

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

**Service Appeal # 1795/2022**

**Mst. Rehana Yasmeen, DEO (BPS-19).....Appellant.**


**VERSUS**

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

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**Despondent**

- 26-07-23  
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**BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR**

**Service Appeal # 1795/2022**

**Mst. Rehana Yasmeen, DEO (BPS-19).....Appellant**

**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 has their defense been struck off/***Costs*

**DEPONENT**

*Amjad Ali*  


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

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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, Focal person (Litigation-II)** Elementary & Secondary Education Department is hereby authorized to submit **ex-parte** application on behalf of Secretary Elementary & Secondary Education Department Peshawar **in Service Appeal No. 1795/2022 Case Titled Mst. Rehana Yasmeen, DEO (BPS-19) vs Government of Khyber Pakhtunkhwa** through Secretary Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

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

(13)

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

**In Service Appeal No. 1795/2022**

**Mst. Rehana Yasmeen .....Appellant.**

**VERSUS**

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

**PARAWISE COMMENTS ON BEHALF OF THE RESPONDENTS NOS. 1 TO 4**

**Respectfully Sheweth,**

**Preliminary Objections:**

1. The appellant has got no cause of action against the Respondents.
2. The appellant has not come to this Tribunal with clean hands.
3. The appellant is not an aggrieved person nor has any locus standi to file the present appeal.
4. That the appellant has concealed material facts from this Tribunal.
5. That the appellant is estopped by his own conduct to file the present appeal.
6. That the present appeal is against the prevailing law and rules.
7. That the appellant is not entitled for any relief, he has sought from this Honorable Tribunal.
8. That the present appeal is liable to be dismissed being devoid of any merits.
9. That the appeal is barred by law and limitation

**On FACTS**

1. Pertains to record.
2. Correct to the extent, that as per policy the qualifiers should attend the office for verification of their educational documents.
3. As stated in above para's.
4. Pertains to the official record.
5. Pertains to the official record.
6. Pertains to the official record.
7. Pertains to the official record.
8. Correct to the extent, that she has been nominated as incharge of the post of District Education Officer (F) Mansehra
9. Pertains to the conduction of departmental inquiry against ST Mst. Qurat Ul Ain.
10. Pertains to the violation of rule and regulation by Ex-DEO.
11. Formal inquiry alongwith charge sheet and statement of allegation conducted Khyber Pakhtunkhwa Elementary & Secondary Education.
12. Pertains to the appellant written statement of activation of pay bearing fake endorsement.
13. Posting/transfer is a part of service and can any time may be made under Section-10 of Civil Servant Act, 1973.


4

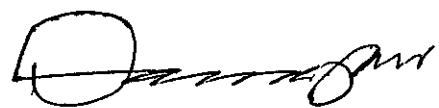
14. Incorrect, the pay of Qurat-UI-Ain SST (G) for the month of 09-2019 was activated and released during the posting of appellant which is proved from the record.
15. As stated in above paras.
16. Appellant apply the show cause with the intention of pay activation.
17. The same is also done under the law/rules.
18. Pertains to record.

**On Grounds:**

- a. Para-a is correct and the appellant was punished for her own gross mis-conduct and omission by releasing the pay for the fake appointment of one Qurat-UI-Ain in spite of the knowledge of facts of the case.
- b. In response of this para it is stated that after the facts finding committee report the appellant was supported to act as per law and not to activate/release the pay of the said fake teacher.
- c. Incorrect and denied. The appellant has violated the Government Rules and Regulations & Committed gross negligence/mis-conduct by the act explained above.
- d. Incorrect, the pay release order as well as source form were signed by the appellant which amounts to mis-conduct.
- e. Incorrect, the irregularity on the part of the appellant is proved from the inquiry report and the release of pay to fake teacher was duly signed and activated by the appellant.
- f. Incorrect, the guilt to already proved against the appellant.

**It is therefore, most humbly prayed that the appeal in hand may kindly be dismissed with cost.**

  
**SECRETARY**  
**Elementary & Secondary Education,**  
**(Respondent Nos. 1 to 3)**

  
**DIRECTOR**  
**Elementary & Secondary Education,**  
**(Respondent No. 04)**

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O-11  
Annex-D

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT



No.SO (MC) E&SED/ 4-17/2021/Zubaida Hanif & Others  
Dated Peshawar the January 27, 2022

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To

Mst. Rehana Yasmeen  
(MC BS-18) Ex-DEO (F) Mansehra,  
now DDEO (F) Kohistan Lower.

(3)  
27/1/22  
4:00 PM

Subject: - SHOW CAUSE NOTICE.

I am directed to refer to the subject noted above and to enclose herewith a copy of Show Cause Notice wherein the Competent Authority (Chief Minister Khyber Pakhtunkhwa) has tentatively decided to impose upon you the major penalty of "Removal from Service" under Rule-4 (a) (ii) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 in connection with the charges leveled against you.

2. You are therefore directed to furnish your reply to the Show Cause Notice as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

3. Your reply should reach this Department within Seven (07) days of delivery of this letter otherwise ex-parte action shall be taken against you.

True Co

Encl: As Above:

Attested

(3) P/K  
1/11/22  
Elementary & Secondary Edu. Deptt.  
Govt. of Khyber Pakhtunkhwa

(HAFAEEZ UR REHMAN SHAH)  
SECTION OFFICER (SCHOOLS/MALE)

Left

Endst: Even No. & Date:

Copy of the above is forwarded to the: -

1. Director E&SE Khyber Pakhtunkhwa, Peshawar.
2. District Education Officer (F) Kohistan Lower. **With the direction to deliver the Show Cause Notice to the Principal concerned.**
3. PS to Secretary E&SE Khyber Pakhtunkhwa, Peshawar.

(Signature)  
SECTION OFFICER (SCHOOLS MALE)

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CONFIDENTIAL



Annex-0

Page - 65

INQUIRY REPORT

**SUBJECT: INQUIRY AGAINST MRS. ZUBAIDA HANIF EX. DEO (F) MANSEHRA, REHANA YASMEEN EX. DEO (F) MANSEHRA AND MR. GULZAR SHAH THE DEALING CLERK OF DEO (F) OFFICE MANSEHRA**

MANDATE:

Orders of the competent Authority to conduct an Inquiry into the case, were communicated vide Notification NO.SO(S/F)E&SED/4-17/2020/inquiry against Mrs. Zubaida Hanif. (Annexure -A, B, C).

BACKGROUND:

The Department of Elementary & Secondary Education on 18.11.2017 through an advertisement in the leading Daily Newspapers invited applications for appointments against three Categories of posts of SSTs (Senior School Teacher) in BPS-16 through NTS on Contract/Adhoc basis and under School based policy (Annexure D).

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G.S.K.

Page 1 of 11

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11/9/17  
Station Officer (Inquiries)  
Elementary & Secondary Edu. Deptt.  
Government of Punjab, Lahore

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Annex-~~5~~

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These SST posts were for one year period and were extendable as per policy. The candidates could resign only by submitting resignation on stamp paper and the posts were non-transferable. Candidates could apply for five schools simultaneously in his/her own District.

The Directorate of E&SE as per policy after receiving the NTS result, compiled a provisional / Tentative Merit List of Top Ten Applicants for GGCMS Choian and forwarded the Provisional Merit List to the then DEO (F) Mansehra for preparation of working papers and recommendations for the Departmental Selection Committee in the Directorate (Annexure - E,F&G). The Departmental Selection Committee comprised of four members to be chaired by Director E&SE. One of the Members was Deputy Secretary of Elementary & Secondary Education Department (Annexure H).

A Disastrous situation was created when Mrs. Zubaida Hanif Khattak the then DEO (F) Mansehra issued a notification of scrutiny committee to be chaired by one officer of Education Department named Ishrat Rehana the then Principal GGCMS No. 1 Mansehra. Neither the letter was sent to the Chairperson nor to its Members. Let alone holding its meeting. Chairperson's statement may please be read at (Annexure I,J,J1&J2).

The then DEO (F) Mrs. Zubaida held a meeting calling it scrutiny committee meeting headed by herself but did not notify it and used the letter member of the first notified committee (Annexure I) and disregarded the provisional Merit List of the Directorate and a new and a Final Merit list was made including the name of one Mrs. Qurat ul Ain, whose

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Page 2 of 11

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(Signature)  
11/11/11

Signature

Director (Elementary & Secondary Education) Mansehra District



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Annex-0-2

Page-67

original Total Marks were 109.56 and her NTS Marks were 51 as per Provisional Merit list prepared by the Directorate based on NTS Results. The then DEO (F) in connivance with Gulzar Shah, who was the then Dealing Clerk increased her marks from Fifty One (51) to Seventy Four (74) (Annexure F). She was not even amongst Top Ten Candidates for GGCMS Choian and was at Serial No. 105 with total score of 109.56. She was not fit to be at the top even after increasing her total marks to 132.56. But even then a deserving Candidate was dropped and Quratul Ain D/O Mushtaq Khan was considered fit for all five different schools consecutively including Choian.

The accomplice of Mrs. Zubaida DEO(F) Mansehra were Mr. Gulzar Shah the dealing clerk and Muhammad Fayaz (late) Superintendent of DEO (F) office, who signed the working paper (Final Merit List) (Annexure F). The changed Merit List was sent to the Directorate of E&SE. Departmental Selection Committee meeting was held at Directorate and the Final Merit showing Mrs. Quratul Ain fit for GGCMS Choian was approved by the Departmental Selection Committee in the Directorate of E&SE (Annexure H).

Mrs. Quratul Ain reported to GGCMS Choian on 18-09-2018 and remained there when suddenly her resignation on plain paper was received by Mrs. Zubaida, (Annexure K,K1) the then DEO (F) Mansehra and was forwarded to the Directorate for necessary action and at the same time Mrs. Quratul Ain was transferred to GGCMS Malkan under a fake endorsement order against the policy in vogue then (Annexure L). The resignation by Quratul Ain was denied by Quratul Ain herself as per her statement (Annexure -L1).

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G.S.P. K  
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Directorate of Education & Skill Enhancement  
Government of Punjab  
Lahore

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Annex-0-3

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Mrs. Quratul Ain's salary could not be drawn due to serious lacunae in her appointment. The last episode in the appointment of Mrs. Quratul Ain SST (G) in GGCMS Malkan was completed by Mrs. Rahana Yasmeen Ex-DEO(F) Mansehra, who signed the source form and pay release order of Mrs. Quratul Ain and got released her salary by signing without looking into record and verifying record(Annexure - M). Mrs. Rehana Yasmeen had been holding the charge of DEO (F) office Mansehra during Hajj leave of Mrs. Naghmana (Annexure -N). The whole matter regarding Quratul Ain's appointment remained enveloped till the time of Extension when Quratul Ain was asked by the DEO (F) Mansehra to submit her papers for extension but she did not present her Application/papers for Extension. The matter was brought to the notice of the Directorate and Directorate ordered a fact finding Inquiry and then her salary was stopped (Annexure O).

1. INQUIRY PROCEEDINGS

MRS. ZUBAIDA HANIF KHATTAK EX DEO (F)  
MANSEHRA

CHARGE NO. 1

In pursuance of the order of the Competent Authority the Inquiry Committee communicated the charge sheets and statements of Allegations to the accused officers and officials and they were directed to submit written Defense within stipulated time (Annexure P,P1). The Inquiry committee then on 18.11.2021 visited the DEO (F) Mansehra to check the records regarding Quratul Ain's Appointment and to tally records with the District Account

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Annex-0-4

Page-69

office Mansehra. The Inquiry committee one by one examined the record and tallied these with the records of District Account office. Provisional Merit list of the Directorate was tallied with the Final Merit list and it was found that the Final Merit list of Ex-DEO (F) did not reflect truly the Provisional Merit list of the Directorate. Mrs. Quratul Ain's NTS marks had been increased from 51 to 74 and her total Marks had been increased from 109.56 to 132.56 The Ex-DEO (F) Mansehra had no documentary evidence to justify her actions. She accepted that she had signed it but she said that she did not make the list. Records disproved her indifference. The Main accomplice Gulzar Shah did not present Note sheet of the File and other relevant papers and personal File of the Quratul Ain and Note part of processing of the case and its Approval. Hiding and non-presenting papers gives credence to the belief that Zubaida Hanif Khattak had committed the crime of Alteration and had appointed Mrs. Quratul Ain. The charge is established.

CHARGE NO. 2

The Committee checked the original result of Mrs. Quratul Ain in NTS, which were 51 and then in Final Merit list the Ex. DEO (F) Mansehra and Gulzar Shah had increased Quratul Ain's marks from 51 to 74. Thus Quratul Ain's Marks were increased from 109.56 To 132.56 even then she did not qualify for the top position in the Final Merit list. But due to unfortunate oversight by the Departmental Selection Committee in the Directorate the Altered Final Merit list was approved by the Departmental Selection Committee and hence the Charge is established.

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 (B.A. K)  
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Annex-05

MR GULZAR SHAH THE DEALING CLERK OF DEO (F)  
MANSEHRA

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CHARGE NO. 1+2

The Inquiry committee questioned Gulzar Shah the Dealing Clerk regarding his intentional inclusion of the Name of Mrs. Quratul Ain in the Final Merit list prepared by him (Annexure R). The Final Merit list was prepared by him as a Dealing clerk. As a custodian of Record he had either damaged or hidden the records pertaining to Mrs. Quratul Ain's appointment. The original scrutiny committee meeting was not held and second scrutiny committee had no notification and minutes and attendance sheet. The Record showed that he had prepared and signed the Final Merit list and also got signatures on the working paper of ASDEO (F) Mrs. Arifa Syed by malafide intention (Annexure S). The missing minutes and other relevant record give credence to his malafide intention and intentional inclusion of Mrs. Quratul Ain's name in the Final Merit list and not giving an opportunity to ASDEO (F) Establishment to check record and peruse the working paper and then sign it. This shows that the working paper was not properly put up for checking and approval but by different pretexts signatures were taken by the Gulzar Shah without following laid down procedure.

The relevant record and statements of the ASDEO (F) (Annexure S) and others confirmed his malafide intentions and hence both the charges against Gulzar Shah are established. This Final Merit list was sent to the Directorate and Departmental Selection Committee just

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Annex-0-6

Page-71

issued minutes of the Meeting on 28.08.2018. Departmental Selection Committee did not check it. They just blindly trusted the wrong Recommendations of the DEO (F) Mansehra. It was not a matter of trust rather it is monitoring, supervision and Accountability, which matters and then comes trust and reliance. In the list of the above mentioned approved minutes by the Directorate Mrs. Quratul Ain D/O Mushtaq Khan was appointed against SST (G) post and was posted at GGCMS Choian, Mansehra vide Endorsement No.1515-21, dated 18.09.2018 (Annexure S1).

MRS REHANA YASMEEN EX. DEO (F) MANSEHRA

CHARGE NO. 1

The District Account Record was checked regarding single charge against Mrs. Rehana Yasmeen the then DEO (F) Mansehra, who had signed the pay release order and source Form of Quratul Ain. The Charge was denied by the then DEO (F) Mansehra but her signature were tallied with other bills signed by her including signatures on source Form and pay release order and found that she had signed the pay release order and source form (Annexure T). She had been denying of exercising DDO Powers but available record in the office and District Account office record disproved her contention because she had been using DDO powers and had signed scores of official papers. It was established that she had signed pay release order and source Form. In her written Defense and written statement she had been denying signatures on source Form and pay release order but records disproved her contention. Thus

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Annex-0-7

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the charge is established against Rehana Yasmeen Ex- DEO (F) Mansehra for releasing the pay of Mrs. Quratul Ain. SST (G) in GGCMS Malkan (Annexure M).

FINDINGS

Mrs. Quratul Ain's NTS marks were increased from 51 to 74 and her total score was increased from 109.56 to 132.56. Both the charges against Ex-DEO (F) Mansehra Mrs. Zubaida Hanif Khattak are established.

Further it was found that the third charge against her is NOT established because Mrs. Rehana Yasmeen had signed on pay activation order and on the source Form of Mrs. Quratul Ain.

The fourth charge is also established that because Mrs. Zubaida Hanif Khattak had transferred Quratul Ain under a False endorsement against Government policy in vogue. It is also established that Quratul Ain SST (G) had not resigned as per her statement. She was transferred to GGCMS Malkan on Fake endorsement while it was nontransferable job. All four charges except charge No.3 are established against her.

It is established and proved that Mrs. Rehana Yasmeen EX. DEO (F) Mansehra had signed the pay activation order and source form of Quratul Ain and hence released the salary of Mrs. Quratul Ain. The Documentary evidence from District Account Office Mansehra disproved her denial and it was found that she was DDO during the period and had exercised powers of DDO by signing many other official papers.

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Annex-0-8

Page-73

A part from this charge an Inquiry about her absence period of 176 days has almost been completed with her personal hearing by the Secretary Food on behalf of Honorable Chief Minister Khyber Pakhtunkhwa.

The Charges against Gulzar Shah the then Dealing Clerk of DEO (F) office Mansehra are established and proved. His Denial through written Defense and written statement were not Tenable and the documentary evidence disproved his contention and denial.

RECOMMENDATIONS

1. Since the charges have been established the Remedy is based on prevailing situation in the Elementary & Secondary Education Department that the concerned DEO (F) Zubaida Hani Khatak may not be given any Independent responsibility/posting for two years and she may be advised to be more vigilant in future. She must be posted under a senior officer in future.
2. Mrs. Rehana Yasmeen EX. DEO Mansehra must not be given charge of DDO for at least three years and a warning may also be given to her and she must not be given independent posting for two years.
3. Mr. Gulzar Shah Clerk of the then DEO (F) may be given warning and may be placed on probation for two years extendable for one more year. Furthermore he must not be posted in any of the DEO (F) and DEO (M) offices. His services be placed at the disposal of any Male School Principals of the District.

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 (S.P. / S)  
 11/11/11  
 Secretary (Elementary & Secondary Education) Deptt.  
 Govt. of Khyber Pakhtunkhwa

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Annex-Q

CHARGE NO. 3

Mrs. Zubaida Hanif Ex-DEO (F) Mansehra had not signed the pay release order and source Form and hence the charge is NOT established.

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CHARGE NO. 4

Inquiry Committee checked record of Quratul Ain's transfer to GGCMS Malkan. The transfer letter was signed by Mrs. Zubaida Hanif Ex. DEO (F) Mansehra under fake endorsement number. The Records available confirmed it . She consistently denied the transfer but her signature was tallied with the record and hence the charge of transfer of Mrs. Quratul Ain to Malkan is established (Annexure U).

CHARGE NO. 5

The Committee saw that Quratul Ain's resignation on plain paper was received and then it was forwarded to Directorate of E&SE. The then DEO (F) was blissfully unaware that resignation on plain paper was not acceptable as per Policy in vogue because it should have been submitted on Stamp paper. Mrs. Quratul Ain denied this resignation as per her statement (Annexure Q) In her written Defense and written statement she denies her involvement and categorically said that the Dealing clerk Gulzar Shah was solely responsible for its preparation, which was confirmed after perusal of the record and his job description but She was overall incharge and she did not carry out her duties in a responsible manner.

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Secretary, Civil Supply  
Government of Punjab, India

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Annex-O-10

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4. Whoever has been affected due to appointment of Quratul Ain, the Directorate may like to see her accommodation in any suitable place/job on the same terms and conditions on which Quratul Ain was appointed.

5. The Directorate of E&SE may like to revamp its monitoring and supervising system by giving less latitude to those who are professionally weak and instead of blind trust they must hold them responsible for all records and assets and an Annual stock taking and physical verification be carried out in the District Offices to avoid further complications and loss of important records.

*Salahuddin*  
SALAHUDDIN (PCS SG BS-20)  
Member (General)  
Provincial Inspection Team

2/12/2021

*Hamid Ali*  
Hamid Ali  
Principal (BS-20)  
GCMHS NO-2 Abbottabad

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*Attested*  
*Hamid Ali*  
Principal (BS-20)  
GCMHS NO-2 Abbottabad



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GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Annex - Q  
Pg. 80

Dated Peshawar the August 16, 2022

**NOTIFICATION**

**No.SO(SF)/ESSED/4-17/2021/Inquiry Against Zubaida Hanif & Others.**

WHEREAS Mst. Rehana Yasmeen , Ex-Deputy District Education Officer (Female) BS-18, District Mansehra Now District Education Officer (Female), District Mansehra 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** Mr. Salahud Din (PCS SG BS-20), Member (General) Provincial Inspection Team and Mr. Hamid Ali, Principal (BS-20), GCMHS No.2 Abbottabad were nominated as Inquiry Committee to conduct Formal Inquiry under the ibid Rules, against Mst. Rehana Yasmeen, Ex-Deputy District Education Officer (Female), BS-18 District Mansehra Now District Education Officer (Female), District Mansehra, 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 Minister) 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 him by Secretary, Sports & Tourism Department on behalf of the Competent Authority on 08.06.2022 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 Minister), is pleased to impose minor penalty of **"withholding of two annual increment for two years"** upon Mst. Rehana Yasmeen, Ex-Deputy District Education Officer (Female), BS-18 District Mansehra Now District Education Officer (Female), District Mansehra 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) Mansehra.
4. District Account Officer Mansehra.
5. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
6. PS to Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.
7. Mst. Rehana Yasmeen, District Education Officer (Female), District Mansehra
8. Section Officer (MC), E&SE Department.
9. Incharge EMIS E&SE Department.
10. Office order file.

Attested

(32.1/179)

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(MUJEEB UR REHMAN)

SECTION OFFICER (INQUIRIES)

18

Annex-R  
Page-81

To

The Honorable Chief Minister,  
Khyber Pakhtun khwa,  
Peshawar.

**Subject: Review Petition against the Notification No. SO(SF) ESSED/4-17/2021 Inquiry  
Against Zubaida Hanif & Others, Whereby Minor Penalty Vide Rule 4(1) a.(ii)  
Has Been Imposed**

Respectful Sheweth,

1. That, the petitioner is serving as District Education Officer (F) Mansehra. She believes in performing her duty devotedly, with utmost endeavors and to the best of her abilities.
2. That, the petitioner had served on various posts as officer throughout the province with different responsibilities and powers with the entire satisfaction of high ups i.e SDEO (F) Mansehra, Deputy DEO (F) and DEO (F).
3. That, during the tenure of the petitioner as DDEO (F) Mansehra, Zubaida Hanif (the then DEO(F) Mansehra) issued appointment order of Qurat-ul-Ain. Whereby, an inquiry was initiated against the said order in which Mr. Salahuddin (PS-SG-BS-20) Member (General) Provincial Inspection team and Mr. Hamid Ali Principal (BG-20) GCMHS No. 2 Abbottabad, was nominated as inquiry officers to ascertain facts and look into the allegation leveled against Zubaida Hanif the then DEO(F) Mansehra.
4. That, the petitioner also associated with the said inquiry of illegal and against the law allegation as "DDEO Mansehra, petitioner had signed pay activation order of Mrs. Qurat ul Ain SST Mansehra and released her salary without lawful authority and delegation of powers by then DEO(F) Mansehra.
5. That, petitioner has properly reply of impugned allegation leveled against her, whereas, the petitioner had relinquished charge as DDEO(F) Mansehra on 02/09/2019 and was posted as DEO(F) Battagram. Whereas, the pay activation order of Mrs. Qurat ul Ain SST Mansehra was prepared on 29/07/2019. Whereas, the signature of petitioner was fake, fabricated on pay activation order, which was activated with collusion of other staff/officials, that the petitioner specifically declined the pay activation of of Mrs. Qurat

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C.M Secretariat

PS.CMD No 1072

Dated 24-08-2022

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P-I,  
Annex - R<sub>1</sub>

- ul Ain SST. Hence the allegation was baseless without cogent reason, malafide, ulterior motive, and the justice.
6. That, whereas the delegation of power to the petitioner is concerned, which was legal, as per rule, which was assigned by the then DEO(F) Mansehra, vide letter to Director E&SE Peshawar vide letter dated 20-07-2019, whereas the authority assigned by high ups is lawful and ensures the power of such authority is also lawful and justifiable as per rules.
7. That, the impugned order/notification vide dated 16-08-2022 is perverse, discriminatory, malafide against the law and liable to be set aside.
8. That, the petitioner has not been provided a proper opportunity to rebut the allegation leveled against her, neither petitioner was confronted with any evidence on record. Hence the impugned notification is inherently flawed and legally unsustainable.
9. That, the petitioner was DDEO(F) and signature on pay activation order was fake, fabricated and petitioner was not owning the same signature, and endorsement number. The imposition of minor penalty upon the petitioner is illegal, without lawful authority and the natural justice. Whereas, when law prescribe something which must be done in a particular manner, not otherwise.
10. That, the impugned order is preserve against the law without justification and norms of natural justice.

Pg-8  
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It is therefore most humbly prayed that the impugned notification, dated August 16, 2022 may graciously be set aside being illegal, void, without lawful authority of having no legal effect and factual erroneous and against the natural justice.

Dated: 22-8-22

True copy:-

help

help 22-8-22

Miss Rehana Yasmeen  
DEO(F) Mansehra

REGISTERED



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

No. SO(Inq)E&SED/4-17/2021/Zubaida Hanif & others  
Dated Peshawar the November 1, 2022

Annex-R-2

62-83

To

1. Mst. Zubaida Hanif (MC-BS-18),  
Ex-DEO (F) Mansehra now DEO (F) Mohmand.
2. Mst. Rehana Yasmeen (MC-BS-18),  
Ex-DDEO (F) Mansehra now DEO (F) Mansehra.
3. Syed Gulzar Shah,  
Junior Clerk, O/o DEO (F) Mansehra.

Subject: APPEAL/ REVIEW UNDER SECTION-17 OF E&D RULES, 2011  
AGAINST THE NOTIFICATION DATED 06-08-2022 REGARDING  
INQUIRY AGAINST MST. ZUBAIDA HANIF, DEO (F) MANSEHRA &  
OTHERS.

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.

Attested  
11/01/22  
Section Officer (Inquiries)  
Elementary & Secondary Edu. Deptt.  
Govt. of Khyber Pakhtunkhwa

Bilal Khan  
11/01/2022  
(BILAL KHAN)  
SECTION OFFICER (INQUIRIES)

Endst: Even No. & Date:

Copy of the above is forwarded to the:

1. PS to Secretary, E&SE Department.

Bilal Khan  
11/01/2022  
SECTION OFFICER (INQUIRIES)

True Copy

Relief