

27th Sep, 2023

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)

kamranullah

SCANNED
KFPT
Peshawar

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 the parties.



(Muhammad Akbar Khan)
Member (E)



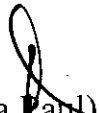
(Salah-ud-Din)
Member (J)

Naeem Amin

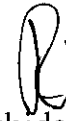
1st August, 2023 1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney respondents present.

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.

SCANNED
KFS
Rohawar



(Fareeha Paul)
Member (E)



(Rashida Bano)
Member (J)

*Kaleemullah


12.12.2022


Appellant present through counsel.

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

SCANNED
KPST
Peshawar

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.

SCANNED
KPST
Peshawar

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)

15th Nov. 2022

Counsel for the appellant present.

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)

SCANNED
KPST
Peshawar

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 titled "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

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)

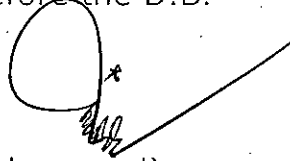


(Rozina Rehman)
Member (J)

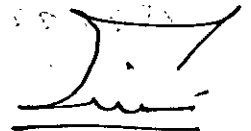
17.06.2022

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 ~~19.7~~ 2022 for the same as before.



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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.

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 26/04/2022 before S.B.

Rs. 500/-
Appellant Deposited
Security & Process Fee

with
A 05/04/22

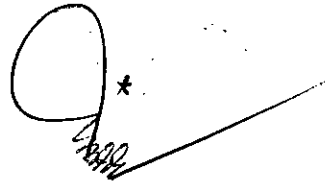

Chairman

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.

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Peshawar



(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.






Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7692 /2021


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/10/2021	<p>The appeal of Mst. Nusrat Begum resubmitted today by Mr. Noor Muhammad Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	11.11.2021	<p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put up there on <u>11/11/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>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".</p> <p style="text-align: right;"> Chairman</p>

The appeal of Miss. Nusrat Ex- SST GGHS Bandagai Bajaur received today i.e. on 25.10.2021 is incomplete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

Copy order dated 11.06.2021 mentioned in letter dated 17.6.2021 is not attached with the appeal which may be placed on it.

No. 2135 /S.T,

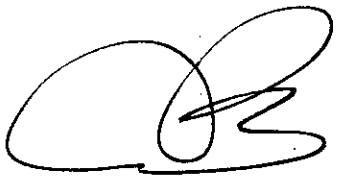
Dt. 26/10/2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

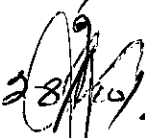
R/Sir,

The objection raised of order dated 11.6.2021 is neither mention nor has in question in appeal. Hence the same was not provided. The appellant has directly challenged impugned order dated 17.6.2021.


26/10/2021

R. Sir,

through notification dated 17/6/2021 the appellant was informed by the respondent no-4 that his previous conditional order dated 13/4/2021 regarding re-installation has been withdrawn and his removal order dated 9/4/2019 has been restored, therefore feeling aggrieved from the order dated 17/6/2021 and 9/4/2019 the appellant preferred departmental appeal followed by the instant service appeal.


28/10/2021

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

SERVICE APPEAL NO. 7692 /2021

Mst, NUSRAT

V/S

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

Mst, Nusrat Ex- SST (G) (BPS-16),
GGHS Bandagai, District Bajaur

..... 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.
- 4- District Education Officer district Bajaur.

..... RESPONDENTS

SERVICE APPEAL UNDER SECTION-4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 17.6.2021 WHEREBY THE WITHDRAWAL NOTIFICATION DATED 5.4.2019 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 5.4.2019 and 17.6.2021 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:

- 1- That during service the Khyber Pakhtunkhwa Public Service Commission advertised various posts including the post of SST (G) (BPS-16) the appellant having the requisite qualification applied for the said post and resultantly recommended by the KP public Service Commission. Copies of the advertisement and Educational testimonials are attached as annexure A & B.

- 2- That in light of the *ibid* recommendation the respondents appointed the appellant as Secondary School Teacher (BPS-16) vide Notification dated 27.10.2012. That in response the appellant got herself medically examined and also submitted arrival report. That where after the appellant was adjusted at GGMS Khono, District Bajaur vide order dated 2.11.2012 and in response the appellant started performing his duty at the concerned station quite efficiently and up to the entire satisfaction of his superiors. Copies of the Notification and order are attached as annexure C & D.
- 3- 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).
- 4- That unfortunately vide impugned Notification dated 5.4.2019 the appointment Notification dated 27.10.2012 of the appellant has been disowned by the respondents without any reason and clear justification. Copy of the impugned Notification is attached as annexure E.
- 5- That feeling aggrieved the appellant filed Departmental appeal followed by service appeal before this august Tribunal. That this august Tribunal vide judgment dated 20.1.2021 accepted the appeal of the appellant by set aside the impugned Notification dated 5.4.2019 and reinstated the appellant with further direction to the respondents to conduct proper Departmental inquiry. Copies of the Departmental appeal and judgment are attached as annexure F & G.
- 6- That vide Notification dated 15.3.2021 the appellant was reinstated into service for the purpose of DE novo inquiry. That in response the appellant submitted his charge report and started his duty but again vide impugned Notification dated 17.6.2021 the respondent No.2 restored the Notification dated 5.4.2019 in utter violation of the judgment of this august Tribunal. Copies of the Notification, arrival reports and impugned Notification are attached as annexure H, I & J.
- 7- That feeling aggrieved the appellant filed Departmental appeal but no reply has been received so far. Hence the instant appeal on the following grounds is filed before this august Tribunal. Copy of the Departmental appeal is attached as annexure.....K

GROUND:

- A- That the impugned Notifications dated 5.4.2019 and 17.6.2021 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 5.4.2019 and 17.6.2021 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 5.4.2019 and 17.6.2021.
- E- That no show cause notice has been issued to appellant before issuing the impugned Notifications dated 5.4.2019 and 17.6.2021 by the respondents.
- F- 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 5.4.2019 17.6.2021 whereby the appointment Notification of the appellant dated 27.10.2012 has been disowned by the authority.
- I- That the concerned authority acted in arbitrary and malafide manner while issuing the impugned Notifications dated 5.4.2019 and 17.6.2021.
- J- 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

NUSRAT

THROUGH:

NOOR MOHAMMAD KHATTAK
&
HAIDER ALI

ADVOCATES
PESHAWAR

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

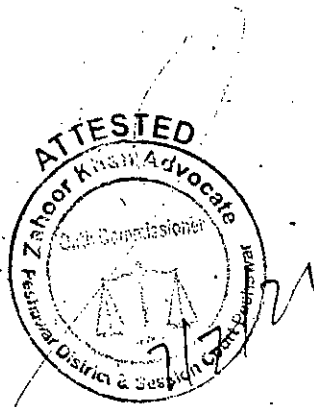
NUSRAT BEGUM

VS

EDUCATION DEPTT:

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.



Nusrat Begum
DEPONENT

CERTIFICATE:

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

Nusrat Begum
CERTIFICATION

NWFP PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: www.nwfppsc.gov.pk

Dated: 26-01-2009

ADVERTISEMENT No. 01 / 2009.

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

AGRICULTURE LIVESTOCK & CO-OPERATIVE DEPTT:

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

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

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

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

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

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

Merit	Zone-1
01	01

CHIEF ENGINEER WORKS & SERVICE DEPARTMENT.

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

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

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

ALLOCATION:

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

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

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

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

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

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provisions of the rules for the time being in force.

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

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

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

ALLOCATION:

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

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

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

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

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

ALLOCATION:

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

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

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

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

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

ALLOCATION: Merit.

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

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

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

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

ALLOCATION: Merit.

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ATTESTED

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

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

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

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

ALLOCATION:

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

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

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

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

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

PAY SCALE: BPS-16 ELIGIBILITY: Female.

ALLOCATION: Merit.

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

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

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

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

ALLOCATION: Merit.

TECHNICAL EDUATION AND MAN POWER TRAINING DEPARTMENT.

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

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

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

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

ALLOCATION: Merit.

ATTESTED

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

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

ATTESTED

9

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

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

CORRIGENDUM

- 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 CONDITIONS.

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

ATTESTED

ATTESTED

- (10)
- (v) Ex-armed Forces Personnel must send copy of Discharge Certificate with their applications. Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates should reach within 30 days of the closing date.
- (vi) Applications should be on the prescribed application form obtainable from the listed below branches of the NATIONAL BANK. Application Fee is Rs. 285/- (Rupees Two Hundred Eight Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs. 15/- (rupees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will not be entertained. The applications on plain paper or Photostat shall not be accepted. Incomplete and late applications shall also be ignored.
- (vii) Application must be submitted within time as no extra time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.
- (viii) Applicants married to Foreigners are considered only on production of the Govt. Relaxation Orders.
- (ix) No applicant shall be considered in absentia on paper qualifications unless, he/she possesses exceptionally higher qualifications than the minimum prescribed qualification for a particular post(s).
- (x) Govt. reserves the right not to fill any or fill more or less than the advertised post(s).
- (xi) Candidates who have already availed three chances by physical appearance before the Commission and have failed for the post(s) having one and the same qualifications and scale of pay shall be ineligible.
- (xii) Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).
- (xiii) In cases where the number of applications received for post(s) are disproportionately higher than the number of available vacancies, shortlisting of the candidates may be done in any one of the following manner:
- Written Test in the Subject.
 - General Knowledge or Psychological General Ability Test.
 - Academic and / or Professional record as the Commission may decide.

SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.

Main Branches of:

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

ATTESTED

(Atta Ur Rehman)

Secretary

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

ATTESTED

SARHAD UNIVERSITY

OF SCIENCE & INFORMATION TECHNOLOGY, PESHAWAR

TRANSCRIPT

St. No. SU/ 32796

ANNEXURE B (11)

Name: Nusrat

Reg. No: SUIT-14-02-036-0095

Father's Name: Hayat Khan

Roll No: 14-SP-77242

Degree: Master of Education

Enrollment Date: 03 Mar, 2014

Faculty: Arts, Social Sciences and Education

Completion Date: 22 May, 2015

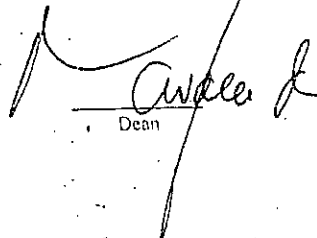
1st Semester (Spring - 2014)		Cr Hrs	Marks	Grade	GPs	Remarks
SME 626	Comparative Education	3 - 0	74	B	9	
SME 627	Computers in Education	3 - 0	69	C+	7.5	
SME 628	Educational Research	3 - 0	68	C+	7.5	
SME 629	Advance Educational Psychology	3 - 0	72	B	9	
SME 630	Guidance and Counselling	3 - 0	71	B	9	
Cum Cr: 15.0 GPA: 2.800 Cum GPA: 2.80 Status: PTD						

2nd Semester (Fall - 2014)		Cr Hrs	Marks	Grade	GPs	Remarks
SME 632	Education in Pakistan: Problems Issues & Trends	3 - 0	81	B+	10.5	
SME 633	Curriculum Development and Implementation	3 - 0	73	B	9	
SME 635	Teacher Education in Pakistan	3 - 0	67	C+	7.5	
SME 638	Higher Education	3 - 0	70	B	9	
SME 643	Non-Formal and Distance Education	3 - 0	87	A	12	
SME 653	Teaching Strategies	3 - 0	71	B	9	
SME 654	Economics of Education	3 - 0	78	B+	10.5	
Cum Cr: 36.0 GPA: 3.214 Cum GPA: 3.04 Status: QFD						

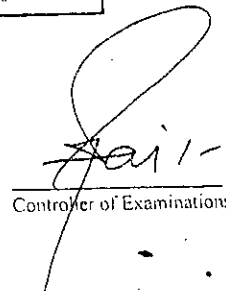
Marks Obtained : 881 Total Marks : 1200 Overall Percentage : 73.42%

(Errors and omissions are subject to subsequent rectification)

END OF TRANSCRIPT


Dean

(Degree Completed)


Controller of Examinations

ATTESTED

(Errors and omissions are subject to subsequent rectification)

ATTESTED

12

Sarhad University

OF SCIENCE & INFORMATION TECHNOLOGY PESHAWAR

Serial Number SUIT-2015-PRO-8121

Date issued: 10 August, 2015

Provisional Certificate

This is to certify that Mr. / Ms. Nusrat

Son/ daughter of Mr. Hayat Khan

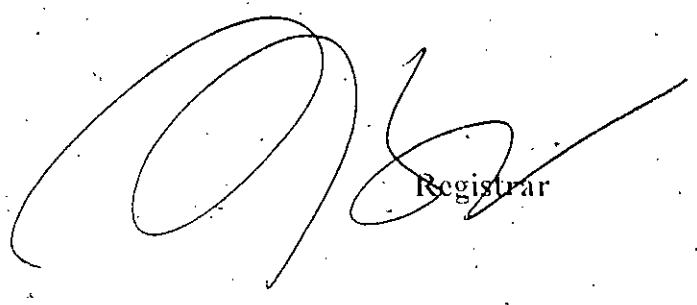
Registration number SUIT-14-02-036-0095

is a regular student of the Sarhad University of Science and Information Technology, Peshawar.

Mr. / Ms. Nusrat has completed all the requirements for the award of Master of Education degree with a CGPA of 3.04 on a scale of 4.00. He/ She has already been issued a transcript and degree will be awarded to him/ her in due course of time on the request of student.

Mr. / Ms. Nusrat bear's good moral character and his/ her conduct during his/ her stay at the University from 03 Mar, 2014 to 22 May, 2015 has been Very Good

ATTESTED


Registrar

ATTESTED

13

W:\4730-2018\Abdul Malik vs Govt USB 403 page
PROVISIONALLY

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD

Serial No 02874 PROVISIONAL RESULT CARD

Name NUSRAT BEGUM
Father's Name HAYAT KHAN
Address VILLAGE CHOWA PERAN

Roll No. AD 363355
Registration No. 02NMN0451
Final Semester AUT - 2005

Tehsil TAKHT BHAI
District MARDAN
has successfully completed BACHELOR OF EDUCATION (B.ED)

The detailed of passed courses are as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
AUT- 02	0416	EVALUATION, GUIDANCE & RESEARCH	100	63
AUT- 02	0438	ENGLISH	100	63
AUT- 02	0463	EDUCATIONAL PSYCHOLOGY & CURRICULUM	100	67
AUT- 03	1423	SCHOOL ORGANIZATION	100	74
SPR- 03	0402	TEACHING OF ISLAMIAT	100	73
SPR- 03	0460	TEACHING OF PAKISTAN STUDIES	100	68
AUT- 03	0470	WORKSHOP & TEACHING PRACTICE	100	65
AUT- 03	0417	ISLAM, PAKISTAN, AND MODERN WORLD	100	69
SPR- 06	0444	PERSPECTIVE OF EDUCATION	100	72

CREDIT Result Declared on 6

Total Marks / Obtained 900 / 616
Percentage / Grade 68 B

Date of Issue JULY 14, 2007

Disclaimer: DECEMBER 05, 2007

This result card is issued provisionally, errors and omissions excepted, as a notice only Any entry appearing in this card is subject to the decision of the Controller of Examinations, Islamabad, which will be final and binding.

Controller of Examinations

ATTESTED

Alama Iqbal Open University Islamabad



Serial No. 39855

Certified that Mr. / Ms. NUSRAT BEGUM

Son / Daughter of HAYAT KHAN

Registration No: 02NMMN0451

Roll No: AD 363355

having completed the prescribed requirements in semester

AUT 2006

is awarded the degree of:

Bachelor of Education

He / She has secured 68 % marks and has been placed in B grade.

[Signature]

CONTROLLER OF EXAMINATIONS

Result declared on: JULY 14, 2007

ISLAMABAD, DATED:

[Signature]
VICE-CHANCELLOR

ATTESTED

THIS DEGREE IS TO BE READ IN CONJUNCTION WITH THE TRANSCRIPT, ISSUED SEPARATELY.

the rules/regulations on the basis of the original record of the university student.

15

امتحان من اجل شهادة Diplôme de Psychologue (Psychiste)

R.S. 824

SESSION DE JANVIER 2002

AND

USRIAT-EGUAT

UNIVERSITE

DE LA SAHARA

DISTRICT DE ALGER

ALGER 2002

STUDENT OF _____
DIPLOME DE PSYCHOLOGIE EXAMINATION HELD IN _____
IS THE HONORARY DIRECTOR OF PSYCHOLOGY IN ALGERIA
FOR SERVICES

RECTOR OF U.S.H.S

Division

Office Examination was held at _____ in Paris.

Serial No. 076395

Registration No.

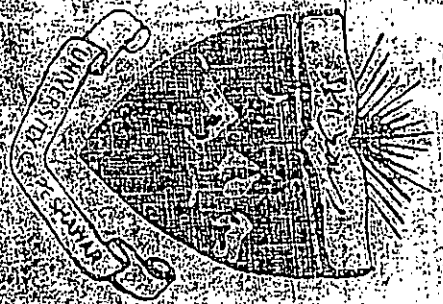
076395

Roll No.

076395

Result Date: 20/01/2002

21th APRIL, 2002



Registrar

M. Farid K.

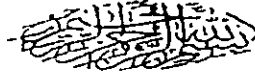
Co-ordinator

[Signature]

ATTESTED

S.No. 26770

Roll No. 104352
Group Intermediate



Board of Intermediate and Secondary Education
Peshawar N.W.F.P. Pakistan
INTERMEDIATE EXAMINATION
SESSION 1998 - ANNUAL

ATTESTED

This is to Certify that Nusrat Begum Son / Daughter of Hayat Khan
and a Student / resident of Govt. Girls Higher Sec. School Takht Bhai (Mardan) Registered No. 52-BHGTB-56
has passed the Intermediate Examination of the Board of Intermediate & Secondary Education, Peshawar
held on June/July, 1998 as a Regular Candidate. He / She obtained 602 Marks out of 110
and has been placed on Grade C Representing Good. He / She has been awarded Grade C on the
basis of internal assessment by the institution concerned. The Examination was taken as a whole / in parts.

[Signature]
Asst. Secretary

[Signature]
Secretary

This certificate is issued without alteration or erasure.

91

WP073001070001 malik vs Govt USB 403 page 5

S. No. PBR- 066359



Roll No. 5550

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



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

SESSION 1996 (ANNUAL)
(HUMANITIES GROUP)

THIS IS TO CERTIFY THAT Nusrat
Son/Daughter of Hayat Khan
and a student of Govt: Girls High School, Takkar, Mardan

has passed the Secondary School Certificate Examination
of the Board of Intermediate and Secondary Education, Peshawar held in April 1996
as a Regular candidate. He/She obtained 472 Marks out of 850
and has been placed in Grade C Representing Good

- The Candidate passed in the following subjects:
- 1. English
 - 2. Urdu
 - 3. Islamiyat
 - 4. Pakistan Studies
 - 5. Gen: Science
 - 6. Gen: Mathematics
 - 7. Isl: Studies
 - 8. Pashto

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

Date of birth according to admission form is Fourteenth February
one thousand nine hundred and Eighty Only (14-2-1980)

[Signature]
Asstt. Secretary
28th July, 1996

[Signature]
Secretary

This certificate is issued without alteration or erasure.

ATTESTED



**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

18

ANEXURE C

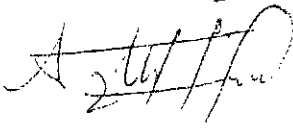
Notification.

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 General) 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 Education FATA for further posting against vacant SST Genral posts:-

S. #	Name	Father Name	Domicile	Zone	Permanent Address	Place of Posting
1.	Basra Begum	Fazli Wahab	Mohmand Agency	1	Village Qandaro P.O Amir Abad Pul Tehsil & Distt: Charsadda	Service placed at the disposal of Director of Education FATA for further posting against vacant SST General Post.
	Nusrat	Hayat Khan	Mohmand Agency	1	Vill & P.O Choowa Piran Tehsil Takht Bhai Distt: MardanDo.....

Terms and conditions:-

1. Her services will be considered regular but without pension & Gratuity in terms of section 19 of the NWFP civil Servant Act, 1973 as amended vide NWFP Civil Servants (Amendment) Act, 2005. She will however be entitled to Contributory provident fund in such a manner and at such rates as per prescribed by the Govt.
2. In case, she is already in Government service and working against pensionable post on regular basis before 1st day of July 2001, without any service break, on application to Khyber Pakhtunkhwa Public service Commission through proper channel and selection by the commission, is appointed and allowed choice of option either to retain benefit of pension & gratuity as allowed to her under her previous terms of appointment or to avail the benefit of contributory provident fund allowed to her under new appointment.
3. Her services are liable to termination on one months notice from either side. In case of resignation with out notice her one-month pay/allowances shall be forfeited to the Government.
4. She should join her post within 30 days of the issuance of this notification. In case of failure to join there post within one month of issuance of this notification her appointment will expire automatically and no subsequent appeal etc shall be entertained.
She would be on probation for a period of one year extendable for another one year.
6. She will be governed by such rules and regulations as may be issued from time to time by the Govt.

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7. Her Services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, she shall be proceeded under the rules framed from time to time.
8. Charge report should be submitted to all concerned
9. The DEO (F) concerned would furnish a certificate to the effect that the candidate has joined the post or otherwise after one month of the issue of his posting orders.
10. The DEO(F) concerned will verify their documents before release of pay.
11. Her seniority will be maintained as determined by the Khyber Pakhtunkhwa Public Service Commission.
12. No TA/DA will be allowed to the appointee for joining his duty.

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

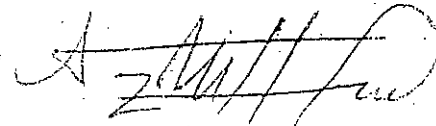
5963-70

Endst: No. /File No. 2/A-14/SST(F) Gen/PSC/Apptt: Dated Peshawar the 24/11/2013

Copy forwarded for information and necessary action to the:-

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

ADFILE



Dy: Directoeress (Estab)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

ATTESTED



ADJUSTMENT

ANNEXURE D (20)

Consequent upon their appointment as SST (General) in BPS-16 on the basis of recommendation of Khyber Pakhtunkhwa Public Service Commission and placement of their services at the disposal of Director Education, FATA vide Director, Elementary & Secondary Education Khyber Pakhtunkhwa's Notification No. 5963-70/File No. 2/A-14/SST(F)/Gen/PSC/Apptt: dated 24-01-2013, the following SSTs are hereby adjusted in the schools noted against each with immediate effect: -

Sr. No.	Name/Father's Name/Domicile/Address	Posted at	Remarks
1	Basra Begum D/o Fazli Wahab (Mohmand) Village Qandaro P.O Amir Abad Pul Tehsil & Distt: Charsadda.	GGHS Raghagan Bajour Agency	Against vacant post
2	Nusrat D/o Hayat-Khair (Mohmand) Village & P.O Choowa Piran Tehsil Takht Bhia Distt: Mardan:	GGHS Bandagai Bajour Agency	Against vacant post.

Note: -

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

(ROZ WALI KHAN)
DIRECTOR EDUCATION (FATA)

Endst: No. 2672-76 A-1/Apptt: of SST (General) (PSC)2013 Dated Pesh: the 19/2/ 2013

Copy forwarded to the: -

- 1 Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar
w/r to his Notification cited above.
- 2 Agency Education Officer Bajour Agency
- 3 Agency Accounts Officer Bajour Agency
- 4 Headmistress GGHS Bandagai & Raghgan
- 5 Candidate Concerned
- 6 P.A to Director Education FATA

ATTESTED

[Signature]
ADDL. DIRECTOR (ESTAB)



NOTIFICATION

ANNEXURE - E

1. WHERE AS: one Mst. Nasrat D/O Hayat Khan who herself appointed/adjusted as SST (G) in GGHS Bandagai District Bajaur vide Notification No. 2672-76 dated 19/02/2013 upon the production of fake/bogus appointment/adjustment order not issued by the Directorate of Education erstwhile FATA Nor by the Directorate of Elementary and Secondary Education Khyber Pakhtunkhwa.
2. AND WHERE AS, the competent authority has directed the above said accused SST to produce authentic and verified service record from the concerned authorities, but she failed to comply with the legitimate directions of high ups regarding production of requisite authentic documents/record.
3. AND WHERE AS, further an inquiry committee was constituted by the competent authority vide Notification No. 8154-63 dated 04/8/2016 who have gone through the entire case record and it has been proved that the said appointment/adjustment order for the aforesaid post advertised by Public Service Commission Khyber Pakhtunkhwa was turned out fake/bogus.
4. AND WHERE AS, it has come to the notice of the competent authority that Mst. Nasrat D/O Hayat Khan, 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 her appointment/adjustment Notification No. 2672-76 dated 19/02/2013 is hereby "DISOWNED" ab initio and with the direction to District Education Officer (concerned) to recover salaries and other allied benefits drawn by Mst. Nasrat D/O Hayat Khan in the interest of Public Service.

Director
Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar

S.817-21

Encls: No. _____ dated 5-4 2019

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

Deputy Director (Estab)
Merged Districts

ATTESTED

K.P.K. کھوجا سکریٹری ایجوکیشن، سیدنگھٹ اور SE

دو ماہ کے لئے ایسی ایف ایف 5817-21

(22)

جنا عالی!

مورچہ معزز میں آدھن کے سر کے لئے ایجوکیشن 16-5817-21

کو کورسنگ میں شامل ہونے کے لئے درخواست دی ہے اور اس کے لئے ایف ایف 5817-21

کی اور اس کے لئے ایف ایف 5817-21 کے ساتھ ساتھ MA کے

اور اس کے لئے ایف ایف 5817-21 کے ساتھ ساتھ اور اس کے لئے ایف ایف 5817-21

کے لئے ایف ایف 5817-21 کے ساتھ ساتھ اور اس کے لئے ایف ایف 5817-21

کے لئے ایف ایف 5817-21 کے ساتھ ساتھ اور اس کے لئے ایف ایف 5817-21

5419 کے لئے ایف ایف 5817-21 کے ساتھ ساتھ اور اس کے لئے ایف ایف 5817-21

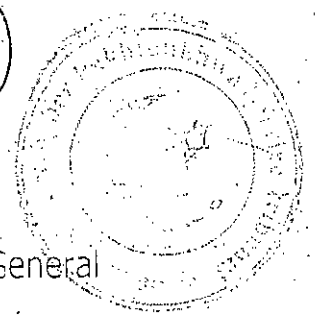
عین نواز شین پوری

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لکھنؤ اور حیدرآباد GCHS بارہ کئی بیوانا

19/4/19

ATTESTED



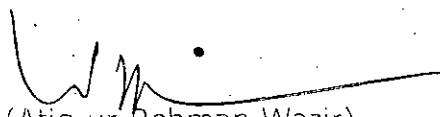
20.01.2021

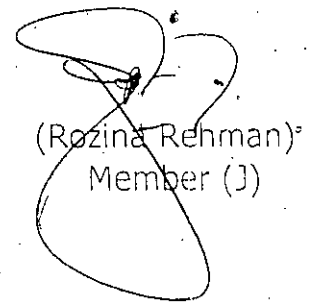
Appellant present through counsel.

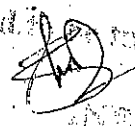
Kabir Ullah-Khattak learned Additional Advocate General alongwith Hamid Salim Law Officer, Hayat Khan Assistant Director and Abdul Wahid ADEO for respondents present.

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

Announced.
20.01.2021


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


(Rozina Rehman)
Member (J)

Certified true copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Copy _____
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Urgent _____
Total 10.00
Date of Delivery of Copy 01-07-21
Date of Delivery of Copy 01-07-21

~~BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR~~

Service Appeal No. 1014/2019



Date of Institution 02.08.2019
Date of Decision 20.01.2021

Mst. Ishrat W/O Sher Afghan Khan Ex-SST (Gen), R/O Village Fazal Abad,
Tehsil Takht Bhai, District Mardan.

(Appellant)

VERSUS

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

(Respondents)

Present:

Amin ur Rehman Yousafzai,
Advocate For appellant.

Kabir Ullah Khattak,
Additional Advocate General For official respondents.

ROZINA REHMAN MEMBER (J)
ATIQU UR REHMAN WAZIR MEMBER (E)

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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
3. Service Appeal No.960/2019.
4. Service Appeal No.961/2019

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Khyber Pakhtunkhwa
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Peshawar

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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
15. 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
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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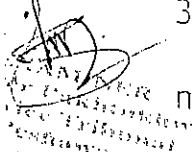
32. Service Appeal No.1027/2019
33. Service Appeal No.1028/2019
34. Service Appeal No.1029/2019
35. Service Appeal No.1030/2019
36. Service Appeal No.1031/2019
37. Service Appeal No.1032/2019
38. Service Appeal No.1033/2019
39. Service Appeal No.1041/2019
40. Service Appeal No.1111/20219

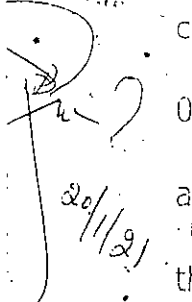
In view of common questions of law and facts, the above captioned appeals are being disposed of by this order.

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.

3. Learned counsel for appellants submitted that the appointments were 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 appointed.

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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.

4. Conversely learned A.A.G appearing on behalf of respondents, 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.

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

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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 appointment/adjustment notification was disowned.

6. Secondary School Teachers (SST) previously known as S.E.T are 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 the system. The Inquiry report was not available on record and it was produced upon the directions of Bench. There is a riddle as to how the

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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 & Secondary Education Khyber Pakhtunkhwa. Their salaries were recommended to be stopped and proceedings under the Khyber

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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

(Atiq ur Rehman Wazir)
Member (E)

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(Rozina Rehman)
Member (J)



ANNEXURE H

31

DIRECTORATE OF ELEMENTARY &
SECONDARY EDUCATION KHYBER
PAKHTUNKHWA

NOTIFICATION

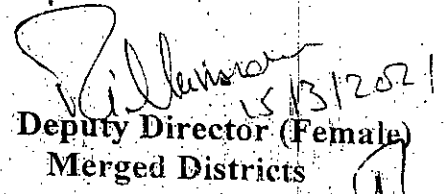
In compliance to the Honorable Service Tribunal Khyber Pakhtunkhwa Peshawar Judgment dated 20-01-2021 rendered in Service Appeal #1017/2019 the impugned order/notification in respect of Mst. Nusrat D/O Hayat Khan Ex SST (General) GGHS Bandagai District Bajour issued vide this Directorate under endorsement No. 5817-21 dated 05-04-2019 is hereby set aside for the purpose of de novo Inquiry.

Director
Elementary and Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 3513-15/A-12/Re-instatement/SST (M&F)
Dated Peshawar the 15/03 /2021

Copy forwarded to the:-

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


Deputy Director (Female)
Merged Districts

ATTN



32

**DISTRICT EDUCATION OFFICER
BAJAUR AT KHAR**

Email aeobajaur@gmail.com Voice & Fax +92942220391

ADJUSTMENT

In compliance to the Honorable Service Tribunal Khyber Pakhtunkhwa Peshawar judgment dated 20-01-2021 rendered in Service Appeal No. 1017/2019 the impugned order/notification in respect of Mst. Nusrat D/O Hayat Khan Ex SST (General) GGHS Bandagai District Bajaur issued vide Directorate under endorsement No. 5317-21, dated 05/04/2019 is hereby set aside and adjusted at GGHS Sadiq Abad against the vacant post of SST Science for the purpose of de novo Inquiry vide Directorate Enst. No. 3513-15/A-12/Re-instatement/SST(M&F) dated 15/03/2021.

**(Shireen Zada)
District Education Officer
Bajaur**

Endst: No. 14387-85

Dated 13/4/2021

Copy forwarded to the:

1. Additional Director (Estab) Merged District Khyber Pakhtunkhwa Peshawar.
2. PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
3. DMO EMA Bajaur.
4. ADEO/ ASDEO concerned.
5. Official Concerned.


**District Education Officer
Bajaur**

ATTESTED

ANNEXURE I

33

CHARGE REPORT

In compliance of District Education Officer Endst: No.14381-85 Dated 13/04/2021
I, Mst. Nusrat took over the charge of SST (G) BPS-16 Post at GGHS Sadiq Abad
District Bajaur on dated 14/04/2021 (F.N)

Al
HEAD MISTRESS
GGHS Sadiq Abad
District Bajaur

Nusrat SST (G) *Nusrat Begum*
GGHS Sadiq Abad District Bajaur

OFFICE OF THE DISTRICT EDUCATION OFFICER BAJAUR

Endst No. 14412-15

dated 14/04/2021

Copy forwarded to:

- 1- The Director NMDs E&SE Khyber Pakhtunkhwa Peshawar.
- 2- District Accounts Officer.
- 3- ADEO Concerned.
- 4- Accountant of the Local Office.

CP
District Education Officer
Bajaur

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OFFICE OF THE DISTRICT EDUCATION OFFICER KHAR DISTRICT BAJAUR

NOTIFICATION

In compliance to the Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar Notification Endors. No. 9448-52/A-12/Reinstatement/55T-01 dated Peshawar dated 13/6/2021, notification/adjustment in respect of Mst. Nusrat D/O Khar Kh. GGHS Sadiq Abad District Bajaur Endors. No. 14381-85 dated 13/4/2021 for the purpose of de novo inquiry is hereby withdrawn with effect from the date of its issuance.

District Education Officer
District Bajaur

Ends: 5599-603 /DEO/Khar Bajaur Dated 17/06/2021

1. Director Education Merged Districts Peshawar.
2. PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
3. DMO EMA Bajaur.
4. Headmistress GGHS Sadiq Abad District Bajaur.
5. ADEO/ASDEO Concerned.

District Education Officer
District Bajaur

ATTESTED

To,

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

SUBJECT: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED NOTIFICATION DATED 17.6.2021 WHEREBY THE DISOWNED ORDER DATED 5.4.2019 HAS BEEN RESTORED.

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 24.1.2013. That in response the appellant got herself medically examined and also submitted arrival report. That where after the appellant started performing her duty at the concerned station quite efficiently and up to the entire satisfaction of her 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 her 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 5-04-2019 whereby the appointment Notification of the appellant dated 24-01-2013 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 re-instate the appellant into service and where after conduct denovo inquiry in the matter.

That unfortunately vide impugned Notification dated 17.6.2021 the order dated 13-04-2021 has been withdrawn without any regular inquiry.

It is therefore most humbly prayed that on acceptance of this Departmental appeal the impugned Notification dated 17.6.2021 may kindly be set aside and the appellant may be re-instated into service with all back benefits.

DATED: 9 .7.2021

APPELLANT

Nusrat
Mst. Nusrat, SST (BPS-16),
GGHS Sadiq abad, District Bajaur.

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO: _____ OF 2021

Nusrat Begum (APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt. (RESPONDENT)
(DEFENDANT)

I/We Nusrat Begum

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

Nusrat Begum
CLIENTS

ACCEPTED
Noor Mohammad Khattak
NOOR MOHAMMAD KHATTAK
Kamran Khan
KAMRAN KHAN
Umer Farooq Mohmand
UMER FAROOQ MOHMAND
Said Khan
SAID KHAN
Haider Ali
HAIDER ALI



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 7692/2021.

Mst. Nusrat Begum.....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. 7692/2021

Mst. Nusrat Begum.....Appellant

VERSUS

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

PARAWISE COMMENTS ON BEHALF OF (RESPONDENT NO. 03)

Respectfully Shewth:

PRELIMINARY OBJECTIONS:

1. The appellant has not been recommended against any of the advertised posts. She is not a genuine recommendee / selectee of the Public Service Commission in respect of the post in question.
2. That the instant Service Appeal is not maintainable against the replying Respondent No.3.
3. That the appellant has malafidely dragged Khyber Pakhtunkhwa Public Service Commission in the instant case.
4. That the appellant is misleading this Honorable Service Tribunal as she never applied to the answering Respondent.
5. That instant Service Appeal is liable to be dismissed with special costs as the same is based on ulterior motives of the appellant.
6. Instant service appeal is based on misrepresentation.

ON FACTS:

- 1-2. That the Khyber Pakhtunkhwa Public Service Commission advertised 973 (782 for Arts Group & 191 Science) posts of SETs/SSTs vide Advertisement No. 01/2009 S.No. 55 dated 26.01.2009 with the following qualifications: (Break up of 973 (782 Arts 191 Science) was published in Advt: No. 02/2009 through corrigendum).

QUALIFICATION: For Secondary School Teacher (General) (i) B.A Second

Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

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

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

ALLOCATION:

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

(Annex-A)

A total of 918 candidates qualified. Final merit list is Annex-B. According to Zonal allocation 696 candidates were recommended out of 918 candidates on basis of their total marks and interview marks. The remaining posts were conveyed to the parent department, because it went out of the purview of Khyber Pakhtunkhwa Public Service Commission. The appellant neither applied nor recommended against any of the advertised posts. List of the genuine candidates who appeared before the Commission and qualified the viva voce is already annexed as B. Therefore her name not found in the list ibid. The rest of the contents does not pertain to Khyber Pakhtunkhwa Public Service Commission


3-7. Not pertaining to Public Service Commission.

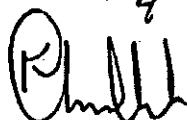
GROUND.

A-I. Not pertaining to Public Service Commission.

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

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

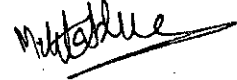

 CHAIRMAN
 KHYBER PAKHTUNKHWA
 PUBLIC SERVICE COMMISSION
 PESHAWAR
 (RESPONDENT NO.03)



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



**MEHTAB GUL
LAW OFFICER
FOR (RESPONDENT NO.03)**