


17.08.2021

Counsel for the appellant present. Preliminary arguments have been heard.

The office could not note the point that departmental appeal was not made to the competent appellate authority. The impugned order was passed by the DEO(F) Peshawar whose next authority is the Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar. However, the departmental appeal was also filed before the DEO (F) Peshawar, who also entertained the same and rejected it vide letter No.2523/Estan-I, dated 11.08.2021 with further direction to the appellant to take over the charge in GGPS Karyana Peshawar within three days positively, failing which consequence of cancellation of appointment order dated 29.06.2021 has been indicated. As the departmental appeal was submitted before the DEO(F) being not the proper forum, the aforementioned order of rejection of appeal is coram-non-judice having no legal effect. When confronted with this position, learned counsel for the appellant requested for withdrawal of the appeal with permission to file fresh one after fulfilling the requirement of departmental appeal. Request is accorded. This appeal is dismissed as withdrawn with permission to file fresh appeal, subject to all legal objections.

SCANNED  
KPST  
Peshawar

  
Chairman



ANNOUNCED  
17.08.2021

Form- A

FORM OF ORDER SHEET

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

Case No.- 7257 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/08/2021	<p>The appeal of Mr. Urba Mateen presented by Mr. Noor Muhammad 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 at Peshawar. Notice be issued to appellant/counsel for preliminary hearing to be put up there on _____</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

# KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

## CHECK LIST

Case Title: Mst, URBA MATEEN V/S EDUCATION DEPARTMENT

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: <b>NOOR MOHAMMAD KHATTAK</b>	✓	
2	Whether Counsel/Appellant/Respondent/Deponents have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____		
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____		
26	Whether copies of comments/reply/rejoinder submitted? On _____		
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: **NOOR MOHAMMAD KHATTAK**

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_

11 /08/2021

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

**SERVICE APPEAL NO. \_\_\_\_\_/2021**

**Mst, URBA MATEEN**

**V/S**

**EDUCATION DEPARTMENT**

**I N D E X**

<b>S.N O</b>	<b>DOCUMENTS</b>	<b>ANNEXURE</b>	<b>PAGE</b>
<b>1</b>	Memo of appeal	.....	1 - 3
<b>2</b>	Affidavit	.....	4
<b>3</b>	Stay Application	.....	5
<b>4</b>	Appointment order dt: 29-6-2021	<b>A</b>	6-7
<b>5</b>	Charge report dt: 5-7-2021	<b>B</b>	8
<b>6</b>	Corrigendum dt:27-7-2021	<b>C</b>	9
<b>7</b>	Reveling order dt:28-7-2021	<b>D</b>	10-11
<b>8</b>	Charge report dt:29-07-2021	<b>E</b>	12
<b>9</b>	Impugned order dt: 31-07-2021	<b>F</b>	13
<b>10</b>	Departmental appeal	<b>G</b>	14-15
<b>11</b>	Rejection order dt: 11-08-2021	<b>H</b>	16
<b>12</b>	transfer/posting policy	<b>I</b>	17-19
<b>13</b>	Wakalat Nama	.....	20

Dated: 16/8/2021

**APPELLANT**

Through:

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

FLATE NO. 04, 2<sup>ND</sup> FLOOR,  
JUMA KHAN PLAZA, NEAR FATA SECRETARIAT,  
WARSAK ROAD, PESHAWAR

**0345-9383141**

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

APPEAL NO. 7257/2021

Khyber Pakhtunkhwa  
Service Tribunal  
Diary No. 7449  
Dated 16/08/2021

Mst: Urba Mateen, Theology Teacher (BPS-15),  
GGMS Kandi Kalo Khel under transfer to GGMS Karyana, District Peshawar  
..... **APPELLANT**

**VERSUS**

- 1- The Secretary (E&S) Education Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&S) Education Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (Female), District Peshawar.

..... **RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 31-07-2021 WHEREBY THE TRANSFER ORDER DATED 27-07-2021 TO GGMS KANDI KALO KHEL HAS BEEN WITHDRAWN TO THE EXTENT OF APPELLANT IN UTTER VIOLATION OF TRANSFER/POSTING POLICY AND AGAINST THE APPELLATE ORDER DATED 11-08-2021 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED ON NO GOOD GROUNDS.**

**PRAYER:**

That on acceptance of this appeal the impugned order dated 31-07-2021 and appellate order dated 11-08-2021 may very kindly be set aside to the extent of appellant and the respondents may kindly be directed not transfer the appellant from GGMS Kandi Kalo Khel Peshawar. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

**Brief facts giving rise to the present appeal are as under:-**

- 1- That appellant was appointed as Theology Teacher (BPS-15) and was posted at GGMS karyana District Peshawar vide order dated

Filed to-day  
Registrar  
16/8/21

29.06.2021. That in response the appellant submitted her charge report on 05.07.2021 and started her duty quite efficiently and up to the entire satisfaction of her superiors. Copies of the appointment order and charge report are attached as annexure..... **A & B.**

2- That it is pertinent to mention here that the respondent No.3 issued a corrigendum vide order dated 27.07.2021 whereby the place/station of posting of the appellant has been shown as GGMS Kandi Kalo Khel. Copy of the corrigendum dated 27.7.2021 is attached as annexure ..... **C.**

3- That in response to the above mentioned corrigendum order the appellant was relieved from GGMS Karyana vide order dated 28.07.2021 and accordingly the appellant submitted her charge report at GGMS Kandi Kalo Khel vide dated 29.07.2021. Copies of the relieving order and charge report are attached as annexure ..... **D & E.**

4- That appellant started performing her duty quite efficiently and up to the entire satisfaction of her superiors but astonishingly the respondent No.3 issued the impugned order dated 31.07.2021 whereby the corrigendum order dated 27.07.2021 of the appellant has been withdrawn without any legal justification. Copy of the impugned order is attached as annexure ..... **F.**

5- That appellant feeling aggrieved from the impugned transfer order dated 31.07.2021 preferred Departmental appeal before the appellate authority but the same was regretted by the said authority without any reason and clear justification vide order dated 11.8.2021. Copies of the Departmental appeal and rejection order are attached as annexure..... **G & H.**

6- That the appellant having no other remedy prefer the instant service appeal on the following grounds amongst the others.

**GROUND:**

A- That the impugned orders dated 31.07.2021 and 11.8.2021 are 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 respondents in accordance with law and rules on the subject noted above and as

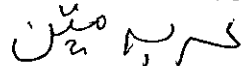
such the respondents violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.

- C- That the impugned transfer order dated 31.07.2021 and appellate order dated 11.8.2021 has been issued by the respondents in arbitrary and mala fide manner, hence not tenable and liable to be set aside.
- D- That the impugned transfer order dated 31.07.2021 is based on discrimination, favoritism and nepotism, hence not tenable in the eye of law.
- E- That the impugned transfer order dated 31.07.2021 has neither been issued in the best interest of public service nor in exigencies of service, hence not tenable and liable to be set aside.
- F- That the impugned orders dated 31.07.2021 and 1.8.2021 is nothing but to harass the appellant and to accommodate her blue eyed person.
- G- That the impugned transfer order dated 31.07.2021 is violative of Clause-I, IV and IX of the transfer/posting policy of the Government of Khyber Pakhtunkhwa as the appellant has been transferred prematurely from his current station. Copy of the transfer/posting policy is attached as annexure ..... I.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 11.8.2021

**APPELLANT**



**Urba Mateen**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK**

**KAMRAN KHAN**

**&**

**UMAR FAROOQ**

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

**Mst, URBA MATEEN**

**VS**

**EDUCATION DEPTT:**

**AFFIDAVIT**

Stated on oath that the contents of the accompanying service appeal are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.



گرہ مٹین  
**DEPONENT**

**CERTIFICATE:**

Certify that no earlier service appeal has been filed by the appellants in the instant matter before this Honorable Service Tribunal.

گرہ مٹین  
**CERTIFICATION**



5

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

**SERVICE APPEAL No. \_\_\_\_\_/2021**

**URBA MATEEN**

**VS**

**EDUCATION DEPT:**

**APPLICATION FOR SUSPENSION OF OPERATION OF**  
**THE IMPUGNED ORDER DATED 31.07.2021 TILL THE**  
**DISPOSAL OF THE ABOVE MENTIONED APPEAL**

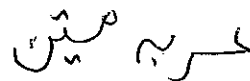
**R/SHEWETH:**

- 1- That the above mentioned appeal along with this application has been filed the appellant before this august service Tribunal in which no date has been fixed so far.
- 2- That appellant filed the above mentioned appeal against the impugned order dated 31.07.2021 whereby the transfer order dated 27.07.2021 of the appellant from GGMS Karayana, to GGMS Kandi Kalo Khel has been withdrawn.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned order dated 31.07.2021 has 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 order dated 31.07.2021 to the extent of appellant may very kindly be suspended till the disposal of the above mentioned service appeal.

Dated: 11.8.2021

**APPLICANT**



**Urba Mateen**

**THROUGH:**

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

ANNEXURE A

6

Office of the  
District Education Officer, (Female)  
Peshawar



**APPOINTMENT:-**

Consequent upon the recommendation of the District Selection Committee held on 28.06.2021, appointment of the following candidates are hereby ordered against the post of TT, School based in BPS-15 (Rs.16120-1330-56020) @ Rs. 16120/-P/M (fixed) plus usual allowances as admissible under the rules on adhoc basis on contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge:-

S#	ROLL NO	NAME	FATHER NAME	DOB	CNIC	SCORE	SCHOOL	REMARKS
1	35600157	HIRA ZEB	MUHAMMAD ALAM ZEB	03-04-1996	16102-2110937-6	126.20	GGHS TALAM KHAN	A.V.P
2	35600928	HUMAIRA	NOOR REHMAN	06-12-1985	17301-3821968-6	126.03	GGHSS SUFAID SUNG	A.V.P
3	35600435	URBA MATEEN	MATEEN MALIK	18-02-1997	17301-7748947-6	125.29	GGMS KARYANA	A.V.P
4	35600623	HALEEMA ZAIB	AURANGZAIB	09-03-1990	17301-0835413-8	124.45	GGHSS WADPAGA	A.V.P
5	35600581	SADIA AZIZ	SHER AZIZ KHAN	21-02-1996	17301-1955718-8	123.88	GGHS JOGANI	A.V.P
6	35600343	SARA	MIR ZAMAN	03-02-1994	17301-7851026-8	122.58	GGHS KHWAIDA KHEL	A.V.P

**TERMS & CONDITIONS:-**

1. No TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year.
4. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the concerned DDOs, anyone found producing bogus/fake Degrees/Certificates will be terminated without any prior notice and no financial benefits will be claimed by the terminated personnel for the served period and be reported to the law enforcing agencies for further action.
5. Their services are liable to termination on one month notice from either side. In case of resignation without notice, one-month pay/allowances shall be forfeited to the Government.
6. Pay will not be drawn until and unless certificates to the effect by the concerned DDOs are issued that their degrees/certificates are verified from the concerned agencies.
7. They should join their post within **ONE** month of the issuance of this notification. In case of failure to join their post within **ONE** month of the issuance of this notification, their appointment will expire automatically and no subsequent appeal etc shall be entertained.
8. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
9. Before handing over charge they will sign an agreement with the department, otherwise this order will not be valid.
10. They will be governed by such rules and regulations as may be issued from time to time by the Government.

ATTESTED

7


11. Their services shall be terminated at any time, in case their performance is found unsatisfactory during their contract period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
12. They will have to serve at the place of posting, and their services are not transferable to any other station.
13. 9 months induction face to face session is mandatory.
14. The Principal/Head Mistress concerned is directed to check the result declaration date of each and every certificate degree, and if found after 30.11.2020 the new appointee will not be handed over charge under intimation to this office.

(Samina Ghani)  
District Education Officer  
Female Peshawar

Endst: No. 1396-1410 Dated Peshawar the 29 / 06 / 2021

Copy forwarded for information and necessary action to the: -

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Principal/Headmistress concerned with the direction to hand over charge to newly appointees according to the above mentioned terms and conditions.
3. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar
4. Budget & Accounts Officer, Local Office.
5. Superintendent Estb: Local Office.
6. Cashier Local Office.
7. PA Local Office.
8. Officials Concerned.
9. M/File

  
29/6/21  
Dy. District Education Officer  
Female Peshawar

**ATTESTED**

ANNEXURE

B

8

CERTIFICATE OF TRANSFER OF CHARGE

Certified that we have on the forenoon of this day respectively made over and receive charge of this office of the G.G.M.S Karyana

Particulars of cash and important secret and confidential documents handed over are noted on the reverse:-

Station: - Karyana

Signature of relieved \_\_\_\_\_  
Government Servant: T.T (A.V.P)  
Designation: T.T

Dated: 05-07-2021

Signature of relieving Urba  
Government Servant: Urba Mateen  
Designation: T.T

Urba 5/7/2021  
HEAD MISTRESS  
G.G.M.S  
Karyana Peshawar

ATTESTED

ANNEXURE

9



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

**CORRIGENDUM:**

Please read Column No.6 instead of column No.5 against the name of the following teachers.

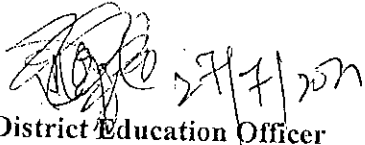
S.No.	Name & Designation	Desig;	Endst: No	Adjusted At	Read As	Occurred at serial No.
01	TANZEELA KHAN	DM	1775-80 Dated: 10-07-2021	GGMS SARKHANA	GGHSS MATHRA	S.No.02
02	URBA MATEEN	TT	1396-14101 Dated: 29-06-2021	GGMS KARYANA	GGMS KANDI KALO KHEE	S.No.03
03	SIDRA SHAHNAWAZ	CT	1333-52 Dated: 29-06-2021	GGMS DR.ANWAR KHAN KILLI	GGHSS JOGIWARA	S.No.11

District Education Office  
Female Peshawar

Endst: No. 2044-48 Dated Peshawar the 27/7/2021

Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Principal/Headmistress concerned.
3. Teacher Concerned.
4. Cashier Local Office.

  
 Dy. District Education Officer  
 Female Peshawar

**ATTESTED**

To,

ANNEXURE

D

10

The Headmistress-

G.G.M.S. Karyana

Peshawar

Subject:- Relieving from the current  
Station (G.G.M.S. Karyana)

Respected:- Madam

With due respect,  
it is stated that I Urba Mateen  
adjusted as T.T. BPS-15 under  
Endst. No. 2044-48 Transfer  
dated 27/7/2021 attached here  
by order 28/7/2021.

Kindly grant me relief  
from the current station in  
respect of T.T. BPS-15

I shall be very thankful

Adjusted Station: G.G.M.S. Kaladi Kalo  
Khel,

Dated 28/7/2021

Endst No 2044-48

Adjustment/order Peshawar

Copy forwarded for information

to the :

ATTESTED

Date: \_\_\_\_\_

1 Dist Education Officer (F) Peshawar

2 Candidates Concerned

3 Personal file

HEAD MISTRESS  
GGMS 28/7/2024  
Karyana Peshawar

Signature of reliever

*Urba Mateen*

Government Servant

Urba Mateen

Designation:

TTBRS-15

Signature of relieving

*Urba*

Government Servant

Qudsia Tabal

Designation: SST

GGMS Karyana Peshawar

ATTESTED

01/23/24

CERTIFICATE OF TRANSFER OF CHARGE

Certified that we have on the forenoon of this day respectively made over and receive charge of this office of the G.G.M.S. Kandi Kalu Khel Peshawar

Particulars of cash and important secret and confidential documents handed over are noted on the reverse:- vide order No # 2044 - U.S.O. dt 29-7-21

Station: - G.G.M.S Kandi Kalu Khel Peshawar

Signature of relieved Vacant Post  
Government Servant: T.T. (A.V.P)  
Designation: T.T

Dated: 29-7-2021

Signature of relieving Urba Mateen  
Government Servant: Urba Mateen  
Designation: T.T

Forwarded to DEO Female Peshawar

**ATTESTED**

SP  
SARWAT SHAHEEN  
H.M.G.G.M.S  
Kandi Kalu Kheil



**OFFICE OF THE DISTRICT EDUCATION OFFICE**  
**(FEMALE) PESHAWAR**

**OFFICE ORDER:**

The corrigendum order endst: No, 2044-48 dated 20-07-2021 In respect of

**Mst, Urba Mateen** TT and Endst: No, 2009-18 dated 19-07-2021  
in respect of **Ambreen Zahid**, MD are hereby withdrawn.

District Education Office  
Female Peshawar

Endst: No. 2157-59 Dated Peshawar the 31-07-2021

Copy forwarded information and necessary action to the:

1. Accountant General Khyber Pakhtunkhwa Peshawar .
2. Principal/Headmistress Concerned.
3. Teacher Concerned.
4. Cashier Local Office.

District Education Office  
Female Peshawar

ANNEXURE F

13



**OFFICE OF THE DISTRICT EDUCATION OFFICE  
(FEMALE) PESHAWAR**

**OFFICE ORDER:**

The corrigendum order endst: No. 2044-18 dated. 27-07-2021 in respect of Mst. Urba Mateen, TTI and Endst: No. 2009-18 dated: 19-07-2021 in respect of Mst. Ambreen Zahid, DM are hereby withdrawn.

District Education Office  
Female Peshawar

Endst: No. 2157-59 Dated Peshawar the 31/7/2021

Copy forwarded for information and necessary action to the: -

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Principal/Headmistress concerned.
3. Teacher Concerned.
4. Cashier Local Office.

*Mani*  
31/07/2021

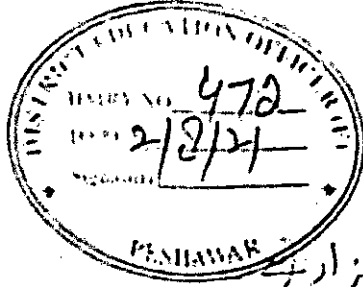
District Education Officer  
Female Peshawar

**ATTESTED**

وزارت جناب ڈسٹرکٹ ایجوکیشن آفیسر لبرٹی زبانہ پشاور

درخواست نمبر اد منسوفی With drawn of Order

مورخہ 31-7-2021 یات مسماة عربہ متین 15 - T.T, BPS - گورنمنٹ



گورنمنٹ گرلز مڈل سکول کندی کالوخیل پشاور۔

جناب عالیہ!

آ: Estt:

سائلہ حسب ذیل عرض گزار ہے

1:- یہ کہ سائلہ موقع ناہر پور پشاور کی رہائشی ہے اور موقع کندی کالوخیل ناہر پور کے ساتھ ملحقہ گاؤں ہے۔

2:- یہ کہ سائلہ کی تعیناتی / Posting مورخہ 29-6-2021 کو گورنمنٹ گرلز مڈل سکول کریانہ میں ہوئی۔

3:- یہ کہ سائلہ کو آفسر مجاز نے پزریہ Endst No. 2044-42 Corrigendum مورخہ 27-7-2021 کو گورنمنٹ گرلز مڈل سکول کندی کالوخیل بھیجا دیا گیا۔ جہاں پر سائلہ مورخہ 29-7-2021 سے اپنی ڈیوٹی سرانجام دے رہی ہے۔ یہ کہ اب مورخہ 31-7-2021 کو پزریہ

Endst No: 2151-59 سائلہ کا آرڈر مورخہ 27-7-2021 withdrawn کر لیا گیا ہے۔ اور سائلہ کو پھر گورنمنٹ مڈل سکول کریانہ حاضر ہونے کا حکم صادر فرمایا گیا ہے۔

یہ کہ سائلہ موقع ناہر پور کی رہائشی ہے اور کندی کالوخیل

سائلہ کیلئے نزدیک ترین سکول ہے۔ جہاں پہنچنے میں صدمہ ہوگا۔

دلگتے ہیں۔

ATTESTED

یہ کہ گورنمنٹ گریڈ مڈل سکول کبریائہ سائٹ کی رہائش گاہ سے  
 35/40 کلومیٹر کے فاصلے پر ہے۔ جہاں پہنچنے میں سائٹ کو  
 3/4 گاڑیاں بدلتی پڑتی ہیں اور یکطرفہ تقریباً 2 گھنٹے لگتے ہیں۔ جس سے سائٹ  
 کونیت تکلیف اور وقت کا سامنا ہے کیونکہ سائٹ عورت ذات ہے  
 یہ کہ سائٹ کی ٹرانسفر گورنمنٹ کنڈی کالج میں vacant Post  
 پر کی گئی تھی۔

لہذا استدعا ہے کہ یہ منظوری درخواست لہذا سائٹ کی مشکلات  
 اور پبلک انٹرسٹ کو مدنظر رکھتے ہوئے آرڈر آف Withdrawn مورخہ  
 31-7-2021  
 کو منسوخ کر کے سائٹ کو واپس گورنمنٹ گریڈ مڈل سکول کنڈی کالج تعینات  
 فرمایا جائے۔

المہر قوم (2/8/21)

العارضہ  
 درخواست گزار  
 عریضہ بنت مبین ملک  
 T: T و BPS - 25  
 گاؤں سوڈ اکمانہ باہر پور  
 تحصیل و قلعہ پشاور  
 موبائل # 9699558 - 0311

ATTESTED

# ANNEXURE H

16

OFFICE OF THE DISTRICT EDUCATION OFFICER  
(FEMALE) PESHAWAR. Email I.D: emisfpeshawar@gmail.com

No: 2523 / Estan-I

Dated Peshawar the: 11-08 2021

To

Mst. Urba Mateen D/O Mateen Malik (T.T BPS-15)  
Nasir Pur, Peshawar

Subject: - **APPREAL FOR WAITHDRAWAL OF ORDER.**

Memo:

Your appeal regarding the subject cited above received to this office vide diary No. 472 dated. 02.08.2021, is hereby rejected in the best interest of Students and Public.

You are directed to take over charge in GGMS Karyana Peshawar within three days positively otherwise your appointment order No. 1396-1410 dated. 29.06.2021 will be automatically cancelled.

*Q. Mami 11/8/2021*  
District Education Officer,  
(Female) Peshawar

Endst No: \_\_\_\_\_/

Copy to the:-

1. Headmistress GGMS Kandi Kalu Khel Peshawar with the direction to relieve her immediately.
2. Headmistress, GGMS Karyana Peshawar to report & submit her arrival / Charge report within three days positively.

*Q. Mami*  
District Education Officer,  
(Female) Peshawar



GOVERNMENT OF NWFP  
ESTABLISHMENT & ADMINISTRATION  
DEPARTMENT  
(Regulation Wing)

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) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained
- vi) 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 at least 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 officers/officials on deputation 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.

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

ATTESTED

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:

- 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.
- Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

**ATTESTED**

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 areas 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/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 in respective 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.

AFFECTED





**VAKALATNAMA**

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

APPEAL NO \_\_\_\_\_ OF 2021

Mst Urba Mateen (APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Education Deptt. (RESPONDENT)  
(DEFENDANT)

I/We Mst Urba Mateen

Do hereby appoint and constitute **NOOR MUHAMMAD KHATTAK, Advocate, HIGH 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 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. \_\_\_\_/\_\_\_\_/2021

عربہ مین  
**CLIENT**

**ACCEPTED**  
**NOOR MUHAMMAD KHATTAK**  
**KAMRAN KHAN**  
**SAID KHAN**  
**UMAR FAROOQ MOHMAND**  
**& HAIDER KHAN**  
**ADVOCATE**

**OFFICE:**

Flat No.4, 2<sup>ND</sup> Floor,  
Juma khan plaza near  
FATA secretariat, warsak road  
Peshawar City.  
Mobile No.0345-9383141