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**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR.**

In Service Appeal No. 302/2023

Mst. Ambreen Anjum .....Appellant.

VERSUS

Chief Secretary to Govt of KPK Peshawar..... Respondents.

**PARAWISE COMMENTS ON BEHALF OF THE RESPONDENTS NO. 1, 2 & 3.**

Respectfully Sheweth,

**Preliminary Objections:**

1. That the Appellant has got no cause of action/locus standi to file the titled appeal against the Respondent Department.
2. That the appellant has concealed material facts from this Honorable Tribunal.
3. That the appellant is estopped by his own conduct to file the present appeal.
4. That the appellant is not entitled for relief, he has sought from this Honorable Tribunal as the allegation/accusations against the appellant have been proved by the inquiry committee, constituted by the Respondent Department.
5. That the appellant was found involved in immoral, unethical & evil activities of the main accused/Class-IV of the school namely Mian Arshid Khan as the appellant, being Head of the school was required to discourage/eliminate such kind of illegal activities of the main accused, however, she failed to eradicate it
6. That the appeal is based by law & limitation..

**On FACTS**

1. Pertains to record.
2. Para-02 is correct to the extent that the appellant is posted as Principal of GGHS Qasab Khana, Peshawar, however, rest of the para is incorrect and denied on the grounds that the appellant has been found involved in immoral, unethical and evil activities of class-IV the school namely Mr. Mian Arshad Khan (Naib Qasid). Furthermore, the appellant allowed male staff for running canteen in premises of the school which has resulted in the emergence of malicious and criminal incidence with the innocent girl student in the school. Besides the above, it was negligence and casual attitude of the principal concerned toward her professional duties for having a dark room in the premises of the girl's school which has provided opportunity to the accused/Mr. Mian Arshad Khan (Naib Qasid) for sexual

harassment and immoral activities. Moreover, the appellant, being head of the school was required to discourage such kind of immoral activities in the school, however, she failed to do so. *(Copy of the FIR is attached as Annexure-A).*

3. Pertains to irrelevant issue.
4. Pertains to the detail of arrest/custody of the accused by the police.
5. Incorrect & denied, the appellant has concealed material facts from this Honorable Court on mala-fide basis as the inquiry has not been conducted through Mr. Abdul Saeed Principal GHS No.3 rather the said inquiry has been conducted through a committee comprising Ms. Zuhra Nigar (PMS) BS-18 Director PDMA & Mr. Laiqat Ali (BS-18) MC District Education officer Mohmand.
6. Incorrect & denied, the order dated 07-11-2021, whereby, the service of the appellant was placed at the disposal of the Respondent No.3 was passed after following due process of law & rules, hence, is liable to be maintained.
7. Correct, but the reply of the appellant was false, concocted and unsatisfactory.
8. Incorrect and baseless, the inquiry procedure was in accordance with the prescribe law and rules, wherein, proper opportunity was afforded to the appellant. Moreover, the matter in issue has been properly investigated by the inquiry committee in the light of evidences & material facts on record.
9. Correct to the extent that a proper Show Cause Notice was served upon the appellant in terms of Rule-14(4) of Government Servants (Efficiency & Discipline) Rules-2011, however, the reply of the appellant was found unsatisfactory.
10. Incorrect & denied, the Notification dated 07-11-2022 has been passed by the competent authority/Respondent No.1 after observing all the mandatory codal formalities, whereby, the major penalty of "*Dismissal from Service*" was imposed upon the appellant in terms of Rules-4 (i) (b) (iv) Government Servants (Efficiency & Discipline) Rules-2011.
11. The appellant was not an aggrieved person therefore, her departmental appeal was dismissed being devoid of merits (Order Annex).
12. Incorrect & denied, the Notification dated 07-11-2022 is legally competent. Hence, the case in hand is liable to be dismissed on the following grounds inter alia:-

**ON GROUNDS:**

- A. **Incorrect & not admitted.** The impugned order dated 07-11-2022 has been passed after due process of law & is liable to be maintained.
- B. **Incorrect & not admitted.** The appellant has been treated as per law & rules.

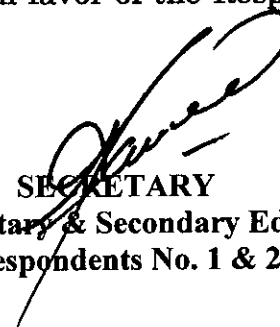
- (5)
- C. Incorrect & not admitted. That proper inquiry was conducted by the department in accordance with the prescribed mode & manner.
- D. Incorrect & not admitted. That proper opportunity was afforded to the appellant for personal hearing by the committee.
- E. Incorrect & not admitted. That proper & regular inquiry has been conducted by the Department to dig out the matter in issue.
- F. Incorrect & not admitted. Allegation/ acquisitions pertaining to the involvement of the appellant in moral & unethical activities of the main accused Mian Arshid Khan stood proved against the appellant in the formal inquiry conducted by the respondent Department.
- G. Incorrect & not admitted. Allegation leveled against the appellant for running of canteen & existence of dark room in the premises of the school have been proved by the inquiry committee conducted by the Department.
- H. Incorrect & not admitted. Allegation against the appellant were substantiated by the inquiry committee in the light of evidences & material facts on record.
- I. Incorrect & not admitted. The appellant was afforded proper opportunity by the inquiry committee for her defense, however, she failed to justify herself.
- J. Incorrect & not admitted. Pertains to record, but the present case is one of a heinous crime in its nature.
- K. Legal. However, the Respondents also seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments on the date fixed.

**PRAYER:**

Therefore, in view of the above made submissions, it is most humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favor of the Respondents in the interest of justice.

  
DIRECTOR

Elementary & Secondary Education,  
(Respondent No. 03)

  
SECRETARY  
Elementary & Secondary Education,  
(Respondents No. 1 & 2)

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**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT AND WILDLIFE DEPARTMENT**

No.P.S/ A.S(Admn)FE&WD/Inquiry/1-1/2022

Dated Peshawar, the 30<sup>th</sup> June, 2022

To

The Section Officer (S/F),  
Elementary & Secondary Education Department,  
Khyber Pakhtunkhwa.

Subject: - **INQUIRY AGAINST MST. AMBREEN HEADMISTRESS (BS-17), MR. NASIR IQBAL (J/C), MR. MIAN ARSHAD (N/O), AND MR. NASIR (SWEEPER), GGHSS QASAB KHANA, PESHAWAR.**

Kindly refer to your notification No.SO(S/F)E&SED/4-17/2022/Inquiry, dated 16<sup>th</sup> May, 2022, on the subject noted above and enclosed find herewith inquiry report, alongwith relevant documents/enclosures, duly signed by both the members of the Inquiry Committee, for further necessary action, please.

**Encl: As above.**

  
30.6.22


(ZUHRA NIGAR)  
PMS (BS-18) (Ex-Director, PDMA),  
Additional Secretary (Admn),  
Forestry, Environment and Wildlife  
Department, Khyber Pakhtunkhwa

Copy forwarded for information to:

- Mr. Liaqat Ali (MC, BS-18), Deputy DEO (Male), District Mohmand.



(ZUHRA NIGAR)  
PMS (BS-18) (Ex-Director, PDMA),  
Additional Secretary (Admn),  
Forestry, Environment and Wildlife  
Department, Khyber Pakhtunkhwa





## INTRODUCTION:

1. The Chief Secretary, Khyber Pakhtunkhwa, being the Competent Authority was pleased to constitute an inquiry committee comprising of Mst Zuhra Nigar (PMS BS-18) Director PDMA and Mr. Liaqat Ali (MC BS-18) Deputy DEO (Male) Mohmand under Rule 10(1)(a) of the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 to inquire into the charges/allegations levelled against Mst. Ambreen, Head Mistress (BS-17), Mr. Nasir Iqbal (J/C), Mr. Mian Arshad Khan (N/Q), and Mr. Nasir (Sweeper) of GGHS Qasab Khana vide Govt Of Khyber Pakhtunkhwa E&SED Peshawar Notification No. SO(S/F) E&SED/4-17/2022/Inquiry dated 16/5/2022. (**Annexure -I**).

2. The charges as per the Charge sheets/Statement of Allegations, which are, in fact, scope of the inquiry are reproduced as under:

**a) Charge Sheet against Mst Ambareen Head Mistress (BS-17)**

- i. She, during her incharge ship at GHSS Qasab Khana Peshawar was involved in a criminal case related to the suspicious and evil activities of Mr. Mian Arshad Khan (N/Q) and tried to dodge and misguide the inquiry committee by hiding facts and saving the accused Mr Mian Arshad (N/Q) from any disciplinary action.
- ii. Allowed canteen in the girls' school run by a male staff and created chances for illegal activities within the girls' school.
- iii. Involvement in immoral activities, arranging a dark room in the premises of the girls' school for their evil needs.
- iv. Absence from duties and leaving the school before closing time.

**b) Charge Sheet against Mr. Mian Arshad Khan (N/Q)**

- i. He, being Naib Qasid of GGHS Qasab Khana Peshawar was guilty of involvement in criminal and immoral activities with the girls' student within the premises of GGHS Qasab Khana Peshawar.

**c) Charge Sheet against Mr Nasir Iqbal (J/C)**

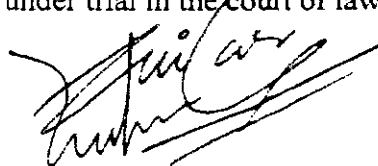
- i. He, being junior clerk at GGHS Qasab Khana Peshawar was guilty of hiding factual information and involvement in criminal and immoral activities.

**d) Charge Sheet against Mr. Nasir (Sweeper)**

- i. He, being sweeper was guilty of characterless attitude with the girls students.

## BACK GROUND & BRIEF HISTORY OF THE CASE:

3. Perusal of the reports of already conducted two inquiries in the said case and visits of the GGHS Qasab Khana Peshawar on 30/5/2022 and 31/5/2022 reveal that mother of a student of Grade 7<sup>th</sup> B named Hira Batool, Mst. Kalsoom Bibi who is also a member of Parents Teachers Council of the school telephonically informed on 10.11.2021 Mst Ambareen, the then Head Mistress of GGHS Qasab Khana Peshawar (currently at the disposal of the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide **Annexure-II**) that her daughter Hira Batool was not feeling well and they will get her treated by the doctor. On 12.11.2021, parents of Hira Batool lodged an FIR under section PPC-377-B-53 CPA in the local police station against Mr. Mian Arshad Khan (the then N/Q) s/o Mian Khadim Shah that he raped their daughter on 6/11/2021 in the canteen room after school timing. (**Annexure-III**). The local police came to school along with victim and her parents on 13/11/2021 and arrested the accused Mr. Mian Arshad Khan from the school. The mother of the victim started beating the head girl, Mst Raheela of Grade 9<sup>th</sup> (now struck off as verbally informed by the newly posted HM Mst Khalida Shakir **Annexure-IV**) and shouted that she took her daughter in the dark room of Mr. Mian Arshad Khan where the tragic incident happened. The accused, Mr. Mian Arshad was produced before the court of law and allowed three days remand in the custody of the local police. After three days i.e. on 17/11/2021, he was sent to jail and the case is under trial in the court of law.



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

**PROCEEDINGS:**

4. Soon after the receipt of notification regarding inquiry on 23.05.2022, the Director E&SE Khyber Pakhtunkhwa Peshawar was requested to nominate Departmental Representative in accordance with Rule 10(1)(c) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 as well as provision of the relevant record to the inquiry Committee (Annexure-V). The Director Elementary & Secondary Education Department nominated Mrs. Saima Ahmad, Deputy Director Estab: Female as Departmental Representative vide Annexure-VI. The committee visited the Directorate of E&SE and o/o the DEO (F) Peshawar for collection of record on 30/5/2022. The committee discussed the case with the DEO (F) Peshawar who informed that three of the district cadre officials i.e. Mr Mian Arshad Khan (the then ex-N/Q) Mr Nasir Iqbal (the then J/C) and Nasir (the then sweeper) have already been dismissed/removed from service after conducting formal inquiry vide notifications at Annexure-VII, VIII & IX respectively. The sensitivity of the case necessitated the inquiry committee to visit the school in order to ascertain the factual position and make a firm opinion regarding veracity or falsehood of the allegations/charges. As the summer vacations were going to start from 1<sup>st</sup> June, 2022, therefore, the committee visited the School on 30<sup>th</sup> & 31<sup>st</sup> May, 2022 on urgent basis. The committee was shown the room where the sad incident occurred. The Head Mistress informed that the hall was divided into three rooms i.e. canteen, store and clerk office through temporary partition which were removed on the direction of the first fact finding inquiry committee. She further informed that the big curtain near the school main gate and in front of the Canteen was also removed on the direction of the committee as it was providing an environment for such like crimes. The committee interrogated all the stakeholders verbally as well as recorded their written statement in the presence of the newly posted HM. Except few, most of the stakeholders were satisfied with their previous statements submitted to the previously conducted inquiries, hence the committee took fresh signatures on the photo copies of their statements and got attested from the HM.

**HIRA BATOOL, THE VICTIM STUDENT'S STATEMENT:**

5. Hira Batool in her verbal statement reveal that she was the student of Grade 7<sup>th</sup> in GGHS Qasab Khana Peshawar. On 6/11/2022 at 2:00 P.M. Mr. Arshad Khan (the then N/Q) stopped her through cheating in the Canteen and locked the door and forcefully raped her. As she was in a trauma hence could not inform her parents about the incident. However, she told her mother on 12.11.2021. She produced the photo copy of her statement which she had submitted to the SHO concerned and signed the same in front of the committee and the newly HM posted who attested her signature (Annex-X).

**Mst KALSOOM BIBI (MOTHER OF HIRA BATOOL) STATEMENT:**

6. She also signed the photo copy of the application which she submitted to the SHO city Peshawar (Annexure-XI).

**SUMMARY OF THE STATEMENTS OF THE STUDENTS:**

7. Mr. Mian Arshad the then Naib Qasid used to adopt immoral attitude with the girls' students but they could not tell anyone because of fear. He forced the girl students to enter into the dark room of his canteen alone as he refused to give canteen items outside his room. The students said that they did not inform the then head mistress as he was her blue-eyed person. The students were asked about the behaviour and attitude of Mr. Mian Arshad (the then N/Q), Nasir Iqbal (ex-J/C), Nasir (ex-Sweeper) and they unanimously replied that all the three were immoral and characterless persons. Statements of students are attached as (Annexure-XII to XXV).

The students were also asked about the behaviour and arrival/departure timing of Mst Ambreen the then HM and they unanimously replied that she was very rude HM and always supported Mr Arshad. She used to attend the school 30 minutes late and left the school half an hour before closing time. (Annexure-XXVI)

**SUMMARY OF THE STATEMENTS OF THE TEACHERS:**

8. As per the verbal and written statements of the teachers, Mr. Mian Arshad, the then Naib Qasid was a blue eyed of Mst. Ambreen, the then HM. Mr. Nasir Iqbal (J/C), Mr Arshad (N/Q) and Nasir (Sweeper) pretend like decent men in front of teachers. However, as per the fact-finding inquiry report, few days before the occurrence of the sad incident, parents of a girl student visited the

Sub-Dir. (Inquiries)  
Elementary & Secondary Edu. Deptt.  
Govt. of Khyber Pakhtunkhwa

school for a complaint about the immoral behaviour of Nasir Iqbal regarding showing nude pictures to their daughter. Instead of taking action herself the ex-HM Mst. Ambreen referred the case to Mr. Arshad Khan to resolve the issue (**Annexure-XXVII to XXXIV**).

The teachers were also asked about the behaviour and arrival/departure timing of Mst Ambreen ex-Head Mistress of GGHS Qasab Khana Peshawar and they unanimously replied that she always supported Mr Arshad khan. She used to come to school almost thirty minutes late and leave the school almost half an hour earlier before school closing timings (**Annexure-XXXV**). This attitude of the then HM was clear violation of the instructions issued by Elementary & Secondary Education Department.

#### **SUMMARY OF THE STATEMENT OF WAJID ALI (CHOWKIDAR):**

9. He stated that he alongwith his family is residing in the premises of the school's room for the last eight years. He said that usually Mian Arshad stayed in the school till evening and he observed suspicious activities of Mr Arshad in the school and reported to Mst. Neelum Qayum (ex-HM), Mst Farzana (ex-HM) and to Mst Ambreen (ex-HM) but all in vain (**Annexure-XXXVI**).

#### **SUMMARY OF THE STATEMENT OF Mst AMBREEN (ex-HEAD MISTRESS GGHS QASAB KHANA PESHAWAR)**

10. She was just trying to declare herself as innocent but she could not give any concrete evidence of her innocence and dutifulness, being head of the school. In her verbal statement, she accepted the charge of leaving school early and stated that she assigned the responsibility of staying at school till departure of all students to another teacher. however, in her written statement she denied all charge without convincing evidence.

(**Annexure-XXXVII**).

#### **SUMMARY OF THE STATEMENT OF ARSHAD KHAN (ex-N/Q):**

11. The committee received the statement of Arshad khan from the Departmental Representative which was given by him to the police and therein he denied the charges without any concrete evidence of his innocence (**Annexure-XXXVIII**).

#### **SUMMARY OF THE STATEMENT OF NASIR IQBAL (ex-J/C):**

12. He denied the charges levelled against him. He stated that he informed several times Mst Ambreen (ex-HM) against the illegal canteen run by Mr. Mian Arshad but she did not take any action in this regard (**Annexure-XXXIX**).

#### **SUMMARY OF THE STATEMENT OF NASIR (ex-Sweeper)**

13. He also denied the charges against himself and stated that his work was to clean the school. He also blamed Abdul Saeed sb for his bias attitude. (**Annexure-XL**)

**MIDICO LEGAL EXAMINATION CERTIFICATE FOR VICTIMS OF SEXUAL VIOLENCE & DEPARTMENT OF FORENSIC MEDICINE & TOXICOLOGY KHYBER MEDICAL COLLEGE PESHAWAR** is attached as **Annexure- XLI & XLII** which reflects that "Hymen is torn"

**INQUIRY REPORTS** are attached as **Annexure-XLIII & XLIV**.

#### **FACTS & FINDINGS**

14. The inquiry proceedings including the visits to the concerned offices/school and verbal & written statements of all stakeholders reveal the following facts:

i. The then-HM, Mst. Ambreen had committed negligence in her duty and did not pay attention to her duty properly by permitting Mian Arshad Khan (ex-N/Q) to run his illegal canteen in the dark room of the school thereby creating an atmosphere for the evil and immoral activities of all the three officials i.e. Mr. Mian Arshad. Ex-Naib Qasid, Mr. Nasir Iqbal Ex-JC and Mr. Nasir Ex-Sweeper, especially of the former and hence she is duly held responsible for the sad incident happened on 6/11/2021. Illegal financial benefits were also gained from the canteen and some of which were even given to her in the form of gifts and takeaway food items.

ii. Mst Ambreen (Ex-HM) neither stopped Mr. Mian Arshad Khan (the then N/Q) from running illegal canteen in the school nor reported this to the DEO (F) Peshawar.

iii. Allowing Mr. Mian Arshad khan as a special person motivated other male supporting staff to go for their own ill wishes and they also started taking illegal benefits from this situation in the

*Mst Ambreen*

*Nasir Iqbal*

*Mst Ambreen*

school. He had been guilty of destroying the life of an innocent girl of Grade 7th, Mst Hira Batool. Hence, he is rightly **"Dismissed from Service"** by the Competent Authority vide office order No.4440-46 dated 24/3/2022 after conduct of formal inquiry under Govt. of Khyber Pakhtunkhwa, Govt. Servants (Efficiency & Discipline) Rules, 2011. Already annexed as Annexure-7 at Para-4.

iv. Mr. Nasir Iqbal (ex-J/C) was involved in showing pornographic pictures to the girls 'students. He is already **"Removed from Service"** by the Competent Authority vide office order No. 4447-53 dated 24/3/2022 after conduct of formal inquiry under Govt. Khyber Pakhtunkhwa, Already annexed as Annexure-8 at Para-4.

v. Mr. Nasir (ex-Sweeper) was also involved in immoral activities with the girls' students. He is already **"Removed from Service"** by the Competent Authority vide office order No. 4454-60 dated 24/3/2022 after conduct of formal inquiry under Govt. of Khyber Pakhtunkhwa, Govt. Servants (Efficiency & Discipline) Rules, 2011. Already annexed as Annexure-9 at Para-4.

**RECOMMENDATIONS:**

15. The Inquiry Committee, in view of the facts and findings mentioned at Para-14, is of the unanimous opinion that all the charges/allegations in the charge sheets and statement of allegations stand proved against all the four accused ex-officer/officials i.e. Mst. Ambreen (Ex-HM), Mr. Mian Arshad Khan (ex-N/Q), Mr Nasir Iqbal (ex-J/C) and Mr. Nasir (ex-Sweeper). The three ex-officials have rightly been Dismissed/Removed from Service by the DEO (F) Peshawar, being the Competent Authority as mentioned at Annexure 7,8 & 9 in Para- 4 above.

16. Mst Ambreen (ex-Head Mistress GGHS Qasab Khana Peshawar) who had committed a criminal negligence and rendered herself unfit for the Government service) may be removed from service in accordance with Rule 4(1) (b) (iii) of the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011.

Zuhra Nigar (PMS, BS-18)  
Director, PDMA, Khyber Pakhtunkhwa

LIAQAT ALI (MC, BS-18) 30/8/2022  
Deputy District Education Officer (Male)  
Mohmand

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



Annex (9) (11)  
(15)

CHARGE SHEET

I, Dr. Shahzad Khan Bangash, Chief Secretary, Khyber Pakhtunkhwa, hereby charge you, Mst. Ambreen Headmistress (BS-17), GGHS Qasab Khana Peshawar as follows: -

2. That you while posted as Headmistress GGHS Qasab Khana Peshawar committed the following irregularities.

i) You, during your Inchargeship at GGHS Qasab Khana District Peshawar was involved in a criminal case related to the suspicious and evil activities of Mr. Mian Arshad Khan (N/Q) and tried to dodge and misguide the inquiry committee by hiding facts and saving the accused Mr. Mian Arshad Khan (N/Q) from any disciplinary action.

ii) Allowed canteen in the girls' school run by male staff and created chances for illegal activities within the girls' school.

iii) Involvement in immoral activities, arranging a dark room in the premises of the girls' school for their evil needs.

iv) Absence from duties and leaving the school before closing time.

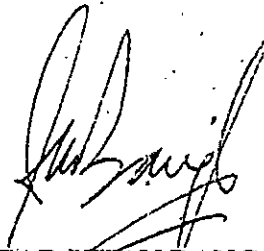
3. By reason of the above, you appear to be guilty of inefficiency and misconduct under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the rules ibid.

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.

Mst. Ambreen  
Headmistress, GGHS Qasab Khana Peshawar

Attested  
G3  
11/11

  
(Dr. SHAHZAD KHAN BANGASH)  
CHIEF SECRETARY  
KHYBER PAKHTUNKHWA

(12)  
(16)

DISCIPLINARY ACTION

I, Dr. Shahzad Khan Bangash, Chief Secretary, Khyber Pakhtunkhwa, am of the opinion that, Mst. Ambreen, Headmistress, GGHS Qasab Khana Peshawar has rendered herself liable to be proceeded against, as he 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, being Headmistress of GGHS Qasab Khana Peshawar, is guilty of involvement in a criminal case related to the suspicious and evil activities of Mr. Mian Arshad Khan (N/Q) and tried to dodge and misguide the inquiry committee by hiding facts and saving the accused Mr. Mian Arshad Khan (N/Q) from any disciplinary action.

ii) Allowed canteen in the girls' school run by male staff and created chances for illegal activities within the girls' school.

iii) Involvement in immoral activities, arranging a dark room in the premises of the girls' school for their evil needs.

iv) Absence from duties and leaving the school before closing time.

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.

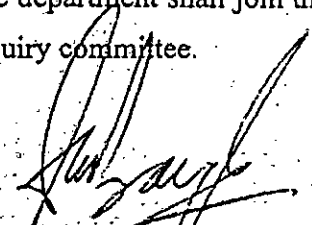
i. MS. Zuhva Nigar (PNS BS-18) Director PDMA

ii. Mr. Liaqat Ali (MC-BS-18) Dy. DEO (M) Mohman

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 60 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.

at - Attested  
63/1/13  
11/11/13

  
(Dr. Shahzad Khan Bangash)  
CHIEF SECRETARY  
KHYBER PAKHTUNKHWA

Mst. Ambreen  
Headmistress, GGHS Qasab Khana Peshawar

23 Annex 5 (13)

**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, Mst. Ambareen, Headmistress (BS-17), GGHSS Qasab Khana, Peshawar 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 Dismissal from service 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.

*(Handwritten Signature)*  
**(DR. SHAHZAD KHAN BANGASH)**  
**CHIEF SECRETARY KHYBER PAKHTUNKHWA**

Mst. Ambareen, Headmistress (BS-17),  
GGHSS Qasab Khana, Peshawar

*Attested*  
*13/1/13*  
*(Handwritten Signature)*  
**Section Officer (Elementary)**  
**Elementary Education Deptt**  
**Govt. of Khyber Pakhtunkhwa**

REGISTERED



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Amex<sup>o</sup> L. (19)

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Dated Peshawar the November 7, 2022

NOTIFICATION

No. SO(SF)ESSED/4-17/2022/Mst. Ambareen Anjum/HIM/Peshawar: WHEREAS Mst. Ambareen Anjum, Ex-Headmistress (BS-17), GGHS Qasab Khana Peshawar now at the disposal of Directorate of E&SE 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 Ms. Zuhra Nigar (PMS BS-18), Director, PDMA and Mr. Liaqat Ali (MC BS-18), Deputy District Education Officer (Male) District Mohmand were nominated as Inquiry Committee to conduct Formal Inquiry under the ibid Rules, against Mst. Ambareen Anjum, Ex-Headmistress (BS-17), GGHS Qasab Khana Peshawar now at the disposal of Directorate of E&SE, 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 major penalty of "Dismissal from service" upon Mst. Ambareen Anjum, Ex-Headmistress (BS-17), GGHS Qasab Khana Peshawar now at the disposal of Directorate of E&SE 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) Peshawar.
4. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
5. PS to Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.
6. Section Officer (Schools/ Female), E&SE Department.
7. Incharge EMIS E&SE Department.
8. Mst. Ambareen Anjum, Ex-Headmistress (BS-17), GGHS Qasab Khana Peshawar now at the disposal of Directorate of E&SE.
9. Headmistress, GGHS Qasab Khana, Peshawar with the direction to deliver the said notification to the accused officer.
10. Office order file.

Affected  
G.S.P.K.  
14/11/22  
Section Officer (Inquiries)  
Directorate of E&SE  
Peshawar

(Bilal Khan)  
Section Officer (Inquiries)

Date: 1-9-2023

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

**SERVICE APPEAL # 302/2023**

**MST. AMBREEN ANJUM (BPS-17).....APPELLANT.**

**VERSUS**

**GOVT: OF KHYBER PAKHTUNKHWA & OTHERS.....RESPONDENTS.**

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**Despondent**

2

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

**SERVICE APPEAL # 302/2023**

**MST. AMBREEN ANJUM (BPS-17).....APPELLANT.**

**Khyber Pakhtunkhwa  
Service Tribunal**

**VERSUS**

Diary No. **7308**

**GOVT: OF KHYBER PAKHTUNKHWA & OTHERS.....RESPONDENTS.**

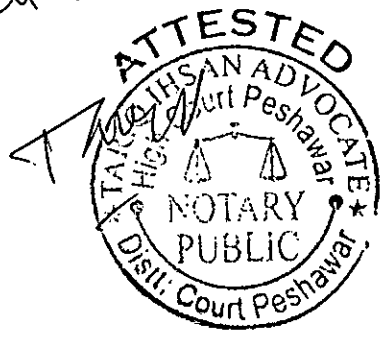
**1/9/2023**

**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 has their defense been struck off.

*Attest*



**DEPONENT**

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




GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Block "A" Civil Secretariat, Peshawar

Phone No. 091-9211128

**AUTHORITY LETTER**

It is certified that **Mr. Fahim Ullah, Legal Representative (Litigation-II)** Elementary & Secondary Education Department, Govt: of Khyber Pakhtunkhwa, Peshawar is hereby authorized to submit parawise comments on behalf of Secretary Elementary & Secondary Education Department Peshawar in Service Appeal No. **302/2023** Case Titled Mst. Ambreen Anjum Ex-Head Mistress (HM-BS-17) vs Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.

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