

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

**Service Appeal No: 7551/2021**


**Mr. Iftikhar Ali SST (BPS-16) District Bannu.....Appellant.**

**VERSUS**

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

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**Assistant Director (Lit: II)**  
E&SE Khyber Pakhtunkhwa,  
Peshawar.

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

**Service Appeal No: 7551/2021**

**Mr. Iftikhar Ali SST (BPS-16) District Bannu.....Appellant.**

**VERSUS**

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

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

**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 instant Service Appeal is badly time barred and barred by law/rules.
- 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 she has sought from this Honorable Tribunal as her 1<sup>st</sup> appointment order dated 07-03-2012 has been disowned vide Notification dated 11-06-2021 by the Respondent No.02 being fake & bogus against the Ex-SST (General) B-16 in District Orakzai 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.

- 9 That the instant Service Appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 10 That the impugned Notification dated 11-06-2021 of the Respondent Department is 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 Notification dated 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 11-06-2021 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/Director E&SE KP Peshawar in view of the inquiry report.

#### **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 of the Respondent No.3 by showing herself to have been recommended by the KPK PSC against the SST (G) Post in B-16 & on the basis of the said fake & bogus appointment through KPK PSC, the appellant has got adjusted herself against the SST post in District Orakzai vide Notification dated 11-06-2021 on malafide intentions in the Respondent Department. **(Copies of the advertisement & fake & bogus adjustment order are attached as Annexure-A & 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 adjustment letter dated 07-03-2012 of the Respondent No.2 by showing herself to have 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 her self-adjusted against the noted post in District Khyber on malafide intentions in the Respondent Department which was resulted constitution of inquiry committee vide Notification No. 1977-79 dated 18-06-2021 through Mr. Muhammad Saleem & Munawar Gul who have submitted their inquiry report vide Notification No. 1911-16 dated 08-12-2021 to the Respondent No.2, hence, the plea of the appellant is against the actual facts & even record of the case in the custody of the Respondent Department resulted in impugned Notification 11-06-2021, whereby, the 1<sup>st</sup> appointment fake & bogus order has been disowned by the Department after due process of law. ***(Copies of the inquiry report & impugned Notification are Annexure-C & D).***

- 3 ***That*** Para-3 is incorrect on the grounds that the whole service record of the appellant has been proved fake & bogus during the inquiry proceeding against the appellant, hence, the claim of the appellant regarding her adjustment Orakzai vide Notification dated 07-03-2012 & release of her monthly salary against the SST (G) post is itself an illegality on the part of the appellant in the Respondent Department & liable to be rejected in view of the material facts against the appellant.
- 4 ***That*** Para-4 is incorrect & misleading on the grounds that when the foundation document to the extent of 1<sup>st</sup> appointment order of the appellant has been disowned on the grounds of being fake & bogus without cogent record in the Department, hence, transfer & posting of the appellant makes no legal grounds & justification, therefore, the plea of the appellant is liable to be rejected.
- 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, the 1<sup>st</sup> appointment/adjustment order dated 11-06-2021 of the appellant has been proved fake & bogus, hence, her services against the SST (G) post has been disowned by the Respondent No.2 vide his Notification dated 11-06-2021 after due process of Law, therefore, the claim of the appellant is illegal & liable to be rejected.
6. That Para-6 is incorrect & denied as the act of the Respondent No.02 with regard to the impugned Notification dated 11-06-2021 against the appellant is legal, hence, the appeal in hand is liable to be dismissed on the following grounds inter alia:-

## ON GROUNDS.


- A **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy vide the above said Notification dated 11/06/2021 by the Respondent Department in the instance 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 vide the above said Notification dated 11/06/2021 by the Respondent Department in the instance case having no question of violating the provision of Articles 4 & 25 of the constitution of Islamic Republic of Pakistan, 1973 by the Department in the instant case.
- 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 Notification dated 11/06/2021 is legal & liable to be maintained.
- D **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification on the grounds that when the 1<sup>st</sup> appointment order dated 05/03/2012 of the appellant has been found fake & bogus & even disowned by the Respondents, hence, she is not a regular Civil Servant upon which show cause notice & statement of allegations could be served. Therefore, her services against the SST (G) B-16 post has been disowned by the competent authority vide Notification date 11-06-2021 under the relevant provisions of Law & Rules.
- E **Incorrect & not admitted.** The plea of the appellant is without justification & liable to be rejected as reply to this grounds has been given in ground-D of the present reply.
- F **Incorrect & not admitted.** The plea of the appellant is without justification & liable to be rejected as reply to this grounds has been given in ground-D of the present reply.
- 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, hence, the claim of the appellant regarding her adjustment against the SST post vide Notification dated 07/03/2012 & release of her monthly salary against the SST (G) .

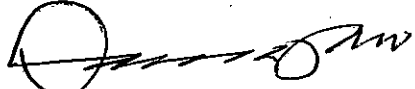
post is itself an illegality on the part of the appellant in the Respondent Department & liable to be rejected in view of the material facts submitted in paras of the present reply on behalf of the Respondent Department.

- H **Incorrect & not admitted**. Hence, needs no further comments as replied in ground-D of the present reply by the Department.
- I **Incorrect & not admitted**. Hence, needs no further comments as already replied in the foregoing paras of the present reply.
- J **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.

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

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

### **AFFIDAVIT**

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.

**ATTESTED**



  
**Deponent**

## 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 &amp; 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&amp;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) 2<sup>nd</sup> 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-I	Zone-2	Zone-3	Zone-4	Zone-5
01	01	01	01	01

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

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

QUALIFICATION: (i) Bachelor Degree in Mining Engineering from recognized University and (ii) 1<sup>st</sup> 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: 2<sup>nd</sup> Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

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

ALLOCATION:

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

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

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

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

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

ALLOCATION:

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

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

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

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

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

ALLOCATION: Merit.

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

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

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

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

ALLOCATION: Merit.

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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 (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, Manshira, 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.

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

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

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(S.No. 66)	Ten (10) Posts of Male office Assistant.										
	QUALIFICATION: Bachelor degree from recognized University.										
	AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-14. ELIGIBILITY: Male.										
	ALLOCATION:										
	<table border="1"> <tr> <th>Zone-1</th> <th>Zone-2</th> <th>Zone-3</th> <th>Zone-4</th> <th>Zone-5</th> </tr> <tr> <td>02</td> <td>02</td> <td>02</td> <td>02</td> <td>02</td> </tr> </table>	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5	02	02	02	02	02
Zone-1	Zone-2	Zone-3	Zone-4	Zone-5							
02	02	02	02	02							
(S.No. 67)	One (01) Post of Female office Assistant.										
	QUALIFICATION: Bachelor degree from recognized University.										
	AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-14. ELIGIBILITY: Female.										
	ALLOCATION: Merit.										

**CORRIGENDUM**

- 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 Advt. 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 upper Tannah, Districts of Swat, Upper Dir, Lower Dir, Chitral, Buner, Kala Dhaka Area, Kohistan District, Shangha, Gadoon Area in Swabi, Backward areas of Manshera 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.

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

SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.

Main Branches of:

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

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*[Signature]*

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

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*[Signature]*

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(فوق علی)

# ANNEXURE C

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Directorate of Elementary and Secondary Education  
 Khyber Pakhtunkhwa Peshawar  
 PH No. 091-9210389, 9210938  
 9210437, 9210957, 9210468  
 Fax: 091-9210936  
 E-mail: [desekpk@f-ttdoo.com](mailto:desekpk@f-ttdoo.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:-

S#	Name	Father name	Domicile	Zone	Permanent address	Place of posting
1	2	3	4	5	6	7
1	Iftikhar Ali	Mir Salam Khan	FR Bannu	I	Vill: Hali Khail P.O. Landi Jalandar FR Bannu	Services placed at the disposal of Director of Education FATA for further posting against vacant SST General posts.
2	Abdul Baseer	Gulshan Khan	FR Di Khan	I	VPO Darazenda FR Di Khan	—do—
3	Muhammad Farooq	Muhammad Yousaf	Mohmand Agency	I	Moh: Bickel Gunj P.O & Dist: Mardan	—do—
4	Abdul Malik	Said Muhammad Shah	Mohmand Agency	I	FPO Lannan Parang Ghar Mohmand Agency	—do—
5	Yar Khan	Ali Rahman	Mohmand Agency	I	Vill: Malli Suran Dara P.O Lakari Mohmand Agency	—do—
6	Zafar Iqbal	Gul Rahman	Mohmand Agency	I	FPO Ganjai Tehsil Takhi Bhai Dist: Mardan	—do—

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3  
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### Terms and conditions:-

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

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

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

Endst: No.955-59/File.No.2/A-14/SST(F)/PSC/Appt: Dated Peshawar 05/03/2012

Copy forwarded for information and necessary to action to the:

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

SD/-  
Dy: Director (Estab.)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

ATTESTED

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ATTESTED

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

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

Encls: No. 55-59 File No. 2/A-1/SSC(I)/PSC/Appt: Dated Peshawar 05/03/2012

- Copy forwarded for information and necessary action to the:-
1. Accountant General Khyber Pakhtunkhwa Peshawar.
  2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
  3. Director of Education FATA Warsak Road Peshawar.
  4. All Agency Accounts Officer in FATA.
  5. Official Concerned
  6. PS to the Secretary to Govt. Khyber Pakhtunkhwa E&SE Department.
  7. P.A to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
  8. File

ATTESTED  
 Dy. Director (Estab)  
 Elementary and Secondary Education  
 Khyber Pakhtunkhwa Peshawar

05/3/2012

ATTESTED

ATTESTED





ADJUSTMENT

ANNEXURE .. D

Consequent upon their appointment as SST in BPS-16 on the basis of recommendation of Khyber Pakhtunkhwa Public Service Commission and placement of their services at the disposal of Director Education, FATA vide Director, Elementary & Secondary Education Khyber Pakhtunkhwa's Notification No. 955-59/File No.2/A-14/SST(F)/PSC/Apptt: dated 5-3-2012, the following SSTs are hereby adjusted in the schools noted against each with immediate effect:-

S/#	Name/Father's Name/Domicile/Address	Posted at	Remarks
1	Ifrikhar Ali S/O Mir Salam Khan(FR Bannu) Vill: Hati Khail PO: Landi Jalandar F.R Bannu	GMS Injani, Orakzai Agency	Against vacant post ~
2	Abdul Baseer S/O Gulshan Khan(FR D.I.K) V/PO: Darazinda, FR D.I. Khan	GMS Abdur Razaq Koroona F.R D.I. Khari	-do-
3	Muhammad Farooq S/O Muhammad Yousaf (Mohmand) Moh: Bicket Gunj PO: & Distt: Mardan	GMS Alingar Mohmand Agency	-do-
4	Abdul Malik S/O Said Muhammad Shah(Mohmand) V/PO: Laman Parang Ghar, Mohmand Agency	GMS Jammu F.R Kohat	-do-
5	Yar Khan S/O Ali Rahman (Mohmand) Vill: Matti Suran Dara PO: Lakarai, Mohmand Agency	GMS Bahadur Killi, Mohmand Agency	-do-
6	Zafar Iqbal S/O Gul Rahman(Mohmand) V/PO: Tehsil Takht Bhai Distt: Mardan	GMS Abdul Kore, Mohmand Agency	-do-

Note:-

The terms & conditions of their posting will be the same as already prescribed in the above mentioned Notification of Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.

(FAZLI MANAN)  
DIRECTOR EDUCATION (FATA)

Endst: No. 3187-3260 /A-1/Apptt: of SST (Gen)(PSC)2012 Dated Pesh: the 7/3 2012

Copy forwarded to the:-

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

ADDY DIRECTOR (ESTAB)



**OFFICE OF THE PRINCIPAL GOVT SHAHEED SHER  
NAWAZ CMHS NO.1**



TANK

No. 778/1

Dated: 24/04/2021

To

The Director Elementary and Secondary Education  
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.

Enclose: (As above).

Muhammad Salim  
Principal/Chairman Inquiry Committee.

ADDE (NMD)

BDE (MS)

JM  
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24/4/21

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Ammed-6  
1/2  
Ammed-1



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## INQUIRY REPORT

### TITLE OF INQUIRY:

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

### INQUIRY COMMITTEE

1. Muhammad Salim Khan Principal (BPS-19) GSSNCMHS No.1 Tank (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% through 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 1<sup>st</sup> quarter 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 from 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

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... and ExiFATA were found directly inducted in the system illegally and unlawfully by producing fake appointment orders.

The Director Elementary and Secondary Education being competent authority in the said case proceeded against all the aforementioned SETs /SSTs and after proper verification and personal hearing, while appointment 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 appeals were not honored. Then all the 40 appellants filed appeal before KP Service Tribunal against the disowned Notification issued by the Director Elementary and Secondary Education Department. While the remaining 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 Notifications 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 ordered the instant inquiry vide Endst: No. 1911-16/F.No:E-06/Khyber (KC now) Dated Peshawar the 08-02-2021, 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:**

1. 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.
2. 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.
3. To examine whether the adjustment / transfer orders of the said SSTs has been issued by the Directorate of Education.
4. 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.
5. To dig out their 1<sup>st</sup> date of induction in the system and present status of the inducted SSTs.
6. To propose proper strategy keeping in view all the relevant legal aspects for proceeding against these inducted teachers.

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7. 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?
8. 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.
9. 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.
11. Any other related issue/ problem the committee may like to consider for probe.

PROCEDURE 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 Orakzai, Kurram, Mohmand, 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 recommended 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 working 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 Service 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 11 & 12). However ten (10) accused teachers appeared before the inquiry committee, were properly heard. (Annex E P 13 to 25)

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The following officers/ officials of Ex Directorate of FATA were also interrogated and their statements were obtained:

1. Mr. Fazali Manan Ex- Director.
2. Mr. Syed Manzar Jan Ex- Additional Director.
3. Mst. Badr -E- Haram Ex- Deputy Directress.
4. Mr. Muhammad Kashif Ex Assistant Director.
5. Mr. Farid Ullah Ex Superintendent.
6. Mr. Naik Muhammad Ex- Dealing Assistant.
7. Mr. Aftab Ahmad Ex- Dealing Assistant.
8. Mr. Muhammad Anwar Ex C/O.
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 F P 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 PSC 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.

CATEGORY A.

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 113)

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Name	Father's Name	Place of posting	Order No.	Remarks/ Comments of inquiry Committee
Muhammad Sohail	Ghuncha Khan	GMS Bahai Dag Mohmand	5139-97 dt: 16-09-2008. Rg: 2221-27 dt: 11-02-2010.	He claims to be appointed by the Director E&SE D on contract basis and then regularized. However, his appointment/ regularization order was found fake and fabricated. He was offered 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.
2. Kifayat Ullah	Rahim Ullah	GHS Loi Shalman Khyber	13731-35 dt: 25-10-2012.	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.
3. Luban Ali	Mohib Ali	GMS Suleman Khel Orakzai	13736-41 dt: 25-10-2012.	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.
4. Hazrat Jan	Akhtar Jan	GHS Gato Warsak Mohmand	13736-41 dt: 25-10-2012.	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.
5. Ishfaq Ahmad	Fazal Raziq	GHS Angori Kurram	17510-16 dt: 31-10-2012.	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 B.Ed result was declared on January 14, 2010 while last date of submission of application to KP PSC was 26-02-2009. (Annex G P 53) Hence, he was not even eligible to apply for the post. His appointment order was disowned. Now the said notification has been set aside on the directions of the Court and he is working.
6. Muhammad Iqbal	Khan Bahadar	GHS Angori Kurram	17510-16 dt: 31-10-2012.	He was offered proper opportunity for personal hearing and cross examination the evidences but he refused to avail such opportunity. (Annex

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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.	
	Nargis	Bahadur Khan	GGMS Khuna Bajour	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.
8	Shabana 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 is working.
9.	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.
10.	Muhammad Tariq	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 submission of application to KP PSC was 26-02-2009. (Annex G P 54) Hence, he was not even eligible to apply for the post. His appointment order was disowned. Now the said notification has been set aside on the directions of the Court and he is working.
11.	Abdul Hai	Muhammad Tayyab	GHS Tangi Charmana Bajour	6231-36 dt: 23-01-2013.	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.
12.	Muhammad Naeem	Maneen Khan	GHS Mandati Orakzai	6231-36 dt: 23-01-2013.	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

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					disowned. Now the said notification has been set aside on the directions of the Court and he is working.
13.	Noor Muhammad	Muqem Khan	GHS Jalat Milla Orakzai	6231-36 dt: 23-01-2013.	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.
14.	Basra Begum	Fazli Wahab	GGHS Ragagan Bajour	2672-76 dt: 19-02-2013.	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.
15.	Nusrat	Hayat Khan	GGHS Bandgai Bajour	2672-76 dt: 19-02-2013.	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.
16.	Asad Rahim	Noor Rahim	GHSS Pidas Orakzai	3238-43 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.
17.	Bashir Ahmad	Khan Muhammad	GHS Inzar Patti Orakzai	3238-43 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 B.Ed result was declared on 18, 2009 while last date of submission of application to KP PSC was 26-02-2009. (Annex P 55) Hence, he was not even eligible to apply for the post. His appointment order was disowned. Now the said notification has been set aside on the directions of the Court and he is working.
18.	Ishtiaq Ahmad	Roman Shah	GHS Baza Kurram	3236-41 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.

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					set aside on the directions of the Court and he is working.
19.	Shahid Hussain	Nadar Khan	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.
20.	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.
21.	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.
23.	Shabeena Naz	Noor 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 declared on August 27, 2009 and B.Ed 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 the directions of the Court and she is working.
24.	Ghazala	Ikram Ud Din	GGMS Zarif Dheri 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 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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25.	Seema	Ikram Ud Din	GGMS Sahib Dad Nahqi Mohmand	3247-51 dt: 30-04-2013.	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 her disowned notification has been set aside on the directions of the Court and she is working.
26.	Nizakat	Shah Said	GGHS Shah Alam Salay Mohmand	3627-33 dt: 03-09-2013.	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 B.Ed result was declared on January 14, 2010 while last date of submission of application to KP PSC was 26-02-2009. (Annex G P 58) 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 the directions of the Court and she is working.
27.	Shazia Jan	Jan Afzal	GGHS Manga Mardan	2479-84 dt: 19-03-2013.	She availed opportunity for personal hearing in spite of the fact that she had signed refusal statement along with other appellants. She was properly heard by the Inquiry committee. According to her statement she has appointed through legal process and no forgery has been committed by her. She failed to provide recommendation letter of KP PSC. Her appointment order was disowned. Now her disowned notification has been set aside on the directions of the Court and he is working.
28.	Seema Mujahid	Mujahid Ali	GGHSS Takhtbai Mardan	2479-84 dt: 19-03-2013.	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 by the Director E&SE Department Peshawar being competent authority in spite of the fact that she is not 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 SS post before the issuance of such notification. She is regularly working against SS post.
29.	Alia	Ithbar Gul	GGHS Haryan Kot Malakand	13727-33 dt: 25-10-2012.	She was properly heard. During personal hearing she stated that she has been appointed legally and has been serving regularly since taken over charge. She refused charges and evidences of illegal appointment lodged against her.

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*[Handwritten signatures]*

					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.
30.	Salma Jabeen	Abdul Ghaffar	Not traced	13727-33 dt: 25-10-2012.	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.
31.	Anila	Nader Shah	GGHS Azim Kor Mohmand	3491-96 dt: 04-03-2013.	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.
33.	Kaloom 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.
34.	Saima Abdul Wadood	Abdul Wadood	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. Therefore, she was not summoned for personal hearing.

**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)

S#	Name	Father's Name	Place of posting	Order No.	Remarks/ Comments of the Inquiry Committee
1.	Iftikhar Ali	Mir Salam 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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2.	Abdul Baseer	Gulshan Khan	Ex- AAEO FR D.I.Khan DEO Office SD Darazinda	955-59 dt: 05-03- 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.
3.	Muhammad Farooq	Muhammad Yousaf	GMS Alingar Mohmand	955-59 dt: 05-03- 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.
4.	Abdul Malik	Said Muhammad	GMS Taj Muhammad Mohmand	955-59 dt: 05-03- 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.
5.	Yar Khan	Ali Rehman	GMS Bahadar Killi Mohmand	955-59 dt: 05-03- 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.
6.	Zafar Iqbal	Gul Rehman	GMS Ashraf Abad Mohmand	955-59 dt: 05-03- 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.
7.	Muhammad Naeem	Muhammad Salim	GMASCMHS Landi Kotal Khyber	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.
8.	Atta Ullah	Abdul Jabbar	GHS Kharghali Khyber	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

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	Ahmad Shah	Suleman Shah	GHS Subhan Khur Mohmand	4057-70 dt: 30-05-2012.	said notification has been set aside on the directions of the Court and he is working. He was properly heard. According to his statement he had applied to PSC and has been 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.
10.	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.
11.	Zia Ur Rehman	Atta Ur Rehman	GHS Ekka Ghund Mohmand	5644-50 dt: 20-04-2012.	He was properly heard. According to his statement he had applied to PSC and attended the interview and had been recommended for the post of SST. His appointment order has not been disowned and he has been working since taken over charge till date.
12.	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 by the Directorate E&SE Department Peshawar in spite of the fact that she is not included in the inter Se merit list of SST(F) provided by the KP PSC and she has been promoted to SS post on the basis of illegally occupied post of SST. Her appointment order against SST was disowned by the department but she had been 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 failed to avail such opportunity. Her appointment order has not been disowned and has been working since taken over charge till date.

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14.	Tahira Naz	Fazal Dayan	GGHS Prang Ghar Mohmand		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.
15.	Asma	Muhammad Akbar	GGMS Sabaz Ali Baro Khel Mohmand	11174-86 dt: 15-08-2012.	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 B.Ed result was declared on January 14, 2010 while last date of submission of application to KP PSC was 26-02-2009. She is domiciled of district Charsada (Annex G P 59&60) Her appointment order was disowned. Now the said notification has been set aside on the directions of the Court and she is working.
16.	Zubaida Begum	Gul Akbar	GGMS Kuta Trap Mohmand	11174-86 dt: 15-08-2012.	She was properly heard. According to her statement she had applied to PSC for 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 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 Killi Mohmand	11174-86 dt: 15-08-2012.	She was properly heard. According to her statement she had applied to PSC and was recommended for posting. She refused any act of illegal appointment. However she failed to provide recommendation letter of PSC. Her B.Ed result was declared on July 18, 2009 while last date of submission of application to KP PSC was 26-02-2009. (Annex G P 61) Hence, She was not even eligible to apply for the post. Her appointment order has not been disowned. She has been working since taken over charge till date.
18.	Ghazala Sana	Sana Ullah	GGMS Kashmir Kore Mohmand	11174-86 dt: 15-08-2012.	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.

19.	Hira Shams	Shams Ur Rehman	GGHS Mian Mandi Mohmand	11174-86 dt: 15-08-2012.	She was summoned to appear before the inquiry committee for personal hearing and cross examination the evidences but she failed to avail such opportunity. Her BA result was declared on March 31, 2009 and her B.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 Mila Orakzai	12614-19 dt: 04-10-2012.	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.
21.	Muhammad Qasim	Mukamil Shah	GHS Mandati Orakzai	12614-19 dt: 04-10-2012.	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.
22.	Naheed Akhtar	Musafar Khan	GGHSS Landi Kotal Khyber	9074-82 dt 28-06-2012.	She was properly heard. According to her statement she had applied to PSC. She further stated that she has been serving in the 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 is working since taken over charge till date.
23.	Basmina Begum	Mir Alam Khan	GGHS Jalala Mardan	9074-82 dt 28-06-2012.	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.
24.	Farzana	Riwaj Ud Din	GGMS Gujar Gari Mardan	2816-23 dt: 25-06-2012.	She was summoned for personal hearing and cross examination the evidences but she failed to avail such opportunity. Her appointment order has not been disowned. According to the statement of her Head Mistress she is missing since 06-06-2019.
25.	Ishrat	Bahadur Sher	GGHS Kachkool Khwazai	2816-23 dt: 25-06-2012.	She was offered proper opportunity for personal hearing and cross examination the evidences but she refused 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.

02 number of accused appointees whose appointment orders were not provided to the inquiry committee. 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 post. However they have been taken over charge against SST post and had also been working for some time.

Sif	Name	Father's Name	Place of posting	Order No.	Remarks/ Comments of inquiry committee.
1.	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.
2.	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 than 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

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there was neither any established mechanism/procedure nor 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 of 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 notification of SSTs issued by the DE FATA was endorsed to the Director E&SE KP with reference to his notification 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 adjustment made 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 committed by him during all his service tenure. (Annex L 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



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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 stake 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 same, 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 illegal 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)

*[Handwritten signature]*

One alleged illegal appointee Mr. Ahmed Shah S/O Firozshah on S.No01 in category C has already been struck off from the system before the issuance of disowned notification and could not be traced. While another appointee Mr. Fazli Haleem S/O Kalim Hussain was declared fake by the previous inquiry committee and his appointment order was disowned by the Director E&SE Department Peshawar. He did not file appeal against the disowned notification before the Service Tribunal and therefore was not summoned for interrogation.

FINDING:

In view of the above narrated facts, perusal of the available office record and the documentary evidence, the committee has come to the conclusion that:

1. All 61 accused appointees mentioned above were found inducted in the system illegally and unlawfully 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 own level through scanning or other techniques. Their adjustment orders based upon their appointment notifications are also void and ineffective. Their appointment orders being fake and forged are liable to be disowned.
2. 07 Nos 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 FATA 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 issued on approval accorded by the Ex-Director FATA Mr. Fazle Manan.

It is pertinent to mention that the Director Ex-FATA was neither appointing authority of SSTs nor appointment record except 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 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 for information but no any objection were raised by the quarter concerned regarding invalid status of such appointees. All such adjustment orders have been issued as per established routine procedure on the provision of appointment orders. Hence, the DE FATA and his team may not be held responsible for illegal induction of appointees in the system through the said adjustment orders. The beneficiaries/illegal appointees alongwith those who provided them technical and other support are sole responsible for this act of forgery and illegality with huge loss to the public exchequer. They know better how did they come into system and who did facilitate them to get their fake appointment orders.

Moreover the Director Ex-FATA has made a lot of correspondence with the Director E&SE Department Peshawar since 2013 to 2017 for verification of appointment orders of suspicious SSTs inducted in the system. Various inquiries have also been conducted by the DE FATA to scrutinize and verify, appointment status of the suspicious SSTs. 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 task to carry out a comparative study of the KP PSC selectees and the incumbent SSTs working in Ex-FATA. The committee after thorough scrutiny detected 158 number of suspicious SSTs and recommended for a broad based inquiry for further verification. Such efforts of the committee provided a base for all the succeeding inquiries including the instant inquiry. Hence all the efforts made by the Ex-Directorate to unearth the defaulters may not be ignored.

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RECOMMENDATION.

The committee hereby recommends that:

1. The Previous "Disowned" notifications set aside on the direction of Honorable KP Service Tribunal 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 25 in Category B of the instant report may be restored with the same direction to the DEOs concerned already communicated through the said notifications.
2. 12 numbers of illegal appointees on serial No.22, 29 and 31 in category A and on 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.
3. 02 numbers of illegal appointees on serial No.28 in category A and on serial No.12 in category B 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.
4. 02 numbers of illegal appointees on serial No 30 and 32 in category A mentioned above could not be traced. Reportedly they are working in District Charsada/ Mardan. Hence, they both may be traced and treated accordingly.
5. 06 numbers of illegally inducted employees on serial No.19,20,33 and 34 in category A, on 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.
6. 01 illegal appointee on serial No.1 in category C has already been struck off from the system. Hence, He may not be proceeded against for further action.

Dated: 24 / 24 / 2021.

Muhammad Salim, Principal  
Chairman Inquiry Committee

Munver Gul, Principal  
Member Inquiry Committee



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

**NOTIFICATION**

1. WHERE AS: one Mr. Itikhar Ali S/O Mir Salam Khan who appointed himself as SST (G) in GMS Injam District Orakzai, now working at GMS Jinn Noor Bakka Khel Sub Division Wazir Danna vide Appointment Notification No.955-59/File No. 2/A-14/SST (M)/PSC/Apptt dated 05/03/2012 which was not issued by the Directorate of Elementary and Secondary Education Khyber Pakhtunkhwa, in fake and bogus.
2. And 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 WHEREAS, an Inquiry Committee was constituted by the Competent Authority vide Notification No.778 dated 24/4/2021 which has 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 found out as fake/bogus.
4. AND WHEREAS, it has come into the notice of the Competent Authority that Mr. Itikhar Ali S/O Said Mir Salam Khan, has no legal status of the said appointment order.
5. NOW THEREFORE, under the mandatory provision and power conferred under Section-20 & 21 for General clauses Act-1897 as amended in 1955 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. 955-59/File No. 2/A-14/SST(M)/PSC/Apptt dated 05/03/2012 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. Itikhar Ali S/O Mir Salam Khan in the best interest of public service.

Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Encls: No. 955-59-71 Dated 11/06/2021  
Copy forwarded with ltr to the:-

1. Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar
2. District Education Officer Sub Division Wazir Danna with the direction to take necessary steps for the recovery of outstanding amount against fake/bogus SST concerned.
3. District Education Officer Orakzai
4. District Account Officer Sub Division Wazir Danna
5. PS to Secretary Elementary and Secondary Education Khyber Pakhtunkhwa
6. PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa
7. Principal/Head Master concerned.

Deputy Director (Admin)  
Merged Districts

[Signature]