

08.02.2023

Clerk of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Mrs. Rozina Rehman, Learned Member (J) is on leave today, therefore, case is adjourned to 12.05.2023 for arguments before the D.B.

  
(FAREEHA PAUL)  
Member (E)

SCANNED  
KPST  
Peshawar

25.08.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for official respondents No. 1 to 3 present.

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 27.10.2022 before the D.B.



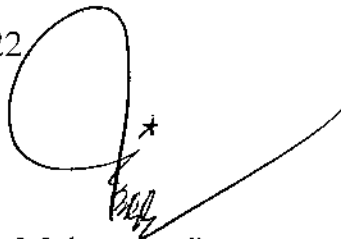
(Salah-Ud-Din)  
Member (Judicial)

27.10.2022

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for official respondents No. 1 to 3 present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments before the D.B on

05.12.2022



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

RECEIVED  
SECRETARY  
25/08/2022

05.12.2022

Junior of learned counsel for the appellant present. Mr. Wisal Khan, ADEO alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for arguments on 02.02.2023 before D.B.



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

2<sup>nd</sup> Feb, 2023

Clerk of the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Lawyers are on strike, therefore, the case is adjourned. Office is directed to notify the next date on the notice board as well as on the website of the Tribunal. To come up for arguments on 08.02.2023 D.B.



(Muhammad Akbar Khan)  
Member (E)



(Kalim Arshad Khan)  
Chairman

25.04.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, learned Additional Advocate General for respondents No. 1 to 3 present.

Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments before D.B on 16.05.2022. The restraint order dated 24.08.2021 shall remain operative till next date.



(Rozina Rehman)  
Member (J)



(Salah-Ud-Din)  
Member (J)

16.05.2022

Junior to counsel for appellant present. Mr. Kabir Ullah Khattak Additional Advocate General for the respondents present.

Junior to counsel for appellant requested for adjournment on the ground that learned counsel for the appellant is not available due to some domestic engagements. Adjourned. To come up for arguments before the D.B on 07.06.2022.



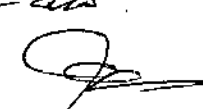
(Rozina Rehman)  
Member (J)



(Salah-Ud-Din)  
Member (J)

7.6.22

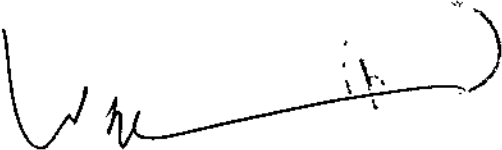
*propter D.B is on Tour, therefore  
the case is adjourned for June on  
25.8.22.*



02.02.2022

Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Due to paucity of time, arguments could not be heard. Adjourned. To come up for arguments before the D.B on 28.02.2022. The restraint order dated 24.08.2021 shall remain operative till next date.



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

  
Chairman

28.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 15.03.2022 for the same as before.

  
Reader

15.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 25.4.2022 for the same as before.

  
Reader.

16.12.2021

Junior of learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for official respondents present.

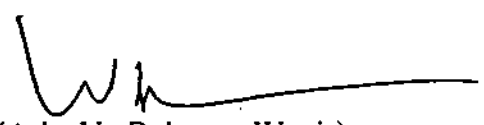
Written reply/comments not submitted. Learned AAG seeks time to contact the respondents for submission of written reply/comments. Notices be issued to the private respondent No.4. Adjourned but as a last chance. To come up for written reply/comments on 10.01.2022 before S.B. The restraint order dated 24.08.2021 shall remain operative till next date.

  
(MIAN MUHAMMAD)  
MEMBER (E)

10.01.2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for official respondents No. 1 to 3 present. Nemo for private respondent No. 4, hence proceeded ex-parte.

Reply/comments on behalf of respondents are still awaited. Learned Additional Advocate General sought time for submission of reply/comments. Another last opportunity is granted to respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 02.02.2022. The restraint order dated 24.08.2021 shall remain operative till next date.

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

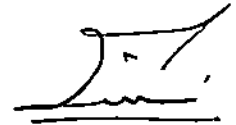
10.09.2021

Clerk of counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Sher Azam Khan Superintendent for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned To come up for arguments before the D.B. on 08.10.2021. In the meanwhile, operation of the impugned transfer order dated 10.06.2021, if not already acted upon shall remain suspended till the date fixed.



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

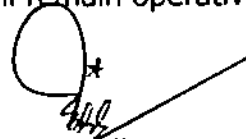


(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

08.10.2021

Appellant in person present. Mr. Muhammad Rasheed, DDA for the official respondents present. None is present on behalf of respondent No. 4. Fresh notice be issued to him.

Reply of the respondents is still awaited. Last opportunity is granted to the respondents for submission of reply/comments within 10 days in office, failing which their right for submission of reply/comments shall be deemed as struck off. To come up for arguments ~~30~~ 30.11.2021 before the D.B. The restraint order dated 24.08.2021 shall remain operative till next date.



(Mian Muhammad)  
Member(Executive)



Chairman

30.11.2021

Due to non-availability of DB, the case is adjourned to 16-12-2021.

  
Reader

24.08.2021

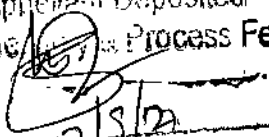
Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Preliminary arguments heard.


Learned counsel for the appellant contends that the impugned transfer/adjustment order dated 10.06.2021 has been made, despite ban on transfer/posting. He further contended that vide impugned transfer/adjustment order, the appellant was prematurely transferred on disciplinary ground, which fact makes the impugned transfer/adjustment order as wrong and illegal.

Points raised need consideration, therefore, the appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 10.09.2021 before the D.B.

The appeal is also accompanied by an application for suspension of operation of the impugned transfer order till the disposal of the instant appeal. Notice of the application be issued to the respondents and meanwhile, operation of the impugned transfer order dated 10.06.2021, if already not acted upon, shall remain suspended till the date fixed subject to notice.

Appellant Deposited  
Security Process Fee

  
07/9/21



(SALAH-UD-DIN)  
MEMBER (J)

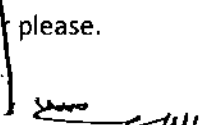



Form- A

FORM OF ORDER SHEET

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

Case No.- 7256 /2021


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/08/2021	<p>The appeal of <del>Mr.</del> Ahmad Zeb resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24-08-2021</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

The appeal of Mr. Ahmad Zeb Junior Clerk GGHS No.2 Batkhela received today i.e. on 06.08.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- Copy of impugned order is illegible which may be replaced by legible/better one.


No. 1544 /S.T,

Dt. 06/08 /2021

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

*Yr* Resubmitted after necessary completion and completion, and removal of objections so raised.

  
13/8/21

7256/21

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR  
**CHECK LIST**  
 Case Title: AHMAD ZEB 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: \_\_\_\_\_

06/08/2021

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

SERVICE APPEAL NO. 7256 /2021

**AHMAD ZEB**

**V/S EDUCATION DEPARTMENT**

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Dated: 06 /08/2021

**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. \_\_\_\_\_/2021**

Mr. Ahmad Zeb, Junior Clerk (BPS-11),  
GGHS No.2 Batkhela under transfer to GGHS Palai, District Malakand.

.....**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 Malakand.
- 4- Mr. Arif Khan, Junior Clerk GGHS Palai under transfer to GGHS No. 2 Batkhela, Malakand.

.....**RESPONDENTS**

**APEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED  
ORDER DATED 10-06-2021 WHEREBY THE APPELLANT HAS  
BEEN TRANSFERRED FROM GGHS NO.2 BATKHELA TO GGHS  
PALAI IN UTTER VIOLATION OF TRANSFER/POSTING  
POLICY AND AGAINST NO ACTION TAKEN ON THE  
DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE  
STATUTORY PERIOD.**

**PRAYER:**

That on acceptance of this appeal the impugned order dated 10-06-2021 may very kindly be set aside and the respondents may kindly be directed not transfer the appellant from GGHS No.2 Batkhela. 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 is the employee of respondent Department and is serving the respondent department as Junior Clerk quite efficiently and up to the entire satisfaction of his superiors.

2- That lastly the appellant was transferred to the GGHS No. 2 Batkhela. That in response the appellant submitted his arrival report and started performing his duty quite efficiently and up to the entire satisfaction of his superiors. Copy of the reliving chit is attached as annexure.....**A.**

3- That astonishingly through impugned office order dated 10-06-2021 the appellant was transferred from the GHSS No.2 Batkhela to GGHSS Palai, Malakand prematurely and during the ban period. Copies of the impugned transfer order and notification regarding ban period are attached as annexure .....**B & C.**

4- That appellant feeling aggrieved from the impugned transfer order dated 10-06-2021 preferred Departmental appeal before the appellant authority but the same has not been responded/ decided till the expiry of statutory period of ninety days. Copy of the Departmental appeal is attached as annexure..... **D.**

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

**GROUND:**

A- That the impugned transfer order dated 10-06-2021 is against the law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.

B- That the appellant has not been treated by the 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 10-06-2021 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 10-06-2021 is based on discrimination, favoritism and nepotism, hence not tenable in the eye of law.

E- That the impugned transfer order dated 10-06-2021 has neither been 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 transfer order dated 10-06-2021 is nothing but to harass the appellant and to accommodate his blue eyed person.

G- That the impugned transfer order dated 10-06-2021 is violative of Clause-I, IV and XIII of the transfer/posting policy of the Government of Khyber Pakhtunkhwa as the appellant has been transferred prematurely from his current post. Copy of the transfer/posting policy is attached as annexure ..... E.

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.

**APPELLANT**

  
**AHMAD ZEB**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**

  
**KAMRAN KHAN**

  
**UMAR FAROOQ**

  
**SAID KHAN**

  
&

**HAIDER ALI**

**ADVOCATES**

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

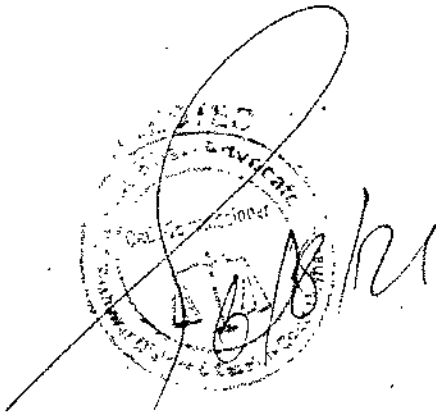
**AHMAD ZEB**

**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.



*Ahmad Zeb*  
**DEPONENT**

**CERTIFICATE:**

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

*Ahmad Zeb*  
**CERTIFICATION**



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

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

**AHMAD ZEB**

**VS**

**EDUCATION DEPT.**

**APPLICATION FOR SUSPENSION OF OPERATION OF  
THE IMPUGNED TRANSFER ORDER DATED 10-06-2021  
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 transfer order dated 10-06-2021 whereby the appellant has been transferred from GGHS No. 2, Batkhela to GGHS Palai.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned transfer order dated 10-06-2021 had been issued by the respondents in utter disregard of law and prevailing Rules.

It is therefore, most humbly prayed that on acceptance of this application the operation of the impugned transfer order dated 10-06-2021 to the extent of appellant may very kindly be suspended till the disposal of the above mentioned service appeal.

Dated: 06.08.2021

**APPLICANT**



**AHMAD ZEB**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK  
ADVOCATE**

ANNEXURE A"

BETTER COPY PAGE No..... 6

RELIEVING CHIT

Mr. ahmad zeb junior clerk has been reshuffled / adjusted at GGHS No 2 batkhela vide this office Endst: No: 4031-40/ reshuffling of ministerial staff dated batkhela the 2/8/2019. He is hereby relieving from his duty today on 17/8/219, and directed to resume his duty at new station i.e GGHS No: batkhela.

DISTRICT EDUCATION OFFICER(F)  
MALAKAND AT BATKHELA

A-6

REU WING SHIH

Mr. Ahmad Zeb Junior Clerk has been reshuffled / adjusted at GGHS No. Batkhela vide this office Endst: No. 4031 / reshuffling of ministerial staff Dated Batkhela the: 02/08/2019, he is hereby relieved from his duty today on 12/08/2019, and directed to resume his duty at new station i.e. GGHS No. Batkhela.

~~DISTRICT EDUCATION OFFICER (I)~~  
~~MALAKAND AT BAKHELA~~

*[Handwritten signature]*



ANNEXURE B (7)

OFFICE OF THE  
DISTRICT EDUCATION OFFICER (F)  
MALAKAND AT BATKHELA

0932-410283 DEOFMalakand demisdeof.malakand@gmail.com



TRANSFER/ADJUSTMENT.

The following Junior Clerk are hereby transferred/adjusted to the office noted against their name, on their own pay and grade in the interest of public service with immediate effect.

S.No	Name and Designation	From	To	Remarks
1.	Mr. Ahmad Zab Junior Clerk B-11	GGHS No.2 Batkhela	GGHSS Palai	Disciplinary ground
2.	Mr. Arif Khan Junior Clerk B-11	GGHSS Palai	GGHS No.2 Batkhela	Vice S.No.1

- Note:-1. No TADA is allowed.  
2. Charge report should be submitted to all concerned

(SADIA AZIZ)  
DISTRICT EDUCATION OFFICER  
(F) MALAKAND AT BATKHELA

Endst: No. 10543-48 /Dated: 10/06/2021.

Copy forwarded for information to the:-

1. The District Accounts Officer Malakand.
2. The Principal/Head Mistress GGHSS/GGHS Palai & Batkhela.
3. The Education Monitoring Authority (EMA) Malakand.
4. The A/P DEMIS Cell local office.
5. The Official concerned.

DISTRICT EDUCATION OFFICER  
(F) MALAKAND AT BATKHELA

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

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

Ahmed Zeb

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

VERSUS

Education Deptt.

(RESPONDENT)  
(DEFENDANT)

I/We

Ahmed Zeb

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



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

ANNEXURE: C

BETTER COPY.

Government of Khyber pakhtunkhwa

Elementary & secondary education

Department .

Peshawar the june 10, 2021

NOTIFICATION:

NO:SO(SM)E&SED/7-1/2021/PT/GENERAL:

In constitution of this department Notification No. SO(SM) E&SED/7-1-2021/E- Transfer policy dated 10.6.2021 the competent authority is pleased to impose ban on all tip of posting /transfer except E-transfer policy in elementary & secondary education Khyber pakhtunkhwa with immediate effect till further orders.

Secretary to govt: of Khyber pakhtunkhwa  
Elementary & secondary education department,

ANNEXURE C

Better copy Page No (8)

Government of Khyber pakhtunkhwa  
Elementary & secondary education  
Department

Transfer policy dated 10.6.221 the competent authority is directed

Secretary to govt. of Khyber pakhtunkhwa  
Elementary & secondary education department



GOVERNMENT OF KARNATAKA  
DEPARTMENT OF EDUCATION  
BANGALORE

**NOTIFICATION**

NO. SO(SM)E&SEB/7/2021

Notification No. SO(SM)E&SEB/7/2021 is issued by the Competent Authority (dispensed with) on the basis of the Transfer Policy in the Government of Karnataka, except B: Transfer Policy in the Government of Karnataka, Pakhankhawa with immediate effect. All higher posts.

SECRETARY TO GOVT. OF KARNATAKA  
DEPARTMENT OF EDUCATION  
BANGALORE

Encls: of even No. 5 Dfrc

Copy forwarded to the

1. Principal Secretary to Government of Karnataka
2. Principal Secretary to Chief Minister's Office, Pakhankhawa
3. Accountant General, Government of Karnataka
4. Director, E&SEB, Government of Karnataka
5. Director, DDE, Government of Karnataka
6. Director, DPD, Government of Karnataka
7. All District Education Officers, Government of Karnataka
8. All District Account Officers, Government of Karnataka
9. PSO to Chief Secretary, Government of Karnataka
10. RS to Secretary, Government of Karnataka
11. PS to Special Secretary, Government of Karnataka
12. PA to Additional Secretary, Government of Karnataka
13. PA to Deputy Secretary, Government of Karnataka
14. In charge EMIS, Government of Karnataka
15. Master file

(Signature)  
SECRETARY TO GOVT. OF KARNATAKA





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 posting/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 detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

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)1-4/2008, dated 21-09-2008

- (vi) 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 within one year may also be posted in Districts of their domicile.
- (vii) 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:

Police Officers in BPS-18 and above	Commissioner, Government and Department concerned with the approval of the Chief Minister.
Other officers in BPS-17 and above to be normally held by P.O. Posts (P.O. Posts)	-
Heads of Attached Departments and other	-
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.
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)

(viii) 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 records of

Confidential

b) To ensure

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

i) Pre-mature posing/transfer or posting transfer in violation of the provisions of this policy.

ii) Serious and grave personal (humanitarian) grounds.

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

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

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

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

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

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.  
(Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003).

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

All posting/transfer orders of ES-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.