


FORM OF ORDER SHEET

Court of

Appeal No. 1772/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/09/2023	<p>The appeal of Mst. Farakh Naz presented today by Mr. Shahid Qayum Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE HON'BLE SERVICE TRIBUNAL

PESHAWAR

Service Appeal No. 1772/2023

Mst. Farakh NazAppellant

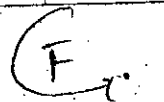
Versus

The Secretary Elementary & Secondary Education and others

.....Respondents

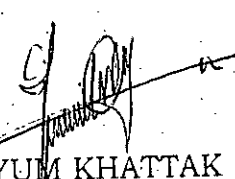
INDEX

S.No	Description of documents	Annex	Page No.
1.	Appeal with Affidavit		1-4
2.	Addresses of the parties		5
3.	Copy of appointment order	"A"	6-6A
4.	Copy of withdrawal order dated 12/05/2023	"B"	7-7A
5.	Copy of Departmental Appeal	"C"	8-10
6.	Copy of order dated 29/08/2023	"D"	11
7.	Copy of other documents		12-12A
8.	Wakalat Nama		13


Appellant

Through

Dated: 04/09/2023


SHAHID QAYUM KHATTAK
Advocate Supreme Court
of Pakistan

Off: 105-A-Town Tower, Jahangir Abad
University Road, Peshawar
Mobile No. 0333-9195776

BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1772/2023

Mst. Farakh Naz D/o Umar Rauf Khan R/o Surati Kalla Tehsil
Takht-e-Nasrati District, KarakAppellant

Versus

- 1. The Secretary Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 2. The Director Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
- 3. The District Education Officer (Female), Karak

..... Respondents

APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER/ NOTIFICATION DATED 12/05/2023 PASSED BY RESPONDENT NO. 3 VIDE WHICH THE APPOINTMENT ORDER BEARING NO. 1326-30/AE-II/APPTT/PST DATED 18/01/2023 OF APPELLANT HAS BEEN WITHDRAWN BY RESPONDENT NO. 3 WITHOUT COMPLYING THE CODAL FARMILITIES, AND AGAINST THE ORDER DATED 29/08/2023 PASSED BY RESPONDENT NO. 2 VIDE WHICH THE DEPARTMENTAL REPRESENTATION/ APPEAL FILED BY APPELLANT HAS BEEN REJECTED

Respectfully Submitted:

The Appellant humbly submits as under;

- 1. That appellant was appointed as PST BPS 12 by the respondent No. 3 vide order Endst: No. 1326-30/AE-II/Apptt/PST dated 18/01/2023 on vacant post on the basis of Medical Board Quota as her mother was retired on the basis of Medial grounds. (Copy of the appointment order is attached as Annexure "A")
- 2. That appellant joint the duty and performing her duties with full zeal and enthusiasm but with out complying the codal formalities i.e issuing charge sheet, statement of allegation and show cause notices etc the respondent No. 3 vide order/ notification bearing

Endst: No. 5726-31 dated Karak the 12/05/2023 withdraw her appointment order with effect from the date of its issue. (Copy of the order/ Notification dated 12/05/2023 is attached as Annexure "B")

3. That appellant filed departmental appeal /representation on 05/06/2023 (the facts and ground agitated therein may please be treated as part and parcel of this appeal) against the impugned order before respondent No. 2, who vide order dated 29/08/2023 rejected the same without complying the procedure envisages in the rules and regulation. (Copy of the Appeal and order are attached as Annexure "C" & "D")
4. That now appellant feeling aggrieved from the above orders hence, filling this appeal on the following amongst other grounds inter alia

GROUND S:

- A) That the impugned actions and inactions violate the mandate provided under Article 4 of the Constitution of Pakistan.
- B) That respondent are legally bound to treat the appellant in accordance to law but here her vested and accrued rights has been taken in a very novel way by brush aside the rule and regulation and procedure envisages in the rule and regulation, hence the same are liable to be set aside.
- C) That appellant was appointed on the basis of Deceased/ retired / Medical Board Quota vide order dated 18/01/2023 after adopting all the legal procedure under the provisions of Rule 10(4) of the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rule, 1989 but after performing her duties for more than 4 months of her appointment, the same order appointment has been withdrawn in a very novel way brush aside the procedure envisages in the service law, thus the impugned orders are liable to be set aside and the appellant is entitled to be reinstated on service with all back benefit.
- D) That once an appointment order is issued then proper procedure is required for undoing the same but here the respondent without issuing any charge sheet, statement of allegation or show cause

notice withdrawn the order of appointment without affording any opportunity of hearing.

- E) That the alleged Notification of the Establishment department bearing No. SO(Policy) E & AD/1-3/2023/APT Rule dated Peshawar the 28/04/2023 as not applicable to the appellant case as the same can't be applied retrospectively. Even otherwise to these rule can't substitute the substantive law, where there is no such provision available that a daughter lose her right of appointment on her marriage, thus the above notification is misconstrued and equally not applicable on the appellant case.
- F) That both the impugned orders passed by respondents are very much harsh, without any evidence based on surmises & conjectures and is equally against the rules and regulation and also against the principle of natural justice.
- F) That because the impugned actions and inactions are against the principles ordained under Article 25 of the Constitution of Islamic Republic of Pakistan.
- G) That no proper procedure of service law has been adopted by the respondent while passing the impugned withdrawal orders which make the whole proceeding nullity in the eyes of law.
- H) That because the impugned actions and inactions are blatantly against all norms of justice and principles of reasonability based on victimizations and discrimination.
- I) That the impugned orders have been passed in violation of law and rules of disciplinary proceedings and principles of natural justice. The authority wrongly and malafidly based the impugned orders without giving any reason with proof whatsoever, therefore the impugned order is bad in law.
- J) That it is the settle principle of justice that no one should be condemned un heard but in the instant case no proper enquiry has been conducted to enquire regarding the allegations. No independent witness has been examined in front of appellant nor any opportunity of hearing or cross examination has been provided to appellant. Both the impugned orders are based on non

(4)

reading and mis- reading of available record and misinterpretation of law .

- K) That respondent No. 2 has not decided the departmental appeal / representation in accordance to the rules and regulation which clearly shows mala fide intention thus, has no sanctity in the eyes of law thus the act of respondents are totally based on male fide intention which clearly shows discrimination and undue victimization.

It is, therefore, most humbly prayed that on accepting this service appeal, the impugned orders dated 12/05/2023 and order dated 29/08/2023 may graciously be set aside, by declaring it illegal, unlawful, without authority, based on mala fide, void abinitio, and thus not sustainable in the eyes of law and appellant is entitled for reinstatement in service with all back benefits of pay and service.

Any other relief not specifically prayed for but deems appropriate in the circumstances of the case may also be granted.

(F)

Appellant

Through

SHAHID QAYUM KHATTAK
Advocate Supreme Court
Of Pakistan

Dated: 04/09/2023.

A F F I D A V I T

I, Mst. Farakh Naz D/o Umar Rauf Khan R/o Surati Kalla Tehsil Takht-e-Nasrati District, Karak, do hereby solemnly affirm and declare that the contents of the accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

(F)

DEPONENT

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BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2023

Mst. Farakh NazAppellant

Versus

The Secretary Elementary & Secondary Education and others
.....Respondents

ADDRESSES OF THE PARTIES

ADDRESS OF APPELLANT

Mst. Farakh Naz D/o Umar Rauf Khan R/o Surati Kalla Tehsil
Takht-e-Nasrati District, Karak

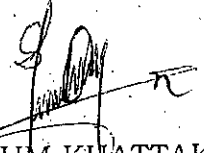
ADDRESS OF THE RESPONDENTS

1. The Secretary Elementary & Secondary Education Department,
Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Director Elementary & Secondary Education Department
Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Female), Karak

(F)

Appellant

Through


SHAHID QAYUM KHATTAK
Advocate Supreme Court
Of Pakistan



(6)

Annexure-A

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

Address: KDA Karak.

Phone: 0927-291177
Email: emiskarak@yahoo.com

APPOINTMENT.

Under the provision of rule 10 (4) of the Government of NWFP Civil Servants (Appointment, Promotion & Transfer) Rules 1989 and further Amended by the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) Notification No. SO (R-VI) E&AD/1-3/2015 dated 19/4/2016, Miss: FARAKH NAZ D/O REHMAN BIBI - Ex-PSHT CNIC NO. 14203-9963559-4 is hereby appointed against the vacant post of PST BPS 12 at GGPS Tatar Khel NO.2 (@Rs.19770-1430-62670) plus usual allowances as admissible under the rules and existing policy of the Provincial Policy of the Provincial Government, in (Deceased/Medical Board/Son/Daughter/Wife Quota) on the terms & condition given below with effect from the date of her taking over charge:-

TERMS & CONDITION.

1. No TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. She should not be handed over charge if she exceed 35 years or below 18 years of age.
4. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO (concerned). Anyone found producing bogus certificate will be reported to the law enforcing agencies for further action and appointment will stand withdrawn.
5. Her services are liable to termination on one month's notice from either side. In case of resignation without notice her one month pay/allowances shall be forfeited to the Government certificates/.
6. Her pay will not be drawn until and unless verification of the Degrees of the appointee are verified from the concerned Boards/Universities be this office and her pay will be released properly with the signature of the undersigned.
7. The Appointee should join her post within 15 days of the issuance of this notification. In case of failure, her Appointment will expire automatically and no subsequent Appeal etc shall be entertained.
8. Health & Age certificate should be produced from the Medical Superintendent concerned before taking over charge.
9. She will be governed by such rule & regulation as may be issued from time to time by the Government.
10. Her services shall be terminated at any time, in case her performance as found unsatisfactory during her contract period. In case misconduct, she will be proceeded under the rules framed from time to time.
11. Her pay will be drawn w.e from her taking over charge.
12. In case it is identified that any child/widow of the deceased mentioned in this order has already availed this opportunity, her order will be considered cancelled.
13. The appointee is required to undergo nine (9) months in service mandatory Professional training at Regional institute for teacher Education, (RITE) OR (PITE).

DISTRICT EDUCATION OFFICER
(FEMALE) KARAK.

Endst: No. 1326-30 /AE-II/ Apptt/PST dated Karak the 18/01 /2023.

Copy for forwarded for information & necessary action to:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Karak with the request that not to draw pay of the officials until and unless of the proper verification & pay release of the undersigned.
3. Registrar Peshawar High Court Bannu Bench.
4. SDEO (F) T/Nasrati Karak for necessary action.
5. Candidates concerned.
6. Master file.

DISTRICT EDUCATION OFFICER
(FEMALE) KARAK.

[Handwritten Signature]
ATTSTED

SA

Better Copy

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) KARAK

Address: KDA Karak.

Phone: 0927-291177 Email: cmiskarak@yahoo.com

APPOINTMENT.

Under the provision of rule 10 (4) of the Government of NWFP Civil Servants (Appointment, Promotion & Transfer) Rules 1989 and further Amended by the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) Notification No. SO (R-VI) E&AD/1-3/2015 dated 19/4/2016, Miss: FARAKH NAZ D/O REHMAN BIBI Ex-PSHT CNIC NO. 14203-9963559-4 is hereby appointed against the vacant post of PST BPS 12 at GGPS Tatar Khel NO.2 (Rs. 19770-1430-62670) plus usual allowances as admissible under the rules and existing policy of the Provincial Government, in (Deceased/Medical Board/Son/Daughter/Wife Quota) on the terms & condition given below with effect from the date of her taking over charge:-

TERMS & CONDITION.

1. No TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. She should not be handed over charge if she exceed 35 years or below 18 years of age.
4. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO (concerned). Anyone found producing bogus certificate will be reported to the law enforcing agencies for further action and appointment will stand withdrawn.
5. Her services are liable to termination on one month's notice from either side. In case of resignation without notice her one month pay/allowances shall be forfeited to the Government certificates/.
6. Her pay will not be drawn until and unless verification of the Degrees of the appointee are verified from the concerned Boards/Universities be this office and her pay will be released properly with the signature of the undersigned.
7. The Appointee should join her post within 15 days of the issuance of this notification. In case of failure, her Appointment will expire automatically and no subsequent Appeal etc shall be entertained.
8. Health & Age certificate should be produced from the Medical Superintendent concerned before taking over charge.
9. She will be governed by such rule & regulation as may be issued from time to time by the Government.
10. Her services shall be terminated at any time, in case her performance as found unsatisfactory during her contract period. In case misconduct, she will be proceeded under the rules framed from time to time.
11. Her pay will be drawn w.e. from her taking over charge.
12. In case it is identified that any child/widow of the deceased mentioned in this order has already availed this opportunity, her order will be considered cancelled.
13. The appointee is required to undergo nine (9) months in service mandatory Professional training at Regional institute for teacher Education, (RITE) OR (PITE).

DISTRICT EDUCATION OFFICER (FEMALE) KARAK.

Ends: No. 1326-30 AE-II/Apptt/PST dated Karak the 08/01/2023

Copy for forwarded for information & necessary action to:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Karak with the request that not to draw pay of the officials until and unless of the proper verification & pay release of the undersig Karak
3. Registrar Peshawar High Court Bannu Bench.
4. SDEO (F) T/Nasrati Karak for necessary action
5. Candidates concerned.
6. Master file.

DISTRICT EDUCATION OFFICER
(FEMALE KARAK)

S. M. Khan

ATTSTED



OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) KARAK

Address: KDA Karak.

Phone: 0927-291177
Email: emiskarak@yahoo.com

NOTIFICATION

WHEREAS one Mst Farakh Naz D/O Rehman Bibi R/O surati killa had applied for appointment as PST under deceased Child/Medical Board quota

AND WHEREAS she had submitted her documents to this office indicating that she had not got married to any one and is still living with her parent;

AND WHEREAS no one pointed out that she has got married and is not living with her parents at the time of scrutiny of her documents

AND WHEREAS it is quite evident from Rule 10(4) of API Rules 1989, that the child or the widow/wife as the case may be appointed against the post for which he or she is eligible and possesses the minimum qualification prescribed for appointment to the post.

AND WHEREAS the competent authority i.e. DEO Female Dist Karak constituted a committee for the scrutiny of documents as well as appointments against the vacant posts for which such application were received to the office.

AND WHEREAS the committee recommended her for appointment as PST being deserving and eligible candidate.

AND WHEREAS she was appointed as PST at GGPS Haq Nawaz Koroona Dist Karak by the appointing authority under the quota reserved for deceased employees children

AND WHEREAS a complaint was received in the office of DEO Female Karak regarding provision of wrong information and concealing the facts and keeping in dark the appointing authority. It was brought into the notice of the authority concerned that she has got married and is not living with her parents while at the time of appointment she has concealed this fact from the office

AND WHEREAS it is evident from the Notification issued by Establishment Dept Khyber Pakhtunkhwa No SO(Policy)/E&AD/1-3/2023/APT rules dated Peshawar the 24/8/2023, that the daughter after contracting marriage becomes liability of her husband and hence not entitled for such appointments under Rule 10(4) of the API Rules 1989.

NOW WHEREAS I am, DEO Female Dist Karak being competent authority is satisfied that Mst Farakh Naz D/O Rehman Bibi appointed as PST at GGPS Haq Nawaz Koroona Dist Karak was not entitled and eligible for appointment as per the aforementioned reasons, under the relevant Rules and thus "withdraw her appointment order issued vide Epdst No 1326-30 dated 18/01/2023" with effect from the date of its issue

District Education Officer(F)
Karak

Endst. No 5726-31 Dated Karak The 12/05/2023.

- 1. Copy of the above is forwarded for information to the PA to Director, Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2. District Account Officer Karak.
- 3. SDE(F) Takht-e-Nasrat, Distt. Karak

Signature

ATTSTED
District Education Officer (F)
Karak

7-A

Better Copy

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) KARAK

Address: KDA Karak.

Phone: 0927-291177 Email: emiskarak@yahoo.com-

NOTIFICATION

WHEREAS one Mst Farakh Naz D/O Rehman Bibi R/O surati killa had applied for appointment as PST under deceased Child/Medical Board quota.

AND WHEREAS she had submitted her documents to this office indicating that she had not got married to any one and is still living with her parents.

AND WHEREAS no one pointed out that she has got married and is not living with her parents at the time of scrutiny of her documents.

AND WHEREAS it is quite evident from Rule 10(4) of APT Rules 1989, that the child or the widow/wife as the case may be appointed against the post for which he or she is eligible and possesses the minimum qualification prescribed for appointment to the post.

AND WHEREAS the competent authority i.e DEO Female Distt Karak constituted a committee for the scrutiny of documents as well as appointments against the vacant posts for which such application were received to the office.

AND WHEREAS the committee recommended her for appointment as PST being deserving and eligible candidate.

AND WHEREAS she was appointed as PST at GGPS Haq Nawaz Koroona Distt Karak by the appointing authority under the quota reserved for deceased employees children.

AND WHEREAS a complaint was received in the office of DEO Female Karak regarding provision of wrong information and concealing the facts and keeping in dark the appointing authority. It was brought into the notice of the authority concerned that she has got married and is not living with her parents while at the time of appointment she has concealed this fact from the office.

AND WHEREAS it is evident from the Notification issued by Establishment Deptt Khyber Pakhtunkhwa No SO(Policy)/E&AD/1-3/2023/APT rules dated Peshawar the 24/8/2023, that the daughter after contracting marriage becomes liability of her husband and hence not entitled for such appointments under Rule 10(4) of the APT Rules 1989.

NOW WHEREAS I am, DEO Female Distt Karak being competent authority is satisfied that Mst Farakh Naz D/O Rehman Bibi appointed as PST at GGPS Haq Nawaz Koroona Distt Karak was not entitled and eligible for appointment as per the aforementioned reasons, under the relevant Rules and thus "withdraw her appointment order issued vide Endst No 1326-30 dated 18/01/2023" with effect from the date of its issue.

District Education Officer(F)Karak

Endst. No: 5726-31.1 Dated Karak The 12/05/2023.

Copy of the above is forwarded for information to the

1. PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar
2. District Account Officer Karak.
3. SDE(F) Takht-e-Nasrati Distt.

District Education Officer(F) Karak

Shah
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ATTSTED

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Anne xure "C"

BEFORE THE WORTHY DIRECTOR ELEMENTARY & SECONDARY
EDU: DEPTT: KP PESHAWAR.

Ms. Farakh Naz daughter of Umar Rauf Resident of Surati Killa Tehsil
Takht-e-Nasrati District. Karak. (Petitioner).

V E R S U S

District Education Officer (Female), Karak (Respondent)

DEPARTMENTAL APPEAL AGAINST THE NOTIFICATION
BEARING ENDST: NO. 5726-31 DATED 12/05/2023 VIDE WHICH
THE APPOINTMENT ORDER BEARING NO. 1326-30/AE-
II/APPTT/PST DATED 18/01/2023 OF PETITIONER MS. FARAKH
NAZ HAS BEEN WITHDRAWN BY THE DISTRICT EDUCATION
OFFICER (FEMALE), KARAK.

*(Photocopy of appointment order dated 18/01/2023 and withdrawal
Notification dated 12/05/2023 are annexed as Annexure "A & B")*

Respected Sir,

Brief Facts are as under:-

1. That Mst. Rehman Bibi the mother of the petitioner was performing her duty as PSHT in Education Department, Karak and was retired on medical board.
2. That the appellant applied for appointment as PST on the medical board quota.
3. That under the provision of Rule 10 (4) of the Govt. of NWFP Civil Servant (Appointment Promotion & Transfer) Rule 1989 and further Amended by the Govt. of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) Notification SO (R-V) (E AD/1-3/2015 dated 19/04/2016, the petitioner was appointed as PST on Deceased / Medical Board quota vide appointment order bearing No. 1326-30/AE-B/Aptt/PST dated Karak the 18/01/2023 after adopting all legal procedure and adjusted her at Govt. Girls Primary School Haq Nawaz Korrana. The petitioner started her duty in her school from the date of taking over charge. *(Photocopy of attendance register is annexed as Annexure "C")*.

Shah
ATTSTED

2. That on the complaint against the appointment order of the petitioner, the District Education Officer (Female), Karak has withdrawn the appointment order of petitioner with the effect from the date of appointment on the ground that it has got into the notice of the authority that she has got married and is not living with her parents while at the time of appointment she has concealed this fact from the office and further it is evident from the Notification issued by Establishment Deptt: Khyber Pakhtunkaw No. SO (Policy) E & AD/1-3 /2023 /APT Rules dated Peshawar the 24/08/2023, that the daughter after contracting marriage becomes liability of her husband and hence not entitled for such appointment under Ruled 10 (4) of the APT Rules, 1989. (Photocopy of APT Rules, 1989 is annexed as Annexure "D").
3. That as the appointment order of petitioner has been withdrawn without fulfilling the necessary codal formalities and without wrong presumption of APT Rules, 1989 hence the instant departmental appeal before this appellate authority on the following grounds:

Grounds.

- a. That the impugned withdrawal notification is totally illegal, unlawful and against the law and APT Rules, 1989.
- b. That the petitioner has not concealed about her marriage at the time of her appointment order, however, no retrospective effect has been mentioned in the Notification as mentioned in the impugned withdrawal notification.
- c. That the respondent / District Education Officer (Female), Karak without giving show cause notice, conducting of inquiry in the matter and without giving opportunity of personal hearing the impugned notification has been issued hence committed gross illegality and irregularity.
- d. That it is the legal duty / obligations of respondent / District Education Officer (Female), Karak to conduct proper inquiry in the matter just to fulfill the norms of justice and legal procedure, therefore, the impugned withdrawal notification is liable to be cancelled.
- e. That from the date of appointment the petitioner has regularly performing her duty but not paid single salary for which the petitioner is also entitled of her due salary of duty performed.
- f. That the petitioner seeks permission of this worthy appellate authority for personal hearing through her counsel if allowed.

[Handwritten Signature]
ATTORNEY

10

Prayer

It is, therefore, most humbly and respectfully prayed that on acceptance of this departmental appeal, this worthy appellate authority may very graciously be pleased to cancel the impugned withdrawal notification dated 12/05/2023, restore her appointment order dated 18/01/2023 and further requested to pay her salary of duty performed.

Dated:- 05/06/2023

Petitioner

*Ms. Farah Naz,
PST GGPS Haq Nawaz
Koroona Surati Killa*

*Through Ahmad Yar Khan
(Brother in Law)
Mobile No. 0333-5778899*

Y. Sami Shah

ATTSTED

NOTIFICATION

Consequent upon the approval of the Appellant Authority, the reinstatement appeal of Mst. Farakh Naz Ex-PST, GGPS, Haq Nawaz Koroona Surati Killa Karak, according to the detailed report view comments by DEO Female Karak vide letter No. 8626 dated 16.8.2023, the appellant "concealing the facts in keeping in dark the appointment authority that she has got married and is not leaving with her parent while at the time of appointment she has concealed this facts from the office" now her appeal is rejected under rules 17 (2)(a) of E&D Rules 2011.

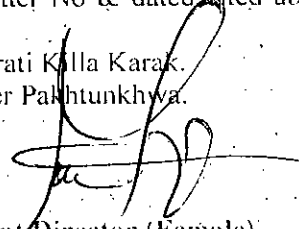
3524-26

DIRECTOR
Elementary & Secondary
Education Khyber Pakhtunkhwa,

Endst:No. /F.No. 401/Vol-I/Appeal/ Karak Dated Peshawar the 29/8/2023

Copy forwarded for information to the:-

1. District Education Officer (Female) Karak, w/r to her letter No & dated cited above, with the direction to inform the concerned accordingly.
2. Mst. Farakh Naz Ex-PST, GGPS, Haq Nawaz Koroona Surati Killa Karak.
3. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa.


Assistant Director (Female)
Elementary & Secondary Education
Khyber Pakhtunkhwa,

29/8/2023



(12)

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) KARAK

Address: K.D.E. Karak

Telephone: 091-26123456

NO

Dated Karak the

2023

The District Education Officer, Secondary Education
Khyber Pakhtunkhwa Peshawar

SCROLL APPEAL

Memo

Reference your good Office No.748 F.No 41-Mappal/Karak dated 17-7-2023 on the subject
cited above.

It is stated for your kind honour that one Mrs REHMAN BIBI W/O Umar Raul Khan R/O Saran
Killa has been retired from Service on Medical ground on 27-4-2022

Her Daughter PARAKH NAZ had submitted her documents to this Office for appointment
against Deceased Medical Board Son/Daughter quota under Rule 10(4) of APT Rules 1989. The rules is quite
clear that the child or the widow wife as the case may be appointed against the post for which he or she is
eligible and possesses the minimum qualification prescribed for appointment to the post.

The undersigned constituted a committee for the scrutiny of documents as well as appointment
against the vacant posts for which such application were received in this office, and the committee
recommended her for appointment as PST being deserving and eligible candidate and she was appointed as
PST at GSPS Haq Nawaz Korona Distt Karak under the quota reserved for Deceased Medical Board
employees children vide this Office No 1326-30 dated 18/01/2023.

A complaint was received in the office of DEO Female Karak regarding provision of wrong
information and concealing the facts and keeping in dark the appointing authority. It was brought into the
notice of the authority that she has got married and is not living with her parents while at the time of
appointment she has concealed this fact from the office.

So it is evident from the Notification issued by Establishment Deptt Khyber Pakhtunkhwa No
SO/Polis/EE&AD 1-3 2023 APT rules Jaied Peshawar the 28-1-2023, that the daughter after contracting
marriage becomes liability of her husband and hence not entitled for such appointments under Rule 10(4) of
the APT Rules 1989.(Copy attached for ready reference).

Hence the undersigned being competent authority is satisfied that Mst.PARAKH NAZ ID of
REHMAN BIBI EX-PST Distt Karak was not entitled and eligible for appointment as per the aforementioned
reasons under the relevant rules and thus withdrawn her appointment order issued vide Fndst No. 5726-
31 dated 12.5.2023 with effect from the date of its issue

and No

2627-27

Dated Karak The

16/18

2023

DISTRICT EDUCATION OFFICER (F)
KARAK

Copy of the above is forwarded for information to the:

1. To Secretary Govt of Khyber Pakhtunkhwa Elementary and Secondary Education Department
Peshawar

Handwritten signature and stamp: **ATTSTED**
DISTRICT EDUCATION OFFICER (F)
KARAK



(12A)

Better copy

OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) KARAK

Adress KDA Karak

Phone 0927-291177

Email emiskarak@yahoo.com

NO _____ Dated Karak the _____ 2023

To, The Director Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

SUBJECT:- **APPEAL.**

Memo,

Reference your good Office No.7485/F.No 41-3/appeal Karak dated 17/7/2023 on the subject cited above

It is stated for your kind honour that one Mst: REHMAN BIBI WO Umar Rauf Khan R/O Surati Killa has been retired from Service on Medical ground on 27/4/2022

Her Daughter FARAKH NAZ had submitted her documents to this Office for appointment against Deceased Medical Board Son Daughter quota under Rule 10(4) of APT Rules 1989. The rules is quite clear that the child or the widow/wife as the case may be appointed against the post for which he or she is eligible and possesses the minimum qualification prescribed for appointment to the post.

The undersigned constituted a committee for the scrutiny of documents as well as appointments against the vacant posts for which such application were received to this office, and the committee recommended her for appointment as PST being deserving and eligible candidate and she was appointed as PST at GGPS Haq Nawaz Korona Distt Karak under the quota reserved for deceased Medical Board employees children vide this Office No. 1326-30 dated 18/01/2023.

A complaint was received in the office of DEO Female Karak regarding provision of wrong information and concealing the facts and keeping in dark the appointing authority It was brought into the notice of the authority that she has got married and is not living with her parents while at the time of appointment she has concealed this fact from the office.

So it is evident from the Nonfication issued by Establishment Deptt Khyber Pakhtunkhwa No SO(Policy) E&AD/1-3/2023/APT rules dated Peshawar the (28.4.2023, that the daughter after contracting marriage becomes liability of her husband and hence not entitled for such appointments under Rule 104) of the APT Rules 1989 (Copy attached for ready reference).

Hence the undersigned being competent authority is satisfied that Mst FARAKH NAZ DIOF REHMAN BIBI EX-PST Distt Karak was not entitled and eligible for appointment as per the aforementioned reasons, under the relevant Rules and thus **"withdrawn her appointment order issued vide Endst No 5726- 31 dated 12.5,2023"** with effect from the date of its issue.

DISTRICT EDUCATION OFFICER (F)
KARAK

Endst No. 8627-29 Dated Karak The 16 18 /2023.

Copy of the above is forwarded for information to the:

1. P's to Secretary Govt of Khyber Pakhtu khawa Elementary and Secondary Education Department Peshawar

DISTRICT EDUCATION OFFICER (F)
KARAK

Jal Shah
ATTSTED

بعدالت سرسبز اسٹون چھریا کھنڈی 0

Service Appraisal No 12513

Appellant ² سید صاحب
 شرح تازہ بنام سید کبیر علی ایف
 سید کبیر علی ایف کپک

موزعہ	-----
مقدمہ	-----
دعویٰ	-----
جرم	-----

باعث تحریر آنگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دی وکل کاروائی متعلقہ ر
 آن مقام سرسبز کیلئے سید کبیر علی ایف کے ذریعے سید کبیر علی ایف کے ذریعے
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ بر حلف دینے جواب دی اور اقبال دعویٰ اور
 بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
 ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی اور منسوخی
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
 کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
 ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔
 کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
 مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ مندر ہے۔

R/O کوئی قلمی تفصیل وکیل کرے
 شرح تازہ دھنیر حکم راؤ خان

المرقوم 04 09 2023

بمقام مشاہد کے لئے منظور ہے۔

(Handwritten signatures and marks)