

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 13.3.2015 which was not responded and hence the instant service appeal on 13.7.2015.

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.*

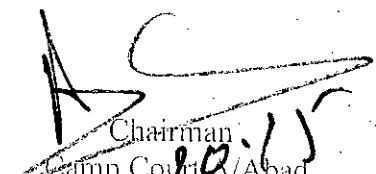

Chairman
Camp Court A/Abad

20.10.2015

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

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

Dismissed as withdrawn.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


Chairman
Camp Court A/Abad
20.10.15



ANNOUNCED
20.10.2015

Appellant Deposited
Security & Process Fee

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 808/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	13.07.2015	<p>The appeal of Mst. Tabassum Nazir presented today by Mr. Muhammad Arshad Khan Tanoli Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	14-7-15	<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 style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Appeal no. 804/2015

Tabassum Nazir D/O Muhammad Nazir Qaria (GGHS Moorat
Maira) R/O Gali Badhal, 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

INDEX

S.No	Prescription of Document	Annexure	page
1	<i>APPEAL</i>		<i>1-11</i>
2	Copy of Advertisement	"A"	<i>12</i>
3	Copies of Documents/testimonial are annexed	"B"	<i>13-21</i>
4	Copy of appointment order and corrigendum	"C"	<i>22-23</i>
5	Copy of Show cause notice and one page of inquiry of the then EDO	"D"	<i>24-27</i>
6	Copy of impugned dismissal order of appellant	"E"	<i>28</i>
7	Copy of departmental appeal /representation	"F"	<i>29-30</i>
8	Wakalatnama		<i>31</i>

Dated: *09/7/2015*

Tabassum Nazir
Appellant

Through

Muhammad Arshad Khan Tanoli
Muhammad Arshad Khan Tanoli

Advocate, High Court

Abbottabad

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

Appeal no. 804/2015

Tabassum Nazir D/O Muhammad Nazir Qaria (GGHS Moorat
Maira) R/O Gali Badhal, Tehsil Oghi & District Mansehra

.....Appellant

VERSUS

K.W.P. Province
Service Tribunal
Diary No. 849
dated 13-7-2015

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

.....Respondents

SERVICE APPEAL.

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

Filed to
Registrar
13/7/15

Respectfully Sheweth,

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

1. That, respondent No 3 announced the posts of Qaria in Dailly "The Aaj" dated 20/5/2011 for appointment of Qaria. The Appellant fulfills the entire criteria which sine qou non for appointment for the post of Qaria. **Copy of Advertisement is annexed as Annexure "A"**

2. That, the appellant qualified test as well as interview conducted by respondent No 3. The appellant is qualified Matric, Hifz, tajweed, teaching of tajweed, Shahadat ul Almia from registered Institution/ Maddaris. **Copies of Documents/testimonial are annexed as Annexure "B"**

3. That, following this, the appellant was appointed as Qaria in respondents' Department on the basis of merits vide appointment order endrst No 893/942/ ESTT Qaria (F) APPTT; (f) 2012 Dated 16/6/2012. **Copy of appointment order is annexed as Annexure "C"**.

4. That, the appellant served the Department with complete devotion and dedication to the entire satisfaction of her superiors from the date of her appointment i.e. 16.6.2012 onwards.

5. That, the appellant was though dismissed from service by the respondent's department endrs. No 1596-1605/AE-1/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 DEO, Shamim Akhtar was found attached with the show cause notice, wherein it was mentioned against the name of appellant that "No relevant, sannad for appointment and the appointment is not valid and is against the recruitment policy". **Copy of Show cause notice is annexed as Annexure "D"**. AS the inquiry committee did recommend any remarks against the Appellant

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

(9)

8. That, the respondent No 3, as stated above, served show cause notice to the appellant, which was properly replied by her. As per law, the appellant was entitled to be heard in person by respondent No 3. But Respondent NO 3 without resorting the rules, without providing opportunity of personal hearing and adopting proper modus operandi required for dismissal of employees from service, dismissed the appellant vide impugned dismissal order endst. No 1596-1605/AE-1/ESTB dated 3.3.2015. **Copy of impugned dismissal order of appellant is attached as annexure "E".**

9. That on receipt of dismissal order, appellant filed departmental appeal against the order of respondent No 3 to respondent No 2 on 13.3.2015. Copy of departmental appeal /representation is attached as annexure "F" but respondent No 2 did not bother to reply the representation of the appellant so far. Hence feeling aggrieved, the instant appeal is filed by appellant inter-alia on the following grounds:-

GROUNDS

(5)

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

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

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

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


It is, therefore, prayed that on acceptance of the instant Service Appeal of the appellant, impugned dismissal order endrst. No 1596-1605/AE-1/ESTB dated 3.3.2015 may graciously be set aside and respondent No 3 may be directed to reinstate the appellant in service in the School with effect from the

date of her dismissal with all service back benefits in terms of pay etc. Any other relief which this Honourable Court deems appropriate in the circumstance may also be done.

Dated 09/12/2015


Appellant

Through


Muhammad Arshad Khan Tanoli
Advocate, High Court
Abbottabad

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Tabassum Nazir D/O Muhammad Nazir Qaria (GGHS Moorat
Maira) R/O Gali Badhal, 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 1596-
1605/AE-1/ESTB AND GRANT OF
STATUS QUO TILL FINAL DISPOSAL
OF THE MAIN APPEAL .

Respectfully Sheweth,

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

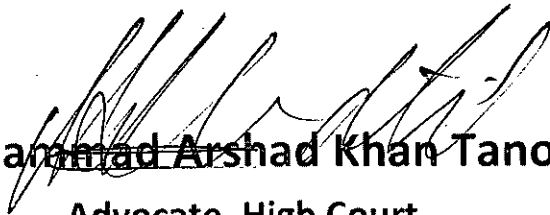
4. That, the applicant served the Department with complete devotion and dedications. Besides, the applicant had required qualification/criteria for the said post and the applicant has not been contested by any one as there was no contesting rival candidate.
5. That, the applicant got appointment purely on the basis of merit. The applicant has been dismissed by the competent authority due to no fault of her.
6. That, the balance of convenience is infavour of the applicant and in case, status quo is not granted, the applicant shall suffer irreparable.

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

Dated: 09/07/2015


Appellant

Through


Muhammad Arshad Khan Tanoli
Advocate, High Court
Abbottabad

(11)

BEFORE THE KHYBER PUKHTUNKHAW SERVICE
TRIBUNAL, PESHAWAR.

Tabassum Nazir D/O Muhammad Nazir Qaria (GGHS Moorat
Maira) R/O Gali Badhal, 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, Tabassum Nazir D/O Muhammad Nazir Qaria (GGHS Moorat Maira) R/O Gali Badhal, 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: 09/7 /2015


Deponent

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



شهادة حفظ القرآن الكريم



الحمد لله رب العالمين، والصلوة والسلام على خاتم النبيين، سيدنا محمد وعلى آله وصحبه اجمعين، وبعد:
تشهد رئاسة وفاق المدارس العربية بباكستان، بأن الطالبة تبسم نذير

بنت محمد نذير من مانسهره المولودة ٤٢٧/٤٢٣/١٩٨٩ء. قد حفظت

القرآن الكريم كاملاً بظهر الغيب في جامعة تعليم القرآن ابيث آباد عام ٢٣/٤٢٣م. ونجحت في اختبار
الحفظ المنعقد تحت اشراف وفاق المدارس العربية بتقدير جيد جداً. وبناءً على ذلك قرر مجلس الوفاق منحها شهادة
حفظ القرآن الكريم ورئيس الوفاق اذ يمنحها هذه الشهادة يوصيها بتقوى الله عز وجل، وأن تتعاهد القرآن الكريم بتلاوته
انما الليل وطال النهار، وان تعمل بتعاليمه، التمسحاً، وأن تعلمه غيرها، والله الموفق.



التصديق



مدير التعليم

عبد

اللغة العربية

مدير التعليم

HEAD MISTRES
G.G.H.S. Manshera
(Manshera)

رقم التسجيل ١٥٠٤٧٠٥

رقم الشهادة ٢٤٨٧٠٤٢

الدرجات ١٠/٧٥ الشاريف ٤٢٣/٤٢٣/١٩٨٩ء

محل الإصدار: وفاق المدارس العربية بباكستان

Distt. C. Manshera

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

جامعة عائشة الصديقة للبنات

دارالعلوم السعيدية حافظ آباد اوکي مانسہرہ



شہادۂ

القراءۃ والتجوید للفرقان الحمید

سید عزیز علی صاحب مدظلہ
تہ مطابقت دروس علی

الحمد لله الذي جعلنا من عباده الكثر والفضل والفضل على من قرأ القرآن بيمينه واليمين على الله
وأرضعنا به الرزق فأمور بلاؤة القرآن إلقاء الليل وأظروا النهار

وبعد تشرفت بتأدية الجامعة عائشة الصديقة للبنات دارالعلوم السعيدية بأن الاغت
التخریظہ بالسیبہ البانیہ البانیہ التخریظہ فی عام ۱۴۰۹ھ الثوابیہ ۱۹۸۹ھ
قد سمت بقراءۃ القرآن والتجوید كاملاً و نجحت فی اختبار تجوید القرآن فی عام ۱۴۰۸ھ الثوابیہ ۱۹۸۸ھ

وقد قامت بحسن الاخلاق والمسيره عندنا طول مدة الدراسة مع الاساتذة والطالبات ☆



توقيع الاساتذة
توقيع رئيس الجامعة
HEAD MASTER
Govt. Middle School
Mansehra

رقم الشهادة ۲۸
رقم التسجيل ۱۴
تاريخ الاصدار: ۱۹/۱۱/۱۹۸۸ھ
الدرجات: ۵/۲۳



بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

جامعہ عائشہ صدیقہ للبنات

حافظ آباد اوجھی مانسہرہ پاکستان

بانیہ و نگرانہ: مولانا عبدالرحمن سعید الرحمن

تصدیق نامہ

P-15

محترمہ جناب ہیڈ مسٹر لیس صاحبہ
گورنمنٹ گرلز ہائی سکول مورت میرہ مانسہرہ
السلام علیکم ورحمۃ اللہ وبرکاتہ

آپ کی طرف سے مکتوب مورخہ 27-04-2013 کو موصول ہوا، تصدیق کی جاتی ہے کہ تبسم
نذیر بنت محمد نذیر ضلع مانسہرہ تاریخ پیدائش 27-04-1989 کی سند القراءۃ والتجوید للفرقان الحمید کی فوٹو
کاپیاں موصول ہوئیں جن کے اندراجات ہمارے مدرسہ کے ریکارڈ کے مطابق درست ہیں۔ رپورٹ پیش
خدمت ہے۔

مدرسہ کا گورنمنٹ رجسٹریشن نمبر 42033/5/2457 بتاریخ 18/01/1994

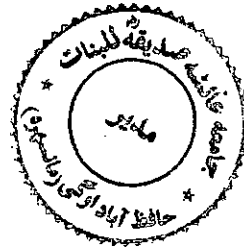
مدرسہ کا وفاق المدارس الحاق نمبر 08-04-01509 بتاریخ 18-04-1999

والسلام

مولانا حافظ سعید الرحمن الخطیب

مہتمم جامعہ عائشہ صدیقہ للبنات

حافظ آباد اوجھی مانسہرہ پاکستان



Attested
Mulla Ayesha Siddiqa Lilbanat
Hafizabad Oghi Mansehra
Dist. Mansehra, F. P.

Jamea Ayesha Siddiqa Lilbanat

HAFIZ ABAD OGIHI MANSEHRA
PAKISTAN. TEL 0997-320664, 320035



بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

جامعۃ عیاشہ سیدتیقا لبانات

حافظ آباد اوجھی مانسہرہ پاکستان

مختارہ عتیقہ بیگم

تصدیق نامہ

P-16

تصدیق کی جاتی ہے کہ جامعہ عائشہ صدیقہ لبانات حافظ آباد اوجھی ضلع مانسہرہ حکومت خیبر پختون خواہ سابقہ صوبہ
سرحد سے رجسٹریشن نمبر 42033/5/2467 بتاریخ 18-01-1994 رجسٹرڈ ہے جبکہ وفاق المدارس
العربیہ پاکستان سے رجسٹریشن نمبر 08-04-01509 بتاریخ 18/04/1999 ملحق اور رجسٹرڈ ہے۔

والسلام

مولا نا (مولانا) حافظ سعید الرحمن الخطیب
مہتمم جامعہ عائشہ صدیقہ لبانات
حافظ آباد اوجھی مانسہرہ پاکستان

13-06-2015



Attested
Muhammad Ali Khan
District Court's Abbottabad

Jamea Ayesha Siddiqah Lilbanat

HAFIZ ABAD OGHY MANSEHRA
PAKISTAN. TEL 0997-320664, 320035

Certificate No: AB 382174

P-17

BOARD OF INTERMEDIATE & SECONDARY EDUCATION ABBOTTABAD



Roll No: 1868

Group: HUMANITIES

SECONDARY SCHOOL CERTIFICATE EXAMINATION
DETAILED (CLASS X) CERTIFICATE

Session: 2010 (Supply)

Name: TABASSUM NAZIR
Father's Name: MUHAMMAD NAZIR
Date of Birth: 27-APR-89
Reg: No: 2386AB/MA-SSCFP09
Institution / District: MANSEHRA

has secured the marks shown against each subject in the Secondary School Certificate Examination (Class 10) held in the month of Sept / Oct as a Private Candidate.

Subjects	Marks	Part-I		Part-II		Total	Marks in Words
		Th	Pract	Th	Pract		
English	150	29	--	25	--	54	Fifty-Four
Urdu	150	42	--	56	--	98	Ninety-Eight
Islamiat Comp	75	55	--	--	--	55	Fifty-Five
Pakistan Studies	75	--	--	43	--	43	Forty-Three
General Science	150	46	--	42	--	88	Eighty-Eight
Mathematics	150	30	--	51	--	81	Eighty-One
Islamic Studies	150	62	--	62	--	125	One Hundred Twenty-Five
Arabic	150	--	--	54	--	118	One Hundred Eighteen
Total: 1050						662-B	Six Hundred Sixty-Two Only

Dated: 22-NOV-10

Remarks:

Checked By:

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

10

Controller of Examinations

Alles Keel

HEAD MISTRESS
G.G.H'S Mubrat Maira
(Mansehra)

Certificate No: AB

P-18

BOARD OF INTERMEDIATE & SECONDARY EDUCATION ABBOTTABAD



Roll No: 5083

Group: HUMANITIES

HIGHER SECONDARY SCHOOL CERTIFICATE EXAMINATION PROVISIONAL & DETAILED MARKS CERTIFICATE

Part - II

Session: 2012 (Supply)



Name: TABASSUM NAZIR

Father Name: MUHAMMAD NAZIR

Reg No: 8646AB/MA-intFP11

Institution/
District: MANSEHRA

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

Subjects	Marks	Marks Obtained					Marks in Words
		Part-I		Part-II		Total	
		Theory	Pract	Theory	Pract		
English	200	33	--	33	--	66	Sixty-Six
Urdu (Comp)	200	50	--	62	--	112	One Hundred Twelve
Islamic Education	50	45	--	--	--	45	Forty-Five
Pakistan Studies	50	--	--	30	--	30	Thirty Only
Islamic History	200	66	--	62	--	128	One Hundred Twenty-Eight
Islamic Studies	200	86	--	65	--	151	One Hundred Fifty-One
Arabic	200	80	--	76	--	156	One Hundred Fifty-Six

Total : 1100

688-B Six Hundred Eighty-Eight Only

Remarks :

Date : 04 December, 2012

Checked By :

Controller of Examinations

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

HEAD MISTRESS
G.G.H.S Meoral Main
(Mansehra)

S.No: 310001868

Roll No: 1868

P-19

BOARD OF INTERMEDIATE & SECONDARY EDUCATION



**ABBOTTABAD
KHYBER PAKHTUNKHWA - PAKISTAN
PROVISIONAL CERTIFICATE
SSC Examination
SESSION 2010 (Supplementary)**

THIS IS TO CERTIFY THAT Tabassum Nazir

Daughter of Muhammad Nazir

student of Mansehra District

has passed the *Secondary School Certificate Examination* of the Board of Intermediate & Secondary Education, Abbottabad held in *Sept / Oct, 2010* as a *Private* candidate. She obtained 662 marks out of **1050** and has been placed in Grade "B"

The Candidate passed the following subjects.

- | | | | |
|----------------|--------------------|---------------------|------------------|
| 1. Urdu | 2. English | 3. Pakistan Studies | 4. Islamiat Comp |
| 5. Mathematics | 6. General Science | 7. Islamic Studies | 8. Arabic |

Date of Birth according to admission form is 27-04-1989

Checked by _____

Computer Section BISE,ATD

Asstt: Secretary (Certificate)

Date of Issue: November 22, 2010

Attested

Attested

HEAD MISTRESS
G.C.H.S Mooral Maira
(Mansehra)

DOMICILE CERTIFICATE
KHYBER PAKHTOONKHWA
DISTRICT MANSEHRA

P-20

I declare that I am born of parents who are/ were permanently domiciled in
KHYBER PAKHTOONKHWA PROVINCE having been born/ settled in this province.

I was born at Village/Mohallah GALI BADRAL

Tehsil OGHI District MANSEHRA Nazara Division.

Tabasam
Signature of Applicant

Date: 26.05.2011

Pursuance to the Declaration dat _____

Filled by Mr./Miss/Mrs. BIBI TABASAM NAZIR

S/D of Mr. MUHAMMAD NAZIR

domiciled In Khyber Pakhtoonkhwa Provence, it is here by certified that the said
APPLICANT _____ is born of parents who are/ were/ permanent resident of the

Khyber Pakhtoonkhwa Provence, having been born/settled within it.

I have satisfied myself from ^{the overleaf} personal /my knowledge verification that the above
declaration is trues and certify accordingly.

This 28th Day of May, 2011

No 3869 dated 30-05-11

Countersigned

ABZ
District Officer
REVENUE & ESTATE

Attested
Muhammad
District Officer
REVENUE & ESTATE
Oghi

DEPUTY DISTRICT OFFICER

REVENUE & ESTATE
Oghi

28.5.2011



Amex C P. 22

OFFICE OF THE EXECUTIVE DISTRICT OFFICER E&S EDUCATION MANSEHRA

ORDER

As approved by the Departmental Selection Committee, the Competent Authority has been pleased to appoint the following Qaria teachers (Female) against vacant posts mentioned against each in BPS-9 @ Rs. 6200-330-17600 pm plus usual allowances as admissible under the rules in the interest of Public Service with effect from the date of their taking over charge subject to the following terms & conditions:-

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

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

TERMS & CONDITIONS:

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

Attested

Principal, Government College, Mansehra

P-23

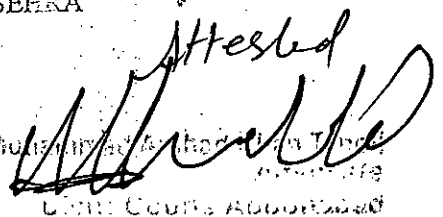
4. Their services are regular but will not be entitled for pension/gratuity & they will not contribute any amount towards GP Fund however they will contribute CP fund on the prescribed rate & half contribution will be made by the Government.
5. They will submit to this office, their all testimonial/Registration copy of their Madrasa (Institutions), 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 (a) receipt of verified documents by the appointing authority / (EDO E&SE Manshara) (b) duly attested & verified registration copy of the concerned Dini Madrasa (Institutions), where he/she has obtained his/her Sanad/Certificate.
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 Manshara.
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 previous 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 893-992/Estt: (F)Apptt: Qaria (F)/2012 Dated Manshara the 16/6 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, Manshara.
- 4-5. District Officer (M&F) Local Office.
- 6-26. Principal/Headmistresses School concerned.
27. PA to District Coordination Officer, Manshara.
28. Budget & Accounts Officer, local office, Manshara.
- 29-50. Candidates concerned.

EXECUTIVE DISTRICT OFFICER,
E&SE MANSEHRA

Attested

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



(E) Annex-D

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

No. 7745- / DEO/ 2014

Email: deofmanshira@yahoo.com

Dated: 27/10/29/9/ / 2014

Phone & Fax: 0997-302518

P-24

To

Head Mistress
Govt. Girls High School

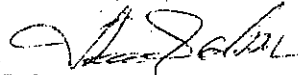
Subject:

Morad Mairan.

SHOW CAUSE NOTICE

Memo:

Show Cause notice in respect of Mst Jabassum Qaria D/O
M. Nazir of your school is attached herewith. You are
directed to serve the same to the teacher concerned and return one copy to this
office as a token of receipt.

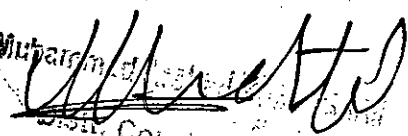

DISTRICT EDUCATION OFFICER
FEMALE MANSEHRA.

Endst:No. _____

Copy to the:-

1. Deputy Commissioner, Mansehra.
2. District Monitoring Unit Mansehra.
3. Sub Divisional Education Officer (Female) Mansehra.
4. ADEO Circle concerned is directed to ensure the attendance by the concerned teacher.

DISTRICT EDUCATION OFFICER
FEMALE MANSEHRA.

Attested

Mubaram
Dist. Courts Abbottabad



P-25

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

No. 7745 / Establishment/ 2014

Email: deofmanshra@yahoo.com

Dated: 29/9/ / 2014

Phone & Fax: 0997-302518

SHOW CAUSE NOTICE

I, Naghmana Sardar, District Education Officer (Female) Mansehra as Competent Authority under the Khyber Pakhtunkhwa Servant (Efficiency & Discipline) rules, 2011, do hereby serve you Mst Tabassum D/O Muhammad Nazir Qaria, Govt: Girls High School Tarawara Mansehra, Presently at GGHS Morat Maira Show cause Notice as follows:

1) You were appointed as Qaria at GGHS-Tarawar, vide defunct Executive District Officer (E&SE) Mansehra Endstt: No 893-942/Estt Qaria (f)/2012 Dated 16.06.2012 where you were stranger for recruitment process initiated through EATA: Acceptance of your appeal & subsequently your appointment order was the result of misuse of authority by the then EDO according to his sweet 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) Inflected huge financial losses to the Govt: Treasury receiving pay are result of bogus appointment.
- c) By snatching established rights of the deserving candidates due for appointment on merit. Cheating/canceling the facts for un lawful appointment with coordination of then EDO.

3) As a result thereof, I as competent authority have tentatively decided to impose upon you the major penalty of dismissal from services under rule 4 of the said rules.

4) You, are thereof, required to Show Cause as to why the aforesaid penalty should not be imposed upon you & also intimate where you desire to be heard in person.

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

6) A copy of the finding inquiry committee related page is enclosed.

Attested

Mst Tabassum
Distt: Courts Abbottabad

COMPETENT AUTHORITY

District Education Officer
(Female) Mansehra

F. P-26

To,

The DEO female Mansehra, (E&SE),

No 157

Dated 13-4-20

Subject: Explanation of show cause Notice

Memo:

Respected DEO Female Mansehra status I have received show cause notice NO 7745/DEO/2014.

I want to clear my position in this case. I could not maintain my service book with my one year Qaria course certificate, because I did not get my certificate verification. Now I received verification letter, so I maintained my service book with my Qaria course certificate I got one year Qaria course from Madrassa Aisha lil banat Dar ul Ullomm Saeedia hafiz abad oghi Reg# 01509.

I have passed my ETTA test by rules & regulations, I have attached all documents again with this application.

Thanks for this kindness act.

Tabassum

Regards

Tabassum D/o M.Nazeer.

Qaria GGHS Murat mera Mansehra.

g/c.
HEAD MISTRESS
Govt. Girls High School
Moorat Malra (Mansehra)

Attested
[Signature]
Dist. Courts Attested

8-27

D/O ur	GGHS Maira Ahmad Ali	Sanad Hifz ul Quran is from recognized institution but Sanad Qirrat is not from recognized institution.	The appointment is not valid and is against the recruitment rule/policy
Eano	GGHSS Baffa	The Sanad issued by Trust Jammiat Taleemul Quran for teachers of Quran e Kareem (One month Black Board training) is not valid for appointment whereas the sanad e Hifz is <u>not from recognized Institution.</u>	The appointment is not valid and is against the recruitment rule/policy
Saira Bibi D/O Al Khan	GGHS Sawan Maira	Application form and Sanad is not available on record.	The appointment is not valid and is against the recruitment rule/policy
Mazoon D/O	GGHS Ghanool	Sanad Hifz ul Quran and Sanad Qirrat is not from recognized institution.	The appointment is not valid and is against the recruitment rule/policy
Samreena D/O Muhammad	GGHS Jared	Sanad Hifz ul Quran is from recognized institution but no Sanad Tajweed is available with the form.	The appointment is not valid and is against the recruitment rule/policy
Absum D/O Muhammad	GGHS Traura	Sanad Hifz ul Quran is from recognized institution but the Sanad issued by Trust Jammiat Taleemul Quran for teachers of Quran e Kareem (One month Black Board training) is not valid for appointment and Qirrat sand not from recognized institution.	The appointment is not valid and is against the recruitment rule/policy
Saba Noor D/O S.H Noor Elahi	GGHS Talhata	No relevant Sanad for appointment	The appointment is not valid and is against the recruitment rule/policy
Asma Naz D/O Raja Manzoor Hussain	GGHS Mohayian	Sanad Hifz ul Quran is from recognized institution but Sanad Qirrat is not from recognized institution.	The appointment is not valid and is against the recruitment rule/policy

Only one candidate Amber Zeb D/O Alam Zeb was eligible as per her documents/ sanads

Amber Zeb D/O Alam Zeb	GGHS Phulra	Sanad Hifz ul Quran and Sanad Qirrat is from recognized institution.	Her appointment is valid as per recruitment policy.
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Attested

 District Council Abbottabad



A

Annex-E

P-28

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA

NOTIFICATION

- 1:- Where as Mst: Fabsum D/O Muhammad Nojir working as Don GGHS/GGMS/GGP Mamat Mame 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 Pakhtunkhawa 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. Fabsum D/O Muhammad Nojir CF/PETATT Qanda GGHS/GGM GGPS Mamat Mame

[Handwritten Signature]

DISTRICT EDUCATION OFFICER
FEMALE MANSAEHRA.

Endst: No. 1596-1605 /AE- I /Estab: dated 03/03 /2015.

Copy to the:-

1. Secretary Elementary and Secondary Education Department Khyber Pakhtunkhawa, Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtunkhawa, 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.

Attested
[Handwritten Signature]
Munir Ahmad Farhad Khan
District Officer Abbottabad

[Handwritten Signature]

DISTRICT EDUCATION OFFICER
FEMALE MANSAEHRA.

P-30

- vi. That a reply was submitted in response to show cause notice whereas applicant adopted continuation that she was appointed after due recruitment process and her appointment order along with 20 other candidate was issued in a lot after the approval of DSC (Copy attached and marked as Annex "F")
- vii. That appellant received impugned order dated 03-03-2015 whereas the major penalty of dismissal from service has been imposed upon the appellant.
- viii. That appellant passed her professional qualification i.e one year Qaria Course Madrasa Ayesha lil banaat Registered Wafaq Ul Madaras Multan and Hifzul Quran e Kareem from Wifaq Ul Madaras Multan.

Sir,

- a. Appellant was appointed after due process of recruitment through ETA test and appointment order of 21 candidates was issued after the approval of DSC. The appellant served for a period of 02 Years and 09 Months without any break to the entire satisfaction of department.
- b. No inquiry was conducted or initiated. No opportunity of defense offered. No personal hearing was made. How the authority passed the order in the light of E&D Rules and under what charges/evidence imposed such a harsh punishment of dismissal from service.

It is stated that no such recommendation was made by the committee who was constituted to conduct inquiry against the then EDO.

In the light of above facts you are requested to set aside the impugned notification of dismissal from service that is without lawful authority and having no legal sanctity and re-instate the original appointment order of the appellant with all back benefits at the same station who was appointed against the post of Qaria in result of completion of due recruitment process on merit basis.

13-03-2015

Yours Faithfully

(Appellant)
Tabassum Nazir Qaria
GGHS Moorat Maira

Tabassum

Attested
Muhammad Aslam Khan
Muzammas Khan
Muzammas Khan
Muzammas Khan

کورٹ فیس
قیمتی

وکالت نامہ

بعدالت KPK سرسبز گورنمنٹ ایڈووکیٹ اور
عنوان: مسٹر مندرجہ بالا بنام گورنمنٹ KPK ایجوکیشن و سائنس
منجانب: ایڈووکیٹ
نوعیت مقدمہ: ایس

باعث تحریر آنکہ

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

شہر ایسٹریٹ سائبر سٹریٹ راولپنڈی

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء

وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کارروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار

بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔

نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف

مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست برآمد استجارت ناش بصیغہ مفلسی کے دائرہ کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

بمقام: _____
المرقوم: _____

Attested

Attested
Chau Tanali
Adv High Court Attd

فیس
بسیلہ

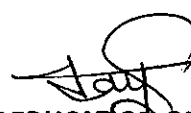
BEFORE THE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 804/2015

Respectfully Shewth

1. That the services appeal No: 804 /2015 in respect of MST: Tabasum Nazir is pending before this honorable court for reinstatement.
2. That reference director E & SE department notification Endst: No 4242-47 /F.No.79/Appeals Female MSR Dated Peshawar 25/8/15, the appellant has been conditionally reinstated against the post of Qaria (Notification attached).

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


DISTRICT EDUCATION OFFICER
(FEMALE) MANSEHRA


A.P.O.

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR.

NOTIFICATION.

WHEREAS, Mst. Tabassum, Qaria at Government Girls High School Moorat Maira District Mansehra was dismissed from service by the DEO (Female) Mansehra vide Order No. 1596-1605 dated 03/03/2015 after serving Show Cause Notice and giving her an opportunity of personal hearing on charge of irregular/fake/bogus appointment.

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

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

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

1. Her name was at S.No. 20 of the merit list. Her sanad of Hifzul Quraan was from Wafaqul Madaris Multan, whereas the asnad of Tajveedul Quraan from Jaameatul Aisha Siddiqatul Banat Darul Uloom Sadia Hafiz Abad Oggri Mansehra. She was also acquired a certificate of teaching from Trust Jamiat Taaleem ul Quraan for teachers of Quraan e Kareem. She was appointed as Qaria vide a general order Endst: No. 893-942 dated 16/06/2012 at S. No.19.
2. ~~Appeal may be accepted subject to condition that the madaris/ institution from where she acquired asnad (Qirat & Hifz ul Quran) for the post of Qaria must be affiliated with Wafaq ul Madaris in line with the Govt. of KPK E&SE Deptt. Letter No. SO(PE)S-12/ Darululoom Swat/ Chitral/ 10 dated 7/6/2012.~~

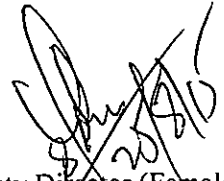
NOW THEREFORE, in exercise of powers conferred upon the Director E&SE Khyber Pakhtunkhwa, Peshawar (appellant authority) under E&D Rules 2011 read with rules 17 (2) (b) & (c) and keeping the findings/recommendations of the committee into consideration, accepts the appeal of aforesaid sacked teacher and set aside the order of DEO (F) Mansehra No. 1596-1605 dated 03/03/2015 and reinstate Ms. Tabassum, Qaria, at Government Girls High School Moorat Maira District Mansehra with effect from the date of her dismissal with all back benefits subject to production of the requisite registration & affiliation, to the DEO (F) Mansehra.

Director
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Endst: No. 4242-47 /F.No. 79/Appeals Female MSR Dated Peshawar the 25/8/2015

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

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


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