

Appeal No. 611/2013  
Met. Rafia Minhas.

05.11.2013

Since 6<sup>th</sup> November 2013 has been declared as holiday by the Provincial Govt vide Notification dated 05.11.2013, therefore, case adjourned to come up for preliminary hearing on 12.12.2013.


  
Member

12

13.12.2013

Clerk of counsel for the appellant present and requested for adjournment. To come up for preliminary hearing on 09.01.2014.

I request to withdraw appeal being infructuous.

  
9/1/14

  
Member

13

09.01.2014

Counsel for the appellant present and requested for withdrawal of the appeal being infructuous. In this respect his statement also recorded. As such the appeal is dismissed as withdrawn in limine. File be consigned to the record.

ANNOUNCED  
09.01.2014

  
Member

8

16.07.2013

Clerk of counsel for the appellant present and requested for adjournment. Case is adjourned. To come up for preliminary hearing on 09.09.2013.




Member

9

09.09.2013

Counsel for the appellant present and requested for adjournment. Case is adjourned. To come up for preliminary hearing on 23.09.2013.

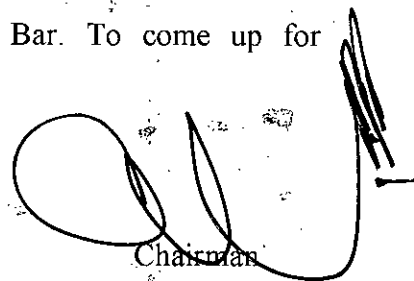


Member

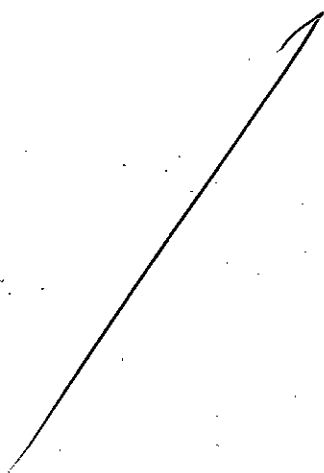
10

23.9.2013

Clerk of counsel for the appellant present, and requested for adjournment due to strike of the Bar. To come up for preliminary hearing on 06.11.2013.



Chairman



5.  
21.05.2013

Munshi to counsel for the appellant present. In pursuance of the Khyber Pakhtunkhwa Service Tribunals (Amendment Ordinance, 2013 (Khyber Pakhtunkhwa Order II of 2013), the case is adjourned on note Reader for proceeding as before on 4.6.2013

  
Reader.

6.  
4.6.2013

Munshi to Counsel for the appellant present. In pursuance of the Khyber Pakhtunkhwa Service Tribunals (Amendment) Ordinance 2013, (Khyber Pakhtunkhwa ord. II of 2013), the case is adjourned on note Reader for proceedings as before on 28.6.2013.

  
Reader

7.  
28-6-2013,

Munshi to counsel for the appellant present. In pursuance of the Khyber Pakhtunkhwa Service Tribunals (Amendment) Ordinance 2013, (Khyber Pakhtunkhwa ord. II of 2013), the case is adjourned on note Reader for proceedings as before on 16.07.2013.

  
Reader

10.5.2013

Since 10<sup>th</sup> May 2013 has been declared as holiday

on account of Election, the case is therefore, adjourned to

21-5-2013 for preliminary hearing.

*Gul*  
Rander

APPENDIX /

The following candidates (C.T. Regular trained) are hereby temporarily appointed against C.T. post in the schools noted against each in B.P.S.No.9 plus usual allowances as due & admissible to them under the rules from the date of taking over charge in the interest of public service subject to the terms & conditions given below:-

S.No. Name/Qualifications. Residence. School where appointed. Remarks.

1.	1. Iqbal Hussain, F.A.C.T. S/O Sultan Ibrahim.	Village Badkhan, P.O. Jalal. Mkd: Agency.	GHS, Jalal. Mkd: Agency.	V. Post-
2.	2. Mohammad Naqam, F.A.C.T. S/O Razi Khan.	VILL: Bakhola, Mkd: Agency.	GHS, Bakhola, Mkd: Agency.	-do-
3.	3. Amir Gulab, F.A.C.T. FFC Mosque P.Ty: Sch. Sabil Banda.	VILL: Khamori. Mkd: Agency.	GHS, Khamori, Mkd: Agency.	-do-
4.	4. Dost Mohammad, F.A.C.T. S/O Ahmad.	VILL: P.O. Bakhola. Mkd: Agency.	GHS, Bakhola. Mkd: Agency.	-do-
5.	5. Mohammad Naqam, F.A.C.T. S/O Razi Kabor.	VILL: A/Dand dera. Mkd: Agency.	GHS, Gant U. Khol. Mkd: Agency.	-do-
6.	6. Mohammad Rahn, F.A.C.T. S/O Razi Mohammad.	VILL: P.O. Koper. Mkd: Agency.	GHS, Khamri Dera. Mkd: Agency.	-do-
7.	7. Razi Rahman, F.A.C. S/O Miran Gald Amber.	VILL: Amandara, P.O. Dhana.	GHS, Haryankot.	-do-

DISTRICT SWAT

8.	8. Shamsiah Akbar, B.Sc, C.T. S/O Shafi Bostan.	VILL: Amankot, Swat.	GHS, Kishawra.	-do-
9.	9. Abdul Helam, F.Sc C.T. S/O Rahnullah.	Dager Swat.	GHS, Gadozai.	-do-
10.	10. Arbab Ali, F.Sc, C.T. S/O Miran Gul Jan.	Amankot Swat.	GHS, Torwarzak.	-do-
11.	11. Mohammad Salim, F.A.C.T. S/O Hussain Ali.	VILL: Udigram, Swat.	GHS, Torwarzak.	-do-
12.	12. Mohammad Hasham, F.A.C.T. S/O Mohammad Kohler Shah.	VILL: Galoch Swat.	GHS, Pishmal.	-do-
13.	13. Faraz Akbar, B.A.C.E. P.P.C. S/O Shafiq Swat.	Saidu Sharif.	GHS, Shalpin.	-do-
14.	14. Amir Naqam, F.A.C.T. S/O Mohammad Hassan.	Alpurai Swat.	GHS, Butyal.	-do-
15.	15. Hedayatullah, F.A.C.T. S/O Anayatullah.	NWAK NAWAZI Chama, Swat.	GMS, Anghapur.	-do-

DISTRICT DIR

16.	16. Khan Bahadar, F.A.C. S/O Abdul Hal.	VILL: Barikot. P.O. Barikot.	GHS, Barikot. (Kohistan) Dir.	-do-
17.	17. Mohammad Raza Shah, PTC. G.S. Shah Abad, Dir.	VILL: P.O. Ouch.	GHS, Ziarat Talash. -do-	
18.	18. Abdul Halam, F.A.C.T. S/O Dost Mohammad.	VILL: Gant, P.O. Wari.	GHS, Rabat. V.N. created n	
19.	19. Miran Akbar, F.A.C.T. S/O Miran Kadir Khan.	VILL: Shamsi Khan, P.O. Suddo.	GHS, Rabat. W. Warrant post	

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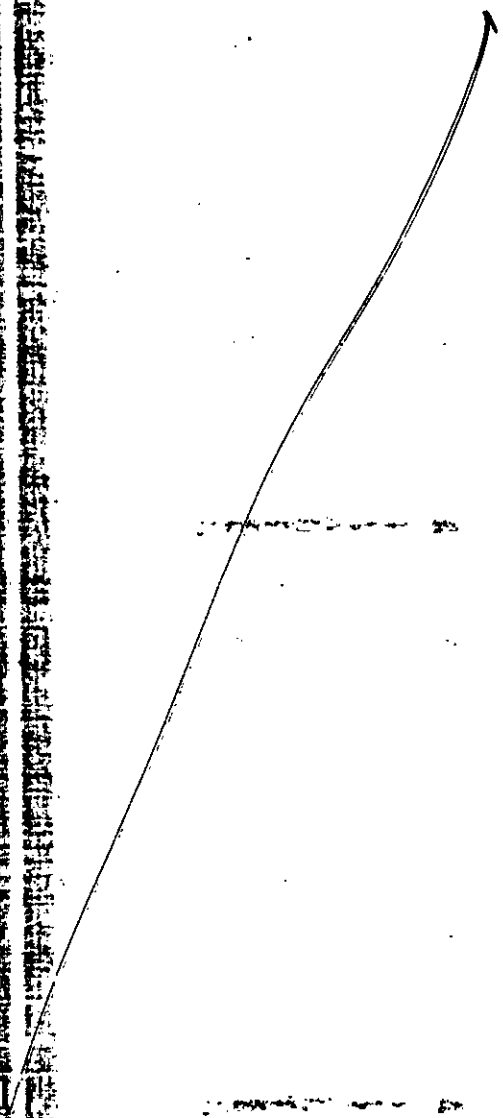


3

29.4.2013

Counsel for the appellant present. In pursuance of the judgment of the august Supreme Court of Pakistan in constitution petition No. 53 of 2007 & constitution petition No. 83 of 2012, titled Sh. Riaz-ul-Haq, Advocate Supreme Court and an other-vs-Federation of Pakistan through Ministry of Law, etc, the case is adjourned on note Reader for proceeding as before on 10.5.2013.

  
Reader


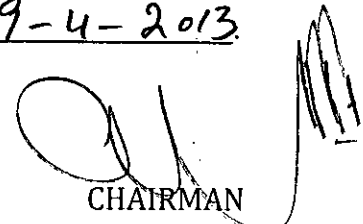


Form - A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 611/2013

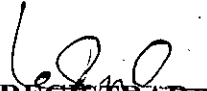
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	08/04/2013	<p>The appeal of Mst. Zakia Minhas resubmitted today by Mr. Khaled Rehman Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2		<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>29-4-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

This is an appeal filed by Mst. Zakia Minhas today on 03/04/2013 against the order dated 28-12-2012 against which she preferred a departmental appeal on 05/01/2013 which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.


No. 534 /ST,

Dt. 03/4 /2013

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

MR. KHALED REHMAN ADV. PESH.

*Si*  
Resubmitted after  
Completion of the Limi fatua  
Period.

  
8/4/13.



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 611 /2013

Mst. Zakia Minhas  
.....Appellant

Versus

The Govt. of KPK and  
others  
.....Respondents

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Through

Appellant

**Khaled Rahman**  
Advocate, Peshawar

9-B, Haroon Mansion,  
Khyber Bazar, Peshawar.  
Cell # 0345-9337312

Dated: 3 / 04/ 2013

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 611 /2013

A.W.F. Province  
Service Tribunal  
No. 675  
Date 03/4/13

Mst. Zakia Minhas,  
Female Medical Technician,  
Under transfer to District Kohistan  
Wife of Rab Nawaz,  
R/o Village Bakhshali, District Mardan. ....Appellant.

Versus

1. The Govt. of Khyber Pakhtunkhwa through  
Secretary Health, Civil Secretariat, Peshawar.
2. The Director General,  
Health Services, Khyber Pakhtunkhwa,  
Peshawar.
3. The District Health Officer,  
District Mardan. ....Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE  
KHYBER PAKHTUNKHWA SERVICE TRIBUNALS  
ACT, 1974 AGAINST THE IMPUGNED ORDER  
DATED 28.12.2012 COMMUNICATED ON 04.01.2013  
WHEREBY APPELLANT WAS TRANSFERRED TO  
DISTRICT KOHISTAN AGAINST WHICH  
APPELLANT PREFERRED DEPARTMENTAL  
REPRESENTATION ON 05.01.2013 BUT THE SAME  
WAS NOT DISPOSED OF WITHIN THE STATUTORY  
PERIOD OF 90 DAYS.

**PRAYER:**

On acceptance of the instant appeal, the impugned  
transfer order dated 28.12.2012 communicated on

Handwritten signature and date 3/4/13

re-submitted to and filed;

Handwritten signature and date 3/4/13

04.01.2013 may graciously be set aside by allowing the appellant to be posted on her previous post.

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Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. That the appellant was appointed as Female Health Technician (BPS-9) vide order dated 27.12.2005 (*Annex:-A*) by the then Executive District Officer (Health) Kohistan where she took over the charge and performed her duty for a period of more than three years, whereafter she applied (*Annex:-B*) to the competent authority for her transfer to District Mardan.
2. That the application of the appellant was processed and consequently she was transferred from District Kohistan to District Mardan vide order dated 23.06.2008 (*Annex:-C*) and posted at MMC, Mardan, however, after three months appellant was transferred and posted to BHU Bakhshali Mardan on 03.09.2008 where she submitted her arrival report (*Annex:-D*) on 12.09.2008.
3. That after serving for about 4 years, appellant was transferred from BHU Bakhshali to BHU Chargulli vide order dated 06.08.2012, however, soon the order was modified vide order dated 16.08.2012 (*Annex:-E*) she was retransferred to BHU Bakhshali and instead one Bahadar Khan having longest tenure of 26 years was transferred to BHU

Chargulli. The order was however, not implemented due to the refusal of the said Bahadar Khan.

4. That vide order dated 28.09.2012 (*Annex:-F*), appellant was transferred to RHC Palo Dheri and vide further order dated 01.10.2012 (*Annex:-G*), she was directed to perform her duty at Type-D Hospital, Shahbaz Garhi, District Mardan.
5. That vide another order dated 09.10.2012 (*Annex:-H*), appellant was further transferred and posted at the office of the then EDO (Health), Mardan for the purpose of pay, while one Mst. Ulfat Younas was retained at RHC Palo Dheri, Mardan.
6. That then all of sudden, the impugned order dated 28.12.2012 (*Annex:-I*) was issued in quite unlawful manner whereby appellant was transferred from the office of the EDO (Health)/DHO, Mardan to the office of EDO (Health)/DHO, Kohistan. The impugned order was communicated to the appellant on 04.01.2013 and on the following day i.e. 05.01.2013, appellant preferred departmental Representation (*Annex:-J*) but the same was not disposed of within the statutory period of 90 days, hence, the instant appeal inter-alia on the following grounds:-

**Grounds:**


- A. That Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully issued the impugned transfer order, which is unjust, unfair and hence not sustainable in the eye of law.
- B. That the husband of appellant is serving in WAPDA as Assistant Lineman at District Mardan vide Service Card and Service Certificate (*Annex:-K*) and the children of the appellant are studying at Sudam Children Academy, Rustam Mardan vide Receipts (*Annex:-L*) and therefore, not only on humanitarian grounds but under the Spouse Policy too appellant is entitled to be posted at the same station with her husband.
- C. That while passing the impugned order, transfer posting policy (*Annex:-M*) issued by the Provincial Government has been violated.
- D. That the impugned order is ill-motivated, based on malafide intentions in order to victimize the appellant because on the one hand, appellant has been posted out to District Kohistan while on the other hand numerous other female Health Technicians have been transferred from various districts to District Mardan viz, Mst. Nasreen FMT has been transferred to Mardan from District Dir

Lower; Mst. Roman Bibi, Mst. Noor Mahal, Mst. Noor Jahan and Mst. Zubaida Dais, have been transferred to Mardan from District Kohistan, Swat, Bajaur; Mst. Khayam Dental Technician has been transferred to District Mardan from Waziristan; Mst. Qaisar Naz FMT has been transferred from D.I.Khan; Muhammad Umar Hayat, Medical Technician from Kohistan; Mst. Rasheeda Begum, LHV from Hangu. Thus great injustice has been meted out to the appellant by passing the impugned order.

- E. That the impugned order is neither in the public interest nor in exigency of service but is based upon malafide in order to unlawfully victimize her.
- F. That as per the District Cadre Policy once an employee is transferred to her own district then after that the employee becomes part and parcel of the District Cadre and she cannot be subjected to any further out-district transfer.
- G. That the impugned order has been issued prematurely inas much as appellant has been subjected to numerous transfers within a short span of time which is against the ethics of good governance.
- H. That appellant also begs to submit other grounds at the time of arguments.

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

Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

  
Appellant

Through

  
Khafed Rahman,  
Advocate, Peshawar.

Dated: 02/04/2013

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR****Service Appeal No. \_\_\_\_\_/2012**

Mst. Zakia Minhas .....Applicant.

Versus

The Govt. of KPK and others.....Respondents

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**Application for suspending the operation of the impugned order dated 28.12.2012 till the final disposal of the instant appeal.**

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Respectfully Sheweth,

1. That the above titled service appeal is being filed today which is yet to be fixed for hearing.
2. That the facts alleged and grounds taken in the body of main appeal may kindly be as an integral part of this application, which make out an excellent prima facie case in favour of the appellant.
3. That the balance of convenience also lies in favour of appellant and in case the impugned order is not suspended the appellant will suffer irreparable loss.

It is, therefore, humbly prayed that on acceptance of this application, the operation of the impugned order



28.12.2012 may graciously be suspended till the final disposal of the appeal.

*[Handwritten Signature]*  
Applicant  
*[Handwritten Signature]*  
Khaled Rahman,  
Advocate, Peshawar.

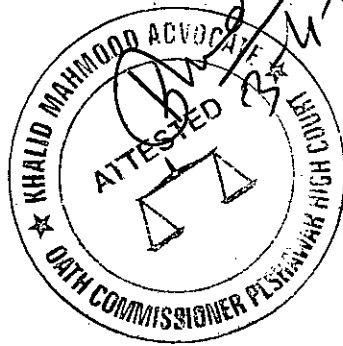
Through

Dated: 02/04/2013

Affidavit

I, Mst. Zakia Minhas, Female Medical Technician, Under transfer to District Kohistan, Wife of Rab Nawaz, R/o Village Bakhshali, District Mardan, do hereby affirm and declare on oath that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

*[Handwritten Signature]*  
Deponent



**OFFICE OF THE EXECUTIVE DISTRICT OFFICER (HEALTH) KOHISTAN.**  
**OFFICE ORDER.**

On the recommendation of the Departmental Selection Committee, Miss. Zakia Minhas D/O Mr. Amanat Khan Village Bakhshali District Mardan is hereby appointed as a Female Health Technician BPS-9 ( Rs. 2770-165-7720) against the vacant post of Female Health Technician BHU Muj Gali District Kohistan on purely contract basis for period of three (3) years plus usual allowances as admissible under the Rules on the following terms and conditions.

1. Her Certificates (Qualifications and Diplomas etc ) are found genuine after verification, otherwise the appointment order will stand cancelled from the date of its issuance and will not be legible for future employment in the Health Department.
2. She should report for duty within 15- days after the issuance of this Office order.
3. She appointment is purely on contract basis for three (3) years.
4. She will draw pay and allowances etc as admissible to BPS-9 of category to which she belongs under the rules.
5. She is domicile of NWFP.
6. She is declared medically fit for Government Services.
7. She will not be entitled for any TA/DA for joining of her first appointment and for her medical examination.
8. She will be governed by such rules and regulations and orders, which may be issued by the Government from time to time for such a category of staff to which he belongs.
9. If She wishes to resign from service at any time , She will have to resign in written by giving a prior notice of two (2) months or two (2) months pay will be forfeited in lieu thereof.
10. She will be remained on probation period for one year from the date of his joining of his service.
11. Her service will be governed under the Government of NWFP Contract Policy 2002- as well as other appropriate terms and conditions imposed by the Government from time to time.
12. She will avail the benefit of the contributory provided fund (CPF) through 5% contribution of minimum of his pay and 5% contribution to be made by Government.
13. She will not contribute to (GPF) and shall not be entitled for pension and gratuity benefits.
14. If She accept the officer on the above terms and conditions, She should report for duty to the Medical Officer Incharge BHU Muj Gali District Kohistan immediately , after the issuance of this order, otherwise, the offer of appointment will be automatically considered as cancelled .


Executive District Officer,,  
(Health) Kohistan.

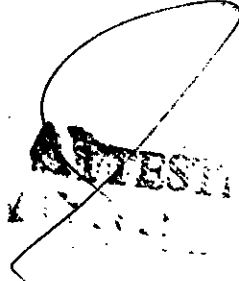
No. 821-24 /Female Health Technician Dated

Kohistan Dassu the 27/12/2005

A Copy is forwarded to the:-

1. Miss. Zakia Minhas D/O Mr. Amanat Khan Village Bakhshali District Mardan for information and compliance.
2. The District Accounts Officer, Kohistan.
3. The Accountant of this Office.
4. The Incharge Medical Officer BHU Muj Gali.  
For information and necessary action.

  
Executive District Officer,,  
(Health) Kohistan



حکومت جمہوریہ پاکستان صوبائی وزیر صحت حکومت ہونہ

عنوان : درخواست برآمد تبادلہ

صا - عالی :

انتہائی ادب و احترام سے گزارش کیجاتی ہے کہ فرد پر ایک

شادی شدہ خاتون ہے۔ اور کھدہ صحت میں FMT پوسٹ پر فائز ہے۔

فرد پر کا لائق صلح مردان سے ہے۔ کھدہ کھدے 2، 3 سال سے فرد پر صلح کوپستان

کے RHC شہیال میں تعینات ہے۔ ایک شادی شدہ خاتون بیٹوں کی دہ

سے فرد پر کو اپنے ملازمت اور گھر بھاری دوزوں کی دیکھ کھال میں شدید مشکلات

کا سامنا ہے۔ اسلئے آگیا جان سے عاجزانہ درخواست ہے کہ سائل کے

مشکلات کو مدنظر رکھتے ہوئے سائل کا تبادلہ صلح کوپستان سے اپنے

فرد پر تاحیات دُعاواری ہے۔

24/2007

ATTEST

الف، اے

درخواست گزار فرد پر ذکیہ عباسی محل FMT راول پور شہیال

صلح کوپستان

سائن بحسنی صلح مردان

May be transferred

DG  
Per  
Signature

SYED KAMAL SHAH  
Minister Health  
N.W.F.P.

(11) Annex 2 'c'  
DIRECTORATE GENERAL HEALTH SERVICES, NWFP, PESHAWAR.

OFFICE ORDER.

As approved by the Competent authority,  
Mrs. Zakia Hekhas FMP is hereby transferred from Kohistan and  
Services are placed at the disposal of EDO(Health), Mardan for  
further posting against the vacant post of FMP at WEC Mardan  
in the interest of public service with immediate effect.

NB:- Arrival/Departure reports should please  
be submitted to this Directorate for record.

Sd/-  
DIRECTOR GENERAL HEALTH  
SERVICES, NWFP: PESHAWAR.

No. 18461-65/AB.71, Dated Pesh: the 23/6 1998.  
Copy forwarded to the :-

01. PS to Minister for Health NWFP Peshawar for information.
02. PS to Secretary Health NWFP Peshawar for information.
03. PA to DGHS NWFP Peshawar for information.
04. EDO(Health), Mardan.
05. EDO(Health), Kohistan.

for information and n/actions.

FOR DIRECTOR GENERAL HEALTH  
SERVICES, NWFP: PESHAWAR.

ATTEST

JS  
23/6/98

1

To

The SDO (H) Mardan Annex 2 D  
(12)

Through: Incharge B.H.U. Balchshali.

Sub:- Arrival report

Memo:- Reference your office order no 13201-6 dated 3/9/08. (S.D.O (H) Mardan).

R/Sir

I have the honour to submit my Arrival report here at B.H.U. Balchshali with effect from dated 12.9.08 (Fore noon). The report is sent to you for your further necessary action please.

dated: 12.9.08

Forwarded to SDO (H) Mardan for further n action please.

Yours obediently,

~~Zakia Menhas~~

Zakia Menhas  
FMT. B.H.U.  
Balchshali Mardan.

B. Khan  
Medical Officer, S/O  
B.H.U. Balchshali  
Distt: Mardan.



R/Sir

Annex E (13)

**OFFICE OF THE EXECUTIVE DISTRICT OFFICER (HEALTH) MARDAN**

Tel # 0937-9230030 Fax #. 09379230349 Email: edomardan@yahoo.com

No: \_\_\_\_\_/EDO (H).

Dated 16/8 /2012

OFFICE ORDER/CORRIGENDUM

In partial modification of this office order No.11603-51/EDO (H), Mardan, dated 06/08/2012, the amendment has been done due to which the following JPHC Technicians (MP) BPS 09 are hereby transferred with immediate effect.

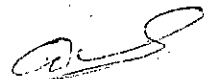
S.No	Name	From	To	Remarks
1	Zakia Manhas	Charghuli	Bakhshali	Vice No 02
2	Bahadur Khan	Bakhshali	Charghuli	Long stay of 26 years

  
Executive District Officer,  
Health Mardan.

No: 1258-86 /EDO (H)

Copy to the:

1. Director, General Health Services KPK Peshawar
  2. District Support Manager, PHC/UD Mardan
  3. All in charge of the concerned Health Facilities
  4. District controller of Accounts Mardan
  5. Accountant of EDO (H) Mardan
  6. Computer cell
  7. Office Record.
- For information and necessary action please.

  
Executive District Officer,  
Health Mardan

**REQUESTED**

District Health Department - Mardan

## OFFICE OF THE EXECUTIVE DISTRICT OFFICER, (HEALTH) MARDAN

Ph: # (0937) 2270000 Fax: # (0937) 2270009 Email: edohmr@yahoo.com

Office Order

In partial modification of this office order No. 11603-51/ED(H) dated 16.05.2012, the following posting/transferred is hereby ordered with immediate effect, in the public interest.

S.No	Name	From	To	Remarks
1.	Asia Bibi JPHC Tech: (MP)	Under transfer to BHU Charbanda	Retain at BHU Chargulli	
2.	Zakia Minhas JPHC Tech: (MP)	Under transfer to BHU Chargulli	RHC Palo Dheri	
3.	Uifat Younas JPHC Tech: (MP)	RHC Palo Dheri	BHU Machi	
4.	Miraj Ali JPHC Tech: (MP)	BHU Machi	BHU Charbanda	

NB: Departure/arrival Reports should be submitted to this office.

*S. Haseem*  
Executive District Officer,  
(Health) Mardan.

No. 11603-51/EDO (H), Mardan dated the 28/09/2012

Copy is forwarded to the:-

1. District Support Manager PPHI, DSU Mardan
2. All Incharge of the concerned health facilities.
3. Accountant EDO(H) office Mardan.
4. Computer Cell.
5. Official concerned.

for information and n/action.

*S. Haseem*  
Executive District Officer,  
(Health) Mardan.

**TESTED**

Annex 2 G1 (15)

**District Health Department - Mardan**  
**OFFICE OF THE EXECUTIVE DISTRICT OFFICER, (HEALTH) MARDAN**

Ph: # (0937) 9230030 Fax: # (0937) 9230349 Email: [edohmr@yahoo.com](mailto:edohmr@yahoo.com)

Order

Minhas JPHC Technician (MP) RHC Palo Dheri is hereby directed to report for Type-D Hospital Shahbaz Garhi with immediate effect. She will work at Type-D Hospital Shahbaz Garhi till further orders.

Attendance/arrival Reports should be submitted to this office.


*ed/sdt*  
Executive District Officer,  
(Health) Mardan.

No. *14577-21* /EDO (H) Mardan dated the *01/10/2012*

Copy is forwarded to the: -

1. SMO Incharge Type-D Hospital Shahbaz Garhi.
2. SMO Incharge RHC Palo Dheri.
3. Accountant EDO (H) office Mardan(GD).
4. Computer Cell.
5. Official concerned:

for information and n/action.

  
Executive District Officer,  
(Health) Mardan.

**ATTESTED**  
*(Handwritten mark)*

G



Annex 2 'H'

16

District Health Department - Mardan

**OFFICE OF THE EXECUTIVE DISTRICT OFFICER, (HEALTH) MARDAN**

Ph: # (0937) 9230030 Fax: # (0937) 9230349 Email: [edohmr@yahoo.com](mailto:edohmr@yahoo.com)

**Office Order**

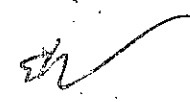
In partial modification of this office order No.14487-91/ED(H) dated 28.09.2012, the following posting/transferred is hereby is hereby ordered with immediate effect in the public interest.


S.#	Name	From	To	Remarks
1.	Zakia Minhas JPHC Tech; (MP)	Under transfer to RHC Palo Dheri	EDO(H) office [Malaria head] for purpose of pay	She will work at TDH Shahbaz Garhi till further orders.
2.	Ulfat Younas JPHC Tech; (MP)	under transfer to BHU Machi	Retain at RHC Palo Dheri	--

NB: Departure/arrival Reports should be submitted to this office.

No. 15067-73 /EDO (H), Mardan dated the 9/10/20.12  
Copy is forwarded to the: -

1. District Support Manager PPHI, DSU Mardan
  2. MO Incharge RHC Palo Dheri/BHU Machi.
  3. Accountant EDO (H) office Mardan.
  4. Computer Cell.
  5. Ulfat Younas JPHC Tech; (MP).
- for information and n/action.

  
Executive District Officer,  
(Health) Mardan.

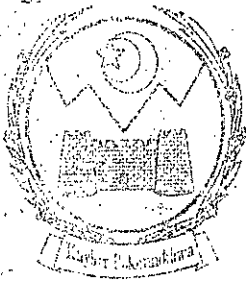
  
Executive District Officer,  
(Health) Mardan.

  
**ATTESTED**  
14/10/2012

H

(17)

Annex I



DIRECTORATE GENERAL HEALTH SERVICES  
GOVERNMENT OF KHYBER PAKHTUNKHWA

Office Ph# 091-9210269  
Exchange# 091-9210187  
091-9210196  
Fax # 091-9210230  
No: /AE.VI  
Dated:

OFFICE ORDER

Mrs. Zakia Menhas Female Medical Tech: attached to EDO (H) Mardan, is hereby transferred and posted to EDO (H) Kohistan against his original place of recruitment in the interest of public service with immediate effect:-

Arrival/ departure report should be submitted to this Directorate for record.

Sd/XXXXXXXXXXXXXXXXXXXX  
DIRECTOR GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR

NO 7731-34 /Personnel

Dated: 28/12/2012

Copy forwarded to the:-

1. ED O(H) Mardan.
2. ED O(H) Kohistan.
3. PA to DGHS, Khyber Pakhtunkhwa Peshawar.
4. Official concerned.

For information and necessary action.

ASSISTANT DIRECTOR (P-II)  
DGHS, KHYBER PAKHTUNKHWA  
PESHAWAR

Hafiz S.M. Afi Shah

(22)

03/01/2013

No 162-65 / EDO (H) Mardan 04/1/13

Copy to:

- (1) S.M.D. Incharge T.D.H. Shalibuz Garbi
- (2) Mrs. Zakia Menhas F.M.T. T.D.H. S/Santid
- (3) Asst. D.H.C. office Mardan.
- (4) computer cell.

~~TESTED~~

*[Signature]*  
DHO, Mardan.

بمختور جناب ڈائریکٹر جنرل صاحب محکمہ صحت صوبہ خیبر پختونخوا

عنوان:- درخواست بمراد منسوخی تبادلہ

جناب عالی!

مودبانہ گزارش ہے کہ سائلہ فیمل ہیلتھ میڈیکل ٹیکنیشن بنیادی مرکز صحت پلوڈھیری R.H.C مردان میں خدمات سرانجام دے رہی تھی اب جناب ڈائریکٹر جنرل صاحب نے سائلہ کا ضلع مردان سے ضلع کوہستان بحوالہ چھٹی نمبر 34-7731 تاریخ 28 دسمبر 2012 کو تبادلہ کیا گیا ہے سائلہ کی عدم موجودگی کی وجہ سے گھریلو معاملات مشکلات کا شکار ہیں اور یہ کہ خاوند سرکاری ملازم ہے اور وہ بھی مردان ضلع میں ملازم ہے اور حکومتی پالیسی کے تحت زن و شوہر کو ایک ہی مقام پر ڈیوٹی پر رکھا جائے گا۔ اس مشکلات اور انصاف کو مد نظر رکھتے ہوئے آپ صاحبان مہربانی کر کے سائلہ کا تبادلہ منسوخ کی جائے۔ سائلہ تمام عمر دعا گور ہے گی۔

آپ کی تابعدار

دکیہ منہاس زوجہ رب نواز سکھ بختالی ضلع مردان

فیمل ہیلتھ میڈیکل ٹیکنیشن بنیادی مرکز صحت پلوڈھیری R.H.C مردان

دکیہ منہاس  
5/1/13

RECEIVED

(19)

Annex 2 'K'

SERVICE CERTIFICATE

It is certified that Mr. Rahnowaz

S/o Zaristan is working in PESCO

Department as A.L.M since

10-5-1986

ASSISTANT MANAGER OPERATION  
PESCO SUB-DIVISION  
BAKSHALI

**ATTESTED**

K

SERVICE CERTIFICATE

(20)

It is Certified that  
Mr. RAB Nawaz S/o Zaristan is  
Working in this Sub Division  
as Assistant Lineman.

  
SDO Operation  
PESCO Bahkshali

SDO Operation PES  
BAKSHALI

  
ATTESTED

PH: 801321

Annex 21

21

# SUDHUM CHILDREN ACADEMY



S.No. \_\_\_\_\_

Date: 1/12/12

Bill for the month of Dec

Name Arif Nawaz Class 9

PARTICULARS	RS.
1. Admission/Promotion.....	
2. Tuition Fee.....	3500
3. Transport Fee.....	
4. Computer Fee.....	
5. Arrear for the Month of.....	
۱۔ فیس جمع کرتے وقت یہ چٹ ضرور ساتھ لائیں۔ ۲۔ فیس ہر مہینے کی 10 تاریخ سے پہلے جمع کریں۔ ۳۔ 10 تاریخ تک فیس جمع نہ ہونے کی صورت میں 2 روپے پرمیہ کے حساب سے جرمانہ ہوگا۔	✓
TOTAL	3500

NEW SOHAIL PRESS MARDAN PH: 861709

Signature

ATTESTED

(20)



**Sudhum Children Academy & Sudhum  
Science College Rustam (Mardan)**

Phone # 801321      Fee Bill      Reg: 2120

<b>Billing Month</b>		<b>October</b>	<b>Date</b>	<b>1 /10 /2012</b>
<b>Name</b>	<b>109</b>	<b>Asif Nawaz</b>	<b>Class</b>	<b>9_C</b>
<b>Father's Name</b>		<b>Rab Nawaz</b>	<b>Roll No</b>	<b>0</b>
<b>Admission/</b>				<b>0</b>
<b>Tuition Fee</b>				<b>1300</b>
<b>Late Fee Fine</b>				<b>0</b>
<b>Arrear for the month of September</b>				<b>1300</b>
<b>Total</b>				<b>2,600</b>

After 15th of the month Rs. 50 will be charged as Fine

(Signature)  
ATTES (M)  
A. S. S. S.

PH: 801321

# SUDHUM CHILDREN ACADEMY



S.No. \_\_\_\_\_

Date: 1/12/12

Bill for the month of Dec

Name Kashif Nawaz Class 8th

PARTICULARS	RS.
1. Admission/Promotion.....	
2. Tuition Fee.....	3500
3. Transport Fee.....	
4. Computer Fee.....	10500
5. Arrear for the Month of.....	14000
۱۔ فیس جمع کرتے وقت یہ چٹ ضرور ساتھ لائیں۔ ۲۔ فیس ہرمینے کی 10 تاریخ سے پہلے جمع کریں۔ ۳۔ 10 تاریخ تک فیس جمع نہ ہونے کی صورت میں 2 روپے یومیہ کے حساب سے جرمانہ ہوگا۔	
TOTAL	17500

NEW SOHAIL PRESS MARDAN PH: 861709

Signature

**ATTESTED**



24

24

**Sudhum Children Academy & Sudhum  
Science College Rustam (Mardan)**

Phone # 891321 Fee Bill Reg: 2120



<b>Billing Month</b>		<b>October</b>	<b>Date</b>	<b>1 /10 /2012</b>
<b>Name</b>	<b>112</b>	<b>Kashif Nawaz</b>	<b>Class</b>	<b>S B</b>
<b>Father's Name</b>		<b>Rab Nawaz</b>	<b>Roll No</b>	<b>R112</b>
<b>Admission/</b>				<b>0</b>
<b>Tuition Fee</b>				<b>Nil</b>
<b>Late Fee Fine</b>				<b>0</b>
<b>Arrear for the month of September</b>				<b>0</b>
<b>Total</b>				<b>0</b>

**After 15th of the month Rs. 50 will be charged as Fine**

~~Stamp and signature area~~

## Posting and Transfer

### Statutory Provision.

#### Section 10 of the NWFP Civil Servants Act, 1973.

**Posting and Transfer.** Every civil servant shall be liable to serve anywhere within or outside the Province, in any post under the Federal Government, or any Provincial Government or Local authority, or a Corporation or body set up or established by any such Government:-

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region;

Provided further that, where a civil servant is required to serve in a post outside a service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

#### Posting/transfer policy of the Provincial Government.

- i) All the posting/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 posing/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) Existing tenure of posting/transfer of three (03) years for settled areas and two (02) years for unattractive/hard areas shall be reduced to two (02) years for settled areas, 01½ years for unattractive areas and one year for hard areas.
- v) <sup>79</sup>[ ]

<sup>79</sup> Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No. SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make Posting/Transfer subject to observance of the policy and rules

ATTESTED

(26)

- vi) <sup>80</sup>While making posting/transfers of officers/officials up to BS-17 from settled areas to FATA and vice versa approval of the Chief Secretary, NWFP needs to be obtained. Save Tehsildars/Naib Tehsildars within a division in respect of whom the concerned Commissioner will exercise the same power. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor, NWFP shall be obtained.

Provided that the power to transfer Political Tehsildars and Political Naib Tehsildars within FATA between different divisions shall rest in Additional Chief Secretary FATA.

- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for at least eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/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 subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/ transfer of the unmarried female government Servants at the station of the residence of their parents.
- xi) Officers/officials except DCOs and DPOs/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 there till the retirement

<sup>80</sup> Para-VI added vide circular letter No. SOR-VI/E&AD/1-4/2010/Vol-VIII dated 20<sup>th</sup> March, 2010.

ATTESTED

<sup>81</sup>DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;

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

<b>Outside the Secretariat</b>		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
<b>In the Secretariat</b>		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent: a) Within the same Department b) To and from an Attached Department c) Within the Secretariat from one Department to another	Secretary of the Department concerned. Secretary of the Department in consultation with Head of Attached Department concerned. Secretary (Establishment)

- xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:

a) To ensure the posting of proper persons on proper posts; the Performance Evaluation Report/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.

<sup>81</sup> Added vide Urdu circular letter No: SOR-VI (E&AD)/1-4/2005, dated 9-9-2005.

~~ATTACHED~~

(28)

xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer 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.

2. 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 shown 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 Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- Require an officer to hold charge of more than one post for a period exceeding two months.

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

5. All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

(Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003).

ATTESTED