


10.03.2015

Counsel for the appellant present. Learned counsel for the appellant argued that against the impugned order service appeal No. 849/2014 preferred by Dr. Badshah Nawab and similar other service appeal No. 850/2014 preferred by Prof. Abbas Khan are already admitted to regular hearing and fixed for 30.03.2015.

In the light of the above, this appeal is also admitted to regular hearing. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 30.03.2015 before S.B to be heard alongwith the afore-stated connected appeals.

  
Chairman

30.03.2015


Counsel for the appellant present. Security fees have not been deposited. The same be deposited within 3 days. Where-after notices be issued to the respondents for written reply on 26.5.2015 before S.B.

  
Chairman

26.05.2015

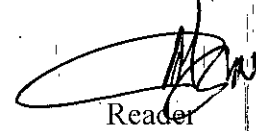
Appellant absent. Despite extension of time the appellant has failed to deposit the security and process fee as such and in view of the provisions contained in Rule 10 of KPK Service Tribunal Rules, 1974, the appeal is dismissed. File be consigned to the record.

ANNOUNCED  
26.5.2015

  
Chairman  
26.05.15

Reader Note:

14.11.2014 ~~of~~ counsel for the appellant present. Since the Tribunal is incomplete, therefore, case is adjourned to 28.11.2014 for the same.

  
Reader

Reader Note:

28.11.2014 Counsel for the appellant present. Since the Tribunal is incomplete, therefore, case is adjourned to 10.12.2014 for the same.

  
Reader

Reader Note:

10.12.2014 Clerk of counsel for the appellant present. Since the Tribunal is incomplete, therefore, case is adjourned to 08.01.2015 for the same.

  
Reader

Reader Note:



08.01.2015 Clerk of counsel for the appellant present. Since the Tribunal is incomplete, therefore, case is adjourned 10.03.2015 for the same.

  
Reader

Form- A  
FORM OF ORDER SHEET

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

Case No. 1197 /2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	29/09/2014	<p>The appeal of Professor Dr. Alamzeb presented today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	3-10-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>14-11-2014</u></p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No 1197 /2014

Professor Dr. Alamzeb.....Appellant

**V E R S U S**

Chief Secretary and Others..... Respondents

**I N D E X**

S No	Description of Documents	Annexure	Pages
1	Service appeal with affidavit & application for condonation of delay with affidavit		1-7
2	Application for the suspension of impugned order with affidavit		8-9
3	Copy of press cutting	A	10
4	Copy of charge sheet & reply	B & C	11-13
5	Copy of the Notification Dated 06-03-2014	D	14
6	Copy of appeal	E	15-16
7	Wakalat Nama		17

Dated:-26-09-2014

Through

Appellant

Fazal Shah Mohmand  
Advocate Peshawar

**OFFICE:-** Cantonment Plaza Flat 3/B  
Khyber Bazar Peshawar  
Cell# 0301 8804841

**Note:-** similar nature appeal No 849 /2014 titled as Dr Badshah Nawab Versus chief secretary etc. filed against the same order has been admitted and now fixed for reply on 13-10-2014.

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No 1197/2014  
Professor DR. Alamzeb, Principal (BPS-20), Government College  
Peshawar.....**Appellant**

**V E R S U S**

1. Chief Secretary Government of Khyber Pakhtunkhwa  
Peshawar. *Higher*
2. Secretary Education Govt. of KPK Peshawar
3. Director, Higher Education, Govt. of KPK Peshawar.
4. Dr. Fazli Subhani, (BPS-20), Principal Govt. College, Dargai,  
Malakand Agency. ....**Respondents**

**APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT  
1974/RW SECTION 19 OF THE KPK GOVT. SERVANTS E &  
D RULES 2011, AGAINST THE ORDER DATED 06-03-2014  
WHERE BY THE APPELLANT HAS BEEN TRANSFERRED  
FROM GOVERNMENT COLLEGE PESHAWAR TO GOVT.  
DEGREE COLLEGE HAYATABAD AND AGAINST WHICH  
THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS  
NOT BEEN RESPONDED SO FAR DESPITE THE LAPSE OF  
MORE THAN NINETY DAYS.**

**PRAYER:-**

On acceptance of this appeal the impugned order dated 06-03-  
2014 may kindly be set aside and the appellant may kindly be  
ordered to be transferred to Govt. College Peshawar.

**Respectfully Submitted:-**

1. That the appellant is highly qualified is serving in BPS-20 and  
was posted as Principal Govt. College Peshawar on 18-03-  
2013.

2. That the appellant while posted as Principal, Govt. College Peshawar a Committee was constituted for admissions to the first year 2013.
3. That during admissions, the local member of the ruling party namely Ziaullah, with another member of the provincial assembly namely Javed Naseem approached the appellant for allowing admissions to the students out of merit, which illegal act was refused by the appellant, resulting in an unto wards incident, where after the appellant was scandalized alleging by the mentioned members that the appellant along with others is involved in allowing admissions in violation of the merit, which incident was also reported in the press. The appellant was threatened of dire consequences by the mentioned members of the ruling party. (Copy of press cutting is enclosed as Annexure A).
4. That the appellant was issued charge sheet along with statement of allegations, which was replied in detail denying the allegations. (Copy of charge sheet and reply are enclosed as Annexure B & C).
5. That thereafter the impugned notification dated 06-03-2014 was issued whereby the appellant was transferred from Govt. College Peshawar to Govt. Degree College Hayatabad as Professor. (Copy of the Notification is enclosed as Annexure D).
6. That the appellant filed representation on 11-03-2014, and also approached the August Peshawar but of no avail, and the representation of the appellant has not been responded so far despite the lapse the ninety days. (Copy of representation is enclosed as Annexure E).
7. That the impugned Notification dated 06-03-2014 is against the law, facts and principles of justice on grounds inter alia as follows:-

**G R O U N D S :-**

- A. That the impugned Notification is illegal and void ab-initio.
- B. That the appellant has not been treated in accordance with law and mandatory provisions of law, rules and policy on the subject have been violated by the respondents and the respondents have violated all norms of justice.
- C. That the impugned orders are based on malafide, favoritism and political interference.
- D. That the appellant was transferred prematurely in violation of the rules and policy on the subject, which action is not permitted by law and the same has resulted in grave injustice to the appellant.
- E. That the allegations against the appellant are totally false and baseless which is proved from the fact that the report of the inquiry officer was even not awaited and the appellant was transferred just after one day of his submission of reply to the charge sheet.
- F. That no illegality or irregularity whatsoever was committed during admissions by the appellant and the appellant was subjected to the punishment as he had disobeyed the illegal orders of the political influentials.
- G. That the appellant is at the verge of retirement and has to reach the age of superannuation on 25-05-2015, besides he is the local domicile holder, as such the order is not maintainable in the eyes of law.
- H. That the appellant was posted for BS Department, which posts are not transferable.
- I. That the impugned notification is not maintainable because the same has been issued as punishment whereas in the E & D rules 2011, or in any other law, the transfer has not been enumerated as punishment.

- J. That even the performance of the appellant was lauded by respondent No 2 during a function in the Govt. College Peshawar, the video of which is available and could be produced any time.
- K. That the valuable rights of the appellant are associated with the notification, and if the same is not set aside the appellant would suffer an irreparable loss.
- L. That in the peculiar facts and circumstances of the case, the interference is warranted under the law..
- M. That the appellant seeks the permission of this honorable Tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for.

Dated:-26-09-2014

Through

  
Appellant

  
Fazal Shah Mohmand  
Advocate Peshawar



**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No \_\_\_\_\_/2014

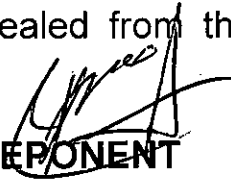
Professor Dr. Alamzeb, ..... **Appellant**

**V E R S U S**

Chief Secretary and Others..... **Respondents.**

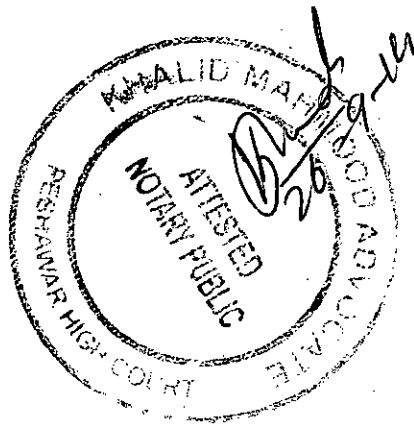
**AFFIDAVIT**

I, Professor Dr. Alamzeb, Principal (BPS-20), Government College Peshawar, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

  
**DEPONENT**

Identified by 

**Fazal Shah Mohmand  
Advocate Peshawar**



**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No \_\_\_\_\_/2014

Professor Dr. Alamzeb.....Appellant

**VERSUS**

Chief Secretary & others.....Respondents

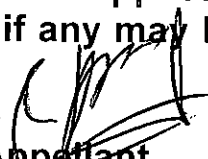

**APPLICATION FOR THE CONDONATION OF DELAY IF ANY.**

**Respectfully Submitted:-**

1. That the above titled appeal is being filed today in which no date of hearing has been fixed so far.
2. That the grounds of appeal may kindly be considered as integral part of this application.
3. That the departmental appeal of the applicant has not been responded so far and he is time and again assured by the respondents regarding disposal of his departmental appeal, further more, the impugned orders are illegal and void abinitio and the time factor becomes irrelevant in such cases.
4. That the cases of the colleagues of the applicant have been admitted by this honorable tribunal and the appellant too as such deserves the same treatment and the same are fixed for 13-10-2014..

**It is therefore prayed that on acceptance of this application, the delay in filing of the accompanying appeal, if any may kindly be condoned.**

**Dated:-26-09-2014**

  
Appellant  
Through  
  
**Fazal Shah Mohmand  
Advocate Peshawar**

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No \_\_\_\_\_ /2014

Professor Dr. Alamzeb.....Appellant

**VERSUS**

Chief Secretary & others.....Respondents

**A F F I D A V I T:**

I, Professor DR. Alamzeb, Principal (BPS-20), Government College Peshawar, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

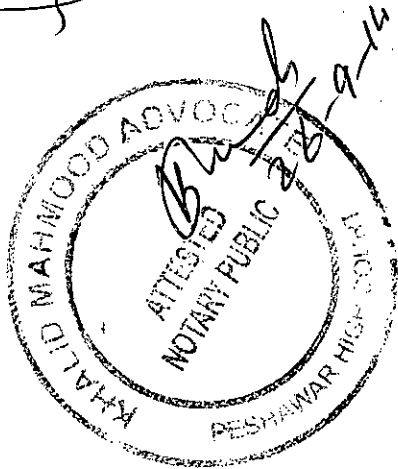
Identified by



**Fazal Shah Mohmand  
Advocate Peshawar**



**DEPONENT**



**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No \_\_\_\_\_/2014

Professor Dr. Alamzeb .....Appellant

**V E R S U S**

Chief Secretary and Others..... ..Respondents

**Application for the suspension of the impugned order dated 06-03-2014 till the final decision of instant Appeal**

**Respectfully Submitted:-**

1. That the accompanying appeal is being filed today in which no date of hearing has been fixed so far.
2. That the grounds of appeal may be considered as integral Part of this application.
3. That the impugned order being void abinitio, illegal and the result of malafide and the appellant has a good prima facie case in his favor.
4. That the appellant is sanguine of his success in the case and the balance of convenience lies in his favor.
5. That if the impugned order is not suspended the appellant would suffer an irreparable loss.

It is therefore prayed that on acceptance of this application, the impugned order dated 06-03-2014, may kindly be suspended till the final decision of the accompanying appeal.

Dated:- ~~26~~ 06-2014

Through

  
Appellant

  
Fazal Shah Mohmand  
Advocate Peshawar

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No \_\_\_\_\_/2014

Professor Dr. Alamzeb .....Appellant

**V E R S U S**

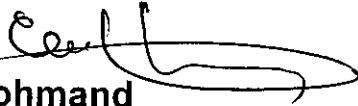
Chief Secretary and Others..... ..Respondents

**AFFIDAVIT**

I, Professor Dr. Alamzeb, Principal (BPS-20), Government College Peshawar, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

  
**DEPONENT**

Identified by



**Fazal Shah Mohmand  
Advocate Peshawar**

# گورنمنٹ کالج میں انصاف ایس ایف کی غنڈہ گردی کی طلباء پر تشدد فائرنگ

تحریک انصاف کے ارکان اسمبلی ضیاء اللہ آفریدی اور جاوید نسیم آئی ایس ایف کے عہدیداروں کے ہمراہ داخلے کرانے آئے کالج انتظامیہ نے انکار کر دیا

انصاف ایس ایف کے آج عہدیداروں نے طلباء کو گولہ گراہی سے باز رکھنے کے لیے کالج انتظامیہ سے درخواست کی ہے کہ گولہ گراہی سے باز رکھیں

پشاور (کیپس رپورٹر) انصاف سٹوڈنٹس فیڈریشن نے تحریک انصاف کے اراکین صوبائی اسمبلی کی مبینہ پشت پناہی پر گورنمنٹ کالج میں داخلوں کیلئے ہتھیار اٹھائے کالج انتظامیہ کو ڈرانے دھمکانے کیلئے مسلح افراد نے کالج طلبہ پر دھشیا نہ تشدد کرتے ہوئے کلاسوں سے نکال دیا اور کالج کے مرکزی دروازوں پر مسلح پہریدار بیٹھا کر طلباء کو پریشان بنا دیا تحریک انصاف کی غنڈہ گردی پر کالج اساتذہ نے شدید احتجاج کرتے ہوئے کالج غیر معینہ مدت کیلئے بند کر دیا۔ کالج ذرائع کے مطابق پی ٹی آئی کے دو ارکان صوبائی اسمبلی ضیاء اللہ آفریدی اور جاوید نسیم آئی ایس ایف کے طلباء کے ہمراہ اپنے ایک قریبی رشتہ دار کو داخل کرانے آئے جبکہ مذکورہ طالب علم میرٹ پر پورا نہیں اترتا تھا جس پر انتظامیہ نے انکار کر دیا اس کے اگلے روز ہی آئی ایس ایف کے مسلح افراد نے آکر کلاسز سے طلبہ کو نکال کر زد و کوب کر کے کالج میں توڑ پھوڑ کی اور دو گھنٹوں تک کالج کو پریشان بنائے رکھا انہوں نے کہا کہ مسلح افراد نے کالج انتظامیہ کو دھمکی دی ہے کہ اگلے روز تک کالج میں طلباء کو داخلہ نہ دیا گیا تو وہ مزید توڑ پھوڑ کریں گے۔ کالج انتظامیہ نے صوبائی اراکین اسمبلی اور آئی ایس ایف کے ناروا رویہ پر شدید غم و غصے کا اظہار کیا اور اجلاس بلا کر کالج کو غیر معینہ مدت تک بند کرنے کا اعلان کر دیا۔ کالج انتظامیہ نے موقف اختیار کیا ہے کہ کالج کے آٹھ ہزار طلباء کی جانوں کی حفاظت کیلئے کالج غیر معینہ مدت کیلئے بند کیا گیا ہے۔ اس ضمن میں رکن اسمبلی ضیاء اللہ آفریدی نے مشرق کو بتایا کہ ہم دونوں ارکان اسمبلی طلبہ کے ساتھ کالج کا انسپیکشن کرنے گئے تھے کیونکہ ہمیں معلوم ہوا تھا کہ کالج میں میرٹ کے خلاف داخلے ہوئے ہیں اس حوالے سے محکمہ ہائیر ایجوکیشن کو بھی درخواست دے دی ہے۔ انہوں نے کہا کہ وہ کسی بھی رشتہ دار کے داخلے کیلئے نہیں گئے تھے اور آئی ایس ایف کی غنڈہ گردی کے بیچے نہ ان کا ہاتھ ہے اور نہ ہی اس سے ان کا کوئی سروکار ہے۔ کالج بند کرنے کا اعلان پر نیشنل نے اپنی غلطی چھپانے کیلئے کیا ہے کیونکہ اسے معلوم ہو گیا ہے کہ اسے تبدیل کیا جا رہا ہے۔ اس ضمن میں وزیر اعلیٰ کے مشیر مشتاق غنی نے رابطہ پر مشرق کو بتایا کہ وہ اس سلسلے میں تحقیقات کر رہے ہیں پی ٹی آئی حکومت میرٹ پر کبھی سمجھوتہ کرے گی اور نہ ہی وزیروں اور مشیروں کے کہنے پر کسی کو داخلہ دیے جائیں گے۔ انہوں نے کہا کہ آئی ایس ایف کے سینئر رہنماؤں کو کالج کی مسلح پریہ معاملہ رفع دفع کرنے کیلئے کہا جائے گا اور انکی کوشش ہوگی کہ وہ کالج انتظامیہ سے بات کر کے آج صبح تک اس کا حل ڈھونڈ لیں انہوں نے کہا کہ پرنسپل اور تدریسی عملہ انکے لئے قابل احترام ہے اور وہ کالج میں کسی قسم کی منفی سرگرمیاں شروع کرنے کی کسی کو اجازت نہیں دیں گے۔

Attestad

ceul

Ady

B/11

CHARGE SHEET

I, Pervaz Khattak, Chief Minister, Khyber Pakhtunkhwa, as Competent Authority, hereby charge you, Dr. Alamzeb Khan, Principal (BPS-20) Govt; College, Peshawar, as follows:

That you, while posted as Principal Govt; College Peshawar committed the following irregularities as revealed in the findings of the enquiry committee :-

- a. That during the process of admissions for 1<sup>st</sup> year 2013. You made unlawful changes in the quota reserved for sports and local and non-local students.
- b. That you appointed Vice Principal as Director Admissions in arbitrary manner in violation of the rules.
- c. That you constituted five admission committees in violation of the procedure in vogue which exercised full powers for granting admissions instead of making recommendations for approval of the competent authority.
- d. That the merit list was tampered which is against the norms of merit and transparency.

2. By reason of the above, you appear to be guilty of misconduct under Rule 03 of the Khyber Pakhtunkhwa, Govt; Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rule 04 of the Rules ibid.

3. You are, therefore, required to submit your written defence within seven days of the receipt of this Charge Sheet to the Enquiry Officer.

4. Your written defence, if any, should reach the Enquiry Officer within the stipulated period, failing which it shall be presumed that you have no defence to put in and in that case ex parte action shall be taken against you.

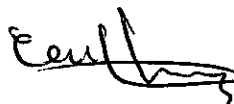
5. Intimate whether you desire to be heard in person.

6. A statement of allegations is enclosed.

Pervaz Khattak  
(Pervaz Khattak)  
CHIEF MINISTER,  
KHYBER PAKHTUNKHWA

Dr. Alamzeb, Principal, Govt; College Peshawar

Attested

  
cAdu

DISCIPLINARY ACTION

I, Pervez Khattak, Chief Minister, Khyber Pakhtunkhwa, as Competent Authority, am of the opinion that Dr. Alamzeb Khan, Principal (BPS-20) Govt. College Peshawar has rendered himself liable to be proceeded against, as he committed the following acts/ omissions within the meaning of rule 03 of the Khyber Pakhtunkhwa Govt. Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS

- a. That he made unlawful changes in the quota reserved for sports and local and non-local students during the process of admissions for 1<sup>st</sup> year 2013.
- b. That he appointed Vice Principal as Director Admissions in an arbitrary manner in violation of the rules.
- c. That he constituted five admission committees in violation of the procedure in vogue which exercised full powers for granting admissions instead of making recommendations for approval of the competent authority.
- d. That the merit list was tampered which is against the norms of merit and transparency.

2. For the purpose of further verification of the record and proposing an appropriate disciplinary action, an enquiry officer Mr. Fazli Rehmani, Secretary Inter Provincial Coordination Department has been nominated by the competent authority under rule 10(1)(a) of the ibid Rules.

3. The inquiry officer / inquiry committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the inquiry officer.

*Pervez Khattak*  
(Pervez Khattak)  
CHIEF MINISTER,  
KHYBER PAKHTUNKHWA

Dr. Alamzeb, Principal, Govt. College Peshawar

*Attested*

*[Signature]*  
Adl.



C  
73

The Honorable Chief Minister,  
Khyber Pakhtunkhwa.

Through: Mr. Fazli Rehmani,  
The Secretary Inter Provincial Coordination Department,  
Khyber Pakhtunkhwa, Peshawar.

Subject: REPLY TO THE CHARGE SHEET

Dear Sir,

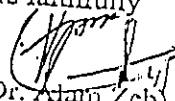
Reference your letter No.SO(G)/IPCD/2-70/2013/Dated Peshawar the 27.02.2014, I hereby submit the following facts for your kind perusal:-

- a. That no change has been made in the reserved seats for sports as well as local and non-local for students admission in first year 2013. However, left over seats from the teacher-sons and disable quota, instead of leaving them vacant fourteen seats were allotted to sports in consultation with the sports committee. Resultantly, Govt College Peshawar won ten games out of twelve and brought General Trophy after thirteen years in the games in Peshawar Division held under the auspicious of Directorate of Higher Education.
- b. That since there are more than seven thousand students enrolled in F.A./F.Sc., B.A./B.Sc. as well as Eight BS departments. For smooth functioning, convenience and facilitation of administration, the Vice Principal being a senior teacher was appointed as Director Admissions, like Chief Proctor, Controller of exams and Director Student Affairs.
- c. That as stated at para-b, Govt College Peshawar is the most populous institution in terms of student intake, therefore, constitution of five admission committees by the Principals is in vogue for the past two decades.
- d. No such merit list was tampered with to the best of my knowledge.

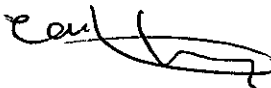
Keeping in view the above facts, it is therefore, requested that all the charges leveled against me be exonerated.

Dated: 04/03/2014

Yours faithfully

  
(Prof. Dr. Adam Zeb)  
Principal  
Govt College Peshawar

Attested

  
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GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

Dated Peshawar, the March 6, 2014

NOTIFICATION

NO.SO(E-I)E&AD/9-88/2014. Government of Khyber Pakhtunkhwa is pleased to order posting/transfer of the following officers of Higher Education Department, in the public interest, with immediate effect:-

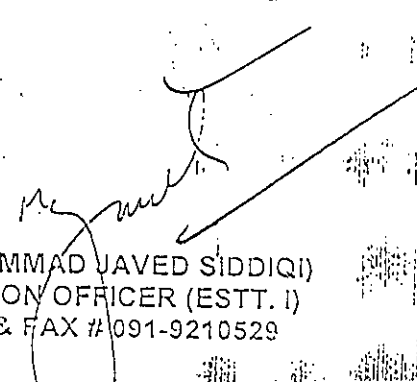
SR.#	NAME OF OFFICER	FROM	TO
1.	Dr. Alamzeb Khan (BS-20)	Principal Govt. College, Peshawar	Professor, Govt. Degree College, Hayatabad, Peshawar, against the vacant post.
2.	Dr. Badshah Nawab (BS-20)	Professor, Govt. College Peshawar	Principal, Govt. Degree College, Dargai Malakand, vice Sr. No. 3.
3.	Dr. Fazli Subhani, (BS-20)	Principal, Govt. Degree College, Dargai Malakand	Principal, Govt. College, Peshawar, vice Sr. No.1.

CHIEF SECRETARY  
GOVERNMENT OF KHYBER PAKHTUNKHWA

Endst. No. and date even.

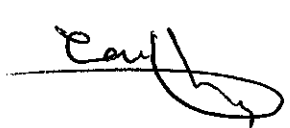
Copy forwarded to the:-

1. Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Secretary to Government of Khyber Pakhtunkhwa, Higher Education Department.
4. Commissioner, Peshawar and Malakand.
5. Accountant General, Khyber Pakhtunkhwa.
6. Deputy Commissioners, Peshawar, Malakand.
7. Director Higher Education, Khyber Pakhtunkhwa.
8. Principals of concerned colleges.
9. Director Information, Khyber Pakhtunkhwa.
10. District Accounts Officer, Malakand.
11. PS to Chief Secretary, Khyber Pakhtunkhwa.
12. PS to Secretary Establishment
13. Professors concerned.
14. Manager, Govt. Printing Press Peshawar.

  
(MUHAMMAD JAVED SIDDIQI)  
SECTION OFFICER (ESTT. I)  
PH: & FAX # 091-9210529

ZIA.UL.HAQ/\*\*

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11-3-2014

ETS

The Worthy Chief Secretary,  
Government of Khyber Pakhtunkhwa,  
Civil Secretariat Peshawar.

Subject: REVIEW AGAINST THE TRANSFER DATED 6-3-2014 VIDE NOTIFICATION NO. SO (E-1) E & AD/ 9-88/2014, ISSUED BY THE WORTHY CHIEF SECRETARY GOVT: OF KHYBER PAKHTUNKHWA VIDE WHICH THE CHIEF SECRETARY TRANSFERRED THE PETITIONER FROM GOVT: COLLEGE PESHAWAR TO GOVT: COLLEGE HAYATABAD PESHAWAR

Respected sir,

I have the honor to submit this review petition for your kind consideration on the following facts and grounds:-

1. That the petitioner as employee of higher education department currently working as Principal at Govt College Peshawar in BPS-20 now under transfer to Govt Degree College Hayatabad Peshawar as Professor.
2. During his service no complaint what so ever voiced against him from any quarter rather he served to the entire satisfaction of his superior during his service and always earned quite good reports from his superiors.
3. That vide impugned notification cited in the subject, the petitioner/appellant has been transferred from Govt college Peshawar to Govt Degree College Hayatabad Peshawar giving no reasons for the transfer which is immature and moreover only one year service is left in the retirement.
4. That the petitioner is aggrieved of the impugned notification hence prefers this review petition to your good self for consideration enter-alia on the following ground:-
  - a. The petitioner acted in accordance with law and constitution keeping in view the principles laid down in famous Anita Turab case by Supreme Court of Pakistan, and agenda/slogan of merit of the present Government. the petitioner tried its level best to maintain the merit in the admission to 1<sup>st</sup> year session 2013-14 which unluckily ignoring the request/pressure of the political figure for influencing the merit the petitioner along with other colleagues became victimized and hence an enquiry was started which is pending with worthy secretary Inter Provincial Coordination Department Govt of Khyber Pakhtunkhwa and transfer case was initiated against the petitioner along with other colleagues politically influenced on the basis of wrong and disinformation came before your worthy office concealing material facts resulted the impugned notification which is illegal and against the posting transfer policy/rule hence not sustainable under the law.
  - b. The petitioner is working as Principal with effect from 18.03.2013 and has not completed his tenure yet which is crystal clear violation of transfer posting policy/rules.

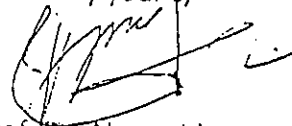
Attested

Paul [Signature]  
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- c. That the impugned notification is neither in the public interest nor in the exigency of service but the result of fake/wrong and disinformation instigated from the very beginning till the last by the political figure, hence is liable to be reviewed and to be set aside.
- d. Serving from 13 to 14 years as principal and then transferring as professor is humiliation having a very transparent past track record.

Keeping in view the above facts and grounds of the review petition it is therefore requested/prayed that on acceptance of this review petition the impugned notification SO(t-1)E AND AD/9 88/2014 dated 06.03.2014 may kindly be set aside by allowing the petitioner to serve as Principal at Govt College Peshawar. The petitioner also seek permission to add additional grounds/annexure at the time of hearing/arguments.

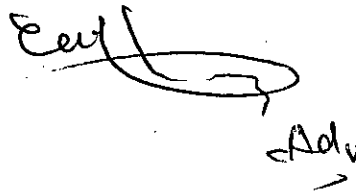
Sincerely yours,



(Prof. Dr. Alamzeb)  
Principal

Govt: College Peshawar  
Under transfer to Govt Degree College  
Hayatabad Peshawar as professor

Attested



Adv

**POWER OF ATTORNEY**

IN THE COURT OF Servia Tribunal KPK Peshawa

Professor Dr. Alamzeb, For  
Plaintiff  
Appellant  
Petitioner  
Complainant

**VERSUS**

Chief Secretary and others Defendant  
Respondent  
Accused

Appeal/Revision/Suit/Application/Petition/Case No-----of 2014  
Fixed for-----

I/We the undersigned do hereby nominate and appoint

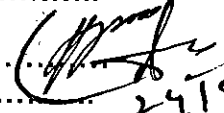
**FAZAL SHAH MOHMAND, ADVOCATE HIGH COURT, PESHAWAR**

My/our true and lawful attorney, for me/our in my/our name and on my/our behalf to appear at Peshawar to appear, plead, act and answer in the above Court or any appellate Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions, an appeal statements, accounts, exhibits, compromise or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc and to apply for and issue summons and other writs or sub-poena and to apply for and get issued and arrest, attachment or other execution, warrants or order and to conduct any proceedings that may arise there out, and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other legal practitioner authorizing him to exercise the powers and authorities here by conferred on the Advocate whenever he may think fit to do so, any other lawyer may be appointed by my said Counsel to conduct the case who shall have the same powers.


**AND** to do al acts legally necessary to manage and conduct the said case in all respects whether herein specified or not, as may be proper and expedient.  
**AND** I/we here by agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

**PROVIDED** always, that I/we under take at time of calling of the case by the Court my/our authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte, the said Counsel shall not be held responsible for the same. All costs awarded in favor shall be the right of the Counsel or his nominee; and if awarded against shall be payable by me/us.

**IN WITNESS**, where of I/We have signed at Peshawar  
This 24th day of September in the year 2014

Executant/Executants PROF. DR. ALAM-ZEB   
Accepted subject to the terms regarding fee 24/09/2014

Attested and Accepted by:

  
**Fazal Shah Mohmand**  
**Advocate High Court**