

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 1457/2023

Naeema Shaheen.....Appellant

VERSUS

The Secretary Elementary and Secondary Education & others.....Respondents

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Senior Law Officer
Public Service Commission

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1457/2023

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VERSUS

The Secretary Elementary and Secondary Education & others.....Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO. 04Khyber Pakhtunkhwa
Service Tribunal

Diary No. 7215

Dated: 29/12/2023

**RESPECTFULLY SHEWETH:
PRELIMINARY OBJECTIONS:**

1. That the appellant is not a genuine recommendee / selectee of the Public Service Commission for the posts in question.
2. That the instant Service Appeal is not maintainable.
3. That the Instant service appeal is based on misrepresentation / ulterior motives / malafide, thus liable to be dismissed with costs.
4. That the claim of the Appellant in the instant Service Appeal is misleading the and against the true facts.
5. That the Appellant has got no locus standi / cause of action.
6. That the instant Service Appeal is bad for misjoinder / nonjoinder of necessary parties.

ON FACTS:

1. Pertains to record / personal information of the appellant, needs no comments.
- 2-3. Correct to the extent of the Advertisement only. The Khyber Pakhtunkhwa Public Service Commission advertised 15 posts of ADO Female (BPS-16) vide Advertisement No. 02/2015 S.No. 26 with the following Qualification: -

Qualification: BA/ B.Sc 2nd Division with B.Ed and Five years teaching/ administrative experience in Govt: recognized education institution/ office.

AGE LIMIT: 21 to 35 years.

PAY SCALE: BPS-16.

ELIGIBILITY:Female.

ALLOCATION: Zone-1.

(Annex-A)

Total 320 applications were received for the posts in question. Ability test was conducted on 02.09.2015 and 228 candidates qualified the Ability Test. 206 candidates were rejected and total 22 candidates were called for interview (**Annex-B**). Out of 22 candidates 15 candidates failed and 07 candidates qualified the interview and further recommended to the government for appointment (**Annex-C**). Eight (08) Posts of the

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same Advertisement got leftover which were subsequently advertised vide Advertisement No.01/2016, S.No.21 (**Annex-D**). After recruitment process i.e screening test and interview the recommendation of the remaining Eight (08) posts were also forwarded to the Government for appointment (**Annex-E**). It is evident from the recommendation letters that the Appellant was not recommendee / selectee of the Khyber Pakhtunkhwa Public Service Commission. Furthermore, it is also pertinent to note here that the interview for the posts were conducted from 8th December to 18th December 2015. Whereas, on the Appellant call letter the date of interview is shown as 31/12/2015 which clearly seems fake.

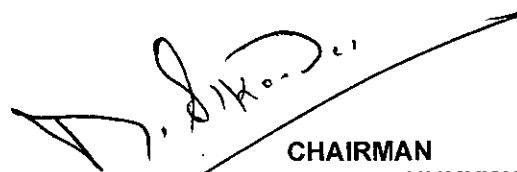

- 4-8. Does not pertain to the Khyber Pakhtunkhwa Public Service Commission.
9. As explained in paras 2-3 of the facts.
- 10-11. Does not pertain to the pertaining to Public Service Commission.
12. That the appellant being not a genuine recommendee of the Commission has got no grounds to invoke the jurisdiction of this Honorable Tribunal on any ground whatsoever.

GROUND.

- A-E) Does not pertain to the Khyber Pakhtunkhwa Public Service Commission.
- F) Incorrect. As far as the Khyber Pakhtunkhwa Public Service Commission is concerned, the petitioner is not genuine recommendee of the Commission as explained in the preceding paras.
- G) Incorrect. As explained in preceding paras.
- H-I) Does not pertain to the Khyber Pakhtunkhwa Public Service Commission.
- J) 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 the submissions made herein above the instant Service Appeal may kindly be dismissed with cost.




CHAIRMAN
KHYBER PAKHTUNKHWA
PUBLIC SERVICE COMMISSION PESHAWAR
(RESPONDENT NO.04)


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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1457/2023

Naeema Shaheen.....Appellant

VERSUS

The Secretary Elementary and Secondary Education & others.....Respondents

AFFIDAVIT

I, Mehtab Gul, Law Officer-II (Khyber Pakhtunkhwa Public Service Commission Peshawar), do hereby solemnly affirm and declare that the contents of the accompanying Para-wise comments submitted on behalf of Respondent No.04 are correct and true to the best of my knowledge and belief and that nothing has been concealed from this Honorable Court.

Mehtab Gul

DEPONENT

CNIC: 17301-1972107-9

Mobile: 0332-9920894

19 AUG 2023

ATTESTED



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(4)

**KHYBER PAKHTUNKHWA PUBLIC SERVICE
COMMISSION**

2- Fort Road Peshawar Cantt:

Website: www.kppsc.gov.pk

Tele: Nos. 091-9214131, 9213563, 9213750, 9212897

Dated: 05.03.2015

ADVERTISEMENT No. 02 / 2015.

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa / F.A.T.A by **03.04.2015** (candidates applying from abroad by **17.04.2015**). Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected.

ELEMENTARY & SECONDARY EDUCATION DEPARTMENT	
26.	FIFTEEN (15) (LEFTOVER) POSTS OF FEMALE A.D.O. QUALIFICATION: BA/ B.Sc 2 nd Division with B.Ed and Five years teaching/ administrative experience in Govt: recognized education institution/ office. AGE LIMIT: 21 to 35 years. PAY SCALE: BPS-16 ELIGIBILITY: Female. ALLOCATION: Zone-1.

(Sharif Hussain)
Secretary
Khyber Pakhtunkhwa
Public Service Commission
Peshawar

Attested by

Law Officer
KPPSC

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Annex-B

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SUBJECT: RECRUITMENT OF FIFTEEN (15) LEFTOVER POSTS OF FEMALE ASSISTANT DISTRICT OFFICER (BPS-16) IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT. (ADVT: NO. 02/2015, S.NO.26)

This case deals with the recruitment of fifteen (15) leftover posts of Female Assistant District Officer (BPS-16) in Elementary & Secondary Education Department. These leftover posts were advertised in our Advertisement No. 02/2015, S.No. 26 dated 05.03.2015 (Page-18/C) with the following qualifications:

"BA/B.Sc 2nd Division with B.Ed and Five years teaching / administrative experience in Govt: recognized education institution / office."

In response to our advertisement, 320 candidates have applied. Ability test was conducted in the subject on 02.09.15. The examination branch handed over the result on 03.11.15 and as a result 228 candidates qualified the test as per detail given below: -

No. of post(s)	Total No. of appl. received	No. of candidates qualified Ability Test	Rejected	Called for interview	Absent	Failed	Qualified
15	320	228	206	22	-	15	07

Interviews in the subject were conducted from 8th to 18th December, 2015 and as a result the following seven (07) candidates have qualified the interview: -

Merit Order	Total Marks	Interview Marks	Date of Birth	Name with Father's Name	Domicile/Zone	Page No.
1. ✓	61	39	15.03.86	Sarwat Samander D/O Samander Khan ✓	Moh: Agy:/1 ✓	23
2. ✓	58	36	20.02.86	Rizwana Gul D/O Muhammad Qasim Khan ✓	F.R. Lakki/1 ✓	44
3. ✓	52	31	15.02.86	Rubina Marwat D/O Najeebullah ✓	N.W.Agy:/1 ✓	34
4. ✓	50	32	06.05.87	Salma Begum D/O Isa Khan ✓	Moh: Agy:/1 ✓	30
5. ✓	50	32	10.03.88	Shakla Naz D/O Taj Omer ✓	Moh: Agy:/1 ✓	35
6. ✓	50	30	20.04.87	Naseem Bibi D/O Amin Gul ✓	S.W.Agy:/1 ✓	40
7. ✓	47	32	20.02.81	Bibi Sajida D/O Syed Muhammad Ibrahim ✓	Orakzai Agy:1 ✓	22

According to zonal allocation, the adjustment of these fifteen (15) leftover posts is as under: -

5TH BLOCK:

Vacancy Rotation	Allocation	Merit Order	Name with Father's Name	District / Zone	Adjustment
15 th ✓	Zone-1 ✓	01 ✓	Sarwat Samander D/O Samander Khan ✓	Moh: Agy:/1 ✓	Own Quota ✓
22 nd ✓	Zone-1 ✓	02 ✓	Rizwana Gul D/O Muhammad Qasim Khan ✓	F.R. Lakki/1 ✓	Own Quota ✓

6TH BLOCK:

Vacancy Rotation	Allocation	Merit Order	Name with Father's Name	District / Zone	Adjustment
2 nd ✓	Zone-1 ✓	03 ✓	Rubina Marwat D/O Najeebullah ✓	N.W.Agy:/1 ✓	Own Quota ✓
8 th ✓	Zone-1 ✓	04 ✓	Salma Begum D/O Isa Khan ✓	Moh: Agy:/1 ✓	Own Quota ✓
15 th ✓	Zone-1 ✓	05 ✓	Shakla Naz D/O Taj Omer ✓	Moh: Agy:/1 ✓	Own Quota ✓
22 nd ✓	Zone-1 ✓	06 ✓	Naseem Bibi D/O Amin Gul ✓	S.W.Agy:/1 ✓	Own Quota ✓

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Attended by
M. A. B. Khan
Law Officer KPPSC



KHYBERPAKHTUNKHWA, PUBLIC SERVICE COMMISSION
2 Fort Road, Peshawar Cantt, (Near Governor House)
PII No. 9213563
9213750, 9214131
Fax No. 9211795 004104
No. PSC- SR-1X /
Dated 19-01-2016.

Annex C
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To

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

Subject: Recruitment of 15 Female ADO (B-16) in Elementary & Secondary Education Deptt: Adv: No 2/2015 & S.No 26.

Sir,

I am directed to refer to our letter No 14/835-36 dated 18/11/2015 on the subject noted above and to state that commission recommends the following candidates to the Government for appointment:-

S.No	Name with father's Name	Domicile /Zone
01	Rubina Marwat D/O Najeeb Ullah	N.W.Agy/1
02	Bibi Sajida D/O Syed Muhammad Ibrahim	Orakzai Agy/1
03	Salma Begum D/O Isa Khan	Moh:Agy/1

2. Recommendation in favour of the recommendees is provisional subject to verification of their documents/ testimonial, medical fitness and perusal of ACR/PER's for satisfaction for the commission which may please be provided by the department at the earliest .

3. The serial chronological order will not confer any right of seniority.

4. Recommendation of 04 candidates have been kept pending due to their vital deficiencies, therefore the intere-se-Merit of the recommendees shall be conveyed after clearance of deficiencies.

5. Original applications (with enclosures) of the above (03) recommendees are enclosed for your record .Please Acknowledge receipt:

Yours Faithfully.

(Ghulam Dastagir Ahmad)
Director Recruitment

o/c
D. J. J.

Attested by
Member
Law Officer
KPPSC



KHYBERPUKHTUNKHWA. PUBLIC SERVICE COMMISSION
2 Fort Road, Peshawar Cantt, (Near Governor House)

PH No. 9213563

9213750,9214131

Fax No. 9211795

No. PSC- SR-IX /

012399

Dated 14/3/16

To,

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

Subject: Recruitment of 15 Female ADO (B-16) in Elementary & Secondary Education Deptt: Adv: No 2/2015 & S.No 26.

Sir,

In continuation to this officer letter No 004194 dated 19.1.2016 on the subject noted above and to state that commission recommends the following candidates to the Government for appointment:-

S.No	Name with father's Name	Domcile /Zone
01	Sarwat Samandar D/O Samandar Khan	Moh: Agy/1
02	Naseem Bibi D/O Amin Gul	S.W Agy/1

2. Recommendation in favour of the recommendees is provisional subject to verification of their documents/ testimonial, medical fitness and perusal of ACR/PER's for satisfaction for the commission which may please be provided by the department at the earliest .
3. The serial chronological order will not confer any right of seniority.
4. Recommendation of (02) candidates have been kept pending due to their vital deficiencies, therefore the intere-se-Merit of the recommendees shall be conveyed after clearance of deficiencies.
5. Original applications (with enclosures) of the above (02) recommendees are enclosed for your record .Please Acknowledge receipt.

Yours Faithfully,

(Ghulam Dastagir Ahmad)
Director Recruitment

Attested by
Mentabure
Law officer
KPPSC



KHYBERPAKHTUNKHWA. PUBLIC SERVICE COMMISSION
2 Fort Road, Peshawar Cantt, (Near Governor House)
PH No. 9213563
9213750,9214131
Fax No. 9211795 015560
No. PSC- SR-IX /

Dated 21/4/16

To

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

Subject: Recruitment of 15 Female ADO (B-16) in Elementary & Secondary Education Deptt: Adv: No 2/2015 & S.No 26.

Dear Sir,

In continuation to this office letter No.012399 dated 16.3.2016 and to state that the commission recommends Miss. Rizwana Gul D/O Muhammad Qasim of F.R Lakki Marwat to the Govt. for appointment against the subject cited post.

2. Recommendation in favour of the recommendee is provisional subject to her medical fitness verification of all documents and perusal of her ACR/PER, which may be provided at the earliest.
3. Recommendation of only one (01) candidate has been kept pending due to her vital deficiencies.
4. Original application (with enclosure) of the above one selectee is enclosed herewith for your record.
5. Kindly acknowledge receipt the same.

Yours Faithfully,

(Ghulam Dastagir Ahmad)
Director Recruitment

Attested by
Mehrab
Law Officer
KPPSC



KHYBERPAKHTUNKHWA, PUBLIC SERVICE COMMISSION
2 Fort Road, Peshawar Cantt. (Near Governor House)
PH No. 9213563
9213750, 9214131
Fax No. 9211795
No. PSC- SR-IX / **C-27310**

Dated 19/5/16

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To

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

**Subject: Recruitment of 15 Female ADO (B-16) in Elementary & Secondary
Education Deptt: (Adv: No 2/2015 & S.No 26.)**

Dear Sir,

In continuation to this office letter No.015560 dated 21.4.2016 and to state that the commission recommends **Shakla Naz D/O Taj Umar** of Mohmand Agency to the Govt. for appointment against the subject cited post.

2. Recommendation in favour of the recommendee is provisional subject to her medical fitness verification of all documents and perusal of her ACR/PER, which may be provided at the earliest.

Upto date zonal state of the posts will be as under:

	Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5	Total
Share	49	33	32	32	24	24	194
Adjustment	49	25	32	32	24	24	186
Balance	-	08	-	-	-	-	08

3. Eight (08) posts for zone-I, have been re-advertized in (Adv. 01/2016 Sr. 21) against merit quota as per rules.

3. Original application (with enclosure) of the above one selectee is enclosed herewith for your record.

5. Kindly acknowledge receipt the same.

Yours Faithfully,

(Ghulam Dastagir Ahmad)
Director Recruitment

Attested by

Mohdatablu
Law officer
KPPSC

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Amel D

**KHYBER PAKHTUNKHWA PUBLIC SERVICE
COMMISSION**

2- Fort Road Peshawar Cantt:

Website: www.kppsc.gov.pk

Tele: Nos. 091-9214131, 9213563, 9213750, 9212897

Dated: 09.03.2016

ADVERTISEMENT No. 01 / 2016.

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa / F.A.T.A by **08.04.2016**. Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected.

<u>ELEMENTARY & SECONDARY EDUCATION DEPTT:</u>	
21.	<p>EIGHT (08) (LEFTOVER) POSTS OF FEMALE A.D.O IN ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.</p> <p><u>QUALIFICATION:</u> BA / B.Sc 2nd Division with B.Ed and five years Teaching / Administrative experience in Govt: recognized education institution / office.</p> <p><u>AGE LIMIT:</u> 21 to 35 years. <u>PAY SCALE:</u> BPS-16 <u>ELIGIBILITY:</u> Female.</p> <p><u>ALLOCATION:</u> Merit.</p>

(Sharif Hussain)
Secretary
Khyber Pakhtunkhwa
Public Service Commission
Peshawar

Attested by
Murtaza
Law officer
KPPSC



KHYBERPAKHTUNKHWA. PUBLIC SERVICE COMMISSION
2 Fort Road, Peshawar Cantt, (Near Governor House)

PII No. 9213563

9213750,9214131

Fax No. 9211795

No. PSC- SR-IX / 265059

Dated 13-12-17

Annex E

To

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

Subject: Recruitment of 08(leftover) posts of Female ADO (B-16) in Elementary & Secondary Education Departt: Advt: 1/2016 S.No 21.

Sir,

I am directed to refer to our letter No.927310 dated 19.5.2016 on the subject noted above and to state that commission recommends the following candidates to the Government for appointment:-

Inter-Se-Merit number	Name with father's Name	Domcile /Zone
1.	Fozia Bashir D/O Muhammad Bashir	Kohat/4
2.	Syeda Gulshan D/O Syed Jafar Shah	Chitral/3
3.	Noreen Fida D/O Malik Fida Muhammad	Abbottabad/5
4.	Shandana D/O Mian Niaz Ali Shah	Peshawar/2
5.	Naheed Amin D/O Amin ur Rehman	Swabi/2
6.	Nosheen Saba D/O Said Rehman	Mardan/2
7.	Sumbul Iftkhar D/O Iftikhar Ahmad	Nowshera/2
8.	Jamila Amin D/O Fazal Amin	Nowshera/2

2. Recommendation in favour of the recommendees is provisional subject to verification of their documents/ testimonial, medical fitness and perusal of ACR/PER's for satisfaction for the commission which may please be provided by the department at the earliest.

3. The serial chronological order will not confer any right of seniority.
Original applications (with enclosures) of the above (08) recommendees are enclosed for your record.

4. Please Acknowledge receipt.

Yours Faithfully,

(Ghulam Dastagir Ahmad)
Director Recruitment

Attested by
Mentablu
Law officers
KPPSC