

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 7411/2021

Date of Institution ... 14.09.2021
Date of Decision ... 27.01.2022

Muhammad Faisal S/O Allah Dad Khan R/O Bakot, Tehsil &
District Abbottabad, presently posted as Lecturer in English at
Government Degree College Sherwan, Abbottabad.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary, Higher
Education Peshawar and three others.

... (Respondents)

Muhammad Faisal,
Appellant

... Pro Se.

Kabir Ullah Khattak,
Additional Advocate General

... For respondents.

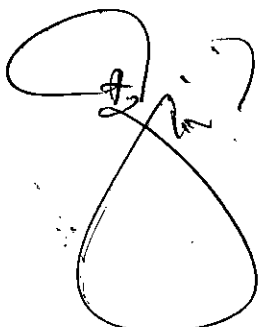
Salah-Ud-Din
Rozina Rehman

... Member (J)
... Member (J)

JUDGMENT

ROZINA REHMAN, MEMBER (J): The appellant has invoked the
jurisdiction of this Tribunal through above titled appeal with the
prayer as copied below:

**"On acceptance of instant appeal, the impugned
Notification dated 13.08.2021 may kindly be set
aside to the extent of appellant and the respondents
be graciously directed not to compel the appellant to
hold on the charge of the post of Lecturer in English
at Government Degree College Sherwan, with further**

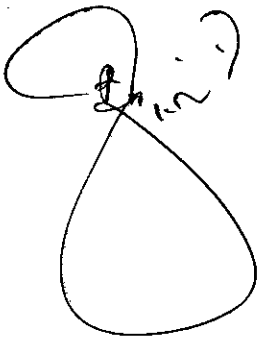


directions that the impugned notification dated 13.08.2021 may be modified by retaining the appellant on his previous position at Government Postgraduate College No.1 Abbottabad”.

2. Brief facts of the case are that appellant was appointed as Lecturer in English through Public Service Commission. He was transferred from Government Degree College, Boi to Government Postgraduate College No.1, Abbottabad, wherefrom, he was transferred once again to Government Degree College Sherwan, Abbottabad vide order dated 28.08.2018. He filed Departmental appeal which was not responded to, hence the present service appeal.

3. We have heard Muhammad Faisal appellant and Kabir Ullah Khattak, learned Additional Advocate General for respondents and have gone through the record and the proceedings of the case in minute particulars.

4. Appellant Muhammad Faisal, inter-alia, argued that transfer order dated 13.08.2021 is against law, transfer/posting policy, being discriminatory and premature, therefore, is liable to be cancelled; that the impugned Notification was passed without lawful authority and in sheer violation of the transfer posting policy of the Provincial Government which is contradictory to the E-Transfer System Notification issued on 14.07.2021. He contended that the good governance demands that whatever is provided in law is to be followed stricto-senso and that the transfer of the appellant being



issued in utter violation of law is therefore, liable to be cancelled being arbitrary and antithetical.

5. Conversely, learned AAG submitted that appellant was transferred to Government Postgraduate College No.1, Abbottabad vide Notification dated 25.11.2016 but later on, vide office order dated 28.08.2018, he was temporarily adjusted in Government Degree College Boi, Abbottabad under Rationalization Policy and that his permanent posting was at Government Postgraduate College No.1, Abbottabad. He contended that appellant is bound to serve anywhere where competent authority transfers under Section-10 of the Civil Servants Act, 1973 and that he was transferred on need basis and in the best public interest.

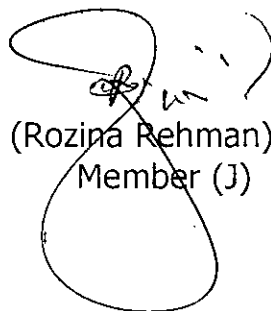
6. From the record it is evident that appellant was appointed as Lecturer in English through Public Service Commission in Higher Education Department. Vide Notification dated 25.11.2016 appellant was transferred from GDC Nathiagali to GPGC No.1, Abbottabad. It was on 28.08.2018 when appellant was transferred from GPGC No. 1, Abbottabad to GDC Boi on temporary basis under rationalization policy. He was again transferred to GPGC No.1 Abbottabad on 29.09.2019 and lastly, vide impugned transfer order dated 13.08.2021, he was transferred from GPGC No.1, Abbottabad to GDC Sherwan Abbottabad. Admittedly, as per transfer posting policy, he had not completed his tenure at GPGC No.1, Abbottabad. Admittedly, traditional/manual posting transfer exercise has been stopped by the Government of Khyber Pakhtunkhwa Higher Education Department and in this regard, proper instructions were issued to the concerned

authorities to direct aspiring staff to use the web application for posting/transfer requests. Despite implementation of E-Transfer/Posting System in General and Commerce Colleges in Khyber Pakhtunkhwa, the impugned order was passed as per traditional/manual exercise. The appellant was transferred before completion of his tenure, whereas, other teaching staff posted at GPGC No.1, Abbottabad has been serving there for the last ten to thirteen years and they are not being disturbed. In this regard, proper record was produced by the appellant which is placed on file showing the tenure of different teaching staff which record was not denied/rebutted by the respondents.

7. Keeping in view the above discussion, this appeal is allowed in the terms that E-Transfer/Posting System be implemented in case of the appellant by giving him option and then to transfer him in view of his options according to law. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
27.01.2022


(Salah-ud-Din)
Member (J)


(Rozina Rehman)
Member (J)

Order
27.01.2022

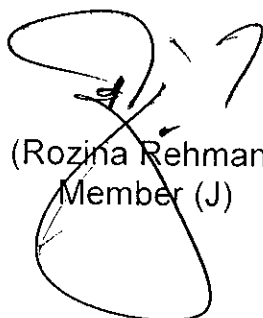
Appellant present in person.

Kabir Ullah Khattak, learned Additional Advocate General for the respondents present. Arguments heard and record perused.

Vide our judgment of today of this Tribunal placed on file, this appeal is allowed in the terms that E-Transfer/Posting System be implemented in case of the appellant by giving him option and then to transfer him in view of his options according to law. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
27.01.2022


(Salah-Ud-Din)
Member (J)


(Rozina Rehman)
Member (J)

To

The Director Higher Education
Khyber Pakhtunkhwa Peshawar

SUBJECT: REQUEST TO REVIEW/REPEAL TRANSFER ORDER

Respected Sir,

With due respect it is submitted that I have served at GDC NATHAGALL and GDC BOJ, both are far flung remote and hard area. I have recently been transferred at GDC No 1 Abbottabad on 18-01-2019. It is hardly two years passed since my transfer to this college and now again I have been transferred to GDC SHERWAN, Abbottabad.

Moreover, I am in such supervision of HS Staff at this college, my class is full according to college timetable. Although, there are some other faculty members in my department are serving constantly in same college for many years and their transfer is overdue. But I have been transferred in premature manner which is not equitable. My professional and academic are much better than my colleagues.

I am extremely grieved at the arbitrary transfer which has disturbed my whole family as well. I am neither capable to move to this remote area nor to bear the cost for the same.

Therefore, I humbly request to you to please review the transfer order with a view to the interest of students.

2024.11.21
Daily 11932 Page 189

18	Nasar Shahzad	Lecturer	Chemistry	06	22.05.2015
19	Muhammad Naeem	Lecturer	Chemistry	04	25.10.2017
20	Sadaqat Hussain	Lecturer	English	15	21.11.2006
22	Saqib Khan	Lecturer	Maths	07	05-11-2014
23	Umer Farooq	Lecturer	Maths	04	25.10.2017
24	Muhammad Naveed	Lecturer	Maths	01	22.09.2020
25	Ijlal Hussain	Lecturer	Maths	08	06.03.2013
26	Yasir Naveed	Lecturer	Islamiyat	09	12.12.2012
28	Zahid Alam	Lecturer	Comp:Sc	05	10.09.2016
29	Syed Awais Kazmi	Lecturer	Comp:Sc	03	20.02.2018
30	Syed Aqib Hussain Shah	Lecturer	Comp:Sc	05	01-12-2016
31	Jamil Fazal	Lecturer	Geography	11	08.11.2010
32	Ghulam Jalani Khan	Lecturer	History	02	15.11.2019
33	Mujeeb ur Rehman	Lecturer	History	07	01.06.2014
34	Waqas Khan	Lecturer	Biology	06	24.01.2015
35	Adil Ishaq	Lecturer	Statistics	06	02-02-2015
36	Syed Guftar Hussain Shah	Lecturer	Statistics	06	19.02.2015
37	Aziz Ahmad	Lecturer	Pak Study	2	19.11.2019
38	Muhammad Aqeel	Lecturer	Pak Study	2	01-06-2009
39	Muhammad Adeel Khan	Lecturer	Pol:Sc	07	06-11-2014
40	Muhammad Rameez	Lecturer	Pol:Sc	-	03.07.2021
41	Bilal Yousaf	Lecturer	Pol:Sc	05	28-06-2016
42	Muhammad Shakeel	Lecturer	Urdu	04	25.10.2017
43	Muhammad Sarif	Lecturer	Urdu	18	04.12.2003
44	Asif Khan	Lecturer	Urdu	03	22-03-2018
45	Muhammad Yasir	Lecturer	Electronic	07	04.04.2014
46	Ghulam Muhammad Khan	Lecturer	HPE	05	21.01.2016
47	Muhammad Nadeem	Lecturer	HPE	05	22-01-2016
48	Muhammad Nazir	Lecturer	HPE	-	01.04.2021
49	Sajjad Ahmed	Lecturer	HPE	-	-

	Nazir Ahmed	Assistant Prof	English	09	01.03.2012
	Wajid Khan	Assistant Prof	English	07	08.11.2014
6		Assistant Prof	Urdu	13	16.08.2008
7	Dil Nawaz	Assistant Prof	Urdu	14	02.07.2007
8	Syed Azhar Hussain Shah	Assistant Prof	Urdu	10	21.07.2011
9	Sharafat Khan	Assistant Prof	Statistics	14	19.12.2007
10	Sabaz Ali	Assistant Prof	Islamiyat	08	05.04.2013
11	Shoaib	Assistant Prof	Islamiyat	02	09.11.2019
12	Fazal ur Rehman	Assistant Prof	Pol:Sc	08	01.03.2013
13	Muhammad Asif	Assistant Prof	Pol:Sc	09	30.07.2012
14	Muhammad Aamir(PS)	Assistant Prof	Maths	13	13-08-2008
15	Saqib Mehmood	Assistant Prof	Maths	02	19.10.2019
16	Naeem Gul	Assistant Prof	Maths	14	17.11.2007
17	Muhammad Umer	Assistant Prof	Maths	2	12.11.2019
18	Umair Sultan	Assistant Prof	Maths	2	19.11.2019
19	Muhammad Bilal	Assistant Prof	Physic	16	28.12.2005
20	Sarfraz Khan	Assistant Prof	Physics	06	01.10.2015
21	Shakeel Ahmad	Assistant Prof	Physics	04	08.12.2017
22	Yasir Ali	Assistant Prof	Archaology	08	28-05-2013
23	Zulfiqar Ali	Assistant Prof	Arabic	14	30.05.2007
24	Asif Mehmood	Assistant Prof	Geography	2	19.11.2019
25	Iqtidar Hussain Shah	Assistant Prof	Geography	1	04.09.2020
26	Shahid ur Rehman	Assistant Prof	Economics	14	27.11.2007
27	Irfanullah	Assistant Prof	Comp:Sc	04	09.02.2017
28	Salah ud Din	Assistant Prof	Pak Studies	08	05.04.2013
29	Hafeez-ur-Rehman	Assistant Prof	Law	11	16.11.2010
31	Muhammad Shakeel	Assistant Prof	Law	08	19.09.2013
32	Zahir Ashraf Khan	Assistant Prof	History	10	08.10.2011
34	Qaiser Ilyas	Assistant Prof	Biology	10	09.02.2011
35	Serfraz Nawaz	Assistant Prof	Physics	06	01.01.2015
1	Muhammad Adeel Abbasi	Lecturer	Physics	04	09.12.2017
2	Naeem Iqbal	Lecturer	Physics	04	09.12.2017
3	Muhammad Zahid	Lecturer	Botany		
7	Muhammad Aftab	Lecturer	Economics	05	01.04.2016
9	Luqman Khalil	Lecturer	Economics	09	07.07.2012
10	Syed Raza Ali Shah	Lecturer	Economics	06	30.04.2015
11	Wasem Saddique	Lecturer	Chemistry	09	01.07.2012
13	Shahid Ali	Lecturer	Chemistry	07	04.07.2014
14	Majid Ali	Lecturer	Chemistry	07	01.09.2014
15	Syed Rizwan Ali Shah	Lecturer	Chemistry	07	10.11.2014
16	Abid Mehmood	Lecturer	Chemistry	07	07.11.2014
17	Rafaqat Hussain	Lecturer	Chemistry	07	07.11.2014

PART-E

OFFICE OF THE PRINCIPAL GOVERNMENT POSTGRADUATE COLLEGE NO.1 ABBOTTABAD
COMPLETE STAFF STATEMENT.

*calculated by the Appellant
as family charge according to staff statement*

Sr.No.	NAME	Designation	SUBJECT	TENURE / years	DATE OF TAKING OVER IN THIS COLLEGE
1	Dr. Abdul Wahab	Professor	Islamiyat	05	31.05.2016
2	Shahid Hussain Abbasi	Professor	Law	34	12.11.1987
3	M. Arshad Mehmood	Professor	Pol:Sc	07	06.06.2014
4	Umers Shareef	Professor	English	03	01-03.2018
3	Shafiq-ur-Rehman	Assoicate Prof	Chemistry	16	14.04.2005
4	Muhammad Javed Khan	Assoicate Prof	Chemistry	08	05.09.2013
5	Syed Ashfaq Ali Shah	Assoicate Prof	Chemistry	04	16.11.2017
6	Muhammad Ramzan	Assoicate Prof	Urdu	04	17.11.2017
7	Abdul Qahir Nasir	Assoicate Prof	Urdu	08	30.05.2013
9	Mushtaq Ahmed	Assoicate Prof	Physics	26	20.01.1995
10	Dr. Muhammad Aftab	Assoicate Prof	Physics	08	14.02.2013
11	Muhammad Zahoor Iqbal	Assoicate Prof	Physics	04	21.11.2017
12	Faiz Alam	Assoicate Prof	Physics	03	01.03.2018
13	Muhammad Siddique	Assoicate Prof	Economics	08	01.07.2013
14	Mumtaz Haider	Assoicate Prof	Economics	09	26.01.2012
15	Muhammad Tougeer Awan	Assoicate Prof	History	04	12.07.2017
16	Muhammad Younus Khan	Assoicate Prof	Histry	05	01.07.2016
17	Muhammad Ali Khan	Assoicate Prof	Histry	13	21.05.2008
18	Syed Amjad Ali	Assoicate Prof	English	2	01.06.2019
19	Babar Ayaz	Assoicate Prof	English	03	18.03.2018
23	Saeed Shah	Assoicate Prof	Pak Studies	12	17.02.2009
24	Tahir Iqbal	Assoicate Prof	Pol:Sc	14	16.04.2007
25	Sadar Tahir Alam	Assoicate Prof	Electronics	13	08.08.2008
26	Dr. Rabhi Azhar	Assoicate Prof	Geography	13	15.08.2008
1	Tabish Jadoon	Assistant Prof	Chemistry	08	06.07.2013
2	Yasir Arshad	Assistant Prof BPS-18	Chemistry	14	17.11.2007
3	Shams-ur-Rehman	Assistant Prof	English	14	01.09.2007
4	M. Mohsin Saim	Assistant Prof	English	13	05.01.2008

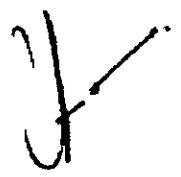
GOVT: POSTGRADUATE COLLEGE NO.1 ABBOTTABAD

RELIEVING CHIT

In compliance with Directorate of Higher Education Khyber Pakhtunkhwa
Peshawar vide Office Order Under No. 22500-4/CA-II/Estt:Branch/A-167/GDC, Boi, Abbottabad
dated 28.08.2018 Mr. Mohammad Faisal Lecturer in English of this College was relieved
today on 03/09/2018(A.N) and directed to report for duty to Principal Govt: Degree College

Boi Abbottabad

He availed _____ Casual leaves during this Year


Principal
Govt. Postgraduate College No. 1,
Abbottabad

Principal
Govt. Postgraduate College No. 1,
Abbottabad

2018

19.11.2021

Appellant in person and Muhammad Rasheed, DDA alongwith Muhammad Shakeel, Asstt. Professor for the respondents present.

The respondents were required to furnish the comments but the representative states that the same are in process of vetting and shall be submitted on next date. Time is extended for filing of the comments within 10 days from today in office positively, failing which their right to submit the comments shall be deemed as struck off and the appeal shall be heard in absence of their comments. Case to come up for comments and arguments before the D.B on 20.01.2022 before the D.B at camp court, Abbottabad.



Chairman
Camp Court, A/Abad

19.01.2022

Appellant in person present. Professor Muhammad Shakeel alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and submitted comments, copy of which is handed over to the appellant. Learned Additional Advocate General sought adjournment on the ground that he is not prepared for arguments today. Being a transfer matter, the appeal in hand requires timely disposal, therefore, learned Additional Advocate General shall make sure to address the arguments on the next date.

Appellant requested that the appeal in hand may be fixed for arguments at Principal seat. Adjourned. To come up for rejoinder, if any, as well as arguments on 27.01.2022 before the D.B at Peshawar.



(Rozina Rehman)
Member (J)
Camp Court A/Abad



(Salah-ud-Din)
Member (J)
Camp Court A/Abad

Order
27-01-2022

Appellant present in person.

Kasir Ullah Khattak, learned Additional Advocate General for the respondents present. Arguments heard and record perused.

Vide our judgment of today of this Tribunal placed on file, this appeal is allowed in the terms that E-Transfer/Dosting System be implemented in case of the appellant by giving him option and then to transfer him in view of his options according to law. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
27-01-2022

(Ghazal Uddin)
Member-(J)

(Rajina Behman)
Member-(J)

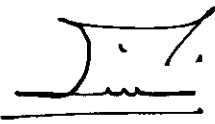
A. No. 7411/2021
M. Faisal vs Govt

15.10.2021

Appellant in person present. Preliminary arguments heard. Appellant contended that he was appointed as lecturer in English (BPS-17) through Public Service Commission in Higher Education Department; that the appellant was recently transferred from Government Degree College BOI to Government Post Graduate College No. 1 Abbottabad, however vide impugned order dated 13.08.2021, the appellant was prematurely transferred from Government Post Graduate College No. 1 Abbottabad to Government Degree College Sherwan Abbottabad before completion of his normal tenure; that the impugned transfer order to the extent of the appellant is against the E-Transfer Posting notification dated 14.07.2021 and is based on malafide and ulterior motive, therefore, liable to be set-aside.

Points raised during preliminary arguments need consideration, therefore, the appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments on 19.11.2021 before the S.B at Camp Court Abbottabad.

The appeal is also accompanied by an application for suspension of the impugned transfer order dated 13.08.2021. Notice of the same also be issued to the respondents for the date fixed.



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

Appellant Deposited
Security & Process Fee

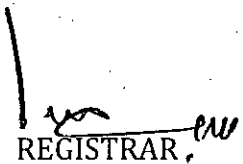

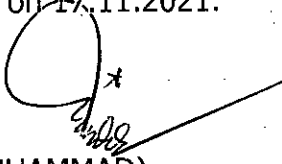
21/10/21

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7411 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/09/2021	<p>The appeal of Mr. Muhammad Faisal presented today by him, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR,</p>
2-		<p>This case is entrusted to S. Bench at Peshawar. Notice be issued to appellant for preliminary hearing to be put up there on <u>24/09/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	24.09.2021	<p>Appellant alongwith his counsel present.</p> <p>Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the brief. Adjourned. To come up for preliminary hearing before the S.B on 17.11.2021.</p> <p style="text-align: right;"> (MIAN MUHAMMAD) MEMBER (E)</p>

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title:

S#	CONTENTS	Yes	No
1.	This Appeal has been presented by <u>Muhammad Faisal</u>	✓	
2.	Whether counsel / appellant / respondent / deponent have signed the requisite document?	✓	
3.	Whether appeal is within time?	✓	
4.	Whether appeal enactment under which the appeal is filed is mentioned?	✓	
5.	Whether enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal / annexure are properly paged?	✓	
9.	Whether certificate regarding filling any earlier appeal in the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/ clear?	✓	
13.	Whether copies of appeal is delivered to AG/ DAG?	✓	
14.	Whether Power of Attorney of the counsel engaged is attested and signed by Petitioner/ Appellant/ Respondents?		✓
15.	Whether number of referred cases given are correct?		
16.	Whether appeal contains cutting / overwriting?		✓
17.	Whether list of books has been provided at the end of the appeal?		✓
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies are attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are completed?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether security and process fee deposited? On _____		✓
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rule 1974 rule 11, Notice along with copy of appeal and annexure has been sent to respondents? On _____		
26.	Whether copies of comments / replay/ rejoinder submitted? On _____		-
27.	Whether copies of comments / replay/ rejoinder provided to opposite party? On _____		-

It is certified that formalities /documentations as required in the above table, have been fulfilled.

Name:- Muhammad Faisal

Signature:- [Signature]

Dated:- 14/09/2021

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

7411
Appeal No. ___/2021

Muhammad Faisal, S/O Allah Dad Khan, R/O Bakot, Tehsil & District Abbottabad, presently posted as Lecturer in English at Govt. Degree College Sherwan, Abbottabad.

.....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Higher Education Department, Khyber Pakhtunkhwa & Others

.....RESPONDENTS

SERVICE APPEAL

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Dated: 13 /09/2021

.....
...Appellant In Person

Muhammad Faisal
Lecturer in English
Abbottabad.

ՀԱՅԿԱՍՏԱՆԻ
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ԵՐԱՅԱԿԱՆ ԳՐԱԴԱՐԱՆ

ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ

Գրքի անունը	Հեղինակ	Գրքի տեսակը	Գրքի քանակը
ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ			
ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ			
ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ			
ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ			
ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ			
ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ			
ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ			
ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ			
ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ			
ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ			

ՀԱՅԿԱՍՏԱՆԻ ԳՐԱԴԱՐԱՆ ԳՐԱԴԱՐԱՆ ԳՐԱԴԱՐԱՆ

ԳՐԱԴԱՐԱՆ

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

Appeal No. 74/11/2021

Muhammad Faisal, S/O Allah Dad Khan, R/O Bakot, Tehsil & District Abbottabad, presently posted as Lecturer in English at Govt. Degree College Sherwan, Abbottabad.

.....APPELLANT

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 7578

Dated 14/9/2021

VERSUS

1. Govt. of Khyber Pakhtunkhwa, through Secretary, Higher Education, Peshawar.
2. Director, Higher Education, Govt. of Khyber Pakhtunkhwa, Peshawar.
3. Deputy Director, Higher Education, Khyber Pakhtunkhwa, Peshawar.
4. Principal, Govt. Postgraduate College No. 1, Abbottabad.

...RESPONDENTS

Filed to-day

Registrar

14/9/2021

APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL, ACT 1974, AGAINST THE OFFICE ORDER VIDE NOTIFICATION NO. SO(C-II)/HED/2-5/POSTING/TRANSFER DATED 13/08/2021 WHEREBY, THE APPELLANT HAS BEEN TRANSFERRED FROM GOVT. POSTGRADUATE COLLEGE NO.1 ABBOTTABAD TO GOVT DEGREE COLLEGE SHERWAN BEFORE COMPLETION OF HIS SERVICE TENURE WHICH IS ILLEGAL, UNLAWFUL, AGAINST THE TRANSFER POSTING POLICY OF PROVINCIAL GOVERNMENT 2003, THE APPELLANT WAS NOT SURPLUS UNDER ANY DEFINITION OF SERVICE LAWS, THE TRANSFER ORDER OF THE APPELLANT

IS ARBITRARY, MALAFIDE, PERVERSE AND BASED ON FAVOURITISM, DISCRIMINATION AND VICTIMISATION, CONSEQUENTLY HAVING NO LEGAL EFFECT UPON THE RIGHTS OF THE APPELLANT.

PRAYER:-

ON ACCEPTANCE OF INSTANT APPEAL, THE IMPUGNED NOTIFICATION NO. SO(C-II)/HED/2-5/POSTING/TRANSFER DATED 13/08/2021 MAY KINDLY BE SET-ASIDE TO THE EXTEND OF THE APPELLANT (NAMED AT SERIAL NO.43) AND THE RESPONDENTS BE GRACIOUSLY DIRECTED NOT TO COMPEL THE APPELLANT TO HOLD ON THE CHARGE OF THE POST OF LECTURER IN ENGLISH, AT GOVT. DEGREE COLLEGE SHERWAN, WITH FURTHER DIRECTIONS THAT THE IMPUGNED NOTIFICATION DATED 13/08/2021 MAY BE MODIFIED BY RETAINING THE APPELLANT ON HIS PREVIOUS POSITION AT GOVT. POSTGRADUATE COLLEGE NO.1, ABBOTTABAD. ANY OTHER RELIEF DEEMED FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED IN FAVOUR OF THE APPELLANT.

Respectfully Sheweth:-

1. That the appellant is Lecturer in English (BPS-17) appointed through Public Service Commission in Higher Education Department KPK.

2. That the appellant was transferred recently from GDC BOI to GPGC No.1 Abbottabad. It was hardly two years passed since he joined this college but he has been transferred once again to GDC SHERWAN, Abbottabad. (Copy of the transfer order Dated 28.08.2018 with office order 19/09/2019 is attached as annexure "A")
3. That the appellant has been serving in G.D.C. Nathiagali in 2015/2016 & GDC BOI during session 2018-19, both are far flung remote and hard areas. (Copy of the transfer order dated 25.09.2016 is attached as annexure "B")
4. That the appellant has been transferred before completion of his service tenure which is sheer violation of rules of Transfer/Posting Policy of Provincial Government 2003. (Copy of Transfer /Posting Policy of Provincial Government 2003 is attached as Annexure " C ")
5. That the appellant is also a research supervisor of BS Students at GPGC NO.1 Abbottabad besides taking six classes a day with diligence and honesty. His qualification, performance and results are much better than his colleagues, and there has never been lodged any complaint against him from any quarter.
6. That the impugned NOTIFICATION NO S(C-II)/HED/2-5/POSTING/TRANSFER DATED

13/08/2021, is discriminatory and malafide, and is liable to be set aside because there are nine other faculty members in the department of the appellant whose transfer is overdue because they have been serving constantly in the same college for many years. Whereas, the appellant has been transferred in premature service tenure, before completion of his legal tenure. (Copy of impugned office order Dated 13/08/2021 is attached as Annexure "D")

7. That the appellant was neither surplus in his department nor his work, performance & qualification is any lesser than other faculty members.
8. That the appellant filed departmental appeal on 20/08/2021. (Copy of departmental appeal is attached as Annexure "E").
9. That departmental appeal of the appellant has not been replied/ entertained by the competent authority. The appellant has no other forum to seek justice except the Honorable Service Tribunal.

Therefore the appellant seeks indulgence of this Honorable Tribunal for setting aside the impugned order dated 13-8-2021 inter-alia on the following amongst many others:-

GROUND:-

That the transfer orders of the appellant vide Notification NO. S(C-II)/HED/2-5/POSTING/ TRANSFER DATED 13/08/2021 is malafide, discriminatory, premature, unlawful, and illegal, against the rules of Posting/Transfer Policy 2003 of Government of Khyber Pakhtunkhwa, and the said transfer order is liable to be cancelled.

1. That the impugned notification dated 13/08/2021, passed without lawful authority and sheer violation of Transfer & Posting Policy of the provincial Government 2003 and consequently of no legal effects upon the rights of the appellant.
2. That the impugned order dated 13-08-2021 is contradictory to the E-Transfer system notification issued on 14-07-2021. Hence, the said impugned order is unlawful, perverse, antithetical, and is liable to be set aside. (Copy of E-transfer Notification is attached as annexure “G”)

3. That the good governance demands that whatever is provided in the law to be followed stricto-sensu. Hence, the transfer order of the appellant, the way it has been issued is utterly unknown to the law as well as jurisprudence. Therefore, the impugned order 13/08/2021 may be cancelled.
4. That, no order can be passed in violation and contravention of law and rules of policy, and every citizen is to be dealt in accordance with law which is one of the most fundamental rights of the appellant as a citizen of Islamic republic of Pakistan.
5. That the impugned order dated 13-08-2021 is violation of the General Clauses (amendment) Act 1997, 24A section 1&2 that is arbitrary, antithetical & contradictory to the law, and is liable to be set aside. (Copy of General Clauses amendment Act 1997 is attached as annexure “F”)
6. That there is no other prompt and efficacious remedy available to the appellant except the invocation of jurisdiction of this Honorable Tribunal.
7. That the appellant seeks consent of this Honorable Tribunal to raise additional grounds during the

course of arguments with the permission of Honorable Tribunal.

8. That the instant service appeal is well within time
9. That the addresses of the parties are correctly mentioned in heading of the appeal.

It is therefore, very humbly prayed that on acceptance of instant appeal, the impugned office order vide NOTIFICATION NO S(C-II)/HED/2-5/POSTING/TRANSFER DATED 13/08/2021 may kindly be set aside and the respondents be graciously directed not to compel the appellant to hold on the charge of the post of lecturer in English at Govt. Degree College Sherwan, Abbottabad, with further direction that the Impugned Notification DATED 13/08/2021 may be modified by retaining the appellant on his previous position at Govt. Postgraduate College No.1 Abbottabad. Any other relief deemed fit and proper in the circumstances of the case may be granted.

Dated: 13/09/2021.



Appellant In Person

Muhammad Faisal
Lecturer in English
Abbottabad.

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL PESHAWAR

Appeal No. ____/2021

Muhammad Faisal, S/O Allah Dad Khan, R/O Bakot, Tehsil & District
Abbottabad, presently posted as Lecturer in English at Govt Degree
College Sherwan, Abbottabad.

.....APPELLANT


VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary, Higher Education,
Peshawar & Others.

.....RESPONDENTS

AFFIDAVIT

I, Muhammad Faisal Lecturer in English at Govt. Degree College
Sherwan, Abbotabad, hereby solemnly affirm and declare that the
contents of foregoing appeal are true and correct to the best of my
knowledge and belief, and nothing has been concealed from this
Honourable Tribunal.



DEPONENT

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

Appeal No. ____/2021

Muhammad Faisal, S/O Allah Dad Khan, R/O Bakot, Tehsil & District Abbottabad, presently posted as Lecturer in English at Govt Degree College Sherwan, Abbottabad.

.....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary, Higher Education, Peshawar & Others.

.....RESPONDENTS

APPLICATION FOR SUSPENSION OF OPERATION
OF THE IMPUGNED OFFICE ORDER VIDE
NOTIFICATION NO. S(C-II)/HED/2-5/ POSTING/
TRANSFER DATED 13/08/2021 TILL THE DECISION
OF THE ABOVE TITLED SERVICE APPEAL.

Respectfully Sheweth:-

That the petitioner/appellant submits as under:-

1. That the above referred service Appeal is going to be filed in this Honorable Tribunal and instant application may please be considered as integral part of the appeal in hand.

2. That the service appeal of the petitioner /appellant is prima facie in nature as the impugned order dated 13/08/2021 was issued without lawful authority and sheer violation of Transfer & Posting Policy of the provincial Government 2003.
3. That the balance of connivance is also in the favour of the appellant.
4. That the impugned office order NO. S(C-II)/HED/2-5/ POSTING/ TRANSFER DATED 13/08/2021, is discriminatory, contradictory and malafide based on favoritism and victimization because the appellant was not surplus in his college under any definition.
5. That in case of non-suspension of operation of impugned order dated 13/08/2021 the appeal of the appellant would become anfractuious and the appellant would suffer irreparable loss.
6. That the appellant's mother is hospitalized in critical condition and the appellant is only person at home to look after her. There would be irreparable loss of the appellant in case of non-suspension of the impugned order dated 13-08-2021.
7. That all the basic ingredients regarding suspension of the operation of impugned order dated 13/08/2021 temporary injunction are fulfilled under the law.

It is, therefore, respectfully prayed that on acceptance of instant application operation of the impugned ORDER NO. S(C-II)/HED/2-5/POSTING/ TRANSFER DATED 13/08/2021 may kindly be suspended till the decision of titled Service Appeal.

Dated: 13/09/2021.



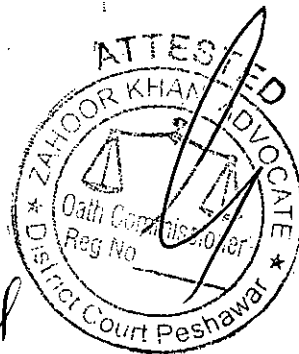
Appellant in Person

Muhammad Faisal
Lecturer in English
Abbottabad

AFFADAVIT

I, Muhammad Faisal, S/O Allah Dad Khan, R/O Bakot, and Tehsil & District Abbottabad, presently posted as Lecturer in English at Govt. Degree College Sherwan, Abbottabad, here by affirms and declares on oath that the contents of forgoing application are correct and true according to the best of my knowledge and belief, and nothing has been suppressed from this Honorable Tribunal.

14/9/22



DEPONENT



14

Amendise
"A"

**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA,
KHYBER ROAD PESHAWAR**

Phone # 091-9210242, 9211025/Fax # 9211803
E-mail- dhkpkpesh@gmail.com, [Facebook.com/dhkpkpeshawar](https://www.facebook.com/dhkpkpeshawar)
[Twitter.com/dhkpkpeshawar](https://twitter.com/dhkpkpeshawar)
Dated Peshawar the 28/8/2018

OFFICE ORDER

In pursuance of the powers conferred by the Provincial Management Council, meeting dated 20.12.2017, Director, Higher Education, Khyber Pakhtunkhwa is pleased to allow the following Officers to work at the College mentioned against their names on temporary basis under rationalization policy in the Public interest till further orders. They will draw their salary from their respective Colleges.

S. NO.	NAME OF OFFICERS	TEMPORARILY ADJUSTED
1.	Dr. Mohammad Imtiaz, Assistant Prof; of Urdu, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
2.	Mr. Mohammad Faisal, Lecturer in English, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
3.	Mr. Shahid Ali, Lecturer in Chemistry, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
4.	Mr. Sarfraz Khan, Assistant Prof; of Physics, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
5.	Mr. Saqib Khan, Lecturer in Mathematics, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
6.	Mr. Yasir Naveed, Lecturer in Islamiyat, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
7.	Mr. Awais Ahmad, Lecturer in Botany. GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
8.	Mr. Waqas Ahmad, Assistant Prof. of Economics, GDC, Balakot, Manshra.	GDC, Boi, Abbottabad

DIRECTOR HIGHER EDUCATION

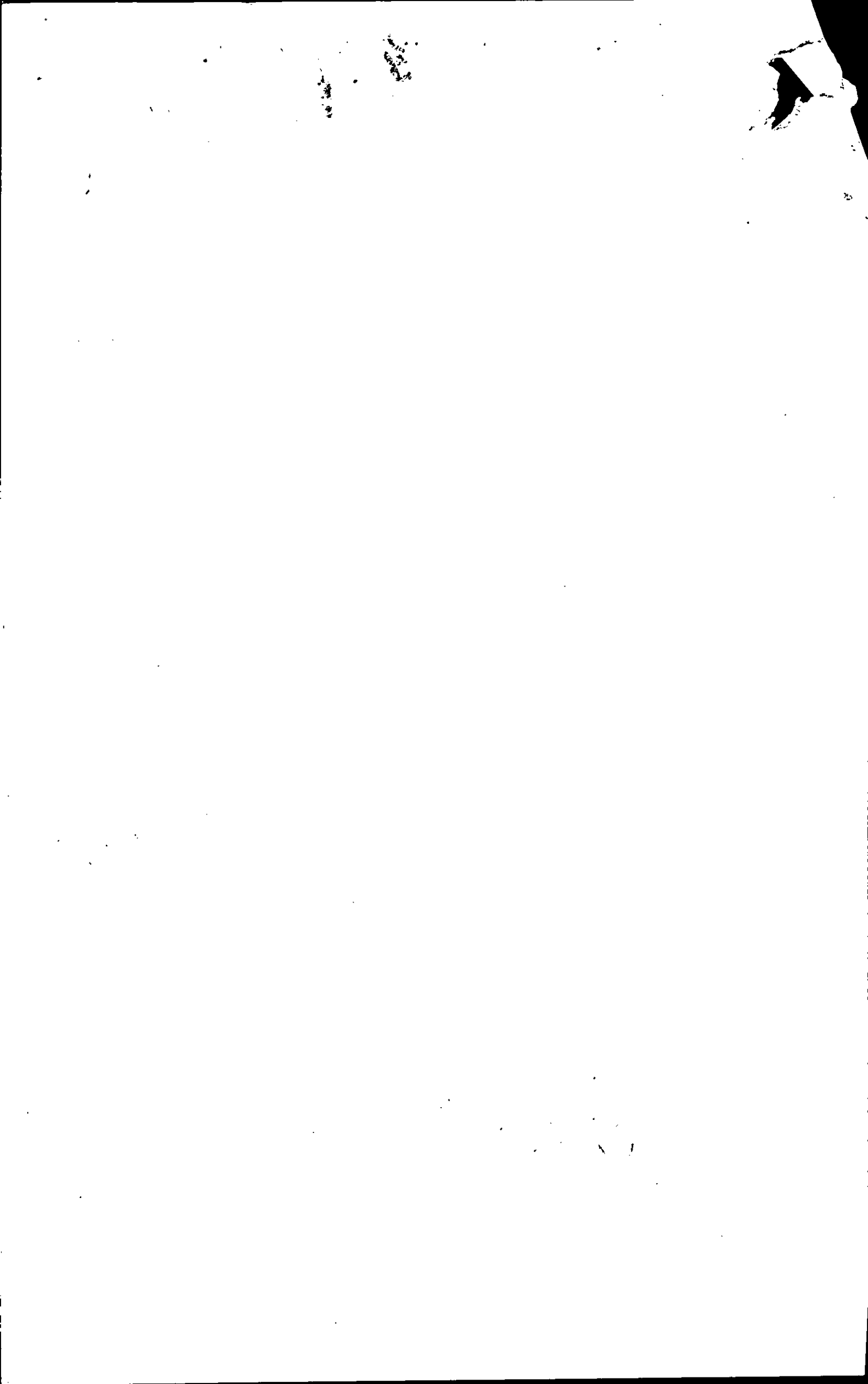
Endst; No. *28/8/18* / CA-II/Estt. Branch/ A-167/ GDC, Boi, Abbottabad

Copy of the above is forwarded to the:-

1. Principal Govt; Post Graduate College, No. 1 Abbottabad with the remarks to direct the officers concerned of his College to report for duty at Govt Degree College, Boi, Abbottabad immediately.
2. Principal Govt Degree College, Balakot, Manshra with the remarks to direct the officer concerned of his College to report for duty at Govt Degree College, Boi, Abbottabad immediately.
3. Principal Govt Degree College, Boi, Abbottabad
4. Officers concerned.
5. PA to Director, Higher Education, Khyber Pakhtunkhwa.

*Assessed
Lecturer in English
GPGC No. Abbottabad*

28/8/18
BY: DIRECTOR (ESTABLISHMENT)





**OFFICE OF THE CO-ORDINATOR, JMC/PRINCIPAL
GOVERNMENT POSTGRADUATE COLLEGE NO.1, ABBOTTABAD.**

Phone & Fax No 0992 7310126, E Mail: jmc1_abb@yahoo.com

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OFFICE ORDER:-

Dated 17/7/2019

In pursuance of the Directorate of Higher Education Khyber Pakhtunkhwa letter No. 22519-4/A/1677/GDC, B, Abbottabad, Dated Peshawar the 14/6/2019, the Director, Higher Education Department, Khyber Pakhtunkhwa has approved the temporary transfer of the following Officers with immediate effect:-

S.No.	Name and Designation	College
1	Mr. Asim Ahmad, Assistant Professor, Govt. College, Abbottabad	Government Postgraduate College No.1 Abbottabad
2	Mr. Asim Ahmad, Lecturer in English, Govt. College, Abbottabad	Government Postgraduate College No.1 Abbottabad
3	Mr. Faraz Ahmad, Lecturer in English, Govt. College, Abbottabad	Government Postgraduate College No.1 Abbottabad
4	Mr. Asim Ahmad, Lecturer in English, Govt. College, Abbottabad	Government Postgraduate College No.1 Abbottabad
5	Mr. Faraz Ahmad, Lecturer in English, Govt. College, Abbottabad	Government Postgraduate College No.1 Abbottabad
6	Mr. Asim Ahmad, Lecturer in English, Govt. College, Abbottabad	Government Postgraduate College No.1 Abbottabad
7	Mr. Faraz Ahmad, Lecturer in English, Govt. College, Abbottabad	Government Postgraduate College No.1 Abbottabad

Notes:- Notification No. 22519-4/A/1677/GDC, B, Abbottabad, Dated Peshawar the 28/6/2019 has been withdrawn and all Officers are directed to report at Government Postgraduate College No.1, Abbottabad.

Coordinator, JMC,
Principal,
Govt. Postgraduate College No.1
Abbottabad.

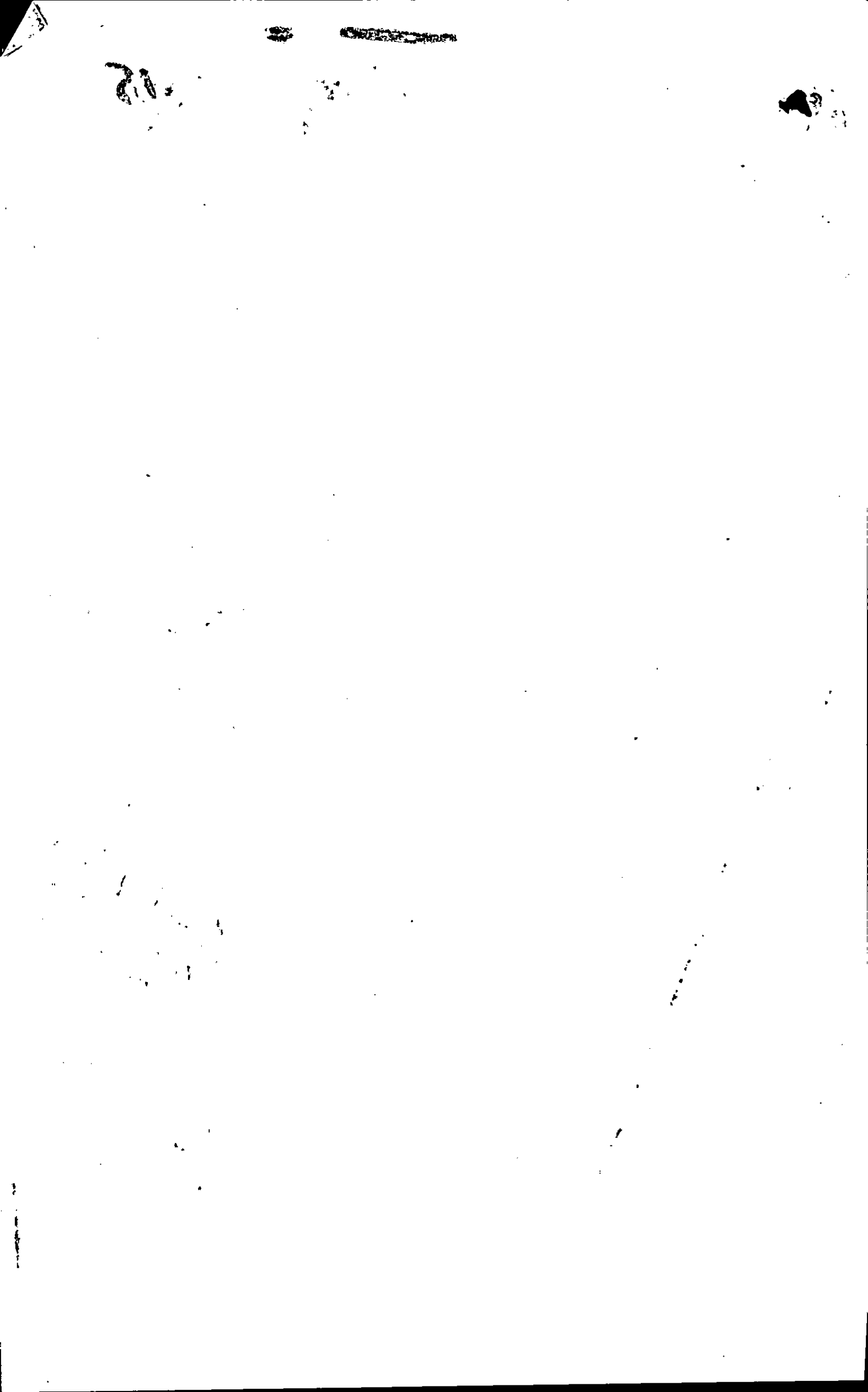
Affected
Section in English
CPGC No.1 Abbottabad

Endst No. 6105-161

Copy to:-

1. The Director of Higher Education, Khyber Pakhtunkhwa, Peshawar.
2. The Principal, Govt. Postgraduate College Mandran, Abbottabad for compliance please
3. The Principal GDC, Sherwan, Abbottabad for compliance please.
4. The Principal, GDC, Bol, A.Abad with the request to update the Office accordingly
5. Mr. Nazir Abbasi, MPA, Abbottabad.
6. All concerned Officer.
7. JMC record file

Coordinator, JMC,
Principal,
Govt. Postgraduate College No.1
Abbottabad



LIBRARY & DOCUMENTS

2018

NOTIFICATION

NO. 50 COLLEGES HIBED, 2018

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S.No.	Name of the Institution	Address	State	Pin Code	Remarks
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Affected
 Lecturer
 GPEC No
 Abbots

17

Annexure
"C"

NO.SOR-II (E&AD) 1-1/85(VOL-II)
Dated Peshawar the 15th February 2003.

Subject: POSTING /TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

I am directed to refer to the subject noted above and to say that in supersession of all policy instructions issued in this behalf, the competent authority has approved the following posting Transfer Policy.

i. All the postings /transfers shall be strictly in public interest and shall not be abused misused to victimize the Government servants.

ii. All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting /transfer authorities for seeking posting /transfers of their choice and against the public interest.

iii. All contract Government employees, appointed against specific posts, cannot be posted against any other post.

iv. The normal tenure of posting shall be three years subject to the condition that for the officers /officials posted in unattractive areas, the tenure shall be two years and for hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.

v. Months of March and July are fixed for posting /transfer of the officers /officials excluding the officers in B-19 and above in the Province. Posting /transfer in Education and Health Departments shall be made in March while the remaining Departments shall make posting /transfers in July. There shall be a ban on posting/transfers throughout the year excluding the aforesaid two months. However, there shall be no restriction in cases where posting /transfer of Government employees become inevitable in other months due to promotion /retirement /creation of new posts/return from long leave/involvement in

18

disciplinary proceedings and adjustment of surplus staff for which specific relaxation shall be obtained from the Chief Minister.

vi. While making postings transfers from settled areas to FATA and vice versa specific approval of the Governor, NWFP needs to be obtained.

vii. Officers may be posted on executive /administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thana) of his area /resident is situated.

viii. No postings /transfers of the officers/officials on detailment basis shall be made.

ix. Regarding the posting of husband /wife, both in Provincial services, efforts where possible would be made to post such persons at one station and this will be subject to the public interest.

x. All the posting /transferring authorities may facilitate the postings /transfers of the unmarried female Government Servants at the station of the residence of their parents.

xi. Officers /officials except DCOs and SPs who are due to retire within one year may be posted on their option, on posts in the Districts of their domicile and be allowed to serve their till the retirement.

xii. In terms of Rules-17 (1) and (2) read Schedule-III of the Government of NWFP Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against.

c. Within the Secretariat from on
Department to another.

with Head of Attached Department
concerned. Secretary (Establishment)

20



1

Outside the Secretariat

i. Officers of the all Pakistan Unified Group i.e DMG , PSP including Provincial Police Officers in BPS-18 and above.

ii. Other officers in BPS-17 and above to be posted against schedule posts, or posts normally held by the APUG, PCS (EG) and PCS (SG).

iii. Head of Attached Departments and other Officers in B-19 & above in all Departments.

In the Secretariat:

iv. Secretaries .

v. Other Officers of and above the rank of Section Officers:-
a. Within the Same Department.
b. Within the Secretariat from one Department to another.

vi. Officials upto the rank of Superintendent:-
a. Within the same Department.
b. To and from an Attached Department.

2

Chief Secretary in consultation with the Establishment Department and the Department concerned with the approval of the Chief Minister.

--do--

--do--

Chief Secretary with the approval of Chief Minister.

Secretary of the Department concerned .
Chief Secretary /Secretary Establishment.

Secretary of the Department concerned.
Secretary of the Department in consultation

4.	Official in BPS-16 and below.	Executive District Officer in consultation with District Coordination Officer.
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As per Rule 25(2) of the Rules above the District Coordination Department shall consult the Government if it is proposed to :

- a. transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure; and
- b. require an officer to hold charge of more than one post for a period exceeding two months.

4. I am directed further to request that that above noted policy may be strictly observed implemented.

xiii. While considering postings /transfers proposals all the concerned authorities shall keep in mind the following:

a. To ensure the posting of proper persons on proper posts, the annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.

b. Tenure on present post shall also be taken into consideration and the posting transfers shall be in the best public interest.

ix) Governments servants including District Govt. employees feeling aggrieved due to the orders of ,posting/transfers authorities may seek remedy from the next higher authority/(the appointing authority) as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting /transfer orders could be exercised only in the following cases:-

i) pre-mature posting/transfer or posting/transfer in violation of the provisions of this policy.

ii) Serious and grave personal (humanitarian) grounds.

To streamline the postings /transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North- West Frontier Province District Government Rules of Business 2001 read with schedule -IV thereof is referred. As per schedule -IV the posting/transferring authorities for the officers /officials against each are as under :-

S.No	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government
2.	Posting of District Police Officer.	Provincial Government.
3.	Other Officer in BPS-17 and above posted in the District.	Provincial Government .



23

Ammeskuse
"D"

**GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT**

Dated Peshawar the 13th August, 2021

NOTIFICATION

NO.SO(C-II)/HED/2-5/Posting/Transfer: The competent authority is pleased to order posting/transfer of the following Assistant Professors & Lecturers of College Cadre in Higher Education Department, with immediate effect, in the best public interest:-

S#	Name & Designation	From	To	Remarks
1.	Muhammad Shafique, Lecturer in Urdu	Under transfer to GDC Dassu, Kohistan from GPGC Mansehra	Retained at GPGC Mansehra	AVP
2.	Zakir Khan, Lecturer in HPE	GDC Khwazakhela, Swat	GPGJC Saidu Sharif, Swat	AVP
3.	Rashid Hussain, Assistant Prof. of Urdu	Under transfer to GDC Pabbi, from GPGC Charsadda	Retained at GPGC Charsadda	AVP
4.	Khalil Ur Rehman, Lecturer in Urdu	Under transfer to GDC Daraban Kalan from GDC Shah Essa Bilot, D.I.Khan	GDC Paharpur, D.I.Khan	AVP
5.	Irfan Hayat, Lecturer in English (BS-17)	GDC Paniyala, D.I.Khan	GDC No.1, D.I.Khan	AVP
6.	Abdul Muhammad, Lecturer in History	GDC Ama Khel, Tank	GDC No.3, D.I.Khan	AVP
7.	Muhammad Idress, Lecturer in English	GDC No.2, Mardan	GDC Zaida, Swabi	AVP
8.	Muhammad Sabir Khan, Assistant Prof. of Chemistry	Under transfer to GDC Booni, Upper Chitral from GDC Lower Chitral	Retained at GDC Lower Chitral	AVP
9.	Muhammad Nasir Abbas, Lecturer in Physics	GDC No.2, D.I.Khan	GPGC No.1, Abbottabad	AVP
10.	Muhib Ur Rehman, Lecturer in Pak Studies	GDC Daraban Kalan, D.I.Khan	GDC No.1, D.I.Khan	AVP
11.	Abdul Mateen, Lecturer in Islamiyat	Under transfer to GDC Boi, Abbottabad from GDC Havelian	Retained at GDC Havelian, Abbottabad	AVP
12.	Farhan Ahmad, Assistant Prof of Maths	GDC Darband, Mansehra	GDC Sherwan, Abbottabad	AVP
13.	Fahad Said, Assistant Professor for Zoology	GDC Thana, Malakand	GDC Batkhela, Malakand	AVP
14.	Fazli Wahid, Assistant Prof. of Urdu (BS-18)	GPGC Landi Kotal, Khyber	GDC Hayatabad, Peshawar	AVP
15.	Asmat Ullah, Lecturer in Economics	GDC Wana SWA	GDC No.2, D.I.Khan	AVP
16.	Abdur Rehman Khan, Lecturer in English	GDC Sabirabad, Karak	GDC No.2 D.I.Khan	AVP
17.	Syed Ishtiaq Ur Rehman, Lecturer in Commerce	GCMS Sangota, Swat	GCC-II, Mardan	Against BS-18 in OPS
18.	Haroon Rashid, Lecturer in Physics	GDC No.1, D.I.Khan	GDC Sabir Abad, Karak	Against B-18 in
19.	Asghar Khan, Assistant Professor Physics	GPGC Lakki Marwat	GPGC Landi Kotal	AVP

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20.	Khalid Pervez, Lecturer in English	GDC Chitral	GDC Booni, Chitral	AVP
21.	Imran Khan, Lecturer in Maths	Under transfer from GPGC Haripur to GDC Ghazi, Haripur	Retained at GPGC Haripur	Vice Sr. No.22 (BS-18)
22.	Bilal Shah, Assistant Prof. of Maths	GPGC Haripur	GDC Ghazi, Haripur	AVP
23.	Shaheryar Khan, Lecturer in English	GDC Chota Lahor	GDC Zaida Swabi	AVP
24.	Muhammad Zeeshan Ali, Lecturer in English	GDC Shah Essa Bilot, D.I.Khan	GDC No.1, D.I.Khan	AVP
25.	Ghulam Shabir, Assistant Prof. of Urdu	GDC Paharpur, D.I.Khan	GDC No.1, D.I.Khan	AVP
26.	Hilal Baho, Lecturer in Urdu	GDC Shah Essa Bilot D.I.Khan	GDC Paharpur, D.I.Khan	Vice Sr. No.25
27.	Noor Ul Wahab, Lecturer	Under transfer from GCC-II Peshawar to GCMS Shabqadar	Retained at GCC-II Peshawar	AVP
28.	Haroon Rahim, Lecturer in Physics	GDC No.1, D.I.Khan	GDC Landi Jalandhar, Bannu	Against B-18 in OPS
29.	Muhammad Ibrar, Assistant Prof. of Zoology	GPGC Mardan	GDC Toru, Mardan	Vice Sr. No.30
30.	Muhammad Ijaz Khan, Assistant Prof. of Zoology	GDC Toru, Mardan	GPGC Mardan	Vice Sr. No.29
31.	Sana Ullah Khan, Assist Prof. of English	GPGC Bannu	GDC Domel, Bannu	Vice Sr. No.32
32.	Wajeeh Ullah, Assistant Prof. of English	GDC Domel, Bannu	GPGC Bannu	Vice Sr. No.31
33.	Zaheem ud Din, Lecturer in English	GPGC Nowshera	GDC Khan Kohi, Nowshera	AVP
34.	Adnan Rahim, Lecturer in Zoology	GAAK Utmanzai, Charsadda	GC Peshawar	AVP
35.	Fazal Said, Lecturer in Physics	GDC Darband Mansehra	GPGC Mansehra	Vice Sr.No.36
36.	Qasim Ali Shah, Lecturer in Physics	GPGC Mansehra	GDC Darband Mansehra	Vice Sr.No.35
37.	Altaf Ahmad Khan, Lecturer in English	Under transfer from GPGC Swabi to GDC Gandaf, Swabi	GDC Katlang, Mardan	AVP
38.	Noor Ul Haq, Lecturer in Islamiyat	Under transfer from GDC Kotha Swabi to GDC Lahor Swabi	Retained at GDC Kotha Swabi	AVP
39.	Khurshid Ahmad, Lecturer in Statistics	GDC Poran, Shangla	GPGJC Saidu Sharif, Swat	AVP
40.	Zia ul Hassan, Lecturer in Statistics (BS-17)	GDC Madyan Swat	GPGC Nowshera	Against BS-18
41.	Imtiaz Hussain, Lecturer in Physics	GDC Lakarai Mohmand	GPGC Charsadda	AVP
42.	Noor Ullah Khan, Assistant Professor of History-cum-Civics	GDC No.2 Mardan	GPGC Nowshera	Vice S.No.44
43.	Muhammad Faisal, Lecturer in English	GPGC No.1 Abbottabad	GDC Sherwan, Abbottabad	AVP
44.	Imad Ullah, Lecturer in Statistics	GPGC Nowshera	GPGC Mardan	Against BS-18
45.	Nasir Ud Din, Lecturer in HPE	Under transfer from GDC Mirali to GDC Miranshah	Retained at GDC Mirali	AVP

25

46.	Zulkifal, Lecturer Political Science	GDC Gari Kapura Mardan	GDC Lund Khwar, Mardan	Vice S.No.47
47.	Sharif Akbar, Lecturer in Political Science	GDC Lund Khwar Mardan	GDC Gari Kapura, Mardan	Vice S.No.46
48.	Rafaqat Hussain, Lecturer in English	GDC Babuzal Mardan	GDC Balakot Mansehra	AVP
49.	Naqeeb Ullah Khan, Lecturer in Statistics	GDC KDA Township Kohat	GDC Achni Payan Peshawar	AVP
50.	Imran Ali Shah, Assistant Professor of Zoology	Under transfer from GPGC Bannu to GDC No.2 Bannu	Retention at GPGC Bannu	Vice S.No.51
51.	Dr. Zia Ur Rehman, Assistant Professor of Zoology	Under transfer from GDC No.2 Bannu to GPGC Bannu	GDC Tajori, Lakki Marwat	AVP
52.	Muhammad Tariq, Lecturer in English	GDC Dara Adam Khel Kohat	GDC Naguman Peshawar	Vice S.No.53
53.	Muhammad Faheem, Lecturer in Math	GDC Naguma Peshawar	GDC Badabher, Peshawar	AVP
54.	Ikram Ullah, Lecturer in Urdu	GDC Wari Dir Upper	GDC Dir Upper	AVP
55.	Inam Ullah, Assistant Professor of Islamiyat	GDC Kabal Swat	GDC Dagga, r Buner	AVP
56.	Fazal Wali, Lecturer in Chemistry	GDC Ghiljo Orakzai	GDC Mirali, NWA	Vice S.No.57
57.	Rizwan Ullah, Lecturer in Chemistry	GDC Mirali, NWA	GDC No.2, Bannu	AVP
58.	Muhammad Zahid Lecturer in Maths	GDC No.2, Bannu	GPGC Bannu	AVP
59.	Pirzada, Lecturer in Computer Science	Under transfer to GGUKC Samarbagh Dir Lower	Retained at GPGC Timergara	AVP
60.	Niamat Ullah Khan, Lecturer in Pak Study	GDC Sabirabad Karak	GDC Pharpur, D.I.Khan	AVP
61.	Mursaleen Shah, Lecturer in Botany	GDC Tajori, Lakki Marwat	GPGC Lakki Marwat	AVP
62.	Muhammad Nawaz, Lecturer in Pashto	GDC Jower, Buner	GDC Daggar, Buner	Vice S.No.63
63.	Dilaram Khan, Lecturer in Physics	GDC Daggar Buner	GDC Pabbi, Nowshera	AVP
64.	Muhammad Asif, Lecturer in Comp. Sci.	GDC Ahmadabad Karak	GDC Dara Adam Khel, Kohat	Vice S.No.65
65.	Ibrar Hussain, Lecturer in Computer Science	Under transfer from GDC Kohi Sher Haidar Bara to GDC Dara Adam Khel	Retained at GDC Kohi Sher Haidar Bara Khyber	AVP
66.	Muhammad Imran, Assistant Prof. of Pashto	GDC Bakhshali Mardan	GDC Dara Adam Khel, Kohat	AVP
67.	Muhammad Wasif Khan, Lecturer in Chemistry	GDC Sadda, Kurram TD	GDC Takht Bhai, Mardan	Vice S.No.68
68.	Syed Qayum Shah, Lecturer in Urdu	GDC Takht Bhai, Mardan	GDC Babuzai, Mardan	AVP
69.	Qamar Zaman, Assistant Professor of Geography	Under transfer from GPGC Miranshah to GDC Mir Ali	Retained at GPGC Miranshah	AVP
70.	Kashif Amin, Lecturer in Computer Science	GCMS Ghallanai, Mohmand	GCMS Shabqadar Charsadda	AVP
71.	Shahid Hussain, Lecturer	GCMS Kohat	GCC-II Peshawar	AVP
72.	Rab Nawaz Khan, Lecturer in Statistics	GDC Chamla Buner	GPGC Mardan	AVP

-sd-
SECRETARY
HIGHER EDUCATION DEPARTMENT

26

ENDST: NO. & DATE EVEN:

Copy of the above is forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director Higher Education, Khyber Pakhtunkhwa, Peshawar.
3. Deputy Director-IT, HEMIS Cell, Higher Education Department.
4. District Accounts Officers, concerned.
5. All Principals, concerned.
6. PS to Special Assistant to Chief Minister for Higher Education Department.
7. PS to Secretary, Higher Education Department.
8. Assistant Professors / Lecturers concerned.
9. Master File.

re
(HAYAT UR REHMAN)
SECTION OFFICER (COLLEGES-II)

13.08.21

SECY HED

File Received on _____

Date _____

Time 20/8/19

To

3
20/8/19

The Secretary to Govt. of Khyber Pakhtunkhwa,
Higher Education, Archives & libraries Department
Peshawar.

21

Annexure
"E"

SUBJECT: REQUEST TO REVIEW/ REPEAL TRANSFER ORDER

Respected Sir,

With due respect it is submitted that I have served at GDC NATHIAGALI and GDC BOI, both are far flung remote and hard areas. I have recently got transferred at GPGC No.1 Abbottabad on 18-01-2019. It is hardly two years passed since my transfer in this college and now again, I have been transferred to GDC SHERWAN, Abbottabad.

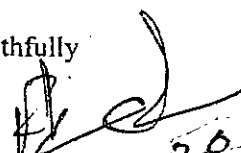
Moreover, I am research supervisor of BS Students and also taking six classes a day according to college timetable. Although, there are nine other faculty members in my department are serving constantly in same college for many years and their transfer is overdue. But I have been transferred in premature tenure whereas my qualification, performance and results are much better than my colleagues.

I am extremely grieved at this arbitrary transfer which has disturbed my whole family as well. I am neither surplus in my department nor any other valid reason of transfer thereof.

Therefore, I humbly request to your honor to revoke this transfer orders in the best interest of students.

Thanking in anticipation

Yours Faithfully


Muhammad Faisal
Lecturer in English
GPGC No.1 Abbottabad

20-8-2019

28

Annexure "F"

96

REGISTERED No. M-302
L-7646

The Gazette  of Pakistan

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, MONDAY, JUNE 2, 1997

PART I

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 2nd June, 1997

No. F. 9(19)/97-Legis.—The following Acts of Majlis-e-Shoora (Parliament) received the assent of the President on the 31st May, 1997, are hereby published for general information:—

ACT NO. XI OF 1997

An Act further to amend the General Clauses Act, 1897

WHEREAS, it is expedient to amend the General Clauses Act, 1897 (X of 1897), for the purpose hereinafter appearing:

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the General Clauses (Amendment) Act, 1997.

(111)

Price: Rs. 30.50

[932 (97) Ex. Gaz.]

(2) It shall come into force at once.

2. Insertion of new section 24A, Act X of 1897.—In the General Clauses Act, 1897 (Act X of 1897), after section 24, the following new section shall be inserted, namely:—

“24A. Exercise of power under enactments:—(1) Where, by or under any enactment, a power to make any order or give any direction is conferred on any authority, office or person such power shall be exercised reasonably, fairly, justly and for the advancement of the purposes of the enactment.

(2) The authority, office or person making any order or issuing any direction under the powers conferred by or under any enactment shall, so far as necessary or appropriate, give reasons for making the order or, as the case may be, for issuing the direction and shall provide a copy of the order or, as the case may be, the direction to the person affected prejudicially.”

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Annexure

1009



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION ARCHIVES & LIBRARIES DEPARTMENT

HEMIS Cell, 1st Floor Old DHE Building Judicial Complex Khyber Road

091-9211770, 9211771

<http://www.facebook.com/hedkp>

<http://hed.gkp.pk/https://www.twitter.com/hedkp>

NO: HED/HEMIS/General/2020/
Dated: 14-07-2021

To,

1. The Director
Directorate of Higher Education Peshawar.
2. Director General
Directorate General Commerce Education & Management Sciences.

Subject:

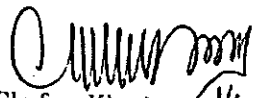
**IMPLEMENTATION OF E-TRANSFER/POSTING SYSTEM IN
GENERAL & COMMERCE COLLEGES IN KHYBER
PAKHTUNKHWA:**

Dear Sir

I am directed to refer to the subject noted above & to state that Higher Education Department has introduced E-Transfer/posting system in line with e-governance vision of the Government of Khyber Pakhtunkhwa. The said E-transfer/posting system is up, running and is accessible on Web address <https://www.eposting.hed.gkp.pk> and will replace the traditional/manual posting/transfer processes.

Foregoing in view, you are requested to intimate respective colleges to direct aspiring staff to use the said web application for posting/transfer requests on <https://www.eposting.hed.gkp.pk>. The user manual /how-to-video is available on the said website.

Furthermore, the traditional/manual posting/transfer exercise may be stopped forthwith. Any query or issue regarding e-transfer/posting system can be communicated on for.tehseen.khan@gmail.com, please.


(Ghufuran Khan) (14-07-2021)
Monitoring Officer-I (HEMIS)

Copy Forwarded To:

1. Director HEMIS Cell Higher Education Department.
2. PS to Secretary, Higher Education Department.
3. PS to Special Secretary, Higher Education Department.
4. PA to Deputy Secretary (Colleges), Higher Education Department.
5. PA to Deputy Secretary (Admin), Higher Education Department.

Monitoring Officer-I (HEMIS)



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
NEAR NORTHERN BYPASS, RANO GARHI PESHAWAR**



dhekpkesh@gmail.com Facebook.com/dhekpkesh Twitter.com/dhekpkesh1

No. 15769-88/Colleges MIS

Dated Peshawar, the 19th July, 2021

To

The JMC Coordinator / Principal

1. Govt; College, Peshawar
3. Govt; Postgraduate College, Nowshera
5. Govt; Postgraduate College, Swabi
7. Govt; Postgraduate Jehanzeb College, Saidu Sharif Swat
9. Govt; Degree College Daggar, Buner
11. Govt; Postgraduate College, Kohat
13. Govt; Postgraduate College, Bannu
15. Govt; Degree College No. 1, D.I Khan
17. Govt; Postgraduate College No. 1, Abbottabad
19. Govt; Postgraduate College, Parachinar

2. Govt; Postgraduate College, Charsadda
4. Govt; Postgraduate College, Mardan
6. Govt; Postgraduate College, Dargai (Malakand)
8. Govt; Postgraduate College, Timergara Dir (Lower)
10. Govt; Degree College, Chitral
12. Govt; Postgraduate College, Karak
14. Govt; Postgraduate College, LakkiMarwat
16. Govt; Postgraduate College, Haripur
18. Govt; Postgraduate College, Mansehra
20. Govt; Postgraduate College Khar, Bajaur

**SUBJECT: IMPLEMENTATION OF E-TRANSFER/POSTING SYSTEM IN GENERAL
& COMMERCE COLLEGES IN KHYBER PAKHTUNKHWA**

Respected Sir ^{السلام علیکم}

I am directed to enclose herewith a copy of letter No. HED/HEMIS/General/2020/ Dated: 14-07-2021 received from Monitoring officer-I, HEMIS CELL, Higher Education Department, Khyber Pakhtunkhwa regarding the subject cited above and to state that the same may please be shared amongst the cluster colleges under your jurisdiction for implementation in true letter and spirit.

CTB

For (Muhammad Junaid)
DEPUTY DIRECTOR (I.T)

Encl: As above.

Endst: No & Date even.

Copy for information to the:

1. Director (HEMIS), Higher Education Department
2. PA to Director Higher Education, Khyber Pakhtunkhwa
3. Office Copy

- sd -
DEPUTY DIRECTOR (I.T)

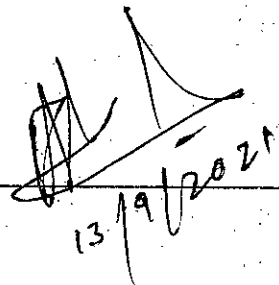
CERTIFICATE

I, Muhammad Faisal S/O Allah Dad Khan R/O Bakot Abbottabad, do solemnly affirm and declare that I have not filed the case before this Honorable Service Tribunal so far and no other legal proceeding is pending in this regard.

Whatever stated above is true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

Muhammad Faisal: _____

Handwritten signature and date: 13/9/2021

GOV,T OF KHYBER PAKHTUNKHWA.
 HIGHER EDUCATION ARCHIWES &
 LIBRARIES DEPARTMENT

NOTIFICATION

Date: November 25, 2016

NO: SO (COLLEDGES -II/HED/General /2016 The competent authority pleased to order transfer/cancellation of following Male/ Female Lecturers / Assistant Professors mentioned below with immediate effect in the best public interest.

S/No	Name of Officer	From	To	Remarks
1.				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11	Muhammad Faisal Lecturer in English	GDC Nathiagali	GPGC No-1 Abbottabad	Against Vacant post
12				
13				
14				
15				
16				
17				

OFFICE OF THE CO-ORDINATOR ,JMC/PRINCIPAL

GOVERNMENT POST GRUADATE COLLEGE NO.1, ABBOTTABAD.

OFFICE ORDER:-

DATED:-19/09/2019

In pursuance of the Directorate of Higher Education Khyber Pakhtunkhwa letter NO.1741/CA-II/Estt:Branch/A-167/GDC,Boi,Abbottabad dated Peshawar 18-01-2019,the Director Higher Education Department Khyber PukhtunKhwa has approved the temporary transfer of the following officer with the immediate effect.

S.No	Name and Designation	College
1	Mr. Ashfaq Ahmad Assistant professor of Urdu	Government Postgraduate College No.1, Abbottabad
2	Mr. Sadaqat Hussain, Lecturer in English	Government Postgraduate College No.1, Abbottabad
3	Mr.Faizan Ullah Hired Lecturer in Chemistry	Government Postgraduate College No.1, Abbottabad
4	Mr. Adil Ahmad Lecturer In Physics	Government Postgraduate College Mandian, Abbottabad
5	Mr. Umair Sultan Assistant Professor of Mathematics	Government Degree College Sherwan Abbottabad
6	Mr. Amjad Abbas Lecturer In Islamayat	Government Postgraduate College No.1, Abbottabad
7	Mr. Sarfarz Nawaz Lecturer in Biology	Government Postgraduate College No.1, Abbottabad

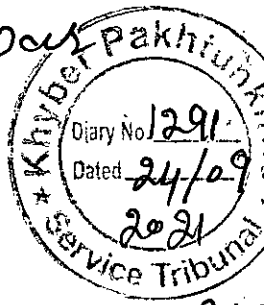
Note:- Notification No.22500-4/CA-II/Estt: Branch/A-167/GDC Boi, Abbottabad dated Peshawar 28/08/2018 has been withdrawn and all officers are directed to report at Government Postgraduate College No.1, Abbottabad.

**Coordinator, JMC,
Principal ,
Government Postgraduate College
No.1, Abbottabad**

Endst No.4505-16

Before the Khyber Pakhtunkhwa
Service Tribunal Peshawar

Appeal No 7411



Put up to the worthy chair with relevant appeal.

M Whammad Faisal Vs Govt of KPK

Subject: Application for early hearing of the instant Appeal.

24/9/2021

Reader

Respectfully Sheweth,

Fix in coming camp court at Abbottabad.

1 - That the instant case is pending before this tribunal in which date is fixed 17-11-2021 before SB.

2 - That the Appellant want to be heard in earlier possible date of this month.

04/X/2021

15/10

Therefore, It is requested to fix the date of hearing in next few days.

24-09-2021

Appellant In Person

BEFORE THE HONOURABLE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
CAMP COURT, ABBOTTABAD

Service Appeal No. 7411/2021

Muhammad Faisal

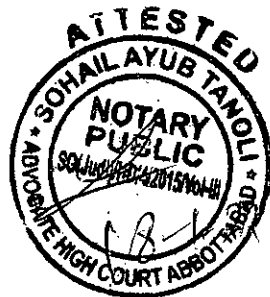
VERSUS

Govt. of KPK through Secretary Higher Education & others

COMMENTS ON BEHALF OF RESPONDENT NO. 1 TO 4

AFFIDAVIT

I, Mr. Muhammad Shakeel, Litigation Officer,
do hereby solemnly affirm and declare that the contents of foregoing para-
wise comments are true and correct to the best of my knowledge and belief
and nothing has been concealed therein from this Honourable Tribunal.




DEPONENT



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI, NEW CHAMKANI CHOWK, PESHAWAR**

Tel # 091-2650024 Fax # 091-2260181

E-mail:- dhekpkes@gmail.com Facebook.com/dhekpkes Peshawar Twitter.com/dhekpkes Peshawar1

DHE/AD (Lit) No/SA/ 30/301

Dated Peshawar the 15/12 /2021

To

The Principal,
Govt; Postgraduate College No.1
Abbottabad

Attention: Mr. Muhammad Shakeel (Litigation Officer)

**SUBJECT: SA # 7411/2021 TITLED MUHAMMAD FAISAL VERSUS
GOVERNMENT OF KHYBER PAKHTUNKHWA**

Respected sir,

I am directed to refer to the subject noted above and to enclose herewith Parawise Comments (**in original**) duly signed by all the respondents for onward submission in Khyber Pakhtunkhwa, Service Tribunal, camp court Abbottabad on next date of hearing in the instant case, please.

Note: Being court matter may be dealt with on urgent basis.

(Lubna Farman)
13/12/21

(Lubna Farman)

Assistant Director (Litigation)

Endst: No. _____/

Copy of the above is forwarded Section Officer (Litigation), Higher Education Department.

Assistant Director (Litigation)

**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
CAMP COURT, ABBOTTABAD**

S.A # 7411/2021

Muhammad Faisal.....Appellant

Versus

Govt. of Khyber Pakhtunkhwa
Through Secretary, Higher Education
And Others.....

Respondents

SUBJECT: PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1- 4

Respectfully Sheweth: -

Preliminary Objections:-

1. That the appellant has got no cause of action/locus standi to file the instant Service appeal.
2. That the appellant has not come to the Honourable Tribunal with clean hands and is trying to conceal material facts.
3. That the appellant is estopped by his own conduct to file the instant service appeal.
4. That the appellant has completed his requisite tenure at Government Postgraduate College No.1, Abbottabad
5. That the appeal of the appellant is badly time barred.
6. That the appeal is bad for misjoinder and non-joinder of necessary party.

Facts: -

- 1) Correct to the extent that the appellant is lecturer in English at Higher Education Department.
- 2) Incorrect. That the appellant was transferred to Government Postgraduate College No.1, Abbottabad, vide notification dated:25-11-2016 (**Annex-A**) but later on vide office order dated 28-08-2018, he was temporarily adjusted in Government Degree College Boi, Abbottabad under rationalization policy in best public interest and his permanent posting was at Government Postgraduate College No.1 Abbottabad (**Annex-B**) vide office order dated:19-09-2019, the earlier order was withdrawn and the appellant alongwith others were directed to report for duty at Government Postgraduate College No.1, Abbottabad (**Annex-C**)
- 3) Incorrect. That Nathiagali and Boi does not come under hard areas as per office memorandum/notification dated: 01-07-2016. (**Annex-D**)
- 4) Incorrect. That the appellant was transferred to Government Postgraduate College No.1, Abbottabad in 2016 and was transferred from Government Postgraduate College No.1, Abbottabad vide notification date: 13-08-2021 in best public interest.
- 5) Pertains to record.


- 6) Incorrect. Under Section 10 of the Civil Servant Act, 1973 the appellant is bound to serve anywhere, where competent authority transfers him. The appellant was transferred on need basis and in best public interest. Moreover, his tenure is also completed.
- 7) The appellant was transferred to Government Degree College, Sherwan on need basis as teacher in English was required in that college. Hence, the appellant is transferred on need basis and in best public interest.
- 8) Record of the department appeal is not available in the office of respondent no.02
- 9) Pertains to record.


Grounds:

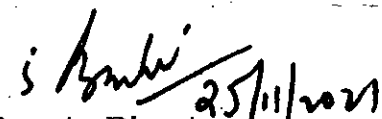
- i. Incorrect. That the notification dated: 13-08-2021 is in accordance with transfer/posting policy.
- ii. Incorrect. As already explained in preceding paras.
- iii. Incorrect. As already explained in preceding paras.
- iv. That the appellant has been treated according to rules and law.
- v. Incorrect. As already explained in preceding paras.
- vi. Needs no comments.
- vii. That the respondents may be allowed to raise additional grounds at the time of argument.
- viii. Incorrect.
- ix. Pertains to record.


Prayers: -

It is, therefore, humbly prayed that the instant service appeal may graciously be dismissed with appropriate cost.


Secretary,
 Higher Education Department
 Respondent No. 1


Director,
 Higher Education Department
 Respondent No.2


Deputy Director, 25/11/2021
 Directorate of Higher Education,
 Respondent No. 3


Principal,
 Govt; Postgraduate College No.1
 Respondent No. 4

Principal
Govt Post Graduate College
No.1 Abbottabad



30 41

OFFICE OF THE CO-ORDINATOR, JMC/PRINCIPAL
GOVERNMENT POSTGRADUATE COLLEGE NO.1, ABBOTTABAD.

Phone & Fax No.0992-9310126 , E-Mail gpgc1_atd@yahoo.com

Dated 19/1/2019.

OFFICE ORDER:-

In pursuance of the Directorate of Higher Education Khyber Pakhtunkhwa letter No. 1741/CA-II/Estt: Branch/A-167/GDC, Boi Abbottabad, Dated Peshawar the 18/01/2019, the Director Higher Education Department Khyber Pakhtunkhwa has approved the temporary transfer of the following Officers with immediate effect:-

S.No	Name and Designation	College
1.	Mr. Ashfaq Ahmed, Assistant Professor of Urdu	Government Postgraduate College No.1, Abbottabad
2.	Mr. Sadaqat Hussain, Lecturer in English	Government Postgraduate College No.1, Abbottabad.
3.	Mr. Faizan Ullah, Hired Lecturer in Chemistry	Government Postgraduate College No.1, Abbottabad.
4.	Mr. Adeel Ahmed, Lecturer in Physics	Government Postgraduate College Mandian, Abbottabad.
5.	Mr. Umair Sultan, Asistant Professor of Mathematics	Government Degree College Sherwan, Abbottabad.
6.	Mr. Amjad Abbas, Lecturer in Islamiyat	Government Postgraduate College No.1, Abbottabad.
7.	Mr. Sarfaraz Nawaz, Lecturer in Biology	Government Postgraduate College No.1, Abbottabad.

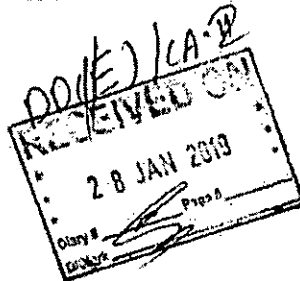
Note:- Notification No.22500-4/CA-II/Estt: Branch/A-167/GDC, Boi, Abbottabad Dated Peshawar the 28/8/2018 has been withdrawn and all Officers are directed to report at Government Postgraduate College No.1, Abbottabad.

Coordinator, JMC,
Principal,
Govt: Postgraduate College No.1
Abbottabad.

Endst.No. 4205-161

Copy to:-

1. The Director of Higher Education, Khyber Pakhtunkhwa, Peshawar.
2. The Principal, Govt:Postgraduate College Mandian, Abbottabad for compliance please.
3. The Principal GDC, Sherwan, Abbottabad for compliance please.
4. The Principal, GDC, Boi, A.Abad with the request to update the Office accordingly.
5. Mr. Nazir Abbasi, MPA, Abbottabad.
6. All concerned Officer.
7. JMC record file



Coordinator, JMC,
Principal,
Govt: Postgraduate College No.1
Abbottabad



(2)

**GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT**

Dated: Peshawar November 25, 2016.

NOTIFICATION

Transfer / Cancellation

NO. SO (COLLEGES-III)HED/General/2016: The Competent Authority is pleased to order transfer / cancellation of the following Male / Female lecturers / Assistant Professors mentioned below, with immediate effect in the best public interest.

S.No	Name of Officer	From	To	Remarks
1.	Mr. Zarmocn, lecturer in Mathematics (BS-17)	GPGC Kohat	GDC Takht-e-Nasrati	Vice S. No. 02
2.	Mr. Zubair Muhammad lecturer in Maths (BS-17)	GDC Takht-e-Nasrati	GPGC Kohat	Vice S. No. 01
3.	Abdul Ghaffar Khan lecturer in Islamiyat (BS-17)	GDC Madyan, Swat	GDC Kabal, Swat	Against Vacant Post
4.	Mr. Naqeeb ur Rehman lecturer in English (BS-17)	KDA College Kohat	GDC Takht-e-Nasrati, Karak	-do-
5.	Miss. Shafiq Qazi lecturer in Islamiyat (BS-17)	GGDC Jandool	GGDC Timergara	-do-
6.	Mr. Naweed Akhtar lecturer in Political Science (BS-17)	GDC Sherywan	GDC Mandian No. 02	-do-
7.	Miss Toseef Raza lecturer in Physics (BS-17)	GGDC Batkhela	GGDC Dargai Malakand	-do-
8.	Muhammad Nawaz lecturer in Pashto (BS-17)	GDC Totalai, Buner	GDC Jowar, Buner	-do-
9.	Mr. Jamil Fazal lecturer in Geography	GDC Darband	GPGC No.1 Abbottabad	-do-
10.	Mr. Zahid Ali Khan lecturer in English (BS-17)	GDC Balakot	GDC Havelian	-do-
11.	Muhamad Faisal lecturer in English	GDC Nathiagali	GPGC No.1 Abbottabad	-do-
12.	Miss. Ambreen Gul lecturer in Economics (BS-17)	GFCW Peshawar	GGDC Shabqadar	Vice S. No. 13
13.	Miss Hina Farman lecturer in Economics (BS-17)	GGDC Shabqadar	GFCW Peshawar	Vice S. No. 12
14.	Mr. Qazi Saqib Rauf lecturer in English (BS-17)	GDC Havelian	GDC No. 2 Abbotabad	AVP
15.	Mst. Saima Razzaq lecturer in Geography	GGDC Qalandarabad	GGDC No. 1 Abbottabad	AVP in BS-17
16.	Miss Razia lecturer in Chemistry	GGDC Chitral	GGDC Booni-Chitral	AVP
17.	Dr. Irfanullah Assistant Professor in Urdu	GDC Landi Jalander	GDC Kakki, Bannu	AVP

(2)

18.	Miss Faiza Iqbal lecturer in HPE	GPGC (W) Haripur	GGDC Kot Najibullah Haripur	AVP
19.	Mr. Bakht Nawab Assistant Professor of Botany	Govt. AKLPG College Matta	Govt. PGJC Saidu Sharif Swat	AVP

2. The posting / transfer order of the following lecturers (Male & Female) already issued is hereby cancelled.

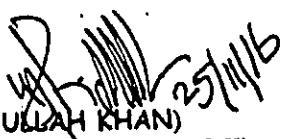
S.No	Name of Officer	From	To
1.	Mr. Nazia Parveen lecturer in Geography (BS-17)	GGC Nowshera	Under transfer to GGC Pabbi
2.	Mr. Hashir Iftikhar Lecturer in English	GPGC Manshra	Under transfer to GDC Oghi
3.	Malik Junaid Lecturer in English	GDC Oghi	Under transfer to GPGC Manshra

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT

ENDST. NO. & DATE EVEN:

Copy of the above is forwarded to the:

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Director, Higher Education, Khyber Pakhtunkhwa, Peshawar.
3. All Principals concerned.
4. Section Officer (C-III & IV) Higher Education Department Peshawar.
5. PS to Secretary Higher Education Department Peshawar.
6. All District Accounts Officers concerned.
7. Officer concerned.


(RAFI ULLAH KHAN)
SECTION OFFICER (COLLEGES-II)

Amended
A



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA,
KHYBER ROAD PESHAWAR**

Phone # 091-9210242, 9211025/Fax # 9211803
E-mail- dhkpkpesh@gmail.com, [Facebook.com/dhkpkpeshawar](https://www.facebook.com/dhkpkpeshawar)
[Twitter.com/dhkpkpeshawar](https://twitter.com/dhkpkpeshawar)

Dated Peshawar the 28/8/18

OFFICE ORDER

In pursuance of the powers conferred by the Provincial Management Council, meeting dated 20.12.2017, Director, Higher Education, Khyber Pakhtunkhwa is pleased to allow the following Officers to work at the College mentioned against their names on temporary basis under rationalization policy in the Public interest till further orders. They will draw their salary from their respective Colleges.

S. NO.	NAME OF OFFICERS	TEMPORARILY ADJUSTED
1.	Dr. Mohammad Imtiaz, Assistant Prof. of Urdu, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
2.	Mr. Mohammad Faisal, Lecturer in English, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
3.	Mr. Shahid Ali, Lecturer in Chemistry, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
4.	Mr. Sarfraz Khan, Assistant Prof. of Physics, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
5.	Mr. Saqib Khan, Lecturer in Mathematics, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
6.	Mr. Yasir Naveed, Lecturer in Islamiyat, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
7.	Mr. Awaiz Ahmad, Lecturer in Botany, GPGC, No. 1 Abbottabad.	GDC, Boi, Abbottabad
8.	Mr. Waqas Ahmad, Assistant Prof. of Economics, GDC, Balakot, Manshra.	GDC, Boi, Abbottabad

DIRECTOR HIGHER EDUCATION

Endst; No. *28/8/18* / CA-II/Estt. Branch/ A-167/ GDC, Boi, Abbottabad

Copy of the above is forwarded to the:-

1. Principal Govt Post Graduate College, No. 1 Abbottabad with the remarks to direct the officers concerned of his College to report for duty at Govt Degree College, Boi, Abbottabad immediately.
2. Principal Govt Degree College, Balakot, Manshra with the remarks to direct the officer concerned of his College to report for duty at Govt Degree College, Boi, Abbottabad immediately.
3. Principal Govt Degree College, Boi, Abbottabad
4. Officers concerned.
5. PA to Director, Higher Education, Khyber Pakhtunkhwa.

28/8/18
BY: DIRECTOR (ESTABLISHMENT)

Government of Pakistan
Finance Division
(Regulations Wing)

F.No. 27(1)R-5/2012

Islamabad, the 1st July, 2016

OFFICE MEMORANDUM

Subject: REVISION OF UNATTRACTIVE AREA ALLOWANCE

The President has been pleased to sanction the revision of the rates of unattractive area allowance / compensatory allowance, allowed vide Finance Division's O.M. No. F.5(4)R-13/80 dated 16-6-1980, to the Federal Government employees working in the specified areas, with effect from 1-7-2016, as under:-

Areas	Existing Rate:		Revised Rate
Chitral	Unattractive Area Allowance @ 50% of pay for woman and 40% of pay for man subject to following maxima:-		Rs. Per Month:
	BPS	Maxima	
	1-15	Rs. 150/-	
	16	Rs. 250/-	
	17 and above	Rs. 300/-	4500/-
Kohistan	Unattractive Area Allowance @ 40% of pay subject to following maxima:-		
	1-15	Rs. 150/-	1500/-
	16	Rs. 250/-	2500/-
	17 and above	Rs. 300/-	4000/-
Dir and Merged Areas of Hazara and Mardan Division	Unattractive Area Allowance @ 20% of pay subject to following maxima:-		
	1-15	Rs. 75/-	1000/-
	16	Rs. 125/-	1500/-
	17 and above	Rs. 200/-	2000/-
Swat, Buner, Shangla & Malakand Districts	Compensatory allowance @ 20% of pay subject to following maxima:-		
	1-15	75/-	1000/-
	16	125/-	1500/-
	17 and above	200/-	2000/-

2. All previous instructions/ O.Ms on the subject of unattractive area allowance/ compensatory allowance for above specified areas will be deemed to have been modified w.e.f 1-7-2016 to the extent of instructions contained in this Office Memorandum.

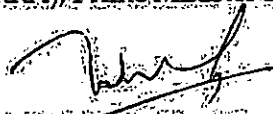

(Abdul Ghaffar Khan)
Section Officer (R-5)

All Ministries and Divisions

(P.T.O)

Copy also forwarded for information to:

1. President's Secretariat (Public), Islamabad.
2. President's Secretariat (Personal), Islamabad.
3. Prime Minister's Office (Internal), Islamabad.
4. Prime Minister's Office (Public), Islamabad.
5. National Assembly Secretariat, Islamabad.
6. Senate Secretariat, Islamabad.
7. Election Commission of Pakistan, Islamabad.
8. Supreme Court of Pakistan, Islamabad.
9. Federal Shariat Court, Islamabad.
10. AGPR, Islamabad/Lahore/Peshawar/Karachi/Quetta.
11. Pakistan Mint, Lahore.
12. Auditor General of Pakistan, Islamabad.
13. Federal Public Service Commission, F-5/1, Agha Khan Road, Islamabad.
14. Capital Development Authority, Islamabad.
15. Cost Accounts Organization, Islamabad.
16. Military Accountant General, Rawalpindi.
17. Central Directorate of National Savings, Islamabad.
18. Chief Accounts Officer, M/o Foreign Affairs, Islamabad.
19. Financial Adviser and Chief Accounts Officer, Pakistan Railways, Lahore.
20. All Financial Advisers/Deputy Financial Advisers attached to Ministries/Divisions etc and all officers of Finance Division.
21. Secretariat Training Institute, Islamabad.
22. Federal Tax Ombudsman's Secretariat, Islamabad.
23. DG Post Offices, Islamabad.
24. Office of the Chief Commissioner, Islamabad.
25. Secretary, Wafaqi Mohtasib (Ombudsman)'s Secretariat, Islamabad.
26. Pakistan Atomic Energy Commission, Islamabad.
27. All Chief Secretaries/Finance Secretaries of the Government of Punjab/ Sindh/ Khyber Pakhtun Khwa/Baluchistan & Azad State of Jammu & Kashmir & Gilgit Baltistan.
28. Directorate General of Inspection & Training, Customs & Central Excise, 8th Floor, New Custom House, Karachi.
29. National Accountability Bureau, Islamabad.
30. Intelligence Bureau, Islamabad.
31. Member (Finance), KRL, P.O Box No. 1384, Islamabad.
32. Controller General of Accounts, Islamabad.
33. Web Administrator, Finance Division, Islamabad (for uploading at Finance Division's website i.e. www.finance.gov.pk)
34. Federal Tax Ombudsman's Secretariat, Islamabad.
35. Earthquake Reconstruction & Rehabilitation Authority (ERRA), Prime Minister's Secretariat (Public), Islamabad.


(Abdul Ghaffar Khan)
Section Officer (R-5)



**KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

No. 568 /ST

Dated: 24-2-2022

All communications should be
addressed to the Registrar KPK Service
Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

To

The Secretary Higher Education Department,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: JUDGMENT IN APPEAL NO. 7411/2021 MR. MUHAMMAD FAISAL.

I am directed to forward herewith a certified copy of Judgement dated
27.01.2022 passed by this Tribunal on the above subject for compliance please.

Encl: As above


REGISTRAR

KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR