakki Charsadda dated 3rd August, 2021 (**Annex-XII**) where she is presently working.

III. Personal hearing of Mr. Zaheer Muhammad

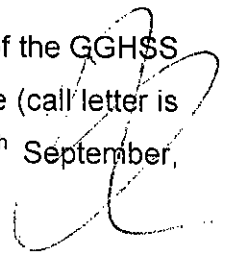
As the name of Mr. Zaheer Muhammad (Husband of Mst. Kalsoom Salma, Headmistress) was also included in the matter, therefore, he was also called to appear before the inquiry committee. During his hearing, he submitted that he is also a Government school teacher, and posted as Headmaster, in GHS Azim Kor, District Mohmand. He stated that he did not interfere in the affairs of his wife schools nor visited, as he performs his duty at District Mohmand from Monday to Saturday. A questionnaire was also shared with Mr. Zaheer Muhammad to obtain/record his views and he was asked to submit any further documentation/statement if required (statement is at **Annex-XIII**).

IV. Examination of school staff

To find out the factual position of the case, some of the staff members of the GGHSS Kot Baba Dag Tangi were asked to appear before the inquiry committee (call letter is at **Annex-XIV**). The following attended the inquiry committee on 16th September,

Attested

Mst. S. B. Khan
Elementary & Secondary Education Department
Govt. of Khyber Pakhtunkhwa



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2021 (list of attendees is at Annex-XV) and their views/opinion were recorded as following:

S#	Name/Designation	Opinion
1.	Mst. Sameena Begum, SST (General)	Mst. Sameena informed that she has been working in in this school as SST (General) for four years and two months. She said that Mst. Kalsoom Salam, Headmistress attitude was not good with the rest of the staff at school. She also said that Mst. Kalsoom Salma's Husband (Mr. Zaheer Muhammad) <u>often</u> came to school and would be involved with school activities such as maintaining of school Order Book, purchase of stationary, electric works and other maintenance works etc. In response to a question, she said she was not present at the time when pictures were taken as it was too early. However when she came to school, the school staff informed her about the incident. Question regarding canteen, she informed that there was no canteen in the school. Written statement of Mst. Sameena Begum is at Annex-XVI.
2.	Mr. Mujeeb-ur-Rehman, Junior Clerk	Mr. Mujeeb-ur-Rehman is posted as Junior Clerk in GGHS since 14 th August, 2021. He told to the inquiry committee that he was informed by the school's peon that Mst. Kalsoom Salma's husband had taken pictures of Mst. Farkhanda Naaz, the Lab Attendant. He further informed that Mst. Kalsoom Salma's husband would come to school to purchase stationary and equipment or get maintenance work done. He added that Mst. Farkhanda Naaz brought chips and biscuits to school to provide to teachers and staff. On responding a question, he informed that he came to know about the pictures' incident from the staff.

Attested

38/14
Elementary Education Officer
Govt. of Naryber Pakhtunkhwa

S#	Name/Designation	Opinion
		Written statement of Mr. Mujeeb-ur-Rehman is at Annex-XVII .
3.	Mst. Shaukat Begum, Sweeper	Mst. Shaukat Begum is working in the school since 15 years as Sweeper. She informed the committee that she was there with Mst. Farkhanda Naaz, when Mst. Kalsoom Salma's husband were taking pictures. About selling unhygienic food item she informed that there was no canteen within the school run by Mst. Farkhanda Naaz. Written statement of the Mst. Shaukat Begum is at Annex-XVIII .
4.	Mr. Tajamul Hussain, Chokidaar	Mr. Tajamul Hussain is working in the school since 14 year as Chowkidaar. He was the sole eyewitness of the incident being complained about. He informed that Mst. Kalsoom Salma's Husband would came to school to look after the school maintenance work. Upon a question, he told that the picture was taken on road in front of school by Mst. Kalsoom Salma's husband i.e. Mr. Zaheer Muhammad. However at no point did Mr. Zaheer get into any kind of altercation with Farkhanda Naz at the time. Regarding Canteen, he updated that Mst. Farkhanda was selling food items in the school premises since 2007. Written statement of Mr. Tajamul Hussain is at Annex-XIX .

Ms. Rakhshanda Mehdi, DDE/II and Ms. Maryam Aman, AD (Establishment) from Directorate of Elementary & Secondary Education have also attended the inquiry sessions on both days. The officers assisted the inquiry committee during proceeding and provides update and relevant record. Ms. Rakhshanda Mehdi, presents some previous complaint papers regarding staff of school of GGHS Kot Baba Dag Tangi, District Charsadda (**Annex-XX**).

Attested

S. B. Khan

Section Officer (Inquiries)
Elementary & Secondary Education
Govt. of Punjab, Faisalabad

FINDINGS:

On perusing the record, hearing of the parties and getting information from the relevant stakeholders, the following findings are made;

- i. There were administrative issues and strained peer-to-peer relationship in the school which resulted escalation of the issue. This is evident from the documents provided by the DEO female office through the representatives of the Directorate which showed that Mst. Kalsoom Salma had made several complaints against the attitude and behaviour of the teachers at GGHS Kot Baba Tangi.
- ii. The statement and personal hearing of Mr. Zaheer Muhammad (Husband of Mst. Kalsoom Salma, the then Headmistress) has completely denied taking pictures of Mst. Farkhanda Naaz, Lab Attendant. However two persons who were present at the time of the incident, the Chowkidaar and Sweeper, both have confirmed that it was Mr. Zaheer who took the photos.
- iii. The photos reveal that Mst. Farkhanda Naaz is sitting in a chingchi which is full of packets of chips/biscuits. She is also shown holding bags full of various food items which suggest that she has brought these food items for selling in the school. The photos appended to the statement of Mst. Kalsoom also show the driver of the chingchi carrying the items into the school. It has been confirmed from the order book, the complaint of Mst Kalsoom Salma and statement of school staff that Mst. Farkhanda Naz was in fact selling sub-standard chips/foot items in the school despite orders otherwise.
- iv. The pictures were taken in daytime in front of riksha driver and chowkidaar and Mst. Farkhanda Naaz and chingchi driver can be seen smiling in the pictures indicating that no altercation took place at the time. It has also been observed that she is properly wearing her Chadar (Dupatta) and only her face is visible which reveals that her Chadar (Dupatta) was not taken off.
- v. It appears that Mst. Kalsoom Salma has faced difficulties in administering the school's affairs. A perusal of the documentation shows that Mst Kalsoom Salma repeatedly brought certain issues to the notice of the DEO office which should have alerted the office that there are problems among the school's teaching staff and Headmistress. Further that Mst. Kalsoom Salma had also complained to the DEO office about the missing SOS mobile, the illegal

Affected

3/11/20

Signature
Deputy Director
Government of Punjab
Lahore

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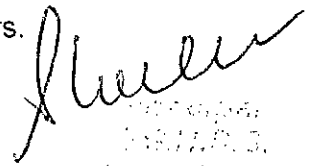
- canteen and other issues however the record did not show any action taken or response provided by the DEO office.
- vi. It is also worth mentioning that an inquiry has already been conducted against Mst. Kalsoom Salma by the office of the ADC Charsadda in result of which she has been transferred twice and is currently serving as an SST.
 - vii. With regards to the charges levelled against Mst. Kalsoom that she and her husband have harassed female teachers the same has not been established.
 - viii. With regards to the undue interference by the husband of Mst Kalsoom, that appears to have been established to the extent of petty works and procurement around the school. It appears that Mst. Kalsoom Salma used the help of her husband in various maintenance and procurement activities for the school.
 - ix. With regards to whether Mr. Zaheer Muhammad visited the school the same appears to have been established through statements however this was never brought up as an issue by any of the teaching or non-teaching staff until the action against Mst. Farkhanda Naz.

Recommendations:

- i. As Mst. Kalsoom Salma has already been transferred away from the school as a punishment, she may be issued a warning to be careful in the future.
- ii. Mst. Farkhanda Naaz may be censured and strictly directed to focus on her official job and refrain from any other activity including selling sub-standard chips/food items in school.
- iii. The Director E&SE Education and DEO (Female) Charsadda may observe GGHS Kot Baba Dag Tangi, District Charsadda for at least for six months.
- iv. The E&SE Department may issue a circular to all the educational institutes for stopping/banning businesses (canteen, selling unhygienic food items etc.) run by the government officials in order to prevent escalation of such kind of issues in future and the same may be confirmed by IMU monitors.



(SARAH REHMAN)

Chief of Section (International Development)
Planning & Development Department



(SHAHEEN AKHTAR)
Principal GGHS, Akora Khattak
District Nowshera

Attested


Section Officer (Inquiries)
Electronics & Computer F&D Deptt.
Govt. of Khyber Pakhtunkhwa