

but the principle of serving for a particular duration at this post should be followed. In the present case the petitioner was posted for a little over a month when he was again posted. Any civil servant posted to a particular post requires some time to familiarize himself with the workings of the office and the requirements of the post whereafter he will be best placed to acquit himself of the responsibilities of the post. However, a one month posting, as in the case of the petitioner, would not serve the interest of the people."

10. We are thus constrained to allow this appeal and as a resultant consequence, set aside the impugned order dated 10.03.2022 restoring the order dated 26.10.2021. The official respondents may, however, again transfer the appellant after completion of her normal tenure. As regards the private respondent No.8, the department may adjust her at a nearer station if her request is found genuine. Cost shall follow the event. Consign.

11. *Pronounced in open Court at Camp Court D.I.Khan and given under our hands and the seal of the Tribunal on this 30th day of September, 2022.*



KALIM ARSHAD KHAN
Chairman
Camp Court D.I.Khan



SALAH UD DIN
Member Judicial
Camp Court D.I.Khan

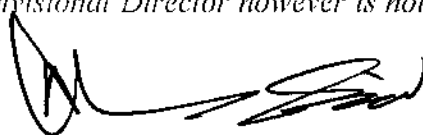
and implement it in letter and spirit whole heartedly without opting and resorting to pick and choose.

08. Tenure was originally created to give teachers academic freedom. Civil Servants do not have stability of tenure, particularly and especially in the Education Department where transfers and postings are made frequently at the whims and fancies of the executive head for political and other considerations, and not in the public interest; a fixed minimum tenure would not only enable Civil Servants to achieve their professional targets, but also help them function as effective instruments of public policy; repeated shuffling/transfer of officers is deleterious to good governance; minimum assured service tenure ensures efficient service delivery, and increased efficiency; and Civil Servants can also prioritize various social and economic measures intended to implement for the poor and marginalized sections of society.

09. In 2018 SCMR 1411 titled "Khan Muhammad Versus Chief Secretary, Government of Balochistan Quetta and others", the august Supreme Court of Pakistan was pleased to have found as under:---

"18. Under section 10 of the Act a civil servant cannot insist to be posted or transferred to a particular post but this does not mean that a civil servant can be made to serve under a subordinate. Moreover, while section 10 does not prescribe a minimum period during which a civil servant must serve at his post it does not mean that the Government without assigning any reason can move a civil servant from the place he was posted to after a month or subject the civil servant to repeated postings in a short period of time because this would amount to punishing him. Such postings also adversely affect the public interest and result in the wastage of scarce resources and constitute bad governance.

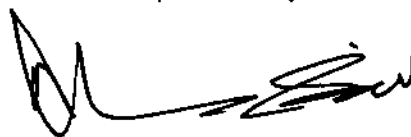
19. The Rules designate certain posts as 'tenure posts' (rule 22 read with Schedule IV of the Rules) and prescribe a period of three years for an incumbent to serve on such posts. Such prescribed tenure may therefore be categorized as the ideal duration for which a civil servant should serve at a particular post. The post of Divisional Director however is not a tenure post



05. Conversely the learned Additional Advocate General argued that as per Section-10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973, every civil servant was to serve anywhere within or outside the province. He requested that the appeal might be dismissed with cost.

06. Learned counsel for private respondent No.9 submitted that the appeal was not maintainable under Section-4 of the Service Tribunal Act 1974 on the ground that the final order dated 09.06.2022 of rejection of departmental appeal of appellant had not been assailed/challenged in the instant service appeal. He further contended that the appellant had been treated in accordance with law and rules, therefore, the instant appeal was devoid of merit and might be dismissed.

07. No doubt, a civil servant is bound to serve anywhere in the province under Section-10 of the Khyber Pakhtunkhwa Civil Servants 1973 yet there is specific provision regarding tenure of two years to be served against a post under serial (iv) of the Provincial posting/transfer Policy 2003 (amended and revised from time to time till 2010). Tenure of post of a civil servant is also protected under 2013 PLC-Supreme Court-195. Moreover, all postings/transfers should be issued strictly in the public interest and the authority in no way has to abuse or misuse it as a tool to victimize the government servants. This has been specifically mentioned at serial (i) of the said policy of the provincial government. Needless to mention that government policy has some same sanctity attached to it and the government is obligated to keep not only its sanctity intact but to follow



servant was liable to serve anywhere within or outside the province; that the impugned order was acted upon, therefore, the appeal had rendered infructuous; that the private respondent No.9 was posted against the seat of the appellant because husband of respondent No.9 was posted in DIKhan in the same department, therefore, following the spouse policy the private respondent was posted to DIKhan. The defence setup was, however, a total denial of the claim of the appellant.

03. We have heard learned counsel for the appellant, learned Additional Advocate General for official the respondents and counsel for private respondent No.9.

04. Learned counsel for the appellant argued that the impugned transfer order dated 10.03.2022 whereby the appellant had been transferred to District South Waziristan and consequent thereof respondent No.9, on the basis of favoritism, was brought to Darazinda D.I.Khan was against the law, rules and regulations framed there-under, thus was not maintainable and liable to be declared void ab-initio. Learned counsel further argued that the impugned transfer order was pre-mature and against the posting/transfer policy of the Provincial Government. He contended that under the law and policy of the Provincial Government an ordinary tenure of the service was minimum two years at a station and transfer of a civil servant before completion of ordinary tenure, without any exigency had been condemned by the Superior Courts of Pakistan. At the end he requested that the impugned order might be set aside and the appellant might be allowed to complete her normal tenure as per policy.

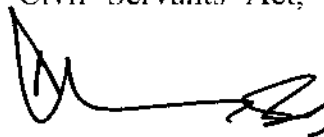


10.02.2022 WHEREBY THE APPELLANT WAS TRANSFERRED TO DISTRICT SOUTH WAZIRISTAN, WHEREAS RESPONDENT NO.9 ON THE BASIS OF FAVOURTISM, WAS BROUGHT TO DARAZINDA, D.I.KHAN IN VIOLATION OF LAW, RULES AND POLICY IN VOGUE BY THE PROVINCIAL GOVERNMENT.

JUDGMENT

KALIM ARSHAD KHAN CHAIRMAN: The appellant is serving as Sub-Divisional Education Officer (SDEO) (Female) in the Education Department, Khyber Pakhtunkhwa and was posted at Khwaza Khela District Swat vide notification dated 21.02.2019. Vide notification dated 29.08.2019, the appellant was transferred from the post of SDEO(F) Khawaza Khela to the post of SDEO(F) Sarai Naurang, Lakki Marwat. Then on 07.10.2021, the appellant was transferred from the post of SDEO(F) Sarai Naurang, Lakki Marwat to the post of SDEO(F) Newly Merged Area (NMA) Lakki Marwat. Again she was transferred from the post of SDEO(F) NMA Lakki Marwat to the post of SDEO(F) NMAs Darazinda, D.I.Khan. Just after four and half months of her transfer to D.I.Khan, the department issued another impugned transfer notification dated 10.03.2022, vide which the appellant was transferred to Ladha District South Waziristan, whereas private respondent No.9 was transferred to the D.I.Khan against her post. Not contented with the order dated 10.03.2022, she filed departmental appeal, which was not responded and the appellant then filed this appeal in this Tribunal.

02. On receipt of the appeal and its admission to full hearing, the respondents were summoned, who, on putting appearance, contested the appeal by filing reply/comments mainly on the grounds that under section 10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973, every civil



**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR CAMP COURT D.I.KHAN.**

BEFORE: KALIM ARSHAD KHAN --- CHAIRMAN
SALAH UD DIN --- MEMBER(J)

Service Appeal No.1090/2022

Mst. Fozia Parveen, SDEO (Female) Darazinda, D.I.Khan.
.....(*Appellant*)

Versus

1. Government of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
2. Chief Secretary, to government of Khyber Pakhtunkhwa Elementary & Secondary Education Department, Peshawar.
3. Secretary, Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
4. Director Education, Department (E&SE) Khyber Pakhtunkhwa Peshawar.
5. District Education Officer (Female), Dera Ismail Khan.
6. District Education Officer (Female), South Waziristan.
7. District Education Officer (Female), Dir Lower.
8. District Accounts Officer D.I.Khan (Deleted).
9. Mst. Samina Shahnaz, SDEO, (Female) Munda, Dir Lower.
.....(*Respondents*)

Present:

Mr. Ahmad Ali,
Advocate.....For appellant.

Mr. Muhammad Adeel Butt,
Additional Advocate General.....For official respondents.

Mr. Zia Ur Rehman,
Advocate.....For private respondent No.9

Date of Institution.....05.07.2022
Date of Hearing.....30.09.2022
Date of Decision.....30.09.2022

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AIMED
AGAINST THE IMPUGNED NOTIFICATION BEARING NO.
SO (MC)/E&SED/4-16/2021/POSTING/TRANSFER/MC DATED



ORDER

30th Sept, 2022

1. Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for official respondents and counsel for private respondent No. 9 present.

2. Vide our detailed judgement of today placed on file (containing 06 pages), we are thus constrained to allow this appeal and as a resultant consequence, set aside the impugned order dated 10.03.2022 restoring the order dated 26.10.2022. The official respondents may, however, again transfer the appellant after completion of her normal tenure. As regards the private respondent No.8, the department may adjust her at a nearer station if her request is found genuine. Costs shall follow the event. Consign.

3. *Pronounced in open court at D.I.Khan and given under our hands and seal of the Tribunal on this 30th day of September, 2022.*



(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

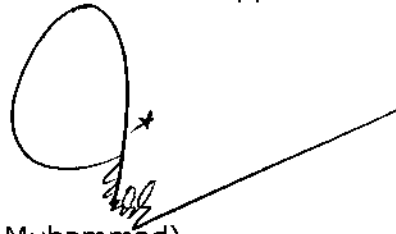


(Salah Ud Din)
Member(Judicial)
Camp Court D.I.Khan

20.09.2022

Learned counsel for the appellant present. Mr. Khalid Saeed, Litigation Officer alongwith Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for official respondents No. 1 to 8 present. Private respondent No. 9 alongwith her counsel present. Learned counsel for the appellant submitted an application for review of order dated 13.09.2022, whereby cost of Rs. 10,000/- was imposed upon the appellant. Learned counsel for private respondent No. 9 stated at the bar that he is having no objection on the said application.

Today's date was fixed for arguments on the application for vacation of stay. When the appeal in hand was earlier called on for hearing, learned counsel for private respondent No. 9 was stated to be busy in august Peshawar High Court, D.I.Khan Bench. Learned counsel for private respondent No. 9 is now present, however arguments could not be heard due to paucity of time. Learned counsel for the parties as well as learned Assistant Advocate General requested that the appeal in hand may be fixed on 30.09.2022 and arguments on the main appeal may also be heard on the said date. Adjourned. To come up for arguments on the applications as well as main appeal before the D.B on 30.09.2022.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

13.09.2022

Appellant present through husband.

Muhammad Adeel Butt, learned Additional Advocate General alongwith Khalid Saeed Litigation Officer for official respondents No.1 to 8 present. Private respondent No.9 present in person alongwith counsel.

At the very outset a request was made for adjournment on behalf of learned counsel for appellant being busy in Peshawar High Court, D.I.Khan Bench, therefore, last chance is given on payment of cost of Rs.10,000/- to be paid to the respondent No.9 on the next date positively. Husband of appellant is strictly directed to make sure the presence of her counsel and file to come up for arguments on application on 20.09.2022 before D.B.

(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member(J)

6th September, 2022 Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Dr. Khalid Saeed Akbar, Litigation Officer for official respondents No. 1 to 8 present and counsel for private respondent No.9 present.

The matter was fixed before the learned D.B wherein an application submitted by the appellant for sending his appeal at camp court D.I.Khan as it pertained to that jurisdiction. Learned counsel for private respondent No.9 and learned AAG submitted that in this matter the transfer order of the appellant has been stayed and that is why the appellant was delaying it while learned counsel for the appellant submitted that the matter may be fixed for a date at camp court D.I.Khan in this month. It appears that there is an application for vacation of stay submitted by the Secretary Education. Let this application be heard in the next week be fixed before the D.B on 13.09.2022.

Learned counsel for the appellant very fairly submitted that inadvertently he arrayed District Accounts officer, D.I.Khan as party. He further submitted that District Accounts Officer, D.I.Khan may be deleted from the panel of respondents. The learned AAG does not have any objection. The name of District Accounts Officer, D.I.Khan thus stands deleted from the array of respondents and Office is directed to delete District Account Officer, D.I.Khan by making entries in the memo and grounds of appeal as well as register.



(Kalim Arshad Khan)
Chairman

06.09.2022

Junior to counsel for appellant present.

Naseer Ud Din Shah, learned Assistant Advocate General for official respondents No. 1 to 8 present. Private respondent No.9 present through counsel.

At the very out an application seeking transfer of the appeal in hand to Camp Court at D.I.Khan was submitted. In this view of the matter, case file is respectfully sent to the Hon'ble Chairman for further appropriate orders. Parties are directed to appear before the said Court by today.



(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member(J)

04.08.2022


No one present on behalf of appellant. Mr. Kabir Ullah Khattak, Additional Advocate General alongwith Dr. Khalid Saeed Akhtar, Litigation Officer for official respondents present. Mr. Zia Ur Rehman, Advocate for private respondent No. 9 present.

Written reply on behalf of respondents No. 1 to 7 submitted which is placed on file. Reply on behalf of respondents 8 and 9 still awaited. To come up for written reply on 22.08.2022 before S.B.


(Fareeha Paul)
Member (E)

22.08.2022 ~ Nemo for the appellant. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Dr. Khalid Saeed Akbar, Litigation Officer and Syed Naseer-ud-Din Shah, S.O for official respondents No. 1 to 7 present. Junior of learned counsel for private respondent No. 9 present.

Reply/comments on behalf of official respondents No. 1 to 7 and private respondent No. 9 have already been submitted. Reply/comments on behalf of respondent No. 8 is still awaited, therefore, notice be issued to respondent No. 8 for submission of reply/comments. Last opportunity is granted to respondent No. 8 to submit reply/comments on or before the next date. Adjourned. To come up for reply/comments on behalf of respondent No. 8 as well as arguments on 06.09.2022 before D.B. Notice be also issued to the appellant and his counsel for the date fixed.


(Mian Muhammad)
Member (E)

6th July, 2022

Learned counsel for the appellant present.

Learned counsel for the appellant submits that without allowing the appellant to complete the normal tenure, vide notification No. SO(MC) E&SED/4-16/2021/ Posting/ Transfer/ MC dated 10.03.2022, she was transferred from SDEO(F) Darazinda D.I. Khan and posted as SDEO (F) Ladha, South Waziristan (AVP). Appellant filed departmental representation on 04.04.2022, which was rejected on 09.06.2022, compelling her to file this appeal which is within time. This appeal is thus admitted to full hearing subject to all just and legal objections by the other side. Out district respondents be summoned through TCS, the expenses of which be deposited by the appellant within three days, while the local respondents be summoned through process serving agency of the learned Senior Civil Judge, Peshawar. To come up for written reply/comments on 28.07.2022 before S.B at camp court D.I. Khan. The appellant is also directed to deposit security fee within three days.

As to the application for suspension of the operation of the impugned order dated 10.03.2022, it is directed that the operation of the impugned order dated 10.03.2022, shall stand suspended till the next date subject to the notices to the other side.



(Kalim Arshad Khan)
Chairman

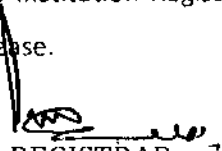

Rs-1100/-
Appellant Deposited
Security & Process Fee

A sufficient
7/7/22
Notices Issued for
04/08/22

FORM OF ORDER SHEET

Court of _____

Case No.- 1090/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/07/2022	<p>The appeal of Mst. Fozia Parveen presented today by Mr. Khaled Mehmood Sagar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	6-7-22	<p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>06-07-22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
CHECK LIST**

Case Title: Miss Fozia Perveen vs Govt of KPK

S.#	Contents	Yes	No
1.	This appeal has been presented by: <u>Counsel</u>	✓	
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	✓	
3.	Whether Appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?	✓	
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal/annexures are properly paged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?		
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/clear?		
13.	Whether copy of appeal is delivered to A.G/D.A.G?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?	✓	
16.	Whether appeal contains cuttings/overwriting?	✓	
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? on	✓	
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on	✓	
26.	Whether copies of comments/reply/rejoinder submitted? on		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on		

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

Name:

Khalid Mahmood Ad

Signature:

[Handwritten Signature]

Dated:





1973

سنگھار ماہی کار

حکومت پاکستان

قومی شناختی کارڈ

12103-1447111-8

فوزیہ پروین

عورت

شہر کراچی

شناختی دستاویز

02/03/1973

پیدائش



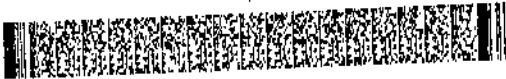
سنگھار ہسٹریو گرافی

پست نمبر: 12103-1447111-E خاندان نمبر: TG797D
موجودہ پتہ: خلد خان سائبر ایجنڈا، تحصیل پشاور، ضلع پشاور۔ سولہ میل پانچ

پست نمبر 14373034868

مسکلت پتہ: ایضاً

تاریخ اجراء: 20/05/2014 تاریخ ترمیم: 20/05/2024
گمشدہ کارڈ ملنے پر قریبی لیٹر بکس میں ڈال دیں



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

Application for interim relief in
Appeal No. 1090P of 2022

Mst. Fozia Parveen, SDEO (Female) Darazinda, Dera Ismail Khan

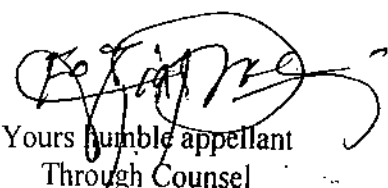
Versus


Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education
Department, Khyber Pakhtunkhwa Peshawar and others

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2	Copy of different transfer/posting notification of appellant	A, B, C & D	8-19
3	Copy of impugned notification dated 10.03.2022	E	20
4	Copy of Notification dated 07.10.2021 and Medical reports	F & G	21-24
5	Copy of Departmental Appeal/revision dated 04.04.2022 with receipts & Rejection application.	H, I	25-28
6	Vakalatnama		29-30

Dated: / / 2022


Yours humble appellant
Through Counsel


Ahmad Ali
Advocate Supreme Court

0336433-0001

1

BEFORE THE HONORABLE SERVICE TRIBUNAL,

KHYBER PAKHTUNKHWA, PESHAWAR

Khyber Pakhtunkhwa Service Tribunal

Service Appeal No. 1090 of 2022

Diary No. 627

Mst. Fozia Parveen, SDEO (Female) Darazinda, Dera Ismail Khan

Dated 05/7/2022

Appellant

Versus

1. Govt Of Khyber Pakhtunkhwa Through Secretary Elementary And Secondary Education Department, Khyber Pakhtunkhwa Peshawar
2. Chief Secretary to Government of Khyber Pakhtunkhwa, Elementary And Secondary Education Department, Peshawar
3. Secretary Elementary And Secondary Education Department, Khyber Pakhtunkhwa Peshawar
4. Director Elementary And Secondary Education Department, Khyber Pakhtunkhwa Peshawar
5. District Education Officer (Female) D.I.Khan
6. District Education Officer (Female) South Waziristan
7. District Education Officer (Female) Dir Lower
8. District Accounts Officer D.I.Khan
9. Mst. Samina shahnaz, SDEO. (Female) Munda, Dir Lower

Respondents

vide order sheet dated 6-7-2022 Respondent no 8 is deleted

Filed to-day Registrar 5/7/2022

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AIMED AGAINST THE IMPUGNED NOTIFICATION BEARING NO SO(MC)E&SED/4-16/2021/POSTING/TRANSFER/MC DATED 10.03.2022 WHEREBY THE APPELLANT WAS TRANSFERRED TO DISTRICT SOUTH WAZIRISTAN, WHEREAS RESPONDENT NO 9, ON THE BASIS OF FAVOURITISM, WAS BROUGHT TO DRAZINDA, D.I.KHAN IN VIOLATION OF LAW, RULES AND POLICY IN VOGUE BY THE PROVINCIAL GOVERNMENT

PRAYER IN APPEAL

TO SETASIDE/CANCEL THE IMPUGNED NOTIFICATION BEARING NO SO(MC)E&SED/4-16/2021/POSTING/TRANSFER/MC DATED 10.03.2022 WHEREBY THE APPELLANT WAS TRANSFERRED TO DISTRICT SOUTH WAZIRISTAN BEING ILLEGAL, NOT SUSTAINABLE IN THE EYES OF LAW, ARBITRARY, PERVERSE, TAINTED WITH MALAFIDE AND OF NO LEGAL EFFECTS AND THE APPELLANT ALLOWED TO ASSUME HER DUTY AT DRAZINDA, D.I.KHAN, TOGETHER WITH GRANT OF ANY OTHER APPROPRIATE REMEDY THAT THIS HONORABLE TRIBUNAL MAY DETERMINE IN THE LIGHT OF RELEVANT CIRCUMSTANCES.

Note: Addresses given above shall suffice the object of service.

Respectfully shewith,

The appellant prefers the instant appeal on the grounds hereinafter submitted apropos the following facts.

- years at a station and transfer of a civil servant before completion of ordinary tenure, without any legal exigency, has been condemned by the Superior Courts of Pakistan.
- c. That appellant has been made a rolling stone by the official respondents just because of the facts she is not having any political backing. Besides, respondents are pressurizing the appellant to relinquish the charge of the post and handover the same to the respondent No 9, thus the appellant has been discriminated and victimized due to extraneous and political interference without any lawful justification.
 - d. That malafide and nepotism on the part of respondents is apparent through the fact that initially they, vide notification dated 26.10.2021 transferred appellant from Lakki Marwat to Drazinda D.I.Khan whereas soon after four and half months, on 10.03.2022 the appellant has been transferred only for the benefit of respondent No 9 despite the fact that appellant has already completed her tenure at Lakki Marwat i.e. more than 2 years.
 - e. That the impugned transfer order/notification has been issued to oblige political figures of the area and therefore the same is having no legal sanctity and no worth to be maintained.
 - f. That public officers and public functionaries are bound to obey the law rules procedures and being a public servant they are required to serve the public and it is not in their duties to bow before the politicians. Impugned notification is therefore nullity in the eye of law and rights of appellant are required to be protected from the influence of political figures.
 - g. That transfer of respondent 9 to Drazinda D.I.Khan is the outcome of political influence and the same was only to oblige the political figures of the area. Respondent 09 is having a political backing while the petitioner does not and that's why petitioner is suffering a lot. The Peshawar High Court in the case reported as 2016 PLR 1468 was pleased to take serious notice of the transfer on political basis.
 - h. That the petitioner has not yet completed her ordinary tenure of the service and her transfer through impugned office order is based on malafide and is due to political victimization and also there are no compelling circumstances for the impugned transfer of petitioner before completion of her ordinary tenure.
 - i. That it has been held by the superior courts that when the ordinary tenure for a posting has been specified in the law or rules made thereunder, such tenure must be respected and cannot be varied, except for compelling reasons, which should be recorded in writing and are judicially reviewable. On this score too, the impugned transfer notification of appellant is liable to be held as illegal, void and tainted with malice on political basis.
 - j. Beside this the husband of appellant is a heart patient and recently the doctor has operated his open heart surgery and it is impossible for him to travel with the appellant in far flung areas out of District, On this score too, the impugned transfer notification of appellant is liable to be set aside.
 - k. Counsel of the appellant may please be allowed to raise additional grounds at the time of arguments.

It is therefore, most humbly prayed that service appeal may please be allowed as prayed in the prayer clause of the instant appeal.

Dated: ___/___/2022

Yours humble Appellant
Through Counsel

Ahmed Ali Khan
Advocate Supreme Court

Khalid Mehmood Sagar
Advocate D.I.Khan

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

Service Appeal No. _____ of 2022

Mst. Fozia Parveen, SDEO (Female) Darazinda, Dera Ismail Khan

Appellant

Versus



Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department, Khyber Pakhtunkhwa Peshawar and others

Respondents


SERVICE APPEAL

CERTIFICATE

Certified that this is first appeal involving the instant subject matter and that the appellant has not filed any other appeal earlier in this Honorable Tribunal regarding the above stated controversy.


Yours humble Appellant


Ahmed Ali Khan
Advocate Supreme Court

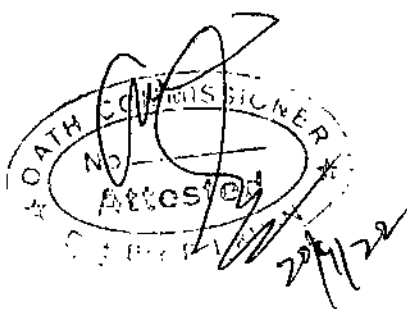

Khalid Mehmood Sagar
Advocate D.I.Khan

AFFIDAVIT

I, Mst. Fozia Parveen, SDEO (Female) Darazinda, Dera Ismail Khan, the appellant, do hereby solemnly affirm and declare on oath that all the parawise contents of above appeal are true and correct to the best of my knowledge, information and belief and that nothing has been deliberately concealed from this honorable court



Identified by Counsel
Ahmad Ali Khan
Advocate Supreme Court




Deponent

3

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

Service Appeal No. _____ of 2022

Mst. Fozia Parveen, SDEO (Female) Darazinda, Dera Ismail Khan

Appellant

Versus

Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education
Department, Khyber Pakhtunkhwa Peshawar and others

Respondents

MEMO OF ADDRESS OF THE PARTIES

APPELLANT

Mst. Fozia Parveen, SDEO (Female) Darazinda, Dera Ismail Khan

RESPONDENTS

1. Govt Of Khyber Pakhtunkhwa Through Secretary Elementary And Secondary Education
Department, Khyber Pakhtunkhwa Peshawar
2. Chief Secretary to Government of Khyber Pakhtunkhwa, Elementary And Secondary
Education Department, Peshawar
3. Secretary Elementary And Secondary Education Department, Khyber Pakhtunkhwa
Peshawar
4. Director Elementary And Secondary Education Department, Khyber Pakhtunkhwa
Peshawar
5. District Education Officer (Female) D.I.Khan
6. District Education Officer (Female) South Waziristan
7. District Education Officer (Female) Dir Lower
8. District Accounts Officer D.I.Khan
9. Mst. Samina shahnaz, SDEO, (Female) Munda, Dir Lower

Dated ___/___/2022

Counsel for appellant

6

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

Application for interim relief in
Appeal No. _____ D of 2022

Mst. Fozia Parveen, SDEO (Female) Darazinda, Dera Ismail Khan

Versus

Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education
Department, Khyber Pakhtunkhwa Peshawar and others

APPLICATION FOR SUSPENSION OF THE IMPUGNED NOTIFICATION BEARING NO SO(MC)E&SED/4-16/2021/POSTING/TRANSFER/MC DATED 10.03.2022 TILL FINAL DECISION OF THE APPEAL AND IN THE MEANWHILE RESPONDENTS MAY ALSO BE ABSTAINED FROM TAKING ANY ACTION DETRIMENTAL TO SERVICE CAREER OF APPELLANT.

Respectfully Shewith,

1. That an appeal is being filed before this tribunal and the grounds of the same may please be considered as an integral part of this application/petition.
2. That the applicant/appellant has got a good prima facie case on law as well as on facts and there is every likelihood of the success of present appeal, hence, balance of convenience tilts in favor of the applicant/appellant.
3. That the impugned transfer notification is the outcome of nepotism and for the favor of respondent No 9 and on the basis of said Notification the respondents are pressurizing petitioner to relinquish the charge. Under the law and policy of the provincial government, an ordinary tenure of the service is minimum two years at a station and transfer of a civil servant before completion of ordinary tenure without any legal exigency, has been condemned by the superior courts of Pakistan, therefore, in case of non-grant of interim relief, the applicant/appellant will suffer an irreparable loss and the appeal would also become fruitless.

It is therefore, humbly prayed that on acceptance of the present application/petition as prayed for, the operation of impugned notification bearing No.... dated may very graciously be suspended till decision of the appeal in the interest of justice.

Dated: ___/___/2022

Yours humble Appellant
Through Counsel

— Ahmed Ali Khan
Advocate Supreme Court

Khalid Mehmood Sigar
Advocate D.I.Khan

7

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

Application for interim relief in
Appeal No. _____ D of 2022

Mst. Fozia Parveen, SDEO (Female) Darazinda, Dera Ismail Khan

Versus

Government of Khyber Pakhtunkhwa through Secretary Elementary and
Secondary Education Department, Khyber Pakhtunkhwa Peshawar and others

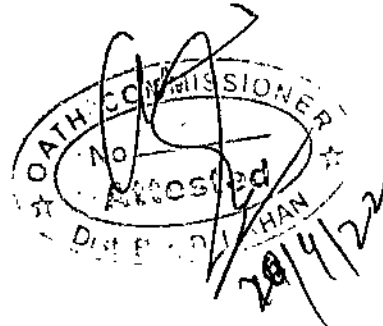
AFFIDAVIT

I, Mst. Fozia Parveen, SDEO (Female) Darazinda, Dera Ismail Khan, the appellant, do hereby solemnly affirm and declare on oath that all the parawise contents of above application/petition are true and correct to the best of my knowledge, information and belief and that nothing has been deliberately concealed from this honorable court



Deponent

Identified by Counsel
Ahmad Ali Khan
Advocate Supreme Court



OATH COMMISSIONER
No. _____
Attested
Dist Peshawar
28/4/22



(B) (15)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Fax # 091-9211419

Dated Peshawar the August 29th, 2019

NOTIFICATION

NO. SO(SF)E&SED/4-16/2019/Mst. Fouzia Parveen/SDEO/Female: Consequent upon approval of the Competent Authority; Mst. Fouzia Parveen, Sub-Divisional Education Officer (Female) BS-17 Khwazakhela Swat is hereby adjusted against the vacant post of Sub-Divisional Education Officer (Female) BS-17 Sarai Naurang Lakki Marwat, in the interest of public service, with immediate effect.

2. No TA/DA is allowed.

SECRETARY
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Endst: of even No. & Date:

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (F) Swat & Lakki Marwat.
4. District Accounts Officers Swat & Lakki Marwat.
5. PS to Secretary E&SE Department.
6. Director, EMIS Cell, E&SE Department.
7. Sub-Divisional Education Officer concerned.
8. Master file.

(GUL RUKH)

SECTION OFFICER (SCHOOLS FEMALE)

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GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211419

4. District Accounts Officers Concerned.
5. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
6. PS to Minister E&SE Khyber Pakhtunkhwa Peshawar.
7. In-charge EMIS, E&SE Department for uploading at official website.
8. PS to Secretary E&SE Department, Khyber Pakhtunkhwa.
9. Officers concerned.
10. Office order file.

[Handwritten mark]

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21-02-19

for SECTION OFFICER (SCHOOLS MALE)



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211419

99)	Mr. Raees Khan, SDEO (BS-17)	Awaiting posting	SDEO (BS-17) Male Dagar Buner A.V.P	A.V.P
100)	Mr. Faiz-ur-Rehman, HM (BS-17)	Working as SDEO (F) Hassanzai Torghar	HM (BS-17) GHS Chansair Manshra	A.V.P
101)	Mst. Jannat Khatoon SS Islamiat BS-17	working as SDEO (F) Lachi Kohat	SS Islamiat (BS-17) GGHSS Shakardara Kohat	A.V.P
102)	Mst. Perveen Akhtar H/M BS-17	working as SDEO (F) Babozai Swat	Principal (BS-18) GGHSS Fatch Pur Swat	A.V.P
103)	Mst. Zakia ASDEO (F) BS-16	working as SDEO (F) Charbagh Swat	Services placed at the disposal of Directorate of E&SE for further posting	---
104)	Mr. Muhammad Azam, DDEO (BS-18)	DDEO (Male) BS-18) Battagram	Services placed at the disposal of Directorate of E&SE	---
105)	Mr. Raja Babu Jehangir, SDEO (BS-17)	Working as DDEO (Male) Upper Kohistan	DDEO (Male) Battagram in OPS	V.S#104
106)	Mr. Raees-ur-Rehman, SDEO (BS-17)	Under transfer as SDEO (Male) (BS-17) Kohistan	Retained as SDEO (Male) Judba Torghar to avoid litigation in the HPHC Abbottabad, caused by the w/p against the previous order of Mr. Raees-ur-Rehman.	---
107)	Mr. Raja Sheraz Ahmad, HM (BS-17)	Working as SDEO (BS-17) Judba Torghar	DDEO (Male) Upper Kohistan in OPS	V.S#105

3. In terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with rule-15(1) of the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer) rules, 1989 the above named officers, on their promotion, shall be on probation for a period of one year extendable for further one year as per rules.

4. **No TA/DA is allowed.**

SECRETARY
E&SE Department
Khyber Pakhtunkhwa

Endst: of even No. & Date :-

Copy forwarded to the:

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, and hereby directed to furnish the proposal of posting/adjustment in r/o the Teaching Cadre officers working against the post of Management Cadre vide S#1, 13, 41, 46, 53, 62, 63, 64, 68 & 71 for further posting in pursuance of the above adjustment.



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar

Phone: 091-9210480, Fax # 091-9211419

82)	Mst. Yasmin Aziz HM (BS-17)	working as SDEO (F) Havelian Abbottabad	HM BS-17 GGHS Khanaspur Ayubia Abbottabad	A.V.P
83)	Mr. Shamsul Hadi SST (BS-16)	working as SDEO (F) Palas Kohistan	Services placed at the disposal of DEO (M) Kohistan for further adjustment	---
84)	Mst. Ayesha Saeed SDEO (F) Abbottabad	SDEO (F) Abbottabad	DDEO (F) Abbottabad OPS	A.V.P
85)	Mst. Jannat Khatoon SS Islamiat (BS-17)	working as SDEO (F) Lachi Kohat	SS Islamiat (BS-17) GGHS Shakardara Kohat	A.V.P
86)	Mr. Masood Khan, HM (BS-17)	Working as SDEO (F) Alai Battagram	HM (BS-17) GHS Banna Battagram	A.V.P
87)	Mst. Noreen Saba, ASDEO (BS-16)	working as SDEO (F) Tank	Service place at the disposal of Directorate of E&SE for further posting	---
88)	Mst. Shahi Gulfam, SST (BS-16)	working as SDEO (F) Puran Shangla	Service place at the disposal of DEO (F) Shangla for further posting	---
89)	Mr. Gul Bacha, SS Islamiat (BS-17)	working as SDEO (F) Lal Qila Dir Lower	SS Islamiat (BS-17) GHSS Rehanpur Dir Lower	A.V.P
90)	Mr. Anwar Khan, ASDEO (BS-16)	working as SDEO (F) Munda Dir Lower	Service placed at the disposal of Directorate of E&SE for further posting	---
91)	Mst. Yasmin Akhtar SST (BS-16)	working as SDEO (F) Khall Dir Lower	Service placed at the disposal of DEO (F) Dir Lower	---
92)	Mst. Shakila Bano HM (BS-17)	working as SDEO (F) Adenzai Dir Lower	HM (BS-17) GGHS Inzaro Dir Lower	A.V.P
93)	Mr. Muhammad Zaib, SS Islamiat (BS-17)	working as SDEO (F) Gagra Buner	SS Islamiat (BS-17) GHSS Gagra Buner	A.V.P
94)	Mr. Khush Khawas, SS Maths (BS-17)	working as SDEO (F) Khadukhel Buner	SS Maths (BS-17) GHSS Ghurgoshto Buner	A.V.P
95)	Mst. Ghazala, Parveen, SST (BS- 16)	Working as SDEO (F) Besham Shangla	Service placed at the disposal of DEO (F) Shangla for further posting	---
96)	Mst. Shaista ASDEO (BS-16)	working as SDEO (F) Shabqadar Charsadda	Service placed at the disposal of Directorate of E&SE for further posting	---
97)	Mr. Fazli Haq ASDEO (BS-16)	working as SDEO (F) Dassu Kohistan	Service placed at the disposal of Directorate of E&SE for further posting	---
98)	Mst. Hasrat Zuhra, SDEO (BS-17)	SDEO (F) BS-17 Kohat	SDEO (Female) BS-17 Dassu Kohistan	V.S#97



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211419

MALE				
63)	Mr. Qaiser Khan	Muhammad Nawaz Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
64)	Mr. Sharafuddin	Gul Nadar Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
65)	Mr. Imtiaz Khan	Gul Zaman Khan	SDEO (Male) Dir Upper	A.V.P
66)	Muhammad Khitab	Gulab	SDEO (Male) Wari Dir Upper	A.V.P
67)	Mr. Bakhtzada	Mahan Gul	SDEO (Male) Larjam Dir Upper	A.V.P
68)	Mr. Zia ur Rehman	Said Rehman	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
69)	Mr. Ihtisham ul Haq	Fazal Haq	SDEO (Male) Kalkot Dir Upper	A.V.P
70)	Muhammad Saleem	Ghulam Sarwar	SDEO (Male) BS-17 Kohistan	A.V.P
71)	Mr. Sikandar Irfan	Faiz Ullah Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
72)	Mr. Abdul Hafiz	Abdur Rashid	SDEO (Male) Chakisar Shangla	A.V.P
CONSEQUENTIAL TRANSFER				
S#	Name of officer	Present place	Adjusted as	Remarks
73)	Mst. Firasat Mumtaz HM (BS-17)	working as SDEO (F) Town-II Peshawar	HM BS-17 GGHS Sinezo Shah Charsadda	A.V.P
74)	Mst. Rana Attaullah HM (BS-17)	working as SDEO (F) Mardan	HM BS-17 GGHS Katta Khat Mardan	A.V.P
75)	Mst. Shaheen Alam SS English (BS-17)	working as SDEO (F) Swabi	SS English BS-17 GGHS Pabini Swabi	A.V.P
76)	Mst. Tujza Abasi SS Pak Study (BS-17)	working as SDEO (F) Lakki Marwat	SS Pak Study (BS-17) S.K Bala Bannu	A.V.P
77)	Mst. Iffat Younis SS H/Civics (BS-17)	working as SDEO (F) Khanpur Haripur	SS H/Civics BS-17 GGHS Kalabat Township Haripur	A.V.P
78)	Noreen Ayaz SS Biology BS-17	working as SDEO (F) Ghazi Haripur	SS Biology BS-17 GGHS Ogi Mansehra	A.V.P
79)	Mst. Shazia Bibi SS Biology (BS-17)	working as SDEO (F) Baffa Mansehra	SS Biology BS-17 GGHS Tarangri Bala Manshra	A.V.P
80)	Mst. Tahira Gohar SST BS-16	working as SDEO (F) Oghi Mansehra	Services placed at the disposal of DEO (F) Mansehra for further posting	---
81)	Mst. Asma Shaheen HM (BS-17)	working as SDEO (F) Battagram	HM BS-17 GGHS Batto Bandi Mansehra	A.V.P



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211419

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41)	Mst. Sonia Nawaz Baloch	Shah Nawaz Baloch	Services placed at the disposal of Directorate of E&SE for further posting as AD.	A.V.P
42)	Mst. Shamim Akhtar	Malik Jan	SDEO (F) BS-17 Khall Dir Lower	V.S#91
43)	Mst. Hanfia Falook	Syed Falook	SDEO (F) BS-17 Banda Daud Shah Karak	A.V.P
44)	Mst. Maryam Rasheed	Rasheed Ahmad	SDEO (F) BS-17 Pabbi Nowshera	A.V.P
45)	Mst. Naheed Fazal	Fazau Rehman	SDEO (F) BS-17 Abbottabad	V.S#84
46)	Mst. Fozia Azam	Azam Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
47)	Mst. Nazia Anjum	Abdul Rahim	SDEO (F) BS-17 Palas Kohistan	V.S#83
48)	Mst. Anisa Jamsheed	Jamshed Abbassi	SDEO (F) BS-17 Lora Abbottabad	A.V.P
49)	Mst. Maryam Aman	Aman Ullah Khan	SDEO (F) BS-17 Babuzai Swat	V.S#102
50)	Mst. Nazima Shaheen	Khani Zaman	SDEO (F) BS-17 Gagra Buner	V.S#93
51)	Mst. Shazia Bibi	Muhammad Ishraf	SDEO (F) BS-17 Mandnr Bunir	A.V.P
52)	Mst. Shaheen Bibi	Muhammad Aslam	SDEO (F) BS-17 Besham Shangla	V.S#95
53)	Mst. Najma Niaz	Azad Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
54)	Mst. Bibi Arifa	Syed Muhammad Younas Shah	SDEO (F) BS-17 Kandare Torghar	A.V.P
55)	Mst. Shabnum Bibi	Amir Nawaz Khan	SDEO (F) BS-17 Adenzai Dir Lower	V.S#92
56)	Mst. Shahnaz Begum	Qamar Zaman	SDEO (F) BS-17 Takht-e-Nusrati Karak	Already occupied
57)	Mst. Bibi Sanam	Raja Mehboob	SDEO (F) BS-17 Khadukhel Bunir	V.S#94
58)	Mst. Zeenat Begum	Sahibullah	SDEO (F) BS-17 Shabqadar Charsadda	V.S#96
59)	Mst. Nusrat Parveen	Abdul Qadar	SDEO (Female) BS-17 Torghar	A.V.P
60)	Mst. Nayyar Sultana	Muhammad Rafiq	SDEO (F) Charbagh Swat	V.S#103
61)	Mst. Shehla Naz	Sahibzada Saradar Ali	SDEO (F) BS-17 Wari Dir Upper	A.V.P
62)	Mst. Rizwana Pari	Shahdaraz Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211419

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16)	Mst. Saima Bashir	Muhammad Bashir	SDEO (F) Hassanzai Torghar	V.S#100
17)	Mst. Nasira Jabeen	Syed Israr Hussain	SDEO (F) BS-17 Lower Tannawal Abbottabad	A.V.P
18)	Mst. Fozia Parveen	Shaukatullah	SDEO (F) Khwazakhela Swat	A.V.P
19)	Mst. Bibi Ayesha Naz	Qazi Muhammad Nawaz	SDEO (F) BS-17 Alai Battagram	V.S#86
20)	Mst. Sabira Ambreen	Ghulam Zikriya	SDEO (F) BS-17 Lal Qila Dir Lower	V.S#89
21)	Mst. Syeda Nasra Azam	Syef Ghulam Habib Shah	SDEO (F) BS-17 Jehangira Nowshera	A.V.P
22)	Mst. Noor Rahat Yaseen	Adam Khan	SDEO (F) BS-17 Lachi Kohat	V.S#101
23)	Mst. Asfia Ameen	Amin ul Haq	SDEO (Female) BS-17 Kohat	V.S#98
24)	Mst. Nancy Begum	Sher Bahadar	SDEO (F) BS-17 Swabi	A.V.P
25)	Mst. Nasim Bukhari	Maqbool Shah Bukhari	SDEO (F) BS-17 Nowshera	Already occupied
26)	Mst. Gul Raj	Feroz Khan	SDEO (F) BS-17 Town-II Peshawar	V.S#73
27)	Mst. Shahida Parveen	Mir Azam Khan	SDEO (F) BS-17 Town-IV Peshawar	V.S#1
28)	Mst. Iffat Jabeen	Wali Aman Khan	SDEO (F) BS-17 Baffa Mansehra	V.S#79
29)	Mst. Nageena Bibi	Fazal Ahmad	SDEO (F) BS-17 Havelian Abbottabad	V.S#82
30)	Mst. Surriya Taj	Muhammad Taj Khan	SDEO (F) BS-17 Battagram	V.S#81
31)	Mst. Sajida Sakhi	Sakhi Muhammad	SDEO (F) BS-17 Daraband Mansehra	A.V.P
32)	Mst. Saeeda Bano	Kala Khan	SDEO (F) BS-17 Daggar Buner	A.V.P
33)	Mst. Shabana Bibi	Saifullah Khan	SDEO (F) BS-17 Tall Hangu	A.V.P
34)	Mst. Shamshad Bibi	Gul Dar Ali Khan	SDEO (F) BS-17 Munda Dir Lower	V.S#90
35)	Mst. Musarat Jamal	Sultan Nadir Khan	SDEO (F) BS-17 Booni Chitral	A.V.P
36)	Mst. Farhat Yasmeen	Gul Abbas Khan	SDEO (F) BS-17 Karak	A.V.P
37)	Mst. Malak Taja	Muhammad Usman	SDEO (F) BS-17 Mardan	V.S#74
38)	Mst. Arifa Bibi	Afsar Ali	SDEO (F) BS-17 Sheringal Dir Upper	A.V.P
39)	Mst. Mehrun Nisa	Payo Dar Khan	SDEO (F) BS-17 Hangu	A.V.P
40)	Mst. Adceela Rani	Muhammad Nawaz Khan	SDEO (F) BS-17 Balakot Mansehra	A.V.P



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Black-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 011-9221588

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15.	Mst. Shahnaz Begum SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Takhti Nusrati Karak	Sub Divisional Education Officer (Female) NMAs Jandola Tank against the newly created post.
16.	Mst. Bibi Arifa SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Mansehra	Sub Divisional Education Officer (Female) Serai Naurang Lakki Marwat.
17.	Mst. Mehar Sani SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Gaggra Buner.	Sub Divisional Education Officer (Female) Havellian Abbottabad.
18.	Mst. Farhat Yasméen SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Karak	Sub Divisional Education Officer (Female) Takhti Nusrati Karak.
19.	Mst. Bibi Ayesha Naz SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Lower Tanawal Abbottabad.	Sub Divisional Education Officer (Female) NMAs Darazinda DI Khan against the newly created post.
20.	Mst. Malak Taja SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Mardan.	Sub Divisional Education Officer (Female) Adezai Dir Lower.
21.	Mst. Shabnam Bibi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Adezai Dir Lower.	Sub Divisional Education Officer (Female) Timergara Dir Lower.
22.	Mst. Shaheen Bibi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Battagram	Sub Divisional Education Officer (Female) Kalkot Dir Upper AVP.
23.	Mst. Shamsad Bibi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Tank	Sub Divisional Education Officer (Female) Pharpur DI Khan
24.	Mst. Sonia Nawaz SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Pharpur DI Khan	Sub Divisional Education Officer (Female) Tank
25.	Mst. Naheed Fazal SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Abbottabad.	Sub Divisional Education Officer (Female) Sheringle Dir Upper AVP.
26.	Mst. Anisa Jamshed SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Lora Abbottabad.	Sub Divisional Education Officer (Female) Kumbur. Dir Lower.
27.	Mst. Nageena Bibi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Havellian Abbottabad.	Sub Divisional Education Officer (Female) Kundai Kohistan Upper AVP.
28.	Mst. Zahida Khanum SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Lakki Marwat.	Sub Divisional Education Officer (Female) Alai, Battagram AVP.
29.	Mst. Nazma Shaheen SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Khanpur Haripur	Sub Divisional Education Officer (Female) Barawal Dir Upper AVP.
30.	Mst. Sobia Tabassum (MC BS-17)	Sub Divisional Education Officer (Female) DI Khan	Sub Divisional Education Officer (Female) Domel Bannu

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar

Phone No: 091-9221500

18

31.	Mst. Farhat Yasmeen (MC BS-17)	Sub Divisional Education Officer (Female) Domel Bannu.	Sub Divisional Education Officer (Female) DI Khan
32.	Mst. Rizwana Pari (MC BS-17)	Sub Divisional Education Officer (Female) Khadu Khel Buner	Sub Divisional Education Officer (Female) Karak
33.	Mst. Shagufta Noreen (MC BS-17)	Assistant Director, Directorate of E&SE KP	Sub Divisional Education Officer (Female) Garhi Kapoora, Mardan AVP
34.	Mst. Naseem Bukhari (MC BS-17)	Waiting for posting in Directorate of E&SE KP	Sub Divisional Education Officer (Female) Khyber AVP.
35.	Mst. Azra Afridi, ASDO (BS16)	Assistant Sub-Divisional Education Officer (Female) Daggar Buner	Sub Divisional Education Officer (Female) Daggar Buner in OPS.
36.	Mst. Salma ASDEO (BS-16)	Assistant Sub- Divisional Education Officer (Female) Batkheela.	Sub Divisional Education Officer (Female) Thana Baizai Malakand in OPS.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst: of Even No & date

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female) concerned.
4. District Accounts Officers concerned.
5. Director EMIS, E&SE Department with the request to upload the posting/
transfer notification on the official website of the department.
6. PS to Chief Secretary, Khyber Pakhtunkhwa.
7. PS to Minister for E&SE Department, Khyber Pakhtunkhwa.
8. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
9. Officers concerned.
10. Master file.

(HAREEZ UR REHMAN SHAH)
SECTION OFFICER (SCHOOLS FEMALE)

Dated Peshawar the, October 26th, 2021**CORRIGENDUM**

No.SO(S/F) E&SED/4-16/2021/POSTING/TRANSFERS/MC: In partial modification of this Department's Notification of even number dated 07-10-2021, the place of posting of the following SDEOs Female (BS-17) of the Elementary & Secondary Education, Khyber Pakhtunkhwa may be read as noted against each: -

S#	Name & designation	Place of posting
1.	Mst. Syeda Nasra Azam SDEO (Female BS-17)	SDEO (Female) Town-IV, Peshawar.
2.	Mst. Naila Naz SDEO (Female BS-17)	SDEO (Female) Ghazi Haripur.
3.	Mst. Musarat Jamal SDEO (Female BS-17)	SDEO (Female) Darosh Chitral Lower.
4.	Mst. Shakeela Angum SDEO (Female BS-17)	SDEO (Female) Torkhow Mulkhow Chitral Upper
5.	Mst. Arifa Bibi SDEO (Female BS-17)	SDEO (Female) Mastuj Chitral Upper.
6.	Mst. Adeela Rani SDEO (Female BS-17)	SDEO (Female) Topi Swabi.
7.	Mst. Sajida Sakhi SDEO (Female BS-17)	SDEO (Female) Battagram, District Battagram
8.	Mst. Fozia Parveen SDEO (Female BS-17)	SDEO (Female) NMAs Darazinda DI Khan against the newly created post.
9.	Mst. Shahnaz Begum SDEO (Female BS-17)	SDEO (Female) Serai Naurang Lakki Marwat.
10.	Mst. Bibi Arifa SDEO (Female BS-17)	SDEO (Female) Alai, Battagram AVP.
11.	Mst. Bibi Ayesha Naz SDEO (Female BS-17)	SDEO (Female) Darband Mansehra.
12.	Mst. Shaheen Bibi SDEO (Female BS-17)	SDEO (Female) Besham Shangla.
13.	Mst. Nageena Bibi SDEO (Female BS-17)	SDEO (Female) Khanpur Haripur
14.	Mst. Zahida Khanum SDEO (Female BS-17)	SDEO (Female) NMAs Jandola Tank against the newly created post.
15.	Mst. Nazma Shaheen SDEO (Female BS-17)	SDEO (Female) Lower Tanawal Abbottabad.
16.	Mst. Shagufta Noreen (MC BS-17)	SDEO (Female) NMAs Khyber against the newly created post.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst: of Even No & date

Copy forwarded for information to the -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female) concerned
4. District Accounts Officers concerned
5. Director EMIS, E&SE Department with the request to upload the posting/ transfer notification on the official website of the department
6. PS to Minister for E&SE Department, Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Officers concerned

(Signature)
26/10/21



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223588

F
21

Dated Peshawar the, October 07th, 2021

NOTIFICATION

No.SO(S/F) E&SED/4-16/2021/POSTING/TRANSFERS/MC: Consequent upon their promotion to the post of Sub Divisional Education Officers (SDEOs BS-17) in Elementary & Education Department, Khyber Pakhtunkhwa as notified vide Notification No. SO(PE)/2-6/DPC Promotion ADEO/ASDEO (BS-16) to SDEO/AD(BS-17) dated 14-09-2021, the Competent Authority is pleased to order the following posting / adjustment, in the public interest, with immediate effect: -

S. No	NAME & DESIGNATION	PROPOSED PLACE OF POSTING
1.	Mst. Samina Shahnaz	Sub Divisional Education Officer (Female) Munda Dir Lower AVP
2.	Mst. Khadija Bibi	Sub Divisional Education Officer (Female) Larjam Dir Upper AVP
3.	Mst. Nadia Anjum	Sub Divisional Education Officer (Female) Chota Lahore Swabi AVP
4.	Mst. Yasmin Akhtar	Sub Divisional Education Officer (Female) Wari, Dir Upper.
5.	Mst. Syeda Humaira Mehmood	Sub Divisional Education Officer (Female) Besham Shangla AVP
6.	Mst. Shaista Begum	Sub Divisional Education Officer (Female) Shabqadar Charsadda.
7.	Mst. Shamim Akhtar Khan	Sub Divisional Education Officer (Female) Chakesar Shangla AVP
8.	Mst. Seema Saleem	Sub Divisional Education Officer (Female) Mardan
9.	Mst. Zeenat Ferdos	Sub Divisional Education Officer (Female) Banda Daud Shah, Karak
10.	Mst. Zobia Riaz	SDEO (Female BS-17) Balakot, Mansehra.
11.	Mst. Riffat Bano	Sub Divisional Education Officer (Female) Samarbagh Dir Lower AVP
12.	Mst. Shamim Akhtar	Sub Divisional Education Officer (Female) Martung Shangla AVP
13.	Mst. Shagufta Yasmeen	Sub Divisional Education Officer (Female) Nowshera AVP.

2- Consequent upon above, the following consequential posting / transfer amongst the SDEOs (Female BS-17) are hereby ordered: -

S. No	NAME & DESIGNATION	FROM	TO
1.	Mst. Salma Bashir SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Banda Daud Shah, Karak.	Sub Divisional Education Officer (Female) Daraban DI Khan.
2.	Mst. Nayyar Sultana SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Daraband Kalan DI Khan.	Sub Divisional Education Officer (Female) Gaggra Buner.



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211419

Dated Peshawar the February 21, 2019

NOTIFICATION

NO.SO(SM)E&SED/3-2/2018/Promotion of ASDEOs (BS-16) to SDEOs (BS-17): Consequent upon the recommendation of Departmental Promotion Committee, the Competent Authority/Chief Secretary Khyber Pakhtunkhwa is pleased to promote the following Seventy Eight (78) Assistant Sub-Divisional Education Officers/ Assistant District Education Officers (BS-16) to the post of Sub-Divisional Education Officers/ Assistant Directors (BS-17) (Management Cadre) in the Elementary & Secondary Education Department on regular basis.

2. On their promotion they are posted against the post as mentioned against each, with immediate effect:

S#	Name of Officer	Father Name	Posted as	Remarks
FEMALE				
1)	Mst. Nizakat Tabassum	Attaullah	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
2)	Mst. Meher Sani	Sikandar Khan	SDEO (F) BS-17 Khanpur Haripur	V.S#77
3)	Mst. Faheem Afshan	Mir Dad Khan	SDEO (F) BS-17 Judba Torghar	A.V.P
4)	Mst. Farhat Yasmeen	Ghulam Yaseen	SDEO (F) BS-17 Tank	A.V.P
5)	Mst. Kalsoom Begum	Shahnawaz Khan	SDEO (F) BS-17 Barikot Swat	A.V.P
6)	Mst. Samina Iftikhar	Iftikhar Ahmad	SDEO (F) BS-17 Puran Shangla	V.S#88
7)	Mst. Zahida Khanum	Haqnawaz Chauhan	SDEO (F) BS-17 Lakki Marwat	V.S#76
8)	Mst. Naila Naz	Ali Gohar	SDEO (F) BS-17 Topi Swabi	A.V.P
9)	Mst. Bibi Halcema Sadia	Muhammad Nasim	SDEO (F) BS-17 Domel Bannu	A.V.P
10)	Mst. Safia Bano	Shamshad Ali	SDEO (F) BS-17 Lahore Swabi	A.V.P
11)	Mst. Gul Farzana	Nawaz Khan	SDEO (F) BS-17 Torkhow Molkhow Chitral	A.V.P
12)	Mst. Shagufta Jabeen	Mufti Dad Khan	SDEO (F) BS-17 Ghazi Haripur	V.S#78
13)	Mst. Samia Ahmad	Bashir Ahmad Paracha	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
14)	Mst. Tahira Jabeen	Master Ghulam Rasool	SDEO (F) BS-17 Ogi Mansehra	A.V.P
15)	Mst. Nadia Begum	Inayatullah	SDEO (F) BS-17 Bakka Khel Bannu	A.V.P

TO BE SUBSTITUTED WITH THE NOTIFICATION BEARING THE SAME NUMBER AND DATE



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 921-9221589

Dated Peshawar the, October 07th, 2021

NOTIFICATION

No.SO(S/F) E&SED/4-16/2021/POSTING/TRANSFERS/MC: The Competent authority, in compliance with the decision of the Provincial Cabinet, is pleased to order the posting / transfers of the following Sub Divisional Education Officers (SDEOs BS-17) of the Elementary & Education Department, Khyber Pakhtunkhwa, in the public interest, with immediate effect: -

Sr. No	Name & designation	From	To
1.	Mst. Shahida Parveen SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Peshawar Town-IV vice No-15	Sub Divisional Education Officer (Female) Tangi Charsadda
2.	Mst. Zeenat Begum SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Tangi Charsadda	Sub Divisional Education Officer (Female) Town-I Peshawar.
3.	Mst. Maryam Rashid SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Town-I Peshawar.	Sub Divisional Education Officer (Female) Jehangira Nowshera.
4.	Mst. Syeda Nasra Azam SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Jehangira Nowshera.	Sub Divisional Education Officer (Female) Lower Tanawal Abbottabad.
5.	Mst. Naila Naz SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Swabi.	Sub Divisional Education Officer (Female) Chitral Lower.
6.	Mst. Musarat Jamal SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Chitral Lower.	Sub Divisional Education Officer (Female) Torkhow Mulkhow Chitral Upper
7.	Mst. Arifa Bibi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Torkhow Mulkhow Chitral Upper	Sub Divisional Education Officer (Female) Seo Kohistan Upper AVP.
8.	Mst. Nancy Begum SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Topi Swabi	Sub Divisional Education Officer (Female) Haripur
9.	Mst. Satriya Taj SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Haripur	Sub Divisional Education Officer (Female) Pabbi Nowshera
10.	Mst. Nazia Anjum SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Pabbi Nowshera	Sub Divisional Education Officer (Female) Abbottabad.
11.	Mst. Adeela Rani SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Balakot Mansehra.	Sub Divisional Education Officer (Female) Ghazi Haripur
12.	Mst. Saeeda Bano SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Ghazi Haripur.	Sub Divisional Education Officer (Female) Darband Mansehra
13.	Mst. Sajida Sakhi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Darband Mansehra.	Sub Divisional Education Officer (Female) Pattan Kohistan Lower AVP.
14.	Mst. Fozia Parveen SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Serai Naurang Lakki Marwat.	Sub Divisional Education Officer (Female) NMAs Lakki Marwat against the newly created post.



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223588

3.	Mst. Samina Yasmeen SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Charbagh Swat.	Sub Divisional Education Officer (Female) Gumbat Kohat.
4.	Mst. Kalsoom Syed (MC BS-17)	Sub Divisional Education Officer (Female) Shabqadar Charsadda.	Report to Directorate of E&SE Khyber Pakhtunkhwa.
5.	Mst. Amber Saeed SST (G) (TC BS-16)	Sub Divisional Education Officer (Female) Gumbat District Kohat.	GGMS Darband District Hangu.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst: of Even No & date

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female) cconcerned.
4. District Accounts Officers concerned.
5. Director EMIS, E&SE Department with the request to upload the posting/ transfer notification on the official website of the department.
6. PS to Minister for E&SE Department, Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Officers concerned.
9. Master file.

(Handwritten signature)
(HAFEZ UR REHMAN SHAH)
 SECTION OFFICER (SCHOOLS FEMALE)

(Handwritten mark)

Surgimed Hospital

Department of Cardiothoracic Surgery

Zafar Ali Road

Lahore. Tel: (042) 3579 1030

WhatsApp: 0301 440 8403

Cell: 0300 8470 570

Discharge Letter

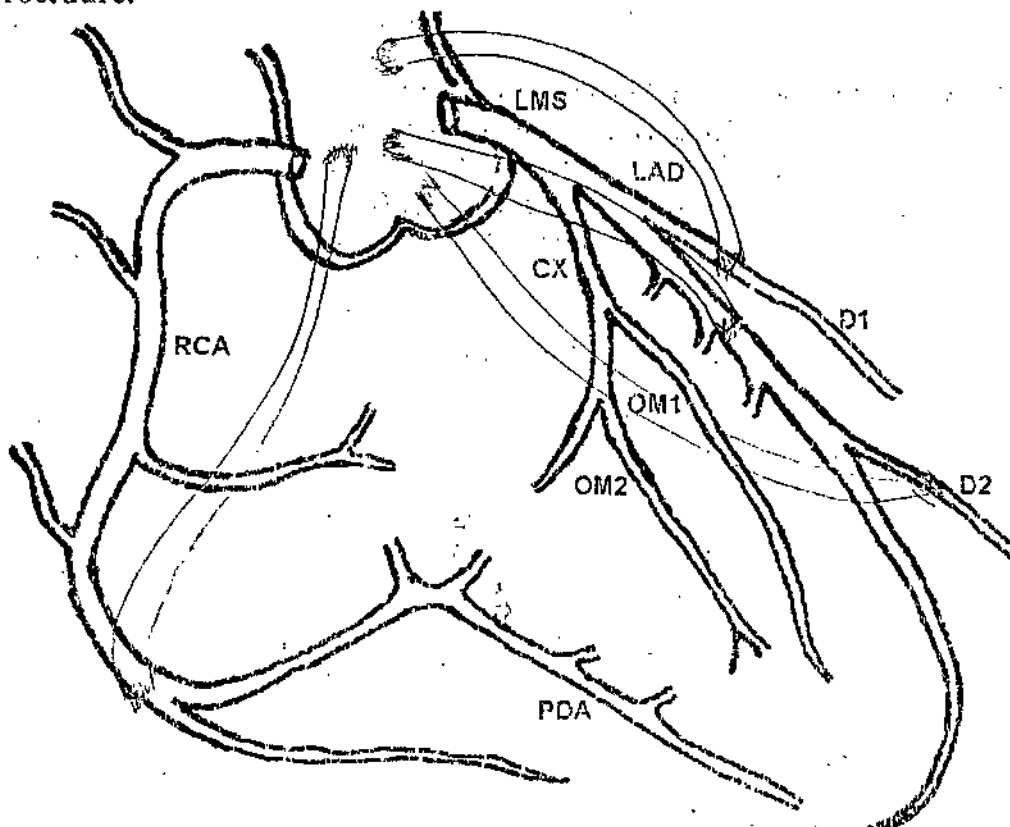
Dated: 27-12-2020
Name: Mr Atta Ullah Jan
Age: 56 years

Date of Admission: 21-12-2020
Date of Operation: 23-12-2020
Date of Discharge: 27-12-2020

Operation: Off Pump Coronary Artery Bypass Grafts X 4
Using Saphenous Vein to LAD
To High Diagonal 1 branch of LAD
To Diagonal 2 branch of LAD
& To Right Coronary Artery

Surgeon: Dr. Muhammad Yahya
Anaesthetist: Dr. Dr Rizwan / Daud / Dr. Zohaib

Operative Procedure:



owed good LV Function. Coronary Angiography showed LMS → N. LAD → tight High Dx1 → tight stenosis. Dx2 → tight stenosis. RCA → Blocked.

(Continued on page 2)

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After standard prepping and draping, Median Sternotomy was performed. Concurrently, Saphenous Vein was harvested. It was of excellent quality. LIMA was harvested. It was of good quality but had compromised flow. Therefore, it was decided not to use it.

The heart was examined. LV function was good.

On the Beating Heart, the following grafts were constructed using 7/0 Prolene for distal anastomoses and using 6/0 Prolene for proximal anastomoses.

- (1) Saphenous Vein was anastomosed to Right Coronary Artery. It was 1.5 mm vessel with moderate atheroma in its wall. Proximal anastomosis was performed. Graft flow was excellent.
- (2) Saphenous Vein was anastomosed to Diagonal 2 branch of LAD. It was 1.25 mm vessel with **severe calcified** atheroma in its wall. Proximal anastomosis was performed. Graft flow was satisfactory.
- (3) Saphenous Vein was anastomosed to LAD. It was 1.5 mm vessel with **severe calcified** atheroma in its wall. Proximal anastomosis was performed. Graft flow was excellent.
- (4) Saphenous Vein was anastomosed to High Diagonal 1 branch of LAD. It was 1.5 mm vessel with **severe calcified** atheroma in its wall. Proximal anastomosis was performed. Graft flow was excellent.

9 /
3 /
Haemostasis was secured. Standard closure of chest was performed. The patient was routinely extubated in the operation theater and was transferred to ICU in stable condition.

Post-operative Course:

He remained stable in the ICU. He continued to make good recovery and was discharged home on the 4th post-operative day.

At the time of discharge, his wounds were healing well. The sternum was stable. He was fully mobilizing and his feeding was normal. His chest x ray was satisfactory and Blood Parameters within normal range.

We shall review him in 2 days then after 1 week and 2 weeks, and then after 6 weeks. He is advised rest till then.

Yours sincerely,



(Muhammad Yahya)

FRCS (C-Th)

FRCS (Edinburgh)

FRCS (Glasgow)

FRCS (Ireland)

Diplomate Intercollegiate Board

In Cardiothoracic Surgery (U.K.)

Consultant Cardiothoracic Surgeon

To

The Chief Secretary,
Khyber Pakhtoon khawa, Peshawar.

(H)
(25)

SUBJECT: APPEL AGAINST THE TRANSFER ORDER DATED 10-03-2022.

Respected Sir,


With profound regards and best wishes it is submitted;

1. That the appellant has been transferred under Notification No.SO (MC) E& SED/4-16 / 2021/POSTING/TRANSFER/MC: dated: 10-03-2022 From Sub Division Darazinda DIKhan to Sub Division Ladha (SWTD). **(Annexure-A)**
2. That the appellant has been transferred under notification No: SO(S/F)E&SED/4-16/2021/POSTING/TRANSFER/MC: dated: 26-10-2021 From Sub Division Sarai Naurang (Lakki Marwat) to Sub Division Darazinda (D.I.Khan). **(Annexure-B)**
3. That the appellant is very dutiful and straight forward officer that have neither any adverse remarks nor any finger pointed at the efficiency of my duties throughout in my career. I have Served only 04 Months & 14 Days as SDEO (Female) Darazinda (D.I.Khan) and under Notification No; O.SO(MC) E& SED/4-16/2021/POSTING/TRANSFER/MC: dated: 10-03-2022. The appellant has been transferred / dislocated without any intimation/reason which is injustice according to Rule and Law. **(Annexure-C)**
4. After promotion as SDEO (Female) with w.e. from dated: 21-02-2019; the appellant has served all her services out of my native district (D.I.Khan).
5. Besides this my husband is a heart patient and recently the doctor has operated his open heart Surgery and it is impossible for him to travel with the me in far-flung areas/out of district. **(Annexure-D)**

In view of the above narrated facts it is therefore, requested to your kind honor that the appellant may kindly be retained as SDEO (Female) Darazinda (D.I.Khan) in the best interest of justice.

I shall be very thankful to you for your kind favour Please.

Your Sincerely,


Fozia Perveen SDEO (Female)
Sub Division Darazinda (D.I.Khan)

The Secretary,
Elementary & Secondary Education
Khyber Pakhtoon khawa, Peshawar.

26

SUBJECT: APPEL AGAINST THE TRANSFER ORDER DATED 10-03-2022.

Respected Sir,

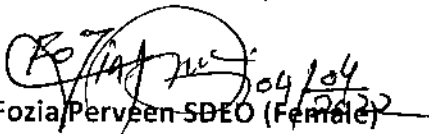
With profound regards and best wishes it is submitted;

1. That the appellant has been transferred under Notification No.SO (MC) E& SED/4-16 / 2021/POSTING/TRANSFER/MC: dated: 10-03-2022 From Sub Division Darazinda DIKhan to Sub Division Ladha (SWTD). **(Annexure-A)**
2. That the appellant has been transferred under notification No: SO(S/F)E&SED/4-16/2021/POSTING/TRANSFER/MC: dated: 26-10-2021 From Sub Division Sarai Naurang (Lakki Marwat) to Sub Division Darazinda (D.I.Khan). **(Annexure-B)**
3. That the appellant is very dutiful and straight forward officer that have neither any adverse remarks nor any finger pointed at the efficiency of my duties throughout in my career. I have Served only 04 Months & 14 Days as SDEO (Female) Darazinda (D.I.Khan) and under Notification No; O.SO(MC) E& SED/4-16/2021/POSTING/TRANSFER/MC: dated: 10-03-2022. The appellant has been transferred / dislocated without any intimation/reason which is injustice according to Rule and Law. **(Annexure-C)**
4. After promotion as SDEO (Female) with w.e. from dated: 21-02-2019; the appellant has served all her services out of my native district (D.I.Khan).
5. Besides this my husband is a heart patient and recently the doctor has operated his open heart Surgery and it is impossible for him to travel with the me in far-flung areas/out of district. **(Annexure-D)**

In view of the above narrated facts it is therefore, requested to your kind honor that the appellant may kindly be retained as SDEO (Female) Darazinda (D.I.Khan) in the best interest of justice.

I shall be very thankful to you for your kind favour Please.

Your Sincerely,


Fozia/Perveen SDEO (Female)
Sub Division Darazinda (D.I.Khan)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223588

28

Ans (1)

No. SO(S/F) E&SED/4-16/2021/Posting/Transfer
Dated Peshawar the June 09th, 2022

To

Mst. Fozia Parveen (MC BS-17),
Ex-SDEO (Female) Darazinda,
Now SDEO (Female) Ladha,
South Waziristan.

Subject: - **DEPARTMENTAL APPEAL AGAINST POSTING/TRANSFER.**

I am directed to refer to your application dated 04-04-2022 on the subject cited above and to state that your request for cancellation of transfer notification was examined / processed; however, regretted by the Competent Authority being devoid of any merit in the light of provisions contained in Section-10 of the Khyber Pakhtunkhwa Civil Servant Act, 1973.

2- In view of above, you are directed to immediately report to your new place of posting, failing which disciplinary proceeding shall be initiated against you under the Khyber Pakhtunkhwa Government Savants (Efficiency & Discipline) Rules-2011, by not obeying order of the Administrative Department.

9.6.22.
(NASEER ABBAS KHALIL)
SECTION OFFICER (Management Cadre)

Cc to the: -

1. Director E&SE Khyber Pakhtunkhwa.
2. District Education Officers (Female) DI Khan and South Waziristan, for strict compliance.
3. District Accounts Officers DI Khan and South Waziristan.
4. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.

9.6.22.
SECTION OFFICER (Management Cadre)

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) D I KHAN

CERTIFICATE OF TRANSFER OF CHARGE REPORT/ RELIEVING CHIT

- 1. Certified that, we have on the charge of this day April 2nd, 2022 (F. N) respectively made over and received charge of this office of the S.D.E.O.(F) Darazinda D I Khan vide Govt; of Khyber Pakhtunkhwa Elementary & Secondary Education Department Notification No.SO(MC)E&SED/4-16/2021/POSTING/TRANSFFER/MC; Dated Peshawar the, March 10th 2022.
- 2. Particulars of cash and important secret and confidential documents handed over are noted on the reverse; -

Signature of Relieved _____

Name of Govt; Servant FOZIA PARVEEN

Designation SDEO(F)

Station; Darazinda D I Khan

Signature of Relieving 

Name of Govt; Servant SAMINA SIDDIQI

Designation SDEO (F)

Station Darazinda D I Khan

Dated 02/04/2022

DISTRICT EDU; OFFICER (FEMALE)


D I KHAN

Dated D I KHAN the 02/04/2022

Endst No;- 284-87 /DEO (F) D I KHAN

Copy forwarded to :-

- 1. PS TO Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 2. The Director Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
- 3. District; Education Officer (F) Dera Ismail Khan.
- 4. District Accounts Officer Dir Lower.& Dera Ismail Khar.


 DISTRICT EDU; OFFICER (FEMALE)
 District Education Officer
 D I KHAN (female) D I Khan

14

The District Education Officer (F)
D I Khan

SUBJECT: ARRIVAL REPORT

Respected Madam,

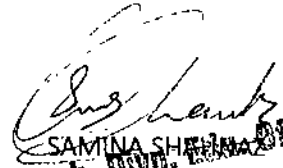
In compliance with transfer order issue vide Secretary of Elementary & Secondary Education Department Notification No. SO(MC)E&SED/4-16/2021/POSTING/TRANSFER/MC; Dated Peshawar the, March 10th, 2022.

I Mst. SAMINA SHAHNAZ, has been transferred as SDEO (F) BPS-17 from Munda Dir Lower to SDEO (F) Darazinda D I Khan.

I beg to submit arrival report today on 02/04/2022 (F/N).

Please accept my arrival.

Dated; 02/04/2022.

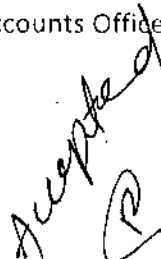

SAMINA SHAHNAZ
Sub. Divn. Education Officer
SDEO (F) Darazinda
(Female) D I Khan

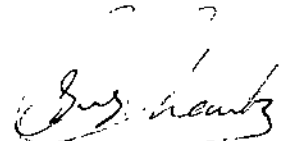
Endst No:- 280-83 SDEO (F)

Dated D I KHAN the 02/04/2022

Copy forwarded to '-

- 1 PS to Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 2 Director Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
- 3 District; Monitoring Officer D I Khan
- 4 District Accounts Office Dera Ismail Khan


Accepted
4-2-22
District Education Officer
(Female) Dera Ismail Khan


SAMINA SHAHNAZ
Sub. Divn. Education Officer
SDEO (F) Darazinda
(Female) D I Khan

To

The Honorable Secretary,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar

09

Subject: Appeal for Transfer/Posting to Home Town

Respected Sir;

With due respect it is stated that undersigned have been working as a SDEO Munda Dir Lower. As undersigned belongs to District DIKhan which is far flung area from Munda Dir Lower being a female it's very difficult to perform duties in far flung area.

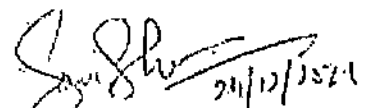
Moreover, I have two little kids in which one is suffering from Respiratory Tract Infection and is under treatment in South Punjab Hospital Multan his medical report is attached herewith (Annex-I).

One toddler son is along with me as I am the only female at my home due to this I am facing a lot of domestic issues. Undersigned Spouse is working in Education Department in District DIKhan Service Certificate is attached herewith (Annex-II). So, according to spouse policy it's my right to transfer me to my own home town.

Separation from spouse has brought additional domestic responsibilities on me and little kids need my emotional support. However, for this closeness to my family is important.

Keeping in view of the above mentioned problems, I request you to transfer the undersigned from Munda Dir Lower to own home town.

I shall be very thankful to you for your this act of kindness.


SAMINA SHAHNAZ
SDEO (F)
Munda Dir Lower

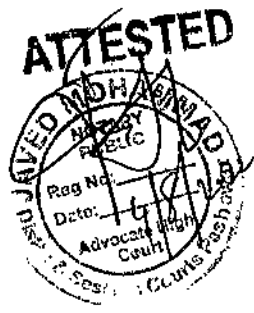
BEFORE THE HONOURABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

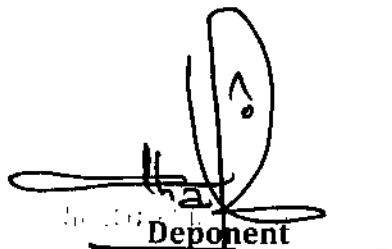
Service Appeal No. 1090/2022

Mst. Fozia Perveen VS Government of KPK

Affidavit

I, Dr. Khalid Saeed Akbar Divisional Litigation Officer for Secretariat and Directorate of Elementary & Secondary Education Department KPK Peshawar do hereby solemnly affirm and declared on oath that the contents of para wise comments above mentioned service appeal and stay vacate application are correct to the best of my knowledge and nothing has been concealed from this Honourable Tribunal.




Deponent

Dr. Khalid Saeed Akbar
12101-089967405

STATE OF PUNJAB
GOVERNMENT
OFFICE OF THE
SECRETARY
LAW
FLOOR
CHANDNI CHAURWAHA
LAHORE

06

BEFORE THE HONOURABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 1090/2022

Mst. Fozia Perveen

VS

Government of KPK

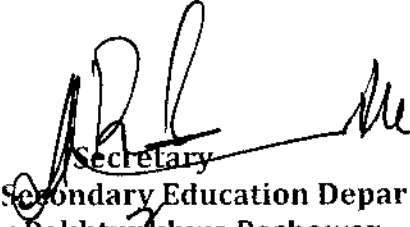
Stay Vacate Application

Respectfully Sheweth

- 1) That the appellant was transferred from the post of SDEO (F) Drázinda DIKhan to the post of SDEO (F) Ladha South Waziristan vide respondent department Notification dated **10.03.2022** and appellant did not assume charge of her new place of posting as SDEO (F) Ladha South Waziristan nor she worked as SDEO Ladha.
- 2) That the appellant filed present service appeal before this Honorable Tribunal on **06.07.2022**. This Honourable Tribunal was pleased to suspend the impugned transfer Notification dated **10.03.2022**.
- 3) That the respondent department issued transfer Notification dated **10.03.2022**, the private respondent No. 09 assumed the charge of his new place of posting as SDEO Dranzinda DIKhan and she worked. Whereas the appellant did not work anywhere as SDEO since March 2022. This act of the appellant shows her irresponsible and non-serious attitude toward her official duties.

Pray

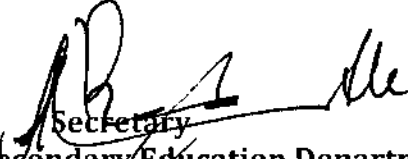
It is, therefore, humbly submitted that the stay vacate application may kindly be accepted and the order of this Honourable Tribunal dated 06.07.2022 may kindly be withdrawn and respondent No. 9 may kindly be allowed to work as SDEO (F) Drazinda DIKhan in the interest of justice.


Secretary

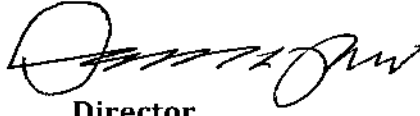
Elementary & Secondary Education Department
Khyber Pakhtunkhwa Peshawar

Pray

Therefore, it is, requested to this Honourable Tribunal to dismiss the Service Appeal of the appellant because the Service Appeal of the appellants is only an exercise in futility as the appellant was transfer to the post of SDEO (F) Ladha South Waziristan in the best public interest.



Secretary
Elementary & Secondary Education Department
Khyber Pakhtunkhwa Peshawar
(Respondent No.1-3)



Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar



District Education Officer
(F) South Waziristan



District Education Officer
(F) Dera Ismail Khan



District Education Officer
(F) Dir Lower

- (F) Drazinda DIKhan was after accepting her appeal on the basis of spouse policy and her son medical treatment issue, no political interference is present in the respondents department. The respondents department is working under the law and without external political pressure. The respondent department will transfer any officer to the any post as per need of department.
- d. Incorrect / not admitted. The appellant was transferred to the post of SDEO (F) Swat, Lakki Merwat, DIKhan and South Waziristan. The transfer of an officer is not discrimination with him / her. Therefore, no discrimination had been made with the present appellant. Transfer is the part of job, therefore, appellant should not have any objection on her transfer such like she was transferred from Swat to Lakki Merwat, Lakki Merwat to DIKhan and she did not have any objection. The transfer Notification dated 10.03.2022 was implemented and both officers have started working. Hence the claim of the appellant is against the law and did not sustainable in the eye of law. (Charge report of private respondent No. 09 is annexed as Annexure C)
- e. No comments as discussed above.
- f. Incorrect, hence denied. The stance of the appellant is having no truth and is totally false and fictitious. This act of the respondents cannot be declared against the law on any ground whatsoever but the straight away rejection of present Service Appeal.
- g. Incorrect, stringy denied. The impugned order was issued in best public interest and no one was compensated rather, the appellant in interested to prolong his tenure at his choice station in-spite of past and closed transaction after assumption of charge by the private respondent No. 09.
- h. Incorrect, and denied. The Appellant was transferred in the public interest by the Competent Authority after fulfilling all legal and codal formalities; therefore, the appellant has got no cause of action or locus standi to file the present service appeal for his grievances before this Honourable Tribunal.
- i. No comments
- j. The son of the private respondent No. 09 is patient of Respiratory Tract Infection and his treatment is continued with Prof. Dr. Muhammad Zubair Shaheen South Punjab Hospital Multan.
- k. The counsel for respondents may kindly be allowed to raise additional grounds at the time of arguments.

(Service certificate of private respondent No. 09 husband is annexed as Annexure B)

- 5) Incorrect / not admitted and strongly denied. The appellant is working as SDEO (MC BS-17) and will be transfer to the any Sub Division being Provincial Cadre post. It is further added that the appellant served as SDEO Khawazakhela Swat for period of 06 months, she served as SDEO Sarai Naurang Lakki Merwat for a period of 02 years, after 19 days she was transferred to the post of SDEO NMAs Lakki Merwat, she served 04 and half month as SDEO Drazinda DIKhan and then she was transferred to the Sub-Division Ladha South Waziristan. Appellant did not knock the door of this Honourable Tribunal on his previous transfer and now she approached this honourable tribunal against her transfer order. Hence appellant is not an aggrieved person. The service appeal of the appellant is an exercise in futility. Further proceeding in this regard would bear no fruit. It is, therefore, requested to this Honourable Tribunal to dismiss the Service Appeal of the appellant with cost.

Objections on Grounds

- a. Incorrect / not admitted. The act of the respondents was according to law, based upon the natural principle of justice. No discrimination had been made with the present appellant. The Notification dated 10.03.2022 was according to law and policies of the Government. The appellant was adjusted nearby district according to her NIC address. There is no post of SDEO (MC BS-17) is lying vacant in the District DIKhan. It is further added that the appeal of the private respondent No. 09 was accepted by the worthy Secretary E&SE Department KP Peshawar on the ground of spouse policy and her son treatment at South Punjab Hospital Multan therefore she was transferred to the District DIKhan.
- b. Incorrect and not admitted. Strongly denied. The appellant did not have any right of posting at DIKhan. The appellant is guzzetted office of Class-I and may be posted / transferred anywhere in the Khyber Pakhtunkhwa hence the claim of the appellant to post her as SDEO DIKhan is against the law. It is further added that the present appellant did not complete two year tenure at any station as she remain SDEO Khawazakhela Swat, SDEO SDEO Sarai Naurang Lakki Merwat, SDEO NMAs Lakki Merwat and now she is transferred to the post of SDEO(F) Ladha South Waziristan. It is worth mentioned that the appellant filed departmental appeal and the worthy Secretary E&SE Department was pleased to dismissed her appeal (copy of attached at page 28 of service appeal)
- c. Incorrect / not admitted. Strongly denied. The Notification dated 10.03.2022 was according to law. The transferred of respondent No. 09 to the post of SDEO

Respectfully Sheweth

- 1) This para pertains to the posting/transfer of appellant in the E&SE Department. The appellant was posted as SDEO (F) Khwazakhela Swat vide Notification Dated 21.02.2019. In the light of Notification dated 29.08.2019 appellant was transferred from SDEO (F) Khwazakhela District Swat to the post of SDEO (F) Sarai Naurang District Lakki Merwat. In the light of Notification dated 07.10.2021 appellant was once again transferred to the post of SDEO (F) NMAs Lakki Merwat and then she was transferred to the post of SDEO(F)Drazinda District DIKhan vide Notification dated 26.10.2021. The appellant had got transferred to the various posts in the respondents departments and she had no objections.
- 2) That the appellant was again transferred to the post of SDEO (MC-BS-17) vide respondent department Notification dated 10.03.2022 and she was posted as SDEO(F) Ladha South Waziristan. It is further added that the private respondent No. 09 was transferred from the post of SDEO(F) Sub-Division Munda District Dir Lower to the SDEO(F) Drazinda DIKhan.
- 3) This para is correct to the extent that the private respondent was promoted to the post of SDEO vide Notification dated 07.10.2021 and she was posted against the post of SDEO (MC BS-17) Munda District Dir Lower. She worked at her place of posting since 07.10.2021. The Private respondent No. 09 filed departmental appeal before the worthy Secretary E&SE Department KP Peshawar regarding her transfer to the post near to her home town on-the-ground that the son of appellant is permanent patient of Respiratory Tract Infection. Her son is under treatment of Prof. Dr. Muhammad Zubair Shaheen South Punjab Hospital Multan. (Departmental appeal & Medical reports are annexed as Annexure A)
- 4) Incorrect / not admitted. Strongly denied. The appellant filed appeal before the respondent No. 1 & 2 against her transfer Notification dated 10.03.2022 and appeal of appellant was dismissed by the respondent No. 2 the Secretary E&SE Department KP Peshawar. The appeal of the private respondent No. 09 was considered by respondents department. The appeal / representation of private respondent was accepted on another ground of spouse policy as the husband of the private respondent No. 09 is working as Junior Clerk BS-12 in District DIKhan. The office of the worthy Secretary E&SE Department accepted the appeal/representation of the private respondent No. 09 and transferred her as SDEO (F) Drazinda DIKhan. The appellant did not have any right to challenge her transfer Notification Dated 10.03.2022. This act of the respondent department is according to law and based upon the natural principle of justice.

01

BEFORE THE HONOURABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 1090/2022
Mst. Fozia Perveen VS Government of KPK

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS

Preliminary objections

- 1) That the appeal is not maintainable and incompetent in the eyes of Law in the present form.
- 2) That the appellant is estopped due to his own conduct to file this appeal.
- 3) That the appellant has got no cause of action and locus standi to file instant appeal.
- 4) That the appellant has not come to the Tribunal with clean hands and has suppressed all relevant facts.
- 5) That the appeal is bad for mis-joinder and non-joinder of necessary parties.
- 6) That the appeal filed by the Appellant is pre mature and the appellant has concealed the material facts from this Honourable Tribunal.
- 7) That the Honourable Service Tribunal has no jurisdiction to entertain the instant appeal in its present form.
- 8) That the appeal has been mis-oriented, mis-constructed and mistakenly drawn and is incompetent in its present frame and context, and is liable for Rejection.
- 9) That the appeal is weak having no force, fabricated, fictitious, based on ill will, malafide and having no footings in the eyes of law.
- 10) That as per Section 10 of Civil Servants Act, 1973, every Civil Servant shall be liable to serve anywhere within or outside the province.
- 11) That the Order Impugned has been acted upon and compliance has been made, therefore, the instant appeal is infructuous.
- 12) The Private Respondent No. 09 has already assumed charge at the new place of duty within the stipulated time and his pay has been active from the new station of duty.
- 13) That the husband of the Private Respondent No. 9 is posted at DIKhan in the same Department, hence, impugned order of posting/transfer, has been issued according to the Spouse/Wedlock Policy of the Government.
- 14) That proceeding with the instant appeal would be a futile exercise and just wastage of the precious time of this Honourable Tribunal.
- 15) That as stated in the objections supra, the appeal is bereft of cause of action and is liable for dismissal.

BEFORE THE HONOURABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 1090/2022

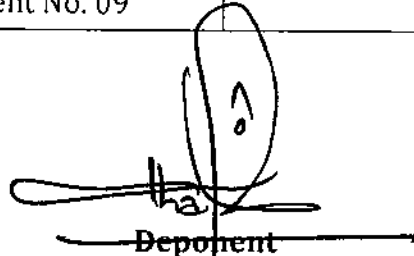
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Deponent

Dr. Khalid Saeed Akbar

Divisional Litigation Officer

Secretariat & Directorate of E&SE KP Peshawar

0343-903-3399