

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

C.M NO. \_\_\_\_\_ of 2024  
IN SERVICE APPEAL NO. 1760/2023

Government of Khyber Pakhtunkhwa through Secretary, Higher Education,  
 Archives & Libraries, Peshawar and others

.....*Applicant/Respondent*

**VERSUS**

Ayesha Qureshi Ex- Office Assistant, Public Library, Mansehra

.....*Appellant*

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**Director,  
Directorate of Archives & Libraries,  
Khyber Pakhtunkhwa, Peshawar**

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

C.M NO. \_\_\_\_\_ of 2024  
**IN SERVICE APPEAL NO. 1760/2023**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 111685

Dated 11-03-2024

Government of Khyber Pakhtunkhwa through Secretary, Higher Education,  
Archives & Libraries, Peshawar and others

.....*Applicant/Respondent*

**VERSUS**

Ayesha Qureshi Ex- Office Assistant, Public Library, Mansehra

.....*Appellant*

**APPLICATION FOR FILING OF ADDITIONAL DOCUMENTS  
AS PER ORDER DATED: 25-01-2024 OF HONOURABLE  
SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA. .**

**RESPECTFULLY SHEWETH,**

The honorable Service Tribunal, Khyber Pakhtunkhwa while hearing the appeal of the Appellant Mrs. Ayesha Qureshi dated: 25-01-2024, found the reply as well as memo of appeal of the Appellant deficient in necessary details for which the following additional documents are submitted through this C.M application to effectively decide the Service Appeal in hand in a just manner:

|   |   |
|---|---|
| 1 | Advertisement for the post of Office Assistant (BPS-16)   |
| 2 | Merit List prepared by ETEA for the Pos of Office Assistant (BPS-16)  |
| 3 | Minutes of the meeting for selection of the Appellant dated: 24 <sup>th</sup> , 25 <sup>th</sup> and 28 <sup>th</sup> September, 2020 |
| 4 | Complaint of Maryam Sahibzadi against the appointment of Ayesha Qureshi as Office Assistant (BPS-16)                                  |
| 5 | Appointment Order of the Maryam Sahibzadi as Office Assistant (BPS-16)  |

|    |  |
|----|--|
| 6  | Complaint of Makhtoom Rehman to the Provincial Ombudsman   |
| 7  | Findings and Recommendation of Provincial Ombudsmen  |
| 8  | Statement of Allegation and Charge Sheet against Ayesha Qureshi and finding of the inquiry Committee         |
| 9  | Show cause notice to the Appellant   |
| 10 | Removal from Service Order of Ayesha Qureshi dated: 28/04/2023   |
| 11 | Advertisement for Librarian-II (BPS-09)  |
| 12 | ETTEA Result of Librarian-II (BPS-09) declaring her in-eligibility for the post of Librarian-II (BPS-09)     |
| 13 | Illegal Appointment of Ayesha Qureshia as Librarian-II (BPS-09)  |
| 14 | MLISC Degree obtained after more than one year of appointment as Librarian-II                                |
| 15 | Threat of Sexual Harassment to the Deputy Director, Directorate of Archives & Libraries, Khyber Pakhtunkhwa. |
| 16 | Dismissal of three malicious Civil Suits of the Appellant  |

**Prayer:**

It is therefore, prayed that on acceptance of this C.M application these additional documents may be considered as part and parcel of the reply of the Respondent applicants.

Deponent



Director,

Directorate of Archives & Libraries,  
Khyber Pakhtunkhwa, Peshawar  
CNIC # 17301-8818000-2

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

**C.M NO. \_\_\_\_\_ of 2024  
IN SERVICE APPEAL NO. 1760/2023**

Government of Khyber Pakhtunkhwa through Secretary, Higher Education,  
Archives & Libraries, Peshawar and others

*.....Applicant/Respondent*

**VERSUS**

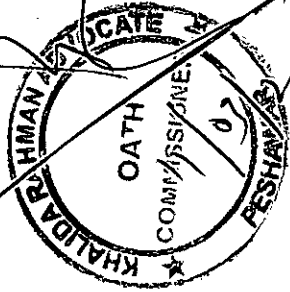
Ayesha Qureshi Ex- Office Assistant, Public Library, Mansehra

*.....Appellant*

**Affidavit**

I, Mrs, Raheela Hafeez, Director, Directorate of Archives & Libraries Khyber  
Pakhtunkhwa hereby solemnly affirm and declare on oath that the contents of the  
additional documents are true and correct and nothing has been concealed from this  
honorable Service Tribunal.

**ATTESTED**



**Deponent**

  
**Director,**

**Directorate of Archives & Libraries,  
Khyber Pakhtunkhwa, Peshawar  
CNIC # 17301-8818000-2**

7. No TADA is allowed for last interview  
 8. Original Documents shall be presented at the time of interview. Post applied for may clearly be written on the right corner of the envelope.  
 12. Proposed format can be downloaded from [www.livestockres.kp.gov.pk](http://www.livestockres.kp.gov.pk)



**DR FAZUL HASSAN, Project in charge**

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انٹرنیٹ پر ایف اے کے ذریعے ہونے والے امتحان کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔  
 ETEA کے ایف اے کے لیے [www.etea.edu.pk](http://www.etea.edu.pk) پر ممبر بنیں اور 10042019 تک طلبہ ہیں۔

| سری نمبر | اساتذہ کی فہرست | اساتذہ کی تعداد | اساتذہ کی فہرست | اساتذہ کی تعداد | اساتذہ کی فہرست | اساتذہ کی تعداد |
|----------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| 1        | اساتذہ          | 02              | اساتذہ          | 20-32           | اساتذہ          | 20-32           |
| 2        | اساتذہ          | 02              | اساتذہ          | 25-32           | اساتذہ          | 25-32           |
| 3        | اساتذہ          | 01              | اساتذہ          | 18-30           | اساتذہ          | 18-30           |
| 4        | اساتذہ          | 01              | اساتذہ          | 18-30           | اساتذہ          | 18-30           |
| 5        | اساتذہ          | 10              | اساتذہ          | 18-32           | اساتذہ          | 18-32           |
| 6        | اساتذہ          | 06              | اساتذہ          | 18-32           | اساتذہ          | 18-32           |
| 7        | اساتذہ          | 01              | اساتذہ          | 20-32           | اساتذہ          | 20-32           |
| 8        | اساتذہ          | 02              | اساتذہ          | 20-32           | اساتذہ          | 20-32           |
| 9        | اساتذہ          | 01              | اساتذہ          | 20-32           | اساتذہ          | 20-32           |

فصل اول: اساتذہ کی فہرستیں (1) ایک سے زیادہ اساتذہ کی فہرستیں جمع کرنا ہر اساتذہ کو اپنی فہرست میں شامل کرنا ہے۔ (2) اساتذہ کی فہرستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (3) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (4) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (5) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (6) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (7) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (8) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (9) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (10) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔

درخواستیں جمع کرنے کے لیے اساتذہ کو اپنی فہرست میں شامل کرنا ہے۔ (1) اساتذہ کی فہرستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (2) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (3) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (4) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (5) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (6) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (7) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (8) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (9) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔ (10) اساتذہ کی فہرستیں جمع کرنے کے لیے درخواستیں جمع کرنے کی تاریخ 15 مارچ 2019ء تک ہے۔

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Director  
 Livestock Research  
 My Bag Pakistan

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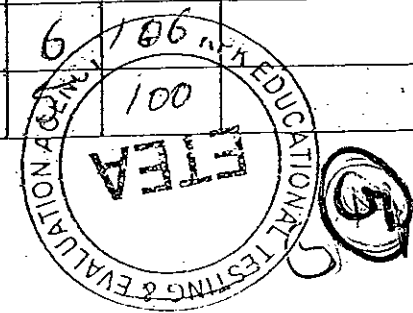
## Recruitment of Assistant (BPS-16) in the Directorate of Archives/Libraries KP Peshawar through ETEA

## Zone/Quota-wise Merit-List (Excluding Interview Marks)

| ROLL NO. | NAME              | FATHER NAME         | D.O.B       | DOMICILE                     | ZONE/<br>QUOTA | ETEA Test<br>MARKS/<br>100 | MOBILE     | SSC %age<br>Marks | INTER:<br>%age<br>Marks | BACHELOR<br>%age Marks/<br>CGPA | Basic Edu:<br>Marks/<br>70 | HIGHEST<br>QUALIFICATION | Add: Higher<br>Qualification<br>Marks/ 12 | Experience<br>Marks/ 10 | TOTAL<br>MARKS/ 192 | Interview<br>Marks/ 08 | Total<br>Marks/<br>100 | REMARKS |
|----------|-------------------|---------------------|-------------|------------------------------|----------------|----------------------------|------------|-------------------|-------------------------|---------------------------------|----------------------------|--------------------------|---|-------------------------|---------------------|------------------------|------------------------|---------|
| 02014    | MARYAM SAHIBZADA  | SAHIBZADA SHAHJEHAN | 27-Dec-1991 | SWABI                        | FEMALE         | 68                         | 3369349901 | 68.00%            | 69.45%                  | 60.00%                          | 70                         | MSC ZOOLOGY              | 6   |                         | 144                 | 3                      | 147                    |         |
| 02007    | MAKHTOOM RAHMAN   | FAIZAN UR RAHMAN    | 08-Jan-1988 | DIR LOWER                    | FEMALE         | 67                         | 3331919660 | 75.53%            | 72.45%                  | 70.91%                          | 70                         | MSC ZOOLOGY              | 6   |                         | 143                 | 3                      | 146                    |         |
| 02015    | SHEHZADI KHUSHBOO | MUHAMMAD YOUNAS     | 15-Apr-1992 | MARDAN                       | FEMALE         | 66                         | 3172058756 | 81.18%            | 58.64%                  | 62.80%                          | 64                         | MA ENGLISH               | 6   |                         | 136                 | 2                      | 138                    |         |
| 02017    | AYESHA QURESHI    | MUHAMMAD KHALEEQ    | 02-Mar-1993 | MANSEHRA                     | FEMALE         | 64                         | 3000591540 | 80.78%            | 57.45%                  | 69.09%                          | 64                         | M.L.I.S                  | 6   | 10                      | 134                 | 7                      | 151                    |         |
| 02018    | LUBNA FIDA        | FIDA MUHAMMAD KHAN  | 25-Mar-1993 | MARDAN                       | FEMALE         | 57                         | 3489207853 | 75.33%            | 68.18%                  | 92.50%                          | 70                         | MSC HISTORY              | 6   |                         | 133                 | 5                      | 138                    |         |
| 02010    | LUBNA DILBAR SHAH | SYED DILBAR SHAH    | 17-Aug-1989 | NOWSHERA                     | FEMALE         | 68                         | 3159561604 | 68.95%            | 55.09%                  | 55.09%                          | 58                         | MA GEOGRAPHY             | 6   |                         | 132                 | 2                      | 134                    |         |
| 02013    | BIBI HAJIRA       | ALI ZUMAN           | 17-Dec-1991 | NOWSHERA                     | FEMALE         | 56                         | 3345878127 | 59.56%            | 63.64%                  | 56.36%                          | 58                         | MA POLITICAL SCIENCE     | 6   | 10                      | 130                 | -                      | -                      | Absent  |
| 02032    | KAINAT            | WAJID ULLAH         | 15-Feb-1998 | PESHAWAR                     | FEMALE         | 56                         | 3088913646 | 82.19%            | 79.00%                  | 76.18%                          | 70                         | BSC                      |   |                         | 126                 | 7                      | 133                    |         |
| 02004    | SADIA ATTAULLAH   | ATTAULLAH           | 07-Nov-1985 | SWAT                         | FEMALE         | 57                         | 3342473262 | 70.12%            | 54.36%                  | 46.55%                          | 58                         | MA HISTORY               | 6   |                         | 121                 | 4                      | 125                    | OVERAGE |
| 02030    | ROSHNI            | FAIZ MUHAMMAD KHAN  | 13-May-1997 | MALAKAND AREA (SWAT RANIZAI) | FEMALE         | 44                         | 3119450983 | 80.00%            | 72.73%                  | 77.82%                          | 70                         | BA/BSC                   |   |                         | 114                 | -                      | -                      | Absent  |
| 02024    | MADEEHA ANWAR     | MUHAMMAD ANWAR KHAN | 04-Aug-1995 | NOWSHERA                     | FEMALE         | 35                         | 3339227064 | 79.52%            | 70.45%                  | 65.09%                          | 70                         | MSC ZOOLOGY              | 6   |                         | 111                 | 3                      | 114                    |         |
| 02006    | RUQAYYA JABEEN    | SYED IMTIAZ ALI     | 18-Jun-1987 | MARDAN                       | FEMALE         | 43                         | 3315534835 | 65.43%            | 49.18%                  | 49.82%                          | 58                         | MA ISLAMIYAT             | 6   |                         | 107                 | 2                      | 109                    |         |
| 02019    | SHUMAILA          | KHURSHAD            | 20-Oct-1993 | SWAT                         | FEMALE         | 37                         | 3409356016 | 55.43%            | 76.83%                  | 65.00%                          | 64                         | MA ISLAMIYAT             | 6   |                         | 107                 | 0                      | 107                    |         |
| 02011    | BASMEEN BEGUM     | NOOR UL HABIB       | 15-Apr-1990 | CHARSADDA                    | FEMALE         | 44                         | 3107547284 | 52.33%            | 52.27%                  | 53.64%                          | 52                         | MA ISLAMIYAT             | 6   |                         | 102                 | 0                      | 102                    |         |
| 02025    | SABAHAT QAYYUM    | ABDUL QAYYUM        | 06-Aug-1995 | PESHAWAR                     | FEMALE         | 36                         | 3449116633 | 76.95%            | 59.14%                  | 62.75%                          | 64                         | BSC HOME ECONOMICS       |   |                         | 100                 | 7                      | 107                    |         |
| 02031    | RIMSHA            | IQBAL HUSSAIN       | 25-Aug-1997 | PESHAWAR                     | FEMALE         | 36                         | 3005901484 | 67.27%            | 63.00%                  | 51.09%                          | 64                         | BA                       |   |                         | 100                 | 6                      | 106                    |         |
| 02016    | SHAHROOM          | ABDULLAH            | 20-Apr-1992 | PESHAWAR                     | FEMALE         | 35                         | 3339222733 | 58.78%            | 62.09%                  | 43.64%                          | 54                         | MA ISLAMIYAT             | 6   |                         | 95                  | 100                    | 100                    |         |

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

Omissions in the Merit-list are subject to rectification by the appointing authority.  
The awarded are subject to verification of original documents by the appointing authority.



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DIRECTORATE OF ARCHIVES & LIBRARIES,  
KHYBER PAKHTUNKHWA, PESHAWAR.

Subject: MINUTES OF THE MEETINGS OF DEPARTMENTAL SELECTION COMMITTEE, DIRECTORATE OF ARCHIVES & LIBRARIES, KHYBER PAKHTUNKHWA.

Meetings of the Departmental Selection Committee, Directorate of Archives & Libraries, Khyber Pakhtunkhwa were held on 24<sup>th</sup>, 25<sup>th</sup> & 28<sup>th</sup> September, 2020 under the chairmanship of Director, Archives and Libraries in his Office to interview candidates for selection to the posts of Computer Operators(BPS16), Assistants(BPS-16), Junior Scale Stenographer(BPS14) and Cameraman(BPS-13) as per merit lists received from ETEA vide No. ETEA/2-54/2017/4443 dated 29-07-2020. The following attended the meetings: -

|      |  |
|------|--|
| i.   | Mr. Zahir Ullah Khan,<br>Director of Archives & Libraries, Khyber Pakhtunkhwa.                                   |
| ii.  | Mrs. Raheela Hafeez, Chief Librarian,<br>Directorate of Archives & Libraries, Khyber Pakhtunkhwa.                |
| iii. | Mr. Rafi Ullah, Section Officer(C-IV),<br>Higher Education, Archives & Libraries Department, Khyber Pakhtunkhwa. |

02- Followings are proceedings of the meetings: -

i)- ONE POST ASSISTANT(BPS-16) RESERVED FOR FEMALE QUOTA.

Out of total 17-candidates, 15 appeared for interview conducted on 24-09-2020. After interviewing and determining suitability of all candidates, the committee, unanimously recommended Miss. Ayesha Qureshi daughter of Mr. Muhammad Khaleeq(CNIC No. 13503-7998044-0) with overall 151-marks for selection to the post of Assistant(BPS-16) reserved for Female quota on merit in Directorate of Archives & Libraries, Khyber Pakhtunkhwa. The committee further decided to place Miss Maryam Sahibzada and Miss Makhtoom Rahman with 147 and 146-marks respectively on waiting list.

ii)- ONE POST OF ASSISTANT(BPS-16) FROM ZONE-II.

Out of total 44-candidates, 40 appeared for interview conducted on 28-09-2020. After interviewing and determining suitability of the candidates, the committee, unanimously recommended Mr. Atif Aman S/O Mr. Mir Aman (CNIC No. 16202-7220158-1) with overall 174-marks for selection to the post of Assistant (BPS-16) from Zone-II on merit in Directorate of Archives & Libraries, Khyber Pakhtunkhwa. The committee further decided to place Mr. Maqsood Khan and Mr. Abdul Wahid with 156 and 155-marks respectively on waiting list.

iii)- ONE POST OF COMPUTER OPERATOR(BPS-16) RESERVED FOR MINORITIES QUOTA.

Out of total 05-candidates, 04 appeared for interview conducted on 24-09-2020. Mr. Shabab Sehar placed at serial No. 01 of the merit list apprised the committee that he has been already selected for job in other Government department and he is not interested in joining the post. After interviewing and determining suitability of the remaining candidates, the committee unanimously recommended Miss. Rachina daughter of Jamil(CNIC No. 17301-9461098-4) with overall 74-marks for selection to the post of Computer Operator(BPS-16) reserved for minorities on merit in Directorate of Archives & Libraries, Khyber Pakhtunkhwa. The committee further decided to place Mr. Arwan Chand with 68-marks on waiting list.

*Alhina*  
**DEPUTY DIRECTOR**  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar



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(iv)- TWO POST OF COMPUTER OPERATOR(BPS-16) RESERVED FOR FEMALES QUOTA.

At the outset, the chairman apprised the committee that there are total 18(Eighteen) sanctioned posts of Computer Operator(BPS16), all reserved for initial method of recruitment, as such, 1.8(02)-posts are required to be filled under the 10% Females quota, out of which, one post in Public Library, Chitral has already been advertised on 12-03-2019 while the other fell vacant in Public Library, Mardan due to relieving of the former incumbent on 23-09-2019. Therefore, the later vacancy may also be included for recruitment to rectify deficiency of one post under the quota as provision to this effect has already been mentioned in the advertisement that actual number of vacancies will be determined at later stage. The committee agreed to the proposal and proceeded in interview. Out of total 08-candidates, 07 appeared for interview conducted on 25-09-2020. After interviewing and determining suitability of the candidates, the committee unanimously recommended the following candidates for selection to two posts of Computer Operator (BPS-16) under female quota.

- a- Mrs. Azra Amin daughter of Amin Khan (CNIC No. 14301-7513574-2) with overall 88-marks.
- b- Bibi Hajira daughter of Mr. Ali Zaman(CNIC No.17201-4972676-8)) with overall 86-Marks.

The committee further decided to place Miss Khalida Bano with 78-marks on waiting list.

v)- ONE POST OF JUNIOR SCALE STENOGRAPHER(BPS-14) FROM ZONE-III.

Out of total 02-candidates, 01 appeared for interview conducted on 25-09-2020. After interviewing and determining suitability of the candidate, the committee unanimously recommended Mr. Manzoor Ilahi S/O Mr. Amir Wali Khan(CNIC NO. 15202-6671741-7) with overall 68-marks for selection to the post of Junior Scale Stenographer(BPS-14) from Zone-II on merit in Directorate of Archives & Libraries, Khyber Pakhtunkhwa.

vi)- ONE POST OF CAMERAMAN(BPS-13) FROM ZONE-I.

Out of total 07-candidates, 05 appeared for interview conducted on 25-09-2020. After interviewing and determining suitability of the candidates, the committee unanimously recommended Mr. Muhammad Riaz S/O Mr. Noor Ali Khan(CNIC NO. 21508-7935580-7) with overall 84-marks for selection to the post of Cameraman(BPS-13) from Zone-I on merit in Directorate of Archives & Libraries, Khyber Pakhtunkhwa.

03- The meeting ended with vote of thanks to and from the chair.

|  |  |   |
|--|--|---|
| <p>(Rafi Ullah Khan)<br/>Section Officer(C-IV),<br/>Higher Education, Archives &amp;<br/>Libraries Department,<br/>Khyber Pakhtunkhwa.</p> | <p>(Raheela Hafeez)<br/>Chief Librarian,<br/>Directorate of Archives &amp; Libraries,<br/>Khyber Pakhtunkhwa</p> | <p>(Zahir Ullah Khan,)<br/>Director of Archives &amp; Libraries,<br/>Khyber Pakhtunkhwa</p> |
|--|--|---|

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar



DIRECTORATE OF ARCHIVES & LIBRARIES,  
KHYBER PAKHTUNKHWA, PESHAWAR.

Phone: - 091-9210100 Website: - [www.kpdal.gov.pk](http://www.kpdal.gov.pk),  
[www.facebook.com/KParchivesandlibraries](http://www.facebook.com/KParchivesandlibraries)

No. 1508 /31/DA Dated 29 /09/2020.

**OFFICE ORDER.**

Consequent upon the recommendations of the Departmental Selection Committee made in its meetings held on 24<sup>th</sup>, 25<sup>th</sup> and 28<sup>th</sup> September, 2020, the competent authority, under Rule-04(2,i) of the Appointment, Promotion & Transfer Rules, 1989, is pleased to order as follow with effect from 01-10-2020.

|     |  |
|-----|--|
| i-  | Appointment of Mr. Atif Aman son of Mir Aman (CNIC No. 16202-7220158-1), resident of Hamza Khel, Village & Post Office, Dagai, Tehsil Razaarh, District, Swabi, as Assistant (BPS-16) against the existing vacancy in Public Library, Swat, Directorate of Archives & Libraries, Khyber Pakhtunkhwa. |
| ii- | Appointment of Miss Ayesha Qureshi daughter of Mr. Muhammad Kaaleeq (CNIC No. 13503-7998044-0), C/O Shafeeq Stationery Mart, Kashmir Road, Mansihra, as Assistant (BPS-16) against the existing vacancy in Directorate of Archives & Libraries, Khyber Pakhtunkhwa, Peshawar.                        |

02- The above referred appointments will be subject to the following terms & conditions: -

|        |   |
|--------|---|
| i)-    | They will get pay at the minimum of BPS-16 including usual allowances as admissible under the rules. They will also be entitled to annual increment as per the existing policy.   |
| ii)-   | They will be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973 and all the laws applicable to the Civil Servants and the Rules made there-under.  |
| iii)-  | They will be on probation initially for a period of one year extendable for further one year.   |
| iv)-   | In case any of them wishes to resign from service at any time, fourteen days notice will be necessary or in lieu thereof fourteen days pay shall be forfeited.  |
| v)-    | They will be required to produce medical certificate of fitness from Medical Superintendent, Civil Hospital, Peshawar or the concerned DHQ hospital.  |
| vi)-   | Their retention in service will be subject to verification of their testimonials and antecedents etc. from the concerned authorities/Offices.   |
| vii)-  | Their appointments will be liable to termination at any time without assigning any reason before expiry of the period of probation/extended period of probation, if their performances during this period are not found satisfactory. |
| viii)- | They will join duty at their own expenses, as no TA/DA shall be admissible thereof.   |

02- If the above terms & conditions are acceptable to the aforementioned Atif Aman and Miss Ayesha Qureshi, then they should report for duties within 30-days of the issuance of this order of appointment and produce original certificates relating to qualification, age etc.

03- Under Rule-17(a) of the APT Rules, 1989, Seniority position of the above referred appointees will be as under: -

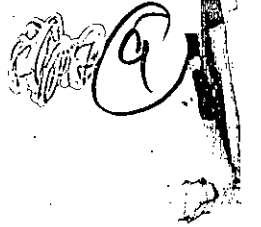
| S.# | Name of the appointee                   | Total Merit Marks. | Seniority Position. |
|-----|---|--------------------|---------------------|
| i-  | Mr. Atif Aman, Assistant (BPS-16).      | 174                | 1 <sup>st</sup>     |
| ii- | Miss Ayesha Qureshi, Assistant (BPS-16) | 151                | 2 <sup>nd</sup>     |

(Zahir Ullah Khan)  
Director of Archives & Libraries,  
Khyber Pakhtunkhwa, Peshawar.

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa

Endst: No. & Date even.

17

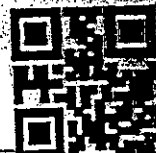


Copy forwarded to: -

- i) Accountant General, Khyber Pakhtunkhwa, Peshawar.
- ii) District Accounts Officer, Swat and Abbottabad.
- iii) Chief Librarian, Directorate of Archives & Libraries, Khyber Pakhtunkhwa.
- iv) Section Officer (C-IV), Higher Education, Archives & Libraries Department.
- v) Incharge, Maulana Muhammad Ishaq Public Library, Abbottabad.
- vi) Mr. Atif Aman S/O .Mir Aman, resident of Hamza Khel, Village & Post Office, Dagai, Tehsil Razaarh, District, Swabi
- vii) Miss Ayesha Qureshi D/O Mr. Muhammad Khaleeq, C/O Shafeeq Stationery Mart, Kashmir Road, Mansihra.
- viii) Office Orders File

Director of Archives & Libraries,  
Khyber Pakhtunkhwa, Peshawar

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar



# Prime Minister's Performance Delivery Unit (PMDU)

## Pakistan Citizen's Portal (PCP)

Directorate of Archives & Libraries Khyber Pakhtunkhwa

KP011020-87401100

Print Date: 26/03/2021

### A. Complaint Details

|                                 |   |                                     |   |
|---------------------------------|---|-------------------------------------|---|
| DATE OF COMPLAINT               | 01/10/2020                              | CURRENT STATUS                      | Resolved (5 Days, 0 months, 0 years)                |
| COMPLAINT CATEGORY/<br>LEVEL 1: | Corruption / Malpractice                | COMPLAINT SUB-CATEGORY/<br>LEVEL 2: | Violation of Merit / Rules (In Recruitment Process) |
| LOCATION OF COMPLAINT:          | Peshawar (Khyber Pakhtunkhwa, Pakistan) | COMPLAINT ADDRESS:                  |   |
| GPS ADDRESS:                    | No Address found!                       | CITIZEN PROFILE                     | Provided by Citizen                                 |
| COMPLAINT SUBJECT               |   |                                     |   |

### Contents

### B. Complaint Processing History

| # | DATED      | FROM                                | TO                                  | STATUS            | REMARKS  |
|---|------------|-------------------------------------|-------------------------------------|-------------------|--|
| 1 | 06/10/2020 | Directorate of Archives & Libraries | Citizen                             | Resolved (PRG) ■■ | Respected Citizen, Reply of Directorate of Archives and Libraries, Khyber Pakhtunkhwa, Peshawar is hereby attached for your information.   |
| 2 | 02/10/2020 | Citizen                             | Directorate of Archives & Libraries | In-progress       | I was on top of provisional merit list as per etea record i-e 144 out of 192 marks while candidate selected ayesha qureshi got 134 score out of 192 and stood 4th on provisional merit list. The remaining 8 marks were at the discretion of interview committee. The marks allotted by interview committee to me and successful candidate are 3 and 7 respectively. So our marks becomes 147 (mine) vs 141 Ms ayesha. At this point the merit was violated and committee illegally uses etea discretionary powers of allotting experience marks which wasn't delegated to it under any legal rules. The candidate ayesha has been given 10 marks of experience. our genuine request to provide the copy of experience certificate if any and final merit list was rejected. Even before the display of final merit list, the appointment order has been issued on 30sept2020. I was put on waiting list instead of appointment. Kindly inquire under which rules director archives used discretionary powers of autonomous body etea. |
| 3 | 02/10/2020 | Directorate of Archives & Libraries | Citizen                             | In-progress       | Respected Citizens, look at your complaint, it's empty. Please provide sufficient information to proceed further.  |
| 4 | 01/10/2020 | Initiated                           | Directorate of Archives & Libraries | In-progress       | Complaint has been assigned to Directorate of Archives & Libraries   |

### C. Complaint Resolution Quality Checklist

| ACTIONS  | YES | NO | N/A |
|--|-----|----|-----|
| Approval from the competent authority is solicited ?           | ✓   | ✗  | ✗   |
| Necessary proof/evidence/reason of the action taken provided ? | ✓   | ✗  | ✗   |
| Action statement drafted in professional and official manner ? | ✓   | ✗  | ✗   |
| Respect towards citizen maintained ?                           | ✓   | ✗  | ✗   |



DIRECTORATE OF ARCHIVES & LIBRARIES,  
KHYBER PAKHTUNKHWA, PESHAWAR.

Phone: - 091- 9210100 Website: - [www.kpdal.gov.pk](http://www.kpdal.gov.pk),  
[www.facebook.com/KParchivesandlibraries](http://www.facebook.com/KParchivesandlibraries)

No. 1569/3/1/DA Dated 13/10/2020

OFFICE ORDER.

Consequent upon the recommendations of the Departmental Selection Committee made in its meetings held on 24<sup>th</sup> September, 2020, the competent authority, under Rule-04(2,i) of the Appointment, Promotion & Transfer Rules, 1989, is pleased to order appointment of Miss Maryam Sahibzada daughter of Sahibzada Shahjehan (CNIC No. 16101-2212556-6), resident of House No. 513, Street No. 16, Sector E/5, Phase-07, Hayatabad, Peshawar as Assistant (BPS-16) under the quota reserved for females and post her in Directorate of Archives & Libraries, Peshawar with immediate effect.

02- Her appointment will be subject to the following terms & conditions: -

|        |  |
|--------|--|
| i)-    | She will get pay at the minimum of BPS-16 including usual allowances as admissible under the rules. She will also be entitled to annual increment as per the existing policy.  |
| ii)-   | She will be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973 and all the laws applicable to the Civil Servants and the Rules made there-under.  |
| iii)-  | She will be on probation initially for a period of one year extendable for further one year.   |
| iv)-   | In case, she wishes to resign from service at any time, fourteen days notice will be necessary or in lieu thereof fourteen days pay shall be forfeited.  |
| v)-    | She will be required to produce medical certificate of fitness from Medical Superintendent, Civil Hospital, Peshawar or the concerned DHQ hospital.  |
| vi)-   | Her retention in service will be subject to verification of their testimonials and antecedents etc. from the concerned authorities/Offices.  |
| vii)-  | Her appointment will be liable to termination at any time without assigning any reason before expiry of the period of probation/extended period of probation, if her performance during this period is not found satisfactory. |
| viii)- | She will join duty at her own expenses, as no TA/DA shall be admissible thereof.   |

02- If the above terms & conditions is acceptable to the aforementioned appointee, then she should report for duties within 30-days of the issuance of this order of appointment and produce original certificates relating to qualification, age etc.

(Zahir Ullah Khan)

Director of Archives & Libraries,  
Khyber Pakhtunkhwa, Peshawar.

*Signature*  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

Endst: No. & Date even.

Copy forwarded to: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Chief Librarian, Directorate of Archives & Libraries, Khyber Pakhtunkhwa.
3. Section Officer (C-IV), Higher Education, Archives & Libraries Department.
4. Miss Maryam Sahibzada, resident of House No. 513, Street No. 16, Sector E/5, Phase-07, Hayatabad, Peshawar
5. Office Orders File

*Signature*  
Director of Archives & Libraries,  
Khyber Pakhtunkhwa, Peshawar

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جناب صوبائی مستقب صاحب صوبہ خیبر پختونخوا پشاور

منوان: اپیل برائے افسانہ بر ملا غیر تالیفی امور اسسٹنٹ BPS-16 (خواتین کو)

جناب عالی،

صوبہ گزارش ہے کہ مورخہ 12.03.2019 کو محکمہ آرکائیوز نے روزنامہ مشرق میں شائع ایک اشتہار کے ذریعے خیبر پختونخوا ETEA کے توسط سے مختلف آسامیوں کے لئے موادوں امیدواروں سے نمٹ اور انٹرویو کے لئے تعلیمی قابلیت و تجربہ کی بنیاد پر ONLINE درخواستیں طلب کی تھیں۔ (Newspaper Aid Enclosed as Annex-A)

صوبائی ڈائریکٹوریٹ آف ایٹانے شیڈول کے مطابق تحریری امتحان لیکر مورخہ 29.07.2020 کو مراسلہ نمبر ETEA/2-54/2017/4443 کے ذریعے جملہ آسامیوں کا میرٹ لسٹ عکس آرکائیوز کو بھیج دیا تھا۔ (Merit List Enclosed as Annex-B)

جناب عالی، اسسٹنٹ پوسٹ کے لئے کل 200 نمبرز مختص تھے اس میں 100 نمبرز برائے تحریری امتحان اور 100 Comparative grading of qualification کے لئے تھے۔ مختصر یہ کہ ETEA کے پاس 200 نمبرز میں سے 192 نمبرز کا اختیار حاصل تھا اور انٹرویو کے 8 نمبروں کا اختیار DPC کیسٹی کے پاس تھا۔ (Annex-C)

جناب عالی محکمہ آرکائیوز نے ETEA میرٹ کی روشنی میں مورخہ 24 ستمبر 2020 کو کامیاب امیدواروں کی انٹرویو لی گئی تھی۔ ETEA میرٹ لسٹ کے مطابق سیریل نمبر 1 پر مریم صاحبزادی کے 192 میں سے 144 نمبرز حاصل کیے تھے سیریل نمبر 2 پر میر سے (مختوم رحمن) کے 192 میں سے 143 نمبرز تھے۔ سیریل نمبر 3 کے 192 میں سے 136 اور سیریل نمبر 4 کے عائشہ قریشی کے 192 میں سے 134 ماہر گئی تھے۔ (Sec Annex-D)

جناب عالی، اشتہار کے سیریل نمبر 1 کے مطابق اسسٹنٹ BPS-16 پوسٹ خواتین کو کے لئے ایک ہی پوسٹ تھا۔ DPC نمبر جناب ڈائریکٹر آرکائیوز اور چیف لائبریرین دونوں نے میرٹ کو نظر انداز کر کے خود سامنے جعلی تجربہ سرٹیفکیٹ کے بنیاد پر عائشہ قریشی سیریل نمبر 4 کی غیر تالیفی تقرری کی گئی۔

جناب عالی، ETEA میرٹ کے مطابق ٹاپ کرنے والی سیریل نمبر 1 پر موجود مریم صاحبزادی نے ایک تحریری درخواست پر عائشہ قریشی کا جعلی تجربہ سرٹیفکیٹ پیش کیا اور ساتھ ہی بیسٹین پورٹل پر بھی اپنی شکایت اپلوڈ کیا۔ (Sec Annex-E)

جناب ڈائریکٹر صاحب (Chairman DPC) اور چیف لائبریرین (Member DPC) نے اپنی جلسہ سازی پر پروہالتے ہوئے خفیہ طور پر مریم صاحبزادی کا بھی Appointment order جاری کیا یوں عائشہ قریشی کا تجربہ کا سرٹیفکیٹ خود بخود جعلی ثابت ہوا۔

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

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جناب عالی، عائشہ قریشی جس کا تجربہ کار سٹیٹیکٹ جعلی تھا ہر دستور اسٹنٹ پوسٹ پر کام کر رہی ہے اور محکمہ آرکائیوز نے معاملے کو رونق دینے کے لئے اسے ہانسروہ پبلک لائبریری ٹرانسفر کیا گیا تاکہ مزید کوئی شکایت نہ کرے۔

جناب عالی اب ایک پوسٹ پر دو بندے کام کر رہے ہیں اگر یہ بات مان لیا جائے کہ محکمہ پوسٹوں میں کمی پیش کر سکتا ہے تو دوسرا پوسٹ کل آنے کی صورت میں اس پوسٹ پر تقرری کا میرا حق جہاں ہے کیونکہ عائشہ قریشی کے ETEA میرٹ میں 192 میں سے 134 مارکس تھے اور میرے 143 مارکس تھے عائشہ قریشی کو انٹرویو میں 8 میں سے 7 نمبر دیے تھے اس طرح عائشہ قریشی کے کل مارکس (134+7=141) بنتے ہیں جبکہ میرا انٹرویو کے بغیر 143 مارکس بنتے ہیں اور انٹرویو کے 3 مارکس دینے سے میرے کل 146 مارکس بنے ہیں۔ (Sec Annex-F)

جناب عالی اس بارے میں میری تمام درخواستیں محکمہ آرکائیوز کے ریکارڈ پر موجود ہے جسے جان بوجھ کر نظر انداز کئے گئے ہیں لیکن آخری کوشش کے طور پر میرے والد صاحب نے مورخہ 26.03.2021 کو ڈائریکٹر آرکائیوز سے ان کے ریٹائرمنٹ سے قبل نہ صرف ٹیلیفون پر رابطہ کیا تھا بلکہ ایک دفعہ پھر میرا پورا کیس بنا کر ڈائریکٹر آرکائیوز اور سیکشن آفیسر صاحب کو رجسٹرڈ میل کے ذریعے بھیج دیا تھا۔ لیکن تاحال میرا کیس اتنا میں پڑا ہے۔

جناب عالی درج بالا حقائق کی روشنی میں DPC Members جناب ڈائریکٹر آرکائیوز اور چیف لائبریرین کے خلاف نہ صرف احتیادات سے تبادلی کارروائی کریں بلکہ ان کے خلاف جعل سازی 420، 419 کا مقدمہ درج کرنے کا حکم صادر فرمائیں اور ساتھ ساتھ انہیں حکم دے کہ میرٹ کے مطابق میرا Appointment Order جاری کریں میں انتہائی دعاگو رہوں گی۔

العارض  
Mia AOHMAN  
مختوم رخصن ولد لیصان الرحمن

Address: House No. 6, Sector-K6, Street  
No.1/Yousafzai market- Phase-3, Hayatabad  
Peshawar

Copy for information forwarded to:

1. PSO to Chief Minister Khyber Pakhtunkhwa
2. PSO to Chief Secretary Khyber Pakhtunkhwa
3. PS to Advisor, Higher Education, Archives & Libraries Department
4. PS to Secretary Higher Education, Archives & Libraries Department

Attest  
DIRECTOR  
Department of Archives & Libraries  
Khyber Pakhtunkhwa, Peshawar

Page # 1

OMBUDSMAN (مبشر) SECRETARIAT,  
GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS |                                       |  |
|------------------|---------------------------------------|--|
| 1                | COMPLAINT NO.                         | PO/Complaint/1142/11/2021.   |
| 2                | NAME & ADDRESS OF THE COMPLAINANT     | Ms. Makhtoom Rahman d/o Faizan Rahman r/o House No. 6, Sector-K6, Street No. 1, Yousafzai Market Phase-3, Hayatabad, Peshawar.           |
| 3                | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Secretary, Higher Education, Achieves and Libraries Department, Khyber Pakhtunkhwa.<br>2. Director, Archives and Libraries, Peshawar. |
| 4                | NAME OF THE INVESTIGATION OFFICER     | Hanif Khan, Deputy Director (Investigation).   |
| 5                | SUBJECT OF COMPLAINT                  | Violation of merit.  |
| 6                | DATE OF REGISTRATION                  | 08/12/2021.  |
| 7                | DATE OF FINDINGS                      | 21/04/2022.  |

THE COMPLAINT

Ms. Makhtoom Rahman instituted the instant complaint stating that Directorate of Archives and Libraries, Khyber Pakhtunkhwa had advertised different posts through ETEA on 12/03/2019. The ETEA conducted written test and submitted merit to the Agency on 29/07/2020. The Archives and Libraries Department interviewed the successful candidates on 24<sup>th</sup> September, 2020, in the light of merit order. According to merit Maryam Sahibzada secured 144 marks out of 192 on serial No. 1, Makhtoom Rahman secured 143 marks out of 192 on S. No. 2 and Ayesha Qureshi secured 134 marks out of 192 and was placed at S.No. 4. She added that according to the advertisement, the post of Assistant (BPS-16) was the only post reserved for the female candidate. DSC Members, Director Archives and Chief Librarian ignored the merit and appointed Ayesha Qureshi on the basis of fake experience certificate who was at S.No. 4 in merit order. Therefore, Maryam at serial no. 1 challenged Ayesha Qureshi's fake certificate through written request. Chairman DSC, Director Archive and Libraries and other members also secretly recruited Maryam Sahibzada to cover up their forgery. Two employees are working on one sanctioned post with the pretext that the Department can increase or decrease the numbers of posts, then she is also deserving to be appointed. She submitted several applications to the concerned quarter but to no avail. She had requested this Forum for redressal of her grievance.

REPLY OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 were issued to Secretary, Higher Education, Achieves and Libraries Department, Khyber Pakhtunkhwa and Director, Archives and Libraries, Peshawar to address the allegations contained in the complaint and submit reply including rebuttal, if any. In response, Director, Archives and Libraries, Khyber Pakhtunkhwa Peshawar informed that a provisional merit list of 17 candidates was received from ETEA on 29/07/2020 reflecting Maryam Sahibzda, Maakhtoom Rahman, Shehzudi Khushbo and Ayesha Qureshi at S.No. 1, 2, 3, 4 with 144, 143, 136 and 134 marks respectively. He added that Ayesha Qureshi at S.No. 4 submitted an application to ETEA on 21/02/2020 for inclusion of experience marks. As per statement of the then Director /

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar





OMBUDSMAN (مفتی) SECRETARIAT,  
GOVERNMENT OF KHYBER PAKHTUNKHWA

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E/O

Chairman DSC vide No. 1667/10/52/DA dated 27/10/2020, the said application and experience certificate was submitted by the ETEA to him with telephonic instructions for confirmation of the experience certificate of the Ayesha Qureshi from FATA Secretariat, Peshawar. Accordingly, after telephonic confirmation of the certificate during interview on 24/09/2020, the DSC allotted 10 marks to Ayesha Qureshi whereby she topped the final merit list with 151 marks and was appointed as Assistant under female quota. Moreover, in reference to the condition regarding possible changes at S.No. 10 of the advertisement, Ms. Maryam Sahibzada placed on 2<sup>nd</sup> position in final merit was also appointed as Assistant on the recommendation of DSC dated 09/10/2020.

REJOINER

Reply of the Agency was shared with the complainant for her feedback/rejoinder who expressed dissatisfaction over reply of the Agency. She informed that the alleged experience in favour of the Ayesha Qureshi was signed by then Employee of the Directorate, Archives and Libraries and whose signature on one of the documents of service record is exactly the same as given the purported counterfeit experience certificate.

HEARING

Due to divergent stance, the complaint was fixed for hearing on 30/03/2022. Ms. Raheela Hafeez Director Archives and Libraries and Dr. Ishfaq, Senior Librarian appeared and informed that the issue has been taken up with ETEA for necessary clarification vide letter No. 1916/03/10/DA dated 24/11/2021. She informed that the then Director / Chairman DSC defended his decision, that he was telephonically authorized by the ETEA for determining authenticity of the Certificate and for awarding experience marks. She added that Director being appointing authority in the case was competent to take decision. She further informed that the complaint was lodged after lapse of one year hence time barred. The complainant's father submitted his views that ETEA vide letter No. ETEA/2-54/2017/6228-29 has already given rebuttal that responsibility for awarding marks to a candidate after submission of merit list, rests with the department. The experience certificate was issued to Ayesha Qureshi by someone in his personal capacity, to have worked with him as volunteer w.e.f 01/07/2015 to 10/06/2016, is not rational vide para (a) part-VIII entitled "Experience" in Khyber Pakhtunkhwa PSC regulations, 2017, which states that the prescribed experience means the experience gained in line with a regular full time paid job acquired after qualification. The present director / chairman DSC cannot escape her responsibility being member of the DSC at the time of appointment.

FINDINGS

Perusal of record on file shows that experience certificate issued by FATA Secretariat was not verified at any eve and it also does not bear proper file No. or diary / dispatch No. ETEA has already rebutted stance of the Agency that responsibility for awarding marks to a candidate, after submission of merit list, rest with department. The Agency appointed Maryam

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar



**OMBUDSMAN ( ) SECRETARIAT,  
GOVERNMENT OF KHYBER PAKHTUNKHWA**

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E/03

Sahibzada after written complaint regarding illegal appointment of Ayesha Qureshi who was initially at S.No. 1. The Agency had advertised one post of Assistant BPS-16 reserved for female. Ms Ayesha Qureshi was appointed on 29/09/2020 and after agitation from Maryam Sahibzada, the then Director / Chairman and members secretly recruited her to cover-up their forgery on 09/10/2020. Interestingly, the post was not already vacant but it got vacant after the retirement of one of the employee and on that post, Maryam Sahibzada was appointed. The present and then Director Archives and Libraries cannot escape the responsibility because the present Director Raheela Hafeez was also member of the DSC and inscribed her signatures for awarding 10 experience marks to Ms. Ayesha Qureshi. The experience certificate is required to have been issued by a Government Department and duly countersigned by the head of that Department. It is, therefore, recommended that Secretary, Higher Education, Achieves and Libraries Department, Khyber Pakhtunkhwa shall conduct an impartial inquiry to fix responsibility for violating the merit and appointing on fake documents and proceed accordingly as per rules / law.

The above recommendations shall be implemented within 60 days after receipt of these findings under intimation to this Secretariat within the said period.

*Defiance / non-compliance shall warrant disciplinary proceedings in terms of Sub-Section 4 of Section 11 of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 whereby, the Government will take necessary action for ensuring good governance.*

Syed Jamalud-din Shah  
Provincial Ombudsman.

21.4.2022

*Ayesha Qureshi*  
*Maryam Sahibzada*

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa

INQUIRY REPORT.

INTRODUCTION

In response to the Higher Education Department letter No.SO(C-IV)HED/1-6/Archives Misc:/complaint/Ms. Makhtoom Rahman/2022 dated 18-05-2022 wherein the undersigned has been nominated as Inquiry Officer to conduct fact finding inquiry on the recommendations of the Provincial Ombudsman Khyber Pakhtunkhwa made on 21-04-2022, that "Secretary Higher Education Department shall conduct an impartial inquiry to fix responsibility for violating the merit and appointing on fake documents and proceed accordingly as per rules/law within 60 days".

2- The Director Archives & Libraries had advertised different posts through ETEA on 12-03-2019 bearing No.INF(P)1068/19 (F/A). Ms. Makhtoom Rahman applied for the post of Office Assistant (BPS-16) mentioned at Sr.No.01 of the advertisement against one post in the quota reserved for female. The ETEA conducted written test for the post on 29-07-2020 and called for interview on 24-09-2020 held under the chairmanship of Director Archives & Libraries Peshawar. According to the merit list maintained by the ETEA and DSC in its meeting held on 24, 25 and 28 September 2020 (F/B) candidates were placed as per following merit:

| Sr. No. | Name of Candidate                 | Marks obtained in EATA | Interview Marks granted by DSC | Experience marks granted by DSC | Total |
|---------|-----------------------------------|------------------------|--------------------------------|---------------------------------|-------|
| 1       | Maryum Sahibzada                  | 144                    | 03                             | Nil                             | 147   |
| 2       | Makhtoom Rahman (the complainant) | 143                    | 03                             | Nil                             | 146   |
| 3       | Shehzadi Khusboo                  | 136                    | 02                             | Nil                             | 138   |
| 4       | Ayesha Qureshi                    | 134                    | 07                             | 10                              | 151   |

3- The Departmental Selection Committee (F/C) in its meeting held on 24,25 and 28 September 2020 recommended Ms. Ayesha Qureshi placed at Sr.No.04 of the merit list for appointment against the 01 post of Office Assistant (BPS-16) reserved for female quota and placed Ms. Maryum Sahibzada and Ms. Makhtoom Rahman at Sr.No.01 & 02 respectively on waiting list.

4- That Ms. Makhtoom Rahman D/O Faizan Rahman R/O House No.06 Sector K6 Street No.01 Yousaf Zai Market Phase-III Hayatabad Peshawar placed at Sr.No.02 of merit list lodged a complaint No.PO/Complaint/1142/11/2021 dated 08-12-2021 (F/D) before Provincial Ombudsman Khyber Pakhtunkhwa that Departmental Selection Committee had violated the merit during the said recruitment process on following grounds:

*M. S. Khan*  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

*Q*

That the Director Archives and Libraries ignored the merit and appointed Ms. Ayesha Qureshi placed at Sr.No.04 of the merit by awarding 10 marks on fake experience certificate.

That the Director Archives and Libraries violated the quota as only one post reserved for female and secretly appointed Maryum Sahibzada placed at Sr.No.01 of the merit to cover up their forgery as she challenged the fake experience certificate of Ayesha Qureshi on the citizen portal.

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5- The complaint of Makhtoom Rahman was honored by the Provincial Ombudsman and proceeded accordingly wherein the above allegation had been established in the findings of Provincial Ombudsman after several hearings made. The Provincial Ombudsman in this regard forwarded their finding (F/D ibid) to the Secretary Higher Education Department with the recommendations to conduct an impartial inquiry to fix responsibility for violating the merit and appointing on fake documents and proceed accordingly as per rules/law within 60 days under intimation to this Department.

### PROCEEDINGS

6- The complainant was called for personal hearing to appear before the inquiry officer on 07-06-2022 and to record her written statement (F/E). Mr. Faizan Rahman F/O Makhtoom Rahman (the complainant) appeared before the inquiry officer and produced the written statement of the complainant (F/F) along with her authorization letter (F/G).

7. Statement of Mrs. Raheela Hafeez Director Archives and Libraries Khyber Pakhtunkhwa (the then Chief Librarian and Member of the DSC) also received (F/H) wherein she has stated in Para-2 that *after declaration of the test result, the said Ayesha Qureshi submitted an application dated 21-02-2021 to ETEA for allotment of experience marks. Accordingly he (the former Director) telephonically verified the 03-Years voluntary experience certificate as Assistant in the Library issued to Ayesha Qureshi from FATA Secretariat on 24-09-2020 and on confirmation therefore, he allotted 10-marks to Ayesha Qureshi and topped the final merit list with overall 151 marks and appointed as assistant vide No.1508 dated 13-10-2020. Later on, as per condition No.10 of the advertisement regarding possible increase or decrease in number of vacancies and recommendations of the separate DSC dated 09-10-2020, Miss Maryam Sahibzada placed on 2<sup>nd</sup> position on final merit list with 146 marks was also appointed as Assistant On 13-10-2020 to rectify the deficiency of one post in all posts BPS-16 under the female quota.*

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Directorate of Archives & Libraries  
Khyber Pakhtunkhwa, Peshawar

Subsequently the experience certificate of Ms. Ayesha Qureshi appointed as Office Assistant (BPS-16) in Directorate of Archives & Libraries was sent to the Deputy Secretary (Admin) of Planning & Development Department Khyber Pakhtunkhwa vide this Department letter dated 07-06-2022 (F/I) for verification of the authenticity of experience certificate and proof of her attendance issued from the Library presently working under the administrative control of P&D department after merger of FATA, but response at their end has not been received till finalization of this report. In this regard reminders have also been issued dated 20-06-2022 and 24-06-2022 (F/J) with the remarks that in case of no response, it would be presumed that experience certificate was fake.

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**FINDINGS:**

9- In order to implement the decision of the Provincial Ombudsman the inquiry has been concluded and following facts has been established:

- i- One the basis of no response of P&D department regarding verification of experience certificate & attendance record, the experience certificate is considered as fake.
- ii- In violation of merit the Departmental Selection Committee of Directorate Archives and Libraries appointed Ms. Ayesha Qureshi 4<sup>th</sup> in the merit against the one post of Office Assistant (BPS-16) reserved for female quota by awarding her 10 marks on fake experience certificate and 07 highest marks in the interview.
- iii- In further violation of merit, the Departmental Selection Committee of Directorate of Archives & Libraries appointed Maryum Sahibzada 1<sup>st</sup> in the merit list in over and above against the filled post of Office Assistant (BPS-16) reserved for female quota a evident from DSC minutes (F/K) to cover up the forgery as Maryum Sahibzada challenged the fake experience certificate of Ms. Ayesha Qureshi on citizen portal.
- iv- The experience certificate (F/L) states that Ms. Ayesha Qureshi worked as Library Assistant in the Reference and Archival Library FATA Secretariat w.e.f 1<sup>st</sup> July 2015 to 30<sup>th</sup> June 2018 voluntarily, while para(A) part-VIII entitled "experience" in Khyber Pakhtunkhwa Public Service Commission Regulation 2017 states that the *prescribed experience means the experience gained in line with a regular full time paid job acquired after qualification* and according to letter No.SOR-I(S&GAD)-1/75 dated 22-07-1998 *if not specifically provided otherwise relevant service rules "experience" will mean in the line and only that experience is considered which has been acquired after the acquisition of minimum qualification prescribed for the post.* The above experience of Ms. Ayesha Qureshi as Library Assistant is not granted after paid job and also not in line of the post of Office Assistant (BPS-16).

Maryum  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa

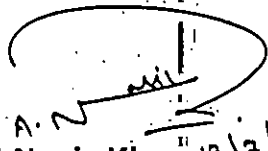
*[Handwritten Signature]*

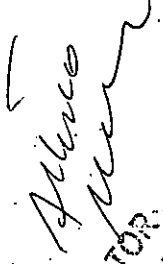
Miss. Raheela Hafeez, Director Archives & Libraries tried to mislead the inquiry officer by her statement (F/H ibid) that Maryam Sahibzada was appointed to rectify the deficiency of female quota under different cadre while the DSC in its meeting on 24-09-2020 appointed Maryam Sahibzada from waiting list with the condition that instant excess of one post under female quota will be rectified from the future vacancy of assistant falling in the initial recruitment.

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### RECOMMENDATION

- 1- In violation of merit, miss use of Authority and failure to efficiently perform assigned task, the members of Departmental Selection Committee of Directorate of Archives & Libraries, Khyber Pakhtunkhwa may be proceeded under Rule 3 (a) & (b) inefficiency and guilty of misconduct come in the definition of Para 2 (i) and (l) sub Para (vi) of the Khyber Pakhtunkhwa E&D Rules 2011.
- 2- Providing fake and irrelevant experience document to the Departmental Selection Committee at the time and getting undue benefit of experience marks which took her position to the top of the merit list for appointment as Office Assistant (BPS-16) in Directorate of Archives & Libraries, the services of Ms. Ayesha Qureshi may be terminated along with recovery of salaries on account of providing irrelevant services and criminal proceedings may also be initiated.
- 3- Miss. Raheela Hafeez, Director Archives & Libraries, Khyber Pakhtunkhwa, holding a responsible post, provided false statement and misled the inquiry officer. Hence, she may be proceeded under rules-3 (b) guilty of misconduct of Rules ibid.

  
Abdul Nasir Khan 13/7/22  
Additional Secretary (Development)  
Higher Education Department

  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

STATEMENT OF ALLEGATION

That pursuant to Higher Education Department Notification No. SO(C-IV)/HED/2-6/Ayesha Qureshi/ Re-instatement /2022 dated 21-10-2022, you, Miss Ayesha Qureshi, Assistant, Public Library, Mansehra, while posted as Senior Clerk at Directorate of Archives & Libraries, Khyber Pakhtunkhwa, Peshawar has committed the following irregularities and thus rendered yourself liable for disciplinary action.

- i- That as per fact finding inquiry report of Higher Education Department dated 13-07-2022, you produced a fake 03-years voluntary experience certificate as Library Assistant issued from defunct FATA Secretariat at the time of interview on 24-09-2020, whereby, you were granted 10 marks of experience which elevated you to top position on the final merit list for appointment as Assistant BPS-16 under the female quota on 29-09-2020.
- ii- That as per fact finding inquiry report of Higher Education Department dated 13-07-2022, your experience certificate was found fake being in conflict with definition of the term "Experience" laid down in Khyber Pakhtunkhwa Public Service Commission Regulation, 2017 and letter No. SOR-I(S&GAD)4-1/75 dated 22-07-1998.

Director of Archives & Libraries,  
Khyber Pakhtunkhwa, Peshawar.

*Ayesha Qureshi*  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

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DIRECTORATE OF ARCHIVES & LIBRARIES,  
KHYBER PAKHTUNKHWA, PESHAWAR.

No. 2269/3/10/DA Dated 07/11/2022.

CHARGE SHEET

Pursuant to Higher Education Department Notification No. SO(C-IV)/HED/2-6/Ayesha Qureshi/ Re-instatement /2022 dated 21-10-2022, Raheela Hafeez, Director, Archives & Libraries, Khyber Pakhtunkhwa, as Competent Authority, hereby charge you, Miss Ayesha Qureshi, Assistant (BPS-16), Public Library, Mansehra, as follow: -

02- That you, while posted as Librarian-II BPS-09 at Public Library, Mansehra, Directorate of Archives & Libraries, Peshawar have committed the following irregularities: -

STATEMENT OF ALLEGATIONS


- i- That as per fact finding inquiry report of Higher Education Department dated 13-07-2022, you produced a fake 03-years voluntary experience certificate as Library Assistant issued from defunct FATA Secretariat at the time of interview on 24-09-2020, whereby, you were granted 10 marks of experience which elevated you to top position on the final merit list for appointment as Assistant BPS-16 under the female quota on 29-09-2020.
- ii- That as per fact finding inquiry report of Higher Education Department dated 13-07-2022, your experience certificate was found fake being in conflict with definition of the term "Experience" laid down in Khyber Pakhtunkhwa Public Service Commission Regulation, 2017 and letter No. SOR-I(S&GAD)4-1/75 dated 22-07-1998.


03- By reasons of the above you have been found guilty of misconduct under rule-03 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties as specified in rule- 04 of the rules ibid.

04- Your written defense, if any, should reach the inquiry officer/inquiry committee within the specified period, failing which, it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.

05- Intimate whether you desire to be heard in person.

06- A Statement of allegations is enclosed.

  
(Raheela Hafeez)  
Director, Archives & Libraries,  
Khyber Pakhtunkhwa, Peshawar.

  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar



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**INQUIRY REPORT ABOUT EXPERIENCE CERTIFICATE OF MISS AYESHA QURESHI, ASSISTANT, PUBLIC LIBRARY, MANSEHRA, ORDERED VIDE DIRECTOR, ARCHIVES & LIBRARIES NO. 2269-70/3/10/DA DATED 07-11-2022.**

01- **BACKGROUND.**

i)- The Directorate of Archives & Libraries advertised one post of Assistant (BS-16) reserved under female quota on 12-03-2019. Miss Ayesha Qureshi, then having less than one year service as Librarian-II (BS-09) in Public Library, Abbottabad, also applied to the post of Assistant and secured 4<sup>th</sup> position with 134-marks as per provisional merit list received from ETEA vide No. ETEA/2-54/2017/4443 dated 29-07-2020, whereas, Miss Maryam Sahibzada, Miss Makhtoom Rahman and Miss Shahzadi Khushboo were placed ahead of her at 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> position with 144, 143 and 136 marks respectively. A footnote was recorded on the said list to the effect that "Errors/Omissions in the merit list are subject to rectification by the appointing authority" (Annex-A).

ii- After uploading result/merit position on ETEA's website, the said Ayesha Qureshi, submitted an application to ETEA for inclusion of experience marks to her provisional merit position on 21-02-2020. The application was marked to the Ex-Director, then appointing authority and chairman of Departmental Selection Committee for decision.

**Annex-B**

iii- At the time of interview on 24-09-2020, Miss Ayesha Qureshi produced 03 years voluntary experience certificate of working as Library Assistant in archival library of the defunct FATA Secretariat. In reference to the said application, the Ex-Director apprised the Selection Committee that in wake of lockdown due to Corona virus pandemic, the application has been referred to him by ETEA with telephonic instructions for verification from the concerned quarter and taking decision in the matter, besides, in light of the aforementioned "Footnote", he in capacity of the appointing authority, is also authorized to decide the matter. Thereafter, he telephonically verified the certificate from concerned quarter. After examination of the term "experience" in light of provisions of ESTACODE, the committee allotted 10-marks to the said Ayesha Qureshi. Thereafter, Mrs. Raheela Hafeez, then Chief Librarian/Member, Selection Committee submitted an application to the Ex-Director to authenticate relevancy of the certificate from Establishment Department and verify the same from the concerned quarter before issuance of appointment order. Resultantly, with addition of further 07-marks in interview, she topped the final merit list with 151-marks and was appointed to the post of Assistant on 29-09-2020 with condition of verification of her testimonials/documents from concerned authorities. Miss Maryam Sahibzada and Miss Makhtoom Rahman were placed on the waiting list with 147 and 146-marks respectively. (Annex-C).

iv)- Meanwhile a post of Assistant fell vacant due to premature retirement of the former incumbent from service on 01-10-2020, thereby, the Ex-Director/then appointing authority convened another meeting of Departmental Selection Committee on 09-10-2020 to consider appointment of Miss Maryam Sahibzada against second/additional post of Assistant so as to rectify overall deficiency in various cadres under female quota.

Thereof, as per condition No. 10 of the advertisement, the Selection Committee unanimously recommended the proposal with condition that the subject additional appointment in the quota will be rectified from future vacancies. Consequently, Miss Maryam Sahibzada was also appointed under female quota on 13-10-2020. **Annex-D**

v)- Thereafter, Miss Makhtoom Rahman, 2<sup>nd</sup> candidate of the waiting list, filed complaint before Provincial Ombudsman to the effect that Miss Ayesha Qureshi has been appointed on a fake experience certificate, hence, appointment of Miss Ayesha Qureshi may be cancelled with replacement of her (Makhtoom Rahman) appointment the second/additional post under female quota. The Ombudsman Office in its findings dated 21-04-2022 declared the said experience certificate dubious for having no proper file or diary/dispatch number, not countersigned from Head of the concerned department and recommended impartial inquiry to fix responsibility for violation of merit and appointment on fake documents. Meanwhile, due to defunct status of the FATA Secretariat, the certificate was verified from the issuing officer on 28-09-2021. **Annex-E**

vi)- As per recommendation of the Ombudsman Office, the Higher Education Department conducted fact finding inquiry in the matter vide letter dated 18-05-2022, wherein, the certificate was declared fake for the reasons that the Planning and Development Department did not respond to the letters sent for verification of the experience certificate, therefore, as per directions of Higher Education Department letter dated 25-07-2022, the service of Miss Ayesha Qureshi was terminated vide Director, Archives & Libraries order dated 27-07-2022. She filed appeal against the termination order which was accepted and she was reinstated into service with directions to the Director, Archives & Libraries for conducting fresh disciplinary proceedings against her under the Khyber Pakhtunkhwa Government Servants(Efficiency & Discipline) Rules, 2011 vide High Education Department notification dated 21-10-2022. In compliance thereof, a formal inquiry has been ordered with serving of proper charge sheet to Miss Ayesha Qureshi, Assistant vide No. 2269-70/3/10/DA dated 07-11-2022. **Annex-F.**

02- **PROCEEDINGS.**

All concerned were directed to personally appear before the committee for clarification and submission of their written statements. Crux of their verbal clarification and written statements, are as under: -

i)- **VERBAL AND WRITTEN STATEMENTS OF MISS AYESHA QURESHI DATED 23-12-2022**

She explained that she submitted all academic and experience certificate to the ETEA in time, however, experience marks on account of 03-years voluntary experience certificate from the defunct FATA Secretariat was not added to my provisional merit list. Therefore, she submitted an application to the ETEA for the said purpose. In wake of corona virus pandemic, the application was sent to the Director, Archives & Libraries with instruction of telephonic verification during meeting of Departmental Selection Committee. The certificate was telephonically verified from the concerned department during interview and also from the issuing officer. She has been appointed on the basis of merit and the

experience criteria prescribed Khyber Pakhtunkhwa Regulation, 2017 is not applicable to the instant case. The complaint was lodged by Miss Makhtoom Rahman in connivance of Mr. Dilshad Hussain Khattak Librarian, who directly harassed her during service and has been proved involved thereof in the inquiry report of Directorate of Archives & Libraries.

**Annex-G**

ii)- **VERBAL AND WRITTEN STATEMENTS OF MR. ZAHIR ULLAH KHAN, EX-DIRECTOR, THEN CHAIRMAN AND APPOINTING AUTHORITY DATED 23-12-2022**

He explained that in wake of lockdowns of the public offices due to Covid 19 pandemic, he was authorized by ETEA to decide the said application of Miss Ayesha Qureshi submitted to ETEA for inclusion of experience marks to the merit, thereby, he was authorized by ETEA to decide the matter in capacity of the appointing authority. He added that except Ayesha Qureshi, all other female candidates showed reservation for assuming duties other than their home districts. He telephonically verified the experience certificate during interview and after examination of the experience as per provisions of ESTACODE, he (in capacity of the appointing authority) has rightly granted experience marks to the said Ayesha Qureshi. **Annex-H**

iii)- **VERBAL AND WRITTEN STATEMENT OF MRS. RAHEELA HAFEEZ, THEN CHIEF LIBRARIAN/MEMBER OF DEPARTMENTAL SELECTION COMMITTEE DATED 31-12-2022**

She explained the Miss Ayesha Qureshi produced 03-years voluntary experience certificate issued from defunct FATA Secretariat during interview on 24-09-2020. In reference to the certificate, the Ex-Director apprised the Selection Committee that Miss Ayesha Qureshi had submitted an application to ETEA for inclusion of her experience marks in the merit. ETEA has referred the application to him for decision after telephonic verification of the certificate from the concerned quarter, besides, he, in capacity of the appointing authority, is also authorized to decide the matter in light of Footnote recorded on the provisional merit list of ETEA. Thereafter, the Ex-Director telephonically verified the certificate from the concerned quarter and after examination of the experience in light of the provision in ESTACODE, the committee agreed in principle to accept the certificate with condition of establishing its relevancy and verification from the concerned quarters. She further submitted an application to the Ex-Director on 28-09-2020, reminding therein, authentication and verification of the certificate from the concerned quarter. She added that after promotion as Director, she verified the certificate from the issuing officer and conducted primary investigation with ETEA, whereof, she proposed inquiry in the matter before submission of para wise comments to Ombudsman Office, however, the same was not acceded to by the Higher Education Department. She further added that the Selection Committee fulfilled its role to the extent of accepting decision of the Ex-Director for granting experience marks in light of provisions of the ESTACODE, however, it was the responsibility of the Ex-Director (then competent authority) to establish relevancy of the certificate and verify the certificate from the competent forum, therefore, she has fulfilled her responsibilities to that extent. **Annex-I.**

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iv)- VERBAL AND WRITTEN STATEMENTS OF MR. RAFI ULLAH, THEN SECTION OFFICER(C-IV), DEPARTMENTAL REPRESENTATIVE OF HIGHER EDUCATION DEPARTMENT

He appeared and provided a copy of his earlier reply submitted in the formal inquiry to the Managing Director, Khyber Pakhtunkhwa Education Foundation for consideration in instant inquiry. He added that Miss Ayesha Qureshi produced 03-years voluntary experience certificate issued from defunct FATA Secretariat during interview on 24-09-2020. In reference to the certificate, the Ex-Director apprised the Selection Committee that Miss Ayesha Qureshi had submitted an application to ETEA for inclusion of her experience marks in the merit(Annex-B, supra). ETEA has referred the application to him for decision after telephonic verification of the certificate from the concerned quarter, besides, he, in capacity of the appointing authority, is also authorized to decide the matter in light of Footnote recorded on the provisional merit list of ETEA. Thereafter, the Ex-Director telephonically verified the certificate from the concerned quarter and after examination of the experience in light of the provision in ESTACODE, he awarded 10 marks of experience to Miss Ayesha Qureshi, whereby, she topped the final merit position and was recommended for selection by the committee. Mr. Rafi Ullah Khan added that the Selection Committee fulfilled its role in terms of accepting decision of the Ex-Director for granting experience marks in light of provisions of the ESTACODE, however, it was the responsibility of the Ex-Director(then competent authority) to establish relevancy of the certificate and verify the certificate from the competent forum. Therefore, he is not responsible for non-authentication and non-verification of the certificate. Annex-J.

v)- VERBAL AND WRITTEN STATEMENTS OF MR. MUHAMMAD ALI BHATTI, CONSULTANT/LIBRARIAN, REFERENCE & ARCHIVAL LIBRARY OF EX-FATA SECRETARIAT, PESHAWAR.

He explained that the Miss Ayesha Qureshi rendered voluntarily served for three years without taking pay. He issued three years volunteer experience certificate to her on orders of high-ups of the said Secretariat and the certificate is correct. Annex-K(page 01-02).

vi)- ADVICE IN THE EXPERIENCE CERTIFICATE TAKEN FROM ESTABLISHMENT DEPARTMENT.

It was clarified that the experience means experience gained in a regular full paid job after obtaining the required qualification and the experience should be in line/relevant to the post. Annex-K (page 03-05)

vii)- Meanwhile, report of the formal inquiry constituted against members of the then Selection Committee in the matter was submitted to Higher Education Department, whereof, show causes notices were issued. Annex-M page 01 to 06, infra

03- FINDINGS.

Findings on the basis of available record are as under: -

i)- Miss Ayesha Qureshi was initially placed at 4<sup>th</sup> position of the provisional merit list of ETEA with 134 marks and with addition of further seventeen marks (seven in interview and ten of experience) secured 151-marks and topped the final merit list. It was

*Muhammad Ali Bhatti*  
DEPUTY DIRECTOR  
Directorate of Libraries & Archives  
Khyber Pakhtunkhwa Peshawar

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noticed that without experience, she would be relegated to 3<sup>rd</sup> position with 141 marks, hence, her final merit position and subsequent eligibility for appointment against one post of Assistant is based on the experience marks. **Annex-A, supra.**

ii)- As per footnote recorded on provisional ETEA's merit list (**Annex-A, supra**) and confirmation of ETEA vide letter dated 30-11-2021, the Ex-Director, in capacity of the appointing authority was authorized by ETEA to settle the matter as per application of Miss Ayesha Qureshi (**Annex-B supra**). The Ex-Director in his statement dated 23-12-2022 has also accepted the entire responsibility of the decision of allotting experience marks. The Ex-Director has also accepted responsibility for deciding the matter in his statement dated 16-12-2021 and other statement submitted in the formal inquiry on 05-10-2022. **Annex-H, supra.**

iii) - As per application of Mrs. Raheela Hafeez dated 28-09-2020, then Chief Librarian/member, Selection Committee submitted to the Ex-Director (**Annex-I, supra**) and conditions mentioned in the appointment order of Miss Ayesha Qureshi, the Ex-Director, in capacity of competent authority was bound to timely authenticate and verify the certificate from concerned forums, however, the Ex-Director failed to do till his retirement on 29-03-2021.

iv) - After promotion to the post of Director on 05-08-2021, Mrs. Raheela Hafeez (former member, Selection Committee) verified the certificate from the issuing officer due to defunct status of the FATA Secretariat (**Annex-E, supra**) and after initial investigation with ETEA vide letters dated 24-11-2021 and 13-12-2021, she proposed inquiry in the matter before submission of para wise comments to Ombudsman Office vide letter dated 13-01-2022, however, the Higher Education Department did not accede to vide letter dated 20-01-2022. **Annex-L.**

v)- In the formal inquiry ordered by Higher Education Department, the Ex-Director has been found responsible for the said decision, whereas, members of the then Selection Committee were found partially responsible for the matter in terms of not recording dissenting note against decision of the Ex-Director, whereof, show cause notices have been issued to them. Thus the certificate has been invalidated in the said inquiry.

#### **Annex-M**

vi)- The certificate was issued by Mr. Muhammad Ali Bhatti, Caretaker Incharge, Archival Library, defunct FATA Secretariat. After merger of the former tribal areas into Khyber Pakhtunkhwa province, the library has been functioning under the Planning & Development Department and supervised by the said Muhammad Ali Bhatti. During fact finding inquiry, the experience certificate was forwarded to Planning & Development Department for verification, however, in spite of repeated reminders, no response was received, whereupon, the certificate was declared fake. It was noticed that though Mr. Muhammad Ali Bhatti verified the certificate during proceedings of the instant inquiry, however, he failed to countersign the same from Head of the department i.e. Secretary, Planning & Development and provide relevant record of the certificate like

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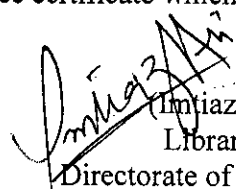
application of the candidate, approval, attendance etc. Therefore, the certificate was invalid being not issued or countersigned by the head of concerned department.

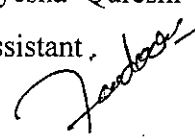
vii)- The certificate is in conflict with spirit of the experience criteria mentioned in Khyber Pakhtunkhwa Public Service Regulations, 2017 in terms of its voluntary/unpaid status and provision of ESTA CODE (Annex-C, supra) in terms its irrelevancy for the post of Assistant. It was noticed that there is huge difference in the responsibilities/duties of Library Assistant and Assistant as the former is related to organization of library matters, whereas, the latter deals matters pertaining to budget, accounts and establishment. (Annex-N) . The same aspects have been also mentioned in the guidance received from Establishment Department, wherein, the term experience has been clarified as regular full paid job after obtaining required qualification and being inline with the post(Annex- K,supra), besides, the certificate has been also invalidated in the formal inquiry of Higher Education Department, wherein, the inquiry officer showed reservation over acceptance and granting marks on such experience certificates which ultimately affect merit to personal likings.


viii)- The complainant Miss Makhtoom Rahman being placed at 3<sup>rd</sup> position of the final merit list, has no cause of action for appointment to second/additional post of Assistant under the quota as it is the prerogative of the appointing authority to decide increase or decrease in appointments against available vacancies in the public interest.

04- CONCLUSION.

It is evident from the above that no provisions exists for granting experience marks on the basis of unpaid/voluntary or irrelevant experience certificate not countersigned by the head of concerned department, hence, Miss Ayesha Qureshi was granted 10 marks on the basis of an invalid experience and experience certificate, the subtraction of which will relegate her to 3<sup>rd</sup> position on the final merit list with overall 141 marks. Therefore, it stands proved that Miss Ayesha Qureshi produced invalid experience certificate which led to her appointment as Assistant.

  
(Imtiaz Ali)  
Librarian  
Directorate of Archives &  
Libraries, Peshawar.

  
(Faridoon Khan)  
Junior Microfilming officer  
Directorate of Archives &  
Libraries, Peshawar

  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar



DIRECTORATE OF ARCHIVES & LIBRARIES,  
KHYBER PAKHTUNKHWA, PESHAWAR.

Phone: - 091- 9210100 Website: - [www.kpdal.gov.pk](http://www.kpdal.gov.pk),  
[www.facebook.com/KParchivesandlibraries](http://www.facebook.com/KParchivesandlibraries).

No. 339 /3/10/DA Dated 29 / 03/2023.

To,

Miss Ayesha Qureshi, Assistant,  
Public Library, Mansehra.

Subject: **SHOW CAUSE NOTICE.**

I, Raheela Hafeez, as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Miss Ayesha Qureshi, Assistant, Public Library, Mansehra as follows:

02. (i)- That consequent upon completion of the inquiry against you by the Inquiry Committee during which you were given opportunity for clarification of your position with regard to the charge sheet bearing No. 2447/3/10/DA dated 29-11-2022.

(ii)- On going through the findings of the inquiry committee, material on record including your reply/statements dated 05-12-2022, I am satisfied that you have committed the following acts/omissions :-

- a)- You topped final merit position owing to addition of ten marks of experience allotted to you on 03-years voluntary experience certificate as Library Assistant issued by Incharge, Archival Library, defunct FATA Secretariat which resulted into your appointment against one post of Assistant BPS-16 under female quota. However, with subtraction of the said marks, you would be relegated to 3<sup>rd</sup> position on the final merit list and thus would not be eligible for the appointment ibid.
- b) Your aforementioned experience certificate (being unpaid/voluntary and irrelevant for the post of Assistant) was invalid for awarding of experience marks as per provisions of Khyber Pakhtunkhwa Public Service Commission Regulation, 2017, letter No. SOR-I(S&GAD)4-1/75 dated 22-07-1988 mentioned in the ESTACODE and guidance of Establishment Department vide No. SOR-I(E&AD)1-2/2018/Ayesha Qureshi Asstt dated 16-02-2023, besides, the certificate was also not verified by Head of the concerned department, thus your appointment based on the said marks of experience, is null and void ab-initio.

03- As a result thereof, I, as competent authority, have tentatively decided to impose major penalty of "removal from service" upon you under Rule-04 of the rules ibid with recovery of all salaries drawn since appointment as Assistant on 29-09-2020.

04- You are thereof, required to show cause as to why the aforesaid penalty with recoveries of all salaries, should not be imposed upon you. Also intimate whether you desire to be heard in person.

05- If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in and in that case exparte action shall be taken against you.

06- Copy of the Inquiry Report along with enclosures, is attached.

(Raheela Hafeez)

Director, Archives & Libraries,  
Khyber Pakhtunkhwa, Peshawar.

DEPUTY DIRECTOR  
DIRECTORATE OF ARCHIVES & LIBRARIES  
KHYBER PAKHTUNKHWA PESHAWAR

29

TO BE SUBSTITUTED BEARING SAME NUMBER & DATE.



DIRECTORATE OF ARCHIVES & LIBRARIES,  
KHYBER PAKHTUNKHWA, PESHAWAR.

Phone: - 091- 9210100 Website: - [www.kpdal.gov.pk](http://www.kpdal.gov.pk),  
[www.facebook.com/KPArchivsandlibraries](http://www.facebook.com/KPArchivsandlibraries)

No. 400/310/DA Dated 28 /04/2023.

**O. R D E R**

No. 400 /310/DA. WHEREAS, Miss Ayesha Qureshi, Assistant (BPS-16), Public Library, Manshra, Directorate of Archives & Libraries, Khyber Pakhtunkhwa was proceeded against under Section 5 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

02- WHEREAS, a show cause notice for appointment to the post of Assistant (BPS-16) on an invalid experience certificate was served upon the official on her office address with attachment of the inquiry report vide No. 339/310/DA dated 29-03-2023.

03- WHEREAS, reply of the official to the show cause notice (received on 13-04-2023) was found evasive and dissatisfactory.

04- WHEREAS, the official was also afforded opportunity of personal hearing on 27-04-2023 during which she failed in quoting rules, regulations allowing allotment of experience marks on the basis of a voluntary/unpaid and irrelevant 03-years certificate not verifiable from the head of concerned department.

05- AND WHEREAS, after considering the findings & recommendations of the inquiry report, dissatisfactory reply to the show cause notice and failure in substantiation of justifiable grounds for allotment of marks on an invalid experience certificate during personal hearing, the competent authority is satisfied that the allegation pertaining to the appointment of Miss Ayesha Qureshi, Assistant, Public Library, Manshra stands proved, resultantly, her appointment order as Assistant (BPS-16), is void ab-inito.

06- NOW THEREFORE, in exercise of powers conferred under rule-04 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, the competent authority is pleased to impose the major penalty of removal from service upon Miss Ayesha Qureshi, Assistant, Public Library, Manshra, Directorate of Archives & Libraries, Khyber Pakhtunkhwa with recovery of all pay and allowances drawn from the date of her appointment as Assistant (BPS-16) since 29-09-2020.

(Raheela Hafceez)  
Director, Archives & Libraries,  
Khyber Pakhtunkhwa, Peshawar.

**Endst: No. & Date Even.**

Copy forwarded to: -

- 01- Deputy Director (Investigation), Provincial Ombudsman Secretariat, Peshawar.  
02- Section Officer (C-IV), Higher Education, Archives & Libraries Department  
notification No. SO(C-IV)HED/26/Ayesha Qureshi/Re-instatement/2012 dated  
21-10-2022.

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DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa, Peshawar



**NOTICE**

Diseases (SHPD) invites sealed Bids/Tender for GST/NTN numbers and having experience in the financial year 2017-18. List of stationary items can be obtained from KPPRA website. All forms must reach the office of the Employer by 10:00 am. The tender/bid will be opened on the same day at 11:00 am or their representative.

**Communicable Diseases Peshawar**  
www.khyberpakhtunkhwa.gov.pk

**KHYBER PAKHTUNKHWA WORKS DEPARTMENT INVITING TENDERS (Single Stage Single Envelope)**

Invitation for single stage single envelope bids from eligible firms for the following works. The bidders should be registered with Pakistan Engineering Council (PEC) in relevant category & field of specialization. Bidders must have adequate financial soundness, relevant experience, and valid NTN.

| Sl. No. | Category | SEC               | Old Security Stamp Duty | Period of completion | Last date of submission and time | Date of opening and time |
|---------|----------|-------------------|-------------------------|----------------------|----------------------------------|--------------------------|
| A       | 2%       | As per Work Order | 6250/-                  | 08/11/2017           | At 12.00 hours                   | 08/11/2017               |
| A       | 2%       | As per Work Order | 6250/-                  | 08/11/2017           | At 12.00 hours                   | 08/11/2017               |

Bidders can be downloaded up to one day prior to the opening. Executive Engineer, C&W Division Datta shall accompany the bidders in separate envelopes clearly marked as Original & Duplicate. All documents should reach the concerned office before closing date and time.

**QUOTATIONS** (re-plot bidding)

For year June, 2018.

General and relevant experience record, personnel list & NTN Certificates.

Bids shall be signed by authorized persons. Bids received after the fixed date and time will be rejected.

The Engineer Estimate shall submit an additional security stamp with financial bid. After opening of work by the Engineer, the bidder shall submit a copy of the bid to the Engineer's office.

The bid shall be returned after completing the work. If the bidder quotes more than 10% below Engineer's estimate, the bid shall be considered as non-responsive and the bidder shall be debarred from the issuance of work order.

The successful bidder will be declared through draw. The bidder's representative who choose to be declared as non-responsive, shall be liable for the cost of the tender/bid validity period.

Declared as non-responsive, invalid reasons, and approval of Tender/bid validity period.

**Engineer, Bannu**  
KPP Govt (P) 5858

**KHYBER PAKHTUNKHWA PESHAWAR (ICE)**

**گورنمنٹ آف خیبر پختونخوا کیلئے**  
**NOTICE INVITING TENDERS**  
(Single Stage Single Envelope)  
C&W Department District Mansehra, Government of Khyber Pakhtunkhwa invites sealed bids from eligible firms / contractor in accordance with KPPRA procurement rules 2014 on single stage single envelope procedures for the following works. The bidders should be registered with Pakistan Engineering Council (PEC) in relevant category & field of specialization for current year, enlisted with C&W Department and should have adequate financial soundness, relevant experience, personnel capabilities, require equipment and others as included in ITB.

| S.No | Name of Work  | Estimated Cost | 2% E/Money           | Period of Completion | Last Date & time of Submission of Tender Form | Date of Opening and time  |
|------|---|----------------|----------------------|----------------------|---|---------------------------|
| 1    | ADMR / Special Repair to Office Building of DSJ Torghar S.H. - DSJ Torghar / Office Building. | 1,600 (N)      | 2% of Estimated Cost | As Per Work Order    | 30/10/2017 At 12.00 hours                     | 30/10/2017 At 14.00 hours |
| 2    | ADMR / Special Repair to residence of DSJ Torghar S.H. - DSJ Torghar / Residential.           | 0,800 (N)      | -do-                 | -do-                 | -do-  | -do-                      |

INF(P) 5873  
Also available on www.khyberpakhtunkhwa.gov.pk

**گورنمنٹ آف خیبر پختونخوا کیلئے**  
**NOTICE INVITING TENDERS**  
(Single Stage Single Envelope)  
C&W Department District Mansehra, Government of Khyber Pakhtunkhwa invites sealed bids from eligible firms / contractor in accordance with KPPRA procurement rules 2014 on single stage single envelope procedures for the following works. The bidders should be registered with Pakistan Engineering Council (PEC) in relevant category & field of specialization for current year, enlisted with C&W Department and should have adequate financial soundness, relevant experience, personnel capabilities, require equipment and others as included in ITB.

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| 1    | ADMR / Special Repair to Office Building of DSJ Torghar S.H. - DSJ Torghar / Office Building. | 1,600 (N)      | 2% of Estimated Cost | As Per Work Order    | 30/10/2017 At 12.00 hours                     | 30/10/2017 At 14.00 hours |
| 2    | ADMR / Special Repair to residence of DSJ Torghar S.H. - DSJ Torghar / Residential.           | 0,800 (N)      | -do-                 | -do-                 | -do-  | -do-                      |

INF(P) 5855  
Also available on www.khyberpakhtunkhwa.gov.pk

**Executive Engineer, C&W Division Mansehra**  
Phone No. 0997-920190

**گورنمنٹ آف خیبر پختونخوا کیلئے**  
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| 2    | ADMR / Special Repair to residence of DSJ Torghar S.H. - DSJ Torghar / Residential.           | 0,800 (N)      | -do-                 | -do-                 | -do-  | -do-                      |

INF(P) 5873  
Also available on www.khyberpakhtunkhwa.gov.pk

**گورنمنٹ آف خیبر پختونخوا کیلئے**  
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| S.No | Name of Work   | Estimated Cost | 2% E/Money | Period of Completion | Last Date & time of Submission of Tender Form | Date of Opening and time |
|------|--|----------------|------------|----------------------|---|--------------------------|
| 1    | Sanitation Schemes at UC K Location: Pata Check Bilandal.    |                |            |                      |   |                          |
| 2    | Sanitation Schemes at UC Shas Location: Gund Bairy Shah, Bar |                |            |                      |   |                          |

The Scheme No. 1  
TMA Katlang publish 27/09/2017 INF(P) 556.  
28-09-2017 INF(P) 556  
Purchase of tractor / Tipping Trolley (Administration Kadan; hereby withdraw.

**گورنمنٹ آف خیبر پختونخوا کیلئے**  
**NOTICE INVITING TENDERS**  
(Single Stage Single Envelope)  
C&W Department District Mansehra, Government of Khyber Pakhtunkhwa invites sealed bids from eligible firms / contractor in accordance with KPPRA procurement rules 2014 on single stage single envelope procedures for the following works. The bidders should be registered with Pakistan Engineering Council (PEC) in relevant category & field of specialization for current year, enlisted with C&W Department and should have adequate financial soundness, relevant experience, personnel capabilities, require equipment and others as included in ITB.

| S.No | Name of Work   | Estimated Cost | 2% E/Money | Period of Completion | Last Date & time of Submission of Tender Form | Date of Opening and time |
|------|--|----------------|------------|----------------------|---|--------------------------|
| 1    | Pavement of street Culverts at UC A                    |                |            |                      |   |                          |
| 2    | Pavement of street culverts at Ikram Street UC Baizo K |                |            |                      |   |                          |

INF(P) 5865  
www.khyberpakhtunkhwa.gov.pk

**گورنمنٹ آف خیبر پختونخوا کیلئے**  
**NOTICE INVITING TENDERS**  
(Single Stage Single Envelope)  
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| S.No | Name of Work   | Estimated Cost | 2% E/Money | Period of Completion | Last Date & time of Submission of Tender Form | Date of Opening and time |
|------|--|----------------|------------|----------------------|---|--------------------------|
| 1    | Sanitation Schemes at UC K Location: Pata Check Bilandal.    |                |            |                      |   |                          |
| 2    | Sanitation Schemes at UC Shas Location: Gund Bairy Shah, Bar |                |            |                      |   |                          |

INF(P) 5865  
www.khyberpakhtunkhwa.gov.pk

*Handwritten signature and stamp of Deputy Director, District Mansehra.*

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*Handwritten signature*  
Stamp: DIRECTORATE OF ARCHIVES & LIBRARIES, KHYBER PAKHTUNKHWA

MERIT LIST FOR THE POST OF LIBRARIAN II FEMAL (BPS-09), DIRECTORATE OF ARCHIVES & LIBRARIES, KHYBER PAKHTUNKHWA,  
COMMUNICATED BY ETEA (EXCLUDING INTERVIEW MARKS)

| S.NO | NAME            | FATHER NAME       | DOMICILE     | MOBILE NUMBER | TEST MARKS /100 | BASIC EDUCATION MARKS/ 70 | HIGHEST QUALIFICATION | HIGHER EDUCATION MARKS/ 12 | EXPERIENCE MARKS/ 10 | TOTAL/ 192 | INTERVIEW MARKS/ 08 | TOTAL MARKS/ 200 |
|------|-----------------|-------------------|--------------|---------------|-----------------|---------------------------|-----------------------|----------------------------|----------------------|------------|---------------------|------------------|
| 1    | BIBI WASEEMA    | HAZRAT BILAL      | SWABI        | 3149871000    | 59              | 70                        | MASTER                | 0                          | 07                   | 136        | 7                   | 143              |
| 2    | ALMAS BAIG      | ASAL BAIG         | CHITRAL      | 3470928610    | 64              | 70                        | MASTER                | 0                          | 0                    | 134        |                     |                  |
| 3    | AMINA GUL       | KHADI GUL         | PESHAWAR     | 3340943193    | 60              | 70                        | MASTER                | 0                          | 0                    | 130        |                     |                  |
| 4    | DILAWAIZ INAYAT | INAYAT ULLAH KHAN | LAKKI MARWAT | 3459859338    | 58              | 62                        | MASTER                | 0                          | 10                   | 130        |                     |                  |
| 5    | NIDA ABBASI     | KHALIQ DAD ABBASI | ABBOTTABAD   | 3167322381    | 51              | 70                        | MASTER                | 08                         | 0                    | 129        | 2                   | 131              |
| 6    | AYESHA QURESHI  | MUHAMMAD KHALEEQ  | MANSEHRA     | 3000591610    | 57              | 62                        | MASTER                | 08                         | 0                    | 177        | 7                   | 134              |
| 7    | RESHMA          | SHER ALI          | MARDAN       | 3405850265    | 60              | 66                        | MASTER                | 0                          | 0                    | 126        | 5                   | 131              |
| 8    | SHADAB          | NIAZ MUHAMMAD     | PESHAWAR     | 3129971294    | 60              | 66                        | MASTER                | 0                          | 0                    | 126        |                     |                  |

*Handwritten signatures and initials*

03- Post,  
Mardan, Swabi, Chitral

*Handwritten mark*

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DEPUTY DIRECTOR  
Directorate of Books & Libraries  
Khyber Pakhtunkhwa Peshawar

*Muhammad*

|    |                |                  |              |            |    |    |        |   |   |     |   |     |
|----|----------------|------------------|--------------|------------|----|----|--------|---|---|-----|---|-----|
| 9  | GULZAR HASSAN  | ABDUL HASSAN     | CHITRAL      | 3484622395 | 54 | 70 | MASTER | 0 | 0 | 124 | 0 | 132 |
| 10 | AMBRIN         | AHMAD SHAH       | PESHAWAR     | 3005862637 | 53 | 66 | MASTER | 0 | 0 | 119 |   |     |
| 11 | KANWAL HAFEEZ  | HAFEEZ UR REHMAN | LAKKI MARWAT | 3139284507 | 50 | 66 | MASTER | 0 | 0 | 116 | 7 | 123 |
| 12 | MISBAH REHMAN  | GUL REHMAN       | PESHAWAR     | 3459106449 | 50 | 66 | MASTER | 0 | 0 | 116 |   |     |
| 13 | JAVARIA SALEEM | ABDUL SALEEM     | ABBOTTABAD   | 3109453327 | 50 | 58 | MASTER | 0 | 0 | 108 |   |     |
| 14 | UROOSA         | ABDUL WAHID      | PESHAWAR     | 3061722373 | 50 | 57 | MASTER | 0 | 0 | 107 | 7 | 114 |

*Muhammad* *Q* *Fi*

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DIRECTORATE OF ARCHIVES & LIBRARIES,  
KHYBER PAKHTUNKHWA, PESHAWAR.

Subject: MINUTES OF THE MEETINGS OF DEPARTMENTAL SELECTION COMMITTEE, DIRECTORATE OF ARCHIVES & LIBRARIES, KHYBER PAKHTUNKHWA.

Meetings of the Departmental Selection Committee were held on 22<sup>nd</sup> & 23<sup>rd</sup> October, 2018 to interview and select candidates for the posts of Librarian-II (BPS-09), Electrician (BPS-07) and Binder (BPS-07) in Directorate of Archives & Libraries, Khyber Pakhtunkhwa as per merit lists communicated by the ETEA. The meetings were attended by the following:-

- i)- Mr. Zahir Ullah Khan, Chairman,  
Director of Archives & Libraries, Khyber Pakhtunkhwa.
- ii)- Mrs. Raheela Hafeez, Chief Librarian,  
Directorate of Archives & Libraries, Khyber Pakhtunkhwa. Member.
- iii)- Mr. Mahsal Khan, Section (C-IV), Member.  
Higher Education, Archives & Libraries Department, Khyber Pakhtunkhwa.

02- THREE POSTS OF LIBRARIAN-II(BPS-09) FEMALE QUOTA.

Out of total 14 candidates, 07 appeared for interview conducted on 22-10-2018. The committee after interview, unanimously recommended the following candidates for selection against three posts of Librarian-II(BPS-09) in Public Libraries at Swabi, Peshawar and Chitral purely on merit :-

| S.No. | Name of Selectee.   | Total Merit Marks. |
|-------|---|--------------------|
| i)-   | Bibi Waseema D/O Hazrat Bilal from district Swabi.          | 143                |
| ii)-  | Ayesha Qureshi D/O Muhammad Khaleeq from district Manshra.  | 134                |
| iii)- | Miss Gulzar Hassan D/O Abdul Hassan from district, Chitral. | 132                |

03- THREE POSTS OF LIBRARIAN-II(BPS-09) FROM ZONE-I.

Out of total 06 candidates, 03 appeared for interview conducted on 23-10-2018. The committee after interview, unanimously recommended the following candidates for selection against 03 posts of Librarian-II(BPS-09) in Rahman Baba Public Library Complex, Hazar Khwani, Peshawar, Public Libraries at Bannu & Lakki Marwat purely on merit :-

| S.No. | Name of Selectee.  | Total Merit Marks. |
|-------|--|--------------------|
| i)-   | Mr. Wissal Muhammad S/O Mir Mastia Mir from FR Peshawar. | 128                |
| ii)-  | Eid Muhammad S/O Misal Khan from FR Peshawar.            | 118                |
| iii)- | Liaqat Shah S/O Khan Mir from district Mohmand.          | 110                |

*Amir*  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Peshawar

04-

**THREE POSTS OF LIBRARIAN-II(BPS-09) FROM ZONE-II.**

Out of total 27 candidates, 24 appeared for interview conducted on 22-10-2018. The committee after interview, unanimously recommended the following candidates for selection against 03 posts of Librarian-II(BPS-09) in Directorate of Archives & Libraries, Peshawar and Khushal Khan Khattak Memorial Library, Akora Khattak, Nowshera purely on merit :-

| S.No. | Name of Selectee.   | Total Merit Marks. |
|-------|---|--------------------|
| i)-   | Mr. Mustajab Khan S/O Noor Haleem from district Peshawar.     | 142                |
| ii)-  | Mr. Muhammad Ishaq S/O Muhammad Shafiq from district, Mardan. | 139                |
| iii)- | Mr. Sandal Khan S/O Muhammad Islam from district Peshawar.    | 139                |

05-

**THREE POSTS OF LIBRARIAN-II(BPS-09) FROM ZONE-III.**

Out of total 09 candidates, 07 appeared for interview conducted on 23-10-2018. The committee after interview, unanimously recommended the following candidates for selection against 03 posts of Librarian-II(BPS-09) in public libraries at Swat and Dir Lower purely on merit :-

| S.No. | Name of Selectee.                                       | Total Merit Marks. |
|-------|---|--------------------|
| i)-   | Abdul Salam S/O Abdul Latif Shah from district, Chitral | 127                |
| ii)-  | Mr. Nisar Ahmad S/O Bakht Rawan from district, Swat.    | 127                |
| iii)- | Mr. Zahir Shah S/O Sher Abdul from district, Chitral.   | 123                |

06-

**FOUR POSTS OF LIBRARIAN-II(BPS-09) FROM ZONE-IV.**

Out of total 15 candidates, 13 appeared for interview conducted on 23-10-2018. The committee after interview, unanimously recommended the following candidates for selection against 04 posts of Librarian-II(BPS-09) in public libraries at Kohat, Bannu, Lakki Marwat & D.I.Khan purely on merit :-

| S.No. | Name of Selectee.   | Total Merit Marks. |
|-------|---|--------------------|
| i)-   | Mr. Ali Rahman S/O Muhammad Saddique from district Lakki Marwat | 144                |
| ii)-  | Mr. Luqman Saeed S/O Usman Saeed from district, Karak.          | 141                |
| iii)- | Mr. Asim Rashid S/O Abdur Rashid from district, Karak.          | 139                |
| iv)-  | Mr. Mehmood Ur Rahman S/O Ayaz Khan from district, Lakki Marwat | 136                |

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APPROVED  
 DIRECTOR  
 Directorate of Archives & Libraries  
 Peshawar

32  
36

07- **THREE POSTS OF LIBRARIAN-II(BPS-09) FROM ZONE-V**

Out of total 02 candidates, 01 appeared for interview conducted on 23-10-2018. The committee after interview, unanimously recommended the following candidate for selection one of the three posts of Librarian-II(BPS-09) in public libraries at Haripur and Abbotabad purely on merit :-

| S.No. | Name of Selectee.  | Total Merit Marks. |
|-------|--|--------------------|
| i)-   | Mr. Rashid Mahmood S/O Muhammad Akbar from district, Haripur | 109.               |

08- **TWO POSTS OF ELECTRICIAN(BPS-07) FROM ZONE-I**

All four candidates who have qualified ETEA's test, appeared for interview conducted on 23-10-2018. The committee after interview, unanimously recommended the following candidates for selection against 02 posts of Electrician(BPS-07) in public libraries at Rahman Baba Public Library Complex, Hazar Khwani, Peshawar and Public Library, Lakki Marwat purely on merit :-

| S.No. | Name of Selectee.                                 | Total Merit Marks. |
|-------|---|--------------------|
| i)-   | Majid Karim S/O Sher Karim from FR Peshawar       | 144                |
| ii)-  | Muhammad Sadiq S/O Zait Ullah Khan from FR Bannu. | 141                |

09- **ONE POST OF ELECTRICIAN(BPS-07) FROM ZONE-III**

One candidate who has qualified ETEA's test, appeared for the interview conducted on 23-10-2018. The committee after interview, unanimously recommended Mr. Pervez Ahmad S/O Sher Azam from district Chitral obtaining 132-merit marks for selection as Electrician(BPS-07) against the newly created post at Public Library, Chitral, Directorate of Archives & Libraries, Khyber Pakhtunkhwa purely on merit.

10- **ONE POST OF BINDER(BPS-07) FROM ZONE-II**

One candidate who has qualified ETEA's test, appeared for the interview conducted on 23-10-2018. The committee after interview, unanimously recommended Mr. Shehzad Ahmad S/O Fida Muhammad from district Swabi, obtaining 139-merit Marks for selection as Binder(BPS-07) against the newly created post at Public Library, Swabi, Directorate of Archives & Libraries, Khyber Pakhtunkhwa purely on merit.

11- **ONE POST OF BINDER (BPS-07) FROM ZONE-III**

All three candidates who have qualified ETEA's test, appeared for the interview conducted on 23-10-2018. The committee after interview, unanimously recommended Mr. Junaid Khan S/O Ghazi Rahman from district Dir Lower, obtaining 152-merit marks for

(1)



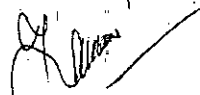
*Pervez*  
*Muhammad*  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar


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selection as Binder(BPS-07) against the newly created post at Timergara Public Library, Dir Lower, Directorate of Archives & Libraries, Khyber Pakhtunkhwa purely on merit.

12- The committee unanimously decided that under Rule-17 of the APT Rules, 1989, seniority position of the new selectees will be determined on the basis of their respective merit marks.

13- The meetings ended with vote of thanks from and to the chair.

|  |   |   |
|--|---|---|
| <br>(Mansal Khan)<br>Section Officer(C-IV),<br>Higher Education, Archives &<br>Libraries Department,<br>Khyber Pakhtunkhwa. | <br>(Raheela Hafeez)<br>Chief Librarian,<br>Directorate of Archives &<br>Libraries, Khyber Pakhtunkhwa | <br>(Zahir Ullah Khan.)<br>Director of Archives &<br>Libraries, Khyber Pakhtunkhwa |
| 1  | 2   | 3   |

  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Government

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**ORDER**

Consequent upon the recommendations of the Departmental Selection Committee made in its meetings held on 22<sup>nd</sup> & 23<sup>rd</sup> October, the competent authority, under Rule-04(3,ii) of the APT Rules, 1989, is pleased to order the following: -

| S. # | Name of Appointee.   |
|------|--|
| 1.   | Appointment of Bibi Waseema D/O Hazrat Bilal (CNIC No. 42401-4286364-6), resident of Mohallah Solai, Tehsil, Topi, district, Swabi, as Librarian-II(BPS-09) against the newly created post of in Swabi Public Library, Swabi, Directorate of Archives & Libraries, Khyber Pakhtunkhwa.   |
| 2.   | Appointment of Miss Ayesha Qureshi D/O Muhammad Khaleeq (CNIC No. 13503-7998044-0), resident of House No. 4081, Mohallah Asif Khan, Sufaida Road, Marsehra, as Librarian-II(BPS-09) against the existing vacancy in Maulana Muhammad Ishaq Public Library, Abbottabad, Directorate of Archives & Libraries, Khyber Pakhtunkhwa.  |
| 3.   | Appointment of Miss Gulzar Hassan D/O Abdul Hassan (CNIC No. 42201-1952812-3) resident of Village Seen Lasht, District, Chitral as Librarian-II(BPS-09) against the newly created post of in Chitral Public Library, Chitral, Directorate of Archives & Libraries, Khyber Pakhtunkhwa.   |
| 4.   | Appointment of Mr. Wissal Muhammad S/O Mir Masta Mir (CNIC No. 22501-6463299-1), resident of Village Sama Bada Bera, FR Peshawar, as Librarian-II(BPS-09) against the existing vacancy in Directorate of Archives & Libraries, Khyber Pakhtunkhwa, Peshawar.   |
| 5.   | Appointment of Mr. Eid Muhammad S/O Misal Khan CNIC No. 17301-0465522-5), resident of Mandi Shat Khel, Post Office, Shamshatoo, district, FR Peshawar, as Librarian-II(BPS-09) against the newly created post in Rahman Baba Public Library Complex, Hazaar Khwani, Peshawar, Directorate of Archives & Libraries, Khyber Pakhtunkhwa.                                     |
| 6.   | Appointment of Mr. Liaqat Shah S/O Khan Mir (CNIC No. 21405-8588506-1), resident of Tehsil Safi, Sando Khel, district Mohmand Agency as Librarian-II(BPS-09) against the newly created post in Bannu Public Library, Bannu, Directorate of Archives & Libraries, Khyber Pakhtunkhwa.   |
| 7.   | Appointment of Mr. Mustajab Khan S/O Noor Halim (CNIC No. 17301-1748861-9), resident of Village Babu Gari Qadeem Warsak Road, Post Office, Kababyan, district Peshawar as Librarian-II(BPS-09) against the existing vacancy in Directorate of Archives & Libraries, Khyber Pakhtunkhwa, Peshawar.  |
| 8.   | Appointment of Mr. Muhammad Ishaq S/O Muhammad Shafiq (CNIC No. 16102-3423333-1), resident of Village & Post Office Dandaw, Tehsil, Takht Bhai, district, Mardan as Librarian-II(BPS-09) against the newly created post in Khushal Khan Khattak Memorial Library, Akora Khattak, Nowshera, Directorate of Archives & Libraries, Khyber Pakhtunkhwa.                        |
| 9.   | Appointment of Mr. Sandal Khan S/O Muhammad Islam (CNIC No. 17301-2473367-9), resident of Village, Regi, Mohallah, Afthezai, Post Office Regi, district Peshawar as Librarian-II(BPS-09) against the newly created post the newly created post in Khushal Khan Khattak Memorial Library, Akora Khattak, Nowshera, Directorate of Archives & Libraries, Khyber Pakhtunkhwa. |

*Ayesha*  
**DEPUTY DIRECTOR**  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar



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# Allama Iqbal Open University Islamabad



Serial No. 1427

Certified that Mr. / Ms. AYESHA QURESHI

Son / Daughter of MUHAMMAD KHALIQUE

Registration No: 11-NMA-01448 Roll No: AY531526

having completed the prescribed requirements in semester

AUTUMN 2017

is awarded the degree of:

*Master of Library & Information Science*

He / She has secured 63 % marks and has been placed in B grade.

*Muhammad*

CONTROLLER OF EXAMINATIONS

Result declared on: December 04, 2018

ISLAMABAD DATED: December 27, 2018



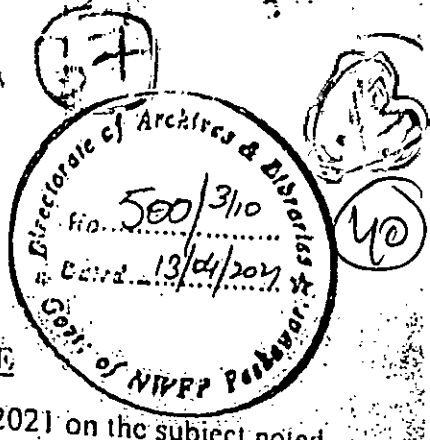
VICE-CHANCELLOR

DEPUTY DIRECTOR  
Directorate of Examinations & Library  
Allama Iqbal Open University, Islamabad

THIS DEGREE IS TO BE READ IN CONJUNCTION WITH THE TRANSCRIPT, ISSUED SEPARATELY

To

The Deputy Director,  
Directorate of Archives & Libraries, Peshawar.



Subject:-

PROVISION OF EXPERIENCE CERTIFICATE

Reference your letter No. 519/3/10DA Dated 02-04-2021 on the subject noted above.

2- It is submitted that I applied to the post of Assistant (reserved for female quota) advertised by Directorate of Archives & Libraries through ETEA. After uploading/Declaration of online result of the test, my experience marks were not included in that result updated by ETEA. I submitted application to Incharge ETEA on 21-02-2020 to add up 03-year experience marks to my overall merit. In response, the Incharge ETEA recorded remark of "Presently working in DOAL as Librarian, experience be verified telephonically from the quarter concerned" on my application and referred application to Director, Archives & Libraries.

3- I produced the said application along with my experience certificate during my interview on 24-09-2020 which was telephonically verified by the Director, Archives & Libraries from the concerned quarter in the presence of other members of the DSC. Later on I was appointed as Assistant against the said post.

4- Experience Certificate/Application with remarks are attached with application.

Handwritten note: "Expansion certificate attached & Director Application" with a signature.

(Ayesha Qureshi)  
Assistant,  
Public Library, Manshira

Handwritten note: "Conduct" with a bracket around the following text:  
Copy forwarded to the Director, Archives & Libraries Department Peshawar with explanation that Mr. Dilshad Hussain, Deputy Director has been harassing me under one pretext or other for the last more than one year. The same malice on his part is also evident from the instant case initiated by him without taking approval of competent authority as he is not competent to do so as per his existing assigned job description. This harassment is causing mental torture to me & therefore, he may kindly warn not to repeat such harassment in future, otherwise I will be constrained to file complaint against him under the relevant provision of Protection against Harassment of Women at the Workplace Act, 2010.

Handwritten note: "The language of above letter is showing that"

Assistant,  
Public Library, Manshira.

Signature of Deputy Director  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

RECEIVED  
12 FEB 2023

DEPUTY DIRECTOR  
Directorate of Archives  
Khyber Pakhtunkhwa  
Peshawar

Ali Akbar  
Khan

۱- (۱) یہ درخواستیں ترقی پزیر ہیں۔  
۲- یہ درخواستیں ترقی پزیر ہیں۔  
۳- یہ درخواستیں ترقی پزیر ہیں۔  
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۱۰- یہ درخواستیں ترقی پزیر ہیں۔

Senior Civil Judge  
07 DEC 2023  
OR

ذاتی اسٹیٹس آرڈیننس

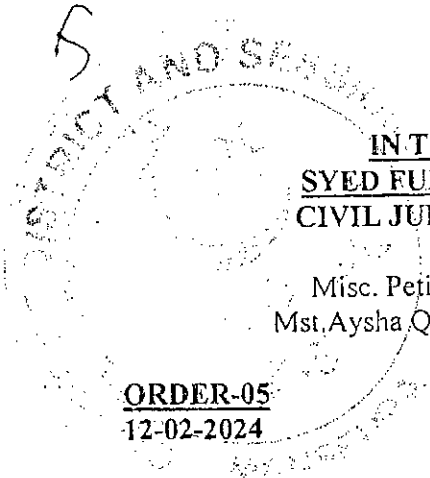
پشاور

NIC No: 13503.79980440  
Mob: 0300-412541280

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اندرج ذیل درخواستیں منظور ہیں۔

SCANNED  
12-02-2023  
07-12-23



**IN THE COURT OF  
SYED FUROAN MASHWANI,  
CIVIL JUDGE-II, MANSEHRA**

Misc. Petition No.156/1 of 2023  
Mst. Aysha Qureshi VS Muqarab Khan

**ORDER-05  
12-02-2024**

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Clerks to learned counsel for the parties present.

This order of the Court is further aims at disposal of an application for temporary injunction through which plaintiff/petitioner seeks directions of the Court to restrain defendants from issuing notice for vacating official residence of plaintiff, forcefully dispossessing her, harassing her through any department, initiating any proceedings as revenge, vacating the official residence before disposal of her appeal before Service Tribunal or performing any other act affecting rights of petitioner/plaintiff till final disposal of the suit.

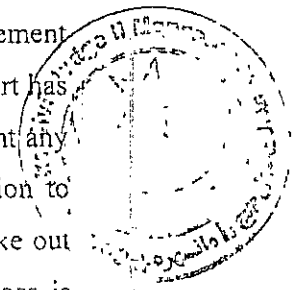
Arguments heard and record tentatively pored over.

Admittedly, the grant of temporary injunction is equitable relief and is the discretion of court, however, this discretion is governed by some settled principle i.e. co-existence of three necessary ingredients; prima facie case, balance of convenience and irreparable loss.

As per record service appeal of the plaintiff is pending before Khyber Pakhtunkhwa Service Tribunal while U/S 13 of the Khyber Pakhtunkhwa, Provincial Buildings Management Control and Allotment Act, 2018 jurisdiction of Civil Court has specifically been barred to entertain any proceedings, grant any injunction, temporary relief or make any order in relation to provincial buildings. Therefore, plaintiff has failed to make out a prima facie case in her favor. So for as irreparable loss is

*Handwritten signature*

12-02-24  
**DEPUTY DIRECTOR**  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Feshawar



**ATTESTED**  
12/02/24

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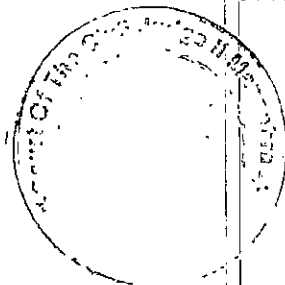
concerned, as discussed above service appeal of petitioner is pending before proper forum, thus she is at liberty to raise the said plea before competent forum. The basic ingredients necessary for grant of temporary injunction are missing in the instant case, therefore, application for temporary injunction stands turned down.

Cost to follow the event. Copy of this order be placed on main file while this file be consigned to record room after following standard procedure.

Announced:  
12-02-2024

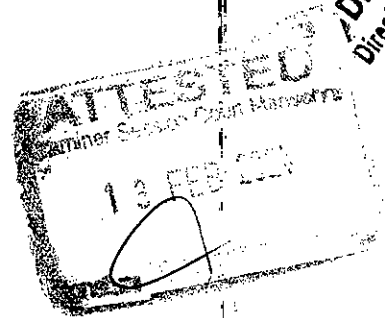
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SYED FURQAN MASHWANI  
CIVIL JUDGE-V, MANSEHRA



*Furqan Mashwani*

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar



CD No 2010  
Date 12-02-2024

Court Fee

Urgent

Particulars

Remarks

Case No

Case Title

Cause of Action

Date of Delivery

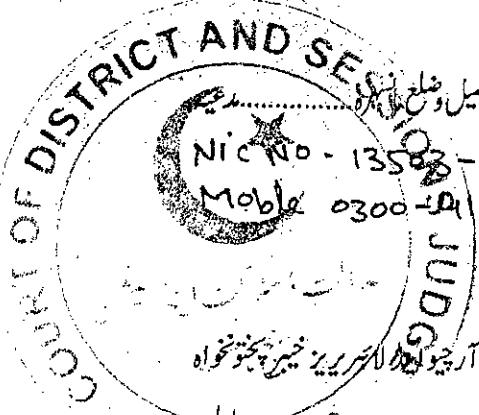
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بعد الت جواب

از منٹل

نمبر مقدمہ 175/ رجوی 07-12-23  
بعدالت جناب سینئر سول جج صاحب مانسہرہ



مساءة عائشہ قریشی دختر محمد خلیق مکنہ سرکٹ ہاؤس تحصیل و ضلع مانسہرہ  
نام

مقرب خان ڈپٹی ڈائریکٹر، ڈائریکٹریٹ آف آرچیو لیاں لائبریریز خیرپنجنوخواہ  
پشاور

الف۔ دعویٰ استقراریہ مشعر بدیں قرار داد کہ مدعیہ کو ارث واقع سرکٹ ہاؤس  
مانسہرہ میں عرصہ تقریباً پونے تین سال سے رہائش پذیر ہے جس کا وہ مطابق  
قانون باقاعدگی سے ہر ماہ کرایہ ادا کر رہی ہے۔ مدعا علیہ کو کوئی حق و اختیار  
حاصل نہ ہے کہ وہ مدعیہ کو کسی قسم کا نوٹس جاری کرے۔ مدعا علیہ کی جانب  
سے جاری کردہ چٹھی نمبری 1291/8/27/DA محرمہ  
28.11.2023 سراسر غلط خلاف قانون اور خلاف حقیقت ہے اور مدعیہ  
کے حقوق پر کالعدم و بے اثر ہے۔

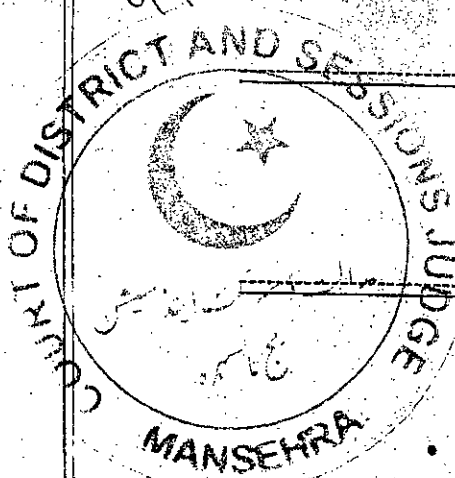
OR 01  
07 DEC 2023  
Senior Civil Judge  
Manshera

بالت بغرض کوڑنٹس اور اختیار امت  
200/- روپے

ب۔ دعویٰ حکم اقتصاعی عارضی برخلاف مدعا علیہ کہ وہ مدعیہ سے سرکاری کوآرڈر  
خالی کردانے کے لئے کسی قسم کا غیر قانونی نوٹس جاری کرنے، مدعیہ کو کوآرڈر  
متدعوئیہ سے بیدخل کرنے، دیگر کسی ادارے کے ذریعے مدعیہ کو ہراساں و  
پریشان کرنے، سرکاری و ریاستی مشینری کے ذریعے مدعیہ کی چادر و چار  
دیواری کو پامال کرنے، کسی قسم کی انتقامی کارروائی کرنے، مقامی پولیس،  
انتظامیہ یا C&W ڈیپارٹمنٹ کے ذریعے مدعیہ کو ہراساں کر کے قبضہ مدعیہ  
میں مغل ہونے، مدعیہ کی اپیل بحالی ملازمت زیر تجویز سروس ٹرایبونل کے  
فیصلہ سے قبل مدعیہ کو بیدخل کرنے یا دیگر کوئی بھی ایسا فعل سرانجام دینے جس

Deputy Director  
Directorate of Archives & Libraries  
Manshera District

ATTESTED  
Examiner Session Court Manshera  
13 FEB 2024



IN THE COURT OF  
**SYED FURQAN MASHWANI**  
CIVIL JUDGE-II, MANSEHRA

Suit No.156/1 of 2023

- Date of Institution.....07.12.2023
- Date of Decision.....12.02.2024

Mst. Aysha Qureshi daughter of Mohammad Khaleeq, resident of Circuit House District Mansehra [Plaintiff].

VERSUS

Muqarab Khan, Deputy Director, Directorate of Archive and Libraries Khyber Pakhtunkhwa Peshawar [Defendant].

SUIT FOR DECLARATION & PERPETUAL INJUNCTION

REPRESENTATION:

- MR. SEHAR GUL ADVOCATE, LEARNED COUNSEL FOR PLAINTIFF.
- DISTRICT ATTORNEY, MANSEHRA FOR DEFENDANT.

12.02.24

*[Handwritten Signature]*  
DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

**ATTESTED**  
Examiner Session Court Mansehra  
13 FEB 2024  
*[Signature]*

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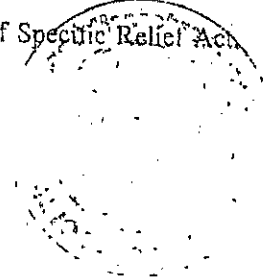
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SUMMARY JUDGMENT  
12.02.2024

Plaintiff has instituted the instant suit against defendant for declaration and permanent injunction to the effect that plaintiff is residing in official residence/annexy situated at circuit house Mansehra from last three years and was regularly paying its rent as per law. Defendant has got no right to issue any notice to plaintiff, while letter bearing No.1291/8/27/DA dated: 28-11-2023 is wrong, against the law and facts, therefore, is ineffective upon rights of the plaintiff. Plaintiff further seeks permanent injunction against defendants to restrain them from issuing notice, dispossessing plaintiff from official residence/annex, taking any vengeance action against plaintiff, interfering in her possession, evicting plaintiff till disposal of her appeal before Services Tribunal or performing any other acts against interest of the plaintiff. Defendants were repeatedly asked to acknowledge the claim but to no success. Plaintiff, feeling aggrieved, has approached this court. Hence, the present suit.

12-02-24

Upon being summoned, defendant appeared before the court and contested the suit by filing written statement raising various legal and factual objections therein. Defendant asserted that plaintiff has been removed by the competent authority on 28.04.2023 vide order No.400/3/10/DA, where-after she filed a departmental appeal as well as an appeal before Services Tribunal which is pending for disposal and fixed for 25-01-2024 at Camp Court, Abbottabad. The competent authority has rightly issued letters to XEN C&W Mansehra to plaintiff to vacate official residence after removing the plaintiff from service, while suit of the plaintiff is against section 56 D & E of Specific Relief Act 1877, therefore, suit is liable to be rejected.



*Ali...*  
**DEPUTY DIRECTOR**  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

**ATTESTED**  
Clerk Session Court Mansehra  
13 FEB 2024  
Signature



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Pleadings of the parties were gone through. Parties were examined at the bar and learned counsel for plaintiff was heard. The Court was of the legal view that the case could be decided summarily, thus, notices of summary judgment under Order XV-A sub rule 4(3) C.P.C were issued to learned counsel for parties at the bar with directions to submit their affidavits under Order XV-A sub rule 4(3) C.P.C and the relevant documents they are relying on under Order XIII Rule 1, CPC. Conference on discovery management was concluded wherein parties did not opt to file any affidavit or produce any document, therefore, the documents already available on file were admitted as Mark-A to Mark-G.

Arguments heard. Record pored over.

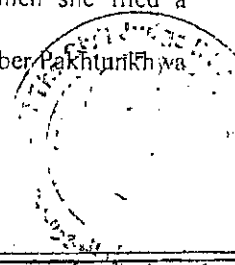
18.02.24

This court is supposed to resolve the controversy in the light of material available on record in order to ascertain as to whether plaintiff is entitled to the said reliefs and whether her pursuit in this regard is based on bonafide or it is tainted with mala fide coupled with the fact as to what type of benefit the plaintiff intends to derive from the said relief. Examination of the case file and arguments advanced by the learned counsel for the contesting parties divulged certain material factual as well as legal aspects, which tend this court to come into discord with the contentions of the plaintiff based on grounds discussed hereunder:

*[Handwritten signature]*

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

Firstly; it is an admitted fact on record and at the bar that plaintiff was serving as Assistant Public Library. Masehra (BPS-16). She was later on removed from service vide order dated: 28.04.2023 [Mark-E], against which she filed a departmental appeal and now her appeal [Mark-A] before Khyber Pakhtunkhwa Service Tribunal is pending adjudication.



ATTESTED  
Examiner Session Court Masehra  
13 FEB 2024

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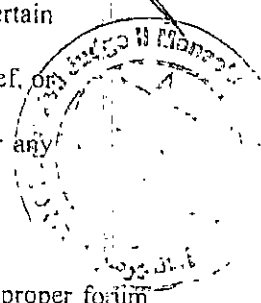
Plaintiff, by way of declaration and permanent injunction is claiming entitlement to the suit quarter as a matter of right. where the court has to look whether there exists any right, express or implied, in favour of plaintiffs that is likely to be compromised by an act of defendant not warranted by law. Before embarking upon the merits of the case, every court is bound dive deep into the roots of the case and to examine whether the same is competent in present form to proceed with?

The allotment of the state owned accommodation in this part of the region is now governed by the Khyber Pakhtunkhwa, Provincial Buildings Management Control and Allotment Act 2018. Erstwhile, Residential Accommodation at Peshawar (Procedure and Allotment) Rules, 2015 was enacted, however, the same was declared null and void by the competent forum and thus stood abolished. The Act of 2018 lays down the criteria for the allotment of official buildings to government servants and to regulate the affairs of official accommodation. The government servants aggrieved from the allotment order have been vested with a right of appeal to the authority specified and then to second appellate forum as specified in section 9 of the Act. These provisions take away remedy of filing of suits before Civil Courts by any government servant regarding official accommodation. This bar has been laid down in section 13 of act as:

"No Civil Court shall have the jurisdiction to entertain any proceedings, grant any injunction, temporary relief, or make any order in relation to Provincial building, or any matter governed by this Act"

The remedies available to plaintiff have been availed before the proper forum and Civil Court cannot intervene directly into such matters because it lacks

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Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar



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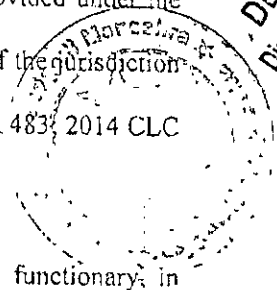
jurisdiction thereto. [Wisdom is borrowed from the case law reported in: 2001 PLR 864; 2001 PLC (C.S) 907; 2002 PLG (C.S) 92; 2011 PLR 1310; 2004 PLC (C.S) 119; 1999 SCMR 650 & 1999 SCMR 784]. In circumstances of such sort, suit of the plaintiffs is held, not maintainable.

Secondly; comes the question, whether defendants have acted outside the four corners of the relevant rules law entitling the plaintiff to knock at the doors of a Civil Court being the court of ultimate jurisdiction? Plaintiff failed to bring anything on record which could suggest the same and warrant the invoking of section 9 CPC. A Civil Court has got no jurisdiction to try the matter if right is created by special law and procedure for enforcement of the same is also provided in such special law. Civil Servant Act, 1973 and Khyber Pakhtunkhwa Service Tribunal's Act, 1974 being special laws where special procedure is provided for enforcement of the same and in presence of special law, the application of general law is barred. A Civil Court has got no jurisdiction to try the matter if right is created by special law and procedure for enforcement of the same is also provided in such special law.

When a special remedy was provided under the law, it may not be bypassed and the civil courts should not be approached directly without exhausting the highest forum in the authority. Furthermore, the jurisdiction of civil courts was also impliedly barred where an alternate remedy had been provided under the law, provided that the authority was not exercised in excess of the jurisdiction conferred upon the authority. [Reliance placed on: 2020 SCMR 483; 2014 CLC 1681].

Thirdly; plaintiff has sued defendant; who is a government functionary; in personal capacity for an act that is done in official capacity. Section 79 of CPC

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and so does Article 174 of the Constitution require that all suits against the Central Government have to be filed in the name of Pakistan and against a Provincial Government in the name of province. The procedural precondition is mandatory in nature and no relief can be sought without its strict compliance and suit would not be maintainable. Noncompliance is serious defect which goes to the root of the matter [Reliance placed on the case law: 2010 SCMR 115; PLD 1993 SC 147; 1999 SCMR 16; NLR 1988 Civil 42; 2005 YLR 277; 2005 YLR 2373; 1990 ALD 285(1); PLD 1971 Karachi 625; 1987 CLC 2360 Lahore].

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Fourthly, there are two categories, broadly speaking, of situations in which the question can arise whether the Government or one of its functionaries is a necessary party in a suit or not. In one category fall the cases in which the Government and its functionaries are vested with the power of deciding certain rights of the citizens but so far as the subject matter of the dispute is concerned the Government itself has no interest in it. In the other category would be cases where a Government functionary not only takes an action or passes an order but also the Government as an interest in the subject matter. The first category can comprise instances where a revenue official incorporates an entry in a revenue record of lands belonging to private citizens, a Government functionary registers a document evidencing transaction of sale between two persons etc. These are the cases in which though the authority to decide or act has been exercised by the Government or the Government functionary no interest of the Government itself is involved. In the second category fall cases in which the interests of the Government are involved for instance a Government functionary forfeits land in favour of the Government, a public officer passes an order for the confinement of a person in civil prison for non-payment of a land

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revenue or any other revenue claimable by the Government, the Government or a person acting on its behalf passes an order in the interests of law and order that a person shall be detained in preventive detention etc.

In the first category of cases the Government is not a necessary party while in the second category the Government is a necessary party in whose absence a suit cannot proceed and the instant suit comes within the circle of the second category [Reliance placed on: 1981 CLC 1170 SC AJ&K; 1990 MLD 1617 Karachi; 1990 MLD 1617 SC AJ&K].

Fifthly; plaintiff has sought declaration of her legal character under section 42 of the Specific Relief Act, 1877. It is a well settled law that under the ibid section, a person can come to the court for the declarative relief with regard to his legal character or any right to property. Declaration sought by plaintiff is neither in respect to the plaintiff's legal character, nor with regard to any right to the property. Under Section 42 of Specific Relief Act, 1877, it is only with regard to these matters that a person can, come to the court for declaratory relief. The phrase "legal character" has been used, as held in K.P.Ramakishna Patter v K.P. Narayana Patter and others (ILR 39 Mad. 80) in the sense of "status", which is constituted by the attributes which the law attaches to a person in his individual and personal capacity and which, according to Holland, is referable to such legal conditions as (1) sex, (2) minority (3) 'patria potestas' and 'manus', (4) covertures, (5) celibacy, (6) mental defect, (7) bodily defect, (8) rank, caste and official position, (9) slavery, (10) profession, (11) civil death, (12) illegitimacy, (13) heresy, (14) foreign nationality, and (15) hostile nationality. According to Salmon, the term "status" is usually confined to personal legal condition or, personal capacities and incapacities, or compulsory

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as opposed to conventional personal condition. In this sense, the expression will include personal rights and burdens to the exclusion of the proprietary relations, contractual capacities and incapacities, or legal conditions imposed upon a person by law without his own consent as opposed to the condition which he has acquired himself by agreement, such as the position of a slave. In the present case, plaintiff lacks a "legal character" to seek declaration as her stance is altogether negated by the relevant statute and as such she has no legal footings to stand upon.

12-02-24

And Lastly: learned counsel for plaintiff requested the court to fix the case for full trial. However, suffice to say that disposal of contested cases by way of summary judgment has been new in our legal system. The new C.P.C Management Rules were introduced into the Civil Procedure Code, 1908 by the Honourable Peshawar High Court, Peshawar in the year 2018. Disposal of cases through summary judgments was earlier limited to only those cases where defendants admitted claim of plaintiff as a whole and where rendering of judgment for settling issues on legal claim, and application of law to facts of the case, did not require any deliberations, findings and factual determinations. Introduction of this new mechanism was made after realization that protracted litigation has been costing the people heavy in terms of money and time, besides bringing the system of civil adjudication under the stark criticism for delays, which is normally caused in disposal of cases. The basic purpose of these rules was the establishment of a firm grip of the Court on the case management so that the conventional approach can be done away with, the dispute between the parties can be resolved expeditiously and the sorry delay over years rather decades can be curbed effectively. Ordinarily, when a case is filed, the judges do not familiarize themselves with the case, assuming that it

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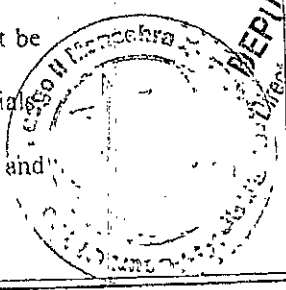
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would cruise into a trial and resolution of dispute would be the end result of trial. Hence, the procedural requirements that precede a trial are ignored. In short, ownership of case is not taken. If asked for the delay stretching over decades, the judges blame the lawyers for not being prepared and seeking adjournments. The lawyers in return complain of burden of work, non-availability of witnesses and the rigid attitude of judges. The result is stagnancy affecting the common folks and ultimately the whole system. Through these rules, it was aimed that effective Case Management would correct these shortcomings and the trust of the public will be restored in the judicial system. If we aren't willing to dispense with the orthodox approach that has rotten the very fabric our judicial system and allow each and every case to proceed into a prolonged and extensive trials, then the very purpose of the new management rules will be strangled to death.

12-02-24

Other legal systems of world are also embracing such like instruments of curtailing delay in litigations. Power under the civil procedure rules provides for the practice and procedure of disposal of cases on the basis of summary judgments. The Honourable Supreme Court of Canada in the judgment titled as "Hryniak Vs Mauldin" has widen the scope of summary judgments. The said judgment has beautifully expounded the need, scope as well as relevant consideration for review of summary judgments while emphasizing upon the need and utility of disposal of cases by way summary judgments, wherein the Honourable Court held:

"Our civil justice system is premised upon the value that the process of adjudication must be fair and just. This cannot be compromised. However, undue process and protracted trials with unnecessary expenses and delay, can prevent the fair and"



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State of Archives & Libraries  
Hyderabad  
Pakhankhwa Peshawar

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just resolution of disputes. If the process is disproportionate to the nature of the dispute and the interests involved, then it will not achieve a fair and just result. A shift in the culture is required. The proportionality principle is now reflected in many of the provinces' rules and can act as a touchstone for access to civil justice. The proportionality principle means that the best forum for resolving a dispute is not always that with the most painstaking procedure. Summary judgment motions provide an opportunity to simplify pre-trial procedures and move the emphasis away from the conventional trial in favor of proportional procedures tailored to the needs of the particular case. Summary judgment rules must be interpreted broadly, favoring proportionality and fair access to the affordable, timely and just adjudication of claims."

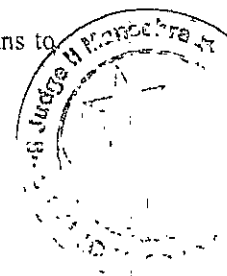
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Regarding the scope of summary judgments, another para is found relevant, which is also reproduced hereunder for ready reference:

"Summary judgment motions must be granted whenever there is no genuine issue requiring a trial when the Judge is able to reach a fair and just determination on the merits on a motion for summary judgment. This will be the case when the process allows the Judge to make necessary findings of fact; allows the Judge to apply the law to the facts and is a proportionate, more expeditious and less expensive means to achieve a just result."

*Handwritten signature*

**DEPUTY DIRECTOR**  
 Director of Archives & Libraries  
 Government of Punjab, Pakistan  
 Lahore



**ATTENDED**  
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Hinging upon what has been penned down above, this Court being unimpressed with the assertions of the plaintiff hereby dismisses the suit in hand for want of a valid cause of action before Civil Court; plaintiff has failed to fulfil the mandatory requirements of section 79 and Article 174 of the Constitution of Pakistan 1973; the suit is also barred by section 56(d) of Specific Relief Act, 1877. On the same hand, application for impleadment stands turned down as well. Plaintiff is at liberty to seek redressal of her grievances at the competent legal forum mentioned above. Cost to follow the events.

Muharrir of the Court is directed to prepare decree sheet and file be consigned to record room after necessary completion and compilation.

Pronounced in open court at District courts Manshara on this 12<sup>th</sup> Day of February, 2024 and given under my hand and seal of this Court.

12-02-24

SYED FURQAN MASHWANI  
Civil Judge-II, Manshara.

CERTIFICATE

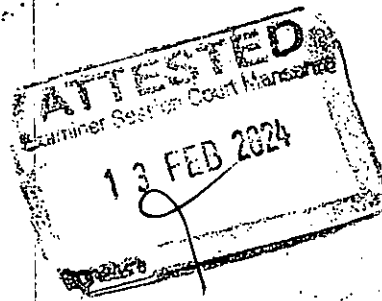
Certified, that this summary judgment of the court consists of Eleven (11) pages. Each page has been read over, checked and signed by me after making necessary corrections therein.

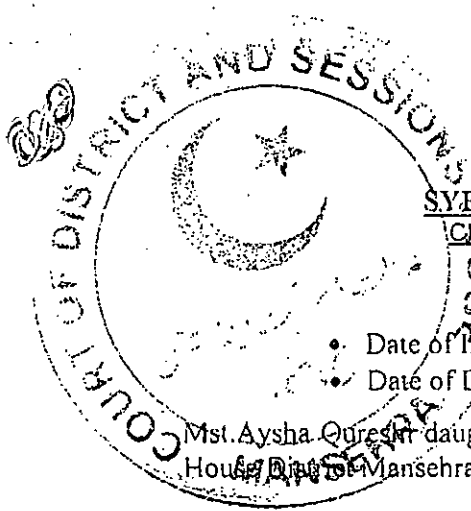
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SYED FURQAN MASHWANI  
Civil Judge-II, Manshara.



DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Manshara





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**DECREE SHEET**  
**IN THE COURT OF**  
**SYED FURQAN MASHWANI**  
**CIVIL JUDGE-II, MANSEHRA.**

Suit No.156/1 of 2023

- Date of Institution.....07.12.2023
- Date of Decision.....12.02.2024

Mst. Aysha Qureshi daughter of Mohammad Khaleeq, resident of Circuit House, District of Mansehra [Plaintiff].

**VERSUS**

Muqarab Khan, Deputy Director, Directorate of Archive and Libraries Khyber Pakhtunkhwa Peshawar [Defendant].

**SUIT FOR DECLARATION & PERPETUAL INJUNCTION**

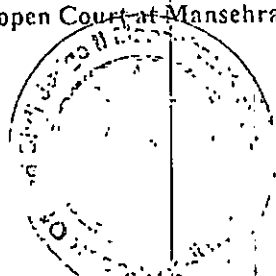
**PRAYERS**

Plaintiff has instituted the instant suit against defendant for declaration and permanent injunction to the effect that plaintiff is residing in official residence/annexy situated at circuit house Mansehra from last three years and was regularly paying its rent as per law. Defendant has got no right to issue any notice to plaintiff, while letter bearing No.1291/8/27/DA dated: 28-11-2023 is wrong, against the law and facts, therefore, is ineffective upon rights of the plaintiff. Plaintiff further seeks permanent injunction against defendants to restrain them from issuing notice, dispossessing plaintiff from official residence/annex, taking any vengeance action against plaintiff, interfering in her possession, evicting plaintiff till disposal of her appeal before Services Tribunal or performing any other acts against interest of the plaintiff. Defendants were repeatedly asked to acknowledge the claim but to no success. Plaintiff, feeling aggrieved, has approached this court. Hence, the present suit.

**DECREE/RELIEF**

This Court being unimpressed with the assertions of the plaintiff hereby dismisses the suit in hand for want of a valid cause of action before Civil Court; plaintiff has failed to fulfil the mandatory requirements of section 79 and Article 174 of the Constitution of Pakistan 1973; the suit is also barred by section 56(d) of Specific Relief Act, 1877. On the same hand, application for impleadment stands turned down as well. Plaintiff is at liberty to seek redressal of her grievances at the competent legal forum mentioned above. Cost to follow the events.

Announced in open Court at Mansehra  
12-02-2024



SYED FURQAN MASHWANI,  
CIVIL JUDGE -II, MANSEHRA

*Furqan Mashwani*  
**DEPUTY DIRECTOR**  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

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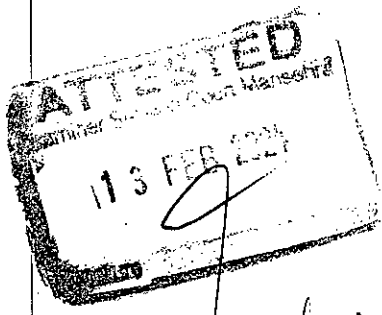
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| Plaintiff | Cost of Suit                            | Defendants |
|-----------|---|------------|
| N/L       | Stamp for Memorandum of suit/ Court fee | N/L        |
| -         | Stamp for power                         | -          |
| -         | Cost of witnesses                       | -          |
| -         | Proclamation fee                        | -          |
| -         | Commission fee                          | -          |
| N/L       | Total                                   | N/L        |

Given under my hand and seal of the Court on  
12<sup>th</sup> day of February, 2024



12-02-24  
SYED FURQAN MASHWANI,  
CIVIL JUDGE - II, MANSEHRA



2009  
Date 12-02-24  
Urgent  
Name of Parties  
Date of Completion 13-02-24  
Date of Intimation  
Cause of Delay  
Date of Delivery 13/2/24

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

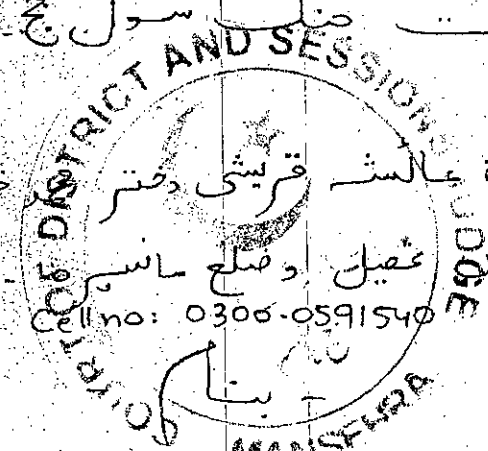
نقل از دست خط

SCANNED

22-12-2023

نمبر مقدمہ 185/ رجوعی

بعدالت جناب سول جج II صاحب مالنسرہ 2024



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مقام عالیہ قریبی دختر خلیق سکھ سرگت  
یا دین عقیل او ضلع مالنسرہ  
Cell no: 0300-0591540

مقرب خان ڈپٹی ڈائریکٹر، ڈائریکٹ آف  
آرچیو اینڈ لائبریریز خیبر پختونخواہ پشاور۔  
Cell no: 0300-5771665  
(مسول علیہ)

OR 01  
22 DEC 2023  
Senior Civil Judge  
Mansehra

درخواست توجہ عدالت برخلاف مسول علیہ

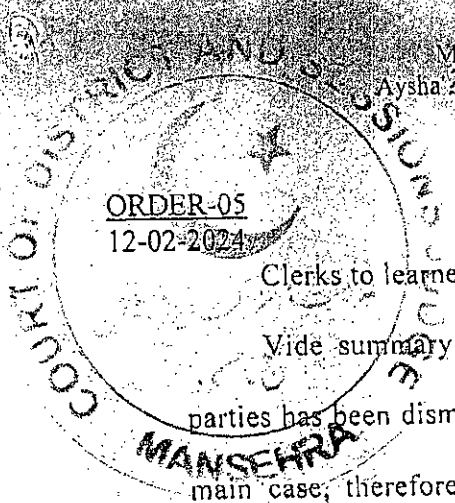
جناب عالی! درخواست ذیل غرض سے

1- یہ کہ سائل نے دعویٰ حکم امتناعی برخلاف  
مسول علیہ مورخہ 07  $\frac{12}{23}$  کو دائر کر کے حکم امتناعی  
حاصل کیا جو کہ بروئے حکم مورخہ 20  $\frac{12}{23}$  کو  
اس میں توجہ دیوٹی (لغولف ہیں)۔

2- یہ کہ مسول علیہ ایک عند زور اور بے اثر شخص  
سے جسے حکم امتناعی کا بخوبی علم تھا۔ جو جان  
بد جو کر عدالت میں حاضر نہیں ہوا اور مورخہ 2  
کو دن بوقت 1 بجے بجلی اور گیس کے

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Khyber Pakhtunkhwa Peshawar

ATTESTED  
Magistrate Session Court Manshera  
FEB 2024



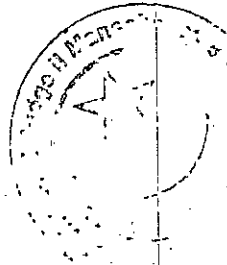
ORDER-05  
12-02-2024

Clerks to learned counsel for the parties present.

Vide summary judgment of today, main suit between the parties has been dismissed while instant petition is offshoot of the main case, therefore, same stands disposed of accordingly. No order as to costs.

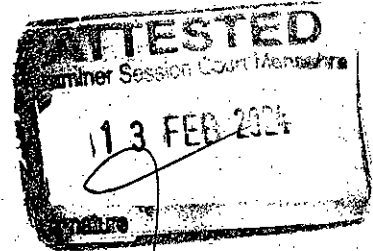
File be consigned to the Record Room after its necessary completion and compilation.

Announced in open court on  
12-02-2024



(SYED FURQAN MASHWANI)  
CIVIL JUDGE-II, MANSEHRA

12-02-24



CD No 2008  
Date 12-02-24  
Court Fee       
Urgent       
Total Fee       
Name of Applicant       
Address       
Case No       
Date of Payment 13/2/24

13-02-24

*[Signature]*

*[Signature]*

DEPUTY DIRECTOR  
Directorate of Archives & Libraries  
Hyber Pathankhwa Peshawar

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سل حج I ماٹرنہ

بعدالت جناب سینئر سول جج صاحب ماٹرنہ  
 مساتما کٹریشی ڈیٹر ٹریڈنگ کمپنی ہاؤس تحصیل راولپنڈی ماٹرنہ..... مدعیہ  
 (سوال نمبر: 0300-0591540)

نام

(1) مساتما علیہ سرٹرائز لائبریری ماٹرنہ پبلک لائبریری ماٹرنہ (2) سب ڈیڑھ مل آئیڈیو  
 پیسکو ماٹرنہ (3) ڈائریکٹر، ڈائریکٹریٹ آف آرچیو اینڈ لائبریری خیرہ پنجوخواہ  
 پشاور..... مدعا علیہم

الف۔ دعویٰ استقراریہ مشعر بدین قرار داد کہ مدعیہ کو آرڈر واقع سرکٹ ہاؤس  
 ماٹرنہ میں عرصہ تقریباً تین سال سے رہائش پذیر ہے جس کا وہ مطابق قانون  
 باقاعدگی سے ہر ماہ کرایہ ادا کرتی رہی ہے۔ مدعا علیہا نمبر 1 کو کوئی حق و  
 اختیار حاصل نہ ہے کہ وہ مدعیہ کے کوآرڈر مذکورہ کی تنصیحات یا ترمیمی بلز  
 ازاں مدعا علیہ نمبر 2 اپنی Individual capacity میں کر دے اور  
 اسکی بنیاد پر مدعیہ سے سرکاری کوآرڈر خالی کر دے یا ڈائریکٹر، ڈائریکٹریٹ  
 آف آرچیو اینڈ لائبریری خیرہ پنجوخواہ پشاور کے ذریعے قبضہ مدعیہ میں عمل  
 ہو اور اس بات کسی قسم کا نوٹس برخلاف مدعیہ جاری کرے۔ مدعا علیہا نمبر 1  
 کی جانب سے جاری کردہ چٹھی نمبری  
 174/DDO/MPL(1)2024 مورخہ 04.01.2024 ہر اسر ملاحظہ  
 خلاف قانون اور خلاف حقیقت اور اپنے حاصل شدہ اختیارات سے تجاوز  
 ہے جو کہ حقوق مدعیہ پر کالعدم، باطل اور بے اثر ہے۔

ایٹ لٹرنس کنستبل اختیارات

2024ء

ب۔ دعویٰ حکم انتظامی عارضی برخلاف مدعا علیہم کہ وہ مدعیہ سے سرکاری کوآرٹر خالی کروانے کے لئے کسی قسم کا غیر قانونی نوٹس جاری کرنے، مدعیہ کے کوآرٹر مذکورہ کی تشخیص بابت یٹیلیٹی ہلز ازاں مدعا علیہ نمبر 2 اپنی Individual capacity میں کروانے، اسکی بنیاد پر مدعیہ سے سرکاری کوآرٹر خالی کروانے یا ڈائریکٹر، ڈائریکٹر پیٹ آف آرچیوائنڈ لائبریری چیئر پھنٹونخواہ پشاور کے ذریعے قبضہ مدعیہ میں نخل ہونے، مدعیہ کو کوآرٹر متددعویہ سے بیڈشل کرنے، دیگر کسی سرکاری ادارے کے ذریعے مدعیہ کو ہراساں و پریشان کرنے، سرکاری و ریاستی مشینری کے ذریعے مدعیہ کی چادر و چار دیواری کو پامال کرنے، کسی قسم کی انتقامی کارروائی کرنے، مقامی پولیس، انتظامیہ کے ذریعہ مدعیہ کو ہراساں کر کے قبضہ مدعیہ میں نخل ہونے، مدعیہ کی اپیل بحالی ملازمت زیر تجویز سروس ٹرایبول کے فیصلہ سے قبل مدعیہ کو بیڈشل کرنے یا دیگر کوئی بھی ایسا فعل سرانجام دینے جس سے حقوق مدعیہ بالواسطہ یا بلاواسطہ متاثر ہوتے ہوں سے علی الدوام باز رہے۔

مایت ہزش کورٹ میں اختیار سماعت

2007/- روپے

ج۔ دعویٰ ذیلیابی برخلاف مدعا علیہم کہ اگر دوران مقدمہ کوآرٹر متددعویہ کا قبضہ مدعیہ کے ہاتھوں سے نکل جائے۔

مایت ہزش کورٹ میں اختیار سماعت

2007/- روپے

جناب عالی! بیان دعویٰ ذیل عرض ہے۔

ا۔ یہ کہ مدعیہ کو کوآرٹر عنوان بالابوجہ ملازمت ماہانہ کرایہ پر ملا جس پر مدعیہ عرصہ دراز سے قابض ہے اور ماہانہ کرایہ باقاعدگی کے ساتھ ادا کرتی رہی ہے اور اب بھی ادا کرنے کو ہمہر وقت تیار ہے کوآرٹر متددعویہ میں مدعیہ نے رہائش اختیار کی ہوئی ہے جو کہ Single Parent ہے جس کا ایک نابالغ معصوم

بیٹا کو آرڈر مذکورہ میں ہمراہ مدعیہ رہائش پذیر ہے۔

(۲)۔ یہ کہ بعد ازاں مدعیہ کو ملازمت سے غلط طور پر بلا جواز اور غیر قانونی طور پر Removal کر دیا ہے اور مدعیہ کی ملازمت پر بحالی کے لئے اپیل نمبر 1760/2023 عدالت Service tribunal میں زیر تجویز ہے جس میں آئندہ تاریخ پیشی 01.03.2024 مقرر ہے جو کہ گزشتہ پیشی 25.01.2024 کو محکمہ ڈائریکٹر، ڈائریکٹریٹ آف آرچیویٹس اینڈ لائبریریز خیبر پختونخواہ پشاور کی طرف سے نمائندہ گان ڈپٹی ڈسٹرکٹ انارنی سائل حاضر ہوئے تھے جو کہ ضروری کاغذات بابت مقدمہ چارج شیٹ، Statement of allegation و دیگر ریکارڈ بابت انکوائری جان بوجھ کر نہیں لے کر آئے جن کو عدالت جناب کمپ کورٹ سے سختی کے ساتھ ہدایت کی گئی کہ وہ مورخہ 01.03.2024 کو جملہ ریکارڈ DB کے سامنے پیش کرتے ہوئے بحث کریں۔ مدعیہ کو یقین ہے کہ انشاء اللہ اپیل کا فیصلہ مدعیہ کے حق میں ڈگری ہوگا۔

(نقل آرڈر شیٹ مورخہ 25.01.2024 لف ہے)

(۳)۔ یہ کہ مدعیہ عورت ذات ہے جو کہ اپنے معصوم بیٹے کے ساتھ کو آرڈر متدعوئیہ میں رہائش پذیر ہے جبکہ مدعا علیہا نمبر 1 سرکاری آفیسر ہے جس نے غلط، غیر قانونی، بلا جواز، خلاف قانون، خلاف حقیقت اور خلاف آئین طور پر مدعیہ کے کو آرڈر مذکورہ کے یوٹیلیٹی بجلی و گیس کنکشن Disconnect کر دیے ہیں جس بابت مدعا علیہا نمبر 1 نے مورخہ 04.01.2024 کو ایک چھٹی نمبری 174/DDO/MPL(1)/2024 جاری کی جس کا اسے قطعاً کوئی حق و اختیار حاصل نہ ہے۔ مدعا علیہا نمبر 1 کا یہ فعل سراسر غلط اور اپنے اختیارات سے تجاوز کا نتیجہ ہے۔

(نقل چھٹی مورخہ 04.01.2024 لف ہے)



(۴)۔ یہ کہ مدعیہ کو قوی یقین ہے کہ اسکی اپیل Service tribunal میں منظور ہو جائے گی اور اگر خدا نخواستہ مدعیہ کی اپیل خارج بھی ہو جاتی ہے تو ایسی صورت میں بھی بعد از فیصلہ اپیل ہونے مدعیہ کو آرٹھر متدعوہ کا ماہانہ کرایہ مطابق قانون ادا کرنے کی پابند ہے اور تا فیصلہ اپیل کو آرٹھر خالی کرنے کی بابت کسی قسم کا نوٹس یا چٹھی منجانب مدعا علیہ جاری کرنا سراسر غلط ہے۔ بدین وجہ شق (الف) عنوان دعویٰ کی استدعا کی گئی ہے۔

(۵)۔ یہ کہ مدعا علیہا نمبر 1 ایک اعلیٰ سرکاری عہدہ پر فائز ہے جو کہ سرکاری اور ریاستی مشینری کا بے جا استعمال کرتے ہوئے آئے روز مدعیہ کو بلیک میل، ہراساں اور پریشان کرنے کے درپے رہتی ہے اور غیر قانونی اور غیر آئینی طور پر مقامی پولیس اور انتظامیہ کے ذریعہ مدعیہ پر بے جا دباؤ ڈال کر اس سے سرکاری کو آرٹھر خالی کر دینے کے درپے ہے اور اس مقصد کے لئے اسکی طرف سے مختلف محکمہ جات کے اہلکاران آئے روز مدعیہ کے گھر پر دھاوا بول رہے ہیں چونکہ مدعیہ ایک عورت ذات ہے جو کہ اپنی اس گھر میں رہائش پذیر ہے جن کو عورت ہونے کے ناطے بلیک میل اور ہراساں کر کے Without due process of law بے دخل کرنے کے درپے ہے اگر بدوران مقدمہ کو آرٹھر متدعوہ کا قبضہ مدعیہ سے واپس لیا گیا یا دیگر کسی بھی طریقہ سے کسی ادارے کے ذریعہ مدعیہ پر دباؤ ڈالا گیا تو مدعیہ کو ناقابل تلافی نقصان کا قوی اندیشہ ہے اور حقوق مدعیہ بڑی طرح متاثر ہوں گے بدین نسبت شق (ب) مندرجہ عنوان دعویٰ کی استدعا کی گئی ہے۔

(۶)۔ یہ کہ اگر بدوران مقدمہ کو آرٹھر متدعوہ کا قبضہ مدعیہ کے ہاتھوں سے نکل جاوے یا مدعا علیہم خود یا دیگر کسی ادارے کے ذریعہ مدعیہ کو کو آرٹھر متدعوہ سے بیدخل کر دے تو بدین نسبت شق (ج) عنوان دعویٰ کی استدعا کی گئی ہے۔

(۷)۔ یہ کہ ہر چند مدعا علیہم سے کہا گیا کہ وہ مطالبہ مدعیہ کو درست تسلیم کرتے مگر وہ انکاری ہیں۔ بدیں وجہ دعویٰ ہذا کی ضرورت لاحق ہوئی۔

(۸)۔ یہ کہ بنائے دعویٰ و بنائے خصامت از انکار مدعا علیہم سے مدعیہ کو اندر حدود اختیار سماعت فاضل عدالت ہذا حاصل ہے اور فاضل عدالت ہذا کو مقدمہ کی سماعت کا اختیار حاصل ہے۔

(۹)۔ یہ کہ مالیت بغرض کورٹ فیس و اختیار سماعت عنوان دعویٰ میں درست طور پر درج ہے۔

استدعا ہے کہ

دعویٰ مدعیہ حسب دادری ہائے عنوان دعویٰ یا مزید جس جس دادری کی مدعیہ بذانت عدالت چھٹاڑہ ثابت ہو بحق مدعیہ برخلاف مدعا علیہم ڈگری صادر فرمایا جاوے۔

الزوم 22 فروری 2024ء

سماۃ عائشہ قریشی

بذریعہ وکیل خود

Alha

تصدیق

جس جس دعویٰ تاحکم و یقین

توم 22 فروری 2024ء

تصدیق کنندہ



درست یہ ہے کہ عدالت ہذا کی سماعت اور مفصل طور پر درج ہے۔

بعدالت جناب سینئر سول جج صاحب مانسہرہ

..... مسماۃ عائشہ قریشی

بنام

..... مسماۃ طیبہ سرفراز وغیرہ مدعا علیہم

دعویٰ استنقراریہ وغیرہ

بیان حلفی

جناب عالی! بیان حلفی ذیل پیش ہے۔

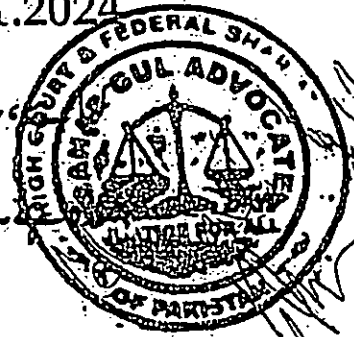
حلفاً بیانی ہوں کہ ہمجو قسم دعویٰ بابت چٹھی نمبری

174/DDO/MPL(1)/2024 مورخہ

04.01.2024 قبل ازین نہ تو کسی عدالت مجاز میں دائر

نہ ہی زیر تجویز ہے اور نہ ہی مابین فریقین فیصلہ

لہذا بیان حلفی سنداً تحریر ہے۔



الرقوم 22.02.2024

..... حالفہ

..... مسماۃ عائشہ قریشی

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**IN THE COURT OF SIDRA ASLAM  
CIVIL JUDGE - I, MANSEHRA**

Civil suit No. 39/1 of 2024.

Mst. Ayesha Qureshi daughter of Muhammad Khaleeq R/O Circuit House, Tehsil & District, Mansehra..... Plaintiff.

Versus

1. Mst. Tayyaba Sarfraz Librarian, Mansehra Public Library Mansehra 2. Sub Divisional Officer PESCO, Mansehra. 3. Director, Directorate of R.Chew & Libraries, KPK Peshawar..... Defendants.

Order - 04,  
26.02.2024

Plaintiff along with counsel present.

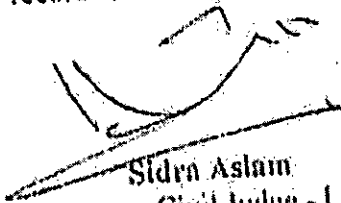
Plaintiff through counsel submitted an applications for early hearing of the suit in shape of withdrawal of suit by stating therein that plaintiff does not want to proceed further with the instant suit against defendants and requested for dismissal of the same as withdrawn. Case file requisitioned for today from the date already fixed for 15.03.2024.

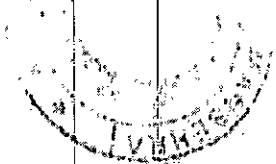
Statement of learned counsel for plaintiff recorded to this effect duly signed by him. He exhibited his wakalatnama as EX:PA and application for withdrawal of suit is EX:PB.

Therefore, in the light of statement of learned counsel for plaintiff and EX:PB, suit of the plaintiff is hereby consigned without further proceeding, as withdrawn, with no order as to costs.

File be consigned to the record room after its scanning, necessary completion and compilation.

Announced.  
26.02.2024

  
Sidra Aslam  
Civil Judge - I  
Mansehra





26/12/25

حکومت پاکستان  
ادارہ قلمی

148/25  
25-10-23

بعدالت جناب سینئر سول جج صاحب نامبرہ

SCANNED  
5-10-23

مسماة عائشہ قریشی دختر مرطقیہ مکند سرک ہاؤس تحصیل و ضلع نامبرہ..... مدعیہ

نام

05 OCT 2023  
Senior Judge

لاڈھیہ سرائے لاہور برائے خیرہ محترمہ اور پٹنہ پٹنہ  
لیڈیہ فرزندہ حسن علی

الف۔ دعویٰ استقراریہ مشعر بدین قرار داد کہ مدعیہ کو اور واقعہ سرک ہاؤس ہاؤس  
نامبرہ میں عرصہ تقریباً 2-1/2 سال سے رہائش پذیر ہے جس کا وہ مطابق  
قانون باقاعدگی سے ہر ماہ کرایہ ادا کر رہی ہے۔ مدعا علیہ کو کوئی حق و اختیار  
حاصل نہ ہے کہ وہ مدعیہ کو کسی قسم کا نوٹس جاری کرے۔ مدعا علیہ کی جانب  
سے جاری کردہ نوٹس نمبری DA/27/8/1041/8 عرصہ 28 ستمبر  
2023 سراسر ملاحظہ خلاف قانون اور خلاف حقیقت ہے اور مدعیہ کے حقوق پر  
کالعدم و بجا اثر ہے۔

بیت لاہور کینٹ ٹی بی ایچ ایچ  
2004ء

ب۔ دعویٰ حکم امتناعی عارضی برخلاف مدعا علیہ کہ مدعیہ کو کسی قسم کا غیر قانونی  
نوٹس جاری کرنے اور مدعیہ کو اور استدغویہ سے بیدخل کرنے یا دیگر کوئی بھی  
ایسا عمل جس سے حقوق مدعیہ متاثر ہوتے ہوں سے علی الدوام باز رہے۔

بیت لاہور کینٹ ٹی بی ایچ ایچ  
2004ء

ج۔ دعویٰ وظیفہ الٰہی برخلاف مدعا علیہ کہ بدو مان مقدمہ کو اور استدغویہ کا قبضہ  
مدعیہ کے ہاتھوں سے کھل جائے۔

بیت لاہور کینٹ ٹی بی ایچ ایچ  
2004ء

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CIVIL JUDGE-VI, MANSEHRA

Suit No. 148/1 of 2023

Order # 09  
23.02.2024

- 1. Clerk of counsel for the parties present.
- 2. Adjournment application on behalf of learned counsel for the plaintiff submitted.

File to come up for arguments of plaintiff on 26.02.2024

SCANNED

MUHAMMAD KASHIF  
CIVIL JUDGE-VI,  
MANSEHRA

Order # 10,  
26.02.2024

- 1. Plaintiff through Mr. Shar Gul, Advocate, present.
- 2. The learned counsel submitted an application for withdrawal of suit. He recorded his statement where he exhibited his *wakalatnama* as Ex-PA while application as Ex-PB and requested to dismiss the suit as unconditionally withdrawn.
- 3. In light of above, the instant suit is dismissed as unconditionally withdrawn.
- 4. File be consigned.

MUHAMMAD KASHIF  
CIVIL JUDGE-VI,  
MANSEHRA

CD No 346  
Date 29-02-24  
Counsel

29-02-24

29/2/24