

Sr. No	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
		<p style="text-align: center;"><u>BEFORE THE YBER PAKHTUNKHWA SERVICE TRIBUNAL</u> <u>AT CAMP COURT, D.I.Khan</u> Service Appeal No. 1091/2018</p> <p style="text-align: right;">Date of Institution 15.08.2018 Date of Decision 24.09.2019</p> <p>Shaikh Muhammad Javed Hassan son of Shaikh Muhammad Yousuf r/o Moh. Janubi Gali, Eidgah Kalan Dera Ismail Khan. Presently working as PSHT in Education Department.</p> <p style="text-align: right;">Appellant</p> <p style="text-align: center;">Versus</p> <ol style="list-style-type: none"> 1. Government of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar. 2. Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar. 3. District Education Officer, Elementary & Secondary Education (Male) Dera Ismail Khan. 4. SDEO (Male) District Dera Ismail Khan. 5. ASDO (Male) District Dera Ismail Khan. <p style="text-align: right;">Respondents</p> <p>Mr. Muhammad Hamid Mughal-----Member(J) Mr. Ahmad Hassan-----Member(E)</p> <p style="text-align: center;"><u>JUDGMENT</u> <u>MUHAMMAD HAMID MUGHAL, MEMBER:</u></p> <p>Appellant present. Learned counsel for the appellant present. Mr. Farhaj Sikandar learned Deputy District Attorney present.</p> <p>2. The appellant (PSHT) has filed the present service appeal being aggrieved against the order dated 25.04.2018 whereby in partial modification of order dated 19.04.2018, the appellant</p>

24.9.2019
24.9.2019

was transferred from GPS Kot Ajab to GPS Jhoke Muhammad Amin.

3. Learned counsel for the appellant mainly argued that the impugned order is against law, posting transfer policy and norms of justice; that the impugned transfer order is premature because the appellant was transferred within 4/5 months of his last transfer vide order dated 09.12.2017.

4. As against that learned Deputy District Attorney argued that the appellant was not serious about his duties and there were complaints against him from the locality hence was transferred from GPS Kokar Gharbi to GPS Kot Ajab on complaint basis; that due to his irresponsible and irregular behavior and serious allegations against him from the locality of Kot Ajab, the appellant was transferred from GPS Kot Ajab to GPS Jhoke Muhammad Amin; that the impugned transfer order was issued just in the public interest.

5. Arguments heard. File perused.

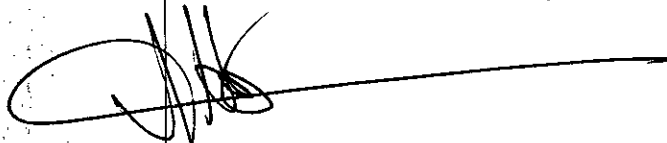
6. Vide order dated 09.12.2017 the appellant was transferred from GPS Kokar Gharbi to GPS Kot Ajab on the basis of application received from community against the appellant, recommendation of the SDEO (M) D.I.Khan and in the light of inquiry report. Just after 4/5 months of the transfer of the appellant to GPS Kot Ajab he was transferred to GPS Jhoke Muhammad Amin on the basis of complaint, vide order dated 25.04.2018 made impugned in the present service appeal.

24.9.2018

7. In case of allegations of inefficiency and misconduct against the appellant, the competent authority should have initiated proper action against the appellant under Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

8. There is no legal concept of transfer of a government servant from one place to another as of punishment. Transfer of a government servant has not been included in the list of penalties as mentioned in Section-4 Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

9. Admittedly the appellant has not yet completed his normal tenure of two (02) years at GPS Kot Ajab. Learned Deputy District Attorney could not demonstrate any valid reason for premature transfer. Consequently the posting transfer of the appellant vide orders dated 19.04.2018 and 25.04.2018 is set aside. The respondent department may however issue fresh posting transfer order upon completion of normal tenure of two (02) years of the appellant at GPS Kot Ajab. The present service appeal is accepted in the above terms. Parties are left to bear their own costs. File be consigned to the record room.



(Ahmad Hassan)
Member

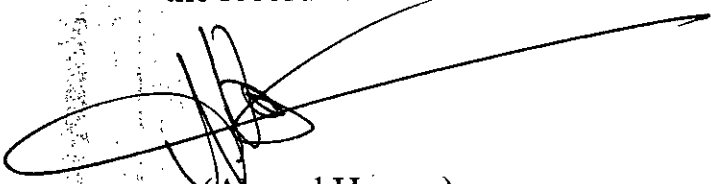


(Muhammad Hamid Mughal)
Member
Camp Court, D.I. Khan

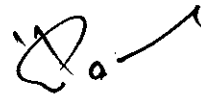
ANNOUNCED
24.09.2019

24.09.2019

Appellant present. Learned counsel for the appellant present. Mr. Farhaj Sikandar learned Deputy District Attorney present. Vide separate judgment of today of this Tribunal placed on file the posting transfer of the appellant vide orders dated 19.04.2018 and 25.04.2018 is set aside. The respondent department may however issue fresh posting transfer order upon completion of normal tenure of two (02) years of the appellant at GPS Kot Ajab. The present service appeal is accepted in the above terms. Parties are left to bear their own costs. File be consigned to the record room.



(Ahmad Hassan)
Member



(Muhammad Hamid Mughal)
Member
Camp Court, D.I.Khan

ANNOUNCED.
24.09.2019


25.03.2019

Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney alongwith Mr. M. Kamran, ADO for respondents present. Written reply not submitted. Requested for adjournment. Adjourned. Case to come up for written reply/comments on 24.04.2019 before S.B at camp court D.I.Khan.


Member
Camp Court, D.I.Khan


24.04.2019

Appellant in person present. Written reply not submitted. Kamran ADEO representative of the respondent department present and seeks further time to furnish written reply/comments. Granted by way of last chance. To come up for written reply/comments on 26.06.2019 before S.B at Camp Court, D.I.Khan.


Member
Camp Court, D.I.Khan.

26.06.2019

Appellant in person and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Muhammad Kamran, ADO for the respondents present. Representative of the department submitted written reply. Adjourned to 24.09.2019 for rejoinder and arguments before D.B at Camp Court D.I.Khan.



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

28.12.2018

Counsel for the appellant Javed Hassan present. Preliminary arguments heard. It was contended by the learned counsel for the appellant that the appellant was serving in Education Department as Primary School Head Teacher. It was further contended that the appellant was transferred from Government Primary School Hayyat Bochra D.I.Khan to Government Primary School Kokar Gharibi D.I.Khan vide order dated 12.09.2017. It was further contended that again just after three months the appellant was again transferred from Government Primary School Kokar Gharibi D.I.Khan to Government Primary School Kot Ajab on complaint vide order dated 09.12.2017 although there was no complaint against the appellant. It was further contended that just after four months the appellant was again transferred from Government Primary School Kot Ajab to Government Primary School Gara Mehrban vide order dated 19.04.2018. It was further contended that neither there is any complaint against the appellant nor the appellant was communicated any complaint. It was further contended that the appellant was transferred against the Transfer Posting Policy and without completing of his normal tenure therefore, the impugned order of transfer of the appellant is illegal and liable to be set-aside.

The contention raised by the learned counsel for the appellant need consideration. 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 thereafter, notice be issued to the respondents for written reply/comments for 25.03.2019 before S.B at Camp Court D.I.Khan.

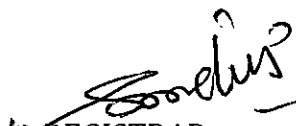
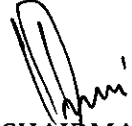
Appellant Deposited
Security & Process Fee


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1091/2018

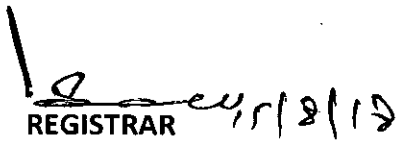
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	03/09/2018	<p>The appeal of Sheikh Muhammad Javed Hassan received today by post through Sheikh Sohail Puri Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>28.12.2018</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

The appeal of Shaikh Muhammad Javed Hassan PSHT Education department received today i.e. on 15.08.2018 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- Annexures of the appeal may be flagged.
- 3- Sub-rule-4 of rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974 requires that every civil servant to whom the relief claimed may affect shall also be shown as respondents.
- 4- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal.

No. 1694 /S.T,

Dt. 15/8 /2018.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Sheikh Sohail Puri Adv.
High Court D.I.Khan.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 1091 /2018

Sh. M Javed Hassan
(Appellant)

V.

Govt. of KPK etc
(Respondents)

INDEX

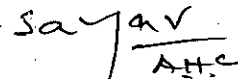
S. No.	Particulars of documents	Annexure	Page
1.	Appeal with affidavits along with CM Petition	--	1-5
2.	Copy of CNIC and service record of appellant	A	6-18
3.	Copy transfer order No. 20639-735 dated 12/09/2017	B	19-20
4.	Copy of transfer Order No. 27987-95 dated 09/12/2017	C	21
5.	Copy of the impugned transfer order dated 19/04/2018	D	22-24
6.	Copy of departmental appeal and postal receipt	E	25-28
7.	Copy of Reliving Chit dated 24/04/2018	F	29-30
8.	Copy of corrigendum order dated 25/04/2018	G	31
9.	Copy of Reliving Chit dated 04/05/2018	H	32
10.	Vakalatnama	--	33

Humble Appellant

Dated: 13/8/18



Sh. M. Javed Hassan
Through Counsel



Sheikh Sohail Puri
Advocate High Court

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

Service Appeal No. 1091 /2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 12487

Dated 15/8/2018

Shaikh Muhammad Javed Hassan son of Shaikh Muhammad
Yousuf r/o Moh. Janubi Gali, Eidghah Kalan Dera Ismail Khan.
Presently working as PSHT in Education Department.

(Appellant)

VERSUS

- 1. Government of Khyber Pakhtunkhwa**, through Secretary Elementary and Education Department, Khyber Pakhtunkhwa Peshawar.
- 2. Director**, Education Department Elementary and Secondary Education, KPK, Peshawar.
- 3. District Education Officer**, (Male) Dera Ismail Khan.
- 4. SDEO**, (Male), District Dera Ismail Khan).
- 5. ASDO**, (Male), District Dera Ismail Khan).

(Respondents)

APPEAL UNDER SECTION 4 OF THE KPK SERVICES TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED OFFICE ORDER NO. 13365-72 DATED 19/04/2018 AND ORDER DATED 25/04/2018, ISSUED BY RESPONDENT NO. 3, WHEREBY SERVICES OF THE APPELLANT WAS TRANSFERRED WHICH IS AGAINST THE LAW AND IN VIOLATION OF SERVICE LAWS AND RULES AND THE APPELLANT WAS CONDEMNED UNHEARD WITH MALAFIDES.

Filed to-day

Registrar
15/8/18

Re-submitted to-day
and filed.

Registrar
03/9/18

PRAYER

On acceptance/issuance of this appeal by declaring the impugned office Order No. 13365-72 dated 19/04/2018, and Order dated 25/04/2018 issued by respondent No. 3, to the extent of the appellant as illegal, without jurisdiction, without law full authority and based on malafide.

Sayar
AHC

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Any other relief deemed appropriate in the given circumstances may also be granted to the appellant in the large interest of justice.

Note: Addresses given above shall suffice the object of service. All necessary and proper parties have been arrayed in the panel of respondents.

Respectfully Sheweth;

Appellant humbly submits and request as under:-

1. **That** the appellant has served the Education department Dera Ismail Khan as Primary School Head Teacher (BPS-15) and has 23/24 year service. Copies of CNIC and service record of the appellant annexed as **Annexure-A**.
2. **That** appellant is experienced person in his field of and has been performing his duties according to the entire satisfaction of his superiors.
3. **That** the appellant was serving as PSHT at GPS Hayyat Bochra Paroa since 19/05/2014 but respondent No. 3 abruptly transferred the appellant from GPS Hayyat Bochra Paroa to GPS Kokar Gharbi DIK vide transfer Order No. 20639-735 dated 12/09/2017. Copy of the same annexed as **Annexure-B**.
4. **That** on 09/12/2017, the respondent No. 3 once again transferred the appellant from GPS Kokar Gharbi DIK to GPS Kot Ajab vide Order No. 27987-95 dated 09/12/2017 within 03 Month. Copy of the same annexed as **Annexure-C**.
5. **That** on 19/04/2018, the respondent No. 3 once again transferred the appellant from GPS Kot Ajab to GPS Gara Mehrban vide impugned transfer order No. 13365-72 dated 19/04/2018 within 04 Months of his last transfer. Whereas one PSHT Mr. Muhammad Daud is already serving at GPS Gara Mehrban. Copy of the same annexed as **Annexure-D**.
6. **That** the appellant is much of experience in the department but unfortunately on the basis of political influence against the present appellant which is condemnable act.
7. **That** Feeling aggrieved from the transfer order, the appellant preferred departmental appeal to respondent No.2/ Director Education Department Elementary and Secondary Education, KPK, Peshawar being appellate authority on 23/04/2018. Copy of the same annexed as **Annexure-E**.

Sayar
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8. **That** the respondent No. 4 forcefully on the basis of political influence relived the appellant from his place of posting vide order/ reliving Chit No. 372 dated 24/04/2018. Copy of the same is annexed as **Annexure-F.**
9. **That** it is settled law, when impugned Act or Action has been protected by a Constitutional Provision by ouster clause, the superior Courts still have the jurisdiction to interfere with 03 categories of the cases, namely, without jurisdiction, Coram non iudice and mala fides.
10. **That** the respondent No. 3 once again transferred the appellant through corrigendum order dated 25/04/2018. Copy of the same annexed as **Annexure-G.**
11. **That** the respondent No. 5 forcefully on the basis of political influence once again relived the appellant from his place of posting vide order/ reliving Chit dated 04/05/2018. Copy of the same is annexed as **Annexure-H.**
12. **That** refusal of the departmental appeal of the appellant, the appellant is being challenged by way of instant appeal, on inter alia the following grounds:-.

GROUND: -

- A. **That** the impugned office order No. 13365-72 dated 19/04/2018 and order dated 25/04/2018 are against the Constitution, Service Laws, Rules, Departmental Policy, and natural justice.
- B. **That** transfer of Govt. Employees can't be made on the interference of political figures which is offensive to the Constitution and the law on the subject because Ministers, MPA's, MNA's and Senators, all are under oath to discharge their duties in accordance with the Constitution and Law.
- C. **That** the impugned transfer order dated 19/04/2018 and order dated 25/04/2018 are against law and facts because the petitioner is transferred within 04 Months of his last transfer order dated 09/12/2017 which shows the mala fide on the part of respondents. Moreover, the impugned transfer order has been issued after 04 Months of previous transfer which is pre-mature, on the basis of political influence, and against the service rules, hence, on this sole ground, the impugned transfer orders are liable to be set aside.

Sayan
etc

- D. **That** impugned transfer order dated 19/04/2018 and order dated 25/04/2018 are issued on the influence of political figures. Hence impugned office order is liable to be declared as null and void ab-initio by this Honorable Court.
- E. **That** act of the respondents especially respondent No. 3 is without jurisdiction based on mala fide hence liable to be declares as null and void by this Honorable Court/ tribunal.
- F. **That** Counsel for the appellant may please be allowed to raise additional grounds during the course of arguments.

It is therefore respectfully prayed that on acceptance/issuance of this appeal by declaring the impugned office order No. 13365-72 dated 19/04/2018 and order dated 25/04/2018, issued by respondent No. 3, to the extent of the appellant as illegal, without jurisdiction, without law full authority and based on malafide.

Any other relief deemed appropriate in the given circumstances may also be granted to the appellant in the large interest of justice.

Dated: 13/8/18

Humble appellant

[Signature]

Sh. M. Javed Hassan
Through Counsel

Sayan
AHC

Sheikh Sohail Puri
Advocate High Court

CERTIFICATE

Certified that appellant have not filed an appeal regarding the subject controversy, earlier in this august Court.

[Signature]

Appellant

NOTE

Appeal with annexure along-with required sets thereof are being presented in separate file covers.

Dated: 13/8/18

Sayan
AHC

Appellant's counsel

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2017

Sh. M Javed Hassan
(Appellant)

V.

Govt. of KPK etc
(Respondents)

AFFIDAVIT

I, **Shaikh Muhammad Javed Hassan**, the appellant herein, do hereby solemnly affirm on oath:-

1. That the accompanying appeal has been drafted by counsel following my instructions;
2. That all parawise contents of the appeal are true and correct to the best of my knowledge, belief and information;
3. That nothing has been deliberately concealed from this Honourable Court, nor is anything contained therein based on exaggeration or distortion of facts.

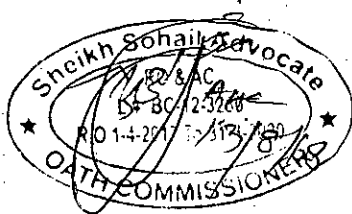
do hereby solemnly affirm and declare on Oath that contents of the writ petition are true and correct to the best of my knowledge and belief; and nothing has been deliberately concealed from this Honorable Court.

Dated: 13/8/18

Deponent

Identified by:

Sheikh Sohail Puri
Advocate High Court



CERTIFICATE:

Certified that no other writ petition on the subject has earlier been filed by the petitioner in the august Court.

Humble appellant

Book Reference

- ❖ Constitution of the Islamic Republic of Pakistan 1973.
- ❖ Govt. of Khyber Pakhtonkhwa Rules and regulations.

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Ann "A"



Attested

Sayav
Adv.

Sh. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Bar D.I.Khan
0300-4887850



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22/04/2014



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OFFICE OF THE DISTRICT SUPERVISOR OFFICER (M.A.S) PRIMARY D.I. KHAN.

The following appointments of PTC trained candidates on merit are hereby made in BPS-7 i-e 1480-81-2695 plus usual allowances as admissible under the rules with effect from the date of their taking over charge in the schools noted against each :-

Name & Designation	Session	Marks Obt'd. in Interview	School where appointed	Remarks
Muhammad Ayaz S/O Muhammad Nawaz r/o (Ustrang, Janubi, PP-53)	93-94	744	GPS Jhoke Illahi Bakhsh PP-53.	N/C/P.
Muhammad Javed Hassan M. Muhammad Yousaf r/o Mohd. Ash, PP-53.	-do-	733	GPS Abiekh Mali PP-53.	-do-
Muhammad Behan S/O Shah Behan Koh: Mariban, PP-53.	-do-	725	GPS Abiekh Mali PP-53.	-do-
Majid Ahmed Khan S/O Shulez Mustafa r/o Moh: Nawaz Ali, PP-53.	-do-	711	GPS Jhoke Illahi Bakhsh, PP-53.	-do-
Muhammad Aslam S/O Shulez Hassan r/o Vill: Nathal, PP-54.	93-94	782	GPS Kot Habib PP-54.	-do-
Maria Zahood S/O Mahmood ul Hassan Moh: Jatanwala, PP-54.	-do-	775	GPS Kot Habib PP-54.	-do-
Muhammad Asfar S/O Bilal Bakhsh r/o Fakher Khan, PP-54.	-do-	756	GPS Shahad. Abad (Kachi Raharpur) PP-54.	-do-
Muhammad Ahmed S/O Most Muhammad r/o PP-54	-do-	756	-do-	-do-
Muhammad Bilal S/O Malik Mazdu r/o PP-55.	-do-	541	GPS Jhoke Sikander Khan, PP-55.	-do-
Muhammad Bilal S/O Congullah r/o Vill: Sotoo, PP-55.	-do-	613	GPS Jhoke Sikander Khan, PP-55.	-do-

*Abdullah
Javed
Majid
Ahmed*

*M. Asfar
Bilal Bakhsh*

LS-14

*Shahad
Sayed
FATE*

*Shahad
Sayed
FATE*

- Charge reports should be submitted to all concerned.
- ... etc is allowed on the eve of their appointments.
- The appointments are made purely on temporary basis and liable to termination at any time without any notice/reasons.
- They should produced their Health & Age Certificate/employment exchange cards from Medical Superintendent District Headquarter Hospital Saharan/ employer employment exchange M.Khan.
- The original documents should be checked by the sub divisional Education officer concerned before taking over charge.

(Contd: page/2)

Sh. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Bar D.I. Khan
0390-4887850

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- 6. All the candidates should report for their duties to their respective Sub-Divisional Education Officer before taking over charge.
- 7. They should not be handed over charge if their age is less or more than 18/30 Years.
- 8. They should report for their duties within 10-days of the issue of order, failing which their appointment orders will be considered as cancelled.

Sd/- (ABDUR RAHIM)
 DISTRICT EDUCATION OFFICER
 (MALE) PRIMARY D.I. KHAN.

Order No. 487-562 / AD-1/F.No.2/Appointments/DIC (M) Pury: D.I.K, dt: 27/1/98

Copy to:-

- 1. Sub-Divisional Education Officer (Male) D.I. Khan.
- 2. Manager Employment Exchange D.I. Khan.
- 3. District Accounts Officer, D.I. Khan.
- 4-15. Candidates Concerned.
- 14. P.S. to Director, Primary Education, NWFP, Peshawar.
- 15. DDC (Accounts) Local Office.

Attested
Sayyid
A.H.

S.D.S.
 22/1/98
 DISTRICT EDUCATION OFFICER
 (MALE) PRIMARY D.I. KHAN.

Attested
Sayyid
 Sh. Sohail Puri
 Advocate in Court
 Tax Advisor & Consultant
 District Board, D.I. Khan
 0300-4617850

**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
PRIMARY D.I.KHAN**

APPOINTMENT ORDER

The following appointments of PTC trained candidates on merit are hereby made in BPS-7 i.e 1480-81-2695 plus usual allowances as admissible under the rules with effect from the date of their taking over charge in school noted against each:-

PF-53

S. No	Name & Designation	Session	Marks obtd: in interview	School where appointed	Remarks
1.	Muhammad Ayaz S/O Muhammad Nawaz r/o B. Ustrana Janubi, PF-53. (Ex-Servicman)	93-94	744	GPS Jhok Illahi Bakhsh PF-53	N/C/F.
2.	Muhammad Javed Hassan S/o Muhammad Yousuf r/o Moh. Eid Ghah, PF-53	-do-	733	GPS Sheikh Mali PF-53	-do-
3.	Muhammad Rehan S/o Shah Jahan r/o-Moh. Gariban, PF-53	-do-	725	GPS Sh-ekh Mali PF-53	-do-
4.	Sajjad Ahmad Khan S/O Ghulam Mustafa r/o Moh, Nawaz Ali, PF-53	-do-	711	GPS Jhok Illahi Bakhsh PF-53	-do-

PF-54

1.	Muhammad Aslam S/O Ghulam Hassan r/o vill: Thathal, PF-54	93-94	782	GPS Kot Habib PF-54	-do-
2.	Tariq Mehmood S/o Mehmood-ul-Hassan r/o Moh. Jatanwala, P/Pur, PF-54	-do-	775	GPS Kot Habib PF-54	-do-
3.	Muhammad Zafar S/O Allah Bakhsh r/o Fakhhar Abad, P/Pur, PF-54	-do-	756	GPS Shaheed Abad (Kachi Paharpur) PF-54.	-do-
4.	Mushtaq Ahmad S/O Dost Muhammad r/o p/Pur, PF-54	-do-	756	-do-	-do-

PF-55

1.	Rehmat Ullah S/O Malik Ahmadu r/o Paroa, PF-55	-do-	541	GPS Jhok Sikandar Khan PF-55	-do-
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Attested
Sayyar
Att.
Sh. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Bar D.I.Khan
0300-4887850

(10)

Asmat Ullah S/O Sanaullah r/o Vill: Kaloo, PF-55	-do-	513	GPS Jhok Sikandar Khan PF-55	-do-
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1. Charge reports should be submitted to all concerned.
2. No service is allowed on the eve of their 1st appointments.
3. The appointments are made purely on temporary basis and liable to termination as any time without any notice/ reasons.
4. They should produced their Health & age certificate/ employment exchange cards from medical superintendent District headquarter Hospital D.I.Khan/ Manager employment exchange D.I.Khan.
5. The original Documents should be checked by the Sub Divisional Education Officer concerned before taking over charge.
6. All the candidates should report for their duties to their respective Sub-Divisional Education Officer before taking over charge.
7. They should not be handed over charge if their age is less or more than 18/30 years.
8. They should report for their duties within 10-days of the issue of order, failing which their appointment order will be considered as CANCELLED.

Sd/- (ABDUR RAHIM)
DISTRICT EDUCATION
OFFICER
(MALE) PRIMAY D.I.KHAN.
No.2/Appointments/D.C (M)

Endst: No. 487-502/AS-I/ F. No.2/Appointments/D.C (M)
Pry: DIK, dt: 23/1/99
Copy to:-

1. Sub Divisional Education Officer (Male) D.I.Khan.
2. Manager Employment Exchange DIKhan.
3. District Accounts Officer, D.I.Khan.
4. Candidates Concerned.
5. P.A to Director, Primary Education, NWFP, Peshawar.
6. AD&C (Accounts) Local Office.

Attested
Sayyar
AHE

Sd/-
DISTRICT EDUCATION OFFICER
(MALE) PRIMAY D.I.KHAN.

Attested
Sayyar
AHE

Sr. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Bar D.I.Khan
0300-4887850

#

میل ڈروسٹیشن (1)

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN

NOTIFICATION:

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No. SO(B & A)/1-18/E&SE/2012 Dated 11-07-2012 the following Senior Primary School Teachers SPST B-14 are hereby promoted to the post of Primary School Head Teacher PSHT B-15 (8500-700-29500) 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:

S/Sl	Seniority No. as FST	Name of the Official	Address	Place of Posting
1	1130	SAJJAD AMANWIL	GPS BIHARI COLONY	GPS KAT KACHI PAIND KHAN
2	1132	SHOKAT HUSSAIN	GPS KACHI KATH GARH	GPS KOT HABIB
3	1133	SAKHAWAT HUSSAIN KHAN	GPS WANDA SHAHBAZ KHAN	GPS WANDA SHAH NAWAZ
4	1134	AL-SYED GOHAR ABBAS SHAH	GPS NO. 1 THOYA FAZIL	GPS DHAWA JANOBI
5	1135	SHAKEEL AHMAD	GPS HATHALA	GPS GARA MOHASAT
6	1136	SADULLAH KHAN	GPS NO. 4 KULACHI	GPS GANDI ASHIQ
7	1137	ZULFIQAR ALI	GPS MITHA PUR KALLA	GPS MUHAMMAD WALI
8	1138	HAMID ULLAH	GPS NO. 2 WANDA DAU	GPS WANDA FERAZ
9	1139	MUHAMMAD KHALID	GPS KACHI PAIND KHAN	GPS THATHI SOHLAN
10	1140	EHSAN ULLAH	GPS NO. 3 PANIALA	GPS NO. 2 PANIALA
11	1141	MUHAMMAD JAVED	GPS NO. 1 UMRAY WALI	GPS RIAZ AHMAD
12	1142	GHULAM YOUSAF	GPS NEW CHOORA	GPS JHOKE AKBAR
13	1144	AHMED JAN	GPS TEER GARH	GPS WANDA ALI
14	1145	ABDUR RAZAQ	GPS HASSANI KHEL	GPS SARDARI WALA SHUMALI
15	1146	MUHAMMAD NADEEM	GPS KURAI	GPS KARLOO

Sd/-
Adv. ...
Tax Advisor & Assistant
District: Dera Ismail Khan
0300-4887850

	Name of the Official	Address	Place of Posting
16	HAJAT ULLAH	GPS DAHOTAR JADEED	GPS AWAN
17	GHULAM SHAHBIER	GPS KACHA MALLI KHEL	GPS SPER NO. 3
18	SHAFQAT ULLAH	GPS NO. 1 PAHARPUR	GPS BEGUM BORING
19	AMAN ULLAH KHAN	GPS JHOKE HAYAT	GPS JHOKE HAYAT
20	PIR AHMAD SHAH	GPS KALA PANI	GPS THOTHA
21	MUHAMMAD RIAZ	GPS BASTI USTRANA	GPS CHAH HUS SAIN KHAN
22	SADIK ULLAH DALOCH	GPS MADNI TOWN	GPS MUHAMMAD ABAD
23	MUHAMMAD YOUNUS	GPS KURAI	GPS JHOKE SHANDAR KHAN
24	ABDUL QAYYUM	GPS WANDA FERAZ	GPS WANDA SHERU
25	MUHAMMAD RAMZAN	GPS BUDHANI	GPS ZAMAN HILOKAR
26	AMJAR ABBAS	GPS BASTI SHEIKHAN WALI	GPS WANDI BOCHRA
27	MAZHLOOR AHMAD	GPS CHAH KHATTY WALA	GPS JHOKE DESI
28	MUHAMMAD RAFIQ	GPS JHOKE QURESHIAN	GPS GARA DALCO
29	MUHAMMAD JAVED HASSAN	GPS SOHAIL ABAD	GPS HAYAT BOCHRA
30	MUHAMMAD REHAN	GPS NO. 1 MAHRA	GPS NO. 1 SIKYANI <i>Sikandar Janab</i>
31	MUHAMMAD ASLAM	GPS THATHAL	GPS NIAZI ABAD THATHAL
32	SYED RIAZ HUSSAIN SHAH	GPS CHISHTIA RIZVIA	GPS BASTI RAJAB ALI
33	ZAMIR-UL-HASSAN	GPS KURRAR	GPS MALLA KHEL
34	SYED KAUSER HUSSAIN	GPS CHAH SAID MUNAWAR SHAH	GPS JHOKE MUHAMMAD RAMZAN
35	ABDUL MAJEED	GPS AHEER ABAD	GPS JHOKE MASSU
36	AZEEM SHAH	GPS NAI ABADI MUSA ZAI	GPS GARA AKHUND ZADA
37	NAZAR HUSSAIN	GPS IJAZ ABAD	GPS JHOKE LAL KHAN
38	SYED MUHKHTIAR HUSSAIN SHAH	GPS CHAH ROSHAN SHAH	GPS MIALI
39	ABDUR RASHID	GPS SHALA SHARIF	GPS SHALA SHARIF
40	AZIZ ULLAH	GPS TAJ	GPS SAGGU KULACHI
41	MUHAMMAD LUQMAN	GPS NO. 2 SHORE KOT	GPS UMAR BOBA
42	GULZAR AHMAD	GPS BAHADARI	GPS BAHADRI

Sl. No.	Serial No. of Post	Name of the Official	Address	Place of Posting
43	1194	AJMAL KHAN	GPS NO. 1 DHAKKI	GPS CHAH MALWANA
44	1195	WASEEM SAIF	GPS MUBARAK SHAH	GPS WANDA RAMZAN
45	1197	JAFFAR KHAN	GPS NO. 1 GILOTI	GPS WANDA SHER KHAN
46	1198	KHALIL ULLAH	GPS NO. 1 RAMAK	GPS MIRAN
47	1200	ASMAT ULLAH	GPS CHEHKAN	GPS RORA NOW
48	1201	UBAID ULLAH	GPS ZAMIR ABAD	GPS BHUTASER SHARQI
49	1202	ABDUL AZIZ	GPS MEYALI	GPS LAL MAHRA
50	1203	SAIFULLAH	GPS DHANDLA	GPS GISHKORI
51	1205	ZAHID MAHMOOD	GPS SHEIKH YOUSAF	GPS ADDA KHIARA
52	1206	SHADEER HUSSAIN	GPS JHOKE QURESHIAN	GPS CHANDNA
53	1207	SANA ULLAH	GPS NO. 10 DIKHAN	GPS JHOKE JHEDA
54	1210	ABDUS SATTAR	GPS MOHALLAH KAMAL KHEL	GPS NO. 2 TAKWARA
55	1211	REHMATULLAH	GPS NO. 2 SHORE KOT	GPS CHIRA POLAD
56	1212	ABDUL GHAFAR	GPS ABBASI KHEL	GPS ABBASI KHEL
57	1213	GUL ZAMAN	GPS NO. 3 KULACHI	GPS NO. 1 RORI
58	1215	GHULAM SARWAR	GPS CHISHTIA RIZVIA PAHARPUR	GPS BAROON SHARQI
59	1218	GHULAM YASIN	GPS JARA	GPS HAJI KHEL
60	1219	MUHAMMAD IQBAL	GPS HAFIZ ABAD	GPS KACHA DABARI
61	1220	NISAR AHMAD	GPS NO. 1 PAHARPUR	GPS REHMANI KHEL
62	1221	ARSHAD SALEEM	GPS JHOKE KHALLER	GPS JHOKE KHALLAR
63	1222	MUHAMMAD AKRAM	GPS JAVID NAGGER	GPS DAOLAT PUR MUND
64	1224	MUHAMMAD ASHRAF	GPS LUNDA SHARIF	GPS MITHI
65	1225	ALLAH NAWAZ	GPS PIR ASHAB	GPS RAJAB ALI
66	1226	SHOAIB NAWAZ	GPS DIMPURE	GPS JHOKE TAHIR KHEL
67	1228	MUHAMMAD HASHIM ZIA	GPS NO. 2 KACHA MALANA	GPS JHOKE TRALI
68	1229	MUHAMMAD YAHYA KHAN	GPS NO. 1 COUDHWAN	GPS GARA GATTAR
69	1230	IRFAN ULLAH KHAN	GPS NO. 2 PANIALA	GPS WANDA SHAH NAWAZ

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Sh. J. J. Puri
Advocate
Tax Adviser & Consultant
District Bar, J. Khan
630-437050

Sl. No.	Name of the Official	Address	Place of Posting
70	GHUFRAN KHAN	GPS NO. 2 GANDI UMER KHAN	GPS NO. 2 GANDI UMER KHAN
71	AHMAD RAZA KHAN	GPS NO. 1 KULACHI	GPS KOT ZAFAR
72	MUHAMMAD MUSHTAQ JAVED	GPS BIGWANI SHUMALI	GPS AGHAN KHEL
73	KHUDA BAKHSI	GPS NO. 3 SHORE KOT	GPS DHORA SOHLAN
74	SALAH UD DIN	GPS SINGHER SHARIF	GPS GHUMSAN
75	FAIZ-UL-HASSAN	GPS NO. 3 PANIALA	GPS TALGI
76	MUHAMMAD INAM	GPS BEHARI COLONY	GPS JALALA
77	MUHAMMAD ZAMAN	GPS MOHALLAH BEHLUL KHEL	GPS KOT DAQLAT
78	TAJ UD DIN	GPS NO. 12 DIKHAN	GPS SARA GARA
79	ABD-UL-RASHID FAROOQ	GPS KACHA-DABBARI	GPS BHANI WALI
80	MUHAMMAD ASHRAF	GPS WANDA BALOCHAN NOON	GPS TILKIN
81	MUHAMMAD KHALID	GPS HASSA	GPS JHOKE FATEH MANDU
82	SHABBIR AHMAD	GPS NO. 3 PAROA	GPS LADHU KARLU
83	ADDUL HALEEM	GPS NO. 1 PANIALA	GPS WANDA YARRIK
84	MALIK JAMSHED AKHTER	GPS NO. 1 THOYA FAZIL	GPS BAIT KALOO KHAN
85	RIAZ HUSSAIN	GPS SHAH DAU	GPS NO. 2 RAHMANI KHEL
86	SAEED UR REHMAN	GPS JABAR WALA	GPS JHOKE DAHAR
87	ISHFAQ UR REHMAN	GPS KOT ZAFFAR	GPS GARA MIR ALAM
88	MUHAMMAD SALEEM KHAN	GPS NO. 2 THOYA FAZIL	GPS BAIT DHAWA
89	MUHAMMAD IRFAN	GPS SIKANDAR SHUMALI	GPS JHOKE MUHAMMAD AMIN
90	MUHAMMAD AZHAR	GPS NO. 1 PAHARPUR	GPS NO. 2 SPER
91	GHULAM ABBAS ✓	GPS MADNI TOWN ✓	GPS THAHEEM ABAD FATHA ✓
92	NASEEM ABBAS SHAH	GPS RAZA ABAD	GPS MATHRA AHMED
93	ABDUL RAZZO	GPS WANDA DOST ALI	GPS SHEIKHA
94	MAHMOOD KHAN	GPS NO. 1 KULACHI	GPS NO. 2 GARA GULDAD
95	MUHAMMAD TARIO	GPS HIMMAT WALA	GPS BHUTASER GHARBI
96	JAVED IQBAL	GPS ZANDANI	GPS DIRKHANA

Sl. No.	Service No.	Name of the Official	Address	Place of Posting
97	1262	IMRUDOR AHMAD	GPS NO. 1 RAMAK	GPS JHOKE MOCHIAN
98	1263	MADHAT QAYYUM	GPS MURYALI	GPS KAHEERI PAKKA
99	1264	AHMAD DIN	GPS JHOKE UTRA	GPS NEW SHINKI
100	1265	SYED TAHR HUSSAIN SHAH	GPS TCBA	GPS BURZ WALI
101	1267	SYED MAURID ABBAS SHAH	GPS WANDA NADIR SHAH	GPS WANDA KHALIQ SHAH
102	1263	ZIA HUSSAIN SHAH	GPS SARDARE WALA	GPS ADIL SIPRA
103	1269	MUHAMMAD RAMZAN	GPS BASTI TAREEN	GPS BASTI SHEIKHAN WALI
104	1270	MAURID ABBAS	GPS NO. 4 PAROA	GPS JHOKE MEHMOOD GHARDI

TERMS AND CONDITIONS:

1. They would be on probation for a period of one year extended for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Government.
3. Their 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.
4. Charge report should be submitted to all concerned.
5. Their inter-Se-seniority on lower post will remain intact.
6. No TA/DA is allowed for joining his duty.
7. They will give an under taking to his effect to be recorded in their service books.

(Zia ul-Din)
District Education Officer
(Male) Dera Ismail Khan

Encl. No. 6095-7004

Dated D.I.Khan the 17/15/2014

Copy forwarded for information and necessary action to the:-

1. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. District Accounts Officer, D.I.Khan.
3. All the Sub-Divisional Education Officers (Male) District D.I.Khan.
4. Head Teacher concerned.
5. Assistant Programmer EMIS, O/O-DEO (M) D.I.Khan.
6. M/File.

Arrested
Sayav
Axc

(Signature)
District Education Officer
(Male) Dera Ismail Khan

Sh. S. Puri
Advocate & Court
Tax Advisor & Consultant
District Bar D.I.Khan
0300-4687850

Attested
 Sohar
 MHC

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Attested
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- ① KAKKA - P.S.H.T - مستند
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21/02/2018

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لاگ بک (حصہ دوم)

رپورٹ کی روشنی میں سکول تھارت
نے جو کاروائی کی

راتے / رپورٹ معائنہ

محمد جاوید حسن - (تعلیمی معائنہ) پریپ - K.G.II - K.G.I

تینوں معائنوں کا تعلیمی جائزہ لیا گیا -

تمام طلباء اردو خوانی میں اچھے پائے پر تھے۔ جہاں تک پڑھائی
تمام طلباء کو کوثر کفا

رہاضی سوادت کا نتیجہ 7/4 - 3/4 رہا

انگریزی ریڈنگ میں بھی اچھے پائے پر تھے۔

سب معائنوں میں تمام بچے اچھے پائے پر تھے۔

نتائج کا اعلان 31 مارچ کو کیا جائے گا

محمد عمران - K.G.III - K.G.IV - K.G.V

تمام طلباء اردو خوانی میں اچھے پائے پر تھے۔

رہاضی سوادت کا نتیجہ 7/4 - 3/4 رہا -

انگریزی ریڈنگ میں بھی اچھے پائے پر تھے۔

نتائج کا اعلان 31 مارچ کو کیا جائے گا

مجموعی طور پر تمام سکول کو اچھے ماحول میں پایا گیا -

استاذہ اور طالبات میں کافی دلچسپی رکھتے ہیں

سکول کی تعداد بڑھانے کی ہدایت کی جاتی ہے

اختتامی سال تک تدریس عمل جاری رکھنے کی ہدایت

کی جاتی ہے

تغول برائے رپورٹ 14۔ اس میں ڈی۔ او صاحب

رہو اور ڈی۔ او صاحب خان کو ارسال کی جاوے

Attested

Sajid
AHE

Attested
Sajid
AHE

Sh. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Bar D.I. Khan
0300-4887850

لاگ بک (حصہ دوم)

رپورٹ کی روشنی میں سکول امتحان
نے جو کاروائی کی

رائے / رپورٹ معائنہ

2- ایس۔ ڈی۔ ای۔ او۔ صاحب سرمدان تحصیل و ضلع
ڈیرہ راجہ پورہ

Attested
26/02/2018

Attested
Sagun
Att.

Attested
Sagun
Att.

Sh. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Bar D.I. Khan
0300-4887850



OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN

(19)

Ann "B"

ORDER

On the recommendation of all the concerned SDEOs (M) in District DIKhan in joint DSC for Transfer/Mutual Transfer held on 12/09/2017, the following teachers are hereby transferred against the Schools noted against their names in the interest of public service with immediate effect.

S.NO	NAME & DESIGNATION	FROM	TO	REMARKS
1	Qaiser Shakil PSHT	GPS Khalil Abad DIK	GPS Sohail Abad DIK	On Vacant Post
2	M Laqman PSHT	GPS Umer Boba Paroa	GPS Basti Tareen DIK	On Vacant Post
3	Ghulam Qadir PSHT	GPS Koker Gharbi DIK	GPS Faqeer Abad DIK	On Vacant Post
4	Javeed Hassan PSHT	GPS Hayyat Bochra Paroa	GPS Koker Gharbi DIK	Vice No 03
5	Saloom Javeed PSHT	GPS Khayara Bashrat	GPS Muryali DIK	On Vacant Post
6	Jamil Ahmad PSHT	GPS Basti Dirkhan DIK	GPS Ruknow DIK	On complaint
7	Raza Hassan PSHT	GPS Mandra Saidan DIK	GPS Basti Dirkhan DIK	Vice No 06
8	M Farooq PSHT	GPS Jhoke Bashrat DIK	GPS Mandra Saidan DIK	Vice No 07
9	Muhammad Farooq PSHT	GPS Fatha DIK	GPS Zafar Abad DIK	On Vacant Post
10	M Yousif PSHT	GPS Sheru Kohana DIK	GPS Teekin DIK	On Vacant Post
11	M Younis PSHT	GPS Gandi Essab Kulachi	GPS Sheru Kohana DIK	Vice No 10
12	Hidayat Ullah PSHT	GPS Saidu Wali Kacha DIK	GPS Khalil Abad DIK	Vice No 01
13	Asmat Ullah PSHT	GPS Chahkan DIK	GPS Jhoke Bashrat DIK	On complaint
14	Abdul Majeed PSHT	GPS Zandani DIK	GPS Saidu Wali Kacha DIK	On complaint
15	Tahir Ahmad Wasil PSHT	GPS Bhutaser Gharbi	GPS Zandani	Vice No 14
16	Aziz Ullah PSHT	GPS Saggu Janubi	GPS Chahkan DIK	Vice No 13
17	Syed Sajid Hussain Shah PSHT	GPS Khana Malakhi Paroa	GPS No 6 DIK	On Vacant Post
18	M Janshed Akhtar PSHT	GPS Kachi Pains Khan DIK	GPS No 3 Shar Kot DIK	On Vacant Post
19	Akhter Abbas PSHT	GPS Wazir Abad	GPS Kachi Pains Khan	Vice No 18
20	Hashmat Ullah PSHT	GPS Chah Hussain Khan	GPS Wazir Abad	Vice No 19
21	Abdul Manan PSHT	GPS Tahir Majeed Karoona	GPS Jhoke Ilahi Bakhsh	On Vacant Post/Complaint
22	Abdul Hameed PSHT	GPS No 1 Basti Ali	GPS Tahir Majeed Karoona	Vice No 21
23	Asif Mehmood PSHT	GPS No 2 Haji Morah	GPS Sheru Now	On complaint
24	M Irfan PSHT	GPS Ruk Now	GPS No 2 Haji Morah	Vice No 23
25	Nawab Khan PSHT	GPS Gara Nawabi	GPS Shaikh Budin	On Vacant Post
26	Jamil Ahmad PSHT	GPS Kot Musa	GPS Fatha	Vice No 09
27	Abdur Rasheed PSHT	GPS Gara Jatt Daraban Kalan	GPS Wanda Kotrian Paharpur	Against Vacant Post
28	Tahir Noor Shah PSHT	GPS Muhammad Abad Paroa	GPS Wanda Maddat Paharpur	Against Vacant Post
29	Zulfiqar PSHT	GPS Kalu Qalandar Paharpur	GPS Bigwani Shumali Paharpur	Against Vacant Post
30	Abdul Latif PSHT	GPS Bait Metla Paroa	GPS Kalu Qalandar Paharpur	Vice No 29
31	Aziz Ullah PSHT	GPS Bait Kalu Khan Paroa	GPS Jhoke Maikani Paharpur	Against Vacant Post
32	Shahid Ul Hassan PSHT	GPS Bait Keraparoa	GPS Kath Garh No.1 Paharpur	Against Vacant Post
33	Muhammad Riaz PSHT	GPS Gurwali Daraban Kalan	GPS Jhoke Jabana Paharpur	Against V/Post due to retirement w.e.f 01/10/2017
34	Ubaid Ullah Anwar PSHT	GPS Kind Basti Kulachi	GPS Gara Jana Kulachi	Vice S.No. 35 (Mutual Transfer)

Attested

Seyfar
AHC

Sh. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Bar D.I. Khan
0300-4887850

20

35	Muhammad Ishaq PSHT	GPS Gara Jana Kulachi	GPS Khod Basti Kulachi	Vice S.No. 34 (Mutual Transfer)
36	Arfan Ullah PSHT	GPS Kanori Kulachi	GPS Gara Qalandar DIKhan	Vice S.No. 37 (Mutual Transfer)
37	Ahmad Nawaz PSHT	GPS Gara Qalandar DIKhan	GPS Kanori Kulachi	Vice S.No. 36 (Mutual Transfer)
38	Muhammad Razaan PSHT	GPS Gara Mada Kulachi	GPS No.2 Ranazai Kulachi	Against Vacant Post due to retirement
39	Muhammad Iqbal Shah PSHT	GPS Gara Bhuki Daraban Kalan	GPS Gara Azak Daraban Kalan	Vice S.No. 40
40	Muhammad Saleem PSHT	GPS Gara Azak Daraban Kalan	GPS Basti Balochan Chaudhwan, Daraban Kalan	Against Vacant Post
41	Amah Ullah SPST	GPS Dholka Jadeed Daraban Kalan	GPS Gandhi Umar Khan No.3 Daraban Kalan	Vice S.No. 42 (Mutual Transfer)
42	Sibghat Ullah PST	GPS No.3 Gandhi Umar Khan Daraban Kalan	GPS Dholka Jadeed Daraban Kalan	Vice S.No. 41 (Mutual Transfer)
43	Salah Ud Din SPST	GPS Gara Marbo Daraban Kalan	GPS Kori Hot Daraban Kalan	Against Vacant Post
44	Ali Adil Shah PST	GPS Panjan Shah Daraban Kalan	GMPS Old Gara Khan Daraban Kalan	Single Teacher School

1. Charge report should be submitted to all concerned.
2. No TA/DA is allowed.
3. Necessary entries should be made in service books.

-Sd-
**DISTRICT EDUCATION OFFICER
(MALE) BERA ISMAIL KHAN**

Endst: No. 20639-735

Dated DIKhan the 12/9 /2017

Copy is forwarded to the: -

1. Director E&SE Khyber Pakhtunkhwa Peshawar
2. District Nazim DIKhan
3. Deputy Commissioner DIKhan
4. All the SDEO (M) District DIKhan
5. District Accounts Officer DIKhan
6. Head Teacher concerned.
7. Official concerned.
8. Master File.

(Signature)
**DISTRICT EDUCATION OFFICER
(MALE) BERA ISMAIL KHAN**

*Attested
Sayar
AHE*
Sh. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Bar DIKhan
0300-4887850



(21) Amt "C" /

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN**

Tell: 09669280128- 09669280131
Email: emis:ikhan@yahoo.com

ORDER

On the basis of application received from community against the Head Teacher of GPS Kokar Gharbi. An inquiry is conducted by Zamir Ahmad ASDEO Circle Kurai DIKhan. On the recommendation of the SDEO (M) DIKhan the following teachers are hereby transferred against the Schools noted against their names on administrative grounds. In the light of findings of inquiry reports following adjustment may be made in the best interest of public.

S. NO.	Name & Designation	From	To	Remarks
1	Javed Hassan PSHT	GPS Kokar Gharbi	GPS Kot Ajab	On Complaint
2	Abdul Haleem PSHT	GPS Mandhra Maqbool	GPS Kokar Gharbi	Vice 1
3	Khalid pervez PSHT	GPS Kot Ajab	GPS Mandhra Maqbool	Vice 2

1. Charge report should be submitted to all concerned.
2. No TA/DA is allowed.
3. Necessary entries should be made in service books.

-Sd-
DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN

Endst: No. 27987-95

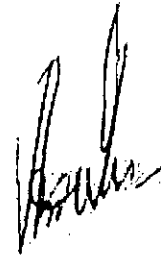
Dated DIKhan the 09/12 /2017

Copy is forwarded to the: -

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Nazim DIKhan.
3. Deputy Commissioner DIKhan.
4. SDEO (M) DIKhan.
5. District Accounts Officer D.I.Khan.
6. Head Teacher concerned.
7. Official concerned.
8. Master File.

Attested
Sohail
AHC

Sh. Sohail Puri
Advocate High Court,
Tax Advisor & Consultant
District Bar D.I.Khan
0300-887850


DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN



(22)

"Annex D"

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN**

ORDER

On the recommendation of SDEO (M) DIKhan District DIKhan, the following teachers are hereby transferred against the Schools noted against their names in the interest of public service with immediate effect.

S.NO	NAME & DESIGNATION	FROM	TO	REMARKS
1	Muhammad Javed Hassan PSHT	GPS Kot Ajab	GPS Gara Mehrban	On Complaint
2	Habib Ur Rehman PSHT	GPS Himmat Wala	GPS Kot Ajab	Vice No. 1
3	Nazir Ahmad PSHT	GPS Budh No.1	GPS Himmat Wala	Vice No. 2
4	Rehmat Ullah PSHT	GPS Gara Mehrban	GPS No.1 Budh	Against Vacant Post
5	Muhammad Ashraf PSHT	GPS Jhoke Mohana	GPS Bali Shumali	Vice No. 6
6	Gulzar Hussain PSHT	GPS Bali Shumali	GPS N.2 Pusha	Vice No. 7
7	Muhamamd Rafiq. PSHT	GPS No.2 Pusha	GPS Jhoke Mohana	Against Vacant Post

1. Charge report should be submitted to all concerned.
2. No TA/DA is allowed.
3. Necessary entries should be made in service books.

-Sd-
**DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN**

Endst: No. 13365-72

Dated DIKhan the 19/04/2018

Copy is forwarded to the: -

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Nazim DIKhan.
3. Deputy Commissioner DIKhan.
4. SDEOs (M) Concerned.
5. District Accounts Officer DIKhan.
6. Head Teacher concerned.
7. Official concerned.
8. Master File.

Attested
Sohail Puri
AHC

**DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN**

Sh. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Bar D.I.Khan
0300-4887850

OFFICE OF THE
DISTRICT EDUCATION OFFICER (W)
DEBRA ISMAIL KHAN (KHE) DISTRICT HEADQUARTERS
Dera Ismail Khan

CORRECTIONALIST

Please read the copy of order of
the office order No 1148-270 Dated 03/03/09
and the rules in the interest of public service.

Protection Serial No	Name of Teacher	Incentive Part
	Muhammad Faad PSHT	APS Govt Faisal Council
	Rahmat Ullah PSHT	APS Govt Mehran

1. TADA etc is allowed
Large reports should be submitted to

2009-1-01

For information and

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Attention to

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Handwritten signature
Saeed
A.H.

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DERA ISMAIL KHAN (KHYBER PAKHTUNKHWA)

CORRIGENDUM

Please read the correct name of school against the following PSHT promotion this office order No. 11483-550 Dated 03/03/2018 instead of incorrect place of appointment against the names in the interest of public service.

No	Promotion Serial No.	Name of Teacher	Incorrect Place of Posting	Correct Place of Posting	Remarks
	20	Muhammad Daud PSHT	GPS Garh Mehrban posted at GPS Gurwali	GPS Gara Mehrban	As Correct Place is GPS Garh Mehrban
	50	Rehmatullah PSHT	GPS Yarik # 1 DIKhan	GPS Jhok Muhammad Amin	Against Vacant Post

1. NO TA/DA is allowed.
2. Charge reports should be submitted to all concerned in duplicate

Sd/-

DISTRICT EDUCATION OFFICER
(MALE) D.I.KHAN.

Endst No. 12801-07

Dated D.I.Khan the 12/4/2018

Copy forward for information and necessary action to:

1. PS to secretary to Govt. of Khyber Pakhtunkhwa, E&SED Peshawar.
2. Director E&SED Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer Dera Ismail Khan.
4. All Sub Divisional Education Officer (Male) in District DIKhan.
5. Budget & Accounts Officer Local Office.

Attested
Soyay
AHC

Attested
Soyay
AHC
Sh. Sohail Puri
Advocate in Court
Tax Advisor & Consultant
District Bar D.I.Khan
0300-4887850

(25)

ANX = E

To

Director,
Education Department Elementary and secondary education,
Khyber Pakhtunkhwa, Peshawar.

Subject:-

**DEPARTMENTAL APPEAL/ REPRESENTATION
WITH THE REQUEST TO SET-ASIDE THE
IMPUGNED TRANSFER ORDER NO. 13365-72
DATED 19/04/2018 BEING PATENTLY ILLEGAL
PERVERSE TENDED WITH MALA FIDE AND
POLITICAL PRESSURE.**

Respected Sir,

Appellant humbly submits as under,

1. **That** the appellant has served the Education Department Dera Ismail Khan as Primary School Head Teacher (BPS-15) and has 23/24 year service. Copy of CNIC of the appellant is enclosed herewith.
2. **That** appellant is experienced person in his field of and has been performing his duties according to the entire satisfaction of his superiors.
3. **That** the appellant was serving as PSHT at GPS Hayyat Bochra Paroa since 19/05/2014 but District Education Officer (Male) Dera Ismail Khan abruptly transferred the appellant from GPS Hayyat Bochra Paroa to GPS Kokar Gharbi DIK vide transfer order No. 20639-735 dated 12/09/2017.
4. **That** on 09/12/2017, the District Education Officer (Male) Dera Ismail Khan once again transferred the appellant from GPS Kokar Gharbi DIK to GPS Kot Ajab vide Order No. 27987-95 dated 09/12/2017 within 03 Month.

Attested
Sajid
ANX

Sh. Saibul Fari
Advocate High Court
Tax Advisor & Consultant
District Bar D.I.Khan
0300-4887850

5. That on 19/04/2018, the District Education Officer (Male) Dera Ismail Khan once again transferred the appellant from GPS Kot Ajab to GPS Gara Mehrban vide impugned transfer Order No. 13365-72 dated 19/04/2018 within 04 Months of his last transfer. Whereas one PSHT Mr. Muhammad Daud is already serving at GPS Gara Mehrban. Copy of impugned transfer order dated 19/04/2018 is enclosed herewith.
6. That the appellant is much of experience in the department but unfortunately on the basis of political influence against the present appellant which is condemnable act.
7. That the appellant approached to your kind chair, inter alia, the following grounds.

GROUND:-

- A. That the impugned office Order No. 13365-72 dated 19/04/2018 is against the Constitution, Service Laws, Rules, Departmental Policy, and natural justice.
- B. That transfer of Govt. Employees can't be made on the interference of political figures which is offensive to the Constitution and the law on the subject because Ministers, MPA's, MNA's and Senators, all are under oath to discharge their duties in accordance with the Constitution and Law.
- C. That the impugned transfer order dated 19/04/2018 is against law and facts because the petitioner is transferred within 04 Months of his last transfer order dated 09/12/2017 which shows the mala fide on the part of District Education Officer (Male) Dera Ismail Khan. Moreover, the impugned transfer order has been issued after 04 Months of previous transfer which is pre-mature, on the basis of political influence, and against the service rules, hence, on this sole ground, the impugned transfer order is liable to be set aside.

*Mustaq
Sayar
Ate*

Sh. Sohail Puri
Advocate, High Court
Tax Advisor & Consultant
District Bar D.I.Khan
0300-4887850

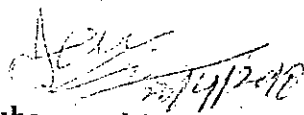
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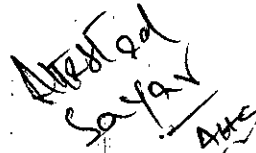
- D. That impugned transfer Order dated 19/04/2018 is issued on the influence of political figures. Hence impugned office order is liable to be declared as null and void ab-initio by your kind chair.
- E. That act of the District Education Officer (Male) Dera Ismail Khan is without jurisdiction based on mala fide hence liable to be declares as null and void by your kind chair.

IT IS THEREFORE RESPECTFULLY PRAYED THAT ON ACCEPTANCE OF THIS DEPARTMENTAL APPEAL BY DECLARING THE IMPUGNED OFFICE ORDER NO. 13365-72 DATED 19/04/2018, ISSUED BY DISTRICT EDUCATION OFFICER (MALE) DERA ISMAIL KHAN, TO THE EXTENT OF THE APPELLANT AS ILLEGAL, WITHOUT JURISDICTION, WITHOUT LAW FULL AUTHORITY AND BASED ON MALAFIDE.

Humble Petitioner

Dated: 23/04/2018


Shaikh Muhammad Javeed Hassan
Son of Sheikh Muhammad Yousuf
R/o Moh. Janubi Gali, Eidghah Kalan,
Dera Ismail Khan.
Presently working as PSHT
in Education Department
Dera Ismail Khan.


Sn. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District G-2, I.Khan
0300-4887850

No. 1199
 Received Registered Parcel

Registered Insured *Yes*

Addressed to Durrani

Weight 1.5 Kg

Value Rs 10000

Sender's Name & Address Educa...
Durrani

Postage _____ Rs
 Registration Fee _____ Rs
 Acknowledgment Fee _____ Rs
 Insurance Fee _____ Rs
 Total _____ Rs

Amount in words _____

Signature of Booking Official [Signature] Date & Stamp of Booking [Stamp]

*Attested
Sohail Puri*

Sh. Sohail Puri
 Advocate High Court
 Tax Advisor & Consultant
 District Bar D.I.Khan
 0300-4887850

(29)

AWK 2FB



OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (MALE) DERA ISMAIL KHAN

No 372

Dated 24 / 4 / 2018

RELIEVING CHIT

In the light of transfer order issued by the Distract Education Officer (Male) DIKhan Vide Endst No 13365-72 Dated 19-04-2018, Mr. Muhammad Javed Hassan PSHT GPS Kot Ajab DIKhan is hereby relieved from his duties before / after Noon on 24-04-2018. He is directed to report Sub Divisional Education Officer (Male) Kulachi for taking over charge of his new assignment.

M. T. J. 24/4/18
Soyay
Ape

M.T.J. 24/4/18
Sub Divisional Education Officer
(Male) Dera Ismail Khan

Sh. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Bar D.I.Khan
0300-4887850

روز	تاریخ	وقت	نوع	تاریخ	وقت	نوع	روز
1							
2							
3							
4							
5							
6							
7							
8							
9	12/30	7/30	JV	12/30	JV	7/30	
10	12/30	7/30	JV	12/30	JV	7/30	
11	12/30	7/30	JV	12/30	JV	7/30	
12	12/30	7/30	JV	12/30	JV	7/30	
13	11/25	7/30	JV	11/25	JV	7/30	
14	12/30	7/30	JV	12/30	JV	7/30	
15	12/30	7/30	JV	12/30	JV	7/30	
16	12/30	7/30	JV	12/30	JV	7/30	
17	12/30	7/30	JV	12/30	JV	7/30	
18	12/30	7/30	JV	12/30	JV	7/30	
19	11/25	7/30	JV	11/25	JV	7/30	
20	12/30	7/30	JV	12/30	JV	7/30	
21							on duty on duty
22							on duty 9/5/2017
23							on duty ECP
24							on duty ECP
25							on duty ECP
26							
27							
28							
29							
30							
31							

Handwritten notes in Urdu, including dates like 12/30 and 11/25, and some illegible text.

Handwritten notes in Urdu: "you are here", "LE. N. DAY", "submitted to PEO", "all the papers", "and to keep".

Attested
Suryan
A/E

Attested
Suryan
A/E



(31) Ann^o G^o

**OFFICE OF THE
DISTRICT EDUCATION OFFICER (M)
DERA ISMAIL KHAN (KHYBER PAKHTUNKHWA)**

Tel: 0966-9820131/9820128
Email: emisdikhan@yahoo.com

CORRIGENDUM

In partial modification of this office order No. 13365-72 dated 19/04/2018, please read the correct particulars as mentioned against each as follows:

S.#	Order Serial No.	Name of Teacher	Name of School Transferred From	Name of School Transferred To	Remarks
1	1	Muhamamd Javed Hassan PSHT	GPS Kot Ajab	GPS Jhoke Muhammd Amin. (Wrongly written as GPS Gara Mehrban)	On Complaint
2	4	Rehmat Ullah PSHT	GPS Jhoke Muhammad Amin (Wrongly Written as GPS Gara Mehrban)	GPS No.1 Budh	Against Vacant Post

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.

Sd/-
**District Education Officer
(M) Dera Ismail Khan**

Endst No 13840-471

Dated D.I.Khan the 25/4 2018

Copy forwarded for information and necessary action to:

1. PS to Secretary to Govt: of Khyber Pakhtunkhwa, E&SED Peshawar.
2. Director E&SED Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer Dera Ismail Khan.
4. SDEOs (Male) Concerned in District DIKhan .
5. Budget & Accounts Officer Local office.
6. Officials concerned.
7. Master File.

[Signature]
**District Education Officer
(M) Dera Ismail Khan**

*Attested
Sayar
A.K.*

Sh. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Dera Ismail Khan
0300-4887959

32


ANX'H

No: 21

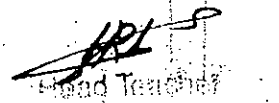
Dated: 04/5/2018

RE-LEAVING CHIT

In the light of transfer order issued by the District Education Officer (Male) DIKhan Vide Endst No.13840-47 Dated: 25-04-2018 **MR. MUHAMMAD JAVED HASSAN** PSHT GPS Kot Ajab D.I.Khan is hereby relieved from his duties afternoon on 04-05-2018. He is directed to report Sub Divisional Education Officer (Male) Parova for taking over charge of his new assignment.


ASDO
Attested
Sayed
Sayed

Sh. Sohail Puri
Advocate High Court
Tax Advisor & Consultant
District Bar D.I.Khan
0300-4887850



Head Teacher
GPS Kot Ajab Khan
D.I.Khan

33

KHYBER PAKHTUNKHWA
BAR COUNCIL

SHEIKH SOHAIL AHMAD YAR

Advocate
No-12-3280
Date of issue: July 2016
Valid upto: July 2019



Secretary
K.P. Bar Council

VAKALAT-NAMA/POWER OF ATTORNEY

BEFORE THE Service Tribunal UPK Peshawar Camp **D.I. KHAN**
In.....No...../2018

From: Appellant

Case Title Sh. M. Javed Hass VERSUS Govt. of UPK etc.

Suit/Case Detail: Service Appeal

I/WE, Appellant

the above named, hereby appoint, **Mr. Sheikh Sohail Puri, Advocate High Court,** in the above mentioned matter / case and authorize him to do all or any of the following acts, in my/our name and on my/our behalf, that is to say,

1. To appear, act and plead for me/us in the above mentioned case in this Court/tribunal in which the same may be tried or heard or any other proceedings what so ssever, ancillary thereto, including appeal, revision etc; on payment of fees separately for each court by me / us,
2. To sign, verify, file, present or withdraw all/any proceedings, petitions, appeals, cross objections and application for compromise or withdrawal, or for submission to arbitration of the said case or any other documents, as may be deemed necessary or advisable by him and to conduct prosecution or defense of the said case at all its stages,
3. to undertake execution proceedings, deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be conferred to be done for the progress and in the course of prosecution of the said case,
4. To appoint and instruct any other Advocate/ legal practitioner authorizing him to exercise the power and authority conferred upon the advocate whenever he may think fit to do so and to sign Power of Attorney on our behalf,

I /we, the undersigned do hereby agree to ratify and confirm all acts done by the advocate or his authorized substitute in the matter as my /our own acts, as if done by me/us to intents and purposes, and I / we undertake that I /we or my/our duly authorized agent shall appear in the court on all hearings and will inform the advocate(s) for appearance when case is called and I/we the undersigned agree hereby not to hold the advocate or his substitute responsible if the said case be proceeded ex-parte or dismissed in default in consequence of my/our absence from court when it is called for hearing and for the result of the said case, the adjournment costs whenever ordered by the court shall be of the advocate which he may receive and retain himself. I/we the undersigned do hereby agree that in the event of the whole or part of the fees agreed by me/us to be paid to the advocate, if remain unpaid, he shall be entitled to withdraw from prosecution of the above said case until the same is paid and fee settled is only for the above said case and above court and I /we agree hereby that once fee is paid, I/we shall not be entitled for refund of the same in any case whatsoever.

IN WITNESS WHEREOF, I /we do hereby set my/our hand to these presents, the contents of which have been read / read over, explained fully and understood by me/us on This...13th.....Day of...Aug...2018

Accepted By:

So Jav
APC

Signature(s) of Executant

Sh. M. Javed Hass

Sheikh Sohail Puri
Advocate High Court
BC: 12-3280
Cell # 0300-4887850
E-Mail: sohailpuri@gmail.com

Sh. M. Javed Hass

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No. 1091-18

Shaikh Muhammad Javed Hassan

VS

Government of KPK

COMMENTS ON BEHALF OF RESPONDENTS

Preliminary Objections

1. That the Honourable Tribunal has no jurisdiction to entertain such like appeal under **Section 10 KPK Service Tribunal Rules 1974** "No one can challenge his transfer within the Province"
2. That the transfer is not a punishment but also the part of service, the appellant was transfer on complaint basis because he was not serious about his official duty.
3. That the appellant has got no cause of action / locus standi.
4. That the appellant has not come to Honourable Tribunal with clean hands.
5. That the appellant has filed the service appeal on malafide objectives.
6. That the instant appeal is against the prevailing laws and rules.
7. That the appeal is barred by doctrine of leeches.
8. That the instant appeal is illegal and against the facts and on grounds circumstances.
9. That the service appeal is not maintainable in its present form.
10. That the appellant has concealed material facts from Honourable Tribunal.
11. That the service appeal is not maintainable in its present form.

Objections on facts

1. Para pertains to the service record of the appellant hence no comments.
2. No comments.
3. That the respondent No. 3 has transferred the appellant from GPS Hayat Bochra Tehsil Parova Distt DIKhan to GPS Khokher Gherbi DIKhan after recommendation of SDEO(M)Parova DIKhan.

4. Incorrect and not admitted. The appellant was not serious about his duty and there were complaints of the locality of Khokher Gherbi that the appellant is not performing his duty and there is a serious allegations against the appellant so he was on complaint transferred from GPS Khokher Gherbi Tehsil ----- to GPS Kot Ajab Tehsil DIKhan dated 09.12.2017.
5. Incorrect and not admitted. The appellant has irresponsible and irregular behavior there were serious allegations against the appellant from the locality of the Kot Ajab. That appellant was not performing his duty so on complaint of locality against the appellant, then appellant was transferred from GPS Kot Ajab to GPS Gara Meherban on 19.04.2018.
6. Incorrect and not admitted. There was no political influence against the appellant but the appellant was frequently transferred due to his non serious behavior. So the complaints against the appellant from the locality were not ignorable.
7. The para pertains to the departmental appeal of appellant to the Director E&SE KPK Peshawar and the appeal of the appellant was under process, hence the instant service appeal is not maintainable.
8. Incorrect and not admitted. The appellant was relived under the transfer order dated 19.04.2018 with the direction to report to the office SDEO(M)Kulachi for further duties. This act of the respondent was according to law and rule.
9. Incorrect and not admitted. The respondents were not malafide to the appellant. The appellant was not loyal to his duty.
10. This para is related to the corrigendum order dated 25.04.2018 which according to law, to clear the typing mistake in the transfer order dated 10.04.2018.
11. No comments
12. Incorrect not admitted. The service appeal of appellant is only an exercise in futility. Due to above mentioned circumstances, the service appeal of appellant may be dismissed with cost.


Objections on grounds


1. Incorrect and not admitted. The action of respondents was according to law facts with plausible justification and jurisdiction due to the conduct of appellant.


2. Incorrect and strongly denied. The transfer of the appellant was according to law, and on the basis of complaints received from the community. As no MNA or MPA or Senator was involved in the said transfer.
3. Incorrect no admitted as discussed above.
4. Incorrect and not admitted. The **Section 10 of KPK Service Tribunal Rule 1974** is very much clear that the jurisdiction of this Honourable Tribunal is barred, and this Honourable Tribunal cannot entertain such like appeals.
5. Incorrect and not admitted. The respondent No. 3 was not mala fide to the appellant.
6. That the counsel for respondents may please be allowed to raised additional grounds at the time of arguments.

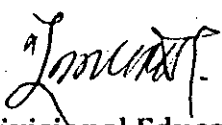
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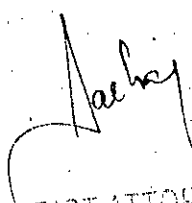
Due to above mentioned facts and judicial precedents of apex court the service appeal of appellant may be dismissed with cost.


Secretary
E&SE Department
Khyber Pakhtunkhwa Peshawar


District Education Officer
(Male) DIKhan


Director
E & S E Department
Khyber Pakhtunkhwa Peshawar


Sub-Divisional Education Officer
(Male) DIKhan

Vetted

DISTRICT ATTORNEY
Dera Ismail Khan

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No. 1091/2018

Shaikh M Javed Hassan


VS

Government of KPK

Authority

I District Education Officer (M) DIKhan hereby authorized Mr. Muhammad Kamran Khan to attend Honourable Service Tribunal KPK Peshawar on behalf of respondents in connection with submission of Para wise comments and till the decision of the service appeal.

Respondent No.3


District Education Officer
(M) DIKhan

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No. 1091/2018

Shaikh M Javed Hassan

VS

Government of KPK

Affidavit

I Mr. Muhammad Kamran Khan Assistant District Education Officer (M) DIKhan solemnly affirm and declared on oath that the content of written reply are correct to the best of my knowledge and nothing has been concealed from this Honorable Court.

M Kamran Khan
amr 29
Deponent
12/01-4307841-7

**BEFORE THE LEARNED SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR, CAMP
AT DERA ISMAIL KHAN.**

Service Appeal No. 1091/2018

**SHEIKH MUHAMMAD JAVED HASSAN
V.
GOVT. OF KPK ETC.**

**REJOINDER TO COMMENTS OF RESPONDENTS
ON PRELIMINARY OBJECTIONS**

1. **That** the preliminary objection No. 1 is incorrect.
2. **In** reply to the Para No. 2 of the preliminary objection No. 2 it is submitted that although the transfer is not a punishment, there is no proper complaint against the petitioner, and if any, then the proper procedure was not adopted, which shows that the petitioner was abruptly transferred on the basis of political influence which is condemnable.
3. **That** the preliminary objection No. 3 is incorrect.
4. **That** the preliminary objection No. 4 is incorrect.
5. **That** the preliminary objection No. 5 is incorrect.
6. **That** the preliminary objection No. 6 is incorrect.
7. **That** the preliminary objection No. 7 is incorrect.
8. **That** the preliminary objection No. 8 is incorrect.
9. **That** the preliminary objection No. 9 is incorrect.
10. **That** the preliminary objection No. 10 is incorrect.
11. **That** the preliminary objection No. 11 is incorrect.

ON OBJECTION ON FACTS

1. **That** Para No. 1 needs no rejoinder.
2. **That** Para No. 2 needs no rejoinder.
3. **In** reply to Para No. 3 it is submitted that as submitted in the main appeal the petitioner was abruptly transferred on the basis political influence,


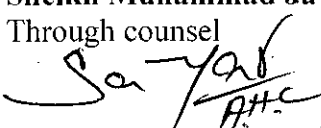
the recommendation by the SDEO (M) PROVA
DIKHAN is also one of the ring of that very chain.

4. **That** Para No. 4 is incorrect.
5. **That** Para No. 5 is incorrect.
6. **That** Para No. 6 is incorrect.
7. **That** Para No. 7 is incorrect.
8. **That** Para No. 8 is incorrect.
9. **That** Para No. 9 is incorrect.
10. **That** Para No. 10 is incorrect.
11. **That** Para No. 11 needs no reply.
12. **That** Para No. 12 is incorrect.

ON OBJECTIONS ON GROUNDS

1. **That** Para No. 1 is incorrect.
2. **That** Para No. 2 is incorrect.
3. **That** Para No. 3 is incorrect.
4. **That** Para No. 4 is incorrect.
5. **That** Para No. 5 is incorrect.
6. **That** Para No. 6 needs no reply.

**It is, therefore, humbly prayed that the above
titled appeal may please be accepted as prayed
for.**


Sheikh Muhammad Javed Hassan
Through counsel

SHEIKH SOHAIL PURI
Advocate High Court

**BEFORE THE LEARNED SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR, CAMP
AT DERA ISMAIL KHAN.**

Service Appeal No. 1091/2018

**SHEIKH MUHAMMAD JAVED HASSAN
V.
GOVT. OF KPK ETC.**

REJOINDER TO COMMENTS OF RESPONDENTS

ON PRELIMINARY OBJECTIONS

1. **That** the preliminary objection No. 1 is incorrect.
2. **In** reply to the Para No. 2 of the preliminary objection No. 2 it is submitted that although the transfer is not a punishment, there is no proper complaint against the petitioner, and if any, then the proper procedure was not adopted, which shows that the petitioner was abruptly transferred on the basis of political influence which is condemnable.
3. **That** the preliminary objection No. 3 is incorrect.
4. **That** the preliminary objection No. 4 is incorrect.
5. **That** the preliminary objection No. 5 is incorrect.
6. **That** the preliminary objection No. 6 is incorrect.
7. **That** the preliminary objection No. 7 is incorrect.
8. **That** the preliminary objection No. 8 is incorrect.
9. **That** the preliminary objection No. 9 is incorrect.
10. **That** the preliminary objection No. 10 is incorrect.
11. **That** the preliminary objection No. 11 is incorrect.

ON OBJECTION ON FACTS

1. **That** Para No. 1 needs no rejoinder.
2. **That** Para No. 2 needs no rejoinder.
3. **In** reply to Para No. 3 it is submitted that as submitted in the main appeal the petitioner was abruptly transferred on the basis political influence,

the recommendation by the SDEO (M) PROVA
DIKHAN is also one of the ring of that very chain.

4. That Para No. 4 is incorrect.
5. That Para No. 5 is incorrect.
6. That Para No. 6 is incorrect.
7. That Para No. 7 is incorrect.
8. That Para No. 8 is incorrect.
9. That Para No. 9 is incorrect.
10. That Para No. 10 is incorrect.
11. That Para No. 11 needs no reply.
12. That Para No. 12 is incorrect.

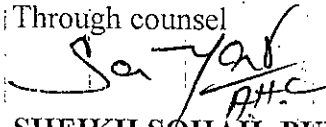
ON OBJECTIONS ON GROUNDS

1. That Para No. 1 is incorrect.
2. That Para No. 2 is incorrect.
3. That Para No. 3 is incorrect.
4. That Para No. 4 is incorrect.
5. That Para No. 5 is incorrect.
6. That Para No. 6 needs no reply.

It is, therefore, humbly prayed that the above
titled appeal may please be accepted as prayed
for.

~~Sheikh Muhammad Javed Hassan~~

Sheikh Muhammad Javed Hassan
Through counsel


SHEIKH SOHAIL PURI
Advocate High Court

**BEFORE THE LEARNED SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR, CAMP
AT DERA ISMAIL KHAN.**

Service Appeal No. 1091/2018

**SHEIKH MUHAMMAD JAVED HASSAN
V.
GOVT. OF KPK ETC.**

**REJOINDER TO COMMENTS OF RESPONDENTS
ON PRELIMINARY OBJECTIONS**

1. **That** the preliminary objection No. 1 is incorrect.
2. **In** reply to the Para No. 2 of the preliminary objection No. 2 it is submitted that although the transfer is not a punishment, there is no proper complaint against the petitioner, and if any, then the proper procedure was not adopted, which shows that the petitioner was abruptly transferred on the basis of political influence which is condemnable.
3. **That** the preliminary objection No. 3 is incorrect.
4. **That** the preliminary objection No. 4 is incorrect.
5. **That** the preliminary objection No. 5 is incorrect.
6. **That** the preliminary objection No. 6 is incorrect.
7. **That** the preliminary objection No. 7 is incorrect.
8. **That** the preliminary objection No. 8 is incorrect.
9. **That** the preliminary objection No. 9 is incorrect.
10. **That** the preliminary objection No. 10 is incorrect.
11. **That** the preliminary objection No. 11 is incorrect.

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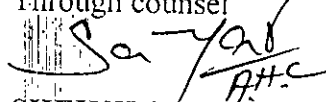
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Sheikh Muhammad Javed Hassan

Through counsel



SHEIKH SOHAIL PURI

Advocate High Court

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No. 1091-18

Shaikh Muhammad Javed Hassan

VS

Government of KPK

COMMENTS ON BEHALF OF RESPONDENTS

Preliminary Objections

1. That the Honourable Tribunal has no jurisdiction to entertain such like appeal under **Section 10 KPK Service Tribunal Rules 1974** "No one can challenge his transfer within the Province"
2. That the transfer is not a punishment but also the part of service, the appellant was transfer on complaint basis because he was not serious about his official duty.
3. That the appellant has got no cause of action / locus standi.
4. That the appellant has not come to Honourable Tribunal with clean hands.
5. That the appellant has filed the service appeal on malafide objectives.
6. That the instant appeal is against the prevailing laws and rules.
7. That the appeal is barred by doctrine of leeches.
8. That the instant appeal is illegal and against the facts and on grounds circumstances.
9. That the service appeal is not maintainable in its present form.
10. That the appellant has concealed material facts from Honourable Tribunal.
11. That the service appeal is not maintainable in its present form.

Objections on facts

1. Para pertains to the service record of the appellant hence no comments.
2. No comments.
3. That the respondent No. 3 has transferred the appellant from GPS Hayat Bochra Tehsil Parova Distt DIKhan to GPS Khokher Gherbi DIKhan after recommendation of SDEO(M)Parova DIKhan.

4. Incorrect and not admitted. The appellant was not serious about his duty and there were complaints of the locality of Khokher Gherbi that the appellant is not performing his duty and there is a serious allegations against the appellant so he was on complaint transferred from GPS Khokher Gherbi Tehsil ----- to GPS Kot Ajab Tehsil DIKhan dated 09.12.2017.
5. Incorrect and not admitted. The appellant has irresponsible and irregular behavior there were serious allegations against the appellant from the locality of the Kot Ajab. That appellant was not performing his duty so on complaint of locality against the appellant, then appellant was transferred from GPS Kot Ajab to GPS Gara Meherban on 19.04.2018.
6. Incorrect and not admitted. There was no political influence against the appellant but the appellant was frequently transferred due to his non serious behavior. So the complaints against the appellant from the locality were not ignorable.
7. The para pertains to the departmental appeal of appellant to the Director E&SE KPK Peshawar and the appeal of the appellant was under process, hence the instant service appeal is not maintainable.
8. Incorrect and not admitted. The appellant was relived under the transfer order dated 19.04.2018 with the direction to report to the office SDEO(M)Kulachi for further duties. This act of the respondent was according to law and rule.
9. Incorrect and not admitted. The respondents were not malafide to the appellant. The appellant was not loyal to his duty.
10. This para is related to the corrigendum order dated 25.04.2018 which according to law, to clear the typing mistake in the transfer order dated 10.04.2018.
11. No comments
12. Incorrect not admitted. The service appeal of appellant is only an exercise in futility. Due to above mentioned circumstances, the service appeal of appellant may be dismissed with cost.

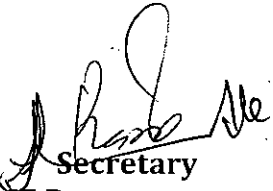
Objections on grounds

1. Incorrect and not admitted. The action of respondents was according to law facts with plausible justification and jurisdiction due to the conduct of appellant.

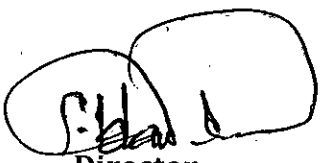
2. Incorrect and strongly denied. The transfer of the appellant was according to law, and on the basis of complaints received from the community. As no MNA or MPA or Senator was involved in the said transfer.
3. Incorrect no admitted as discussed above.
4. Incorrect and not admitted. The **Section 10 of KPK Service Tribunal Rule 1974** is very much clear that the jurisdiction of this Honourable Tribunal is barred, and this Honourable Tribunal cannot entertain such like appeals.
5. Incorrect and not admitted. The respondent No. 3 was not malafide to the appellant.
6. That the counsel for respondents may please be allowed to raised additional grounds at the time of arguments.


Pray

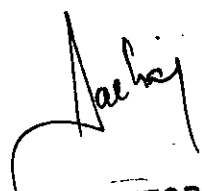
Due to above mentioned facts and judicial precedents of apex court the service appeal of appellant may be dismissed with cost.


Secretary
E&SE Department
Khyber Pakhtunkhwa Peshawar


District Education Officer
(Male) DIKhan


Director
E & S E Department
Khyber Pakhtunkhwa Peshawar


Sub-Divisional Education Officer
(Male) DIKhan

Vetted

DISTRICT ATTORNEY
Dera Ismail Khan

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No. 1091/2018

Shaikh M Javed Hassan


VS

Government of KPK

Authority

I District Education Officer (M) DIKhan hereby authorized Mr. Muhammad Kamran Khan to attend Honourable Service Tribunal KPK Peshawar on behalf of respondents in connection with submission of Para wise comments and till the decision of the service appeal.

Respondent No.3


District Education Officer
(M) DIKhan

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No. 1091/2018

Shaikh M Javed Hassan

VS

Government of KPK

Affidavit

I Mr. Muhammad Kamran Khan Assistant District Education Officer (M) DIKhan solemnly affirm and declared on oath that the content of written reply are correct to the best of my knowledge and nothing has been concealed from this Honorable Court.

M Kamran Khan
Deponent
12/01-4307841-7

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1749 /ST

Dated 14 / 10 / 2019

To


The District Education Officer Male,
Government of Khyber Pakhtunkhwa,
D.I. Khan.

Subject: -

JUDGMENT IN APPEAL NO. 1091/2018, SHEIKH MUHAMMAD JAVED HASSAN.

I am directed to forward herewith a certified copy of Judgement dated 24.09.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.