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**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE  
TRIBUNAL PESHAWAR.**

**Service Appeal No: 5369/2020**

**Mst: Tahira Naz Ex-SST (General) District Mardan.....Appellant.**

**VERSUS**

**Secretary (E&SE) Department, Khyber Pakhtunkhwa & others...Respondents**

**JOINT PARAWISE COMMENTS ON & FOR BEHALF OF RESPONDENTS No: 1-2.**

**Respectfully Sheweth:-**

The Respondents submit as under:-

**Preliminary Objections.**

- 1 That the Appellant has got no cause of action/locus standi.
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal ~~in the instant service appeal.~~
- 4 That the instant Service Appeal is based on mala-fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the Appellant is not entitled for the relief she has sought from this Honorable Tribunal.
- 7 That the instant Service Appeal is against the prevailing law & rules.
- 8 That the instant Appeal is based on mala fide intentions just to put extra pressure on the Respondents for gaining illegal service benefits.
- 9 That the instant Service Appeal is not maintainable in its present form.
- 10 That the instant Service Appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 11 That the instant Service Appeal is barred by law.

- 12 That the Appellant is not competent to file the instant appeal against the Respondents.
- 13 That the impugned Notification No. 4061-90/A-17/SST/Complaint/Tahira Naz dated 09/12/2019 of the Respondent Department is legally competent & liable to be maintained in favor of the Respondents. **(Copy of the said Notification dated 09-12-2019 is Annex-A).**
- 14 That no Departmental Appeal has been filed by the appellant to the Respondent Department against the impugned Notification dated 09/12/2019.
- 15 That the recommendation letter of the appellant has been declared as fake and bogus by the KPK PSC.
- 16 That the Notification dated 25-06-2012 has correctly been disowned by the Respondent Department on the grounds of being fake & bogus after observing all Codal formalities.

**ON FACTS.**

- 1 That Para-I needs no comments.
- 2 That Para-2 pertains to the academic & professional qualification of the appellant.
- 3 That Para-3 is correct to the extent of inviting application for the appointments against the SSTs B-16 post vide advertisement No.01/2009 dated 26-01-2009 through the KPK PSC dully disowned by the Respondent Department dismissed the impugned Notification dated 09-12-2019 on the grounds of being fake & bogus having no record. **(Copy of the advertisement dated 26-01-2009 is Ann-B).**
- 4 That Para-4 is incorrect & denied on the grounds that no cogent proof & legal justification has been annexed by the appellant in support of her stand regarding her filling of application for the appointment against the SST (G) B-16 post to the KPK PSC/Respondent No.3, nor she has been appeared in written test & interview neither the appellant has been recommended by the KPK PSC against the SST BPS-16 post vide recommendation letter dated 25-06-2012 issued by the KPK PSC.  

*Therefore, the claim regarding appearing before the Medical Board & declaring her medically fit makes no legal ground & even based on mala fide intensions on the part of the appellant. (Copy of the fake & bogus appointment order dated 25-06-2012 is Annexure-C).*
- 5 That Para-5 is incorrect & denied on the grounds that the appellant has not been recommended by the KPK PSC & adjusted in the Respondent Department against the 'SST (G) B-16 post in District Mohmand vide Notification dated 31-07-2012, hence the plea of the appellant is illegal & liable to be dismissed.

- 6 That Para-6 is correct that the salary of the appellant has been stopped since February 2019 on the grounds of her fake & bogus appointment order dated 25-06-2012, whereas, rest of the Para regarding filing of a W.P No.3624-P/19 under case tiled Tahira Naz Vs Govt; before the Honorable Peshawar High Court Peshawar is relates to the record of the Court with the submission that the case of the appellant is agasint the provision of section-11 CPC-1908 (Res-judicata) & is laible to be dismissed in favor of the Respondents as evident from the order sheet dated 17-09-2019 & 16-01-2020 (**Copies of the order sheets dated 17-09-2019 & 16-01-2020 are Annexures-D & E**).
7. That Para-7 correct that in view of the fake & bogus appointment order dated 25-06-20012 of the appellant has been served a show cause Notice dated 02-10-2019 dully replied by the appellant in an un satisfactory manner which resulted in the impugned Notification dated 09-12-2019, whereby the fake & bogus, 1st appointment order dated 25-06-2012 has been disowned of being ab initio under the relevant rules against the appellant after due process of Law & procedure. (**Copies of the show cause Notice Dated 02-10-2019 & impugned Notification dated 09-12-2019 are Annexures-F & G**).
8. That Para-8 is incorrect & denied as the act of the Respondent Department with regard to the impugned Notification dated 09-12-2019 against the appellant is legal, hence, the appeal in hand is liable to be dismissed on the following grounds inter alia:-

**ON GROUNDS.**

- A **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy vide the impugned Notification dated 09-12-2019 by the Respondent Department in the instance case, hence, the stand of the appellant is baseless & liable to be rejected.
- B **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy vide the above said Notification dated 09-12-2019 by the Respondent Department in the instance case having no question of violating the provision of Article 10-A of the constitution of Islamic republic of Pakistan 1973, hence, the stand of the appellant is baseless & liable to be rejected .
- C **Incorrect & not admitted.** The statement of the appellant is without any cogent reason & justification on the grounds as agitated in the foregoing paras of the present reply by the Respondents.
- D **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification on the grounds that the 1<sup>st</sup> appointment order dated 25-06-2012 has been found fake & bogus by the Respondents, hence, the services of the appellant against the SST (G) B-16 post has been disowned by the competent authority vide Notification date 09-12-2019 under the relevant provisions of law & rules

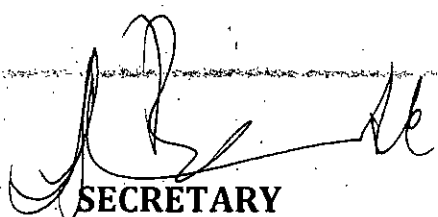
E **Incorrect & not admitted.** The plea of the appellant is without justification & liable to be rejected as the mentioned reported judgments of the apex courts of law do not apply upon the case of the appellant in the given circumstances of the case.

F. **Incorrect & not admitted.** The plea of the appellant is without justification & liable to be rejected as the mentioned reported judgments of the apex courts of law do not apply upon the case of the appellant in the given circumstances of the case as the appointment order of the appellant has been found fake & bogus by the Respondent Department.

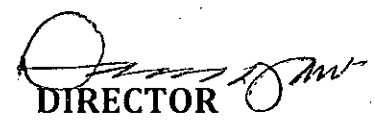
F **Legal.** However, the Respondents also seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments on the date fixed.

In view of the above made submissions, it is most humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favor of the Respondents in the interest of justice.

Dated \_\_\_/\_\_\_/2021.

  
**SECRETARY**

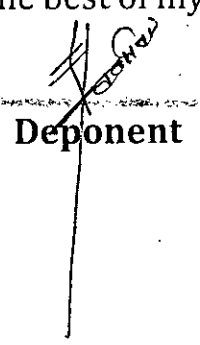
E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondent No: 1)

  
**DIRECTOR**

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondents No: 2)

**AFFIDAVIT**

I, **Dr. Hayat Khan Asstt: Director (Litigation-II)** E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief.

  
**Deponent**

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

Service Appeal No: 5369/2020

**Mst: Tahira Naz Ex-SST (General) District Mardan.....Appellant.**

**VERSUS**

**Secretary (E&SE) Department, Khyber Pakhtunkhwa & others...Respondents**

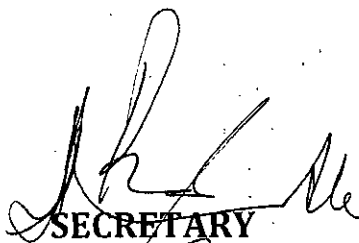
**REPLY TO THE CONDONATION OF DELAY APPLICATION FOR & ON BEHALF OF  
RESPONDENTS NO: 1 & 2.**

**Respectfully Sheweth :-**

The Respondents submit as under:-

- 1 That Para-1 is incorrect as the case of the appellant is badly time barred under the law of limitation Act 1908, hence, the Notification dated 09-12-2019 is not only legally competent but has also got finality against the appellant.
- 2 That Para-2 is also incorrect & denied as the case of the appellant is badly time barred under the law of limitation Act 1908, hence, the Notification dated 09-12-2019 is not only legally competent but has also got finality against the appellant having no question violating the provision Article 10-A of the constitution of 1973.
- 3 That Para-3 is incorrect & denied. The statement of the appellant baseless & liable to be rejected as the Respondents have got a very good prima facie case and the chances of its success are very bright in favor of the Respondents if the order dated 09-12-2019 is not maintained, then, the Respondent Department shall suffer huge losses as valuable legal rights are attached with the instant case of the Respondents.
- 4 That Para-4 is incorrect & denied. The Respondents have got a very good prima facie case and the chances of its success are very bright in favor of the Respondents.

**In view of the above made submissions, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Application with cost in favor of the Respondent Department.**

  
**SECRETARY**


E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondent No: 1)

  
**DIRECTOR**

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondents No: 2)

**AFFIDAVIT**

**I, Dr. Hayat Khan Asstt: Director (Litigation-II) E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief.**

  
**Deponent**

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE  
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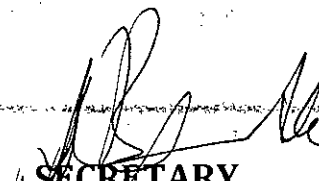
**REPLY TO THE STAY APPLICATION FOR & ON BEHALF OF RESPONDENTS No: 1 & 2.**

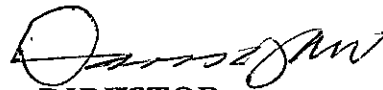
**Respectfully Sheweth :-**

The Respondents submit as under:-

- 1 That Para-1 needs no comments being pertains to the record.
- 2 That Para-2 needs no comments. However, the facts & grounds as taken in the main reply may also be treated an integral part of this reply to the instant application on behalf of the Respondents.
- 3 That Para-3 is incorrect & denied. The Respondents have got a very good prima facie case and the chances of its success are very bright in favor of the Respondents.
- 4 That Para-4 is incorrect & denied. The Respondents have got a very good prima facie case and the chances of its success are very bright in favor of the Respondents.
- 5 That Para-5 is also incorrect & denied. If the operation of the impugned Notification dated 09-12-2019 is not maintained then the Respondent will suffer irreparable loss of the Administrative nature. .

In view of the above made submissions, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Application with cost in favour of the Respondent Department.

  
**SECRETARY**  
E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondent No: 1)

  
**DIRECTOR**  
E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondents No: 2)

**AFFIDAVIT**

I, **Dr. Hayat Khan Asstt: Director (Litigation-II)** E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief.

  
**Deponent**



5

ANA — (A)

Annex = "A" —

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION**  
**KHYBER PAKHTUNKHWA PESHAWAR**

(42)

**NOTIFICATION**

1. WHEREAS, Mst. TahiraNaz d/o Afzal Khan, resident of Mughal Banda Tensil Takhtbhai District Mardan was reported by the DEO (F) Swabi as bogus SST (G) and fraudulently working at GGHS Parmoli Swabi vide her report No.1282 dated 28.02.2019.
2. AND WHEREAS, a fact-finding inquiry was ordered against the bogus teacher vide Endst: No.8126-28 dated 27.3.2019.
3. AND WHEREAS, the inquiry officer Mr. Siraj Muhammad, DEO (M) Malakand proved the appointment of Mst. TahiraNaz as SST (G) as bogus vide his report dated 22.7.2019.
4. AND WHEREAS, to fulfill the course of natural justice a show cause notice was served upon the referred bogus teacher vide No.5285/a-17/Compliant/TahiraNaz/Swabi dated 02.10.2019.
5. AND WHEREAS, she submitted her reply to the show cause on 21-10-2019 which was found unsatisfactory.
6. AND WHEREAS, she was granted the opportunity of personal hearing vide No.4611/A-17/Compliant /TahiraNaz/Swabi dated 1-11-19, which she did not avail.
7. AND WHEREAS, the competent authority, after having considered the evidence on record, findings of inquiry report, reply to show cause of the bogus teacher and non-availing the opportunity of personal hearing by the bogus teacher, has come to the conclusion that the charges given in the show cause have been proved against Mst. TahiraNaz d/o Afzal Khan and that the notification regarding placement of her services at the disposal of Director of education Fata for further posting issued vide 2816-23/FNo.2/A-14/SST(F)Gen/PSC/APPT Dated 25-06-2012 is found bogus.
8. NOW THEREFORE, under the mandatory provisions and powers conferred under the section 16 and 21 of General Clauses Act 1897 as amended in 1956 the Director Elementary & Secondary Education Khyber Pakhtunkhwa as the competent authority is pleased to disown ab initio Mst. TahiraNaz d/o Afzal Khan and declare her as bogus SST (G) GGHS Parmoli District Swabi liable to be proceeded as per PPC 419 & 420 by the law enforcing agencies in the interest of public service.

ATTESTED

Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Endst: No. 4061-70 /A-17/SST/Complaint/TahiraNaz/Swabi

Dated Peshawar the 07-12 2019.

Copy forwarded for information and necessary action to the: -

(B) Annex = 3 6

# 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.

ATTACHED



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.

ATTESTED

**(S.No. 54)** Ninety 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 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. 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, Manshehra, 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 EDUATION 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.

ATTESTED

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

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

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

ATTESTED

(S.No. 65)

One (01) Post of Male Instructor/ Lecturer of computer Science Earth quack Affected Area in 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.

(S.No. 66)	Ten (10) Posts of Male office Assistant.				
	<b>QUALIFICATION:</b> Bachelor degree from recognized University.				
	<b>AGE LIMIT:</b> 18 to 30 years. <b>PAY SCALE:</b> BPS-14. <b>ELIGIBILITY:</b> Male.				
	<b>ALLOCATION:</b>				
	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.				
	<b>QUALIFICATION:</b> Bachelor degree from recognized University.				
	<b>AGE LIMIT:</b> 18 to 30 years. <b>PAY SCALE:</b> BPS-14. <b>ELIGIBILITY:</b> Female.				
	<b>ALLOCATION:</b> 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.

**ATTESTED**

- (iv) The candidates applying against disabled posts must attach with their application forms of disability certificate from the Provincial Council for Rehabilitation of Disabled Persons.

- (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:
- (a) Written Test in the Subject.
  - (b) General Knowledge or Psychological General Ability Test.
  - (c) Academic and / or Professional record as the Commission may decide.

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

**Main Branches of:**

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

ATTESTED

(Atta Ur Rehman)  
Secretary

NWFP Public Service Commission  
2-Fort Road Peshawar Cantt: Ph: 9212962



**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.**

And (C)

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 (SST General) 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 his Services placed at the disposal of Director Education FATA for further posting against vacant SST Genral posts:-

S. #	Name	Father Name	Domicile	Zone	Permanent Address	Place of Posting
1.	Naheed Akhtar	Musafar Khan	Khyber Agency	1	Hayatabad Phase-IV Tehsil & District Peshawar	Service placed at the disposal of Director of Education FATA for further posting against vacant SST General Post.
2.	Nazakat Bibi	Syed Ali Shah	Mohmand Agency	1	Vill: Mattai Dara P/O Yousaf Khel Mohmand Agency	Service placed at the disposal of Director of Education FATA for further posting against vacant SST General Post.
3.	Tahira Naz	Afzal Khan	Mohmand Agency	1	Mughal Banda P/O, Saro Shah Tehsil Takht Bhai District Mardan	Service placed at the disposal of Director of Education FATA for further posting against vacant SST General Post.
4.	Sabiha	Mian Gul Jan	Mohmand Agency	1	Khur Abad, Sahib Gul Mahal P/O Dakki Teshil tangi District Charsadda	Service placed at the disposal of Director of Education FATA for further posting against vacant SST General Post.

**Terms and conditions:-**

- 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 Contributory provident fund in such a manner and at such rates as per prescribed by the Govt.
- In case, she is already in Government service and working against pensionable post on regular basis before 1<sup>st</sup> 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

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ATTESTED

1. 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 are liable to termination on one months notice from either side. In case of resignation with out 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 there post within one month of 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 DEO (F) concerned would furnish a certificate to the effect that the candidate has joined the post or otherwise after one month of the issue of his posting orders.
10. The DEO(F) 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 his duty.

(Muhammad Rafiq Khattak)  
Director  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

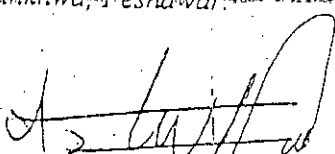
2816-23

Endst: No. /File No. 2/A-14/SST(F) Gen/PSC/Apptt: Dated Peshawar the 25-6-2012

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 of Education FATA Warsak road Peshawar.
4. All Agency Accounts Officers in FATA.
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

ATTESTED



  
Dy. Director (Estab)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

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74

**PESHAWAR HIGH COURT, PESHAWAR**

**FORM OF ORDER SHEET**

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge.
1	2
17.09.2019	<p><u>Writ Petition No.3624-P/2019</u></p> <p>Present: Mr. Khalid Khan, Advocate, for the petitioner.</p> <p>*****</p> <p>Call for the comments of respondents No.3 &amp; 4 so as to reach this Court within a fortnight. Adjourned to a date in office.</p> <p style="text-align: center;">   <b>SENIOR PUISNE JUDGE</b>    <b>JUDGE</b> </p>

ATTESTED

(Fayaz)

(D.B) Justice Qaiser Rashid Khan & Justice Muhammad Naeem Anwar

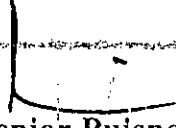



"ANW - E"

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PESHAWAR HIGH COURT, PESHAWAR

ORDER SHEET

Date of order or proceedings 2.	Order or other proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary 3.
16.01.2020	<p><u>WP No.3624-P/2019 with I.R.</u></p> <p><u>Present:</u> Clerk of counsel for the petitioner.</p> <p>*****</p> <p>A final opportunity is afforded to respondents No.3 &amp; 4, to file the requisite comments to the writ petition without fail within a fortnight.</p> <p style="text-align: center;"> Senior Puisne Judge</p> <p style="text-align: center;"> Judge</p>

ATTESTED 

Annexure - F 16



**DIRECTORATE OF ELEMENARY & SECONDAREUCATION  
KHYBER PAKHTUNKHWA PESHAWAR**

42

**NOTIFICATION**

1. WHEREAS, Mst. TahiraNaz d/o Afzal Khan, resident of Mughal Banda Tehsil Takhtbhai District Mardan was reported by the DEO (F) Swabi as bogus SST (G) and fraudulently working at GGHS Parmoli Swabi vide her report No.1282 dated 28.02.2019.
2. AND WHEREAS, a fact-finding inquiry was ordered against the bogus teacher vide Endst: No.8126-28 dated 27.3.2019.
3. AND WHEREAS, the inquiry officer Mr. Siraj Muhammad DEO (M) Malakand proved the appointment of Mst. TahiraNaz as SST (G) as bogus vide his report dated 22.7.2019.
4. AND WHEREAS, to fulfill the course of natural justice a show cause notice was served upon the referred bogus teacher vide No.5285/a-17/Compliant/TahiraNaz/Swabi dated 02.10.2019.
5. AND WHEREAS, she submitted her reply to the show cause on 21-10-2019 which was found unsatisfactory.
6. AND WHEREAS, she was granted the opportunity of personal hearing vide No.4611/A-17/Compliant/TahiraNaz/Swabi dated 1-11-19, which she did not avail.
7. AND WHEREAS, the competent authority, after having considered the evidence on record, findings of inquiry report, reply to show cause of the bogus teacher and non-availing the opportunity of personal hearing by the bogus teacher, has come to the conclusion that the charges given in the show cause have been proved against Mst. TahiraNaz d/o Afzal Khan and that the notification regarding placement of her services at the disposal of Director of education Fata for further posting issued vide 2816-23/FNo.2/A-14/SST(F)Gen/PSC/APPTT Dated 25-06-2012 is found bogus.
8. NOW THEREFORE, under the mandatory provisions and powers conferred under the section 16 and 21 of General Clauses Act 1897 as amended in 1956 the Director Elementary & Secondary Education Khyber Pakhtunkhwa as the competent authority is pleased to disown ab initio Mst. TahiraNaz d/o Afzal Khan and declare her as bogus SST (G) GGHS Parmoli District Swabi liable to be proceeded as per PPC 419 & 420 by the law enforcing agencies in the interest of public service.

Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Dated Peshawar the 09-12-2019.

Endst: No. 4061-70 /A-17/SST/Complaint/TahiraNaz/Swabi

Copy forwarded for information and necessary action to the:



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(67)

**Directorate of Elementary & Secondary Education Khyber  
Pakhtunkhwa Peshawar**

No. \_\_\_\_\_ /A-17/Complaint/Tahira Naz/Swabi

Dated Peshawar the / / 2019

**SHOW CAUSE NOTICE**

I, Hafiz Muhammad Ibrahim, Director Elementary & Secondary Education Khyber Pakhtunkhwa as Competent Authority under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 do hereby serve upon you Mrst. Tahira Naz D/o Afzal Khan resident of Mughal Banda Tehsil Takht Bhai, Distt. Mardan this show cause notice as follows:

- a. That consequent upon the report of DEO (F) District Swabi vide No. 1282 dated 28.02.2019 you have been found to have appointed yourself fraudulently and bogusly as SST (G) and have so far been able to station yourself at GGHS Parmoll District Swabi which is a gross violation of law of the land.
- b. That consequent upon the above report of the DEO (F) Swabi, a formal inquiry was launched against you by the Inquiry Officer Mr. Siraj Muhammad DEO (M) Malakand vide this Directorate Notification No. 3089 dated 18.06.2019.
- c. That the Inquiry Officer in his report dated 18.07.2019 has proved your appointment as SST (G) as bogus and fake.
- d. That by virtue of this bogus and fake appointment you have fraudulently drawn salaries and have inflicted heavy losses onto the Public/Government Treasury since 25.06.2012.

1. After going through the findings and recommendations of the Inquiry Officer, the materials on record and other connected papers including your non-attendance before the inquiry officer, I am satisfied that you have committed crime and have grossly violated the law of land and, therefore, you have rendered yourself liable to be proceeded under PPC 419 & 420.
2. As a result, thereof, I as the Competent Authority have tentatively decided to hand you over to the law enforcement agency for the crime you committed as mentioned above and recovery of the losses you inflicted on Government Treasury.
3. You are, therefore, required to show cause as to why the aforementioned action should not be taken against you and also intimate whether you desire to be heard in person.
4. If no reply to this effect is received within 15 days of its issuance, it shall be presumed that you have no defense to put in and in that case Ex-Parte action shall be taken against you.

(Dr. Hafiz Muhammad Ibrahim)  
Competent Authority

Director E&SE Khyber Pakhtunkhwa, Peshawar

End of Even No. & Date. 5286-90 2/10/19

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

1. PS to Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
2. District Education Officer (F) Swabi.
3. Principal/Headmistress GGHS Parmoll District Swabi.
4. Mrst. Tahira Naz D/o Afzal Khan resident of Mughal Banda, Tehsil Takht Bhai, District Mardan.
5. DD Litigation Local Office.
6. Abdur Rashid PSHT GPS Central Agra District Malakand.
7. Office Copy.

**ATTESTED**

(Dr. Hafiz Muhammad Ibrahim)  
Competent Authority

Director E&SE Khyber Pakhtunkhwa, Peshawar

Mrs. Tahira Naz D/o Afzal Khan resident of Mughal Banda, Tehsil Takht Bhai, District Mardan.



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

**Service Appeal No: 5369/2020**

**Mst: Tahira Naz Ex-SST (General) District Mardan.....Appellant.**

**VERSUS**

Secretary (E&SE) Department, Khyber Pakhtunkhwa & others...Respondents

**JOINT PARAWISE COMMENTS ON & FOR BEHALF OF RESPONDENTS No: 1-2.**

**Respectfully Sheweth:-**

**The Respondents submit as under:-**

**Preliminary Objections.**

- 1 That the Appellant has got no cause of action/locus standi.
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal in the instant service appeal.
- 4 That the instant Service Appeal is based on mala-fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the Appellant is not entitled for the relief she has sought from this Honorable Tribunal.
- 7 That the instant Service Appeal is against the prevailing law & rules.
- 8 That the instant Appeal is based on mala fide intentions just to put extra pressure on the Respondents for gaining illegal service benefits.
- 9 That the instant Service Appeal is not maintainable in its present form.
- 10 That the instant Service Appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 11 That the instant Service Appeal is barred by law.

- 12 That the Appellant is not competent to file the instant appeal against the Respondents.
- 13 That the impugned Notification No. 4061-90/A-17/SST/Complaint/Tahira Naz dated 09/12/2019 of the Respondent Department is legally competent & liable to be maintained in favor of the Respondents. **(Copy of the said Notification dated 09-12-2019 is Annex-A).**
- 14 That no Departmental Appeal has been filed by the appellant to the Respondent Department against the impugned Notification dated 09/12/2019.
- 15 That the recommendation letter of the appellant has been declared as fake and bogus by the KPK PSC.
- 16 That the Notification dated 25-06-2012 has correctly been disowned by the Respondent Department on the grounds of being fake & bogus after observing all Codal formalities.

### ON FACTS.

- 1 That Para-I needs no comments.
- 2 That Para-2 pertains to the academic & professional qualification of the appellant.
- 3 That Para-3 is correct to the extent of inviting application for the appointments against the SSTs B-16 post vide advertisement No.01/2009 dated 26-01-2009 through the KPK PSC dully disowned by the Respondent Department dismissed the impugned Notification dated 09-12-2019 on the grounds of being fake & bogus having no record. **(Copy of the advertisement dated 26-01-2009 is Ann-B).**
- 4 That Para-4 is incorrect & denied on the grounds that no cogent proof & legal justification has been annexed by the appellant in support of her stand regarding her filling of application for the appointment against the SST (G) B-16 post to the KPK PSC/Respondent No.3, nor she has been appeared in written test & interview neither the appellant has been recommended by the KPK PSC against the SST BPS-16 post vide recommendation letter dated 25-06-2012 issued by the KPK PSC.  
*Therefore, the claim regarding appearing before the Medical Board & declaring her medically fit makes no legal ground & even based on mala fide intensions on the part of the appellant. (Copy of the fake & bogus appointment order dated 25-06-2012 is Annexure-C).*
- 5 That Para-5 is incorrect & denied on the grounds that the appellant has not been recommended by the KPK PSC & adjusted in the Respondent Department against the SST (G) B-16 post in District Mohmand vide Notification dated 31-07-2012, hence the plea of the appellant is illegal & liable to be dismissed.

- 6 That Para-6 is correct that the salary of the appellant has been stopped since February 2019 on the grounds of her fake & bogus appointment order dated 25-06-2012, whereas, rest of the Para regarding filing of a W.P No.3624-P/19 under case tiled Tahira Naz Vs Govt; before the Honorable Peshawar High Court Peshawar is relates to the record of the Court with the submission that the case of the appellant is agasint the provision of section-11 CPC 1908 (Res-judicata) & is laible to be dismissed in favor of the Respondents as evident from the order sheet dated 17-09-2019 & 16-01-2020 (**Copies of the order sheets dated 17-09-2019 & 16-01-2020 are Annexures-D & E**).
7. That Para-7 correct that in view of the fake & bogus appointment order dated 25-06-20012 of the appellant has been served a show cause Notice dated 02-10-2019 dully replied by the appellant in an un satisfactory manner which resulted in the impugned Notification dated 09-12-2019, whereby the fake & bogus, 1st appointment order dated 25-06-2012 has been disowned of being ab initio under the relevant rules against the appellant after due process of Law & procedure. (**Copies of the show cause Notice Dated 02-10-2019 & impugned Notification dated 09-12-2019 are Annexures-F & G**).
8. That Para-8 is incorrect & denied as the act of the Respondent Department with regard to the impugned Notification dated 09-12-2019 against the appellant is legal, hence, the appeal in hand is liable to be dismissed on the following grounds inter alia:-

#### ON GROUNDS.

- A **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy vide the impugned Notification dated 09-12-2019 by the Respondent Department in the instance case, hence, the stand of the appellant is baseless & liable to be rejected.
- B **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy vide the above said Notification dated 09-12-2019 by the Respondent Department in the instance case having no question of violating the provision of Article 10-A of the constitution of Islamic republic of Pakistan 1973, hence, the stand of the appellant is baseless & liable to be rejected .
- C **Incorrect & not admitted.** The statement of the appellant is without any cogent reason & justification on the grounds as agitated in the foregoing paras of the present reply by the Respondents.
- D **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification on the grounds that the 1<sup>st</sup> appointment order dated 25-06-2012 has been found fake & bogus by the Respondents, hence, the services of the appellant against the SST (G) B-16 post has been disowned by the competent authority vide Notification date 09-12-2019 under the relevant provisions of law & rules

- 4
- E **Incorrect & not admitted.** The plea of the appellant is without justification & liable to be rejected as the mentioned reported judgments of the apex courts of law do not apply upon the case of the appellant in the given circumstances of the case.
- F. **Incorrect & not admitted.** The plea of the appellant is without justification & liable to be rejected as the mentioned reported judgments of the apex courts of law do not apply upon the case of the appellant in the given circumstances of the case as the appointment order of the appellant has been found fake & bogus by the Respondent Department.
- F **Legal.** However, the Respondents also seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments on the date fixed.

In view of the above made submissions, it is most humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favor of the Respondents in the interest of justice.

Dated \_\_\_ / \_\_\_ /2021.

  
**SECRETARY**

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondent No: 1)

  
**DIRECTOR**

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondents No: 2)

**AFFIDAVIT**

I, **Dr. Hayat Khan Asstt: Director (Litigation-II)** E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief.

  
**Deponent**

**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE  
TRIBUNAL PESHAWAR.**

**Service Appeal No: 5369/2020**

**Mst: Tahira Naz Ex-SST (General) District Mardan.....Appellant.**

**VERSUS**

**Secretary (E&SE) Department, Khyber Pakhtunkhwa & others...Respondents**

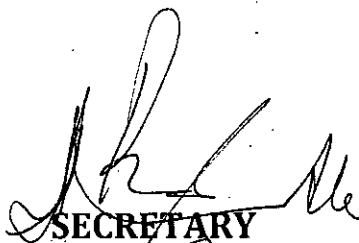
**REPLY TO THE CONDONATION OF DELAY APPLICATION FOR & ON BEHALF OF  
RESPONDENTS NO: 1 & 2.**

**Respectfully Sheweth :-**

The Respondents submit as under:-

- 1 That Para-1 is incorrect as the case of the appellant is badly time barred under the law of limitation Act 1908, hence, the Notification dated 09-12-2019 is not only legally competent but has also got finality against the appellant.
- 2 That Para-2 is also incorrect & denied as the case of the appellant is badly time barred under the law of limitation Act 1908, hence, the Notification dated 09-12-2019 is not only legally competent but has also got finality against the appellant having no question violating the provision Article 10-A of the constitution of 1973.
- 3 That Para-3 is incorrect & denied. The statement of the appellant baseless & liable to be rejected as the Respondents have got a very good prima facie case and the chances of its success are very bright in favor of the Respondents if the order dated 09-12-2019 is not maintained, then, the Respondent Department shall suffer huge losses as valuable legal rights are attached with the instant case of the Respondents.
- 4 That Para-4 is incorrect & denied. The Respondents have got a very good prima facie case and the chances of its success are very bright in favor of the Respondents.

**In view of the above made submissions, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Application with cost in favor of the Respondent Department.**

  
**SECRETARY**

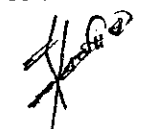
E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondent No: 1)

  
**DIRECTOR**

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondents No: 2)

**AFFIDAVIT**

**I, Dr. Hayat Khan Asstt: Director (Litigation-II) E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief.**

  
**Deponent**



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

Service Appeal No: 5369/2020

**Mst: Tahira Naz Ex-SST (General) District Mardan.....Appellant.**

**VERSUS**

**Secretary (E&SE) Department, Khyber Pakhtunkhwa & others...Respondents**

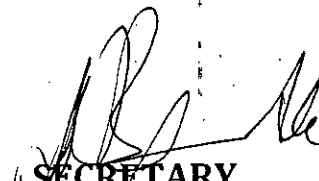
**REPLY TO THE STAY APPLICATION FOR & ON BEHALF OF RESPONDENTS No: 1 & 2.**

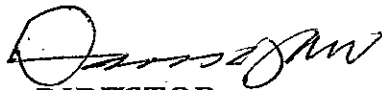
Respectfully Sheweth :-

The Respondents submit as under:-

- 1 That Para-1 needs no comments being pertains to the record.
- 2 That Para-2 needs no comments. However, the facts & grounds as taken in the main reply may also be treated an integral part of this reply to the instant application on behalf of the Respondents.
- 3 That Para-3 is incorrect & denied. The Respondents have got a very good prima facie case and the chances of its success are very bright in favor of the Respondents.
- 4 That Para-4 is incorrect & denied. The Respondents have got a very good prima facie case and the chances of its success are very bright in favor of the Respondents.
- 5 That Para-5 is also incorrect & denied. If the operation of the impugned Notification dated 09-12-2019 is not maintained then the Respondent will suffer irreparable loss of the Administrative nature.


In view of the above made submissions, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Application with cost in favour of the Respondent Department.

  
**SECRETARY**  
E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondent No: 1)

  
**DIRECTOR**  
E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondents No: 2)

**AFFIDAVIT**

I, **Dr. Hayat Khan Asstt. Director (Litigation-I)** E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief.

  
**Deponent**



5

ANN — (A)

Annex = "A"

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR

(42)

NOTIFICATION

1. WHEREAS, Mst. Tahira Naz d/o Afzal Khan, resident of Mughal Banda Tehsil Takhtbhai District Mardan was reported by the DEO (F) Swabi as bogus SST (G) and fraudulently working at GGHS Parmoli Swabi vide her report No.1282 dated 28.02.2019.
2. AND WHEREAS, a fact-finding inquiry was ordered against the bogus teacher vide Endst: No.8126-28 dated 27.3.2019.
3. AND WHEREAS, the inquiry officer Mr. Siraj Muhammad DEO (M) Malakand proved the appointment of Mst. Tahira Naz as SST (G) as bogus vide his report dated 22.7.2019.
4. AND WHEREAS, to fulfill the course of natural justice a show cause notice was served upon the referred bogus teacher vide No.5285/a-17/Compliant/Tahira Naz/Swabi dated 02.10.2019.
5. AND WHEREAS, she submitted her reply to the show cause on 21-10-2019 which was found unsatisfactory.
6. AND WHEREAS, she was granted the opportunity of personal hearing vide No.4611/A-17/Compliant/Tahira Naz/Swabi dated 1-11-19, which she did not avail.
7. AND WHEREAS, the competent authority, after having considered the evidence on record, findings of inquiry report, reply to show cause of the bogus teacher and non-availing the opportunity of personal hearing by the bogus teacher, has come to the conclusion that the charges given in the show cause have been proved against Mst. Tahira Naz d/o Afzal Khan and that the notification regarding placement of her services at the disposal of Director of education Fata for further posting issued vide 2816-23/FNo.2/A-14/SST(F)Gen/PSC/APPT Dated 25-06-2012 is found bogus.
8. NOW THEREFORE, under the mandatory provisions and powers conferred under the section 16 and 21 of General Clauses Act 1897 as amended in 1956 the Director Elementary & Secondary Education Khyber Pakhtunkhwa as the competent authority is pleased to disown ab initio Mst. Tahira Naz d/o Afzal Khan and declare her as bogus SST (G) GGHS Parmoli District Swabi liable to be proceeded as per PPC 419 & 420 by the law enforcing agencies in the interest of public service.

ATTESTED

Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Endst: No. 4061-70 /A-17/SST/Complaint/Tahira Naz/Swabi

Dated Peshawar the 07-12 2019.

Copy forwarded for information and necessary action to the:-

(B)

Annex = " " " "

6

# NWFP PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: [www.nwfppsc.gov.pk](http://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

ATTACHED

### 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.

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.

ATTESTED

**(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 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. 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 EDUATION AND MAN POWER TRAINING DEPARTMENT.**

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

**ATTESTED**

**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 Institure.**

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

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

ATTESTED

(S.No. 65)

One (01) Post of Male Instructor/ Lecturer of computer Science Earth quack Affected Area in 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.

(S.No. 66)	<b>Ten (10) Posts of Male office Assistant.</b>				
	<b>QUALIFICATION:</b> Bachelor degree from recognized University.				
	<b>AGE LIMIT:</b> 18 to 30 years. <b>PAY SCALE:</b> BPS-14. <b>ELIGIBILITY:</b> Male.				
	<b>ALLOCATION:</b>				
	<b>Zone-1</b>	<b>Zone-2</b>	<b>Zone-3</b>	<b>Zone-4</b>	<b>Zone-5</b>
	02	02	02	02	02

(S.No. 67)	<b>One (01) Post of Female office Assistant.</b>				
	<b>QUALIFICATION:</b> Bachelor degree from recognized University.				
	<b>AGE LIMIT:</b> 18 to 30 years. <b>PAY SCALE:</b> BPS-14. <b>ELIGIBILITY:</b> Female.				
	<b>ALLOCATION:</b> 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 applications forms a disability certificate from the Provincial Council for Examination of Disabled Candidates.

**ATTESTED**

- (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:
  - (a) Written Test in the Subject.
  - (b) General Knowledge or Psychological General Ability Test.
  - (c) Academic and / or Professional record as the Commission may decide.

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

**Main Branches of:**

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

ATTESTED

(Atta Ur Rehman)  
Secretary  
NWFP Public Service Commission  
2-Fort Road Peshawar Cantt: Ph: 9212962



Annex - 1

12



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)

And - (C)

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 (SST General) 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 his Services placed at the disposal of Director Education FATA for further posting against vacant SST Genral posts:-

S. #	Name	Father Name	Domicile	Zone	Permanent Address	Place of Posting
1.	Naheed Akhtar	Musafar Khan	Khyber Agency	1	Hayatabad Phase-IV Tehsil & District: Peshawar	Service placed at the disposal of Director of Education FATA for further posting against vacant SST General Post.
2.	Nazakat Bibi	Syed Ali Shah	Mohmand Agency	1	Vill: Mattai Dara P/O Yousaf Khel Mohmand Agency	Service placed at the disposal of Director of Education FATA for further posting against vacant SST General Post.
3.	Tahira Naz	Ajzal Khan	Mohmand Agency	1	Mughal Banda P/O, Saro Shah Tehsil Takht Bhai District Mardan	Service placed at the disposal of Director of Education FATA for further posting against vacant SST General Post.
4.	Sabiha	Mian Gul Jan	Mohmand Agency	1	Khur Abad, Sahib Gul Mahal P/O Dakki Teshil tangi District Charsadda	Service placed at the disposal of Director of Education FATA for further posting against vacant SST General Post.

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 Contributory 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 1<sup>st</sup> 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

ATTESTED

ATTESTED

- 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 are liable to termination on one months notice from either side. In case of resignation with out 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 there post within one month of 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 DEO (F) concerned would furnish a certificate to the effect that the candidate has joined the post or otherwise after one month of the issue of his posting orders.
  10. The DEO(F) 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 his duty.

(Muhammad Rafiq Khattak)  
Director  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

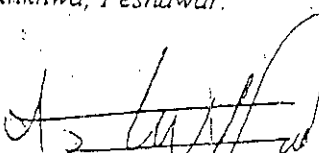
2816-23

Endst: No. /File No. 2/A-14/SST(F) Gen/PSC/Apptt: Dated Peshawar the 25-6-2012

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 of Education FATA Warsak road Peshawar.
4. All Agency Accounts Officers in FATA.
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



ATTESTED

  
Dy: Director (Estab)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

AN-P

74

**PESHAWAR HIGH COURT, PESHAWAR**  
**FORM OF ORDER SHEET**

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge.
1	2
17.09.2019	<p><u>Writ Petition No.3624-P/2019</u></p> <p>Present: Mr. Khalid Khan, Advocate, for the petitioner.</p> <p>*****</p> <p>Call for the comments of respondents No.3 &amp; 4 so as to reach this Court within a fortnight. Adjourned to a date in office.</p> <p> SENIOR PUISNE JUDGE</p> <p> JUDGE</p>

ATTESTED

(Fayaz)

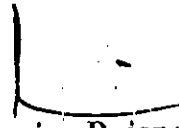

(D.B) Justice Qaiser Rashid Khan & Justice Muhammad Naeem Anwar

"ANN - E"

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PESHAWAR HIGH COURT, PESHAWAR

ORDER SHEET

Date of order or proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary
2.	3.
16.01.2020	<p><u>WP No.3624-P/2019 with I.R.</u></p> <p><u>Present:</u> Clerk of counsel for the petitioner.</p> <p>*****</p> <p>A final opportunity is afforded to respondents No.3 &amp; 4, to file the requisite comments to the writ petition without fail within a fortnight.</p> <p style="text-align: center;">             Senior Puisne Judge         </p> <p style="text-align: center;">             Judge         </p>

ATTESTED



NOTIFICATION

DIRECTORATE OF ELEMENARY & SECONDAREUCATION  
KHYBER PAKHTUNKHWA PESHAWAR

42

1. WHEREAS, Mst. TahiraNaz d/o Afzal Khan, resident of Mughal Banda Tehsil Takhtbhai District Mardan was reported by the DEO (F) Swabi as bogus SST (G) and fraudulently working at GGHS Parmoli Swabi vide her report No.1282 dated 28.02.2019.
2. AND WHEREAS, a fact-finding inquiry was ordered against the bogus teacher vide Endst: No.8126-28 dated 27.3.2019.
3. AND WHEREAS, the inquiry officer Mr. Siraj Muhammad DEO (M) Malakand proved the appointment of Mst. TahiraNaz as SST (G) as bogus vide his report dated 22.7.2019.
4. AND WHEREAS, to fulfill the course of natural justice a show cause notice was served upon the referred bogus teacher vide No.5285/a-17/Compliant/TahiraNaz/Swabi dated 02.10.2019.
5. AND WHEREAS, she submitted her reply to the show cause on 21-10-2019 which was found unsatisfactory.
6. AND WHEREAS, she was granted the opportunity of personal hearing vide No.4611/A-17/Compliant/TahiraNaz/Swabi dated 1-11-19, which she did not avail.
7. AND WHEREAS, the competent authority, after having considered the evidence on record, findings of inquiry report, reply to show cause of the bogus teacher and non-availing the opportunity of personal hearing by the bogus teacher, has come to the conclusion that the charges given in the show cause have been proved against Mst. TahiraNaz d/o Afzal Khan and that the notification regarding placement of her services at the disposal of Director of education Fata for further posting issued vide 2816-23/FNo.2/A-14/SST(F)Gen/PSC/APPTT Dated 25-06-2012 is found bogus.
8. NOW THEREFORE, under the mandatory provisions and powers conferred under the section 16 and 21 of General Clauses Act 1897 as amended in 1956 the Director Elementary & Secondary Education Khyber Pakhtunkhwa as the competent authority is pleased to disown ab initio Mst. TahiraNaz d/o Afzal Khan and declare her as bogus SST (G) GGHS Parmoli District Swabi liable to be proceeded as per PPC 419 & 420 by the law enforcing agencies in the interest of public service.

ATTESTED

Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Dated Peshawar the 09-12-2019.

Endst: No. 4061-70 /A-17/SST/Complaint/TahiraNaz/Swabi

Copy forwarded for information and necessary action to the:



A-17 - 9 - Annex - 6  
Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar

No. /A-17/Complaint/Tahira.Naz/Swabi  
Dated Peshawar the / /2019

**SHOW CAUSE NOTICE**

I, Hafiz Muhammad Ibrahim, Director Elementary & Secondary Education Khyber Pakhtunkhwa as Competent Authority under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 do hereby serve upon you Mrst. TahiraNaz D/o Afzal Khan resident of Mughal Banda Tehsil Takht Bhai, Distt. Mardan this show cause notice as follows:

- a. That consequent upon the report of DEO (F) District Swabi vide No.1282 dated 28.02.2019 you have been found to have appointed yourself fraudulently and bogusly as SST (G) and have so far been able to station yourself at GGHS Parmoli District Swabi which is a gross violation of law of the land.
- b. That consequent upon the above report of the DEO (F) Swabi, a formal inquiry was launched against you by the Inquiry Officer Mr. Siraj Muhammad DEO (M) Malakand vide this Directorate Notification No.3089 dated 18.06.2019.
- c. That the Inquiry Officer in his report dated 18.07.2019 has proved your appointment as SST (G) as bogus and fake.
- d. That by virtue of this bogus and fake appointment you have fraudulently drawn salaries and have inflicted heavy losses onto the Public/Government Treasury since 25.06.2012.

1. After going through the findings and recommendations of the Inquiry Officer, the materials on record and other connected papers including your non-attendance before the inquiry officer, I am satisfied that you have committed crime and have grossly violated the law of land and, therefore, you have rendered yourself liable to be proceeded under PPC 419 & 420.
2. As a result, thereof, I as the Competent Authority have tentatively decided to hand you over to the law enforcement agency for the crime you committed as mentioned above and recovery of the losses you inflicted on Government Treasury.
3. You are, therefore, required to show cause as to why the aforementioned action should not be taken against you and also intimate whether you desire to be heard in person.
4. If no reply to this effect is received within 15 days of its issuance, it shall be presumed that you have no defense to put in and in that case Ex-Parte action shall be taken against you.

(Dr. Hafiz Muhammad Ibrahim)  
Competent Authority

Director E&SE Khyber Pakhtunkhwa, Peshawar

End of Even No. & Date. 2/10/19

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

1. PS to Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
2. District Education Officer (F) Swabi.
3. Principal/Headmistress GGHS Parmoli District Swabi.
4. Mrst. TahiraNaz D/o Afzal Khan resident of Mughal Banda, Tehsil Takht Bhai, District Mardan.
5. DD Litigation Local Office.
6. Abdur Rashid PSHT GPS Central Agra District Malakand.
7. Office Copy.

**ATTESTED**

(Dr. Hafiz Muhammad Ibrahim)  
Competent Authority

Director E&SE Khyber Pakhtunkhwa, Peshawar

Mrs. TahiraNaz D/o Afzal Khan resident of Mughal Banda, Tehsil Takht Bhai, District Mardan.



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,  
PESHAWAR

Khyber Pakhtunkhwa  
Services Tribunal  
Service Appeal No. 968/2019

Diry No. 1057

Dated 25/7/19

Abdul Malik S/O Said Muhammad Shah, Ex-SST (Gen),  
R/o Village Nao Kelli, Tehsil Prang Ghar, Tribal District Mohmand.

Appellant

....VERSUS....

1. Govt of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Civil Secretariat Peshawar.
2. Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. Khyber Pakhtunkhwa Public Service Commission through Chairman, Fort Road, Peshawar Cantt: ..... Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL ACT, 1974, READ WITH ALL ENABLING PROVISIONS OF LAW, GOVERNING THE SUBJECT, AGAINST:

NOTIFICATION ENDORSEMENT NO.5652-57, DATED: 04.04.2019 OF RESPONDENT NO.2, VIDE WHICH APPOINTMENT NOTIFICATION DATED: 05.03.2012 ALONG WITH ADJUSTMENT ORDER DATED: 05.03.2012, OF THE APPELLANT, HAS UNILATERALLY BEEN DISOWNED.

PRAYER-IN-APPEAL:

On Acceptance of Instant Appeal, the Impugned Notification dated 04.04.2019 of Respondent No.2 along with Pre & Post Proceedings thereto, may be declared as illegal, Unlawful, without Lawful Authority, void-ab-initio and of no legal effect, Hence, be set at naught and appellant may be reinstated in service with all back benefits, in the best interest of justice and equity.

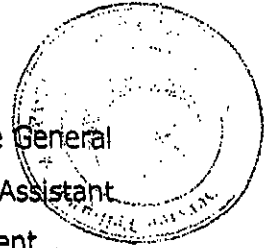
Respectfully Sheweth:

1. That appellant is law abiding peaceful citizen of Pakistan and permanent resident of Tribal District Mohmand.  
(Copy of CNIC, is attached as Annexure "A")
2. That appellant obtained Master degree, in the year 2005, from University of Peshawar and having passed PST, CT, B.Ed & M.Ed courses from Elementary Collage Jamrud & Allama Iqbal Open University, Islamabad, respectively.  
(Copies of CV and Educational Testimonials, are attached as Annexure "B" & "C", respectively)
3. That, consequent upon recommendation of the Departmental Selection Committee, appellant was appointed as PIC Teacher in

ATTESTED  
Khyber Pakhtunkhwa  
Services Tribunal  
Peshawar

20.01.2021


Appellant present through counsel.



Kabir Ullah Khattak learned Additional Advocate General alongwith Hamid Salim Law Officer, Hayat Khan Assistant Director and Abdul Wahid ADEO for respondents present.

Vide detailed judgment of today of this Tribunal placed on file of connected service appeal No.1014/2019 tilted Mst. Ishrat Vs. Education Department, the impugned orders stand set aside and the appellant is reinstated in service with direction to the Department to conduct proper inquiry. They shall investigate the issue through a proper inquiry reaching to a logical conclusion to find out the real culprits who maneuvered to make it possible and thereafter, the fate of appellant be decided in the light of the said inquiry. The respondents shall conclude the proceedings within 90 days after receipt of this judgment. The issue of back benefits shall be subject to the outcome of inquiry. With no order as to costs. File be consigned to the record room.

Announced  
20.01.2021

  
(Atiq-ur-Rehman Wazir)  
Member (E)

  
(Rozina Rehman)  
Member (J)

Certified to be a true and correct copy  


Date of Presentation of Application 28/01/2021  
Number 800  
Case No. 10/  
Urg. 4/  
Total 14/  
Name ---  
Date of Issuance 28/01/2021  
Date of Delivery of Copy 28/01/2021



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1014/2019



Date of Institution ... 02.08.2019  
Date of Decision ... 20.01.2021

Mst. Ishrat W/O Sher Afghan Khan Ex-SST (Gen), R/O Village Fazal Abad,  
Tehsil Takht Bhai, District Mardan.  
... (Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Civil Secretariat Peshawar and two others.  
... (Respondents)

Present:

Amin ur Rehman Yousafzai,  
Advocate ... For appellant.

Kabir Ullah Khattak,  
Additional Advocate General ... For official respondents.

ROZINA REHMAN ... MEMBER (J)  
ATIQU UR REHMAN WAZIR ... MEMBER (E)

JUDGMENT

ROZINA REHMAN, MEMBER: This judgment is intended to dispose of 40  
connected service appeals which are:

1. Service Appeal No.958/2019
2. Service Appeal No. 959/2019
3. Service Appeal No.960/2019
4. Service Appeal No.961/2019

ATTESTED

MEMBER (E)  
Peshawar

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- 5. Service Appeal No.962/2019
- 6. Service Appeal No.963/2019
- 7. Service Appeal No.964/2019
- 8. Service Appeal No.965/2019
- 9. Service Appeal No.966/2019
- 10. Service Appeal No.967/2019
- 11. Service Appeal No.968/2019
- 12. Service Appeal No.969/2019
- 13. Service Appeal No.970/2019
- 14. Service Appeal No.971/2019
- 15. Service Appeal No.972/2019
- 16. Service Appeal No.973/2019
- 17. Service Appeal No.974/2019
- 18. Service Appeal No.975/2019
- 19. Service Appeal No.1009/2019
- 20. Service Appeal No.1010/2019
- 21. Service Appeal No.1011/2019
- 22. Service Appeal No.1012/2019
- 23. Service Appeal No.1013/2019
- 24. Service Appeal No.1014/2019
- 25. Service Appeal No.1015/2019
- 26. Service Appeal No.1016/2019
- 27. Service Appeal No.1017/2019
- 28. Service Appeal No.1018/2019
- 29. Service Appeal No.1024/2019
- 30. Service Appeal No.1025/2019
- 31. Service Appeal No.1026/2019

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24/11/21

**ATTESTED**

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**EXAMINER**  
Karyaker Rekrutankhwa  
Service Tribunal

32. Service Appeal No.1027/2019
33. Service Appeal No.1028/2019
34. Service Appeal No.1029/2019
35. Service Appeal No.1030/2019
36. Service Appeal No.1031/2019
37. Service Appeal No.1032/2019
38. Service Appeal No.1033/2019
39. Service Appeal No.1041/2019
40. Service Appeal No.1111/20219

In view of common questions of law and facts, the above captioned appeals are being disposed of by this order.

2. Precisely stated the facts of the case are that the appellants were appointed as SSTs. They were directed to produce service record but failed. After completion of codal formalities, they were removed from service by means of orders dated 04.04.2019 and 05.04.2019. They preferred departmental appeals but the same were not responded to, hence, the present service appeals.

3. Learned counsel for appellants submitted that the appointments were made in accordance with law by following the prescribed procedure which cannot be held fake appointments. That notifications dated 04.04.2019 and 05.04.2019 are against law and facts. That the appellants were not treated in accordance with law and they were not given an opportunity to defend themselves as enshrined in Article 10-A of the Constitution of Islamic Republic of Pakistan, 1973. Learned counsel further argued that neither regular inquiry was conducted nor the appellants were served with show cause notices, hence, they all were condemned unheard. That all the appellants being qualified, were properly appointed after due process of law

20/11/24

ATTESTED

Appellants was found bogus, thus, their appointment/adjustment notification dated 11.02.2010 was disowned. Category-II includes those employees who upon recommendation of D.S.C, were appointed as PTC, subsequently applied for SSTs' posts and were selected by the Khyber Pakhtunkhwa Public Service Commission. It was on 04.04.2019 when they received notification vide which appointment record in respect of these appellants was found bogus, thus, their appointment notification was disowned. Appellants of category-III are those who were appointed as SSTs on the recommendations of KPPSC and two of them were promoted to the rank of S.S and it was on 04.04.2019 when they received notification vide which appointment record in respect of these appellants was found bogus, thus, their appointment/adjustment notification was disowned.

6. Secondary School Teachers (SST) previously known as S.E.T are usually appointed through Departmental Promotion Committee or through Public Service Commission. As per existing policy, the promotion share is 75% of various Teaching Cadre and 25% is through Initial recruitment. Recruitment of SSTs were lastly made through Public Service Commission in 2012 while in the year 2008, SSTs were recruited on Adhoc/Contract Basis and later on, they were regularized. As per respondents there were rumors that various number of SSTs, SETs have been inducted in the system and working in different agencies without adopting the proper recommendation of Public Service Commission or Departmental Promotion Committee. This task was assigned to two Assistant Directors who checked the credentials of all the SSTs and submitted report where-after another Inquiry Committee was constituted and 69 SSTs were declared fake being directly inducted in the system. The Inquiry report was not available on record and it was produced upon the directions of Bench. There is a riddle as to how the

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respondents came to know without any inquiry after a long period of service by all the appellants that their appointment order is fake. Different documents were produced by the appellants which were placed on file which show that some of the appellants applied for a post published by the Public Service Commission as they produced application forms. Appellant in Service Appeal No.964/2019 Shakir Ullah produced his application form, one Abdul Malik appellant in Service Appeal No.968/2019 also produced Call Letter for Interview from Public Service Commission. Similarly, appellant in Service Appeal No.1010/2019 also produced his Call Letter. Some documents were produced by appellant in Service Appeal No.965/2019 vide which he was directed by the Commission to rectify the deficiencies. Another letter addressed to the Secretary to Government of Khyber Pakhtunkhwa Elementary & Secondary Education vide which recommendations in favor of 21 recommendees was sent and few recommendees are still in service. Another recommendation in favor of three ladies is available on file wherein appellants Mst. Sarwat Jehan and Mst. Tahira Naz are available at Serial No. 1 & 3 whereas Mst. Rabia Shams at Serial No.2 is still in service. Similarly, other documents also show same entries. Record further shows that appellants in Service Appeals No.1027/2019 and 1033/2019 i.e. Mst. Sarwat Jehan and Mst. Seema Mujahid respectively were properly promoted as there was nothing against them. They are qualified and they served the Department for a long period. They drew their salaries and lastly, they were removed by the authority by disowning their service record. As per recommendations of the Inquiry report, 69 SSTs were neither recommended by the Public Service Commission nor promoted/recruited by the Elementary & Secondary Education Khyber. Pakhtunkhwa. Their salaries were recommended to be stopped and proceedings under the Khyber

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20/1/24

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Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 were recommended to be initiated. The competent authority while passing the impugned order did not bother to go through the contents of the inquiry report. The appellants have received salaries for a long period which strengthen their case. The respondents did not like to conduct proper inquiry as to who issued such orders and who processed and submitted their salaries to the Account Office. The respondents avoided all such mandatory steps and outrightly stopped their salaries by disowning their appointment orders, thus allow the real culprits to stay behind the curtain, knowing the fact that the appellants have now developed a vested right over the posts as they have drawn salaries for a long period against the sanctioned posts. The respondents handled the case carelessly by not reaching to a logical conclusion, hence, left the appellants in a hanging position.

7. In view of the situation, the impugned orders stand set aside and the appellants are reinstated in service with direction to the Department to conduct proper inquiry. They shall investigate the issue through a proper inquiry reaching to a logical conclusion to find out the real culprits who maneuvered to make it possible and thereafter, the fate of appellants be decided in the light of the said inquiry. The respondents shall conclude the proceedings within 90 days after receipt of this judgment. The issue of back benefits shall be subject to the outcome of inquiry. With no order as to costs: File be consigned to the record room.

ANNOUNCED.  
20.01.2021

(Atiq ur Rehman Wazir)  
Member (E)

Certified to be true copy

Khushbakht  
Secretary  
Punjab

(Rozina Rehman)  
Member (J)