27th Sep,2023

. kamranullah* 1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith Mr. Behramand, A.D for the respondents present.

2. Arguments heard. To come up for consideration/order on 12.10.2023 before D.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan) Member (E)

(Rashida Bano) Member (J) 11

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11.05.2023

Clerk of learned counsel for the appellant present. Mr. Mehtab Gul, Law Officer alongwith Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 01.08.2023 before the D.B. Parcha Peshi given to

(Muhammad Akbar Khan) Member (E)

the parties."

Naeem Amin

1st August, 2023 1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney respondents present.



2. Learned counsel for the appellant requested for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 27.09.2023 before the D.B. PP given to the

parties.

(Fareeha Paul) Member (E)

(Rashida Bano) Member (J)

(Salah-ud-Din) Member (J)

*Kaleemullah

12.12.2022

SCANNED]

K ST Bsnawari Appellant present through counsel.

Muhammad Adeel Butt learned Additional Advocate General alongwith Behramand Khan AD and Mehtab Gul Law Officer for the respondents present.

File to come up alongwith connected Service Appeal No. 7544/2021 titled "Mst. Alia Vs. Government of Khyber Pakhtunkhwa" on 06.02.2023 before D.B.

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J)

06.02.2023



Junior to learned counsel for the appellant present. Mr. Azam Umair Khan, learned Addl. Advocate General alongwith Bahramand, Assistant Director for the respondents present.

File to come up alongwith connected Service Appeal No. 7544/2021 titled "Mst. Alia Vs. Government of Khyber Pakhtunkhwa" on 11.05.2023 before the D.B.

(FAREEHA PAUL) Member (E)

(ROZINA REHMAN) Member (J)

13th Oct., 2022

Counsel for the appellant present. M. Muhammad Adeel Butt, Addl. Advocate General alongwith Director E&SE Khyber Pakhtunkhwa (respondent No. 2) in person Bahramand ADEO for the respondents present.

File to come up alongwith connected Service Appeal No. 7623/2021 titled "Shakir Ullah Vs. Government of Khyber Pakhtunkhwa" for arguments on 03.11.2022 before the D.B.

(Fareeha Paul) Member (E)

(Kalim Arshad Khan) Chairman

03.11.2022

Appellant present through counsel.

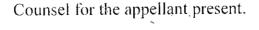
Muhammad Adeel Butt learned Additional Advocate General for respondents present.

File to come up alongwith connected Service Appeal No. 7623/2021 titled "Shakir Ullah Vs. Government of Khyber Pakhtunkhwa" for arguments on 15.11.2022 before D.B.

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J)

15^h Nov. 2022





Mr. Muhammad Jan, District Attorney alongwith Bahramand, Assistant Director and Mehtab Gul, Law Officer for the respondents present.

Learned counsel for the appellant requested for adjournment in order to further prepare the brief. Adjourned To come up for arguments on 12.12.22022 before the D.B.

(FAREEHA PAUL) Member(E)

(ROZINA REHMAN) Member (J)

14.07.2022

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 12.09.2022 before the D.B.

(Rozina Rehman) Member (J)

(Salah-ud-Din) Member (J)

12.09.2022

Appellant present through counsel.

Muhammad Jan, learned District Attorney alongwith Bahraman ADEO for respondents present.

File to come up alongwith connected Service Appeal No.7623/2021 tilted "Shakir Ullah Vs. Government of Khyber Pakhtunkhwa" on 29.09.2022 before D.B.

(Fareeha Paul) Member(E)

(Rozina Rehman) Member(J)

29.09.2022

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Appellant present through counsel.

Muhammad Jan, learned District Attorney alongwith Bahraman ADEO and Muhammad Tufail Assistant for respondents present.

File to come up alongwith connected Service Appeal No.7623/2021 titled "Shakir Ullah Vs. Government of Khyber Pakhtunkhwa" on 13.10.2022 before D.B.

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J) 17.06.2022

Junior of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant sought adjournment on the ground that learned counsel for the appellant is unable to attend the Tribunal today due to death of his close relative. Adjourned. To come up for arguments on 24.06.2022 before the D.B.

(Mian Muhammad) Member (E)

(Salah-ud-Din) Member (J)

24th June, 2022

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Bakhtmal Jan, AD and Mehtab Gul, Law Officer for the respondents present.

During the course of arguments it came to the notice of the Bench that earlier appeal of the appellant filed against the order dated 04.04.2019 was decided by a Bench headed by Mrs. Rozina Rehman, Learned Member (Judicial) who had also handed down the judgment. Therefore, it is appropriate that this appeal be placed before the Bench of Mrs. Rozian Rehman, Learned Member (Judicial). To come up for arguments on 01.07.2022 before the D.B.

(Fareeha Paul) Member(E)

Chairman

01.07.2022

Bench is not available, therefore, case is adjourned to 4.36,2022 for the same as before.

Reader

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04.01.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present and furnished copy of enquiry report, which is placed on file. Preliminary arguments heard and record perused.

Appellant De Security & Process Fen

Vide my detail order of today in connected service appeal No.7623/2021 this appeal is also admitted for full hearing subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments. To come up for written reply/comments on $26/e^4/2022$ before S.B.

26.04.2022

Counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Written reply/comments not submitted. Learned AAG seeks time to contact the respondents for submission of written reply/comments. Adjourned. To come up for written reply/comments on 01.06.2022 before S.B.

(MIAN MUHAMMAD) MEMBER(E)

1st June, 2022



Counsel for the appellant present. Mr. Haseenullah, Assistant for respondent No. 1 & 2 and Mr. Hamid Saleem, Law Officer for the respondent No.3 present.

Respondent No. 1 & 2 have submitted reply/comments, which is placed on file. Respondent No.3 submitted application for deletion from the panel of respondents. Case to come up for arguments on 17.06.2022 before D.B. \pm

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Chairman

FORM OF ORDER SHEET

Form- A

Court of___

	Case No	7644/ 2021
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/10/2021	The appeal of Mr. Muhammad Tariq presented today by Mr. Noo Muhammad Khattak Advocate may be entered in the Institution Registe
•		and put up to the Worthy Chairman for proper order please.
		REGISTRAR
2-		This case is entrusted S. Bench at Peshawar for preliminary hearing to be put there on $\frac{11/11/94}{11/94}$.
		CHAIRMAN
	11.11.2021	Counsel for the appellant present. Case to come
		up on 04.01.2021 before S.B alongwith connected
		Service No. 7623/2021 titled "Shakirullah Vs.
		Secretary, E&SE Department, Khyber Pakhtunkhwa
		Peshawar and others".
)	D.
		Chaimaan

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

/2021 SERVICE APPEAL NO

Ŵ/S

MUHAMMAD TARIQ

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EDUCATION DEPTT:

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Dated: _____-.10.2021

APPELLANT

Through: NOOR MOHAMMAD KHATTAK ADVOCATE FLATE NO. 04, 2ND FLOOR, JUMA KHAN PLAZA, NEAR FATA SECRETARIAT, WARSAK ROAD, PESHAWAR 0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO.____/2021

Mr. Muhammad Tariq, SST (G) (BPS-16), GHS Inzar Pati, District Orakzi.

APPELLANT

VERSUS

1- The Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.

2- The Director E&SE Department, Khyber Pakhtunkhwa, Peshawar.

3- The Chairman Khyber Pakhtunkhwa Public Service Commission, Fort Road, Peshawar.

RESPONDENTS

SERVICE APPEAL UNDER SECTION-4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 11.6.2021 WHEREBY THE WITHDRAWAL NOTIFICATION DATED 4.4.2019 REGARDING APPOINTMENT OF THE APPELLANT AS S.S.T (G) (BPS-16) HAS BEEN RESTORED IN UTTER VIOLATION OF LAW AND RULES AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

That on acceptance of this appeal the impugned Notification dated 4.4.2019 and 11.6.2021 may kindly be set aside and the appellant may kindly be reinstated into service with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

R.SHEWETH: ON FACTS:

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That after proper verification of Educational antecedents and service documents the salary of the appellant has been released/started by the concerned authorities. That it is pertinent to mention that during the said period the appellant has successfully completed his probationary period and as such the Department confirmed the appellant against the post of SST (BPS-16).

That unfortunately vide impugned Notification dated 4.4.2019 the appointment Notification dated 09.01.2013 of the appellant has been disowned by the respondents without any reason and clear justification. Copy of the impugned Notification dated 04-04-2019 is attached as annexureE.

GROUNDS:

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- That the impugned Notifications dated 4.4.2019 and 11.6.2021 issued by the respondent No.2 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That the appellant has not been treated by the concerned authority in accordance with law and rules and as such the authority violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the impugned Notifications dated 4.4.2019 and 11.6.2021 has been issued by the respondents in violation of the Principle of locus Poenitentiae.
- D- That no charge sheet and statement of allegation has been issued by the respondents before issuing the impugned Notifications dated 4.4.2019 and 11.6.2021.
 - That no show cause notice has been issued to appellant before issuing the impugned Notifications dated 4.4.2019 and 11.6.2021 by the respondents.
 - That no chance of personal hearing/defense has been provided to the appellant and as such the appellant has been condemned unheard.

G- That during service the appellant had successfully completed his probationary period and as such the Department confirmed the appellant against the post of SST (BPS-16).

- H- That the appellant was also assigned seniority in the cadre of SST (BPS-16) and was due for promotion to the next higher scale but unfortunately the authority without any reason & rhyme and without following codal formalities straight away issued the impugned Notifications dated 4.4.2019 & 11.6.2021 whereby the appointment Notification of the appellant dated 09.01.2013 has been disowned by the authority.
- I- That the concerned authority acted in arbitrary and malafide manner while issuing the impugned Notifications dated 4.4.2019 and 11.6.2021.

That appellant seeks permission and advance other grounds and proofs at the time of hearing.

It is therefore most humbly prayed that the appeal of the appellant may kindly be accepted as prayed for.

Dated: ____.10.2021

APPELLANT

Muhammad Tariq

THROUGH:

NOOR MOHAMMAD KHATTAK

KAMRAN KHAN & UMAR FAROOQ MOHMAND

> ADVOCATES PESHAWAR

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

MUHAMMAD TARIQ

VS

EDUCATION DEPTT:

DEPONENT

W

CERTIFICATION

AFFIDAVIT

Stated on oath that the contents of the accompanying service appeal are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.



CERTIFICATE:

Certify that no earlier service appeal has been filed by the appellant in the instant matter before this Honorable Service Tribunal.

- provisions of the rules for the time being in force.
- NOTE: For History-cum-Civics : The candidates must possess Master's Deg
- either in History or Political Science provided the other required subjects has studied
- B.A level. The other requirement of teaching degree will, however, remain intact. For Biology: 2nd Class Master Degree in Botany or Zoology provided that other subj

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

S.No Subject	<u> </u>
5. Islamiyat	osts Allocation
6. Pak: Study	Merit Quota
7. History-Cum Civital	Merit Quota
L'économics	Merit Quota
9 English	Merit Quota
10. Statistics	Merit Quota
11. Maths 02	Merit Quota
D1010gy	Merit Quota
13. Chemistry 02	Merit Quota
14. Physics 02	Merit Quota
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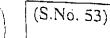
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(S.No. 52)	. 12		
LA NA 571			
	NYtoon.	LT	
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Eighty One (1681) Posts of Male SETs. /S.S.Ts (Bo Science & Arts) (with out graduaty and pension).

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

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University AGE LIMIT: 21 to 35 years. PAY SCALE: BPS-16 ELIGIBILITY: Male.

Merit	Zone-1 Zone-2 Zone-3	· · · · · · · · · · · · · · · · · · ·	
420	280 281 200e-3	Zonc-4	Zone-5
	201 280	210	210



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

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

For Secondary School Teacher (Science) (i) BSc Second Division with at least Tw the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized Universi AGE LIMIT: 21 to 35 years. PAY SCALE: BPS-16 ELIGIBILITY: Male. ALLOCATION: Merit.

(S.No. 54)

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

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

For Secondary School Teacher (Science) (i) BSc Second Division with at least Tw the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized Universi AGE LIMIT: 21 to 35 years PAY SCALE: BPS-16 ELIGIBILITY: Male. ALLOCATION: Merit.

nalik vs Govt USB 403 pags

(S.No. 55) Nine Hundred and Seventy Three (973) Posts of Female SETs. /S.S.Ts

(Both Science & Arts) (with out graduaty and pension). QUALIFICATION: For Secondary School Teacher (General) (i) B.A Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University, AGE LIMIT: 21 to 40 years. PAY SCALE: BPS-16 ELIGIBILITY: Female.

	11.		·		entale, · ·
Merit			s		
L INTELIC	Zone-1	· 77			
		Zone-2	Zone-3	G	
443	162			· Zone-4	7000
	104 .]	162	1.62		L Zone-5
			102	122	

(S.No. 56)

Twenty One (21) Posts of Female SETs. /S.S.Ts Disabled (with out graduaty and pension).

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

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University. AGE LIMIT: 21 to 40 years. years (10 years age relaxation) PAY SCALE: BPS-16 ELIGIBILITY: Female.

ALLOCATION: Merit.

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

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

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University. AGE LIMIT: 21 to 40 years. PAY SCALE: BPS-16 ELIGIBILITY: Female. ALLOCATION: Merit,

TECHNICAL EDUATION AND MAN POWER TRAINING DEPARTMENT.



Two (02) Posts of Assistant Professor Commerce in Govt: Colleges of Commercial/Govt: Commercial Training Institutes.

QUALIFICATION: (i) Ph. D in the relevant subject from a recognized University with three year teaching experience in recognized college / Govt: Commercial Institutes/ Govt: Commercial Institutes/ Govt: Commerce College ass Instructor/ Lecturer. OR (ii) Master's Degree from a recognized University in the relevant subject with Five Years experience of teaching as Lecturer / Junior Instructor in a recognized college / Govt: Commercial Institute/ Govt: Commerce College,

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

ALLOCATION: Merit.

(S.No. 59)

Two (02) Posts of Assistant Professor in Computer Engineering in Govt: College of Technology & Govt: Polytechnic Institure.

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

ATTESTEN) 8 Abdul malik vs Govt USB 403 pags

(S.	No.	66)	Ten (10) Posts of Male office Assistant.	
			OUALIFICATION: Basholas de mais s	
	• .*		OUALIFICATION: Bachelor degree from recognized University.	
	•		AGE, DIVILL: 18.10 JU YEARS, PAY SCALE, BPS, 14 FILCTRILITY, MA	
			ALLOCATION:	
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(S.No. 67)	One (01) Post of Female office Assistant.	.
	Olle (01) Post of Female office Assistant.	
	QUALIFICATION: Bachelor degree from recognized University.	<u>·</u>
	AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-14. ELIGIBILITY: Female.	· · ·
	ALLOCATION: Merit	· · ·

02.

02

CORRIGENDUM

- The Post of Research Officer for Earth Quake Quota appearing at S.No.2 Advt: No.07/2007 may be read as 02 Post for Chemistry and one for cereal Crops.
- 2

02

The Post of Reader Advertised in Advtt: No. 07/2008 S.No. 39 may be read as one post instead of Two Posts.

GENERAL CONDITIONS

(i)

(ii)

(iii)

Age, qualification and experience etc shall be reckoned on 26-02-2009 Maximum age limit as prescribed in the recruitment rules shall be relaxed up to 10 years for Govt Servants who have completed 2 years continuous service, upto 10 years for disabled persons and upto 3 years for candidates belonging to backward areas of Zone-1, Zone-3, Merged Areas of Hazara and Mardan Divisions and uper Tanawal, Districts of Swat, Upper Dir, Lower Dir, Chitral, Buner, Kala Dhaka Area, Kohistan District, Shangla, Gadoon Area in Swabi, Backward areas of Mansehra and Batagram, backward areas of Haripur District i.e., Kalanjar Field Kanungo Circle of Tehsil Haripur and Amazai Field Kanungo Circle of Tehsil Ghazi. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Govt Servants, general or disabled candidates, whichever is relevant and applicable to them,

Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates are accepted. However, the candidates can apply n provisional certificate signed by the Controller of Examination of the respective Institution But candidates shall produce original degrees / certificates before their selection. Detail Marks Certificate for all the examination shall necessarily be required and these should be attached with the application forms.

ALLOCATION of vacancies in BPS-17 and below shall be strictly in accordance with the Zonal

vp4430 2018 Abdul malik vs Govt U

ALLOCATION as indicated against each post(s). The applications of the candidates other than the specified zone(s) shall be ignored except for posts reserved for Merit quota. No zonat reservation stands for posts allocated to disabled quota and also for the posts in BPS-18 and above. All such posts shall be filled in on Open Merit.

The candidates applying against disabled posts must attach with their application forms of (iv)disability certificate from the Provincial Council for Rehabilitation of Disabled Persons as well as disability certificate from the respective Medical Superintendent / Medical Board showing Ex-armed Forces Personnel must send copy of Discharge Certificate with their applications! Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates should reach within 30 days of the closing date.

Applications should be on the prescribed application form obtainable from the listed below branches of the <u>NATIONAL BANK</u>. Application Fee is Rs. 285/- (Rupees Two Hundred Eight Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs. 15/- (Furpees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will and the applications shall also be ignored.

(vii) Application must be submitted within time as no extra time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.

- (viii). Applicants married to Foreigners are considered only on production of the Govt. Relaxation
 - No applicant shall be considered in absentia on paper qualifications unless, he/she possesses exceptionally higher qualifications than the minimum prescribed qualification for a particular post(s).
 - Govt. reserves the right not to fill any or fill more or less than the advertised post(s).
- (xi) Candidates who have already availed three chances by physical appearance before the Commission and have failed for the post(s) having one and the same qualifications and scale of pay shall be ineligible.
- (xii) Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).
- (xiii) In cases where the number of applications received for post(s) are disproportionately higher than the number of available vacancies, shortlisting of the candidates may be done in any one of the following manner:
 - (a) Written Test in the Subject.
 - (b) General Knowledge or Psychological General Ability Test.
 - (c) Academic and / or Professional record as the Commission may decide.

SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.

Main Branches of:

(vi)

(ix)

(x)

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

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

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ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD TRANSCRIPT

178459					
	•	·			
MUHAMMAD	TARIO	-	·	·	

Roll No. Registration No Enrollment Semester Final Semester

BK690571	
16NMN03104	$\langle \rangle$
AUT-2016	()
SPR-2017	\bigcup

father s Name	SHER M
Address	ALFARO

MG NO .

Name

Tehsil District

155736

UHAMMAD OQ BOOK-SEALER SCHOOL ROAD LUND KHWR

ANNEXURE B

MASTER OF EDUCATION (M.ED One Year) has successfully completed TEACHER EDUCATION

The detail of passed courses is as under

TAKHAT BHAI

MARDAN

Semester	Course	Title of Courses	Ma	rks
	Code		Maximum	Obtained
AUT- 16	0831	FOUNDATIONS OF EDUCATION	100	66 · ·
AUT- 16	0837	EDUCATIONAL RESEARCH	100	71
AUT- 16	0838	CURRICULUM DEVELOPMENT & INSTRUCTIONS	100	74
AUT- 16	0840	EDUCATIONAL PSYCHOLOGY	100	68
AUT- 16	6505	ISLAMIC SYSTEM OF EDUCATION	100	67
AUT- 16	6507	EDUCATIONAL MEASUREMENT & EVALUATION	100	63
SPR- 17-	0826	ELEMENTARY EDUCATION	100	61
SPR- 17	0827	SECONDARY EDUCATION	100	66
SPR- 17 ·	0828	HIGHER EDUCATION	100	61
SPR- 17	.0829	TEACHER EDUCATION IN PAKISTAN	100	60
SPR- 17	6552	TEXTBOOK DEVELOPMENT-I	100	71
SPR- 17	6553	TEXTBOOK DEVELOPMENT-II	100	68

Crédit Hours 36 Result Declared on MARCH 29,2018 Date of Issue. APRIL 10,2018

Total Marks/Obtained . Percentage/Grade

1200 / 7.96

66 / B

Controller of Examinations.

Disclaimer:

This result eard transcript is issued provisionally, errors and omission excepted, as a notice only. Any entry appearing in this card does not itself confer any right or privilege on a candidate for the grant of certificate degree diploma, which will be issued under the rules regulations on the basis of the

> <u>AMIT:</u> 21 to 33 years. <u>PAY SCALE:</u> BPS-17. <u>ELIGIBILITY:</u> Male. <u>CATION:</u> NOTE: In case of non- availability of candidates possessing the AGE

Abdul malik vs Govt USB 403 pags



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DETAILED MARKS CERTIFICATE

This is to certify that	Muhammad Tariq		
Son/Daughter of	Shor Muhammad	· · · · · · · · · · · · · · · · · · ·	
	AUPHT(Urdu) 862-2008	Roll No	17410
	M.A Urdu Part-II	Annual/Supplementary	Examination
held in December	2010_in1st	_Division and obtained 342	marks.

Papers	SUBJECTS	(Marks Obiained	Maximum Marks
VI	Mir-O-Ghalib ka Khasosee Mutalia		76	100
VII	Urdu Adab kaa Pakistani Door	,	68	. 100
VIII	Pakistani Zubanoo ka Adab		71	100
IX	lqbal ka Khasosee Mutalia		67	100
X	Sahafat		60	100
<u> </u>			<u>-</u>	· ·
			·	
		L.		
		۶.		
	Marks Obtained in Part-1		327	500
		TOTAL :	669	100

Note: This DMC is issued, errors and omissions excepted, as a NOTICE only. An entry appearing in it does not in itself confer any right or privilege independently to the grant of a proper Certificate / Degree which will be issued under the Regulations in due course.

AGE LIMIT: 21 to 33 years. PAY SCALE:

OTE: In

ALLOCATION:

28th May, 2011. Muzaffarabad, the Prepared by Checked by.

avee TIONS DY. CONTR OLLER OF EXA

for CONTROLLER OF EXAMINATIONS

BPS-17. ELIGIBILITY: Male.

non-availability of candidates possessing the

case of

bdul malik vs Govt USB 403 pags

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IERS/TY AND KHAIR UI



DETAILED MARKS CERTIFICATE

This is to certify that	tMUHAMMAD TARIQ	· · · · · · · · · · · · · · · · · · ·
Son/Daughter of	SHER MUHAMMAD	
Registration No	AUMZ(E)3073-2008	Roll No 790
has passed	Bachelor of Education	Annual/Supplementary Examination
held in	December 20 <u>09</u> in 1st	Division and obtained 853 marks.
The Marks obtaine	ed in each subject are givn bel	ow:-

Papers	SUBJECTS	Marks Obtained	Maximum Marks
l	Philosophy & History of Education	. 77	i00
11	Education Psychology	68	100
111	School Administration	68 .	100
IV	(i) Islamayat (ii) Pakistan (iii) Kashmir Studies	77	100
V	(i) English Language & Literature ii. Urdu	72	100
	Elective Subjects		
VI-VII	Teaching of Islamic Studies	167	200
VI-VII	Teaching of Pakistan Studies	155	
P.Skill	Practical Skills in Teaching(Part-II)	169	200
· · ·	TOTAL :	853	1100

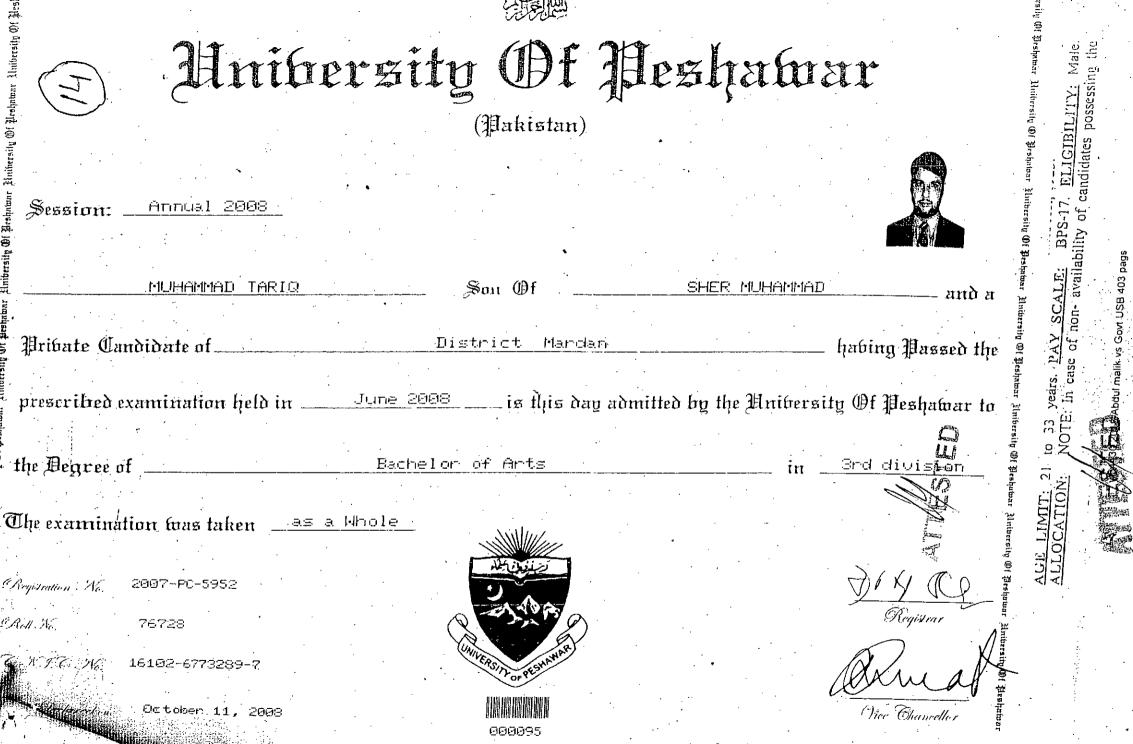
Note: This DMC is issued, errors and omissions excepted, as a NOTICE only. An entry appearing in it does not in itself confer any right or privilege independently to the grant of a proper Certificate / Degree which will be issued under the Regulation in due course.

Muzaffarabad:- the 5th March, 2010. Prepared by ... Checked by

DY. CONTROLLER AMINATIONS OF. Im CONTROLLER OF EXAMINATIONS

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

dul malik vs Govt USB 403 pags



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44431 S. No. Roll No. <u>46828</u> Group. Humanities

Board of Intermediate and Secondary Education Mardan N. W.F.P. Pakistan INTERMEDIATE EXAMINATION

	SESSION	2006 - ANNUAL			
This is to certify that	ΜΙΗΔΜΜΑΟ Τ	ARIQ dan d	24 <u></u>	SHER MUH	
	D 1 Have	4928 -B/MP-00	5 has pa	ssed the	Intermediate
		ascondary, Caucuun	1, 11002		
Examination of the Board of In as a <u>Private</u> bandidate. He	Obtained _63!	5 Marks out of	1100 and	has been	placed was
Good		t., , , , , , , , , , , , , , , , , , ,		· ·	Letter and the second sec
\mathbf{h}	. ·	. •		≤ 1	14

Hashiddel. Assit Secretary

Directorate of Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar,

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

Notification.

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

SNO	Name	Father Name	Domicile	Zone	Permanent Address	·····
	Inayai-ur- Rehman	-1bdur Rehman	4 Bajour Agency	5.	6 Village Fazli Abad Bara Banda Tehsil Khar Disti: Bajour Agency	Education PAL in the
2 	Muhammad Tariq	Sher Muhammad	Mohmand Agency		Village Shah Khan Tangi Suran Dara, Tehsil Upper Mohmand Distt: Mohmand Agency	Jurther posting wants, vocant SST creations,

Terms and conditions:-

His services will be considered regular but without pension & Gratuity in terms of 1. section 19 of the NWFP civil Servant Act, 1973 as amended vide NWFP Civil Servants (Amendment) Act, 2005. he will however be entitled to Contributors provident fund in such a manner and at such rates as per prescribed by the Govi-

In case, he is already in Government: service and working against pensionable first Ż. on regular basis before 1st day of July 2001, without any service break, on application to Khyber Pakhtunkhwa Public service Commission through proper channel and selection by the commission, is appointed and allowed choice of option either to retuin benefit of pension & gratuity as allowed to his under his previous terms of appointment or to avail the benefit of contributory provident fund allowed to him

His services are liable to termination on one months notice from either side. In case 3. of resignation with out notice his one-month pay/allowances shall be forfeited to the

He should join his post within 30 days of the issuance of this notification. In case of 4. failure to join there post within one month of issuance of this notification his appointment will expire automatically and no subsequent appeal etc shall be

He would be on probation for a period of one year extendable for another one 5. vear. He will be governed by such rules and regulations as may be issued from time to time 6.

His Services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be proceeded under the rules framed from time to time.

Charge report should be submitted to all concerned

The Director of Education FATA concerned would furnish a certificate to the effect that the candidate has joined the post or otherwise after one month of the issue of his posting orders.

- The Director of Education FATA concerned will verify their documents before 10. release of pay.
- His seniority will be maintained as determined by the Khyber Pakhtunkhwa Public 11. Service Commission.
- No TA/DA will be allowed to the appointee for joining his duty. 12.

(Muhammad Rafiq Khattak) Director Elementary and Secondary Education

Khyber Pakhtunkhwa Peshawar.

Endst: No. 7°5-12-/ File No. 2/A-14/SST: Gen (M)/PSC/Apptt: Dated Peshawar 09/01/2013

Copy forwarded for information and necessary action to the:-Accountant General Khyber Pakhtunkhwa Peshawar.

- Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar. 2.
- Director of Education FATA Warsak Road Peshawar. 3.

All Agency Accounts Officer in FATA. 4.

5: **Official Concerned**

- PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE pepartment. 6.
- PA to the Director E&SE Khyber Pakhtunkhwa, Peshaw 7.
- 8. M/File

8.

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1.

Dy: Director (Estab) Elementary and Secondary Education Khyber Pakhtunkhyva Peshawar 1.100

9/1/20

Consequent upon their appointment-us SST (General) in BPS-16 on the basis of **MISTMENT** The Pakhtunkhwa Public service Commission and placement of their services at the disc earing FATA vide Director, Elementary & Secondary Education Khyber Pakhtunkhwa? 12/File No. 2/A-14/SST(M)/Gen/PSC/Apptr: dated 09-01-2013, the following SSTs are inschools noted against each with immediate effect: -

Posted at Name/Father's Name/Domicile/Address SHI GHSS Kalaya Inayat ur Reitman Sío Abdur Rehman (Bajour). Orakzai Agency Village Fuzli Abad Bara Banda, Tehsil Khar Distt: Bajour Agency GHS Inzer Pati Muhammad Tariq S/o Sher Muhammad Orakzai Agency Village Shah Khan Tangi, Suran Dara Tehsil Upper 2 Mohmand Distt: Mohmand Agency

The terms & conditions of their posting will be the same as already prescribed in the st Note: -Notification of Director Elementary & Secondary Education, Khyber Pakhtunkhwa, reshuwaagency Education Officer concerned will verify their documents before release of pay.

(ROZWAN: KHAN) DIRECTOR EDUCATION) 22/1/2013

TORATE

Endst: No. 11 35-14 / A-1/Apptt: of SST (General) (PSC)2012 Dated Pesh: the

Copy forwarded to the: -Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar,

- - w/r to his Notification cited above.
 - Agency Education Officer Orakzai Agency
 - Agency Accounts Officer Orakzai Agency
 - Head Masters concerned.
 - Candidate Concerned

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P.A to D.E.FATA

CHARGE REPORT:

Muhammad Tariq S/O Sher Muhammad took over Charge against Vacant SST Post at GHS Inzarpati Orakzai Agency on the Fore Noon 22-01-2013 Vide Director Elementary & Secondary Education Khyber Pakhtunkhwa Notification No: 1761-68 /File No-2/A-14/SST (M) Gen /PSC/Apptt: dated 24-01-2013. and D.E. FATA Peshawar Endstt: No: 1138-43 A-1 Apptt: of SST (general) (PSC) 2012 dated Pesh 22-1-2013.

Signature of taken Over Charge Name of Govt: Servant: Designation: Station:

Muhamm SST Inzarpati

Signature of taking Over Charge_____ Name of Govt: Servant: Vacant Designation: Station:

Endstr: No

Dated 22/01 / 12013.

- 1- Director Elementary & Secondary Education Khyber Pakhtunkhwa.
- 2- Director of Education FATA Secretariat Peshawar.
- 3- Agency Accounts Officer Orakzai Agency at Hangu.
- 4- Agency Education Officer Orakzai Agency at Hangu
- 5- Manager NBP Hangu
- 6- Officer concerned.

laster Head

GHS Inzarpati O.A

GH.S INZAR PATI

substituted by even No & date:



DIRECTURALE OF BEEMEN SECONDARY EDUCATION KHYBER PANHTUNKHWA

ANINEXURE

Ē

WHERE AS: one Mr. Muhammad Tariq S/O Sher Muhammad who himself NOTIFICATION SST (G) in GHS Inzar Patti District Orakzai vide appointment Notification No. 1705-12/File No. 2/A-14/SST(M)/Gen/PSC/Apptt: dated 09/01/2013. appointed as which was not issued by the Directorate of Elementary and Secondary Education

Khyber Pakhtunkhwa, hence fake and bogus. 2. AND WHERE AS, the competent authority has directed the above said accused SST to produce authentic and verified service record from the concerned authorities, but he failed to comply with the legitimate directions of high ups regarding production of requisite authentic documents/record.

AND WHERE AS, further an inquiry committee was constituted by the competent authority vide Notification No. 8154-63 dated 04/8/2016 who have gone through the entire case record and it has been proved that the said appointment order for the aforesaid post advertised by Public Service Commission Khyber Pakhtunkhwa was

AND WHERE AS, it has come to the notice of the competent authority that Mr. turned out fake/bogus. Muhammad Tariq S/O Sher Muhammad, having no legal status of the said

NOW THEREFORE, under the mandatory provision and power conferred under Section-20 & 21 for General clauses Act-1897 as amended in 1956 and in pursuance of the scrutiny of selection/appointment record in r/o the above mentioned SST which was found fake/bogus, thus his appointment Notification No. 1705-12/File No. 2/A-14/SST(M)/Gen/PSC/Apptt: dated 09/01/2013 is hereby declared as fake/bogus ab initio and subsequently "disowned" with the direction to District Education Officer (concerned) to recover salaries and other allied benefits drawn by Mr. Muhammad Tariq S/O Sher Muhammad in the interest of Public

Service.

Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar

Endst: No. <u>5740-45</u> dated <u>04/04/2019</u>

- 1. Deputy Commissioner, District Orakzai with the request to take legal action. 2. District Education Officer District:Orakzai with the direction to take necessary steps
 - for the recovery of outstanding amount against fake/bogus SST concerned.
 - 3: District Account Officer Orakzai to co-operate in the matter.

 - 4. PS to Secretary Elementary and Secondary Education Khyber Pakhtunkhwa. 5. PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa.
 - 6. Principal/Head Master concerned.



01/04/6 Deputy Director (Estab Merged Districts

چمور چناب سير روى E&SE د يار شمن KP فادر ANNEXURE .F

تحكمانه اپیل برخلاف نوئیتیش تحرره 304-04-04 جس كی رو یے ڈائر نیکٹر صاحب E&SE کے ڈیپار شن KP پناور نے Nplicant بھرتی کے احکامات بحثیت SST محررہ SST محررہ 2013-01-22 كو كمطر فد طور پر جعلی دفر ضی ہتلا کر Applicant كوملازم مانے میں الکار کردیا۔ استدعا نوٹیتیش محررہ 2019-04-04 مجازبیہ جناب ڈائر کیٹر صاحب E&SE ڈیپار شنٹ KP پناور کو کا تحدم کر کے Applicant کو

جاب عالی!

- 4- بيركه Applicant صلع مهند كاپيدائش باشنده ب-
- 2- سیرکہ M.A, B.Ed ، Applicant تک تعلیم یافتہ ہے-
- 3۔ پیرکہ E&SE ڈیپارٹمنٹ KPپناورنے بذریعہ اشتہار محررہ 2009 مجازیہ KPPSC میں صوبہ سرحد (اب KP) کے اہل اُمیدواروں سے SST کی پوسٹوں کیلئے درخواستیں طلب کیے۔چونکہ Applicant تمام شرائط پر پورا اُتر رہاتھا۔ اللئے بذیعہ Through Proper Channel پلانک کی۔
 - 4۔ پیکہ جرتی کے مرمجہ طریقہ کاریے نگلتے ہوئے Applicant میر شاسٹ میں جگہ بنانے میں کامیاب ہوا۔
- 5۔ پیرکہ Applicant کو KPPSC میں با قاعدہ SE یا تھ پارشنٹ KP پیٹا درکومنظور کیا جو کہ محکمہ نے بذریعہ نویفیکیشن محررہ 2013-01-2013 تعیناتی کے احکامات جاری کرکے بعدازرد نے تحکم محررہ 2013-01-2012 تعیناتی کے احکامات جاری کرکے بعدازرہ بے تحکم محررہ 2013-01-2014 ٹرائبل ڈسٹر کٹ اور کرنی میں جی اپنچ ایس انڈ ریٹیح میں ایڈ جسٹ کیا گیا۔اوراب تک میں اس پوسٹ پر کام کررہا ہوں تقریباً 7 سال ہے۔
- 6۔ سیر کہ بغیر چارج شیٹ اور شوکا زنونس و پر سنل ہئیر تگ اورریگولرانکوائری کے Applicant کیطر نہ احکامات بحررہ 2019-04-04 کی رو نے نوکری سے برخاست کیا گیا۔ بلکہ بھرتی احکامات کوجعلی دفرضی گردانہ کیا جو کہ ظلم اور ناانصافی کا منہ بولتا شوت ہے۔اس لیے قابل منسوخی
- 7۔ پیرکہ Applicant کے 7 سال سے زیادہ عرصہ ملازمت کو بہ یک جنبن قلم ختم کر سے نہ صرف کھر بھیج دیا گیا بلکہ دور ملازمت کی تمام تخوا ہیں واپس لی جانے کے احکامات جاری کیے گئے جو کہ آئمین اور قانون کے منافی ہے۔

لہذاالتماس ہے کہ بمنظوری درخواست ہندانوٹیفیکیشن تحررہ 2019-04-04 کوکالعدم کر ہے Applicant ملازمت پر بحال کیا جائے۔

مورجه ; 16-04-2019

محه طارق اليس اليس فكاجتزل جی ایچ ایس اند ریٹیج ڈ کٹر کمنے اور کزئی

WEDDD

Weiter O there a fine of the first of the العمانية في مار حان وله على رجمان ، ورب مي ورب مي المعام محمد مامت می مفتسیان ولد اجرزی ۲۶ ۲۹ می بهاد. یا منطق می من عبر از ۲ مارید اجراع ۲۰ ۲۰ میرا کورنونه منطق می مد عبر از ۲ مارید از ۲۰ مارید از ۲۰ E) Fring etro (1) - 2MB 21:22, all man.
B) Fring etro (1) - 2MB 21:22, all man.
B) Frideei etro (1) - 2MB 21:22, all min.
B) Gold 1: 11. 11. A hailen bright and - 2 ma -) - and and a main and a m م الم الم الم ولات قد - درم الخر مي الرائدي - السيبرالد وارض في عبهم الاع براغد الرزان کالی اس ولر فرر در مراج مین دار خدم اور بر اعلی اور ا ST 63 2 آس ای 2 اس کار در مراج مین دار خدم اور تر تو این خراله ولد ارام المرس در معامی ST معارف - 2 محمد فاسم ولم سمين المح در اسم الور مر المراح (2) المات العر ولم رعيها " عدم م منكور مسرف عد) لومان من ولر وعلى وسر ومن من من اورتر تد إلى سراب ورمن من (ER (AAED) من براب ورمن من (ER (AAED) في الحالي ما الما مور قدر ولم مقدم ما در مرافع المراجع من المراجع من المراجع من من من مراجع من مراجع من من من من من من من من الما قد العبر ولم سنعم علمه منعدى الوركم علم الحكم الخطافية المعال دلم خابها در عمه وأمور تدميل من من ول في في ولر م ولي في فرف في جن جن (ج و استان الارول ولا م ولي في في فرا ع) عفاء المهرولير عبد الجمار ومنه منابط لندون ترماجير (38) حضل رازق ولد عفل زى 18 م معلم ارزلير بن شاذم خار له منا دختير (مع علام بلا تحريم (38) (Tranfer Seller (مع علام) (مع علام بحد (Tranfer Seller)) GGM S Stamila photos 2) سُما مرفا وفر و ٢.٦ ول حد منهم ادر رم

ANNEXURE G

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

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

<u>Announced.</u> 20.01.2021

EL 202

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

(Ro⁄zina` Rehman)-Member (J)

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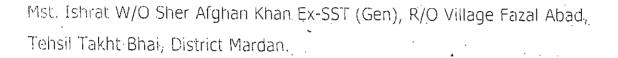


(Appellant)

(Respondents)

EPORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Pakhinnkh Service Appeal No. 1014/2019 Date of Institution 02.08.2019 Date of Decision · 20.01.2021



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

VERSUS

Present:

ROZINA REHMAN

20/1/21

Amin ur Rehman Yousafzai, Advocate For appellant. Kabir Ullah Khattak, Additional Advocate General For official respondents. . . .

MEMBER (J) ATIO UR REHMAN WAZIR MEMBER (E)

JUDGMENT

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

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

TECTED Service Tribund Peshawor

at inter	`	2٠
	5.	Service Appeal No.962/2019
· .	[.] 6.	Service Appeal No.963/2019
, .	7.	Service Appeal No.964/2019
•	8.	Service Appeal No.965/2019
	9:	Service Appeal No.966/2019
• •	10.	Service Appeal No.967/2019
:	11.	Service Appeal No.968/2019
•	12.	Service Appeal No.969/2019
	13.	Service Appeal No.970/2019
	14.	Service Appeal No.971/2019
, · · , ,	1.5.	Service Appeal No.972/2019
	16.	Service Appeal No.973/2019
•	17.	Service Appeal No.974/2019
	18.	Service Appeal No.975/2019
	19.	Service Appeal No.1009/2019
• • •	20.	Service Appeal No.1010/2019
	21.	Service Appeal No.1011/2019
	22.	Service Appeal No.1012/2019
· · · ·	23.	Service Appeal No.1013/2019
	24.	Service Appeal No.1014/2019
1/2/	.25.	Service Appeal No.1015/2019
	26.	Service Appeal No.1016/2019
	27.	Service Appeal No.1017/2019
· ·	28.	Service Appeal No.1018/2019
·	29.	Service Appeal No.1024/2019
	30.	Service Appeal No.1025/2019
· · · ·	.31.	Service Appeal No.1026/2019

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

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

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

Learned counsel for appellants submitted that the appointments were and the made in accordance with law by following the prescribed procedure which cannot be held fake appointments. That notifications dated 04.04.2019 and 05.04.2019 are against law and facts. That the appellants were not treated in accordance with law and they were not given an opportunity to defend themselves as enshrined in Article 10-A of the Constitution of Islamic Republic of Pakistan 1973. Learned counsel further argued that neither regular inquiry was conducted nor the appellants were served with show cause notices, hence, they all were condemned unheard. That all the appellants being qualified, were properly producted of and fulfillment of all codal formalities but they were shown out of service with a single stroke of pen without care and caution of its legal consequences which caused grave miscarriage of justice. In order to substantiate his version, reliance has been placed on 2011 SCMR 1581; 2004 SCMR 303; 2016 SCMR 1299 and 2010 PLD SC 483.

Conversely learned A.A.G appearing on behalf of respondents, 4. controverted the contentions of learned counsel for appellants by contending that claim of the appellants regarding their appointment is baseless and liable to be rejected as they never applied for the said post nor appeared in any interview, therefore, their appointment was declared fake & bogus and have been disowned by the Department vide notifications dated 04.04.2019 and 05.04.2019. He submitted that they were treated as per law, rules and policy and there is no question of violation of Article 10-A of the Constitution of Islamic Republic of Pakistan 1973, hence stance of the appellants is baseless and liable to be rejected and lastly, he submitted that those appellants who claimed to have been recommended by the Khyber Pakhtunkhwa Public Service Commission, failed to produce any proof of their recommendation by Public Service Commission. Reliance was placed on 2005 SCMR 1814; 2005 SCMR 1040; 2009 SCMR 1492 and 2012 SCMR 673.

Before dilating upon the main issue, it merits a mention here that total 5. 40 connected cases are intended to be disposed of through this single judgment. There are three categories of cases, category-I includes fives cases of those employees who were appointed on contract basis and subsequently were regularized in service under the KP Employees TESTED (Regularization of Service) Act, 2009 and it was on 04.04.2019 when they received notification vide which appointment record in respect of these

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

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

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

the Khyber



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

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

ANNOUNCED. 20.01.2021 Certified to be ture copy Rozina Rehman) Member (J) ur Rehman Wazir) Khivter Member (E)



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA

NOTIFICATION

ANNEXURE H 31 In compliance to the Honorable Service Tribunal Khyber

Pakhtunkhwa Peshawar Judgment dated 20-01-2021 rendered in Service Appeal #972/2019 the impugned order/notification in respect of Muhammad Tariq S/O Sher Muhammad Ex SST (General) GHS Inzar Patti District Orakzai issued vide this Directorate under endorsement No. 5740-45 dated 04-04-2019 is hereby set aside for the purpose of de novo Inquiry.

Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar Endst: No. <u>3500-02</u>/A-12/Re-instatement/SST (M&F)

Copy forwarded to the:- Dated Peshawar the 15/03

- A. District Education Officer Orakzai for further necessary action as per the Honorable Service Tribunal Peshawar Judgment referred above.
- Additional Director (Estab) Merged District Khyber Pakhtunkhwa
 PAAL Director (Estab) Merged District Khyber Pakhtunkhwa
- 3. PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.

Deputy Director (Estab Merged Districts

/2021

pl discuss. Asad ADEO (litig)



ANNERURE I 32

Arrival Report.

In compliance to the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar Notification No. 3500 - 02 A - 12

Re-instated /SST/ (M&F) dated 15-03-2021.

IMr. Muhammad larig SST Submit my arrival report to your

Good School /Office for duty please.

Him

Nome Muhammad Taria

16/03/202

HEAD MASTER GH.S.INZAR PATI DISTRICT ORAKZAI GHS/GMS <u>Gi H S Inza</u>y patti District Orakzai





OFFICE OF THE DISTRICT EDUCATION OFFICER

DISTRICT ORAKZAI.

PHONE 0925690017 FAX 0925 690017

TRANSFER/ADJUSTMENT ORDER.

In compliance to the honorable Service tribunal KP Peshawar Judgment dated 20.1.2021 and Director Elementary & Secondary Education (NMDs)KP Notification No 3573-75 No 3500-02 No 3576-78 & No 3570-72 /A-12/Re-

Instatement/SST/(M&F) dated 15.3.2021, the following SST are hereby

Transferred/adjusted on their own pay and scale to the schools noted against their names in the interest of public service.

S.No	Name of Officer	From	Name of school	Remarks
. 1	Bashir Ahmad SST (G)	GHS Inzar Patti	GHS D.D.Mamazai	Vice S No 5
² V	Muhammad Tariq SST (G)	GHS Inzar Patti	GHS D.D.Mamazai	Against Vacant Post
3	Noor Muhammad SST (G)	GMS Yakho Kandow	GHS Khawa Stori Khel	Against Vacant Post
4	Muhammad Naeem SST (G)	GHS Mandati	GHS Khawa Stori Khel	Against Vacant Post
• 5	Khalilullah SST (G)	GHS D.D,Mamazai	GHS Inzar Patti	vice S No 1

Faridullah Khan Mahsud District Education Officer, District Orakzai

Endst. No. <u>2361-68</u>

Dated 6 108/2021

Copy for information to the:

- 1. Deputy Commissioner Orakzai
- 2. Director of Education Merged Areas KP Peshawar.
- 3. District Accounts Officer District Orakzai.
- 4. District Monitoring Officer Orakzai.
- 5. Dy/DEO District Orakzai.
- 6. ASDEO (Male) Concerned District Orakzai.
- 7. Teachers Concerned.
- 8. Office file.

District Education Officer, District Ørakzai

CERTIFICATE OF TRANSFER OF CHARGE Certified that I Muhammad Tariq over the charge of the Office of the GHS Dara Dar Mamazi District Orakzai against the vacant post of SST to day on $\frac{66}{204}$ /2021 fore noon vide DEO Orakzai No <u>2361-68</u> Dated <u>06</u> <u>04</u> <u>2021</u>. Signature of relieved Govt: Servant < Name Designation SST G Station /2021 District O Signature of relieving Govt: Servant_ Name Mulammad Tang Designation_ SST G 16. Endst:No /2021 Dated nu Copy to the:-1. Director Education KhayberPukhtunkhwa Peshawar w/r to his notification No cited above. 2. Additional Director Education(NMD) Peshawar. 3. District Education Office District Orakzai. 4. District Account Office District Orakzai.

ANNEXURE

DIRECTORATE OV BUEMENTARY SECONDARY BOUCATI PAXHTUNKH

Scanned with CamScanner

NOTIFICATION

WHEREAS, the Judgment of the Honorable Khyber Pakhamkhwa, Service Tribunal Khyber Pakhtunkhwa Peshawar, dated 20-01-2021 rendered in Service Appeal #972/2019 in respect of Muhammad Tariq S/O Sher Muhammad Ex SST (2019) in respect of Muhammad Tariq s/O Sher Muhammad Ex SST (General) GHS Inzar Patti District Orukzai is with the direction to the direction to the competent authority to set aside the impugned order/notification issued vide this Directorate under endorsement endorsement No. 5740-45 dated 04-04-2019 and to conduct proper Inquity.

AND WHEREAS, the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar set aside the impugned order/notification issued by this Directorate under endorsement No. 5740-45 dated 04-04-2019, vide Notification No. 3500-02 dated 15-03-2021 and constituted an inquiry committee vide notification No. 1911-16 dated 08-02-2021.

AND WHEREAS, the inquiry committee submitted its report vide No. 778 dated 24-04-2021.

NOW THEREFORE, in the light of recommendations of the inquiry committee, the set aside notification in respect of Muhammad Tariq S/O Sher Muhammad GHS Inzar Patti Ex SST District Orakzai (General) issued vide Notification No. 5740-45 dated 04-04-2019 is hereby restored, while the notification issued vide Notification No.3500-02 dated 15-03-2021 is hereby withdrawn with effect from the date of its issuance.

> Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar

Endst: No. 96 411-49 [A-12/Re-instatement/SST (M)

Dated Peshawar the

Copy forwarded to the:-

1. Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.

2. District Education Officer Orakzai, 3. District Accounts Officer Orakzai.

4. Principal/Headmaster concerned.

5. PA to Director Elementary and Secondary Education Rhyber Pakhtunkhwa Peshawar.

6. PA to Additional Director (Estab) Merged Districts Khyber Pakhtunkhwa, Peshawar.

Deputy Director MEstab Merged Distr

/2021

The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.

SUBJECT: <u>DEPARTMENTAL</u> <u>APPEAL</u> <u>AGAINST</u> <u>THE</u> <u>IMPUGNED</u> <u>NOTIFICATION DATED 11.6.2021 WHEREBY THE DISOWNED</u> <u>ORDER DATED 4.4.2019 HAS BEEN RESTORED</u>

R.SHEWETH:

That initially the appellant was inducted/ appointed as Secondary School Teacher (BPS-16) on the proper recommendation of Khyber Pakhtunkhwa Public Service Commission vide Notification dated 09-1-2013. That in response the appellant got himself medically examined and also submitted arrival report. That where after the appellant started performing his duty at the concerned station quite efficiently and up to the entire satisfaction of his superiors. That after proper verification of Educational antecedents and service documents the salary of the appellant has been released/started by the concerned authorities.

That it is pertinent to mention that appellant is equipped with the qualification of M.A and professional qualification of Master of Education which is over and above the requisite qualification for the post of SST (BPS-16). That it is pertinent to mention that during the said period the appellant has successfully completed his probationary period and as such the Department confirmed the appellant against the post of SST (BPS-16).

That unfortunately the authority without any reason & rhyme and without following codal formalities straight away issued the impugned Notification dated 4.4.2019 whereby the appointment Notification of the appellant dated 9-1-2013 has been disowned by the authority. Against which the appellant filed Departmental appeal followed by service appeal before the Tribunal and the august Tribunal directed the authority to reinstate the appellant into service and where after conduct denovo inquiry in the matter.

That unfortunately vide impugned Notification dated 11.6.2021 the disowned order dated 4.4.2019 has been restored without any regular inquiry.

It is therefore most humbly prayed that on acceptance of this Departmental appeal the impugned Notification dated 11.6.2021 may kindly be set aside and the appellant may be re-instated into service with all back benefits.

DATED: <u>09</u>.7.2021

Muhammad Tariq, SST (BPS-16), GHS Inzar Patti, District Orakzai.

APPELLANT

<u>VAKALATNAMA</u>

BEFORE THE MEDICAL TEACHING INSTITUTION, APPELLATE TRIBUNAL, PESHAWAR

PETITION NO: _____ OF 2021

orig

(APPELLANT) (PLAINTIFF) (PETITIONER)

VERSUS

(RESPONDENT) Education De (DEFENDANT)

I/We <u>*Iwi Q*</u> Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated.____/2021

ACCEPTED NOOR MOHAMMAD KHATTAK (BC-10-0853) 15401-0705985-5 KAMRAN KHAN KAMRAN KHAN MUHAMMAD MAAZ MANDI ADVOCATES

OFFICE:

Flat No.4, 2ND Floor, Juma khan plaza near FATA Secretariat, Warsak road Peshawar City. Mobile No. 0345-9383141

BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No: 7644/2021

Muhammad Tariq, Ex-SST (General) District Orakzai......Appellant.

VERSU\$

Secretary (E&SED), Khyber Pakhtunkhwa & others......Respondents

<u>IOINT PARAWISE COMMENTS ON & FOR BEHALF OF RESPONDENTS No: 1-2</u>. Respectfully Sheweth:-

The Respondents No.1-2 submit as under:-

Preliminary Objections.

- 1 That the Appellant has got no cause of action/locus standi.
- 2 That the appellant is not an aggrieved person within the meaning of Article 212 of the constitution of Islamic Republic of Pakistan 1973.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal.
- 4 That the instant Service Appeal is based on mala-fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the Appellant is not entitled for the relief he/she has sought from this Honorable Tribunal as his/her 1st appointment/adjustment Notification No. 7057-70/A-D/hpptt of SST (G)/PSC/2012 dated 05/05/2012 has been disowned vide Notification bearing Endst No 5663-68 dated 04-04-2019 by the Respondent No.02 of being fake & bogus against the Ex-SST (General) B-16 in District Moharand after due process of Law & procedure.
- 7 That the instant Appeal is based on mala fide intentions, just to put extra pressure on the Respondents for gaining illegal service benefits.

8 That the instant Service Appeal is not maintainable in its present form.

2

- 9 That the instant Service Appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 10 That the impugned Notifications dated Notifications dated 04-04-2019 & 11-06-2021 of the Respondent Department are legally competent & liable to be maintained in favor of the Respondents.
- 11 That no Departmental Appeal has been filed by the appellant to the Respondent Department against the impugned Notifications dated 04-04 2019 & 11-06-2021, hence, the instant appeal is not maintainable.
- 12 That the recommendation letter of the appellant has been declared as fake and bogus by the Khyber Pakhtunkhwa Public Service Commission/Respondent No.03.
- 13 That the Notification dated 25-05-2012 has correctly been disowned by the Respondent Department on the grounds of being fake & bogus after observing all Codal formalities by the Respondent No.02 in view of the inquiry committee notified vide Notification bearing No. 1911-16 dated 08-02-2021 who submitted it report vide letter No. 778 dated 24-04-2021 to the Respondent Department (Copy of the Notification dated 08-02 2021 is attached as Annex-A)

ON FACTS.

- 1 That Para-1 is correct to the extent of publication of an advertisement through the National Press, whereby, the Respondent No.3/ KPK PSC has invited applications for the recruitment against the SST B-16 (G) Post in the Respondent Department, wherein, no application has been filed by the appellant nor appeared in test/interview for the post in question & has produced fake & bogus recommendation letter of the Respondent No.3 by showing him/her self to have been recommended by KP PSC against the SST (G) Post in B-16 & on the basis of the said take & bogus recommendation letters of the Respondent No.03 the appellant adjusted got hunself against the noted post in District Bajour on malafide intentions in the Respondent Department. (Copy of the advertisement is attached as Annex-B).
- 2 That Para-2 is also in correct & denied to the extent of publication of an advertisement through the National Press, whereby, the Respondent No.3/ KPK PSC has invited applications for the recruitment against the

SST B-16 (G) Post in the Respondent Department, wherein, no application has been filed by the appellant nor appeared in interview for the post in question & has produced fake & bogus recommendation letter of the Respondent No.3 by showing his self to has been recommended by the PSC against the SST (G) Post in B-16 & on the basis of the said fake & bogus appointment order, the appellant has got adjusted her/his self against the noted post in District Bajour on malafide intentions in the Respondent Department which was resulted in constitution of inquiry committee vide Notification No. 1911-16 dated 08-02-2021 through Mr. Muhammad Saleem & Munawar Gul who have submitted their inquiry report vide letter No. 778 dated 24-04-2021 to the Respondent No.2. (Copy of the inquiry report is Annexure-C).

1

- 3 That Para-3 is incorrect on the grounds that the whole service record of the appellant has been proved by the inquiry committee as fake & bogus during their inquiry proceeding against the appellant.
- 4 That Para-4 is incorrect & denied on the grounds that the act of the Department with regard to the Notification dated 04-04-2019 is legal & even is the result of due process of Law & procedure.
 - 5 That Para-5 is correct that in view of the Departmental proceedings conducted by the Respondent Department against the appellant under the relevant provision of Law & Rules in field including formal inquiry, wherein, the 1st appointment order dated 25-05-2012 of the appellant has been proved fake & bogus, hence, her/his services against the mentioned post have been disowned by the Respondent No.2 vide Notification dated 11-06-2021 after due process of Law, therefore, the claim of the appellant is illegal & liable to be rejected.(Copy of the Notification dated 11-06-2021 is Annexure-D).

Ωŧ.

- 6 That Para-6 is correct that vide No ification dated 15-03-2021 the appellant was reinstated in service only for the purpose of De-Novo inquiry which was concluded vide Notification dated 04-04-2019, whereby, the services of the appellant has been disowhed to the extent of the 1st appointment order dated 25-05-2012 of the appellant by the Respondent Department. (Copy of the Notification dated 04-04-2019 is Annexure-E).
- 7 That para-7 is incorrect & denied as no Departmental appeal against the Notification dated 04-04-2019 of the Respondent No.2 has been filed by the appellant till date, hence, got finality under the Law of limitation Act 1908 against the appellant, therefore, the appeal in hand is liable to be dismissed on the following grounds inter alia:-

ON GROUNDS.

Ι

- A Incorrect & not admitted. The appellant has been treated as per law, rules & policy vide the above said Notifications dated 04-04-2019 & 11-06-2021 by the Respondent Department in the instant case, hence, the stand of the appellant is baseless & liable to be rejected.
- B Incorrect & not admitted. The appellant has been treated as per law, rules & policy having no question of violating the provision of Artcle-4 & 25 of the constitution of 1973 by the Department.
- C Incorrect & not admitted. The statement of the appellant is without any cogent reason & justification on the grounds as agitated in the foregoing paras of the present reply by the Respondents as the Notifications dated ... 04-04-2019 & 11-06-2021 is legal & liable to be maintained
- D <u>Incorrect & not admitted</u>. The stand of the appellant is without any cogent reason & legal justification, hence, denied.
- E **Incorrect & not admitted**. The plea of the appellant is without justification & liable to be rejected.
- F Incorrect & not admitted. The plea of the appellant is without justification & liable to be rejected as he/she has been treated as per Law & Rules by the Respondent No.2.
- G Incorrect & not admitted. As the whole service record of the appellant has been proved by the inquiry committee fake & bogus during their inquiry proceeding against the appellant.
- H Incorrect & not admitted. Hence, needs no further comments.
 - Incorrect & not admitted. Hence, needs no further comments.

Legal. However, the Respondents also seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments on the date fixed. In view of the above made submissions, it is most humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favor of the Respondents in the interest of justice.

Dated ____/ /2022.

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

DIRECTOR

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

Deponent

<u>AFFIDAVIT</u>

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

PARECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAHKTUNKHWA, PESHAWAR

<u>MOTIFICATION</u>

In compliance to the judgment of the Honorable Service Tribunal rendered in service appeal No.1 to 40, the competent authority is pleased to constitute a committee, comprising the following officers to conduct denovo enquiry against the SSTs inducted in the system illegally/unlawfully into the various Districts/Sub Divisions Khyber Pakhtunkhwa.

> 1. Muhammad Salim Principal (BS-19) (6 GCMHS No.1 Tank

(Chairman)

Appexing-1

2. Ahmad Shahab Principal (BS-19) (Member) GHSS No.2 Peshawar (Member)

Terms of References (ToR)

- i. To compare and cross Examine / check the lists of SSTs provided by the AEOs offices with the lists of SSTs provided by Public Service Commission.
- ii. To determine that whether the SSTs working in various Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar Department had been recommended by the Public Service Commission or otherwise.
- iii. To examine whether the adjustment / transfer orders of the said SSTs had been issued by the Directorate of Education.
- iv. To examine whether, the record viz a Personal Files etc of these SSTs exist in the Directorate of Education (FATA) and in the respective Agency Accounts Officer.
- v. To dig out their 1st date of induction in the system and present status of the inducted SSTs.
- vi. To propose proper strategy keeping in view all the relevant legal aspects for proceedings against these inducted teachers.
- vii. To propose / suggest further course of legal proceedings to be followed by the competent authority against these SSTs in case of their names do not exist in the list provided by Public Service Commission, keeping in view the following two lines.
 - a) If the competent authority proceeds against them under KPK Government Servants (Efficiency & Discipline) Rules 2011, will they not be given the status of a civil servant? While they are not.
 - b) If the competent authority straight away lodge an FIR against them in the respective political agent office / police station, avoiding KPK Government Servants (Efficiency & Discipline) Rules 2011, then the question of their status will not arise that if they were not civil servants then how they remained on the strength / acquaintance role of education department for such period of time?

viii.

To examine / scrutinize the reply in response to the statement of allegations so far issued by the competent authority and suggest further line of action to the competent authority.

To verify / examine / scrutinize their all relevant service record along with qualification both general and professional.

iχ.

To fix responsibility on officer / official with the convenience of whom these inductions have been made. xi.

Any other related issue / problem the committee may like to consider for probe.

Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar

్) ____2021.

Endst: No.

Ж.

Dated Peshawar the Copy of the above is forwarded to the:-

/F.No. E-06/Khyber (KC.now)

- 1. Additional Advocate (G) Service Tribunal Peshawar Khyber Pakhtunkhwa.
- 2. Register Service Tribunal Peshawar.
- 1-2. Chairman/Member of the Committee.
- 3. District Education Officer Lower & Central Kurram with the remarks to provide complete records/full cooperation to the Inquiry Committee during proceedings.

DY: DIRECTOR (ESTAB)

4. P.A to Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.

	-AMEERIDE BELLE
1	
	NWFP PUBLIC SERVICE COMMISSION
	2- Fort Road Peshawar Cantt:
	Website: www.nwfppsc.gov.pk
1	Dated: 26-01-2009
<u>1-11 T)</u>	VERTISEMENT No. 01/2009. Annex
	and the second
	Applications are invited for the following posts from Pakistani citizens of Survey Advert e. by 26-02-2009 (13-03-2009 for candidates from abroad). Incomplete applications and flotis without supporting documents required to move a
applies also be	flotis without supporting documents required to prove the claim of the candidates shall support intimation to the candidates.
	and the second of the candidates.
	-AGRICIU TURE CHARGE OF
·····	AGRICULTURE LIVESTOCK & CO-OPERATIVE DEPTT:
(S.No	
	"4" Years Instructions after F.Sc) "from a geogenized University
	programme in the subject relating to the subject groups as specified in schedule -II to which the Vacancy occurs.
	AGE LIMIT: 21 to 33 years, PAY SCATE: BPS-17 ELICIPITITY, Dotters
···	ALLOCATION: Merit, Merit,
(S.No	
	OADIFICATION: M.Sc Agriculture of B.Sc (Hons) Agriculture (Obtained) a Generation
	"4" Years Instructions after F.Sc) from a recognized University under research programme in the subject relating to the subject groups as specified in schedule -II to
	AGE LIMIT: 21 to 33 years. PAY SCALE: BPS-17. ELIGIBILITY: Male: ALLOCATION:
	Merit Zone-1
	01 01
,	CHIEF ENGINEER WORKS & SERVICE DEPARTMENT.
[<u>(S.No.</u>	
	Science from the recognized Institute (ii) Speed of Ten thousand key depression por
	hour for punching/data entry/verification. AGE LIMIT: 18 to 30 years: PAY SCALE: BPS-11. ELIGIBILITY: Both Sexes.
	ALLOCATION.
	Zone-1 Zone-2 Zone-3 Zone-4 Zone-5 01 </td
<u>DT</u> A	ECTORATE OF INDUSTRIES COMMERCE MINERAL DEV. LABOUR &
(S.No.	<u>TECHNICAL EDUCATION DEPARTMENT.</u> 04) One (01) Post of Male Inspector Mines
·	

- . . . ^{*}

<u>OUALIPICATION:</u> (i) Bachelor Degree in Mining Engineering from recognized University and (ii) 1st Class Mines Manager's contificate of Competency granted under the provision of Mines Act, 1923 and (iii) Two years experience in Govt: or Semi Government Mining Industries registered under the Mines Act, 1923. <u>AGE LIMIT</u>: 21 to 33 years. PAY SCALE: BPS-17. FLIGIBILITY: Male

AGE LIMIT: 21 to 33 years. <u>PAY SCALE</u>: BPS-17. <u>FLIGIBILITY</u>: Male. <u>AULOCATION</u>: NOTE In case of non-availability of candidates possessing the

And The Barger 2016 Apolutions of Concillor 41 a page

provisions of the rules for the time cetting in force.

- NOTE: For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at
- B.A level. The other requirement of teaching degree will, however, remain inlact. For Biology: 2nd Class Master Degree in Botany or Zoology provided that other subject
- have been studied at graduate level.

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

S No Subject	No. of Posts	Allocation
<u> </u>	32	Merit Quota
6. Pak: Study	03	Merit Quota
7 History-Cum-Civics		Merit Quota
<u>S</u> <u> </u>		Merit Quota
9. English		Merit Quota
10. Statistics	C2	Merit Quota
Maths	02	Merit Quota
12. Biology	02	Merit Quota
13. Chemistriy	. 02	Merit Quota
14. Physics	02	Merit Quota

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ļ	(S.No. 52)	Sixteen Hundred Eighty One (1681) Posts of Male SETs.	/S.S.Ts (Roth
	·	Science & Arts) (with out graduaty and pension).		<u></u>
		QUALIFICATION: For Secondary School Teacher (General)	(i) $B A \cdot Sc$	
		Division from a reportinged Linearity and (D) D T I		Juona

- Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University. For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of
- the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics –A or Mathematics-B and (ii) B.Ed.or Equivalent Qualification from a recognized University. <u>AGE LIMIT</u>: 21 to 35 years: <u>PAY SCALE</u>: BPS-16 <u>ELIGIBILITY</u>: Male.

•	ALLOCATIO	<u>DN:</u>	•	
	Merit	Zonc-1 Zone-2 Zone-3	· Zon'e-4	Zone-5.
•	420	280 281 281 280	210	210
•				· · · · · ·

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

- <u>QUALIFICATION:</u> For Secondary School Teacher (General) (i) B.A. Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.
- For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.
- AGE LIMIT: 21 to 35 years. PAY SCALE: BPS-16 ELIGIBILITY: Male. ALLOCATION: Merit.

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

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

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Cheinistry, Zoology, Botany, and Mathematics – A. or Mathematics-B and (ii) B.Ed.or Equivalent Qualification from a recognized University. <u>AGE LIMIT</u>: 21 to 35 years: <u>PAY SCALE</u>: BPS-16 ELIGIBILITY: Male. ALLOCATION: Marit.

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	XX 1 DOWN MARK
(S.No. 55) Nine Hundred and Severa T	(973) Posts of Female SETs. /S.S.Ts
(Both Science & Arts) with QUALIFICATION: For Second	Traducty and the Bers. /S.S.Ts 37
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recognized University	T School Teacher (General) (i) B.A. Second Tatic (ii) B.Ed or Equivalent Qualification Ironia
Mathematics D hysic, Chamiss	ence) (i) BSc Second Division with at least Two of Zoology, Botany, and Mathematics -A or
AGE LIMIT: 21 Indoversion Provide	200logy; Botany, and Mathematics – A or 213nt Qualification from a recognized University.
TODOCATION:	elent Qualification from a recognized University. CALE: BPS-16 <u>ELIGIBILITY:</u> Female.
MICHIC Zone-1 Zon	2 70003
243 162 16	167 122 Zone-4 Zone-5
(S.No. 56) Twenty One (21) Bottle	Live
graduaty and panelers	nale SETs, /S.S.Ts Disabled (with out
VUALIFICATION, E. D	
Division from a recognized University	School Teacher (General) (i) B.A. Second and (ii) E.Ed or Equivalent Qualification from a
For Secondary Sebeel main in the	a construction from a
the Subjects of Physic, Chemistry	nce) (i) BSc Second Division with at least Two of Zoology Botany, and Mathematics -A or lent Qualification from a recognization
	, a mainemance - A or
	a second a recognized University
PAY SCALE: BPS-16 ELIGIBILIT ALLOCATION: Merit.	<u>Y:</u> Female.
(S.No. 57) Fifty One (51) Posts of Female	SETS. /S.S.Ts For Earth Quake Quota
(I.E) Battagram, Mansehra, Sha	ngla, Kohistan, Abbottabad, (with out
graduaty and pension).	in the second tank, Abbottabad, (with out
Division from a recognized University	School Teacher (General) (i) B.A. Second
CCOgnized University	the second of the second of the second
Mathématics-B and (ii) B Editor Equival	ce) (i) BSc Second Division with at least Two of Zoology, Botany, and Mathematics -A or ent Qualification from a room
AGIS LIMIT: 21 to 40 years PAV SO	Zoology, Botany, and Mathematics -A or ent Qualification from a recognized University. <u>ALE:</u> BPS-16 <u>ELIGIBILITY:</u> Female.
ALLOCATION: Merit.	<u>IDD.</u> BrS-16 <u>ELIGIBILITY</u> ; Female.
TECTATO	
TECHNICAL EDUATION AND	MAN POWER TRAINING
DEPARTM	<u>ENT.</u>
(S.No. 58) Two (02) Posts of Appletest	
	essor Commerce in Govt: Colleges of
QUALIFICATION: (1) Ph. Discon	training institutes.
with three year teaching experience in re	relevant subject from a recognized University cognized college / Govt: Commercial Institutes/
Govt: Commercial Institutes/ Govt: Com OR (ii) Master's Degree from a report	merce College ass Instructor/ Lecturer
Years experience of teaching as I action	200 Oniversity in the relevant subject with Five
Govi: Commercial Institute/ Govier Commercial	with a more matricial in a recognized college /
<u>eredenationality</u> 20 to 40 years, PA YISGA	LE: BPS-18 ELIGIBILITY: Male.
ALLOCATION: Merit,	
(S.No. 59) Two (02) Posts of Assistant D	
Govt: College of Technology & G QUALIFICATION: (a) CPH	ofessor in Computer Engineering in
QUALIFICATION: (a) < Ph. D. in.	OVI: Polytechnic Institure. Engineering from a recognized University /
Institute with one years's teaching/ prof	Engineering from a recognized University / essional experience in the relevant subject as
with five years teaching/ molessional and	essional experience in the relevant subject as earing from a recognized University/ Institute
	ering from a recognized University/ Institute erience in the relevant subject as such: OR (c.)
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(S.No. 66).	Tan (10)	י רז'			
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UNALINICATION: Farie		······	
AGE LIMIT: 18 to 30 years 7	-caree more recogr	uzed University	
ALLOCATION:	<u>BPS-1</u> : BPS-1	14. ELIGIBILIT	Y: Male
Zone-1 Zone-2			
02 02	<u> </u>	Zone-4	Zone-5
		02	. 02
S.No. 67) One (01) Post of Female of QUALIFICATION: Post 1			
QUALIFICATION Provide	tice Assistant.	- ·	

Bachelor degree from recognized University. IMIT: 18 to 30 years. PAY SCALE: BPS-14. ELIGIBILITY: Female.

CORRIGENDIN

2.

(iii)

(iv)

The Post of Research Officer for Earth Quake Quota appearing at S.No.2 Advt: No.07/2007 may be read as 02 Post for Chemistry and one for cereal Crops

The Post of Reader Advertised in Advtt: No. 07/2008 S.No. 39 may be read as one post instead of Two Posts

GENERAL CONTITIONS

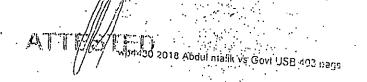
(i)

Age, qualification and experience etc shall be reckoped on 26-02-2009 Maximum age limit as prescribed in the recruitment rules shall be relaxed up to 10 years for Govt Servants who have completed 2 years continuous service, upto 10 years for disabled persons and upto 3 years for candidates belonging to backward areas of Zone-1, Zone-3, Merged Areas of Hazara and Mardan Divisions and uper Tannval, Districts of Swat, Upper Dir, Lower Dir, Chitral, Buner, Kala Dhaka Area, Kohistan District Shangla, Gadoon Area in Swabi, Backward areas of Mansehra and Batagram, backward areas of Haripur District i.e., Kalanjar Eield Kanungo Circle of Tehsil Haripur and Amazni Field Kanungo Circle of Tehsil Ghazi. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the condidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Gove Servants, general or disabled candidates, whichever is relevant and applicable to them.

Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates are accepted. However, the candidates can apply on provisional certificate signed by the Controller of Examination of the respective Institution but candidates shall produce original degrees / certificates before their selection. Detail Marks Certificate for all the examination shall necessarily be required and these should be attached

ALLOCATION of vacancies in BPS-17 and below shall be strictly in accordance with the Zonal ALLOCATION as indicated against each post(s). The applications of the candidates other than the specified zone(s) shall be ignored except for posts reserved for Merit quota. No zonal reservation stands for posts allocated to disabled quota and also for the posts in BPS-18 mid above. All such posts shall be filled in on Open Merit.

The candidates applying against disabled posts must attach with their application forms of disability certificate from the Provincial Council for Rehabilitation of Disabled Persons as well as disability certificate from the respective Medical Superintendent / Medical Board showing



Ex-armed Forces Personnel must send copy of Discharge Certificate with their applications. Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but. their Departmental Permission Certificates should reach within 30 days of the closing date.

(vi) Applications should be on the prescribed application form obtainable from the listed below branches of the NATIONAL BANK, Application Fee is Rs. 285/- (Rupees Two Hundred Eight Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs. 15/- (rupees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will not be entertained. The applications on plain peper or Photostat shall not be accepted. Incomplete and late applications shall also be ignored.

(vii) -- Application must be submitted within time as no exten time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.

(viii). Applicants married to Foreigners are considered only on production of the Govt. Relaxation

No applicant shall be considered in absentie of paper qualifications unless, he/she possesses exceptionally higher qualifications than the minimum prescribed qualification for a particular (x)

Govt, reserves the right not to fill any or fill more or less than the advertised post(s).

Candidates who have already availed three chances by physical appearance before the (xi)Commission and have failed for the post(s) having one and the same qualifications and scale of

Experience wherever prescribed shall be counted after the minimum qualifications for the (xii)post(s), if not specifically provided otherwise against the advertised post(s).

In cases where the number of applications received for post(s) are disproportionately higher (xill) than the number of available vacancies, shortlisting of the candidates may be done in any one of

Written Test in the Subject. (n)

General Knowledge of Psychological General Ability Test: (b)

Academic and / or Professional record as the Commission may decide , (c)

<u>SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAI</u>

Main Branches of:

Parachinar, Mardan, Swabi, Malakand, Shangla, Chitral, Timargara, Daggar, (i). D.I.Khan, Bannu, Karak, Koliat, Hangu, Lakki Marwat, Abbottabad, Haripur, and Mansehra,

Saddar Road Branch, Tchkal Payan Branch, and G.T Road (Nishtar Abad) Branch (ii)

Tchsil Bazar Branch Charsadda, Nowshern Cantt: Branch, Bank Squade Branch (iii) Mingora and city Branch Tank.

Atta Ur Rehman)

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

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DEFICE OF THE PROTOCO AL SOUT SHARDED SHER NAMAZ COMBENDI TO TO TO TO TO TO THE Director Elementary and Secondary Education Department Koyber Toronomine Postpore. Subject: INSURATION Ments Tolemente to your field Holl exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-022_tendowd field exits No. 1911-16/F.No.5-06/Mhyber (RC novid David releases the SE-03-02_tendowd field exits No. 1911-16/F. No.5-04 No	ویوست سیسی بیا کر کلو اور	·	·	- (10) -	
IANKAZ CMHS NO.1 IANK NoZZQ_1 Dated: 2.4 / c.4 / 2.021. The Director Elementary and Secondary Education Dated: 2.4 / c.4 / 2.021. Department Khyber Pakhtunkawa Peshawar. MMMMMR Subject: INQUIRY REPORT Memo, Reference to your kind Notification No. 1931-16/F.No.E-06/Khyber (ICC now) Dated Peshawar the 08-02-2021.Enclosed find here with Inquiry report consists of (19) pages along-with supporting documents (182 pages) for further necessary process as desired please. Muhammad Selin, Muhammad Selin, 114				Jele Charles	
No. 772 Dated: 24 / c4/2021. G The Director Elementary and Secondary Education MMBUWR Department Khyber Pakhtunkhwa Peshawar. Subject: - INGURY REPORT Memo, Reference to your kind Notification No. 1931-16/F.No.E-06/Khyber (i(C now) Dated Peshawar the 08-02-2021.Enclosed find here with Inquiry report consists of (19) pages along-with supporting documents (182 pages) for further necessary process as desired please. Auchaeter (As alrove). Muhammad Sellin		OFFICE OF THE P	<u>'RINCIPAL GOVT</u> AWAZ CMHS NO.	<u>' SHAHEED SHER</u> <u>1</u>	
The Director Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar. Subject: - <u>INQUIRY REPORT</u> Memo, Reference to your kind Notification No. 1911-16/F.No.E-06/Khyber (KC now) Dated Peshawar the 08-02-2021.Enclosed find here with Inquiry report consists of (19) pages along-with supporting documents (182 pages) for further necessary process as desired please. Andhase. (As above).		A CALLER CONTRACTOR	TANK.		1996 - Lander Hannes Hannes (1996 - Lander) Sommerske forske forske forske forske fors
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Department Khyber Pakhtunkhwa Peshawar. Subject: - INQUIRY REPORT Memo, Reference to your kind Notification No. 1911-16/F.No.E-06/Khyber (KC now) Dated Peshawar the 08-02-2021.Enclosed find here with Inquiry report consists of (19) pages along-with supporting documents (182 pages) for further necessary process as desired please. Fuchse. (As above).		far far i start and s			н -
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Muhammad Salim		Peshawar the 08-02-2021.Enclosed	find here with Inqu	iry report consists of	(19) pages along-with
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Muhammad Salim Principal/Chiliman Inquiry Committee.					
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INQUIRY REPORT

THE OF INQUIRY:

Denovo inquiry on the direction of the Honorable KP Service Tribunal against the SSTs inducted in the stem illegally and unlawfully in various Districts/ Sub Division Khyber Pakhtunkhwa.

INQUIRY COMMITTEE

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1

1 Muhammad Salim Khan Principal (BPS-19) GSSNCMHS No.1Tank (Chairman Inquiry Committee)

2. Munawar Gul Principal (BPS-19) GHSS Tarnab Farm Peshawar(Member Inquiry Committee)

BACKGROUND OF INQUIRY:

The Secondary School Teachers (SSTs) previously known as SETs are usually appointed/ recruited through Departmental Promotion Committees (DPC) or Public service commission. It is provincial cadre post and the Director E&SE Department Khyber Pakhtunkhwa Peshawar is appointing authority for appointment against the said post in Khyber Pakhtunkhwa and Ex- FATA, while Director Education FATA was only limited to the adjustment of the SST, whose services were placed at his disposal for further posting in various Agencies/ FRs of Ex-FATA. Previously as per recruitment policy 50% SSTs were directly recruited/ appointed through Public Service Commission whereas 50% through departmental promotion committee from different junior teaching cadres. According to the existing policy 75% SSTs are promoted from various junior teaching cadres and 25% Ihrough initial recruitment. Recruitment of SST, were lastly made through Public Service Commission in 2012 while in 2008 a large number of SSTs were recruited on contract basis and were later on regularized since 01-01-2009.

In the 1stquarter of 2014 some reports/complaints were received to the Director of Education FATA from various quarters that some SETs/SSTs have been inducted in the system without proper recommendations of KP Public Service Commission or approval of the departmental promotion committee and all these illegally and unlawfully inducted teachers are properly working in various Agencies / FRs of FATA. On this the Director FATA assigned the task to 02 Assistant Directors to probe into the matter. They were required to check credentials of all the SSTs Male / Female working in Ex-FATA and cross match their selection and appointment orders with the record of the Directorate of Elementary and Secondary Education and that of KP Public Service Commission. Subsequently after cross checking of the data provided by the AEOs with record provided by KPPSC and Director Elementary and Secondary Education, appointment orders of 158 teachers working in Ex-FATA were found/ declared as suspected and recommended for conducting broad based inquiry to probe appropriately into the matter.

Consequently, a broad based committee under the chairmanship of the then Director Education FATA was constituted with the approval of Additional Chief Secretary FATA to conduct proper inquiry in this regard. Meanwhile, the KP NAB also intervened in the said case/issue. The inquiry committee in coordination with NAB authorities decided to conduct a fresh inquiry in the said case by obtaining list of all recommended candidates ftom FATA (Zone I) for the post of SST under advertisement No.01/2009 from KP PSC and list of SSTs promoted / recruited on contract basis and later on regularized against SETs / SSTs post, from the Directorate of Elementary and Secondary Education Department.

The inquiry committee completed the task and submitted report to the authorities concerned. According to the findings and conclusion of the said inquiry committee 69 SETs / SSTs working in various Tribal

r and Ex FATA were found directly inducted in the system illegally and unlawfully by producing fake ment orders.

The Director Elementary and Secondary Education being competent authority in the said case and end against all the aforementioned SETs /SSTs and after proper verification and personal hearing, while example to orders of 46 SETs /SSTs were disowned by issuing disowned Notification in respect of each.

40 out of 46 disowned appointees filed departmental appeal to the Appellate Authority. However, their councils were not honored. Then all the 40 appellants filed appeal before KP Service Tribunal against the browned Notification issued by the Director Elementary and Secondary Education Department. While the ermaining 06 appointees did not file appeal against their disowned Notifications and they are still out of system.

The Honorable Service Tribunal issued order in the service appeal 1-40 and set aside the disowned entifications issued by the Director E&SE Department and re-instated the appellant in service with directions to the department to conduct proper inquiry.

The operational part of the judgment is quoted as under:

"In view of the situation, the impugned orders stand set aside and the appellant are re-instated in service with direction to the department to conduct proper inquiry. They shall investigate the issue through a proper inquiry reaching to a logical conclusion to find out the real culprit who maneuvered to make it possible and thereafter, the fate of the appellants be decided in the light of said inquiry. The respondents shall conclude the proceeding within 90 days after receipt of this judgment. The issue of back benefit shall be subject to the outcome of inquiry. With no order as to costs."

The Director E&SE Department Peshawar in compliance with the judgment of the Honorable Court sudered the instant inquiry vide Endst: No. 1911-16/F.No.E-06/Khyber (KC now) Dated Peshawar the 08-02-.小為, with the TORs given below.(Annex A)

The Director E&SE Department Peshawar being respondent in the said service appeals also set aside the disowned Notifications issued in respect of all the 40 appellants and they were allowed to join their duties against their previous positions.

TERMS OF REFERENCES:

5.

To compare and cross examine/ check the lists of SSTs provided by the AEOs offices with the list of SSTs provided by Public Service Commission.

To determine that whether the SSTs working in various Director E&SE Department Khyber Pakhtunkhwa Peshawar had been recommended by the Public Service Commission or otherwise.

To examine whether the adjustment / transfer orders of the said SSTs has been issued by the

Directorate of Education.

To examine whether, the record viz a personal file etc of these SSTs exist in the Directorate Education (FATA) and in the respective Agency Accounts Offices.

To dig out their 1st date of induction in the system and present status of the inducted SSTs.

To propose proper strategy keeping in view all the relevant legal aspects for proceeding against these inducted teachers.

To propose/ suggest further course of legal proceedings to be followed by the competent authority against these SSTs in case of their names do not exist in the list provided by the Public Service Commission, keeping in view the following two lines:

a. If the competent authority proceeds against them under KPK Government Servants E&D rules 2011, will they not be given the status of a civil servant? While they are not.

b. If the competent authority straight away lodged an FIR against them in the respective political agent office/police station, avoiding KPK Government Servants E&D rules 2011, then the question of their status will not arise that if they were not civil servants then how they remained on the strength/ acquaintance role of education department for such a period of time?

5. To examine/ scrutinize the reply in response to the statement of allegations so far issued by the competent authority and suggest further line of action to the competent authority.

To verify/examine/ scrutinize their all relevant service record along with qualification both general and professional.

10. To fix responsibility on officers/ officials with the convenience of whom these induction have been made.

Any other related issue/ problem the committee may like to consider for probe.

"ROCEDURE OF INQUIRY:

The instant inquiry committee initiated fresh process in order to obtain complete record/ data of the working as well as disowned SSTs in order to conduct proper inquiry in the instant case. Some written complaints were also found on the record submitted by those SSTs whose appointment orders were disowned; requesting for proceeding against some SSTs who were inducted directly and illegally but were not proceeded against and are still working. (Annex B P 3 to 5)The committee visited Tribal Districts Orakzal, Kurram, Niohmand, Khyber, Bajour, Sub Division Darazinda D.I.Khan and Tribal District South Wazirisitan, as almost all the alleged illegal appointees were reported to have been working in these Districts. The available record pertaining to the instant inquiry was obtained and thoroughly examined. The committee further obtained available data of SETs/SSTs working in all the Tribal Districts and Sub Divisions, complete record of Excommended candidates for the post of SST under Advertisement No.01/2009 from KPPSC and recruitment record of contract employees and their regularization notifications from Director E&SE Department Peshawar. The data obtained from KP PSC and Director E&SE Department Peshawar was cross checked with the data of tronking SSTs provided by DEOs Tribal Districts and Sub Divisions.

The committee also cross checked the appointment and adjustment orders in respect of all the appointees who were found working but could not be verified as recommended by the KP PSC with the record maintained by the Directorate of E&SE Department Peshawar and Directorate of Ex-FATA.

Opportunity for personal hearing and cross examination the evidences was offered to all the SSTs who had produced appointment orders, taken over charge against SST post and had been working in various Tribal Districts and Sub Divisions but their recommendations against the SST posts were not verified by the Public dervice Commission and their appointment orders were found suspicious. (Annex C P 6 to 10) However, most of them refused to avail such opportunity on the plea that they wanted to change the instant inquiry committee and they had also submitted a written application in this regard to the authorities concerned. (Annex D P (Annex E P 13 to 25)

The following officer's/ officials of Ex Directorate of FATA were also interrogated and their statements e obtained:

1. Mir. Fazali Manan Ex- Director.

2. Mr. Syed Manzar Jan Ex- Additional Director.

3. Mšt. Badr - E- Haram Ex- Députy Directress. 4. Mr. Muhammad Kashif Ex Assistant Director.

6. Mr. Naik Muhammad Ex- Dealing Assistant.

5 Mr. Farid Ullah Ex Superintendent.

8. Mr. Muhammad Anwar Ex C/O.

2. Mr. Aftab Ahmad Ex- Dealing Assistant.

9 Mr. Muhammad Fayaz Dispatcher.

OBSERVATIONS

The available recruitment record of SST (M&F) provided by the Director E&SE Department Peshawar reveals that 2136 SSTs were appointed through online submission of application to Director E&SE Department Peshawar in 2008 on contract basis for 01 year. Later on they were regularized in service with effect from 01-01-2009 through proper notifications made by the Director E&SE Department Peshawar under the NWFP Employees Regularization Act 2009.

On the other hand KP PSC under Advertisement No.01 2009 offered 2852 posts of SST M/F for NWFP/FATA domicile candidates. Tests and interviews were held and PSC recommended more than 2500 candidates M/F for appointment against SETs/SSTs posts out of which 367 candidates (291 Male and 76 Female) were selected from zone 01 and recommended to be appointed in various Agencies and FRs of Ex-FATA. (Annex FP 26 to 52)

During cross checking of all the appointment orders issued by the Director E&SE Department Peshawar under various notifications and posted in almost all the Districts including FATA and regularization notification issued in this regard, appointment of only two appointees who claimed to be appointed by the DE E&SE on contract basis were found fake and forged. However, during cross checking of the SST data provided by the DEOs of all the Tribal Districts, Sub Divisions with the record provided by KP PSC, it was found that 59SSTs who had taken over charge and have been working against SST post in Ex-FATA (some of them transferred to other Districts) could not be matched with the candidates recommended by KPPSC. Hence, it is evident that they were not selected by KP PSC and their appointment orders and service against SST post are illegal, unlawful, irregular and unauthorized. Some of these illegal appointees were even not eligible to apply for the post Advertised by KP FSC because they did not possess prescribed qualifications required for the post as per Advertisement, which reveals that they have neither applied for the post through PSC nor have been gone through the recruitment process.(Annex G P 53 to 63)

After thorough examination of the mode of induction of the aforementioned appointees it was found. that their way of induction and present status is not the same. Therefore they are divided into three main categories as per given detail.

<u>CATEGORY A.</u>

34 accused appointees whose appointment orders could neither be verified from KP Directorate nor their adjustment orders from Director Ex FATA. They have not been recommended by the KP PSC for appointment against SST post. They have managed their appointment orders through their own sources. Their detail particulars and irregularities observed by the inquiry committee are elaborated as under: (Annex H P 64 to <u>113</u>)

yame .	Name po	sting	Order No. 5139-97		rks/ Comments of inquiry Committee
vluhammad Sohail	Khan Ba		dt: 16-09- 2008. Rg: 2221- 27 dt: 11-02- 2010.	D on Howe was f oppo exam avail appo noti	contract basis and then regularized. ever, his appointment/ regularization order ound fake and fabricated. He was offered rtunity for personal hearing and cross nination the evidences but he refused to such opportunity. (Annex D P 11 & 12) His pintment order was disowned. Now the said fication has been set aside on the directions
Kifayat Ullah	Kanna Gilan	GHS Loi Shalman Khyber	13731-35 dt: 25-10 2012.) He hea but D P dis set wo	was offered proper opportunity for personnel ring and cross examination the evidences he refused to avail such opportunity. (Annex 11 & 12) His appointment order was owned. Now the said notification has been aside on the directions of the Court and he is orking.
Luban Alı	Mohib Ali	GMS Suleman Khel Orakzai	13736-4 dt: 25-1 2012.	.0- he bu D di se	aring and cross examination the entry. (Annex It he refused to avail such opportunity. (Annex P 11 & 12) His appointment order was sowned. Now the said notification has been et aside on the directions of the Court and he is
Hazrat Jan	Akhtar Jan	GHS Gat Warsak Mohma	+ dt: 25	-10-	vorking. We was offered proper opportunity for personal mearing and cross examination the evidences but he refused to avail such opportunity: (Annex- D P 11 & 12) His appointment order was disowned. Now the said notification has been set aside on the directions of the Court and he is working.
s. Ishfaq Ah	mad Fəzəl Rəziq	GHS Angori Kurrar		.0-16 1-10-	He was offered proper opportunity for personal hearing and cross examination the evidences but he refused to avail such opportunity. (Annex D P 11 & 12) His B.Ed result was declared on January 14, 2010 while last date of submission of application to KP PSC was 26-02-2009. (Anne G P 53) Hence, he was not even eligible to apply for the post. His appointment order was
6 Muhan	nmad Khan - Bahadar	GHS		510-16 31-10-	disowned. Now the said notified to the set aside on the directions of the Court and he working. He was offered proper opportunity for personic hearing and cross examination the evidences but he refused to avail such opportunity. (Ann

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					D P 11 & 12) His appointment order was disowned. Now the said notification has been set aside on the directions of the Court and he is working.
NE	argis	Khan .	Khuna	12414-17 dt: 02-11- 2012.	She was offered proper opportunity for personal hearing and cross examination the evidences but she refused to avail such opportunity. (Annex D P 11 & 12) Her appointment order was disowned. Now the said notification has been set aside on the directions of the Court and she is working
	habana Bibi	Abdul Sattar	GGHS Nayat Killi Bajour	12414-17 dt: 02-11- 2012.	She was properly summoned through DEO Bajour to appear before the inquiry committee for personal hearing but she failed to avail such opportunity. Her appointment order was disowned. Now the said notification has been set aside on the directions of the Court and she
· · · ·	Inayat Ur Rehman	Abdur Rehman	GMS Laza Banda Bajour	1138-43 dt: 22-01- 2013	He was offered proper opportunity for personal hearing and cross examination the evidences but he refused to avail such opportunity. (Annex D P 11 & 12) His appointment order was disowned. Now the said notification has been set aside on the directions of the Court and he is working.
	Muhammad Cariq	Sher Muhammad	GHS Inzar Patti Orakzai	1138-43 dt: 22-01 2013.	He was offered proper opportunity for personal hearing and cross examination the evidences but he refused to avail such opportunity. (Annex D P 11 & 12) His B.Ed result was declared on February 10, 2010 while last date of submiss on of application to KP PSC was 26-02-2009. (Arne G P 54) Hence, he was not even eligible to apply for the post. His appointment order was
	Abdul Hai	Muhamma Tayyab	d GHS Tanı Charmar Bajour		 set aside on the directions of the Court and he. working. He was offered proper opportunity for personal hearing and cross examination the evidences but he refused to avail such opportunity. (Anno D P 11 & 12) His appointment order was disowned. Now the said notification has been set aside on the directions of the Court and hearing and hearing and the said evidences.
	2 Muhamma Naeem	d Maneen Khan	GHS Mandat Orakzai		I have a provinction the eVIGENCES

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-1					discwned. Now the sald notification

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				set aside on the directions of the Court and he is working.
a Shahid Hussain	Nadar Khan	Kurram	3236-41 dt: 05-03- 2013.	His appointment order was disowned; however, he did not file appeal against the disowned notification before the KP Service Tribunal. He was not summoned for personal hearing.
n Mahmood Alam	Nazir Gul	GHS Kochi Kurram	3236-41 dt: 05-03- 2013.	His appointment order was disowned; however he did not file appeal against the disowned notification before the KP Service Tribunal. He was not summoned for personal hearing.
1. Shah Nawaz Khan	Shah Nazar Khan	GHS Badshah Mir Kali Khyber	3242-45 dt: 05-03- 2013.	He was offered proper opportunity for personal hearing and cross examination the evidences but he refused to avail such opportunity. (Annex D P 11 & 12) His appointment order was disowned. Now the said notification has been set aside on the directions of the Court and he is working.
22. Muhammad Zeb	Haji Dilawar Khan	GHS Badshah Mir Khyber	3242-45 dt: 05-03- 2013.	He was properly heard by the inquiry committee. According to his statement he has been appointed through legal process and has been working regularly, devotedly and honestly since his taken over charge against the SST post However, he failed to provide recommendation letter of KP PSC. His appointment order has not been disowned and has been working since taken over charge till date.
Shabeena Na	Hassan	GGHS Gumbat Mardan	6134-38 dt: 16-04- 2013.	She was offered proper opportunity for personal hearing and cross examination the evidences but she failed to avail such opportunity. Her B.A result was deciared on August 27, 2009 and B.E result on July 18, 2011 while last date of submission of application to KP PSC was 26-02- 2009. (Annex G P 56 & 57) Hence, She was not even eligible to apply for the post. Her appointment order was disowned. Now her disowned notification has been set aside on th directions of the Court and she is working.
24. Ghazala	Ikram Ud Din	GGMS Zarif Dher Mardan	6134-38 i dt: 16-04 2013.	She was offered proper opportunity for person hearing and cross examination the evidences but she failed to avail such opportunity. Her appointment order was disowned. Now her disowned notification has been set aside on the directions of the Court and she is working.

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			lkram Ud	GGM5	3247-51	She was offered proper opportunity for personal) ER.
-	25	Seema	Din	Sahib Dad	dt: 30-04-	hearing and cross examination the evidences	
				Nahqi	2013.	but she refused to avail such opportunity.	,
	•			Mohmand		(Annex D P 11 & 12) Her appointment order was disowned. Now her disowned notification has	
				ļ		been set aside on the directions of the Court and	ř
						she is working.	• •
•					2627.22	She was offered proper opportunity for personal	:.
	26.	Nizakal	Shah Said	GGHS	3627-33 dt: 03-09-	bearing and cross examination the evidences	
	1. 4.			Shah Alam Salaw	2013.	but she refused to avail such opportunity.	
			Ì, ',	Salay Mohmand	2013.	(Appey D P 11 & 12) Her B.Ed result Was	2
	1			MONITION		declared on January 14, 2010 while last date of	
					_	Louhmission of application to KP PSC was 26-02-	
	1					2009 (Annex G P 58) Hence, she was not even	
	l					eligible to apply for the post. Her appointment	*
						order was disowned. Now her disowned notification has been set aside on the directions	3.1
						notification has been set aside on the an other	
						of the Court and she is working. She availed opportunity for personal hearing in	
	2	7. Shazia Jan	Jan Afzal	GGHS	2479-84	chite of the fact that she had signed retusal	
	Ì			Manga	dt: 19-03- 2013.	statement along with other appellants. She was	
				Mardan	2013.	broparly heard by the inquiry committee.	
						According to her statement she has appointed at	•
						through legal process and no forgery has been	;
	•					committed by her. She failed to provide	•
	ļ					recommendation letter of KP PSC. Her	
						appointment order was disowned. Now her	
	i					disowned notification has been set aside on the	
				-		directions of the Court and he is working. She was offered proper opportunity for personal	
	\ }	28. Seema	Mujahid A		2479-84		
	;	Mujahid		Takhtbai	dt: 19-03-	but she refused to avail such opportunity.	į
		. 1		Mardan	2013.	(Bonow D D 11 & 12) Her seniority has been	
				l l		determined and finalized by the Director Ease of	
						Dopartment Peshawar being competent	
					2070	puthority in spite of the fact that she is not	
	l					included in the inter Se merit list of SST(F)	•
						provided by the KP PSC and has been promoted	
						to SS post on the basis of illegally occupied post	
						of SST. Her appointment order was disowned by the department but she had been promoted to	, '
	ļ.					SS post before the issuance of such notification.	
	•					SS post before the issuance of such not internet. She is regularly working against SS post.	
	; .		-	·		han be was properly heard. During personal hearing.	
	X.	29. Alia	Ithbar Gi		13727-3 dt: 25-1	o has stated that she has been appointed legally	
	- J			Haryan	2012.	and has been serving regularly since taken over	
				Kot Malaka		charge. She refused charges and evidences of	. •
				IVI di di Ka	111Q	illegai appointment lodged against her.	

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20	Salma Jabeen Anila	Abdul Ghaffar Nader Shah	Not traced GGHS Azim Kor Mohmand	13727-33 dt: 25-10- 2012. 3491-96 dt: 04-03- 2013.	However, she failed to provide recommendation letter issued by KP PSC. Her appointment order has not been disowned and she has been working since taken over charge till date. She has been transferred from FATA to District Malakand. She was transferred from District Bajour to District Mohmand but she did not take over charge there. She could not be traced and was therefore not summoned for interrogation. She was properly heard by the inquiry committee. According to her statement she has been appointed through legal process and no forgery has been committed by her. She failed to provide recommendation letter of KP PSC. Her appointment order has not been disowned and she has been working since taken over charge till date.
32.	Sania Wali	Khan Wali	Not traced	3251-56 dt: 04-09- 2013.	She was transferred from District Bajour as per statement of DEO Bajour. However, she could not be traced and was therefore not summoned and interrogated.
	kalsoom Shah	Qeemat Shah	GGHS Merubak Mohmand	4271-76 dt: 05-03- 2013.	Her appointment order was disowned; however she did not file appeal against the disowned notification before the KP Service Tribunal. She was not summoned for personal hearing.
	Saima Abdul Wadood	Abdul Wadood	GGHS Merubak Mohmand	4271-76 d1:05-03- 2013.	Her appointment order was disowned; however

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CATEGORY B.

25 accused appointees whose appointment orders bearing No. and Date of Directorate of E&SE D KP Peshawar are fake. However their adjustment orders issued by Director Ex- FATA were found verified from the issue record. (Annex J P 114 to 135)

SI	Name	Father's Name	Place of posting	Order No.	Remarks/ Comments of the Inquiry Committee
	lftikhar Ali	Mir Sələm Khan	GMS Jan Noor Baka Khei Wazir SD Bannu	955-59 dt: 05-03 2012	He was properly heard, According to his statement, he had applied to PSC. He further stated that he has been serving in the department since his taken over charge till date and nobody has asked about his illegal status. However, he failed to provide recommendation letter of PSC. His appointment order has not been disowned and he has been working.

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Abdul Baseer	Gulshan Khan	Ex- A D.I.K	0.120.1.1	955-5	9	He was offered proper opportunity for
Abdul Baseer			0.120.1.1			
	Khan	- EZ. L.IN	han 1	dt: 05	-03-	He was offered proper opportunity personal hearing and cross examination the
	1			2012	1	independent he rerused to availated
	1	SD	Office			opportunity. (Annex D P 11 & 12) His
		-	azinda			appointment order was disowned. Now the
[2.1100			appointment ofder was added as a side on the said notification has been set aside on the
•			1		1	directions of the Court and he is working.
· · · · · · · · · · · · · · · · · · ·			S Alingar	955-	59	He was offered proper opportunity for
Muhammad	Muhammad		hmand	-)5-03-	Line dog and Cross examination of a
, carood	Yousaf		Millano	201		the result he refused to available to the
				202		(Annov 1) F [6(14) (1)
		1				
	}					said notification has been set aside on the
						directions of the Court and he is working.
			VIS Taj	95	5-59	He was offered proper opportunity for
Abdul Malik	Said	1	uhammad		05-03-	He was offered proper opportunition the personal hearing and cross examination the
	Muhammai	~ `	iohmand	1	12.	the refused to availater the
			10 minuno			opportunity. (Annex D P 11 & 12) His
						appointment order was disowned. Now the
1			•			appointment of the was only said notification has been set aside on the
						directions of the Court and he is working.
			GMS		55-59	He was offered proper opportunity for 1.
1. Var Khan	Ali Rehma		Bahadar Kil	-	t: 05-03-	I
		1 .	Mohmand	. 1	012.	1 the second the refused to available
1			MONITION		 ,	opportunity. (Annex D P 11 & 12) His
1				1		and order was disowned, not and
:						the second on the second s
÷	-	- '	•			directions of the Court and he is working.
			GMS Ashr		955-59	He was offered proper opportunity for
o Zafar Iqba	il Gul Rehr	nan	Abad	<u>a</u> , ,	dt: 05-03	He was offered proper opportunity in the personal hearing and cross examination the
			Mohman	1	2012.	
			Modulan		202	opportunity. (Annex D P 11 & 12) His
						the streation has heen set aside of the
			ļ	ļ		directions of the Court and he is working.
			GMASCI	лцс	4057-7	0 He was offered proper opportunity for
7. Muham		hmad	Landi Ko		dt: 30-6	
Naeem	Salim		Khyber	1101	2012.	
			Кпурет		2012-1	
	l					
					ŀ	appointment order was used in a side on the said notification has been set aside on the
						directions of the Court and he is working.
					4057-	70 He was offered proper opportunity for
8. Atta U		:	· GHS	เล่น	dt: 30	Learing and Cross examination and
1	Jabba	r	Khargh		2012	1
			Khybe	I	2026	
•					1	appointment order was disowned. Now the

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. >	-				said notification has been set aside on the directions of the Court and he is working.
τ}.	Ahimad Shah	Suleman Shah	GHS Subhan Khur Mohmand	4057-70 dt: 30-05- 2012.	He was properly heard. According to his statement he had applied to PSC and has bee serving in the department for the last 9 years and his appointment is legal. However he failed to provide recommendation letter of PSC. His appointment order has not been disowned. He has been working since taken over charge till date.
4). -	Shakir Ullah	Zargar	GMS Halki Gandao Mohmand	4057-70 dt: 30-05- 2012.	He was offered proper opportunity for personal hearing and cross examination the evidences but he refused to avail such opportunity. (Annex D P 11 & 12) His appointment order was disowned. Now the said notification has been set aside on the directions of the Court and he is working.
1.	Zia Ur	Atta Ur	GHS Ekka	5644-50	He was properly heard. According to his
	Rehman	Rehman	Ghund Mohmand	dt: 20-04- 2012.	statement he had applied to PSC and attende the interview and had been recommended fo the post of SST. His appointment order has no been disowned and he has been working sinc
	· · ·				taken over charge till date.
- <u>-</u>	Sarwat Jahan	Gul Rehman	GGHSS Landi Kotal Khyber	2408-13 dt: 16-02- 2012.	She was offered proper opportunity for- personal hearing and cross examination the evidences but she refused to avail such opportunity. (Annex D P 11 & 12) Her seniority has been determined and finalized b the Directorate E&SE Department Peshawar i spice of the fact that she is not included in the
:					inter Se merit list of SST(F) provided by the KI PSC and she has been promoted to SS post or the basis of illegally occupied post of SST. Her appointment order against SST was disowned by the department but she had been
			· · ·	ెచ	promoted to SS post before the issuance of such notification and she has been regularly working against SS post.
13.	Robia Shams	Shams Ur Rehman	GGHSS Ghallanai Mohmand	· · · · · ·	She was summoned to appear before the inquiry committee for personal hearing and cross examination the evidences but she faile to avail such opportunity. Her appointment order has not been disowned and has been working since taken over charge till date.

1	٩ تر م	1				
ł		· · · · · · · · · · · · · · · · · · ·	Fazal Dayan	GGHS Prang		She was offered proper opportunity for
ļ	a. j	Tahira Naz		Ghar		personal hearing and cross examination the
			1	Mohmand 1		evidences but she refused to avail such
	1			monmanu		opportunity. (Annex D P 11 & 12)Her
1						appointment order was disowned. Now the
÷	i s					said notification has been set aside on the
1	-					directions of the Court and she is working
;					41474.00	She was offered proper opportunity for
ŀ	15. j	Asma	Muhammad	GGMS Sabaz	11174-86	personal hearing and cross examination the
	1		Akbar	Ali Baro	dt: 15-08-	evidences but she refused to avail such
				Khel	2012.	
•				Mohmand		opportunity. (Annex D P 11 & 12) Her B.Ed
					 !	result was declared on January 14, 2010 while
1		1				last date of submission of application to KP
;			1			PSC was 26-02-2009. She is domiciled of
:		!			ł	district Charsada (Annex G P 59&60) Her
,						appointment order was disowned. Now the
1						said notification has been set aside on the
i						directions of the Court and she is working.
	16.	Zubaida	Gul Akbar	GGMS Kuta	11174-86	She was properly heard. According to her
ĺ		Begum		Trap	dt: 15-08-	statement she had applied to PSC for
Ì				Mohmand	2012.	recruitment against SST post and had been
						recommended. However she failed to provide
			· .			recommendation letter issued by PSC. Her
				-		statement against alleged illegality and forgery
	,	1				on his part was found unsatisfactory. Her
	-					appointment order has not been disowned.
						She has been working since taken over charge
			·			till date.
	- 17	. Alia Taj	Taj Ud Din	GGMS Sro	11174-86	She was properly heard. According to her
				Killi	dt: 15-08-	statement she had applied to PSC and was
				Mohmand	2012.	recommended for posting. She refused any act
						of illegal appointment. However she failed to
	•	i Y		,		provide recommendation letter of PSC. Her
	Ì					B.Ed result was declared on July 18, 2009
	ļ					while last date of submission of application to
	ļ			-		KP PSC was 26-02-2009. (Annex G P 61)
	1				Theory .	Hence, She was not even eligible to apply for
	İ					the post. Her appointment order has not been
	ł					disowned. She has been working since taken
	l					over charge till date.
		8. Ghazala Sana	Sana Ullah "	GGMS	11174-86	
				Kashmir	dt: 15-08-	personal hearing and cross examination the
			- X	Kore	2012.	evidences but she refused to avail such
	1			Mohmand		opportunity. (Annex D P 11 & 12) Her
•	ì					appointment order was disowned. Now the
		•				said notification has been set aside on the
						directions of the Court and she is working.
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19. Hira Shams	Shams Ur	GGHS Mian	11174-86	She was summoned to appear before the
1.27	Rehman	Mandi	dt: 15-08-	inquiry committee for personal hearing and
		Mohmand	2012.	cross examination the evidences but she failed
				to avail such opportunity. Her BA result was
			i	declared on March 31, 2009 and herB:ED
-				result was declared on September.06, 2010
				while last date of submission of application to
				KP PSC was 26-02-2009. (Annex G P 62&63)
				Her appointment order has not been
				disowned and she has been working since
				taken over charge till date.
20. Fazli Raziq	Fazli Rabi	GHS'Sra	12614-19	He was offered proper opportunity for
		Mila Orakzai	dt: 04-10-	personal hearing and cross examination the
			2012.	evidences but he refused to avail such
				opportunity. (Annex D P 11 & 12) His
				appointment order was disowned. Now the
				said notification has been set aside on the
				directions of the Court and he is working.
21. Muhammad	Mukamil	GHS	12614-19	He was offered proper opportunity for
Qasim	Shah	Mandati	dt: 04-10-	personal hearing and cross examination the
	a la	Orakzai	2012.	evidences but he refused to avail such
				opportunity. (Annex D P 11 & 12) His
				appointment order was disowned. Now the
				said notification has been set aside on the
				directions of the Court and he is working.
12 Naheed	Musafar	GGHSS	9074-82	She was properly heard. According to her
l Akhtar	Khan	Landi Kotal	dt28-06-	statement she had applied to PSC. She further
		Khyber	2012.	stated that she has been serving in the
4				department till date and nobody has asked
				about her illegal status. However she failed to
				provide recommendation letter of PSC. Her
				appointment has not been disowned and she
23. Basmina				Is working since taken over charge till date.
	Mir Alam	GGHS Jalala	9074-82	Her appointment order was disowned,
Begum	Khan	Mardan	dt 28-06-	however she did not file appeal against the
			2012.	disowned notification before the KP Service
	· ·			Tribunal. She was not summoned for personal
24. Farzana	 Riwaj Ud	CCMS Colle	2916.22	hearing.
Thereford -	Din	GGMS Gujar Gari Mardan	2816-23	She was summoned for personal hearing and
			dt: 25-06- -2012.	cross examination the evidences but she failed
			2012.	to avail such opportunity. Her appointment
		-		order has not been disowned. According to the statement of her Head Mistress she is
	Bahadur	GGHS	2816-23	missing since 06-06-2019.
1111041101	Sher	Kachkool	dt: 25-06-	She was offered proper opportunity for personal hearing and cross examination the
ι	~1051	Kaunkool Khwazai	2012.	evidences but she refused to avail such
·		IND W d Z d S	1 20221	avialences par she relased to avail such

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	Mohmand	opportunity. (Annex D P 11 & 12)Her
		appointment order was disowned. Now the
		said notification has been set aside on the
		directions of the Court and she is working.
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CATEGORY C.

O2 number of accused appointees whose appointment orders were not provided to the inquiry complittee. Their status was checked from the available record. Their appointment were neither verified by the Directorate of E&SE Peshawar nor they have been recommended by the KP PSC for the posting against SST mode However they have been taken over charge against SST post and had also been working for some time. a serie contraction of the series of the

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Mamé	Father's Name	Place of posting	Order No.	Remarks/ Comments of inquiry
 Ahmad Shah	Feroz Shah	GHS Spin Qabar Khyber	Appointment order not provided by the office	He had taken over charge against SST post at GHS Spin Qabar Khyber but has been struck off from the system before issuance of disowned notification as per record. He could not be traced. He was not summoned for personal hearing.
Fazli Haleem	Kalim Hussain	GHS Mawaz Killi Khyber	Appointment order not provided by the office	He had been taken over charge against SST post in District Khyber and has been working there. His appointment order was disowned by the Director E&SE Department Peshawar, however he did not file appeal against disowned notification before the KP Service Tribunal. He was not summoned for personal hearing.

It is evident from the above-mentioned detail of alleged illegal appointees that:

a. 34 numbers of the said appointees have been inducted in the system by producing fake and forged appointment as well adjustment orders managed by themselves through their own sources. Therefore no one other then the beneficiaries can be held responsible for such illegality and forgery with huge loss to the public exchequer.

b. 25 alleged illegal appointees who claimed to be appointed on the recommendations of public service commission have been inducted in the system by producing adjustment order issued by the Director Ex-FATA on the basis of fake appointment orders not verified from the record of Directorate of Elementary and Secondary Education Department KP being appointing authority.

Mr. Fazal Manan has been posted as Director Ex-FATA since 20-1-2006 to 31-10-2012. He was summoned by the Inquiry committee and properly interrogated. According to him it is retreated that the adjustment orders of SSTs made by DE FATA were based on the appointment notifications already issued by the competent authority, as specified at serial No.4 (2)(c) of the APT rules, 1989 and the adjustment orders would have not been issued by DE FATA if the appointments had not been ordered by the director E&SE KP. He further stated that all the perquisites of appointments were to be full filled by the respective appointing authority before issuance of appointment notifications. According to him

there was neither any established mechanism/procedure not any precedent available in the history of directorate of Education FATA that appointment notification issued by the E&SE KP were to be verified before making adjustment against vacant post in FATA and recruitment policy of SETs also did not indicate the requirement of verification of such notification issued by the respective appointing authority before making adjustment of already appointed teachers. He also stated that the adjustment ef hundreds of SETs had been made in FATA schools and even a single notification of appointment has not been verified before adjustment. He further clarified that a copy of each and every adjustment outification and also to KP Public service commission. But neither the Public Service Commission had raised any objection or disowned its recommendation nor the DE E&SE KP had raised any objection on the basis of its appointment notification at any stage.

According to him he had not given any specific orders or decisions to issue adjustment order without processing the case on file and it was a routine matter and the case had to be examined and put up on file as PUC with a note sheet and process through the proper channel of officers on the concerned sections for approval of the Director. He also provided detail of some appointees adjusted in FATA whose services were verified by the Director E&SE which certify availability of their service record at the level of Directorate E&SE KP. He further added that the illegal and unlawful adjustment orders had been stood automatically void and ineffective when the appointment orders were declared as fake and disowned by the appointing authority as the content of their adjustment orders were very much clear and consequential to the appointment notification. He further added that the Director FATA did not have any authority of appointment of SSTs/SETs (BS-16) and being the provincial cadre employees they are to be appointed by DE E&SE KP. According to him the DE FATA had just to adjust the teacher already appointed and their services placed at his disposal by the Director DE S&SEKP. He stated that he did not accept any kind of responsibility in this regard and he had made adjustment as per procedure already in vogue followed by his predecessors and successors and had not made any violation of prescribed policy and procedures.

He also stated that adjustment of the candidates would not have been made without the appointment orders of the respective teachers issued by the appointing authority and the DE FATA may not be held responsible for the illegal and invalid appointment orders of SSTs as he did not enjoy any legal authority for appointment. (Annex K P 136 to 142)

Mr. Syed Manzar Jan remained as Deputy Director Ex-FATA since November 16,2010 to April 05, 2011. According to his statement his job was to confirm the vacancies, tally names given in the appointment orders with names proposed for adjustment on file proceeded on the directions of the Director. He further stated that no process for verification of letters existed at the office as a lot of letter and orders etc were received on daily basis, action were taken and copies for information were sent to the concerned quarters. In the said case according to him, copies for information were regularly sent to the appointing authorities i.e. Director E&SE Department Peshawar as well as other quarter but no illegality or irregularity was pointed out so far by any of the office. He also stated that Director E&SE Department Peshawar is the appointing authority for SSTs and the candidates appointed were kept at the disposal of the Director Ex-FATA for further adjustment only, so the Director E&SE Department Peshawar is responsible for any irregularity being appointing authority. He denied any type of illegality or irregularity or multiced by him during all his service tenure. (Annex t P 143 & 144)

Mst:Badr-E- Haram was posted as Deputy Directress FATA since 16-7-2011 to 30-03-2014.According to her statement her job during posting at Directorate of Education Ex FATA was to ensure that the corresponding vacancies exist in the agency, to tally the names of SST given in the order

by the Director E&SE Department Peshawar with the name in the adjustment order and ensure that the draft prepared for adjustment is duly endorsed to all the stack holder including the appointing authority.

According to her there was no such practice mechanism / policy for formal verification of letter/ orders / notifications of the parent directorate and the undersigned was also not assigned any such task. she further stated that as the appointment orders were received from the Directorate of Elementary and secondary Education and the Adjustment orders were properly intimated to them who acknowledged the came, so the responsibility may be traced at the level of Director E&SE Department Peshawar. According to her she has fulfilled her duty honestly throughout her professional career and no illegality regarding the adjustment orders had come into her knowledge. (Annex M P 145 & 146)

Mr. Kashif Khan posted as Assistant Director Colleges and schools in Ex-FATA since 24-11-2011 to 18-05-2015 and AD training DE Ex-FATA since 15-04-2016 to 26-04-2018 was heard in length. According to his statement his job as Assistant Director was to ensure that corresponding vacancies existed in the Districts and also to ensure that the draft proposed for adjustment is duly endorsed to all stakeholders including the appointing authority. He further stated that for the first time a complaint regarding bogus / fake appointment of 04 numbers SSTs in Orakzai Agency was received from KP PSC and in pursuance of the above the Director E&SE Department Peshawar was approached for verification of the said order. According to him the Director E&SE Department Peshawar responded that no such appointment order have been issued by the appointing authority. He added that an enquiry committee including him as member was constituted to unearth the factual position. The committee submitted its report and declared all the 04 SSTs as fake and recommended action against them. According to him some iilegal transfer orders of SST issued by Director E&SE Department Peshawar are also on the record and he has also persuaded such cases for verification and action.

He further stated that he along with another Assistant Director was assigned the task by Director E&SE Ex-FATA to carry out a comparative study of the KP PSC selectees and the incumbent SST "list provided by the AEOs" in FATA. According to him thorough scrutiny was made and 158 number of suspected SST were detected and recommended for in depth inquiry. He further stated that he feels proud to say that this grey list of 158 number of suspected SST provided a base for all the succeeding inquiries carried out by the NAB as well as the department.

He also stated that there was no precedent of verification of appointment orders issued by the Director E&SE Department Peshawar in the history of DE FATA since its establishment in 1972/75. In the instant case copies of each appointment order has been endorsed to the Director E&SE Department Peshawar for verification. He also provided documentary evidence in support of his statement. (Annex N P 147 to 171) Statements of all the four officers mentioned above were found comprehensive, reasonable, genuine and convincing.

Mr. Fareed Ullah Khan Ex Superintendent Establishment, Naik Muhammad DA, Aftab Ahmed DA, Muhammad Anwar C/O and Fayaz Ahmed Dispatch In-charge were also interrogated. They were of the view that they have obeyed their superiors and had followed their directions as subordinate staff. They further stated that no irregularities have been observed by them and adjustment orders have been issued on the provision of appointment orders issued and received from Director E&SE Department Peshawar. Mr. Fayaz Khan the dispatcher in his statement said that copy of each and every order issued by DE FATA had been delivered for information and verification to the Director E&SE Department Peshawar. He provided some photo copies of peon book which reveals the delivery of adjustment orders in question to the Directorate of E&SE Department Peshawar. (Annex P P 172 to 182)

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One alleged illegal appointee Mr. Ahmed Shah S/O Firozshah on S.NoOL in category C has all eady been struck off from the system before the issuance of disowned notification and could not be beced. While another appointee Mr.Fazli HaleemS/O Kalim Hussain was declared fake by the previous induity committee and his appointment order was disowned by the Director E&SE Department Peshawar. He did not file appeal against the disowned notification before theService Tribunal and therefore was not downed for interrogation.

All 61 accused appointees mentioned above were found inducted in the system illegally and aniawfully without going through proper recruitment process, recommendations of the KP PSC and appointment by Director E&SE Department Peshawar. Their appointment notifications are baseless, fake and forged. They have managed their appointment orders on their appointment notifications are baseless, fake techniques. Their appointment notifications are baseless, fake and forged. They have managed their appointment orders on their appointment notifications are baseless. Fake ineffective. Their appointment orders based upon their appointment notifications are baseless. Fake ineffective. Their appointment orders based upon their appointment notifications are also void and ineffective. Their appointment orders based upon their appointment notifications are also void and ineffective. Their appointment orders based upon their appointment notifications are also void and ineffective. Their appointment orders based upon their appointment notifications are also void and ineffective. Their appointment orders based upon their appointment notifications are also void and ineffective. Their appointment orders based upon their appointment notifications are also void and ineffective. Their appointment orders based upon their appointment notifications are also void and ineffective. Their appointed are lisble to be disconned.

X. ON Mos of appointment orders bearing fake numbers and dates of the office of the Director E&SE Department Peshawar in respect of 25 SSTs generated by the accused appointees through their own sources have been submitted to the then Director E&A for further adjustment against vacant posts. On provision of all such orders proper files have been processed as per routine practice through all the concerned officer/ official and adjustment orders have been processed as per routine practice through all the provision of all such orders proper files have been processed as per routine practice through all the concerned officer/ official and adjustment orders have been issued on approval accorded by the Ex-concerned officer/ official and adjustment orders have been issued on approval accorded by the Ex-concerned officer/ official and adjustment orders have been issued on approval accorded by the Ex-concerned officer/ official and adjustment orders have been issued on approval accorded by the Ex-concerned officer/ official and adjustment orders have been issued on approval accorded by the Ex-concerned officer/ official and adjustment orders have been issued on approval accorded by the Ex-concerned officer/ official and adjustment orders have been issued on approval accorded by the Ex-concerned officer/ official and adjustment orders have been issued on approval accorded by the Ex-concerned officer/ official and adjustment orders have been issued on approval accorded by the Ex-concerned officer/ official and adjustment orders have been issued on approval accorded by the Ex-concerned officer/ off

It is pertinent to mention that the Director Ex-FATA was neither appointing authority of SSTs nor appointment recordexcept their appointment notifications were provided to the Directorate of Ex-FATA. No formal practice of verification of the appointment letters received to DE FATA was available as per appointment recordexcept their appointment notifications were provided to the Directorate of Ex-FATA. Policy in vogue. Moreover, copies of all such adjustment appointment orders were endorsed and delivered to the Director E&SE KP with reference to his appointment orders of such appointees. All such adjustment orders have been issued as per established routine procedure on the provision of adjustment orders have been issued as per established routine procedure on the provision of appointment orders have been issued as per established routine procedure on the provision of appointment orders have been issued as per established routine procedure on the provision of appointment orders have been issued as per established routine procedure on the provision of appointment orders have been issued as the said adjustment orders. The beneficiaries/illegal appointees of appointees in the system through the said adjustment orders. The beneficiaries/illegal appointees alongwith those who provided themtechnical and other support are sole responsible for this act of forgery and illegalitywith huge loss to the public exchequer. They know better how did they come into the system and who did facilitate them to get their fake appointment orders.

Moreover the Director Ex-FATA has made a jot of correspondence with the Director E&SE Department Peshawar since 2013 to 2017 for verification of appointment orders of suspicious 55Ts inducted in the system. Various inquiries have also been conducted by the DE FATA to scrutinize and verify, appointment status of the suspicious 55Ts. A committee comprising two Assistant Directors at DE FATA Mr. Muhammad Kashif Khan and Muhammad Ullah, ordered by the DE Ex-FATA was assigned the rest to carry out a comparative study of the KP PSC selectees and the incumbent 55Ts working in Extask to carry out a comparative study of the KP PSC selectees and the incumbent 55Ts working in Extask to carry out a comparative study of the KP PSC selectees and the incumbent 55Ts working in Extecommended for a broad based inquiry for further verification. Such efforts of the committee provided a base for all the succeeding inquiry for further verification. Such efforts of the committee provided a base for all the succeeding inquiry for further verification. Such efforts of the committee provided of the succeeding inquires including the instant inquiry. Hence all the efforts made by the Exbirectorate to unsarth the defaulters may not be ignored.

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STORMENUATION.

the committee hereby recommends that:

The Previous "Disowned" notifications set asaid on the direction of Honorable KP Service mbunal in respect of 38 illegally inducted appointees on serial No.01 to 18, 21, 23 and 24 to 27 in category A and on serial No.02 to 08, 10, 14, 15, 18, 20, 21 and 25in Category B of the instant report may be restored with the same direction to the DEOs concerned already communicated through the said notifications

12 numbers of illegal appointees on serial No.22, 29 and 31 in category A and on 2.

S.No.01,9,11,13,16,17,19,22 and 24 in category B have also been proved to join their services on producing fake appointment orders. But their appointment orders were not disowned. They possess the same illegal status as the previously disowned appointees have. Hence, they may be treated accordingly.

02 numbers of illegal appointees on serial No.28 in category A and on serial No.12 in category B 3. were recommended for promotion to SS posts before issuance of their disowned notification and they were promoted on the basis of illegally occupied SST posts. Their case may be sent to the competent authority to be proceeded against for their illegal and unlawful induction in the system.

02 numbers of illegal appointees on serial No 30 and 32 in category A mentioned above could 4. not be traced. Reportedly they are working in District Charsada/ Mardan. Hence, they both may be traced and treated accordingly.

06 numbers of illegally inducted employees on serial No.19,20,33 and 34 in category A , on 5. serial No.23 in category B and on serial No.2 in category C whose appointment orders were disowned but they did not file appeal against the said notification before the service tribunal and they are still out of system. Hence, no further proceeding is required against them as their previous status is intact. Onlinegal appointee on serial No.1 in category C has already been struck off from the system.

6 Hence, He may not be proceeded against for further action.

Muhammad Salim, Principal Chairman Inquiry Committee

Dated: 21/21/21.

Gul, Principal Mu

Mer/ber Inquiry Committee

NOTIFICATION

ANNEX -DO

WHEREAS, the judgment of the Honorable Khyber Pakhtunkhwa, Service Tribunal Khyber Pakhtunkhwa Peshawar. dated 20-01-2021 rendered in Service Appeal #964/2019 in respect of Mr. Shakir Ullah S/O Zargar Ex SST (General) GHS Rahat Kor (Alimzai) District Mohmand is with the direction to the competent authority to set aside the impugned order/notification issued vide this Directorate under endorsement No. 5663-68 dated 04-04-2019 and to conduct proper Inquiry.

AND WHEREAS, the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar set aside the impugned order/notification issued by this Directorate under endorsement No. 5663-69 dated 04-04-2019, vide Notification No. 3555-57 dated 15-03-2021 and constituted an inquiry committee vide notification No. 1911-16 dated 08-02-2021.

AND WHEREAS, the inquiry committee submitted its report vide No. 778 dated 24-04-2021

NOW THEREFORE, in the light of recommendations of the inquiry committee, the set aside notification in respect of Mr. Shakir Ullah S/O Zargar Ex SST (General) GHS Rahat Kor (Alimzai) District Mohmand issued vide Notification No. 5663-68 dated 04-04-2019 is hereby restored, while the notification issued vide Notification No. 3555-57 dated 15-03-2021 is hereby withdrawn with effect from the date of its issuance.

Director

Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar

/A-12/Re-instatement/SST (M) Endst: No /2021 Dated Peshawar the

Copy forwarded to the:-

- 1. Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
- 2. District Education Officer Mohmand.
- 3. District Accounts Officer Mohmand
- 4. Principal/Headmaster concerned.
- 5. PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
 - 6. PA to Additional Director (Estab) Merged Districts Khyber Pakhtunkhwa, Peshawar.

Deputy Director (Estab) Merged Distnic

NOTIFICATION

- WHERE AS: one Mr. Shakirullah 5/O Bargar who himself appointed/adjusted as SST (G) in GHS Rahat Kor Alim Zai District Mohmand vide. Notification No. 3506-13/File No. 2/A 14/SST(M)/PSC/Appt: dated 25/5/2012 and No. 7057-70/A-1/Apptill of SST (General) (PSC)2012 dated 30/5/2012 upon the production of fake/bogus appointment/adjustment order not issued by the Directorate of Education erst while FATA Nor by the Directorate of Elementary and Secondary Education Kinyber Pakhtunkhwa.
- 2. AND WHERE AS; the competent authority has directed the above said accused SST to produce authentic and verified service record from the concerned authorities, but he failed to comply with the legitimate directions of high ups regarding production of requisite authentic documents/record.
- 3. AND WHERE AS, further an inquiry committee was constituted by the competent authority vide Notification No. 8154-63 dated 04/8/2016 who have gone through the entire case record and it has been proved that the said appointment/adjustment order for the aforesaid post advertised by Public Service Commission Khyber Pakhtunkhwa was jumied but take/bógus.
- 4. AND WHERE AS, it has come to the notice of the competent outhority that Mr. Shakirullah S/O Zergar, having no legal status of the said appointment/adjustment, order.
- 5. NOW THEREFORE, under the mandatory provision and power conferred under Section-20 & 21 for General clauses Act-1897 as amended in 1956 and in pursuance of the scrutiny of selection/appointment record in r/o the above mentioned SST which was found fake/bogus, thus his appointment/adjustment Notification No. 3506-13/File No. 2/A-114/SST(M)/PSC/Apptt: dated 25/5/2012 and No. 7057-70/A-1/Apptt: of SST (General) (PSC)2012 dated 30/5/2012 is hereby "DISOWNED" ab initio and with the direction to District Education Officer. (concerned) to recover salaries and other allied benefits drawn by Mr. Shakirullah-S/O Zargar in the interest of Public Service.

Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar

TUNGIN

NA

MC

Endst: No. ______ dated // Copy forwarded to the:-____/

663-68

 Deputy Commissioner, District Mohmand with the request to take legal action.
 District Education Officer District Mohmand with the direction to take necessary steps for the recovery of outstanding amount against fake/bogus SST concerned.
 District Account Officer District Mohmand to co-operate in the matter.
 Head Master GHS Rahat Kor Alim Zar District Mohmand.

5.) PS to Secretary Elementary and Secondary Education Knyber Pakhtunkhwa.
 6. PA to Director Elementary and Secondary Education Knyber Pakhtunkhwa.

Deputy Director Morged Districts



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 7644/2021

Muhammad Tariq......Appellant

VERSUS

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

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Senior Law Officer Khyber Pakhtunkhwa Public Service Commission Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 7644/2021Appellant Muhammad Tariq..... VERSUS Government of Khyber Pakhtunkhwa & Others..... ...Respondents a jalatukhwa Tribunal PARAWISE COMMENTS ON BEHALF OF (RESPONDENT NO. 03) 93 01 06 PRELIMINARY OBJECTIONS: Dated The appellant neither applied nor was recommended against any of the advertised 1. posts. He is not a genuine recommendee / selectee of the Public Service Commission in respect of the post. That the instant Service Appeal is not maintainable against the replying Respondent 2. No.3. That the appellant has malafidely dragged Khyber Pakhtunkhwa Public Service 3. Commission in the instant case. That the appellant is misleading this Honorable Service Tribunal. 4. That instant Service Appeal is liable to be dismissed with special cost as the same is 5. based on ulterior motives of the appellant. Instant service appeal is based on misrepresentation. 6. **ON FACTS:** That the Khyber Pakhtunkhwa Public Service Commission advertised 1681 posts of 1-2. SETs/SSTs vide Advertisement No. 01/2009 dated 26.01.2009 with the following

qualifications:

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

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics –A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University. <u>AGE LIMIT:</u> 21 to 35 years. <u>PAY SCALE:</u> BPS-16 <u>ELIGIBILITY:</u> Male.

ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
420	280	281	280	210	210
Annex-A)		•	d <u></u>		1

Furthermore list of the candidates who were recommended to Government for appointment is **(Annex-B)**. The appellant was not recommended against any of the said posts. The appellant has not provided any proof of his recommendation by the Public Service Commission.

The rest of the contents does not pertain to Khyber Pakhtunkhwa Public Service Commission.

3-7 Not pertaining to Public Service Commission.

GROUNDS.

J.

A. Not pertaining to Public Service Commission.

- B. Incorrect. The appellant being not genuinely recommended candidate has rightly been treated according to the provisions of the constitution of Islamic Republic of Pakistan.
 C-I. Not pertaining to Public Service Commission.
 - The appellant being not genuinely aggrieved person may not be allowed to raise any further grounds at the time of arguments.

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

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

R

AFFIDAVIT

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

DEPONENTS

ME ÌĂB GUL LAW OFFICER FOR (RESPONDENT NO.03)

