

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

Service Appeal No.1764/2022

Shehzadi D/O Mir Azam, Resident of Village Kalu Khan, Tehsil Razzar, District Swabi ..... **Appellant**

**VERSUS**

3. Govt:of Khyber Pakhtunkhwa, Through Secretary E&SE Department, Civil Secretariat, Peshawar.
4. Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Female) Swabi..... **Respondents**

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**DISTRICT EDUCATION OFFICER**  
**(FEMALE) SWABI**

**District Edu. Officer**  
**(Female) Swabi**

(01)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
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Shehzadi D/O Mir Azam, Resident of Village Kalu Khan, Tehsil Razzar, District Swabi ..... **Appellant**

**VERSUS**

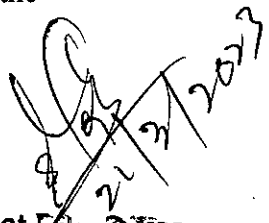
1. Govt:of Khyber Pakhtunkhwa, Through Secretary E&SE Department, Civil Secretariat, Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Female) Swabi..... **Respondents**

**PARA WISE COMMENTS ON BEHALF OF THE RESPONDENTS No. 1 TO 3**

**Respectfully Sheweth,**

**PRELIMINARY OBJECTIONS.**

1. That the appellant has not impugned the disown order dated 05.08.2022 any where in his departmental appeal at all, hence, the appeal in hand is not maintainable.
2. That the prayer in the departmental appeal is," it is therefore, requested that the notification dated 23.02.2022 may kindly be cancelled and release the pay of the appellant", there is nothing about the disown order dated 05.08.2022, hence the petition is not maintainable.
3. That the page 36-A annexed with memo of appeal, he claims it as a departmental appeal is not addressed to the appellate authority i.e. Director E&SE, Khyber Pakhtunkhwa, Peshawar but addressed to the Director Right to Information, Khyber Pakhtunkhwa, Peshawar, hence the appeal is not maintainable in the present form and circumstances of the issue.
4. That the service appeal is wrong, baseless and not maintainable, it shows no strong cause to be taken for adjudication, therefore, the same service appeal is liable to be rejected/ dismissed.
5. That the service appeal is unjustifiable, baseless, false, frivolous and vexatious. Hence the same is liable to be dismissed with the order of special compensatory cost in favour of respondents.
6. That no constitutional or legal right of the appellant has been violated, therefore, the appellant is not entitled to invoke the constitutional jurisdiction of this honourable Service Tribunal under Article 212 of the constitution of Pakistan.
7. That the appellant has not come to the Court/Tribunal with clean hands.
8. That the appellant has concealed the material facts from this Honourable Tribunal.
9. That the appeal is bad for misjoinder and non-joinder of the necessary party.
10. That the appellant has filed the instant appeal just to pressurize the respondents.
11. That the appellant has no cause of action to file the instant appeal.
12. That the appeal is not maintainable in the eye of law.
13. That the instant appeal is not maintainable in the present form and also in the present circumstances of the issue.

  
**District Edu. Officer**  
**(Female) Swabi**

## Facts:

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1. That the para relates to the bonafide citizenship/residence of the appellant, which does not create any right of recruitment, hence needs no comments.
2. That the employee got the appointment through back door, The disown order of the appellant is a speaking order, The competent authority DEO(F) Swabi (Ms: Sofia Tabassum) ordered inquiry vide office Endst:No.462 dated 14.02.2022 and Endst:No.658-61 dated 04.03.2022. The committee carried out a comprehensive enquiry wherein a full opportunity of defense without any prejudice and fear of reprisal was provided to the appellant. The committee submitted its report to the competent authority, wherein the committee declared the appointment order as flying, fake and bogus. The competent authority DEO (F) Swabi submitted a report regarding appointment on extraneous grounds to the Director Elementary & Secondary Education, Peshawar consequent upon which vide Endst:No.789-92/A-23/Complaint/Mardan Vol-II/2021 dated Peshawar, Mr. Sharif Gul Principal BPS-19 who conducted his enquiry, wherein he affirmed and agreed with the enquiry report already conducted by the DEO (F) Swabi, submitted to the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide No. 116 dated 29.06.2022. The Director Elementary & Secondary Education Khyber Pakhtunkhwa directed the DEO (F) Swabi to disown the appointment order of fake and bogus teachers vide No. 1577/A-23/MS/Complaint/Mardan/Voll-II/2021/DC. The most interesting fact in the case in hand is that "neither the appellant father belonged to Elementary & Secondary Education Department nor died during service. No documents/ due approval exists on file or with the appellant to avail the said quota, It is a well settled principle of interpretation of notification and/or an executive order that the same can operate prospectively and not retrospectively. Reliance is placed on PLD 1997 SC 315 and 2021 SCMR 124. Civil appeal No. 511/2021 is the fresh judgment in this regard. **Enquiry reports (1,2), Disown order, Civil Appeal No. 511/2021, letter to DEO-F Swabi & its reply, letter of Director to Secretary, Letter of DPO to Director ACE and Letter of DEO to Director are annexed as A, B, C, D, E, F, G, H & I.**
3. That her initial recruitment has been proved as fling, fake and bogus. The appellant was given /provided ample opportunity to prove her appointment as valid but she badly failed to prove it. Orally, the appellant admitted if the matter finishes up with her resignation from the post, she is really to do so. All the formalities fulfilled after the flying appointment order are fake, came into the notice of the competent authority, when greater number of inducted teachers reported for participation in the induction program for newly appointed teachers which was delayed due to Covid-19 Pandemic. During scrutiny of record, this case also came on surface along-with other such like cases.
4. That in the enquiry, the appellant failed to produce any valid document/copy of application etc; and could not reply of the questionnaire confidently. She named died persons, her brother in law and late Safdar Ali Assistant in DEO (F) Swabi, who facilitated her appointment. She also failed to provide necessary relevant valid documents. The most interesting fact neither her father belonged to Elementary & Secondary Education Department nor died during service.
5. That the matter belongs to flying, fake and bogus appointment orders of seven (07) female teachers of various cadres; each case has its own perspective and ugly back ground. A tricky and cunning mafia is at the back of all these fake, bogus and flying orders. The holder of flying, fake and bogus order teachers are relative of Junior Clerks of this department or personnel of Police department. The DEO (F) Swabi has requested to DPO Swabi for lodging an FIR against the mafia.
6. That the stoppage of pay/salary by respondent No.03 was due to the fake, bogus and flying order of the appellant, proved during perusal of record and facts

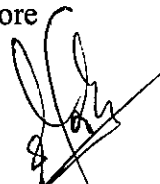
finding enquiry. She was provided ample opportunities to produce evidences to validate her appointment before the stoppage of pay but she badly failed.

7. That the respondent No.03 rightly issued a notification No. 1896-1901 dated 05.08.2022, declared and disown the appointment order of the appellant flying, fake and bogus after observing all the codal formalities. The rule of locus poenitentiae is not applicable in the instant case, because the base provided for appointment order by the appellant is illegal," Rule of locus poenitentiae (Power to recall) will not be applicable in case, in which basic order is illegal." Same is reported in NLR 2005 TD (Service) 286: 2002 Plc (CC) 1093. 2000 PLC (CS) 1260.2000 SCMR 9027> PLD 2000 LAH 253.1999 SCMR 2089. 1998 PLC (CS) 389. Locus poenitentiae will not be attracted when employee got the appointments through back doors, Reliance is placed on 2001 PLC ICS) 121 and 2000 PLC (LC) 1172 No. perpetual rights could be gained on basis of such illegal order. Principle of locus poenitentiae would not apply to such case. Same is reported in 2005 SCMR 1040. Furthermore ill gotten gains cannot be made a precedent.
8. That during scrutiny and perusal of record, it was cleared before the competent authority that her appointment was flying fake and bogus, in this situation the competent authority was in the firmed view that drawl of salary of flying appointees including the appellant from the exchequer is a loss of public money. Hence, her salary was stopped without further delay. Thus the order dated 23.02.2022 is a well reasoned order. The enquiry was conducted through a committee, which was endorsed by another enquiry officer of BPS-19. Thus the order dated 05.08.2022 is also in accordance with law, rules, policy and under circumstances. The document she claims a departmental appeal annexed at page 23 to 25 with memo of writ is without date. Furthermore, the document she claims a departmental appeal annexed at page 36-A with the memo of writ with date 02.02.2022 asking information of the letter dated 23.02.2022 and also addressed to the Director Right to Information Khyber Pakhtunkhwa, Peshawar instead of Director of Elementary & Secondary Education Peshawar, which is conjectural, contemptuous frivolous and ludicrous.
9. That the order sheet dated 19.08.2022, reveals,: that after a proper enquiry, the appellant appointment was found as bogus and fake and she is not in the strength of the education department learned council for the petitioner/appellant was shown the said notification, he stated that he does not press the instant petition on merit provided he is allowed to appear before the proper forum. Hence dismissed being not pressed" The appellant has not impugned the disown order any wherein her appeal. She also did not act upon the direction of the honourable Peshawar High Court, Peshawar. The application she claims her departmental appeal is without proper signature and date. The disown order dated 05.08.2022 is not mentioned any where in that document. The appellant has filed the instant service appeal at much belated stage, which is clearly hit by the doctrine of laches. Hence not maintainable. The service appeal as well as the departmental appeal is wrong, baseless, false, frivolous, vexatious, wholly incompetent misconceived and untenable. The contents of the departmental appeal do not match with the contents of the service appeal. Hence the same is liable to be dismissed with special compensatory cost in favour of the respondents.
10. That the departmental appeal was without date and proper signature. The contents of the departmental appeal do not match with instant service appeal. Both departmental as well as service appeal are badly barred by time and wholly incompetent and untenable. The appellant has not come to this Honourable Tribunal with clean hands. The departmental as well as service appeal of the appellant also suffers from misstatements and concealment of facts and as such the appellant is not entitled to equitable relief.
11. That the disown order dated 05.08.2022 is not impugned any where in his document. She claims incompetent departmental appeal, hence the claim is conjectural, contemptuous, surmise, frivolous, misconceived and ludicrous. The

stoppage of salary is due to the flying, fake and bogus order of the appellant proved during perusal of record and facts finding enquiry. This fact was proved in regular enquiry. She was provided ample opportunities to produce evidences to validate her appointment before the stoppage of pay but she badly failed to do so. She is not an aggrieved person at all. Therefore, she has no cause of action to file the instant appeal and the appeal in hand is liable to be dismissed on the above facts and circumstances.

**Grounds:**

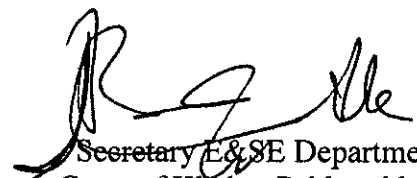
- A. Incorrect, hence denied. The order dated 23.02.2022 and 05.08.2022 passed by the respondent No. 03 is legal, lawful with lawful authority and is effective upon the rights of the appellant, as appellant appointment is flying, fake and bogus. She misconceives the matter, just for the creation of her right of appointment wrongly, which is against the law, rules and policies of the Government. Appeal which intend to seek protection of ill gotten gain and perpetuation of un-ethical illegality deserved to be dismissed, so that the court could not be blamed for encouraging a culture where might is right and where people were permitted to secure benefits through unfair means.
- B. Incorrect, hence strongly denied. The order/notification dated 23.02.2022 and 05.08.2022 against the appellant are logical, with reasons and with application of mind to the policy of departmental action. Which attitude of the respondents is applicable, praiseworthy in accordance with law, rules, policy and natural justice. The appellant along-with other citizen of Pakistan due rights have been protected.
- C. Incorrect, hence denied. The appellant has committed offence. The flying, fake and bogus order is misconduct, blander and irregularities.
- D. Incorrect, hence denied. The initial appointment order had been proved as flying fake and bogus. The appellant was given/ provided ample opportunities to prove her appointment as valid but she badly failed to prove it. Orally, she admitted if the matter finishes up with her resignation from the post, she is really to do so. The salary has been inactive after sold grounds. The departmental proceedings and stoppage of the salary was legal, lawful with lawful authority and the same is liable by law.
- E. Incorrect, hence denied. The notifications are legal, lawful and in accordance with the natural justice. The father of the appellant neither belonged to Elementary & Secondary Education Department Khyber Pakhtunkhwa nor died during service. She was neither member of the deceased family nor her deceased father was employee of Elementary & Secondary Education Department. In addition she failed to produce a valid Service Certificate, Death Certificate, legal heirs and any other valid documents/approval necessary for appointment against the deceased quota.
- F. Incorrect, hence strongly denied. According to the statement rendered by the appellant, she got married in May, 2001 and has joined other family. According to her, her father was died on 11.04.2000. No documents/due approval exists on file or with her to avail this quota. The recruitment date is 11.09.2019. According to appointment, promotion & Transfer rules 1989 Rule 10(4), the appellant was not eligible for recruitment. This was flying, fake and bogus appointment order. Appointment in question was illegal and unlawful not only, that she had been made in a manner offensive of rules and law on the subject but also because she had been made in serious violation of the merit and transparency and that the same had deprived people of her country of her right to be served by the best. Such appointment is also trampled over the rights of others, better and more

  
 District Edu. Officer  
 (Female) Swabi

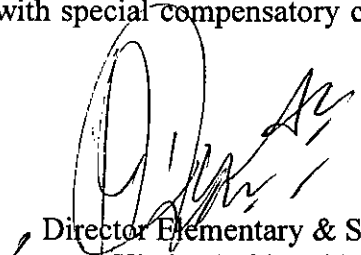
qualified persons. It is un-ethical and unlawful to seek protection of ill gotten gains; law of the land does not allow any one to encourage this.

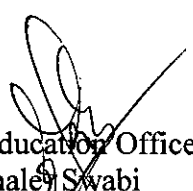
- G. That the initial recruitment of the appellant has been proved as flying, fake and bogus. The matter belongs to flying fake and bogus appointment order of seven (07) teachers of various cadres; each case has its own perspective and ugly back ground. A tricky and cunning mafia is at the back of all these flying, fake and bogus appointments, this need to be discouraged.
- H. That the appellant misconceives the matter, therefore, it has no legal back up. The fundamental rights of the appellant are dealt in accordance with law equal treatment and provided equal protection of law. Thus the action of DEO (F) Swabi is in accordance with law, rules, code and policy. The orders/notifications directions are legal, fair and transparent in the eye of law, hence that is maintainable and tenable under the law.
- I. That the appellant misconceives the matter and intended to seek protection of her illegal act which is nullified and not tenable under the law. The appellant is intended to encourage the culture, where might is right and where people were permitted to secure benefits through unfair means which has no legal back up.
- J. Incorrect, hence denied. The appellant has been treated according to law, rules and policy.
- K. That the respondents seek permission to raise/argue other points/grounds on the day of hearing the case.

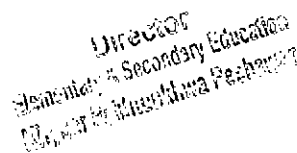
In view of the above stated submissions, it is earnestly requested that the appeal in hand may very graciously be dismissed with special compensatory cost in favour of the respondents.

  
 Secretary E&SE Department  
 Govt: of Khyber Pakhtunkhwa  
 Respondent No.1

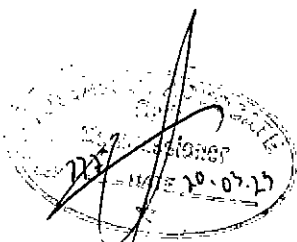
**SECRETARY**  
 Elementary & Secondary Edu: Deptt:  
 Government of Khyber Pakhtunkhwa


  
 Director Elementary & Secondary Education  
 Khyber Pakhtunkhwa, Peshawar  
 Respondent No.2

  
 District Education Officer  
 (Female) Swabi  
 Respondent No.3  
 District Edu. Officer  
 (Female) Swabi  
**Affidavit**

  
 Director  
 Elementary & Secondary Education  
 Government of Khyber Pakhtunkhwa Peshawar

I, Sofia Tabassum DEO(F) Swabi do hereby solemnly affirm and declare on oath that the contents of the better comments submitted by respondents are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.

  
 Sofia Tabassum  
 DEO(F) Swabi  
 20/07/25

  
**DISTRICT EDUCATION OFFICER**  
**(FEMALE) SWABI**  
 District Edu. Officer  
 (Female) Swabi

Annexure - A

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**DISTRICT EDUCATION OFFICE (FEMALE) SWABI**

**DEPARTMENTAL ENQUIRY.**

The undersigned is pleased to notify the following committee to conduct regular fact-finding inquiry in the left over CT appointment 2020, in respect of Miss Gudhis D/O Raza Khan now working in GGMS Tardher and Miss Saba Gul D/O Muhammad Riaz GGHS Jalbal (copy Attached).

The inquiry officer are directed to submit comprehensive report to the under signed within a week positively to proceed further in to the matter.

1. Mr. Muhammad Naeem Head Master GHS, Shera Ghund **Chairman**
1. Mr. Fazli Khaliq ADEO/ litigation officer of this office. **Member**
2. Miss Humeera Nazaneen ADEO Secy Schools (distt. Swabi) **Member**

(SOFIA TABASSUM)  
DISTRICT EDUCATION OFFICER  
(FEMALE) SWABI

Endst. No 462 Dated 14/02 /2022

Forwarded to the:

1. Director EBSE Khyber Pakhtunkhwa Peshawar.
2. Chairman and member of inquiry committee.
3. DEO (Male) Swabi.
4. Principal GGHS Jalbal Swabi.
5. Head Mistress GGMS Tardher Swabi.

*S. Tabassum*  
DISTRICT EDUCATION OFFICER  
(FEMALE) SWABI

*S. Tabassum*  
District Edu. Officer  
(Female) Swabi

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**DISTRICT EDUCATION OFFICE (FEMALE) SWABI**

**DEPARTMENTAL ENQUIRY.**

The undersigned is pleased to notify the following committee to conduct regular fact-finding inquiry in the CT IT appointment from 1-1-2019 up to date.

The inquiry officer are directed to submit comprehensive report to the under signed within a week positively to proceed further in to the matter.

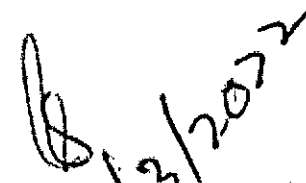
- |  |                        |
|--|------------------------|
| 1. Mr. Muhammad Naeem Head Master GHS, Shero Ghund           | <b><u>Chairman</u></b> |
| 2. Mr. Fazli Khaliq ADEO/ litigation officer of this office. | <b><u>Member</u></b>   |
| 3. Miss Saeeda Bano SDEO (Female) Swabi                      | <b><u>Member</u></b>   |


(SOFIA TABASSUM)  
DISTRICT EDUCATION OFFICER  
(FEMALE) SWABI

Endst. No. 658-61 Dated 4/3 /2022

Forwarded to the:

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. Chairman and member of inquiry committee.
3. DEO (Male) Swabi.
4. Principal/Head Mistrass Concerned ..

  
DISTRICT EDUCATION OFFICER  
(FEMALE) SWABI

  
District Education Officer  
(Female) Swabi



# FACT FINDING ENQUIRY REPORT ON

“FAK AND FLYING APPOINTMENT ORDERS OF VARIOUS  
CADRES IN DEO(F) SWABI DURING 2019-20-21.”

## Reference:

DEO (Female) Swabi Endstt: No.462- Dated 14/02/2022 and  
Endstt: No.658-61 Dated 04-3-2022, two committees were constituted to probe into  
the above titled matter and dig out facts.

### Committee No.1

1. Muhammad Naeem  
(H/M) GHS Shera Ghund (Swabi)  
as Chairman.
2. Fazli Khaliq  
Litigation officer  
DEO(M) Swabi as Member.
3. Humaira Nazneen  
ADEO Estt: DEO(F) Swabi

### Committee No.2

1. Muhammad Naeem  
(H/M) GHS Shera Ghund (Swabi)  
as Chairman.
2. Fazli Khaliq  
Litigation officer  
DEO(M) Swabi as Member.
3. Ms.Saeeda Bano  
SDEO(F) Swabi.

## Problem Preview:

During perusal of record, the DEO(F) Swabi came to know that certain teachers have been employed without following the laid down procedure and meritorious process. Especially when a greater number of teachers got presented before her who were called for participating in Induction programme for teachers employed in 2019-20 through FTS. The DEO(F) got blurred and felt that there was something fishy. She started internal scrutiny and ordered enquiry. Many mind-boggling things happened coming up on surface which will remain a stigma on the face of this department for long.

The committee started its work without wasting even a single unit of time. It has unearthed shameful facts and characters in this shameful act and the worst episode of corruption.

Committee No.1 had to enquire CT, TT and Qaria appointments while committee No.2 had to enquire CT(II) appointments.

## Method of enquiry:

1. Perusal of record
2. Statements
3. Questionnaires
4. Interviews
5. Visits

Page 1

31.3.2022

District Ed. Officer  
(Female) Swabi

No. of proceedings: 10(+)

All the concerned were informed properly. Case to case finding in length are given below:

09

(A) Ms. SABA GUL (CT) and Ms. QUDSIA (CT)

1. Both the above mentioned teachers have been appointed vide Endstt: No.1533-40/DA-I/App/CT-F/2020/Dated 07-07-2020. Both were posted at GGMS Jamra (Swabi) and vide corrigendum 2050-55/DA-II/CT/2020 Dated 08-9-2020, were posted at GGHS Tano and GGHS Lahor Sharqi respectively. In fact, in dairy register 1533-40 as above indicates the original five left over CT candidates.
2. **Pay Release:**  
There are two pay releases on record.  
In the first pay release vide Endstt: No.2070-G/Appt of CT/pay release Dated Swabi the 08-9-2020 reflects names of Saba Gul (CT) and Qudsia (CT). Astonishingly, In dairy this number indicates DA-II CT (IT). In second pay release vide Endstt: No.2239/Appt of CT/(F)/pay release/Dated Swabi the 28-9-2020 reflects SABA GUL (CT) only, from GGHS Jalbai.  
This is a crazy contradiction. These two pay releases are manipulated and bogus.
3. In DAO Swabi, the pay was released on the above mentioned suspicious, allegedly scanned photo copy documents and strict procedure has not been followed in these cases as they usually do.
4. Saba Gul (CT) was called to appear before the enquiry committee with all original record in defense. She attended the proceedings twice. The committee asked questions about her appointment.
  - ⇒ She seemed confused and frustrated.
  - ⇒ According to her, her late father dealt all matters related to her appointment.
  - ⇒ She did not know even her FTS Roll No and Centre.
  - ⇒ To a question whether any relative is employed in education department right now, her answer was "absolutely not"
  - ⇒ The replies on questionnaires are crammed, thus, not satisfactory.
  - ⇒ She could nor present even a single ~~copy~~, original and authentic document her defense.

Ms.QUDSIA (CT)

Details of appointment and pay release are almost the same as in the case of Saba Gul (CT) mentioned above when interviewed.

- (I) She was a little emotional and bashing office for what is happened. Once, She lashed out the committee but then controlled herself.
- (II) No idea about her FTS Roll No and result.
- (III) When asked about any family member employed in education department right now, her reply was "No"

The committee considers it worth mentioning at this moment of time that:

"Both SABA GUL (CT) and Qudsia (CT) have concealed the fact of their relation to any serving employee of the education department for unknown reason.

Fact of the matter is, Ms Qudsia (CT) is the sister of Muhammad Hussain J/C and Samiullah J/C of SDEO(F) establishment Lahor while Saba Gul (CT) is wife of Muhammad Hussain J/C as mentioned above. Both J/Cs were once close intimates of EMIS section of this office"

31/3/2023

Record Perusal:

The office record shows that:

1. There is no official verification of documents before release of pay.
2. The diary no 2070-G has been allotted to DA II CT (IT) rather than CT under enquiry.
3. Names of the above said appointed teachers neither included in tentative nor in final merit list.
4. Verification of documents from concerned institution has not been obtained properly.
- 5.

Statement of Zain ul Wahab DA-II CT

The DA-II CT stated as

**"I, Zain ul Wahab S/C, have been dealing CT cadre in DEO(F) Swabi since December, 2019."** Prior to me, all posting/appointments of CT were being dealt by Mr. Saleem Akhtar APO. The CT teachers appointed in Left Over case, have not been processed from my file.

There is no copy of these cases, exists on my file. I am un aware of this order. In an other statement, he maintains that original CT File was maintained by Ex APO and despite repeated requests, he could not hand over the same till date.

Incharge EMIS Seaction:

Mr. Fazal Wadood APO is serving as incharge EMIS section wef 15-10-2021. He was performing duties in the same capacity before at DEO(M) Mardan.

Replying Q.No-3, from whom have you received the charge of this office, he shows reluctance and frightens to name the person.

Replying Q.No-4, had you received complete charge or otherwise, he replied as,

**"During taking over charge, I received only one computer wherein WINDOW was not installed. There were some induction tablets i.e incomplete charge."**

To a question any deficiency in the charge, he replied,

**"Online user, appointment record, Laptop and routine letters.**

Replying Q.No-7 about **"when did you come to know about the deficiency and when did you bring this in the notice of the competent authority?"** he replied

**"Immediately after taking over charge, I came to know that the handed over Soft Ware is incomplete and un satisfactory. I called the Ex-APO to my office to complete the charge. I took up the matter with DEO also. The APO handed over the mentioned Data along with Hoser. Even then CT (IT) merit list was missing. Again through letter and email. He was informed. He came to this office again on 26-02-2022 and hand over the remaining deficiency about which it is necessary to mention that merit list is still missing in the email.**

Replying Q.No-11 about **"your opinion on these fake and flying orders,** he replies as **"there is no record in hard on file of DA concerned while in soft there is nothing in EMIS available record. As for as the impugned order are concerned, apparently, they are scanned."**

31-3-2022

**SALEEM AKHTAR EX-APO DEO(F):**

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Mr. Saleem Akhtar Ex-APO DEO(F) was EMIS incharge at DEO(F) Swabi during the period when the impugned orders were released.

He was noticed to appear before the enquiry committee to incorporate his version.

He faced the enquiry proceedings on 14-03-2022 at 10:00 AM in DEO(M) Litigation Office.

He replied the questionnaire as follows:

1. What is your tenure of posting at DEO(F) Awabi?  
Reply: wef 17<sup>th</sup> August 2016 to 07 October, 2021
2. What was your role in appointments particularly from Jan, 2019 till relieving of charge?  
Reply: The appointments issued during my tenure except 2018-19 dealt by Fazal Wadood, in 2020-21, my work was to prepare merit list in accordance with the recommendations of the committee to check academic record, was the responsibility of the committee.  
Merit lists in soft form, have been handed over to the present AP.
3. What is your expert opinion about the alleged scanned appointment orders of Ms. Saba Gul and Qudsia CT?  
R: I cannot say anything about this.
4. The list you have provided on your Whattapp to DEO(F) about the number of CT, CT II teachers employed in 2020 is contradictory to that provided by Directorate (E&S) wherein you have shown 2+1 more numbers and which is exactly the number of impugned orders issued.
5. R: The information I have forwarded was provided by DA. Personally, I have no such information.  
Q.No-5 You have been accused of missing your office?  
R: The accusation is wrong and I have not done so.  
QNO-6 whatever in your mind about these impugned orders, tell?  
R: I cannot say anything about this. Record keeping is the duty of DA. My duty is to maintain merit list which I have handed over to present AP. I was not DA of any cadre:

**Miss Humaira Nazneen ADEO(F) Swabi**

In her statement, She clearly rejects all the signature on appointment order, pay release orders in r/o Ms. Saba Gul CT and Qudsia CT, are fake and bogus.

**(B) Ms. SHAIHZADI QARIA (DECEASED):**

1. Ms. SHAIHZADI was appointed as Qaria (Deceased) Quata vide Endstt No 4525-29 dated Swabi the 11-09-2019 she was posted at GGHS Jalbai Swabi.
2. Her pay release vide Endstt No 5380/DA-II Dated 7-11-2019 was issued.
3. On perusal of record, nothing exist on proper file in DAO Swabi, Phocopies of her record exists with no proper evidence.
4. The most interesting fact is neither her father belong to E & Sec department nor died during service. it was revealed during proceedings that her father belonged to Jail Police. The candidate got married in May 2001 and has joined another family now According to her, her father was died on 11-4-2000.

No document/due approval exists on file for availing this quota.

Page 4

31-3-2022

District Edu. Officer  
Femate Swabi

- (12)
5. She could not reply the questionnaire confidently. She named died person, her brother -in -law and late safdar Astit DEO(F) who facilitated her appointment. She also failed to provide necessary relevant documents. Orally, she admitted if the matter finishes up with her resignation from the post, she is ready to do so.
  6. Mr. Izhar DA confirms that the initial on the appointment beneath the main signature of Ms Dilshad Ex-DEO(F) Swabi, is not his initial and that is bogus and fake.
  7. The teacher could not present her original appointment order, pay release order, father death and Service certificate, any approval to be appointed against the deceased quota in E&S department or any other authentic documents which may justify her appointment.
  - 8.

**(C) SAINA TT disabled Female (Left Over)**

**(D)**

1. Saina TT has been appointed as disabled (F) Left over vide Endstt No 3993-G/DA II Dated 29-7-2019. Astonishingly, at the same Endstt No, she has been appointed as TT (Left Over) with out mentioning disabled.
2. It is vital to note that there is no TT (F) disabled vacant post in the advertisement issued by Directorate Elementary and Secondary Education Peshawar.
3. Pay release in this case has been issued for disabled TT.
4. There is no disability certificate or other evidence either with her or the office record.
5. According to Ex Head Mistress GHSS Zaida, Ms Zaiqat Begum's statement "As per para 7 of appointment Endstt: No.3993-G/DA II Dated 29-7-2019, appointment is in disabled quota, I was directed to hand over charge. On producing original appointment order and original medical certificate, I was bound to hand over charge to her.

She produced a pay release order No 4757/DA II Dated 25-9-2019 and then I directed the clerk to prepare the pay bill and the service book. Having prepare and signed her service book and source I, received a cheque of her salaries duly paid to her."

6. Ms Saina was called and she recorded her statement as:

"She declares on oath that she is performing duties as TT at GGHS Zaida wef.2-9-2019 as per appointment order issued by the department. Now, I have come to know that there is something wrong with my appointment order. I am not at fault in this. I have been appointed as disabled. I affirm in writing that I am not disabled. The order has been issued by the office. If there is anything wrong or negligence, the concerned officials are responsible.

We are noble and modest people. I have handed over the original appointment letter to the enquiry committee which is now a part of your record.

Whatever the competent authority decides, would be acceptable to me. I have neither committed a crime nor tried to conceal it. Therefore according to Pakhtun Traditions and Islamic values, my case my be treated leniently as I am innocent.

As am innocent, I may not be dragged in any disciplinary severe action,"

*[Handwritten Signature]*

31-3-2022

**(E) SAMINA IQBAL CT(IT)**

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1. Appointed against CT (IT) BPS#12 on adhoc base one year contract vide DEO(F) Swabi Endstt No 1111-1118/DA I/App/CT IT F/2020 Dated 15-05-2020. She was posted at GGHS Batakara (Swabi) where she is performing duties till date.
2. Her name is not included in the tentative as well as the final CT IT merit list provided by EMIS section.
3. The Endstt 1111-1118/DA II Dated 12-05-2020 mentions CT Female appointments in the dairy and issue register and hence, fake and bogus.
4. Replying various questions in the questionnaire, she maintains that:
  - ⇒ Her name is Samina Iqbal, hails from village Kalu Khan.
  - ⇒ She is MA(Isi), M.Ed and DIT.
  - ⇒ According to her, she had applied online for the post.
  - ⇒ She did not replied about her R.No. in NTS. However, Marghuz High School was her centre in the examination and secured 53 marks.
  - ⇒ In office, her case was being dealt by safdar Sb (who is died now and was Asstt in the office.)
  - ⇒ She had received call from office about her appointment sister-in-law husband, Haroon Khan.
  - ⇒ Activation of salary was done by office as normally done in other teachers cases.
  - ⇒ Haroon had submitted her salary case and she did not know more about that.
  - ⇒ She will hold the office as responsible because my order is original also my documents.

Now, I have submitted my original order to the enquiry committee. (The Original order when shown to DEO(F) she rejected outright the originality of her signatures and termed it as manipulation.

5. Her pay release order vide 2069-G/appointment of CT IT(F)/Pay release Dated Swabi the 8-9-2020 relates to SST IT in the Diary Dispatch register. Hence, the pay release order is manipulated and bogus.

**(F) SAWERA QAYUM CT, GGMS DALORI (G) and SHAHNAZ SADIQ CT-do-**

1. The appointment order of Sawera Qayum CT issued vide 1707-G Dated 27-7-2020 is actually pay release order in diary and Dispatch register. The appointment order of Shahnaz Sadiq issued vide IV pay release order in the dairy and Dispatch register. Both the appointment orders are flying and fake.
2. The original pay release in r/o Ms Laila Kamal DM, Endstt No 2297/Release of pay, Swabi the 28-9-2020, has been manipulated by inducting names of Sawera Qayum and Shahnaz Sadiq under enquiry with Endstt No 2297/appt of CT (F)/ pay release/ Swabi the 28-9-2020. This is fake, fraudulent and flying order.
3. The two teachers under enquiry were given same questionnaire to respond. But their replies are not plausible and appealing. Their replies are fected and the committee is not satisfied with it.
4. HRIS Record regarding the two teacher show that Shahnaz Sadiq CT BPS#15 has D/O birth as 31-Dec-2018 which that of Sawera Qayum CT BPS#15 is 10-Oct-1990.

In case of Shahnaz Sadiq D/O 1<sup>st</sup> entry to service is 31-Dec-2018 while that of SAWERA QAYUM is also 31-Dec-2018. Current posting Date in r/6

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31.3.2022

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9/2/2022  
District Education Officer  
(Female) Swabi.

Shahnaz Sadiq is 31-Dec-2018 while that of SAWERA QAYUM is 31-Dec-2018. Is it not ludicrous?

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5. Original service books of both these teachers when perused, it was found that initial under each entry was of Mr. Muhammad Ali S/C account section at this office. When he was enquired by DEO(F) in presence of the enquiry committee. He admitted his blunder in writing with the remarks that he had not done that malafidely. He named Mr. Sadiq J/C GHSS Ismaila (Swabi) who made him signed these service books that time.

The committee called Mr. Sadiq to appear and explain his position. He recorded his statement as follows:

Mr. Sadiq Ali was J/C at GHSS Adina by the time, Mr. Abdul Qayum who was his neighbor. He told him in the evening that his daughter (Sawer Qayum) and her friend (Shahnaz Sadiq) had been appointed as CT. Please make service books and papers for their salaries.

I received service books and documents and prepared them all. The next day I handed over the prepared service books to him. I have made the service books of Sawera Qayum and Shahnaz Sadiq One day, I was in office. Mr. Saleem Akhtar AP apprised me to pass salaries of the two teacher whom service books I had prepared, from account office that time, I told him that my friend Tilawat Shah (Dealing hand in DAO was not present and I was also not free. Since, this seat belongs to Mr. Muhammad Ali in the office, so he would do that.

As my profession is clerk. Often, on sympathetic grounds, I prepare service books, pension papers, promotion cases, schools budgets and reconciliation. Similarly, I did that:

Now, since came to know through enquiry that this was bogus. So I have been used frankly in making all this.

2. Before making this service book, one of my friends Sajid from Ismaila told me that his sister had been employed at GGHS Maneri Bala. He asked me to accompany him. Yes, I accompanied him and I had made papers for drawing salary. One day, he called again saying that her second sister had been employed and asked to accompany him to Marghuz and I went to a Hujra in Marghuz with him.

3. Once, Sajid called and said, "the service books you have made, ask Muhammad Ali and get them signed from DEO(F). I contacted Muhammad Ali that one of the teachers was my neighbor and the other was the sister of my friend. Perhaps, I have been used in this Matter."

Analyzing this statement, it is very easy to understand that the wrong doer was present inside the queue and provides important lead to detect the real culprit.

### SOFIA TABASSUM DEO (F) SWABI

Madam SOFIA TABASSUM DEO (F) was found profound committed to segregate right and wrong and allowed the committee to work freely.

She was given a questionnaire to respond and she did the detail of her replies is given below:

- ⇒ She had taken over charge of this office wef 16-Nov-2019.
- ⇒ Till date, She had issued various order of different cadres like CT-AT-FT Quria, PET, DM, CT(F) and CIVs.
- ⇒ When Saleem Akhtar Ex APO, got transferred from Swabi to Mardan, the new incharge (FMIS) informed about the incomplete charge. Apart from that, some orders came on surface such that I got suspected particularly, when more

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31.3.2022

- ⇒ number of recruited teachers appeared for participating in Induction programme. I started internal scrutiny without waisting anytime, signs of fraud and manipulation began to appear.
- I started impartial enquiry and by every passing day, the issue is untwisting.
- ⇒ Soon after the beginning of internal scrutiny facts began to come on surface. Based on these facts, I stopped salaries of impugned recruited teachers.
- I ordered the EX-APO to provide details of vacant posts and recruited teachers in 2020. The said incharge mis informed me about these details. The difference between the list provided by him and that provided by the number of doubtful (illegal) teachers recruited.
- I recommended to lodge FIR against the said incharge and these fake employed teachers.
- I have written to worthy Director for grand enquiry. The enquiry is continuing till logical end.
- ⇒ I have sought explanation from all dealing hands and want to reach the real offender. More details have been shared above.
- ⇒ I think that dealing hands are responsible. The misshap occurred due to their weakness further investigations are underway.
- ⇒ Dealing hand in the office, DAO office dealing hands, health department and certain hidden private people ganged up to do all this.
- ⇒ No original signature of mine. My subordinate exists any where on any documents only scanned and fraudulently prepared documents are there. In case if my original signs have been taken fraudulently in rush of work, it would not be malafidely or due to incompetence. Because the wrong doer is very cunning, sharp and checky bastard.

**Ex-DEO(F) Ms DILSHAD BEGUM NOW DEO(F) Abbottabad.**

Ms DILSHAD BEGUM EX-DEO(F) Swabi, Signatory of some alleged fake and flying orders, was called in writing through DEO(F) Swabi regarding the issue of flying appointments under her signatures as mentoned above to submit her reply or visit DEO(F) office within a gavin time. She was intimated about the enquiry proceedings thereof. But the same registered letter returned undelivered with remarks on the envelope.

**“The said officer is not anywhere posted in abbottabad.”**

Simultaneously, she sent voice message to the existing DEO(F) wherein she depicts that **“Calling DEOs that way is not good call the with record if there is no record, proceed against them accordingly etc.”**

**DAO OFFICE SWABI**

The DAO Swabi was contacted in writing and physically to provide the pay release record in r/o these teachers they only showed their record and their written apply is still waited.

As per record available in DAO Swabi, it is almost the same as available in the DEO(F) local office. Verily, strict procedure in releasing of pay, has not been followed in these cases.

No document has been signed by DEO (F) herself. The documents have only been attested by ADEO(F) Secondary which she Catagorically denies. It has come into the notice of the enquiry committee that DEO(F) Swabi has already

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31.3.22

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21/3/2022  
District Edu. Officer  
(Female) Swabi



wrote to the Accountant General to take action against the Dealing hands in DAO swabi in these cases. The response is still pending. Salaries of all the teachers under enquiry have been made inactive.

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### Conclusion:

After these earth shaking findings, inside now and profound observation, the committee, honestly conclude that:

1. The impugned orders have been issued in two different periods

(a) In DILSIAD BEGUM BEGUM EX-DEO (F) SWABI PERIOD.

- i. SAINA D/O MUHAMMAD SIYAR appointed as TT in BPS#15 in disabled Female (Left Over) and at the same time as TT (Left Over) on 29-7-2019.
- ii. SHAHZADI D/O MIR AZAM KHAN, appointed as QARIA (deceased quota) and posted at GHS JALBAI on 11-9-2019

b) IN SOFIA TABASSUM EXISTIG (F) SWABI PERIOD

- i) MS QUDSIA CT D/O RZA KHAN appointed as CT (Left over) on 7-7-2020 and posted at GGMS Jamra.
- ii) MS SABA GUL T D/O MOHAMMAD RIAZ, appointed as CT female left over on 7-7-2020 and posted at GGMS Jamra (SWABI)
- iii) MS SAMINA IQBAL CT IT and posted at GGHS Bala Karra.
- iv) SAWERA QAYUM D/O ABDUL QAYUM SADIQ CT, appointed on 27/7/2020 and posted at 27-7-2020 at GGMS Dalori (G) in light of court decision.
- v) SHAHNAZ SADIQ D/O MOHAMMAD SADIQ CT (AGE-RELAXATION) order appointed 27-7-2020 and posted at GGMS Dalori(G)

2. No due extension in any of the above case has been accorded accordingly, shows that all these are flying appointments.

3. In light of all relevant record, defense of above named teachers, threats and imploring, clearly indicates that the above said appointments are non-meritorious, void, illegal, without any legal procedure, flying and manipulated orders.

All these orders are void abinitio, without any legal effect and up to the competent authority to disown them.

6. Case to case study reveals that the wrong doer was sitting inside the office occupying an important seat. He knew the weaknesses of dealing hand in the office. He made that fragile dealing hand as hostage and led the whole office by its nose.

He benefitted specific people in different times and ensured his secrecy on oath (Put their hands on Quran), the committee has come to know through reliable source.

The fake appointed teachers belong to the families of his close buddies who used to assist him in his office work.

The wrong doer and his buddies (the beneficiaries) are computer experts and the fake and flying appointments have definitely been done through scanning and other computer techniques.

Absolutely, EMIS section of this office has been misused in this corruption game where Mr. Saleem Akhtar Ex-APO Now APO(M) Mardan D/O office, was committing and patronizing this whole game.

*J. H. Khan*  
31.3.22

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7. No doubt, the establishment in DEO(F) Swabi has played a Sluggish role and has showed slackness in performance of their duty that time. Especially, EMIS Present incharge Mr. Fazal Wadood and Zain ul Wahab DA ii. But all of them were paralyzed by Mr. Saleem Akhtar Ex-APO and even today, they get frighten when mention him.

8. Their statements show that the important record has been disposed by Mr. Saleem Akhtar and the CT original <sup>file</sup> ~~posting~~ on technical grounds but the crime can not be concealed so easily.

In fact, he is the apple of discord and managed the crime with devilish skills he is famous for.

9. How much the offender is cunning and sharp, he leaves some foot-marks behind him.

10. The wrongly appointed teachers mostly name official and relatives who are not alive now, who facilitated their appointments. This worst tactic and concealment of fact.

Dots when connected, important leads go towards Mr. Saleem Akhtar Ex-APO EMIS section DEO(F) office.

⇒ On 23-June-2021, he forwarded a PDF to DEO(F) as asked by her to provide details of posts year wise. when the PDF is opened, the information he gives for the year 2020 is, CT BPS 15, total advertised posts = 19 total appointed 19 while CT IT BPS#12 total advertised post = 12, Total appointed = 12. Now, list provided on the same subject by directorate E & S.Ed. indicates CT BPS 15 total advertised posts = 17 total appointed teachers = 17 and CT IT BPS.12 total advertised posts = 11 and total appointed = 11

This clearly confirms that 02 fake CT and 01 fake CT IT were appointed that year.

Misinforming the competent authority as above is showing his malafide intension which has been proved like eggs are eggs.

His transfer from this office was a result of a complaint, can not be described here. While leaving this office, he left incomplete charge. He has taken away the hard-desk of his official computer without any permission.

He was continuously showing reluctance in leaving complete charge. Some important data is still missing.

He wisely avoided his direct involvement in any case. But he used others. For example, when Sadiq Ali J/C GISS Ismaila was called to explain his position about his links in case of Sawera Qayum CT, he directly named Salim Akhtar who had told him to help releasing his salary from DAO Swabi.

His living is beyond his income and the company he keeps is direct beneficiary of these fake appointments

His response could not satisfy this committee as he was concealing facts

His previous record shows that he is a person who makes such like crimes again and again.

8. The committee with full convection finds that no other official/officer at any level has acted malafidely. However, there was a profound level of incompetence and slackness especially DA II/EMIS

But the DA II, Mr. ZAIN UL WAHAB record was checked. He is a pious, noble and clean official.

His professional weakness has been exploited for own gains and agenda. He performed duty under the influence and magic of EX APO who transgressed and maligned the innocent DA II, who is now speechless.

11. Ms.SOFIA TABASSUM DEO(F) Swabi, has been found clean.

transparent, with clean hands and a strong lady with sound character. As up now, no evidence of illegal involvement in all these fake appointments,

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31.3.22

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21/9/2023

- Transgression or malafide, had been observed on her part. She has opened the cases with broad heart and mind and she always co-operated with the committees She is committed for the logical conclusion of all these cases.
12. All the fake appointed teachers surprisingly, concealing the offender rather than their selves. Some of them were found using their influence at all levels to protect themselves during the course of enquiry.
  13. Behind this blatant transgression, there was a strong mafia headed by EMIS incharge, who got benefitted and the nature of this illegal act belongs to their expert skills.
  14. Forensic of documents, CDR of the persons pointed out, more will come on surface if investigations keep on continuing.

**Annexures:**

File No-1 (photo copies of appointment orders, pay release, order corrigendum, Copy of Dispatch register, Statement and other employment record in r/o Qudsia CT and Saba Gul CT. Also statements/Questionaries recorded/Responded in r/o DEO(F) replies on the questioner, Humaira Naznain ADEO, Izhar Hussain Asst, Saleem Akhtar Ex APO and others, Notices.

File No-2 (Photo copies of appointments, Pay Release Orders,academic documents and Statement etc in r/o Shahzadi Qaria.

File No-3 (original appointment order, copy of pay release, Statement etc in r/o Saina TT.

File No-4 (photo copies of appointments order, Pay Releases, Statements and other relevant document in r/o Shah Naz CT and Sawera Qayum CT. Also original appointment order, Merit Lists, Pay Release, Statement and other document in r/o Samina Iqbal CT (IT).

1. (Muhammad Naveen) <sup>31-3-2022</sup>  
Chairman.  
Enquiry Committee (1<sup>st</sup> & 2<sup>nd</sup>) Committee
2. (Fazli Khaliq)  
Litigation officer  
DEO(M) Swabi as (Member), 1<sup>st</sup> & 2<sup>nd</sup> Committee <sup>31-3-2022</sup>
3. (Humaira Nazneen)  
ADEO Secondary DEO(F) Swabi  
(Member) 1<sup>st</sup> Committee <sup>31-03-2022</sup>
4. (Ms.Saceda Bano)  
SDEO(F) Swabi.  
(CT-IT Committee) 2<sup>nd</sup> Committee Member <sup>31-3-2022</sup>

Dated: 31/03/2022

*[Handwritten Signature]*  
31/03/2022  
District Education Officer  
Swabi



DA-II  
28/3/2022

### Notification.

Consequent upon the approval of the competent authority, Mr. Sharif Gul Principal B-19 (at the disposal of this Directorate) is hereby nominated as enquiry officer to conduct enquiry against Mr. Saleem Akhtar Ex-AP office of the DEO (F) Swabi now at DEO (M) Mardan in the light of the letter of DEO (F) Swabi vide No. 663 dated 4.3.2022 (copy attached).

The enquiry officer shall submit his report possessing facts/ finding with recommendation within a week to this directorate for further necessary action.

877  
28/3/2022

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

Endst: No. 789-90 /A-23/Complaint /Mardan Vol-II/2021

Dated Peshawar the 16/03/2022

Copy forwarded to the:-

1. M. Sharif Gul Principal B-19 (at the disposal of this Directorate) alongwith copy of the letter No.663 dated 4.3.2022
2. District Education Officer (Female) Swabi w/r to her letter No. 663 dated 4.3.2022 with the direction to cooperate with the inquiry officers.
3. District Education Officer (Male) with the direction to cooperate with the enquiry officer. *Mardan*
4. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
5. Master File

*16/3/22*

**Assistant Director (Admn)**  
Directorate E& Secondary Education  
Khyber Pakhtunkhwa, Peshawar

*28/3/2022*

**District Edu. Officer**  
(Female) Swabi

**INQUIRY OFFICER NO 1-7**

**DATED: 24/03/2022**

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To,

- I. The District Education Officer (F) Swabi
- II. The Miss Dilshad Begum Ex.D. E.O (F) Swabi/ Now D. E.O (F) Abbottabad.
- III. The Ex.Dy. D.E.O (F) Swabi Now D.E.O (F) Tor Ghar.
- IV. The Superintendent (Estt) Secondary Swabi.
- V. The A.D.E.O Establishment Secondary Swabi.
- VI. The Assistant Programmer E.M.I.S Swabi.

**SUBJECT: PROVISION OF RECORD FOR INQUIRY NOTIFICATION VIDE NO:789-92**  
**DATED: 16/03/2022.**

I am to refer to the subject cited above and to state that fake /irregular Appointments reported by you needs necessary perusal of the record from 15-11-2019 to date.

The record pertaining to these appointments stepwise i-e vacancy positions to final pay drawl i-e Advertisement-ETEA/NTS Results, DSC meeting minutes, Merit Lists, Appointment orders, Photo-Copy of issue register, Pay release orders etc in various cadres /Quotas may please be provided by 29/03/2022 duly signed with covering letter to Muhammad Hammad Masood (J/C) OR directly to the undersigned in Govt; Shaheed Saqib Ghani H.S.S Peshawar Cantt.

**SHARIF GUL** 28/3/22  
**INQUIRY OFFICER**

Copy for information with the same No and date:

Mr. Muhammad Hammad Masood (J/C) Govt; Shaheed Saqib Ghani Higher Secondary School Peshawar Cantt.

-sd-

**SHARIF GUL**  
**INQUIRY OFFICER**  
**0333-9122849**

**District Edu. Officer**  
**(Female) Swabi**

(21)

**GOVT: SHAHEED SAQIB GHANI HIGHER SECONDARY  
SCHOOL No.2-PESHAWAR CANTT.**

No. 116

Dated: 29/06/2022.

**SHARIF GUL PRINCIPAL (INQUIRY OFFICER)**  
**SERVICES AT THE DISPOSAL OF DIRECTORATE**

To.

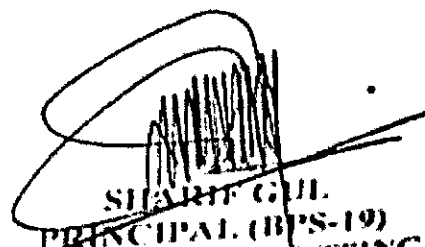
The Director E&SE  
Khyber Pakhtunkhwa, Peshawar.


Subject: **INQUIRY REPORT VIDE NOTIFICATION No:789-92/A-  
23/COMPLAINT/MARDAN/VOL-II/2021.**

I am to refer to the above cited notification and to state that, In compliance of the inquiry notification the undersigned visited the office of D.E.O (Female) Swabi on 24/03/2022. It was found that the D.E.O (Female) has already initiated inquiry against the said fake/ illegal employees and the office as whole was very much involved in the said case. However a letter was issued to all relevant stake holders vide: 1-7 Dated: 24/3/22 (Annex : A). In response to the same letter the D.E.O (Female) requested for some days for completion of the record. In addition, She informed the undersigned that Mr. Saleem Akhtar has filed a writ petition against the said process (Annex : B). The process was therefore suspended for several days. Afterwards, by dismissing the petition by honorable court, the office of D.E.O (Female) was again visited on 26/06/2022. The undersigned asked for the record. Which was provided along with inquiry report which was internally conducted (Annex : C).

The inquiry report conducted internally was perused thoroughly. It is a complete/comprehensive document and left no room for further investigation regarding the facts of the case. Any further proceeding will just be repetition and spoiling of time. It was found that the report is sufficient for any necessary action to be taken by the authorities.

However actual accused Saleem Akhtar (Assistant Programmer) has left no foot prints and left the office with clean hands. Therefore, he may be strictly abandoned in involvement in appointment/transfer and may be kept under vigilant eye while posting him in any office.

  
**SHARIF GUL  
PRINCIPAL (BPS-19)  
WAITING FOR POSTING  
INQUIRY OFFICER**

  
**District Officer  
(Female) Swabi**



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

No. 1577 /A-23/MS/Complaint/Mardan/Vol-II/2021/KC.

Dated Peshawar the 29/7 /2022

To

The District Education Officer,  
 (Female) Swabi

**SUBJECT:- INQUIRY REPORT VIDE NOTIFICATEION NO.789-92/A-23/COMPLAIN/MARDAN/VOL-II/2021**

Memo:-

I am directed to refer to your letter No. 116 dated: 29-07-2022 on the subject cited above and to ask you to (Disown) the appointment order of fake/bogus teachers please

*[Signature]*  
 29/7/22  
**Assistant Director (Admn)**  
 Elementary & Secondary Education  
 Khyber Pakhtunkhwa Peshawar

Copy forwarded for information to the:-  
 1 PA to Director E&SE Local Office.

*[Signature]*  
**Assistant Director (Admn)**  
 Elementary & Secondary Education  
 Khyber Pakhtunkhwa Peshawar

*[Signature]*  
 29/7/2022  
**District Education Officer**  
 (Female) Swabi

Annexure-D  
28

# DISTRICT EDUCATION OFFICE (FEMALE) SWABI

Phone No: 0938-280339

Email: [emisfswabi@yahoo.com](mailto:emisfswabi@yahoo.com)



[/deofswabi](https://www.facebook.com/deofswabi)



## Notification:

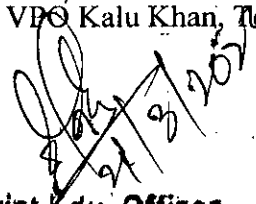
1. Whereas the competent authority MS: SOFIA TABASSUM DEO (F) Swabi, during perusal of record, got suspected on her initial recruitment and found that some teachers of various cadres (CT, CT-IT, TT Qaria), have been appointed on extraneous grounds during 2019 & 2020.
2. AND Whereas, the office constituted a fact-finding enquiry committee vide DEO (F) Swabi Endstt No 462 Dated 14/02/2022 and Endstt No 658-61 Dated 04-03-2022.
3. AND whereas the committee carried out a comprehensive enquiry wherein a full opportunity of defense without any prejudice and fear of reprisal, was provided to the teacher under enquiry. The committee submitted its report to the competent authority wherein the committee submitted its report to the competent appointment orders flying, fake and bogus. The main apple of discord behind the whole illegal flying, fake and bogus in the office has been declared as Saleem Akhtar Ex APO.
4. AND Whereas the DEO (F) Swabi sent a report regarding appointments on extraneous grounds to the worthy Director E & Sec Education Peshawar consequent upon which vide Endstt No. 789-92/A-23/complaint /Mardan vol-II/2021 Dated Peshawar, Mr. Sharif Gul Principal BPS-19 was nominated as enquiry officer.
5. AND Whereas the enquiry officer conducted his enquiry, wherein he affirmed and agreed with the enquiry report already conducted by DEO (F) Swabi as mentioned above, submitted to the Director E & SED Khyber Pakhtunkhwa vide No. 116 Dated 29/06/2022.
6. AND Whereas the Director E & SED Peshawar, directed the undersigned to disown the appointment order of fake and bogus teachers vide No 1577/A-23/MS/complaint/ Mardan/vol-II/2021/KC.
7. AND Whereas MS: SHAHZADI Qaria GGHS Jalsai (Swabi) was appointed as Qaria (Diseased) Quota vide Endstt No 4525-29 dated 11/09/2019 and posted at GGHS Jalsai (Swabi). Her father was neither an employee of E & SE department nor died during service. She got married in May 2001. No record exists on file.
3. Now therefore, in exercise of Powers conferred under the Khyber Pakhtunkhwa Govt servant (Efficiency and discipline) rules, 2011, I, MS: SOFIA TABASSUM DEO (F) Swabi, being competent authority, am of the opinion to disown the flying, fake and bogus appointment order in r/o MS: SHAZADI Qaria GGHS Jalsai (Swabi) in the best public interest.

(SOFIA TABASSUM)  
District Education officer  
Female Swabi

Endst. No. 1896-1901 /File, Dated: 05/08/2022

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

1. Director Elementary & Secondary Education Department KPK Peshawar.
2. District Account Officer Swabi.
3. District Monitoring officer Swabi.
4. Superintendent local office.
5. Principal GGHS Jalsai (Swabi)
6. MS: SHAHZADI D/O Mir Azam Khan (L) VPO Kalu Khan, Tehsil: Razar District Swabi under register cover.

  
District Edu. Officer  
(Female) Swabi

  
District Education officer  
Female Swabi



**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**Present:**  
MR. JUSTICE GULZAR AHMED, HCJ  
MR. JUSTICE MAZHAR ALAM KHAN MIANKHEL  
MR. JUSTICE MUHAMMAD ALI MAZHAR

**Civil Appeal No. 511/2021**  
(On appeal from the judgment dated  
26.01.2021 passed by the Peshawar  
High Court, Peshawar in W.P. No. 3111-  
P/20)

Federation of Pakistan Establishment Division Staff Welfare  
Organization through Chief Welfare Officer, Islamabad and another

**VERSUS**

...Appellants

Sr. Muhammad and others

...Respondents

For the appellants: Mr. Sohail Mahmood, Addl. A.G.  
Mr. M. Sherif Janjoo, AOR

Respondent No. 1: In person

Date of hearing: 12.10.2021

**ORDER**

GULZAR AHMED, CJ-1 We have heard the learned  
Additional Attorney General for Pakistan as also the respondent  
No. 1, who has appeared in person. The learned Additional Attorney  
General has squarely relied upon a three Member Bench judgment  
of this Court in the case of Government of Pakistan through  
Secretary Establishment Division, Islamabad vs. Muhammad Ismail  
and another (2021 SCMR 1246) in which the very "Prime Minister  
Assistance Package for Families of Government Employees Who  
Die in Service" dated 13.06.2006 was considered and it was held  
that this package will have application to the government  
employees who die subsequent to the announcement of this

**ATTESTED**

Senior Court Associate  
Supreme Court of Pakistan



District Edu. Officer  
(Female) Swabi



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package and not to those who have already expired. The operative part of the judgment is as follows:-

"6. It is an admitted fact the respondent's father died in the year 1996 while he was in regular service of Accountant General KPK being Senior Auditor. At that time, there was no scheme/policy in field for induction of family member of deceased civil servant in service. It was on 13.06.2006 when the Government of Pakistan issued 'Assistance Package to Families of Government Employees who die in service', to be made effective from 01.07.2006, wherein employment for posts in BS-01 to BS-16 on two years contract without advertisement for the families of deceased servant was allowed. Thereafter, this package was amended thrice i.e. on 20.10.2014, 04.12.2015 and lastly on 09.09.2016 whereby the two years contract period was enhanced to 3 years and the same was also made extendable till the age of superannuation or regularization. We have perused the Assistance Package and the subsequent amendments but could not find any provision therein which gives it retrospective effect especially when the grievance of respondent was agitated with a lapse of almost 17 years. It is an established principle of interpretation of statutes/ notifications/executive/ administrative orders that they would operate prospectively unless they expressly provide for retrospective operation. This Court in the case of Mustafa Hafeez Ltd. v. Federation of Pakistan (PLD 1997 SC 316) has acknowledged this fact by observing that "it is a well-settled principle of interpretation of notification and/or an executive order that the same can operate prospectively and not retrospectively. This principle is equally applicable to a statute in the absence of any express or implied intention contrary to it. In this view of the matter, when it is clear that afore-referred Assistance Package for legal heirs of deceased government employee was not available at the time when deceased employee died and the same was issued later on with prospective effect, the respondent was not deprived of any right accrued to him at the relevant time by not appointing him. The learned High Court has erroneously presumed that statute or rule, which gives right to the citizens, always operates retrospectively. If this is accepted, it would tantamount to opening a floodgate for all other similarly placed persons."

ATTES

Senior Govt Advocate  
Supreme Court of Pakistan  
Islamabad

District Judge Officer  
(Female) Swabi



CA511/21

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2. The respondent was confronted with this judgment. He refers to some case of Zulqarnain of National Bank of Pakistan but is unable to show as to which Court that judgment is or which Court has decided that matter. Where the very question as is raised in the present appeal has already been decided and answered by this Court, there is no basis to take a different view from the one as has already been taken by this Court in the cited case. Consequently, the present appeal is allowed and the impugned judgment is set aside with no order as to costs.

Sd/-HCJ  
Sd/-J  
Sd/-J



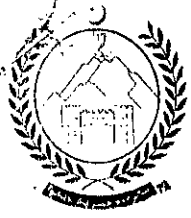
Islamabad  
12th October, 2021  
Nasir Khan /-  
'Not approved for reporting'

Certified to be True Copy

Senior Court Associate  
Supreme Court of Pakistan  
Islamabad

  
District Ex. Officer  
(Female) Swabi

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

No. 4038 /F.No. 16/Vol-1/F/Appeal/Swabi

Dated Peshawar the 21-9-2022

To

The District Education Officer,  
(Female) Swabi

Subject:- **APPEAL.**

**Memo:**

I am directed to refer to the subject cited above and to enclose herewith a copy of appeal r/o Mst. Shahzadi Ex-Qaria GGHS Jalsai Swabi and to ask you to submit detail report views/comments to this Directorate to proceed further into the matter.

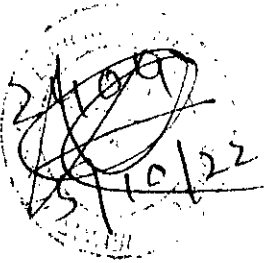
**Assistant Director (Female)**  
E&SE Khyber Pakhtunkhwa,

Endst No. \_\_\_\_\_

Copy of the above is forwarded to the:

1. PA to Director E&SE KPK Peshawar

**Assistant Director (Female)**  
E&SE Khyber Pakhtunkhwa,





# DISTRICT EDUCATION OFFICE (FEMALE) SWABI

Phone No: 0938-280339

Email: [emisfswabi@yahoo.com](mailto:emisfswabi@yahoo.com)



/deofswabi



Endst. No. 3184 /File, Dated: 13/12/2022

To

The Director of Elementary & Secondary  
Khyber Pakhtunkhwa Peshawar  
Swabi.

Subject: APPEAL

Memo:

Reference your good office No 837 /F.No. F-16/vol-/f/Appeal /Swabi dated 23-11-2022 the requisite detail report and submitted for the further proceed and to the matter.

That the departmental is badly barred by time A fact finding enquiry was conducted was by enquiry committee, declared the appointment as flying in fake and bogus. This enquiry report was sent your good office upon which vide Endst: no 789-92/A-23/complaint /mardan Vol-11/2021 dated Peshawar Mr. Sharif Gul principal bps-19 was nominated as enquiry Officer. The said Enquiry Officer Conducted his Enquiry, wherein he affirmed and agreed with the enquiry report already submitted his report to your good office vide no 116 dated 29.06.2022. In Response to the report, your good self-directed the Undersigned to disown the appointment order of fake and boguse teachers vide No 1577/A-23/MS/Complaint/Mardan/Vol-11/2021/Kc that the appointment dose not exist on file there is no official verification of documents the pay release order is Manipulated fake flying and bogus the said Appointed teacher neither included in tentative or final merit list nor in DSC Minutes the order is void abinito fake, flying and bogus, therefore the principal of locus poenitentiae can neither be attracted ill-gotten gain Cannot be made a precedent. The disown is a speaking order. In nut shell, the initial recruitment of the Appellant was illegal, Manipulated without observing the laid down procedure in the Subsequent adopted proceed use were were ground as Flying and void abinito these disowned orders were 07 Wherein one Mst; Shehzadi filed write petition no 1985-P/2022 which was dismissed on 19-08-2022 the Report is Submitted for your kind perusal, Consideration and to proceed futher into matter

*[Signature]*  
DISTRICT EDUCATION OFFICER  
of FEMALE SWABI

Endst. No.            /

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

*[Signature]*  
District Edu. Officer  
(Female) Swabi



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

No. \_\_\_\_\_ /F.No./A-23/MS/Complaint/Mardan/Vol-II/2021/KC/Saleem Akhtar  
Dated Peshawar the 30/07 /2023  
Phone: 091-9225344 Email: ddadmn.ese@gmail.com

448  
7/2/23

DA-II  
[Signature]

To  
The Secretary to  
Govt of Khyber Pakhtunkhwa  
Elementary & Secondary Edu: Department.

Subject: **TO EXPEDITE THE ACTION AGAINST SALEEM AKHTAR EX- APO  
DEO (F) SWABI NOW APO AT DEO (M) MARDAN.**

Memo:

In continuation to this Office letter No.2026 dated 7/9/2022, I am directed to refer to the subject noted above and to enclose herewith a copy of letter No. 3667 dated 26/12/2022 alongwith its enclosure received from District Education Officer (Female) Swabi, and to request that expedite the action against Mr. Saleem Akhtar Ex-APO office of the DEO (F) Swabi now APO at office of the DEO (M) Mardan please.

**Assistant Director (Admn)**  
Directorate of E&SE K.P, Peshawar

Endst. No. 4229  
Copy forwarded to the: -

1. District Education Officer (Female) Swabi w/r to her letter No and date cited above.
2. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. Master File.

**Assistant Director (Admn)**  
Directorate of E&SE K.P, Peshawar

**District Edu. Officer  
(Female) Swabi**  
[Signature]





Annexure - H

OFFICE OF THE  
DISTRICT POLICE OFFICER, SWABI  
PHONE# 0938-920053 FAX# 0938-920054  
EMAIL: dpo\_swabi@yahoo.com

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No.        /GB, dated Swabi the 25-3 /2022

DA-II  
2-4-2022

To: The Director,  
Anti Corruption Establishment,  
Khyber Pakhtunkhwa, Peshawar.

930  
2/4/2022

Subject: LODGING OF FIR UNDER SECTION 419, 420 PPC 1860  
AGAINST THE FAKE APPOINTEES AND THE APO AT DEO (F)  
SWABI FOR HIS SLACKNESS AND ABUSING HIS OFFICE.

Memo:

The District Education Officer, (Female) Swabi vide letter No. 665, dated 04.03.2022 has reported some illegal appointments in Education Department. The contents of the above letter were enquired, during which the local Police sought legal opinion from District Public Prosecutor Swabi, who after perusal of contents of the above letter, opined that the offence falls within the cognizance of Anti Corruption Establishment and as such be sent to the Anti Corruption Establishment for further necessary action under the law.

Keeping in view the above factual position, it is, requested that the matter may please be enquired through your establishment for further course of action, please.

**MUHAMMAD SHOAIB KHAN (PSP)**  
DISTRICT POLICE OFFICER  
SWABI

No 267-8 /GB,

Copy forwarded for information to the:-

1. SDPO Swabi for information.
2. District Education Officer, (Female) Swabi w/r to above.
3. SHO PS Zaida for information w/r to his report dated 15.03.2022.

**MUHAMMAD SHOAIB KHAN (PSP)**  
DISTRICT POLICE OFFICER  
SWABI

25/3/2022

**DISTRICT EDUCATION OFFICE****(FEMALE) SWABI**

Phone No: 0938-280339

Email: [emisfswabi@yahoo.com](mailto:emisfswabi@yahoo.com)
 [deofemaleofficeswabi](https://www.facebook.com/deofemaleofficeswabi)
Endst. No. 3667 /File, Enquiry vol-I Dated: 26/12/2022

To,

The Director,  
(E&SED)  
Khyber Pakhtunkhwa.

Subject: **To Expedite the action against Saleem Akhtar Ex APO DEO (F) Swabi Now APO at DEO (M) Mardan.**

Memo:

It is submitted that:

1. Seven fake and bogus appointment order of various cadres already disowned as directed by your good office.
2. In continuation of the above fake and bogus orders, another case has been inquired and found fake and bogus. Thus, disowned in r/o MS Madiha CT GGMS Gajai (G) Swabi
3. The Main responsible behind all these fake and bogus appointments has been found as Saleem Akhtar as titled above being already reported for stern disciplinary action but the action still awaited which is vital for natural justice.

Please expedite the requisite pending action against the offender as titled above.

Profound regards

  
DISTRICT EDUCATION OFFICER  
FEMALE SWABI

  
District Education Officer  
(Female) Swabi