

Appeal No. 11012/2020  
Shahid Aziz vs Govt

15.01.2021

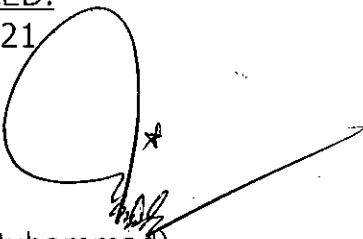
Appellant present through counsel.

Riaz Khan Painsdakheil learned Assistant Advocate General alongwith Wahid Gul ADEO for official respondents No.1 to 3 present. Counsel for private respondent No.4 present.

Vide detailed judgment of today of this Tribunal placed on file of service appeal No.11009/2020 titled Muhammad Zada Vs. Education Department, instant service appeal is accepted and the impugned notification in respect of posting transfer of the appellant, stands set aside. With no order as to costs. File be consigned to the record room.

ANNOUNCED.

15.01.2021


  
(Mian Muhammad)  
Member (E)

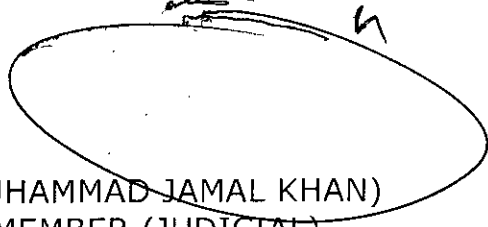
  
(Rozina Rehman)  
Member (J)

22.12.2020

Mr. Noor Muhammad Khattak, Advocate, for appellant is present. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General, on behalf of official respondents No. 1 to 3 and Mr. Asad Zeb Khan, Advocate, on behalf of private respondents No. 4, are also present.

Learned counsel representing appellant submitted that he has not prepared the brief and requested for adjournment. The learned Assistant Advocate General as well as learned counsel representing private respondent No. 4 stressed to address arguments to the extent as to whether status-quo has to remain in the field or else has to be vacated. Learned counsel for appellant submitted that he has not opened the file yet and cannot address arguments and again requested for adjournment. The case is adjourned to 12.01.2021 on which to come up for arguments before D.B. Time sought for submission of rejoinder, time allowed. Appellant is directed to submit rejoinder. The operation of impugned order shall remain suspended till the date fixed if not acted upon already.

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

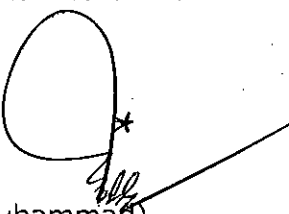
  
(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

12.01.2021

Appellant present through counsel.

Riaz Khan Paindakheil learned Assistant Advocate General alongwith Ahmad Hussain Litigation Officer and Wahid Gul ADEO for official respondents No.1 to 3 present. Counsel for private respondents No.4 present.

Arguments heard. To come up for order on 15.01.2021 before D.B.

  
(Mian Muhammad)  
Member (E)

  
(Rozina Rehman)  
Member (J)

19.11.2020


Junior to counsel for the appellant and Addl; AG alongwith Abdul Wahid Litigation Officer for official respondents No. 1 to 3 and private respondent No.4 in person present.

Reply/comments on behalf of private respondent No.4 has been already submitted. Representative of official respondents No.1 to 3 submitted written reply/comments. The appeal is assigned to D.B for arguments. Appellant may submit rejoinder within a fortnight. If, so advised. In the meanwhile, the operation of the impugned order, to the extent of appellant, shall remain suspended if not acted upon

  
Chairman

03.12.2020


Due to COVID-19, the case is adjourned to 22.12.2020 for the same as before.

  
Reader

19.10.2020

Appellant is present in person. Mr. Kabirullah Khattak, Additional Advocate General alongwith representative of the department Mr. Ahmad Hussain, ADEO for official respondents and private respondent No. 4 are also present.

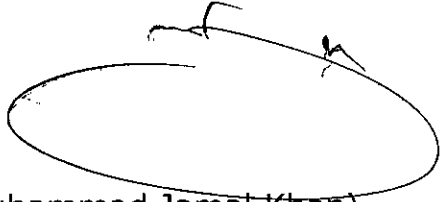
Private respondent No. 4 submitted para-wise reply on main appeal as well as reply on stay application which are placed on record. Representative of official respondents seeks time to furnish written reply/comments. Adjourned to 09.11.2020 on which to come up for written reply/comments on behalf of official respondents before S.B. In the meanwhile, the operation of impugned order, to the extent of appellant, shall remain suspended if not acted upon already.

  
(Muhammad Jamal Khan)  
Member (Judicial)

09.11.2020

Appellant is present in person. Mr. Kabirullah Khattak, Additional Advocate General on behalf of official respondents No. 1 to 3 and private respondent No. 4 are also present.

Private respondent No. 4 submitted para-wise comments which is placed on record. While learned Additional AG requests for time to contact the respondents and furnish written reply/comments on the next date of hearing. Adjourned to 19.11.2020 on which date file to come up for written reply/comments on behalf of official respondents before S.B. In the meanwhile, the operation of impugned order, to the extent of appellant, shall remain suspended if not acted upon already.

  
(Muhammad Jamal Khan)  
Member (Judicial)

01.10.2020

Counsel for the appellant present.

Contends that the impugned transfer order of appellant, dated 11.08.2020, was withdrawn after the submission of departmental appeal. It was done through office order dated 14.09.2020. However, on 16.09.2020 the order dated 14.09.2020 was withdrawn from the date of issuance. In the circumstances of the case valuable rights accrued in favour of appellant upon issuance of office order dated 14.09.2020. On the other hand, the office order dated 16.09.2020 was issued without any notice to the appellant. It is also contended that the original impugned order dated 11.08.2020 was politically motivated. In that regard a note by a Member of National Assembly of Pakistan was referred to wherein recommendations for certain transfers/postings was made.

In view of the available record and arguments of learned counsel, instant appeal is admitted to regular hearing subject to all just exceptions. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 19.10.2020 before S.B.

Alongwith the appeal, there is an application for suspension of operation of the impugned orders dated 11.08.2020 and 16.09.2020. Notice of the application be also given to the respondents for the date fixed. In the meanwhile, the operation of impugned order, to the extent of appellant, shall remain suspended if not acted upon already.

Appellant Deposited  
Security and Process Fee

21/10/20



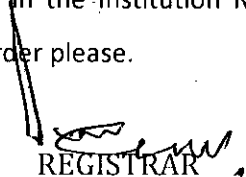

Chairman

Form- A

# FORM OF ORDER SHEET

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

Case No.- 11012 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/09/2020	<p>The appeal of Mr. Shahid Aziz presented today by Mr. Noor Muhammad Khattak 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> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>01/10/20</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

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

**APPEAL NO. \_\_\_\_\_/2020**

**SHAHID AZIZ**

**VS**

**EDUCATION DEPTT:**

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3	MNA letter	<b>A</b>	6- 7.
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**APPELLANT**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**

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

Khyber Pakhtunkhwa  
Service Tribunal

**APPEAL NO. 11012 /2020**

Diary No. 10499

Dated 22-9-2020

Mr. Shahid Aziz, Presently posted as ADEO (Secondary), O/O DEO (M), Dir Upper Under transfer/posted as GHS Wari, Dir Upper.

..... **APPELLANT**

**VERSUS**

- 1- The Government of Khyber Pakhtunkhwa through Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officers Male & Female, District Dir Upper.
- 4- Mr. Hazrat Luqman, SST (IT), GHS Katan Bala under transfer/posted as ADEO (M), O/O DEO (M), Dir Upper.

..... **RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED TRANSFER ORDERS DATED 11.8.2020 & 16.9.2020 WHEREBY THE HAS BEEN TRANSFERRED ON THE BASIS OF POLITICAL INTERVENTION AGAINST TEACHING CADRE POST AND AGAINST THE APPELLATE ORDER DATED 16.9.2020 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS**

**PRAYER:**

That on acceptance of this appeal the impugned orders dated 11.8.2020, 16.9.2020 and appellate order dated 16.9.2020 may very kindly be set aside and the respondents may kindly be directed not to transfer the appellant from the post of Assistant District Education Officer (Secondary) O/O the District Education Officer (M), Dir Upper. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

**R/SHEWETH:**

**ON FACTS:**

- 1- That appellant is the employee of the respondent Department and is serving as Assistant District Education Officer (Secondary) in the office of District Education Officer (M), District Dir upper quite efficiently and up to the entire satisfaction of his superiors.

Filed to-day

Registrar

22/9/2020



- 2- That astonishingly through political interference the appellant was transferred and posted against the teaching cadre post vide impugned Notification and order dated 11.8.2020. That it is very pertinent to mention that the private respondent who has been transferred vice the appellant is belonging to teaching cadre but inspite of that the respondents issued the impugned notification and order dated 11.8.2020. Copies of the MNA letter, impugned notification and order are attached as annexure ..... **A, B & C.**
- 3- That it is also very pertinent to mention that the private respondent No. 4 has recently been appointed as Information Technology Teacher on adhoc and school based policy and as such under the transfer posting policy they are non transferable employees of the respondent Department but inspite of that the respondents posted them against the management cadre post.
- 4- That respondent no. 4 who is purely appointed for the school based post solely meant to deliver the Information Technology education and accordingly a latest information technology Lab was established on the expenses of Govt. exchequer and transferring the sole teacher from the school to a post on Management cadre would definitely deteriorate the future of the students especially in the field of information technology.
- 5- That the impugned Notification and order dated 11.8.2020 are violative of clause I, II, III & IV of the transfer/posting policy of the provincial Government. Copy of the policy is attached as annexure ..... **D.**
- 6- That appellant feeling aggrieved from the impugned Notification and order dated 11-08-2020 submitted Departmental appeal before the appellate authority and where after filed Writ petition before the Peshawar High Court, Darul Qaza Bench at Swat and the said writ petition was disposed of with the direction to decide the Departmental appeal of the appellant one way or the other vide judgment dated 1.9.2020. Copies of the Departmental appeal and judgment are attached as annexure ..... **E & F.**
- 7- That in response the appellate authority accepted the Departmental appeal of the appellant and directed the respondent No.2 to cancel the impugned order dated 11.8.2020. That vide order dated 14.9.2020 the transfer order 11.8.2020 of the appellant was withdrawn by the respondent No.2 but astonishingly vide impugned appellate order dated 16.9.2020 the said cancellation order dated 14.9.2020 has been withdrawn and restored the original impugned transfer

order dated 11.8.2020 by the respondent No.2. Copies of the cancellation order and appellate order are attached as annexure ..... **G, H & I.**

- 8-** That appellant feeling aggrieved and having no other remedy but to file the instant writ petition on the following grounds amongst the others.

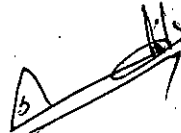
**GROUND:**

- A-** That the impugned Notification and orders dated 11-08-2020, 16.9.2020 issued by the respondent No.2 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B-** That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C-** That the impugned Notification and order dated 11-08-2020 are against the clauses I, II, III & IV of the transfer/posting policy of the provincial Government of Khyber Pakhtunkhwa.
- D-** That the impugned Notification and orders of even date 11-08-2020 and 16.9.2020 are also violative of the Government Policy, therefore not tenable and liable to be set aside.
- E-** That it is pertinent to mention that the private respondents belongs to teaching cadre while the posts against they were posted are of management cadre but inspite of that the respondents posted the private respondents against the posts in question.
- F-** That the treatment meted out to the appellant is a clear violation of the Fundamental Rights of the appellant.
- G-** That the respondents acted in arbitrary and malafide manner by issuing the impugned Notification & orders dated 11-08-2020 and 16.9.2020 against the appellant.
- H-** That, the appellant has been discriminated by the respondents on the subject noted above and as such the respondents violated the Principle of Natural Justice.
- I-** That neither the impugned Notification & orders dated 11-08-2020 and 16.9.2020 have been issued in the public interest nor have the same been issued in exigencies of public service.

**J-** That the appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 17-9-2020



APPELLANT

**SHAHID AZIZ**

Through:



**NOOR MOHAMMAD KHATTAK  
ADVOCATE, HIGH COURT  
PESHAWAR**

**BEFORE THE FEDERAL SERVICE TRIBUNAL, ISLAMABAD**

**APPEAL No. \_\_\_\_\_/2020**

**SHAHID AZIZ**

**VS**

**GOVT: OF KP:**

**APPLICATION FOR SUSPENSION OF OPERATION OF  
THE IMPUGNED ORDERS DATED 11.08.2020 &  
16.09.2020 TILL THE DISPOSAL OF THE ABOVE  
MENTIONED APPEAL**

**R/SHEWETH:**

- 1- That the above mentioned appeal along with this application has been filed by the appellant before this august Tribunal in which no date has been fixed so far.
- 2- That appellant filed the above mentioned appeal against the impugned orders dated 11.08.2020 & 16.09.2020 whereby the appellant has been transferred on the basis of Political Intervention against the Teaching cadre post.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned order dated 11.08.2020 & 16.09.2020 had been issued by the respondents in utter disregard of law and prevailing Rules.

It is therefore, most humbly prayed that on acceptance of this application the operation of the impugned orders dated 11.08.2020 & 16.09.2020 may very kindly be suspended till the disposal of the above mentioned service appeal.

Dated: 18/09/2020

**APPLICANT**

  
**SHAHID AZIZ**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**

**&**  
  
**MIR ZAMAN SAFI  
ADVOCATES**



SARIBZI SIRGHATULLAH  
NA-05 Upper Dir

Date \_\_\_\_\_

Proposal Transfer / Posting

A - (6)

X Shaukat Lodhan - Deputy DEO (M) Upper Dir

Abdul Aziz SST - ADEO (M) Primary Upper Dir

X ~~Pir Muhammad - SDEO (M) Waru Circle~~  
SST CMS. Mandat to

Muhammad Hanif - A SDEO (M) Waru Circle

Muhammad 99ka I -

A DEO (F) RD to ASDEO Barawal

Muhammad Zada -

ADEO (M) transfer to GHS Kator Upper Dir

Muhammad Riaz SST GHS mola

ADEO (F) Dir Upper

TESTED

Signature

Sardar Khan - ADEO (Lateralization)

to GHS mola (or CMS Mandat)

Suit # 412, Block-H, Parliament Lodges, Islamabad, Cell: 0313-8802230, 0343-8802230

SARIBZAI SIRGHATULLAH  
Member National Assembly

T. Muhammad

Signature

Signature

1, Abdul Aziz SST GHS Seri Sultan Khel  
to  
A DEO (M) primary Est. Div U,

2, Muhammad Hanif SST GHS Gramdat  
to  
AS DEO wari

(7)

3, Feer Muhammad AS DEO wari  
to  
AS DEO Litigation DEO (M) Div U (vacant)

Admin  
proceeds

Amir  
14/5/20

4, Muhammad Iqbal A DEO (F)  
to AS DEO barawal

5, Muhammed Riaz SST GHS Molavi to  
A DEO (F) P&D Div U,

6, Naseer Ahmad SST GHS wari to  
secondary  
A DEO DEO Div U,

7, Hazrat Wahab (Assistant), S DEO (F), wari  
to  
S DEO (F), Larjan

8, Mahmood Khan ASST. DEO (F) to  
S DEO (F) wari

APPROVED  
BY AG/ORD/CA

9, Muhammad Zada A DEO (M), Div U to

ATTESTED

[Signature]

Directorate of Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

No. 5003/F.No 32/Vol-4/ SST (M)/Transfer Cases  
Dated Peshawar the 16/6 2020

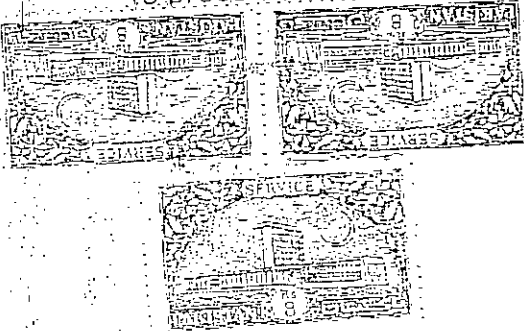
**P.P.S.S.**  
DESPATCHER  
Director (E&SE)  
KPK Peshawar

To

The District Education Officers,  
(M) Dir Upper.

Subject: - PROPOSAL FOR TRANSFER/POSTING  
Memo:

I am directed to the subject cited above and to enclose herewith a proposal bearing No.Nil dated 14-05-2020, for your perusal and to ask you to submit your report and apprise this office which of them belongs to Management Cadre and which pertains to teaching cadre, so as to proceed further into the matter as per rules please.

  
Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

Endst: No. \_\_\_\_\_

Copy of the above is to:-

1. PA to Director (E&SE) Local Directorate.

Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

*ADDO*  
ATTESTED  
*[Signature]*

ATTESTED  
*[Signature]*

C - (9)

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

**RELOCATION**

The Competent Authority is pleased to order transfer/posting of the following  
Offs. in their own pay scale, with immediate effect in the interest of public service.

#	Name & Designation	From	To (posted as)	Remarks
1	Mr. Abdul Aziz SST (T.C)	GHS Seri Sultan Khel	ADEO(Primary) at O/O DEO(M) Dir Upper	V#2
2	Muhammad Zada (T.C)	ADEO((Primary)) at O/O DEO(M) Dir Upper	GHS Katan	V#1 under Administrative basis
3	Mr. Muhammad Hanif SST	GMS Gamdat	ASDEO Circle Warl	Vice#5
4	Mr. Muhammad Iqbal (M.C)	ADEO (F) at O/O DEO(F) Dir Upper	ASDEO Circle Barwal	AVP under Administrative basis
5	Mr. Peer Muhammad (M.C)	ASDEO Circle Warl	ASDEO Circle Larjam	AVP
6	Mr. Muhammad Riaz SST (T.C)	GHS Malavi	ADEO(F) at O/O DEO(F) Dir Upper	Vice#4
7	Mr. Naveer Ahmad SST (T.C)	GHS Warl	ADEO(Secondary) at O/O DEO(M) Dir Upper	Vice#8
8	Mr. Shahid Aziz SST (T.C)	ADEO(Secondary) at O/O DEO(M) Dir Upper	GHS Warl	Vice#7 under Administrative basis

**Note:**

1. Posting/Adjustment of Teaching Cadre Officers shall be considered as stop-gap arrangement till the arrival of Management Cadre officers.
2. The order of the above mentioned Teaching cadre officers will be effective subject to the condition that he will give an undertaking/affidavit on legal paper/stamp paper to DEO (M/F) Dir Upper to the effect, not to claim seniority of Management cadre.
3. Charge Report should be submitted to all concerned.
4. No TA/DA is allowed.
5. The terms & conditions mentioned in their appointment order as teaching cadre will remain intact.

**DIRECTOR**  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

Encls: No. 29471-75 F.NO. 32/Vol-47 ADEOs (M) Transfers dated the Peshawar 11/2/2020

Copy forwarded to the:

1. District Education Officer (M/F) Dir Upper.
2. District Accounts Officer Dir Upper.
3. Officers Concerned.
4. Master Copy.

**ATTESTED**  
*[Signature]*

*[Signature]*  
Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

**ATTESTED**

11/6/20





GOVERNMENT OF NWFP  
ESTABLISHMENT & ADMINISTRATION  
DEPARTMENT  
(Regulation Wing)

Handwritten marks: a circled '10', a circled 'D', and a circled '10'.

POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) { }
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained  
  
While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

BY SECRETARY  
BY ADVOCATE

Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008.

Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001; Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules. Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004

Handwritten signature

- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement  
 DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent: a) Within the same Department b) To and from an Attached Department c) Within the Secretariat from one Department to another	Secretary of the Department concerned. Secretary of the Dept in consultation with Head of Attached Department concerned. Secretary (Establishment)

- xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:
- a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.
- b) Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

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12

xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) Pre-mature posing/transfer or posting transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below.	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed / implemented.

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

{Authority: Letter No. SOR-VI/E&AD/1-4/2003 dated 24-6-2003}.

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

**ATTESTED**

*[Handwritten signature]*

10/1/2009  
 10/1/2009

To  
The Honorable Secretary E& SED,  
Khyber Pakhtunkhwa Peshawar.

Handwritten marks: a scribble, a circled '13', and the letter 'E'.

Subject: APPEAL FOR WITHDRAWAL OF POSTINGS/TRANSFERS ORDER IN R/O ADEOs/ASDEOs  
(M&F) OFFICES DISTRICT DIR UPPER.

R/Sir

1- With great profound I would like to invite your kind attention to the postings/transfers of ADEOs/ASDEOs (M&F) Offices Dir Upper have been issued vide office of Director E&SE Endst No: 29471-75/F: No: 32/Vol-4/ADEOs (M) Transfer Dated Peshawar the: 11/08/2020 (copy attached). In the instant order Serial No's 2,4 and 8 have been charged and transferred on administrative grounds, while before issuing orders no personal hearing etc have been made neither I was informed about the procedures, that what kinds of charges leveled against us.

2- If any charges are proved against us in any inquiry then why proper action has not been taken against the beneficiaries who have been appointed /promoted, which is yet not been initiated. As a matter of fact, initial action is required against the beneficiaries and competent authority who are wholly responsible for such kinds of miss-use of powers or other negligence.

3- Before issuing our transfer orders the director E&SED forwarded a letter to the District Education Officer (M) Dir Upper vide No:5003/F: No: 32/Vol-4/Dated 16/06/2020, seeking information about postings/transfers of ADEOs proper identification of teaching and management cadres officers along with proper proposal/recommendation duly signed by local MNA Dir Upper on specific letter pad (copy attached).The present situation indicate that proposal/recommendations submitted by local MNA is wholly implemented and eventually we have charged and transferred on administrative grounds, which is denoting that the orders has been issued only on the political pressure of local MNA for ulterior motives.

4- One Muhammad Riaz SST appointed through NTS on Sep, 2018 and still in a probation period and his appointment order has not yet been regularized, posted as ADEO(P&D) against Muhammad Iqbal (MC) which is against policy, while another one namely Luqman SST(IT) has also been posted as ADEO(S) which is technical one and not eligible for the post. so both the orders are against norms and rules and needs cancellation on merit.

Moreover, Abdul Aziz appointed as ADEO(p) is also NTS appointee.

It is pertinent to mention that one Muhammad Hanif SST has been adjusted as ASDEO against Pir Muhammad ASDEO (MC), which is clear violation of policy.

5- In view of the above quoted facts that our transfer orders have been issued on political influences having no legal status which is against the service Rules and therefore we are humbly requesting to please withdraw the aforementioned transfer orders and intact us on previous stations.

Hoping that my request will be decided on merit according to the prescribed manners please.

In view of the above quoted facts that my transfer orders have been issued on political influences having no legal status which is against the service Rules and therefore I am humbly requesting to please withdraw the aforementioned transfer orders and intact me on previous station/ position.

I hope that my case will be decided on merit according to the prescribed manners please.

Thanks for yours kind anticipations

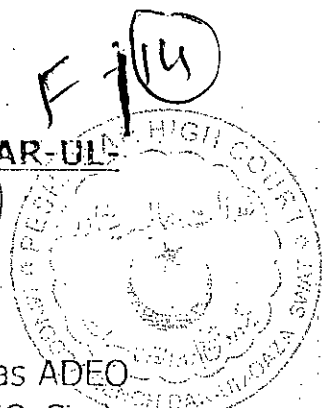
Yours sincerely, 18/08/2020

Shahid Aziz, SST GHS Kattan(B)  
Ex-ADEO(Secondary) Male Dir Upper.

Handwritten signature and stamp: "ATTENDED" and "18/08/2020".

Handwritten signature at the bottom of the page.

BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH DAR-UL-QAZA AT SWAT



WRIT PETITION NO. 829-M/2020

- 1- Mr. Muhammad Iqbal, Management Cadre, Presently posted as ADEO (F), O/O DEO (F), Dir Upper under transfer/posted as ASDEO Circle Barawal, Dir Upper. *R/o Katan P.O Wari.*
- 2- Mr. Peer Muhammad, Management Cadre, presently posted as ADEO Circle Wari under transfer/posted as ASDEO Circle Larjam. *Daska Wari Dir Upper*
- 3- Mr. Muhammad Zada, (Teaching Cadre) presently posted as ADEO (P) at the o/o DEO (M), Dir Upper under transfer to GHS Katan, Dir Upper. *Bihawat Dir Upper*
- 4- Mr. Shahid Aziz, Teaching cadre, presently posted as ADEO (M) o/o DEO (M) Dir Upper under transfer/not yet posted, Dir Upper. *Shaw Dir(U)*

PETITIONERS

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officers Male & Female, District Dir Upper.
- 4- Mr. Muhammad Riaz, SST (T.C); NTS adhoc school based GHS Molavi under transfer/posted as ADEO (F) o/o DEO (F), Dir upper. *Tangei, Tehsil Wari Dir(U)*
- 5- Mr. Muhammad Hanif, SST (T.C), GMS Gamdat, Dir Upper under transfer/posted as ASDEO circle Wari, Dir Upper. *Chapper P.O, Tehsil Wari Dir(U)*
- 6- Mr. Abdul Aziz, SST (T.C), NTS 2017 GHS Seri Sultan Khel, Dir Upper under transfer/posted as ADEO (P) o/o DEO (M), Dir Upper. *Seri Sultan Chail Dara Dir(U)*
- 7- Mr. Hazrat Luqman, SST, IT NTS 2017 GHS Katan Bala under transfer/posted as ADEO (M) o/o DEO (M), upper Dir. *Dislower Tehsil Wari Dir(U)*

RESPONDENTS

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 AS AMENDED UP TO DATE

R/SHEWETH:  
ON FACTS:

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

1- That petitioners are the bonafide resident of District Dir upper and belongs to respectable families. Copies of CNIC's are attached as annexure ..... A.

2- That lastly all the petitioners were posted against the management cadre posts mentioned above through different orders/notifications. That in response to the said Notifications/orders regarding their posting the petitioners submitted their arrival reports and started performing their duties quite efficiently and up to the entire satisfaction of their superiors. Copies of the posting orders/notifications of the petitioners are attached as annexure ..... B.

ATTESTED  
FILED TODAY  
20 AUG 2020  
Additional Registrar

15

3- That astonishingly through political interference all the petitioners have been transferred and posted against the teaching / management cadre posts vide impugned Notification and order dated 11.8.2020. That it is very pertinent to mention that all the private respondents who were transferred vice the petitioners are belonging to teaching cadre but inspite of that the respondents issued the impugned notification and order dated 11.8.2020. Copies of the MNA letter, impugned notification and order are attached as annexure ..... C, D & E.

4- That it is also very pertinent to mention that all the private respondents have recently been appointed on adhoc and school based policy and as such under the transfer posting policy they are non transferable employees of the respondent Department but inspite of that the respondents posted them against the management cadre posts.

5- That according to the recent judgment of the Peshawar High Court passed in W.P No. 3737-P/2019 Title Nisar Ahmad & others VS Govt of KPK & Others order and judgment dated:22-10-2019 strongly deprecated the practice of posting of teaching cadre against the post of management cadre but inspite that the respondents issued the impugned Notification and order dated 11.8.2020. Copy of the judgment is attached as annexure ..... F.

6- That the impugned Notification and order dated 11.8.2020 are violative of clause I, II, III & IV of the transfer/posting policy of the provincial Government. Copy of the policy is attached as annexure ..... G.

7- That petitioners feeling aggrieved from the impugned Notification and order dated 11-08-2020 submitted Departmental appeals before the appellate authority but of no avail though the appellate authority is legally bound in light of clause-xiv of the transfer/posting policy of the provincial Government to dispose of the Departmental appeals of the petitioners within fifteen days but inspite of that the appellate authority i.e. respondent No.1 is not willing to dispose of the Departmental appeals of the petitioners. Copies of the Departmental appeals are attached as annexure ..... H.

8- That petitioners feeling aggrieved and having no other remedy but to file the instant writ petition on the following grounds amongst the others.



FILED TODAY

20 AUG 2020

Additional Registrar

ATTESTED

[Signature]

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

GROUNDS:

16

A- That the impugned Notification and order dated 11-08-2020 issued by the respondent No.2 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.

B- That the petitioners has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.

C- That the impugned Notification and order dated 11-08-2020 are against the clauses I, II, III & IV of the transfer/posting policy of the provincial Government of Khyber Pakhtunkhwa.

D- That the impugned Notification and order of even date 11-08-2020 is also violative of the management cadre policy, therefore not tenable and liable to be set aside.

E- That it is pertinent to mention that the private respondents belongs to teaching cadre while the posts against they were posted are of management cadre but inspite of that the respondents posted the private respondents against the posts in question.

F- That the treatment meted out to the petitioners is a clear violation of the Fundamental Rights of the petitioner.

G- That the respondents acted in arbitrary and malafide manner by issuing the impugned Notification & order dated 11-08-2020 against the petitioners.

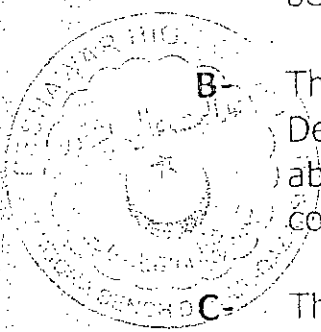
H- That according to Clause-XIV of the transfer/posting policy of the provincial Government the respondent No.1 is duty bound to dispose of the Departmental Appeal of the petitioners strictly within fifteen (15) days.

I- That, the petitioners has been discriminated by the respondents on the subject noted above and as such the respondents violated the Principle of Natural Justice.

J- That neither the impugned Notification & order dated 11-08-2020 have been issued in the public interest nor the same have been issued in exigencies of public service.

K- That the petitioners seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that on acceptance of this writ petition the inaction of the respondent No.1 by not



ATTESTED  
Additional Registrar  
District Court Bench  
Peshawar, P.K.

FILED TODAY

20 AUG 2020

Additional Registrar

ATTESTED

deciding/dispose of the Departmental appeals of the petitioners in light clause-xiv of the transfer/posting policy may be declared as illegal, unconstitutional and in effective upon the rights of the petitioner. That the respondent No.1 may please be directed to disposed of the Departmental appeals of the petitioners in light of Clause-XIV of the transfer/posting Policy of the Provincial Government. Any other remedy which this august Court deems fit that may also be awarded in favor of the petitioner.

17

**INTERIM RELIEF:**

That in the mean while the operation of the impugned Notification and order dated 11-08-2020 may kindly be suspended till the disposal of the Departmental appeal of petitioners.

Dated: 18-8-2020



**PETITIONERS**

*[Signature]*  
Muhammad Iqbal & 3 Others

**THROUGH:**

**NOOR MOHAMMAD KHATTAK**

*[Signature]*  
**KAMRAN KHAN**

*[Signature]*  
**UMER FAROOQ**

*[Signature]*  
&  
**SHAHZULLAH YOUSAFZAI,**  
**ADVOCATES**  
**HIGH COURT PESHAWAR**

**VERIFICATION:**

It is verified that no other earlier writ petition was filed between the parties.

**FILED TODAY**

20 AUG 2020

Additional Registrar

**LIST OF BOOKS:**

1. Constitution of Pakistan.
2. Services Laws Books.
3. Any other Case law as per need.

*[Signature]*  
**DEPONENT**

**ATTESTED**

Examiner  
Peshawar High Court Bench  
Mingota Der-ul-Qaza, Swat.

**ATTESTED**



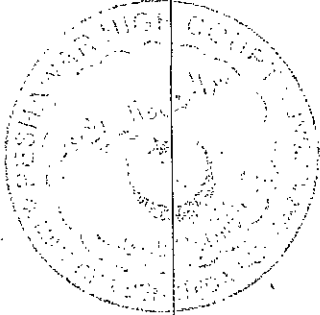
PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

2019

Court of .....

Case No. .... of .....

1	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary.
	<p>01-09-2020</p>	<p><u>W.P No. 829-M/2020 with Interim Relief</u></p> <p><i>Present: Mr. Noor Muhammad Khattak, Advocate for the petitioners.</i></p> <p>*****</p> <p><b>WIQAR AHMAD, J.-</b> This order is directed to dispose of the petition filed by petitioners, under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, with the following prayer;</p> <p>“It is therefore, most humbly prayed that on acceptance of this writ petition the inaction of the respondent No. 1 by not deciding/dispose of the departmental appeals of the petitioners in light of Clause-XIV of the Transfer/ Posting Policy may be declared as illegal, unconstitutional and ineffective upon the rights of the petitioners. That the respondent No. 1 may please be directed to dispose of the departmental appeals of the petitioners in light of Clause-XIV of the Transfer/Posting Policy of the Provincial Government. Any other remedy which this august Court deems fit that may also be awarded in favor of the petitioners.”</p> <p>2. Learned counsel for petitioners at the outset requested that he would be satisfied, if respondent No. 1 is directed to decide departmental appeals of petitioners within fortnight.</p>

Abdul Saleem

ATTESTED

(D.B)

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

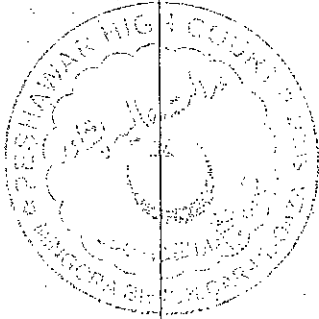
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ATTESTED

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

*[Handwritten signature]*

19



3. Request of learned counsel for petitioners seems genuine. Respondent No. 1 i.e. Secretary E&SE Department, Khyber Pakhtunkhwa is therefore directed to decide departmental appeals of petitioners within a period of fourteen days positively, after receipt of order of this Court but strictly in accordance with law and rules.

4. The petition in hand is disposed of accordingly.

Announced  
Dt: 01.09.2020

*[Signature]*  
JUDGE

*[Signature]*  
JUDGE

S.No. 62  
 Name of Applicant Wakil  
 Date of Presentation of Applicant 10-09-2020  
 Date of Completion of Copies 10-09-2020  
 No of Copies 06  
 Urgent Fee ---  
 Fee Charged 0241  
 Date of Delivery of Copies 10-09-2020

Certified to be true copy

*[Signature]*  
10/09/2020  
EXAMINER  
Peshawar High Court, Mingora/Ditail-Qaza, Swat  
Authorized Under Article 87 of Qanun-e-Shahadat Order 1988

Office  
02/09

ATTESTED

*[Signature]*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT  
No. SO(PE)E&SED/2-1/General Transfer/Posting /2020  
Dated Peshawar the 31.08.2020

18  
9  
20

To,

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

Subject: - APPEAL FOR WITHDRAWAL OF POSTINGS/TRANSFERS ORDER IN  
R/O ADEOs/ASDEOs (M/F) OFFICES DISTRICT DIR UPPER

Dear Sir,

I am directed to refer to the subject noted above and to intimate joint appeal of Mr. Shahid Aziz, SST GHS Kattan (B) Ex-ADEO (Secondary) Male Dir Upper, Muhammad Zada SST GHS Kattan (B) Ex-ADEO (Primary) Male Dir Upper, Muhammad Iqbal, ASDEO Brawal Ex-ADEO (P&D) Female Dir Upper and Peer Muhammad Ex-ASDEO Male Wari Circle Dir Upper, wherein they requested for withdrawal of transfer orders and restoration at their previous station/positions is accepted.

It is, therefore, directed to cancel the transfer orders of the above appellants immediately, and submit compliance report for perusal of the competent authority.

Yours faithfully,


Encl: as above:

Endst: No & date even

  
SECTION OFFICER (PRIMARY)

Copy forwarded to:-

1. The DEO (Male), District Dir Upper, for similar necessary action.
2. PS to Secretary, Elementary & Secondary Education Department, Peshawar.
3. PS to Spl: Secretary, E&SE Department, Peshawar.

  
SECTION OFFICER (PRIMARY)

**ATTESTED**





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

21

**OFFICE ORDER.**

The Competent Authority is pleased to withdraw the Transfer/Posting Order bearing No. 29471-75 dated 11-08-2020 in respect of the following officers in the light of the Admin: Department letter No. SO (PE) E&SEED/2-1/General Transfer/Posting/2020 dated 31-08-2020, in the best interest of public service.

S.N	Name Designation	Previous Position
1	Mr. Shahid Aziz SST GHS Kattan	ADEO (M) Secondary at o/o DEO(M) Dir Upper.
2	Mr. Muhammad Zada SST SST GHS Kattan	ADEO (M) Primary at o/o DEO(M) Dir Upper.
3	Mr. Muhammad Iqbal ASDEO Barawal	ASDEO (M) Circle barawal Dir Upper.
4	Mr. Peer Muhammad ASDEO Larjam	ASDEO (M) Circle Wari Dir Upper.

**DIRECTOR**

Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

Endst: No. 210-14 /F. No. 32-4/ ADEO's (M) Transfer.

Dated Peshawar the 14/05/2020.

Copy of the above is to the:-

1. Section Officer (Primary) w.r.t the letter No. SO (PE) E&SEED/2-1/General Transfer/Posting/2020 dated 31-08-2020,.
2. District Education Officer (M/F) Dir Upper
3. District Accounts officer Dir Upper.
4. Officer concerned.
5. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
6. Master File.

  
Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar



**ATTESTED**





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

② H ②  
② ②

**OFFICE ORDER.**

The Competent Authority is pleased to withdraw the Transfer/Posting Order bearing No. 210-14 dated 14-09-2020 in the light of the Admin. Department letter No. SO (PE) E&SEED/2-1/General Transfer/Posting/2020 dated 16-09-2020, from the date of issuance, in the best interest of public service.

**DIRECTOR**


Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

Endst. No. 701-65 /F. No. 32-4/ ADEO's (M)Transfer.

Dated Peshawar the 16/9 2020.

Copy of the above is to the:-

1. Section Officer (Primary) w.r.t the letter No. SO (PE) E&SEED/2-1/General Transfer/Posting/2020 dated 16-08-2020,.
2. District Education Officer (M/F) Dir Upper
3. District Accounts officer Dir Upper.
4. Officer concerned.
5. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
6. Master File.

  
Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar





**ATTESTED**



**VAKALATNAMA**

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

\_\_\_\_\_ OF 2020

Shahid Aziz

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

\_\_\_\_\_ EDUCATION DEPTT:

(RESPONDENT)  
(DEFENDANT)

I/We Shahid Aziz

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_\_/\_\_\_\_/2020

  
CLIENT

**ACCEPTED**  
**NOOR MOHAMMAD KHATTAK**

**KAMRAN KHAN**

**MIR ZAMAN SAFI**

**&**

**AFRASIAB KHAN WAZIR**  
**ADVOCATES**

OFFICE:

Flat No.4, 2<sup>nd</sup> Floor, Juma Khan  
Plaza, near FATA Secretariat,  
Warsak Road, Peshawar.  
Mobile No.0345-9383141

BEFORE THE HON'BLE KHYBER PAKHTUN KHWA SERVICE  
TRIBUNAL, PESHAWAR

Service appeal No. 11012/2020

SHAHID AZIZ

VERSUS

GOVT. OF KHYBER PAKHTUN KHWA & OTHERS

INDEX

S. No	Description of Documents	Annexures	Pages
1	Written Reply of main appeal		2-4
2	Written Reply of application for suspension of impugned orders		5-6
3	Copy of transfer order dated: 11-08-2020 & regularization order dated: 15-10-2018	RA-RB	7-16
4	Copy of certificate	RC	17
5	Copy of joint appeal, letters dated: 31-08-2020 & 16-09-2020	RD-RE-RF	18-20
6	Copy of charge report dated: 13-08-2020 & Salary Slip	RG	21-22
7	Copy of charge report dated: 22-09-2020	RH	23-24
8	Wakalat nama		25

*Emar 2/4/20*  
Respondent No. 4

Through

Dated: 19-10-2020

*Asad Zeb Khan*  
ASAD ZEB KHAN

Advocate, High Court, Peshawar.  
Off: 202, 2<sup>nd</sup> Floor, City Gate Plaza, Near  
Chamber of Commerce, G.T Road,  
Peshawar  
0346-9800565

*Fida Muhammad Yousafzai*  
Fida Muhammad Yousafzai  
Advocate High Court.

D

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA  
SERVICE TRIBUNAL, PESHAWAR**

**Service appeal No. 11012/2020**

**SHAHID AZIZ**

**VERSUS**

**GOVT. OF KHYBER PAKHTUN KHWA & OTHERS**

**PARA WISE REPLY ON BEHALF OF RESPONDENT No. 4**

**Respectfully Sheweth,**

The Respondent No-4 humbly submits as under:

**PRELIMINARY OBJECTIONS:**

1. That the appellant has got no locus-standi to file the instant appeal.
2. That the appellant has not come to this tribunal with clean hands.
3. That the appeal is not maintainable in the present from and also in the present circumstances.
4. That the appellant also being a teaching cadre employee can't retain post of ADEO as a matter of right.
5. That the appellant has filed the instant appeal just to pressurized the respondents.
6. That the appeal is against the facts, rules and laws.
7. That the appellant is precluded and estopped from filing the instant appeal due to his own conduct.

**FACTS:**

1. Para No-1 in incorrect and vehemently denied. The appellant was appointed in the respondent department as School Teacher and was posted as ADEO as a stop gap arrangement. Further the appellant is transferred on administrative ground, so he can't claim and retain the post of ADEO as a matter of right.



2

2. Para No. 2 of the appeal is incorrect. As noted and mentioned in the preceding Para, the appellant is transferred on administrative grounds and not on political basis. The letter pad of the so-called MNA is fake and bogus, just to deprive the replying respondent from his new assignment. It would be imperative to state that the appellant in order to achieve his nefarious desires illegally relied upon letter pad of MNA, which is fake and bogus and the appellant is put to strict proof to prove the same.

3. Para No. 3 is incorrect. Replying respondent is a permanent employee of department and the assertion that the replying respondent is adhoc employee is bald in nature. Transfer order of replying respondent to the post of ADEO is purely on stop gap arrangement till arrival of new incumbent of Managerial cadre.

**{True copy of transfer order dated: 11-08-2020, regularization order dated: 15-10-2018 are attached, as mark Annex-RA & RB}**

4. Para No. 4 is incorrect. The Govt. has the authority to post any employee on any post which they want and the employee has no right to deny such transfer/ posting. The replying respondent by virtue of his post as SS (IT) was assigned the task to teach computer subject to students of class 9<sup>th</sup> and 10<sup>th</sup>, but there are no student enrolled in computer subject in the school, in which the replying respondent was performing his duties.

**{True copy of certificate is attached, as mark Annex-RC}**

5. Para No. 5 of the appeal is incorrect. The transfer and posting have been made in accordance with law, policy of the Govt. and rules made there-under. The appellant is transferred on administrative ground, hence he can't challenge the order of authority.

6. Para No. 6 is incorrect. The appellant made joint appeal along with other officials/officers who was transferred and as per law, no joint appeal is permissible is allowed. The department appeal so attached, is fake and the appellant is put to strict proof to prove the same. The replying respondent came to know about the joint appeal of the appellant and others, when the office of DEO, Dir Upper received copy of letter dated: 31-08-2020 and letter dated: 16-09-2020.

**{True copy of joint appeal, letters dated: 31-08-2020 & 16-09-2020 are attached, as mark Annex-RD, RE & RF}**

7. Para No. 7 of the appeal is correct to the extent of withdrawal of transfer order, but subsequently, the withdrawal order was cancelled vide office order dated: 16-09-2020 and the transfer order of appellant was restored. Needless to mention that the replying respondent made arrival to his new assignment and drawing his salary as ADEO.

3

{True copy of charge report dated: 13-08-2020 & Salary Slip is attached, as mark Annex-RG}

8. Para No. 8 of the appeal is incorrect and the appellant is put to strict proof to prove the same.

**GROUND:**

- (A-J). Grounds A to J of the appeal are incorrect, wrong, false and result of exaggeration.

The transfer order of appellant is issued in accordance with law. The appellant who is basically working as School Teacher and was posted as ADEO on stop gap arrangement and as per law, the appellant can't claim retention of post of ADEO as a matter of right, because as per service laws, every civil servant is duty bound to serve anywhere he is directed to serve.

The appellant is challenging the posting of replying respondent on managerial post being teaching cadre employee but on the other hand terming his own posting (being teaching cadre employee) as ADEO as legal.

Posting and transfer of a civil servant is not a fundamental right and as per service laws, every civil servant is under legal obligation to serve where-ever he is assigned the task.

It would be note worthy that the appellant made a joint departmental appeal which is not permissible under the law.

Basically the transfer orders were made in accordance with law and policy of the Govt. It would be imperative to state here that the appellant took charge of his new assignment on 22-09-2020.

**{True copy of charge report is attached, as mark Annex-RH}**

The appellant through bald assertions trying to get sympathies of the Hon'ble Tribunal as he is failed to provide any material through which it can be ascertained that the transfer orders were made due to political influence.

The replying respondent also reserve his right to advance additional ground at the time of arguments with permission of the Hon'ble Tribunal.

4

It is therefore most humbly prayed that this Hon'ble Tribunal may very graciously be pleased to dismiss the instant appeal with cost.

*Smad M. J.*  
Respondent No. 4

Through

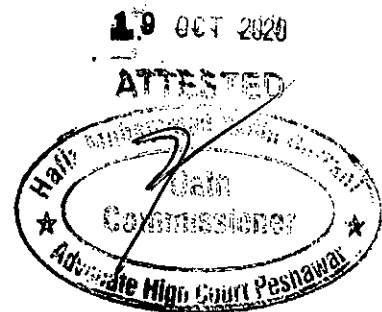
*Asad Zeb Khan*  
Asad Zeb Khan  
Advocate High Court.

*Fida Muhammad Yousafzai*  
Fida Muhammad Yousafzai  
Advocate High Court.

**VERIFICATION:**

I, Hazrat Luqman, ADEO (M), Dir Upper (Respondent No. 4) do hereby solemnly affirm and declare on oath that the contents of the instant comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

*Smad M. J.*  
DEPONENT



3

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA  
SERVICE TRIBUNAL, PESHAWAR**

**Service appeal No. 11012/2020**

**SHAHID AZIZ**

**VERSUS**

**GOVT. OF KHYBER PAKHTUN KHWA & OTHERS**

**WRITTEN REPLY ON BEHALF OF RESPONDENT No. 4**

**Respectfully Sheweth:**

The Respondent No. 4 submits as under:

**Preliminary Objections:**

1. The petitioner/appellant has got no cause to file such like petition.
2. The petitioner/appellant has not come to this Hon'ble Court with clean hands.
3. The petition is not verified on affidavit, hence no sanctity is available to the same.
4. The present petition is filed with malicious intent, just to harass the replying respondent.

**Factual Objections:**

- A. Para No.1 of the application is irrelevant, hence needs no reply.
- B. Para No.2-4 of the petition are incorrect, wrong, unjustified, false, fictitious and the same is the result of misconception, hence expressly denied. The present petition has been filed by the present petitioner/appellant just to deceive the Hon'ble Tribunal by advancing mis-leading facts before the learned Tribunal, hence the present petition is liable to be dismissed with order of special compensatory costs. The transfer of appellant was made in accordance with law and policy of the Govt., because he was involved in illegal appointments and promotions

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of Class-IV employees and in light of the enquiry report, he is transferred from the post. Hence, the instant application is not maintainable under the law.

IT IS THEREFORE HUMBLY REQUESTED THAT IN THE LIGHT OF ABOVE LEGAL AND FACTUAL POINTS THE SUBJECT APPLICATION MAY GRACIOUSLY BE DISMISSED WITH ORDER OF COSTS.

Through

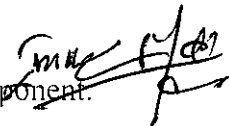
  
Respondent No. 4

  
Asad Zeb Khan  
Advocate High Court.

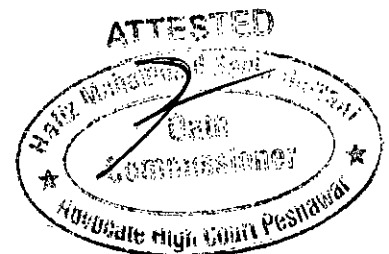
  
Fida Muhammad Yousafzai  
Advocate High Court.

**Verification:**

It is verified upon oath that the contents of the written reply is correct to the best of my knowledge and nothing has been kept concealed intentionally from this Hon'ble Court.

  
Deponent.

19 OCT 2020





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

ERA

**NOTIFICATION**

7

Amee

The Competent Authority is pleased to order transfer/posting of the following officers in their own pay scale, with immediate effect in the interest of public service.

S#	Name & Designation	From	To (posted as)	Remarks
1	Mr. Abdul Aziz SST (T.C)	GHS Seri Sultan Khel	ADEO(Primary)at O/O DEO(M) Dir Upper	V#2
2	Muhammad Zada (T.C)	ADEO((Primary)) at O/O DEO(M) Dir Upper	GHS Katan	V#1 under Administrative basis
3	Mr. Muhammad Hanif SST	GMS Gamdat	ASDEO Circle Wari	Vice#5,
4	Mr. Muhammad Iqbal (M.C)	ADEO (F) at O/O DEO(F) Dir Upper	ASDEO Circle Barwal.	AVP under Administrative basis
5	Mr. Peer Muhammad (M.C)	ASDEO Circle Wari	ASDEO Circle sLarjam	AVP
6	Mr. Muhammad Riaz SST (T.C)	GHS Molavi	ADEO(F) at O/O DEO(F) Dir Upper	Vice#4
7	Mr. Naseer Ahmad SST (T.C)	GHS Wari	ADEO(Secondary)at O/O DEO(M) Dir Upper	Vice#8
8	Mr. Shahid Aziz SST (T.C)	ADEO(Secondary)at O/O DEO(M) Dir Upper	GHS Wari	Vice#7 under Administrative basis

**Note:**

1. Posting/Adjustment of Teaching Cadre Officers shall be considered as stop-gap arrangement till the arrival of Management Cadre officers.
2. The order of the above mentioned Teaching cadre officers will be effective subject to the condition that he will give an undertaking/affidavit on legal paper/stamp paper to DEO (M/F) Dir Upper to the effect, not to claim seniority of Management cadre.
3. Charge Report should be submitted to all concerned.
4. No TA/ DA is allowed.
5. The terms & conditions mentioned in their appointment order as teaching cadre will remain intact.

**DIRECTOR**

Elementary & Secondary Education  
Khyber Pakhtunkhwa

29471-75  
Endst: No. \_\_\_\_\_ F.NO.32/Vol-4/ ADEOs (M) Transfers Dated the Peshawar 11/2/2020

Copy forwarded to the:

1. District Education Officer (M/F) Dir Upper.
2. District Accounts Officer Dir Upper.
3. Officers Concerned.
4. Master Copy.

Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

R.B

(8)

To be substituted with the same Endstt: No & Date



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

**NOTIFICATION.**

In pursuance of Section-3 of the Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education Department (Appointment and Regularization of Services) Act, 2017 (Khyber Pakhtunkhwa Act No. 1 of 2018) read with Section-I, Sub-Section (2) of the Act ibid and E&SE Department Govt. of Khyber Pakhtunkhwa Notification bearing No. SO(S/F) E&SED/3-2/2018/SITT/Contract dated 16/02/2018, the services of the following 311 Male Information Technology Teachers re-designated as Secondary School Teachers (IT) in Elementary & Secondary Education Department (list provided and authenticated Deputy Director EMIS E&SE Department Khyber Pakhtunkhwa) are hereby regularized in (BS-16) from initial appointment as per terms and conditions mentioned at the end:

**Abbottabad**

S#	Name	Father Name	Domicile	School Name	Dated of Initial appointment
1	NASIR ALI JADOON	ALI ASGHAR KHAN	Abbottabad	GHS Sherwan Abbottabad	16-12-2016
2	AMMAN WAHEED	ABDUL WAHEED MUGHAL	Abbottabad	GHS Muslim Abad Abbottabad	16-12-2016
3	SHAMS UR REHMAN	ABDUL SHAKOOR	Abbottabad	GHS Malsa Abbottabad	16-12-2016
4	MUHAMMAD ATIF	MUHAMMAD SHAFI	Abbottabad	GHS Khaira Gali Abbottabad	27-01-2017
5	ADEEL ANJUM	MUHAMMAD ZARIF	Abbottabad	GHS Namli Maira	24-08-2017
6	AFFAN WAHEED	ABDUL WAHEED MUGHAL	Abbottabad	GHS No. 2 Havelian	24-08-2017
7	SIKANDAR ZAMAN AEBASI	ANAYAT UR REHMAN	Abbottabad	GHS Harl Khater	24-08-2017
8	MUHAMMAD FAISAL SULEMAN	MUHAMMAD SULEMAN TANOLI	Abbottabad	GHS Bagh	24-08-2017
9	OMER IQBAL	MUHAMMAD IQBAL	Abbottabad	GHS Toheed Abad	24-08-2017
10	ANEES UR REHMAN	TAJ MUHAMMAD	Abbottabad	GHS Kokal Barseen	24-08-2017
11	NAVEED ANJUM	KHURSHID AHMAD	Abbottabad	GHS Maira Mandroch	24-08-2017
12	SOHAIL ANJUM	ABDUL RAZZAQ	Abbottabad	GHS No. 4 A/Abad (Shaheed Usman Sadiq)	24-08-2017
13	AHSAN NAZIR	MUHAMMED NAZIR	Abbottabad	GHS Majuhian	23-10-2017
14	NOMAN MUAWWIYAH KHAN	KARAM DAD KHAN	Abbottabad	GHS Moolia	23-10-2017
15	ASIF KHURSHEED	KHURSHEED AHMAD	Abbottabad	GHS Jhangra	23-10-2017

**Bannu**

1	SAAD ULLAH KHAN	SHAH JEHAN	Bannu	GHS Sikander Khel Bala Bannu	16-12-2016
2	AFRAZ ALI KHAN	AIZAZ ALI KHAN	Bannu	GHS Jani Khel Bannu	27-01-2017
3	AURANG ZEB KHAN	MUNAWAR KHAN	Bannu	GHS Kotka Muhammad Khan Bannu	27-01-2017
4	MUHAMMAD ROMAN KHAN	MUHAMMAD AKBAR KHAN	Bannu	GHS No. 3 Bannu	24-08-2017
5	NAQIB ULLAH KHAN	GUL RUJAN KHAN	Bannu	GHS Ghulam Jan Baka Khel	24-08-2017
6	TAMUR KHAN	HASHIM KHAN	Bannu	GHS Shamshi Khel	24-08-2017
7	SHOUKAT ULLAH	NOOR ZAKAM	Bannu	GHS Boza Khel	24-08-2017
8	SOHAIL KHAN	NEK HAWAZ KHAN	Bannu	GHS Hakim Bharat	24-08-2017
9	KHALID USMAN	AKHYA JAN	Bannu	GHS Wall Zar Killa	24-08-2017
10	SHAH FAISAL KHAN	GUL BASHER KHAN	Bannu	GCMHS No. 4 Bannu	24-08-2017
11	MUHAMMAD SHAMIM KHAN	MIR HAKIM KHAN	Bannu	GHS Khujari Babar	23-10-2017

(9)

S#	Name	Father Name	Domicile	School Name	Dated of Initial appointment
12	MUHAMMAD QASIM KHAN	SARDAR MUHAMMAD KHAN	Bannu	GHSS Painsa Khel	09-11-2017
<b>Battagram</b>					
1	NASEER AHMED	SHER DAD	Battagram	GHS Chappargram Battagram	16-12-2016
2	ZUBAIR AHMAD	INAYAT ULLAH	Battagram	GHS Bilandkot Battagram	27-01-2017
3	SAJAD AHMAD	SALEH RAHMAN	Battagram	GHS No. 2 Battagram	14-03-2017
4	MUHAMMAD TAHIR	MUHAMMAD AKBAR	Battagram	GHS Gijbori	24-08-2017
5	NAZ ULLAH	KHANI ZAR	Battagram	GHS Karg	24-08-2017
6	ABDUL SABOOR	ABDUL MALIK KHAN	Battagram	GCMHS Battagram	24-08-2017
7	EJAZ UL HAO	HAZRAT YOUSAF	Battagram	GHS Battamori	24-08-2017
8	SHAHID IQBAL	KHAISTA KHAN	Battagram	GHS Tailoos	23-10-2017
9	FAIZAN	SULTAN MUHAMMAD	Battagram	GHS Rashang	23-10-2017
<b>Buner</b>					
1	MUHAMMAD SADIQ	KHAIR UL BASHAR	Buner	GHS Kawga Buner	16-12-2016
2	MUHAMMAD IQBAL	SULTANZEB	Buner	GHS Matwanai Buner	16-12-2016
3	IHTISHAM UL HAO	SHAMS UL HAO	Buner	GHS Elai Buner	16-12-2016
4	SYED AZAZ ALI	SYED ABUL BAQI	Buner	GHS SOWARI	24-08-2017
5	NASEEB RAZIQ	SAIF UR RAHMAN	Buner	GHS ANGHAPUR	24-08-2017
6	MUHAMMAD AZAM	MUHAMMAD RASOOL	Buner	GHS SURA	24-08-2017
7	ASHFAQ UR RAHMAN	SHARIF UR RAHMAN	Buner	GHS TORWARSAK	24-08-2017
8	FAZLI RABI	FAZAL RAZIQ	Buner	GCMHS Daggar	24-08-2017
9	ZAHID ALI	IBRAHIM	Buner	GHS KULYARI	24-08-2017
10	MUHSIN KAMAL	SAHIB KAMAL	Buner	GHS PANDER	24-08-2017
11	IQBAL AHMAD	RASHID AHMAD	Buner	GHS SWAWAI	23-10-2017
12	SHAFI UD DIN	MASAL DIN	Buner	GHS MARADU	23-10-2017
13	MEKAIL SAID	ZAHIR SAID	Buner	GHSS ASHARAY	23-10-2017
<b>Charsadda</b>					
1	RAFI ALAM	BAKHT BAZ	Charsadda	GHS Babra Charsadda	16-12-2016
2	ASAD SHAH	PAINDA GUL	Charsadda	GCMS Tumazal (Shaheed Nangyal Tariq C.M.H.School) Charsadda	16-12-2016
3	AMEER JAMAL SHAH	MUBARAK SHAH	Charsadda	GHS Garhi Hamid Gul Charsadda	16-12-2016
4	IBAD ULLAH	FARMAN ULLAH	Charsadda	GHS Gul Abad Tangi Charsadda	16-12-2016
5	MUHAMMAD HANIF AKRAM	AKRAM KHAN	Charsadda	GHS Charsadda Khass Charsadda	27-01-2017
6	SHERALI	MUHAMMAD	Charsadda	GHS Zuhra Gul kili	24-08-2017
7	MUHAMMAD MUSTAFA	FAIZ MUHAMMAD	Charsadda	GHS Attaki	24-08-2017
8	JUNAID KHAN	MUHAMMAD ILYAS	Charsadda	GHS Wardaga	24-08-2017
9	IMRAN KHAN	GULZAR KHAN	Charsadda	GHS Prang	24-08-2017
10	ROOH ULLAH JAN	ATTA ULLAH JAN	Charsadda	GHS Ghunda	24-08-2017
11	INAYATULLAH	HAJI IBRAHIM	Charsadda	GHS Dalzak	24-08-2017
12	SOHAIL AHMAD	MUZAMMIL SHAH	Charsadda	GHS Behlota	24-08-2017
13	MUDDASSAR ALI	MUHAMMAD IDRIS KHAN	Charsadda	GHS Harichand	24-08-2017
14	MASOOD JAN	AMIR REHMAN	Charsadda	GHS Zarbab Garhi	23-10-2017
15	MOHSIN AHMAD	GUL MUHAMMAD	Charsadda	GHS Ghazgi	23-10-2017
16	NABI RAHMAN	MIR RAHMAN	Charsadda	GHS Mian Isa	23-10-2017
<b>Chitral</b>					
1	NAVID AZIZ	KHAIR ULLAH KHAN	Chitral	GCMHS Chitral	16-12-2016
2	MUHAMMAD YOUSAF	MIR AKBAR HUSSAIN	Chitral	GHS Booni Chitral	16-12-2016



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S#	Name	Father Name	Domicile	School Name	Dated of Initial appointment
3	NAZIR AHMAD	SHER ABDULLAH			
4	MUHAMMAD ARIF ARBAB	MUHAMMAD MASEEH UL MULK	Chitral	GHS Ayun Chitral	16-12-2016
5	MUHAMMAD FAYAZ	KHALID KHAN	Chitral	GHS Susoom Chitral	16-12-2016
6	BAHAUD DIN	GHULAM	Chitral	GHS Ashirate Chitral	16-12-2016
7	SADAM HUSSAIN	WAZIR MUHAMMAD	Chitral	GHS Baleem	24-08-2017
8	FARMAN ALI KHAN	SHER MADAD KHAN	Chitral	GHS Chuinj	24-08-2017
9	MUHAMMAD NAVEED	MUHAMMAD JAVAID	Chitral	GHS Ujnu	24-08-2017
10	MUHAMMAD ARIF	MUHAMMAD SAIFULLAH	Chitral	GHS Broze	24-08-2017
11	RAZA ILAHI	FAZAL ILAHI	Chitral	GHS Kosht	24-08-2017
12	IJAZ AHMAD	RAHMAT AYUB KHAN	Chitral	GHS Shoghore	24-08-2017
13	SOHRAB ALI KHAN	ALI KHAN	Chitral	GHS Hone	24-08-2017
14	MUHAMMAD SHAHAB UDDIN	MUHAMMAD ASHRAF KHAN	Chitral	GHS Parabeg	24-08-2017
15	MUHAMMAD ASAD	MANSOOR KHAN	Chitral	GHS Kesu	23-10-2017
				GHS Madaklasht	09-11-2017
<b>D.I.Khan</b>					
1	TASSAWAR HUSSAIN	SYED MUNAWAR HUSSAIN	D.I.Khan	GHS Polah D.I.Khan	16-12-2016
2	ZAHID AKHTAR	RAB NAWAZ	D.I.Khan	GHS Naivela D.I.Khan	16-12-2016
3	MUHAMMAD ADNAN FAROOQ	MUHAMMAD ASMAT ULLAH FAROOQ	D.I.Khan	GHS Himmat D.I.Khan	16-12-2016
4	MUHAMMAD ASIF ALI	ABDUL MUNIR KHAN	D.I.Khan	GHS Rangpur Shumali D.I.Khan	16-12-2016
5	MOHAMMAD ZOHAIB	ABDUL MANAN	D.I.Khan	GHS Musa Zai Sharif D.I.Khan	27-01-2017
6	WAJIB ULLAH KHAN	NAEEM ULLAH KHAN	D.I.Khan	GHS Kiri Khesor D.I.Khan	14-03-2017
7	AHMAD HUSSAIN	GHULAM YASIN	D.I.Khan	GHS BIGWANI SHUMALI	24-08-2017
8	MUHAMMAD JAMEEL	KHAN BAHADAR	D.I.Khan	GHS WANDA MADDAT	24-08-2017
9	AZAD KHAN	MUHAMMAD AYUB KHAN	D.I.Khan	GHS DHAP SHUMALI	24-08-2017
10	MUHAMMAD IBRAHIM KHAN	UMER KHAN	D.I.Khan	GHS NO. 2 KULACHI	24-08-2017
11	MUHAMMAD IMRAN KHAN	GHULAM BAQIR	D.I.Khan	GHS DINPUR	24-08-2017
12	ABID HUSSAIN	RAB NAWAZ	D.I.Khan	GHS MITHA PUR	24-08-2017
13	MUHAMMAD SOHAIL YOUSAF	MADAD KHAN	D.I.Khan	GHSS AWAN	24-08-2017
14	NAZIR ULLAH	KHUSHAL KHAN	D.I.Khan	GHS HASSA	24-08-2017
15	MUHAMMAD DANISH ROOMAN KHAN	MUSHTAQ AHMAD KHAN	D.I.Khan	GHS NO. 5 DIKHAN	24-08-2017
16	ZAHID AMIN	MUHAMMAD AMIN	D.I.Khan	GHS HATHALA	23-10-2017
17	MUHAMMAD SAQIB	HAMID ULLAH	D.I.Khan	GHS WANDA NADIR SHAH	23-10-2017
18	FAYAZ UDIN	JALAL DIN	D.I.Khan	GHS MAHRA	23-10-2017
<b>Dir Lower</b>					
1	SHEHZAD AHMAD	SHAHAB UD DIN KHAN	Dir Lower	GHS Shago Kass Dir Lower	16-12-2016
2	SHER YAR	DOST MUHAMMAD KHAN	Dir Lower	GHS Shawa Dir Lower	16-12-2016
3	ISRAR UDDIN	MISBAH UDDIN	Dir Lower	GHSS Khazana Dir Lower	16-12-2016
4	MAZHAR UL HAQ	NAZIR MUHAMMAD	Dir Lower	GHS Kambat Dir Lower	16-12-2016
5	SYED AFTAB MEHMOOD	SYED AZAM	Dir Lower	GHS Chinar Kot Dir Lower	27-01-2017
6	BAHISHT MAHMOOD	SAID MAHMOOD	Dir Lower	GHSS MIAN KALAI	24-08-2017
7	LAL BAHADAR	SHER BAHADAR	Dir Lower	GHS SHAL KANDI	24-08-2017
8	SIRAJ UDDIN	GUL HAMID	Dir Lower	GHS DAL GRAM	24-08-2017
9	QAISAR KHAN	NAWAB KHAN	Dir Lower	GHS SEHSADAH	24-08-2017
10	MUHAMMAD ALI	GUL AMIN KHAN	Dir Lower	GHS SHAHZADI	24-08-2017
11	IMRAN KHAN	AMIR NAWAZ KHAN	Dir Lower	GHS BADWAN	24-08-2017
12	SHAH WALI ULLAH	KHAISTA NOOR	Dir Lower	GHS PETO DARA	24-08-2017

(M)

S#	Name	Father Name	Domicile	School Name	Dated of Initial appointment
13	MUHAMMAD KHAN	AZIZ UR RAHMAN			
14	KARIM JAN	SAID JAN	Dir Lower	GHS BAJAWRO	24-08-2017
15	IMRAN KHAN	NOWSHER KHAN	Dir Lower	GHS TAZAGRAM	24-08-2017
16	ALTAUF UR RAHMAN	RAHIM BADSHAH	Dir Lower	GHS MASKINI	24-08-2017
17	SAEED ULLAH	BAKHT ZAMAN KHAN	Dir Lower	GHS SANGOLAI	23-10-2017
18	SHADAB MUHAMMAD	SHAHBAZ KHAN	Dir Lower	GHS MIAN BANDA	23-10-2017
			Dir Lower	GHS SHAMSHI KHAN	23-10-2017
<b>Dir Upper</b>					
1	NAIK WALI	BAKHTIA GUL	Dir Upper	GHS Darora Dir Upper	14-03-2017
2	ABID ULLAH	SAHIB UR REHMAN	Dir Upper	GHS Bibyawar	24-08-2017
3	AMJAD ALI	MUHAMMAD ZAHIR SHAH	Dir Upper	GHS Janbhatti	24-08-2017
4	WAJID ISLAM	FAZAL MAHMOOD	Dir Upper	GHS Thall	24-08-2017
5	ABID AYUB	MUHAMMAD AYUB	Dir Upper	GHS Kattan Bala	24-08-2017
6	IMRAN RASOOL	HAJI RASOOL KHAN	Dir Upper	GHS Serai Sultan Khail	24-08-2017
7	ASAD ULLAH KHAN	HAYAN ULLAH	Dir Upper	GHS Jughabanj	24-08-2017
8	HAZRAT LUQMAN	FAZAI HAMID	Dir Upper	GHS Jelar	23-10-2017
<b>Hangu</b>					
1	QUDRAT REHMAN	GULABAT KHAN	Hangu	GCMHS Hangu	16-12-2016
2	MUHAMMAD LIAQAT	WAJEED GUL	Hangu	GHS No. 2 Hangu	24-08-2017
3	MUDASSIR KHAN	SHER BAT KHAN	Hangu	GHS Shanawari Naryab	24-08-2017
4	MUSA REHMAN	GULAB REHMAN	Hangu	GHS Bagato	24-08-2017
5	UMAR FAROOQ	MUHAMMAD AYUB	Hangu	GHS Thall	23-10-2017
6	MUHAMMAD JALAL KHAN	LIAQAT ALI KHAN	Hangu	GHS Togh Sarai	23-10-2017
<b>Haripur</b>					
1	NAVEED AHMED	MIR ALAM	Haripur	GHS Ghazi Hamlet Haripur	16-12-2016
2	MEHTAB HABIB KHAN	NADIR KHAN	Haripur	GCMHS T.T. Ship Haripur	16-12-2016
3	MUHAMMAD QASIM	KHURSHID ANWAR	Haripur	GHS Kholian Bala Haripur	27-01-2017
4	ISMAIL KHAN	IBRAHEEM KHAN	Haripur	GHS Kangra Colony Haripur	27-01-2017
5	MASOOD AHMAD	MUHAMMAD NAWAZ	Haripur	GHS Sarai Gandai	24-08-2017
6	MUHAMMAD ZAHEER BABAR	MUHAMMAD YOUSAF	Haripur	GHS Alooil	24-08-2017
7	MUDASSAR SHARIF	MUHAMMAD SHARIF	Haripur	GHS Noorpur	24-08-2017
8	GHULAM ASFIA	MUHAMMAD SOHRAB	Haripur	GHS Dobandi	24-08-2017
9	MUHAMMAD USMAN SHAH	QASIM SHAH	Haripur	GHS Kundi	24-08-2017
10	KHURRAM IRSHAD KHAN	IRSHAD KHAN	Haripur	GSMMS Rehana	24-08-2017
11	MUHAMMAD RAFAQAT	MUHAMMAD YOUNAS	Haripur	GHS Hattar	24-08-2017
12	QAISER JAMSHED	MUHAMMAD JAMSHED	Haripur	GHS Dheni Naqarehian	24-08-2017
13	SHOAIB AMIN	MUHAMMAD AMIN	Haripur	GHS Khanpur	24-08-2017
14	ADIL NAWAZ	MUHAMMAD NAWAZ	Haripur	GHS P.H.Khan	24-08-2017
15	SHERYAR KHAN	MEHBOOB KHAN	Haripur	GHS Gali Amazi	23-10-2017
<b>Karak</b>					
1	MISBAH ULLAH	WALI DAD KHAN	Karak	GHS Latumber Karak	16-12-2016
2	ARFAQ AHMAD	LAL SATTAR	Karak	GHS Zarki Nasrati Karak	16-12-2016
3	TARIQ FUZ KHAN KHATTAK	PESHAWAR KHAN	Karak	GHS Miha Khel Karak	16-12-2016
4	MAHMOOD REHMAN	MUHAMMAD REHMAN	Karak	GCMHS Chokara Karak	16-12-2016
5	UMER NOOH	RAMAZAN	Karak	GHS Pakoski	24-08-2017
6	SAJID ISLAM	MUHAMMAD SIDDIQUE	Karak	GHS Esaf Khel	24-08-2017

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S#	Name	Father Name	Domicile	School Name	Dated of Initial appointment
7	MUDASSAR IQBAL	SHAH JI MUHAMMAD			
8	MUHAMMAD ATIQ ULLAH KHAN	BILLAWAR KHAN	Karak	GHS Ghundi Mirkhan Khel	24-08-2017
9	RIZWAN ULLAH	MUJSHARRAF JAN	Karak	GHS Surdag	24-08-2017
10	ZAHID UR REHMAN	MAQBOOL UR REHMAN	Karak	GHS Tarki Khel	24-08-2017
11	ABDUL MAJID	ABDUL MUNIR	Karak	GHS Teri	24-08-2017
12	MUDASSIR IQBAL	NASEEB UR RAHMAN	Karak	GHS Siakot	24-08-2017
13	FARMAN ULLAH	AZMAT ULLAH	Karak	GHS Khurram	24-08-2017
			Karak	GHS Jatta Ismail Khel	24-08-2017
<b>Kohat</b>					
1	MUHAMMAD NAVEED	MUHAMMAD USMAN	Kohat	GHS No. 2 Kohat	16-12-2016
2	ASIF IQBAL	IQBAL SHAH	Kohat	GCMHS Kohat	16-12-2016
3	FAHIM ALI SHAH	SYED MANSOOR ALI SHAH	Kohat	GHS Pershai Kohat	16-12-2016
4	SYED TANZEEL SHAH	TANVEER HUSSAIN SHAH	Kohat	GHS Nandraka Kohat	27-01-2017
5	MUNIR HUSSAIN	GHULAM HABIB	Kohat	GHS Nasrat Khel	24-08-2017
6	MUHAMMAD KAMRAN	SHAHAB UD DIN	Kohat	GCMHS No. 4 Kohat	24-08-2017
7	MUHAMMAD TUFAIL	MUHAMMAD HAYAT	Kohat	GHS Kharmaloo	24-08-2017
8	MUHAMMAD TARIQ RAZA	MUHAMMAD SALEEM RAZA	Kohat	GHS Kaghazai	24-08-2017
9	IRSHAD KHAN	ABDUL QAQIM	Kohat	GHS Musim Abad	24-08-2017
10	MUHAMMAD ADNAN	FAIZULLAH KHAN	Kohat	GHS No. 3 Kohat	23-10-2017
11	SYED IHSAN ULLAH SHAH	SYED MUKARRAM SHAH	Kohat	GHS Ghurzai Payan	23-10-2017
12	HARIS DANIAL	FAREEED ASLAM PARACHA	Kohat	GHS Jerma	23-10-2017
13	SAROSH JAVED	JAVED KHAN	Kohat	GHS Bazid Khel	23-10-2017
<b>Kohistan</b>					
1	MUHAMMAD ARIF	MUHAMMAD SIRAJ	Kohistan	GHS Jijal Kohistan	16-12-2016
2	AMIN UR REHMAN	MIAN FAIZ AHMAD	Kohistan	GHS Seo Kohistan	27-01-2017
3	EJAZ UL HAQ	RASHID IBRAHIM	Kohistan	GHS Sangai Bankad	24-08-2017
4	AURANG ZEB	ALI HAIDER	Kohistan	GHS KK Rania	24-08-2017
5	MUHAMMAD SULEMAN	SHAHNAZAR	Kohistan	GHS Jalkot	24-08-2017
<b>Lakki Marwat</b>					
1	AMAN ULLAH KHAN	SAEED KHAN	Lakki Marwat	GHS Ghazni Khel Lakki Marwat	16-12-2016
2	MUHAMMAD ARIF	MUHAMMAD AMIN	Lakki Marwat	GHS Meta Mandra Khel Lakki Marwat	16-12-2016
3	ASAD WAHEED	ABDUL WAHEED	Lakki Marwat	GHS Shakh Quli Khan Lakki Marwat	27-01-2017
4	MUHAMMAD ASGHAR SHAH	ZAHIR SHAH	Lakki Marwat	GHS Chuhar Khel	24-08-2017
5	ALI AKBAR	MUHAMMAD AYUB KHAN	Lakki Marwat	GHS Matora	24-08-2017
6	KHALID KHAN	UBAID ULLAH JAN	Lakki Marwat	GHS No. 2 Lakki	24-08-2017
7	SOHAIL AHMAD	HAMID ULLAH	Lakki Marwat	GHS Zangi Khel	24-08-2017
8	NOOR NAWAZ KHAN	SARFARAZ KHAN	Lakki Marwat	GHS Khan Khel Mandozai	24-08-2017
9	DILPAZIR KHAN	NIAZ MALOOK	Lakki Marwat	GHS Gandhi Khan Khel	24-08-2017
10	MUHAMMAD SHOAIB	MUHAMMAD YOUNAS	Lakki Marwat	GHS Wanda Amir	24-08-2017
11	AHMAD SULTAN	SULTAN JAN KHAN	Lakki Marwat	GHS Tajori No 1	24-08-2017
12	ABIDULLAH KHAN	MUHAMMAD HASHIM KHAN	Lakki Marwat	GHS Land Ahmad Khel	24-08-2017
13	ASIF NAWAZ	NAIK NAWAZ KHAN	Lakki Marwat	GHS Bachkan Ahmad Zai	23-10-2017
<b>Malakand</b>					
1	FAZAL AMIN	USMAN GHANI	Malakand	GHS No.1 Dheri Allahdand Malakand	16-12-2016
2	AURANG ZEB	MUHAMMAD ZEB	Malakand	GHS No.2 Batkhela Malakand	16-12-2016

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S#	Name	Father Name	Domicile	School Name	Dated of Initial appointment
3	HAZRAT KHAN	HABIB UR RAHMAN	Malakand	GHS No.1 Sakhkot Malakand	16-12-2016
4	MUHAMMAD NASIR	FAZAL KARIM	Malakand	GHS No. 2 Dheri Altadand	24-08-2017
5	IRFAN GUL	SAJEED GUL	Malakand	GHS No.2 Sakhkot	24-08-2017
6	FARMAN ULLAH	AMAN ULLAH KHAN	Malakand	GHS Mekhband	24-08-2017
7	NASRULLAH	NASAR KHAN	Malakand	GHS Hero Shah	24-08-2017
8	MUHAMMAD ROMAN	ROZI KHAN	Malakand	GHS Qaidara	24-08-2017
9	NAWAB ALI	ASLAM KHAN	Malakand	GHS Jalala	24-08-2017
10	TAHIR HUSSAIN	NOOR UL ABIDIN	Malakand	GHS CC Thana	23-10-2017
11	RAFI ULLAH	ZAMIN GUL	Malakand	GHS Haryankot	23-10-2017
<b>Mansehra</b>					
1	SAJID SALEEM KHAN	MUHAMMAD SALEEM KHAN	Mansehra	GHS Tahata Mansehra	16-12-2016
2	MUHAMMAD EJAZ	MUHAMMAD AFSAR	Mansehra	GHS Chila Batta Mansehra	16-12-2016
3	MUHAMMAD ISRAR	MUHAMMAD NASEEM KHAN	Mansehra	GHS Trangri Bala Mansehra	16-12-2016
4	UMER WAHEED	ABDUL WAHEED	Mansehra	GHS Garwal Mansehra	16-12-2016
5	MUHAMMAD SHOUKAT	NOOR MUHAMMAD	Mansehra	GHS Labarkot	24-08-2017
6	SYED MUHAMMAD ALI SHAH	SYED DURAN SHAH	Mansehra	GHS MERA AMJID ALI	24-08-2017
7	KHURRAM MUSHTAQ	MUSHTAQ AHMED LUGHMANI	Mansehra	GHS Ghari Habib ullah	24-08-2017
8	ATIF RIAZ	RAIZ AHMED	Mansehra	GHS AHL	24-08-2017
9	FAHAD FIAZ	MUHAMMAD FIAZ	Mansehra	GHS CHATTAR PLAIN	24-08-2017
10	MUHAMMAD BILAL	MUHAMMAD MAROOF	Mansehra	GHS Lissan Nawab	24-08-2017
11	RASHID MINHAS	GHULAM MUHAMMAD	Mansehra	GHS Bissian	24-08-2017
12	TOUQEER AHMAD	MIRAFZAL KHAN	Mansehra	GHS Bhangian	24-08-2017
13	SHEIKH MANSOOR ELLAHI	SHEIKH NOOR ELLAHI	Mansehra	GHS Afzal Abad	23-10-2017
14	MUHAMMAD ISLAM	GOHAR REHMAN	Mansehra	GHS DADAR	23-10-2017
15	AKEES AHMAD	MUHAMMAD ISRAEEL	Mansehra	GHS Ichrian	23-10-2017
16	ALI ABBAS	BANARIS KHAN	Mansehra	GHS GHANOOOL	23-10-2017
<b>Mardan</b>					
1	MUHAMMAD AFSAR KHAN	MUHAMMAD AYUB KHAN	Mardan	GHS Bicket Ganj No.1 Mardan	16-12-2016
2	AFTAB UD DIN	BAKHT JAMIR	Mardan	GHS Takht Bhai Mardan	16-12-2016
3	AFTAB AHMAD	MEHTAJ	Mardan	GHS Bala Garhi Mardan	16-12-2016
4	MUHAMMAD IBRAHIM	FAZLI WALI	Mardan	GHS Gujrat Mardan	16-12-2016
5	IRFAN AHMAD	ANWAR KHAN	Mardan	GHS KAS KORONA	24-08-2017
6	MUBBASHIR HAYAT	KHIZAR HAYAT	Mardan	GHS TORU MAIRA	24-08-2017
7	IRFAN ALI	SAIF UR REHMAN	Mardan	GHS BABENI MARDAN	24-08-2017
8	ILTAF MEHDI	HAMEED ULLAH	Mardan	GHSS QASMI	24-08-2017
9	TARIQ MEHMOOD	MUHAMMAD YOUNAS	Mardan	GHS KATA KHAT	24-08-2017
10	ANJUM KHALID	ZAFAR ALI	Mardan	GHS GARHI KAPURA	24-08-2017
11	SHAFIQ KHAN	MUSHARAF GUL	Mardan	GCMHS LUND KHAWAR	24-08-2017
12	ASKAR KHAN	AKBAR SHAH	Mardan	GHS BAKHSHALI MARDAN	24-08-2017
13	TAHIR AHMAD	SHAHJEED ULLAH	Mardan	GHS SIKANDARI	24-08-2017
14	MUHAMMAD SOHAIL NISAR	NISAR AHMAD	Mardan	GHS LABOUR COLONEY	24-08-2017
15	GUL SAYYAR ALI	FATEH GUL	Mardan	GHS Hoti Landaki	23-10-2017
16	ABDUL NASIR	GHULAM HAIDER	Mardan	GHS JEHangir ABAD	23-10-2017
17	SAJID ALI	INAYAT ULLAH KHAN	Mardan	GHS BARINGAN	23-10-2017
18	MUDASSIR	KHADIM MOHAMMAD	Mardan	GHS TAMBULAK	23-10-2017

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S#	Name	Father Name	Domicile	School Name	Dated of Initial appointment
<b>Nowshera</b>					
1	MIAN KHURAM SHAHZAD	MIAN MUHAMMAD HUSSAIN	Nowshera	GHS Ali Baig Nowshera	16-12-2016
2	MUHAMMAD AMJAD	AZIZ KHAN	Nowshera	GHS Khesghi Bala Nowshera	16-12-2016
3	YASIR HAMID	KHIAL ZADIN	Nowshera	GHS Khaisari Nowshera	16-12-2016
4	ANWAR SHAH	MUHAMMAD SHAH	Nowshera	GHS Pabbi	24-08-2017
5	KASHIF SALEEM	SALEEM AKBAR	Nowshera	GHS Jehangira Road	24-08-2017
6	IRFAN ULLAH	RIZWAN ULLAH	Nowshera	GHS Aman Garh	24-08-2017
7	FAIZAN AHMAD KHAN DURANI	ANWAR GUL DURRANI	Nowshera	GHS No.2 Shaidu	24-08-2017
8	SHAHZAD SARWAR	GHULAM SARWAR	Nowshera	GHS Zakhi Qabristan	24-08-2017
9	M UM AIR KHAN AFRIDI	NUSHER MUHAMMAD	Nowshera	GHS No.1 Nowshera Cantt:	24-08-2017
10	MURAD ALI	FAREED KHAN	Nowshera	GHS Azakhel Bala	24-08-2017
11	SHERAZ AHMED	HAJI JEHAZEB KHAN	Nowshera	GHS Dagi Banda	24-08-2017
12	MUHAMMAD WAQAS	MUHAMMAD FAROOQ	Nowshera	GHS Kurvi	24-08-2017
13	AZEEM SHAH	TAZEEM SHAH	Nowshera	Govt. Shaheed Mujahid Hussain Shah High School Taru Jabba	24-08-2017
14	MUHAMMAD YAQOOB KHAN	NOWSHER MUHAMMAD	Nowshera	GHS Kahi	23-10-2017
15	SULAIMAN KHAN	ATTA ULLAH	Nowshera	GHS Badrashi	23-10-2017
<b>Peshawar</b>					
1	MUHAMMAD NAJAM US SAQIB	MUHAMMAD SALEH	Peshawar	GHS No. 3 Cantt Peshawar	16-12-2016
2	MUHAMMAD IKRAM	BADSHAH KHAN	Peshawar	GHS JOGIWARA	24-08-2017
3	AAMIR KHAN KHALIL	SHAMSHAD KHAN	Peshawar	GHS KAFOOR DHERI	24-08-2017
4	GHANI AKBAR	TAJ AKBAR	Peshawar	GHS HARYANA BALA	24-08-2017
5	MEHMOOD IRSHAD KHAN AFRIDI	YAR MUHAMMAD KHAN AFRIDI	Peshawar	GHS GULOZAI	24-08-2017
6	IRFAN ULLAH	AJAR MUHAMMAD	Peshawar	GHS GUL BELA	24-08-2017
7	MUHAMMAD FAROOQ SHAH	NASIR SHAH	Peshawar	GHS DIN BAHAR COLONY PESHAWAR	24-08-2017
8	QADIR FARID	FARID ULLAH SHAH	Peshawar	GHS SUFAID DHERI	24-08-2017
9	FAHIM NIAZ	MALIK NIAZ	Peshawar	Government Shaheed HuzafaAftab High School Hassan Garhi Peshawar	24-08-2017
10	ASFANDYAR KHAN BARKI	SAIF UR REHMAN	Peshawar	GHS BASHIR ABAD	23-10-2017
11	ABBAS AKBAR	AKBAR ALI	Peshawar	GHS POLICE COLONY	23-10-2017
12	ABDUL HAFEEZ	ABDUL LATIF	Peshawar	GHS TEHKAL PAYAN	23-10-2017
13	AIMAL KHAN	ZULFIQAR KHAN	Peshawar	Government Shaheed Sahiban High School Nothia Qadeem Peshawar	23-10-2017
14	SALMAN UL KHAIR	HAKIM ULLAH KHAN	Peshawar	GHS MATTANI	23-10-2017
<b>Shangla</b>					
1	ABID HUSSAIN	MOHAMMAD RASHAD	Shangla	GHS Chakesar Shangla	16-12-2016
2	SADAM HUSSAIN	SULIMAN	Shangla	GHS Dehrai Alpurai Shangla	16-12-2016
3	BASHIR AHMAD	JEHAN DAD	Shangla	GHS Pagorai	24-08-2017
4	FAYAZ ALI	MIRAJ KHAN	Shangla	GHS Dehrai Puran	24-08-2017
5	FARHAD ALI	SHER ALI	Shangla	GHS Peshloor	24-08-2017
6	SAJJAD ALI	SAID MUHAMMAD KHAN	Shangla	GHS Dandai	24-08-2017
7	SHAHABUDDIN	MUHAMMAD ANAM	Shangla	GHS Drad Puran	23-10-2017
8	ASIM AFSAR	AFSAR UL MULK KHAN	Shangla	GHS Karora	23-10-2017
<b>Swabi</b>					
1	SUJJAD ALI	RAZ MUHAMMAD	Swabi	GHS Shewa Swabi	16-12-2016
2	MUHAMMAD JUNAID KHAN	MUHAMMAD RAZIQ KHAN	Swabi	GHS No.1 Tordher Swabi	16-12-2016

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Sr	Name	Father Name	Domicile	School Name	Dated of Initial appointment
3	MUHAMMAD ABBAS	SAEED UR REHMAN	Swabi	GHS Zaida Swabi	16-12-2016
4	MUHAMMAD FAHEEM UDDIN FAROOQI	SHAHNOSH FAROOQI	Swabi	GHS Swabi Swabi	16-12-2016
5	RIAZ MUHAMMAD KHAN	MASAL KHAN	Swabi	GHS Dagai Swabi	16-12-2016
6	TARIO AZAM	SHER AZAM	Swabi	GHS Turlandi Swabi	27-01-2017
7	SOHAIL HAYAT	MALIK HAYAT	Swabi	GHS Pennoli	24-08-2017
8	NAEEM ULLAH	RAHAT ULLAH	Swabi	GHS Kamal Sher Killi	24-08-2017
9	MUHAMMAD FURQAN	MUSTAQIM SHAH	Swabi	GHS Kaddi	24-08-2017
10	AMJAD SHAH	IQBAL SHAH	Swabi	GHS Topi	24-08-2017
11	WAQAR AHMAD	IFTIKHAR AHMAD	Swabi	GHS Malni	24-08-2017
12	SAJJAD AHMAD	FAQIR SYAB	Swabi	GHSS Shiekh Jana	24-08-2017
13	YAD ALI	ROZI KHAN	Swabi	GHS No. 2 Saleem Khan	24-08-2017
14	ZIA MUHAMMAD	ZILLA MUHAMMAD	Swabi	GHS Yar Hussain No.1	24-08-2017
15	IMAD ALI	MURAD ALI	Swabi	GHS Adina	24-08-2017
16	ZEEESHAN UMAR	SHER APSAR KHAN	Swabi	GHSS Naranji	23-10-2017
17	MUBARIK ALI SHAH	SIRAJ MUHAMMAD	Swabi	GCMHS Marghuz	23-10-2017
18	WASIM ABBAS	MAOBOOL REHMAN	Swabi	GHS Kalabat	09-11-2017
<b>Swat</b>					
1	ABDUL KABIR	AHMAD KHAN	Swat	GHS Durash Khela Swat	16-12-2016
2	MUSLIM KHAN	JEHAN ZEB KHAN	Swat	GHS Khazana Swat	16-12-2016
3	MATIULLAH	IBRAHIM	Swat	GHS Ahingaro Dheral Swat	27-01-2017
4	ABDUS SADIQ	ABDUL HAO	Swat	GHS Sersenai Swat	14-03-2017
5	SHAHID RAHMAN	MUHAMMAD HANIF	Swat	GHS Jano	24-08-2017
6	JUNAID KHAN	ABDUR RASHID	Swat	GCMHS Wadudia	24-08-2017
7	WAQAR KHALID	FAZAL HAQ	Swat	GHS Manglawar	24-08-2017
8	YASAR ARAFAT	ABDUL QAYUM	Swat	GHSS Declal	24-08-2017
9	NAVID ALI	SHAH RAWAN	Swat	GHS Shalpin	24-08-2017
10	NADAR KHAN	BADSHAH YAR	Swat	GHSS Tall	24-08-2017
11	ASAF KHAN RAZA	RAZA KHAN	Swat	GHS Nawaykalay (Barikot)	24-08-2017
12	ASHRAF ALI	MUHAMMAD GHAFUOR	Swat	GHS Shawar	24-08-2017
13	UMAR ZEB	AHMAD JAN	Swat	GHSS Sakhra	23-10-2017
14	ZIA UL HAO	SULTANAT KHAN	Swat	GHSS Labat	23-10-2017
15	SHAH KHALID	SHUJA UL MULK	Swat	GHS Shagal	09-11-2017
16	ISHAQ AHMAD KHAN	FAZAL WAHAB	Swat	GHS Sijbanr	09-11-2017
<b>Tank</b>					
1	MUHAMMAD RAIS KHAN	MISAL KHAN	Tank	GHS No. 2 Tank	16-12-2016
2	MUHAMMAD ISRAR	BAKHTIAR KHAN	Tank	GHS AKBARI	24-08-2017
3	ABDUL GHAFAR KHAN	MUHAMMAD RAFIQ KHAN	Tank	GHS RANWAL	24-08-2017
4	DILAWAR KHAN	MIRWAH AFGHAN	Tank	GHS KOT KHADAK	24-08-2017
5	ASHRAF ULLAH	ESSA KHAN	Tank	GHS PAI	23-10-2017
<b>Torghar</b>					
1	GUL SABIT SHAH	SIKANDAR SHAH	Torghar	GHS Bimbal	23-10-2017

**Terms and Conditions:**

1. The employees shall have held their posts validly till the commencement of this Act.
2. They shall possess the same qualification and experience as required for a regular post.


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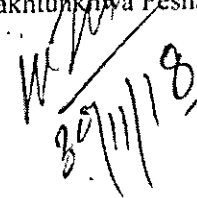
3. Their services are regularized with effect from their initial appointment for the purpose of fixation of pay.
4. Their services shall be governed by the Khyber Pakhtunkhwa Civil Servant Act, 1973, the Khyber Pakhtunkhwa (Appointment, Deputation, Posting and Transfer of Teachers, Lecturer, Instructor and Doctors) Regularity Act, 2011 and such rules and regulations as may be issued from time to time by the Government.
5. They have not resigned from their services or terminated from their services on account of misconduct, in efficiency or any other ground, before the commencement of Act.
6. Their regularization shall not affect the promotion quota of existing holders of posts in respective service cadre.
7. They shall rank junior to all other employees belonging to the same Cadre, who are in service on regular basis on the commencement of this Act, and shall also junior to such other persons, if any, who, in pursuance of the recommendation of the Commission made before the commencement of this Act, are to be appointed to the Cadre, irrespective of their actual date of appointment.
8. The seniority inter-se of those employees, whose services are regularized under this Act within the Cadre, shall be determined on the basis of their continuous service in Cadre.

DIRECTOR  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

Endst: No. 5264-71/File No.SST-IT (M) Regularization /2018. Dated Peshawar the 15/10/2018.

1. Accountant General of Khyber Pakhtunkhwa Peshawar.
2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
3. District Education Officers (Male) concerned.
4. District Accounts Officers concerned.
5. Deputy Director EMIS/Project Manager-IT, E&SE Department.
6. PS to Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
7. PA to Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
8. Official Concerned.
9. Master File.

  
Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

  
W/W  
30/11/18

RC

(17)



OFFICE OF THE HEAD MASTER  
GOVT: HIGH SCHOOL KATAN BALA DIR UPPER

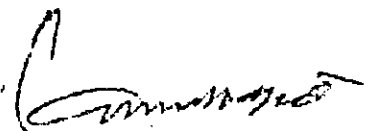
(Phone # 0944-870120)

Ref No 2045  
15.10.2020.

Dated 15/10/2020

**CERTIFICATE**

Certified that there is no student enrolled in Computer Science in Class 9<sup>th</sup> and 10<sup>th</sup> while the students in lower classes (6<sup>th</sup>, 7<sup>th</sup> & 8<sup>th</sup>) have 1 CT-IT Teacher namely Zahid Ullah in the School.

  
Head Master, Headmaster  
GHS Katan Bala H.S. Katan Bala  
Dir Upper  
Dir Upper



Recd

"RD"

The Honorable Secretary E& SED,  
Khyber Pakhtunkhwa Peshawar.

Subject - APPEAL FOR WITHDRAWAL OF POSTINGS/TRANSFERS ORDER IN R/O ADEOs/ASDEOs (M&F) OFFICES DISTRICT DIR UPPER.

- R/Su
- 1- With great profound we would like to invite your kind attention to the posting/transfers of ADEOs/ASDEOs (M&F) Offices Dir Upper have been issued vide office of Director E&SE Extra No: 29471-75/F, No 32/Vol-4/ADEOs (M) Transfer Dated Peshawar the 11/05/2020 (copy attached) in the instant order Serial Nos 2,4 and 8 have been charged and transferred on administrative grounds, while before issuing orders no personal hearing etc have been made neither we were informed about the procedures, that what kind of charges leveled against us
  - 2- If any charges are proved against us in any inquiry then why proper action has not been taken against the beneficiaries who have been appointed/promoted which is yet not been initiated. As a matter of fact, initial action is required against the beneficiaries and competent authority who are wholly responsible for such kinds of miss use of powers or other negligence.
  - 3- Before issuing our transfer orders the Director E&SE forwarded a letter to the District Education Officer (M) Dir Upper vide No 5003/F No. 32/Vol-4/Dated 16/05/2020, seeking information about postings/transfers of ADEOs proper identification of teaching and management cadres officers along with proper proposal/recommendation duly signed by local M&A Dir Upper on specific letter pad (copy attached) The present situation indicate that proposal/recommendations submitted by local M&A is small, implemented and eventually we have charged and transferred on administrative grounds which is denoting that the orders has been issued only on the political pressure of local M&A for ulterior motives.
  - 4- One Muhammad Riaz SST appointed through NTS on Sep 2018 and still in a probation period and his appointment order has not yet been regularized posted as ADEO(P&D) against Muhammad Iqbal (MC) which is against policy, while another one namely Ishtiaq SST(IT) has also been posted as ADEO(S) which is technical one and not eligible for the post. so both the orders are against norms and rules and needs cancellation on merit. Moreover, Abdul Aziz appointed as ADEO(S) is also NTS appointee. It is pertinent to mention that one Muhammad Hanif SST has been adjusted as ASDEO against Pu Muhammad ASDEO (MC) which is clear violation of policy.
  - 5- In view of the above quoted facts that our transfer orders have been issued on political influences having no legal status which is against the service Rules and therefore we are humbly requesting to please withdraw the aforementioned transfer orders and intact us on previous stations.
- Hoping that our request will be decided on merit according to the prescribed manners please

In view of the above quoted facts that our transfer orders have been issued on political influences having no legal status which is against the service Rules and therefore we are humbly requesting to please withdraw the aforementioned transfer orders and intact us on previous station/ position. We hope that our case will be decided on merit according to the prescribed manners please.

Thanks for your kind anticipations.

Yours sincerely,

- Pls put up
- 1- AS E
  - 2- AS Adm
  - 3- So P
  - 4- 5/10

Shahid Aziz, SST GHS Kattan(B) Ex-ADEO(Secondary) Male Dir Upper

Muhammad Zada SST GHS Kattan(B) Ex-ADEO(Primary) Male Dir Upper.

Muhammad Iqbal ASDEO Brawal Ex-ADEO(P&D) Female Dir Upper.

Peer Muhammad ASDEO(Circle) Warl Ex-ASDEO Male Warl circle.

Signature: [Handwritten Signature]

Signature: [Handwritten Signature]

Signature: [Handwritten Signature]



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137 R "E"

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT  
No. SE/PH & SF/12-1/General Transfer/Posting/2020  
Dated Peshawar the 31.08.2020

To,

The Director,  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa,  
Peshawar

Subject: **APPEAL FOR WITHDRAWAL OF POSTINGS/TRANSFERS ORDER IN  
R/O ADEO/ASDEO (M/F) OFFICES DISTRICT DIR UPPER**

Dear Sir,

I am directed to refer to the subject noted above and to intimate joint appeal of Mr. Shahid Aziz, SST GHS Kattan (B) Ex-ADEO (Secondary) Male Dir Upper, Muhammad Zada SST GHS Kattan (B) Ex-ADEO (Primary) Male Dir Upper, Muhammad Iqbal, ASDEO Bawal Ex-ADEO (PAD) Female Dir Upper and Peer Muhammad Ex-ASDEO Male Wari Circle Dir Upper, wherein they requested for withdrawal of transfer orders and restoration at their previous station/positions is accepted.

It is, therefore, directed to cancel the transfer orders of the above appellants immediately, and submit compliance report for perusal of the competent authority.

Yours faithfully,

Encl: as above:

Encl: No & date even

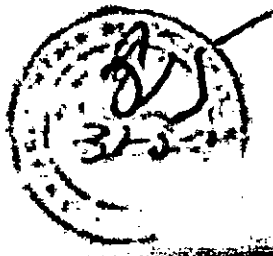
SECTION OFFICER (PRIMARY)

Copy forwarded to:-

1. The DEO (Male), District Dir Upper, for similar necessary action.
2. PS to Secretary, Elementary & Secondary Education Department, Peshawar.
3. PS to Spl: Secretary, E&SE Department, Peshawar.

ADDICHA

SECTION OFFICER (PRIMARY)





(20)

R.F

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**  
No. SO(PE)E&SED/2-1/General Transfer/Posting /2020  
Dated Peshawar the 16.09.2020

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

**Subject: - APPEAL FOR WITHDRAWAL OF POSTINGS/TRANSFERS ORDER IN R/O ADEOs/ASDEOs (M/F) OFFICES DISTRICT DIR UPPER**

I am directed to refer to the subject and to state that this department's letter of even number dated 31.08.2020 is withdrawn with immediate effect. The concerned officer had issued this letter without properly considering the approval granted by the competent authority.

A joint appeal of Shahid Aziz, SST GHS Kattan (B) Ex-ADEO (Secondary) Male Dir Upper, Muhammad Zada SST GHS Kattan (B) Ex-ADEO (Primary) Male Dir Upper, Muhammad Iqbal, ASDEO Brawal Ex-ADEO (P&D) Female Dir Upper and Peer Muhammad Ex-ASDEO Male Wari Circle Dir Upper was put up before the competent authority. In the appeal it was mentioned that Muhammad Riaz SST had been posted as ASDEO who was appointed through NTS and his services not regularized to-date. The competent authority held his order as illegal as he was appointed through NTS on contract basis and his services to date had not been regularized and desired that his order may be cancelled and compliance reported.

It is clarified that appeals of Mr. Shahid Aziz, SST GHS Kattan (B) Ex-ADEO (Secondary) Male Dir Upper, Muhammad Zada SST GHS Kattan (B) Ex-ADEO (Primary) Male Dir Upper, Muhammad Iqbal, ASDEO Brawal Ex-ADEO (P&D) Female Dir Upper and Peer Muhammad Ex-ASDEO Male Wari Circle Dir Upper is still under consideration and no orders have been passed to their extent.

The Directorate is required to furnish comments on the joint appeal of Mr. Shahid Aziz, SST GHS Kattan (B) Ex-ADEO (Secondary) Male Dir Upper, Muhammad Zada SST GHS Kattan (B) Ex-ADEO (Primary) Male Dir Upper, Muhammad Iqbal, ASDEO Brawal Ex-ADEO (P&D) Female Dir Upper and Peer Muhammad Ex-ASDEO Male Wari Circle Dir Upper, on priority basis, and cancel any orders that have been issued by the Directorate on the basis of this department's letter of even number dated 31.08.2020 which stands withdrawn.

Deputy Secretary (Legal)

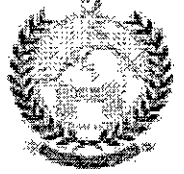
Copy forwarded to:-

1. The DEO (Male), District Dir Upper, for similar necessary action.

21

RG

**Dist. Govt. KP-Provincial**  
**District Accounts Office Dir Upper**  
**Monthly Salary Statement (September-2020)**



**Personal Information of Mr HAZRAT LUQMAN d/w/s of FAZAL HAMID**

Personnel Number: 00853459      CNIC: 1570225070167      NTN:  
 Date of Birth: 06.06.1981      Entry into Govt. Service: 24.10.2017      Length of Service: 02 Years 11 Months 008 Days

**Employment Category: Active Permanent**

Designation: ASSISTANT DISTRICT EDUCAT      80001967-DISTRICT GOVERNMENT KHYBE

DDO Code: DP6011-EXECUTIVE DISTT OFFICR S&L DIR

Payroll Section: 001      GPF Section: 001      Cash Center:

GPF A/C No:      Interest Applied: No      **GPF Balance:**      90,180.00

Vendor Number: 30436769 - LUQMAN HAZRAT (SST)

**Pay and Allowances:**      Pay scale: BPS For - 2017      Pay Scale Type: Civil      BPS: 16      Pay Stage: 2

Wage type		Amount	Wage type		Amount
0001	Basic Pay	21,950.00	1000	House Rent Allowance	2,727.00
1210	Convey Allowance 2005	5,000.00	1924	UAA-OTHER 20%(16 G/NG)	1,500.00
1974	Medical Allowance 2011	1,250.00	2211	Adhoc Relief All 2016 10%	1,588.00
2224	Adhoc Relief All 2017 10%	2,195.00	2247	Adhoc Relief All 2018 10%	2,195.00
2264	Adhoc Relief All 2019 10%	2,195.00			0.00

**Deductions - General**

Wage type		Amount	Wage type		Amount
3016	GPF Subscription	-3,340.00	3501	Benevolent Fund	-800.00
3534	R. Ben & Death Comp Fresh	-650.00	3990	Emp.Edu. Fund KPK	-150.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance

**Deductions - Income Tax**

Payable: 0.00      Recovered till SEP-2020: 0.00      Exempted: 0.00      Recoverable: 0.00

**Gross Pay (Rs.): 40,600.00      Deductions: (Rs.): -4,940.00      Net Pay: (Rs.): 35,660.00**

Payee Name: HAZRAT LUQMAN

Account Number: 0120019381

Bank Details: ALLIED BANK LIMITED, 250622 DIR (KHASS) DIR (KHASS),

Leaves:      Opening Balance:      Aailed:      Earned:      Balance:

**Permanent Address:**

City: DISLAWAR SAHIB ABAD

Domicile: -

Housing Status: No Official

Temp. Address:

City:

Email: luqman.cordaid@gmail.com

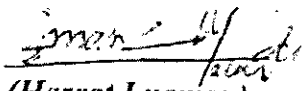
22



OFFICE OF THE  
DISTRICT EDUCATION OFFICER MALE UPPER DIR  
PH NO. 0944881400 FAX 880411 EMAIL deomupperdir@gmail.com

CHARGE ASSUMPTION REPORT.

In compliance with the Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar vide his office adjustment order No.29482-85 dated 11-08-2020. I. Hazrat Luqman assumed the charge of Assistant District Education Officer (Male) Secondary Establishment DEO(M) Local Office Upper Dir today on 13-08-2019 F.N.

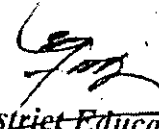
  
(Hazrat Luqman)  
Assistant District Education Officer (M)  
DIR UPPER

No. 3286-90 /F.No.01/DEO(M)/Steno to DEO

Dated 13/8/2020.

Copy forwarded for information to:-

- 01- Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 02- Deputy Commissioner Upper Dir.
- 03- District Accounts Officer Dir Upper.
- 04- Officer Concerned.
- 05- Office Record.

  
District Education Officer (M)  
DIR UPPER

23

RH



OFFICE OF THE  
DISTRICT EDUCATION OFFICER MALE DIR  
PH NO. 0944-881400 FAX -0944-880411; Email [deandlrupper@gmail.com](mailto:deandlrupper@gmail.com)

OFFICE ORDER.

Mr. Shahid Aziz Ex- ADEO(S) under transfer to GHS Kotton (Bala) Dir Upper, as the vacant post of SST BPS: 16 is exists in the school, so he is hereby posted/adjusted at Govt High School Rehankot against vacant post of ~~Head Master~~ <sup>SST</sup> post only for the purpose of pay on his own pay and scale in the best interest of public service. Dated 1/9/2020

Notes:-

- 01- No TADA is allowed
- 02- Charge Report should be submitted to all concerned

DISTRICT EDUCATION OFFICER,  
(MALE) DIR UPPER.

No. 193-95 No.01 /DEO (M) Dir (U)/SEB Dated Dir (U) the: 28 / 9 / 2020

Copy to the -

- 01- District Accounts Officer Dir Upper.
- 02- Incharge GHS Rehankot Dir
- 03- Official concerned

DISTRICT EDUCATION OFFICER,  
(MALE) DIR UPPER.




Charge Report

Certified that Mr, Shahid Aziz\_SST took over charge as SST at GHS Rehankot on 22-09-2020 under Endst: 193-95 No.01/DEO (M)Dir (U)SEB Dated Dir (U) the 22/09/2020 is only for purpose of pay.

End no: 590 Dated: 22/9/20

Head Master  
Govt High School Rehankot  
Dir  
Dir Upper

Shahid Aziz SST  
22/9/2020

قیمت 50	40504			
ایڈوکیٹ: <u>شمس الرحمٰن</u>		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل ایسوسی ایشن نمبر: <u>MC 6812</u>				
رابطہ نمبر: <u>0347 503520</u>				

بعدالت جناب: سید مسٹر عبدالغنی صغیر جتوئی

مخانب: <u>Respondent 4</u> (حضرت لعل خان)	دعویٰ:
شہادہ مندرجہ بنام کورٹ منسٹر و عملدہ	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:

**باعت تحریر آگہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ  
 آن مقام لکھنؤ میں کیلئے بل سبزیب خان کی طرف سے شمس الرحمٰن کو وکیل مقرر  
 کرانے کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو  
 راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق  
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری ٹیکٹ فریڈ یا اپیل کی برآمدگی اور منسوخی، نیز  
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی  
 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب  
 مقرر شدہ کو ذہنی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا  
 دوران مقدمہ میں جو خرچہ ہر جانہ اتوائے مقدمہ کے سبب سے ہوگا کوئی تالیف کوئی مقام دورہ یا حکم سے  
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ گھر دیا تاکہ بند ہے  
 المرقوم:



مقام: صغیر جتوئی  
 صدر عدالت لکھنؤ  
 نوٹ: اس وکالت نامے کی فونو کالی کا قائل قبول ہوگی۔

حضرت لعل خان و کم فیصلہ طبع صغیر جتوئی



**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR.**

Service Appeal No: 11012/2020

**Shahied Aziz SST/ADEO Dir Upper.....Appellant.**

**VERSUS**

Secretary (E&SE) Department, Khyber Pakhtunkhwa & others.....Respondents

**JOINT PARAWISE COMMENTS FOR & ON BEHALF OF RESPONDENTS No: 1-3.**

Respectfully Sheweth:-

The Respondents submit as under:-

**Preliminary Objections.**

- 1 That the Appellant has got no cause of action/locus standi.
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal in the instant service appeal.
- 4 That the instant Service Appeal is based on mala-fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the Appellant is not entitled for the relief he has sought from this Honorable Tribunal.
- 7 That the instant Service Appeal is against the prevailing law & rules.
- 8 That the instant Appeal is based on mala fide intentions just to put extra pressure on the Respondents for gaining illegal service benefits as the appellant is basically working against the SST B-16 (TC) post in the Respondent Department.
- 9 That the instant Service Appeal is not maintainable in its present form as the impugned orders & Notifications dated 11-08-2020 & 16-09-2020 are legally competent.
- 10 That the instant Service Appeal is bad for mis-joinder & non-joinder of the necessary parties.

11 That the instant Service Appeal is barred by law.

12 That no Departmental Appeal has been filed against above mentioned orders/Notification by the appellant to the Respondent Department, hence, got final.

### ON FACTS.

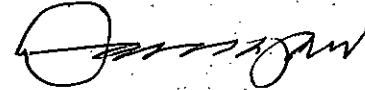
- 1 That Para-1 is incorrect & denied on the grounds that the appellant is working against the SST B-16 in the Respondent Department.
2. That Para-2 is also incorrect & denied as the appellant has been reverted to his original post of SST B-16 post vide Notification dated 11-08-2020 by the competent authority, hence, the plea of the appellant is liable to be rejected **.(Copy of the Notification dated 11-08-2020 is Ann-A).**
- 3 That Para-3 is incorrect hence denied.
- 4 That Para-4 is also incorrect & denied as the competent authority has got powers & jurisdiction to transfer & post a civil servant under section 10 of civil servants Act 1973 wherever his services are required, hence, the claim of the appellant is without any legal force & justification.
- 5 That Para-5 is incorrect & denied on the grounds that the act of the Respondent Department with regard to the impugned Notification dated 11-08-2020 is within legal sphere as cited above.
- 6 That Para-6 is correct to the extent of the impugned Notification dated 11-08-2020, whereby, the appellant has been transfer & posted against his original post of SST B-16 (TC), whereas, rest of para is relates to the record of the Honorable Peshawar High Court Peshawar in W.P No. 829/2020 case titled Muhammad Iqbal etc Vs Government of KPK & others decided vide Judgment dated 01-09-2020 with the directions to the Respondent Department for the disposal of the pending Departmental Appeal against the impugned order dated 11-08-2020. **.(Copy of the Judgment dated 01-09-2020 is Ann-B).**
- 7 That Para-7 is correct that in compliance of the Judgment dated 01-09-2020 of the Honorable Court the impugned order dated 11-08-2020 has been withdrawn vide office order dated 14-09-2020 by the Respondent Department, however the same order dated 14-09-2020 has been withdrawn vide office order dated 16-09-2020 by restoring the impugned order dated 11-08-2020 by the competent authority dully actualized by the appellant vide order dated 22-09-2020.**(Copies of the order dated 14-09-2020, 16-09-2020, 22-09-2020 & charge report dated 22-09-2020 are Ann-C, D , E & F).**
- 8 That Para-8 is also incorrect & denied on the grounds that agitated in the fore going paras of the present reply, hence, needs no further comments, however, the Respondents further submit on the following grounds inter alia:-

**ON GROUNDS.**

- A. **Incorrect & not admitted.** The appellant has been treated as per law & rules by the Respondent Department vide orders dated 11-08-2020 & 16-09-2020 in the instant case, hence, the stance of the appellant is baseless & liable to be rejected.
- B. **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy by the Respondent Department in the instant case as mentioned in reply to ground-A.
- C. **Incorrect & not admitted.** The statement of the appellant is without any cogent reason & justification on the grounds as agitated in the foregoing paras of the present reply by the Respondents, hence, the plea of the appellant is without any justification.
- D. **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification & liable to be rejected.
- E. **Incorrect & not admitted.** The plea of the appellant is without legal justification & liable to be rejected as the appellant has been treated as per law, rules & policy by the Respondent Department in the instant case, hence, the stance of the appellant is baseless & liable to be rejected.
- F. **Incorrect & not admitted.** The plea of the appellant is without legal justification & liable to be rejected as the appellant has been treated as per law, rules & policy by the Respondent Department in the instant case, hence, the stance of the appellant is baseless & liable to be rejected.
- G. **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification & liable to be rejected.
- H. **Incorrect & not admitted.** The plea of the appellant is without legal justification & liable to be rejected as the appellant has been treated as per law, rules & policy by the Respondent Department in the instant case, hence, the stance of the appellant is baseless & liable to be rejected.
- I. **Incorrect & not admitted.** The plea of the appellant is without legal justification & liable to be rejected.
- J. **Legal.** However, the Respondents also seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments on the date fixed.

In view of the above made submissions, it is most humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favor of the Respondents in the interest of justice.

Dated 13/11/2020



**DIRECTOR**

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.

(Respondents No: 2 & 3)



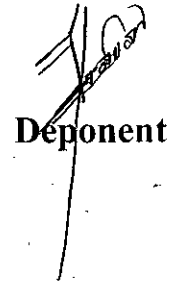
**SECRETARY**

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.

(Respondent No: 1)

**AFFIDAVIT**

**I, Hayat Khan Asstt: Director (Litigation-II)** E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant Parawise Comments are true & correct to the best of my knowledge & belief.



**Deponent**

A

(1)

C-9

## DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA PESHAWAR

### REGULATION

The Competent Authority is pleased to order transfer/posting of the following officers in their own pay scale, with immediate effect in the interest of public service.

#	Name & Designation	From	To (post till us)	Remarks
1	Mr. Abdul Aziz SST (T.C)	GHS Seri Sultan Khel	ADEO(Primary) at O/O DEO(M) Dir Upper	Vice 2
2	Muhammad Zaid (T.C)	ADEO(Primary) at O/O DEO(M) Dir Upper	GHS Katan	Vice 1 under Administrative basis
3	Mr. Muhammad Mamif SST	GMS Gamdat	ASDEO Circle Wari	Vice 5
4	Mr. Muhammad Iqbal (M.C)	ADEO (F) at O/O DEO(F) Dir Upper	ASDEO Circle Narwal	AVP under Administrative basis
5	Mr. Feroz Muhammad (M.C)	ASDEO Circle Wari	ASDEO Circle starjam	AVP
6	Mr. Muhammad Bilal SST (T.C)	GHS Malawi	ADEO(F) at O/O DEO(F) Dir Upper	Vice 4
7	Mr. Nazeer Ahmad SST (T.C)	GHS Wari	ADEO(Secondary) at O/O DEO(M) Dir Upper	Vice 8
8	Mr. Shahid Aziz SST (T.C)	ADEO(Secondary) at O/O DEO(M) Dir Upper	GHS Wari	Vice 7 under Administrative basis

- Note:**
- Posting/Adjustment of Teaching Cadre Officers shall be considered as stop-gap arrangement till the arrival of Management Cadre officers.
  - The order of the above mentioned Teaching cadre officers will be effective subject to the condition that he will give an undertaking/affidavit on legal paper/stamp paper to DEO (M/F) Dir Upper to the effect that to claim seniority of Management cadre.
  - Change Report should be submitted to all concerned.
  - No T/A/DA is allowed.
  - The terms & conditions mentioned in their appointment order as teaching cadre will remain intact.

DIRECTOR  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

Order No. 20341-75 F. No. 1275/1-AD/01/13 Transfers Cadres the Peshawar 11/2 2010

- Copy forwarded to the:
- District Education Officer (M/F) Dir Upper.
  - District Accounts Officer Dir Upper.
  - Officers Concerned.
  - Master Copy.

**ATTACHED**  
*[Signature]*

Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

11/8/2010

PAKISTAN HIGH COURT, MINGORA BENCH (DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

18

Court of .....  
Case No. .... of .....

1	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary.
	2	3
	01-09-2020	<p><u>W.P No. 829-M/2020 with Interim Relief</u></p> <p>Present: <u>Mr. Noor Muhammad Khattak</u>, Advocate for the petitioners.</p> <p>*****</p> <p><u>WIQAR AHMAD, J.</u>- This order is directed to dispose of the petition filed by petitioners, under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, with the following prayer;</p> <p>"It is therefore, most humbly prayed that on acceptance of this writ petition the inaction of the respondent No. 1 by not deciding/dispose of the departmental appeals of the petitioners in light of Clause-XIV of the Transfer/ Posting Policy may be declared as illegal, unconstitutional and ineffective upon the rights of the petitioners. That the respondent No. 1 may please be directed to dispose of the departmental appeals of the petitioners in light of Clause-XIV of the Transfer/Posting Policy of the Provincial Government. Any other remedy which this august Court deems fit that may also be awarded in favor of the petitioners."</p> <p>2. Learned counsel for petitioners at the outset requested that he would be satisfied, if respondent No. 1 is directed to decide departmental appeals of petitioners within fortnight.</p>

18.09.20

HON'BLE MR. JUSTICE IQBAL ISRAHIM  
HON'BLE MR. JUSTICE WIQAR AHMAD

ATTESTED

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

19

3. Request of learned counsel for petitioners seems genuine. Respondent No. 1 i.e. Secretary E&SE Department, Khyber Pakhtunkhwa is therefore directed to decide departmental appeals of petitioners within a period of fourteen days positively, after receipt of order of this Court but strictly in accordance with law and rules.

4. The petition in hand is disposed of accordingly.

Announced  
Dt: 01.09.2020

~~JUDGE~~  
~~JUDGE~~

S No. 62  
 Name of Applicant W/O 1/3  
 Date of Presentation of Application 10-09-2020  
 Date of Completion of Copies 10-09-2020  
 No. of Copies 5  
 Urgent Fee ---  
 Fee Charged 24/-  
 Date of Delivery of Copies 10-09-2020

Certified to be true copy

*[Signature]*

HON'BLE MR. JUSTICE IHTIAC BRAHIM  
 HON'BLE MR. JUSTICE MQAR AHMAD  
 10/09/2020

Office  
02/09

ATTESTED

*[Signature]*

Annex - 5 (4)

DIRECTORATE OF ELEMENTARY & SECONDARY  
EDUCATION KHYBER PAKHTUNKHWA PESHAWAR

OFFICE ORDER.

The Competent Authority is pleased to withdraw the Transfer/Posting Order bearing No. 210-14 dated 14-09-2020 in the light of the Admin. Department letter No. SO (PE) E&SEED/2-1/General Transfer/Posting/2020 dated 16-09-2020, from the date of issuance, in the best interest of public service.

DIRECTOR /  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

Encls. No. 701-05 F. No. 32-4/ ADEO's (M) Transfer.

Dated Peshawar the 16/9/2020.

Copy of the above is to the:-

1. Section Officer (Primary) w.r.t the letter No. SO (PE) E&SEED/2-1/General Transfer/Posting/2020 dated 16-08-2020.
2. District Education Officer (M/F) Dir Upper
3. District Accounts officer Dir Upper.
4. Officer concerned.
5. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
6. Masier File.

Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

ATTESTED



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

21

**OFFICE ORDER.**

The Competent Authority is pleased to withdraw the Transfer/Posting Order bearing No. 29471-75 dated 11-08-2020 in respect of the following officers in the light of the Admin: Department letter No. SO (PE) E&SEED/2-1/General Transfer/Posting/2020 dated 31-08-2020, in the best interest of public service.

S.N	Name Designation	Previous Position
1	Mr. Shahid Aziz SST GHS Kattan	ADEO (M) Secondary at o/o DEO(M) Dir Upper.
2	Mr. Muhammad Zada SST SST GHS Kattan	ADEO (M) Primary at o/o DEO(M) Dir Upper.
3	Mr. Muhammad Iqbal ASDEO Barawal	ASDEO (M) Circle barawal Dir Upper.
4	Mr. Peer Muhammad ASDEO Larjam	ASDEO (M) Circle Wari Dir Upper.

**DIRECTOR**

Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

Endst. No. 710 /F. No. 32-4/ DEO's (M) Transfer.

Dated Peshawar the 21/08/2020.

Copy of the above is to the:-

- Section Officer (Primary) w.r.t the letter No. SO (PE) E&SEED/2-1/General Transfer/Posting/2020 dated 31-08-2020.
- District Education Officer (M/F) Dir Upper
- District Accounts officer Dir Upper.
- Officer concerned.
- PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
- Master File.

Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

Annex E



OFFICE OF THE  
DISTRICT EDUCATION OFFICER MALE DIR  
PH NO 054-881400 FAX 0544-880411 Email: dnm@pdp.gov.pk

OFFICE ORDER

Mr. Shahid Aziz Ex. ADEO(S) under transfer to GHS Kattan (Bala) Dir Upper  
merit post of SST BPS 16 as exists in the school he is hereby posted/adjusted at  
Govt. High School Rehankot against vacant post of ~~Headmaster~~ post only for the purpose  
of ~~filling~~ own pay and scale in the best interest of public service. All further orders ~~are~~ 2-1-11/2010

- 1. No 210 days allowed
- 2. Change of honor should be submitted in all concerned

DISTRICT EDUCATION OFFICER  
MALE DIR

No. 193-95 No. 01/DEO (A) DIR (U) SEB Dated Dir (U) the 22/1/2010

- 1. District Examinations Officer Dir Upper
- 2. Incharge GHS Rehankot Dir
- 3. Official concerned

DISTRICT EDUCATION OFFICER  
MALE DIR

5. Pay Scale type	44 BPS Type 1/20	01	37
6. Rows			
Wage Type	Description	Rate	Amount
70	Di Pay	8	560
71			
72			
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02 2020

Shahid Aziz SST

Form No. 590 Dated: 22/09/20

Head Master  
Govt High School Rehankot  
Dist. Dir. (U) SCB  
Dera Isphard

Certified that Mr, Shahid Aziz SST took over charge as SST at GHS Rehankot on 22-09-2020 under Endst: 193-95 No.01/DEO (M/D) (U) SCB Dera

Dist (U) the 22/09/2020 is only for purpose of pay.

Charge Report

Amir F  
(7)