


FORM OF ORDER SHEET

Court of _____

Appeal No. 2495/2024

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1- | 19/11/2024 | <p>The appeal of Mst. Shahzadi presented today by Mr. Rehmanullah Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 25.11.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p> |

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 2495/2024

Shehzadi.....Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa,
through Secretary Education and others Respondents

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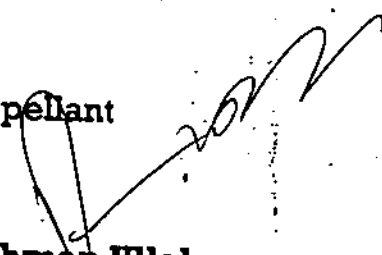
| S.No. | Description of documents. | Annexure | Page |
|-------|--|-------------|----------|
| 1. | Memo of appeal with affidavit. | | 1-8 |
| 2. | Addresses of parties' | | 9 |
| 3. | Copy of educational documents and father death certificate | A, A1 | 10-19 |
| 4. | Copy of appointment order dated 11.09.2019 | B | 20 |
| 5. | Copy of Medical Certificate, transfer of charge report, and attendance of school register | C, D & E | 21-28 |
| 6. | Copy of pay release order and salary slips | F, G | 29-33 |
| 7. | Copy of disown -order dated 05.08.2022 | H, H1 | 34-45 |
| 8. | Copy of departmental Representation/Appeal and order dated 08.10.2022 | I, I1 | 46-49 |
| 9. | Copy of order/ judgment dated 13.02.2024 | J | 50-54 |
| 10. | Copy of show cause notice dated 11.07.2024 & notice of personal hearing notice dated 20.07.2024, 11.07.2024 and screen shot of Sms | K, L, M & N | 55 58 |
| 11. | Copy of reply of show Cause notice dated 27.07.2024 | O | 59-60 |
| 12. | Copy of charge sheet report, & statement of allegation dated 18.05.2024 & Questioner and reply | P, Q, R & S | 61-65 |

| | of questioner | | |
|-----|--|---|-------|
| 13. | Copy of impugned order dated 25/07/2024 | T | 66 |
| 14. | Copy of department Appeal dated 09.08.2024 | U | 67-72 |
| 15. | Wakalatnama | | 73 |

Dated:

Through

Appellant


Rahman Ullah
Advocate
Supreme Court of Pakistan

&


Niaz Khan
Advocate High Court

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 2495 /2024

Shehzadi D/O Sher Azam R/O Mohallah Dheri Sar, P.O Yaqobi, Tehsil Razar, District Swabi *Et - Qaria GGHS Jalbai Swabi*
....Appellant

VERSUS

1. Director Elementary and secondary Education Peshawar Khyber Pakhtunkhwa.
2. District Education Officer (F), Swabi

....Respondents

**SERVICE APPEAL U/S 4 OF KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974 AGAINST THE
ORDER DATED 25.07.2024 VIDE IN WHICH SERVICE
OF THE APPELLANT WAS REMOVED**

Respectfully Sheweth:-

- 1) That appellant is a bonafide citizen of Pakistan and is residing at Tehsil & District Swabi.
- 2) That the appellant is educated and being qualified for the post of PST- Qaria, while her father was died during service. (Copy of educational documents and father death certificate are attached as annexure A, A1)
- 3) That the appellant was appointed on the post of Qaria at District Education Office (Female) Swabi and was posted at GGHS Jalbai Swabi on deceased son/daughter quota under Rule 10(4) of the

(2)

Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 after completion of all codal and legal formalities for the said post. For ready reference, Rule 10(4) is reproduced below:-

"RULE 10(4): Where a civil servant dies or is rendered incapacitated or invalidated permanently during service or retired on medical board, notwithstanding the procedure provided for in sub-rule (2), the appointing authority may appoint one of the children of such civil servant or if the child has not attained the age prescribed for appointment in Government service, the widow or wife as the case may be, of such civil servant, to a posts in any of the basic pay scales 3 to 11 in Provincial cadre post and basic pay scales 3 to 12 in District cadre posts:

Provided that the child or the widow or wife, as the case may be, possesses the minimum qualification prescribed for appointment to the post:

Provided further that if there are two widows or wives of the deceased civil servant, as the case may be, preference shall be given to the elder widow or wife:

Provided also that appointment under this sub-rule is subject to availability of a vacancy and if more than one vacancies, in different pay scales, are available at a time and the child or the widow or wife, as the case may be, possesses the qualifications eligible for appointment in more than one post, such child or the widow or wife, as the case may be, shall ordinarily be appointed to the post carrying higher pay scale:

Provided also that the provision of this sub-rule shall not be applicable to posts falling within the purview of the Commission.

(Copy of appointment order dated 11.09.2019 is attached as Annexure "B")

(3)

- 4) That after appointment and completion of all the codal formalities, the appellant performed and attend her duties to the entire satisfaction of her High Ups and since her appointment, there is no complaint whatsoever against appellant. **(Copy of Medical Certificate, transfer of charge report, and attendance of school register attached as annexure C,D,E)**
- 5) That the appellant since her appointment served the Department with the best of her ability and commitment for about three years without any break and was paid her salary vide her pay release with regular deduction of GP Fund. **(Copy of pay release order and salary slips are attached as Annexure "F, G")**
- 6) That it was to the utmost shock of the appellant, that vide impugned order dated 23.02.2022 issued by respondent No.3, the salary of the appellant was stopped and she was not paid her due salary for her duties, and thereafter the respondent No.3 disown the order of the appellant. **(Copy of disown order dated 05.08.2022 is attached as annexure H & and Facts finding inquiry H1).**
- 7) That the appellant was felling aggrieved from the disown order dated 05.08.2022 filed a department appeal to respondent No.2, which was also dismissed. **(Copy of departmental Representation/Appeal and order dated 08.10.2022 are attached as annexure I & II).**
- 8) That the appellant was further aggrieved from the order dated 08.10.2022 filed service appeal before this worthy tribunal which was decided on 13.02.2024 on the following directions are as under

In view of the above legal findings we are, therefore, without further going into validity of appointment of the appellants set aside the impugned orders dated 05.08.2022&

(4)

08.10.2022 and remand the instant service appeal as well as connected service appeals back to the respondents to conduct proper inquiry under the khyber Pakhtunkhwa Government Servant (Efficiency & discipline) rules, 2011. The question of back benefit shall be subject to the outcome of inquiry. Cost shall follow the event. Consign. (Copy of order/ judgment dated 13.02.2024 is attached as annexure J)

- 9) That after the clear direction of this worthy tribunal through the aforementioned judgment the respondents initiated departmental de nova inquiry without reinstatement order of the appellant, and issued show cause notice on 11.07.2024 on wrong address instead of appellant correct address which was received to the appellant on 26.07.2024 and personal hearing notice on 20.01.2024 for the purpose of ex parte proceeding, which is sheer violation of law and having no legal value at all. (Copy of show cause notice dated 11.07.2024 & notice of personal hearing notice dated 20.07.2024, 11.07.2024 and screen shot of Sms are attached as annexure K,L,M,N)
- 10) That the appellant after a lot of efforts found the show cause notice from another school and successfully submitted a reply to the show cause notice. (Copy of reply of show Cause notice dated 27.07.2024 is attached as annexure O).
- 11) That the respondents were also issued a charge sheet report and statement of allegation on 18.05.2024 and the respondents also issued a questioner to the appellant which was positively answered by the appellant. (Copy of charge sheet report, & statement of allegation dated 18.05.2024 & Questioner and reply of questioner are attached as annexure P, Q, R, S).

- 12) That after completion of ex parte and illegal inquiry, the respondent No. 2 issued a impugned notification/order No. / Endst; No.1727-32 dated 25. 07. 2024 to appellant for removal from service. **(Copy of impugned order dated 25/07/2024 is attached as annexure T).**
- 13) That the respondents are clearly failed to conduct the valid inquiry because they the show cause notice is served to the appellant on 26.07.2024 which is sheer violation of law and act of ulterior motive on the part of respondents.
- 14) That the appellant feeling aggrieved from the impugned order dated 25/07/2024 filed a departmental appeal on 09.08.2024 having dispatch No.1719 before the respondent No.02 but all in vain till date. **(Copy of department Appeal dated 09.08.2024 is attached as annexure U)**
- 15) That being aggrieved, and having no other remedy available, the appellant now approaches this Hon'ble Tribunal against the impugned order dated 25.07.2024 on the following grounds:

GROUND.

- A. That the impugned order dated 25.07.2024 passed by respondent No.2 on the face of it, is illegal, unlawful, without any lawful authority and is ineffective upon the rights of appellant, as appellant was validly and properly appointed on the post concerned by the competent authority and have performed her duties with great zeal and zest on the said post for 03 long years without any compliant against her.
- B. The appellant was appointed by the competent authority, thus respondent No.3 violated and neglected the order of competent authority and with her malafide intention issued the impugned

order regarding the appellant removal from service which is clearly misconduct and the impugned order dated 25.07.2024 of the respondent No.2 is liable for setting aside.

- C. That after the clear direction of this worthy tribunal through the aforementioned judgment the respondents initiated departmental de nova inquiry without reinstatement order of the appellant, and issued show cause notice on 11.07.2024 on wrong address instead of appellant correct address which was received to the appellant on 26.07.2024 and personal hearing notice on 20.01.2024 for the purpose of ex parte proceeding, which is sheer violation of law and having no legal value at all.
- D. That the impugned order is passed in hasty manner and without proper inquiry which is illegal, unlawful and void ab-initio and also a violation of principle justice of Locus Poenitentiae.
- E. That the act and omission of the respondents while not to obey the judgment of this worthy tribunal with letter and spirit and conducted an de nova inquiry without reinstatement order which is also illegal, unlawful and having no legal effect upon the right of the appellant.
- F. That there is no misconduct and other irregularities available on the whole service record of appellant.
- G. That no proper opportunity of personal hearing was afforded to appellant, which is against the law and natural justice audi-alteram-patrem "That no one should be condemned unheard" enshrined in Article 10 A of the constitution of Islamic republic of Pakistan 1973.
- H. That the impugned Notification/order is illegal unlawful and against the natural justice.

- I. That the petitioner is only earning hand of her entire family and there is no source of income.
- J. That equal treatment before law and protection of law is an inalienable right of the petitioner
- K. The fair trial is the fundamental right of appellant under article 10A of Constitution of Islamic Republic of Pakistan 1973 which is clearly violated by the DEO Female Swabi.
- L. That as per Article 4 of the Constitution of Pakistan, 1973 all citizens are equal before law.
- M. That as per Article 4 of the Constitution of Pakistan, 1973 the appellant has not been dealt with in accordance with law.

PAYER

It is therefore, humbly prayed that on acceptance of this appeal, the impugned order dated 25.07.0224 may graciously be set-aside, be declared as null and void, and necessary directions be issued to the respondents for reinstatement of the appellant service with all the back benefits.

Any other relief which this Hon'ble Court/Tribunal deems appropriate in the circumstances of the case though not specifically asked for may kindly also be granted.

Dated:

Appellant
Through
Rahman Ullah
Advocate
Supreme Court of Pakistan
Niaz Khan
Advocate High Court

(8)

AFFIDAVIT

I, do hereby affirm and declare on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed from this Hon'ble Tribunal.


Deponent



(9)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2024

ShehzadiAppellant

VERSUS

Govt. of Khyber Pakhtunkhwa,
Through Secretary Education and othersRespondents

ADDRESSES OF PARTIES

APPELLANT

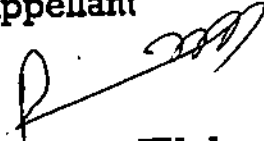
Shehzadi D/O Sher Azam R/O Mohallah Dheri Sar, P.O Yaqobi,
Tehsil Razar, District Swabi

RESPONDENTS

1. Govt. of Khyber Pakhtunkhwa, through Secretary Education, Civil Secretariat, Peshawar.
2. Director Elementary and secondary Education Peshawar Khyber Pakhtunkhwa.
3. District Education Officer (F), Swabi

Appellant

Through


Rahman Ullah
Advocate
Supreme Court of Pakistan

ATTESTED

15 - 30 - 2016

المجلس الأعلى للتعليم
 وزارة التربية والتعليم
 الجمهورية التونسية

| | | |
|--------|--------|-------------------|
| 520 | 400 | مصاريف اللجان |
| 99 | 100 | مصاريف الامتحانات |
| 95 | 100 | مصاريف الكتب |
| 76 | 100 | مصاريف الامتحانات |
| 80 | 100 | مصاريف الامتحانات |
| 90 | 100 | مصاريف الامتحانات |
| 82 | 100 | مصاريف الامتحانات |
| مصاريف | مصاريف | مصاريف |

تاريخ الميزانية: 28 - 10 - 1983

اسم الطالب: كمال بن علي
 اسم الامتحان: الامتحان

رقم الامتحان: 479
 رقم التسجيل: 2016

المدير: محمد بن علي
 مدير الامتحان: محمد بن علي

التوقيع: محمد بن علي
 (57)

Annexure "A" (10)

بسم الله الرحمن الرحيم

التهنئة

للتجويد والقرأة

التجويد
١٥٠٣٠٢٠٦
١٥٠٣٠٢٠٦

دار العلوم سيدنا ابوبكر صديق

منطقة سيدنا عثمان بن عفان
بدرسي نوشهروفيين

والله اعلم بالصواب

دار العلوم سيدنا ابوبكر صديق

تشهد بان الطابيه...
المولود في...
التجويد على قراءه الامام عاصم الكوفي رحمه الله تعالى (تروايه حفص) في المدرسه وفازت في
اختبارها النهائي بتقدير...
الشهادة، وتوصيها بتقوى الله عز وجل في السر والعلانية وتطويع الى الله تعالى ان يوفقها
بتعاهد القرآن الكريم وتعاليمه وان لا تنسانا في دعواتها الصالحه والله ولي التوفيق

توقيع المدير
مدرس قاري سلمان احمد
1057
توقيع المعلمه
دار العلوم سيدنا ابوبكر صديق
طوبه خانين ملان نوشهروفيين

(3)

ATTA



(3)

102445

Serial No: _____

Roll No: 20586

BOARD OF INTERMEDIATE & SECONDARY EDUCATION



PESHAWAR

DETAILED MARKS CERTIFICATE

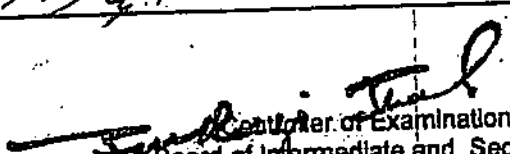
 Secondary School Certificate Examination: A 2001
Name: ShehzadiFather's Name: Mir Azam

Institution/District: _____

Date of Birth: _____

| SUBJECTS | Marks Obtained | | | | | | Remarks |
|------------------|----------------|-----|--------|-----------|-------|-----|---------|
| | Max. | P/M | Theory | Practical | Total | P/F | |
| English | 150 | 49 | | | 70 | | |
| Urdu | 150 | 49 | | | 74 | | |
| Islamiyat (Comp) | 75 | 25 | | | 59 | | |
| Pak. Studies | 75 | 25 | | | 31 | | |
| Riazi (New) | 100 | 33 | | | 44 | | |
| General Science | 100 | 33 | | | 64 | | |
| <i>AS</i> | 100 | 33 | | | 68 | | |
| <i>PS</i> | 100 | 33 | | | 42 | | |
| Total | 850 | | | | 452 | -c | |

Total (in words): Four Hundred and Fifty TwoPrepared by: [Signature]Checked by: [Signature]Dated: 27 JUN 2001


 Controller of Examinations
 Board of Intermediate and Secondary
 Education, Peshawar.

ATTESTED

Note: Errors/Omissions excepted

S.No. 1001

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION PESHAWAR



Peshawar N.W.F.P. Pakistan
PROVISIONAL CERTIFICATE
SECONDARY SCHOOL CERTIFICATE EXAMINATION

Sesmon 2001 - 2002 Annual

THIS IS TO CERTIFY THAT SHAHZADI

Daughter of MIR AZAM

and a candidate of SWABI DISTRICT

has passed the Secondary School Certificate Examination of the

Board of Intermediate and Secondary Education, Peshawar held in March, 2001

as a Private candidate. She obtained 452 marks out of 850 and has been

placed in Grade (C) Representing 0000

The Candidate passed in the following subjects:


- 1. English
- 2. Urdu
- 3. Islamiyat
- 4. Pakistan Studies
- 5. Mathematics
- 6. Science
- 7. Pashto
- 8. Islamic Studies

Date of birth according to admission form is 20 October 1981

Prepared by Computer Cell

checked by _____

Date of preparation 14/06/2001


Asst. Secretary (C) (Signature)
Board of Education, Peshawar

ATTACHED



BOARD OF INTERMEDIATE AND SECONDARY EDUCATION
MARDAN N.W.F.P PAKISTAN

043615

S. No. MB

Roll No: 35819

Registration No: _____

PROVISIONAL AND DETAILED MARKS CERTIFICATE
INTERMEDIATE (ANNUAL) EXAMINATION- 2006
HUMANITIES (Part-II)

SHAHZADI

Son/Daughter of MIR AZAM KHAN

of Institution/District SWABI

has secured the marks shown against each subject in the Higher Secondary School Examination held in the month of MAY/JUNE as PRIVATE Candidate.

| Subjects | Marks | Marks Obtained | | | | Total | Marks in Words |
|-------------------|-------|----------------|-------|---------|-------|-------|--------------------------|
| | | Part-I | | Part-II | | | |
| | | Theory | Pract | Theory | Pract | | |
| English | 200 | 33 | - | 30* | - | 63 | Sixty-Three |
| Urdu | 200 | 49 | - | 50 | - | 99 | Ninety-Nine |
| Islamic Education | 50 | 29 | - | - | - | 29 | Twenty-Nine |
| Pakistan Studies | 50 | - | - | 28 | - | 28 | Twenty-Eight |
| Islamic History | 200 | 33 | - | 45 | - | 78 | Seventy-Eight |
| Islamic Studies | 200 | 73 | - | 52 | - | 125 | One Hundred Twenty-Five |
| Pashto | 200 | 57 | - | 66 | - | 123 | One Hundred Twenty-Three |

Total: 1100

545-D Five Hundred Forty-Five Only

Remarks :

* Passed with grace marks

Prepared by: 

Checked by: 

Result Date: 05 August, 2006

Note: Error/Omission accepted. Any mistake in above particulars must be intimated within 30 days after declaration of result.

Controller of Examinations
BISE Mardan



ATTACHED

2013197

UNIVERSITY OF PESHAWAR



Pakistan
Detailed Marks Certificate
Bachelor of Arts
Part-II
Supply Examination 2010
District Swabi



Private

Name: SHAH ZADI

Gender: Female

Roll No: 30717

Father's Name: MIR AZAM KHAN

Registration No: 2007-PC-6208

Division: 3rd

| Papers | Max Marks | Marks Obtained | |
|--------------------------|-----------|----------------|-----------------------------|
| | | In Figures | In Words |
| English (Comp) | 75 | 24 | Twenty Four |
| Pashto | 75 | 25 | Twenty Five |
| Islamic Studies | 75 | 55 | Fifty Five |
| Pakistan Studies | 40 | 16 | Sixteen |
| Part-I 58056:Annual-2011 | 285 | 115 | One Hundred and Fifteen |
| Part-II | 550 | 235 | Two Hundred and Thirty Five |

Errors & omissions are subject to subsequent rectification

Chances Availed:

APPROVED

The Examination was taken in Parts

Examination held From 29-Dec-2010 to 29-Jan-2011

Result Declared on October 04, 2011

Issue Date: 04-Oct-2011

12:45 pm

(Iftexhar Hussain Khan)
CONTROLLER OF EXAMINATIONS
UNIVERSITY OF PESHAWAR

Computerized by RTC

Karnal Sher Killi Area



University of Peshawar

Pakistan

Detailed Marks Certificate

Master of Arts in Islamiyat

Final

Annual Examination 2013

District Swabi



Private

Name: SHAH ZADI
Father's Name: MIR AZAM KHAN

Gender: Female Roll No: 37182
Registration No: 2007-PC-6208

Division: 2nd

| Papers | Max Marks | Marks Obtained | |
|--|-----------|----------------|----------------------------|
| | | In Figures | In Words |
| Al Quraan Translation 2nd Half & Com with Grammar-VI | 100 | 62 | Sixty Two |
| Principles of Islamic Jurisprudence-VII | 100 | 47 | Forty Seven |
| Islam & Other World Religions-VIII | 100 | 55 | Fifty Five |
| Kalam & Philosophy of Islam-IX | 100 | 52 | Fifty Two |
| Islam, Modren Thought & Islamic Law of Inheritance-X | 100 | 43 | Forty Three |
| Viva Voce | 100 | 55 | Fifty Five |
| Previous 18711: Annual-2013 | 500 | 286 | Two Hundred and Eighty Six |
| Final | 1100 | 600 | Six Hundred Only |

Errors & omissions are subject to subsequent rectification

Chances Availed: 1

The Examination was taken As a Whole

Examination held From 21-Aug-2013 to 30-Sep-2013

Result Declared on Friday, January 17, 2014

Issue Date: 17-Jan-2014

6:50 pm

Computerized by ATC

APPROVED

Rashid Khan

(Prof. Dr. Rashid Khan)
CONTROLLER OF EXAMINATION
UNIVERSITY OF PESHAWAR

Swabi Area

DOMICILE CERTIFICATE

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

I belong by birth to Village / Mohallah YAGUBI MUM. DHERE SAR
Tehsil LAHOR District SWABI.

(17)

SHAHZADI

Signature of the applicant

Dated 21 / 12 / 2001

Pursuance to the declaration dated 21 / 12 / 2001 filed by SHAHZADI W/O ~~son~~ daughter of SHER RAHMAN

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

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

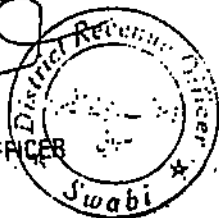
This 27th day of Dec 2001

DEPUTY DISTRICT REVENUE OFFICER
SWABI / LAHOR

Deputy Dist. Officer
(District) Swabi

COUNTERSIGNED

DISTRICT REVENUE OFFICER
SWABI.



ATTESTED

ARABIAN BANK

ARABIAN BANK



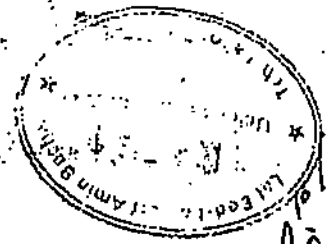
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22/12/2011

Handwritten signature

Handwritten text in Arabic script, likely a signature or note.

Handwritten text in Arabic script, likely a signature or note.



14/12/2011

(18)



Main body of handwritten text in Arabic script, including a signature and possibly a date.



Annexur "A 1"

حکومت پنجاب پاکستان
Government of Punjab, Pakmunkhwa Pakistan



19

Tracking Id: 91100007168431

IRMS No: 0621751016

DLO/M REG #:

اندراج وفات سرٹیفکیٹ
Death Registration Certificate

دفتر اندراج : Kalu Khan V_1000742

Old CRMS No.:

Deceased Person's Details

| | | | |
|---------------------------|----------------------------|--------------------------|---------------------|
| Name: | Mir Azam Khan | نام: | میر اعظم خان |
| Nationality: | Pakistan | قومیت: | پاکستان |
| CNIC No.: | | شناختی عدد: | |
| Date of Birth: | 10-Sep-1956 | تاریخ پیدائش: | 10-Sep-1956 |
| Gender: | Male | جنس: | مرد |
| Sickness Period: | 01 Days 00 Months 00 Years | مدت علالت: | 01 دن 00 ماہ 00 سال |
| Date of Death: | 11-Apr-2000 | تاریخ وفات: | 11-Apr-2000 |
| Date of Burial/Last rite: | 11-Apr-2000 | تاریخ تدفین/آخری رسومات: | 11-Apr-2000 |
| Place of Death: | Kalu Khan | جائے وفات: | کالو خان |
| Reason of Death: | Natural | وجہ وفات: | قدرتی |
| Buried/Last rite at: | Kalu Khan Mqbara | جگہ تدفین/آخری رسومات: | کالو خان مقبرہ |

Parental Information

| | | | |
|----------------|------------|---------------|-----------|
| Father's Name: | Zarif Khan | والد کا نام: | ظریف خان |
| CNIC No.: | | شناختی عدد: | |
| Mother's Name: | Zaroo Bibi | والدہ کا نام: | زرو بی بی |
| CNIC No.: | | شناختی عدد: | |

Address

| | | | |
|-----------|--------------------------|--------|--------------------|
| Address: | parrah Village Kalu Khan | پتہ: | پرڑہ گاؤں کالو خان |
| Telqil: | Razzar | تحصیل: | رزڑ |
| District: | Swabi | ضلع: | صوابی |

Applicant Details

| | | | |
|-------------------------|-----------------|----------------|-----------------|
| Name: | Mukhtar All | نام: | مختیار علی |
| CNIC No.: | 16202-0939596-1 | شناختی عدد: | 16202-0939596-1 |
| Relation with Deceased: | Son | متوفی سے رشتہ: | بیٹا |

Information of Burial/Last Rite

| | | | |
|-------------------------|-----------------|----------------|-----------------|
| Name: | Mukhtar All | نام: | مختیار علی |
| CNIC No.: | 16202-0939596-1 | شناختی عدد: | 16202-0939596-1 |
| Relation with Deceased: | Son | متوفی سے رشتہ: | بیٹا |
| Entry Date: | 16-Aug-2022 | تاریخ اندراج: | 16-Aug-2022 |
| Issue Date: | 16-Aug-2022 | تاریخ اجراء: | 16-Aug-2022 |
| Entry Status: | Normal | اندراج اسٹیٹس: | نارمل |
| Additional Information: | | اضافی معلومات: | |

دستخط سیکریٹری
ریلج کونسل کالو خان 5
تحصیل رزڑ ضلع صوابی
ریسٹریٹر امورات

SECRETARY
Village Council
Kalu Khan
District Swabi
Province Punjab
SECRETARY

ATTACHED





Annexure "B"

DISTRICT EDUCATION OFFICE (FEMALE) SWABI

(20)

(Office phone & Fax No 0938280339, emisfswabi@yahoo.com)

APPOINTMENT OF QARIA UNDER DECEASED QUOTA

Consequent upon the powers conferred by the Provincial Govt, recommendation of the Departmental Selection Committee, the undersigned is pleased to appoint the following candidate against the posts of Qaria BPS-12 in Deceased 100% Quota in BPS-12 (Rs.13320-960-42120) plus usual allowances under 100% Quota reserved for deceased Sons /Daughters as admissible to her under the rules in the light of notification Issued Vide No:SO(R-VI).E&AD/I-3/2015 Dated 19-04-2016 under policy of the Provincial Government, in Teaching Cadre on the terms and conditions given below with effect from the date of their taking over charge.

| S# | Name | Father Name | CNIC No | Date Of Birth | Address | Place of Posting |
|----|----------|---------------|-----------------|---------------|----------------------|------------------|
| 1 | SHAHZADI | MIR AZAM KHAN | 16201-5914585-6 | 28-10-1983 | VPO Kalu Khan, Swabi | GGHS JALSAI |

Terms & Conditions

1. TADA is not allowed to anyone.
2. Charge reports should be submitted to all concerned.
3. Age is automatically relaxed due to her appointment on deceased quota.
4. Appointment is subject to the condition that the certificates/documents must be verified from the concerned authorities by the office of the under signed. If anyone found producing bogus certificate will be reported to the law enforcing agencies for further action.
5. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice, their one-month pay/allowances shall be forfeited to the Government.
6. Pay will not be drawn until and unless a certificate to the effect by the Under signed is issued that her/their certificates are verified.
7. They should join their posts within 15 days of the issuance of this notification. In case of failure to join their posts within 15 days of the issuance of this notification their appointments will expire automatically and no subsequent appeal etc; shall be entertained.
8. Health and age certificate should be produced from the Medical Superintendent concerned before taking over charge.
9. They will be governed by such rules and regulations as may be issued from time to time by the Government.
10. Their services shall be terminated at any time, in case their performance is found unsatisfactory during their contract period. In case of misconduct, they shall be proceeded under the rules framed from time to time.

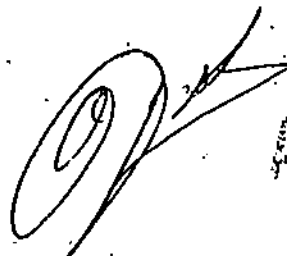
(DILSHAD BEGUM)
DISTRICT EDUCATION OFFICER
(FEMALE) SWABI

Dated Swabi the 11/9 /2019

Endst: No 4525-29

Copy of the above is forwarded for information and in/action to the:-

1. Director E&SE Khyber Pakhtunkhwa, Peshawar.
2. Deputy Commissioner Swabi.
3. District Monitoring Officer (IMU) Swabi.
4. District Accounts Officer, Swabi.
5. Principals/Head Masters concerned schools.
6. Officials concerned.


DISTRICT EDUCATION OFFICER
(FEMALE) SWABI

ATTESTED

18
OFFICE OF THE MEDICAL SUPERINTENDENT DIIQ TEACHING HOSPITAL, HAWAII
 Telephone: (808) 933-2221
 Fax: (808) 933-2222

MEDICAL CERTIFICATE

ANNEXURE C

(21)

Official's Name: DR. SHARADH
 Father's Name: DR. SHARADH
 Religion: HINDU
 Residence: MAHAKULASHI, PAKIA, HONOLULU, DISTRICT SWAB
 Date of Birth: 28/11/1983
 Last Height: 5'7"
 Mark of Identification: None
 Official Signature: [Signature]
 Signature of Deptt. Incharge: [Signature]
 Seal of Deptt. Incharge: [Seal]

I do hereby certify that I have examined MST. SHARADH a candidate for employment in the office of the DEO. JEMALI SWAB and cannot discover that he/she had any disease communicable or other constitutional infection or bodily infirmity except

I do not consider this as disqualification for employment in the office of the AS ABOVE (QAH)

His/her age according to his/her own statement is 32 years and by appearance about THIRTY TWO years.

Medical Superintendent
 DIIQ Teaching Hospital
 Honolulu

Left/Right hand thumb and fingers impression:



ATTACHED

Note: The entries on this page should be renewed are re-attested as least every five years in the signature to lines 11 and 12 should be dated

1. Name SHANZADI

2. NIC No. 16201-5914585-6

3. Race YOUSAFZAI 4. District of Domicile SWABI

5. Residence VPO KALU KHAN, SWABI

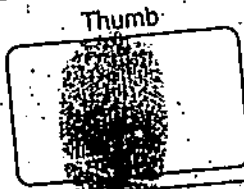
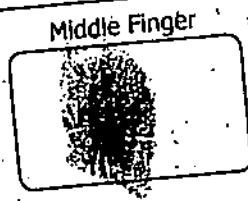
6. Father name and residence MIR AZAM KHAN

7. Date of Birth by Christian era as nearly as can be ascertained: 28-10-1983

8. Exact height by measurement: 5' 1"

9. Personal Marks for Identification: MOLE ON LT SIDE FACE

10. Left Hand Thumb and Finger Impression of (Non Gazetted Officer)



ATTESTED

11. Signature of Government Servant:

12. Signature & Designation of the Head of the Office, or other attesting officer.

HEAD MISTRESS
G.G. & J. Jinnai
Dist: Swabi

CERTIFICATE OF TRANSFER OF CHARGES.

Annexure D
(23)

I am certified that we have on the forenoon of

this day respectively made over and received charge

of the office of the G.G.H.S Jalsai, Qaria Post vide

DEO(F) Endst No 4525-29 Dated 11-09-2019.

2. Particulars of each and important secret and confidential documents handed over are noted on the reverse.

Signature of relieved Govt: Sewant

Designation : HEADMISTRESS.

Station : G.G.H.S JALSAI

Signature of receiving Govt: Sewant

Designation: Qaria.

HEAD MISTRESS
G.G.H.S Jalsai
Distt: Swabi

SHANZADI

No 664. Dated 14-09-2019.

Forwarded to Official Concerned.

~~APPROVED~~ 26

Heirs,

1. ① Passed SSC (A) 2001 Examination from BISE Peshawar
 under roll no 20586, obtained 452/850 marks and placed in
 2. 2nd div result declared on 12-06-2001.

[Signature]
 HEAD MISTRESS
 G.G.H.S Jalsai
 Distt: Swabi

FIRST APPOINTMENT ORDER:

② Passed F.A (A) 2006 Examination from BISE Mardan
 under roll no 35819, obtained 545/1100 marks and placed
 in "D" grade, Result declared on 05-08-2006.

[Signature]
 HEAD MISTRESS
 G.G.H.S Jalsai
 Distt: Swabi

③ Passed B.A (S) 2010 Examination from University of Peshawar
 under Left Thumb Impression, Roll No 30717, obtained 235/550 marks, Result declared
 on 04-10-2011

[Signature]
 HEAD MISTRESS
 G.G.H.S Jalsai
 Distt: Swabi

④ Passed M.A (A) 2013 Examination from University of Peshawar under
 Academic and Professional Qualification Roll no 37102, obtained 600/1100 marks, Placed in 2nd^o Div
 Verification/Roll No. Dated
 Result declared on 17-01-2014.

[Signature]
 HEAD MISTRESS
 G.G.H.S Jalsai
 Distt: Swabi

⑤ Passed Tajweed-ul-Quran 2011 Examination from Dar-ul-Uloom
 Intermediate
 Sayyiduna Abu Bakr Siddique (RA) Badshahi Noshahra Cantt KP Pakistan

[Signature]
 HEAD MISTRESS
 G.G.H.S Jalsai
 Distt: Swabi

Bachelor / B.S.

Master / M.S.

Other Qualifications

[Signature]
ATTESTED

Plan-drawing

Drill Instructing

Court Duties

Reserve Duties

Pleadership Examination

Training School Final Examination

N.B Line to be drawn under the qualification possessed.

STATEMENT OF TEACHER'S ATTENDANCE

| Sl. No. | Date | Present | Absent | Remarks |
|---------|------|---------|--------|---------|
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| 31 | | | | |

[Handwritten signature]

7/1/2017

Name: _____
 Designation: _____
 Phone #: _____
 N.I.C. #: _____
 For the month of _____

TEACHER'S ATTENDANCE REGISTER

| No. | Name | Designation | Phone # | N.I.C. # | Dates |
|-----|------|-------------|---------|----------|-------|
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| 2 | | | | | |
| 1 | | | | | |

No. _____
 For the month of _____
TELEPHONE ATTENDANCE REGISTER

Annexure "F"

(29)



DISTRICT EDUCATION OFFICE (FEMALE) SWABI



PAY RELEASE ORDER

Consequent upon the verification of all academic / professional documents from the concerned Boards/ Universities by school concerned, GGHS Jalsai , the Pay in respect of Mst Shahzadi D/o Mir Azam Khan , Qaria , BPS-12 , GGHS Jalsai is hereby released w.e.f her taken over charge

(DILSHAD BEGUM)
DISTRICT EDUCATION OFFICER
(FEMALE) SWABI

Endost:No. 5380 /DA-II

Dated 07 / 11 / 2019

Copy of the above is forwarded for information and necessary action to the: -

1. District Accounts Officer Swabi.
2. ADO (B&A) Local Office.
3. Principal of concerned schools.
4. Official Concerned.

DISTRICT EDUCATION OFFICER
(FEMALE) SWABI

ATTACHED

Handwritten signature

(33)

**Dist. Govt. NWFP-Provincial
District Accounts Office Swabi
Monthly Salary Statement (November-2019)**



Personal Information of **Mr SHAHZADI * d/w/s of MIR AZAM KHAN**

Personnel Number: 00926676 CNIC: 1620159145856 NTN:
Date of Birth: 28.10.1983 Entry into Govt. Service: 14.09.2019 Length of Service: 00 Years 02 Months 018 Days

Employment Category: Vocational/Temporary
Designation: QARI 80004661-DISTRICT GOVERNMENT KHAYBE
DDO Code: SU6246-Head Mistress GGHS Jalsai Swabi
Payroll Section: 003 GPF Section: 001 Cash Center:
GPF A/C No: Interest Applied: Yes GPF Balance: 3,698.00
Vendor Number: - Pay scale: BPS For - 2017 Pay Scale Type: Civil OPS: 12 Pay Stage: 0
Pay and Allowances:

| Wage type | Amount | Wage type | Amount |
|--------------------------------|-----------|--------------------------------|-----------|
| 0001 Basic Pay | 13,320.00 | 1000 House Rent Allowance | 1,961.00 |
| 1210 Convey Allowance - 2005 | 2,856.00 | 1100 Medical Allowance | 1,500.00 |
| 2211 Adhoc Relief All 2016 10% | 1,114.00 | 2224 Adhoc Relief All 2017 10% | 1,332.00 |
| 2217 Adhoc Relief All 2018 10% | 1,332.00 | 2261 Adhoc Relief All 2019 10% | 1,332.00 |
| 3002 Adjustment House Rent | 3,072.00 | 5011 Adj Conveyance Allowance | 4,474.00 |
| 5012 Adjustment Medical All | 2,350.00 | 5322 Adj Adhoc Relief All 2018 | 2,086.00 |
| 5336 Adj Adhoc Relief All 2019 | 2,086.00 | 5801 Adj Basic Pay | 20,868.00 |
| 5975 Adj Adhoc Relief All 2016 | 1,745.00 | 5990 Adj Adhoc Relief All 2017 | 2,086.00 |

Deductions - General

| Wage type | Amount | Wage type | Amount |
|--------------------------------|----------|------------------------------|----------|
| 3012 GPF Subscription | 2,220.00 | 3501 Benevolent Fund | 600.00 |
| 1534 R. Ben & Death Comp Fresh | 600.00 | 3990 Emp. Edu. Fund KPK | 125.00 |
| 6001 Adj Benevolent Fund | 940.00 | 6075 Adj GPF | 3,478.00 |
| 6204 Adj. Emp. Edu. Fund KPK | 195.00 | 6217 Adj R. Ben & Death Comp | 940.00 |

Deductions 2 Loans and Advances

| Loan | Description | Principal amount | Deduction | Balance |
|------|-------------|------------------|-----------|---------|
| | | | | |

Deductions - Income Tax
Payable: 0.00 Recovered till November-2019: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 63,514.00 Deductions: (Rs.): 9,098.00 Net Pay: (Rs.): 54,416.00

Payee Name: SHAHZADI *
Account Number:
Bank Details:

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: City: SWABI Domicile: Housing Status: No Official
Temp. Address: City: Email:

ATTACHED

(2/228/25.11.2019/23:33:15) 2) All amounts are in Pak Rupees 3) Errors & omissions excepted.

Dist. Govt. MYEPL- Provincial
Harid Account Office Swaha
 Monthly Salary Statement January 2022

Personal Information of Mr SHAIKZADI * dwak of AHER AZAM KHAN
 Personal Number: 06976676 CNIC: 620159148580
 Date of Birth: 28/10/1983 Entry into Govt Service: 14/09/2019

NOTE:
 Length of Service: 02 Years 04 Months 019 Days

Employment Category: Vocational/Temporary

SPIN Local DISTRICT GOVERNMENT KUSTHE

Designation: QARI

Cash Contd.

Payroll Section: 003

GPFC Section: 001

GPFC Balance:

67,308.00

GPFC Ad. No:

Interest Applied: Yes

Annual Number:

Pay scale: BPS 16 - 3017

Pay Scale Type: Cash

BPS: 17

Pay Stage: 2

| Year | Wage Type | Amount | Wage Type | Amount |
|------|---------------------------|-----------|---------------------------|----------|
| 2017 | Basic Pay | 15,200.00 | House Rent Allowance 15% | 2,280.00 |
| 2019 | Convey Allowance 2005 | 2,850.00 | Medical Allowance | 1,500.00 |
| 2011 | Adhoc Relief All 2016 10% | 1,114.00 | Adhoc Relief All 2017 10% | 1,524.00 |
| 2017 | Adhoc Relief All 2018 10% | 1,324.00 | Adhoc Relief All 2019 10% | 1,524.00 |
| 2019 | Adhoc Relief All 2021 10% | 1,524.00 | Medical Allowance 2021 | 2,664.00 |

Deductions - General

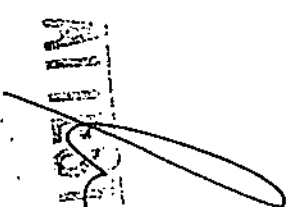
| Wage Type | Amount | Wage Type | Amount |
|-------------------------------|----------|--------------------|----------|
| GPFC Subscription | 2,200.00 | Household Fund | 1,200.00 |
| MSB R. Ben & Dent. Loan Fresh | 600.00 | Employee Fund KIPK | 125.00 |

Deductions - Loans and Advances

| Loan | Description | Principal amount | Deduction | Balance |
|------|-------------|------------------|-----------|---------|
| | | | | |

Deductions - Income Tax
 Payable: 0.00 Recovered till January-2022: 0.00 Exempted: 0.00 Recoverable: 0.00
 Gross Pay (U.S.): 33,416.00 Deductions (U.S.): -4,145.00 Net Pay: (U.S.): 28,265.00

Payee Name: SHAIKZADI *
 Account Number: 4824089
 Bank Details: THE BANK OF KHYBER-0810077 VAR HUSSAIN SWAHI VAR HUSSAIN SWAHI SWAHI
 Leaves: Opening Balance: Available: Granted: Balance:
 Permanent Address: Domestic: Housing Status: No Official
 City: SWAHI
 Temp. Address: Female:
 City:

MAILED


Annexure-DH
(34)

DISTRICT EDUCATION OFFICE (FEMALE) SWABI

Phone No: 0938-280339

Email: emistswabi@yahoo.com



/deofswabi



Notification:

1. Whereas the competent authority MS: SOFIA TABASSUM DEO (F) Swabi, during perusal of record, got suspected on her initial recruitment and found that some teachers of various cadres (CT, CT-IT, TT Qaria), have been appointed on extraneous grounds during 2019 & 2020.
2. AND Whereas, the office constituted a fact-finding enquiry committee vide DEO (F) Swabi Endstt No 462 Dated 14/02/2022 and Endstt NO 658-61 Dated 04-03-2022.
3. AND whereas the committee carried out a comprehensive enquiry wherein a full opportunity of defense without any prejudice and fear of reprisal, was provided to the teacher under enquiry. The committee submitted its report to the competent authority wherein the committee submitted its report to the competent appointment orders flying, fake and bogus. The main apple of discord behind the whole illegal flying, fake and bogus in the office has been declared as Saleem Akhtar Ex APO.
4. AND Whereas the DEO (F) Swabi sent a report regarding appointments on extraneous grounds to the worthy Director E & Sec Education Peshawar consequent upon which vide Endstt No. 789-92/A-23/complaint /Mardan vol-II/2021 Dated Peshawar, Mr. Sharif Gul Principal BPS-19 was nominated as enquiry officer.
5. AND Whereas the enquiry officer conducted his enquiry, wherein he affirmed and agreed with the enquiry report already conducted by DEO (F) Swabi as mentioned above, submitted to the Director E & SED Khyber Pakhtunkhwa vide No. 116 Dated 29/06/2022.
6. AND Whereas the Director E & SED Peshawar, directed the undersigned to disown the appointment order of fake and bogus teachers vide No 1577/A-23/MS/complaint/ Mardan/vol-II/2021/KC.
7. AND Whereas MS: SHAHZADI Qaria GGHS Jalsai (Swabi) was appointed as Qaria (Diseased) Quota vide Endstt No 4525-29 dated 11/09/2019 and posted at GGHS Jalsai (Swabi). Her father was neither an employee of E & SE department nor died during service. She got married in May 2001. No record exists on file.
8. Now therefore, in exercise of Powers conferred under the Khyber Pakhtunkhwa Govt servant (Efficiency and discipline) rules, 2011, I, MS: SOFIA TABASSUM DEO (F) Swabi, being competent authority, am of the opinion to disown the flying, fake and bogus appointment order in r/o MS: SHAHZADI Qaria GGHS Jalsai (Swabi) in the best public interest.

(SOFIA TABASSUM)
District Education officer
Female Swabi

Endst. No. 1096-1901 /File, Dated: 05/08/2022

Copy of the above is forwarded for information to the:-

1. Director Elementary & Secondary Education Department KPK Peshawar.
2. District Account Officer Swabi.
3. District Monitoring officer Swabi.
4. Superintendent local office.
5. Principal GGHS Jalsai (Swabi)
5. MS: SHAHZADI D/O Mir Azam Khan (L) VPO Kalu Khan, Tehsil: Razar District Swabi under register cover.

ATTESTED

District Education officer
Female Swabi

FACT FINDING ENQUIRY REPORT ON

"FACK AND FLYING APPOINTMENT ORDERS OF VARIOUS
CADRES IN DEO(F) SWABI DURING 2019-20-21."

Annexure
H1
(35)

Reference:

DEO (Female) Swabi Endst: No.462- Dated 14/02/2022 and
Endst: No.658-61 Dated 04-3-2022. two committees were constituted to probe into
the above titled matter and dig out facts.

Committee No.1

1. Muhammad Naeem
(H/M) GIS SHERA GHUND (Swabi)
as Chairman.
2. Fazli Khaliq
Litigation officer
DEO(M) Swabi as Member.
3. Humaira Nazneen
ADEO Estt: DEO(F) Swabi

Committee No.2

1. Muhammad Naeem
(H/M) GIS SHERA GHUND (Swabi)
as Chairman.
2. Fazli Khaliq
Litigation officer
DEO(M) Swabi as Member.
3. Ms.Saceda Bano
SDEO(F) Swabi.

ATTESTED

Problem Preview:

During perusal of record, the DEO(F) Swabi came to know that certain teachers have been employed without following the laid down procedure and meritorious process. Especially when a greater number of teachers got presented before her who were called for participating in Induction programme for teachers employed in 2019-20 through F.T.S. The DEO(F) got blurred and felt that there was something fishy. She started internal scrutiny and ordered enquiry. Many mind-boggling things happened coming up on surface which will remain a stigma on the face of this department for long.

The committee started its work without wasting even a single unit of time. It has unearthed shameful facts and characters in this shameful act and the worst episode of corruption.

Committee No.1 had to enquire CT, TT and Qaria appointments while committee No.2 had to enquire CT(FI) appointments.

Method of enquiry:

1. Perusal of record
2. Statements
3. Questionnaires
4. Interviews
5. Visits

Page 1

[Signature]
31.3.2022

[Signature]
31/3/2022
District Ed. Officer
(Female) Swabi

No. of proceedings: 10(+)

All the concerned were informed properly. Case to case finding in length are given below:

08
(36)

(A) Ms. SABA GUL (CT) and Ms. QUDSIA (CT)

1. Both the above mentioned teachers have been appointed vide Endstt: No.1533-40/DA-I/App/CT-F/2020/Dated 07-07-2020. Both were posted at GGMS Jamra (Swabi) and vide corrigendum 2050-55/DA-II/CT/2020 Dated 08-9-2020, were posted at GGHS Tano and GGHS Lahor Sharqi respectively. In fact, in dairy register 1533-40 as above indicates the original five left over CT candidates.
2. **Pay Release:**
There are two pay releases on record.
In the first pay release vide Endstt: No.2070-G/Appt of CT/pay release Dated Swabi the 08-9-2020 reflects names of Saba Gul (CT) and Qudsia (CT). Astonishingly, in dairy this number indicates DA-II CT (IT). In second pay release vide Endstt: No.2239/Appt of CT/(F)/pay release/Dated Swabi the 28-9-2020 reflects SABA GUL (CT) only, from GGHS Jalbai.
This is a crazy contradiction. These two pay releases are manipulated and bogus.
3. In DAO Swabi, the pay was released on the above mentioned suspicious, allegedly scanned photo copy documents and strict procedure has not been followed in these cases as they usually do.
4. Saba Gul (CT) was called to appear before the enquiry committee with all original record in defense. She attended the proceedings twice. The committee asked questions about her appointment.
 - ⇒ She seemed confused and frustrated.
 - ⇒ According to her, her late father dealt all matters related to her appointment.
 - ⇒ She did not know even her FTS Roll No and Centre.
 - ⇒ To a question whether any relative is employed in education department right now, her answer was "absolutely not"
 - ⇒ The replies on questionnaires are crammed, thus, not satisfactory.
 - ⇒ She could not present even a single ~~copy~~ original and authentic document her defense.

Ms. QUDSIA (CT)

Details of appointment and pay release are almost the same as in the case of Saba Gul (CT) mentioned above when interviewed.

- (I) She was a little emotional and bashing office for what is happened. Once, She lashed out the committee but then controlled herself.
- (II) No idea about her FTS Roll No and result.
- (III) When asked about any family member employed in education department right now, her reply was "No"

The committee considers it worth mentioning at this moment of time that:

"Both SABA GUL (CT) and Qudsia (CT) have concealed the fact of their relation to any serving employee of the education department for unknown reason.

Fact of the matter is, Ms Qudsia (CT) is the sister of Muhammad Hussain J/C and Samiullah J/C of SDEO(I) establishment Lahor while Saba Gul (CT) is wife of Muhammad Hussain J/C as mentioned above. Both J/Cs were once close intimates of EMIS section of this office"

ATTENDED

31/3/2023
District Jui Officer
(Female) Swabi

Record Perusal:

The office record shows that:

1. There is no official verification of documents before release of pay.
2. The diary no 2070-G has been allotted to DA II CT (IT) rather than CT under enquiry.
3. Names of the above said appointed teachers, neither included in tentative nor in final merit list.
4. Verification of documents from concerned institution has not been obtained properly.
- 5.

Statement of Zain ul Wahab DA-II CT

The DA-II CT stated as

"I, Zain ul Wahab S/C, have been dealing CT cadre in DEO(F) Swabi since December, 2019." Prior to me, all posting/appointments of CT were being dealt by Mr. Saleem Akhtar APO. The CT teachers appointed in Left Over case, have not been processed from my file.

There is no copy of these cases, exists on my file. I am unaware of this order. In another statement, he maintains that original CT File was maintained by Ex APO and despite repeated requests, he could not hand over the same till date.

Incharge EMIS Section:

Mr. Fazal Wadood APO is serving as incharge EMIS section wef 15-10-2021. He was performing duties in the same capacity before at DEO(M) Mardan.

Replying Q.No-3, from whom have you received the charge of this office, he shows reluctance and frightens to name the person.

Replying Q.No-4, had you received complete charge or otherwise, he replied as,

"During taking over charge, I received only one computer wherein WINDOW was not installed. There were some induction tablets i.e incomplete charge."

To a question any deficiency in the charge, he replied,

"Online user, appointment record, Laptop and routine letters.

Replying Q.No-7 about "when did you come to know about the deficiency and when did you bring this in the notice of the competent authority?" he replied

"Immediately after taking over charge, I came to know that the handed over Soft Ware is incomplete and unsatisfactory. I called the Ex-APO to my office to complete the charge. I took up the matter with DEO also. The APO handed over the mentioned Data along with Hoser. Even then CT (IT) merit list was missing. Again through letter and email. He was informed. He came to this office again on 26-02-2022 and hand over the remaining deficiency about which it is necessary to mention that merit list is still missing in the email.

Replying Q.No-11 about "your opinion on these fake and flying orders, he replies as "there is no record in hard on file of DA concerned while in soft there is nothing in EMIS available record. As for as the impugned order are concerned, apparently, they are scanned."

31-3-2022

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31/3/2022

SALEEM AKHTAR EX-APO DEO(F):

Mr. Saleem Akhtar Ex-APO DEO(F) was EMIS incharge at DEO(F) Swabi during the period when the impugned orders were released.

He was noticed to appear before the enquiry committee to incorporate his version.

He faced the enquiry proceedings on 14-03-2022 at 10:00 AM in DEO(M) Litigation Office.

He replied the questionnaire as follows:

1. What is your tenure of posting at DEO(F) Awabi?
Reply: wef 17th August 2016 to 07 October, 2021
2. What was your role in appointments particularly from Jan, 2019 till relieving of charge?
Reply: The appointments issued during my tenure except 2018-19 dealt by Fazal Wadood, in 2020-21, my work was to prepare merit list in accordance with the recommendations of the committee to check academic record, was the responsibility of the committee.
Merit lists in soft form, have been handed over to the present AP.
3. What is your expert opinion about the alleged scanned appointment orders of Ms. Saba Gul and Qudsia CT?
R: I cannot say anything about this.
4. The list you have provided on your Whattapp to DEO(F) about the number of CT/CT II teachers employed in 2020 is contradictory to that provided by Directorate (E&S) wherein you have shown 2+1 more numbers and which is exactly the number of impugned orders issued.
5. R: The information I have forwarded was provided by DA. Personally, I have no such information.
Q.No-5 You have been accused of missing your office?
R: The accusation is wrong and I have not done so.
QNO-6 whatever in your mind about these impugned orders, tell?
R: I cannot say anything about this. Record keeping is the duty of DA. My duty is to maintain merit list which I have handed over to present AP. I was not DA of any cadre:

Miss Humaira Nazneen ADEO(F) Swabi

In her statement, She clearly rejects all the signature on appointment order, pay release orders in r/o Ms. Saba Gul CT and Qudsia CT, are fake and bogus.

(B) Ms. SHAIHZADI QARIA (DECEASED):

1. Ms. SHAIHZADI was appointed as Qaria (Deceased) Quota vide Endst No 4525-29 dated Swabi the 11-09-2019 she was posted at GGHS Jalbai Swabi.
2. Her pay release vide Endst No 5380/DA-II Dated 7-11-2019 was issued.
3. On perusal of record, nothing exist on proper file in DAO Swabi, Phocopies of her record exists with no proper evidence.
4. The most interesting fact is neither her father belong to E. & Sec department nor died during service. it was revealed during proceedings that her father belonged to Jail Police. The candidate got married in May 2001 and has joined another family now According to her, her father was died on 11-4-2000.

No document/duc approval exists on file for availing this quota.

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5. She could not reply the questionnaire confidently. She named died person, her brother -in -law and late safdar Asit DEO(F) who facilitated her appointment. She also failed to provide necessary relevant documents. Orally, she admitted if the matter finishes up with her resignation from the post, she is ready to do so.
 6. Mr. Izhar DA confirms that the initial on the appointment beneath the main signature of Ms Dilshad Ex-DEO (F) Swabi, is not his initial and that is bogus and fake.
 7. The teacher could not present her original appointment order, pay release order, father death and Service certificate, any approval to be appointed against the deceased quota in I&S department or any other authentic documents which may justify her appointment.

8.

(C) SAINA TT disabled Female (Left Over)

(D)

1. Saina TT has been appointed as disabled (F) Left over vide Endstt No 3993-G/DA II Dated 29-7-2019. Astonishingly, at the same Endstt No, she has been appointed as TT (Left Over) with out mentioning disabled.
2. It is vital to note that there is no TT (F) disabled vacant post in the advertisement issued by Directorate Elementry and Secondary Education Peshawar .
3. Pay release in this case has been issued for disabled TT.
4. There is no disability certificate or other evidence either with her or the office record.
5. According to Ex Head Mistress GHSS Zaida, Ms Zaiqat Begum's statement " As per para 7 of appointment Endstt: No.3993-G/DA II Dated 29-7-2019, appointment is in disabled quota, I was directed to hand over charge. On producing original appointment order and original medical certificate, I was bound to hand over charge to her.

She produced a pay release order No 4757/DA II Dated 25-9-2019 and then I directed the clerk to prepare the pay bill and the service book. Having prepare and signed her service book and source I, received a cheque of her salaries duly paid to her."

6. Ms Saina was called and she recorded her statement as:

" She declares on oath that she is performing duties as TT at GGHS Zaida wef.2-9-2019 as per appointment order issued by the department. Now, I have come to know that there is something wrong with my appointment order. I am not at fault in this. I have been appointed as disabled. I affirm in writing that I am not disabled. The order has been issued by the office. If there is anything wrong or negligence, the concerned officials are responsible.

We are noble and modest people. I have handed over the original appointment letter to the enquiry committee which is now a part of your record.

Whatever the competent authority decides, would be acceptable to me. I have neither committed a crime nor tried to conceal it. Therefore according to Pakhtun Traditions and Islamic values, my case my be treated leniently as I am innocent.

As am innocent, I may not be dragged in any disciplinary severe action,"

J. L. Khan

31-3-2022

(E) SAMINA IQBAL CT(IT)

13
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1. Appointed against CT (IT) BPS#12 on adhoc base one year contract vide DEO(F) Swabi Endstt No 1111-1118/DA II/App/CT IT F/2020 Dated 15-05-2020. She was posted at GGHS Batakara (Swabi) where she is performing duties till date.
2. Her name is not included in the tentative as well as the final CT IT merit list provided by EMIS section.
3. The Endstt 1111-1118/DA II Dated 12-05-2020 mentions CT Female appointments in the dairy and issue register and hence, fake and bogus.
4. Replying various questions in the questionnaire, she maintains that:
 - ⇒ Her name is Samina Iqbal, hails from village Kalu Khan.
 - ⇒ She is MA(Isl), M.Ed and DIT.
 - ⇒ According to her, she had applied online for the post.
 - ⇒ She did not replied about her R.No. in NTS. However, Marghuz High School was her centre in the examination and secured 53 marks.
 - ⇒ In office, her case was being dealt by safdar Sb (who is died now and was Asstt in the office.)
 - ⇒ She had received call from office about her appointment sister-in-law husband, Haroon Khan.
 - ⇒ Activation of salary was done by office as normally done in other teachers cases.
 - ⇒ Haroon had submitted her salary case and she did not know more about that.
 - ⇒ She will hold the office as responsible because my order is original also my documents.

Now, I have submitted my original order to the enquiry committee.
(The Original order when shown to DEO(F) she rejected outright the originality of her signatures and termed it as manipulation.

5. Her pay release order vide 2069-G/appointment of CT IT(F)/Pay release Dated Swabi the 8-9-2020 relates to SST IT in the Diary Dispatch register. Hence, the pay release order is manipulated and bogus.

(F) SAWERA QAYUM CT, GGMS DALORI (G) and SHAHNAZ SADIQ CT-do-

1. The appointment order of Sawera Qayum CT issued vide 1707-G Dated 27-7-2020 is actually pay release order in diary and Dispatch register.
The appointment order of Shahnaz Sadiq issued vide IV pay release order in the dairy and Dispatch register.
Both the appointment orders are flying and fake.
2. The original pay release in r/o Ms Laila Kamal DM, Endstt No 2297/Release of pay, Swabi the 28-9-2020, has been manipulated by inducting names of Sawera Qayum and Shahnaz Sadiq under enquiry with Endstt No 2297/appt of CT (F)/ pay release/ Swabi the 28-9-2020.
This is fake, fraudulent and flying order.
3. The two teachers under enquiry were given same questionnaire to respond. But their replies are not plausible and appealing.
Their replies are feeded and the committee is not satisfied with it.
4. HRIS Record regarding the two teacher show that Shahnaz Sadiq CT BPS#15 has D/O birth as 31-Dec-2018 which that of Sawera Qayum CT BPS#15 is 10-Oct-1990.

In case of Shahnaz Sadiq D/O 1st entry to service is 31-Dec-2018 while that of SAWERA QAYUM is also 31-Dec-2018. Current posting Date in r/o

[Handwritten Signature]

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21/3/2023
District Education Officer
Swabi

Shahnaz Sadiq is 31-Dec-2018 while that of SAWERA QAYUM is 31-Dec-2018. Is it not ludicrous?

5. Original service books of both these teachers when perused, it was found that initial under each entry was of Mr. Muhammad Ali S/C account section at this office. When he was enquired by DEO(F) in presence of the enquiry committee. He admitted his blunder in writing with the remarks that he had not done that malafidely. He named Mr. Sadiq J/C GHSS Ismaila (Swabi) who made him signed these service books that time.

The committee called Mr. Sadiq to appear and explain his position. He recorded his statement as follows:

Mr. Sadiq Ali was J/C at GHSS Adina by the time, Mr. Abdul Qayum who was his neighbor. He told him in the evening that his daughter (Sawer Qayum) and her friend (Shahnaz Sadiq) had been appointed as CT. Please make service books and papers for their salaries.

I received service books and documents and prepared them all. The next day I handed over the prepared service books to him. I have made the service books of Sawera Qayum and Shahnaz Sadiq. One day, I was in office. Mr. Saleem Akhtar AP apprised me to pass salaries of the two teacher whom service books I had prepared, from account office that time. I told him that my friend Tilawat Shah (Dealing hand in DAO was not present and I was also not free. Since, this seat belongs to Mr. Muhammad Ali in the office, so he would do that.

As my profession is clerk. Often, on sympathetic grounds, I prepare service books, pension papers, promotion cases, schools budgets and reconciliation. Similarly, I did that.

Now, since came to know through enquiry that this was bogus. So I have been used frankly in making all this.

2. Before making this service book, one of my friends Sajid from Ismaila told me that his sister had been employed at GGHS Maneri Bala. He asked me to accompany him. Yes, I accompanied him and I had made papers for drawing salary. One day, he called again saying that her second sister had been employed and asked to accompany him to Marghuz and I went to a Hujra in Marghuz with him.

3. Once, Sajid called and said, "the service books you have made, ask Muhammad Ali and get them signed from DEO(F). I contacted Muhammad Ali that one of the teachers was my neighbor and the other was the sister of my friend. Perhaps, I have been used in this Matter."

Analyzing this statement, it is very easy to understand that the wrong doer was present inside the queue and provides important lead to detect the real culprit.

SOFIA TABASSUM DEO (F) SWABI

Madam SOFIA TABASSUM DEO (F) was found profound committed to segregate right and wrong and allowed the committee to work freely.

She was given a questionnaire to respond and she did the detail of her replies is given below:

- ⇒ She had taken over charge of this office wef 16-Nov-2019.
- ⇒ Till date, She had issued various order of different cadres like CT-AT-IT Quria, PET, DM, CT(IT) and CIVs.
- ⇒ When Saleem Akhtar Ex APO, got transferred from Swabi to Mardan, the new incharge (EMIS) informed about the incomplete charge. Apart from that, some orders came on surface such that I got suspected particularly, when more

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- ⇒ number of recruited teachers appeared for participating in induction programme. I started internal scrutiny without waisting anytime, signs of fraud and manipulation began to appear.
 - ⇒ I started impartial enquiry and by every passing day, the issue is untwisting.
 - ⇒ Soon after the beginning of internal scrutiny facts began to come on surface. Based on these facts, I stopped salaries of impugned recruited teachers.
 - ⇒ I ordered the EX-APO to provide details of vacant posts and recruited teachers in 2020. The said incharge mis informed me about these details. The difference between the list provided by him and that provided by the number of doubtful (illegal) teachers recruited.
 - ⇒ I recommended to lodge FIR against the said incharge and these fake employed teachers.
 - ⇒ I have written to worthy Director for grand enquiry. The enquiry is continuing till logical end.
 - ⇒ I have sought explanation from all dealing hands and want to reach the real offender. More details have been shared above.
 - ⇒ I think that dealing hands are responsible. The misshap occurred due to their weakness further investigations are underway.
 - ⇒ Dealing hand in the office, DAO office dealing hands, health department and certain hidden private people gangued up to do all this.
 - ⇒ No original signature of mine. My subordinate exists any where on any documents only scanned and fraudulently prepared documents are there. In case if my original signs have been taken fraudulently in rush of work, it would not be malafidely or due to incompetence. Because the wrong doer is very cunning, sharp and checky bastard.

Ex-DEO(F) Ms DILSHAD BEGUM NOW DEO(F) Abbottabad.

Ms DILSHAD BEGUM EX-DEO(F) Swabi, Signatory of some alleged fake and flying orders, was called in writing through DEO(F) Swabi regarding the issue of flying appointments under her signatures as mentioned above to submit her reply or visit DEO(F) office within a given time. She was intimated about the enquiry proceedings thereof. But the same registered letter returned undelivered with remarks on the envelope.

"The said officer is not anywhere posted in Abbottabad."
 Simultaneously, she sent voice message to the existing DEO(F) wherein she depicts that "Calling DEOs that way is not good call them with record if there is no record, proceed against them accordingly etc."

DAO OFFICE SWABI

The DAO Swabi was contacted in writing and physically to provide the pay release record in r/o these teachers they only showed their record and their written reply is still waited.

As per record available in DAO Swabi, it is almost the same as available in the DEO(F) local office. Verily, strict procedure in releasing of pay, has not been followed in these cases.

No document has been signed by DEO(F) herself. The documents have only been attested by ADDEO(F) Secondary which she categorically denies. It has come into the notice of the enquiry committee that DEO(F) Swabi has already

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District E.O. Officer
Femeral Swabi

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wrote to the Accountant General to take action against the Dealing hands in DAO swabi in these cases. The response is still pending. Salaries of all the teachers under enquiry have been made inactive.

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Conclusion:

After these earth shaking findings, inside new and profound observation, the committee, honestly conclude that:

1. The impugned orders have been issued in two different periods

(a) In DILSIAD BEGUM BEGUM EX-DEO (F) SWABI PERIOD.

- i. SAINA D/O MUHAMMAD SIYAR appointed as TT in BPS#15 in disabled Female (Left Over) and at the same time as TT (Left Over) on 29-7-2019.
- ii. SHAHZADI D/O MIR AZAM KHAN, appointed as QARIA (deceased quota) and posted at GHS JALBAL on 11-9-2019

b) IN SOFIA TABASSUM EXISTIG (F) SWABI PERIOD

- i) MS QUDSIA CT D/O RZA KHAN appointed as CT (Left over) on 7-7-2020 and posted at GGMS Jamra.
- ii) MS SABA GUL T D/O MOHAMMAD RIAZ, appointed as CT female left over on 7-7-2020 and posted at GGMS Jamra (SWABI)
- iii) MS SAMINA IQBAL CT IT and posted at GGHS Bata Karra.
- iv) SAWERA QAYUM D/O ABDUL QAYUM SADIQ CT, appointed on 27/7/2020 and posted at 27-7-2020 at GGMS Dalori (G) in light of court decision.
- v) SHAHNAZ SADIQ D/O MOHAMMAD SADIQ CT (AGE-RELAXATION) order appointed 27-7-2020 and posted at GGMS Dalori(G)

2. No due extension in any of the above case has been accorded accordingly shows that all these are flying appointments.
3. In light of all relevant record, defense of above named teachers, threats and imploring clearly indicates that the above said appointments are non-meritorious, void, illegal, without any legal procedure, flying and manipulated orders.

All these orders are void abinitio, without any legal effect and up to the competent authority to disown them.

6. Case to case study reveals that the wrong doer was sitting inside the office occupying an important seat. He knew the weaknesses of dealing hand in the office. He made that fragile dealing hand as hostage and led the whole office by its nose.

He benefitted specific people in different times and ensured his secrecy on oath (Put their hands on Quran). The committee has come to know through reliable source.

The fake appointed teachers belong to the families of his close buddies who used to assist him in his office work.

The wrong doer and his buddies (the beneficiaries) are computer experts and the fake and flying appointments have definitely been done through scanning and other computer techniques.

Absolutely, EMIS section of this office has been misused in this corruption game where Mr. Saleem Akhtar Ex-APO Now APO(M) Mardan DEO office, was committing and patronizing this whole game.

J. H. Khan
31.3.22

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7. No doubt, the establishment in DEO(F) Swabi has played a Sluggish role and has showed slackness in performance of their duty that time. Especially, EMIS Present incharge Mr. Fazal Wadood and Zain ul Wahab DA II. But all of them were paralyzed by Mr. Saleem Akhtar Ex-APO and even today, they get frighten when mention him.

8. Their statements show that the important record has been disposed by Mr. Saleem Akhtar and the CT original ~~posting~~ ^{files} on technical grounds but the crime can not be concealed so easily.

In fact, he is the apple of discord and managed the crime with devilish skills he is famous for.

9. How much the offender is cunning and sharp, he leaves some foot-marks behind him.

10. The wrongly appointed ~~and~~ teachers mostly name official and relatives who are not alive now, who facilitated their appointments. This worst tactic and concealment of fact.

Dots when connected, important leads go towards Mr. Saleem Akhtar Ex-APO EMIS section DEO(F) office.

⇒ On 23-June-2021, he forwarded a PDF to DEO(F) as asked by her to provide details of posts year wise. when the PDF is opened, the information he gives for the year 2020 is, CT BPS 15, total advertised posts=19 total appointed = 19 while CT IT BPS#12 total advertised post=12, Total appointed = 12. Now, list provided on the same subject by directorate E & S.Ed. indicates CT BPS 15 total advertised posts=17 total appointed teachers = 17 and CT IT BPS.12 total advertised posts= 11 and total appointed = 11

This clearly confirms that 02 fake CT and 01 fake CT IT were appointed that year.

Misinforming the competent authority as above is showing his malafide intension which has been proved like eggs are eggs.

His transfer from this office was a result of a complaint, can not be described here. While leaving this office, he left incomplete charge. He has taken away the hard-desk of his official computer without any permission.

He was continuously showing reluctance in leaving complete charge. Some important data is still missing.

He wisely avoided his direct involvement in any case. But he used others. For example, when Sadiq Ali J/C GISS Ismaila was called to explain his position about his links in case of Sawera Qayum CT, he directly named Salim Akhtar who had told him to help releasing his salary from DAO Swabi.

His living is beyond his income and the company he keeps is direct beneficiary of these fake appointments

His response could not satisfy this committee as he was concealing facts

His previous record shows that he is a person who makes such like crimes again and again.

8. The committee with full convection finds that no other official/officer at any level has acted malafidely. However, there was a profound level of incompetence and slackness especially DA II/EMIS

But the DA II, Mr. ZAIN UL WAHAB record was checked. He is a pious, noble and clean official.

His professional weakness has been exploited for own gains and agenda. He performed duty under the influence and magic of EX APO who transgressed and maligned the innocent DA II, who is now speechless.

11. Ms.SOFIA TABASSUM DEO(F) Swabi, has been found clean, transparent, with clean hands and a strong lady with sound character. As up now, no evidence of illegal involvement in all these fake appointments,

J. H. A.
31.3.22

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- Transgression or malafide, had been observed on her part. She has opened the cases with broad heart and mind and she always co-operated with the committees She is committed for the logical conclusion of all these cases.
12. All the fake appointed teachers surprisingly, concealing the offender rather than their selves. Some of them were found using their influence at all levels to protect themselves during the course of enquiry.
 13. Behind this blatant transgression, there was a strong mafia headed by EMIS incharge, who got benefitted and the nature of this illegal act belongs to their expert skills.
 14. Forensic of documents, CDR of the persons pointed out, more will come on surface if investigations keep on continuing.

Annexures:

File No-1 (photo copies of appointment orders, pay release, order corrigendum, Copy of Dispatch register, Statement and other employment record in r/o Qudsia CT and Saba Gul CT. Also statements/Questionaries recorded/Responded in r/o DEO(F) replies on the questioner, Humaira Naznain ADEO, Izhar Hussain Asst, Saleem Akhtar Ex APO and others, Notices.

File No-2 (Photo copies of appointments, Pay Release Orders, academic documents and Statement etc in r/o Shahzadi Qaria.

File No-3 (original appointment order, copy of pay release, Statement etc in r/o Saina TT.

File No-4 (photo copies of appointments order, Pay Releases, Statements and other relevant document in r/o Shah Naz CT and Sawera Qayum CT. Also original appointment order, Merit Lists, Pay Release, Statement and other document in r/o Samina Iqbal CT (IT).

1. (Muhammad Nazeem) ³¹⁻³⁻²⁰²²
Chairman.
2. (Fazli Khaliq)
Litigation officer
DEO(M) Swabi as (Member), 1st & 2nd Committee ³¹⁻³⁻²⁰²²
3. (Humaira Nazneen)
ADEO Secondary DEO(F) Swabi
(Member) 1st Committee ³¹⁻⁰³⁻²⁰²²
4. (Ms. Saccda Bano)
SDEO(F) Swabi.
(CT-IT Committee) 2nd Committee Member ³¹⁻³⁻²⁰²²

Dated: 31/03/2022

DEO
District Education Officer
Female Swabi
31/3/2022

Annexure "1"

(46)

3
[Signature]

To,

Director Elementary and secondary Education Peshawar Khyber
Pakhtunkhwa

[Signature]

SUBJECT: REPRESENTATION/APEAL AGAINST ODER

DATED 23-02-2022

Respected Sir,

1. That the applicant appointed on the post of Qaria at District Education Office (Female) Swabi on deceased son/daughter quota under Rule 10(4) of the khyber pakhtunkhwa civil servants (appointment, promotion & transfer) rules, 1989 after completion of all codal and legal formalities for the said post.

RULE 10(4): Where a civil servant dies or is rendered Incapacitated or invalidated permanently during service or retired on medical board, notwithstanding the procedure provided for in sub-rule (2), the appointing authority may appoint one of the children of such civil servant or if the child has not attained the age prescribed for appointment in Government service, the widow or wife as the case may be, of such civil servant, to a posts in any of the basic pay scales 3 to 11 in Provincial cadre post and basic pay scales 3 to 12 in District cadre posts:

Provided that the child or the widow or wife, as the case may be, possesses the minimum qualification prescribed for appointment to the post;

Provided further that if there are two widows or wives of the deceased civil servant, as the case may be, preference shall be given to the elder widow or wife:

Provided also that appointment under this sub-rule is subject to availability of a vacancy and if more than one vacancies, in different pay scales, are available at a time and the child or the widow or wife, as

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the case may be, possesses the qualifications eligible for appointment in more than one post, such child or the widow or wife, as the case may be, shall ordinarily be appointed to the post carrying higher pay scale:

Provided also that the provision of this sub-rule shall not be applicable to posts falling within the purview of the Commission.

2. That I have been performed my duties as a teacher with the entire satisfaction of my high-ups since 2019 and no complaints as such as filed against me and there is no absentia available during my service period.
3. That there is no misconduct and other irregularities available on my whole service record while performed my duty regularly and with punctuality.
4. That the appellant served in Department with the best of his ability and commitment for about three years.
5. That the appellant was regularly performing her duty and receiving her salary vide her pay release with deduction of GP Fund.
6. The appellant appointed by the competent authority and then the respondent DEO Female violated and neglected the order of competent authority ultra virus and malafidely issued the impugned order regarding the stoppage of salary which is clearly misconduct and the respondent is liable for penal consequences.
7. That there is no opportunity of being heard was given to the appellant which is against the law and natural justice 'audi alteram partem' (That no one should be condemned unheard)

ATTESTED



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8. The fair trial is the fundamental right of appellant under article 10A of Constitution of Islamic Republic of Pakistan 1973 which is clearly violated by the DEO Female Swabi.
9. That on meanwhile the District Education Office (Female) Swabi issued ultra virus and mala fiddly impugned order dated 23/02/2022 regarding stoppage of salary through pay Code No. 00926676 without giving any prior show cause notice and being heard.
10. That the applicant file writ petition No. 1985-P/22 before the peshawar high court Peshawar which is decided on 19-8-2022 and direction was given to the applicant to file a departmental appeal before the proper forum.
11. That the impugned Notification is illegal unlawful and against the natural justice.
12. That the petitioner is only earning hand of his entire family and there is no source of income.
13. That equal treatment before law and protection of law is an inalienable right of the petitioner
14. That being aggrieved from the instant order, I approached before your worthy office for redressal of my grievance and may kindly accept my appeal.

It is, therefore, requested that the notification Dated 23-02-2022 may kindly be cancelled and release the pay of the applicant.

Yours Obediently,

Shahzadi

Reference your good office No 4038F No16/Vol-1/F/Appeal/Swabi, Dated Peshawar the 21-09-2022

the detail report views comments are as under,

That the appointment order of Mst. Shahzadi Qaria (Deceased) quota wide ends No 4525-29 dated Swabi the 11-09-2019 was fake, lying and bogus. This her appointment order was rightly disowned by the competent authority.

An inquiry committee was ordered inquiry conducted. An ample opportunity of defuses was provided to the appellant. On perusal of record, nothing exist on proper file in DAO Swabi photocopies of her record exist with no proper evidence. the most interesting fact in neither her father belong to Elementary and secondary Education Department nor died during service. It was revealed during proceeding that her father belonged to Jail Police. The appellant got married in May 2001 and has joined another family now. according to the appellant her father was died on 11-04-2000. No documents /due approval exists on file for availing this quota.

She could not reply the questioner confidentially she named died person, her brother-in law and Late- & Saldar Assistant DEO (F) Swabi, who facilitated her appointment she also failed to provide necessary relevant documents orally, she admitted if the matter finisher up with her resignation from the post she is ready to do so.

The teacher could not present her original appointment order pay release order, father death and service certificate any approval to be appointed against the deceased quota in Elementary and secondary Education Department or any other authentic documents which may justify her appointment. The disown order is as speaking.

she failed a writ petition in the Peshawar High Court which was Dismissed. The appointment order of teachers including the appellants are wide ab initio with any legal effect, the appointment order were found lying, fake and bogus this the competent authority disowned them inquiry is attached.

Report is hereby submitted for your kind perusal and requested that it may very graciously be rejected.

District Education Officer

[Handwritten signatures and stamps]

[Handwritten signatures and initials]

Subject: APPEAL

Memo:

Ammezz & F (49)

Ann. (50)



KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

BEFORE: RASHIDA BANO ... MEMBER (J)
MUHAMMAD AKBAR KHAN... MEMBER (E)

Service Appeal No: 1764/2022.

Date of presentation of Appeal.....29.11.2022
Date of Hearing.....13.02.2024
Date of Decision.....13.02.2024

Shahzadi D/o Mir Azam Resident of Village Kalo Khan, Thsil Razzar, District Swabi.....(Appellant)

Versus

1. Government of Khyber Pakhtunkhwa, through Secretary Education Civil Secretariat, Principal Secretary, Peshawar.
2. Director Elementary and Secondary Education, Khyber Pakhtunkhwa.
3. District Education Officer (F), Swabi.....(Respondents)

Present:

RAHMAN ULLAH & AMJAD ALI KHAN,
Advocates

For appellant

HABIB ANWAR,
Additional Advocate General

For respondents

CONSOLIDATED JUDGMENT

MUHAMMAD AKBAR KHAN MEMBER (E): Our this single judgment shall dispose of the instant service appeal as well as connected service appeal bearing No. 144/2023 titled "Saina versus Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary

Education at Block A, 3rd Floor, Building A, Civil Secretariat Peshawar & others", service appeal bearing No. 145/2023 titled "Shehnaz Sadiq versus Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education at Block A, 3rd Floor, Building A, Civil Secretariat Peshawar & others", service appeal bearing No.

ATTESTED

Khyber Pakhtunkhwa
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(51)

146/2023 titled "Dudsia versus Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education at Block A, 3rd Floor, Building A, Civil Secretariat Peshawar & others", & service appeal bearing No. 147/2023 titled "Saba Gul versus Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education at Block A, 3rd Floor, Building A, Civil Secretariat Peshawar & others", as common question of law and facts are involved therein.

02. Brief facts of the case are that the appellant was appointed as Qaria under the deceased sons/daughter quota and was performing her duty in the Education Department. That vide order dated 23.02.2022, her salary was stopped and then on 05.08.2022, the department disowned her appointment order as fake and bogus. Feeling aggrieved, the appellant filed Writ Petition No. 1985-P/2022 before the Hon'ble Peshawar High Court Peshawar and the Peshawar High Court vide order dated 19.08.2022 directed the appellant to file departmental appeal before the proper forum/appellate authority. Accordingly, the appellant filed departmental appeal before the respondent No. 2 i.e. Director Elementary & Secondary Education, which was rejected vide order dated 08.10.2022, hence preferred the instant service appeal on 29.11.2022.

03. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal. We have heard arguments of learned counsel for the appellant and learned Additional Advocate General and have gone through the record with their valuable assistance.

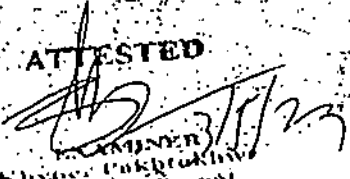
ATTESTED

 Khyber Pakhtunkhwa
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04. Learned counsel for the appellant contended that the impugned order was illegal, unlawful and without jurisdiction; that the appointment order of the appellant had been issued by the competent authority, therefore, disowning of the same was illegal; that the appellant was only earning hand of her entire family and there was no other source of income. He further contended that no opportunity of personal hearing was afforded to the appellant, which is against the law and principle of natural justice; that fair trial was the fundamental right of the appellant under Article-10-A of the Constitution of Islamic Republic of Pakistan 1973, which had been violated and the appellant had not been granted such right. Therefore, he requested for acceptance of the instant service appeal.

05. As against that, learned Additional Advocate General contended that the appointment order of the appellant was fake and bogus due to which the same was disowned; that the appellant had committed an offence in shape of misconceiving the appointing authority; that stoppage of her salaries was also in accordance with law and rules; that father of the appellant was not died during service, therefore, she was not rightful to be appointed under deceased sons'/daughter quota; that the appellant had married in 2001 which reveals that she was a member of another family; that the appointment was made in the year 2019 i.e. much after her marriage; that the appellant had misconceived the authority and had got appointed, which was an illegal appointment, therefore, the learned Additional Advocate General requested for dismissal of the instant service appeal.

ATTESTED

 Khayal Ukkhatar
 Service Tribunal
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06. Perusal of record reveals that the appellant was appointed as Qaria (BS-12) vide order dated 11.09.2019 by respondent No. 3 (competent authority) after fulfillment of all the codal formalities. The appellant was appointed under Rule-10 (4) of the Khyber Pakhtunkhwa Government Servants (Appointment Promotion & Transfer) Rules, 1989. After medical examination and verification of educational testimonials the appellant assumed the charge of her post on 14.09.2019 at her place of posting i.e. GGHS Jalsai Swabi. After lapse of around 3 years her salary was stopped in the month of February, 2022. Subsequently her appointment order was disowned by respondent No. 3 through impugned order dated 05.08.2022 on the basis of fact finding inquiry. The contents of the impugned order of respondent No. 3 with the title of "Notification" contains plethora of allegations and charges which seems a charge sheet and statement of allegations rather than a speaking order passed by the competent authority after proving the charges/allegations. Strangely the impugned order of respondent No. 3 also contains interpretation of Rule 10 (4) of the Khyber Pakhtunkhwa Government Servants (Appointment, Promotion & Transfer) Rules, 1989 trespassing her legal authority. Her interpretation of Rule 10 (4) suggests that a married son or daughter of deceased/invalid government servants is not eligible for appointment under deceased/invalid government servant's son/daughter quota provided under the rule ibid. We find that the appellant has rendered around 03 year service and is eligible to hold the post of Qaria in terms of her educational qualification. After 03 year service if anything had come to surface as a result of fact findings inquiry she was required to be proceeded under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline)

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

ATTESTED

(54)

Rules, 2011, and as per procedure provided thereunder she was to be proceed against by issuing charge sheet and statement of allegations. Her conduct was required to be scrutinized through a formal inquiry officer or inquiry committee serving Show Cause Notice and affording opportunity of defense and personal hearing to her being a government servant.

07. In view of the above legal findings we are, therefore, without further going into validity of appointment of the appellants set aside the impugned orders dated 05.08.2022 & 08.10.2022 and remand the instant service appeal as well as connected service appeals back to the respondents to conduct proper inquiry under the law in accordance with the provisions/procedure provided under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011. The question of back benefits shall be subject to the outcome of inquiry. Costs shall follow the event. Consign.

08. Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 13th day of February, 2024.

(RASHIDA BANO)
Member (J)

(MUHAMMAD AKBAR KHAN)
Member (E)

Date of Presentation of Application: 13/2/24
Number of Pages: _____
Copying Fee: 25/-
Agent: 25/-
Date of Completion of Work: 03-5-24
Date of Delivery of Copy: 03-5-24

Certified to be true copy
3/5/24
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar



Annex 2nd 2nd
K

(55)

DISTRICT EDUCATION OFFICE (FEMALE) SWABI

(Office phone Fax No 0938-280339, emisfswabi@yahoo.com)

No 1600 / Dated 11 / 07 /2024

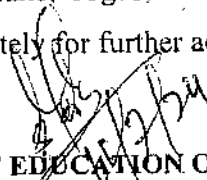
To

The Principal.
GGHSS Jalbai.

Subject:- **SHOW CAUSE NOTICE TO MS SHAHZADI QARIA.**
Memo:-

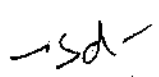
Please refer to the subject mentioned and the attached **Show Cause Notice** regarding Ms. Shahzadi, Qaria, who was appointed through a fake, bogus, and fabricated order. You are hereby directed to serve this notice to her immediately for further action.

Encls: As Above


DISTRICT EDUCATION OFFICER
(FEMALE) SWABI

Endst: No _____ Dated _____ /2024

1. Director (Elementary & Secondary Education) Peshawar for information please.
2. Ms. Shahzadi Qaria GGHSS Jalbai.
3. Personal File.


DISTRICT EDUCATION OFFICER
(FEMALE) SWABI


DISTRICT EDUCATION OFFICER
(FEMALE) SWABI



Amended

DISTRICT EDUCATION OFFICE (FEMALE) SWABI (56)

(Office phone Fax No 0938-280339, emisfswabi@yahoo.com)

No 1668 /

Dated 20/07/2024

To

Ms: Shehzadi, Qaria.
GGHSS Jalbai.

Subject:- **PERSONAL HEARING**

Memo:-

Reference to the Show Cause notice dated 11-07-2024, wherein you were provided the opportunity of reply to show cause within 07 days i.e till 18-07-2024 but you failed to reply to the show cause.

However, you are provided another opportunity of personal hearing on 24-07-2024 at DEO(F) office Swabi at 11:00 am. You are hereby directed to appear before the competent authority on the date, time and venue mentioned above positively for the purpose to defend your case.

**DISTRICT EDUCATION OFFICER
(FEMALE) SWABI**

Endst: No _____ /Dated _____ /2024

Copy of the above is forwarded to:

1. Director (Elementary & Secondary Education) Peshawar KPK.
2. Principal GGHSS Jalbai.
3. File concerned.

**DISTRICT EDUCATION OFFICER
(FEMALE) SWABI**

ATTESTED



OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) SWABI
(Office phone & Fax No. 0938280339) emisfswabi@yahoo.com

(57) Annex M



SHOW CAUSE NOTICE

1. Sofia Tabassum, District Education Officer (F) Swabi as a Competent Authority, under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules 2011, do hereby serve upon you, Shahzadi Qaria BPS-12 GGHSS Jalbai District Swabi, this show cause notice as follow:-

- i. That you have made yourself appointed/inducted as Qaria under deceased children quota at GGHSS Jalbai district Swabi vide fake appointment order Endst No: 4525-29 dated Swabi the 11-09-2019 on extraneous grounds in violation of rules, law and policy and actualized your appointment through fraud, backdoor influence and collusion.
- ii. That neither your father was employee of Elementary & Secondary Education Department nor died during Service, while you have shown to have been appointed under deceased employee children quota through fake, bogus and self-fabricated documents.
- iii. That you got released your pay through fake, bogus and fabricated pay release certificate vide Endst No: 5380/DA-2 Dated: 07-09-2019, showing to have been issued from the undersigned through the abetment and connivance of the concerned offices.
- iv. That being a fake employee, no record of your test, interview, merit list existed in this office and have neither been considered nor recommended by the DSC committee.
- v. That neither you applied to these posts nor did your name exist in the merit list, even though you got yourself inducted through fraud and bogus appointment order either by deceiving the system or with the abetment of some officials of the concerned offices.
- vi. That you have ceased to be efficient and are guilty of misconduct, dishonesty and are liable to be proceeded under the rules for the charges given here in above.

2. In terms of Rule-5(b) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, a formal inquiry was conducted against you vide this office Notification No.1203-G/ dated 18/05/2024. The Inquiry Officer, after conducting a comprehensive inquiry, submitted report, wherein, you were found to be guilty of the above mentioned allegations and has recommended your "Removal from Service" under Rule-4 (b) (iii) of the rules ibid.

3. By reasons of the above, you appear to be guilty of inefficiency and misconduct under Rules 3 (a) & (b) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011 and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Rules ibid.

4. As a result thereof, I, Sofia Tabassum, as the Competent Authority, have tentatively decided to proceed against you under the above mentioned rules. You are, therefore, required to show cause as to why major penalty of "Removal from Service" specified in Rule 4 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, should not be imposed upon you and also intimate whether you desire to be heard in person. If no reply to this office is received within 07 days of its delivery, it shall be presumed that you have no defense to put in and in that case ex-parte action will be taken against you under the above mentioned rules.

(SOFIA TABASSUM)
District Education Officer
(Female) Swabi

Shahzadi Qaria (BPS-12)
GGHSS Jalbai (Swabi).

18/05/24

PROBATION

Message

Today on 26th July 2024 I have handed over show cause notice sent by deo(f) office mistakenly to Miss shehzadi Qaria

Clerk ba time chtra yi

Nzdi na de

No need office walo ko pata he ye mistake office walo ki he but kindly class iv se discussion na kre qk wo class iv he head of skul nahi

Voice message (0:23)

Tasu namber m zu khpl class iv ta send kom for contact

Message Add contact

12:30 PM

Adil Khan NQ Jalbai

Jalbi School is a contact

Messages and calls are end-to-end encrypted. No one outside of this chat, not even WhatsApp, can read or listen to them. Tap to learn more.

Jalbi School

WhatsApp



(58)

Amreus

Annexure 'D'

(59)

BEFORE THE DISTRICT EDUCATION OFFICER (FEMALE), SWABI

Subject: Reply of Show cause Notice dated 11-07-2024 but received late on dated 26-07-2024 due to dispatching the same on wrong address of GGHS Jalbai instead of GGHS Jalsai of District Swabi on behalf of Mst: Shahzadi Qaria :-

Respected Sir/Madam,

With utmost respect and regards, I am submitting my para-wise response to the Show cause notice dated 11-07-2024, which I have received late on dated 26-07-2024 due to dispatching the same on wrong address of GGHS Jalbai instead of GGHS Jalsai of District Swabi. My responses are detailed below:

- i. Para No 1 of the charge sheet alleges inaccuracies regarding my appointment. This is absolutely false. The appointment order, issued vide Endst No 4525-29 dated 11-09-2019 in Swabi, is correct, genuine, and fully compliant with the relevant acts, laws, policies, rules, and was issued after the fulfillment of all required codal and legal formalities.
- ii. In response to Para No ii, I clarify that my father was a civil servant and passed away during service and duty hours, a fact clearly documented in service and pension records, as well as the death certificate. As such, I was entitled to an appointment under the deceased children's quota because There are no restrictions under sub-rule 4 of rule 10 of the (Appointment, Promotion, and Transfer) Rules, 1989, against appointing a child of a deceased civil servant in education or other provincial department. My appointment as Qaria in BPS 12 was duly authorized after thoroughly examining the documents / record and fulfilling all legal and codal formalities. (Copies of the service/pension records, death certificate, and relevant rules are attached).
- iii. Para No iii, which questions the authenticity of my Pay Release Certificate, is incorrect, frivolous. The pay release certificate is genuine and correct.
- iv. Para No iv also contains baseless allegations regarding the legitimacy of my appointment. I assert that my appointment was made by the competent authority after the completion of all required formalities. My educational certificates/degrees, appointment order, service book, deceased service record, death certificate, pay release certificate, and all other records are genuinely and entirely correct. more over no test was required being induction in deceased children's quota while other formalities were fulfilled.
- v. Para No v repeats previously addressed allegations and has been responded to comprehensively in the aforementioned replies. however the appointment order is correct, legal and genuine.
- vi. Para No vi claims misconduct and dishonesty, which is not only incorrect but also baseless, illogical, and without merit. My appointment was legal, genuine, and completed with all due legal and codal formalities. The charges levied against me are unfounded, erroneous, and appear to be motivated by malice and a lack of proper consideration of the law, rules, and procedures.

INTENDED

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1474

(60)

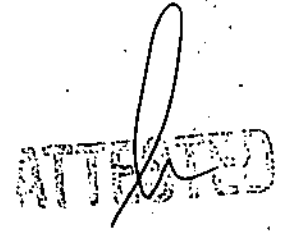
I respectfully request that these allegations be considered with my responses in mind and suggest that, for any required clarifications, I should be heard in person. It is my humble and sympathetic request that the Show Cause Notice be withdrawn as no case of misconduct, dishonesty, inefficiency, or deceitfulness stands against me. I have been under continuous distress for a prolonged period and earnestly seek resolution.

Thank you for considering my responses. I trust that justice will prevail.

Sincerely,



Mst Shahzadi Qaria Dated: 27.07.2024





OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) SWABI
(Office phone Fax No 0938280339)

Annexure ep
611

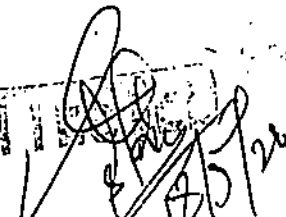


CHARGE SHEET

I, Sofia Tabassum District Education Officer (Female) Swabi as competent authority, hereby charge you, Ms: Shahzadi Qaira BPS:12 GGHSS Jalbai district Swabi as follows:

That you while posted as Qaira at GGHSS Jalbai Swabi committed the following irregularities and misconduct.

- i. That you have made your self appointed/inducted as Qaira under decease children Quota at GGHSS Jalbai district Swabi vide fake appointment order Endst No: 4525-29 dated swabi the 11-09-2019 on extraneous grounds in violation of rules, law and policy and actualized your appointment through fraud, backdoor influence and collusion.
 - ii. That neither your father was employee of Elementary and Secondary Education Department nor died during service, while you have shown to have been appointed under deceased employee children quota through fake, bogus and self-fabricated documents.
 - iii. That you got released your pay through fake, bogus and fabricated pay release certificate vide Endst No: 5380/DA-II Dated: 07-09-2019, showing to have been issued from the undersigned through the abetment and connivance of the concerned offices.
 - iv. That being a fake employee, no record of your test, interview, merit list existed in this office and have neither been considered nor recommended by the DSC committee.
 - v. That neither you applied to these posts nor did your name exist in the merit list, even though you got yourself inducted through fraud and bogus appointment order either by deceiving the system or with the abetment of some officials of the concerned offices.
 - vi. That you have ceased to be efficient and are guilty of misconduct, dishonesty and are liable to be proceeded under the rules for the charges given here in above.
2. By reason of the above, you appear to be guilty of misconduct, dishonesty inefficiency and deceitful under the rule-3 of Khyber Pakhtunkhwa civil servants (Efficiency & Discipline) rules 2011 and have rendered yourself to all or any of the penalties specified in rule-4 of the rules *ibid*.
3. You are, therefore, directed to submit your written defense within 7 days of the receipt of this charge sheet to the inquiry officer in black and white.
4. Your written defense if any shall reach the inquiry officer within the specified period, failing which it shall be presumed that you have no defense to put in and that case, ex-parte action shall be taken against you.
5. Intimate whether you desire to be heard in person.
6. A statement of allegations is attached.


(SOFIA TABASSUM)
DISTRICT EDUCATION OFFICER
(FEMALE) SWABI

Mst. Ms: shahzadi Qaira BPS:12 GGHSS Jalbai Swabi.



Annexure 'A'
(62)

DISCIPLINARY ACTION

I, Sofia Tabassum, District Education Officer (Female) Swabi, as Competent Authority, am of the opinion that Mst. Shahzadi Qaria BPS:12 GGHS Jalbai Swabi has rendered herself liable to be proceeded against, as she has committed the following act/omissions within the meaning of Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011.

STATEMENT OF ALLEGATIONS

- i. That she has made herself appointed/inducted as Qaria under deceased children quota at GGHS Jalbai district Swabi vide fake appointment order Endst No: 4525-29 dated swabi the 11-09-2019 on extraneous grounds in violation of rules, law and policy and actualized her appointment through fraud, backdoor influence and collusion.
 - ii. That neither her father was employee of Elementary and Secondary Education Department nor died during service, while she has shown to have been appointed under deceased employee children quota through fake, bogus and self-fabricated documents.
 - iii. That she got released her pay through fake, bogus and fabricated pay release certificate vide Endst No: 5380/DA-II Dated: 07-09-2019, showing to have been issued from the undersigned through the abetment and connivance of the concerned offices.
 - iv. That being a fake employee, no record of her test, interview, merit list existed in this office and has neither been considered nor recommended by the DSC committee.
 - v. That neither she applied to these posts nor did her name exist in the merit list, even though she got herself inducted through fraud and bogus appointment order either by deceiving the system or with the abetment of some officials of the concerned offices.
 - vi. That she has ceased to be efficient and is guilty of misconduct, dishonesty and is liable to be proceeded under the rules for the charges given here in above.
2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry has been initiated consisting of Mr. Iftikhar Ul Ghani, BS-19, DEO (M) Buner as inquiry officer under Rule 10 (1) (a) of the ibid Rules.
3. The Inquiry Officer shall in accordance with the provision of the ibid rules provide reasonable opportunity of hearing to the accused, record its findings and make within fifteen days of the receipt of this order, recommendations as to punish or other appropriate action against the accused.
4. The accused and a well conversant representative of the Department shall join the proceedings on the date time and place fixed by the inquiry committee.

ATTESTED

(SOFIA TABASSUM)
DISTRICT EDUCATION OFFICER
(FEMALE) SWABI

Mst. Shahzadi Qaria BPS:12 GGHS Jalbai Swabi.

29/3/54

[Handwritten signature]

1. The fact finding inquiry is being held in the presence of the concerned parties.
 2. The inquiry is being held in a fair and impartial manner.
 3. The inquiry is being held in a timely manner.
 4. The inquiry is being held in a confidential manner.
 5. The inquiry is being held in a manner that is consistent with the principles of natural justice.
 6. The inquiry is being held in a manner that is consistent with the provisions of the relevant law.
 7. The inquiry is being held in a manner that is consistent with the interests of justice.
 8. The inquiry is being held in a manner that is consistent with the public interest.
 9. The inquiry is being held in a manner that is consistent with the requirements of the relevant law.
 10. The inquiry is being held in a manner that is consistent with the principles of good governance.

(63)
 R.
 Director

Director
 Mysore
 Mysore

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Amicus T
OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) SWABI
(Office phone No 0938280339 Email emist/swabi@yahoo.com)

(66)



NOTIFICATION.

1. WHEREAS Mst. Shehzadi Qaria, GGHS Jalsai 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 was ordered vide Director Elementary & Secondary Education letter No. 5552-54 dated 17-05-2024 with the subsequent pursuant office order of this office issued vide No. 1203-G dated 18/5/2024, comprising of Iftikhar Ul Ghani, BPS-19, DEO (M) Buner to conduct formal inquiry against the accused teacher, for the charges levelled against her in accordance with the rules.
3. AND WHEREAS the Inquiry Officer after having examined the charges, evidence on record, irregular/fake appointment and pay release orders conducted a comprehensive inquiry and submitted report.
4. AND WHEREAS a show cause notice was served upon Mst. Shehzadi Qaria, GGHS Jalsai vide letter endst: No.1601-03 dated 11-07-2024 through registered cover, No.1082, RGI. 124325632 wherein, the accused teacher was required to submit her written reply within seven(07) days.
5. AND WHEREAS, the delinquent teacher neither submitted any reply of the showcause notice nor bothered to appear before the competent authority.
6. AND WHEREAS, inspite of no reply to showcause notice, another opportunity was given and she was called for personal hearing vide this office letter No.1668 dated: 20-07-2024 under registry No.336 RGI. 124333625 daied 20-07-2024.
7. AND WHEREAS, the Competent Authority (District Education Officer) after having considered the charges and evidence on record, inquiry report, no response to the Show Cause Notice and absence from personal hearing, is of the view that the charges against the accused Teacher have been proved.
8. NOW, THEREFORE, in exercise of the powers conferred under Section 14(5) of Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules 2011, 1, Sofia Tabassum, District Education Officer as the Competent Authority, am pleased to impose major penalty of "Removal from Service" upon Mst. Shehzadi Qaria, GGHS Jalsai under Rule-4, sub-rule (b) (iii) Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules 2011 with immediate effect.

(Sofia Tabassum)
District Education Officer
(Female) Swabi.

Endst: No. 1727-32/ Dated: 25/07/2024.

Copy for information to: -

1. Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
4. District Accounts Officer Swabi.
5. District Monitoring Officer(EMA) Swabi.
6. Principal/Head Mistress Concerned.
7. Teacher Concerned.
8. Master File.

ATTACHED

(Sofia Tabassum)
District Education Officer
(Female) Swabi.

Annexure "U"

(67)

Director Elementary and secondary Education
Peshawar Khyber Pakhtunkhwa

SUBJECT


DEPARTMENTAL REPRESENTATION/APEAL
AGAINST ORDER DATED 25-07-2024

Respected Sir/Madam,

1. That I am being applicant appointed on the post of Qaida at District Education Office (Female) Swabi on deceased son/daughter quota under Rule 10(4) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 after completion of all codal and legal formalities for the said post.

1719
9-8-2024

RULE 10(4): Where a civil servant dies or is rendered incapacitated or invalidated permanently during service or retired on medical board, notwithstanding the procedure provided for in sub-rule (2), the appointing authority may appoint one of the children of such civil servant or if the child has not attained the age prescribed for appointment in Government service, the widow or wife as the case may be, of such civil servant, to posts in any of the basic pay scales 3 to 11 in Provincial cadre post basic pay scales 3 to 12 in District cadre posts:
Provided that the child or the widow or wife, as the case may be, possesses the minimum qualification prescribed for appointment to the post:



(Better copy)

(68)

To,

Director Elementary and secondary Education
Peshawar Khyber Pakhtunkhwa

**SUBJECT: DEPARTMENTAL REPRESENTATION/APPEAL
AGAINST ODER DATED 25-07-2024**

Respected Sir/Madam,

1. That I am being appellant appointed on the post of Qaria at District Education Office (Female) Swabi on deceased son/daughter quota under **Rule 10(4) of the khyber pakhtunkhwa civil servants (appointment, promotion & transfer) rules, 1989** after completion of all codal and legal formalities for the said post.

RULE 10(4): *Where a civil servant dies or is rendered incapacitated or invalidated permanently during service or retired on medical board, notwithstanding the procedure provided for in sub-rule (2), the appointing authority may appoint one of the children of such civil servant or if the child has not attained the age prescribed for appointment in Government service, the widow or wife as the case may be, of such civil servant, to a posts in any of the basic pay scales 3 to 11 in Provincial cadre post and basic pay scales 3 to 12 in District cadre posts:*

Provided that the child or the widow or wife, as the case may be, possesses the minimum qualification prescribed for appointment to the post:

[Signature]
ATTENDED

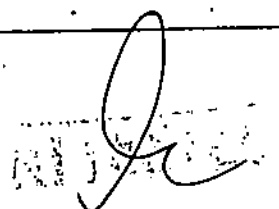
(69)

Provided further that if there are two widows or wives of the deceased civil servant, as the case may be, preference shall be given to the elder widow or wife:

Provided also that appointment under this sub-rule is subject to availability of a vacancy and if more than one vacancies, in different pay scales, are available at a time and the child or the widow or wife, as the case may be, possesses the qualifications eligible for appointment in more than one post, such child or the widow or wife, as the case may be, shall ordinarily be appointed to the post carrying higher pay scale:

Provided also that the provision of this sub-rule shall not be applicable to posts falling within the purview of the Commission.

2. That I have been performed my duties as a teacher with the entire satisfaction of my high-ups since 2019 and no complaints as such as filed against me and there is no absentia available during my service period.
3. That there is no misconduct and other irregularities available on my whole service record while performed my duty regularly and with punctuality.
4. That the appellant served in Department with the best of his ability and commitment for almost five years.
5. That the appellant was regularly performing her duty and receiving her salary vide her pay release with deduction of GP Fund.
6. The appellant appointed by the competent authority and then the respondent DEO Female violated and neglected the order



(70)

order regarding the stoppage of salary which is clearly misconduct and the respondent is liable for penal consequences.

7. That there is no opportunity of being heard was given to the appellant which is against the law and natural justice '**audi Alteram Partem**' (That no one should be condemned unheard)
8. The fair trial is the fundamental right of appellant under article 10A of Constitution of Islamic Republic of Pakistan 1973 which is clearly violated by the DEO Female Swabi.
9. That on meanwhile the District Education Office (Female) Swabi issued ultra virus and mala fiddly impugned order dated 23/02/2022 regarding stoppage of salary through pay Code No. 00926676 without giving any prior show cause notice and being heard.
10. That the during pendency of the ibid writ petition the DEO (female) illegally disowned the appointment order of the appellant and further feeling aggrieved filed the a appeal no.1764/2022 before the Khyber Pakhtunkhwa Service tribunal and the same was decided on dated 13-02-2024 on the following direction i.e reinstatement of appellant and conducting of de nova inquiry, important paragraph of the ibid judgment is as under for ready reference.

In view of the above legal finding we are, therefore, without further

ATTORNEY

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the impugned orders dated 05.08.2022 08.10.2022 and remand the instant service appeal as well as connected service appeals back to the respondents to conduct proper inquiry under the Khyber Pakhtunkhwa Government servants (efficiency & Discipline) Rules, 2011. The question of back benefits shall subject to the outcome of inquiry. Cost shall follow the event. Consign.

11. That the respondent partially complied with the order of the worthy tribunal and failed to the extent of, to issue reinstatement order of the appellant which is compulsory for the de nova inquiry because without issuance of reinstatement order the appellant has not been consider as civil servant and the respondents has no authority to conduct inquiry of private persons.
12. That the respondent after the unlawful inquiry imposed a major penalty of **removal from service** dated 25/07/2024, which is against the law and norm of justice because the respondent deliberately send the show cause notice of the appellant to the wrong school and same show cause notice delivered to the appellant after 22 days by the head master of the same school with report of delay for proof and thereafter the appellant filed a reply of the show cause notice but the same was turn down by the respondent due to delay. **(Copy of the impugned order No.1727-32/ dated 25/07/2024 along with head master report are attached)**
13. That all the impugned orders are illegal unlawful and against the natural justice. **(copy of the all necessary documents are**

ATTESTED


(72)

14. That the petitioner is only earning hand of his entire family and there is no source of income.
15. That equal treatment before law and protection of law is an inalienable right of the petitioner.
16. That being aggrieved from the instant order, I approached before your worthy office for redressal of my grievance and may kindly accept my appeal.

It is, therefore, requested that the impugned order no. 1727-32/ dated 25.07.2024 may kindly be set aside and reinstated the appellant with all the back benefits.

Yours Obediently,

Shahzadi


SHAHZADI

Handwritten notes and signatures, including a signature at the top right and a date '1/20' in the middle.

پشاور بار ایسوسی ایشن کے صدر اور چیئرمین کی طرف سے

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| <p>پشاور بار ایسوسی ایشن</p> | |
| <p>تاریخ: _____</p> <p>وقت: _____</p> <p>مکان: _____</p> <p>موضوع: _____</p> | <p>مقدمہ: _____</p> <p>مستند: _____</p> <p>مستند (Respondent): _____</p> <p>مستند (Appellant): _____</p> |

پشاور بار ایسوسی ایشن

پشاور بار ایسوسی ایشن کے صدر اور چیئرمین کی طرف سے

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پشاور بار ایسوسی ایشن

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