

20.01.2022

Brother of the appellant present. Mr. Shujja Ali, ADEO (Litigation) alongwith Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 to 4 present and sought time for submission of written reply/comments. None present on behalf of private respondent No. 5, therefore, notice be issued to her through registered post. Adjourned. To come up for written reply/comments on 18.03.2022 before the S.B at Camp Court Abbottabad. The operation of impugned order shall remain suspended till the date fixed.

(Salah-ud-Din)  
Member (J)  
Camp Court A/Abad

20.05.2022

Counsel for the appellant present. Syed Naseer Ud Din, Assistant Advocate General for respondents present.

Learned counsel for the appellant requested for withdrawal of this appeal. As a token of admission of his submission, he signed the margin of the order sheet. Dismissed as withdrawn. Consign.

*Pronounced in open court in Camp Court Abbottabad and given under my hand and seal of the Tribunal this 20<sup>th</sup> day of May, 2022.*



(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

*Handwritten notes:*  
13/01-4389613-1  
20/5/22

27.12.2021

Counsel for the appellant present. Preliminary arguments arguments have been heard.

The appellant has invoked the jurisdiction of this Tribunal to impugn the transfer order dated 07.12.2021 whereby the appellant has been posted out from GGHSS Malikpura Abbottabad and transferred to GGHSS Behali Mansehra against vacant post while respondent No. 5 has been transferred from GGHSS B.P Dheri Haripur and posted instead of the appellant. Learned counsel, with reference to the transfer history of respondent No. 5 within span of few months, contends that the appellant has been transferred and posted out to favour the respondent No. 5 against the E-Transfer Policy. He further contends that husband of the appellant is working as Sub Divisional Officer C&W Department and posted in Abbottabad. As such the impugned transfer is also against the spouse policy. Points raised need consideration. Subject to all just and legal objection, the appeal is admitted for full hearing. 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 on 20.01.2022 before S.B at camp court, Abbottabad.

Appellant Deposited  
Security & Process Fee

4/1/22

An application has been submitted alongwith memorandum of appeal seeking suspension of the operation of impugned order till final decision of main appeal. Notice of application be also given to the respondents for the date fixed. The operation of impugned order shall remain suspended till next date as fixed above.

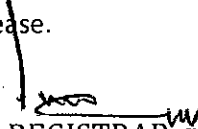

  
Chairman  
Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

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

Case No.- \_\_\_\_\_ 7897/2021 \_\_\_\_\_

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/12/2021	<p>The appeal of Mst. Fozia Rehman presented today by Mr. Sardar Muhammad Azeem Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to touring S. Bench at Abbottabad for preliminary hearing to be put there on <u>27-12-2021</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

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

Case Title: \_\_\_\_\_

S#	CONTENTS	YES	NO
1	This Appeal has been presented by <u>Sardar Muhammad Azeem</u> Advocate		
2	Whether counsel / appellant/ respondent/ deponent have signed the requisite document?	Yes	
3	Whether appeal is within time?	Yes	
4	Whether the enactment under which the appeal is filed mentioned?	Yes	
5	Whether the enactment under which the appeal is filed is correct?	Yes	
6	Whether affidavit is appended?	Yes	
7	Whether affidavit is duly attested by competent oath commissioner?	Yes	
8	Whether Appeal / Annexures are properly paged?	Yes	
9	Whether Certificate regarding filing any earlier appeal on the subject, furnished?	Yes	
10	Whether annexures are legible?	Yes	
11	Whether annexures are attested?	Yes	
12	Whether copies of annexures are readable/ clear?	Yes	
13	Whether copy of appeal is delivered to AG/ DAG?	copy attached	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by Petitioner/ Appellant / Respondents?	Yes	
15	Whether number of referred cases given are correct?	Yes	
16	Whether appeal contains cutting / overwriting?		No
17	Whether list of books has been provided at the end of the appeal?	Yes	
18	Whether case relate to this Court?	Yes	
19	Whether requisite number of spare copies are attached?	Yes	
20	Whether complete spare copy is filed in separate file cover?	Yes	
21	Whether addresses of parties given are complete?	Yes	
22	Whether index filed?	Yes	
23	Whether index is correct?	Yes	
24	Whether security and process fee deposited? On _____		
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, Notice along with copy of Appeal and annexures has been sent to Respondents? On _____	Copies attached	
26	Whether copies of comments / reply / rejoinder submitted? On _____		
27	Whether copies of comments/ reply/ rejoinder provided to opposite party? On _____		

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

Name:- **Sardar Muhammad Azeem**

Signature: - 

Dated: - \_\_\_\_\_



1

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

**TRIBUNAL PESHAWAR**

In S.A 7897 /2021

Mst: Fozia Rehman

**VERSUS**

Secretary E&SE Department Peshawar & Others

**INDEX**

S#	Description of Documents	Annex	Pages
1.	Grounds of Appeal		1-6
2.	Suspension Application with Affidavit		7-8
4.	Copy of Certificate	"A"	-9-
5.	Copy of Order dated 10/11/2021	"B"	-10-
6.	Copy of Relive Order	"C"	-11-
7.	Copies of Report of Headmistress GGHSS & copy of Order	"D & E"	12 to 14
8.	Copies of cancellation order dated 25.11.2018 & Order dated 07.12.2021	"F & G"	15 to 16
9.	Copy of Departmental Appeal & order dated 20 <sup>12</sup> / <sub>21</sub>	"H" & H-1	-17-172
10.	Copy of Personal Data	"I"	-18-
11.	Copy of Education Policy	"J"	19 to 23
12.	Wakalat Nama		-24-

**Dated: 13/12/2021.**

Appellant

Through

  
**Sardar Muhammad Azeem**  
Advocate, Abbottabad

2

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

**TRIBUNAL PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

In S.A. 7897 /2021

Diary No. 8081

Dated 21-12-2021

Mst: Fozia Rehman, SS Maths, Government Girls Higher  
Secondary School, Malikpura Abbottabad.

.....Appellant

**VERSUS**

1. Secretary Elementary & Secondary Education (F),  
Peshawar.
2. Director Elementary & Secondary Education,  
Peshawar.
3. District Education Officer (F) Abbotabad.
4. Director EMIS, E&SE Department for applauding at  
official website at Peshawar.
5. Mst. Saeeda Mehmoona Bibi, SS Maths, Government  
Girls Higher Secondary School, Dheri, Haripur.

.....Respondents

Filed to-day

Registrar

21/12/2021

**APPEAL UNDER SECTION 4 OF KHYBER  
PAKHTUNKHWA SERVICES TRIBUNAL ACT 1974  
SEEKING DECLARATION, DIRECTIONS TO THE  
FACT THAT OFFICE THE ORDER NO:  
SO(SF)E&SED/4-16/2021 DATED 07/12/21  
ISSUED BY RESPONDENT NO.1 WHEREBY  
RESPONDENT NO.5 WAS TRANSFERRED TO**

3

GOVERNMENT HIGHER SECONDARY SCHOOL  
MALAKPURA ABBOTTAḂAD IN PLACE OF  
APPELLANT IS ILLEGAL, UNLAWFUL, WITHOUT  
LAWFUL AUTHORITY, ARBITRARY, PERVERSE,  
DISCRIMINATORY, MALAFIDE, AGAINST THE  
EDUCATION POLICY AND CONSEQUENTLY OF NO  
LEGAL EFFECT UPON THE RIGHTS OF  
APPELLANT AND IMPUGNED ORDER NO:  
SO(SF)E&SED/4-16/2021 DATED 07/12/2021 IS  
LIABLE TO BE SET ASIDE / CANCELLED.

**PRYAER:**

ON ACCEPTANCE OF INSTANT SERVICE APPEAL,  
THE IMPUGNED ORDER NO: SO(SF)E&SED/4-  
16/2021 DATED 07/12/2021 ISSUED BY  
RESPONDENT NO.1 MAY KINDLY BE SET ASIDE.

**Respectfully Sheweth.**

1. That the Appellant is performing her duty as a SS Maths in BPS-17 in Government Girls Higher Secondary School Malakpura Abbottabad to the satisfaction of her superiors.
2. That the Appellant's husband is performing his duty in the office of C&W Department Abbottabad, therefore as per Spouse Policy, Appellant is entitled to perform service in her present place of posting. **(Copy of Certificate is Annexure "A")**.
3. That Respondent No.5 was working as a SS Maths in BPS-17 and was performing her duty at Government Girls

4

Comprehensive Higher, Secondary School Abbottabad in Scale No.18 Physics.

4. That the Transfer Order of Respondent No.5 was issued by the Respondent No.1 from Government Girls Higher Secondary School Abbottabad to Haripur vide Order No: SO(S/F)E&SED/4-16/2021 dated 10/11/2021. **(Copy of Order is annexure "B")**
5. That on the transfer of Respondent No.4, she was relive from Government Girls Comprehensive Higher Secondary School Abbottabad. **(Copy of Relive Order is Annexure "C")**.
6. That the Respondent No.5 instead of taking over charge in new place of posting at Haripur obtain a new transfer order in violation of Educational Policy and on the basis of Political Pressure, from Haripur to Government Girls Higher Secondary School Mirpur Abbottabad vide Order No: SO(SF)E&SED/4-16/2021 , dated 25/11/2021. **(Copies of Report of Headmistress GGHSS & copy of Order are annexure "D & E")** .
7. That the Respondent No.5 did not get the Charge again in Government Girls Higher Secondary School Mirpur and Respondent No.1 cancelled the transferred order in the said school & issued a new transfer order in favor of Respondent No.5 on the basis of Political pressure with malafide, against the law, Rules & Article 4 of the Constitution vide Order No: SO(SF)E&SED/4-



5

16/2021/POSTING/TRANSFER/TC dated 07/12/2021 in place of appellant. (Copies of cancellation order dated 25/11/2018 & order dated 07/12/2021 are annexed as Annexure "F" & "G").

8. That the appellant filed Departmental appeal against the impugned order No: SO(SF) E&SED/4-16/2021/POSTING/TRANSFER/TC dated 07/12/2021 and appellant authority decided the same on 20-12-21 Copy of departmental appeal and order of appellant authority are annexed as Annexure "H" & "H-1".
9. That feeling aggrieved, the appellant assails the impugned order dated 07/12/2021 being illegal, unlawful, against the law and liable to be set aside inter-alia on the following ground:-

Grounds:-

- a. That the impugned order dated 07/12/2021 issued by the respondent No.1 in favour of respondent No.5 is illegal, unlawful, without lawful authority, perverse, discriminatory, malafide and consequently of no legal effect upon the rights of appellant.
- b. That the impugned order passed by the respondent No.1 on the basis of political pressure which is totally against the law, rules, and is void ab-initio, hence not tenable in the eyes of law.
- c. That the impugned order is neither in exigency nor in the public interest, it is totally on the basis of malafide and political whims.

6

D. That the impugned transfer order dated 07/12/2021 against the Spouse Policy of Government as well as Education Policy of the Respondent Department.

E. That the Respondents have not treated the Appellant in accordance with law, rules and policy on the subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan 1973, and unlawfully transfer the Appellant out of District which is unjust, unfair, illegal, hence not sustainable in the eyes of law.

F. That the impugned order if seen from any angle, both factually & legally is not maintainable, hence liable to be set aside.

G. That the Respondent's Department maliciously misrepresent the Appellant personal data to illegally accommodate the Respondent No.5, thus impugned order was not tenable in the eyes of law and liable to be set aside. **(Copy of personal data is annexure "I")**


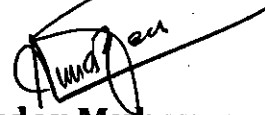
H. That according to Education Policy of Education Department, will only be transferred once at the end of the year, while Respondent No.5 received three transfer orders in her favor in two months. **(Copy of Education Policy is annexure "J")**.

7

*It is, therefore, most humbly prayed that on acceptance of the instant Service Appeal, the impugned Order No: SO(SF)E&SED/4-16/ 2021/ POSTING/ TRANSFER/TC dated 07/12/2021 issued by Respondent No.1 may kindly be set aside.*


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

**Dated: 13/12/2021.**

Appellant   
Through   
**Sardar Muhammad Azeem**  
**Advocate, Abbottabad.**

**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.

  
**Advocate.**

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

In S.A \_\_\_\_\_/2021

Mst: Fozia Rehman

**VERSUS**

Secretary E&SE Department Peshawar & Others

**APPLICATION FOR SUSPENSION OF**  
**IMPUGNED ORDER NO**  
**SO(SF)E&SED/4-16/ 2021/ POSTING/**  
**TRANSFER/TC dated 07/12/2021,**  
**WHEREBY RESPONDENT NO.5 WAS**  
**TRANSFERRED AT GGHS MALAK <sup>Pūya</sup>**  
**ABBOTTABAD IN PLACE OF**  
**APPELLANT/ PETITIONER, TILL FINAL**  
**DECISION OF MAIN APPEAL.**

**RESPECTFULLY SHEWETH,**

1. That the Appellant is filing the accompanying Appeal, the contents of which may graciously be considered as integral part of the instant petition.
2. That the petitioner has got a good prima facie case, besides having balance of convenience in his favor and in case of the dismissal of the instant application shall envisage irreparable loss.
3. That valuable rights of the Appellant are involved.

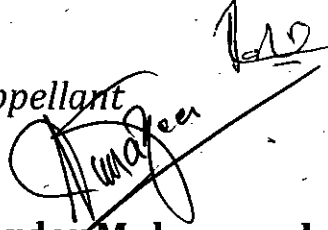
9

4. That the Respondent Department on the basis of political influence trying to take charge from the Appellant and if the charge is taken, the purpose of Appeal will be futile exercise.

It is, therefore most humbly prayed that on acceptance of the instant application, impugned order dated 07/12/2021 may kindly be suspended till the final decision of main appeal in the best interest of justice.

Dated: 13/12/2021.

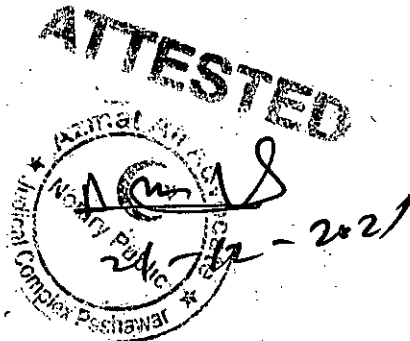
Through

Appellant  
  
Sardar Muhammad Azeem  
Advocate, Abbottabad

**AFFIDAVIT:**

I, Mst: Fozia Rehman, SS Maths, Government Girls Higher Secondary School, Malikpura Abbottabad, 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



Annex (A)

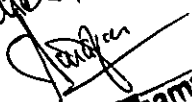
9-1

CERTIFICATE

It is Certificate that the Mr. Zahid Ameen Sub Divisional Officer (SDO) posted in District Abbottabad & working in this department since 25-04-1995.



Executive Engineer  
C&W Highway Division  
Abbottabad  
Executive Engineer  
C/W Highway Division  
Abbottabad

*attested*  
  
**Sardar Muhammad**  
A  
Advoc.

**Sardar Muhammad**  
Azeem  
Advocate Abbottabad

# Annex B,

10



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

Dated Peshawar the, November 10<sup>th</sup>, 2021

**NOTIFICATION**

**No. SO/S/P/E&SED/4-16/2021/PT/Wrong Posting:** The Competent Authority is pleased to order the posting / transfer of the following Officers/Teachers of the Elementary & Secondary Education, Khyber Pakhtunkhwa as recommended by the Director EMIS, with immediate effect, in the public interest: -

Sr. No	Name and designation	From (wrong post)	To (actual post)
1	SYEDA MEHMOONA BIBI SS MATHS (BS-17)	SS PHYSICS (BS-18) GGHSS OMPREHENSIVE ABBOTTABAD	SS MATHS (BS-17) GGHSS B.P. DHERI HARIPUR
2	FOUZIA MUMTAZ HEAD MISTRESS (BS-17)	SS URDU (BS-17) GGHSS MALIK PURA ABBOTTABAD	HEAD MISTRESS (BS-17) GGHS ANDER SAIRI PLUCK ABBOTTABAD
3	ROBINA TABBASAM HEAD MISTRESS (BS-17)	SS URDU (BS-17) GGHSS DHAMTOUR ABBOTTABAD	HEAD MISTRESS (BS-17) GGHS BAN NARA ABBOTTABAD
4	BIBI NARGIS HEAD MISTRESS (BS-17)	SS URDU (BS-17) GGHSS KERI RAIKI ABBOTTABAD	HEAD MISTRESS (BS-17) GGHS BANDI MATRACH ABBOTTABAD
5	SHAGUFTA NAZIR SS URDU (BS-17)	SS PAK STUDY (BS-17) GGHSS RICH BHEN ABBAOTTABAD	SS URDU (BS-17) GGHSS DHAMTOUR ABBOTTABAD VICE S.NO 03
6	TASLEEM AKHTAR SS URDU (BS-17)	HEAD MISTRESS URDU (BS-17) GGHS INAYAT KILLI, BAJOUR	SS URDU (BS-17) GGHSS KHAR BAJOUR.
7	ASIA BIBI SS PASHTO (BS-17)	HEAD MISTRESS (BS-17) GGHS SADIO ABAD, BAJOUR	SS PASHTO (BS-17) GGHSS KHAR BAJOUR
8	JAMILA AZAM HEAD MISTRESS (BS-17)	PRINCIPAL (B-19) GGHS KHAR, BAJOUR	HEAD MISTRESS (BS-17) GGHS BANDAGAI BAJOUR
9	BIBI BILQUIS BEGUM SS PAK STUDY (BS-17)	SS HISTORY/CIVICS (BS-17) GGHSS TIKRI KHARARRI, BATTAGRAM	SS PAK STUDY (BS-17) GGHSS BANIAN BATTAGRAM
10	SHAMIM ARA LIBRARIAN (BS-17)	SS ENGLISH (BS-17) GGHSS TIKRI KHARARRI BATTAGRAM	LIBRARIAN (BS-17) GGHSS OCHI MANSEHRA
11	ROZEENA I.P.E (BS-17)	HEAD MISTRESS (BS-17) GGHS SHEIKHO SARDHERI, CHARSADDA	I.P.E (BS-17) GGHSS KOPAR BANDA MARDAN
12	SAFINA YASMIN I.P.E (BS-17)	SS IT (BS-17) GGHSS NO. 5 QASABAN D.I KHAN	I.P.E (BS-17) GGHSS METHA PUR DI KHAN
13	NARJIS KHATOON HEAD MISTRESS (BS-17)	SS URDU (BS-17) GGCMHSS NO 6 CHAH SYED MUNAWAR DI KHAN	HEAD MISTRESS (BS-17) GGHS MUNAWAR AKBAR TANA
14	HASINA BIBI HEAD MISTRESS (BS-17)	SS ISLAMIYAT (BS-17) GGHSS NO 8 SHIRAZI D.I KHAN	HEAD MISTRESS (BS-17) GGHS SHIRAZI D.I KHAN

*attested*  
*An.*  
**Sardar Muhammad**  
**Azeem**  
**Advocate Abbottabad**

Annex 'C'

(11)

OFFICE OF THE PRINCIPAL GGCHSS ABBOTTABAD

Contact # 0992-333071  
Email ggchss.abbottabad@gmail.com

RELIEVING CHIT

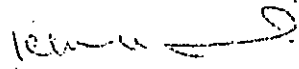
In compliance of Posting/Transfer Order issued under notification NO.SO(SF) E & SED/4-16/2021/posting/Transfer by Secretary of Government of Khyber Pakhtunkhwa E & SE Department.

Mst. Syeda Mehmooda Bibi W/O Syed Irshad Hussain Shah, Designation SS (Math), UPS-17 is hereby relieved off from her duties on the (Afternoon) of the day i.e 25/11/2021 and She is directed to report to the Principal GGCHSS Mirpur Abbottabad.

Encls: 10-70<sup>73</sup> dated: 25/11/2021

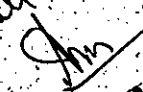
Copy for information to the:

1. District Education Office (F) Abbottabad.
2. District Comptroller of Accounts Abbottabad.
3. Concerned Principals.
4. Official Concerned.

  
PRINCIPAL  
GGCHSS Abbottabad

25/11/2021  
Principal  
Govt. High School  
Secondary School A. Allah

PRINCIPAL  
GGCHSS Abbottabad

Attested  


Sardar Muhammad  
Advocate, Mirpur Abbottabad



Annex (D)

12

OFFICE OF THE GOVERNMENT GIRLS HIGH SCHOOL  
BAGHPUR DHERI DISTT HARIPUR

Subj: Transfer of SS Maths to GGHS Baghpur Dheri

1. It is intimated that Syeda Mehmoona Bibi SS Maths (BS-17) has been transferred from GGHSS comprehensive Abbottabad to GGHS Baghpur dheri as per Elementary and Secondary Education Deptt Khyber Pakhtunkhwa notification No. SO(S/F)E&SED/4-16/2021/PTA/Wrong Posting dated 10 Nov 2021. The teacher has not been reported / taken charge till date to this school accordingly.

2. Fwd for info please.

attested  
Am

**Sardar Muhammad  
Azeem**  
Advocate Abbottabad

*[Signature]*  
08/12/2021  
Headmistress GGHSS  
Baghpur dheri distt Haripur  
Headmistress  
Govt. Girls High School  
Baghpur Dheri

NOTIFICATION Dated 10<sup>th</sup> November, 2021.

Syeda Mehmoona Bibi SS MATHS (BS-17)  
has been transferred from GGHS

COMPREHENSIVE ABBOTABAD to  
GGHSS B.P. DHERI THARI PUR  
but hasn't taken charge yet.

attested

*Ain*  
**Sardar Muhammad Azeem**  
Advocate Abbotabad

12/11/2021  
Headmistress  
Govt. Girls High School  
Sakhar Dheri



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block "A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9223183

Dated Peshawar the November 25<sup>th</sup>, 2021

**NOTIFICATION**

**NO. SO(SFIE&SED/4-16/2021/POSTING/TRANSFER:** The Competent Authority is pleased to transfer Syeda Mehmoona Bibi, Subject Specialist Math (BS-17) from GGCHSS Abbottabad and post her against the newly created post of Subject Specialist Math (BS-17) at GGHSS Mirpur Abbottabad, with immediate effect, in the public interest.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

Encls: of even No. & date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Female) Abbottabad.
4. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
5. District Accounts Officer, Abbottabad.
6. Principals of the concerned Schools.
7. PS to Minister for E&SE, Khyber Pakhtunkhwa.
8. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
9. Teacher concerned
10. Master file.

attested  
Shu

Sardar Muhammad  
Azeem  
Advocate Abbottabad

(HAFEEZ-UR-REHMAN SHAH)  
SECTION OFFICER (SCHOOLS FEMALE)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No 091 9223111

Dated Peshawar the November 25<sup>th</sup> 2021

**NOTIFICATION:**

**NO. SO/SE/E&SE/D/4-16/2021/POSTING/TRANSFER:** The Competent Authority is pleased to cancel this Department's Notification of even number dated 25-11-2021 in respect of Syed Mehmoona Bibi SS (Maths) BS-17 GGSS Minar Abbottabad, in the public interest with immediate effect.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

Endst: of even No. & date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Female) Abbottabad.
4. District Accounts Officer Abbottabad.
5. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
6. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa
7. Teacher concerned.
8. Master file.

attested

Sardar Muhammad  
Azeem  
Advocate

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



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9221388

Dated Peshawar the December 07<sup>th</sup>, 2021

**NOTIFICATION**

**NO. SO(SF)E&SED/4-16/2021/POSTING/TRANSFER/TC:** The Competent Authority is pleased to order the posting / transfer of the following teachers of Elementary & Secondary Education, Khyber Pakhtunkhwa with immediate effect, in the public interest: -

Sr. No	Name & designation	From	To
1.	Mst. Syeda Memoona Bibi, SS Math (BS-17)	GGHSS B.P. Dheri Haripur	GGHSS Malikpura Abbottabad (Vice No-2)
2.	Mst. Fozia Rehman SS Math (BS-17)	GGHSS Malikpura Abbottabad.	GGHSS Behali, Mansehra against the vacant post of SS Math (BS-17)

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

**Endst: of even No. & date:**

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Female) Abbottabad and Mansehra.
4. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
5. District Accounts Officer, Abbottabad and Mansehra.
6. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
7. Teachers concerned.
8. Master file.

attested  
M/s

(SAMIRA MEHSOOD)  
SECTION OFFICER (SCHOOLS FEMALE)  
Sardar Muhammad Azeem  
Advocate Abbottabad

Annex (A)

17

To The Secretary,  
Elementary & Secondary Education,  
KPK, Peshawar.

Subject: APPEAL FOR CANCELLATION OF TRANSFER ORDER

Memo,

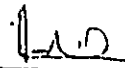
Reference to subject cited above it is stated that I, Mst. Fouzia Rehman is working as SS Maths (BS-17) at GGHS Malikpura and permanent resident of Abbottabad. I have been transferred to GGHS BEHALI Mansehra vide No. SO(SF) E&SED/4-16/2021/POSTING/TRANSFER/TC dated 07-12-2021, which is very far thing from my home station and also it is against the spouse policy as my husband is also Government Servant in C & W Department Abbottabad and having domicile of Abbottabad.

Miss Syeda Mehmoona Bibi SS Maths (BS-17) was working against SS Physics (BS-18) at GGHS Comprehensive Abbottabad and transferred under wrong posted E-transfer policy vide No. SO(S/F)E&SED/4-16/2021/PT/Wrong posting dated Peshawar 10-11-2021 to GGHS B.P Dheri Haripur.

Her another transfer letter was issued vide No. SO(SF)E&SED/4-16/2021/POSTING/TRANSFER dated 25-11-2021, from GGHS Comprehensive to GGHS Mirpur against vacant post of SS Maths (BS-17) and has been cancelled the transfer order of even number dated 25-11-2021. But She was also relieved by Principal GGHS Comprehensive Abbottabad on same date i.e 25-11-2021.

She even did not take charge at GGHS B.P Dheri Haripur against her original vacant post of SS Maths (BS-17) as she was transferred from wrong post under E-transfer policy. Instead of taking over charge at her original post against vacant post at GGHS B.P Dheri. Her transferred order has been issued from your Good office from GGHS B.P Dheri to GGHS Malikpura vide No. SO(SF) E&SED /4-16/2021/POSTING /TRANSFER/TC dated 07-12-2021, and I has been transfer under same order No. from GGHS Malikpura to GGHS Bejhali Mansehra which is against the rule. As per rule she must be adjusted at any vacant post under corrigendum. As post of SS Maths (BS-17) is laying vacant at GGHS Behali Mansehra and GGHS B.P Dheri Haripur.

It is humble request to you that Kindly cancel this transfer order and adjust Mst Syeda Mehmoona Bibi SS Maths (BS-17) against vacant post.



8/12/21  
Mst. Fouzia Rehman  
SS Maths (bs-17)  
GGHS Malikpura Abbottabad

Diary Number 1553  
Date 9/12/21  
Secy

attested  
Am  
Sardar Muhammad  
Azeem  
Advocate Abbottabad



Annex = A-1 (171)  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9223588

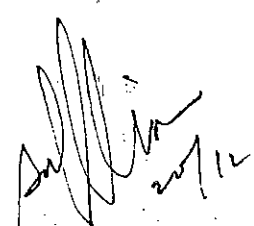
No. SO(S/F) E&SED/4-16/2021/PT  
Dated Peshawar the December 20<sup>th</sup>, 2021

To

Mst. Fouzia Rehman,  
Subject Specialist, GGHSS Malikpura Abbottabad.

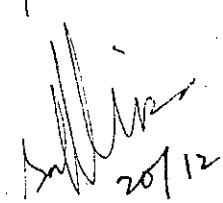
Subject: - **APPEAL FOR CANCELLATION OF TRANSFER ORDER.**


I am directed to refer to your application dated 08-12-2021, on the subject noted above and to state that your request for cancellation of posting/transfer was processed; however, regretted by the Competent Authority.

  
(SAMIRA MEHSOOD)  
SECTION OFFICER (S/F)

Cc to the: -

1. Director E&SE Khyber Pakhtunkhwa, Peshawar.
2. DEO (Female) Abbottabad.

  
SECTION OFFICER (S/F)

attested  


Annex

18

EMIS Code : 36721  
DDO Code : 6112  
School Level : HIGHER SECONDARY  
NA : 16  
PK : 39  
X Point : 34.1464  
Y Point : 73.1985  
Updated By : GGHSSMALIKPURA  
Date Time : 17-AUG-2021 11:43 AM

ce/School Level office/School Sanction Post School Basic Facil

Q v

Se

Rows 50

Actions v

Add Sanction Posts

Designation (Active)	Sanction Post	Filled Post	Vacant Post	From Date
SS MATHS (BPS-17)	1	0	1	14 OCT 1997
SS ISLAMIYAT (BPS-17)	1	1	0	08 OCT 1997

attested  
Sardar Muhammad Azeem  
Advocate Abbottabad





GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Dated Peshawar the June 10, 2021

NOTIFICATION

No.SO(SM) E&SED/7-1/2020/PT/General: In order to facilitate the Teaching Cadre Employees and to Streamline and standardized/ automate the Process of posting / transfer, the Competent Authority is pleased to approve the E-Posting/Transfer policy for the Employees of the Teaching Cadre (BS-12 to BS-18) of E&SE Department Khyber Pakhtunkhwa with immediate effect, in the best public interest.

E-TRANSFER POLICY OF TEACHING CADRE (BS-12 to 18) IN E&SE DEPARTMENT  
KHYBER PAKHTUNKHWA

- i. The introduction of e-Transfer policy for Teaching Cadre shall supersede all previous e-posting/transfer policies in the E&SE Department.
- ii. This policy covers transfers related to intra district transfers of district cadre post and inter district transfers of Provincial cadre posts.
- iii. Transfers on Complaint (Administrative Ground), Mutual basis, inter district and transfer for Operationalization of Newly Established schools, newly created posts will be exempted from the present policy.
- iv. Transfers shall be made at least once a year, preferably at the end of academic year.
- v. The vacant positions will be uploaded by the District Education Officers for all teaching cadres (BS-12 to BS-18).
- vi. The Education Monitoring Authority will provide requisite data as per format provided by the Director EMIS.
- vii. Each Competent Authority shall visit the Dashboard of e-Transfer app, check and verify all the particulars of the applicants.
- viii. The teachers appointed on Contract/Adhoc basis shall remain non transferable until regularized.
- ix. The Teachers in Schools having 2-teachers are not allowed in the e-transfer policy for transfer.
- x. Inter district transfer against senior positions (100% District promotion Quota) i.e. SCT, SDM, SPET, SAT, STT, S-Qari, SPST and PSHT are not allowed neither manually nor through e-transfer.
- xi. Transfer shall be made only against the vacant posts.
- xii. Teachers bearing Minimum tenure of two years on the present post in the present school will be eligible for e-posting/transfer.
- xiii. In case of same score of two or more candidates, merit will be 1<sup>st</sup> on Seniority, then by Date of Birth and if there is tie, then on first come first get basis.
- xiv. Subsequently Transfer orders generated by e-Transfer App will be issued.
- xv. Each Competent Authority shall constitute a Grievance Redressal Cell headed by a BPS-18 or above officer which will resolve the grievances and determine the merit position of the applicants within a week positively.

2. The indicators as per Form (A, B, C & D) will be considered for posting/transfer as per detail given below:

Form-A: Posting/Transfer of Teachers up to BPS 16 except SST (Total marks 65)

- i. Distance of present school to the desired school (in KM) – 20 marks
  - a. Within 5 KM – 0 marks
  - b. Within 10 KM – 5 marks
  - c. Within 15 KM – 10 marks
  - d. Within 20 KM – 15 marks
  - e. Greater than 20 KM – 20 marks

*[Handwritten signature]*

*attested*  
*[Handwritten signature]*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT



- ii. Tenure in the Present Schools against the Present Posts - 10 marks
  - a. Normal tenure of 2 years - 0 marks
  - b. Tenure from 2 to 3 years - 4 marks
  - c. Tenure from 3 to 5 years - 7 marks
  - d. Tenure more than 5 years - 10 marks
- iii. STR (Total number of Students in the school / Total number of Teachers) - 10 marks (EMA data Source)
  - a. STR at present school is greater than the Desired school - 0 marks
  - b. STR at present and the desired school are equal or at the same level - 5 marks
  - c. STR at the present school is less than desired school - 10 marks
- iv. Disability - 10 marks  
10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC/Standing Medical Board disability certificate.
- v. Domicile -05 marks  
05 marks will be awarded to those when the desired school is in his/her district of domicile
- vi. Spouse - 10 marks  
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.

**Form-B: Posting/Transfers of SSTs (Total Marks - 85)**

- i. Distance of present school to the desired school (in KM) - 20 marks
  - a. Within 5 KM - 0 marks
  - b. Within 10 KM - 5 marks
  - c. Within 15 KM - 10 marks
  - d. Within 20 KM - 15 marks
  - e. Greater than 20 KM - 20 marks
- ii. Tenure in the Present Schools against the Present Posts - 10 marks
  - a. Normal tenure of 2 years - 0 marks
  - b. Tenure from 2 to 3 years - 4 marks
  - c. Tenure from 3 to 5 years - 7 marks
  - d. Tenure more than 5 years - 10 marks
- iii. Students Teachers Ratio (STR) - 10 marks (EMA data Source)
  - i. For SST teacher In High/Higher Secondary School STR is equal to (Total Number of Students in Class 9 & 10 / Number of SST)
  - ii. For SST teacher in Primary/Middle School STR is equal to (Total Number of Students in the school / Total Number of teachers)
    - a. STR at present school is greater than the Desired school - 0 marks
    - b. STR at present and the desired school are equal or at the same level - 5 marks
    - c. STR at the present school is less than desired school - 10 marks
- iv. Disability - 10 marks  
10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC/Standing Medical Board disability certificate.
- v. Domicile -05 marks  
05 marks will be awarded to those when the desired school is in his/her district of domicile

*Handwritten signature*

*attested*  
*Azeem*  
**Sardar Muhammad Azeem**  
Advocate Abbottabad



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
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- vi. Spouse – 10 marks  
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.
- vii. Latest Annual SSC Result (of the subjects taught by the teacher) working in High/Higher Secondary Schools – 20 Marks
- 90% or above – 20 marks
  - 80% to 90% - 15 marks
  - 70% to 80% - 10 marks
  - 60% to 70% - 5 marks
  - Below 60% - 0 marks.

OR

For SSTs (General) working in Middle/Primary Schools – 20 Marks  
Overall Students Attendance Rate Percentage as per EMA data

- 90% or above – 20 marks
- 80% to 90% - 15 marks
- 70% to 80% - 10 marks
- 60% to 70% - 5 marks
- Below 60% - 0 marks.

**Form-C Posting/Transfers of Subject Specialists (SSS/SS) (Total Marks – 85)**

- i. Distance of present school to the desired school (in KM) – 20 marks
- Within 5 KM – 0 marks
  - Within 10 KM – 5 marks
  - Within 15 KM – 10 marks
  - Within 20 KM – 15 marks
  - Greater than 20 KM – 20 marks
- ii. Tenure in the Present Schools against the Present Posts - 10 marks
- Normal tenure of 2 years – 0 marks
  - Tenure from 2 to 3 years – 4 marks
  - Tenure from 3 to 5 years – 7 marks
  - Tenure more than 5 years – 10 marks
- iii. Number of Students in Class-11 & 12 - 10 marks
- Number of Students at present school is greater than the Desired school - 0 marks
  - Number of Students at present and the desired school are equal or at the same level – 5 marks
  - Number of Students at the present school is less than desired school – 10 marks
- iv. Disability – 10 marks  
10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC + Standing Medical Board disability certificate  
Domicile -05 marks  
05 marks will be awarded to those when the desired school is in his/her district of domicile
- v. Spouse – 10 marks  
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.
- vii. Latest Annual HSSC Result (of the subjects taught by the teacher) – 20 Marks
- 90% or above – 20 marks

attested

Sardar Muhammad  
Azeem  
Advocate Abbottabad



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
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- b. 80% to 90% - 15 marks
- c. 70% to 80% - 10 marks
- d. 60% to 70% - 5 marks
- e. Below 60% - 0 marks.

**Form-D: Posting/Transfers of Principals/Head Masters of High/Higher Secondary Schools (Total Marks - 105)**

- i. Distance of present school to the desired school (in KM) - 20 marks
  - a. Within 5 KM - 0 marks
  - b. Within 10 KM - 5 marks
  - c. Within 15 KM - 10 marks
  - d. Within 20 KM - 15 marks
  - e. Greater than 20 KM - 20 marks
- ii. Tenure in the Present Schools against the Present Posts - 10 marks
  - a. Normal tenure of 2 years - 0 marks
  - b. Tenure from 2 to 3 years - 4 marks
  - c. Tenure from 3 to 5 years - 7 marks
  - d. Tenure more than 5 years - 10 marks
- iii. STR (Total number of Students in the school / Total number of Teachers) - 10 marks (EMA data Source)
  - a. STR at present school is greater than the Desired school - 0 marks
  - b. STR at present and the desired school are equal or at the same level - 5 marks
  - c. STR at the present school is less than desired school - 10 marks
- iv. Disability - 10 marks  
10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC + Standing Medical Board disability certificate
- v. Domicile - 05 marks  
05 marks will be awarded to those when the desired school is in his/her district of domicile
- vi. Spouse - 10 marks  
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.
- vii. Latest Annual SSC/HSSC Result of the School - 20 Marks
  - a. 90% or above - 20 marks
  - b. 80% to 90% - 15 marks
  - c. 70% to 80% - 10 marks
  - d. 60% to 70% - 5 marks
  - e. Below 60% - 0 marks.
- viii. Overall Students Attendance Rate Percentage as EMA data - 20 Marks
  - a. 90% or above - 20 marks
  - b. 80% to 90% - 15 marks
  - c. 70% to 80% - 10 marks
  - d. 60% to 70% - 5 marks
  - e. Below 60% - 0 marks.

attested  
Sardar Muhammad  
Azeem  
Advocate Abbottabad

Secretary to Govt. of Khyber Pakhtunkhwa  
Elementary & Secondary Education Department.



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT


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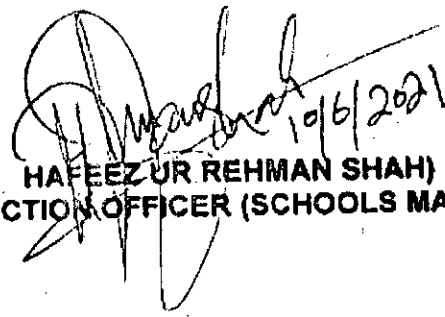
Endst: Even No. & Date:

Copy of the above is forwarded to the:

1. Principal Secretary to Governor Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. Accountant General, Khyber Pakhtunkhwa Peshawar.
5. The Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
6. The Director, Curriculum and Teacher Education, Khyber Pakhtunkhwa Abbottabad.
7. The Director, Directorate of Professional Development, Peshawar.
8. The Director Education Sector Reforms Unit, E&SE Department Khyber Pakhtunkhwa, Peshawar.
9. PSO to Chief Secretary, Khyber Pakhtunkhwa.
10. All District Education Officers (Male/Female), Khyber Pakhtunkhwa.
11. All District Account Officers (Male/Female), Khyber Pakhtunkhwa.
12. All Section Officers, E&SE Department Khyber Pakhtunkhwa, Peshawar.
13. Incharge EMIS, E&SE Department for uploading at official website.
14. PS to Secretary E&SE Department.
15. PS to Special Secretary E&SE Department.
16. PA to Additional Secretary E&SE Department.
17. PA to Deputy Secretary E&SE Department

attested

  
Sardar Muhammad  
Azeem  
Advocate Abbottabad

  
10/6/2021  
HAFEEZ UR REHMAN SHAH  
SECTION OFFICER (SCHOOLS MALE)

کورٹ فیس

# وکالت نامہ

بعدالت سرویس ٹریبونل ٹنڈو

عنوان: فوزیہ رحمان بنام سیکرٹری محکمہ تعلیم و تربیت

منجانب: اسپلڈنٹ

نوعیت مقدمہ: سرویس اسپل

## باعث تحریر آئندہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دی کل کاروائی متعلقہ آن مقام

سردار محمد عظیم ایڈووکیٹ ایسٹے ایبار

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری

کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی

بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے

مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت ناش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

المرقوم:

21/12/21

بمقام: ایسٹے ایبار

Acceptance  
Signature