

01.09.2016

Counsel for the appellant, M/S Muhammad Ilyas Shah, Deputy Director & Shahid Iqbal, Litigation Officer alongwith Mr. Ziaullah, Government Pleader for official respondents No. 1 to 5 and counsels for private respondents No. 6 & 7 present. Arguments heard. To come up for order on tomorrow i.e 02.09.2016.

Member

Member

02.09.2016

Counsel for the appellant, M/S Muhammad Ilyas Shah, Deputy Director & Shahid Iqbal, Litigation Officer alongwith Mr. Ziaullah, Government Pleader for official respondents No. 1 to 5 and counsels for private respondents No. 6 & 7 present. Arguments heard and record perused.

Vide our detailed judgment of today in connected service appeal No. 468/2013 titled "Mst. Saira Gul-vs-Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others", this appeal is also disposed of as per <sup>the said</sup> detailed judgment. Parties are, however, left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
02.09.2016




(PIR BAKHSH SHAH)  
MEMBER



(ABDUL LATIF)  
MEMBER

06.05.2016


Counsel for the appellant and Addl: AG for respondents present. Learned counsel for the appellant requested for adjournment. Adjourned for arguments to 14.6.16 before D.B.

  
Member

  
Member

14.06.2016

Counsel for the appellant and Mr. Mashroof Gul, Supdt. alongwith Mr. Usman Ghani, Sr.GP for respondents present. Learned counsel for the appellant requested for adjournment. File to come up for arguments on 26.7.16 alongwith connected appeal.

  
MEMBER


  
MEMBER

26.7.2016

Counsel for the appellant and Assistant AG for respondents present. The learned counsel for the appellant informed that the case got adjourned as several occasions of due to non-appearance and non-availability of learned counsel in the connected appeal of Mst. Saira Gul. The case was adjourned on the insistence of private respondents in connected appeal. In this circumstance, last opportunity is further extended with the directions to all relevant parties to make sure their appearance on next date of hearing. So as to finalize the cases which are pending for quite some time. To come up for arguments on

1-9-16

  
Member

  
Member

  
118116

15.02.2016

Junior to counsel for the appellant and Addl. AG for respondents present. Arguments could not be heard due to learned Member (Executive) is on official tour to Abbotabad. Therefore, the case is adjourned to 22.3.16 for arguments.

MEMBER



MEMBER

22.03.2016

Counsel for the appellant and Mr. Muhammad Saeed, Assistant Director alongwith Mr. Muhammad Jan, GP for respondents present. Counsel for the appellant requested for adjournment. File to come up for arguments on 06.05.2016 alongwith the connected appeal.



Member



Member

04.11.2015

Counsel for the appellant, M/S Khurshid Khan, SO, Shahid Iqbal, Litigation Assistant and Hameed-ur-Rehman, AD (lit.) alongwith Ziaullah, GP for respondents present. Due to paucity of time therefore, case is adjourned to 2-12-15 for reply and arguments on application.

  
MEMBER

  
MEMBER

02.12.2015

Counsel for the appellant, M/S Yousaf Khan, Assistant Litigation and Hameed-ur-Rehman AD (Litigation) alongwith Ziaullah, GP for respondents present. Arguments could not be heard due to paucity of time. Therefore, the case is adjourned to 12.1.2016 for arguments.

  
Member

  
Member

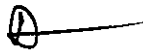
12.01.2016

Agent of counsel for the appellant and Mr. Hameed-ur-Rehman, AD (lit.) alongwith Addl: A.G for respondents present. The learned Member (Executive) is on official tour to Swat therefore, Bench is incomplete. To come up for arguments on 15-2-16

  
MEMBER

10.07.2015

Counsel for the appellant, M/S Khurshid Khan, SO, Javid Ahmad, Supdt, Bashir Ahmad, Head Master and Maroof Gul, Supdt alongwith Muhammad Jan, GP for official respondents and both the counsel for private respondents No. 6 and 7 present. Learned counsel for the appellant submitted that he has moved a miscellaneous application for production of record by Khyber Pakhtunkhwa Public Service Commission. The Learned GP wants to submit his reply. To come up for reply on application as well as final arguments on 15-09-2015



Member



Member

15.09.2015

Counsel for the appellant, M/S Javed Ahmed, Supdt. Bashir Ahmed, Headmaster and Mushroof Gul, Supdt. alongwith Ziaullah, GP respondents. Learned GP requested that copy of application dated 24.4.2014 moved by the appellant may be provided to him so that government department may submit its reply. Copy handed over to learned GP. To come up for reply and arguments on application on 4-11-15.



MEMBER



MEMBER

19.09.2014

Counsel for the appellant, Mr. Muhammad Adeel Butt, AAG with with Sajjad Rashid, AD and for official respondents, present. The learned AAG needs time to file reply to application submitted by the learned counsel for the appellant. Case is adjourned to 26.11.2014 for reply/arguments on application

  
MEMBER

26.11.2014

Junior to counsel for the appellant and Mr. Muhammad Jan, GP with Mosam Khan, AD for the official respondents present. The Tribunal is incomplete. To come up for the same on 24.2.2015.

  
READER

24.2.2015

Counsel for the appellant and Mr. Muhammad Jan, GP with Khursheed Khan, SO & Maroof Gul, Supdt. for the official respondents present. Respondents need further time. Case is adjourned to 07.5.2015 for reply/arguments on application of counsel for the appellant submitted on 7.05.2014.

  
MEMBER

07.05.2015

Counsel for the appellant, Mr. Muhammad Jan, GP with Javed Ahmad, Supdt. and Maroof Gul Supdt. for the official respondents present. The learned Member (Judicial) is on leave, therefore, case to come up for reply/arguments on application of the learned counsel for the appellant and full arguments on 10.7.2015.

  
MEMBER

10.2.2014

Counsel for the appellant and Mr. Muhammad Jan, GP with Khursheed Khan, SO, Mosam Khan, AD and Bashir Ahmad, Headmaster for the respondents present. Counsel for the appellant needs time. To come up for arguments on 17.3.2014.

MEMBER

MEMBER

17.3.2014

Counsel for the appellant and AAG with Bashir Ahmad, Headmaster, Khursheed Khan, SO, Mosam Khan, AD for official respondents present. To come up for arguments on 24.4.2014 with connected appeal No. 468/2013.

MEMBER

MEMBER

24.4.2014

Junior to counsel for the appellant and Mr. Muhammad Jan, GP with Khursheed Khan, SO, Sajjad Rashid, AD and Bashir Ahmad, Headmaster for official respondents present. Counsel for the appellant submitted an application for summoning the Director (Recruitment) Public Service Commission alongwith the record of the interview conducted for the post of SST. Copy handed over to the learned GP and representatives of the respondents for reply/arguments on 17.7.2014.

MEMBER

MEMBER

17.07.2014

Counsel for the appellant, and AAG with Sajjad Rashid, AD, Shahid Iqbal, Assistant and Bashir Ahmad, Headmaster for the respondents present and requested for time. To come up for reply/arguments on application on 19.09.2014.

MEMBER

MEMBER

743/13

8.10.2013.

Counsel for the appellant, Mr. Muhammad Jan, GP with Khursheed Khan, SO and Mosam Khan, Supdt. and Muhammad Saeed, Deputy Secretary and Bashir Ahmad, Headmaster for the official respondents present. Representative of the respondent No. 3 needs further time. To come up for written reply of respondent No. 3 on main appeal as well as reply/arguments on stay application on 26.11.2013. Till then stay granted on 13.5.2013 is extended

MEMBER

MEMBER

26.11.2013

Counsel for the appellant and Mr. Muhammad Jan, GP with Mosam Khan, AD, Bashir Ahmad, ADO and Muhammad Saeed, Deputy Secretary for the respondents present and reply filed. Copy handed over to counsel for the appellant. To come up for rejoinder on 6.1.2014. Till then status quo is extended,

MEMBER

MEMBER

6.1.2014.

Clerk to counsel for the appellant, and Mr. Muhammad Adeel Butt, AAG with Khursheed Khan, SO, Mosam Khan, AD and Bashir Ahmed, ADO for respondents present. Clerk to counsel for the appellant requested for time to file rejoinder. To come up for rejoinder on 10.2.2014.

MEMBER

MEMBER

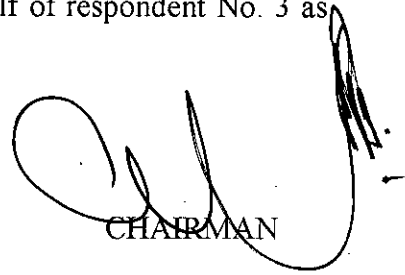


3-6-13

The Hon'ble bench is an Aben  
Therefore, case is closed B 10-9-13  
AD  
Beck

10.9.2013

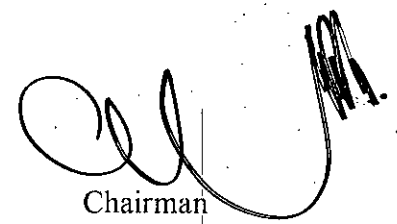
Clerk of counsel for the appellant, M/S Khurshid Khan, SO for respondents No. 1 and 2, Mosam Khan, AD for respondent No. 4 and Bashir Ahmad, Headmaster for respondent No. 5 with AAG for the respondents present. Written replies/para-wise comments received on behalf of respondents No. 1, 2, 4 and 5, while written reply on behalf of respondent No. 3 is still awaited. It was pointed out by the parties that another similar nature case by Saira Gul is also pending before learned bench-II. To come up for written reply on behalf of respondent No. 3 as well as further proceedings on 26.9.2013.



CHAIRMAN

26.9.2013

Counsel for the appellant and Mr. Khurshid Khan, SO for respondents No. 1 and 2 with AAG for the respondents present. It was pointed out that a similar nature case by Saira Gul is pending before learned Bench-II. Therefore, this appeal is also entrusted to learned bench-II for disposal, where the parties are directed to appear on 8.10.2013.



Chairman

Appeal No. 743/2013.  
Mst. Nilofar Begum.

4. 13.5.2013

Counsel for the appellant present and heard.

Contended that the appellant was appointed as SET/SST Science through the KPK Public Service Commission vide letter dated 23.12.2011 and was posted at GGHS Totakan vide order dated 3.1.2012. Her appointment order was withdrawn on 17.12.2012 but the same was not communicated to her. The appellant preferred a departmental appeal which has been rejected on 21.3.2013. Counsel for the appellant further contended that the appellant has performed duty for 9 months and received her salary for the service rendered by her, thus valuable rights have been created in her favour and the same cannot be snatched away from her. Counsel for the appellant informed that the said notification has already been suspended by this Tribunal in Appeal No. 468/2013 by Saira Gul Vs. Chief Secretary etc. and the appellant's case is the same as the appointment order of both was withdrawn vide the impugned Notification dated 17.12.2012. As the same notification has already been suspended in another case referred to above, it is also suspended in this case till the next date. Points raised need consideration. The appeal is admitted to regular hearing, subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, notices be issued to the respondents. Case adjourned to 3.6.2013 for submission of written reply.

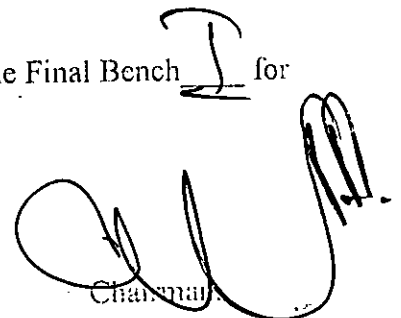
Appellant deposited  
security & process fee  
Rs 220/- bank receipt  
is attached with file

Jhb  
→

  
Member.

5. 13.5.2013




This case be put before the Final Bench I for  
further proceedings.

  
Chairman.

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 743/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	22/04/2013	<p>The appeal of Mst. Nilofar Begum resubmitted today by Mr. Ijaz Anwar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	22-4-2013	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>6-5-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
3.	6.5.2013	<p>Munshi to Counsel for the appellant present and requested for adjournment. Case adjourned to 13.5.2013 for P.H.</p> <p style="text-align: right;"> Member.</p>

The appeal of Mst. Nilofar Begum received today on 12/04/2013 is returned to the counsel for the appellant with the direction to submit three copies/sets of the appeal along with annexure i.e. complete in all respect, with in 10 days.

No. 638/S.T,  
Dt. 12/04/2013

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR

MR. IJAZ ANWAR ADVOCATE PESH.

*Six*  
*Re sub mited after Complaint*



7

**EFOR THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

Appeal No. 743/2013

Nilofar Begum D/O Bakht Foor Ex-SST(Science), GGHS No 2  
Batkhela, Postal address: C/O Jawad Pharmacy Main Bazar Batkhela  
Malakand Agency.

(Appellant)

**VERSUS**

Govt of Khyber Pakhtunkhwa through Chief Secretary Khyber  
Pakhtunkhwa, Peshawar and others.


(Respondents)


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4	List of Recommended Candidates, letter dated 23.12.2011, Medical Certificate and Appointment Notification dated 28.12.2011	C, D, E & F	25-37
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Appellant

Through

  
**IJAZ ANWAR**  
Advocate Peshawar  
&

  
**SAJID AMIN**  
Advocate, Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

Appeal No. 743 /2013

NWFP Peshawar  
760  
12/4/13

Nilofar Begum D/O Bakht Foor Ex-SST(Science), GGHS No 2  
Batkhela, Postal address: C/O Jawad Pharmacy Main Bazar Batkhela  
Malakand Agency.

(Appellant)

**VERSUS**

1. Govt of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. Secretary to Govt. Elementary and Secondary Education, Khyber Pakhtunkhwa.
3. Chairman Khyber Pakhtunkhwa Public Service Commission Peshawar, 2-Fort Road Peshawar Cantt.
4. Director, Elementary and Secondary Education, Department, Khyber Pakhtunkhwa, Peshawar.
5. District Education Office(Female), Malakand.

(Respondents)

**Appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the Notification No. 1666-74 / File No. 2 / A-14 / SST (F) / PSC / Apptt : dated 17.12.2012, whereby the appointment order of the appellant has been withdrawn and the letter dated 13.12.2012 (not communicated), whereby the recommendation of the appellant for appointment to the post of SST BPS-16 has been with drawn against which her departmental appeal dated 24.12.2012, has also been rejected vide order dated 21.03.2013.**

Prayer in Appeal:

**On acceptance of this appeal both the impugned Orders dated 17.02.2012, 21.03.2013 and letter dated 13.12.2012 may please be set-aside and the appellant may please be reinstated into service with all back benefits.**

Respectfully Submitted:

1. That certain Posts were advertised by the NWFP (now Khyber Pakhtunkhwa) Public Service Commission vide Advertisement No. 01/2009 dated 26.01.2009, including the posts of SET/SST Science at serial No. 55, wherein 26.02.2009 was given as last date for submission of applications.(Copy of the advertisement dated 26.01.2009 is attached as Annexure A).

Re-submitted to  
and filed.

22/1/13.

2. That the appellant having the requisite qualification, duly applied for the post of SST/SET Science, she was called for test / interview vide letter dated 26.07.2011, accordingly she appeared in test and interview and remained successful. (Copies of the letter dated 26.07.2011, is attached as Annexure B).
3. That having remained successful in test / interview, the appellant was recommended for appointment by the Public Service Commission and vide letter dated 23.12.2011, the respondent department directed the appellant to appear before the medical Board for medical examination, accordingly she appeared before the Medical board and was found fit. Thereafter vide Notification No.4485-92/File No.2/A-14/ SST (F) /PSC /Apptt: dated 28.12.2011, she was appointed as SST Science. (Copy of the List of Recommended Candidates, letter dated 23.12.2011, Medical Certificate and Appointment Notification dated 28.12.2011, are attached as Annexure C, D, E & F).
4. That the appellant was posted at GGHS Totakan, Malakand, vide order dated 03.01.2012, she duly submitted her arrival report, which was accepted and she took over charge of her post and started performing her duties. Ever since her appointment the appellant performed her duties as assigned to her with zeal and devotion and there was no complaint whatsoever regarding her performance. (Copies of the Posting order dated 03.01.2012 and Arrival Report and Charge Report are attached as Annexure G , H & I)
5. That during the course of her service, the appellant was also transferred to GGHS No.2 Batkhela vide Order dated 22.03.2012 she took over charge of her new place of posting and continuously perform her duties till December, 2012, she regularly received monthly salary of her post. (Copies of the transfer order dated 22.03.2012, Arrival Report dated 24.03.2012 charge Report dated 01.04.2012 and Pay Slips are attached as attached as Annexure J, K & L).
6. That while performing her duties in the said capacity through a surprise move the appointment Notification in respect of the appellant was withdrawn vide the impugned Notification dated 17.12.2012, allegedly for the reason that her recommendation was withdrawn by the public Service Commission vide letter dated 13.12.2012, however this letter was never communicated to the appellant. (Copies of the letter dated 13.12.2012, and impugned Notification dated 17.12.2012 are attached as Annexure M & N).
7. That the appellant submitted her department appeals on 24.12.2012 and 27.12.2012 respectively, however only the appeal filed before the Respondent No 03 was rejected vide order dated 21.03.2013. (Copies of the departmental appeals and rejection Order dated 21.03.2013 are attached as Annexure O & P).

8. That the impugned orders are illegal unlawful against law and facts, hence liable to be set aside inter alia on the following grounds:-

**Grounds of Appeal:**

- A. That the appellant has not been treated in accordance with law, hence her right secured and guaranteed by law are badly violated.
- B. That no proper procedure has been followed before withdrawal of the appointment order of the appellant neither any notice show cause / charge sheet has been issued nor any enquiry as required by law is conducted, thus withdrawal so made is liable to be set at naught.
- C. That the appointment of the appellant is approved and signed by the competent authority after observing all coddle formalities on the basis of which the appellant assumed her charge report. So, under the principles of locus ponitentie vested rights are accrued to the appellant and the Respondents cannot withdraw / cancelled his appointment order on any pretext.
- D. That the appellant duly appeared in test / interview, she remained successful and was medically examined and was found fit, she was appointed by competent authority. No irregularity or illegality has been committed in the appointment process.
- E. That as per the version of the commission, they never maintained the record of the interviews, the stance regarding omission in calculation of the interview marks at this belated stage is rather absurd and smacks of malafide.
- F. That legally the commission has got no power to withdraw recommendation for appointment after a considerable long time particularly when the recommendation have been acted upon and appointment orders are issued.
- G. That the appellant has been condemned unheard, no right of hearing has been provide to her before the withdrawal of the recommendation as will appointment order.
- H. That the appellant has taken over charge of her post she performed her duties for almost one year, thus valuable rights have been created in her favour and the same cannot be undue or snatched away with one stroke of pen.
- I. That the appellant has never committed any act or omission which could be termed as misconduct.



- J. That the appellant is Jobless since her illegal withdrawal of appointment order.
- K. That the appellant seeks the permission of this Honorable Tribunal to rely on additional grounds at the hearing of this appeal.

It is, therefore, humbly prayed that on acceptance of this appeal both the impugned Orders dated 17.02.2012, 21.03.2013 and letter dated 13.12.2012 may please be set-aside and the appellant may please be reinstated into service *with all back benefits of service.*

  
Appellant

Through

  
**IJAZ ANWAR**  
Advocate Peshawar  
&

  
**SAJID AMIN**  
Advocate Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

Appeal No. \_\_\_\_/2013

Nilofar Begum D/O Bakht Foor Ex-SST(Science), GGHS No 2  
Batkhela, Postal address: C/O Jawad Pharmacy Main Bazar Batkhela  
Malakand Agency.

**(Appellant)**

**VERSUS**

Govt of Khyber Pakhtunkhwa through Chief Secretary Khyber  
Pakhtunkhwa, Peshawar and others.

**(Respondents)**

**Application for the suspension of the operation of the  
notification dated 17.12.2012 till the decision of the above  
noted Appeal**

**Respectfully Submitted:**

1. That the appellant has filed today the above noted appeal in this Honourable Tribunal in which no date of hearing has been fixed so far.
2. That the facts and ground mentioned in the accompanied appeal may be read as integral part of this application.
3. That the applicant has got a good prima facie case and there is likelihood of it success.
4. That the applicant would be exposed to great hard ship and inconvenience in case the order is not suspended.
5. That the appellant would suffer irreparable loss, if the operation of the impugned order is not suspended.
6. That it will also serve the interest of justice if the order impugned is suspended till the final decision of the appeal.

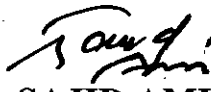
It is there fore prayed that on acceptance of this application the operation of the impugned cancellation order dated 17.12.2012 may please be suspended till the decision of the main appeal.

  
Applicant

Through



**IJAZ ANWAR**  
Advocate, Peshawar  
&

  
**SAJID AMIN**  
Advocate, Peshawar

### AFFIDAVIT

I, **Nilofar Begum D/O Bakht Foor Ex-SST(Science), GGHS No 2 Batkhela, Postal address: C/O Jawad Pharmacy Main Bazar Batkhela Malakand Agency**, do hereby solemnly affirm and declare that the contents of the above appeal as well as application are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.



  
DEPONENT

Q.No. 55.

7

Annex:-

# NWFP PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:  
Website: www.nwfppsc.gov.pk

Dated: 26-01-2009

## ADVERTISEMENT No. 01 / 2009.

Applications are invited for the following posts from Pakistani citizens of N.W.F.P/F.A.T.A domicile by 26-02-2009 (13-03-2009 for candidates from abroad). Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall also be rejected without intimation to the candidates.

### AGRICULTURE LIVESTOCK & CO-OPERATIVE DEPTT:

(S.No. 01) One (01) Post of assistant Botanist. In Livestock Research & Dev: Deptt:

QUALIFICATION: M.Sc Agriculture or B.Sc (Hons) Agriculture (Obtained) after "4" Years Instructions after F.Sc) . from a recognized University under research programme in the subject relating to the subject groups as specified in schedule -II to which the Vacancy occurs..  
AGE LIMIT: 21 to 33 years. PAY SCALE: BPS-17. ELIGIBILITY: Both Sexes. ALLOCATION: Merit.

(S.No. 02) Two (2) Posts of Research officers Fodder. In L&DD Deptt:

QUALIFICATION: M.Sc Agriculture or B.Sc (Hons) Agriculture (Obtained) after "4" Years Instructions after F.Sc) . from a recognized University under research programme in the subject relating to the subject groups as specified in schedule -II to which the Vacancy occurs..  
AGE LIMIT: 21 to 33 years. PAY SCALE: BPS-17. ELIGIBILITY: Male. ALLOCATION:

Merit	Zone-1
01	01

### CHIEF ENGINEER WORKS & SERVICE DEPARTMENT.

(S.No. 03) Five (05) Posts of Data Entry Operators.

QUALIFICATION: (i) 2<sup>nd</sup> Division FA/FSc with one year Diploma in Computer Science from the recognized Institute (ii) Speed of Ten thousand key depression per hour for punching/data entry/verification.  
AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-11. ELIGIBILITY: Both Sexes. ALLOCATION:

Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
01	01	01	01	01

### DIRECTORATE OF INDUSTRIES COMMERCE MINERAL DEV: LABOUR & TECHNICAL EDUCATION DEPARTMENT.

(S.No. 04) One (01) Post of Male Inspector Mines

QUALIFICATION: (i) Bachelor Degree in Mining Engineering from recognized University and (ii) 1<sup>st</sup> Class Mines Manager's certificate of Competency granted under the provision of Mines Act, 1923 and (iii) Two years experience in Govt: or Semi Government Mining Industries registered under the Mines Act, 1923.  
AGE LIMIT: 21 to 33 years. PAY SCALE: BPS-17. ELIGIBILITY: Male.

Handwritten signature/initials

qualification at clause (b) above, a candidate possessing the remaining qualification and experience may be appointed, provided that he shall have to pass 1<sup>st</sup> Class Mines Manager's certificate of competency during the probation period failing which his Service shall be terminated.

**DIRECTOR OF PROSECUTION DEPARTMENT.**

**(S.No. 05) One (01) Post of Junior Scale Stenographer.**

**QUALIFICATION:** (i) Intermediate or equivalent qualification from a recognized Board and (ii) A speed of 60 words per minute in English Shorthand and 35 words per minute in English typewriting and knowledge of Computer in using MS Word and MS Excel.

**AGE LIMIT:** 18 to 30 years. **PAY SCALE:** BPS-12. **ELIGIBILITY:** Male.

**ALLOCATION:** Zone-1

**EXCISE AND TAXATION DEPARTMENT.**

**(S.No. 06) Thirty Six (36) Posts of Excise & Taxation Inspectors.**

**QUALIFICATION:** (i) 2<sup>nd</sup> Class Bachelor's Degree from a recognized University and (ii) One year Diploma in Computer Science from the Board of Technical Education.

**AGE LIMIT:** 21 to 32 years. **PAY SCALE:** BPS-14. **ELIGIBILITY:** Both Sexes.

**ALLOCATION:**

Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
08	08	08	06	06

**(S.No. 07) Two (02) Posts of Excise & Taxation Inspectors. (For Earth Quake Quota)**

**QUALIFICATION:** (i) 2<sup>nd</sup> Class Bachelor's Degree from a recognized University and (ii) One year Diploma in Computer Science from the Board of Technical Education.

**AGE LIMIT:** 21 to 32 years. **PAY SCALE:** BPS-14. **ELIGIBILITY:** Both Sexes.

**ALLOCATION:** As per Govt. Policy i.e Dist:

Mansehra	Battagram	Shangla	Kohistan	Abbottabad
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**(S.No. 08) Four (04) Posts of Excise & Taxation Inspectors. (For Women quota)**

**QUALIFICATION:** (i) 2<sup>nd</sup> Class Bachelor's Degree from a recognized University and (ii) One year Diploma in Computer Science from the Board of Technical Education.

**AGE LIMIT:** 21 to 32 years. **PAY SCALE:** BPS-14. **ELIGIBILITY:** Female.

**ALLOCATION:** Merit.

**(S.No. 09) One (01) Data Post of Processing Supervisor.**

**QUALIFICATION:** Second Class Bachelor's Degree with Computer Science from a recognized University.

**AGE LIMIT:** 21 to 32 years. **PAY SCALE:** BPS-14. **ELIGIBILITY:** Both Sexes.

**ALLOCATION:**

Zone-1
01

**(S.No. 10) One (01) Post of Junior Scale Stenographer.**

**QUALIFICATION:** (i) Intermediate or equivalent qualification from a recognized Board and (ii) A speed of 50 words per minute in shorthand in English and 35 words per minute in typing and knowledge of Computer in using MS Word & MS Excel.

**AGE LIMIT:** 18 to 32 years. **PAY SCALE:** BPS-12. **ELIGIBILITY:** Both Sexes.

**ALLOCATION:**

Zone-5
01

**(S.No. 11) Nine (09) Post Key Punch Operator.**

**QUALIFICATION:** Intermediate with Statistics, Economics or Mathematics/Physics one of the subjects, and (ii) A minimum speed of one thousand key depression per hour for punching/ data entry / verification.

**AGE LIMIT:** 18 to 32 years. **PAY SCALE:** BPS-11. **ELIGIBILITY:** Both Sexes.

**ALLOCATION:**

Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
02	02	01	01	03

**FINANCE DEPARTMENT**

**(S.No. 12) Four (04) Posts of Programmer.**

**QUALIFICATION:** Second Class Master Degree or equivalent qualification in Computer Science from recognized University.

**AGE LIMIT:** 22 to 35 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Both Sexes.

**ALLOCATION:**

Merit	Zone-1	Zone-2	Zone-3
01	01	01	01

**HIGHER EDUCATION DEPARTMENT**

**(S.No. 13) Thirteen (13) Posts of Female Assistant Professor.**

**QUALIFICATION:** (i) Ph D in the relevant field from a recognized University with two years Teaching / research experience in a recognized College/ University or (ii) Phil in the relevant subject from a recognized University with five years Teaching Experience /Research experience in a College/ University or (iii) Second Class Master Degree in the relevant subject from a recognized University with Administrative Management.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-18. **ELIGIBILITY:** Female.

**ALLOCATION:** The break up of the Post as follow.

S.No.	Subject	Vacancies
1	Computer Science	02 Posts
2	Economics	01 Posts
3	Pak Study	02 Posts
4	Maths	02 Posts
5	English	02 Posts
6	Zoology	01 Posts
7	Home Economic	02 Posts
8	Islamiat	01 Posts

**(S.No. 14) Seventeen (17) Posts of Female Lecturers in Various Subjects.**

**QUALIFICATION:** Second Class Master Degree or equivalent qualification from recognized University.

**AGE LIMIT:** 21 to 30 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Female.

**ALLOCATION:**

S.No.	Subject	No. of Posts	Allocation						
			Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5	
1	Physics	05	-	02	-	02	01	-	
2	History	03	-	01	-	-	-	02	
3	Economics	01	-	-	-	01	-	-	
4	Maths	08	-	07	-	01	-	-	

HEALTH DEPARTMENT

(S.No. 15)

**Three (03) Posts of Professor one each in Anatomy, Physiology and Biochemistry in Bannu Medical College Bannu.**

**QUALIFICATION:** (a) MBBS or equivalent medical qualification recognized by PMDC (b) D.Sc/Ph.D/FCPS/MS/MD/M.Phil (Pak) in the respective basic subject OR FCPS/MD/MS in the related clinical subject or equivalent qualification recognized/registered by the Council with at least two papers of research work of original nature published in a standard Medical Journal within three years before appointment.

**EXPERIENCE:-** (a) Three years teaching experience as an Associate Professor in the respective subject and a total teaching experience of eight years as an Assistant Professor and Associate Professor OR (b) Nine years teaching experience as an Assistant Professor and Associate Professor in the respective subject.

**NOTE:-** For the purpose of counting experience prescribed above (a) The experience gained as Lecturer/demonstrator by persons who have obtained Post Graduate Qualification in basic Science subject at a later stage shall be added in the ratio of 4:1 to the experience as Assistant Professor i.e. four years experience as Lecturer/demonstrator shall be equivalent to one year experience as an Assistant Professor. (b) Experience gained as Lecturer/demonstrator in the basic Science subject with the requisite Post Graduate Qualification like Ph.D/M.Phil shall be added in the ratio of 2:1 to the experience as Assistant Professor i.e. two years teaching experience as Lecturer/demonstrator with the requisite post Graduate qualification shall be equivalent to one year teaching experience as an Assistant Professor.

**REMARKS:-** FCPS/MD/MS in the related clinical subject shall have last preference.

**AGE LIMIT:** 40 to 50 years. **PAY SCALE:** BPS-20. **ELIGIBILITY:** Both Sexes

**ALLOCATION:** Merit.

(S.No. 16)

**Two (02) Posts of Professor one each for Medicine and Surgery in Khyber girls Medical College Peshawar.**

**QUALIFICATION:** a. MBBS or equivalent medical qualification recognized by council and b. FCPS/MS/MD in the respective subjects or equivalent qualification in the specialty recognized by the council with at least two papers on research work in relevant specialties published in standard Medical journal as principal author in the capacity of Associate Professor.

**EXPERIENCE:** a. Three years teaching experience as an Associate Professor in the respective subject and a total teaching experience of eight years as Assistant Professor and Associate Professor; OR

b. Nine years teaching experience as Assistant Professor and Associate Professor in the respective subject.

**AGE LIMIT:** 40 to 55 years. **PAY SCALE:** BPS-20. **ELIGIBILITY:** Both Sexes

**ALLOCATION:** Merit.

(S.No. 17)

**Two (02) Posts of Associate Professor One Each For Medicine and Surgery For Khyber Girls Medical College Peshawar**

**QUALIFICATION:** a. MBBS or equivalent medical qualification recognized by council and b. FCPS/MS/MD in the respective subjects or equivalent qualification in the specialty recognized by the council, with three papers on research work of which at least two shall be as principal author in the capacity of Assistant Professor in the relevant specialty published in standard Medical journal.

**EXPERIENCE:** a. Five years teaching experience as Assistant Professor in the relevant subject.

**AGE LIMIT:** 35 to 45 years. **PAY SCALE:** BPS-19. **ELIGIBILITY:** Both Sexes

**ALLOCATION:** Merit.

**(S.No. 18) One (01) Post of Associate Professor of Physiology for Khyber Girls Medical College Peshawar.**

**QUALIFICATION:** a. MBBS or equivalent medical qualification recognized by the council and b. D.Sc/Ph.D/FCPS/MS/MD/M.Phil (Pak) in the respective basic subject or FCPS/MD/MS in the relevant clinical subject or equivalent qualification recognized/registered by the council with at least Three papers on research work of original nature published in standard Medical journal; OR  
c. Postgraduate mineral diploma in the respective subject recognized/registered by the council, with at least five papers on research work of original nature published in standard Medical Journal.

**EXPERIENCE:-** Five years teaching experience as Assistant Professor in the relevant subject in case of qualification at (b) above and seven years teaching experience as Assistant Professor in the relevant subjects, in the case of qualification at (c) above shall be essential.

**AGE LIMIT:** 35 to 45 years. **PAY SCALE:** BPS-19. **ELIGIBILITY:** Both Sexes. **ALLOCATION:** Merit.

**(S.No. 19) Four (04) Posts of Associate Professor one each For Surgery Medicine, Ophthalmology and Gynaecology for Saidu Medical College Swat.**

**QUALIFICATION:** a. MBBS or equivalent medical qualification recognized by the council and b. FCPS/MS/MD in the respective subjects or equivalent qualifications in the specialty recognized by the council, with three papers on research work of which at least two shall be as principal author in the capacity of Assistant Professor in the relevant specialty published in standard Medical journal.

**EXPERIENCE:** Five years teaching experience as Assistant Professor in the relevant subject

**AGE LIMIT:** 35 to 45 years. **PAY SCALE:** BPS-19. **ELIGIBILITY:** Associate Professor Surgery, Medicine and Ophthalmology are allocated for Male/Female and Associate Professor Gynecology is allocated only for female.

**ALLOCATION:** Merit.

**(S.No. 20) Two (02) Posts of Associate Professor one each for Bio Chemistry and Pharmacology for Gomal Medical College D.I.knan.**

**QUALIFICATION:** a. MBBS or equivalent medical qualification recognized by the council and b. D.Sc/Ph.D/FCPS/MS/MD/M.Phil (Pak) in the respective basic subject or FCPS/MD/MS in the related clinical subject or equivalent qualification recognized/registered by the council with at least three papers on research work of original nature published in standard Medical journal; OR

c. Postgraduate miner diploma in the respective subject recognized/registered by the council, with at least five papers on research work of original nature published in standard Medical Journal.

**EXPERIENCE:-** a. Five years teaching experience as Assistant Professor in the relevant subject in case of qualification at b. above or seven years teaching experience as Assistant Professor in the relevant subjects, in the case of qualification at c. above shall be essential.

**AGE LIMIT:** 35 to 45 years. **PAY SCALE:** BPS-19. **ELIGIBILITY:** Both Sexes. **ALLOCATION:** Merit.

**(S.No. 21) Two (02) Posts of Assistant Professor One Each For Medicine And Surgery For Khyber Girls Medical College Peshawar.**

**QUALIFICATION:** a. MBBS or equivalent medical qualification recognized by the council and b. FCPS/MS/MD in the respective subjects or equivalent qualifications in the specialty recognized by the council.

**EXPERIENCE:** Three years teaching experience in the respective subject in the following order of preference

- 1. Teaching experience;
- 2. Practical experience after post graduation;



(S.No. 26)	One (01) Post of Lecturer in Pak: Studies in Gomal Medical College D.I.Khan
	<p><b>QUALIFICATION:</b> Second class Master Degree in relevant subject from recognized University; provided that for the post of Lecturer in English, the holders of 3<sup>rd</sup> class Master degree in English shall also be eligible.</p> <p><b>AGE LIMIT:</b> 21 to 40 years. <b>PAY SCALE:</b> BPS-17. <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
(S.No. 27)	One (01) Post of Lecturer in Islamiyat in Gomal Medical College D.I.Khan
	<p><b>QUALIFICATION:</b> Second class Master Degree in relevant subject from recognized University; provided that for the post of Lecturer in English, the holders of 3<sup>rd</sup> class Master degree in English shall also be eligible.</p> <p><b>AGE LIMIT:</b> 21 to 40 years. <b>PAY SCALE:</b> BPS-17. <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
(S.No. 28)	One (01) Post of Computer Programmer in Gomal Medical College D.I.Khan.
	<p><b>QUALIFICATION:</b> a. M.Sc Computer Science from recognized University or Institute; and b. preferably one year experience as Computer Programmer.</p> <p><b>AGE LIMIT:</b> 25 to 35 years. <b>PAY SCALE:</b> BPS-17. <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
(S.No. 29)	One (01) Post of Director Physical Education in Gomal Medical College D.I.Khan
	<p><b>QUALIFICATION:</b> Master's Degree in Physical Education from a recognized University.</p> <p><b>AGE LIMIT:</b> 21 to 35 years. <b>PAY SCALE:</b> BPS-17. <b>ELIGIBILITY:</b> Male. <b>ALLOCATION:</b> Merit.</p>
(S.No. 30)	One (01) Post of Librarian In Gomal Medical College D.I.Khan
	<p><b>QUALIFICATION:</b> Master's Degree in Library Science from a recognized University.</p> <p><b>AGE LIMIT:</b> 21 to 35 years. <b>PAY SCALE:</b> BPS-17. <b>ELIGIBILITY:</b> Male. <b>ALLOCATION:</b> Merit.</p>
(S.No. 31)	One (01) Post of Biochemist for Khyber Girls Medical College Peshawar.
	<p><b>QUALIFICATION:</b> M.Sc (Biochemistry) in 2<sup>nd</sup> Division from recognized University.</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17. <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
(S.No. 32)	One (01) Post of Librarian in Gomal Medical College D.I.Khan.
	<p><b>QUALIFICATION:</b> Diploma in Library Science from a recognized University.</p> <p><b>AGE LIMIT:</b> 21 to 35 years. <b>PAY SCALE:</b> BPS-16. <b>ELIGIBILITY:</b> Female. <b>ALLOCATION:</b> Merit.</p>
(S.No. 33)	One (01) Post of Warden in Gomal Medical College D.I.Khan
	<p><b>QUALIFICATION:</b> (a) M.Sc/M.A with at least 2<sup>nd</sup> Division from a recognized University &amp; (b) Three years administrative experience in a college or department.</p> <p><b>AGE LIMIT:</b> 25 to 35 years. <b>PAY SCALE:</b> BPS-16. <b>ELIGIBILITY:</b> Male. <b>ALLOCATION:</b> Merit.</p>

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(S.No. 34)	<b>Two (02) Posts of Artist in Gomal Medical College D.I.Khan.</b>	
	<b>QUALIFICATION:</b> Secondary School Certificate from recognized Board with diploma in fine art.	
	<b>AGE LIMIT:</b> 18 to 25 years. <b>PAY SCALE:</b> BPS-11. <b>ELIGIBILITY:</b> Male.	
	<b>ALLOCATION:</b>	
	Zone-3	Zone-4
	01	01

(S.No. 35)	<b>One (01) Post of Stenotypist In Gomal Medical College D.I.Khan</b>	
	<b>QUALIFICATION:</b> (Metric or equivalent qualification from recognized Boards; and b. A speed of 80 words per minute & Shorthand in English 35 words per minute in typing.	
	<b>AGE LIMIT:</b> 18 to 25 years. <b>PAY SCALE:</b> BPS-12. <b>ELIGIBILITY:</b> Male.	
	<b>ALLOCATION:</b> Zone-3	

### LAW AND PARILIAMENTARY AFFAIRS DEPARTMENT

(S.No. 36)	<b>Two (02) Posts of Additional Govt: Pleader.</b>	
	<b>QUALIFICATION:</b> Degree in Law from any recognized University and five years standing at the Bar preferably on civil side.	
	<b>AGE LIMIT:</b> 28 to 35 years. <b>PAY SCALE:</b> BPS-17. <b>ELIGIBILITY:</b> Both Sexes.	
	<b>ALLOCATION:</b>	
	Zone-2	Zone-3
	01	01

### LOCAL FUND AUDIT DEPARTMENT

(S.No. 37)	<b>Two (02) Posts of Computer Operator.</b>	
	<b>QUALIFICATION:</b> (i) Second class Intermediate Certificate with Statistics/ Economics Maths, Physics as one of the subject from recognized Board.	
	(ii) One year Diploma in computer IT from Board of Technical Education or its equilent.	
	<b>AGE LIMIT:</b> 18 to 30 years. <b>PAY SCALE:</b> BPS-11. <b>ELIGIBILITY:</b> Both Sexes.	
	<b>ALLOCATION:</b>	
	Zone-1	Zone-2
	01	01

### N.W.F.P POLICE DEPARTMENT.

(S.No. 38)	<b>Eighteen (18) Posts of Male Sub Inspector (Legal) of Police.</b>	
	<b>QUALIFICATION:</b> B.A / L.L.B	
	<b>Physical Standard:</b> Higher ( 5 x 5 ) Chest (33 x 33 ½) (Clarify Physical Standard from Police Deptt:)	
	<b>AGE LIMIT:</b> 18 to 30 years. <b>PAY SCALE:</b> BPS-14. <b>ELIGIBILITY:</b> Male.	
	<b>ALLOCATION:</b> Two (02) each to Distt Peshawar and Kohat and One (01) each to Distt Mardan . Swabi, Charsadda, Newsheera. Swat, Shangla, Dir Upper. Chitral. Bunir. Haripur, Mansehra, Battagram, Kohistan, and Bannu,	

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**PROVINCIAL PUBLIC SAFETY & POLICE COMPLAINTS**  
**COMMISSION NWFP PESHAWAR**

(S.No. 39) **One (01) Post of Female Junior Scale Stenographer cum-computer operator.**

**QUALIFICATION:** (i) F.A/ F.Sc in Second Division from a recognized Board  
(ii) One year diploma in Computer Science from an institute recognized by the Board of Technical Education (iii) A speed of 60 words per minute in English Shorthand and 35 words per minute in English Typewriting.

**AGE LIMIT:** 18 to 30 years. **PAY SCALE:** BPS-12. **ELIGIBILITY:** Female.

**ALLOCATION:** Open Merit.

(S.No. 40) **Ten (10) Posts of Male Junior Scale Stenographer.**

**QUALIFICATION:** (i) F.A/ F.Sc in Second Division from a recognized Board  
(ii) One year diploma in Computer Science from an institute recognized by the Board of Technical Education (iii) A speed of 60 words per minute in English Shorthand and 35 words per minute in English Typewriting.

**AGE LIMIT:** 18 to 30 years. **PAY SCALE:** BPS-12. **ELIGIBILITY:** Both Sexes.

**ALLOCATION:**

Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
02	02	02	02	02

**SCHOOL & LITERACY DEPARTMENT.**

(S.No. 41) **Twenty six (26) Posts of Principal/vice Principal/Deputy Director. (with out graduaty and pension).**

**QUALIFICATION:** (a) Master Degree with M.Ed/M.A /M.A (Education) from a recognized University with nine years experience. (NOTE) experience shall be counted from M.A/M.Sc or M.Ed which ever is proper.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-18. **ELIGIBILITY:** Male.

**ALLOCATION:** Merit.

(S.No. 42) **One (01) post Principal/vice Principal/Deputy Director . Earth Quake quota (with out graduaty and pension ).**

**QUALIFICATION:** (a) Master Degree with M.Ed/M.A /M.A (Education) from a recognized University with nine years experience. (NOTE) experience shall be counted from M.A/M.Sc or M.Ed which ever is proper.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-18. **ELIGIBILITY:** Male.

**ALLOCATION:** For ( District Battargam)

(S.No. 43) **Two (02) Posts of Male Head Master.(with out graduaty and pension).**

**QUALIFICATION:** (a) Master Degree with B.Ed/M.Ed/M.A /M.A (Education) from a recognized University with Five years experience. (NOTE) experience shall be counted from M.A/M.Sc or M.Ed which ever is proper.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male.

**ALLOCATION:**

Merit	Zone-2
01	01

(S.No. 44) **Twenty one (21) Posts of Female Head Mistress. (with out graduaty and pension).**

**QUALIFICATION:** (a) Master Degree with B.Ed/M.Ed/M.A /M.A (Education) from a recognized University with Five years experience. (NOTE) experience shall be counted from M.A/M.Sc or M.Ed which ever is proper.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female.

**ALLOCATION:**

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5

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(S.No. 45) **One (01) Post of Head Mistress. For Earth Quake Quota (I.E).**  
(with out graduaty and pension).

**QUALIFICATION:** (a) Master Degree with B.Ed/M.Ed/M.A /M.A (Education) from a recognized University with Five years experience. (NOTE) experience shall be counted from M.A/M.Sc or M.Ed which ever is proper.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female.

**ALLOCATION:** District Battagram.

(S.No. 46) **Four Hundred and Forty Nine (449) Posts of Male S.S in Various Subjects .(with out graduaty and pension).**

**QUALIFICATION:** Master's Degree in the relevant subjects with Bachelor of Education or M.Ed or M.A. Education (industrial Arts or Business Education) from a recognized University.

**NOTE:** If no suitable candidate possessing the above qualification is available then a candidate possessing Master's degree in the relevant subject will be considered subject to the condition that such have appointee shall have to acquire the additional qualification of B.Ed. or M.Ed etc as specified above within three years from the date of appointment, failing which has services shall be terminated irrespective of any other provisions of the rules for the time being in force.

**NOTE:** For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

**For Biology:** 2<sup>nd</sup> Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male.

**ALLOCATION:**

Subject:	No. of Posts	Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
Islamiyat	58	14	09	10	10	08	07
History-Cum-Civic	52	13	08	08	09	07	07
English	48	12	08	08	08	06	06
Chemistry	44	11	07	07	07	06	06
Economics	41	10	07	07	07	05	05
Maths	41	11	06	07	07	05	05
Statistics	40	10	06	07	07	05	05
Physics	38	10	07	07	06	04	04
Pak-Study	37	09	06	06	06	05	05
Biology	36	09	06	06	06	05	04
Urdu	14	03	02	02	02	02	03

(S.No. 47) **Nine (09) Posts of Male S.S Disabled .(with out graduaty and pension).**

**QUALIFICATION:** Master's Degree in the relevant subjects with Bachelor of Education or M.Ed or M.A. Education (industrial Arts or Business Education) from a recognized University.

**NOTE:** If no suitable candidate possessing the above qualification is available then a candidate possessing Master's degree in the relevant subject will be considered subject to the condition that such have appointee shall have to acquire the additional qualification of B.Ed. or M.Ed etc as specified above within three years from the date of appointment, failing which has services shall be terminated irrespective of any other provisions of the rules for the time being in force.

**NOTE:** For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

**For Biology:** 2<sup>nd</sup> Class Master Degree in Botany or Zoology provided that other subjects have been studied at graduate level.

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**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male.  
**ALLOCATION:** Merit Quota.

S.No	Subject	No. of Posts	Allocation
01	Islamiyat	01	Merit Quota
02	History-cum-Civics	01	Merit Quota
03	Economics	01	Merit Quota
04	English	01	Merit Quota
05	Statistics	01	Merit Quota
06	Maths	01	Merit Quota
07	Biology	01	Merit Quota
08	Chemistry	01	Merit Quota
09	Physics	01	Merit Quota

(S.No. 48) **Twenty Four (24) Posts of Male S.S (Earth Quake Quota) For Districs Battagram, Mansehra, Shangla, Kohistan, Abbottabad, with out graduaty and pension).**

**QUALIFICATION:** Master's Degree in the relevant subjects with Bachelor of Education or M.Ed or M.A. Education (industrial Arts or Business Education) fro a recognized University.

**NOTE:** If no suitable candidate possessing the above qualification is available then a candidate possessing Master's degree in the relevant subject will be considered subject to the condition that such have appointee shall have to acquire the additional qualification of B.Ed. or M.Ed etc as specified above within three years from the date of appointment, failing which has services shall be terminated irrespective of any other provisions of the rules for the time being in force.

**NOTE:** For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

**For Biology:** 2<sup>nd</sup> Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male.

**ALLOCATION:**

S.No	Subject	No. of Posts	Allocation
1.	Islamiyat	03	Merit Quota
2.	Pak: Study	02	Merit Quota
3.	History-Cum-Civics	03	Merit Quota
4.	Economics	02	Merit Quota
5.	English	02	Merit Quota
6.	Statistics	02	Merit Quota
7.	Maths	02	Merit Quota
8.	Biology	02	Merit Quota
9.	Chemistry	02	Merit Quota
10.	Physics	02	Merit Quota
11.	Urdu	02	Merit Quota

(S.No. 49) **Three Hundred and Ninty One (391) Posts of Female S.S in Various Subjects (with out graduaty and pension).**

**QUALIFICATION:** Master's Degree in the relevant subjects with Bachelor of Education or M.Ed or M.A. Education (industrial Arts or Business Education) fro a recognized University.

**NOTE:** If no suitable candidate possessing the above qualification is available then a candidate possessing Master's degree in the relevant subject will be considered subject to the condition that such have appointee shall have to acquire the additional qualification of B.Ed. or M.Ed etc as specified above within three years from the date of

**NOTE:** For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

**For Biology:** 2<sup>nd</sup> Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female.

**ALLOCATION:**

Subject:	No. of Posts	Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
Statistics	50	13	08	09	08	06	06
Pak-Study	48	12	08	08	08	06	06
Islamiyat	44	09	08	08	07	06	06
Economics	44	11	08	07	07	05	06
Maths	43	11	07	07	06	06	06
English	35	09	06	05	05	05	05
Physics	35	09	06	05	05	05	05
Chemistry	31	08	05	05	05	04	04
Biology	29	07	05	05	05	04	03
History-Cum-Civic	27	07	04	05	05	03	03
Home Economics	05	02	01	01	01		

**(S.No. 50) Four (04) Posts of Female S.S. Disable (with out graduaty and pension).**

**QUALIFICATION:** Master's Degree in the relevant subjects with Bachelor of Education or M.Ed or M.A. Education (industrial Arts or Business Education) fro a recognized University.

**NOTE:** If no suitable candidate possessing the above qualification is available then a candidate possessing Master's degree in the relevant subject will be considered subject to the condition that such have appointee shall have to acquire the additional qualification of B.Ed. or M.Ed etc as specified above within three years from the date of appointment, failing which has services shall be terminated irrespective of any other provisions of the rules for the time being in force.

**NOTE:** For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

**For Biology:** 2<sup>nd</sup> Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female.

**ALLOCATION:**

S.No	Subject	No. of Posts	Allocation
1.	Islamiyat	01	Merit Quota
2.	Pak: Study	01	Merit Quota
3.	Statistics	01	Merit Quota
4.	Maths	01	Merit Quota

**(S.No. 51) Twenty One (21) Posts of Female S.S (Earth Quake Quota for Districts Battagram, Mansehra, Shangla, Kohistan, Abbottabad, (With out graduaty and Pension)**

**QUALIFICATION:** Master's Degree in the relevant subjects with Bachelor of Education or M.Ed or M.A. Education (industrial Arts or Business Education) fro a recognized University.

**NOTE:** If no suitable candidate possessing the above qualification is available then a candidate possessing Master's degree in the relevant subject will be considered subject to the condition that such have appointee shall have to acquire the additional qualification of B.Ed. or M.Ed etc as specified above within three years from the date of appointment, failing which has services shall be terminated irrespective of any other provisions of the rules for the time being in force.

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provisions of the rules for the time being in force.

**NOTE:** For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

**For Biology:** 2<sup>nd</sup> Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female.

**ALLOCATION:**

S.No	Subject	No. of Posts	Allocation
5.	Islamiyat	02	Merit Quota
6.	Pak: Study	03	Merit Quota
7.	History-Cum-Civics	02	Merit Quota
8.	Economics	02	Merit Quota
9.	English	02	Merit Quota
10.	Statistics	02	Merit Quota
11.	Maths	02	Merit Quota
12.	Biology	02	Merit Quota
13.	Chemistry	02	Merit Quota
14.	Physics	02	Merit Quota

**(S.No. 52)** **Sixteen Hundred Eighty One (1681) Posts of Male SETs. /S.S.Ts (Both Science & Arts) (with out graduaty and pension).**

**QUALIFICATION:** For Secondary School Teacher (General) (i) B.A Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

**AGE LIMIT:** 21 to 35 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Male.

**ALLOCATION:**

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
420	280	281	280	210	210

**(S.No. 53)** **Thirty Four (34) Posts of Male Disabled SETs. /S.S.Ts (Both Science & Arts) (with out graduaty and pension).**

**QUALIFICATION:** For Secondary School Teacher (General) (i) B.A Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

**AGE LIMIT:** 21 to 35 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Male.

**ALLOCATION:** Merit.

**(S.No. 54)** **Ninty Two (92) Posts of Male SETs. /S.S.Ts For Earth Quake Quota (I.E) Battagram , Mansehra , Shangla , Kohistan, Abbottabad. (Both Science & Arts) (with out graduaty and per sion).**

**QUALIFICATION:** For Secondary School Teacher (General) (i) B.A Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

**AGE LIMIT:** 21 to 35 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Male.

**ALLOCATION:** Merit.

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(S.No. 55) **Nine Hundred and Seventy Three (973) Posts of Female SETs. /S.S.Ts (Both Science & Arts) (with out graduaty and pension).**

**QUALIFICATION:** For Secondary School Teacher (General) (i) B.A Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

**AGE LIMIT:** 21 to 40 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Female.

**ALLOCATION:**

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
243	162	162	162	122	122

(S.No. 56) **Twenty One (21) Posts of Female SETs. /S.S.Ts Disabled (with out graduaty and pension).**

**QUALIFICATION:** For Secondary School Teacher (General) (i) B.A Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

**AGE LIMIT:** 21 to 40 years. years (10 years age relaxation)

**PAY SCALE:** BPS-16 **ELIGIBILITY:** Female.

**ALLOCATION:** Merit.

(S.No. 57) **Fifty One (51) Posts of Female SETs. /S.S.Ts For Earth Quake Quota (I.E) Battagram, Mansehra, Shangla , Kohistan, Abbottabad, (with out graduaty and pension).**

**QUALIFICATION:** For Secondary School Teacher (General) (i) B.A Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

**AGE LIMIT:** 21 to 40 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Female.

**ALLOCATION:** Merit.

### TECHNICAL EDUCATION AND MAN POWER TRAINING DEPARTMENT.

(S.No. 58) **Two (02) Posts of Assistant Professor Commerce in Govt: Colleges of Commercial/Govt: Commercial Training Institutes.**

**QUALIFICATION:** (i) Ph. D in the relevant subject from a recognized University with three year teaching experience in recognized college / Govt: Commercial Institutes/ Govt: Commercial Institutes/ Govt: Commerce College ass Instructor/ Lecturer.

OR (ii) Master's Degree from a recognized University in the relevant subject with Five Years experience of teaching as Lecturer / Junior Instructor in a recognized college / Govt: Commercial Institute/ Govt: Commerce College.

**AGE LIMIT:** 25 to 40 years. **PAY SCALE:** BPS-18. **ELIGIBILITY:** Male.

**ALLOCATION:** Merit.

(S.No. 59) **Two (02) Posts of Assistant Professor in Computer Engineering in Govt: College of Technology & Govt: Polytechnic Institute.**

**QUALIFICATION:** (a) Ph. D in Engineering from a recognized University / Institute with one years's teaching/ professional experience in the relevant subject as



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Bachelor's Degree in Engineering/ Associate Member Institute of Engineering in the relevant subject from a recognized University / Institution with Seven years teaching/ professional experience in the relevant subject as such.

AGE LIMIT: 25 to 40 years. PAY SCALE: BPS-18. ELIGIBILITY: Male.

ALLOCATION: Merit.

(S.No. 60)

**Twenty Two (22) Posts of Male Instructor/Lecturer in Commerce for Govt: College of Commerce/Govt: Commercial training Institute.**

QUALIFICATION: 2<sup>nd</sup> Class Master Degree in the relevant subject or equivalent qualification from a recognized University.

AGE LIMIT: 21 to 40 years. PAY SCALE: BPS-17. ELIGIBILITY: Male.

ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
05	04	04	04	03	02

(S.No. 61)

**Three (03) Posts of Male Instructor/Lecturer in Commerce for Earthquake Affected Areas for Govt: College of Commerce/Govt: Commercial training Institute.**

QUALIFICATION: 2<sup>nd</sup> Class Master Degree in the relevant subject or equivalent qualification from a recognized University.

AGE LIMIT: 21 to 40 years. PAY SCALE: BPS-17. ELIGIBILITY: Male.

ALLOCATION: Merit. (District Wise Distribution)

Battagram	Shangla	Kohistan
01	01	01

(S.No. 62)

**Fourteen (14) Posts of Male Instructor/ Lecturer of computer Science for Government College of Commerce (GCC)/ Govt: Commercial Training Institute (GCTI).**

QUALIFICATION: (i) 2<sup>nd</sup> Class Master's Degree in the relevant subject or equivalent qualification from a recognized University.

AGE LIMIT: 21 to 40 years. PAY SCALE: BPS-17. ELIGIBILITY: Male.

ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
04	02	02	02	02	02

(S.No. 63)

**One (01) Post of Male Instructor/ Lecturer of computer Science (Disable) for Government College of Commerce (GCC)/ Govt: Commercial Training Institute (GCTI).**

QUALIFICATION: (i) 2<sup>nd</sup> Class Master's Degree in the relevant subject or equivalent qualification from a recognized University.

AGE LIMIT: 21 to 40 years. PAY SCALE: BPS-17. ELIGIBILITY: Male.

ALLOCATION: Merit.

(S.No. 64)

**One (01) Post of Female Instructor Commerce. In GCC/GCTIs.**

QUALIFICATION: 2<sup>nd</sup> Class Master's Degree in the relevant Subjects or equivalent qualification from a recognized University.

AGE LIMIT: 21 to 40 years. PAY SCALE: BPS-17. ELIGIBILITY: Female.

ALLOCATION: Zone-5

(S.No. 65)

**One (01) Post of Male Instructor/ Lecturer of computer Science Earth quack Affected Area in Government College of Commerce (GCC)/ Gcvt: Commercial Training Institute (GCTI).**

QUALIFICATION: (i) 2<sup>nd</sup> Class Master's Degree in the relevant subject or equivalent qualification from a recognized University.

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(S.No. 66) Ten (10) Posts of Male office Assistant.

**QUALIFICATION:** Bachelor degree from recognized University.

**AGE LIMIT:** 18 to 30 years. **PAY SCALE:** BPS-14. **ELIGIBILITY:** Male.

**ALLOCATION:**

Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
02	02	02	02	02

(S.No. 67) One (01) Post of Female office Assistant.

**QUALIFICATION:** Bachelor degree from recognized University.

**AGE LIMIT:** 18 to 30 years. **PAY SCALE:** BPS-14. **ELIGIBILITY:** Female.

**ALLOCATION:** Merit.

### CORRIGENDUM

1. The Post of Research Officer for Earth Quake Quota appearing at S.No.2 Advt: No.07/2007 may be read as 02 Post for Chemistry and one for cereal Crops.
2. The Post of Reader Advertised in Advtt: No. 07/2008 S.No. 39 may be read as one post instead of Two Posts.

### GENERAL CONDITIONS.

- (i) Age, qualification and experience etc shall be reckoned on 26-02-2009 Maximum age limit as prescribed in the recruitment rules shall be relaxed upto 10 years for Govt Servants who have completed 2 years continuous service, upto 10 years for disabled persons and upto 3 years for candidates belonging to backward areas of Zone-1, Zone-3, Merged Areas of Hazara and Mardan Divisions and uper Tanawal, Districts of Swat, Upper Dir, Lower Dir, Chitral, Buner, Kala Dhaka Area, Kohistan District, Shangla, Gadoon Area in Swabi, Backward areas of Mansehra and Batagram, backward areas of Haripur District i.e., Kalanjar Field Kanungo Circle of Tehsil Haripur and Amazai Field Kanungo Circle of Tehsil Ghazi. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Govt Servants, general or disabled candidates, whichever is relevant and applicable to them.
- (ii) Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates are accepted. However, the candidates can apply on provisional certificate signed by the Controller of Examination of the respective Institution but candidates shall produce original degrees / certificates before their selection. Detail Marks Certificate for all the examination shall necessarily be required and these should be attached with the application forms.
- (iii) ALLOCATION of vacancies in BPS-17 and below shall be strictly in accordance with the Zonal ALLOCATION as indicated against each post(s). The applications of the candidates other than the specified zone(s) shall be ignored except for posts reserved for Merit quota. No zonal reservation stands for posts allocated to disabled quota and also for the posts in BPS-18 and above. All such posts shall be filled in on Open Merit.
- (iv) The candidates applying against disabled posts must attach with their application forms a disability certificate from the Provincial Council for Disabled Persons (PCDP) or any other authority recognized by the Government of Punjab. The certificate should be in the form of the Provincial Council for Disabled Persons, Punjab.

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- (v) Ex-armed Forces Personnel must send copy of Discharge Certificate with their applications. Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates should reach within 30 days of the closing date.
- (vi) Applications should be on the prescribed application form obtainable from the listed below branches of the NATIONAL BANK. Application Fee is Rs. 285/- (Rupees Two Hundred Eight Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs. 15/- (rupees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will not be entertained. The applications on plain paper or Photostat shall not be accepted. Incomplete and late applications shall also be ignored.
- (vii) Application must be submitted within time as no extra time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.
- (viii) Applicants married to Foreigners are considered only on production of the Govt. Relaxation Orders.
- (ix) No applicant shall be considered in absentia on paper qualifications unless, he/she possesses exceptionally higher qualifications than the minimum prescribed qualification for a particular post(s).
- (x) Govt. reserves the right not to fill any or fill more or less than the advertised post(s).
- (xi) Candidates who have already availed three chances by physical appearance before the Commission and have failed for the post(s) having one and the same qualifications and scale of pay shall be ineligible.
- (xii) Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).
- (xiii) In cases where the number of applications received for post(s) are disproportionately higher than the number of available vacancies, shortlisting of the candidates may be done in any one of the following manner:
- Written Test in the Subject.
  - General Knowledge or Psychological General Ability Test.
  - Academic and / or Professional record as the Commission may decide.

**SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.**

**Main Branches of:**

- Parachinar, Mardan, Swabi, Malakand, Shangla, Chitral, Timargara, Daggar, D.I.Khan, Bannu, Karak, Kohat, Hangu, Lakki Marwat, Abbottabad, Haripur, and Manshra.
- Saddar Road Branch, Tehkal Payan Branch, and G.T Road (Nishtar Abad) Branch Peshawar.
- Tehsil Bazar Branch Charsadda, Nowshera Cantt: Branch, Bank Square Branch Mingora and city Branch Tank.

(Atta Ur Rehman)  
Secretary

NWFP Public Service Commission

2 Fort Road, Peshawar, Cantt. Pk-0210062

*Handwritten signature/initials*

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ANNEX:- B

REGISTERED

K.P.K PUBLIC SERVICE COMMISSION  
2 Fort Road, Peshawar Cantt, (Near Governor House)  
PH No. 9213563  
Fax No. 9211795

No.K.P.K-PSC-SR-VI/42196

Dated 26/7/11



POST TO

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To

NILOFAR BEGUM D/O BAKHT FOOR  
C/O JAWAD PHARMACY MAIN BAZAR BATKHELA MALAKAND AGENCY

Subject: - RECTT: OF (973) POSTS OF FEMALE SET SCIENCE GOURP (BPS-16) IN SCHOOL & LITERCY DEPARTMENT (ADVT: NO. 01/2009.S.NO. 55).

1. with reference to your application for the subject cited post, you are required in the Commission's Office at 2 Fort Road, Peshawar Cantt, Near Governor House at 08:30 am on 18/08/2011. Please bring original certificates, degrees and testimonials that will be returned to you on conclusion of your interview.

2. You should rectify the following ticked deficiencies three days before interview positively failing which the Commission will reject your application and shall not interview you for the above post: -

- (a) Attested Photo Copies of Matric/FA/F.Sc:/D.Com original Certificate.
- ✓ (b) Attested Photo Copies of B.Sc:/MA/M.Sc/M.Com/MBA/M.Ed/B.Ed original degrees
- (c) Departmental Permission Certificate from competent authority.
- ✓ (d) Attested Photo copy of your domicile/Husband domicile Certificate, N.I.C
- (e) Three attested Photographs.
- ✓ (f) Attested Photocopies of all DMCs.
- (g) Attested Photocopy of Character Certificate (Last attended institute/Two responsible Person)

Note :- If any discrepancy was found in your original documents then you would dropped from viva on the spot.

SUPERINTENDENT

Excellent  
 Very good  
 Good

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Approved: C

**Female SST (Science Group) BPS-16 in  
Elementary & Secondary Education  
Department**

The following candidates are to be recommended to the government for appointment provisionally for the posts of **Female SST (Science Group) BPS-16 in Elementary & Secondary Education Department**, subject to their verification of documents. If any discrepancy was found at any stage, their recommendation will be withdrawn/ cancelled

S. No.	Name/ Father's Name	District/ zone
1.	Aasma Qureshi D/O M. Rehman	Lakki Marwat/4
2.	Adeela Hakeem D/O Hakim Ullah Qazi	Dir Lower/3
3.	Aficer Bibi D/O Syed Qasim Shah	Chitral/3
4.	Afshan Ali D/O Muhammad Ali	Karak/4
5.	Aisha Bano D/O Muhammad Ashraf	Mansehra/5
6.	Aisha Qazi D/O Qazi Abdul Wahab	Peshawar/2
7.	Alia Bibi D/O Sher Ali	Swabi/2
8.	Aliya Firdos D/O Muhammad Ashiq	Bannu/4
9.	Amina Ramzan D/O Muhammad Ramzan	D.I Khan/4
10.	Amira Jadoon D/O Hamid Ali Khan	Abbottabad/5
11.	Anisa Wali D/O Shah Wali Khan	Mkd Agy/3
12.	Aqeela Bibi D/O Abdur Razaq	Abbottabad/5
13.	Arj Naseer D/O Muhammad Naseer Joŷa	D.I Khan/4
14.	Asma Yaqoob D/O Muhammad Yaqoob	D.I Khan/4
15.	Asmat Bibi D/O Ghulam Sarwar	Swabi/2
16.	Beena Akram Khan D/O Akram Khan	Mardan/2
17.	Beenish Gul Bangash D/O Naseer Ahmad Bangash	Kohat/4
18.	Bushra Saleem D/O Muhammad Saleem	Haripur/5
19.	Faiza Hamid D/O Hamid Ullah Khan	Charsadda/2
20.	Farah Ayub D/O Muhammad Ayub Khan	FR Tank/1
21.	Farhat Naz D/O Aurang Zeb	Mansehra/5
22.	Faria Inayat D/O Inayat Ullah Khan	Charsadda/2
23.	Farmina Tabassum D/O Wali Rahmat	Chitral/3
24.	Farzana Bibi D/O Muhammad Jan	Tank/4
25.	Farzana Bibi D/O Muhammad Siddique	Haripur/5
26.	Fatima Anwar D/O Muhammad Anwar	D.I Khan/4
27.	Fatima D/O Abdul Nazeer	Swabi/2

g/c

28.	Fatima Sughra D/O Syed Muhammad Baqir	Orakzai Agy/1
29.	Fauzia Tabbasum D/O Israr Ahmad Khan	Chitral/3
30.	Fouzia Amin D/O Muhammad Amin	Mardan/2
31.	Fozia Tabassum Afridi D/O Aqil Khan	FR Kohat/1
32.	Ghazala Saleem D/O Muhammad Saleem	Chitral/3
33.	Gul Rukh D/O Nurul Qudus	Peshawar/2
34.	Hadia Naz D/O Jan Muhammad	Mardan/2
35.	Hajra Bibi D/O Fateh Hussain Shah	Haripur/5
36.	Hashmat D/O Samand Khan	Swabi/2
37.	Hasin Sahar D/O Mir Azam Shah	Chitral/3
38.	Humā Akram Khan D/O Akram Khan	Mardan/2
39.	Humaira Pervaiz D/O Muhammad Pervaiz	Haripur/5
40.	Humera Shamshad D/O Shamshad Khan	Nowshera/2
41.	Iram Khan D/O Sher Dil Khan	Swabi/2
42.	Irrum Manzoor D/O Manzoor Ahmad	Mansehra/5
43.	Irum Naz D/O Behram Khan	Mkd Agy/3
44.	Irum Naz D/O Mukhtiar Khan	Mardan/2
45.	Irum Nigah D/O Nizab Hussain	Peshawar/2
46.	Jameela Bano D/O Muhammad Aslam Azad	Lakki Marwat/4
47.	Kalsoom Azam D/O Sher Azam Khan	Peshawar/2
48.	Kalsoom Mumtaz D/O Mumtaz Hussain	Peshawar/2
49.	Kausar Parvaiz D/O Muhammad Parvaiz	Mkd Agy/3
50.	Lafafat Bibi D/O Mushtaq Hussain Shah	D.I Khan/4
51.	Lubna Saraj D/O Saraj Muhammad	Swabi/2
52.	Lubna Shafiq D/O Shafiq ur Rehman	Karak/4
53.	Mahwash Zahoor D/O Zahoor ul Haq	Mardan/2
54.	Malghalarah D/O Mahboob ur Rahman	Karak/4
55.	Mamoona Gul D/O Ahmad Khan	Charsadda/2
56.	Mamoona Imtiaz D/O Malik Imtiaz Ahmad	Charsadda/2
57.	Maria Khatoon D/O Muhammad Niaz	Abbottabad/5
58.	Mehreen Fida D/O Fida Muhammad	Peshawar/2
59.	Mehreen Riaz D/O Riaz Muhammad	Mkd Agy/3
60.	Mehwish Ibrar D/O Muhammad Ibrar	Haripur/5
61.	Minhas Aman D/O Aman Sher	Mardan/2
62.	Miss Riaz Bibi D/O Attaullah Khan	D.I Khan/4
63.	Musarrat Begum D/O Habib Jan	Dir Lower/3
64.	Nabeela D/O Sarfaraz Khan	Swabi/2
65.	Nabeela Gul D/O Faizullah Khan	Kohat/4
66.	Nadia Afzal Khan D/O Fida Muhammad	Mkd Agy/3
67.	Nadia Begum D/O Kamil Khan	Kohat/4
68.	Nadia Malik D/O Abdul Malik	Mardan/2
69.	Nadia Noreen D/O Muhammad Sherin Khan	Charsadda/2
70.	Nadia Nosheen D/O Ghulam Rasool	Bannu/4

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- 71. Nagina Rehman D/O Gul Rehman Peshawar/2
- 72. Naila Noreen D/O Muhammad Anwar Peshawar/2
- 73. Naila Yahya D/O Yahya Gul Charsadda/2
- 74. Naseem Bano D/O Muhammad Ghulam Kurram Agy/1
- 75. Nasima Akhtar D/O Umer Khan Tank/4
- 76. Nasira Begum D/O Muhammad Zubair Dir Lower/3
- 77. Nasrah Rubab D/O Zawar Hussain D.I Khan/4
- 78. Naveeda Tariq D/O Malik Muhammad Peshawar/2  
Tariq
- 79. Nazia Begum D/O Wali Jan Mardan/2
- 80. Nazia Nasreen D/O Zuriat Khan Karak/4
- 81. Nazia Qayyum D/O Abdul Qayyum D.I Khan/4
- 82. Nazia Riaz D/O Muhammad Riaz Akhtar Haripur/5
- 83. Nazia Shaheen D/O Muhammad Mansehra/5  
Miskeen
- 84. Nazia Tabassum D/O Muhammad Mardan/2  
Qasim
- 85. Nazish Iftikhar D/O Iftikhar Ahmad Haripur/5
- 86. Nazra Shaheen D/O Shahzada Khan Haripur/5
- 87. Neelam Taj D/O Taj Muhammad Dir Lower/3
- 88. Nighat Parveen D/O Muhammad Aslam Haripur/5
- 89. Nilofar Begum D/O Bakht Foor Mkd Agy/3
- 90. Noshaba Cocab D/O Hameed Ullah D.I Khan/4
- 91. Noshad Bangash D/O Mohabbat Khan Kurram Agy/1  
Bangash
- 92. Nosheen Bibi D/O Khan Muhammad UDA  
Mansehra/3
- 93. Nosheen D/O Khanan Khan Swabi/2
- 94. Nosheen Khan D/O Muhammad Ajmal Swat/3  
Khan
- 95. Noreen Nazir D/O Nazir Muhammad Charsadda/2
- 96. Nouseen Raziq D/O S.Fazle Raziq Abbottabad/5
- 97. Nusrat Begum D/O Mustafa Kamal Khyber Agy/1
- 98. Nuzhat Bibi D/O Abdul Malik Swabi/2
- 99. Parveen Baig D/O Sher Baig Chitral/3
- 100. Parveen Nisa D/O Sakhawat Shah Buner/3
- 101. Rafia Tareen D/O Munir Ahmad Tareen D.I Khan/4
- 102. Rashida Bibi D/O Muhammad Qadir Chitral/3  
Khan
- 103. Razia Perveen D/O Hajit Bad Shah Karak/4
- 104. Rizwana Bibi D/O Sahib Jan D.I Khan/4
- 105. Robina Naz D/O Wasai Khan Charsadda/2
- 106. Robina Nazli D/O Jehan Sher Khan Swat/3
- 107. Robina Taslim D/O Muhammad Hashim Chitral/3
- 108. Rohi Omar D/O Hazrat Omar Mkd Agy/3
- 109. Rubika Naeem D/O Naeem Akhtar Abbottabad/5
- 110. Rubina Shaheen D/O Manzoor Haripur/5  
Lakki
- 111. Rukhsana Gul D/O Gul Mar Khan Marwat/4
- 112. Rukhsana Zaib D/O Alam Zaib Mkd Agy/3
- 113. Saba Gul D/O Ashraf Iqbal Haripur/5
- 114. Saba Suleman D/O Muhammad Haripur/5

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- Suleman
115. Sadaf Ambreen D/O Muhammad Aslam D.I Khan/4
116. Sadia Anwar D/O Prof: Muhammad Anwar Khan Charsadda/2
117. Sadia Bibi D/O Fazal Ghani Dir Lower/3
118. Sadia Ibad D/O Ibadullah Nowshera/2
119. Saeeda D/O Ahmed Jan Mkd Agy/3
120. Safia Irshad D/O Muhammad Shabih Ul Hassan Peshawar/2
121. Safia Jabeen D/O Haris Maqbool Khan D.I Khan/4
122. Safia Naz D/O Habib Ullah Charsadda/2
123. Sahira Fatima D/O Muhammad Usman Karak/4
124. Saima Ayaz D/O Mir Ayaz Khan F.R Bannu/1
125. Saima Bibi D/O Abdul Salam Haripur/5
126. Saima Imran D/O Abdul Qadus Mohmand Agy/1
127. Saima Mehnaz D/O Rahmat Ali Khan Karak/4
128. Saima Raqib D/O Raqib Baz Khan Bannu/4
129. Saiqa Raheem D/O Abdul Rahim Karak/4
130. Saira Bano D/O Mira Khan Mohmand Agy/1
131. Saira Faiz D/O Faiz Muhammad Charsadda/2
132. Saira Gul D/O Gul Nawaz Khan Chitral/3
133. Saira Rafiq D/O Muhammad Rafiq Haripur/5
134. Sajida Noorin D/O Abdul Wasea Lakki
135. Sajida Syed D/O Kachkol Shah Marwat/4
136. Salma D/O Zubair Shah Kohat/4
137. Salma Kifayat D/O Kifayat Ullah Mohmand Agy/1
138. Sameena Naz D/O Sultan Mardan/2
139. Samreen Noor D/O Noor Muhammad Bajaur Agy/1
140. Sana Jamal D/O Hazrat Jamal S.W Agy/1
141. Sania Nizam D/O Nizam ud Din Mardan/2
142. Sanobar Khan D/O Sohrab Khan Kohat/4
143. Sara Ihsan D/O Ihsan Ullah Kohat/4
144. Sarwat Iftikhar D/O Iftikhar Ahmad Charsadda/2
145. Shabana D/O Farhad Mansehra/5
146. Shabnam Fatima D/O Ghulam Hassan Swabi/2
147. Shafia Zaman D/O Muhammad Zaman Khan D.I Khan/4
148. Shafida Begum D/O Andaz Ali Khan D.I Khan/4
149. Shagufta Rehman D/O Muhammad Rehman Bannu/4
150. Shahida Mehreen D/O Fazal Haq Bajaur Agy/1
151. Shahla Jan D/O Jan Nisar Karak/4
152. Shahnaz Gul D/O Musafir Gul Charsadda/2
153. Shahzina D/O Mahabat Khan Peshawar/2
154. Shaista Khan D/O Farhad Khan F.R Bannu/1
155. Shamida Bibi Bangash D/O Gul Muhammad Bangash Mardan/2
156. Shamshad Bibi D/O Sultan Bakhsh Kurram Agy/1
- D.I Khan/4

ACE



- (29)
157. Shazia Afridi D/O M. Akram Afridi Khyber Agy/1
158. Shazia Ayub D/O Ayub Khan Khyber Agy/1
159. Shazia Naeem D/O Shaukat Ali Swabi/2
160. Sheeba Wadud D/O Abdul Wadud Swabi/2
161. Shehla Gul Siddiqi D/O Muhammad Javed Siddiqi Nowshera/2
162. Sheraz Begum D/O Afraid Khan Swat/3
163. Shumaila Hussain D/O Muhammad Hussain Hangu/4
164. Siyam Akbar D/O Muhammad Akbar Mohmand Agy/1
165. Sohaila Rani D/O Said Muhammad Shah Chitral/3
166. Sumera Abdus Sattar D/O Adus Sattar D.I Khan/4
167. Syeda Saima Anjum D/O Syed Hashim Ali Shah Bannu/4
168. Tabassum Rana D/O Aftab Khan Bannu/4
169. Tahira Jabeen D/O Muhammad Najib Ullah Chitral/3
170. Tahira Javed Malik D/O Malik Javed Hussain D.I Khan/4
171. Tania Gul D/O Sher Dil Khan Swabi/2
172. Taskeen Bibi D/O Shamas Khan Swabi/2
173. Umera Nosheen D/O Meher Zaman Nowshera/2
174. Zahida Sharif D/O Sahrif Ullah Khan Bannu/4
175. Zakia Mehboob D/O Mian Mehboob Ullah Nowshera/2
176. Zeb Faryal Mir D/O Iqbal Shaheen Chitral/3
177. Zil-a-Huma D/O Muhammad Jehangir Khan D.I Khan/4

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(30)

Approved: D

Directorate of Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.

No. 3579 /FNo.1/A17/SST/(F)/Apptt:PSC

Dated Peshawar the 23/12 2011

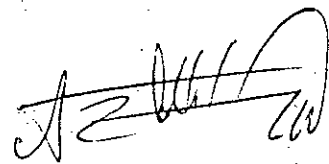
To

The All recommended Candidates by  
the Public Service Commission  
Khyber Pakhtunkhwa Peshawar

Subject:- To Be Appear before the Medical Board

Memo:-

I am directed to inform you that you appear before the Medical  
Superintendent Police Services-Hospital Peshawar for Medical Examination to be carried out  
by the Standing Medical Board/ Standing Invaliding Committee on any working day as soon  
as possible alongwith N.I.C & Matric Certificate.



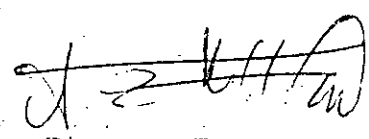
Deputy Directress (E: tt:)  
E&SE Khyber Pakhtunkhwa  
Peshawar.

23/12/11

Endst: No. \_\_\_\_\_/2011

Copy for information:-

1. P.A to Director E&SE Khyber Pakhtunkhwa Local Office.



Deputy Directress (E: tt:)  
E&SE Khyber Pakhtunkhwa  
Peshawar.

23/12/11



(31)

ANNEX-E No. (21)

### MEDICAL CERTIFICATE

Name of official Nilofar Begum  
 Caste or race Muslim Sunni  
 Father's name Bakht foos  
 Residence Mohalla Sangeena B near F.G degree College.  
Batkhehla Malakand Agency  
 Date of birth 30th July 1982  
 Exact height by measurement 5  
 Personal mark of identification Scar on Forehead  
 Signature of the official [Signature]  
 Signature of head of office \_\_\_\_\_

Seal of office \_\_\_\_\_

I do hereby certify that I have examined Mr. Nilofar Begum a candidate  
 for employment in the Office of the Literacy & Secondary education  
 and cannot discover that he had any disease communicable or other constitutional affection or bodily  
 infirmity except Nil

I do not consider this as disqualification for employment in the office of the education  
 His age according to his own statement 29 year and by appearance about  
 year 29

[Signature]  
 MEDICAL SUPERINTENDENT,  
 CIVIL HOSPITAL \_\_\_\_\_

[Signature]  
 Secretary  
 Standing Committee  
 Police/Sericulture/Hospital

26/12/11

LEFT HAND THUMB AND FINGER IMPRESSIONS

[Signature]

[Signature]

Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

PH No. 091-9210389, 9210938,  
9210437, 9210957, 9210468  
Fax 091-9210936  
E-mail [desechk@yahoo.com](mailto:desechk@yahoo.com)

Annex: F

32



**Notification.**

Consequent upon the recommendation of the Khyber Pakhtunkhwa Public Service Commission, appointment of the following candidates is hereby ordered against the post of Secondary School Teacher Female (SST Sc) in BPS-16 (Rs.10000-800-34000) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with immediate effect and further their Services are placed at the disposal of EDO(E&SE) concerned for further posting against vacant SST Sc posts:-

SN	Name	Father Name	Domicile	Zone	Permanent Address	Place of Posting
1	2	3	4	5	6	7
1	Faria Inayat	Inayat Ullah Khan	Charsadda	II	68/5 Zarjib Colony, P/O Afghan Colony Peshawar	Services placed at the disposal of EDO( E&SE) Charsadda for further posting against vacant SST Sc posts
2	Irum Khan	Sher Dil Khan	Charsadda	II	Moh: Mazeed Khl, Maneri Payan, P/O Tehsil & Distt: Swabi	Services placed at the disposal of EDO( E&SE) Charsadda for further posting against vacant SST Sc posts
3	Mamoonah Imtiaz	Malik Imtiaz Ahmad	Charsadda	II	Vill: & P/O Manga Dargai Tehsil & Distt: Charsadda	Services placed at the disposal of EDO( E&SE) Charsadda for further posting against vacant SST Sc posts
4	Noureen Nazir	Nazir Muhammad	Charsadda	II	Vill: & P/O Katozai, Tehsil Sabqadar, Distt: Charsadda	Services placed at the disposal of EDO( E&SE) Charsadda for further posting against vacant SST Sc posts
5	Robina Naz	Wasal Khan	Charsadda	II	Vill: Kausar Abad Tangi Road, Tehsil Bazar, Charsadda	Services placed at the disposal of EDO( E&SE) Charsadda for further posting against vacant SST Sc posts
6	Safia Naz	Habib Ullah	Charsadda	II	Moh: Gadwana, Vill: & P/O Utmanzai, Tehsil & Distt: Charsadda	Services placed at the disposal of EDO( E&SE) Charsadda for further posting against vacant SST Sc posts
7	Saira Faiz	Faiz Muhammad	Charsadda	II	Distt: & Tehsil Charsadda, Vill: & P/O Utmanzai, Moh: Mian Ban Baba.	Services placed at the disposal of EDO( E&SE) Charsadda for further posting against vacant SST Sc posts
8	Nazia Begum	Wali Jan	Charsadda	II	Tehsil & Distt: Charsadda, P/O Rajjar Vill: Angaar Korona Rajjar Charsadda	Services placed at the disposal of EDO( E&SE) Charsadda for further posting against vacant SST Sc posts
9	Huma Akram Khan	Akram Khan	Mardan	II	H/No. 425, Moh: Kachi Illaqa, Hashtnagri, Inside Lahori Gate	Services placed at the disposal of EDO( E&SE) Mardan for further posting against vacant SST Sc posts
10	Beena Akram Khan	Akram Khan	Mardan	II	H/No. 464, Sector-R Sheikh Maltoun Town Mardan	Services placed at the disposal of EDO( E&SE) Mardan for further posting against vacant SST Sc posts
11	Fouzia Amin	Muhammad Amin	Mardan	II	New Bagh Colony, Moh: Sadat, Sadat House, Canal Road Mardan	Services placed at the disposal of EDO( E&SE) Mardan for further posting against vacant SST Sc posts

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12	Irum Naz	Mukhtiar Khan	Mardan	II	H/No. 209, Sector-J, Street# 5, Sheikh Maltoon Town Mardan	Services placed at the disposal of EDO( E&SE) Mardan for further posting against vacant SST Sc posts
13	Mahwash Zahoor	Zahoor ul Haq	Mardan	II	Moh: Qazian Near HBL Toru, Vill: & P/O Toru, Distt: & Tehsil Mardan	Services placed at the disposal of EDO( E&SE) Mardan for further posting against vacant SST Sc posts
14	Salma Kifayat	Kifayat Ullah	Mardan	II	H/No. 208-J, Street# 4, Sheikh Maltoon Town Mardan	Services placed at the disposal of EDO( E&SE) Mardan for further posting against vacant SST Sc posts
15	Musarrat Begum	Habib Jan	Mardan	III	Vill: Yahya Jadid P/O, Tehsil & Distt: Mardan	Services placed at the disposal of EDO( E&SE) Mardan for further posting against vacant SST Sc posts
16	Sana Jamal	Hareat Jamal	Mardan	II	Moh: Seri Vill: Garyalla Distt: & Tehsil Mardan	Services placed at the disposal of EDO( E&SE) Mardan for further posting against vacant SST Sc posts
17	Humera Shamshad	Shamshad Khan	Nowshera	II	Vill: Barabanda, Moh: Gharib Abad P/O Risal Pur Distt: Nowshera	Services placed at the disposal of EDO( E&SE) Nowshera for further posting against vacant SST Sc posts
18	Sadia Ibad	Ibadullah	Nowshera	II	E-176, ASC Housing Society Nowshera	Services placed at the disposal of EDO( E&SE) Nowshera for further posting against vacant SST Sc posts
19	Umera Nosheen	Meher Zaman	Nowshera	II	Vill: Aman Kot, P/O Pabbi, Moh: Pabyan, Distt:/Tehsil Nowshera	Services placed at the disposal of EDO( E&SE) Nowshera for further posting against vacant SST Sc posts
20	Zakia Mehboob	Mian Mehboob Ullah	Nowshera	II	Vill: & P/O Ziarat Kaka Sahib Moh: Mirkalani Distt: & Tehsil Nowshera	Services placed at the disposal of EDO( E&SE) Nowshera for further posting against vacant SST Sc posts
21	Aisha Qazi	Qazi Abdul Wahab	Peshawar	II	Saad Property Dealer Bashir Abad, P/O Wapda House Peshawar.	Services placed at the disposal of EDO( E&SE) Peshawar for further posting against vacant SST Sc posts
22	Gul Rukh	Nurul Qudus	Peshawar	II	Vill: & P/O Garhi Serdad Distt: & Tehsil Peshawar	Services placed at the disposal of EDO( E&SE) Peshawar for further posting against vacant SST Sc posts
23	Irum Nigah	Nigah Hussain	Peshawar	II	H/No. 222 AR Dhaki Hameed Khan, P/O Qissa Khawani Bazar Peshawar City.	Services placed at the disposal of EDO( E&SE) Peshawar for further posting against vacant SST Sc posts
24	Kalsoom Mumtaz	Mumtaz Hussain	Peshawar	II	H/No. 274, Street# 15, Sector-D/3, Phase# 1, Hayatabad, Peshawar	Services placed at the disposal of EDO( E&SE) Peshawar for further posting against vacant SST Sc posts
25	Mehreen Fida	Fida Muhammad	Peshawar	II	H/No. 8/ Street-F, Danish Abad, P/O BISE Peshawar.	Services placed at the disposal of EDO( E&SE) Peshawar for further posting against vacant SST Sc posts
26	Shahnaz Gul	Musefir Gul	Peshawar	II	Street No.3, H/No. 53, Saeed Abad No.1, Dalazak Road, Peshawar City	Services placed at the disposal of EDO( E&SE) Peshawar for further posting against vacant SST Sc posts
27	Naila Yahya	Yahya Gul	Charsadda /Peshawar	II	H/No. 17, Street# 20, Latif Abad Ring Road Peshawar.	Services placed at the disposal of EDO( E&SE) Peshawar for further posting against vacant SST Sc posts
28	Hashmat	Samand Khan	Swabi	II	Vill: Maneri Naro Banda, Moh: Naik Nam Khel Distt: & P/O Swabi	Services placed at the disposal of EDO( E&SE) Swabi for further posting against vacant SST Sc posts
29	Lubna Saraj	Saraj Muhammad	Swabi	II	Moh: Srieikh Lory (Qibla Band) Vill: & P/O Marghuz Akakhel Tehsil/Distt: Swabi	Services placed at the disposal of EDO( E&SE) Swabi for further posting against vacant SST Sc posts

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*YK*

30	Nabeela	Sarfaraz Khan	Swabi	II	Moh: Shagai, Vill: & P/O Anbar Tehsil Lahor Distt: Swabi	Services placed at the disposal of EDO( E&SE) Swabi for further posting against vacant SST Sc posts
31	Nosheen	Khanan Khan	Swabi	II	Moh: Muzid Khel Vill: Maneri Payan P/O. Tehsil & Distt: Swabi	Services placed at the disposal of EDO( E&SE) Swabi for further posting against vacant SST Sc posts
32	Shabana	Farhad	Swabi	II	Vill: & P/O Shewa, Tehsil & Distt: Swabi	Services placed at the disposal of EDO( E&SE) Swabi for further posting against vacant SST Sc posts
33	Sheeba Wadud	Abdul Wadud	Swabi	II	Abdul Wadud, Moh: Ghali Khel, Vill: & P/O Panjpir, Tehsil & Distt: Swabi	Services placed at the disposal of EDO( E&SE) Swabi for further posting against vacant SST Sc posts
34	Fauzia Tabbasum	Israr Ahmad Khan	Chitral	III	Vill: Meragram No.1, Tehsil Mastuj, Distt: Chitral	Services placed at the disposal of EDO( E&SE) Chitral for further posting against vacant SST Sc posts
35	Ghazala Saleem	Muhammad Saleem	Chitral	III	Vill: Kuru, P/O Drosh, Tehsil & Distt: Chitral	Services placed at the disposal of EDO( E&SE) Chitral for further posting against vacant SST Sc posts
36	Parveen Baig	Sher Baig	Chitral	III	Balach Bala Chitral Tehsil & Distt: Chitral	Services placed at the disposal of EDO( E&SE) Chitral for further posting against vacant SST Sc posts
37	Zeb Faryal Mir	Iqbal Shaheen	Chitral	III	Vill: Zargarandeh, P/O, Tehsil & Distt: Chitral.	Services placed at the disposal of EDO( E&SE) Chitral for further posting against vacant SST Sc posts
38	Saira Gul	Gul Nawaz Khan	Chitral	III	District & Tehsil Chitral, Vill: Singoor Shahmirandeh	Services placed at the disposal of EDO( E&SE) Dir Upper for further posting against vacant SST Sc posts
39	Rashida Bibi	Muhammad Qadir Khan	Chitral	III	Vill: Dakandeh Booni, P/O Booni, Tehsil Mastuj, Distt: Chitral	Services placed at the disposal of EDO( E&SE) Dir Upper for further posting against vacant SST Sc posts
40	Tahira Jabeen	Muhammad Naji Ullah	Chitral	III	Vill: Singoor (Lotdeh) Tehsil Chitral, P/O Chitral	Services placed at the disposal of EDO( E&SE) Dir Upper for further posting against vacant SST Sc posts
41	Neelam Taj	Taj Muhammad	Dir Lower	III	Vill: Babagan, Tehsil Lal Qilla, Lower Dir	Services placed at the disposal of EDO( E&SE) Dir Lower for further posting against vacant SST Sc posts
42	Sadia Bibi	Fazal Ghani	Dir Lower	III	Vill: & P/O Ouch Shergi Tehsil Adenzai, Distt: Dir Lower, Moh: Balapatu	Services placed at the disposal of EDO( E&SE) Dir Lower for further posting against vacant SST Sc posts
43	Anisa Wali	Shah Wali Khan	Mkd Agy	III	P/O & Tehsil Dargai, Vill: Rahim Abad, Meherdi Malakand	Services placed at the disposal of EDO( E&SE) Malakand for further posting against vacant SST Sc posts
44	Mehreen Riaz	Riaz Mohammad	Mkd Agy	III	D/O Riaz Mohammad, Senior Auditor Office of Account Officer, Malakand	Services placed at the disposal of EDO( E&SE) Malakand for further posting against vacant SST Sc posts
45	Nadia Afzal Khan	Fida Muhammad	Mkd Agy	III	Vill: & P/O Thana (Mayzara) Malakand Agency	Services placed at the disposal of EDO( E&SE) Malakand for further posting against vacant SST Sc posts
46	Nilofar Begum	Bakhat Foor	Mkd Agy	III	C/O Jawad Pharmacy, Main Bazar, Batkhela, Malakand Agency	Services placed at the disposal of EDO( E&SE) Malakand for further posting against vacant SST Sc posts
47	Saeeda	Ahmad Jan	Mkd Agy	III	Vill: Mulumusray, Area & P/O Her-o-Shah, Tehsil Malakand	Services placed at the disposal of EDO( E&SE) Malakand for further posting against vacant SST Sc posts

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48	Robina Nazli	Jehan Sher Khan	Swat	III	Vill: Sumbat P/O & Tehsil Matta, Distt: Swat	Services placed at the disposal of EDO( E&SE) Swat or further posting against vacant SST Sc posts
49	Sheraz Begum	Afraid Khan	Swat	III	Moh: Chinaygi, Vill: Charbagh, Distt: Swat	Services placed at the disposal of EDO( E&SE) Dir Lower for further posting against vacant SST Sc posts
50	Aliya Firdos	Muhammad Ashiq	Bannu	IV	H/No.525/23C, Jaman Road Jaid Abadi Bannu City	Services placed at the disposal of EDO( E&SE) Bannu for further posting against vacant SST Sc posts
51	Nadia Nosheen	Ghulam Rasool	Bannu	IV	H/No.322/DAA, Moh: Aaria Samaj Tanchi Bazar Bannu City	Services placed at the disposal of EDO( E&SE) Bannu for further posting against vacant SST Sc posts
52	Arij Naseer	Muhammad Naseer Joya	DI Khan	IV	Moh: Gariban Inside Misgaran Bazar DI.Khan	Services placed at the disposal of EDO( E&SE) DI Khan for further posting against vacant SST Sc posts
53	Asma Yaqoob	Muhammad Yaqoob	DI Khan	IV	Subedar Yaqoob Gali Babu Saleem Wali Moh: Dewan Sahib Di.Khan	Services placed at the disposal of EDO( E&SE) DI Khan for further posting against vacant SST Sc posts
54	Latafat Bibi	Mushtaq Hussain Shah	DI Khan	IV	C/O Abdullah Shah, Muslim Bazar Khattak Street DI.Khan	Services placed at the disposal of EDO( E&SE) DI Khan for further posting against vacant SST Sc posts
55	Nazia Qayyum	Abdul Qayyum	DI Khan	IV	Real Photo State Near Govt: Degree College No.1 Boljs, DI.Khan	Services placed at the disposal of EDO( E&SE) DI Khan for further posting against vacant SST Sc posts
56	Shafia Zaman	Muhammad Zaman Khan	DI Khan	IV	W/O Muhammad Shoaib Nauza Gali Bagh OPP: Laghari Gate, DI.Khan	Services placed at the disposal of EDO( E&SE) DI Khan for further posting against vacant SST Sc posts
57	Rafia Tareen	Munir Ahmad Tareen	DI.Khan	IV	Moh: Kiri Alizai, Mian Khol Street H/No.228/C, DI.Khan	Services placed at the disposal of EDO( E&SE) DI Khan for further posting against vacant SST Sc posts
58	Safia Jabeen	Haris Maqbool Khan	DI.Khan	IV	H/No.C-1692/5, Street Wakeelin, DI.Khan	Services placed at the disposal of EDO( E&SE) DI Khan for further posting against vacant SST Sc posts
59	Zil-a-Huma	Muhammad Jehangir Khan	DI.Khan	IV	Gali Bagh Wali, Opp: Laghari Gate City DI.Khan	Services placed at the disposal of EDO( E&SE) DI Khan for further posting against vacant SST Sc posts
60	Shabnam Fatima	Ghulam Hassan	DI.Khan	IV	Moh: Gulshan Iqbal P/O Tehsil Pahar Pur Distt: DI.Khan	Services placed at the disposal of EDO( E&SE) Haripur for further posting against vacant SST Sc posts
61	Afshan Ali	Muhammad Ali	Karak	IV	H/No.47, Official Colony, Tehsil & Distt: Karak	Services placed at the disposal of EDO( E&SE) Karak for further posting against vacant SST Sc posts
62	Lubna Shafiq	Shafiq ur Rehman	Karak	IV	Vill: & P/O Ahmad Abad Tehsil & Distt: Karak	Services placed at the disposal of EDO( E&SE) Karak for further posting against vacant SST Sc posts
63	Malaghalara h	Mahboob ur Rahman	Karak	IV	Drab Kala (Tarkhakai) Tehsil & Distt: Karak	Services placed at the disposal of EDO( E&SE) Kohat for further posting against vacant SST Sc posts
64	Sahira Fatima	Muhammad Usman	Karak	IV	C/O Prof: Khanzada, Moh: Masjid-e-Kolan Purana Bazar Karak City, P/O, Tehsil & Distt: Karak	Services placed at the disposal of EDO( E&SE) Karak for further posting against vacant SST Sc posts
65	Saima Mohnaz	Rahmat Ali Khan	Karak	IV	Vill: P/O & Tehsil Takht-e-Nasrathi Distt: Karak	Services placed at the disposal of EDO( E&SE) Karak for further posting against vacant SST Sc posts

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66	Saiqa Raheem	Abdul Rahim	Karak	IV	Vill: & P/O Khurram Muhammad Zai Tehsil Banda Daud Shah, Distt: Karak	Services placed at the disposal of EDO( E&SE) Karak for further posting against vacant SST Sc posts
67	Nabeela Gul	Faizullah Khan	Kohat	IV	Bankler's Street, H/No.T-3558, New Gulgasht Colony Multani Baba Road Peshawar	Services placed at the disposal of EDO( E&SE) Kohat for further posting against vacant SST Sc posts
68	Nadia Begum	Kamil Khan	Kohat	IV	Vill: Lachi Bala, P/O Lachi, Moh: Qureshan, Tehsil & Distt: Karak	Services placed at the disposal of EDO( E&SE) Kohat for further posting against vacant SST Sc posts
69	Sania Nizam.	Nizam ud Din	Kohat	IV	Moh: Gula Kheil Behzadi Chker Kot Kohat	Services placed at the disposal of EDO( E&SE) Kohat for further posting against vacant SST Sc posts
70	Sanobar Khan	Sohrab Khan	Kohat	IV	St. Joseph's Convent High School Bannu Road Kohat	Services placed at the disposal of EDO( E&SE) Kohat for further posting against vacant SST Sc posts
71	Aasma Qureshi	M. Rehman	Lakki Marwat	IV	Vill: & P/O Shor Kot Near Airport DI Khan	Services placed at the disposal of EDO( E&SE) D I Khan for further posting against vacant SST Sc posts
72	Farzana Bibi	Muhammad Jan	Tank	IV	Haji Akram Khan Ghallah Mandi Tank	Services placed at the disposal of EDO( E&SE) Tank for further posting against vacant SST Sc posts
73	Bushra Saleem	Muhammad Saleem	Haripur	V	Vill: Ali Khan P/O Serai Saleh Tehsil & Distt: Haripur	Services placed at the disposal of EDO( E&SE) Haripur for further posting against vacant SST Sc posts
74	Nazra Shaheen	Shahzada Khan	Haripur	V	Vill: Kohian Bala P/O Baldher Tehsil & Distt: Hazara Division	Services placed at the disposal of EDO( E&SE) Haripur for further posting against vacant SST Sc posts
75	Nighat Parveen	Muhammad Aslam	Haripur	V	Vill Kamal, P/O Kot Najibullah Tehsil & Distt: Haripur	Services placed at the disposal of EDO( E&SE) Haripur for further posting against vacant SST Sc posts
76	Saba Suleman	Muhammad Suleman	Haripur	V	Opp: Girls College, West Circular Road Gali Masjid Bilal, Haripur	Services placed at the disposal of EDO( E&SE) Haripur for further posting against vacant SST Sc posts
77	Aisha Bano	Muhammad Ashraf	Mansehra	V	Near Tameer-i-Nou Public School Dub#2, Manserha	Services placed at the disposal of EDO( E&SE) Mansehra for further posting against vacant SST Sc posts
78	Irrum Manzoor	Manzoor Ahmad	Mansehra	V	Vill: & P/O Chakia, Tehsil & Distt: Mansehra	Services placed at the disposal of EDO( E&SE) Mansehra for further posting against vacant SST Sc posts
79	Nazia Shaheen	Muhammad Miskeen	Mansehra	V	H/NO. 140/7, Raod#7, New Housing Colony (TIP) Haripur City	Services placed at the disposal of EDO( E&SE) Mansehra for further posting against vacant SST Sc posts
80	Sarwat Iftikhar	Iftikhar Ahmad	Mansehra	V	C/O Anse Khan Moh: Saina Abad Near CNN Colony Manserha	Services placed at the disposal of EDO( E&SE) Mansehra for further posting against vacant SST Sc posts

**Terms and conditions:-**

- 1 Her services will be considered regular but without Pension & Gratuity in terms of Section-19 of the NWFP Civil Servant Act, 1973 as amended vide NWFP Civil Servants (Amendment) Act, 2005. She will however be entitled to Contributor's Provident Fund in such a manner and at such rates as per prescribed by the Govt.
- 2 In case, she is already in Government service and working against pensionable post on regular basis before 1st day of July 2001, without any service break, on application to Khyber Pakhtunkhwa Public Service Commission through proper channel and selection by



the Commission, is appointed and allowed choice of option either to retain benefit of pension & gratuity as allowed to her under her previous terms of appointment or to avail the benefit of Contributory Provident Fund allowed to her under new appointment.

- 3 Her services shall be terminated on one month's notice from either side. In case of resignation without notice her one-month pay/allowances shall be forfeited to the Government.
- 4 She should join her post within 30 days of the issuance of this notification. In case of failure to join her post within one month of the issuance of this notification, her appointment will expire automatically and no subsequent appeal etc shall be entertained.
- 5 She would be on probation for a period of one year extendable for another one year.
- 6 She will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 7 Her services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, she shall be proceeded under the rules framed from time to time.
- 8 Charge report should be submitted to all concerned.
- 9 The EDOs concerned would furnish a certificate to the effect that the candidate has joined the post or otherwise after one month of the issue of her posting orders.
- 10 The EDOs concerned will verify their documents before release of pay.
- 11 Her seniority will be maintained as determined by the Khyber Pakhtunkhwa Public Service Commission.
- 12 No TA/DA will be allowed to the appointee for joining her duty.

(Muhammad Rafiq Khattak)  
Director

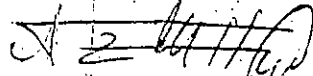
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

4485-92

Endst: No. / File No.2/A-14/SST(F)/PSC/Apptt: Dated Peshawar the 28/12/2011.

Copy forwarded for information and necessary action to the: -

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
3. Executive District Officer (E&SE) Concerned
4. District Accounts Officer Concerned
5. Official Concerned.
6. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
7. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
8. M/File



Dy: Director (Estab)

Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar



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ARMED-9

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E&S) EDU: MALAKAND

APPOINTMENT/ADJUSTMENT

In pursuance of the Notification issued by the Directorate of Elementary and Secondary Education, Khyber Pakhtunkhwa Peshawar under endst No.4485-92/F.No.2/A-14/SST(F)PSC/Apptt:dated 28/12/2011 and consequent upon the approval of the DCO, Malakand conveyed through letter No.01/17/Edu/HRD dated 02/01/2012 adjustment of the following appointees are hereby made in the schools noted against their names on the terms and condition laid down in the notification referred above from the date of their taking over charge.


S.#	Name & Designation	Father Name	Place of Posting	Remarks
1	Miss. Saeeda, SST (Sc)	Ahmad Jan	GGHS Palonow	A.V.P
2	Miss. Mehrin Riaz, SST (Sc)	Riaz Muhammad	GGHS Balkhela	A.V.P
3	Miss. Nadia Afzal, SST (Sc)	Fida Muhammad	GGHS Alladand	A.V.P
4	Miss. Nilofar Begum, SST (Sc)	Bakht Foor	GGHS Totakan	A.V.P

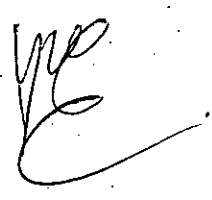
(MUSHTAQ AHMED)  
EXECUTIVE DISTRICT OFFICER  
(E&SE) MALAKAND AT BATKHELA

Endst: No. 11-21 /F.No./SET(Sc:)/EDO(E&SE)/Malakand Dated Balkhela, the 3/1/2012

Copy of the above is forwarded to the:-

1. Director of (E&SE) Khyber Pakhtoon Khwa Peshawar
2. District Coordination Officer, Malakand w/r to his approval No. quoted above.
3. Agency Accounts Officer, Malakand.
- 4-5. Principal, Govt. Girl High School Balkhela/ Alladand.
- 6-7. Head Mistress, G.G.H.S Totakan / Palonow.
- 8-12. The teachers concerned.

  
EXECUTIVE DISTRICT OFFICER  
(E&SE) MALAKAND AT BATKHELA



39

ANNEX-H

### ARRIVAL CERTIFICATE

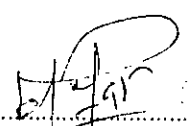
Certified that Miss Nilofar Begum SST(Sc) at Govt. Girls High School Totakan Malakand have this day 03/01/2012 before / after noon took over charge of the (SST(Sc)) at Govt. Girls High School Totakan Malakand with reference to the order of the EDO (E&SE) Malakand, Endst. No: 11-21/F.No./SET(Sc)/EDO(E&SE)/Malakand Dated 03/01/2012.

Particulars of cash and important / secret/ confidential handed over/taken over are noted on the reverse.

Station: Govt. Girls High School Totakan Malakand.

Signature of Relieved.....  
Govt. Servant, Vacant.  
SST(Sc) BPS-16

Dated: 03/01/2012

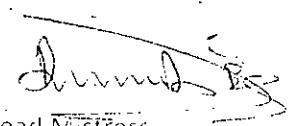
  
.....  
Signature of Govt. Servant receiving,  
Miss Nilofar Begum SST(Sc) BPS-16  
Govt. Girls High School Totakan  
Dated: 03/01/2012.

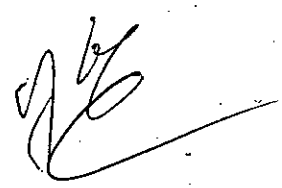
Endst. No: 204-09 Dated 03/01/2012.

From: The Principal,  
Govt. Girls High School  
Totakan Malakand.

To,  
Copy to be forwarded to:

1. Accountant General, Khyber Pakhtoon Khwa Peshawar.
2. Director of (E&SE) Khyber Pakhtoon Khwa Peshawar.
3. District Coordination Officer, Malakand
4. Executive District Officer (E&SE) Malakand
5. Agency Account Officer, Malakand
6. Office File

  
Head Mistress,  
Govt. Girls High School  
Totakan Malakand  
**HEAD MISTRESS**  
G.G.H.S Totakan  
Distt: Mkd.



40

ANNEX: - I

GOVERNMENT OF KHYBER PUKHTOONKHWA

CERTIFICATE OF TRANSFER OF CHARGE

Certified that Miss Nilofar Begum SST(Science) G.G.H.S Totakan Malakand BPS-16 have on 03/01/2012 after noon took over charge of the SST(Sci) at G.G.H.S Totakan Malakand with reference to the order of the EDO(E&SE) Malakand, Endst. No: 11-21/F.No./SET(Sc:)/EDO(E&SE)/Malakand, Dated 03/01/2012.

Particulars of cash and important / Secret/ Confidential documents handed over/taken are noted on the reverse.

Station: - G.G.H.S Totakan  
Malakand:

Signature of Relieved .....  
Vacant  
SST(Science)

Dated: -03/01/2012.

.....  
Signature of Govt: Servant receiving,  
Miss Nilofar Begum  
SST(Science) BPS-16  
G.G.H.S Totakan

Endst: No 205-08 Dated 03/01/2012.

From: The Head Mistress  
G.G.H.S Totakan Malakand.

To.

Copy forwarded for information to the:-

- i. P.A to Directress Elementary & Secondary Education K.P.K Peshawar.
- ii. District Account Officer Malakand.
- iii. Executive District Officer (E & S E) Malakand.
- iv. Principal G.G.H.S. Totakan Malakand
- v. Teacher Concerned.

.....  
Head Mistress,  
G.G.H.S Totakan,  
Malakand.  
G.G.H.S Totakan  
Distt: Mkd.

.....

(41)

ANNEX-1

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E&SE) MALAKAND AT BATKHELA

TRANSFER

Consequent upon the approval of the competent authority, Mst:Nilofar, SST(Science) GGHS, Totakan, Malakand Agency is hereby transferred against the newly created vacant post of SST (Sc:) at GGHS No.2 Batkhela wef 1.4.2012 in her own pay and BPS in the interest of public service.

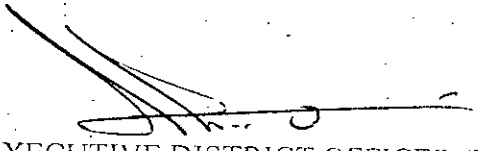
- Note: 1- Charge report should be submitted to all concerned.  
2- No TA/DA etc are allowed.

(MUSHTAQ AHMAD)  
EXECUTIVE DISTRICT OFFICER (E&SE)  
MALAKAND

Endst No. 2849-54 /F.No./SET(F)/Transfer

Dated the 22-3-2012

- 1- The District Coordination Officer, Malakand, w/r to his office memo No.Nil, dated 22/3/2012.
- 2- The Agency Accounts Officer, Malakand.
- 3- The District Officer (F), local office.
- 4- The Headmistress, GGHS, No.2 Batkhela.
- 5- The Headmistress, GGHS, Totakan.
- 6- The teacher concerned.

  
EXECUTIVE DISTRICT OFFICER (E&SE)  
MALAKAND

S.MULK/



(42)

ARRIVED: 12

To,

The Head Mistress,  
Govt. Girls High School No.2,  
Batkheela Malakand.

Subject: ARRIVAL REPORT.

R/Madam:

With great reverence it is stated that I have been transferred from G.G.H.S Totakan Malakand to G.G.H.S No.2 Batkhela Malakand with reference to the order of Executive District Officer (E&SE) Malakand at Batkhela, Endst No:2849-54/F.No./SET(F)/Transfer Dated 22/03/2012.

My arrival report is submitted in your honour to be accepted please.

Copy attached:

Thanks

Yours Faithfully,

Date: 24/3/2012.

Miss Nilofar Begum,  
SST (Science) (BPS-16),  
Govt. Girls High School No.2,  
Batkheela Dist: Malakand.

File No: 15-20 Dated: 24/3/2012

From: The Head Mistress,  
Govt. Girls High School No.2,  
Batkheela Malakand.

To,

Copy forwarded to the:

1. Accountant General, Khyber Pakhtoon Khwa Peshawar.
2. Director of (E&SE) Khyber Pakhtoon Khwa Peshawar.
3. District.Coordination Officer, Malakand
4. Executive District Officer (E&SE) Malakand
5. Agency Account Officer, Malakand
6. Office File

Head Mistress,  
Govt. Girls High School No.2  
Batkheela Malakand

Accepted arrival  
Reh  
24/03/2012

43

Approved: - L

GOVERNMENT OF KHYBER PUKHTOONKHWA

CERTIFICATE OF TRANSFER OF CHARGE

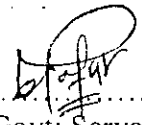
Certified that Miss Nilofar Begum SST(Science) BPS-16 have this day on 31/03/2012 before noon took over charge of the SST(Sci) at G.G.H.S No.2 Batkhela Malakand with reference to the order of the EDO(E&SE) Malakand, Endst. No: 2849-S.T.P. No. 111(F)/Transfer, Dated 22/03/2012.

Particulars of cash and important / Secret/ Confidential documents handed over/taken are noted on the reverse.

Station: - G.G.H.S No. 2 Batkhela Malakand.

Signature of Relieved .....  
Vacant  
SST(Science)

Date: 31/03/2012.

  
Signature of Govt. Servant receiving,  
Miss Nilofar Begum  
SST(Science) BPS-16  
G.G.H.S No.2 Batkhela

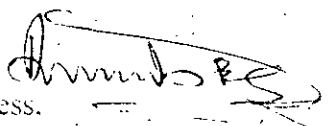
Endst: No 33 - 38 Dated 31/03/2012.

From The Head Mistress  
G.G.H.S No.2 Batkhela Malakand.  
To,

Copy forwarded for information to the:

- i. P.A to Directress Elementary & Secondary Education Khyber Pukhtoon.Khwa Peshawar.
- ii. District Account Officer Malakand.
- iii. Executive District Officer (E & S E) Malakand at Batkhela.
- iv. Head Mistress G.G.H.S.No.2 Batkhela Malakand
- Teacher Concerned.

Counter signed  
by H/m

  
Head Mistress.  
G.G.H.S No.2 Batkhela.  
Malakand.  
**Head Mistress**  
G.G.H.S No.2  
Batkhela Dist. t. Mkd.



44

December 2012



GOVERNMENT OF PAKISTAN  
ACCOUNTANT GENERAL KHYSER PAKHTUNKHWA  
DISTRICT  
PAY ROLL SYSTEM

Accountant General  
Mr. G. H. S. BATHHELA NO  
Education Schools

Name: Mr. BUDON  
Dsg  
NIC No: 245  
CPF: [unclear]

[unclear]

DESCRIPTION	DEPTT CODE	AMOUNT
1000 - House Rent Allowance		5,181.00
121 - Dearness Allowance 2005		1,938.00
1530 - Contracting Allowance		2,581.00
171 - Medical Allowance		103.00
172 - Medical Allowance 2010 152		774.00
1973 - Adm. Allowance 2010 502		469.00
1974 - Medical Allowance 2011		1,564.00
2110 - Adm. Relief Allowance 2010		467.00
2110 - Adm. Relief Allowance 2011		1,032.00
<b>DEDUCTIONS:</b>		<b>13,071.00</b>
3501 - Pension 17.000 00		
3501 - Development Fund		
3512 - Adm. Exp. In-charge		
3604 - Group Insurance		
3970 - Emp. Inv. Fund 10%		
<b>Total Deduction</b>		<b>1,300.00</b>
		<b>11,791.00</b>

NET AMOUNT PAYABLE

QUALIFYING SERVICE 3/07/1982  
YRS 1 MONTH 030 Days  
Government of Punjab

Mr. G. H. S. BATHHELA  
NICB BATHHELA MKD  
10031011177

*[Handwritten signature]*



(415) July 2012

GOVERNMENT OF PAKISTAN  
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA

DISTRICT Malakand  
PAY ROLL SYSTEM

PAYMENT ADVICE

HR G.G.H.S. BARKHILLA NU. 2  
Education Schools

Name: MELQAN BEGUM  
D.O.B: E.T  
NIC No: 346-2402701  
CPF Interest: 00

DEPTT CODE MD6181

Basic Pay	4,500.00
DEDUCTIONS	27,347.00
CPF Balance	7,575.00
Total Deductions	1,532.00
<b>NET AMOUNT PAYABLE</b>	<b>25,832.00</b>

QUALIFYING SERVICE YRS 03 MON 03  
D.O.B 07.1982  
Govt. Contribution To CPF 947.00  
PF Quota: 058843441001177  
ICR BARKHELABARKHELAMCB BARKHILLA MKD AGE

GOVERNMENT OF PAKISTAN  
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA  
DISTRICT Malakand  
PAY ROLL SYSTEM

PAYMENT ADVICE

F. Sec: 002 Month: June 2012  
MD6181 - HR G.G.H.S. BARKHILLA

Name: MELQAN BEGUM  
D.O.B: E.T  
NIC No: 346-2402701  
CPF Interest: 00

HR: Education Schools  
NTN:  
CPF #:  
Dtd #:

Basic Pay	10,000.00
House Rent Allowance	1,818.00
Medical Allowance 2008	2,480.00
Teaching Allowance	200.00
Whic Allowance 2010	908.00
Whic Allowance 2011	3,050.00
Medical Allowance 2011	908.00
Science Teaching Allo	600.00
Personal Allowances	19,948.00
Subtr:	947.00
CPF Balance	250.00
Group Insurance	10.00
Group Insurance	173.00
Ed. Fund	25.00
Total Deductions	1,445.00
<b>NET AMOUNT PAYABLE</b>	<b>18,532.00</b>

QUALIFYING SERVICE YRS 03 MON 03  
D.O.B 07.1982  
Govt. Contribution To CPF 947.00  
PF Quota: 058843441001177  
ICR BARKHELABARKHELAMCB BARKHILLA MKD AGE

June 2012

Handwritten signature

Confidential

(46)

ANNEX-M

Telephone: 9213563



Khyber Pakhtunkhwa Public Service Commission,  
Peshawar  
2-Fort Road Near Governor House Peshawar Cantt

No. KPK/PSC/SR-II 53758

Date 13/12/2012

AS

To

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Elementary & Secondary Education  
Department Peshawar.

Subject: - Recd of Female SET/SST Science Group E-16 in  
Elementary & Secondary Education Deptt Peshawar.

Dear Sir,

In continuation to this office letter No KPK/PSC/SR-II 013131 dated 29.02.2012 on the subject noted above and to state that the Commission recommends the following to the government for appointment:-

S.No	Name of Candidate	Domicile
01	Suriya D/o Abdul Salam	Buner/3
02	Gul Andama D/o Noor Aiam Khan	Chitral/3

2. Recommendation in favour of the recommendees are provisional subject to their medical fitness and verification of documents / domicile by the Education Deptt.
3. The inter-se-Merit of the recommendees will be communicated on finalization of all the pending cases. The serial chronological order will not confer any right of seniority.
4. Recommendation in favour of 03 Pending Cases shall be conveyed after clearance of their vitals deficiencies.
5. Original applications (with enclosures) of the above 02 recommendees are enclosed herewith for your record. Please acknowledge receipt.
6. Over and above the recommendation of the following two recommendees already conveyed vide this office letter No: KP-PSC-SR-I /059039 dated 19.12.2011 is here by withdrawn due to some official mistake and as such their applications may be returned to this office please.

S.No	Name of Candidate	Domicile
01	Saira Gul D/o Gul Nawaz Khan	Chitral/3
02	Nilofar Begum D/o Bakhat Foor	Malakand Agy/3

13/12/12

S.O.P.

13/12/12

Your Faithfully

(Ghulam Distagir Ahmad)  
Director Recruitment

Ends: No KPK-PSC-SR-II \_\_\_\_\_ dated \_\_\_\_\_

Copy to: Director Elementary & Secondary Education Peshawar.  
For information

(Ghulam Distagir Ahmad)  
Director Recruitment

809  
12/12/12

Handwritten signature



## Directorate of Elementary and Secondary Education

Khyber Pakhtunkhwa Peshawar

PH No. 091-9210389, 9210938,

9210437, 9210957, 9210468

Fax 091-9210936

E-mail [desekpk@yahoo.com](mailto:desekpk@yahoo.com)

### Notification.

Consequent upon withdrawal of the recommendation by the Khyber Pakhtunkhwa Public Service Commission, in respect of the following 2 candidates, conveyed vide Khyber Pakhtunkhwa Public Service Commission Letter No KPK/PSC/SR-11 53758 dated 13.12.2012, appointment of the following 2 candidates, against the post of Secondary School Teacher Female (SST S-) in BPS-16 who Services were placed at the disposal of EDO(E&SE) concerned for further posting against vacant SST Sc posts, issued vide this office Endst: No. 4485-92/ File No.2/A-14/SST(F)/PSC/Apptt: Dated Peshawar the 28/12/2011 is hereby withdrawn, who were on probation for a period of one year:-

1	2	3	4	5	6	7
SNO in the appointment order	Name	Father Name	Domicile	Zone	Permanent Address	Place of Posting
38	Saira Gul	Gul Nawaz Khan	Chitral	III	District & Tehsil Chitral, Vill: Singoor Shahmirandeh	Services placed at the disposal of EDO( E&SE) Dir Upper for further posting against vacant SST Sc posts
40	Nilofar Begum	Bakhat Foor	Mkd Agy	III	C/O Jawad Pharmacy, Mai Bazar, Batkhela, Malakand Agency	Services placed at the disposal of EDO( E&SE) Malakand for further posting against vacant SST Sc posts

(Muhammad Rafiq Khattak)

Director

Elementary and Secondary Education

Khyber Pakhtunkhwa Peshawar.

Endst: No. / File No.2/A-14/SST(F)/PSC/Apptt: Dated Peshawar the 17/12/2012.

Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
3. Director Khyber Pakhtunkhwa Public Service Commission Peshawar with reference to his Letter No KPK/PSC/SR-11 53758 dated 13.12.2012, their Application forms are returned herewith.
4. Executive District Officer (E&SE) Concerned
5. District Accounts Officer Concerned
6. Official Concerned.
7. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department
8. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
9. M/File

Dy: Director (Estab)

Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

Handwritten signature/initials.

**Subject:-** REQUEST FOR REINSTATEMENT INTO SERVICE AGAINST  
OFFICE ORDER NO. KPK/PSC/SR-II 53758 DATED 13/12/2012  
AND DIRECTORATE OF (E & SE) OFFICE ORDER NO-1666-74  
DATED 17/12/2012.

ANNEX-0  
48

R/Sir,

It is submitted that in response to Advt No.01/2009 S.No-55 Khyber Pakhtunhwa Public Service Commission, I applied for the post of SST Science (Female). Consequent upon the interview, I was recommended to the Govt. for appointment as SST Science (Annex-I). The Directorate of Elementary & Secondary Education issued appointment order No.4485-92 dated 28/12/2011 placing my services at the disposal of EDO Malakand (Annex-II). The EDO Malakand ordered my posting at Govt Girls High School Totakan Malakand Agency vide order No. 11-21 dated 03/01/2012 (Annex-III). Subsequently I was transferred from Govt. Girls High School Totakan to Govt Girls High School No-2 Bathkela Vide Order No.2849-54 dated 22/03/2012 (Annex-IV).

Since then I was performing my duty in Govt. Girls High School No-2 Bathkela with utmost punctuality and diligence that all of sudden I received a notification issued by the Directorate of Elementary & Secondary Education Peshawar vide (Annex-V) stating that my appointment notification is withdrawn. My termination at this stage is beyond understanding because none of my supervisor has ever made complaint against me during my one year service. Since joining the post I had pinned all my hopes to the same and have not applied for any other post in the Government. Now I am over age and I am not eligible for appointment against various posts for the Government. Withdrawal of my appointment at this stage has not only put me in mental agony but my whole family is disturbed because of this.

In view of the above, it is humbly requested that the notification may be reconsidered and I may be reinstated in service at the earliest.

I shall be thankful to you.

Your faithfully,

(NILOFAR-BEGUM)  
SST Science (Female)  
GGHS NO-2 Bathkela  
CELL. NO 0333-9696057

Copy to:-

The Secretary to Govt. of Khyber Pakhtunhwa,  
Elementary & Secondary Education Department,  
Peshawar.

*[Handwritten signature]*

To

The Chief Secretary,  
Khyber Pakhtunkhwa  
Peshawar.

PS/C.S Khyber Pakhtunkhwa  
Diary No. 13941  
Date. 27-12-12

(49)

Subject:- **REQUEST FOR REINSTATMENT INTO SERVICE AGAINST  
OFFICE ORDER NO. KPK/PSC/SR-II 53758 DATED 13/12/2012  
AND DIRECTORATE OF (E & SE) OFFICE ORDER NO-1666-74  
DATED 17/12/2012.**

R/Sir,

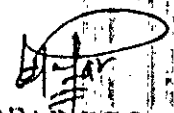
It is submitted that in response to Advt No.01/2009 S.No-55 Khyber Pakhtunhwa Public Service Commission, I applied for the post of SST Science (Female). Consequent upon the interview, I was recommended to the Govt. for appointment as SST Science (Annex-I). The Directorate of Elementary & Secondary Education issued appointment order No.4485-92 dated 28/12/2011 placing my services at the disposal of EDO Malakand (Annex-II). The EDO Malakand ordered my posting at Govt Girls High School Totakan Malakand Agency vide order No. 11-21 dated 03/01/2012 (Annex-III). Subsequently I was transferred from Govt. Girls High School Totakan to Govt Girls High School No-2 Batkhela Vide Order No.2849-54 dated 22/03/2012 (Annex-IV).

Since then I was performing my duty in Govt. Girls High School No-2 Batkhela, with utmost punctuality and diligence that all of sudden I received a notification issued by the Directorate of Elementary & Secondary Education Peshawar vide (Annex-V) stating that my appointment notification is withdrawn. My termination at this stage is beyond understanding because none of my supervisor has ever made complaint against me during my one year service. Since joining the post I had pinned all my hopes to the same and have not applied for any other post in the Government. Now I am over age and I am not eligible for appointment against various posts for the Government. Withdrawal of my appointment at this stage has not only put me in mental agony but my whole family is disturbed because of this.

In view of the above, it is humbly requested that the notification may be reconsidered and I may be reinstated in service at the earliest.

I shall be thankful to you.

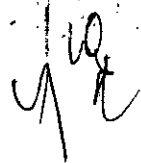
Your faithfully,

  
(NILOFAR BEGUM)  
SST Science (Female)  
GGHS NO-2 Batkhela  
CELL NO 0333-9696057

Copy to:-

The Chief Justice of Pakistan.

(NILOFAR BEGUM)



To

The Director, Elementary & Secondary Education,  
Khyber Pakhtunhwa,  
Peshawar.

(Secretary Edu.)

50

Subject:- REQUEST FOR REINSTATMENT INTO SERVICE AGAINST  
ORDER NO-1666-74 DATED 17/12/2012 OF THE  
DIRECTOR (E & SE).

R/Sir,

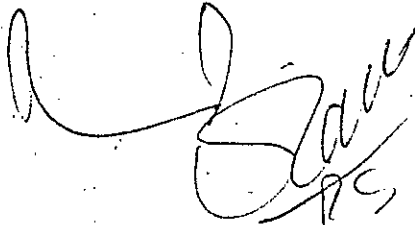
It is submitted that in response to Advt No.01/2009 S.No-55 Khyber Pakhtunhwa Public Service Commission, I applied for the post of SST Science (Female). Consequent upon the interview, I was recommended to the Govt for appointment as SST Science (Annex-I). The Directorate of Elementary & Secondary Education issued appointment order No.4488-92 dated 28/12/2011 placing my services at the disposal of EDO Malakand (Annex-II). The EDO Malakand ordered my posting at Govt Girls High School Totakan Malakand Agency vide order No. 11-21 dated 03/01/2012 (Annex-III). Subsequently I was transferred from Govt Girls High School Totakan to Govt Girls High School No-2 Batkhela Vide Order No.2849-54 dated 22/03/2012 (Annex-IV).

Since then I was performing my duty in Govt Girls High School No-2 Batkhela with utmost punctuality and diligence that all of sudden I received a notification issued by the Directorate of Elementary & Secondary Education Peshawar vide (Annex-V) stating that my appointment notification is withdrawn. My termination at this stage is beyond understating because none of my supervisor has ever made complaint against me during my one year service. Since joining the post I had pinned all my hopes to the same and have not applied for any other post in the Government. Now I am over age and I am not eligible for appointment against various posts for the Government. Withdrawal of my appointment at this stage has not only put me in mental agony but my whole family is disturbed because of this.

In view of the above, it is humbly requested that the notification may be reconsidered and I may be reinstated in service at the earliest.

I shall be thankful to you.

Your faithfully.

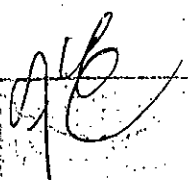
  
27/12

(NILOFAR BEGUM)  
SST Science (Female)  
GGHS NO-2 Batkhela  
CELL NO 0333-9696057

Copy to:-

✓ The Secretary to Govt of Khyber Pakhtunhwa,  
Elementary & Secondary Education Department,  
Peshawar.

(NILOFAR BEGUM)



(51)

REGISTERED

ARRIVED - P

KHYBER PUKHTOONKHWA  
PUBLIC SERVICE COMMISSION  
2 Fort Road, Peshawar Cantt, (Near Governor  
House)  
PH No. 9213563  
Fax No. 9211795

No.K-P PSC-SR-II/

39041

Dated: 21/03/2013

2/3/13



To

Nilofar Begum D/O Bakht foor  
Mohallah Sangina Batkhela Malakand Agency

Subject: WITHDRAWAL OF COMMISSION RECOMMENDATION

Subsequent to recommendation of candidate made against the post of Female SETs (Science Group) (BPS-16) in Elementary and Secondary Education Department the Commission detected some errors in the result and it would have been injudicious not to recommend the candidates who were higher than you in the merit list but were inadvertently left out.

2. In consequence of rectification of the above said error, your name was withdrawn from the list of candidates earlier recommended.

*[Handwritten Signature]* 21/3/2013

(SIRAJ UD DIN)  
DEPUTY SECRETARY-III

*[Handwritten Signature]*

**POWER OF ATTORNEY**

In the Court of 12 P12 Service Tribunal Peshawar  
Nilofar Begum } For  
} Plaintiff  
} Appellant  
} Petitioner  
} Complainant

**VERSUS**

Govt of P12 Etc } Defendant  
} Respondent  
} Accused  
}

Appeal/Revision/Suit/Application/Petition/Case No. \_\_\_\_\_ of \_\_\_\_\_  
Fixed for \_\_\_\_\_

I/W, the undersigned, do hereby nominate and appoint

**IJAZ ANWAR ADVOCATE, SUPREME COURT OF PAKISTAN**

Sajid Amin Advocate my true and lawful attorney, for me in my same and on my behalf to appear at \_\_\_\_\_ to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits. Companies or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or subpoena and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out; and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

AND I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

PROVIDED always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

IN WITNESS whereof I/we have hereto signed at \_\_\_\_\_  
the \_\_\_\_\_ day to \_\_\_\_\_ the year \_\_\_\_\_  
Executant/Executants \_\_\_\_\_  
Accepted subject to the terms regarding fee \_\_\_\_\_

*Accepted*  
*Rajid*

*[Signature]*  
*[Signature]*

**Ijaz Anwar**

Advocate High Courts & Supreme Court of Pakistan



STATE BANK OF PAKISTAN  
Dated the 18/12/13 of 2013



**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

Service Appeal No. 468 /2013

S. W. J. Bhatt  
Khyber Pakhtunkhwa  
Service Tribunal  
No. 468  
25/12/13

Mst. Saira Gul D/o Gul Nawaz Khan Village Singoor  
Shamirandah Tehsil and District Chitral.....(Appellant)

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar.
2. Chairman Public Service Commission Khyber Pakhtunkhwa.
3. Director Recruitment Public Service Commission, Khyber Pakhtunkhwa Peshawar.
4. Director Elementary and Secondary Education Khyber Pakhtunkhwa Small Industrial Estate, Kohat Road, Peshawar.
5. Executive District Officer (E&S) Education Chitral.
6. Mst. Suriya D/o Abdul Saleem R/o P.O Nawagai, Tehsil Dagar, District Buner.
7. Mst. Gul Andama D/o Noor Alam Khan R/o Dokandeh Booni, P.O Booni, Tehsil Mastuj, District Chitral.....(Respondents)

**ATTESTED**  
*[Signature]*

**ATTESTED**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

*[Signature]*

25/12/13

Appeal No. 469  
Ms. Fariza Gu



3. 143...

Counsel for the appellant present and argued that the appellant has not been treated in accordance with law. The appellant after competition was stood successful by the KPK Public Service Commission for the post of SST (Female) and through a letter of recommendation, she was recommended to the Government for appointment as SST (BPS-16). She was appointed as such vide order dated 28.12.2011. On the basis of the withdrawal order dated 17.12.2012, Respondent No. 5 terminated the services of the appellant vide order dated 19.12.2012 on the ground of official mistake. The appellant filed a departmental appeal on 26.12.2012 but the same was rejected on 21.2.2013. Counsel for the appellant has also submitted an application for suspension of the impugned orders dated 19.12.2012 and 21.2.2013. Copy of application be sent to the respondents. Points raised need consideration. The appeal is admitted to regular hearing, subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, notice be issued to the respondent. Case adjourned to 4.4.2013 for submission of written reply on main appeal as well as reply/arguments on application. Till then the operation of the impugned orders dated 19.12.2012 and 21.2.2013 is suspended.

*Appellant deposited  
process fee & security  
Rs. 2000/- Receipt  
attached with file.*

ATTESTED  
*Yunus*  
EXAMINED  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

4, 143...

This case be put before the Final Bench for further proceedings.



04.2013

Counsel for the appellant, Masood Zaman with Mr. Arshad Alam, GP for official respondents present and requested for time. To come up for written reply on main appeal as well as reply/arguments on application. <sup>on 13-5-2013</sup> Till then the operation of the impugned orders dated 19.12.2012 and 21.02.2013 is suspended.

Certified to be true copy

*Arshad Alam*  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date

13-5-2013

*M.A.*

4-00

2-00

2-00/2

8-00

13-5-2013

72

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR**

SERVICE APPEAL No: 743/2013.

**Nilofar Begum (Ex-SST) GGHS No: 2 Batkhela District Malakand.**

-----Applicant

**VERSUS**

1 The Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa,  
Peshawar & others

-----Respondents

**PARAWISE COMMENTS/REPLY FOR AND ON BEHALF OF THE RESPONDENTS, 1, 2, & 4.**

Respectfully Sheweth:-

**Preliminary objections**

- 1 The appellant has no cause of action/locus standi.
- 2 The instant appeal is badly time barred.
- 3 The appellant has concealed the material fact from this Hon! able Tribunal hence liable to be dismissed.
- 4 The appellant has not come to Hon! able Court with clean hands.
- 5 The present appeal is liable to be dismissed for non joinder/mis-joinder for necessary parties.
- 6 The appellant has filed the instant appeal on malafide motives.
- 7 The instant appeal is against the prevailing laws & rules.
- 8 The appellant is stopped by his own conduct to file in present appeal.
- 9 The instant appeal is not maintainable in the present form & also in the present circumstances of the issue.
- 10 This Hon !able Court has no jurisdiction to adjudicate the present appeal.

**ON FACTS**

- 1 This Para is related to the record of Public Service Commission, hence no comment.
- 2 Correct. But it was clearly mentioned in the said letter dated 26-7-2011, issued by Public Service Commission Peshawar that if any discrepancy if found in your original document then you should dropped from viva on the spot.
- 3 Correct the Public Service Commission recommended to the Government, That appellant along with others candidate for the SST (Female) posts, subject to the condition that if any discrepancy was found at any stage their recommendation will be withdrawn /cancelled.
- 4 This Para pertain to record of the school of district Malakand, hence no comment.
- 5 This Para pertains to the record of DEO(Female) office Malakand, hence no comments.

70

That the respondents seek the permission of this Hon' able Tribunal to adduce more grounds and proofs at the time of arguments.

**In view of the above submission, it is requested that this Hon' able Tribunal may very graciously be pleased to dismiss the appeal with cost in favour of the respondent Department.**

  
**Director**

Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar.

  
**Secretary**

Elementary & Secondary Education  
Department, Government of Khyber  
Pakhtunkhwa.

### **Affidavit**

The Director (Elementary & Secondary Education ) Khyber Pakhtunkhawa, do hereby solemnly affirm and declare that the content of the reply, are true and correct on per available record and nothing has been concealed from this Honorable Tribunal

Department :-

  
**Director**

Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

72

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR**

SERVICE APPEAL No: 743/2013.

**Nilofar Begum (Ex-SST) GGHS No: 2 Batkhela District Malakand.**

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**ON FACTS**

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- 5 This Para pertains to the record of DEO(Female) office Malakand, hence no comments.

6

Correct to the extent that Mst: Nilofar Begum (Ex-SST) of District Malakand were appointed on 28-12-2011 on the recommendation of Khyber Pakhtunkhwa Public Service Commission & the same has withdrawn the recommendation of the appellant and thus the respondents No: 3 withdrawn the appointment order of the appellant (as annexure "N" of the appeal). Moreover, the Public Service Commission withdrawn the recommendation with the remarks that the commission detected some errors in the result and it would have been injudicious not to recommend the candidate who were higher than appellant in the merit list wherein advertently left out

7

Correct the public service commission rejected the departmental appeal on the ground as mention in Para 6 above and (annexure "P" of the appeal) in accordance to the rules on the subject.

8

Incorrect & not admitted the said orders are legal, lawful, according to law and facts. It is also pertinent to mention here that the Commission in letter dated 13-12-2012 also recommended two other candidates for appointment while the recommendation s of MS Saira Gul D/O Nawaz Khan & the present appellant MS Nilofar Begum D/O Bakhtfoor of Malakand Agency is withdrawn due to some official mistake, while the other two noted in the said letters are not impleaded in the present appeal (annexure "M" of the appeal), hence the present appeal is liable to be dismissed only on this score, inter alia on the following grounds.


#### ON GROUNDS

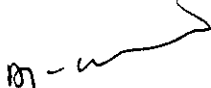
- A Incorrect & not admitted, the appellant has been treated in accordance with law hence no rights of the appellant has been violated.
- B Incorrect & not admitted. It was clearly mentioned in recommendation letter that if any discrepancy was found at any stage, their recommendation will be withdrawn/cancelled. (Annexure "C" of the appeal), hence the whole Para is denied. According to law, the mentioned formalities are not required, hence denied.
- C Incorrect. The errors were detected in the merit list and the right of other two deserved candidates who were higher in merit then appellant have an adverse affect on their right hence in the case the said principle cannot be applied.
- D Incorrect. Some errors were detected in the merit list regarding to appellant as evident/obvious from the (Annex "P" of the appeal) hence the whole Para is baseless, against the facts, material on record against law & rues on the subject, with any legal support and against the norms of natural justice. Hence denied.
- E Incorrect and not admitted. The statement of the appellant in this Para is misleading one, having no legal force based on malafide motives, false and against the rule & laws on the subject, hence denied.
- F As replied in Para above.
- G As replied in Para "B: above.
- H Incorrect & not admitted. The appointment order of the appellant was issued due to inadvertent error/mistake in the merit list and recommendation of the appellant based on the merit list is withdrawn by the competent authority. Hence the appellant performed the said duty through an erroneous appointment order which liable to be rectified at any stage, when the errors detected, hence denied.
- I Denied. The statement of the appellant is not relevant one.
- J This Para pertains to appellant hence no comments.

70

That the respondents seek the permission of this Hon' able Tribunal to adduce more grounds and proofs at the time of arguments.

**In view of the above submission, it is requested that this Hon' able Tribunal may very graciously be pleased to dismiss the appeal with cost in favour of the respondent Department.**

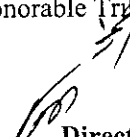
  
**Director**  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar.

  
**Secretary**  
Elementary & Secondary Education  
Department, Government of Khyber  
Pakhtunkhwa.

### **Affidavit**

The Director (Elementary & Secondary Education ) Khyber Pakhtunkhawa, do hereby solemnly affirm and declare that the contents of the reply, are true and correct on per available record and nothing has been concealed from this Honorable Tribunal

Department :-

  
**Director**  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar



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

SERVICE APPEAL No: 743/2013.

**Nilofar Begum (Ex-SST) GGHS No: 2 Batkhela District Malakand.**

-----Applicant

**VERSUS**

1 The Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa,  
Peshawar & others -----Respondents

**PARAWISE COMMENTS/REPLY FOR AND ON BEHALF OF THE RESPONDENT , 5.**

Respectfully Sheweth:-

**Preliminary objections**

- 1 The appellant has no cause of action/locus standi.
- 2 The instant appeal is badly time barred.
- 3 The appellant has concealed the material fact from this Hon! able Tribunal hence liable to be dismissed.
- 4 The appellant has not come to Hon! able Court with clean hands.
- 5 The present appeal is liable to be dismissed for non joinder/mis-joinder for necessary parties.
- 6 The appellant has filed the instant appeal on malafide motives.
- 7 The instant appeal is against the prevailing laws & rules.
- 8 The appellant is stopped by his own conduct to file in present appeal.
- 9 The instant appeal is not maintainable in the present form & also in the present circumstances of the issue.
- 10 This Hon !able Court has no jurisdiction to adjudicate the present appeal.

**ON FACTS**

- 1 This Para is related to the record of Public Service Commission, hence no comment.
- 2 Correct. But it was clearly mentioned in the said letter dated 26-7-2011, issued by Public Service Commission Peshawar that if any discrepancy if found in your original document then you should dropped from viva on the spot.
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- 4 This Para pertain to record of the school of district Malakand, hence no comment.
- 5 This Para pertains to the record of DEO(Female) office Malakand, hence no comments.

- 6 Correct to the extent that Mst: Nilofar Begum (Ex-SST) of District Malakand were appointed on 28-12-2011 on the recommendation of Khyber Pakhtunkhwa Public Service Commission & the same has withdrawn the recommendation of the appellant and thus the respondents No: 3 withdrawn the appointment order of the appellant (as annexure "N" of the appeal). Moreover, the Public Service Commission withdrawn the recommendation with the remarks that the commission detected some errors in the result and it would have been injudicious not to recommend the candidate who were higher than appellant in the merit list wherein advertently left out
- 7 Correct the public service commission rejected the departmental appeal on the ground as mention in Para 6 above and (annexure "P" of the appeal) in accordance to the rules on the subject.
- 8 Incorrect & not admitted the said orders are legal, lawful, according to law and facts. It is also pertinent to mention here that the Commission in letter dated 13-12-2012 also recommended two other candidates for appointment while the recommendation s of MS Saira Gul D/O Nawaz Khan & the present appellant MS Nilofar Begum D/O Bakhtfoor of Malakand Agency is withdrawn due to some official mistake, while the other two noted in the said letters are not impleaded in the present appeal (annexure "M" of the appeal), hence the present appeal is liable to be dismissed only on this score, inter alia on the following grounds.

#### **ON GROUNDS**

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- I Denied. The statement of the appellant is not relevant one.
- J This Para pertains to appellant hence no comments.
- K That the respondents seek the permission of this Hon' able Tribunal to adduce more grounds and proofs at the time of arguments.

**In view of the above submission, it is requested that this Hon' able Tribunal may very graciously be pleased to dismiss the appeal with cost in favour of the respondent Department.**

*Rehman Anees*  
10/9/13  
District Education Officer (F)  
Malakand at Batkhela

**Affidavit**

The District Education Officer (Female) Malakand at Batkhela do hereby solemnly affirm and declare that the content of the reply, are true and correct on per available record and nothing has been concealed from this Honorable Tribunal

Department :-

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**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR**

SERVICE APPEAL No: 743/2013.

**Nilofar Begum (Ex-SST) GGHS No: 2 Batkhela District Malakand.**

-----Applicant

**VERSUS**

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Peshawar & others -----Respondents

**PARAWISE COMMENTS/REPLY FOR AND ON BEHALF OF THE RESPONDENT , 5.**

Respectfully Sheweth:-

**Preliminary objections**

- 1 The appellat has no cause of action/locus standi.
- 2 The instant appeal is badly time barred.
- 3 The appellat has concealed the material fact from this Hon! able Tribunal hence liable to be dismissed.
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**ON FACTS**

- 1 This Para is related to the record of Public Service Commission, hence no comment.
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- 7 Correct the public service commission rejected the departmental appeal on the ground as mention in Para 6 above and (annexure "P" of the appeal) in accordance to the rules on the subject.
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#### ON GROUNDS

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- I Denied. The statement of the appellant is not relevant one.
- J This Para pertains to appellant hence no comments.
- K That the respondents seek the permission of this Hon' able Tribunal to adduce more grounds and proofs at the time of arguments.

**In view of the above submission, it is requested that this Hon' able Tribunal may very graciously be pleased to dismiss the appeal with cost in favour of the respondent Department.**

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District Education Officer (F)  
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**Affidavit**

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

Service Appeal No. 743/ 2013.

Nelofar Begum D/O Bakht Foor..... **Appellant**

**VERSUS**

Govt: of KPK PSC through its Chairman & Others ..... **Respondents.**

**I N D E X**

S.NO.	PARTICULARS	ANNEXURE	PAGE NO
1.	Joint Parawise Comments of the Commission		1-3
2.	Copy of Revised Merit List	"A"	4-8

  
**Deputy Secretary**  
**Litigation**  
**Khyber Pakhtunkhwa**  
**Public Service Commission Peshawar.**

①

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

Service Appeal No. 743/2013

Nelofar Begum D/O Bakht Foor.....Appellant

**VERSUS**

Government of Khyber Pakhtunkhwa through Chief Secretary & others.....Respondents

**JOINT PARAWISE COMMENTS OF (RESPONDENTS NO.1,2,3 & 4)**

**PRELIMINARY OBJECTIONS:**

1. That the petitioner has got no locus standi or cause of action against the replying respondent.
2. That the petitioner has not approached this Honorable Court with clean hands.
3. That no discrimination / injustice has been done to the petitioner.
4. That the petition is not based on facts and is unjustified and illegal demand against the lawful authority of the Commission.

**ON FACTS:**

1. Pertains to record hence no comments.
2. Correct, to the extent that the applicant duly applied for the post of SST, was called for interview, remained successful and subsequently recommended for the post. But later on, result of following qualified Candidates was received from the panel Chairman, of the said interviewing Committee, in which it was found that the marks of Mst. Suraya and Gul Andama were higher than the appellant and another candidate namely miss Saira Gul. The case was put up to the Commission with the plea that to uphold the principle of justice and fairplay, names of the three new candidates need to be included in the merit list. The Honorable Chairman PSC decided that it was a human error and their names may be included in the merit list. Resultantly the following left over qualified candidates were enlisted in the merit list, at merit No. mentioned against each.

Serial No.	Name & Father name	Domicile	Merit order No.
a.	Suriya D/O Abdul Saleem	Buner/3	109
b.	Gul Andama	Chitral/3	172
c.	Sarwat Samander	Charsadda/2	279
d.	Saima Waris D/O Waris Ali	kurram Agency/1	315
e.	Mehrun Nisa D/O Usmanullah	Chitral/3	349



(2)

After inclusion/enlisting the above mentioned candidates, the zonal allocation was revised as per policy/rules thereby change occurred in the merit order positions hence the names of following candidates including the appellant were dropped from selection who were recommended earlier and their recommendation was withdrawn accordingly on 07-08-2012,

Serial no.	Name & Father Name	Domicile	Merit order No.	
a.	Nelofar Begum D/O Bakht Foor	Malakand agency/3	322	- 318
b.	Mst. Saira Gul D/O Gul Nawar Khan	Chitral/3	314	- 311

It is also pertinent to mention here that the leftover candidates secured high marks in viva voce than the petitioner and one other candidate namely Saira Gul hence were placed at higher position on the merit list and to meet the ends of justice were recommended on 13-12-2012. Annex: "A"

3. As replied vide Para-2.
4. As stated vide Para-2.
5. As replied vide Para-2
6. As stated vide Para-2.
7. As replied vide Para-2.
8. Incorrect:- As replied vide Para-2. PSC acted in a lawful manner under the rules and regulation in order to meet the ends of justice, hence tenable in the eyes of law and not liable to be set aside on any ground whatsoever.

#### GROUND.

- A. Incorrect:- The appellant has been duly treated in accordance with law hence no violation of her rights has been committed.
- B. Incorrect. As replied vide Para-2 in detail the appellant was recommended erroneously and making necessary rectification the PSC reserved the right to withdraw any recommendation fulfilling the ends of justice and transparency. Moreover the principles of locus ponetientiate does not apply to the case of appellant as she had not completed her probation period hence no vested rights accrued to her.
- C. Not correct. As replied above.
- D. Incorrect. As stated in Para-2.
- E. Incorrect. As stated in Para-2.
- F. Incorrect. The PSC reserves the right to withdraw recommendation in order to meet the ends of justice and fairplay.
- G. Incorrect. PSC is a constitutional body charge with some rights, duties and obligations and has acted well in accordance with law and regulation.
- H. Incorrect. As replied above.

I. Incorrect. As stated in Para-2.

J. PSC acted well in accordance with law hence no illegality on its part.

K. Incorrect:- The appellant being treated in accordance with rules may not be permitted to raise further grounds and waste the precious time of the Honorable Tribunal.

It is, therefore, respectfully prayed that on acceptance of the submissions made herein above, the instant petition may please be dismissed with costs having no legal footings.

CHIEF SECRETARY  
GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
PESHAWAR  
(RESPONDENT NO.01)

SECRETARY  
ELEMENTARY & SECONDARY  
EDUCATION  
KHYBER PAKHTUNKHWA  
PESHAWAR  
(RESPONDENT NO. 02)

CHAIRMAN  
KHYBER PAKHTUNKHWA  
PUBLIC SERVICE COMMISSION  
PESHAWAR  
(RESPONDENT NO.03)

DIRECTOR  
ELEMENTARY & SECONDARY  
EDUCATION  
KHYBER PAKHTUNKHWA  
PESHAWAR  
(RESPONDENT NO. 04)

**AFFIDAVIT**

Stated on oath that the contents of this Para wise comments are true and correct & nothing has been concealed from this Honorable tribunal.

**DEPONENTS**

CHIEF SECRETARY  
GOVT OF KHYBER  
PAKHTUNKHWA  
PESHAWAR  
(RESPONDENT NO.01)

SECRETARY  
ELEMENTARY AND SECONDARY  
EDUCATION  
KHAYBER PAKHTUNKHWA  
PESHAWAR  
(REPOENDENT NO. 02)

CHAIRMAN  
KHYBER PAKHTUNKHWA  
PUBLIC SERVICE COMMISSION  
PESHAWAR  
(RESPONDENT NO.03)

DIRECTOR  
ELEMENTARY AND SECONDARY  
EDUCATION  
KHAYBER PAKHTUNKHWA  
PESHAWAR  
(REPOENDENT NO. 04)

*Verdict subject to  
corrective and alternative  
of all answers.  
7/8/2013*

(4)

**REVISED MERIT LIST FOR THE POST OF FEMALE SET/SST BPS-16 IN  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT  
ADVT:NO.1/2009.**

M.O No.	Total Marks	Interview Marks	D/O Birth	Name with Father's Name	District
1.	71	46	16/9/81	Saima Raqib D/O Raqib Baz Khan	Bannu/4
2.	70	46	17/11/85	Malghalarah D/O Mahboob ur Rahman	Karak/4
3.	69	46	25/2/83	Rafia Tareen D/O Munir Ahmad Tareen	D.I Khan/4
4.	69	46	12/4/83	Afshan Ali D/O Muhammad Ali	Karak/4
5.	69	45	7/12/78	Safia Jabeen D/O Haris Maqbool Khan	D.I Khan/4
6.	69	45	30/3/80	Zakia Mehboob D/O Mian Mehboob Ullah	Nowshera/2
7.	69	45	4/5/83	Fatima Anwar D/O Muhammad Anwar	D.I Khan/4
8.	69	45	7/4/84	Nasima Akhtar D/O Umer Khan	Tank/4
9.	68	46	22/8/81	Sajida Syed D/O Kachkol Shah	Kohat/4
10.	68	46	14/3/84	Nabeela D/O Sarfaraz Khan	Swabi/2
11.	68	46	8/9/85	Nabeela Gul D/O Faizullah Khan	Kohat/4
12.	68	45	9/10/81	Nazia Nasreen D/O Zuriat Khan	Karak/4
13.	68	45	5/11/83	Sahira Fatima D/O Muhammad Usman	Karak/4
14.	68	45	1/5/84	Sumera Abdus Sattar D/O Adus Sattar	D.I Khan/4
15.	68	44	18/9/83	Irum Nigah D/O Nizab Hussain	Peshawar/2
16.	67	45	20/2/80	Shafia Zaman D/O Muhammad Zaman Khan	D.I Khan/4
17.	67	45	15/5/83	Jameela Bano D/O Muhammad Aslam Azad	Lakki Marwat/4
18.	67	45	10/4/84	Saima Mehnaz D/O Rahmat Ali Khan	Karak/4
19.	67	45	19/5/84	Nadia Begum D/O Kamil Khan	Kohat/4
20.	67	45	27/4/85	Nasrah Rubab D/O Zawar Hussain	D.I Khan/4
21.	67	45	10/8/85	Miss Riaz Bibi D/O Attaullah Khan	D.I Khan/4
22.	67	44	1/4/84	Shahnaz Gul D/O Musafir Gul	Peshawar/2
23.	67	44	15/6/84	Sadia Ibad D/O Ibadullah	Nowshera/2
24.	67	44	5/1/85	Shaista Khan D/O Farhad Khan	Mardan/2
25.	66	46	13/11/71	Syeda Saima Anjum D/O Syed Hashim Ali Shah	Bannu/4
26.	66	45	31/3/81	Shehla Gul Siddiqi D/O Muhammad Javed Siddiqi	Nowshera/2
27.	66	45	23/11/81	Sanobar Khan D/O Sohrab Khan	Kohat/4
28.	66	45	10/3/86	Nazia Qayyum D/O Abdul Qayyum	D.I Khan/4
29.	66	44	17/5/78	Mehreen Fida D/O Fida Muhammad	Peshawar/2
30.	66	44	11/4/83	Iram Khan D/O Sher Dil Khan	Swabi/2
31.	66	44	4/10/83	Beenish Gul Bangash D/O Naseer Ahmad Bangash	Kohat/4
32.	66	44	10/10/84	Tabassum Rana D/O Aftab Khan	Bannu/4
33.	66	44	1/5/85	Tahira Javed Malik D/O Malik Javed Hussain	D.I Khan/4
34.	66	44	28/3/86	Nazia Riaz D/O Muhammad Riaz Akhtar	Haripur/5

*Abid  
Muzah*

5

75.	63	43	8/1/80	Nazia Begum D/O Wali Jan	Mardan/2
76.	63	43	8/9/82	Shumaila Hussain D/O Muhammad Hussain	Hangu/4
77.	63	43	25/9/82	Aasma Qureshi D/O M. Rehman	Lakki Marwat/4
78.	63	43	5/4/86	Nadia Nosheen D/O Ghulam Rasool	Bannu/4
79.	63	42	3/4/77	Safia Irshad D/O Muhammad Shabih UI Hassan	Peshawar/2
80.	63	42	12/9/82	Lubna Saraj D/O Saraj Muhammad	Swabi/2
81.	63	42	13/9/82	Neelam Taj D/O Taj Muhammad	Dir Lower/3
82.	63	42	1/1/83	Sheraz Begum D/O Afraid Khan	Swat/3
83.	63	42	22/6/83	Aisha Bano D/O Muhammad Ashraf	Mansehra/5
84.	63	42	11/7/83	Zahida Sharif D/O Sahrif Ullah Khan	Bannu/4
85.	63	42	23/11/83	Razia Perveen D/O Hajit Bad Shah	Karak/4
86.	63	42	1/1/84	Sadia Bibi D/O Fazal Ghani	Dir Lower/3
87.	63	42	1/2/85	Robina Naz D/O Wasal Khan	Charsadda/2
88.	63	42	8/4/85	Tania Gul D/O Sher Dil Khan	Swabi/2
89.	63	42	5/9/85	Naseem Bano D/O Muhammad Ghulam	Kurram Agy/1
90.	63	42	30/6/86	Aqeela Bibi D/O Abdur Razaq	Abbottabad/5
91.	63	41	11/4/82	Farzana Bibi D/O Muhammad Jan	Tank/4
92.	63	41	28/2/83	Nuzhat Bibi D/O Abdul Malik	Swabi/2
93.	63	41	15/10/84	Nazia Tabassum D/O Muhammad Qasim	Mardan/2
94.	63	41	5/3/85	Kalsoom Azam D/O Sher Azam Khan	Peshawar/2
95.	63	40	1/1/79	Nazra Shaheen D/O Shahzada Khan	Haripur/5
96.	63	40	9/8/83	Beena Akram Khan D/O Akram Khan	Mardan/2
97.	63	40	21/11/83	Farhat Naz D/O Aurang Zeb	Mansehra/5
98.	63	40	4/8/84	Mamoona Imtiaz D/O Malik Imtiaz Ahmad	Charsadda/2
99.	63	40	2/3/85	Fouzia Amin D/O Muhammad Amin	Mardan/2
100.	63	40	8/8/85	Shahzina D/O Mahabat Khan	F.R Bannu/1
101.	63	40	1/11/85	Bushra Saleem D/O Muhammad Saleem	Haripur/5
102.	63	40	26/3/86	Irum Naz D/O Behram Khan	Mkd Agy/3
103.	62	43	21/9/79	Nagina Rehman D/O Gul Rehman	Peshawar/2
104.	62	42	29/1/85	Alia Bibi D/O Sher Ali	Swabi/2
105.	62	42	12/3/85	Asma Yaqoob D/O Muhammad Yaqoob	D.I Khan/4
106.	62	42	4/9/85	Mahwash Zahoor D/O Zahoor ul Haq	Mardan/2
107.	62	42	30/11/85	Sarwat Iftikhar D/O Iftikhar Ahmad	Mansehra/5
108.	62	42	22/9/86	Amira Jadoon D/O Hamid Ali Khan	Abbottabad/5
109.	62	41	14/3/84	Suriya D/O Abdul Salam	Buner/3
110.	62	41	1/3/87	Shazia Naeem D/O Shaukat Ali	Swabi/2
111.	62	40	2/7/78	Rubina Shaheen D/O Manzoor	Haripur/5
112.	62	40	1/3/81	Saira Bano D/O Mira Khan	Mohmand Agy/1
113.	62	40	1/1/82	Hashmat D/O Samand Khan	Swabi/2
114.	62	40	16/4/83	Faiza Hamid D/O Hamid Ullah Khan	Charsadda/2
115.	62	40	10/5/83	Minhas Aman D/O Aman Sher	Mardan/2

Alia  
Mansha

(6)

158.	61	38	17/1/85	Nazish Iftikhar D/O Iftikhar Ahmad	Haripur/5
159.	61	38	28/2/85	Sadaf Ambreen D/O Muhammad Aslam	D.I Khan/4
160.	60	41	14/10/82	Amreena D/O Mir Ahmed Shah	Nowshera/2
161.	60	41	13/2/84	Badar Samina D/O Syed Sardar Shah	Mardan/2
162.	60	41	1/1/85	Sameena Naz D/O Sultan	Bajaur Agy/1
163.	60	40	2/2/80	Nighat Parveen D/O Muhammad Aslam	Haripur/5
164.	60	40	2/2/82	Farzana Bibi D/O Muhammad Siddique	Haripur/5
165.	60	40	13/10/82	Nazish Bano D/O Sardar Muhammad	Swabi/2
166.	60	40	3/11/82	Nosheen Khan D/O Muhammad Ajmal Khan	Swat/3
167.	60	40	22/11/82	Shaista Jabeen D/O Fazal Ilahi	Mardan/2
168.	60	40	26/12/83	Neelam Azra Khattak D/O Muhammad Zarin Khattak	Nowshera/2
169.	60	40	21/3/84	Irrum Manzoor D/O Manzoor Ahmad	Mansehra/5
170.	60	40	12/4/84	Nazia Begum D/O Yar Muhammad	Mardan/2
171.	60	40	1/1/85	Sakeena Afridi D/O Muhammad Nawaz	Peshawar/2
172.	60	40	1/1/85	Gul Andam D/O Noor Alam Khan	Chitral/3
173.	60	40	8/5/85	Humaira Pervaiz D/O Muhammad Pervaiz	Haripur/5
174.	60	40	14/4/86	Shamida Bibi Bangash D/O Gul Muhammad Bangash	Kurram Agy/1
175.	60	40	17/2/87	Urooj Salim D/O Salim Fawad Siddique	Peshawar/2
176.	60	39	10/11/76	Noshaba Malik D/O Muhammad Miskeen	Mansehra/5
177.	60	39	1/1/82	Fatima Sughra D/O Syed Muhammad Baqir	Orakzai Agy/1
178.	60	39	26/12/82	Kokab Al Sabah D/O Abdul Rasheed	Abbottabad/5
179.	60	39	5/1/85	Faiza Rahman D/O Abdul Rahman	Mardan/2
180.	60	39	27/7/86	Bushra Haider D/O Shaukat Pervez	Abbottabad/5
181.	60	38	15/2/78	Farsat Begum D/O Azim Khan	Swabi/2
182.	60	38	11/1/80	Khadija Shakir D/O Muhammad Shakir	Mansehra/5
183.	60	38	13/4/82	Misbah Akram D/O Muhammad Akram	Abbottabad/5
184.	60	38	3/10/85	Shazia Rafiq D/O Syed Rafiq Shah	Charsadda/2
185.	60	37	18/3/78	Javeria Hussain D/O Khadim Hussain	Peshawar/2
186.	60	37	6/12/81	Sarah Mazhar D/O Mazhar ul Haq	Mardan/2
187.	60	37	19/8/84	Adeela Hakeem D/O Hakim Ullah Qazi	Dir Lower/3
188.	60	37	5/1/85	Sumaira Noor D/O Syed Noor ul Basar	Mardan/2
189.	60	36	26/12/80	Zil-a-Huma D/O Muhammad Jehangir Khan	D.I.Khan/4
190.	60	36	12/4/85	Nadia Bibi D/O Zar Wali Khan	Bannu/4
191.	60	36	15/3/86	Tahira Jabeen D/O Muhammad Najib Ullah	Chitral/3
192.	59	41	15/9/83	Zahida D/O Hazrat Bilal	Peshawar/2
193.	59	41	1/1/86	Huma Gul D/O Muhammad Younas	Charsadda/2
194.	59	40	20/3/79	Fazilat Khattak D/O Sarfaraz Khattak	Nowshera/2
195.	59	40	25/4/82	Shahzadi Seema D/O Ahmad Shah	Swabi/2
196.	59	40	9/4/83	Sohaila Rani D/O Said Muhammad Shah	Chitral/3
197.	59	40	1/4/84	Yasmeen Habib D/O Habib ur	Lakki

Attested  
Muzah

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

In the matter of  
Appeal No. 74 / 2014

Nelofer Begum D/O Bakht Foor Ex SST(Science) GGHS No. 2  
Batkhela.

*(Appellant)*

**VERSUS**

Govt. of Khyber Pakhtunkhwa through Secretary (E & SE) Khyber  
Pakhtunkhwa, Peshawar & others.

*(Respondents)*


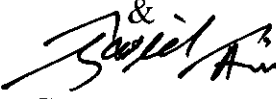
***Application for summoning the Director  
Recruitment, Khyber Pakhtunkhwa Public  
Service Commission along with the record of  
the interview conducted for the post of SST.***

Respectfully submitted:

1. That the above titled Service Appeal is pending adjudication before this Honourable Tribunal in which today i.e 24.04.2014, is the next date fixed for Rejoinder.
2. That the facts and grounds mentioned in the memo of the titled appeal may be read as integral part of the instant appeal.
3. That the Respondents have alleged revision of merit in Para-2 of the comments there without any authentic record. The dispute is pertaining to the marks allowed by the member of the Panel of Interview, therefore, on the one hand it is understandable that if the results of the qualified candidates was received later, how could such bulk of appointments were made, now alleging that the merit has been revised after receipt of the result form the Panel of the Interviewing committee, for the resolution of all those facts, the original record of the interviewing committee is required to be placed before this honorable tribunal to arrive at correct and proper conclusion.

4. That there is no legal impediment in summoning the Director Recruitment along with the record, rather it would served the interest of justice and would enable this honourable to arrive at a just and proper conclusion.

*It is, therefore, humbly prayed that on acceptance of this application the Director Recruitment Khyber Pakhtunkhwa Public Service Commission may be summoned along with the record of the interview conducted for the Post of SST.*

Through *Appellant*  
  
**IJAZ ANWAR**  
Advocate, Peshawar.  
&  
  
**SAJID AMIN**  
Advocate, Peshawar.

**AFFIDAVIT**

*I do, hereby solemnly affirm and declare on oath that the contents of the above application are true and correct and nothing has been kept back or concealed from this Honourable Tribunal.*

  
**Deponent**



Ph: 9220581.  
Fax:9220406

P-1387

**REGISTERED**  
No. C.A.36/2014-SCJ (Imp)  
Supreme Court of Pakistan.

Islamabad, 27/ May, 2015.

From

552  
3/6/15  
To

The Registrar,  
Supreme Court of Pakistan,  
Islamabad.

The Registrar,  
Peshawar High Court,  
Peshawar.

RECEIVED	10/13
PEHAWAR	2/6/15
Receipt No	
Date	
For action	
By	JF

Subject:- Civil Appeal No. 36 of 2014.  
Public Service Commission through its Chairman  
and others.

Versus

Mrs. Abida and others.

On appeal from the Judgment and Order of the Peshawar High  
Court, Peshawar, dated 20.12.2012, in W.P. No.534 of 2011.

Dear Sir,

In continuation of this Court's letter of even number dated 08.02.2014 and in accordance with the provisions contained in Order X, rule 9, Supreme Court Rules, 1980, I am directed to enclose herewith a certified copy of the Order of this Court dated 05.05.2015, dismissing the above cited civil appeal, is enclosed for information and further necessary action.

The original record of the High Court received vide your letter No. 1668/Judl: dated 04.02.2014 is returned herewith.

Please acknowledge receipt of this letter along with its enclosure immediately.

**Encl: Order:**  
**2. O/Records:**

Yours faithfully

(NAZAR ABBAS)  
ASSISTANT REGISTRAR (IMP)  
FOR REGISTRAR



**IN THE SUPREME COURT OF PAKISTAN**  
**(APPELLATE JURISDICTION)**

**PRESENT:**

MR. JUSTICE MIAN SAQIB NISAR  
MR. JUSTICE MUSHIR ALAM  
MR. JUSTICE MAQBOOL BAQAR

**CIVIL APPEAL NO.36 OF 2014**

*(Against the judgment dated 20.12.2012 of  
the Peshawar High Court, Peshawar  
passed in W.P.No.534/2011)*

Public Service Commission through its Chairman, etc.

...Appellant(s)

**VERSUS**

Mrs. Abida, etc.

...Respondent(s)

For the appellant(s): Mr. Mujahid Ali Khan, A.G. KPK  
Mr. M. Saeed, A.D., PSC KPK  
Mr. Muqarrab Khan, S.O.


For the respondent(s): Mr. Muhammad Tariq Khan Hoti, ASC

Date of hearing: 05.05.2015

**ORDER**

**MIAN SAQIB NISAR, J.-** Once the respondent has been recommended by the Public Service Commission for the appointment, notwithstanding that it was relatable to the zonal allocation or otherwise, a vested right stands created in favour of the respondent *per* the law laid down in Pakistan, through the Secretary, Ministry of Finance Vs. Muhammad Himayatullah Farukhi (PLD 1969 SC 407), The Engineer-in-Chief Branch through Ministry of Defence, Rawalpindi and another Vs. Jalaluddin (PLD 1992 SC 207) and Chairman, Selection Committee/Principal, King Edward Medical College, Lahore and 2 others (1997 SCMR 15). Obviously, she would be entitled to the appointment and we have also been apprised by the learned counsel for the respondent that the lady (*respondent*) has already been appointed and

**ATTESTED**

  
Superintendent  
Supreme Court of Pakistan  
Islamabad

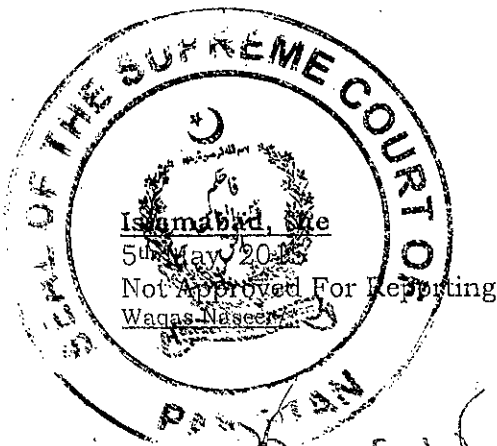
for the last eleven months she is also getting her salary. Obviously in light of the above, we do not find any case for interference with the impugned judgment. Dismissed accordingly. However, if there is any error in the process of allocation of quota at the time when the respondent was recommended, the appellant may adjust in the zonal allocation for future, and may allot less seats to the zone to which the respondent belongs i.e. Zone No.2.

Sd/- Mian Saqib Nisar, J  
 Sd/- Mushir Alam, J  
 Sd/- Maqbool Baqar, J

Certified to be True Copy

*[Handwritten Signature]*  
 10/5/15

Superintendent  
 Supreme Court of Pakistan  
 Islamabad.



GR No: 2-1-115 Civil/Criminal  
 Date of Presentation: 10-5-15  
 No. of Words: \_\_\_\_\_  
 No. of Pages: \_\_\_\_\_  
 Regulation Fee Rs: \_\_\_\_\_  
 Copy Fee in: \_\_\_\_\_  
 Court Fee stamps: \_\_\_\_\_  
 Date of Completion of Copy: 10/5/15  
 Date of delivery of Copy: 9-6-15  
 Compared by/Prepared by: \_\_\_\_\_  
 Received by: M. Naseer

*Fax Appealant*

36

# IN THE PESHAWAR HIGH COURT, PESHAWAR

W.P.No: 534 /2011

1. Mrs. Abida D/O Jan Muhammad  
R/O H.No. 130, Street No. 3, C-4, Phase-V, Hayat Abad, Peshawar.  

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Petitioner.

VERSUS

1. Public Service Commission through its Chairman,
2. Director recruitment, Public Service Commission 2-Fort Road, Peshawar Cantt.
3. Secretary Higher Education Department, Govt. of K.P.K, Peshawar.
4. Mst. Tasleem Bano D/O Habib ullah Khan R/O Lakki Marwat.
5. Ms. Nabila Ayub D/O Muhammad Ayub R/O Shehzad Tailor, near Iqbal Khan Bangloes, Kehal Road, Abbottabad.
6. Ms. Nosheen D/O Faiz Muhammad R/O House in Abbas Colony, Habib Abad, Shero Jhangi, Nearby Khan CNG charsada Road, Peshawar.
7. Ms. Kokib Intiaz D/O Intiaz Alam Sadozai R/O House No. 902/7, Saba Colony, Nawanshehar, Abbottabad.
8. Ms. Shahida Bibi D/O Sher Muhammad, R/O Haji Khel House, near National Bank of Pakistan, Mohallah Mina Khel, Tehsil & Distt. Lakki Marwat.  

---

Respondents

## WRIT PETITION:-

### UNDER ARTICLE 199 OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN 1973

Respectfully Sheweth:

The petitioner most humbly submits as under:-

## FACTS:-

1. That the petitioner is a permanent resident of Tehsil & Distt. Peshawar and as such hold domiciled certificate of the district concerned.
2. That the petitioner has done her M.A Islamiat in Ist Division from the University of Peshawar in the year 2004 and also is a degree holder of Bachelor in Education.
3. That the respondent No.1 through a public notice advertised the posts of Lecturer in the subject of Islamiat inviting applications stating therein the academic qualifications and other relevant documents. (Copies of DMC of M.A Islamiat & B.Ed Certificate are attached as Annexure-A & B).
4. That the petitioner who was otherwise qualified and eligible for the post advertised consequently applied for the post of female lecturer in Islamiat and

(37)

JUDGMENT SHEET  
PESHAWAR HIGH COURT, PESHAWAR.  
JUDICIAL DEPARTMENT.

W.P.No.534/2011.

JUDGMENT

Date of hearing: 20.12.2012.

Petitioner Ms. Abida by Abdul Qadir Tareen Advocate.

Respondents Pse by Mr. Chaid Razzak Khan Addl. A.C.

\*\*\*\*

SHAH JEHAN AKHUNDZADA, J. - Through the instant constitutional petition under Article 199 of the Islamic Republic of Pakistan, 1973, Ms. Abida petitioner has approached this Court for the following prayer :-

"It is, therefore, respectfully prayed that on acceptance of this Constitutional Petition, this Hon'ble Court may please to declare the impugned letter dated 15.11.2010 which has excluded the name of the petitioner from the successful list earlier prepared by the respondent No.1 be without lawful authority and of no legal effect and respondent No.1 be directed to cancel the letter dated 15.11.2010 and issue a fresh letter to the effect that the petitioner is legitimately entitled to be recommended as one of the successful candidates for the 05 posts which were earlier advertised by the respondent No.1 and include in the new list the name of the petitioner".

2- The relevant facts for the disposal of the instant petition are that the respondent No.1

2010 S C M R 354

[Supreme Court of Pakistan]

Present: Anwar Zaheer Jamali, J

Criminal Miscellaneous Appeal No.31 of 2009

HASNAT AHMAD KHAN---Appellant.

versus

INSTITUTION OFFICER---Respondent

(Against Order of Institution Officer dated 3-11-2009)

Criminal Miscellaneous Appeal No.32 of 2009

Syed SHABBAR RAZA RIZVI---Appellant

versus

INSTITUTION OFFICER---Respondent

(Against Order of Institution Officer dated 3-11-2009)

Criminal Miscellaneous Nos.31 and 32 of 2009, decided on 20th November, 2009.

**(a) Interpretation of statutes---**

---Words used in a statute---Scope---No word used by lawmakers is either redundant or can be subtracted, substituted, added or read in a piece of legislation or a document. [p. 358] A

**(b) Interpretation of statutes---**

---Language of statute---Scope---Where some legislation is made and its language is couched in a particular/calculated manner to meet some extraordinary situation, then it is to be read and interpreted in a more careful and pragmatic manner to ensure that its objective and intent is achieved. [p. 358] B

**(c) Administration of justice---**

||---Two wrongs or any number of wrongs do not make one right. ||  
[p. 359] C

**(d) Administration of justice--**

---Mere mistake in citation of relevant provision of law does not nullify or vitiate an action or proceedings. [p. 359] D

**(e) Supreme Court Rules, 1980---**

---O. III, Rr. 4 & 5---Registrar, Supreme Court of Pakistan, duties of Delegation of powers---Institution Officer---Scope---Registrar, in terms of O.III, Rr. 4 & 5 of Supreme Courts Rules, 1980, is fully empowered to delegate and assign such work/task among officers of the Court---Institution Officer is officer of Supreme Court in Basic Pay Scale-18, thus powers so exercised by him cannot be objected to. [p. 359] E

**(f) Words and phrases---**

---'Entertainability' and 'maintainability'---Connotation---Word 'entertainability' derives its source from word 'entertain', which means amuse, occupy agreeably, receive or treat as guest, give attention or consideration to an idea, feeling or proposal and it originates its source from French word 'entretenir' and ultimately from Latin 'tenere' meaning thereby 'to hold'---On the other hand word 'maintainability' derives its source from word 'maintain' and it means cause to continue, keep up, preserve, support, assert opinion or statement as true, preserve or provide for preservation (building, machine, record etc.) in good repair, give aid to cause or party etc. and it originates its source from old French word 'maintenir', ultimately from Latin word 'manu tenere' meaning thereby 'hold in hand'. [p. 359] F

Concise Oxford Dictionary, 9th Edn. and Legal Terms and Phrases by M. Ilyas Khan, 2006 Edn., at page 327 ref.

**(g) Contempt of Court Act (XXIV of 1976)--**

---S. 10(2-A)---Contempt of Court Ordinance (IV of 2003), S.20---Constitution of Pakistan (1973), Art.270-AA---Supreme Court Rules, 1980, O.III, Rr.4, 5 & O.V, R.3---Office objection---Entertainability and maintainability of appeal---Scope---Institution Officer of Supreme Court office raised objection to appeal filed by appellant that the same were not entertainable as the law under which the same were filed had been repealed---Plea raised by appellant was that no such objection could be raised by Institution Officer---Validity---Objections as to entertainability were those which the office could raise and could be decided at some appropriate level as per authorization under some administrative authority and subject to further remedy under Supreme Court Rules, 1980---While objections as to maintainability were those which either raised by office or the Court itself, were to be decided exclusively by the Court---Contempt of Court Act, 1976, stood repealed by specific language of S.20 of Contempt of Court Ordinance, 2003, which remained protected by insertion of Art.270-AA in the Constitution, vide Seventeenth Amendment---No appeal filed under the

*provisions of repealed enactment could be entertained by office as rightly done so by Institution Officer---Supreme Court declined to interfere in the Office objection which was sustained---Appeal was dismissed. [p. 361] G & H*

Dr. A. Basit, Senior Advocate Supreme Court and Arshad Ali Chaudhry, Advocate-on-Record for Appellants (in both Appeals).

Nemo for Respondent.

Date of hearing: 19th November, 2009.

#### ORDER

ANWAR ZAHEER JAMALI, J.---These two appeals, under Order V rule, 3 of the Supreme Court Rules, 1980, are directed against the identical office objection dated 3-11-2009, endorsed by the Institution Officer, Supreme Court of Pakistan, upon presentation of two Intra Court Appeals by Mr. Arshad Ali Chaudhry, learned AOR, which reads as under:--

"The above titled Intra-Court Appeal in Criminal Original Petition No.97 of 2009 filed by you under section 10(2-A) of the Contempt of Court Act, 1976 is not entertainable because Contempt of Court Act, 1976 has been repealed by the Contempt of Court Ordinance, 2003 and Contempt of Court Ordinance, 2003 is a valid law which has been accorded permanence by incorporation of Article 270AA in the Constitution by the Constitution (17th Amendment) Act, 2003. It has been held so by this Court vide the judgment reported as PLD 2007 SC 688.

Hence this Intra Court Appeal in Criminal Original Petition No.97 of 2009 is returned herewith in original along with its paper books."

2. At the outset, Dr. A. Basit, learned Senior Advocate Supreme Court, who is representing both the appellants before me, made a detailed reference to the events which took place from the 3rd of November, 2007, till the passing of short order dated 31st July, 2009 by the Honourable fourteen Members Bench of this Court, followed by detailed reasons thereof.

3. Reverting to the office objection as to the entertainability of the two Intra-Court Appeals filed by the present appellants under section 10(2-A) of the Contempt of Court Act, 1976, against the notice dated 13-10-2009, the first submission of the learned counsel is that the objection so raised by the Institution Officer about the entertainability of the Intra-Court Appeals was not within his

competence, as under the Supreme Court Rules, such powers are only available with the Registrar, and not at the level of Institution Officer. He next contended that even in the impugned notice dated 13-10-2009, specific reference of sections 3 and 4 of the Contempt of Court Act, 1976, is made, therefore, filing of Intra-Court appeals under section 10(2-A) of the same Act of 1976, read with Contempt of Court (Amendment) Act, 1997, is fully justified, and the office is estopped from raising any objection to this effect. He also submitted that the Contempt of Court Act, 1976, is still in force, therefore, the appeals preferred by the appellants under the provisions of said Act of 1976 are very much competent. He further submitted that Article 270-AA of the Constitution, which became part of the Constitution of our country through Seventeenth Amendment on 31-12-2003, has only protected those actions and laws etc., which were taken/promulgated after proclamation of emergency on the 14th day of October, 1999 till the date of such addition in the Constitution, so as to protect and provide legal cover to all the actions taken thereunder, but no permanency has been attached to any such Ordinance to supersede or replace any Act, like the Contempt of Court Act, 1976, which is to prevail after lapse of period of 120 days meant for any Federal Ordinance. Last limb of the arguments of Dr. A. Basit is that all objections relating to legal implications are objections about the maintainability of the appeals, therefore, the same are to be placed before the Court for adjudication and no one can be non-suited on such ground at the level of Registrar, as in the instant case.

4. Without commenting upon other aspects of the case, which are not much relevant for resolving the controversy involved in these appeals, I propose to confine my discussion only as to the objection raised by the Institution Officer dated 3-11-2009, about the entertainability of the two appeals, preferred by the appellants under section 10(2-A) of the Contempt of Court Act, 1976, which has been challenged through these appeals under Order V rule 3, Supreme Court Rules, 1980. There can be no two views about the fact that by virtue of section 20 of the Contempt of Court Ordinance, 2003 (No.V of 2003), which came into force on 15th Day of December, 2003, the Contempt of Court Act, 1976 (LXIV of 1976) was validly repealed. Now it is to be seen here, whether for the reason that Ordinance No.V of 2003 was in force and alive on the day when Article 270-AA became part of the Constitution of Pakistan, 1973, by way of Seventeenth Constitutional Amendment, it received permanence or not, for this, a reference to sub-Article 3 of Article 270-AA would be relevant here, which reads as under:--

"(3) All Proclamations, President's Orders, Ordinances, Chief Executive's Orders, laws, regulations, enactments, including amendments in the Constitution, Notifications, Rules, Orders or

bye-laws in force immediately before the date on which this Article comes into force shall continue in force until altered, repealed or amended by the competent authority."

Explanation.—In this clause, "competent authority" means,—

- (a) in respect of Presidents' Orders, Ordinances, Chief Executive's Orders and enactments, including amendments in the Constitution, the appropriate Legislature; and
- (b) in respect of Notifications, Rules, Orders and bye-laws, the authority in which the power to make, alter, repeal or amend the same vests under the law."

A plain reading of this sub-Article shows that not only by Article 27-AA of the Constitution, all legislations made, actions taken and acts done etc., as detailed in Sub-Articles (1) and (2) were given legal cover and protection from being called into question in any Court or forum on any ground whatsoever, but by Sub-Article (3) all Proclamations, President's Orders, Ordinances, Chief Executive's Orders, laws, regulations, enactments, including amendment in the Constitution, notifications, rules, orders or bye-laws in force immediately before the date on which the said Article came into force, were accorded permanence i.e. to continue in force until altered, repealed or amended by the competent authority. In this context, it is significant to notice that in Sub-Article (3) (ibid) the guarded language used by the lawmakers is "altered, repealed or amended by the competent authority", meaning thereby that (a) nothing was to happen thereafter automatically (b) the position of expiry of Ordinances in force as on 31-12-2003, in the ordinary course or their lapse were eliminated. Thus, applying the well recognized rule of interpretation of statute that no word used by lawmakers is either redundant or can be subtracted, substituted, added or read in a piece of legislation or a document, no valid presumption can be drawn that on expiry of 120 days, the Ordinance (V of 2003), automatically lapsed/expired as it should have been in the ordinary course. Needless to observe that where some legislation is made and its language is couched in a particular/calculated manner to meet some extraordinary situation, as in the case of Article 270-AA, then it is to be read and interpreted in a more careful and pragmatic manner to ensure that its objective and intent is achieved. Incidentally Ordinance V of 2003, is one of such Ordinances, which, due to the blanket cover provided by Sub-Article (3), became protected, validated and in force piece of law on insertion of Article 270-AA in the Constitution, through Seventeenth Amendment, unless undone in the manner prescribed therein. This view of the matter also gets support from the judgment of a three Members Bench of this Court in Suo Motu

2010] Hasnat Ahmad Khan v. Institution Officer  
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Case No.1 of 2007 dated 1-11-2007, reported as PLD 2007-SC 688. Though in this judgment, no detailed deliberations have been made on this aspect of the case, but it has been categorically noted that Contempt of Court Ordinance, 2003, was still a valid law, as it was accorded permanence by incorporation of Article 270-AA in the Constitution by Constitutional (Seventeenth Amendment) Act, 2003.

5. Considering the other technical objections raised by Dr. A. Basit, about the incompetency of the Institution Officer for raising the impugned office objection; nature of office objection whether relating to maintainability of appeals or to their entertainability, and effect of reference of sections 3 and 4 of the Contempt of Court Act, 1976, in the notice of this Court dated 13-10-2009, firstly, it may be mentioned here that reference to sections 3 and 4 of the Contempt of Court Act, 1976 in the notice dated 13-10-2009, seems to be a simple mistake made by the office, which, in any case, will not confer a right of Intra-Court Appeal to the appellants, unless otherwise expressly provided by any law in force. Suffice it to observe, that two wrongs or any number of wrongs, will not make one right. This view of the matter also finds full support from the settled legal position that mere mistake in the citation of a relevant provision of law will not nullify or vitiate an action or proceeding. Similarly, objection as to the authority of the Institution Officer has no force, for the reason that he is duly notified Officer under the administrative arrangements of this Court, and for this purpose, Registrar, in terms of Order III, rules 4 and 5 of the Supreme Court Rules, 1980, is fully empowered to delegate and assign such work/task among the Officers of the Court. Admittedly, the Institution Officer is an Officer of this Court in BPS.18, thus, the powers so exercised by him, for this purpose, cannot be objected to on such account. Looking at this plea from another angle, on strict interpretation of Order V rules 3, without reference to rules 4 and 5 of Order III of the Supreme Court Rules, 1980, as argued by Dr. A. Basit, the very maintainability of these appeals becomes doubtful, as under this provision of law, an appeal to a Judge in Chambers only lies against the order of the Registrar and not otherwise. The appellants, therefore, cannot be permitted to approbate and reprobate in the same breath.

6. The last submission of Dr. A. Basit as to the nature of office objection, being related to the maintainability and not to its entertainability, is also devoid of any force. If we look at the ordinary dictionary meaning of words "entertainability" and "maintainability" we find that word "entertainability" derives its source from the word "entertain", which according to the Concise Oxford Dictionary, Ninth Edition, means amuse, occupy agreeably, receive or treat as a guest; give attention or consideration to an idea, feeling, or proposal, and it originates its source from French word "entretenir" and ultimately from

Latin "tenere" meaning thereby to "hold". On the other hand word "maintainability" derives its source from the word "maintain". As per definition of this word in the same dictionary, it means, cause to continue; keep up, preserve, support, assert opinion or statement as true, preserve or provide for preservation (building, machine, record etc.) in good repair, give aid to cause or party etc. and it originates its source from old French word "maintenir", ultimately from Latin word "manu tenere" meaning thereby to 'hold in the hand'. While in legal parlance (as noted from the Book "Legal Terms and Phrases" by M. Ilyas Khan, 2006 Edition) at page 327 word "entertain", referring to some judgments of the Supreme Court, denotes as under:--

"The word "entertain" in legal parlance means 'adjudicate upon' or 'proceed to consider on merits'. Div. Superintendent, P.W.R. Multan v. A. Khaliq 1984 SCMR 1311.

Expression entertain by Mitra's Legal and Commercial Dictionary (Page 270) and words Phrases by Surendra Malik (page 232) are identical i.e. entertainment means proceed to consider on merits or adjudicate upon, whereas the expression entertain has also been defined in Hidustan Commercial Bank v. Punnu Sahu AIR 1970 SC 1384 and Pakistan Steel People Worker's Union v. Registrar of Trade Unions, Karachi 1992 PLC 715 referred to by the learned counsel for petitioners according to which, it means not merely filing of an application or institution of proceedings but would mean adjudicated upon or proceed to consider on merits. All Pakistan Newspapers Society v. Federation of Pakistan PLD 2004 SC 600."

Similarly, at page 573 of the same book word "maintain" carries following meanings:--

"According to the Concise Oxford Dictionary (3rd edition), the word 'maintain' means carry on keep up (war contest, action of law, condition, position, attitude, relation, correspondence); cause (person or Co.) to continue in (condition, possession of thing, and co.); support (life, one's state in life) by nourishment, expenditure and Co. furnish (oneself, children) with means of subsistence, keep (Road and Co.) in repairs; backup (cause, party; assert as time (opinion, statement, that) 1986 PLC 899."

7. The above discussion will show that indeed there is significant difference between the import of these two words for its practical implementation, and for this purpose with reference to the working in the office of Supreme Court, it can be said that the objections as to entertainability are those, which the office can raise, and can be decided

at some appropriate level as per authorization under some administrative authority and subject to further remedy under the Supreme Court Rules, while the objections as to the maintainability are those which either raised by the office or the Court itself, are to be decided exclusively by the Court. In the present case, as I have already observed in the earlier part of this order that the Contempt of Court Act, 1976, stood repealed by specific language of section 20 of the Contempt of Court Ordinance, 2003, which remained protected by insertion of Article 270-AA in the Constitution of Pakistan, vide Seventeenth Amendment dated 31-12-2003. Therefore, no appeal filed under the provision of a repealed enactment can be entertained by the office as rightly done so in the instant matters by the Institution Officer.

8. This being the position, its necessary implication is that no question of maintainability, but a question of entertainability was involved in the two appeals, preferred by the appellants in the office of the Supreme Court, and in such situation, the objection raised by the Institution Officer dated 3-11-2009, as reproduced above, is an objection about the entertainability of the appeals, having been filed under a law which stood repealed with effect from 15th December, 2003, on coming into force of Ordinance V of 2003. Indeed, in a situation where Contempt of Court Act, 1976, was not repealed, and any other objection as regards to its maintainability under the said Act was raised by the office that might have been a question relating to its maintainability, which is not the position in the instant case. This being the position, office objection is sustained and accordingly both these appeals are dismissed.

M.H./H-11/SC

Appeal dismissed.

2010 S C M R 361

[Supreme Court of Pakistan]

Present: Iftikhar Muhammad Chaudhry, C.J., Javed Iqbal, Sardar Muhammad Raza Khan, Khalil-ur-Rehman Ramday, Mian Shakirullah Jan, Tassaduq Hussain Jilani, Nasir-ul-Mulk, Raja Fayyaz Ahmed, Ch. Ijaz Ahmed, Ghulam Rabbani, Sarmad Jalal Osmany, Muhammad Sair Ali, Mahmood Akhtar Shahid Siddiqui and Jawwad S. Khawaja, JJ

SUO MOTU CASE NO. 10 OF 2005, decided on 31st July, 2009.

(Re: Environmental hazard of the proposed New Murree Project)



*For Appeal*

[Supreme Court of Pakistan]

Present: Sajjad Ali Shah, C.J., Fazal Ilahi Khan and

Raja Afrasiab Khan, JJ

CHAIRMAN, SELECTION COMMITTEE/PRINCIPAL, KING

EDWARD MEDICAL COLLEGE, LAHORE

and 2' others---Petitioners

versus

WASIF ZAMIR AHMAD and another---Respondents

Civil Petition for Leave to Appeal No. 296 of 1996, decided on 7th October, 1996.

(On appeal from the judgment of the Lahore High Court, Rawalpindi Bench dated 28-2-1996 passed in W.P. No. 673 of 1995).

## Constitution of Pakistan (1973)---

---Art. 185(3)---General Clauses Act (X of 1897), S.20 --- Locus poenitentiae, principle of---Application---Educational institution---Admission in M.B.B.S. class of Medical College against one of reserved seats---Respondent was given admission on merits by Competent Authorities after considering his case--Requisite fee was accepted by College Authorities and respondent was allocated Roll Number and was asked to join M.B.B.S. Ist year class---Subsequent withdrawal of admission and act of giving his seat to another candidate on the pretext that respondent was given admission due to mistake of computer was not warranted---Respondent could not be deprived of vested right which he had earned on basis of act of Authorities---Principle of locus poenitentiae was although available to Authorities whereby any order which was made by mistake could be undone yet such order could not be withdrawn or rescinded once it had taken legal effect and created certain rights in favour of any individual--Respondent having been granted admission and Roll Number issued to him after acceptance of requisite dues, had created vested right in his favour which could not be undone subsequently---Respondent was thus, found entitled to continue his studies for which he was granted admission by Authorities--- Leave to appeal was refused in circumstances--[Locus poenitentiae, principle of].

Miss Safia Hameed v. Chairman, Selection Committee Medical College, Quetta and 6 others PLD 1979 Quetta 12; Secretary, Ministry of Finance v. Muhammad Himayatullah Farukh PLD 1969 SC 407 and Chief Secretary, Government of Sindh and another v. Sher Muhammad Makhdoom and 2 others PLD 1991 SC 973 ref.

Ch. Ehsan Sabir, Asstt.-A.G. with Rao Muhammad Yousuf Khan, Advocate-on-Record for Petitioners.

Malik Rab Nawaz, Advocate Supreme Court with Ejaz Muhammad Khan, Advocate-on-Record for Respondent No. 1.

Date of hearing: 7th October, 1996.

## JUDGMENT

**RAJA AFRASIAB KHAN, J.**--In the year 1994, Wasif Zamir Ahmad, the respondent herein passed his F.Sc. examination with 809 marks including N.C.C. training marks from Gordon College, Rawalpindi. He gave an application to the petitioner, Chairman Selection Committee/Principal, King Edward Medical College, Lahore for his admission in first year of M.B.B.S. in Rawalpindi Medical College, Rawalpindi against a seat reserved for the people of Tehsil Kahuta, District Rawalpindi. In lieu of the admission form, receipt No.240 dated 12-12-1994 was issued to him. The respondent was, accordingly, selected against the aforesaid seat. He was called upon to join his 1st year M.B.,B.S. class in Rawalpindi Medical College, Rawalpindi vide registered letter No.4739/RMC dated 18-5-1995 for the Session 1994-95. A sum of Rs.853 and Rs.600 was deposited by the respondent on 23rd of May 1995 in the National Bank of Pakistan, Rawalpindi Medical College Branch, Rawalpindi. He was issued Roll No.247, by the petitioners Nos.2 and 3. Despite the above, the respondent was not allowed to join his class for no reasons at all. It was disclosed at the later stage that the respondent No.2, Miss Farkhanda Akhtar Abbasi who had secured 815 marks, had been accommodated against the above-said reserved seat in place of the respondent No.1 without hearing him. Writ Petition No. 673 of 1995 was instituted by the respondent to call in question the action of the petitioners refusing admission to him. As an interim measure, provisional admission was given to the respondent. After hearing the learned counsel for the parties, a learned Judge of the Lahore High Court Rawalpindi Bench, Rawalpindi accepted the Constitutional petition on 28th of February, 1996 holding that the respondent had a vested right to continue his study in the Medical College. Nonetheless, it was observed that the respondent No.2, Miss Farkhanda Akhtar Abbasi would not be affected because of admission of respondent No. 1. The learned High Court relied upon Miss Safia Hameed v. Chairman, Selection Committee, Medical College, Quetta and 6 others (PLD 1979 Quetta 12) and a judgment of this Court reported as Pakistan through the Secretary, Ministry of Finance v. Muhammad Himayatullah Farukh (PLD 1969 SC 407). The main thrust of the reasoning of the learned High Court was that the petitioners, could not be allowed to disown their earlier action whereby respondent No. 1 was accommodated by giving him admission. The validity of the aforesaid judgment has been challenged by the Chairman Selection Committee/Principal, King Edward Medical College,, Lahore etc. through this petition for leave to appeal.

2. The point urged by the learned counsel is that on account of a computer mistake, the name of the respondent No. 1 was shown on the list of students who had been given admission. It was

added that the moment the aforesaid mistake, was found by the authorities, it was rectified by giving admission to the respondent No.2 instead of the respondent No. 1.

3. We have heard the learned counsel for the parties and have also perused the record with their assistance. We do not find any substance in the arguments of the learned counsel for the petitioners and as such, these are repelled. The above narration of facts demonstrates that respondent No: 1 was presumably given admission on merits by the competent College Authorities after considering his case. The requisite fee was accepted by them in lieu of valid receipts. He was directed to join 1st year class of M.B.B.S. It is admitted that the respondent is likely to complete the second year course of M.B.B.S. This being the position, by lapse of time, the respondent had obtained a valid right to continue his studies. In the given situation, he could not be held to be at fault. It is well-settled that once a right is created in favour of a litigant, in due course of time, it cannot at all be taken back arbitrarily. In the case in hand, admission was given to respondent No. 1 by accepting his credentials and in the result, necessary dues were accepted by the concerned authorities. The learned High Court was eminently justified in accepting the plea of respondent No. 1 to meet the ends of justice. The petitioners cannot be allowed to approbate and reprobate in the same breath. To begin with, they accepted respondent No. 1 to be entitled to get admission and at the belated stage, they took a turn by stating that respondent No.2 had been accommodated by giving admission instead of respondent No.1. This was not possible for the petitioners to do so under the settled law. If this was so, it surely occurred because of their gross negligence for which the respondent could not be held responsible. The decision of the petitioners to give admission to the respondent No. 1 was implemented in letter and spirit. He, therefore, cannot be deprived of his vested right which he had earned on the basis of act of the petitioners. See Chief Secretary, Government of Sindh and another v. Sher Muhammad Makhdoom and 2 others (PLD 1991 SC 973) wherein it was observed:---

"It is quite apparent that restrictions imposed in para.4 of the Revenue Department's Notification mentioned above, pertain to the appointment as Mukhtiarkar and in the cases under consideration will have no bearing for the reason that respondents were granted exemptions in accordance with circulars, requirements of which were duly fulfilled by them and not only that but exemptions were implemented and they received necessary training, as such valuable rights had accrued to them which could not be interfered with. In this context, reference can be made to section 20 of General Clauses Act and guidelines laid down in the case of Pakistan v. Muhammad Himayatullah Farukh (PLD 1969 SC 407), in which it is held that principle of locus poenitentiae is available to the Government or relevant authorities and further authority which is competent to make order has power to undo it, but such order cannot be withdrawn or rescinded once it has taken legal effect and created certain rights in favour of any individual. It appears that Service Tribunal has allowed appeals of the respondents mainly on this ground with cogent reasons in support thereof. View taken by the Service Tribunal is correct and we find no reason whatsoever to interfere with the impugned judgment, which is hereby upheld and leave is refused. In the circumstances, petitions are dismissed. "

This principle laid down in the cases of Muhammad Himayatullah Farukh and Sher Muhammad Makhdoom, supra was applicable to the facts and circumstances of this case. In these circumstances, this petition is dismissed and leave to appeal is refused by upholding the well-reasoned judgment of the learned High Court.

2003 CM R 303

Supreme Court of Pakistan]

Present: Syed Deedar Hussain Shah, Hamid Ali Mirza and Faqir Muhammad Khokhar, JJ

COLLECTOR OF CUSTOMS AND CENTRAL EXCISE, PESHAWAR and 2 others---  
Petitioners

VS

ABDUL WAHEED and 7 others---Respondents

Civil Petitions Nos.2318 to 2323, 2371 and 2545 of 2002, decided on 6th November, 2003:

On appeal from the judgment dated 9-9-2002 in Appeals Nos.475(P) of 1999, 49(P)CS to 53(P)CS, 54(P)CS and 82(P)CS of 2000 passed by the Federal Service Tribunal, Islamabad):

Service Tribunals Act (LXX of 1973)---

14---Constitution of Pakistan (1973), Art.212(3)---Service of ad hoc appointees; termination of--  
political appointments---Non-compliance of procedure for appointment---Lapses on the part of  
appointing Authorities---Services of civil servants were terminated for the reason that they were not  
appointed on merits rather the appointments were made due to political and external pressures---  
Termination order was set aside by Service Tribunal and the civil servants were reinstated on the  
ground that the Appointing Authority, at no stage, had applied its independent mind at the time of  
initial appointment and carried out the directives of other Authorities---Plea raised by the Authorities  
was that the appointments of civil servants were made without observing prescribed procedure for  
appointment and they were no more required being ad hoc appointees---Validity---Appointments of  
civil servants were made by Competent Authority---If prescribed procedure was not followed by the  
concerned Authority, the civil servants could not be blamed for what was to be performed and done  
by the Competent Authority---Competent Authorities should be held responsible and liable for the  
lapse on their part---Civil servants had put in more than ten years of their service and had lost all their  
chances to get fresh appointment elsewhere as they stood disqualified being overage---Supreme Court  
noted it with concern that in case the civil servants were to be removed then the same would amount  
to hitting them hard creating problems for the society at large considering each of the civil servants  
being a bread earner of his family---Appointing Authorities had been acting mechanically without  
application of mind, therefore, the civil servants could not be made to suffer for whimsical and  
mechanical acts of the Authorities---Supreme Court declined to interfere with the judgment passed by  
Service Tribunal as the act of the Authorities was not in accordance with law---Authorities had  
terminated the services of civil servants without any just and legal cause---Leave to appeal was  
refused.

Secretary to Government of N.-W.F.P. Zakat/Social Welfare Department v. Sadullah Khan 1996  
SCMR 413; Syed Sikandar Ali Shah v. Auditor-General of Pakistan and others 2002 PLC (C.S.) 1027  
and Abdul Hafeez Abbasi v. Managing Director, Pakistan International Airlines and others 2002  
SCMR 1034 ref.

Hafiz S.A. Rehman, D.A.-G. for Petitioners.

Nemo for Respondents (in Civil Petition No. 2318 of 2002)

Khushdil Khan, Advocate Supreme Court for Respondents (in Civil Petitions Nos. 2319, 2321, 2322 and 2323 of 2002)

Nemo for Respondents (in Civil Petitions Nos. 2320, 2371 and 2545 of 2002).

Date of hearing: 6th November, 2003.

### JUDGMENT

HAMID ALI MIRZA, J.--These eight civil petitions for leave to appeal are directed against a common judgment dated 9-9-2002 in Appeals Nos. 49(P)CS to 53(P)CS, 59(P)CS, 82(P)CS of 2000 and 475(P)CS of 1999 (Najeebullah Khan and 7 others v. Central Board of Revenue and others) passed by learned Federal Service Tribunal, whereby the said appeals were allowed and thereby termination orders passed by petitioner Central Board of Revenue were set aside, with the directions the respondents would be deemed to have continued in service w.e.f. the date of their terminations.

2. Facts of the case need not be reiterated as the same have been stated in detail in the petitions as well as in the impugned judgment.

3. We have heard learned counsel for the parties and perused the record.

4. Contention of learned Deputy Attorney-General for Pakistan appearing on behalf of the petitioners is that the learned Service Tribunal has erred in law and facts in holding that services of the respondents were terminated in violation of prescribed procedure of law merely on the ground that their services were no longer required being ad hoc appointee. Counsel for the respondents has submitted that the judgment of Federal Service Tribunal is legal proper and based on proper appreciation of facts and law which did not call for interference by this Court in the Constitutional jurisdiction.

5. We do not find merit and substance in the contention of learned Deputy Attorney-General for the petitioners.

6. Admittedly all references and directives in respect of respondents' appointment which came from the placement Bureau or from Senior Minister or from Prime Minister Secretariat were to be made subject to the fulfilment of the prescribed qualification by concerned Competent Authority in respect of each of the respondent on the basis of personal data as to their qualification and suitability for a particular post applied for by each of the respondent. Obviously the appointments so made, were made by the Competent Authority and in case prescribed procedure was not followed by concerned authority, the appointees/respondents could be blamed for what was to be performed and done by the Competent Authority before having verified the qualification and suitability and observance of the due process before issuing the appointment orders. It is strange that the respondents who were appointed either in 1989 or 1990 were said to have come through back door or were not recruited under due process of law but due to political pressure. The petitioners do admit that the respondents do possess the required qualification and the respondent Najeebullah was also not overage at the time of appointment being domicile of FATA enjoyed relaxation in age limit. The petitioners cannot penalize the persons/respondents, who had put in more than ten years' service with them considering that there was no allegation of misconduct against them and were only to be removed on account of change in Government on the ground that they were no more required and were not appointed after observance of due process of law. The petitioners/authorities competent should be held responsible

and liable for the said lapse on their part. It could not be forgotten the persons/respondents who have put in more than ten years of their service and thereby have lost all their chances to get fresh appointment elsewhere as they stood disqualified being overage and in case they are to be removed now the same would amount to hitting them hard creating problems for the Society at large considering each of the respondent being a bread earner for his family. This Court, in Secretary to Government of N.W.F.P. Zakat/Social Welfare Department v. Sadullah Khan (1996 SCMR 413) held that Competent Authority could not make the employee suffer on account of its own lapse; and in case of Syed Sikandar Mi Shah v. Auditor-General of Pakistan and others (2002 PLC (C.S.) 1027) held that the Competent Authority should have been bold enough to face political influence allegedly exerted by an employee over the Competent Authority who surrendered and obeyed the capricious and arbitrary directions of their political bosses without raising the slightest protest which depicted a cowardly and condemnable trend; so also in case of Abdul Hafeez Abbasi v. Managing Director Pakistan International Airlines and others (2002 SCMR 1034) this Court has reiterated the guidelines for the authorities to keep in view the process of law before making appointments. It may be observed that the learned Federal Service Tribunal has held that Appointing Authority at no stage had applied its independent mind at the time of initial appointment and carried out the directives of the placement Bureau, Senior Minister, and the President's Secretariat and at the time of termination in December, 1990 it again complied with the arbitrary decision of the Cabinet and again reinstated at another decision of Cabinet in December, 1993 by another political Government and finally in October, 1999 it complied with the instructions of the Establishment Division. This would show that the petitioners/Appointing Authorities have been acting mechanically without application of mind, therefore, the respondents cannot be made to suffer at whimsical and mechanical acts of the petitioners. We do not find that these are fit cases which require our interference in the Constitutional jurisdiction considering that acts and actions of the petitioners cannot be termed to be in accordance with law laid down by this Court. We find that respondents' services have been terminated without any just legal cause, therefore, these petitions have no merit, hence leave to appeal in these petitions is declined and the petitions are dismissed.

However, we may observe that learned D.A.-G. has challenged the interpretation to the term "ad hoc" given by the Federal Service Tribunal which plea would be dealt with by us in detail in some other suitable case as at present, the cases in hand did not call for interference even on merits considering the facts and circumstances of present cases.

MLH/C-37/S

Petitions dismissed.

For Appellant

2011 SCMR 1581

[Supreme Court of Pakistan]

Present: Iqbal Hussain Jilani and Amir Hamid Muslim, JJ

EXECUTIVE DISTRICT OFFICER (EDU.), RAWALPINDI and others---Petitioners

Versus

MUHAMMAD NADEEM ARIF and 4 others---Respondents

C.S. Nos. 1701-L, 1702-L, 1722-L, 1732-L and 1733-L of 2010 decided on 26th May, 2011.

On appeal against the judgment, dated 22/6/2010 passed by the Punjab Service Tribunal, Lahore, in appeals Nos. 2123, 2606, 2602, 2607 and 2214 of 2009.

(a) Locus poenitentiae, principle of---

Principle of locus poenitentiae would not arise in a situation when some benefit was awarded to a person against declared law.

Muhammad Nadeem Arif v. IGP Punjab, Lahore 2011 SCMR 408 ref.

(b) Civil service---

Termination of service after few years of appointment--- Appointment order found to be bogus/fake/irregular--- Validity--- Such charge was vague, non-specific and did not show any lapse on part of employee or commission of any fraud by him or non possession of requisite qualification by him or his appointment to be made by an incompetent officer--- Department had not found performance of employee to be unsatisfactory--- Impugned order was set aside in circumstances.

Muhammad Nadeem Arif v. IGP Punjab, Lahore 2011 SCMR 408; Nazir Ahmad Panhwar v. Government of Sindh through Chief Secretary, Sindh and others 2009 PLC (C.S.) 161 and Executive District Officer (Education) Rawalpindi v. Muhammad Yousaf 2007 SCMR 1835 ref.

Secretary, M/o Finance and another v. Kazim Raza 2003 PLC (C.S.) 3777; Province of Punjab through Secretary Agriculture, Government of Punjab and others v. Zulfiqar Ali 2006 SCMR 678 and Secretary to Government of N.W.F.P. v. Sami Khan 1996 SCMR 413 ref.

Musaf Zaman Khan, Additional Advocate General and Nizal Ahmed Abbasi, Departmental Representative for Petitioners

Nemo for Respondents

Date of hearing: 26th May 2011

ORDER

TASSADUQ HUSSAIN JILLANI, J.-- This order shall dispose of Civil Petitions Nos. 1701-L, 1702-L, 1722-L, 1732-L, 1733-L of 2010 as they have nexus and the issue raised is similar.

2. Facts briefly stated are that in Civil Petition No. 1701-L of 2010 Mst. Rizwana Kausar was appointed as Oriental Teacher vide order dated 28-1-1995 and in the year 2006 her services were terminated on the ground that her appointment order was bogus and irregular. In Civil Petition No. 1702-L of 2010 respondent Mst. Riffat Sadiq was appointed as P.T.C Teacher on 24-8-1995 and in the year 1999 her services were terminated on the same ground. In Civil Petition No. 1722-L of 2010 respondent Mst. Ghulam Batool was appointed as P.T.C Teacher on 18-1-1995 but her services were terminated after 4 years in the year, 1999. In Civil Petition No. 1732-L of 2010 Mst. Nighat Perveen was appointed as P.T.C Teacher but again in 1999 her services were terminated on similar grounds i.e. that the appointment was bogus and irregular. In Civil Petition No. 1733-L of 2010 respondent Mst. Zahida Nasreen was appointed as Drawing Master Teacher on 23-12-1995 but on the same ground her services were terminated on 21-2-2009.

3. These petitions have a chequered history. The respondents challenged their orders of termination from service before various forums and ultimately before the learned High Court in constitutional petitions. In terms of the judgments passed by the learned High Court, respondents were again proceeded against through a regular inquiry and they were served with a charge-sheet, a specimen of which has been placed on record in Civil Petition No. 1701-L of 2010 at page 51, which reads as follows:--

"As per finding of the Enquiry Report under B & D Rules, 1975/1999 (6 and 7A), your appointment has been proved bogus/fake and irregular."

I, Raja Muhammad Zarait, Authority in the case, have decided that an opportunity be given to you for the best interest of justice and issued show cause notice, where your appointment is genuine or incorrect, and you should be proved yourself (sic)

Therefore, you are directed to attend the office of the undersigned on 5-8-2022 (sic) at 10-00 a.m. in person positively along with all relevant documents/record etc.

If you do not attend the above said date the one sided action will be taken against you under E&D Rules 1975/1999."

4. Learned Additional Advocate-General submits that the expression "bogus/fake and irregular" appearing in the afore-referred charge-sheet means that the appointments were made by an officer, who was holding the charge of District Education Officer and she did not follow the procedure prescribed in law for the appointments. However, she does not deny that all the respondents possess the requisite academic qualifications; that during their service there was no complaint whatsoever regarding their performance and that the departmental authorities did not proceed against the respondents for almost a period of 4 years. Learned Law Officer submits that the learned Tribunal in accepting the appeals of the respondents invoked the principle of locus poenitentiae, which according to him, was not applicable in the instant cases as the initial appointments were illegal and they could not be allowed to perpetuate an ill-gotten gain. Reliance is placed by the learned Law Officer on Muhammad Nadeem Arif v. IGP Punjab, (2011 SC MR 408) and Nazir Ahmad Panhwar v. Government of Sindh through Chief Secretary, Sindh and others (2009 BLC (C.S.) 161).



(88)

5. There is no cavil with the proposition that the principle of locus poenitentiae would not arise in a situation when some benefit is awarded to a person against the declared law and the judgment of, this Court in 2011 SCMR 408, to which reference has been made by learned Law Officer inter alia reiterates this view. However, the said issue would not be relevant in the peculiar facts and circumstances of this case as the grounds which weighed with the learned Tribunal are in accord with the law laid down by this Court, to which reference has been made in the impugned judgment.

6. Having heard learned Law Officer and having gone through the impugned judgment, we are of the view that the charge under which the respondents were proceeded against was that "your appointment has been proved Bogus/Fake/irregular". They were rather vague and non-specific and did not spell out as to whether the respondents committed any fraud, made any concealment or they did not possess the requisite qualification. The charge even did not allege that the appointments were made by an officer who was not competent to make the appointments. In accepting the appeals of the respondents, the learned Tribunal was persuaded by the fact that there was no allegation that the respondents did not qualify for the posts in question or there was any lapse on the part of the respondents. The Tribunal also took note of the fact that their performance during service was never found by the Department to be unsatisfactory. Relying on some judgments of this Court, the Tribunal found that the action taken was uncalled for and not sustainable in law. The learned Law Officer relies on a judgment of this court reported at Executive District Officer (Education) Rawalpindi v. Muhammad Younas (2007 SCMR 1835) wherein the court observed that when the basic order is without lawful authority then the superstructure shall have to fall on the ground automatically" but the said ratio was laid down in a distinct context and the context was that in the said case, the appellant was a PTC Teacher and procured the appointment order by concealing his dismissal from Pakistan Army. In the instant cases, there is no such concealment or misrepresentation and there was no allegation that they suffered from any disqualification.

7. In the afore-referred circumstances, we are of the view that the impugned judgment is in line with the law laid down by this Court in Secretary, M/o Finance and another v. Kazim Raza (2008 PLC (C.S.) 877), Province of Punjab through Secretary Agriculture Government of Punjab and others v. Zulfikar Ali (2006 SCMR 678) and Secretary to Government of N.-W.F.P. v. Sadullah Khan (1996 SCMR 413) and therefore, is unexceptionable. No question of law of public importance within the meaning of Article 212(B) of the Constitution has been raised either to warrant interference. The petitions lacking in merit are accordingly dismissed and leave refused.

S.A.K./E-3/SC

Leave refused.

CPK

924

GP

2010 PLC (C.S.) 024

[Supreme Court of Pakistan]

Present; Iftikhar Muhammad Chaudhry, C.J.,  
Raja Fayyaz Ahmed and Ch. Ijaz Ahmed, JJ

MUHAMMAD NADEEM ARIF and others

versus

INSPECTOR GENERAL OF POLICE,

PUNJAB LAHORE and others

Civil Petitions Nos. 492 to 495 of 2009, decided on 13th May, 2009.

(Against the judgment dated 6-3-2009 passed by the Lahore High Court, Lahore in I.C. As. Nos. 154 to 157 of 2008).

(a) Constitution of Pakistan (1973)---

---Art. 199---Civil Procedure Code (V of 1908), O.XX, R.1(2)---  
Constitutional petition---Announcement of judgment by High Court  
after six months of hearing the arguments of parties---Validity---  
Provisions of O.XX, R.1(2), C.P.C., were directory, but not  
mandatory---High Court, after considering contentions of petitioner  
had dismissed petition with cogent reasons---No prejudice was shown to  
have been caused to petitioner by announcing judgment after such  
delay---Supreme Court upheld impugned judgment in circumstances.  
[pp. 928, 929, 930] A, B, C & E

Muhammad Bakhsh's case 1989 SCMR 1473; Juma Khan's case  
PLD 2002 SC 823; Samiul Faq's case 2001 SCMR 1053; Ali Khan  
Subanpoto's case 1997 SCMR 1590; Raja Hamayun Sarfraz Khan's case  
2007 SCMR 307; Syed Iftikhar-ud-Din Haider Gardezi's case 1996  
SCMR 669 at 673 and Muhammad Ovais's case 2007 SCMR 1587 rel.

(b) Administration of justice---

---Every case is to be decided on its own peculiar circumstances and  
facts. [p. 930] D

(c) Police Act (V of 1861) ✓

---S. 12---Instructions/rules/policy issued by Inspector-General of  
Police without approval of Provincial Government---Validity---Such  
instructions/rules would not be valid and would have no legal  
sanctity---Long practice of department to follow such instructions/rules  
conflicting with parent statute or rules could not remain

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(2)

~~operative, but must be ignored—No one would be obliged to obey such directions/instructions/departmental practice—Principles [pp. 930, 931] F, G & J~~

Qayyum Nawaz Khan's case 1999 SCMR 1594 ref.

Siddiq Akbar's case 1998 SCMR 2013 rel.

**(d) Locus poenitentiae, principle of---**

~~---Award of benefit to a person in violation of law would not attract principle of locus poenitentiae. [p. 931] H~~

Jalaluddin's case PLD 1992 SC 207 fol.

**(e) Interpretation of statutes---**

~~---Departmental construction of statute, though not binding on court, could be taken into consideration, if same was followed by department consistently. [p. 931] I~~

Siddiq Akbar's case 1998 SCMR 2013 rel.

**(f) Interpretation of statutes---**

~~---Conflict between departmental practice/instructions/directions and rules---Effect---Rules would prevail---Principles.~~

The role of the directions/instructions is to supplement, never to contradict or conflict with rules. A direction/instruction cannot abridge or run counter to statutory provisions. If there is any conflict between the rules and the directions/instructions/departmental practice, then rules prevail. Instructions or departmental practice cannot amend or supersede the rules. A rule can be amended by another rule and not by a direction/instruction/departmental practice. [p. 931] K

Departmental practice consistently followed by the department with regard to any issue or provision has force of law, but it is not absolute in all respect. [p. 933] M

The principle of locus poenitentiae has more force than the principle qua the departmental practice followed by the department qua any instructions or rules consistently since long. Where the action is in derogation of section or law, then the locus poenitentiae is not absolute. [p. 934] R

Anwar Ahmed Lari's case 1990 SCMR 1013; Chairman, Regional Transport Authority's case PLD 1991 SC 14; Messrs Airport Support Services' case 1998 SCMR 2268 and Jalaluddin's case PLD 1992 SC 207 ref.

**(g) Interpretation of statutes---**

---Departmental instructions and statutes must be read as an organic whole. [p. 933] L

**(h) Words and phrases---**

---"Approval"---Meaning. [p. 933] N

Black's Law Dictionary and Aftab Ahmed Khan Sherpao's case PLD 1997 Pesh. 93 ref.

**(i) Words and phrases---**

---"Approval" and "consultation or consent"---Comparison---Approval is more mandatory and stronger as compared to the word consultation or consent. [p. 933] O

**(j) Constitution of Pakistan (1973)---**

---Art. 9---Due process of law, doctrine of---Scope---Right of access to justice to all was founded on such doctrine---Such right would include a right to be treated according to law, a right to have a fair and proper trial and a right to have an impartial court or Tribunal---Justice could be done only by an independent judiciary---Principles. [p. 933] P

Sharaf Faridi and 3 others v. The Federation of Pakistan PLD 1989 Kar. 404 and Fauji Foundation and another v. Shamimur Rehman PLD 1983 SC 457 rel.

**(k) Civil Service---**

---Seniority is a vested right of an employee. [p. 934] Q

Anwar Ahmed Lari's case 1990 SCMR 1013 rel.

**(l) Public offices---**

---Government offices being public trust should be regulated in a manner to promote sense of public service with a view to make a welfare State---Principles stated.

The Government officers are like public trust and, therefore, the same should be regulated in fair, transparent and economically so as to promote the sense of public service and thereby to make a welfare State. The public offices should not be held for improper motives. The social justice and economic justice can also be done through fair administrative policies. No policy can be congenial, if it breeds corruption. [p. 935] S

(Ch. Ijaz Ahmed, J)

(m) Civil service

~~Promotion~~ ~~Out-of-turn promotion~~ ~~Scope~~

Out of turn promotion is not only against the Constitution, but also against Injunctions of Islam. Out of turn promotion in a public department generates frustration and thereby diminishes the spirit of public service. It generates undue preference in a public service. Element of reward and award is good to instill the spirit of service of community, but it should not be made basis of accelerated promotion. [p1935] AT

Qayyum Nawaz Khan's case 1999 SCMR 1594 ref.

Hafiz S.A. Rehman, Senior Advocate Supreme Court for Petitioners.

Ms. Afshan Ghazanifar, A.A.G., Naseer Baloch, DSP (Legal), Lahore and Fazal Rahim, DSP (Legal) Sheikhpura for official Respondents.

Nemo for Pro forma Respondents.

### ORDER

CH. IJAZ AHMED, J.—We intend to decide captioned petitions by one consolidated judgment having similar facts and law.

2. Detailed facts of the case are need not to be reproduced as the same have been stated in the impugned judgment as well as in the memo of petitions. However, necessary facts out of which the captioned petitions arise are that petitioners were initially appointed as Constables. Subsequently they were granted one step promotion as Head Constable Instructors on their joining the staff of Police Training School and they claimed confirmation in the rank of Head Constable from the date of one step promotion. The Inspector-General of Police vide letter dated 22-3-2008 declined their request on the plea that they had not qualified lower school course and could be detailed for such course on completion of at least 3 years at the training school and after having completed and passed successfully, only then they could be promoted as Head Constable and could retain their rank. Petitioners being aggrieved filed Constitutional petitions in the Lahore High Court with the prayer that one step promotion be declared promotion for all purposes and they may be allowed to join intermediate training course. The writ petitions were accepted by treating one step promotion of the petitioners as Head Constables as regular promotion in all respects. Petitioners were also held entitled for intermediate training course required for promotion as A.S.-I. Respondents Nos 1 and 2 being aggrieved filed four I.C.As. in the Lahore High Court, Lahore which were accepted vide impugned judgment dated 26-8-2008. Hence the present petitions.

3. Learned counsel for the petitioners submits that I.C.As. were

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heard on 26-8-2008 whereas the judgment was announced on 6-3-2009, therefore, the impugned judgment is violative of law laid down by this Court in various pronouncements as the impugned judgment was announced after six months. He further urges that memorandum dated 22-3-2008 is also hit by Article 25 of the Constitution. Respondent No.1 had withdrawn the Office Order dated 23-2-2002 and office order dated 8-11-2002 through the Memorandum dated 22-3-2008. He further urges that memorandum in question wherein the criteria of promotion on the basis of seniority from the date of passing lower school course was introduced, in violation of the previous policy and practice of the department. The Memorandum in question is also in consistent with or in violation of the law laid down by this Court in Qayyum Nawaz Khan's case (1999 SCMR 1594).

4. The learned Assistant Advocate-General Punjab, submits that selection policy issued by the competent authority vide memorandum dated 8-11-2002/23-2-2002 does not in any way indicate that an official can claim his promotion from the date he joins Police Training School/Police Training Institution. Policy dated 8-11-2002 clearly envisages that his seniority would be reckoned with the batch mates of lower school course. She further submits that learned High Court was justified to hold that afore-said Office Order dated 23-2-2002 issued by the Inspector-General of Police, without approval of the Government of the Punjab, has no legal sanctity. She further submits that all the policies relied upon by the learned counsel of the petitioners were issued by respondent No.1 without securing approval from the Government of the Punjab in terms of section 12 of Police Act, 1861. She further submits that it appears that I.C.As. were heard on 26-8-2008 but the petitioners did not attach order of the Lahore High Court wherein the judgment was reserved. Therefore, the contention of the learned counsel that the judgment was announced after six months does not borne out from the record. Even otherwise no prejudice has been caused to the petitioners as all the contentions raised by the learned counsel for the petitioners were mentioned in the impugned judgment which were rejected by the learned High Court after application of mind with cogent reasons.

5. We have given our anxious consideration to the contentions of the learned counsel of the parties and perused the record. It is an admitted fact that date of hearing as mentioned in the impugned judgment is 26-8-2008 whereas it was announced on 6-3-2009. It is the duty of the petitioners to bring on record the order of the High Court wherein the judgment was reserved or copy of the relevant register wherein the intimation was sent by the staff of the High Court to the concerned branch that the judgment in question was reserved. However, in the interest of justice and fair play we have considered the contentions of the learned counsel for the petitioners to find out prejudice caused to the

orders as the impugned judgment was announced after six months. The afore-said proposition of law was considered and decided by this Court in Muhammad Bukhsh's case (1989 SCMR 1473) and laid down the following principle:--

"No doubt the judgment was announced one year after it had been reserved but we find that the learned Judge adverted to all the points as mentioned above. Nevertheless it is proper that once the arguments conclude and the judgment reserved, it has to be announced within reasonable period. We are sure that in future no unnecessary delay will take place in announcement of judgments."

The aforesaid principle was reaffirmed by this Court in Juma Khan's case (PLD 2002 SC 823) by observing that merely because of the delay in pronouncement of judgment, decision, itself is not vitiated unless and until prejudice has caused to the petitioners. It is also observed that Order XX, rule 1(2), C.P.C., is directory in nature and not mandatory in nature as observed by this Court in Juma Khan's case. The afore-said principle was also upheld in Samiul Haq's case (2001 SCMR 1053) in the following terms:--

B

"While interpretation rule 31 of Order XLI, C.P.C., the learned Division Bench has dealt with all the contentions of the petitioner's counsel in the judgment, therefore, no prejudice was caused to the petitioner. But it is always proper and advisable that after pronouncement of judgment, the High Court would write the judgment without unnecessary delay."

The aforesaid principle has also been followed in Ali Khan Khanpot's case (1997 SCMR 1590) as depicted from para 10 wherein it specifically mentioned that no prejudice seems to have been caused to the petitioner. Rule 30 and Rule 31 of Order XLI, C.P.C. were examined by this Court in Raja Hamayun Sarfraz Khan's case (2007 SCMR 807) and laid down the following principle:--

"The examination of the above provisions of law and ingredients show that where a law provides for writing, announcing and signing a judgment, all that must be done in a way, to give validity to the judgment."

This Court has also considered the afore-said provisions of Rule and 31 of Order XLI, C.P.C. wherein the impugned judgment was set aside as the same was not announced within six months. See Syed Khairud-Din Haider Gardezi's case (1996 SCMR 669 at 673). Even in this case, this Court has observed as under:--

"It is not possible for this Court to determine this matter finally

because substantial evidence available on record could not be considered by the High Court to come to some conclusion one way or the other. In other words, it could safely be held that the dispute between the parties was not decided keeping in view the evidence on record."

Similarly at page 675 it has been observed as under:--

"This case is also hit by rule 31 as all the points which were argued and relied upon the learned counsel for the appellants were not considered for their proper determination on the basis of available evidence.....We would also hold that evidence of Saeed Ahmad D.W. was not considered by the High Court the just decision of the appeal. This being so, the appeal of the appellants shall be deemed to be still pending decision before the High Court."

Contrary view has been taken by this Court in Muhammad Ovais' case (2007 SCMR 1587). Even in this case, the Court observed in para 8 as under:--

"In the lengthy arguments addressed before us on merits, we were referred to a bulk of documentary evidence going to the very route of the case which was never found mentioned in the impugned judgment of the High Court. This omission seems to be caused only and only due to the delay of ten months in question."

It is proper to mention here that in the case in hand all the contentions raised, before the learned High Court in the impugned judgment were noted, considered and rejected with cogent reasons coupled with the fact that the petitions were heard in the Lahore High Court on 26-8-2008 and judgment was announced on 6-3-2009. The petitioners have not brought on record any document to show that the judgment was reserved on 26-8-2008 by annexing with the petition interim order of the High Court or copy of the concerned register of the Lahore High Court. It is settled-law that each and every case is to be decided on its own peculiar circumstances and facts.

6. In view of the foregoing discussion who do not find any force in the contentions of the learned counsel of the petitioners that the judgment be set aside merely on the ground that it was announced after six months. The ratio of the afore-said cases is that it is the duty and obligation of the petitioners to point out that by announcing the judgment after considerable delay had caused prejudice to the petitioners. The learned High Court in the impugned judgment after quoting all the relevant rules and provisions of Police Act had given findings of fact that office order



8

dated 23-2-2002/8-11-2002 was issued by the Inspector-General of Police without approval of the Government of the Punjab, therefore, the same has no legal sanctity. Section 12 of the Police Act confers power upon the Inspector-General of Police to frame rules after securing approval from the Government of the Punjab. The learned counsel of the petitioners has failed to bring on record any document to show that the memorandum dated 23-2-2002/8-11-2002 or any instructions issued by the Inspector General of Police has the backing of the Government of the Punjab. The said provision was interpreted in Siddiq Akbar's case 1998 SCMR 2013 wherein Standing Order No. II, issued by the Inspector-General of Police having not been approved by Provincial Government was devoid of its legal status and was, therefore, of no legal authority by observing that merely because a Standing Order has held ground for a number of years is not sufficient to assume grant of approval. The basic memorandum relating to the policy/rule, which was issued by the Inspector-General of Police in favour of the petitioners was not valid itself having any legal backing, therefore, learned High Court was justified to declare the same having no legal sanctity. It is settled principle of law that where benefit is awarded to a person in violation of law then principle of locus poenitentiae does not attract as law laid down by this Court in Jalaluddin's case (PLD 1992 SC 207). The departmental construction of statute, although not binding on the Court, can be taken into consideration specially if it was followed by the department consistently and applying this principle Siddiq Akbar's case was decided while interpreting section 12 of the Police Act on 8-5-1998. The department consistently followed those instructions of the Inspector-General of Police which were issued without approval of the Provincial Government. The instructions as well as departmental practice are illegal and violative of the directions or instructions on departmental practice conflicting with the parent statute or rule cannot remain operative and must be ignored even though they have been followed long, have been found to be convenient and have worked fairly in practice. No one is obliged to obey such directions/instructions/departmental practice. The role of the directions/instructions is to supplement, never to contradict or conflict with rules. A direction/instruction cannot abridge, or run counter to, statutory provisions. If there is any conflict between the rules and the directions/instructions/departmental practice, the rules prevails. Instruction or departmental practice cannot amend or supersede the rules. A rule can be amended by another rule and not by a direction/instructions/departmental practice. Therefore, the argument qua department has consistently followed the instructions have no force. The afore-said dictum is binding on each and every organ of the State by virtue of Articles 189 and 190 of the Constitution.

7. Petitioners request was declined by the Inspector-General of

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Police vide memorandum dated 22-3-2008 which was challenged by the petitioners by invoking extraordinary jurisdiction of the High Court under Article 199 of the Constitution which was accepted by the learned Single Judge of the High Court vide judgment dated 6-5-2008. The judgment of the learned Single Judge was implemented by the respondents vide memorandum dated 18-2-2009 in the following terms along with others wherein the total numbers are 119:--

"In compliance of the orders of the Lahore High Court issued in writ petitions, following Head Constables are deputed for Intermediate School Course which commenced from 16-2-2009 in Police College, Sihala, subject to the decisions of the Intra Court appeals pending in the Lahore High Court on the subject."

8. The judgment of the learned Single Judge was reversed by the Division Bench of the Lahore High Court vide judgment dated 6-3-2009 which was also implemented by the respondents vide memo. dated 6-4-2009 in the following terms:--

"In pursuance of the judgment dated 6-3-2009 passed by the honourable Lahore High Court, Lahore, in ICA/Appeal No. 154 of 2008 the permission granted to the 126 officials (list enclosed) for joining Intermediate School Course commenced with effect from 16-2-2009 at Police College, Sihala is hereby withdrawn."

9. Petitioners are 33 in numbers whereas their other colleagues in the orders of the respondents are not before this Court. The Petitioners have also alleged that action of the respondents is also hit by Article 25 of the Constitution as depicted from the different orders passed by the respondents dated 9-4-2007, 13-9-2007, 15-10-2007, 11-4-2007 and 14-11-2007 wherein similar requests of the head constables were accepted. There are various pronouncements of this Court with regard to step promotion out of turn on account of bravery such as Qayyum Nawaz Khan's case (1999 SCMR 1594). The controversy in Qayyum Nawaz Khan's case supra was with regard to promotion of upper subordinates only. The seniority of upper subordinates is finally determined from the date of their confirmation in the post while seniority of lower subordinates is determined from the date of their appointment and their confirmation for the said purpose is immaterial as is depicted from para 15 of the impugned judgment. The relevant instructions on the subject dated 8-11-2002 are as follows:--

A constable with the qualification prescribed in para 6 above and not more than 30 years of age and having a minimum of seven years of service may be taken as Head Constable Instructor on one step promotion.

On successful completion of three years tenure he will be sent for lower school course. On successful completion of the lower school course, he will be brought on list C.I. as Head Constable and will be reverted back to his district/unit as Head Constable of list C.I.

His seniority on list C.I. of his district/range/unit would be reckoned with the batch mates of lower school course.

10. It is settled principle of law that instructions and statutes must be read as an organic whole. The claims of the petitioners, with regard to one step promotion as a Head Constable on joining the training school treating as regular promotion/confirmation in all respects, are not within the framework of the afore-said instructions. The question of validity of policy/instructions issued by the respondents off and on under section 12 of the Police Act, 1861 was not challenged except in Qayyum Nawaz Khan's case and Siddiq Akbar's case supra. In both the cases the rules regarding promotion, seniority were not under-challenge. It is not doubt that departmental practice consistently followed by the department with regard to any issue or provision has force of law but it is not absolute in all respect. In the case in hand both the above-mentioned principles relating to discrimination and departmental practice have no force in view of facts and circumstances of the case in hand. The department had given benefit to the Head Constables, according to them due to one step out of turn promotion on the basis of the instructions issued by the Inspector General of Police under section 12 of the Police Act, 1861, which of course was issued without the approval of the Provincial Government. According to the Black's Law Dictionary the expression "approval" means the act of confirmation, ratifying, sanctioning or consenting to some act or thing done by another and implies knowledge and exercise of discretion after knowledge. See Aftab Ahmad Khan Sarpao's case (PLD 1997 Pesh. 93). The word approval is more mandatory and stronger as compared to the word consultation or consent. This question arises first time with regard to grant of promotion one step out of turn promotion on account of performance of the personnel of the disciplinary force i.e. police force along with promotion from the date of joining the course in the training school. These instructions are in violation of Article 25 of the Constitution qua other members. In the disciplinary force who would not get a chance to show their worth would be entitled to get one step out of turn promotion along with seniority which is not in consonance of law and Constitution. In fact it creates frustration in the department among the officials of same batch on the well known principle of due process of law. "Doctrine of 'due process of law'---Right of 'access to justice to all' is a well recognized and inevitable right enshrined in Art.9 of the Constitution and is equally fundamental in the doctrine of 'due process of law'---Right includes the right

to be treated according to law, the right to have a fair and proper trial and a right to have an impartial Court or Tribunal-Justice therefore can only be done if there is an independent judiciary which should be separate from Executive and not at its mercy or dependent on it. Sharaf Faridi and 3 others v. The Federation of Pakistan PLD 1989 Kar.404.

"Due process of law" contained in America Constitution meaning and application of doctrine with reference to precedents. Fauji Foundation and another v. Shammur Rehman PLD 1983 SC 457.

"the term "due process of law" is summarized as follows:--

- (1) He shall have due notice of proceedings which affect his rights.
- (2) He shall be given reasonable opportunity to defend.
- (3) that the Tribunal or Court before which his rights are adjudicated is so constituted as to give reasonable assurance of his honesty and impartiality; and
- (4) that it is a Court of competent jurisdiction. Ibid

The seniority is vested right of an employee as laid down by this Court in Anwar Ahmed Lari's case (1990 SCMR 1013), therefore, such deviation is not in consonance with the object and spirit of the Police Act, 1861 read with Articles 4, 5(2) of the Constitution and Article 25 of the Constitution. It appears that the Inspector General of Police had issued instructions off and on without judicial application of mind which is the primary duty of the public functionary in view of the law laid down by this Court in Chairman, Regional Transport Authority's case (PLD 1991 SC 14). After addition of section 24-A in General Clauses Act, 1887 which was interpreted by this Court laying down the principle that public functionaries must have to pass the orders within reasonable time with reasons after applying independent mind as law laid down by this Court in Messrs Airport Support Services' case (1998 SCMR 2268). The principle of locus poenitentiae has more force than the principle qua the departmental practice followed by the department qua any instructions or rules consistently since long. Even then this Court laid down a law to deviate from the general principle of locus poenitentiae where the action is in derogation of section or law then the locus poenitentiae is not absolute as laid down by this Court in Jalaluddin's case (PLD 1992 SC 207).

11. In view of the afore-said discussion the said pleas of the learned counsel of the petitioners have no force. The employees of the Police Department are serving in terms of instructions and policy issued by the Inspector-General of Police off and on in violation of section 12 of the Police Act, 1861. In this view of the matter, the Inspector-General of

Police is well within his right to issue policy/framed rules keeping in view the circumstances and difficulties of the employees under section 12 of the Police Act, 1861 or Article 122 of Police Order, 2002. The Government offices are like public trust and, therefore, the same should be regulated in fair, transparent and economically so as to promote the sense of public service and thereby to make a welfare State. The public offices should not be held for improper motives. The social justice and economic justice can also be done through fair administrative policies. No policy can be congenial if it breeds corruption. Out of turn promotion, as envisaged in the impugned instruction, is not only against Constitution but also against Injunctions of Islam. Out of turn promotion in a public department generates frustration and thereby diminishes the spirit of public service. It generates undue preference in a public service. Element of reward and award is good to install the spirit of service of community but it should not be made basis of accelerated promotion. Let copy of this order be sent to all the Provincial Police Officers and Islamabad Capital City Police Officer to look into the matter and frame rules to save the agony of police officials/officers as well as to save the public exchequer from unnecessary litigation.

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12. In view of what has been discussed above we do not find any infirmity or illegality in the impugned judgment. Therefore, this petition has no merit and the same is dismissed. Leave refused.

S.A.K./M-78/SC

Leave refused.

2010 P L C (C.S.) 935

[Peshawar High Court]

Before Shah Jehan Khan and Shahji Rehman Khan, JJ

Dr. MUHAMMAD SALEEM

versus

UNIVERSITY OF PESHAWAR through  
Vice-Chancellor and 2 others

Writ Petition No. 599 of 2008, decided on 21st May, 2009.

(a) North-West Frontier Province Civil Servants Act (XVIII of 1973)---

---S. 5---University of Peshawar Act (II of 1974), S.21(3)---  
Constitution of Pakistan (1973), Art.199---Constitutional petition---  
Appointment---Withdrawal of---Petitioner was appointed as a Lecturer  
on ad hoc basis in Arabic Department in the University---Later on  
when post of Associate Professor was advertised, the petitioner having  
the required qualifications applied for the same and was recommended  
by the Selection Board of the University in its meeting---In meeting of

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*Fax Applicant*

(59)

IN THE PESHAWAR HIGH COURT, PESHAWAR

W.P.No: 534 /2011

1. Mrs. Abida D/O Jan Muhammad  
R/O H.No. 130, Street No. 3, C-4, Phase-V, Hayat Abad, Peshawar.  
Petitioner.

VERSUS

1. Public Service Commission through its Chairman,  
Director recruitment, Public Service Commission 2-Fort Road, Peshawar  
Cantt.
2. Secretary Higher Education Department, Govt. of K.P.K, Peshawar.
3. Mst. Tasleem Bano D/O Habib ullah Khan R/O Lakki Marwat.
4. Ms. Nabila Ayub D/O Muhammad Ayub R/O Shehzad Tailor, near Iqbal  
Khan Bangloes, Kehal Road, Abbottabad.
5. Ms. Nosheen D/O Faiz Muhammad R/O House in Abbas Colony, Habib  
Abad, Shero Jhanghi, Nearby Khan CNG charsada Road, Peshawar.
6. Ms. Kokib Imtiaz D/O Imtiaz Alam Sadozai R/O House No. 902/7, Saba  
Colony, Nawanshehar, Abbottabad.
7. Ms. Shahida Bibi D/O Sher Muhammad, R/O Haji Khel House, near National  
Bank of Pakistan, Mohallah Mina Khel, Tehsil & Distt. Lakki Marwat.  
Respondents

WRIT PETITION:-

UNDER ARTICLE 199 OF THE CONSTITUTION OF THE  
ISLAMIC REPUBLIC OF PAKISTAN 1973

Respectfully Sheweth:

The petitioner most humbly submits as under:-

FACTS:-

1. That the petitioner is a permanent resident of Tehsil & Distt. Peshawar and as such hold domiciled certificate of the district concerned.
2. That the petitioner has done her M.A Islamiat in 1st Division from the University of Peshawar in the year 2004 and also is a degree holder of Bachelor in Education.
3. That the respondent No.1 through a public notice advertised the posts of Lecturer in the subject of Islamiat inviting applications stating therein the academic qualifications and other relevant documents. (Copies of DMC of M.A Islamiat & B.Ed Certificate are attached as Annexure-A & B).
4. That the petitioner who was otherwise qualified and eligible for the post advertised consequently applied for the post of female lecturer in Islamiat and

*[Signature]*  
ATTESTED  
EXAMINER  
Peshawar High Court

JUDGMENT SHEET  
PESHAWAR HIGH COURT, PESHAWAR.  
JUDICIAL DEPARTMENT

W.P.No.534/2011.

JUDGMENT

Date of hearing: 20.12.2012.

Petitioner *Ms. Abida by Abdul Zahir Tareen, Advocate.*

Respondents *Pec by Mr. Chaud Razzak Khan, Adm. A.G.*

\*\*\*\*

SHAH JEHAN AKHUNDZADA, J. - Through the

instant constitutional petition under Article 199 of the Islamic Republic of Pakistan, 1973, Ms. Abida petitioner has approached this Court for the following prayer :-

"It is, therefore, respectfully prayed that on acceptance of this Constitutional Petition, this Hon'ble Court may please to declare the impugned letter dated 15.11.2010 which has excluded the name of the petitioner from the successful list earlier prepared by the respondent No.1 be without lawful authority and of no legal effect and respondent No.1 be directed to cancel the letter dated 15.11.2010 and issue a fresh letter to the effect that the petitioner is legitimately entitled to be recommended as one of the successful candidates for the 05 posts which were earlier advertised by the respondent No.1 and include in the new list the name of the petitioner".

*[Handwritten signature]*

ATTESTED  
EXAMINER  
Peshawar High Court

2- The relevant facts for the disposal of the instant petition are that the respondent No.1

advertised a post of lecturer in the subject of Islamiyat inviting application for which the petitioner being qualified in the subject has also applied. She appeared in the written examination conducted by respondent No.1 on 23.6.2010 and he was declared in it successful obtaining 3rd position amongst as many as 204 candidates. She was called for interview on 1.9.2010 and ultimately vide letter Annexure "E" she was placed at Sr.No.5 and through letter dated 21.10.2010 (respondent No.3) informed the petitioner that she has been recommended by the Public Service for appointment and she was directed to appear before the Standing Medical Officer for medical examination and after conducting her medical examination, she was only waiting for a proper letter of appointment as all the formalities have been completed by her. However, when she visited the office of respondent No.3 in order to collect her appointment order where she learned about another letter addressed by respondent No.1 to respondent No.3 recommending respondent No.4 against the seat to which the petitioner was entitled vide letter dated 15.11.2010.

3- Comments were called from respondents No.1 and 2 who furnished the same wherein they admitted almost all averments made in the petition but



stated that the name of the petitioner was mistakenly recommended and the same was later on corrected and conveyed to the Higher Education Department.

4- We have heard the learned counsel for the parties and perused the available record.

5- The above narration of facts demonstrate that the petitioner has qualified the written examination and was also declared qualified in the interview and she was recommended for the post applied for which she had also been medically examined and was waiting for the proper appointment letter but she was ignored. The respondents in the comments admitted that the name of the petitioner was included in the earlier recommendation letter but it was a mistake during allocation of post as explained in the written reply. In the given situation, the petitioner could not be held to be at fault. It is well settled that once a right is created in favour of a litigant, citizen of Pakistan in due course of time, it cannot at all be taken back arbitrarily. In the instant case, the petitioner has passed the written test and was also qualified in the interview and later on was duly recommended for the appointment on the post applied for. She was also directed to be medically examined but later on due to the mistake/fault of the

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ATTESTED

EXAMINER  
Peshawar High Court

respondents she was deprived of her accrued valuable right she therefore, she cannot be deprived of indefeasible right accrued to her on the basis approved legal process adopted by the respondents.

6- In the light of what has been stated above, there is left hardly any doubt that the petitioner having been selected/recommended for the post applied for and duly informed by the respondent of the same, there remains/leave no authority with the respondent to recall their recommendations unless it could be shown and proved through conclusive evidence that it was secured by her by fraud. She appeared and was declared successful and was consequently recommended for appointment and asked to appear before the Medical Board for her medical examination. Thus, valuable and indefeasible right accrued to the petitioner entitled her to claim benefit of appointment and it at all could not be withdrawn by the respondents. Order withdrawing her recommendations, after she had been recommended for appointment and thereafter exclusion of her name for appointment is explicitly without lawful authority, void ab-initio and of no legal effect and therefore, ultra vires to

*J. S. Khan*

APPROVED

*[Signature]*

BY

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Constitution of Islamic Republic of Pakistan, 1973.  
Reliance is placed in PLD 1980 Peshawar-128 and  
1997 SCMR-15.

7- Consequently, this writ petition is allowed and the impugned letter dated 15.11.2010 through which the name of the petitioner has been excluded from successful list is declared without lawful authority and of no legal effect and the respondents are directed to issue fresh letter holding the petitioner as one of successful candidate for the post applied for and also include her name in the new list and issue order of her appointment for the post applied for with effect from the date of her original first recommendations.

*sd/ Mian Fasih ul Mulk*  
*sd/ Shah Jehan Akhonzada*  
*sd/*

Announced  
Dated: 20.12.2012.

CERTIFIED TO BE TRUE COPY

*SP*  
*10-1-13*  
Authorized Officer of  
The Qanun-e-Shahadaat Order 1984

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W.P.No: 534 /2011

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VERSUS

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2. ~~Director recruitment, Public Service Commission 2-Fort Road, Peshawar Cantt.~~
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4. Mst. Tasleem Bano D/O Habib ullah Khan R/O Lakki Marwat.
5. Ms. Nabila Ayub D/O Muhammad Ayub R/O Shehzad Tailor, near Iqbal Khan Bangloes, Kehal Road, Abbottabad.
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*M.A*

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JUDICIAL DEPARTMENT

W.P.No.534/2011.

JUDGMENT

Date of hearing: 20.12.2012.

Petitioner Ms. Abida by Abdul Zahir Taxeen, Advocate

Respondents Pse by Mr. Obaid Razzak Khan, Adl. A.G.

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2- The relevant facts for the disposal of the instant petition are that the respondent No.1

advertised a post of lecturer in the subject of Islamiyat inviting application for which the petitioner being qualified in the subject has also applied. She appeared in the written examination conducted by respondent No.1 on 23.6.2010 and he was declared in it successful obtaining 3rd position amongst as many as 204 candidates. She was called for interview on 1.9.2010 and ultimately vide letter Annexure "E" she was placed at Sr.No.5 and through letter dated 21.10.2010 (respondent No.3) informed the petitioner that she has been recommended by the Public Service for appointment and she was directed to appear before the Standing Medical Officer for medical examination and after conducting her medical examination, she was only waiting for a proper letter of appointment as all the formalities have been completed by her.

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6- In the light of what has been stated above, there is left hardly any doubt that the petitioner having been selected/recommended for the post applied for and duly informed by the respondent of the same, there remains/leave no authority with the respondent to recall their recommendations unless it could be shown and proved through conclusive evidence that it was secured by her by fraud. She appeared and was declared successful and was consequently recommended for appointment and asked to appear before the Medical Board for her medical examination. Thus, valuable and indefeasible right accrued to the petitioner entitled her to claim benefit of appointment and it at all could not be withdrawn by the respondents. Order withdrawing her recommendations, after she had been recommended for appointment and thereafter exclusion of her name for appointment is explicitly without lawful authority, void ab-initi and of no legal effect and therefore, ultra vi

*J.P.*



Constitution of Islamic Republic of Pakistan, 1973.

Reliance is placed in PLD 1980 Peshawar-128 and 1997 SCMR-15.

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**Announced**  
**Dated: 20.12.2012.**

*[Signature]*  
J U D G E

*[Signature]*  
J U D G E

*Office*  
*S.A.*  
*9/1/13*