

Regulation II of 1975), are hereby repealed, and shall be deemed to have been so repealed with effect from the twelfth day of February, 1994.

(2) Notwithstanding the repeal of laws under subsection (1) of this section or cessation of any law, instrument, custom or usage under section 4, the repeal or cessation, as the case may be, shall not--

- (a) revive anything not in force or existing at the time at which the repeal or cessation takes effect;
- (b) affect the previous operation of the law, instrument, custom or usage or anything duly done or suffered thereunder;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the law, instrument, custom or usage;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against the law, instrument, custom or usage; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the law, instrument, custom or usage had not been repealed or ceased to have effect, as the case may be.

SCHEDULE I

[See preamble, sections 2(f) and 3(1)]

S.No	Nomenclature of Laws
1.	The West Pakistan Historical Mosques and Shrines Fund Cess Ordinance, 1960 (W.P. Ord. V of 1960).
2.	The West Pakistan Family Courts Act, 1964 (W.P. Act XXXV of 1964).
3.	The Code of Civil Procedure (Amendment) Act, 1976 (XV of 1976).
4.	The North-West Frontier Province Prevention of Gambling Ordinance, 1978 (N.W.F.P. Ord. V of 1978).
5.	The Code of Civil Procedure (Amendment) Ordinance, 1980 (Ord. X of 1980).
6.	The Offences Against Properties (Enforcement of Hudood) (Amendment) Ordinance, 1980 (Ord. XIX of 1980).
7.	The Offence of Zina (Enforcement of Hudood) (Amendment) Ordinance, 1980 (Ord. XX of 1980).
8.	The Offence of Qazf (Enforcement of Hadd) (Amendment) Ordinance, 1980 (Ord. XXI of 1980).
9.	The Code of Civil Procedure (Amendment) Ordinance, 1980 (Ord. LXIII of 1980).
10.	The Ehteram-e-Ramzan Ordinance, 1981 (Ord. XXIII of 1981).

11. The Federal Laws (Revision and Declaration) Ordinance, 1981 (Ord. XXVII of 1981), to the extent of section 1 and section 3 read with item 15 of the Second Schedule thereto only.
12. Offence Against Property (Enforcement of Hudood) (Amendment) Ordinance, 1982 (Ord. II of 1982).
13. The Zakat and Ushr (Amendment) Ordinance, 1983 (Ord. VII of 1983).
14. The Zakat and Ushr (Second Amendment) Ordinance, 1983 (Ord. X of 1983).
15. The Zakat and Ushr (Third Amendment) Ordinance, 1983 (Ord. XXVI of 1983).
16. Anti-Islamic Activities of Qadianis Group, Lahori Group and Ahmadis (Prohibition and Punishment) Ordinance, 1984 (Ord. XX of 1984).
17. The Zakat and Ushr (Amendment) Ordinance, 1984 (Ord. XLVI of 1984).
18. The North-West Frontier Province (Enforcement of Certain Provisions of Law) Act, 1989 (N.W.F.P. Act II of 1989).
19. The Code of Civil Procedure (Amendment) Act, 1989 (IV of 1990).
20. The Zakat and Ushr (Amendment) Act, 1991 (XXIII of 1991).
21. The Enforcement of Shariah Act, 1991 (X of 1991).
22. The Pakistan Bait-ul-Mal Act, 1992 (I of 1992).
23. The Code of Civil Procedure (Amendment) Act, 1992 (VI of 1992).

SCHEDULE II

[See Sections 2(c),(f),5(1) and 8(1)]

S. No.	Designation of Judicial Officers in N.W.F.P other than the PATA of Malakand Division ⁴ [and Kohistan District]	Designation of Judicial Officers in PATA of Malakand Division ⁴ [and Kohistan District].
1.	District and Sessions Judge.	District and Sessions Judge/Zila Qazi
2.	Additional District and Sessions Judge.	Additional District and Sessions Judge/Izafi Zila Qazi.
3.	Senior Civil Judge.	Senior Civil Judge/Aala Illaqa Qazi (Civil).
4.	Civil Judge.	Civil Judge/Illaqa Qazi (Civil).
5.	Magistrate.	Magistrate/Illaqa Qazi (Criminal).

4. In Schedule II, in the headings of columns 2 and 3, after the words "Malakand Division", the words "and Kohistan District" added by N.W.F.P. Regulation No. 1 of 1995.

Sl. No. 16

PROVINCIALY ADMINISTERED TRIBAL AREAS (NIFAZ-E-NIZAM-E-SHARIAH) RULES, 1994

[Gazette of N.W.F.P., Extraordinary, December 12, 1994]

No. 20/4-SOS-II(HD)/94-Vol.V.---In exercise of the powers conferred by section 10 of the Provincially Administered Tribal Areas (Nifaz-e-Nizam-e-Shariah) Regulation, 1994 (N.W.F.P. Regulation No. II of 1994), the Government of the North-West Frontier Province is pleased to make the following rules, namely:---

1. **Short title and commencement.**---(1) These rules may be called the Provincially Administered Tribal Areas (Nifaz-e-Nizam-e-Shariah) Rules, 1994.

(2) They shall come into force at once.

2. **Definitions.**---In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say,--

- (a) "District Magistrate" includes the Political Agent of Malakand Protected Area;
- (b) "instructions" means the instructions issued by Government in accordance with the provisions of section 8 of the Regulation;
- (c) "panel" means the current panel of Muavineen-e-Qazi;
- (d) "recognised institution" means a religious educational institution of Muslims recognised by Government; and
- (e) "Regulation" means the Provincially Administered Tribal Areas (Nifaz-e-Nizam-e-Shariah) Regulation, 1994.

(2) All other expressions, not defined expressly in these rules, shall have the same meanings as assigned to them in the Regulation, and all other respective laws for the time being in force in the Provincially Administered Tribal Areas of Malakand Division.

3. JUDICIAL OFFICER/QAZI

(1) **Tehsil Qazi.**---An Illaqa Qazi, when posted at Tehsil Headquarters, shall be called a Tehsil Qazi.

(2) **Qualification for appointment as Qazi.**---Government shall appoint a person as Qazi who,--

- (a) being a judicial officer, has undergone a prescribed Shariah course at a recognised institution; or
- (b) has obtained a specified degree of an Islamic University/Institution recognised by Government.

(3) **Declaration by a Judicial Officer.**---A Qazi shall, immediately after entering upon his office, and before starting any judicial work as such Officer, make a declaration in the form

(3) **Duty of Police Officers.**---It shall be the duty of...

terms and...

(4) **Conduct and Character of Qazi.**---A Qazi shall try to order and maintain his official and personal conduct and character in accordance with the injunctions of Islam, Eijabi and Salbi conditions prescribed by Known Muslim scholars for an Aadil Shahid and Qazi.

(5) **Conditions for Qazi.**---A Qazi shall try his best to take guidance from the Holy Qur'an and Sunnah. While interpreting and explaining the Shariah, the recognised principles of interpretation and explanation of the Holy Qur'an and Sunnah shall be followed and the expositions and opinions of recognised jurists of Islam belonging to prevalent Islamic schools of jurisprudence may be taken into consideration.

(6) **Qazi to follow measures and instructions of Government.**---A Qazi shall, subject to the provisions of the laws for the time being in force in the area of his jurisdiction, be bound to follow the measures taken by Government in accordance with section 8 of the Regulation, and shall abide by the instructions issued by Government in this regard.

(7) **Involvement of Muavineen-e-Qazi.**---A Qazi, when he calls a Muavin-e-Qazi, shall provide him opportunity to explain the Islamic Law on the legal points involved in a case. A Qazi may, suo motu or on the application of a party, allow a Muavin-e-Qazi to peruse the pleadings and other documents on record, to hear evidence and arguments, to express view about the decision of the case, and to argue the case.

(8) **Encouragement to parties to refer the case to mediators.**---A Qazi shall ask the parties to a dispute at the initial stage of each case whether they agree to refer the case to one or more mediators for its resolution in accordance with the Shariah, and, if they so agree, shall refer the case for the said purpose.

(9) **Selection of mediators.**---A Qazi shall assist the parties to a dispute in selecting a mediator from the panel of Muavineen-e-Qazi or from amongst other known persons of the locality.

(10) **Time schedule.**---A Qazi shall try his best to conduct and finalize the case within the schedule, if any, issued by Government.

4. MUAVINEEN-E-QAZI

(1) **Qualifications.**---The name of a person may be inserted in the panel of Muavineen-e-Qazi if he--

- (a) is holder of a Certificate of Proficiency in Fiqh, Hadith and Tafseer-e-Quran from a recognised institution; and
- (b) has enough experience in teaching, preaching and explaining the Islamic injunctions relating to laws.

(2) **Appointment and removal of Muavineen-e-Qazi.**---The Commissioner shall, on the recommendation of the District Magistrate in consultation with Zilla Qazi, and with the approval of Government, include or exclude name of a person on the panel of Muavineen-e-Qazi for the purposes of section 6 of the Regulation.

(2) Notwithstanding the repeal of laws under subsection (1), the repeal shall not---

- (a) revive anything not in force or existing at the time at which the repeal takes effect;
- (b) affect the previous operation of the law, instrument, custom or usage or anything duly done or suffered thereunder;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the law;
- (d) affect any penalty, forfeiture or punishment incurred in respect to any offence committed against the law; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the law had not been repealed.

10. **Repeal.**---The Kohistan District Nifaz-e-Nizam-e-Shariah Ordinance, 1995 (N.W.F.P. Ordinance No. II of 1995) is hereby repealed.

Sl. No. 18

KOHISTAN DISTRICT (NIFAZ-E-NIZAM-E-SHARIAH) RULES, 1994

[Gazette of N.W.F.P., Extraordinary, December 29, 1994]

No. 20/4-SOS-II(HD)/94-Vol.V.---In exercise of the powers conferred by section 8 of the Kohistan District (Nifaz-e-Nizam-e-Shariah) Ordinance, 1994 (N.W.F.P. Ordinance No. VIII of 1994), the Government of the North-West Frontier Province is pleased to make the following rules, namely:--

1. **Short title and commencement.**---(1) These rules may be called the Kohistan District (Nifaz-e-Nizam-e-Shariah) Rules, 1994.

2. They shall come into force at once.

2. **Definitions.**---In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say,--

- (a) "instruction" means the instruction issued by Government in accordance with the provisions of section 8 of the Ordinance;

- (b) "panel" means the current panel of Muavineen-e-Qazi;
- (c) "recognised institution" means a religious educational institution of Muslims recognised by Government; and
- (d) "Ordinance" means the Kohistan District (Nifaz-e-Nizam-e-Shariah) Ordinance, 1994.

(2) All other expressions, not defined expressly in these rules, shall have the same meanings as assigned to them in the Ordinance and all other respective laws for the time being in force in Kohistan District.

3. JUDICIAL OFFICER/QAZI

(1) **Tehsil Qazi.**---An Illaqā Qazi, when posted at Tehsil Headquarters, shall be called a Tehsil Qazi.

(2) **Qualification for appointment as Qazi.**---Government shall appoint a person as Qazi who,--

- (a) being a judicial officer, has undergone a prescribed Shariah course at a recognised institution; or
- (b) has obtained a specified degree of an Islamic University/Institution recognized by Government.

(3) **Declaration by a Judicial Officer.**---A Qazi shall, immediately after entering upon his office, and before starting any judicial work as such Officer, make a declaration in the form annexed to these rules.

(4) **Conduct and Character of Qazi.**---A Qazi shall try to order and maintain his official and personal conduct and character in accordance with the injunctions of Islam, Eijabi and Salbi conditions prescribed by Known Muslim Scholars for an Aadil Shahid and Qazi.

(5) **Conditions for Qazi.**---A Qazi shall try his best to take guidance from the Holy Qur'an and Sunnah. While interpreting and explaining the Shariah, the recognised principles of interpretation and explanation of the Holy Qur'an and Sunnah shall be followed and the expositions and opinions of recognised jurists of Islam belonging to prevalent Islamic schools of jurisprudence may be taken into consideration.

(6) **Qazi to follow measures and instructions of Government.**---A Qazi shall, subject to the provisions of the laws for the time being in force in the area of his jurisdiction, be bound to follow the measures taken by Government in accordance with section 6 of the Ordinance, and shall abide by the instructions issued by Government in this regard.

(7) **Involvement of Muavineen-e-Qazi.**---A Qazi, when he calls a Muavin-e-Qazi, shall

and conditions:--
appointment is...

St. No. 17

N.W.F.P. ACT IV OF 1995

KOHISTAN DISTRICT (NIFAZ-E-NIZAM-E-SHARIAH) ACT, 1995

An Act to provide for the enforcement of Nizam-e-Shariah through Courts in Kohistan District

[Gazette of N.W.F.P., Extraordinary, 23rd July, 1995]

No. PA/NWFP/Legis/95/14826.—The Kohistan District Nifaz-e-Nizam-e-Shariah Bill, 1995, having been passed by the Provincial Assembly of the North-West Frontier Province on the 4th July, 1995 and assented to by the Governor of the North-West Frontier Province on the 20th July, 1995, is hereby published as an Act of the Provincial Legislature of North-West Frontier Province.

Preamble.—Whereas it is expedient to provide for the enforcement of Nizam-e-Shariah through Courts in Kohistan;

It is hereby enacted as follows:

1. Short title, extent and commencement.—(1) This Act may be called the Kohistan District (Nifaz-e-Nizam-e-Shariah) Act, 1995.

(2) It shall extend to Kohistan District of the North-West Province.

(3) It shall come into force at once and shall be deemed to have taken effect on the 17th February, 1995.

2. Definitions.—In this Act, unless the context otherwise requires,—

- (a) "Court" means a Court of law of competent jurisdiction constituted under any law for the time being in force in Kohistan District;
- (b) "Government" means the Government of the North-West Frontier Province;
- (c) "Judicial Officer" means an Officer duly appointed to preside over a Court and designated in column 3 of the Schedule;
- (d) "Muavineen-e-Qazi" means the persons whose names appear on the current panel of Muavineen-e-Qazi drawn under section 4 to assist the Court;
- (e) "Prescribed" means prescribed by rules made under this Act;
- (f) "Schedule" means the Schedule appended to this Act;

the provisions of section 8 of the Ordinance;

(h) "Shariah" means the injunctions of Islam as laid down in the Holy Qur'an and Sunnah.

3. Court, Judicial Officers and their powers and functions.—(1) For the implementation of laws, the judicial Officers of the Courts in Kohistan District shall be designated as specified in column 3 of the Schedule.

(2) In relation to proceeding with and conducting the criminal or civil cases, all powers, functions and duties conferred, assigned or imposed on judicial Officers in the North-West Frontier Province under any law for the time being in force, shall be exercised, performed or discharged by the officers so designated as mentioned above.

4. Muavineen-e-Qazi.—(1) Government may, by notification in the Official Gazette, specify the class of cases in which a Court may call upon one or more of Muavineen-e-Qazi to associate with it for the assistance of the Court.

(2) For the purpose of subsection (1), Government shall, from time to time, draw up for Kohistan District a panel of names of up to thirty persons of Known integrity and good character to be known as Muavineen-e-Qazi.

5. Power to appoint mediator.—Where the parties to a dispute triable under this Act agree, the Court may refer it to one or more mediators appointed by mutual consent of the parties for its resolution in accordance with the Shariah.

6. Conduct of Judicial Officers.—(1) The conduct of Judicial Officers specified in the Schedule shall be in accordance with the Islamic principles.

(2) Government may, from time to time, take such measures for the purposes of subsection (1) as it may deem necessary.

7. Language of the Court and of its record.—All the processes and proceedings of the Court, including the pleadings, evidence, order, arguments and Judgement shall be recorded and conducted in Urdu, and the record of the Court shall be maintained in the said language instead of English.

8. Powers to make rules.—Government may make rules for carrying out the purposes of this Act.

9. Repeal.—(1) The North-West Frontier Province Criminal Law (Special Provisions) Act, 1977 (N.W.F.P. Act No. VIII of 1977), and the North-West Frontier Province Civil Procedure (Special Provisions) Act, 1977 (N.W.F.P. Act No. IX of 1977), are hereby repealed, and shall be deemed to have been so repealed with effect from the twelfth day of February, 1994.

Muavin-e-Qazi, shall

(3) Revision of panel---The panel shall be revised every year but Government may, at any time, include or exclude the name of one or more persons in, or from the said panel.

(4) Honoraria and allowance of a Muavin-e-Qazi---A Muavin-e-Qazi shall be entitled to such honoraria and allowances as Government may prescribe, but he shall not claim or receive any financial gain from the parties to a dispute either directly or indirectly.

(5) Duty of Muavineen-e-Qazi---A Muavin-e-Qazi shall assist the Court in arriving at a correct conclusion regarding the proper application of Islamic Laws in the circumstances of a case.

5. * MEDIATORS

(1) Duty of mediators---A mediator shall, after hearing the parties and their witnesses, if any, and after inspecting the records and the spot, if need be, shall form his opinion about the decision of a case within fifteen days of the receipt of the reference and shall immediately deliver the same to the Court.

(2) Opinion of mediators to be made rule of the Court---The Court shall, if satisfied that the opinion is in accordance with Shariah, make it the rule of the Court and shall announce it as such.

(3) Objections by a party to dispute---A party shall have no right of appeal against such opinion but he shall have the right to prove before the referring Court that either Islamic Law has not been correctly applied or it has been misinterpreted or there has been a miscarriage of justice due to any other reasonable cause.

(4) Right of appeal/revision---A party shall have the right of appeal or revision, as the case may be, against the order of the Court after he has so objected to such opinion.

(5) Remuneration of mediators---The Court shall fix the remuneration of a mediator in the circumstances of each case, with due consideration of the actual expenses incurred by the mediator by travelling to and stay at the station other than the area of his residence and of the time spent in dealing with the case. The parties shall share such expenses equally.

6. GENERAL

(1) Instructions by Government---Government may, from time to time, issue instructions for the purpose of section 8 of the Regulation, including the time schedule for processing and disposing of a dispute.

(2) Directions to the law enforcing agencies--- Government may, either generally or for a part of the district, issue directions to the law enforcing agencies available there, to actively serve the processes of the Court on the parties, witnesses or any other person and act in support of the Courts for any other specified purpose.

(3) Duty of Police Officers---It shall be the duty of the concerned Investigating Officer

"Schedule" means the Schedule appended to this

and of the Officer-in-Charge of the concerned Police Station to ensure that all the witnesses are available for recording their evidence in the Court on the date fixed therefor. Failure to properly perform this duty, shall result in disciplinary action against the defaulting Officer.

(4) Mediation at the initial stage---The trial Court may, on receipt of the first information report authorise the Tehsil Qazi to try to mediate between the parties either by himself or through a person authorised by him; provided that where the Tehsil Qazi is the trial Court, he may authorise a person for mediation.

(5) Authorisation for mediation---A party in any case may authorise any person for mediation proceedings on his behalf; provided that if an accused is in judicial lockup, his legal heirs shall stand so authorised.

(6) Conferral of powers upon Qazi---Government may empower a Civil Judge/Illaqa Qazi (Civil) with powers of a Magistrate/Illaqa Qazi (Criminal) and also may, in consultation with the High Court, empower a Magistrate/ Illaqa Qazi (Criminal) with the powers of a Civil Judge/Illaqa Qazi (Civil) for a sub-division or a Tehsil, where a Civil Judge/Illaqa Qazi (Civil) is not available.

FORM DECLARATION BY A QAZI

[See Rule 3(3)]

I,..... appointed as do hereby solemnly declare that I am a Muslim and believe in the unity and oneness of Almighty Allah, the Books of Allah, the Holy Qur'an being the last of them, the Prophethood of Muhammad (Peace Be Upon Him) as the last of the Prophets and there can be no Prophet after him, the Day of Judgment, and all the requirements and teachings of the Holy Qur'an and Sunnah;

That I shall try to order my life in accordance with the fundamental principles and basic concepts of Islam, and shall seek guidance from the Islamic Injunctions as ordained by the Holy Qur'an and Sunnah;

That I shall endeavour to order my official conduct in accordance with the Eijabi and Salbi conditions prescribed by known Muslim Scholars for an Aadil Shahid and a Qazi;

That I will not allow my personal interest to influence my official conduct or my official decisions, and shall not use my official position for achieving personal benefit or financial gain of any kind either directly or indirectly.

(May Allah Almighty help and guide me, A'meen)

Signature.....

(Name in block letters).....

Date.....

Designation.....

Court Seal

Dated, Peshawar, the 23rd July 1995

NOTIFICATION

NO.SOS-II(S&GAD)2(9)95-II:- The Governor NWFP is pleased to appoint the following candidates as EACs/Ilaqa Qazis(BPS-17) on contract basis with immediate effect:-

- (i) Mr. Inamullah S/O
Ghulam Nabi
- (ii) Mr. Mohammad Rehman S/O
Abdullah Khan
- (iii) Mr. Mohammad Ibrahim S/O
Buzer Jemehar
- (iv) Mr. Mohammad Rasool Shah S/O
Mohammad Shah
- (v) Mr. Haya-Ud-Din S/O
Rehman-Ud-Din
- (vi) Mr. Sajjad-Ur-Rehman S/O
Haji Yakub Jan
- (vii) Pirzada Noor Mohammad Shah S/O
Pir Syed Mohammad Shah
- (viii) Mr. Riaz Ali Khan S/O
Mutabar Khan
- (ix) Mr. Adil Akbar S/O
Khan Akbar
- (x) Mr. Ehsan-Ur-Rehman S/O
Shams-Ur-Rehman
- (xi) Mr. Atta-Ullah S/O
Abdul Qahar

2. Their appointment is subject to the following terms and conditions:-

- (1) The period of contract appointment shall be one year from the date of taking over charge.
- (2) Their appointment shall be regulated under the NWFP Civil Servants, Act 1973, and rules and regulations made thereunder for the purpose of conduct and discipline.
- (3) They shall be entitled to draw pay at the minimum of pay scale of BPS-17.
- (4) No TA/DA will be allowed for joining the post.
- (5) They shall be required to produce medical fitness certificate from a Standing Medical Board.

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(7) Their services shall be liable to be terminated at 15 days notice on either side. In lieu of notice period they shall be allowed 15 days pay in advance or their 15 days pay shall be forfeited.

(8) They shall be required to undergo training at the Provincial Services Academy Peshawar.

3. The candidates at S.No. iii and Viii are allocated to Kohistan District. The candidates at S.No. i, ii and iv to vii and x to xi are allocated to Malakand Division for posting. The candidate at S.No. ix is posted as Section Officer (Leave Reserved) S&GAD to monitor their performance of Qazi Courts.

SECRETARY S&GAD

Endst.No.SOS-II(S&GAD)2(9)/95.II Dated,Peshawar the 23.7.1995

A copy is forwarded to:

1. Secretary to Govt: of NWFP, Home & TA Department.
2. Secretary to Govt: of NWFP, Law Department.
3. Secretary to Governor, NWFP.
4. Secretary to Chief Minister, NWFP.
5. Director Provincial Services Academy, Peshawar.
6. Commissioners Malakand/Hazara Divisions.
7. Registrar, Peshawar High Court, Peshawar.
8. Accountant General, NWFP, Peshawar.
9. SO(S-I)/(Secret)/(General)/(E.O)/(Programmer)S&GAD
10. P.S to Minister S&GAD
11. P.S to Chief Secretary, NWFP.
12. P.S to Secretary S&GAD.
13. All the candidates concerned
14. Manager Govt: Printing Press, Peshawar.
15. PAs to all Addl: Secretaries/Deputy Secretaries in S&GAD
16. Office Order file.

Bismillah Shah 23/7/95
(BISMILLAH SHAH)
SECTION OFFICER(SERVICES-II)

"JOB OPPORTUNITIES"

Applications are invited from highly motivated candidates having domicile of Khyber Pakhtunkhwa and newly merged areas against the following vacant posts on regular basis.

S.No	Name of Post	BPS	No's of Post	Age	Qualification
1	Assistant Moharar/	14	04	18-32	BA/BSc/B.Com & Equivalent with 06 years experience.
2	Key Punch Operator	12	03	18-32	BA/BSc/B.Com & Equivalent
3	Stenographer	12	01	18-32	FA/FSc with Shorthand & typing Speed up to 40 WPM
4	Junior Clerk	07	04	18-32	FA/FSc or Equivalent with Typing Speed up to 40 WPM
5	Driver	04	04	18-40	Middle pass having "LTV" Driving License
6	Naib Qasid	01	04	18-40	Middle Pass
7	Chowkidar	01	03	18-40	-

Term & Conditions:-

1. Age relaxation in deserving cases can be considered as per Government rules. 2. Only shortlisted candidates will be called for test/interview. 3. No TA/DA will be admissible for test/interview. 4. Application form alongwith attested copies of Testimonials, Experience Certificates, CNIC, Domicile Certificate and a recent photograph should reach on PO Box No. 131 within 15 days of advertisement. 5. Incomplete or applications received after closing date will not be entertained. 6. Government employee should apply through proper channel. 7. The competent authority reserves the right to change the terms & condition, not to fill, increase/decrease vacancies or cancel recruitment process without any reason. 8. Errors/omissions are subject to rectification.

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DEPARTMENT OF LAW
PESHAWAR

Dated Peshawar, the 4th August, 1996

NOTIFICATION

No. SOS-II(S&GAD)2(9)/95-II :- The competent authority is pleased to extend the contract appointment of the following EACs/Illaqā Qazis for a further period of one year with effect from 23.7.1996, on the existing terms and conditions of appointment :-

SI No	Name of officer
1)	Mr Inamullah, Illaqā Qazi Daggar.
2)	Mr Muhammad Rehman, Illaqā Qazi, Lal Qila (Dir)
3)	Mr Muhammad Ibrahim, Illaqā Qazi, Pattan (Kohistan)
4)	Mr Muhammad Rasool Shah, Illaqā Qazi, Malakand.
5)	Mr Haya-ud-Din, Illaqā Qazi, Dalambat (Timergara)
6)	Mr Sajjad-ur-Rehman, Illaqā Qazi, Dir.
7)	Pirzada Noor Mohammad Shah, Illaqā Qazi, Khall (Dir)
8)	Mr Riaz Ali Khan, Illaqā Qazi, Dassu
9)	Mr Adil Akbar, Illaqā Qazi, Dargai
10)	Mr Ehsan-ur-Rehman, Illaqā Qazi, Jandool.
11)	Mr Atta Ullah, Illaqā Qazi, Matta (Swat).

SECRETARY S&GAD.

Endst: No. SOS-II(S&GAD)2(9)/95-II Dated 4-8-1996

A copy is forwarded to :-

1. Secretary to Govt. of NWFP., Law Department.
2. Secretary to Govt. of NWFP., Home & T.As Deptt:
3. Commissioner Hazara / Malakand Division.
4. D.C. Dir, Swat, Shangla, Bunir & Kohistan.
5. P.A. Malakand Agency.
6. Distt: Accounts Officers, Swat, Dir, Shangla, Bunir
7. Agency Accounts Officer Malakand.

10. Secretary S&GAD.
11. SO (Secret)/Programmer, S&GAD.
12. All the officers concerned.
13. Manager Govt. Printing Press Peshawar.
14. PA to AS(S)/DS(S) S&GAD.
15. Office order file.

Bismillah Shah
(BISMILLAH SHAH)
SECTION OFFICER(SERVICES.II) 4/8/96

NOTIFICATION

No. SOS-II (S&GAD) 2(9)/95-II. The competent authority is pleased to extend the contract appointment of the following EACs/Ilaga Qazis for a further period of one year with effect from 23.7.1997, on the existing terms and conditions of appointment :-

Sl. No.	Name of Officer with designation
1.	Mr. Inamullah, EAC/Ilaga Qazi Khaki (Dir)
2.	Mr. Muhammad Rehman, EAC/Ilaga Qazi Lal Qilla (Dir)
3.	Mr. Muhammad Ibrahim, EAC/Ilaga Qazi Pattan (Kohistan).
4.	Mr. Muhammad Rasool Shah, EAC/Ilaga Qazi Malakand.
5.	Mr. Haya-ud-Din, EAC/Ilaga Qazi Balambat (Timersarah)
6.	Mr. Sajjad-ur-Rehman, EAC/Ilaga Qazi Daggar (Bunir)
7.	Pirzada Noor Muhammad Shah, EAC/Ilaga Qazi Dir.
8.	Mr. Riaz Ali Khan, EAC/Ilaga Qazi Dassu (Kohistan)
9.	Mr. Adil Akbar, EAC/Ilaga Qazi Dargai.
10.	Mr. Ehsan-ur-Rehman, EAC/Ilaga Qazi Jandool (Dir)
11.	Mr. Atta Ullah, EAC/Ilaga Qazi Matta (Swat).

SECRETARY, S&GAD.

Endst: No. SOS-II (S&GAD) 2(9)/95-II Dated 5.8.1997

A copy is forwarded to :-

1. Secretary to Govt. of NWFP., Law Department.
2. Secretary to Govt. of NWFP., Home & TAs Deptt.
3. Commissioner, Hazara / Malakand Division.

- 10. PS to SA...
- 11. All the Officers concerned.
- 12. Manager Govt. Printing Press, Peshawar.
- 13. PA to AS(S)/DS(S) - SECAB.
- 14. Office order file.

BISMILLAH SHAH
Section Officer (Services)

GOVERNMENT OF NW.F.P.
FEDERAL GOVERNMENT ADVISORY DEPARTMENT
(SERVICES/ADMIN.)

Dated Peshawar, the 16th June, 1999

NOTIFICATION

No. SOS-III(S&AD)2(9)/95-III. In continuation of this Department notification of even number dated 15.10.98, the competent Authority is pleased to extend the period of contract appointment in respect of the following EACs/Thilaga Qazis for a further period of one year w.e.f. 23.7.1999 on the existing terms and conditions of appointment:-

<u>S.No.</u>	<u>Name of officer with designation.</u>
1)	Mr. Inamullah, EAC/Thilaga Qazi, Malakand.
2)	Mr. Muhammad Rehman, EAC/Thilaga Qazi, Daska.
3)	Mr. Muhammad Torajam, EAC/Thilaga Qazi, Pattan.
4)	Mr. Muhammad Rasool Shah, EAC/Thilaga Qazi, Lal Qila.
5)	Mr. Haya-ud-Din, EAC/Thilaga Qazi, Balambat/Tumergara.
6)	Mr. Sajjad-ur-Rehman, EAC/Thilaga Qazi, Daggan.
7)	Pirzada Noor Muhammad Shah, EAC/Thilaga Qazi, Khail (Wari).
8)	Mr. Riaz Akh Khan, EAC/Thilaga Qazi, Kabal (Swat).
9)	Mr. Ehsan-ur-Rehman, EAC/Thilaga Qazi, Dar.
10)	Mr. Atva-ud-Din, EAC/Thilaga Qazi, Khawaza-Khela.

SECRETARY S&AD.

Dist: No. SOS-III(S&AD)2(9)/95-III Dated: 16/6/1999.

A copy is forwarded to:-

- (1) Secretary to Govt. of NWFP, Home & T. As. Deptt.
- (2) Secretary to Govt. of NWFP, Law Department.
- (3) Commissioner Hazara/Malakand Division

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GOVERNMENT OF N.W.F.P.
SERVICES AND GENERAL ADMIN. DEPARTMENT
(SERVICES WING)

Dated Peshawar, the 5th September, 2000

NOTIFICATION

No. SOS-II(S&GAD)2(9)/95-II:- In continuation of this Department Notification of even number dated 16.6.1999, the Competent Authority is pleased to extend the period of contract appointment in respect of the following EACs/Illaga Qazis for a further period of one year i.e. 23-7-2000 on the existing terms & condition of appointment:-

- | S.No. | Name of officer with designation |
|-------|--|
| (1) | Mr. Inamullah,
EAC/Illaga Qazi,
presently O.S.B. S&GAD |
| (2) | Mr. Muhammad Rehman,
EAC/Illaga Qazi, Dasso |
| (3) | Mr. Muhammad Ibrahim,
EAC/Illaga Qazi, Pattan |
| (4) | Mr. Muhammad Rasool Shah,
EAC/Illaga Qazi, Lal Qilla. |
| (5) | Mr. Haya-ud-Din,
EAC/Illaga Qazi, presently EAC Swat. |
| (6) | Mr. Sajjad-ur-Rehman,
EAC/Illaga Qazi, now under posting
Order to S&GAD. |
| (7) | Pirzada Noor Mohammad Shah,
EAC/Illaga Qazi presently EAC Swat. |
| (8) | Mr. Riaz Ali Khan,
EAC/Illaga Qazi Kabal (Swat) |
| (9) | Mr. Ehsan-ur-Rehman,
EAC/Illaga Qazi, Dir. |
| (10) | Mr. Attaullah,
EAC/Illaga Qazi, Khawaga Khela. |

SECRETARY S&GAD.

Endst: No. SOS-II(S&GAD)2(9)/95-II Dated 5.9.2000

A copy is forwarded to:-

- (1) Secretary to Govt. of NWFP., Law Department.
- (2) Secretary to Govt. of NWFP., Home Department.
- (3) Registrar, Peshawar High Court, Peshawar.
- (4) Commissioner Malakand Division/Hazara Division.
- (5) D.C. Dir, Swat, Bunir & Kohistan.
- (6) Political Agent, Malakand.
- (7) Deputy Secretary (Adm) S&GAD.
- (8) Distt. Accounts Officers, Dir, Swat, Bunir & Kohistan.
- (9) Accountant General NWFP, Peshawar.

GOVERNMENT OF PUNJAB
ESTABLISHMENT DEPARTMENT

Dated Peshawar the 15.8.2003.

NOTIFICATION

NO. 902/11-ED/2003-5-111

In compliance of this Department's Notification of even number dated 03.08.2003, the Provincial Government is pleased to extend the period of contract appointment in respect of the following EACs/A'laqa Qazis with effect from 22.7.2003:-

1. Mr. Muhammad Rehman.
2. Mr. Muhammad Ibrahim.
3. Mr. Muhammad Rasool Shah.
4. Mr. Haya-ud-Din.
5. Mr. Saif-ur-Rehman.
6. Pirzada Noor Muhammad Shah.
7. Mr. Riaz Ali Khan.
8. Mr. Ehsan-ur-Rehman.
9. Mr. Attaullah.

2- The extension in contract of the above EACs/A'laqa Qazis will be subject to the existing terms & conditions with the following modifications/additions:-

- i) Their contract appointment/extension will be for minimum three years and shall stand automatically terminated on the expiry of the extended period of contract.
- ii) They will execute a revised agreement bond for their contract appointment with the Govt.
- iii) Their services under the present contract shall not qualify for pension/gratuity.
- iv) They will not contribute towards G.P. Fund. However, they will contribute towards C.P. Fund @ 5% of minimum of pay scale and an equal amount of 5% contribution will be made by the Govt as per rules.

They shall not be considered for regularization of contract service.

Their services will be liable to termination with or without reason on two month's notice from either side. In case of termination without notice by the employer or two months from the employee for resignation, two months pay allowances shall be paid by the Govt or refunded by employee as the case may be.

- vii) They will be allowed TA/DA as admissible to Govt employees under the rules.
- viii) They will get pay at the minimum of BPS-17 including usual allowances as admissible under the rules. They will also be entitled to annual increment as per existing contract policy.

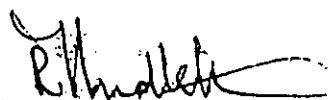
**SECRETARY,
ESTABLISHMENT**

II(ED)249/05.II

Dated Pesh: the, 15.8.2003

Copy is forwarded to:-

1. The Secretary to Govt: of NWFP Home & TAs Department.
2. The Secretary to Govt: of NWFP Law Department.
3. Secretary to Chief Minister NWFP, Peshawar.
4. Secretary to Governor, NWFP.
5. The Registrar, Peshawar High Court.
6. The District Coordination Officers, Kohistan, Swat, Dir(Upper), Dir(Lower), Buner, Shangla and Malakand.
7. Accountant General, NWFP Peshawar.
8. The Deputy Secretary (Admn.) E&A Department.
9. District Accounts Officers, Dir(Upper), Dir(Lower), Kohistan, Swat, Buner and Shangla.
10. Agency Accounts Officer, Malakand.
11. S.O. (Secret) Establishment Department.
12. PS to Chief Secretary NWFP.
13. PS to Secretary (Establishment).
14. Officers concerned.
15. PA to AS(E)/DS(E) Estt. Deptt.
16. Office order file.
17. Personal files of the officers concerned.


(RASHID KHAN)
Section Officer(E-II)

87
16/8/03

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**GOVERNMENT OF NWFP
ESTABLISHMENT DEPARTMENT**

Dated Peshawar the 25.08.2006.

NOTIFICATION

NO.SOE-II (ED)2(9)95.II:-

In continuation of this Department's Notification of even number dated 15.08.2003, the Provincial Government is pleased to extend the period of contract appointment in respect of the following EACs/Illaqā Qazis on the existing terms and conditions of appointment with effect from 22.7.2006 for a further period of three years or till the finalization of their regularization case, which ever is earlier:-

1. Mr.Muhammad Rehman.
2. Mr.Muhammad Ibrahim.
3. Mr.Muhammad Rasool Shah.
4. Mr.Haya-ud-Din.
5. Mr.Sajjad-ur-Rehman.
6. Pirzada Noor Muhammad Shah.
7. Mr.Riaz Ali Khan.
8. Mr.Ehsan-ur-Rehman.

**CHIEF SECRETARY
NWFP**

ENDST:NO.SOE-II(ED)2 (9)/95.II

Dated Pesh: the, 25.08.2006

A Copy is forwarded to:-

1. The Secretary to Govt: of NWFP Home & TAs Department.
2. The Secretary to Govt: of NWFP Law Department.
3. Secretary to Chief Minister NWFP, Peshawar.
4. Secretary to Governor, NWFP.
5. The Registrar, Peshawar High Court.
6. The District Coordination Officers, Kohistan, Swat, Dir(Upper), Dir(Lower), Buner, Shangla and Malakand.
7. Accountant General, NWFP Peshawar.
8. The Deputy Secretary (Admn:) E&A Department.
9. District Accounts Officers; Dir(Upper), Dir(Lower), Kohistan, Swat, Buner and Shangla.
10. Agency Accounts Officer, Malakand.
11. S.O.(Secret) Establishment Department.
12. PS to Chief Secretary NWFP.
13. PS to Secretary (Establishment).
14. Officers concerned (C/O Peshawar High Court).
15. PA to AS(E)/DS(E) Estt. Deptt.
16. Office order file.
17. Personal files of the officers concerned.


(SECRETARY)

2
19



Dated Peshawar the May 19 2011

NOTIFICATION

NO.SOE-II(ED)2(9)/2010/Vol-II:- In continuation of this Department Notification No. SOE-II(ED)2(9)95:II dated 15.09.2009, the Provincial Government is pleased to extend the period of contract appointment in respect of the following EACs/Ilaga Qazis on the existing terms and conditions of appointment w.e.f. 22.07.2010 till further orders, in the public interest:-

1. Mr. Muhammad Rehman.
2. Mr. Muhammad Ibrahim.
3. Mr. Muhammad Rasool Shah.
4. Mr. Haya-ud-Din.
5. Mr. Sajjad-ur-Rehman.
6. Pirzada Noor Muhammad Shah.
7. Mr. Riaz Ali Khan.
8. Mr. Ehsan-ur-Rehman.

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

ENDST: NO & DATE EVEN

A copy is forwarded to:-

1. Secretary to Govt. of Khyber Pakhtunkhwa, Home & TAs Department.
2. Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
3. Divisional Commissioners, Hazara & Malakand Division.
4. Accountant General, Khyber Pakhtunkhwa.
5. All District Coordination Officers in Malakand Division & Kohistan.
6. All District Accounts Officers, in Malakand Division & Kohistan.
7. Officers concerned.
8. SO(Secret)/ EO/Librarian, B&A Department.
9. PS to Chief Secretary, Khyber Pakhtunkhwa.
10. PS to Secretary Establishment.
11. PAs to AS(E)/DS(E) Establishment Department.
12. Office order file.
13. Personal file of the officers.

Faryal Kazim
19.0
(FARYAL KAZIM)



Dated Peshawar the May, 29, 2012

NOTIFICATION

NO.SOE-II(ED)2(9)/2010/Vol-II:-

In pursuance of Khyber Pakhtunkhwa Extra-Assistant-Commissioners-cum-Illaq Qazi (Regularization of Services) Act, 2012, the competent authority is pleased to appoint the following eight (08) erstwhile Illaq Qazis/EACs (BS-17) on regular basis w.e.f. 17.03.2012, in the public interest:-

S.#	Name of officer	Present posting
1.	Mr. Muhammad Rehman	ACO, Kohistan
2.	Mr. Muhammad Ibrahim	DDO(J), Dargai
3.	Mr. Muhammad Rasool Shah	Secretary, Distt: Public Safety Commission, Dir Lower
4.	Mr. Haya-ud-Din	DDO(R), Khado Khel Buner
5.	Mr. Sajjad-ur-Rehman	Section Officer, Law Department.
6.	Pirzada Noor Muhammad Shah	DDO(R) Babuzai Swat
7.	Mr. Riaz Ali Khan	DDO(J), Malta Swat.
8.	Mr. Ehsan-ur-Rehman	DDO(R) Gagra Buner

2. They shall be deemed to be Civil Servants and be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973) as amended from time to time and the rules made thereunder.

3. Consequent upon the above, their services are placed at the disposal of Section Officer (E-V)/Surplus Pool, Establishment Department for their appointment/adjustment on equivalent post under the Surplus Pool policy.

**CHIEF SECRETARY
KHYBER PAKHTUNKHWA**

ENDS: NO & DATE EVEN

A copy is forwarded to:

- Secretary to Govt. of Khyber Pakhtunkhwa, Home & TAs Department.
- Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
- Divisional Commissioners, Hazara & Malakand Division.
- Accountant General, Khyber Pakhtunkhwa.
- All District Coordination Officers in Malakand Division & Kohistan.
- All District Accounts Officers, in Malakand Division & Kohistan.
- Officers concerned.
- SO(Secret)/SOE-I/SO(E-V)/EO/Librarian, E&A Department.
- PS to Chief-Secretary, Khyber Pakhtunkhwa.
- PS to Secretary Establishment.
- PS to Special Secretary (Estt), Establishment Department.
- PA's to AS(E)/DS(E) Establishment Department.
- Office order file.
- Personal file of the officers.

(FARYAL KAZIM)
SECTION OFFICER(I-II)



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Annex-F 25

Divisional Magistrate
and District
Management
of Business
Department

No. SOE-II(ED)2(9)/2010

Dated Peshawar the December 26, 2019

To

Mr. Arshad Ali (PMS BS-18),
Deputy Secretary,
Finance Department.

Subject:-

INQUIRY AGAINST MR. SAJJAD UR REHMAN, REGISTRAR, EX-FATA TRIBUNAL, PESHAWAR.

Dear Sir,

I am directed to refer to the captioned subject and to state that Chief Secretary, Khyber Pakhtunkhwa (Competent Authority) has approved to initiate an inquiry against Mr. Sajjad Ur Rehman, Ex-EAC/Illaqa Qazi (BS-17), Registrar, Ex-FATA Tribunal, Peshawar under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

Consequently, the Competent Authority has further been pleased to appoint you as Inquiry Officer to investigate the charges and conduct an inquiry under the provisions of the said Rules against the aforesaid officer in light of the attached Charge Sheet / Statement of Allegations.

I am, further directed to request that findings / reports may be submitted with a period of 30 days.

Yours faithfully,

Beenish Iqbal
26/12/19

(BEENISH IQBAL)
SECTION OFFICER (E-II)
Ph. 091-9210551

o/c

Encl: As above.

ENDST: NO. & DATE EVEN.

Copy forwarded to the: -

- i. Secretary to Govt. of Khyber Pakhtunkhwa, Home Department with the request to nominate a departmental representative well conversant with the facts of the case alongwith relevant records to assist the Inquiry Officer during Inquiry proceedings.
- ii. Officer concerned alongwith Charge Sheet and Statement of Allegation, with the direction to appear before the Inquiry Officer on the date, time and venue fixed by the Inquiry Officer for the purpose and submit reply within stipulated time.
- iii. PS to Secretary Establishment.

Fakir 173301-9430998-7

J
26/12/19

o/c

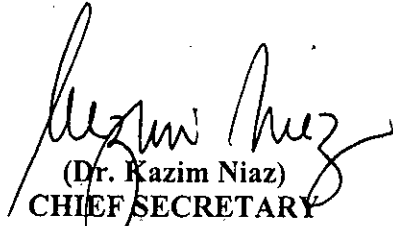
Beenish Iqbal
26/12/19
SECTION OFFICER (E-II)

CHARGE SHEET

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I, Dr. Kazim Niaz, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, hereby charge you, Mr. Sajjad ur Rehman, Ex-EAC/Illaqa Qazi (BS-17), Registrar, Ex-FATA Tribunal, Peshawar. That you while posted as Registrar, Ex-FATA Tribunal, Peshawar, committed the following irregularities:

- i. That you advertised 23 number vacant positions (BPS-01 to 14) on 9th February, 2019 for Ex-FATA Tribunal without the approval of the Competent Authority.
 - ii. That you without any legal authority, notified scrutiny committee comprising of daily wages / contract employees namely Mr. Nadir Shah, Junior Clerk, Mr. Naveed-ur-Rehman, Junior Clerk and Mr. Arif Jan, Junior Clerk who were also candidates for the vacant posts advertised in press.
 - iii. That you constituted a Ghost Departmental Selection Committee vide letter No. R/11/2018-19/FT/R/11/995 dated 04.12.2019 (the date which has not yet come).
 - iv. That you issued appointment orders of 24 candidates against 23 posts and that also without recommendation of the Departmental Selection Committee.
 - v. That you failed to produce office record, rather you submitted freshly printed copies to the fact-finding Inquiry Committee which were signed in front of the members of the Inquiry Committee during proceedings.
 - vi. That you appointed candidates who were overage at the time of appointment without relaxing the upper age limit from the Competent Authority.
2. By reason of the above, you appear to be guilty of misconduct under Rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rule 4 of the rules *ibid*.
3. You are, therefore, required to submit your written defence within seven (07) days of the receipt of this Charge Sheet to the inquiry officer/ Committee, as the case may be.
4. Your written defence, if any, should reach the inquiry officer / inquiry committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case *ex-parte* action shall be taken against you.
5. Intimate whether you desire to be heard in person.
6. The Statement of allegations is enclosed.


(Dr. Kazim Niaz)
CHIEF SECRETARY
KHYBER PAKHTUNKHWA
(COMPETENT AUTHORITY)

DISCIPLINARY ACTION

I, Dr. Kazim Niaz, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, am of the opinion that Mr. Sajjad ur Rehman, Ex-EAC/Illaqa Qazi (BS-17), Registrar, Ex-FATA Tribunal, Peshawar has rendered himself liable to be proceeded against, as he has committed the following act /omission within the meaning of Rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

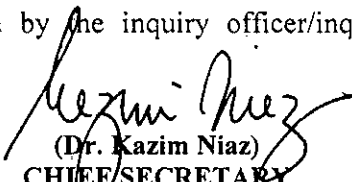
STATEMENT OF ALLEGATIONS

- i. That he advertised 23 number vacant positions (BPS-01 to 14) on 9th February, 2019 for Ex-FATA Tribunal without the approval of the Competent Authority.
 - ii. That he without any legal authority, notified scrutiny committee comprising of daily wages / contract employees namely Mr. Nadir Shah, Junior Clerk, Mr. Naveed-ur-Rehman, Junior Clerk and Mr. Arif Jan, Junior Clerk who were also candidates for the vacant posts advertised in press.
 - iii. That he constituted a Ghost Departmental Selection Committee vide letter No. R/11/2018-19/FT/R/11/995 dated 04.12.2019 (the date which has not yet come).
 - iv. That he issued appointment orders of 24 candidates against 23 posts and that also without recommendation of the Departmental Selection Committee.
 - v. That he failed to produce office record, rather you submitted freshly printed copies to the fact-finding Inquiry Committee which were signed in front of the members of the Inquiry Committee during proceedings.
 - vi. That he appointed candidates who were overage at the time of appointment without relaxing the upper age limit from the Competent Authority.
2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/inquiry committee, consisting of the following, is constituted under rule 10 (1) (a) of the ibid rules:

- 1. Mr. Ayshad Ali (PMS BS-18)
- 2. DS Finance

3. The inquiry officer/inquiry committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings and make, within thirty days of the receipt of this order, recommendations as to the punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the Department shall join the proceedings on the date, time and place fixed by the inquiry officer/inquiry committee.


 (Dr. Kazim Niaz)
 CHIEF SECRETARY
 KHYBER PAKHTUNKHWA
 (COMPETENT AUTHORITY)



OFFICE OF THE
REGISTRAR FATA TRIBUNAL
PESHAWAR

ORDER

No. R/11/2018-19/1116 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Muhammad Adnan S/o Tasbeeh Ullah against the vacant post of Assistant/Moharar BPS-14 (15180-1170-50280) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-14 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

REGISTRAR
FATA TRIBUNAL

REGISTRAR
FATA TRIBUNAL

OFFICE OF THE
REGISTRAR FATA TRIBUNAL
PESHAWAR



98 116 31
OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/ 1122 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Kafil Ahmad S/o Lal Badshah against the vacant post of Assistant/Moharar BPS-14 (15180-1170-50280) in FATA Tribunal at Peshawar under rule 10: sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions:

1. He will get pay at the minimum of BPS-14 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

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REGISTRAR
FATA TRIBUNAL

Copy to:

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. PS to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

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REGISTRAR
FATA TRIBUNAL



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OFFICE OF THE
REGISTRAR, FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/ 1166 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Naveed Ur Rehman S/o Muhammad Shah Afridi against the vacant post of Assistant/Moharar BPS-14 (15180-1170-50280) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-14 including usual allowances as admissible under the rules; He will be entitled to annual increment as per existing policy;
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

31
REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. PS to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

31
REGISTRAR
FATA TRIBUNAL

OFFICE OF THE
REGISTRAR, FATA TRIBUNAL,
PESHAWAR



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OFFICE OF THE
REGISTRAR FATA TRIBUNAL
PESHAWAR

ORDER

No. R/11/2018-19/1113 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Tahir Khan S/o Arsala Khan against the vacant post of Assistant/Moharar BPS-14 (15180-1170-50280) in FATA Tribunal at Peshawar under rule 10 sub-rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-14 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

REGISTRAR
FATA TRIBUNAL

ORDER

No. R/11/2018-19/ III O dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Adnan Khan (S/O wall Khan) against the vacant post of Key Punch Operator BPS-12 (13320-960-42120) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-12 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

REGISTRAR
FATA TRIBUNAL

ORDER

No. R/11/2018-19/ 1121 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Sami Ullah S/O Zalmi Khan against the vacant post of Key Punch Operator BPS-12 (13320-960-42120) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-12 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/1119 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Muhammad Shoeb. S/O Jehanzab Khan. against the vacant post of Key Punch Operator BPS-12 (13320-960-42120) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions:

1. He will get pay at the minimum of BPS-12 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt: to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof; 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

REGISTRAR
FATA TRIBUNAL

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01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

REGISTRAR
FATA TRIBUNAL



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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/1112 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Arif Jan S/o Afsar Jan against the vacant post of Junior Clerk BPS-07 (10990-610-29290) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-07 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt: to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

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FATA TRIBUNAL



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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/ UUS dated: 08.03.2019 On: Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr, Ikram Ullah S/o Rahmat Ali against the vacant post of Junior Clerk BPS-07 (10990-610-29290) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-07 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

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REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

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FATA TRIBUNAL

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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR



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OFFICE OF THE
REGISTRAR
FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/1111 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Nadir Shah S/O. Nadir Shah against the vacant post of Junior Clerk BPS-07 (10990-610-29290) in FATA Tribunal at Peshawar under rule 10 subrule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-07 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt: to his account in the said fund; in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

31
REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

31
REGISTRAR
FATA TRIBUNAL

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ORDER

No. R/11/2018-19/1131 dated 08/05/2019 on Recommendation of the Departmental Selection Committee, the competent authority is pleased to appoint Mr. Muhammad Tousaf Khan S/o Zaman Shah against the vacant post of Junior Clerk BPS-07 (10990-610-29290) in FATA Tribunal Peshawar under rule 10 sub rule 2 of Civil Servants (Appointment, promotion and transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-07 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to received such amount as would be contributed by him towards general gratuity, he shall be entitled to receive such amount as would be contributed by him towards General provident Fund (GPF) along with the contributions made by GOVT: to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.

If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

Registrar
FATA Tribunal

Copy to ;

1. The Accountant General Pakistan Revenues sub Office, Peshawar
2. Ps to ACS FATA, Peshawar.
3. PS to Secretary Law & Order FATA, Peshawar
4. PS to Secretary Finance FATA, Peshawar
5. Personal File
6. Official concerned

Registrar
FATA Tribunal



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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/1117 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Muhammad Awais S/o Naseer Ahmad against the vacant post of Driver BPS-04 (9900-440-23100) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant: (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-04 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

REGISTRAR
FATA TRIBUNAL

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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/1194 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Ziafat Ullah Khan S/o Niamat Ullah Khan against the vacant post of Driver BPS-04 (9900-440-23100) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:


Terms & conditions;

1. He will get pay at the minimum of BPS-04 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt: to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.


REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.


REGISTRAR
FATA TRIBUNAL

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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR.

No. R/11/2018-19/1120 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Sadiq Shah S/o Sher Zaman against the vacant post of Driver BPS-04 (9900-440-23100) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-04 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt: to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

31
REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

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FATA TRIBUNAL

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PESHAWAR

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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/1125 dated: 08-03-2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Yaseen Khan S/o Faroz Din against the vacant post of Driver BPS-04 (9900-440-23100) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-04 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.


REGISTRAR
FATA TRIBUNAL

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01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.


REGISTRAR
FATA TRIBUNAL

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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/114 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Faheem Shehzad S/o Hidayat Ullah against the vacant post of Naib Qasid BPS-01 (9130-290-17830) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-01 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt: to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

REGISTRAR
FATA TRIBUNAL

OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR



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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/1108 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Naveed Ahmad S/o Sami ul Haq against the vacant post of Naib Qasid BPS-01 (9130-290-17830) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-01 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt: to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

REGISTRAR
FATA TRIBUNAL

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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/1107 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Muhammad Shoalb S/o Arsala Khan against the vacant post of Naib Qasid BPS-01 (9130-290-17830) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions.

Terms & conditions;

1. He will get pay at the minimum of BPS-01 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt: to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

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REGISTRAR
FATA TRIBUNAL

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REGISTRAR
FATA TRIBUNAL

ORDER

No. R/11/2018-19/1123 dated: 08.03.2019 On the basis of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. [Name] against the vacant post of Naib Qasid BPS-01 (9130-290-17830) in FATA Tribunal at Peshawar under rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-01 including usual allowances admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as was contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay, will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

REGISTRAR
FATA TRIBUNAL

49

ORDER

No. R/11/2018-19/1109 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Kharul-Bashar (S/O Ghilab Dini) against the vacant post of Naib Qasid BPS-01 (9130-290-17830) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-01 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.


REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.


REGISTRAR
FATA TRIBUNAL

IN THE
REGISTRAR FATA TRIBUNAL
PESHAWAR

ORDER

No. R/11/2018-19/ 1132 . dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Ikram Ullah, S/O Shabbaz Khan, against the vacant post of Naib Qasid BPS-01 (9130-290-17830) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-01 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.


REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.


REGISTRAR
FATA TRIBUNAL



118
136
01

OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/1105 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Zia ur Reham S/O Zahid Din against the vacant post of Chowkedar BPS-01 (9130-290-17830) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-01 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt: to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

REGISTRAR
FATA TRIBUNAL



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OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/1129 dated: 04.04.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Reedad S/o Gul Dad Khan against the vacant post of Chowkidar BPS-01 (9130-290-17830) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-01 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

3
REGISTRAR
FATA TRIBUNAL

Copy to:

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

3
REGISTRAR
FATA TRIBUNAL

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OFFICE OF THE
REGISTRAR FATA TRIBUNAL
PESHAWAR

ORDER

No. R/11/2018-19/1126 dated: 08-03-2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Bahar Ali S/o Mahmood Khan against the vacant post of Chowkedar BPS-01 (9130-290-17830) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-01 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt. to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

REGISTRAR
FATA TRIBUNAL

Copy to;

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. Ps to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

REGISTRAR
FATA TRIBUNAL

Deputy Secretary
(Law & Order)

(Law & Order)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

54

Annex-4

Dated Peshawar the September 10, 2020

NOTIFICATION

NO.SOE-II(ED)2(9)2010:- WHEREAS, Mr. Sajjad ur Rehman, Ex-EAC / Illaqa Qazi (BS-17), Registrar, Ex-FATA Tribunal, Peshawar was proceeded against under Rule-5 of Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 for the charges mentioned in the Charge Sheet & Statement of Allegations served upon him on 26.12.2019;

AND WHEREAS, Mr. Arshad Ali (PMS BS-18), Deputy Secretary, Finance Department was appointed as Inquiry Officer to conduct enquiry against the said officer;

AND WHEREAS, the Inquiry Officer after having examined the charges, evidence on record and explanation of the accused officer, submitted his report, whereby the charges levelled against the accused officer stand proved;

NOW THEREFORE, the competent authority (Chief Minister, Khyber Pakhtunkhwa) after having considered the charges, evidence on record, the explanation of the accused officer, findings of the inquiry officer and outcome of the personal hearing; while exercising his powers under rule-14(5)(ii) read with rule-3 of the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 has been pleased to impose the major penalty of "Removal from Service" under rule 4(b)(iii) of ibid rules upon Mr. Sajjad ur Rehman, Ex-EAC / Illaqa Qazi (BS-17), Registrar, Ex-FATA Tribunal, Peshawar.

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

ENDST: NO. & DATE EVEN.

A copy is forwarded to the:-

1. Additional Chief Secretary, Merged Areas Secretariat, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Secretary to Government of Khyber Pakhtunkhwa, Home and Tribal Affairs Department.
4. Accountant General, Khyber Pakhtunkhwa.
5. SO(Secret)/SO(Admn)/EO/Librarian, Establishment Department.
6. PS to Chief Secretary, Khyber Pakhtunkhwa.
7. Officer concerned.
8. PS to Secretary Establishment Department, Khyber Pakhtunkhwa.
9. PS to Special Secretary (Estt), Establishment Department, Khyber Pakhtunkhwa.
10. PA to Deputy Secretary (Estt), Establishment Department, Khyber Pakhtunkhwa.
11. Personal file.

Handwritten notes and signatures:
10/9/20
10/9/20

Handwritten signature and date:
o/c (10/9/20)
(SHAHBAZ KHATTAK)
SECTION OFFICER
(ESTABLISHMENT-II)

To,

Chief Minister,
Khyber Pakhtunkhwa,
Peshawar,

Subject: **Reply to the show cause notice dated 07.05.2020 received on 20.05.2020.**

Respected Sir,

I very humbly submit the following few lines for your kind and sympathetic consideration:-

1. That I have served the department for more than 25 years and ever since my appointment I am performing my duties as assigned with zeal and devotion and have never given any chance of complaint whatsoever regarding my performance.
2. That while serving in the said capacity I was served with a charge sheet along with statement of allegation dated NIL, containing certain false and baseless allegations.
 - I. That you advertised 23 number vacant positions (BPS-01 to 14) on 9th February 2019 for FATA Tribunal without the approval of the Competent Authority.
 - II. That you without any legal authority, notified scrutiny committee comprising of daily wages/contract employee namely Mr. Nadir Shah, Junior Clerk, Mr. Naveed ur Rehman, Junior Clerk and Mr. Arif Jan, Junior Clerk who were also candidates for the vacant posts advertised in press.
 - III. That you constituted a ghost Department Selection Committee vide letter No. R/11/2018-19/FT/R/11/995 dated 04.12.2019 (the date which has not yet come).
 - IV. That you issued appointment orders of 24 candidates against 23 posts and that also without recommendation of the Department Selection Committee.
 - V. That you failed to produce office record, rather you submitted freshly printed copies to the fact-finding inquiry Committee which were signed in front of members of the inquiry Committee during proceedings.

VI. That you appointed candidates who were overage at the time appointment without relaxing the upper age limit from the Competent Authority.

3. That I duly replied the false and baseless allegation by denying all the allegation leveled against me by replying in brief.

4. That thereafter a partial inquiry has been conducted and it has been learnt by me vide the subject show cause notice that I have been recommended for major punishment of **Removal from service**.

5. That I once again deny the allegations leveled against me as false and baseless, the undersigned has been falsely roped in the instant case, as replying is answered up to the extent of 23 No of vacant posts were duly advertised in print media vide dated 9th of February 2019 in daily AAJ and Aeen with the approval of the Competent Authority vide office order dated 21.03.2016 and 23.06.2016 and after merger of FATA with the approval of the Chairman of Tribunal dated 24.07.2018.

6. That after advertisement thousands of application were received so placing all the document in a proper order for calling up the candidates for the posts in questions the Tribunal was not having the permanent employees as after merger the regular permanent employee were taken back by their parent department and left with contractual employees working in the Tribunal for more than decade, in order to scrutinize the process by fulfilling all the legal and codal formalities the candidates were called for test to short list them and when successful call for the interview, furthermore in such process no favoritism or nepotism was given to any of the candidate as all of them were eligible candidates and also gone through the rigors of selection process, even today their eligibility and suitability can be ascertained from their education testimonial and eligibility for the post against which they been appointed.

7. That the allegation of Ghost Selection Committee is also baseless because all the relevant information and documentation of the selection process was available when the partial inquiry was conducted and the inquiry officer himself holding / in position the relevant record of the departmental selection committee.


8. That regarding the number of posts as there are only 23 no of posts were advertised but the appointment order was issued of 24 candidates firstly at serial no 7 of the advertisement , which says the competent authority having the power to increase/ decrease vacancies or cancel the recruitment process, in Para 8 of the advertisement it was also mentioned that errors and omission are subject to rectification , but here it is worth to mentioned that even in that case only 23 report for duty and the salaries drawn by 23 candidates only, it is also worth to mention here that 116 sanction positions are still vacant.
9. That the allegation so leveled against me regarding the non-production of recruitment record it is also baseless as the fact that my written reply to the TORs was presented to the inquiry committee which was duly signed by the inquiry officer 31st July 2019 then after I have never met the inquiry committee till now, furthermore the inquiry officer was explained in its findings that the record was produced but attested at recent time.
10. That the allegation regarding the overage candidate only one candidate namely Naveed ur Rahman was overage at the time selection but the same was the employee of the levy directorate since 2012 belong to merged area having qualification of MBA with 7 years' experience and also with the NOC granted by the FATA secretariat for the purpose.
11. That the members of Tribunal attended the test and interview on the said date and all the committee members were aggrieved principally on the selection and recommendation of the selection committee and on such principle on the same date issued the appointment orders and the copy of the recommendation of selection committee was handed over to section officer "B & D" for signature and further process and later on when inquired regarding the signatures the officials requested to await, on the same issued when the inquiry officer called upon the selected candidates they given on Oath the statement that they duly appeared before the selection committee which they now refusing to signed.
12. That the so-called inquiry committee called upon all the selected candidate and given Oath regarding the favoritism an nepotism if so made in favor of any of the candidate which they duly replied on oath that no such act of favoritism and nepotism were exist in the

present selection process, furthermore none of the member of the selection were duly inquired in the matter as all the process was taken place in their presence nor any sort of evidence was taken on record which can proof any of the allegation leveled against me .

13. That the undersigned is a responsible, cautious employee of the department and cannot even think of the display of the charges leveled against me.
14. That the inquiry committee did not associate me properly with the inquiry proceedings. Not a single witness has been examined during the enquiry in my presence nor I have been given opportunity to cross examine those who may have deposed anything against me during the inquiry.
15. That the undersigned has never committed any act or omission which could be termed as misconduct, I duly performed my duties as assigned with full devotion, zeal and loyalty albeit I have been roped in the instant false and baseless charges.
16. That the charges leveled against me were neither proved during the inquiry proceedings, nor any independent and convincing proof/ evidence has been brought against me in the inquiry that could even remotely associate me with the charges, as such the charges remained unproved during the inquiry and the inquiry officer has thus rendered his findings on mere surmises and conjunctures regarding charges.
17. That the undersigned has at his credit an unblemished and spotless service career, during entire service career, I have never given any chance of complaint whatsoever regarding my performance. I always preferred the interests of the department over and above my personal interests. The proposed penalty if imposed upon me, it would be too harsh and would stigmatized the bright and spotless service record of the undersigned.
18. That I also desire to be heard in person.
19. That the show cause notice issued on 7th of May received by accountant of me on 20th of May upon which I requested to high-up's for granting me some extra time due to the current pandemic vide letter dated 01.06.2020.

It is, therefore, humbly prayed that on acceptance of this reply the subject Show cause may kindly be dropped and I may be exonerated of the charges leveled against me.

Yours Faithfully,


Sajjad ur Rahman
Ex-EAC/Illaqa Qazi
Registrar FATA Tribunal
Peshawar.

SHOW CAUSE NOTICE

I. Mahmood Khan, Chief Minister, Khyber Pakhtunkhwa as Competent Authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you, Mr. Sajjad ur Rehman, Ex-EAC/ Illaqa Qazi (BS-17), Registrar Ex-FATA Tribunal as follows:-

- (i) That consequent upon completion of inquiry conducted against you by the inquiry officer for which you were given opportunity of hearing vide communication letter No.SOE-II/ED/2(9)/2010 dated 26.12.2019; and
- (ii) On going through the findings and recommendations of the inquiry officer the material on record and other connected papers including your defence before the inquiry officer.

I am satisfied that you have committed the following acts/omissions specified in rule 3 of the said Rules:

- a) Inefficiency;
- b) Misconduct;

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of _____ under rule 4 of the said Act.

3. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

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

5. A copy of the findings of the inquiry committee is enclosed.

(COMPETENT AUTHORITY)

Mr. Sajjad ur Rehman,
Ex-EAC/ Illaqa Qazi (BS-17),
Registrar Ex-FATA Tribunal

INQUIRY REPORT AGAINST MR. SAJJAD UR REHMAN,
REGISTRAR EX-FATA TRIBUNAL, PESHAWAR

Chief Secretary, Khyber Pakhtunkhwa, accorded approval for initiation of inquiry against Mr. Sajjad Ur Rehman, Ex-EAC/Illaqqa Qazi (BS-17), Registrar Ex-FATA Tribunal, under Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules, 2011. Consequently, the undersigned was appointed as Inquiry Officer (**Annex-I**), to conduct the inquiry under the provision of the rules ibid, in the light of Charge Sheet (**Annex-II**) and Statement of allegation (**Annex-III**).

BACKGROUND OF THE CASE:

Mr. Sohail Khan, working as driver in Law & Order Department, Merged Area Secretariat submitted an application (**Annex-IV**), addressed to Secretary Home & TAs Department, Khyber Pakhtunkhwa wherein he stated that illegal appointments have been made in FATA Tribunal based on nepotism and that he has not been considered for regular appointment despite having experience of 10 years in project and requested for inquiry in the matter.

In order to probe into the matter regarding appointments in FATA Tribunal in March 2019, without approval of the competent authority and to fix the responsibility, Deputy Secretary (Levies & Khasadars) was nominated as Inquiry Officer by the Secretary, Home & TAs Department (**Annex-V**). Deputy Secretary (Levies & Khasadars) assisted by Section Officer (Levies & Khasadars) submitted an inquiry report and gave his findings regarding cancellation of 24 appointment orders being void ab-initio and initiation of disciplinary action under E&D Rules against Mr. Sajjad Ur Rehman, Registrar Ex-FATA Tribunal (**Annex-VI**).

ALLEGATIONS LEVELED AGAINST THE ACCUSED OFFICER

As per the Statement of Allegations, the accused officer, Mr. Sajjad Ur Rehman, Registrar Ex-FATA Tribunal has been charged with the following allegations:

- i. *That he advertised 23 number vacant positions (BPS-01 to 14) on 9th February, 2019 for Ex-FATA Tribunal without the approval of the Competent Authority.*



- ii. That he without any legal authority, notified scrutiny committee comprising of daily wages / contract employees namely Mr. Nadir Shah, Junior Clerk, Mr. Naveed-ur-Rehman, Junior Clerk and Mr. Arif Jan, Junior Clerk who were also candidates for the vacant posts advertised in press.
- iii. That he constituted a Ghost Departmental Selection Committee vide letter No. R/11/2018-19/FT/R/11/995 dated 01.12.2019 (the date which has not yet come)
- iv. That he issued appointment orders of 24 candidates against 23 posts and that also without recommendation of the Departmental Selection Committee.
- v. That he failed to produce office record, rather he submitted freshly printed copies to the fact-finding Inquiry Committee which were signed in front of the members of the Inquiry Committee during proceedings.
- vi. That he appointed candidates who were overage at the time of appointment without relaxing the upper age limit from the Competent Authority.

PROCEEDINGS:

1. The accused officer was asked to appear in the office of undersigned on 31-12-2019 along with all the relevant documents. Secretary Home & TAs was also requested to nominate a departmental representative for assistance in the inquiry (**Annex-VII**).
2. The accused officer attended the office of undersigned on 31-12-2019 (**Annex-VIII**), but asked for time to submit his written statement and other supporting documents. He was asked to appear on 03/01/2020 (**Annex-IX**) but on the date of hearing, he appeared (**Annex-X**) and again requested for further time for submission of record in his defence.
3. Mr. Masood Afridi, Section Officer (Levies & Khasadar) was deputed as departmental representative by Home & TAs Department (**Annex-XI**).
4. On 10-01-2020, the accused Mr. Sajjad Ur Rehman instead of appearing for submitting record in his defence, sent an application for leave along with his medical

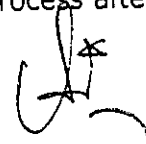
- report (**Annex-XII**). Consequently, final opportunity was given to the accused (**Annex-XIII**) who then attended the office of undersigned along with departmental representative on 14-01-2020 (**Annex-XIV**) and submitted his written statement (**Annex-XV**) containing 6 annexures including Annex-E comprising of 120 pages.
5. Three members of shortlisting committee were summoned for recording their statements (**Annex-XVI**) in the form of answers to a questionnaire. They appeared on 21-01-2020 (**Annex-XVII**) and submitted written replies to the questionnaire on oath (**Annex-XVIII**).
 6. In order to seek further clarifications, the accused officer was also asked to appear on 22-01-2020 and to answer certain questions on oath to ascertain factual position (**Annex-XIX**).
 7. A questionnaire was served upon the Departmental Representative in the light of the reply submitted by the accused officer. Reply to the questionnaire was submitted by Departmental Representative vide (**Annex-XX**).

STATEMENT OF THE ACCUSED OFFICER

The accused officer in his written statement, responded to allegations levelled against him (**Annex-XV**). Detail explanation and critical analysis for each of the allegation is as under:

- i. Regarding allegation of advertising 23 number of vacant positions (BS-01 to 14) (**Annex-XV/2**), without approval of the Competent Authority, the accused stated that proper approval of competent authority was obtained vide office order No. FS/L&O/B&A/ 55/2014, FS/L&O/B&A/778, dated 21/03/2016 and FS/EO (Admin)/9638 dated 23/06/2016 and after Merger of FATA proper approval of the Chairman of the Tribunal was obtained on 24/07/2018.

The first letter mentioned by the accused officer, bearing number FS/L&O/B&A/ 55/2014 (**Annex-XXI**) was issued on 13-10-2014, by Law & Order Department, FATA Secretariat, addressed to Chairman FATA Tribunal for carrying out recruitment process after fulfilling the codal formalities, in the wake of lifting of ban on recruitments.



Second letter mentioned by the accused officer, bearing number FS/L&O/B&A/55 /778, dated 21/03/2016 (**Annex-XXII**) was issued by Law & Order Department, FATA Secretariat, addressed to Registrar FATA Tribunal stating that the authority responsible for the project "**ADP1068 Strengthening of FATA Tribunal (Governor's Directive)**" is FATA Tribunal and requesting to proceed further according to PC-I and Project Policy after fulfilling the codal formalities. From the contents of the said letter, it is very much clear that it has no relevancy with the instant matter.

Third letter mentioned in Para-I of the written statement, bearing number FS/EO (Admn)/9638, (**Annex-XXIII**) was issued on 24/06/2016 by Administration, Infrastructure & Coordination Department, FATA Secretariat, addressed to Chairman FATA Tribunal, enclosing different office orders from 2008 and 2009 regarding declaration of Agency Cadre for appointment in BS 01-15, which also seems irrelevant.

The accused also referred to **Annex-A** in his statement to be the approval of Chairman Ex-FATA Tribunal which apart from being a loose note sheet page (**Annex-XXIV**), only referred to three letters mentioned above, without giving details of posts and mentioning competent authority. Although, Chairman Ex-FATA Tribunal was not the competent authority, but even if it he is assumed so, in the instant note, there is no explicit or implicit approval for appointment of staff and allied details.

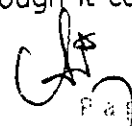
It is pertinent to mention that the accused Mr. Sajjad Ur Rehman, vide letter No. R/04/729, (**Annex-XXV**), addressed to Additional Chief Secretary (FATA), stated that Additional Chief Secretary has been declared as appointing authority for appointment of staff in BPS 1 to 15 for FATA Tribunal, vide notification No. FS/L&O/40-FT/978-98 dated 12-03-2014 (**Annex-XXVI**), and requested to constitute and notify a Departmental Selection Committee. Consequently, on 12-08-2015, a Departmental Selection Committee was constituted vide number FS/B&A/55/2015/2032-33 under the Chairmanship of Secretary Law & Order FATA (**Annex-XXVII**) for selection of posts advertised in Daily *Aaj* on 06-04-2015 (**Annex-XXVIII**). Then on 20-01-2016, a shortlisting committee was constituted vide No. FS/L&O/B&A/55/2015/252-53 (**Annex-XXIX**), by Secretary Law & Order, FATA Secretariat, for shortlisting of candidates against the vacant posts through NTS under the

SNE posts in FCR Tribunal FATA. Only interview phase was left in the selection of 17 different posts. A total of 533 candidates appeared in test conducted by NTS and 92 were shortlisted based on well-defined criteria as evident from short list of top 10 candidates for Assistant posts (**Annex-XXX**). However, the scheduled interviews were cancelled by Law & Order Department vide letter No. FS/L&O/55/Fata Tribunal/2015/213-14, dated: 18-01-2016 (**Annex-XXXI**), quoting unavoidable circumstances. But unfortunately, that process never completed.

In questionnaire, the accused while answering to Question 5, 6 and 11, informed that previous process was carried out through NTS, and that this one was a separate process and was not carried out through any testing agency to save government money and to facilitate poor candidates. Regarding Appointing Authority for FATA Tribunal before and after merger, the accused was asked Q No. 8 to which he replied that before merger ACS FATA was appointing authority but after merger, he **assumed** Chairman FATA Tribunal to be the new appointing authority, though he was not able to provide any approval / notification to that effect.

- ii. On second allegation of notifying a shortlisting committee vide No. R/11/2018-19/FT. dated: 22/02/2019 (**Annex-XXXII**), without any legal authority, comprising of daily wages employee who were also candidates for advertised posts, the accused officer stated that it was not possible to scrutinize thousands of applications due to non-availability of permanent employees.

Q No. 15 of the questionnaire was asked on the same issue to which the accused replied that due to non-availability of support staff, he constituted the shortlisting committee in the capacity of registrar Ex-FATA Tribunal comprising of daily wages / contract employees of Tribunal who themselves were the candidates against the advertised posts. He expressed his trust on these employees to carry out the shortlisting process on merit. It is important to mention that actual number of applicants was 873 instead of thousands as claimed by the accused. Moreover, a shortlisting committee was constituted (**Annex-XXIX**), during earlier recruitment process started in April 2015 though it could not be

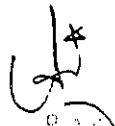


completed, but the accused officer had not resorted to that committee. If he had any doubt or objection on the constituency of that committee, he should have sought clarification from his parent department, instead of unlawfully constituting another committee by himself.

Q No. 13 was asked to confirm the rules for minimum qualification, age limit and experience given in advertisement under various posts. The accused replied that rules of Provincial Government Khyber Pakhtunkhwa, as mentioned in ESTACODE served as a yardstick for these conditions. He also confirmed that at the time of advertisement, there were no approved service rules and structure for FATA Tribunal. Though he has not specifically stated that what rules were actually followed, but setting a condition of six years of experience for initial recruitment to the post of "Assistant" is illogical and without any legal backing.

While replying to Q No. 16 of the questionnaire, the accused confirmed that he supervised the shortlisting process and that the same criterion given in advertisement was adopted by the shortlisting committee. He added that separate lists were prepared and signed by the committee members for each category of post and same short lists were used during test and interview phases.

While answering to questionnaire, members of said shortlisting committee repeated the stance of accused officer that they had used the same criteria given in advertisement for short listing. When asked specifically, two of the members told that upper age limit for the posts of Assistant was 30 years. However, in advertisement age bracket for Assistant post was 18-32 years. Apart from this, even if it assumed that the minimum criteria for selection of candidates against posts given in advertisement is correct, the stance of committee members on following the advertisement criteria is an outright lie because while looking at short lists prepared and signed by shortlisting committee (**Annex-XXXIII**) for the posts of Assistant, Junior Clerk and Key Punch Operator, it is evident that these lists do not contain any information which may specify the standing of candidates in the lists relative to each other. A column with title "Experience Marks 1.5 per year / total marks


6 | 16

(15)" has no marks listed underneath, rather name of qualification is mentioned against each candidate.

Shortlisting committee did not assign any score based on marks obtained in prescribed qualifications and/or higher qualification.

All the members of scrutiny committee while replying against Q No. 6 and the Registrar, Ex-FATA Tribunal while answering to question No. 17, confirmed that all candidates for the posts of Assistant, having less than six years of experience were rejected during Shortlisting phase.

However, in final list of candidates for Assistant posts (**Annex-XXXIV**), there is a column for experience marks given at the rate of 2.5 marks per year of experience. With minimum requirement of 6 years experience and confirmation by all the members that only candidates with at least six years experience have been shortlisted, this columns must have a minimum of 15 marks for every candidate against 6 years or more experience as per criterion. But instead, there are various entries ranging from 02 (for less than one year experience) to 12 (for less than five years experience). These figures show that none of the candidates had the required experience of 6 years. It is pertinent to mention here that a large number of candidates with master qualification were rejected in shortlisting phase merely on the basis of lack of experience (**Annex-XXXV**) and two of the selected candidates for the posts of Assistant are bachelor degree holders while none of the selected candidates (four) had the required experience, as per marks in the list. This point alone speaks volumes about the inefficiency and mala fide on the part of all those involved in the selection process.

Furthermore, there are discrepancies and mismatch in the numbers of candidates in various lists as clear from the table below:

Post	Total Candidates	Rejected Candidates (Annex-XXXV)	Candidates in Short List (Annex-XXXIII)	Candidates in Final List (Annex-XXXIV)
Assistant	116	92	18	24
Junior Clerk	240	221	29	30

KPO	146	132	14	17
Driver	97	93	16	8
Chowkidar	54	44	10	11
Naib Qasid	220	207	15	17
Total	873	789	102	107

The accused officer while answering to Q No. 16 claimed that same short lists were used during test and interview phases. However, it is evident from above that number of candidates in both the lists are different. Moreover, total number of shortlisted or finalized candidates and that of rejected candidates do not reconcile with total applicants as given on page 45 to 87 of fact finding inquiry report.

The accused, in his replies to Q No. 13 & 18 stated that ESTACODE of Provincial Government was used for setting of qualification criteria and assigning of weightages to academics, higher qualification, experience, test and interview. But the lists prepared by Short listing committee did not include such information and thus candidates with good qualification could not reach the interview phase. This also proves that the accused during the inquiry proceeding made claims which are absolutely inconsistent with facts.

Table below indicates the total candidates and selected candidates having various qualifications:

Post	Master		Bachelor		Intermediate & below		Total	
	Applied	Appointed	Applied	Appointed	Applied	Appointed	Applied	Appointed
Assistant	59	2	53	2	4	0	116	4
Junior Clerk	47	1	99	2	94	1	240	4
KPO	55	1	82	2	9	0	146	3
	161	4	234	6	107	1	502	11

Two of the four selected candidates under "Master" category were members of the Shortlisting committee. Having 161 candidates with Masters qualification, many were rejected and remaining were ignored by means of concealment of information regarding grading of qualifications, thus facilitating 07 candidates with Bachelor or lower qualification

to get selected. While looking at list of rejected candidates (**Annex-XXXV**) for the posts of KPO and Junior Clerks, a total of 37 and 23 candidates were rejected, respectively, on the basis of having "No Experience", even though there was no condition of experience in the advertisement for the said posts.

Situation is not different in category of Drivers, Chowkidar and Naib Qasid:

Post	Master		Bachelor		Intermediate		Matric		Middle & Primary		Illiterate		Total	
	Applied	Selected	Applied	Selected	Applied	Selected	Applied	Selected	Applied	Selected	Applied	Selected	Applied	Selected
Drivers	7	0	10	1	24	0	37	2	17	1	2	0	97	4
Chowkidar	3	0	6	0	17	0	16	1	11	2	1	0	54	3
Naib Qasid	8	0	42	0	55	1	98	1	15	2	2	0	220	4
	18	0	58	1	96	1	151	4	43	5	5	0	371	11

The process was manoeuvred in a way that none of the 18 master qualified candidates could get selected and only two out of 154 bachelor/intermediate candidates were fortunate enough to be selected as Naib Qasid. Rest of 09 selected candidates were either Matriculate or Middle qualified. Ironically, during interviews, middle pass and matriculate were able to obtain 06 or 07 marks out of maximum 08 marks, while candidates with Masters and Bachelor qualification were either not shortlisted or were not good enough to get good marks from the selection committee.

The documents of selected candidates were checked, which show that 04 of the candidates had not added CNICs whereas two had not added applications with their documents but they still managed to get shortlisted and selected. On the other hand, in order to eliminate competition for less qualified candidates having average or poor academic record, many candidates with Masters level qualification were rejected on the basis of "No Application", "No Domicile", "No CNIC", "No Experience" etc. Average grading of academic qualifications of selected candidates further strengthens the impression of mala fide to favour certain candidates to exclude more deserving candidates, as shown below:

S.No	Name / Father Name	Post	SSC	FA/FSc	Bachelor
1	Muhammad Adnan s/o Tasbeeh Ullah	Assistant	64%	51%	2.98 CGPA
2	Kafil Ahmed s/o Lal Badshah	Assistant	60%	61%	55%
3	Naveed Rehman Afridi s/o Muhammadi Shah Afridi	Assistant	52%	49%	46%
4	Tahir Khan s/o Arsala Khan	Assistant	46%	50%	
5	Muhammad Shoaib s/o Jehan Zeb	KPO	49%	61%	46%
6	Adnan Khan s/o Wali Khan	KPO	56%	47%	51%
7	Sami Ullah s/o Zalmai Khan	KPO	54%	67%	61%
8	Ikram Ullah s/o Rahmat Ali	Junior Clerk	59%	55%	
9	Arif Jan s/o Afsar Jan	Junior Clerk	46%	54%	48%
10	Touseef Khan s/o Zaman shah	Junior Clerk	70%	57%	52%
11	Nadir Shah s/o Iqbal Shah	Junior Clerk	66%	61%	57%

Candidate at S No. 04, doesn't even meet the minimum qualification of BA/BSc. The above calculations have been made directly from the documents of the selected candidates and this information is not available in any of the lists prepared during the selection process.

Q No. 21 was asked from the accused about practical tests for the posts of KPO, Junior Clerk and Driver. As per advertisement, minimum Qualification for the post of Junior Clerk was FA/FSc with Shorthand and Typing Speed of 40 WPM. However, no practical test was conducted for KPO, Junior Clerk & Driver to assess candidates' proficiency, as confirmed by the accused. But the statements of selected candidates recorded by the fact finding inquiry committee, on page 10 to 33, reveal contrasting facts:

- All three selected candidates for the posts of KPO stated that computer / typing test was taken by them, which contradicts the statement of the accused officer of having no practical test.
- One selected driver stated that there was a driving test while other two replied that no driving test was conducted.
- Two of the candidates, in their statements admitted that their qualification is F.A but they don't know how to write.

Third allegation was that the accused constituted a ghost Departmental Selection Committee vide letter No. R/11/2018-19/FT/R/11/995 dated 04.12.2019 (**Annex-XXXVI**), having date which had not come by then. To this allegation, the accused referred to a letter with different number and date i.e. No. R/11/2018-19/FT/1108, dated 04/03/2019, (**Annex-XXXVII**), but with exactly same contents.

Vide answer to question No. 14 of questionnaire the accused officer admitted that future date and different number on the letter produced by departmental representative was due to typing mistake. Contents of both the letters were same, i.e. calling 04 different officers of Ex-FATA Secretariat, being committee members, requesting them to attend the office of Registrar FATA Tribunal on 06-03-2019 for interviews. The accused was asked under what committee, as mentioned in this letter, these officers were called and who was supposed to chair the committee meeting? To this question, the accused replied that the said letter was issued to members of Departmental Selection Committee, notified by Law & Order Department FATA Secretariat vide No. FS/L&O/B&A/55/2015/252-53, dated: 20-01-2016 (**Annex-XXIX**). He admitted that Deputy Secretary (Admin & Budget) FATA, is chairman of the said committee.

Thus, it is clear that on one hand the accused is referring to a notification by Law & Order Department, FATA Secretariat, to be the basis of his letter for DSC meeting and admitting that DS (Admin & Budget) FATA is Chairman of the said committee but on the other hand he is assuming the role of Chairman of the committee by issuing this letter. Two different versions of letters having different dates and numbers (hand written) with same contents cannot be due to mere typing mistakes, rather it seems a deliberate attempt to justify the basis for completing a process without lawful authority.

- iv. Fourth allegation was issuing the orders of 24 candidates against 23 advertised posts and that too, without the recommendations of Departmental Selection Committee. Against this allegation, the accused relied on serial No. 07 of the advertisement that "The competent authority reserves the right to change the terms & conditions, not to fill, increase/decrease vacancies or cancel the recruitment process without any reason".

The accused was asked about approval of competent authority for increasing the number of posts, vide question No. 23 of questionnaire, to which he replied that in respect of Class-4 of Ex-FATA Tribunal, he himself is appointing authority by virtue of his designation.

For further clarification about the recommendations of DSC, questions No. 19, 24, 25, 26 & 27 were asked regarding other participants who attended the departmental selection committee, committee's recommendations, roles performed by members and minutes of the departmental selection committee. While answering to these questions the accused officer clearly stated that he had completed the test by himself and other two members joined him during interview phase. In contrast at last paragraph of his written statement, the accused stated that two members attended this tribunal for test & interviews.

Under Q No. 19 he replied that one member who joined him in DSC was Section Officer (B&A), named Hakeem Jan whereas other member was also a Section Officer from Law & Order Department of FATA Secretariat and he told that he doesn't remember his name.

In his written statement as well as answer to Q No. 26, he mentioned that committee agreed upon the selected candidates and copy of the recommendations of selected candidates was handed over to members for signatures & other process, and on the same day appointment letters were issued, but the committee members did not provide those recommendations till date, after their signature.

Mr. Hakeem Jan, Section Officer (B&A) was called for his statement (**Annex-XXXVIII**) and he categorically denied the participation in any Departmental Selection Committee in his written statement (**Annex-XXXIX**).

Thus in the absence of any attendance record, non-availability of recommendations signed by the members and denial of participation by the only member of DSC, as named by the accused, clearly shows that no meeting of Departmental Selection Committee was ever held and the accused illegally issued 24 appointment orders.

- v. Fifth allegation was regarding non provision of office record to fact finding inquiry committee and that some of the record was freshly printed and signed in front of members



of inquiry committee. The accused refuted the allegation and stated that all the relevant documents have been provided under Annex-E containing 120 pages.

It is pertinent to mention that irrelevant documents were included by the accused in Annex-E. However, approval of competent authority for advertisement of posts, approval of increasing the number of posts from 23 to 24, notified composition of Departmental Selection Committee, attendance sheet for members of the DSC and its recommendations have not been provided by the accused.

It is also worth mentioning that signature of one of the shortlisting committee members was missing on short lists (**Annex-XXXIII**) and he was asked to sign the lists during inquiry proceedings. Moreover, final lists (**Annex-XXXIV**) where interview marks were recorded were also without signature of any of the DSC members and the signature of accused officer was obtained on those lists, during inquiry proceeding to make them authentic record for inquiry.

Thus it is clear that there is no genuine and authentic master copy of the record, whether it is about shortlisting record or final list. Rather, lists were provided with no signatures of the persons concerned. Even the most important final list of candidates, based on which the orders were issued was without any signature, and the accused signed the list during the inquiry proceeding before the undersigned.

vi. Last allegation was regarding appointment of candidates who were overaged at the time of appointment without relaxing upper age limit for appointment from the competent authority. The accused in his written statement responded by saying that only one candidate, named Naveed Ur Rehman s/o Muhammadi Shah was overaged at the time of selection, who was employee of Levies Directorate since 2012 and that FATA secretariat has granted NOC (**Annex-XL**). While answering to question No. 28, accused was of the view that the said candidate is FATA resident and is eligible for 10 years age relaxation.

The accused when questioned about submission of any documentary proof by the said candidate, regarding relaxation of upper age limit from competent authority, he replied that no age relaxation certificate was provided by the candidate.

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STATEMENT OF THE DEPARTMENTAL REPRESENTATIVE:

The Departmental representative provided copy of the initial inquiry report. He was then given a questionnaire containing following questions to clear certain points:

Q 1. Who was competent authority in respect of recruitment in FATA Tribunal in 2015 and in 2019, i.e before and after merger of FATA?

Q 2. Which department of FATA secretariat was parent department for FATA Tribunal before merger and what changes were made after merger?

Q 3. When was the office of Additional Chief Secretary (FATA) dissolved?

Q 4. What decision has been made, regarding fate of FATA Tribunal after merger?

Q 5. What posts/departments were there in March 2019, from amongst those addressed to by Registrar FATA Tribunal vide his letter No. R/11/2018-19/FT/R/11/995?

Q 6. What posts/departments were there in March 2019, from amongst those endorsed in various appointment orders issued by Registrar FATA Tribunal on 08-03-2019?

Q 7. Are there any service rules and structure in place, governing recruitments in FATA Tribunal?

In response, the departmental representative submitted answers to above queries (**Annex-XXXVII**).

FINDINGS:

- i. Earlier process of recruitments in FATA Tribunal was started in April 2015, through NTS but it was left incomplete because interviews of the shortlisted candidates could not be conducted by the committee. There is nothing on record indicating that Law & Order Department of FATA Secretariat made any serious efforts for completion of the recruitment process. Additional Chief Secretary FATA was the appointing authority in respect of FATA Tribunal prior to merger. After merger of FATA with Khyber Pakhtunkhwa, Law & Order Department working under ACS erstwhile FATA stands transferred to the Home Secretary, Khyber Pakhtunkhwa.



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Registrar Ex-FATA Tribunal, knowing very well about one pending and incomplete process of recruitment, re-advertised the posts, and that too, without approval of the competent authority. In order to fill-in the vacant posts, he whimsically assumed Chairman of the Tribunal to be the appointing authority. Thus, it is very much clear that accused Mr. Sajjad Ur Rehman advertised 23 number vacant positions (BPS-01 to 14) on 9th February, 2019 for Ex-FATA Tribunal without the approval of the Competent Authority.

- ii. Shortlisting committee was constituted by Registrar Ex-FATA Tribunal without any lawful authority. A shortlisting committee was previously notified by Secretary Law & Order, FATA Secretariat. The accused should have sought clarification regarding validity of that committee or constitution of a new committee from Home & TA Department, being his parent department after merger. However, the accused constituted another committee comprising of temporary employees of tribunal who were themselves candidates against the advertised posts, thus setting an example of direct conflict of interest.
- iii. Short listing committee had absolutely no knowledge of how to do shortlisting and what rules to follow for assigning weightages to academic grading, experience and higher qualifications. The committee members played havoc with the shortlisting process by rejecting and accepting the candidates at their whims to ensure their own selection as well as preferring other weak candidates at the cost of more qualified candidates, which must have caused mental anguish, frustration and demoralization in educated youth.
- iv. The accused unlawfully called upon meeting of Departmental Selection Committee, thus assuming himself to be the chairman of the committee. In the absence of any attendance sheet, non-availability of minutes of the meeting, existence of two different versions of the same letter, one with future date, it is absolutely clear that the said letter was not issued at all. Rather the same was drafted in hurry to present to fact finding inquiry committee. The accused could not prove that the meeting of Departmental Selection Committee was actually convened, thus the subsequent appointment orders were issued without lawful authority.
- v. A process that is unlawful from the very beginning, number of posts to be filled in doesn't really matter. However, it is proved that the accused Mr. Sajjad Ur Rehman unlawfully

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increased the number of posts from 23 to 24 and then illegally issued 24 appointment orders without the recommendation of Departmental Selection Committee.


vii. During inquiry proceedings, it was found that there is no master record of various lists compiled in the recruitment process, rather the lists were freshly prepared and signed during submission. Discrepancies and mismatch were found in the number of candidates mentioned in various lists.

viii. The candidates, Nadir Shah s/o Iqbal Shah and Naveed Rehman Afridi s/o Muhammadi Shah Afridi, who were also the members of shortlisting committee, were aged 34 and 37 at the time of applying for the posts having age criterion of 18-32 years. Both of them were overaged but still got selected even in the absence of relaxation of upper age limit by the Competent Authority.

CONCLUSION:

From the above findings, the undersigned came to the following conclusions:

- i. The recruitment process for selection of 24 employees in Ex-FATA Tribunal was unlawful and all 24 appointment orders were issued without lawful authority and are liable to be cancelled.
- ii. All charges levelled against the accused officer, Mr. Sajjad Ur Rehaman, Ex-EAC/Illaqqa Qazi (BS-17), Registrar Ex-FATA Tribunal, stand proved and it is also proved that he has made illegal appointments and thus found guilty of misconduct. Action also needs to be taken against members of shortlisting committee namely Mr. Nadir Shah, Mr. Naveed-ur-Rehman and Mr. Arif Jan who were in league with the accused officer and committed criminal negligence during shortlisting process.


(Arshad Ali)
Deputy Secretary,
Inquiry Officer

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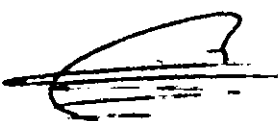
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**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, D.B
PESHAWAR.**

No.

Appeal No. 2770 of 20 21

Sajjad vs Rehman Appellant/Petitioner

Versus

Court of KPN Chief Secy Respondent

Respondent No. 3

Notice to:

Court of KPN through Secretary
Establishment Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 27/1/22 at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 17th

Day of Jan 20 22

[Signature]
PS/Secy E&AD KP
Diary No. 187/22

[Signature]
Registrar,

> Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

- Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

Date. _____ Date. _____

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR D.B
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

2770

21

Appeal No. Sajjad us Rehman of 20

..... Appellant/Petitioner

Court of KPK Chief Secy:

..... Respondent

Court of KPK through ^{Respondent No.} Chief Secretary

Notice to: —

Peshawar.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No.....dated.....

17/11

Given under my hand and the seal of this Court, at Peshawar this.....

Jan 22

Day of.....20

ISSUE BRANCH
 CHIEF SECRETARY
 Govt. of Khyber Pakhtunkhwa
 Peshawar

Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

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