

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 693/2019

Date of Institution ... 22.07.2019

Date of Decision ... 07.01.2020

Ishrat Khan S/O Feroz Khan R/O Bhai Khel, Sufaid Sang, Tehsil and District Peshawar. ... (Appellant)

VERSUS

District Education Officer (Male) Peshawar and three others. ... (Respondents)

MR. MUHAMMAD AFTAB,
Advocate

--- For appellant.

MR. MUHAMMAD JAN,
Deputy District Attorney

--- For respondents

MR. AHMAD HASSAN
MR. MUHAMMAD HAMID MUGHAL

--- MEMBER (Executive)
--- MEMBER (Judicial)

JUDGMENT:

AHMAD HASSAN, MEMBER:- Arguments of the learned counsel for the parties heard and record perused.

ARGUMENTS:

02. Learned counsel for the appellant argued that he was appointed as PET (BPS-9) in the Education Department vide order dated 25.09.2008 and continued performing duty regularly. That respondent no.2 transferred the appellant to GHSS Sufaid Sang through order dated 27.10.2017. That on 28.01.2019 appointments of PETs were made by respondent no.1 and private respondent no.4 was posted at GHSS Sufaid Sang, despite the fact that the appellant was working against the said. However, in the said order it was shown vacant. Resultantly, the appellant was

transferred to GHSS, Ghari Sherdad prematurely. Feeling aggrieved, he filed departmental appeal which was not responded within the stipulated period, hence, the present service appeal. Transfer of the appellant was not in line with posting/transfer policy notified by the provincial government. As such action on the part of respondents was illegal/unlawful, hence, not sustainable.

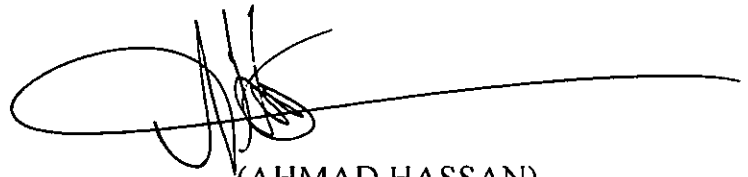
03. Learned DDA argued that respondents advertised posts of PET's and the process of recruitment was carried out by NTS and thereafter private respondent no.4 was appointed as PET vide order dated 28.01.2019. The appellant was wrongly transferred against the post referred to above. Furthermore, appointment of private respondent no.4, was school based and non-transferable, as per policy of the provincial government.

CONCLUSION:

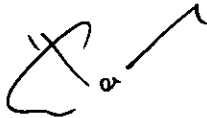
04. Through the present service appeal, the appellant seeks indulgence of this Tribunal for rescinding impugned transfer order dated 28.01.2019. The appellant is serving in the Education Department since 2008 and was lastly transferred to GHSS, Sufaid Sung through order dated 28.10.2017. Subsequently, the respondents made school based appointments as PETs through the order mentioned above. Private respondent no.4 was posted at GHSS, Sufaid Sung against a vacant post. However, actually this post was occupied by the appellant. Mistake/oversight on the part of the respondents has been admitted in their para-wise comments. As appointment of private respondent was school based and non-transferable, therefore, the claim of the appellant is without any substance and not worth consideration. Action taken by the respondents is fully backed by rules/instructions.

The appellant has not been able to make out a convincing case for consideration of this Tribunal.

05. As a sequel to the above, the instant appeal is dismissed. Parties are left to bear their own costs. File be consigned to the record room.



(AHMAD HASSAN)
Member



(MUHAMMAD HAMID MUGHAL)
Member

ANNOUNCED
07.01.2020

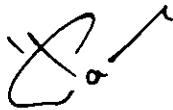
ORDER

07.01.2020


Counsel for the appellant present. Mr. Muhammad Jan, DDA
for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today of this Tribunal placed
on file, the instant appeal is dismissed. Parties are left to bear their
own cost. File be consigned to the record room.

Announced:
07.01.2020



(Muhammad Hamid Mughal)
Member



(Ahmad Hassan)
Member

16.09.2019

Appellant in person and Addl. AG on behalf of official respondents and private respondent No. 4 in person present.

Request for adjournment is made on behalf of the respondents for submission of written reply/comments. Adjourned to 08.10.2019 on which date the requisite reply/comments shall positively be submitted.

Chairman 

08.10.2019

Appellant in person present. Addl. AG alongwith Arshad ADEO for respondent No. 1 present and submitted reply on behalf of the said respondent. Mr. Irfanullah, Assistant for respondent No. 2 present and relies on the reply of respondent No. 1.

Fresh notices be issued to respondents No. 3 & 4 for submission of requisite reply/comments by way of last chance on 22.10.2019 before S.B.

Chairman 

22.10.2019

Junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present.

Written reply on behalf of respondents No. 1 and 2 already submitted. Despite last chance respondents No. 3 & 4 failed to submit their written replies, therefore, the case is posted to D.B for 07.01.2020 for rejoinder and arguments.

CHAIRMAN 

693/2019

23.07.2019

Counsel for the appellant present.

Amended appeal submitted which is made part of the record. Learned counsel contends that respondent No. 4 was appointed on 28.01.2019 and through the same order was posted at GHSS Sufaid Sang purportedly against a vacant post. On 01.02.2019 the appellant was transferred from GHSS Sufaid Sang to GHSS Garhi Sherdad in order to create ex-post facto vacancy for respondent No. 4. Even otherwise the date of transfer of appellant to GHSS Sufaid Sang was 28.02.2017 and on 01.02.2019 the normal tenure of posting under the Government policy was yet to be completed.

In view of the available record and arguments of learned counsel, instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 06.08.2019 before S.B.


Appellant Deposited
Security & Process Fee

23/7/19


Chairman

06.08.2019 Appellant in person present. Written reply not submitted. Arshid Ali ADO (for respondent No.1) absent. Respondents as well as absent representative be put to notice for submission of written reply/comments. Adjourn. To come up for written reply/comments on 16.09.2019 before S.B.


Member

10.07.2019

Counsel for the appellant present.

Learned counsel for the appellant has submitted an application for impleadment of one Zia-UI-Islam S/o Muhammad Shoaib as respondent No. 4 who has been transferred vice the appellant.



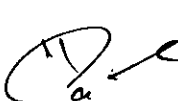
In case the appellant is granted relief through the appeal in hand, the proposed respondent is likely to suffer, therefore, he appears to be a necessary party to the proceedings. The application for impleadment is, therefore, allowed. The appellant shall submit amended memorandum of appeal within 10 days.

To come up for further proceedings/ amended appeal on 23.07.2019 before S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____
Case No.- 693/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/05/2019	<p>The appeal of Mr. Ishrat Khan presented today by Mr. Ateeq Akhtar 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 24/05/19</p>
2-	27/05/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>26/06/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	26.06.2019	<p>Learned counsel for the appellant present, stated that Mr. Zia Ul Islam (Physical Education Teacher GHSS Sufaid Sung) is necessary party in the present service appeal but has not been arrayed as such in the calendar of respondents. Learned counsel for the appellant seeks adjournment for doing the needful. Adjourn. To come up for further proceedings on 10.07.2019 before S.B</p> <p style="text-align: right;"> Member</p>

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

Amendment Appeal No. 693/19/2019

Ishrat Khan


VERSUS

District Education Officer (Male) Peshawar & Others

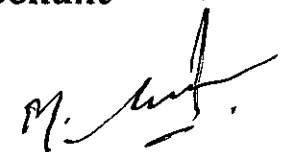
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7.	Copy of Impugned Transfer Order vide dated 01/02/2019	"F"	
8.	Copy of Departmental Appeal and Principal's Request	"G"	
9.	Wakalat Nama		

Dated: ²² 07/07/2019


Appellant

Through


Muhammad Aftab
&
Mian Sadiq Ahmad
Advocate, High Court,
Peshawar.

Office Address: Off No: 10, Ali Tower, G.T Road, Hashtnagri,
Peshawar. 0310-9756256 - 0344-9392366- 0333-9363119

**IN THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR.**

Appeal No. 193 /2019



*Ishrat Khan S/o Feroz Khan R/o Bhai Khel, Sufaid Sang,
Tehsil & District Peshawar.*

.....Appellant

VERSUS

- 1. District Education Officer (Male) Peshawar.*
- 2. Director Education Khyber Pakhtunkhwa, KPK, Peshawar.*
- 3. Secretary Education, KPK Civil Secretariat Peshawar.*
- 4. Zia Ul Islam S/o Muhammad Shoaib, GHSS Sufaid Sang,
Peshawar.*

.....Respondents

**APPEAL UNDER SECTION 4 ACCORDING TO THE
DEPARTMENTAL APPEAL OF THE APPELLANT,
WHICH IS STILL PENDING BEFORE THE
RESPONDENT NO.1 AND AFTER LAPSE OF
STATUTORY PERIOD NO ORDER/
COMMUNICATION HAS BEEN MADE ON THE
SAME SO FAR.**

PRAYER IN APPEAL:

*On acceptance of this appeal, the impugned
order no. 13710-12 dated 01.02.2019 may
kindly be set aside and the respondents may*

kindly be directed to re-transfer/ adjust the appellant in his previous school i.e. G.H.S.S SUFAID SANG PESHAWAR (local school of the appellant) as P.E.T.

Any other remedy/ relief available in the circumstances of the case may also kindly be granted to the appellant against the respondents.

Respectfully Sheweth:

The appellant submits as under:

- 1) That the Appellant was appointed by the Competent Authority as P.E.T at G.H.S.S in BPS-9. (Copy of the Appointment Letter of Appellant is annexed as Annexure "A")**
- 2) That then the Respondent No.2 transferred the Appellant to his Local Area School namely G.H.S.S Sufaid Sang Peshawar vide order dated 27/10/2017. (Copy of transferred letter is annexed as annexure "B")**
- 3) That after that the Appellant performed his duties with full diligence and to the full satisfactions of his high ups.**
- 4) That on dated 28/01/2019 the Respondent No.1 made appointments of new P.E.Ts in which one appointee namely Mr. Zia Ul Islam/ Respondent**

No.4 was posted on the post in G.H.S.S Sufaid Sang Peshawar where the appellant was rendering services since 28/10/2017 and in the same appointment order the posting of Respondent No.4 has been made against the vacant post, but in fact the Appellant was already rendering services there. **(Copy of New Appointments Letter is annexed as Annexure "C")**

5) That at the time of the appointment of P.E.T namely, Mr. Zia ul Islam / Respondent No.4 by the Respondents on the vacant post as mentioned, the present appellant was already rendering services since November, 2017 till the impugned order. **(Copies of Appellant's attendance in G.H.S.S Sufaid Sang are annexed as Annexure "D" and "E")**

6) That after that appointment the Respondent No.1 another Office Order on dated 01/02/2019 through which the present appellant was transferred from his School i.e. G.H.S.S Sufaid Sang to another School G.H.S.S Garhi Sherdad, which clearly shows that the appointment of one Respondent No.4 was not made against a Vacant Post but on the post upon which the Appellant was already rendering services. Furthermore, the present appellant has not completed his tenure as P.E.T before the impugned order **(Copy of the Impugned Transfer Order**

vide dated 01/02/2019 is annexed as Annexure "F")

- 7) That the principal of the G.H.S.S Sufaid Sang also requested the Respondents on the front of Departmental Appeal of the Appellant that the present appellant has not completed his tenure in the school and that he may kindly be retained till the completion of his tenure but all in vain. (Copy of the Departmental Appeal and Principal's Request is annexed as Annexure "G")**
- 8) That feeling aggrieved by the above impugned transfer order, the appellant filed a departmental appeal before Respondent No.1 which is still pending before him and after lapse of statutory period on order/ communication has been made on the same so far, hence this appeal on the following amongst other grounds:-**

GROUNDS:

- A. That the act and omission of the respondent / department is illegal, unconstitutional, without jurisdiction, without lawful authority, against facts and materials on the record, therefore, need the interference of this Hon'ble Tribunal.**

- B. That the act and omission of the department is not only factually incorrect and legally untenable but also is against the principles of natural justice.
- C. That at the time of the impugned transfer order the tenure of the appellant in his local school has been ignored which is also against the rules.
- D. That the appellant is a Government/ Civil Servant and legal constitutional guarantee is available to him to be dealt with in accordance with law he however, has not been treated as such.
- E. That the act and omission of the department is clear violation/ disregard of the directions giving in the many judgments of the Superior Courts. Therefore, the said act and omission of the department is not effective on the right of the appellant and the same has caused gross miscarriage of justice to the appellant.
- F. That the respondents have failed to apply their independent/ administrative mind to the matter and therefore, have reached to an erroneous conclusion which is not sustainable in the eye of law.
- G. That any other ground will be agitated at the time of arguments with the permission of this Hon'ble Court.

It is, therefore, humbly prayed that on acceptance of this appeal, the impugned order No. 13710-12 dated 01/02/2019 may kindly be set aside and the respondents may kindly be directed to Re-transfer / adjust the appellant in his previous School i.e., G.H.S.S Sufaid Sang Peshawar (Local School of the Appellant) as P.E.T.

Any other remedy/ relief available in the circumstances of the case may also kindly be granted to the appellant against the respondents.

Dated: 22/07/2019



Appellant

Through



Muhammad Aftab

&

Mian Sadiq Ahmad

**Advocate, High Court,
Peshawar.**

Affidavit:

I, Ishrat Khan S/o Feroz Khan R/o Bhai Khel, Sufaid Sang, Tehsil & District Peshawar, do hereby solemnly affirm and declare on oath that the contents of this appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT

CNIC: 17301-06780809-9

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

Appeal No. _____/2019

Ishrat Khan

VERSUS

District Education Officer (Male) Peshawar & Others

ADDRESSES OF THE PARTIES

APPELLANT

*Ishrat Khan S/o Feroz Khan R/o Bhai Khel, Sufaid Sang,
Tehsil & District Peshawar.*


RESPONDENTS

- 1. District Education Officer (Male) Peshawar.*
- 2. Director Education Khyber Pakhtunkhwa, KPK, Peshawar.*
- 3. Secretary Education, KPK Civil Secretariat Peshawar.*
- 4. Zia Ul Islam S/o Muhammad Shoaib, GHSS Sufaid Sang,
Peshawar.*

Dated: ²²07/07/2019


Appellant

Through


Muhammad Aftab
&
Mian Sadiq Ahmad
Advocate, High Court,
Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. 693 of 2019

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7	Copy of Impugned Transfer Order vide dated 01-02-2019	"F"	13
8	Copy of departmental Appeal and Principal's request	"G"	(14)
9	Wakalat Nama		(15) In original

Dated: 24-5-2019

Appellant
Through *A. Akhtar*
Ateeq Akhtar
& *S. Ahmad*
Mian Sadiq Ahmad
Advocates High Court,
Peshawar.

Office Address: office No. 10, Ali Tower G.T Road Hashtnagri, Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. 693 of 2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 804

Dated 24/5/2019

Ishrat Khan S/o Feroz Khan R/o Bhai Khel, Sufaid Sang,
Tehsil & District Peshawar.

..... Appellant

VERSUS

- 1) District Education Officer (Male) Peshawar.
- 2) Director Education Khyber Pakhtunkhwa, KPK,
Peshawar.
- 3) Secretary Education, KPK Civil Secretariat Peshawar.

..... Respondents

Filed to-day

Registrar

24/5/19

APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974
ACCORDING TO THE DEPARTMENTAL APPEAL OF
THE APPELLANT, WHICH IS STILL PENDING BEFORE
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STATUTORY PERIOD NO ORDER /
COMMUNICATION HAS BEEN MADE ON THE SAME
SO FAR.

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- 4) That on dated 28-01-2019 the Respondent No. 1 made appointments of new P.E.Ts in which one appointee namely Mr. Zia ul Islam was posted on the post in G.H.S.S sufaid sang Peshawar where the appellant was rendering services since 28-10-2017 and in the same Appointment Order the posting of Zia Ul Islam has been made against the vacant post, but in fact the Appellant was already rendering services there. **(Copy of New Appointments letter is annexed as annexure "C")**
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3

completed his tenure his tenure as P.E.T before the impugned order. **(Copy of Impugned Transfer Order vide dated 01-02-2019 is annexed as annexure "F")**

- 7) That the Principal of the G.H.S.S Sufaid Sang also requested the Respondents on the front of Departmental Appeal of the Appellant that the present Appellant has not completed his tenure in the school and that he may kindly be retained till the completion of his tenure but all in vain. **(Copy of departmental Appeal and Principal's request is annexed as annexure "G")**
- 8) That feeling aggrieved by the above impugned Transfer order the appellant filed a departmental appeal before respondent No.1 which is still pending before him and after lapse of statutory period no order / communication has been made on the same so far, hence this appeal on the following amongst other grounds:

Grounds:

- A) That the act and omission of the respondent /department is illegal, unconstitutional, without jurisdiction, without lawful authority against facts and materials on the record therefore, need the interference of this Hon'ble Tribunal.
- B) That the act and omission of the department is not only factually incorrect and legally untenable but also is against the principles of natural justice.
- C) That at the time of the impugned transfer order the tenure of the appellant in his local School has been ignored which is also against the rules.
- D) That the appellant is a Government / Civil Servant and legal and constitutional guarantee is available to him to be dealt with in accordance with law he however, has not been treated as such.
- E) That the act and omission of the department is clear violation/disregard of the directions giving in the many judgments of the Superior Courts, Therefore, the said act and omission of the department is not effective on

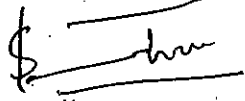
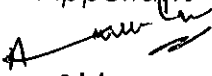
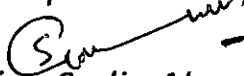
the right of the appellant and the same has caused gross miscarriage of justice to the appellant.

- F) That the department is legally / constitutionally bound to follow the directions of law and justice.
- G) That the respondents have failed to apply their independent/administrative mind to the matter and therefore have reached to an erroneous conclusion which is not sustainable in the eye of law.
- H) That any other ground will be agitated at the time of arguments with the permission of this Hon'ble Court.

It is, therefore, humbly prayed On acceptance of this appeal the impugned order no. 13710-12 dated 01-02-2019 may kindly be set aside and the respondents may kindly be directed to Re-transfer/adjust the Appellant in his previous School i.e. G.H.S.S Sufaid Sang Peshawar (Local School of the Appellant) as P.E.T.

Any other remedy /relief available in the circumstances of the case may also kindly be granted to the appellant against the Respondents.

Dated: ^{24/5} --2019


Appellant
Through 
Ateeq Akhtar
& 
Mian Sadiq Ahmad
Advocates High Court,
Peshawar.

Affidavit.

I, Ishrat Khan S/o Feroz Khan R/o Bhai Khel, Sufaid Sang, Tehsil & District Peshawar, do hereby solemnly affirm and declare on oath that the contents of this appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.


DEPONENT

CNIC No. 17301-0678089-9

5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____ of 2019

Ishrat Khan

VERSUS

District Education Officer (Male) Peshawar and others

ADDRESSES OF THE PARTIES

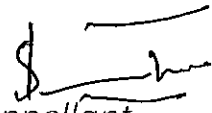
Appellant

Ishrat Khan S/o Feroz Khan R/o Bhai Khel,
Sufaid Sang, Tehsil & District Peshawar

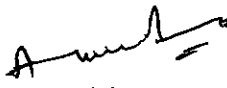
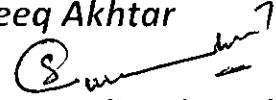
Respondents

- 1) District Education Officer (Male) Peshawar.
- 2) Director Education Khyber Pakhtunkhwa, KPK,
Peshawar.
- 3) Secretary Education, KPK Civil Secretariat
Peshawar.

Dated: 24.5.2019


Appellant

Through


Ateeq Akhtar
& 
Mian Sadiq Ahmad
Advocates High Court,
Peshawar.

Amendment "A" (6)

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E & S) EDUCATION PESHAWAR

APPOINTMENT

Consequent upon the acceptance of appeal by the competent authority in respect of Ishrat Khan S/O Feroz Khan resident of Sufaid Sung Peshawar Year of passing of JDPE examination 15-12-2005 Stand at S No 14 in the 75% batch wise merit list of PET is hereby appointed against the vacant post of PET at GHSS Sufaid Sung Peshawar in BPS -09 RS: (3820-230-10720) plus usual allowances as admissible under the rules on regular (Non Pension-able). The terms & conditions given below:-

TERMS AND CONDITIONS.

1. He will be governed by such rules & regulation as may be prescribed by the Govt: from time to time for category of the Govt: servants to which they belong.
2. In case of resignation prior notice of one month should be given by the official / teacher concerned. other wise one month pay/ allowances will be forfeited in lieu thereof.
3. His seniority will be determined in accordance with the merit of Departmental Selection Board / Committee.
4. His appointment is purely temporary and liable to termination / reverted at any stage with out assigning any notice / reason.
5. His service will be liable to termination / reversion at any stage if his Certificates / Degrees NIC/ Domicile etc testimonial found fake, his services will be considered as terminated automatically and FIR will be lodged against them.
6. His original Certificates / Degrees should be checked and verified from the concerned BISE / University etc before handing over the charge by the D.D.O concerned through the Executive District Officer (E&S) Education Peshawar.
7. His declaration of assets should be obtained and kept in safe custody by the D.D.O concerned
8. He should take over charge of his posts with in one month after the issue of this notification / order
9. The appointment order issued under: Endst: No.7219-34 dated 24/09/2008 may be treated as cancel
10. Charge report should be submitted to all concerned.
11. TA/DA is not allowed to all Candidates.
12. No transfer request shall be entertained before completion of three year tenure
13. The above selection has been made on the following criteria: -
Obtained marks Multiplied by Allocated Marks to Certificate / Degree and divided by Total Marks e.g. $680 \times 25 / 850 = 20$
Allocation Marks.

SSC	25
FA/FSc	25
BA/BSc	10
MA/MSc	10
Professional	25
Experience	05 (1 year=2 Marks / 2years = 3 Marks/ 3 years & above 5Marks)

(SAID RAHMAN)
EXECUTIVE DISTRICT OFFICER
(E & S) EDUCATION PESHAWAR

Endst: No. 7349-62 / Dated 25/9/08.

Copy of the above is forwarded for information and necessary action to the: -

1. P/S to Minister for Elementary & Secondary Education NWFP Peshawar
2. P/S to Secretary (E&S) Education Govt: of NWFP Peshawar.
3. P/A to Director (E&S) Education NWFP Peshawar.
4. District Accounts Officer Peshawar with the request that the bills of the above named candidates may not be honored till the verification of their Certificates/ Degrees etc from the concerned agencies duly authenticated by this office.
5. P.S C to District Nazim City District Govt: Peshawar.
6. P/S to District Coordination Officer City District Govt: Peshawar.
7. District Officer (Female) (E&S) Education Peshawar.
8. Deputy District Officer (Female) Primary Peshawar.
- 9-23 Principals / Head Mistresses/Head Master concerned with the remarks that
 - (i) Charger report should submit along with original fee receipt for each degree/certificate in duplicate for the purpose of verification to this office
 - (ii) The cases of over age appointee may be submitted to this office for grant of age relaxation.
- 24-29 ADO Establishment/ ADO Accounts / Superintendent Establishment Branch / Cashier local office.
- 30 Teacher concern.


DISTRICT OFFICER (MALE)

Annuke "B"

7

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OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR.

OFFICE ORDER

Consequent upon the approval of the competent authority, Mr. Ishrat Khan (PET) GMS Garanga Bala Peshawar is hereby transferred on his own pay and BPS against the vacant post of (PET) at GHSS Sufaid Sang Peshawar in the interest of public service, with immediate effect.

NOTE:

No TA/DA Allowed.

Charge report Should be submitted all concerned.

**DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR**

Ends: No: 11624-37 Dated Peshawar, the 28 / 10 / 2017.

Copy of the above is forwarded to the:-

- 1- Accountant General Khyber Pakhtunkhwa Peshawar.
- 2- Principal/Head Master concerned.
- 3- Cashier Local Office.
- 4- Assistant Programmer EMIS Local Office.

[Handwritten Signature]

**DY: DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.**

f:\transfer\placement committee\ishrat khan pet.docx

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District Education Officer (Male) Peshawar

PH No. 091-9225458

Amirul "C"

28/1/19

APPOINTMENT.

Consequent upon recommendations of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of **PET (Physical Education Teacher) School based in BPS-15 (Rs.16120-1330-56020) @ Rs. 16120/- 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 conditions given below :-

Open Merit:

S.No	Name	Father Name	School Name	CNIC#	Total Score	Remarks
1.	ABDUL HAMEED	LAIQ KHAN	GHS Tela Band	17301-6471215-1	143.26	Against Vacant Post
2.	MUHAMMAD TALHA AMIN	AMIN JAN	GCMHSS Nahaqi	17301-1400450-3	139.11	Against Vacant Post
3.	LUQMAN SHAH	ZIANOOR SHAH	GMS Qilla Shah Baig	17301-0955815-3	138.36	Against Vacant Post
4.	MUHAMMAD ANEEL	MUHAMMAD SHUAIB	GMS Sama Badaber	17301-1889845-3	138.35	Against Vacant Post
5.	SYED NOOR UL ABIDEEN	SYED IFTAR ALI SHAH	GMS Yousaf Abad	17301-6601829-5	138.04	Against Vacant Post
6.	MAJID UR REHMAN	MAQBOOL UR REHMAN	GMS Sattar Shah	17301-0502201-9	137.61	Against Vacant Post
7.	ZAKIR ULLAH	SAZ MUHAMMAD.	GHS Gulozai	17301-1510547-3	137.48	Against Vacant Post
8.	SAID RASOOL	TILAWAT KHAN	GMS Jani Ghari	17301-5934128-3	136.31	Against Vacant Post
9.	ZEESHAN KHAN	SARDAR KHAN	GHS Badaber	17301-5817179-5	136.16	Against Vacant Post
10.	AYAZ ALI	YOUSAF ALI	GMS Ghari Chandan Bala	17301-3570412-1	135.43	Against Vacant Post
11.	ZIA UL ISLAM	MUHAMMAD SHOAB	GHSS Sufaid Sung	17301-5235052-7	135.27	Against Vacant Post
12.	MUHAMMAD SHAFIQ	GHULAM SIDDIQ	GMS Haji Banda	17301-6529494-1	135.22	Against Vacant Post

TERMS & CONDITIONS.

1. No TA/DA 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 i.e. till 27-01-2020.
4. Appointment is subject to the condition that the certificates/degrees must be verified from the concerned authorities by Office of the District Education Officer (Male) Peshawar. Any one found producing bogus Documents / Testimonials will 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 their one-month pay/allowances shall be forfeited to the Government.
6. Pay will not be drawn until and unless a certificate to this effect by Office of the District Education Officer (Male) Peshawar is issued that their certificates/degrees are verified
7. They should join their post within fifteen days from the issuance of this appointment order. In case of failure to join their post within fifteen days, their appointment will expire automatically and no subsequent appeal etc shall be entertained.

Amirul

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 their 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.
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. Their appointment is School based, they will have to serve at the place of posting, and their service is not transferable to any other station.
13. Before handing over charge once again their documents may be checked if they have not the required qualification they may not be handed over charge.
14. He should not be handed over charge if he exceeds thirty five (35) years or below nineteen (19) years of age.
15. If any meritorious candidate is deprived from appointment by this order and the competent authority accepted his appeal, the appointment order of the low merit candidate will be withdrawn and adjustment order will be reviewed/revised according to merit.
16. Drawing & Disbursing Officer should personally verify this order from the Office of the DEO (M) Peshawar before handing over charge to the officials.

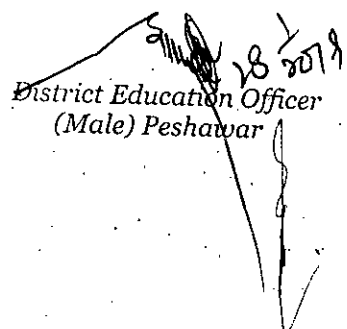
(SAJJAD AKHTAR IQBAL)
DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.

Endst: No. 13329-13370

Dated Peshawar the 28/01/2019

Copy forwarded for information and necessary action to:

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
3. Deputy Commissioner, Peshawar
4. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
5. Principals / Headmasters Concerned
6. PA to District Education Officer (Male) Peshawar
7. Cashier Local Office.
8. Officials Concerned.
9. M/File


District Education Officer
(Male) Peshawar

Annexure "F"

(13)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR.

OFFICE ORDER

Consequent upon the approval of the competent authority, Mr. Ishrat Khan (PET) GHSS Sufaid Sang Peshawar is hereby transferred on his own pay and BPS against the vacant post of (PET) at GHSS Garhi Sherdad Peshawar in the interest of public service, with immediate effect.

NOTE:

No TA/DA Allowed.

Charge report should be submitted all concerned.

**DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.**

Endst: No: 13710-12 Dated Peshawar, the 01 / 02 /2019.

Copy of the above is forwarded to the:-

- 1- Accountant General Khyber Pakhtunkhwa Peshawar.
- 2- Principals concerned
- 3- Assistant Programmer EMIS Local Office.

**DY: DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.**

ATTESTED

Amme "5" 14

کریسٹ صواب ڈائریکٹر ایجوکیشن DEO / KPK میں سٹیٹس

جناب عالی!

موتو بابت گزارش ہے کہ بندہ 27/10/2017 تک GMS گورنگنگ مالا میں پورے PET
 کام کرتا تھا بندہ سہیل سنگ کا نالہ ہے اس دوران اورنگ زیب PET GHSS سہیل سنگ
 میں بطور PET کرنا تھا جب اورنگ زیب PET کا نالہ بتایا گیا 17-09-18 کو GMS
 ایجوکیشن کالونی میں آیا اور GHSS سہیل سنگ میں PET کی
 پوسٹ جانی ہوئی تو بندہ نے دو تہہ دن GHSS سہیل سنگ میں PET
 کھائی پوسٹ کے لئے درخواست دی اور بندہ کا نالہ بتایا گیا 17-10-18 کو
 GHSS سہیل سنگ کو دیا گیا بندہ تقریباً 15 ماہ سے GHSS سہیل سنگ
 میں بطور PET کام سر انجام دے رہا ہے کہ اس دوران NTIS استاد
 کا آرڈر بندہ کی پوسٹ پر کیا گیا ہے جو کہ بندہ کیسے ہی سہا سہا رہا ہے
 اور نا انصافی ہے۔

بہذا آپ صاحبان میری تہہ کے بندہ کو ایسے سکول میں کام جاری
 رکھیں اور NTIS استاد کسی دوسری سکول میں نالہ نہ کر کے سکول

گزارش ہوگی

16 نومبر 2019

میرے پاس PET GHSS سہیل سنگ میں

دستخط



My Shtrat Ichan PET has out
 completed his term in this
 institutions as PET. He may be
 retained here please
 Principal
 GHSS Saital Sung
 Peshawar
 2019

وکالت نامہ

15

15

بعدالت پشاور ہائی کورٹ پشاور

 <p>PESHAWAR HIGH COURT BAR ASSOCIATION</p> <p>PHCBA</p> <p>۳۰ روپیے</p> <p>THIRTY RUPEES</p>	S.No	13335
	BC No	09-2525
	Sign	

..... مورخہ
 مقدمہ
 Appeal دعویٰ
 جرم

محترم خان ایڈووکیٹ
 ملد خیر دوز خان سکھ
 ۵-۵-۵، سید سنگھ جہاں خاں
 لاہور

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطہ پیروی و جواب وہی وکل کاروائی، متعلقہ
 آن مقام لیسٹاور کیلئے محمد آفتاب ایڈووکیٹ جہاں محمد صدیق اللہ عدلیس
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ وکیل موصوف کو مقدمہ کی کل کاروائی کا مکمل اختیار حاصل ہوگا
 نیز وکیل صاحب کو عرضی دعویٰ داخل کرنے، جواب دعویٰ، اپیل، نظر ثانی کا بھی اختیار حاصل ہو
 گانیز وکیل صاحب بصورت ڈگری برخلاف من اختیار دہندہ اپیل، نگرانی، نظر ثانی از عدالت ابتداء
 تا عدالت انتہا یعنی سپریم کورٹ آف پاکستان دائر کر سکتا ہے وکیل موصوف بصورت عدم پیروی
 کاروائی یکطرفہ یا ڈگری یکطرفہ کیخلاف درخواست دائر کر سکتا ہے اور وکیل موصوف میری جانب
 سے مقدمہ میں بصورت ڈگری چیک یا نقد روپیہ کی شکل میں وصولی کر سکے گا اور مزید یہ کہ وکیل
 موصوف مقدمہ متذکرہ کی کل یا جزوی کاروائی کیلئے اپنی بجائے دیگر وکیل بھی اپنے ساتھ مقرر کر سکتا
 ہے جس کو بھی وہ جملہ اختیار حاصل ہونگے جو کہ وکیل موصوف کو حاصل ہیں مجھے اس صورت میں
 تمام ساختہ پرداختہ منظور و قبول ہوگا لہذا میں نے وکالت نامہ ہذا تحریر کر کے اس پر دستخط نشان
 انگشت ثبت کر دیا ہے تاکہ سند رہے۔

المرقوم ۲۰۱۹ ماہ صوف ۲۰۱۹



بمقام لیسٹاور
 کے لئے منظور ہے
 Attached & certified

Before The Khyber Pakhtoonkhwa Service Tribunal Peshawar

Ishrat Khan vs DEO etc.

Application for implementation of one Zia-ul-Islam
s/o Muhammad Shoaib as respondent no 4
who is necessary party to the Case/Appel.

Respectfully Sheweth:-

1. That above titled appeal is pending adjudication, before the honorable Court, fixed for today to 7/19.
2. That one Zia-ul-Islam who has been transferred from my Post who name is inadvertently not mentioned as respondent to the Case, hence this application.
3. That there is no tangle bar on filing Sub petition.

It is therefore most humbly Prayed that on acceptance of this application name of Zia-ul-Islam may kindly be implemented as respondent no 4.

Petitioner



Mian Sadig Ahmed
Advoca

Date 10/7/2019.

Through