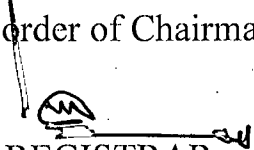


FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1618/2022 _____

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1- | 11/11/2022 | <p>The appeal of Mr. Muhammad Jamil presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: right;"> REGISTRAR</p> |

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

APPEAL No. 1618 /2022

MUHAMMAD JAMIL VS GOVT. OF KP & OTHERS.

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APPELLANT

THROUGH:


**NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. _____/2022

Mr. Muhammad Jamil, Lab Assistant BPS-08
Govt. Degree College Bagan, District Kurram.

..... APPELLANT

VERSUS

- 1- The Secretary Higher education, Archives & Libraries Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director Higher Education Directorate, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Principal Government Degree College Bagan, District Kurram.
- 5- The District Education Officer, District Kurram, Parachinar.
- 6- The Deputy District Education Officer, Sadda, Lower Kurram.

..... RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED TRANSFER ORDER DATED 27.09.2022 WHEREBY THE APPELLANT HAS BEEN RELIEVED FROM GOVERNMENT DEGREE COLLEGE BAGAN AND REPATREATED TO ELEMENTARY & SECONDARY EDUCATION DEPARTMENT KHYBER PAKHTUNKHWA AND AGAINST THE APPELLATE ORDER DATED 04.10.2022 WHEREBY THE APPELLANT HAS BEEN DECLARED AS THE EMPLOYEE OF SCHOOL CADRE AND AGAINST THE ORDER DATED 07.11.2022 WHEREBY THE SERVICES OF THE APPELLANT WERE PLACED AT THE DISPOSAL OF RESPONDENT NO.6

PRAYER:

That on acceptance of this appeal the impugned transfer order dated 27.09.2022, 7.11.2022 and 4.10.2022 may very kindly be set aside and the respondents may kindly be directed not to transfer the appellant from his original post/cadre of Lab Assistant BPS-08, Government Degree College, Bagan. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:-

- 1- That the appellant was initially appointed Lab Assistant (BPS-08) vide notification dated 15.01.2013 and performing his duties quite efficiently and whole heartedly and up to the entire satisfaction of his high ups. Copy of the appointment order dated 15.01.2013 is attached as AnnexureA.

- 2- That while performing his duties at the mentioned station the appellant was adjusted/posted against vacant post vide order dated 29.12.2017 in Government Degree College Bagan after the issuance of proper NOC by the Principal of the said College at Bagan. Copy of the transfer order dated 29.12.2017 is attached as Annexure**B.**
- 3- That in response to the above mentioned transfer order the appellant submitted his arrival on 01.01.2018 and started performing his duties with zeal and zest. Copy of Arrival Report dated 01.01.2018 is attached as Annexure**C.**
- 4- That while performing his duty the respondent department issued impugned transfer order dated 27.09.2022 whereby the appellant was illegally and unlawfully relieved and repatriated to Elementary & Secondary Education Department which is not sustainable in the eye of law. Copy of the impugned transfer order dated 27.09.2022 is attached as Annexure**D.**
- 5- That appellant feeling aggrieved from the impugned transfer order dated 27.09.2022 preferred Departmental Appeal before the respondents department which was regretted on no good grounds. Copy of the Departmental Appeal is attached as Annexure**E.**
- 6- The respondent department in the appellate order declared the appellant being employee of the school cadre which is illegal and unlawful and not sustainable in the eye of law and further the respondent department issued another impugned order dated 07.11.2022 whereby the appellant was placed at the disposal of District Education Officer (Male) Kurram . Copies of the impugned appellate orders dated 04.10.2022 and 07.11.2022 are attached as Annexure**F & G.**
- 7- That appellant having no other efficacious remedy but to file the instant appeal on the following grounds amongst the others.

GROUND:

- A-** That impugned transfer order dated 27.09.2022, impugned appellate order dated 04.10.2022 and subsequent impugned transfer order dated 07.11.2022 issued by the respondents department are against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B-** That appellant has not been treated in accordance with law and rules by the respondent department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C-** That impugned transfer order dated 27.09.2022, impugned appellate order dated 04.10.2022 and subsequent impugned transfer order dated 07.11.2022 issued by the respondents department are also violative of Clause-1, Clause-IV and Clause-XI of transfer/posting policy of Provincial Government.
- D-** That impugned transfer order dated 27.09.2022, impugned appellate order dated 04.10.2022 and subsequent impugned transfer order dated 07.11.2022 issued by the respondents department in arbitrary and mala fide

manner, therefore, the same is not tenable in the eye of law and liable to be struck down.

- E-** That impugned transfer order dated 27.09.2022, impugned appellate order dated 04.10.2022 and subsequent impugned transfer order dated 07.11.2022 issued by the respondents department against the rules whereby the appellant has been relieved/repatriated from Government Degree College Bagan to Directorate of Elementary & Secondary Education Department.
- F-** That impugned transfer order dated 27.09.2022, impugned appellate order dated 04.10.2022 and subsequent impugned transfer order dated 07.11.2022 issued by the respondents department are not passed in the public interest which is clear violation of judgments passed by this Honorable Court and also the apex Supreme Court of Pakistan hence impugned transfer order dated 27.09.2022 and impugned appellate order dated 04.10.2022 are void ab initio in its nature.
- G-** That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal may kindly be accepted as prayed for.

APPELLANT


MUHAMMAD JAMIL

Through:


NOOR MOHAMMAD KHATTAK


WALEED ADNAN


UMAR FAROOQ MOMAND


MUHAMMAD AYUB


**KHANZAD GUL
ADVOCATES**

AFFIDAVIT

Mr. **Muhammad Jamil**, Lab Assistant BPS-08, Government Degree College Bagan, District Kurram, do hereby solemnly affirm that the contents of this **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.


Deponent

-4-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

CM No. _____/2022
IN
SERVICE APPEAL No. _____/2022

MUHAMMAD JAMIL VS GOVT. OF KP & OTHERS.

APPLICATION FOR SUSPENSION OF THE OPERATION OF
THE IMPUGNED TRANSFER ORDERS DATED 27.09.2022,
04.10.2022 AND 07.11.2022 TILL THE DISPOSAL OF THE
SERVICE APPEAL.

R/SHEWETH:

- 1- That the above-mentioned appeal along with this application has been filed before this August Service Tribunal in which no date has been fixed so far.
- 2- That petitioner filed the above-mentioned service appeal against the impugned orders dated 27.09.2022, 04.10.2022 and 07.11.2022 whereby his transfer order has illegally been issued.
- 3- That all the three ingredients necessary for the stay is in favor of the petitioner.
- 4- That the impugned orders dated 27.09.2022, 04.10.2022 and 07.11.2022 had been issued by the respondents in utter disregard of judgment and, law and prevailing Rules.

It is therefore, most humbly prayed that on acceptance of this application the operation of impugned orders dated 27.09.2022, 04.10.2022 and 07.11.2022 may very kindly be suspended till the disposal of the instant service appeal.

Dated: 11.11.2022


APPLICANT
MUHAMMAD JAMIL

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT

101 A

-5-

**ADD AGENCY EDUCATION
OFFICE SADDA KURRAM AGENCY.**
PHONE: 0976-370610 FAX: 0976370670
No. _____ /Edu:
Dated Sadda: the _____ /2013

APPOINTMENT

Consequent upon the approval by the Selection Committee, the appointment of the ~~NAME OF THE CANDIDATE~~ hereby proposed in the school ~~NAME OF THE SCHOOL~~ against vacant post with effect from 01.03.2013

| S. No. | Name of Candidate | Father Name | School where Appointed | Remarks |
|--------|-------------------|-------------|------------------------|---------------------|
| 1 | Washed Khan | Khaul Khan | GHS Baza | Against Vacant Post |
| 2 | Muhammed Jamil | Itbar Khan | GHS Paloseen | Against Vacant Post |

TERMS/CONDITIONS

1. They are directed to produce their Medical certificate from the Medical Supdt:AHQ Hospital Sadda Kurram Agency.
2. Their age should be between 18-35 years and 18-40 for Female..
3. Their appointment is purely on the basis of temporary and Regular contract basis and if applicable, they will have to give one month prior notice or forfeit one month pay in lieu thereof.
4. No appointment will be made if the candidate will not submit their academic and professional certificate are got verified from the Issuing Authorities concerned.
5. If they failed to take over charge within 15 days, their appointment will automatically be considered as cancelled.
6. Charge reports should be submitted to this office.
7. Their appointment will be consider as regular but without Pension/gratuity on the term of section-15 of the KPK Civil Servant Act 1973 as amended with civil servants amendment Act: 2003 but will be entitled to contribution Provident Fund at such rate as may be prescribed by the govt.

[Signature]
Add: Agency Education Officer
Lower & Central Kurram Sadda.

No 186-92 / Edu Dated 15/1 /2013

- Copy forwarded to the
1. Director of Education FATA, KPK Peshawar.
 2. Agency Account officer Parachinar.
 3. Political Agent Kurram Parachinar.
 4. Asstt: Political Agent Central Kurram .
 5. Teachers Concerned.
 6. Headmaster concerned..
 6. Office file.

[Signature]
Add: Agency Education Officer
Lower & Central Kurram Sadda

[Signature]
HEAD MASTER
G.H.S. Paloseen C.H.

BETTER COPY "A"

ADD: AGENCY EDUCATION OFFICE
SADDA KURRAM AGENCY

APPOINTMENT:

Consequent upon the approval by the Selection Committee, the appointment of the following candidates are hereby ordered against the post of fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government with effect from 01.03.2013.

| S.N | Name of Candidates | Father Name | School where Appointed | Remarks |
|-----|--------------------|-------------|------------------------|---------------------|
| 1 | Rashid Khan | Khadi Khan | GHS Baza | Against Vacant Post |
| 2 | Muhammad Jamil | Itbar Khan | GHS Paloseen | -do- |

Add: Agency Education Officer,
Lower & Central Kurram Sadda

Endst. No. 186-92/Edu

Dated Peshawar 15.01.2013



"B" - 6-

Add: Agency Education Office
Lower & Central Kurram Sadda
Phone No 0926-520674
No. _____ / Edu: Dated ____ / ____ / 2017

TRANSFER.

Mr Muhammad Jamil Lab/Assistant Govt: High School Paloseen Central Kurram is hereby Transferred to Govt: Degree College Bagan Lower Kurram on his own pay and scale in the school noted against vacant Lab/Asstt: post with effect from the date of his taking over charge.

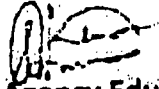
Note: - Charge reports should be submitted to this office.

Add: Agency Education Officer
Lower & Central Kurram Sadda.

No 3189-94 / Dated 29/12 / 2017 .

Copy for information to the:-

1. Agency Account Officer Kurram Parachinar.
2. Asstt: Agency Education Officers local Office.
3. Headmaster GHS Paloseen Central Kurram
4. Principal GDC Bagan Lower Kurram .
5. Official Concerned.
6. Office file.


Add: Agency Education Officer
Lower & Central Kurram Sadda.

"C"
-7-

Head Master Government High School Palosin Central Kurram Agency

To,

The Additional Agency Education Officer

Lower and Central Kurram Agency.

Subject: Certificate of Relieving

Honorable Sir,

It is for your kind information that Mr. Muhammad Jamil Lab; Assistant of this school Vide Transfer No 3189-94 Dated 29/12/2017 is hereby relieved from this school afternoon 31/12/2017.

Dated: 01/01/2018

The Head Master

G H S Palosin

Central Kurram Agency

HEAD MASTER
G.H.S Palosin (C.K.A)
Central Kurram Agency

M. C. (H.S.) Palosin

"D" -8-

**OFFICE OF THE PRINCIPAL GOVT. DEGREE COLLEGE BAGAN,
DISTRICT KURRAM**

No: 9206

Dated: 27 / 09 / 2022

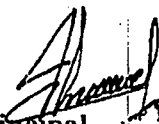
Subject: Relieving & Repatriation

Mr. Muhammad Jamil (Laboratory Assistant B-08) serving at GDC Bagan Kurram was transferred to the said college from a school before the merger of FATA with Khyber Pakhtunkhwa when both Schools & Colleges of FATA were administered by FATA Secretariat. After merger of FATA with Khyber Pakhtunkhwa, Schools in Khyber Pakhtunkhwa are administered by Elementary & Secondary Education Department Khyber Pakhtunkhwa while Colleges are administered by Directorate of Higher Education Khyber Pakhtunkhwa. So as per service rules, the said Laboratory Assistant is the employee of E&SED Khyber Pakhtunkhwa. He is hereby relieved and repatriated to his Parent Department i.e Elementary & Secondary Education Department Khyber Pakhtunkhwa with immediate effect.

He is directed to report to his Parent Department i.e Elementary & Secondary Education Department Khyber Pakhtunkhwa for further posting.

Copy to:

1. Director Higher Education Directorate Khyber Pakhtunkhwa Peshawar.
2. Director Elementary & Secondary Education Department Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Schools) Kurram Parachinar.
4. Deputy District Education Officer (Schools) Sadda, Lower Kurram.
5. Laboratory Assistant Concerned.
6. Office Copy.


Principal
GDC Bagan Tribal
District Kurram

To

The Director Higher Education,
Department, Khyber Pakhtunkhwa,
Peshawar.

"E"

-9-

Through Proper Channel:

Subject: DEPARTMENTAL APPEAL AGAINST ORDER DATED 27-09-2022 WHEREBY THE APPELLANT WAS ILLEGALLY AND UNLAWFULLY RELIVED AND REPATRIATED TO ELEMNTRY AND SECONDERY EDUCATION DEPARTMENT.

Respected Sir,

It is stated with great respect that the appellant was an employee of your good-self department and was appointed on 15.01.2013 vide No 186-92/edu and since then is performing his duty quite efficiently and whole heartedly and up to the entire satisfaction.

That in response to the mentioned order the appellant was posted at Govt. High School Palosin and started performing his duties with devotion.

That while performing his duties at the mentioned station the appellant was adjusted/ posted against vacant post vide order No 3189-94 dated 29.12.2017 in Govt. Degree College Bagan after the issuance of proper NOC by the Principle Govt Degree College Bagan.

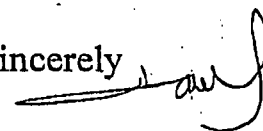
That in response to the mentioned order the appellant submitted his arrival on 01.01.2018 and started performing his duties.

That since 01.01.2018 the appellant is performing his duties quite efficiently and up to the entire satisfaction but vide impugned order No 2206 dated 27.09.2022 the appellant was illegally and unlawfully relived and repatriated to Elementary and Secondary education department which is not sustainable in the eye of law.

It is therefore, most humbly prayed that on acceptance of this departmental appeal, the impugned order No 2206 dated 27.09.2022 may kindly be set aside and the appellant may be allow to perform his duty at Govt. Degree College Bagan.

Dated 04.10.2022

Yours Sincerely



MUHAMMAD JAMIL
LAB- ASSISTANT. (BPS-08)
GOVT. DEGREE COLLEGE BAGAN



-10- "F"

**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI NEAR CHAMKANI MOR, PESHAWAR**

E-mail:- dhekpkeshe@gmail.com Facebook.com/dhekpkeshe Twitter.com/dhekpkeshe1

No. _____ /CA-VII/Estt: Branch/A-167/GDC Bagan

Dated Peshawar the 11 / 10 /2022

To

The Principal,
Government Degree College,
Bagan (Kurram).

Subject: - APPEAL REGARDING ENLISTMENT IN SENIORITY LIST OF MR. MUSHARAF KHAN JUNIOR CLERK GDC BAGAN KURRAM.

Respected Sir, السلام عليكم

I am directed to refer to your Endst No. 2157-58 dated 26-07-2022 and to state that the officials concerned Mr. Musharaf Khan, Junior Clerk and Muhammad Jamil, Lab Assistant shall be relieved being employees of School Cadre, with immediate effect with the direction to approach the Office of Director, Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar for further posting under intimation to this office, please.

(Gofar Khan)

DY: DIRECTOR (ESTABLISHMENT)

Endst. No. 19-28-30 /

Copy of the above is forwarded to: -

1. Director, Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. Official concerned.

11/10/2022

DY: DIRECTOR (ESTABLISHMENT)



Directorate of Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar
Phone# 091-9330140, 9331140

No. / /

Dated / / 2022

Notification

The Competent Authority is pleased, to place the services of Mr. Musharaf Khan Junior Clerk (B-11) Govt Degree College Bagan District Kurram and Muhammad Jamil Khan Laboratory Assistant Govt. Degree College Bagan District Kurram are placed at the disposal of District Education Officer (M) Kurram for further adjustment against the vacant posts in the interest of public service.

- 1 Charge report should be submitted to all concerned.
- 2 No TA /DA etc. are allowed.

**Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar**

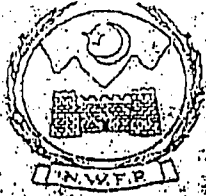
Encl: No. 10198-204 , Dated 07, 11 /2022

Copy to

1. Deputy Director (Establishment) Directorate of Higher Education, Khyber Pakhtunkhwa Peshawar Rano Ghari Near Chamkani Mor, Peshawar w/r to his letter No-19028-30 -Dated-11-10-2022.
2. District Education Officer (Male) District Kurram.
3. Principal Govt. Degree College Bagan Kurram.
4. District Accounts Officer District Kurram.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
6. PA to Addl. Director (Estab:) Local Directorate.
7. Official Concerned.

Assistant Director (Admin)

7/11/22



GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)

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) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained
- vi) While making postings/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. 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.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast 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 officer's/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.

ATTESTED

to be transferred
advocate

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. Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004

ATTESTED

-13- (11)

- 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.
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:

| Outside the Secretariat | | |
|-------------------------|---|--|
| 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- |
| In the Secretariat | | |
| 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 Dept 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.

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

ATTESTED

to be true copy
Advocate

-14-

18

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 posing/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:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) 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.

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).

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

ATTESTED

to be true copy

ATTESTED

12-15-

VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO: _____ OF 20

M. Jamil

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Govt of KPIC & others

(RESPONDENT)
(DEFENDANT)

I/We (Appellant)

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. _____/_____/202

[Signature]
CLIENT

ACCEPTED

NOOR MOHAMMAD KHATTAK
(BC-10-0853)
15401-0705985-5

[Signature]
UMAR FAROOQ

[Signature]
WALEED ADNAN

&

[Signature]
MUHAMMAD AYUB
ADVOCATES

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Deans trade centre Peshawar cantt:
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