

20.01.2021


Appellant present through counsel.

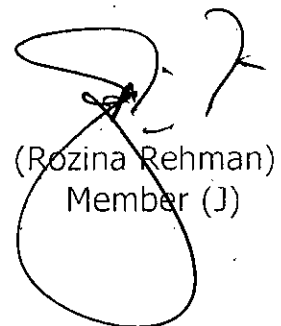
Kabir Ullah Khattak learned Additional Advocate General alongwith Hamid Salim Law Officer, Hayat Khan Assistant Director and Abdul Wahid ADEO for respondents present.

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

Announced.

20.01.2021


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



(Rozina Rehman)
Member (J)

09.12.2020

Appellant present through counsel.

Muhammad Jan, learned Deputy District Attorney alongwith Hamid Salim Law Officer, Fahim Ullah Law Officer and Murtaza Superintendent for respondents present.

File to come up alongwith connected appeal No.1014/2019, on 12.01.2021 for before D.B.



(Atiq ur Rehman Wazir)
Member (E)



(Rozina Rehman)
Member (J)

12.01.2021

Appellant with counsel present.

Kabir Ullah Khattak learned Additional Advocate General alongwith Hamid Salim Law Officer for respondents present.

File to come up alongwith connected appeal No.1014/2019 on 20.01.2021 before D.B.



(Atiq ur Rehman Wazir)
Member (E)



(Rozina Rehman)
Member (J)

12.08.2020


Due to summer vacations case to come up for the same on
~~25.08.~~2020 before D.B.

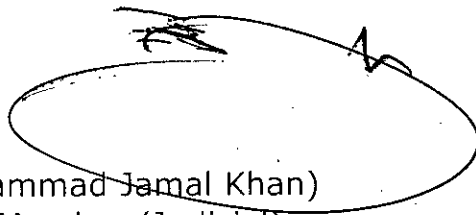

Reader

15.10.2020

Mr. Khalid Khan Mohmand, Advocate, for appellant is present. Mr. Muhammad Jan, Deputy District Attorney alongwith representative of the department Mr. Hazrat Shah, Section Officer, are also present.

Learned counsel submitted that his senior has proceeded to Dar-ul-Qaza Mingora bench of the Hon'ble Peshawar High Court, Peshawar, and cannot attend the Tribunal today. Requested for adjournment. Adjourned to 17.11.2020 on which to come up for arguments before D.B.


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



(Muhammad Jamal Khan)
Member (Judicial)

17.11.2020

Appellant present through counsel.

Muhammad Jan, learned Deputy District Attorney alongwith Hamid Saleem Law Officer for respondents present.

To come up alongwith connected file No.1014/2019, on 09.12.2020 before D.B.


(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

31.03.2020

Due to public holiday on account of COVID-19, the case is adjourned to 23.06.2020 for the same. To come up for the same as before S.B.


Reader

23.06.2020

Counsel for the appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Mr. Muhammad Irfan Assistant, representative of respondents No.1 & 2 present and submitted reply on behalf of the said respondents.

Muhsin Hassan Khan present and submitted authority letter on behalf of respondent No.3 with a request for another adjournment; adjourned but on cost of Rs.2000/-. To come up for written reply/comments of respondent No.3, on 22.07.2020 before S.B


Member

22.07.2020

Appellant himself is present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Mohsin, Litigation Officer on behalf of respondent No. 3 are also present.

Joint para-wise comments on behalf of respondents No. 1 & 2 have already been submitted while representative of respondent No. 3 submitted written reply today which is placed on record. Representative of respondent No. 3 also paid Rs. 2000/- as per previous order sheet dated 23.06.2020 which is handed over to appellant and receipt thereof also obtained from the appellant, which is placed on record. File to come up for arguments on 12.08.2020 before D.B. The appellant may submit rejoinder within a fortnight, if so advised.


(MUHAMMAD JAMAL KHAN)
MEMBER

10.02.2020

Learned counsel for the appellant present. Written reply not submitted. M/S Irfan Ali Assistant (for respondents No.1 & 2) and Mehtab Gul Law Officer (for respondent No.3) present. Representatives of respondents requested for short adjournment to furnish reply. Granted. To come up for written reply/comments on 24.02.2020 before S.B.


Member

24.02.2020

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Hayat Khan, AD and Mehtab Gul, Law Officer for the respondents present. Respondents still seek time to submit reply/comments. Last chance is granted. To come up for written reply/comments on 12.03.2020.


(Hussain Shah)
Member

12.03.2020

Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith M/S Hayat, Assistant Director on behalf of respondents No. 1 & 2 and Iftikhar Bangash on behalf of respondent No. 3 present. Written reply on behalf of respondents not submitted despite last chance. Both the representatives of the department seek further time to furnish written reply/comments. Last chance is extended to 31.03.2020 for written reply/comments before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

19.12.2019

Junior to counsel for the appellant and Addl. AG alongwith Hayat Khan, A.D for the respondents present.

Representative of respondents seeks further time to furnish reply/comments. Adjourned to 08.01.2020 on which date the requisite reply/comments shall positively be submitted.


Chairman

08.01.2020

Junior to counsel for the appellant and Addl. AG alongwith Irfanullah, Assistant for respondents No. 1 & 2 present. Nemo for respondent No. 3.

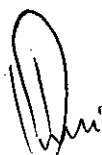
Representative of respondents No. 1 & 2 seeks time. Fresh notice be issued to respondent No. 3. To come up for written reply/comments on 24.01.2020 before S.B.

Chairman 

24.01.2020

Junior to counsel for the appellant and Addl. AG alongwith Hayat Khan, A.D for the respondents present.

Representative of the respondents seeks short adjournment for submission of reply/comments. Adjourned to 10.02.2020 on which date the requisite reply/comments shall positively be furnished.


Chairman

06.09.2019

Counsel for the appellant present.

Contends that through notification dated 04.04.2019 the respondent No. 2/Director Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar "disowned" the appointment/adjustment notification of the appellant ostensibly on the ground that at the time of initial appointment the appellant had provided fake/bogus documents. Even the appointment order itself was not genuine. It was argued that while dispensing with the service of appellant the respondents did not resort to mandatory departmental proceedings and the appellant was not provided with any opportunity of putting forth his defence. The respondents did not care to issue any show cause notice nor a proper/regular enquiry was conducted before issuing of impugned notification.

In view of available record and arguments of learned counsel, instant appeal is admitted for regular hearing subject to all just exceptions. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 18.11.2019 before S.B.

Appellant has deposited
Security & Process Fee


Chairman

18.11.2019

Junior to counsel for the appellant and Addl. AG alongwith Hamid Saleem Law Officer for the respondents present.

Representative of the respondents seeks time to furnish written reply/comments. Adjourned to 19.12.2019 on which date the requisite reply/comments shall positively be submitted.

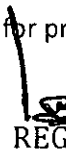


Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. - 961/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/07/2019	<p>The appeal of Mr. Muhammad Naeem presented today by Mr. Amin-ur-Rehman Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 25/7/19</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>06/09/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR**

Service Appeal No. 961/2019

Muhammad Naeem Appellant

....VERSUS....

Govt of Khyber Pakhtunkhwa & 02 others Respondents

I N D E X

S.No.	Description of documents	Annex	Pages
1.	Service Appeal		1-4
2.	Application for Grant of Status Quo alongwith Affidavit		5-6
3.	Addresses of the parties		7
4.	CNIC	"A"	8
5.	CV	"B"	9
6.	Educational Testimonials	"C"	10-14
7.	Advertisement dated: 26.01.2009	"D"	15-19
8.	Appointment Notification dated: 25.05.2012	"E"	20-21
9.	Adjustment order dated: 30.05.2012 alongwith charge report	"F"	22-23
10.	Impugned Notification dated: 04.04.2019	"G"	24
11.	Departmental Appeal dated: 16.04.2019 alongwith diary/dispatch number with date	"H"	25-26
12.	Wakalatnama		27

Appellant
Through


Amin ur Rehman Yusufzai


Sajjad Mehsud

&

Khalida Khan

Advocates, Peshawar,
3-A, Park Avenue, Bhattani Plaza,
University Town, Peshawar
Cell No.0321-9022964, 0333-9981464

Dated: 22.07.2019

Khyber Pakhtunkhwa
Service Tribunal
Duty No. 1059
Dated 25/7/19

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR**

Service Appeal No. 961/2019

Muhammad Naeem S/O Muhammad Saleem, Ex-SST (Gen),
R/o Parhao, Post Office Takht Bhai, Tehsil Takht Bhai, District Mardan.
..... **Appellant**

....**V E R S U S**....

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

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

Filed to-day NOTIFICATION ENDORSEMENT NO.5734-39, DATED:
04.04.2019 OF RESPONDENT NO.2, VIDE WHICH
Registrar APPOINTMENT NOTIFICATION DATED: 25.05.2012
ALONGWITH ADJUSTMENT ORDER DATED: 30.05.2012, OF
25/7/19 THE APPELLANT, HAS UNILATERALLY BEEN DISOWNED.

PRAYER-IN-APPEAL:

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

Respectfully Sheweth:

1. That appellant is law abiding peaceful citizen of Pakistan and permanent resident of District Mardan.
(Copy of CNIC, is attached as Annexure "A")
2. That appellant obtained Master degree, in the year 2014, from University of Peshawar and having passed B.Ed Degree Course from Sarhad University Peshawar.
(Copies of CV and Educational Testimonials, are attached as Annexure "B" & "C", respectively)
3. That respondent No.3, invited applications for numerous vacant positions of SETs/SSTs (BPS-16), vide Advertisement No.01/2009, dated: 26.01.2009.
(Copy of Advertisement dated: 26.01.2009, is attached as Annexure "D")

4. That appellant, being qualified, applied for one of the aforementioned advertised posts of SST(Gen) (BPS-16) and gone through the entire process of selection successfully, eventually he, on the recommendation of KP PSC, was appointed as SST (Gen) BPS-16, on regular basis, vide Notification Endorsement No.3506-13/File No.2/A-14/SST (F)/PSC/Apptt: dated: 25.05.2012.
(Copy of appointment Notification dated: 25.05.2012, is attached as Annexure "E")

5. That appellant was subsequently adjusted in Govt High School, Muhammad Khan Killi, Khyber Agency i.e. against vacant Post, vide Order dated: 30.05.2012.
(Copy of Adjustment order dated: 30.05.2012 alongwith charge report, is attached as Annexure "F")

6. That appellant was performing duty with zeal, devotion and outmost satisfaction of the superiors, however he has unilaterally been shunt-out from service, vide impugned Notification dated: 04.04.2019 by respondent No.2, without due process and following the law/rules governing the subject.
(Copies of Impugned Notification dated: 04.04.2019, is attached as Annexure "G")

7. That appellant preferred departmental appeal dated: 16.04.2019 to respondent No.1 which was received vide Diary No. 1001 dated: 16.04.2019, though the statutory period of 03 months has been elapsed, but the authority did not consider the same, one way or the other.
(Copies of Departmental Appeal dated: 16.04.2019 alongwith diary/dispatch number with date, is attached as Annexure "H")

8. That appellant, being aggrieved of impugned notification dated: 04.04.2019 and not considering his departmental appeal by respondent No.1, approaches this Hon'ble Tribunal, inter-alia, on the following grounds:

GROUND S:

- A. That impugned Notification dated: 04.04.2019 of respondent No.2 is against the law and facts available on file, hence, untenable.

- B. That the appellant has neither been treated in accordance with law nor he has been provided equal protection of law, rather he has not been provided fair opportunity to defend himself, as enshrined in Article-10A of the Constitution of Islamic Republic of Pakistan 1973, hence the respondent department acted without jurisdiction.

- C. That neither regular enquiry was conducted into the guilt of the appellant nor he has been served with mandatory Show Cause Notice, hence, condemned unheard, which attracts doctrine of audi-alterm-partem.

D. That appellant being qualified was appointed after due process of law and fulfilment of all legal/codal formalities, however shunt-out from service with a single stroke of pen, without care and caution of its legal consequences, which has caused grave miscarriage of justice.

E. That appellant has served the department with zeal, devotion and to the best of his abilities, without affording a single opportunity of complaint, either to the students or their parents or to the superiors, regarding performance of official duties, therefore, the following amongst plethora of Judgments of the apex Court will be attracted.

I. 2011 SCMR 1581

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

II. 2004 SCMR 303

“Appointment of Civil Servants were made by Competent Authority. If prescribed procedure was not followed by the Concerned Authority the Civil Servants could not be blamed for what was to be performed and done by the Competent Authority. Supreme Court noted it with concern that in case the Civil Servants were to be removed then the same would amount to hitting them hard creating problems for the society at large considering each of the Civil Servants being the bread earner of his family. Appointing authorities had been acting mechanically without application of mind, therefore, the Civil Servant could not be made to suffer for whimsical and mechanical acts of the authorities.”

III. 2016 SCMR 1299

“The solution we have come out is simple, let them continue, if they besides the certificates or diplomas, issued by the council, possesses the requisite or equivalent qualification. Let them all also continue who improve their qualification even thereafter. Those who could not improve their qualification up till now should improve it within a period of one year, which could be reckoned from the date of commencement of the next available academic session of the respective program.”

IV. 2010 PLD SC 483

“Principle of Audi-alterm-Partem was always deemed to be imbedded in the statute and even if there was no such express provision, it would be deemed to be one of the parts of the statute, because no adverse action can be taken against a person without providing right of hearing to him”

F. That any other grounds, with the permission of this Hon'ble Tribunal, will be taken at the time of arguments.

It is, therefore, most humbly prayed that on acceptance of Instant Appeal, the impugned Notification dated 04.04.2019 of respondent No.2 alongwith Pre and Post proceedings thereto, may be declared as Illegal, Unlawful, without Lawful Authority, void-ab-initio and of no legal effect, hence be set at naught and appellant may be reinstated in service with all back benefits, in the best interest of justice and equity.

Any other relief, not specifically prayed for and deemed appropriate by this Honourable Tribunal in circumstances of the case may also be granted.

Appellant
Through

[Signature]
Amin ur Rehman Yusufzai

[Signature]
Sajjad Mehsud

&

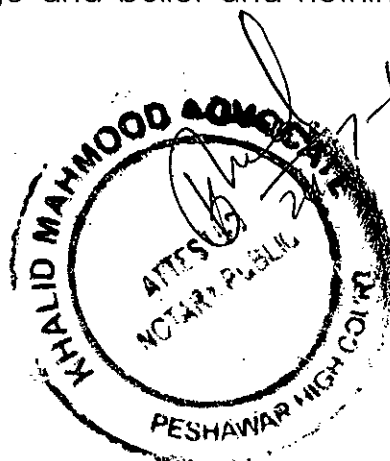
[Signature]
Khalid Khan

Advocates, Peshawar,
3-A, Park Avenue, Bhattani Plaza,
University Town, Peshawar
Cell No.0321-9022964, 0333-9981464.

Dated: 22.07.2019

VERIFICATION:

Verified on oath that the content of the instant Service Appeal is true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.



[Signature]
Deponent

5

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR**

C.M No.____/2019
In
Service Appeal No.____/2019

Muhammad NaeemAppellant

....VERSUS....

Govt of Khyber Pakhtunkhwa & 02 othersRespondents

**APPLICATION FOR STATUS-QUO TILL FINAL DECISION OF THE
TITLED SERVICE APPEAL**

Respectfully Sheweth:-

1. That the titled appeal has been filed today wherein no date has yet been fixed for hearing.
2. That facts and grounds of the titled appeal may please be considered as integral part and parcel of instant applicant.
3. That valuable rights of applicant are involved into the matter and if the subject relief has not been granted he will suffer irreparable loss.
4. That applicant has got good prima facie case in his favour and is very much sanguine of its success. Moreover, balance of convenience also lies in his favor.
5. That there is no legal bar to grant the subject relief, rather grant of status quo will prevent miscarriage of justice to be occasioned.

It is therefore, most humbly prayed that on acceptance of instant application, Status-quo may please be ordered to be maintained till final decision of the titled appeal, so as to secure the ends of justice.

Appellant
Through

Amin ur Rehman Yusufzai

Sajjad Mehsud

&

Khalid Khan

Advocates, Peshawar,
3-A, Park Avenue, Bhattani Plaza,
University Town, Peshawar

Cell No.0321-9022964, 0333-9981464

Dated: 22.07.2019

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR**

C.M No. ____/2019
In
Service Appeal No. ____/2019

Muhammad NaeemAppellant

....VERSUS....

Govt of Khyber Pakhtukhwa & 02 othersRespondents

AFFIDAVIT

I, Muhammad Naeem S/O Muhammad Saleem, Ex-SST (Gen), R/o Parhao, Post Office Takht Bhai, Tehsil Takht Bhai, District Mardan, do hereby solemnly affirm declare on oath that the contents of the accompanying 'Petition' are true and correct to the best of my knowledge and belief, and that nothing has been kept concealed from this Hon'ble Tribunal.

Identified By:

DEPONENT
CNIC #: 16102-9778295-9


Amin-ur-Rehman Yusufzai
Advocate, Peshawar



ANNEX A


(8)

حکومت پاکستان
 آئی ڈی شناختی کارڈ
 16102-2778295-9



علی ارشد حکیم
 29/03/1979

شناختی نمبر: 16102-2778295-9
 تاریخ: 17/07/2009
 تاریخ: 30/06/2019



TB7T3R

12979318028

ATTESTED

MUHAMMAD NAEEM

9

ADDRESS :

Village PARAO SHEIKH MEHMOOD KALLAY
P/O and Tehsil Takht Bhai District Mardan,
Khyber Pakhtunkhwa Pakistan.

Cell: 0346-9351651
50151057

PERSONAL INFORMATION

✚ Father's Name : Muhammad Saleem
 ✚ Date of Birth : 25-03-1979
 ✚ CNIC : 16102-2778295-9
 ✚ Domicile : Muhmand Agency
 ✚ Nationality : Pakistani
 ✚ Religion : Islam
 ✚ Marital Status : Married
 ✚ Gender : Male

ACADEMIC QUALIFICATION

DEGREE	YEAR	BOARD / UNIVERSITY
M.A	2014	University of Peshawar
B.Sc	2000	BISE Peshawar
F.Sc	1997	BISE Peshawar
S.Sc	1995	BISE Peshawar
B.Ed	2008	Sarhad University

Service Information

Post	BPS(16)	Date of Appointed	School
SST	16	30-5-2012	GHS Muhammad Khan kallay
Transfer	16	7-5-2018	GHS Landikotal

✚ Total length of Services "7" Years.

Languages

✚ English
 ✚ Urdu
 ✚ Pashto

ATTESTED

S. No. PBR-007883



Roll No. 137541

13

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Peshawar N.W.F.P. Pakistan
Secondary School Certificate Examination

SESSION 1995 (ANNUAL)
(SCIENCE GROUP)

THIS IS TO CERTIFY THAT Muhammad Naeem

Son/Daughter of Muhammad Salim

and a student of Govt High School, Jalala (Mardan)

has passed the Secondary School Certificate Examination

of the Board of Intermediate and Secondary Education, Peshawar held in April 1995

as a *Regular candidate*. He/She obtained 611 Marks out of 850

and has been placed in Grade A Representing Excellent

The Candidate passed in the following subjects.

- | | | | |
|------------|---------------------|----------------|--------------|
| 1. English | 3. Islamiyat | 5. Mathematics | 7. Chemistry |
| 2. Urdu | 4. Pakistan Studies | 6. Physics | 8. Biology |

He/She has been awarded Grade A on the basis of internal assessment by the Institution concerned.

Date of birth according to admission form is Twenty Fifth March
one thousand nine hundred and Seventy Nine (25-3-1979)


Asstt. Secretary
28th July, 1995.

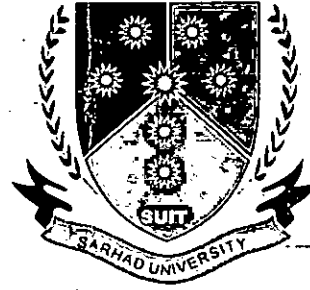
This certificate is issued without alteration or erasure.


Secretary

ATTESTED

Registration No. SUIT-05-01-25115

Serial No. 004378



Sarhad University of Science & Information Technology

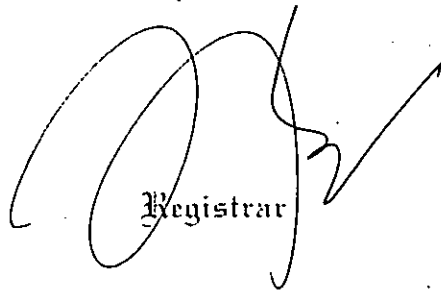
This is to certify that Muhammad Naeem son/daughter of Muhammad Salim

Having passed the requisite examination, is hereby awarded the degree of

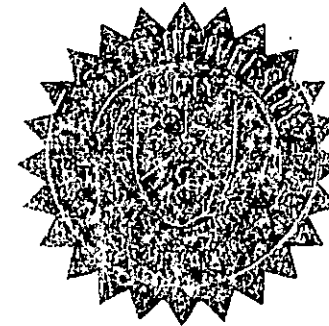
Bachelor of Education

With all the rights and privileges appertaining thereto.

Given at Peshawar (PAKISTAN) on the Twentieth day of February Two Thousand Nine.


Registrar


Vice Chancellor




President

ATTESTED

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Annexure: D

15

NWFP PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: www.nwfppsc.gov.pk

Dated: 26-01-2009

ADVERTISEMENT No. 01 / 2009.

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

AGRICULTURE LIVESTOCK & CO-OPERATIVE DEPTT:

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

QUALIFICATION: M.Sc Agriculture or B.Sc (Hons) Agriculture (Obtained) after "4" Years Instructions after F.Sc) from a recognized University under research programme in the subject relating to the subject groups as specified in schedule -I to which the Vacancy occurs..

AGE LIMIT: 21 to 33 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Both Sexes. **ALLOCATION:** Merit.

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

QUALIFICATION: M.Sc Agriculture or B.Sc (Hons) Agriculture (Obtained) after "4" Years Instructions after F.Sc) from a recognized University under research programme in the subject relating to the subject groups as specified in schedule -II to which the Vacancy occurs..

AGE LIMIT: 21 to 33 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Male. **ALLOCATION:**

Merit	Zone-1
01	01

CHIEF ENGINEER WORKS & SERVICE DEPARTMENT.

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

QUALIFICATION: (i) 2nd Division FA/FSc with one year Diploma in Computer Science from the recognized Institute (ii) Speed of Ten thousand key depression per hour for punching/data entry/verification.

AGE LIMIT: 18 to 30 years. **PAY SCALE:** BPS-11. **ELIGIBILITY:** Both Sexes. **ALLOCATION:**

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

ATTESTED

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

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

QUALIFICATION: (i) Bachelor Degree in Mining Engineering from recognized University and (ii) 1st Class Mines Manager's certificate of Competency granted under the provision of Mines Act, 1923 and (iii) Two years experience in Govt: or Semi Government Mining Industries registered under the Mines Act, 1923.

AGE LIMIT: 21 to 33 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Male. **ALLOCATION:** NOTE: In case of non- availability of candidates possessing the

ATTESTED

provisions of the rules for the time being in force.

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

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

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

ALLOCATION:

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

(S.No. 52)

Sixteen Hundred Eighty One (1681) Posts of Male SETs. /S.S.Ts (Both Science & Arts) (with out graduaty and pension).

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

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

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

ALLOCATION:

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

(S.No. 53)

Thirty Four (34) Posts of Male Disabled SETs. /S.S.Ts (Both Science & Arts) (with out graduaty and pension).

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

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

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

ALLOCATION: Merit.

(S.No. 54)

Ninty Two (92) Posts of Male SETs. /S.S.Ts For Earth Quake Quota (I.E) Battagram , Mansehra , Shangla , Kohistan, Abbottabad. (Both Science & Arts) (with out graduaty and pension).

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

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

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

ALLOCATION: Merit.

ATTESTED

ATTESTED

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

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

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

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

ALLOCATION:

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

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

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

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

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

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

ALLOCATION: Merit.

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

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

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

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

ALLOCATION: Merit.

TECHNICAL EDUATION AND MAN POWER TRAINING DEPARTMENT.

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

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

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

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

ALLOCATION: Merit.

ATTESTED

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

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

ATTESTED

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

(S.No. 67)	One (01) Post of Female office Assistant.				
	<u>QUALIFICATION:</u> Bachelor degree from recognized University.				
	<u>AGE LIMIT:</u> 18 to 30 years. <u>PAY SCALE:</u> BPS-14. <u>ELIGIBILITY:</u> Female.				
	<u>ALLOCATION:</u> Merit.				

CORRIGENDUM

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

GENERAL CONDITIONS.

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

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ATTESTED

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

SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.

Main Branches of:

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

ATTESTED

(Atta Ur Rehman)

Secretary

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

ATTESTED



ANNEX E

(90)

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

PH No. 091-9210389, 9210938,
9210437, 9210957, 9210468
Fax 091-9210936
E-mail desekpk@yahoo.com

Notification.

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

SNO	Name	Father Name	Domicile	Zone	Permanent Address	Place of Posting
1	2	3	4	5	6	7
1.	Maqsood Anwar	Saqi Muhammad	FR Bannu	I	Moh. Palosi Road Rahat Abad Near Peshawar University	Services placed at the disposal of Director of Education FATA for further posting against vacant SST Gen posts.
2.	Muhammad Naeem.	Muhammad Saleem	Bajur Agency	I	Village Parao Tehsil Takht Bhai District Mardan	-Do-
3.	Attaullah	Abdul Jabar	Mohmand Agency	I	Village Kogpand Dagmula Tehsil Lakorey Dist: Mohmand Agency	-Do-
4.	Ahmad Shah	Suleman Shah	Mohmand Agency	I	Village Sheikh Kalli P.O. Agru Tehsil & Dist: Charsadda	-Do-
5.	Shakrirullah	Zargar	Mohmand Agency	I	Halchenzai Aba Khel P.O. Ghalami Tehsil Upper Mohmand	-Do-

Terms and conditions:-

1. His services will be considered regular but without pension & Gratuity in terms of section 19 of the NWFP Civil Servant Act, 1973 as amended vide NWFP Civil Servants (Amendment) Act, 2005. He will however be entitled to Contributory provident fund in such a manner and at such rates as per prescribed by the Govt.
2. In case, he is already in Government service and working against pensionable post on regular basis before 1st day of July 2001, without any service break, on application to Khyber Pakhtunkhwa Public service Commission through proper channel and selection by the commission, is appointed and allowed choice of option either to retain benefit of pension & gratuity as allowed to him under his previous terms of appointment or to avail the benefit of contributory provident fund allowed to him under new appointment.

ATTESTED

(2)

3. His services are liable to termination on one months notice from either side. In case of resignation with out notice his one-month pay/allowances shall be forfeited to the Government.
4. He should join his post within 30 days of the-issuance of this notification. In case of failure to join there post within one month of issuance of this notification his appointment will expire automatically and no subsequent appeal etc shall be entertained.
5. He would be on probation for a period of one year extendable for another one year.
6. He will be governed by such rules and regulations as may be issued from time to time by the Govt.
7. His Services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be proceeded under the rules framed from time to time.
8. Charge report should be submitted to all concerned
9. The Director of Education FATA concerned would furnish a certificate to the effect that the candidate has joined the post or otherwise after one month of the issue of his posting orders.
10. The Director of Education FATA concerned will verify their documents before release of pay.
11. His seniority will be maintained as determined by the Khyber Pakhtunkhwa Public Service Commission.
12. No TA/DA will be allowed to the appointee for joining his duty.

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

Endst: No. 3506-13/ File No.2/A-14/SST(F)/PSC/Appti: Dated Peshawar 25/5/2012

Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
3. Director of Education FATA Warsak Road Peshawar.
4. All Agency Accounts Officer in FATA.
5. Official Concerned
6. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
7. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
8. M/File

ATTESTED

Dy: Director (E&SE) 25/5/2012
Elementary and Secondary Education

ANNEX "F"

99

ADJUSTMENT

Consequent upon their appointment as SST in BPS-16 on the basis of recommendation of Khyber Pakhtunkhwa Public Service Commission and placement of their services at the disposal of Director Education, FATA vide Director, Elementary & Secondary Education Khyber Pakhtunkhwa's Notification No. 3506-13/File No.2/A-14/SST(F)/PSC/Apptt. dated 25-5-2012, the following SSTs are hereby adjusted in the schools noted against each with immediate effect:-

S/#	Name/Father's Name/Domicile/Address	Posted at	Remarks
1	Mr. Maqsood Anwar S/O Saqi Muhammad (FR Bannu) Moh: Palosi Road Rahat Abad Near Peshawar University	GHS Zihara Khyber Agency	Against vacant post
2	Muhammad Nacem S/O Muhammad Saleem (Bayour) Vill: Parao Tehsil Takht Bhai District Mohmand Agency	GHS Muhammad Khan Killi Khyber Agency	-do-
3	Mr. Atta Ullah S/O Abdul Jabar (Mohmand) Vill: Kog Pand Dagmala Tehsil Lakarai Mohmand Agency	GHS Kharghali Khyber Agency	-do-
4	Mr. Ahmad Shah S/O Suleman Shah (Mohmand) Vill: Sheikh Kalli PO: Agra Tehsil & District Charsadda	GHS Abdul Ghafoor Khan Killi Khyber Agency	-do-
5	Shakriullah S/O Zargar (Mohmand) Haleemzai Aba Khel PO: Ghalani Tehsil Upper Mohmand	GHS Durma Kor Khyber Agency	-do-

Note:-

The terms & conditions of their posting will be the same as already prescribed in the above mentioned Notification of Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar. However the Agency Education Officer concerned will verify their documents before release of pay.

(FAZLI MANAN)
DIRECTOR EDUCATION (FATA)

7057-70

Endst: No. _____ /A-1/ Apptt: of SST (Gen)(PSC) 2012

Dated Pesh. the 30/5 2012

Copy forwarded to the:-

- 1 Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar w/r to his Notification cited above.
- 2 Agency Education Officer Khyber Agency at Jamrud
- 3 Agency Accounts Officer Khyber Agency at Jamrud
- 4 Principal/Headmasters concerned
- 5 Candidate concerned
- 6 P.A to D.E FATA

ATTESTED

ADDL. DIR. (FATA)

GOVERNMENT OF KHYBER PAKHTUNKHWA
CHARGE REPORT FORM FOR GAZZETTED OFFICERS

(For all charges among Gazetted Government Servants) all these certificates should be at once filled up and dispatched by the same date.

Certified that I M. Naeem) have this
fore noon taken over the charge of the S E T post
present with reference to the order of the Endst No: 7057-70 dated: 30-05-
2012 dated _____ transferring from _____
to GHS, Muhammad K. Killa, Khyber
Agency

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

Station GHS, M. Khan, Killa
Khyber Agency.
Dated _____

Signature of the relieved
Govt. Servant vacant
Designation S.E.T.

Signature of relieving
Govt. Servant
Designation S.S.T.

Endst. No. _____ Dated: _____

From The P. G. H.S. Muhammad
Khan, K. Killa, L.K.L.
Khyber Agency.
To

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Director Education FATA Warsak Road Peshawar.
3. Political Agent Khyber Agency at Peshawar.
4. Agency Education Officer Khyber Agency at Jamrud.
5. Agency Accounts Officer Khyber Agency at Jamrud.
6. PS to Secretary SSD FATA Secretariat Peshawar.

ATTESTED
[Signature]

[Signature]
[Stamp]
[Signature]



ANNEX 'G'

24

NOTIFICATION

1. WHERE AS: one Mr. Muhammad Naem S/O Muhammad Saleem who himself appointed/adjusted as SST (G) in GHS Muhammad Khan Killi District Khyber vide Notification No. 3506-13/File No. 2/A-14/SST(M)/PSC/Apptt: dated 25/5/2012 and No. 7057-70/A-1/Apptt: of SST (General) (PSC)2012 dated 30/5/2012 upon the production of fake/bogus appointment/adjustment order not issued by the Directorate of Education erstwhile FATA, Nor by the Directorate of Elementary and Secondary Education Khyber Pakhtunkhwa.
2. AND WHERE AS, the competent authority has directed the above said accused SST to produce authentic and verified service record from the concerned authorities, but he failed to comply with the legitimate directions of high ups regarding production of requisite authentic documents/record.
3. AND WHERE AS, further an inquiry committee was constituted by the competent authority vide Notification No. 8154-63 dated 04/8/2016 who have gone through the entire case record and it has been proved that the said appointment/adjustment order for the aforesaid post advertised by Public Service Commission Khyber Pakhtunkhwa was turned out fake/bogus.
4. AND WHERE AS, it has come to the notice of the competent authority that Mr. Muhammad Naem S/O Muhammad Saleem, having no legal status of the said appointment/adjustment order.
5. NOW THEREFORE, under the mandatory provision and power conferred under Section-20 & 21 for General clauses Act-1897 as amended in 1956 and in pursuance of the scrutiny of selection/appointment record in r/o the above mentioned SST which was found fake/bogus, thus his appointment/adjustment Notification No. 3506-13/File No. 2/A-14/SST(M)/PSC/Apptt: dated 25/5/2012 and No. 7057-70/A-1/Apptt: of SST (General) (PSC)2012 dated 30/5/2012 is hereby "DISOWNED" ab initio and with the direction to District Education Officer (concerned) to recover salaries and other allied benefits drawn by Mr. Muhammad Naem S/O Muhammad Saleem in the interest of Public Service.

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

5734-39

Endst: No. _____ dated 4/4 2019

Copy forwarded to the:-

1. Deputy Commissioner, District Khyber with the request to take legal action.
2. District Education Officer District Khyber with the direction to take necessary steps for the recovery of outstanding amount against fake/bogus SST concerned.
3. District Account Officer Khyber to co-operate in the matter.
- ✓ 4. Principal GHS Mohammad Khan Killi District Khyber.
5. PS to Secretary Elementary and Secondary Education Khyber Pakhtunkhwa.
6. PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa.

ATTESTED

Deputy Director (Estab)
Merged Districts

4/4/19

بکھور جناب سیکرٹری E&SE ڈیپارٹمنٹ KP پشاور

محکمہ اپیل برخلاف نوٹیفیکیشن محررہ 4-4-2019 جس کی رو سے ڈائریکٹر صاحب KP پشاور نے اپیلنٹ (Appilant) کے بھرتی کے احکامات بحیثیت SST محررہ 25-5-2012 اور بعد از محررہ 30-5-2012 کو یکطرفہ طور پر جعلی و فرضی بتلا کر اپیلنٹ (Appilant) کو ملازم ماننے سے انکار کر دیا۔

استدعا: نوٹیفیکیشن محررہ 4-4-2019 مجازیہ جناب ڈائریکٹر صاحب E&SE ڈیپارٹمنٹ KP پشاور کو قاعدہ کر کے اپیلنٹ (Appilant) کو ملازمت پر تمام مراعات کے ساتھ بحال کیا جائے۔

جناب عالی!

۱۔ یہ کہ Appilant M.A, B.Ed تک تعلیم یافتہ ہے۔

۲۔ یہ کہ محکمہ E&SE ڈیپارٹمنٹ KP پشاور نے بزرگوار اشتہار محررہ 2009 مجازیہ KPPSC نے صوبہ سرحد اب KP کے اہل امیدواروں سے SST کی پوسٹوں کے لئے درخواستیں طلب کئے۔ چونکہ Appilant تمام شرائط پر پورا اتر رہا تھا۔ اس لیے بزرگوار PSC اپلائی کی۔

۳۔ یہ کہ بھرتی کے مزاجہ طریقہ کار سے نکلنے ہوئے Appilant میرٹ لسٹ میں جگہ بنانے میں کامیاب ہوا۔

۴۔ یہ کہ Appilant کو KPPSC نے باقاعدہ E&SE ڈیپارٹمنٹ KP پشاور کو منظور کیا۔ جو کہ محکمہ نے بزرگوار نوٹیفیکیشن محررہ 25-05-2012 تعیناتی کے احکامات جاری کر کے بعد از روئے حکم محررہ 30-5-2012 ٹرانسبل ڈسٹرکٹ خیبر جی ایچ ایس محمد خان کھلے میں

ایڈجسٹ کیا گیا۔ اس کے بعد Appilant کا 07-05-2018 GHS Landikotal تبادلہ کیا گیا۔

۵۔ یہ کہ بغیر چارج شیٹ اور شوکا ز نوٹس و پرسنل ہیئرنگ اور ریگولر انکوری کے Appilant کو یکطرفہ احکامات محررہ 04-04-2019 کی رو سے نوکری سے برخاست کیا گیا۔ بلکہ بھرتی احکامات کو جعلی و فرضی کروانہ کیا جو کہ ظلم اور نا انصافی کا منہ بولتا ثبوت ہے۔ اس لیے قابل منسوخی ہے۔

۶۔ یہ کہ Appilant کے 7 سال سے زیادہ عرصہ ملازمت کو بہ یک جنبش قلم ختم کر کے نہ صرف گھر بھیج دیا بلکہ دور ملازمت تمام تنخواہیں واپس لی جانے کے احکامات جاری کیے گئے جو کہ آئین اور قانون کے منافی ہے۔

لہذا التماس ہے بمنظوری درخواست ہذا نوٹیفیکیشن محررہ 4-4-2019 کو کالعدم کر کے Appilant ملازمت پر بحال کیا جائے۔

آپ کا مخلص محمد نعیم ایس ایس ٹی

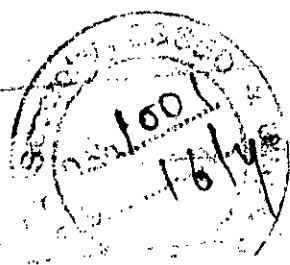
جی ایچ ایس لنڈی کوتل

ATTESTED

اسماء بنت عبدالمطلب

- 1- (1) اسماء بنت عبدالمطلب
- 2- (2) اسماء بنت عبدالمطلب
- 3- (3) اسماء بنت عبدالمطلب
- 4- (4) اسماء بنت عبدالمطلب
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- 14- (14) اسماء بنت عبدالمطلب
- 15- (15) اسماء بنت عبدالمطلب
- 16- (16) اسماء بنت عبدالمطلب
- 17- (17) اسماء بنت عبدالمطلب
- 18- (18) اسماء بنت عبدالمطلب
- 19- (19) اسماء بنت عبدالمطلب
- 20- (20) اسماء بنت عبدالمطلب
- 21- (21) اسماء بنت عبدالمطلب
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- 23- (23) اسماء بنت عبدالمطلب
- 24- (24) اسماء بنت عبدالمطلب
- 25- (25) اسماء بنت عبدالمطلب
- 26- (26) اسماء بنت عبدالمطلب
- 27- (27) اسماء بنت عبدالمطلب
- 28- (28) اسماء بنت عبدالمطلب

Transfer To settled



ATTESTED

وکالت نامہ

بعدالت خبر طوطو کوہ سردسوں ٹرسٹ

محمد نسیم

بنام گورنمنٹ آف آف
دعویٰ اجرم سردسوں رحیل

تھانہ / ایف آئی آر / تاریخ

باعث تحریر آنکلم

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی بمقام

امین الرحمن یوسفزئی ایڈووکیٹ ہائی کورٹ، فیڈرل شریعت کورٹ آف پاکستان اینڈ سجاد احمد محسود ایڈووکیٹ ہائی کورٹ،

کو بدین شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کرونگا اگر پیشی پر من مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر سے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے کسی اور جگہ یا پکھری کے مقررہ اوقات سے پہلے یا پیچھے یا بزور تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ اگر مقدمہ علاوہ صدر مقام پکھری کے کسی اور جگہ سماعت ہونے یا بزور تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر من مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پرداخت صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجرائے ڈگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجرا کرانے اور ہر قسم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور سپرد ثالثی و راضی نامہ کو فیصلہ برخلاف کرنے، اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور بصورت اپیل و برآمدگی مقدمہ یا منبوجی ڈگری یکطرفہ درخواست حکم امتناعی یا قرقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف کو بشرط ادا سنگی علیحدہ مختار نامہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا اس کے کسی جزو کی کارروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے کسی دوسرے وکیل یا ایئر سٹرو کو بجائے اپنے یا اپنے ہمراہ مقرر کریں۔ اور ایسے مشیر قانون کو ہر امر میں وہی اور ویسے ہی اختیارات حاصل ہوں گے۔ جیسے کہ صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا یہ مختار نامہ لکھ دیا کہ سند رہے مورخہ _____ مضمون مختار نامہ من لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

ATTESTED & ACCEPTED:

Amin ur Rehman Yousafzai
Advocate High Court,
& Federal Shariat Court
of Pakistan.

Adv.
Khairul
Khan
DC-10-1115

Sajjad Ahmad Mehsud
Advocate High Court
Peshawar



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

Service Appeal No:961/2019

Muhammad Naeem ,Ex SST (G) B-16 District Mardan.Appellant.

VERSUS

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

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Asstt: Director (Lit: II)
E&SE Department, Khyber
Pakhtunkhwa, Peshawar.

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

Service Appeal No: 961/2019

Muhammad Naeem ,Ex SST (G) B-16 District Mardan.....Appellant.

VERSUS

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

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

Respectfully Sheweth:-

The Respondents submit as under:-

Preliminary Objections.

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

- 12 That the Appellant is not competent to file the instant appeal against the Respondents.
- 13 That the impugned Notification dated 4/4/2019 of the Respondent Department is legally competent & liable to be maintained in favor of the Respondents.
- 14 That no Departmental Appeal has been filed by the appellant to the Respondent Department against the impugned Notification dated 4/4/2019.
- 15 That the appointment letter of the appellant has been declared as fake and bogus by the Respondent Department.
- 16 That the Notification dated 4/4/2019 has correctly been issued by the Respondent Department after observing all the codal formalities.

ON FACTS.

- 1 That Para-1 needs no comments, being pertains to the Service Record of the Appellant against the SST (G) B-16 post which has been declared fake & bogus and even disowned by the Respondent Department vide Notification dated 4/4/2019. In view of the recommendations of the inquiry committee which was constituted vide Notification No. 8154-63 dated 4/8/2016, who submitted its report that the afore said order & Appointment Notification dated 25/05//2012 of the appellant is fake & bogus with no cogent record in the Respondents No.2 & 3 offices.
2. That Para-2 also needs no comments being pertains to the academic & professional qualification of the appellant.
- 3 That Para-3 is correct to the extent of Advertisement dated 26/01/2009 by the Respondent No.03, wherein, the appellant did not apply for the said post nor appeared in the interview before the Respondent No.3 for the appointment against SST (G) Male B-16 post, hence, the claim of the appellant regarding his appointment vide Notification dated 25/05/2012 is baseless & liable to be rejected in favor of the Respondents. **(Copy of the Ad; dated 26/01/2009 is Annexure-A).**
- 4 That Para-4 is incorrect & denied on the grounds that no cogent proof & legal justification has been annexed by the appellant in support of his stand regarding his recommendations against the SST (G) B-16 post by the KPK PSC & his further adjustment vide Notification dated 25/05/2012 against the said post in the Respondent Department are fake & bogus as the entire service record of the appellant has been found fake & bogus, hence, his services against the SST (G) B-16 post has been disowned & even null & void ab-initio having no legal effect in the eyes of law & rules vide Notification dated 04/04/2019 by the competent authority **(Copy of the said Notification dated 04/04/2019 is Annexure-B).**

- 5 That Para-5 is incorrect & denied on the grounds that the services of the appellant against the SST (G) B-16 post have been disowned vide Notification dated 4/4/2019 by the Respondent No.2 after observing all legal formalities under the rules & the claim of the appellant regarding his recommendations by the KPK PSC against the SST(G) B-16 & his adjustment as SST vide Notification dated 30/05/2012 are fake & bogus having no record in the Respondent Department.
- 6 That Para-6 is incorrect on the grounds that the Services of the appellant has been placed against the SST (G) B-16 at GHS Muhammad Khan Killi Khyber Agency vide order dated 7/3/2012 as per claim of the appellant is also fake & Bogus, hence, disowned by the Respondent Department by the competent authority & where against no Departmental appeal against the Notification dated 4/4/2019 has been filled by the appellant to the competent authority nor any such record is available in the Respondent Department till date, hence, got finality under the Law & rules against the appellant
- 7 That para-7 is incorrect & denied on the grounds that the Services of the appellant against the SST (G) B-16 has been disowned by the competent authority & where against no Departmental appeal against the Notification dated 4/4/2019 has been filled by the appellant to the competent authority nor any such record is available in the Respondent Department till date, hence, got finality under the Law & rules against the appellant.
- 8 That para -8 is incorrect & denied as no Departmental appeal against the Notification dated 4/4/2019 has been filled by the appellant to the competent authority nor any such record is available in the Respondent Department till date, hence, got finality under the Law & rules against the appellant, however, the Respondents further submit on the following grounds inter alia:-

ON GROUNDS.

- A **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy vide the above said Notification dated 4/4/2019 by the Respondent Department in the instant case, hence, the stance of the appellant is baseless & liable to be rejected.
- B **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy vide the above said Notification dated 4/4/2019 by the Respondent Department in the instant case having no question of violation of Article 10-A of the constitution of 1973, hence, the stance of the appellant is baseless & liable to be rejected.
- C **Incorrect & not admitted.** The statement of the appellant is without any cogent reason & justification on the grounds as agitated in the foregoing paras of the present reply by the Respondents as regular inquiry has been conducted vide Notification bearing endst; No.8154-63 dated 4/8/2019 by the competent authority who declared the documents & 1st appointment as fake & bogus, hence, the plea of the appellant is without any justification.
- D **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification on the grounds that his 1st appointment

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

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

Dated ___ / ___ /2020



Director

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




Secretary

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

AFFIDAVIT

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



Deponent

Annexure

D

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NWFP PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: www.nwfppsc.gov.pk

Dated: 26-01-2009

ADVERTISEMENT No. 01 / 2009.

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

AGRICULTURE LIVESTOCK & CO-OPERATIVE DEPTT:

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

QUALIFICATION: M.Sc Agriculture or B.Sc (Hons) Agriculture (Obtained) after "4" Years Instructions after F.Sc) from a recognized University under research programme in the subject relating to the subject groups as specified in schedule -II to which the Vacancy occurs.

AGE LIMIT: 21 to 33 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Both Sexes. **ALLOCATION:** Merit.

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

QUALIFICATION: M.Sc Agriculture or B.Sc (Hons) Agriculture (Obtained) after "4" Years Instructions after F.Sc) from a recognized University under research programme in the subject relating to the subject groups as specified in schedule -II to which the Vacancy occurs.

AGE LIMIT: 21 to 33 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Male. **ALLOCATION:**

Merit	Zone-1
01	01

CHIEF ENGINEER WORKS & SERVICE DEPARTMENT.

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

QUALIFICATION: (i) 2nd Division FA/FSc with one year Diploma in Computer Science from the recognized Institute (ii) Speed of Ten thousand key depression per hour for punching/data entry/verification.

AGE LIMIT: 18 to 30 years. **PAY SCALE:** BPS-11. **ELIGIBILITY:** Both Sexes. **ALLOCATION:**

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

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

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

QUALIFICATION: (i) Bachelor Degree in Mining Engineering from recognized University and (ii) 1st Class Mines Manager's certificate of Competency granted under the provision of Mines Act, 1923 and (iii) Two years experience in Govt. or Semi Government Mining Industries registered under the Mines Act, 1923.

AGE LIMIT: 21 to 33 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Male.

ATTESTED

provisions of the rules for the time being in force.

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

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

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

ALLOCATION:

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

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

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

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

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

ALLOCATION:

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

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

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

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

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

ALLOCATION: Merit.

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

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

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

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

ALLOCATION: Merit.

ATTESTED

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

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

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

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

ALLOCATION:

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

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

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

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

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

PAY SCALE: BPS-16 ELIGIBILITY: Female.

ALLOCATION: Merit.

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

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

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

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

ALLOCATION: Merit.

TECHNICAL EDUATION AND MAN POWER TRAINING DEPARTMENT.

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

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

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

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

ALLOCATION: Merit.

ATTESTED

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

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

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

(S.No. 67)	One (01) Post of Female office Assistant.
	QUALIFICATION: Bachelor degree from recognized University.
	AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-14. ELIGIBILITY: Female.
	ALLOCATION: Merit.

CORRIGENDUM

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

GENERAL CONDITIONS.

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

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

SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.

Main Branches of:

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

ATTESTED

(Atta Ur Rehman)
Secretary

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

ATTESTED

ANNEX G

93

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA

B

NOTIFICATION

- WHERE AS one Mr. Zafar Iqbal S/O Gul Rehman who himself appointed/adjusted as SST (G) in GMS Maazullah Khwazai District Mohmand vide Notification No. 955-59/File No. 2/A-14/SST(M)/PSC/Appptt. dated 05/03/2012 and No. 3187-3200 A/PSC (G) 2012 dated 07/03/2012 upon the production of fake/bogus appointment/adjustment order not issued by the Directorate of Education erstwhile FATA Nor by the Directorate of Elementary and Secondary Education Khyber Pakhtunkhwa.
- 2 AND WHERE AS, the competent authority has directed the above said accused SST to produce authentic and verified service record from the concerned authorities, but he failed to comply with the legitimate directions of high ups regarding production of requisite authentic documents/record.
- 3 AND WHERE AS, further an inquiry committee was constituted by the competent authority vide Notification No. 8154-63 dated 04/8/2016 who have gone through the entire case record and it has been proved that the said appointment/adjustment order for the aforesaid post advertised by Public Service Commission Khyber Pakhtunkhwa was turned out fake/bogus.
- 4 AND WHERE AS, it has come to the notice of the competent authority that Mr. Zafar Iqbal S/O Gul Rehman, having no legal status of the said appointment/adjustment order.
5. NOW THEREFORE, under the mandatory provision and power conferred under Section-20 & 21 for General clauses Act-1897 as amended in 1956 and in pursuance of the scrutiny of selection/appointment record, in r/o the above mentioned SST which was found fake/bogus, thus his appointment/adjustment Notification No.955-59/File No. 2/A-14/SST(M)/PSC/Appptt. dated 05/03/2012 and No. 3187-3200 A/PSC (G) 2012 dated 07/03/2012 is hereby "DISOWNED" ab initio and with the direction to District Education Officer (concerned) to recover salaries and other allied benefits drawn by Mr. Zafar Iqbal S/O Gul Rehman in the interest of Public Service.

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

5647-S1

Endst: No. _____ dated 4/4 2019
Copy forwarded to the:-

1. Deputy Commissioner, District Mohmand with the request to take legal action.
2. District Education Officer District Mohmand with the direction to take necessary steps for the recovery of outstanding amount against fake/bogus SST concerned.
3. District Account Officer District Mohmand to co-operate in the matter.
4. PS to Secretary Elementary and Secondary Education Khyber Pakhtunkhwa.
5. PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa.

Deputy Director (Estab)
Merged Districts

ATTESTED

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 961/2019

Muhammad Naeem.....Appellant

VERSUS

Government of Khyber Pakhtunkhwa & Others.....Respondents

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2.	Copy of KP PSC Advertisement 01/2009	"A"	4



Senior Law Officer
Khyber Pakhtunkhwa
Public Service Commission Peshawar

UMS88642630

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 961/2019

Muhammad Naeem.....Appellant

VERSUS

Government of Khyber Pakhtunkhwa & others.....Respondents

PARAWISE COMMENTS ON BEHALF OF (RESPONDENT NO. 03)

PRELIMINARY OBJECTIONS:

1. The appellant neither applied nor was recommended against any of the advertised posts. He is not a genuine recommendee / selectee of the Public Service Commission in respect of the post.
2. That the instant Service Appeal is not maintainable against the replying Respondent No.3.
3. That the appellant has malafidely dragged Khyber Pakhtunkhwa Public Service Commission in the instant case.
4. That the appellant is misleading this Honorable Service Tribunal.
5. That instant Service Appeal is liable to be dismissed with special cost as the same is based on ulterior motives of the appellant.
6. Instant service appeal is based on misrepresentation.

ON FACTS:

- 1-2. Pertains to personal information of the appellant, no comments.
3. That the Khyber Pakhtunkhwa Public Service Commission advertised 1681 posts of SETs/SSTs vide Advertisement No. 01/2009 dated 26.01.2009 with the following qualifications:

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

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

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

ALLOCATION:

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

(Annex-A)

Furthermore list of the candidates who were recommended to Government for appointment is (Annex-B).

2

4. Incorrect. The appellant was not recommended against any of the said posts. List of the genuine recommendees is annexed as B. The appellant has not provided any proof of his recommendation by the Public Service Commission.

5-8. Not pertaining to Public Service Commission.

GROUND.


A-C. Not pertaining to Public Service Commission.

D. Incorrect. The appellant concerned is not a recommendee / selectee of the Khyber Pakhtunkhwa Public Service Commission as explained in Para 4.

E. Not pertaining to Public Service Commission.

F. The appellant may not be allowed to raise any other grounds during the course of arguments against the replying respondent Khyber Pakhtunkhwa Public Service Commission.

It is, therefore, most humbly prayed that in light of above submissions the instant Service Appeal may kindly be dismissed with cost.



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

3

AFFIDAVIT

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

DEPONENTS


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

NWFP PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: www.nwfppsc.gov.pk

Dated: 26-01-2009

ADVERTISEMENT No. 01 / 2009.

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

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

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

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

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420	280	281	280	210	210

(Atta Ur Rehman)

Secretary

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

Receipt

Title - M. Naeem

Appeal No - 961/2019

I have received Rs 2000/-
from the KPPSC Representative as
per court order

Name M. Naeem

Signature M. Naeem

Dated - 22/7/2020