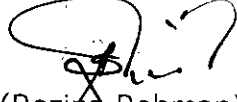


21.09.2022

Appellant in person present.

Kabir Ullah Khattak, learned Additional Advocate General alongwith Sohail Ahmad Zeb Litigation Officer for respondents present.


Reply on behalf of respondents submitted. Copy of the same was handed over to the learned counsel for appellant. To come up for rejoinder, if any, and arguments on 17.11.2022 before D.B at Camp Court, Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

17th Nov, 2022

Clerk of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith for the respondents present.

Counsel are on strike, therefore, the case is adjourned to 14.12.2022 for arguments before the D.B at Camp Court Abbottabad.


(Salah Ud Din)
Member (Judicial)
Camp Court Abbottabad


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

21.01.2022

Appellant in person present. Mr. Sohail Ahmed Zeb, Litigation Officer alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and requested for further time for submission of written reply/comments. Adjourned. To come up for written reply/comments before the S.B on 16.02.2022 at Camp Court Abbottabad.



(Salah-ud-Din)
Member (J)

Camp Court A/Abad

16.2.22

Due to Retirement of worthy chairman the Tribunal NON Functional to come up for the same on Dated, 20-7-22 at camp court A/Abad

A. Reader

20.07.2022

Appellant in person present. Mr. Sohail Ahmad Zeb, Litigation Officer alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present and sought time for submission of reply/comments. Last opportunity given. In case the last chance as given is not availed, the next adjournment shall be subject to prior payment of cost of Rs. 5000/-, failing which the right of respondents for submission of reply/comments shall be deemed as struck off. Adjourned. To come up for submission of reply/comments on 21.09.2022 before the S.B at Camp Court Abbottabad. The operation of impugned order shall remain suspended till the date fixed. Long date given due to summer vacations.



(Salah-Ud-Din)
Member (J)

Camp Court Abbottabad

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 7863/2021 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/12/2021	<p>The appeal of Mr. Israr Ahmed presented today by Mr. Muhammad Riaz Swati 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>31/12/21</u>.</p> <p style="text-align: right;">CHAIRMAN</p>
	30.12.2021	<p>Counsel for the appellant present and requested for listing the appeal for today instead of 31.12.2021. Request is accorded. The appeal is listed for today. Preliminary arguments arguments have been heard.</p> <p>The appellant has impugned the order dated 17.11.2021 issued by respondent No. 1 whereby the office order dated 01.11.2021 and 26.10.2021 were withdrawn. Learned counsel for the appellant submits that the order dated 01.11.2021 relates to the appellant and according to the copy of the same as annexed with the Memorandum of appeal, the appellant was transferred from the office of DEO(M) Torghar and adjusted in the office DEO(F) Battagram which was substituted with order</p>

of similar date and number and accordingly the appellant was shown to have been transferred from the office of DEO (M) Torghar to DEO(M) Battagram against the vacant post. Copy of arrival report as annexed with the appeal reveals that the appellant took-over charge of the post of the Assistant Programmer in the office of DEO (M) Battagram on 02.11.2021 in compliance with the substituted order dated 01.11.2021 as withdrawn by the impugned order. Let the respondents come up and justify that what public interest lies in issuing of the impugned order. The appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission for written reply/comments on 21.1.2022 before S.B at camp court, Abbottabad.

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.

Appellant Deposited
Security & Process Fee

06/11/22



Chairman
Camp Court, A/Abad

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

Case Title: Israr Ahmad vs Director ELS


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

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

Name:

Israr Ahmad

Signature:



Dated:

13/12/2021

BEFORE THE HONOURABLE SERVICE TRIBUNEL KHYBER PAKHTUNKHWA,
PESHAWAR

SERVICE APPEAL NO. 7863 /2021

Mr. Israr Ahmed , Assistant programmer Office of the District Education Officer (Male)
Battagram

APPEALANT

VERSUS

1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. Secretary, Government of Khyber Pakhtunkhwa, Elementary and Secondary Education Department Peshawar

RESPONDENTS

INDEX

S.No	Description of Documents	Date	Annexures	Pages
1	Service Appeal & Affidavit	13-12-2021		1 to 4
2	Application for suspension of impugned order & Affidavit	13-12-2021		5 to 6
3	Correct addresses of the parties	13-12-2021		7
4	Promotion / Adjustment Order in the o/o the DEO (M) Battagram	30-01-2020	A	8
5	Copy of Transfer Order from DEO (M) Battagram to DEO (M) Torghar	24-09-2021	B	9 to 10
6	Arrival Report at DEO(M) Torghar	05-10-2021	C	11
7	Departmental Appeal	27-09-2021	D	12
8	Transfer Order from DEO(M) Torghar to DEO (F) Battagram	01-11-2021	E	13
9	Arrival in DEO (F) Battagram	02-11-2021	F	14
10	Substituted Transfer Order to DEO (M) Battagram	01-11-2021	G	15
11	Arrival in DEO(M) Battagram	13-11-2021	H	16
12	Impugned order /withdrawal of transfer Order	17-11-2021	I	17
13	Departmental appeal against impugned order to respondent No.2	26-11-2021	J	18 to 19

14. Waqelat Name

Israr Ahmed Appellant

Through

Muhammad Riaz Swati
Advocate

Dated 13/12/2021

1

BEFORE THE HONOURABLE SERVICE TRIBUNEL KHYBER
PAKHTUNKHWA, PESHAWAR

SERVICE APPEAL NO. _____/2021

Mr. Israr Ahmed , Assistant Programmer Office of the District Education Officer (Male)
Battagram

APPEALANT

VERSUS

1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. Secretary, Government of Khyber Pakhtunkhwa, Elementary and Secondary Education Department Peshawar

RESPONDENTS

SERVICE APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA, SERVICE TRIBUNEL ACT 1974, AGAINST THE IMPUGNED ORDER DATED 17-11-2021 BEARING ENDORSEMENT NO.2604-190/F.NO./A-23, WHEREBY RESPONDENT NO.1 HAS WITHDRAWN TRANSFER ORDER OF APPELLANT BEARING NO. 5467-70/F.NO./A-23/MS/AP/APPEALS/2021/VOL-I DATED 01-11-2021 IS ARBITRARY, MALAFIDE IN LAW AND FACTS, WITHOUT LAWFUL AUTHORITY, DISCRIMINATORY, BADLY VIOLATED THE MERIT AND TRANSPARENCY IN EXERCISE OF POWER.THE SAME MAY PLEASE BE SET ASIDE, DECLARING THE SAME AS ILLEGAL, AB-INITIO VIDE AND INEFFECTIVE UPON THE RIGHTS OF THE APPELLANT.

Respectfully Sheweth;

Brief facts leading to the instant appeal are as under: -

1. That, the appellant was promoted against the post of Assistant Programmer B-16 vide Notification No.5977-84 dated 30-01-2020 and adjusted in the office of DEO (Male) Battagram against vacant post, **copy attached & marked as Annex: A.**
2. That, respondent No.1 issued office order No.3106-3113 dated 24-09-2021, transferring the appellant from DEO (Male) Battagram to DEO (Male) Torghar with the remarks, "tenure completed" in respective column, against the factual position. **Copy of transfer order dated 24/09/2021 is attached & marked as Annexure-B.**
3. That, transfer order of the appellant was premature and in violation of provision of transfer policy. However appellant complied with instant transfer order and submits his arrival report in the office of DEO (Male) Torghar on 05-10-2021, **copy of certificate of transfer of charge is annexed as Annex-C.**

- 4 That, transfer of the appellant was premature and in violation of transfer policy, hence Departmental appeal to respondent No.1 was filed on 27-09-2021. **copy attached & marked as Annex-D.**
- 5 That, after a period of one month, the respondent No.1 issued a fresh transfer order of the appellant vide Endorsement No.5467-70 dated 01/11/2021 by adjusting the appellant from the office of DEO (Male) Torghar to DEO (Female) Battagram. **copy attached as Annex: E.**
- 6 That, appellant in compliance with the above said order, submitted his arrival report in the office of DEO (Female) Battagram on 02/11/2021 copy attached & marked as Annex; F
- 7 That, respondent No.1 substituted transfer order dated 01-11-2021 with even number and date, by transferring the appellant in the office of DEO (Male) Battagram **copy attached & marked as Annex; G.**
- 8 That, appellant submitted his arrival report in the office of DEO (Male) Battagram on 13/11/2021 in compliance to the substituted order. **copy of arrival report is attached as Annex; H.**
- 9 That, respondent No.1 issued impugned office order under Endst; No.930-35 dated 17-11-2021 in a highly whimsical manner withdrawing the transfer order No.5467-70 dated 01-11-2021. **copy of withdrawal impugned order dated 17-11-2021 is attached as Annex; I.**
- 10. That, appellant feeling aggrieved due to the impugned withdrawal of transfer order dated 17-11-2021, sought remedy from respondent No.2, through departmental appeal dated 26/11/2021 within stipulated time/period. **copy annexed as Annex; J**
- 11. That, appellate authority respondent No.2 couldn't decide the same within stipulated period of 15 days, hence the present Service appeal is being filed.
- 12. That, the appellant filed a civil suit in civil court Battagram but the same has already been withdrawn due to lack of jurisdiction.

GROUNDS

- A. That, constant transfers of appellant in violation of Rule and policy, unwarranted based on malafide.
- B. That, transfer of the appellant was premature from District Battagram to Torghar and against the transfer policy of the Provincial Government.
- C. That, respondent No.1 reviewed the premature order of the appellant dated 24-09-2021 and issued a fresh transfer order dated 01-11-2021 adjusting the appellant in the office of DEO (Female) Battagram as a remedial measure.
- D. That, respondent No.1 once again without any cogent reason substituted the same transfer order dated 01-11-2021 adjusting the appellant in the office of DEO (Male) Battagram, such treatment of the respondent No.1 is discriminately and against the equality clause of the constitution.

That, impugned order "withdrawn of transfer order" having without any cogent reason and not sustainable in law.

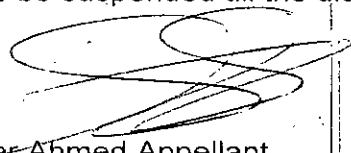
Prayer

It is therefore, humbly prayed that on acceptance of instant appeal this Honorable Tribunal may please, be set aside the impugned withdrawn order dated 17/11/2021 issued by respondent No.1, declaring the same as illegal, ab-initio *vide (void)* without lawful authority /jurisdiction and ineffective upon the rights of appellatant.

Any other relief which may deem fit and proper in the circumstances of case also be allowed.

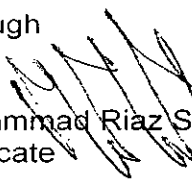
INTERIM RELIEF

It is therefore requested that the operation of impugned withdrawal of transfer order dated 17/11/2021 passed by respondent No.1 may please be suspended till the disposal of instant service appeal.



Israr Ahmed Appellant

Through

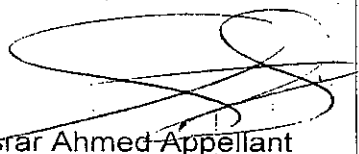


Muhammad Riaz Swati
Advocate

Dated 13/12/2021

VERIFICATION:

It is verified that the contents of foregoing service appeal are true and correct of the best of my knowledge and belief and nothing has been concealed or suppressed from this Honorable Tribunal.



Israr Ahmed Appellant

Dated 13/12/2021



BEFORE THE HONOURABLE SERVICE TRIBUNEL KHYBER PAKHTUNKHWA,
PESHAWAR

SERVICE APPEAL NO. _____/2021

Mr. Israr Ahmed , Assistant programmer Office of the District Education Officer (Male)
Battagram

APPEALANT

VERSUS

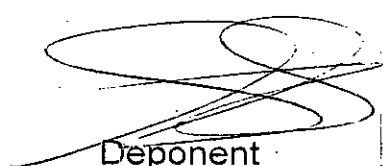
1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. Secretary, Government of Khyber Pakhtunkhwa, Elementary and Secondary Education Department Peshawar

RESPONDENTS

AFFIDAVIT

I, Israr Ahmed , Assistant programmer Office of the District Education Officer (Male) Battagram do hereby solemnly affirm and declare on oath that contents of the accompanying appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed from this Honorable Tribunal.

It is also **verified** on oath on this day 13th of December 2021 that contents of the above affidavit are true and correct to the best of my knowledge, information and believe.


Deponent

Dated 13/12/2021

IDENTIFIED BY

Muhammad Riaz Swati
Advocate Mansehra



5

BEFORE THE HONOURABLE SERVICE TRIBUNEL KHYBER PAKHTUNKHWA,
PESHAWAR

SERVICE APPEAL NO. _____/2021

Mr. Israr Ahmed , Assistant programmer Office of the District Education Officer (Male)
Battagram

APPEALANT

VERSUS

1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. Secretary, Government of Khyber Pakhtunkhwa, Elementary and Secondary Education Department Peshawar

RESPONDENTS

INTERIM RELIEF

Application for suspension of operational status of impugned withdrawal of transfer order dated 17-11-2021 may please be suspended till the disposal of Service Appeal filed by the appellant as per law and rules.

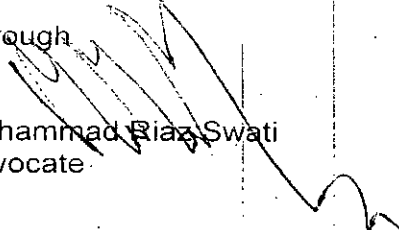
Respectfully Sheweth!

1. That, this application may please be considered as part and parcel of main service appeal.
2. That, the appellant has a prima facie case and there is every ^{hope} of its success.
3. That, the balance of convenience also lies in favour of the appellant.
4. That, if the operation of impugned transfer order has not been suspended, the appellant will suffer irreparable loss.

It is therefore, most humbly requested that the operation of impugned withdrawal of transfer order may please be suspended till the disposal of main service appeal filed by the appellant as per law and rules.


Israr Ahmed Appellant

Through


Muhammad Riaz Swati
Advocate

Dated 13/12/2021

VERIFICATION:

It is verified that the contents of foregoing service appeal are true and correct of the best of my knowledge and belief and nothing has been concealed or suppressed from this Honorable Tribunal.


Israr Ahmed Appellant

**BEFORE THE HONOURABLE SERVICE TRIBUNEL KHYBER PAKHTUNKHWA,
PESHAWAR**

SERVICE APPEAL NO. _____ /2021

Mr. Israr Ahmed , Assistant programmer Office of the District Education Officer (Male)
Battagram

APPEALANT

VERSUS

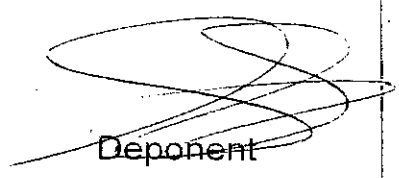
- 1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 2. Secretary, Government of Khyber Pakhtunkhwa, Elementary and Secondary Education Department Peshawar

RESPONDENTS

AFFIDAVIT

I , Israr Ahmed , Assistant programmer Office of the District Education Officer (Male) Battagram do hereby solemnly affirm and declare on oath that contents of the accompanying application are true and correct to the best of my knowledge and belief and nothing material has been concealed from this Honorable Tribunal.

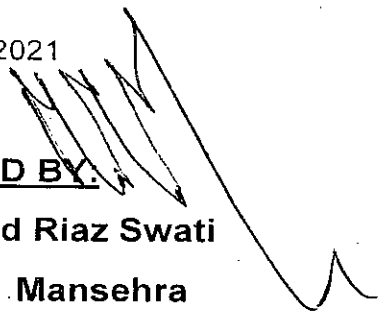
It is also **verified** on oath on this day 13th of December 2021 that contents of the above affidavit are true and correct to the best of my knowledge, information and believe.


Deponent

Dated 13/12/2021

IDENTIFIED BY:

Muhammad Riaz Swati
Advocate Mansehra



7

**BEFORE THE HONOURABLE SERVICE TRIBUNEL KHYBER PAKHTUNKHWA,
PESHAWAR**

SERVICE APPEAL NO. _____/2021

Mr. Israr Ahmed, Assistant programmer Office of the District Education Officer (Male)
Battagram

APPELLANT

VERSUS

1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. Secretary, Government of Khyber Pakhtunkhwa, Elementary and Secondary Education
Department Peshawar

RESPONDENTS

**SERVICE APPEAL
CORRECT ADDRESSES OF THE PARTIES**

Respectfully Sheweth

Correct addresses of the parties are as under:

APPELLANT

Mr. Israr Ahmed, Assistant programmer Office of the District Education Officer (Male)
Battagram

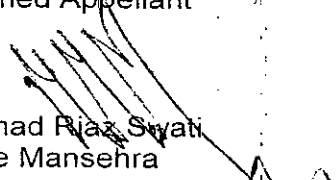
RESPONDENTS

1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. Secretary, Government of Khyber Pakhtunkhwa, Elementary and Secondary Education
Department Peshawar

Dated 13/12/2021


Israr Ahmed Appellant

Through


Muhammad Riaz Syati
Advocate Manshera



**DIRECTORATE OF ELEMENTARY & SECONDARY
EDUCATION KHYBER PAKHTUNKHWA PESHAWAR.**

Phone: 091-9225340 Fax: 091-9225345

NOTIFICATION

Consequent upon the recommendation of the Departmental Promotion Committee (DPC) in its meeting held on 15-01-2020, the following Computer Operators (B-16) working in and under the E&SE department Khyber Pakhtunkhwa/ NMTD/ DCTE/ PITE are hereby promoted to the post of Assistant Programmers (B-16) on regular basis and posted against vacant post of Assistant Programmer BPS-16 in the office/institution as noted against each in the interest of public service with immediate effect:-

S.N	Sen	Name	Domicile	Present Posting	Adjusted at	Remarks
1	10	Maqsood Anwar	Karak	SDEO (M) Domel Bannu	DEO (F) Karak	A. V. P
2	30	Israr Ahmad	Battagram	DEO (M) Battagram	DEO (M) Battagram	A. V. P
3	36	Fazal Wadood	Swabi	DEO (F) Swabi	DEO (M) Mardan	A. V. P
4	44	Bakht Zamin Khan	Swabi	DEO (M) Swabi	DEO (M) Swabi	A. V. P
5	50	Rashid Afzal	Shangla	DEO (M) Shangla	DEO (M) Swat	A. V. P

Notes:

1. DEOs (M/F) are directed to adjust those Assistants/ KPO/S/Clerks/Steno who are working against Assistant Programmers posts (if any) at their end.
2. Charge report should be submitted to all concerned.
3. They will be on probation for one year extendable for another term of one year as specified in Rule-15 for Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules 1989.

(Dr. Hafiz Muhammad Ibrahim)

DIRECTOR

Directorate E&SE KP Peshawar

Endsl. No. 5977-811 A-23/MS/Compt Opt/Seniority Vol-I. Dated Peshawar the 30/1/2020

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

- 1) Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2) Director Curriculum & Teacher Education, Khyber Pakhtunkhwa, Abbottabad.
- 3) Director PITE, Khyber Pakhtunkhwa, Peshawar.
- 4) Addl. Director (Establishment) NMD Local Directorate
- 5) District Education Officer Concerned.
- 6) District Accounts Officers concerned.
- 7) Officials concerned.
- 8) PA to Director, E&SE Khyber Pakhtunkhwa, Peshawar.
- 9) Master File.

Assistant Director (Admin)

Directorate E&SE Khyber Pakhtunkhwa
Peshawar



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.
Phone: 091-9225344 Email: ddadmn.ese@gmail.com

Annex-B

9

OFFICE ORDER

Consequent upon approval of the competent authority the re-shuffling of the following Assistant Programmers are hereby ordered on their own pay & scale in the interest of public service with immediate effect on the basis of completion their tenure.

S. NO	Name & Designation with BPS	From	To	Tenure	Remarks
1.	Khalid Babar Assistant Programmer B-16	DEO (M) Dir Upper	DEO (F) Dir Lower	Tenure Completed	Vice S.No.2
2.	Alim Ul Haq Assistant Programmer B-16	DEO (F) Dir Lower	DEO (M) Dir Upper	Tenure Completed	Vice S.No.1
3.	Ashfaq Khan Assistant Programmer B-16	DEO (F) Malakand	DEO (M) Dir Lower	Tenure Completed	Vice S.No.4
4.	Fazle Subhan Assistant Programmer B-16	DEO (M) Dir Lower	DEO (M) Malakand	Tenure Completed	Vice S.No.5
5.	Naik Amal Assistant Programmer B-16	DEO (M) Malakand	DEO (M) Swat	Tenure Completed	Vice S.No.6
6.	Shafiq Ahmad Assistant Programmer B-16	DEO (M) Swat	DEO (F) Malakand	Tenure Completed	Vice S.No.3
7.	Attaullah Assistant Programmer B-16	DEO (M) Shangla	DEO (M) Buner	Tenure Completed	Vice S.No.8
8.	Muhammad Ihsan ullah Assistant Programmer B-16	DEO (M) Buner	DEO (M) Shangla	Tenure Completed	Vice S.No.7
9.	Attaullah Assistant Programmer B-16	DEO (F) Battagram	DEO (F) Torghar	Tenure Completed	A.V.P
10.	Israr Ahmad Assistant Programmer B-16	DEO (M) Battagram	DEO (M) Torghar	Tenure Completed	A.V.P
11.	Huma Kousar Assistant Programmer B-16	DEO (F) Haripur	DEO (F) Mansehra	Tenure Completed	A.V.P
12.	Rashid Khan Assistant Programmer BS-16	DEO (F) Kohat	DEO (F) Hangu	Tenure Completed	A.V.P
13.	Muhammad Irfan ullah Khan Assistant Programmer BS-16	DEO (F) Tank	DEO (M) DI Khan	Tenure Completed	Vice S.No.14
14.	Muhammad Imran Ali Shah Assistant Programmer BS-16	DEO (M) DI Khan	DEO (F) Tank	Tenure Completed	Vice S.No.13
15.	Abdul Nasir Mehmood Assistant Programmer BS-16	DEO (M) Karak	DEO (F) Kohat	Tenure Completed	Vice S.No.12
16.	Suleman Khan Assistant Programmer BS-16	DEO (F) Bannu	DEO (M) Karak	Tenure Completed	Vice S.No.15

24/9/02

True Copy
MM

17.	Ghafar Ali Khan Assistant Programmer BS-16	DEO (M) Bannu	DEO (M) Lakki	Tenure Completed	Vice S.No.18
18.	Kiramat Ullah Saeed Assistant Programmier BS-16	DEO (M) Lakki	DEO (M) Bannu	Tenure Completed	Vice S.No.17
19.	Abid Hussain Assistant Programmer BS-16	DEO (F) Lakki	DEO (F) Bannu	Tenure Completed	Vice S.No.16
20.	Muhammad Asif Khan Assistant Programmer BS-16	DEO (M) Peshawar	Service placed at the disposal of Directorate E&SE KPK	Tenure Completed	
21.	Saleem Akhtar Assistant Programmer BS-16	DEO (F) Swabi	DEO (F) Mardan	Tenure Completed	A.V.P
22.	Muhammad Istikhar Assistant Programmer BS-16	DEO (F) Buner	DEO (M) Battagram	Tenure Completed	Vice. S.No.10

Note:

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

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. **3106-3113** F. No. / A-23/MS/Reshuffling 2021 Peshawar the **24/09/2021**

Copy forwarded to the: -

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Deputy Director (F&A) Local Directorate.
3. District Education Officer Concerned
4. District Account Officer Concerned
5. SDEO Concerned
6. Official concerned.
7. Master File.
8. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

[Signature]
Addtl: Director PE&S)
Directorate of E&SE KPK, Peshawar

24/9/21

True Copy
[Signature]

GOVERNMENT OF PAKISTAN
CERTIFICATE OF TRANSFER OF CHARGE

Annex-C

11

Certified that I, Israr Ahmad Assistant Programmer B-16 have this day (Forenoon) taken over charge of the post of the Assistant Programmer o/o the DEO (Male) Torghar on 05-10-2021 (F.R) with reference to the Office Order issued by Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar under Endstt: No. 3106-3113/F.No/A-23/MS/Reshuffling; 2021 dated Peshawar the September, 24/ 2021.

Signature of relived

Government Servant: VACANT

Designation: Assistant Programmer B-16

Signature of Government Servant

Receiving Charge

Israr Ahmad

Designation: Assistant Programmer B-16

Dated: 05-10-2021

Endstt: No. 1060-64

Dated: 05/10/2021

FROM:

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) TORGHAR

To

1. Director (E&SE) Khyber Pakhtunkhwa Peshawar.
2. District Education Officer (Male) Battagram.
3. District Accounts Officer Torghar & Battagram
4. B&AO Local Office.
5. Officer Concerned.

Handwritten signature and scribbles

Handwritten signature
District Education Officer (Male)
for Torghar
05/10/21

To,

The Director
E&SE Khyber Pakhtunkhwa
Peshawar

Subject: Cancellation of Out District Transfer Order
in r/o APs bearing Encl. No: 3106-318¹³ Dated 24/9/2021

Memo: With due respect, It is stated that I have been
transferred to District Torghar from District
Battagram in the above mentioned order at S.No: 10,

R/Sir and Tenure completed is mentioned
against my name, but I am working since 30-01-2020
under Directorate of E&SE KP Peshawar order NO: 5977-
84/A-23/MS/Compt. opt/Seniority vol-1 dated 30/01/2021. Copy attached
(one year 07 months 24 days)

R/Sir Directorate of E&SE issued Re-shuffling order
of ADEOs/ASDEO vide no: 4756-66/F.No.436/vol-14/ADEOs (M) Transfer
dated 30-07-2021 wherein only Room/Branch/Circle have been
changed and officials in E&SED in B-16 and above are
still working in the same posts for long periods
You are requested to transfer within District

in other office DEO (M) or DEO (F) instead of other Districts.
I shall be very thankful to you for this act of kindness.

Admn

543
27-9-2021

obediently
Istar Ahma el
AP DEO (M) Battagram
27/09/2021

True Copy
MM



Office Order

The posting/transfer in respect of the following officials are hereby ordered on their own pay and BPS in the interest of public service with effect the date of their taking over charge.

S.#	Name/Design:	Present Posting	Adjustment at	Remarks
1	Mr. Israr Ahmad Assistant Programmer BPS-16	DEO (M) Torghar	DEO (F) Battagram	Vice S.N.2
2	Mr. Atta Ullah Assistant Programmer BPS-16	DEO (F) Battagram	DEO (M) Battagram	A.V.P

Note:-

1. Compliance report should be submitted to all concerned.
2. No TA/DA etc is allowed.

DIRECTOR

Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 5467-70 /F.No. / A-23/MS/AP/Appeals/2021/Vol-I
Dated Peshawar the 11/11 /2021.

Copy forwarded to the: -

1. District Education Officer Concerned.
2. District Accounts Officer Concerned
3. Official concerned.
4. Master File.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

[Signature]
Deputy Director (F&A)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

True Copy
[Signature]

ARRIVAL REPORT

Annex - F
14
(F)

In compliance with the Order of the Worthy Director E&SE Khyber Pakhtunkhwa Peshawar
Transfer Order No: 5467-70/F.No/A-23/MS/AP/Appeals/2021/Vol-I dated 01-11-2021, Israr Ahmad
Assistant Programmer submit my arrival report today on 02-11-2021 (F.N) at o/o the District Education
Office (Female) Battagram.



Israr Ahmad
Assistant Programmer
District Education Office (Female)
Battagram

02/11/2021

True copy




TO BE SUBSTITUTED WITH SAM NO & DATE
 DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
 KHYBER PAKHTUNKHWA PESHAWAR
 Phone: 091-9225314 Email: dde@inn.vesc.edu.pk

OFFICE ORDER

The posting transfer in respect of the following officials are hereby ordered on their own pay and BPS in the interest of public service with effect:

S. NO.	Name & Designation with BPS	From	To	Remarks
1	Ahmadullah Assistant Programmer	DEO (F) Torghar	DEO (F) Battagram	A.V.P
2	Israr Ahmad Assistant Programmer	DEO (M) Torghar	DEO (M) Battagram	A.V.P

Note:

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

DIRECTOR
 Elementary & Secondary Education
 Khyber Pakhtunkhwa, Peshawar

Encl: No. 5467-70.F. No. / A-23/Appen. Vol-1 Peshawar the 01/11/2021

- Copy forwarded to the:
1. District Education Officer Concerned
 2. District Accounts Officer Concerned
 3. Official concerned
 4. Master File
 5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar

(Handwritten signatures and stamps)

Additional Director (PE&S)
 Directorate of E&SE, KPK, Peshawar

CERTIFICATE OF TRANSFER OF CHARGE

Annex-H
16

Certified that I Israr Ahmad Assistant Programmer have this day Fore Noon took over charge of the post of the Assistant Programmer o/o the DEO (Male) Battagram on 02/11/2021 (F.N) in compliance with the Transfer Order issued by Worthy Director E&SE Khyber Pakhtunkhwa Peshawar Transfer Order No: 5467-70/F.No/A-23/MS/AP/Appeals/2021/Vol-I dated 01-11-2021 , letter of DEO (Female) Battagram Vide No: 3429 dated 04-11-2021 & Directorate of E&SE Khyber Pakhtunkhwa Peshawar substituted Transfer Order with same No & Date issued on 08-11-2021.

Signature of relived
Government Servant: VACANT
Designation: Assistant Programmer

Signature of Government Servant

Receiving Charge
Israr Ahmad
Designation: Assistant Programmer

Dated: 02-11-2021

Endstt:No. 7072-75

Dated: 13/11/2021.

FROM:

DISTRICT EDUCATION OFFICER (MALE) BATTAGRAM

To

1. Director (E&SE) Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Battagram.
3. B&AO Local Office.
4. Office file.

Israr Ahmad
[Signature]

District Education Officer (Male)
Battagram



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR
Phone: (91) 9225344
Email: dde@epgso.gov.pk

Office Order

This office order issued vide Enclat; 5467-70 F.No./A-23/Appeal-Vol-1 Peshawar dated 11.11.2021 and Office Order No.3994-95/F.No./A-23/MS/Appeals/2021 dated Peshawar 26.10.2021 is hereby withdrawn.

Note:

- 1. Charge report should be submitted to all concerned.

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Enclat No. 939 35 / F.No./ A-23/AP Appeals /2021

Dated Peshawar the VI/II /2021

Copy forwarded to the:-

- 1. District Education Officer (Male/Female) concerned with the remarks to relieve the Assistant Programmer (under transfer) immediately.
- 2. District Accounts Officer Concerned.
- 3. Principal/HM Concerned.
- 4. Official concerned.
- 5. Master File.
- 6. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

[Signature]
Deputy Director (F&A)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

True Copy
[Signature]

Annex - "J"
18

To

The Honorable Secretary
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Subject: **DEPARTMENTAL APPEAL AGAINST OFFICE ORDER NO: 930-35/F.NO/A-23/AP APPEALS / 2021 DATED 17-11-2021 WITH THE REQUEST TO INTACT THE ORIGINAL ORDER BEARING NO: 5467-70/F.No/A-23/MS/AP/Appeals/2021/Vol-I dated 01-11-2021**


Memo:

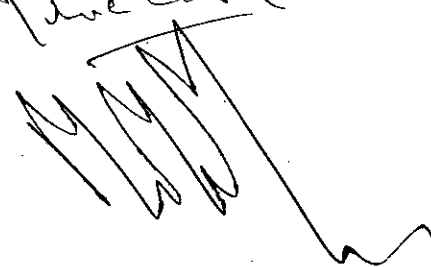
With due respect it is stated in your kind honor that I was transferred by Directorate of E&SE KP Peshawar from DEO (M) Battagram to DEO (M) Torghar Vide Office Order No: 3106-3113/F.No/A-23/MS/Reshuffling 2021 dated 24-09-2021 at S.No. 10 with wrong remarks against my name "Completed Tenure" though I was working at DEO (M) Battagram under Directorate of E&SE KP Peshawar Office Order No: 5977-84/A-23/MS/Compt Opt/ Seniority Vol-I dated 30-01-2020.(Copy attached)

1. I have submitted an appeal against transfer Order at Directorate of E&SE KP Peshawar vide diary No:543 dated 27-09-2021.(Copy attached)
2. In pursuance to that I was transferred from DEO (M) Torghar to DEO (F) Battagram Vide Office Order No: 5467-70/F.No/A-23/MS/AP/Appeals/2021/Vol-I dated 01-11-2021.(Copy attached)
3. On 08-11-2021 Additional Director (PE&S) Directorate of E&SE KP Peshawar substituted Office Order with the same No & Date wherein I was transferred to DEO (M) Battagram instead of DEO (F) Battagram. (Copy attached)
4. Respected Sir, my transfer order is withdrawn without mentioning any reason vide Office Order : No: 930-35/F.No/A-23/AP Appeals/2021 dated 17-11-2021. (Copy attached)

Keeping in view the above it is humbly requested in your kind honor to cancel Directorate of E&SE KP Peshawar Office Order bearing Endstt: No: 930-35/F.No/A-23/AP Appeals / 2021 dated 17-11-2021 and intact me at previous position in the office of DEO (Male) Battagram.

Dated: 26-11-2021


Israr Ahmad
Assistant Programmer
o/o the DEO (Male) Battagram

True copy


0.538

FC. RGL58681338

Rs. Ps.

80

Stamps affixed ~~to~~ of
uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

Received a registered
Addressed to

[Handwritten name]

Date Stamp

Initials of Receiving Officer *[Handwritten initials]*
*Write here "letter", "postcard", "packet" or "parcel"
(with the word "insured" before it when necessary.)

Insured for Rs. (in figures) *100*

(in words) *one hundred*

If insured.

Insurance fee Rs. *20* Ps. *00*

Weight (in words) *100*

Kilo Grams

Name and address of sender *[Handwritten name and address]*

Annex-5
19

[Handwritten scribbles]

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. ___/2021

(Applicant)

Israr Ahmad Assistant Programmer office of the DEO (M) Battagram (PLAINTIFF)

VERSUS

(Respondents)

Director, Elementary & Secondary Education KPK & others.

(DEFENDANT)

I/We _____

Do hereby appoint and constitute **MUHAMMAD RIAZ SWATI** **ADVOVATE MANSEHRA** to appear, plead, act compromise, Withdraw or refer to Arbitration for me / us as my/our council / Advocate in the above noted matter, without any liability for his default and with authority to engage/appoint any other advocate to deposit, withdraw and receive on my/our behalf all sums and amounts Payable or deposited on my/our account in the above noted matter.

Dated:13/12/2021


CLIENTS

ACCEPTED

MUHAMMAD RIAZ SWATI

ADVOCATE MANSEHRA