Appeal No.1120/2018

Date of Institution ... 07.09.2018

Date of Decision ... 05.04.2019

Zarsa Gul son of Darya Khan, C.T Teacher, Government High School, Garyum District North Waziristan. (Appellant)

VERSUS

District Education Officer, Miran Shah North Waziristan and two others.
.... (Respondents)

Present.

Syed Wilayat Ali Shah Bukhari,

Advocate ... For appellant

Mr. Muhammad Riaz Khan Paindakhel,

Asstt. Advocate General ... For respondents.

MR. HAMID FAROOQ DURRANI, MR. HUSSAIN SHAH,

. CHAIRMAN

.. MEMBER

JUDGMENT

HAMID FAROOQ DURRANI, CHAIRMAN:-

1. The appellant is aggrieved of orders passed by respondent No. 1 on 30.01.2018 and 30.08.2018, whereby respectively, the service of appellant was dispensed with and his pay was stopped. It is also the grievance of appellant that his departmental appeal was not responded to by the competent authority.



- 2. The facts, as gatherable from memorandum of appeal are that the appellant applied for the post of C.T against an advertisement published by respondent No. 1 in the year 2013. He qualified the requisite test and secured position at S.No. 1 of the merit list. However, he was not issued the appointment order. In the year 2016, respondent No. 1 again advertised various vacancies for teachers and the appellant applied for the post of C.T. He appeared in the N.T.S test and qualified the same. He was issued the requisite appointment order as C.T (BPS- 15) on 17.10.2017 and on the same day took charge of the post at Government High School, Garyum. The appellant received a letter dated 30.01.2018 issued by respondent No. 1, whereby, his service was dispensed with without any cogent reason. Consequently, the appellant submitted departmental appeal before the Director of Education FATA followed by reminder which remained un-responded. Pertinently, the appellant was not stopped to perform his duty after 30.01.2018 and continued as such till 30.08.2018 when the District Education Officer, North Waziristan required the Headmaster GHS Garyum, North Waziristan to stop his salary.
- 3. We have heard learned counsel for the appellant, learned Assistant Advocate General on behalf of the respondents and have also gone through the available record.

Learned counsel for the appellant straight away referred to order dated 30.01.2018 passed by respondent No. 1, wherein, it was noted that service of appellant was being dispensed with for the reason that the post was not mentioned in the NTS advertisement. Learned counsel thereafter took us to the copy of advertisement published in Daily "Mashriq" on 22.1.2016 and pointed out that at S.No. 4 of the advertisement the post of C.T was duly noted. He also contended that after his appointment, the appellant duly took charge on 17.10.2017 and started performing his duty. Similarly, his salary in the said capacity was started. In case there was any irregularity in the appointment of appellant and/or others, only the appointing authority was to be blamed, it was added. The learned counsel relied on judgments reported as 2006-SCMR-678, PLD 2013 Supreme Court 195 and 2011-PLC(CS)331. He also stated that the appellant was never provided with any opportunity to defend himself nor any proceedings were ever taken against him in accordance with law.

Learned Asstt. A.G, on the other hand, contended that an enquiry was duly conducted against the officers who were instrumental in making dubious appointments including that of the appellant. He took us to the relevant advertisement and contended that for the post of CT the candidates were required to be from Tehsil in which the post was vacant. As there was no vacant post of C.T in Tehsil Garyum the appellant was wrongly appointed. In his view, the service of appellant was rightly dispensed with in the circumstances of the case.



- 4. We have attended to the available record including the parawise comments submitted by respondents No. 1 & 2. In the said comments it was, inter-alia, noted that the advertisement made in the year 2013 where-against the appellant applied in the first instance, the whole recruitment process was declared null &void due to malpractice committed by the then Agency Education Officer, North Waziristan Agency. It was also made part of the reply that although the appellant was one of the successful qualified candidates for the post of C.T there was no vacant declared/mentioned post of C.T in Tehsil of Garyum, therefore, the appellant was wrongly appointed on 17.10.2017. It was also admitted that although the appointment of appellant was against the rules/policy despite his salary was regularly being released till respondent No. 1 issued another office order and reminded the Headmaster GHS Garyum regarding the termination of service of appellant. The respondents, in the circumstances, had clearly admitted the appointment of appellant against the post of C.T, to have been made in accordance with his merits score. The availability of post was, however, disputed.
- 5. We have also considered the terms and conditions contained in the relevant advertisement, wherein, at S.No. 1 it was required that all the candidates must possess their domicile certificates and NIC with permanent residence of concerned Agency while for the <u>PST post</u>



(underlining is applied), the candidates must belong to Tehsil in which the post was available. In view of the said condition the argument of learned AAG appears to be misconceived as the second part of the condition was not made applicable to the candidates applying against the C.T post and undoubtedly, the appellant was one of those. The said condition, therefore, could not be stretched to apply to the candidates against C.T posts.

We have also attended to the appointment order dated 17.10.2017, 6. wherein, it was clearly noted that ensuing the recommendations of N.T.S and minutes of D.S.C meeting the appellant was appointed as C.T in GHS Garyum at Tehsil Garyum. On the other hand, the revised final merit list prepared in the office of Agency Education Officer North Waziristan Agency, Miran Shah on 10.08.2016 and signed by the Chairman as well as six members though contained the name of appellant at S.No. 1, it provided a foot note in terms that there was no vacant C.T post in Tehsil Garyum. Despite, the appointment order of appellant was issued. In the circumstances, when clear order was issued in favour of the appellant and consequently he started performing his duty against payment of salary, the appellant could not have legally been dislodged from his employment, purportedly, on the count of some technicality or non-availability of post at the relevant time. In fact, the appointing authority and the officers involved in the process were required to be dealt with in accordance with law for their irresponsible



act. Pertinently, the order dated 30.01.2018 is liable for setting aside on account of its contents alone.

7. For what has been discussed above, we allow the appeal in hand as prayed for in its memorandum. Consequently, the impugned orders dated 30.01.2018 and 30.08.2018 are hereby set aside.

Parties are left to bear their respective costs. File be consigned to the record.

(HAMID FAROOQ DURRANI) CHAIRMAN

(HUSSAIN SHAH) MEMBER

ANNOUNCED 05.04.2019



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1	Date of	Order or other proceedings with signature of Judge or Magistrate
S.No.	order/	and that of parties where necessary.
	proceedings	
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1	2.	3
		Present.
	05.4.2019	Syed Wilayat Ali Shah Bukhari, For appellant
		Advocate
		·
	•	Mr. Muhammad Riaz Khan Paindakhel,
		Astt. Advocate General For respondents
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		Vide our detailed judgment, we allow the appeal in hand
		as prayed for in its memorandum. Consequently, the impugned
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20.02.2019

Appellant with counsel and Mr. Muhammad Jan learned DDA alongwith Muhammad Shareef AADEO for the respondents present. Learned counsel for the appellant requests for adjournment. Adjourned To come up for arguments on 05.04.2019 before D.B

Member

13.09.2018

Syed Wilayat Ali Shah, Advocate counsel for the appellant present heard in limine.

Contends that the appellant was appointed in accordance with the law but later on his services was dispense with without adopting legal procedure and affording him opportunity of hearing.

Points raised need consideration. The appeal is admitted to full hearing, subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 08.11.2018 before S.B. Notice of stay application be also issued for the date fixed.

Appellant Deposited Security & Process Fee

Chairman

08.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 26.12.2018. Written reply received on behalf of respondent No.1 by Mr. Naseem Mehmood AAEO and placed on file.

READER

26.12.2018

Learned counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General alongwith Naseem Mehmood AAEO present and submitted written reply on behalf of respondents No.1 & 2. Learned AAG stated that respondent No.3 relies upon the same. Adjourn. To come up for rejoinder if any and arguments 20.02.2019 before D.B. 11

Member

Form- A FORM OF ORDER SHEET

Court	: of		
		•	•
Case No	_	1120 /201	8

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/09/2018	The appeal of Mr. Zarsa Gul presented today by Syed Wilayat Ali Shah Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.
2-	7-9-18	This case is entrusted to S. Bench for preliminary hearing to
	·	be put up there on 12 -18. MA MEMBER
. 1	1.09.2018	Syed Wilayat Ali, Shah, Advocate present and
		submitted an application for fixation of the instant appeal on 13.09.2018 instead of 12.09.2018. Application is allowed and the case is fixed on 13.09.2018 for
	\$	preliminary hearing before S.B.
	• •	Chairman

Service Appeal No. 1120 /2018

Zarsa Gul**Appellant/petitioner**

VERSUS

District Education Officer & others Respondents $\underline{I \ N \ D \ E \ X}$

S.No	Description of Documents	Annexure	Pages
1.	Service Appeal	,	1-9
2.	Affidavit		10-11
3.	Addresses of Parties		12
4.	Application for suspension with affidavit		12/1
5.	Copy of the advertisement and copy of the shortlist	A & B	13-14
6.	Copy of advertisement	C	15
7.	Copy of the result	D	.16
8.	Copy of appointment order is attached as annexure E	E	17
9.	Copy of charge assumption report	F	18
10.	Copy of the impugned order	G	19
11.	Copy of the department appeal	Н	20-24
12.	Copy of reminder	Ι	25
13.	Copy of the 2nd reminder	S J	26
14.	Copy of the impugned letter	K	
	dated 30/08/2018		27
15.	Copies of Degrees and	L	
	experience certificates		28-44
16.		M	45-51
17.	Wakalat Nama		52

Appellant (Zarsa Gul)

Through

Date: 06-September-2018

Syed Wilayat Ali Shah Bukhari

Advocate, Peshawar

supreme court of Pakistan

Service Appeal No. 1120 /2018

Diary No. 1912018

Zarsa Gul S/o Darya Khan, C.T Teacher, Government High School Garyum, District North Waziristan**Appellant**

VERSUS

- 1. District Education Officer, Miran Shah, North Warisitan,
 - 2. Director of Education, FATA Khyber Pakhtunkhwa, Peshawar
 - 3. Secretary to the Government of Khyber Pakhtunkhwa, Elementary and secondary Education, Civil Secretariat, Peshawar.Respondents

Filedto May
Registra To

APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT, 1974, AGAINST THE ORDERS OF THE RESPONDENT NO. 1 DATED 30/01/2018 AND THE ORDER DATED 30/08/2018, WHEREBY THE SERVICE OF THE APPELLANT WAS DISPENSED AND HIS PAY WAS STOPPED WITHOUT ANY LAWFUL AUTHORITY.

Prayer in appeal:-

Setting aside the impugned orders dated 30/01/2018 and 30/08/2018, the Appellant may kindly be allowed to continue his service as C.T Teacher at Government High School Garyum and continue to draw his salary.

Sheweth:-

The Appellant respectfully submits as under:

- 1. That the Appellant for the first time applied for the post of C.T Teacher in 2013, with the qualification of MSc Chemistry/C.T certificate, as per advertisement of the Respondent No. 1. (Copy of the advertisement and copy of the shortlist is annexed as Annexure A & B). The Appellant appears at serial No. 1 of the said list. It is sorrowful to note here that inspite of higher qualifications and experience the Appellant was not appointed as C.T.
- 2. That 2016, the Respondent No. 1 advertised various vacancies of teachers including C.T teachers. (Copy of advertisement is annexed C)

- 3. That the Appellant applied for the post of C.T and appeared in the NTS Test under Roll No. 38400413, and passed the test and stood 1st. (Copy of the result is annexed as D)
- 4. That on account of qualifying the test as mentioned above, the Appellant was appointed as C.T Teacher in BPS 15, vide Order No. 6823-45 dated 17/10/2017. (Copy of appointment order is annexed as E). The Appellant took the charge of his post on the same day i.e. 17/10/2017 at Government High School Garyum. (Copy of charge assumption report is annexed F)
- from the Respondent No. 1, bearing No. 524-30/NTS/CT/AEO/NWA dated 30/01/2018, whereby the service of the Appellant were dispensed without any cogent reason. (Copy of the impugned order is annexed as G)
- 6. That the Appellant was deeply shocked by the impugned order dated 30/01/2018, which was received by him as a bolt from the blue. However, the Appellant filed a departmental appeal before the Director of Education FATA (Now Director of Elementary & Secondary Education KPK) on

14/02/2018). (Copy of the department appeal is annexed as H)

- 7. That due to merger of FATA into the Province of Khyber Pakhtunkhwa, the Appellant submitted a Reminder to the Respondents with a copy of departmental appeal on 26/07/2018 for the decision of his departmental appeal. (Copy of reminder annexed as I)
- 8. That on 05/09/2018, the Appellant submitted an other reminder to the Respondents for the decision of his case. (Copy of the 2nd reminder annexed as G)
- 9. That as the impugned order dated 30/01/2018, was an illegal order, therefore, the office of the Respondent No. 1, allowed the Appellant to continue his service at Government High School Garyum. Therefore, the Appellant has been working efficiently and effectively in place of his duty.
- That the Appellant while working as C.T Teacher at Government High School Garyum, now received a very strange and incredible letter from the Respondent No. 1, for the stoppage of Appellant's pay. (Copy of the Impugned Letter/order dated 30/08/2018 is annexed as K)

- 11. That the impugned order/letter dated 30/08/2018 is the result of annoyance caused by the departmental appeal and subsequent reminders of the Appellant which have fully exposed the irregularities and guilt of the office of the Respondent No. 1.
- 12. That so far the departmental appeal has not been decided by the competent authority, therefore, the Appellant has no other option open to him but to file the instant Appeal before this Honourable Tribunal for the redress of his grievances on the following amongst the other grounds:

GROUNDS:-

- A. That the Impugned Order dated 30/01/2018 and 30/08/2018 are illegal, void, arbitrary, malafide and as such without lawful authority.
- B. That both the Impugned Orders have been passed in the colourful exercise of power for collateral purposes without contemplated by law and as such of no consequences what so ever being malafide out and out.
- C. That the Appellant is much more qualified then that of the prescribed qualification of C.T. post. (Copies of degrees and experience certificates are annexed as annexure L). He was fully fit for

appointment in 2013, but he was not appointed. Again in 2018, his services were dispensed with after his appointment. All these irregularities represent maladministration on the part of the Respondents, especially the Respondent No. 1.

- D. That sensing the ineffectiveness of the Impugned Order dated 30/01/2018, the office of the Respondent No. 1 allowed the Appellant to continue his service. As such the operation of the impugned order was stopped by the Respondent No. 1 himself. The Appellant has been working as C.T Teacher at Government High School Garyum till date.
- the Impugned Order dated 30/08/2018, That Ε. whereby the pay of the Appellant has been stopped is evident of the fact that the earlier impugned order dated 30/01/2018 malafide being implemented the by concerned authority (Respondent No. 1)
- F. That the case of the Appellant comes under the purview of the locus poententioe. The vacancies of teachers were advertised by the Respondent No. 1, and the Appellant qualified the NTS test for the post of C.T. (the said post was upgraded by the Government from BPS-9 to BPS-15) and as such the Appellant on account of qualifying the NTS test was appointed as C.T in BPS-15. It was all legal process.

Therefore, the impugned orders dated 30/01/2018 and 30/08/2018 are the negation and violation of a legal process under which the Appellant had been appointed as C.T Teacher. The Appellant was regularly appointed as C.T. Teacher and he has been drawing his salaries through the Audit office Miran Shah. (Copy of Pay roll annexed as M)

- G. That non decision on the departmental appeal represents inefficiency of the office of the competent authority.
- H. That both the Impugned Orders are against all the laws and ethics and not sustainable in the eye of law, therefore, these orders are liable to be set aside.

It is, therefore, most humbly prayed that setting aside both the Impugned Orders dated 30/01/2018 and 30/08/2018, the Appellant may kindly be allowed to continue his service and draw his pay as per rules and this appeal may please be accepted in favour of the Appellant and against the Respondents with costs.

Appellant (Zarsa Gul)

Through

Syed Wilayat Ali Shah Bukhari Advocate, Peshawar

Date: 06-September-2018

C.M No	/2018
In	
Service Appea	al No. /2018
Zarsa Gul	Appellant/petitioner
	VERSUS
District Educ	eation Officer & othersRespondents

APPLICATION FOR SUSPENSION OF THE OPERATION OF IMPUGNED ORDERS DATED 30/01/2018 & 30/08/2018 OF THE RESPONDENTS, TILL THE FINAL DECISION OF THE SERVICE APPEAL*

Respectfully Sheweth:

- 1. That the above noted service appeal is being filed before this Hon'ble Service Tribunal, in which no date of hearing has yet been fixed.
- 2. That the Appellant has got a good prima facie case in his favour, and is sanguine about its success.

- 3. That the balance of convenience also lies in favour of the Appellant.
- 4. That if the orders dated 30/01/2018 & 30/08/2018 not suspended, the Appellant will suffer irreparable loss.
- 5. That the facts and grounds of the service appeal may kindly be read as an integral part of this application.

It is, therefore, respectfully prayed that on acceptance of this application, the impugned orders mentioned above may kindly be suspended, till the final decision of the service appeal.

ゴスクラープロリレコン6 Appellant (Zarsa Gul)

Through

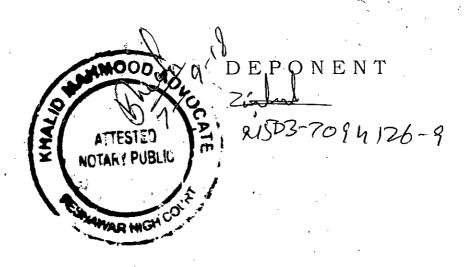
Syed Wilayat Ali Shah Bukhari Advocate, Peshawar

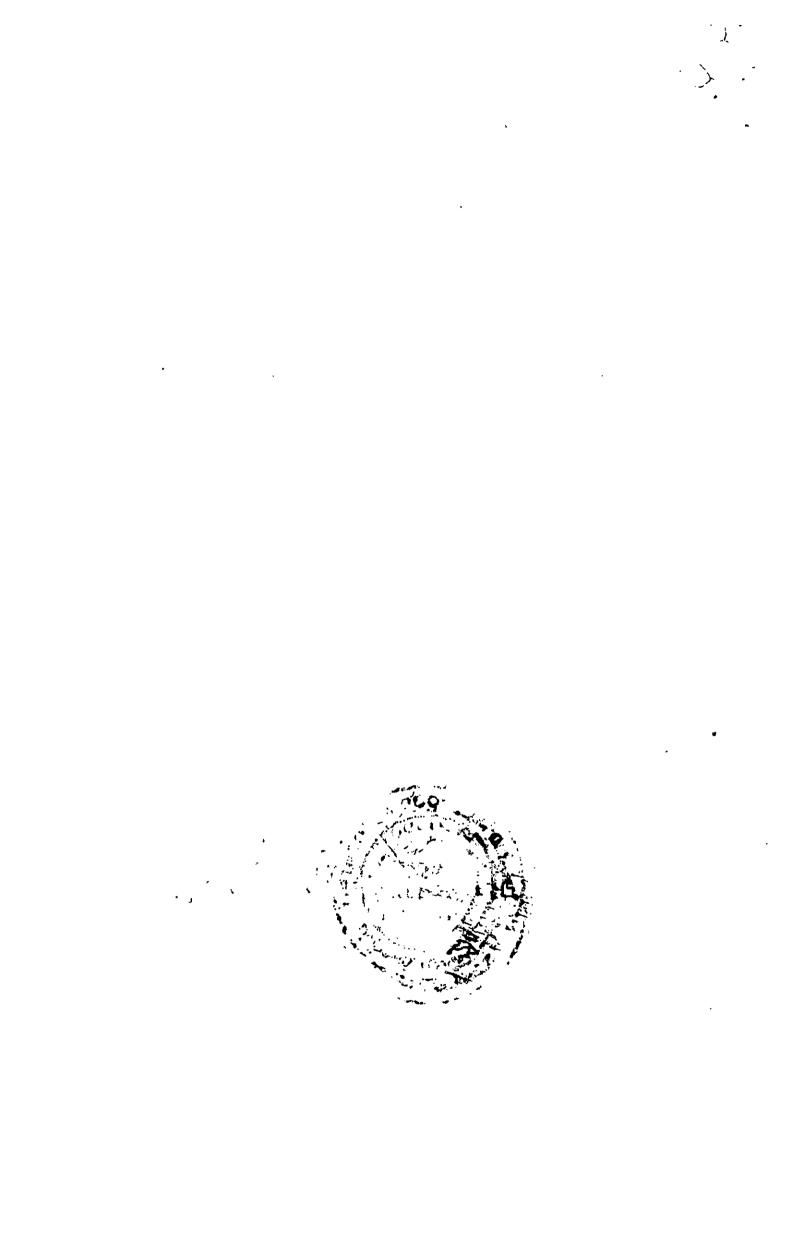
Date: 06-September-2018

C.M No In	/2018
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Zarsa Gul	Appellant/petitioner
	VERSUS
District Educati	on Officer & othersRespondents

AFFIDAVIT

I, Zarsa Gul S/o Darya Khan, C.T Teacher, Government High School Garyum, District North Waziristan, do hereby solemnly affirm and declare on oath that the contents of the accompanying Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

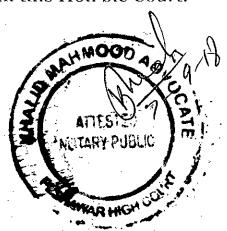




Service Appeal No.	/2018
Zarsa Gul	Appellant/petitioner
	VERSUS
District Education	Officer & othersRespondents

AFFIDAVIT

I, Zarsa Gul S/o Darya Khan, C.T Teacher, Government High School Garyum, District North Waziristan, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT 2.1 21503-7094126-9

Service Appeal No/2	018
Zarsa Gul	Appellant/petitioner
VERS District Education Officer & c	
ADDRESSES (OF PARTIES
APPELLANT Zarsa Gul S/o Darya Khan, C.' High School Garyum, District RESPONDENTS 1. District Education Officer Warisitan,	North Waziristan
2. Director of Education, FA Peshawar	TA Khyber Pakhtunkhwa,
Civil Secretariat, Peshawa	y and secondary Education,
Through Date: 06-September-2018	Syed Wilayat Ali Shah Bukhari Advocate, Peshawar
•	,

ي اليَوَة مَن أَن مِن مَهَالَ وَزِيرِسِمَالُ اللَّهِ كَارِ

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RELAXATION أي وبالكرور وفواش ولالا يحكل من باع عام ورقائل الوهرية الأنكر بوموال الفالورة التول فوالكوم بالإيماء فيرتريت إفزاقو الوفواست ويا كرزت وكري - 4- م الما الماريا المن الكاكرون والمناجل والمناج أي كوي أبراء أبي وأي ها الناجر المناجل الم ا برنده البيار العمادي محلما والمتعالم المتعالم والمتعالم المتعالم المتعالم والمتعالم المركز برك برك بالركان والمركز تعرب بار 12. مودو موکيني دونير (02%) كونتم بيد جس كيني طيز كار في كار المواده (Standing Region) كام للمايت الى مناء الى مناء المرافع الموادي كار الموادي كار الموادي كار الموادي كار الموادي 13-12-23 بيراً. سند كوجي مرب كيلية المياضريكا إلى كـ 14- ويبعد فاتن يعمل بعد في كامن يت يمران دست يمران دست يمران دست يكون المواجعة الميان المين القي يكون المراكة لل واراح ن الميني

مران شامش السامك 13- عرف مد فراش في كراسة كا الرفادي وموك

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ICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY MIRANSHAH SHORT LIST OF TRAINED MALE CT (Tehsil Garyum)

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Member

AAEO, NWA

(Habib Ullah Jan) (Hamid Ullah Jan)

Headmaster, GHS

(Fazal Ghani)

Superintendent, AEO NWA

Member (Akhtar Niaz) . .

Accountant, AEO NWA

(Abdur Razag) Superintendent,

PA Office

Chairman 4

(Muhammad Zaveel Wazir)

Agency Education Officer North Waziristan Agency

Page 1 of 1

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Peshawar Public Service Commission Кһурег Ракћецпкћиа (Sharif Hussain), Secretary

6072 (9) NI

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Area City Branch Taple Tehts Bezar Branch Charachda, Howshera Centit: Branch, Bank Square Branch Mingora

University Campus Branch Perhawar. Saddar Road Stanch, Tehkal Payan Stanch, G.Y Road (Wirklat Abnath, Tehkal)

Degrat, D.I.Khan, Bannu, Karah, Kohat, Hangu, Lakki Marwat, Abboitabad, Haripur, and Main Branches oft Parachines, Mendan, Swabl, Malaband, Shengla, Chinal, Thrangwa,

SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.

(c) Academic and/or Freitsalonal record as the Commission may decide. Written Test in the Subject. (b) General Knowledge or Psychological General Ability Test. (c) - manners galwollot saft to enoyme all ebess ad like gained fresh states to redmun in case the number of applications of candidates is disproportionalely higher than the and certificate shall not be accepted/processed.

semotory the selection with the supplication form, The application form without the proforms proforms and provide the experience certificate available on the Consmission's website situipen eds ni Mi os bazivbs ess ennemers gninkpen steog tol griffigge sestabilines edit the postish if not specifically provided otherwise against the advertised pessish. Experience wherever prescribed state be counted after the minimum qualifications for

And the many street of process and the many streets. Commission and have falled for the post(s) having same qualification, pay scale and Candidates who have already availed three chances by physical appearance before the (s) I so we the right not to fill may at fill more or less than the suveral sed for (s).

ot a particular position noticallistip badinessy muminim act mart moticalities quality lisenotrous session so applicant shall be considered in absentla on paper qualifications unless, haven RISKING GODEXEIS!

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and shares sturm another-Appe to spieces not astab seat onto bestimment it another-Appe and diznest lesson sol bawake si emis estre on se emis niksive bassimdus ed szum anolicalique tyse for mitther need to be submitted to the Commission within 10 days.

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be scrapted, incomplete and like applications also not be accepted which shell be rejected. ron Mark sessatorie to megae raining no traubicolis, as arit Laboricolarios est for illive consultablege rious ons billevini baseklaneo ed likw sineti lanetissi, erit 10 carbinavil kelibbege aki nerit verito kealeside a application form will be required for each advertised category of posts, Application forms Charles will have to pay Me. 15/- (Aupens Missen only) on account of Bank Charges, Seporate Hundend Tighty Five sold) for all ties candidates, in sabilion to the application foe, the bestifies of the UATTONAL BANK OF PAKISTAN, Application fee is 82, 285/- (Rupees 7wo Applications should be on the prescribed application form obtainable from the fisted below stal Permission Certificates about reach within 30 days of the closing date.

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desires applying against disabled poets must attach with their application forms a be required and these should be attached with the application forms. before their adection. Deals Maria Centificates for all the examinations can be necessarily

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СОВВОВЕМБІМ

- - Hanta ykjąs 136 basi 2165/80 du Jyba Note: - Candidates with here site ady applied in casponse to this Commission's

ALLOCATIONS On the Zone-3, 2,4 & 5 and Two to Zone-3. AGE LIMITY: JA to 30 Y 875, PAY SCALE 895-31 ELIGIBILITY BOUNSKIE, .etu sini besingoses e mort

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THEMTHANGE BRANDOW MOIT AUUNDA

ALLOCATION: Merit

AGE LIMIT: ZL to 30 years. PAY SCALE: BYS-12 ELIGIBILITY Semale. age of the maintainful following a recognition is break the colored and complete of the control QUALIFICATION OF the least force fleckelor Degree from recognized University with one year ONE (01) REPTOVER) POST OF FEMALE COMPUTER OPERATOR.

THERETS DEVELOPMENT DEPRIMENT

ALLOCATION: Menu AGE LIMITEZZ TO 30 years PAY STALE BPS-12 ELIGIBILITY: Female.

etutism basingoan recognized Soard; and (b) Three (03) years course Olphoma in Chill Enginesing from a QUALIFICATION: (s) Secondary School Certificate or equivalent qualification from

IN LOCAL GOVERNMENT & R.D. DEPARTMENT. LOUR (OH) (LEFT-LVER) POSTS OF SUB ENGINEER CIVIL (WOMEN QUOTA)

LOCA \$ 10. DEPARTMENT & R.D. DEPARTMENT

MILOCATION: MRTH

ABEE LIMITIZOTO 32 Years, PAY SCALE-595-16 ELIGIBILITY-Both Sexes. typing; and, (16) Knowledge of Computer in using MS Word, MS Exert.

as exversity, [4], bang through of head per solving of principal and about all principal as ONLINEATHORIST and class bachelor degree we neutralent qualification from a recognited

ONE (07) POST SCAIR SCALE STENDGRAPHER CUM-JUDGEMENT WRITER. A LABOUR DEPARTMENT

ALLOCATION: One sech to June-1, 2, 3 and 4

ARE LIMIT: IB to 25 years. PAY SCALESBY-12 SLIGHBILITY-BOTH START. netranis l'eximissi le lesse bestalles e mett typelectes describes il smolgid rany one dier viererfen beringene i ment sniged e'telunte ceal) balleasi 1A (II) BO (Vilensviet) betisgenen ment noticellitus meisrivge to (rissy 40 Tid/226) vjoleschof melitemiolal be shashe terumen all serged toledes traff dat freel at (I):HOITACHILAUD

STHEIGHT OF HUMAN SIGHTS. FOUR, 24) POSTS OF COMPUTER OPERATOR IN YE ALLOCATION: One each to Men't and Zone-L ABLE LIMITABIO 30 Years, PAY SCALE: \$75-16 ELIGIBILITY-BOLD SAXES.

QUALIFICATION: Bachelor'S Jegrae from a recognised University. M. TILATEREZA SUFFICIANO PICA PARTIE PARTIE

THE RESERVE AND PARTY. ALLOCATION: Medic AGE LIMIT: 20 to 30 years. PLY SCALE: EPS-16 ELIGIBILITY-Both Seven. OUALIFICATIONAL Is lead the detail Declare from a recognised University. ONE (DI) POST OF CHICE ASSISTANT IN DIRECTORATE OF HUMAN RIGHTS.

LAW DEPARTMENT AND MALA

ALLOCATION Zone-3. AGE LIMMIT 18 to 30 years. P.F.Y SCALE-BPS-12 ELIGIBILITY-Male. Principle program and vides photography with an established Agency. QUALIFICATION: Intermediate with three years experience of still worting in Computer OHE (01) FO.T OF PHOTOGRAPHER- CUM-CAMERAMAN.

ALLOCATION: One each to Met. C. Zone-L, & Z. ARE LIMITED AS VIOLES FOR SCALE MESSES FOR EXCENDING MESSES. theid interestring and the restriction of the second expension of the contract field. QUALIFICATION:(I) At least 2nd class Master's Degree in Jewinzlism or Mass Communication THREE (63) POSTS OF ASSETTON DIRECTOR INFORMATION/INFORMATION OFFICER.

THEMTRACED WOITAMADENI

ALLOCATION:One each to Zone-2, 4 & S. AGE LIMITAL to 32 years. PAY SCALE: 875-21 ELIGIBILITY BOth Senes.

physics. Chemistry, Commerce, Economics, Mathematics or Statistics as one of the QUALIFICATION: Barbelor's Derzee (at least 2nd Division) from a recognised University in

THREE (03) POSTS OF ASSISTANT INOUSTRIAL DEVELOPMENT OFFICER. JhaM:MottA201JA 2678-9760 AGE UMIT: 21 to 32 years. PAY SCALE: BFS-16 ELIGIBILITY Female

(Jonat QUALIFICATION: Bachelor's Degree from a recognized University with at least 2nd TWO (02) POSTS OF OFFICE ASSISTANTE (FEMALE QUOTA)

ALLOCATION: Fow to Ment and "we set ho Zone-1, 3,3 & 4 and One to Zone-5, ANTELINATION OF SCALES SEE CLICIBILITY BOTH STATES

QUALIFICATION: Bachelor's Digree from a recognized University with at least and

THRITTEE (13) POSTS OI OFFICE ASSISTANT IN INDUSTRIES DEPARTMENT INDUSTRIES & COMMERCE DEPARTMENTS

PERMITTING TO 30 YEAR STALLS YAS A LINE OF STREET, SHALL SOA

from a recognized Board of Technical Education. Protests tans on the transfer of the transfer

AGE LIMIT: 18 to 30 years. PAY SCALE: \$75-15. ELIGISILITY: Emaile Council.

QUALIFICATION:(a) Registered "A" Grade Nurse; and (b) Registered Midwile with Nursing

FEMALE CHARGE HURSE IN HEALTH DEPARTMENT (WSARLED QUOTA) THERTY THREE (33) POSTS (16 FRESH & 12 LEFTOVER) OF

. C & 9-and of dise E. E. E-and of ESL C & Land of these PSL phash of 2011 CHAROLIA AGE UNITED 30 years, PAY SCALE SYSTE, EUGISTITY Smale.

Totaliticality alimbified bestalties for the same where and (b) Registered Michigan Merina William (b) Alimbifue (OF TELABLE CHARGE HURSE IN HEALTH DEPARTMENT

SEAEN HUISDRED AND FIRTY TWO (752) POSTS (743 FRESH & 09 LEFTOVER)

THEM: MOTTANGULA AGE LIMITAR to 30 years, PAY SCALE-RPS-16 ELIGIBILITY-Make. QUALIFICATION: Registered Male Nurse with Paldstan Nursing Council.

(ATOUD GIBAZIO) THERTRAND UTTLE IN HEALTH (DISABLED QUOTIS).

AGE LIMIT: 18 to 30 years, PAY SCALE:8PS-16 ELIGIBILITY-Male

QUALIFICATION: Registured Male Nurse with Palsista Nursing Council (АТООФ 23ПЛЯОМІМ) ТИЗМГЯАЧЗО НТЈАЗН

MINE (09) POSTS OF MALE NURSE IN 元 B F-BroX of these BE bing , E B C-BroX of these Th. E-BroX of Eb. 1119M of JY; NOITA 2011A AGE LIMITLE TO 30 YESTS, PAY SCALESSPS-16 ELIGIBILITY: Male

QUALIFICATION: Registered Male Nurse with Patistan Nurshing Council HEALTH DEPARTMENT (GENERAL QUOTA).

TWO HUNDRED & EIGHTY FIVE (285) POSTS OF MALE MURSE IN SHAM

AGE UMITOZ to 35 years, PAY SCALE: 875-17 ELIGIBILITY Soch Sexes, ALLOCATION: Completion of house Job training QUALIFICATION: M885 or equivalent qualification from recognized university and, [b]

IN HEALTH DEPARTMENT.

THREE (03) (LETTOVER) POSTS OF MEDICAL OFFICER (MINORITIES QUOTA.)

AGE LUMITIZAZIO 35 years, PAY SCALE: 885-13 ELIGIBILITY BOLD Sexes. ALLOCATION:

Completion of house job craining QUALIFICATION: MBES or equivalent qualification from recognized university and, (b)

IN HEALTH DEPARTMENT.

TWO (02) (LEFTOVER) POSTS OF MEDICAL OFFICER (DISABLED QUOTA)

31/PW ACE MAIN 25 to 25 years, PAY SCALE: 8PS-17 ELIGIBILITY South Sexes, ALLOCATION: control administration.

least one year's experience in the manufacturing taching or analysis of drugs or to drug. QUALIFICATION: (f) M-Pharmacy, Of (ii) a-Pharmacy from a recognized University with at

ONE (01) POST OF CHEMIST IN HEALTH DEPARTMENT.

AGE LIMITISTATION AND SEASON OF TRANSPORT ENGINEERING BOOKS ALLOCATION MENT. Agolonical Technology, Insignori e ni zegolonical Technology,

be of a minimum duration of they year with at least one years practical experience as a Sechnology with one of the subject from Foreign recognised University. The course should lesibaM ni 32.8/2.8(s) NO 372 goloidoralM szliebaqz s tabnu nolitritizati gnichsest lesibaM Microbiology as special subject and at least three years experience in Microbiology in a University OR; (b) 8.5c in Medicai Technology from a recognized university with Basingoosi & mott O sharg to nolziviQ bnS vgoloidoraM nl a2.M (s):WOITADHUJAUQ

ONE (01) POSTOF MICROBIOLOGIST IN HEALTH DEPARTMENT.

NOTTATIOLAR LENGTH TO 45 YEAR TO THE BILLIAN SERVICE AND TATIONS. Lactures/Demonstrator in the relevant subject in a recognised Medical/Dental institution. Lectures/Demonstrator; OR (c) BDS (PAR) with ten (10) years teaching experience as es parties subject recognitad by the Council with times (63) years teaching experience as experience in a recognized Methal institution; OR (b) Foxigradusts Minor Olploma in the countil in the respective subject. Preference will be given to persons having teaching QUALIFICATION:(z) MDS (PAK) or equivalent postgraduate quelification recognited by the

(ORAL & MAXILLOFACIAL SURGERY) IN SAIDU MEDICAL COLLEGE, SWAT. ONE (01) PGST OF ASSISTANT PROFESSOR (CLINICAL SUBJECTS) DENTISTRY:

HEALTH DEPARTMENT

JhsM

AGE LIMNT 20 to 30 years, PAY SCALE:875-14 EIJGIBHJTY SKRISS ALLOCATION:

ميدرد زايا يكدروك عزدا من يولي برحز يك تروي ك دليات كل ايجنب الماجعة ، روي ك تروي ك المراجعة وعدا و المراجعة وعدا المراجعة والمراجعة والم فارم NTS کی ویٹ سائے www.nts.org.pk پرد تیاب وی - یادر مسیل کرد ممل اور فتروہ دیاتا سے بعد موسول برو نے والی درخواستوں پرفور قتری کیا جائے

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	السراوية بن في الجريس تكريل والرائية على القريل (أقريل إن إلى الأرابيك الإنجاب الجيمين وساوكرة بيت كوجم تشير شروي الارتاب	(BPS-16)د:دارواد	
21-35-21	(1) کم ہم جملیم شد ور نیورش سے میکند ڈورٹن کھیرڈ گر کن کے سرتھ دورج ڈیل میں سے کی گئی وجنسرشنا کا حالانون ہے۔	ئىزىن ئىل ئىر SST ئىلىنى ئىر SST ئىلىنى ئىلىنىڭ	2
	() فَهِي يَعْمَلِ A (فَ) وَكُن يَعْمَلِ B (قَا) وَكُن يَعْمَلِ (2) كي مَن تَلَيْمَ الإِن أَنْ الدِين المَاسِط الإِنْ المِن المُعْمِلِ الرَّعْمِ المَاسِط المَاسِط المَاسِط المَاسِط المُعْمِلِ المُعْمِلِينَ المُعْمِلِ المُعْمِلِينَ المُعْمِلِينَ المُعْمِلِينَ المُعْمِلِينَ المُعْمِلِينَ المُعْمِلِينَ المُعْمِ	(BPS-16)	•
	إياض الجريش) إليم إساد كالميش إسادي قاليت كم محتشيم شده في يوبي السياحية	(زان امراف)	
35-20 بال	(1) الى الحرى (يكنه دويرت) كر مح تسليم شهوية فاح منعة منهوة العالمية العالم المرية الا المدينظية المناقبة في المستنطقة المناقبة ا	(AT),43,4	3
	(2) كى كالم المبار المائية والمائية والمرائدة المائية والمرائدة المائية والمرائدة المائية والمرائدة المائية والمرائدة المائية والمرائدة المائية والمرائدة والمرائدة المائية والمرائدة والم	(BPS-15)-راندازد	٠.
35-18 مال	والري كي من المبري والدوي عصري فريقيت إدر الدائي والروال المركة في كان المركة والدوي المركة والمركة	(eps.s) r	
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ال-35 ₋₁₈	W. Line		_
راد 35.18 داد 35.18	الى بالى يريد وها الرياد أو الى كالم عور شدالاات الله	۷. ز (XaPs-3) براداریاد)	
	(1) لا الى الى كى كى تليم شدى الله و تكل المراكب المراكب المالية الدالم المراكب المراك	لي الحمل (BPS-10) ما تشور	7
L'ALAINE	(2) إلى بريدايل الى تاريخة دوين بريد وسال يبرى أيت وكرف ال المريض كري المريض العادر عدم المريض المري	(بردادانان)	
0346	جونيق الأله () ال		

وكنفتن وال بلول اور باورة اورج ار مورات المراحة (1) الخراج المدود المراحة التي كارون ستقل مكونت متعاقب المينس كاليون بالمين ورندود السب ي توفيق مج الباسيري المينس في بالمستول عن المين ا خالی ہے، امید ادارگائی تعمل ای سفتل با شدہ سروری ہے (۲) تا میتور اورائے باکر اورائے باکر استان میں مستقبل باشدہ میں اورائے باکر اورائے با ب و المسلسة الناس الناس كارولا عاشرورك منظر (م) متلب شده الهو البياد والروك القري Cercending order of Merit كارتياد يروي كارو) زعاد ميدواد مرواند يرايم كاور فالسكول کی نافیآ سامیوں سے کیے دیٹرا کئیں رہے کئی ہیں(۱) منتیب شدوات بڑو سے لیے induction Training کی بیافیآ سامیوں سے کی دیٹرا کئیں رہے کئی ہیں واس بڑو سے لیے induction Training کی نافیآ سامیوں سے کی دیٹرا کئیں دیٹرا کئیں دیٹرا کئیں ہے۔ (Non-Transferable) وال كا (٨) خوا تن اسيدوار البيخ إلى ينه جرباز وبيدا كل بيش كرسكى جي بير (١) ميريند بات والول كل استاد متعنقذا دار ساسية تعد الإسمران وأكس كاليستاس اللها المسائية المدارة من المسائلة ووالما والمراج المراج ا بھی کواٹ ارمام ل نے کر وکو گی ہو تا کے بیٹر کسی بھی دہ کی بابیز وی طور پر انتواج میں شدہ کرے ہے۔ اور انتقادی کا میں انتخاب کر انتخاب کے میں جسکوں تی جو بھی۔ المنافع المستوق كي يا يديوك (١١٠) محروم يوكوش قا عاكوه المناور الساسل ويوكورو النام المال المنافع السابيون ياس عدام براميد وارجوتي كريد (١٥٠) قام تقرو يال محروم المناوي المناوي المرابية والمرابعة المرامية المنظان عالمات مرت كا تايد برسول (١١) تا منطبي المناصرك مراه سند محتليم شده اوارون كالسال المراك (١١) مركس الديد الدي المناص المنظون المراك تا منطق المراد المراك المرك المراك المرك المرك المرك المراك المرك المراك المرك المراك المرك المراك المرك المراك المرك المرك المراك المرك المراك المرك المراك المرك المراك المرك ال ا كاراي سنت في الحب " في وأي باري كما باست كار (٢٠) در عواست وسينا كا طريق وكاراد بكيبات NTS كا ويب ساست بالمودوق بار (٢٠) يحسوس المرواة بكر الله الله المروكة

For further information, please contact:

UAN: +92-51-844-444-1

National Testing Service-Pakistan

NTS Headquarter: 1-17, Street No.46, Sector 1-8/2, Islamaoad

باغنج نعابسات قبائلى علاقهجات فاثاسيكرثربث ورسك روديشاور



ى خسوسى بدايت پرقوائل فلاقد جارد كوترتى و توشالى كارا و پرتا برن كرن كرن كيك دود كار محت، مواصلات منعت اتبارت وزادعت أبياتي آن وش معد أيات المورز منه عات كالرافق بأ رَبِيتَ كَي بِيَرُوا وَإِنَّ وَتُعْلِمُ فِي تَعْلِيمُ مِنْ مُعَلِّمُ عَلِيمًا وَلِمُوالِ وَثَالِمَتُ مُسِيدًا فَا مِنْ الْمُؤْمِدُ الْمُؤْمِدُ الْمُؤْمِدُ اللَّهِ مِنْ الْمُؤْمِدُ اللَّهِ مِنْ اللَّهِ مِنْ الْمُؤْمِدُ اللَّهِ مِنْ اللَّهُ مِنْ اللَّهُ مِنْ اللَّهِ م ت بزور دارد راان كتام كياع الله بالرين الدارات الفاع كالتيار بهادر سيكر لي فورمز ، ول انتقام إور في والن قبائل أنا لأز وال قرباً فيون عدا من أوك آف او قِلُ إِنَّا يَعِ كُمُرُونَ كُو يُوت وَالْمِنْ كَرَمَا تَعَانَا عَنِي وَكُولُمْ كُولُوكِ آوامِيرُ مُنظِ الع كورز جناب بروارمة اسيد الدفان كابدايت ير

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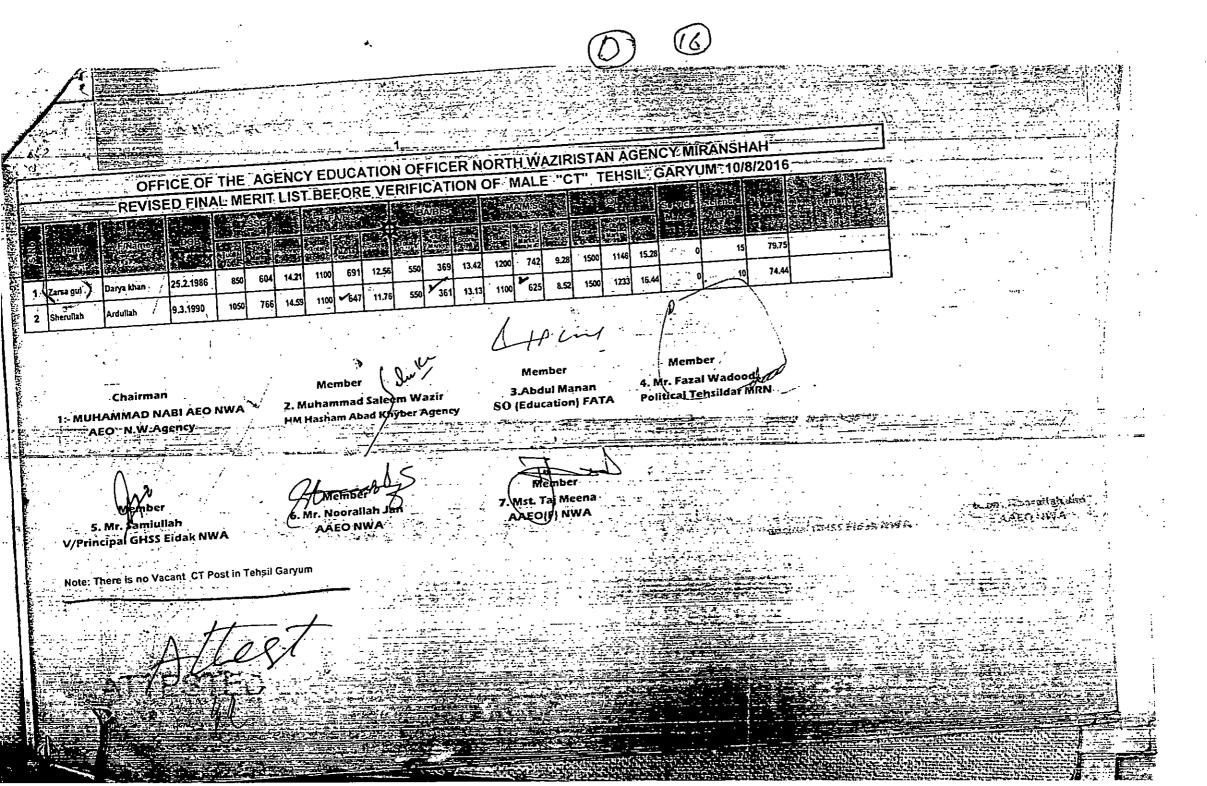
والميام الدامات الماع جارت إلى-

جس کے تحت دورہ راز قباملی عاد قوں کے طلبااور طالبات کرمجی معیاری تعلیم کی ٹراہمی کے لئے ا نَّا نَاكُنُ أَوْنَ مِن مِن مِن مُن مُرْتِنا مِنْ فَي النِن كَ ذِر بِعِيرَ مِنْ فَسِطْرِ لِتِبَدِينَ فَمُرْتِ أ

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OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY

APPOINTMENT ORDER





Consiquent upon the recommendation of NTS and Minutes of the Departmental Selection Committee, the following local candidates are hereby appointed against vacant posts of CT BPS No-15 @ Rs: (16120-1330-56020) per month plus usual allowances as admissible under the rules with effect from the date of their taking over charge in the school noted against their names in the interest of Public services.

S.No	Name	Father Name	Posts	Name of Schools	Remarks	
	: ,		No. of the second		75% Tehsil	25% Орен
1	Khaliq Noor	Fazal Khan	CT	GMS Payo Jan Shewa		Open Merit
2	Syed Naeem Ullah	Syed Khunam Din	CT	GMS Chashma Khadder Khel		Open Merit
3	Anwar Ullah	Fazal Qader	·CT	GMS Bobali Khaisoor		Open Merit
4	Wali Ullah	Mir Ajam Khan	CT	GHS Spulga	M/Shah	орен илен
5	Jamil Ahmad Khan	Ali Muhammad Khan	CT	GMS Khair Killa	M/Shah	
6	Sami Ullah	Abdur Rahim	СТ	GHS Raghzi Killa	M/Shah	
7	Rezwan Ullah	Noor Khan	CT	GMS Pipali Picket	Shewa	
8	Shah Azim	Behram Khan	CT	GMS Pipali Picket	Shewa	
9	Usman	Madar Khan	CT	GMS Land Char Khel	Datta Khel	
10 '	Raza Ullah	Muqabil Khan	CT	GMS Boya	Datta Khel	
11	Zahoor Ullah	Ayaz Khan	CT.	GMS Idal Khel	Datta Khel	
12	Muqadas Khan	Muhammad Ayub	CT	GHS Paryat	Dosalli	
13	Kabir Ullah	Bagh Dad Khan	CT	GMS Gardi Rougha	Dosalli	
14	Sijad Rasool	Sheroz Khan	CT	GMS Tamray Oba	Dosalli	
15	Zarsa Gul	Darya Khan	CT	GHS Garyum	Garyum	

NOTE: 1- S.No-2 & 3 newly appointees are directed to take over charge at GAAPS Hurmaz. 2- S.No 5 newly appointee is directed to take over charge at GAAPS Miran Shah.

TERMS & CONDITIONS

- 1- Charge Report should be submitted to all concerned.
- 2- Appointment of the candidates is made purly on Temporary Basis and is Liable to terminate at any time without any notice.
- 3- If the candidates wish to resign their post they will be give one month prior notice or their pay for one month will be forfieted in lieu thereof.
- 4- Their Documents, Date of Birth, CNIC & Domicile Certificate should be checked before handed over charge of the post and attested thereof may be kept on record of the school.
- 5- They should produce their Health & Age Certificate from the Medical Superintendent AHQ Hospital Miran Shah North Waziristan Agency.
- 6- They may not be handed over charge if they are below 18-years or above 35-years.
- 7- If they fails to report their arrival with in 15-days of the issue of this appointment order then it will be treated as cancelled.
- No salary will be drawn before the verification of all the Acadamic/Professional & testimunials from the Quarter concerned.
- 9- If any tachinical legal flaw is pointed out, the appointment will stand as cancelled.

AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY

Endstt: No.	6823	-45	/NTS-Appt:/CT/ (Male File)/AEO/NWA	/dated 17	/10/2017
			•		

- 1- Director Education FATA, Warsak Road Khyber Pakhtunkhwa Peshawar.
- 2- Political Agent North Waziristan Agency at Miran Shah.
- 3- Addl: Political Agent North Waziristan Agency.
- 4- Agency Accounts Officer (NWA) Miran Shah.
- 5- Principal/Head Master Concerned.
- 6- AAEO Circle Concerned.
- 7- Official Concerned.
- 8- Pay Clerk concerned.

AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY

CHARGE REPORT





Certified that Zarsa Gul has taken over charge of C.T BPS-15 at GHS Garyum.

North Waziristan Agency Appointed vide Agency Education Officer order No6823-45 dated: 17/10/2017 today on 18/10/2017.

Head Master GHS Garyum

Copy to the .

- 1 Director of Education FATA KPK Peshawar.
- 2 Agency Accounts Officer North Waziristan Agency Miranshah.
- 3 Agency Education Officer North Waziristan Agency Miranshah.
- 4 Office Record.

ATESTER



OFFICE OF THE AGENCY EDUCATION OFFICER HORTH WAZIRISTAN ACENCY.

DISPENSING OF SERVICE:

As per direction by Directorate of Education FATA regarding malementation of inquiry apport vide No 708 dated 10/01/2018, the sarvice of Mr. Zarsa Gul S/O Darya Khan CT Teacher GHS Garyum NWA, appointed vide this office No: 6870-45 dated 17/10/2017, at a trial No: 15 is hereby dispensed with the reason that the post is not mentioned in NTS advertisement with immediate effect.

Note: Necessary entry should be made in his Service Documents.

Agency Education Officer, North Waziristan Agency

Endst No: 524-30/NTS/CT/AEO/NWA

Dated: 30/01/2018

Copy to the:

- 1. The Director Education FATA KPK Peshawar.
- 2. The Political Agent North Weziristan Agency Miranshah.
 - 3. The Agency Account Office 1/WA Miranshah.
 - 4. Head Master GHS Garyum NWA.
 - 5. AAEO Circle Concerned.
 - 6. KPO of this office.

Agency Education Officer, North Waziristan Agency

ALFESTET.

warsela. Ridi.

Dinector Education FATA, Secretarily Pesh

BEFORE THE HON'BLE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY MIRAN SHAH.

DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 30/01/2018 NO.524-30/NTS/CT/NORTH WAZIRISTAN AGENCY VIDE WHICH THE SERVICES OF APPELLANT MR. ZARSA GUL SON OF DARYA KHAN R/O TEHSIL GARYUM NORTH WAZIRISTAN AGENCY AS CT TEACHER AT GOVT HIGH SCHOOL GARYUM NORTH WAZIRISTAN AGENCY WERE DISPENSED WITH.

Prayer in Appeal:

On acceptance of departmental appeal in hand order of dispensing with services of appellant may kindly be set aside and the appellant may kindly be allowed to carryout his duties as CT Teacher at Govt High School Garyum North Waziristan Agency.

Respectfully Sheweth:

The appellant submits as follows:

- 1- That I belong to Sham Kaka Khel Tribe of Telisil Garyum North Waziristan Agency.
- 2- That following are my educational Qualification;
 - a) That I passed MSc chemistry from University of Peshawar in First Division.
 - b) That I passed B.Ed, CT, P.ST, relevant professional Degree.

Allest.

- c) As I was interested in Teaching profession, hence I served as Science Teacher in Cadet College Razmak for two years.
- d) That I served as Lecturer in BPS-17 on Adhoc Basis for one year in Govt Degree College Mir Ali North Waziristan Agency.
- e) That I served in National Internship Program at Islamia College Peshawar for one year.
- f) That on 28/04/2013 an advertisement was published in Daily news papers Aaj vide which applications were asked for Education Deptt: for the post of CT, PET, TT etc in North Waziristan Agency were required to be submitted. Merits list was issued and I stood First but I was not considered and I was not posted on one pretext of the other.
- 3- That the candidates belonging to different areas were appointed and thereafter transferred to their home Tehsil.
- 4- That on merit list of 2013 the decision of Hon'ble Peshawar High Court, Peshawar directions were made to appoint candidates on the basis of merit.
- 5- That on 22/01/2016 an advertisement in Daily News papers was made through National Testing Service of Pakistan by Secretary Education Tribal Areas FATA Secretariat Peshawar wherein applications for different categories of teaching staff were published and NTS Test was conducted and I similarly

appeared in NTS Test with Roll No.38400413 and I stood first.

- 6- That as I was not being provided with services, hence on the recommendation of the MNA North Waziristan Mr. Muhammad Aziz the Director of Education Deptt: directed the concerned officials to adjust the appellant on the vacant post of CT if any.
- 7- That vide Letter No. Endstt: No.6823-45 dated 17/10/2017 on the recommendation NTS and Minutes of Departmental Selection Committee as I was posted on vacant post of CT BPS-15, my name appeared on Serial No.15 of the appointment order.
- 8- That I took charge as CT Teacher Govt High School Garyum North Waziristan Agency and from 17/08/2017 till 30/01/2018 I served in the School concerned with great zeal to the best of my abilities and received three months pay and allowances as provided by law and rules.
- 9- That on 30/01/2018 vide Endst: No.524-30/NTS/CT/AEO North Waziristan the services of the appellant were "dispensed with".

ATTESES

10-That I am highly aggrieved from dispensing of service order and request to set aside the order on the following mentioned grounds in departmental appeal:

GROUNDS:

- i- That it is proved beyond any shadow of the doubt I have a very bright academic record throughout my educational career and I obtained first Divisions.
- ii- That in the impugned dispensing of service order is not transparent rather it is a vague order.
- iii- That the impugned dispensing order was so hurriedly made that the wrong appointment Order Number has been mentioned i.e. 6830-45 instead of No.6823-45 is mentioned in the dispensing order.
- iv- That dispensing order is not in accordance with facts of the case because in the advertisement dated 22/01/2016 applications were sought for CT Teachers post and I appeared in NTS Test and stood first.
 - That the order dated 30/01/2018 is against the dictates of law and statutes of services matter and rules because in service Law of Pakistan there is no term of "dispensing of services" is mentioned, hence the impugned order cannot be termed as a speaking one.

Allester

vi- That the impugned order dated 30/01/2018 is liable to be set at naught.

vii- That the plea of the department that the CT Posts were not mentioned in the NTS Advertisement is also not correct because of superficial perusal of the advertisement dated 22/01/2016 will show that the advertisement did in mention the CT Posts.

It is, therefore, humbly prayed that on acceptance of this departmental appeal in hand order of dispensing with services of appellant may kindly be set aside and the appellant may kindly be allowed to carryout his duties as CT Teacher at Govt High School Garyum North Waziristan Agency.

Dated 14/02/2018

Appellant

Zarsa Gul
S/o Darya Khan
R/o Sham Kaka Khel Tribe of
Tehsil Garyum North
Waziristan Agency.
CNIC # 21503-7094126-9
Cell # 0333-1426300

ATTESPER

The Director Education (FATA)
Now Director Elementary & Secondary Education,
KPK, GT Road, Peshawar

Subject:-

REMINDER FOR DECISION OF DEPARTMENTAL APPEAL ON EARLY DATE.

Respected Sir!

That the appellant has preferred a departmental appeal on 14/02/2018 against the dispensation of his services vide departmental order dated 30/01/2018. (Copy of appeal is annexed for ready reference).

As FATA has merged into the province of Khyber Pakhtunkhwa, therefore, now the cases of Ex-FATA Office would be decided by your goodself as competent authority of Education Department through the departmental appeal of the appellant dated 14/02/2018 has not been decided till date, therefore, the same may

No. 942	For Insurance Notices see reverse. Rs. Ps. Stamps affixed except in case of
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Appellant
Zar Sa Gul
S/o Daraya Khan
R/o Sham Kaka Khel Tribe
Tehsil Garyum District North
Wazirsirtan
CNIC No: 21503-7094126-9

CNIC No:- 21503-7094126-9 Cell No:- 0333-1426300

to the Secretary to the Govt: of KPK Elementary & Secondary Education Department Civil Secretariat, Peshawar for information and necessary action to avoid the aggrieved appellant of further hardships as mentioned in his departmental appeal.

ATHESTEL

То

The Director Education (FATA)

Now Director Elementary & Secondary Education,

KPK, GT Road, Peshawar.

Subject:-

SECOND REMINDER FOR DECISION OF DEPARTMENTAL

APPEAL ON EARLY DATE

Respected Sir!

That the appellant has preferred a departmental appeal on 14/02/2018 against the dispensation of his services vide departmental order dated 30/01/2018. (Copy of appeal is annexed for ready reference).

As FATA has merged into the province of Khyber Pakhtunkhwa, therefore, now the cases Ex-FATA Office would be decided by your goodself as competent authority of Education Department through the departmental appeal of the appellant dated 14/02/2018 has not been decided till date.

That on 26/07/2018, a reminder for decision of departmental appeal on early date was served to your goodself vide Registered 1.D, but yet no positive step in deciding the departmental appeal has been taken so far.

Therefore, the same may kindly be decided as an early date.

Dated: - 05/09/2018

Appellant

Zar Sa Gul S/o Daraya Khan

R/o Sham Kakakhel Tribe Tehsil Garyum District North

/intel

Wazirsirtan.

CNIC No:- 21503-7094126-9

Cell No:- 0333-1426300

Note:-

Copy of the above alongwith copy of departmental appeal to the Secretary to the Govt: of KPK Elementary & Secondary Education Department Civil Secretariat, Peshawar for information and necessary action to avoid the aggrieved appellant of further hardships as mentioned in his departmental appeal.

ATTESPEC

Zisld-



OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN TRIBAL DISTRICT.

No. 5598 AEO/NWTD.
Dated 30 / 8 /2018



To

Head Master,

GHS Garyum NW.

K (27)

Subject:

DISPENSING OF SERVICE.

Memo:

As per direction by the Directorate of Education FATA KPK Peshawar regarding implementation of inquiry report No: 708 dated: 10/01/2018 and this office Endst: No: 524-30/NTS/CT dated: 30/01/2018, on the subject cited above.

The Service of Mr. Zarsa Gul S/O Dary Khan CT GHS Garyum appointed by this office No: 6830-45 dated: 17/10/2017 at Serial No: 15 is hereby dispensed with the reason that the Post is not mentioned in NTS 2017 advertisement with immediate effect.

A complaint has been lodged by Luqman Hakeem that Mr. Zarsa Gul S/O Darya Khan CT GHS Garyum is getting pay regularly, although his service is being dispensed (Pay Slip attached).

In the laps of 07 months the accused has been drawn their salary regularly which is against the rules and regulation.

Therefore, you are once again directed to stop the pay of the concerned under intimation to this office immediately and recovery may be made.

DISTRICT EQUENTION OFFICER
NORTH WAZIRISTAN TRIBAN DISTRICT

Endst No: _____AEO/NWA
Copy to the:

Dated: ____/08/2018

- 1. The Director Education FATA KPK Peshawar.
- 2. The Political Agent North Waziristan Agency Miranshah.
- 3. The Agency Account Office NWA Miranshah.
- 4. ADEO Circle Concerned.
- 5. KPO of this office.

DISTRICT EDUCATION OFFICER
NORTH WAZIRISTAN TRIBAL DISTRICT

Ph: No: 0928-313045, Email Add: pakınrn123@gmail.com Add: Bachelor Hostel Civil Colony Miranshah

Accept Yely

ATTESTEL

Countersigned

Political Age

SAL DOMICILE CENTRAL Waziristan



Certified that Mr. /	Miss <u>2ARSAGUL</u>	
Son / Daughter of	DARYAKHAN	
Tribe NAZIR	Sub Tribe KAKAKHEL	1667
Village KAKAKHE	CTehsilGARCAN	
Sub-Division	RALMAK. is bonafide resi	dent of
North Waziristan Agency.		And the second s
Photo	Political Naib Te	hsilda:
	(Name in Block Let TO MOH D TENSITE TO A SOLUTION	
ATTESTED	1 11 001	
Assistant Political Officer	Agents 44 ATTEST	E

(Name in Block Letters)

0/4/1/4/10/10

Date with seal of

MR MOHAMMAR SAVED MARWAY

BOARD OF INTERMEDIATE & SECONDARY EDUCATION, BANNU

SG. No. 102563

DETAILED MARKS CERTIFICATE

SECONDARY SCHOOL EXAMINATION (SCIENCE GROUP)

Session ______ (Annual / Supplementary)

411.411.4	Total Number		MARI	(S OBTAI	SED .
SUBJECT	of Marks Allotted	Theory	Practical	Total	In Words
1. English	150			116	
2. Urdu	150			79	
3. Islamiyat Comp.	75	·		54	
4. Pakistan Studies	75			42.	* .
5. Mathematics	100	·		79	
6. Physics	100	60	20	80	
7. Chemistry	100	53	20	7.3	
8. Biology	. 100	60	2.1	81	,
Total	850		604	17	SIX-H 9

ote: This certificate is issued errors and ommissions excepted.

ipared by 1 Shal

Checked by.

έđ

Controller of Examinations
Board of Intermediate and
Secondary Education, Bannu

ACCOST ATTESTED

s.no. 00559 Roll No: 58206 Board of Intermediate and Becondary Education BANNU N-W.F.P. (PAKISTAN) SECONDARY SCHOOL CERTIFICATE EXAMINATION **SESSION ANNUAL 2001** THIS IS TO CERTIFY THAT ZARSA GUL DARYA KHAN Son/Daughter of GOVT. HIGHER SECONDARY SCHOOL HURMAZ MIR ALI, (N.W.AGENCY). and a student of has passed the Secondary School Certificate Examination of the Board of Intermediate Marks out of 850 and Secondary Education, Bannu. as a REGULAR candidate. He / She obtained and has been placed in Grade A Representing EXCELLENT The candidate passed in the following subjects: CHEMISTRY **MATHEMATICS ENGLISH ISLAMIYAT BIOLOGY PHYSICS PAKISTAN STUDIES** URDU Date of Birth according to admission form is TWENTYFIFTH FEBRUARY, 25/02/1986 one thousand nine hundred and EIGHTY SIX. This certificate is issued without alteration or erasure

Marks Improved Roll No. 14718 eard of Intermediate and Secondary Education Bannu N-W. F. P., (Pakistan) INTERMEDIATE EXAMINATION **SESSION 2004 (Annual) Pre-Medical Group** This is to Cortify that ZARSA GUL BARYA KHAN Student of NORTH WAZIRISVAN ASENCY Registration No. 2110292910505 has passed the Intermediate Examination of the Bound of Intermediate & Secondary Education, Bannu held in MAY, 2004 as a PRIVATE CHARLESTE. He obtteined 651 make out of 1160 and has been placed in Grade B Representing VERY 8885. Date of declaration of Rosalt: 21-27-2004 Proported on: AUGUST 5, 2006

(3)

S.No:

17139

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION, BANNU

Detailed Marks Certificate Intermediate Examination Part-1 & II



Zarsa Gul Names Session: Danyarkham Rather & Name PREMEDICAL Roll No: Group:

\ \frac{1}{2} \ \ \frac{1}{2} \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \					Ma	rks O	otained
Subjects:	Marks.	, Part-l		Part-II		Total	Marks In Words
		Theory	Pract	Theory	Proct		
ENGRISH:	200.	38	! !	54		92	Ninety-Two
JRDMJ	200)	63:		60·		123	One Hundred Twenty-Three
BLAMCEDUCATION	50°	31.	-		ميد	31	Thirty-One
Pakistanistudies:	50:	_	_	32		32	Thirty-Two
HYBICS:	200:	56	17	. 44	17	134	One Hundred Thirty-Four
CHEMISTRY	200	47	20	55	22	144	One Hundred Forty-Four
ZOOHOETY	2000	555	200	37	23	135	One Hundred Thirty-Five

Totall: 1100)

Remarks:

691-B Six Hundred Ninely-One Only

Date: 285/64/2004

NULES EUTEREN KONTERNEN SERVERNEUT

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ALLESTER

Countersigned

Serial No. GU 005535

Result declared on SERTERER 13,



GOMAL UNIVERSITY

DERA ISMAIL KHAN

(N.W.F.P) PAKISTAN



	(Session	2005 Annual	_)	•
ZARSA GUL.	SON of	Į)	arya khan.	
student of	GOVT+ COLLEGE	, Miran shah	(N. ¥.A)	
aving passed the pr	rescribed examination	ı in	JUNE/JUL	v 20 <u>06</u> ,
	ed by the GOMAL			
	BACHELOR O	F SCIEN	CE	٠.
n the FIRST	Division HE	Passed a	lso in	as an
Addational Optional S	ubject/Pakistan Studies	and Islamiy	at as Comp	ulsory Subjects.
The l	 Examination was take	en as a whole	elin parts	
Registered No. 2862	H10305		Roll No.	3914
	ATTES	TED		

FOWAL-UNIVESITY



DERA ISMAIL KHAN

MW.F.P. PAKISTAW

DETAILED MARKS CERTIFICATE

B.Sc. EXAMINATION PART II

Held in June-July 2006 Session 2006/Annual

Roll No: 1914

The Condition required the following marks & has been placed in 1st Division

	Total No of	MARKS OBTAINE		
SUBJECT	Marks Allotted	In Figure	in Words	<u></u>
English	75	•	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	÷
illicung	75	57	Fifty Seven	,
Botony	ļ i			
Physics	75	-	-	
Chewistry Chemistry	75	50	Fifty	
Comments Secure	75	<u>.</u>	<u>'</u>	
Computer Science	/3	7.	29000 1200	
Zoology	75	42	Forty Two	
A Course of Maths	75			
M Come of Malia	75 75 75	• / •		
B Course of Maths	/3 **g			
Statistics	75	-	· 1-	
Geography	75	<u>-</u>		
receion es	75		•	
Reconomics Paksitudies	40	1 7	Array Sa	•
Pak Studies	40	26	Twenty Six	
Aggregate Fart-I	285	194	One Hundred and Ninty Four	السندي السندي
GOLD TO THE PARTY.		1	- The Market and Style Wille	a - p-q-ri

Presult Deal : ration thats Result Declaration Date

19/89/36 19/09/06 The Examination was taken as a Whole/In Parts

Adultional Cantroller of reactive on Adultional Captuoller of Examination City Captuol Compa. University.

Dera Ismail Khan.



المنالح الحائن

University of Peshawar

(Pakistan)

Session Annual 2000

Son/Daugther of Dava Change and Student sprivate candidate of Davis Or Obsiderty, Valvensliv Or Peshawan labing passed the prescribed examination held in Adjust, 2008 is this day admitted by the University of Peshawar to the Degree Master of Science

In

Finer

Division

The Subject of examination being CHEMISTRY

The Examination was taken as a whole frinceparts

Serial No 0016538

Registration 20- 2006-U-1433

Roll Ao. 5499

Result declared on 17TH MARCH, 2009



Registrar -

Countersign

Pice-Chan

Nº 743077



White the state of Pakistan

Detailed Marks Certificate
Master of Science in Chemistry
Final

Annual Examination 2008

Department of Chemistry, University of Peshawar.

Regular

Division:1st

Name: ZAR SA GUL

Father's Name: DARYA KHAN

Gender:Male

Roll No: 5499

Registration No: 2006-U-1433

Papers	Max Marks		Marks Obtained	en la la maga La jalan
4		In Figures	In Words	
Environmental Chemistry	75	45	Forty Five	
Biochemistry of Macromolecules & Techr	100 ,	68	Sixty Eight	ř.
Nutrition/Physiological Chemistry (Bio)	100	58	Fifty Eight	
Microbiology & Immunology (Bio)	100	44	Forty Four	Ţ.
Environmental Chemistry Practicals	25	17	Seventeen	9
Instrumental Methods of Chemical Analys	100	78	Seventy Eight	
Advanced Biochemistry Laboratory	100	78	Seventy Eight	
				. †
				· 1
Previous	600	354	Three Hundred and Fit	ty Four
Final	1200	742	Seven Hundred and Fo	· · · · · · · · · · · · · · · · · · ·

Errors & ommissions are subject to subsequent rectification

The Examination was taken As a Whole

Examination held From 09-Aug-2008 to 13-Sep-2008

Result Declared on Tuesday, March 17, 2009

Issue Date: 21-Mar-2009

11:44 am

Chances Availed: 1

(Dr.Mohamma

(Dr.Mohammad Shafi)

*DDITIONAL CONTROLLER OF EXAMINATIONS

UNIVERSITY OF PESHAWAR

Computerized by RTC Prepared by Computer Cell

Serial No. $\frac{GU}{2}$ 015748

GOMAL UNIVERSITY



DERA ISMAIL KHAN N.W.F.P PAKISTAM

DETAILED MARKS CERTIFICATE

B.Ed 2ND TERM

Examination Held in

October 2009

/Annual

Session: 2008-2009

Roll No:

5226

Name:

Zarsa Gul

SUBJECTS	Total Number	MARKS OBTAINED		
; 	of Marks Allotted	In figures	In words	
Perspective of Edu: & Contemorary Social Issue	s 100	63	Sixty Three only	
Curriculum and Instruction	100	52	Fifty Two only	
Eduactional Technology	100	69	Sixty Nine only	
Teaching of Chemistry	100	62	Sixty Two only	
Individual Project	50	46	Forty Sixually	
Practical Skills	200	164	One:Hundred and:Sixty Founodly	
Aggregate of 1st Term	450	266	Two Hundred and Sixty: Six offy	
			•	
en de la company de la compan		. Y	·	
Total Marks	1100	722	Seven Hundred and Inventor Two willy	

Result declaration date: 18/01/2010

Controller of Examinations Gomal University D.I.Khan. No. 1907 ACS

Dated 2 5/1 2/1/2009

INSTITUTE OF CHEMICAL SCIENCES



UNIVERSITY OF PESHAWAR

Provisional Certificate

This is to certify that

Mr.

Zar Sa Gul

Son of Mr.

Dar Ya Khan

has passed the M-So (Chemistin) Annual Examination-2008 held in

August/September-2008 Herhas secured 142 marks out of 1200 and

obtained 1st division

His specialsfield of study was Biochemistry

He frears good moral chara

Reg. No <u>2006-U-1433</u> Roll No.<u>5499</u> ATTESTEE

Prof. Dy. Muhammad Nisar Director

Institute of Chemical Sciences
University of Peshawar

Serial No. $\frac{GU}{1}$ 002469



GOMAL UNIVERSITY DERA ISMAIL KHAN N.W.F.P PAKISTAN

Registration No:	2862-M/CS-05		
Roll No:	5226	·	
Session:	2008-2009		

Provisional Certificate

· · · · · · · · · · · · · · · · · · ·		v	
This is c	certify that ZARSA GU	JL	
Son / Daughter-of _	DARYA KHAN	•	
of the Department /]	Institute of EDUCATIO	N AND RESEARCH	
has passed B.Ed	<u>:</u>	Examination held in O(CTOBER,2009
in the subject of BA	CHELOR OF EDUCA	TION	
He / She	was placed in	FIRST	division,
Securing	722	marks out of	1100
-		·*	

The Examination was taken as Whole

Result Decleration Date 18-01-2010

CONTROLLER OF EXAMINATIONS
GOMAL UNIVERSITY D.I. KHAN

Stamabad Seral No. Seral N 81412



Certified that Ma / Mo ZARSA GUL

Son / Daughter of DARYA KHAN

Registration To 04 ANW 6064 Roll To 0 687510

Semestex

AUTUVÍN 2004

having met all the requirements

under the semester system is this day awarded the

Certificate of Teaching

He She has secured

maeks

and has been placed in

grade

ATTESTEL

Controller of Examinations

November 21,2005

February 28:2867



CADET COLLEGE RAZMAK
ISLAMIA COLLEGE, PESHAWAR
Tel, 091-5843118, Fax. 5843151
No. CCR/P//7/9/Adm
27 May 2011

TO WHOM IT MAY CONCERN

This is to certify that Mr. Zarsa Gul S/O Mr. Darya Khan has served in this College as Lecturer in Chemistry (BPS-17) as temporary teacher since May 2009 to May 2011.

He is a hardworking teacher and bears good moral character. I wish him success.

Manzoor Hussain Qureshi

Principal

Cadet College Razmak

ATTESTED





DEPARTMENT OF CHEMISTRY

THE ISLAMIA COLLEGE PESHAWAR

(CHARTERED UNIVERSITY)
Ph: # 091-9216513-17 (Ext: 3038) Fax: # 9216688

EXPERIENCE CERTIFICATE

It is my pleasure to write this letter in fovour of Mr. Zarsa Gul S/O Darya Khan who has worked as lecturer in department of chemistry Islamia College Peshawar (Chartered University) under National Internship Programme (NIP) since 27th May 2010 to 26th May 2011. He served as Chemistry Lecturer and lab instructor at F.Sc level.

During his stay in this institution, I found him very punctual and hardworking teacher and have good command over his subject. He has sound moral character.

Beside that he has got good communication skills and can express himself effectively. He is sociable and adoptable to new environment.

Based on his sound academic record, I strongly recommend Mr. Zarsa Gul for teaching and higher studies in any College.

ATTESTED

46

Dr. Muhammad Subhan Professor and Chairman

Chairman Chemistry Department Islamia College (C U) Peshawar

Govt Degree College Mir Ali North Waziristan Agency Khyber Pukhtoon Khawa

Experience Certificate

It is my pleasure to write this letter in fovour of Mr. Zarsa Gul s/o Darya Khan

Who has worked as lecturer in chemistry under corrigendum order bearing No F.S/E-11/1-17/adhoc lecturer (male) 15286-97 dated 06/10/2011.

He served as a chemistry lecturer and lab instructor at F.Sc and B.Sc level.

During his stay in this institution, I found him very punctual and hard working teacher and have good command over his subject. He has sound moral character.

Beside that he has got good communication skill and can express himself effectively. He is sociable and adoptable to new environment.

Based on his sound academic record, I strongly recommend Mr. Zarsa Gul teaching and higher studies in any college.

ATTESTEL

42

Principal
PrincipleGovt: Degree Codlege
Mir Ali N.W Agency

Govt Degree College Mir Ali

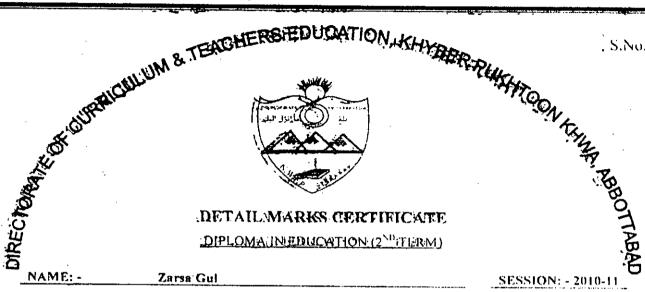
NWA .

Session 20/0 Adm No Certified that Mr Agency was declared passed in the CT/PTC/CM Examination held by the Registrar Departmental Examinations N.W.F.P., Peshawar on . __Obtaining Under Rôll No.___3 and was placed in the _Division. The Examination was taken as a whole/in parts. His conduct during the session was Date of declaration of Result 23-1 Date of issue. Prepared by Checked by

PRINCIPAL

Government Elementary College Mir Ali (N. Waziristan Agency)

Govil Elementary College Elirali N. W. A.



Zarsa Gul FATHER'S NAME: - Derya Khan

NAME:

SESSION: - 2010-11

ROLL NO: - 379.

Subjects: -	Maximum	Marks Obtained		
No and the second secon	NMatks	Internal	External	Total
L. Curriculum and Instructions	11190	335	+6	81
2. School Organization & Management	1290	5 9 ¦	37	76
3. Testing, Evaluation & Basic Research	290	•33. I	. دو	68
4. Teaching of Computer Science	1990	3 4	-13	77
5. Teaching of English	- 1160 F	337	·30 ₁	67
6. Teaching of Calligraphy/Art & Craft/Industrial Arts/ Agriculture/Home Economics/Phy. Education.	x = 2100	34	46	80
7. Teaching Practice	IFSO	· 8 0	55	135
Total 2nd Term Marks: ~	7/40	Section Service Code Service Control		384
Total 14 Term Marks:	7990			362
G. Total Marks:	15500			1146

Note: Errors/Omission excepted.

Failed/Plissed: -	Passed Division: -
Danasta d the	\ \ \
Prepared By	
Date of Declaration	8f Result - 23-12-2014

<u>1611</u>

Miran Shah-N.W.

S#:21895

Pers #: 50380435 Buckle:

ZARSA GUL Name:

C.T TEACHER

CNIC No. 2150370941269

GPF Interest Free

15 Active Permanent

PAYS AND ALLOWANCES:

0001-Basic Pay

1000-House Rent Allowance

1300-Medical Allowance

1528-Unattractive Area Allow

2148-15% Adhoc Relief All-2013

2199-Adhoc Relief Allow @10%

2211-Adhoc Relief All 2016 10%

2224-Adhoc Relief All 2017 10%

2247-Adhoc Relief All 2018 10%

Gross Pay and Allowances

DEDUCTIONS:

GPF Balance 23.120.00

3701-Benevolent Fund(Exchange)

3704-Group Insurance (Exchange)

3705-R. Ben & Death Comp(Exch)

P Sec:001 Month: August 201 MW0065 -Head MASTERGHS Garie

Min. of K.A & N.A & S.

NTN:

GPF #:

old #:

MW0065

16,120.00 2,349.00

1,500.00

1,500.00

425.00

274.00

1,098.00

1,612.00

1,612.00

26,490.00

Subrc:

2,890.00

180.00

100.00

600.00

Total Deductions

3,770.00

22,720.00

D.O.B

25.02.1986 00 Years 10 Months 016 Days

LFP Quota: HABIB BANK LIMITED

MIR ALI N.W. AGENCY

18067900254203

















Miran Shah-N.W.

S#:12483

P Sec:001 Month:February 2018

MW0065 - Head MAsterGHS Garium

Pers #: 50380435 Buckle:

Min. Of K.A & N.A & S.F.R

Name: ZARSA GUL

NTN:

C.T TEACHER

GPF#:

CNIC No.2150370941269

Old#:

GPF Interest Free

15 Active Permanent

MW0065

PAYS AND ALLOWANCES:

0001-Basic Pay

16,120.00

1000-House Rent Allowance

1,566.00

1210-Convey Allowance 2005

2,856.00

1300-Medical Allowance

1,500.00

1528-Unattractive Area Allow 2148-15% Adhoc Relief All-2013

1,500.00

. 425.00

2199-Adhoc Relief Allow @10%

274.00

2211-Adhoc Relief All 2016 10%

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2224-Adhoc Relief All 2017 10%

1,612.00

Gross Pay and Allowances

26,951.00

DEDUCTIONS:

GPF Balance 5,780.00 .

Subre:

2,890.00

3701-Benevolent Fund(Exchange)

3704-Group Insurance (Exchange)

180.00 100.00

3705-R. Ben & Death Comp(Exch)

600.00

Total Deductions

23,181.00

LFP Quota: D.O.B 25.02.1986 Payment through DDO. 00 Years 04 Months 013 Days



Miran Shah-N.W.

S#:22595

P Sec:001 Month:March 2018

MW0065 - Head MAsterGHS Garlum

Pers #: 50380435 Buckle:

Min. Of K.A & N.A & S.F.R

Name: ZARSA GUL

NTN:

C.T TEACHER

GPF#:

CNIC No.2150370941269

Old#:

GPF Interest Free

15 Active Permanent

MW0065

PAYS AND ALLOWANCES:

0001-Basic Pay

16,120.00

1000-House Rent Allowance

1,566.00

1210 Convey Allowance 2005

2,856.00

1300-Medical Allowance

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1528-Unattractive Area Allow 2148-15% Adhoc Relief All-2013

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2199-Adhoc Relief Allow @10%

425.00

2199-Adhoc Relief Allow @10%

274.00

2211-Adhoc Relief All 2016 10%

1,098.00

2224-Adhoc Relief All 2017, 10%

1,612.00

Gross Pay and Allowances

26,951.00

DEDUCTIONS:

GPF Balance 8,670.00

Subrc:

2,890.00

3701-Benevolent Fund(Exchange)

180.00

3704-Group Insurance(Exchange)

100.00

3705-R. Ben & Death Comp(Exch)

600.00

Total Deductions

3,770.00

23, 181.00

D.O.B LFP Quota: 4

25.02.1986 HABIB BANK LIMITED MIR ALI N.W.AGENCY

00 Years 05 Months 016 Days 1806

18067900254203

ATTESTEC

مقدمه ĊÙ 57 امنتري كد مقدم مندرج مخان بالايس ابناطر ف سعداسط بيروى وجواب وى وكل كاروا ل متعلقه النعام الإمام الله المسالم - إلى الله المسالم متردك كاقرادي جاسا عبد كماحب موسوف كمعتد كالكالا دوالكاكال اختيارة وكالمائيز ويسل صاحب كورامن تاميك فيقرر ثالت ونيعك برطاني وسيئة جواب ومى اورا قبال دعوى اور لاسورت وكرى كرفياج اجماءادرمول جيك وروب إرعوض وعوى ادرورخواست برتم كاتعدين زماي يروستفاكل خالانتياره كالحينز وسندم بيروى الأكريك يكلزنه يايل كيرامك الدمنون يمزوا وكرا فالم كال ونظر كال ويروك مسائل المرادة كالمائية موت أو معتقد ماكور الم

OFFICE OF THE PRINCIPLE/HEAD MASTER GHS GARYUM (N.W.AGENCY

MONTHLY STAFF STATEMENT FOR THE MONTH OF December. .

sonal NO:	NAME	Designation	Father Name	Grade	NIC NO	D.O.B	Domicil	Date of Appt	Date Chareg	Mobile
AGPR							e		In this school	NO#
.68518	DOST ALI KHAN	H.M	BASYA KHAN	17	21506-3109090-7	15/10/1975	N.W.A	09/01/2003	25/09/2014	03369109607.
	Vacant	S.E.T								
75051	AZAM KHAN	S.E.T	Lal Madar Khan	17	21505-5723399-7	06/01/1963	N.W.A	20/01/1988	09/01/2003	03109009533
.635	Mohd Aziz	S.E.T	Ghazu Khan	16	21507-8862329-1	2/04/19832	N.W.A	01/01/2009	12/01/2016	03435494776
	Vacant	S.E.T								
	Zarsa Gul	C.T	Darya Khan	15	21503-7094126-9	25/02/1986	N.W.A	17/10/2017	17/10/2017	03331426300
	Abdullah	C.T		15			N.W.A			
	Vacant	C.T								
	Vacant	C.T								
	Vacant	C.T								
75068	Noor Zali Khan	D.M	Abdullah Khan	15	21505-1628370-3	14/01/1967	N.W.A	22/09/1990	12/02/2007	03109937725
	Vacant	P.E.T								
75073	Khan Abas khan	A.T	Ali Abas Khan	9	21505-1395983-1	09/09/1959	N.W.A	29/01/1986	29/01/1986	03109850117
	Vacant	Qari								
175077	Noor Muhammad	L/Asst	Muhammad Noor	7	21507-1903422-7	04/07/1983	N.W.A	29/03/2007	29/03/2007	03339172896
175078	Asmat Ullah	J/C	Sherabat Khan	1	21502-9891212-7	07/01/1986	N.W.A	19/12/2012	19/12/2012	
175075	HaqNawaz	T.T	Hukam Khan	9	21503-9955768-1	04/01/1974	N.W.A	26/11/2002	26/11/2002	03319212683
175079	Badi Noor Gul	Sweeper	Sadiq Khan	2	21505-8136372-3	15/08/1973	N.W.A	16/04/1995	16/04/1995	
175081	Ali Khan	Sweeper	Gul Ahmad Khan	1	21505-4750843-7	01/01/1992	N.W.A	15/12/2011	15/12/2011	
175083	Gul Mazi Din	Mali	Zar Ahmad Khan	2	21503-0843069-5	03/12/1981	N.W.A	25/10/2003	25/10/2003	
189306	Wali Janan	L/Att	Umar Khan	1	21503-8045749-5	01/01/1986	N.W.A	17/03/2009	17/03/2009	
198570	Gul Jaram Khan	Chowkider	Gango Khan	2	21503-4264856-7	13/08/1975	N.W.A	,19/03/1995	19/03/1995	



BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ESHAWAR.

Appeal No...... 1120/2018

VERSUS

DEO, NWTD& Others-----Respondents

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S.NO	DISCRIPTION OF DOCUMENTS	ANNEXTURE	PAGES
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3	Authority letter		5
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5	Detail of vacant posts of CT in NTS in Garyum	Annexure-B	字
6	Termination order <i>s</i>	Annexure-C	8-9

Assistant Officer Education Agency Worth Waziristan Agency

ASSISTANT DISTRICT EDUCATION OFFICER

NORTH WAZIRISTAN

Agency Education Officer North Waziristan Agency

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No...... 1120/2018

Zarsa Gul S/O Darya Khan, CT Teacher Government High School Garyum, District North Waziristan------Appellant

VERSUS

- 1. District Education Officer, Miran Shah, North Waziristan.
- 2. Director of Education FATA, Khyber Pakhtunkhwa, Peshawar.
- 3. Secretary to the government of Khyber Pakhtunkhwa, elementary and Secondary Education, Civil Secretariat, Peshawar.

-------Respondents

Para wise comments on behalf of respondent No. 1

Respectfully Sheweth,

Preliminary Objections:

- a) The appellant has no cause of action, locus standi, to file this instant appeal.
- b) That the appellant has not come to this honorable Tribunal with clean hands.
- c) That the appellant has concealed material facts from this Honorable Tribunal.
- d) The appeal is not maintainable in this form.
- e) That the appellant has been stopped by his own conduct to file the appeal.
- f) That the appeal is badly time barred.

On facts:

1. Correct that the appellant applied for the post of CT advertised in 2013, but it is crystal clear that irregularities and mal-practices were committed by the then AEO, NWA. As a result the Political Agent, NWA had taken the record in his custody and declared the whole recruitment process null and void. Later the FATA Secretariat constituted a high level inquiry committee to probe the then recruitment. Consequently, the new AEO was directed to re-evaluate the application forms and educational credentials of all those candidates who had earlier applied for different posts. Subsequently, new merit lists were prepared and a detail of vacant posts for each Tehsil in NWA was issued as well. Similarly, the Peshawar high court issued judgment on the writ Petitions of different candidates, and directed the Education Officer NWA to issue appointment orders as per merit/policy/law/rules. Strict compliance was followed and about 200 male and female

Mastadam Officer

Agency Foundation Agency

North Wazinstan Agency



teachers of different categories have been issued appointment orders so far. So far as the appellant is concerned, he was one of successful qualified candidate for the post of CT but there was no vacant declared/ mentioned post of CT in the Tehsil of Garyum, the Home Tehsil of the Appellant. And so, he was not appointed.(copy of the detail of vacant post is attached as Annexure-A)

- 2. Correct that an advertisement for the appointment of teachers of different categories was published in 2016 in various national dailies.
- 3. Correct that the appellant appeared in the test organized by the NTS and he stood 1st in his Tehsil for the post of CT, but there was no declared/mentioned post of CT in Tehsil Garyum (copy of the vacant post in tehsil Garyum is attached as Annexure-B)In spite of that, the appellant was issued appointment order wrongly on 17/10/2017.
- 4. Correct that the appellant was appointed wrongly against the post of CT on 17/10/2017.
- 5. Though the appointment of the appellant was against the rule/policy and law, but in spite of that the computerized salary of the appellant was regularly being released till the respondent No. 1 issued another office order and reminded the Head Master GHS Garyum the termination of the service of the appellant on the ground mentioned above and directed the Head Master GHS Garyum not only to stopthe salary of the appellant but to make recovery from the appellant as well. (Copy of the termination order is attached as Annexure-C).
- 6. The respondent No. 1 has not received any departmental appeal yet.
- 7. As elucidated in Para-6.
- 8. As elucidated in para-6
- 9. The office order for termination of the appellant by the respondent No. 1 is legal.
- 10. Though the appellant had been getting his salary in spite of his termination from service, the respondent No.1 issued another order in which he directed the Head Master of GHS Garyum not only to stop the salary of the appellant but to recover salaries from the appellant issued in the past as well.
- 11. The office order of respondent No.1 issued on 10/01/2018 was not obeyed, as the appellant was getting salary simultaneously, the respondent No.1 issued another letter of 30/08/2018.

12. Therefore, the Honorable tribunal may kindly dismiss the instant appeal on the following Mested My Assistant Off

Agency Education Officer North Waziristan Agency

Grounds:

- A. That the appointment of the appellant was contrary to the law/rule/policy. As there was no mentioned post of CT in Tehsil Garyum.
- B. That the appointment order of the appellant was illegal so his service was dispense with and the quarter concerned was directed not only to stop the salary of the appellant but to recover the salaries issued previously.
- C. Though there was no mentioned post of CT in the home Tehsil of the appellant, therefore, he was not appointed under the advertisement of 2013 and, similarly, the appointment of the appellant was contrary to the rule and policy under the advertisement of 2016, where the tests were arranged by NTS, he was terminated from service as well.
- D. The respondent department has never allowed the appellant to continue his service once he has been issued termination order.
- E. The termination order of 10/01/2018 itself means the stoppage of his salary but when the respondent department came to know through some source that the appellant had been getting his computerized salary regularly in spite of his being terminated from service, the respondent department issued another letter to the Head Master GHS Garyum to stop his salary and recover his salaries, issued previously.

- F. Mare passing of NTS test for that purpose and mare educational qualification is not enough for the selection of any candidate. Under the tehsil wise recruitment policy, a candidate should have a vacant/mentioned post in his home tehsil.
- G. That the respondent seek permission of this Honorable tribunal to advance other points at the time of arguments.

Respondent No.1

District Foucation Officer North Waziristan Trible Distt:

Assistant assistant

Assistant Agency Education Officer North Waziristan Agency

EBEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Annaal	No	1120/2010
L est phear	No	1120/2010

Mested

Agency Figurestion Officer
North Waziristan Agency

Zarsa Gul S/O Darya Khan, CT	Teacher Government	High School	Garyum,	District North
Waziristan		<u> </u>		Appellant

VERSUS

- 1. District Education Officer, Miran Shah, North Waziristan.
- 2. Director of Education FATA, Khyber Pakhtunkhwa, Peshawar.
- 3. Secretary to the government of Khyber Pakhtunkhwa, elementary and Secondary Education, Civil Secretariat, Peshawar.

------Respondents

AFFIDAVIT

I Naseem MahmoodAssistant Agency education Officer North Waziristan Agency on behalf of the Respondent No.1, do hereby solemnly affirm and declare that the report of Respondent No.1 in R/O of Appeal. No,1120/2018 is true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable court.

> Naseem Mahmood Assistant Agency Education Officer

North Waziristan agency



AUTHORITY LETTER

This office has the honor to state that Mr. Naseem Mahmood has been serving in the Agency Edu. Office as an AAEO. The undersigned has been given the authority to attend any kind of court case. So he may be considered as representative of the Agency Edu: officer, N.W.A.

DISTRICT EDUCATION OFFICER

NORTH WAZIRISTAN

Assistant Officer
Assistant Officer
Agency
This Wazinstan Agency

Dated: 26th August, 2013

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James 03
39

Mesled Agency Education Officer Assistant Officer
Agency Education Officer

Assistant Officer
Agency Education Agency
North Waziristan Agency

(7)

Agency/FRs and Tehsil Wise Detail of Vcanat Posts in **Directorate of Education, FATA Secretariat Peshawar. PST** AT Qari] PET . SST Middle Hìgh G.To Name of Name of Agency / F M Female Male Teball Total Bio/ Phy/ Blo/ Phy/ Chem Maths Chem Maths .28 Data Khel 0. 5. Dossali 'n · Θ' "Ò Ō 6(Garyum -21 Miran Shah <u>'</u>; o ' 1, 1, oʻ North Ghulam Khan -7 1; i 1. D Waziristan 2. Razmak Agency Shawal 0. Shewa 3. 0. 3! Spinwam Mirali 3, o 1: Ladha Sararogha Tiarzai Ó South Weziristan i Makin Agency Sarwakai O Toi Khulla 2 . Birmal Shakai Ò Lower 0. Central Q O. Orakzai Agency Upper

Assistant
Agency Fduration Officer
North Wazırıstan Agency

Ismailzai









OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY.

DISPENSING OF SERVICE:

As per direction by Directorate of Education FATA regarding implementation of inquiry report vide No 708 dated 10/01/2018, the service of Mr. Zarsa Gul S/O Darya Khan CT Teacher GHS Garyum NWA, appointed vide this office No: 6830-45 dated 17/10/2017, at serial No: 15 is hereby dispensed with the reason that the post is not mentioned in NTS advertisement with immediate effect.

Note: Necessary entry should be made in his Service Documents.

Agency Education Officer, North Waziristan Agency

Endst No: 524-30/NTS/CT/AEO/NWA

Dated: 30/01/2018

Copy to the:

1. The Director Education FATA KPK Peshawar.

- 2. The Political Agent North Waziristan Agency Miranshah.
- 3. The Agency Account Office NWA Miranshah.
- 4. Head Master GHS Garyum NWA.
- 5. AAEO Circle Concerned.
- 6. KPO of this office.

Agency Education Officer, North Waziristan Agency

Assistant Agency Foundation Agency North Waziristan Agency



OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN TRIBAL DISTRICT.



To

Head Master,

GHS Garyum NW.

Subject:

DISPENSING OF SERVICE.

Memo:

As per direction by the Directorate of Education FATA KPK Peshawar regarding implementation of inquiry report No: 708 dated: 10/01/2018 and this office Endst: No: 524-30/NTS/CT dated: 30/01/2018, on the subject cited above.

The Service of Mr. Zarsa Gul S/O Dary Khan CT GHS Garyum appointed by this office No: 6830-45 dated: 17/10/2017 at Serial No: 15 is hereby dispensed with the reason that the Post is not mentioned in NTS 2017 advertisement with immediate effect.

A complaint has been lodged by Luqman Hakeem that Mr. Zarsa Gul S/O Darya Khan CT GHS Garyum is getting pay regularly, although his service is being dispensed (Pay Slip attached).

In the laps of 07 months the accused has been drawn their salary regularly which is against the rules and regulation.

Therefore, you are once again directed to stop the pay of the concerned under intimation to this office immediately, and recovery may be

Endst No: Copy to the: Dated: ____/08/2018

- 1. The Director Education FATA KPK Peshawar.
- 2. The Political Agent North Waziristan Agency Miranshah.
- 3. The Agency Account Office NWA Miranshah.
- 4. ADEO Circle Concerned.
- 5. KPO of this office.

OBTH WAZIRISTAN TRIBAL DISTRICT

Accistant Agence Franciscon Officer North Wazırıstan Agency

Ph: No: 0928-5. 645, Email Add: pakmrn123@gmail.com Add: Bachelor Hostel Civil Colony Miranshah

لحرالب موزخه مقازمه دعوی 7. باعث تخريراً نكه مقدمه مندرجه عنوان بالامیں این طرف سے داسلے بیردی د جواب دہی وکل کار دائی متعاقبہ سن مقام _____ کیلئے ____ مقرر کر کے افرار کیا جاتا ہے۔ کہ صاحب موصوف کومقد مسک کل کاروائی کا کامل انتہار: وگا۔ نیز وکیل مها حب کوراضی نامه کرنے دنتر رثالت ہ فیصلہ برحلف دیے جواب دہی اورا قبال دعوی اور بسورت ڈگری کرنے اجراءا درصولی جیک ورویبیار عرضی دعوی اور درخواست ہرکشم کی تقیدیق زرایں پردسخنا کرانے کا اختیار ہوگا۔ نیزصورت عدم بیروی یا ڈگری بیطرفہ یا بیل کی براید گی ادرمنسوخی نیز دائر کرنے ابیل نگرانی دنظر ثانی دبیروی کرنے کا اختیار ہوگا۔ از بھورت منرورت مقد مہ ند کور کے کل یا جزوی کا روائی کے واسطے اوروکیل یا مختار قانونی کواینے امراہ یا اپنے ہجائے تقرر کا اختیار ہوگا۔اور صاحب مفررشدہ کوئمی وہی جملہ نہ کور ، باا ختیارات حاصل ہوں ہے اوراس کا ساختہ برواختهٔ منظور قبول مورّنا به دوران متندمه بین جوخر چه دهرها نه التواسئ متندمه کے سبب سے وا وگا به کوئی تاریخ ببیتی مقام دوره پر ہویا مدے باہر ہوتو وکیل ساحب پابند ہوں کے کہ بیروی لەكۈركىرىي _لېدا د كالىن نا مەيكىمىدىيا كەسندر يے، _ کے لئے منظور ہے۔ بمقام

original

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No...... 1120/2018

Zarsa Gul S/O Darya Khan, CT Teacher Government High School Garyum, District North Waziristan------Appellant

VERSUS

DEO, NWTD& Others------Respondents

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ASSISTANTAGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No...... 1120/2018

VERSUS

- 1. District Education Officer, Miran Shah, North Waziristan.
- 2. Director of Education FATA, Khyber Pakhtunkhwa, Peshawar.
- 3. Secretary to the government of Khyber Pakhtunkhwa, elementary and Secondary Education, Civil Secretariat, Peshawar.

-Respondents

Para wise comments on behalf of respondent No. 1 & 2

Respectfully Sheweth.

Preliminary Objections:

- a) The appellant has no cause of action, locus standi, to file this instant appeal.
- b) That the appellant has not come to this honorable Tribunal with clean hands.
- c) That the appellant has concealed material facts from this Honorable Tribunal.
- d) The appeal is not maintainable in this form.
- e) That the appellant has been stopped by his own conduct to file the appeal.
- f) That the appeal is badly time barred.

On facts:

1. Incorrect. The appellant applied for the post of CT advertised in 2013, but it is crystal clear that irregularities and mal-practices were committed by the then AEO, NWA. As a result the Political Agent, NWA had taken the record in his custody and declared the whole recruitment process null and void. Later the FATA Secretariat constituted a high level inquiry committee to probe the then recruitment. Consequently, the new AEO was directed to re-evaluate the application forms and educational credentials of all those candidates who had earlier applied for different posts. Subsequently, new merit lists were prepared and a detail of vacant posts for each Tehsil in NWA was issued as well. Similarly, the Peshawar high court issued judgment on the writ Petitions of different candidates, and directed the Education Officer NWA to issue appointment orders as per merit/policy/law/rules. Strict compliance was followed and about 200 male and female



teachers of different categories have been issued appointment orders so far. So far as the appellant is concerned, he was one of successful qualified candidate for the post of CT but there was no vacant declared/ mentioned post of CT in the Tehsil of Garyum, the Home Tehsil of the Appellant. And so, he was not appointed (copy of the detail of vacant post is attached as Annexure-A)

- 2. Correct that an advertisement for the appointment of teachers of different categories was published in 2016 in various national dailies.
- 3. Correct that the appellant appeared in the test organized by the NTS and he stood 1st in his Tehsil for the post of CT, but there was no declared/ mentioned post of CT in Tehsil Garyum (copy of the vacant post in tehsil Garyum is attached as Annexure-B)In spite of that, the appellant was issued appointment order wrongly on 17/10/2017.
- 4. Correct that the appellant was appointed wrongly against the post of CT on 17/10/2017.
- 5. Though the appointment of the appellant was against the rule/policy and law, but in spite of that the computerized salary of the appellant was regularly being released till the respondent No. 1 issued another office order and reminded the Head Master GHS Garyum the termination of the service of the appellant on the ground mentioned above and directed the Head Master GHS Garyum not only to stop the salary of the appellant but to make recovery from the appellant as well. (Copy of the termination order is attached as Annexure-C).
- 6. The respondent No. 1 has not received any departmental appeal yet.
- 7. As elucidated in Para-6.
- 8. As elucidated in para-6
- 9. The office order for termination of the appellant by the respondent No. 1 is legal.
- 10. Though the appellant had been getting his salary in spite of his termination from service, the respondent No.1 issued another order in which he directed the Head Master of GHS Garyum not only to stop the salary of the appellant but to recover salaries from the appellant issued in the past as well.
- 11. The office order of respondent No.1 issued on 10/01/2018 was not obeyed, as the appellant was getting salary simultaneously, the respondent No.1 issued another letter of 30/08/2018.
- 12. Therefore, the Honorable tribunal may kindly dismiss the instant appeal on the following ground.

Grounds:

- A. Incorrect. The appointment of the appellant was contrary to the law/rule/policy. As there was no mentioned post of CT in Tehsil Garyum.
- B. Incorrect. The appointment order of the appellant was illegal so his service was dispense with and the quarter concerned was directed not only to stop the salary of the appellant but to recover the salaries issued previously.
- C. Incorrect. Though there was no mentioned post of CT in the home Tehsil of the appellant, therefore, he was not appointed under the advertisement of 2013 and, similarly, the appointment of the appellant was contrary to the rule and policy under the advertisement of 2016, where the tests were arranged by NTS, he was terminated from service as well.
- D. Incorrect. The respondent department has never allowed the appellant to continue his service once he has been issued termination order.
- E. Incorrect. The termination order of 10/01/2018 itself means the stoppage of his salary but when the respondent department came to know through some source that the appellant had been getting his computerized salary regularly in spite of his being terminated from service, the respondent department issued another letter to the Head Master GHS Garyum to stop his salary and recover his salaries, issued previously.

- F. Incorrect. Mare passing of NTS test for that purpose and mare educational qualification is not enough for the selection of any candidate. Under the tehsil wise recruitment policy, a candidate should have a vacant/mentioned post in his home tehsil.
- G. That the appellant was treated as per rule. So the respondents seek permission of this Honorable tribunal to advance other points at the time of arguments.

Respondent No.2

Director of Education

Newly merged Trible districts, KPK

Respondent No.1

District Education Officer

North Waziristan Trible Distt:

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Anneal	No	11	20	<i>/</i> 20	119
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Zarsa Gul S/O Darya Khan	, CT Teacher Government High School Gary	um, District North

VERSUS

- 1. District Education Officer, Miran Shah, North Waziristan.
- 2. Director of Education FATA, Khyber Pakhtunkhwa, Peshawar.
- 3. Secretary to the government of Khyber Pakhtunkhwa, elementary and Secondary Education, Civil Secretariat, Peshawar.

--Respondents

AFFIDAVIT

I Naseem MahmoodAssistant Agency education Officer North Waziristan Agency on behalf of the Respondent No.1, do hereby solemnly affirm and declare that the report of Respondent No.1 in R/O of Appeal. No,1120/2018 is true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable court.

Naseem Mahmood Assistant Agency Education Officer North Waziristan agency

3

AUTHORITY LETTER

This office has the honor to state that Mr. Naseem Mahmood has been serving in the Agency Edu: Office as an AAEO. The undersigned has been given the authority to attend any kind of court case. So he may be considered as representative of the Agency Edu: officer, N.W.A

AGENCY EDUCATION OFFICER
NORTH WAZIRISTAN AGENCY

Pated: 26th August, 2013

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Assistant
Agency Education Officer
North Waziristan Agency









OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY

DISPENSING OF SERVICE:

As per direction by Directorate of Education FATA regarding implementation of inquiry report vide No 708 dated 10/01/2018, the service of Mr. Zarsa Gul S/O Darya Khan CT Teacher GHS Garyum NWA, appointed vide this office No: 6830-45 dated 17/10/2017, at serial No: 15 is hereby dispensed with the reason that the post is not mentioned in NTS advertisement with immediate effect.

Note: Necessary entry should be made in his Service Documents.

Agency Education Officer, North Waziristan Agency

Dated: 30/01/2018

- Copy to the:
 1. The Director Education FATA KPK Peshawar.
 - 2. The Political Agent North Waziristan Agency Miranshah.
 - 3. The Agency Account Office NWA Miranshah.
 - 4. Head Master GHS Garyum NWA.

Endst No: 524-30/NTS/CT/AEO/NWA

- 5. AAEO Circle Concerned.
- 6. KPO of this office.

Agency Education Officer, North Waziristan Agency

Assistant Assistant Officer North Waziristan Agency



OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN TRIBAL DISTRICT.

No. 5598 AEO /NWTD,
Dated 30 / 8 /2018.



To

Head Master, GHS Garyum NW. K 27

Subject: Memo:

DISPENSING OF SERVICE.

As per direction by the Directorate of Education FATA KPK Peshawar regarding implementation of inquiry report No: 708 dated: 10/01/2018 and this office Endst: No: 524-30/NTS/CT dated: 30/01/2018, on the subject cited above.

The Service of Mr. Zarsa Gul S/O Dary Khan CT GHS Garyum appointed by this office No: 6830-45 dated: 17/10/2017 at Serial No: 15 is hereby dispensed with the reason that the Post is not mentioned in NTS 2017 advertisement with immediate effect.

A complaint has been lodged by Luqman Hakeem that Mr. Zarsa Gul S/O Darya Khan CT GHS Garyum is getting pay regularly, although his service is being dispensed (Pay Slip attached).

In the laps of 07 months the accused has been drawn their salary regularly which is against the rules and regulation.

Therefore, you are once again directed to stop the pay of the concerned under intimation to this office immediately, and recovery may be made.

DISTRICT EQUATION OFFICER
NORTH WAZIRISTAN TRIBAN DISTRICT

Endst No: _____ AEO/NWA

Dated: ____/08/2018

1. The Director Education FATA KPK Peshawar.

- 2. The Political Agent North Waziristan Agency Miranshah.
- 3. The Agency Account Office NWA Miranshah.
- 4. ADEO Circle Concerned.
- 5. KPO of this offic...

POSTRICT EDUCATION OFFICER

Agent Control Officer North Wazırıstan Agency

Ph: No: 0928-3 **0005, Garail Add: pakmrn123@gmail.com Add: Bachelor Hostel Civil Colony Miranshah

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No	1	120/2018
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Zarsa Gul S/O Darya Khan, CT Teacher Government High School Garyum, District North Waziristan------Appellant

VERSUS

DEO, NWTD& Others-----Respondents

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Atastad Wassistan Officer
Berick Education Agency
Worth Waxinstan Agency

ASSISTANT DISTRICT EDUCATION OFFICER

Agency Education Officer North Waziristan Agency

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No...... 1120/2018

Zarsa Gul S/O Darya Khan, CT Teacher Government High School Garyum, District North Waziristan------Appellant

VERSUS

- 1. District Education Officer, Miran Shah, North Waziristan.
- 2. Director of Education FATA, Khyber Pakhtunkhwa, Peshawar.
- 3. Secretary to the government of Khyber Pakhtunkhwa, elementary and Secondary Education, Civil Secretariat, Peshawar.

--Respondents

Para wise comments on behalf of respondent No. 1

Respectfully Sheweth,

Preliminary Objections:

- a) The appellant has no cause of action, locus standi, to file this instant appeal.
- b) That the appellant has not come to this honorable Tribunal with clean hands.
- c) That the appellant has concealed material facts from this Honorable Tribunal.
- d) The appeal is not maintainable in this form.
- e) That the appellant has been stopped by his own conduct to file the appeal.
- f) That the appeal is badly time barred.

On facts:

1. Correct that the appellant applied for the post of CT advertised in 2013, but it is crystal clear that irregularities and mal-practices were committed by the then AEO, NWA. As a result the Political Agent, NWA had taken the record in his custody and declared the whole recruitment process null and void. Later the FATA Secretariat constituted a high level inquiry committee to probe the then recruitment. Consequently, the new AEO was directed to re-evaluate the application forms and educational credentials of all those candidates who had earlier applied for different posts. Subsequently, new merit lists were prepared and a detail of vacant posts for each Tehsil in NWA was issued as well. Similarly, the Peshawar high court issued judgment on the writ Petitions of different candidates, and directed the Education Officer NWA to issue appointment orders as per merit/policy/law/rules. Strict compliance was followed and about 200 male and female

Mastad William Mency



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3. Correct that the appellant appeared in the test organized by the NTS and he stood 1st in his Tehsil for the post of CT, but there was no declared/ mentioned post of CT in Tehsil Garyum (copy of the vacant post in tehsil Garyum is attached as Annexure-B)In spite of that, the appellant was issued appointment order wrongly on 17/10/2017.

4. Correct that the appellant was appointed wrongly against the post of CT on 17/10/2017.

- 5. Though the appointment of the appellant was against the rule/policy and law, but in spite of that the computerized salary of the appellant was regularly being released till the respondent No. 1 issued another office order and reminded the Head Master GHS Garyum the termination of the service of the appellant on the ground mentioned above and directed the Head Master GHS Garyum not only to stopthe salary of the appellant but to make recovery from the appellant as well. (Copy of the termination order is attached as Annexure-C).
- 6. The respondent No. 1 has not received any departmental appeal yet.
- 7. As elucidated in Para-6.
- 8. As elucidated in para-6
- 9. The office order for termination of the appellant by the respondent No. 1 is legal.
- 10. Though the appellant had been getting his salary in spite of his termination from service, the respondent No.1 issued another order in which he directed the Head Master of GHS Garyum not only to stop the salary of the appellant but to recover salaries from the appellant issued in the past as well.

11. The office order of respondent No.1 issued on 10/01/2018 was not obeyed, as the appellant was getting salary simultaneously, the respondent No.1 issued another letter of 30/08/2018.

12. Therefore, the Honorable tribunal may kindly dismiss the instant appeal on the following ground.

Grounds:

A. That the appointment of the appellant was contrary to the law/rule/policy. As there was no mentioned post of CT in Tehsil Garyum.

B. That the appointment order of the appellant was illegal so his service was dispense with and the quarter concerned was directed not only to stop the salary of the appellant but to recover the salaries issued previously.

C. Though there was no mentioned post of CT in the home Tehsil of the appellant, therefore, he was not appointed under the advertisement of 2013 and, similarly, the appointment of the appellant was contrary to the rule and policy under the advertisement of 2016, where the tests were arranged by NTS, he was terminated from service as well.

D. The respondent department has never allowed the appellant to continue his service once he has been issued termination order.

E. The termination order of 10/01/2018 itself means the stoppage of his salary but when the respondent department came to know through some source that the appellant had been getting his computerized salary regularly in spite of his being terminated from service, the respondent department issued another letter to the Head Master GHS Garyum to stop his salary and recover his salaries, issued previously.

- F. Mare passing of NTS test for that purpose and mare educational qualification is not enough for the selection of any candidate. Under the tehsil wise recruitment policy, a candidate should have a vacant/mentioned post in his home tehsil.
- G. That the respondent seek permission of this Honorable tribunal to advance other points at the time of arguments.

Respondent No.1

District Education Officer North Waziristan Trible Distt:

Assistant Assistant Officer North Wazaristan Agency

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No...... 1120/2018

Zarsa Gul S/O Darya Khan, CT Teacher Government High School Garyum, District North Waziristan------Appellant

VERSUS

- 1. District Education Officer, Miran Shah, North Waziristan.
- 2. Director of Education FATA, Khyber Pakhtunkhwa, Peshawar.
- 3. Secretary to the government of Khyber Pakhtunkhwa, elementary and Secondary Education, Civil Secretariat, Peshawar.

--Respondents

AFFIDAVIT

I Naseem MahmoodAssistant Agency education Officer North Waziristan Agency on behalf of the Respondent No.1, do hereby solemnly affirm and declare that the report of Respondent No.1 in R/O of Appeal. No.1120/2018 is true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable court.

Naseem Mahmood

Assistant Agency Education Officer

North Waziristan agency

Mester Assistant Agency
Agency
Agency
North Westerstant Agency

(5)

AUTHORITY LETTER

This office has the honor to state that Mr. Naseem Mahmood has been serving in the Agency Edu: Office as an AAEO. The undersigned has been given the authority to attend any kind of court case. So he may be considered as representative of the Agency Edu: officer, N.W.A

DISTRICT EDUCATION OFFICER

Mostania Officer

Sentania Officer

Feduration Agency

Wazuristan Agency

Dated: 26th August, 2013

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Assistant
Agentu Education Officer
North Waziristan Agency









OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY.

DISPENSING OF SERVICE:

As per direction by Directorate of Education FATA regarding implementation of inquiry report vide No 708 dated 10/01/2018, the service of Mr. Zarsa Gul S/O Darya Khan CT Teacher GHS Garyum NWA, appointed vide this office No: 6830-45 dated 17/10/2017, at serial No: 15 is hereby dispensed with the reason that the post is not mentioned in NTS advertisement with immediate effect.

Note: Necessary entry should be made in his Service Documents.

Agency Education Officer, North Waziristan Agency

Dated: 30/01/2018

Endst No: 524-30/NTS/CT/AEO/NWA

Copy to the:

1. The Director Education FATA KPK Peshawar.

- 2. The Political Agent North Waziristan Agency Miranshah.
- 3. The Agency Account Office NWA Miranshah.
- 4. Head Master GHS Garyum NWA. -
- 5. AAEO Circle Concerned.
- 6. KPO of this office.

gency EducationOfficer, North Waziristan Agency

Mested Agency Education Officer North Waxwistan Agency



OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN TRIBAL DISTRICT.

AEO /NWTD. ____/2018.



То

Head Master,

GHS Garyum NW.

Subject: Memo:

DISPENSING OF SERVICE.

As per direction by the Directorate of Education FATA KPK Peshawar regarding implementation of inquiry report No: 708 dated: 10/01/2018 and this office Endst: No: 524-30/NTS/CT dated: 30/01/2018, on the subject cited above.

The Service of Mr. Zarsa Gul S/O Dary Khan CT GHS Garyum appointed by this office No: 6830-45 dated: 17/10/2017 at Serial No: 15 is hereby dispensed with the reason that the Post is not mentioned in NTS 2017 advertisement with immediate effect.

A complaint has been lodged by Luqman Hakeem that Mr. Zarsa Gul S/O Darya Khan CT GHS Garyum is getting pay regularly, although his service is being dispensed (Pay Slip attached).

In the laps of 07 months the accused has been drawn their salary regularly which is against the rules and regulation.

Therefore, you are once again directed to stop the pay of the concerned under intimation. to this office immediately, and recover

> **NORTH WA** DISTRICT 16.8.18

Endst No: Copy to the: Dated: ____/08/2018

- 1. The Director Education FATA KPK Peshawar.
- 2. The Political Agent North Waziristan Agency Miranshah.
- 3. The Agency Account Office NWA Miranshah.
- 4. ADEO Circle Concerned.
- 5. KPO of this office.

RTH WAZIRISTAN TRIBAL DISTRICT

August & managina Officer North Waziristan Agency

Ph: No: 0928-3 . 18-5 . Email Add: pakmrn123@gmail.com Add: Bachelor Hostel Civil Colony Miranshah

Before the Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. /2018.

Zarsa Gul S/O Darya Khan, C.T Teacher, Government High School Garyum, District
North Waziristan.

Appellant...

Versus

- 1. District Education Officer, Miran Shah, North Waziristan.
- 2. Director of Education, FATA Khyber Pakhtunkhwa Peshawar.
- 3. Secretary to the Government of Khyber Pakhtunkhwa, Elementary & Secondary Education, Civil Secretariat, Peshawar.

Respondents...

Rejoinder on behalf of the Appellant.

Sheweth,

The Rejoinder on behalf of the Appellant to the comments of the Respondents No.1 & 2, is as under:-

Answers to the Preliminary Objection.

a. Incorrect and false. The case of the Appellant is a prima facie case. He was properly appointed as C.T Teacher and posted at Government High School Garyum. He has been working in the same school till date. The Respondents, especially Respondent No.1, took illegal actions against the Appellant without any lawful authority. First the Respondents dispense with the service of the Appellant through Impugned Order dated 30.01.2018, and then the Respondents stopped the salary of the Appellant on 30.08.2018. The Appellant, preferred the Departmental on 14.02.2018, which has not been decided till date. As the Impugned Order dated 30.01.2018 was a baseless order, therefore, the pay of the Appellant had not been stopped by the Respondents. When the Appellant filed the Departmental appeal which exposed the irregularities of the Respondents (Especially the Respondent No.1) the Respondents were annoyed and the Impugned Order of stoppage of pay was issued on 30.08.2018. Under the circumstances the Appellant had no other option open to him but to knock at the door of the Service Tribunal for the redress of his grievance. So the Appellant has cause of action. The Appellant was properly appointed as C.T after qualifying the NTS test. The Appellant has locus standi. His case is a prima facie case while the comments . of the Respondents are baseless/incredible and full of pretexts. The Appellant ? has rightly challenged the Impugned Orders of the Respondents which are illegal, void, arbitrary, malafide and without lawful authority.

- b. Incorrect and false. The case of the Appellant is a prima facie case. The detail has been given in reply to the preliminary objection "a". The comments of the Respondents are self contradictory, ambiguous and dossier of lies. So the Respondents have not come to the Tribunal with clean hands while the Appellant has come to the Tribunal with clean hands. The case of the Appellant is based on facts and figures. It is further submitted that the Respondent No.3 (Secretary, Elementary & Secondary Education) has not given reply. Therefore, in the absence of his reply the case of the Respondent is totally damaged.
- c. Incorrect, false and malicious. The defence of the Respondents is baseless, mocking and full of lies. The comments of the Respondents represent maladministration on their part. It seems as if the entire Education Department is replete with inefficient employees who are not well versant with rules and regulations. They are following the policy of "fail is foul and foul is fair". The Appellant has brought all the facts and figures into the notice of the Honourable Tribunal while the Respondents have concealed the realities.
- d. Incorrect and false. The comments of the Respondents are not more than a concoction. One can easily guess the state of affairs prevailing in the Respondent Department. In order to conceal their inefficiency they have concocted a baseless, malicious and unlawful story. The Appeal of the Appellant is complete in all respect and maintainable in its present form. The comments of the Respondents are illegal, void, arbitrary, malafide and without lawful authority. Therefore, the comments of the Respondents are not maintainable in their present form. They are liable to be set aside.
- e. Incorrect and false. The Appellant has not been estopped by his conduct to bring this case before the Tribunal. The Appellant has been victimized unceremoniously. He was properly appointed as C.T teacher on the basis of his qualification and NTS test. If he had not been fit, he would have not appointed. As the Appellant has been victimized by the Respondents, therefore, he had to knock at the door of Tribunal. The Respondents are trying to conceal their guilt. So the Respondents are estopped by their conduct to file the comments.
- f. Incorrect and baseless. As the Impugned Order of dispense with service dated 30.01.2018 was an illegal and baseless order, therefore, the Appellant was allowed to continue his service. When the Appellant submitted the Departmental Appeal, the Respondents were annoyed and issued the order of stoppage of Appellant's salary on 30.08.2018. When the Appellant received the said impugned order he had to knock at the door of the Tribunal well in time for the redress of his grievance.

Rejoinder to the comments of the Respondents on facts,

- 1. Incorrect and false. The statement of the Respondents reflects inefficiency, ignorance and maladministration on the part of the Education Department which has become the house of corruption. The Respondents have fabricated a concoction to conceal their maladministration. The Appellant had properly applied for the post of C.T in 2O13, with the qualification of MSc/C.T. Though he was fully fit for appointment but he was not appointed. Question arises why had the Respondents advertised the vacancies in which the criteria had been laid down for filing the applications? Why the Appellant had not been appointed who was fully fit on the basis of his qualification? All this clearly shows that the Respondents deceived the candidates to benefit their henchmen and not the fit persons.
- 2. The Respondents have admitted Para NO.2 as correct. Hence Para NO.2 of the Appeal is correct.
- 3. Reply/comments of the Respondents represent maladministration on their pat Question arises why had the Appellant been allowed to appear in the NTS test if he was not eligible for the post of C.T. On the one the Respondents admit that the Appellant was fully fit for appointment and on the other hand they state that there had been no vacancy to appoint him. Question arises if there had been no vacancies then why and how they appointed two other C.T candidates in his home Tehsil? The Appellant has continuously been victimized by the Respondents. In 2013, the Appellant was fully fit but he was not appointed and when in 2017 the Appellant was appointed on merit, his services were dispensed without any rhyme and reason.
- 4. Incorrect. The Appellant was rightly appointed on the basis of his qualification and NTS test. Therefore, dispense with his service and stoppage of his pay are the unlawful acts on the part of the Respondents who are inefficient and representatives of maladministration.
- 5. The statement of the Respondents is not a legal and valid statement. Question arises who had made the appointment order of the Appellant. The statements of the Respondents represent maladministration and overall corruption prevailing in Education Department. When the Service Tribunal issued the Notice to the Respondents for their comments, the Respondents restored the pay of the Appellant and he continued to draw his pay for four months. Now the Headmaster of the School draws his pay and keeps the same in his custody. The Appellant's pay has not been stopped by the concerned Account Office. Instead of making payment to the Appellant the pay of the Appellant is drawn by the Headmaster. The Appellant has been

working regularly but he is unpaid. So the logic of the Department is beyond comprehension. The Appellant is being victimized without any fault on his part.

- 6. Incorrect, false and baseless.
- 7. The statement of the Respondents is against all the laws and ethics. The detail has been given above in this rejoinder.
- 8. The statement of the Respondents is self contradictory and it represents maladministration on the part of the Respondents. The detail has been given in this rejoinder.
- 9. Incorrect, false and bogus. The Appellant was appointed on merit. If he was not eligible for the post of C.T why had the Respondents appointed him?. There are two Impugned Orders which represent inefficiency and maladministration on the part of Respondents. They have concocted a story to conceal their guilt. Therefore, the Impugned Orders issued by the Respondents represent irregularities on the part of the Respondents. The Appellant has exposed maladministration of the Respondents.
- 10. The statement of the Respondents represents self contradiction. The Appellant was properly appointed but his service was dispensed with without lawful authority. When the Service Tribunal issued the Notice to the Respondents for submission of their comments, they restored the pay of the Appellant but after four months he has been deprived of his salary. The Headmaster of the school has been drawing the Appellant's salary and keeping the Appellant unpaid. Such an unlawful practice has not been done in any other Department except the Education Department. The Appellant has continuously been performing his duty but he is unpaid. It is the worst example of maladministration on the part of Respondents.
- 11. The statement of the Respondents is self contradictory. They have fabricated a concoction which is full of deception and delusion.
- 12. In this regard it is submitted that the case of the Appellant is a prima facie case which is based on facts and figures and the Appellant is hopeful of his success on merit while the comments of the Respondents are wrong, absurd, malicious and totally bogus. So the defence of the Respondents is liable to be dismissed.

Rejoinder to the comments on Grounds

A. Incorrect, false and baseless. The Respondents have given a very strange and unbelievable statement. The Appellant was appointed by them on merit. But now they state that their orders were wrong. It represents inefficiency and negation of rules and regulations on the part of Respondents. If there

was no vacancy in the school then why had the Respondents appointed the Appellant?

A.

- B. Incorrect. The statement of the Respondents represents maladministration. Their statement is nonsense and absurd. How is it possible to make recovery from a Government servant who has been working as C.T since 2017? The Appellant was appointed on account of fulfilling the requisite qualification and passing the NTS test. The statement of the Respondents reflects that all the affairs in Education Departments are done blindfold. It is further submitted how is it possible for a person to continue his service and draw his salary without permission of the competent authority? As the order of dispense with service was an illegal and baseless order, therefore, the Appellant was allowed to continue his service. The Appellant has been performing his duty till date. So all these facts and figures establish the fact that both the Impugned Orders are Illegal and invalid. They are nullity in the eye of law.
- C. Incorrect, false and baseless. The statement of the Respondents represents maladministration on the part of Respondents. The Respondents are trying to, conceal their inefficiency and guilt. It has been admitted by the Respondents. That the Appellant was fully fit in 2,0,13 and 2016 for the post of C.T on the basis of his qualification and NTS test and he also stood first in the NTS test. So under this admission of fact, how the Respondents have declared the Appellant ineligible for the post of C.T? The statement of the Respondents is deceptive and full of lies. Because they appointed Mr. Abdul Jalal & Mr. Abdullah on 21/12/2016 and 24/07/2017 respectively.
- D. Incorrect and false. Question arises how a person can continuations his service after his termination? The Appellant is still an employee of Education Department and he has been performing his duty till date. The gap between the two Impugned Orders is evident' of irregularities and inefficiency on the part of the Respondent Department. It was Respondent Department who appointed the Appellant on the basis of his eligibility and then unlawfully issued the order of dispense with service. It represents mal practice on the part of Respondent Department.
- E. Incorrect and totally absurd. Question arises if the first Impugned Order dated 10.01.2018 was a valid Order then why the second Impugned Order had been issued? It is further added .that the concerned Accounts Office did not stop the salary of the Appellant as the Account Office had properly 'scrutinized the appointment orders of the Appellant which were legal and valid orders. The Respondents have now asked the Headmaster of the school to draw the salary of the Appellant and keep the Appellant deprived of his pay. It is an unlawful act on the part of the Respondents. How is it possible to make recovery of pay of an official who has been working continuously and performing his duties honestly and fairly?

F. Incorrect and wrong. It is an admitted fact that the Respondent Department appointed the Appellant after qualifying the NTS test. The Respondents are telling lie after lie. Their statement is totally bogus and absurd. They have exposed their inefficiency and corruption.

G. The entire defence of the Respondents is a bundle of lies. They have given false statement which represents maladministration on their part so their defence is liable to set aside.

It is humbly prayed that the Appeal of the Appellant may kindly be accepted as prayed for.

Appellant

Dated: 19 / 2 /2019

Through:

Syed Wilayat Ali Shah Bukhari

Advocate, Peshawar.

Before the Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. /2018.

Zarsa Gul S/O Darya Khan, C.T Teacher, Government High School Garyum, District North Waziristan.

Appellant...

Versus

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was no vacancy in the school then why had the Respondents appointed the Appellant?

R.

- B. Incorrect. The statement of the Respondents represents maladministration. Their statement is nonsense and absurd. How is it possible to make recovery from a Government servant who has been working as C.T since 2017? The Appellant was appointed on account of fulfilling the requisite qualification and passing the NTS test. The statement of the Respondents reflects that all the affairs in Education Departments are done blindfold. It is further submitted how is it possible for a person to continue his service and draw his salary without permission of the competent authority? As the order of dispense with service was an illegal and baseless order, therefore, the Appellant was allowed to continue his service. The Appellant has been performing his duty till date. So all these facts and figures establish the fact that both the Impugned Orders are Illegal and invalid. They are nullity in the eye of law.
- C. Incorrect, false and baseless. The statement of the Respondents represents maladministration on the part of Respondents. The Respondents are trying to, conceal their inefficiency and guilt. It has been admitted by the Respondents. That the Appellant was fully fit in 2,0,13 and 2016 for the post of C.T on the basis of his qualification and NTS test and he also stood first in the NTS test. So under this admission of fact, how the Respondents have declared the Appellant ineligible for the post of C.T? The statement of the Respondents is deceptive and full of lies. Because they appointed Mr. Abdul Jalal & Mr. Abdullah on 21/12/2016 and 24/07/2017 respectively.
- D. Incorrect and false. Question arises how a person can continuations his service after his termination? The Appellant is still an employee of Education Department and he has been performing his duty till date. The gap between the two Impugned Orders is evident' of irregularities and inefficiency on the part of the Respondent Department. It was Respondent Department who appointed the Appellant on the basis of his eligibility and then unlawfully issued the order of dispense with service. It represents mal practice on the part of Respondent Department.
- E. Incorrect and totally absurd. Question arises if the first Impugned Order dated 10.01.2018 was a valid Order then why the second Impugned Order had been issued? It is further added .that the concerned Accounts Office did not stop the salary of the Appellant as the Account Office had properly 'scrutinized the appointment orders of the Appellant which were legal and valid orders. The Respondents have now asked the Headmaster of the school to draw the salary of the Appellant and keep the Appellant deprived of his pay. It is an unlawful act on the part of the Respondents. How is it possible to make recovery of pay of an official who has been working continuously and performing his duties honestly and fairly?

- F. Incorrect and wrong. It is an admitted fact that the Respondent Department appointed the Appellant after qualifying the NTS test. The Respondents are telling lie after lie. Their statement is totally bogus and absurd. They have exposed their inefficiency and corruption.
- G. The entire defence of the Respondents is a bundle of lies. They have given false statement which represents maladministration on their part so their defence is liable to set aside.

It is humbly prayed that the Appeal of the Appellant may kindly be accepted as prayed for.

Dated: 19 / 2 /2019

Appellant

Through:

Syed Wilayat Ali Shah Bukhari

Advocate, Peshawar.

<u>KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR</u>

No. 846 /ST

Dated 29 - 4 - 12019

To,

The District Education Officer, Miran Shah, North Waziristan.

SUBJECT: - ORDER IN APPEAL NO. 1120/2018, ZARSA GUL VS GOVT.

I am directed to forward herewith a certified copy of Order/Judgment dated 05.04.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

REGISRAR '
KHYBER PAKHTUNTKHWA
SERVICE TRIBUNAL
PESHAWAR