BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 5403/2020 Date of Institution: 04.06.2020

Hayat Muhammad, Superintendent, Regional Transport Authority, Mardan

Versus

The Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and two others.

<u>ORDER</u>

4

20.05.2022

Learned counsel for the appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Learned counsel for the appellant stated at the bar that the grievance of the appellant has been redressed by the department, therefore, he wants to withdraw the instant appeal. In this respect, learned counsel for the appellant submitted an application, which is placed on file.

In view of the above, the appeal in hand stands dismissed as withdrawn. Parties are left to bear their own costs. File be consigned to the record room after its completion.

ANNOUNCED 20.05.2022

(Rozina/Rehman) Member (Judicial)

(Salah-Ud-Din) Member (Judicial) 21.01.2022

Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for respondents present.

Former made a requested for adjournment on the ground that senior counsel for the appellant is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments before the D.B on 16.03.2022.

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



16.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 20.5.2022. for the same as before.

Reader.

Appellant present in person.

Muhammad Adeeel Butt learned Additional Advocate General alongwith Ijaz Muhammad Superintendent for respondents present.

The appellant through instant service appeal, filed on 08.06.2020 has challenged the transfer order dated 27.02.2020. The appeal was admitted for regular hearing on 10.06.2020. The written reply was submitted on 29.08.2020. Rejoinder was submitted on 20.11.2020. After adjournments on 02.02.2021 and 07.04.2021 i obviously not attributed to any party due to the particular reason, the instant appeal came up for hearing on 07.08.2021 but request was made on behalf of appellant for adjournment with the reason that his counsel is busy before Hon'ble Peshawar High Court, Peshawar, so, the appeal was adjourned for today. For today, the appellant has again come up with an application for adjournment that his counsel is not in a position to attend this Hon'ble Tribunal due to his personal engagements. Obviously, the transfer of the civil servant is an administrative matter of the department and if a civil servant challenges transfer for expeditious scrutiny before this Tribunal, he is not supposed to contribute in delay in disposal of the appeal. No further adjournment will be granted after 11.08.2021. File to come up on the date fixed for arguments, before D.B.

(Rozina Rehman) Chairman Member (J) Due to non availitability of PB to come up for the same on 29/9/21 Rendr DB is on Tows case do come 4P For the Same on Dated. 21-1-22

29-9-21

Appellant present in person.

Muhammad Adeeel Butt learned Additional Advocate General alongwith Ijaz Muhammad Superintendent for respondents present.

The appellant through instant service appeal, / filed on 08.06.2020 has challenged the transfer order dated 27,02.2020. The appeal was admitted for regular hearing on 10.06.2020. The written reply was submitted on 29.08.2020. Rejoinder was submitted on 20.11.2020. After adjournments on 02.02.2021 and 07.04.2021 obviously not attributed to any party due to the particular reason, the instant appeal came up for hearing on 07.08.2021 but request was made on behalf of appellant for adjournment with the reason that his counsel is busy before Hon'ble Peshawar High Court, Peshawar, so, the appeal was adjourned for today. For today, the appellant has again come up/with an application for adjournment that his counsel is not in a position to attend this Hon'ble Tribunal due to his personal engagements. Obviously, the transfer of the civil servant is an administrative matter of the department and if a civil servant challenges *f* ransfer for expeditious scrutiny before this Tribunal, he is not/supposed to contribute in delay in disposal of the appeal. No further adjournment will be granted after 11.08.2021. File to come ψ_{D} on the date fixed for arguments, before D.B.

(Rozina Rehman) Member (J)

Chairman

Appellant in person present.

Muhammad Adeel Butt learned Additional Advocate General alongwith Ijaz Muhammad Superintendent for respondents present.

Request for adjournment was made on behalf of appellant as his counsel is busy before Hon'ble Peshawar High Court, Peshawar; granted. To come up for arguments on 30.07.2021 before D.B. The restraint order dated 10.06.2020 shall remain operative in the meanwhile.

(Rozina Rehman) Member(J)

Chairmà

29.10.2020 Proper D.B is on Tour, therefore, the case is adjourned for the same on 20.11.2020 before D.B.

20.11.2020

Counsel for appellant present.

Muhammad Jan learned Deputy District Attorney alongwith Muhammad Haseeb Assistant for respondents present.

Former submitted rejoinder with a request for adjournment. Adjourned. To come up for arguments on 02.02.2021 before D.B.

(Atiq ur Rehman Wazir) Member (E)

(Rozina Rehman) Member (J)

02.02.2021

Due to COVID-19, the case is adjourned for the same on 07.04.2021 before D.B.

READE

Reader

07.04.2021

Due to demise of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 08.07.2021 for the same as before.

eal No. 5403/2 at Muhammad vs Transfort Dept

Counsel for the appellant and Addl: AG alongwith Mr. Muhammad Arif Wazir, AD (Litigation) for respondents present.

Written reply not submitted. Representative of the respondents seeks time to submit the same on the next date of hearing.

Adjourned to 29.07.2020 before S.B. In the meanwhile, the operation of impugned order/notification shall remain suspended to the extent of appellant, if not implemented already.

(Mian Muhammad) Member(E)

29.07.2020

* Appellant alongwith counsel and Addl. AG alongwith Arif Wazir, AD for the respondents present.

Representative of the respondents has furnished parawise comments on behalf of respondents No. 1, 2 and 3. Placed on record. The appeal is assigned to D.B for arguments on 19.08.2020. The appellant may furnish rejoinder, if any, within 10 days. The restraint order dated 10.06.2020 shall remain operative in the meanwhile.

Chairman

19.08.2020

Due to summer vacations, the case is adjourned to 29.10.2020 for the same.

10.06.2020

Counsel for the appellant present.

Contends that on 27.02.2020 the appellant was transferred from Mardan to D.I.Khan by the respondents in utter disregard to the transfer/posting policy of the Provincial Government. The appellant, at the relevant time, was an office bearer of APCA and performing duty as its president. Due to delay in subsequent election the appellant continued as such. Further contends that proper procedure was not adopted by the respondents in processing the summary for impugned transfer.

Instant appeal is admitted to regular hearing subject to all just exceptions in view of available record and arguments of learned counsel. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 25.06.2020 before S.B.

& Process Fee

Alongwith the appeal, there is an application for suspension of operation of impugned order dated 27.02.2020. Notice of the application be also given to the respondents for the date fixed. In the meanwhile, the operation of impugned order/notification shall remain suspended to the extent of appellant, if not implemented already.

Chairmah

MEMBER

25.06.2020

Appellant with counsel present. Addl: AG alongwith Mr. Arif Wazir, AD for respondents present. Written reply not submitted. Requested for time to submit the same on the next date of hearing. To come up for written reply/comments on 14.07.2020 before S.B. In the meanwhile, the operation of impugned order/notification shall remain suspended to the extent of appellant, if not implemented already.

FORM OF ORDER SHEET

Form-A

	Court o	
	Case No	5394 /2020
1 S .No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2 :	3
1-	08/06/2020	The appeal of Mr. Hayat Muhammad resubmitted today by Mr Muhammad Asif Yousafzai Advocate may be entered in the Institution
		Register and put up to the Worthy Chairman for proper order please.
		relly
2-		REGISTRAR
2		This case is entrusted to S. Bench for preliminary hearing to be pu
		up there on $10 06 2020$.
	THE STREET	CHAIRMAN
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The appeal of Mr. Hayat Muhammad Superintendent RTA peshawar received today i.e. on 04.06.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

The authority to whom the departmental appeal was made/preferred has not been arrayed/made necessary party.

No. 1208 /S.T, Dt. <u>05-06</u>/2020.

SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Mr.Muhammad Asif Yousafzai Adv.

Sir, The impregned order was parked by the Sacy: Transport and the departmental appeal was submitted Through proper Channel. The Director was only forwarding agency and is not a nece escary party. Resubmitted for placing before, the Haridole Bench. Ju



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

/2020 ; Appeal No.

Hayat Muhammad

V/S

Govt: of KPK & etc.

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S.No.	Documents	Annexure	Page No.
1.	Memo of Appeal		1-3
2.	Copy of stay application		4
3.	Copy of Order	- A -	5
4.	Copy of Nomination	- B -	6-7
5.	Copy of Order	- C -	6
6.	Copy of Appeal	- D -	9
7.	Copy of complaint	- EtoG	10 - 20
8.	Vakalat Nama		21

APPELLANT Muhammad ai

THROUGH:

(M. ASIF YOUSAFZAI) ADVOCATE SUPREME COURT OF PAKISTAN.

(TAIMUR ALI KHAN) ADVOCATE HIGH COURT

(SYED NOMAN ALI BUKHARI) ADVOCATE HIGH COURT

Room No. Fr-8, 4th Floor, Bilour Plaza, Peshawar Cantt: Contact No. 03339103240 BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 5403

Hayat Muhammad, Superintendent, Regional Transport Authority, Mardan. Khyber Pakhtukhwa Service Tribunal Diary No. 4657 Dated 4672020

<u>APPELLANT</u>

VERSUS

- 1. The Chief Secretary Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 2. The Secretary Transport & Mass Transit Department, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.

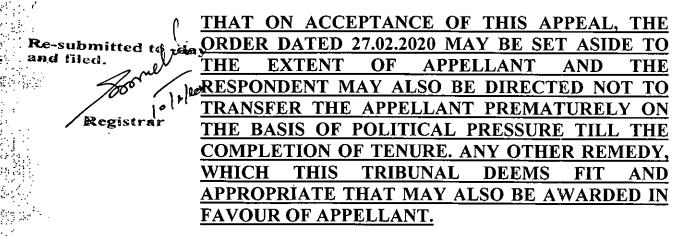
3. The Regional Director, Regional Transport Authority (R.T.A), Mardan.

RESPONDENTS

APPEAL, UNDER SECTION-4 OF THE KHYBER **PAKHTUNKHWA, SERVICE TRIBUNAL ACT, 1974** AGAINST THE **PREMATURE** POLITICALLY MOTIVATED TRANSFER ORDER DATED 27.02.2020. AGAINST NOT TAKING ANY AND ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF 90 DAYS.

PRAYER:

edto-day



RESPECTFULLY SHEWETH:

- That the appellant was posted as Superintendent in the Regional Transport Authority vide order dated <u>13-5-2017</u> and presently President APCA, Mardan and also holding the office of Finance Secretary APCA, Provincial Level. Copy of order and Nomination are attached as Annexure-A &B.
- 2. That the respondent No. 2 has issued the impugned transfer order on 27.02.2020, wherein the appellant has been transferred to D.I.Khan without taking into consideration that appellant is a office holder of the APCA. <u>Copy of the order is attached as Annexure-C.</u>
- 3. That the appellant filed appeal against the said order on 28.02.2020 and also submitted a complaint to the Worthy Chief Secretary Khyber Pakhtunkhwa, through his Association (APCA). But no action has been taken on that appeal so far. <u>Copies of appeal & Complaint are</u> <u>attached as Annexure-D & E.</u>
- 4. That having no other remedy, the appellant comes to this august Court on the following grounds amongst the others.

<u>GROUNDS:-</u>

- A) That the impugned order dated 27.02.2020 to the extent of appellant and not taking any action on the appeal of appellant within statutory period, is against the Law facts, norms of justice and material on record, therefore, liable to be set aside.
- B) That the appellant is also office holder of APCA and as per Establishment Instruction, office holder cannot be transferred during the period of office bearer-ship, therefore, as per posting/transfer policy of the Govt,/instructions, the appellant could not have been transferred. Therefore, the impugned order is liable to be set aside on this score alone. <u>Copy of Posting/Transfer</u> <u>Policy & Instruction of Estt: is attached as Annexure-F & G.</u>
- C) That the impugned order is politically motivated, and without any reasons /exigencies of service, especially keeping in view the Covid-19 situation, when there is a lock down within whole province.
- D) That even no summary was moved nor, any reason/exigencies existed there in summary (if any) which necessitated the respondent No. 2 to pass such like order.
- E) That the appellant has not been dealt in accordance with the Law, rules and posting/transfer policy.



F) 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 maybe accepted as prayed for.

APPELLANT Hasar Muhammad

THROUGH:

(M. AŜĨF YOÚSAFZAI) ADVOCATE SUPREME COURT OF PAKISTAN.

(TAIMUR ALI KHAN) ADVOCATE HIGH COURT

& (SYED NOMAN ALI BUKHARI) ADVOCATE HIGH COURT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL. PESHAWAR.

/2020 Service Appeal No.

Hayat Muhammad

V/S

The Govt: of KPK etc.

APPLICATION FOR SUSPENDING THE OPERATION OF THE IMPUGNED ORDER DATED 27.02.2020 TO THE EXTENT OF APPELLANT TILL THE DISPOSAL OF MAIN APPEAL.

RESPECTFULLY SHEWETH:

- That the appellant has filed a Service Appeal against the order 1. dated 27.02.2020 in this august Tribunal, in which no date is fixed so far.
- 2. That the impugned order is a politically motivated and passed in utter violation of Govt: Posting & Transfer Policy.
- 3. That the applicant would suffer a lot if the impugned order is acted upon, especially keeping in view the tenure and office bearer-ship.
- 4. That the grounds of main appeal may also be considered as integral part of this application.

It is therefore most humbly prayed that the operation of the impugned order dated 27.02.2020 to the extent of applicant may be suspended with further directions to the respondents not to pass any adverse order against the applicant in mean while on acceptance of this application the respondents may kindly be restrained to stop recovery from the appellant till the decision of main appeal.

APPLICANT/ APPELLANT ivat Muhammad THROUGH: (M. ASIF YOUSAFZAI) **ADVOCATE SUPREME COURT OF PAKISTAN.**

AFFIDAVIT

It is affirmed that the contents of this application are true and correct and nothing has been concealed.



DÉPONENT



DIRECTORATE OF TRANSPORT & MASS TRANSIT KHYBER PAKHTUNKHWA

Ground Floor Benevolent Fund Building, Peshawar Cantt. Tel: 091-9214185/9212061

Dated: 31-05-2019

ORDER:

<u>No. DIR/TPT/1-82/P&T/</u>. In pursuance of • Transport & Mass Transit Department notification No.SO(G)/TD/16-10/Promotion/3964-70 dated: 30 May, 2019, the Competent Authority is pleased to order the transfer/posting of the following newly appointed Superintendent on (Acting Charge Basis) in Regional Transport Authorities in best public interest till further orders:

S.N	Nan	ne	Designation	From	То
1.	Mr. Arab I	Khan	Superintendent (BPS-17) (ACB)	RTA Peshawar	RTA Swat
<u>, 2</u>	Mr. Muhamma	Hayat Id	-do-	PTA Peshawar	RTA Mardan'
3,	Mr. Hamd	Ullah	-do-	RTA Peshawar	RTA D.I Khan
4.	Mr. Rehman	Fazale	Superintendent (BPS-17)	RTA Peshawar	RTA Abbottabad
5.	Mr. Javed Akhtar		Superintendent (BPS-17) (ACB)	-	Retained in RTA Peshawar.

The appointment of official at serial No.1 is on notional basis w.e.f 23-04-2019 as per provision of the promotion policy of the Government, as the official has retired from service on 18-05-201.

After actualization of his promotion at D.I Khan, official at serial No. 3 is posted as Superintendent (BPS-17) (ACB) at RTA Swat.

-Sd/-

SECRETARY Transport & Mass Transit Department Government of Khyber Pakhtunkhwa

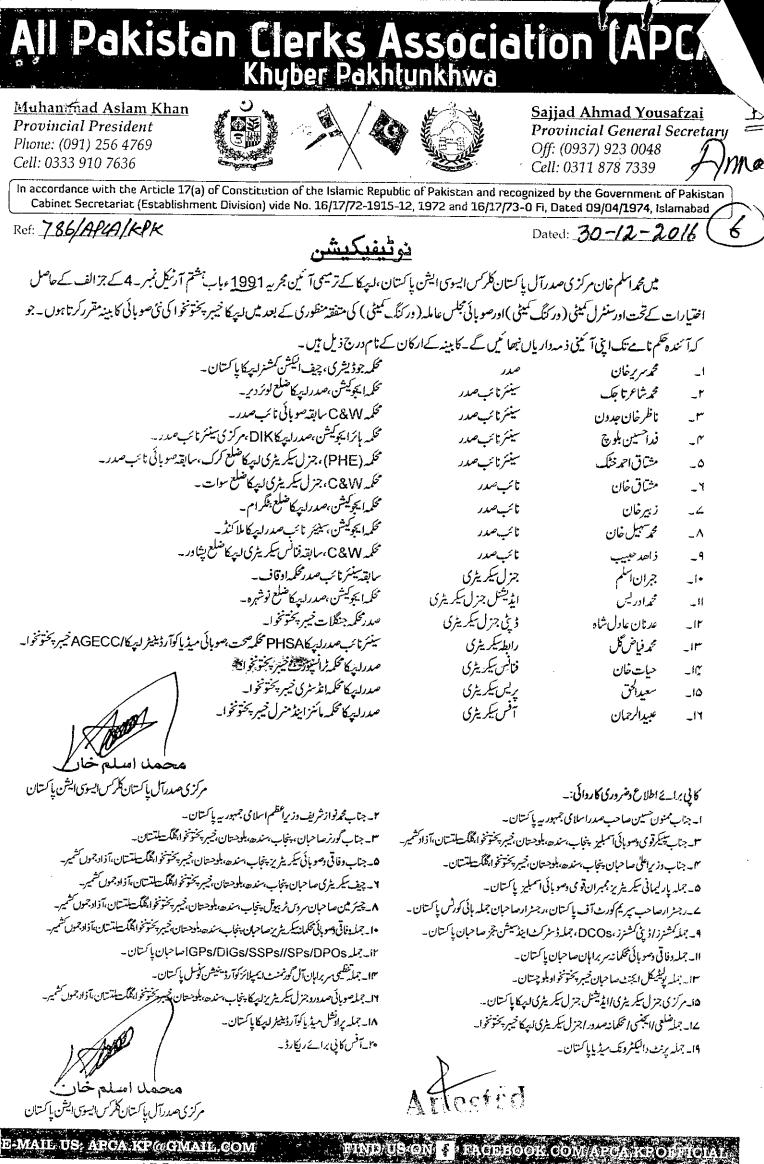
Endst: No. & Date Even:

A copy is forwarded for information to the: -

- 1. Account General Khyber Pakhtunkhwa.
- 2. Secretary Provincial Transport Authority Khyber Pakhtunkhwa.
- 3. All Secretary Regional Transport Authorities.
- 4. PS to Secretary, Transport & Mass Transit Department, Government of Khyber
- 5. P.A to Director Transport & Mass Transit, Khyber Pakhtunkhwa.
- 6. Official Concerned.



Assistant Difector (Estt) Transport & Mass Transit



APCA House, near Colleges Directorate, District Courts, Peshawar



Muhammad Sareer Khan Provincial President, KP Cell: 0300 598 5749

Muhammad Aslam Khan Central Chairman, Pakistan Cell: 0333 910 7636 0314 903 3588

Waheed Ian Deputy Election Commissioner, KP Cell: 0333 9136878 Email: waheedjan71.w@gmail.com

In accordance with the Article 17(a) of Constitution of the Islamic Republic of Pakistan and recognized by the Government of Pakistan Cabinet Secretariat (Establishment Division) vide No. 16/17/72-1915-12, 1972 and 16/17/73-0 Fi, Dated 09/04/1974, Islamabad - 3 - Zele Dated: 5

Ref: 786/APCA DEC - KP-18

آل یا کستان ککر کس ایسوی ایشن (ایکا) کے ترمیمی آئین مجربہ 1<u>991</u>ء کے حاصل اختیارات اورصد رایکا خیبر پختونخوا کے جاری کردہ مراسله نمبر 786/APCA/KPK مورنهه 2018-10-22 کی روشن میں بحیثیت ڈپٹی الیکشن کمشیزا پیکا خیبر پختونخوا الیکشن قوائد وضوابط کے تحت الیشن21-2018 میں بلامقابلہ کامیاب قراریانے والے **تحکمہ ماس ٹرانزٹ اینڈٹرانسپورٹ ،خیبر پختونخوا** کے عہدیداران کی فہرست جاری کرتا ہوں :

عبده	تا معہد بیدار	نمبرشار
چيئر مين	حاجی شاہ زمان	1
صدر	حیات محمد	2
سينترنا تبصدر	اميرنواز	3
نا تب صدد	عابدجان	4
جزل سيرٹري	محمدا دریس خان	5
ا دې چزل سکر ژي	رئيس خان	6
فنانس سيرترى	محمدعالم	7
ېريس سيکرٹري	عابداللدجان	8
رابطه سیر ٹری/میڈیا کوآر ڈینیٹر	جاديداختر خان	9

کانی برائے اطلاع اور ضروری کاروائی: ... ا- جناب پرویز خان ختک صاحب وزیراعلی خیر پختونخوا-۳-جملهدزراء و ممبران صوبانی اسمبلی بخیبر پختو نخوار جناب سیرٹری صاحب اسٹیلشمنٹ خیبر پختونخوا۔ ۲-جناب رجسٹرارصاحب یشاور پائی کورٹ پیشاور۔ ٩_جمله كمشز/ ذيني كمشز/ جمله يويثيكل ايجنت صاحبان خيبر يختونوا اا به جمله ڈسٹر کٹ اینڈسیشن ججز صاحبان خیبر پختونخوا یہ ۳۲ - جمله مرکزی/صوبانی/^{ضلع}ی/۱ بجنسیز/تحکمانه صدورا برکایا کستان **۵ا_**جملیة طیمی سر برامان AGECC خیبر پختونخوا به ۷۱ - جمله یرنٹ/الیکٹرونک میڈیاخیبر پختونخوایشاور. ested

۲-جناب اسد قيصرصاحب سيبكر صوبائي اسمبلي خيبر يختونخوا . م. جناب محمد اعظم خان صاحب چیف سیکرٹری خیبر بختو نخوا۔ ۲۔ جملہ کمرٹری صاحبان جملہ تحکماجات خیبر پختونخوا۔ ۸_جناب چيئرمين صاحب سروس ٹر بيۇل خيبر پختونخوا۔ ۲۰ محکماند سر برابان صاحبان جمله ملحقه محکمه جات خيبر پختونخوا. ۲۱- حاجی محد اسلم خان صاحب مرکزی چیتر مین ایکایا کستان-۱۴ _جمله صدور/ جزل سیکر رگی ایر کاسنده، پنجاب، بلوچستان، AJK، گلگت بلتستان_ ۲۱_جمله^{ملو}/اليجنس/تحكمانه صدورا يكاخيبر پختونخوا_ ۱۸_آفسکایی برائے ریکارڈ۔

ذی^م الکش^{ر)}

FIND US ON F FACEBOO **GMAIL CON**

PCA House, near Colleges Directorate, District Courts, Peshawar



DIRECTORATE OF TRANSPORT& MASS TRANSIT GOVERNMENT OF KHYBER PAKHTUNKHWA

Ground Floor, Benevolent Fund Building, Peshawar Cantt Tel. 091-9214185

Dated Peshawar the 27/02/202

(4)

ORDER:

No. Dir/Tpt/1-24/P&T/staff/2011/ 1106-56. The following posting/transfer of Superintendent (BPS-17), Directorate of Transport& Mass Transit, Khyber Pakhtunkhwa, Provincial Transport Authority, Khyber Pakhtunkhwa and Regional Transport Authorities is hereby ordered in public interest with immediate effect:

<u>S. No.</u> '	Name & Designation	From	To
1 .	Haji Shah Zaman, Superintendent (BPS-17)	Provincial Transport Authority, Khyber Pakhtunkhwa	Regional Transport Authority, Bannu
2.	Mr. Javed Akhtar, Superintendent (BPS-17)	Regional Transport Authority, Peshawar	Provincial Transport Authority, Khyber Pakhtunkhwa
B	Mr. Shoukat, Superintendent (BPS-17)	Regional Transport Authority, Kohat	Regional Transport Authority, Mardan
4.	Mr. Javed Khan, Superintendent (BPS-17)	Regional Transport Authority, Bannu	Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa
5.	Mr. Amir Nawab, Superintendent (BPS-17)	Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa	Regional Transport Authority, Kohat
6	·Mr. Hayat Muhammad, Superintendent (BPS-17)	Regional Transport Authority, Mardan	Regional Transport Authority, D.I.Khan

-Sd/-

Secretary to Govt of Khyber Pakhtunkhwa **Transport & Mass Transit Department**

Endst: of even no and date:

A copy is forwarded for information to the:-

- 1 PS to Minister for Transport & Mass Transit, Khyber Rakhtunkhwa.
- P.S.to Secretary to Govt. of Khyber Pakhtunkhwa, Transport & Mass Transit Dupartment. 2
- PS to all Commissioners, Khyber Pakhtunkhwa. 3.
- PA to Director Transport & Mass Transit, Khyber Pakhtunkhwa: PA to all Deputy Commissioners, Khyber Pakhtunkhwa. 4.
- 5.
- Secretary Provincial Transport Authority, Khyber Pakhtunkhwa: 6. 7.
 - All Secretaries, Regional Transport Authorities, Khyber Pakhtunkhwa.

8 Chief Motor Vehicle Examiner, Khyber Pakhtunkhwa,

- Manager Vehicle Emission Testing Station, Khyber Pakhtunkiwa 9.
- 10. Officers concerned.

Deputy Director (Technical) Transport & Mass Transit Khyber Pakhtunkhwa

iested



DIRECTORATE OF TRANSPORT & MASS TRANSIT GOVERNMENT OF KHYBER PAKHTUNKHWA

Ground Floor, Benevolent Fund Building, Peshawar Cantt Tel: 091-9214185

Dated Peshawar the 27/02/20

(4)

ORDER:

No. Dir/Tpt/1-24/P&T/staff/2011/ 1106-56. The following posting/transfer of Superintendent (BPS-17), Directorate of Transport& Mass Transit, Khyber Pakhtunkhwa, Provincial Transport Authority, Khyber Pakhtunkhwa and Regional Transport Authorities is hereby ordered in public interest with immediate effect:

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2.	Mr. Javed Akhtar, Superintendent (BPS-17)	Regional Transport Authority, Peshawar	Provincial Transport Authority, Khyber Pakhtunkhwa
Ô	Mr. Shoukat, Superintendent (BPS-17)	Regional Transport Authority, Kohat	Regional Transport Authority, Mardan
4.	Mr. Javed Khan, Superintendent (BPS-17)	Regional Transport Authority, Bannu	Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa
5.	Mr. Amir Nawab, Superintendent (BPS-17)	Directorate of Transport & Mass Transit, Khyber Pakhtunkhwa	Regional Transport Authority, Kohat
6	·Mr. Hayat Muhammad, Superintendent (BPS-17)	Regional Transport Authority, Mardan	Regional Transport Authority, D.I.Khan

-Sd/-

Secretary to Govt of Khyber Pakhtunkhwa **Transport & Mass Transit Department**

Endst: of even no and date:

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- 3 PS to all Commissioners, Khyber Pakhtunkhwa.
- PA to Director Transport & Mass Transit, Khyber Pakhtunkhwa: PA to all Deputy Commissioners, Khyber Pakhtunkhwa. 4. 5.
- Secretary Provincial Transport Authority, Khyber Pakhtunkhwa. 7.
- All Secretaries, Regional Transport Authorities, Khyber Pakhtunkhwa.
- Chief Motor Vehicle Examiner, Khyber Pakhtunkhwa, 8. 9.
- Manager Vehicle Emission Testing Station, Khyber Pakhtunk
- 10. Officers concerned.

Deputy Director (Technical) Transport & Wass Transit Khyber Pakhtunkhwa

ested

105 Jiary No. Date 1 ရ Directorate of Transport And Mass Transit, KPK

The Director, Transport& Mass Transit Khyber Pakhtunkhwa.

Subject: APPEAL ON ACCOUNT OF ILLEGAL TRANSFER.

Memo: -

To,

It is stated that I have been transferred to Regional Transport Authority D.I.Khan vide office order No.Dir/TPT/1-24/P&T/staff/2011/1106-56 dated 27/02/2020 (copy enclosed).

It is to be mention herewith, that I have been posted in RTA Mardan eight months ago and have not completed my tenure. My transfer order to RTA D.I.Khan is against the rules and Government policy. In this regard a copy of Transfer/posting policy issued by the provincial Government is enclosed. Further more the applicant is President of All Pakistan Clerks Association of Transport Department Khyber Pakhtunkhwa and Finance Secretary of APCA Khyber Pakhtunkhwa (provincial level) and the provincial Government vide letter No.SOS-iV(S&GAD)/8(167)/92-vol-vii, dated 07/7/1992 (copy enclosed) decided that the office bearer of the service Association should not ordinarily be transferred for the year for which they are office bearer as such.

In view of the above it is therefore requested to kindly approach the worthy Secretary Transport & Mass Transit Department, Government of Khyber Pakhtunkhwa for cancellation of the aforesaid order.

I shall be very thankful to you for this great act of kindness.

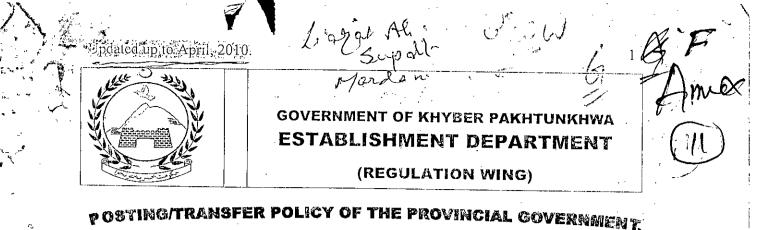
Yours Sincerely

hammad

Superintendent (BPS-17) Regional Transport Authority Mardan Division Mardan.

I. LIERKS ASSULATION (APEA) Ahyber Fakhunkhwa Muhammad Sareen Khan Jibran Aslam **Provincial President Provincial General Secretary** Cell: 0300-5985749 Cell: 0333-9115292 In accordance with the Article 17 (a) of Constitution of the Islamic Republic of Pakistan and recognized by the Government of Pakistan Cabinet Secretariat (Establishment Division) vide No. 16/17/72-1915-12, 1972 and 16/17/73-0 Fl, Dated 09/04/1974, Islamabad Dated: 38 Ó جثاب چيف سيکر ٹری صاحب خيبر پختونخوا جناب سیکر ٹری صاحب محکمه ٹرانسپورٹ اینڈ ماس ٹرانزٹ خیبر پختونخوا موان: _ ایل بابت خلاف قانون چاد لیظم نامذ بمر No.Dir/Tpt/1-24/P&T/staff/2011/1106-56 مورخته 27/02/2020 جناب عالى مود باندگزارش ب کد جدیدا کد آب صاحبان کے علم میں ب کد آل پاکستان کلر کس ایسوی ایشن اس ملک کی داحد غیر سیا ی نمائند ، تنظیم ب جو کد سرکاری ملاز مین کے لیے بہتر مراء ت ادرمردس کے تحفظ كيليح كوشال رجناب-یہ کر تکم نامہ نمبر No. Dir/Tpt/1-24/P&T/staff/2011/1106-56 جوکہ ذیلی ڈائر بکٹر کینیکل ٹرانسپورٹ اینڈیاس ٹرانزٹ خیبر پختو شخط ول ہے جادی ہوا ہے۔ ید کہ تب مساحبان کے علم مثل لانا جا ہتا ہوں کہ اس تکن ماے میں اکثر شاد لے خلاف قانون ادر بدنیتی پرمنس ب جیسا که سیرل نمبراسی شاه زمان خان سیرنندز ند جسکی دیثا ترمنت شی صرف 14،66 دن باتی بی جس کیلنے انجیلشمنت از میاد شدت کے جدایات بیں کدد بنا ترمنت کے قتریب اورد بنا ترمنت کے تحری سال میں ک سرکاری ما زم کوان کے اہائی صلح سے تبدیل نہیں کیا جا سکتا۔ اگر کوئی سرکاری ما زم اپنے ہوم اشیشن سے با ہرتعینات ہوتو اسے ریٹائر منٹ کیلیے ہوم اشیشن میں تعینات کیا جائے گا۔ سر بل نبر 6 م مسم حیات محد سرنندند مد جو کدایه کا متخب معدد اوراد با خبر پختونو او ی فنانس بکر فری ب S&GAD)8(167)92/Vol-VII داخت بر بذمری S&GAD)8 است بر بذمری Vol-VII (167)8 SOS/IV مودند 07/07/1992 اس مس RTA مردان من تعيناتي محصرف آته مسين موت بي - جوك - سير يل نبر 5 ، 4 مسى اميرنواب اورجاد يدخان برنشد من جوكد مردين ردار ے مرابق اسکا تادلہ یا الی جسمت دوسرے کیڈر ش کیس کیا جاسکتا کیونکہ ڈائر کیٹریٹ اد RTAS-PTA سے مروس دوارادر سیارٹی الگ الگ ب اس دوسر ایک کیڈر کے المکار دوسر یے تیڈر ش تعینات نیس کیا جاسکتا ہے۔اوران کوڈیونیشن الا دنس بھی دیا جائے کالیٹن اس نے اپنا Tenure کردد سال بور نے بیس کئے ہیں۔ لبذااستدعاب كدورجه بالا تبادلوں كومنسوخ كرانے على آب صاحبان اپنا كرداداداكرير - تاكه ناانساني كازاله موسكة قانونى يجد كيوں ب يخاجا سيكر كونك ب أمير دائق ب كرة اس صاحبان اپنادست شفقت لماز مین کرمروں پر دکھ کر ملاز میں کواذیت دیر بشانی سے بچا کمی گے۔ س. نین نوازش ہو کی -آپ کے بےدہا کو مماسلم فالنبحركز كاليمريثن ليهكا کالی برائے اطلاع د ضروری کاروائی:۔ جنام يمكرنون صاحب الميملشمعت ذيباد فمنت فيبر يختونوا جناب وجنر ارصاحب يشادر بالى كورت يشادر _1 جناب دجمتز ادصاحب مزدت مثريوتل خيبر يختونخوا ويشادد جناب ذائر يكثرصا حسب ثراتم يورث ايلذياس بثرانزث فيسبر يختو نخوا _** جناب آل بتررزيز معا مهان RTA خيبر پختونواه د، بيكراري ما دب PTA ديبر يخوخوا ۵_ جمليانه كاضلعي صدودا يركا خيسر يختونخوا PS يو مستر ژانسيودين ايند نرائزين نيسبر پختونخوا _4 موباتي مددليهكا

"APCA House, near Colleges Directorate, District Courts, Peshawar



- All the posting/transfers shall be strictly in public interest and shall not be i) abused/misused to victimize the Government servants
- All Government servants are prohibited to exert political, Administrative ii) 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.
- ¹Existing tenure of posting/transfer of three (03) years for settled areas and (See 206)iv) two (02) years for unattractive/hard areas shall be reduced to two (02) as retained years for settled areas, 011/2 years for unattractive areas and one year for hard areas.

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V)

- 3. While making posting/transfers of officers/officials up to BS-17 from (vi)settled areas to FATA and vice versa approval of the Chief Secretary, Khyber PakhtunKhwa needs to be obtained. Save Tchsildars/Naib Tehsildars within a division in respect of whom the concerned Commissioner will exercise the same power. 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, Khyber PakhtunKhwa shall be obtained."
 - Provided that the power to transfer Political Tehsildars and Political Naib Tehsildars within FATA between different divisions shall rest in Additional Chief Secretary FATA.
- vi (a)⁴ 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.

Circular letter No. SOR-VI/E&AD/1-#/ 2008/Vol-VII dated, the, 11th September, 2009 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 3-5-2008. Consequently authorities competent under the Khyber PakhtunKhwa Government Rales 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.

Para-VI added vide circular letter No. SOR-VI/E&AD/1-4/2010/Vol-VIII dated 20th March, 2010. Sub para-VI (a) added vide circular letter No. SOR-VI/E&AD/1-4/2008 dated 22nd October, 2008.

Updated up to April 2010

viii) No posting/transfers of the officer's/officials on detailment basis shall be made.

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- 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.
- 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

¹DCOs 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 Khyber PakhtunKhwa 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 column2 thereof:

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

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b) To and from an Attached Department	Secretary of the Department in
	consultation with Head of
	Attached Department concerned.
c)Within the Secretariat from one	Secretary (Establishment)
Department to another	

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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) V Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.
- 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 <u>appeal to be submitted within seven days of the receipt of such orders</u>. 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.

Jpdated up to April, 2010.

 \checkmark 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:* Latter 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.

SPECIMEN NOTIFICATION.

GOVERNMENT OF KHYBER PAKHTUNKHWA NAME OF ADMINISTRATIVE DEPARTMENT

Dated Peshawar,

NOTIFICATION

CHIEF SECREARY GOVERMENT OF KHYBER PAKHUNKHWA

Endst. No. and date even.				•
Copy forwarded				•
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(NAME) SECTION OFFICER Administrative Department

{Authority: Letter No. SO (E-I) E&AD/9-12/2006 dated 22-12-2006}.

The competent authority has been pleased to direct that Para 1(v) of the Posting/Transfer Policy contained in this Department letter No:SOR-1 (E&AD) 1-1/85 Vol-II, dated 15-2-2003 shall stand deleted, with immediate effect, consequently allowing the authorities, competent under the Khyber PakhtunKhwa Government Rules of Business, 1985 and the District Government Rules of Business, 2001 or any other rules for the time being in force, to make posting/transfers of Government servants, any time during the year, in genuinely deserving and necessary cases, in public interest,

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Updated up to April, 2010.

subject to strict observance of all other provisions of posting/transfer policy contained and notified vide circular letter under reference. Hence there will be no ban on posting/transfer of Government Servants in any part of the year while carrying out postings/transfers of Government Servants.

 \checkmark The authorities concerned will ensure that no injustice whatsoever is caused to any civil servant, public work is not suffered and service delivery is improved.

 \sqrt{I} am therefore directed to request that the provisions of posting/transfer policy, as amended to the extent above, may kindly be followed in letter and sprit in future so as to keep good governance standard in this regard.

{Authority: Letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI; dated 3-6-2008.

According to the policy of the provincial Government, maximum tenure on a post is three years. Contrary to the Policy, Store Keepers, Cashiers, Accountants and other ministerial staff remains posted in their particular field for long time, which may result in misuse of this position, due to which not only public exchequer may sustain loss but general public also suffers. The Provincial Government has taken serious notice of this situation & decided that all Administrative Secretaries and DCOs may submit a certificate within one month to the effect that above mentioned officials, having completed three years on their posts, have been adjusted on posts other than those they held previously.

{Authority: Urdu circular No: SOR-VI (E&AD)/05 dated 28th Oct, 2005.

The Chief Minister Khyber PakhtunKhwa has directed that:-

- i) Submission of summary would not be required in case of mutual transfer.
- ii) V Posting/transfer shall be made according to the policy;
- iii) Government Servants shall avoid direct submission of applications to the Chief Minister;
- iv) In genuinely deserving case, they should approach the Administrative Secretaries who could process the case according to policy;
- v) In case of direct submission of application to the Chief Minister Secretariat for Posting/ Transfer, the concerned govt servants shall be proceeded against under the prevalent rules and regulations.

{Authority: Urdu circular No; SOR-VI/E&AD/1-4/2003, dated 8-6-2004 & Urdu Letter No: SOR-VI/E&AD/Misc: /2005, dated 3-1-2006.}

It has been decided with the approval of the competent authority that:-

- i) Mutual transfer would be allowed if both the concerned employees agree; except the Government Servants holding Administrative posts;
- ii) Khyber PakhtunKhwa Government Rules of Business 1985 shall be observed while issuing posting/transfer orders.

{Authority: - Urdu circular letter No: SOR (E&AD)/1-4/2005, dated 9-9-2005}.

The competent authority has decide that in order to maintain discipline, enhance performance of the departments and ensure optimum service delivery to the masses, the approved /prevalent policy of the posting/transfer shall be strictly followed. Government Servants violating the policy and the Khyber PakhtunKhwa Govt Servants (Conduct) Rules 1987 shall be proceeded against under the Khyber PakhtunKhwa Removal from Service (Special Powers) Ordinance 2000. As required under the Khyber PakhtunKhwa Govt Rules of Business 1985, the Administrative Secretaries shall ensure compliance with the policy and defaulting offices/officials be taken to task & entries to this effect

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Updated up to April, 2010

shall be made in their PERs/ACRs. In case subordinate officers are working on sites or proceeding for the purpose of inspection, they shall submit inspection Report to their Administrative Secretaries. Administrative Secretaries shall ensure submission of such reports.



{Authority: - Urdu circular No: SOR-VI (E&AD)/1-4/06, dated, 29-6-2007}.

Unattractive/Hard Areas

- 1. The distinction between <u>unattractive/hard areas should be done away with and</u> both should be labeled as Unattractive areas.
- 2. Existing list of FATA areas be retained.
- 3. The following areas were recommended/approved to constitute unattractive areas in NWFP: a. Kohistan District.
 b. Tank District.
 b. Tank District.

a.Kohistan District.
b.Tank District.
c.Chitral District.
d.Batgram District.
e.Shangla District.

f. Hungu District.

Tenure of posting.

- i. The erstwhile normal <u>tenure of 2 years</u> be retained.
- ii. Existing tenure for unattractive areas be retained. However, in case of married civil servants, transfer should be made just at the beginning of school session and tenure should be one year instead of 1.5 year, so that academic disruptions are avoided.
- iii. At the time of entry in service, all civil servants be asked to give 4 options from unattractive areas.
- iv. After a stint of service in unattractive area, employees may be offered option to serve in district of choice.

⁷PLACEMENT POLICY.

dt 9-2-2007

In order to utilize the expertise of the officers who have received foreign training in various fields, the provincial Government has decided to adopt the Placement Policy, approved by the Prime Minister of Pakistan, and make it a part of its Posting/Transfer Policy. Placement Policy is as follows:-

- i) All placements would be made on the basis of merit and keeping in view the needs of the organization.
- ii) The first priority in placement must go the parent organization of the participant from where the individual had applied. This will be in

ATTERDA

No. SOR-VI/E&AD/1-4/ 2010/Vol-VIII Dated Peshawar, the, 10th April, 2010 Placement Policy has been made part of the posting/transfer policy vide Urdu circular No.SOR-VI

g.PATA areas of Mansehra (Kala Dhaka)

Updated up to April, 2010.

consonance with the concept of establishing the "Need" for the department and fulfilling the need through "capacity building for the organization. 17

7

- iii) In order to follow the "bottom up approach" for Devolution, the priority within departments must go to the Districts, the Provinces and than the Federal Government.
- iv) The second priority in placement should go to up-grading the existing training Institution within the country. The knowledge gained by the officers, will be of immense value to bring about a qualitative change in the training institutions. The following proposals are made in this regard:
 - a) Permanent posting of an officer to the training institutions for 2-3 years;
 - b) Temporary attachment with the training intuitions for 3 to 6 months for some research project on helping in developing case studies;
 - c) Earmarked as a visiting faculty member for specific subject.
- v) Individuals posted to their parent organizations will also organize training for their subordinates within the department, in order to transfer the knowledge and bring about a qualitative change internally;
- vi) V The Normal tenure of posting as already provided in the policy would be ensured;
- vii) No participant should be allowed to be posted on deputation to multinational donor agencies for at least 5 years;

viii) No participants will decline/represent against his/her posting.



GOVERNMENT OF KHYBER PARHTUNKHWA ESTABI ISHMENT DEPARTMENT (REGULATION WING) NO. SOR VI (E&AD)1 -4/2005/Vol111 Dated Peshawar, 27th February, 2013

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J.

The Additional Chief Secretary (P&D), Khyber Pakatunkhwa
 The Additional Chief Secretary (FATA) Khyber Pakhtunkhwa
 All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa
 All Commissioners in Khyber Pakhtunkhwa:

	CONSTITUTION PETITION NO COMPLETE STATES	
	MOTO CASE NO. 3/2012 (PETITION NO.23 OF 2012 OUT OF SUC	÷,
•••	MOTO CASE NO. 3/2012 [PETITION BY MS. ANITA TURAS	<u>'</u> "
•	TOR PROTECTION OF CIVIL SERVICE	5.
	FOR PROTECTION OF CIVIL SERVANIES REGISTERED) •
	UNDER ARTICLE 181 (3) OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973	Ϊ.
	PARISTAN 1973 1	٠i

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

Subject:

(i).

(ii)

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Appointments, Removers and Promotions: Appointments, removals and promotions must be made in accordance with the law and the rules made hereunder, where no such law or rule exists and the matter has been left to discretion, such discretion must be exercised in a structured, transparent and reasonable manner and in the public interest.

Tenure, Posting and Transfer: When the ordinary tenure for a posting has been specified in the law or rules made thereunder, such tenure must be respected and cannot be varied, except for compelling reasons, which should be recorded in writing and are judicially reviewable.



Illegal Orders: Civil Servants owe their first and forefficist liij allegiance to the law and the constitution. They are not bound to obey orders from superiors which are illegal or are not in accordance with accepted practices and rule based norms, instead; in such situations, they must record their opinion and; OSD: Officers should not be posted as OSD except for compelling reasons, which must be recorded in writing. If all all an officer is to be posted as OSD, such posting should not exceed 03 months. If there is a disciplinary inquiry going on against him/her such inquiry must be completed at the carliest. The officer on special duty may be posted against a post of his/her equivalent pay scale/grade within 03 months of his/her order as OSD. I am, therefore, directed principies of law for strict compliance. to request you to note 1. 27 - 1 the: above. Yours faithfully, Encl: as above Majain (NAJ-MUS-SAHAR) copy is forwarded to :-SECTION OFFICER (REG.VI) A The Principal Secretary to Governor Knyber Pakhtunkhwa. A The Principal Secretary to Governor Coyber Pakhtunkhwa The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa The Secretary Provincial Assembly, Khyber Pakhtunkhwa The Accountant Concral, Khyber Pakhtunkhwa 4. The Accountant General, Knyber Pakhtunkhwa. 5. The Registrar, Peshawar High Court, Peshwar. 6. The Secretary Khyber Palchtunkhwa, Public Service 7. All Addl: Secretaries Establishment & Administration All Deputy Secretaries in Establishment & Administration SEGTION ICER (REG-VI)

THE REPORT OF THE TTELS STOR 107-59/3121(Statis)S(167)/92-701 Dates Seminar the 7th July, 1992.

1.All Administrative Secretaries to Govt.of IMPP.
2.All Commissioners in NMFP.
3.Secretary to Governor, NMFP.
4.All Heads of Attached Department in NMFP.
5.All Deputy Commissioners/Political Agents in NMFP.
6.Secretary, Board of Revenue, NMFP.
7.Secretary, NWFP Public Service Commission, Pesh: 8.All Districts and Sessions Judges in NMFP.
9.Registrar, Peshawar High Court, Peshawar.

CUBJECT: - TRUNSPER OF OFFICE EMADERS OF ASSOCIATIONS.

Sir,

I am directed to refer to this Department letter No.SOR.I(SEGAD)3-4/86, dated 25.3.1986 on the subject noted above and to request once again that the office bearers of the Service Associations should not ordinarily be transferred for the year for which they are office bearers as such.

Your obedient servant,

BECTION OFFICER(SERVICES_IV)

All District / Aleney Presidents APCIA MENTER, Jun Dermation.

	VAKALAT NAM	<u>A</u>
	NO/20	· .
IN THE COURT OF _	KP Service Tribu	mal Perhaurer
Hayal Muh	anon	(Appellant)
		(Petitioner) (Plaintiff)
	VERSUS	<u>:</u>
Govt 2 WP	U etc.	(Respondent)
· .		(Defendant)
I/We, Hayat M	whamad	· · · · · · · · · · · · · · · · · · ·
)	•	- · · · · · · · · · · · · · · · · · · ·

Do hereby appoint and constitute *M. Asif Yousafzai, Advocate Supreme Court 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 costs.

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. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20

(CLIENT)

ACCEPTED

M. ASIF YOUSAFZAI Advocate Supreme Court Peshawar. B.C NO# 10-7327 CNIC # 17301-5106574-3

Syed Noman All Bukhers Advocate Hydrows Attested

OFEICE:

Room # FR-8, 4th Floor, Bilour Plaza, Peshawar, Cantt: Peshawar Cell: (0333-9103240) BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 5394/2020

Hayat Muhammad

.....(Appellant)

..... (Respondents)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Transport & others

S.No.	Description of Documents	Annex	Pages
. 1	Parawise comments along with verification		01-03
2	Charge Assumption Report of Superintendent Regional Transport Authority Mardan	A	04-05
. 3	Secretary Regional Transport Authority D.I Khan letter of displeasure	В	06
4	Reply to Stay application	-	07

INDEX

07 07 <u>Dated:</u>/ 2020

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 5394/2020

Hayat Muhammad

.....(Appellant)

VERSUS

The Chief Secretary, Government of Khyber Pakhtunkhwa & others(Respondents)

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 01, 02 & 03.

Respectfully Sheweth,

Preliminary Objections;

- 1. That the appellant has got no cause of action to file the present service appeal.
- 2. That the appellant is estopped by his own conduct to file the instant service appeal.
- 3. That the service appeal is bad in its present shape and is not maintainable in its present form.
- 4. That with utmost respect this Honorable Court has got no jurisdiction to entertains the service appeal.
- 5. That the service appeal is bad for mis-joinder and non-joinder of necessary parties.
- 6. That the appellant has got no locus standi to file the instant service appeal.

ON FACTS:

- 1) Para 1 of the service appeal is correct to the extent that he was posted as a Superintendent and rest is subject to proof by the appellant.
- 2) Para 2 of the service appeal is correct to the extent that the appellant has been transferred to Regional Transport Authority D.I Khan, while rest is denied. In reply it is stated the appellant has been transferred in public interest from one Regional Transport Authority to other Regional Transport Authority that is allowed under the prevalent law as well as mentioned in offer of appointment that employee can be transferred /posted in any Regional Transport Authority of the Province. It is also worth mentioning that the appellant was working in Provincial Transport Authority KPK till May 2019 and thereafter transferred to Regional Transport Authority Mardan. Meanwhile, superintendent Regional Transport Authority Kohat has already been transferred to Regional Transport Authority Mardan who has duly assumed the charge of Superintendent (Annex A). Furthermore it is stated that appellant has not assumed the charge concerned in Regional Transport Authority D.I Khan, and in this regard Secretary Regional Transport Authority D.I Khan issued letter of displeasure over non submission of the charge report of the appellant (Annex B).
- 3) In reply to para 3 of the service appeal, it is stated that the appellant approached Service Tribunal while appeal was under consideration.
- 4) The appeal of appellant is factitious; hence the appeal of the appellant is groundless.

GROUNDS:

- A. In reply to ground A of the service appeal, it is stated that the appellant is has been transferred according to prevalent laws and rules and no illegality has been observed while doing so. Moreover, the appeal is under consideration while the appellant approached the Service Tribunal.
- B. In reply to ground B of the service appeal, it is stated the appellant has been transferred in public interest from one Regional Transport Authority to other Regional Transport Authority i.e. allowed on the prevalent law as well as mentioned in offer of appointment that employee can be transferred /posted in any Regional Transport Authority of the Province. It is also worth mentioning that the appellant was working in Provincial Transport Authority KPK till May 2019 and thereafter transferred to Regional Transport Authority Mardan. Meanwhile, superintendent Regional Transport Authority Kohat has already been transferred to Regional Transport Authority Mardan and relinquishes his charge at Regional Transport Authority Kohat.
- C. Ground C of the service appeal is incorrect, hence denied. In reply it is stated that it is routine transfer/posting order issued keeping in view public interest and no political subject is involved. It is also worth mentioning that the lockdown has been lifted across the Province as well as transport service in operation. The arrival of new Superintendent Regional Transport Authority Mardan mirrors the reality.
- D. In reply to ground d of the service appeal, it is stated that the all necessary requirements for the said posting/transfer has been followed as always and no illegality was committed.
- E. Detail reply to ground E of the service appeal has already been given in the above paras.
- F. In reply to ground f of the service appeal, it is stated that the respondents will argue on any additional grounds if raised at the time of arguments with the prior permission of Hon'ble Court.

It is, therefore, most humbly prayed that on acceptance of the instant reply, the instant service appeal may kindly be dismissed accordingly and any other remedy which the Hon'ble Court deemed fit may graciously be granted in favor of answering Respondents.

wel Secretary (R-01) Government of Khyber Pakhtunkhwa

Msecretdry

Transport & Mass Transit Department Khyber Pakhtunkhwa

Secretary (R-03) Regional Transport Authority Mardan

Verification:

It is hereby solemnly affirmed and declared on oath that the contents of the instant comments are true and correct to the best of my knowledge and belief that nothing has been concealed from this Hon'ble Service Tribunal.

Muhamm rif Assistant Di ector Legal Transport & Mass Transit, Khyber Pakhtunkhwa

CHARGE ASSUMPTION REPORT

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th compliance with Govt. of Khyber Pakhtunkhwa. Directorate of ransport & Mass Transit Department Notification No. DIR/TPT/1-4/P&T/Staff/2011/1106-56 dated 27-02-2020. I Shoukat Zaman, hereby assume the sarge of the post of Superintendent (BPS-17) in Regional Transport Authority Mardan Division today.on 16-03-2020 (F.N)

Kalman

Annex: A

Shouka//Zaman Superinteptient BPS-17 Mardan Division, Mardan.

pies forwarded to the: -

- 1- PS to Minister for Transport & Mass Transit, Government of KHyber Pakhtunkhwa,
- 2- PS to Secretary to Govt. of Khyber Pakhtunkhwa Transport & Mass Transit Deptt: Peshawar.
- 3- PS to Commissioner/Chairman RTA Mardan Division. Mardan Khybey Pakhtunkhwa.
- 4- District Comptroller of Accounts Mardan.
- 5- PA to Director Transport & Mass Transit Depti Peshawar.



Shoukay//um/in Superintendorf/BPS-17 Mardan Divyspy, Mardan.

CHARGE RELINQUISH CERTIFICATE

No. 3/19-38RTA/KT Date 09 /3/2020 ы, Е.,

In pursuance of the Directorate of Transport & Mass Transp Government of Shor Rakhtunkhwa Order notification No.<u>Dir/Tpt/1-24-P&T/staff/2011/1106-56</u> dated 27-02-20: [] Shoukat Zaman (BS-17). Superitendent in the Office of The Secretary Regional ansport Authority Kohat relinquished the charge of the post today on 09-03-2020 (A.N).

Mar (Shouka(Auman) Superitongent Regional Transport Authority Kohat Khyber Pakhtunkhwa

ov forwarded:

- i). PS to Minister for Transport & Mass Transit, Government of Khyber Pakhtunkhwa.
- 2. PS to Secretary, Transport & Mass, Transit Department Government of Khyber Pakhtunkhwa,
- J., PS to Commissioner Kohat Division.
- 4: BA to Director Transport & Mass Transit Government of Khyber Pakhtunkhwa.

ka a Seche Regional Transpor Vuthority Kohat Khyber Pakhtunkhwa

Annex: 45" Jiary No. 3666

Date 7/7/2020 Directorate of Transport And Mass Transit, KPK

06



OFFICE OF THE SECRETARY Regional Transport Authority, D.I.Khan.

 No. 4/14 /// /RTA/DIK
 Dated
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 Off 107/2020.

 To
 The Deputy Director (Technical),
 Transport & Mass Transit,
 Khyber Pakhtunkhwa Peshawar.

 Subject:
 Subject:
 Subject: Off COMPLIANCE REPORTS.

Kindly refer to your Letter No. Dir/TPT1-82/P&T/1814-16 dated 30-06-2020 on the subject noted above, it is stated that Mr. Hayat Muhammad Superintendent (BPS-17) vide order No.Dir/TPT/1-24/P&T/staff/2011/1106-56 dated 27-02-2020 was transferred to this Authority but the said Officer has not submitted his arrival report as yet.

Sectetary Regional Transport Authority DIKhan

Endst: No. & Date Even:

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A copy is forwarded for information to the:-

- 1. PS to Secretary Transport and Mass Transit Department Khyber Pakhtunkhwa.
- 2. PA to Director Transport and Mass Transit Department Khyber Pakhtunkhwa

Secretary Regional Transport Authority DIKHAN

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Hayat Muhammad

VERSUS

Chief Secretary, Govt. of Khyber Pakhtunkhwa and Others

WRITTEN REPLY TO THE STAY APPLICATION ON BEHALF OF DEFENDANTS NO. 01 & 02.

Preliminary Objections;

- 1. That the appellant has got no cause of action to file the instant application.
- 2. That the appellant has not come to the court with clean hand.
- 3. That the conduct of the service appeal is estopped to file the instant application.
- 4. That this Hon'ble Court lack the jurisdiction to entertain the present application.
- 5. That the application in had is barred by law.

ON FACTS:

- 1) Para No. 1 needs no answer.
- 2) In reply it is stated that it is routine transfer/posting order issued according to government posting and transfer policy keeping in view public interest and no political subject is involved.
- *3)* Para No. 3 of the application is totally incorrect no prima facie case in favor of plaintiff neither balance of conveyance lie in favor of the plaintiff, nor irreparable loss to the plaintiff in the case in hand.
- 4) The application is frivolous and appellant has no grounds to file the instant service appeal.

It is therefore humbly prayed that on acceptance of this written reply the application of the plaintiff/applicant may very graciously be dismissed with heavy cost.

Defendants No. 01 & 02

Through

Additional Advocate General Service Tribunal

<u>AFFIDAVIT</u>

That the contents of this written reply to the application are true and correct to the best of my knowledge and record and nothing has been concealed from this Hon'ble Court.

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 5394/2020

Mr. Hayat Muhammad

VS

Govt Of KP

REJOINDER ON BEHALF OF APPELLANT

.

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-6) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 Para-1 of the appeal is admitted correct by the respondents. Further it is added relevant record is already in custody of the respondent deptt: so the department admitted the same.
- 2 Incorrect hence denied. While para-2 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, the respondent not denied the fact that appellant is president of APCA, so according to policy the officer holder of Association cannot be transferred during the period of Holding of office. Copy of president card is attached.
- 3 Incorrect hence denied. While para-2 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, appellant approached to tribunal after statutory period of 90 days.

GROUNDS:

A) Incorrect. While Para-A of grounds of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, the impugned order is against the law, rules, facts and norms of justice. Further it is added that the appellant approached to tribunal after waited for statutory period of 90 days.

- B) Incorrect. While Para-B of grounds of the appeal is correct as mentioned in the main appeal of the appellant. Moreover appellant not leave the charge of the post, because tribunal suspended the impugned transfer order. The appellant still getting salary from the said post and also working against the same post. Copy of pay slip and attendance register is attached.
- C) Incorrect. While Para-C of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- D) Incorrect. While Para-D of grounds of the appeal is correct as mentioned in the main appeal of the appellant. Moreover department produced the summary for the said transfer order.
- E) Incorrect. While Para-E of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- F) legal.

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

APPELLANT

Through:

(M. AŠIF YÓUSAFZAI) ADVOCATE, PESHAWAR.

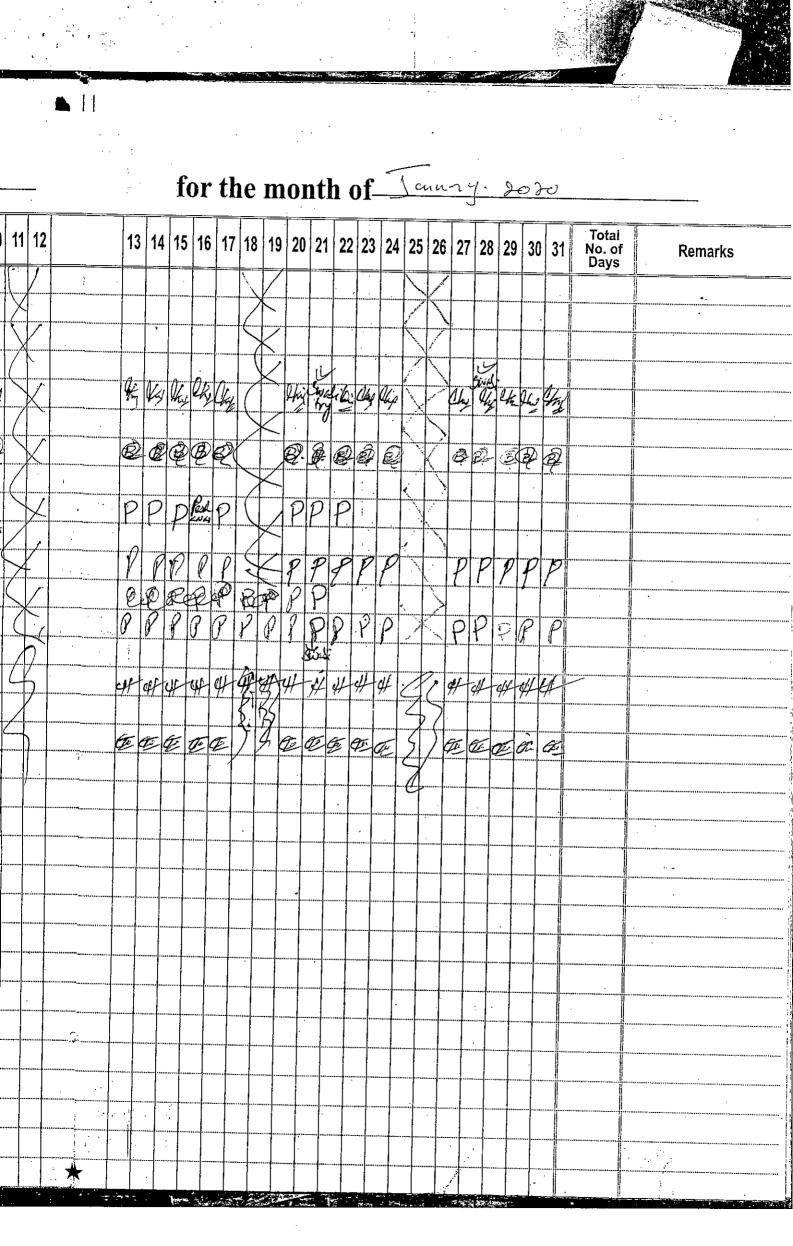
AFFIDAVIT

It is affirmed and declared that the contents of rejoinder and appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from the Hon'able Tribunal.

DEPONENT

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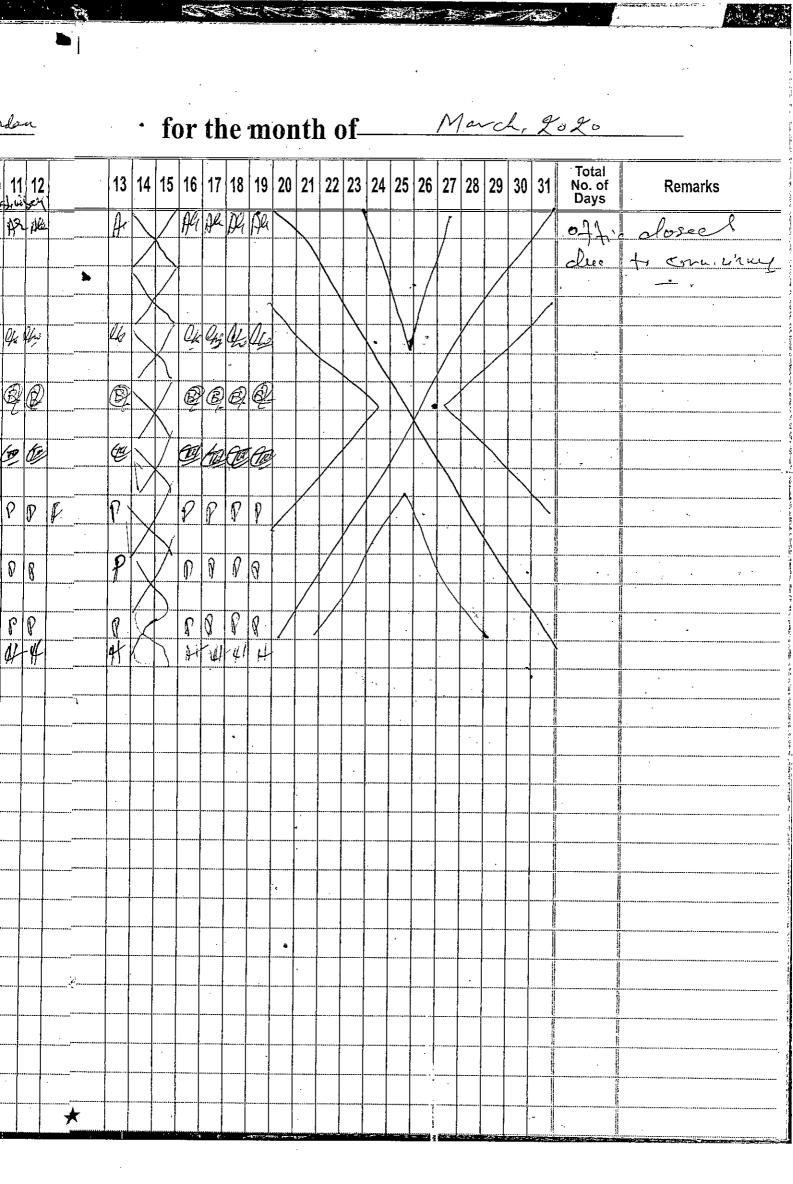
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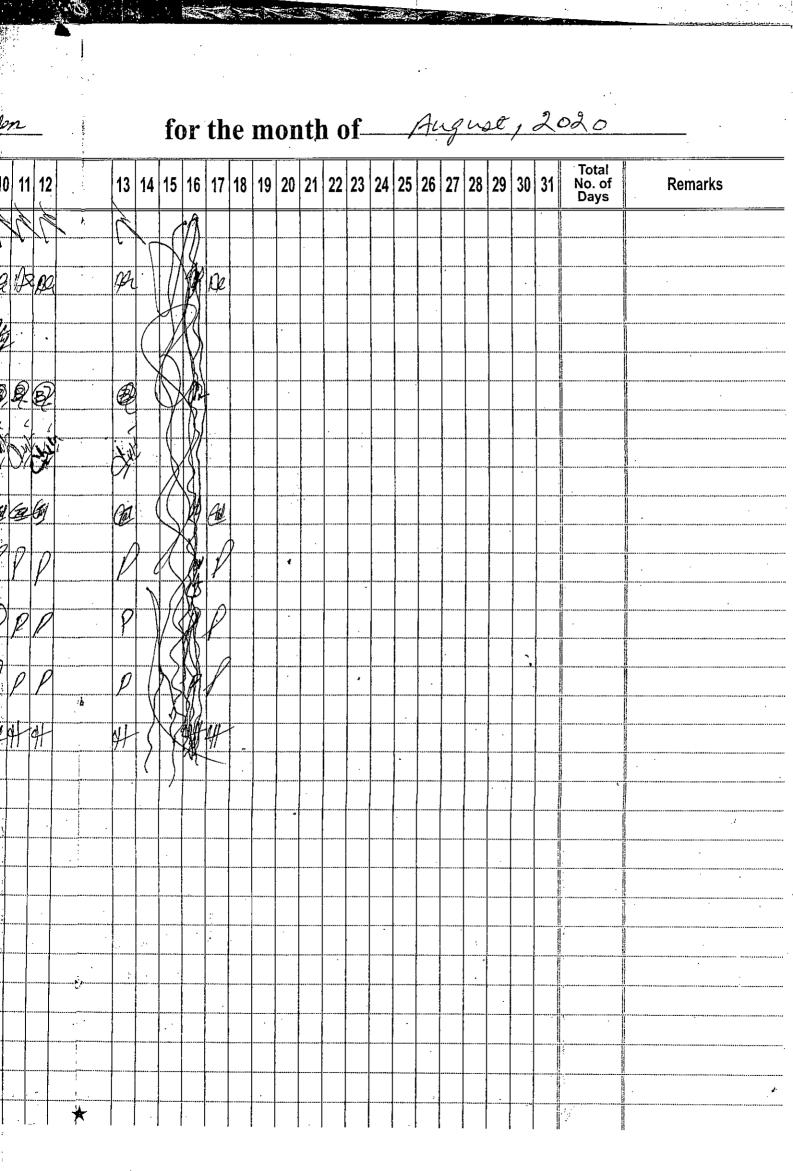
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Government of Khyber Pakhtunkhwa District Accounts Office Mardan Monthly Salary Statement (May-2020)



663,195.00

Personal Information of Mr HAYAT MOHAMMAD d/w/s of SHAL MOHAMMAD

Personnel Number: 00016131CNIC: 99901000348NTN:Dete of Birth: 12:06.1963Entry into Govt. Service: 05:08:1984Length of Service: 35 Years 09 Months 028 Days

Employment Category: Active Temporary

Designation: SUPERINTENDENT 80003378-GOVERNMENT OF KHYBER PAKH

DDO Code: MR4708-Transport Department Mardan

Payroll Section: 002 GPF Section: 001 Cash Center:

GPF A/C No: GA 011957 Interest Applied: Yes GPF Balance:

Vendor Number: 30387480 - HAYAT MUHAMMAD ASSISTANT Pay and Allowances: Pay scale: BPS Fog - 2017 Pay Scale Type: Civil BPS: 17 Pay Stage: 7

	Wage type	Amount		Wage type	Amount
0001	Basic Pay	46,470.00	1000	House Rent Allowance	4,433.00
1210	Convey Allowance 2005	5,000.00	1947	Medical Allow 15% (16-22)	2,730.00
2148	15% Adhoc Relief All-2013	572.00	2199	Adhoc Relief Allow @10%	607.00
2211	Adhoc Relief All 2016 10%	3,124,00	2224	Adhoc Relief All 2017 10%	4,647.00
2247	Adhoc Relief All 2018 10%	4,647.00			0.00

Deductions - General

	Wage type	Amount		Wage type	Amount
3017	GPF Subscription	-4,270.00	3501	Benevolent Fund	-800.00
4004	R. Benefits & Death Comp:	-900.00	•.		0.00

Deductions - Loans and Advances

Loan	· · · · · · · · · · · · · · · · · · ·	Descri ption	Principal amount	Deduction	Balance
Deduction	s - Income Tax				
Payable:	0.00	Recovered till MAY-2020:	0.00 Exempte	d: 0.00 Recovera	ble: 0.00

Gross Pay (Rs.): 72,230.00 Deductions: (Rs.): -5,970.00 Net Pay: (Rs.): 66,260.00

Payee Name: HAYAT MOHAMMAD

Account Number: 09590063783801 Bank Details: HABIB BANK LIMITED, 220959 SUPER MARKET CENTER, PESHAWAR. SUPER MARKET CENTER, PESHAWAR., PESHAWAR

Leaves: Opening Balance: Availed: Earned: Balance: --

Permanent Address: ARY PROV TRANSPORT AUTHORITY 100986

City: PeshawarDomicile: NW - Khyber PakhtunkhwaHousing Status: No OfficialTemp. Address:Email: hayatmuhammadašsis313@gmail.com

System generated document in accordance with APPM 4.6.12.9(SERVICES/29.05.2020/16:15:43/v2.0) * All amounts are in Pak Rupees * Errors & omissions excepted

Government of Khyber Pakhtunkhwa District Accounts Office Mardan

Monthly Salary Statement (June-2020)

Personal Information of Mr HAYAT MOHAMMAD d/w/s of SHAL MOHAMMAD

Personnel Number: 00016131CNIC: 99901000348NTN:Length of Birth: 12.06.1963Entry into Govt. Service: 05.08.1984Length of Service: 35 Years 10 Months 027 Days

Employment Category: Active Temporary

Designation: SUPERINTENDENT 80003378-GOVERNMENT OF KHYBER PAKH

DDO Codc: MR4708-Transport Department Mardan

GPF Section: 001 Cash Center:

GPF A/C No: GA 011957 Interest Applied: Yes GPF Balance: 667,465.00

Vendor Number: 30387480 - HAYAT MUHAMMAD ASSISTANT Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS 17 Pay Stage: 7

	Wage type	Amount		Wage type	Amount
0001	Basic Pay	46,470.00	1000	House Rent Allowance	4,433.00
	Convey Allowance 2005	5,000.00	1947	Medical Allow 15% (16-22)	2,730.00
2148		572.00	2199	Adhoc Relief Allow @10%	607.00
2211	Adhoc Relief All 2016 10%	3,124.00	2224	Adhoc Relief All 2017 10%	4,647.00
		4,647.00	· ·		0.00

Deductions - General

Payroll Section: 002

	Wage type	Amount	· ·	Wage type	-	Amount
3017	GPF Subscription	-4,270.00	3501	Benevolent Fund		-800.00
	R. Benefits & Death Comp:	-900.00	4200	Professional Tax		-1,500.00

Deductions - Loans and Advances

Loan Description Principal amount Deduction Balance

Deductions - Income Tax

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

Gross Pay (Rs.): 72,230.00 Deductions: (Rs.): -7,470.00 Net Pay: (Rs.): 64,760.00

Payee Name: HAYAT MOHAMMAD

Account Number: 09590063783801

Bank Details: HABIB BANK LIMITED, 220959 SUPER MARKET CENTER, PESHAWAR. SUPER MARKET CENTER, PESHAWAR., PESHAWAR

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: ARY PROV TRANSPORT AUTHORITY 100986

City: PeshawarDomicile: NW - Khyber PakhtunkhwaHousing Status: No OfficialTemp. Address:

City: Email: hayatmuhammad.ssis313@gmail.com

System generated document in accordance with APPM 4.6.12.9(SERVICES/30.06.2020/13:44:59/v2.0) * All amounts are in Pak Rupees * Errors & omissions excepted

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 5394/2020

Mr. Hayat Muhammad

Govt Of KP

REJOINDER ON BEHALF OF APPELLANT

VS

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-6)

All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

1

Para-1 of the appeal is admitted correct by the respondents. Further it is added relevant record is already in custody of the respondent deptt: so the department admitted the same.

2 Incorrect hence denied. While para-2 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, the respondent not denied the fact that appellant is president of APCA, so according to policy the officer holder of Association cannot be transferred during the period of Holding of office. Copy of president card is attached.

Incorrect hence denied. While para-2 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, appellant approached to tribunal after statutory period of 90 days.

GROUNDS:

(A)

3

Incorrect. While Para-A of grounds of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, the impugned order is against the law, rules, facts and norms of justice. Further it is added that the appellant approached to tribunal after waited for statutory period of 90 days.

Incorrect. While Para-B of grounds of the appeal is correct as mentioned in the main appeal of the appellant. Moreover appellant not leave the charge of the post, because tribunal suspended the impugned transfer order. The appellant still getting salary from the said post and also working against the same post. Copy of pay slip and attendance register is attached.

Incorrect. While Para-C of grounds of the appeal is correct as mentioned in the main appeal of the appellant.

Incorrect. While Para-D of grounds of the appeal is correct as mentioned in the main appeal of the appellant. Moreover department produced the summary for the said transfer order.

Incorrect. While Para-E of grounds of the appeal is correct as mentioned in the main appeal of the appellant.

legal.

B)

C)

D)

E)

F)

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

APPELLANT

Through:

(M. AŠIF YOUSAFZAI) ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder and appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from the Hon'able Tribunal.

DEPONENT

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Daily Attendance Register of the LTA . Madem 13 14 10 11 12 6 8 9 Rank 3 5 7 Serial No. 2 Father's Name 1 Name A M M Hich Zulajv Hulsain (\mathcal{D}) AR AS AL AR ALE ARAKAR ·Ast Amer Baz La B Halle Charles Var Ob altr C:0 Asim Bilel $\overline{2}$ B B B B B B B 12 2 6 0.0 Beber Fasily 4.) } س البي البي البي الم المر الن 0.9 Infan Jehan 5. E Co 6 6 6 03 62 63 63 02 S.C Tyfail Shoukat 6 P PIC PP 0 PPP 2 Driv Taimi 7 P $\left(\right)$ P P P P N/Q PP-P P Noor-ul-Anfer Ê P P P PP 16 P. P Chuk P P *२*, Abbas Akbar 977 H H 4 4 4 4 10. Hoff to Juhana D. -Site

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Daily Attendance Register of the ATA Mardon Serial No. 10 11 12 13 14 Rank 2 3 **4** (-5 6 8 9 1 7 Father's Name Name Hussin Ast Zubair D XARAD pr pr pr pr pr Å Amir Baz Khan Ast Z Cho The hold the Bo Asm Bilel C.OK T Ð BBBBB BPP C.0 Baber Fasih G x Str Ox O X grfan Jehen (, 0)Ful Fray Feel Ger Got S.C 64 62 64 Ì Tufail Shoukot \mathcal{G} Dnu P Tainian A \mathcal{Q} B. AbhA3 Alebar Mor Jaco ul Azibean N/B PPPPP 1 W FW/91 91 97-94-04-94-44 (19) Hafabe luhammad. Jupat. 10.00 ··· ·

Government of Khyber Pakhtunkhwa

District Accounts Office Mardan Monthly Salary Statement (May-2020)



Personal Information of Mr HAYAT MOHAMMAD d/w/s of SHAL MOHAMMAD

Personnel Number: 00016131 CNIC: 99901000348 Date of Birth: 12.06.1963 Entry into Govt. Service

NTN:

Date of Birth: 12.06.1963 Entry into Govt. Service: 05.08.1984 Length of Service: 35 Years 09 Months 028 Days

Employment Category: Active Temporary Designation: SUPERINTENDENT

80003378-GOVERNMENT OF KHYBER PAKH

gnation: SUPERINTENDENT 80003378-GOVERNMENT OF KHYBE

DDO Code: MR4708-Transport Department Mardan

Payroll Section: 002GPF Section: 001Cash Center:GPF A/C No: GA 011957Interest Applied: YesGPF Balance:663,195.00

Vendor Number: 30387480 - HAYAT MUHAMMAD ASSISTANT

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 17 Pay Stage: 7

* ·	Wage type	Amount		Wage type	Amount
0001	Basic Pay	46,470.00	1000	House Rent Allowance	4,433.00
1210	Convey Allowance 2005	5,000.00	1947	Medical Allow 15% (16-22)	2,730.00
2148	15% Adhoc Relief All-2013	572.00	2199	Adhoc Relief Allow @10%	607.00
2211	Adhoc Relief All 2016 10%	3,124.00	2224	Adhoc Relief All 2017 10%	4,647.00
2247	Adhoc Relief All 2018 10%	4,647.00			0.00

Deductions - General

	Wage type	Amount		Wage type	Amount
3017	GPF Subscription	-4,270.00	3501	Benevolent Fund	-800.00
4004	R. Benefits & Death Comp:	-900.00			0.00

Deductions - Loans and Advances

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

Gross Pay (Rs.): 72,230.00 Deductions: (Rs.): -5,970.00 Net Pay: (Rs.): 66,260.00

Payee Name: HAYAT MOHAMMAD

Account Number: 09590063783801 Bank Details: HABIB BANK LIMITED, 220959 SUPER MARKET CENTER, PESHAWAR. SUPER MARKET CENTER, PESHAWAR., PESHAWAR

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: ARY PROV TRANSPORT AUTHORITY 100986

City: PeshawarDomicile: NW - Khyber PakhtunkhwaHousing Status: No OfficialTemp. Address:

City: Email: hayatmuhammadassis313@gmail.com

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Government of Khyber Pakhtunkhwa

District Accounts Office Mardan Monthly Salary Statement (June-2020)



NTN: CNIC: 99901000348 Perfonnel Number: 00016131 Length of Service: 35 Years 10 Months 027 Days Entry into Govt. Service: 05.08.1984 Date of Birth: 12.06.1963

Employment Category: Active Temporary

800033.78-GOVERNMENT OF KHYBER PAKH Designation: SUPERINTENDENT DDO Code: MR4708-Transport Department Mardan Cash Center:

GPF Section: 001 Payroll Section: 002 667,465.00 GPF Balance:

GPF A/C No: GA 011957 Interest Applied: Yes e ne .

Vendor Number: 30387480 - HAYAT MUHAMMAD ASSISTANT Pay Stage: 7 Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 17 Pay and Allowances:

Wage type	Amount	Wage type	. Amount
0001 Basic Pay	46.470.00	1000 House Rent Allowance	4,433.00
1210 Convey Allowance 2005	5.000.00	1947 Medical Allow 15% (16-22)	2,730.00
2148 15% Adhoc Relief All-2013	572.00	2199 Adhoc Relief Allow @10%	607.00
	3,124.00	2224 Adhoc Relief All 2017-10%	4,647.00
2211 Adhoc Relief All 2016 10% 2247 Adhoc Relief All 2018 10%	4,647,00		0.00

Deductions - General

		·	<u> </u>
Wage type	Amount	Wage type	Amount
		3501 Benevolent Fund	-800.00
3017 GPF Subscription	-4,270.00		1 500.00
4004 R Benefits & Death Comp:	-900.00	4200 Professional Tax	-1,500.00

Deductions - Loans and Advances

Loan	Description	 Principal amount	Deduction	Balance

Deductions - Income Tax 0.00 Exempted: 0.00 Recoverable: 0.00 Recovered till JUN-2020: . 0.00 Payable:

64,760.00 -7,470.00 Net Pay: (Rs.):

Deductions: (Rs.): 72,230.00 Gross Pay (Rs.):

Payee Name: HAYAT MOHAMMAD

City:

Account Number: 09590063783801 Bank Details: HABIB BANK LIMITED, 220959 SUPER MARKET CENTER, PESHAWAR. SUPER MARKET CENTER, PESHAWAR., PESHAWAR 5

Leaves:	Opening Balance:	Availed:	Earned:	Balance:	

Permanent Address: ARY PROV City: Peshawar	Housing Status: No Official	
Temp. Address:		
City:	Email: hayatmuhammad.ssis313@gmail.com	•

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the KP Service Tribonal, Perhawar. Before Appeal No: 5394 /20 Hay A Muhanul Transport Dept. ٧S Subject: Application for adjoorment. de Respectfully - Showeth . above menter appeal is 1.-That the Pending Defore this tribunal of fixed for this 2. That the caused for the appellant is not In position to attend the houtble tribune due to his persual engagement. Otis, therefore, locadly requested to objoin the Pustant Appeal in intrest of Justice. Appellant. through the first MASib Yousopai

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Appellant.

Through Syed Nomen Ali Bulchan: Abocate High Court -

Onte 20/05/22.