

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 7064/2021

Date of institution 16.07.2021

Mst. Nagina Sayel, Principal (BPS-19). R/O GGHSS Ghalanai, Tehsil &
District Mohmand.

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Elementary &
Secondary Education at Civil Secretariat, Peshawar and two others.

ORDER
01.11.2022

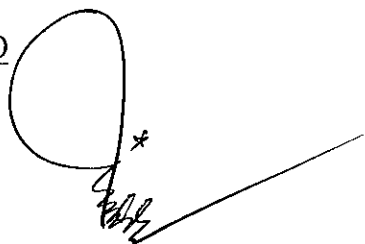
Mr. Javed Iqbal Gulbela, Advocate, for the appellant present.

Mr. Arshed Ali, ADEO alongwith Mr. Asif Masood Ali Shah, Deputy
District Attorney for the respondents present.

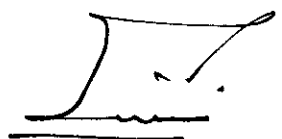
Learned counsel for the appellant stated at the bar that as the
grievance of the appellant has been redressed, therefore, as per instruction
of the appellant, he wants to withdraw the instant appeal. In this
respect, he produced copy of Notification bearing No. SO(S/F)E&SED/4-
16/2022/Posting/Transfer/38 dated Peshawar August 17th, 2022, which is
placed on file.

In light of the above, the appeal in hand stands dismissed as
withdrawn. Parties are left to bear their own costs. File be consigned to
the record room.

ANNOUNCED
01.11.2022



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)




(SALAH-UD-DIN)
MEMBER (JUDICIAL)

13.09.2022

Junior to counsel for appellant present.

Muhammad Jan, learned District Attorney alongwith Salim Khan
Section Officer for respondents present.

Representative of respondents submitted reply/comments. Copy
of the same was handed over to junior counsel for appellant who made
request for adjournment as senior counsel is not available. Adjourned. To
come up for further proceedings/arguments on 01.11.2022 before D.B.

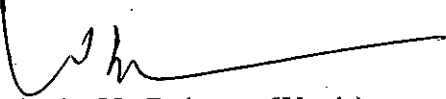

(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member(J)

01.01.2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for respondents present.

Reply/comments on behalf of official respondents are still awaited. Learned AAG sought time for submission of reply/comments. Last opportunity is granted to respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 23.02.2022.


(Atiq-Ur-Rehman Wazir)
Member (E)

23.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 11.05.2022 for the same as before.


Reader

11-5-22

Proper DB not available in case
is adjourned on 26-7-22

26-7-22

proper DB not available to
come up for the same as before
on 13-9-22



23.09.2021

Junior to counsel for the appellant and Mr. Muhammad Adeel Butt, for the respondents present.

Learned AAG seeks time to contact the respondents for submission of reply/comments. Respondents are required to furnish reply/comments on or before next date, failing which their rights for filing reply/comments shall be struck off. Case to come up for arguments on 08.11.2021 before the D.B.



(Rozina Rehman)
Member(Judicial)




Chairman

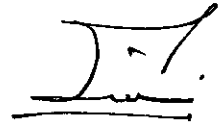
08.11.2021

Clerk of counsel for the appellant present. Mr. Riaz Khan Paindakheil, Assistant Advocate General for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned To come up for arguments before the D.B. on 04.01.2022.



(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

Nagina Sayel 7064/2021

01.09.2021

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant argued that on promotion to BS-19, the appellant was transferred as Principal (BS-19) GGHS Ghgalani against the vacant post/where she has completed ^{vide Notification dated 18.12.2019} ~~1 1/2~~ year of normal tenure of posting ^{in hard area.}

She therefore, submitted departmental appeal on 17.06.2021 requesting therein that her younger daughter being physically sick (suffering from epilepsy disease) she may be transferred to one of the vacant post available i.e GGHS Irrigation Colony Warsak Road Peshawar, GGHS Sheikh Abad Peshawar and GGHS Civil Colony Peshawar. However, her departmental appeal was rejected on 13.07.2021 rendering her to seek remedy in the instant service appeal before the Service Tribunal dated 16.07.2021.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time or extension of time is not sought, the office shall submit the file with a report of non-compliance. File to come up for arguments on 23.09.2021 before the D.B.

Appellant Deposited
Security & Process Fee

01/09/21

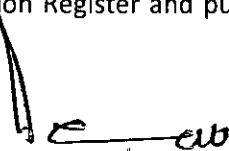

(Mian Muhammad)
Member(E)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7064 /2021

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1- | 16/07/2021 | <p>The appeal of Mst. Nagina Sayal presented today by Mr. Javed Iqbal Gulbela Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR,</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>01/09/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> |
| 2- | | |

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

In Re S.A _____/2021

Nagina Sayel

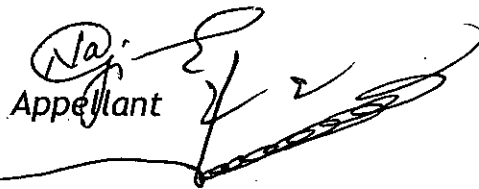
VERSUS

Government of Khyber Pakhtunkhwa & Others

INDEX

| S# | Description of Documents | Annex | Pages |
|-----------|--|--------------|--------------|
| 1. | Grounds of Appeal | | 1-5 |
| 2. | Affidavit | | 6 |
| 3. | Addresses of parties | | 7 |
| 4. | Copy of Appointment Order | "A" | 8-12 |
| 5. | Copy of Transfer Order dated 18/12/2019 | "B" | 13-18 |
| 6. | Copy of Arrival Report | "C" | 19 |
| 7. | Copies of Different Applications | "D to D/I" | 20-21 |
| 8. | Copy of Domicile and Posting & Transfer Policy | "E & F" | 22-29 |
| 9. | Copy of Certificate | "G" | 30 |
| 10. | Copy of Medical Documents | "H" | 31-33 |
| 11. | Copy of Departmental Appeal & Order Dated 13-07-2021 | "I & J" | 34-35 |
| 12. | Power of Attorney | | 36-38 |
| 13. | Wakalat Nama | | 39 |

Dated: 16/07/2021


Appellant

Through

Javed Iqbal Gulbela
Advocate Supreme Court of
Pakistan

①

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

**Khyber Pakhtunkhwa
Service Tribunal**

In S.A. 7064/2021

Diary No. 7339

16/7/2021

Mst Nagina Sayel, Principal (BPS-19) R/o GGHS Ghalanai,
Tehsil & District Mohmand.

-----Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education at Civil Secretariat, Peshawar.
2. Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer, Ghalanai, District Mohmand.

-----Respondents

**APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT -
1974 FOR TRANSFER OF THE APPELLANT
FROM GGHS GHALANI DISTRICT MOHMAND
TO DISTRICT PESHAWAR, AND AGAINST THE
IMPUGNED OFFICE ORDER
NO.SO(S/F)E&SED/4-16/2021/ TRANSFER
MST. NAGINA SAYEL DATED 13.07.2021
PESHAWAR, WHEREBY THE DEPARTMENTAL
APPEAL OF THE APPELLANT HAS BEEN
TURNED DOWN IN A CURSORY AND
WHIMSICAL MANNER.**

Filed to-day

Registrar

16/7/2021

Respectfully Sheweth,

1. That the Appellant is a naturally born bona-fide citizen of Islamic Republic of Pakistan and hails from a respectable family.
2. That after going through the mandatorily required criteria and after being envisaged with the ordeals & inquisition of

Selection process, the Appellant got inducted onto the rolls of the Respondent Department as set back in the year 1999. (Copy of Appointment Order is annexed herewith as Annexure "A")

3. That since induction into service, the Appellant remained a dutiful & pragmatic fellow & have never left any stone unturned in performance of her duties & was appraised on certain junctures by the High-ups for her work, ethic & behavior.
4. That having served the Respondent Department, spread over two decades and that too at different stations without any kind of soot or sootage, the Appellant was transferred vide Office Order No. SO(S/F)E&SED/3-2/ 2019/ Promotion BS-18 to BS-19/TC dated 18/12/2019 from GGHSS Ghalanai District Mohmand. (Copy of Transfer Order dated 18/12/2019 is annexed herewith as Annexure "B").
5. That in light of herein above transfer order, the Appellant abided by the transfer order & made an arrival report at GGHSS Ghalanai. (Copy of Arrival Report is annexed herewith as Annexure "C")
6. That however the Appellant made an arrival at GGHSS Ghalanai, District Mohmand but at that time have knocked the doors of different high-ups for her transfer from GGHSS Ghalani to District Peshawar but all efforts on part of the Appellant ended in fiasco. (Copies of Different Applications are annexed herewith as Annexure "D & D/I" respectively).
7. That before parting with the facts of the instant Service Appeal and to make & vasificate out the case for the Appellant, it would be equally important to mention here that the Appellant is a permanent resident of District Peshawar and as per Rational Policy of Posting & Transfer, the case of the Appellant squarely falls within the ambit of above said

policy. (Copy of Domicile and Posting & Transfer Policy is annexed herewith as Annexure "E" & "F" respectively).

8. That the Appellant is a permanent resident of District Peshawar and for almost two long years have extended her services at GGHSS Ghalani and have travelled daily to such far flung area and that too lonely being a female, clearly depicts her eagerness and pragmatism towards her job. Moreover, the husband of the Appellant is serving as Deputy Director Planning at Directorate General Agriculture Research Khyber Pakhtunkhwa Peshawar, so as per the Spouse Policy, the Appellant is entitled to be transferred to District Peshawar. (Copy of Certificate is annexed herewith as Annexure "G")
9. That even the Appellant has a 12 years old daughter, who is suffering from Epilepsy disease and need proper care and attention and in this scenario, it is very hard for the Appellant to continue her services at GGHSS Ghalanai. (Copy of Medical Documents are annexed herewith as Annexure "H")
10. That even lastly the Appellant preferred a Departmental Appeal to the Appellate Authority, which has been turned down by the respondents in utter violation of law, rules, regulation as well as in violation of posting transfer policy of 2009, vide impugned office order NO.SO(S/F)E&SED/4-16/2021/ TRANSFER MST. NAGINA SAYEL dated 13.07.2021 Peshawar, which is not only illegal, unlawful, void-ab-initio but in also against the fundamental rights of the appellant protected and guaranteed by the law of land. (Copies of Departmental Appeal / Representation & impugned office order NO.SO(S/F)E&SED/4-16/2021/ TRANSFER MST. NAGINA SAYEL dated 13.07.2021 Peshawar are annexed herewith as Annexure "I" & "J")
11. That feeling aggrieved and having the only remedy available being Civil Servant, the Appellant approaches this Hon'ble

Tribunal for her transfer to District Peshawar, upon the following grounds, inter-alia;

Grounds:

- A. That where the law on the subject matter is very much clear on the very face of it, then not extending the benefit of transfer of the Appellant from GGHSS Ghalani to District Peshawar is a colorful and unfitted exercise of discretionary powers vested in the Respondents.
- B. That as per the Rational Transfer & Posting Policy of the Government, the Appellant is permanent resident and domicile holder of District Peshawar and as per the policy, the Appellant can easily be adjusted anywhere in Peshawar, where are lying dozens of vacant posts.
- C. That the policy of the Government can safely be interpreted and stretched to bring in its ambit the case of the Appellant.
- D. That under the mandate of Article 4 of the Constitution, no one should be treated otherwise than in accordance with law, but here the case is volta-facie and a totally different yardstick has been taken to treat the Appellant.
- E. That as per the Spouse Policy of the Government, the Appellant is entitled to be transferred to District Peshawar as the husband of the Appellant is serving & working in District Peshawar. Moreover, the minor daughter of the Appellant is suffering from Epilepsy Disease and it is very hard for the Appellant to leave her daughter in this pathetic condition, which requires proper care and attention, hence on this score too, the Appellant is entitled to be transferred to District Peshawar.
- F. That the impugned office order NO.SO(S/F)E&SED/4-16/2021/ TRANSFER MST. NAGINA SAYEL dated 13.07.2021 Peshawar is illegal, unlawful, void ab initio and against the law therefore liable to be set aside and by doing so the appellant may kindly be transferred from District Mohmand Ghalani to District Peshawar.
- G. That even the normal tenure for serving in hard areas as per the supra policy is 01 year, whereas the Appellant has served

for almost 02 years in District Mohmand, hence is fully entitled to be transferred to District Peshawar.

H. That any other ground not raised here may graciously be allowed at the time of arguments.

It is, therefore, most humbly prayed that on acceptance of the instant Service Appeal, the impugned office order NO.SO(S/F)E&SED/4-16/2021/ TRANSFER MST. NAGINA SAYEL dated 13.07.2021 Peshawar may kindly be set aside and by doing so, the Appellant may very graciously be transferred to District Peshawar from GGHSS Ghalanai, District Mohmand in light of the Transfer & Posting Policy of the Government.

Any other relief not specifically asked for may also graciously be extended in favor of the appellant in the circumstances of the case.

Dated: 16/07/2021.

(Signature)
Appellant

Through

Javed Iqbal Gulbela
Advocate Supreme Court of
Pakistan

Saghir Iqbal Gulbela
&
Ahsan Sardar
Advocates, High Court
Peshawar.

NOTE:

No such like appeal for the same appellant, upon the same subject matter has earlier been filed by me, prior to the instant one, before this Hon'ble Tribunal.

(Signature)
Advocate.

(6)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

In Re S.A _____/2021


Nagina Sayel

VERSUS

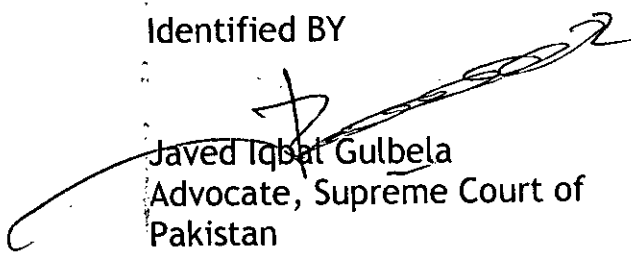
Government of Khyber Pakhtunkhwa & Others

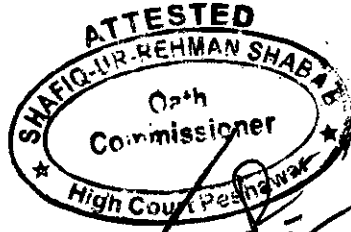
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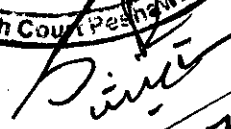
I, Mst Nagina Sayel, Principal (BPS-19) W/o Ijaza Akhtar R/o House No.21 St#5 Mohallah Rahat Abad Forest College Peshawar, do hereby solemnly affirm & declare on oath that all content of the instant Service Appeal, are true & correct to the best of my knowledge & belief and nothing has been concealed or misstated from this Hon'ble Tribunal.


DEPONENT
CNIC: 17301-5153823-0

Identified BY


Javed Iqbal Gulbela
Advocate, Supreme Court of
Pakistan




16-07-2021

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

In Re S.A _____/2021

Nagina Sayel

VERSUS

Government of Khyber Pakhtunkhwa & Others

ADDRESSES OF PARTIES

APPELLANT

Mst Nagina Sayel, Principal (BPS-19) R/o GGSS Ghalanai,
Tehsil & District Mohmand.

ADDRESSES OF RESPONDENTS

1. Government of Khyber Pakhtunkhwa through Secretary
Elementary & Secondary Education at Civil Secretariat,
Peshawar.
2. Director Elementary & Secondary Education, Khyber
Pakhtunkhwa, Peshawar.
3. District Education Officer, Ghalanai, District Mohmand

Dated: 16/07/2021


Appellant

Through


Javed Iqbal Gulbela
Advocate Supreme Court of
Pakistan

Ann. A

8



OFFICE OF THE DIRECTOR SECONDARY EDUCATION, N.W.F.P. PESHAWAR.

NOTIFICATION.

Consequent upon their selection by the Departmental Selection Committee, the Director Secondary Education, N.W.F.P. Peshawar is pleased to appoint the following trained graduate candidates against SET (Science/General) Posts at the Schools noted against their names in BPS-16 (Rs. 2535-197-5450) Plus usual allowances admissible under the rules with immediate effect subject to the following terms and conditions:-

TERMS & CONDITIONS.

1. They will be governed by such rules and regulations as may be prescribed from time to time by the Govt. for the category of the Govt. servants to which they belong.
2. Their services will be liable to termination on one month's notice from either side. In case of resignation without notice one month pay will be forfeited in lieu thereof.
3. They should join the post within one month from the issuance of these orders.
4. Their inter-se-seniority will be determined in accordance with the merit fixed by the Departmental Selection Committee.
5. They shall be on probation for a period of two years.
6. They shall be required to furnish copies of all their certificates/degrees alongwith the original receipts and photo copies thereof pertaining to the verification fee of the concerned examining body (Board/University) to the DEOs/EOs concerned. The latter shall arrange verification of all the certificates/degrees of the appointees of their respective district/agencies and will issue a clearance certificate to each appointee for the release of his/her pay.
7. Fresh candidates are required to produce Health & Age certificate from the Medical Authority concerned before taking over charge. The Service Books of the inservice teachers must be checked by the Heads of the Institution before handing over charge to them.
8. Complete information on the prescribed proforma be submitted to this Directorate within a month.
9. Prescribed age limit for fresh candidates is 21-35 years.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

| S.No. | Name / Address | School where Posted. | Remarks. |
|-------|--|-------------------------------|----------------------------------|
| 1. | Rezwana Nigar D/o Mohammad Akbar, H.No.222 Bicket Gunj Mardan. | GGHS Gujrat, Marda. | Against the Vacant SET Sc. Post. |
| 2. | Nabeed Akhter D/o Dilbar Shah C/o Salim Reza Dagan Khel, Mardan. | GGHS Charguli, Mardan. | -do- |
| 3. | Amina Begum D/o Taj Malik Bussah, EM GGHS Yar Hussain Swabi. | GGHS Ismaila, Swabi. | -do- |
| 4. | Asma Jaffer D/o Ghulam Jaffar H.No.236, Kotla Mohtasiban Peshawar. | GGHS Aza Khel Bala Nowshera. | -do- |
| 5. | Qumrun Nisa D/o Ghulam Nabi Beg, H.No.333, Moh: Nishtar Pura Kocha Kakram N/Rampura Peshwar. | GGHS Kosehra Charsadda. | -do- |
| 6. | Neelam Asker D/o Mohammad Askar Babu Khel, Mardan. | GGHS Rustam, Mardan. | -do- |
| 7. | Nasira Begum D/o Shah Jehan Shah Afzal Abad Charsadda. | GGHS Sarki Mulyan, Charsadda. | -do- |
| 8. | Bushra Nabeed D/o Faqir Mohammad H.No.50205, Gul Badshah Street Peshawar. | GGHS Sher Pao Charsadda. | -do- |
| 9. | Nafees Fatima D/- Sher Rehman EM GGHS Topi, Swabi. | GGHS Topi, Swabi. | -do- |
| 10. | Mobina Naz D/o Ghulam Akbar Akbar Eng: Work Ayaz Build; NSR. | GGHS A.C.Centre, NSR. | -do- |
| 11. | Nighat Begum D/o Ajab, Dad CT GGHS Swabi. | GGHS Tor Dher, Swabi. | -do- |
| 12. | Zubaida Akbar D/o Fazal Akbar, C/o Mohammed Ajmal Advocate Mardan. | GGHS Beeka, Swabi. | -do- |
| 13. | Samira Anjum D/o Inayatullah PTC GGPS Sala Lahar Swabi. | GGHS Zaida Swabi. | -do- |

JAVED IQBAL GULBELA
 Advocate
 Supreme Court of Pakistan
 (ASC # 3317)

Capt. ...

| S.No. | Name / Address | School Where posted. | Remarks. |
|-------|--|----------------------------------|--|
| 14. | Farkhanda Latif D/o Latifullah Moh: Pila Khel, Vilg: I/Khawar. | GGHS Garhi Daulat Zai Mardan. | Against the vacant SET Sc: Post. |
| 15 | Sadaf Nausheen D/o Mohammad Ilyas Alam Colony, Mardan. | GGHS Ikram Pur; Mardan. | -do- |
| 16. | Shahnaz Wali D/o Wali Mohammad Moh: Sultan Khel Dagi/ GGPS Shahdad Kili, Swabi. | GGHS Jalbai, Swabi. | -do- |
| 17. | Alia Begum D/o Shah Jehan Khan VPO Utmanzai Charsadda. | GGHS Jemat, Charsadda. | -do- |
| 18. | Akhtar Jabeen D/o Mohammad Aslam, TP GGHS Gandaf Swabi, | GGHS Lahor, Swabi. | -do- |
| 19. | Salma Khatoon D/o Ahmad Shah Moh: Miangan, Swabi. | GGHS Mianai Swabi. | -do- |
| 20. | Baseerat N.E D/o Mohammad Shah CT GGSS Shankar Mahal, Mardan. | GGHS Shankar Mahal, Mardan. | -do- |
| 21. | Fauzia Begum D/o Maqboolur Rehman, Gulbahar Street Bagh-e- Arman, Mardan. | GGHS Jalala, Mardan. | -do- |
| 22. | Ihsania Shuaib D/o Shuaib-ullah CT GGMS K.I.Zai Mardan. | GGHS Shahbaz Garhi, Mardan. | -do- |
| 23. | Waheeda Gul D/o Bahadar Khan VPO Utmanzai Charsadda. | GGMS Robak, Charsadda. | -do- |
| 24. | Fatima Batool D/o Farid Dil CT GGHS Marghuz Swabi. | GGHS Kalabat Swabi. | -do- |
| 25. | Sabiha D/o Abdur Rehman Khan CT GGHS Zarobi Swabi. | GGHS Zarobi, Swabi. | -do- |
| 26. | Rehana Sarwat D/o Mumtaz. CT GGSS Landi Kotal. | GGHS Dakki, Charsadda. | -do- |
| 27. | Shehla Talat D/o Usman Shah C/o Khalid Usman Geog: Deptt: Peshawar University, Peshawar. | GGHS Khesghi, Peshawar, NSR. | -do- |
| 28. | Saltanat D/o Madad Khan CT GGHS Shakh No.6 Charsadda. | GGHS Tangi, Charsadda. | -do- |

Contd..

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

| S.No. | Name/Address. | School where posted. | Remarks. |
|-------|---|----------------------------------|--|
| 28 | Zarifa Rani D/o Abdul Waheed H.No.1 Gumbazi Street Galbaha near Paqir Sarai Peshawar. | GGHS Shabqadar Charsadda. | Against the vacant SET Sc. Post. |
| 30 | Mehceda D/o Ahmad Shah H.No.157 J-3 Phase 2nd Hayat abad Peshawar. | GGHS Aza Khel Payan Nowshera. | -do- |
| 31 | Tahira Batool D/o S.Pida Hussain Sayed Colony Sheikh Abad Peshawar. | GGHSS Dobian Swabi. | -do- |
| 32 | Basmin D/o Khurshid Moh:Kina Khel Kalu Khan, Swabi. | GGHS Kalu Khan, Swabi | -do- |
| 33 | Nagina Siyal D/o Khawaja Mohammad Siyal Vilg: Deh Bahadar Peshawar. | GGHS Jalozai, NSR. | -do- |
| 34 | Farida Shahzad D/o Shahzad Bacha Moh: Hoti Alla Dad Khel, Mardan. | GGHSS Shandand Baba Mardan. | -do- |
| 35 | Tahira Tabasum D/o Said Rasool CT GCMS Fatima, Mardan. | GGHS Gar Munara, Swabi. | -do- |
| 36 | Fauzia Naz D/o Waqif Khan Moh: Abdur Rehman VPO Shaidu Nowshera. | GGHS Jehangira, Swabi. | -do- |
| 37 | Shazia Anjum D/o Abdur Rauf Khan Lilal Street Rasheed Town Gul Bahar No.3 Peshawar. | GGHS Bara Duresh Khela Swat. | -do- |
| 38 | Shaheen D/o Muhammad Ayub Moh: Spalano Namargai. Hatian Thakhbai Mardan. | GGHS Gumbat, Mardan. | -do- |
| 39 | Rashida Begum D/o Zaria Dad Khan CT J.M.S. Adina Swabi. | GGHS Shawa Swabi. | -do- |
| 40 | Umaira Hifat D/o Mchib Gul Porr GGHS Akbar Pura NSR. | GGHS Akbar Pura, NSR. | -do- |
| 41 | Takht Bibi D/o Wasal Khan Lab: Asett. GGHS Hayat Abad Pesh; | GGHS D.I. Khel, Nowshera. | -do- |
| 42 | Nargas D/o Amir ud Din, DM GGHS K.I. Zai Marian. | GGHS - Fatch Pur, Swat. | -do- |

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC #5317)

| S.No. | Name and address of candidate. | Posted at. | Remarks. |
|-------|---|----------------------------|--|
| 42. | Ghazala Horeen D/O Mullasir Shah TT GGMS Swabi. | GGHS Totalai, Buner. | Against the vacant SET-Sc. Post. |
| 43. | Ruqia D/O Mishah ul Din CT GGMS Katar Pan Nowshera. | GGHS Pachakalay, Buner. | -do- |
| 44. | Palak Naz. D/O Younis Jalal Lab:Asstt; G.G.C. Nardan. | GGHS Gwalerai, SWAT. | -do- |
| 45. | Raissa Ilyas D/o Mohammad Ilyas Siddique, Mohallah Sheikhan, A.era Khattak, Nowshera. | GGHS Khairabad, NSR. | -do- |

NOTE:

1. Charge reports should be submitted induplicate to JI concerned.
2. No WA/DA is allowed.
3. Consequent upon the finalization of the judicial judgement in respect of the selectees of Zone-5, their seniority vis-a-vis of the appointee of other zones, will be fixed in accordance with the merit assigned to them by the selection committee.

DIRECTOR SECONDARY EDUCATION
N.W.F.P. PESHAWAR.


Undst:No. 2496-3398 /A-14/Apptt:99. Dt:Peshawar the 12/7/1999

Copy of the above is forwarded for information and necessary action to the :-

1. Accountant General, NWFF, Peshawar with the remarks as per Sr.No.5 below.
2. Director Primary Education, NWFF, Peshawar.
3. Director of Education, PATT, NWFF, Peshawar.
4. All the Distt. Education Officers/Agency Education Officers concerned.
5. All the Distt. Accounts Officers/Agency Accounts Officers concerned with the request that pay of the above appointees may not be released until and unless they produce a clearance certificate from their DEOs concerned regarding their verification of certificates/degrees as mentioned at S.No.5 of the terms and conditions.
6. All the Principals/Headmasters/Headmistresses concerned.
7. Private Secretary to Honourable Minister for Education, NWFF.
8. Private Secretary to Secretary Education, NWFF, Peshawar.
9. Officials concerned.
10. P.M. to Director Secondary Education, NWFF, Peshawar.
11. P/Files.

M. Ishfaq/

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)


DEPUTY DIRECTOR
DIRECTOR SECONDARY EDUCATION
N.W.F.P. Peshawar.

14/7/99



(13)

Ann B

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

Dated Peshawar the December 18th, 2019

NOTIFICATION

No. SO(S/FE&SED/3-2/2019/Promotion/BS-18 to BS-19/TC:

Consequent upon

recommendation(s) of the Provincial Selection Board (PSB) in its meeting held on 23-09-2019, the Competent Authority is pleased to promote the following 54 Female Teaching Cadre Officers of Elementary & Secondary Education Department from BS-18 to BS-19 on regular basis.

2. Consequent upon above, they are hereby posted against the mentioned posts, with immediate effect:

| S. No | Name of Officer | Present Posting | Domicile | Posted As |
|-------|----------------------|--|------------|---|
| 1 | Mst. Bibi Haroon | SS (His-cum-Civics) BS-18, GGCHSS Kotha Swabi | Swabi | Principal (BS-19) GGCHSS Baja, Swabi Against Vacant Post |
| 2 | Mst. Yasmin Akhtar | SS (English) BS-18, GGCHSS Peshawar | Kohat | Principal (BS-19) GGCHSS Lachi Kohat Against Vacant Post |
| 3 | Mst. Fozia Barlas | SS (BS-18) GGCHSS Havelian Abbottabad | D.I.Khan | Principal (BS-19) GGCHSS Barawal Dir Upper Against Vacant Post |
| 4 | Mst. Bibi Shabnamzeb | SS (Biology) BS-18, GGCHSS Abbottabad | Mansehra | Principal (BS-19) GGCHSS No. 2 Mansehra Vice Sr. No. 55. |
| 5 | Mst. Naheed Begum | SS (Biology) BS-18, GGCHSS University Town Peshawar | Mardan | Principal (BS-19) GGCMHS Canal Road Mardan Against Vacant Post |
| 6 | Mst. Azhar Jan | Instructor (BS-18) RITE (F) Rajjar Charsadda | Charsadda | Principal (BS-19) GGHS No. 1 Sarai Naurang Lakki Marwat Against Vacant Post |
| 7 | Mst. Farzana Jabeen | SS (English) BS-18, GGCHSS Dhamtor Abbottabad | Abbottabad | Senior Instructor (BS-19) RITE (F) Abbottabad Against Vacant Post |
| 8 | Mst. Nighat Qazi | SS (English) BS-18, GGCHSS KTS No. 2 Haripur | Haripur | Principal (BS-19) GGCHSS Seri Kot, Haripur Against Vacant Post |
| 9 | Mst. Asia Sardar | SS (Home Economics) BS-18, GGCHSS University Town Peshawar | Nowshera | Principal (BS-19) GGCHSS Shaidu Nowshera Against Vacant Post |

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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| | | | | |
|----|-----------------------|---|--------------|---|
| 10 | Mst. Tabassum Laila | SS (BS-18) GCHSS Begum Shahabud Din Peshawar | Peshawar | Principal (BS-19) GCHSS Usterzat Kohat Against Vacant Post |
| 11 | Mst. Roohul Ain Lalqa | Principal GCHSS D.I.Khan (own pay & scale) | D.I.Khan | Principal (BS-19) GCHSS Puharpur D.I.Khan Already occupied by her |
| 12 | Mst. Noushaba | SS (General) BS-18 GCHSS Peshawar | Peshawar | Principal (BS-19) GCHSS Kernal Sheer Killay Swabi Against Vacant Post |
| 13 | Mst. Sumaira Taj | Instructor (BS-18) PITE (F) Peshawar | Charsadda | Principal (BS-19) GCHSS Dhakki Charsadda Vice Sr. No. 56 |
| 14 | Mst. Hayat Robina | Vice Principal (BS-18) GGHS Bannu | T.D.S.W | Principal (BS-19) GGHS Sikandar Khel Bala, Bannu Against Vacant Post |
| 15 | Mst. Farzana Safdar | SS (BS-18) GCHSS KTS No. 2 Haripur | Haripur | Principal (BS-19) GGHS Joulain, Haripur Against Vacant Post |
| 16 | Mst. Naheeda | SS (BS-18) GCHSS Garhi Habibullah Mansehra | Mansehra | Principal (BS-19) GGHS Thathi Khurd Mansehra Against Vacant Post |
| 17 | Mst. Mufeed Saeeda | SS (Economics) BS-18, University Peshawar | Peshawar | Principal (BS-19) GGHS Rustam Mardan Against Vacant Post |
| 18 | Mst. Parveen Shakila | Instructor (BS-18) RITE (F) Peshawar | Peshawar | Principal (BS-19) GGHS Kunda Swabi Against Vacant Post |
| 19 | Mst. Jamil Fauzia | SS (BS-18) GCHSS Jungle Khel Kohat | Kohat | Principal (BS-19) GGHS Billtang Kohat Against Vacant Post |
| 20 | Mst. Rehmat Rahila | SS (Statistics) BS-18, GCHSS University Town Peshawar | Bannu | Principal (BS-19) GGHS Civil Quarter Peshawar Vice Mst. Naghmana Niamat, being promoted to BS-20 |
| 21 | Mst. Bibi Farzana | Vice Principal (BS-18) GGCMHS Lakki Marwat | Lakki Marwat | Principal (BS-19) GGHS No. 2 Lakki Marwat Vice Mst. Bibi Zubaida, being promoted to BS-20 |
| 22 | Mst. Sadiq Shabana | SS (Physics) BS-18, GCHSS KTS Sector No. 2 Haripur | Haripur | Principal (BS-19) GGHS Kot Najibullah Haripur Against Vacant Post |
| 23 | Mst. Begum Bushra | SS (Biology) BS-18, GCHSS Ziarat Talash Dir Lower | Dir | Principal (BS-19) GGCMHS Timergara Dir Lower Against Vacant Post |

(15)

| | | | | |
|----|---------------------|---|------------|---|
| 24 | Mst. Hamida Bano | Principal (BS-18) GGHS Akbar Pura Nowshera | Swat | Principal (BS-19) GGHS Yakatoot Peshawar Against Vacant Post |
| 25 | Mst. Sabiha | Instructor (BS-18) RITE (F) Swabi | Swabi | Principal (BS-19) GGHS Marghuz Swabi Against Vacant Post |
| 26 | Mst. Nagina Sayal | SS (Physics) BS-18, GGHS University Town Peshawar | Peshawar | Principal (BS-19) GGHS Ghallanai TD Mohmand Against Vacant Post |
| 27 | Mst. Bakht Bibi | SS (Physics) BS-18, GGHS Jogiwara Peshawar | Peshawar | She is retained as SS (Physics) BS-18, GGHS Jogiwara Peshawar, as she has forgone her promotion |
| 28 | Mst. Nasreen Aslam | SS (BS-18) GGHS Havelian Abbottabad | Mansehra | Principal (BS-19) GGHS Lissan Nawab Mansehra Against Vacant Post |
| 29 | Mst. Bushra Begum | Vice Principal (BS-18) GGHS Shaidu Nowshera | FR Bannu | Principal (BS-19) Shahbaz Azmat Khel Bannu Against Vacant Post |
| 30 | Mst. Pukraj Gul | Principal (BS-18) GGHS Nisat Charsadda | Peshawar | Principal (BS-19) GGHS Samarbagh Dir Lower Against Vacant Post |
| 31 | Mst. Tahira Jabeen | SS (BS-18) DCTE Abbottabad | Haripur | Principal (BS-19) GGHS Dir Upper Against Vacant Post |
| 32 | Mst. Ismat Ara | Vice Principal (BS-18) GGHS Umerzai Charsadda | Peshawar | Principal (BS-19) GGHS Panjpir Swabi Against Vacant Post |
| 33 | Mst. Gul Shaida | Principal (BS-18) GGHS Dheri Julagram Malakand | Malakand | Principal (BS-19) GGHS Julagram Malakand Vice Sr. No. 62 |
| 34 | Mst. Gohar Sani | Principal (BS-18) GGHS Kharakai Malakand | Malakand | Principal (BS-19) GGHS Palai Malakand Against Vacant Post |
| 35 | Mst. Noorul Basar | SS (Chemistry) BS-18, GGCHSS Peshawar | Charsadda | Principal (BS-19) GGHS Kubar Dir Lower Against Vacant Post |
| 36 | Mst. Kausar Tanveer | SS (Chemistry) BS-18, GGCHSS Abbottabad | Abbottabad | Principal (BS-19) GGHS Khwazakheln Swat Vice Sr. No. 57 |
| 37 | Mst. Samina Gul | SS (BS-18) GGCHSS Abbottabad | Abbottabad | Principal (BS-19) GGHS Kakul Abbottabad Against Vacant Post |
| 38 | Mst. Musarrat Fida | SS (English) BS-18, GGHS Babri Banda Kohat | Karak | Principal (BS-19) GGHS Karak Against Vacant Post |

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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(16)

| | | | | |
|----|----------------------|--|---------------|--|
| 39 | Mst. Fozia Hina | Instructor (BS-18) RITE (F) Abbottabad | Mansehra | Principal (BS-19) GGHS Phulra Mansehra Vice Sr. No. 63 |
| 40 | Mst. Tabassum Ara | SS (BS-18) GGCMHS Kot Najeebullah Haripur | Haripur | Principal (BS-19) GGHS Pannian Haripur Against Vacant Post |
| 41 | Mst. Syeda Nousheen | SS (BS-18) GGCMHS Kot Najeebullah Haripur | Peshawar | Principal (BS-19) GGHS Bagra Haripur Vice Mst. Samina Mushtaq, being promoted to BS-20 |
| 42 | Mst. Bibi Sajida | Instructor (BS-18) RITE (F) Mansehra | Abbottabad | Principal (BS-19) GGHS Shergarh Mansehra Vice Sr. No. 58 |
| 43 | Mst. Andaleeb | Principal (BS-19) GGHSS Lora Abbottabad (own pay & scale) | Abbottabad | Principal (BS-19) GGHS Lora Abbottabad Already occupied by her |
| 44 | Mst. Rukhsana Bibi | SS (His-cum-Civics) BS-18, GGHS Begum Shahabud Din Peshawar | Dir Lower | Principal (BS-19) GGHS Mayar Dir Lower Against Vacant Post |
| 45 | Mst. Saeeda Begum | Principal (BS-19) GGHSS Tordher Swabi (own pay & scale) | TDSW | Principal (BS-19) GGHS Tordher Swabi Already occupied by her |
| 46 | Mst. Musarrat Aman | SS (BS-18) GGHS Manglower Swat | Swat | Principal (BS-19) GGHS Matta, Swat Vice Sr. No. 59 |
| 47 | Mst. Shaista Parveen | SS (BS-18) GGHS Jungle Khel Kohat | Kohat | Principal (BS-19) GGHS Babri Banda Kohat Against Vacant Post |
| 48 | Dr. Safia Noor | Instructor (BS-18) PITE (F) Peshawar | TD Mohmand | Principal (BS-19) GGHS Prang Charsadda Against Vacant Post |
| 49 | Mst. Farah Naz | SS (BS-18) GGCHSS Abbottabad | Haripur | Principal (BS-19) GGHS Havelian Abbottabad Vice Mst. Rizwana Saeed, being promoted to BS-20 |
| 50 | Mst. Riffat Begum | SS (Pak Study) BS- 18, GGHS Sherpao Charsadda | Charsadda | Principal (BS-19) GGHS Rabat Dir Lower Against Vacant Post |
| 51 | Mst. Sajida Bibi | Vice Principal (BS- 18) GGHS Kakul Abbottabad | Abbottabad | Principal (BS-19) GGHS Oghi Mansehra Against Vacant Post |

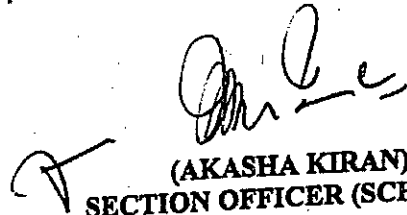
(17)

4. No TA/DA will be allowed for joining their duties.

SECRETARY
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Endst: of even No. & date:

- Copy forwarded to the:
- Accountant General Khyber Pakhtunkhwa, Peshawar.
- Director E&SE Khyber Pakhtunkhwa, Peshawar
- Director DCTE, Khyber Pakhtunkhwa, Abbottabad.
- Director PITE Khyber Pakhtunkhwa, Peshawar.
- Principals RITE (Female) Khyber Pakhtunkhwa.
- District Education Officers (Female) concerned.
- District Accounts Officers concerned.
- PS to Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
- PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- PS to Advisor for E&SE Khyber Pakhtunkhwa Peshawar.
- PS to Secretary E&SE Department.
- In-charge EMISE, E&SE Department for uploading at official website at the earliest.
- Officers concerned.
- Office order file.


(AKASHA KIRAN)
SECTION OFFICER (SCHOOLS
FEMALE)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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18

| | | | | | |
|--------------------------------|---------------------------------------|--------------------------------|---------------------|----------|--|
| 52 | Mst. Najia Ambreen | Principal GGHS D.I.Khan | (BS-18) Hassa | D.I.Khan | Principal (BS-19) GGHS No. 1 Lakki Marwat Against Vacant Post |
| 53 | Mst. Fozia Amin | SS (BS-18) GGHS No. 2 D.I.Khan | | D.I.Khan | Principal (BS-19) GGHS No. 2 Tank Against Vacant Post |
| 54 | Mst. Naz Begum | Principal GGHS Peshawar | (BS-18) Wadpaga | Peshawar | Principal (BS-19) GGHS Chowkara Karak Against Vacant Post |
| CONSEQUENTIAL TRANSFERS | | | | | |
| 55 | Mst. Fehmida Malik, Principal (BS-18) | Principal GGHS Mansehra | (BS-19) No. 2 | - | At the disposal of Directorate of E&SE |
| 56 | Mst. Taskeen, Principal (BS-18) | Principal GGHS Charsadda | (BS-19) Dhakki | - | Principal (BS-18) GGHS Dosehra Charsadda Vice Sr. No. 60 |
| 57 | Mst. Yasmin Bibi, SS (Bio) BS-17 | Principal GGHS Swat | (BS-19) Khwazakhela | - | SS (Bio) BS-17 GGHS Kala Killay Swat Against Vacant Post |
| 58 | Mst. Sadaf Bashir, Principal (BS-18) | Principal GGHS Mansehra | (BS-19) Shergarh | - | At the disposal of Directorate of E&SE |
| 59 | Mst. Zuhra Bano, HM (BS-17) | Principal GGHS Swat | (BS-19) Matta | - | HM (BS-17) GGHS Qandil Swat Against Vacant Post |
| 60 | Mst. Rozina, IPE (BS-17) | Principal GGHS Charsadda | (BS-18) Dosehra | - | IPE (BS-17) GGHS Misri Banda Nowshera Against Vacant Post |
| 61 | Mst. Mumlikat, Principal (BS-18) | Principal GGHS Malakand | (BS-19) Julagram | - | At the disposal of Directorate of E&SE |
| 62 | Mst. Nida, Principal (BS-18) | Principal GGHS Mansehra | (BS-19) Phulra | - | At the disposal of Directorate of E&SE |

3. In terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15 (i) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, the above female officers of the Teaching Cadre on their promotion shall be on probation for a period of one year.


JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

Ann C

Arrival Report

In response of Notification
NU SO(S/F) ED S# 0/3-2/2019/Promotion/
BP 18 to BP 19/TC dt 18-12-2019,

I Mrs Nagina Sajel Principal
GHS Chhalla PPS 19, Submitted
my arrival report on 19¹² (FN)
2019
at GHS Chhalla


Nagina Sajel
Principal PPS 19
GHS Chhalla

JAVED IQBAL GULRELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

The Honourable Minister
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

**Subject: REQUEST FOR POSTING AT GGHSS BARA KALANGA, KHYBER
or GGHSS JAMRUD, KHYBER.**

Respected Sir

Kindly refer to Secretary Elementary & Secondary Education office notification No SO (S/F) E&SED/3-2/2019/promotion/BS-18 to BS19/TC, dated 18/12/2019. It is humbly submitted that I am a permanent resident of Peshawar (Domicile attached) and presently working as senior subject specialist (BPS-18) at Govt. Girls Higher Secondary School University Town Peshawar. According to the above mentioned notification, I am posted as Principal GGHSS Ghallanai TD Mohmand.

I would like to draw your kind attention towards the fact that my husband, **Dr. Ijaz Akhtar** working as **Deputy Director Planning**, posted at **Directorate of Agriculture Research, Peshawar (certificate attached)** also enable me to be posted at a nearest location to Peshawar due to spouse policy. My younger daughter **Aliza Ijaz** aged 11 is physically very weak, suffering from epilepsy disease (Doctor's prescription attached) and need continuous care. On humanitarian basis, posting at a nearest location in Peshawar will enable me to perform my official duty perfectly as well as to take care of my family and daughter. I have already submitted an appeal for posting at Peshawar on 14/10/2019 to your good self (copy attached). It is once again humbly requested on the basis of above mentioned facts that my posting may please be placed on a vacant post as:

- 1. **Vice Principal (BS-19) GGHSS Bara Kalanga, Khyber (Vacant Post)** or
- 2. **Principal (BS-19) GGHSS Jamrud, Khyber (Vacant Post)**

It is further humbly submitted that if my posting in surrounding of Peshawar is not possible then I have no other option to forgo my promotion and remain work as senior subject specialist (BPS-18) at Govt. Girls Higher Secondary School University Town Peshawar.

Thanks

Ng 20/12/2019

Nagina Sayel
Senior Subject Specialist (BS-18)
Govt. Girls Higher Secondary School
University Town, Peshawar

- 1. Secretary, Elementary & Secondary Education Peshawar for consideration please.
- 2. Special Secretary/ Chairman Corrigendum Committee, Elementary & Secondary Education Peshawar for proper posting please.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

(21)

Ann D/I

The Honourable Minister
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

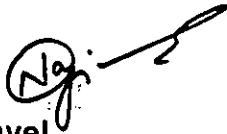
Subject: Application for Transfer as Principal GGHSS, Nothia, Peshawar

Respected Sir,

It is humbly submitted that I am a permanent resident of Peshawar and presently working as Principal (BPS-19) at Govt. Girls Higher Secondary School, Ghallanai, Mohmand.

I would like to draw your kind attention towards the fact that my younger daughter, Aliza Ijaz aged 11 is physically very weak, suffering from epilepsy disease and needs continuous care. My husband, Dr. Ijaz Akhtar working as Deputy Director Planning, posted at Directorate of Agriculture Research Peshawar, also enable me to be posted at Peshawar due to spouse policy. Posting at Peshawar city will enable me to perform my official duty perfectly as well as to take care of my family and daughter. Due to the above mentioned facts it is requested that I may be transfer as Principal (vacant post) to GGHSS, Nothia, Peshawar.

Thanks



Nagina Sayel
Principal Govt. Girls Higher Secondary
School, Ghallanai, Mohmand.

Attachments: Copy of domicile and other documents are attached.

Copy to:

1. PS to Honourable Secretary, Elementary & Secondary Education Peshawar for information and with a request for humble consideration please.
2. Director, Elementary & Secondary Education Peshawar for proper consideration please.
3. District Education Officer, Ghallanai, Mohmand for information please.

JAVED IGBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)



DOMICILE CERTIFICATE

I declare that I was born of parents who are permanently domiciled in N.W.F.P. having been born in this province.

I was born at village DEH-BAHADUR
Tehsil Peshawar Distt: Peshawar

Nagina
Signature of the applicant
Dated _____/_____/_____

Pursuance to the declaration dated _____/_____/_____

Filed by NAGINA SAYEL or D/O KHAWAJA MOHAMMAD
of village Deh-Bahader Peshawar Domiciled in SAYEL
N.W.F.P. it is hereby certified that the said Nagina Sayel
parents are permanently residents of the N.W.F.P. having been
born with it.

I have satisfied myself personal/my own knowledge
verification that the above declaration is true and certify
accordingly.

Given under my hand and the Seal of the Court.
This 9/5 day of July, 1987

Seal
ab 4850 Ph
9/7/87
Deputy Commissioner,
Peshawar

Seal
[Signature]
09/7/87
MAGISTRATE
PESHAWAR

Counter signed
[Signature]

DEPUTY COMMISSIONER
PESHAWAR

Attested
Dawarman

verified
[Signature]
8.7.87
Deputy Commissioner
Government of N.W.F.P.
Home & Tribal Affairs Department

[Handwritten Urdu text]

GOVERNMENT OF KHYBER PAKHTUNKHWA
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.

JAVED IQBAL
Advocate
Supreme Court of Pakistan
1. (ASC# 5317)

Instructions issued vide circular letter No. SOR-VI (E&AD)1-10/08 (X), dated 07-10-2008
2. Posting - Transfer Policy - updated till 10 Jan, 2009

- v) { }
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, KHYBER PAKHTUNKHWA needs to be obtained
- ²While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary KHYBER PAKHTUNKHWA 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 KHYBER PAKHTUNKHWA 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.
- 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
³DCOs 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 KHYBER PAKHTUNKHWA 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 column2 thereof:

- | | |
|---|---|
| 1 | 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 KHYBER PAKHTUNKHWA 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. |
| 2 | Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004 |
| 3 | Added vide Urdu circular letter No: SOR-VI (E&AD)/1-4/2005, dated 9-9-2005. |

JAVED IQBAL GULBELA
 Advocate
 Supreme Court of Pakistan
 (ASC # 5317)

Advocate
 Supreme Court of Pakistan
 (ASC # 5317) considered.

29

1337

Khyber Pakhtunkhwa Removal from

Rule 1287 shall be proceeded against under the KHYBER PAKHTUNKHWA Removal from
 Service (Special Powers) Ordinance 2000. As required under the KHYBER PAKHTUNKHWA
 Govt Rules of Business 1985, the Administrative Secretaries shall ensure compliance with the
 policy and directing officers/officials be taken to task & entries to this effect shall be made
 in their PERS/AORs. In case subordinate officers are working on sites or proceeding for the
 purpose of inspection, they shall submit inspection Report to their Administrative
 Secretaries. Administrative Secretaries shall ensure submission of such reports.
 Authority: - Urdu circular No: SOR-N (E&D)/1-102 dated 29-6-2007.

- 1 -

JAVED IQRAT GULBEJA
 Director
 Government of Punjab
 Lahore

Khyber Pakhtunkhwa Services Laws

1333

| 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.

JAVED IQBAL GULBER
Advocate
Supreme Court of Pakistan
(ASC # 5317)

1334

Khyber Pakhtunkhwa Services Laws

1324

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

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unless
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acquai

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.

be ma
(a)

- i) Pre-mature posing/transfer or posting transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

(b)

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 Khyber Pakhtunkhwa 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:-

the W

| 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 consultation with Dist 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:

confe
Act X
name

- 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.

Pakh

JAVED IQBAL GULBELA
 Advocate
 Supreme Court of Pakistan
 (ASC # 5374)

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: Latter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003.

Khyber Pakhtunkhwa Services Laws

1335

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.

SPECIMEN NOTIFICATION.

GOVERNMENT OF KHYBER PAKHTUNKHWA
NAME OF ADMINISTRATIVE
DEPARTMENT

Dated Peshawar, _____

NOTIFICATION

NO. _____ The Competent Authority is pleased to order the transfer of Mr. _____ Department and to post him as _____ in the interest of public service, with immediate effect.

**CHIEF SECRETARY
GOVERNMENT OF KHYBER**

PAKHTUNKHWA

Endst. No. and date even.

Copy forwarded

- 1.
- 2.
- 3.
- 4.
- 5.

**(NAME)
SECTION OFFICER
Administrative Department**

{Authority: Letter No. SO (E-I) E&AD/9-12/2006 dated 22-12-2006}.

The competent authority has been pleased to direct that Para 1(v) of the Posting/Transfer Policy contained in this Department letter No:SOR-I (E&AD) 1-1/85 Vol-II, dated 15-2-2003 shall stand deleted, with immediate effect, consequently allowing the authorities, competent under the KHYBER PAKHTUNKHWA Government Rules of Business, 1985 and the District Government Rules of Business, 2001 or any other rules for the time being in force, to make posting/transfers of Government servants, any time during the year, in genuinely deserving and necessary cases, in public interest, subject to strict observance of all other provisions of posting/transfer policy contained and notified vide circular letter of reference. Hence there will be no ban on posting/transfer of Government Servants in any part of the year while carrying out postings/transfers of Government Servants.

JAVED TOBA
Advocate
Supreme Court of Pakistan
(ASCA) #551

1336

Khyber Pakhtunkhwa Services Laws

The authorities concerned will ensure that no injustice whatsoever is caused to any civil servant, public work is not suffered and service delivery is improved.

I am therefore directed to request that the provisions of posting/transfer policy, as amended to the extent above, may kindly be followed in letter and spirit in future so as to keep good governance standard in this regard.

{**Authority:** Letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008}.

.....
According to the policy of the provincial Government, maximum tenure on a post is three years. Contrary to the Policy, Store Keepers, Cashiers, Accountants and other ministerial staff remains posted in their particular field for long time, which may result in misuse of this position, due to which not only public exchequer may sustain loss but general public also suffers. The Provincial Government has taken serious notice of this situation & decided that all Administrative Secretaries and DCOs may submit a certificate within one month to the effect that above mentioned officials, having completed three years on their posts, have been adjusted on posts other than those they held previously.

{**Authority:** Urdu circular No: SOR-VI (E&AD)/05 dated 28th Oct, 2005.}

.....
The Chief Minister KHYBER PAKHTUNKHWA has directed that:-

- i) Submission of summary would not be required in case of mutual transfer.
- ii) Posting/transfer shall be made according to the policy;
- iii) Government Servants shall avoid direct submission of applications to the Chief Minister;
- iv) In genuinely deserving case, they should approach the Administrative Secretaries who could process the case according to policy;
- v) In case of direct submission of application to the Chief Minister Secretariat for Posting/ Transfer, the concerned govt servants shall be proceeded against under the prevalent rules and regulations.

{**Authority:** Urdu circular No; SOR-VI/E&AD/1-4/2003, dated 8-6-2004. Urdu Letter No: SOR-VI/E&AD/Misc./2005, dated 3-1-2005.}

It has been decided with the approval of the competent authority that:-

- i) Mutual transfer would be allowed if both the concerned employees agree; except the Government Servants holding Administrative posts;
- ii) KHYBER PAKHTUNKHWA Government Rules of Business 1985 shall be observed while issuing posting/transfer orders.

{**Authority:** Urdu circular letter No: SOR (E&AD)/1-4/2005, dated 9-9-2005}

Supreme Court (S.C.F. 5317)

.....
The competent authority has decided that in order to maintain discipline, enhance performance of the departments and ensure optimum service delivery to the masses, the approved /prevalent policy of the posting/transfer shall be strictly followed. Government Servants violating the policy and the KHYBER PAKHTUNKHWA Govt Servants (Conduct

Khyber Pakhtunkhwa Services Laws

1337

Rules 1987 shall be proceeded against under the KHYBER PAKHTUNKHWA Removal from Service (Special Powers) Ordinance 2000. As required under the KHYBER PAKHTUNKHWA Govt Rules of Business 1985, the Administrative Secretaries shall ensure compliance with the policy and defaulting offices/officials be taken to task & entries to this effect shall be made in their PERs/ACRs. In case subordinate officers are working on sites or proceeding for the purpose of inspection, they shall submit inspection Report to their Administrative Secretaries. Administrative Secretaries shall ensure submission of such reports.

{Authority: - Urdu circular No: SOR-VI (E&AD)/1-4/06, dated, 29-6-2007}

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(SC # 5317)

(30)

Annⁿ G^v



GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE GENERAL AGRICULTURE RESEARCH
KHYBER PAKHTUNKHWA, 25130, PESHAWAR
☎ 091-9221271 web: www.agrires.kp.gov.pk ☎ 091-9221270
Email: dgragriresearch@gmail.com



No. 7131 /Estt/DGAR

Dated: 20/12/2019

TO WHOM IT MAY CONCERN

It is stated that Dr. Ijaz Akhtar, CNIC No. 17301-8787519-9, having entered into Government service on 1-7-1996 as Research Officer (BPS-17) and is currently working as Deputy Director Planning (BPS-18) at Directorate General Agriculture Research Khyber Pakhtunkhwa, Peshawar from 1-11-2016 to date. The said Officer has command over his subject area and exhibits good work ethic. I wish him all the best for his future endeavors.

Attested
Adnan

Assistant Director Planning
Directorate General
Agriculture Research KPK

M. A. Khan
Director General
Agriculture Research
Khyber Pakhtunkhwa Peshawar

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

Associate Professor (Gold Medalist)
Dr. Ambreen Ahmed

MBBS, MCPS, FCPS (Pediatric)
Department of Pediatric
KGMC, MTI-HMC, Peshawar.



Institutional Based Practice
HAYATABAD MEDICAL COMPLEX
Medical Teaching Institution
Khyber Pakhtunkhwa Pakistan
Tel: Exch: +92-91-921740-46

Ann 'H'

(31)

ایم کی ایس پی اے
ڈاکٹر عنبرین احمد

ایم کی بی ایس، ایم کی پی ایس،
ایف سی بی ایس (پیڈیاٹرک) ڈیپارٹمنٹ آف پیڈیاٹرک
کے جی ایم سی، ایم ٹی آئی - ایچ ایم سی پشاور

Pt. Name: Aliza

Age/Sex: 12 y

Address: Hayatabad

Clinical Record / History

Rx

Date: 5/oct/2020

MR. No:

WT: 18 kg

C.P child
with convulsions

It is recurrent
usually in the
left side.

Rx
Q Tab Nitroprusside

Q Tab Equival
1/2 + 1/2

Q Revolutin 100mg
10 mg

Q Solophan spray

Investigations

Not Valid for Medico Legal Purpose

ماہ بعد معائنے کیلئے تشریف لائیں۔

IBP : Room # 9

For Appointment Contact#: 0333-5044209

Patient's Name: Sleezn.

Age: 8y Sex: F Date: 10/15/2017

Clinical Record

Box

burn case of
Epilepsy.
e. dms.
of fits
supine &
prone Q.
cap. 'chm'
as are

web site link

①. Sub Ad forie

web site link

②. Sub Ad for
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Pediatrics

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASO # 5317)

Dr. Riaz Gul
MBBS, RMP, DCH, DEP, MPH, MHR

Professor
Children Specialist & Family Physician
Fellow College of Family Medicine

Contact No:
0336-9722867
Email:
riazgul_70@yahoo.com

ڈاکٹر ریاض گل

ایم بی بی ایس، آر ایم پی، ڈی پی ایچ، ایم پی ایچ آر
پروفیسر
چلڈرن سپیشلسٹ
فیلو کالج آف فیملی میڈیسن

Patient's Name Almazn Date: 5/1/2017

Address _____ Age: 8yr

Known case of
Epilepsy.
Taking Medicine
ke of Ball.
Pain Rt knee
joint.
Change to
wales.

- ① Symp Ruberion
1/2 all 1/2 all 1/2
- ② Symp Anaton-D.
171
- ③ Neulogese Cream
دن سے دن
کے ساتھ

Dr. Riaz Gul

JAVED IQBAL GULBAND
Advocate
Supreme Court of Pakistan
SC # 5377

(34)

Ann I

The Honourable Secretary
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

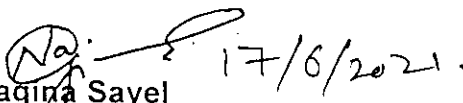
Through: Proper Channel

Subject: Application for Transfer as Principal on Vacant posts
Respected Sir

It is humbly submitted that I am a permanent resident of H # 21, St # 5, Rahatabad, Peshawar and presently working as Principal (BPS-19) at Govt. Girls Higher Secondary School, Ghallanai, TD Mohmand.

I would like to draw your kind attention towards the fact that my younger daughter Aliza Ijaz aged 12 is physically very weak, suffering from epilepsy disease and need continuous care. My husband, Dr. Ijaz Akhtar working as Deputy Director Planning, posted at Directorate of Agriculture Research Peshawar also enable me to be posted at Peshawar due to spouse policy. Posting at Peshawar city will enable me to perform my official duty perfectly as well as to take care of my family and daughter. Due to the above mentioned facts it is requested that three posts of Principal BPS 19 are vacant, I may be transfer on humanitarian basis as **Principal GGHS, Irrigation Colony, Warsak Road, Peshawar or Principal GGHS Sheikhabad Peshawar or Principal GGHS Civil Colony Peshawar**, the posts are still lying vacant on the retirement of Madam Nafees Khanam as Principal on 14-7-2020, Madam Neelofar Nazif as Principal on 1-2-2021 and death of Madam Farzana Ambreen on 6-6-2021.

Thanks


Nagina Sayel

Principal Govt. Girls Higher Secondary (BPS-19)
School, Ghallanai, T.D. Mohmand.
Cell: 03349156146

Attachments: Copy of domicile and other documents are attached

Copy to:

1. PS to Honourable Minister, Elementary & Secondary Education Peshawar for information and with a request for humble consideration please.
2. Honourable Director, Elementary & Secondary Education Peshawar for proper consideration please.
3. District Education Officer, Ghallanai, Mohmand for information please

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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Ann J

No. SO(S/F) E&SED/4-16/2021/Transfer Mst. Nagina Sayel

Dated Peshawar the July 13th, 2021

To

Mst. Nagina Sayel, (BS-19)
Principal Govt. Girls Higher Secondary School,
Ghallanai, Tehsil & District Mohmand.

Subject: APPLICATION FOR TRANSFER AS A PRINCIPAL ON VACANT POST.

I am directed to refer to your application/appeal dated 17.06.2020-21 on the subject noted above and to inform you that the competent authority has rejected your instant appeal/application.

(Hafiz Ur Rehman Shah)
SECTION OFFICER (S/F)

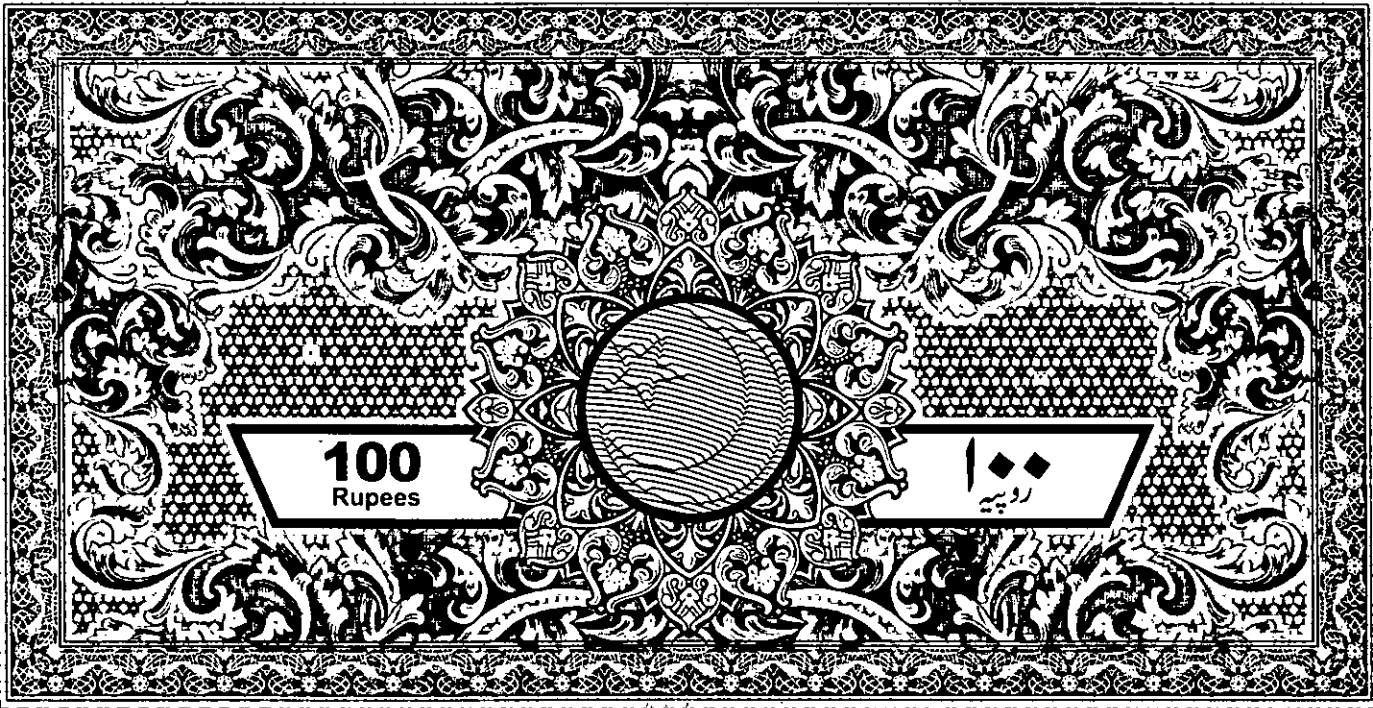
Endst: of even No. & Date:

Copy forwarded for information to:-

1. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa
2. Director, E&SE, Khyber Pakhtunkhwa.

SECTION OFFICER (S/F)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)



مختیار نامہ خاص برائے پیروی مقدمہ

نیلینہ سائل دلا زوبہ اعجاز اختر

درینوقت باقی حوش و حواس اقرار کر کے لکھ دیتے ہیں کہ من اختیار
دہندہ کا مقدمہ زیر تجویز از پر ساجت ہے جس میں کفران بوجہ مصروفیات سے اصالت عدالت حضور میں آنے سے قاصر ہیں اسلئے اپنی جانب سے
ایمل خان ولد خواجہ محمد سائل سجاد علی محلہ انبراہیم علی سساور کو اختیار
دیتے ہیں کہ وہ میری جانب سے عدالت میں حاضری دے، وکیل مقرر کرے، شہادت منجانب اختیار دہندگان تسلیم کرے، راضی نامہ کرے، جواب
دہنی داخل کرے، فہرست گواہان پیش کرے، مقدمہ میں ایمل از جمع سیشن جج تانہا ٹیکورٹ داخل کرے، نظر ثانی کرے ہم اختیار دہندگان کو جملہ ساختہ و
پرداختہ منظور قبول ہوگا اور جملہ کارروائی در مقدمہ منجانب اختیار دہندگان قبول و منظور ہے۔ المرقوم 16/07/2021

لہذا اختیار نامہ خاص برائے پیروی مقدمہ لکھ دیا تاکہ سندر ہے اور بوقت ضرورت کام آئے۔

اختیار دہندہ نیلینہ سائل

شناختی کارڈ نمبر: 17301-5153823-0

العید

اختیار گر ہندہ ایمل خان

شناختی کارڈ نمبر: 17301-6157004-1



گواہ شد
دستخط:

نام: شفیق رحمان

ولدیت: عبدالرحمان شہاب

سکنہ: سرفعال ٹاؤن نزد اسماعیلہ کالج دھوکہ گھاٹ

شناختی کارڈ نمبر: 17301-1449227-1

گواہ شد
دستخط:

نام:

ولدیت:

سکنہ:

شناختی کارڈ نمبر: 17301-1887241

16-07-2021

وکالت نامہ

بعدالتذکرہ صاحب سروس ٹریڈ ہونے پر
 صاحب مکتبہ مسائل بنام حکومت پاکستان
 منجانب Appellant دعویٰ S.A - 2021
 تاریخ 16/7/2021 SC-11-1742

باعث تحریر آنکہ مقدمہ مندرجہ بالا عنوان اپنی طرف سے واسطے پیروی و حوالہ ہی
 بمقام کے لئے جاوید اقبال گل بیلہ لہذا وکیٹ ہائی کورٹ کو بڈس شرکاء و کلائم
 مقرر کیا ہے۔ کہ میں ہر پیشی کا خود یا بزرگیہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بوقت پکارے جانے مقدمہ وکیل
 صاحب موصوف کو اطلاع دے کر حاضر عدالت کرونگا، اگر پیشی پر من مظهر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے
 کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہونگے۔ نیز وکیل صاحب موصوف صدر
 مقام کچہری کی کسی اور جگہ یا کچہری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہونگے۔ اگر
 مقدمہ علاوہ صدر مقام کچہری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر
 من مظهر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نہ واپس کرنے کے بھی
 صاحب موصوف ذمہ دار نہ ہونگے۔ مجھے کوکل ساختہ پرداختہ صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور
 صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل و گرانہ ہر قسم کی درخواست پر دستخط و
 تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کے روپیہ وصول کرنے اور رسید دینے اور داخل
 کرنے اور ہر قسم کے بیان دینے اور سپروٹاشی و راضی نامہ فیصلہ برخلاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور
 بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا ترقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف
 کو بشرط ادائیگی علیحدہ مختار نہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا
 اس کے کسی جزوی کاروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے دوسرے وکیل یا پیرسٹر کو بجائے اپنے یا اپنے ہمراہ
 مقرر کریں اور ایسے مشیر قانون کے ہر امر وہی اور ویسے ہی اختیارات حاصل ہونگے جیسے کے صاحب موصوف کو حاصل
 ہیں۔ اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ اور صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو
 پوری فیس تاریخ پیشی سے پہلے ادا نہ کرونگا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت
 میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا کہ سند ہے۔
 مورخہ 16/7/21 مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

Handwritten notes on the left margin, including the name "ملا سرخان" and other illegible text.

Handwritten notes on the right margin, including the name "اسد علی" and other illegible text.

Acc... 350
 Handwritten signatures and notes at the bottom of the page.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 15910/2020

Mst, Nagina Sayel Principal (BS-19) **Appellant**

VERSUS

1. Govt of Khyber Pakhtunkhwa through Secretary E&SE Department..... **Respondents.**

JOINT PARAWISE COMMENTS FOR & ON BEHALF OF THE RESPONDENTS NO. 1 & 2.

Respectfully Sheweth,

Preliminary Objections

1. That the appellant has got no cause of action to file the instant appeal.
2. That the Appellant is not aggrieved person within the meaning of Article 199 of the Constitution of Islamic Republic of Pakistan 1973.
3. That Appellant is estopped by his own conduct to approach this Hon'able Tribunal.
4. That no vested right of the appellant has been infringed nor any provisions of the Constitution have been violated, therefore, the instant Service Appeal is not maintainable in the circumstances.
5. That the instant appeal is based on mala-fide intention just to put pressure on the Respondents for the grant of illegal and even unauthorized service benefits.
6. The present appeal has been filed to entangle the Department unnecessarily in litigation and to waste the precious time of the respondents as well as of this Hon'able Tribunal.
7. That the present appeal is against the relevant provision of law and rules.
8. That in the instant Service Appeal the Appellant has suppressed material facts from this Honorable Tribunal which are sin-qua-non for the just and fair disposal of the case.
9. The appeal of the appellant is time barred.
10. The appellant has not challenge any order / notification, impugned before this Hon'able tribunal.

REPLY ON FACTS.

1. That Para-1 to pertains the record.
2. Pertains to record, however, the said transfer/posting order was notified in the public interest and mutual consent of the appellant
3. That as per her duties the Govt regular paid salaries & other amoulements to the appellant.
4. That the appellant was promoted from BS-18 to BS-19 and was adjusted to nearest vacant station and the appellant assumed her charge at duty station.
5. As explained in forgoing para
6. That the appellant was adjusted against nearest vacant post on her promotion from BS-18 to BS-19.
7. That the appellant has submitted application to the respondent No. 1 for transfer to District Peshawar, which was rejected on the ground that she has not completed her normal tenure i.e. 18.12.2019 (1-1/2 years). As per posting / transfer policy annexed by the appellant " the normal tenure of posting shall be three years"

8. That each and every civil servant falling under the ambit section-10 of KPK, Civil Servant Act 1973 is legally bound to serve the Respondent Department to the entire satisfaction of the Competent Authority. Furthermore, the departmental appeal having no weightage, hence not process.
9. As the appellant admitted herself that she is caring her daughter, then she is required to opted to retire pre-mature due to which she will not perform her duties upto entire satisfaction and wasted the valuable time of students as well as she is burden over on Govt. exchequer.
10. Explained in Para-7.
11. That para 11 pertain to judicial record, hence need no comments.

REPLY ON GROUNDS


- A. Incorrect and denied, that the appellant has not impugned any, hence the instant appeal is not maintainable.
- B. Incorrect and not admitted. The stance of the appellant is illegal as the post of the appellant is purely a Provincial Cadre post in the Respondent Department and the appellant has been treated as per law & rules.
- C. Incorrect and not admitted. The stance of the appellant is illegal as the post of the Subject Specialist BS-17 is purely a Provincial Cadre post in the Respondent Department and the appellant has been adjusted on promotion from BS-18 to BS-19.
- D. Incorrect & not admitted. As already explained in forgoing Para.
- E. Incorrect & not admitted. The plea of the appellant is illegal on the grounds that the appellant has been treated in accordance with the provision of Section 10 of Civil Servant Act, 1973. As the post of the appellant is a Provincial Cadre in the Respondent Department having no question on tenure completion.
- F. That the appellant has right/option to retire on medical grounds if she can not perform her duties up to the entire satisfactions of the high-ups.
- G. Incorrect and not admitted. That the appellant has been treated in accordance with law & rules.
- H. That the Respondents also seek leave of this Honorable Tribunal to submit additional grounds, case law and record at time of argument on the date fixed.

In view of the above submissions, it is, therefore, most humbly prayed that this Honourable Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favour of the Respondents in the interest of justice.



Director

Directorate of E&SE
Respondent No. 2



Secretary
E&SE Department.
Respondent No. 1

BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

Service Appeal # 7064/2019

NAGEENA SYAL..... Petitioner

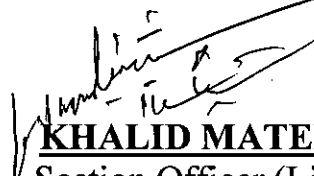
VERSUS

Govt. of Khyber Pakhtunkhwa & others..... Respondents

AFFIDAVIT

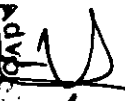
I, **KHALID MATEEN**, Section Officer (Litigation-II) Elementary & Secondary Education, Department do hereby solemnly affirm and declare that the contents of the accompanying para-wise comments, submitted by the respondents, are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.

DEPONENT


KHALID MATEEN
Section Officer (Lit-II)
E&SE PESHAWAR

ATTESTE




26-7-2019



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
BLOCK A OPPOSITE MPA,S HOSTEL, CIVIL SECRETARIAT PESHAWAR
PHONE NO 091-9223588

Dated Peshawar August 17th, 2022

NOTIFICATION


NO.SO(S/F)E&SED/4-16/2022/Posting/Transfer/38: Mst. Nagina Sayel, Principal (BS-19) GGHSS Ghallania TD Mohmand is hereby transferred and posted in RPDC (Female) Peshawar as Instructor (BS-19) in the best public interest.

2. She will assume charge after vacation of the said position of Mst. Asma Begum, Instructor (BS-19) on account of her Promotion from BS-19 to BS-20 in due course of time.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst: of evon No.& date:

1. Copy forwarded to the:
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Director Elementary & Secondary Education Peshawar.
4. District Education Officers (Female) Peshawar/Mohmand.
5. District Account Office Peshawar/Mohmand.
6. Director BMIS, E&SE Department for uploading at official website at the earliest.
7. PS to Secretary, E&SE Department.
8. Officer concerned.
9. Office order file.


(MUHAMMAD FAIZAN ZEB)
SECTION OFFICER (S/F)