

19.04.2017

Counsel for the appellant and Mr. Muhammad Usman, Senior Clerk alongwith Mr. Muhammad Bilal, Government Pleader for the respondents present. D.B is also incomplete. To come up for final hearing before the D:B on 17.10.2017 at camp court, Abbottabad.


Chairman
Camp court, A/Abad


17.10.2017

Counsel for the appellant and Mr. Muhammad Bilal, Deputy District Attorney alongwith Mhammad Usman, Senior Clerk for the respondents present. Both the learned counsel for the parties agreed that the broad facts and legal issues involved in the instant case are similar as in 17 appeals decided by this Tribunal on 17.01.2017, in Service Appeal No. 744/2015 entitled "Shahida Bibi Vs. Government of Khyber Pakhtunkhwa through Secretary, E&SE, Peshawar and others" and requested that the instant appeal may also be decided accordingly.

In view of the above submission, this appeal is also decided according to para-8 of the operative part of the above cited judgment. Parties are left to bear their own costs. File be consigned to the record room.



Member


Chairman
Camp court, A/Abad.

ANNOUNCED

17.10.2017

827/15

20.04.2016

Agent of counsel for the appellant and Mr. Muhammad Usman, Senior Clerk alongwith Muhammad Siddique, Sr.GP for the respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 22.06.2016 before S.B at camp court, Abbottabad.


Chairman

Camp court, A/Abad

22.06.2016

Brother of the appellant and Mr. Muhammad Usman, Senior Clerk alongwith Mr. Muhammad Siddique Sr.GP for the respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 20.12.2016 at camp court, Abbottabad.


Chairman

Camp court, A/Abad,

20.12.2016

Brother of the appellant and Mr. Muhammad Usman, Senior Clerk alongwith Mr. Muhammad Siddique, Sr.GP for the official respondents and Mst. Sadaf Riaz (respondent No. 4) in person present. Rejoinder submitted. Due to incomplete bench arguments could not be heard. To come up for final hearing on 19.04.2017 before D.B.at camp court, Abbottabad.


Chairman

Camp court, A/Abad

15.9.2015

Agent of counsel for the appellant present. Counsel for the appellant is stated busy at Peshawar. Seeks adjournment. To come up for preliminary hearing on 19.10.2015 before S.B at Camp Court A/Abad.


Chairman
Camp Court A/Abad

19.10.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the case of the appellant is that of illegal appointment regarding which identical appeals including Appeal No. 758/2015 are already admitted for regular hearing.

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 for 20.01.2016 before S.B at Camp Court A/Abad.

Appellant Deposited
Security & Process Fee




Chairman
Camp Court A/Abad

20.1.2016




None present for appellant. M/S Muhammad Fayaz, Supdt. and Muhammad Ajaml, Senior Auditor alongwith Mr. Muhammad Saddique, Sr.GP for respondents present. Requested for adjournment. To come up for written reply/comments on 20.4.2016 before S.B at Camp Court A/Abad


Chairman
Camp Court A/Abad

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 827/2015


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate.
1	2	3
1	16.07.2015	<p>The appeal of Mst. Rabia Bibi resubmitted today by Mr. Dildar Ahmad Lughmani 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	28-8-15	<p>This case is entrusted to Touring Bench A.Abad for preliminary hearing to be put up thereon <u>17-08-2015</u></p> <p style="text-align: right;"> CHAIRMAN</p>
3.	17.8.2015	<p>None present for appellant.</p> <p>Notice to counsel for the appellant be issued for 15.9.15 for PH. before S.B at camp court A.Abad.</p> <p style="text-align: right;"> Chairman Camp Court A.Abad.</p>

The appeal of Mst. Rabia Bibi D/o Aziz-ur-Rehman ex-PET GGMS Banda Geesach Distt. Mansehra received to-day i.e. on 03.07.2015 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Memorandum of appeal is unsigned which may be got signed.
- 2- Annexures of the appeal may be attested.
- 3- Page Nos. 24, 31 and 48 of the appeal are illegible which may be replaced by legible/better one.

No. 1035/S.T,

Dt. 3/7/2015


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Dildar Ahmad Lughmani
Advocate, Supreme Court

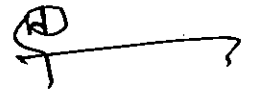
Sirs,

objections are removed and
Appeal is re-submitted

Dildar Ahmed lehan
A.S.C

Dated

11.7.15



BEFORE THE KPK SERVICE TRIBUNAL,
PESHAWAR

Appeal no. 827/2015
Mst. Rabia BibiPetitioner

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary
Education Department etc.....Respondents

SERVICE APPEAL


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Dated 27.06.2015

Mst. Rabia Bibi.
...Appellant

Through


DILDAR AHMED KHAN LUGHMANI,
Advocate Supreme Court,
Of Pakistan.

①

BEFORE THE KPK SERVICE TRIBUNAL,
PESHAWAR

Appeal No. 827/2015

K.P. Province
Service Tribunal
Diary No. 760
Dated 03-7-2015

Mst. Rabia Bibi daughter of Aziz-ur-Rehman
resident of Datta, Tehsil and District Mansehra,
Ex-P.E.T Government Girls Middle School
Banda Geesach, Tehsil and District
Mansehra.....Petitioner

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Education Department, Peshawar.
2. Director Education Department, Khyber Pakhtunkhwa Peshawar.
3. District Education Officer, (E&SE) Mansehra.
4. District Officer (Female) (E&SE) Education Mansehra.
5. District Accounts Officer, Mansehra
.....Respondents.

SERVICE APPEAL UNDER SECTION 4 OF
KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974 AGAINST THE
ORDER ENDST. NO.1432-41/AE-J/ESTAB:
DATED 03.03.2015 VIDE WHICH THE
APPELLANT WAS DISMISSED FROM
SERVICE.

3/7/15

PRAYER: -

On acceptance of instant appeal, the impugned order dated 03.03.2015 may please be set aside and the appellant may graciously be re-instated in service with all back benefits.

re-submitted to Reg
and filed.

16/2/15
Registrar

Respectfully Sheweth!

1. That, the appellant is resident of village Datta, Tehsil and District Mansehra.
2. That the education qualification of the appellant is F.A, B.A, Master Degree in Physical Education with Senior Diploma in Physical Education.

(Copies of educational record is annexed as annexure "A").

3. That, in the year 2011, District Education Officer, Mansehra/respondent No.4 advertised some vacancies in the education department. The appellant applied for the post of Physical Education Teacher (P.E.T).

(Copy of the advertisement is annexed as annexure "B").

4. That, in pursuance of the said advertisement, the appellant submitted her form for making her appearance in E.A.T.A Test. The respondent No.4 issued Roll No.2704 and under the said roll number, the appellant appeared in the E.A.T.A Test and qualified the same by securing 128 marks. The respondents No.3 and 4 placed the appellant incorrectly at serial No.21 of

the merit list against which the appellant filed appeal before the then Executive District Education Officer, Mansehra which was accepted and the appellant was appointed as P.E.T vide officer order No.6886-9 dated 31.05.2012.

(Copy of the order dated 31.05.2012 is annexed as annexure "C").

5. That, there was some clerical mistake in the name of the appellant, the same was corrected by the respondents No.3 and 4 vide issuing the corrigendum office order No.25-28 dated 04.06.2012.

(Copy of the corrigendum is annexed as annexure "D").

6. That, the first appointment of the appellant was in Government Girls Middle School Kotri Battal, District Mansehra.

(Copy of the first appointment of the appellant is annexed as annexure "E").

7. That, the appellant was then transferred from Government Girls Middle School Kotri to Government Girls Middle School Kandari vide office order No.1172-75 dated 21.06.2012.

(Copy of the office order dated 21.06.2012 is annexed as annexure "F").

8. That, later on, the appellant was again transferred by respondents No.3 and 4 from Government Girls Middle School Kandar to Government Higher Secondary School Behali vide office order No.5697-99 dated 31.07.2012.

(Copy of the office order dated 31.07.2012 is annexed as annexure "G").

9. That, the appellant performed her very honestly, regularly and fairly since the time of her appointment in above-mentioned different schools. Principal Government Girls Higher Secondary School Behali issued the duty Certificate to the appellant on 26.06.2013.

(Copies of the Attendance sheets from attendance register Govt. Girls Higher Secondary School Behali and certificate issued by Principal are annexed as annexure "H&I").

10. That, the appellant also performed the recent election duty of 2013 in the Government Primary School Matial PK-53 Mansehra-(I) as Assistant Presiding Officer. To this effect, copy is also issued to the petitioner by the concerned Returning Officer.

(Copy of the Certificate issued by the Returning Officer is annexed as annexure "J").

11. That, the respondents have not paid the salary of the appellant since the time of her appointment. Appellant submitted various applications to respondent No.4 even then respondents No.3 and 4 had not paid any attention towards it.

(Copy of the applications are annexed as annexure "K").

12. That, when the appellant time and again made her written/verbal requests to the respondents No.3 to 5 and also visited the office of the above-mentioned respondents frequently, appellant became very astonished when it came into her knowledge that the respondent No.3 withdrawn the appointment order No.6886-91 dated 31.05.2012 of the appellant vide office order No.6635-40 dated 15.08.2012 without any notice or providing any kind of opportunity of being heard to the appellant.

(Copy of the office order dated 15.08.2012 is annexed as annexure "L").

13. That, when the grievance of the appellant was not redressed by the respondents, the appellant filed a Writ

Petition No.563-A of 2013 in the Peshawar High Court, Bench Abbottabad in which the respondents put their appearance and filed the reply wherein the respondents changed their stance different from the stance taken in withdrawal order of the appellant.

(Copies of writ petition, comments of the respondents, rejoinder of the appellant and order of the Worthy High Court are annexed as annexure "M").

14. That, during the pendency of the Writ Petition and even status-quo granted in the above-mentioned Writ Petition, the respondent No.4 issued show cause notice to the appellant which was duly replied by the appellant.

(Copy of the show cause notice and reply is annexed as annexure "N").

15. That, respondents No.3 and 4 even after issuing of the show cause notice, transferred the appellant from Government Girls High Secondary School Behali to Govt. Girls Middle School Banda Geesach vide office order No.1111-17 dated 09.02.2015 and also released the salary of the appellant on

the directions and order of the Worthy High Court.

(Copy of the office order dated 09.02.2015 and Order regarding release of salary are annexed as annexure "O&P").

16. That, ultimately the respondent No.4 dismissed the appellant from service vide impugned order No.1432-41 dated 03.03.2015.

(Copy of the impugned order dated 03.03.2015 is annexed as annexure "Q").

17. That, when the appellant came to know about the dismissal order passed by the respondent No.4, appellant filed her representation on 27.03.2015 before the proper forum but it is still unattended to.

(Copy of the representation is annexed as annexure "R").

18. That, the appellant being aggrieved from the impugned order, seeks the gracious indulgence of this Honourable Court/tribunal, inter alia, on the following amongst the other grounds: -

GROUND

- i. That, the impugned order No.1432-41 dated 03.03.2015 as well as order No.6635-40 dated 15.08.2012 are wrong, illegal, against the law and facts, arbitrary, fanciful, perverse, without lawful authority, based on malafide, unconstitutional and against the relevant rules and regulations hence not maintainable and liable to be set aside.
- ii. That, the respondents No.3 and 4 absolutely having no authority to withdraw the appointment order and dismissed the appellant from service without adopting the proper procedure as contained in KPK Efficiency and Disciplinary Rules, 2011. The respondents No.3 and 4 were duty bound to issue notice to the appellant and then give a chance to the appellant for personal hearing before withdrawing the appointment order. Similarly, before passing the impugned order, the respondent No.4 was duty bound to make inquiry in accordance with law wherein inquiry officer may collect the

evidence regarding the allegations levelled against the appellant.

- iii. That, once a civil servant is inducted in the Government Service then all the appointing authorities/officers are duty bound to abide by the relevant law, rules and regulations while passing any order which effect the service of the civil servant. Respondents No.3 and 4 have overlooked all the relevant laws, rules and regulations while passing the impugned order.
- iv. That, the respondents No.3 and 4 firstly passed the withdrawal order at the back of the appellant and secondly passed the impugned dismissal order of the appellant. When the respondents No.3 and 4 already passed the withdrawal order then how they can pass the impugned order of dismissal from service which shows lack of knowledge and clear cut malafide on the part of the said respondents.
- v. That, the respondent No.4 passed the impugned order without conducting proper inquiry into the matter which is not permissible under the law as when the major penalty is imposed on the civil

servant then proper inquiry is too much essential and after inquiry, copy of the inquiry report is to be delivered to the civil servant but in the present case, the respondents No.3 and 4 have not conducted the inquiry and also have not delivered any copy to the appellant which is violation of the relevant law and rules.

- vi. That, the respondents No.3 and 4 changed their stance time and again. In the withdrawal order, it was the contention of the respondents No.3 and 4 that the appellant has senior Diploma in Physical Education whereas the requirement for the post of P.E.T on which the appellant was appointed, is junior Diploma in physical Education. This stance of the respondents No.3 and 4 is self explanatory in the withdrawal order. Similarly, when the respondents No.3 and 4 submitted their comments in Writ Petition filed by the appellant in Peshawar High Court, Abbottabad Bench they contended that the appellant did not applied for the post through E.A.T.A and the name of the appellant falls at serial No.21 of the merit list while in the impugned order,

//

the respondent No.4 alleged that the appointment of the appellant is not in accordance with law. These different and contradictory contentions of the respondents No.3 and 4 also depicts their malafide and ill-will against the appellant.

- vii. That, the respondent No.4 make a reference about the inquiry committee in the impugned order, the appellant has no knowledge about any inquiry committee, the inquiry committee neither issued any notice to the appellant nor provided any opportunity to the appellant of being heard which is against the natural justice that no one should be condemned unheard.
- viii. That, the appellant has full educational qualification required for the post. The respondents have no authority to withdraw the appointment order of the appellant or dismissed the appellant from service on these flimsy grounds without due process of law.
- ix. That, due to the passing of impugned order, the fundamental rights of the appellant were also violated which were jealously guaranteed by the Constitution.

- x. That, the appellant performed the General election duty of 2013 in Government Primary School Matial in PK-53 Mansehra (I) as Assistant Presiding Officer. Election duty is always given on the recommendation of the concerned department. In the case of the appellant, respondents No.3 and 4 given their recommendations/consent to the election Commission on the basis of which, the appellant was given the Election Duty at the above-mentioned School.
- xi. That, many officials of the Education Department time and again visited the Government Girls Higher Secondary School Behali where the appellant is posted and it is well in their knowledge regarding the appointment and performance of the duty by the petitioner. Similarly, when the appellant herself sent the applications to respondents No.3 and 4 through registered A/D, they never replied and communicated the appellant regarding the withdrawal order and similarly no notice for constitution of inquiry committee to the appellant and even the inquiry committee did not bother to

issue notice to the appellant for associating her with the inquiry proceedings.

- xii. That, the reasons assigned by respondents No.3 and 4 while passing the impugned order are too much alien to the law, rules and regulations of the education department.
- xiii. That, so many Civil servants are still employed in the Education Department as P.E.T on the basis of Senior Diploma in Physical education but the respondents No.3 and 4 treated only the petitioner discriminately, which is not permissible under the law and constitution of Pakistan. Even some orders were passed by respondents No.3 and 4 regarding appointments of female P.E.T teachers who have same problems.
- xiv. That, the impugned order passed by respondents No.3 and 4 is totally unjust, unfair and based on cruel and malafide conduct of the said respondents.

It is, therefore, most humbly prayed that on acceptance of instant appeal, the impugned order dated 03.03.2015 passed by the respondents No.3 and 4

may please be set aside and the appellant may graciously be re-instated in service with all back benefits.

Dated 27.06.2015

Mst. Rabia Bibi
...Appellant

Through

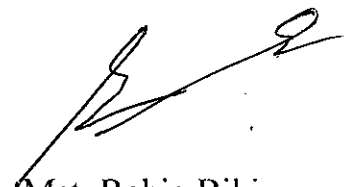


DILDAR AHMED KHAN LUGHMANI,
Advocate Supreme court,
Of Pakistan.

AFFIDAVIT

I, Mst. Rabia Bibi daughter of Aziz-ur-Rehman resident of Datta, Tehsil and District Mansehra presently posted as P.E.T Government Girls Higher Secondary School Behali, Mansehra, Petitioner, do hereby solemnly affirm and declare on oath that the contents of this appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Dated 27.06.2015



Mst. Rabia Bibi
(DEPONENT)

ATTESTED


Aurang Zeb Swati

ADVOCATE

Oath Commissioner
Distt: Courts, Mansehra.

2015

**BEFORE THE KPK SERVICE TRIBUNAL,
PESHAWAR**

Mst. Rabia BibiPetitioner

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary
Education Department, Peshawar etc.
.....Respondents

SERVICE APPEAL

CORRECT ADDRESSES OF THE PARTIES

APPELLANT

Mst. Rabia Bibi daughter of Aziz-ur-Rehman
resident of Datta, Tehsil and District Mansehra,
Ex-P.E.T Government Girls Middle School
Banda Geesach, Tehsil and District Mansehra.


RESPONDENTS

1. Govt. of Khyber Pakhtunkhwa through Secretary
Education Department, Peshawar.
2. Director Education Department, Khyber
Pakhtunkhwa Peshawar.
3. District Education Officer, (E&SE) Mansehra.
4. District Officer (Female) (E&SE) Education
Mansehra.
5. District Accounts Officer, Mansehra.

Dated 27.06.2015


Mst. Rabia Bibi
...Appellant

Through


DILDAR AHMED KHAN LUGHMANI,
Advocate Supreme Court,
Of Pakistan.



BOARD OF INTERMEDIATE & SECONDARY EDUCATION ABBOTTABAD

No. 1075/CERT/BISE/ATD.

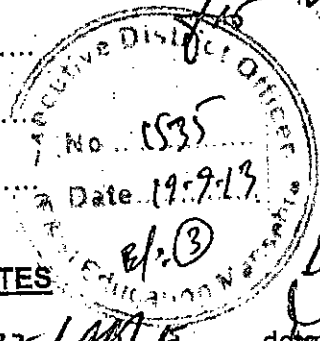
Dated. 17/9/2013.

16 ANNEXURE
EA3

To

District officer
ELE & Secondary
edu
Mansehra

AB (F)



Subject: VERIFICATION OF CERTIFICATES

Reference letter No. 607126072/AB/F dated 7.9.2013

02 number of photocopies of the certificate (s) issued by this office are returned herewith after necessary verification

FA+SSC

Assistant Secretary (Certificates)
Board of Intermediate & Secondary
Education, Abbottabad

Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

11.7.15

Attested

ADA No 102123

Roll No. 5557

BOARD OF INTERMEDIATE & SECONDARY EDUCATION



Abbottabad N.W.F.P. - Pakistan
SECONDARY SCHOOL EXAMINATION CERTIFICATE
SESSION ANNUAL 2002

This is to certify that RABIA BIBI
Son / Daughter of AZIZ UR REHMAN

Enrollment No

A candidate from GOVT. GIRLS HIGH SCHOOL DATTA MANSEHRA

has passed the *Secondary School Certificate Examination* of the Board of Intermediate and Secondary Education, Abbottabad held in Mar. 2002 as a

Regular / Private Candidate. He / She obtained ... 510 ... Marks out of 850.

and has been placed in Grade ... B ... Representing VERY GOOD ...

The candidate passed in the following subjects:

1. English
2. Urdu
3. Islamiyat
4. Pakistan Studies
5. Mathematics
6. G. SCIENCE
7. ISL: STUDIES
8. EHE

Date of birth according to admission form is ... EIGHTEENTH MARCH ...

One thousand nine hundred and ... EIGHTY-SIX ... (... 18-03-1986 ...)

Checked & Verified

BISE Abbottabad

[Signature]
Asstt. Secretary

This certificate is issued without alteration or erasure.

[Signature]
Secretary

[Handwritten notes and stamps]
11-7-15



OFFICE OF THE CONTROLLER OF EXAMINATIONS
HAZARA UNIVERSITY MANSEHRA.

Phone: 0997-414177

18

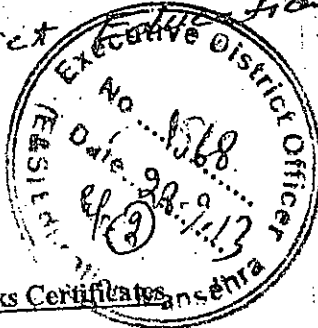
No: HU/CE/2013/3325

Date: 25/09/2013

ABC (F)

To

Executive District
Officer (F)
Mansehra



Handwritten signature

DEE (F)

Subject:

Verification of Degree/Detail Marks Certificates

- Reference is made to your letter No. 6073/AD (F) dated 7/09/2013
- Enclosed please find verified Degree/DMC bearing Roll/No. 31500 for further necessary action.
- Kindly acknowledge receipt.

Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

11-7-15

Assistant Controller of Examinations
Hazara University, Mansehra

HAZARA UNIVERSITY, MANSEHRA, NWFP, PAKISTAN

SNo: 15682



DETAILED MARKS CERTIFICATE BA ANNUAL 2006

Roll No: 31500

Registration No: 05-P-1042

Student's Name: Rabia Bibi

Father's Name: Aziz Ur Rehman

Institution/District: Mansehra

Part: Second

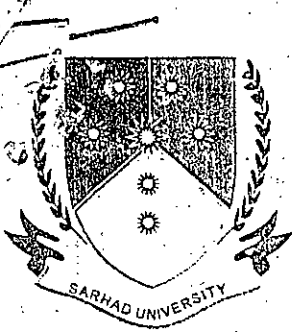
11-7-15

Course Name	Maximum Marks	Marks Obtained	Marks In Words	Remarks
1. Part I Marks	285	122	One Hundred & Twenty-Two	Pass
2. English Compulsory	75	25	Twenty-Five	Pass
3. Pakistan Studies	40	22	Twenty-Two	Pass
4. Urdu	75	43	Forty-Three	Pass
5. Islamic Studies	75	50	Fifty	Pass
Total	550	262		
Percentage	47.64%			
Division	Second			

Prepared by: Babar Khan

Checked by:

Controller Examinations
Hazara University, Mansehra
September 22, 2006



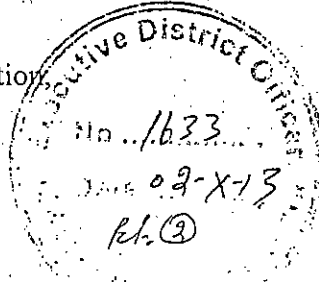
Sarhad University

UNIVERSITY OF INFORMATION TECHNOLOGICAL PESHAWAR

SUIT/Exam/Verification/2013-229/S/11

Dated: September 20, 2013

The District Officer,
Elementary & Secondary Education
Mansehra.



AB(P)

Subject: Verification

Please refer to your Letter, addressed to the Controller of Examinations, vide Ref No. 6074/ABLD, dated: 07-09-2013, for the subject cited above.

Handwritten signature/initials

It is to inform you that as per policy of the Sarhad University "Un-official" Result Cards/DMC/Transcripts and Provisional Certificates are not considered for verification. In this regard, your good self is requested that kindly send us photocopy of Official Degree/DMC/Transcript of the said student for verification.

Handwritten signature
Dildar Ahmed Khan Lughmani
Advocate
Pakistani Manshera
11-7-15

Name	F/Name	Registration No.	Program
Rabia Bibi	Aziz Ur Rehman	SUIT-06-01-69046	SDPE

Regards,

Handwritten signature
Salman Faiz Solehria
Controller of Examinations

Sarhad University of Science & Information Technology, Peshawar.

Unofficial Detailed Marks Certificate



Examination - Spring 2007

Student's Name Rabia Bibi Roll No. 06-FA-07453
 Father's Name Aziz Ur Rehman Registration No. SUIT-06-01-69046
 Programme Senior Diploma in Physical Education Term No. 2

Courses	Max Marks	Marks Obtained					Remarks
		A/E	B/I	Prac.	In Fig	In Words	
Science of Track & Field	100	042	024	-	066	Sixty Six	Pass
Health Education	100	039	023	-	062	Sixty Two	Pass
Philosophical Basis of Physical Education	100	042	024	-	066	Sixty Six	Pass
Rules & Techniques of Games & Sports	100	037	026	-	063	Sixty Three	Pass
Teaching Practice + Project - SDPE	150	114	-	-	114	One Hundred and Fourteen.	Pass
Sports Medicine	100	044	027	-	071	Seventy One	Pass
Technique & Teaching of Games (Pracit.)	100	077	-	-	077	Seventy Seven	Pass
Technique & Teaching of Track & Field (Pract.)	100	066	-	-	066	Sixty Six	Pass
Bio Mechanics	100	039	027	-	066	Sixty Six	Pass
Technique & Teaching of Edu. of Gymnastic (Pract.)	100	065	-	-	065	Sixty Five	Pass
Total	1050				716	Seven Hundred and Sixteen	Pass

Attested
 [Signature]
 Advocate Supreme Court of
 Pakistan Mansehra
 11-7-15

General Remarks : The Examination was passed as a Whole in 1st division

Examination Held on : 26 - Nov to 18 - Dec - 2007

Result Declared on : 5th February - 2008

Date of issue : February 08, 2008

Attested
 [Signature]
 Controller of Examinations

Errors and omissions are subject to subsequent rectification

Sarhad University

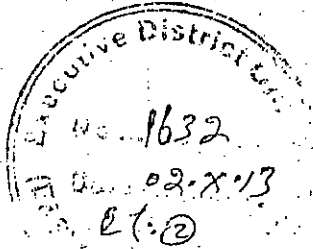
UNIVERSITY OF SCIENCE, TECHNOLOGY AND INNOVATION



SUIT/Exam/Verification/2013-23075010

Dated: September 20, 2013

The District Officer,
Elementary & Secondary Education,
Mansehra.



1473 (1)

Subject: Verification

Please refer to your Letter, addressed to the Controller of Examinations, vide Ref No. 6075, dated: 07-09-2013, for the subject cited above.

DFC
[Signature]

It is to certify that the following student has successfully passed her program from this University. The details of the student are mentioned below.

Name	F/Name	Registration No.	Roll No.	Program	Verified Transcript No.
Rabia Bibi	Aziz Ur Rehman	SUIT-09-01-60012	09-FA-19229	M.Sc (HPE)	SU/16021

Regards,

Salmon Faiz Solehria
Controller of Examinations

[Signature]
Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

11.7.15

SARHAD UNIVERSITY

OF SCIENCE & INFORMATION TECHNOLOGY, PESHAWAR

Detailed Marks Certificate

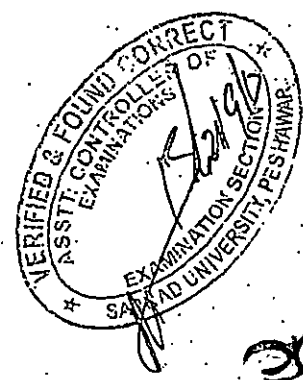
DMC No. SU/ 16021

Spring 2010



Student's Name	Rubin Bibi	Roll No.	09-FA-19229
Father's Name	Aziz Ur Rehman	Registration No.	SUIT-09-01-60012
Programme	Master of Health & Physical Education - M.Sc. (HPE)	Term No.	2

Courses	Max Marks	Marks Obtained		Remarks
		In Fig	In Words	
Test, Measurement & Evaluation in Physical Edu.	100	068	Sixty Three	Pass
Research Method in Physical Education	100	055	Fifty Five	Pass
Psychology of Sports	100	070	Seventy Only	Pass
Science of Sports Training	100	061	Sixty One	Pass
Administration & Management in Physical Education	100	065	Sixty Five	Pass
Project	200	095	Ninety Five	Pass
Total	700	409	Four Hundred Nine	Pass



Dildar Ahmed Khan Lughman
Advocate Supreme Court Of
Pakistan Manshera

11-7-15

General Remarks The Examination was passed as a Whole in 2nd division

Exam held 12-Jul to 10-Aug, 2010

Result declared October 25, 2010

Date of issue December 18, 2012

Dean

Controller of Examinations

(Errors and omissions are subject to subsequent rectification)

25

ANNEXURE
EC

OFFICE OF THE EXECUTIVE DISTRICT OFFICER E&S EDUCATION MANSEHRA

ORDER

In continuation of this office endst No. 5360-5384 dated the 18th May, 2012 and on the acceptance of the appeal by the competent authority Mst: Rabia Aziz D/O Muhammad Aziz R/O Data is hereby appointed as a PET (**Female**) against the vacant PET at GGMS Kotri in BPS-9 @ Rs.6200-380-17600 plus usual allowances as admissible under the rule on regular basis under the existing policy of provincial Government on the terms and condictions given below with immediate effect

Attested
Dildar Ahmed Khan Lughman
Advocate Supreme Court Of
Pakistan Mansehra
11-7-15

TERMS & CONDITIONS:

1. His/her appointment are purely on temporary basis and liable to termination at any stage without assigning any reason/notice.
2. He/she 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 he/she belong.
3. In case He/she failed to assume the charge of his/her post within 15 days of his/her appointment, candidature-ship will be stand automatically cancelled.
4. His/her services are regular but will not be entitled for pension/gratuity & he/she will not contribute any amount towards GP Fund however he/she will contribute CP fund on the prescribed rate & half contribution will be made by the Government.
5. He/she will submit to this office, his/her all testimonial and domicile/ UC Certificate from the secretary concerned union councils along-with bank drafts in the name of controller / treasurer of the concerned BISE / University within 7 days after the taking over charge for verification.
6. The release of the pay by the concerned DDOs will be subject to the receipt of verified documents by the appointing authority / (EDO E&SE Mansehra)
7. In case a document or documents is / are found fake or forged or Bogus on such scrutiny or all the verification, the service of the teachers concerned shall be terminated. The whole amount paid to him/her as salary will be recovered and a case against him/her shall be registered under relevant section of Law.
8. His/her services are liable to termination on one month prior notice from either side in case of resignation without prior notice, his/her one month pay/allowances if any shall be forfeited to Government Treasury.

[Handwritten signature]

26

9. His/her services can be terminated at any time in case his/her performance is found unsatisfactory; he/she will be proceeded against under the removal from service under E&D Rules 2011.
10. He/she should produce Age & Health Certificate from the MS DHQ Hospital Mansehra.
11. He/she may not be handed over the charge if his/her age is above 35 years and below 18 years.
12. The Candidates who are working as regular before 1st July 2001 in pervious post, his/her entitled for pension / gratuity etc.
13. No. TADA etc is allowed.
14. Charge report should be submitted to all concerned in duplicate.

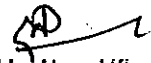
(Umar Khan Kundi)
EXECUTIVE DISTRICT OFFICER
E&S EDU: MANSEHRA

Engl: No. 4886-5 /Estt: Apptt: PST//2011-12 Dated Mansehra the 31/05/2012

Copy to the:

1. Secretary to Govt: of KPK E&SE Department Peshawar.
2. Director E&SE Department KPK Peshawar.
3. District Accounts Officer, Mansehra.
4. District Officer (M&F) Local Office.
5. Deputy District Officer (Female&Male) E&SE Mansehra.
6. PA to District Coordination Officer, Mansehra.
7. Budget & Accounts Officer, local office, Mansehra.
8. Candidates concerned.

Attested


Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

11-7-15


EXECUTIVE DISTRICT OFFICER,
E&S EDU: MANSEHRA

(27)

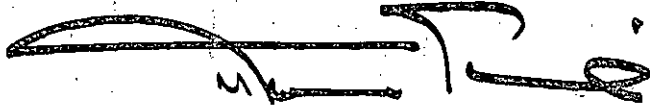
ANNEXURE
(D)

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E & S) EDU: MANSEHRA

No _____
Dated 4.6. /2012

CORRIGENDUM.

Please read Rabia Bibi D/o Aziz-ur-Rehman instead of Rabia Aziz vide this office Endst: No. 6886-9 Dated 31/05/2012.



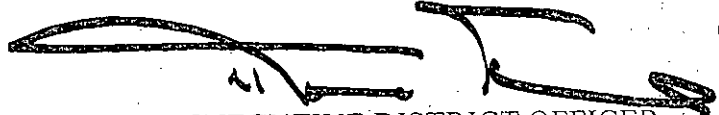
EXECUTIVE DISTRICT OFFICER
E&S EDUCATION MANSEHRA.

Endst No 25-28


Dated 04-06- /2012

Copy of the above is forwarded to the:-

1. District Accounts Officer, Mansehra.
2. Headmistress Concerned.
3. Officer Concerned
4. Office Copy



EXECUTIVE DISTRICT OFFICER
E&S EDUCATION MANSEHRA


Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

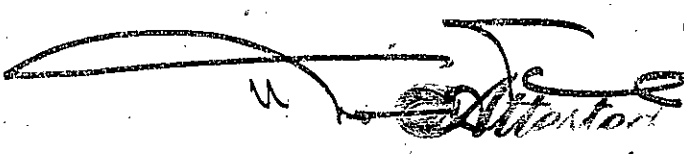
11-7-15

OFFICE OF THE EXECUTIVE DISTRICT OFFICER E&S EDUCATION MANSEHRAORDER

In continuation of this office endst No. 5360-5384 dated the 18th May, 2012 and on the acceptance of the appeal by the competent authority Mst. Rabia Aziz D/O Muhammad Aziz R/O Data is hereby appointed as a PET (**Female**) against the vacant PET at GGMS Kotri-in BPS-9 @ Rs.6200-380-17600 plus usual allowances as admissible under the rule on regular basis under the existing policy of provincial Government on the terms and conditions given below with immediate effect

TERMS & CONDITIONS:

1. His/her appointment are purely on temporary basis and liable to termination at any stage without assigning any reason/notice.
2. He/she 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 he/she belong.
3. In case He/she failed to assume the charge of his/her post within 15 days of his/her appointment, candidature-ship will be stand automatically cancelled.
4. His/her services are regular but will not be entitled for pension/gratuity & he/she will not contribute any amount towards GP Fund however he/she will contribute CP fund on the prescribed rate & half contribution will be made by the Government.
5. He/she will submit to this office, his/her all testimonial and domicile/ UC Certificate from the secretary concerned union councils along-with bank drafts in the name of controller / treasurer of the concerned BISE / University within 7 days after the taking over charge for verification.
6. The release of the pay by the concerned DDOs will be subject to the receipt of verified documents by the appointing authority / (EDO E&SE Mansehra)
7. In case a document or documents is / are found fake or forged or Bogus on such scrutiny or all the verification, the service of the teachers concerned shall be terminated. The whole amount paid to him/her as salary will be recovered and a case against him/her shall be registered under relevant section of Law.
8. His/her services are liable to termination on one month prior notice from either side in case of resignation without prior notice, his/her one month pay/allowances if any shall be forfeited to Government Treasury.


 Dildar Ahmad Khan Lughmani
 Advocate-on-Court Of
 Pakistan Mansehra

11-7-15

- 9. His/her services can be terminated at any time in case his/her performance is found unsatisfactory; he/she will be proceeded against under the removal from service under E&D Rules 2011.
- 10. He/she should produce Age & Health Certificate from the MS DHQ Hospital Mansehra.
- 11. He/she may not be handed over the charge if his/her age is above 35 years and below 18 years.
- 12. The Candidates who are working as regular before 1st July 2001 in pervious post, his/her entitled for pension / gratuity etc.
- 13. No TA/DA etc is allowed.
- 14. Charge report should be submitted to all concerned in duplicate.

(Umar Khan Kundi)
 EXECUTIVE DISTRICT OFFICER
 E&S EDU: MANSEHRA

Estt: No. 4886-5 /Estt: Apptt;PST//2011-12 Dated Mansehra the 31/05/2012

Copy to the:-

- 1. Secretary to Govt: of KPK E&SE Department Peshawar,
- 2. Director E&SE Department KPK Peshawar:
- 3. District Accounts Officer, Mansehra.
- 4. District Officer (M&F) Local Office.
- 5. Deputy District Officer (Female&Male) E&SE Mansehra.
- 6. PA to District Coordination Officer, Mansehra.
- 7. Budget & Accounts Officer, local office, Mansehra.
- 8. Candidates concerned.

(Handwritten signature)
 Dildar Ahmed Khan Lughmani
 Adv. Gen.
 Peshawar Mansehra
 11-7-15

(Handwritten signature)
 EXECUTIVE DISTRICT OFFICER,
 E&S EDU: MANSEHRA

30

ANNEXURE
LF 3

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E&S.E) MANSEHRA

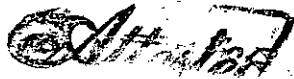
TRANSFER:-

The following Female teachers are hereby transferred on her own pay and grade noted against each in the interest of public service with immediate effect.

S#	Name & Designation	From	To	Remarks
1	Rabia Bibi PET	GGMS Kotri	GGMS Kandar	A/g Vacant Post
2	Sana ... PET	GGHS Kawai	GGMS Kotri	Vice S.No.1

Note:-

1. Charge report should be submitted to all concerned.
2. No TA/DA is allowed.


Dildar Ahmed Khan Lughmani
Advocate - Court of
Mansehra

sd/-

11.7.15


EXECUTIVE DISTRICT OFFICER
ELEM: & SECY: EDU: MANSEHRA

Endst: No. 1172-75

Dated: 21/06/2012

Copy to:-

1. The District Accounts Officer Mansehra.
2. The Principal/Headmistress Concerned.
3. Teachers concerned.
4. Office File.



EXECUTIVE DISTRICT OFFICER
ELEM: & SECY: EDU: MANSEHRA

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E&S) MANSHERA

TRANSFER ORDER

As approved by the competent authority, Mr. Rabia Aziz
PET GMS Kander is hereby transferred against the vacant post of DPE at GHSS
Behal on their own pay and grade in the interest of public service with immediate effect.

Note:-

- 1. Charge report should be submitted to all concerned.
- 2. No. E/M/D & T.C is allowed.

EXECUTIVE DISTRICT OFFICER
(E & S) EDUCATION MANSHERA

[Signature]

Enst. No. 5897-99 Dated 31/7.2012

(Copy To the :-

- 1. The District Account Officer Manshera.
- 2. The Headmistress GHSS Behal & GMS Kander.
- 3. Teacher concerned.

DISTRICT OFFICER (FEMALE)
(E&S) EDUCATION MANSHERA

[Signature]

Office of the Executive District Officer (E&S) Manshera
District Office Manshera

[Handwritten Signature]
Manshera

Dildar Ahmad Khan Lughmani
Advocate Supreme Court Of
Pakistan Manshera

11.7.12

Annexure

(31)

مدار لندہ

ضلع

حصیل

رجسٹرڈ حاضری مدرسین

بابت ماہ اگست 2012

ڈی پی اے (D.P.E.)			ایس ایس ٹی (S.S.T)			مدرسہ اعظم (Tajam)			مدرسہ فرخیت سیدالمنان (Farkhat)		
آمد	دستخط	رواگی دستخط	آمد	دستخط	رواگی دستخط	آمد	دستخط	رواگی دستخط	آمد	دستخط	رواگی دستخط
12:30	h	7:30				Tajam 12:30	Tajam 7:30	Farkhat 12:30	Farkhat 7:30		
12:30	h	7:30				Tajam 12:30	Tajam 7:30	Farkhat 12:30	Farkhat 7:30		
12:30	h	7:30				Tajam 12:30	Tajam 7:30	Farkhat 12:30	Farkhat 7:30		
C/leave			C/leave			C/leave			C/leave		
SUNDAY											
12:00	h	7:30	12:30	h	7:30	Tajam 12:30	Tajam 7:30	Farkhat 12:30	Farkhat 7:30		
12:00	h	7:30	12:30	h	7:30	Tajam 12:30	Tajam 7:30			C-leave	
12:00	h	7:30	12:00	h	7:30	Tajam 12:30	Tajam 7:30	Farkhat 12:30	Farkhat 7:30		
12:00	h	7:30	12:00	h	7:30	Tajam 12:30	Tajam 7:30	Farkhat 12:30	Farkhat 7:30		
12:30	h	7:30	11:30	h	7:30	C-leave			Farkhat 12:30	Farkhat 7:30	
12:30	h	7:30	12:30	h	7:30	12:30	Tajam 7:30	Farkhat 12:30	Farkhat 7:30		
SUNDAY						SUNDAY					
12:00	h	7:30	C-leave			C-leave			Farkhat 12:30	Farkhat 7:30	
INDEPENDENCE DAY											
12:30	h	7:30	12:30	h	7:30	Tajam 12:30	Tajam 7:30	Farkhat 12:30	Farkhat 7:30		
12:30	h	7:30	12:30	h	7:30	Tajam 12:30	Tajam 7:30	Farkhat 12:30	Farkhat 7:30		
12:30	h	7:30	C/leave			Tajam 12:30	Tajam 7:30	Farkhat 12:30	Farkhat 7:30		
12:30	h	7:30	C-leave			Tajam 12:30	Tajam 7:30	Farkhat 12:30	Farkhat 7:30		
SUNDAY						SUNDAY					
EID HOLIDAYS											
11:30	h	7:30	1:30	h	7:30	Tajam 1:30	Tajam 7:30	Farkhat 1:30	Farkhat 7:30		
11:30	h	7:30	1:30	h	7:30	Tajam 1:30	Tajam 7:30	Farkhat 1:30	Farkhat 7:30		
11:30	h	7:30	C/leave			Tajam 1:30	Tajam 7:30	Farkhat 1:30	Farkhat 7:30		
SUNDAY						SUNDAY					
11:30	h	7:30	1:30	h	7:30	Tajam 1:30	Tajam 7:30	Farkhat 1:30	Farkhat 7:30		
	h	7:30	1:30	h	7:30	Tajam 1:30	Tajam 7:30	Farkhat 1:30	Farkhat 7:30		
C/leave			1:30	h	7:30	Tajam 1:30	Tajam 7:30	C/leave			
C/leave			1:30	h	7:30	Tajam 1:30	Tajam 7:30	Farkhat 1:30	Farkhat 7:30		
11:30	h	7:30	1:30	h	7:30	Tajam 1:30	Tajam 7:30	Farkhat 1:30	Farkhat 7:30		
حال	سابقہ	میسرین	حال	سابقہ	میسرین	حال	سابقہ	میسرین	حال	سابقہ	میسرین
03	-	03	04	-	04	12	10	02	11	09	03

31/08/2012
7

Didar Ahmed Khan Lughmani
Advocate
11.7.15

STAFF'S ATTENDANCE REGISTER

For the month of SEPTEMBER, Year 2012

NO. 17	NO. 18	NO. 19	NO. 20
Name: FARHAT SULTANA	TANZEEM	RABIA BIBI	DILSHAD BIBI
Designation: <u>BARIA</u>	<u>T.T</u>	<u>P.E.T</u>	<u>S.S Biology</u>

Date	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.
1	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B				
2					SUNDAY											
3	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B				
4	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B				
5	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B				
6	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B				
7	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B				
8	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B				
9	SUNDAY				SUNDAY											
10	7:30	F	1:30	F	C/Leave				7:30	B	1:30	B				
11	7:30	F	1:30	F	C/Leave				7:30	B	1:30	B				
12	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B				
13	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
14	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
15	7:30	F	1:30	F	C/Leave				7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
16	SUNDAY				SUNDAY											
17	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
18	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
19	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
20	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
21																
22	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
23	SUNDAY				SUNDAY											
24	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
25	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
26	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
27	C/Leave				7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
28	7:30	F	1:30	F	7:30	T	1:30	T	7:30	B	1:30	B	7:30	Bsd	1:30	Bsd
29	7:30	F	1:30	F	7:30	T	1:30	T	C/Leave				7:30	Bsd	1:30	Bsd
30	SUNDAY				SUNDAY											
31																

STATEMENT OF LEAVES TAKEN

	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total
This Month		01				03				02				00		
Previous		11				12				03				-		14
Total		12				15				05				00		15

Dated. 29-09-2012

Head Of Department

[Signature]

STAFF'S ATTENDANCE REGISTER

For the month of OCTOBER, Year 2012

NO. 17 NO. 18 NO. 19 NO. 20

Name: <u>FARHAT SULTANA</u>	Name: <u>TANZEEM</u>	Name: <u>AISHA BANARAS</u>	Name: <u>RABIA BIBI</u>
Designation: <u>QARIA</u>	Designation: <u>T.T</u>	Designation: <u>S.S.T (Gen)</u>	Designation: <u>P.E.T</u>

Date	NO. 17				NO. 18				NO. 19				NO. 20			
	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.
1	7:30	F	1:30	F	-	C/Leave	-	-	7:30	A	1:30	A	7:30	R	1:30	R
2	7:30	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	-	O	U	D
3	8:00	F	2:00	F	8:00	T	2:00	T	-	C/Leave	-	-	8:00	R	2:00	R
4	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R
5	8:00	F	11:45	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R
6	8:00	F	F	F	8:00	T	2:00	T	8:00	A	2:00	A	-	C/Leave	-	-
7	SUNDAY															
8	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R
9	8:00	F	F	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R
10	8:00	F	F	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R
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12	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R
13	8:00	F	F	F	8:00	T	2:00	T	-	C/Leave	-	-	8:00	R	2:00	R
14	SUNDAY															
15	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R
16	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R
17	8:00	F	2:00	F	8:00	T	2:00	T	-	N	D	-	8:00	R	2:00	R
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19	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R
20	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	-	C/Leave	-	-
21	SUNDAY															
22	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R
23	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	-	C/Leave	-	-
24	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	-	C/Leave	-	-
25	EID HOLIDAYS															
26	EID HOLIDAYS															
27	EID HOLIDAYS															
28	EID HOLIDAYS															
29	EID HOLIDAYS															
30	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R
31	8:00	F	2:00	F	8:00	T	2:00	T	8:00	A	2:00	A	8:00	R	2:00	R

STATEMENT OF LEAVES TAKEN

	NO. 17				NO. 18				NO. 19				NO. 20			
	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total
This Month		02				03				03				04		
Previous		12				15				14				05		
Total		14				18				17				09		

Dated: 31-10-2012

Head Of Department

(Signature)

STAFF'S ATTENDANCE REGISTER

For the month of NOVEMBER Year 2012


NO. 17 NO. 18 NO. 19 NO. 20

Name.	<u>FARAH NAZ</u>	<u>SHAZIA AFRANDI</u>	<u>SANAM MOHTAR</u>	<u>RABIA BIBI</u>
Designation:	<u>C.T.</u>	<u>D.M.</u>	<u>P.E.T.</u>	<u>P.E.T.</u>

Sig.	Date	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.
Zakia	1	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
Zakia	2	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
Zakia	3	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
	4	SUNDAY															
Zakia	5	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
Zakia	6	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
Zakia	7	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
	8	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
	9	JOBAL DAY															
Zakia	10	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
	11	SUNDAY															
Zakia	12	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
Zakia	13	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
Zakia	14	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
Zakia	15	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
Zakia	16	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
	17	SPECIAL HOLIDAY															
	18	SUNDAY															
Zakia	19	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
Zakia	20	C/Leave															
Zakia	21	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
	22	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
	23	MUHARRAM - UL - HARAM															
	24	SUNDAY															
Zakia	25	SUNDAY															
Zakia	26	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
Zakia	27	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
Zakia	28	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
	29	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
	30	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sanam	2:20	Sanam	8:15	Rabia	2:20	Rabia
	31	SUNDAY															

STATEMENT OF LEAVES TAKEN

Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total
This Month		01				02				02				08		
Previous		16				18				13				09		
Total		17				20				15						

Head Of Department

 11-7-15

1/11/2012

STAFF'S ATTENDANCE REGISTER

For the month of DECEMBER Year 2012

NO. 17 NO. 18 NO. 19 NO. 20

Name: <u>Farah Naz</u>	<u>Shazia Afandi</u>	<u>Saram Mustaq</u>	<u>Rabia bibi</u>
Designation: <u>C.T</u>	<u>D.M.</u>	<u>P.E.T.</u>	<u>P.E.T</u>

Date	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	
1	8:15	Farah		Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
2					SUNDAY												
3	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
4	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
5		C/leave				8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia
6	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
7	8:15	Farah	2:20	Farah	C/leave								8:15	Rabia	2:20	Rabia	
8	8:15	Farah	2:20	Farah	8:15	Shazia			8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
9					SUNDAY								C/leave				
10	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
11	8:15	Farah	2:20	Farah	C/leave								8:15	Rabia	2:20	Rabia	
12	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	C/leave				8:15	Rabia	2:20	Rabia	
13	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
14	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
15	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
16		SUNDAY												C/leave			
17	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	SUNDAY								
18	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
19	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
20	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
21	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	C/leave				C/leave				
22	8:15	Farah	2:20	Farah	8:15	Shazia	2:20	Shazia	8:15	Sam	2:20	Sam	8:15	Rabia	2:20	Rabia	
23					SUNDAY								8:15	Rabia	2:20	Rabia	
24	8:15	Farah		Farah	8:15	Shazia		Shazia	8:15	Sam		Sam	8:15	Rabia		Rabia	
25																	
26																	
27																	
28																	
29																	
30	SUNDAY								SUNDAY								
31																	

Director
Advocate
Pakistan

11-7-15

STATEMENT OF LEAVES TAKEN

	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total
This Month																
Previous		17				20				15				17		
Total																

Dated: _____

Head Of Department

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STAFF'S ATTENDANCE REGISTER

For the month of February Year 2013

NO. 17 NO. 18 NO. 19 NO. 20

Name: <u>Farah Naz</u>	<u>Shazia Afandi</u>	<u>Sanam Muehtag</u>	<u>Rabia Bibi</u>
Designation: <u>C.T</u>	<u>D.M</u>	<u>P.E.T</u>	<u>P.E.T</u>

Date	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.
1	8:30	Farah	11:30	Farah	8:30	Shazia	11:30	Shazia	8:30	Sanam	11:30	Sanam	8:30	Rabia	11:30	Rabia
2	8:30	Farah	1:30	Farah	8:30	Shazia	11:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	11:30	Rabia
3	SUNDAY				SUNDAY				SUNDAY				SUNDAY			
4	8:30	Farah	1:30	Farah	8:30	Shazia	11:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
5					C. Leave											
6	8:30	Farah	1:30	Farah	8:30	Shazia	11:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
7	8:30	Farah	1:30	Farah	8:30	Shazia	11:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
8	8:30	Farah	1:30	Farah	8:30	Shazia	11:30	Shazia	8:30	Sanam	11:30	Sanam	8:30	Rabia	11:30	Rabia
9	8:30	Farah	1:30	Farah	C. Leave				8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
10	SUNDAY				SUNDAY				SUNDAY				SUNDAY			
11	8:30	Farah	1:30	Farah	C. Leave				8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
12	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
13	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
14	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
15	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	11:30	Sanam	8:30	Rabia	11:30	Rabia
16	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
17	SUNDAY				SUNDAY				SUNDAY				SUNDAY			
18	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
19	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
20	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
21	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
22	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	11:30	Sanam	8:30	Rabia	11:30	Rabia
23	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
24	SUNDAY				SUNDAY				SUNDAY				SUNDAY			
25	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
26	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
27	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
28	8:30	Farah	1:30	Farah	8:30	Shazia	1:30	Shazia	8:30	Sanam	1:30	Sanam	8:30	Rabia	1:30	Rabia
29																
30																
31																

STATEMENT OF LEAVES TAKEN

Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total
This Month																
Previous																
Total																

Dilbar Ahmad
 Head of Department
 11-2-15

Dated: _____

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STAFF'S ATTENDANCE REGISTER

For the month of March Year 2013

NO. 21 NO. 22 NO. 23 NO. _____

Name: <u>Fahad Sullana</u>	<u>Rabia Bibi</u>	<u>Tahzeem</u>
Designation: <u>Qasid</u>	<u>P.E.T.</u>	<u>T.T.</u>

Date	Arr.	Sig.	Dep.	Si.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.
1	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
2	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
3	<u>SUNDAY</u>												<u>SUNDAY</u>			
4	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
5	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
6	8:15	Fahad	2:20	Fahad	<u>C/leave</u>					8:15	Tahzeem	2:20	Tahzeem			
7	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
8	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
9	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
10	<u>SUNDAY</u>												<u>SUNDAY</u>			
11	8:15	Fahad	2:20	Fahad	<u>C/leave</u>					8:15	Tahzeem	2:20	Tahzeem			
12	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
13	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
14	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
15	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
16	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
17	<u>SUNDAY</u>												<u>SUNDAY</u>			
18	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
19	8:15	Fahad	2:20	Fahad	<u>C/leave</u>					8:15	Tahzeem	2:20	Tahzeem			
20	8:15	Fahad	2:20	Fahad	<u>C/leave</u>					8:15	Tahzeem	2:20	Tahzeem			
21	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
22	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
23	<u>SUNDAY</u>												<u>SUNDAY</u>			
24	<u>SUNDAY</u>												<u>SUNDAY</u>			
25	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
26	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
27	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
28	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
29	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
30	8:15	Fahad	2:20	Fahad	8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				
31					8:15	Rabia	2:20	Rabia	8:15	Tahzeem	2:20	Tahzeem				

STATEMENT OF LEAVES TAKEN

	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total
This Month						05										
Previous																
Total						05										

Dated: _____

Head Of Department _____

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STAFF'S ATTENDANCE REGISTER

For the month of April Year 2013

NO. 17 NO. 18 NO. 19 NO. 20

Name: <u>Farah Naz</u>	<u>Shazia Afandi</u>	<u>Sanam Mushtaq</u>	<u>Rabia Bibi</u>
Designation: <u>C.T.</u>	<u>D.M.</u>	<u>P.E.T.</u>	<u>P.E.T.</u>

Date	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.
1																
2																
3																
4																
5																
6																
7	<u>Sunday</u>								<u>Sunday</u>							
8	7:30	Farah	1:30	Farah	7:30	Shazia	1:30	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:30	Rabia
9	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:30	Rabia
10	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:30	Rabia
11	7:30	Farah	1:25	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:30	Rabia
12	7:30	Farah	1:20	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	12:00	Sanam	7:30	Rabia	1:30	Rabia
13	7:30	Farah	1:35	Farah		<u>C/Leave</u>			7:30	Sanam	1:35	Sanam	7:30	Rabia		Rabia
14						<u>Sunday</u>								<u>Sunday</u>		
15	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia		<u>C/Leave</u>				<u>C/Leave</u>		
16		<u>C/Leave</u>			7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam		<u>C/Leave</u>		
17	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:30	Rabia
18	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:30	Rabia
19	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam		<u>C/Leave</u>		
20	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:30	Rabia
21						<u>Sunday</u>								<u>Sunday</u>		
22	7:30	Farah	1:35	Farah	7:30	Shazia	1:30	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:30	Rabia
23	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:35	Rabia
24	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam		<u>C/Leave</u>		
25	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:35	Rabia
26	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	12:00	Sanam		<u>C/Leave</u>		
27	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:30	Rabia
28						<u>Sunday</u>								<u>Sunday</u>		
29	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:30	Rabia
30	7:30	Farah	1:35	Farah	7:30	Shazia	1:35	Shazia	7:30	Sanam	1:35	Sanam	7:30	Rabia	1:30	Rabia
31																

STATEMENT OF LEAVES TAKEN

	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total
This Month		01				01			01					05		
Previous		-				01			01					05		
Total		01				02			03					10		

Dated: _____ Head of Department

U7

STAFF'S ATTENDANCE REGISTER

For the month of May Year 2013

NO. 17

NO. 18

NO. 19

NO. 20

Name: <u>Farah Naz</u>	<u>Shazia Aftend</u>	<u>Souam Mushtaq</u>	<u>Rabia Bibi</u>
Designation: <u>C.T</u>	<u>S.DM</u>	<u>P.E.T</u>	<u>P.E.T</u>

Date	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.
1	Labour day															
2	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
3	on Election Training															
4	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
5	SUNDAY															
6	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
7	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
8	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
9																
10	Election Holiday															
11																
12	SUNDAY															
13	C. Leave															
14	C. Leave															
15	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
16	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
17	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
18	C. Leave															
19	SUNDAY															
20	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
21	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	C. Leave			
22	7:30	Farah	1:30	Farah	C. Leave				7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
23	7:30	Farah	1:30	Farah	1:30	Shazia	1:35	Shazia	C. Leave				7:30	Rabia	1:35	Rabia
24	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
25	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	on FA FSC Examinations				7:30	Rabia	1:35	Rabia
26	SUNDAY															
27	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	Souam	1:30	Souam	7:30	Rabia	1:35	Rabia
28	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	on FA FSC Examinations				7:30	Rabia	1:35	Rabia
29	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	/				7:30	Rabia	1:35	Rabia
30	7:30	Farah	1:30	Farah	7:30	Shazia	1:35	Shazia	7:30	---	1:35	---	7:30	Rabia	1:35	Rabia
31	7:30	Farah	1:30	Farah	C. Leave				on FA FSC Examinations				7:30	Rabia	1:35	Rabia

STATEMENT OF LEAVES TAKEN

	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total
This Month		03				03				02				02		
Previous		01				02				02				02		
Total		04				05				05				04		

Dated: _____

Head Of Department

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STAFF'S ATTENDANCE REGISTER

For the month of JUNE Year 2018


NO. 21 NO. 22 NO. 23 NO. _____

Name. <u>Rabia Bibi</u>	<u>Farhat Sultana</u>	<u>Tajeem</u>	
Designation: <u>P.F.T</u>	<u>Qaria</u>	<u>S.T.T</u>	

Date	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.	Arr.	Sig.	Dep.	Sig.
1	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
2	SUNDAY															
3	7:30	Rabia	1:35	Rabia	C. Leave				7:30	Tajeem	1:30	Tajeem				
4	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
5	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
6	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
7	7:30	Rabia	1:35	Rabia	C. Leave				7:30	Tajeem	1:30	Tajeem				
8	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
9	SUNDAY															
10	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	C. Leave							
11	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
12	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
13	7:30	Rabia	1:35	Rabia	C. Leave				7:30	Tajeem	1:30	Tajeem				
14	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
15	C. Leave				7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
16	SUNDAY															
17	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
18	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
19	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
20	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
21	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
22	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
23	SUNDAY															
24	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	C. Leave							
25	C. Leave				7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
26	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
27	7:30	Rabia	1:35	Rabia	7:30	Farhat	1:35	Farhat	7:30	Tajeem	1:30	Tajeem				
28																
29																
30	SUNDAY															
31																

STATEMENT OF LEAVES TAKEN

	Sick				Casual				Pri.				Total			
	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total	Sick	Casual	Pri.	Total
This Month																
Previous																
Total																


 Anwar Khan Lughmar
 Advocate
 Pakista
 11-7-15

Dated: _____ Head Of Department

ڈیوٹی سرٹیفکیٹ و اپیل برائے تنخواہ از مورخہ 31/7 تا حال بطور

را العبدی بی دفتر غزیر الرحمن PET GGHSS بجالی ماگنیرہ

تفہر لوقہ کی جاتی حصلہ را العبدی بی دفتر غزیر الرحمن PET سکول خدائیں حکیم ایدز بلو

ڈسٹرکٹ آفسر خلیہ ماگنیرہ حکیم آفس آرڈر نمبر 5697-97 شمارہ 31-07-2012 کو پیشیت

PET پوسٹ کا چارج سمجھا لیا اور تا حال اپنے فرائض منصبی بطریق احسن انجام دے رہی

ہے۔ اور تنخواہ کے معاملات میں کافی زیادہ پر کشیدگی ہے اور معلوم ہے کہ برائے شہانہ

اس کے تدریسی امور کو متاثر کر رہی ہے۔

ضابطہ! مذکورہ معلمہ را العبدی بی صاحبہ دفعہ تدریسہ درخواست ورنہ

بھی درج بالا عنوان تحت درخواست رکھی ہے۔ اور چھو سے بھی دفتر سے تنخواہ کے حصول

کے لیے کافی دفعہ عرضداشت پیش رکھی ہے۔ متعلقہ دفتر (D.E.O) سے کوئی خاطر

خواہ جواب موصول نہیں ہوا۔ ضابطہ مذکورہ معلمہ کو نہ ہی تنخواہ دیا جا رہا ہے اور

نہی تنخواہ نہ دینے کی وجوہات کھینچ کر تدریسہ و تفریحی تباہی جا رہی ہے۔

ضابطہ! مذکورہ معلمہ 31/7 سے 2 تا حال اپنے فرائض منصبی بطریق احسن

انجام دے رہی معلمہ مذکورہ کا ڈیوٹی سرٹیفکیٹ اور اپیل برائے حصول تنخواہ ہے۔

ساتھ ساتھ حاکم و شہر کی کامیاب از مورخہ 31/7 تا حال الف میں

درخواست خدائیں و اسل حذا درج ذیل افسران کو برائے حصول تنخواہ بھیجا جا رہی

26/04/2013

PRINCIPAL

Soyt: Girls Higher Secondary School Beshal (Jansohra)

بجالی ماگنیرہ

Attested

Dildar Ahmad Khan Lughmani Advocate Supreme Court of Pakistan

11-7-15

43

ANNEXURE
'J'

OFFICE OF THE RETURNING OFFICER

National Assembly - 21.

Province Khyber Pakhtoonkhwa-53 (I)

No: 121-130 Dated Mansehra the 25/11 /2013

OFFICE MEMORANDUM

In pursuance of the provisions of section 9 of the Representation of the People Act, 1976, the following appointment of Presiding Officer/Assistant Presiding Officers/ Polling Officers are hereby made:-

For Pollin Station No.309 Govt. Primary School Matial (combined) for election to the National Constituency No: NA-21/Mansehra-II, PK-53 Mansehra-I.
To be held on the 11th May 2013.

Name of Presiding Officer	Name of Assistant Presiding Officers	Name of Polling Officer	Name of Acting Presiding Officer
M. Arshad Khan SST GHSS Behali 03219802245	1.M. Khursheed CT GHSS Behali 03239809550 2. Mehraj Ahmed PST GPS Mohayan 03212366456 3. Tanveer Ahmed PST GPS Pakhwal 03459626438 4. Malik Roshan J/C GHS Mohayan 03078164413 5. Rabia Bibi PET GGHSS Behali 03135958746 6. Bibi Shaheen PST GGPS Karer	1. Muhammad Raveel PST GPS Mohayan 03239307957 2. Ejaz Ahmed PST GPS Ogra 03025630142 3. Bibi Safoora PST GGPS Karer	M. Khursheed CT GHSS Behali

Note: The Presiding Officer is directed to bring his two passport size photographs and to make sure the attendance of polling staff positively within time.

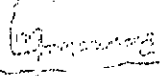
Training: 01.05.2013 (For Male Pr.Off and APOs Only),

03.05.2013 (For Female Pr.Off and APOs),


Polling Officers (Male): 06.05.2013 Female Polling Officer: 07.05.2013

Venue: Government College of Commerce & Management Sciences Mansehra.


Returning Officer
PK-53 Mansehra-I


Returning Officer
NA-21 Mansehra-II

SMAN BASHIR
Senior Civil Judge /
Returning Officer, PK-53
Mansehra - I

Attested

Dildar Ahmad Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

11.7.15

ANNIECOBPR
S K 3

تاریخ: 12/05/2012
ذریعہ: عدالت عالیہ سندھ، ایجوکیشن منسٹر کیمپ

عنوان: درخواست برائے وصول تنخواہ

ذیابعلی

میں نے درخواست کی تھی کہ میں جڈنت PET کے نام پر
12/05/2012 کو تسمیاتی ہوئی۔ اس وقت سے
میں نے اس میں برائے تنخواہ درخواستیں بھیجی ہیں لیکن کوئی خاطر خواہ جواب
میں نہیں ملا۔ کم و بیش 6-7 ماہ گذر گئے لیکن مجھے تنخواہ نہیں ملی
میں نے نئے نئے طریقے بھی کوشش کیے لیکن اب تک کوئی طریقہ اچھا نہیں مل رہا

مولا -
ذیابعلی! کبھی تنخواہ نہ ملے گی اس لیے نئے طریقے کی انجام دہی
میں شکایت درپیش ہے۔ میری فرمائشیں جلد از جلد میری تنخواہ کے بارے
میں ضروری احکامات جاری فرمائیں تاکہ میرے نئے طریقے میں حاصل شدہ در
میں مل سکے۔ میں نے نئے طریقے کوشش کیے ہیں لیکن اب تک کوئی طریقہ اچھا نہیں مل رہا

Noted
Govt. College
School Chah (Manshra)

القاری

ذریعہ: احکامات کی منتظر رہنے والی درخواست برائے PET گورنمنٹ کیمپ سندھ عالی
المقام 12/05/2012

(Signature)

Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Manshra

11.7.15

13/6
B

ذریعہ نمبر - ۵۵-۱۱۱ اور ۵۵-۱۱۲ (زبان درسیں) ایڈووکیٹ ایچ آئی کونسل فیصلہ نمبر

عنوان :- درخواست برائے شیواہ اینڈ 31-55 تا حال

صبا علیہ

ملحقین خدمت میں رہیں پٹنٹ PET جو الیور سٹریٹ
6886-G/E Stl, Appnl, 2011-12 بنا برائے 31-55 کو لغویات ہوئی اس وقت سے کہ راب
کتب میں متعلقہ حکام باہر سے گزارشات برائے حصول شیواہ زبانی و دیگر لغویات
کئی بار رکھی ہیں اور اس وقت سے کہ نا حال میں دفتر کے حکم نامے رہیں ہیں لیکن کوئی
نتیجہ دیکھ کر طلبی جواب موصول نہیں ہوا۔

صبا علیہ ایڈووکیٹ ایچ آئی کونسل فیصلہ نمبر - اور رہیں پٹنٹ PET
گورنمنٹ لائبریری اسکول بجالی میں نا حال ایڈووکیٹ ایچ آئی کونسل فیصلہ نمبر
صبا علیہ لائبریری کے محکمے کے ایڈووکیٹ ایچ آئی کونسل فیصلہ نمبر
سرکاری اداروں پر منفی اثرات مرتب کر سکتی ہیں۔ بڑے خرابی امور اور احکامات
ہمارے وزیر اعلیٰ حکومت پاکستان۔

دعا ہے

العارض

آئیے احکامات کے خلاف ایڈووکیٹ ایچ آئی کونسل فیصلہ نمبر (کڑی) سوالی ایڈووکیٹ

درخواست برائے فوری امداد

① D C صاحب ایڈووکیٹ
② سکریٹری ایچ آئی کونسل فیصلہ نمبر

اعتراف

13/6
13

Attested

Ⓟ

Dildar Ahmed Khan Chughtani
Advocate of
Pakistan Council

11-7-15

خدمت قضا - ڈی-ای-او-ایمہ زبانیہ مدرسہ تعلیم و تہذیب و تمدن

قضا علیہ

2014

نڈرائی قصبہ کے جاری کردہ حکم نامہ 8413/DEO

بتاریخ 24/10/2014ء کے تحت جاری ہونے والے حکم نامہ کے تحت

99.H.S.S. بجالیہ طرف سے پیش ہونے والے اور فیصلہ فیصلہ کی

انجام دہی سے بھی کسٹم کے نام سے اسی نام سے ہونے والے

اب سے نڈرائی قصبہ کے اس نام سے

جو کہی گزری کارروائی کے لئے کسٹم کے حکم نامہ کے تحت

کیا جاوے گا۔ اس کے لئے اس کے لئے

الغیر

Received
11/11/14

ڈی-ای-او-ایمہ / 8413/DEO بجالیہ قصبہ

المقرر
11-11-2014

Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

11-7-15

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ANNEXURE

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND SECONDARY EDUCATION MANSEHRA

2

WITHDRAWAL:

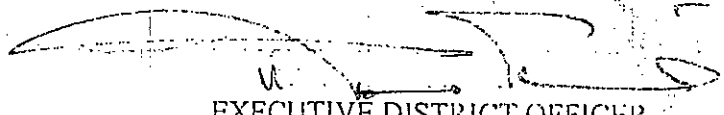
From the perusal of testimonials in R/o Rabia Bibi D/o Aziz-ur-Rehman newly appointee as PET at GGMS Kotri now working in GGHSS Behali. it has been pointed-out that the above mentioned teacher has passed Senior Diploma in Physical Education which is for the post of DPE (B-17), whereas the requirement for the post of PET is Junior Diploma in Physical Education, hence, the appointment order in R/o Rabia Bibi D/o Aziz-ur-Rehman R/o Datta issued under this office Endst: No. 6886-91 dated 31/05/2012 is hereby withdrawn with effect from the date of issue.

EXECUTIVE DISTRICT OFFICER
ELEMENTARY AND SECONDARY
EDUCATION MANSEHRA


Endst: No. 6635-40 Dated Mansehra the: 15/8 /2012

Copy to:-

1. The District Officer (Female) Local Office Mansehra.
2. The District Accounts Officer, Mansehra.
3. The Principal GGHSS Behali.
4. Teacher Concerned:



EXECUTIVE DISTRICT OFFICER
ELEMENTARY AND SECONDARY
EDUCATION MANSEHRA


Dildar Ahmed Khan Luchmani
Advocate Supreme Court Of
Pakistan Mansehra.

11-7-15

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ANNEXURE
EM³

BEFORE THE PESHAWAR HIGH COURT,
BENCH ABBOTTABAD

W.P No. _____ of 2013

Mst. Rabia Bibi daughter of Aziz-ur-Rehman
resident of Datta, Tehsil and District Mansehra
presently posted as P.E.T Government Girls
Higher Secondary School Behali, Mansehra
.....Petitioner

VERSUS

1. Govt. of Khyber Pakhtun Khwa through
Secretary Education Department, Peshawar.
2. Director Education Department, Khyber
Pakhtun Khwa Peshawar.
3. District Education Officer, (E&SE) Mansehra.
4. District Officer (Female) (E&SE) Education
Mansehra
5. District Accounts Officer, Mansehra
..... Respondents.

WRIT PETITION UNDER ARTICLE 199
OF THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN, 1973 FOR A
DECLARATION TO THE EFFECT THAT
THE OFFICE ORDER NO.6634-40 DATED
14.08.2012 ISSUED BY RESPONDENT
NO.3 IS WRONG, ILLEGAL, AGAINST
THE LAW AND FACTS, MALAFIDE,
ARBITRARY, FANCIFUL, PERVERSE,
UN-CONSTITUTIONAL, WITHOUT
LAWFUL AUTHORITY, AGAINST THE
RELEVANT RULES AND REGULATIONS
OR ANY OTHER WRIT OR DIRECTION

Attorney
Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

11-7-15

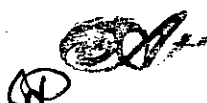

WHICH IS DEEMED APPROPRIATE,
MAY PLEASE BE PASSED/ISSUED.

Respectfully Sheweth!

1. That, the petitioner is a resident of District Mansehra.
2. That, the educational qualification of the petitioner is F.A, B.A and Master Degree in Physical Education.

(Copies of the Certificates/Degrees are annexed as annexure "A".

3. That, in the year 2011, respondents No.3 and 4 advertised some vacancies in the education department and asked the candidates to appear and pass the EATA test. Petitioner applied for the post of Physical Education Teacher (P.E.T) and passed the EATA test as required by the department.
4. That, respondents No.3 and 4 prepared the merit list but the name of the petitioner was not properly mentioned in the merit list at proper place. The aforesaid respondents did not appoint the petitioner on the said post due to the mistake in the merit list.
5. That, the petitioner filed an appeal before the competent authority



Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

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regarding improper preparation of the merit list which was accepted and the merit list was corrected accordingly.

6. That, the petitioner was appointed as P.E.T (Female) in BPS-9 vide office order No.6886-9 dated 31.05.2012. *(Copy of the order is annexed as annexure "B")*.
7. That, there was some clerical mistake in the name of the petitioner, the same was corrected by the respondent No.3 vide issuing the corrigendum office order No.25-28 dated 04.06.2012. *(Copy of the corrigendum is annexed as annexure "C")*.
8. That, the first appointment of the petitioner was in Government Girls Middle School Kotri Battal, District Mansehra.
9. That, the petitioner was then transferred from Government Girls Middle School Kotri to Government Girls Middle School Kandar vide office order No.1172-75 dated 21.06.2012. *(Copy of the office order is annexed as annexure "D")*.

Attested
Dilbar Ahmed Khan Lughmani
(Advocate Supreme Court Of
Pakistan - Mansehra)

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10. That, later on, the petitioner was again transferred by respondents No.3 and 4 from Government Girls Middle School Kandari to Government Higher Secondary School Behali vide office order No.5697-99 dated 31.07.2012.

(Copy of the office order is annexed as annexure "E").

11. That, the petitioner is performing her duties very honestly, regularly and fairly since the time of her appointment in above-mentioned different schools uptill now. Principal Government Girls Higher Secondary School Behali issued the duty Certificate to the petitioner on 26.06.2013.

(Copies of the Attendance sheets from attendance register Govt. Girls Higher Secondary School Behali and certificate issued by Principal are annexed as annexure "F&G").

12. That, the respondents have not paid the salary of the petitioner since the time of her appointment. Petitioner submitted various applications to respondent No.4 even then

Attested
 Dildar Ahmed Khan Lughmani
 Advocate Supreme Court Of
 Pakistan Islamabad

4.7.15

respondents No.3 and 4 had not paid any attention towards it.


(Copy of the applications are annexed as annexure "H").

13. That, the petitioner also performed the recent Election Duty of 2013 in the Government Primary School Matial PK-53 Mansehra-(I) as Assistant Presiding Officer. To this effect, copy is also issued to the petitioner by the concerned Returning Officer.

(Copy of the Certificate issued by the Returning Officer is annexed as annexure "I").

14. That, when the petitioner time and again made her written/verbal requests to the respondents No.3 to 5 and also visited the office of the above-mentioned respondents frequently, petitioner became very astonished when about 15 days ago, it was came into the knowledge of the petitioner that the respondent No.3 withdraw the appointment order No.6886-9 dated 31.05.2012 of the petitioner vide office order No.6635-40 dated 15.08.2012 without any notice or providing any kind of opportunity of being heard to the petitioner.

Attested


Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

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(Copy of the office order is annexed as annexure "J").

15. That, the petitioner being aggrieved from the above-mentioned order, have no other adequate or efficacious remedy except to approach this Honourable Court inter alia on the following amongst the other grounds: -

GROUNDS

- i. That, the impugned order No.6635-40 dated 15.08.2012 is wrong, illegal, against the law and facts, arbitrary, fanciful, perverse, without lawful authority, based on malafide, unconstitutional and against the relevant rules and regulations hence not maintainable and liable to be set aside.
- ii. That, respondent No.3 absolutely having no authority to withdraw the appointment order of the petitioner without adopting the proper procedure as respondent No.3 was duty bound to issue notice to the petitioner and then give a chance to the petitioner for

Attested

AD

Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Islamabad

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- personal hearing before withdrawing the appointment order.
- iii. That, once a civil servant is inducted in the Government Service then all the appointing authorities/officers are duty bound to abide by the relevant law, rules and regulations while passing any order which effect the service of the civil servant. Respondent No.3 has overlooked all the relevant laws, rules and regulations while passing the impugned order.
- iv. That, the respondent No.3 passed the impugned order in back dates. He has never intimated the petitioner or even the principal of the Government Girls Higher Secondary School Behali where petitioner remained posted from 31.07.2012 uptill now and the principal of said School has recently issued the duty certificate to the petitioner.
- v. That, the petitioner performed the recent General Election Duty of 2013 in Government Primary School Matial in PK-53 Mansehra (I) as Assistant Presiding Officer. Election duty is always given on the recommendation

Attested


AD
 Dilidar Ahmed Khan Lughmani
 Advocate Supreme Court Of
 Pakistan Mansehra

11.7.15

of the concerned department. In the case of the petitioner, respondents No.3 and 4 given their recommendations to the election Commission on the basis of the recommendation of the respondents No.3 and 4, petitioner was given the Election Duty at the above-mentioned School.

- vi. That, many officials of the Education Department time and again visited the Government Girls Higher Secondary School Behali where the petitioner is posted and it is well in their knowledge regarding the appointment and performance of the duty by the petitioner. Similarly, when the petitioner herself sent the applications to respondents No.3 and 4 through registered A/D, they never replied and communicated the petitioner regarding the impugned order.
- vii. That, impugned order was kept highly secret by the respondents No.3 and 4 in their office, which shows the clear malafide on their part.
- viii. That, the reasons assigned by respondent No.3 while passing the

Attested



Dilbar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Manshera

11.7.15

impugned order are too much alien to the law, rules and regulations of the education department.

ix. That, it is very strange and sad that the respondent No.3 has stated in his impugned order that the petitioner has Senior Diploma in Physical Education which is for the post of DPE(B-17) whereas the requirement for the post of PET is junior Diploma in Physical Education, the qualification of the petitioner is higher than the required qualification. It is no where stated in the relevant law, rules and regulations of the education department that higher education/Diploma than the required education/Diploma is a disqualification for the appointment of the post of P.E.T.

x. That, so many Civil servants are still employed in the Education Department as P.E.T on the basis of Senior Diploma in Physical Education but the respondent No.3 treated only the petitioner discriminately, which is not permissible under the law and constitution of Pakistan. Even in the last week, some orders were passed by respondents No.3 and 4 regarding


 Didar Ahmed Khan Lughmani
 Advocate Supreme Court Of
 Pakistan Mansehra

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appointments of female P.E.T teachers who have same problems.


- xi. That, in such like situation this Honourable Court has accepted the Writ Petition No.484-A of 2012 titled as "Muhammad Faheem Vs. Govt. etc" and Writ Petition No.652/1999 decided on 02.05.2000 wherein the petitioners with the same problem were given relief by this august court.

(Copy of the Judgment in W.P No.484-A of 2012 is annexed as annexure "K").

- xii. That, the impugned order passed by respondent No.3 is totally unjust, unfair and based on cruel and malafide conduct of the said respondents.

It is, therefore, most humbly prayed that on acceptance of instant Writ Petition: -


- a. That, the order No.6635-40 dated 15.08.2012 be declared as wrong, illegal, against the law and facts, arbitrary, fanciful, perverse, without lawful authority, un-constitutional, malafide, without relevant rules and regulations.
- b. That, directions be issued to respondents No.3 and 4 to restore the appointment order No.6886-9 dated 31.05.2012 of the petitioner.

Attended

 Dilbar Ahmed Khan Lughmani
 Advocate Supreme Court Of
 Pakistan Mansehra


11.7.15


- c. That, the respondent No.5 may please be ordered to pay the petitioner her outstanding salary w.e.f. 31.05.2012 to uptill now and all the respondents further be directed not to make any kind of interference in performance of her duties in the department.
- d. All the respondents may please be directed not to create any kind of hurdles in the payment of the salary of the petitioner in the future.
- e. Operation of the impugned order No.6635-10 may please be suspended till the disposal of main Writ Petition meanwhile respondents No.3 to 5 may please be directed to issue the salary of the petitioner since the time of her appointment to uptill now and till disposal of instant Writ Petition and later on.
- f. Any other writ or direction which is deemed appropriate in the circumstances of the case may please be passed/ issued.

Dated 15.07.2013


Mst. Rabia Bibi
...Petitioner

Through


DILDAR AHMED KHAN LUGHMANI,
Advocate Supreme court,
Of Pakistan.


Dildar Ahmed Khan Lughmani
Advocate Supreme Court of
Pakistan Islamabad

11.7.15

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Before the honourable High court Bench Abbottabad

Writ petition NO 563-A /2014.

Rabiya Bibi Petitioner

Versus

1. Secretary E&SE Government of Khyber PukhtoonKhaw Peshawar
2. Director E&SE Khyber Pukhtoonkhaw Peshawar
3. District Education Officer E&SE Mansehra.
4. District Education Officer (Female) Mansehra.
5. District Accounts Officer Mansehra..... **Respondents.**

Written reply on behalf of the respondents 1 to 5.

Preliminary objections.

1. That the petitioner has got no cause of action to file the instant writ petition.
2. That the writ petition is not maintainable in its present form nor in the present circumstances of the issue.
3. That the instant writ petition is against the facts, rules, policy and is repugnant to law.
4. That the petitioner has not come to this honourable court with clean hands.
5. That the petition is at variance with facts as its essential material has been suppressed before this honorable court.
6. That petitioner being civil servant can file appeal before service tribunal under article 212 of the constitution.


Arrested
Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

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Factual Objections

1. Incorrect petitioner was a resident of Mansehra district but now she is married at district Abbottabad
2. Incorrect the petitioner did not appear before EATA and by this way had not qualified the merit. In this connection copy of list of Applicant & Merit list are attached at Annexure A& B
3. Para is misconceiving. As has already been explained in forgoing Para that the petitioner did not bother to apply for the said post through EATA. Even in the merit list the petitioner occupied at serial no 21. The respondent no 4 sought clarification from respondent No 3 vide annexure C regarding appointment of the petitioner & in reply vide annexure D the respondent No 4 clarified that the petitioner appointment order has been withdrawn vide O/O 6635-40 dated 15/08/2012. Copy of above are annexed at annexure C, D& F .
4. Para is not admitted. The said department appeal was not of worth considering in accordance with rule nor the petitioner was entitled for appointment as per the merit list .
5. Para is incorrect. The appointment order of the petitioner was fake being out of merit, which had been fraudulently brought about by the way of certain illegal means by the petitioner.
6. Para is not admitted. All these subsequent impugned orders had come to cut no ice in the wake of termination which, in fact cannot be held to justify the illegal appointment .
7. Para is not admitted. The fake appointment of the petitioner cannot be justified on such feeble and worthless ground and the petitioner was placed far behind in the merit, besides the fact remains that there was no vacant post of PET at the said school.
8. Not admitted, as has already been explained in the above Para.
9. Correct to the extent that the transfer of the petitioner was on the wrong posting, which was later on withdrawn by the way of termination order from the appointing authority. As per annexure E


Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

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- 10. Para is not admitted Para also needs proof of the unblemished records. While the petitioner had fraudulently indulged in the bringing about the fake appointment order. Such attendance and duty order cannot be brought out to provide any ground for the appointment of the petitioner, which was illegal and out of merit.
- 11. Para is incorrect. Para is belied by the fact that petitioner is not entitled for pay on the basis of faked and illegal appointment as the petitioner was low in merit .
- 12. Para not admitted. As has already stated in the above Para that performance of such duty cannot justifiably proved the validity of the faked appointment upon which the petitioner has no leg to stand upon.
- 13. Para is also incorrect. The termination of the petitioner is perfectly justified on the solid and irrevocable ground that the then appointing authority has terminated the petitioner from service against which the petitioner if aggrieved may file appeal before the competent authority.
- 14. Para is extraneous and needs no comments.


 Dildar Ahmed Khan Lughmani
 Advocate Supreme Court of
 Pakistan Islamabad
 11.7.15

Grounds

- i. That the said appointment of the petitioner bearing Endsstt: no 6886-9 dated 21/05/2012 , with all its subsequent orders , amendments being illegal , ill-merit as well as against the policy was liable to be set aside and hence , there was nothing mala fide on the part of respondent.
- ii. That such facts are also virtually important to be brought before this honourable court that the petitioner did not come to appear in the EATA test, While in the merit list she had occupied at serial no 21 , far off from the eligible candidates which was illusive which was clearly amounts

Annexure B.

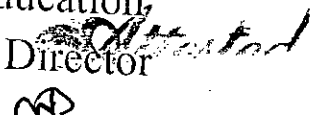
P No 11

Serial No 21

comments of interview committee

to committing blunder and propping up certain illegal / bribery means by the petitioner .

- iii. That it is also wrongly attributed that the petitioner was entitled to continue at DPE Post at GGHSS Behali , simply because there has been other instances where officials having less qualification have been allowed to superior post which is quite alien in the matter of the petitioner . As the post of DPE (B-17) is within the Jurisdiction of public service commission , while the petitioner was qualified PET (B-15) which could not left for long , which was eventually withdrawn through the order Endsstt: 6635-40 dated 15/08/2012, which is maintain able in the eyes of law. The petitioner being civil servant may file appeal before competent forum.
- iv. Para is belied by the fact that prior notice of the removal from the service was worth less as conditions had already been provided in the recruitment letter. Besides there were solid grounds of the termination as the irregularities of all the faked appointments had been later detected out through high level inquiry held under the direction of the provincial executive.
- v. That is also pertinent to bring before this honourable court that the appointing authority has been penalized with removal from the service by the honourable chief minister in tripping up such fake appointment.
- vi. The Para no vi is irrelevant hence needs no comments.
- vii. Incorrect education office is a public office where nothing can be kept secret from the public.
- viii. Incorrect.
- ix. Incorrect for each post during the process of appointment prescribed qualification was clearly prescribed & for the post of PET required qualification is Junior Diploma in Physical Education (JDPE) while the Petitioner has submitted the Senior Diploma of Physical Education (SDPE) which is requirement for the post of Director Physical Education (DPE) B- 17 .

Attested

 Dilip Anand Kishan Lughmani
 Advocate Supreme Court Of
 Pakistan Islamabad
 11.7.15

- x. Incorrect, needs proof.
- xi. No comments.
- xii. Incorrect the order passed by respondent no 3 is accorded to the law and regulation.

It is therefore graciously prayed before this honorable court that the instant writ petition may very kindly be dismissed with cost please.

Respondent _____

[Handwritten signature]

District Education Officer (Female)

Mansehra, also on behalf of the other respondents.

Vetted

[Handwritten signature]

Advocate General
Abbottabad

Attested

(A)
Dilbar Ahmad Khan Lughmani
Advocate
District Court
Mansehra

11-7-15

65

BEFORE THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH.

Mst. Rabia Bibi

...PETITIONER

VERSUS

Government of K.P.K and Others

...RESPONDENTS

WRIT PETITION

REJOINDER ON BEHALF OF PETITIONER

Respectfully Sheweth;

PRELIMINARY OBJECTIONS:

- i) Para 1 is incorrect.
- ii) Para 2 is incorrect.
- iii) Para 3 is incorrect.
- iv) Para 4 is incorrect
- v) Para 5 is incorrect.
- vi) Reply of Para 6 is, that if the respondent No.3 & 4 withdraw the termination order of the petition than petitioner will be considered as Civil Servant, but even then petitioner has the fundamental right to challenge the impugned order being unconstitutional, illegal, perverse

Attested
Dilbar Ahmed Khan Lughmani
Advocate Supreme Court Of
Khyber Pakhtunkhwa
11-7-15

against the law and based on malafide before this August Court.

FACTUAL OBJECTIONS:-

1. Para 1 is incorrect.
2. Para 2 is incorrect and misconceived, Respondents No.3 & 4 advertised the posts of and appeared in the EATA Test under Roll No.2704 and secured 128 Marks, qualified the EATA Test and respondents NO.3 & 4 placed the petitioner at serial No.21 of the merit list, the documents annexed by the respondents with their comments support the version of the petitioner.
3. Para 3 is incorrect petitioner was appointed by the respondents No.3 & 4 after admitting my appeal about mistake in the merit list. After admission of the appeal of the petitioner, same improvement was made and the petitioner as appointed in accordance with law after considering whole academic record of the petitioner. Impugned termination/withdrawal order of the petitioner dated 15-08-2012 is absolutely wrong and illegal.
4. Para 4 is incorrect.
5. Para 5 is incorrect.

Attended
Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Manssara


11-7-15

6. Para 6 is incorrect.
7. Para 7 is incorrect. The respondents No.3 & 4 also issued corrigendum order on 04-06-2012 vide which the name of the petitioner was corrected.
8. Para 8 is incorrect.
9. Para 9 is incorrect. Respondents No.3 & 4 not only issued the transfer orders of the petitioner but they also recommended the petitioner for election duty.
10. Para 10 is incorrect.
11. Para 11 is incorrect.
12. Para 12 is incorrect.
13. Para 13 is incorrect.
14. Para 14 need no reply.

GROUND:-

- A) Para (i) is incorrect.
- B) Para (ii) is incorrect. The respondents No.3 & 4 leveled allegations in the termination/withdrawal order that petitioner has no requisite academic qualification for the post as petitioner has senior



Attended


 Dildar Ahmed Khan Lughmani
 Advocate Supreme Court Of
 Pakistan Mansehra

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Diploma in Physical Education (SDPE) while the required qualification is Junior Diploma in Physical Education (JDPE). Now the respondents No.3 & 4 are alleging that petitioner never appeared in the EATA Test and did not qualified the test, it means the respondents No.3 & 4 have no justification for passing of the impugned order. The respondents No.3 & 4 themselves admitted that in the merit list the petitioner is at serial No.21, which also negate their version of non-appearance in the test.

- C) Para (iii) is incorrect. The respondents advertised the posts for BPS-9 and petitioner applied for the same and appointed in BPS-9 and service book was also issued to the petitioner of BPS-9.
- D) Para (iv) is incorrect as the issuing of prior notice is the basic and fundamental right of the petitioner.
- E) Para (v) is incorrect.
- F) Para (vi) needs no reply.
- G) Para (vii) incorrect.
- H) Para (ix) is incorrect. This is not the requirement of law and similar case has already been decided by this August Court in W.P. NO.484-A/2012.



 Elder Ahmad Khan Lughmani
 Advocate Supreme Court Of
 Pakistan Islamabad

11.7.15


- I) Para (x) is incorrect.
- J) Para (xi) needs no comments.
- K) Para (xii) is incorrect.

It is most humbly prayed that the impugned order may please be declared as null and void against law, illegal, unconstitutional, perverse, malafide and petitioner may please be restored in service.


Mst. Rabia Bibi
...PETITIONER

Through:

Dated: 24/06 /2014


(DILDAR AHMED KHAN LUGHMANI)
Advocate Supreme Court of Pakistan.

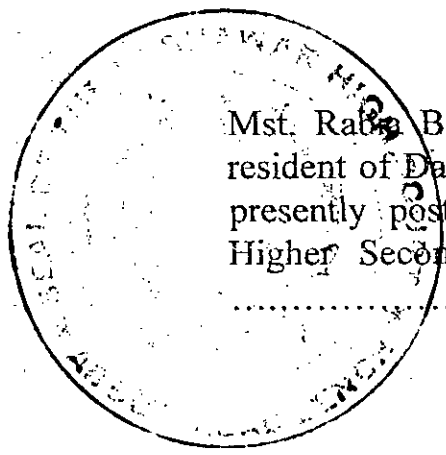


Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

11.7.15

BEFORE THE PESHAWAR HIGH COURT,
BENCH ABBOTTABAD

W.P No. S63-A of 2013



Mst. Raza Bibi daughter of Aziz-ur-Rehman
resident of Datta, Tehsil and District Mansehra
presently posted as P.E.T Government Girls
Higher Secondary School Behali, Mansehra
.....Petitioner

VERSUS

1. Govt. of Khyber Pakhtun Khwa through Secretary Education Department, Peshawar.
2. Director Education Department, Khyber Pakhtun Khwa Peshawar.
3. District Education Officer, (E&SE) Mansehra.
4. District Officer (Female) (E&SE) Education Mansehra
5. District Accounts Officer, Mansehra
..... Respondents.

WRIT PETITION UNDER ARTICLE 199
OF THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN, 1973 FOR A
DECLARATION TO THE EFFECT THAT
THE OFFICE ORDER NO.6634-40 DATED
14.08.2012 ISSUED BY RESPONDENT
NO.3 IS WRONG, ILLEGAL, AGAINST
THE LAW AND FACTS, MALAFIDE,
ARBITRARY, FANCIFUL, PERVERSE,
UN-CONSTITUTIONAL, WITHOUT
LAWFUL AUTHORITY, AGAINST THE
RELEVANT RULES AND REGULATIONS
OR ANY OTHER WRIT OR DIRECTION

Attorney

 Dildar Ahmed Khan Lughman
 Advocate Supreme Court Of
 Pakistan Mansehra

11-7-15

Coat of arms
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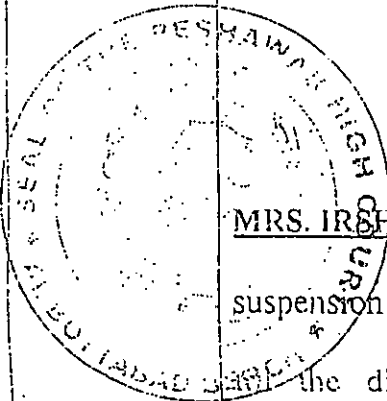
Additional
 Registrar
 Abbottabad

 16/7/15

PESHAWAR HIGH COURT, ABBOTTABAD BENCH

FORM 'A'
FORM OF ORDER SHEET

Date of Order or Proceedings	ORDER OR PROCEEDINGS WITH SIGNATURE OF JUDGE/JUDGES
1	2
26.07.2013	<u>C.M No.398-A/2013 in W.P No.563-A/2013</u>
	<p>Present: Mr. Dildar Ahmed Khan, Advocate, for applicant.</p> <p>AAG for respondents.</p> <p style="text-align: center;">***</p> <p><u>MRS. IRSHAD QAISER, J.:-</u> The applicant seeks the suspension of operation of impugned order No.6635-40 and the disposal of main writ petition and in the meanwhile respondents No.3 and 5 may be directed to issue the salary of the petitioner since the time of her appointment.</p> <p>At the moment there exists no prima facie case in favour of the petitioner in respect of suspension of operation of impugned order as the matter will be decided after full hearing of the present writ petition No:563-A/2013. However, in the presence of available record including her appointment order, attendance sheets, certificate issued by concerned Principal of the School she has got prima facie case in respect of the fact that from the period of her appointment i.e. 31.05.2012 till the</p>



Arrested

Dildar Ahmed Khan
Advocate Supreme Court of
Pakistan (W.P. No. 563-A/2013)

11-7-157

True Copy

withdrawal of her appointment order dated 15.08.2012 she had performed her duty regularly, therefore, she is entitled to get the salary/emoluments of the labour done by her. Justice also demands that her salary should not be stopped. Reference in this respect is made to 2008 SCMR 1894. Thus respondents are directed to release the salary of the petitioner from 31.05.2012 to 10.08.2012 in order to save her from starvation. Moreover, the office is directed to fix the main writ petition soon after the summer vacation for hearing of the writ petition in order to see whether the impugned order has to be withdrawn.

Thus the C.M is disposed of in the above terms.

SD JUDGE

Certified to be True Copy

30.7.13

Presiding Judge

Abdullah Bench

(Appointed Under Section 24(1) of the Ordinance)

Advocate General
 Advocate General, Court Of
 Pakistan Manserva

11.7.15

PESHAWAR HIGH COURT ABBOTTABAD BENCH
 FORM 'A'
 FORM OF ORDER SHEET

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Date	Order of the court with signature of Honourable Judge (s)
1	2
23.9.2014	<p><u>WP No 563-A/2013</u></p> <p>Present: <i>Counsel for the petitioner.</i></p> <p>****</p> <p>Contends, inter-alia that the petitioner was appointed on 31.5.2012 on acceptance of her appeal by the competent authority but her appointment was withdrawn vide order dated 15.8.2012 without any cogent reason. Points raised need consideration.</p> <p>Admit Notice.</p> <p><u>CM No. 398-A/2013</u></p> <p>Notice for a short date and in the meanwhile impugned order No. 6635-40 dated 15.8.2012 is suspended and respondents are directed to release salary of the petitioner since her appointment.</p> <p><i>SD Justice</i></p> <p><i>11-7-15</i></p> <p><i>Advocate Supreme Court of Pakistan Lahore</i></p> <p><i>11-7-15</i></p>

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 [Signature]

Parvez/...

11-7-15

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PESHAWAR HIGH COURT, ABBOTTABAD BENCH

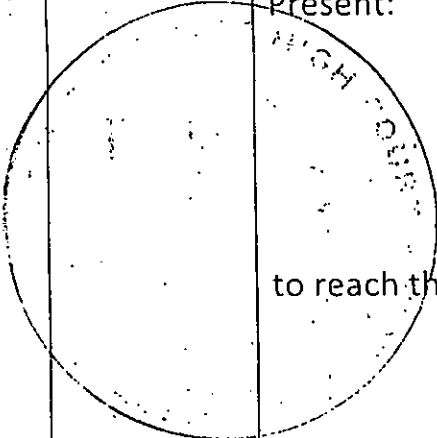
FORM 'A'
FORM OF ORDER SHEET

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74

PESHAWAR HIGH COURT ABBOTTABAD BENCH
FORM 'A'
FORM OF ORDER SHEET

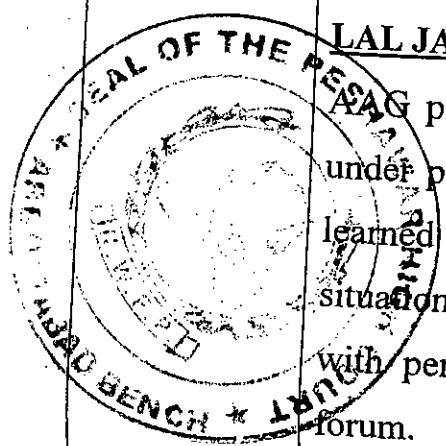
Date	Order of the court with signature of Honourable Judge (s)
1	2
20.2.2014	<p><u>WP No. 563-A/2013</u></p> <p>Present: Counsel for the petitioner.</p> <p>***</p> <p>Let comments or respondents No. 2 & 3 be called for so as to reach this court within fortnight.</p> <p>The interim order dated 26.7.2013 shall remain in field and in the meanwhile salary of the petitioner be released which she has not received.</p> <p><i>SD JUDGE</i></p> <p><i>Copy</i></p> <p><i>23 SIM</i></p> <p><i>Att. Gen.</i></p> <p><i>Dildar Ahmed Khan Lughmani</i> Advocate Supreme Court of Pakistan 4-7-15</p>



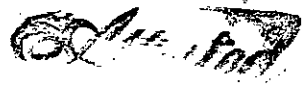
PESHAWAR HIGH COURT, ABBOTTABAD BENCH

FORM 'A'
FORM OF ORDER SHEET

Date of Order or Proceedings 1	ORDER OR PROCEEDINGS WITH SIGNATURE OF JUDGE/JUDGES 2
25.03.2015	<p>W.P No.563-A/2013.</p> <p>Present: Mr. Dildar Ahmed Khan, Lughmani, Advocate, for petitioner.</p> <p style="text-align: center;">***</p> <p>LAL JAN KHATTAK, J:- At the very outset learned AGG produced copy of order dated 03.03.2015, where- under petitioner has been dismissed from service. When learned counsel for petitioner was confronted with this situation he sought withdrawal of the present petition with permission to seek his remedy before the proper forum.</p> <p>Accordingly, this writ petition is dismissed as withdrawn leaving the petitioner at her option to seek her remedy from the proper forum.</p> <p>The concerned respondent is also directed to process the petitioner's case regarding her salary, for the period under which she remained under suspension, in accordance with law.</p> <p><u>Announced.</u></p> <p><u>25.03.2015.</u></p> <p style="text-align: right;">SD JUGHES</p>



Certified to be True Copy
 01.4.15
 Peshawar High Court
 Abbottabad Bench
 Utilized Under Sec 75 ACTS Ordinance


 Dildar Ahmed Khan Lughmani
 Advocate Supreme Court Of
 Pakistan Manshera

11-7-15

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ANNEXURE
SN

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA.

No. 7657

Dated 27/8 /2014

SHOW CAUSE NOTICE.

I, Naghmana Sardar, District Education officer (Female) Mansehra as Competent Authority under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) rules,2011,do hereby serve Show Cause Notice you Mst: Rabia Aziz D/O Muhammad Aziz, Mansehra as follows:

- 1) (I) You were illegally appointed as PET at GGMS Kotri vide defunct Executive District Education Officer E&SE) Mansehra Endst: No. 6886-09 /Estt: apptt: PST/2011-12 dated 31.05.2012 , now working at GGHSS Behali against the DPE post, whereas you were stranger for recruitment process initiated through EATA, you never appeared in selection process as a candidate for the said post through EATA. Your name did not fall in the merit list prepared for the selection of candidates . Acceptance of your appeal and subsequently your appointment order was the result of misuse of authority by the then EDO according to his sweet well and wishes against the recruitment rules , as per inquiry report received through Government of Khyber Pukhtunkhwa, elementary and Secondary Education Department Letter No. SO(S/M)E&SED/4-17/2013 Umar Khan EDO BS-19 dated 25.8.2014. More over the then EDO (E&SE) has been removed from Government Service in connection with all such bogus appointment including your made by him.
- 2) Going through the findings and recommendations of the inquiry committee, the material on record and other connected papers including yours defence 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) Inflected 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 / cancelling the facts for un lawful appointment with corandation of faked then EDO.
 on merit that is in the Supreme Court Of Pakistan Mansehra
3. As a result thereof, I as competent authority, have tentatively decided to impose upon you the major plenty 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 and also intimate whether 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 defence to put in and in that case an ex-parte action shall be taken against you.
6. A copy of relative page of the finding of the inquiry committee is enclosed

11-7-15

Naghmana

COMPETENT AUTHORITY
District Education Officer
(Female) Mansehra

Rabia Aziz D/O Muhammad Aziz
PET GGHSS Behali.

از: رابعہ بی بی دختر عزیز الرحمن GGHSS PET بحالی ضلع مانسہرہ
 بنام: ڈسٹرکٹ ایجوکیشن آفیسر صاحبہ (زنانہ) مدارس ضلع مانسہرہ
 مضمون: جواب شوکاژ نوٹس۔

یادداشت: آپ کا تحریر کردہ شوکاژ نوٹس موصولہ تاریخ 11-10-2014 نمبر 7651 تاریخ 27-09-2014 کے جوابات / گزارشات بعد حوالہ جات حسب ذیل ہیں۔

جناب عالیہ!

گزارشات

لف صفحہ نمبر

04

(1) آپ کے تحریری شوکاژ نوٹس میں یہ بات درست ہے کہ سالانہ کی تقرری کا آرڈر بعد از اپیل ہوا۔
 (2) جناب سالانہ نے EATA ٹیسٹ بمطابق رول نمبر 2704 کے تحت دیا اور اس میں 128 نمبر حاصل کر کے پاس کیا تھا۔ جس کے تحت سالانہ نے اُس وقت کی اتھارٹی سابقہ EDO(E&S) مانسہرہ کو تحریری اپیل کی تھی جس کی روشنی میں تمام تر ضروری کارروائی عمل میں لانے کے بعد سالانہ کو تقرری آرڈر بذریعہ ڈاک موصول ہوا۔ تو سالانہ نے اُس تقرری آرڈر کی روشنی میں GGMS کوٹھری میں مورخہ 01-05-2012 کو حاضری کر دی (کاپی لف ہے)

05,06,07,08


(3) مابعد مورخہ 21-06-2012 کو بحوالہ ٹرانسفر آرڈر نمبر 1172-75 کے تحت GGMS کوٹھری سے GGMS گنڈر (پھلڑہ) میں حاضری کر دی اس کے بعد DEO(F) نے مجھے GGHSS بحالی میں تبدیل کر دیا (کاپی لف ہے)

09

(5) مذکورہ سکول میں فرائض انجام دینے کے دوران DEO کی ریکمینڈیشن کے تحت بحیثیت ملازم میں نے برائے ایکشن ڈیوٹی بحوالہ مراسلہ نمبر 121-130 مورخہ 25-04-2013 شیش نمبر 309 بمقام GPS متہال مانسہرہ میں بحیثیت اسٹنٹ پریذائیڈنگ آفیسر اپنے فرائض انجام دیئے۔ (کاپی لف ہے)
 (2) جناب عالیہ! متعدد بار بذریعہ درخواست و زبانی عرضداشت کرتی رہی کہ مجھے تنخواہ دینے کے احکامات صادر کیئے جائیں۔

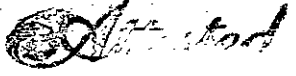
10,11

(4) مابعد 26-06-2013 کو درخواست / اپیل برائے حصول تنخواہ بوساطت پرنسپل GGHSS بحالی جناب DEO کوٹھری۔ جواب میں موصوفہ نے ایک سال ایک ماہ بعد EDO(E&S) کا "With Drawl Order" نمبر 6635-40 تاریخ 15-08-2012 تھما دیا۔


 Dildar Ahmed Khan Lughmani
 Advocate Supreme Court Of
 Pakistan Manshera

11.7.15

- (۸) اس آرڈر کے ملنے کے بعد میں نے انصاف کے حصول کیلئے مورخہ 15-07-2013 کو عدالت سے رجوع کیا۔
- (۹) معزز عدالت نے سائلہ کی اپیل سنی اور مورخہ 26-07-2013 کو حکم نامہ جاری کیا۔ اس حکم نامے کی روشنی میں سابقہ DEO(F) نے مورخہ 31-05-2012 تا 10-08-2012 بعد از تمام تر تعلیمی اسناد کی Verification کے مورخہ 26-11-2013 کو تخواہ کے احکامات صادر کیئے۔ تقریباً عدالتی حکم نامے کے 4 ماہ بعد۔ اسکے بعد تاحال (عرصہ تقریباً 2 سال) کی تخواہ نہیں دی گئی۔ (کاپی لف ہے)
- (۱۰) اس کے بعد معزز عدالت نے مورخہ 20-02-2014 کو مراسلہ نمبر 243 بتاریخ 24-02-2014 کو پشاور ہائی کورٹ بینچ آئیٹ آباد کی طرف سے (پوائنٹ نمبر 9 کے) بعد کی تخواہ دینے کے احکامات جاری کیئے لیکن آپ کے دفتر نے کوئی خاطر خواہ جواب نہیں دیا۔ اور اس پر کوئی عمل درآمد نہیں ہوا۔ (کاپی لف ہے)
- (۱۱) اس کے بعد دوبارہ اسی معزز عدالت نے مورخہ 23-09-2014 کو اوپر عرض کردہ (پوائنٹ نمبر 7) میں with Drawl Order کو نہ صرف suspend کیا بلکہ اس کے بعد سے تاحال تخواہ دینے کا حکم نامہ جاری کیا۔ جس پر تاحال کوئی عمل درآمد نہیں کیا گیا۔ جناب عالیہ! آپ نے ابھی تک پوائنٹ نمبر 10 اور 11 کے تحت مجھے تخواہ نہیں دی جو کہ میرے ساتھ نا انصافی ہے۔
- (۱۲) جناب عالیہ! آپ کے دفتر نے کئی معاملات کو ایسے ہی عدالتی حکم ناموں کے تحت تخواہوں کی ادائیگی کی ہے بلکہ کئی معاملات کو صرف بیان خلفی دینے پر تخواہوں کی ادائیگی کی گئی۔ لیکن مجھے عدالتی احکامات کے باوجود صرف طفل تسلی ہی کیوں؟
- (۱۳) جناب عالیہ! معزز عدالت نے اپنے آرڈر میں سائلہ کو تمام تخواہ دینے کے احکامات صادر کیئے تھے لیکن آپ نے GGHSS بحالی کی پرنسپل صاحبہ کہ (بقول پرنسپل) مجھے حاضری کرنے سے زبانی منع کیا ہے۔ لیکن میں میں تاحال سکول جاتی ہوں۔
- جناب عالیہ! میں نے اپنی تقرری کے دوران اپنے فرائض بطریق احسن سرانجام دیئے۔ جس کا ثبوت وہ تحریری (Duty Certificats) ہیں جو پرنسپل صاحبہ نے آپ کو ارسال کیئے۔ جناب میں ابھی تک اپنے سکول میں آتی اور جاتی ہوں۔ (کاپی لف ہے)
- (۱۴) جناب عالیہ! معزز عدالت کے حکم نامہ بتاریخ 23-09-2014 کی روشنی میں آپ نے مجھے تخواہ دینے کے بجائے مورخہ 27-09-2014 کو عدالت کے حکم نامہ کے برعکس مجھے شوکا ز نوٹس جاری کیا۔


 Dildar Anwar Khan Lughmani
 Advocate Supreme Court Of
 Pakistan Manshera

11-7-15

12,13,14

15,16

17,18

(۱۵) اس سے پہلے تحریر کردہ آپ کے دفتر کے تمام تر حکم ناموں کو سائلہ نے پوری امانت داری اور دیانتداری سے

بجایا ہے۔ شوکاز کے الفاظ "Sweet well and wishes"

کے الفاظ اور جملہ نہ صرف سائلہ کو نفسیاتی دباؤ اور امانتدارانہ خدمات کو پاؤں تلے روندنے کے مصداق ہے بلکہ عدالت عظمیٰ کے احکامات کی بھی نفی ہے۔

(۱۶) آپ کے شوکاز کے پوائنٹ نمبر 6

"A copy of relative page of finding of the inquiry committy

enclosed is شوکاز کیساتھ یہ دستاویز نہیں پائی گئی اور نہ ہی آپ کے دفتر نے درخواست کرنے پر دی۔

لہذا آپ سے التماس ہے کہ یہ شوکاز نوٹس واپس کیا جاوے اور سائلہ کو بطریق احسن اپنے فرائض انجام دینے پر حوصلہ افزائی کی جاوے اس زمرے میں سائلہ کی تنخواہ کے احکامات صادر کیے جائیں۔

میں آپ کی مشکور رہوں گی۔ (درخواست بمعہ ضروری کاغذات کل صفحات (18) ارسال خدمت ہیں)

خیر اندیش


2014-10-25

رابعہ بی بی دفتر عزیز الرحمان

پی ای ٹی گورنمنٹ گرلز ہائر سیکنڈری سکول، بحالی مانسہرہ

کاپی برائے ضروری کارروائی

- 1- رجسٹرار معزز عدالت
- 2- وزیر تعلیم KPK
- 3- سیکریٹری محکمہ تعلیم KPK
- 4- DC صاحب ضلع مانسہرہ
- 5- پرنسپل صاحبہ GGHSS بحالی مانسہرہ

Ahmed

Qadar Ahmed Khan Lughmani
 Advocate S... Court of
 Pakistan... insentia.

11.7.15



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ANNEXURE
203

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

TRANSFER/ADJUSTMENT.

As per observation District Accounts Officer Mansehra vide his No.DAO/Man:/PR-II2014-15/486-3 date:103:01.2015,Mst:Rabiya Aziz PET working against the DPE wrong post at Govt: Girls Higher Secondary School Behali is hereby transfer/adjusted against the vacant post of PET at Govt: Girls Middle School Banda Gee Such on her own pay and grade in the interest of public service with immediate effect.

Note:-

1. Charge report submitted to all concerned.
2. No TA/DA is allowed.

SD/-

DISTRICT EDUCATION OFFICER
FEMALE MANSEHRA.

Endst: 11/11-17 / Estt: 4/8/1 Dated Mansehra 9/2/ /2015.

Copy to:-

1. The Registrar Honourable High Court Bench Abbottabad w/r writ Petition No.563-A/2013 and COC No.65-A/2014 for information please.
2. The Director Elementary and Secondary Education Khyber Pukhtunkhwa, Peshawar.
3. The District Accounts Officer Mansehra.
4. The Principal GGHSS Behali.
5. The Headmistress GGMS Banda Gee Such.
6. Mst: Rabiya Aziz PET GGHSS Behali.
7. Budget and Accounts Officer Local Office.

DISTRICT EDUCATION OFFICER
FEMALE MANSEHRA

Attended

Dildar Ahmed Khan Lughmani
Advocate Supreme Court of
Pakistan Mansehra

11-7-15



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ANNEXURE
{ P3

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

No. 8413 / DEO/ 2014.

Email: deofmanshra@yahoo.com

Dated: 24/10/ / 2014

Phone & Fax: 0997-302518

To:

The Principal
Govt:Girls Higher Secondary School
Behali.

Subject: RELEASE OF PAY.

Memo:

As ordered by Honorable High Court Bench Abbottabad dated 20.2.2014 and 23.9.2014, the remaining pay of Mst: Rabia Aziz PET of your School is hereby released.

DISTRICT EDUCATION OFFICER
FEMALE MANSEHRA.

Endst:No. 8414-181

Copy of the above is submitted to the:-

1. The Additional Registrar High Court Bench Abbottabad w/r to his w/P No.930-A/2013
2. The District Accounts Officer Mansehra.
3. Mst:Rabia Aziz PET GGHSS Behali.
4. BA&O Local Office
- 4.Suptd: Local Office.

DISTRICT EDUCATION OFFICER
FEMALE MANSEHRA.

Attested

50
Sydar Ahmad (Cham) Lashari
Advocate
Mansehra

11.7.15



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ANNEXURE
Q 3

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

NOTIFICATION

- 1:- Where as Mst: Rabia Aziz D/O Muhammad Aziz working as DE GGS/GGMS/GGP Banda Ji Sule 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. Akhaliq 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. Rabia Aziz D/O Muhammad Aziz ~~PPET/FF~~ PET GGS/GGM ~~GGS~~ Banda Ji Sule.

[Signature]

DISTRICT EDUCATION OFFICER
FEMALE MANSAEHRA.

Endst: No. 1439-41/AE- 7 /Etab: 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 SSMS Banda Ji Sule
7. SDEO(F) Mansehra.
8. Budget and Accounts Officer Local Office.
9. Mst: Rabia Aziz PET SSMS Banda Ji Sule
10. Office File.

[Stamp]
Advocate Supreme Court of
Peshawar

11.7.15

Received
10.3.2015
[Signature]

[Signature]

DISTRICT EDUCATION OFFICER
FEMALE MANSAEHRA.

(83)

ANNEXURE
E R 3

To,

THE DIRECTOR,
Elementary & Secondary Education,
Govt. of Khyber PakhtunKhwa,
Peshawar.

Subject: DEPARTMENTAL APPEAL/REPRESENTATION
AGAINST THE DISMISSAL OFFICE
ORDER NO.1432-4/AE-J/ESTAB: DATED
03.03.2015 ISSUED BY DISTRICT
EDUCATION OFFICER (FEMALE)
MANSEHRA.

Respected Sir,

1. That, the appellant is a resident of District Mansehra.
2. That, the educational qualification of the petitioner is F.A, B.A and Master Degree in Physical Education. *& SDPE*
3. That, in the year 2011, Executive District Officer (Elementary & Secondary) Education, District Mansehra advertised some vacancies in the education department. The candidates were required to appear and pass the EATA Test. Appellant applied for the post of Physical Education Teacher (PET) and passed the EATA test under roll No.2704 as required by the department and secured 128 marks.


Attested

(Signature)
Dildar Ahmad Khan Leghmani
Sole Judge District Court Of
Pakistani Mansehra

11.7.15

4. That, the concerned officials prepared the merit list whereby the name of the appellant was not properly mentioned in the merit list at proper place and the petitioner was not appointed as P.E.T due to the mistake in the merit list. The aforesaid officials did not appoint the petitioner on the said post due to the mistake in the merit list. The appellant filed an appeal before the competent authority regarding improper preparation of the merit list which was accepted and the merit list was corrected accordingly and the appellant was appointed as Physical Education Teacher vide office order No.6886-9 dated 31.05.2012 at G.G.M.S Kotri in BPS-9 where the appellant remained posted till 21.06.2012 wherefrom the appellant was transferred to G.G.M.S Kandar vide office order No.1172-75 dated 21.06.2012 and the appellant was again transferred from G.G.M.S Kandar to G.G.H.S.S Behali vide office order No.5697-99 dated 31.07.2012 against the vacant post. The appellant performed her duties in the above-mentioned schools from her appointment regularly, honestly and




Advocate Ahmed Khan Lughmani
Advocate - same Court Of
Pakistan Islamabad

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fairly. During the course of appointment at G.G.H.S.S Behali, the appellant was assigned the election duty in the said school vide office order dated 25.04.2013.

5. That, when the officials of the education department and the account office of District Mansehra delayed the payment of the salary of the appellant, she moved various applications to the authority for release of her salary but the Executive District Officer Elementary and Secondary Education Mansehra instead of releasing the salary of the appellant, withdrawn the order of appointment of appellant vide office order No.6635-40 dated 15.08.2012 without assigning any reason and on the flimsy ground that the requirement for the post of P.E.T is Junior Diploma while the appellant has Senior Diploma in physical education. This fact has already been discussed and decided by the Peshawar High Court in a Writ Petition No.484-A/2012 and is also in the knowledge of the District Education Officer. (Copy is enclosed herewith).


Attested

AD
Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan mansehra

11.7.15

6. That, when the petitioner came to know about the withdrawal order, she filed a Writ Petition No.563-A/2013 alongwith the C.M before the Peshawar High Court, Bench Abbottabad wherein the operation of the withdrawal order was suspended by the August Court and the department was directed to release the salary of the appellant. Even then the department has not paid the salary to the appellant except for a period of two months and ten days.
7. That, during the pendency of the Writ Petition, the appellant also moved a contempt application against the official of the department for non-payment of the salary but the department has not paid so far the remaining salary of the appellant.
8. That, during the pendency of the Writ Petition, District Education Officer (Female) Mansehra as a competent authority issued a show cause notice to the appellant vide office order No.7651 dated 27.09.2014 which was later on communicated to the appellant wherein the department has taken totally a different plea that the

Attested

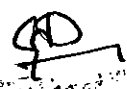

Dildar Ahmad Khan Leghmani
Associate Supreme Court Of
Peshawar High Court

11.7.15

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name of the appellant is not mentioned in the merit list. Copy of the appeal, working papers, minutes and approval of the DSC were not available in the office record and proper procedure was not followed hence the appointment is illegal and against the recruitment rules and procedure and it was also mentioned in the show cause notice that the appellant never appeared in the selection process as a candidate for the post through EATA. All these allegations against the appellant were alien to the recruitment process as the appellant has duly applied for the post. She appeared in the EATA test and qualified the same due to the negligence on the part of the department, the name of the appellant was not mentioned in the merit list then she filed the appeal which was accepted and she was appointed as P.E.T in the Education Department.

9. That, no proper inquiry was conducted and even the appellant was never summoned to appear before the authority or the inquiry committee and her statement was never recorded by the inquiry committee. In this way, the

Attended

 Advocate Ghulam Lughmani
 Advocate Supreme Court Of
 Pakistan, Islamabad

11.7.15

appellant is condemned unheard which is against the natural justice and fair play. Similarly, the department/inquiry committee never issued the inquiry report to the appellant which was the legal requirement as per law, rules and regulations.

10. That, the Writ Petition of the petitioner was disposed off with the direction to the department to pay the remaining salary of the appellant and approach the proper forum for redressal of her grievances against the dismissal order issued by the District Education Officer (Female), Mansehra hence the present departmental appeal/representation.
11. That, the impugned order/notification bearing No.1432-41 dated 03.03.2015 is totally wrong, illegal, against the law, facts, arbitrary, fanciful, unconstitutional hence liable to be set aside.
12. That, the appellant is well-qualified teacher as she has Master Degree in Physical Education from Sarhad University, Peshawar Mansehra

Attested
D. D.
Dildar Ahmad Khan Leghmani
Advocate Supreme Court Of
Pakistan Mansehra

11.7.15

campus and she is entitled for the post. The District Education Officer without assigning any reason and without providing any chance of hearing to the petitioner issued the impugned order/ notification, which is not in accordance with the law, rules, regulations and established norms of justice.

13. That, there is no restriction in the advertisement that the candidate who has Senior Diploma cannot apply for the post.
14. That, the District Education Officer previously issued withdrawal order, which was challenged before the High Court. Later on the said officers issued the impugned dismissal order/ notification which is against the mandate of law and constitution, rules and regulations as the appellant cannot be victimized twice.
15. That, the act of the District Education Officer is totally wrong, illegal, based on malafide intention and discriminatory.
16. That, the appellant has a right to be restored in the service with all back benefits.

Attested

(RD)
Dildar Farman Khan Lughmani
Advocate Supreme Court Of
Pakistan Islamabad



11-7-15

It is, therefore, most humbly requested that on acceptance of the instant departmental appeal, the impugned notification/order may please be set aside and the appellant may kindly be re-instated in service with all back benefits.

Dated 27.03.2015



Mst. Rabia Bibi daughter of
Aziz-ur-Rehman resident of
Datta, Tehsil and District
Mansehra.....Appellant



Dildar Ahmed Khan Lughmani
Advocate Supreme Court Of
Pakistan Mansehra

11.7.15

وکالت نامہ

بعدالت جناب سروس گورنمنٹ آف ایچ این اے K.P.K مستشار
سروس ریلوے بنام گورنمنٹ آف ایچ این اے K.P.K مستشار
 دعوی یا جرم سروس ریلوے ۱ منجانب مستشار
 باعث تحریر آنگہ

مندرجہ بالا عنوان میں اپنی طرف سے بیروی و جوابدہی بمقام مستشار ریلوے مستشار

دلدار احمد خان لغمانی ایڈووکیٹ سپریم کورٹ آف پاکستان

بدیں شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختیار خاص رو بروعدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی پیشی پر مظہر حاضر نہ ہو اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی اور جگہ یا کچہری کے مقررہ اوقات سے پہلے یا بروز تعطیل بیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ مقام کچہری کے کسی اور جگہ ساعت ہونے پر یا بروز کچہری کے اوقات کے آگے یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے واسطے کسی معاوضہ ادا کرنے، مختیار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھے کل ساختہ پرداختہ صاحب مثل کردہ ذات خود منظور و قبول ہو گا۔ اور صاحب موصوف کو عرضی دعوی اور درخواست اجرائے ڈگری و نظر ثانی اپیل نگرانی دائر کرنے، نیز ہر قسم کی درخواست پر دستخط تصدیق کرنے کا بھی اختیار ہو گا اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کارروپی وصول کرنے اور رسید دینے اور داخل کرانے کا ہر قسم بیان دینے اور سپرد ثالثی و راضی نامہ و فیصلہ برخلاف کرنے و اقبال دعوی کا اختیار ہو گا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا ڈگری قبل از فیصلہ اجرائے ڈگری بھی صاحب موصوف کو بشرط ادا ایگی علیحدہ بیروی مختیار نامہ کرنے کا مجاز ہو گا اور بصورت ضرورت اپیل اور اپیل کے واسطے کسی دوسرے وکیل یا پیرٹ کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو، پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی بیروی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہو گا۔ لہذا اختیار نامہ لکھ دیا ہے کہ سند ہے۔

مضمون مختیار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔
 المرقوم.....

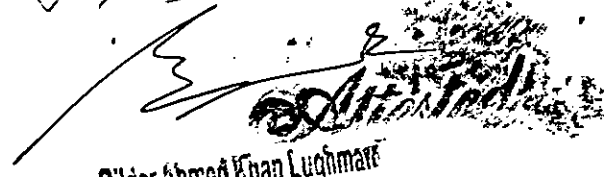
ال عبد الل عبد الل عبد الل

سروس ریلوے

ATTESTED & ACCEPTED



DILDAR AHMED KHAN LUGHMANI,
 Advocate Supreme Court,
 of Pakistan.



Dildar Ahmed Khan Lughmani
 Advocate Supreme Court Of
 Pakistan Manseltra

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR.

Appeal No: 827-A/2015

Mst: Rabia Bibi, D/O Aziz ur Rehman, Ex-PET, GGMS Banda Gee Such, Residence of Datta, Tehsil & District MansehraAPPELLANT

Versus

1. Govt of Khyber pakhtun Khawa through Secretary Elementary and Secondary Education Department, Peshawar.
2. Director Elementary and Secondary Education Department, Peshawar.
3. District Education Officer Female, (E & SE) Mansehra.
4. District Education Officer (E & SE) Mansehra.
5. District Account Officer, Mansehra.....RESPONDENTS
Written reply on behalf of 1, 2, & 3.

PRELIMINARY OBJECTIONS:

1. That the appellant has got no cause of action to file the present appeal.
2. That the appeal is not maintainable in its present form.
3. That the appeal is time-barred and not entertain able.
4. That the appellant has not come to the tribunal with cleans hands.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appeal is based on false and mala fide hence deserves dismissal.
7. That the appellant has suppressed the material facts before the Honorable Tribunal hence not entitle for relief and liable to dismissal.
8. That appellant has been treated according to law and appeal liable to be set aside.

RESPECTFULLY SHEWTH:

1. Para No.1 needs no comments as it is related to the residence of appellant.
2. Para No.2 needs no comments as it is about the qualification of appellant.
3. Para No.3 is correct to the extent that DEO (F) Mansehra advertised some vacancies for duly qualified person.
4. Para No.4 is correct to the extent that the appellant was appointed as PET in BPS-9 at GGPS Kotri dated 31-05-2012 on the acceptance of appeal by the EDO Mr. Umer Khan. Her name was not in the Merit list of PET, copy of appeal, working paper, minutes and approval DSC was

not available in the office record proper procedure was not followed. Appointment is illegal and against the required rule and procedure.

(Page 18 of 59 comprehensive inquiry/ Notification as annexed-A)

5. Para No.5 needs proof.
6. Para No.6 needs no comments. The appellant was appointed illegally in GGPS Kotri Battal.
7. Para No.7 needs no comments. Transfer order does not change the illegal order into legal one.
8. Para No.8 needs no comment as it is also related to the adjustment before the finding of inquiry report.
9. Para No.9 needs no comments.
10. Para No.10 is incorrect mere the performance of Election duty does not justify the appointment of appellant.
11. Para No. 11 is misguided; conceal the real facts as the appellant was illegal appointment. She is not entitling for any salary.
12. Para No. 12 is incorrect. The appointment order of the appellant was withdrawn after fulfilling the codal formalities.
13. Para No. 13 is correct to the extent that the appellant filed Writ Petition No. 565-A 2013 in the Peshawar High Court Bench Abbottabad.
14. Para NO. 14 is correct to the extent that the Respondent NO. 4 issued show cause notice to the appellant for the illegal appointment.
15. Para No. 15 Needs to be confirmed and need proof.
16. Para No. 16 is Correct.
17. Para No. 17 is subject to proof
18. Para No. 18 needs no comments as appellant is not aggrieved person in the eye of law.

GROUND:

- I. Para is incorrect mentioned order dated 03/03/2015, 15/08/2012 in accordance with the law.
- II. Para is incorrect. The Respondent No. 3 & 4 have passed the withdrawn the appointment order of appellant after fulfilling the all the codal formalities.
- III. Para NO. iii is incorrect. The Respondent No. 3 & 4 have kept intact all the relevant laws & rules regulation while passing the order against the appellant.
- IV. Para No. iv is incorrect. The Respondent Department issued the Dismissal order against the appellant after conducting proper inquiry (Already Annexed)

- V. Para No. v completely incorrect & misconceiving the fact. A detail enquiry has already been conducted against appellant.
- VI. Para No. vi is incorrect. The appellant was appointed illegally only on the acceptance of her appeal which has already been appointed out by the enquiry committee comprising Syed Hidayat Jan (PCS SG BS 20) special Secretary Agriculture Department KPK, Peshawar. Muhammad Ikhtlaq Beg Principal B.S 20 RITE (Male) Haripur.

Page 1 to 6 & 35 of (59) enquiry report annexed as B

- VII. Para No.vii is incorrect. The inquiry committee has decided the case of appellant after fulfilling the inquiry procedure.
- VIII. Para No. viii is incorrect. Only Educational qualification is not the valid structured for appointment. The appellant has not fulfilled the other legal requirements of the appointment.
- IX. Para No. ix is incorrect. No fundamental rights of the appellant have been violated.
- X. Para No. x is incorrect. Mere election duty is not the base of legal appointment. Election was held before the completion of inquiry.
- XI. Para No. xi is incorrect. Enquiry was conducted in accordance with Law, Rule & Regulation.
- XII. Para No.xii is incorrect. Respondent No 3 & 4 passed the order after fulfilling all the codal formalities.
- XIII. Para No. xii is incorrect. Only diploma is not the base of appointment. Appointment of the appellant was illegal and against the norms of the merit policy.
- XIV. Para No. xiv is incorrect. Respondent No 3 & 4 passed the order in accordance with law.

Prayers:

It is therefore humbly prayed that the instant appeal may kindly be dismissed.

Respondent No. 1 _____
Secretary E&SE, KPK, Peshawar.

Respondent No.2 _____
Director E&SE, KPK, Peshawar.

Respondent No. 3 _____
District Education Officer
(Female) Mansehra.

Ammeere - (A)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the February 27, 2014

NOTIFICATION

NO.SO(S/M)E&SED/4-17/2013/Umar Khan DEO:

WHEREAS Mr. Umar Khan Ex-Executive District Officer (BS-19), E&SE/ District Education Officer Malé Mansehra (now District Education Officer Malé Karak) 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** inquiry committee was constituted comprising the following officers to conduct formal Inquiry against the accused officer, for the charges leveled against him in accordance with the rules.

- i. Syed Hidayat Jan, (PCS SG BS-20), Special Secretary, Agricultural Department, Khyber Pakhtunkhwa Peshawar (now Secretary Zakat, Usher, and Social Welfare Department.)
- ii. Mr. Khallaq Baig Principal BS-20, RITE Male Haripur

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

4. **AND WHEREAS** a show cause notice was served upon Mr. Umar Khan Ex-Executive District Officer (BS-19), E&SE/ District Education Officer Male Mansehra (now District Education Officer Male Karak) dated 25-12-2013 circulated to him on 01-01-2014.

5. **AND WHEREAS** the Competent Authority (Chief Minister, Khyber Pakhtunkhwa) after having considered the charges and evidence on record, inquiry report, explanation of the accused officer in response to the Show Cause Notice and personal hearing granted to him by Secretary Establishment Khyber Pakhtunkhwa on behalf of Chief Minister Khyber Pakhtunkhwa on 14-02-2014 at 1100 hours, is of the view that the charges against the accused officer have been proved.

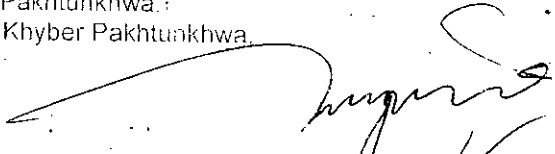
6. **NOW, THEREFORE**, in exercise of the powers conferred under section 14 of Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Minister, Khyber Pakhtunkhwa) is pleased to impose major penalty of "**Removal from service**" upon Mr. Umar Khan Ex-Executive District Officer (BS-19), E&SE/ District Education Officer Male Mansehra (now District Education Officer Male Karak) with immediate effect.

SECRETARY

Endst: of Even No. & Date:

Copy forwarded to the: -

- 1- Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2- PSO to Chief Minister Khyber Pakhtunkhwa Peshawar.
- 3- Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 4- District Education Officer (Male), Mansehra/ Karak.
- 5- Mr. Umar Khan District Education Officer Male (BS-19) District Karak.
- 6- District Accounts Officer Mansehra/ Karak.
- 7- PS to Chief Secretary Khyber Pakhtunkhwa Peshawar.
- 8- PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
- 9- PS to Special Secretary, E&SE Department, Khyber Pakhtunkhwa.
- 10- Office order file.


(MUJEEB-UR-REHMAN)
SECTION OFFICER (SCHOOLS/MALE)

Annexure (B)
1 to 6 8 35**INTRODUCTION:**

DURING THE YEAR 2012 AND 13 IN OFFICE OF THE EDO, ELEMENTARY AND SECONDARY EDUCATION, DISTRICT MANSEHRA APPOINTMENTS OF FEMALE TEACHERS IN VARIOUS CADRES WERE CARRIED OUT PURSUANT TO AN ADVERTISEMENT PUBLISHED IN DAILY AAJ DATED: 20-05-2011, WHEREIN CERTAIN IRREGULARITIES/ILLEGALITIES IN VIOLATION OF RULES AND PRESCRIBED PROCEDURE WERE NOTED, THEREBY RESULTING IN BREACH OF MERIT/ILLEGAL PRACTICE AND IGNORING THE RIGHTFUL CANDIDATES.

1. The Competent Authority has constituted the enquiry committee, comprising the following officers vide Notification No: SO(S/M)S&SED/4-17/2013 to conduct formal enquiry against Mr. Umar Khan Ex-EDO (E & SE) (BS-19) Mansehra now DEO(M) Haripur and Miss. Shamim Akhtar Deputy DO (E & SE) Mansehra (BS-18) and others for the charges mentioned in the charge sheet and statement of allegations(**Annex-A**)

- i. SAYED HIDAYAT JAN (PCS SG BS-20), Special Secretary, Agriculture Department, Khyber Pakhtunkhwa, Peshawar.
- ii. MUHAMMAD KHALAQ BAIG, Principal (BS-20) R.I.T.E (M), Haripur.

2. Both the accused officers i.e. Mr. Umar Khan, Ex-DEO (E & SE) , Mansehra and Miss. Shamim Akhtar, Deputy District Officer(E & SE) , Mansehra have been charge sheeted as under:

- a. The accused Mr. Umar Khan Ex-DEO (M) (E & SE) Mansehra presently posted as DEO(M) Haripur

- i. That while posted as DEO (M) Mansehra (BS-19) committed the following irregularity (**Annex-I**)

MADE ILLEGAL APPOINTMENTS OF CT, DM, PET, AT, QARIAS AND PSTS (FEMALE) DURING THE YEAR 2012 AND 2013 IN VIOLATION OF RULES AND PRESCRIBED PROCEDURE IN DISTRICT MANSEHRA.

- b. Mst. Shamim Akhtar Deputy District Officer (BS-18) Female (E & SE), Mansehra

- i. That while posted as Deputy District Officer (BS-18) (Female) (E & SE), Mansehra, committed the following irregularity (**Annex-II**)

MADE ILLEGAL APPOINTMENTS OF CT, DM, PET, AT, QARIAS AND PSTS (FEMALE) DURING THE YEAR 2012 AND 2013 IN VIOLATION OF RULES AND PRESCRIBED PROCEDURE IN DISTRICT MANSEHRA.

3. **Venue of Enquiry:**

The enquiry was conducted in the office of Dy. DEO (Female) Mansehra.

4. **PROCEEDINGS:**

The committee informed both the accused officers vide No. PS/SSA/Enquiry /2013 Dated 6/7/2013. The District Accounts Officer Mansehra was also asked to provide copies of appointment orders of the teachers quoted in subject enquiry (**Annex-III**)

Copies of Charge sheets and Statements of allegations which were already sent to the both officers by the Department were re-submitted to them with the directions to submit their replies in the stipulated time.

The committee visited the office of DEO (Female) Mansehra on 01/8/2013 to conduct enquiry. Mr Umar Khan Ex EDO (E & SE) Mansehra and Miss Shamim Akhtar Dy. DEO (female) Manshera were present alongwith their staff and attended the enquiry proceedings (**Annex-IV**)

8. The Present DEO (M) and Dy. DEO (F) Mansehra were asked to provide all the record files and other related record mentioned in the letter to the committee on the day of enquiry vide. No: SS (AD) Enquiry/2013 Dated 01/08/2013 **(Annex-V)**.
9. The enquiry proceedings continued on daily basis w.e.f 01-08-2013 and on the very second day, one of the accused Mr. Umar Khan, insisted on his designation as recorded in his reply to the Charge sheet/statement of allegations submitted to the committee, claiming that he had not served as DEO (Male) Mansehra during the year 2012 rather he had served as EDO(E & SE)Mansehra. Despite persuasion by the committee regarding factual position of the designation as contained in the Education Department Notification No: SO(S/M E&SED/3-2/2012/Management Cadre dated: 28-12-2012, he was still adamant not to change his stance. **(Annex-V (A))**.

On account of this, the committee immediately informed and requested the Administrative Department for rectification of the designation of the accused as contained in the charge sheet/statement of allegation vide letter No: SS (AD) Enquiry/2013 dated: 02-08-2013 and subsequent reminder of even number dated: 17-08-2013 **(Annex-V(B-C))** viz a viz reminder to the department from the Chief Minister Secretariat, vide No: SO-1/CMS/KPK/3-1/2013/3514 dated: 27-08-2013 **(Annex-V (D))**.

The proceedings remained continued until the same were adjourned due to falling of Eid-Ul-Fitr Holidays, Independence day, coupled with appearance in the PHC by Chairman of the enquiry committee in an official case and proceedings on leave by most of the concerned staff of the office of DEO(F), Mansehra as well. The same were, however, resumed w.e.f 16-08-2013, and since action on rectification of designation of the accused couldn't be communicated to the committee, therefore, the Administrative Department was again reminded for early needful as well as granting an extension of two weeks vide letter No: SS (AD) Enquiry/2013 dated: 27-08-2013. **(Annex-V (E))**.

The Education Department vide their letter No: SO(S/M)E&SED/4-17/2013/Umer Khan dated: 02-Sept. 2013 intimated that a summary for rectification of the designation of the accused in the charge sheet /statement of allegation was moved to the Chief Minister, Khyber Pakhtunkhwa/Competent Authority. Similarly an extension for further two weeks w.e.f 27-08-2013 was also allowed vide letter quoted ibid **(Annex-V (F))**.

FACTS

REPLIES TO THE CHARGE SHEET:

REPLY OF MR UMER KHAN TO THE CHARGE SHEET:

10. Mr. Umar Khan EX- EDO E&SE Mansehra in his reply of charge sheet sent to the committee through registered cover vide NO:7475-76 Dated 27/07/2013 *has taken the stand that he had not served as DEO (M) BS-19 Mansehra during the period 2012 but worked as EDO E&S BS-19 Mansehra w.e.f.01/03/2011/to 31/12/2012*. He added that in the charge sheet it has been recorded that he while posted as DEO(M) BS-19 Mansehra committed the irregularities of making illegal appointments of female teachers during the year 2012& 2013 in violations of rules and prescribed procedure in District Mansehra whereas he had not worked as DEO Male Mansehra during the said period. He further added that he was neither an authority for appointments for female side nor made even a single appointment of female teacher in capacity of posting as District Education Officer BS-19 (M) Mansehra and hence question of making illegal appointments of CT,DM,PET,AT,QARI, PST(Female) during the year 2012 and 2013 in violation of rules and prescribed procedure does not arise. He requested for the exemption from the charges and with-drawl of charge sheet from him **(Annex-VI)**.

11. The committee vide No. SS/(AD)/enquiry/2013 Dated: 02-8-2013 informed the Secretary Elementary and Secondary Education Department, Peshawar through Fax about the technical objection raised by Mr. Umar Khan regarding his reply that his designation was not DEO (M) Mansehra. The matter was brought into the notice of Department for taking appropriate action at the earliest regarding the rectification of designation in the charge sheet/statement of allegations to avoid further complications/delay (**Annex-VII**).
12. A questionnaire regarding the illegal appointments /record and related matters was served on both the officers i.e Mr. Umar Khan and Miss Shamim Akhtar on 01/08/13 which was received by them on the day of enquiry. They were further given an opportunity to add /reveal /explain/record/information in their defense (**Annex -VIII**).

REPLY TO THE QUESTIONNAIRE BY MR. UMAR KHAN

13. Mr. Umar Khan in his annotated reply to the questionnaire stated that presently he is posted at Haripur. The question regarding appointment of CT, DM, PET, AT, Qari and PST female issued under his signature during the year 2012 & 13 is related to the record and the concerned staff presently posted at DEO (M) and (F) offices Mansehra will be in better position to provide required information to the committee for year 2012 and that he has not made any appointment as DEO(M) Mansehra in the year 2013. He admitted that Chairman/Members of the selection committees were appointed by him. Dy. DEO (F) had attended the meetings, copies of the merit lists were provided to all the members and that record of separate / individual appointment orders of all the cadres were in the record of office of the DEO(F) Mansehra. He accepted that addition of a candidate of an AT (Female) at S.No. 9(A) was made which was left-over but was on merit. His detailed annotated reply is added herewith (**ANNEX-IX**).
14. He further stated that the District Selection Committee had authorized the chairman for disposal of appeal if any.

REPLY TO THE CHARGE SHEET /ALLEGATIONS BY MISS. SHAMIM AKHTAR DY. DEO (F) MANSEHRA.

15. Miss. Shamim Akhtar denied the charges and termed the allegations as incorrect. She stated that being DO female she was not appointing authority and did not make irregularity in appointment process. She said appointments were not within her jurisdiction and she cannot be held responsible for these. All appointment orders were issued by the then EDO (E & SE) Manshera Mr. Umer Khan Kundi.
16. She further submitted that she was appointed as DO female Manshera on 15/06/2011 and the appointment process of various cadres of school teachers was in progress. *Mr. Umer Khan EDO E&SE Manshera was enjoying the full-fledged powers of the appointing authority* Committees were constituted/appointed by Mr. Umer Khan EDO himself who went through the criteria of appointment, signed the entire confidential record and the same was kept in the custody of Mr. Umer Khan EDO and Mr. Farooq Supdt Office of EDO (E&SE). Appointment orders were issued after the approval of DSC of whom she was also a member. **She further elucidated that some individual orders came to her notice and that she explained the irregularities in her personal capacity to the worthy Secretary E&SE Mr. Hamayun Khan, further she had not allowed the salaries to such appointees** Annex-X)
17. On one individual illegal adjustment orders of a candidate signed by Mr. Farooq Supdt: on behalf of DEO female Manshera, she called explanation from Mr. Farooq Supdt and brought the matter into the notice of worthy Secretary in a meeting at Peshawar. Mr. Farooq was suspended and enquiry initiated against Mr. Umer Khan EDO E&SE Manshera and It is cleared that **she made notice of the irregularities to the Department and thereafter proceedings were initiated** (Annex-XI)



18. And that she had informed Mr. Umer Khan EDO E& SE Manshera vide EndstNo:9485/19/9/2012 and 1722/24 Dated 17/12/2012 whereby a single order issued without her knowledge and verification (**Annex-XII**).

19. She further clarified that the merit list was signed by her during the course of preliminary enquiry regarding irregular appointments conducted by Mr. Riaz Khan Swati EDO E&SE Abbottabad. Mr. UMER KHAN requested her to sign the list which she did in the presence of Mr. Riaz Khan enquiry officer. She further stated that illegal appointments did not bear her signatures. ***She further elaborated that Mr. Umar Khan EDO E&SE Manshera was executive head, he made all the procedural measures and himself responsible for gross irregularity and that she has been deliberately involved in the obnoxious tactics whereas she had neither any role or concern in the matter***. She further requested for exoneration as she never committed any blunder or irregularities which has been transpired. She claimed to be innocent and wrongly involved and requested for personal hearing opportunity.

20. **Statement of Miss. Shamim Akhtar DDO (F) on Affidavit.**

She has also submitted an affidavit on solemn affirmation stating that she was intentionally a part from all the process of appointments by the then EDO, no meetings were held with her and the record was in the custody of Mr. Farooq Supdt. and the then EDO.

That she had done her job honestly and impartially. After the issuance of general orders it came to her knowledge that illegal orders were made on the basis of appeals. She officially informed the then EDO who didn't bother to reply it. She didn't have any appeal in her office record no appeal can be decided without the approval of DSC but being the member of DSC she was completely unaware about the appeals. The meeting of DSC which was held on 14/05/2012 and in the minutes of meeting she had not given the approval to EDO to decide the appeals and this point was not discussed in the meeting. All the appointments were made by Mr. Umer Khan Kundi without consulting and by passing the committee. She prayed for exoneration from the charges. (**Annex-XIII**)

REPLY TO QUESTIONNAIRE BY MISS SHAMIM AKHTAR DDEO(F) MANSEHRA

21. In annotated reply to the Questionnaire, she confirmed that merit lists were prepared by the committees constituted by Mr. Umar Khan and that all the record of appointment of CT, PET, DM, AT, TT, PST, was in the custody of Superintendent Farooq and EDO Umar Khan and she is aware of only one appeal of Khadija Bibi candidate of Disable quota. She further confirmed that the name of Bibi Nageena at S.No 9(A) of the merit list of AT was added after the signature of committee without her consent / signature. The same order was cancelled by the EDO Umar Khan on 30-11-2012 but delivered to her on 23-04-2013 and she stopped her pay. She added that she brought in to the notice of worthy Secretary Mr. Humayun and the EDO through official correspondence regarding the issuance of irregular and out of merit orders by the EDO E&S, Mansehra and that Mr. Farooq maintained all the record with him. Her detailed reply is added at (**Annex-XIV**).

Statement on affidavit of Mohammad Farooq supdt: Office of District Education Officer E & SE Manshera.

22. Stated that the lists for test/interview were prepared by him and Niaz Hussain Shah Clerk. The concerned committees handed over to him the completed lists. The appeals for correction of particulars were disposed off by the said committees. The appointment orders were made on the final lists which were compiled by the committees. All the orders were issued on merit. Copies of the orders which were issued on the acceptance of separate appeals were placed on the file by him.

23. Mr. Mohammad Farooq Supdt: further stated in separate reply that he has with him following copies of nine orders only and nothing else (**Annex-XV**).

1. Aysha Zameer D/O Sarzameer
2. Rubi Sarfaraz D/O Sarfaraz
3. Rafia Mussaddaq D/O Mussaddaq Lohdi
4. Nazma Bibi D/O M. Aslam
5. Saba Khaleeq D/O Khaleequr Rehman
6. Saman Naz D/O Mohammad Younis
7. Sadaf Riaz D/O Mohammad Riaz
8. Memona Nawaz D/O Mohammad Nawaz
9. Nageena D/O Abdul Rashid

Statement of Mohammad Arshed Dispatch Clerk

24. Mohammad Arshed J/clerk solemnly recorded that during his duties as dispatch clerk (w.e.f 19.03.2011 to 2.7.2012) Mr. Umer Khan Khundi EDO mostly took the register with him and issued dispatch numbers himself or by someone. The dispatch numbers which were pointed out by the enquiry committee, have not been found entered, and that he was unaware about these numbers. The letters which were sent to him were entered by him on the Dispatch Register as per following details:

6557 dated 02.5.2012, 6294-6301 dated 26.5.2012, 6384-91 dated 28.5.2012, 6392-99 dated 28.5.2012, 6742-45 dated 30.5.2012.

25. He further stated that the following numbers were not entered by him in the dispatch register (**Annex-XVI**).

1. 5331-5359 dated 18.5.2012	10. 5360-5380 dated 18.5.2012
2. 5385-5413 dated 18.5.2012	11. 5920-5931 dated 18.5.2012
3. 5932-5943 dated 18.5.2012	12. 5944-5955 dated 18.5.2012
4. 6142 dated 23.5.2012	13. 6168 -76 dated 24.5.2012
5. 6177-84 dated 24.5.2012	14. 6366-71 dated 28.5.2012
6. 6790-6849 dated 30.5.2012 this is not entered in register	15. 6840-6849 dated 30.5.2012
7. 6860-69 dated 30.5.2012	16. 6870-85 dated 30.5.2012
8. 6886-91 dated 30.5.2012	17. 6514-49 dated 30.5.2012
9. 6550-85 dated 30.5.2012	

Statement of Mohammad Ikram J/C

26. Stated on oath that he had been performing his duties as Dispatcher since 03.7.2012. The appointment orders bearing the signature Umer Khan Kundi EDO were verified by him (dispatcher) personally from the officer and after that he entered dispatch number. He further stated that only one copy of the appointment order was sent to him which he used to sent back to the officer concerned after entering dispatch number. None of the teacher was delivered the appointment order through post or by hand through him. After 3.00 P.M he used to deliver the dispatch register to Mr. Umer Khan Kundi EDO who usually collected the register daily. (**Annex-XVII**).

Miss. Naseera Begum Assistant District Education Officer (Female)

27. Solemnly stated that she has worked for the scrutiny of lists of AT, TT, Qaria. Necessary correction was made. The DO (F) Miss. Shamim Akhtar always directed them to work with honesty and keep vigilant eye, so that merit of the candidates may not suffer. The hand written merit lists were handed to Mr. Farooq supdtt. Any addition or alteration in the computerized lists was the responsibility of concerned superintendent and computer branch. All the procedure of appointment process was done by Mr. Umer Khan Kundi EDO and Mr. Farooq supdtt. (Annex-XVIII).

Abdur Rehman Assistant O/O DO(F)

28. He stated on oath that the lists were handed over to the supdtt, after completion. However, no appeal was received through him. The record was with supdtt of the concerned branch. He further stated that DO (F) is dutiful and honest officer. She has never provoked them for any illegal action but always directed them to work with honesty and for the sake of Almighty Allah. She had not committed any dishonesty in the appointment process. **(Annex-XIX)**

Mr. Niaz Hussain Shah Junior clerk, O/O DO(F)

29. He recorded on oath that he had collected the EATA form of the applicants only. Rest of the work including merit list was completed by Mr. Farooq supdtt. He further stated on oath that DO (F) is an honest and dutiful officer. She had never provoked them for illegal activity but always led them toward honesty and dedication **(Annex-XX)**.

30. All Assistant District Education Officers (Female) in their written statement/replies have recorded the present position of newly appointed PSTs in their concerned circles/areas which is **annexed as (XXI (A-G))**.

31. The teachers appointed on their individual appeals were also called through the office of EDO(F), Mansehra. Eight (08) female teachers of different cadres attended the enquiry proceeding on 16-08-2013 whereas two (02) others on 17-08-2013 and some remained absent. The replies to the questionnaire are as under: (Annex-XXII (A-J)).

S.No	Name & Father's Name	Appointed As	Reply
1	Robina Naz Jillani D/O Ghulam Jillani	AT	She recorded that her brother has submitted appeal for appointment in the office and he had received the appointment order by someone and that she did not remember EATA test roll number and the marks obtained. She is presently working at GGHS Kaghan and receiving salary. She even did not know her merit list number.
2	Bibi Nageena D/O Abdul Rasheed	AT	She has not recorded her roll number and marks obtained in EATA test and she did not remember the same. Her brother has submitted the appeal for appointment and also received her appointment order. She is also unaware about her service book and recorded her merit list No. as 09.

[Handwritten signatures]

before issuing the orders of Qaria. The perusal of the record/application forms alongwith Sanad/Certificates reveal that the 20 (twenty) candidates appointed as Qaria did not possess the relevant certificate/Sanad from the recognized institutions and were not eligible for appointment. Only one candidate Amber Zeb D/O Alam Zeb appointed as GGHS Phurla was eligible as per her documents, certificates.

c) Appointment orders of PETs, 09 (Nine) candidates of PET were appointed vide Endst. No: 5360-5384/Estt(F)Apptt/PET(F)/2011-12 dated: 18-05-2012.

- i. Saman Naz D/O Muhammd Younus, appointed as PET vide EDO(E&SE) Mansehra Endst. No: 6879-85/Estt/Apptt/PET/2011-12 dated: 31-05-2011 at GGMS Bradar. Her name was not included in the working paper of DSC meeting. Shown as appointed on acceptance of appeal.
- ii. Sadaf Riaz D/O Muhammad Riaz appointed as PET vide EDO(E&SE) Mansehra Endst. No: 6879-85/Estt/Apptt/PET/2011-12 dated: 31-05-2011 at GGHS Kawai. She was appointed on acceptance of appeal. No working paper /DSC/Minutes were shown to the committee.
- iii. Rabia Aziz D/O Muhammad Aziz appointed by the EDO(E&SE) Mansehra at GGMS Kothri as PET vide Endst. No: 6886-09/Estt/Apptt/PST/2011-12 dated: 31-05-2011. She was appointed on acceptance of appeal by the EDO (E&SE) Mansehra, her name was not found in the merit list of PETs. Copy of appeal/working paper/DSC was not shown to the committee.

d) Appointment of DM, 11(Eleven) candidates of DM were appointed;

- i. Asma Zeb D/O Aurang Zeb, at S.No. 04 of the appointment order, reveal that the father's name of the candidate is Aurang Zeb but the entry of merit list reveal that the father name of Asma Zeb was Anwar Zeb and not the Aurang Zeb. Her application form / documents were not available in the office record.
- ii. Rashida Zeb D/O Aurang Zeb, appointed at S.No.09 of the appointment order. Her application forms/documents were not available in the record of the office.
- iii. Tayyiba Khan D/O Raja Rustam Khan, at S.No. 06 of the appointment order issued under Endst. No: 5385-5413/Estt/DM(F)/2012 dated: 18-05-2011 appointed at GGMS, Gis Garan. She was not present on the day of interview. Her attendance was taken on the other day. Her application for interview was accepted by the EDO(E&SE) Mansehra on 19-03-2013.

e) Appointment of C.Ts, 11 (Eleven) candidates were appointed vide EDO(E&SE) No: 5331-5359/Estt(F)Apptt/CT(F)/2011-12 dated: 18-05-2012.

- i. Maimoona D/O Haq Nawaz was appointed as C.T vide EDO(E&SE) Endst. No: 1800-8/Estt/Apptt/C.T/2011-12 dated: 02-07-2012 at GGMS Soka. Appointed on the acceptance of appeal by EDO(E&SE) Mansehra. Her name was recorded at S.No 01 by hand written entry in the merit list. She had not passed C.T Examination upto the closing date of application. No DSC proper procedure was adopted.

①

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

Mst. Rabia BibiAppellant

VERSUS

Govt. of Khyber Pakhtunkhwa through
Secretary Education etc.....Respondents

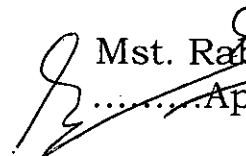
SERVICE APPEAL NO.827-A/2015

**REJOINDER/REPLY ON BEHALF
OF THE APPELLANT.**


INDEX

S#	Particulars of documents	Annexure	Pages
1	Memo of rejoinder/reply on behalf of appellant alongwith affidavit.	
2	Copy of the merit list.	"A"	
3	Copy of the Judgment and order dated 12.02.2016.	"B"	

Dated 19.11.2016


Mst. Rabia Bibi
.....Appellant

Through


DILDAR AMED KHAN LUGHMANI,
Advocate Supreme Court,
Of Pakistan.

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

Mst. Rabia BibiAppellant

VERSUS

Govt. of Khyber Pakhtunkhwa through
Secretary Education etc.....Respondents

SERVICE APPEAL NO.827-A/2015

**REJOINDER/REPLY ON BEHALF
OF THE APPELLANT.**

Respectfully Sheweth!

PRELIMINARY OBJECTIONS.

1. Para No.1 is incorrect.
2. Para No.2 is incorrect.
3. Para No.3 is incorrect.
4. Para No.4 is incorrect.
5. Para No.5 is incorrect.
6. Para No.6 is incorrect.
7. Para No.7 is incorrect. Nothing has been suppressed from this Honourable Tribunal hence the appellant is entitled for the relief sought.

8. Para No.8 is incorrect.

FACTUAL OBJECTIONS.

1. Para No.1 needs no reply.
2. Para No.2 needs no reply.
3. Para No.3 needs no reply. The appellant applied for the advertised post.
4. Para No.4 needs no reply to the extent of appointment of the appellant as P.E.T in BPS-9 at GGPS Kotli vide order dated 31.05.2012 on acceptance of her appeal. Rest of the para is incorrect. The appellant passed the test and interview and in the list of the applicants, name of the appellant figures at S.No.21, initially the name of the appellant was not mentioned in the merit list for the reason that the appellant has senior Diploma in physical education while the advertised post in question was of junior Diploma, when appellant came to know about this, the appellant submitted an appeal to the then Executive District Officer (Respondent No.4) which was accepted and the

appellant was appointed after fulfilling all the procedure and codal formalities by respondent No.4 vide the above-mentioned order. The appointment was right and legal. The inquiry report is a fake one and no opportunity was provided to the appellant for any kind of hearing and no evidence was collected during the course of said inquiry and the appellant has no knowledge about the inquiry proceedings and no notice/summon was issued to the appellant. On the basis of alleged inquiry, notification annexure "A" is also wrong and illegal.

(Copy of the merit list is annexed as annexure "A").

5. Para No.5 needs no reply.
6. Para No.6 needs no reply to the extent of appointment while the word "illegal" is wrongly mentioned by the respondents in the reply.
7. Para No.7 needs no reply. The appointment order of the appellant was legal one.
8. Para No.8 needs no reply. As no inquiry was conducted by the

concerned authority in accordance with law and the appellant has no knowledge about the inquiry proceedings.

9. Para No.9 needs no reply.
10. Para No.10 is incorrect. The appellant has performed the election duty on the orders and directions of the education department and appellant was assigned the election duty considering her as civil servant.
11. Para No.11 is incorrect. Appellant has not concealed any fact from this Honourable Tribunal. After appointment, the appellant was entitled for the salary.
12. Para No.12 is incorrect. Respondents have no authority under the law to withdraw the appointment order of the appellant.
13. Para No.13 needs no reply.
14. The reply of para No.14 is that the respondent No.4 issued wrong and illegal show cause notice to the appellant which was duly replied.
15. The reply of para No.15 is that the transfer order and order of the High

Court are already annexed with the appeal of the appellant.

16. Para No.16 needs no reply.
17. Reply of para No.17 is that representation was filed by the appellant on 27.03.2015 which is admitted and proved.
18. The reply of para No.18 is that the appellant is an aggrieved person.

GROUND

- i. Para No.(i) is incorrect.
- ii. Para No.(ii) is incorrect.
- iii. Para No.(iii) is incorrect. Under the law, after appointment of a civil servant, then for the removal/dismissal of the same, some rules and regulations are in field, respondents are bound to follow the same. In the case of the appellant, the same were not followed and the respondents have no authority to pass the impugned dismissal orders.

- iv. Para No.(iv) is incorrect. Impugned dismissal order is passed by the respondents without any rhyme and reason, without any inquiry and without following the relevant law which was mandatory.
- v. Para No.(v) is incorrect. No inquiry was conducted and the appellant has no knowledge about the alleged inquiry.
- vi. Para No.(vi) is incorrect. The appellant was duly appointed by the respondent No.4 after fulfilling all the codal formalities and the appellant was entitled for the post having relevant qualifications, experience etc. Respondent No.4 was proceeded by the education department in the case of these appointments whereafter his appeal was accepted by this Honourable Tribunal vide judgment and order dated 12.02.2016.

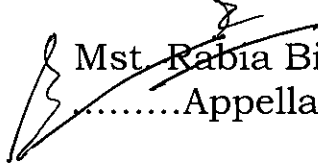
(Copy of the Judgment and order dated 12.02.2016 is annexed as annexure "B").

- vii. Para No.(vii) is incorrect.
- viii. Para No.(viii) is incorrect. The appellant was appointed after fulfilling all the codal formalities.


- ix. Para No.(ix) is incorrect.
- x. Para No.(x) is incorrect.
- xi. Para No.(xi) is incorrect.
- xii. Para No.(xii) is incorrect.
- xiii. Para No.(xiii) is incorrect.
- xiv. Para No.(xiv) is incorrect.

It is, therefore, most humbly prayed that the appeal of the appellant may kindly be accepted.

Dated 19.11.2016


Mst. Rabia Bibi
.....Appellant

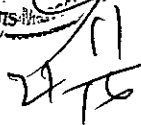
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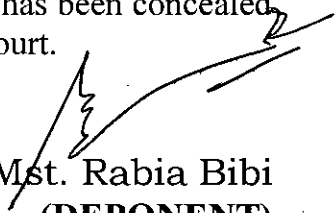

DILDAR AMED KHAN LUGHMANI,
Advocate Supreme Court,
Of Pakistan.

AFFIDAVIT.

I, Mst. Rabia Bibi daughter of Aziz-ur-Rehman, Ex-PET, GGMS Banda Geesach resident of Datta, Tehsil and District Mansehra, appellant, do hereby solemnly affirm and declare on oath that the contents of the foregoing rejoinder/reply are true and correct and nothing has been concealed from this Honourable Court.




Dated 19.11.2016


Mst. Rabia Bibi
(DEPONENT)

(DATA TEST LIST)

Annexure - A

②

List of Applicants for TAT-1 (Applied for PET) District Mansehra

18-10-2011

Sl.	Roll No.	Name	Father Name	D/O Birth	Address	D/O of Dept. of Prof. Result	Name of Institution	ETEAM Marks	Academic Qualification						Remarks
									SSC	FA/FSC	BA/BSC	MAMSC	M-Phil	PhD	
									MO/TM	MO/TM	MO/TM	MO/TM	MO/TM	MO/TM	
1	189	RAJAT SULTAN	Muhammad Sultan	22-07-23	Khanpura	31-12-01	RITE (F)	128	665/1000	116/1100	149/500	-	-	-	-
2	256	FALAH	M NAZIR					120	A B C A T						
3	181	FARHAN	ANWER ZEB					128	611/1000	111/1100	150/500	-	-	-	-
4	336	GUL EZZOOL	Yusuf Gulzar 9th Sub.		Phulwa		RITE (F)	156	621/1000	621/1100	270/500	-	-	-	-
5	496	SABINA KHURRUM	GHULAM RABANI		Rahatpur		RITE (F)	137	420/1000	675/1100	150/500	-	-	-	Original Doc. of registration to be submitted to the board.
6	499	FATIMA KHANUM SYED	S ALLAKBER SHAH		Phulwa		RITE (F)	172	522/1000	522/1100	225/500	-	-	-	-
7	560	KABIA BIBI	ABDUL HAMID		Egla		RITE (F)	134	555/1000	564/1100	111/500	-	-	-	-
8	660	BIBI KAWAL	SYED ASIF SHAH		Phulwa		RITE (F)	128	480/1000	500/1100	-	-	-	-	Admission to be submitted to the board.
9	777	BIBI SOLEA	AURANGZEB		Phulwa		RITE (F)	130	500/1000	500/1100	-	-	-	-	-
10	889	SABINA KAZI	M KAZI		Phulwa		RITE (F)	155	500/1000	500/1100	-	-	-	-	-
11	983	NAZISHA BIBI	M NAZIR		Phulwa		RITE (F)	144	455/1000	455/1100	-	-	-	-	-

S. T. Dhadial

Assistant DDC Mansehra

PRINCIPAL

Annexure
A

10

15-10-2011

List of Applicants for TAT-1 (Applied for PET) District Manshera

Sl. No.	Roll No	Name	Father Name	D/O Birth	Address	D/O of Decl. of Prof. Result	Name of Institution	ETEA Marks	Academic Qualification						Remarks	
									SSC	FA/FSC	BA/BSC	MA/MSC	M.Phil	PhD		
12	1121	BIBI NAIMA RASOOL	M RAFIQUE	35-05-11	Manshera	15-10-2011	NITE (F) Manshera	124	500/500	500/500	500/500	-	-	-	-	M.A. Original & J. Pending
13	1422	UMMEHANI DAUD	M DAUD	35-01-86	Manshera	15-10-2011	NITE (F) Manshera	124	500/500	500/500	500/500	-	-	-	-	Jed. to date
14	1780	NAZIA SHAIK	M SHAD MOHD	35-01-85	Manshera	15-10-2011	NITE (F) Manshera	138	475/500	500/500	500/500	125/150	-	-	-	Jed. to date
15	1904	ASMAT BIBI	M KHALID AHMED	27-03-81	Manshera	15-10-2011	NITE (F) Manshera	124	675/750	500/500	500/500	-	-	-	-	M.A. Sec. J. Not Avail.
16	1924	SAMIHA KHALID	M MOHD KHALID	06-06-81	Manshera	15-10-2011	NITE (F) Manshera	120	600/750	500/500	500/500	-	-	-	-	-
17	2226	SUMAIRA RAZZAQ	M ABDUL RAZZAQ	06-06-81	Manshera	15-10-2011	NITE (F) Manshera	156	500/500	500/500	500/500	-	-	-	-	-
18	2349	LUBNA MIFAN	M MIFAN	06-06-81	Manshera	15-10-2011	NITE (F) Manshera	120	500/500	500/500	500/500	-	-	-	-	-
19	2411	SERISH BEHMAN	M S BEHMAN SHAH	06-06-81	Manshera	15-10-2011	NITE (F) Manshera	156	500/500	500/500	500/500	-	-	-	-	B.A. Original & J. Pending
20	2424	NALISA	M MSAJIM KHAN	06-06-81	Manshera	15-10-2011	NITE (F) Manshera	128	500/500	500/500	500/500	-	-	-	-	-
21	2453	FATIRA HUSSAIN	M MANZOOR HUSSAIN	06-06-81	Manshera	15-10-2011	NITE (F) Manshera	164	500/500	500/500	500/500	-	-	-	-	-
22	2501	MARVA HABIB	M HABIB UR REHMAN	06-06-81	Manshera	15-10-2011	NITE (F) Manshera	120	500/500	500/500	500/500	-	-	-	-	-
								128	500/500	500/500	500/500	-	-	-	-	-

SFI Dherhal

(Signature)

(Stamp)

Annexure A

18

List of Applicants for TAT-1(Applied for PET)District Mansehra

Sr	Roll No	Name	Father Name	D/O Birth	Address	D/O of Decl: of Prof. Result	Name of Institution	ETEA Marks	Academic Qualification						Remarks
									SSC	FA/FSC	BA/BSC	MA/MSC	M.Phil	PhD	
									MO/TM	MO/TM	MO/TM	MO/TM	MO/TM	MO/TM	
23	1702	SIDRA BIBI	AL MASKEEN	12-05-89	Jaloo Mansehra	12-04-10	Sahid Univ.	152	541/1050	642/1102	305/550	-	-	-	
24	5023	TAHIRA HAZ	MUHAMMAD FAROOQ	11-11-85	Mansehra	11-10-2008	Hajera University	172	541/1050	642/1102	305/550	-	-	-	Not eligible for PET

Memorandum (1) SET Mansehra

(3) [Signature]

Principal

(SDPE)

(S) SET District

[Signature]
PRINCIPAL

Not mentioned in the list 4

G. G. H. S. S. Mansehra

Not
[Signature]

(3) [Signature]

MERIT LIST OF PET

Annexure A (12)

MERIT LIST OF PET (Female) District Manshera

Sr	Roll No	Name	Father Name	ADDRESS	DATE OF BIRTH	D/O of Decl. of Prog. Result	Name of Institution	ETEA Marks	Academic Qualification																Remarks
									SSC				FA/FSC				BA/BSC				MA/MSC				
									Page	Obt	Tot	Plage	Page	Obt	Tot	Plage	Obt	Tot	Plage	Obt	Tot	Plage	Obt	Tot	
1	2516	MEHNAZ	TAUS KHAN	CHODIAL	12 3 83	131 12 73	RIITE MANSEHRA	138	25 1	430	550	6 31	510	1100	5 21	311	550	11 31	637	1100	4 0555	52 51			
2	501	RABIA BIBI	ABDUL HANED	CHODIAL	12 3 83	131 12 73	RIITE MANSEHRA	138	25 1	430	550	6 31	510	1100	5 21	311	550	11 31	637	1100	4 0555	52 51			
3	386	GUL PROM	KALZAR SHAH	CHODIAL	17 12 88	31 12 08	RIITE MANSEHRA	134	24 5	585	550	6 31	550	1100	5 21	274	550	9 964							
4	2424	N AYESHA RALIM	MUSALEH MUKHAN	CHODIAL	29 12 84	31 12 08	RIITE MANSEHRA	156	20 9	735	1050	6 24	550	1100	5 21	307	550	11 16						49 07	
5	1422	RUMSHA DAUD	M DAUD	CHODIAL	15 1 86	31 12 08	RIITE MANSEHRA	136	20 8	570	550	6 24	550	1100	5 21	291	550	10 58	725	1100	4 5135	48 17			
6	199	FAHMA NAHAR	S. ALAKBER SILLAH	MANSEHRA	5 1 84	15 12 07	RIITE MANSEHRA	172	22 9	550	550	6 24	550	1100	5 21	293	550	10 65						45 22	
7	1924	SAMBA KHALID	MOHED KHALID	CHODIAL	8 6 87	4 5 11	SARUNI	156	20 8	530	550	6 24	550	1100	5 21	285	550	10 36						45 44	
8	2702	SIDRA BIBI	M MASRUFEN	CHODIAL	1 5 89	12 4 10	SARUNI	152	20 3	541	550	6 31	550	1100	5 21	305	550	11 09						45 60	
9	3115	ALMAS SAHAR	LIGAT ALI	MALAK PUR	15 3 87	15 12 07	RIITE MANSEHRA	156	20 8	480	550	6 31	550	1100	5 21	249	550	9 053						45 37	
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11	2734	SALMAN NAZ	MOHAMMAD YOUNES	MANSEHRA	3 3 81	31 12 08	RIITE MANSEHRA	144	19 2	555	550	6 31	550	1100	5 21	290	550	10 55						44 96	
12	3349	LUBNA	MIRIAN	CHODIAL	12 4 87	15 12 07	RIITE MANSEHRA	156	20 9	493	550	6 31	550	1100	5 21	290	550	10 55						44 79	
13	1121	BIBI NAIMA RALIQ	MIRALIQUE	CHODIAL	25 5 91	31 12 07	RIITE MANSEHRA	124	16 5	555	1050	6 24	550	1100	5 21	325	550	8 218						44 60	
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15	196	ROANBEEL RAHMANI	GIRI AMER RAHMANI	CHODIAL	5 5 88	31 12 08	RIITE MANSEHRA	132	17 6	480	550	6 31	550	1100	5 21	290	550	10 73						43 41	
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17	384	KALIM SULTAN	MOHAMMAD SULTAN	KHAWARI	2 7 85	31 12 09	RIITE MANSEHRA	128	17 1	663	1050	6 31	550	1100	5 21	287	550	9 345						43 00	
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21	311	MIRI NUR IZZAN	SRI HMAN SHAM	MANSEHRA	3 2 85	31 12 10	RIITE MANSEHRA	124	16 5	641	550	6 31	550	1100	5 21	293	550	10 28						42 31	
22	3096	FAIZA ROUSEF	M YOUSSEF	CHODIAL	1 4 87	31 12 10	RIITE MANSEHRA	124	16 5	641	550	6 31	550	1100	5 21	293	550	10 28						42 31	
23	189	FAIZA ANWAR	ANWAR ZUL	CHODIAL	5 6 89	31 12 10	RIITE MANSEHRA	124	16 5	641	550	6 31	550	1100	5 21	293	550	10 28						42 31	
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25	1001	ANWAR BIBI	KHALID AHMAD	CHODIAL	1 13 85	31 12 10	RIITE MANSEHRA	124	16 5	641	550	6 31	550	1100	5 21	293	550	10 28						42 31	

15/5/2012

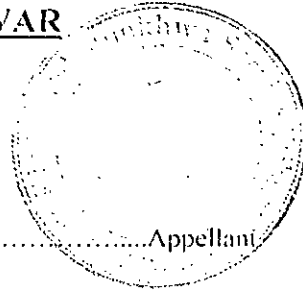
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BEFORE THE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. 859 /2014.

Umar Khan S/O Muhammad Hassan
Ex-DEO, Elementary & Secondary Education Department
R/O Faizullah Colony near Degree College Bannu Road Tank.....



Versus

- (1) Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- (2) Secretary to the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department, Peshawar.
- (3) Director, Elementary & Secondary Education, Peshawar..... Respondents.

899
Dated 13-6-2014

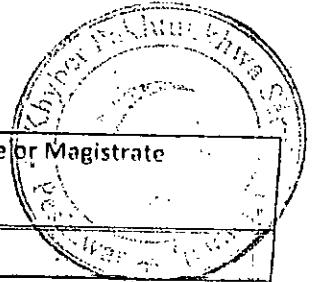
u/s-4 of The KP service Tribunal Act 1974,
Appeal against the impugned notification bearing
No. SO(S/M)E&SED/4-17/213/Umar Khan, DEO dated 27/2/2014,
whereby the appellant was removed from service.

Respectfully Shewth:-

- (1) That the appellant joined the Education Department on 1/10/1986 as a PST. Subsequently he was promoted as SET (B-16) on 26/5/1999. While working as such in the Teaching Cadre, the appellant was posted as ADO Tank on 1/1/2001 and since then served against various posts in the Administration of the Education Department and as such have gained sufficient practical experience and rendered unblemished / meritorious service in various capacities.
- (2) That some posts of EDOS (S&L) (M) B-19 were advertised through Public Service Commission wherefor, the appellant also applied

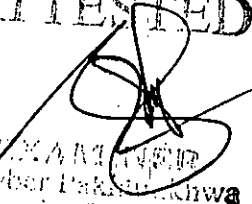
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13/6/14

ATTESTED



S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	12.02.2016	<p align="center"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.</u></p> <p align="center">Appeal No. 859/2014</p> <p align="center">Umar Khan Versus Government of KPK through Chief Secretary Peshawar etc.</p> <p align="center"><u>JUDGMENT</u></p> <p align="center"><u>PIR BAKHSI SHAH, MEMBER.-</u> Appellant</p> <p>with counsel (M/S Muhammad Asif Yousafzai & Shakeel Ahmad, Advocates) and Sr. Government Pleader (Mr. Usman Ghani) with Khurshheed Khan, S.O for the respondents present.</p> <p>2. The appellant at the relevant time was E.D.O Mansehra in Education Department, was removed from service vide impugned order dated 27.02.2014 on the charge of illegal appointments of C.Ts, D.Ms, PETs, ATs, Qarias and PSTs (Female) during the year, 2012 and 2013 in violation of rules and prescribed procedure, in district Mansehra. His departmental appeal was not responded, hence this appeal under Section 4 of the KPK Service Tribunal Act, 1974.</p> <p>3. Arguments heard and record perused.</p> <p>4. It is the contention of the learned counsel for the appellant that all recruitments were made according to the prescribed rules, though Departmental Selection Committee and that the material taken into consideration by the enquiry</p>

ATTESTED


 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar.

committee were incomplete which led to incorrect conclusion. To substantiate his contention, it was argued that after appointments, some of the teachers were terminated which cases came up for scrutiny of another committee which found most of the appointments as correct and according to the prescribed procedure. That re-appointment of the said teachers through the process of scrutiny committee was after the impugned order and it is evident that if all these materials would have been taken into account by the enquiry committee, things would have been different. It was further submitted that according to recommendations of the enquiry committee, penalty of reduction to lower post was proposed but appellant was awarded major penalty of removal from service and that also without any show cause notice for enhancement of penalty which was necessary. Resultantly, no opportunity of defence was given to the appellant and the order was illegal. Reliance was placed on 2014-SCMR-147 and 2002 PLC(C.S)503. It was also argued that charge sheet was issued to the appellant as well as to District Officer (Female) Manshra but she was exonerated and penalty was wrongly imposed on the appellant, thus the appellant had been discriminated. It was further submitted that harsh penalty had been imposed on the appellant as no charge of corruption had been leveled and that appellant had rendered almost 30 years of his service in the Education Department. To conclude his arguments, it was submitted that the charges were baseless according to record and as no opportunity of defence and personal hearing was provided to

ATTESTED

WITNESSED
Khajur Singh
Secretary Tribunal,
Peshawar

the appellant, therefore, the impugned order may be set aside and the appellant reinstated into service with all back benefits.

5. Learned Sr.GP resisted the appeal by stating that all codal formalities of charge sheet and enquiry had been complied with and appellant had been found guilty by the enquiry committee as evident from the enquiry report, therefore, the competent authority was vested with powers to impose any penalty on the appellant. It was also argued that no discrimination was made as the lady accused official was not found guilty in the enquiry proceedings; therefore, she was exonerated and that no discrimination had been made. He also submitted that no show cause notice was necessary because full opportunity of defence had already been provided to the appellant. He requested that the appeal may be dismissed.

6. After hearing arguments for sufficient long time and perusal of the record with the able assistance of the learned counsel for the appellant and learned Sr.G.P. it reflected that amongst appointees, some of them were terminated on the allegations being irregular but most of them were later on reinstated when their appointment was scrutinized by the Scrutiny Committee and found to be correct, on merit and in accordance with the prescribed procedure. In this regard, it was submitted by learned counsel for the appellants that amongst 12 C.T appointees, one was terminated, but she did not appeal to Department for reinstatement, in 11 D.M appointees, 3 were terminated who

ATTESTED

BY THE MEMBER
KING OF PESHAWAR
Service Tribunal,
Peshawar

were reinstated; in 11 PET appointees, 2 were terminated but they did not appeal, in 20 A.T appointees, 9 were terminated out of whom 3 were reinstated but 6 did not submit appeal, in 21 Qaria appointees, 20 were terminated out of whom 18 were reinstated and 2 did not appeal, in 63 PST appointees, 34 were terminated out of whom 19 reinstated and 15 did not appeal. This may be observed that on the post of C.T, one female namely Mst. Romala, on the post of PET, 3 female Sadaf Riaz, Sanam Naz & Rabia Aziz, on the post of A.T 6 female, namely Bibi Nagina, Robina Naz, Madiha Yaqoob, Sanilatul Kubra, Tayyuba Bibi, & Bushra Gul, on the post of Qaria, 2 female namely Bibi Bushra & Farhat Bibi, on the post of PSTs 15 female, namely Asma Ali, Bibi Asia, Saba Tariq, Rifat Bibi, Fozia Bibi, Nosheen Bibi, Salma, Rafia Mussadiq, Nazima Bibi, Saba Khaliq, Rani Gul, Shahida Bibi, Rubi Sarfaraz, Uzma Sarfaraz and Niaz Gul have not been reinstated but in this regard it was argued and explained by learned counsel for the appellant that those appointees had not submitted appeals for reinstatement to Scrutiny Committee. Important aspect of the case is that it could not be clarified on the part of the respondent department that clearance of a lot of appointments through scrutiny committee and their reinstatement left a big question mark over the findings/conclusion of the enquiry committee. Though some of the above named teachers were not reinstated as they abstained to make appeal against their termination, yet there is nothing on record to show that had their cases been put to the Scrutiny Committee they would not

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have been reinstated. Opportunity of show cause notice to the appellant was also necessary so that the appellant might have given vent to the latest situation after findings of the Scrutiny Committee as argued above before this Tribunal. Perusal of the record reveals that departmental appeal of the appellant has not been decided, therefore, in view of the above position of the case, it is the considered view of the Tribunal that in the interest of justice the case may be remitted to the respondent department for enquiry denovo so that the entire situation may be taken into account particularly the reinstatement of most of the alleged illegal appointees in such denovo proceedings for which purpose the Tribunal is constrained to set aside the impugned order. Hence, the impugned order is set aside and the case is remitted to the respondent department for enquiry denovo to be conducted according to law within a period of one month after receipt of this judgment where full opportunity of defence shall be provided to the appellant. The appeal is disposed off accordingly. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
12.02.2016.

*Self - Pir Bakhtish Shah,
Member*

*Self - Abdul Latif,
Member*

Certified true copy
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 28-04-2016

Number of Writs 2400

Costs 14 — 0

Usual 2 — 0

Total 16 — 0

Number of Pages 1000

Date of Judgment 28-04-2016

Date of Delivery 28-04-2016

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No 166 /ST

Dated 23 /01/2018

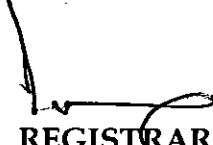
To

The District Officer (Female) Elementary and Secondary Education,
Government of Khyber Pakhtunkhwa,
Mansehra.

Subject: **JUDGEMENT IN APPEAL NO. 827/15 MST. RABIA BIBI**

I am directed to forward herewith a certified copy of Judgment dated 17/10/2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.