

24.07.2015

Appellant Deposited
Security & Process Fee

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was appointed as civil servant in the prescribed manners but vide impugned order dated 3.3.2015 she was dismissed from service on the allegations of discrepancies in appointment regarding which she preferred departmental appeal on 10.3.2015 which was not responded and hence the instant service appeal on 8.7.2015.

That the appellant was given no opportunity of hearing nor the inquiry was conducted in the prescribed manners and major penalty in the shape of dismissal from service was passed which penalty is against facts and law.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 20.10.2015 before S.B at camp court A/Abad. Notice of stay application be also issued for the date fixed.

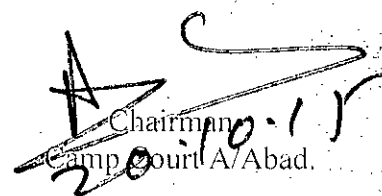

Chairman
Camp Court A/Abad

20.10.2015

Counsel for the appellant and Mr.Sakeenullah, ADO alongwith Mr.Muhammad Tahir Aurangzeb, G.P for respondents present. Representative submitted application alongwith copy of notification dated 25.8.2015 according to which the appellant has been reinstated in service.

In the light of the said application, learned counsel for the appellant requested for withdrawal of the appeal as the grievances of the appellant have been redressed.

Dismissed as withdrawn. File be consigned to the record room.




Chairman
Camp Court A/Abad.

ANNOUNCED
20.10.2015

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 786/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	08.07.2015	<p>The appeal of Mst. Bibi Syeda Maryum presented today by Mr. Muhammad Arshad Khan Tanoli Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	10-2-15	<p>This case is entrusted to Touring Bench A.Abad for preliminary hearing to be put up thereon <u>24-7-15</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Appeal No 786/2015

Bibi Syeda Maryum S/O Fida Hussain Shah GGHS Pairan (Qaria)
R/O village Tahli Sayyedian, Mansehra.

.....Appellant

VERSUS

1. Govt. of KPK through Secretary Education (E & SE), KPK Peshawar.
2. Director (E & SE), KPK Peshawar.
3. District Education Officer (Female), Mansehra.

.....Respondents

INEX

S.No	Prescription of Document	Annexure	page
1			1-10
2	Copy of Advertisement	"A"	11
3	Copies of Documents/testimonial are annexed	"B"	12-21
4	Copy of appointment order and corrigendum	"C"	22
5	Copy of Show cause notice and one page of inquiry of the then EDO	"D"	23
6	Copy of impugned dismissal order of appellant	"E"	24
7	Copy of departmental appeal /representation	"F"	25
8	Copy of merit list	"G"	26-38
9	Wakalatnama		29

Dated: -----/2015

Syeda Maryum
Appellant

Through

Muhammad Arshad Khan Tanoli
Muhammad Arshad Khan Tanoli

Advocate, High Court

Abbottabad

(1)

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

Appeal no. 786/15

A.W.F. Province
Service Tribunal

Diary No. 784

Dated 08-9-2015

Bibi Syeda Maryum S/O Fida Hussain Shah GGHS Pairan (Qaria)
R/O village Tahli Sayyedian, Mansehra

.....Appellant

VERSUS

1. Govt. of KPK through Secretary Education (E & SE), KPK Peshawar.
2. Director (E & SE), KPK Peshawar.
3. District Education Officer (Female), Mansehra.

.....Respondents

SERVICE APPEAL.

**Service Appeal u/s 4 of KPK Service
Tribunal, 1974**

Filed to-20
8/7/15

Respectfully Sheweth,

Facts forming the back ground of the instant Service Appeal is
as under:-

1. That, respondent No 3 announced the posts of Qaria in Dailly "The Aaj" dated 20/5/2011 for appointment of Qaria. The Appellant fulfills the entire criteria which sine qou non for appointment for the post of Qaria. Copy of Advertisement is annexed as Annexure "A"
2. That, the appellant qualified test as well as interview conducted by respondent No 3. The appellant is qualified Matric, Hifz, tajweed, teaching of tajweed, Shahadat ul Almia from registered Institution/ Maddaris. Copies of Documents/testimonial are annexed as Annexure "B"
3. That, following this, the appellant was appointed as Qaria in respondents' Department on the basis of merits and was posted in GGHS Afzal abad vide appointment order endrst No 893/942/ ESTT Qaria (F) APPTT; (f) 2012 Dated 16/6/2012. Copy of appointment order and corrigendum is annexed as Annexure "C".
4. That, the appellant served the Department with complete devotion and dedication to the entire satisfaction of her superiors from the date of her appointment i.e. 16.6.2012 onwards.
5. That, the appellant was though dismissed from service by the respondent's department endrs. No 1636-45/AE-J/ESTB on 3.3.2015.

(3)

6. That, Respondent No 3 issued Show Cause notice to the appellant without annexing the statement of allegations however, a page of inquiry which was conducted against the then EDO Umar Khan Kundi DEO, Shamim Akhtar was found attached with the show cause notice, wherein it was mentioned against the name of appellant that "No relevant, sannad for appointment and the appointment is not valid and is against the recruitment policy". Copy of Show cause notice and one page of inquiry of the then EDO is annexed as Annexure "D". AS the inquiry committee did recommend any remarks against the Appellant

7. That, show cause notice issued to the appellant was properly replied by her mentioning that the appellant applied for the post of Qaria and appeared in ETTA Test vide Roll No 454 dated 22.6.2011 and was placed at S. No 9 of the merits list and thereafter was appointed on merit Beside, District Education Officer solicited candid views from respondent No 2 regarding as to whether the candidate who possess their sannads of Hifz and tajweed from registered institutions are to be appointed "as per service structure in prescribe rules the sannad of Qirat from a recognized Institution meant a certificate obtained from Maddaris/Intuition Registered by the Govt. of KPK.

(4)

8. That, the respondent No 3, as stated above, served show cause notice to the appellant, which was properly replied by her. As per law, the appellant was entitled to be heard in person by respondent No 3. But Respondent NO 3 without resorting the rules, without providing opportunity of personal hearing and adopting proper modus operandi required for dismissal of employees from service, dismissed the appellant vide impugned dismissal order endst. No 1726-35/AE-1/Estb dated 3.3.2015. Copy of impugned dismissal order of appellant is attached as annexure "E".

9. That on receipt of dismissal order, appellant filed departmental appeal against the order of respondent No 3 to respondent No 2 on 10.3.2015. Copy of departmental appeal /representation is attached as annexure "F" but respondent No 2 did not bother to reply the representation of the appellant so far. Hence feeling aggrieved, the instant appeal is filed by appellant inter-alia on the following grounds:-

GROUNDS

(5)

- a. That, the appellant fulfilled the criteria of appointment as Qaria being qualified. The appellant was appointment on merit on the recommendation of Departmental Selection Committee and was placed at S.No 10 of the merit list. Copy of merit list is attached as Annexure "G". Hence impugned dismissal order is illegal perverse, discriminatory without lawful justification and null and void on the rights of the appellant.

- b. That, as per educational record annexed with the appeal, the appellant has been appointed as Qaria according to the laid down procedure and criteria mentioned in the advertisement published by respondent 3. It is further submitted that no institution/madaris of female is not recognized in KPK since 1969 onwards. Therefore Qarias were appointed in Education Department prior to 2012 on the basis of sannads similar to that of appellant. Therefore if hundreds of female Qarias are serving in Educational Department on the basis of similar sannads then the appellant is also entitled to serve the department as per law. Hence impugned dismissal order is liable to be set aside.

- c. That, when law prescribe something which is to be done in a particular manner that must be done in that manner and not otherwise. As per law the appellant was eligible for appointment as Qaria . But the conduct of respondents department towards the appellant is mala fide, discriminatory and not maintainable at law.
- d. That, this fact may not be left to fade in oblivion that the Govt. of KPK removed the then EDO, Mansehra, Umar Kundi from service but the appellant has been dismissed from service due to no fault of her. Once an employee is dismissed he is de-barred to get appointment in Govt. Departments. Therefore, respondents' Department not only illegally dismissed the appellant but snatched her bread and butter in future as well. Hence impugned dismissal order is liable to be set aside.
- e. That, respondent No 3 did not issued final show cause notice to the appellant and dismissed her in hasty manner and wants to induct some blue eyed chaps at the alter of appellant which is discriminatory against the principle of natural justice and fair play.

- f. That, respondents' Department has led the appellant to the place which is utterly unknown to the principle of jurisprudence and natural justice.
- g. That, right from the appointment of the appellant as Qaria in 2012, there was no rival candidate who contested the appointment of the appellant in any Court of law anywhere in KPK.
- h. That, Govt. of KPK conducted inquiry against the then EDO, Umar Khan Kundi for committing illegalities/irregularities in appointments/promotions etc and finally removed from service. Therefore, the appellant cannot make a scapegoat for illegal acts of the then EDO Umar Kundi. Therefore on the basis of removal of Umar Kundi from service, the appellant cannot be dismissed for the acts committed by the ex-EDO.
- i. That, the Honourable Service Tribunal has jurisdiction to entertain the grievance of the appellant and the appeal of the appellant is within the prescribe period of limitation

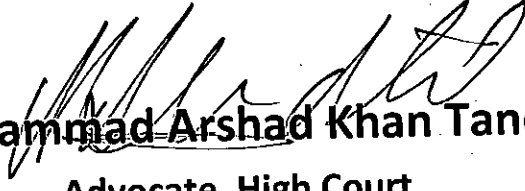
(8)

It is, therefore, prayed that on acceptance of the instant Service Appeal of the appellant, impugned dismissal order endrst. No 1636-45/AE-1/Estb dated 3.3.2015 may graciously be set aside and respondent No 3 may be directed to reinstate the appellant in service in the School with effect from the date of her dismissal with all service back benefits in terms of pay etc. Any other relief which this Honourable Court deems appropriate in the circumstance may also be done.

Dated: 7/7/2015


Appellant

Through


Muhammad Arshad Khan Tanoli
Advocate, High Court
Abbottabad

(9)

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Bibi Syeda Maryum S/O Fida Hussain Shah GGHS Pairan (Qaria)
R/O village Tahli Sayyedian, Mansehra.

.....Appellant

VERSUS

1. Govt. of KPK through Secretary Education (E & SE), KPK Peshawar.
2. Director (E & SE), KPK Peshawar.
3. District Education Officer (Female), Mansehra.

.....Respondents

AFFIDAVIT

I, Bibi Syeda Maryum S/O Fida Hussain Shah GGHS Pairan (Qaria) R/O village Tahli Sayyedian, Mansehra do hereby solemnly affirm and declare that the contents of foregoing service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Dated: _____/2015


Deponent

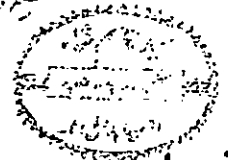


الشهادة التحفظ القرآن الكريم



مدرسه جامعہ عثمانیہ اتمان آباد تحصیل حسن ابدال ضلع

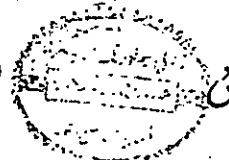
الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ وَالصَّلَاةُ وَالسَّلَامُ عَلَى خَاتَمِ الْأَنْبِيَاءِ وَالْمُرْسَلِينَ وَعَلَى آلِهِ وَصَحْبِهِ أَجْمَعِينَ أَقَابِدُ
 فَاتَتْهُ رِئَاسَتُهُ بِمَدْرَسَةِ جَامِعِهِ عُثْمَانِيَّةِ اِتْمَانِ اِبَادِ ضَلْعِ اِتْمَكِ بَاكِسْتَانِ تَشْرِيدًا لِبَنَاتِ الْأَخْتِ بِي بِي سَيِّدَةَ مَرْيَمِ بِنْتِ
 اِبْنِ سَيِّدِ فُلَّاحِ حَسِينِ شَامِنِ مَادِسْتَرِ الْمَوْلُودِي فِي عَامِ ١٩٨٤/٩/٧ الْمَوَاقِفِ قَدْ حَفِظَ الْقُرْآنَ الْكَرِيمَ
 كَامِلًا مِنْ مَدْرَسَةِ جَامِعِهِ عُثْمَانِيَّةِ اِتْمَانِ اِبَادِ ضَلْعِ اِتْمَكِ بَاكِسْتَانِ وَجَحَّ فِي اِمْتِحَانِهَا الشَّهَادَةِ فِي شَعْبَانِ الْمَوَاقِفِ ١٤٢٥ هـ
 بِمَقْدَرِ مِمْتَاذٍ وَبِنَا عَلَى ذَلِكَ نَمُنُّهُ شَهَادَةَ حِفْظِ الْقُرْآنِ الْكَرِيمِ وَرِئَاسَةَ الْجَامِعَةِ اذْ تَمُنُّهُ هَذِهِ
 الشَّهَادَةُ لِتَوْصِيَةِ بَبَقْوَى اللَّهِ سِرًّا وَعَلَانًا وَأَنْ يَتَعَاهَدَ الْقُرْآنَ الْكَرِيمَ بِتِلَاوَتِهِ اِنَاءَ اللَّيْلِ وَالْأَطْرَافِ النَّهَارِ وَاللَّهُ لَسَأَلَ اَنْ
 يُوَفِّقَهُ لِعَمَلِهِ كِتَابَهُ الْكَرِيمِ وَالْعَمَلِ بِتَعَالِيهِمْ - وَاللَّهُ هُوَ الْمَوْفِقُ وَالْمُعِينُ



مَوْقِعُ الْمَدِيرِ



مَوْقِعُ الشَّيْخِ



مَوْقِعُ الدِّينِ

رقم التسجيل ٩٥ رقم الشهادة ١٠٥ الدرجات ٩٢/١٠٠ التاريخ شعبان ١٤٢٥ هـ



اھم! محترم ارباب

(14)



سند الحقائق

وفاق المدارس العربیہ پاکستان

الحقائق نمبر 06-03-02449 تاریخ الحقائق 18-04-1999 / 1-1-1320 تاریخ اجراء 08-04-2008 / 2-12-1387 تاریخ ترمیم 07-04-2011

تصدیق کی جاتی ہے کہ جامعہ عثمانیہ گاؤں اتمان آباد حسن ابدال

ضلع اٹک صوبہ پنجاب کا الحاق بحیثیتِ رجب (ثانویہ)

وفاق المدارس العربیہ پاکستان سے منظور کیا گیا ہے

دستخط ناظم اعلیٰ



دستخط صدر سلم سلطان

محمد حنیف جالندھری

مרכזی دفتر وفاق المدارس العربیہ پاکستان، ملتان

الشیخ سلیم اللہ خان

MADRASA JANIA USMANIA



مدارس جامعہ عثمانیہ

Utman Abad Teh. Hasan Abdal Distt. Attock (Pakistan)

امان آباد تحصیل حسن ابدال ضلع اٹک (پاکستان)

تاریخ: _____

حوالہ نمبر: _____

جامعہ عثمانیہ کائن امان آباد تحصیل حسن ابدال ضلع اٹک

تاسیس شدہ ۱۹۹۲ء

مدرسہ مدرسہ وفاق المدارس العربیہ پاکستان گلخان

تاریخ امان ۱۹۹۹ء ۸۰۰ الحاق نمبر ۰۶-۰۳-۵۲-۴۴۹

سید امان علی فاضل کابلی مدرسہ ہے

درستی کا اور اس جامعہ ہے

Muhammad Ali
Advocate
Distt. Courts Attock



HAZARA UNIVERSITY

MANSEHRA, NWFP, PAKISTAN

DETAILED MARKS CERTIFICATE

SNo: 19034

BA ANNUAL EXAMINATION 2009

16

Roll No: 42266

Reg No: 08-P-2663

Name: Bibi Syeda Maryam

F/ Name: Syed Fida Hussain Shah

Institution/ District: MANSEHRA

Part: Second

COURSE TITLE:	Max: Marks		Marks Obt:		Total	Marks in Words	Remarks
	TH	PR	TH	PR			
Part-I Marks	25	5	24	1	132	ONE HUNDRED THIRTY-TWO	
ENGLISH	75	25	24	24	24	TWENTY-FOUR	Pass
URDU	75	30	39	39	39	THIRTY-NINE	Pass
PAKISTAN STUDIES	40	16	16	16	16	SIXTEEN	Pass
ISLAMIC STUDIES	75	29	29	29	29	TWENTY-NINE	Pass
Total:					240	TWO HUNDRED FORTY	
Percentage:					43.33		

Total:

Percentage:

Division:

Date: 31-08-2009

Checked By: _____

Errors and omissions are subject to subsequent rectification. Note: Any mistake in Name, Father Name etc must be intimated within 60 days of the issuance date of this Certificate.

Controller Examinations
Hazara University, Mansehra
August 29, 2009

Muhammad...
Advocate
Distt: Courts Abbotabad

14961

Certificate No: _____

BOARD OF INTERMEDIATE & SECONDARY EDUCATION ABBOTTABAD

(17)

Roll No: 66101

Group: HUMANITIES

RESULT CARD**HIGHER SECONDARY SCHOOL CERTIFICATE EXAMINATION****Part - II**

Session: 2005 (Annual)

Name: BIBI SYEDA MARYAM

Father Name: FIDA HUSSAINSHAH

Institution/
District: MANSEHRA

has secured the marks shown against each subject in the Higher Secondary School Certificate Examination Part-II held in the month of May/June as a Private Candidate

Subjects	Marks	Marks Obtained					
		Part-I		Part-II		Total	Marks in Words
		Theory	Pract	Theory	Pract		
English	200	33	--	55	--	88	Eighty-Eight
Urdu (Comp)	200	43	--	40	--	83	Eighty-Three
Islamic Education	50	27	--	--	--	27	Twenty-Seven
Pakistan Studies	50	--	--	31	--	31	Thirty-One
Islamic History	200	33	--	52	--	85	Eighty-Five
Islamic Studies	200	64	--	55	--	119	One Hundred Nineteen
Urdu (Advance)	200	39	--	48	--	87	Eighty-Seven

Total: 1100

520-D Five Hundred Twenty Only

Remarks:

Date: 11-August, 2005

Checked By: _____

Note: Errors / Omissions excepted. Any mistake in Name, Father Name etc must be intimated within 30 days of the issuance date of this certificate to BISE Abbottabad. Visit us:

www.biseatd.edu.pk

Controller of Examinations

Muhammad Arif
 Mu. Arif
 Distt: Courts Abbottabad

GG.No. 194252

(18)

Board of Intermediate & Secondary Education ABBOTTABAD

DETAILED MARKS CERTIFICATE Secondary School Certificate Examination (GENERAL GROUP)



Session 200 2 (Annual/Supplementary)

Name Bibi Syeda Maryam

Father's Name S. Fida H. Shah

Roll No. 5815

SUBJECT		MARKS OBTAINED	
		In figure	In words
1. English	150	81	Four Hundred + Fifty Eight
2. Urdu	150	87	
3. Islamiyat Comp:	75	50	
4. Pakistan Studies	75	32	
5. Gen. Mathematics	100	50	
6. General Science	100	51	
7. S.H.E	100	51	
8. I.S	100	56	
Total	850	458 - c	

This certificate is issued. Errors and omission excepted

Prepared by: [Signature]

Checked by: [Signature]

Dated 29 JUN 2002

Controller of Examinations
Board of Intermediate & Secondary Education
Abbottabad

29 JUN 2002

[Signature]
Controller of Examinations
Board of Intermediate & Secondary Education
Abbottabad

S.No 0323

Departmental Examinations Education Department

(19)



NWFP DETAILED MARKS CERTIFICATE /JOPE PHYSICAL EDUCATION TRAINING EXAMINATION, 200

Name Bibi Syeda Azeemuddin Session 2010
Father's Name Fida Hussain Sheikh Roll No. 1215

Subject	Maximum Marks	Marks obtained	
		In figures	In words
1. Prof. Organization and Admn.	100	68	
2. Se. of Movement	100	74	
3. Theory of Games	100	70	
4. Olym. and Recreative Games	100	72	
5. Anomoty and Physiology	100	77	
6. Health Education	100	79	
7. Teaching & Skill of Ed. Gym	100	78	
8. Teaching & Skill of Athl.	100	83	
9. Teaching & Skill of Major Games	100	83	
10. Physical Efficiency Test	20	14	
11. Practical Note Book	20	18	
12. Co-curriculum Activities	20	32	
13. Morning Assembly/Rifles Drill etc	70	56	
Total	1050	816	Eight Hundred sixteen

Note: Errors/omissions excepted.

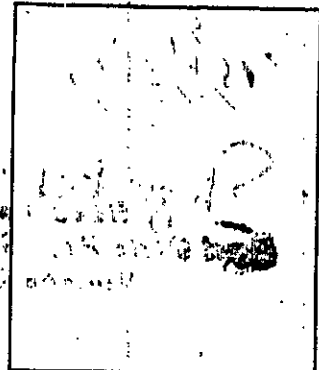
Failed/Passed Division _____ Division I
Prepared by _____
Checked by Department _____
Date of Declaration of Result _____

1 DEC 2010

Deputy Director (Examination),
Schools & Literacy Department
N.W.F.P., Peshawar.

Attested
Advocate
Distt. Courts Abbottabad

DOMOCILE CERTIFICATE



I declare that I was born of parents who are permanently domiciled in N.W.F.P. having belonged to it by birth/settled in it.

I belong by birth to Village/Mohallah Tahli Sayyedian
Tehsil Mansehra District Mansehra

Bibi Syeda Mariam
Signature of applicant

Dated _____ / _____ / _____

Pursuance to the declaration dated _____ / _____ / _____ filed by Bibi Sayyedah Mariam ~~is~~ daughter of Syed Fida Hussain Shah

domiciled in the N.W.F.P. is hereby certified that the said Bibi Sayyedah Mariam is born of parents who permanent residents of the N.W.F.P., having belonged to it by birth/settled in it.

I have satisfied my self ~~from personal~~ ^{verification by my self} knowledge verification that the above declaration is true and certify.

This 3rd day of April 2003.

DEPUTY DISTRICT OFFICER

DEPUTY DISTRICT REVENUE OFFICER

Attested
[Signature]
District Office Abbottabad

COUNTERSIGNED

No. 1968 Dated 3/4/03

[Signature]

DISTRICT REVENUE OFFICER
MANSEHRA

وحید بک ڈپو ایڈیوٹ ہاؤس مانسہرہ
فون: 305476

لوہ راق (بیوی) کے رہنے والی سیدہ مریم دختر فدا حسین شاہ ساکنہ ٹاہلی سیدان
 (عائشہ) نے سیدارہم علیہ السلام کے حق میں بیٹری کا اقرار کیا اور غنیمت گوشت اور بیٹری کے سکول کو نوٹا خور
 سے پاس لیا۔

Shoja Bibi
 Road Tasebo.
 Circle Piry Sabon
 Manshra

(21)

تصدیق کی حالت میں سیدہ مریم دختر فدا حسین شاہ ساکنہ ٹاہلی سیدان

U/C Hassan Thakral
 U/C Hassan Thakral

مہر و کھیل خانہ کے رہائشی اور سکونت میں

جناب عالی!

صاحب سجاد احمد بیکر ٹونڈر لوئیس لسان ٹھکانہ یہ جگہ ٹاہلی سیدہ مریم دختر فدا حسین شاہ
 قوم سیدانہ ٹاہلی کے قبیلہ و محلہ مانسہرہ (مہوبہ سرحد) کی آباد اجداد سے پیدا ہوئی رہتی ہے۔ تیرا
 کا والد آباری دھوئے مانسہرہ ہے دیوڑھی طرف ہے۔

3/4/03

ATTESTED

KANUNGO
 Circle Manshra

3-03

ATTESTED:
 3/4/20 Manshra

Annex "C"

OFFICE OF THE EXECUTIVE DISTRICT OFFICER E&S EDUCATION MANSEHRA**ORDER**

(22)

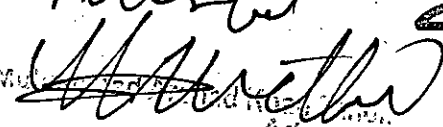
As approved by the Departmental Selection Committee, the Competent Authority has been pleased to appoint the following **Qaria teachers (Female)** against vacant posts mentioned against each in **BPS-9 @ Rs.6200-380-17600 pm** plus usual allowances as admissible under the rules in the interest of Public Service with effect from the date of their taking over charge subject to the following terms & conditions:-

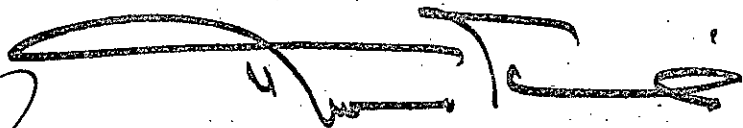
S#	Name	Father Name	Address	Place of Posting	Remarks
1	BIBI BUSHRA	FIDA HUSSAN	MANGLOOR	GGHS HASSA	AV/Post
2	SHAZIA	M AFZAL KHAN	BANDA GESUCH	GGHS JABORI	AV/Post
3	FATIMA BIBI	FIDA HUSSAIN	MANGLOOR	GGHS DOGA	AV/Post
4	FARHAT BIBI	M.HAMAYUN	DHODIAL	GGHS DYARYAL	AV/Post
5	MANAZZA	MOHD HAMYUN	TRANGRI BALA	GGHS MURAD PUR	AV/Post
6	MADHIA BIBI	ALI KHAN	AFZALABAD	GGHS AFZAL ABAD	AV/Post
7	BIBI SAEEDA SALAMA	FIDA HUSAIN	MANGLOOR	GGHS THATHI KHURD	AV/Post
8	ASMAT BIBI	ABDUL REHMAN	LASSAN NAWAB	GGHSS LASSAN NAWAB	AV/Post
9	BIBI MARIUM	FIDA HUSSAIN	MANGLOOR	GGHS PAIRAN	AV/Post
10	SAMMIYA RAHIEM	RAHIM SHAH	OGHI MANSEHRA	GGHS OGI	AV/Post
11	SAIMA BIBI	FIDA HUSSAIN	MANGLOOR	GGHS DANDA KHOLIAN	AV/Post
12	ALYIA BIBI	ALI KHAN	AFZALABAD	GGHS SANGAR	AV/Post
13	AYSHA KANWAL	KHALIL UR REHMAN	LABARKOT	GGHS MAIRA AMJID ALI	AV/Post
14	AMBER ZEB	ALAM ZEB	PHULRA	GGHS PHULRA	AV/Post
15	AISHA BANO	SHAHZADA	M.M.POLE MANSEHRA	GGHSS BAFFA	AV/Post
16	BUSHRA BIBI	LAL KHAN	PHULRA	GGHS SAWAN MAIRA	AV/Post
17	MAMOONA WAJID	WAHJID	BHERKUND	GGHS GHANOOOL	AV/Post
18	HAMEEDA	MOHD YOUSAF	PHULRA	GGHS JARED	AV/Post
19	TABSUM	MOHD NAZIR	OGHI MANSEHRA	GGHS TRAWRA	AV/Post
20	SABA NOOR	SHEIKH NOOR ELLAHI	MANSEHRA	GGHS TALHATA	AV/Post
21	ASMA NAZ	RAJA MANZOOR HUSSAIN	BEHALI	GGHS MOHAYIAN	AV/Post

Note: The pay of the candidates, falls at S# 1, 8, 16 & 20 will be effective from 01/09/2012 after the re-opening of summer vacations Zone Schools

TERMS & CONDITIONS:

1. Their appointments are purely on temporary basis and liable to termination at any stage without assigning any reason/notice.
2. They will be governed by such rules and regulations enforce and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
3. In case they failed to assume the charge of their posts within 15 days of their appointment, candidature-ship will be stand automatically cancelled.

Attested

 Advocate
 Dist. Court, Mansehra





Annex "D"

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

No. 7738 / Establishment/ 2014

Email: deofmanshra@yahoo.com

Dated: 29/9 / 2014

Phone & Fax: 0997-302518

(23)

SHOW CAUSE NOTICE

I, Naghmana Sardar, District Education Officer (Female) Mansehra as Competent Authority under the Khyber Pakhtunkhwa Servant (Efficiency & Discipline) rules, 2011, do hereby serve you Mst Bibi Maryum D/O fida Hussain Qaria, Govt: Girls High School pairan Mansehra, Presently at GGHS-Talhatta Show cause Notice as follows:

1) You were appointed as Qaria at GGHS- Pairan, vide defunct Executive District Officer (E&SE) Mansehra Endstt: No 893-942/Estt Qaria (f)/2012 Dated 16.06.2012 where you were stranger for recruitment process initiated through EATA: Acceptance of your appeal & subsequently your appointment order was the result of misuse of authority by the then EDO according to his sweet well & wishes against the recruitment rules, as per inquiry report received through Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department letter No SO(S/M)E&SED/4-17/2013 Umar Khan EDO BS-19 dated 25/08/2014 More over the then EDO(E&SE) has been removed from Government Service in connection with all such bogus appointment including yours made by him.

2) Going through the finding and recommendation of the inquiry committee. the material on record & other connected papers including your defiance before the inquiry committee:-

I am satisfied that you have committed the following acts/Omissions specified in rules.

- a) Misconduct and dishonesty in getting bogus/faked appointment without due process of recruitment.
 - b) Inflicted huge financial losses to the Govt: Treasury receiving pay are result of bogus appointment.
 - c) By snatching established rights of the deserving candidates due for appointment on merit. Cheating/canceling the facts for un lawful appointment with coordination of then EDO.
- 3) As a result thereof, I as competent authority have tentatively decided to impose upon you the major penalty of dismissal from services under rule 4 of the said rules.
- 4) You, are thereof, required to Show Cause as to why the aforesaid penalty should not be imposed upon you & also intimate where you desire to be heard in person.
- 5) 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 defiance to put in and in that case an ex-party action shall be taken against you.
- 6) A copy of the finding inquiry committee related page is enclosed.

COMPETENT AUTHORITY

District Education Officer

(Female) Mansehra

N

Alterbed

Mst Bibi Maryum
District Court, Mansehra



Annex 'E'

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

NOTIFICATION

(247)

- 1:- Where as Mst: Bibi Maryum D/O Fida Hussain working as CT/PET/TT Qarla GGHS/GGMS/GGP Rainan was served with show cause notice and was proceeded under the Khyber Pukhtunkhwa Govt: Servants (Efficiency and Disciplinary) Revised Rules 2011 for the charges mentioned in her Show-Cause Notice.
- 2:- And where as the inquiry committee comprising the following officers conducted an inquiry regarding the illegal appointments in the office of Ex- Executive District Officer Elementary and Secondary Education Mansehra.
 - i) Syed hidayat Jan, (PCS SG B-20) Agricultural Department Khyber Pukhtunkhwa, Peshawar (Now Secretary Zakat, Usher and Social Welfare Department)
 - ii) Mr. Akhalhaq Baig, Principal BS-20 RITE Male Haripur.
- 3:- And where as the inquiry Committee after having examined the record pointed out that you were appointed illegally and against the recruitment rules and policy.
- 4:- And where as District Education Officer (Female) in the capacity of competent Authority, after having considered the charges, evidence on record, recommendation of report of the inquiry committee and replies in response to Show Cause Notices, is of the view that the charges against you have been proved.
- 5:- Now, therefore, in exercise of the powers conferred under Khyber Pakhtunkhwa Govt: Servants (Efficiency and Discipline) Revised Rules 2011 the District Education Officer (Female) Mansehra, in the capacity of competent Authority is pleased to impose major penalty of "DISMISSAL" from Govt: Services upon Mst. Bibi Maryum D/O Fida Hussain CT/PET/TT Qarla GGHS/GGM/GGPS Rainan

(Signature)

DISTRICT EDUCATION OFFICER
FEMALE MANSAEHRA.

Endst: No. 1226-35 /AE- I /Estab: dated 03/03 /2015.
Copy to the:-

1. Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. District Accounts Officer Mansehra.
4. District Monitoring Officer Mansehra.
5. Deputy Commissioner Mansehra.
6. Principal/Headmistress _____
7. SDEO(F) Mansehra.
8. Budget and Accounts Officer Local Office.
9. Mst: _____
10. Office File.

(Signature)
(Signature)
District Education Officer
Mansehra

(Signature)

DISTRICT EDUCATION OFFICER
FEMALE MANSAEHRA.

Annex "F"

Dated 10.03.2015

To,

The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

(25)

Subject: - **DEPARTMENTAL REPRESENTATION/APPEAL**

Respected Sir,

It is submitted in your honour that I had been appointed Qaria Teacher vide DEO(&ESE) Mansehra order No. 893-942/Estt Qaria(F)/2012 dated 16.06.2012. (**Annexure "A"**).

The said vacancy had been advertised in a local daily "AAJ", Abbottabad dated 20.05.2011. (**Annexure "B"**). I applied for the said post and took ETEA test vide Roll No. 329, serial No. 9 dated 22.06.2011 and passed the same and was also called for interview.

After aforementioned formalities, I was appointed Qaria Teacher BPS-09 at GGHS, Pairan, Mansehra against the available vacant post.

I joined duty at GGHS on 23.06.2012 and have been serving there 06.03.2015.

On 23.10.2014 I was served a show cause notice by DEO(Female) Mansehra vide No. 7736/ Establishment/2014 dated 29.09.2014 alongwith enclosure alleging therein that my recruitment was made without due process of recruitment etc (**Annexure "C"**) while as per enclosure "**Sanad Hizful Quran & Sanad Qirat is not from recognized institution**", hence appointment is not valid and is against the recruitment rule/policy. (**Annexure "D"**).

The undersigned submitted her reply (**Annexure "E"**) alongwith the documentary proof that I was inducted after due process and my sanads were issued by "**Madrassa Jamia Usmania Village Utman Abad, Tehsil Hassan Abdal, District Attock**", which is recognized by Wafaqal Madaris Al Arabia, Pakistan, Multan vide registration No. 06-03-02449. (**Copies of sanads and affiliation are enclosed as Annexure "F", "G", "H" & "I"**).

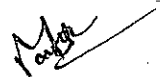
The DEO Mansehra, without due consideration to the above facts and without personal hearing dismissed the undersigned from service vide notification No. 1726-35/AE-J/Est, dated 03.03.2015. (**Annexure "J"**).

Since my degrees are original and I possess much higher education than the prescribed qualification and the institute is recognized by Wafaqul Madaris, Pakistan. Moreover I had been posted after observing due process by the department.

It is, therefore, requested that I may kindly be re-instated into service after revoking the whimsical and unlawful order of DEO(Female) Mansehra.

Thanking you in anticipation.

Sincerely yours



Bibi Syeda Maryum
Ex-Qaria Teacher,
GGHS Pairan
Mansehra.

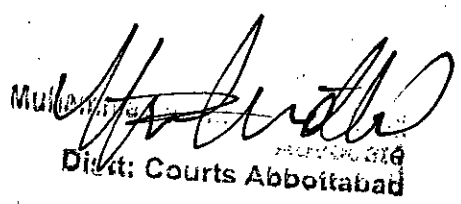
Address: -

Bibi Syeda Maryum
r/o Mohallah Banda Lal Khan,
Near Taha Masjid Dab No. 1,
Tehsil and District Mansehra
Cell#0333-5023265

Copy for information to: -

- 1) The P.S. to Secretary, E&SE, K.P.K. Peshawar
- 2) The EDO (Female) Mansehra

Attested



Dist: Courts Abbottabad

(271)

Merit List of Applicants for TAT-II (Applied for Qaria) District Mansehra

Sl	Roll No	Name	Father Name	Post Applied for	Address	DOB BIRTH	DATE OF DEC. OF RESULT	ETEA Marks	Academic											T/Par	Remarks							
									ETEA MARKS			SSC			FA/FSC			BA/BSC				MA/MSC						
									Tot	Plage		Obt	Tot	Plage	Obt	Tot	Plage	Obt	Tot			Plage	Obt	Tot	Plage			
23	81	TAHIRA NIAZ	ANIAZ MOHD	QARIA	ICHRIAN MANSEHRA	12/10/1985	09/11/2004	132	300	17.6	381	850	6.371	0	0	0	0	0	0	0	0	0	0	0	0	23.97		
24	275	GHAZALA JAVED	MOHAMMAD JAVEED	QARIA	MANSEHRA	17/05/1984		124	300	16.53333	421	850	7.429														23.96	
25	698	SAIQA TABASUM	SAID ALAM	QARIA	GABDIAN MANSEHRA	02/02/1977	28/03/1998	120	300	16	426	850	7.518	0	0	0	0	0	0	0	0	0	0	0	0		23.52	

Pa. A. D-0 (B) (F)

Pa. D-0 (B) (F)

DO (Female)
(E & S) Edu. Mansehra

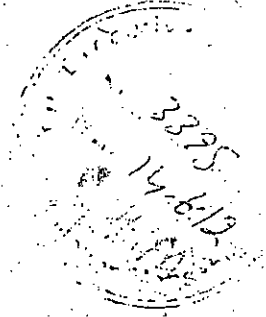
Admission Controller
Admission

7/11/0
AD-0
(B) (F)

(28)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
No. SO(PE)5-12/Darul Uloom Swat/Chitral/10/
Dated Peshawar the 7-6-2012.




To

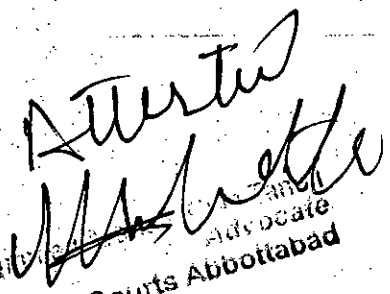
The Executive District Officer
Elementary & Secondary Education
Mansehra.

Subject:- GUIDELINE REGARDING PPOINTMENT OF QARI POSTS.

I am directed to refer to your letter No. 5134 dated 14-5-2012 on the subject noted above and to state that "Sanads" of Registered Madaris affiliated with Wafaqul Madaris may please be accepted for the purpose of recruitment of Qari/Qaria.


(MUHAMMAD AYUB KHAN)
SECTION OFFICER (PRIMARY)




Muhammad... Advocate
Distt: Courts Abbottabad

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Bibi Syeda Maryum d/o Fida Hussain Shah GGMS, Pairan (Qaria)
R/o Village Syedian, Tehsil & District Mansehra

.....Appellant

VERSUS

1. Govt. of KPK through Secretary Education (E & SE), KPK Peshawar.
2. Director (E & SE), KPK Peshawar.
3. District Education Officer (Female), Mansehra..

.....Respondents

APPLICATION FOR SUSPENSION
OF IMPUGNED ORDER NO $\frac{3-3}{73}$ /AE
/ESTB AND GRANT OF STATUS
QUO TILL FINAL DISPOSAL OF THE
MAIN APPEAL .

Respectfully Sheweth,

1. That the instant service appeal is being filed today and this application may be treated as part and partial of the service appeal.
2. That, competent authority i.e District Education Officer (Male) Mansehra prior to dismissal of the applicant did not followed the procedure laid down in service laws. Hence the applicant has not been provided opportunity of personal hearing and no final show cause notice has been issued
3. That, valuable rights have been accrued to the applicant for serving teacher and Education Department since 2012 to till date.
4. That, the applicant served the Department with complete devotion and dedications. Besides, the applicant had required qualification/criteria for the said post and the

applicant has not been contested by any one as there was no contesting rival candidate.

5. That, the applicant got appointment purely on the basis of merit. The applicant has been dismissed by the competent authority due to no fault of her.
6. That, the balance of convenience is infavour of the applicant and in case, status quo is not granted, the applicant shall suffer irreparable.

It is, therefore, very humbly prayed that on acceptance of the instant application, impugned termination order dated 03.03.2015 may graciously be suspended and status quo may also be granted till final decision of the main appeal.

Dated: -----/2015

Sande Khan
Appellant

Through

Muhammad Arshad Khan Tanoli
Muhammad Arshad Khan Tanoli
Advocate, High Court
Abbottabad

کورٹ فیس
قیمتی

وکالت نامہ

بعدالت ۱۷۲۱ سرمدی ٹرسٹ کے نام
عنوان: مئی بی بی سیدہ منیر فارم بنام گورنمنٹ کے اکیڈمی اور
منجانب: ایڈمنسٹریٹو
نوعیت مقدمہ: اصل

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کارروائی متعلقہ آں مقام

محمد اسد خان منیر اور دیگر صاحبان کی کورٹ پر لے کر

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا نیز وکیل صاحب

موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء

وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور

کی کل یا کسی جزوی کارروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار

بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول

ہوگا۔ دوران مقدمہ جو خرچ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔

نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف

پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جز و بقایا ہو تو وکیل صاحب موصوف

مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت نالش بصیغہ مفلسی کے دائرہ کرنے اور اس کی

پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

بمقام: _____
المقوم: _____

Attached

M. Asad Khan Tanoli
Adv High Court Adl

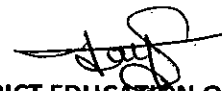
BEFORE THE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No: 786/2015

Respectfully Shewth

1. That the services appeal No: 786/2015 in respect of MST: Bibi Syeda Maryam is pending before this honorable court for reinstatement.
2. That reference director E & SE department notification Endst: No 4195-4200 /F.No.79/Appeals Female MSR Dated Peshawar 25/8/15, the appellat has been conditionally reinstated against the post of Qaria (Notification attached)?

It is requested that the above mentioned appeal may kindly be dispose off please.


DISTRICT EDUCATION OFFICER
(FEMALE) MANSEHRA

ADD

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR.

NOTIFICATION.

WHEREAS, Mst. Bibi Maryam, Qaria at Government Girls High School Pairan District Mansehra was dismissed from service by the DEO (Female) Mansehra vide Order No. 1726-35 dated 03/03/2015 after serving Show Cause Notice and giving her an opportunity of personal hearing on charge of irregular/fake/bogus appointment.

WHEREAS, consequently the above aggrieved teacher lodged/preferred an appeal to the Director E&SE Khyber Pakhtunkhwa, Peshawar (appellant authority) against her dismissal from service with the pray to set aside her dismissal order issued by the DEO concerned followed by her reinstatement.

AND WHEREAS, the Director E&SE Khyber Pakhtunkhwa, Peshawar constituted a committee vide Notification No. 5500-09 dated 23-04-2015 for the scrutiny of appeals of above dismissed teacher.

AND WHEREAS, the committee having scrutinized appeal of above affected teacher on the basis of available record and merit of the case submitted its report to the Director E&SE Khyber Pakhtunkhwa, Peshawar with the findings and recommendations reproduced briefly below:-

1. Her name was at S.No. 10 of the merit list. Both her asnad of Hifzul Quraan and sanad of Tajveedulquraan are from Madrassa Jamiaa Usmania Utman Abad Attock. She was appointed as Qaria vide a general order Endst: No. 893-942 dated 16/06/2012 at S. No.09.
2. Appeal may be accepted subject to condition that the madaris/ institution from where she acquired asnad (Qirat & Hifz ul Quran) for the post of Qaria must be affiliated with Wafaq ul Madaris in line with the Govt. of KPK E&SE Deptt. Letter No. SO(PE)5-12/ Darululoom Swat/ Chitral/ 10 dated 7/6/2012.


NOW THEREFORE, in exercise of powers conferred upon the Director E&SE Khyber Pakhtunkhwa, Peshawar (appellant authority) under E&D Rules 2011 read with rules 17 (2) (b) & (c) and keeping the findings/recommendations of the committee into consideration, accepts the appeal of aforesaid sacked teacher and set aside the order of DEO (F) Mansehra No. 1726-35 dated 03/03/2015 and reinstate Ms. Bibi Maryam, Qaria, at Government Girls High School Pairan District Mansehra with effect from the date of her dismissal with all back benefits subject to production of the requisite registration & affiliation: to the DEO (F) Mansehra.

Director
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

4195-4200
Endst: No. _____ /F.No. 79 /Appeals Female MSR Dated Peshawar the 25/8/2015

Copy of the above is forwarded for information & n/action to the:-

1. District Education Officer (Female) Mansehra with the remarks to obtain/ascertain the requisite registration & affiliation from Mst. Bibi Maryam, Qaria and place on record under intimation to this office.
2. District Accounts Officer Mansehra
3. Principal, Concerned
4. Appellants concerned
5. PA to Director E&SE KP, Peshawar
6. Master File.


Deputy Director (Female)
Directorate E&SE, KP
Peshawar