

17.03.2022


Due to retirement of the Hon'able Chairman, the Tribunal is defunct, therefore, the case is adjourned for the same as before on 18.05.2022.


Reader

18.05.2022

Appellant in person present. Mr. Muhammad Riaz Khan, Assistant Advocate General for respondents present.

Appellant seeks adjournment on the ground that his counsel is not available today. To come up for arguments before D.B on 19.05.2022 at camp court Abbottabad.

  
(Fareeha Paul)  
Member(E)

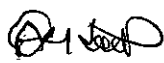
  
(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad


19.05.2022


Appellant alongwith his counsel present. Syed Naseer ud Din, Assistant Advocate General for respondents present.

When confronted with the situation that this appeal has out lived its utility as more than three years period has passed and the matter is of posting and transfer, learned counsel for the appellant was very fair and frank enough not to controvert and does not press this appeal. As a token of admission of his submission, he signed the margin of the order sheet. Dismissed being not pressed. Consign.

*Pronounced in open court in Abbottabad and given under our hands and seal of the Tribunal this 19<sup>th</sup> day of May, 2022.*

  
Abdul Qader  
Shah

  
(Fareeha Paul)  
Member(E)

  
(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

19.05.2022

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*Pronounced in open court in Abbottabad and given under our hands and seal of the Tribunal this 19<sup>th</sup> day of May, 2022.*

(Fareeha Paul)  
Member(E)

(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

17.06.2021


Due to COVID-19, tour to Abbottabad has been cancelled, therefore, case to come for the same as before on 12.10.2021.

  
Reader

12.10.2021

Appellant in person present. Mr. Usman Ghani, District Attorney for the respondents present.

Appellant seeks adjournment on the ground that his counsel is ill and unable to attend the Tribunal today. Case to come up for arguments on 18.01.2022 before the D.B at Camp Court Abbottabad.


  
(Salah-Ud-Din)  
Member (Judicial)  
Camp Court A/Abad

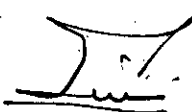
  
Chairman  
Camp Court A/Abad

18.01.2022

Appellant in person present. Mr. Noor Zaman Khattak, District Attorney for the respondents present.

Appellant requested for adjournment on the ground that his counsel is ill. Adjourned. To come up for arguments on 17.03.2022 before the D.B at Camp Court Abbottabad.

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

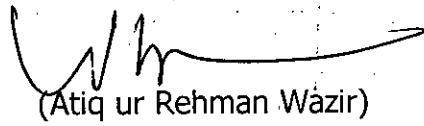
  
(Salah-ud-Din)  
Member (J)  
Camp Court A/Abad

22.10.2020

Appellant in person present.

Assistant Advocate General present.

Lawyers are on general strike, therefore, case is adjourned to 17.12.2020 for arguments before D.B at Camp Court, Abbottabad.



(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, A/Abad



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

*Due to COVID-19 case is  
adjourned to 18-03-2021*




*Reader*

18.03.2021

Appellant in person present.

Asif Masood Ali Shah learned Deputy District Attorney for respondents present.

Former made a request for adjournment as his counsel is not available today. Adjourned. To come up for arguments on 17/06/2021 before D.B at Camp Court, Abbottabad.



(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, A/Abad

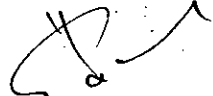


(Rozina Rehman)  
Member (J)  
Camp Court, A/Abad

21.11.2019

None present on behalf of appellant. Written reply on behalf of respondent No.3 still awaited. Hamid Mansoor representative of respondent No.3 present and seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on behalf of respondent No.3 on 20.01.2020 before S.B at Camp Court, A/Abad.


~~Member~~

  
Member  
Camp Court, A/Abad

20.01.2020

Appellant in person present. Written reply on behalf of respondents No.1 & 2 already available on file. Hamid Mansoor Assistant representative of respondent No.3 absent. Being posting transfer case, the present service appeal is assigned to D.B. Adjourn. To come up for further proceedings/arguments on 19.02.2020 before D.B at Camp Court Abbottabad. Respondent No.3 and its representative be put to notice for the date fixed..

Due to covid ,19 case to come up for the same on 16/1/20  
at camp court abbottabad.

  
Member  
Camp Court, Abbottabad

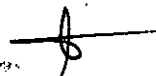
  
Reader

Due to summer vacation case to come up for the same on  
22 / 10 / 20 at camp court abbottabad.

  
Reader


19.06.2019

Appellant in person and Mr. Muhammad Bilal, DDA alongwith Mr. Muhammad Usman, Senior Clerk for respondents present. Written reply on behalf of respondents not submitted. Requested for adjournment. Adjourned. Case to come up for written reply/comments on 21.08.2019 before S.B at camp court Abbottabad.

  
(Ahmad Hassan)  
Member  
Camp Court A/Abad

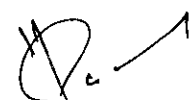
21.08.2019

Appellant in person present. Written reply not submitted. Toseef Ahmad ADO Litigation, representative of the respondent department present and seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 22.10.2019 before S.B at Camp Court, Abbottabad.

  
Member  
Camp Court A/Abad

22.10.2019

Appellant present in person. Mr. Usman Ghani, District Attorney present. Written reply not submitted. Mr. Hamid Mansoor, Assistant for the respondents present. Representative of respondents seeks further time to furnish written reply/comments. Granted. To come up for written reply/comments of respondents on 21.11.2019 before S.B at Camp Court, Abbottabad.

  
Member  
Camp court, A/Abad

24.04.2018

Counsel for the appellant present. Preliminary arguments heard and case file perused. Learned counsel for the appellant argued that he joined the Education Department as Chowkidar in 2016 and was posted in GPS, Rari Janda. That vide order dated 09.01.2019 order dated 27.12.2018 regarding his posting at GPS, Rari Janda was withdrawn. He filed departmental appeal on 14.01.2019 which was not responded within the stipulated period, hence, the present service appeal. He was prematurely transferred without any justification and in violation of Posting/Transfer Policy notified by the Provincial Government. A separate application for suspension of operation of impugned order dated 08.01.2019 has also been submitted.

Points urged need consideration. Admit, subject to deposit of security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 21.05.2018 before S.B. <sup>at camp court Abbottabad</sup> Till then operation of impugned order dated 08.01.2019 is suspended.

Appellant Deposited  
Security & Process Fee

(AHMAD HASSAN)  
MEMBER

21.05.2019

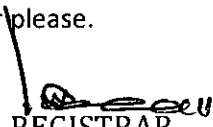

Appellant in person and Mr. Muhammad Usman, Senior Clerk alongwith Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Written reply on behalf of respondents not submitted. Representative of the department requested for further adjournment. Adjourned to 19.06.2019 for written reply/comments before S.B at Camp Court Abbottabad. The restraint order already granted vide order sheet dated 24.04.2018 shall continue till the date fixed.

(Muhammad Amin Khan Kundi)  
Member  
Camp Court Abbottabad

Form- A  
FORM OF ORDER SHEET

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

Case No. 507/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/04/2019	<p>The appeal of Mr. Abdul Qadeer presented today by Mr. Shahid Ahmad Khan 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 17/4/19.</p>
2-	22/04/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24/04/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>



9.

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

Service Appeal No. 507 /2019

Abdul Qadeer son of Muhammad Sarwar, resident of Parhiana Khalia Airan,  
Tehsil & District Mansehra.

...APPELLANT

VERSUS

Director of Elementary & Secondary Education, Assistant Director (ADMN)  
Khyber Pakhtunkhwa, Peshawar & Others.

...RESPONDENTS

**SERVICE APPEAL**

**INDEX**

S.#	Description	Page No.	Annexure
1.	Service appeal along with affidavit	1 to 6	
2.	Suspension application alongwith affidavit	7 to 8	
3.	Copy of appointment letter	9 - 13	"A"
4.	Copy of transfer order	14 - 18	"B"
5.	Copy of transfer order	19 - 20	"C"
6.	Copy of departmental appeal	21 - 22	"D" & "E"
7.	Copy of letter	23 - 24	"F"
8.	Wakalatnama	25	

*Abdul Qadeer*

...APPELLANT

Through

Dated: \_\_\_\_\_ /2019

*Shahid Ahmed Khan*

(SHAHID AHMED KHAN)

Advocate

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

Service Appeal No. 507 /2019 Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 622

Abdul Qadeer son of Muhammad Sarwar, resident of 17/4/2018  
Parhiana Khalia Airan, Tehsil & Distirct Mansehra.

.....APPELLANT

**VS**

- ✓ 1. Director of Elementary & Secondary Education,  
Khyber Pakhtunkhwa, Peshawar
- ✓ 2. District Education Officer (Male) Mansehra.
- 3. District Education Officer (Female) Mansehra.

.....RESPONDENTS

**SERVICE APPEAL UNDER SECTION  
4 OF KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974,  
AGAINST THE PRE-MATURE AND  
POLITICAL INFLUENCED  
TRANSFER ORDER NO.2540,40,  
DATE 08/01/2019, PASED BY  
DIRECTOR OF ELEMENTRY &  
SECONDARY EDUCATION KHYBER**

Filed to-day

Registrar

17/4/19,

PAKHTUNKHWA PESHAWAR, AGAINST WHICH A DEPARTMENTAL APPEAL WAS FILED TO THE RESPONDENT NO. 1, ON 14/01/219.

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**PRAYER:-** BY ACCEPTING THE APPEAL THE IMPUGNED ORDER DATED 08/01/2019 TO THE EXTENT OF APPELLANT MAY VERY GRACIOUSLY BE SET-ASIDE BEING POLITICALLY INFLUENCED, PREMATURE AND PASSED IN VIOLATION OF POSTING TRANSFER POLICY OF THE GOVERNMENT OF KHYBER PAKHTUNKHWA AS WELL AS LAID DOWN BY SUPREME COURT OF PAKISTAN IN VARIOUS JUDGMENT.

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**Respectfully Sheweth:-**

Brief facts of the case are as under:-

1. That, the appellant joined the Education Department in year 2016 as a Chowkidar, in GPS Rari Janda. Copy of appointment letter is annexed in Annexure "A".

2. That the appellant was performing his duty at Khalian Arain Parhina, the competent authority against the law transferred of petitioner to PGS Rari Janda, without considering his lawful tenure prescribed under the posting and transfer policy 2009 vide order dated 08/01/2019. Copy of transfer order is annexed in Annexure "B".
3. That the appellant was transferred from the post of Chowkidar GPS Rari Janda to GGPS Khalian Arrain by the Assistant Directro (ADMN) Director of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar. Copy of transfer order in annexed as Annexure "C".
4. That the appellant felt aggrieved filed a departmental appeal to respondent No. 1 on 14/01/2019 praying there in the impugned order 08/01/2019 may graciously be set-aside on the mentioned ground. The copy of departmental appeal is annexed in Annexure "D" & "E".
5. That the instant appeal is with in time.

**GROUNDS:-**

- a. That respondents have not treated appellant in accordance with law, rules and policy on the subject and acted in violation of article 4 of constitution of Islamic Republic of Pakistan 1973, therefore, the impugned order are against law, void, illegal.
- b. That the competent authority was under statutory obligation to return the appellant at Khalian Arrain Parhina for his tenure as per posting and transfer policy of Government of Khyber Pakhtunkhwa as well as laid down by August Supreme Court of Pakistan in case reported in PLD 2013 SC, Page 195 citation H.
- c. That the establishment Department of Khyber Pakhtunkhwa under letter No. SOR VI (ESAD) 1-4/2005 VOI-11, dated 27/02/2013 directed respondents for strict implementation of the directions of Supreme Court of Pakistan. Copy of letter is annexed as Annexure "F".
- d. That the appellant was transferred without completing his lawful tenure and that

respondent No. 1 maliciously and under politically, influence issue impugned order.

In view of the above narrated facts and grounds it is therefore, humbly prayed that the impugned order dated 08/01/2019 may be set-aside being politically motivated, premature and passed in violation of posting/ transfer policy of the Government of Khyber Pakhtunkhwa Peshawar.

*Ardeep*  
...APPELLANT

Through

Dated: \_\_\_\_\_/2019

*Shahid*  
(SHAHID AHMED KHAN)  
Advocate

**VERIFICATION:-**

Verified on oath that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

*Ardeep*  
...APPELLANT

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

Service Appeal No. \_\_\_\_\_/2019

Abdul Qadeer son of Muhammad Sarwar, resident of Parhiana Khaliã Airan,  
Tehsil & District Mansehra.

**...APPELLANT**

**VERSUS**

Director of Elementary & Secondary Education, Assistant Director (ADMN)  
Khyber Pakhtunkhwa, Peshawar & Others.

**...RESPONDENTS**

**SERVICE APPEAL**

**AFFIDAVIT**

I, Abdul Qadeer son of Muhammad Sarwar, resident of Parhiana Khaliã Airan, Tehsil & District Mansehra, do hereby solemnly affirm and declare that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.



*Abdul Qadeer*  
**DEPONENT**

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

Service Appeal No. \_\_\_\_\_/2019

Abdul Qadeer son of Muhammad Sarwar, resident of Parhiana Khalia Airan,  
Tehsil & District Mansehra.

**...APPELLANT**

**VERSUS**

Director of Elementary & Secondary Education, Assistant Director (ADMN)  
Khyber Pakhtunkhwa, Peshawar & Others.

**...RESPONDENTS**

**SERVICE APPEAL**

**APPLICATION FOR SUSPENSION THE  
OPERATION OF IMPUGNED ORDER DATED  
08/01/2019 TO THE APPELLANT PASSED BY  
RESPONDENT NO. 1 TILL THE FINAL  
DISPOSAL OF MAIN APPEAL.**

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Respectfully Sheweth;-

1. That the appellant has filed service appeal alongwith application in which has been fixed so far.
2. That the fact, and grounds taken in body of service, appeal may kindly be considered in integral part of application which made out and excellent prima facie in favour of the appellant.



3. That the impugned order were passed on basis of political interfere and favoritism and also in violation of posting and transfer policy as well as law laid down superior courts judgment PLD 2013 SC 195.
4. That the appellant was transferred without completing his lawful tenure and already politically motivate, therefore the impugned order are against the spirit of administration of justice.
5. That in case the operation of the impugned order is not suspended the very purpose of appeal would be defeated and it would be would be come infructuous as well.

It, is therefore, most humbly prayed that the impugned order dated 08/01/2019 passed by respondent No. 1 & 2 to the extent of appellant may graciously be suspended till final disposal of main appeal.

*Abdul*

...APPELLANT

Through

Dated: \_\_\_\_\_/2019

*Shahid*

(SHAHID AHMED KHAN)

Advocate

### AFFIDAVIT

I, Abdul Qadeer son of Muhammad Sarwar, resident of Parhiana Khalia Airan, Tehsil & District Mansehra, do hereby solemnly affirm and declare that the contents of foregoing application is true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

*Abdul*

DEPONENT

## OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

APPOINTMENT UNDER OPEN MERIT.

Consequent upon the recommendation of Departmental Selection Committee the following 119 (One Hundred & Nineteen) Candidates are hereby appointed as Class IV under Open Merit against the vacant post in BPS NO.3 @ (Rs. 8040-325-17790). Plus usual allowances as admissible under the rules, at the school noted against their name in the interest of public service with effect from the date of their taking over charge on the following terms and conditions:-

S.//	Name, Father's Name & Address	Designation and Place of Posting	Remarks
1	Muhammad Waqas S/O Muhammad Azeem R/O Maira Majad Ali	Chowkidar GHS Maira Amjad Ali	AV Post
2	Muhammad Sajjad S/O Muhammad Iqbal	Behasti GHSS Dohga	AV Post
3	Fazl E Haq S/O Sardar Abdul Aziz R/O Doga	N/Q GHSS Dohga	AV Post
4	Aziz Ur Rehman S/O Abdul Rehman R/O Bani Karnool	Sweeper GMS Bani Karnool	AV Post
5	Muhammad Asif S/O Duriaman R/O Charach	Chowkidar GPS Charach	AV Post
6	Waqar Ahmed S/O Abdul Qudoos R/O Batang G.H.Ullah	Chowkidar GPS Batang	AV Post
7	Waqar Ahmed S/O M. Irshad R/O Bandi More Baffa	Chowkidar GPS Bandi Mur Baffa	AV Post
8	Muhammad Khurshid S/O Muhammad Javed R/O Rehar	Sweeper GMS Rehar	AV Post
9	Atif Nouman S/O Meer Zaman R/O Data	Chowkidar GHS Data	AV Post
10	Shahid Iqbal S/O Muhammad Ashraf R/O Mohalla Sain Abad Mansehra	Sweeper GHSS No.1 Mansehra	AV Post
11	Aamir Shahzad S/O Faqir Muhammad R/O Noghazi Mansehra	W/Att: GHSS No.1 Mansehra	AV Post
12	Yasir S/O Niaz Muhammad R/O Khushala	Lab/ Att:GHSS No.1 Mansehra	AV Post
13	Bashrat S/O Jehangir Muhammad R/O Doga	Chowkidar GHSS Dohga	AV Post
14	Muhammad Asim S/O Muhammad Manzoor R/O Matehal	N/Q GMS Matehal	AV Post
15	Waqas Ali Shah S/O Gohar Ali Shah R/O Phagla	N/Q GMS Phagla	AV Post
16	Alisan Yaqoob S/O Muhammad Yaqoob R/O Phagla	N/Q GMS Phagla	AV Post
17	Adnan Ayub S/O Muhammad Ayub R/O Data	Chowkidar GPS Garhala	AV Post
18	Ahsan Shahzad S/O Muhammad Ayub R/O Mandihar	Chowkidar GPS Lundi Mandihar	AV Post
19	Muhammad Nacem S/O Aurangzeb R/O Khairabad	Chowkidar GPS Seri Kharabad	AV Post
20	Aamir S/O Niaz Muhammad R/O Khawari	Lab/Att: GHS Khawari	AV Post
21	Muhammad Asif S/O Malik Anan R/O Palyani	Chowkidar GPS Palyani	AV Post

19/16

Attended  
Sue

## OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

APPOINTMENT UNDER OPEN MERIT.

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2	Muhammad Sajjad S/O Muhammad Iqbal	Behasti GHSS Dohga	AV Post
3	Fazl E Haq S/O Sardar Abdul Aziz R/O Doga	N/Q GHSS Dohga	AV Post
4	Aziz Ur Rehman S/O Abdul Rehman R/O Bani Karnool	Sweeper GMS Bani Karnool	AV Post
5	Muhammad Asif S/O Duriaman R/O Charach	Chowkidar GPS Charach	AV Post
6	Waqar Ahmed S/O Abdul Qudoos R/O Batang G.H.Ullah	Chowkidar GPS Batang	AV Post
7	Waqar Ahmed S/O M. Irshad R/O Bandi More Baffa	Chowkidar GPS Bandi Mur Baffa	AV Post
8	Muhammad Khurshid S/O Muhammad Javed R/O Rehar	Sweeper GMS Rehar	AV Post
9	Atif Nouman S/O Meer Zaman R/O Data	Chowkidar GHS Data	AV Post
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14	Muhammad Asim S/O Muhammad Manzoor R/o Matehal	N/Q GMS Matehal	AV Post
15	Waqas Ali Shah S/O Gohar Ali Shah R/O Phagla	N/Q GMS Phagla	AV Post
16	Alisan Yaqoob S/O Muhammad Yaqoob R/O Phagla	N/Q GMS Phagla	AV Post
17	Adnan Ayub S/O Muhammad Ayub R/O Data	Chowkidar GPS Garhala	AV Post
18	Ahsan Shahzad S/O Muhammad Ayub R/O Mandihaar	Chowkidar GPS Lund Mandihaar	AV Post
19	Muhammad Nacem S/O Aurangzeb R/O Khairabad	Chowkidar GPS Seri Kharabad	AV Post
20	Aamir S/o Niaz Muhammad R/o Khawari	Lab/Att: GHS Khawari	AV Post
21	Muhammad Asif S/o Malik Aman R/O Palyani	Chowkidar GPS Palyani	AV Post

19/9/16

Attended  
Shah


16

22	Syed Qadeer Hussain Shah S/O Syed Iqbal Shah R/O Khairabad	Chowkidar GHS Khair Abad	AV Post
23	Muhammad Khalid S/O Ismail R/O Kappi Gali	Chowkidar GPS Kappi Gali	AV Post
24	Muhamad Tofeeq S/O Muhammad Yaqoob R/O Josacha	Chowkidar GHS Josacha	AV Post
25	Muhamad Riasat S/O Mehndia R/o Josacaha	N/Q GHS Josacha	AV Post
26	Muhammad Akram S/O Mehndia R/O Josacaha	Sweeper GHS Josacha	AV Post
27	Imran S/O Fazle Alam R/O Khanda Mitikot	Lab/Att: GHS Matikot	AV Post
28	Muhammad Ashraf S/O Meer Zaman R/O Khanda Mitikot	Chowkidar GHS Matikot	AV Post
29	Sijjad Hussain S/O Sher Zaman R/O khanda Mitikot	N/Q GHS Matikot	AV Post
30	Mazhar Hussain S/O Muhammad Fareedon R/O Hangrai	N/Q GMS Hangrai	AV Post
31	Abdul Razzak S/O Ghulam Noor R/O Satbani	N/Q GMS Sat Bani	AV Post
32	Muhammad Irfan S/O Abdul Qayyum R/O Satbani	Sweeper GMS Sat Bani	AV Post
33	Muhamad Nasim S/O Umar Zaman R/O Sandu Bela	Chowkidar GPS Sandu Bala	AV Post
34	Khalil Ur Rehman S/O Kaloo R/O Khanian	Chowkidar GPS Khanian	AV Post
35	Aiman Yameen S/O Khalil Ur Rehman R/O Andrasi Phagal	Chowkidar GPS Andrasi Phagal	AV Post
36	Ghulam Muhammad S/O Rahmat Ullah R/O Kai	Chowkidar GPS Kai U/C Satbani	AV Post
37	Temasab Ashraf S/O Muhammad Ashraf R/O Jabri Joshal	Sweeper GMS Jabri Joshal	AV Post
38	Imran Mian S/O Khan Mian R/O Mitikot	Sweeper GHS Mitikot	AV Post
39	Muhammad Faizan S/O Azizi ur Rehman R/O Batora	Chowkidar GHS Batora	AV Post
40	Abdul Jamal Bajrani S/O Mawali R/O Bhangian	N/Q GHS Bhangian	AV Post
41	Adnan Khan S/O Altaf Hussain R/O Josacha	Lab/Att: GHS Josacha	AV Post
42	Zahid Habib S/O Ghulam Habib R/O Batangi	N/Q GMS Battangi	AV Post
43	Abdul Majeed S/O Habib Ur Rehman R/O Sarwai	Chowkidar GPS Sarwai	AV Post
44	Gulbaz Khan S/O Muhamamd Siddique R/O Dhani Kamalban	Chowkidar GPS Dhani Kamal Ban	AV Post
45	Muhammad Khushal S/O Basheer Hussain R/O Nakka Kawai	Chowkidar GPS Naka Kawai	AV Post
46	Muhammad Arif S/O Juma Khan R/O Chamber Sangar	Chowkidar GPS Chamber Sangar	AV Post
47	Muhammad Javed S/O Sardar Azizur Rehman R/O Arban Bhangian	Chowkidar GPS Hundi Arban	AV Post
48	Zulfiqar Ahmed S/O Ghulam Rabbani R/O Choshal	Chowkidar GPS Joshal	AV Post
49	Mian Khan S/O Mehrban R/O Gali Satbani	Chowkidar GPS Gali Satbani	AV Post
50	Muhammad Mumtaz S/o Muhmmmad Yosaf R/O Batangi Batora	Lab/ Att: GHS Batora	AV Post
51	Khurshid Alalm S/O Ali Sheer R/O Mian Gran Kaghan	N/Q GHSS Kaghan	AV Post

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52	Zulfiqar Ahmed S/O Ghulam Haider R/O ama Nakka Kotkay Talasar	Chowkidar GPS Lama Naka Talasar	AV Post
53	Umar S/O Muhammad Zareen R/O Afzalabad	N/Q GHS Afzal Abad	AV Post
54	Sohail S/O Ifrikhar Ahmed R/O Lami Dheri	Behasti GHS Luberkot	AV Post
55	Shabbir S/O Bhadar Khan	Sweeper GHSS Baffa	AV Post
56	Abdul Wajid S/O Abdul Rashid R/O Sherpur	W/C GHSS Sherpur	AV Post
57	Muhammad Arif S/O Muhammad Zareen R/O Chirikot	Sweeper GMS Chirikot	AV Post
58	Muhammad Jameel S/O Muhammad Hamyun R/O Guli Bagh	N/Q GMS Gulibagh	AV Post
59	Abdul Rahid S/O Nazir R/O Tanda**	N/Q GMS Tanda	AV Post
60	Sajid Mehmood S/O Malik Muhammad Fareed R/O Babral	Sweeper GMS Bubral	AV Post
61	Muhammad Naeem S/O Muhamma Nawaz R/O Jhangar	N/Q GMS Jhangar	AV Post
62	Muhammad Arshad S/O Muhammad Aslam R/O Bherkund	Chowkidar GPS Bherkund	AV Post
63	Tanveer S/O Awal Khan R/O Ghandian	Chowkidar GPS Ghandian	AV Post
64	Arshad S/O Muhammad Riaz R/O Bela Trangri	Chowkidar GPS Bela Tanrangari	AV Post
65	Yasar Khan S/O Muhammad Sadiq R/O Dambar Eidgah	Chowkidar GPS Dhambra Eid Gha	AV Post
66	Arif Nawaz S/O M Tofeeq R/O Susal'	Chowkidar GPS Susal Gown	AV Post
67	Zubair Niaz S/O Niaz Ahmed Khan R/O Hamsharian	Chowkidar GPS Hamsharian	AV Post
68	Bilal S/O Khalid Khan R/O Bajna	Chowkidar GPS Bajna	AV Post
69	Tayyub Hussain Shah S/O Fida Hussain Shah R/O Makriya	Chowkidar GPS M. M Shah	AV Post
70	Naveed Ahmed S/O Chand Perveez R/O Sand e Sar	Chowkidar GPS Sanda Sar	AV Post
71	Touseef Ahmed S/O Hakim Khan R/O R/O Girwal	Chowkidar GPS Girwal	AV Post
72	Ghazeeb Nawaz S/O Aurangzeb R/O Arghoshal Dhodial	Chowkidar GPS Dullah Mera	AV Post
73	Malang Khan S/O Taos Khan R/O Dabi Mar Susal Gali	Chowkidar GPS Dabi Mar	AV Post
74	Shamras Khan S/O Zareef Khan R/O Khabal Payen	Chowkidar GPS Khabal Naka	AV Post
75	Muhammad Sajid S/O Khani Zaman R/O Sachan Kalan	Chowkidar GPS Gori Khurd	AV Post
76	Abdul Aziz S/O Abdul Rehman R/O Mohri Mandagucha	Chowkidar GPS Mohri Mandagucha	AV Post
77	Ejaz Hussain Shah S/O Syed Azam Shah R/O Bai Bala	Chowkidar GPS Bi Bala	AV Post Note: He should produce age relaxation from the competent authority within 2 months of issuing date, otherwise his appointment will automatically stand cancelled)
78	Zulfiqar S/O Lantha R/O Ashwal Balimong	Chowkidar GPS Therada	AV Post
79	Samin Khan S/O Hakeem Khan R/O Kolika	Behsati GHS Kolika	AV Post


  
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80	Riaz Muhammad S/O Hakam Khan R/O Balimong	Lab/Att: GHS Malookra	AV Post
81	Muhammad Saqib S/O Muhammad Basheer R/O Kathai Oghi	Chowkidar GHS Oghi	AV Post
82	Chanzeb S/O Momeen Khan R/O Rashida Oghi	W/Att: GHS Oghi	AV Post
83	Sajid Hussain S/O Jamsheed R/O Mandagucha	Sweeper GHS Manda Gucha	AV Post
84	Waseem Ullah Shah S/O Mian Yousaf Shah R/O Lami Battal	N/Q GMS Lami	AV Post
85	Zahher Hussain Shah S/O Syed Fareed Hussain Shah R/O Nakhuli Chattar Plain	Chowkidar GPS Nakholi	AV Post
86	Sami Ullah S/O Twakal Khan R/O Sharkool Chattar Plain	Chowkidar GPS Sharkool	AV Post
87	Sajjad Khan S/O Aliasghar Khan R/O Kotli bala	Chowkidar GPS Kotli Bala	AV Post
88	Zadar Khan S/O Paristan R/O Raitra Payen	Chowkidar GPS Raitra Pian	AV Post
89	Hashim Ali S/O Khani Zaman R/O Khalabat Jalgali	Chowkidar GPS Khala Bat	AV Post
90	Zakir Khan S/O Gulzar R/O Arbora	Chowkidar GPS Seri	AV Post
91	Assad Ullah S/O Aebadur Rehman R/O Ghanian	Chowkidar GPS Ghanian	AV Post
92	Muhammad Liaqat S/O Fida Muhammad	Chowkidar GPS Chajjar Bala	AV Post
93	Wajhat Nawaz S/O Umar Draz R/O Safaida Bala	Chowkidar GPS Sufada Bala	AV Post
94	Muhammad Waheed S/O Muhammad Sadiq R/O Oghi Village	Chowkidar GPS Oghi village	AV Post
95	Muhammad Yasir Basheer S/O Muhammad Basheer R/O Dibori	Chowkidar GPS Dilbori	AV Post
96	Sher Afzal S/O Ghulam Hussain R/O Jabar Gali	Chowkidar GPS Jabar Gali	AV Post
97	Hamayun S/O Firdos R/O Bela Jabar	Chowkidar GPS Bela Jabar	AV Post
98	Jalal Khan S/O Muhammad Khurshid Keri Nawazabad	Chowkidar GPS Kari Nawazabad	AV Post
99	Qurban Shah S/O Syed Sakhi Shah R/O Seri Panjool	Chowkidar GPS Seri Panjool	AV Post
100	Fida Muhammad S/O Masjoor Khan R/O Chapran	Chowkidar GHS Kalwal	AV Post
101	Sheikh Fareed S/O Ali Zaman R/O Hotar bala	Chowkidar GPS Hotar Bala	AV Post
102	Tariq S/O Muhammad Younis R/O Shergarh	Mali GHSS Shergarh	AV Post
103	Kala Khan S/O Aziz Ur Rehman R/O Gali Badral	Chowkidar GHSS Gali Badral	AV Post
104	Shahzad Shafique S/O Muhammad Shafique R/O Mundi Hotar	N/Q GMS Banda Salaya	AV Post
105	Chan Zeb S/O Ameer R/O Fojdara	N/Q GMS Thathi Khurd	AV Post
106	Saqib S/O Muhammad Roshan R/O Karori	Sweper GMS Nasir Abad	AV Post
107	Iftikhar S/O Muhammad Bashir	Chowkidar GPS Kamlorian	AV Post
108	Abdul Ghaffar S/O Sher Muhammad R/O Baglay Shergarh	Chowkidar GPS Tarari Shergarh	AV Post
109	Muhammad Ejaz S/O Habib Ur Rehman R/O Salabat	Chowkidar GPS Thakra No 2	AV Post



12

110	Muhammad Anis Youns S/O Muhammad Younis R/O Sarai Danda Khoham	Chowkidar GPS Sarai Danda Khollan	AV Post
111	Shabbir Ahmed S/O Ghulam Sarawar R/O Kangar Doga Lassan Nawab	Chowkidar GPS Kangar Doga	AV Post
112	Zahid S/O Sain Muhammad R/O Parkhain Perhinna	Chowkidar GPS Gujran	AV Post
113	Abdul Qadeer S/O Muhammad Sarwar R/O Khalian aeran Perhinna	Chowkidar GPS Rari Janda	AV Post
114	Liaqat Khan S/O Kl. Aman R/O Mera Hajjam	Chowkidar GPS Mera Hajjam	AV Post
115	Adeel Ahmed S/O Muhammad Banaras Khan R/O Sharota	Chowkidar GPS Sherota	AV Post
116	Peer Muhammad S/O Muhammad Ayub R/O Ghora Phulra	Chowkidar GPS Miana Gall	AV Post
117	Syed Sadat Shah S/O Syed Sakhawat Shah R/O Dara Shah Kot	Chowkidar GPS Darra	AV Post
118	Anwar Zeb S/O Duriaman R/O Madserian	Chowkidar GPS Madserian	AV Post
119	Shafqat ur Rehman S/O Shafique ur Rehman R/O Mohar Khurd	Chowkidar GHS Mohar	AV Post

TERMS & CONDIATIONS.

1. No TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. They should not be handed over charge if they exceed 40 years or below 18 years of age. In case of upper Age relaxation they have to get age relaxation from the competent authority within a month period after the issue of this notification, otherwise their appointment will be automatically considered as cancelled/withdrawn.
4. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice his one month pay/allowances shall be forfeited to the Government.
5. They should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, their appcintment will expire automatically and no subsequent appeal etc shall be entertained.
6. Health and Age Certificate should be produced from the Medical Superintendent DHQ Hospital Mansehra before taking overcharge.
7. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
8. The competent authority reserve the right to rectify the error / omission, if any noted /observed at any stage in instant order issued erroneously.

(Nisar Muhammad)  
DISTRICT EDUCATION OFFICER,  
(MALE) MANSEHRA

Endst: No. 11158-11276 /Appointment/Disable Quota /C-IV/dated Mansehra the 19/9/2016

Cop/ forwarded for information and necessary action to the: -

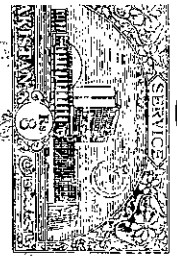
1. PS to Secretary Khyber Pakhtunkhwa E&SE Department Peshawar.
2. Director, Elementary & Secondary Education Peshawar.
3. Deputy Commissioner Mansehra.
4. District Accounts Officer Mansehra.
5. District Monitoring Officer Mansehra.
6. Principal/Head Master/Head Teacher Concerned School.
7. SDEO(M) Mansehra.
8. Budget and Account Officer Local Office.
9. Candidate Concerned.
10. Office File.

BY: DISTRICT EDUCATION OFFICER  
(MALE) MANSEHRA

Attested

Shah

ANNEX - B



10

**Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.**

**Office Order**

The transfer order in r/o Abdul Qadeer Chowkidar, from GPS Rari Janda to GG. Khalian Arrian at S.No. 2 issued vide this office Endst No. 90-91 dated 27.12.2018 is hereby cancelled with immediate effect in the interest of public service.

25th 16


**DIRECTOR**

Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Endst: No. \_\_\_\_\_/F.No. 351/A-20/C-IV/Mansehra -5. Dated Peshawar the 9/1/2019.

Copy forwarded to the: -

1. District Education Officer (Male) Mansehra.
2. District Education Officer (Female) Mansehra.
3. District Account Office Mansehra.
4. Principal/HM concerned.
5. SDEO (M) Mansehra.
6. Official concerned.
7. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

  
Assistant Director (Admin)

Directorate of Elementary & Secy: Education  
Khyber Pakhtunkhwa, Peshawar

Attested  
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25

Last Pay Certificate

Pei no 816037

1. Last Pay Certificate of Abdul Qadeer  
of the Chowkidar GPs Rarsi Janda  
Proceeding to Transfer to GPs Khaliam Arren.
2. He has been paid upto 31-12-2018  
as per following rates:-

Particulars:	Pay: Rs.	10390-
	HRA: Rs.	1413-
	MA: Rs.	1785-
	SSA: Rs.	1500-
Substantive Pay:-	SRA: Rs.	100-
Officiating Pay:-	AR: Rs.	100-
	Dear all: Rs.	804-
Exchange Compensation Allowance:-		1039-
	Total Rs.	1039-

Deductions:-

GPF A/C No:	816037	3003= Rs.	770
GPF Adv	3501	Rs.	300
B/F	3980	Rs.	60
G.I	4004	Rs.	451

3. He made over charge of the Office of  
31-12-2018 AM Manshehra  
On the After Noon of
4. Recoveries are to be made from the Pay of the Government Servants as detailed on the reverse.
5. He has been paid leave salary as detailed below. Deductions have been made as noted on the reverse.  
From / to / at Rs. / a Month  
From / to / at Rs. / a Month  
From / to / at Rs. / a Month
6. He is entitled to draw the following:-
7. He is also entitled to Joining time for \_\_\_\_\_ days.
8. The details to the Income Tax recovered form his upto the date from the beginning of the current year are noted on the reverse.

REVERSE

Details of Recoveries

Name of Recovery  
Amount Rs.

*[Handwritten signature]*

Attested  
*[Handwritten signature]*

SUB DIVISIONAL EDI OFFICER  
(State) Manshehra

*[Handwritten signature]*  
Signature: \_\_\_\_\_

# پاور پوائنٹ

تعدادی برقی پورے ہندوستان کے لیے  
27-12-18 90-9

از آئندہ دفتر کے ذریعہ آئی ایم ایف کے ذریعہ  
فینڈنگوں کو فراہم کیا جائے گا۔  
2019

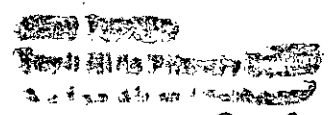
صدر دفتر کے ذریعہ آئی ایم ایف کے ذریعہ  
فینڈنگوں کو فراہم کیا جائے گا۔

آج صبح 19 بجے کو فیکلٹی آف ایجوکیشن  
کے ذریعہ آئی ایم ایف کے ذریعہ  
فینڈنگوں کو فراہم کیا جائے گا۔

لنڈن اور برطانیہ کے ذریعہ  
آئی ایم ایف کے ذریعہ  
فینڈنگوں کو فراہم کیا جائے گا۔

دستخطات مقام  
Bilquees Banop.S.T

دستخط چوکیدار = Anoop



1-01-2019

Attested  
Signature

فارغ خطی

آفس آرڈر کے اندر نمٹنے 90-9-  
27-12-18 از آمد

دفتر ڈائریکٹر آف ایلیمنٹری اینڈ سیکنڈری ایجوکیشن سوات

جنرل مکتوبخواہ کے مطابق آج مورچہ 01/01/2019 کو

عبدالقدیر جوگندار کو جن کا تبادلہ GPS ریڈی حیدر سرحل  
چکڑہ سے GPS گھلیاں اٹراں میں ہوا ہے

آج GPS ریڈی حیدرہ سے GPS گھلیاں اٹراں  
تک کے فارغ کیا جاتا ہے اور ہدایت کیجانی تاکہ  
اپنے نئے سکول میں فوراً حاضری کرے۔

اوّل مدرس گورنمنٹ پرائمری سکول ریڈی حیدرہ

سرحل چکڑہ ضلع فاطمہ

01/01/19

Attested

Attested  
Shah

18

Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.

Office Order

The transfer in respect of the following Class-iv of District Mansehra 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	Muhammad Tariq Naib Qasid	GHSS Bandi Shungli	GGHSS Darband	A.V.P of Naib Qasid
2	Abdul Qadeer Chowkidar	GPS Rari Janda	GGPS Khalian Arrian	A.V.P of Chowkidar

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. 92-91/F.No. 351/A-20/C-IV/Mansehra -5. Dated Peshawar the 27/12/2018.

Copy forwarded to the: -

1. District Education Officer (Male) Mansehra w/r to his Endst No 621 dated 18/08/2018.
2. District Education Officer (Female) Mansehra w/r to her letter No 929 dated 03/12/2018.
3. District Account Office Mansehra.
4. Principal/HM concerned.
5. SDEO (M) Mansehra.
6. Officials concerned.
7. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

  
Assistant Director (Admn)

Directorate of Elementary & Secy: Education  
Khyber Pakhtunkhwa, Peshawar

Attended

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Annex - C (19)



**OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA**

No 929

Dated 37/12 /2018

To

The Director,  
(E&SE) Khyber Pakhtunkhwa  
Peshawar.

*DD (Admin)*  
*86/17/18*

Subject:- **Application for Transfer.**

Memo:-

Enclosed please find herewith an application in respect of the following Class-IV Servants requesting for transfer against the vacant post is submitted for further necessary action.

This office have no objection for their transfer from Male to Female.

S#	Name & Designation	From	To	Remarks
1	Muhammad Tariq Naib Qasid	CMSS Bandi Shungli Mansehra	CGHSS Darband	Against the vacant post of N/Qasid
2	Abdul Qadeer Chowkidar	GPS Rari Janda Mansehra	GGPS Khalian Arrian	Against the vacant post of Chowkidar

*DACA Admin*  
*9/12/2018*

*[Signature]*  
03/12  
District Education Officer  
(Female) Mansehra.

ADDE  
*[Signature]*  
6/12/18

Attested  
*[Signature]*

20/8/18

~~621~~  
~~XXXXXXXXXXXXXXXXXXXX~~

Mr Abdul Qadeer s/o M. Sarwar chowkidar  
GPS Rari Janda is regular govt servant in  
my circle. This office has no objection  
on his request for transfer to GPS Khalsan  
Harian in the Estb. of DEO (F) Mansehra.

*[Signature]*

District Edu. Officer  
Circle Phulra

Endst. No. 621 dt. 18/8/2018.

NOC on the application for transfer is  
forwarded for consideration & sign befor  
onward submission to DEO (F) / Director

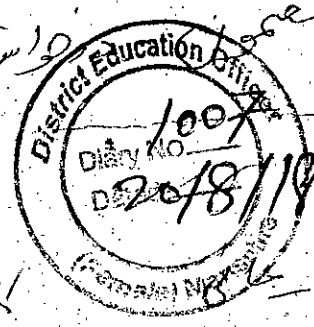
DEO (M) Ref Endst no. 621, as mentioned  
explained above. This office has no  
objection on the above mentioned  
transfer.

*[Signature]*  
**S.D.E.O (MALE)**  
Mansehra

District Edu. Officer / 18  
(Male) Mansehra DEO (M)  
The Director  
BASED 12P

حرف صا - DEO (P) (P) ضلع مانسہرہ

~~Handwritten signature and scribbles~~  
Do The needful please  
DEO (P) Manshera



سائل حال GPS رڈی جنڈہ سکول میں جو کبھی ریسٹ پر تفتیات  
پے سائل کو معلوم ہو گیا کہ GPS کھلیاں ایڑی پڑھیں میں جو کبھی  
کی ریسٹ عالی ہے چونکہ سائل کا موجودہ سیشن گھر سے دور ہے  
اس لیے اگر سائل کو موجودہ گھر کے قریب GPS کھلیاں ایڑی  
تفتیات کرنے کے احکامات صادر فرمائیں

لہذا استدعا ہے کہ سائل کو GPS رڈی جنڈہ  
سے GPS کھلیاں ایڑی پڑھیں تبدیلی فرمائیں  
فرمائیں سائل نام عدا گوریہ گا

ASDEO  
Phulra

17/8

Attested  
Shah

Forwarded to the سین نواز شیں پوٹی  
SDEO (M) Manshera for N/A Please  
ASDEO 17/8/18

عبد القدیم دلہ محمد سرد سکنہ کھلیاں ایڑی پڑھیں

24/8/18

~~621~~  
~~Mr. Abdul Qadeer S/o M. Sarwar Chowkidar~~

Mr Abdul Qadeer S/o M. Sarwar Chowkidar  
GPS Rari Janda is regular govt servant in  
my circle. This office has no objection  
on his request for transfer to GPS Khalian  
Harian in the Estb. of DEO (F) Mansehra.

*[Signature]*

District Edu. Officer  
(F) Circle Phula Mansehra

Endst. No. 621 dt. 18/8/2018.

NOC on the application for transfer is  
forwarded for consideration & sign before  
onward submission to DEO (F) / Director

DEO (C) Ref Endst. no. 621, as mentioned  
explained above. This office has no  
objection on the above mentioned  
transfer.

*[Signature]*  
**S.D.E.O (MALE)**  
Mansehra

*[Signature]*  
District Edu. Officer  
(Male) Mansehra DEO (C)  
The Director based 12P



بخدمت جناب ڈائریکٹر آف ایگزیکیوٹو ایجوکیشن KPK پشاور

اپیل برائے منسوخ حکم محررہ Endst No 2540-46-08-01-2019

جناب عالی! موجبات اپیل ذیل عرض ہیں۔

(۱) یہ کہ سائل کی تقرری بطور چوکیدار مورخہ 19.09.2016 کو آفس آرڈر Endst No

11158-11276 مورخہ 19.09.2016 سے میل نمبر 113 پرائمری سکول رڈی جنڈہ میں ہوئی۔

(۲) یہ کہ سائل نے بطور چوکیدار سکول مذکورہ میں بحسن طریقہ سے اپنے فرائض کی ادائیگی کی۔

(۳) یہ کہ گورنمنٹ گریڈ پرائمری سکول کھلیاں ایڑاں میں چوکبہ رار کی آسامی مسلسل دو سال سے خالی تھی اور

سائل چونکہ سکول ہذا سے 3-4 کلومیٹر فاصلہ پر رہائش پذیر ہے، اس لیے سائل نے محکمہ تعلیم کے ہر دو

ضلعی آفسران (میل/فیمیل) سے NDC حاصل کی۔ (منسلک اپیل ہے)۔

(۴) یہ کہ سائل نے اپنی تبدیلی کی درخواست متعاقب DEO (میل کوڈی اور مورخہ 27.12.2018 کو

End No 90-91 درخواست منظور ہو کر پرائمری سکول رڈی جنڈہ سے کھلیاں ایڑاں پڑھنے میں

تبدیل ہو گئی۔

(۵) یہ کہ سائل نے حکم مورخہ 01.01.2019 کو چارج سنبھال لیا۔ (فوٹو کاپیاں چارج رپورٹ و فارغ

خطی منسلک اپیل ہیں)۔

(۶) یہ کہ مورخہ 11.01.2019 سائل کو عزت مآب جناب کی طرف تین بی بی کا حکم مندرجہ عنوان اپیل

ملاحظہ کی دادرسی و حکم تبدیل تین بی بی کے لیے جناب کی تہذیب میں اپیل دائر کی جا رہی ہے۔

(۷) یہ کہ سائل کی تبدیلی کی تین بی بی کے حکم میں مقامی MPA کی سیاست شامل ہے۔ کیونکہ اس کے ساتھ جو

سائل نے زبانی طور پر اپنی گزارشات ہیں، جو اب اس نے کہا کہ اس خالی آسامی پر صرف تعیناتی کا

حقدار زمین کا مالک ہے تمہارا نہیں ہے۔

لہذا استدعا ہے کہ سائل کی اپیل منظور فرما کر سائل کو ڈی جگہ کھلیاں ایڑاں میں ہی بحال رکھا جائے۔

المرقوم 14 جنوری 2019ء

Alsheep

Attest  
Sudha

عبدالقدیر ولد محمد سرور ساکنہ پڑھنے کھلیاں ایڑاں تحصیل وڑھانہ

رابطہ نمبر: 0343-4009540/0310-1111018


122

15-1-2019



23  
F

SECTION NO. 23  
Date: 27-2-2013


**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**ESTABLISHMENT DEPARTMENT**  
 (REGULATION WING)  
 NO. SOR.VI (E&AD)1 -4/2005/Vol-II  
 Dated Peshawar, 27<sup>th</sup> February, 2013

- Signature*
1. The Additional Chief Secretary (P&D) Khyber Pakhtunkhwa.
  2. The Additional Chief Secretary (FATA) Khyber Pakhtunkhwa.
  3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
  4. All Commissioners in Khyber Pakhtunkhwa.

Subject: CONSTITUTION PETITION NO.23 OF 2012 OUT OF SUO MOTO CASE NO. 3/2012 (PETITION BY MS. ANITA TURAN FOR PROTECTION OF CIVIL SERVANTS REGISTERED UNDER ARTICLE 184 (3) OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973.)

Su.

I am directed in refer to the subject noted above and to state that the Supreme Court of Pakistan vide the subject cited judgment has enunciated the following principles of Law with regard to protection and conduct of civil servants.

- W*
- 4/3*
- (i) **Appointments, Removals, and Promotions:** Appointments, removals and promotions must be made in accordance with the law and the rules made thereunder, where no such law or rule exists and the matter has been left to discretion, such discretion must be exercised in a structured, transparent and reasonable manner and in the public interest.
  - (ii) **Tenure, Posting and Transfer:** When the ordinary tenure for a posting has been specified in the law or rules made thereunder, such tenure must be respected and cannot be varied, except for compelling reasons, which should be recorded in writing and are judicially reviewable.

Attested  
*Signature*  
14/2/13  
A.S.V

Scanned by CamScanner

Attested  
*Signature*

(iii) **Illegal Orders:** Civil Servants owe their first and foremost allegiance to the law and the constitution. They are not bound to obey orders from superiors, which are illegal or are not in accordance with accepted practices and rule based norms; instead, in such situations, they must record their opinion and, if necessary, dissent.

(iv) **OSD:** Officers should not be posted as OSD except for compelling reasons, which must be recorded in writing. If at all an officer is to be posted as OSD, such posting should not exceed 03 months. If there is a disciplinary inquiry going on against him/her such inquiry must be completed at the earliest. The officer on special duty may be posted against a post of his/her equivalent pay scale/grade within 03 months of his/her order as OSD.

2. I am, therefore, directed to request you to note the above principles of law for strict compliance.

*Attested*

Yours faithfully,

*Majam*  
(NAJ-MUS-SAHAR)  
SECTION OFFICER (REG-VI)

Encl: as above.

A copy is forwarded to:-

1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
4. The Accountant General, Khyber Pakhtunkhwa.
5. The Registrar, Peshawar High Court, Peshwar.
6. The Secretary Khyber Pakhtunkhwa, Public Service Commission.
7. All Addl. Secretaries Establishment & Administration Department.
8. All Deputy Secretaries in Establishment & Administration Department.

*Majam*  
SECTION OFFICER (REG-VI)

Scanned by CamScanner

*Attested*  
*Eha*

DBA number

BC No.

18 - 1422

Name of Advocate

شہد خان

S.No 92372

وکالت نامہ



SECRETARY  
DISTRICT ASSOCIATION  
Peshawar

Before the Service Tribunal Peshawar

Abdul Qadeer vs. Govt of F.P. عنوان

Service Appeal نوعیت مقدمہ Appellant منجانب

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ جہاں کے لیے

SHAHID KHAN Swati

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا ہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروقت تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ کچہری کے علاوہ کسی جگہ سماعت ہونے پر یا بروقت تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا بخاندہ کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پرداخت صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل ٹرانسفر ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرنے اور ہر قسم کارروائی وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ثالثی و راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات از کچہری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم استماعی یا قرتی یا گرفتاری قبل از گرفتاری و اجراءے ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ محتانہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے کسی جزو کی کارروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔  
مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔  
مورخہ: دن / ماہ / سال

Accepted

Shahid Khan

(original copy)

**BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR**

**Appeal No.507-A/2019**

Abdul Qadeer .....APPELLANT.

**VERSUS**

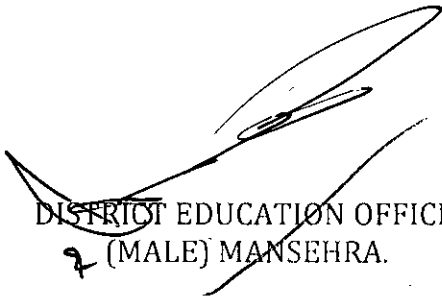
1. Director Elementary & Secondary Education KPK Peshawar.

2. District Education Officer (Male) Manshera.....

.....RESPONDENTS.

**PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS NO 1, & 2**  
**INDEX**

<b>S. No</b>	<b>Description of documents</b>	<b>Annexure</b>	<b>Pages</b>
1.	Comments		1-2
2.	Affidavit		3
3.	Copy of NOC by DEO(M) Mansehra	<b>A</b>	4-5
4.	Copy of the Letter by DEO(F) Mansehra	<b>B</b>	6
5.	Copy of the transfer order	<b>C</b>	7
6.	Copy of cancellation order	<b>D</b>	8

  
DISTRICT EDUCATION OFFICE  
2 (MALE) MANSEHRA.

**BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR**

**Appeal No.507-A/2019**

Abdul Qadeer .....APPELLANT.

**VERSUS**

1. Director Elementary & Secondary Education KPK Peshawar.
2. District Education Officer (Male) Mansehra.....

.....RESPONDENTS.

**PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS NO 1, & 2**

**PRELIMINARY OBJECTIONS:-**

1. That the Appellant is not the "AGGRIEVED" person.
2. That the Appellant is stopped by his own conduct.
3. That the Appellant has not come to the Hon'ble Tribunal with clean hand.
4. That the Appellant has no cause of action/locus standi to file the instant appeal.
5. That instant Appeal is against the prevailing law and rules.
6. That the Appellant has concealed the material facts from this Hon'ble Tribunal. Hence not entitled for any relief and appeal is liable to be dismissed without any further processing.
7. That the appeal is groundless and based on malafide, ulterior motive, hence the same is liable to be dismissed.
8. The instant appeal is not maintainable in the present form and also in the present circumstances of the issue.
9. That the demand of the appellant is against the law and facts hence the appellant is not entitled for any relief and appeal is liable to be dismissed on this score alone.
- 10.

**Factual Objections:-**

- 1) Para No.1 is pertain to the service record of the appellant, hence need no comments.
- 2) Para No. 2 is correct to the extent that the appellant was transferred from GPS Rari Janda to GGPS Khallian Arrian by the respondents No.1 vide Endst No.2540-46 dated 27/12/2018. The appellant submitted his application to respondent No.2 vide his application dairy No.1007 dated 20/08/2018. The respondent No.2 forwarded the application to the Respondent No.2 vide Endst No.621 dated 18/08/2018 to the respondent No.3 with the remarks that "**This office has no abjection on his request for transfer to GGPS Khallian Harian in the establishment of the DEO (F) Manshera**". Whereas on the basis of said NOC the respondent No.3 forwarded the application to the respondent No. 1 for the transfer. Whereas the respondent No.1 issue the transfer order of the appellant vide Endst No.90-91 dated 21/12/2018. Whereas later on the respondent No.1 cancelled the transfer order of the appellant vide Endst no. 2540-46 dated 09/01/2019. With the remarks that "**order is hereby cancelled with immediate effect in the interest of the public service**"

**(Copy of the NOC by the DEO (M) Manshera, Copy of the letter DEO (F) Manshera, Copy of the Adjustment Order and Copy of the Cancellation order are annexed as annexure A, B, C & D)**

- 3) Para No.3 is correct, detail reply is give in the above para.
- 4) Para No.04 is correct, hence need no comments.

5) Para No.5 is incorrect, the instant appeal is time barred, hence not maintainable in the eye of the law, hence liable to be dismissed, that appellant is not aggrieved Person and has no right to invoke the Constitution jurisdiction of this Hon'ble Tribunal, inter alia on the following Grounds:-


**GROUND:-**


- a) Para a is incorrect denied. Detail reply has already been given in the above para.
- b) Need no comments.
- c) Para c need no comments.
- d) Para d incorrect, hence need no comments.

**Prayers:**

*It is therefore, humbly prayed that on acceptance of the above submissions, the instant appeal may very graciously be dismissed in the favour of the answering Respondents in the interest of the Justice*

Respondents .....

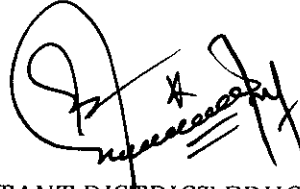
  
**The Director,**  
**Elementary & Secondary Education**  
**Khyber Pakhtunkhwa Peshawar.**  
**(Respondent No.1)**

  
**The District Education Officer,**  
**(Male) Manshera**  
**(Respondent No.2)**



**AFFIDAVIT**

I, Muhammad Toseef, Assistant to DEO(M) Mansehra hereby solemnly affirm and declare that the content of the reply of the comments in the above appeal No.507-A/2019 titled as Abdul Qadeer versus Education Department are true to the best of my conviction and belief and I have concealed nothing.

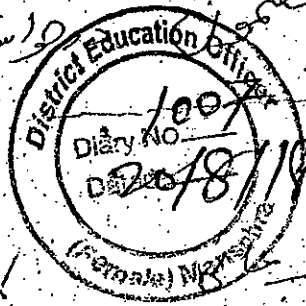


ASSISTANT DISTRICT EDUCATION OFFICER  
2 (MALE) MANSEHRA

حکومت ہن - DEO صاحب (سین) ضلع مانسہرہ

42

~~Forwarded to the~~  
~~Do. The one~~  
SDEO (M) Manshera



سائل حال GPS رٹری عہدہ سکول میں جو کبار یونٹ پر تفصیلات  
ہے سائل کو معلوم ہو چکا ہے کہ GPS کھلیاں اڑیوں میں جو کبار  
کی یونٹ خالی ہے جو کہ سائل کا موجودہ سیشن گھر سے دور ہے  
اس کے آگے سائل کو موجودہ گھر کے قریب GPS کھلیاں اڑیوں  
تفصیلات کرنے کے احکامات صادر فرمائیں

لہذا استدعا ہے کہ سائل کو GPS رٹری عہدہ  
سے GPS کھلیاں اڑیوں میں تبدیل فرمائیں  
فرمائیں سائل کا نام محمد طاہر ہے

ASDEO  
Phulera  
17/8

سین نواز سن موٹی  
Forwarded to me

SDEO (M) Manshera for N/A Please

ASDEO 17/8/18

عبدالقدیم ولد محمد سردر سکنہ کھلیاں اڑیوں میں

0343-4009546

(5)

Handwritten scribbles at the top left.

~~Handwritten scribbles and crossed-out lines.~~

Mr Abdul Qadeer s/o M. Sarwar Chowkidar  
GPS Rari Janda is regular govt servant in  
my circle. This office has no objection  
on his request for transfer to GPS Khalian  
Harian in the Estb. of DEO (F) Mansehra.

District Edu Officer  
Circle Phulra

Endst. No. 621 dt. 18/8/2018.  
• N.O.C. on the application for transfer is  
forwarded for consideration & sign before  
onward submission to DEO (F) / Director

DEO (M) Ref. Endst. no. 621, as mentioned  
explained above. This office has no  
objection for the above mentioned  
transfer.

**S.D.E.O. (MALE)**  
Mansehra

District Edu. Officer  
(Male) Mansehra DEO (M)  
The Director Phulra

(6)

ANNEX - B

(9)



**OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA**

No 929

Dated 37/12 /2018

To

The Director,  
(E&SE) Khyber Pakhtunkhwa  
Peshawar.

*DDCA Amin*  
*Ab/mr*

Subject:- **Application for Transfer.**

Memo:-

Enclosed please find herewith an application in respect of the following Class-IV Servants requesting for transfer against the vacant post is submitted for further necessary action.

This office have no objection for their transfer from Male to Female.

S#	Name & Designation	From	To	Remarks
1	Muhammad Tariq Naib Qasid	CHSS Bandi Shungli Mansehra	GGHSS Darband	Against the vacant post of N/Qasid
2	Abdul Qadeer Chowkidar	GPS Rari Janda Mansehra	GGPS Khalian Arrian	Against the vacant post of Chowkidar

*DDCA Amin*  
*6/12/2018*

*[Signature]*  
03/12  
District Education Officer  
(Female) Mansehra.

*ADDE*  
*[Signature]*  
*6/12/18*

Annex 'C'

7

18

Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.

Office Order

The transfer in respect of the following Class-iv of District Mansehra 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	Muhammad Tariq Naib Qasid	GHSS Bandi Shungli	GGHSS Darband	A.V.P of Naib Qasid
2	Abdul Qadeer Chowkidar	GPS Rari Janda	GGPS Khalian Arrian	A.V.P of Chowkidar

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. 92-91/F.No. 351/A-20/C-IV/Mansehra -5. Dated Peshawar the 27/12/2018.

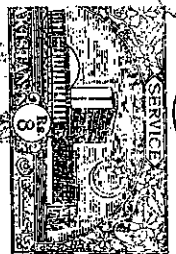
Copy forwarded to the:-

1. District Education Officer (Male) Mansehra w/r to his Endst No 621 dated 18/08/2018.
2. District Education Officer (Female) Mansehra w/r to her letter No 929 dated 03/12/2018.
3. District Account Office Mansehra.
4. Principal/HM concerned.
5. SDEO (M) Mansehra.
6. Officials concerned.
7. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

  
Assistant Director (Admn)

Directorate of Elementary & Secy: Education  
Khyber Pakhtunkhwa, Peshawar

ANNEX- 5  
D



8

14

Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.

Office Order

The transfer order in r/o Abdul Qadeer Chowkidar, from GPS Rari Janda to GG. Khalian Arrian at S.No. 2 issued vide this office Endst No. 90-91 dated 27.12.2018 is hereby cancelled with immediate effect in the interest of public service.

25th-16

**DIRECTOR**  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Endst: No. \_\_\_\_\_/F.No. 351/A-20/C-IV/Mansehra -5. Dated Peshawar the 21/1/2019.

Copy forwarded to the: -

1. District Education Officer (Male) Mansehra.
2. District Education Officer (Female) Mansehra.
3. District Account Office Mansehra.
4. Principal/HM concerned.
5. SDEO (M) Mansehra.
6. Official concerned.
7. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

*(Signature)*  
21/1/2019

Assistant Director (Admin)  
Directorate of Elementary & Secy: Education  
Khyber Pakhtunkhwa, Peshawar

(V)