

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 15133/2020

Date of Institution ... 07.12.2020

Date of Decision ... 22.06.2021

Mst. Shaheen Begum, Deputy District Education Officer (DDEO) Female at District Education Office Timergara, resident of Balambat Colony Timergara District Dir Lower. ... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and three others. ... (Respondents)

Present.

Mr. Akhunzada Ahmad Saeed,
Advocate.

... For appellant

Mr. Muhammad Riaz Khan Paindakhel,
Asstt. Advocate General

... For respondents.

MR AHMAD SULTAN TAREEN
MR. ATIQ-UR-REHMAN WAZIR,

... CHAIRMAN
... MEMBER(E)

JUDGMENT

AHMAD SULTAN TAREEN, CHAIRMAN:-

1. The appellant is aggrieved of her transfer order dated 02.09.2020 issued by respondent No. 1.

2. The facts, as noted in the memorandum of appeal, are that the appellant, a resident of Dir Lower at Timergara, was appointed as PST in the year 1981 and later on was promoted to the Management Cadre post of Deputy District Education Officer (BPS-18) on 06.09.2019, upon the recommendations of Khyber Pakhtunkhwa Public Service Commission.



Purportedly, upon political interference, the appellant was transferred to District Malakand on 02.09.2020 although there was no vacant post of DDEO(Female) in that District at the relevant time. A departmental appeal was submitted by the appellant on 04.09.2020 which was not decided within the reasonable time, therefore, the appellant submitted a Writ Petition before the Hon'ble Peshawar High Court. The petition was disposed of on 24.09.2020 with the direction to respondents to decide the departmental appeal of the petitioner within a period of seven days. It was not done so by the respondents, hence the appeal in hand was preferred on 07.12.2020.

3. We have heard learned counsel for the parties and have gone through the available record.

4. It was contended by learned counsel for the appellant that due to political interference male officers were working against the posts meant for female officers. That, the impugned transfer of appellant was premature in view of Transfer/Posting policy of Provincial Government. The local MPAs were interfering in the administrative functions of the respondents and, in order to exert pressure, the transfer of appellant was managed. The transfer was an act of malafide and for reasons extraneous to the Rules/Policy. In support of his arguments, learned counsel relied on 2009-SCMR 390, 2003-PLC (C.S) 1049, 1997 TD (Services) 56, 1996 PLC(C.S) 415, 2007 SCMR 599 and judgment of this Tribunal passed in Service Appeal No. 185/2019 on 19.02.2020.

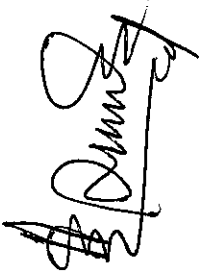
Learned Asstt. AG, while attempting to dislodge the arguments from other side, stated that under the law the appellant was obligated to serve at any place in the Province and was not entitled to a posting of her choice.

5. We are of the view that the arguments of learned counsel regarding political maneuvering and malafide behind the impugned transfer are without any support from the available record. Many a documents and photographs have been appended with the memorandum of appeal but the same do not establish direct nexus between the allegations of appellant and the issuance of impugned order.

Regardless of what has been stated in first part of this Paragraph, it is crystal clear from the record that the appellant was transferred on 02.09.2021 from the post of DDEO(F) Dir Lower to DDEO (F) Malakand. The impugned transfer took place within about one year of transfer/posting of appellant to the post. This act on the part of respondents was in blatant disregard to the Transfer/Posting Policy of Provincial Government, wherein, it was provided that normal tenure of two years for posting a civil servant was to be respected. The arguments of learned AAG would not come to the rescue of respondents where he stated that the appellant was serving at the same station/service about 20 years. It is not the spirit of policy that a civil servant be dislodged from a particular posting merely because of having served at the same station for a long time. Else, there would not be any sanctity of tenure Policy for a civil servant after his first posting in service.

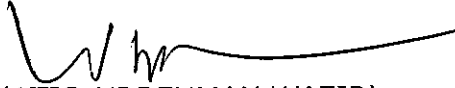
6. The cardiac ailment of appellant, culminating into open heart surgery could have been kept in consideration by respondents while ordering the impugned transfer between stations almost 100 Kilometers apart.


7. As resolved hereinabove and for the reasons prevailing, the impugned order merits setting aside upon acceptance of appeal in hand.



Order accordingly. The acceptance of appeal shall not, however, create bar on the transfer of appellant upon completion of normal tenure as DDEO (F) Dir Lower, but only in the public interest and in accordance with law. It is to be noted that the application for initiation of Contempt of Court proceedings was not pressed by learned counsel for the appellant. Besides, its competence was also yet to be established. The application is, therefore, dismissed as such.

Parties are, however, left to bear their respective costs. File be consigned to the record room.


(ATIQU-URREHMAN WAZIR)
Member(E)


(AHMAD SULTAN TAREEN)
Chairman

ANNOUNCED
22.06.2021


15133/2020

22.06.2021

Counsel for the appellant and Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, the impugned order merits setting aside upon acceptance of appeal in hand. Order accordingly. The acceptance of appeal shall not, however, create bar on the transfer of appellant upon completion of normal tenure as DDEO (F) Dir Lower, but only in the public interest and in accordance with law.

Parties are, however, left to bear their respective costs. File be consigned to the record room.


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



Chairman

ANNOUNCED
22.06.2021

Sir,

1. PUC is a list of cases heard & announced by the then Chairman Justice (Rtd) Hamid Farooq Durrani (Late) but judgment could not be written due to his illness & demise later on.

2/N. Submitted for perusal and orders, please.


Registrar 9/6/2021.

3. Worthy Chairman

The cases enumerated in the PUC be fixed before a Special D.B comprising the undersigned and the worthy Member who sat in the Bench with the then Worthy Chairman at the time of hearing, for further dealing with the matter in accordance with law, after notices to the parties. 22-06-2021

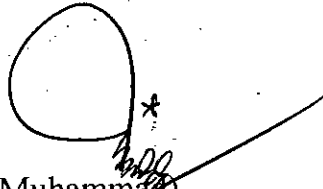

Chairman

4. Registrar

18.02.2021

Counsel for the appellant and Addl: AG alongwith Mr. Muhammad Saleem, SO alongwith Mr. Muhammad Usman, ADEO for respondents present.

Former has submitted rejoinder to the reply of respondents. Placed on record. To come up for arguments on 25.02.2021 before D.B.



(Mian Muhammad)
Member (E)

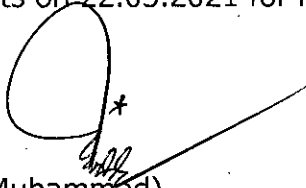


Chairman

25.02.2021

Mr. Nasir Jehangir, son/Special Attorney for the appellant and Muhammad Rashid, DDA for the respondents present.

Due to general strike on the call of Pakistan Bar Council, learned counsel for the appellant is not available. To come up for arguments on 22.03.2021 for hearing before the D.B.



(Mian Muhammad)
Member(E)



Chairman

27.01.2021

Counsel for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Muhammad Saleem, Section Officer, on behalf of respondent No. 1, Mr. Abdul Samad, Deputy Director, on behalf of respondent No. 3, and Mr. Jan Bakht Said, Superintendent, on behalf of respondent No. 4, are also present.

Representative of respondent No. 1 submitted written reply on behalf of the said respondent which is placed on file. The representative of respondent No. 3 submitted application that reliance is placed on the reply already submitted by respondent No. 1. File to come up for rejoinder and arguments on 10.02.2021 before D.B.

(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

10.02.2021

Counsel for the petitioner and Asstt. AG alongwith Hayat Khan, AD for the respondents present.

Learned counsel for the appellant requests for time to submit rejoinder to the comments/reply by the respondents. May do so within one week. Adjourned for arguments to 18.02.2020 before the D.B.

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

Chairman

24.12.2020

Counsel for the appellant and Asstt. AG alongwith Muhammad Usman, ADO for the respondents present.

Representative of the respondents seeks time to furnish reply/comments. Adjourned to 11.01.2021 on which date the requisite reply/comments shall positively be furnished.

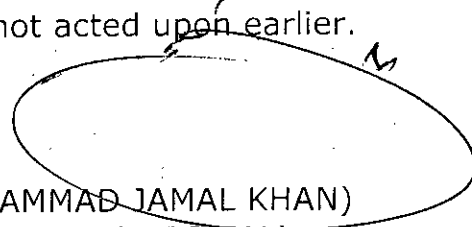


Chairman

11.01.2021

Counsel for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General and Mr. Muhammad Saleem, Section Officer, for the respondents, are also present.

Written reply on behalf of respondents not submitted. Representative of the department is seeking further time for submission of written reply/comments. Adjourned to 27.01.2021 on which date file to come up for written reply/comments before S.B. In the meanwhile, operation of impugned order dated 02.09.2020 shall remain suspended, if not acted upon earlier.




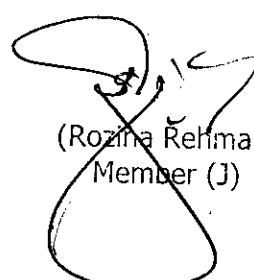


(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

FORM OF ORDER SHEET

Court of _____

Case No. 15133 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/12/2020	<p>The appeal of Mst. Shaheen Begum presented today by Syed Abdul Haq 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-	09.12.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>09/12/2020</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
<p>Appellant Deposited Security Process Fee</p> <p> 09/12/20 ✓</p>		<p>Appellant present through counsel. Preliminary arguments heard. File perused.</p> <p>Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 24.12.2020 before S.B.</p> <p>Annexed with memo of appeal is an application for interim relief. Notice of the said application be issued to respondents. In the meanwhile, operation of impugned order dated 02.09.2020 shall remain suspended, if not acted upon earlier.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>

URGENT FORM

.....

.....

TITLE

Mst. Shaheen BegumAppellant

VERSUS


Govt of KPK & others Respondents

1. Will you kindly treat the accompanying C.M as urgent and in accordance with the provisions of Rules, 9 Chapter 3-A Rules of orders of the High Court, Lahore Volume V.

2. The grounds of urgency are.

That the appellant has been transferred pre-maturely, and the impugned order is based on malafidy, and is passed on the political exertion furthermore, the appellant is suffering from cardiac decease and is unable to travel such long distance, so this case, as per demand of natural justice, may kindly be fixed at earliest.

Dated: 7/12/2020
Cell No: 03110950959


YOURS OBEDIENTLY

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

Service Appeal No. _____/2020

Mst. Shaheen BegumAppellant


VERSUS

Government of KPK & others Respondents

INDEX

S.No	Description	Annx	Pages
1.	Copy of service appeal		<u>1-7</u>
2.	Copy of certificate		<u>8</u>
3.	Address of the Parties		<u>9</u>
4.	Copy of Affidavit		<u>10</u>
5.	Copy of suspension application with application		<u>11-12</u>
6.	Copy of appointment order		<u>13</u>
7.	Copy of impugned order dated 2.9.2020	A	<u>14</u>
8.	Copy of Departmental appeal dated 4.9.2020		<u>15</u>
9.	Copy of Writ Petition	B	<u>16-18</u>
10.	Copy of office order and written reply	C	<u>19-22</u>
11.	Copy of the notification		<u>23-24</u>
12.	Copy of statement showing sanctioned vacant posts		<u>25-28</u>
13.	Copy of snapshot of message		<u>29</u>
14.	Copy of relevant reports are attached		<u>30-32</u>
15.	Power of attorney.		<u>33-35</u>
16.	WakalathNama		<u>36</u>

Appellant through Counsel


SYED ABDUL HAQ
Advocate,

Office: Zeb Super Plaza,
Shahdara, Road, Watkay
Mingora Swat

Cell#: 0311-09509599

(1)

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

Service Appeal No. 15133 /2020

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 16179

Dated 07/12/2020

Mst. Shaheen Begum, Deputy District Education Officer (DDEO)
Female, at District Education office Timergara, Resident of
Balambat Colony Timergara District Dir Lower.....**Appellant**

VERSUS

- 1) Govt. of Khyber Pakhtunkhwa through Secretary
Elementary & Secondary Education Peshawar.
- 2) Chief Secretary Elementary & Secondary Education
Peshawar Khyber Pakhtunkhwa at Peshawar.
- 3) Director Elementary & Secondary Education Peshawar
Khyber Pakhtunkhwa at Peshawar.
- 4) District Education Officer (Female) Dir Lower at
Timergara. **Respondents**

APPEAL UNDER SECTION 4 OF THE GOVT. OF

KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT,

1974 FOR SETTING ASIDE THE IMPUGNED

TRANSFER ORDER DATED 2.9.2020 ISSUED BY THE

RESPONDENT NO.1 BEING ILLEGAL, UNLAWFUL,

VOID AB-INITIO, AGAINST THE POLICY .

Filed to-day

Registrar

7/12/2020

Respectfully Sheweth;

The facts of the instant appeal are as under.

1. That the Appellant is bonafide resident of Dir lower at Timergara & initially appointed as PST in 1981 & later on was promoted to the post of SST in 1999, furthermore she was promoted to the post of Deputy District Education Officer (BPS-18) on 06.09.2019 as recommended by Public Service Commission. (Copy of appointment order is attached)
2. That the Appellant was working against the management cadre post efficiently & up to the entire satisfaction of her superiors.
3. That astonishingly via political interference the Appellant in spite of her indisposed condition repeatedly tortured on the reason that she is not willing to comply the directions of local MPAs as all the political figures consistently compelled her to get favourable transfer order in their favour.

4. That in other Districts like Dir Upper, Chitral Lower, Chitral Upper & District Malakand, due to non-availability of Female officers for the post of DEO, the DDEO is working as DEO (Female), but the official respondent mere for political gain always adjusted Male officers on the post of DEO (F).
5. That the official respondent without any rhyme & reason transferred the Appellant to District Malakand, vide order dated 2.9.2020, although there is no vacant post of DDEO(F) in District Malakand at Batkhela, as the DDEO(F) in the same District work as DEO(F) District Malakand (*Copy of order dated 2.9.2020 is attached as annexure -A*)
6. That the Appellant impugned the same via Departmental appeal dated 06.08.2020 but the concern authority failed to decide the appeal one way or the other.
7. That the Appellant feeling aggrieved filed a writ of mandamus bearing NO. W.P 961-M/2002, for the purpose to issue to directions to the appellate authority

to decide the departmental appeal within 15 days as per policy of the Govt of Khyber Pakhtunkhwa vide judgment dated 24.09.2020. (Copy of Writ Petition is attached as annexure-B).

8. That the respondent mere to torcher the appellant and delay the case, placed the appeal for personal hearing vide office order dated 23.10.2020 and the she responded the same after filing the detailed reply. (Copy of office order and written reply on behalf of appellant are attached as annexure-C be considered integral part of this appeal.)
9. It is to be mentioned here that prior to issuance of impugned order the respondent No.1 vide notification dated 31.8.2020 , on the recommendation of placement committee considered 14 officers for transferred but it is noted that appellant was not included in the same notification just because her short tenure on the post of DDEO(F). (Copy of the notification is attached).

10. That the appellant waited for the fate of her departmental appeal but the official respondents failed to answer the same, so after stipulated time the appellant have no other remedy except to file the instant appeal on the following grounds amongst other.

GROUND

- A. That the impugned notification & order dated 2.9.2020 issued by the respondent No.1 is against the law, facts, norms of natural justice & material on record hence not tenable & liable to be set aside.

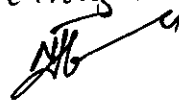
- B. That the appellant is transferred from one District to another in a short span of time as under the mandate of law the government employee of such category is entitled to serve the office at least for two years, but the official respondent mere on political exertion and pressure transferred the appellant, so such act/ order of the department is highly unethical and undesirable and liable to be struck down.


- C. That the impugned order is premature, violative and has been passed on behest of MPA concern as evident from the concern female MPA who categorically suggested the appellant to approach the concern MPA. (Copy of such message is attached)
- D. That it is very astonishing that in District Dir Lower all the SDEO(F) , ASDEO(F) and ADEO(F) (management cadre posts) have been filled from the male teachers although the same issue has been resolved by the Peshawar High Court, that no one of teaching cadre be selected/adjusted against the management cadre post but in said District the concern office merely run on the signals of Local MPAs so the appellant is also effected due to such intervention, so on this score the impugned dated 02.09.2020 is not maintainable in the eyes of law.
- E. That the appellant is cardiac patient and have operated "OPEN HEART SURGERY" and is restricted from travelling the proposed office (Malakand in Batkhela) is about 100 Killometers away, so, on this score alone the appellant is

entitled to be allowed to serve the office in/home district. (Copy of relevant medical reports are attached).

- F. That the post in question is still vacant as no suitable candidate of management cadre is available so on this score too, the appellant is entitled to serve on the same post.
- G. That the Appellant seeks leave of this honourable court to raise/argue any additional points at the time of arguments.

*It is, therefore, humbly prayed
that the impugned transfer order dated
02.09.2020 may kindly be declared
illegal void ab-inito and be set aside.
AND the appellant be allowed to serve
the office as DDEO(F) Dir Lower at
Timergara.*

Appellant through



Syed Abdul Haq,
Advocate, High Court
0311-0950959

8

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

Service Appeal No. _____/2020

Mst. Shaheen BegumAppellant

VERSUS

Government of KPK & others Respondents

CERTIFICATE

As per instruction of my client no such like writ appeal, earlier has been filed by the Appellant on the subject matter before this Hon'able Court.


ADVOCATE

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

Service Appeal No. _____/2020

Mst. Shaheen BegumAppellant

VERSUS

Government of KPK & others Respondents

ADDRESSES OF THE PARTIES

APPELLANT

Mst. Shaheen Begum, Deputy District Education Officer (DDEO)
Female, at District Education office Timergara, Resident of
Balambat Colony Timergara District Dir Lower

CNIC ~~0345~~ _____
153020828623-8

MOB: 0345 9511276

RESPONDENTS

- 1) Govt. of Khyber Pakhtunkhwa through Secretary
Elementary & Secondary Education Peshawar.
- 2) Chief Secretary Elementary & Secondary Education
Peshawar Khyber Pakhtunkhwa at Peshawar.
- 3) Director Elementary & Secondary Education Peshawar
Khyber Pakhtunkhwa at Peshawar.
- 4) District Education Officer (Female) Dir Lower at
Timergara.

Appellant through Counsel

**SYED ABDUL HAQ
Advocate,**

Office: Zeb Super Plaza,
Shahdara, Road, Watkay
Mingora Swat

Cell#: 0311-09509599

10

BEFORE THE SERVICE TRIBUNAL KP, PESHAWAR

Service Appeal No. _____/2020

Mst. Shaheen BegumAppellant

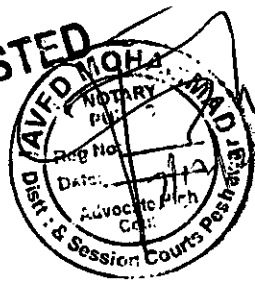
VERSUS

Government of KPK & others Respondents

AFFIDAVIT

I *Nasir Jehangir (attorney) Son of Jehangir, Resident of Balambat Colony Tehsil Balambat District Dir Lower* do hereby affirm that the contents of the above title appeal are true and correct to the best of my knowledge and belief and nothing is concealed from this honourable Court.

ATTESTED



DEPENDENT

CNIC ()
15306-5062953-5

(11)

BEFORE THE SERVICE TRIBUNAL KP, PESHAWAR

Service Appeal No. _____/2020

Mst. Shaheen BegumAppellant

VERSUS

Government of KPK & others Respondents

**APPLICATION FOR SUSPENSION THE IMPUGNED
TRANSFER ORDER DATED 02.9.2020 TILL THE
FINAL DISPOSAL OF THE INSTANT SERVICE
APPEAL.**

Respectfully sheweth;-

1. That the applicant/appellant seeks the suspension of the impugned order on the following grounds.

GROUND

- A. That the Appellant/Applicant having a strong prima face case and hopeful qua her success as the impugned order is violative of law, premature, passed mere on political exertion.

- B. That the Appellant/Applicant being cardiac patient is strictly restricted by the doctors from such long travel but due to her serious health condition, if the order was not suspended Appellant/Applicant would suffer irreparable loss.
- C. That, as per demand of justice and good governance the balance of convenience lies in favour of Appellant/Applicant.
- D. That the grounds taken in the main appeal may kindly be considered part of this application.

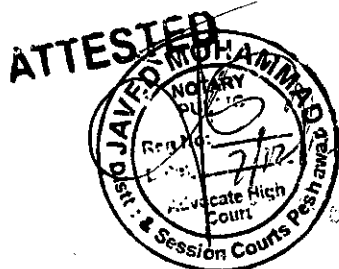
It is therefore humbly prayed that on acceptance of this applicant the impugned transfer order may kindly be suspended till the final disposal of the main service appeal.

Appellant/Applicant through Counsel

(Signature)
SYED ABDUL HAQ
 Advocate,

AFFIDAVIT

I Nasir Jehangir (attorney) Son of Jehangir, Resident of Balambat Colony Tehsil Balambat District Dir Lower do hereby affirm that the contents of this application are true and correct to the best of my knowledge and belief and nothing is concealed from this honourable Court.



(Signature)
DEPENDENT

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

Dated Peshawar the September 6th, 2019

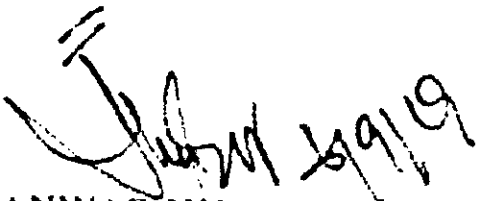
4-16/2019/DEO(F)/Dir Lower; The Competent Authority is pleased to
Begin (MC -BS-18) DDEO (F) Lower Dir to look after the affairs/official
of District Education Officer (Female) Dir Lower, in addition to her own duties,
incumbent Mst. Nusrat Bibi (FC-BS-19) on 13/08/2019; till further orders

SECRETARY
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Date:

to the
General, Khyber Pakhtunkhwa Peshawar.
Khyber Pakhtunkhwa, Peshawar.
Section Officer (F) Dir Lower.
Section Officer Dir Lower.
E&SE Department
Cell, E&SE Department.
Signed.


ATTESTED TO BE
TRUE COPY


(JAVEED ANWAR KHATTAK)
SECTION OFFICER (SCHOOLS FEMALE)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

Dated Peshawar the September 02, 2020

NOTIFICATION

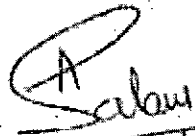
No. SOIS/F) E&SED/4-16/2020/Posting/Transfer of MC/Placement Committee: The Competent Authority, on the recommendations of placement committee, made in its meeting held on 02.09.2020 has been pleased to transfer Mst. Shaheen Bibi (MC BS-18), presently posted as DDEO (F) Dir Lower and post her as DDEO (F) Malakand against the vacant post, in the public interest, with immediate effect.

2. No TA/DA is allowed.

SECRETARY
ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female), Malakand/Dir Lower.
4. District Accounts Officers, Malakand/Dir Lower.
5. Director EMIS, E&SE Department for uploading at official website.
6. PS to Secretary, E&SE Department.
7. PS to Secretary, Establishment Department.
8. PS to Special Secretary, E&SE Department.
9. PA to Deputy Secretary, E&SE Department.
10. Officers concerned.
11. Office order file.

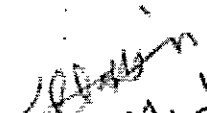

02/09/2020
(ABDUS SALAM)
SECTION OFFICER (S/F)



ATTESTED TO BE
TRUE COPY

14

A

ADAMS


3/2/20

AD-18

3/9/2020

(A)

To
The Secretary,
Elementary & Secondary
Khyber Pakhtunkhwa Peshawar.

Subject: APPEAL FOR CANCELLATION OF TRANSFER ORDER OF DDEO FEMALE DIR LOWER TO DDEO FEMALE MALAKAND

Respected Sir,

With deep sense of reverence it is stated in your kind honor as per subject cited above that I have been working as Deputy District Education Officer Female District Dir Lower since 01.09.2019.

Nevertheless, your good office issued my transfer order vide Notification No. SO(S/F)E&SED/4-16/2020 Posting/Transfer of MC dated 02.09.2020, due to unknown reasons and posted me DDEO Female District Malakand.

Sir I want to bring some facts in your kind notice:

1. My Tenure is just one year on the said post i.e 01.09.2019 to date.
2. Due to my open heart surgery and other serious health issues like diabetes, it becomes almost difficult and unbearable to travel for long distances i.e 100KM dally for my official duty.
3. Moreover, I am a bona fide resident of Balamba District Dir Lower.

Therefore, in the light of the above mentioned facts, your kind office is requested to withdraw my transfer order i.e DEO Female Office Dir Lower to DEO Female Office Malakand.

I will remain very grateful.

1887 N
104/09/2020
Obediently Yours,
Shaheen Begum
DDEO Female MC B-18. CT

Honourable Secretary Shibi
E & S Ed O

Sir Mistress Shaheen

DDEO(F) of this office is the right hand of the undersigned. She is the encyclopedia of this office due to her experience. Her transfer may be affected this office badly. Secondly her health can't tolerate to travel for long distance. Therefore her transfer order may be drawn please.

DISTRICT EDUCATION OFFICER
DIR DIR LOWER

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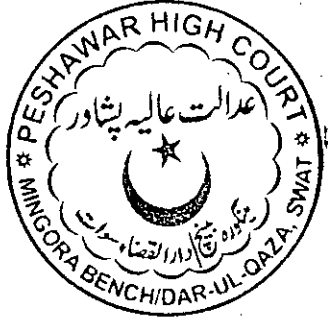
16

B

BEFORE THE PESHAWAR HIGH COURT, MINGORA
BENCH/DARUL QAZA SWAT

W.P. 961-M -M/2020

Mst. Shaheen Begum, Deputy District Education Officer (DDEO)
Female, at District Education office Timergara, Resident of
Balambat Colony Timergara District Dir Lower.....Petitioner



VERSUS

- 1) Govt. of Khyber Pakhtunkhwa Through Secretary
Elementary & Secondary Education Peshawar.
- 2) Elementary & Secondary Education Peshawar Khyber
Pakhtunkhwa at Peshawar.
- 3) District Education Officer (Female) Dir Lower at
Timergara. Respondents

ATTESTED

Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

WRIT PETITION

UNDER ARTICLE 199 OF THE CONSTITUTION OF
ISLAMIC REPUBLIC OF PAKISTAN 1973, AS AMENDED
UP TO DATE FOR SETTING ASIDE THE IMPUGNED
TRANSFER ORDER DATED 2.9.2020 ISSUED BY THE
RESPONDENT NO.1 BEING DECLARED ILLEGAL,
UNLAWFUL, VOID AB-INITIO, AGAINST THE POLICY.

FILED TODAY

21 SEP 2020

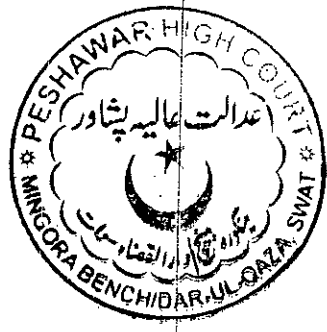
Additional Registrar

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PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA), SWAT
FORM OF ORDER SHEET

Court of
Case No. of

Date of Order or Proceedings	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary.
1	2
24-09-2020	<u>W.P. No. 961-M/2020 with Interim Relief</u> <i>Present:</i> Syed Abdul Haq, Advocate for the petitioner. ***** <u>WIQAR AHMAD, J.-</u> This order is directed to dispose of the petition filed by petitioner namely Mst. Shaheen Begum, under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 with the following prayer; “It is, therefore, humbly prayed that the inaction of respondent No. 1 by not deciding the departmental appeal of the petitioner in light of Clause-XIV of the Transfer/Posting Policy may be declared as illegal, unconstitutional and ineffective upon the right of petitioner. Furthermore, the respondents may please be directed to dispose of the departmental appeal of the petitioner in the light of Clause-XIV of the Transfer/Posting Policy of the Provincial Government with immediately as the stipulated time for deciding the appeal has been elapsed.” 2. At the very outset, learned counsel for petitioner stated that he would feel satisfied and would not press the petition in hand any further, if respondent No. 1 is directed to decide departmental appeal of petitioner under the relevant rules. 3. The petition in hand is disposed of with

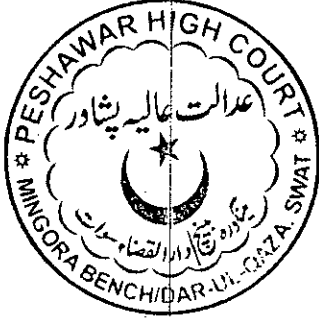


ATTESTED
Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

Abduli Safooh

(D.B)

HON'BLE MR. JUSTICE IHTIASH IBRAHIM
HON'BLE MR. JUSTICE WIQAR AHMAD



direction to respondent No. 1 to decide departmental appeal filed by petitioner under Clause-XIV of the Posting/Transfer Policy of the Provincial Government but within a period of seven (07) days positively, after receipt of order of this Court.

Announced
Dt: 24.09.2020

JUDGE

Certified to be true copy
[Signature]
26-09-2020
EXAMINER
Peshawar High Court, Mingora/Dar-ul-Qaza, Swat
Authorized Under Article 87 of Qanoon-e-Shahadat Oder.1984

JUDGE

S.No----- 13
Name of Applicant----- Sam Ullah
Date of Presentation of Applicant----- 24-09-2020
Date of Completion of Copies----- 26-09-2020
No of Copies----- 03P
Urgent Fee-----
Fee Charged----- 12/-
Date of Delivery of Copies----- 26-09-2020

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IMMEDIATE



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

Special Secretary (E&SE)
Government of Khyber Pakhtunkhwa

To

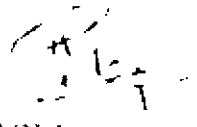
Mr. S. J. Khan
Deputy District Officer (E&SE)
Malakand

Subject

APPEAL FOR CANCELLATION OF TRANSFER ORDER OF DDFO (FEMALE) DIR LOWER TO DDFO (FEMALE) MALAKAND.

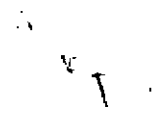
I am directed to refer to your appeal dated 04/09/2020 on the subject mentioned above and to direct you to appear in the office of Special Secretary (E&SE) Department at his office on 28.10.2020 12:00 Hrs for personal hearing please.

Your obedient servant


ABDUS SALAM
SECTION OFFICER (S.E.)

Copy is forwarded for information to the

- 1. PA to Deputy Secretary (Admin) E&SE Department


SECTION OFFICER (S.E.)


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بخدمت جناب سیکرٹری ایجوکیشن ایلیمینٹری اینڈ سکینڈری بمقام پشاور صوبہ خیبر پختونخوا

تحریری جواب منجانب ڈپٹی ڈسٹرکٹ ایجوکیشن افسر فیملی ضلع دیرپائین بغرض ٹرانسفر آرڈر کی منسوخی
براپیل محررہ 04/09/2020 کی برسل ہیرنگ محررہ 28/10/2020

جناب عالی! ذیل عرض ہے۔

- ۱- یہ کہ سائیلہ ضلع دیرپائین کی مستقل اور سکونتی باشندہ ہے اور ڈسٹرکٹ ایجوکیشن افسر فیملی ضلع دیرپائین میں محررہ 01/09/2019 سے بطور ڈپٹی ڈسٹرکٹ ایجوکیشن افسر فیملی اپنی ڈیوٹی سرانجام دے رہی ہے۔
- ۲- یہ کہ سائیلہ نے شروع ہی سے ضلع ہذا میں اپنی ڈیوٹی بہت ہی خوش اسلوبی اور ایمانداری کے ساتھ نبھائی ہے جبکہ عوام، فیملی ٹیچرز اور ننگہ میرے دفتری امور اور ذمہ داریوں سے مکمل طور پر خوش ہیں اور حکمانہ سٹاف کے ساتھ بطور ایک فیملی ممبر کی طرح ڈیوٹی انجام دی ہے۔
- ۳- یہ کہ سائیلہ پر اپنی ڈیوٹی کی فرائض منصبی کے دوران کئی سیاسی ورکرز، غیر قانونی NTS ٹیچرز ٹرانسفرز کا دباؤ کا سامنا کرنا پڑا۔ چونکہ ڈسٹرکٹ ایجوکیشن افسر فیملی ضلع دیرپائین میں زیادہ تر پوسٹوں پر فیملی کے بجائے میل بشکل ASDEO, ADEO, SDEO تعینات ہیں اس وجہ سے مذکورہ افسر میں میل کی تعیناتی کی وجہ سے ہر وقت سیاسی لوگوں اور مرد حضرات کی ایک جم غفیر رہتا ہے اور انہی سیاسی لوگوں کی وجہ سے دفتری امور میں خلل پڑتا ہے۔
- ۴- یہ کہ سائیلہ کی سیاسی اور بنا کسی وجہ انکوئیری وغیرہ کی ٹرانسفر کی وجوہات ذیل ہیں۔
- i- یہ کہ محررہ 31/08/2020 پر سیکرٹری ایجوکیشن کے طرف سے تقریباً 14 SDEO (F), DDEO (F) کے ٹرانسفر/پوسٹنگ جاری ہوا، مذکورہ آرڈر میں سائیلہ کا نام نہ ہو کر اگلے روز ہمارے دفتر کے ایک ADEO (F) P&D جو کہ میل تعینات ہے نے من سائیلہ کو اپنے آفس روم میں کہا "کہ اب یا تم اس دفتر میں رہو گی یا میں" کہہ کر پشاور اپنے علاقہ کے MPA ملک اعظم خان کے ہاں روانہ ہوا۔ واضح ہو کہ من سائیلہ کی ٹرانسفر مذکورہ آرڈر سے دو دن بعد محررہ 02/09/2020 کو ہوا جبکہ سائیلہ نے ایک اپیل محررہ 06/08/2020 کو سکریٹریٹ میں جمع کیا تھا۔

(ٹرانسفر آرڈر محررہ 02/09/2020 اور 31/08/2020 لف ہیں)

- ii- یہ کہ لوکل MPA اور کچھ سیاسی ورکرز نے ADEO (F) P&D جو کہ میل تعینات ہے کے ساتھ ساز باز کر کے دو سکولز GGPS Barkhanai اور GGPS Seer Tormang کی پرانی بلڈنگ کو تقریباً آدھا کلومیٹر نئی جگہ آبادی سے دور جگہ پر جمع لینڈ شیڈنگ کے لئے محررہ 12/02/2020 لیٹر نمبری 5158, 5157 بنام ڈائریکٹر پشاور ڈسٹرکٹ ایجوکیشن افسر فیملی ضلع دیرپائین سے جاری شدہ لیٹر پر DEO (F) مجاز آفسر کی بجائے ADEO (F) P&D کا دستخط ثبت شدہ ہے۔

SDEO (F) Khall کی طرف سے غیر قانونی شیڈنگ کے بابت لیٹر نمبری 448 محررہ 27/06/2020 جاری ہو کر جب

DDDEOF
Dir

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یہ بات میری علم میں آئی تو ADEO (F) P&D اور سیاسی قائدین نے مذکورہ لیٹرز کو قانونی حیثیت دینے کے لئے مجھ پر کئی کئی طرف سے دباؤ ڈالا کیونکہ جنوری/فروری میں من سائیکل بحیثیت انچارج DEO F تھی۔ واضح ہو کہ مذکورہ غیر قانونی شیڈنگ کرانے والی نئی جگہوں پر پرانے سکول کی PTC فنڈ سے تاحال کام جاری ہے۔

(سکول شیڈنگ لیٹرز محررہ 12/02/2020 اور SDEO F Khallہ 27/06/2020 بمعہ دیگر دستاویزات لف ہیں) یہ کہ ڈسٹرکٹ ایجوکیشن آفس فیمل ضلع دیر پائین میں کئی سالوں سے مرد ASDEO, ADEO, SDEO فیمل پوسٹوں پر تعینات ہوئے ہیں۔ جس کی تفصیل DEO (F) کی طرف سے لیٹرنمبر 10325 محررہ 14/10/2020 لف پر درج ہے۔ واضح ہو کہ دو سے چار مہینوں میں تقریباً 11 فیمل ٹیچرز نے مذکورہ پوسٹوں پر درخواستیں دی ہیں۔ لیٹرنمبر 9940

محررہ 25/09/2020 برائے پروفوزل SST (F) میں تفصیل درج ہیں۔ تمام 13 میل تعینات ASDEO (F) نے من سائیکل کے خلاف ہر طرف سے سازشیں اور مختلف حربے جسمیں مختلف ہونٹوں میں میٹنگز، سوشل میڈیا پر میرے خلاف کمپین وغیرہ شروع کر کے تمام مرد حضرات نے اپنے اپنے علاقے کے MPAs کو میرے خلاف اکسا کر پشاور سیکرٹریٹ میں میری ٹرانسفر کے بارے میں بھی کئی میٹنگ کئے (تصویریں لف شدہ ہے)۔ تمام میل تعینات افسران کا یہی خیال تھا کہ جو فیمل ٹیچرز نے مذکورہ پوسٹوں پر درخواستیں دی ہے وہ میرے ایما پر دیئے ہیں، جو کہ سراسر ان کی غلط فہمی ہے۔ فیمل ٹیچرز کی درخواستیں میری ٹرانسفر کی سبب بنی۔

(فیمل ٹیچرز کی درخواستیں اور DEO فیمل کی پروفوزل اور فیمل آرڈر لف ہیں)

یہ کہ ADEO (Establishment) جو کہ میل تعینات ہے نے ایک فیمل سکول ٹیچر سے مبلغ 50,000 روپے لیا تھا۔ فیمل ٹیچر نے مجھے شکایت کروانے پر متعلقہ ADEO نے فیمل ٹیچر کو 50000 روپے سے 45000 روپے واپس کئے جبکہ 5000 روپے ابھی تک ان کے ساتھ با قبضہ ہے۔ اسی طرح محمد الیاس اور عدالت خان ASDEO (F) نے پلے ایریا کے مد میں کئی سکولوں سے مبلغ 120,000 روپے وصول کئے تھے۔ مذکورہ رقم اس بناء پر لیئے گئے تھے کہ پلے ایریا کے جھولے زیرین اضلاع میں مبلغ 80,000 یا 90,000 روپے پر بنائے جاتے ہیں۔ سٹیٹن پورٹل پر عوامی شکایت ہونے کے بعد میرے ہدایت پر تمام سکولوں کو ان میل افسران نے رقم مذکورہ کو واپس کئے۔ (سٹیٹن پورٹل شکایت لف ہے) اسی طرح تمام میل ASDEO, ADEO فیمل پرائمری، مڈل وہائی سکولوں میں بغیر اجازت کے اندر جاتے ہیں اور وہیں کلاسیں تک کے فیمل طالبات کو پڑھنے پر، ASDEO تیرگر محمد الیاس کا GGPS Bandagai اور GGPS Paito Dara کا سکول میں اندر جا کر فیمل ٹیچر سے بہودہ قسم کے الفاظ کہنے پر، ASDEO انور خان نے فیمل سکول ٹیچر سے 3 کمروں کے پیسوں پر دباؤ ڈالنے پر، ADEO (F) P&D کا سال 2018 NTS ٹیچر کے آرڈر میں corrigendum کرنے پر، اسی طرح خال سب ڈویژنل آفس کو سیاسی ورکرز اور یہی میل افسران کی ضد کی وجہ سے ایک گورنمنٹ گرلز مڈل سکول میں شیفت نہ کرنے پر، اس طرح کے بے پناہ شکایت موصول ہونے کی وجہ سے یہی سارے مرد افسران میرے خلاف ہوئے ہیں اور یہی میل ASDEO, ADEO میری ٹرانسفر کے سبب ہیں۔ واضح ہو کہ دیر پائین

DEEO (F)
Din

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کی تمام ٹیچرز من سائیکلہ کو ان میل افسران کی کروتوتوں سے پردہ پاش کرنے کی وجہ سے میری ٹرانسفر کروا کر مجھے سامنے سے ہٹا دیا گیا۔
(سیٹیزن پورٹل شکایت لف ہے)
-v یہ کہ آج کل NTS ٹیچر کی ٹرانسفر بیک ڈیٹ میں کئے جا رہے ہیں۔ جبکہ NTS پالیسی اور حکام بالا کے احکامات کے مطابق NTS ٹیچر Non-Transferable ہے۔ واضح ہو کہ میری ٹرانسفر کے ہونے کے بعد NTS ٹرانسفر ہوئے ہیں۔
(NTS ٹرانسفر لف ہیں)

-vi یہ کہ ضلع دیرپائین میں کئی اوقات میں DEO اور DDEO فیمل افسران کی بجائے میل تعینات کئے گئے ہیں۔ اب حال ہی ماہ اپریل میں بھی DEO (F) کا چارج میل کو دیا گیا تھا اور میری ٹرانسفر بھی اسی وجہ سے کروا ہی گئی ہے کہ DEO (F) پوسٹ کی دن خالی ہونے کی بعد پھر سے ایک میل کو چارج یا ٹرانسفر کیا جائے۔

-5 یہ کہ سائیکلہ نے محرمہ 26/03/2020 کو کلثوم انٹرنیشنل ہسپتال اسلام آباد میں اوپن ہارٹ سرجری (بائی پاس) کیا ہوا ہے اور من سائیکلہ نے کئی اپیل بابت ٹرانسفر نہ کرانے کے لیے ایجوکیشن سیکرٹریٹ میں جمع کئے ہوئے ہیں۔ ٹرانسفر ہونے کی صورت میں سائیکلہ کو ہر روز دوسرے ضلع کو سفر کرنے میں کافی پریشانی اور تکلیف ہوگی کیونکہ ڈاکٹری رائے کے مطابق سائیکلہ کو زیادہ سفر کرنے سے منع کیا گیا ہے۔ (دستاویزات اپیل ہذا کے ساتھ لف ہیں)

-4 یہ کہ ڈائریکٹریٹ اور سیکرٹریٹ کے ریکارڈ کے مطابق ضلع دیرپائین میں فیمل پوسٹوں پر یا تو میل تعینات ہیں یا خالی پڑے ہیں۔ جبکہ دوسری طرف یہاں پر تعینات فیمل افسران کو ہٹایا جا رہا ہے۔ سائیکلہ کے خلاف نہ تو کوئی انکوآری ہے اور نہ ہی کوئی شکایت، سیاسی و ذاتی عناد کی وجہ سے سائیکلہ کی ٹرانسفر حکام بالا نے کروایا ہے۔

-4 یہ کہ سائیکلہ کی جسمانی حالت کو دیکھ کر اس کی ٹرانسفر پر ہمدردانہ طور پر نظر ثانی کرتے ہوئے سائیکلہ کی اپیل ہذا کو قبول و منظور فرمایا جائے۔

بمورخہ: 28/10/2020

سائیکلہ:- مسماہ شاہین بیگم ڈپٹی ڈسٹرکٹ ایجوکیشن آفسر فیمل ضلع دیرپائین۔

رابطہ نمبر:- 03429842843

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

Dated Peshawar the August 11th, 2020

NOTIFICATION

No. SO(S/E) E&SE/D/4-16/2020/Posting/Transfer of MC/Placement Committee: The Competent Authority on the recommendations of placement committee, made in its meetings held on 06/08/2020 and 20/08/2020, has been pleased to order posting/transfers of the following DDEOs and SDEOs on the posts/stations as mentioned against each, in the public interest, with immediate effect:-

Sr. #	Name/BPS	From	To
1.	Mst. Nighat Bibi, (MC BS-18)	DDEO (F) Manshra	DDEO (F) Abbottabad (Vice Sr. No. 2)
2.	Mst. Ayesha Saeed, (MC BS-18)	DDEO (F) Abbottabad	SSS (Physics BS-18) GGHSS Havelian, Abbottabad (against vacant post)
3.	Mst. Ifat Jabeen, (MC BS-17)	SDEO (F) Baffa, Manshra	DDEO (F) Manshra in OPS (Vice Sr. No. 1)
4.	Mst. Shagufta Jabeen, (MC BS-17)	SDEO (F) Chota Lahore, Swabi	DDEO (F), Haripur in OPS (against vacant post)
5.	Mst. Noor Khadija, (MC BS-17)	Assistant Directress, Directorate of E&SE, Peshawar	DDEO (F) South Waziristan in OPS (against vacant post)
6.	Mst. Noor Rahat Yaseen, (MC BS-17)	SDEO (F) Lachi, Kohat	DDEO (F) Kohat in OPS (against vacant post)
7.	Mst. Yasmin Akhtar, (MC BS-17)	SDEO (F) Khall, Dir Lower	SDEO (F) Timergara, Dir Lower (Vice Sr. No. 8) (She is authorized to hold additional charge of the post of SDEO (F) Khall, Dir Lower)
8.	Mst. Hamim, (MC BS-17)	SDEO (F) Timergara, Dir Lower	SDEO (F) Katlang, Mardan (Vice Sr. No. 9)
9.	Mst. Samina Mirkhar, (MC BS-17)	SDEO (F) Katlang, Mardan	Services placed at the disposal of Directorate of E&SE
10.	Mst. Sobia Tabassum, (MC BS-17)	SDEO (F) Matta, Swat	SDEO (F) Domel, Bannu (Vice Sr. No. 13)
11.	Mst. Farhat Rafique, (MC BS-17)	SDEO (F) Alai, Batingram	SDEO (F) Oghi, Manshra (Vice Sr. No. 12)
12.	Mst. Tahira Jabeen, (MC BS-17)	SDEO (F) Oghi, Manshra	SDEO (F) Baffa, Manshra (against vacant post)
13.	Mst. Rizwana Shaheen, (MC BS-17)	SDEO (F) Domel, Bannu	SDEO (F) Matta, Swat (against vacant post)
14.	Mst. Hanifa Ferooq, (MC BS-17)	SDEO (F) Bandn Daud Shuh, Karak	SDEO (F) Lachi, Kohat (Vice Sr. No. 6)


CA
above
11/08/2020


SECRETARY
ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT

ATTESTED TO F
TRUE COPY

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE, Khyber Pakhtunkhwa, Peshawar.
3. Director, DCIE, Abbottabad.
4. Additional Director, NMD, Peshawar.
5. District Education Officers (Female), concerned.
6. District Accounts Officers, concerned.
7. Director EMIS, E&SE Department for uploading at official website.
8. PS to Secretary, E&SE Department.
9. PS to Secretary, Establishment Department.
10. PS to Special Secretary, E&SE Department.
11. PA to Deputy Secretary, E&SE Department.
12. Officers concerned.
13. Office order file.


31/8/2020
(ABDUS SALAM)
SECTION OFFICER (S/F)


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OFFICE OF THE DISTRICT EDUCATION OFFICER FEMALE DIR LOWER.

Statement showing Sanctioned Vacant and filled posts of ADEOs and ASDEOs

S.No	Office Name	Name of Post	BPS	Sanctioned	Filled	Vacant	Remarks
1	DEO Female Office	ADEO (P&D)	16	1	0	1	Sultan Haider SST Math-Phy(TC) B-16 working against the said post
2	DEO Female Office	ADEO Estb: Secondary	16	1	0	1	Muhammad Ayaz SCT (TC) B-16 working against the said post.
3	DEO Female Office	ADEO Estib: Primary	16	1	0	1	Muhammad Usman TC B-16
4	SDEO Female Adenzai	SDEO Female	17	1	1	0	Shabnam BiBi (MC) B-17, working against the said post
5	SDEO Female Adenzai	ASDEO Female Circle Asbanr	16	1	0	1	Gul e Nasren SST General (TC) B-16 Working against the said post.
6	SDEO Female Adenzai	ASDEO Female Circle Chakdara	16	1	0	1	Zeenat BiBi SST General (TC) B-16 Working against the said post.
7	SDEO Female Adenzai	ASDEO Female Circle Ouch	16	1	0	1	Sajida Gul (TC) B-16 SST General (TC) B-16 Working against the said post.
8	SDEO Female Timergara	ASDEO	16	1	1	0	Yasmin Akhtar ASDEO (MC) B-16 Working against SDEO B-17 Female Timergara.
9	SDEO Female Timergara	ASDEO Female Talash Circle	16	1	0	1	Muhammad Inamullah SST Math-Phy (TC) B-16 Working against the said post.
10	SDEO Female Timergara	ASDEO Female Timergara Circle	16	1	0	1	Muhammad Ilyas SCT (TC) B-16 Working against the said post.
11	SDEO Female Balambat	ASDEO <i>Sumat Ba</i>	16	1	1	0	Nasim Begum ASDEO (MC) B-16 Working against the SDEO B-17 Female Balambat.

ATTESTED TO BE TRUE COPY



OFF. DISTRICT EDUCATION OFFICER FEMALE DIR LOWER.

No.10325

Dated: 14/10/2020.



emisdeofdirlower@gmail.com



DEO Female Dir Lower



@DEOFemaleDir (L)

Phone# 0945-9250083

Fax# 0945-824083

To

Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa at Peshawar.

Subject:

PROVISION OF INFORMATION REGARDING ADEOS AND ASDEOS TC and MC

Memo,

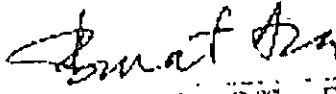
Reference your office telephonic message on dated 13-10-2020 on the subject cited above the requisite information is as under:

S.No	Name of ADEO/ASDEO	Office Name	Designation	Working as	Remarks
1	Yasmin Akhtar (MC) B-16	SDEO Female Timergara	ASDEO	SDEO	Working is Against SDEO Female Timergara
2	Nasim Begum MC B-16	SDEO Female Balambat	ASDEO	SDEO	Working Against SDEO Female Balambat
3	Shabnam BiBi MC B-17	SDEO Female Adenzai	SDEO	SDEO	
4	Sultan Haider TC B-16	DEO Female Office	SST Math Phy	ADEO (P&D)	
5	Adalat Khan TC B-16	SDEO Female Khall	SST General	ASDEO Female Circle Khall	
6	Hazrat Nabi TC B-16	SDEO Female Balambat	SST Phy-Math	ASDEO Female Circle Hayaserai	
7	Muhammad Haroon Khan TC B-16	SDEO Female Balambat	SST Bio-Cnem	ASDEO Female Circle Rabat	
8	Muhammad Muhtashim TC B-16	SDEO Female LaQilla	SST Math-Phy	ASDEO Female Circle Kumber	
9	Muhammad Zahid TC B-16	SDEO Female LalQilla	SST General	ASDEO Female Circle LalQilla	

At the end

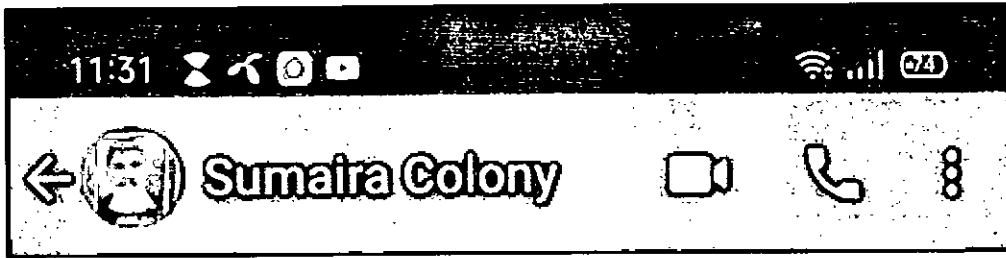
10	Ghawsu Rahman TC B-16	SDEO Female SamarBagh	SST General	ASDEO Female Circle SamarBagh	
11	Muhammad Ayaz TC B-16	DEO Female Office	SST General	ADEO Estib: Secondary	Deals the Court matters of DEO Female Office in High Court and Supreme court
12	Muhammad Anwar Khan TC B-16	SDEO Female Munda	SST General	ASDEO Female Circle Munda	
13	Muhammad Inamullah TC B- 16	SDEO Female Timergara	SST Phy- Math	ASDEO Female Talash Circle	
14	Muhammad Illyas TC B-16	SDEO Female Timergara	SCT	ASDEO Female Timergara Circle	
15	Muhammad Usman TC B-16	DEO Female Office	SST Phy- Math	ADEO Estib: Primary	Focal Person FTB and Service Tribunal Cases of DEO Female Office
16	Muhammad Naeem TC B-16	SDEO Female Adenzai	SST General	ASDEO Female Circle Asbanr	
17	Zeenat BiBi TC B- 16	SDEO Female Adenzai	SST General	ASDEO Female Circle Chakdara	
18	Sajida Gul TC B- 16	SDEO Female Adenzai	SST General	ASDEO Female Circle Ouch	

Note: SDEO Female Balambat, Timergara, Khall, LalQila, Samarbagh, Munda post are lying vacant since long.


District Education Office Female
Dir Lower

Scanned with CamScanner


Atty



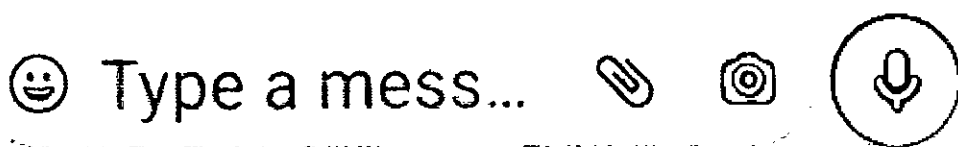
9 SEPTEMBER 2020

🔒 Messages and calls are end-to-end encrypted. No one outside of this chat, not even WhatsApp, can read or listen to them. Tap to learn more.

Bhaji, Sec & Minister wayea,
 it's per Azam khan desires..
 I have no say there..
 And Azam khan zama sara
 na lage,
 Better to approach Azam
 Khan, somehow..
 I am sorry, this time..
 Please..

10:14 am


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12	SDEO Female Balambat	ASDEO Female Circle Hayaserai	16	1	0	1	Irshad SST General (TC) B-16. Working against the said post.
13	SDEO Female Balambat	ASDEO Female Circle Rabat	16	1	0	1	Muhammad Haroon Khan SST Math-Phy (TC) B-16 Working against the said post.
14	SDEO Female Khall	ASDEO Female Circle Khall	16	1	0	1	Adalat Khan SST General (TC) B-16 Working against the said post.
15	SDEO Female LaQilla	ASDEO Female Circle Kumber	16	1	0	1	Muhammad Muhtashim SST Math-Phy (TC) B-16 Working against the said post.
16	SDEO Female LalQilla	ASDEO Female Circle LalQilla	16	1	0	1	Muhammad Zahid SST General (TC) B-16 Working against the said post.
17	SDEO Female SamarBagh	ASDEO Female Circle SamarBagh	16	1	0	1	Phonam Begum SST General (TC) B-16 Working against the said post.
18	SDEO Female SamarBagh	ASDEO Female Circle Mayar	16	1	0	1	
19	SDEO Female Munda	ASDEO Female Circle Munda	16	1	0	1	Khalida SST General (TC) B-16 Working against the said post.

Smat As

District Education Officer Female
Dir Lower

LISTED TO BE
TRUE COPY

Name	Shaheen Begum	Ref. By	Dr. Fareed Ullah
Age / Sex	55 Years / Female	MR/Receipt #	1903002312
IPD/OPD	IPD (CCU)	Date:	March 25, 2019
Indications:			

CAROTID DOPPLER REPORT

Right Common Carotid Artery

Increased intimal thickness but flow is normal.

Right Internal Carotid Artery

Normal.

Right External Carotid Artery

Normal.

Left Common Carotid Artery

Increased intimal thickness but flow is normal.

Left Internal Carotid Artery

Normal.

Left External Carotid Artery

Normal.

Vertebral Arteries

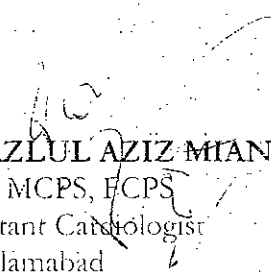
Flow in both vertebral arteries is antegrade.

CONCLUSION:

Increased intimal thickness in both CCAs, otherwise normal study.


**ATTESTED TO BE
TRUE COPY**

Technologist: Rabia


Dr. FAZLUL AZIZ MIAN
 MBBS, MCPS, FCPS
 Consultant Cardiologist
 KIH Islamabad

PESHAWAR INTERVENTIONAL CARDIAC CENTER



THIS REPORT CAN ONLY BE USED FOR PATIENT RECORD

CORONARY ANGIOGRAPHY REPORT

Name: Shaheen Begam	Gender: Female	Patient ID: 29/2019
Age: 50 Years	Date: 12-03-2019	Address: Lower Dir
Procedure: Angiography	Operator : Dr. Sher Bahadar Khan	Technician: Mr. Shahid

PROCEDURE:

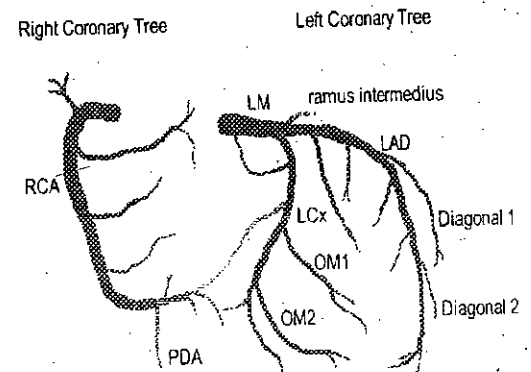
- Right Radial Artery entered with Seldinger's technique. Using 6F sheath.
- Diagnostic Catheter 6F TIG2 used to engage Right system and Left system.
- Standard views taken. Pressure haemostasis achieved.

LMS Normal
Ramus=Ostial=Total

LAD Ostio Proximal = 80%

LCX Proximal = Normal
Mid = 90%
Distal = 90%
OM3 Ostial=50%

RCA Mid = 90%



RESULTS:

TVCAD

RECOMMENDATION:

CABG

ATTESTED TO
TRUE COPY

Signature



KULSUM
International
Hospital

KULSUM International Hospital

A Project of Saif Health Care
2020 Kulsoom Plaza, Blue Area Islamabad
Tel: 051-2870361-63

INPATIENT FINAL SETTLEMENT

Patient Name: Shabeen Begum Date of Admission: 25-03-19
 M.R. No: 190300421 Date of Discharge: 01-04-19
 Patient Type: CABG Invoice No: 1599

Dr. Fareedullah Khan

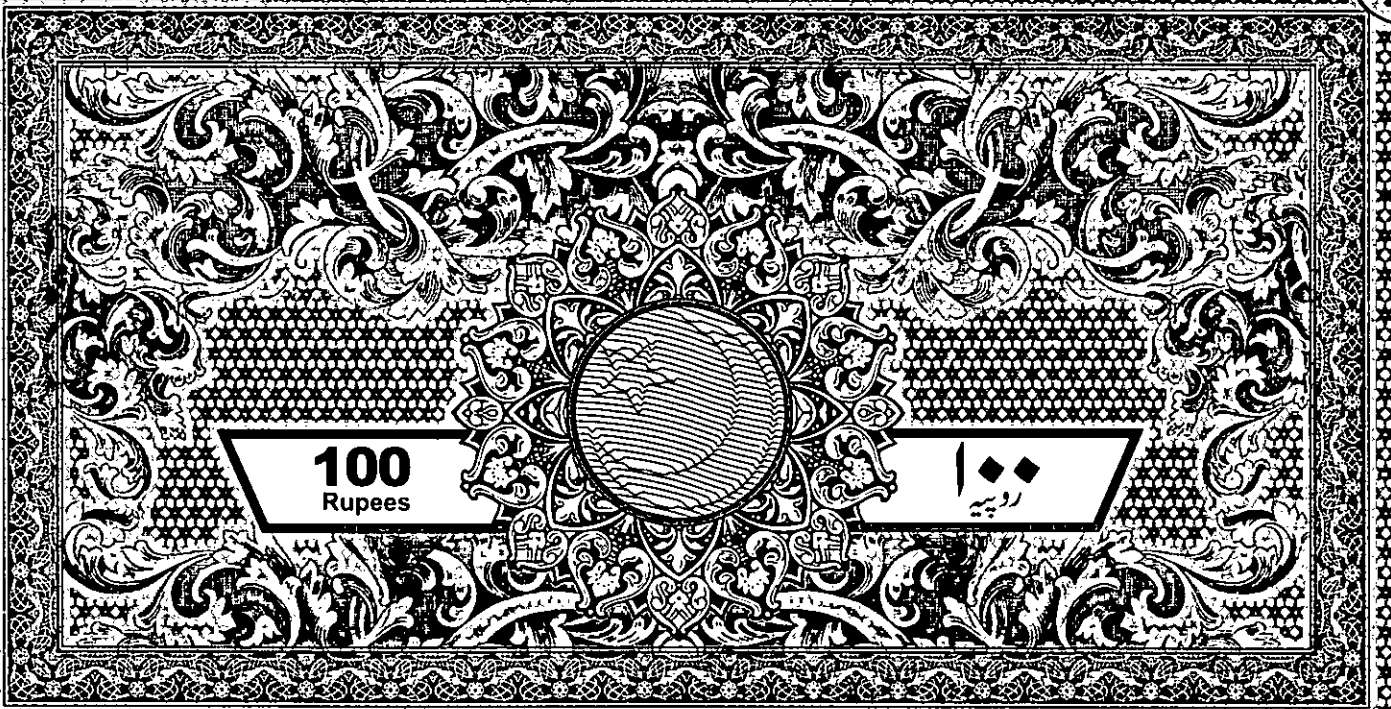
Emergency/Registration Fee	
Admission Fee	
Daily Room Charges	
Daily Medical Officer Charges	
Daily Nursing Charges	
Consultation Fee	
Consultation Fee	
Consultation Fee	
Radiology Services	
Laboratory Services	760
Cardiology Services	15,500
Gastroenterology Services	19,600
Nephology Services	
Pharmacy	
Surgery Package	
Surgeon's Fee	410,000
Anesthetist Fee	
Operation Room Charges	
Services Other than Package	
Medical/Surgical Consumable Supplies	
Surgical Gases	
FNSD	
Telephone Bill	
Others	
Total Bill	445,860
Advance Paid (6291)	410,000
Amount to be Paid/Refund	35,860
Discount	
Amount to be Paid	35,860

FINAL SETTLEMENT

Verified By:
Deputy Manager Accounts

Prepared By:
Name & Signature of Billing Officer

White: Customer
Pink: Accounts
Yellow: Medical Record



عدالت عالیہ پشاور **سروس** **بیر بیونل خیر پختون خواہ**

مسماة شاہین بیگم بنام حکومت خیر پختون خواہ غیرہ

سروس اپیل

مختیار نامہ خاص بحق مسمی ناصر جہانگیر ولد جہانگیر سکندہ بلا مٹ کالونی تحصیل بلا مٹ ضلع دریا پانین۔

منکہ مسماة شاہین بیگم زوجہ جہانگیر سکندہ بلا مٹ کالونی تحصیل بلا مٹ ضلع دریا پانین بروئے تحریر ہذا اقرار کر کے لکھ دیتی ہوں کہ من مقررہ مقدمہ عنوان بالا میں عدالت حضور میں اصالتاً حاضری سے قاصر ہوں اس لئے من مقررہ اپنی جانب سے مسمی ناصر جہانگیر ولد جہانگیر سکندہ بلا مٹ کالونی تحصیل بلا مٹ ضلع دریا پانین کو مختیار خاص مقرر کر کے لکھ دیتی ہوں کہ مختیار موصوف ہمارے جانب سے رٹ پٹیشن، آپیل، داخل کرے۔ اپیل دائر کرے۔ نگرانی دائر کرے، کاغذات پر اپنا دستخط کرے عدالت حضور میں پیروی مقدمہ کرے۔ تصدیق کرے۔ بیان حلفی دیں۔ حلف لیں۔ ثالث / مصلح مقرر کرے۔ وکیل مقرر کرے۔ درخواست، جواب درخواست دیں۔ بصورت عدم پیروی درخواست برآمدگی کرے۔ گواہ طلب کرے۔ روپیہ جمع کرے یا واپس لیں۔ عذر داری میں پیروی کرے۔ اپیل نگرانی، نظر ثانی، تجویز ثانی کرے بعدالت سیشن جج، ہائی کورٹ، دارالقضاء و سپریم کورٹ میں دائر کرے۔ کاروائی اجراء کرے۔ راضی نامہ کرے۔ غرضیکہ مقدمہ بالا میں جو جو اختیارات مجھ کو حاصل ہیں وہ سب مختیار خاص کو تفویض کر دیتے ہیں۔ لہذا مختیار نامہ خاص ہذا اسناداً تحریر ہے۔

مورخہ 05/12/2020

ATTESTED

Khalid Advocate

Notary Public

No. 7041

Date 05/12/2020

District Court T. Mergara Dir (L)

اختیار کنندہ الع

ناصر جہانگیر 5-1530-5062953

اختیار کنندہ الع

مسماة شاہین بیگم 8-15302-082823

گواہ شدہ الع

خان بادشاہ ولد بادشاہ خان

بلا مٹ کالونی تحصیل بلا مٹ ضلع دریا پانین

1530-2289154-3

گواہ شدہ الع

قیصر جہانگیر ولد جہانگیر

بلا مٹ کالونی تحصیل بلا مٹ ضلع دریا پانین

Handwritten signature and text, possibly including a date or reference number.

Handwritten text, possibly initials or a short signature.

Faint circular stamp or watermark, possibly a seal or official mark.

KHAN BADSHAH
Stamp Vender
Distt: Courts Timergara



5/12/2020
E 442627

Service Tribunal KP

BEFORE HON'BLE PESHWAR HIGH COURT/MINGORA BENCH

at Peshawar

WAKALAT NAMA

9/13

Case No. _____ of _____

CASE TITLE

Mst Shaheen Bibi


VERSUS

Govt

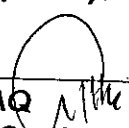
I, _____ do hereby appoint SYED ABDUL HAQ Advocate, High Court in the above mentioned case, to do all or any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct prosecution or defence of the said case at all its stages.
3. To receive payment of and issue receipts for, all money that may be or become due and payable to us during the course of proceedings.
4. To do any act necessary or ancillary to the above acts, deed and things.
5. To appoint any other counsel to do any/all of the acts, deeds and things.
6. I/We shall appear in the court/tribunal on every date of hearing for assistance and if due to my/our non-appearance, any adverse judgment/order/decree is passed, they will not be held responsible.

In witness whereof I/We have signed this Wakalatnama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this, 7/12/2020.

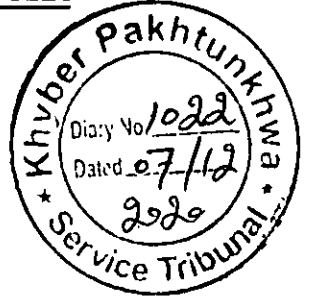

Signature of Executant

Attested & Accepted by:


SYED ABDUL HAQ
Advocate, High Court
Cell No. 0311-0950959

CNIC: 153020828623-8
Cell # 03429842843
03459511276

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



Put up to the court with
relevant appeal.

Mst. Shaheen Begum

Versus

Govt. of KPK & Other

07/12/2020

**APPLICATION FOR FIXATION OF THE INSTANT
SERVICE APPEAL AT PRINCIPLE SEAT.**

RESPECTFULLY SHEWETH:-

Allowed.

8/12/20

1. That the appellant is going to file the instant service appeal alongwith stay application which relates to Swat bench.
2. That the appellant is also seeking the suspension of impugned transferred order dated 02/09/2020.
3. That presently no bench of this Honourable Tribunal is available in District Swat.
4. That if the instant service appeal is not fixed as early as possible then the appellant would suffer irreparable loss.
5. That is it just, fair and in the large interest of justice to fix the instant service appeal at principle seat.

It is therefore, humbly prayed that on acceptance of this application, the instant service appeal may be fixed at principle seat.

Dated: 07/12/2020

Appellant

MPA: Azam Khan

Sultan Haider (ADEO (F) PGD)





Like

Comment

Share



14

Director EGSE

1 Comment

WAKALATNAMA (Power Of Attorney)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Mst. Shaheen Begum

(Petitioner)
(Plaintiff)
(Applicant)
(Appellant) ✓
(Complainant)
(Decree Holder)

VERSUS

Govt of KP & others

(Respondent)
(Defendant)
(Accused)
(Judgment Debtor)

I/ We, _____ The undersigned _____ in the above
noted Service Appeal, do hereby appoint **Mr. Akhonzada**

Ahmad Saeed, Advocate to appear, plead, act, compromise, withdraw or
refer to arbitration for me/us as my /our counsel in the above noted matter,
without any liability for their default and with the authority to engage/ appoint
any other Advocate/Counsel at my/our matter.

Attested & Accepted By.

Akhonzada Ahmad Saeed

Advocate, High Court, Peshawar
15-B, Haroon Mansion, Khyber Bazar,
Peshawar
Cell No.0333-2902529

Signature of Executants

Mst. Shaheen Begum
DDEO (F)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 15133/2020

Mst, SHAHEEN BEGUM BS-18, (MC) DISTRICT DIR LOWER.....APPELLANT

VERSUS

Secretary E&SE, Govt: of Khyber Pakhtunkhwa & others.....Respondents.

JOINT PARAWISE COMMENTS FOR & ON BEHALF OF THE RESPONDENTS NO. 1 to 4.

Respectfully Sheweth,

Preliminary Objections

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

FACTS.

1. Pertains to record of the appellant.
2. That each and every civil servant falling under the ambit section-10 of KPK, Civil Servant Act 1973 is legally bound to serve the Respondent Department to the entire satisfaction of the Competent Authority.
3. Incorrect and strongly denied. That the appellant has not annexed any evidence in support of her plea of political interference.
4. Incorrect. That management cadre officers are adjusted/posting against the management posts and none of them are working against the teaching cadre, but due to shortage of Female Management Cadre Officers, for the sake of smooth running of official business Competent Officer are adjusted against the various vacant posts.

5. Incorrect. Hence, strongly denied. The appellant was adjusted against the vacant post of Management Cadre as evident from her transfer order vide notification dated 02-09-2020. **(Annexure-A)**
6. As admitted. The appellant filed departmental appeal on 06-08-2020, while the impugned transfer notification was issued on 02-09-2020. Hence her departmental appeal was not maintainable under Honourable Tribunal Act, and the instant Service Appeal may be dismissed on this score only.
7. That Para-07 pertains to judicial record.
8. That in compliance to the Honourable Court direction vide dated 24-09-2020 (as annexed with service appeal as annexure at page-16). The appellant has been provided an ample opportunity of personal hearing before disposal of her departmental appeal.
9. Incorrect. The Chief Minister being Competent Authority can exercise his power by adding or omitting any candidate from the proposal/summary, hence the Competent Authority by exercise his power vested him under law approved the transfer order of the appellant.
10. Incorrect. That opportunity of personal hearing was extended to her and Departmental Appeal is regretted by the Competent Authority on 15-12-2020. Hence, the instant Service Appeal may be dismissed inter-alia on the following grounds. **(Annexure-B)**

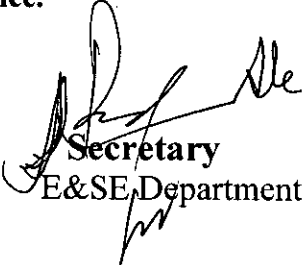
GROUND

- A. **Incorrect and denied**, the impugned Notification dated 02-09-2020 of the Respondents within legal sphere and is liable to be maintained in favour of the Respondent Department in the interest of justice and under the mandatory provisions of Section 10 of KPK, Civil Servant Act, 1973.
- B. **Incorrect and not admitted**. The stance of the appellant is illegal as the post of the District Education Officer is purely a Provincial Cadre/Administrative post in the Respondent Department and the appellant has been treated as per law & rules vide Notification and Order dated 02-09-2020 by the Respondent Department.
- C. **Incorrect and not admitted**. The stance of the appellant is illegal as the post of the District Education Officer is purely a Provincial Cadre/Administrative post in the Respondent Department and the appellant has been treated as per law & rules vide Notification and Order dated 02-09-2020 by the Respondent Department.
- D. **Incorrect & not admitted**. As already explained in forgoing Para-04, that due to shortage of Female Management Cadre Officer, suitable officer are adjusted for smooth running of Official. Furthermore, the appellant has been adjusted against the vacant Management Cadre post.
- E. That the appellant has right/option to retire on medical grounds if she can not perform her duties up to the entire satisfactions of the high-ups.
- F. **Incorrect & not admitted**. The plea of the appellant is illegal on the grounds that the Notification dated 02-09-2020 of the Respondent is in accordance with the provision of Section 10 of Civil Servant Act, 1973. As the post of the appellant is a Provincial

Cadre/Administrative in the Respondent Department having no question or tenure completion, hence the stance of the appellant is illegal.

G. However, the Respondents also seek leave of this Honorable Tribunal to submit additional grounds, case law and record at time of argument on the date fixed.

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


Secretary
E&SE Department.



GOVT. OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

No. SO(S/F)E&SED/4-16/2020/Shahen Begum
Dated Peshawar the December 15th, 2020

To

Mst. Shahen Begum (MC BS-18),
District Education Officer (Female),
Malakand.

SUBJECT: APPEAL FOR CANCELLATION OF TRANSFER ORDER OF DDEO (FEMLE) DIR LOWER TO DDEO (FEMALE) MALAKAND.


I am directed to refer to your application, dated 04.09.2020, on the subject and to inform that the same has been regretted by the Competent Authority.

Yours faithfully,


15/12/2020
SECTION OFFICER (S/F)

Copy of the above forwarded to:

1. PA to Deputy Secretary (Admin), E&SE Department.


15/12/2020
SECTION OFFICER (S/F)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

Dated Peshawar the September 02, 2020

14

NOTIFICATION


No.SO(S/F) E&SED/4-16/2020/Posting/Transfer of MC/Placement Committee: The Competent Authority, on the recommendations of placement committee, made in its meeting held on 02.09.2020 has been pleased to transfer Mst. Shaheen Bibi (MC BS-18), presently posted as DDEO (F) Dir Lower and post her as DDEO (F) Malakand against the vacant post, in the public interest, with immediate effect.

2. No TA/DA is allowed.

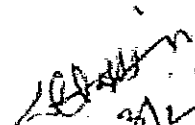
SECRETARY
ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT


Copy forwarded to the:


1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female), Malakand/Dir Lower.
4. District Accounts Officers, Malakand/Dir Lower.
5. Director FMIS, E&SE Department for uploading at official website.
6. PS to Secretary, E&SE Department.
7. PS to Secretary, Establishment Department.
8. PS to Special Secretary, E&SE Department.
9. PA to Deputy Secretary, E&SE Department.
10. Officers concerned.
11. Office order file.


03/09/2020
(ABDUS SALAM)
SECTION OFFICER (S/F)

~~AD-11/15~~


3/2/20

AD-11

03/09/2020


ATTESTED TO BE
TRUE COPY

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 15133/2020

Mst, SHAHEEN BEGUM BS-18, (MC) DISTRICT DIR LOWER.....APPELLANT

VERSUS

Secretary E&SE, Govt: of Khyber Pakhtunkhwa & others.....RESPONDENTS

APPLICATION FOR VACATION OF SUPSPENSION ORDER 09-12-2020 AGAINST THE NOTIFICATION DATED 02-09-2020.

Respectfully Sheweth,

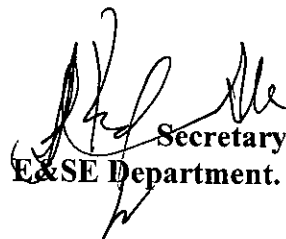
The Respondents most humbly submit as under:-

1. That the appellant filed appeal for set-said the Notification dated 02-09-2020.
2. That the said Service Appeal came up for hearing on 09-12-2020 and this Hon'able Tribunal was pleased to suspend the operation of order dated 02-09-2020.
3. That the said Hon'able Tribunal order is liable to be reverse on the following grounds.

Grounds

- A. That the Appellant belong to the Management Cadre BS-18 being provincial cadre post. She was posted against the vacant post of Deputy District Education Officer (Female) Malakand.
- B. That prima facie the Respondents, have a very good case in their favour and the Respondents quite hopeful for the success of their case, whereas the balance of conveyance is also in their favour.
- C. That posting transfer of Civil Servant is governed under Section-10 of Civil Servant Act, 1973. According to the above mentioned Act. She is legally bound assume charge in her new station for duty.
- D. That the appellant is not obeying the orders of the Competent Authority and hence she is involve in misconduct.
- E. The official work of the respondent Department is badly affected due to the appellant act.

In view of the above made submissions, it is, therefore, most humbly prayed that the stay order dated 09-12-2020 may please be withdrawn for smooth running of official business.


**Secretary
E&SE Department.**

Befor The Honourable Tribunal
K P K Peshawar

Mrs. Shaheen Begum vs Govt of KPK
& others

Subject: Application on reliance of
comments submitted to the
Honourable in the ^{above} titled case
which fixed for reply to
day. ~~Reply submitted respondent No 1~~

Respectfully sheweth:

It is stated (1) that the above titled
case is fixed for reply in the
Honourable in which the applicant
is respondent no 3:

(2) that the respondent no 1 has submitted
the para wise comments today before
the this Honourable.

(3) that the respondent no 3 stressed

Reliance on the comments sub-
mitted by respondent no 1

Therefore it is humbly requested
that the applicant may kindly
be accepted accordingly

yours faithfully

Abdul Samad
DD litigation

27-1-21

27/1/2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No.15133/2020

Mst. Shaheen BegumAppellant

VERSUS

Secretary Elementary & Secondary Education & others
.....Respondents

INDEX

S#	Description of Documents	Annex	Pages
1.	Rejoinder		1-5
2.	Affidavit		6
3.	Copies of letters,	A	7-9
4.	Copies of Applications	B	10-18
5.	Copies of Pictures	C	19-21
6.	Copy of letter dated 15.09.2020	D	22
7.	Copy of extract from newspaper	E	23
8.	Copies of other pictures	F	24-27
9.	Copies of other documents		28-30

Through

Appellant

Akhunzada Ahmad Saeed
Advocate High Court
Cell No.0333-2902529

Dated: 16.02.2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No.15133/2020

Mst. Shaheen Begum**Appellant**

VERSUS

Secretary Elementary & Secondary Education & others
.....**Respondents**

**REJOINDER TO THE PARAWISE
COMMENTS BY & ON BEHALF OF THE
APPELLANT**

Respectfully Sheweth:

Rejoinder to the Preliminary Objections:

1. That the Parawise comments filed by the respondents is wrong, incorrect, misconceived, based on misstatements to misguide and mislead this Hon'ble Court.
2. That the appellant being a competent, honest and devoted officer, is a main hurdle for the political figures etc to impose their illegal directions.

3. That the appellant was being tried to humiliate, suppress and distress on the reason that she was not willing to comply the directions of local MPAs as all the political figures consistently compelled her to get favorable transfer orders in their favour.

Reply to Facts

1. Para No.1 needs no reply.
- 2 & 3 Para No.2 and 3 is incorrect, wrong and misconceived as the appellant was prematurely transferred due to political interference and on the basis of malafide due to the reasons which have been fully explained by the appellant in the ^{written} ~~departmental appeal~~ ^{Reply} which is annexed with service appeal and is available on page-20.

It is pertinent to mention here that a letter dated 15.09.2020 was issued by the Directorate of E&SE, Khyber Pakhtunkhwa to all the District Education Officers (F) wherein it was stated that **"It was observed that in some offices of DEO (Female) male staff are working on female**

ASDEOs/ADEOs posts. This office received many complaints on citizen portal by the respected citizen of the Islamic republic of Pakistan. You are therefore directed to submit suitable proposal of female SSTs as ASDEOs/ADEOs in the offices"

Moreover the Khyber Pakhtunkhwa Government has banned entry of the male in all Girls Schools/other institutions across the provision but despite of all these directions Males are adjusted against Female Management Cadre Posts. (Copies of letters, applications, pictures, a letter dated 15.09.2020, extract from newspaper and other pictures are attached as Annexure "A to F" respectively).

4. Para No.4 of Parawise comments is incorrect, hence denied as number of females for Management Cadre posts are available who have also submitted applications to be appointed/adjusted against Management cadre posts but the said applications have not

been considered till now as due to political interference males were appointed against the said posts.

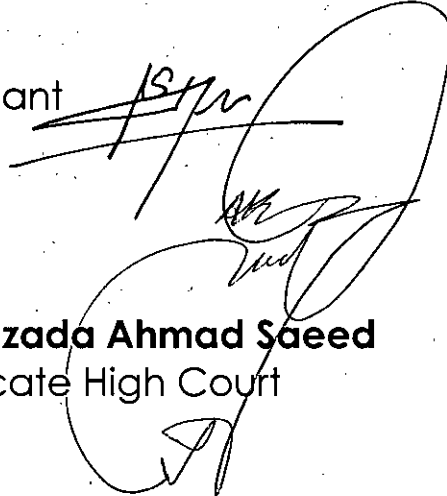
5. Para No.5 of the comments is incorrect, hence denied.
6. Para No.6 of the comments is incorrect. Hence denied as the appellant had submitted Departmental Appeal within time i.e. Dated 28.10.2020.
7. Para No.7 needs no reply.
8. Para No.8 needs no reply.
- 9 & 10. Para No.9 and 10 is wrong, hence denied as the appellant was not treated under the law but was treated otherwise.

REPLY TO GROUNDS:

A to G. Ground A to G of the grounds are baseless, incorrect, wrong, misconceived, based on misstatements to misguide and mislead this Hon'ble Court, hence strongly denied.

It is therefore, most humbly prayed that by accepting this rejoinder, the service appeal of the Appellant may be accepted/allowed.

Through Appellant

A large, stylized handwritten signature in black ink, appearing to be 'Akhunzada Ahmad Saeed', written over the printed name and title.

Akhunzada Ahmad Saeed
Advocate High Court

Dated: 16.02.2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No.15133/2020

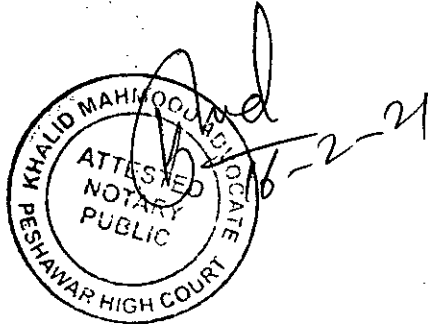
Mst. Shaheen Begum**Appellant**

VERSUS

Secretary Elementary & Secondary Education & others
**Respondents**

AFFIDAVIT

I, Mst. Shaheen Begum, Deputy District Education Officer (DDEO) Female at District Education Officer Timergara R/o Balambat Colony Timergara District Dir Lower, do hereby solemnly affirm and declare that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke.

DEPONENT

(7)

OFFICE OF THE
DISTRICT EDUCATION OFFICER (F)
DIR LOWER AT TIMERGARA



0945-9250083

DEO FEMALE DIR LOWER

M emisdeofemaledirlower@gmail.com

NEAR POLICE LINE, EDUCATION COMPLEX BALAMBAT TEHSIL TIMERGARA DISTRICT DIR LOWER.

No. 5158 / P & D

To,

DATED TIMERGARA THE 12 / 02 / 2020

The Director,
Directorate of E & SE Department
Khyber Pakhtunkhwa Peshawar.

Subject: APPROVAL OF SHIFTING OF OLD BUILDING OF GGPS Seer Toormang TO NEW SITE.

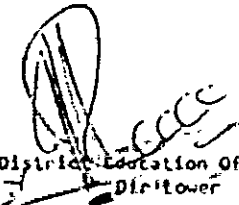
Memo:

It is for your kind information that the building of GGPS Seer Toormang has been constructed in 1984. The building is dangerous and also having no space for further construction. The Department has given two No of Additional classrooms for construction but the amount is laying in PTC account of the school due to non-availability of space at the school.

The villagers and the MPA concerned insists to demolish the old building comprising of two numbers of classrooms and construct the two numbers of Additional Classrooms at the new site of 1 Kanals and 5 marlas land mutated in the name of E & SE Department located centrally. While the exciting land of the school is only 8 marla.


In this regard the Department has approached to C&W Department Dir Lower for visiting the building the building and to submit report to the undersigned. So C&W Department visited the building and declared the building dangerous.

Therefore, it is requested that approval for the shifting of construction of the building to the new land my kindly be issued in the best interest of the students and public please.


District Education Officer (F)
Dir Lower

(485) P & D \\\n20 Director, Approval of Shifting of old building of GGPS Barkhanl to new Site..docx

ATTACHED



OFFICE OF THE
SUB DIVISIONAL EDUCATION OFFICER
(FEMALE) KHALL DISTRICT DIR LOWER

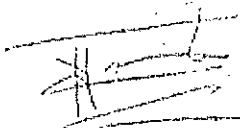
No. 448 / Dated khall the 27/6/2020

To
Bakht Shad (Head Teacher)
GGPS Sair Toormang

Subject:- SHIFTING OF SCHOOL WITHOUT SEEKING APPROPRIATE PERMISSION
Memo,

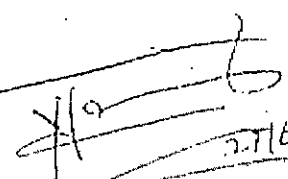
The undersigned has come to know that the shifting process of GGPS Sair Toormang is underway while ignoring the required formalities i.e Seeking sanction from the concerned authorities.


In this regard, you are hereby informed that such act will be Counted personally on your part of the undersigned will not be responsible for Any sort of adverse consequences arising there.


YASMIN AKHTAR
SDEO (F) KHALL DIR (L)

No. 448 / Dated khall the 27/6/2020

- Copy to,
- 1) The Distt Education Officer Female Timergara.
 - 2) Deputy Commissioner Dir Lower at Timergara.


SUB DIVISIONAL EDUCATION OFFICER
(F) KHALL DISTRICT DIR LOWER


ATTESTED

(9)



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR
(SNE Branch)

Cell# /091-9225344 091-9225339. Email# ghvachmushlaqzcloo@gmail.com Email# atto.edu77@gmail.com

No. /KC/E.No-03/DD (P&D)/ Change of Site /Shifting of Site/2018-19.

To,

Dated 18/03/2020

The Chief Planning Officer,
Government of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department

Subject: 1. APPROVAL OF SHIFTING OF OLD BUILDING OF GGPS BARKHANI TO NEW SITE.
2. APPROVAL OF SHIFTING OF OLD BUILDING OF GGPS SEER TOORMANG TO NEW SITE.

Memo:

I am directed to refer to the subject noted above and to state that the following letters "Regarding approval of Shifting of Old building" received from District Education Officer (Female) Dir Lower vide letter No. 5157 Dated 12.02.2020 and Vide letter No.5158 Dated 12.02.2020.

It is further stated that the above matter is submitted for your kind persual and guidance, please.

Assistant Director (P&D)-i
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 5157-11 /-

Copy forwarded for information to the-

1. District Education Officer (F) Dir Lower, w/r to his letter No. 5157 Dated 12.02.2020 and letter No.5158 Dated 12.02.2020.

2. PA to Director, Directorate of E&SE, Khyber Pakhtunkhwa Peshawar.

3. PA to Additional Director (P&D), Directorate of E&SE, Khyber Pakhtunkhwa.

SL+ Dump
Assistant Director (P&D)-I
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar



DISPATCHED
DATE: 18/03/2020
BY: [Signature]

0 P.S.S.

Sultan Academy 13
18/03/2020
[Signature]

ATTESTED

[Signature]

B

خدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر ضلع دیرالہندس
درخواست برائے تعیناتی (ASDEO(F) پوسٹ

جناب عالی! مودبانہ گزارش ہے کہ سائلین بحیثیت SST جنرل

پوسٹ گرانٹ گرامر اسکول ٹکلی (P) میں ڈیوٹی انجام

دیں گے۔ مزید یہ کہ وہ سب لوگ بھی کم ایجا ہے۔

ڈیپٹی (P) SDEO اور ترقی کرنے میں (ASDEO(F) کی

پوسٹ عالی ہے لہذا آپ سے یہاں سے ترقی دینے

کو (ASDEO(F) پوسٹ لے کر ان کی تعینات کرنے کی

مدد فرما کر سکور نوٹس میں

سین نوٹس میں

الواہم ارباب نفاذ
SST
کو ایڈیشنل ڈیپٹی سیکرٹری

سٹی ایجنسی

ATTESTED

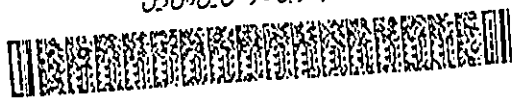

T7954M شہرہ نمبر: 15305-6540346-2
سرکاری نمبر: گورنمنٹ سیکولر ہائی اسکول، ملتان

10880229489



م. شہزاد
گورنمنٹ سیکولر ہائی اسکول، ملتان

07/07/2025 تاریخ: 07/07/2015
گورنمنٹ سیکولر ہائی اسکول، ملتان



The D.E.O. (Female),
Edu. office,
Timergara,
for the post of ASDEO (F)

It is stated that I am
Bps 16 at GGHSS Kumbex
that Female ASDEO posts has
Males ASDEOs. Therefore
to kindly rectilute and
and Female ASDEOs



حکومت پاکستان
گورنمنٹ سیکولر ہائی اسکول، ملتان
15305-6540346-2

نام: خاتون بیگم
جنس: عورت
شہر کا نام: اسلام آباد
شناختی کارڈ: کوئی نہیں
تاریخ پیدائش: 01/02/1965
عثمان یوسف بھٹی
اسٹار سیکرٹری جنرل

I. It is requested that
I am eligible, capable and qualified for
the said post.

So kindly I hope that you will never
mind and will consider my application
for the said post. I would be obliged.

Thanks.


Yours Sincerely,
Shaheen Begum Shaheen

S.S.T.(G) GGHSS Kumber.

Dated: 14/09/2020

19303-3404116-0
 050771970
 14/09/2020

DO


 14/09/2020

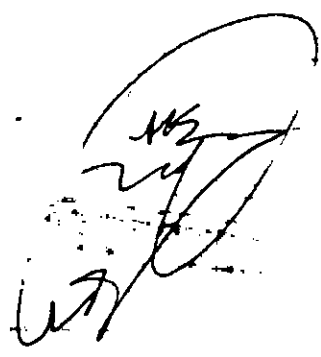
The DEO. (Female)
 Edu. office
 Timargara.

Subject:- Application for the post of ASDEO(E).

RI Madom,

It is stated that I am working as SST at G6/HSS Kumber. As you know the post of ASDEO is vacant and I am eligible, capable and qualified for the post. Therefore, it is request to kindly consider my application for the post. Hope you will bring my application under your kind consideration.

Thanks,
 your Truly,
 Shaista Begum
 SST (G) G6/HSS. Kumber.
 Dated: 14/09/2020.



3 خدمت شباب ڈائریکٹر انجینئری



حکومت پاکستان
قومی شناختی کارڈ
15306-1334342-8
نام: یونس بیگم
جنس: عورت
شعبہ کارڈ: سب الہ
شناختی ادارت: کوئی نہیں
عثمان ایف میں
تاریخ پیدائش: 05/07/1989
اسٹور سٹریٹ جنرل

درواست گراد لعینا
ASDO(F) مقام

ضنا عالی د عرفین ذیل ہے

1 یہ کہ سائیدہ یونس بیگم دستہ محمد عیسیٰ خان (زوجہ محمد اللہ) دستہ شہر
کھیل شہر باغ ضلع دیر بھائی کی مستقل باشندہ ہے اور
سال 2017ء سے بحیثیت (SST Bio, Chem)
گورنمنٹ گھرانہ ہائی سکول بادین میں تعینات ہے۔

2 یہ کہ سائیدہ کو باوجود ذرا لوج سے علم ہوا ہے کہ شہر باغ
میں حالی پوسٹ ASDO(F) موجود ہے اس لیے
سائیدہ کو فساد عام کے خاطر مذکورہ پوسٹ پر
تعینات کی جاوے۔

19

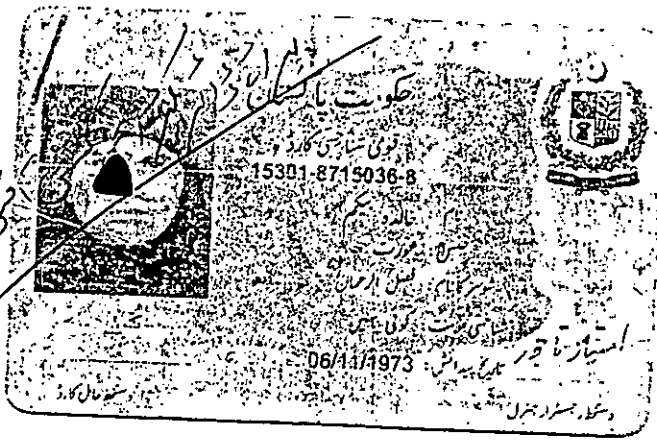
یونس بیگم دستہ محمد عیسیٰ خان (زوجہ محمد اللہ) مابین شہر شہر باغ
(SST Bio, Chem)

nic: 15306-1334342-8

cell: 03068057663

030628520951

Handwritten signature and stamp with the word "ATTACHED" visible.



Elementary and Secondary

the post of ASDEO
Lower Munda Circle.

Sir,

With due respect it is stated that you need female ASDEO in Dir Lower. As I am working as SST BPs (16) at GGHs Damtal and I wish to work as ASDEO female in Circle Munda.

I want to serve the female teacher Community of our area with great desire. As I have the necessary skills and qualifications for this post.

Therefore Sir, I may please be appointed as ASDEO female in Munda Circle.

I will be very thankful to you.

K.B.
KHAJIDA BEGUM
SST (General) BPS-16
Distt Dir Lower

0301 8539868

13
Khaajida Begum

ATTESTED



حکومت سندھ
آرڈی سٹامپ کارڈ
15307-1098037-6



عقلمانی بیگم
تاریخ پیدائش: 20/01/1993

دستخط مال کارڈ

آغا
بیت

Handwritten text in Urdu, likely a declaration or affidavit, covering the majority of the page. The text is dense and difficult to read due to the quality of the scan.

CONT NO - 15307-1098037-6
CARD NO - 0346-8084669

Head Mistress
GHS Jagram
Dist. Lower

Handwritten signature and the word "ATTESTED" in a rectangular stamp.

خدمت صاب ڈائریکٹر صاحب ایلمنٹری اینڈ سینڈری ایجوکیشن غیر ملکیوں کو

درخواست عبر ادافینائی ASDEO فیمل حال سب ڈویژن

جنا - عالی

مؤدبانہ گزارش ہے کہ

1) سائل گورنمنٹ ڈگریڈ سیکولر سولنگ میں CT پوسٹ پر آفینا ہے۔

2) سائل کو معلوم ہوا ہے کہ سب ڈویژن حال میں ASDEO پوسٹ ط عالی ہے۔

3) سائل کو یہ بھی معلوم ہوا ہے کہ ان ASDEO میں CT میل بھی آفینا ہے۔

4) لیسٹرا آپ صاحبان میر بانی کے سائل کو ASDEO فیمل حال کے پوسٹ آفینا کے مشکور فرمادیں۔

گزارش ہوگی

مورخ: 2020-9-15

عرض کنندہ

آپ کے نام کے لیے فرمان نور محمد خان بنیم

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ATTESTED

جناب ضلعی ایجوکیشن (17)

درخواست

گزارش پیمائی کے لیے

ملاکنڈہ میں اپنی ذریعہ

اب ڈیپارٹمنٹ لیٹراور کے طرف سے ایک لیٹر ہوا ہے کہ

فینل سرکل میں فینل سٹاف تعینات کیا جائے

اس لیٹر کے روشنی میں اس پوسٹ کے لیے

Eligible ہو۔ سرکل نمبر گروہ کے لیے اب صاحبان صوبائی

کر کے جمعہ تعینات کریں اس کے بڑی صاحبان ہونے

العرفین

ایسی نمائندہ ٹیچر ارشاد بیگم

SST (G)

GATS Kohera Malakand

Inshad
15/9/2020

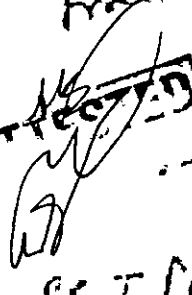
ATTESTED

Ministry of P.T. Education
Peshawar
Peshawar.

Subject Provision of Proposal of willing
SSTs to be transferred as ADEOs

Sir,

With due respect it is stated that
I Uzma Rahman D/o Lhazan-u. Rahman, working
SST (G) in G.G.H.S Koheran Dir (L) is
willing for the post of ADEO
Establishment at the office of DEO (G)
Timergora Dir (L). As I have required
qualifications. I have done my Master in
English Literature and applied language
from University of Peshawar, having
profession a qualification of B.Ed and
I would request you to consider
my request to transfer me as ADEO.

Thanking you.  Dated 17 Sep 2020

Yours obediently,
Mrs Uzma Rahman SST (G) at G.G.H.S Koheran Dir
C/S- C346-9547087 CNIC 15402-9851609-2



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

No. 25887/P.No.1/ADDE-II/2019-20/Citizen Portal.

Dated: 15/9/2020

To

All the District Education Officers (F)
in Khyber Pakhtunkhwa

Subject:

**PROVISION OF PROPOSAL OF WILLING SSTs TO BE
TRANSFERRED AS ASDEOs**

Memo:

It was observed that in some offices of District Education Officers (F), male staff are working on female ASDEOs/ADEOs posts. This office received many complaints on Citizen Portal by the respected citizen of the Islamic Republic of Pakistan.

You are therefore directed to submit suitable proposal of female SSTs as ASDEOs/ADEOs in the offices.

Your proposal must reach to this office through email on saifkhan1973@gmail.com on or before 18-09-2020.

This may kindly be treated as most immediate.

[Signature]
Deputy Director (Estt)

Copy for information to:

- 1. PA to Director E&SE, Khyber Pakhtunkhwa Peshawar

ATTESTED
[Signature]

[Signature]
Deputy Director (Estt)

19

"C"

MPA Azam Khan



P/D Female
Sultan Haider



[Handwritten signature]

&D Sultan Haider



ASDEO Female
Adalat Khan

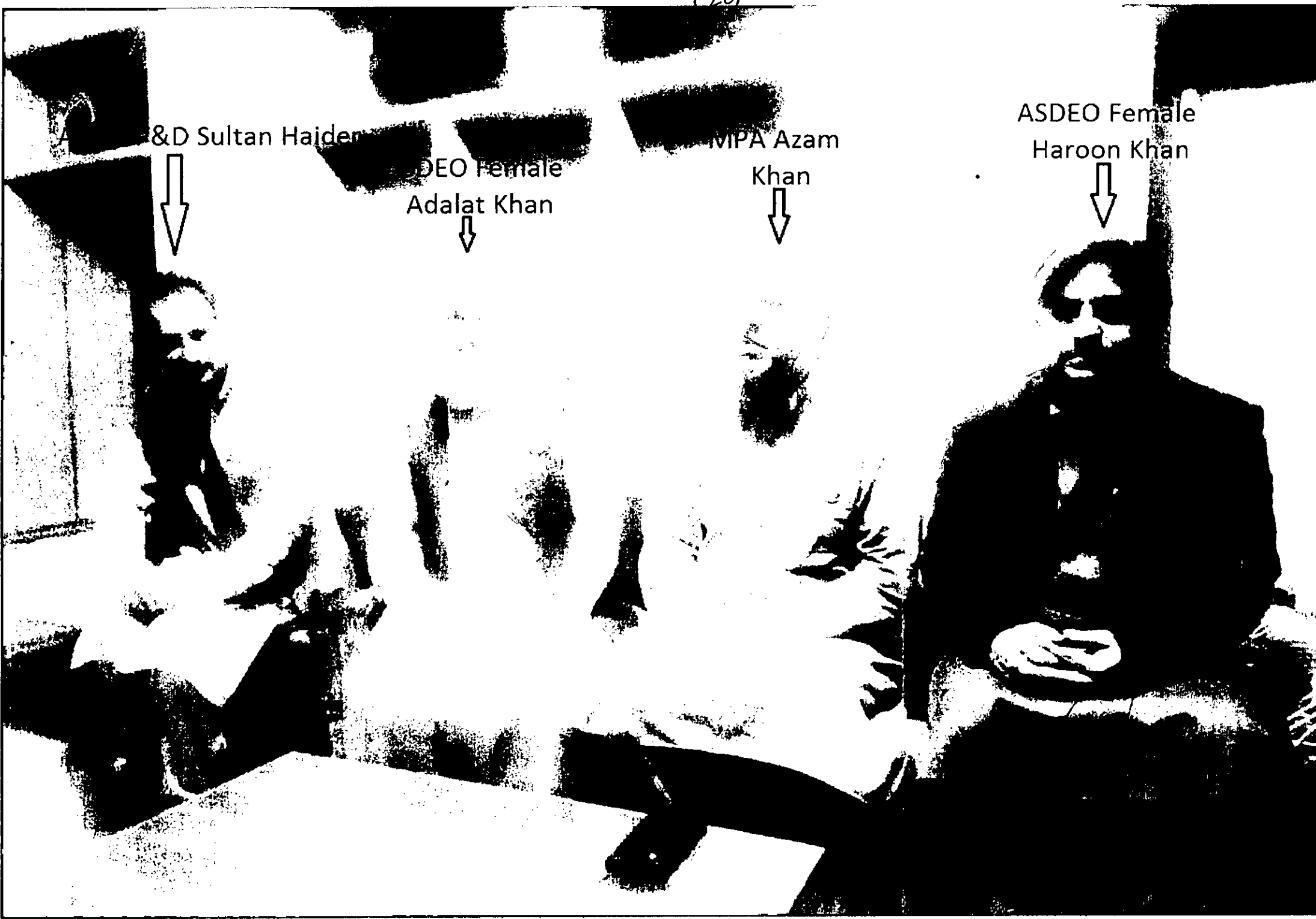


MPA Azam

Khan



ASDEO Female
Haroon Khan



Asdeo
Female



Asdeo Female

MPA

Asdeo Fema

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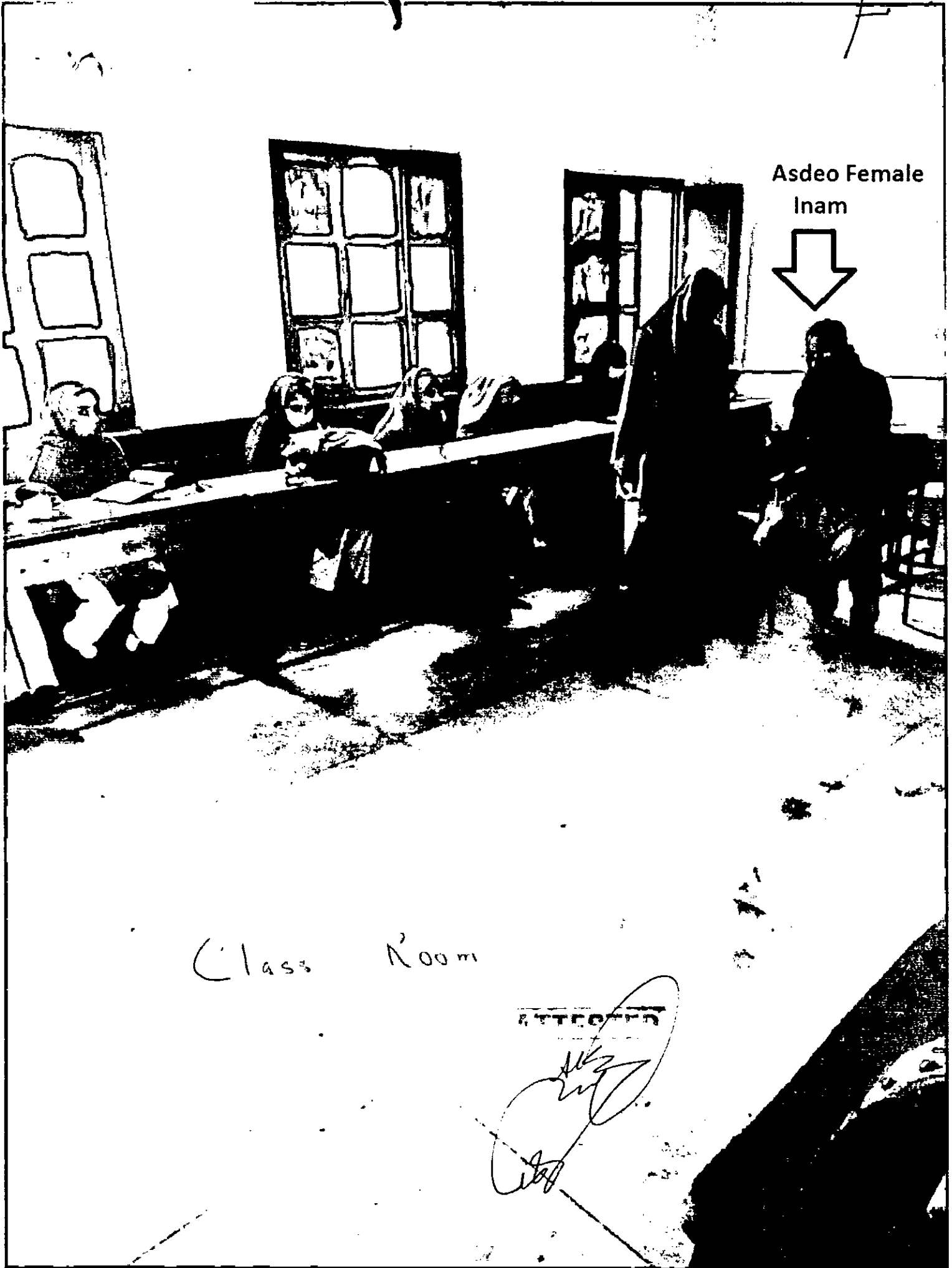
محکمہ تعلیم کا نیا مندرجہ ذیل نظامی پولیس ریجنل ایجنسیوں کے تحت
 ایجنسیوں کے تحت ایجنسیوں کے تحت ایجنسیوں کے تحت ایجنسیوں کے تحت

بعض اضلاع میں انتظامی عہدوں پر میل انسران کی پوشنگ بارے شکایات موصول ہو رہی ہیں لہذا 18 ستمبر تک نی میل ایس ایس ٹیز کی پروپوزل بجھوائی جائے

جن ADEO ASDEO کی پوسٹ پر تعینات کیا جائے اور درخواستیں قبول کیے رضامند بھی ہوں ڈائرکٹر تعلیم کجانب سے ڈی ای او کو ہدایات جاری

ڈیر ایس ایس ایس (تعلیمی ریپورٹر) محکمہ تعلیم کی پروپوزل ایجنسیوں کی تفصیلات کے مطابق ڈائرکٹر کجانب سے نی میل ریٹائر میں انتظامی پوسٹوں پر تعینات تعلیم خیرہ پنشنرز کی جانب سے سوچ بھر کی اسٹریٹ کی پوشنگ بارے شکایات موصول ہو رہی ہیں لہذا ایجنسیوں کے تحت ایجنسیوں کے تحت ایجنسیوں کے تحت ایجنسیوں کے تحت

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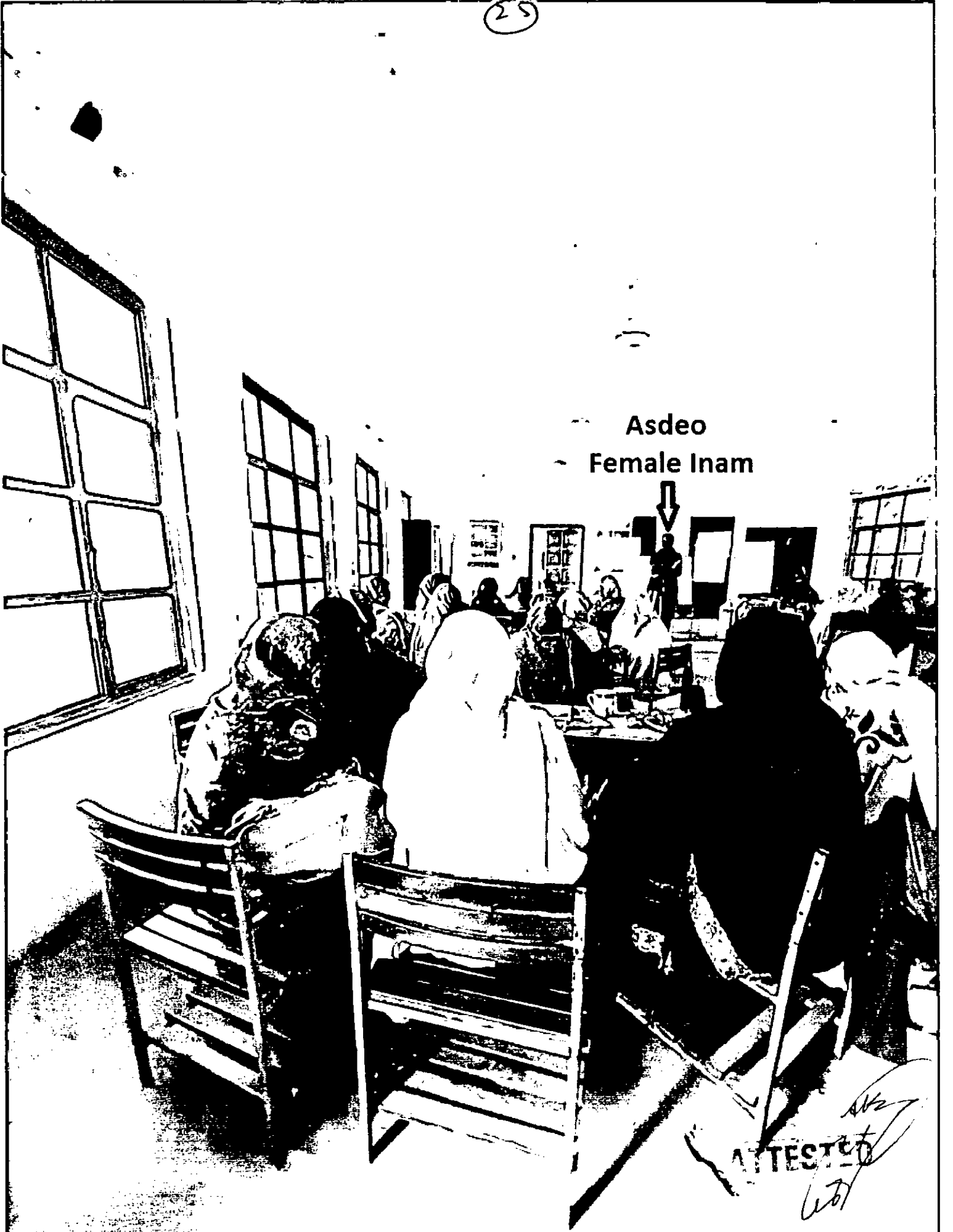
Asdeo Female
Inam



Class Room

ATTACHED

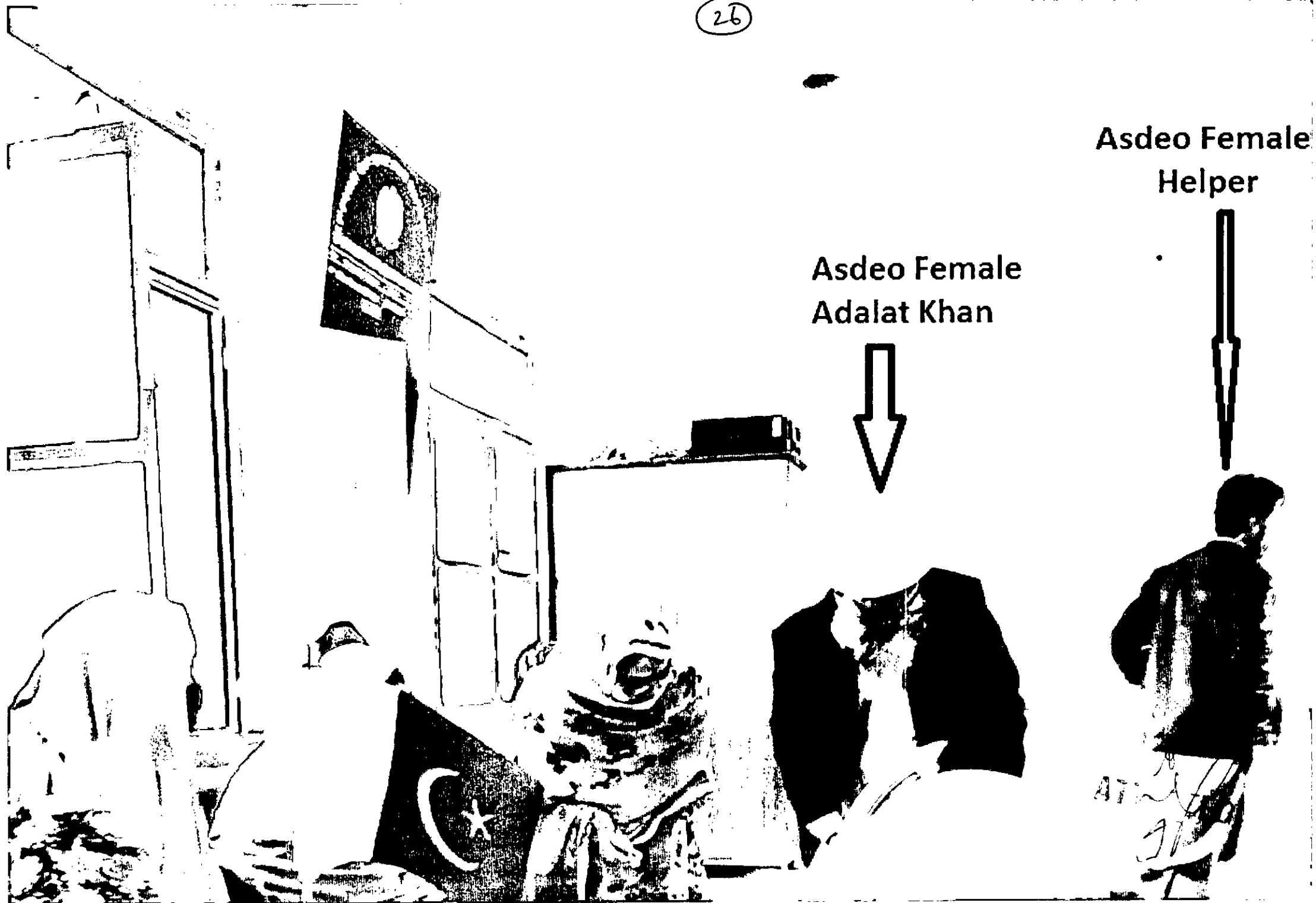
Asdeo
Female Inam



ATTESTED

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Primary School Teachers Training



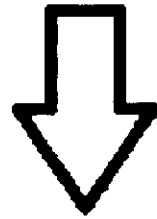
Asdeo Female
Helper



Asdeo Female
Adalat Khan



Asdeo Female
Adalat Khan



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OFFICE OF THE DISTRICT EDUCATION OFFICER FEMALE DIR LOWER.

No 9990

Dated: 25 /09/2020.



emlsdeofdirlower@gmail.com



DEO Female Dir Lower



@DEOFemaleDir(L)

Phone# 0945-9250083

Fax# 0945-824083

To

Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa at Peshawar.

Subject: PROVISION OF PROPOSAL OF WILLING SSTs TO BE TRANSFERRED AS ASDEO

Memo,

Reference your office 25887/F.No/ADEE-II/2019-20/Citizen Portal dated 15-09-

2020 on the subject cited above the details of received applications is as under:

S.No	Name of Teacher	School Name	Designation	Proposed Circle	Remarks
1	Punam Begum	GGHS Badin	SST Bio-Chem	ASDEO SamarBagh	Recommended ✓
2	Irshad Begum?	GGHS Kohary Malakand	SST General	ASDEO Timergara y	Recommended ✓
3	Khalida	GGHS Dantal	SST General	ASDEO Mundu	Recommended
4	Shuheen Begum	GGHSS Kumber	SST General	ASDEO LalQilla	Recommended
5	Shaista	GGHSS Kumber	SST General	ASDEO Kumber	Recommended
6	Guli Nasreen	GGMS Tikhal Payeen	SST General	ASDEO Ashanr	Recommended
7	Sitam Yousaf	GGHS Odirgam	SST General		Not Recommended: She is not eligible for the said post. Due to Adhoc/contract based appointee

ATTESTED
[Signature]

8	Uzma Rehman	GGHS Koharay	SST General	Not Recommended: She is not eligible for the said post due to Adhoc/contract based appointee. The school enrolment is very high as well. The PTC committee forwarded an application that she may not be transferred in the critical situation.
9	Noor Jehan Begum	GGMS Shalfalam	CT	Not Recommended: She is on CT Post not eligible for said post.
10	Gulshan Ara	GGMS Sogalay	SST General	Not Recommended: She withdrew her application willingly for the post of ASDEO Circle Talash

Note: The applications received from teachers is hereby attached in original for further necessary action please.

Gulshan Ara
 District Education Officer Female
 District Lower Dir. 25/09/2020

[Signature]
ATTESTED



**DIRECTORATE OF ELEMENARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR**

NOTIFICATION

Consequent upon approval by the Competent Authority, the following SST teachers are hereby adjusted as stop gap arrangement on their own pay and BPS in the best interest of public service with immediate effect.

S.No	Name & Designation	Station	Adjusted as	Remarks
01	Punam Begum SST (B/C)	GGHS Badin	ASDEO (F) Samar Bogh	Services of Ghawru Rahman, TC, B-16 is placed at the disposal of DEO (M) Dir Lower for further adjustment.
02	Irsalad Begum SST (G)	GGHS Kohary	ASDEO (F) Haya Serai	Services of Hazrat Nabi, TC, B-16 is placed at the disposal of DEO (M) Dir Lower for further adjustment.
03	Khalida SST (G)	GGHS Dantal	ASDEO (F) Munda	Services of Muhammad Ameer Khan, TC, B-16 is placed at the disposal of DEO (M) Dir Lower for further adjustment.
04	Shaheen Begum SST (G)	GGHSS Kumber	ASDEO (F) Kumber	Services of Muhammad Muhtasim, TC, B-16 is placed at the disposal of DEO (M) Dir Lower for further adjustment.
05	Shaista SST (G)	GGHSS Kumber	ASDEO (F) Lal Qilla	Services of Muhammad Zahid, TC, B-16 is placed at the disposal of DEO (M) Dir Lower for further adjustment.
06	Gul Nasreen SST (G)	GGMS Tiknal Payeen	ASDEO (F) Asbanr	Services of Muhammad Naeem, TC, B-16 is placed at the disposal of DEO (M) Dir Lower for further adjustment.
07	Mehar Sultana SST (G) HM	GGCMS Bararak	ASDEO (F) Samar Bogh	AVP

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KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1301 /ST

Dated 15/07/2021


To

The Secretary E&SE,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: JUDGMENT IN APPEAL NO. 15133/2020, MST. SHAHEEN BEGUM.
HUSSAIN.

I am directed to forward herewith a certified copy of Judgement dated 22.06.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

INQUIRY REPORT

TERMS OF REFERENCE

The Secretary E & SED Khyber Pakhtunkhwa Peshawar was pleased to appoint the undersigned as the Inquiry Officer under the Notification No.SO (S/F) E&SED/4-17/2020/Mst. Shaheen Bibi/DDEO (F)/Malakand Dated Peshawar the November 11th, 2020 to conduct an inquiry on account of allegations leveled in the complaint regarding violation of transfer policy. (Annexure- i)

PROCEDURE:-

1. After intimating vide letter No.1375 Dated 13/1/2021, the office of DEO (F) District Dir Lower was visited on 20/1/2021. She was requested for provision of record related to Complaint.(Annexure - ii)
2. DDEO (F) Mst. Shaheen Begum was also called to record her statement and produce evidence in her support.
3. Checked available relevant file/record.
4. Held interviews, of ADEOs and Dealing hands.
5. Recorded statements.
6. The case was thoroughly studied, analyzed and reported the findings/conclusions accordingly.

DETAILS:

SUMMARY OF THE STATEMENTS OF MR. MUHAMMAD USMAN KHAN ADEO PRIMARY, MR.JAN BAKHT SAID ASSISTANT AND ALI AKBAR BADSHAH J/C OFFICE OF DEO (F) DIR LOWER:

After detailed verbal discussion in the office of District Education Officer, Mr. Muhammad Usman ADEO primary, verbally and later on in his written statement stated that the transfer of NTS appointee Mst Kalsum Begum PST BS-12 GGPS Kumber No1 to GGPS Bagh Kandai Dir Lower was issued vide Endst No.3155-56 Dated, 9-10-2019 without proper procedure (Annexure-iii)

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SUMMARY OF THE STATEMENT OF MR. TARIQ JAN NAIB QASID:

Mr. Tariq Jan Naib Qasid was responsible for maintenance of Dairy Dispatch in the office of DEO (F) at that time. The undersigned asked about Dairy dispatch registers, however, he only showed register from the month of February 2020 onward. As per his written statement, on 14-2-2020, he left the office half hour before office time with the permission of DEO (F) and on very next day the dispatch register was misplaced. He informed all officers/official, but no practical step were taken to recover it (Annexure-iv)

SUMMARY OF THE STATEMENTS OF MR. MUHAMMAD AYAZ ADEO (ESTB SECONDARY) MR. MUHAMMAD RAFIQ DEALING CLERK:

The ADEO (Estb F) Mr. Ayaz in his written statement stated that the mutual/need based transfer order issued with effect from 1-1-2020 to 30-4-2020 by Mst. Shaheen Begum was without proper procedure.

Mr. Muhammad Rafiq, the dealing clerk, has submitted that after receiving information of inquiry against Mst. Shaheen regarding transfer/posting of teachers, she took all files regarding transfer/posting. After two days, she returned all the files, however, he was unaware of any addition /omission in those files/record (Annexure-v a,b,c).

SUMMARY OF THE STATEMENT OF MST. SHAHEEN BEGUM:

The undersigned verbally discussed the issues related to transfer posting in district Dir Lower with Mst. Shaheen Begum. She verbally and later on in written submitted that due to political involvement most of the posts of female ADEO/SDEOs are filled by male teachers, which creates administrative problems.

Detail of transfer mentioned in complaint and para wise reply submitted by her:

S.NO 1: Transfer of Mst. Kalsum DM from GGMS Tikass Bangray to GGMS Galkor issued vide No.5031-33 dated 3-2-2020. She stated that she had not issued the said transfer order, however astonishingly on that number, relieving report of ASDEO Bakhtbiland was issued. She verified the promotion order in which the same mistress was posted by promotion from GGMS Tikass Bangray to GGHSS Mian kaley vide Endst No.5218-44 dated 18-2-2020. (Annexure vi a, b, c).

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S.NO 2: Mst Rukhsana Sultan CT was transferred on mutual based vide 4715 dated 13-1-2020 from GGMS Warsak to GGHSS Mayar and Mst. Safia Bibi was transferred from GGHSS Mayar to GGHS Warsak. Mst. Shaheen Begum submitted that the said order is not issued from her office. The said mistress was promoted and transferred from GGMS Warsak to GGHS Ouch Dir Lower in the same promotion order. (Annexure vii a, Annexure vi b).

S.NO 3: Transfer order of Mst. Shaheena Parveen CT was not attached with the complaint. She had not accepted nor denied. However, the sitting DEO (F) provided the transfer order.

S.NO 4: Mutual transfer order of Mst. Hafza CT and S.No 5 Mrs. Zahida Bibi CT issued vide NO.5087-90 dated 6-2-2020 but Mst. Shaheen Begum submitted that the signature on said order is bogus. (Annexure viii a,b)

S.NO 6: Mst. Uzma Tabasum TT transfer order issued vide No.4967-69 dated 30-1-2020 from GGHS Haji Abad to GGMS miskini. The same mistress was then promoted in promotion order issued on 18-2-2020 from the same school i.e GGHS Haji Abad to GGHS Kandro. According to the statement of Mst. Shaheen Begum the name of school was wrongly mentioned twice due to clerical mistake. (Annexure ix a, annexure vi b)

S.NO. 7: Mst. Shaheen Begum verified transfer order of Mst. Bibi Zainab PET from GGHS Bajour Talash to GGHS Kadh Dir Lower and Mst. Ulfat PET From GGHS Kadh to GGHS Bajour Talsh vide No.5183-87 dated 17-2-2020 and again in promotion order Mst Bibi Zainab was promoted from the same school. She accepted that due to clerical mistake her school name was wrongly mentioned twice. (Annexure x Annexure vi b)

S.NO.8: According to Mst. Shaheen Begum the mutual transfer order vide No.5096-97 dated 7-2-2020 in respect of Mst Bibi Haleema AT from GGMS Garrah to GGMS Darmal Bala and Mst shafqat AT from GGMS Darmal Bala to GGMS Garah was not issued by her. In promotion order, Mst Haleema was initially placed in GGMS Garrah and latter on promoted to GGHS Khazana. (Annexure xi Annexure vi b)

S.No 9: Mst Kalsum Begum, PST adhoc (NTS) appointee has been transferred vide no.3155-56 dated 9 10-2019 from GGPS Kumber No1 to GGPS Bagh Kandi. Mst. Shaheen submitted that the said order was issued on need based on the direction of Deputy Commissioner

in DSC meeting. She has withdrawn the said order vide 6135-36 dated 22-4-2020. (Annexure xii a,b)

S.No 10: Transfer order of Mst. Nazia Saif PET from GGMS Mandish to GGHS Malakand Payeen vide 5976-79 dated 25-3-2020 was issued by Mst. Shaheen Begum. (Annexure xiii)

According to her statement, she cancelled all her transfer orders vide Endorsement No. 5982-86 dated 8-4-2020. (Annexure xiv, xv)

FINDINGS:

From all available record it is clear that;

1. The transfer order of three Drawing mistresses issued on bogus signature of Mst. Shaheen Begum was partially implemented. However, they are still working on their posts where they were transferred on fake order except Mst kalsum DM, who was promoted and posted in GGHS Mian Kaley. Currently, she is working in GGHS patio.
2. Bogus mutual transfer order issued in respect of Mst Rukhsana Sultan CT from GGMS Warsak to GGHSS Mayar and Mst. Safia Bibi CT from GGHS Mayar to GGHS Warsak is still partially implemented as, Mst. Safia Bibi CT is still working in GGHS Warsak. The dispatch register of that period is missing. (Mst. Rukhana sultan SCT letter attached as Annexure xvi)
3. Another bogus mutual transfer order issued in respect of Mst. Bibi Haleema AT from GGMS Garrah to GGMS Darmal Bala, and Mst Shafiqat Begum from GGMS Darmal Bala to GGMS Garrah is also implemented.
4. The Adhoc(NTS) Nontransferable PST teacher, Mst Kalsum Begum has been transferred from GGPS Kumber No1 to GGPS Bagh Kandi. The transfer order has been withdrawn after six and a half month, on 22-4-2020.
5. Mst. Nazia Saif PET has been transferred from GGMS Mandish to GGHS Malakand Payeen.
6. Mutual transfer order of Mst. Shaheena Parveen CT and Mst. Sanam Bibi CT was issued vide Endst no. 5085-86 Dated Timergara the 4-2-2020, which is still partially implemented as Mst Sanam Bibi CT is still working in GGCMHS Timergara. And

Netul

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Mst. Shaheena was promoted from the GGCMS Timergara to GGHS Timergara (Annexure xvii a,b)

- 7. Mst. Shaheen Begum cancelled all her orders vide Endst No 5982-86 dated 8-4-2020. But the concerned teacher is still working in GGHS Malakand Payen. Surprisingly, An overwriting is observed in the Endst number of E-transfer order of various cadre and cancellation order (Annexure xviii)
- 8. The sitting DEO (F) informed that before her joining office most of the work was without notepad. Only one page notepad was found in office and astonishingly transfer approval was given by ADEO Secondary who is not the competent to do so. (Annexure xix)

CONCLUSION

From the available relevant record in the DEO (F) Office Dir Lower, statements recorded and interviews conducted, the Inquiry officer concludes that irregularities are committed in the transfers of teachers.

There was not even a single note sheet available in the office to verify the transfer orders and Mst shaheen on a spot wrote down on transfer order that verified / not verified .It was sensed that these transfer orders were issued before promotion order to facilitate individual. She claimed that most of the transfer order were not issued by her but they were implemented and she was not aware of that fact. This shows her weak administration despite her immense experience of administration as she served as ADEO/SDEO /DDEO and DEO for such a long period in District Dir Lower.

During visit of the DEO Office and discussion with officers/official, it was felt that the DEO Female Office was under intense pressure due to political interference from MPAs.

On most of the management post, male teachers are working in a traditional district like Dir Lower. This is against our norms and customs which also create administrative issues.

RECOMMENDATIONS:

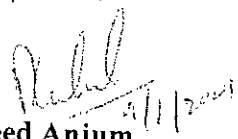
- 1. Sitting DEO female may be directed to bring her house in order, recover the official record of her office and secure them from loss.

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(25)

2. Sitting DEO may also be directed to ensure the implementation of verified transferred /cancellation orders.
3. Mst. Shaheen Begum may not be posted on such a responsible post of DEO in future.
4. Requisition may be sent to the Public Service Commission to fill the vacant posts of SDEO/ASDEOs from eligible, competent officers to solve the issue once for all. For the time being, female teachers may be posted on the post of SDEO/ASDEO instead of male teachers.
5. Education offices may be depoliticized with commitment and dedication.

The report is submitted for perusal and further necessary action under the rules, please.



Naheed Anjum
Additional Director (Estb-II)
Directorate of E&SE, Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Opposite MPA's Hostel, Civil Secretariat, Peshawar

Dated Peshawar the April 17th, 2020

NOTIFICATION

No. SO(S/E)E&SE/D-3/2019/Promotion/BS-18 to BS-19 MC:

Consequent upon the

approval of the Competent Authority/Chief Minister, Khyber Pakhtunkhwa, the following posting transfer is hereby ordered, on the posts/stations, as mentioned against each, in the best public interest, with immediate effect:

S#	Name	From	To
1.	Mst. Rabia Anees (BS-19 MC)	Unadjusted	DEO (F) Buner (AVP) (She will actualize her promotion against the same post)
2.	Mst. Naheed Anjum (BS-19 MC)	Unadjusted	Additional Director (BS-19) Directorate of NMD (Relieving Mr. Farid Khattak of the additional charge) (She will actualize her promotion against the same post)
3.	Mst. Sadiq Aziz (BS-18 MC)	DDEO (F) Haripur	DEO (F) Malakand in OPS (AVP)
4.	Mst. Nadia Begum (BS-18 MC)	DDEO (F) Torghar	DEO (F) Torghar in OPS (AVP)
5.	Mst. Rehana Yasmin (BS-18 MC)	DDEO (F) Battagram	DEO (F) Kohistan Upper in OPS (AVP)
6.	Mst. Ghazala Anjum (BS-18 MC)	DDEO (F) Upper Chitral	DEO (F) Upper Chitral in OPS (AVP)
7.	Mst. Hussan Ara (BS-18 MC)	DDEO (F) Dir Upper	DEO (F) Dir Upper in OPS (AVP)

2. No TA/DA is allowed.

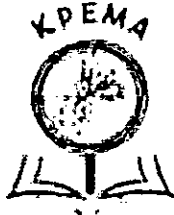
SECRETARY
ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT

Endst: of even No.& date:

Copy forwarded to the:

- Accountant General, Khyber Pakhtunkhwa, Peshawar.
- Director E&SE, Khyber Pakhtunkhwa, Peshawar
- Director DCTE, Khyber Pakhtunkhwa, Abbottabad.
- Director PITE Khyber Pakhtunkhwa, Peshawar.
- Deputy Commissioners concerned.
- District Education Officers (M/F) concerned.
- District Accounts Officers concerned.
- PS to Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- PS to Chief Secretary, Khyber Pakhtunkhwa.
- PS to Minister for E&SE, Khyber Pakhtunkhwa.
- PS to Secretary E&SE Department.
- Director EMIS, E&SE Department for uploading at official website at the earliest.
- Office order file.


17/4/2020
(ABDUS SALAM)
SECTION OFFICER (S/E)



GOVERNMENT OF KHYBER PAKHTUNKHWA
EDUCATION MONITORING AUTHORITY

House No 7A, Near Army Check post, Shami Road, Peshawar
Phone: 091-9223128, Fax: 091-9223127

No.EMA/DDF/2020-21/F3-2117

Dated Peshawar the 15th February, 2021

To,

Mst. Shaheen Begum
DDEO (F) Malakand

Subject: PERSONAL HEARING

Reference to Elementary & Secondary Education Department Office Order No. SO(S/F)E&SE/D-16/2020/Shaheen Begum/DDEO (F) Malakand (MC BS 18) dated 26-01-2021, the enquiry committee has decided to afford you the opportunity of personal hearing on 23-02-2021 at 11:00 hrs.

You are therefore, requested to appear in person before the Enquiry Committee along with relevant documents (if any) on the scheduled date and time at the office of undersigned.

Beenish Imran
Deputy Director (Finance)

Copy forwarded to:

1. Mst. Naheed Anjum Additional Director, E&SE Department, Peshawar.
2. Director E&SE Department, Peshawar.
3. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
4. Office Copy

Beenish Imran
Deputy Director (Finance)