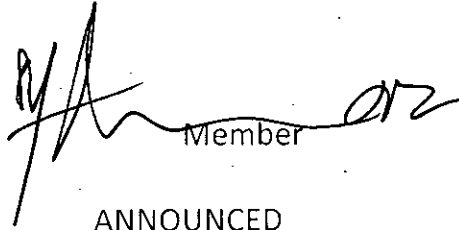


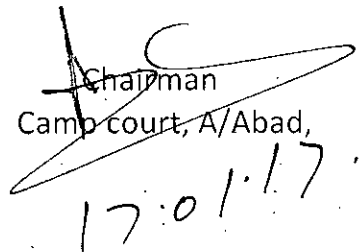
17.01.2017

Counsel for the appellant and Mr. Muhammad Siddique, Senior Government Pleader alongwith Mr. Muhammad Usman Senior Clerk for the respondents present. Arguments heard. Record perused.

Vide our detailed judgment of to-day placed in connected service appeal No. 744/2015 titled "Shahida Bibi Versus Government of Khyber Pakhtunkhwa through Secretary, E&SE Peshawar and others", we accept the instant appeal also as per detailed judgment. Parties are left to bear their own costs. File be consigned to the record room.


Member

ANNOUNCED
17.01.2017


Chairman
Camp court, A/Abad,
17.01.17

24.07.2015

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

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

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

Appellant Deposited
Security & Process Fee




Chairman
Camp Court A/Abad

20.10.2015



Counsel for the appellant and Mr.Sakeenullah, ADO alongwith Mr.Muhammad Tahir Aurangzeb, G.P for respondents present. Requested for adjournment. To come up for written reply/comments on 21.01.2016 before S.B at Camp Court A/Abad.


Chairman
Camp Court A/Abad.

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 775/2015

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

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Appeal No. 775/2015

Salma Javed d/o Muhammad Javed GGPS, Pagora R/o Mohallah
Islamabad Darbad Tehsil Oghi & District Mansehra

.....Appellant

VERSUS

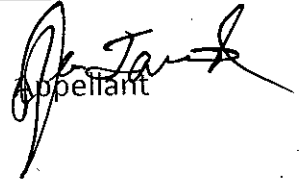
1. Govt. of KPK through Secretary Education (E & SE), KPK Peshawar.
2. Director (E & SE), KPK Peshawar.
3. District Education Officer (Female), Mansehra.

.....Respondents

INEX

S.No	Prescription of Document	Annexure	page
1	APPEAL		1-10
2	Copy of Advertisement	"A"	11
3	Copies of Documents/testimonial are annexed	"B"	12-17
4	Copy of appointment order and corrigendum	"C"	18-21
5	Copy of Show cause notice and one page of inquiry of the then EDO	"D"	22-23
6	Copy of impugned dismissal order of appellant	"E"	24
7	Copy of departmental appeal /representation	"F"	25-26
8	Wakalatnama		

Dated: -----/2015


Appellant

Through


Muhammad Arshad Khan Tanoli

Advocate, High Court

Abbottabad

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Appeal No. 775/2015

1
K.P.K. Province
Service Tribunal
Diary No. 803
Date 8-7-2015

Salma Javed d/o Muhammad Javed GGPS, Pagora R/o Mohallah
Islamabad Darbad Tehsil Oghi & District Mansehra

.....Appellant

VERSUS

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

.....Respondents

SERVICE APPEAL.

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

Respectfully Sheweth,

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

1. That, respondent No 3 announced the posts of PST in Dailly "The Aaj" dated 20/5/2011 for appointment of PST teachers. The Appellant fulfills the entire criteria which is sine qua non for appointment for the post of PST Teacher.

Copy of Advertisement is annexed as Annexure "A"

8/7/15
Registrar

2

2. That, the appellant qualified test as well as interview conducted by respondent No 3. The appellant is qualified Matric, F.A/F Sc PTC with extra qualification. **Copies of Documents/testimonial are annexed as Annexure "B"**

3. That, following this, the appellant was appointed as PST Teacher in respondents' Department on the basis of merits and was posted in GGPS vide appointment order endrst No 5360-5384/ Estt ; PST 2011/2012 Mansehra Dated 18.5.2012. **Copy of appointment order and is annexed as Annexure "C"**.

4. That, the appellant served the Department with complete devotion and dedication to the entire satisfaction of her superiors from the date of her appointment i.e. 18.5.2012 onwards.

5. That, the appellant was though dismissed from service by the respondents' department vide Endrs. No 2096-2105/AE /ESTB on 3.3.2015.

6. That, Respondent No 3 issued Show Cause notice to the appellant without annexing the statement of allegations however, a page of inquiry which was conducted against the then EDO Umar Khan Kundi and DEO, Shamim Akhtar was found attached with the show cause notice, wherein

3

it was mentioned against the name of appellant that "that appointment order was the result of misuse of authority by the then EDO according to his sweet will and wishes as against the recruitment rules". **Copy of Show cause notice annexed as Annexure "D"**. AS the inquiry committee did not recommend any remarks against the Appellant

7. That, show cause notice issued to the appellant was properly replied by her mentioning that the appellant applied for the post of PST Teacher and appeared in ETTA of the merits list and thereafter was appointed on merit Beside, District Education Officer solicited candid views from respondent No 2 regarding as to whether the candidate who possess their requisite qualification from recognized Institution to be appointed "as per service structure in prescribe rules the requisite qualification against the vacant post of PST Teacher is taken into consideration and thereafter appointment made on merit.
8. That, the respondent No 3, as stated above, served show cause notice to the appellant, which was properly replied by her. As per law, the appellant was entitled to be heard in person by respondent No 3. But Respondent NO 3 without resorting the rules, without providing opportunity of personal hearing and adopting proper modus operandi required for dismissal of employees from service, dismissed the appellant vide impugned dismissal order

4

endst. No 2096-2105/AE./Estb dated 03.03.2015. **Copy of impugned dismissal order of appellant is attached as annexure "E".**

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

GROUND

- a. That, the appellant fulfilled the criteria of appointment as PST being qualified. The appellant was appointment on merit on the recommendation of Departmental Selection Committee and was placed on the merit list.12
- b. Hence impugned dismissal order is illegal perverse, discriminatory without lawful justification and null and void on the rights of the appellant.

5

- c. That, as per educational record annexed with the appeal, the appellant has been appointed as PST according to the laid down procedure and criteria mentioned in the advertisement published by respondent 3. It is further submitted that there were vacant post of PST in the Union Council of the appellant but respondent No 3 did not appoint the appellant in her Union Council. However later on she was to be posted in her own Union Council. It is worth mentioning that there was no contesting candidate in the Union Council where the appellant was appointed as per law and procedure mentioned in the advertisement.
- d. That, when law prescribe something which is to be done in a particular manner that must be done in that manner and not otherwise. As per law the appellant was eligible for appointment as PST. But the conduct of respondents department towards the appellant is mala fide, discriminatory and not maintainable at law.
- e. That, this fact may not be left to fade in oblivion that the Govt. of KPK removed the then EDO, Mansehra, Umar Kundi from service but the appellant has been dismissed from service due to no fault of her. Once an employee is dismissed he is de-barred to get appointment in Govt. Departments. Therefore,

6

respondents' Department not only illegally dismissed the appellant but snatched her bread and butter in future as well. Hence impugned dismissal order is liable to be set aside.

- f. That, respondent No 3 did not issued final show cause notice to the appellant and dismissed her in hasty manner and wants to induct some blue eyed chaps at the alter of appellant which is discriminatory against the principle of natural justice and fair play.
- g. That, respondents' Department has led the appellant to the place which is utterly unknown to the principle of jurisprudence and natural justice.
- h. That, right from the appointment of the appellant as PST in 2012, there was no rival candidate who contested the appointment of the appellant in any Court of law anywhere in KPK.
- i. That, Govt. of KPK conducted inquiry against the then EDO, Umar Khan Kundi for committing illegalities/irregularities in appointments/promotions etc and finally removed from service. Therefore, the appellant cannot make a scapegoat for illegal acts of the then EDO Umar Kundi. Therefore on the basis of removal of Umar Kundi from service, the appellant

7

cannot be dismissed for the acts committed by the Ex-
EDO.

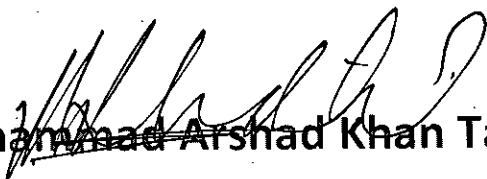
- j. That, the Honourable Service Tribunal has jurisdiction to entertain the grievance of the appellant and the appeal of the appellant is within the prescribe period of limitation

It is, therefore, prayed that on acceptance of the instant Service Appeal of the appellant, impugned dismissal order Endrst. No 2096-2105/AE./Estb dated 3.3.2015 may graciously be set aside and respondent No 3 may be directed to reinstate the appellant in service in the School with effect from the date of her dismissal with all service back benefits in terms of pay etc. Any other relief which this Honourable Court deems appropriate in the circumstance may also be done.

Dated: -----/2015


Appellant

Through


Muhammad Arshad Khan Tanoli
Advocate, High Court
Abbottabad

8

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Salma Javed d/o Muhammad Javed GGPS, Pagora R/o Mohallah
Islamabad Darbad Tehsil Oghi & District Mansehra

.....Appellant

VERSUS

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

.....Respondents

APPLICATION FOR SUSPENSION
OF IMPUGNED ORDER NO 2096-2105
AND GRANT OF STATUS QUO TILL
FINAL DISPOSAL OF THE MAIN
APPEAL.

Respectfully Sheweth,

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

9

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


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

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

Dated: -----/2015


Appellant

Through


Muhammad Arshad Khan Tanoli
Advocate, High Court
Abbottabad

10

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Salma Javed d/o Muhammad Javed GGPS, Pagora R/o Mohallah
Islamabad Darbad Tehsil Oghi & District Mansehra

.....Appellant

VERSUS

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

.....Respondents

AFFIDAVIT

I, Salma Javed d/o Muhammad Javed GGPS, Pagora R/o Mohallah
Islamabad Darbad Tehsil Oghi & District Mansehra do hereby
solemnly affirm and declare that the contents of foregoing
service appeal are true and correct to the best of my knowledge
and belief and nothing has been concealed from this Honourable
Court.

Dated: _____/2015


Deponent

P-11
Annex
A

حکومت صوبہ خیبر پختونخوا

ردیف	تاریخ	موضوع
1	2011-12-31	...
2
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Pre Bid Meeting
 نو روپے کے قدر میں مور 31-5-2011 کو وقت 11:00 بجے ایک ہیگ جسٹس میں منعقد ہوگا۔ اس کے دوران تمام بات چیت اور سوالات کا جواب دیا جائے گا۔

- 1) ٹینڈر نام کے حصول کے لئے رقم کے لئے پوزیشننگ کی گئی ہے اور تمام ٹینڈر کے لئے اس رقم کے لئے اس کی رقم 31-05-2011 تک وصول کی جائے گی۔
- 2) ٹینڈر کے لئے اس رقم کے لئے اس کی رقم 31-05-2011 تک وصول کی جائے گی۔
- 3) ٹینڈر کے لئے اس رقم کے لئے اس کی رقم 31-05-2011 تک وصول کی جائے گی۔
- 4) ٹینڈر کے لئے اس رقم کے لئے اس کی رقم 31-05-2011 تک وصول کی جائے گی۔
- 5) ٹینڈر کے لئے اس رقم کے لئے اس کی رقم 31-05-2011 تک وصول کی جائے گی۔
- 6) ٹینڈر کے لئے اس رقم کے لئے اس کی رقم 31-05-2011 تک وصول کی جائے گی۔
- 7) ٹینڈر کے لئے اس رقم کے لئے اس کی رقم 31-05-2011 تک وصول کی جائے گی۔
- 8) ٹینڈر کے لئے اس رقم کے لئے اس کی رقم 31-05-2011 تک وصول کی جائے گی۔
- 9) ٹینڈر کے لئے اس رقم کے لئے اس کی رقم 31-05-2011 تک وصول کی جائے گی۔
- 10) ٹینڈر کے لئے اس رقم کے لئے اس کی رقم 31-05-2011 تک وصول کی جائے گی۔

0937-870861 فون

...

ردیف	تاریخ	موضوع
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Attended
 [Signature]

Certific. No: 14371

7

Annex B

BOARD OF INTERMEDIATE & SECONDARY EDUCATION ABBOTTABAD

Revised

P-12

Roll No: 58673

Group: HUMANITIES

RESULT CARD
SECONDARY SCHOOL CERTIFICATE EXAMINATION
(Class X)

Session: 2005 (Annual)

Name: SALMA JAVED
Father Name: MUHAMMAD JAVED
Date of Birth: 02-JUL-90
Institution / District: GOVT. GIRLS HIGH SCHOOL NEW DARBAND MANSEHRA

Attestation
[Signature]

Attestation
BSE (Sec) BPS-10M.Sc.M.ED(Sg)
GHS Kaji Mansehra

has secured the marks shown against each subject in the Secondary School Certificate Examination Part - II (10 Class) held in the month of March / April as a Regular candidate.

Subjects	Total Marks		Part-I		Part-II		Total	Marks in Words
			Th	Pract	Th	Pract		
English	75	150	44	--	44	--	88	Eighty-Eight
Urdu	75	150	45	--	44	--	89	Eighty-Nine
Islamiat Comp	75	75	52	--	--	--	52	Fifty-Two
Pakistan Studies	75	75	--	--	54	--	54	Fifty-Four
General Science	75	150	36	--	41	--	77	Seventy-Seven
Mathematics	75	150	33	--	25	--	58	Fifty-Eight
Elements Of Home Economics	75	150	43	--	46	--	89	Eighty-Nine
Islamic Studies	75	150	40	--	44	--	84	Eighty-Four

RESULT CERTIFICATE
SSC, SEC. REC'D

SECRETARY OFFICER
BISE ABBOTTABAD

Total : 1050

591-C Five Hundred Ninety-One Only

Dated: 03-APR-06

Remarks: *[Blank Box]*

Checked By: *[Signature]*

[Signature]
Controller of Examinations

Errors/omissions accepted. Any mistake in the Date of Birth & Name etc must be intimated within 10 days of the issue of this certificate to BISE Abbottabad. Visit us: www.biseald.edu.pk

Attested
Muhammad Asad Khan
District Courts Abbottabad

DST N.P. 6
9.9.05
9.9.05

[Signature]

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD



No. 172342 PROVISIONAL RESULT CARD

Name: SALMA JAVED
 Father's Name: MDHAMMAD JAVED
 Address: NEW DARBAND P/O DARBAND C/O
 BILAL GEN STORE
 Tehsil: DQHI
 District: MANSEHRA

Roll No: Z669353
 Registration No: 07NMA2203
 Final Semester: SPR- 2008

P-13

has successfully completed PRIMARY TEACHING CERTIFICATE

The detail of passed courses are as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
AUT- 07	0615	SCHOOL ORGANIZATION & MANAGEMENT	100	64
AUT- 07	0614	EDUCATIONAL PSYCHOLOGY	100	59
AUT- 07	0613	PRINCIPLES OF EDUCATION	100	63
AUT- 07	0616	SCHOOL COMMUNITY & PRACTICAL ARTS	100	66
SPR- 08	0619	TEACHING OF SCIENCE & PHYSICAL EDUCATION	100	63
SPR- 08	0618	TEACHING OF MATHEMATICS	100	60
SPR- 08	0617	TEACHING OF URDU	100	67
SPR- 08	0611	PRACTICAL WORKSHOP & TEACHING PRACTICE	100	86
SPR- 08	0620	TEACHING OF ISLAMIAT & SOCIAL STUDIES	100	56

Department Of Examinations
 (Certificate Section)

VERIFIED

Certificate/Degree/Diploma/Transcript bearing Sr. No. 172342 is Checked & Found Correct.

Signatures:

Attested

 M. HAMMAM NAJIB
 SST(Sr.) BPS-16M.Sc.M.ED(Sr)
 GHS Kajla Manshara

Verified

Attested

 M. HAMMAM NAJIB
 SST(Sr.) BPS-16M.Sc.M.ED(Sr)
 GHS Kajla Manshara

Total Marks / Obtained 700 / 455
 Percentage / Grade 65 / B

Date of Issue: MARCH 14, 2009
 APRIL 04, 2009

Controller of Examinations

Declaration:
 This result card is issued provisionally, errors and omissions excepted, as a notice only. Any entry appearing in this card does not itself confer any right or privilege on a candidate for the grant of certificate of graduation, which will be issued under the rules & regulations on the basis of the original record of the university student.

Date No: AB 18095

P-14

BOARD OF INTERMEDIATE & SECONDARY EDUCATION ABBOTTABAD



Roll No: 46002
Group: HUMANITIES

**DETAILED MARKS CERTIFICATE
HIGHER SECONDARY SCHOOL CERTIFICATE EXAMINATION**

Part - II
Session: 2007 (Annual)

Name: SALMA JAVED
Father Name: MUHAMMAD JAVED
Institution/
District: PPC GGHS DARBAND MANSEHRA

Attested
Dr. A. Khan
Muhammad Shafiq
SSS(Sc) BPS-10M.Sc.M.ED(GK)
GHS Kajla Mansehra

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

Subjects	Marks	Marks Obtained					Marks in Words
		Part-I		Part-II		Total	
		Theory	Pract	Theory	Pract		
English	200	37	-	39	-	76	Seventy-Six
Urdu (Comp)	200	59	-	64	-	123	One Hundred Twenty-Three
Islamic Education	50	40	-	-	-	40	Forty Only
Pakistan Studies	50	-	-	35	-	35	Thirty-Five
Islamic History	200	53	-	54	-	107	One Hundred Seven
Physics	200	-	-	75	-	125	One Hundred Twenty-Five
Islamic Studies	200	65	-	72	-	137	One Hundred Thirty-Seven
Total: 1100						643-C	Six Hundred Forty-Three Only

Attested
6/19/07
RESULT VERIFIED
SECRETARY

SECRETARY
OFFICER
Board of Intermediate
& Secondary Education
Abbottabad.

Remarks:

Date: 10-08-2007

Checked By:

Attested
Dr. A. Khan
Controller of Examinations

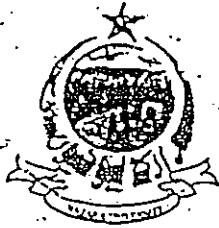
Errors/Omissions excepted. Any mistake in Name, Father Name etc must be intimated within 15 days of the issuance date of this certificate to BISE Abbottabad. Visit us: www.bise-abottabad.edu.pk

P.S.T. محمد علی
محمد علی

Verified

Attested
Muhammad Ashraf Khan
Muhammad Ashraf Khan
Distt. Controller of Examinations

P-15



HAZARA UNIVERSITY

MANSEHRA, PAKISTAN

DETAILED MARKS CERTIFICATE

BA ANNUAL EXAMINATION 2011

Roll No: 57666

Reg No: 08-P-2847

Name: Salma Javed

F/ Name: Muhammad Javed

Institution/ MANSEHRA

Part: Second

District: _____

43183/108
P-15

COURSE TITLE:	Max: Marks		Marks Obt:		Total	Marks in Words	Remarks
	TH	PR	TH	PR			
Part-I Marks-->	285				128	ONE HUNDRED TWENTY-EIGHT	
ENGLISH	75		25		25	TWENTY-FIVE	Pass
URDU	75		27		27	TWENTY-SEVEN	Pass
PAKISTAN STUDIES	40		20		20	TWENTY	Pass
ISLAMIC STUDIES	75		37		37	THIRTY-SEVEN	Pass
Total:	550				237	TWO HUNDRED THIRTY-SEVEN	
Percentage:	43.09						
Division:	THIRD						

Print Date: 15-08-2011

Checked By: _____

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

Controller Examinations
Hazara University, Mansehra
August 15, 2011

VERIFIED BY
[Signature]
Controller Examinations
HAZARA UNIVERSITY, MANSEHRA

[Signature]
Muhammad Shabli
SST(SO) BPS-16M.Sc.M.ED(SO)
GHS Kaja Mansehra

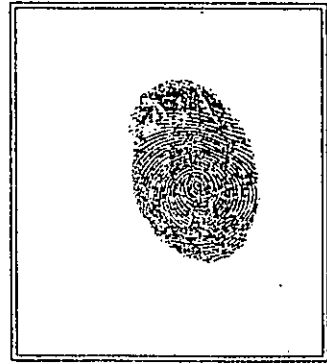
[Signature]
Muhammad Arshad Khan Taroli
Advocate
Distt: Courts Abbottabad

PST no 6
G.G.P.S

Domicile Certificate

North West Frontier Province, District Mansehra

P-16



I declare that I am born of parents who are/were permanently domiciled in *NORTH WEST FRONTIER PROVINCE* having been born/settled in this province.

I was born at Village/Mohallah NEW DARBAND

Tehsil: OGHI District: MANSEHRA Hazara Division

Signature of Applicant

Date: 06.06.2005

Pursuance to the Declaration date 06.06.2005

Filled by Mr./Miss./Mrs. SALMA JAVEED S/DW/O MUHAMMAD JAVEED

Domiciled in North West Frontier Province, It is hereby certified that the said SALMA JAVEED is born of parents who are/were/permanent residents of the North West frontier Province, having been born/settled within it.

I have satisfied myself from personal/my Knowledge verification that the above declaration is true and certify accordingly.

This _____ Day of _____

12862 18.7.05

Attested
Muharib
Distt. Courts, Mansehra

Countersigned
District Officer
Revenue & Estate

Deputy District Officer
Revenue & Estate

It is certified that Miss Saadma Javed D/o Muhammad Javed has passed 5th class exam from Islamia Public School New Darband.

P-17

PRINCIPAL
Islamia Public School
New Darband (Mansehra)

گواہی ہے کہ مس سادما جواد نے اسلامیہ پبلک سکول نیو داربند میں پانچویں کلاس کا امتحان پاس کیا ہے۔

Ejaz Ahmad
(Chairman)
Local Zakat Committee New Darband
Code No: 30-1103 Dist: Mansehra

گواہی ہے کہ مس سادما جواد نے اسلامیہ پبلک سکول نیو داربند میں پانچویں کلاس کا امتحان پاس کیا ہے۔

Handwritten signature and stamp area.

عاجز احمد

گواہی ہے کہ مس سادما جواد نے اسلامیہ پبلک سکول نیو داربند میں پانچویں کلاس کا امتحان پاس کیا ہے۔

Handwritten signature and text.

Handwritten signatures and stamps, including 'Dist: Mansehra'.

Annex 'e'

P-18

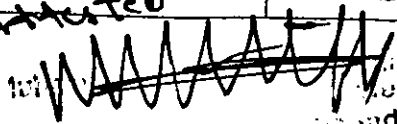
OFFICE OF THE EXECUTIVE DISTRICT OFFICER E&S EDUCATION MANSEHRA

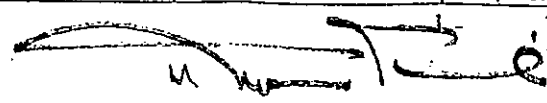
ORDER

Consequent upon the recommendation of the Departmental Selection Committee District Mansehra, the competent authority is pleased to appoint the following candidates as a Primary School Teacher **PST (Female)** against newly created / resultant vacated posts in their relevant union councils in **BPS 7 @ Rs.5800-320-15400** plus usual allowances as admissible under the rule on regular basis under the existing policy of provincial Government on the terms and conditions given below with immediate effect.

U/C BAFFA				
S#	Name of Candidate	Father's Name	Home Address/ Domiciled U/C	Remarks
1	Niaz Gul	Abdul Razaq	Baffa	Own UC M/List
2	Sabia	Noor Hussain	Baffa	Own UC M/List
U/C BEHALI				
3	Munaza Daud	Daud	Behali	Own UC M/List
4	Nazma Bibi	R.Khan Bahdar	Behali	Own UC M/List
U/C Battal				
5	Shagufta Bibi	Muhammad Shafi Khan	Battal	Own UC M/List
6	Shaista Jabeen	Muhammad Akbar	Kathai	From Adjacent UCs Merit list
U/C Bherkund				
7	Bushra	Ghulam Mustafa	Bhekund	Own UC M/List
U/C Gari Habib Ullah				
8	Naida Ashraf	Muhammad Ashrif Bag	Gari Habib Ullah	Own UC M/List
9	Gul Naz Bibi	S. Qabal Shah	Gari Habib Ullah	Own UC M/List
U/C Hilkot				
10	Bibi Asia	Abdul Ghafoor	Hilkot	Own UC M/List
U/C Hangrai				
11	Irum Saeed	Saeed Akhtar	Hangrai	Own UC M/List
12	Marium Bibi	Muhammad Younis	Hangrai	Own UC M/List
U/C Ichrian				
13	Bibi Sajida	Saeed ur Rehman	Ichrian	Own UC M/List
14	Saima Ara	M.Farced Khan	Ichrian	Own UC M/List
U/C Jabar Daveli				
15	Mah Jabeen	Muhammad Farooq	Jabar Daveli	Own UC M/List
16	Saba Tariq	Muhammad Tariq	Sachan	From Adjacent UCs Merit list
U/C Jaloo				
17	Sobia Bibi	Abdul Ghafoor	Jaloo	Own UC M/List
18	Saima Naz	Mir Afzal	Jaloo	Own UC M/List
U/C Karnol				
19	Fara Naz	Muhammad Khurshid	Karnol	Own UC M/List
20	Nadia Rehman	Habib ur Rehman	Pairan	From Adjacent UCs Merit list
U/C Karori				
21	Amrin Younis	Muhammad Younis	Karori	Own UC M/List
22	Musrat Bibi	Khalil ur Rehman	Karori	Own UC M/List
23	Zenab	Alam Zeb	Karori	Own UC M/List
24	Amrin Kusar	Muhammad Miskeen	Karori	Own UC M/List
25	Rukhsana Taj	Taj Muhammad	Karori	Own UC M/List
26	Rifat Bibi	Faqeer Muhammad	Shanaya	From Adjacent UCs Merit list
27	Ashiya	Misri Khan	Shanaya	From Adjacent UCs Merit list
28	Razia Bibi	Muhammad Zaman	Darband	From Adjacent UCs Merit list

Attested





Dist. Officer, Mansehra

P-19

U/C Lassan Nawab				
29	Sobia Arshad	Muhammad Arshad	Lassan Nawab	Own UC M/List
30	Rashida Bibi	M.Zahoor	Lassan Nawab	Own UC M/List
U/C Mohandari				
31	Bibi Naseema	Ghulam Nabi	Mohandari	Own UC M/List
U/C Nika Pani				
32	Yasmeen Wahab	Abdul Wahab	Nika Pani	Own UC M/List
33	Neelam	Abdul Latif	Darband	From Adjacent UCs Merit list
U/C Perhinna				
34	Lubna Younis	M. Younis	Perhinna	Own UC M/List
35	Zahida Bano	Ali Zaman	Perhinna	Own UC M/List
U/C Phulra				
36	Bibi Saleha	Abdula Jan	Phulra	Own UC M/List
37	Mehnaz Bibi	M.Iqbal	Phulra	Own UC M/List
38	Bibi Mewash	M.Naveed	Phulra	Own UC M/List
39	Farzana Yousaf	M.Yousaf	Phulra	Own UC M/List
40	Bibi Farah	Khurshid Khan	Sawan Maira	From Adjacent UCs Merit list
U/C Sachan Kalan				
41	Bibi Salama	Shezada Khesro Faredon	Sachan Kalan	Own UC M/List
42	Bibi Norin	Rehmat Ullah	Sachan Kalan	Own UC M/List
U/C Sawan Maira				
43	Tahira Jabeen	Muhammad Ayub	Sawan Maira	Own UC M/List
U/C Shanaya				
44	Safoora Farat	Abadul Razaq	Shanaya	Own UC M/List
45	Irum Shaheen	Anwar Khan	Shanaya	Own UC M/List
U/C Shergarh				
46	Saeeda Haidar	Mir Haidar	Shergarh	Own UC M/List
47	Fozia Bibi	Sher Bahadar	Shergarh	Own UC M/List
48	Sadia Gul	M.Zaman	Shergarh	Own UC M/List
49	Asma	Abdul Malik	Darband	From Adjacent UCs Merit list
U/C Shuakat Abad				
50	Sadia Javed	Javed Khan	Shuakat Abad	Own UC M/List
51	Sabeen	M.Haroon	Shuakat Abad	Own UC M/List
52	Tabasam Rashid	Abdul Rashid	Shuakat Abad	Own UC M/List
U/C Trangri Sabir Shah				
53	Nabeela Ghuncha Gul	Bashir Ahmad Khan	Trangri Sabir Shah	Own UC M/List
54	Khalida Bibi	M.Yousaf Khan	Trangri Sabir Shah	Own UC M/List
55	Sidra Hamayun	M.Hamayun	Trangri Sabir Shah	Own UC M/List
U/C Bandi Shungli				
56	Salma Javed	Muhammad Javed	Darband	From Adjacent UCs Merit list
57	Nosheen Bibi	Fazal ur Rehman	Darband	From Adjacent UCs Merit list
U/C Tanda				
58	Sahibzada Hazmat Rabani	Ghulam Rabani	Tanda	From Adjacent UCs Merit list
59	Asma Noreen	Nawab Khan	Dhodial	From Adjacent UCs Merit list

ADJUSTMENT ORDER

Consequent upon the above, the following adjustment are hereby ordered against the posts mentioned against each.

S#	Name	Father's Name	Home Address/ Domiciled U/C	Place of Posting	Remarks
1	Niaz Gul	Abdul Razaq	Baffa	GGPS Baffa Khurd	A/V/Post
2	Sabia	Noor Hussain	Baffa	GGPS Kando Gali	A/V/Post
3	Munaza Daud	Daud	Behali	GGPS Ashwal	A/V/Post
4	Nazma Bibi	R.Khan Bahdar	Behali	GGPS Jamal Nakka	A/V/Post
5	Shagufta Bibi	Muhammad Shafi Khan	Battal	GGPS Karmang	A/V/Post
6	Shaista Jabeen	Muhammad Akbar	Kathai	GGPS Chandni	A/V/Post

Attested

Muhammad Tariq
District Officer
Distt: Courts Abbottabad

- 2 -

7	Bushra	Ghulam Mustafa	Bhekund	GGPS Kehnian Mian	A/V/I/Post
8	Naida Ashraf	Muhammad Ashrif Bag	Gari Habib Ullah	GGPS Danna Ganaila	A/V/I/Post
9	Gul Naz Bibi	S. Qabal Shah	Gari Habib Ullah	GGPS Chuntri	A/V/I/Post
10	Bibi Asia	Abdul Ghafoor	Hilkot	GGPS Khan Balimang	A/V/I/Post
11	Irum Saeed	Saeed Akhtar	Hangrai	GGPS Kalas Ghanaila	A/V/I/Post
12	Marium Bibi	Muhammad Younis	Hangrai	GGPS Kalas Ghanaila	A/V/I/Post
13	Bibi Sajida	Saeed ur Rehman	Ichrian	GGPS Karmang Payeen	A/V/I/Post
14	Saima Ara	M.Fareed Khan	Ichrian	GGPS Ramsera	A/V/I/Post
15	Mah Jabeen	Muhammad Farooq	Jabar Daveli	GGPS Baso Manda Gucha	A/V/I/Post
16	Saba Tariq	Muhammad Tariq	Sachan	GGPS Baso Manda Gucha	A/V/I/Post
17	Sobia Bibi	Abdul Ghafoor	Jaloo	GGPS Talian Di Kasi	A/V/I/Post
18	Saima Naz	Mir Afzal	Jaloo	GGPS Chor Banda	A/V/I/Post
19	Fara Naz	Muhammad Khurshid	Karnol	GGPS Bhoraj	A/V/I/Post
20	Nadia Rehman	Habib ur Rehman	Pairan	GGPS Dheri Sohail	A/V/I/Post
21	Amrin Younis	Muhammad Younis	Karori	GGPS Seri Malwal	A/V/I/Post
22	Musrat Bibi	Khalil ur Rehman	Karori	GGPS Malhar	A/V/I/Post
23	Zenab	Alam Zeb	Karori	GGPS Malhar	A/V/I/Post
24	Amrin Kusar	Muhammad Miskeen	Karori	GGPS Fata Bandi	A/V/I/Post
25	Rukhsana Taj	Taj Muhammad	Karori	GGPS Fata Bandi	A/V/I/Post
26	Rifat Bibi	Faqeer Muhammad	Shanaya	GGPS Naryala	A/V/I/Post
27	Ashia	Misri Khan	Shanaya	GGPS Thakra	A/V/I/Post
28	Razia Bibi	Muhammad Zaman	Darband	GGPS Dhok	A/V/I/Post
29	Sobia Arshad	Muhammad Arshad	Lassan Nawab	GGPS Sharota	A/V/I/Post
30	Rashida Bibi	M.Zahoor	Lassan Nawab	GGPS Chapra Bala	A/V/I/Post
31	Bibi Naseema	Ghulam Nabi	Mohandari	GGPS Badal Gran	A/V/I/Post
32	Yasmeen Wahab	Abdul Wahab	Nika Pani	GGPS Cham	A/V/I/Post
33	Neelam	Abdul Latif	Darband	GGPS Cham	A/V/I/Post
34	Lubna Younis	M.Younis	Perhinna	GGPS Phalkot	A/V/I/Post
35	Zahida Bano	Ali Zaman	Perhinna	GGPS Phalkot	A/V/I/Post
36	Bibi Saleha	Abdula Jan	Phulra	GGPS Ghazikot	A/V/I/Post
37	Melnaz Bibi	M.Iqbal	Phulra	GGPS Dhaman	A/V/I/Post
38	Bibi Mewash	M.Naveed	Phulra	GGPS Ghazikot	A/V/I/Post
39	Farzana Yousaf	M.Yousaf	Phulra	GGPS Batangi	A/V/I/Post
40	Bibi Farah	Khurshid Khan	Sawan Maira	GGPS Gojar Gali	A/V/I/Post
41	Bibi Salama	Shezada Khesro Fareedon	Sachan Kalan	GGPS Kalas Nawaz Abad	A/V/I/Post
42	Bibi Norin	Rehmat Ullah	Sachan Kalan	GGPS Kalas Nawaz Abad	A/V/I/Post
43	Tahira Jabeen	Muhammad Ayub	Sawan Maira	GGPS Mohar	A/V/I/Post
44	Safoora Farat	Abdul Razaq	Shanaya	GGPS Numshera Shahkot	A/V/I/Post
45	Irum Shaheen	Anwar Khan	Shanaya	GGPS Numshera Shahkot	A/V/I/Post
46	Saeeda Haidar	Mir Haidar	Shergarh	GGPS Gakharh	A/V/I/Post
47	Fozia Bibi	Sher Bahadar	Shergarh	GGPS Perchaian	A/V/I/Post
48	Sadia Gul	M.Zaman	Shergarh	GGPS Perchaian	A/V/I/Post
49	Asma	Abdul Malik	Darband	GGPS Shorolian	A/V/I/Post
50	Sadia Javed	Javed Khan	Shuakat Abad	GGPS Lalan Da Darra	A/V/I/Post
51	Sabeen	M.Haroon	Shuakat Abad	GGPS Chajar Bala	A/V/I/Post
52	Tabasam Rashid	Abdul Rashid	Shuakat Abad	GGPS Paniyali	A/V/I/Post
53	Nabeela Ghuncha Gul	Bashir Ahmad Khan	Trangri Sabir Shah	GGPS Trangri Bala	A/V/I/Post
54	Khalida Bibi	M.Yousaf Khan	Trangri Sabir Shah	GGPS Trangri Bala	A/V/I/Post
55	Sidra Hamayun	M.Hamayun	Trangri Sabir Shah	GGPS Khari Paloi	A/V/I/Post
56	Salma Javed	Muhammad Javed	Darband	GGPS Pagora	A/V/I/Post
57	Noshin Bibi	Fazal ur Rehman	Darband	GGPS Beer Bat	A/V/I/Post
58	Sahibzadi Azmat Rehani	Ghulam Rabani	Tanda	GGPS Talian Manda Gucha	A/V/I/Post
59	Asma Noreen	Nawab Khan	Dhodial	GGPS Kothri	A/V/I/Post

TERMS & CONDITIONS:

1. Their appointments are purely on temporary basis and liable to termination at any stage without assigning any reason/notice.

Accepted

[Handwritten Signature]

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P-21


- They will be governed by such rules and regulations enforce and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
3. In case they failed to assume the charge of their posts within 15 days of their appointment, candidature-ship will be stand automatically cancelled.
 4. Their services are regular but will not be entitled for pension/gratuity & they will not contribute any amount towards GP Fund however they will contribute CP fund on the prescribed rate & half contribution will be made by the Government.
 5. They will submit to this office, their all testimonial and domicile/ UC Certificate from the secretary concerned union councils along-with bank drafts in the name of controller / treasurer of the concerned BISE / University within 7 days after the taking over charge for verification.
 6. The release of the pay by the concerned DDOs will be subject to the receipt of verified documents by the appointing authority / (EDO E&SE Mansehra)
 7. In case a document or documents is / are found fake or forged or Bogus on such scrutiny or all the verification, the service of the teachers concerned shall be terminated. The whole amount paid to him/her as salary will be recovered and a case against him/her shall be registered under relevant section of Law.
 8. Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice, their one month pay/allowances if any shall be forfeited to Government Treasury.
 9. Their services can be terminated at any time in case their performance is found un-satisfactory; they will be proceeded against under the removal from service under E&D Rules 2011.
 10. They should produce Age & Health Certificate from the MS DHQ Hospital Mansehra.
 11. They may not be handed over the charge if their age is above 35 years and below 18 years.
 12. The Candidates who are working as regular before 1st July 2001 in pervious post, their entitled for pension / gratuity etc.
 13. No. TA/DA etc is allowed.
 14. Charge report should be submitted to all concerned in duplicate.

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

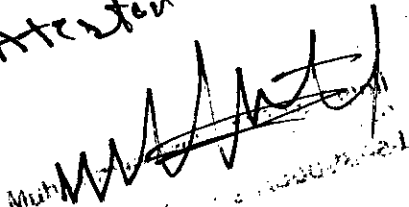
Endst: No. 5360-5384 /Estt: (F)Apptt:PET(F)/2011-12 Dated Mansehra the 18th May, 2012

Copy to the:-

1. Secretary to Govt: of KPK E&SE Department Peshawar.
2. Director E&SE Department KPK Peshawar.
3. District Accounts Officer, Mansehra.
- 4-5. District Officer (M&F) Local Office.
6. Deputy District Officer (Female) E&SE Manshra.
7. PA to District Coordination Officer, Mansehra.
8. Budget & Accounts Officer, local office, Mansehra.
- 9-67. Candidates concerned.


EXECUTIVE DISTRICT OFFICER
E&S EDU: MANSEHRA

Attended


District Officer



Annex D P-22

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

No. 712 Cause
Dated the 25/11/2014

Email: deofmanshra@yahoo.com
Phone & Fax: 0997-302518

SHOW CAUSE NOTICE

I, Naghmama Sardar, District Education Officer (Female) Mansehra as Competent Authority under the Khyber Pakhtunkhwa Servant (Efficiency & Discipline) Rules, 2011, do hereby serve you Mst. Salma Javed PST GGPS Phagura Mansehra Show cause Notice as follows:

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

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

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

- a) Misconduct and dishonesty in getting bogus/faked appointment without due process of recruitment.
- b) Inflicted huge financial losses to the Govt. Treasury receiving pay as result of bogus appointment.
- c) By snatching established rights of the deserving candidates due for appointment by cheating/canceling the facts for unlawful appointment with collusion of then EDO.
- d) As a result thereof, I as competent authority have tentatively decided to impose upon you the major penalty of dismissal from services under rule 4 of the said rules.
- 4) You are hereby required to Show Cause as to why the aforesaid penalty should not be imposed upon you & also intimate where you desire to be heard in person.
- 5) If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defiance to put in and in that case an ex-parte action shall be taken against you.
- 6) A copy of the finding inquiry committee related page is enclosed.

(Signature)

COMPETENT AUTHORITY

Mst. Salma Javed
GGPS Phagura

Attested
(Signature)
Mst. *(Signature)* Khan Tanoli
Distt: Courts Abbottabad

گدفت جناب A.O.O صاحبہ زبانیہ ہمارے اہل خانہ کے لئے
مفتوحاً "جواب لبرائے شوق کارزنوش"۔

جناب عالیہ
گزارش یکمیدہ بابت شوق کارزنوش آفیسر ڈیوٹی DEO ایجوکیشن
ماریہ

نوٹ نمبر 24/9/2014 Dated - NO.7779 S/cause

حوالہ نمبر 4/10/2014 نوٹ نمبر (F) ASDEO سرکل شیگرڈ
(1) سائلہ کا آرڈر دفتر E.O.O حکمہ تعلیم ہلالہ پور سے جنرل آرڈر
نوٹ نمبر 18/5/2012 تحت Endst No=5360-5384

(2) سائلہ نے EATA کا امتحان پاس کیا۔ جس میں اس نے 128 نمبر حاصل کیے اور اپنی پوسٹ کوئٹہ میں پمپٹ لیسٹ لبرائے اپنی پوسٹ
پوسٹ میں Vacant نہ ہونے کی صورت میں سائلہ کا آرڈر ترقی
پوسٹ کوئٹہ میں کیا گیا۔

سائلہ کی پروفیشنل کوآلفیکیشن
BA/PST ہے

سائلہ کی کفایتی حالتاً پمپٹ کی بنیاد پر سوئی ہے۔ جنرل آرڈر کی
کالی لگا ہے۔ نیز سائلہ زانی طور پر اس پوسٹ پر ایسا توقف بیان کرتے
ہوئے تھے۔
سائلہ کی پمپٹ کو شوق کارزنوش سے متعلق قرار دیا جائے

Attested
Muh...
Dist: ...

سوائی حلوہ



P-24
Annex E

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

NOTIFICATION

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

Nazma

DISTRICT EDUCATION OFFICER
FEMALE MANSAEHRA.

Endst: No. 2096-2/05 TAE / Estab: dated 23/03 /2015.

Copy to the:-

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

Nazma

DISTRICT EDUCATION OFFICER
FEMALE MANSAEHRA.

Attended
Muhammad Arshad Khan Tanoli
Advocate
Distt: Courts Abbottabad

‘F’
Annex P-25

بخدمت جناب ڈائریکٹر صاحب ایڈمیشنز اینڈ سیکنڈری ایجوکیشن خیبر پختونخواہ پشاور
عنوان۔ اپیل برائے بحالی ملازمت

جناب عالی۔

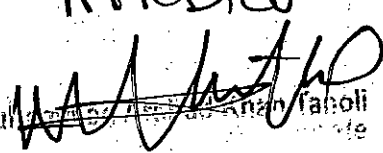
۱ گزارش ہے کہ سائل کا تعلق گاؤں در بند تحصیل اوگی ضلع مانسہرہ سے ہے۔

۲۔ یہ کہ 2011-12 میں ضلع مانسہرہ میں محکمہ تعلیم میں PST کی آسامیوں کے لیے اشتہار آیا اور سائل نے تمام Formalities پورے کر لیے جسکے نتیجے میں سائل کا آرڈر بحوالہ انڈوجسمنٹ نمبر 5384-5360 مورخہ 18-5-2012 کو GGPS پھکوڑہ یونین کونسل بانڈی شنگلی ہوا تھا۔ (آرڈر کی کاپی لف ہے)

۳۔ یہ کہ مورخہ 29-9-2015 کو DEO(F) مانسہرہ کی دفتر سے ایک Show Cause نوٹس موصول ہوا۔ (کاپی لف ہے) جس میں مجھے بتایا گیا کہ آپ کی تقرری غیر قانونی ہے۔ اور اس سلسلے میں Show Cause نوٹس کے پیرا نمبر 6 کے حوالے سے انکوائری رپورٹ کا حوالہ دیا گیا ہے۔ جس میں یہ ذکر ہے کہ آپ کی تقرری اپنی یونین کونسل در بند کی بجائے یونین کونسل بانڈی شنگلی میں ہوئی ہے۔

۴۔ آپ نے B.A کا امتحان Closing date کے بعد یعنی 15-8-2011 کو پاس کیا ہے۔ اس سلسلے میں عرض ہے کہ در بند میں میرٹ پر آنے کے بعد یونین کونسل در بند میں خالی آسامیاں نہیں تھی۔ اس لیے مجھے یونین کونسل بانڈی شنگلی میں لگایا گیا۔

میں نے B.A کا امتحان تقرری سے پہلے پاس کیا ہے۔ B.A کے نتیجے کی

Attested

Mulazim Faqir
Distt: Courts Administration

P-26

تاریخ 15-8-2011 ہے۔ جبکہ میری تقرری مورخہ 18-5-2012 کو ہوئی۔

۴۔ DEO(F) مانسہرہ نے قانونی تقاضے پورے کیے بغیر میری برطرفی کا آرڈر جاری کیا ہے۔ جو کہ غیر قانونی ہے۔

استدعا ہے کہ میری اپیل کو منظور فرماتے ہوئے مجھے نوکری پر بحال کرنے کا احکامات صادر فرمائیں۔

المرقوم 10-03-2015

ارضیٰ جاوید

سلمیٰ جاوید

GGPS پگلوڑہ تحصیل اوگی ضلع مانسہرہ

مستقل پتہ۔ گاؤں دربند تحصیل اوگی ضلع مانسہرہ

Attested

Muhammad Aslam Khan, Taluk
Agency, Manshera
Distt: Courts, Abbottabad

وکالت نامہ

کورٹ فیس

قیمتی

بند

بعدالت RPLC سروس سٹریٹ لاہور
عنوان: محمد سلیمی کی بی بی نامی بنام گورنمنٹ RPLC لاہور
منجانب: اسرار
نوعیت مقدمہ: اسرار

باعث تحریر آنکہ

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

شہزاد شہزاد خان نیلی اور دیگر ہاکی کورٹ لاہور

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کارروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پر داختم مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراء استجارت ناش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند ہے۔

بمقام: _____
المقوم: _____

Attested

Mr. Asrar Khan Taneli
Adv High Court Ad

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL

CAMP COURT ABBOTTABAD

Appeal No 775/2015

Salma Javaid , D/O Javaid, R/O Village Mohallah Islamabad , Darband, District

Mansehra.....APPELLANT

Versus

1. Govt of Khyber Pakhtun Khawa, through Secretary Elementary and Secondary Education, Peshawar and others.
2. Director Elementary and Secondary Education, Govt. of Khyber Pakhtun Khawa, Peshawar.
3. District Education Officer (Female) District Mansehra.

.....RESPONDENTS.

Written reply on behalf of Respondent.

PRELIMINARY OBJECTIONS:

1. That the appellant has got no cause of action to file the present appeal.
2. That the appeal is not maintainable in its present form.
3. That the appeal is time-barred and not entertain able.
4. That the appellant has not come to this tribunal with cleans hands.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appeal is based on false and mala fide hence deserves dismissal.
7. The appellant has suppressed the material facts from this Honorable Service Tribunal, hence not entitled for any relief & appeal is liable to be dismissed.

FACTUAL OBJECTIONS:

- 1) Para No.1 is correct to the extent that respondent No.3 announced the post of PST in dail "The AAJ" dated 20-5-2011, while rest of the Para is incorrect.
- 2) Para No.2 is subject to proof.
- 3) Para No.3 is incorrect. The appellant was appointed as PST in the education Department through illegal appointment order dated 18-05-2012. (Appeal annexure C)

- 4) Para No.4 needs no comments.
- 5) Para No.5 is correct.
- 6) Para No.6 is correct to the extent that the respondent No.3 issued show cause notice to the appellant on the bases of inquiry conducted at high level, in the light of same inquiry the respondent No.3 was directed by the competent authority through letter No. SO(S/M) E&SE D/4-17/2013/ Umar Khan EDO BS-19 Dated Peshawar the August 25, 2014, that further action may be taken in the light of the finding of the inquiry committee after issuance of Show cause notice to the female teachers who were illegally appointed.

(Annexure A)

- 7) Para No.7 is incorrect as composed the competent authority was not satisfied with the reply of the appellant.
- 8) Para No.8 is incorrect. The respondent No.3 issued Show cause notice to the appellant after completion of high level inquiry, as stated in Para No.6 opportunity of personal hearing was given to the appellant which was not availed. Dismissal of the appellant was in accordance with the law / rules.
- 9) The departmental appeal of the appellant rejected by the Director E & SE Peshawar on the following grounds.
 - i. She belongs to U/C new Darband where no post was lying vacant. She has acquired the B.A qualification after due date but after deduction of her B.A marks her score was reduce to 43.05 from 45.20 and her position in the merit list was at S.No 2 in her U/C under ETEA R. No 1701530 remains unchanged. She was adjusted in GGPS Paghora U/C Bandi Shungli which is not adjacent to her U/C according to the list provided by DEO (F) Mansehra. She was wrongly appointed in other U/C Bandi Shungli Vide Endst: No. 5360-84 dated 18-05-2012 at S.No 56. Her adjacent U/Cs were Shanaya and Nika Pani each having 02 vacancies of PSTs but U/C Shanaya has its own other candidates on merit whereas Nika Pani has only one candidate on merit and the other candidate Neelam of adjacent U/C Darband is appointed in Nika Pani as she was on top of the Merit.
 - ii. Appeal may be rejected with the remarks that she did not deserve to be appointed in the adjacent U/Cs.

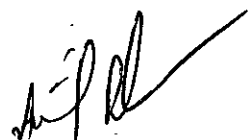
(Annexure-B)


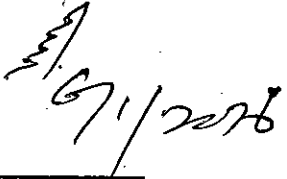
GROUND:-


- a. Para No. a & b is incorrect. The appointment was not made in accordance with the law due to which the dismissal order was issued.
- c. Para No. c is incorrect hence denied.
- d. Para No. d is correct to the extent of adoption of proper procedure as per Law. Rest of the para is incorrect, hence denied.
- e. Para No. e is incorrect. The entire allegations leveled against the appellant have been proved by the enquiry committee and appellate authority.
- f. Para No. f is incorrect. All the coddle formalities have been fulfilled while dismissed the appellant.
- g. Para No. g is incorrect. The act of the respondent department is in accordance with the principle of jurisprudence and natural justice.
- h. Para No. h is incorrect. The detail of posts and rival candidate in her own U/C was given in above paras.
- i. Para No. i is incorrect. The proceeding against the appellant was made on the directions of higher authorities.
- j. Legal may be treated as per law.

Prayers:

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


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

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

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

AFFIDAVIT

I, Mr. Sakinullah, ADEO(Litigation), District Education Officer (F) Mansehra, do, hereby solemnly affirm and declared that the contents of reply in the instant Appeal No.775-A/2015 titled case Salma Javaid PST Versus Education are correct and true to the best of my knowledge and record and I have concealed nothing as material facts before this Honorable Court.



DEPONENT

BEFORE THE KPK SERVICE TRIBUNAL, CAMP COURT ABBOTTABAD

5

Mst: Salma Javaid, EX-PST,APPELLANT

VERSUS

Govt. of Khyber Pakhtun Khawa, through Secretary Education,
Peshawar etc.....Respondents

SERVICE APPEAL

**REAPPLICATION IN RESPECT OF SUSPENSION OF OPERATION OF IMPUGNED
ORDER DATED 03-03-2015.**

RESPECTFULLY SHEWETH:

1. The replication may please be considered as integral part of written reply.
2. Para No. 2 is incorrect, hence denied.
3. Para No. 3 is incorrect, hence denied.
4. Para No. 4 is incorrect. The applicant was not entitled for the said post.
5. Para No. 5 is incorrect, hence denied.
6. The ingredients of suspension are not fulfilled. The dismissal of the appellant was made in accordance with the law by the competent authority.

It is therefore most humbly prayed that the application may graciously be dismissed with cost.

Respondent No. 1 to 3 through
District Education Officer
(Female) Mansehra.



AFFIDAVIT

I, Mr. Sakinullah, ADEO (Litigation), District Education Officer (F) Mansehra, do, hereby solemnly affirm and declared that the contents of replication in the instant Appeal No.775/2015 titled case Mst: Salma Javaid, EX-PST Versus Education are correct and true to the best of my knowledge and belief and I have concealed nothing as material facts before this Honorable Court.



DEPONENT



7

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

Dated Peshawar the February 27, 2014

NOTIFICATION

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

WHEREAS Mr. Umar Khan Ex-Executive

District Officer (BS-19), E&SE/ District Education Officer Male Mansehra (now District Education Officer Male Karak) was proceeded against under the Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011 for the charges mentioned in the charge sheet and statement of allegations.

2. **AND WHEREAS** inquiry committee was constituted comprising the following officers to conduct formal inquiry against the accused officer, for the charges leveled against him in accordance with the rules.

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

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

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

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

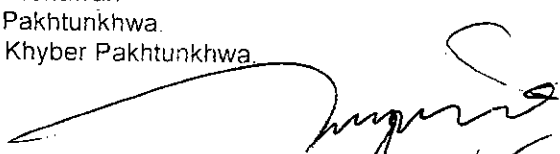
6. **NOW, THEREFORE**, in exercise of the powers conferred under section 14 of Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Minister, Khyber Pakhtunkhwa) is pleased to impose major penalty of "**Removal from service**" upon Mr. Umar Khan Ex-Executive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

SECRETARY

Endst: of Even No. & Date:

Copy forwarded to the: -

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


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



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

(A)

No.SO(S/M) E&SED/4-17/2013/Umar Khan EDO BS-19
Dated Peshawar the August 25, 2014

(8)

To:

- i. The Director,
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.
- ii. District Education Officer (Female)
Mansehra.

Most urgent report
file in ...
put in ...
DEO

Subject: - ENQUIRY REGARDING APPOINTMENT/ GUIDANCE.

I am directed to refer to your letter No:3076 dated 16-07-2014 on the subject noted above and to forward herewith a copy of inquiry report conducted by inquiry committee comprising the following officers.

- i. Syed Hidayat Jan, (PCS SG BS-20) Ex-Special Secretary Agriculture Department
Khyber Pakhtunkhwa Peshawar.
- ii. Mr. Khalaq Baig, Principal (BS-20) RITE Male Haripur.

2. It is requested that further action may be taken in the light of findings of the inquiry committee after issuance of show cause notices to the female teachers who were illegally appointed.

Encl: As Above:

Mujeeb-ur-Rehman
(MUJEEB-UR-REHMAN)
SECTION OFFICER (SCHOOLS/MALE)

INTRODUCTION:

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

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

MR. SAYED HIDAYAT JAN (PCS SG BS-20), Special Secretary, Agriculture Department, (Khyber-Pakhtunkhwa, Peshawar.

MR. MUHAMMAD KHALAQ BAIG, Principal (BS-20) R.I.T.E (M), Haripur.

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

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

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

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

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

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

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

3. **Venue of Enquiry:**

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

4. **PROCEEDINGS:**

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

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

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

8. The Present DEO (M) and Dy. DEO (F) Mansehra were asked to provide all the record /files and other related record mentioned in the letter to the committee on the day of enquiry vide. No: SS (AD) Enquiry/2013 Dated 01/08/2013 **(Annex-V)**.

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

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

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

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

FACTS

REPLIES TO THE CHARGE SHEET:

REPLY OF MR UMER KHAN TO THE CHARGE SHEET:

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

UC Sawan Mera	Bibi Farah r/o UC Sawan Mera	Appointed at <u>GGPS</u> Gujar gali UC Phulra being the adjacent UC which is not correct Phulra is not adjacent UC to Sawan Mera. (Annex-LXXXII).	Appointment is irregular
UC Sher Garh	Saeeda Haider r/o Sher Garh Fozia Bibi r/o UC Sher Garh Asma Abdul Malik r/o UC Darband	Appointed at <u>GGPS</u> Ghakkar UC Sher Garh S.No 46 . She had not entered her BA marks in her application form. Later on 15.8.2011 result was declared and award of weightage of BA after the closing date is not valid. (Annex-LXXXIII) Although she was shown absent in EATA result under R.No 2045 but was included at S.No 47 of the appointment order appointed at <u>GGPS</u> Parchaian. (Annex-LXXXIV) Appointed at <u>GGPS</u> Shoralian UC Sher Garh being the adjacent UC. But the UC Darband is not adjacent to UC Sher Garh. Some other candidates of UC Sher Garh were also waiting for appointment. The appointment of candidate of UC Darband in UC Sher Garh is not valid. (Annex-LXXXV).	Violation of recruitment rules/policy Appointment is not valid Appointment is irregular and violation of rules.
UC Shoukat Abad	Sabeen r/o UC Shoukat Abad	Appointed at <u>GGPS</u> Chajar Bala UC Shamdara whereas three posts were already vacant in UC Shoukat Abad	The appointment is against recruitment rules.
UC Tarangri Sabar Shah	Sidra Hamayun r/o UC Tarangri Sabar Shah	Appointed at <u>GGPS</u> Khati Paloi at S.No 55 UC Sum Elahi Mang and not in own UC where three posts were vacant.	The appointment in other UC is violation of recruitment policy
UC Bandi Shungli	Nosheen Bibi r/o UC Darband L Salma javed r/o UC Darband	Appointed in UC Bandi Shungli at <u>GGPS</u> Beerbat being adjacent UC which is not the adjacent UC. (Annex-LXXXVI) Appointed at <u>GGPS</u> Phagura She was not qualified as BA up to the closing date of advertisement. Her BA result was declared on 15.8.2011. Award of BA weightage is not justified. (Annex-LXXXVII)	The appointment is not valid as the near by UCs of UC Bandi Shungli are Khatai, Karori and Sher Garh. The appointment is invalid.

11

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR.

NOTIFICATION.

WHEREAS, Mst. Salma Javed, PST at Government Girls Primary School Phogura District Mansehra was dismissed from service by the DEO (Female) Mansehra vide Order No. 2096-2105 dated 03/03/2015 after serving Show Cause Notice and giving her an opportunity of personal hearing on charge of irregular/fake/bogus appointment.

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

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

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

1. She belongs to U/C New Darband where no post was lying vacant. She has acquired the B.A qualification after due date but after deduction of her B.A marks her score was reduced to 43.05 from 45.20 and her position in the merit list was at S No 02 in her U/C under ETEA R. No. 1701530 remains unchanged. She was adjusted in GGPS Paghora U/C Bandi Shungli which is not adjacent to her U/C according to the list provided by DEO (F) Mansehra. She was wrongly appointed in other U/C Bandi Shungli vide Endst. No. 5360-84 dated 18/5/2012 at S.No. 56. Her adjacent U/Cs were Shanaya and Nika Pani each having 02 vacancies of PSTs but U/C Shanaya has its own candidates on merit whereas Nika Pani has only 01 candidate on merit and the other candidate Neelam of adjacent U/C Darband is appointed in Nika Pani as she was on top of the merit.
2. Appeal may be rejected with the remarks that she did not deserve to be appointed in the adjacent U/Cs.

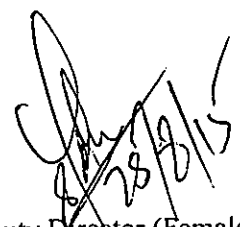
NOW, THEREFORE, in exercise of powers conferred upon the Director E&SE Khyber Pakhtunkhwa, Peshawar (appellant authority) under E&D Rules 2011 read with rules 17 (2) (a) and keeping the findings/recommendations of the committee into consideration, rejects the appeal of aforesaid sacked teacher for reinstatement, however her dismissal order issued by the DEO (F) Mansehra vide order No. 2096-2105 dated 03/03/2015 is hereby converted into removal from service.

Director
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Endst: No. 4353-56 /F.No. 79 /Appeals Female MSR Dated Peshawar the 22/8/2015

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

1. District Education Officer (Female) Mansehra
2. District Accounts Officer Mansehra
3. Sub Divisional Education Officer (Female) Mansehra
4. Appellants concerned
5. PA to Director E&SE KP, Peshawar
6. Master File.


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

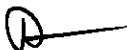
21.1.2016


Agent of counsel for the appellant and Mr. Muhammad Fayaz, Supdt. alongwith Mr. Muhammad Saddique, Sr.GP for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 15.8.2016 at Camp Court A/Abad.


Chairman
Camp Court A/Abad

15.08.2016

Counsel for the appellant and Mr. Muhammad Usman, Senior Clerk alongwith Mr. Muhammad Siddique Sr.GP for the respondents present. Learned counsel for the appellant requested for adjournment to submitted rejoinder. To come up for rejoinder and final hearing on 17.01.2017 before D.B at camp court, Abbottabad .


Member


Chairman
Camp court, A/Abad